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HOUSE OF REPRESENTATIVES—*Thursday, March 28, 1968*

The House met at 12 o'clock noon.

The Reverend Alfred J. Thomas, S.T.D., St. Paul's Evangelical United Brethren Church, Red Lion, Pa., offered the following prayer:

Our Father God, we invoke Thy guidance in this day of work for our Congress of our loved America.

When a cross is laid upon us, suffer us not to be tempted above that we are able, and show us the way to deliverance. Uphold us in our trials, that we neither falter nor waver in the faith, nor doubt, nor despair of Thy power, but that, as Thou knowest how to deliver the godly out of temptation, we may in patience, meekness, and trust leave all things in Thy saving hands.

Make us equal to our high trusts, reverent in the use of freedom, just in the exercise of power, generous in the protection of weakness.

May wisdom, knowledge, and sensitivity to Thy will for men be the stability of our times, and our deepest trust be in Thee, the Lord of nations, and the King of kings; through Jesus Christ our Lord, we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed with an amendment in which the concurrence of the House is requested, a joint resolution of the House of the following title:

H.J. Res. 933. Joint resolution to proclaim National Jewish Hospital Save Your Breath Month.

PERMISSION FOR SUBCOMMITTEE ON INDIAN AFFAIRS, COMMITTEE ON INTERIOR AND INSULAR AFFAIRS, TO SIT TODAY DURING GENERAL DEBATE

Mr. HALEY. Mr. Speaker, I ask unanimous consent that the Subcommittee on Indian Affairs of the Committee on Interior and Insular Affairs be permitted to sit today during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

PERMISSION FOR COMMITTEE ON AGRICULTURE TO FILE REPORT

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the Committee on Agriculture may have until midnight tonight to file a report on H.R. 15822.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

CALL OF THE HOUSE

Mr. HECHLER of West Virginia. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. BOGGS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 74]

Albert
Anderson,
 Tenn.
Battin
Brademas
Bray
Conyers
Davis, Ga.
Dawson
Dow
Edwards, Calif.
Edwards, La.
Fascell
Ford,
 William D.
Fuqua
Gettys
Gray
Green, Oreg.
Gurney
Hagan
Hanna
Harsha
Hawkins
Helstoski
Holland
Kee
King, Calif.
Kluczynski
Kuykendall
Kyros
Leggett
Lloyd
Miller, Calif.
Morton
Murphy, Ill.
Myers
O'Hara, Ill.
O'Konski
Patman
Pucinski
Resnick
Riegle
Rivers
Rostenkowski
Roth
Roush
St. Onge
Selden
Stubblefield
Taft
Teague, Tex.
Tunney
Van Deerlin
Vander Jagt
Watts
Wiggins
Wilson,
 Charles H.
Wright
Wyatt
Zablocki

The SPEAKER. On this rollcall 374 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PERMISSION FOR COMMITTEE ON MERCHANT MARINE AND FISHERIES TO FILE REPORTS

Mr. DINGELL. Mr. Speaker, I ask unanimous consent that the Committee on Merchant Marine and Fisheries have until midnight Friday to file reports on H.R. 13781 and H.R. 15979.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

PERMISSION FOR COMMITTEE ON AGRICULTURE TO FILE REPORT ON H.R. 15822 UNTIL MIDNIGHT TOMORROW

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent that the Committee on Agriculture have until midnight tomorrow to file a report on the bill H.R. 15822.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

PERMISSION FOR COMMITTEE ON EDUCATION AND LABOR TO FILE REPORT

Mr. PERKINS. Mr. Speaker, I ask unanimous consent that the Committee on Education and Labor have until midnight tonight to file a report on the so-called joint industry promotions bill, H.R. 15198.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

Mr. HALL. Mr. Speaker, reserving the right to object, and I shall not object, because the distinguished chairman of the Committee on Education and Labor has told us about this before, is it a fair presumption that all of these unanimous-consent requests for the filing of bills by midnight are in order that they may be on the calendar of suspensions on Monday next?

Mr. PERKINS. That is correct in connection with this bill, H.R. 15198.

Mr. HALL. Mr. Speaker, I thank the gentleman and withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

NATIONAL JEWISH HOSPITAL SAVE YOUR BREATH MONTH

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the joint resolution (H.J. Res. 933) to proclaim National Jewish Hospital Save Your Breath Month, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the joint resolution.

The Clerk read the Senate amendment as follows:

On page 1, line 8, strike out "May" and insert "April".

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

PEOPLE SUPPORT JOHNSON PROGRAMS

Mr. PRICE of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE of Illinois. Mr. Speaker, I proudly support our party's candidate for President in 1968—Lyndon B. Johnson. And I believe the majority of Democrats from all sections of the country join with me in supporting the reelection of a great President.

The American people do not have to be reminded about all that President Johnson has accomplished in their behalf.

They know the benefits they are deriving from such programs as medicare, social security, aid to education, model cities and rent supplements, consumer protection, air pollution control, and traffic safety. The people know the great leadership President Johnson has given to programs to save and rebuild American cities.

Those are few Americans indeed who are not sharing in the benefits of these Johnson administration programs.

They will not want a change in 1968.

They will not turn their backs on a President who has kept faith with their needs.

Lyndon Johnson is the Democrats' choice in 1968. And, most important, he will be the people's choice.

PERMISSION FOR THE COMMITTEE ON MERCHANT MARINE AND FISHERIES TO HAVE UNTIL MIDNIGHT FRIDAY TO FILE CERTAIN REPORTS ON H.R. 15190

Mr. DINGELL. Mr. Speaker, I ask unanimous consent that the Committee on Merchant Marine and Fisheries may have until midnight Friday night to file certain reports on the bill H.R. 15190.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

Mr. HALL. Mr. Speaker, reserving the right to object, I shall address the same questions to the distinguished gentleman from Michigan as I did to the gentleman from Kentucky [Mr. PERKINS]. The purpose of this unanimous-consent request is to the effect that this bill may be scheduled under a suspension of the rules on the suspension calendar on Monday next?

Mr. DINGELL. The distinguished gentleman from Missouri is correct.

Mr. HALL. Mr. Speaker, with that explanation, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

CHINA POLICY: THE OFFSHORE ISLANDS

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there obligation to the request of the gentleman from Alabama?

There was no objection.

Mr. BUCHANAN. Mr. Speaker, recent columns by Jack Anderson in the Washington Post, suggest that U.S. strategists and policymakers are preparing to ask Chiang Kai-shek to withdraw his troops from the two offshore islands, Quemoy and Matsu. Mr. Anderson does not name the strategists who are allegedly considering the abandonment of a policy which currently ties up several hundred thousand Chinese Communist troops on the mainland, constitutes a painful political and psychological thorn in the side of Mao Tse-tung and his Communist associates, and symbolizes to all of Southeast Asia the determination of the United States that China shall one day be free again.

Because of the great significance of these two islands on which, by the way, there are only a handful of American military advisors, the United States should stand firm on the position taken in a 1954 mutual defense treaty with the Republic of China and in a 1955 joint congressional resolution, which affirmed our support for the defense of Taiwan and the islands between Taiwan and the mainland.

This has been the official U.S. policy under three Presidents for the aforementioned military and political reasons, and also because free China's troops can be supported for one-twentieth of what it costs to maintain U.S. troops in the field. Any change in our policy with respect to the offshore islands along the lines reported by Mr. Anderson would be foolish and quite possibly disastrous.

I will suggest, however, one change in our overall Republic of China policy. As I urged last week on this floor, let us invite the free Chinese to send 100,000 of their troops to Vietnam to join with our men and the many others there to guarantee a free South Vietnam and a secure Southeast Asia.

EXTENDING FOR 2 YEARS THE AUTHORITY OF FEDERAL RESERVE BANKS TO PURCHASE U.S. OBLIGATIONS DIRECTLY FROM THE TREASURY

Mr. O'NEILL of Massachusetts. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1113 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1113

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 15344) to amend section 14(b) of the Federal Reserve Act, as amended, to extend for two years the authority of Federal Reserve banks to purchase United States obligations directly from the Treasury. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. O'NEILL of Massachusetts. Mr. Speaker, I yield 30 minutes to the distinguished gentleman from Nebraska [Mr. MARTIN], and, pending that, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 1113 provides an open rule with 1 hour of general debate for consideration of H.R. 15344, to extend for 2 years the authority of Federal Reserve Banks to purchase U.S. obligations directly from the Treasury.

H.R. 15344 would extend for an additional 2 years the present authority under which the Federal Reserve banks may purchase, directly from the Treasury, obligations of the United States not in excess of $5 billion outstanding at any one time. The existing authority expires on June 30 of this year. This direct purchasing authority was originally provided in 1942 for a period of 2 years and has been extended periodically since that time.

It permits the Treasury to operate with a smaller cash balance than can otherwise be prudently justified, especially during periods immediately preceding taxpayment dates, and the authority could also be very useful in dealing with situations resulting from national emergencies of one kind or another.

Mr. Speaker, I urge adoption of House Resolution 1113 in order that H.R. 15344 may be considered.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. O'NEILL of Massachusetts. Yes.

Mr. HALL. Mr. Speaker, does the gentleman have information as to how, under this bill, this rule makes in order, the right and authority of the Treasury Department to make available to the Federal Reserve, or conversely the "Fed", to be able to purchase securities from the Treasury? In other words, would this just be in the nature of additional certificates of indebtedness, or are we talking about a form of participation sales certificates, or are we actually talking about "printing press money" in large denominations that is deposited in the Federal Reserve banks upon which they in turn would be able to establish credit and interest rates in their member banks?

Mr. O'NEILL of Massachusetts. Mr. Speaker, if the gentleman from Missouri will yield, this is a highly technical bill. However, at this point I am glad to yield to the distinguished gentleman from Pennsylvania, in order to respond to the interrogation which has been propounded to me by the gentleman from Missouri.

Mr. HALL. Mr. Speaker, if the gentleman would yield further, I will restate my question to the distinguished gentleman from Pennsylvania.

I simply want to know how we are going to make securities directly available to the Federal Reserve banks from the U.S. Treasury. It would seem to me that this, with the demonetization of silver, the removal of the gold cover, frequent raises of the so-called legal Federal debt ceiling, might be the time and place in history when we would make such securities available at a very dangerous cost to the increase in paper money in circulation throughout the Nation. That is the intent of my question.

Mr. O'NEILL of Massachusetts. I believe that I had better have the gentleman from Pennsylvania answer the question of the gentleman from Missouri.

Mr. BARRETT. This is just for the purpose of purchasing Treasury notes by the Federal Reserve. It allows the Treasury to go in and get funds quickly in cases of emergency or in case of any catastrophic condition that might arise at a time that they may need the money, and particularly, for example, before the income tax money dates arrive, at which time the Treasury may be short of money for just a day or two. This gives them an opportunity to get short-term money rather than go on the market and borrow money on a long-term basis.

I might point this out to the gentleman: that this will be the 14th consecutive extension of this legislation. This has never been in a controversial category. It passed the last time 2 years ago without a controversy. There was only one time that the gentleman from Iowa made any statements as I recall relative to the bill. We have always voted unanimously for this on the floor. It was voted out of the Banking and Currency Committee unanimously.

Mr. HALL. I appreciate the answer of the distinguished gentleman. I did understand that it has been extended before, but I believe the distinguished gentleman and the gentleman from the Committee on Rules would agree with me that the outflow of gold is now greater, the unbalanced payments at a time of prosperity are greater, we have demonetized our silver certificates, we have removed the gold cover, we are in debt more and more, we have planned deficits for at least 2 years in a row, if not 13 out of the last 16 years, although perhaps not all planned.

But my question then is: Are we not more likely than ever to print $5 billion in securities, on which the Fed can call on the Treasury? Under this authorization more than at any other previous time in our history does this indeed not amount to the danger of printing-press money? If not, it would be perfectly safe to extend it. If so, it might be a dangerous procedure.

I appreciate the gentleman yielding to me.

Mr. O'NEILL of Massachusetts. This is not printing-press money.

Mr. HALL. I thank the gentleman.

Mr. O'NEILL of Massachusetts. Mr. Speaker, I yield to the gentleman from Nebraska [Mr. MARTIN].

Mr. MARTIN. Mr. Speaker, I yield myself such time as I may consume.

House Resolution 1113 provides for an open rule with 1 hour of debate on the bill H.R. 15344.

The purpose of the bill, H.R. 15344, is to extend for 2 years, through July 1, 1970, the current authority of the Federal Reserve banks to purchase U.S. Government obligations directly from the Treasury.

Prior to 1942 the law required such purchases to be made on the open market. In 1942 the statute was amended to provide that the Federal Reserve banks could purchase Government public debt obligations directly from the Treasury. This authority has been granted for 2-year periods and renewed every other year since then. A limit has been placed on the amount permitted to be outstanding at any one time of $5,000,000,000; this will be continued.

The authority is rarely used as a practical matter. Its value is that at times of an unusually low cash balance in the Treasury, such as shortly before tax payment dates, the Treasury can operate successfully because of this authority which could quickly bring in additional cash if needed.

The Treasury supports the bill as does the Federal Reserve Board of Governors.

The only criticism I have of the legislation is that it was not brought up under suspension of the rules, because I believe it would have carried in good shape under suspension of the rules.

I would like to suggest also to the Committee on Banking and Currency that they should give serious consideration to making this legislation permanent rather than only for a 2-year period.

Mr. REINECKE. Mr. Speaker, will the gentleman yield?

Mr. MARTIN. I yield to the gentleman from California.

Mr. MARTIN. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Speaker, I cannot recall a time when this bill has been up for renewal that I have not opposed it if I was in Washington. The gentleman from Pennsylvania said that I was in opposition to it at one time.

Mr. BARRETT. Mr. Speaker, will the gentleman yield for a correction?

Mr. GROSS. I yield to the gentleman.

Mr. BARRETT. I did not say that you were in opposition to the bill—I said at one time you made an expression on the bill—not in opposition—and it was very brief, at that time.

Mr. GROSS. If the gentleman will remain on his feet, I would like to ask him a question or two concerning the bill.

Is it not true that the Government could have at the end of the 2-year period $5 billion outstanding under the terms of this bill? It has not happened, but is it not true that the Government could have $5 billion outstanding at the end of the 2-year period, and the only way that line of bank credit could be retired would be to tax the people to provide the revenue to retire the Treasury certificates, or notes or whatever was issued establishing credit? How else would you do it?

Mr. BARRETT. I say to the gentleman he is right—that could be. But that has never happened. Since its inauguration, borrowing has been through the Federal Reserve by the Treasury Department. It has always been on short-term basis for a day or two. The longest time was 48 days. You are absolutely right—if there were a catastrophic condition, the Treasury could get the $5 billion.

Mr. GROSS. Yes, it could be $5 billion outstanding, based upon Treasury notes, certificates or whatever it was—in effect it would be printing press money; is that correct?

Mr. BARRETT. I would say that these are Treasury notes and they would not be drawn in the manner that the gentleman states. But I do again state that under the conditions I have just outlined, if it were necessary under an emergency, this money could be used to the maximum limit because the act says at no time shall there be more than $5 billion available for this purpose.

Mr. GROSS. I understand that there is a $5 billion limitation, but I think the House should be on notice and should know that there could be at the end of a 2-year period $5 billion outstanding under the terms of this bill. It may be unlikely that it will happen—but there it is. And I am surprised to hear my good friend, the gentleman from Nebraska say that he hopes this legislation will be made permanent.

I would ask my friend, the gentleman from Nebraska, this question: How, for 150 years, did this country operate without this kind of gimmickry in the handling of the Government's finances? I just do not understand.

This legislation ought to be limited to provide for short-term financing—4 or 5 days at a time—instead of 2 years. It should have been strictly emergency legislation if any at all.

Mr. MARTIN. Mr. Speaker, will the gentleman yield?

Mr. GROSS. Yes, I am delighted to yield to my friend from Iowa.

Mr. MARTIN. If you will go back over the history of the actions of the Federal Reserve, you will find that the longest length of time, I believe, that this has been in effect has been 7 days; in some instances, only 2 or 3 days.

Mr. GROSS. But the gentleman will have to admit, because the chairman of the subcommittee admitted it a few minutes ago, that there is nothing in this law which would prevent $5 billion from being outstanding at the end of the 2-year period, and the only way to get that money out of the mainstream of finance in this country would be to levy the taxes to take it out. That could happen. There is no prohibition in the legislation or the law. Senator Taft, the senior Taft, when this bill came before the U.S. Senate in about 1942, described it then as a printing press money bill.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Missouri.

Mr. HALL. This Government at the Federal level has a rather fleeting, to be sure, and an oft-changing legal debt ceiling. It has mounted 13 times in the 8 years I have been here. Would this $5 billion come within the borrowing limitation—this stabilization, or temporary indebtedness as outlined by the distinguished gentleman? Would it come within the current, legally set debt limit of the United States?

Mr. GROSS. I have not the faintest idea. I imagine that if $5 billion was issued and outstanding, and it was bumping the debt ceiling, that Congress would promptly increase the debt ceiling.

Mr. BARRETT. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I am glad to yield to the gentleman from Pennsylvania.

Mr. BARRETT. In answer to the gentleman's question, the question of the gentleman from Missouri, yes, this is true. Borrowing under legislation comes under the debt limit. At no time has the Treasury borrowed money that has lasted more than 48 days under this act. If the Treasury has to go out into the open market, it would be much more costly to the taxpayer. This method of borrowing saves the taxpayer money.

Mr. GROSS. I am not going to make a tremendous issue out of my opposition to this bill for I realize the futility of it. But I hope the day will come when we can stop this gimmickry. I hope we can install sound management of our financial affairs so that there will be no resort to this kind of potentially bad legislation. That is my fervent hope.

Let me add, Mr. Speaker, that if those who advocate and vote for this legislation were genuinely interested in the welfare of the citizens of this country they would provide that instead of issuing interest-bearing treasury notes or certificates, the printing presses would be started and there would be an issuance of paper money in denominations of common usage—$1 bills, $5 bills, $10 bills, $20 bills, and so forth. At least there would be no interest paid on that form of borrowing. Interest will be paid on the Treasury certificates that are issued to the Federal Reserve and the banks that make the credit available even for 7 days.

I do not advocate that procedure, you understand. I would be opposed to it. But neither do I support this kind of legislation for it is further proof of the mismanagement of this Government's financial affairs.

Mr. Speaker, there is no logical reason why the finances of the U.S. Government cannot be managed so that temporary shortages of revenue can be met out of ordinary borrowing. This Nation is facing a financial crisis and this legislation is dangerous in that the citizens of the country can be loaded overnight with another $5 billion of debt—spawned out of what amounts to printing press money—and without further reference to or approval of Congress.

Not with my vote will the Johnson administration or any other administration be given this kind of power.

Mr. MARTIN. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. LATTA].

(By unanimous consent, Mr. LATTA was allowed to speak out of order.)

CODE OF ETHICS

Mr. LATTA. Mr. Speaker, the House Rules Committee now has under consideration House Resolution 1099, otherwise known as the code of ethics bill for the Members of the House and its employees. Mr. Speaker, we have had one hearing on this bill and, frankly, this is a piece of legislation that this House cannot pass too quickly. I think it is a good piece of work, and I wish to compliment every member, including the chairman of the Committee on Standards of Official Conduct, for the work it has done in presenting House Resolution 1099 to the House.

Mr. Speaker, I also want to point out, in view of an article which appears in the Washington Daily News, on page 7 of the March 28 issue, that we cannot speed the bill to the floor too quickly.

The article is entitled "House Aide May Run for Congress, $50-A-Head Party for Front Money." It reads:

> A House employe, who doesn't want to disturb his $21,000-a-year pay until he decides definitely to run for Congress, already has had a $50-a-ticket fund-raising party.
>
> The fund-raiser was held here last night by Capitol Hill friends of Gary Frink, a 35-year-old counsel for a House Post Office and Civil Service Sub-Committee.
>
> Mr. Frink, a Democrat, said the cocktail party was held to give him some "front money" in his possible candidacy for the suburban Detroit House seat now held by Republican Jack McDonald.

Under Federal regulations, the minute Mr. Frink, a former assistant to former Representative Wes Vivian, decides to run, he must relinquish his position here in the House.

The article continues:

> "I will do that if I decide to run," said Mr. Frink, a former assistant to former Rep. Wes Vivian (D., Mich.). "I don't want to quit until I know for sure."
>
> But several Committee members already were questioning the propriety of a House employe being the beneficiary of a fund-raising affair.

I want to stop at this point, Mr. Speaker, and say as a Member of this House and a member of the committee now having this resolution under consideration, I want to be on the record as questioning the propriety of this type of fundraising dinner under the possibility—and only a possibility—that this man might run for Congress. The article continues:

> Mr. Frink answered this by saying he would give back the money should he decide not to run. He has to decide by June 1, filing deadline in Michigan.
>
> The University of Michigan law school graduate, who has been active in politics but never has run for office, said the party was the idea of friends on Capitol Hill.

I have been here five terms, Mr. Speaker, and I have not had any of my friends around Capitol Hill, either on their own or at my solicitation, holding fundraising parties for me and I do not want them to. The article continues:

> One of these friends is another House Post Office Committee staffer, Stewart Davis, who Mr. Frink said had made a "few telephone calls in my behalf."
>
> He denied, however, that Mr. Davis had headed the fund-raising drive or that any checks were sent to Mr. Davis.
>
> Mr. Frink, who went to work for the Committee under patronage of Rep. Joe Pool (D., Tex.) last year, said all solicitations were done over the telephone and by word of mouth. He said no lobbyists were involved. Several members of the Committee have been criticized for fund-raising activities involving lobbyists.
>
> "Really, what we're dealing with is peanuts," Mr. Frink said. "Just a little front money to get me started if I decide to run." He added it would take about $75,000 to run against Rep. McDonald in the suburban race.

Let me say that is a lot of "front money" where I come from. My campaign for Congress ran about $10,000 or $12,000. Certainly if one was to talk about $75,000 in my district for actual campaign expenses or for "front money" whatever that is, he would be talking about a lot of money.

Mr. Speaker, one of the proposals in the new code of ethics for Members of this House and employees indicates that they are to keep their own private accounts separate from accounts dealing with campaign funds. I just wonder how Mr. Frink is going to handle his "front money" when he is not even a candidate for Congress. How will he keep the funds separate and apart as required by Canon No. 6 of the code of ethics? If he decides not to run what will he do with the "front money?"

Mr. Speaker, I think that this is a case for our new Ethics Committee and it should investigate such activities forthwith.

I wish to advise the Members of the House that as soon as this matter is before the Rules Committee in executive session, I will be voting to send the resolution to the floor, so this House can act quickly to stop the solicitation of this so-called "front money." We must put a stop to any and all activities which bring this House into disrepute.

Mr. NELSEN. Mr. Speaker, will the gentleman yield?

Mr. LATTA. I am pleased to yield to the gentleman from Minnesota.

Mr. NELSEN. It has been called to my attention that dinner tickets have recently been sold to raise funds for a proposed congressional election in one of our States. A gentleman went to the dinner, and there was no dinner—a few drinks and some sandwiches, but no dinner.

I agree with the gentleman thoroughly. I wish to further make the observation that Members of Congress should certainly not be the recipients of fundraising dinners where Federal employees are involved. Several incidents of this kind have occurred and such a practice is a bad one, in my judgment.

I thank the gentleman for yielding.

Mr. LATTA. I thank the gentleman for his comments, but I want to specifically underscore the fact that the gentleman to whom I referred, and to whom the article referred, is an employee of this House and is specifically covered by this bill. Under the terms of House Resolution 1099, it is further required by Canon No. 7 that testimonial receipts be used for campaign and political use, not private use, and certainly not for "front money" by undeclared candidates for Congress.

Mr. O'NEILL of Massachusetts. Mr.

Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. BARRETT. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 15344) to amend section 14(b) of the Federal Reserve Act, as amended, to extend for 2 years the authority of Federal Reserve banks to purchase U.S. obligations directly from the Treasury.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 15344, with Mr. Abbitt in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Pennsylvania [Mr. Barrett] will be recognized for 30 minutes, and the gentleman from New Jersey [Mr. Widnall] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. BARRETT. Mr. Chairman, this was reported to the House on March 14 upon the unanimous recommendation of the members of the Committee on Banking and Currency. It is a routine 2-year extension of legislation first enacted in 1942 that has been extended 13 separate times. This bill merely provides for the 14th extension.

Prior to 1935, the provisions of the law dealing with Federal Reserve purchases of Government securities did not prohibit direct purchases from the Treasury by Federal Reserve banks. In 1935, however, direct purchases—in contrast to open market purchases—were prohibited by the Banking Act of 1935. During World War II it was determined that the direct purchase authority should be restored, but limited to $5 billion outstanding at any one time.

The present authority expires this June 30. The committee report contains agency letters from both Treasury and Federal Reserve in support of the bill to extend that authority for another 2 years. The reasons set forth for extension can be summarized as follows:

First. It permits the Treasury to operate with a smaller cash balance than can otherwise be prudently justified, especially during periods immediately preceding taxpayment dates.

Second. This authority could also be very useful in situations resulting from national emergencies of one kind or another.

Mr. WIDNALL. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, under existing law there is temporary authority for the Federal Reserve banks to purchase public debt obligations directly from the Treasury in an amount not exceeding $5 billion outstanding at any one time. This temporary authority expires June 30, 1968. The bill before us would extend such temporary authority for an additional 2-year-period, namely to June 30, 1970.

Over the years, this direct purchase authority has been extended at 2-year intervals. The reason for this is that our committee at all times wants to keep a running check on this authority to guard against possible abuse. Abuse of the authority would occur if the Treasury ever endeavored to use the authority as "a way of life" in financing long-term requirements by calling directly on the Federal Reserve banks for such credit. The 2-year extension requiring automatic review as the authority comes up for renewal guards against any such contingency.

The authority has been used sparingly and wisely. Over the past 10 years it only has been used on five different occasions in total amount of $535 million for periods ranging from 2 to 7 days that such borrowings were outstanding.

The direct borrowing authority is a useful monetary mechanism which enables the Treasury to operate with smaller cash balances than would otherwise be prudent and provides a safety valve against market upset of a Treasury issue should it be made at a time when severe disturbance might strike the financial markets. The authority can also be used to minimize the disruptive impact to our normal financial markets of large transfers of funds from the private account to the Government account at income tax payment dates.

In the many years I have been on the Banking and Currency Committee when we have reviewed this temporary authority there has never been an occasion when there has ever been a question about the prudent use of this special authority. I urge the Members of this body to again approve the 2-year extension of this direct purchase authority as provided in this bill.

Mr. Chairman, I have no further requests for time on this side.

Mr. BARRETT. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

H.R. 15344

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 14(b) of the Federal Reserve Act, as amended (12 U.S.C. 355), is amended by striking out "July 1, 1968" and inserting in lieu thereof "July 1, 1970" and by striking out "June 30, 1968" and inserting in lieu thereof "June 30, 1970".

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. Abbitt, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 15344) to amend section 14(b) of the Federal Reserve Act, as amended, to extend for 2 years the authority of Federal Reserve banks to purchase U.S. obligations directly from the Treasury, pursuant to House Resolution 1113, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. GROSS. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. GROSS. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Gross moves to recommit the bill H.R. 15344 to the Committee on Banking and Currency.

The SPEAKER. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

The question was taken, and the Speaker announced that the ayes appeared to have it.

Mr. RUMSFELD. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 359, nays 5, not voting 69, as follows:

[Roll No. 75]

YEAS—359

Abbitt
Abernethy
Adair
Adams
Addabbo
Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Arends
Ashley
Ashmore
Aspinall
Ayres
Baring
Barrett
Bates
Belcher
Bell
Bennett
Berry
Betts
Bevill
Biester
Bingham
Blackburn
Blanton
Blatnik
Boggs
Boland
Bolling
Bolton
Bow
Brasco
Brinkley
Brock
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson
Burton, Calif.
Burton, Utah
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Cahill
Carey
Carter
Casey
Cederberg
Chamberlain
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Cohelan
Collier
Colmer
Conable
Conte
Corbett
Corman
Cowger
Cramer
Cunningham
Curtis
Daddario
Daniels
Davis, Ga.
Davis, Wis.
de la Garza
Delaney
Dellenback
Denney
Dent
Derwinski
Devine
Dickinson
Diggs
Dingell
Dole
Dowdy
Downing
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, La.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Farbstein
Feighan
Findley
Fino
Flood
Flynt
Foley
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Friedel
Fulton, Pa.
Fulton, Tenn
Galifianakis
Gallagher
Gardner
Garmatz
Gathings
Giaimo
Gibbons

Gilbert
Gonzalez
Goodling
Green, Pa.
Griffin
Griffiths
Grover
Gubser
Gude
Haley
Halleck
Halpern
Hamilton
Hammerschmidt
Hanley
Hansen, Idaho
Hansen, Wash.
Hardy
Harrison
Harvey
Hathaway
Hays
Hébert
Hechler, W. Va.
Heckler, Mass.
Henderson
Hicks
Holifield
Horton
Hosmer
Howard
Hull
Hungate
Hunt
Hutchinson
Ichord
Irwin
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Jones, N.C.
Karsten
Karth
Kastenmeier
Kazen
Keith
Kelly
King, N.Y.
Kirwan
Kleppe
Kornegay
Kupferman
Laird
Landrum
Langen
Latta
Leggett
Lennon
Lipscomb
Long, La.
Long, Md.
Lukens
McCarthy
McClory
McCloskey
McClure
McCulloch
McDade
McDonald, Mich.
McFall
Macdonald, Mass.
MacGregor
Machen
Madden
Mahon
Mailliard
Marsh
Martin
Mathias, Calif.
Mathias, Md.
Matsunaga
May
Mayne
Meeds
Meskill
Michel
Miller, Ohio
Mills
Minish
Mink
Minshall
Mize
Monagan
Montgomery
Moore
Moorhead
Morgan
Morris, N. Mex.
Morse, Mass.
Mosher
Moss
Murphy, N.Y.
Natcher
Nedzi
Nelsen
Nichols
Nix
O'Hara, Mich.
Olsen
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Passman
Patten
Pelly
Perkins
Pettis
Pickle
Pike
Pirnie
Poage
Podell
Poff
Pollock
Pool
Price, Ill.
Price, Tex.
Pryor
Purcell
Quie
Quillen
Railsback
Randall
Rarick
Rees
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Roudebush
Roybal
Rumsfeld
Ryan
St Germain
Sandman
Satterfield
Saylor
Schadeberg
Scherle
Scheuer
Schneebeli
Schweiker
Schwengel
Scott
Shipley
Shriver
Sikes
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Okla.
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stratton
Stuckey
Sullivan
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Tenzer
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tiernan
Tuck
Tunney
Udall
Ullman
Utt
Van Deerlin
Vanik
Vigorito
Waldie
Walker
Wampler
Watkins
Watson
Whalen
Whalley
White
Whitener
Whitten
Widnall
Williams, Pa.
Willis
Wilson, Bob
Winn
Wolff
Wydler
Wylie
Wyman
Yates
Young
Zion
Zwach

NAYS—5

Ashbrook
Gross
Hall
Kyl
Snyder

NOT VOTING—69

Albert
Anderson, Tenn.
Battin
Brademas
Bray
Cabell
Celler
Conyers
Culver
Dawson
Donohue
Dorn
Dow
Edwards, Calif.
Fascell
Fisher
Frelinghuysen
Fuqua
Gettys
Goodell
Gray
Green, Oreg.
Gurney
Hagan
Hanna
Harsha
Hawkins
Helstoski
Herlong
Holland
Kee
King, Calif.
Kluczynski
Kuykendall
Kyros
Lloyd
McEwen
McMillan
Miller, Calif.
Morton
Murphy, Ill.
Myers
O'Hara, Ill.
O'Konski
Patman
Pepper
Philbin
Pucinski
Resnick
Riegle
Rivers
Rostenkowski
Roth
Roush
Ruppe
St. Onge
Selden
Sisk
Skubitz
Slack
Stubblefield
Taft
Vander Jagt
Waggonner
Watts
Wiggins
Wilson, Charles H.
Wright
Wyatt
Zablocki

So the bill was passed.

The Clerk announced the following pairs:

Mr. St. Onge with Mr. Goodell.
Mr. Waggonner with Mr. Bray.
Mr. Philbin with Mr. Morton.
Mr. Donohue with Mr. Frelinghuysen.
Mr. Dorn with Mr. Taft.
Mr. Rivers with Mr. Gurney.
Mr. King of California with Mr. Battin.
Mr. Celler with Mr. Harsha.
Mr. Kyros with Mr. Skubitz.
Mr. Zablocki with Mr. Wyatt.
Mr. Albert with Mr. McEwen.
Mr. Miller of California with Mr. Kuykendall.
Mr. Charles H. Wilson with Mr. O'Konski.
Mr. Rostenkowski with Mr. Ruppe.
Mr. Stubblefield with Mr. Myers.
Mr. Fuqua with Mr. Roth.
Mr. Gettys with Mr. Vander Jagt.
Mr. Culver with Mr. Riegle.
Mr. Brademas with Mr. Lloyd.
Mr. Anderson of Tennessee with Mr. Wiggins.
Mr. Murphy of Illinois with Mr. Hawkins.
Mr. Resnick with Mr. Dawson.
Mr. Cabell with Mr. Kee.
Mr. McMillan with Mr. Patman.
Mr. O'Hara of Illinois with Mr. Conyers.
Mr. Kluczynski with Mr. Watts.
Mr. Wright with Mr. Edwards of California.
Mr. Fascell with Mr. Gray.
Mr. Hagan with Mr. Hanna.
Mr. Helstoski with Mr. Holland.
Mr. Pucinski with Mr. Sisk.
Mr. Slack with Mr. Selden.
Mr. Fisher with Mrs. Green of Oregon.
Mr. Dow with Mr. Pepper.
Mr. Roush with Mr. Herlong.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. BARRETT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed, H.R. 15344, and to include extraneous matter.

The SPEAKER pro tempore (Mr. ABBITT). Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

LEGISLATIVE PROGRAM FOR WEEK OF APRIL 1

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, I take this time in order to inquire of the majority whip as to the program for next week.

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman from Louisiana.

Mr. BOGGS. In response to the request of the gentleman from Illinois, the program for next week is as follows:

On Monday we have the Consent Calendar to be followed by nine suspensions as follows:

H.R. 15198, to permit employer contributions for joint industry promotion of products;

H.R. 15216, to authorize the Bureau of Prisons to assist State and local governments;

H.R. 15972, to permit reproductions of postage stamps under certain circumstances;

H.R. 203, to provide for settlement of certain claims of Armed Forces;

H.R. 15822, to establish the Robert S. Kerr Memorial Arboretum and Nature Center in Oklahoma;

H.R. 13781, to amend the Marine Resources and Engineering Development Act of 1966;

H.R. 15979, to prevent injury to fish and wildlife from pesticides;

H.R. 15190, to amend the act providing for investigation and study of sea-level canal connecting the Atlantic and Pacific Oceans; and

H.R. 6347, relating to the acquisition of property for the Independence National Historical Park.

Mr. Speaker, for Tuesday and the balance of the week there is the following program:

On Tuesday there will be called the Private Calendar. Also to be considered are the following legislative matters:

House Resolution 1101, to disapprove Reorganization Plan No. 1, 1968;

House Resolution 1099, to continue the Committee on Standards of Official Conduct as a permanent committee of the House of Representatives—subject to Rules Committee action;

H.R. 15856, authorizing appropriations to the National Aeronautics and Space Administration—open rule with 2 hours of debate; and

H.R. 16241, to extend the tax on transportation of persons by air and reduce exemption from duty—subject to a rule being granted.

Mr. Speaker, in addition to the legislative program which I have just announced, I would like to advise the Members of the House that it will be our intention to call up as early as possible, but in no event before Tuesday of next week, the conference report on the bill H.R. 15414, the excise tax bill, which measure is now pending before the other body.

This announcement is made subject to the usual reservation that conference reports may be brought up at any time and any further program may be announced later.

Mr. ARENDS. I thank the distinguished gentleman from Louisiana.

DISPENSING WITH BUSINESS IN ORDER UNDER THE CALENDAR WEDNESDAY RULE

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday Rule be dispensed with on Wednesday next.

The SPEAKER. Is there objection to

the request of the gentleman from Louisiana?

There was no objection.

ADJOURNMENT TO MONDAY NEXT

Mr. BOGGS. Mr. Speaker I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

AN ELOQUENT APPEAL TO COMMONSENSE

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, much has been written and said about the report of the National Advisory Commission on Civil Disorders and the significance of that group's conclusions for America. I recently read an editorial in a weekly newspaper in my congressional district, the Grand Rapids, Mich., News, which deeply impressed me. The writer looks upon the problem in terms of the human equation and makes an eloquent appeal to commonsense. I think he has a message for all Americans. Mr. Speaker, the editorial follows:

BLACK AND WHITE ISSUE

As we try to study and absorb the recent report of the President's Committee on Civil Disorders, we can easily fail to see beyond the words of the report.

Our own city of Grand Rapids experienced last summer, what was termed a "race riot". For three terrible days the core city was exposed to the hatreds of humanity. Fire, looting, destruction of property and bodily harm became the order of the day. Fear ran the streets like a mad dog. Yet our own dilemma did not compare at all with riots in other cities.

The National Advisory Commission on Civil Disorders has come up with a seven-point program wherein it states several ideas to improve the lot of the Negro. Better governmental services on local levels, improvement of relations between police and the Negro, the creation of two million new jobs, six million low and medium priced housing units, a large scale effort to improve education in the ghettos, the overhauling of the welfare system, a serious consideration of a national system of income supplementation are all a part of the report.

If the above considerations are not acted upon, the commission prophetically warns, the nation will then split into two camps—black and white. What the commission fails to recognize is that the nation is already split into these two camps. There are two factions! There is racism; . . . but . . . only between a relative few!

Whether anyone wishes to admit it or not, there are always, in every society, a minority of people that are born agitators. They live to be against almost everything. These are the people who are now causing the strife. Both sides, colored and white, have these factions. It is nearly like the childhood differences we all have experienced. The fact that little Johnny So-and-so had a green hat instead of a brown one, or had more money for candy than we did, or wore shoes and we didn't. Our first reaction was to "pick on him". These strong arm groups in both camps are doing that today. The average person does not want to die or even fight a deadly war. Bargaining and persuasion are their methods. So it could be with the racial issue.

The fact remains, however, that these militant groups are a powerful force in our nation. Both "sides" are gaining a solidarity that they have never before experienced. Both the Negro and the white population are going to be forced to take sides. Forced to enter into a "war" they don't want. Forced to bend to the will of the minority groups within their own race. So we are back to the old question, "What do we do now?"

Everyone professes to know the answer. They have a solution. Good, bad or otherwise they offer suggestions, means by which the problem can be solved. Some are probably more right than they know. But the solution does not live with one man. The solution to something as explosive as the race problem is far beyond that.

Great strides have been taken in the past few years to alleviate the plight of the poor and uneducated, but apparently this has not been enough. Surveys show that the typical rioter in last summer's insurrections was a teen-ager or young adult. He was extremely hostile to members of the opposite race, and especially to middle class Negroes. He was highly distrustful of our political system. This proves but one thing. . . . that both races are fostering and rearing the prime elements of our present crisis.

What both sides can do is to try. Try to talk some sense into our younger generation. Try to supply some of the needs to rid them of unrest. Try to educate them into being members of society and not a society unto themselves. Try to explain the basics of right and wrong. Try to make them understand each other. The wrongs that our generation and past generations have created cannot be righted by bloodshed and hatred today. The one thing that each of us can do is to hope and pray that some method can be devised whereby the summer can be a peaceful one. It can be done if every individual that cares actually does something positive about it.

CHAIRMAN OF ICC SHOULD DISQUALIFY HIMSELF FROM RULING ON PASSENGER SERVICE

Mr. HECHLER of West Virginia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. HECHLER of West Virginia. Mr. Speaker, in a widely reported speech on March 7, 1968, at Centerville, Iowa, before the annual meeting of the Centerville Chamber of Commerce, Chairman Paul J. Tierney of the Interstate Commerce Commission said:

> No one needs to tell the American public that rail passenger service is chronically ill. Many are firmly convinced this service is already outmoded and will soon be bedded down in our museums with the Conestoga wagons, the steamboats, the clipper ships, the stagecoaches and electric streetcars as nostalgic relics of transportation's past.

Certainly part of the blame for the chronic illness is that the railroads are deliberately downgrading passenger service so they do not have to haul people.

The people of this Nation are not ready to consign railroad passenger trains to museums as Mr. Tierney seems to be. All they want is good, first-class decent service. And they are not getting that today.

The Chesapeake & Ohio Railway has petitioned the Interstate Commerce Commission to take six passenger trains out of service.

The Interstate Commerce Commission has held public hearings and has taken the proposed discontinuances under advisement and is expected to reach a decision near the first of May. The case is Finance Docket 24857 and involves trains Nos. 43 and 46 between Portsmouth, Va., and Charlottesville, Va.; trains Nos. 47 and 46 between Ashland, Ky., and Detroit, Mich., and trains Nos. 3 and 4 between Washington, D.C., and Cincinnati, Ohio.

In his Iowa speech, Mr. Tierney said:

> Long-haul intercity service, except for certain tourist routes and perhaps some overnight service between major cities cannot rationally be preserved. Planes are much faster. Highway travel has the advantages of flexibility, personal convenience and economy. The speed, comfort and economy of rail-travel no longer exist for this type of service.
>
> Opportunities for rehabilitating rail passenger service should be directed first toward the medium-range travel (100–250 miles) between densely populated centers where modern rail service can provide competition on a cost, service and time basis and where adequate patronage levels could be obtained.

Two of the trains involved in this C.&O. case run through West Virginia between Washington and Cincinnati for a total one-way distance of 599 miles.

It is obvious from his Centerville, Iowa, speech that Mr. Tierney has already prejudged the C. & O. case.

I, therefore, ask that Mr. Tierney in the interest of justice and in fairness to all, disqualify himself from ruling on the C. & O. proceeding involving the discontinuance of these six passenger trains.

LYNDON JOHNSON: A PRESIDENT OF ACTION AND COURAGE

Mr. ANNUNZIO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, many centuries ago, a Greek historian declared:

> To those of you who call yourselves men of peace I say you are not safe unless you have men of action at your side.

How prophetic these words are for our time. Fortunately, for the American people, we have a man of action in the White House.

And fortunately, for those who speak easy words about "peace," we have a President who is willing and courageous in his determination to find a truly peaceful world.

President Johnson knows that peace cannot be won cheaply. Peace in our time means sacrifice, determination and patience for us all.

We are in Vietnam today to help move

the world closer to the kind of stable and peaceful community of nations we have long desired.

But we must share the President's determination to stand by our commitment to South Vietnam. And we must share his courage to do what is right and necessary.

The proclaimers of peace here in America, talk the easy talk.

Every American wants peace. Every American is opposed to war.

America does not want to be in Vietnam. President Johnson does not relish sending American boys into battle, 10,000 miles from home.

But we are in Vietnam because peace is neither easy nor cheap. Yet, I believe history will judge the events of these days as the turning point in the free world's resistance to those who persist in endangering the security of the underdeveloped world.

President Johnson is upholding America's word and our Nation's honor. The American people know what is at stake in Vietnam. And they will continue to support their Commander in Chief in these difficult times.

I am proud to support President Johnson today and tomorrow. I will join with him next fall in taking his case to the American people. And I will stand proudly in the Capitol plaza next January to watch Lyndon B. Johnson take the oath of office as our great President.

DANGEROUS IMPLICATIONS OF U.N. RESOLUTION

Mr. RHODES of Arizona. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. RHODES of Arizona. Mr. Speaker, I am disturbed by the dangerous implications of a resolution adopted by the United Nations Security Council last Sunday. The resolution was pushed by the Arab States, with the support of the Communist bloc and the Soviet Union, to condemn the State of Israel unilaterally for recent friction in the Middle East. The U.S. delegate attempted to include specific reference in the censure resolution to the Arab terrorist attacks, modeled after the tactics of the Vietcong, knowing that such guerrilla aggression from a privileged sanctuary behind the cease-fire line caused the Israelis to feel it necessary to strike the bases of the infiltrators.

But when the American delegate to the United Nations failed, Mr. Speaker, he was nevertheless authorized by the administration to cast the American vote with the Russian and Arab delegations for the one-sided measure that emerged. This resolution named only Israel, warning her, in effect, against defending herself against the Arab extremist raids and provocations.

King Hussein of Jordan now has taken a position that countenances the activities of the raiders, who call themselves "the Vietcong of the Middle East." The raiders are armed with Russian and Chinese Communist weapons. Some were trained in Peking and Hanoi.

The apparent policy of the Arab governments is to use violence to resolve the issues that remain as a result of their refusal to enter into peace talks following the 6-day war of last June.

Mr. Speaker, I feel that it encourages Moscow to go on using the Arabs by proxy to stir up trouble in the Middle East when we provide them with the shield of this U.N. resolution. Instead of telling the so-called Vietcong of the Middle East to go thus far, and no further, we have joined in a resolution that ties the hands of the intended victim.

Our vote for this resolution certainly does not keep faith with our brave men in Vietnam. We are holding the line against Communist terrorism and aggression in the Far East but apparently appeasing the same threats in the Middle East. Israel has not asked for American boys to defend her. She asked only for our support at the United Nations.

What the administration has done by its actions at the United Nations is to indirectly invite and encourage the Russians and their Arab followers to pour on the steam. Such a resolution does not inhibit but encourages terrorism. Israel is threatened with United Nations sanctions if she again uses force in self-defense. But the Arabs were not told to curb their own brand of violence.

I am convinced, Mr. Speaker, that a majority of the Congress are convinced that our position at the United Nations was unwise, and should be changed at the first opportunity.

PROVIDING RELIEF FOR SHOE INDUSTRY

Mr. GOODLING. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GOODLING. Mr. Speaker, I have today introduced legislation designed to provide relief from the alarming steady increase in foreign shoe imports for the shoe manufacturers of Pennsylvania in particular and America's shoe industry in general.

It is distressing to view the flood of shoe imports that is sweeping in on the shores of America. Evidence of this is reflected in the fact that imports of leather footwear were only 1.2 percent of domestic production in 1955, and they have jumped to 22 percent of American production in 1967. This represents an import of about 174 million pairs of foreign footwear in 1967, and the result is a loss of approximately 40,000 shoe jobs in America, many of which were in the State of Pennsylvania.

A more recent view of this dismal picture shows that in January of this year, shoe imports were almost 74 percent higher than in January of last year. If this figure is projected on an annual basis, it would mean that foreign shoes would capture more than one-third of the U.S. market in 1968.

These shoe imports are pressing the shoe manufacturers of Pennsylvania against the wall, because, while the price of the shoe is cheaper, the quality is essentially the same. This lower price results from the fact that the imported footwear is made with low-wage labor, while the machinery used in the manufacturing process is as efficient as that used in the United States.

All of this vividly points out that the survival of the U.S. shoe industry is an immediate issue and one that cannot wait; hence, I have today introduced legislation designed to correct the situation.

Under the terms of my bill machinery would be set up to overcome the unfair competition caused by shoe imports through either international agreements or flexible import quotas that would curb these imports. Such an orderly marketing system would keep America's trade door open to foreign shoe exporters—providing whatever benefit might accrue to American consumers—but at the same time it would set up a schedule of quotas on shoe imports that would provide protection for American shoe manufacturers and shoe-plant workers.

There is a heavy concentration of shoe manufacturing plants in my congressional district, and as the State of Pennsylvania suffers from these footwear imports generally, my 19th Congressional District in the State suffers particularly. For instance, there is a total of 19 shoe manufacturing plants in my district, four in Cumberland County, which employs 954 individuals, seven in York County, which hires 2,077 workers, and eight in Adams County, which has an employment schedule for 2,729 employees. This is a total of 5,821 employees.

It is quite apparent, then, that shoe manufacturers and workers in my congressional district share substantially in the payroll for the shoe industry in the State of Pennsylvania—in 1966 this figure was $91,324,000.

But shoe production in Pennsylvania is dropping, being hard pressed by footwear imports. This production dropped from 90,590,000 pairs in 1966 to 82,484,000 pairs in 1967, a drop in production of 8.9 percent. This represents a difference of 8,106,000 pairs of shoes, and when one realizes that it takes about 3,000 workers to produce 10,000,000 pairs of footwear, it is obvious that the resultant loss in shoe jobs is quite significant.

For those who contend that the American consumer benefits from these shoes made in low-wage countries, it should be mentioned that the consumer does not always benefit from the low-cost shoe imports because, in many instances, the retailer sells them for a price identical to the shoe product made in America.

Over and above all of this, however, any benefit enjoyed by either the consumer or retailer would be shortrun, washed away by the flood of economic disruption that would flow in the longrun from loss of jobs for shoe workers and loss of the various economic dynamics generated by shoe manufacturing establishments.

Mr. Speaker, I sincerely trust my legislation receives favorable consideration by the Congress in the near future. The shoe industry in my congressional district, in the State of Pennsylvania, in the United States is not an island unto itself but a part of the economic mainland—if we let the bell toll for the shoe industry, it will, in due course, toll for others of our industries.

GUTTER TACTICS IN PHILADELPHIA

Mr. BYRNE of Pennsylvania. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BYRNE of Pennsylvania. Mr. Speaker, recently, in Philadelphia, that superb political genius, Mr. Tony Randall, who is famous for his penetrating views on American issues, spoke out in behalf of Senator McCarthy.

As we all know, Mr. Randall is usually cast in films as the boob who fails to get the girl or as the louse who's black heart usually earns him a just reward.

I must say that Mr. Randall was in character during his Philadelphia appearance, where he called the President of the United States a liar and an SOB.

This is the kind of language Mr. Randall usually reserves for Rock Hudson after he has been jilted. Unfortunately, no one has told Mr. Randall that while such gutter language may be appropriate on a Hollywood set, the American people will not tolerate such talk from anybody, in spite of his box office rating.

I think Mr. Randall owes the public a profound apology. And I think Senator McCarthy should promptly disavow such tactics and such attempts to cast aspersions on the character of the President.

There is no room in our political life for such behavior. I suggest that Mr. Randall learn the rules of decency and take a cram course on ethics and manners before presenting himself to the public as a political orator.

I ask unanimous consent to insert into the Record an article from the Philadelphia Evening Bulletin, reporting on Mr. Randall's shocking behavior.

Tony Randall Calls Johnson a Liar Before 1,000 at McCarthy Rally

(By Joseph F. Lowry)

Actor Tony Randall called President Johnson a liar yesterday in a speech before 1,000 persons at 10th and Chestnut sts.

At a rally opening of a campaign headquarters for Sen. Eugene J. McCarthy, Minnesota Democrat running for the Democratic presidential nomination, he said:

"I worked in a political campaign only once before. I worked for the election of Johnson . . . and I'm thoroughly ashamed of it. I worked for him because he promised us peace. Well, the ——— lied to us."

STUDENTS CHEER

The actor was one of several speakers on a flat-bed truck who drew cheers from the crowd, mostly college students, who jammed Chestnut st.

Randall urged his audience to work for McCarthy at Pennsylvania's April 23 primary, saying:

"New Hampshire proved what ordinary people can do against entrenched politicians."

Henry W. Sawyer, 3d, chairman of the Southeastern Pennsylvania Committee for McCarthy, pointing out that the Minnesota senator received 42 percent of the Democratic vote to Mr. Johnson's 49 percent in New Hampshire's primary, said:

"What a change the last month has brought. The country has found new hope from New Hampshire."

SAWYER RAPS TATE

He called Mayor Tate, the head of the Johnson movement in this city: "Jim Landslide Tate."

Tate knows all about loyalty, he said, "for he got less than half of the votes of the Democrats in Philadelphia last November."

Sawyer, who is a former chairman of the Southeastern Pennsylvania Chapter of Americans for Democratic Action, challenged the mayor to let "the people decide" who should be delegates to the Democratic National Convention in Miami Beach next August.

Tate has said he supports Mr. Johnson for reelection.

Michael H. Malin, chairman of the Pennsylvania McCarthy for President Committee, told the crowd that if McCarthy runs up a big vote in Pennsylvania, "we will be able to tell the Nation that Johnson can't be our next President."

PIANIST TALKS

Pianist Susan Starr called McCarthy "the best hope America has."

The Rev. Jesse Anderson, pastor of St. Thomas Episcopal Church at 52d and Parrish sts., said McCarthy "can lead us in the fight to end the Vietnam war . . . a war we are losing."

Dr. George Ehrlich, chief of the arthritis center at the Einstein Center, northern division, termed the war immoral and asked support for McCarthy.

The rally lasted a half hour. Many in the crowd toured the six offices in the Victory Building, on the northwest corner of 10th and Chestnut.

PERIL AT PANAMA

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FLOOD. Mr. Speaker, recent feature newsstories with banner headlines from the Republic of Panama, in the press and over the air, have caused grave concern among the people of our country for the safety of the Panama Canal and fully justify my repeated warnings to the Congress that the isthmus is a land of endemic revolution and endless political instability.

As reported in these newsstories, Panama now has two governments: one headed by President Robles and a second appointed by the Panamanian National Assembly headed by President Max Del Valle, with the 4,800 member National Guard of Panama presently supporting the Robles government and our Department of State taking a neutral position.

The situation as currently developed in Panama, I would like to stress, is nothing new but simply more of what is to be expected. One example of such isthmian instability will be cited; the Battle of the Watermelon on April 15, 1856. On that occasion 15 North Americans and two natives were killed and 16 North Americans and 13 natives wounded, because of the charge that a North American had failed to pay 10 cents to a native for a slice of watermelon.

Fortunately, the realistic and informed framers of our isthmian canal policy early in the 20th century wisely provided for a grant of full and complete sovereignty for the United States over the Canal Zone and Panama Canal in perpetuity as well as full ownership of all land and property in the zone by purchase from individual property owners.

The result has been that the zone territory under the United States has been an island of stability in the midst of turmoil, at times serving as a haven of refuge for Panamanians seeking to escape assassination on political charges. Moreover, the total investment since 1904 of the taxpayers of our country in the canal enterprise, including defense, is more than $4,889,000,000.

The Panama Canal is the key strategic lifeline of the Americas, essential for hemisphere defense, and the United States is obligated under the Hay-Pauncefote Treaty with Great Britain for its operation. This responsibility was assumed as a mandate of civilization. Also, we have treaty obligations to Colombia. Both of these treaties were ignored in the recent negotiations with Panama.

As to the existing conditions of extreme danger now prevailing in Panama, I hold no brief for either side of the controversy as to the campaign issues involved. It can, however, be stated objectively that President Robles, according to all the facts and circumstances, has transgressed the very wise provision in the Panamanian Constitution prohibiting the President of Panama from using the agencies of government to influence the choice of his successor.

Also it seems to be clear that the National Assembly has the constitutional right to impeach the President for failure to observe and effectuate the provisions of the Constitution.

The National Assembly presented articles of impeachment on the indicated grounds against President Robles and found him guilty by a vote of 30 members, with 12 abstentions. Thereupon, the attending members declared the removal of President Robles and elected First Vice President Max Del Valle to fill the vacancy. Del Valle had been elected as First Vice President on the Robles ticket but in the present campaign has supported the antiadministration candidate.

President Robles ignored the action of the Assembly claiming that it was null and void. Nor did he appear before the Assembly to answer the charges against him.

When Del Valle undertook to exercise the duties of President, he and his followers were driven away with force by the National Guard, which is loyal to Robles.

The National Guard is the only military and police force of Panama and naturally has great power at times of crises. Its chief has stated that he wishes to wait until the courts pass upon the validity of the impeachment proceedings and will be bound thereby. On the other hand, the National Assembly has claimed that it is an independent body like the Congress of the United States and that its actions cannot be controlled by the courts.

All this makes for tragic conditions which may or may not be followed by violence and bloodshed. Such situations as these make thoughtful Members of the U.S. Congress extremely solicitous of the outcome that may follow. Moreover, they are strengthened in their belief that any policy that involves the liquidation of U.S. sovereignty over the Canal Zone and Panama Canal as being fatal in character. If a Panamanian President, by the use of the armed force at his command, violates the Constitution of Panama and boldly and ruthlessly brings about his choice as his successor, then grave disorder and possibly civil war may result with corresponding danger to the canal itself.

The current turmoil in Panama, better than anything I know, emphasizes the problem for the executive officials of our Government to undertake to weaken our juridical position at Panama as was secretly being attempted by means of three recently negotiated treaties.

So I repeat what I have stated on many other occasions: there should be only one flag over the Canal Zone and Panama Canal and that is the flag of the United States; and the proposed treaties should be defeated.

We have no ulterior designs against Panama but our continued exclusive sovereignty in the premises is absolutely indispensable. Only by its exercise can the safety and effective operation of the canal be maintained and the security of Panama itself be preserved. I am sure that the overwhelming majority of our citizens, when they come to understand the treaties, will condemn them as unrealistic and unwise and make their views known to their Senators and Representatives in the Congress.

STRONGER NEIGHBORHOODS BILL

Mr. FRASER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. FRASER. Mr. Speaker, today I have introduced H.R. 16291, a bill to improve the "building code enforcement" program administered by the Department of Housing and Urban Development. Code enforcement is one of the newest HUD programs aimed at the prevention rather than the treatment of urban blight.

The existing program consists in part of HUD grants to cities to cover two-thirds of the cost of a program of concentrated housing code enforcement in neighborhoods that are showing signs of aging. Two-thirds matching grants are also available for streets, sidewalks and other public improvements in the same areas. Federal loans and grants to local homeowners to ease the financial hardship of bringing their property up to the city's code standard are also available.

One provision in H.R. 16291 changes the name of the "code enforcement" program to "stronger neighborhoods." This new name is intended to indicate the broadened purpose of the program. The current name merely describes one of the tools used to improve neighborhoods.

TWO MAJOR IMPROVEMENTS

H.R. 16291 is intended to improve the law in two major ways. First, the bill would increase the local community's ability to improve public facilities and to eliminate sources of deterioration in neighborhoods. Second, the bill would strengthen the ability of the individual homeowners to improve their property.

Under the "stronger neighborhoods" program, cities would continue to receive grants for code enforcement and public improvements. New funds would be available, at the community's request for public acquisition of a limited number of properties that could not feasibly be brought up to code standards by private owners. Once these properties were acquired, the structures could either be demolished or rehabilitated by the city and then offered for resale. Currently this type of acquisition is only possible in urban renewal areas.

LIMIT ON PROPERTY ACQUIRED

According to local code enforcement agencies, the number of properties that would need to be acquired in typical code areas is quite small—about 3 percent of the total number of structures in the area. Often these buildings are already vacant, so that public acquisition would not involve extensive relocation of neighborhood residents. In order to minimize the need for relocation, H.R. 16291 specifically states that the number of properties to be acquired could not contain more than 5 percent of the housing units in the area.

The "stronger neighborhoods" bill also would make Federal funds available for improvement of sewer and water systems in addition to the streets, sidewalks, and trees now covered by the law.

Currently, direct Government grants of up to $1,500 are available for the correction of housing code violations by those homeowners whose annual family income is below $3,000.

EXPANDED GRANT PROGRAM

The "stronger neighborhoods" bill would expand the grant program in the following ways:

First. The amount of the basic grant would be raised from the current maximum to $1,500 to $2,500.

Second. The current income limitation would be increased from $3,000 to $3,500. This change is intended primarily to benefit that group of retired people who might not now qualify for the grant because the recent increase in social security benefits raised their annual income just above the $3,000 level.

Third. A new cost factor would be added to the grants so that those homeowners living in high-construction-cost areas could qualify for an additional grant above the initial $2,500.

BROADENED LOAN PROGRAM

Those homeowners whose annual income is above $3,000 are now able to qualify for long-term, 3-percent home improvement loans. These loans have, of course, aided homeowners in their efforts to comply with code standards. In the past, however, the provisions of the loans have been rather restrictive. Loans have been limited to the correction of existing or potential code violations but have not been available for general home improvements.

H.R. 16291 would broaden this phase of the program so that the 3-percent loans would be available for general home improvements as well as for the correction of code violations.

The "stronger neighborhoods" bill in general, and this last provision in particular, is intended to make this part of the Housing Act a force for neighborhood growth rather than just a tool to remedy neighborhood deficiencies.

BENEFITS TO MINNEAPOLIS

Under the present law, the city of Minneapolis, Minn., which I represent, has one project in progress—in the Como area of southeast Minneapolis. The city will have received a total of $1.4 million in Federal funds when this project is completed in 1969. On March 29, this Friday, the city council is expected to vote on a project for the Jordan area in north Minneapolis, which would involve some $3.8 million in Federal funds.

The bill itself follows:

H.R. 16291

A bill to amend the Housing Act of 1949 and the Housing Act of 1964 to strengthen the existing programs of code enforcement and financial assistance in deteriorated or deteriorating urban areas

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 117 of the Housing Act of 1949 is amended by striking out the first sentence and inserting in lieu thereof the following: "Notwithstanding any other provision of this title, the Secretary is authorized to enter into contracts to make, and to make, grants as provided in this section (payable from any grant funds provided under section 103(b)) to cities, other municipalities, and counties for the purpose of assisting such localities in carrying out programs for the strengthening of neighborhoods in deteriorated or deteriorating areas in which such programs, together with those public improvements to be provided by the localities involved, may be expected to arrest the decline of the areas. Any such program (1) shall include concentrated code enforcement activities, and (2) may also include the acquisition by the appropriate local public agencies of residential property in the code enforcement area for the purpose of the demolition and removal of buildings and improvements on the property, or for the purpose of the repair and rehabilitation of such buildings and improvements for guidance purposes or for resale for dwelling use or as related facilities; except that activities described in clause (2) in any code enforcement area may be carried out only to the extent necessary to eliminate unhealthful, unsanitary, or unsafe conditions, lessen density, eliminate obsolete uses or any other uses detrimental to the public welfare, or otherwise prevent the spread of blight or deterioration, and the total property acquired in such activities may in no case include more than 5 per centum of the total number of dwelling units in the code enforcement area."

(b) Section 117 of such Act is further amended by striking out "and similar improvements within such areas" and inserting in lieu thereof "water, sewer and storm drainage systems, and improvements of other public facilities within such areas".

(c) The heading of section 117 of such Act is amended to read as follows: "Stronger Neighborhoods".

Sec. 2. (a) Section 115(b) of the Housing Act of 1949 is amended—

(1) by striking out "$1,500" and inserting in lieu thereof "$2,500";

(2) by striking out "$3,000" each place it appears and inserting in lieu thereof "$3,500"; and

(3) by adding at the end thereof the following new sentence: "Notwithstanding the preceding provisions of this subsection, the Secretary may by regulation increase the maximum amount of the grants authorized by this section by an amount not to exceed 45 per centum in any geographical area where he finds that cost levels so require."

(b) The second sentence of section 115(a) of this Act is amended—

(1) by striking out "a structure" and inserting in lieu thereof "property"; and

(2) by striking out "such structure" and inserting in lieu thereof "such property".

Sec. 3. (a) Section 312(a) of the Housing Act of 1964 is amended—

(1) by striking out "of concentrated code enforcement activities" in the first sentence;

(2) by striking out "to finance rehabilitation" and all that follows in the first sentence and inserting in lieu thereof "to finance improvements required to make the property conform to applicable code requirements or to carry out the objectives of the urban renewal plan for the area and, in addition, to generally improve the condition of the property."; and

(3) by striking out "rehabilitation" in the second sentence and inserting in lieu thereof "improvement".

(b) Section 312(b)(1) of such Act is amended to read as follows:

"(1) the term 'improvement' means conservation, repair, restoration, rehabilitation, conversion, alteration, enlargement, or remodeling of any real property;".

(c) Section 312(b)(3) of such Act is amended by striking out "rehabilitation".

(d) Section 312(c) of such Act is amended—

(1) by striking out "rehabilitation" in the matter preceding paragraph (1); and

(2) by striking out "rehabilitation" in paragraph (2) and each place it appears in paragraph (4) and inserting in lieu thereof "improvement".

MIDDLE EAST POLICY

Mr. BROYHILL of Virginia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. BROYHILL of Virginia. Mr. Speaker, I do not understand the policy of the Johnson administration pertaining to recent developments in the Middle East. The U.S. delegation at the United Nations was instructed to join with the Soviet Union and Arabs in a resolution that censured Israel for using military forces to deal with terrorism and aggression by pro-Communist Arab guerrillas.

It seems to me, Mr. Speaker, that our right hand does not know what our left hand is doing. We are attempting to restrain Israel from defending herself when we have a half million American soldiers and marines in Vietnam for the specific purpose of fighting similar terrorism and aggression.

The Arab guerrillas, based in the State of Jordan, have used Vietcong tactics in raiding Israel. Some of the Arabs are trained in Communist China. They use Red Chinese technical manuals instructing them in the art of underground terrorism. Also it is a matter of record that the Israelis have captured the Russian and Red Chinese weapons that the Arabs have used. These weapons and mines have been found identical to those used against our own forces in Vietnam.

The Arabs openly brag about utilization of Vietcong tactics. King Hussein, of Jordan, the so-called moderate who is subsidized by the Johnson administration has this week openly proclaimed that he will provide a sanctuary for the pro-Communist terrorists.

The Johnson administration keeps talking about the Vietcong doubting our will and resolve. But the administration, nevertheless, votes at the United Nations to appease the Communists, the Arabs, and the Afro-Asian bloc by placing all the blame on one side, the Israel side, in a two-sided dispute. This can only invite the Russians to escalate their attempts to penetrate the Middle East and Mediterranean and to use Arab fanaticism as a device to keep that region aflame.

Mr. Speaker, we will get nowhere by opposing aggression and terrorism in Vietnam while appeasing aggression and terrorism in the Middle East.

SAFETY IN THE OPERATION OF MANNED SUBMERSIBLE VESSELS

Mr. RODGERS of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, I am today introducing legislation to promote safety in the operation of manned submersible vessels.

This legislation would be known as the Manned Submersible Safety Act and would permit the Secretary of the department in which the U.S. Coast Guard is operating to prescribe regulations and procedures for the safety in design and operation of these manned submersible vessels.

As a member of the Subcommittees on Oceanography and Coast Guard of the House Committee on Merchant Marine and Fisheries, I have for many years taken an active interest in the research and development of our ocean resources, and I have also been particularly interested in the activities of the Coast Guard and have worked to increase the effectiveness of the Coast Guard in promoting marine safety.

This legislation is not intended to inhibit or impede the active research and development of submersible vessels that is now, and will be, undertaken. Indeed, there is specific language which permits the Secretary to exempt a submersible vessel from the requirements of this act if he determines that the submersible vessel is being constructed or operated for developmental, experimental, or research work.

Research and experimentation must be encouraged, not hindered, if we are to take full advantage of the treasures that the oceans hold.

The language in this bill looks to the future as well as the present; research will bring new knowledge into the field of manned submersible activity, and the Secretary is permitted to change any regulations accordingly.

Since 1961, 27 submersibles have been built and are now operating; 10 more are under construction and are expected to be available by the end of 1968.

Over 2,000 dives have been made to date by all American submersibles.

Submersibles are being built which will be sufficiently inexpensive to become available to the weekending submariner. We are only a few short years away from the day when any individual will be able to rent a manned submersible vehicle on a daily or hourly basis for fun and relaxation beneath the water.

Due to the high quality of workmanship and competency of the manufacturers and pilots there have been, fortunately, no serious accidents to date. However, as new companies and individuals enter this field, the present record may not stand.

I urge prompt action on this legislation in order to insure realistic safety measures in this rapidly growing industry.

NATIONAL MANPOWER ACT OF 1968

Mr. REID of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REID of New York. Mr. Speaker, I join several colleagues today, Members of this body, the gentleman from New York, Charles Goodell, and the gentleman from Minnesota, Albert Quie, and Senators Javits and Prouty of the other body, in introducing the National Manpower Act of 1968. The first title of this bill consists of five major amendments to the Manpower Development and Training Act of 1962 in the form of new language and new programs to be operated by the Department of Labor. These amendments include a requirement for a job opportunity survey and matching of unemployed persons with employer requirements, and the creation of community service employment programs, serving 80,000 individuals in the first year. Title II of the bill proposes a program of tax credits for businessmen who hire the hard-core unemployed. The bill would allow employers to choose either the tax credit option or direct reimbursement under present OJT programs resulting in some 220,000 jobs in the first year.

According to the statistics and program of action proposed by the National Advisory Commission on Civil Disorders, it could take some 36 years to include in jobs of permanence and substance in the private sector all those now unemployed and underemployed, assuming that the jobless rate remains stationary.

The JOBS—job opportunities in the business sector—program put forth by the administration is only one-half the size of the Commission's recommendations in the private sector—and it would take us well into the next century to deal with only our present manpower problems.

There are about 2 million unemployed and 10 million underemployed in our Nation today, according to the Commission. The 220,000 purely private sector jobs proposed in our bill are slightly below the level suggested by the Commission report, given the enactment of a tax credit for business such as is suggested in this legislation. This is only one aspect of a program of 2 million jobs—1 million each in the public and private sectors—that the Commission believes are necessary over the next 3 years, as opposed to the 500,000 hard-core unemployed that the administration's JOBS program would serve in the same period. Clearly, the administration's response is weak and insufficient and lacks the tax credit approach that will supply the simple administrative machinery that will make progress possible without further delay. Indeed the administration's response to the Riot Commission report has been minimal, borders on the derogatory and lacks urgency and scope.

In my judgment, we cannot afford to think we are doing all that must be done even by pursuing the larger proposals made by the Commission. This Nation is facing its gravest domestic crisis since the Civil War in the unrest and despair that now engulfs our cities. Clearly, the administration is shortchanging the cities and the youth of America due to the war in Vietnam and I believe most Americans will not accept the status quo with only modest improvements. What is needed is a sense of urgency, a fundamental reordering of our national priorities and not, for example, a 54-percent cutback in appropriations for elementary and secondary education. We must undertake specific, sustained, and massive action now based on the Riot Commission report—in housing, in education, and in other areas as well as in jobs—and see it through at a level that will make up for opportunities too long denied. I believe this Republican initiative is useful, correct, and badly needed.

HOUSING AND JOBS URGED BY NATIONAL COMMITTEE FOR A CONFRONTATION WITH CONGRESS

Mr. RYAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, yesterday I joined in sponsoring H.R. 16266, the Jobs in Housing Act of 1968, which is directed at two interlocked manifestations of poverty—inadequate housing and inadequate jobs. By greatly increasing the volume of low and moderate income housing construction, the bill would provide new jobs as well as new homes for people living in poverty. A massive housing program combined with a job-creation program has been urged by a grassroots group in New York City called the Committee for a Winter Confrontation with Congress—now the National Committee for a Confrontation with Congress—which has called upon the Congress to extend to the ghetto the same attention for housing that Congress did 20 years ago when it promoted the suburban housing boom through FHA and VA loan programs. Those programs benefited the white middle class, and paradoxically increased the black-white division by providing moderate-income whites the wherewithal to leave urban centers. Of course, fair housing laws are essential so that suburban housing will be open to all. But beyond this, there needs to be a massive building program in the urban centers.

James Houghton, chairman of the committee, said on March 8, 1968, at a meeting of his committee with members of the New York congressional delegation:

> We believe that it is absolutely necessary for black America to start thinking "legislatively" and throw itself back into the political mainstream. Congress is where the action is and that is where the black man must fight his battle.
>
> For the past one hundred years whites who could not even speak English and who have often been deprived of any education at all have been coming to this country and earning top dollar wages in construction work. A massive low income housing program can provide tens of thousands of blacks with high paying construction jobs and solve two of the worst problems in the slums.

This committee is looking to the political process to achieve a worthy and sorely needed goal; it is seeking meaningful jobs for people who are willing to work. It deserves support in this effort.

We must increase the magnitude of our public and publicly assisted housing many fold. H.R. 14244, which I introduced last year, would provide 1 million low- and moderate-income, units a year for the next 10 years. The administration housing bill, S. 3029, while much more modest in scope, recognizes the need for a major increase in our housing efforts, and proposes 2.35 million new units over the next 5 years, or slightly less than half a million units yearly.

H.R. 16266, the Jobs in Housing Act of 1968, is significant, and different from the administration approach, in that it recognizes the explicit connection between more housing and more jobs. It provides for slightly more than 3 million units of housing over the net 4 years which, it is estimated, would generate about 500,000 jobs.

The hard-core unemployed, who are seeking not handouts but decently paid jobs, could be employed in the very task of rebuilding their neighborhoods. This is the philosophy of the Model Cities Act. Expanding the volume of housing construction to a realistic level could make that philosophy a reality.

I recently took the floor of this House to discuss the conclusions of a lengthy study I made of discrimination in employment and the means at the Government's disposal to combat it.

One of the most effective ways to open up jobs for Negroes, Puerto Ricans, and other minorities would be to greatly increase the scale of construction activity.

H.R. 16266 is a bold approach to combating the interrelated problems of unemployment and slum housing with an interrelated program. I urge prompt action on this bill.

REPEAL OF TONKIN GULF RESOLUTION

Mr. WOLFF. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WOLFF. Mr. Speaker, today, together with 21 of my colleagues, I am introducing legislation to rescind the Tonkin Gulf resolution.

It would be an error to interpret the desire to repeal this outdated resolution as a repudiation of President Johnson or as a lack of support for American servicemen in Vietnam.

Rather what I would hope to accomplish is to enable Congress to reclaim its rightful role in the decisionmaking process. Circumstances have changed radically in the almost 4 years since the Tonkin Gulf resolution was passed, and the resolution has continued to serve as a blank check. Since the resolution was a sense-of-Congress resolution, and since we are faced today with an entirely different set of circumstances, it is appropriate for the Congress to restate its position on our policy in Southeast Asia. This is especially so since there are 141 Members who did not vote on the 1964 resolution.

Therefore, by repealing the Tonkin Gulf resolution I do not commit myself to any specific alternative to present policy. Rather, repeal of the resolution will make it clear that Congress wants a national debate in the formulation of future policy and, further, Congress wants to play a major role in the determination of that policy.

The separation of powers requires cooperation between the executive and legislative branches. The continuing effect of the Tonkin Gulf resolution has been to subvert that division of responibility and to cause an abdication of the privileges and obligations of the Congress in the determination of policy.

While Vietnam policy is the subject of presidential election politics, I cannot dismiss the need to seek a just peace in the 7 months that remain until election day. I would hope the President would understand my intent is to establish greater cooperation between the executive and legislative branches so that future Vietnam policy can be reached in concert and not by direction.

The text of the resolution follows:

> *Resolved by the House of Representatives (the Senate concurring)*, That the joint resolution entitled "Joint resolution to promote the maintenance of international peace and security in Southeast Asia," approved August 10, 1964 (Public Law 88–408; 78 Stat. 384), is hereby terminated.

The following Members are sponsoring the resolution: Representatives BINGHAM, BROWN of California, BUTTON, CONYERS, DIGGS, EDWARDS of California, FRASER, Gilbert, Helstoski, Karth, Kastenmeier, Kupferman, Leggett, Podell, Rees, Reuss, Rosenthal, Roybal, Ryan, Scheuer, Williams of Pennsylvania, and myself.

I include at this point a statement by my colleague, the gentleman from New York [Mr. Bingham]:

Statement by Congressman Jonathan B. Bingham

I have joined with my able colleague from New York, Mr. Wolff, in cosponsoring a concurrent resolution to repeal the so-called Tonkin Gulf resolution because I believe the latter is a kind of symbol of a mistaken U.S. policy with regard to Vietnam—a policy which today reflects a series of mistakes which began in 1945 when we permitted the French to go back into Indochina, thus reversing the view held by President Roosevelt, which continued through years of increased American involvement, particularly after 1954, and which culminated with the decisions of 1965 when the United States started sending its own forces into combat both in South Vietnam and in bombing and shelling attacks on North Vietnam. These last decisions, for which the Tonkin Gulf resolution was taken to be congressional authorization, made the conflict an American war with South Vietnamese support, instead of a South Vietnamese war with American support.

In the present mood of the Congress, I am under no illusion that the concurrent resolution introduced today may be adopted. Its introduction, therefore, is more in the nature of a protest against the present policies which have led us deeper and deeper into the morass of an unwinnable war.

If circumstances were to change so that serious consideration might be given to the concurrent resolution, its present abbreviated form would no doubt have to be substantially amended and amplified. As a practical matter, the simple repeal of the Tonkin Gulf resolution, without additional statements of policy as to the course which should be taken, would produce confusion. Many questions would remain unanswered as to the intent of the Congress with regard to the disposition and future role of the American forces now deployed in the area.

I venture to say that many more Members would have joined in cosponsoring this resolution if it were not for this practical problem of how we go about undoing what has long since been done. It is safe to say, I believe, that the vote on the original Tonkin Gulf resolution would have been a very different one if the then membership of the House had been able to foresee the situation we would be in today, 3 years later.

The resolution offered by our colleagues Messrs. Udall and Findley a few weeks ago drew wide support because it sought to open the policy questions regarding Southeast Asia. I view Mr. Wolff's resolution as another method of achieving the goal of securing a reevaluation of our policy.

INTRODUCTION OF LEGISLATION TO IMPROVE CIVIL SERVICE RETIREMENT PROGRAM

Mr. DULSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DULSKI. Mr. Speaker, I have introduced today a comprehensive bill designed to modernize the civil service retirement system.

The bill brings together in one measure an array of changes and improvements in benefits which previously have been proposed individually and already are before our Retirement Subcommittee in various forms.

There is support for updating our civil service retirement system so as to bring it closer to a par wtih retirement programs in progressive private industry.

My bill deals with the shortcomings and inequities which have been of the most concern to postal and other rank-and-file Federal employees. There also is provision for financing the benefits.

Any changes in the retirement system, however, must be studied carefully and it is my feeling that if we are going to make any changes at all we should look at the overall picture and act accordingly, rather than proceeding piecemeal.

Following is an explanation of the features of my bill:

First, premium pay: Many Federal employees, such as agents in the customs, immigration, narcotics, and alcohol tax services, as well as law enforcement employees, consistently are required to work overtime as part of their jobs. Their premium pay for this overtime work is not now considered in computing their retirement benefits. My bill corrects this situation by providing for calculation of retirement benefits on the basis of both regular and premium pay earned by an employee.

Second, annuity computation formula: Under present law, the formula for computing an employee's earned annuity is his average salary multiplied by 1½ percent for each of his first 5 years of service; by 1¾ percent for each of his next 5 years of service; and by 2 percent for each year of service in excess of 10. Under my bill, once an employee has reached the 10-year mark his computation formula will be changed to 2 percent for each year of his total service. The lower percentages will apply only to annuities based on less than 10 years of service. This change is in keeping with the underlying principle that the civil service retirement plan is a career program.

Third, penalty for survivorship provisions: A retiring employee today must take reductions of 2½ percent on the first $3,600, and 10 percent on all over $3,600, of his earned annuity to provide benefits for a surviving spouse. The $3,600 point, at which the 10 percent charge begins, was set years ago when living costs were far lower than they are today. It works an undue hardship on employees who retire on small annuities. My bill would apply the much fairer 2½ percent reduction to the first $4,800 of earned annuity, so that the 10 percent would affect only annuities in excess of that amount. The net annuity gain for a lower paid employee would be $90 a year.

Fourth, surviving children: Survivorship benefits for a child were fixed nearly 12 years ago at $600 a year if there is one surviving parent and $720 per year if there is no surviving parent. My bill increases each of those benefits by $120 a year. Benefits for the child with one surviving parent will be $720 a year and the child with no surviving parents will receive $840 a year.

Fifth, surviving spouse benefits: Today, when an employee dies, his surviving spouse, with certain exceptions, receives 55 percent of the employee's earned annuity. This percentage relationship was last adjusted in 1962. My bill would raise the figure to 60 percent. This is justified not only on the basis of increased living costs but in order to maintain near parity with the adjustments made last year in the Social Security Act.

Sixth, automatic cost-of-living adjustment formula: In substance, present law grants automatic annuity adjustments effective on the first day of the third month that begins after the Consumer Price Index has risen at least 3 percent for 3 consecutive months above its level when the last previous annuity increase was effected. This creates a substantial—and often very burdensome—lapse of time after living costs have increased before the retiree gets any relief. My bill reduces the timelag by approximately two-fifths by making the automatic adjustment effective at the start of the second month after the Price Index has risen by 2 percent for 2 consecutive months.

Seventh, financing: The financial condition of the civil service retirement system is, of course, a matter of first concern to me as chairman of the Committee on Post Office and Civil Service. My bill will cause no increase whatever in the financial obligations of the retirement system. The bill specifically provided that increased contributions by covered employees—7 percent instead of the present 6½—with matching agency contributions and regular appropriation procedures, will guarantee the necessary funding.

The changes in the civil service retirement system which I am proposing will be referred to our Retirement Subcommittee and I am asking the subcommittee to give them thorough consideration.

ENVIRONMENTAL EQUALITY

Mr. DADDARIO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. DADDARIO. Mr. Speaker, environmental quality is an issue which polarizes viewpoints between the extremes of conservationists and recalcitrant vested interests. In the hearings of the Subcommittee on Science, Research, and Development of the Committee on Science and Technology we have been seeking objective testimony to separate out the high priority action programs in pollution abatement. There is much more to be done than annual budgets and manpower limitations will afford. Thus, a strategy of waste management is necessary which will concentrate action on well defined problems where feasible solutions exist.

A recent editorial by Mr. Melvin J. Josephs in Environmental Science and Technology states:

The pressures for environmental improvement are mounting rapidly. Thus, reasonable men must accelerate their participation in reasonable and coordinated action to improve the environment if we are to avoid the wastefulness of over-reaction.

Under unanimous consent, I insert the editorial referred to, as follows:

EXISTING TECHNOLOGY CAN ALLEVIATE POLLUTION IN UNITED STATES

Like projects anywhere, projects in the Federal Government relating to environmental management have proliferated. So, to keep track of what its various agencies are up to, the Federal Council for Science and Technology's Committee on Environmental Quality established, about six months ago, a Subcommittee on Research, Development, and Demonstration. This subcommittee has already come up with what may be the best estimate of the Federal Government's spending for pollution research, development, and demonstration—$251 million in fiscal year 1968 (see page 90).

The estimate is derived largely from a survey of about 30 departments and agencies that at least in some measure have been funding either intramural or extramural programs. The data cannot be an accurate accounting, because in many cases the research which leads to pollution control has other objectives—the pollution control consequences are in those cases examples of serendipity. From this survey, however, will come more than a simple accounting. The subcommittee will assist the decisionmaking groups in government—Congress, Office of Science and Technology, for example—to determine the extent, direction, and speed appropriate for the Federal Government's pollution control efforts.

But what is appropriate? A variety of answers were provided in recent testimony on the subject at hearings conducted by the House Committee on Science and Astronautics' Subcommittee on Science, Research, and Development (the Daddario committee). Yet all the testimony had one answer in common: technology already in existence can be used to give some measure of control now.

Dr. Leon W. Weinberger (FWPCA), while emphasizing the important role of research and development in solving the nation's water pollution problems, noted that many of these problems "can be alleviated by application of existing technology. In fact," he said, "in the immediate future, the most significant progress will be made in this way."

On the subject of air pollution, Dr. R. E. Eckardt, speaking for the American Petroleum Institute, observed: "We recognize that in some cases tentative judgments must be made, in spite of gaps in our knowledge. We recognize that society cannot afford to wait until every last shred of evidence is in before taking reasonable action." Yet, he cautioned, "As new evidence is developed, a reassement, and possibly new judgments, will have to be made."

And in the area of solid waste disposal, the nation can improve its practices—"and it can do it now," said Dr. Richard D. Vaughan, Chief of PHS's Solid Wastes Program. "We have the technology to do it now," he continued, "and we are working to improve this technology and develop techniques which are not only more effective but more economical."

In his opening remarks, Subcommittee Chairman Emilio Q. Daddario noted: "We should not, need not, and will not wait upon research to act where we recognize the problem and have a feasible solution. On the other hand, it would be wasteful of time and resources to pursue a crash program where quality deterioration is only vaguely established or where abatement costs probably outweigh benefits."

Still one other kind of answer demands attention. Responding to subcommittee questions, Dr. Eckardt said that he believed that air pollution will be controlled—should be controlled—but that it will probably not be controlled solely on the basis of health. Rather, he noted, we'll clear the air simply because people are sick and tired of the stench.

The pressures for environmental improvement are mounting rapidly. Thus, reasonable men must accelerate their participation in reasonable and coordinated action to improve the environment if we are to avoid the wastefulness of over-reaction.

OUR DISTINGUISHED COLLEAGUE FROM PATMAN'S SWITCH

Mr. CASEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. CASEY. Mr. Speaker, no man in this great body has more loyal friends, or is held in higher esteem, than our distinguished colleague, the gentleman from Texas, WRIGHT PATMAN.

He has served honorably and well for 40 years, and is outranked in seniority by only two other great Members, Speaker McCORMACK and Representative EMANUEL CELLER. We, in the Texas delegation, are especially proud of the dean of our delegation and his great career in this body.

It was particularly gratifying to me to read in the Houston Chronicle's Texas magazine last Sunday a warm and penetrating story about WRIGHT PATMAN. Because I know that his friends and colleagues will appreciate having the opportunity to read the article, I place it at this point in the RECORD:

THAT MAN FROM PATMAN'S SWITCH

(By Lucille Uytterlinde)

Young Wright Patman spotted three men sitting under a tree.

"Ah ha," he thought, "three potential voters."

The trio watched him idly as he ambled up.

"Howdy," Patman said. "I'm running for Congress. You all heard of it around here?"

They fixed him with a steady gaze, then one replied, "Yeah, we heard about it. We heard 'em laughin' about it."

It happened on a sleepy morning 40 years ago, in the tiny community of Weaver near Sulphur Springs. And it contributed nothing to the confidence of the neophyte campaigner; he'd already vowed that if he lost this first race for Congress he'd quit politics.

But he didn't lose, and today U.S. Rep. Wright Patman of Texarkana is outranked in seniority by only two men, Speaker McCormack and Rep. Celler of New York.

He is unopposed for re-election to his 21st term, which is not surprising. According to newspaper editor J. Q. Mahaffey of Texarkana, folks in the First Congressional District say that "if Wright Patman can't get it done, it can't be done in Washington." The Texas congressman has built up considerable seniority, and with that seniority, influence.

He is variously known as the second most important Texan in Washington, close friend of Lyndon Johnson, scourge of the banking industry and the Federal Reserve Board, and the last of the great populists.

Patman is chairman of the prestigious House Banking and Currency Committee, and is so frequently in the financial news that the New York Times once said that he often is the financial news.

He also is ranking member of the House Select Committee on Small Business, chairman of the joint House-Senate Committee on Defense Production, and vice chairman of the joint House-Senate Economic Committee.

Most committee chairmen and the industries their committees oversee have amicable relationships. Not so Wright Patman and the banking industry. He is an embattled committee chairman, and when he and William McChesney Martin, chairman of the Federal Reserve Board, meet in the awesome House Banking and Currency Committee's hearing room, there is a packed house to hear their verbal exchanges.

Their opinion as to what is best for the country on money and credit matters are irreconcilable, and acrimonious statements sometimes electrify the atmosphere.

Even so, Chairman Martin in 1965 said: "Chairman Patman and I have been friends for years. We disagree frequently but never with personal animosity. He has asked for my resignation four times this year but I bear no ill will. I have told him that if I decide to resign I will let him know promptly."

The "Fed," as Patman calls the Federal Reserve System, is out of his reach, and it is probably the biggest frustration of his long life as a legislator.

Patman says he is trying to "make the Federal Reserve System responsive to the best interests of the people of the United States." He wants to shorten terms of members of the board, require audits of the system's books, and require that the system go to Congress for appropriations. He also wants the board chairman to go out of office with the president who appoints him.

His plan would give the Congress and the administration more control over monetary matters. The "hard money" proponents say that is just what the Federal Reserve Board was set up to prevent.

Patman's unrelenting fight against the "hard money" forces has brought forth from him many statements such as this:

"If we allow the bankers, who profit from high interest, to continue to fix the interest rates, they will soon have a high interest mortgage on all the usable property in the country. They do not want to own it, as that would require them to pay taxes on it. They much prefer to have a tax-exempt lien on it."

Consistent and persistent are two words which describe Wright Patman. He makes decisions only after considerable study and documentation, then firmly adheres to them.

The thread that runs through the entire fabric of his legislative career is his determination to work in behalf of the "little people." Fortune magazine once referred to him as the "Warrior From Patman Switch." (He was born at Patman Switch, in Morris County, named for his family and a Katy Railroad switch.)

Patman has become a folk hero to a tremendous majority of the people in his 17-county district, and also to many people throughout the country.

He has been a consistent champion of rural electrification, legislation in behalf of the family farmer, soil conservation and water resource measures, of rural area development and legislation providing aid to the development of small towns and small business. He has opposed concentration of economic power, monopoly and corporate mergers which, in his opinion, diminish effective competition. He has conducted major investigations into tax-exempt private foundations looking for abuses of the tax laws.

Most of his mail from home relates to personal or community problems, not matters of national or international significance. The biggest volume of letters concerning his legislative activities is written by non-Texans. They run to comments something like this, from a Spokane, Wash., locomotive engineer:

"Just a line to let you know that way out here in Washington there is support for you. Keep slugging away. How I wish I could vote for you."

Patman holds to his convictions—stubbornly, some say—no matter the opposition he meets, and, in the terms of the locomotive engineer, keeps slugging away. His first major congressional fight was for the World War I veterans bonus payment. Five vetoes by four Presidents, beginning in 1922, failed to deter him. The measure was passed over Roosevelt's veto in 1936. It was the start of his fight with bankers and the Federal Reserve, which sharply tightened the availability of money when the bill was passed.

He says he will never introduce a bill solely for political advantage, but he does not object to introducing a bill that he expects to fail if he thinks it will serve as a gathering point for a cause he favors.

Big banking, big business and the interest of the "little fella" are his recurring themes. He has not been able to alter the structure of affect the action of the Federal Reserve, but the vice chairman J. L. Robertson, commented at a Banking and Currency Committee hearing in 1964:

"I think that the scrutiny which you, Mr. Chairman, have personally lavished on the system over the years has been beneficial in more ways than you know because it has served to keep the system on its toes."

Patman is obsessed with a devotion to work and demands that others keep up with him.

He opens his office at 7:30 a.m. and seldom goes home before 6 p.m. He doesn't take vacations, and most of his staff forego them as well—they know they'd return to such a pile of work they'd never get through it. Sighed one staffer:

"You come in the morning, get the mound of work on your desk pretty well organized—and then Mr. Patman gives you so much more to do you are covered up. He's regular blizzard."

Washington hostesses gave up on Patman years ago. The time he gains by shunning cocktail and dinner parties is applied to work on committees, legislative projects, and looking after the people of his district.

His stature on The Hill is such that he can even turn down White House invitations to social functions, an act of courage most lawmakers would not even contemplate.

Not long ago President and Mrs. Johnson dropped in on Patman at his apartment for a visit. "I go to see Wright Patman, but he doesn't get around often to see me," the President said at a recent impromptu luncheon meeting with the Texas congressman at the White House. Both men smiled.

Their friendship goes back to the days when Wright Patman and the President's father, Sam Ealy Johnson, shared a desk in the Texas House of Representatives. When Mrs. Patman, a quiet, unassuming and gentle woman, died last July, President and Mrs. Johnson flew to Texarkana to attend her funeral.

When he was in the Senate, Johnson did not fight for Patman's monetary policies, but he did not openly oppose him. The two men were not alike in their methods on The Hill.

Patman is not the "wheeler-dealer" kind of politician who can be counted on to swing votes of other congressmen in behalf of any particular legislation. He is the consistent man whose direction is well known and who can be counted on to fight doggedly for any cause he feels is good for his "little people."

His feeling for them is wrapped up in his own early life. His family was poor—his father supplemented his farming income with odd jobs repairing cotton gins. Young Wright worked and saved enough money to earn a law degree at Cumberland University in Tennessee. He served in the Army between 1917 and 1919.

After two terms in the Texas legislature, he moved to Texarkana in 1924 and was elected district attorney, winning considerable credit for breaking up vice and gambling in the "wide open" town.

Some major legislation bears Patman's name: The World War I veterans bonus bill, the Robinson-Patman Act of 1936 to protect small business; the resolution creating the House Committee on Small Business; the Smaller War Plants Corporation Act of 1942; and the Federal Credit Union Act.

He also was responsible for the creation of the FBI's "10 most wanted criminals" list. It came about during the national manhunt for John Dillinger. One of Mr. Patman's constituents wrote him on a piece of school tablet paper asking simply: "If you want to catch him, why don't you offer a reward?"

Patman, the former district attorney, figured it was a good idea. He got together with the attorney general and they drew up a proposed bill which they took to President Roosevelt. He liked the idea, and the law was presented and passed.

Since the death of Mrs. Patman, the congressman lives alone in an apartment a few blocks from his office in the Rayburn House Office Building. If his quarters are spartan, it's because he only sleeps there. His "home" is in the broad halls beneath the vaulted dome of the United States Capitol. That is where his heart is.

PATMAN'S BILL FACTORY

Chairman Patman's Banking and Currency Committee produced most of the House legislative action in the beginning of the second session of the 90th Congress.

In the first few weeks, a period usually marked by light action, the committee gained overwhelming passage of five major bills:

1. H.R. 8696, providing for the registration, examination and regulation of savings and loan holding companies, the accounts of which are insured by the Federal Savings and Loan Insurance Corporation.

2. H.R. 11601, the Truth in Lending or Consumer Credit Protection Act. A major consumer protection bill, its passage culminated a long fight to provide disclosure of interest and credit costs. It provides for full disclosure of all types of credit transactions, stronger and broader than a bill passed earlier by the Senate. Senate and House conferees now seek to work out a compromise.

3. H.R. 6157, to permit federal employees to purchase shares of credit unions through voluntary payroll allotments. A major boost for credit unions, it will allow federal employees to purchase shares of federally or state-chartered credit unions through voluntary payroll allotments.

4. H.R. 6649, the Export-Import Bank Bill, extending the life of the Exim bank for five years to June 30, 1973, and providing for $4.5 billion additional lending authority. The bank promotes export of American products, and this additional lending authority is expected to help the U.S.A. balance of payments deficit.

5. H.R. 14743, to free the nation's gold reserves to meet international demands for gold, providing, Patman believes, greater strength for the dollar in the international money markets.

WARM WORDS FROM THE PRESIDENT

President Johnson spoke warmly of Congressman Patman in an interview with Texas magazine. Said he:

"When I went to the depot to catch the train to Washington to be sworn in as a member of Congress when I was still in my twenties, my father told me a story while standing on the depot platform.

"'Son, I have served many terms in a legislative body and considered many measures. There is a very fine line between a good bill and a bad bill, and you'll often have doubts and not be sure just what is the right vote. The best advice I can give you is when you are in doubt go see how Wright Patman voted and follow him.'

"He had explained to me many times before that he had served as Wright Patman's desk mate when they were both members of the Texas House.

"Only two of 435 members (of Congress) have served longer in the House and with more experience than Wright. None has served better and few as well. He represents the best in America's conscience and heritage, but most of all, he always votes, works and fights for what he believes is best for the 'folks'.

"I am proud to be associated with Wright Patman who reflects credit to the nation. All of us who want good government are grateful to the people in the First District for electing and re-electing Wright Patman."

PERSONAL EXPLANATION

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, today, as chairman of the African Subcommittee of the Committee on Foreign Affairs, I was invited to a luncheon given in honor of the distinguished President of the great country of Liberia.

During the course of this luncheon, Mr. Speaker, I received a telephone message to the effect that the House of Representatives was about to vote upon the bill H.R. 15344. I undertook to arrive here in time to vote on this particular measure. However, I arrived 30 seconds late.

Mr. Speaker, had I been present and voted, I would have voted "yea" on this particular bill.

LYNDON B. JOHNSON: THE CHAMPION OF MEXICAN AMERICANS

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, some newspapers have recently carried statements by individuals and organizations charging that President Johnson has failed to appoint any American of Mexican descent to positions in the Federal judiciary.

I want to say unequivocally that the charge is totally false. In 1966, President Johnson appointed Manuel L. Real to be a Federal judge in California. President Johnson had previously appointed Mr. Real to be a U.S. attorney. In 1967, the President appointed Juan V. Fernandez-Badillo and Hiram R. Cancio to be Federal judges in Puerto Rico. When he was Vice President, Lyndon B. Johnson sponsored the appointment of Reynaldo Garza from Texas to be a Federal judge.

Other appointments in the judiciary service by President Johnson include: Emilio Naranjo, Francisco R. Santos, and Santos Buxo, Jr., to be U.S. marshals; and Francisco A. Gil, Jr., to be a U.S. attorney.

However, the issue that has been raised is much larger than the narrow question of whether or not Americans of Mexican descent have been appointed to high positions under the administration of President Johnson. These appointments by President Johnson were made not because they were of Mexican descent, but because they were outstanding individuals, and most highly qualified for the positions to which they were named. Their appointments bring pride to all persons from this group, and are a source of satisfaction to all Americans because the appointments demonstrate that in this country, every nationality group can contribute to and take part in the formulation of our national destiny at every level of public life.

I would like to add that President Johnson's commitment to the cause of full participation in our national life by Americans of Mexican descent is of longstanding duration and is deeply felt. Last June, the President established a Cabinet Committee on "Mexican American" Affairs. Last October, the President attended a conference in El Paso where 1,200 Spanish-speaking Americans met with high Government officials to discuss problem areas. Just last month, the President announced a number of significant steps taken to assist Spanish-speaking Americans in the fields of education, health, housing, welfare, farming, and employment.

If any President can be said to have directed his heart and his mind to help these Americans achieve their aspirations, that man is Lyndon B. Johnson.

DECISION OF STATE DEPARTMENT TO NO LONGER PUNISH "OFF LIMITS" TRAVEL IS SHOCKING

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, news reports today indicate that the State Department will announce tomorrow that it will no longer punish persons who travel to Communist countries that have been declared "off limits" to American citizens. This decision is shocking and strikes a severe blow to the authority of the executive branch of our Government to establish our foreign policy.

The decision of the State Department means that David Dellinger, an announced Communist sympathizer and leader of the so-called peace march on Washington last October that cost the taxpayers $1,000,000 in cleanup expense, is now free to go to Cuba, North Vietnam and other Communist countries with impunity.

This means that Herbert Apetheker, an admitted Communist and director of the American Institute for Marxist Studies, can travel to any of these "restricted" countries without concern for State Department action. Likewise, Stokely Carmichael.

This decision is deplorable.

The State Department states that it will continue to declare certain countries off limits and that without special permission, passports will not be issued for Cuba, North Vietnam, Communist China and North Korea.

Then, in the next breath, the Department states that they will no longer revoke the passports of persons who travel to the off limit countries, nor will it deny passports to persons wishing to travel to those countries.

Mr. Speaker, I submit that such a decision is, in operation, equivalent to State Department approval of travel to these countries which are the declared enemies of the United States.

The only condition still insisted upon by the State Department is that travelers not use their passports to enter the prescribed countries. Yet, even the Department acknowledges that such a condition is meaningless since off limit Communist countries generally will admit U.S. citizens without their passports.

Last October, I introduced H.R. 13594 which would provide criminal penalties for travel without a passport to, in or through a country for which a passport is not valid and for failure to surrender a passport upon proper demand.

In light of the decision announced by the State Department, I am calling for prompt action on this bill.

AMENDMENT OF IMMIGRATION AND NATIONALITY ACT ESSENTIAL TO ELIMINATE DISCRIMINATION

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New Jersey [Mr. RODINO] is recognized for 15 minutes.

Mr. RODINO. Mr. Speaker, on April 3 the Immigration Subcommittee of the Judiciary Committee will begin hearings to review operations under the Immigration Act amendments put into effect following the act of October 3, 1965.

This act will long be remembered as the legislation which repealed the discriminatory national origins concept as a system of selecting immigrants to the United States. No longer will place of birth determine a man's qualifications for admission to the United States. In this day and age such type of selection is both repugnant to our sense of fairness and detrimental to our foreign policy principles.

I have long advocated removal of the arbitrary and unjust national origins quota system, so the 1965 act, which accomplished this objective and in addition gave priority to the reunification of families and the admission of immigrants with needed skills, had my wholehearted support. Unfortunately, developments since its enactment indicate that it has resulted in immigration trends contrary to our objectives and, in fact, has created a reverse type of discrimination. This has had a serious adverse impact on immigration from the traditional countries of emigration to the United States; such as Ireland, the United Kingdom, and Germany.

Of deep concern to me, in particular, is the situation with regard to immigration from Ireland, which in the past has been one of the leading countries from which new U.S. citizens came.

Mr. Speaker, during the first fiscal year of this decade, 7,687 immigrants from Ireland were admitted to the United States. By contrast, during the fiscal year ending June 1967, only 2,624 Irish immigrants were admitted to this country. The number of prospective immigrants is further diminutive.

The vital role of Americans of Irish heritage in the building of America, and their contributions to the growth, progress, and happiness of our Nation, are vast and indisputable. It is exceedingly distressing to realize that the meritorious purposes of the 1965 act appear to have been negated in the case of immigration from Ireland.

It is imperative that this problem be considered during our forthcoming hearings. We must ask what factors are involved. Is the economy in Ireland so favorable that people do not wish to emigrate? Are employment opportunities in countries closer to Ireland more inviting? Is the new U.S. immigration policy too restrictive?

It may be that each of these issues contributes, in varying degrees, to the decline of Irish immigration. Nevertheless, a more incisive analysis will show that no matter how well meaning the recent amendments to the Immigration and Nationality Act were, a reverse discrimination has crept into our immigration policy.

The major objective of the act of October 3, 1965, was the repeal of the national origins quota system. To accomplish this worthy objective, however, those of us who steadfastly sought to remove all bias and discrimination from our immigration policy had to accept certain regulatory provisions, such as the labor certification, in order to secure passage in both bodies of the Congress.

The Congress, with an enlightened attitude, was willing to remove the last vestiges of discrimination but determined to adopt new procedures to control immigration. The principal controlling feature became the labor certification provision. This provision, hindsight has sadly shown, has worked a hardship on many intending immigrants and has greatly contributed to the curtailment of our traditional immigration from Western Europe.

During the consideration of this legislation there was evidence that a phaseout period—such as 3 years—would permit the oversubscription of certain quotas to be eliminated and, at the same time, allow those countries who have enjoyed large quotas to anticipate July 1, 1968, when there would be competitive immigration on a worldwide basis. We now discover that the phaseout period did not accomplish its intended goal. This period became an open invitation for intending immigrants to seek registration priorities and did not offer sufficient time for the countries of Western Europe to create registration priority lists.

Unfortunately, the phaseout procedure, which set forth an immigration pool of unused visa numbers for reassignment to countries with oversubscribed quotas, must be viewed as self-defeating. Consequently, many countries—such as Ireland, Germany, and the United Kingdom—will not, after July 1, 1968, when the full impact of the recent amendments becomes effective, be in a position to compete for immigrant visas on a worldwide basis. Conceivably, immigration in these countries may be cut to a mere trickle and under some preference categories become completely nonexistent.

I am considering several proposals which I hope will solve the problems associated with Irish immigration and immigration from the other countries of Western Europe, and I have asked the appropriate departments in the executive branch to comment on them.

One possible approach I am considering is to amend the Immigration and Nationality Act to guarantee that each country will receive a fair proportion of the worldwide available numbers under the 170,000 ceiling on immigration from other than the Western Hemisphere. The law now provides that no country can receive over 20,000 immigrant visas exclusive of immediate relatives in any one fiscal year. What the law does not provide for is a minimum number that any country will receive. I am also considering the feasibility of extending the phaseout period for an additional 2 years, but this time with built-in provisions to reasonably insure the elimination of backlogs.

There is also evidence that many skilled persons whose services are urgently needed in the United States have been unable to receive visas because of the admission of aliens with spurious skills and others who have misrepresented their reasons for coming to this country.

Thus, it is patently imperative that the labor certification procedures be carefully analyzed and constructively amended to insure that the best interest of the United States and fairness to the intending immigrant be reasonably brought into focus. I intend to offer amendatory legislation as soon as all ramifications of the labor certification can be studied.

I know that many Members of the House concur with me that corrective legislative action must be taken quickly, before the July 1, 1968, era goes into effect. I intend to propose such measures to the Subcommittee on Immigration and Nationality during the course of our series of hearings which are scheduled to begin on April 3.

My support of an equitable and realistic immigration policy has not and will not waver, and I intend to do all in my power to insure that the remaining elements in our immigration law that create inequity and distress will be removed.

We, as legislators, are ever mindful of the fact that there are more persons in this world who desire to live in the United States than we can reasonably accept. Our immigration must be controlled. Yet we must insure that the system of control utilized is one which will recognize the dignity of each intending immigrant and which will give every prospective immigrant a fair opportunity to achieve his desire of living among us as an American citizen.

DESCRIPTION OF NATIONAL MANPOWER ACT OF 1968

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Minnesota [Mr. QUIE] is recognized for 20 minutes.

Mr. QUIE. Mr. Speaker, I wish to call the attention of my colleagues to the introduction today of a bill entitled the "National Manpower Act of 1968." Sixty-three Republican Members have joined in cosponsoring this important legislation designed to assist the hard-core unemployed by strengthening the role of private employers in this crucial area. The current efforts of the administration are simply not good enough to achieve the kind of breakthrough that is required. If substantial cutbacks of lower priority Federal expenditures can be achieved, we can give increased emphasis to manpower programs and policies aimed at rehabilitation and upgrading of those who are presently unemployable and unable to compete for available job positions.

Our proposed legislation is in two parts: a title I, containing a group of new programs cast as amendments to the Manpower Development and Training Act of 1962, which is before us now for extension; and a title II, containing an amendment of the Internal Revenue Code to give a tax credit for employers who hire the hard-core unemployed.

So that there may be a clearer understanding of our intentions, I offer the following "Description of National Manpower Act of 1968" together with the names of those Members who have cosponsored the bill:

DESCRIPTION OF NATIONAL MANPOWER ACT OF 1968

TITLE I—AMENDMENTS TO THE MANPOWER DEVELOPMENT AND TRAINING ACT OF 1962

Title I of the bill is composed of six major amendments to the Manpower Development and Training Act of 1962, which is presently before the Congress for extension. These amendments are not intended as reforms of present programs under the MDTA, but are rather new language and new programs to be operated by the Department of Labor.

1. Statement of Purpose. The bill commences with a complete rewriting of the statement of purpose of the MDTA. That Act's purpose section was originally written with a heavy emphasis upon problems caused by automation and technological change, but that is not the major problem today nor is it the way the Act is being applied. The new statement of purpose emphasizes the problems of unemployment and underemployment caused by lack of education and occupational skills and by existence of artificial barriers to employment, as well as the problems of automation. It calls for a comprehensive national manpower policy which places the basic responsibility for job training and employment with the private sector, in the same manner that the National Housing Act identifies the private sector as having the chief responsibility in the housing field.

2. Job Vacancy and Labor Supply Information. The United States is the only major industrial country which has no national program of identification of job vacancies. The Republican Party has long espoused such a program, operated on an automated basis, and the Riot Commission has now endorsed this type of program. To carry out this idea, the bill amends section 106 of the MDTA to require such a job opportunity survey and a program for matching unemployed persons with employer requirements and job vacancies on a local, inter-area, and nationwide basis.

3. Community Service Employment Programs. The bill adds a new title IV to the MDTA establishing a community service employment program for the hard-core. Employment and training opportunities would be created in a wide variety of public-service type activities—including health, education, public safety, neighborhood rehabilitation, beautification, and recreation. The programs could be operated by public or private organizations. The bill would make available an authorization of $400 million for this purpose for fiscal year 1969, and $500 million for fiscal year 1970; these amounts would create 80,000 and 100,000 new jobs in those two years.

Forty percent of the amounts authorized would be allotted according to a state allocation formula for use within a state plan arrangement; for this purpose, each state would receive a minimum of $1 million. This is essentially a block grant scheme, with the states redistributing the funds to local program sponsors. The state plan provisions require that the state not retain more than 25 percent of its funds for operation of community service employment programs directly by state agencies; but this "pass-through" requirement can be waived by the Secretary if he finds that the programs would be more effectively operated by the state itself (as where the state is too small to have to deal through local sponsors).

The remaining 60 percent of the sums appropriated for any fiscal year are to be expended by the Secretary to carry out the purposes of the Act in accordance with such criteria as he may prescribe. If he likes the way the state is administering its funds under the state plan, he could add funds from this discretionary 60 percent to the 40 percent already passing through the state plan. Alternatively, he may fund local programs directly.

The bill emphasizes coordination and consolidation of all the various community service employment programs at the local level. The Secretary is required to designate urban and rural areas containing high concentrations or proportions of unemployed or low-income persons as eligible areas for the purposes of the program. He then designates a prime sponsor for each eligible area to receive all assistance under the program. The prime sponsor is also to receive all funding under the various other community service employment programs now in existence, including the Neighborhood Youth Corps, Operation Mainstream, the New Careers program, and the Work Incentive program under the Social Security Act. The prime sponsor becomes the funnel at the local level through which all these resources would flow, and the prime sponsor must submit to the Secretary a community employment plan setting forth a comprehensive program according to which all these funds will be spent. These local community employment plans are, in turn, coordinated with the development of the state plan. Both the Secretary and the state agencies would provide assistance through the prime sponsor in each eligible area, although there is a by-pass provision if they find that funding a different organization would better carry out the purposes of the program.

The state plan provisions are similar to those set forth under Title III of the Elementary and Secondary Education Act of 1965. As under that Act, the state plan would be developed and carried out by a policy group (the state manpower policy council) which would be broadly representative of the job training and employment resources of the state.

Financial assistance under the program would be provided both to create the new jobs and to provide necessary supportive services in the area of education, training, day care and other services. In order to increase the motivation of participants, the Secretary is instructed to give a preference in appropriate cases to the funding of programs through local service companies which would be owned in substantial part by the employees themselves. For example, in the area of neighborhood clean-up the Secretary could seek to form a local service company to undertake the project on a contractual basis, and he could provide for added profits to the group if they perform a contract in an expeditious and successful manner. In this way, the employees are actually given the added motivations of business ownership, and in time their company would become self-sufficient and seek contracts as a regular competitive business. This approach is presently proving successful with certain pilot projects being conducted by the Labor Department. In order to facilitate the formation of such local service companies and to aid them in becoming self-sufficient, the Secretary would be authorized to provide assistance to "service development organizations." Such development groups, which might be the local chapters of the Urban Coalition or even private profit-making companies, would be authorized to undertake planning and market research activities, legal and technical assistance, management training, and the provision of business services on a centralized basis (such as billing and accounting).

In order to further increase motivation among program participants, and to remove the aura of dead-end and make-work employment, the Secretary is instructed to give a preference to successful participants for entry into an on-the-job training or placement program providing jobs in the private sector. In this manner, a real job ladder into regular competitive employment is provided.

A special section deals with the critical need for programs in the field of public safety. The Secretary is directed to provide special encouragement to the development of such programs, whereby employment and training opportunities would be created for disadvantaged persons as community service officers and other support personnel in or under the supervision of the police departments. This type of proposal has been endorsed by the "Crime Commission" (The President's Commission on Law Enforcement and Administration of Justice) and by the Riot Commission. Community service officers could be full or part-time employees who would perform services in the area of recruiting police personnel from eligible areas and minority groups, improving police-community relations and grievance resolution mechanisms, and performing community escort and patrol work. In this manner, the new employment program would have a direct impact on stabilizing community conditions and reducing the incidence of crime. The Secretary and the Attorney General would jointly prescribe the regulations governing programs in the public safety area.

Federal financial assistance under the program would be limited to 90 percent of project costs, where the program was being carried out on a grant basis by a public agency or private nonprofit organization.

4. The Economic Opportunity Corporation. The Riot Commission endorsed the idea of a Federally chartered corporation to take on the major role in coordinating and providing technical assistance under private sector job programs (on-the-job training and tax credits). Republicans have long backed the concept of a national technical assistance corporation to encourage private industry to participate in antipoverty efforts such as manpower programs. The bill would reintroduce this Economic Opportunity Corporation proposal, co-sponsored last year in the Senate by 23 Republicans, as a new title V of the MDTA.

The Corporation would be a Federally chartered nonprofit corporation with a board of directors of 15 persons, five appointed by the President and ten elected by the members of the Corporation. Any person or organization could become a member of the Corporation by making a tax exempt gift to it or by buying one of its bonds. The Federal Government would provide $10 million to the Corporation as seed money on a one-time basis, with a requirement that up to $10 million more Federal funds would be provided to match private contributions and bond purchases.

The Corporation would have a variety of purposes and functions: (1) it would establish an information and research center on how private groups can participate in antipoverty activities, including information on existing government programs and case studies on successful private projects; (2) it would actively provide technical assistance to organizations in the planning and operation of such projects and programs; (3) it would participate in the development and conduct on a contractual or other basis of government antipoverty programs linked to the private sector, including by working with the Secretary of Labor in drawing up regulations under the tax credit and on-the-job training schemes; (4) it would undertake special responsibilities in the fields of manpower training and business ownership by minority groups and low-income persons; and (5) it would develop and carry out its programs through subsidiary groups at the local level, such as local Urban Coalitions. It is hoped that by providing a legislative base for this kind of private technical assistance activity, the Congress can promote a greater degree of cooperation between the Urban Coalition and the National Alliance of Businessmen.

While the Corporation itself would be a nonprofit organization, it could establish profit-making subsidiaries as new business enterprises in the urban and rural slums, and it could hope to raise funds to sustain its operations through those operating subsidiaries.

5. Evaluation and Oversight by the Comptroller General. Under a Republican amendment last year to the antipoverty legislation, the General Accounting Office is presently conducting a qualitative evaluation of the Office of Economic Opportunity programs. This marks a new departure for the GAO into qualitative program evaluation, beyond its usual accounting and auditing functions. It is the first step in building that agency into a real legislative oversight and evaluation arm for the Congress. This bill would propose to extend that development to the field of manpower training and employment by authorizing a continuing study and oversight by the GAO of Federal work and training programs. Among the activities specifically included in the study would be a comparison of the relative costs and benefits of different types of training and employment programs, and an annual report to the Congress on the efforts made by Federal agencies in complying with legislative amendments and the instructions in Committee Reports. Such sums as might be necessary to carry out these functions are authorized by this legislation, which takes the form of a new title VI of the MDTA.

TITLE II—TAX CREDITS FOR EMPLOYMENT OF THE HARD-CORE

The GOP has long championed the idea of providing tax credits to private industry for the training and employment of the hard-core poor. That approach has now received important endorsement from the Riot Commission. The Commission established a special task force of businessmen to look into the question of private sector involvement, and that task force recommended a detailed program of tax credits in the manpower field. Title II of the bill sets forth in legislative form the tax credit proposal advanced by the Riot Commission. This is in no way preemptive of the GOP Human Investment Act, which provided a tax credit through a somewhat different mechanism, but is intended as a companion proposal with the understanding that both tax credit bills deserve immediate consideration by the Administration and the Congress.

The Commission's tax credit proposal stresses simplicity and automaticity more so than does any previous version of the idea. The local recruiting agency would give to each hard-core person a "green card." For each new such employee added to his payroll, the employer would receive a substantial tax credit, providing that no existing employees are dismissed in order to hire green-card people. The employer would get a credit equal to 75 percent of the employee's wages and fringe benefits for the first six months, 50 percent for the second six months, 25 percent for the second year, and nothing thereafter. As an inducement to force the employer to encourage the worker to stay on the job, the employer would get none of the credit for any 6 or 12 month period unless the employee stayed for that entire period. The credit was purposefully based on the employee's wage in order that a precisely defined figure could be used; apparently, the businessmen thought that any effort to refer to training costs would involve too much red tape and Internal Revenue Service oversight. Using a minimum wage of $1.60 per hour, the total credit for the first year would be $2,080, and over the 2-year period would come to $2,912—far less than the $3,500 reimbursement (over 15 months) contemplated under the President's new "JOBS" (OJT) program. Of course, the cost of the tax credit would be even less than this since there is a wash effect in that the new wage earners are paying taxes and producing revenue for the Treasury.

The GOP bill would allow an employer to take either a tax credit or to seek reimbursement under the OJT program, but would not allow both. The cosponsors would, therefore, support the OJT program and would in fact ask for greater funding for it than the President has suggested, but no legislation is needed in that regard since MDTA–OJT has an open-ended authorization.

JOB SLOTS AUTHORIZED AND COSTS

This set of manpower proposals would create 300,000 new jobs for the hard-core poor in the first year of operation. The community service employment program would be extended to a second year at a level of 100,000 job slots, and of course the tax credit and on-the-job training provisions would also remain in force but we cannot estimate the number of slots which might be produced in the second year under those approaches. The figure of 300,000 jobs is to be compared to the 70,000 jobs suggested by the President for fiscal year 1969 under his new jobs program; hence, this Republican proposal would create over 4 times as many new jobs as the President recommends.

The 300,000 new jobs would be split into 220,000 jobs in the private sector under the tax credit-OJT option, and 80,000 jobs under community service employment program. Of the 220,000 private sector jobs, the bill follows the estimate of the Riot Commission in suggesting that the tax credit approach would produce 150,000 slots in the first year. The remaining 70,000 slots would be allocated to the on-the-job training program. Using this set of estimates, the cost of the tax credit in the first year would be $312 million, and the cost of the reimbursements would be $224 million, for the total cost of $556 million for the private sector jobs. (But since an employer would have a choice of the tax credit or reimbursement approaches, the cost of the private sector job program could vary between $457 million, if all the jobs were financed by the tax credit, and $770 million, if they were all financed by way of reimbursements.) To this must be added $400 million for the community service employment program and $20 million for the Economic Opportunity Corporation, for a total cost of $976 million. But while this is the *cost*, it is not the *appropriation* since the tax credit approach involves no direct appropriation. The total in new appropriations requested is $664 million, of which $420 million is above and beyond what the President requested in the fiscal year 1969 budget. It should also be understood that the cost figure would in fact be somewhat less than the $976 million projected, because there would be a wash effect due to the added tax revenues to the Treasury from the new wage earners.

The following Members of the House of Representatives are co-sponsors of the National Manpower Act of 1968, introduced in both the House and in the other Body on March 28, 1968:

John B. Anderson (Ill.)
William H. Ayres (Ohio)
Alphonzo Bell (Calif.)
Edward G. Biester, Jr. (Pa.)
Benjamin B. Blackburn (Ga.)
Donald G. Brotzman (Colo.)
Garry Brown (Mich.)
Don H. Clausen (Calif.)
Clarence J. Brown (Ohio)
James C. Cleveland (N.H.)
Barber B. Conable, Jr. (N.Y.)
Silvio O. Conte (Mass.)
Robert J. Corbett (Pa.)
William O. Cowger (Ky.)
John Dellenback (Oreg.)
Florence P. Dwyer (N.J.)
John N. Erlenborn (Ill.)
Marvin L. Esch (Mich.)
Edwin D. Eshleman (Pa.)
Paul Findley (Ill.)
Peter H. B. Frelinghuysen (N.J.)
Charles E. Goodell (N.Y.)
Charles S. Gubser (Calif.)
Gilbert Gude (Md.)
James Harvey (Mich.)
Margaret M. Heckler (Mass.)
Frank Horton (N.Y.)
Edward Hutchinson (Mich.)
Hastings Keith (Mass.)
Theodore R. Kupferman (N.Y.)
Donald E. Lukens (Ohio)
Clark MacGregor (Minn.)
Robert McClory (Ill.)
Paul N. McCloskey, Jr. (Calif.)
Joseph M. McDade (Pa.)
Jack H. McDonald (Mich.)
Thomas J. Meskill (Conn.)
Catherine May (Wash.)
Charles A. Mosher (Ohio)
F. Bradford Morse (Mass.)
Rogers C. B. Morton (Md.)
Jerry L. Pettis (Calif.)
Howard W. Pollock (Alaska)
Albert H. Quie (Minn.)
Tom Railsback (Ill.)
Ogden R. Reid (N.Y.)
Donald W. Riegle, Jr. (Mich.)
Howard Robison (N.Y.)
Donald Rumsfeld (Ill.)
Philip E. Ruppe (Mich.)
Herman T. Schneebeli (Pa.)
Richard S. Schweiker (Pa.)
Fred Schwengel (Iowa)
Henry P. Smith, III (N.Y.)
Robert T. Stafford (Vt.)
J. William Stanton (Ohio)
William A. Steiger (Wis.)
Burt L. Talcott (Calif.)
Guy Vander Jagt (Mich.)
Charles Whalen (Ohio)
William B. Widnall (N.J.)
John W. Wydler (N.Y.)
Roger H. Zion (Ind.)

THE COLD WAR MONEY CRISIS

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. EDWARDS of Alabama. Mr. Speaker, in all the talk about the dollar crisis these days there is one fact which stands out clearly: Russia, China, and France count victories when the world loses confidence in the dollar.

And the only reason why official Washington does not say this publicly is that it is still administration policy to be polite to America's enemies. We are not supposed to say anything that might upset the Russians, the Chinese Communists, or General de Gaulle.

Ever since World War II the American dollar has been the foundation of the international monetary system. That is because it was the most reliable of all currencies. The value of other currencies was measured in terms of the dollar.

One reason for this was that we held the world's largest gold supply and we guaranteed that the dollar was backed up by our gold. Another reason was that it seemed that the United States would always keep the dollar's purchasing power relatively steady, both at home and abroad.

But over the past few years the Government has reversed the dollar balance in overseas exchanges. We have sent more dollars out of the country in foreign aid, support of troops, and purchases, than have come into the country.

Just as important, Washington has let deficit financing get out of hand. Government spending over and above its income has gone from bad to worse very fast. And if the United States cannot manage its own money affairs, causing the dollar to lose value at home, it is sure to lose value in other countries also.

And when our own policies began to weaken the dollar, then Russia and China began to take advantage of the situation as part of their cold war strategy. And De Gaulle saw a chance to restore some of the glory of France that he so deeply wants.

They all began to buy our gold as fast as they could, thereby undermining world confidence in the ability of the United States to claim gold support for the dollar. And they acquired other gold where they could, either mining it or buying it elsewhere.

In effect, they declared economic war on the United States, and also on Britain, because Britain's pound stood next to the dollar as a partner.

Mr. Speaker, if these countries could destroy the pound and the dollar as the world's most reliable currencies, then they themselves would profit in two ways.

Not only would their gold be worth more if they wanted to sell it, but their own currencies would be more valuable as other nations turned away from the dollar and the pound. These countries would gain new economic influence everywhere, and the power that goes with it.

And that is exactly what is happening. China now has between $500 million and $600 million in gold even while her 700 million people go hungry. Russia has about $9 billion in gold.

What can Washington do about it? Some stopgap measures can be adopted to ward off the worst problems for some period of months. And this is all that is likely to happen for this year.

But the real trouble will still be with us. The real solutions are too difficult for the present administration to undertake. One great help would be to balance the Federal budget, but hardly anybody even talks about that very seriously any more.

To cut the dollar loose from its gold support entirely would violate solemn promises made by the Government. We have given our word we would not do this in order to hold on to what support we could.

To devalue the dollar, as Britain has already done with her pound, would disrupt our economy and impose hardships on American families. The Great Society is not going to be quick to choose that path.

And either of these moves would hurt friends who have relied on us, Germany and Canada, for example. And they would give great benefit to France, Russia, and China.

Mr. Speaker, financial irresponsibility in the Johnson administration has taken its toll. It means that this country has to put its house in order, and do it just as soon as possible. Temporary solutions will not do. Solid and lasting answers must be found.

DIPLOMATIC RELATIONS WITH THE UNITED ARAB REPUBLIC

Mr. REINECKE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. REINECKE. Mr. Speaker, for the past 20 years, the United Arab Republic has steadfastly rejected the offers extended by the State of Israel to negotiate a final peace settlement in the tragic dispute that has torn the Middle East asunder. Those offers of peace from the Israel leaders have been repeated time and time again, directly and indirectly, with concessions and without conditions to the Arab nations, but the Arab States, under the leadership of President Nasser of Egypt, have continued to turn a deaf ear to the proposals.

The United States of America is committed to a peaceful world. It should be very obvious, therefore, that this Nation cannot accept the diplomatic representation of a nation that is dedicated to war.

Since the end of World War II, the United States of America has offered and given assistance to many of the developing areas of the world in a sincere effort to help those countries create viable, stable nations. Unfortunately, in the case of the United Arab Republic, the aid given by the United States has helped the Egyptians continue the policy of warfare against a nation with which we have had consistently friendly relations, the State of Israel. It would seem unnecessary to point out that to resume relations with, and once again extend foreign aid to the Egyptian Government would be inconsistent with the U.S. policy of helping our friends. What sense does it make to allow one of those friends to be placed in jeopardy by another aid recipient? Let us not arm the Egyptians so that they may again attack Israel.

For the past several years, the President of Egypt has been carrying on a malicious, purposeful attack upon the United States of America, its principles, its people, and its leaders. When pure invective has failed the President of the United Arab Republic, he has resorted to lies. The false charges made against this Nation during the early moments of the June war, when he accused the United States of attacking his country, should convince even the most dedicated Arabist that Nasser does not want the friendship of the United States; he merely wants cynically and opportunistically, to use our aid to support his own selfish and malicious ends.

This week I cosponsored a resolution—House Resolution 1109—that would make it undeniably clear that the House of Representatives opposes the reestablishment at this time of diplomatic relations with the United Arab Republic under the regime of President Nasser, and its policy of destructive opposition to the state of Israel. The United States of America should not lend its support in any way to the continued bellicose and intransigent attitude of the Arab States and their continued refusal to negotiate peace in the Middle East.

"THE FACTS" ON ATOMIC REACTORS

Mr. **SAYLOR**. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. **SAYLOR**. Mr. Speaker, on March 19 my colleague from California chided the coal industry, and particularly the United Mine Workers of America, for opposing the Government's effort to push atomic power as fast as possible without regard to the consequences. In the course of his remarks, my colleague pointed with pride to an article written by Mohammed Rauf, Jr., and said:

> Mr. Rauf's article is an objective and balanced treatment of the issues involved.

Mr. Rauf, my colleague stated—

> did indeed publish "the facts."

I do not intend to take up your time today by going into each and every issue involved in this complex subject. I do want, however, to point out to you that Mr. Rauf stated, in the article which my colleague had printed in the RECORD, as follows:

> The shortage of uranium is recognized, but the recent invention of the breeder reactor (a reactor which produces its own fuel) has minimized this need for the foreseeable future.

Mr. Speaker, if the breeder has been invented, why will we in this body be called upon to appropriate billions of dollars in the next 20 or 30 years to do it all over again? We are now spending something close to $100 million a year in research for the purpose of inventing the breeder. This amount is going to grow year by year, and the Federal payment for research on the breeder is going to be required for at least 20, and possibly 50, years into the future. If Mr. Rauf's "facts" are all as erroneous as this one, his views are certainly not entitled to be designated as facts.

In my opinion, we have permitted our own creature, the Atomic Energy Commission, to characterize as "fact" things which are at best hopes or dreams for the future. I do not believe we should give our blessing to the writings of a reporter who states as fact that the breeder has been invented. There should be some method by means of which we can separate the dreams from the facts. Mr. Rauf does not furnish that method. I believe we must have an objective and impartial investigation of the Government's policy in the atomic power program. We cannot continue to rely on people who obviously cannot tell fact from fiction.

MINED LAND RECLAMATION REQUIREMENTS

Mr. **SAYLOR**. Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point in the RECORD.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. **SAYLOR**. Mr. Speaker, inasmuch as Congress is faced with the job of implementing the President's recommendations for the regulating of surface mining, I should like to call your attention to a study on "Mined Land Reclamation Requirements—Pro and Con," by George H. Siehl, analyst in natural resources, Natural Resources Division, the Library of Congress. It is an objective blueprint for orderly surface mining operations on a nationwide scale.

I commend the Siehl study to your attention. It is concise and easy to read. Its conclusions will be helpful in enabling Members of Congress to arrive at the best answers for dealing with this problem which all of us agree requires the closest consideration.

You may obtain a copy of this document from Mr. Siehl at the Library of Congress, or if you call my office we shall be happy to make one available to you.

The Siehl paper includes a "memorandum of understanding" between coal surface mining companies of Colorado and the Colorado Department of Natural Resources. There are also important comments from the American Mining Congress and the National Coal Association. In addition, the study includes such extreme criticisms as those carried by the New Republic of May 13, 1967, when a contributor demanded that "Congress surely ought to ban strip mining throughout the country."

Mr. Speaker, to ban all surface mining would be shortsighted and wasteful if only because it would deprive the Nation of a natural endowment essential to economic and social progress. Further, proper reclamation methods can convert otherwise unusable land into productive farms and forests as well as attractive recreation areas.

We needed coal in a hurry during World War II, and as a result too many speculators who had the financial ability only to buy or rent a shovel went out and began to strip off land from coal veins with no thought about how it would affect the area when operations ceased. Unfortunately, until the various States began enacting legislation to remedy this situation, the practice continued whenever the demand for coal would warrant.

Meanwhile, established coal companies in Pennsylvania and a number of other States have for years been converting marginal lands into reclamation projects of public and private value. Such operators can be invaluable to Congress in its course of drawing up legislation that will require irresponsible strip operators obsessed with profit and oblivious of any public obligation to restore stripped land to useful purpose wherever possible.

In particular, all strip operators—whether in Pennsylvania, Illinois, Montana, or anywhere else in the United States—must be prevented by law from ignoring those recognized conservation practices that prevent water pollution, soil erosion, and pock marks on the earth that are unsightly and unsafe.

The President's conservation message has sounded the need for such a law, and it is the obligation of Congress to begin working to this end.

DRAFT REVISION NEEDED

Mr. **GILBERT**. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. **GILBERT**. Mr. Speaker, I am proud to be a cosponsor of H.R. 15799, a bill designed to end the inequities in the current system of selective service.

Current selective services practices, Mr. Speaker, were designed by men of good will who had the national interest in mind. The system was designed to supply the country with the military manpower it needed, without disrupting the work or the training of those whose services were essential. The goal was commendable. The system, however, had a fundamental flaw. As time passed, it became clear that the system was basically discriminatory against the poor and minority groups that could not pursue advanced education or did not qualify for essential jobs. Inherent in the system, then, was a bias which sent men of certain classes and races overwhelmingly into the military service.

Mr. Speaker, if there is any quality that is fundamental to our democracy, it is that all Americans have an equal chance to receive the benefits of this land and that all be equally accessible to meet its obligations. The current Selective Service System does not fulfill the standards we set for our democracy. This bill proposes that the inequities be corrected.

It proposes to do this by substituting for the current patchwork system of conscription and deferment, a system for the random selection of draftees, beginning with the youngest eligible registrants. It permits deferment for young men to finish college or other approved training. But it does not permit indefinite deferment for graduate school. It ends the privileged status of the educated class. Admittedly, it contains certain inconveniences for our universities, even for the country, in that it interrupts the studies of some young men. But it is a system that is fair to all Americans, no matter what their race or economic background, and that is essential to the perpetuation of American democracy.

The bill proposes other reforms as well. It directs the Secretary of Defense to study the feasibility of establishing an all-volunteer army. It prohibits the use of the Selective Service Act for punitive purposes. It requires the democratization of local draft boards. With all of these proposals I am fully in accord.

But fundamentally, I repeat, I favor this bill because it eliminates institutionally established social inequities. I represent a poor district, composed largely of minority groups. They are good people, good Americans. The young men of these groups serve willingly and well, but we have no right to ask them to make greater sacrifices than we demand of other segments of our society. This is an important and just piece of legislation and I hope it receives prompt consideration.

DIPLOMATIC RELATIONS WITH UNITED ARAB REPUBLIC

Mr. GILBERT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GILBERT. Mr. Speaker, I have cosponsored a resolution with a number of my colleagues, expressing disapproval of proposals that the United States resume diplomatic relations with President Nasser's government of Egypt.

In my view, recognizing Egypt at this time would add considerably to the tensions in the Middle East by creating the impression of American approval of provocative Arab policies.

There is no question but that President Nasser has scuttled all efforts to reach a settlement in the Middle East. He has helped to perpetuate unrest. He has made no offer to retreat from any of the positions he held prior to the war last June. He continues to rearm with Russian weapons, presumably to renew his aggressive war against Israel.

Obviously, President Nasser would like nothing more than to be able to boast American approval of his actions. I believe it would be extremely unwise to renew our dealings with Nasser until it becomes clear that he is willing to walk the path of peace in the Middle East.

ANTI-SEMITISM IN POLAND

Mr. GILBERT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GILBERT. Mr. Speaker, it is a tradition in eastern and central Europe for governments in trouble to resort to the expedient of anti-Semitism to divert attention from real problems. When the Communists came to power, they vowed an end to these practices, on the grounds that anti-Semitism was alien to communism. But we see that, like so much of the rest of Communist doctrine, this promise was a blatant lie.

In the Ukraine, the Communist government has resurrected old anti-Semitic charges and unleashed old anti-Semitic warhorses to stir up hatreds. Our delegation in the United Nations, I am pleased to say, has protested these practices, which are so contrary to the declarations of human rights to which the Communists pretend to subscribe.

At the same time, the Gomulka government in Poland has resorted to the device of anti-Semitism to repress profound and genuine aspirations for freedom among the young people of the country. The Warsaw government claims it is against Zionists, not Jews, on the grounds that the unrest is of Zionist origin. None of us are deceived, however, by this semantical game. Polish governments have been using this trick for too many centuries for us to be taken in by it. I am profoundly disturbed by this development in Poland, a development which is primitive, cruel, and base. I know that the American people, along with civilized peoples throughout the world, share my indignation. Poland, Mr. Speaker, is truly to be condemned for this reversion to medieval practices of irrational and deceitful repression.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. Fountain (at the request of Mr. Boggs), for today, March 27, 1968, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Quie (at the request of Mr. Dellenback), for 20 minutes, today; to revise and extend his remarks and to include extraneous matter.

(The following Members (at the request of Mr. Vigorito) to revise and extend their remarks and include extraneous matter:)

Mr. Rodino, for 15 minutes, today.
Mr. Farbstein, for 20 minutes, today.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. Dellenback) and to include extraneous matter:)

Mr. Rhodes of Arizona in five instances.
Mr. Reinecke.
Mr. Derwinski in four instances.
Mr. Devine.
Mr. Curtis.
Mr. Scherle in two instances.
Mr. Kupferman in five instances.
Mr. Horton in two instances.
Mrs. Bolton.
Mr. Schadeberg in four instances.
Mr. Berry.
Mr. Hall.
Mr. Ashbrook in two instances.
Mr. Brock.
Mr. Dole.
Mr. Brown of Michigan.
Mr. Findley in two instances.
Mr. Shriver in two instances.

(The following Members (at the request of Mr. Vigorito) and to include extraneous matter:)

Mr. Moss in three instances.
Mr. Bingham in two instances.
Mr. Ottinger.
Mr. Leggett.
Mr. Rees.
Mr. Fisher in six instances.
Mr. Kastenmeier in two instances.
Mr. Gilbert in three instances.
Mr. Jacobs.
Mr. Pike in two instances.
Mr. Green of Pennsylvania.
Mr. Hamilton.
Mr. Gathings.
Mr. Nix.
Mr. Wolff in two instances.
Mr. Irwin.
Mr. Resnick.
Mr. Matsunaga.
Mr. Tiernan.
Mr. Rarick in three instances.
Mr. Gonzalez in three instances.

ADJOURNMENT

Mr. VIGORITO. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock p.m.), under its previous order, the House adjourned until Monday, April 1, 1968, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1697. A letter from the Commissioner of the District of Columbia, transmitting a draft of proposed legislation revising title III of the bill to provide additional revenue for the District of Columbia, and for other purposes, previously submitted on February 20, 1968; to the Committee on the District of Columbia.

1698. A letter from the Acting Archivist of the United States, transmitting a report on records proposed for disposal under the law; to the Committee on House Administration.

1699. A letter from the Deputy Assistant Secretary of the Interior, transmitting a copy of a proposed concession contract extension under which Signal Mountain Lodge, Inc., will be authorized to continue to provide accommodations in Grand Teton National Park, Wyo.; to the Committee on Interior and Insular Affairs.

1700. A letter from the Administrator, General Services Administration, transmitting a report on site acquisition, design, or construction funding for certain public building projects, pursuant to 73 Stat. 479, as amended: to the Committee on Public Works.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DAWSON: Committee on Government Operations. Report entitled "Scientific Brain Drain From the Developing Countries" (23d report) (Rept. No. 1215). Referred to the Committee of the Whole House on the State of the Union.

Mr. PERKINS: Committee on Education and Labor. H.R. 15198. A bill to amend section 302(c) of the Labor-Management Relations Act, 1947, to permit employer contributions for joint industry promotion of products in certain instances or a joint committee or joint board empowered to interpret provisions of collective bargaining agreements; with amendment (Rept. No. 1219). Referred to the Committee of the Whole House on the State of the Union.

Mr. POAGE: Committee on Agriculture. H.R. 15822. A bill to authorize the Secretary of Agriculture to establish the Robert S. Kerr Memorial Arboretum and Nature Center in the Ouachita National Forest in Oklahoma, and for other purposes (Rept. No. 1220). Referred to the Committee of the Whole House on the State of the Union.

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. H.R. 13781. A bill to amend title II of the Marine Resources and Engineering Development Act of 1966; with amendment (Rept. No. 1221). Referred to the Committee of the Whole House on the State of the Union.

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. H.R. 15190. A bill to amend sections 3 and 4 of the act approved September 22, 1964 (78 Stat. 990), providing for an investigation and study to determine a site for the construction of a sea-level canal connecting the Atlantic and Pacific Oceans (Rept. No. 1222). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FEIGHAN: Committee on the Judiciary. H.R. 15591. A bill for the relief of Pfc. John Patrick Collopy, US51615166 (Rept. No. 1216). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 68. An act for the relief of Dr. Noel O. Gonzalez; with amendment (Rept. No. 1217). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 1129. An act for the relief of Demetra Lani Angelopoulos; with amendment (Rept. No. 1218). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ROGERS of Florida:

H.R. 16286. A bill to promote safety in the operation of manned submersibles; to the Committee on Merchant Marine and Fisheries.

By Mr. BURKE of Massachusetts:

H.R. 16287. A bill to amend the Internal Revenue Code of 1954 to provide that the full amount of an annuity received under the Civil Service Retirement Act shall be excluded from gross income; to the Committee on Ways and Means.

By Mr. DULSKI:

H.R. 16288. A bill to modernize certain provisions of the Civil Service Retirement Act, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ECKHARDT:

H.R. 16289. A bill authorizing a survey of Burnett, Crystal, and Scotts Bays and vicinity, Baytown, Tex., for flood control and other purposes; to the Committee on Public Works.

By Mr. FARBSTEIN:

H.R. 16290. A bill to increase funds authorized for existing programs to build low- and moderate-income housing and for other purposes; to the Committee on Banking and Currency.

By Mr. FRASER (for himself and Mr. Karth):

H.R. 16291. A bill to amend the Housing Act of 1949 and the Housing Act of 1964 to strengthen the existing programs of code enforcement and financial assistance in deteriorated or deteriorating urban areas; to the Committee on Banking and Currency.

By Mr. GIAIMO:

H.R. 16292. A bill to amend the public assistance provisions of the Social Security Act to assure all recipients of such assistance (in conjunction with recent social security benefit increases) an average increase of $7.50 in the total amount of their income from such assistance and for other purposes; to the Committee on Ways and Means.

By Mr. TIERNAN:

H.R. 16293. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. GOODLING:

H.R. 16294. A bill arranging for orderly marketing of certain imported articles; to the Committee on Ways and Means.

By Mr. HAMILTON:

H.R. 16295. A bill to amend the Consolidated Farmers Home Administration Act of 1961, as amended, to provide an alternate method for making loans for acquisition and improvements of the farm, needed by farm families, including young farmers, and to provide the borrower family with adequate standards of living and the consumer with reasonable prices for agricultural products, as well as to maintain and improve national health, and for other purposes; to the Committee on Agriculture.

By Mr. HORTON:

H.R. 16296. A bill making a supplemental appropriation to carry out the Economic Opportunity Act of 1964 during the fiscal year ending June 30, 1968; to the Committee on Appropriations.

By Mr. JACOBS:

H.R. 16297. A bill relating to the construction, modification, alteration, repair, painting, or decoration of buildings leased for public purposes; to the Committee on Public Works.

By Mr. KARTH:

H.R. 16298. A bill to amend the Community Mental Health Centers Act to make provision for specialized facilities for alcoholics and narcotic addicts, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. KING of New York:

H.R. 16299. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

By Mr. McDADE:

H.R. 16300. A bill to provide that the nuclear accelerator to be constructed at Weston, Ill., shall be named the "Enrico Fermi Nuclear Accelerator" in memory of the late Dr. Enrico Fermi; to the Joint Committee on Atomic Energy.

By Mr. MATSUNAGA:

H.R. 16301. A bill to amend title 38 of the United States Code to provide increased pensions, disability compensation rates, to liberalize income limitations, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. PRICE of Illinois (for himself, Mr. Aspinall, Mr. Holifield, Mr. Holland, and Mr. O'Hara of Michigan):

H.R. 16302. A bill to provide workmen's compensation protection to individuals denied benefits under State law for disability or death from lung cancer caused by exposure to ionizing radiation during their employment in uranium mines, to authorize the Secretary of Labor to provide or make provision for payment of supplementary compensation to persons receiving workmen's compensation benefits under State law for such disability or death, to reimburse States for payment of certain workmen's compensation claims, to provide grants to States for research and planning with respect to ionizing radiation injuries in uranium mines, and for other purposes; to the Committee on Education and Labor.

By Mr. GOODELL (for himself, Mr. Gubser, Mr. Gude, Mr. Harvey, Mrs. Heckler of Massachusetts, Mr. Hutchinson, Mr. Horton, Mr. Keith, Mr. Kupferman, Mr. Lukens, Mr. MacGregor, Mr. McClory, Mr. McCloskey, Mr. McDade, Mr. McDonald of Michigan, Mr. Meskill, Mrs. May, Mr. Mosher, Mr. Morse, and Mr. Morton):

H.R. 16303. A bill to provide a comprehensive national manpower policy to improve the Manpower Development and Training Act of 1962, to authorize a community service employment program, and for other purposes; to the Committee on Ways and Means.

By Mr. QUIE (for himself, Mr. Pollock, Mr. Pettis, Mr. Railsback, Mr. Robison, Mr. Reid of New York, Mr. Riegle, Mr. Rumsfeld, Mr. Ruppe, Mr. Schneebeli, Mr. Schweiker, Mr. Smith of New York, Mr. Stafford, Mr. Stanton, Mr. Steiger of Wisconsin, Mr. Talcott, Mr. Schwengel, Mr. Vander Jagt, Mr. Whalen, Mr. Widnall, Mr. Wydler, and Mr. Zion):

H.R. 16304. A bill to provide a comprehensive national manpower policy, to improve the Manpower Development and Training Act of 1962, to authorize a community service employment program, and for other purposes; to the Committee on Ways and Means.

By Mr. AYRES (for himself, Mr. Anderson of Illinois, Mr. Bell, Mr. Biester, Mr. Blackburn, Mr. Brotzman, Mr. Brown of Michigan, Mr. Brown of Ohio, Mr. Don H. Clausen, Mr. Cleveland, Mr. Conte, Mr. Corbett, Mr. Cowger, Mr. Conable, Mr. Dellenback, Mrs. Dwyer, Mr. Erlenborn, Mr. Esch, Mr. Eshleman, Mr. Findley, and Mr. Frelinghuysen):

H.R. 16305. A bill to provide a comprehensive national manpower policy, to improve the Manpower Development and Training Act of 1962, to authorize a community service employment program, and for other purposes; to the Committee on Ways and Means.

By Mrs. GRIFFITHS:

H.J. Res. 1204. Joint resolution authorizing the President to proclaim annually the last week in June as National Accident and Safety Week; to the Committee on the Judiciary.

By Mr. HORTON:

H.J. Res. 1205. Joint resolution to provide for the designation of the week beginning with the Sunday immediately following Easter Sunday of each year as National Credit Week; to the Committee on the Judiciary.

By Mr. PRICE of Illinois:

H.J. Res. 1206. Joint resolution authorizing the President to proclaim August 11, 1968, as Family Reunion Day; to the Committee on the Judiciary.

By Mr. COHELAN:

H. Con. Res. 744. Concurrent resolution requiring appropriate committees of the Congress to consider and report whether further congressional action is desirable in respect to U.S. policies in Southeast Asia; to the Committee on Rules.

By Mr. McDADE:

H. Con. Res. 745. Concurrent resolution establishing the Joint Select Committee on Observance of the 50th anniversary of Armistice Day; to the Committee on Rules.

By Mr. REUSS:

H. Con. Res. 746. Concurrent resolution terminating the joint resolution of August 10, 1964, relating to the maintenance of international peace and security in Southeast Asia; to the Committee on Foreign Affairs.

By Mr. WOLFF (for himself, Mr. Bingham, Mr. Brown of California, Mr. Button, Mr. Conyers, Mr. Diggs, Mr. Edwards of California, Mr. Fraser, Mr. Helstoski, Mr. Karth, Mr. Kastenmeier, Mr. Kupferman, Mr. Leggett, Mr. Podell, Mr. Rees, Mr. Reuss, Mr. Rosenthal, Mr. Roybal, Mr. Ryan, Mr. Scheuer, Mr. Williams of Pennsylvania, and Mr. Gilbert):

H. Con. Res. 747. Concurrent resolution terminating the joint resolution of August 10, 1964, relating to the maintenance of international peace and security in Southeast Asia; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. KING of New York:

H.R. 16306. A bill for the relief of Lawrence P. Conradsen; to the Committee on the Judiciary.

By Mr. LONG of Maryland:

H.R. 16307. A bill for the relief of Eleftheria Skarganis; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 16308. A bill for the relief of Hameed and Noor Fatima Dean (Din) and their minor child; to the Committee on the Judiciary.

H.R. 16309. A bill for the relief of Salvatore Taormina; to the Committee on the Judiciary.

By Mr. PODELL:

H.R. 16310. A bill for the relief of Francesco Trapani; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

275. The SPEAKER presented a petition of Rose Hoyt and others, Portland, Oreg., relative to the Federal social security system, which was referred to the Committee on Ways and Means.

SENATE—*Thursday, March 28, 1968*

The Senate met at 11 o'clock a.m., on the expiration of the recess, and was called to order by the President pro tempore.

Bishop W. Earl Ledden, D.D., Wesley Theological Seminary, Washington, D.C., offered the following prayer:

Almighty God, we bless Thy name that Thou art near—near enough to hear us when we call to Thee. Our need is great, and we pray that Thou wilt cleanse and empower us to do that which is acceptable in Thy sight this day.

Especially do we seek divine blessing upon Thy servants in this Chamber, now confronted with responsibilities so massive and so many. We know not what a day, or a decision, may bring forth; but before this day is done, or its decisions made, we pause in Thy presence to open our hearts to Thy truth.

Grant that here may be spoken a word heard 'round the world: a word of such elevation and enlightenment as shall lift men's hearts and strengthen their hands to rid the world of the sin and obscenity of the war system, and to establish, by Thy grace, a human habitation of justice and compassion fit for the family of man for whom Christ died.

In His name. Amen.

THE JOURNAL

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Journal of the proceedings of Wednesday, March 27, 1968, be approved.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Jones, one of his secretaries.

TRANSACTION OF ROUTINE MORNING BUSINESS

The PRESIDENT pro tempore. Under the order of yesterday, there will be a brief period for the transaction of routine morning business.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the following committee and subcommittees be authorized to meet during the session of the Senate today:

The Committee on the Judiciary.

The Subcommittee on Housing of the Committee on Banking and Currency.

The Subcommittee on Government Research of the Committee on Government Operations.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ENROLLED BILL SIGNED

The PRESIDENT pro tempore announced that on today, March 28, 1968, the Vice President signed the enrolled bill (H.R. 1308) to establish the Saugus Iron Works National Historic Site in the State of Massachusetts, and for other purposes, which had previously been signed by the Speaker of the House of Representatives.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CHURCH, from the Committee on Interior and Insular Affairs, without amendment:

H.R. 7325. An act to authorize the Secretary of the Interior to exchange certain Federal lands for certain lands owned by Mr. Robert S. Latham, Albany, Oreg. (Rept. No. 1041).

By Mr. SYMINGTON, from the Committee on Armed Services, without amendment:

H.R. 5785. An act to authorize the disposal of magnesium from the national stockpile (Rept. No. 1042); and

H.R. 14367. An act to authorize the disposal of beryl ore from the national stockpile and the supplemental stockpile (Rept. No. 1043).

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 1000. A bill for the relief of Jack Nam Yee (Rept. No. 1044);

S. 1749. A bill for the relief of Dr. Enrique Jose Catasus Soto (Rept. No. 1045);

S. 1960. A bill for the relief of Dr. Alfredo Aucar (Rept. No. 1046);

S. 2250. A bill for the relief of Dr. Hugo Vicente Cartaya (Rept. No. 1047);

S. 2311. A bill for the relief of Dr. Evelio Francisco Diaz (Rept. No. 1048);

S. 2371. A bill for the relief of Dr. Herman J. Lohmann (Rept. No. 1049);

S. 2378. A bill for the relief of Dr. Julio P. Amable (Rept. No. 1050);

S. 2383. A bill for the relief of Dr. Francisco J. Menendez (Rept. No. 1051);

S. 2448. A bill for the relief of Dr. Gilberto Hedesa de la Campa (Rept. No. 1052);

S. 2469. A bill for the relief of Dr. Carlos Hernandez (Rept. No. 1053);

S. 2491. A bill for the relief of Dr. Antonio Pinera (Rept. No. 1054);

S. 2501. A bill for the relief of Dr. Fernando Rafael Boudet-Esteban (Rept. No. 1055);

S. 2504. A bill for the relief of Dr. Martiniano L. Orta (Rept. No. 1056); and

S. 2581. A bill for the relief of Dr. Edmee Serantes (Rept. No. 1057).

By Mr. McCLELLAN, from the Committee on the Judiciary, without amendment:

H.R. 11254. An act for the relief of Jack L. Good (Rept. No. 1064).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

S. 1069. A bill for the relief of Dr. Chung Chick Nahm (Rept. No. 1058);

S. 2165. A bill for the relief of Rene E. Montero (Rept. No. 1059); and

S. 2506. A bill for the relief of Dr. Julio Epifanio Morera (Rept. No. 1060).

By Mr. BAYH, from the Committee on the Judiciary, with an amendment:

S. 2409. A bill for the relief of the estate of Josiah K. Lilly (Rept. No. 1063).

By Mr. EASTLAND, from the Committee on the Judiciary, with amendments:

S. 2585. A bill for the relief of Kim Kap Rai (Rept. No. 1061); and

S. 2720. A bill for the relief of Heng Liong Thung and Yvonne Maria Thung (Rept. No. 1062).

By Mr. ERVIN, from the Committee on the Judiciary, without amendment:

S. Res. 113. A resolution to refer the bill (S. 1671) entitled "A bill for the relief of Bernard J. Campbell" to the chief commissioner of the Court of Claims for a report thereon (Rept. No. 1065).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JAVITS (for himself, Mr. Prouty, Mr. Allott, Mr. Brooke, Mr. Case, Mr. Hansen, Mr. Hatfield, Mr. Kuchel, Mr. Morton, Mr. Pearson, Mr. Percy, Mr. Scott, and Mr. Cooper):

S. 3249. A bill to provide a comprehensive national manpower policy, to improve the Manpower Development and Training Act of 1962, to authorize a community service employment program, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Javits when he introduced the above bill, which appear under a separate heading.)

By Mr. INOUYE:

S. 3250. A bill authorizing veterans' benefits for persons who served in the Local Security Patrol Force of Guam during World War II; to the Committee on Finance.

(See the remarks of Mr. Inouye when he introduced the above bill, which appear under a separate heading.)

By Mr. RIBICOFF:

S. 3251. A bill for the relief of Howard Staub; to the Committee on the Judiciary.

By Mr. CLARK:

S. 3252. A bill for the relief of Peppino Campus; to the Committee on the Judiciary.

By Mr. HART:

S. 3253. A bill for the relief of Minoo Bomanshaw Chinoy and his wife, Jeroo Minoo Chinoy; to the Committee on the Judiciary.

By Mr. BIBLE (by request):

S. 3254. A bill to amend title 18, United States Code, relating to conflicts of interest, with respect to the members of the District of Columbia Council; to the Committee on the Judiciary.

By Mr. MONDALE:

S. 3255. A bill to amend the Housing Act of 1949 and the Housing Act of 1964 to strengthen the existing programs of code enforcement and financial assistance in deteriorated or deteriorating urban areas; to the Committee on Banking and Currency.

(See the remarks of Mr. Mondale when he introduced the above bill, which appear under a separate heading.)

By Mr. BREWSTER:

S. 3256. A bill to provide for the regulation of political activities of public employees, and for other purposes; to the Committee on Rules and Administration.

(See the remarks of Mr. Brewster when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON:

S. 3257. A bill for the relief of George Lagos, his wife, Helen A. Lagos, and their two sons, Demetrious Lagos and Anastasios Lagos; to the Committee on the Judiciary.

By Mr. JAVITS:

S. 3258. A bill for the relief of Sue-Hyunne Har; to the Committee on the Judiciary.

By Mr. SCOTT:

S. 3259. A bill for the relief of Dr. Tsung-Chu-Chou; to the Committee on the Judiciary.

S. 3250—INTRODUCTION OF BILL RELATING TO BENEFITS FOR PERSONS WHO SERVED IN THE LOCAL SECURITY PATROL FORCE OF GUAM DURING WORLD WAR II

Mr. INOUYE. Mr. President, shortly after the liberation of Guam in July of 1944, the U.S. military command organized among the male residents of Guam a military unit known as the Local Security Patrol Force of Guam. This group had as its task the routing out and extermination of hundreds of armed and dangerous Japanese stragglers who were then still holding out in jungles and back-country areas of Guam. This local security patrol force performed its task in an outstanding manner, killing and capturing a large number of the enemy and pacifying the large areas of the island in which these stragglers had been operating prior to the establishment of the patrol.

The patrol was strictly a military venture. The men wore American uniforms, carried American weapons, and acted under the overall command of officers of the Armed Forces of the United States. Many in the patrol were killed or wounded in the course of the campaign against the Japanese holdouts. In recognition of their services, the military authorities in Guam gave official military recognition to this unit and its men by awarding its participants military medals including the Bronze Star and the Purple Heart. Subsequent to the war, the local government has accorded the members of this patrol veterans status in the form of civil service credit and low-cost housing priorities.

The measure I am introducing would entitle these men to receive all benefits now available to the regular veterans of our military forces. The bill specifically states that no benefits will be paid to any person for any period prior to the date of enactment of this act. An estimated 40 members would be affected.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3250) authorizing veterans' benefits for persons who served in the Local Security Patrol Force of Guam during World War II, introduced by Mr. Inouye, was received, read twice by its title, and referred to the Committee on Finance.

S. 3255—INTRODUCTION OF BILL RELATING TO STRONGER NEIGHBORHOODS

Mr. MONDALE. Mr. President, today I introduce legislation designed to change the emphasis of our urban redevelopment efforts by strengthening the code enforcement program by amending it to "stronger neighborhoods" program. My distinguished colleague in the House, Congressman Donald Fraser, of Minnesota, devoted many hours in drafting this bill. I was pleased to work with him on this bill, and I am proud to be the sponsor of it in the Senate.

This legislation would improve the existing code enforcement program in two ways. First, it would better enable the local community to improve public facilities in a code enforcement neighborhood. It would give the community additional authority to be a more dynamic force in preventing deterioration within the neighborhood. Second, the bill would give the individual property owner increased financial assistance to improve his property.

At present, efforts in code enforcement are too often just patchwork, remedies to meet immediate deficiencies. These efforts are not sufficient. A holding action is only a temporary solution. Our emphasis must be to make these neighborhoods strong and viable; not neighborhoods which will have to be cleared a few years later.

To accomplish this objective, the bill would amend the code enforcement program, section 117, of the National Housing Act, in three major ways:

First, it would change the name of the program from "code enforcement" to "stronger neighborhoods." This would reflect the change in the program from one which emphasizes regulatory policy to one which concentrates on neighborhood revitalization.

Second, it would broaden the activities which a community could undertake in such a neighborhood. Specifically, the public agency would be able to purchase and demolish a limited number of deteriorated properties when it is not economically feasible to save these properties.

Third, it would expand the public improvement projects which would be eligible for Federal assistance in a code enforcement neighborhood to include water, sewer, and storm drainage projects.

In addition, the bill would modify the rehabilitation grant program, section 115 of the National Housing Act. Presently, this program provides grants to low-income families who own and occupy property in a code enforcement area. These grants are limited to property improvements to bring the dwelling up to code standards, and cannot exceed $1,500. This bill would amend the program in the following ways:

First. Raise maximum grant limit to $2,500.

Second. Raise the income limits to $3,500.

Third. Give the Secretary the authority to increase the maximum grant above $2,500 in high-cost areas.

Finally, the home improvement loan program, section 312 of the National Housing Act would be amended to permit loans for general property improvements. The present language restricts these loans only to improvements which will bring the property up to code standards.

Mr. President, these amendments are necessary to insure that our efforts in neighborhood improvement will be effective. We cannot skimp in our attempts to revitalize neighborhoods. We must make sure our programs will create lasting neighborhoods. Thus we must give the communities tools to accomplish this task.

Mr. President, I ask unanimous consent that the text of the bill be printed in the Record at this point.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 3255) to amend the Housing Act of 1949 and the Housing Act of 1964 to strengthen the existing programs of code enforcement and financial assistance in deteriorated or deteriorating urban areas, introduced by Mr. Mondale, was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the Record, as follows:

S. 3255

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 117 of the Housing Act of 1949 is amended by striking out the first sentence and inserting in lieu thereof the following: "Notwithstanding any other provision of this title, the Secretary is authorized to enter into contracts to make, and to make, grants as provided in this section (payable from any grant funds provided under section 103(b)) to cities, other municipalities, and counties for the purpose of assisting such localities in carrying out programs for the strengthening of neighborhoods in deteriorated or deteriorating areas in which such programs, together with those public improvements to be provided by the localities involved, may be expected to arrest the decline of the areas. Any such program (1) shall include concentrated code enforcement activities, and (2) may also include the acquisition by the appropriate local public agencies of residential property in the code enforcement area for the purpose of the demolition and removal of buildings and improvements on the property, or for the purpose of the repair and rehabilitation of such buildings and improvements for guidance purposes or for resale for dwelling use or as related facilities; except that activities described in clause (2) in any code enforcement area may be carried out only to the extent necessary to eliminate unhealthful, unsanitary, or unsafe conditions, lessen density, eliminate obsolete uses of any other uses detrimental to the public welfare, or otherwise prevent the spread of blight or deterioration, and the total property acquired in such activities may in no case include more than 5 per centum of the total number of dwelling units in the code enforcement area."

(b) Section 117 of such Act is further amended by striking out "and similar improvements within such areas" and inserting in lieu thereof "water, sewer, and storm drainage systems, and improvements of other public facilities within such areas".

(c) The heading of section 117 of such Act is amended to read as follows:

"STRONGER NEIGHBORHOODS"

Sec. 2. (a) Section 115(b) of the Housing Act of 1949 is amended—

(1) by striking out "$1,500" and inserting in lieu thereof "$2,500";

(2) by striking out "$3,000" each place it appears and inserting in lieu thereof "$3,500"; and

(3) by adding at the end thereof the following new sentence: "Notwithstanding the preceding provisions of this subsection, the Secretary may by regulation increase the maximum amount of the grants authorized by this section by an amount not to exceed 45 per centum in any geographical area where he finds that cost levels so require."

(b) The second sentence of section 115(a) of this Act is amended—

(1) by striking out "a structure" and inserting in lieu thereof "property"; and

(2) by striking out "such structure" and inserting in lieu thereof "such property".

Sec. 3. (a) Section 312(a) of the Housing Act of 1964 is amended—

(1) by striking out "of concentrated code enforcement activities" in the first sentence;

(2) by striking out "to finance rehabilitation" and all that follows in the first sentence and inserting in lieu thereof "to finance improvements required to make the property conform to applicable code requirements or to carry out the objectives of the urban renewal plan for the area and, in addition, to generally improve the condition of the property."; and

(3) by striking out "rehabilitation" in the second sentence and inserting in lieu thereof "improvement".

(b) Section 312(b)(1) of such Act is amended to read as follows:

"(1) the term 'improvement' means conservation, repair, restoration, rehabilitation, conversion, alteration, enlargement, or remodeling of any real property;".

(c) Section 312(b)(3) of such Act is amended by striking out "rehabilitation".

(d) Section 312(c) of such Act is amended—

(1) by striking out "rehabilitation" in the matter preceding paragraph (1); and

(2) by striking out "rehabilitation" in paragraph (2) and each place it appears in paragraph (4) and inserting in lieu thereof "improvement".

S. 3256—INTRODUCTION OF BILL TO REVISE THE HATCH ACT

Mr. BREWSTER. Mr. President, during 1967, a distinguished group of citizens spent many months in work, study, and research on the problems associated with the political activity of public employees. I refer to the Commission on Political Activity of Government Personnel. And today I am introducing a bill which is the result of that work. It will, in my judgment, bring long overdue reform to the Political Activities Act of 1939, generally referred to as the Hatch Act, by providing effective protection from political coercion to all public employees, while at the same time permitting a measure of political freedom heretofore denied our civil servants.

Let me take just a minute and describe the Commission on Political Activity and the mandate under which it operated. It was established by Congress in October 1966, and directed to "make a full and complete investigation and study of the Federal laws which limit or discourage the participation of Federal and State officers and employees in political activity with a view to determining the effect of such laws, the need for their revision or elimination, and an appraisal of the extent to which undesirable results might accrue from their repeal."

The Commission carried out its mandate, Mr. President. The distinguished junior senator from California [Mr. Murphy] and I had the honor of serving with the other commissioners in all phases of the work. The other commissioners were able and informed citizens. Dr. Arthur Flemming, a former member of the Civil Service Commission, Secretary of Health, Education, and Welfare, and now president of the University of Oregon, served as chairman. Congressmen Nelsen, of Minnesota, and Olsen, of Montana, were members. Mr. Robert Ramspeck and Mr. Roger Jones, both former chairmen of the Civil Service Commission, served on the commission, as did two distinguished political scientists, Prof. Austin Ranney, of the University of Wisconsin, and Prof. Charles Jones of the University of Arizona. Mr. Frank Pace, Jr., former Director of the Budget Bureau and Secretary of the Army; Assistant Attorney General Frank Wozencraft; and Dr. Malcolm Moos, president of the University of Minnesota; all participated in the work of the Commission. It was bipartisan, it was knowledgeable, it was hardworking, and its report merits serious consideration.

Mr. President, I cannot improve on the commission's own language when it comes to stating the problem to be resolved. Let me quote briefly from volume 1 of the commission's report:

> The overriding problem confronting this commission was to accommodate and reconcile two vitally important, but sometimes competing objectives.
>
> On the one hand, in our democratic society it is important to encourage the participation of as many citizens as possible in the political processes which shape our Government.
>
> All citizens must have a voice in the affairs of government.
>
> On the other hand, it is equally important to assure integrity in the administration of governmental affairs and development of an impartial civil service free from partisan politics.
>
> In attempting to accommodate both of these important principles to a maximum degree, the commission recognized that any restrictions on the freedom of government employees to engage in political activity must be consistent with the rights of free speech and association guaranteed to all persons by the Constitution. At the same time, it recognized that protection against coercion and official pressure is essential if the government is to succeed in attracting and retaining capable, dedicated, and impartial employees.
>
> In the opinion of this commission, the best protection that the government can provide for its personnel is to prohibit those activities that tend to corrode a career system based on merit. This requires strong sanctions against coercion. It also requires some limits on the role of the government employee in politics. It was the unanimous view of the commission members, however, that these limits should be clearly and specifically expressed, and that beyond those limits political participation should be permitted as fully as for all other citizens.

Mr. President, I submit that the bill I introduce today accommodates those competing aims as equitably as humanly possible. To assure itself of this, the Commission undertook a nationwide study of Federal employee attitudes in the political area. That study, done for the Commission by the survey research center at the University of Michigan, was the first attempt ever made to determine just how Federal employees really feel about political activity. I want to discuss that survey in more detail later, but let me list some of the other research the Commission did in assuring itself that all opinion was fully considered.

It held public hearings in six cities across the country; conducted a mail survey of all State political party chairmen and nearly 500 county party chairmen; conducted a case study of State employee opinion and attitudes in four States; analyzed all prosecutions brought under the Hatch Act; performed a comparative analysis of the political activity restrictions in all 50 States and in the major industrial nations of the world; and it solicited statements from Federal and State officials community leaders, union officers, Congressmen, legislators, civic organizations, and businessmen. In short, the Commission sought facts from every source which might reasonably be expected to yield pertinent information on the effect the Hatch Act has had on American life over the past 29 years. The Commission's proposed legislation was drafted accordingly.

Mr. President, let me now list the 10 recommendations made by the commission on political activity, and very briefly discuss the reasons for and implications of each.

Recommendation I.—Public employees should be permitted to express their opinions freely in private and in public on any political subject or candidate.

One of this country's proudest traditions is that of free speech; yet under the present law, nearly 5 million public employees, Federal, State, and local, are prohibited, under pain of dismissal, from publicly expressing their views, even to friends and neighbors, about any partisan political issue or candidate. The research done by the commission indicates clearly that, as a group, public employees are both interested in and well informed about public issues. Their voices should also be added to the public debate. To deny them that voice is to deny the public generally of the collective wisdom and experience of nearly one-twelfth the total electorate. This free nation cannot afford such a muzzle.

Recommendation II.—The law regulating political activity of Government personnel should specify in readily understandable terms those political activities which are prohibited, and specifically permit all others.

Mr. President, this is one of the most basic recommendations the Commission makes. The present law incorporates, by reference, all Civil Service Commission rulings and decisions since 1907. The effect has been to establish a lengthy series of administrative definition of "permitted" and "prohibited" activities. From this lengthy list of "do's and don'ts" stretching back 60 years, an employee must determine where he stands if he wants to do almost anything politically, other than vote. The Commission's survey of Federal employees disclosed that not a single respondent was able to answer correctly 10 simple questions about permitted and prohibited activities. No one got more than eight correct answers, and only 35.8 percent of the employees questioned got more than five out of the 10.

No matter what changes may be made in the substance of the law, it is, in my judgment, imperative that the law be stated in terms of specific prohibitions, easily understandable by all.

Recommendation III.—The distinction between local political offices which can be campaigned for and held by Federal employees, and those which cannot, should be based on the nature of the office itself, without reference to a "partisan" or "nonpartisan" distinction or to the geographic area where the employee lives.

The removal of the "nonpartisan" distinction which exists in the present law was one of the two issues upon which the Commission was not unanimous. A substantial majority, however, agreed that the "nonpartisan" distinction was a fiction. We believe that, in reality, there is no such thing as a nonpartisan campaign or nonpartisan election. One need only look at the counties surrounding Washington to see "nonpartisan" candidates competing in partisan elections. If we are to prohibit public employees from running for certain offices, we should do so because of the nature of the office and not because of the label on the ballot.

Recommendation IV.—At the Federal level, the U.S. Civil Service Commission should have the sole responsibility for enforcement. And its jurisdiction should be extended to cover not only merit system employees, but also excepted employees over whom the employing agency presently has enforcement jurisdiction.

This is another simple, yet essential change. At present, virtually every Federal agency is involved in enforcing the Hatch Act for certain of its employees, while the Civil Service Commission is charged with enforcement for the balance of the employees. This results in uneven enforcement and inevitably gross inequities.

For example, a schedule C employee in an administrative position in a department may request, or even require a lower level employee in the competitive service to undertake some political task—selling dinner tickets is a familiar illustration. If the two employees are discovered in their violation, the lower level employee is disciplined by the Civil Service Commission—and will be at least suspended, if not dismissed—while the schedule C employee will be disciplined by the Secretary of the department. Occasionally, Mr. President, that discipline is not forthcoming. The employee who was coerced into performing the prohibited act is punished, while the basic offender continues without even a reprimand. There are, unfortunately, indications that the illustration I have cited does occur. The adoption of this recommendation will confer an additional protection against coercion upon the rank-and-file Federal employee by serving as a deterrent to those excepted employees who may, on occasion, be tempted to take advantage of their positions.

Recommendation V.—Enforcement of the act should be strengthened and made more flexible by adding to the present criminal penalties administrative sanctions and procedures. These should be designed to insure timely investigation and adjudication of complaints, while preserving adequate protection for persons charged with violations of the law.

Adoption of this recommendation will also lead to further protection of public employees from coercion and pressure to perform political acts against their wills.

Although the evidence of coercion established by the survey is not substantial, the Commission believed that any evidence of coercion is a serious matter. We felt, therefore, that the existence of effective administrative sanctions against coercion would protect Federal employees more effectively.

Three provisions of the Hatch Act relate specifically to the problem of coercion. Both the Federal-related and State-related provisions prohibit the use of "official authority or influence for the purpose of interfering with the result of an election." There is an additional provision applicable only to State and local employees which prohibits coercion for political purposes. Another prohibition applicable only to Federal employees provides that they "may not request or receive from, or give to, an employee, a Member of Congress, or an officer of a uniformed service a thing of value for political purposes."

Other sections give the President authority to prescribe rules prohibiting coercion and involuntary political contributions.

These provisions should be made equally applicable to Federal, State, and local employees. The language needs to be clarified to eliminate vagueness. Moreover, convictions have been rare under the provisions of the criminal code involving intimidation, coercion, and improper use of Government funds since their passage in 1939.

The Commission was persuaded that adequate administrative procedures and sanctions are essential, even though the criminal provisions remain. New provisions will encourage reporting of violations, allow greater dispatch in processing cases and complaints, and permit more equitable enforcement by the Civil Service Commission through administrative sanctions. This will not only strengthen the law but make it more flexible:

Recommendation VI.—At the State level, employees administering programs financed by Federal funds should be subject to the same prohibitions against political coercion, abuse of official authority, fundraising and campaigning for Federal office which apply to Federal employees.

Recommendation VII.—The several States should be encouraged to develop systems for controlling political activities which are comparable to the system prescribed by Federal law. With the approval of the U.S. Civil Service Commission, those States which develop such a system would have the responsibility for enforcement of all political activity restrictions applicable to State employees within that jurisdiction, including those working on programs financed by Federal funds.

Both these recommendations treat with State and local employees working on projects funded with Federal money. Over 1.75 million such employees are currently covered by the Hatch Act. While there is little doubt of the legality of such regulation, the Commission questioned the wisdom of Federal regulation of State and local employees. And so the proposed bill provides a device for permitting States to adopt rules and regulations which, while meeting a certain standard, would be enforced by the States. In the absence of such regulations, however, the civil service would apply the Federal law, as is now the case:

Recommendation VIII.—The U.S. Civil Service Commission should study and report on the feasibility of establishing a plan of voluntary political contributions patterned after similar programs in private industry.

Recommendation IX.—The U.S. Civil Service Commission should study and report on the feasibility of establishing a new office of employees' counsel within the Civil Service Commission to which individual Federal employees can report instances of political coercion, intimidation, misuse of official authority, and other alleged violations of the law.

These recommendations are directed toward vital areas the Commission did not have time to explore fully. But I believe the Civil Service Commission should be directed to study and consider a procedure, within the Federal establishment, for voluntary political contributions. The practice in private industry is increasing and seems to have the wholehearted support of employees, management, political parties, and the public generally.

As to possible additional protection for employees, the Commission felt that a single, specific office within the Civil Service Commission might be established to receive reports of political coercion or other violations of the law. This new office would clearly be oriented toward the protection of rank-and-file employees—in effect, an "ombudsman" for Federal employees:

> Recommendation X.—Up to $1 million should be appropriated annually for enforcement of the law, in contrast to the $100,000 or less appropriated annually since 1939.

This recommendation is essential. We cannot expect the Civil Service Commission to enforce the law with the resources we have, in the past, made available. The appropriations have not been adequate even to inform employees about the law, let alone enforce it. An appropriation of $1 million would provide about 21 cents per employee.

One final point should be made. The Commission members divided evenly on the matter of public employee participation as ward or precinct committeemen and committeewomen. Alternative language was provided which would, as the Congress decides, permit or deny that privilege. The bill I introduce today necessarily states but one of the alternatives. It would permit such service as ward or precinct committeemen.

Mr. President, let me say again that the recommendations of the Commission on Political Activity of Government Personnel are the result of months of dedicated work by a distinguished Commission. I am honored to have been associated with the Commission and I wholeheartedly urge the fullest possible discussion and debate on the legislation it recommends.

Mr. President, I ask unanimous consent to insert following my remarks a brief summary of the major provisions of the bill I have introduced.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the summary will be printed in the RECORD.

The bill (S. 3256) to provide for the regulation of political activities of public employees, and for other purposes, introduced by Mr. BREWSTER, was received, read twice by its title, and referred to the Committee on Rules and Administration.

The summary, presented by Mr. BREWSTER, is as follows:

POLICY AND PURPOSE

In its first section, the draft bill sets forth important, and sometimes competing, aims which it is necessary to reconcile to the maximum degree possible. One is the need to prevent exploitation of public employees for political ends, to preserve the integrity and efficiency of the public service, and to insure the impartial administration of the public business. In order to achieve these objectives the bill would expressly define the limits of permissible political activities for Federal employees and employees of States and local agencies whose activities are financed in whole or in part by Federal grants or loans. On the other hand, the bill would also reflect the intention and policy of Congress that any restriction on the lawful political activities of public employees must be consistent with first amendment rights, and that all rights of political participation, not barred by the bill or other Federal or State laws, shall be encouraged.

COVERAGE

The bill adjusts the coverage of the existing law to deal more effectively with contemporary conditions and to achieve the basic purposes of the law.

(*a*) The bill expressly excludes the President and Vice President from its coverage.

(*b*) All other high officials in the executive branch of the Federal Government, although subject to provisions prohibiting coercion, abuse of official authority, and undue influence for designated political purposes, are expressly exempted from restrictions on taking an active part in political management or in political campaigns.

This exemption would apply also (except for members of the U.S. Civil Service Commission) to members of an independent commission, board, or establishment, the Commissioner of the District of Columbia, the Assistant to the Commissioner, and members of the District Council.

The exemption would, moreover, apply to persons on leave without pay for 1 year or more. Under this exemption officers of employee labor unions would be permitted to engage in political activity while on leave to serve their union.

PERMISSIBLE ACTIVITIES

Present Hatch Act delineation of proscribed noncorrupt political activity is obscure and not readily the subject of reference, since it incorporates rules and regulations adopted by the Civil Service Commission prior to 1940.

The bill takes an entirely different tack, spelling out what activities are permitted, and what are barred. For example, it makes clear that government employees may speak freely in public on any political issue or candidate. It permits "active" participation in the affairs of a political party except as prohibited. An employee who is a member of a political organization would be permitted to make motions, prepare or assist in preparing resolutions, serve on committees and the like. Most important, the Federal employee would be permitted to become a candidate for and serve in a local office, to be discussed more fully hereafter.

PROHIBITED ACTIVITIES

(a) (b) The bill takes over and incorporates, for administrative enforcement by the Civil Service Commission, major provisions from the criminal statutes designed to protect Federal employees from corrupt political pressures. These would apply to all officials and employees of the executive branch except, as noted, the President and Vice President. This change would permit more serious cases, such as those involving coercion, to be handled administratively without delay. If, however, a matter warrants criminal prosecution, such action would not be precluded.

POLITICAL MANAGEMENT AND POLITICAL CAMPAIGNS

(c) The bill would clearly prohibit certain political activities which have been the particular object of abuse and public criticism. Among such activities prohibited are these:

(1) partisan political fundraising at any level;

(2) engaging in political activity while on duty or on government property;

(3) becoming a candidate or campaigning for or holding an office of the United States, a State, or other office except a "local office" (discussed below);

(4) managing a campaign for a candidate seeking such an office;

(5) acting at any polling place as an official recorder, checker, watcher or challenger;

(6) serving as an officer in a political organization such as chairman, vice-chairman, or treasurer of any National, State, county or city political party.

CANDIDACY FOR LOCAL OFFICE

Under the present statute, Government employees are permitted to engage in political management and political campaigns on a nonpartisan basis in nonpartisan elections. In addition, the Civil Service Commission is authorized by regulation to permit Government employees residing in certain municipalities near the District of Columbia and in other communities where there are concentrated large numbers of Federal employees to be candidates for, and to hold, local office in those municipalities. This preferential treatment, which enables merely a very limited number of Federal employees to engage in partisan political activities, has been the subject of severe criticism.

The bill would wipe out these inequalities and extend to Federal employees the right to hold local office on a nationwide basis without regard to whether the election is nonpartisan or partisan. At the same time, however, the bill includes a number of safeguards so that Federal employees may run for and hold local office with the minimum risk to the proper administration of the Federal business.

PENALTIES

Under present law, removal is required for any violations in Federal cases, unless the Civil Service Commission votes unanimously against removal. In the event of the vote against removal, however, the Commission is presently required to impose a minimum penalty of 30 days' suspension. This minimum penalty must be applied uniformly without regard to the character of the offense involved. This requires a harsh penalty even for minor and technical violations.

The bill is aimed at assuring full and effective enforcement of the law without penalizing an employee by a sanction which is out of proportion to the offense. It would vest discretion in the Civil Service Commission to impose penalties, depending upon the gravity of the offense, ranging from simple reprimands to removal. The bill would also broaden the discretion of the Civil Service Commission to ban reemployment of the offending employee in any Federal agency for a period to be determined by it. The bill requires unanimous Commission approval where the penalty is dismissal.

INVESTIGATION AND HEARINGS

Generally, the bill would clarify, specify, and expand the authority of the Civil Service Commission to investigate charges of violation and to hold hearings thereon. Presently, the CSC maintains authority for enforcement solely as to merit system employees; the authority for enforcement as to excepted service employees is a matter for the employing agency. The bill would centralize the administration and enforcement functions in the CSC. The provisions of the Administrative Procedures Act have been carried over in many respects to govern the conduct of hearings where employees are charged with a violation, but the bill includes additional features tailored to process a case. The bill would require a final decision by the Commission within 60 days after the date upon which the record was submitted to it for final decision. Such time could, however, be extended by the Commission upon good cause shown and stated in writing.

Although the Commission has authority to issue subpenas in State cases, it presently has no corresponding authority in Federal cases. The bill would fill this gap, and in addition give the Commission authority to grant immunity from prosecution after the witness first claims his privilege against self-incrimination.

POLITICAL ACTIVITIES OF CERTAIN STATE AND LOCAL EMPLOYEES

In recognition of the proper relationship which should prevail between the Federal Government and the States, the Commission concluded that there should be no greater Federal control over political activities by State and local employees than is essential to assure honest and efficient administration of Federal funds. This accounts for several distinctions made in the bill between the regulation of political activities of Federal employees and those of State and local employees. For the purpose of convenience, the provisions relating to State and local employees have generally been placed in a separate subchapter even though many of these provisions are the same for both Federal and State employees.

The bill treats top-level State and local administrators and officials in the same way comparable Federal officials are treated. Unless the State is, by delegation of authority from the U.S. Civil Service Commission, authorized to administer its own enforcement program, the Commission would enforce at the State and local levels the provisions forbidding coercion, solicitation, illegal payment and other more serious prohibited activities. The bill gives greater latitude to State and local employees in campaigning activity and in holding State or local office.

Under current law, Federal agencies may withhold from a grant to a State an amount equivalent to 2 years' annual salary of the offending employee for noncompliance by the State in disciplining the employee. The bill would require that an amount equivalent to 25 times the annual salary of the employee be withheld from the State where the penalty is dismissal, and an amount equivalent to 10 times the annual salary of an employee who should have been suspended.

The bill also provides that Federal administration under the act should pass to the States upon their adoption of a plan which is approved by the Commission and meets specified standards laid down in the bill. Approval could be withdrawn, subject to judicial review, if the Commission, after a hearing, concluded that the plan had been materially changed, or that in the administration of the plan, there was a failure to comply.

MISCELLANEOUS

There are four other matters in the bill which merit attention. One deals with the feasibility of establishing within the Federal executive branch, under the supervision of the Commission, a plan for voluntary contributions to political parties and candidates.

The second deals with the feasibility of establishing within the Commission an Office of Employees' Counsel. The function of this office would be to receive complaints from Federal employees, make investigations and initial determinations as to the validity of the complaint, and make recommendations for remedy or redress.

The bill would authorize the CSC to make a study of both these proposals and to report on them to the President for transmittal to Congress within 1 year from the date of enactment of the act.

Third, the bill would authorize as an appropriation a sum not to exceed $1 million per year. Presently the CSC is limited to spending an amount not to exceed $100,000 to enforce the Hatch Act. This restriction, first imposed in 1941, is of course grossly inadequate in 1967.

Fourth, the bill directs the Secretary of Defense to promulgate rules and regulations with respect to political activities of personnel in the Armed Forces.

ADDITIONAL COSPONSOR OF JOINT RESOLUTION

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from North Carolina [Mr. Ervin] I ask unanimous consent that, at its next printing, the name of the Senator from Idaho [Mr. Church] be added as a cosponsor of the joint resolution (S.J. Res. 150) to designate the month of May 1968 as "National Arthritis Month."

The PRESIDENT pro tempore. Without objection, it is so ordered.

CONCURRENT RESOLUTION

TO PRINT ADDITIONAL HEARINGS ON AMENDMENTS TO THE FEDERAL FIREARMS ACT

Mr. EASTLAND submitted the following concurrent resolution (S. Con. Res. 68); which was referred to the Committee on Rules and Administration:

S. Con. Res. 68

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate Committee on the Judiciary four thousand additional copies of the hearings before its Subcommittee to Investigate Juvenile Delinquency during the Ninetieth Congress, first session, on proposed amendments to the Federal Firearms Act.

UNLAWFUL SEIZURE OF U.S. FISHING VESSELS BY FOREIGN COUNTRIES—AMENDMENT

AMENDMENT NO. 678

Mr. KUCHEL (for himself, Mr. Magnuson, and Mr. Bartlett) submitted an amendment, intended to be proposed by them, jointly, to the bill (S. 2269) to amend the act of August 27, 1954, relative to the unlawful seizure of fishing vessels of the United States by foreign countries, which was ordered to lie on the table and to be printed.

NATIONAL MANPOWER ACT OF 1968—AMENDMENT

AMENDMENT NO. 679

Mr. JAVITS (for himself, Mr. Prouty, Mr. Allott, Mr. Brooke, Mr. Case, Mr. Hansen, Mr. Hatfield, Mr. Kuchel, Mr. Morton, Mr. Pearson, Mr. Percy, Mr. Scott, and Mr. Cooper) submitted an amendment, intended to be proposed by them, jointly, to the bill (S. 3249) to provide a comprehensive national manpower policy, to improve the Manpower Development and Training Act of 1962, to authorize a community service employment program, and for other purposes, which was referred to the Committee on Labor and Public Welfare and ordered to be printed.

(See reference to the above amendment when submitted by Mr. Javits, which appears under a separate heading.)

TAX ADJUSTMENT ACT OF 1968—AMENDMENT

AMENDMENT NO. 680

Mr. CLARK submitted an amendment, intended to be proposed by him, to the amendment (No. 637) intended to be proposed by Mr. Javits to the bill (H.R. 15414) to continue the existing excise rates on communication services and on automobiles, and to apply more generally the provisions relating to payments of estimated tax by corporations, which was ordered to lie on the table and to be printed.

AMENDMENT NO. 681

Mr. LONG of Louisiana submitted an amendment, intended to be proposed by him, to the amendment (No. 662) proposed by Mr. Williams of Delaware (for himself and Mr. Smathers) to House bill 15414, supra, which was ordered to lie on the table and to be printed.

(See reference to the above amendment when submitted by Mr. Long of Louisiana, which appears under a separate heading.)

FEDERAL TRADE COMMISSION FINDS CONSUMER CREDIT EXPLOITS THE POOR—NOTICE OF HEARING

Mr. PROXMIRE. Mr. President, recently the Federal Trade Commission has published a comprehensive and well-documented study which shows that the poor are being charged substantially higher prices on consumer credit transactions. The study of the Federal Trade Commission shows that the poor pay approximately 60 percent more for identical merchandise. Much of this increased markup is actually a hidden finance charge. Those stores selling primarily to the poor sold about 93 percent of their merchandise on credit, whereas, the ordinary retailer sells only 27 percent of his merchandise on credit.

I believe that the findings of the Federal Trade Commission have national implications. I would be particularly interested in determining whether the truth-in-lending bill will be adequate to deal with the special consumer credit problems of the poor. It may very well be that the disclosure approach which is implicit in the truth-in-lending bill may have to be supplemented by additional measures to insure that lower income consumers are adequately protected.

For these reasons the Subcommittee on Financial Institutions will conduct a 1-day general hearing on the FTC report with special attention given to its national implications on credit practices and whether additional Federal legislation would be desirable.

The hearing will take place on April 19 at 10 a.m. in Room 5302, New Senate Office Building. Questions on this hearing should be directed to Mr. Kenneth McLean, room 5306, New Senate Office Building.

INSURANCE ON SAVINGS AND LOAN ACCOUNTS AND BANK DEPOSITS OF PUBLIC UNITS—NOTICE OF HEARINGS

Mr. PROXMIRE. Mr. President, the hearings on S. 2959, to increase the insurance on savings and loan accounts and bank deposits of public units, which had been previously scheduled for April 3, have been rescheduled to April 18. The Subcommittee on Financial Institutions will hold hearings on S. 2959 on April 18, in room 5302, New Senate Office Building beginning at 10 a.m. Persons desiring to testify on this bill should contact Mr. Kenneth McLean, room 5306, New Senate Office Building.

NOTICE OF HEARING ON S. 1351

Mr. TYDINGS. Mr. President, as chairman of the Senate Judiciary Committee's Subcommittee on Improvements in Judicial Machinery, I wish to announce a hearing for the consideration of S. 1351. This bill would provide for the payment of reasonable costs, expenses, and attorneys' fees to defendants in actions by the United States for the condemnation of real property after determination of the amount of just compensation, or after abandonment of such actions by the United States, and for other purposes.

The hearing will be held on April 5, 1968, at 11 a.m., in the District of Columbia hearing room, 6226, New Senate Office Building.

Any person who wishes to testify or submit a statement for inclusion in the record should communicate as soon as possible with the Subcommittee on Improvements in Judicial Machinery, room 6306, New Senate Office Building.

THE MIDDLE EAST

Mr. MURPHY. Mr. President, last Sunday, March 24, our Government committed what I fear history will record as an historic error when the U.S. delegation to the United Nations supported a Security Council resolution dealing with the recent outbreak of violence in the Middle East. This resolution "condemns" Israel for its single reprisal raid against a guerrilla camp in Jordan, but it merely "deplores" acts of violence against Israel which precipitated her action.

The United Nations resolution carefully avoids any mention of Arab guerrillas, the FATAH, or of any Arab country by name. Only Israel is singled out by name, and only her actions are condemned.

This action against Israel seems to me most unfair, and I believe the American people must share my disappointment that the administration would lend its support to the United Nation's resolution.

Unfortunately, this is not the first time the present administration has participated in such an ill-conceived and one-sided policy. In April 1962, the United Nations passed a similar censure resolution, again condemning only Israel, this time for retaliatory action she had taken against border attacks by Syria. That resolution was not only supported by the United States, but also, it was actually introduced by our Nation's Ambassador to the United Nations.

Nor should we forget that in June 1967, when Israel was fighting for her life in the Mideast war, the State Department announced that the United States was "neutral in thought, word, and deed." Later, the Secretary of State tried to explain away this unfortunate statement by saying that it should not be interpreted as a formal declaration of neutrality, which only served to confuse matters further.

Our Nation and our people have traditionally supported eagerly and generously the development of the State of Israel. We have strong emotional ties with that small but vigorous nation, and I believe that our people should and want to continue their support. It therefore seems very strange that our administration should participate in action against Israel which represents a reversal of our traditional policy of support and which does not reflect the prevailing sentiments of the American people.

This indecisive, vacillating, and unpredictable policy of our State Department not only is disturbing to me and to our friends in the Middle East, but also, it could easily mislead our enemies. Once again our policy has helped create an atmosphere which entices the Soviets and other troublemakers to aggravate further the already troubled conditions in the Middle East.

Mr. President, I believe our country needs firm, decisive, credible and consistent leadership in dealing with this situation—and above all we need policies which accurately reflect the feelings of the American people and our traditional friendship for Israel.

Mr. SCOTT. Mr. President, it seems to me highly regrettable, but true, that the action taken by the United Nations last Sunday with respect to the Middle East actually leaves us farther than before from our overall objective of a long-range and lasting peace in that area.

Increased tensions and danger of hostilities can be the only result from the interpretation being given to the resolution by France, Morocco, and Arab countries generally. Their representatives are taking the position that the guerrillas, euphemistically identified as "freedom fighters" and "independence fighters," were not involved in any culpable acts. The resolution, therefore, while censuring Israel for her retaliatory raids excuses or at least minimizes other acts of violence in the area.

Certainly the cease fire resolution adopted in June of 1967 did not contemplate the continuing and condoning of such war-like acts by the Arab terrorists. The failure of last week's resolution to pinpoint and to censure these acts of violence and terror can only be detrimental to all efforts to establish permanent peace and stability in the Mideast.

VIETNAM: AN EVALUATION OF THE TET OFFENSIVE

Mr. LONG of Louisiana. Mr. President, in the Washington Post of yesterday there appeared an article by Mr. Joseph Alsop, pointing out certain facts with which Americans would do well to acquaint themselves.

One point he made was that the Tet offensive of the North Vietnamese and the Vietcong actually involved disastrous losses for the enemy. In fact, due to the way it was planned, with the emphasis on security, the losses were much greater than they would have been had the enemy been willing to sacrifice some of his security to better military planning.

So, contrary to the statements we have heard by certain dovish advocates of a policy of defeat and retreat in Vietnam, the enemy suffered horrible, devastating losses.

For example, as Mr. Alsop pointed out, the losses suffered by the enemy, if suffered by American troops—on the basis of a comparison of population—would have been equivalent to the loss of 500,000 men, which is more than this Nation has lost in any war.

Therefore, these horrible losses of the enemy in a single offensive in effect move us nearer to victory, if this Nation merely has the courage that it has had in all previous war situations, to persevere and to press forward to our ultimate objective.

Furthermore, Mr. President, the article well points out the great disservice that some people do their country when they speak in disparaging terms of a friendly power, the Government of South Vietnam, and when people disparage what is a courageous effort being made by the troops of South Vietnam, side by side with the American troops, to maintain the independence of their country and to defeat the spread of communism in the area.

Mr. Alsop quotes General Westmoreland as saying that it would seem that the enemy, having suffered these horrible losses, must have thought the American press was in conspiracy to trap the Communists—that the press might have been in conspiracy with some power to lure the Communists into the disastrous defeat they suffered—by suggesting that the South Vietnamese would not fight; because in one instance a completely stupid and ridiculous suicidal attack was made by the North Vietnamese marching their troops out into the open, into a South Vietnamese unit, which practically decimated the enemy.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that I may proceed for 3 additional minutes.

The PRESIDING OFFICER (Mr. Nelson in the chair). Without objection, it is so ordered.

Mr. LONG of Louisiana. Mr. President, General Westmoreland inferred ironically that the error portrayed by some elements of the American press apparently had fooled even the Vietcong, in addition to the American people, into thinking our courageous allies were not worthy and were not capable of the great feat they performed here and elsewhere.

We have evidence in this instance, as in many other instances, that the South Vietnamese are steadily improving, just as the South Koreans improved when they were confronted with aggression from North Korea.

Mr. President, given the right support and help the South Vietnamese will be able to defend and support their country without as much dependence on the United States.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. MURPHY. Mr. President, I am pleased that the Senator from Louisiana has raised this point.

One of the matters of the utmost concern to the military, as well as representatives of the Department of State, that I found when I visited South Vietnam, was, first of all, the distortions in the stories that came out as compared with the actual facts. Also of great concern was the fact that the emphasis seemed always to be placed on the negative side of what we were not doing rather than on the positive side of what we were accomplishing.

It has been known for some time that

the North Vietnamese realize and have known for a long time they cannot win a military victory. Their only hope—and this has been well known—is to defeat the desire of the American people at home. They were able to do this with the French. The French did not lose in South Vietnam; they lost in Paris.

The hope of the North Vietnamese Communists for a long time has been to divide American opinion. Statements have been made in this Chamber that have been picked up and used as Communist propaganda, and taken from captured Vietcong soldiers. That has been going on for some time. I have told some of my colleagues who made these statements about this practice. I know they have no intention of being of help or service to the enemy. However, this is the fact of the matter.

With respect to the losses which the Senator mentioned, the Vietcong did suffer a tremendous and powerful loss. I am pleased to say I have information, regardless of what may be said to the contrary, that we will and can win the war. It is my sincere hope that we will do it as quickly as possible, that we will get the war over with, and get our boys home.

I congratulate the Senator for his statement.

Mr. LONG of Louisiana. I thank the Senator.

Mr. DOMINICK. Mr. President, will the Senator yield for a comment?

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the morning hour be continued until 11:30 a.m. I do not see the Senator from South Dakota in the Chamber.

The PRESIDING OFFICER. Is there objection? The Chair hears no objection, and it is so ordered.

Mr. DOMINICK. I thank the Senator from Louisiana.

Mr. President, I wish to add my words of endorsement to the statement of the Senator from California [Mr. Murphy] with respect to our action in the United Nations in connection with Israel.

I recently returned from a meeting of the so-called Ditchley Conference in Ditchley, England, where I was the chairman of the meeting on behalf of the American delegation.

We discussed the Middle East problem with our counterparts in the House of Lords and those in industry in England. It became perfectly apparent that part of our problem was their belief that we had intervened on behalf of Israel during the June war. The fact is that we did very little and we left the fighting almost entirely to Israel.

We found ourselves in the position where we were damned by both sides without having intervened in any effective way in assisting with the solution to the problems in that very chaotic and tumultuous area.

Now we find ourselves taking the position of supporting the resolution in the United Nations where we condemn only Israel. It seems to me that this does not help us in our relationship with the one free nation that there may be in that area, and it is not going to gain us friendship with the Arabs. In addition, we are not being accurate with respect to what is happening in connection with attacks on Israel by guerrillas operating out of Syria and Jordan.

I think we made a serious mistake in our overall international position by taking the position of the Arabs and condemning Israel for a perfectly natural reaction that they had when their people were being murdered every day by guerrillas operating across the boundary line.

I think the Senator from California has brought up an extremely important point. I associate myself with him and I hope this colloquy gives rise to the State Department looking at the matter once again.

We all recognize that there are 200 million Arabs and they have many economic resources. However, with the British withdrawal from the Middle East—which I suspect will be earlier than 1971, the set date—we are not taking a position that would improve the military stability in that area. We find ourselves taking a position which seems to deteriorate our position with the one base we have in that area. It seems to be the height of futility in international relations.

I fear there is good reason to ask if, in its preoccupation with problems in Southeast Asia, the Johnson administration is not ignoring or slighting critical situations in other parts of the world—areas which may in fact have more long-range significance to the interests of our country than does Southeast Asia.

The Middle East is one such area where the lack of a clearly defined and positive policy is evident. It seems incredible that the present administration could continue to overlook the terrible dangers of increasing Soviet penetration in the Mideast. There is reason to fear that the administration is basing its policies there on what it hopes are Soviet good intentions rather than what anyone can plainly see are her expansive designs and capabilities.

Premier Kosygin in a recent Life magazine interview laid great stress on the importance of the Middle East, and massive Soviet arms shipments to the area underscore their designs on that area. In view of this, how can the administration stand idly by, apparently waiting in vain for some sign that the Soviets will cooperate with us in seeking to pacify the Middle East?

It seems unfortunately necessary to ask whether this administration might attempt to play down the seriousness of the Middle East crisis during this election year, just as it played down the seriousness of Vietnam during the last presidential election year. We can all recall that while campaigning in 1964, President Johnson stated:

> Some others are eager to enlarge the conflict. They call upon us to supply American boys to do the job that Asian boys should do. They ask us to take reckless action which might risk the lives of millions.
>
> We don't want our American boys to do the fighting for Asian boys. We don't want to get involved in a nation with 700 million people and get tied down in a land war in Asia.

Now, more than 500,000 men are committed in Vietnam and the war is costing us over $30 billion a year. We must not, in 1968, underestimate the seriousness of the Middle East crisis and then be forced, after the election, to employ desperate measures to make up for lost time.

I believe America can and must do something about the deteriorating Middle East situation—and do it now. We need not intervene with forces, but we can enunciate a firm and decisive policy in support of our traditional friends and of basic principles of justice. By doing so the likelihood of our having to intervene later will be greatly diminished.

We must not let politics get in the way of a sensible and firm American policy in the Mideast.

I express my congratulations to the Senator from California for presenting this matter. I thank the Senator from Louisiana for yielding.

Mr. LONG of Louisiana. I thank the Senator. Mr. President, I wish to point out that the newspapers have recently quoted a statement by General Eisenhower, which I believe some of us have waited too long to say, that those who have been speaking against our friend and ally and giving unjustified aid and comfort to our enemy should be exposed for doing exactly that. General Eisenhower made it crystal clear in the statement he made, and it is a very strong statement.

Mr. President, I have before me another article in connection with the Democratic primaries, which is entitled "McCarthy Won't Join R. F. K. in 'Rule or Ruin' Campaign."

In my judgment I feel confident President Johnson will be renominated by his party.

If the Democratic Party should choose the course of retreat, defeat, and weakness in the face of the Communists, and accept defeat as the answer when we have not been defeated in a single major battle in the war, I think a candidate running on that platform would be ignominiously defeated. Not only would he be overwhelmed by an enormous vote by the Republican voters staying with their party but also a tremendous number of Democrats would vote for the type position General Eisenhower has stated in his article, which I believe will be represented by both major party candidates, the old-fashioned type patriotism and loyalty to our commitments that America has known in the past.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. AIKEN. Mr. President, I hope the Senator realizes, as many of us realize now, that when General Eisenhower was President he had very capable advisers; and that is one reason why the Nation was at peace with the world and enjoyed a generous prosperity during the entire 8 years.

Mr. LONG of Louisiana. I do not care to invoke any partisanship at all in the matter. I do applaud General Eisenhower. There are many, many loyal and great Democrats, who have not sought to gain an advantage on an issue where we should stand together. When we are in a war, we should back our country and give our loyalty 100 percent. We should not quarrel among ourselves as to how we got into the war and criticize ourselves for fear we might suffer some defeat or that there might be some danger in pursuing the matter to an ultimate victory.

Mr. President, I ask unanimous consent to have printed in the Record the article entitled "Kennedy's Viet Defeatism Contradicts Facts of War," and the article entitled "McCarthy Won't Join R. F. K. in 'Rule or Ruin' Campaign."

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Washington Post]

KENNEDY'S VIET DEFEATISM CONTRADICTS FACTS OF WAR

(By Joseph Alsop)

Saigon.—Gen. Westmoreland has been replaced at a moment when a shameful, humiliating and quite irrational defeatism prevails at home, typified by Sen. Robert F. Kennedy's talk of a war without end.

Yet the facts—above all, the facts concerning the enemy's Tet offensive—point in just the opposite direction.

To begin with, after touching every useful base, this reporter can state unequivocally that no seriously informed person in Saigon doubts that the Tet offensive was a play from weakness rather than from strength. Hanoi concluded that Gen. William C. Westmoreland was winning his "war of attrition." Hanoi therefore decided to go all out for short-range success.

The "general offensive" not only failed to produce the expected "general uprising." Its cost to the enemy, if calculated in American terms (as it must be comprehensible), was almost too terrible to contemplate.

Including the VC-controlled areas in the South, Hanoi's population base is about one-tenth of ours. With this population base, in the seven weeks from Jan. 28 to March 16, the enemy lost over 55,000 men, not to mention more than 20,500 weapons.

In human terms, this is exactly equivalent to the loss of more than half a million Americans in seven short weeks. The slow task of interrogating the many, many hundreds of prisoners of war has also progressed, by now, to the point where one can say with certainty that a heavy majority of the losses came from the groups most valuable to the enemy.

The story has been put about that the enemy made heavy use of untrained men and press-ganged children; and these groups, least well able to take care of themselves, are obviously overrepresented in the POW samples. Yet two-thirds or more of the large samples already collected are composed of trained soldiers of the normal military.

Any desperate suprise attack, conducted with such ruthless indifference to human life, is bound to do much damage. Much damage accordingly was done. The worst was the setback to the Allied effort in the countryside. But as each day passes, it becomes clearer and clearer that any Allied setback was a fleabite compared to the disaster for the enemy.

The question therefore quite insistently arises, why the enemy made so terrible a miscalculation. There are several reasons. To begin with, as Gen. Westmoreland has put it, he "sacrificed execution to security." In other words, only a single man in each battalion, generally the commander or political officer, was told the full plan; and he was usually killed in the first clash of arms, leaving his unit effectively headless.

To go on with, there was the religious factor, as it can only be called. For the doctrinaire Communists in Hanoi *not* to believe the masses eagerly support their cause would be much like the College of Cardinals being converted to atheism. In addition, of course, the Hanoi leaders had been lied to by the members of the VC apparatus charged with mobilizing the urban population.

Some of the consequences were pure black comedy. In Nhatrang, for instance, the 18-B Regiment of the Fifth North Vietnamese Division had the follow-on mission, after the local VC forces had hurled themselves into the town. The regiment marched into Nhatrang in perfect drill formation, with colors flying, obviously expecting a delirious popular welcome, only to be worse than decimated by Nhatrang's defenders.

Those defenders are the rest of the answer. Somewhat acidly, Gen. Westmoreland had remarked that "the Hanoi leaders must now suppose we have been subsidizing half the U.S. press to join in a huge deception plan." Here he was referring to the common and grossly unfair press denigration of the South Vietnamese army. Mainly for this reason, the Hanoi war planners demonstrably expected much of the ARVN to defect or come apart at the seams. Instead, although most units were gravely understrength because of leaves for Tet, just about every ARVN unit acquitted itself admirably. So the disaster occurred which, Sen. Kennedy to the contrary, means that this is not a war without end.

[From the Washington Post, Mar. 27, 1968]

McCARTHY WON'T JOIN R. F. K. IN "RULE OR RUIN" CAMPAIGN

(By William S. White)

Sen. Eugene McCarthy's withdrawal from his association with Sen. Robert Kennedy on a joint anti-Johnson ticket for the Democratic primary in the District of Columbia reflects far more than its obvious effort to check suspicion that he is only a stalking horse for Kennedy.

For the short term, this partnership was daily looking worse and worse for the McCarthy end of it. For it would have permitted Kennedy to exploit McCarthy's strength here for essentially his own purposes. And in the propaganda sense it would have served to let Kennedy partially off the hook for his hands-off attitude in the presidential contest until McCarthy, walking alone, had scored his considerable minority success in New Hampshire. It would have looked, in short, that all had been forgiven by the McCarthy people.

Moreover, the now abandoned Washington deal precisely served a more general Kennedy strategy, by which he intends both to make interim use of McCarthy and in the end to push him aside with the cry that anyhow Gene McCarthy couldn't win the convention.

A clear example of this aim is in the current campaign in Wisconsin, where Kennedy had repeatedly urged his "help" upon McCarthy and McCarthy has as repeatedly rejected it. McCarthy believes he can carry the Wisconsin primary off on his own; and indeed Kennedy himself would not have cared to make a direct contest of it there.

If, however, a McCarthy showing there could be presented as actually a combined McCarthy-Kennedy showing, the real winner would of course be Kennedy.

In the deeper sense, however, these considerations are secondary. The fundamental reason why McCarthy broke his local alliance with Kennedy lies in increasing awareness among some leaders of the McCarthy movement that Kennedy is not simply trying to deny renomination to President Johnson in a traditional form of rivalry. He is attempting the personal destruction of the President and is plainly prepared to contemplate the destruction of his own party as well to this end.

McCarthy has never had such extreme motives. While he would very much like to have the nomination, his determination is to stop short of smashing his party and thus giving decisive aid to the Republicans in November.

Kennedy's whole tactic is a rule or ruin enterprise, as his campaign oratory has clearly shown. His personal attacks upon President Johnson, which are embittered beyond example, are being taped by the Republicans for use in the election campaign. Too, his open-ended promises simply "to end" the war in Vietnam and his irreparably violent assaults upon an allied government in South Vietnam in wartime are equally without parallel.

For even if a "peace" candidate is to win in November he must serve as the President of all the people. He must, in elementary national interest, be able to sustain at least some kind of civilized association with our Vietnam allies and to negotiate with the Communists with at least some claim to a posture of strength. Sen. Kennedy, from his own mouth, could never do either. McCarthy does not want to get into any such situation.

Though many, including this columnist, had once believed he would wind up by the logic of events as only a howling third party candidate, his own conduct has established that he is well aware of the danger and does not intend to let it engulf him. Sen. Kennedy, to the contrary, has threatened an outright bolt should he fail at the convention.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. COOPER. Mr. President, I wish to say that one of the great and rewarding experiences of my life has been to know President Eisenhower and to support him in a modest way. During his administration we enjoyed an unparalleled situation of both peace and prosperity. He is respected at home and throughout the world.

I must say, I do not agree with his statement to which the Senate has referred. I remember very well when President Eisenhower came to this body about 2 years ago, and speaking to a number of us, said he had never made any commitment when he was President of the United States, other than say to South Vietnam that the United States would provide economic aid to South Vietnam as long as it made progress and instituted reforms.

To return to the argument made by the distinguished majority whip on the Democratic side, and my colleague from California, I should like to ask them, What do you expect us to do, if we do not agree with the present course of policy?

I agree that rash statements dwelling at length upon the past, a past we cannot recall, are not very helpful.

What do you expect those of us to do who have different viewpoints about what should be done now and in the future, to bring the war in Vietnam to a close?

Do you expect to close us off? To act as if we have no minds?

The PRESIDING OFFICER. The time of the Senator from Kentucky has expired.

Mr. COOPER. Mr. President, I ask unanimous consent to proceed for 1 additional minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COOPER. Do you imply, as we could infer, that we should not say what we believe, and that if we do we are less patriotic than others? I do not accept it.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent to proceed for 2 additional minutes in order to answer the Senator from Kentucky.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG of Louisiana. First, let me affirm that I agree with what General Eisenhower said. He was a great President and a great general.

Now, Mr. President, with regard to the Senator's statement, I should like to ask that two articles be printed in the RECORD at this point.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

LET'S CLOSE RANKS ON THE HOME FRONT

(Former President Eisenhower speaks out against those critics of the war in Vietnam who, in defiance of both common sense and their country's best interests, preach discord and rebellion.)

(By Dwight D. Eisenhower)

In a long life of service to my country, I have never encountered a situation more depressing than the present spectacle of an America deeply divided over a war—a war to which we have committed so much in treasure, in honor and in the lives of young men. What has become of our courage? What has become of our loyalty to others? What has become of a noble concept called patriotism, which in former times of crisis has carried us through to victory and peace?

If in the desperate days of World War II we had been torn by this kind of discord, I doubt that we and our allies could have won. Looking back, I think how disheartening it would have been to those of us who commanded forces in the field if we had been called home to make speeches and hold press conferences—to shore up a wavering solidarity on the home front. Nothing of the sort happened then. But it is happening now. And how the enemies of freedom throughout the world—from Hanoi to Moscow—must be rejoicing!

In our war against the Axis powers a quarter of a century ago, we were fighting for the cause of freedom and human dignity, just as we are now. And in the long-range sense, we were also fighting for our own salvation, for a way of life we hold dear, just as we are now. In that war the American people understood this, and it was inspiring to see the single-minded way this country faced up to the job of fighting two first-rate military powers simultaneously.

We had a few slackers and draft dodgers, of course, but they were objects of scorn. We grumbled a bit about rationing and sometimes accused our draft boards of partiality, but these minor irrationalities were mostly a way of letting off steam. Essentially, we were united, and nearly everyone found some way of helping in the war effort. As a nation, we were dedicated to the job of winning completely and swiftly. And we did win—at least a year earlier than the most optimistic military timetables had forecast.

As commander of the Allied armies in Europe, I can testify that this solidarity, this upsurge of patriotism on the home front was a wonderfully encouraging thing. Neither I nor any other military leader had to lie awake nights wondering whether the folks back home would stick with us to the end. It never occurred to us that they might not. We knew that the American spirit had rallied to the cause, and this knowledge buoyed us up immeasurably—all of us, right down to the private in the ranks.

Today the reverse is true. We have "chosen up sides," as youngsters say in lining up their ball teams, and we call ourselves hawks and doves. This terminology in itself is inaccurate and ridiculous. A hawk is a bird of prey, a dove the helpless victim of predators. We are neither. We covet nobody's territory or property, want no dominion over others. On the other hand, we have always shown ourselves capable of self-defense. I trust we always shall.

No one who believes in our democratic processes can object to honorable dissent. This is part of the American credo, part of our birthright. There are those who now sincerely believe that we have no business being in Vietnam. I think they are terribly and dangerously wrong, but they have the right to state their views.

The current raucous confrontation, however, goes far beyond honorable dissent. Public men and private citizens alike take a stance and defend their positions angrily and unreasonably, often substituting emotion for logic and facts.

Not long ago, for example, a young U.S. Senator was quoted as saying that if we are fighting in Vietnam to protect ourselves, then we must concede that we are being selfishly immoral. To me this seems the height of tortured reasoning, if not worse. Certainly, we are fighting to defend ourselves and other free nations against the eventual domination of communism. In my opinion it would be grossly immoral not to resist a tyranny whose openly avowed purpose is to subjugate the earth—and particularly the United States of America. The Senator was indulging in sophistry, and I suspect his purpose was political rather than patriotic.

A ludicrous, and dangerous, aspect of this bitter quarrel is the large number of public men who regard themselves as military experts. One large defeatist group proclaims loudly and positively that "we can never win the Vietnam war." Others insist contrary to the best military judgment and to clear evidence, that our air strikes "do no good" and we must cease all bombing of targets in the North. Still others want our troops to sit down in "defensive enclaves" and drop all offensive action—presumably until a tough enemy gets tired of looking at our military might and goes quietly home.

Instead of giving faith and backing to the men who are responsible for the conduct of the war, these armchair strategists snipe at every aspect of the conflict. Moreover, they never seem to lack a rostrum for their pronouncements. They are quoted endlessly and prominently in the press, and on the airwaves, and of course their words give aid and comfort to the enemy and thus prolong the war.

A tactic of some dissenters—and this alarms me more than all the empty shouting—is their resort to force in open defiance of the laws of the land. They try to prevent recruiting officers from doing their job, and sometimes succeed. They try to halt the work of personnel recruiters from industries which manufacture war matériel. They line down on the pavement in front of draft-induction centers; they jeer at the inductees and try to keep them from answering their call to service.

Some young Americans publicly burn their draft cards and state they will never go to war. The "peaceful" anti-war demonstrations frequently get out of hand and become bloodily violent. Dissenters of this type insist on their own right to free speech, but are unwilling to grant the same right to others. How often lately we have been subjected to the shocking spectacle of some distinguished speaker being smuggled in the back door of a lecture hall to avoid physical harm from the demonstrators out front!

These militant peace-at-any-price groups are a small minority, but all too often they get away with such illegal actions—and also get away with the headlines. There is no reason to tolerate this arrogant flouting of the law. It could be stopped—and should be stopped—at once. Their action is not honorable dissent. It is rebellion, and it verges on treason.

In the midst of this disgraceful public uproad, the dissenters continue to demand that we negotiate. I am a firm believer in constructive negotiation, provided both sides come to the conference table with honest and reasonable intentions. Thus far, North Vietnam has made it emphatically clear that it wants no negotiation—except on terms which would mean our complete capitulation. Listening to all the anti-war sound and fury on our home front, Hanoi obviously prefers to wait it out in the hope that public opinion in the United States will eventually compel our withdrawal. It is probable that the behavior of the dissenters themselves is making honorable negotiation impossible.

Those who oppose the Vietnam war and insist on our unilateral withdrawal have said over and over that the American people have never been given a sound reason for our presence there. If they believe this, it must be because they refuse to read or listen to anything they don't like. There are reasons why it is critically important to fight the communists in Vietnam, and they have been stated often.

The first and most immediate reason—so obvious that it shouldn't have to be explained—is that we are trying to save a brave little country, to which we have given our solemn promise of protection, from being swallowed by the communist tyranny. We want the people of South Vietnam to have their chance to live in freedom and prosperity, and even in the midst of a bitter war we are already doing much to help them build up their economy.

If anyone doubts the determination of the communists to subjugate this small country and take it over by sheer savagery, let him read the accounts of the Vietcong's impersonal butchery of whole villages of innocent people. The communists' tactic of conquest by terror, their callous disregard for human life, their philosophy that the end justifies the means—no matter how barbarous and immoral the means may be—are precisely the same in Vietnam as they have used in gobbling up other countries and other free peoples of the world. Their objectives have not changed or softened over the years. The only language they understand is force, or the threat of force.

There is a larger reason for our military presence in Vietnam—and that is the urgent need to keep all Southeast Asia from falling to the communists. Some of our self-appointed military experts discount the "domino theory"—which, as applied to Southeast Asia, simply means that if we abandon South Vietnam to communism, the other countries of that area will also topple. In my opinion, the domino theory is frighteningly correct. I suggest that the peace-at-any-price advocates who scoff at this threat study the behavior of communism over the past two decades.

Here at home, this is election year, and I hope we do not permit the Vietnam war to become a divisive political issue. It is right and proper to advocate a change of leadership and to discuss the conduct of the war. But it is improper, and I think unpatriotic, to voice dissent in such a way that it encourages our enemies to believe we have lost the capacity to make a national decision and act on it. Meanwhile, I state this unequivocally: *I will not personally support any peace-at-any-price candidate who advocates capitulation and the abandonment of South Vietnam.*

As any citizen does, I deeply regret the necessity of pouring the blood of our young men and our treasure into this faraway war for freedom. But it is a necessity. This is an hour of grave national emergency. It is time that we do more thinking and less shouting; that we put our faith in our democratic processes and cease the dangerous tactic of deciding which laws we will and will not obey.

We should also ponder the previous successes and sacrifices we made in checking the advance of communism: how we helped save Western Europe through the Marshall Plan; how we checked aggression in Korea, on the free Chinese islands of Quemoy and Matsu, in Lebanon and the Dominican Republic. How we saved Formosa, and are successfully helping the South American nations resist the Cuban conspirators. These things we must continue to do, even when we stand alone—even when so-called friendly nations criticize our actions.

Sometimes I find comfort in going back even further in history. At one time during the Civil War, a profound spirit of defeatism developed in the North. A considerable portion of the people, discouraged and fearful, cried: Let the South go its way; we can never win this horrible war. Abraham Lincoln was reviled; draft laws were defied; hundreds were killed in resisting recruiting agents. The pressure on the government to acknowledge defeat was intense.

Lincoln, however, saw two things clearly. He knew that the successful secession of the South would fragment America and deny it its great destiny. And with a clear-sighted evaluation of the manpower and resources of both sides, he also knew that the North could win. He stood steadfast, and before long the courage and common sense of the people revived, the defeatists subsided, and the Union was saved.

It is my hope and belief that history will now repeat itself. I still have abiding faith in the good sense of the great majority of the American people. It is unthinkable that the voices of defeat should triumph in our land.

Eisenhower Deplores "Armchair Strategists"

Former President Eisenhower said yesterday that "armchair strategists" are giving "aid and comfort to the enemy" in Vietnam and dissenters are probably "making honorable negotiations impossible."

In a strongly worded denunciation of critics of America's war policy, Mr. Eisenhower said the actions of "militant peace-at-any-price groups" are "not honorable dissent. It is rebellion, and it verges on treason."

"In a long life of service to my country, I have never encountered a situation more depressing than the present spectacle of an America deeply divided over a war," Mr. Eisenhower wrote in an article in Reader's Digest.

"What has become of our courage? What has become of our loyalty to others? What has become of a noble concept called patriotism, which in former times of crisis has carried us through to victory and peace" the former President asked.

He said if dissent were as strong "in the desperate days of World War II" when he was the Allied Commander in Europe, "I doubt that we and our allies could have won."

Mr. Eisenhower was scornful of the "enclave theory" advanced by his former colleague, retired Lt. Gen. James Gavin, who has proposed that American forces pull into defensive perimeters around the cities and the populated coast of Vietnam instead of fighting in the jungle.

Without naming Gavin, the former President said those who advance the theory "want our troops to sit down in "defensive enclaves' and drop all offensive action—presumably until a tough enemy gets tired of looking at our military might and goes quietly home."

"Instead of giving faith and backing to the men who are responsible for the conduct of the war, these armchair strategists snipe at every aspect of the conflict," Mr. Eisenhower said. "Of course their words give aid and comfort to the enemy and thus prolong the war . . ."

"In the midst of this disgraceful public uproar, the dissenters continue to demand that we negotiate," he said. "Listening to all the antiwar sound and fury on our home front, Hanoi obviously prefers to wait it out in the hope that public opinion in the United States will eventually compel our withdrawal. It is probable that the behavior of the dissenters themselves is making honorable negotiation impossible."

In an election year, he said, it "is right and proper to advocate a change of leadership and to discuss the conduct of the war," but he vowed: "I will not personally support any peace-at-any-price candidate who advocates capitulation and the abandonment of South Vietnam."

Mr. LONG of Louisiana. Now, Mr. President, with regard to the Senator's question, I would expect those who do not agree with the policy that led to the situation in which we find ourselves, to do as I did when World War II broke out.

Just before that time, I had found myself in sympathy with what the America first people were saying. I tended to favor the isolationist viewpoint. I felt that the policies the Roosevelt administration were pursuing would be likely to lead us into war. As a young man in college, I had hoped that we would not get into any war, knowing that I would be involved in the event it started.

However, after the attack upon Pearl Harbor, rather than quarrel about Roosevelt's policies, whether the Japanese were justified in attacking Pearl Harbor, or quarrel about whether we provoked them into attacking Pearl Harbor, I felt that we were in a war, and that we had to see it through. So I volunteered to do what I could.

I never raised a question nor did the other men who had thought as I did as to how we got into it or how we should fight it. We were in it, and we had to win it if we could. We declared the kind of war we would fight. We voted to go forward with it, to vote appropriations, draft bills, and various other measures that would help to win the war.

Our Nation is once more at war. In my judgment, it is our duty to see it through, whether commitments were made by President Eisenhower or by subsequent Presidents. President Eisenhower is the best spokesman for himself as to what commitments he did or did not make. Commitments certainly had been made to our ally by our Presidents, and certainly our present President can say no differently.

Since we are in this war, it is my judgment that we should have the courage to see it through.

We should not play the part of coward and blanch at the sight of blood, seeing our friends butchered and killed because we let them down when we had not even suffered a single defeat of consequence on the field of battle.

TAX ADJUSTMENT ACT OF 1968

Mr. AIKEN. Mr. President, since I must leave to attend an executive committee meeting, I should like to point out before leaving, how dependent the United States has become on Russia and possibly other countries for war materiel.

It is my understanding that last year imports of certain materials from Russia increased 300 percent or more.

Those materials were, in addition to platinum, vanadium, rhodium, chromium, titanium, and magnesium—all important in the manufacturing of war planes and war materiel.

I do not have a report for the full year, but for the first 9 months of 1967 America paid over $20 million to the Russians for these strategic minerals.

I understand that these importations are increasing rapidly at this time.

Therefore, I wonder whether, in passing on legislation intended to penalize those taxpayers who sell to Russia or do business with Russia, we should not also penalize those who may, this year, be spending as much as $100 million of good American money which will go to the Russian Government. I am not advocating this course but if we penalize those who sell to a Communist country—should we not also apply the penalty to those who pay large sums in American dollars to Communist countries?

Mr. MURPHY. Mr. President, will the Senator from Vermont yield?

Mr. AIKEN. I yield.

Mr. MURPHY. Is it not true that we used to import a lot of chromium from Rhodesia; and is it not also true, at the request of the British Government that we placed sanctions upon Rhodesia, thereby cutting off our supply of chromium, forcing us to go to the Russians for it?

Is it not also true that the Russians immediately raised the price?

Mr. AIKEN. I think that the Senator is correct. Russia is asking much more for it now. The fact is, Russia is the chief beneficiary of this war we have got ourselves involved in, not only in developing markets in this country for strategic material but certainly we have been a great benefactor of the Russian Government in other ways.

I wish we would stop being so careful about their feelings being hurt, if we place the interests of the United States first.

MAN AGAINST MAN AGAINST THE SEA

Mr. KUCHEL. Mr. President, I ask unanimous consent that a partial text of a speech I made on March 14 at Santa Barbara, Calif., before the Channel City Club of that city be printed in the RECORD.

There being no objection, the text was ordered to be printed in the RECORD, as follows:

Man Against Man Against the Sea

(Partial text of remarks by U.S. Senator THOMAS H. KUCHEL before the Channel City Club, Santa Barbara, Calif., March 14, 1968)

As far back as man can remember, the free use of the high seas has been an undisputed right. The roaring, foaming sea was herself the all dominating fact of human geography—more than a match for mere mortals. The sea, too was a refuge where a man could be alone with the elements. It has been his challenge, his inspiration, his lane of supply, his line of national defense, and today, it is his playground and his greatest untapped store of natural resources. It may become the arena of his costliest conflicts. The incidents in the Bay of Tonkin in the summer of 1964 and the recent seizure of the U.S.S. *Pueblo* are grim reminders to history of the supercharged consequences of international collisions on the high seas.

In Thomas Jefferson's time, the United

States adopted the principle of one marine league—or roughly three miles—as our seaward limit for the purpose of territorial sovereignty. That was the maximum range of naval gunfire at that time. It was assumed that sovereignty and the ability to protect or defend territory went hand in hand.

Today, the United States and most major maritime powers, continue to keep their territorial waters at three miles from the coastline. Their view has been that a broader claim would unduly restrict navigation. Many smaller nations, and almost the entire Communist Bloc, have extended their territorial waters to twelve miles. In the most extreme and outrageous examples of infringement of freedom of the high seas, some of our neighbors in Latin America have asserted a claim to a seaward territorial limit of two hundred miles.

Still another type of surface jurisdiction is asserted by coastal nations over the fisheries resources lying off shore. In 1966, the United States established a fisheries jurisdiction of twelve miles as a means of insuring our coastal fishing against foreign intrusion and of providing a base of reciprocity with other fishing nations, most of whom have taken a similar step.

By far the greatest problem facing any coastal nation today is the fair determination of her rights to the riches in the waters and particularly in the seabed off her shores. In almost every nation there has been divided opinion. In America, there has been a sharp contest between our coastal states and the Federal Government over control of the vast mineral resources beneath the sea in the continental shelf.

In 1953, during my first year in the Senate, the Senate Interior Committee, of which I was then and am now a member, approved and saw to the enactment of two important pieces of legislation. First was the Submerged Lands Act, granting to the coastal states subsurface minerals within their state boundaries. The bill was a great victory for the coastal states. It has brought over 300 million dollars into California's treasury in the last decade.

Also in 1953, we passed the Outer Continental Shelf Lands Act, which said the U.S. Government could exploit the undersea resources along the continental shelf outside state boundaries.

At the time, it was understood that this meant the U.S. could explore and mine the ocean floor out to 100 fathoms of depth, because that was as deep as we thought anybody would ever be able to dive. To our great credit, the U.S. in 1964 ratified a treaty to extend our jurisdiction as far as technology will let us exploit the depths. It is a sound position, and one which in a few short years will greatly benefit the economy of the United States in general and California in particular.

For the sea is a vast treasure hoard only now beginning to open. In addition to oil, the seas will provide food, fresh water, recreation and a vast array of minerals and chemicals from magnesium to gold.

Signs of rapid change are apparent. Several years ago, the Department of the Interior built a small pilot plant at Point Loma to convert the sea water into potable water for the people of San Diego.

Just last year, Congress approved legislation which I introduced in the Senate to authorize Federal participation in a partnership with local agencies, public and private, to build the largest desalting plant in the world off the shores of Orange County. This plant when completed will produce 150 million gallons of fresh water per day, enough water to service the domestic needs of a city the size of Santa Barbara many times over.

Plans are under way in NASA and the Interior Department to track schools of fish, to predict the weather, and to map the ocean floor by instruments orbiting the earth in satellites.

As the need for water-based recreation grows with our population, we will, no doubt, establish new national parks on the ocean floor. As food from conventional sources grows scarce, the sea will play a a much greater role in feeding the peoples of the world. Already great strides are being made in research and development of food from seaweed and of high protein food additives from the abundant hake which does not presently find a commercial market. Exploration and mining for valuable minerals on the ocean floor will take place side by side with the capture of valuable substances suspended in the sea water itself.

The technological awakening will also help to prevent national disaster. Satellite surveillance will give better warning of storms to ships and coastal areas. Research will undoubtedly lead us to a better understanding of the problems of pollution caused by localized increases in the temperature of the sea water, or by effluents dumped into the ocean.

Water pollution is an especially critical problem; it is imperative that all the advances of technology be applied immediately in this area. I recently disclosed the results of a study I requested which showed that an alarming amount of California's water pollution is caused by the Federal Government itself. Many of the Government installations are moving toward improvement, of course, but then, they ought to. As the source of much of the pressure to improve conditions, government should be the example of the cure, not the problem.

The limits on the benefits to mankind from the sea are drawn only by the limits of man's imagination—and his willingness to agree with himself on the rules of exploitation. The sea remains essentially untouched today. We have now an opportunity for greatness or for chaos and destruction of resources of the sea. At this point, confusion and contradiction seem more prevalent than order and effectiveness.

In its usual way, the Federal Government has responded to the challenge of the sea with a vast array of programs, policies and agencies. Federal oceanographic activities alone are scattered over 29 bureaus in 11 department level agencies. In 1965 I joined as a co-author of a bill, now law, establishing the National Council on Marine Resources and Engineering Development to study and propose means of bringing together the various aspects of government effort. This effort is gravely needed. We have no complete mechanism to assure that the activities of the Navy Oceanographic Office, for example, are fully coordinated with the Maritime Administration or, indeed, that their findings are shared with the Bureau of Commercial Fisheries in its efforts to improve fishing technology. Our budgeting process cannot now cope with all of these overlapping functions efficiently.

Earlier, I mentioned the varying limits imposed on the territorial sea, on our fisheries jurisdiction, and on exploitation of resources on the ocean bottom.

Nations are extending their limits, sometimes, it seems, with complete disregard for the possible dangerous consequences. In South America, for example, every nation from Argentine around to Colombia, has claimed 200 miles as its sovereign limit, and the practice is spreading in Central America. If the 200 mile limit were to become a worldwide standard, an area equivalent to the Atlantic Ocean would be removed from the high seas.

Along with the growing and conflicting claims, we are faced with a continual shrinkage of the free ocean surface as a result of today's rapid communication. The grab for territory has reinforced that process. The implications for our defense and security are grave.

If America is going to help bring order to the regime of the sea, we must first see to order at our own shores. I would like to sketch some specific steps we can take.

First, if we are going to open up the vast resource potential of the sea, we should prepare now to protect the economy and the uses of the sea and the coastline from such real threats as large-scale oil pollution.

The Torrey Canyon disaster off England and the similar, more recent fate of the Ocean Eagle tanker in the Caribbean can be ominous portents in a state like California and in a City like Santa Barbara, where beaches, home and boats are mere minutes over the waves from an increasing offshore oil production industry. But these disasters can also be catalysts to action by industry and government alike. Advancing technology in the petroleum industry should be able to assure that the development of oil resources can proceed side by side with the protection of our seashores.

We in the public service, of course, must represent all of the elements in our city or state as we seek to prevent or cope with such problems.

At this point I should point out that Santa Barbara and Carpinteria residents should be proud of the job their local officials have done in the last year in dealing with the Department of the Interior on questions of drilling for oil in the Santa Barbara channel. These men represented you skillfully in Washington. The two-mile buffer zone which extends seaward beyond the state drilling area is testimony to a job well done at the Interior Department, where the zone was approved.

There is another step, too, which can be taken in government. I have proposed that some small portion of the Federal revenues from offshore oil leases on the outer continental shelf be used to insure citizens along the coastline against ruin from oil pollution. I am joined in supporting this proposal by my good friend, the distinguished Congressman from Santa Barbara, Charles Teague.

With the Torrey Canyon and Ocean Eagle disasters freshly in mind, we must take immediate steps to protect the beaches and boats along California's 1200 miles of coastline from destruction. I can think of no better source of money to give that assurance than the revenues from the source of potential danger.

I have proposed in the Senate that a major portion of the leasing revenues from the outer continental shelf be used to augment the Land and Water Conservation Fund. This fund finances America's conservation program, our national parks such as the Redwoods, and the thousands of local and state parks projects. In California, we can expect a population of 50 million by the end of the century. If the world is to remain a fit place for man rather than robots, we must take measures today to preserve some portion of the original face of nature for future generations.

The bill which I have joined in offering has the well-deserved support of every major conservation organization in our country. It is realistic, and I am hopeful of its success.

On another front, the National Commission on Marine Resources and Engineering Development created two years ago by an act of Congress which I joined in co-sponsoring, is scheduled to complete its work in the next year. Its findings should give the best basis for a long range national marine science program bringing together scientists, mariners, engineers, financiers, lawyers and public servants in a coordinated effort to achieve an effective program for America.

Congress must prepare to act on the recommendations of the Commission to draft enabling legislation and to oversee the marine science program. Coordination is ever the bane of broad Federal thrusts into new areas. It is up to Congress to see that this one potential for chaos on the high seas is removed—that our government work is productive and not confused, overlapping, contradictory and wasteful of public revenue.

Finally, the world cannot long survive without a general law of the sea. In 1958, and again in 1960, the Eisenhower Administration took the lead in conferences held in Geneva to establish such a code. Much progress was made, including the Convention on the Continental Shelf, which I mentioned earlier.

The world has yet, however, to agree on a basic formula for the size of the territorial sea or on the uses of subsurface beyond the 100 fathom mark. In 1960, the United States, together with Canada proposed a formula of six miles of territorial sea and six miles of extended fishery zone. This was defeated at Geneva by one vote—as the result of the unwillingness of our neighbors in Latin America to give up their egregious 200 mile limit.

The United States cannot idly accept depredations against vessels bearing our flag—whether in Wonsan, the Tonkin Gulf, or off the shores of Antafogasta in Latin America.

Outside of California, not many Americans are aware that for a decade before the *Pueblo*, vessels bearing our flag have been seized, fired upon, searched, detained, and members of the crew imprisoned by nations with whom we are supposed to enjoy normal diplomatic relations. Just two weeks ago there was another.

I have introduced and gained enactment of legislation calling for a cutoff in foreign aid to the offending countries. My bill was passed by the Senate in 1965 as a mandate to act. It was later modified in conference with the House to give the President discretion. He has yet to use it in favor of American interests. I will again this year move in the Senate to amend for mandatory aid shutoff unless the problem is soon resolved. I am confident that this proposal will receive strong bipartisan support. The recurring seizures off the shores of Latin America are a great disservice to the cause of peace in this Hemisphere.

In the absence of rules accepted by all, we have scant alternative but to protect ourselves by what means we can. But we would far prefer to have a uniform code of behavior, and to be able to settle all of these disputes on the surface and below the sea by an accepted rule of law.

In my opinion, it has been the worst kind of folly not to give the establishment of order on the open seas a high priority. The intervening years have shown how much grave controversy might otherwise been avoided. The nations of this earth cannot afford here to slacken their efforts. The last conference in 1960 came within a hair's breadth of success. Surely, it is time to try again.

See the wanton disregard of international law as late as yesterday against an American flag vessel in the open ocean off Peru, and last month in the piracy against the U.S.S. *Pueblo* in international waters of the Sea of Japan. That is the harvest we reap in great part because maritime nations failed officially to approve, and to agree to enforce, the age old concept of freedom of the seas and the oceans.

Failing international covenants, there is every urgent need for America to stand up for her own. Yesterday, following the Peruvian seizure of an American tuna clipper, I asked Secretary Rusk to inform both Peru and Ecuador of the Foreign Assistance Act provisions, which I authored providing for curtailment of aid as a consequence of such unlawful acts. How can we expect other nations to respect historic international rules if we are not ready to enforce the rules we write ourselves?

Far more dangerous than the tuna boat incidents was the seizure by North Korea of the U.S.S. *Pueblo* and the detention of her officers and crew. Our first concern must continue to be their safety and their release. Shortly after the *Pueblo* incident, I called on the President to order a full inquiry. I repeat that call today, as perhaps a possible aid to our diplomatic efforts. But it is basic to the success of our diplomatic efforts that we give clear evidence of our determination to redress this wrong, if not by diplomacy, then by such other means as we command.

Force ought not to be the way to redress wrongs of any kind. Respect for law and order, so necessary to America's preservation, is equally necessary to prepetuate the human race. Only by respect for order will our country survive and only by respect for order will human beings remain on this globe.

The urgency for solving man's problems on the waters may hasten the settlement of his conflicts on the land. For our country, for freedom, and for the family of nations, we pray it will.

MAINTAINING THE CONSTITUTIONAL BALANCE OF LAW ENFORCEMENT IN AMERICA

Mr. KUCHEL. Mr. President, I ask unanimous consent to have printed in the RECORD a partial text of the remarks I made on March 22, at Beverly Hills, Calif., before the Beverly Hills Bar Association.

There being no objection, the text was ordered to be printed in the RECORD, as follows:

MAINTAINING THE CONSTITUTIONAL BALANCE OF LAW ENFORCEMENT IN AMERICA

(Partial text of remarks by U.S. Senator THOMAS H. KUCHEL before the Beverly Hills Bar Association, Beverly Hills, Calif., March 22, 1968)

I am deeply honored at this opportunity to address the Bar Association of Beverly Hills. Your organization represents a distinguished array studded with the names of lawyers, whose fame and reputation are far flung. My life has been enriched—spiritually, not financially—by an almost lifelong friendship with some of your members. One day, long ago, I was honored by an invitation to practice with one of you. That, I guess, was the moment when I decided, or redecided, to seek a career in the public service. I have never regretted the decision. Indeed, these last 15 years I have spent in the Senate have been the most moving and thrilling chapter in my life. There have been moments of sadness and travail, but they are found in the lawyer's life as well. And, after all, making law and public policy, and seeking to interpret them are, at the least first cousins and sometimes twins—as for example when the lawmaker and the lawyers and judges all recognize that only God knows what a particular statute means.

The freedoms of Western man, won at Runnymeade, have been endangered from time to time, perhaps from generation to generation, but on the whole, they have been retained as time has passed, and in many important respects, strengthened. After all, what Anglo Saxon law, even flavored a little with the French Code Napoleon, is all about, is the maintenance of order in the human society, and the application of equity and logic and good, in the solution of those problems which plague its members. Force continues, alas, to play the dominant role in the world society, and the rule of law on a global scale remains a fond and someday attainable hope for the family of nations—but not for a while.

But one of the terrible hazards of today is that here in our own country, law has been mocked, order has been shunted aside, our legal institutions have been endangered, as riots and violence have swept across our land.

Today, the greatest challenge in preserving our system rests not with the lawmaker, nor with the lawyer, but with the man who bears the most controversial and difficult responsibility of all—the enforcement of the law and the keeping of the peace.

Never before in our history as a Nation have we experienced such tragic internal upheavals. Only a few weeks ago, the National Commission on Civil Disorder told the American people that a deepening racial division in this land threatens the future of every citizen. The smoke of Detroit and Newark and Watts still hangs over a Nation that apprehensively waits for an uncertain tomorrow. There is still disagreement over causes, and there is still disagreement over answers, but there is no disagreement in the determination of the American people to end violence and destruction in the streets of the ghetto, and in the lives of all the people. The Commission expressed that determination with these words:

"Violence cannot build a better society. Disruption and disorder nourish repression, not justice. They strike at the freedom of every citizen. The community cannot—it will not—tolerate coercion and mob rule."

It was a little over a year ago that a similar Presidential Commission reported to the Nation on the growing rate of crime. The Report shattered the myth that crime is the work of a small handful of hardened criminals. In the United States today, one boy in six is referred to the juvenile court. A Commission study indicates that about 40 percent of all male children now living in the United States will be arrested for a nontraffic offense during their lives. Crimes of violence have increased markedly. Since 1940, the Nation's population has increased by approximately 47 percent. The number of criminal offenses per 100,000 population, however, has tripled for forcible rape, and doubled for aggravated assault. The overall rate for violent crimes now stands at its highest point. There are continuing arguments over causes, and there are debates over solutions, but there can be no disagreement that crime poses a clear and present and growing threat to our country.

Man cannot live in his complex society today without a system of laws. And the system itself is doomed, unless the laws are properly and effectively enforced. This means that the efforts of the local law enforcement officer to maintain the peace and to protect life and property must be the unerring directive of government at every level.

It is unfortunate and, indeed, dangerous, that some signs of panic have begun to appear. Some have suggested a national riot squad to respond to riots throughout the nation. Others would support the creation of a national police force to enforce the laws of every community in the land. A third outrageous suggestion would have the Federal courts take over local police departments and supervise their operations. Each of these suggestions smacks of police state tyranny—totally offensive to our traditional American concept of law enforcement. Neither the National Commission on Civil Disorder, nor the President's Commission on Crime, ever even came close to intimating a need for a national riot squad or a national crime control force. On the contrary, each warned against any federal invasion of state and local responsibility for law enforcement. Both recommended that steps be taken to strengthen local police agencies in meeting the crises of civil disorder and crime.

I dare say that no one in this entire Nation is more respected or more highly regarded as an expert in the field of law enforcement than J. Edgar Hoover, the Director of the Federal Bureau of Investigation. Listen to his words on this subject as of February 1968:

"America has no place for, nor does it need, a national police force. It should be abundantly clear by now that in a democracy such as ours effective law enforcement is basically a local responsibility. In the great area of self-government reserved for states, counties, and cities, the enforcement of the laws is not only their duty but also their right. Law-abiding citizens and local officials should vigorously oppose concerted attacks against law enforcement and the devious moves to negate local authority and replace it with Federal police power."

This traditional concept of balanced law enforcement so forcefully outlined by Mr. Hoover is molded deep into our history. Our first colonists came here to escape the tyranny of centralized police power. Police organization in America became an expression of our freedom and of the democratic form of government. This basic political philosophy inherently provided for government organization at several levels with reluctance towards centralizing police power or authority at the top.

The result is that no town, village or community is too small to have its own police force. These law enforcement officers are not agents of the President of the United States or the national government—they are the servants of their fellow townsmen. These officers are not part of a national police federation or union, nor are their standards established or dictated to by the Federal Government—their pay and standards are provided for at the particular level of government they serve. The source of police power comes not from the Federal Government, but from the people themselves.

The tenth Amendment expressly reserves to the states, and to the people, undelegated Federal powers. According to this principle, authority to organize police departments in the United States rests with the individual states and their subordinate instrumentalities such as cities, counties, and townships.

With no single source assigning this authority, the organization, the power and the duties of the police must be determined by looking at the constitutions, laws and court decisions of each of the several states as well as the various municipal charters and ordinances. Of course, the United States Constitution, Supreme Court decisions and Federal statutes must also be consulted to insure that such powers do not violate the provisions of the 14th Amendment. It becomes clear, therefore, that the structure and power of law enforcement in America is not only a reflection of democracy, but is dependent on the delicate and vital constitutional Federal-state balance.

Centralization of police power would be an abridgement of the American right to self-government and a threat to the principle of local control. Mr. John C. Satterfield, former President of the American Bar Association, spoke of the threat to state control of criminal law administration by an ever-expanding system of federal control:

"The present danger is that old crimes will become federal crimes, all police will become federal police . . . In short, the entire machinery of the administration of criminal law will be concentrated in the hands of an overpowering federal government."

The establishment of any form of a national riot squad or federal police force would rob local citizens of their ability to administer an activity which must be local in character and directly subject to the desires and the control of the local people. A centralized national police force of any kind is repugnant to this Republic. In totalitarian states, it has been called by an uglier but more accurate name.

As a whole, local law enforcement in America has been outstanding. In times of increasing social unrest and increasing public sensitivity to both, police work has become particularly important, complicated, conspicuous and delicate. The fact that the police deal daily with crime does not mean that they have unlimited power to prevent it, or reduce it, or deter it. The police did not create and cannot resolve the social conditions that stimulate crime. But the fact that we are able to enjoy our freedom—that we do largely what we want and where—testifies to the maintenance of order in most of our land.

Only two times since 1932 have Federal troops been dispatched at the request of a state—in 1943 and in 1967—ironically enough, both times in Detroit. Existing Federal laws recognize the importance of the Federal-state relationship in law enforcement efforts. These laws specifically require that local efforts shall not be easily trampled on by any form of Federal action.

Article IV, Section 4 of the Constitution provides that the Federal Government shall protect each of the states against invasion, "and on the application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic violence." To carry out this provision, Congress in 1792 enacted the statutory provisions which now appear in Sections 331 and 334 of Title 10 of the United States Civil Code. They authorize the President, after a state request, and after his issuing an appropriate proclamation, to use such of the Federal Armed Forces as he considers necessary to suppress insurrection or domestic violence in that state. In accordance with both Constitutional policy and legislative history of these statutes, however, no President has ordered Federal troops into insurrection control action until: (1) the actual request for Federal troops had been received from the state, and (2) it had become clear that the disorder was beyond the control capacities of state and local authorities. Only 16 times in the 176 year history of this law have states made such a request, and only in 10 of these 16 did the Federal Government respond with troops. When President Eisenhower ordered troops into Little Rock in 1954, he did it because a federal court order was being flouted, and not because of an insurrection.

Those suggesting a Federal riot squad to speed to any state afflicted with racial strife apparently overlook both American tradition and these federal statutes and would void years of carefully established guidelines. They would scrap our traditional concept of balanced law enforcement, and they would replace the responsibility of state and local police with expanded Federal controls, power and domination. Far more important, they encourage a giant leap toward the establishment of an authoritarian police state.

This is not to say that the Federal Government does not have a role in assisting local law enforcement agencies. Federal contribution to the national effort against crime is crucial. The national Government has for many years provided important information, advice and training to state and local law enforcement agencies. In many towns and counties, for example, the Federal Bureau of Investigation's on-site training programs for police officers and sheriffs are the only systematic training programs available. The Department of Justice, under the Law Enforcement Assistance Act of 1965, has begun to give state and city agencies grants for research, for planning, and for demonstration projects.

In the current session of the Congress, the Safe Streets and Crime Control Act is central to the national strategy against crime. It would provide additional assistance to local law enforcement agencies. I am also hopeful that the so-called Law Enforcement Education Act of 1967, a bill which I have co-authored, will be enacted in the near future. It would provide valuable Federal assistance to those seeking to pursue a law enforcement career.

Surely, the type of national interest I have described is needed to encourage maximum exertions by state and local government to find new answers to the threats presented by violence and terror and crime. There is little to be gained and a great deal to be lost by unduly criticizing the role of local law enforcement in our society. Such criticism implies little faith in our system and clouds the fact that the police, just as the courts, must have the common objective stated, again, by Mr. Hoover, "to develop and maintain a system of administering criminal justice which is fair, impartial and effective." Our American maxim "Equal justice under Law" must continue to prevail and to operate on all citizens, rich and poor, high and low, big and little.

There is little to be gained from just shouting protests and criticisms. The task is to throw our full resources and energies into training professional local law enforcement agencies to be effective within the framework of current rules of law and evidence.

In facing the severe internal crises of crime, violence and disregard for law, we continue to recognize the need to maintain our traditional concept of balanced law enforcement in America. We must do nothing to jeopardize that balance. We cannot sacrifice basic principles of justice and law and order fashioned by the Nation's charter, by our laws and traditions, and by the expressed will of the American people.

UNLAWFUL SEIZURE OF U.S. FISHING VESSELS

AMENDMENT NO. 678

Mr. KUCHEL. Mr. President, the distinguished majority leader, the Senator from Montana [Mr. MANSFIELD], has indicated that, following disposition of the pending legislation, he intends to have the Senate proceed to the consideration of S. 2269, a bill introduced by the distinguished senior Senator from Washington [Mr. MAGNUSON], and cosponsored by the distinguished senior Senator from Alaska [Mr. BARTLETT], and myself.

On my behalf, and on behalf of my two consponsors, I send to the desk an amendment and ask that it be printed and lie on the table.

The PRESIDING OFFICER. Without objection, the amendment will be received and printed, and lie on the table, as requested.

HISTORY OF U.S. VESSEL SEIZURES OFF LATIN AMERICA SINCE 1951

Mr. KUCHEL. Mr. President, ever since the seizure of the American-flag vessel *Marico* off the coast of Ecuador in September 1951, there has been a long and outrageous chain of piratical violations of the rights of Americans on the high seas off the coasts of Latin America. There have been three more seizures in the past month off the coasts of Ecuador and Peru again, of course, far from shore on the open oceans. I am also informed that gulf fishermen have suffered similar harassment just 10 days ago by Nicaragua. It is time that decisive action be taken to end this contemptible affront to one of the most cherished rights of Americans, and of citizens of all maritime nations—the freedom of the seas.

I wish, Mr. President, to have spread upon the record the full catalog of this wanton disregard of international law.

I ask unanimous consent to have printed in the RECORD a list of seizures from 1951 to the present date.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SEIZURES, DETENTIONS, AND OTHER HARASSMENTS OF TUNA VESSELS

[Information is based upon official business records of the American Tunaboat Association, upon affidavits of masters of tuna clippers, and upon verbal reports received by the association from other masters and managing owners of tuna clippers]

Name of motor vessel	Date	Location	Remarks
Marico	Sept. 15, 1951	Puerto Bolivar, Ecuador	Seized by Ecuadoran frigate Guayas. Vessel was entering port because of repairs. Ves se was fined $5,500.
Tesoro del Mar	November 1951		Seized by Ecuadorans, vessel was of Panamanian registry, no information available.
Notre Dame	Nov. 4, 1951	5.1 miles west-northwest of Isla de la Plata, Ecuador	Vessel seized while en route to fishing banks in high seas off Peru. Vessel fined $8,000, released after fine paid under protest.
Sun Pacific	July 30, 1952	1°52″ south latitude 81°4″ west longitude (18 miles off coast of Ecuador).	Vessel released Aug. 18, 1952, upon deposit of cash bond of $11,600.
Equator	July 31, 1952	0°52″ south latitude 81°3″ west longitude (12 to 13 miles off coast of Ecuador).	Vessel in possession of Ecuadoran fishing license issued in Panama. Vessel paid $1,000. Released after being in custody 3 weeks.
Venus	April 1952	Off coast of Colombia	Vessels seized and taken into port of Buenaventura. Reference El Tiempo, newspaper in Bogotá, Colombia, dated July 25, 1952.
Cesare Augustus	do	do	
Jackie Sue	do	do	
Lina B.	do	Off coast of Colombia beyond 3 miles	
American Beauty	Aug. 9, 1952	El Salvador	Seizure of vessel, no other facts available.
Martin B.	Oct. 21, 1952	Ecuador, 00° north latitude, 80°42″ west longitude	Ecuadoran merchant vessel Rio Guayas attempted to stop and board vessel, but Martin B. did not stop or permit boarding.
Starcrest	May 20, 1953	Panama	Fine imposed and paid $3,000 for vessel and bail for crew in the amount of $2,000.
Conte Bianco	Mar. 1, 1954	Galapagos Islands, Ecuador	Vessel boarded by naval officers. Vessel had purchased Ecuadoran fishing license. Vessel charged with failure to clear vessel and vessel assessed penalty $8,848.50.
Santa Rosa	do	do	Assessed penalty $9,040.50. Same as above.
Helen Ann	do	do	$9,040.50. Same as above.
Bernadette	do	do	Vessel boarded and documents inspected by naval officers of Ecuadoran patrol vessel Bae Manabi. Fined $10,240.50.
Conte di Savoia	do	do	Abandonment of Ecuadoran waters without presenting for inspection of the captain of the port, the fishing license as well as other pertinent documents. $9,088.50.
Sun Beam	Apr. 14, 1954	In waters between port of Salinas and Santa Clara Island, Ecuador.	Seized by Ecuadoran patrol vessel El Oro; fine imposed (amount unknown). Vessel in distress at time of seizure.
Janus	June 1954	Ecuador	No further information.
Sun Streak	Sept. 4, 1954	3°15′ south latitude, 80°54′ west longitude (12 miles west of Santa Clara Island, Ecuador).	Seized by patrol vessel Bae Manabi. Fine imposed, $12,000.
Belle of Portugal	Sept. 25, 1954	San Cristobal, Galapagos Islands, Ecuador	Charged that in July this vessel was sighted 12 miles off Manta, Ecuador, during July. Vessel released after boarding by naval officers.
Portuguesa	Nov. 19, 1954	31 miles, 304° true from Foca Island, Peru	Peruvian cutter D–3 "Rodriguez" advised master to "come aboard immediately or we will sink you." Master refused, vessel continued to operate 3 miles off the coast.
Invader	Nov. 14, 1954	23 miles southwest of Foca Island, Peru	Boarded by Peruvian naval vessel, and request for fishing license. Released and told to get license from Peruvian consul in Los Angeles.
Renoun	do	4°47′ south latitude, 81°28′ west longitude, about 15 miles off coast of Peru.	Boarded by Peruvian naval vessel D–2 "Aguirre." Advised to proceed 200 miles off coast.
Seafarer	do	4°58′ south latitude, 81°37′ west longitude	Same as above.
Stanford	Feb. 18, 1955	Off the coast of Peru beyond 3 miles	Seized and fined $2,000. Taken into port of Talara.
E. S. Lucido	do	do	Do.
Miss Universe	do	do	Do.
Marsha Ann	do	do	Do.
Alaska Reefer	do	do	Do.
Sea King	do	do	Do.
Tony B	Jan. 18, 1955	Entered Port of Callao, Peru	"Tony B." had engine trouble.
Western Clipper	do	do	Sick crewmember aboard the "Western Clipper."
Arctic Maid	Mar. 27, 1955	35 miles off coast of Ecuador	Vessel stopped, shot at, Chief Engineer William Peck severely wounded. Vessel impounded. $43,481.20 fine imposed.
Santa Anna	do	do	Vessel seized. $5,881.10 fine imposed.
Magellan	Mar. 26, 1955	25 miles off the coast of Ecuador	Vessel boarded and inspected then released.
Western Pride	do	do	Do.
Katie Lou	Nov. 25, 1955	3°4′ south latitude, 80°43′ west longitude (18 miles from Santa Clara Island, Gulf of Guayaquil, Ecuador).	Seized and taken into port of Guayaquil. Released Nov. 28, 1955. Other vessels were boarded, but their names are unknown. Ambassador of Peru notified by letter from ATA dated Nov. 23, 1954.
Historic	Jan. 20, 1956	2°48′ south latitude, 80°40′ west longitude (about 18 miles from the coast of Ecuador).	Vessel stopped by Ecuadoran naval vessel Atahualpa ordered to proceed to nearest port. Ship's documents taken and then vessel released.
Santa Anita	do	2°48′ south latitude, 80°40′ west longitude (about 18 miles from the coast of Ecuador).	Vessel stopped by Ecuadoran naval vessel Athualpa, ship's documents taken and then vessel released.
Commodore	Jan. 29, 1956	32 miles 280° true from Cape Pasado, Ecuador	Vessel stopped by Ecuador patrol vessel President Valasco, detained 1 hour, boarded by armed personnel. Released after search indicated no bait. ATA sent letter dated Feb. 8, 1956, to the Secretary of State, outlining the above events.
Normandie	Dec. 13, 1957	19°45′ south latitude, 70°37′ west longitude (20 to 25 miles off the coast of Chile).	Chilean airplane shot across the bow of vessel, ordered vessel to go into port of Iqueque. Other vessels in vicinity, Chicken of the Sea, Starcrest, Southern Pacific, and Excalibur. Total fine imposed, $6,000.
Shamrock	Feb. 7, 1961	Off coast of Ecuador beyond 3 miles	Ecuador gunboat stops vessel, master of Shamrock leaves his vessel and shows documents to patrol boat.
Do	Mar. 21, 1961	11.9 miles off island in Gulf of Panama	Vessel seized, crew and master imprisoned by Panama. Paid $2,500 fine plus costs. At time of seizure vessel having mechanical problems and under repair.
Normandie	May 1961	11 miles off Manta, Ecuador	Vessel stopped, fishing activities interrupted, and master left and boarded Ecuadoran patrol vessel. License and other ship's documents inspected. Vessel permitted to continue fishing. 4 other vessels in vicinity.
Do	Nov. 29, 1961	15 miles west of Cape Pasado	Vessel stopped by Ecuadoran patrol boat while it was working on school of fish. Papers inspected and then vessel released.
Nautilus	Dec 15, 1961	Salinas, Ecuador	Master required to pay port captain in Salinas, Ecuador, $300 to avoid trouble with authorities and fish off the coast. This vessel has paid $200 for annual registration fee and $4,884 for fishing license for trip commencing on Nov. 22, 1961.
Equator	Jan. 27, 1962	Sank approximately 40 miles off Gorgona Island, Colombia.	Crew used vessel's powerboat to escape to Gorgona Island. Crew denied opportunity to purchase fuel, and required to leave the small vessel at the island. After clearance from U.S. Embassy in Bogotá and Colombian authorities, MV Cabrillo went to Gorgona Island to pick up powerboat At island, master of Cabrillo was told that powerboat would not be released. Commandant on island told him that unless the Cabrillo leaves, the vessel would be seized and fined. Powerboat was eventually removed from island after U.S. Embassy took further action.
San Joaquin	Feb. 12, 1962	Seized about 8 or 9 miles off the coast of Colombia	Colombian patrol vessel Arc Gorgona seized the vessel, placed armed guards aboard. Vessel fined $2,318.20; vessel released.
Jo Linda	Feb. 23, 1962	4°10′ north latitude, 78°10′ west longitude (25 miles off the Colombian coast).	Colombian gunboat No. 71 came on the vessel during early morning hours, fired 12 rounds. Jo Linda escaped into the darkness after a 30-minute chase.
Saratoga	do	4°10′ north latitude, 78°10′ west longitude	Same Colombian gunboat that shot at Jo Linda chased Saratoga, darkness prevented capture.
Western Ace	Mar. 28, 1962	Off coast of Ecuador beyond 3 miles	Vessel seized, held in port of Salinas for 3 days. No fine imposed.
Normandie	Apr. 3, 1962	00°08′ south latitude, 80°59′ west longitude (28 miles west of Cape Pasado, Ecuador.)	Stopped by Ecuadoran patrol vessel. Master of Normandie left vessel, and showed logbook and other documents.
Constitution	Apr. 16, 1962	1°05′ north latitude, 80°21′ west longitude (20 miles northwest of Punta Galera, Ecuador).	Ecuadoran patrol vessel President Velasco stopped vessel and requested master to leave vessel. Vessel boarded by armed personnel, who checked papers and then released the vessel for fishing.
Normandie	Apr. 17, 1962	2°10′ south latitude, 81°08′ west longitude (8 miles west of Cape San Elena, Ecuador).	Vessel was setting net; armed men from Ecuadoran patrol vessel boarded and inspected the ship's log. Master of the vessel ordered into port of Salinas. Master paid captain of port $60 and left to continue fishing.
Lou Jean	Apr. 28, 1962	About 15 miles off coast of El Salvador	Vessel shot at, boarded, and seized while it was en route to San Diego with load of fish caught 80 miles off Costa Rica. No fine.

SEIZURES, DETENTIONS, AND OTHER HARASSMENTS OF TUNA VESSELS—Continued

[Information is based upon official business records of the American Tunaboat Association, upon affidavits of masters of tuna clippers, and upon verbal reports received by the association from other masters and managing owners of tuna clippers]

Name of motor vessel	Date	Location	Remarks
Mauritani Scapreme	June 1962	Peruvian coast	Vessel chased off fishing banks 25 miles off Peruvian coast by Peruvian patrol vessels.
White Star	Aug. 3, 1962	Beyond 3 miles off coast of Ecuador between Manta and Isla La Plata.	Vessel seized and taken into port and held for about 5 weeks. No fine imposed.
Cabrillo	Aug. 6, 1962	5 miles off Isla La Plata, Ecuador	Vessel boarded by armed soldiers and commandant of the island. Threatened to seize the vessel. Master gave whisky and tuna, then vessel permitted to continue fishing.
Larry Roe	Aug. 24, 1962	Galapagos Island, Ecuador	Vessel taken under custody on ground ship's papers irregular. Vessel released for fishing after a few days delay. No fine imposed.
Evelyn R	Sept. 10, 1962	do	Vessel held under custody on ground that it abandoned islands without proper clearance, and that it unloaded fish in Panama. Released Sept. 13, 1962. No fine on vessel but master fined.
Chicken of the Sea	Oct. 28, 1962	12 miles off Peru	Fined $5,000 for fishing without license.
Western Ace	do	do	Fined $10,000 for fishing without license.
Mayflower	Nov. 5, 1962	Peru	Seized and fined $4,000 for alleged fishing without license in Peruvian waters some 6 months earlier.
Nautilus	Nov. 14, 1962	do	Forced into port but released within 24 hours without any fines.
Royal Pacific	do	do	Do.
Elsinore	Nov. 18, 1962	Galapagos, Ecuador	Taken into custody but released without fines.
Larry Roe	do	do	Taken into custody and fined $150.
Cabrillo	November 1962	15 miles off Ecuador	Harassment by patrol boat but evaded seizure under cover of darkness.
Ecuador	do	do	Do.
Jeanne Lynn	do	do	Do.
White Star	May 25, 1963	5.5 miles off Ecuador	Fined $11,184 and charged license fee of $3,002.
Ranger	do	do	Fined $9,504 and charged license fee of $2,582. The White Star and Ranger were joined by 19 other vessels as a protest. The 19 vessels were not charged or held.
Espiritu Santo	June 12, 1963	Ecuador	Held temporarily pending issuance of a matricula.
United States	June 19, 1963	do	Boarded but released.

TABLE II.—LISTING OF SEIZURES OF U.S. TUNA CLIPPERS BY DATES OF SEIZURE AND RELEASE, FINES AND OTHER COSTS PAID—CLAIM HISTORY, 1963 TO PRESENT

Name of vessel	Official No.	Seizure date	Release date	Total days not fishing	Foreign country	Amount of fine	Amount of license fees, etc.	Total other costs
Ranger	253538	June 29, 1963	June 29, 1963	½	Ecuador	None	None	None
Ruthie B	252612	June —, 1963	June —, 1963	1	Peru	None	None	None
Freedom	262968	do	do	1	do	None	None	None
Ruthie B	252612	Aug. 19, 1963	Aug 19, 1963	1	do	None	None	None
Intrepid	254297	Aug. 1, 1963	do	1	do	None	None	None
Western Sky	241122	Dec. 20, 1963	Dec. 30, 1963	11	Ecuador	None	None	[1]
West Coast	249363	Dec. 29, 1963	do	2	do	None	None	[1]
Santa Anita	258646	Feb. 4, 1964	Feb. 4, 1964	1	do	None	None	None
Agnes C	262870	Dec. 5, 1964	Dec. 5, 1964	1	do	None	None	None
Nautilus	285304	Feb. 17, 1965	Feb. 17, 1965	1	Peru	None	$5,084.00	[1]
Western King	273287	do	do	1	do	None	4,628.00	[1]
Clipperton	285518	June 4, 1965	June 14, 1965	11	do	$7,128	3,564.00	$1,517.86
Do	285518	June 16, 1965	June 16, 1965	½	do	None	None	None
Sun Jason	251946	June 4, 1965	June 6, 1965	3	do	None	1,976.00	[1]
San Juan	289819	June 11, 1965	June 13, 1965	3	do	None	5,888.00	[1]
Hornet	289761	June 13, 1965	June 14, 1965	2	do	None	5,036.00	[1]
Concho	270585	July 29, 1965	July 29, 1965	1	Ecuador	None	None	None
White Star	249335	Oct. 5, 1965	Nov. 1, 1965	28	do	11,184	2,766.20	[1]
Mary Barbara	275716	Dec. 30, 1965	Dec. 30, 1965	1	Peru	1,000	None	[1]
Day Island	288260	Feb. 3, 1966	Feb. 18, 1966	16	Columbia	5,000	None	2,058.62
Sun Europa	247979	Mar. 3, 1966	Mar. 4, 1966	2	Panama	10,000	None	None
Mauritania	250236	Apr. 29, 1966	Apr. 30, 1966	2	Peru	None	None	340.49
Day Island	288260	May 12, 1966	May 14, 1966	3	Panama	10,000	None	588.36
Do	288260	May 23, 1966	May 24, 1966	2	Peru	12,160	None	805.41
San Juan	289819	do	do	2	do	11,776	None	[1]
Pilgrim	291488	do	do	2	do	11,512	None	
Chicken of the Sea	248779	do	do	2	do	5,800	None	
City of Tacoma	295035	June 14, 1966	June 15, 1966	2	Ecuador	None	None	
Clipperton	285518	do	do	2	do	None	None	
Ronnie S	255975	Oct. 2, 1966	Oct. 6, 1966	5	Peru	7,384	None	599.66
Sun Europa	247979	do	do	5	do	None	None	
Eastern Pacific	500099	Oct. 3, 1966	do	5	do	9,904	None	647.14
Shamrock	253836	Oct. 10, 1966	Oct. 13, 1966	4	Mexico	None	None	None
New Era	250382	Jan. 7, 1967	Jan. 13, 1967	7	Ecuador	7,200	3,000.00	
Endeavor	258022	do	do	7	do	8,064	2,216.00	900.00
Victoria	249539	do	do	7	do	8,448	2,312.00	1,000.00
Seapreme	263220	Jan. 20, 1967	Jan. 26, 1967	7	do	12,528	3,338.20	206.08
Caribbean	291814	Jan. 26, 1967	Jan. 28, 1967	3	Peru	10,888	None	664.67
Hornet	289761	do	do	3	do	10,072	None	637.56
Defense	240796	Jan. 7, 1967	Jan. 7, 1967	1	Mexico	None	None	None
City of Los Angeles	247156	do	do	1	do	None	None	None
Ronnie S	255975	Feb. 15, 1967	Feb. 18, 1967	4	Ecuador	12,768	3,392.00	927.77
Determined	261420	do	do	4	do	8,784	2,396.00	1,000.00
Ranger	253538	do	do	4	do	9,504	2,376.00	1,016.52
Sun Hawk	249270	May 5, 1967	May 5, 1967	1	Mexico	None	None	None
Western King	273287	July 4, 1967	July 12, 1967	9	Ecuador	17,512	4,528.00	691.00
Day Island	288260	Aug. 3, 1967	Aug. 4, 1967	½	do	None	None	None
American Queen	258201	do	do	1	do	None	None	None
Puritan	286673	Oct. 19, 1967	Oct. 22, 1967		do	Noee	16,240.00	None

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[1] Not available.

In the current year three tuna vessels have been seized, as follows:

The *Navigator* was intercepted approximately 23 miles off the coast of Ecuador by a former U.S. Navy minesweeper E–2, the *Esmeraldes*, at 6:30 p.m. Ecuador time, March 2. After drifting with the *Esmeraldes* for 44 hours, the *Navigator* was released on March 4 without being taken into port upon guarantee of payment of total fees in the amount of $6,190.00.

The *City of Tacoma* was seized by Peruvian warship No. 22 on March 13 approximately 40 miles offshore. Armed guards were placed aboard the vessel and the *City of Tacoma* was escorted to the Port of Zorritos in Peru. It was released at 1:30 a.m. March 14 after being forced to buy a fishing license for $5,500.00.

The *Paramount* was seized at 5:30 a.m. March 20 by the *Esmeraldes* (the same ship that seized the *Navigator*). The *Paramount* was drifting approximately 46 miles off the coast of Ecuador. It was released March 23 after guarantying payment of a fine of $21,700, a matricula of $350, a license of $5,420, and other charges, for a total of about $31,000.

OIL SHALE: TO BE OR NOT TO BE?

Mr. KUCHEL. Mr. President, on February 27, 1968, the distinguished senior Senator from Colorado [Mr. ALLOTT] delivered a provocative address to the American Institute of Mining, Metallurgical, and Petroleum Engineers on the subject of "Oil Shale." The Senator from Colorado speaks on this subject with a background of many years as an excellent lawyer and public servant in one of America's leading mining States, and as a senior member of the Minerals, Materials, and Fuels Subcommittee of the Senate Interior Committee and a member of the Public Land Law Review Commission.

Mr. President, there is no natural resource issue before our committee at this time of greater importance than the proper disposition of this Nation's oil shale resources.

I ask unanimous consent to have the remarks of my able colleague from Colorado printed in the RECORD.

There being no objection, the text was ordered to be printed in the RECORD, as follows:

OIL SHALE: TO BE OR NOT TO BE?

(Remarks by Senator GORDON ALLOTT, of Colorado, at the American Institute of ing, Metallurgical, and Petroleum Engineers, New York City, N.Y., February 27, 1968)

Shale Oil, to be or not to be? As Hamlet's soliloquy continues: That is the question.

When I was a young boy, oil shale was then a matter of common discussion, enough so, to at least to penetrate the consciousness of a boy not yet in his teens, I can remember going out on the prairies west of Pueblo, Colorado, to look for oil shale. We would pick up likely looking pieces of rock, especially if it had a dark streak in it, and apply a match to see if it would burn. Everybody thought they were going to get rich from oil shale. So the question, Shale oil: to be or not to be? has been pondered by many for more than 50 years.

I am sure that it will be evident that I am neither an engineer nor am I scientifically trained. Therefore, in my discussion of oil shale I shall avoid as much as possible any reference to the engineering or scientific aspects. I shall try to place the entire question in a more relative and logical position in its associated field.

As Dr. Charles Jones, President of Humble, so ably pointed out in his address to the National Western Mining Conference in Denver, earlier this month, synthetic fuels from oil shale or coal will be needed in the U.S. between 1975 and 1980 to keep pace with our rising demand for petroleum energy. Different experts project slightly different figures with respect to our liquid petroleum needs, but their conclusions are essentially the same—that is, that within the next decade or so, this country will experience a deficit in petroleum. In other words, our demand will exceed our ability to produce. As you know, due to production restrictions our *ability* to produce is greater than actual production by an amount slightly greater than *twice* our level of imports. But, by 1977, demand will have increased to a point where this excess production capacity will have diminished to only about a half a million barrels per day.

The explanation for this deficit trend is that discoveries and additions to our reserves are simply not keeping pace with increased demand. In *1946* total demand for liquid hydrocarbons was just under 2 billion barrels while proven reserves stood at just over 24 billion barrels. Our total reserves were more than 12 times our annual demand. Compare this with our demand/reserve posture in *1966*, when total demand was about 4.4 billion barrels and reserves were 39.8 billion barrels. Our reserves had dropped to about 9 times, not 12, our annual demand in that 20-year period. I believe it is generally accepted throughout the industry that the lower limit on our reserve-production ratio is ten to one. We have already dropped below that floor. The danger signal is there for all to see. The question is, Will the industry and the government policy makers see it and act upon it? The trend is clearly evident, we are heading towards an oil-deficit posture unless something is done to reverse that trend.

We have only three broad courses open to us: We can ignore the trend and permit our dependence upon foreign sources to increase, or we can step up exploration for conventional crude and increase our research in improved recovery methods, or we can commence intensive efforts to develop synthetic sources.

Should we decide to ignore the warnings that have been given and proceed on our present course, I believe that serious consequences will ensue. I am sure I need not remind you of the serious situation that developed as a result of the Middle East crisis last year. While U.S. demands on Middle East oil are not large, a failure to maintain the flow of oil to Western Europe could have serious adverse effects upon our national security. Since the Middle East is the major source for petroleum for our NATO allies, it is not necessary to emphasize the significance of oil embargoes, the closing of pipelines and the closing of Suez to the security of the Free World. Unfortunately, our Government's policy seems to be let's ignore it and maybe it'll go away. The clear prospects are, however, that the situation will become more critical with the passage of each year. At the present time about 20% of our demand is supplied by foreign sources, and this percentage will increase unless something is done to reverse the trend.

It would be foolish to say that the annual importation of nearly 900 million barrels of petroleum has not had a considerable impact upon our balance of payments. If one considered those imports *just in terms of their value as crude oil* we are talking in terms of $2.5 billion annually. Of course, such figures cannot be applied directly because of such factors as transportation, foreign taxation, repatriation of income of U.S. based corporations and the like. But it is safe to say that the impact of supplying all of our domestic demands by domestic production would have a significant curative effect upon our balance of payments dilemma, which chalked up another $3½ billion deficit in 1967.

The second alternative, to step up exploration and improve recovery methods, has been in progress for many years. To reverse the trend towards greater dependence upon foreign oil will require efforts of gigantic proportions and a whole lot of luck. Before such a course is followed, there must be some reasonable basis for believing that vastly increased efforts in this field will produce results proportionate with the risks. This requires us to believe that there is almost a never-ending supply of new oil fields to be discovered and that increased exploration will yield proportionately larger production capabilities. This kind of reasoning flies in the face of certain hard facts. For example, if recovery methods could achieve that theoretical ideal of 100% recovery of all of the oil in-place, where do you go from there? Also, it is a fact that oil is a non-renewable resource, and once it is extracted, it is gone forever. Furthermore, if there are X number of potential oil bearing geologic formations in the country, the number of undiscovered formations is X minus the number discovered so far. It is evident, then, that stepped-up efforts in exploration and recovery methods can only be partially satisfactory, and certainly, can never be the answer in terms of the long run. Further, with something in excess of $4 billion being spent annually in exploration and improved recovery, the question is, How much more can be spent wisely and productively?" While I am not prepared to say that the doubling of annual expenditures in these fields might not be rewarded with proportionate increases in reserves, I believe it to be imprudent to base the health of our nation's energy posture on that one "possibility." We need an ace in the hole.

If we pursue the third alternative, I believe we will have that "ace in the hole." Inasmuch as the two speakers who preceded me discussed other sources of synthetic fuels, it would seem that many of you present here today believe that there is a future for synthetics and that on that future rests our national energy future. In my opinion, it is both wise and essential that we vigorously search for an economical source for large quantities of synthetic fuels within our borders, and the sooner we find such a source or sources the better.

There are several possible sources for synthetic fuels: Coal, tar sands, oil shale, and to some extent natural gas. I have qualified natural gas for two reasons: first, because natural gas already has excellent marketing and use potential in its native form and second, because in terms of projected use, natural gas does not enjoy a reserve posture much better than conventional crude. Therefore, in my view, the three sources of hydrocarbons which possess the greatest long-term potential for development are oil shale, coal and tar sands.

Tar sands received a big push with the Fort McMurray plant start-up. However, with a production capacity of 45,000 barrels per day and the cost of delivering a barrel of refinery grade crude more than three times the cost of conventional oil, the operation is little more than at the breakeven level. While Sun Oil has not divulged cost figures, estimates by knowledgeable oil men put the cost at approximately $2.55 per barrel delivered to Edmonston Refineries as compared to 79 cents per barrel for conventional crude. Of course, operational experience can do much to improve cost factors of the operation, providing such improvements are not offset by increased equipment costs. But, Canada and Alberta are very concerned about protecting their conventional oil production—much of which is exported to the United States. As a result tar sand production limitations are likely to remain, and will be modified only when and to the extent that tar sand production will not adversely affect conventional production. Recent news articles concerning increased production limitations seem to be completely in accord with this policy and as a result, would seem to give the edge to Japanese interests who will market their output only in Japan. Also, while Canada and the United States are perhaps the friendliest neighbors in history, nevertheless, the development of the Athabasca tar sands will require dealing with a foreign government, and therefore many unknowns are necessarily involved. In addition, in order to reach the primary market, such oil products must cross an international boundary thus subjecting it to the exigencies of tariff and quota regulation. However, Sun Oil's investment of nearly $220 million cannot be viewed as anything less than substantial proof of their faith in the future of tar sands.

On the other hand, coal has received governmental help for many years. Government spending for coal research has steadily increased from a 1963 level of under $2 million to a 1969 level of nearly $14 million. Perhaps, coal's favorable geography—that is, deposits are widely dispersed throughout the country with large deposits in Appalachia—accounts not only for the Government's interest but also some of the interest exhibited by oil companies. By its wide dispersal, coal is generally located closer to markets and seldom very far away from a pipeline or refinery. Coal also enjoys the benefits associated with broad representation in Congress. In addition, it has the advantage of being located primarily on private land. Thus, the nation's largest bituminous coal reserves of Illinois, the giant lignite deposits of North Dakota, and of course the well-known anthracite and bituminous coal fields of Pennsylvania and West Virginia may be exploited without obtaining Government leases and official sanctions. Certainly, this is not an insignificant consideration, and especially under present governmental attitudes and policy trends.

While dispersal of deposits may work to the advantage of coal, it could, on the other hand, work to its disadvantage. From what I have learned about the field of synthetic fuels, the economics will depend upon large-scale operations. With the huge investment involved, concentration of deposits within close geographical proximity can be an advantage that would offset the costs associated with distance from primary market centers. Oil shale, as no other source of synthetic fuels, has a geographical concentration of reserves. No other source of hydrocarbons even approaches the size of the oil shale deposits. While the tar sand deposits of Alberta are huge, they represent only a fraction of the reserves in the Green River Formation of Colorado, Wyoming and Utah.

In a recent trade journal article, the author noted that politics was one of the hampering factors to oil shale development. Unfortunately, I must agree with his view. The only qualification I would make to his observation is that while politics have been and may continue to delay oil shale development, these politics are not the usual brand of partisan politics. They are a new breed of politics, having little reference to party labels. It is difficult to describe this kind of politics, primarily because it is almost impossible to isolate its true motivations. As a result, the course of those politics are not predictable. The only predictable element is the continued confusion and agitation they will create, all in the name of protecting the public interest. The public interest, however, is always equated with the furtherance of the pet projects of the agitator and thus, the public interest changes with each new agitator.

Oil shale development has been the subject of several sets of Congressional and Departmental hearings. The Senate Interior Committee has held at least three sets of hearings, the Antitrust and Monopoly Subcommittee of the Senate Judiciary Committee held two sets of extensive hearings and have announced more, and, I am informed that the Joint Economic Committee is considering hearings. Many of you probably shared my initial reaction of wonder at the appropriateness and timing of Antitrust and Monopoly hearings on a non-existent industry. But, then, no other non-existent industry has had the benefit of so much study. It has come under study by advisory committees, Senate committees, ad hoc committees, interim committees, watch-dog committees, and so forth, ad infinitum. In addition, oil shale will come under intensive study by the Public Land Law Review Commission. And I suppose the new White House Energy Policy Board will also take a crack at it. About the only prospective results of all this study is that oil shale will be studied to death.

From my observations, suggestions on policies that would lead to an early development of a viable oil shale industry under traditional private enterprise concepts with due regard for the public interest have, for the most part, fallen on disinterested ears. What has received the most attention in certain circles of official and non-official Washington have been schemes on how to divide up and spend the vast proceeds they envision. The goose is being squeezed liberally. My fear is that it will be squeezed to death before it has a chance to lay any golden eggs. Before there is to be an oil shale industry, there has to be a general recognition of the fact that the oil shale goose is, at best, only a gosling, and more accurately, is just breaking out of its egg shell and is not likely to mature unless it is nurtured. Once that realization has taken hold, perhaps we can then focus on trying to find answers to the problems which have stood in the way of oil shale development.

At this point, it may be useful to re-evaluate the elements essential to the development of an oil shale industry. First, there must be a market. The energy demands of this country have shown such a continuous growth pattern that I think there is little doubt about the marketability of shale oil. For example, if we had relied on oil shale to fulfill just the increase in demand in 1966 as compared to the 1965 demand—an increase of about 200 million barrels—it would have required eleven retorts and up-grading facilities, each with a daily capacity of 50,000 barrels. The 1967 increase in demand would have probably required another dozen plants to be constructed and put on stream. At an estimated cost of $125 million per plant, we are talking in terms of a capital outlay of nearly $1½ billion per year.

Next, shale oil must be economically competitive. In our system of competitive enterprise, the inefficient and uneconomic industrial enterprises are soon replaced by efficient and economic enterprises. The bones of the inefficient and uneconomic are strewn throughout our industrial history. (As an aside, I wish I could say the same for uneconomic and inefficient government enterprises.) I must confess, however, that I have been somewhat disappointed in the technological progress achieved so far. Perhaps I have been hoping for more than I had a right to. I do not mean to paint a dark picture, research results have been very encouraging, but perhaps I have been guilty of engaging in a Walter Mitty type fantasy by expecting a dramatic break-through. Because I am the ranking minority member of the Appropriations Subcommittee which funds the National Aeronautics and Space Administration perhaps I was thinking in astronomical terms. But when the results of oil shale research are compared to space research on a basis of money spent and time involved, the results are truly remarkable. I am convinced that an equal amount of Government-sponsored research would not have produced nearly so much. There is just no substitute for the profit motive in encouraging productive industrial research. There is little doubt that much more research must be done to achieve a competitive shale oil, and I believe it will be done.

The next question that immediately comes to mind is the question of availability of reserves. It is true that the bulk of the thickest and richest reserves are on government land. Nevertheless, the Department of the Interior estimates that more than 300,000 acres of oil shale lands in the Piceance Basin are in private ownership. On the average, the deposits on the private land are not nearly so thick nor so rich as the deposits on government land, but the question has been raised in several quarters. If the oil companies are really interested in developing oil shale, why don't they develop their own land? As far as it goes, it is a fair question. The answer is, of course, that no company can take the risk of spending hundreds of millions of dollars for oil shale plants only to find out that the Federal Government is going to make the richer and thicker deposits available on such favorable terms as to grant a great competitive advantage to the "Johnny-come-latelys." In other words, the industry must know what the Government will do with its great majority of the resource before it can plan intelligently. This answer is eminently sensible to me.

This unknown factor must be resolved, but there are several possible solutions. The first, and most obvious, solution would be for the Government to commence a reasonable leasing program which would give all those interested a chance to participate on a competitive basis. After reviewing numerous suggested proposals, and with great trepidation, the Secretary of the Interior issued proposed regulations. These proposed regulations were so restrictive that it is extremely doubtful that any company would apply for a lease under them. The Congressional reception on both ends of the ideological spectrum was cool. In fact, if a conscious effort had been made to draw a set of regulations that would please no one, I do not think the job could have been done more effectively. These proposed regulations are presently in a state of suspension awaiting a finalization of the review of the comments elicited. While I do not consider myself to be a prophet, in all candor, I do not expect much change in the critical areas.

The second possible solution would be to guarantee that no leases would be granted on terms that would give a competitive advantage to "Johnny-come-lately" leaseholders. There is, of course, no practical way to make such a guarantee. However, current prospects are that rather than being more favorable, lease terms are likely to be more restrictive, at least so long as it is private industry which is applying for a lease. If, on the other hand, it is a TVA-type government-owned corporation or even a public-private ComSat type corporation, the terms are most likely to be highly favorable. In my opinion, the likelihood of a TVA or ComSat type corporation will be proportionately reduced in ratio with the quantity of private industry shale oil production.

The third possible solution is to somehow freeze the government-owned deposits out of competition. This may have already been accomplished, inadvertently, by the Department of the Interior, as a result of two events. The first was the launching and encouragement of what has become the multi-phased committee study programs, and as you know, one committee study begets another, and that in turn begets another study, and so on and so forth. The second was the failure of the Secretary to withdraw oil shale lands from all mineral entry, thus permitting the filing of several thousand overlying claims for other minerals, such as dawsonite and nacholite, which are intermingled with oil shale, during 1965, 1966, and up to the withdrawal order of January 27, 1967. Simply by inadvertance, hundreds of thousands of acres of the richest and thickest government-owned oil shale deposits have been locked up in what Secretary Udall called the legal underbrush.

In response to my questioning during the Senate Interior Committee hearings in February of last year, the Secretary estimated that it would require an additional 67 people at a cost of $905,000 to carry out a full-scale investigation and adjudication program to start clearing up the title to lands encumbered by outstanding mining claims. It should be emphasized that this was only the first year's impact, and, of course, the cost estimates were made prior to the Federal employees' pay raise. With respect to the question of how long it would take to clear away this "legal underbrush," neither the Secretary nor the Solicitor would even hazard a guess. The Solicitor, however, did indicate the approach to be taken by the Department. Under present plans, the Department will select a group of dawsonite claims and will attack them on the basis that dawsonite is a sodium carbonate in the statutory sense of the Mineral Leasing Act and therefore not locatable. As you know, dawsonite is a sodium aluminum carbonate. Assuming his success—and the Solicitor recognizes that the question will ultimately have to be determined by a court—the remainder of the claims will simply be ignored. This legal strategy appears to be sound, but there is a complicating collateral issue. There are at least eight outstanding lease applications on the dawsonite. These applications have resulted from the discovery of sodium, including dawsonite and nacholite, on prospecting permits issued by the Department under the provisions of the Mineral Leasing Act. Each covers an area of 2,560 acres for a total of about 20,500 acres. The lease applicants have prudently protected themselves by filing overlying mining claims, which in theory would be based upon the presumption that dawsonite is principally valuable for its aluminum content, and therefore, does not fall within the usual leasability rule pertaining to sodium minerals. It should be noted that the lease applications cover lands in the thickest and richest part of the Piceance Basin.

The dilemma of the Department is that if it vigorously moves against the mining claims on a basis that dawsonite is leasable, what effect does this have on the lease applications? In other words, if the Department pursues a course to prove that dawsonite is leasable, on what basis does the Department deny leases to the applicants? Might not the actions of the Department in these circumstances add strength to the position of the lease applicants? Of course, the Department might seize upon the provision of the statute which provides that the land must be chiefly valuable for the mineral discovered by the permittee. While I have no way of knowing the accuracy of certain analyses I have seen nevertheless, those analyses purport to show that the land may be more valuable for aluminum than for oil shale. There is, however, one other aspect of this which would tend to weaken a possible position that the land is not chiefly valuable for dawsonite. So long as there is no economically commercial process for producing shale oil at a competitive price, how can the Department maintain that the land is not chiefly valuable for dawsonite, assuming, of course, that dawsonite can be mined economically? To put it another way, the Department would be hard put to maintain that the land was chiefly valuable for oil shale when there is no present existing economically commercial process for producing oil shale. Further, if the Department is successful in persuading the courts that the land is chiefly valuable for oil shale, what effect will this have with respect to the Department's position of contesting the pre-1920 oil shale claims on the theory that a valuable mineral, namely, oil shale, had not been discovered? Would not the Department's case against such claims be greatly weakened?

No matter which route the Secretary follows, there are those self-anointed protectors of the public interest who will shout giveaway and Teapot Dome. The Secretary knows this better than anyone else. Put yourself in his shoes and ask yourself what you would do. Probably nothing other than stringing the matter along as long as possible and hoping for a break. Those of you who are lawyers know that frequently the mere passage of time can cure sticky problems.

From all this it is evident that the Department finds itself entangled in a legal bramblebush. In my opinion, it will take many years and perhaps decades before the Department can extricate itself, and most likely the Department will invoke what some lawyers facetiously call the doctrine of sleeping dogs.

Each company will, of course, have to make its own evaluation of the potentiality of a meaningful oil shale leasing program, and whether such leases will be granted on terms that would create a competitive disadvantage to companies which have launched an oil shale development program on private lands. Personally, I believe that a company could justifiably risk such development under the circumstances I have outlined. Undeniably, it will require bold action on the part of industry, but it would quash the whispers and innuendoes to the effect that "industry really does not want oil shale development, that all industry wants to do is tie up oil shale lands to either prevent competition or hold them for development in the distant future." One group is, apparently, proceeding to make its development on private lands. Its management must feel that the risk is justifiable.

In the final analysis then, only industry can answer the question: "Shale oil" to be or not to be? But it might be helped by a Secretary of Interior, aware of the realities of fuel supplies and future needs, whose philosophy of resource administration was less fuzzy and more courageous.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the period for the transaction of routine morning business be extended for 5 minutes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the time allotted to the Mundt amendment not expire until 1:15 p.m. today.

The PRESIDING OFFICER. Is there objection?

Mr. MUNDT. Mr. President, no objection.

The PRESIDING OFFICER. There being no objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the period for the transaction of routine business be extended an additional 5 minutes beyond that which was included in my request made just a moment ago.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. MUNDT. Mr. President, making a total of 10 minutes?

The PRESIDING OFFICER. Yes.

NATIONAL JEWISH HOSPITAL SAVE YOUR BREATH MONTH

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1002, House Joint Resolution 933.

The PRESIDING OFFICER. The joint resolution will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A joint resolution (H.J. Res. 933) to proclaim National Jewish Hospital Save Your Breath Month.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution, which had been reported from the Committee on the Judiciary, with an amendment, on page 1, line 8, after the word "designating", strike out "May" and insert "April".

Mr. DOMINICK. Mr. President, chronic respiratory disease is continuing to increase in the United States in spite of all the advances of modern medicine. To assist in alerting people to the seriousness of these diseases, to emphasize the importance of early detection, and to inform the public of the medical knowledge and research underway in this field—these are the goals of the National Jewish Hospital Save Your Breath Month.

The resolution reported by the Senate Judiciary Committee (H.J. Res. 933) is the companion measure from the House of Representatives to Senate Joint Resolution 127 which I introduced with 32 cosponsors on December 5, 1967. It authorizes and requests the President to designate April 1968 as National Jewish Hospital Save Your Breath Month.

At the time of introduction of the Senate resolution, I spoke at some length on the fine work, nationally and internationally, of the National Jewish Hospital not only in treatment but in research, education, and rehabilitation. The National Jewish Hospital operates as an extension and an addition to the medical and research facilities of every community in the land. The hospital has given more than 5 million days of free treatment to patients from some 6,000 communities throughout the Nation. The cost of care available at National Jewish Hospital—a cost which would otherwise be borne by the communities from which patients come—neared $5 million for fiscal 1965–66.

Its admission requirement "None may enter who can pay—none can pay who enter" is known around the world.

Mr. President, chronic respiratory diseases now constitute the major single cause of time lost from work or school and rank fourth in the cause of death. Tuberculosis, asthma, emphysema, and other pulmonary cripplers now afflict more than 10 million Americans, killing an estimated 160,000 a year.

Tuberculosis, still the world's No. 1 infectious disease, continues in this country and abroad despite efforts to eradicate it. An estimated 1.5 billion persons—half the world population—are believed to be infected with the germ of tuberculosis. Some estimates are that 30 million Americans now carry the inactive germ. New, active cases are reported at the rate of 50,000 a year. Americans still die of tuberculosis—about 8,000 annually.

More than 4 million suffer from asthma in the Nation. Asthma kills 4,000 people a year.

Approximately 3 million people are suffering from emphysema, a disease of irreparable lung destruction. The Social Security Administration reports the disease disables more than 15,000 workers every year.

Emphysema and chronic bronchitis have sprung from relative obscurity into grim prominence as killer diseases, taking a total of 20,000 lives a year in the United States.

National Jewish Hospital Save Your Breath Month will serve as the focal point of a comprehensive educational campaign to meet the challenge of these tragic cases. I earnestly urge the adoption by the Senate of the resolution.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The joint resolution is open to further amendment.

If there be no further amendment to be proposed, the question is on the engrossment of the amendment and the third reading of the joint resolution.

The amendment was ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time, and passed.

WORDS OF WISDOM(?)

Mr. YOUNG of Ohio. Mr. President, Gen. William C. Westmoreland in June 1964, in Vietnam said:

> I don't see any reason for expansion of the U.S. role in Vietnam. I am optimistic and we are making good progress.

General Westmoreland, in July, 1964, in Vietnam stated:

> This is a place where the reputation of the United States and its Armed Forces is on the line. I believe the whole operation is moving in our favor.

General Westmoreland, in April, 1965, addressing American troops said:

> Your country is beginning to win the war. You have to win it in the south by carrying the war to the Vietcong. This is the time to be more aggressive and take the offensive.

This, from the same commanding general whose Armed Forces including even the Marines, were and are on the defensive everywhere in South Vietnam.

Never before in the history of our country has any general done so little with so much.

General Westmoreland, throughout the latter part of 1967 and until he was relieved of his command in March 1968, had under his command in Vietnam 525,000 U.S. fighting men, in addition 50,000 Republic of South Korea fighting men, in addition more than 7,000 Australian and New Zealand combat troops, and in addition 45,000 U.S. servicemen in Thailand, mostly men of our Air Force engaged in bombing targets in South Vietnam and also north of the demilitarized zone in the Hanoi area and elsewhere in Vietnam. In addition, he also had at his disposal one-third of the entire naval power of the United States off the shores of South Vietnam, adding tremendous firepower to our bombers and artillery.

Yet, throughout January, February, and March 1968 our Armed Forces, even the Marines, have been on the defensive everywhere in South Vietnam. Then, on February 1, 1968, in Saigon following the VC Tet offensive, General Westmoreland stated:

> This was a deceitful and treacherous act of the enemy.

To this Secretary of State Dean Rusk would undoubtedly add his oft-repeated silly statement:

> The VC perpetrated a treacherous sneak attack in the darkness of the night.

On Christmas night of 1776, Gen. George Washington in the darkness of the night in the midst of a blinding snowstorm crossed the Delaware River, leading his Continental Army of 8,000, most of them without overcoats and many without shoes. He marched this small force of patriots 8 miles to Trenton and delivered a surprise attack upon the drunken and bewildered Hessian mercenaries still celebrating Christmas or in a state of drunken slumber. Their commanding officer, Colonel Rahl, recovering from a midnight celebration of drinking and gambling, dashed out from his quarters to rally his men. He was killed. More than 2,000 Hessians in the service of King George III were captured. General Washington's soldiers, following this victory, had shoes, overcoats, and muskets, and shortly thereafter went on to win the Battle of Princton, American historians have hailed General Washington's surprise attack and victory at Trenton as the turning point of the Revolutionary War.

Still, Secretary Dean Rusk constantly talks about aggression from the north, ignoring altogether the fact that the Geneva Agreement of 1954 specifically stated that the 17th parallel demarcation line separating Vietnam into two parts was simply a temporary demarcation line and was not to be regarded as a national boundary. Then, if any credence is to be given to his and General Westmoreland's stupid statements regarding deceitful, treacherous acts by the enemy, they are trying to rewrite American history, as it follows that they must term General Washington's victory at Trenton and his valiant crossing of the Delaware River in the darkness and snow and ice of Christmas night and charging the Hessians "a deceitful sneak attack."

General Westmoreland's last request before being relieved of his command was "for 200,000 more GI's" to be sent to Vietnam. Apparently, our new Secretary of Defense, Clark Clifford, did not exude enthusiasm. Perhaps he asked, "What have you done with what we already gave you?" The facts are, never before has an American general done so little with so much.

EXECUTIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate go into executive session to consider nominations on the Executive Calendar.

There being no objection, the Senate proceeded to consider executive business.

DEPARTMENT OF JUSTICE

The assistant legislative clerk read the following nominations:

Edward J. Schwartz, of California, to be U.S. district judge for the southern district of California.

George I. Cline, of Kentucky, to be U.S. attorney for the eastern district of Kentucky.

Klyde Robinson, of South Carolina, to be U.S. attorney for the district of South Carolina.

James E. Atwood, of Washington, to be U.S. marshal for the eastern district of Washington.

Mr. KUCHEL. Mr. President, I am most pleased by the nomination of Edward J. Schwartz as district court judge for the southern district of California. This nomination, which the Senate is about to confirm, marks the high point of an outstanding career of service to his profession, his community, and his Nation.

Receiving his B.A. and LL.B. degrees from California schools, Judge Schwartz practiced law in California for close to 20 years, with the exception of a tour of duty during World War II as lieutenant commander in the U.S. Navy. In 1959, he was appointed judge of the municipal court in San Diego and later, in 1964, superior court judge of San Diego County. During his years on the Municipal and Superior Courts of San Diego, he has amassed a reputation among both judges and lawyers of the utmost competence, fairness, and understanding. Beyond that, he enjoys an impeccable family life.

On the basis of his high reputation and his outstanding qualifications for district court judge, I am hopeful that the Senate will proceed quickly to confirm this nomination. I ask unanimous consent that a brief biography of Judge Schwartz be inserted in the RECORD at this point.

There being no objection, the biography was ordered to be printed in the RECORD, as follows:

EDWARD J. SCHWARTZ

Born: 3-26-1912, Seattle, Washington.

Education: 1930—1932, San Diego State College; 1933—1934, University of California, Berkeley, Calif., B.A. degree; 1934—1936, University of California Law School; 1937—1939, San Francisco Law School, San Francisco, California, LL.B. degree.

Bar: 1940, California.

Experience: 1940—1941, Clifford C. Pease San Diego, Calif., Associate; 1942—1945, U.S. Navy, Lt. Commander when discharged; 1946—1947, Cory & Schwartz, San Diego, Calif. Partner; 1947—1959, Price, Nottbusch, Cory & Schwartz, San Diego, California—later Procopio, Price, Cory & Schwartz, Partner; 10-23-59—2-5-64, Judge of Municipal Court San Diego, California; 1961—1965, Judicial Council of California, Member; 1967, National College of State Trial Judges, University of Nevada, Member of faculty; 2-5-64—present, Judge of the Superior Court of the County of San Diego.

Marital Status: Married, 3 children.

Office: Dept. "5"', Superior Court, County Courthouse 220 W. Broadway, San Diego, Calif., 92101.

Home: 3624 Warner St., San Diego, Calif., 92106.

To be United States District Judge for the Southern District of California.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

FOREIGN CLAIMS SETTLEMENT COMMISSION

The assistant legislative clerk read the nomination of Leonard v. B. Sutton, of Colorado, to be a member of the Foreign Claims Settlement Commission.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of the nominations.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEE ON ARMED SERVICES

Mr. TOWER. Mr. President, from the Committee on Armed Services I report favorably the nominations of one general officer in the Air Force and 37 rear admirals in the Navy, and ask that these names be placed on the Executive Calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations, ordered to be placed on the Executive Calendar, are as follows:

Lt. Gen. Jack G. Merrell (major general, Regular Air Force), U.S. Air Force, to be assigned to positions of importance and responsibility designated by the President, in the grade of general while so serving; and

Thomas D. Davies, and sundry other officers, for promotion in the Navy.

Mr. TOWER. Mr. President, in addition, I report favorably 3,050 appointments and promotions in the Navy in the grade of commander and below, as well as 193 appointments in the Marine Corps in the grade of second lieutenant. Since these names have already been printed in the CONGRESSIONAL RECORD, in order to save the expense of printing on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations, ordered to lie on the desk, are as follows:

Peter D. Abbott, and sundry other officers, for promotion in the Navy;

Eric T. Helland (civilian college graduate), for appointment in the Navy;

Steven L. Bennett, and sundry other Naval Reserve officers, for appointment in the Navy;

Gary K. Anderson, and sundry other Naval Reserve Officers' Training Corps candidates, for appointment in the Navy;

William M. Adney, and sundry other Naval Reserve Officer's Training Corps candidates, for appointment in the Navy;

Donald L. Atchison, and sundry other graduates of the Navy enlisted scientific education program, for appointment in the Navy;

Joseph P. Higgins, Jr. (civilian college graduate), for appointment in the Navy;

James T. Clynes, and sundry other Naval Reserve officers, for appointment in the Navy;

Paul J. Post, U.S. Navy retired officer, to be a permanent lieutenant commander in the Navy;

Franklin S. Allen III, and sundry other platoon leaders, for appointment in the Marine Corps;

Albert M. Bensley, and sundry other Naval Reserve Officer's Training Corps officers, for appointment in the Marine Corps;

William F. Blum, and sundry other U.S. Air Force Academy graduates, for appointment in the Marine Corps.

LEGISLATIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate return to the consideration of legislative business.

There being no objection, the Senate resumed the consideration of legislative business.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, how much time remains for the transaction of routine business?

The PRESIDING OFFICER. Two minutes.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business?

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the period for the transaction of routine morning business be extended to not beyond 11:45 a.m. today.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

COMMENDATION OF TREASURY OFFICIALS BARR AND FOWLER

Mr. BYRD of Virginia. Mr. President, I rise to commend the forthrightness of the Under Secretary of the Treasury, Mr. Joseph W. Barr, when he testified this week before the Senate Foreign Relations Committee.

Mr. Barr made it clear that, in his judgment, this country cannot continue indefinitely to fight a costly war in Southeast Asia and simultaneously expand domestic spending. This is in contrast to what other members of the administration are saying.

When Senator SYMINGTON called attention to a statement by former Secretary of Defense McNamara that this country could continue to do both, and simultaneously finance another war like Vietnam, Mr. Barr answered in these words:

> I would amend this statement by saying: If we are willing to reduce our standard of living.

Mr. Barr said that his frankness might lead to his being fired or impeached.

We hope not. What Congress needs is more officials of Government who will speak frankly and present the facts as they see them. The White House, Tuesday, seemed to repudiate Mr. Barr's statement, but I for one feel Mr. Barr is right and Mr. McNamara is wrong.

Speaking of the Treasury Department, I want to express warm appreciation for the dedicated service being rendered our Nation by Henry H. Fowler, Secretary of the Treasury. He has a tough, difficult job. He is serving at great financial sacrifice.

There have been matters of policy where I find myself in disagreement with the Secretary of the Treasury and have had to record those convictions in my Senate votes.

But I feel that Mr. Fowler is a victim of circumstances over which he has little control and is forced to deal with problems which are not of his making.

His Government has committed itself to a course of spending beyond its means and Harry Fowler is left with the job of trying to make ends meet when the ends are so far apart that his task approaches the impossible.

So, today, Mr. President, I salute two able, dedicated public officials, Henry H. Fowler and Joseph W. Barr.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. BYRD of Virginia. I yield to the Senator from Delaware.

Mr. WILLIAMS of Delaware. I join the Senator from Virginia in paying respects to Mr. Joseph Barr for the courageous statement which he made to the Committee on Foreign Relations. What he stated should have been said by high officials in the administration long ago. In this connection, I ask unanimous consent to have printed in the RECORD a very appropriate editorial entitled "What the President Should Be Saying," published in yesterday's Washington Daily News.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Daily News, Mar. 27, 1968]

WHAT THE PRESIDENT SHOULD BE SAYING

Finally someone near the top in the Administration has had the guts to take the camouflage off the truth concerning our country's financial situation.

In some of the frankest testimony heard on Capitol Hill from an Administration official in many a day, Treasury Under Secretary Joe Barr disputed the long-espoused Administration dogma that we can have guns in Vietnam and butter at home. This, he said, could be done only if we are willing to get down to "the subsistence level of the Russians or someone else."

Touche, Mr. Barr! This has been apparent to many for a long time. But it's encouraging to have someone, even if at the No. 2 Cabinet level, come out and say it—plainly.

And this on a day when President Johnson was telling farm and labor groups how good everything is!

"I'm not saying you never had it so good," the President told the labor group. "But that's a fact—isn't it?"

Mr. Barr even was candid enough to put his finger on what probably is the real heart of our domestic financial woes: The fact that the Government has continuously underestimated what it had to have for military spending.

Mr. Barr said we now face a "back to back" deficit of $20 billion for the current fiscal year and another $20 billion for the year beginning July 1, if the surtax doesn't pass.

"It's intolerable" he said. "We can't do it."

Mr. Barr called strongly for the Administration's proposed tax increase, endorsed some cuts in Federal spending and pictured, if these steps are not taken, a severe erosion in the purchasing power of the dollar at home and a severe erosion of the international value of the dollar—where the consequences can be even more severe.

All of which is true.

But, with all due respect to Mr. Barr, it would be much more meaningful for the long-term (and short-term) welfare of this country if these words were coming from President Johnson.

The President talked about "austerity" and "belt-tightening" more than a week ago. But since then there have been few, if any, references to "austerity" and certainly no White House-directed moves to cut spending as a measure of inducing Congress to pass the absolutely essential tax increase bill.

We'd wager President Johnson would be pleasantly surprised by public reaction if he'd cut out his campaign oratory about how wonderful everything is and frankly tell the American people and fight for what must be done. And then buckle down and get on with the job himself.

Note: The British stock market has hit new highs since the British government came out with the toughest "austerity" budget in recent history.

It's hard to imagine any different response from the American people.

Mr. BYRD of Virginia. Mr. President, I concur in the remarks of the distinguished Senator from Delaware. I, too, believe that it is high time that more officials of the Government should be speaking out on the very grave problem of financial responsibility facing our Government.

THE VICE PRESIDENT ADDRESSES THE LEGISLATIVE CONFERENCE OF THE BUILDING CONSTRUCTION TRADES DEPARTMENT, AFL-CIO

Mr. HART. Mr. President, this morning Vice President HUMPHREY delivered a speech here in Washington which I believe should clarify the viewpoint of the administration with respect to the report of the Commission on Civil Disorders.

In remarks to the Legislative Conference of the Building Construction Trades Department, AFL–CIO, the Vice President termed the report "a comprehensive, in-depth analysis of social, economic, and psychological problems facing the American people today."

Mr. President, I ask unanimous consent that this speech by the Vice President be printed in the RECORD at this point in my remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS OF VICE PRESIDENT HUMPHREY TO THE 13TH NATIONAL LEGISLATIVE CONFERENCE OF THE BUILDING CONSTRUCTION TRADES DEPARTMENT, AFL–CIO, WASHINGTON, D.C., MARCH 28, 1968

We used to call upon our unions to sustain the rights of labor. Today we call upon them to expand the rights of man. That is the urgent business before America today.

America has adopted a new moral concern. Once it was said that the poor would always be with us. Today we know that poverty is a national shame that can and must be wiped out.

Once many Americans thought a "cushion" of hard-core unemployment was an economic necessity. Today almost all Americans condemn it as a social tragedy and economic waste.

Once slums were considered inevitable in the landscape of industrialization. Today we recognize them as a blight that must be eliminated.

Once many believed that America could comfortably and indefinitely house two societies—separate and equal. Today we know we must create "one nation, under God, indivisible, with liberty and justice for all"—or fail as a free people.

The American labor movement has always played a vital and effective role in helping citizens lift themselves into *real* citizenship in this country. The free labor movement has been a bridge—a bridge to self-respect and human dignity—for millions of Americans.

Today there are Americans who have yet to cross that bridge. Many of those Americans have skins that don't happen to be white. Some are, in a sense, refugees. They cannot return to the rural poverty from which they or their parents fled. But they don't have the jobs, the skills, the education and training to make their way alone in an America that glitters and shines with prosperity wherever they turn.

Depression in America? Not in my neighborhood or yours. But there *are* streets and neighborhoods in America today where unemployment or underemployment rates are as high as 35 per cent. *This is* depression in these streets and neighborhoods.

What happens to the children there?

What will become of them?

What happens to America in the years ahead when the invoices of poverty and discrimination in these streets and neighborhoods come due for payment by our society as a whole?

The recent report of the National Advisory Commission on Civil Disorders tells the story of these streets and neighborhoods.

So there will be no misunderstanding, I want to make it clear once and for all: I believe the more important and principal conclusions of the report are right. I commend the report and thank its authors.

This report is a full diagnosis of the urban crisis. It is a comprehensive, in-depth analysis of social, economic, and psychological problems facing the American people today. It is not an obituary for a dead society. It is a health report on a nation in turmoil, ferment and change. It documents the challenges facing a country striving to overcome generations of discrimination, alienation, and deprivation, and does it well. Most importantly, the Commission's report calls for a *national* commitment of physical and human resources commensurate to this challenge.

Federal government must and will make its contribution to this effort. Much has already been achieved at the federal level. President Johnson's messages to the Congress this year—especially those dealing with manpower, the urban crisis, and law enforcement and crime control—stand as a major first installment on the principal recommendations of the National Advisory Commission.

But this *national* commitment requires far more than action by the federal government . . . and more than new laws to abolish segregation and guarantee equal opportunity. It requires determination on the part of state and local officials—mayors, chiefs of police, city councils—that justice shall be available to every citizen. It requires fair attitudes and fair practices—fair human relations on the part of every citizen.

There are things that can be done now in every city, in every industry, in every community to affirm the American promise of full and equal opportunity.

The poor and left-out of America need to know that the war on poverty is more than a federal government activity . . . and that *all* of us, as people, mean to wage this war with all our hearts. They need to know *by action and deed* that community services, for instance—yes, city services—will be brought to them just as to us.

It is a fact that in the areas of our urban centers, that are poorest, the municipal services are likely to be the worst. That is where the garbage is collected least often. The schools are often obsolete and ramshackle. The playgrounds and park services are inadequate or nonexistent. The incidence of crime is highest . . . but law enforcement is poorest. Parking tickets are given out right and left . . . but seldom a ticket for a building code violation.

But more than that, the poor and leftout need the positive and affirmative help of all Americans in finding work . . . in finding skills . . . in finding hope. They have heard, all their lives, America say "no." Today they must hear America say "yes." In so doing we will be acting to prevent the separation of our beloved America into two separate and unequal societies. That separation need not happen. It must not. It *will* not, if we respond by saying "yes."

Now I know you have begun to do your share, and I congratulate you.

In programs likes those of the Operating Engineers in Jacob's Creek, Tennessee, and, in Northern California, union men are training inner city young people to enter the trades. And these young people are being placed on the job—not on the street.

I am proud of the exchange of letters between President Haggerty and Secretary Wirtz—pledging the support of 3 and a half million buildings trades workers in efforts—and let me quote them—"efforts to eliminate, once and for all, discrimination on the basis of race, color, creed and national origin."

Your pledge is really America's pledge.

America is saying "Look, this can work. These free union people know the problem and they are working toward solutions."

I have worked with America's unions for a long-time. I know what your pledge means. But do the people you want to help know? After all, they have heard pledges before . . . some of them as old as our nation—like the promise of equal opportunity for every man. And some of those pledges have yet to be fulfilled. They know the system as it has been. A crew goes off on a job. And there is a low man . . . the one the crew picks up on one of the "shape-up" street corners in town.

Maybe that man "makes it" well enough to be part of the job tomorrow. Maybe he doesn't. Maybe there is no job tomorrow; or the crew is heading in a different direction, past a different "shape-up." Or maybe, because he long ago lost hope, the man just isn't there at all.

The building trades are not the only ones where this is the way it is. And generations of other immigrant populations have endured the same. There are many of you can recall that this burden seemed lighter when you could come to believe that *eventually things would be different*.

The hand that mixes the "mud" or carries the pails or lugs the pipe or sorts the lumber—nothing ordains that hand be black.

The hand that wields the hawk or planes the chamfer or connects the wire—nothing ordains that hand be white.

The man who seems to drift on the perimeter of the job—the "add-on" . . . nothing ordains that man be black.

The man who seems to know what's going on . . . the man in charge . . . in fact, the man they call "The Man"—nothing ordains that man be white.

We should ask only one question: Does he have the necessary skills for his job? And has he been given an equal chance to acquire these skills?

It is the nature of labor demand today that primary job opportunities for thousands of our poor people will continue to be in the construction trades in our cities.

With your help, that demand can provide a bridge for today's left-out Americans, just as it has for other waves of migrant peoples who have found a bridge to the American way of life through the building trades.

Today's migrants into the mainstream of America may have some special disadvantages—ones our society has imposed upon them.

But you have done the job before when new generations of Americans needed a helping hand—and I know you can do it again.

We can help to build streets and neighborhoods and cities where children grow up straight and honest and strong.

We can show the world what Americans can do—when they roll their sleeves up. This is my job. This is your job.

The sign President Truman used to keep in his office tells the story: "The Buck Stops Here."

This is the Administration that is pledged to 500 thousand jobs for hard-core unemployed.

This is the Administration that has invested twice as much in education in the last four years as the federal government invested in the previous century.

This is the Administration that is investing three times as much in health programs in 1968 as was invested in 1964.

Our Administration—it is yours as much as mine—has offered a new Charter of Hope to millions of left-out Americans.

Our Administration is an opportunity Administration. It is a life-saving Administration.

It is an Administration that says: Give every man a chance.

Judge him by what he can do—not where he was born or what his name is.

It is an Administration that says: We are going to build this country so strong and so free that no one will ever shake it down.

Now America is about to negotiate a new four year contract—and that contract won't be subject to renegotiation. America will choose between a Republican candidate—you know him, Mr. Richard Nixon, and a Democratic leader—certainly President Lyndon B. Johnson.

America will choose between the old, familiar Republican Coalition of Retreat and your President and your policies—a President and policies that have moved America ahead farther in the last four years than in any previous decade.

We have been partners in politics and partners in progress for a long time. Now is the time we must make that partnership work—on the job, in our neighborhoods . . . on behalf of the President who stands for what we stand for. We have done it before. And we have won. We can do it again.

I ask your help.

MORE SOPHISTICATED WEAPONRY TO INDIA FROM THE SOVIET UNION

Mr. SYMINGTON. Mr. President, I ask unanimous consent that an article entitled "India Keeps Mum on Deal for Soviet Planes and Subs," written by Ernest Weatherall, and published in the Christian Science Monitor of Saturday, March 23, be inserted in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Christian Science Monitor, Mar, 23, 1968]

India Keeps Mum on Deal for Soviet Planes and Subs

(By Ernest Weatherall)

New Delhi.—Indian officials are maintaining a stony silence about reports that they have received 100 planes and soon will get four or five submarines from the Soviet Union.

The story that New Delhi would receive the planes originated in Washington. It reported that the Soviets were sending India SU–7 jet fighters, but there has never been any official confirmation of the story.

The SU–7 is a single-seat ground-attack fighter, named after its Soviet designer, Pavel Osipouich Sukhoi. It is not a new plane. It was seen first in the Soviet Union on "Aviation Day" in 1956. It was later observed in the Berlin area, and has been supplied by the Soviets to Poland and Czechoslovakia.

There are several versions of the SU–7. The one the Russians may be sending or have already sent to India carries four Soviet air-to-air missiles, and is equipped with a 30mm. cannon.

India no doubt would use the SU–7 for close air support, which is what it was designed for, and leave high-altitude fighting to the Russian-built MIGs in its Air Force.

BREAKDOWN DEBATABLE

A plant built with Soviet aid in South India has just gone into the production of MIG fighters. There is a question, however, on how much of the jet fighter is actually being manufactured in India, and how much in the way of prefabricated material and turbine components is being received from the Soviet Union to be assembled.

When Soviet Premier Alexei N. Kosygin was the guest of honor during the Republic Day parade, he not only saw MIG fighters and Soviet transports during the fly-over, but the first Russian-built SAM missile shown to the public. The latest components of the SAM were not in the parade since they are still classified.

Most of the secrets of the SAMs were learned last June when the Israelis captured an Egyptian SAM base during the Middle East war. The Arabs had not fired a single missile nor had made any attempt to destroy the base before abandoning it.

Western intelligence experts were able to learn what modifications had been made so that SAM missiles could operate in the heat of the desert and under other tropical conditions.

During the Indo-Pakistan war in 1965, it is said here the Russian-built SAM missiles, which ringed India's large cities, saved them from being bombed by the Pakistani Air Force. The Pakistanis were said to be so impressed with the Soviet assertion that the U–2 (which left on its overflight from a base in Pakistan) was shot down over the Soviet Union by a SAM missile, that they stayed clear of targets in India protected by them.

COMPLAINTS AIRED

As for the four or five submarines the Soviet Union is delivering to India, New Delhi has never denied the report. What has not been released is whether India is paying hard currency for the subs or has made some deal with the Russians to allow their warships to use Indian bases.

Recently the Soviet Navy Chief, Adm. Sergei Gorshkov, made a 10-day tour of India as part of his effort to line up a worldwide system of ports of call and bases for his navy. He hoped to persuade India to allow Soviet warships to pick up fuel or make repairs in Indian ports.

There is no doubt that since India's fleet is too small to fill the vacuum in the Indian Ocean when Britain pulls out in a few years, the Russians will want to come in.

India defends its turning to the Soviets for help in building up its armed forces. "After all," one general said, "You (the United States) wouldn't sell us any fighter planes or military equipment after the war with Pakistan, so we turned to the Soviet Union."

This is echoed by Pakistan, which perhaps has an even bigger complaint. After having geared their entire defense to American hardware, they found, because of the Indo-Pakistan war, that the United States would not sell them any spare parts for their equipment.

"Our American friends let us down," said one Pakistani official, "but we found the Chinese were willing to help us. It is as simple as that."

The first submarine ordered by India is expected to arrive from Russia by early spring. The Indian Navy's frigate "Talwar" left early in February for the Baltic port of Riga to escort the sub back. To be called the "Kavari," the sub is a conventional model and will have to be refueled by the "Talwar" during its journey.

WEAPONS YIELD A PEACEFUL FALLOUT

Mr. ANDERSON. Mr. President, last November the Atomic Energy Commission established an Office of Industrial Cooperation at Sandia Laboratory in Albuquerque to assist industry in obtaining unclassified technical information growing out of AEC research and development. Having been involved in the negotiations for this effort, I was extremely pleased. Last week Business Week carried an article noting the substantial progress that has been made the first 6 months of the program. There is little doubt that Sandia Laboratory has shown once again that it merits the broad reputation it has attained over 18 years as one of the AEC's prime contractors.

I ask unanimous consent that this article; "Weapons Yield a Peaceful Fallout," be reprinted in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

Weapons Yield a Peaceful Fallout

For 18 years, Sandia Corp.'s outcropping of buildings on a sun-baked New Mexico plain between Albuquerque and the Manzano Mountains has been a center of top-secret nuclear research. Most of the hardware for U.S. nuclear bombs and missiles was designed there, and Sandia has handled much of the instrumentation involved in nuclear weapons testing.

Sandia is still a vital part of the U.S. defense industry. But today its research is beginning to flow into industry at a quickening pace.

In the process of this "spin-off"—distributing new, unclassified technical information of use to industry—Sandia has in the past six months announced four developments that could have wide commercial application:

A technique for studying sub-surface soil layers by plunging instrumented projectiles into the ground from aircraft. Called terradynamics, its most important use may be for quick preliminary surveys for construction projects in remote areas.

An improved computer program, ACCEL MOD 1, to automate the intricate task of designing and drawing electronic circuit cards.

A simple-looking engineering principle called Rolamite, with applications as diverse as toys and thermostats. It is based on two movable cylinders held together in an S-shaped loop of a flexible band. The forces acting on the cylinders can be altered by changing the shape of the band.

A new breed of ferroelectric ceramic memory element for computers. It promises a massive increase in computer capacities. In addition, its light-transmitting property could open the way for flat, hang-on-the-wall TV screens.

This list includes only the outstanding developments that have emerged from Sandia's labs in Albuquerque and Livermore, Calif.

"We have no plans to go out and compete with commercial industry and commercial laboratories in their normal products," says Sandia President John Hornbeck. But having accumulated a growing body of unclassified technology, Sandia is faced with the job of releasing it.

Hush-hush. Not that Sandia is wide open. Most of its work is still classified, as it has been since its founding in 1949 as a subsidiary of Western Electric Co. Sandia labs are operated on a no-fee, no-profit contract, worth nearly $203-million last year, with the Atomic Energy Commission.

The big question now is how Sandia should release the unclassified information it has available.

OPENING THE DOOR

Sandia has long channeled information through the AEC's Div. of Technical Information Extension and, since 1964, through the Commerce Dept. Clearinghouse for Federal Scientific & Technical Information. It has also made information available directly to its contractors. In addition, it has relied on the conventional method of disseminating information through professional and trade journals.

Nonetheless, Sandia failed to reach a major spin-off market: the small businesses and laboratories whose staffs are too small to cope with the deluge of technical information pouring from government sources.

Hornbeck illustrates the problem with an analogy. "Have you ever tried to take a sip from a fire hydrant?" he asks. It doesn't work. You need some mechanism between the hydrant and you that puts the water in quantities you can take."

It was in effect to create such a mechanism that Sandia set up a two-man Office of Industrial Cooperation last September. It is the third such office at an AEC lab, the others being in Chicago and Oak Ridge Tenn.

Dilemma. William J. Hudson, one of the two men who run the office, says, "Perhaps the best way to transfer information is face to face meetings between scientists." But if Sandia were to send out scientists to do this it would risk incurring charges of favoritism.

Faced with this dilemma, Sandia decided on a different course. It assesses all requests for a certain type of information. It publishes everything it can on the subject. And it invites everyone who has inquired about the topic, as well as anyone else who might have an interest in it, to a seminar.

But Sandia steers clear of giving specific advice on how any of its discoveries might be applied. Reason: It might be wrong, and small companies that relied too heavily on Sandia's advice might be forced out of business.

Cooperation. The Office of Industrial Cooperation also relies on technology utilization conferences sponsored by the AEC, the National Aeronautics & Space Administration, and the Small Business Administration. Hudson says that the SBA "has a real lively interest in seeing if it can't get small businessmen to use these resources."

Sandia works closely, too, with a NASA regional dissemination center and a local information office set up under the government's State Technical Services Act. Both are in Albuquerque.

"One very important aspect of spin-off is the transfer of technical knowhow as opposed to written information," says Hudson. To transmit what he calls "this nitty-gritty technical dope" on problems at the shop level, Sandia has joined the AEC/NASA Tech Brief program of publishing detailed technical information. To date, Sandia has contributed about two dozen fact sheets.

Another spin-off route was adopted for ACCEL MOD 1. The taped program, a manual, and 1,300 pages of microfilmed documentation have been made available for purchase through COSMIC, the NASA Computer Software Management & Information Center, at the University of Georgia.

The recent flurry of announcements of technical information coming out of Sandia are partly the result of what Hornbeck calls a "statistical fluctuation." He predicts, however, that "if we are good enough technically, those things will come up continuously."

In the final analysis, Sandia's main job, accounting for 85% of its activity, is directly related to the nation's nuclear arsenal. Its task is twofold: To design and monitor production (by contractors) of the non-nuclear components of nuclear weapons; and periodically to inspect the stockpile of nuclear weapons to make sure that they are in functioning order and will not explode accidentally.

The nuclear test ban treaty that outlaws all but underground tests has meant more rather than less work for Sandia, as far as calculating weapons requirements is concerned. Instead of basing its estimates directly on results obtained from atmospheric testing, it must now extrapolate the results of underground nuclear explosions or use laboratory and mathematical models.

Pressures. The endless technological one-upmanship of the cold war adds constant pressure for results on Sandia's 8,200-member work force. This includes a graduate technical staff of 2,226 engineers and other scientists and 1,774 technicians. The rest are administrative personnel.

In addition to its work with nuclear weapons, Sandia is engaged in a variety of non-weapons government projects. They include:

Providing technical direction for the AEC's program to develop radioisotope-powered systems for space missions. Currently, lab personnel are exploring safety factors of Snap (Systems for Nuclear Auxiliary Power) for use in space vehicles.

Developing logic systems for the Air Force's Vela satellites, orbited to monitor nuclear explosions in space. It has also developed an Unmanned Seismic Observatory (USO), capable of operating underground for 120 days at a stretch, to detect underground nuclear tests.

Studying cratering and airblast effects in Plowshare, the AEC's program for peaceful use of nuclear explosions.

These weapons and non-weapons projects mean pressing the frontiers of science in a wide range of subjects. And they mean also that Sandia is constantly influencing its industrial contractors to adopt new techniques and ever-rising quality control standards.

Applications. For example, an urgent industry need for dust-free rooms in which to make microminiaturized electrical and electronic components led Sandia to develop a new type of "clean room." This uses the laminar flow principle—air wafted in flat layers through a filtered ceiling and out through a grilled floor. About 300 rooms and 50,000 work stations operating on the principle now exist in the U.S.

Two future spin-off prospects are also linked to computers. One is a technique for producing animated color movies by photographing the computer output, displayed as a picture on a conventional cathode ray screen, while flipping a color wheel inside the movie camera. The second is Vista (for Verbal Information Storage and Text Analysis), in an experimental program in Fortran computer language for quick references in a mass of documents.

Priorities. In patenting new developments, the AEC has first crack at Sandia discoveries. AEC's normal policy is to patent an item only if it sees a future need to use the item itself. Western Electric has rights next in line to the AEC but, says a Sandia spokesman, "they've never exercised it."

Third down the list is the inventor himself, and several at Sandia have taken the opportunity. In addition, AEC-patented devices may be manufactured under royalty-free, non-exclusive, revocable licenses. Under this clause, for example, Rolamite inventor Donald F. Wilkes has left Sandia and is now in business as vice-president of Rolamite Technology, Inc., of Albuquerque and San Francisco.

Hornbeck says frankly that Sandia is striving for the same reputation for excellence as that enjoyed by Bell Telephone Laboratories. Now 49, Hornbeck joined Bell Labs as research physicist in 1946, rising to become president of Bellcomm, Inc., in 1962. He has been president of Sandia since Oct. 1, 1966. "I have a very healthy respect for the need for exploratroy research and development—good, solid science and technology," he says. "It may not be spectacular as long as it's good—useful."

Goals. A Bell-style loose rein is the key to Sandia's handling of its research staff, which includes nearly 300 Ph.D.s. The most creative ones, about 15% of the total, are given great work freedom, says Thomas B. Cook, vice-president for research. The others are set in "critical groupings" of common interest.

"In a way, the strength of a place like this, as opposed to university, comes about by those groupings," Cook says.

On the outlook for Sandia's research, Hornbeck compares the prospects with those of Bell Labs.

"I don't think there is a much more productive outfit (than Bell) on earth," he says. "I think Sandia is approaching that class."

GOVERNOR BURNS ADDRESSES THE 442D VETERANS CLUB

Mr. INOUYE. Mr. President, it was my privilege to serve in World War II as a member of the 442d Infantry Regimental Combat Team in France and Italy.

The 25th anniversary of the 442d Veterans Club made up of surviving members of that unit was observed in Honolulu on Saturday, March 23, 1968. Gov. John A. Burns, of Hawaii, was the featured speaker on this occasion. If there are no objections, I would like to have the full text of his remarks printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY GOV. JOHN A. BURNS, BEFORE THE 442D VETERANS CLUB, 25TH ANNIVERSARY BANQUET, ILIKAI HOTEL, MARCH 23, 1968

It is a singular honor and a genuine pleasure to be with you of the 442d Veterans Club of which I am privileged to be an honorary member, and with your wives and guests.

I know that all Hawaii takes great pride in the many accomplishments you of the 442d have made in the two-and-a-half decades since your combat team was organized. You know, of course, that I take a great deal of personal pride in your achievements—both as an organization and as individuals. One of your number today occupies an important seat in the United States Senate and is a leader in developing our national goals and policies.

Many of you have attained high success in other areas of government activity, in the professions and in countless other callings.

Your post-war record is indeed as illustrious as your impressive wartime achievements.

There has been much water passed under the bridge since that day in 1943 when you marched off to war.

Hawaii has changed almost unbelievably in many ways since then—in our social, political and economic life of our Islands.

You have been a forceful factor in bringing about these changes—changes that have brought about a better society for your children to grow up in.

It's been a long time; and I know where your hearts are on this auspicious occasion.

They are 25 years and 9,000 miles away, in Italian towns whose names I can hardly pronounce: Montemarano, Castelvetere, Chiusano, Civitavecchia, Cassino, and the Arno River. Your memories go back to French towns and German towns and to the jungles of Burma and other areas of the Far East. The hazardous trials of that faraway war have faded with time, but I am sure you remember little things, and the strange places and faces of Europe of 1943.

Your hearts and minds also go back to a Hawaii of 1942 which now seems incredible for the injustices your parents and yourselves were subjected to after the bombing of Pearl Harbor.

But you recall the thrill of President Franklin D. Roosevelt's declaration permitting you to serve in the Army of the nation which distrusted you, but which you loved. How ironic it is that you had to plead for your right to defend your own country.

You remember the strangeness and difficulty of military basic training. You remember the ship which took you to the West Coast; the train ride to Camp Shelby, Mississippi; the ocean voyage to Salerno, the landings, and the first blood shed by the 100th Battalion.

You remember Sergeant Joseph Shigeo Takata of Waialua, Oahu, killed by mortor shrapnel at a bend of a muddy mountain road near Chiusano. He was the first of your magnificent organization to give his life for the United States.

You remember Private Keichi Tanaka, born in Waimanalo. He was the second to die on that first day of battle for Hawaii's Nisei. He was killed by a German 88-millimeter shell.

It is wholesome that we remember the dead, particularly those who freely gave the sublime gift of their young lives to our country in its hour of need.

During another trying period in our history, when our Nation stood divided in open warfare, President Lincoln aptly described our reverence for those victims of all battles in all wars. He said: "It is for us the living, rather, to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced."

It is our tragedy today that the work of the Takatas and the Tanakas remains unfinished. It is a deep personal sorrow for me, and for many others in our State, that our young men still die on foreign battlefields, that there is still so much suffering and loss of life for so many people throughout the world.

Today it is Vietnam, described in one book as "one of the most controversial, complicated and confusing foreign policy issues ever to face the United States."

But despite all the controversy, confusion and complications, one thing is clear to me, and to millions of others. It is what President Johnson has repeatedly and patiently explained, after the most searching examinations of conscience and the most diligent, and exhaustive study.

In Vietnam, we fight a bitter struggle that is in many ways similar to that you fought and won more than two decades ago in Europe.

We fight in defense of a people who seek to preserve thir own way of life and their own ideas of governmental freedom against those who would fit them into the totalitarian mold.

We fight because we gave our solemn national pledge to support the freedom of those people.

When we gave that pledge, we did not say, "until the cost becomes too high."

We did not say that our promise is good only until the going gets rough.

We pledged that we would support our allies through all hardship and conflict, and even though that pledge was given by our predecessors, we honor it because it is the pledge of our Nation and our people.

Now the going is very rough—the cost is very high—and the eyes of all Asia and, indeed, all the world are upon us to see whether or not we will keep our word.

There are honest and conscientious men in our Nation who believe that the policies of our President are wrong—that we should back out in the face of the rough going and leave the people of South Vietnam to the mercy of their enemies.

I believe that is a short-sighted view, and I also believe it is an inhumane view. I further believe that millions of Americans stand solidly in support of President Johnson to carry on in this conflict until an honorable and acceptable peace can be secured.

It seems to me that any other course would be unthinkable and immensely tragic.

I share the confidence of President Johnson in our Nation and in our people that we will *keep the faith* with our friends and do our utmost to protect them from their enemies and our enemies.

But now, let us turn our thoughts to Hawaii again—the Hawaii we have built together.

We have spoken of the gains achieved by all our people since the time when you went off to war, and they are tremendous.

I think it is well for us to consider where we are and where we go from here.

We can and we should take pride in our progress to this point.

In many significant ways, our State is among the leaders of our Nation.

In spite of a few allegedly exclusive social clubs, we now enjoy a society in which all elements are free to participate as they please.

We have established an atmosphere in our economic life that has encouraged investment without discouraging or in any way hampering the processes of collective bargaining.

As a result, more of our people enjoy a better life than ever before, and we are doing more to assist the underprivileged than ever before in our history.

Our destiny as a meeting place between East and West and as a center of culture and learning and of commerce in the Pacific has been recognized widely both nationally and internationally.

As you know, I feel very strongly about our East West function—I do dislike the word "image"—and I feel that any move diminishing that function is a mistake.

For that reason, I have opposed measures that would restrict or label our visitors or put a price tag on our Aloha.

For that reason, too, I vetoed a bill to triple the tuition at the University of Hawaii for non-resident students.

My interest was primarily in the welfare and the education of our own students of local origin.

We are in the process of building a great university, and I do not propose to impede our effort by the erection of barriers that are really the mark of penny-pinching provincialism.

We must always remember that we are setting the stage for the future, and we must set it as best we know how.

In three relatively short decades, we have brought Hawaii from the status of a social, political and economic oligarchy to a position of leadership in the United States.

This was the achievement of a vigorous and dynamic people, equipped with a background of culture, knowledge and human understanding unrivaled anywhere in our Nation.

Can we doubt that the coming years will see equally profound changes?

Certainly we must afford our coming generations the best opportunity available.

Already, we know that we in Hawaii are destined to play an important role in the future developments in oceanography and space.

Already, we know that we have the potential of becoming a cultural Athens and a commercial Venice of the Pacific.

We know that our young people of today have broader horizons, higher ambitions than ever before.

It is for us to discover those ambitions and those desires so that we may direct and implement them into the paths of progress.

More than 20 years ago, you accepted the challenge to fight for a Nation which, although it was your nation, had offered you little.

You have today realized the rewards of that effort for yourselves and your children.

I know you will also accept the challenge that confronts us all today—of continuing the building process and setting the stage for a future in which all the people of Hawaii realize the rewards our destiny has in store.

Mahalo.

HUMAN RIGHTS CONVENTIONS GIVE CONCRETE MEANING TO UNIVERSAL DECLARATION ON HUMAN RIGHTS

Mr. PROXMIRE. Mr. President, 192 years ago a document which put dread in the hearts of all tyrants was conceived and written on these shores. This Declaration proclaimed that "all men are created equal, that they are endowed by their Creator with certain unalienable rights."

Such was the Declaration of Independence on which this country was founded. But our forefathers soon learned that words were not enough. It is never sufficient merely to talk about equality and rights. For no matter how eloquent our speech, we must back up our words with action.

Having declared their belief in human equality and fundamental rights, our Founding Fathers backed up their words with deeds. The spirit of the Declaration of Independence was translated into law in our Constitution

Now it falls to us, the Senate of the United States, to renew the commitment made by our forefathers. It remains for us to renew our Nation's longstanding faith in the equality and the rights of men. I urge the Senate again to ratify the Human Rights Convention on Forced Labor, Political Rights of Women, and Genocide. By so doing, we will give concrete meaning to the Universal Declaration on Human Rights to which we have been committed since 1948.

RESOLUTIONS OF THE OKLAHOMA LEGISLATURE IN SUPPORT OF OUR POLICY IN VIETNAM

Mr. MONRONEY. Mr. President, the rising tempo of political developments and the intensity of the noisy dissent as we move into this campaign year may seem to suggest that the American people do not support our policy in Vietnam. Yet, in my own State of Oklahoma, I know that the great majority do stand firmly behind our President and our fighting men.

I invite the attention of Members to the identical resolutions adopted last week by each house of the Oklahoma Legislature. They were sponsored by all 48 members of the Oklahoma Senate and by nearly one-half of the 99 members of the house. The vote in each house was unanimous.

The resolutions express strong support for our present policy and urge that it be followed through to an honorable conclusion, and they express "confidence and support for President Johnson and the U.S. military and civilian forces in their valorous effort in the preservation of freedom."

Mr. President, I ask unanimous consent that these resolutions be printed in the RECORD at this point. I can assure the Members of this body that these resolutions truly reflect the opinion of the great majority of Oklahomans in urging steadfast support rather than extreme military action or withdrawal for "peace at any price."

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

SENATE RESOLUTION 79

Resolution expressing confidence in and support for President Johnson and the United States military and civilian forces in Vietnam; recommending the continuation of military operations through to an honorable conclusion; and directing distribution

Whereas, this Nation, as the leader of the "free world," is presently being called on to commit military supplies and fighting men in Vietnam for the protection and preservation of freedom and for the prevention of world Communist domination; and

Whereas, Communist aggression in this small country or in any country cannot and should not be tolerated; and

Whereas, the policy presently being pursued in Vietnam by the Commander in Chief and the military and civilian forces appears to be the only plausible approach for the protection of our national interest and the interest of all the free world; and

Whereas, the policy of military operations should be followed through to an honorable conclusion; and

Whereas, President Johnson and the United States Military and Civilian Forces in Vietnam deserve and should have the undivided support of all.

Now, therefore, be it resolved by the Senate of the second session of the thirty-first Oklahoma Legislature:

Section 1. The Senate of the Second Session of the Thirty-first Oklahoma Legislature does hereby express confidence in and support for President Johnson and the United States Military and Civilian Forces in their valorous effort in the preservation of freedom, and does hereby recommend that this policy be pursued through to an honorable conclusion.

Section 2. That duly authenticated copies of this Resolution, after consideration and enrollment, shall be prepared for and sent to President Johnson, the Secretary of Defense, to each member of the Oklahoma Congressional Delegation, and to each member of the U.S. Senate Foreign Relations Committee.

Adopted by the Senate the 20th day of March, 1968.

CLEM MCSPADDEN,
President Pro Tempore of the Senate.

HOUSE RESOLUTION 623

Resolution expressing confidence in and support for President Johnson and the United States military and civilian forces in Viet Nam; recommending the continuation of military operations through to an honorable conclusion; and directing distribution

Whereas, this Nation, as the leader of the "free world", is presently being called on to commit military supplies and fighting men in Viet Nam for the protection and preservation of freedom and for the prevention of world Communist domination; and

Whereas, Communist aggression in this small country or in any country cannot and should not be tolerated; and

Whereas, the policy presently being pursued in Viet Nam by the Commander in Chief and the military and civilian forces appears to be the only plausible approach for the protection of our national interest and the interest of all the free world; and

Whereas, the policy of military operations should be followed through to an honorable conclusion; and

Whereas, President Johnson, and the United States Military and Civilian forces in Viet Nam deserve and should have the undivided support of all.

Now, therefore, be it resolved by the House of Representatives of the second session of the thirty-first Oklahoma Legislature:

Section 1. The House of Representatives of the second session of the thirty-first Oklahoma Legislature does hereby express confidence in and support for President Johnson and the United States Military and Civilian forces in their valorous effort in the preservation of freedom, and does hereby recommend that this policy be pursued through to an honorable conclusion.

Section 2. That duly authenticated copies of this Resolution, after consideration and enrollment, shall be prepared for and sent to President Johnson, the Secretary of Defense, and to each member of the Oklahoma Congressional Delegation.

RETIRED OFFICERS ASSOCIATION BACKS MONTOYA BILL FOR PRESCRIPTION DRUGS UNDER MEDICARE

Mr. MONTOYA. Mr. President, our elderly citizens from all walks of life have been joining in support of my bill to place prescription and certain nonprescription drugs under medicare. They are aware that for too long thousands of them have had to bear the crushing cost of expensive drugs without any outside assistance. Many of these people have individually had to pay hundreds of dollars each year for essential medicines while struggling to exist on meager, fixed incomes.

My bill, S. 2936, will provide the elderly of our country with long overdue relief from their unbearable prescription drug expenses by extending the provisions of part B of medicare to cover reimbursement for prescription drug expenses. Organizations representing more than 18,300,000 individuals have endorsed the proposed legislation. Now another, recognizing the needs and interests of all elderly Americans as well as its members, has come forward in support. The Retired Officers Association, representing 100,000 members throughout the Nation, has moved into the ranks of these responsible and aware groups.

I ask unanimous consent that a letter from Col. James W. Chapman, legislative counsel of the Retired Officers Association, supporting S. 2936, be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

RETIRED OFFICERS ASSOCIATION,
Washington, D.C., March 22, 1968.

Hon. JOSEPH M. MONTOYA,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MONTOYA: On behalf of the Retired Officers Association I wish to thank you for introducing S. 2936, the Montoya Prescription Drug Bill. We pledge our support to you and your cosponsors in behalf of this measure.

Enactment of this bill will provide a much-needed benefit to the aged of this country by providing for 80% reimbursement of the cost of prescription drugs above the deductible amount of $25.00. Presently, the cost of prescription drugs is an onerous and often intolerable burden on the elderly of this country who, while living on fixed and usually insufficient incomes, must expend hundreds of dollars a year on life saving prescription drugs.

The Retired Officers Association represents approximately 100,000 members from every state in union. It is a fast growing nonprofit war veterans group which has served the best interests of the Army, Navy, Air Force, Marine Corps, Coast Guard, Coast and Geodetic Survey (now ESSA) and Public Health Service for nearly forty years. It is dedicated to doing something about the problems facing military retirees.

Thank you again for introducing a bill which will provide our aged a measure of assistance toward meeting their catastrophic prescription drug expenses.

Sincerely yours,

JAMES W. CHAPMAN,
Colonel, USAF, Retired, Legislative Counsel.

THE SINGLE UNIT TRAIN ENHANCES COAL'S ATTRACTIVENESS IN THE MARKETPLACE

Mr. BYRD of West Virginia. Mr. President, to a State whose economy is so heavily dependent upon a vigorous coal industry, the continued upturn in demand for this fuel is a most welcome economic indicator.

The current increase in output, and the long-term prospects for the use of more coal, will assure steady employment for an ever-increasing number of skilled technicians and other personnel at West Virginia's mines.

More than that, it will provide steady work for our railroaders, suppliers, equipment manufacturers, and other businesses that serve the coal industry and mining communities.

West Virginia's economic problems will not be resolved overnight through coal's resurgence, but the outlook is certainly much more promising than it was only a few years ago.

Entering the present decade, West Virginia's coal industry—though maintaining a firm hold as number one in the Nation—was in the midst of an era of distressing decline.

From a high of 146 million tons in 1947, output seesawed through a long period of uncertainty until by 1960 production had dipped to less than 119 million tons. The next year marked a further decline to 113 million tons, after which new life finally took hold.

From that time, the upward spiral has continued.

Preliminary figures for 1967 indicate a total output of 153 million tons in West Virginia.

America's instatiable appetite for electric power is the obvious reason for the substantial gains in coal demand; yet, without the industry's continued progress toward more efficient mining, coal could not compete with other fuels in many of the power markets it now serves.

And mechanization and modernization of the mines have been accompanied by another innovation that must not be overlooked as an invaluable ally in coal's revival.

This is the unit train system of transportation.

In 1961 the unit train was hardly more than a hope for more favorable transportation rates between tipple and customer. Today it carries 30 to 35 percent of all the coal used by our mine's best customer, the electric utilities.

During the days of early experimentation with the unit train, I met frequently with representatives of coal, railroads, and electric power companies in an attempt to determine how to get this "coal express" moving as quickly as possible.

It was almost 6 years ago, in late June of 1962, that I wrote to the Interstate Commerce Commission urging that, as coal express trains were developed, rate reductions be approved by the Commission as speedily as possible. I told the ICC that it was conceivable that a reduction of as much as one-fourth of the normal freight rate for coal moving from the Appalachians into east coast markets could be achieved through the increased efficiency that would come with trains filled at a single gathering place and bound for a single stockpile.

I could not have been more optimistic about the savings to be realized through the use of integral trains.

Actually, a little more than a year from the date of my letter the freight rate on solid train loads over this distance had been reduced by as much as one-third, a bargain that has had dramatic results for both the coal and the railroad industries. And coal was moving in trainload lots from West Virginia into Chicago and the South as well as to metropolitan areas up and down the east coast.

The unit train has come a long way in the past 6 years and it is likely that this service will be accelerated as demand for electricity continues to rise. The lower freight rates, which unit trains make possible, are already estimated to represent a savings of $100 million a year to the utility industry and the economies will be compounded as this modern concept of bulk transportation comes into wider use.

New mines and new powerplants are being designed to fill and empty 100-ton cars in a matter of minutes, thus reducing turnaround time to a minimum. Synchronized motive power moves the heavy cargo over mountain routes in remarkable time. This shuttle service is operated on precision schedules.

I would like to give the Senate some examples of the use of unit trains. From two mines near Blacksville in Monongalia County the Consolidation Coal Co. will ship 4 million tons of coal annually to supply a new Detroit Edison Co. powerplant in Monroe, Mich. Rapid transit trains will operate on a 72-hour schedule for the 720-mile round trip.

Within the next 16 months, four new Eastern Associated Coal Corp. mines will go into full operation in West Virginia. One of these, located in Boone County, will ship its entire 1.7-million-ton yearly output by unit train.

Even more spectacular is the 868-mile trip from the Consol Loveridge Mine near Fairview in Marion County to Bow, N.H. A unit train loaded with 9,500 tons of West Virginia coal arrives every 6 days loaded with fuel for boilers of the New Hampshire Public Service Co. A second train is scheduled to begin deliveries in April in order to assure delivery of about 1 million tons annually.

Each unit train that goes into operation at a West Virginia mine is cause for celebration, for it represents more dollars coming into our State to be used in pay envelopes, for State and local tax revenues, and as profits that bring new business and expanded investments. It means more business up and down the line.

To utilities within a wide perimeter of mining areas, the carloads of coal moving swiftly into distant generating stations should prompt a close analysis of fuel costs based upon long-range reserves. It should be noted that West Virginia has in excess of 60 billion tons of recoverable reserves—more than eight times the total amount extracted to date.

The unit train should be regarded not only as a sign of the times, but also as a herald of the future—a way for utility companies to continue to provide their customers with the most economical electric service possible.

SYRACUSE BUSINESS PLEDGES HOUSING AID

Mr. JAVITS. Mr. President, some weeks ago I described in these pages the activities of the Niagara Mohawk Power Corp. in providing technical assistance to the communities of New York State applying for and conducting urban renewal projects. On its own initiative, Niagara Mohawk had put together a set of detailed materials and a Community Development Services group to help the communities it serves to take advantage of this Federal program.

This kind of concern for the development and economic stability of its market area makes sound business sense and stems, as well, from important moral and social motivations.

Niagara Mohawk has now spearheaded another business effort, this time in the Syracuse area, to establish a Syracuse community development housing corporation. This corporation would be funded by private loans from the corporations involved and would also receive grants from a variety of other private sources. Once again, the idea is for business to come together to assist the community through the provision of seed money and technical assistance to take advantage of important Federal programs. The proposed corporation would be particularly active in aiding nonprofit housing sponsors seeking funds under the FHA 221 (d) (3) program.

I ask unanimous consent that an article describing this new private industry effort, published in the Syracuse Post Standard of February 14, 1968, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Syracuse (N.Y.) Post-Standard, Feb. 14, 1968]

Industry Pledges Housing Aid—$600,000 "Seed" Expected

(By Dorothy Newer)

The pledge of private industry in Syracuse to give financial aid to construction and rehabilitation of low and moderate income housing was announced yesterday by Earle J. Machold, president of Niagara Mohawk Power Corp.

About $600,000 is anticipated in grants and loans to establish a non-profit revolving development fund for the purpose of building good new housing at low rentals. The money will be used as "seed money" and interim financing to help fill the community need for new units and the replacement of substandard ones.

The beginning of the private assistance program—tentatively to be called the Syracuse Community Development Housing Corp.—was revealed yesterday at a press conference called by the Niagara Mohawk president, the Metropolitan Development Association and the Greater Syracuse Chamber of Commerce.

Mayor William F. Walsh hailed the development as a major economic step in the improvement of living conditions in Syracuse and as outstanding example of team effort between government and private enterprise.

The "seed money" fund, John Searles, executive director of the Metropolitan Development Association, said, would enable the addition of 100 units a year through rehabilitation of sub-standard housing and 300 units a year through the construction of new houses.

Development funds will be used directly by the corporation and to fill the interim financing needs of non-profit developers. It also will serve as a land bank to hold property until it is ready for development.

Executives of 14 large Syracuse businesses and industries were invited Monday by Machold to a luncheon at Hotel Syracuse at which the plan for a private enterprise housing corporation was presented. Representatives of government, charitable foundations, the Manufacturers Association of Syracuse, the Chamber of Commerce and MDA, in addition to power company officials, also were present.

Machold said yesterday that as a result of the luncheon meeting he is convinced the raising of the necessary funds "can readily be accomplished." Those present, he indicated, unanimously agreed the need was urgent and solicitation of funds should get underway immediately.

It is anticipated the needed financing will include about $500,000 in private loans from corporations and about $100,000 in grants from various sources.

The loans, Searles said, would be low-interest bearing and repayment should be possible in about a 4-year period. The sum of $17,500 per year has been set as an annual salary for a professional director of the corporation.

Plans for the solicitation of loans from business and industry have not been completed but those present at the luncheon are expected to act as a nucleus, it was indicated.

In its final form, the new housing corporation will include provisions for the advice and suggestions of neighborhood groups in its planning functions.

The "seed money" program was actually sparked last Dec. 12 at a dinner meeting at Hotel Syracuse Country House sponsored by MDA and the Chamber of Commerce. At that time, representatives of ACTION-Housing, Inc., a similar private enterprise development corporation, described its contribution to housing in Pittsburgh, Pa.

Although similar programs are underway in Cleveland, Rochester and St. Louis, the Syracuse corporation is to be regarded as a pioneering community effort to provide adequate housing.

In his talk yesterday, Walsh said this year through the Mulberry Square Development, Toomey-Abbott Towers and other large-scale developments, some 1,247 new housing units would be added to the city's supply, plus rehabilitated units through various non-profit groups.

The city, he said, also has a federal application pending for a 394-unit project, mostly for the elderly. Despite this, he indicated, the need for additional housing and replacement of deteriorated units is urgent.

The 14 representatives of private enterprise present at the luncheon on Tuesday—the "incorporators" of Syracuse Community Housing Development Corp.—include:

William Bynum, Carrier Corporation; James R. Donnelley and Gilbert E. Dwyer, General Electric Co.; Edmund Fallon, Agway Inc. and Earle R. Hollings, Sears Roebuck & Co.

Also E. Winston Rodermer, E. W. Edwards & Son; Chancellor William P. Tolley, Syracuse University; Morris Weedon, Bristol Laboratories; John D. Williams, Lipe-Rollway Corp; Chris J. Witting, Crouse-Hinds Co.; W. Niver Wynkoop, First Trust & Deposit Co.

Speaking of the corporation, Machold said: "It is not a panacea—it won't do everything—and we realize this."

DAIRY IMPORTS

Mr. McGOVERN. Mr. President, I was prepared to offer an amendment to the tax bill which would give this country's dairy farmers protection against unchecked imports of dairy products.

As has been pointed out many times, dairy farmers have not been sharing in the economy's prosperity. There are many causes for this, and no one bill would solve all the problems in any industry.

However, there is wide support for legislation curbing dairy product imports in the Senate, and dairy farmers over the Nation are united in support of such legislation.

The bill sets realistic quotas and allows foreign exports a share of our market. It sets quotas based on past shipments. It allows importers to know what share of our market they can expect and at the same time allows dairy farmers to plan production, knowing that they will not have to compete with unchecked dairy product imports.

We have seen that the present system of setting quotas under section 22 has been marred by a long history of repeated and flagrant evasion of dairy product import quotas. We have seen importers develop new products to evade quotas on specific products.

Imports got completely out of hand in 1966, particularly with respect to butter-oil-sugar mixtures, Colby cheese, and frozen cream. Not only did this cause a loss of income to American dairy farmers, but the total 1966 imports added some $29 million of unnecessary cost of the support program. Imports continued to climb in 1967 until controls were applied in July of 1967, and adding $131,177,198 to the support program.

Now it seems that a recent decision by the Food and Drug Administration that evaporated milk is not covered by the Federal Import Milk Act means that importers again are able to turn their surplus milk into evaporated milk and cream and ship unlimited quantities into this country. Both evaporated milk and cream and condensed milk and cream were left out of the import quotas established last July 1, thus leaving the way open for another evasion fiasco.

Again, the import barriers are knocked down. Dairy farmers are getting tired of paper gestures being used to discourage Congress from enacting import controls.

Dairy farmers are not asking us to stop all imports. Countries still could ship in the average amount of butterfat and nonfat milk solids shipped in from 1961 through 1965 and the quotas would be increased as our domestic market grows. This would give foreign countries a part of our market, yet give our own farmers adequate and permanent protection also.

These imports from foreign countries have been heavily subsidized and our dairy farmers just cannot compete with such products.

Other countries have for many years controlled their imports, not only to protect their own industries, but also to conserve their own balance of payments positions and they cannot object to our doing the same thing.

The dollar drain for unneeded dairy imports under present quotas is estimated at $36.8 million.

These dairy product imports not only are not needed here in the United States, but add to our own surplus supplies. They not only drain dollars from this country but they burden the price support program with added costs. The products are badly needed in other countries where people are starving.

Beneficial foreign trade results only when commerce flows from nations that have goods available for export to nations that need these goods. It does not result from imports to this country of dairy products which are not needed.

We all know that our farmers—and especially our dairy farmers—need this permanent protection of their markets so they can have a stable market for their milk and dairy products.

I have been assured that the Finance Committee will consider dairy import legislation when it is placed before it. The fate of any amendment attached to the pending bill is very dubious. I have therefore determined to withhold the amendment and take steps to get the dairy import legislation acted upon independently, in regular order, relying on assurances of early consideration and support I have been given today.

TROUBLE AT HOWARD UNIVERSITY

Mr. BYRD of West Virginia. Mr. President, I have noted with concern the news reports in this morning's Washington Post and this afternoon's Evening Star concerning student uprisings at Bowie State College in Bowie, Md., and Virginia State College in Petersburg, Va.

A minority of students at these predominantly Negro institutions have apparently taken a leaf from the recent campus uprising at Howard University in Washington, D.C., and are now attempting to start their own "mini-revolts."

Mr. President, this is precisely the sort of thing which I warned against last Friday when I commented on the uprising at Howard.

At that time I told the Senate:

> What has happened at Howard University is intolerable. A weak-kneed response to it will deal a body blow to higher education all across this land, for there is more involved here than any spontaneous grassroots, normal, youthful campus chafing at restraint. Instead this is ugly, inspired, and potentially dangerous for colleges everywhere if it is left to go unchallenged. . . . Any knuckling under by the (Howard) administration to the student demonstrators now can do nothing but encourage similar lawlessness there and elsewhere in our colleges and universities.

Today, unfortunately, we can see all too clearly the fruits which these incendiary demonstrations at Howard University have borne.

Somewhat hopeful notes have been raised at both Bowie State and Virginia State.

At Bowie, a letter urging "reasonable approaches" was circulated by a number of students who called the boycott of classes "morally wrong, totally unrepresentative, and unnecessary."

The letter said Bowie President Samuel L. Myers, who was recently installed in his post, "inherited a rotten apple" and needed time to improve the school.

And at Virginia State a school administration spokesman is quoted as saying—

> I think we're getting somewhere. There's a spirit of continuing dialog.

The Post news story pointed out that graduate students have returned to their classes as have some undergraduates.

Mr. President, such hopeful notes as these indicate that all is not lost at these schools.

As I pointed out last week concerning Howard—

> I am convinced that many of the young men and women who may have joined in the demonstration are not as yet completely poisoned by those who would destroy them, as well as the University. I would appeal to their parents and to their friends, and to all who may have any influence with these young people, to make a strong effort to convince them of the enormity of the offense which they are committing and of the severe consequences that may follow the mistake they are making.

Mr. President, none of the problems which may beset these two colleges can be solved by the forcible closing of these institutions by their students. Such actions only tend to shorten tempers and polarize sentiments.

Related to these developments are the continuing activities at Howard.

According to the headline in this morning's Washington Post, the Howard students have claimed a victory over the school's administration.

Tragically, they are right.

A student organizer, one Anthony Gittens, is quoted as saying:

> It's a brand new day. We started ourselves a revolution.

Gittens made these statements in addressing a crowd of nearly 1,000 students who gathered at Howard yesterday to celebrate the victory agreement in which the trustees consented to turn over the cases of 39 students charged with disrupting the Charter Day exercises at the university to the student government and to take no action against those who had seized and occupied the school's administration building.

Gittens, taking note of the closing of Virginia State at Petersburg, was quoted in the Post's story as saying:

> The brothers and sisters at other colleges are taking a look at what we did here. . . .

The Post article went on to point out that student protests have erupted on at least two other predominantly Negro campuses since the Howard demonstration began last week—Tuskegee Institute in Alabama and Fisk University in Nashville, Tenn.—in addition to Virginia State and Bowie.

Several carloads of Howard students went to Bowie yesterday to "lend their support to Bowie students," the Post article reported.

It has become all too evident that Howard University's campus rebellion will not be quelled by a policy of appeasement. The administration at Howard has brought itself nothing but a peck of trouble by its capitulation to the student's demands.

For, as student revolutionist Gittens said yesterday in urging his fellows to follow up last week's demonstrations with more demands:

> There have got to be changes in the curriculum. You get students in your departments together and decide what courses you want. Then you go to the department head and if he won't give you those courses, take the department over. . . .

These do not appear to be the words of one who is sincerely interested in improving the university and its curriculum, but rather the words of a revolutionist bent on subverting the purposes and functions, and destroying the usefulness, of the university by redirecting it toward new ends dictated by rebellious young people.

There is no question in my mind that the administration at Howard should have maintained a firm stand toward those who took over the school last week. Howard officials should have had no qualms about rooting out these troublemakers from its midst.

By allowing them to remain in school where they can continue to foment discord and unrest, further demonstrations and disruptions of classes are a foregone conclusion.

As the world sadly learned at Munich

in 1938, appeasement does nothing more than feed the appetites of aggression. It is as true today with these militant Marxist-inclined students as it was with Hitler's Germany.

That the students themselves regard the action of the university's authorities as capitulation and appeasement was indicated in the Washington Post's news story on Sunday, March 24, which told of the settlement by which the students agreed to end their takeover of the university.

In that article, the following statement was made in reference to the 39 students who were charged in connection with the Charter Day disorder:

> Protest leaders made it clear yesterday that they felt that turning the cases over to the student government would be tantamount to dropping the charges.

In that article, Mr. President, Anthony Gittens was quoted as saying that the insurgent students had received about $4,000 in contributions after staging their coup, and that at least a part of this money would be used to "support movements at other black universities."

We are beginning to see what these young revolutionists had in mind. It is nothing less than seizing power for themselves, Mr. President, and that can spell the doom of meaningful, disciplined education on every campus where it is permitted to occur.

Mr. President, I ask unanimous consent that the newspaper articles to which I have referred be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post, March 24, 1968]

BOARD PLAN ENDS SIT-IN AT HOWARD

(By Jim Hoagland)

Protesting Howard University students yesterday accepted a compromise offered by the University's trustees and ended a four-day occupation of the Administration Building.

About 800 weary but jubilant students pulled out of the four-story building at 2 p.m. Many linked arms and sang as they trooped out, others hurried off to seek a good meal and a shower.

The compromise will let the student government judge charges brought against 39 students involved in a March 1 demonstration. It also promises that students in last week's protest will not face disciplinary action.

In return, the University gets back the Administration Building, which the students had occupied since Tuesday afternoon. A University spokesman said the school—closed by the administration Wednesday—will reopen Monday. Undergraduate classes will resume Wednesday.

The third point of the agreement calls for a resumption of meetings between representatives of the trustees, the faculty and the students to "resolve grievances and deal with relevant, contemporary issues."

There was no mention of the resignation of President James M. Nabrit Jr., which the students had listed as one of their conditions for relinquishing control of the Administration Building.

Student leaders had no comment when asked why they had dropped the demand. Nabrit said he had no intention of resigning because of the demands. He is scheduled to retire in July, and would face mandatory retirement because of age—he is 68—in September.

One source close to the situation felt that the dynamics of the confrontation helped solve it.

His interpretation was that the positions of both the students and the administration so hardened that communication was impossible and both sides were apprehensive of what might happen.

In the process of discussion, the consequences of a continued impasse were explored by both sides. Involved in the various conversations with the principals were Corporation Counsel Charles T. Duncan, Mayor Walter Washington and the University's lawyer, George E. C. Hayes.

A compromise fell into place, the source said, when the students settled for a little less than they demanded, and when the administration gave more than it had wanted to earlier.

City officials reportedly passed along to the Howard trustees fears that a physical confrontation to remove the students might result in bloodshed, which neither side wanted.

The city's representatives also told Howard's authorities that they were afraid for the health of the students in the building and hoped the administration could view Howard not only as a university, but in its community context. There was some fear that the unrest at Howard could trigger incidents elsewhere in the city.

One factor pressuring both sides into a settlement, the source said, was parents. Some who came to the campus with the students, and in effect pressured the administration to give; others sided with the administration, and pressured their children to give.

Trustee Kenneth B. Clark, prominent Negro Sociologist, read the agreement on the steps of the administration building after the noticeably fatigued students had voted by an overwhelming majority to accept it.

"Any interpretation as to winning or losing by either side misses the whole point," Dr. Clark said. "We are very happy this was resolved without bringing law enforcement officers on the campus."

But students claimed at least a partial victory. "If we didn't believe Howard University was on its way to becoming a black university, we wouldn't have come out of those doors," said Anthony Gittens, a protest leader.

One of the key demands of students at Howard has been that the University become more "relevant to the problems of Negro communities and culture.

Student leaders sought such a commitment in their negotiations with the trustees, but the trustees would agree only to use the word "contemporary" in the settlement.

With Dr. Clark at the administration building were Trustees Richard Hale, Dr. Percy Julian Jr. and Judge Myles Page.

These four met with a student steering committee at 7 p.m. Friday, and presented the compromise drawn up earlier by the Board in an all-day meeting. The four met with the student leaders until 1 a.m. yesterday.

Then the leaders presented the proposed settlement to the 800 students who had slept in the administration building since Tuesday. The leaders indicated their approval of the compromise, but a vote was postponed until 1:30 p.m. yesterday.

The students, faced with an administration threat to seek a Federal Court injunction that could have led to U.S. marshals being called in to clear the building Monday, accepted the compromise.

The sit-in was touched off by a demand that charges be dropped in the cases of 39 students charged with having disrupted a Charter Day ceremony March 1. The 500 students who crowded into the administration building last Tuesday vowed they would not leave until the charges had been dropped.

Protest leaders made it clear yesterday they felt that turning the cases over to the student government would be tantamount to dropping the charges.

School officials took no action against the demonstrators Tuesday night. While the great majority of the 8200 students at the predominantly Negro University did not take part in the demonstrations, the crowd swelled to more than 1000 Wednesday.

At that point, school officials abandoned the administration building and said the campus would be closed indefinitely. Students were given until Friday to vacate dormitories.

They ignored the deadline and escalated their demands to include Nabrit's resignation and the establishment of "black-oriented curriculum." The protesting students completely controlled the campus for three days.

Anthony Gittens said the students had received about $4000 in contributions. Part of the money will be used to "support movements at other black universities," Gittens said.

[From the Washington Post, Mar. 28, 1968]

HOWARD STUDENTS HAIL "VICTORY"

(By Susan Jacoby)

Nearly 1000 students gathered in the Howard University courtyard yesterday for a jubilant rally to honor the students who participated in last week's takeover of the campus Administration Building.

Student Assembly President Ewart Brown told the crowd of students, "I want to say clearly that what happened last week was what we, as intellectuals in black society, must regard as black power . . . when black people get together to do anything positive and constructive, or create disorder to effect change, that is black power."

The "occupation" of the Administration Building, which began last Tuesday, ended Saturday night after the students accepted a compromise offer from the Board of Trustees allowing the student government to judge disciplinary charges brought by the administration against students who disrupted Charter Day ceremonies March 1.

The students at yesterday's rally were in a buoyant mood, clearly feeling they had won a victory over the administration. "This rally starts at 1 p.m. BPT," said one student. "That stands for Black People's Time."

Anthony Gittens, a member of the steering committee that organized the protest told the students, "It's a brand new day. We just got word that Virginia State (a predominantly Negro college in Petersburg, Va.) is closed. The brothers and sisters at other colleges are taking a look at what we did here and they're saying, 'Man, that's our University too.' "

Student protests have erupted on at least four other predominantly Negro college campuses since the Howard demonstration began last week—Tuskegee Institute in Tuskegee, Ala., Fisk University in Nashville, Tenn., Virginia State and Bowie State College in Maryland, about ten miles from Washington.

Several carloads of Howard students left after the rally yesterday afternoon to lend support to Bowie students who were occupying their campus library. "We started ourselves a revolution," Gittens said.

Gittens urged the students to follow up last week's demonstration with more demands. "There have got to be changes in the curriculum," he said. "You get the students in your departments together and decide what courses you want. Then you go to the department head and if he won't give you those courses, take the department over . . . We held the University for four days and ran it better than they ever did."

Faculty meetings of several colleges at Howard are scheduled this week to discuss the significance of last week's demonstration, and the agreement with the trustees, for the future of the University.

At a meeting earlier this week, 56 faculty members of the College of Liberal Arts adopted a resolution that sharply criticizes the administration for closing the University during last week's demonstration without consulting the faculty. The 56 who signed the resolution were dissident young faculty members, most of them white. Most faculty support for militant students on the campus has come from young white assistant professors and instructors.

The full faculty of the College of Liberal Arts meets today and the resolution is given little chance of passing.

[From the Washington Post, March 28, 1968]

BOWIE STATE BOYCOTT CLOSES MOST CLASSES

(By Peter A. Jay and Peter Winterble)

A student boycott at predominantly Negro Bowie State College brought classes to a virtual halt yesterday as more than 200 undergraduates demonstrated quietly to press long standing grievances.

The boycott, a protest against administrative inefficiency in the registrar's office, refusal of tenure to a popular history teacher and shortcomings in the physical plant, was joined in the afternoon by about 90 veterans of Howard University's recent five-day strike.

At Howard, student demonstrators took over the administration building and closed the school. Yesterday's protest at Bowie, was confined to the class boycott and singing and listening to speeches in the campus quadrangle. No police were called.

The Howard students returned to Washington about 5:30 p.m. as the Bowie students drifted toward the cafeteria and their dorms. Administration and support facilities maintained normal operations and adult education classes were held as usual last night.

A widely circulated letter listing specific complaints triggered the protest early yesterday at the Prince George's County campus. Teachers reported classroom attendance down 90 per cent.

Newly installed Bowie President Samuel L. Myers, 47, met with student leaders for more than four hours during the day. At the close of the meeting, Myers said he believed "the air has been cleared." But student leaders said the boycott would continue today.

Myers, who praised the "statesmanlike conduct of my students," said classes would go on as usual. No disciplinary action will be taken against protesters, he said.

As a condition to ending the boycott, Roland B. Smith Jr., student body president, sought assurances that the general problems of Bowie, along with Maryland's other five state colleges long considered the stepchildren of the State educational system, would receive increased attention.

Myers said he and Smith, a junior at the college of 600 full-time students, would meet today with aides of Gov. Spiro T. Agnew.

Bowie "has been called the cesspool of the State college system," the boycott leader said in a letter to Myers.

They cited poor food, mismanagement of students records by the office of the college registrar and neglected conditions in dormitories.

Myers, a former State Department adviser on Latin American affairs who came to Bowie in July, noted yesterday that the grievances represented a compendium of complaints over a long period.

Many of the college's shortcomings are now being corrected, he said. A new registrar was appointed last month, he noted, adding that he expected procedures to improve.

Protests are not new to Bowie. The college was closed briefly in 1966 during a similar but more violent boycott.

Most of the complaints of two years ago centered on the dilapidated physical plant and many have since been corrected. They included bare steam pipes and inoperable toilets and showers.

A new science building was completed last fall, but equipment has yet to be installed.

One immediate cause of yesterday's boycott, Myers and the students agreed, is the case of 29-year-old Virginius B. Thornton III, whom Myers has refused to grant tenure.

Thornton said Myers told him his academic qualifications were excellent, but that "I had used my class to compromise students," presumably through an interest in "black power" activities on the campus.

One of the complaints in the student leaders' letter to Myers asked for "an explanation why obviously inefficient, poorly qualified teachers are retained . . . while teachers of demonstrated ability are effectively eliminated." This was interpreted by students and Myers as a reference to the Thornton case.

Myers said the decision to refuse tenure to Thornton originally was made by Martha Putney, head of the history department. "I simply acted on all the information available to me," he said.

Some students circulated a letter yesterday calling the boycott "morally wrong, totally unrepresentative . . . and unnecessary." They urged "reasonable approaches" to Bowie's problems. Myers, they said, "inherited a rotten apple," and needed time to improve the school.

Students and faculty members on both sides of the boycott issue expressed respect for Myers, and emphasized that the protest was not directed at him.

Myers said he believed conditions would soon be on the upswing at Bowie.

While the college's operating budget requests for 1968–69 were cut sharply in a general State economy move, the amount approved by the General Assembly will be $2.1 million, nearly twice the $1.2 million budget for the college in 1966–67.

But among the programs cut was a $176,000 master's program for teachers. About 190 students will be stranded in mid-program without a degree when the program ends this year. Because Bowie is not fully accredited, they cannot transfer to the University of Maryland.

Bowie's enrollment will increase from 619 students to 1025 between 1967 and next year. The money spent per student will rise in the same period from $211 to $379.

In comparison, the expenditure per student in other Maryland state colleges ranges from $105 at Towson and $153 at Frostburg, both larger schools, to $237 at Coppin, also a small, predominantly Negro college.

The major budget increase for Bowie is in staff. The number of authorized employes will be increased from 137 in 1967 to 218 in 1969. This includes doubling the number of full-time professors.

[From the Washington Post, Mar. 28, 1968]

HOPES BRIGHT FOR VIRGINIA STATE BOYCOTT SETTLEMENT

PETERSBURG, VA., March 27.—Prospects for settlement of student grievances at Virginia State College brightened today although a classroom boycott virtually halted instruction for a second straight day.

"I think we're getting somewhere. There's a spirit of continuing dialogue," an administration spokesman said as the college executive council prepared for another closed conference with student government leaders.

Despite renewal of the boycott by an overwhelming majority of the predominantly Negro college's 2300 students, there were indications a return to normalcy was not far off.

The graduate students returned to classes today, and so did undergraduates taking courses requiring laboratory work.

As had been the case yesterday, students gathered outside the classroom buildings on the tree-shaded campus for unofficial "classes." Unlike yesterday, this time some professors came out to teach them.

Neither the students nor the college administration has listed the grievances, some of which the students claim date back to 1964. They are known to include complaints about some academic policies, strict social regulations for women students, food and housing, and compulsory ROTC training and chapel assembly attendance for freshmen and sophomores.

[From the Washington Evening Star, March 28, 1968]

HOWARD RALLY TOLD OTHERS FOLLOW LEAD

About 1,000 Howard University students cheered yesterday afternoon as their leaders told them that their rebellion was being emulated at Negro institutions around the country.

On the first day of full operations at Howard since the students' takeover of the administration building closed the institution eight days ago, student leaders held a rally behind Douglass Hall to call for continued support.

"Come out and support those of us who are trying to change this university—because this university must change," said Ewart Brown, president of the student government.

The takeover, he said, "was what we as intellectuals in black society must regard as black power."

Anthony Gittens, another leader of last week's protests drew cheers as he listed other institutions, including Virginia State College and Bowie State College, where he said students are battling administrators.

"Brothers and sisters," he said, "we done started us a revolution."

He advised the students to continue pressing demands for better treatment, from departments making curriculum decisions and from representatives of the administration.

"If you go into that administration building and a secretary gives you a hard time, curse her out," he said.

"We took this school over and ran it for four days, and did it better than they ever did," Gittens told the crowd.

Attendance appeared to be normal yesterday at undergraduate classes, which were resumed for the first time since the sit-in resulted in a shutdown order from the Howard administration. Most graduate classes had resumed Monday.

OVERPROMOTED PAINKILLER HARD TO KEEP DOWN, FDA FINDS

Mr. NELSON. Mr. President, an article in the March 28, 1968, Washington Post discusses a prescription drug, mefenamic acid, sold under the trade name Ponstel by the Parke, Davis Drug Co. The article discusses one of the problems the Monopoly Subcommittee of the Senate Select Committee on Small Business has found during its exploration of the competitive problems in the drug industry.

The writer says that the Food and Drug Administration approved the application by the drug company to market Ponstel on the basis of what it now feels were "claims of glowing results—based on clinical studies from which possible bias had not been eliminated.

The article points out that the prestigious Medical Letter, a nonprofit publication which evaluates drugs for physicians termed the Federal agency's approval "difficult to understand," and cited a series of troubling side effects.

The Medical Letter concluded that it is still too early for the full range of side effects to be known, declaring that "if Ponstel cannot be used for more than 7 days, it should not be used at all."

In trying to refute the journal's argument, Dr. Joseph F. Sadusk, Jr., a Parke, Davis vice president and former top physician at FDA, attacked the Medical Letter and made reference to new studies showing Ponstel to be safer for longer periods of time.

Some time earlier, the University Hospital at Charlottesville, Va., has rejected

Ponstel for inclusion in its Hospital Formulary on the grounds that "there seems to be little to gain and much to lose, since Ponstel was little if any better than aspirin." Parke, Davis sent a representative to the university with a copy of Dr. Sadusk's letter and what Dr. Sadusk termed the "new material" and asked for reconsideration of Ponstel for the formulary. The appeal was granted—only to be rejected a second time when the analysis of the "new material" Dr. Sadusk offered was found to consist of 15 papers yet to be published, 41 uninformative references to the drug, some only one sentence long, and grave omissions, and the like.

In addition, the FDA complained that late last year, Parke, Davis had advertised, mailed, and passed out promotional materials that could deceive physicians as to Ponstel's safety and usefulness. The FDA requested that Parke, Davis send a "corrective letter"—usually referred to as a "Dear Doctor" letter—to all practicing physicians in the country, in which the firm admitted that its studies were not unbiased and that the ads were "misleading."

Mr. President, I ask unanimous consent that Mr. Mintz' article be inserted in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

Overpromoted Painkiller Hard To Keep Down, FDA Finds

(By Morton Mintz)

Not long ago, executives of the Parke, Davis drug company went to the Crystal Plaza in Arlington to confer with officials of the Food and Drug Administration about the promotional campaign the firm used to introduce a painkiller called Ponstel.

The drug has been the subject of controversy at FDA; in Medical Letter, a nonprofit publication that evaluates drugs for physicians, and at the University of Virginia School of Medicine Hospital. The hospital has declared Ponstel "medicamenta non grata"—an unwanted medicine.

Ponstel is a non-narcotic prescription product with the generic name of mefenamic acid. Although new in the United States, Parke, Davis distributed an estimated 194 million capsules in foreign countries between 1963 and 1967.

At FDA, officials met with a Parke, Davis delegation that included Dr. Joseph F. Sadusk Jr., who had been FDA's top physician until two years ago. The Government's complaint was that late last year the firm published an advertisement in Medical Tribune, a newspaper for physicians, and mailed and passed out promotional materials that could deceive physicians as to Ponstel's safety and usefulness.

Claims of glowing results, FDA said, were based on clinical studies from which possible bias had not been eliminated. Parke, Davis agreed to send a "corrective letter" to each of some 288,000 physicians in which it said that the FDA regarded the ad and leaflets "as misleading."

The letter, dated last Jan. 15, emphasized the results of trials which eliminated bias by concealing whether the pills used were Ponstel, aspirin, another painkiller, or a placebo or dummy pill that depends on psychological effects.

Ponstel was found "essentially equal to the comparison drug and better than placebo." In certain trials "aspirin was found better than Ponstel and the latter could not be distinguished from placebo; in some trials pain relief with placebo was obtained in as high as 40 per cent of the patients. In other trials the results with Ponstel were better than those with aspirin or placebo."

In addition, Parke, Davis conceded, "the introductory campaign failed to give adequate prominence to the fact that Ponstel is indicated for short-term administration not exceeding one week of therapy."

Medical Letter thought it was the FDA that had goofed to begin with. The publication had termed the agency's grant of marketing approval "difficult to understand." It listed a series of troubling side effects, said it is "still too early for the full range" to be known and declared that if Ponstel "cannot be safely used for more than seven days it should not be used at all."

The FDA's position is generally that the law requires it to approve a drug so long as the labeling accurately reflects its pros and cons.

Two months before Parke, Davis mailed out the "corrective letter" approved by FDA, Dr. Sadusk had attacked Medical Letter. He dealt with the recommended seven day limit on Ponstel use by saying most illnesses for which it is intended do not require pain relief after a week. He also referred to new studies showing Ponstel to be safe for longer periods.

The Sadusk letter and a 56-reference bibliography accompanying it set off a flare-up at the University Hospital in Charlottesville about whether the Drug and Pharmacy Committee should add Ponstel to the Hospital formulary.

The story of the fight was summarized this way in the December issue of Pharmacy and the Physician, published by the Committee:

The Committee unanimously rejected initial requests, made by several physicians in September, for inclusion of Ponstel in the Formulary. "There seemed to be little to gain and much to lose . . ." Ponstel was "little if any better than aspirin." "The dangers of diarrhea, gastrointestinal ulceration and bleeding appeared to be quite real . . ."

The local Parke, Davis representative then produced the letter from Dr. Sadusk and the bibliography "and appealed for reconsideration." The appeal was granted. But an analysis showed that the bibliography "consists of 15 papers 'to be published,' and 41 uninformative references to the drug, some only a sentence long. There is one striking omission: the careful study of Mason, et al . . . which finds mefenamic acid slightly more potent than aspirin . . ."

Ponstel was then rejected a second time. Those "who still yearn to dispense it must do so from private stocks," the Pharmacy Committee said. "Arguments to the contrary would have to be based upon better evidence than any we have seen so far."

TAX ADJUSTMENT ACT OF 1968

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 995, H.R. 15414.

The PRESIDING OFFICER. The bill will be stated by title.

The Assistant Legislative Clerk. Calendar No. 995, H.R. 15414, an act to continue the existing excise tax rates on communication services and on automobiles, and to apply more generally the provisions relating to payments of estimated tax by corporations.

The PRESIDING OFFICER. Without objection, the Senate will resume its consideration.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that there be a brief quorum call, and that the time be charged equally against both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. Burdick in the chair). Without objection, it is so ordered.

EXTENSION OF TIME PROVIDED IN UNANIMOUS-CONSENT AGREEMENT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the time on the Mundt amendment be extended to 1:30 p.m. today.

Mr. MUNDT. The maximum time. We might vote earlier.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the distinguished Senator from Arkansas [Mr. McClellan] may be recognized for a period of 10 minutes and that, notwithstanding rule VIII, he may be permitted to speak on a subject out of order.

Mr. MONDALE. Mr. President, would the time allotted to the Senator from Arkansas be charged against the time allotted on the Mundt amendment?

Mr. BYRD of West Virginia. No; it would not be. There has been a 15-minute extension of time.

The PRESIDING OFFICER. Is there objection to the request of the Senator from West Virginia? The Chair hears no objection, and it is so ordered.

CRUCIAL DECISION ON APPROPRIATION OF ADDITIONAL FUNDS FOR THE F–111B

Mr. McCLELLAN. Mr. President, on January 22 of this year I said in remarks here in the Senate that the Congress would face a crucial decision on whether to appropriate any more funds for the F–111B aircraft, the Navy version of the TFX. That decision must soon be made.

The defense authorization bill for fiscal year 1969 will be reported by the Armed Services Committee within a very short time. The Pentagon has asked for the authorization of funds to initiate the production of the F–111B airplane. The budget request submitted to the Congress by the Defense Department on January 29, 1968, include $351 million for procurement of the first 30 production-line aircraft. Each of these first 30 F–111B airplanes would cost the taxpayers $11.7 million. The Pentagon has also asked Congress to provide an additional $72 million for further research and development work on the F–111B.

More than 5 years have gone by, Mr. President, and more than a billion dollars have already been expended on the research and development program for this exorbitantly expensive TFX weapons system, but the end of this research cost is not yet in sight.

In my remarks on January 22, I cited three articles from the Nation's press, all reporting that the Navy was evaluating proposals from aircraft contractors to design a substitute for the F–111B. This alternative aircraft, according to those accurate reports, would use the existing engines and missiles of the F–111B, but would have a completely new airframe, designed solely for the Navy's mission requirements.

As a result of dropping the requirement for commonality with the Air Force F–111A, a Navy fighter plane could be produced with performance markedly superior to that of the F–111B. It should be recalled that a similar redesign proposal was made in 1964 by the Grumman Co., the Navy subcontractor on the F–111 program. Unfortunately, this proposal was rejected by the Secretary of Defense, who obstinately insisted that commonality be maintained. Had that proposal been adopted 4 years ago, the Navy would now have an airplane almost ready to fulfill its fleet air defense needs. Instead, the F–111B is now 3 years behind schedule and, if the program is continued, it is still many years away from being available to the fleet.

On January 31, 1968, I discussed in the Senate another article from the press which asserted that the Navy, notwithstanding its protests, would be forced to take the F–111B. Otherwise, the Department of Defense would refuse to provide the Navy with any swing-wing plane. Such action, it seems to me, would be reprehensible and tragic. The primary issue with respect to the F–111B is not the variable sweep wing; that aspect of the plane's design was never in controversy. It works, and it constitutes an outstanding advance in the state of the art. The vital consideration on procurement of the F–111B is whether the Navy will get an adequate weapons system for fleet defense. That should be the primary consideration for decision by the Pentagon and by the Congress.

Although the Pentagon has generated press stories questioning the feasibility of the proposed alternative aircraft, it is now evident that the Navy's top admirals have been convinced that it will be a far better weapon than the F–111B. Aviation Week & Space Technology, in its issue of March 11, 1968, reported that Adm. Thomas Moorer, Chief of Naval Operations, and Vice Adm. Thomas Connolly, Deputy Chief of Naval Operations for Air, testified before the Senate Armed Services Committee that they would prefer to abandon the F–111B and start immediately upon the development of the proposed substitute aircraft. Mr. President, I know of no reason to doubt the accuracy of the magazine's report, nor can I doubt the good faith, the good judgment, and the wisdom of the admirals in stating their preference and recommendation. Since the admirals are the men responsible for defending the fleet, their views should be given great weight and scrupulous attention.

I would like to inform the Congress in these remarks about a few comparisons between the F–111B and the alternative airplane to show exactly why the admirals have firmly and unequivocally joined the engineers in preferring the new plane.

Because the weight and drag of the F–111B have increased enormously during its 5 years of research and development, it now falls far short of meeting any of its performance requirements. I repeat, Mr. President, that the F–111B will not meet a single one of the original performance requirements that were set forth in either the original work statement or the research and development contract.

The new airplane, designed solely for the Navy's missions, will have major combat advantages. Its takeoff weight will be 20 percent less than that of the F–111B. It will accelerate from loiter speed to combat speed in half the time it takes the F–111B to do so. It will have a loiter altitude 1 mile higher than that of the F–111B and a combat ceiling one and a half miles higher. The new plane's time on loiter station will be at least 25 percent longer than that of the F–111B.

Loiter time is a vital factor in the performance of the Navy's missions. The loiter time of the F–111B with combat fuel reserve has been degraded so much that it is now only 12 minutes more than that of the Navy's current F–4 Phantom fighter. Finally, when the proposed new plane is compared to the F–4 Phantom in a general purpose dogfighting role, it is superior to the F–4 in every performance characteristic. On the other hand, the F–111B in that role is inferior to the F–4 in every characteristic except loiter time.

Mr. President, the decision Congress must make involves a very simple choice: Should the Navy now procure a new plane which will surpass the F–111B as a missile carrier and the F–4 as a fighter, or should the Navy be forced to take the F–111B, which is an inferior weapon and a plane that Navy pilots privately refer to as a "dog"—one which cannot meet any of the Navy's original requirements?

The answer is obvious to the admirals, and I believe the answer should be obvious to Congress. The Pentagon, however, apparently cannot understand the obvious. I am informed that some time ago the Pentagon started yet another of its endless series of cost-effectiveness exercises to study the question. Our need in this time of war and national danger, Mr. President, is for combat effectiveness, and not the faulty "cost effectiveness" that has characterized this TFX program from its inception.

Since the Pentagon in the past has failed to heed the advice of contractors, engineers and admirals, and has not yet canceled the F–111B program, I believe it is the duty of Congress to refuse to authorize funds for a continuation of this ill-fated airplane, and we should now refuse to appropriate any more funds for research and development or for production of the F–111B.

Mr. BYRD of Virginia. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. BYRD of Virginia. Mr. President, I commend and congratulate the distinguished senior Senator from Arkansas for the effective work he has done in bringing out the facts to the public, over a long period of time, in regard to this airplane.

I first became interested in the TFX program as a result of my conversation with the distinguished senior Senator from Arkansas before I came to the Senate. It was my casual conversations with him that led me to take an interest in this program.

The more I looked into the matter, the more I found out about it, the more I spoke with responsible officials in the Navy, the more convinced I became that the senior Senator from Arkansas was correct.

The PRESIDING OFFICER (Mr. MONTOYA in the chair). The time of the Senator has expired.

Mr. BYRD of Virginia. I ask unanimous consent that I may proceed for 3 additional minutes.

The PRESIDING OFFICER. The time is under control, and the Senator must yield time.

Mr. McCLELLAN. Mr. President, I ask unanimous consent that I may proceed for 3 additional minutes, on the original unanimous-consent request.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCLELLAN. I should like to make one statement, and then I shall yield to the distinguished Senator from Virginia.

If the Senator will permit me to interrupt, I have just been advised that a story has come over the news ticker this morning about an F–111A overdue on a mission over North Vietnam, and it is presumed lost. That does not mean that the F–111A is defective. We are losing planes over there. This could be due to something else.

But there is no comparison, in my understanding, between the performance of the F–111A—which is the Air Force plane and which has been given preference all the way in the development of an Air Force plane—and the F–111B. The F–111B cannot perform its mission in any way nearly comparable with the way the F–111A can perform its mission.

I yield to the Senator from Virginia.

Mr. BYRD of Virginia. They are two different planes of course, and my remarks and my views in regard to the TFX apply, and I assume that the remarks of the Senator from Arkansas also apply, not to the F–111A but to the F–111B.

Mr. McCLELLAN. Yes. I hope the plane is not down.

The F–111B is not such a superplane as has been represented—nor is the F–111A. But I believe the F–111A is a plane that we can go ahead and buy. It is a sufficient weapon. It has some superiority over planes we now have. But in the F–111B, the Navy will not be procuring the plane it needs. It is not a superior weapon, and the cost of it is outrageous.

Mr. BYRD of Virginia. Would the Senator estimate the amount of money he believes the Government may have lost in attempting to develop the F–111B into a satisfactory plane for the Navy—a plane which has never become satisfactory?

Mr. McCLELLAN. The fault has been the insistence that both planes be built of the same parts. They perform completely different missions, and the Navy plane, in my judgment, has been sacrificed in favor of the Air Force plane. It is also true that the Air Force plane has been degraded somewhat in its performance characteristics by the attempt to achieve commonality with the Navy plane. The tragic aspect of the total TFX program is that two separate weapons are required, and they should have been built separately. If that had been done, we would have had two superior planes now. We have two compromised weapons, with the compromise placing the heavier penalty upon the Navy plane.

Mr. BYRD of Virginia. I shall support the position of the Senator from Arkansas and will cast my vote to eliminate the Navy version of the TFX.

Mr. McCLELLAN. I thank the Senator. The time has come for decision.

Mr. MUNDT. Mr. President, I congratulate the chairman of our committee, who has been the sparkplug in keeping the attention of our staff and all committee members devoted to this most wasteful Government contract in the history of the Republic—wasteful not only in money, but now it appears also wasteful in life. The Senator from Arkansas has rendered a great public service.

Mr. McCLELLAN. I thank the Senator.

Mr. ALLOTT. Mr. President, I join in the remarks that the distinguished Senator from Arkansas has just made. Everyone knows that this country owes him the greatest debt for not letting loose of what he knew was the fatal defect in this concept of fighters and airplanes, in spite of the fact that he was being snowed under with figures and propaganda from the Defense Department.

The great irony and the great disappointment is that before the Committee on Appropriations last year—even as late as last year—in answers to questions submitted by me, they were still insisting that the F–111B was going to be a great plane and was going to be used for our Navy.

I shall certainly support the distinguished Senator from Arkansas. I believe it would be terrible if we continued to put up one additional dollar for the F–111B.

Mr. McCLELLAN. I thank the Senator.

Mr. MURPHY. Mr. President, I should like to join my colleagues in congratulating the Senator from Arkansas for the magnificent job he has done. The military experts do not want the aircraft, we do not want it, and I cannot understand why it is being forced by the Department of Defense.

I believe the Senator has performed a great service.

Mr. McCLELLAN. I thank the distinguished Senator from California.

TAX ADJUSTMENT ACT OF 1968

The Senate resumed the consideration of the bill (H.R. 15414) to continue the existing excise tax rates on communication services and on automobiles, and to apply more generally the provisions relating to payments of estimated tax by corporations.

Mr. CARLSON. Mr. President, I wonder whether the Senator from South Dakota would be willing to lay aside temporarily the pending amendment and permit me to call up an amendment that I understand has been agreed to and approved by both sides.

Mr. MUNDT. In that event, I shall be happy to accept the unanimous-consent request that we consider this amendment out of order, and that my amendment be temporarily laid aside, with the understanding that if the time consumed is more than 5 minutes, we will have to get an extension of the full debate.

Mr. JAVITS. Mr. President, reserving the right to object—I shall not object, of course—I have arranged with the Senator, who has very graciously agreed that I may have 6 minutes to introduce a bill on behalf of Senator PROUTY and myself, after completion of action on Senator CARLSON's amendment; and I ask unanimous consent that that provision be added to the unanimous-consent request.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. CARLSON. Mr. President, I call up amendment No. 664, which is at the desk.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

At the end of the bill insert a new section as follows:

TAX EXEMPT STATUS OF CERTAIN HOSPITAL SERVICE ORGANIZATIONS

SEC. —. (a) Section 501 of the Internal Revenue Code of 1954 (relating to exemption from tax on corporations, etc.) is amended by redesignating subsection (e) as subsection (f) and by inserting after subsection (d) the following new subsection:

"(e) COOPERATIVE HOSPITAL SERVICE ORGAzation described in subsection (c)(3) and organization shall be treated as an organization organized and operated exclusively for charitable purposes, if—

"(1) such organization is organized and operated exclusively to perform services—

"(A) of a type which, if performed on its own behalf by a hospital which is an organization described in subsection (c)(3) and exempt from taxation under subsection (a), would constitute an integral part of its exempt activities; and

"(B) solely for hospitals each of which is—

"(i) an organization described in subsection (c)(3) which is exempt from taxation under subsection (a),

"(ii) a constituent part of an organization described in subsection (c)(3) which is exempt from taxation under subsection (a) and which, if organized and operated as a separate entity, would constitute an organization described in subsection (c)(3), or

"(iii) owned and operated by the United States, a State, the District of Columbia, or a possession of the United States, or a political subdivision or an agency or instrumentality of any of the foregoing;

"(2) such organization is organized and operated on a cooperative basis and allocates or pays, within 8½ months after the close of its taxable year, all net earnings to patrons on the basis of services performed for them; and

"(3) if such organization has capital stock, all of such stock outstanding is owned by its patrons.

For purposes of this title, any organization which, by reason of the preceding sentence, is an organization described in subsection (c)(3) and exempt from taxation under subsection (a), shall be treated as a hospital and as an organization referred to in section 503(b)(5)."

(b) The amendments made by subsection (a) shall apply to taxable years ending after the date of the enactment of this Act.

Mr. CARLSON. Mr. President, this amendment was considered by the Committee on Finance. Previously it was reported to the Senate and passed in the social security bill which was passed last year. I understand that both the majority and the minority agree to it.

On Monday I introduced an amendment to be made to H.R. 15414, which would provide tax exemption for joint operations by our Nation's hospitals.

The seriousness of the ever-rising cost of hospital care is of grave concern to all of us, and has been made the subject of almost continuous discussion by leading members of the health field. Testimony before the Congress last year, at the time of the social security amendments, disclosed that hospital costs have risen some 15 percent per year and will continue to do so for at least a few years before salaries paid by hospitals reach those paid by industry generally.

Mr. President, as a result of this continuing increase, leaders of the hospital field have been working diligently to design ways to slow the ever-rising cost, and to make the operations of our hospitals more efficient.

One of the ways in which this can be accomplished would be greatly encouraged by my proposed amendment. In carrying out economy and efficiency in our hospitals, the hospital leadership is moving toward installing modern business practices. They are trying to meet the challenge presented by the Honorable WILBUR MILLS in his address before the National Conference on Medical Cost, held here in Washington last June 27 and 28. At that time, Mr. MILLS stated that, while Congress would expect that hospital costs would go down, Congress would not expect the hospital field to work very hard to keep the increase as low as possible, consistent with a high quality of hospital care. He pointed out that some of the answers to this were to install automation in the various segments of hospital operations such as, food preparation, laboratory operations, laundry, and maintenance. He noted that data processing has made great strides in industry and has a clear application to many of these hospital operations. As an example, he pointed out that the automated laboratory is already in existence in some hospitals.

Mr. President, I doubt there is a State or any large city in our Nation today whose hospitals are not moving in this general direction. And certainly my amendment would provide the hospital field a great incentive to proceed in this manner. All of you are aware that the use of computers is economical only when they are kept substantially in operation. It makes little sense for a hospital to install expensive computer equipment where it will be needed for only a few hours a day. Not only would this be uneconomical, Mr. President, but it would be pure waste. For this reason, hospitals are working toward joining together in joint enterprises to operate computer programs and other programs which provide through joint operations, a source of economy to the hospital field. In addition to the computer programs, central purchasing, central laundries, warehousing and many other programs adaptable to economy through joint operations, are being discussed today.

In Boston, Mass., they have already initiated a central service center which they envision might in the future cover all the items I have discussed. They have already committed themselves to the leasing of one computer at $25,000 per month—but this computer is going to serve several hospitals, each of whom will pay their fair share of the operational cost. At some future time this service center might undertake all types of service for the individual member hospitals.

Much has been said about the operation of joint laundry facilities and I am sure that my esteemed colleague, the Honorable Joseph Tydings of Maryland, who is a cosponsor of my amendment will discuss this matter in more detail since his constituency in Baltimore is currently faced with that problem. However, I want to say that this is a substantial area for joint enterprises for hospitals. I am aware that in Los Angeles, Calif., seven area hospitals anticipate savings of $300,000 a year, by establishing a cooperative central laundry service. And it is understandable that hospitals could economize through the use of joint facilities in laundries. Hospitals for the most part have always operated their own laundry facilities because of the vital need to the hospital of an assured supply of laundry and particularly, an assured supply of bacteria free linen.

The American Hospital Association informs me that a survey conducted by the association of hospital operations for 1964, disclosed that of the voluntary nonprofit, short-term, general hospitals of 100 beds or more—which are deemed to be of sufficient size to justify economical operation of inhouse laundry facilities—less than 20 percent send their laundry out to commercial facilities. In those hospitals of 99 beds or less—which normally would not be presumed to be of sufficient size to justify the economic use of inhouse laundry facilities—the survey disclosed over 50 percent of such hospitals actually operate their own laundry facilities. The reasons are obvious. The hospitals require quality of cleanliness, assurance of availability of linens, and the need to have linens meet the bacteria-free requirements, even if it requires the hospitals to operate such facilities at a loss.

I am sure that this problem is facing all the hospitals in every State and large city in the country, and each of you Members of the Senate are as much concerned about this matter as I am. Only today, I have been informed that in western Kentucky, six rural hospitals have been attempting the establishment of a centralized laundry and purchasing facility. Also, on behalf of the people of Michigan, Congressman Dingell introduced a bill to provide such tax exemption for joint enterprises for hospitals. In my own State of Kansas, as well as in Rhode Island, New York, Texas, Georgia, and I am sure in every State, hospitals are seeking to join hands in cooperative endeavors to hold down hospital costs.

Of course, these joint facilities can be initiated whether the joint enterprise is given the same tax-exempt treatment as is accorded the individual member hospital, but there are many problems involved other than the question of direct Federal taxes. This exemption is necessary in order to attract grants from charitable foundations and gifts from individuals. The hospital field believes it could garner much support from these sources, but obviously neither source would be willing to donate without assurance of tax deductibility of the gift. Furthermore, without the appropriate Federal exemption in many States, the organization would be denied exemption status under State law and would be faced with real estate, sales, and income taxes.

My amendment is simple, gentlemen; it would give each hospital the same tax status as is enjoyed by the individual member hospital. It would not cost the taxpayers of this Nation any money and it will contribute greatly to stemming the serious ever-rising cost of hospital care. The tax exemption which would be authorized by my amendment had the support of the then Surgeon General of the United States, Dr. Luther Terry who, under date of November 24, 1964, addressed the Internal Revenue Service in support of providing this exemption to joint hospital facilities. This position was also supported in a letter dated December 2, 1965, addressed to the Department of the Treasury by the Honorable Philip R. Lee, M.D., Assistant Secretary of the Department of Health, Education, and Welfare. The exemption was further supported by the Honorable Harley O. Staggers, chairman of the House Committee on Interstate and Foreign Commerce, in a letter addressed by him to the Internal Revenue Service under date of November 23, 1966.

Mr. President, nowhere could you find persons more concerned and familiar with hospital operations. Naturally, weight must be given to their recommendations.

Mr. President, I urge the Senate to adopt this amendment.

Mr. LONG of Louisiana. Mr. President, I yield myself 1 minute.

The PRESIDING OFFICER. The Senator from Louisiana is recognized for 1 minute.

Mr. LONG of Louisiana. Mr. President, I do understand the amendment. It is a meritorious amendment.

The amendment merely would permit organizations providing joint services to be exempt from the income tax. This is the same treatment now applied to hospitals. The provision was in the social security bill which was passed last year; and it has been approved by the Senate and the Committee on Finance on other occasions in previous years.

I have no objection to the amendment.

Mr. CARLSON. I am indebted to the distinguished Senator from South Dakota [Mr. Mundt] and the distinguished Senator from Virginia [Mr. Byrd] for permitting me to take this action out of order.

Mr. TYDINGS. Mr. President, the amendment introduced by the Senator from Kansas [Mr. Carlson], which I have cosponsored, is vitally important to the city of Baltimore as well as, ultimately, to almost every city of this country.

In Baltimore, six nonprofit hospitals have already combined their laundry operations in a tax-free building located adjacent to the Johns Hopkins Hospital. This combined laundry operation will save patients in these major hospitals hundreds of thousands of dollars in reduced costs. As Senator Carlson has pointed out, hospital costs have been rising by some 15 percent per year or more and will continue to do so. Everyone agrees that it is in the public interest to help the hospitals reduce their costs.

I wish to make several points about this amendment using the facts as they apply to the Baltimore hospitals' laundry.

First, each of these six hospitals previously maintained their own individual, outmoded, and inefficient laundry prior to development of the new, modern, efficient, combined service.

Second, the development of this modern combined service has in no way resulted in a reduction of business to private laundries in Baltimore. Private commercial laundries in Baltimore have not objected to this combined laundry facility. And I emphasize that this combined laundry service takes no laundry from any other source. It serves the six hospitals and only the six hospitals.

Third, and this is the most important point—each one of the individual laundries had tax-exempt status; but unforeseen rigidities in the law have led the Internal Revenue Service to rule that the combined laundry service cannot receive tax-exempt status. It is my understanding that Treasury supports this amendment fully.

So, Mr. President, what we are merely doing here is correcting an unforeseen inequity. If it was appropriate and in the public interest for individual hospital laundries to have a tax-exempt status, then it surely is just as much necessary and in the public interest for the combined operation to have the same tax-exempt status.

I deeply hope that this amendment will be again adopted by the Senate—as it was adopted last year in the social security admendments—and that it will be retained in conference. If it is not enacted, the major hospitals of Baltimore will be additionally pressured to increase their already rapidly increasing charges.

On behalf of the people of the Baltimore area, I want to thank Senator Carlson for his characteristic and far-sighted leadership on this important question.

The PRESIDING OFFICER. The question is on agreeing to the amendment (No. 664). [Putting the question.]

The amendment (No. 664) was agreed to.

ORDER OF BUSINESS

Mr. JAVITS. Mr. President, I yield myself 4 minutes and I reserve 2 minutes of my 6 minutes for the Senator from Vermont [Mr. Prouty].

The PRESIDING OFFICER. The Senator from New York is recognized.

S. 3249—INTRODUCTION OF NATIONAL MANPOWER ACT OF 1968

Mr. JAVITS. Mr. President, I am introducing today, on behalf of myself and Senator PROUTY, of Vermont, and 11 Republican Senators, the National Manpower Act of 1968. This proposal has been a matter of joint authorship by me and Senator PROUTY, on the Senate side, and Congressmen GOODELL and QUIE on the House side, and it is being introduced simultaneously today in the House with 63 sponsors. The Republican Senators who are joining us in this legislation are Senators ALLOTT, BROOKE, CASE, HANSEN, HATFIELD, KUCHEL, MORTON, PEARSON, PERCY, SCOTT, and COOPER.

The bill is the concerted and comprehensive response of Republicans in the Congress to meet the greatest single problem in our rural and urban slums. For unemployment and chronic underemployment is the master problem in the domestic crisis in this country today. It is the problem from which so many other critical shortcomings derive, including poor housing, lack of education, and lack of good health care, and it is the area in which a solution will produce the greatest impact on the problem of poverty.

This bill with its joint authorship is another example of the excellent cooperation between Republican House and Senate Members to produce effective and positive solutions to some of the gravest problems facing our Nation. It is our hope that, as we have on previous occasions, our colleagues on the majority side may join with us in making law these most desirable provisions of our bill to employ with strong participation of private enterprise 300,000 of the hard-core unemployed.

I am proud to point to the active and progressive record of the Republicans in Congress in this regard. For example, I would note the fact that 16 Republican Senators voted last year for the Emergency Employment Act which Senator CLARK, Senator PROUTY, and I introduced on the floor of the Senate. A little later last year, 23 Republican Senators joined me in introducing the Economic Opportunity Corporation legislation; and 19 others cosponsored the Domestic Development Bank bill—a $2 billion antipoverty proposal. Moreover, Republicans joined last year in opposing the Green amendment on the antipoverty program, which escalated the role of politicians in the community action program. And this year, of course, Republicans have supported in the Senate a progressive open housing bill, with 24 Republican Senators voting for that measure and only three against.

Now, in this bill, Republicans are taking a progressive and favorable stand on many of the recommendations of the National Advisory Commission on Civil Disorders. Our legislation is in accord with the recommendations of the Commission, and I feel it is noteworthy that members of the minority in Congress are willing to come to grips with the problems outlined in the report, while the President and members of his administration have constantly given the cold shoulder to this Commission, although it was appointed by the administration itself. We have in days past witnessed a lengthy silence on the document from the White House, followed by hardly more than an acknowledgment of the report's issuance, then successive statements of criticism from the Vice President and from the Secretary-designate of the Department of Health, Education, and Welfare. Much of this administration criticism is focused upon the alleged emphasis of the report on "white racism." But this kind of criticism diverts attention from the basic thrust of the report—its many constructive recommendations for governmental and private programs. This Republican bill is a constructive response to the report of the Riot Commission, not more criticism over terms. We are implementing its carefully documented bill of particulars as to the urgent action this country must take in the months and years ahead. The administration's cold shoulder given to this report is all but disgraceful, and I hope through this legislation that we may give the Congress the opportunity to hold hearings and to initiate a careful study of the Commission's work.

I want to emphasize that this legislation, costing nearly $1 billion, is nonetheless introduced in the context of proposals to achieve a net reduction in Federal expenditures in fiscal year 1969. In other words, the cosponsors propose not to add $1 billion to the President's proposed budget, but rather to establish priorities in that budget by cutting back heavily on low-priority programs and increasing effort in critical areas such as the urban crisis. In this regard, the human renewal fund proposal advanced by Republicans in the House of Representatives offers a model. In that proposal, almost 2 dozen specific cuts, totaling $6½ billion, were suggested, with a proposed $2½ million plowback of that cut into areas of manpower training, vocational education, low-income housing, and water and air pollution control programs. I do not, and the cosponsors of this legislation do not, support all the specific cuts recommended in the human renewal fund. We certainly reserve the right to disagree with the nature and amount of some of those cuts. But I do feel that some such budget cutting operation is a clear necessity, and this bill is part of that effort to set priorities.

There is hardly any need anymore to convince people of the great need for jobs for the poor in this country. There are at least 2 million unemployed in the Nation today and about 10 million underemployed—6.5 million of whom earn less than the annual poverty wage. A major part of the problem exists in the 500,000 so-called hard-core unemployed who live in the 50 largest cities, and this group would be one of the principle targets of the bill being introduced today. In the central cities the subemployment rate runs as high as 35 percent, and a newly completed report from the Bureau of Labor Statistics showed the jobless rate for nonwhite workers to be at least triple that of whites in the largest cities. For example, 32.7 percent of nonwhite aged 16 to 19 were without work in those cities, compared with an 11-percent jobless rate for white teenagers. Several legislative proposals have been made to deal with this problem but they involve larger amounts of money. Senator CLARK has offered a bill costing an estimated $10 billion to create 2 million public sector jobs in 4 years; and Congressman O'HARA in the House has called for a million jobs in 1 year at a cost of some $5 billion. I cannot disagree with these legislators about the order of magnitude of the need, but their proposals may be unrealistic from the legislative point of view. The bill we offer today, designed to create 300,000 jobs for the hard-core unemployed in the first year of operation, is far more realistic in total cost and also achieves a lower unit cost per job slot created. Moreover, it is a balanced program, providing for both public and private jobs and for a linkage between the two types of programs.

I do, however, wish to emphasize the fact that this Republican proposal is the only bill which seeks specifically to deal with the critical problem of motivation of the hard-core poor in terms of public service job creation. There are a number of programs already existing in this field but they are characterized by extremely high drop-out rates and the prevalence of dead-end jobs.

This bill incorporates two innovative features designed specifically to deal with this problem. Most important, we would require in appropriate areas, such as neighborhood rehabilitation and clean-up, that the Secretary give a preference to employment projects funded through local service corporations. These would be small companies owned in substantial part by the employees themselves, and the company would be given a contract to perform the needed services with the possibility of earning incentive profits if the work were done in a particularly satisfactory manner. In this way the employees are working for themselves—they own "a piece of the action." From the point of view of encouraging the hard-core to remain on the job and not drop out, particularly the young adults who make up a major part of the group we are dealing with, this ownership feature can make all the difference. Of course, a good deal of technical assistance to these new companies will be necessary, and we allow the funding of separate development groups which would perform those services. It is also expected that the key management positions in the early days of these companies would be occupied by more experienced people.

We have also sought to deal with this motivation problem by giving persons who successfully participate in community service employment programs a preference for entry into on-the-job training and other placement programs operated by the Federal Government with private business. In this way, the new program provides a real job ladder and lead-in to regular competitive employment.

Finally, I ask unanimous consent to insert certain materials into the RECORD at this point in my remarks. First, a memorandum entitled "Explanation of the Republican Manpower Proposal." This memorandum is, in fact, a joint statement subscribed to by all cosponsors and it sets forth the elements of the package which we are introducing today, some of which are in legislative form and some of which are accompanying understandings which the sponsors undertake to carry forth when the relevant measures—such as appropriation bills—come before us.

Second, I would include a detailed "Description of the National Manpower Act of 1968," which gives a point-by-point analysis of the bill.

Third, I ask inclusion of an excerpt from the report of the Riot Commission, giving its recommendations in the area of job training and employment; the passages in italics in this excerpt are those which our bill undertakes to implement. And finally, I ask that the text of the bill be printed at the end of my remarks.

We are introducing first title I of our bill, which is a set of amendments to the Manpower Development and Training Act, and that after that has been referred to committee we will then introduce title II, the tax credit proposal, as an amendment to the bill. In this manner, the tax incentive plan will also come before the Labor and Public Welfare Committee where—for the first time—we may hold hearings on its desirability in manpower terms. As to the tax implications there is no effort to bypass the Finance Committee. For if and when the Labor and Public Welfare Committee reports the tax incentive provisions, they might then go to the Finance Committee before any further action could be taken. I ask unanimous consent that the amendment, when it is introduced, be printed immediately at the end of the text of the bill in the Record.

Mr. President, I ask unanimous consent to have printed in the Record at this point a joint statement of the sponsors of the bill.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Joint Statement Concerning the Republican Manpower Proposal

We are presenting this manpower legislation in the form of a *four-part proposal designed to meet the Nation's urgent problems of hard-core unemployment in a balanced and flexible manner*. We are proposing a major escalation of national effort in this area, yet we do so within the context of a reordering of our national priorities so that a net budgetary reduction can still be achieved. The proposal contains the following elements.

1. Private Enterprise Programs. The Republican Party has long endorsed the concept that the private sector has the primary responsibility and the greatest ability to deal with the hard-core unemployment problem. That view has now drawn major support from the Report of the National Advisory Commission on Civil Disorders, which has endorsed the idea of tax credits for employing the disadvantaged, an approach pioneered by the GOP in the Human Investment Act and other bills. Moreover, the GOP has advocated expansion of the on-the-job training program to provide more slots and more liberal reimbursement for employers. After having starved this program in the past by Administrative regulation, and in some cases diverting its funds, the President is only now beginning to expand it—using as his major authority a Republican sponsored amendment to the Economic Opportunity Act last year.

We now propose a substantial expansion and a new coordination of this approach. First, the proposed legislation would establish a system of tax credits to employers for hiring the hard-core, along the lines suggested by the Riot Commission. We continue to support the Human Investment Act, which presents a somewhat different mechanism under which the tax credit would be given, and believe that both proposals deserve immediate analysis and consideration by the Administration and the Congress. *We cannot understand why the President has ignored this proposal of his own Commission and we urge him to give the matter the urgent attention we feel it deserves.* Second, we propose that each employer be given the option of receiving either the tax credit or a reimbursement under the on-the-job training (OJT) program for each new hard-core employee. In this context we support the new OJT effort and expanded funding for it.

Our proposal involves the creation of *220,000 new private sector* jobs under this option technique. Following the estimates of the Riot Commission, we believe that 150,000 new jobs could be created in the first year under the tax credit approach, which would cost the Treasury about *$312 million* in reduced tax revenues. This cost would, of course, be significantly reduced by tax revenues generated from the new wage earners. The remaining 70,000 jobs, if created under the OJT framework, would cost *$244 million*, for a total cost of $556 million. Since an employer would have a choice of the tax credit or reimbursement approach, the cost of the program would vary with the mix of credits and reimbursement which is finally elected, but the outer limits would be $457 million (if all employers took the tax credit) and $770 million (if all employers took the reimbursement under OJT).

2. Community Service Employment Program. We recognize that private enterprise cannot and should not be asked to do the whole job itself. There are many individuals not ready for employment in the private sector and some who might never be able to hold a job in regular competitive employment. For this group we propose a new community service employment program, creating work and training opportunities with both public and private employers in such fields as health, public safety, education, recreation, and neighborhood improvement. Such a program has now been recommended by the Automation Commission, the Urban Coalition, and the Riot Commission, and we believe our bill draws strong support from those sources.

This bill would differ in four major respects from other bills which have been introduced to create public service jobs. First, we suggest two new approaches to meet the difficult problems of high dropout rates and of motivation of prospective employees, who might view the program as involving dead-end jobs with no future. Our bill would require the Secretary of Labor to give a preference in appropriate cases to the conduct of such programs by profit-making companies operated and owned by the employees themselves. Thus, instead of hiring disadvantaged persons to work for the city sanitation department, they would instead be organized as a company and given a contract for neighborhood clean-up, with an incentive profit feature if they perform in a timely and effective manner. *The employees are thus given the added motivations of ownership and profit*. Development companies, which might be organized by local branches of the Urban Coalition, would provide management assistance and centralized business services to the new service companies. Another aspect of our bill would increase motivation by giving successful participants in the program a preference for enrollment in a training or placement program operated with private industry, so that a real job ladder into the private sector is offered.

Second, our bill would put a heavy emphasis on consolidation at the local level of the various public service employment programs, including the Neighborhood Youth Corps and the new work program for welfare recipients. This consolidation was strongly urged by the Riot Commission. Third, *the GOP bill specifically authorizes and encourages the development of a variety of programs in the area of public safety, including employment of community service officers in police departments and other personnel designed to improve police-community relations and grievance resolution.* Fourth, the GOP bill involves a major role for the States, setting aside 40 percent of the funds for allocation through State plans drawn up by broadly representative groups.

This portion of the bill would create *80,000* new jobs at a cost of *$400 million* in the first year; a second year authorization calls for 100,000 slots at a cost of $500 million. The private sector and community service employment programs taken together would create a total of *300,000* new jobs in the first year, which is over four times more new jobs for the hard-core unemployed and underemployed than the President proposes to create in his JOBS program.

3. The Economic Opportunity Corporation. The Riot Commission endorsed the idea of a Federally chartered corporation which would be given the major role in coordinating and providing technical assistance for private employers who wish to use either the tax credit or reimbursement schemes for hiring the hard-core poor. The corporation would work with the Secretary of Labor in drawing up guidelines for the tax credit and OJT programs, and would suggest and evaluate different programs designed to involve businessmen in hiring the disadvantaged. This corporation approach is in fact a GOP idea of long-standing, beginning with the Economic Opportunity Corporation bill introduced in 1966. The latest version of the EOC legislation, cosponsored by 23 Republicans in the Senate, provides a vehicle almost in line with the Riot Commission's recommendations.

Our new bill would include legislation establishing an Economic Opportunity Corporation to serve as a national technical assistance group to assist private industry and other private groups to participate in antipoverty activities in such fields as manpower training and minority-group entrepreneurship. It would be a central source of information on useful government programs and a repository of case studies of successful private efforts. It would also be a source of seed money and program assistance for local groups, such as the local Urban Coalitions. The total cost of this proposal is $20 million.

4. New Programs Under the MDTA. Finally, our legislation makes three important additions to the Manpower Development and Training Act of 1962. First, we would add a new statement of purpose to that Act to focus it upon the problem of hard-core unemployment and underemployment. Second, we would add a new requirement for an automated job vacancy survey and matching program to put people into available jobs; this has long been a GOP proposal and was endorsed by the Riot Commission. Third, we propose to authorize a continuing evaluation and study of Federal manpower programs by the General Accounting Office to guide further legislation and to improve our capacity for legislative oversight. We do not intend this bill as a comprehensive set of reforms of present programs under the MDTA, and each sponsor reserves the right to introduce separate measures for that purpose.

The entire package is endorsed by its sponsors with the understanding that it is within the framework of proposals to cut low priority programs in the fiscal year 1969 budget on the order of about $6.5 billion. Part of this amount would be reallocated to high priority programs such as presented in this manpower legislation. The Human Renewal Fund concept advanced by Republicans in the House of Representatives offers a possible approach in this regard.

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the RECORD a point-by-point description of the proposed bill.

There being no objection, the point-by-point description was ordered to be printed in the RECORD, as follows:

POINT-BY-POINT DESCRIPTION OF NATIONAL MANPOWER ACT OF 1968

TITLE I—AMENDMENTS TO THE MANPOWER DEVELOPMENT AND TRAINING ACT OF 1962

Title I of the bill is composed of six major amendments to the Manpower Development and Training Act of 1962, which is presently before the Congress for extension. These amendments are not intended as reforms of present programs under the MDTA, but are rather new language and new programs to be operated by the Department of Labor.

1. *Statement of Purpose.* The bill commences with a complete rewriting of the statement of purpose of the MDTA. That Act's purpose section was originally written with a heavy emphasis upon problems caused by automation and technological change, but that is not the major problem today nor is it the way the Act is being applied. The new statement of purpose emphasizes the problems of unemployment and underemployment caused by lack of education and occupational skills and by existence of artificial barriers to employment, as well as the problems of automation. It calls for a comprehensive national manpower policy which places the basic responsibility for job training and employment with the private sector, in the same manner that the National Housing Act identifies the private sector as having the chief responsibility in the housing field.

2. *Job Vacancy and Labor Supply Information.* The United States is the only major industrial country which has no national program of identification of job vacancies. The Republican Party has long espoused such a program, operated on an automated basis, and the Riot Commission has now endorsed this type of program. To carry out this idea, the bill amends section 106 of the MDTA to require such a job opportunity survey and a program for matching unemployed persons with employer requirements and job vacancies on a local, inter-area, and nationwide basis.

3. *Community Service Employment Programs.* The bill adds a new title IV to the MDTA establishing a community service employment program for the hard-core. Employment and training opportunities would be created in a wide variety of public-service type activities—including health, education, public safety, neighborhood rehabilitation, beautification, and recreation. The programs could be operated by public or private organizations. The bill would make available an authorization of $400 million for this purpose for fiscal year 1969, and $500 million for fiscal year 1970; these amounts would create 80,000 and 100,000 new jobs in those two years.

Forty percent of the amounts authorized would be allotted according to a state allocation formula for use within a state plan arrangement; for this purpose each state would receive a minimum of $1 million. This is essentially a block grant scheme, with the states redistributing the funds to local program sponsors. The state plan provisions require that the state not retain more than 25 percent of its funds for operation of community service employment programs directly by state agencies; but this "pass-through" requirement can be waived by the Secretary if he finds that the programs would be more effectively operated by the state itself (as where the state is too small to have to deal through local sponsors).

The remaining 60 percent of the sums appropriated for any fiscal year are to be expended by the Secretary to carry out the purposes of the Act in accordance with such criteria as he may prescribe. If he likes the way the state is administering its funds under the state plan, he could add funds from this discretionary 60 percent to the 40 percent already passing through the state plan. Alternatively, he may fund local programs directly.

The bill emphasizes coordination and consolidation of all the various community service employment programs at the local level. The Secretary is required to designate urban and rural areas containing high concentrations or proportions of unemployed or low-income persons as eligible areas for the purposes of the program. He then designates a prime sponsor for each eligible area to receive all assistance under the program. The prime sponsor is also to receive all funding under the various other community service employment programs now in existence, including the Neighborhood Youth Corps, Operation Mainstream, the New Careers program, and the Work Incentive program under the Social Security Act. The prime sponsor becomes the funnel at the local level through which all these resources would flow, and the prime sponsor must submit to the Secretary a community employment plan setting forth a comprehensive program according to which all these funds will be spent. These local community employment plans are, in turn, coordinated with the development of the state plan. Both the Secretary and the state agencies would provide assistance through the prime sponsor in each eligible area, although there is a by-pass provision if they find that funding a different organization would better carry out the purposes of the program.

The state plan provisions are similar to those set forth under Title III of the Elementary and Secondary Education Act of 1965. As under that Act, the state plan would be developed and carried out by a policy group (the state manpower policy council) which would be broadly representative of the job training and employment resources of the state.

Financial assistance under the program would be provided both to create the new jobs and to provide necessary supportive services in the area of education, training, day care and other services. In order to increase the motivation of participants, the Secretary is instructed to give a preference in appropriate cases to the funding of programs through local service companies which would be owned in substantial part by the employees themselves. For example, in the area of neighborhood clean-up the Secretary could seek to form a local service company to undertake the project on a contractual basis, and he could provide for added profits to the group if they perform a contract in an expeditious and successful manner. In this way, the employees are actually given the added motivations of business ownership, and in time their company would become self-sufficient and seek contracts as a regular competitive business. This approach is presently proving successful with certain pilot projects being conducted by the Labor Department. In order to facilitate the formation of such local service companies and to aid them in becoming self-sufficient, the Secretary would be authorized to provide assistance to "service development organizations." Such development groups, which might be the local chapters of the Urban Coalition or even private profit-making companies, would be authorized to undertake planning and market research activities, legal and technical assistance, management training, and the provision of business services on a centralized basis (such as billing and accounting).

In order to further increase motivation among program participants, and to remove the aura of dead-end and make-work employment, the Secretary is instructed to give a preference to successful participants for entry into an on-the-job training or placement program providing jobs in the private sector. In this manner, a real job ladder into regular competitive employment is provided.

A special section deals with the critical need for programs in the field of public safety. The Secretary is directed to provide special encouragement to the development of such programs, whereby employment and training opportunities would be created for disadvantaged persons as community service officers and other support personnel in or under the supervision of the police departments. This type of proposal has been endorsed by the "Crime Commission" (The President's Commission on Law Enforcement and Administration of Justice) and by the Riot Commission. Community service officers could be full or part-time employees who would perform services in the area of recruiting police personnel from eligible areas and minority groups, improving police-community relations and grievance resolution mechanisms, and performing community escort and patrol work. In this manner, the new employment program would have a direct impact on stabilizing community conditions and reducing the incidence of crime. The Secretary and the Attorney General would jointly prescribe the regulations governing programs in the public safety area.

Federal financial assistance under the program would be limited to 90 percent of project costs, where the program was being carried out on a grant basis by a public agency or private nonprofit organization.

4. *The Economic Opportunity Corporation.* The Riot Commission endorsed the idea of a Federally chartered corporation to take on the major role in coordinating and providing technical assistance under private sector job programs (on-the-job training and tax credits). Republicans have long backed the concept of a national technical assistance corporation to encourage private industry to participate in antipoverty efforts such as manpower programs. The bill would reintroduce this Economic Opportunity Corporation proposal, co-sponsored last year in the Senate by 23 Republicans, as a new title V of the MDTA.

The Corporation would be a Federally chartered nonprofit corporation with a board of directors of 15 persons, five appointed by the President and ten elected by the members of the Corporation. Any person or organization could become a member of the Corporation by making a tax exempt gift to it or by buying one of its bonds. The Federal Government would provide $10 million to the Corporation as seed money on a one-time basis, with a requirement that up to $10 million more Federal funds would be provided to match private contributions and bond purchases.

The Corporation would have a variety of purposes and functions: (1) it would establish an information and research center on how private groups can participate in antipoverty activities, including information on existing government programs and case studies on successful private projects; (2) it would actively provide technical assistance to organizations in the planning and operation of such projects and programs; (3) it would participate in the development and conduct on a contractual or other basis of government antipoverty programs linked to the private sector, including by working with the Secretary of Labor in drawing up regulations under the tax credit and on-the-job training schemes; (4) it would undertake special responsibilities in the fields of manpower training and business ownership by minority group and low-income persons; and (5) it would develop and carry out its programs through subsidiary groups at the local level, such as local Urban Coalitions. It is hoped that by providing a legislative base for this kind of private technical assistance activity, the Congress can promote a greater degree of cooperation between the Urban

Coalition and the National Alliance of Businessmen.

While the Corporation itself would be a nonprofit organization, it could establish profit-making subsidiaries as new business enterprises in the urban and rural slums, and it could hope to raise funds to sustain its operations through those operating subsidiaries.

5. *Evaluation and Oversight by the Comptroller General.* Under a Republican amendment last year to the antipoverty legislation, the General Accounting Office is presently conducting a qualitative evaluation of the Office of Economic Opportunity programs. This marks a new departure for the GAO into qualitative program evaluation, beyond its usual accounting and auditing functions. It is the first step in building that agency into a real legislative oversight and evaluation arm for the Congress. This bill would propose to extend that development to the field of manpower training and employment by authorizing a continuing study and oversight by the GAO of Federal work and training programs. Among the activities specifically included in the study would be a comparison of the relative costs and benefits of different types of training and employment programs, and an annual report to the Congress on the efforts made by Federal agencies in complying with legislative amendments and the instructions in Committee Reports. Such sums as might be necessary to carry out these functions are authorized by this legislation, which takes the form of a new title VI of the MDTA.

TITLE II—TAX CREDITS FOR EMPLOYMENT OF THE HARD-CORE

The GOP has long championed the idea of providing tax credits to private industry for the training and employment of the hard-core poor. That approach has now received important endorsement from the Riot Commission. The Commission established a special task force of businessmen to look into the question of private sector involvement, and that task force recommended a detailed program of tax credits in the manpower field. Title II of the bill sets forth in legislative form the tax credit proposal advanced by the Riot Commission. This is in no way preemptive of the GOP Human Investment Act, which provided a tax credit through a somewhat different mechanism, but is intended as a companion proposal with the understanding that both tax credit bills deserve immediate consideration by the Administration and the Congress.

The Commission's tax credit proposal stresses simplicity and automatically more so than does any previous version of the idea. The local recruiting agency would give to each hard-core person a "green card." For each new such employee added to his payroll, the employer would receive a substantial tax credit, providing that no existing employees are dismissed in order to hire green-card people. The employer would get a credit equal to 75 percent of the employee's wages and fringe benefits for the first six months, 50 percent for the second 6 months, 25 percent for the second year, and nothing thereafter. As an inducement to force the employer to encourage the worker to stay on the job, the employer would get none of the credit for any 6 or 12 month period unless the employee stayed for that entire period. The credit was purposefully based on the employee's wage in order that a precisely defined figure could be used; apparently, the businessmen thought that any effort to refer to training costs would involve too much red tape and Internal Revenue Service oversight. Using a minimum wage of $1.60 per hour, the total credit for the first year would be $2,080, and over the 2-year period would come to $2,912—far less than the $3,500 reimbursement (over 15 months) contemplated under the President's new "JOBS" (OJT) program. Of course, the cost of the tax credit would be even less than this since there is a wash effect in that the new wage earners are paying taxes and producing revenue for the Treasury.

The GOP bill would allow an employer to take either a tax credit or to seek reimbursement under the OJT program, but would not allow both. The cosponsors would, therefore, support the OJT program and would in fact ask for greater funding for it than the President has suggested, but no legislation is needed in that regard since MDTA–OJT has an open-ended authorization.

Job slots authorized and costs

This set of manpower proposals would create 300,000 new jobs for the hard-core poor in the first year of operation. The community service employment program would be extended to a second year at a level of 100,000 job slots, and of course the tax credit and on-the-job training provision would also remain in force but we cannot estimate the number of slots which might be produced in the second year under those approaches. The figure of 300,000 jobs is to be compared to the 70,000 jobs suggested by the President for fiscal year 1969 under his new JOBS program; hence, this Republican proposal would create over 4 times as many new jobs as the President recommends.

The 300,000 new jobs would be split into 220,000 jobs in the private sector under the tax credit-OJT option, and 80,000 jobs under community service employment program. Of the 220,000 private sector jobs, the bill follows the estimate of the Riot Commission in suggesting that the tax credit approach would produce 150,000 slots in the first year. The remaining 70,000 slots would be allocated to the on-the-job training program. Using this set of estimates, the cost of the tax credit in the first year would be $312 million, and the cost of the reimbursements would be $244 million, for the total cost of $556 million for the private sector jobs. (But since an employer would have a choice of the tax credit or reimbursement approaches, the cost of the private sector job program could vary between $457 million, if all the jobs were financed by the tax credit, and $770 million, if they were all financed by way of reimbursements.) To this must be added $400 million for the community service employment program and $20 million for the Economic Opportunity Corporation, for a total cost of $976 million. But while this is the *cost*, it is not the *appropriation* since the tax credit approach involves no direct appropriation. The total in new appropriations requested is $664 million, of which $420 million is above and beyond what the President requested in the fiscal year 1969 budget. It should also be understood that the cost figure would in fact be somewhat less than the $976 million projected, because there would be a wash effect due to the added tax revenues to the Treasury from the new wage earners.

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the RECORD the recommendations of the Riot Commission concerning employment problems.

There being no objection, the recommendations were ordered to be printed in the RECORD, as follows:

[From chapter 17 ("Recommendations") of Riot Commission]

(Italic indicates concepts implemented in GOP bill)

Goals and Objectives

We propose a comprehensive national manpower policy to meet the needs of both the unemployed and the underemployed. That policy will require:

(a) Continued emphasis on national economic growth and job creation so that there will be jobs available for those who are newly trained, without displacing those already employed.

(b) *Unified and intensive recruiting to reach those who need help with information about available jobs, training and supportive aids.*

(c) Careful evaluation of the individual's vocational skills, potentials and needs; referral to one or more programs of basic education, job training and needed medical, social and other services; provision for transportation between the ghetto and outlying employment areas, and continued follow-up on the individual's progress until he no longer needs help.

(d) *Concentrated job training efforts, with major emphasis on on-the-job training* by both public and private employers, as well as public and private vocational schools and other institutional facilities.

(e) *Opening up existing public and private job structures to provide greater upward mobility for the underemployed,* without displacing anyone already employed at more advanced levels.

(f) *Large-scale development of new jobs in the public and private sectors to absorb as many as possible of the unemployed,* again without displacement of the employed.

(g) Stimulation of public and private investment in depressed areas, both urban and rural, to improve the environment, to alleviate unemployment and underemployment and, in rural areas, to provide for the poor alternatives other than migration to large urban centers.

(h) New kinds of assistance for those who will continue to be attracted to the urban centers, both before and after they arrive.

(i) *Increasing small business and other entrepreneurial opportunities in poverty areas both urban and rural.*

Basic Strategies

To achieve these objectives, we believe the following basic strategies should be adopted.

Existing programs aimed at recruiting, training and job development should be consolidated according to the function they serve at the local, state and federal levels, to avoid fragmentation and duplication.

We need comprehensive and focused administration of a unified group of manpower programs.

High priority should be placed on the creation of new jobs in both the public and private sectors.

In the public sector a substantial number of such jobs can be provided quickly, particularly by government at the local level, where there are vast unmet needs in education, health, recreation, public safety, sanitation, and other municipal services. The National Commission on Technology, Automation, and Economic Progress estimated that there are 5.3 million potential jobs in public service. But the more difficult task is to provide jobs in private industry for the hard-core unemployed. *Both strategies must be pursued simultaneously, with some arrangements for a flow of trainees from public sector jobs to on-the-job training in private companies.*

Creation of jobs for the hard-core unemployed will require substantial payments to both public and private employers to offset the extra costs of supportive services and training.

Basic education and counseling in dress, appearance, social relationships, money management, transportation, hygiene and health, punctuality, and good work habits—all of which employers normally take for granted—may have to be provided. Productivity may be low for substantial periods.

Special emphasis must be given to motivating the hard-core unemployed.

A sure method for motivating the hard-core unemployed has not yet been devised. One fact, however, is already clear from the experience of the Job Corps, Neighborhood Youth Corps, and Manpower Development and Training projects: *the previously hard-core unemployed trainee or employee must* *believe that he is not being trained for or offered a "dead-end" job.* Since, by definition, he is not eligible even for an entry-level position, he must be given job training. *He must be convinced that, if he performs satisfactorily after the training period he will be employed and given an opportunity to advance, if possible, on a clearly defined "job ladder,"* with step increases in both pay and responsibility.

Artificial barriers to employment and promotion must be removed by both public agencies and private employers.

Racial discrimination and unrealistic and unnecessarily high minimum qualifications for employment or promotion often have the same prejudicial effect. Government and business must consider for each type of job whether a criminal record should be a bar, or whether a high school diploma is an inflexible requirement. During World War II, industry successfully employed large numbers of the previously unemployed and disadvantaged by lowering standards and by restructuring work patterns so that the job fit the level of available skills. We believe that too often government, business and labor unions fail to take into account innate intelligence and aptitudes which are not measurable.

Present recruitment procedures should be reexamined. Testing procedures should be revalidated or replaced by work sample or actual job tryouts. Applicants who are rejected for immediate training or employment should be evaluated and counseled by company personnel officers and referred to either company or public remedial programs. These procedures have already been initiated in the steel and telephone industries.

Special training is needed for supervisory personnel.

Support needed by the hard-core unemployed during initial job experience must be provided by specially-trained supervisors. A new program of training entry-level supervisors should be established by management, with government assistance if necessary.

Programs

We are proposing programs in six areas in order to illustrate how we believe the basic strategies we have outlined can be put into effect:

Consolidating and concentrating employment efforts.

Opening the existing job structure.

Creating one million new jobs in the public sector in three years.

Creating one million new jobs in the private sector in three years.

Developing urban and rural poverty areas.

Encouraging business ownership in the ghetto.

RECRUITMENT

There is an urgent need for a comprehensive manpower recruitment and services agency at the community level. The Federal-State Employment Service is not serving this function in many urban areas and cannot do so unless it is substantially restructured and revitalized. This was recommended in 1965 by the Employment Service Task Force but has been only partially achieved by the Employment Services' new Human Resources Development Program.

We believe that every city should establish such a comprehensive agency, with authority to direct the coordination of all manpower programs, including those of the Employment Service, the community action agencies, and other local groups.

The Concentrated Employment Program established by the Department of Labor last year and now operating in the ghettos of 20 cities and in two rural areas is an important beginning toward a unified effort at the local level. A related effort by the Department of Housing and Urban Development is under way in the Model Cities Program, now in the planning stage in some 63 cities.

PLACEMENT

In order to match men to jobs, we need more effective interchange of information. A computerized nationwide service should be established, as recommended in 1966 by the National Commission on Technology, Automation, and Economic Progress, with priority of installation given to the large urban centers.

An information system of this sort would simplify placement—including inter-area placement and placement from ghetto to suburb. This in turn will often require transportation assistance and counseling.

The existing experimental mobility program, under the Manpower Development and Training Act, should be greatly expanded, and should support movement from one part of a metropolitan area to another. Aid to local public transportation under the Mass Transportation Program should be similarly expanded on the basis of the experiment, with subsidies for routes incorporating ghetto areas.

Job development and placement in private industry is critical to our proposed strategies, and is now handled separately by a variety of agencies and programs: the Manpower Development and Training Act program, the vocational education programs, the Vocational Rehabilitation program, the Job Corps and, recently, the Neighborhood Youth Corps and several new adult work experience and training programs. All seek to place trainees with private employers, sometimes with and sometimes without training assistance, through a wide variety of local agencies, as well as through the Employment Service, community action agencies and others.

A single cooperative national effort should be undertaken with the assistance of business, labor and industrial leaders at national, regional and local levels. It should reach both individual companies and trade associations, systematically and extensively, with information about incentive programs and aids, and with authority to negotiate contractual arrangements and channel incentive funds to private employers.

The recently created Urban Coalition, with its local affiliate, brought together many of the interested parties in the private sector. The National Alliance of Businessmen just established by the President will be concentrating private industry efforts in on-the-job training of the hard-core unemployed. *We believe that it may be helpful now to create a federally-chartered corporation with authority to undertake the coordination of the private sector job program outlined below.*

OPENING THE EXISTING JOB STRUCTURE

Arbitrary barriers to employment and promotion must be eliminated.

Federal, state and local efforts to ensure equal opportunity in employment should be strengthened by:

(a) Including federal, state and local government agencies as employers covered by Title VII of the 1964 Civil Rights Act, the federal anti-discrimination-in-employment law, which now covers other employers of 50 or more employees (and as of July, 1968 will cover employers of 25 or more employees), labor unions, and employment agencies.

(b) Granting to the Equal Employment Opportunity Commission, the federal enforcement agency under Title VII, cease and desist power comparable to the enforcement power now held by other federal agencies administering regulatory national policies.

(c) Increasing technical and other assistance now provided through the Equal Employment Opportunity Commission to state and local anti-discrimination commissions under the provisions of Title VII.

(d) Undertaking, through the Equal Employment Opportunity Commission, an industry and areawide enforcement effort based not only upon individual complaints but upon employer and union reports showing broad patterns of discrimination in employment and promotion.

(e) Linking enforcement efforts with training and other aids to employers and unions, so that affirmative action to hire and promote may be encouraged in connection with investigations of both individual complaints and charges of broad patterns of discrimination.

(f) Substantially increasing the staff and other resources of the Equal Employment Opportunity Commission to enable it to perform effectively these additional functions.

Equal opportunity for employment by federal contractors under Executive Order 11246 should be enforced more vigorously against both employers and unions. This is particularly critical in regard to federal construction contracts. Staff and other resources of the Office of Contract Compliance in the Department of Labor should be increased so that withholding federal contracts is made a meaningful sanction.

The efforts of the Department of Labor to obtain commitments from unions to encourage Negro membership in apprenticeship programs are especially noteworthy and should be intensified.

Title VI of the 1964 Civil Rights Act, which provides for withholding federal grant-in-aid funds from activities which discriminate on grounds of color or race, should be supported fully, particularly in regard to recruitment for federally-assisted job training in hospitals, universities, colleges and schools. The staff and other resources of the Department of Health, Education, and Welfare, which has primary jurisdiction over these functions, should be expanded for this purpose.

The federal government, through the Civil Service Commission and other agencies, should undertake programs of recruitment, hiring and on-the-job training of the disadvantaged and should reexamine and revalidate its minimum employment and promotion standards. In this regard the federal government should become a model for state and local government and the private business community. To enlist the full cooperation of federal agencies, they should be reimbursed by internal allowances for the extra costs of training disadvantaged employees.

One way to improve the condition of the under-employed, on a national basis, would be to increase the federal minimum wage and widen its coverage. The recent increase to $1.60 per hour yields an annual wage only slightly above the poverty level and only for those employed full time. As an alternative, we recommend consideration be given to an experimental program of wage supplements or other methods for achieving the same income goals.

CREATING 1 MILLION NEW JOBS IN THE PUBLIC SECTOR IN 3 YEARS

Existing public employment programs should be consolidated and substantially increased. The Neighborhood Youth Corps last year involved approximately 300,000 youths between the ages of 14 and 22 in three programs of work experience. NYC offers either full-time positions year-round or during the summer, or part-time positions during the school year. Several similar but considerably smaller public employment programs involve chronically unemployed adults, generally in sub-professional community betterment work: Operation Mainstream in small towns and rural areas; New Careers and Special Impact in urban areas; and Work Experience and Training for Welfare recipients under the 1967 Amendments to Title IV of the Social Security Act.

Emphasis in the expanded public employment programs should be shifted, so far as possible, from work experience to on-the-job training, and additional federal assistance, above the present payment of 90 percent of wages, should be provided to pay for the additional costs of training and supportive services to trainees. *Federal assistance should be scaled so that it does not terminate abruptly;* the public employer should pay a progressively larger share of the total cost as trainees' productivity increases.

Emphasis should also be placed on employing trainees to improve run-down neighborhoods and to perform variety of other socially useful public services which are not "make-work," including Community Service Officers in police departments, as recommended by the President's Commission on Law Enforcement and Administration of Justice.

Public employers should be required to pay on-the-job trainees not less than the minimum wage or the prevailing wage in the area for similar work, whichever is higher. We recommend a three-year program, aimed at creating 250,000 new public service jobs in the first year and a total of one million such jobs over the three-year period.

The Department of Defense should (a) continue its emphasis on (and consider expansion of) "Project 100,000" under which it accepts young men with below standard test scores; (b) intensify its recruiting efforts in areas of high unemployment so that young men living there are fully aware of the training and service opportunities open to them and (c) substantially expand Project Transition which began on a pilot basis in 1967 and involves training and counseling for servicemen scheduled to return to civilian life.

CREATING 1 MILLION NEW JOBS IN THE PRIVATE SECTOR IN 3 YEARS[1]

Eighty-four percent of the nation's 73 million civilian workers are at work in 11.5 million private enterprises. The involvement of only 5 percent of all private companies would represent the use of more than 500,000 enterprises and provide a massive additional spur to job development.

Based on experience with training by private employers, primarily under the Manpower Development and Training Act, our recommendations are aimed at inducing a substantially expanded number of companies to hire and train the hard-core unemployed.

Recruitment and referral of the disadvantaged unemployed should be undertaken by a public body such as the manpower service agency we have already described. The manpower service agency would determine eligibility and certify a chronically unemployed person for on-the-job training by issuing to him a certificate of eligibility or similar identifying document. This would entitle the private employer to reimbursement for certain costs. A similar technique was used under the G.I. Bill for training veterans of World War II and the Korean conflict.

The direct reimbursement system currently used in on-the-job training programs should be expanded and the existing programs should be consolidated under a single administration. These programs include the Manpower Development and Training Act and the new Work Training in Industry components of the Neighborhood Youth Corps, New Careers and Special Impact programs. Under these programs a federal agency contracts to reimburse each employer for a negotiated average cost of training and supportive services for each trainee.

If a corporation is chartered by Congress to serve as the government's primary instrument for job development in the private sector, the corporation, through regional and local subsidiaries, would:

(a) systematically work with trade groups, companies and labor unions;

(b) arrange for any necessary supportive services and prevocational educational training which employers are unable to provide; and

(c) enter into contracts with employers providing for their reimbursement for the extra costs of training.

The employer would of course undertake not to dismiss existing employees in order to hire trainees; to provide job training along with supportive services; and to give reasonable assurance that the employee would be fairly promoted if he successfully completed his training period.

To serve as an incentive to widespread business involvement the average amount of the reimbursement must exceed substantially the approximately $1,000 per year payment now made under federal on-the-job training programs and, for the hard-core unemployed, should at least equal the $3,500 recommended by the President in his Manpower Message of January 23, 1968.

An additional and potentially lower cost method of stimulating on-the-job training and new job creation for the hard-core unemployed is through a tax credit system, provided that guidelines are adopted to ensure adequate training and job retention. *The Commission believes this alternative holds promise.* With respect to the tax credit device, we note that since its enactment in 1962 the existing 7 percent incentive credit for investment in new equipment and machinery has been highly successful as a technique for reaching a large number of individual enterprises to effectuate a national policy. During the 1962–65 period the credit was taken on 1,239,000 corporate tax returns representing new investment in the amount of approximately $75 billion.

To assure comparable simplicity in administration, the tax credit should be geared to a fixed amount for each certificated employee hired and retained at least for a six-month period, with decreasing credits for retention for additional periods totaling another 18 months. No credit would be allowed if existing employees are displaced, or if the turnover rate among certificated employees during each period exceeds more than twice the employer's usual turnover rate.

The corporation chartered by Congress would establish performance guidelines, compare and evaluate the results of job training operations by contract and under the tax credit and arrange to share with all participating employers the experiences of other companies with techniques for training the hardcore unemployed and holding them on the job.

The Commission recommends a three-year program, aimed at creating *300,000 new private sector jobs in the first year and* a total of one million such jobs over the three-year period, provided that the tax credit is enacted at an early date. If the tax credit is not so enacted, a realistic goal would be 150,000 such jobs in the first year and one million jobs over a three to five-year period.

ENCOURAGING BUSINESS OWNERSHIP IN THE GHETTO

We believe it is important to give special encouragement to Negro ownership of business in ghetto areas. The disadvantaged need help in obtaining managerial experience and in creating for themselves a stake in the economic community. The advantages of Negro entrepreneurship also include self-employment and jobs for others.

Existing Small Business Administration equity and operating loan programs, under which almost 3,500 loans were made during fiscal year 1967, should be substantially expanded in amount, extended to higher risk ventures and promoted widely through offices in the ghetto. Loans under Small Business Administration guarantees, which are now authorized, should be actively encouraged among local lending institutions.

Counseling and managerial assistance should also be provided. The new Department of Commerce program under which Negro small businessmen are assisted in creating associations for pooling purchasing power and sharing experience, should be expanded and consolidated with the Small Business Administration loan program. The Interracial Council for Business Opportunity and other private efforts to provide counseling by successful businessmen outside the ghetto should be supported and enlarged.

Mr. JAVITS. I ask unanimous consent that the bill be printed in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 3249) to provide a comprehensive national manpower policy, to improve the Manpower Development and Training Act of 1962, to authorize a community service employment program, and for other purposes introduced by Mr. Javits (for himself and other Senators), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the Record, as follows:

S. 3249

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Manpower Act of 1968".

TITLE I—AMENDMENTS TO THE MANPOWER DEVELOPMENT AND TRAINING ACT OF 1962

FINDINGS AND DECLARATION OF NATIONAL MANPOWER POLICY

Section 101. Section 101 of the Manpower Development and Training Act of 1962 is amended to read as follows:

"FINDINGS AND DECLARATION OF NATIONAL MANPOWER POLICY

"Sec. 101. (a) The Congress hereby finds that the full promise of American life and prosperity is denied to many persons in many communities due to severe problems of unemployment and underemployment. Numerous individuals, many of whom live in trapped-in economically depressed rural and urban areas, are unable to obtain jobs in regular competitive employment because of (1) lack of education, occupational skill, or work experience, (2) the existence of artificial barriers to employment and occupational advancement, and (3) a continuing process of automation and technological change which renders obsolete many traditional skills. An even larger number are underemployed, earning a marginal existence in low skilled occupations characterized by substandard wages, great uncertainty of tenure, little chance for advancement, and low social status. While these problems of unemployment and underemployment affect all racial groups, they afflict nonwhite Americans in disproportionately great numbers and in a manner which this nation cannot permit to continue. This situation has been seriously aggravated by a process of urbanization in which unskilled rural residents have migrated to central city areas even while many businesses and places of employment are leaving those areas. This migration of people and jobs is overwhelming current job training and job development programs in the urban centers and is undermining the economic potential of many rural areas of the nation.

"(b) The Congress further finds that there is a critical need for more and better trained personnel in many vital occupational categories, including professional scientific, technical and public service occupations. At the same time there is a huge need for additional public services and public facilities in such fields as those which (1) contribute to the development of human potential, (2) better the conditions under which people live, learn and work, and (3) aid in the development and conservation of natural resources.

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[1] The text of the report to the Commission by its Private Enterprise Task Force is set forth as an appendix to this Report.

"(c) The Congress hereby declares that the welfare and security of the nation require a commitment by it to a policy and program devoted to the elimination of poverty and blight in the United States. An essential element in that program must be a comprehensive national manpower policy designed to assure to all citizens an opportunity for useful work and training which will promote self-sufficiency and enhance personal dignity. The policy to be followed in attaining the national manpower objective hereby established shall be founded upon the following principles:

"(1) that private enterprise has the basic responsibility and maximum ability to provide job training and employment;

"(2) that Government assistance should, in the first instance, be used to encourage private enterprise to serve more of the total need and to otherwise complement private effort through education, training, job development, upgrading skills and other supportive assistance; and

"(3) that the residual responsibilities of Government shall include the development of meaningful employment opportunities in public service activities in order to fulfill critical needs and further to relieve unemployment.

The Congress further recognizes that there are numerous individuals who, by reasons of age, health, or other involuntary disability, cannot be helped through an employment or training program and for whom some form of income maintenance is necessary."

JOB VACANCY AND LABOR SUPPLY INFORMATION

SEC. 102. Section 106 of the Manpower Development and Training Act of 1962 is amended to read as follows:

"JOB VACANCY AND LABOR SUPPLY INFORMATION

"SEC. 106. (a) The Secretary of Labor is directed, using every appropriate facility, to develop, compile, and make available information regarding skill requirements, occupational outlook, job opportunities, labor supply in various skills, and employment trends on a National, State, area or other appropriate basis which shall be used in the educational, training, counseling, and placement activities performed under this Act. In the administration of this Act, the Secretary shall give the highest priority to performing the duties prescribed by this section with particular emphasis on identifying and publishing those occupations, skills, industries, and geographic areas in which the supply of qualified workers is insufficient to meet existing and foreseeable future needs.

"(b) The Secretary is further directed to develop and establish a program for matching qualifications of unemployed, underemployed and low-income persons with employer requirements and job vacancies on a local, interarea and nationwide basis. Such programs shall be designed to provide a quick and direct means of communication among local recruitment, job training and placement agencies and organizations, and between such agencies and organizations on an interarea and nationwide basis, with a view to the referral and placement of such persons in jobs. In the development of such a program, the Secretary shall establish a network utilizing electronic data processing and telecommunication systems for the storage, retrieval, and communication of job and worker information."

AUTHORIZING A COMMUNITY SERVICE EMPLOYMENT PROGRAM, AN ECONOMIC OPPORTUNITY CORPORATION, AND AN EVALUATION BY THE COMPTROLLER GENERAL

SEC. 103. The Manpower Development and Training Act of 1962 is further amended by adding at the end thereof the following new titles:

"TITLE IV—COMMUNITY SERVICE EMPLOYMENT PROGRAMS

"PURPOSE

"SEC. 401. The purpose of this title is to provide meaningful public and private employment opportunities in community service occupations for unemployed and low-income residents of urban and rural poverty areas in order to meet severe problems of unemployment and underemployment, to prepare such persons for jobs in the private sector of the economy, to increase opportunities for local entrepreneurship through the creation of local service companies, and to meet critical national needs for community services.

"DEFINITIONS

"SEC. 402. As used in this title—

"(1) 'Community service employment program' means a program designed primarily to provide public or private work and training opportunities to unemployed and low-income persons in the fields of health, public safety, education, recreation, streets, parks and municipal maintenance, housing and neighborhood improvement, conservation and rural development, beautification, and other fields of human betterment and community improvement.

"(2) 'Low-income' has the same meaning as provided by section 125 of the Economic Opportunity Act of 1964.

"(3) 'Local service company' means a corporation, partnership or other business entity organized to operate a community service employment program or component thereof and owned in substantial part by unemployed or low-income residents of one or more eligible areas.

"(4) 'Secretary' means the Secretary of Labor.

"(5) 'State' means each of the several States and the District of Columbia.

"(6) 'State agency' means the State agency designated by the Governor of the State or an officer chosen by him or by State law to develop and carry out the State plan for the purposes of this title.

"AUTHORIZATION OF APPROPRIATIONS AND DISTRIBUTION OF FUNDS

"SEC. 403. (a) For the purpose of carrying out the provisions of this title there is hereby authorized to be appropriated the sum of $400,000,000 for the fiscal year ending June 30, 1969, and the sum of $500,000,000 for the fiscal year ending June 30, 1970.

"(b) From the sums appropriated for any fiscal year to carry out programs authorized under this title, the Secretary shall allot not less than 40 percent among the States in accordance with criteria developed pursuant to section 130 of the Economic Opportunity Act of 1964, except that no State shall receive less than $1,000,000. Effective after June 30, 1969, that part of each State's allotment received pursuant to this subsection shall be available only for financial assistance to the State agency for use pursuant to a State plan approved under section 410, unless such State agency has not submitted a State plan prior to a date to be fixed by the Secretary, or the State plan is not approved by the Secretary.

"(c) The remainder of sums appropriated for any fiscal year to carry out programs authorized by this title shall be expended in accordance with such criteria as the Secretary may prescribe.

"(d) Funds allotted under this title for any fiscal year to a State for use by a State agency to carry out a State plan, which the Secretary determines are not required for the purposes for which such funds were allotted, shall be available to prime sponsors within such State for such community service employment programs as the Secretary determines will contribute to carrying out the purposes of this title.

"ELIGIBLE AREAS AND PRIME SPONSORS

"SEC. 404. (a) The Secretary shall define and designate all urban and rural areas containing high concentrations or proportions of unemployed or low-income persons as areas eligible for assistance under this title. He shall make such designations on a comprehensive basis and, wherever applicable, without regard to his intention or capacity to allocate funds to all such areas. A community program area designated under section 121 of the Economic Opportunity Act of 1964 shall be deemed to be an eligible area for the purposes of this title. An eligible area may be a city, county, multicity, or multicounty unit, an Indian reservation, or a neighborhood or other area (irrespective of boundaries or political subdivision) which provides a suitable organizational base and possesses the commonality of interest needed for a community service manpower program. The Secretary shall consult with the heads of other Federal agencies responsible for programs relating to community action, manpower services, physical and economic development, small business development, housing, education, health, and other community services to encourage the establishment of coterminous or complementary boundaries for planning purposes among those programs and community service employment programs assisted under this title.

"(b) For each eligible area, the Secretary shall recognize a public or private nonprofit organization which shall serve as the prime sponsor to receive funds under section 405 (except as otherwise provided in section 405(c)). A prime sponsor recognized under the provisions of section 122 of the Economic Opportunity Act of 1964 shall be deemed to be the prime sponsor for its eligible area for the purposes of this title.

"FINANCIAL ASSISTANCE

"SEC. 405. (a) The Secretary is authorized to provide financial assistance to prime sponsors having a community employment plan approved by him pursuant to section 409 and an application approved by him pursuant to section 406, and to State agencies having a State plan approved by him pursuant to section 410 for the planning, conduct, administration and evaluation of community service employment programs.

"(b) Financial assistance under this section shall include, but not be limited to, programs and activities designed—

"(1) to provide jobs immediately to unemployed or low-income persons who are otherwise unable to obtain satisfactory employment;

"(2) to provide placement services and resources for such persons completing manpower training and anti-poverty programs assisted by Federal funds, particularly programs under title II of this Act and under the Economic Opportunity Act of 1964;

"(3) to assure that persons employed in a community service employment program are provided opportunity for further education, training and necessary supportive services, including pretraining services, rehabilitative and preventive services for narcotic and alcoholic addicts, basic maintenance, transportation, health, family, day care, counseling, placement and other services, as may be necessary for them to participate in such program and to be prepared to gain regular competitive employment in the future;

"(4) to promote the establishment of local service companies and the use of service development organizations to encourage the establishment of such companies.

For purposes of providing education, training and supportive services set forth in paragraph (3) of this subsection, funds appropriated under this title may be used to carry out such service programs under other titles of this Act and under other provisions of Federal law, by reimbursement to other

Federal departments and agencies where appropriate, if the Secretary determines that such use of funds is the most effective method of providing such services. Financial assistance under this section may include loans for the purchase of supplies and equipment necessary to carry out community service employment programs.

"(c) The Secretary or the State agency may provide financial assistance to a public agency or private organization other than a prime sponsor to carry out one or more community service employment programs or components thereof whenever the Secretary or such agency determines, after soliciting and considering comments of the prime sponsor, if any, that such assistance would enhance program effectiveness or acceptance on the part of persons served and would serve the purposes of this part.

"APPPLICATIONS

"SEC. 406. The Secretary may provide financial assistance under this title only upon application by a State agency, pursuant to an approved State plan, a prime sponsor, pursuant to an approved community employment plan, or another eligible applicant which contains assurances satisfactory to the Secretary that the applicant will—

"(1) establish adequate administrative controls over programs to be assisted under this title;

"(2) establish effective and efficient personnel policies designed to serve the purposes of this title;

"(3) establish procedures for proper accounting of Federal funds, necessary reporting, and evaluation of such programs;

"(4) carry out such other requirements and conditions as are set forth in this title.

"LOCAL SERVICE COMPANIES

"SEC. 407. (a) Whenever practicable, the Secretary and the State agencies shall encourage and give preference to applications under which community service employment programs are to be carried out on a contractual basis by local service companies. Such contracts may provide for financial incentives to be paid to such local service companies for satisfactory and superior performance of such programs.

"(b) In order to promote the establishment and development of local service companies on a self-sustaining basis, the Secretary is authorized, under the authority contained in section 405, to provide financial assistance to public agencies or private organizations to act as service development organizations. Such financial assistance may be provided for the costs of programs operated by service development organizations to assist in the establishment and maintenance of local service companies, including but not limited to the following:

"(1) planning and research, including feasibility studies and market research;

"(2) legal and technical assistance, business counseling, management and training assistance, assistance in obtaining contracts or subcontracts from public or private sources, and other related services, including the provision of business services on a centralized basis; and

"(3) financial assistance, including the provision of start-up capital and assistance in securing performance or other bonds needed by the company or its employees.

A service development organization may, pursuant to regulations issued by the Secretary, be permitted to take a minority equity interest in a local service company and to deal with such a company on a franchise or other profit-making basis.

"(c) In developing local service companies and service development organizations, the Secretary and the State agencies may make use of services available from other Federal agencies and from private organizations, including appropriate private technical assistance organizations, in a contractual or other suitable basis.

"PUBLIC SAFETY PROGRAMS

"SEC. 408. (a) The Secretary shall encourage the development of, and is authorized to, provide financial assistance under section 405 for community service employment programs in the field of public safety. Such programs may include the development of employment and training opportunities for community service officers and other support personnel in or under the supervision of police departments. Such officers and personnel may be full or part-time employees who need not meet ordinary police standards for employment and who are or will be engaged in such activities as (i) recruitment of police personnel from eligible areas, (ii) improvement of police-community relations and grievance resolution mechanisms in such areas, (iii) community escort and patrol activities, (iv) encouragement of neighborhood participation in crime prevention and public safety efforts, and (v) other similar activities designed to improve police capabilities and public safety in eligible areas.

"(b) The Secretary and the Attorney General shall jointly prescribe regulations governing community service employment programs in the field of public safety and crime prevention.

"CONSOLIDATION OF COMMUNITY SERVICE EMPLOYMENT PROGRAMS AND COMMUNITY EMPLOYMENT PLANS

"SEC. 409. (a) In order to promote consolidation and coordination of community service employment programs, the Secretary shall make arrangements, to the extent practicable, to assure that the prime sponsor in any eligible area receives all Federal funds available for community service employment programs in such area, including all such programs assisted under this title, section 432 of the Social Security Act, and sections 123 and 502 of the Economic Opportunity Act of 1964 (except as otherwise provided in section 123(c) of the Economic Opportunity Act of 1964). Where the area served by any program assisted under this Act is within an area covered by a comprehensive city demonstration plan under title I of the Demonstration Cities and Metropolitan Development Act of 1966, the prime sponsor and the city demonstration agency shall consult and coordinate on all matters affecting work and training aspects of the comprehensive city demonstration program.

"(b) The prime sponsor shall develop and carry out a community employment plan, which shall be part of any comprehensive work and training program for that area required under section 123 of the Economic Opportunity Act of 1964. A community employment plan shall establish priorities among community service needs, and funds received by the prime sponsor pursuant to this title for all community service employment programs shall be subject to and allocated according to such a plan approved by the Secretary.

"(c) Such plan shall be submitted to the Governor of the State or an officer designated by him or by State law for consideration in the development and implementation of the State plan, and no community employment plan shall be approved by the Secretary until the Governor or such officer has had a reasonable opportunity to submit to the Secretary his evaluation of that plan, including comments on the relationship of that plan to the State plan.

"(d) The prime sponsor shall provide for participation of employers, labor organizations, and residents of the eligible areas and members of the groups served in the planning and conduct of the community service employment programs.

"(e) Where a community service employment program is not to be operated by a local service company, the prime sponsor shall be encouraged to make use of public and private organizations as delegate agencies to operate such programs, including without limitation agencies governed with the participation of the poor and other residents of the neighborhoods or rural areas served, educational institutions, the public employment service, the public welfare agency, other health and welfare agencies, private training institutions, and other capable public and private organizations.

"STATE PLANS

"SEC. 410. (a)(1) Any State desiring to receive financial assistance to carry out a State plan under this title shall (A) establish within its State agency a State manpower policy council (hereinafter referred to as the 'State council') which meets the requirements set forth in paragraph (2), (B) sets dates before which prime sponsors and other applicants must have submitted applications for financial assistance to the State agency, and (C) submit to the Secretary a State plan at such time and in such detail as the Secretary may deem necessary.

"(2) The State council shall—

"(A) be appointed by the State agency, and be broadly representative of the job training and employment resources of the State, including persons representative of (i) prime sponsors within the State, (ii) State and local public agencies operating or familiar with job training, vocational education, and employment programs, including the State employment service and the State department of education, (iii) private organizations operating or otherwise interested in such programs, including persons representative of business and labor, (iv) residents of the areas and persons served by programs assisted under this title, and (v) other appropriate groups and organizations;

"(B) develop and implement the State plan, including the development of criteria for approval of applications under the State plan;

"(C) upon timely request by an applicant, review and take final action upon the decision of the State agency to reject in whole or in part such applicant's submission for funding under the State plan;

"(D) evaluate programs and projects assisted under this title; and

"(E) prepare and submit through the State agency a report of its activities, recommendations, and evaluations, together with such additional comments as the State agency deems appropriate, to the Secretary at such times and in such form as he may prescribe.

"(3) The Secretary shall not approve a State plan, or modification thereof, unless he determines that such plan—

"(A) sets forth criteria for achieving an equitable distribution among eligible areas within the State of assistance under this title, which criteria shall be based on consideration of (i) the geographic distribution and density of the population in such areas, (ii) the concentrations or proportions of unemployed and low-income persons, (iii) the number and trends in the movement of job opportunities in private enterprise, and (iv) the movement of unemployed and low-income persons to and from such areas;

"(B) assists prime sponsors within the State in their responsibility of coordinating and consolidating community service employment programs within the areas served by such sponsors, and appropriately supports their community service employment plans, including through the provision of planning and technical assistance;

"(C) reflects satisfactory effort and achievement by the State in coordinating and consolidating community service employment programs assisted under this title with such programs assisted under other provisions of Federal law, including such programs under the Social Security Act;

"(D) provides for exchange of information and experience among programs conducted pursuant to the plan and for the adoption of effective procedures for evaluation of such programs and for the communication of the results of such evaluation to the Secretary;

"(E) provides that final action with respect to any application shall not be taken without first affording such applicant reasonable notice and opportunity for a hearing;

"(F) provides that not more than 25 percent of the funds received by the State agency pursuant to this title shall be used to carry out community service employment programs operated by State agencies, and the remainder of such funds shall be distributed to prime sponsors, except as provided in section 405(c); and

"(G) otherwise conforms to the requirements of this title, including the preference to be granted pursuant to section 407 and to special conditions prescribed by section 411.

"(b) The Secretary may, if he finds after reasonable notice and opportunity for hearings that only a part of a State plan meets the requirements set forth in subsection (a)(3), approve that part of the State plan and provide to the State agency only that part of its allotment under this section as he determines is necessary to carry out the part of the plan so approved. The remainder of the amount which such State agency would be eligible to receive under this title shall be made available to prime sponsors and other applicants within the State by the Secretary.

"(c) The Secretary shall not finally disapprove any State plan submitted under this section, or any modification thereof, without first affording the State agency submitting the plan reasonable notice and opportunity for a hearing.

"SPECIAL CONDITIONS AND LIMITATIONS

"SEC. 411. (a) The Secretary shall not provide financial assistance for any program under this title unless he determines, in accordance with such regulations as he may prescribe, that—

"(1) no participant will be employed on projects involving political parties, or the construction, operation, or maintenance of so much of any facility as is used or to be used for sectarian instruction or as a place for religious worship;

"(2) the program will not result in displacement of employed workers or impair existing contracts for services, or result in the substitution of Federal or other funds in connection with work that would otherwise be performed;

"(3) wages paid a participant shall not be lower than, whichever is the highest (A) the minimum wage which would be applicable to the employment under the Fair Labor Standards Act of 1938 if section 6 of such Act applied to the participant and he was not exempt under section 13 thereof, (B) the State or local minimum wage for the most nearly comparable covered employment, or (C) the prevailing rate of wages in the area for similar work; and

"(4) the program will, to the maximum extent feasible, contribute to the occupational development or upward job mobility of individual participants.

"(b) For programs assisted under this title related to physical improvements, preference shall be given to those improvements which will be substantially used by low-income persons and families in the areas served by the prime sponsor.

"(c) Programs approved under this title shall, to the maximum extent feasible, contribute to the elimination of artificial barriers to employment and occupational advancement, including civil service requirements which restrict employment opportunities for the disadvantaged.

"(d) Federal financial assistance to any program or activity authorized under this title and carried out by a public agency or private nonprofit organization shall not exceed 90 per centum of the cost of such program or activity, including costs of administration: *Provided*, That Federal financial assistance with respect to any participant in a program under this title who is an employee of a State or local public agency shall be progresssively reduced from year to year with a view to increasing insofar as possible the financial contribution of such public agency. Non-Federal contributions may be in cash or in kind, fairly evaluated, including but not limited to plant, equipment, and services.

"INDUSTRIAL EMPLOYMENT POOL

"SEC. 412. The Secretary shall establish procedures, pursuant to regulations issued by him, to give preference to qualified participants in community service employment programs assisted under this title for entry into programs operated by him offering on-the-job training and employment opportunities in the private sector.

"ADMINISTRATION

"SEC. 413. (a) The Secretary shall provide for the administration of all community service employment programs under his jurisdiction within a single office or agency within the Department of Labor.

"(b) In administering the provisions of this Act the Secretary is authorized to utilize the services and facilities of any agency of the Federal Government and of any other public or private nonprofit agency or institution, in accordance with agreements between the Secretary and the head thereof.

"(c) The Secretary may make payments to any prime sponsor which has an application approved by him pursuant to section 406 and to any State agency which has a State plan approved by him under section 407 and to any other applicant eligible for financial assistance under this Act in installments and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

"WITHHOLDING

"SEC. 414. Whenever the Secretary, after reasonable notice and opportunity for hearings finds that there has been a failure by a prime sponsor to comply substantially with any requirement set forth in the approved application or community employment plan of that sponsor entered into under this title, or by a State to comply substantially with any requirement set forth in the plan of that State approved under this title, or a failure by any applicant receiving assistance from a prime sponsor or State agency for the purpose of carrying out a program under this title to comply substantially with the requirements in its approved application, the Secretary shall notify the prime sponsor, State agency, or other applicant that further payments will not be made to the prime sponsor, State agency or other applicant under this title (or, in his discretion, that the prime sponsor, or State agency shall not make further payments under this title to agencies and organizations receiving assistance from it and affected by the failure) until he is satisfied that there is no longer any such failure to comply. Until he is so satisfied, no further payments shall be made to the prime sponsor, State agency, or other applicant under this title, or payments by the prime sponsor or State agency under this title shall be limited to agencies and organizations not affected by the failure, as the case may be.

"EVALUATION AND REPORTS

"SEC. 415. (a) The Secretary shall provide for the continuing evaluation of programs under this title. He shall require recipients of financial assistance under this title to provide such data as may be necessary to evaluate the effectiveness of such programs, and he shall arrange for obtaining the opinions of participants about the strengths and weaknesses of such programs. He may contract for independent evaluations of programs and of selected individual projects assisted under this title. The results of such evaluation shall be included in the report required by this section.

"(b) Not later than the first day of March of each year, the Secretary shall prepare and submit to the President for transmittal to the Congress a full and complete report on the programs and activities assisted under this title.

"TITLE V—ECONOMIC OPPORTUNITY CORPORATION

"SEC. 501. This title may be cited as the 'Economic Opportunity Corporation Act of 1968'.

"FINDINGS AND PURPOSE

"SEC. 502. (a) The Congress hereby finds that—

"(1) conditions of rural and urban poverty and widespread urban blight threaten the general welfare and domestic security of the country and require an expanded dedication of effort and commitment of resources aimed at their elimination;

"(2) the major resources and strength of this country reside in the private sector of the Nation's economy and any successful effort to eliminate poverty and urban blight must involve a massive application of private resources;

"(3) a substantial number of individuals and organizations in the private sector, including business firms, labor unions, foundations, educational institutions, and professional and civic organizations, are willing to contribute to the solution of these problems, but their participation is often inhibited by the lack of any central source of information at the national and local levels about successful private initiatives, the unavailability of effective technical assistance, and a lack of seed money from private sources; and

"(4) the full and effective involvement of the private sector in the solution of these problem can be facilitated by the Federal Government, but the organization and control of this effort is best left with the private sector.

"(b) It is the purpose of this title to establish a private, nonprofit corporation to stimulate greater participation by the private sector—agencies, organizations, and individuals—in public and private manpower training and antipoverty programs by—

"(1) providing a central source for information and research on opportunities for private sector participation in such programs;

"(2) furnishing technical and financial assistance to private organizations and individuals in planning and carrying out such programs;

"(3) participating, on a contractual or other basis, in the development and implementation of governmental antipoverty programs with a view to encouraging an important and effective role therein by the private sector;

"(4) encouraging and coordinating efforts with private business firms to make available, on as expedited a basis as possible, training programs and employment opportunities designed to provide employment for unemployed and low-income persons and to assist such persons to develop their educational and employment potentialities to the maximum practicable extent;

"(5) encouraging the development of business ventures designed to provide needed products and services and to increase local business ownership in urban slum areas; and

"(6) developing, in conjunction with public and private organizations, methods of applying modern business management techniques to the solution of social problems, and otherwise encouraging increased participation by private enterprise in such programs and in providing needed public services.

"CREATION OF CORPORATION

"SEC. 503. (a) There is hereby established a nonprofit Economic Opportunity Corporation (hereinafter referred to as the 'Corporation') which will not be an agency or establishment of the United States Government. The Corporation shall be subject to the provisions of this title and, to the extent consistent with this title, to the District of Columbia Nonprofit Corporation Act. The right to repeal, alter, or amend this title is expressly reserved.

"(b) No part of the net earnings of the Corporation shall inure to the benefit of any private person, and it shall qualify as an organization described in section 501(c)(3) of the Internal Revenue Code of 1954 which is exempt from taxation under section 501 (a) of such Code.

"PROCESS OF ORGANIZATION

"SEC. 504. There is hereby established a Commission for the appointment of incorporators. The Commission shall be composed of the Vice President of the United States, who shall act as Chairman, the Speaker of the House of Representatives, the Director of the Office of Economic Opportunity, the Secretary of Labor, the Secretary of Commerce, and the majority leader and minority leader of the Senate and of the House of Representatives. The Commission shall meet within thirty days after the enactment of this title and shall appoint incorporators, by and with the advice and consent of the Senate, who shall serve as the initial Board of Directors until the first annual meeting of members or until their successors are selected and qualified. The incorporators shall take whatever actions are necessary to organize the Corporation, including the filing of articles of incorporation under the District of Columbia Nonprofit Corporation Act.

"DIRECTORS AND OFFICERS

"SEC. 505. (a) The Corporation shall have a Board of Directors consisting of fifteen individuals who are citizens of the United States, one of whom shall be elected annually by the Board to serve as Chairman. Five members of the Board shall be appointed by the President of the United States, by and with the advice and consent of the Senate, for terms of three years except that (1) the terms of the directors first taking office shall be effective on the date on which other members of the Board are elected and shall expire as designated by the President at the time of appointment, one at the end of one year, two at the end of two years, and two at the end of three years after such date; and (2) any director so appointed to fill a vacancy occurring before the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term. Ten members of the Board shall be elected annually by the members of the Corporation.

"(b) The Corporation shall have a President, and such other officers as may be named and appointed by the Board of Directors, at rates of compensation fixed by the Board, and serving at the pleasure of the Board. No individual other than a citizen of the United States may be an officer of the Corporation. No officer of the Corporation shall receive any salary from any source other than the Corporation during the period of his employment by the Corporation.

"MEMBERSHIP IN THE CORPORATION

"SEC. 506. (a) Any person or organization may become a member of the Corporation by—

"(1) purchasing from the Corporation one or more of the debentures of the Corporation referred to in section 507(a); or

"(2) donating to the Corporation money or property (taken at fair market value) in an amount or amounts to be determined by the Board, but in no event less than $100.

"(b) Each member shall be entitled to one vote regardless of the amount of debentures held by him or the amount donated by him to the Corporation.

"(c) Any donations to the Corporation shall qualify as charitable contributions within the meaning of section 170 of the Internal Revenue Code of 1954.

"FINANCING OF THE CORPORATION

"SEC. 507. (a) The Corporation may issue such bonds, debentures, or other certificates of indebtedness at such times and on such terms and conditions as the Board may determine to be required for the fulfillment of the purpose of the Corporation.

"(b) The Secretary of the Treasury is authorized to make grants to the Corporation to assist it in meeting its organizational expenses and in carrying on its activities. There is authorized to be appropriated not to exceed $20,000,000 for the purpose of providing financial assistance under this subsection, except that $10,000,000 shall be made available to the Corporation at the time of its incorporation and additional amounts, not to exceed in aggregate $10,000,000 shall be made available from time to time to match donations or purchases of debentures made pursuant to section 506(a). Appropriations authorized under this subsection shall remain available until expended.

"ACTIVITIES AND POWERS OF THE CORPORATION

"SEC. 508. (a) In order to carry out the purposes of this title, the Corporation is authorized to—

"(1) establish an information and research center on how private individuals and organizations can participate in anti-slum and anti-poverty projects, including information on existing government programs and incentives and on promising privately sponsored projects, and including research on new governmental and private incentives or forms of organization which would be helpful;

"(2) Organize educational programs, including the use of conferences and mailings, to disseminate information in order to encourage private individuals, agencies, organizations, and business enterprises to participate in anti-slum and anti-poverty activities;

"(3) provide technical assistance to public and private agencies and organizations in the planning and operation of programs and projects including advising representatives of the United States Government concerning effective means of encouraging the participation of the private sector in such programs and projects;

"(4) participate and coordinate on a contractual or other basis in government programs in support of the purposes of this title, including programs providing reimbursements, tax credits, or other incentives to private employers to encourage the training and employment of unemployed and low-income persons;

"(5) stimulate the establishment of, invest in, and operate new and existing business enterprises which, by reason of their location, employment effect, or products or services produced, would ameliorate conditions of poverty and urban blight, including new business enterprises operated for profit by the Corporation as well as enterprises which would be owned by existing firms or by other organizations or individuals;

"(6) establish one or more subsidiary corporations, including one or more corporations which qualify as small business investment companies under title III of the Small Business Investment Act of 1958 (15 U.S.C. 681 et seq.), to invest in or operate such new business enterprises;

"(7) provide technical and financial assistance to private lending institutions and other private organizations in order to stimulate the provision of capital to new and existing enterprises located in urban areas of high concentration of low-income persons or owned by low-income persons;

"(8) develop in conjunction with public and private agencies and organizations methods for the application of modern business management techniques to the solution of social problems, and otherwise encourage the participation of private agencies and organizations in providing needed public services;

"(9) establish and support new and existing private organizations at the State and local levels designed to carry out the purposes of this title and to mobilize their communities to support antislum and antipoverty programs; and

"(10) carry on such other activities as would further the purposes of this title.

"(b) In the performance of the functions set forth in subsection (a), the Corporation is authorized to—

"(1) enter into such contracts, leases, cooperative agreements, or other transactions as the Board of Directors deems appropriate to conduct the activities of the Corporation;

"(2) charge such fees as the Board of Directors deems reasonable and appropriate;

"(3) carry out its activities, wherever desirable, on an areawide, State, or local basis through such entities as the Board of Directors deems appropriate;

"(4) accept and use, either with or without reimbursement as the case may be, such services, equipment, and facilities of agencies of the Federal Government, State governments, or other local political subdivisions as are necessary to conduct the activities of the Corporation efficiently, and such Federal agencies are authorized to provide, with or without reimbursement, such services, equipment, and facilities to such Corporation;

"(5) receive grants and other financial assistance from the United States and from State and local governments, foundations, corporations, and other organizations and individuals, to carry out activities consistent with the purposes of this title; and

"(6) exercise all powers conferred upon a nonprofit corporation by the District of Columbia Nonprofit Corporation Act.

"REPORTS TO THE CONGRESS

"SEC. 509. The Corporation shall transmit to the President and Congress, annually and at such other times as it deems desirable, a comprehensive and detailed report of its operations, activities, and accomplishments under this title.

"TITLE VI—EVALUATION AND OVERSIGHT STUDY BY THE COMPTROLLER GENERAL

"EVALUATION AND OVERSIGHT STUDY

"SEC. 601. (a) The Comptroller General of the United States (hereinafter referred to as the 'Comptroller General') is authorized and directed to conduct a continuing evaluation of all job training, work experience and employment programs conducted or financially assisted by the United States and to otherwise assist the Congress in its legislative oversight functions with respect to such programs.

"(b) The evaluation conducted pursuant to this title shall include—

"(1) an analytical and statistical breakdown of unemployment and underemployment in the Nation, including information on the relative incidence of such problems in specific age, racial, and other relevant groups and in different geographical locations;

"(2) a comparison of the relative costs and benefits of different types of training and employment programs, including such a comparison between—

"(A) institutional and on-the-job training,

"(B) different types of institutional and on-the-job training,

"(C) training for job entry and for job advancement, and

"(D) job development programs in community service activities and in regular competitive employment;

"(3) an evaluation of job upgrading programs and of the relative importance of such programs compared to other training and employment programs designed to obtain meaningful employment for hard-core unemployed persons;

"(4) an evaluation of the degree of coordination between different job training and employment programs at the Federal, State and local levels, and between such programs and other governmental programs closely associated with them, including programs under the Demonstration Cities and Metropolitan Development Act of 1966;

"(5) an evaluation of the degree of effective support provided by the Federal-State Employment Service system to job training and employment programs for unemployed and low-income persons; and

"(6) an evaluation of the administration and management by Federal departments and agencies of job-training and employment programs.

"(c) The Comptroller General shall assist the Congress in its legislative oversight function with respect to all job training, work experience and employment programs conducted or financially assisted by the United States by—

"(1) reporting to the Congress at least annually on the efforts and progress made by Federal departments and agencies in complying with and implementing (A) legislation authorizing or extending such programs enacted within the two-year period prior to the issuance of such report, and (B) instructions contained in the reports of relevant Committees of the Congress with respect to such legislation; and

"(2) performing such other oversight functions as the Congress may require.

"REPORTS

"Sec. 602. The Comptroller General shall make such interim reports as he deems advisable, and, not later than sixty days after the beginning of each calendar year, he shall submit to the Congress a complete report on his activities under this title, including a detailed statement of his findings and conclusions together with such recommendations, including recommendations for additional legislation as he deems advisable.

"POWERS OF THE COMPTROLLER GENERAL

"Sec. 603. (a) The Comptroller General or, on the authorization of the Comptroller General, any officer of the General Accounting Office, may, for the purpose of carrying out the provisions of this title, hold such hearings, take such testimony, and sit and act at such times and places as he deems advisable. Any officer designated by the Comptroller General may administer oaths or affirmations to witnesses appearing before the Comptroller General or such designated officer.

"(b) Each department, agency, and instrumentality of the executive branch of the Government, including independent agencies, is authorized and directed to furnish to the Comptroller General, upon request made by him, such information as he deems necessary to carry out his functions under this title.

"(c) The Comptroller General is authorized—

"(1) to appoint and fix the compensation of such staff personnel as he deems necessary without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, and

"(2) to procure temporary and intermittent services to the same extent as is authorized by section 3109 of title 5, United States Code, but at rates not to exceed $100 a day for individuals.

"(d) The Comptroller General is authorized to enter into contracts with Federal or State agencies, private firms, institutions, and individuals for the conduct of research or surveys, the preparation of reports, and other activities necessary to the discharge of his duties under this title.

"AUTHORIZATION

"Sec. 604. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this title."

TECHNICAL AMENDMENTS

Sec. 104. (a) Section 302 of the Manpower Development and Training Act of 1962 is amended by inserting a comma and "other than titles IV, V, and VI," immediately after "this Act".

(b) Section 308 of such Act is amended by inserting "other than titles IV, V, and VI," immediately after "this Act,".

AMENDMENT NO. 679

Mr. JAVITS. Mr. President, on behalf of myself and Senators Prouty, Allott, Brooke, Case, Hansen, Hatfield, Kuchel, Morton, Pearson, Percy, Scott, and Cooper, I submit an amendment, intended to be proposed by us, jointly, to Senate bill 3249, the proposed National Manpower Act of 1968. I ask unanimous consent that the amendment be printed in the Record.

The PRESIDING OFFICER. The amendment will be received, printed, and appropriately referred; and, without objection, the amendment will be printed in the Record.

The amendment (No. 679) was referred to the Committee on Labor and Public Welfare, as follows:

Insert at the end thereof the following new title:

"TITLE II—PRIVATE INDUSTRY EMPLOYMENT INCENTIVES

"SHORT TITLE

"Sec. 201. This title may be cited as the 'Employment Incentive Act of 1968'.

"DECLARATION OF PURPOSE

"Sec. 202. It is the purpose of this title to provide incentive to American business to invest in the improvement of the Nation's human resources by hiring, training, and employing presently unemployed and underemployed workers lacking needed job skills.

"ALLOWANCE OF TAX CREDIT

"Sec. 203. (a) Subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 (relating to credits allowable) is amended by renumbering section 40 as section 41, and by inserting after section 39 the following new section:

" 'Sec. 40. Wages of Disadvantaged Employees

" '(a) General Rule.—There shall be allowed, as a credit against the tax imposed by this chapter, the amount determined under subpart C of this part.

" '(b) Regulations.—The Secretary or his delegate shall prescribe such regulations as may be necessary to carry out the purposes of this section and subpart C.'

"(b) Part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 (relating to credits against tax) in amended by adding at the end thereof the following new subpart:

"Subpart C—Rules for Computing Credit for Wages of Disadvantaged Employees

" 'Sec. 51. Amount of credit.

" 'Sec. 52. Definitions; special rules.

" 'Sec. 51. Amount of Credit.

" '(a) Determination of Amount.—

" '(1) General Rule.—The amount of the credit allowed by section 40 for the taxable year shall be equal to the sum of—

" '(A) 75 percent of the qualified wages paid to, or with respect to, each disadvantaged employee for services performed during the first six months of employment of each such employee,

" '(B) 50 percent of the qualified wages paid to, or with respect to, each disadvantaged employee for services performed during the second six months of employment of each such employee, and

" '(C) 25 percent of the qualified wages paid to, or with respect to, each disadvantaged employee for services performed during the second year of employment of each such employee.

" '(2) Limitation based on amount of tax.—Notwithstanding paragraph (1), the credit allowed by section 40 for the taxable year shall not exceed—

" '(A) so much of the liability for the taxable year as does not exceed $25,000, plus

" '(B) 50 percent of so much of the liability for tax for the taxable year as exceeds $25,000.

" '(3) Liability for tax.—For purposes of paragraph (2), the liability for tax for the taxable year shall be the tax imposed by this chapter for such year, reduced by the sum of the credits allowable under—

" '(A) section 33 (relating to foreign tax credit),

" '(B) section 35 (relating to partially tax exempt interest),

" '(C) section 37 (relating to retirement income), and

" '(D) section 38 (relating to investment in certain depreciable property).

For purposes of this paragraph, any tax imposed for the taxable year by section 531 (relating to accumulated earnings tax) or by section 541 (relating to personal holding company tax) shall not be considered tax imposed by this chapter for such year.

" '(4) Married individuals.—In the case of a husband or wife who files a separate return, the amount specified under subparagraphs (A) and (B) of paragraph (2) shall be $12,500 in lieu of $25,000. This paragraph shall not apply if the spouse of the taxpayer has no paid qualified wages for, and has no unused credit carryback or carryover to, the taxable year of such spouse which ends within or with the taxpayer's taxable year.

" '(5) Affiliated groups.—In the case of an affiliated group, the $25,000 amount specified under subparagraphs (A) and (B) of paragraph (2) shall be reduced for each member of the group by apportioning $25,000 among the members of such group in such manner as the Secretary or his delegate shall by regulations prescribe. For purposes of the preceding sentence, the term 'affiliated group' has the meaning assigned to such term by section 1504(a), except that all corporations shall be treated as includible corporations (without any exclusion under section 1504(b)).

" '(b) Carryback and Carryover of Unused Credit.—

" '(1) Allowance of credit.—If the amount of the credit determined under subsection (a)(1) for any taxable year exceeds the limitation provided by subsection (a)(2) for such taxable year (hereinafter in this subsection referred to as "unused credit year") such excess shall be—

" '(A) a disadvantaged employee wage credit carryback to each of the 3 taxable years preceding the unused credit year, and

" '(B) a disadvantaged employee wage credit carryover to each of the 7 taxable years following the unused credit year,

and shall be added to the amount allowable as a credit by section 40 for such years, except that such excess may be a carryback only to a taxable year ending after the date of the enactment of the Human Investment Act of 1968. The entire amount of the unused credit for an unused credit year shall be carried to the earliest of the 10 taxable years to which (by reason of subparagraphs (A) and (B)) such credit may be carried, and then to each of the other 9 taxable years to the extent that, because of the limitation contained in paragraph (2), such unused credit may not be added for a prior taxable year to which such unused credit may be carried.

" '(2) Limitation.—The amount of the unused credit which may be added under paragraph (1) for any preceding or succeeding taxable year shall not exceed the amount by which the limitation provided by subsection (a)(2) for such taxable year exceeds the sum of—

"'(A) the credit allowable under subsection (a)(1) for such taxable year, and

"'(B) the amounts which, by reason of this subsection, are added to the amount allowable for such taxable year and attributable to taxable years preceding the unused credit year.

"'Sec. 52. Definitions; Special Rules.

"'(a) Disadvantaged Employee.—

"'(1) In general.—For purposes of this subpart, the term 'disadvantaged employee' means an individual certified by the Secretary of Labor (or by an agency or organization designated by him), prior to his employment by the taxpayer, as an unemployed or underemployed individual who meets the requirements and conditions prescribed by the Secretary of Labor under paragraph (2), except that such term does not include any individual receiving training from the taxpayer under a Federally assisted on-the-job training program, including any such program under the Manpower Development and Training Act of 1962 or the Economic Opportunity Act of 1964.

"'(2) Requirements and conditions.—The Secretary of Labor shall prescribe the requirements and conditions which must be met by an unemployed or underemployed individual to be eligible for certification for purposes of paragraph (1).

"'(3) Rules and regulations.—The Secretary of Labor is authorized to prescribe such rules and regulations as may be necessary to carry out his functions and duties under paragraphs (1) and (2). In performing his functions and duties under this subsection, the Secretary of Labor shall consult with the Board of Directors of the Economic Opportunity Corporation.

"'(b) Qualified Wages.—For purposes of this subpart, the term "qualified wages" means the compensation paid to an employee for personal services rendered by him, and the cost of benefits accruing to an employee and paid or incurred by an employer by reason of the employment relationship, but only if the rate of compensation paid to such employee for personal services rendered by him equals or exceeds whichever of the following is the highest:

"'(1) the minimum wage which would be applicable under the Fair Labor Standards Act of 1938 if section 6 of such Act applied to the employee and he was not exempt under section 13 thereof,

"'(2) the minimum wage, if any, prescribed by State or local law for the most nearly comparable covered employment, or

"'(3) the prevailing rate of wages in the area for the same or similar personal services.

Upon request of the Secretary or his delegate, the Secretary of Labor shall determine whether the compensation paid to any employee for personal services meets the requirements of the preceding sentence.

"'(c) Limitation on Number of Disadvantaged Employees.—For purposes of this subpart, the number of disadvantaged employees of any employer which may be taken into account for any pay period shall not exceed—

"'(1) in the case of an employer of 10 or less employees, 50 percent of the total number of employees,

"'(2) in the case of an employer of more than 10 but less than 101 employees, 25 percent of the total number of employees, and

"'(3) in the case of an employer of 101 or more employees, 15 percent of the total number of employees.

"'(d) Early Termination of Employment.—For purposes of this subpart, the qualified wages paid to, or with respect to, a disadvantaged employee—

"'(1) during the first six months of his employment shall not be taken into account if he ceases to be an employee of the taxpayer before the end of such six-month period,

"'(2) during the second six months of his employment, if he ceases to be an employee of the taxpayer before the end of such six-month period, and

"'(3) during the second year of his employment, if he ceases to be an employee before the end of such year.

The preceding sentence shall not apply with respect to a disadvantaged employee who ceases to be an employee of the taxpayer because of death or disability.

"'(e) Regulations.—The Secretary of the Treasury or his delegate shall prescribe such regulations as may be necessary to carry out the purposes of this subpart.'

"TECHNICAL AND CLERICAL AMENDMENTS

"Sec. 204. (a) The table of sections for subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 is amended by striking out the last item and inserting in lieu thereof the following:

"'Sec. 10. Wages of disadvantaged employees.

"'Sec. 41. Overpayments of tax.'

"(b) The table of subparts for part IV of subchapter A of chapter 1 of such Code is amended by adding at the end thereof the following new item:

"'Subpart C—Rules for Computing Credit for Wages of Disadvantaged Employees'

"(c) Section 381(c) of such Code (relating to items taken into account in certain corporate acquisitions) is amended by adding at the end thereof the following new paragraph:

"'(24) Credit under section 40 for wages of disadvantaged employees.—The acquiring corporation shall take into account (to the extent proper to carry out the purposes of this section and section 40, and under such regulations as may be prescribed by the Secretary or his delegate) the items required to be taken into account for purposes of section 40 in respect of the distributor or transferor corporation.'

"EFFECTIVE DATE

"Sec. 205. The amendments to the Internal Revenue Code of 1954 made by this title shall apply to taxable years ending after the date of the enactment of this Act."

Mr. PROUTY. Mr. President, I am happy to be a cosponsor of the National Manpower Act of 1968, which has just been introduced by the distinguished Senator from New York.

As the ranking Republican on the Employment, Manpower, and Poverty Subcommittee, and as a cosponsor of the National Manpower Act of 1968, which has just been introduced by the distinguished senior Senator from New York, I would like to make a few comments and observations with respect to the general area of Federal manpower and training programs.

For many years I have been in the forefront of those seeking enactment of meaningful job training programs. By meaningful programs I mean those which will equip a disadvantaged person with a skill or an ability which he did not possess previously in order that he may enter the competitive labor market to seek a productive job in the private sector of our economy.

I have often expressed the fear during the last several years that the massive Federal programs which we have enacted have not been achieving our objective of really reaching the disadvantaged and unemployed persons for whom they were intended. Unfortunately, the recent report of the President's Riot Commission seems to confirm this result.

Mr. President, I was also among the first to recognize that there would be a tremendous performance gap between promises and results of these Federal programs unless private enterprise was motivated to become involved and play a major role in areas of training and employing unemployed and underemployed individuals.

I am glad to say that the bill which has just been introduced contains provisions for tax credits to private businesses patterned on my Human Investment Act which I have introduced three times since February 1965. My most recent Human Investment Act bill was introduced on February 2, 1967, and was cosponsored by 28 of my colleagues. Simultaneously this bill was introduced in the House of Representatives by Congressman Curtis and 121 other Representatives.

No action has ever been taken by the Senate Finance Committee on any of my Human Investment Act bills, and I am afraid that the same fate awaits the title of the present bill dealing with tax credits to private industry. I hope that I am wrong, because it should now be obvious to all that it is vital for private business and labor, who have learned through hard experience how to obtain the most effective and efficient training results per dollar, to assume a dominant position in the training of our hardcore unemployed.

The bill which my friend from New York introduced this afternoon also contains a title providing for comprehensive community employment and training programs. I have always been somewhat wary of so-called make-work programs providing for public employment in public jobs. No real solution to our country's poverty or unemployment problems can result from the creation of standstill make-work jobs which will vanish when Federal funds are withdrawn, returning the recipients of this employment to the competitive labor market more bitter and disillusioned but no more qualified for employment than before.

As I have said on the floor of the Senate many times, Mr. President, meaningful jobs rather than doles must be provided to make these programs truly effective. Yet I recognize, as I am sure do most thinking Americans, that there are substantial numbers of disadvantaged persons who have reached a stage in life where, through no fault of their own, they are no longer capable of being trained to compete for jobs in the private sector of our economy. For these individuals, and for the overflow which private enterprise cannot assimilate at the beginning who can still be taught skills in community employment which will eventually lead them to jobs in private industry, I believe it is proper that a portion of our resources be devoted to the creation of public service jobs.

Thus, the community employment opportunities under this bill should provide for the progression of workers to better paying and more responsible positions based upon merit and ability to learn, rather than being "dead ends" where an individual will perform the same work indefinitely with no possibility for advancement.

To some extent, that amendment which Senator SCOTT and I offered to the Emergency Employment Act in last year's poverty bill attempted to meet these objections. You will recall that this amendment lost by four votes. The present bill contains some improvements, primarily in the areas of giving States and local groups more authority in the planning and administration of these programs. I am confident, however, that further improvements can be made in this area when the bill is considered by our Subcommittee on Employment, Manpower, and Poverty.

I should also point out, Mr. President, that the bill just introduced also provides for an examination and evaluation of all Federal manpower and training programs by the Comptroller General of the United States and the General Accounting Office. This, of course, is based upon a similar amendment of mine which I was successful in having enacted as part of the 1967 amendments to the Economic Opportunity Act.

During my years in the Senate, I have continually spoken out against the incredible waste of time and effort under these programs and have called for independent and objective evaluations designed to promote effective and economical coordination of manpower programs by reducing and eliminating overlap and duplication in such efforts funded by the Federal Government. While the GAO study approach may not be the only way to achieve this objective, I believe that it is a giant step in the right direction.

The bill just introduced by the senior Senator from New York calls for these programs to be added as new titles to the Manpower Development and Training Act. I believe that other changes in MDTA are necessary and have reserved the right to offer additional amendments before our subcommittee. Nevertheless, I am in complete sympathy with the overall objectives of MDTA and, last December, introduced a bill to extend MDTA on behalf of the distinguished chairman of our subcommittee, and senior Senator from Pennsylvania, and myself.

In bringing my remarks to a close, Mr. President, I should emphasize that when I speak of providing meaningful jobs and job training for the hard-core disadvantaged citizens of our Nation, in either the public or private sectors of our economy, I include the need to provide remedial and vocational education and other supportive services in fields such as health and social services. In so combining the services offered by different agencies and departments, we must be doubly on guard against the vices of duplication, fragmentation and administrative overlap. Nevertheless, I am convinced that it is only through the proper administration of these combined programs that we can ever hope to solve on a lasting basis our manpower training and poverty problems.

Because manpower training is so intimately connected with programs in the field of education and the war on poverty, it would be inappropriate to discuss this subject without pointing out that insufficient emphasis is being given to implementing these programs in the rural areas of our country. No one can deny the need to help the hard-core disadvantaged in our major urban areas where high concentrations of such individuals make the need readily apparent. But the necessity for assisting the hidden poor in our rural areas is just as great where the percentages of unemployed and unskilled may be as great or greater as in our cities, although less obvious because of their lack of concentration. Also, if the problems of our cities are to be eventually solved, it will be necessary to allocate these programs in a much more substantial manner than has heretofore been done to rural areas suffering from serious problems of outmigration.

Mr. President, it is my fervent desire to see this Congress enact constructive and creative programs in the fields of both private and public employment. However, I equally believe that the direction given by this bill must be primarily in terms of private enterprise, particularly in the long run, and that we must recognize that the community employment provisions are basically to meet a present emergency and that they should be phased out to the extent possible in the future.

TAX ADJUSTMENT ACT OF 1968

The Senate resumed the consideration of the bill (H.R. 15414) to continue the existing excise tax rates on communication services and on automobiles, and to apply more generally the provisions relating to payments of estimated tax by corporations.

ORDER OF BUSINESS

Mr. GRIFFIN. Mr. President, will the Senator yield?

The PRESIDING OFFICER. The time is under the control of the Senator from South Dakota. Who yields time?

Mr. MUNDT. For what purpose does the Senator wish to be recognized?

Mr. GRIFFIN. Mr. President, I ask unanimous consent that I may proceed for 5 minutes, and that the time not be computed in the time limitation or in determining the time to vote on the amendment of the Senator from South Dakota.

Mr. MUNDT. That would have to be done by a different kind of unanimous-consent request, which I will be happy to pose in the Senator's behalf, if he has no objection.

Mr. GRIFFIN. I thank the Senator.

Mr. MUNDT. I have no objection that the Senator be recognized for 5 minutes. The maximum hour at which we would vote on the amendment would be extended from 1:30 p.m. to 1:40 p.m.

The PRESIDING OFFICER. Is there objection?

Mr. MONDALE. I have no objection.

The PRESIDING OFFICER. The Senator requested 5 minutes, and the Senator from South Dakota has extended the hour to vote by 10 minutes.

Mr. MUNDT. Mr. President, I have made that request in order to pick up the 5 minutes we just lost to the Senator from New York.

The PRESIDING OFFICER. Is there objection to the request of the Senator from South Dakota? The Chair hears no objection, and it is so ordered.

The Senator from Michigan is recognized for 5 minutes.

THE AUTO EXCISE TAX BILL

Mr. GRIFFIN. Mr. President, for several days now we have had before the Senate the bill, H.R. 15414, the principal purpose of which is to extend the auto excise tax.

The debate we have heard has been lengthy. It has been illuminating. It has touched on a great many issues and matters of grave importance to the country.

Numerous amendments have been offered. A few have been adopted and a number have been rejected.

But in all the debate, Mr. President, very little has been said about the legislation before us. If I may, I should like to direct my remarks to the bill itself.

History has taught the people of Michigan that "nothing is so permanent as a temporary tax."

Mr. President, the existing 7 percent excise tax on automobiles is inequitable and arbitrary. It unfairly singles out and burdens the principal industry of my State. I suspect that the pending bill proposes to continue this discriminatory exaction because it represents a quick and easy way to raise some of the revenue which is desperately needed.

When this issue arose last year, in a different context, I remarked that it was not easy for a Senator from Michigan to swallow such a pill—especially when one considers that the tax was proposed originally as a temporary, war-time measure. The bill before us today is no more palatable.

For 15 years, since the Korean war, Congress has continued and extended this "temporary" tax which hits hardest at the State of Michigan. It represents a stubborn relic. Everyone agrees that the tax is unfair. Nobody professes to like it—but the tax lingers on—and on.

I have no doubt that Congress will approve the pending bill. Under the circumstances, I must admit that we have little choice.

Our fighting forces are heavily engaged in Southeast Asia—and they must be supported.

Our fiscal affairs are in disarray—and we must find ways to reduce the deficits which have brought us to a state of fiscal crisis.

But, Mr. President, there are other important considerations which should be weighed. We should take time to consider what forms of taxation are fair and equitable—instead of jumping to extend taxes simply because they are quick and easy to collect.

In his message to the Congress on May 17, 1965, President Johnson called for excise tax reductions and said his program would "end an unfair burden on many businesses and workers who produce the commodities which are singled out for excise taxation.

The auto excise tax is an unfair burden. That statement by President Johnson was true then—and it is true now.

In this connection, it should be recalled that the President's 1965 proposal to reduce excise taxes brought the automobile industry the shortest tax relief on record. I believe it lasted just 12 days.

Mr. President, one redeeming feature in the present bill is that, at least, we are promised once again that the automobile tax will eventually be eliminated.

Under existing law, the 7-percent tax has been scheduled to drop to 2 percent on April 1, 1968; to 1 percent on January 1, 1969; but then to continue in effect at 1 percent thereafter.

Under the bill before us now, the 7-percent tax would be reduced to 5 percent on January 1, 1970; to 3 percent on January 1, 1971; to 1 percent on January 1, 1972; and finally it would be repealed on January 1, 1973.

From the standpoint of the automobile industry, its workers and its consumers, I believe that the pending bill represents something of an improvement.

Under the existing act, the auto excise tax was destined by law to continue indefinitely. The bill before us now at least promises eventual removal of the tax.

Furthermore, the sharp drop from 7 percent to 2 percent scheduled for this year was not very realistic; such a reduction would have involved too great a revenue loss to be absorbed at one time. On the other hand, the more gradual reduction scheduled in this bill—by steps of 2 percent at a time—will stand a better chance of surviving.

Mr. President, I want to commend the House Committee on Ways and Means and the Senate Committee on Finance for writing into the pending bill the provision which calls for the ultimate elimination of this discriminatory tax.

I believe that this provision should be looked upon as a binding contract between Congress and the people of my State—and I fully intend to do all I can to see that it is carried out.

Mr. MUNDT. Mr. President, I understand that the leader on the other side wants to make a statement now. I rise only to ask unanimous consent on behalf of the Senator from Virginia [Mr. BYRD] and myself that we be permitted to modify our amendment to read as follows:

> On page 2 delete the language on lines 1 through 6 and insert the following:
>
> "(B) The tax imposed by subsection (a) shall apply for any taxable year only to taxpayers who have been granted a license to export or who have filed an export declaration with customs at the port of shipment and who fail to file a statement with their tax return that they have not engaged during the taxable year in trade with any Communist country which is supplying material to the Government of North Vietnam".

The PRESIDING OFFICER. Without objection, the amendment is modified accordingly.

Mr. MUNDT. Mr. President, I do that simply because in colloquy on yesterday, it was brought out that many taxpayers would have to check a blank in their income tax form as a disclaimer. In conference with people downtown this morning, and those in charge of this kind of export business, so far as we could spell by the two statements and all the people involved, the rest of the taxpayers would not have to make that check. Thus, we obviate that extra difficulty for the taxpayers.

Now, Mr. President, I am happy to yield to the Senator from Minnesota.

The PRESIDING OFFICER. How much times does the Senator from Minnesota yield himself?

Mr. MONDALE. Mr. President, I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator from Minnesota is recognized for 10 minutes.

Mr. MONDALE. Mr. President, I rise to oppose the pending amendment offered by the Senator from South Dakota [Mr. MUNDT]. If this amendment were to be adopted, there would be celebrations in the Kremlin because we would be helping the Russians to hang on to their rebellious satellites.

The pending amendment is intended to limit the Eastern Europeans' ability to assist North Vietnam wage war, by discouraging American trade with Eastern Europe.

It would do nothing of the sort. There are many, many other sellers only too willing to step in and take our markets and supply the nonstrategic foodstuffs and goods we sell to Eastern Europe. This amendment would not prevent Eastern Europe from participating in world trade—those countries would only turn to other suppliers.

Mr. President, what are we doing here? I think it is terribly important to understand the serious, substantial, and fundamental character of the pending amendment. Many people compare it with past restrictions which have been imposed by Congress, in one way or another, on trade with Eastern Europe. Some of the restrictions have applied to extension of Export-Import Bank credits. Some of them have conditioned the extension of American aid, in one way or another, to seeking a reduction of help from Eastern Europe to the Communist side in North Vietnam. Those restrictions have had an effect—but a modest one—on East-West trade.

This is entirely different. This is using a different tool, the tax tool, to raise what I regard to be an insuperable barrier to any kind of trade between an American taxpayer and Eastern Europe. It would eliminate somewhere between $200 million and $400 million in beneficial cash sales from this country to Eastern Europe. Thus, it would not have a modest effect. It would be a fundamental prohibition effectively limiting any trade of any kind.

In the process, we would lose desperately needed exports. Even worse, we would throw these nations on the mercy of the Russian giant they are struggling to escape.

The amendment would succeed only in giving business to our competitors. It would make the countries of Eastern Europe more dependent on the Soviet Union. It would completely frustrate the original purpose of the bill.

American businessmen have cultivated the markets in Eastern Europe because these markets are growing, becoming more consumer-oriented. The customers are ready and willing to buy; the French or other Western Europeans will be delighted to have the business we throw away if this amendment becomes law.

In the past few weeks we have watched several of the Eastern European countries strain even harder against the ties binding the Communist bloc. The front page of this morning's New York Times reports "growing estrangement between Czechoslovakia and her partners" spurred by "Czechoslovak democratization." I ask unanimous consent that the article be placed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PRAGUE PROTESTS TO EAST GERMANY—SCORES MEDDLING—VOICES OBJECTION TO SPEECH BY IDEOLOGIST CRITICIZING CZECHOSLOVAK REFORM—ESTRANGEMENT GROWS—PRAGUE PARTY PAPER URGES SEPARATE FOREIGN POLICY ON GERMAN PROBLEM

(By Henry Kamm)

PRAGUE, March 27.—Czechoslovakia protested to East Germany today over interference in her affairs. The action was the most dramatic development in the growing estrangement between Czechoslovakia and her partners.

Foreign Minister Vaclav David summoned the East German ambassador, Peter Florin, to inform him of objections to the speech yesterday by a member of the East German party's ruling Politburo.

The East German ideological expert, Kurt Hager, criticized Czechoslovak democratization. He contended that it served the West German goal of loosening the links between Communist countries, particularly Czechoslovakia and East Germany.

SEPARATE POLICY URGED

The Czechoslovak party newspaper, Rude Pravo, said today that there was no reason why Czechoslovakia should pursue the same policy toward West Germany as does East Germany.

Rude Pravo said Czechoslovakia was simplifying the situation by following the East German lead instead of trying on her own to influence developments in West Germany that might lead to normal relations between the two countries.

The newspaper called on the Government to find the courage to develop a specifically Czechoslovak initiative on the issue of Germany.

It also demanded that the atmosphere of the Foreign Ministry be transformed so as to encourage fearless expressions of opinion and the honest consideration of alternatives.

SMRKOVSKY SINGLED OUT

Yesterday's East German criticism by Mr. Hager singled out the speeches of Josef Smrkovsky, a principal figure in the new Czechoslovak leadership, as particularly useful to the West German press in attacks on East Germany.

Organizations and protest meetings at various institutions rallied strongly on behalf of Mr. Smrkovsky, who is one of the most popular of the new leaders. The protests were prominently reported by newspapers, radio and television.

The Union of Anti-Fascist Fighters charged that the East German had attacked not only Mr. Smrkovsky but also the "revolutionary process in our society." It continued:

"We extend our full support to all comrades, especially Smrkovsky. We are convinced that our view is shared by all patriotic Czechoslovaks."

CRITICISM BY HUNGARIAN

The Czechoslovak press also reported criticism from a member of the Hungarian Politburo, Zoltan Komocsin, who declared in a radio interview yesterday that developments in Czechoslovakia were accompanied by "anti-Socialist rightist efforts of an incorrect tendency."

The party newspaper Rude Pravo, besides urging an independent Czechoslovak policy on Germany, also criticized the Soviet attitude toward the present reform movement.

Rude Pravo complained that the Soviet Union and the other Communist countries gave inadequate news of the Czechoslovak events to their peoples.

"Some think this means they do not approve," the party organ remarked pointedly.

Rude Pravo linked the Soviet information policy to what it called "one of the old bad habits" of Communist countries.

The Soviet press has carried only bland, brief reports about the Czechoslovak changeover as if the replacement of Mr. Novotny by Alexander Dubcek represented a change only in leaders and not also in orientation.

Rude Pravo charged that because of this policy people in Socialist countries knew more about developments in Africa than in neighboring countries.

"About them they receive one-sided, incomplete and therefore nonobjective views," the newspaper complained.

In any event, Rude Pravo declared pointedly, whatever information the Communist nations publish about Czechoslovakia, the decisive issue is "that these countries must strictly respect our sovereignty and not interfere in our internal affairs."

The article continued:

"We therefore respect the right of these countries to give information about our development as they consider fit and do not force ourselves on them, especially as we are only at the beginning. Let us show that we are calm, that we have national pride, that we are modest.

"And let us concentrate all our efforts to insure that the seeds of democracy sown in the spring of this year bear fruit as soon as possible. Even then, we shall leave it to everyone to decide for himself what he can and what he wants to use from the Czechoslovak contribution to the forming of a new model of socialism."

The reference to a specifically Czechoslovak form of socialism suitable for adoption by other countries was considered significant here as a declaration of independence from ideological allegiance to anyone else.

The same note was struck in a broadcast by the Moscow correspondent of the Prague radio. He, too, criticized the inadequacy of Soviet news coverage, but declared ironically that Soviet listeners got the news from Western radio stations.

SECOND SPEECH BY EAST GERMAN

(By David Binder)

BERLIN, March 27.—Prof. Kurt Hager, the East German ideologist, attacked a Czechoslovak Communist party reformer by name last night in a second criticism of the reform movement in two days.

His new reproach, published today in Nerees Deutschland, the party newspaper, twice censured Josef Smrkovsky, the Minister of Forestry, who has become a spokesman for the liberalization of Communism in Czechoslovakia.

Speaking at the final session of a congress of 1200 Marxist philosophers in East Berlin, Professor Hager hinted that Mr. Smrkovsky and his fellow reformers were allied with "militarist and revanchist circles in West Germany."

It was the sharpest aspersion against the new Czechoslovak leadership yet made by a member of the East German regime, which for two weeks has treated the Czechoslovak developments as a threat to its security.

Professor Hager said:

"West German propaganda centers . . . zealously quote the remarks of Forestry Minister Smrkovsky. They report at great length the attacks of journalists and writers upon the leading role of the party, the Central Committee and its apparatus, on leading members of the government."

He accused West Germany and other "imperialist powers" of aiming "to soften up Socialist countries from within, to split them and especially to isolate the German Democratic Republic."

He added that "the performance of Smrkovsky and others fills them with hope."

Mr. MONDALE. Mr. President, Czechoslovakia, Poland, and Rumania join Yugoslavia in seeking a government which puts national interests ahead of Communist cooperation. The countries of Eastern Europe are beginning to care about the quality of their life. For quality goods, they must turn to Western markets.

Our trade with them is one of the best political tools we have. If we cut off all trade with Eastern Europe, we drive our new-found customers back into the hands of the Soviets, whom they are trying to escape.

It strikes me that this amendment makes the tax bill we are considering go in two directions at once.

Why, when we are so desperately in need of obtaining a favorable balance of trade, should we cut off exports? We are told that one of the reasons for seeking a tax increase is to straighten out our balance-of-payments position. This amendment will not gain any additional tax revenue; it is intended as a prohibitive tax—and it will prohibit trade, cutting out the sales gains on our side of the ledger.

The tax increase proposal is designed to appeal to those countries now trying to help us by refraining from exchanging dollars for gold. It is supposed to show that we intend to improve our balance-of-payments position. But the Mundt amendment nullifies that effort.

The Senate makes a tragic mistake if it chooses to limit our favorable trade with countries struggling to free themselves from Soviet control. We are mistaken also if we think American business has been aiding North Vietnam by trading with the nations of Eastern Europe. Our exports to Eastern Europe are primarily agricultural commodities. Of a total of $198 million worth of goods shipped from the United States in 1967 to Eastern Europe, $175 million was in agricultural commodities.

These figures are very important, because they show the kind of trade with them and the ease with which other countries will be able to pick it up if we inflict upon ourselves this restriction.

I ask unanimous consent that there be inserted at this point in my remarks in the RECORD tables showing the commodities and dollar amounts in trade from the United States to Eastern Europe.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

The 82d Quarterly Report, 4th Quarter, 1967, Export Control

TABLE C.—U.S. EXPORTS TO EASTERN EUROPE BY PRINCIPAL COMMODITIES, 1964, 1965, AND 1966

[In thousands of dollars]

Commodity	Total to Eastern Europe			Eastern Europe excluding U.S.S.R.[1]			U.S.S.R		
	1964	1965	1966	1964	1965	1966	1964	1965	1966
Exports, total	339,923	140,009	198,005	195,370	94,848	156,280	144,553	45,161	41,725
Meat and preparations	1,328	22	114	1,328	22	114			
Dairy products [2]	9,922	3,962	631	9,922	3,962	631			
Wheat	179,573	3,166	8,925	69,155	3,166	8,925	110,418		
Rice	10,360			2,974			7,386		
Barley	3,157	2,506	1,601	3,157	2,506	1,601			
Corn	6,401	5,847	23,560	6,401	5,847	23,560			(3)
Rye	973			973					
Grain sorghums	5,414	13,583	28,709	5,414	13,583	28,709		(3)	
Wheat flour [2]	1,146	1,567	2,067	1,146	1,567	2,067			
Fruit and vegetables [2]	1,109	1,455	1.746	1,109	1,455	1,744			2
Feedstuffs for animals	4,470	7,922	7,907	4,470	7,922	7,907			
Lard and other prepared edible fats [2]	1,161	68	(3)	1,161	68	(3)			
Food, other [2]	2,479	496	509	2,474	494	414	5	2	95
Tobacco and manufactures	4,204	2,334	3.440	4,204	2,298	3.392	(3)	36	48
Hides and skins, except fur skins, undressed	4,537	12,433	30,330	3,306	6,263	14,770	1,231	6,170	15,560
Oilseeds, nuts, and kernels	8.322	16,879	3.873	8,322	10.505	3,871		6,374	2
Rubber, synthetic	2,090	1,219	1,925	2,064	1,219	1,925	26		(3)
Pulp and waste paper	1.949	2.595	7,412	979	609	2.147	970	1,986	5,265
Cotton, unmanufactured	25,451	2.217	10,207	25,140	2,217	10,207	311		
Manmade fibers and waste	1,988	1,519	2,404	1	166	1	1,987	1,353	2,403
Crude materials, other	1,864	1,687	2,004	1,845	1,668	2,001	19	19	3
Coal, coke, and briquettes	4,185	2,414	2,531	4,185	2,414	2,531			
Oils, fats, and waxes [2]	30,313	29,612	13,509	22,060	2,119	5,910	8,253	17,493	7,595

See footnotes at end of table.

TABLE C.—U.S. EXPORTS TO EASTERN EUROPE BY PRINCIPAL COMMODITIES, 1964, 1965, AND 1966—Continued

[In thousands of dollars]

Commodity	Total to Eastern Europe			Eastern Europe excluding U.S.S.R.[1]			U.S.S.R.		
	1964	1965	1966	1964	1965	1966	1964	1965	1966
Organic chemicals	4,995	5,428	3,606	1,448	1,062	804	3,547	4,366	2,802
Inorganic chemicals	922	669	824	159	665	397	763	4	427
Medicinals and pharmaceuticals [2]	1,441	1,325	2,003	1,278	1,012	1,825	163	313	178
Plastic materials	1,261	815	788	560	289	266	701	526	522
Insecticides and similar preparations	2,757	449	978	1	63	96	2,756	386	882
Chemicals, other	1,151	646	2,043	1,024	511	1,971	127	135	72
Wood manufactures	575	548	485	575	542	472		6	13
Paper, paperboard, and manufactures	78	714	1,033	78	689	1,026		25	7
Textile yarn and thread	957	529	136	957	513	129		16	7
Iron and steel	175	156	1,892	175	147	1,103		9	789
Metal manufactures	216	246	1,187	200	221	906	16	25	281
Agricultural machinery	76	178	611	51	73	331	25	105	280
Office machines and parts	295	506	2,763	274	491	2,711	21	95	52
Textile and leather machinery	613	628	1,402	168	143	844	445	485	558
Construction and mining machinery	1,580	1,395	1,213	28	287	994	1,552	1,108	219
Heating and cooling equipment	324	186	3,823	302	178	3,536	22	8	287
Pumps and centrifuges	140	810	2,142	31	749	1,836	109	61	306
Mechanical handling equipment	818	1,249	1,135	287	776	701	531	473	434
Taps and similar appliances	32	154	923	31	149	922	1	5	1
Nonelectric machinery, other	2,089	2,000	4,388	1,130	1,624	3,053	959	376	1,335
Electric power machinery and switchgear	435	406	1,366	57	54	1,321	378	352	45
Electric measuring and controlling instruments	457	553	2,197	344	517	2,081	113	36	116
Electrical machinery, other	202	490	1,294	82	430	1,011	120	60	283
Transport equipment	854	2,179	1,298	121	107	1,134	733	2,072	164
Clothing, except of fur [2]	524	480	713	465	395	666	59	85	47
Professional, scientific, measuring, and controlling instruments and apparatus	489	742	960	343	655	869	146	87	91
Printed matter	322	292	1,148	285	235	1,087	37	57	61
Unspecified commodities for relief	1,661	938	466	1,640	938	466	21		
Other and unspecified domestic exports	1,509	1,433	1,516	916	945	1,084	593	488	432
Reexports	579	362	268	570	318	211	9	44	57

[1] Includes exports to Estonia, Latvia, and Lithuania.

[2] Includes relief shipments.

[3] Less than $500.

TABLE 1.—U.S. TRADE WITH PRINCIPAL COUNTRIES OF EASTERN EUROPE, 1965, 1966, AND JANUARY-SEPTEMBER 1967

[In thousands of dollars]

Commodity	1965	1966	January-September 1967
TRADE WITH BULGARIA			
Exports, total	3,613	3,631	2,816
Baby chicks	31	16	20
Grain sorghums	483	17	101
Soybean oilcake and meal	1,460	1,207	1,786
Meat and fish meal, inedible	296	345	
Tobacco, unmanufactured		19	29
Cattle hides, undressed	8	90	
Clay, including calcined			17
Seeds for planting	15	1	11
Tallow, inedible	213		
Coal tar and other cyclic intermediate acids	123		
Fungicides	22		
Polychlor insecticides	16		57
Organic chemicals, other	1	17	
Antibiotics, bulk		101	86
Vitamins and fish liver oils, for retail	102	90	84
Medicaments, other	193	414	168
Medicinal and pharmaceutical products, other	9	54	15
Plastic resins	39	182	15
Plastic materials, other			20
Chemicals, other	1	20	3
Paper and paperboard	11	4	
Card punching and auxiliary machinery			11
Textile machinery and parts		375	61
Pulpmill machines, new		348	
Paper cutting and paper products manufacturing machinery			109
Glassworking machinery and parts	384		25
Fruit and vegetable processing machines			32
Heating and cooling equipment	2	30	
Gas compressors		21	
Pumps, centrifuges, and parts, other		20	3
Taps, cocks, valves, and similar appliances			30
Electric circuit apparatus			29
Electronic navigational aids	55	122	
Telecommunications apparatus, other	38	19	1
Electric measuring and controlling instruments and apparatus	4	7	13
Machinery, other	6	26	37
Professional, scientific, measuring, and controlling instruments and apparatus	16	42	16
Fountain pens	45		
Pen nibs and nib points	9	15	3
Other domestic exports	30	29	34
Reexports	1		
Imports, total	1,666	2,529	2,326
Cheese	426	451	392
Nuts, edible	45	45	8
Plums, prunes, and prunelles, dried	6	4	44
Onions, dehydrated	22	45	48
Molasses, inedible			656
Paprika	559	914	409
Fennel	3	6	20
Wild pig and hog skins		72	
TRADE WITH BULGARIA—Continued			
Hare fur, undressed		24	
Mustard seeds, whole		33	
Silk, raw		84	40
Crude animal materials	13	11	5
Plants and parts used in perfumery, pharmacy, or insecticides	61	70	34
Crude materials, other	20	17	20
Beeswax, not bleached			15
Drugs and medicinals derived from benzenoid chemicals and products			23
Organic chemicals, other			15
Medicinal and pharmaceutical products		52	
Rose oil	272	370	317
Fur skins, dressed	21		
Wood manufactures, except furniture	10	20	8
Carpets, carpeting, and rugs	17	53	72
Glass		44	25
Glassware	100	112	70
Motorcycles	2	3	32
Stamps	50	31	18
Works of art and collectors' items, other	16	2	5
Manufactured goods, other	23	22	29
Other imports		[1] 44	[1] 21
TRADE WITH CZECHOSLOVAKIA			
Exports, total	27,685	37,336	16,619
Barley	2,506		
Corn, except seed	3,277	8,889	
Seedcorn, except sweet seedcorn	45	54	67
Grain sorghums	12,214	15,435	4,026
Navy beans, dried, except seed			90
Hops	171	878	182
Soybean oilcake and meal	74	1,332	849
Tobacco, unmanufactured	255	46	34
Cattle hides, undressed	1,592	2,531	955
Calf and kip skins, undressed	48	39	63
Fur skins, undressed	14	12	55
Peanuts, shelled, green		345	293
Soybeans	3,425	2,095	1,481
Rubber, synthetic	121	397	130
Woodpulp	82	261	281
Sulfur, crude	798	539	202
Asbestos, crude	28	19	59
Vanadium ores and concentrates	295	504	276
Tantalum ores and concentrates			59
Crude materials, other	45	57	13
Tallow, inedible		283	
Toluene diisocyanates			135
Organic chemicals, other	66	95	151
Carbon black	189	7	11
Pigments, paints, and related materials	67	112	82
Antibiotics, bulk	121	20	2
Medicinal and pharmaceutical products, other	64	64	48
Regenerated cellulose and chemical derivatives			86

See footnotes at end of table.

TABLE 1.—U.S. TRADE WITH PRINCIPAL COUNTRIES OF EASTERN EUROPE, 1965, 1966, AND JANUARY-SEPTEMBER 1967—Continued

[In thousands of dollars]

Commodity	1965	1966	January-September 1967
TRADE WITH CZECHOSLOVAKIA—Continued			
Plastic materials, other	52	23	52
Gum and wood resins	162	74	32
Prepared culture media	44	61	36
Chemicals, other	28	93	16
Pencil slats	501	394	183
Paper and paperboard	17	339	310
Nonferrous base metals		4	55
Tractors, tracklaying		99	26
Typewriters	37	83	---
Electronic computers, digital		277	1,881
Electronic computers, other	2	236	1
Card punching and auxiliary machinery	64	65	142
Parts for electronic data processing machines	8	83	1,330
Office machines and parts, other	46	56	63
Sawing machines, metalcutting			151
Rolling mill machinery and parts			419
Gas operated welding, cutting, and similar machines and parts	4	5	945
Metalworking machinery, other	68	1	3
Textile and leather machinery and parts	72	85	8
Paper, pulp, and paper processing machinery and parts	54	84	3
Construction and mining machinery and parts	86	19	78
Glassworking machinery and parts	4	27	225
Air conditioners, self-contained	48	4	23
Underground mine loaders		44	---
Trucks, industrial, electric		13	100
Mechanical handling equipment, other	63	103	66
Metal treating and metal powder molding machines	69	41	37
Nonelectric machinery, other	100	221	73
X-ray apparatus and parts		24	55
Electric measuring and controlling instruments and apparatus	50	143	52
Resistance welders	67	---	---
Electric machinery, apparatus, and appliances, other	65	85	79
Professional, scientific, measuring, and controlling instruments and apparatus	77	139	96
Developed motion-picture film	14	18	62
Musical instruments, sound recorders, reproducers, and parts	102	130	71
Manufactured goods, other	183	124	118
Other and unspecified domestic exports	52	29	87
Reexports of sewing machines and parts			44
Reexports, other	49	96	67
Imports, total	16,741	27,695	20,345
Canned cooked hams and shoulders	937	987	978
Meat and preparations, other	141	230	101
Sugar confectionery and other sugar preparations, except chocolate	126	121	150
Chocolate and preparations	60	83	67
Alcoholic beverages	60	75	67
Wild pig and hog skins, undressed	89	387	36
Marten fur, undressed	18	58	11
Mink fur, undressed	49	127	42
Rabbit fur, undressed	215	126	124
Angora rabbit hair	171	16	560
Textile fibers and waste, other	41	70	9
Feathers and down, crude	62	48	37
Crude materials, other	57	65	17
Organic chemicals	73	237	176
Inorganic chemicals	67	49	41
Explosives and pyrotechnic products	115	268	217
Chemicals, other	18	34	52
Pig and hog leather		121	---
Wood manufacturers, except furniture	56	86	63
Fabrics of vegetable textile fibers, except cotton and jute	102	125	89
Made-up textile articles	219	213	210
Textile yarn, fabrics, and related products, other	67	79	60
Drawn or blown glass, unworked, in rectangles	413	388	215
Glass, other	55	24	19
Imitation gemstones, except beads	822	1,134	977
Beads, bugles, and spangles of glass	773	923	557
Articles of glass beads, bugles, and spangles	93	95	98
Glassware, other	1,025	1,242	877
Pottery	208	192	163
Pig iron		2,218	---
Bars, rods, angles, shapes, and sections of iron or steel	193	5	7
Nails, screws, rivets, and similar articles	223	164	18
Chains and parts of iron or steel	109	99	76
Metal manufactures, other	86	104	72
Tractors, agricultural, wheeled, except garden		2	254
Typewriters	385	459	403
Drilling machines, metalworking	69	181	142
Milling machines	67	775	534
Boring machines and vertical turret lathes	521	2,964	2,850
Lathes, other	458	1,520	844
Grinding machines, metalcutting	120	349	134
Metalworking machinery, other	23	24	109
Textile machinery and parts	212	255	128
Printing machinery and parts	414	339	143
Metalworking machine tool parts	58	1,900	1,036
Nonelectric machinery, other	63	158	261
Electric power machinery and switchgear	(2)	---	54
Electric measuring and controlling instruments and apparatus	94	16	5
Motorcycles and parts	569	552	186
Bicycles	271	215	189
Bicycle parts	686	674	589
Lighting fixtures and fittings	712	825	658
Furniture	309	394	351
Travel goods, handbags, and similar articles	34	51	58
Hats of felt, fur, and fur felt	212	170	193
Clothing, except of fur, other	111	31	41
Fur clothing and fur articles	1	47	---
Footwear, leather	2,571	3,474	3,349
Professional, scientific, measuring, and controlling instruments and apparatus	75	56	52
TRADE WITH CZECHOSLOVAKIA—Continued			
Musical instruments, sound recorders, reproducers, and parts	199	183	112
Printed matter	756	891	673
Glass Christmas tree ornaments	87	98	59
Nonmilitary firearms	220	89	80
Toys, games, and sporting goods, other	45	65	52
Works of art and collectors' items	43	147	145
Jewelry and wares of precious metals	153	111	60
Artificial fruit and flowers	59	34	24
Manufactured goods, other	99	138	135
Articles for exhibition		49	---
Other imports	[1] 302	[1] 266	[1] 253
TRADE WITH EAST GERMANY			
Exports, total	12,413	24,864	22,435
Meat, fresh, chilled, or frozen		50	1,040
Butter	1,226	---	---
Wheat	2,607	---	---
Barley			844
Corn, except seed	2,517	11,215	11,627
Grain sorghums	883	5,091	887
Oranges, fresh	636	387	652
Lemons, fresh	236	323	318
Grapefruit, fresh			117
Grapefruit juice, canned, not frozen			315
Fruit and vegetable juices, other			280
Navy beans, dried, except seed	173	---	---
Lentils, dried, except seed	217	---	---
Tobacco, unmanufactured	1,423	2,773	2,194
Tobacco manufactures		51	211
Calf skins, undressed		214	306
Soybeans	500	---	517
Wood, shaped or simply worked		44	---
Cotton linters	386	958	677
Coal, bituminous	1,298	1,610	868
Organic chemicals		(2)	53
Paper and paperboard		138	229
Finished structural parts and structures of iron or steel		21	35
Agricultural machinery and implements	5	42	84
Electronic computers, digital		1,516	685
Card punching and auxiliary machinery	92	4	10
Pulp and paper mill machines and parts	1	---	80
Printing machines and parts	6	30	---
Air conditioners, self contained			33
Heating and cooling equipment for treatment of food products			33
Wrapping, packaging, filling, and similar machines and parts		48	---
Tobacco processing machines and parts			54
Metaltreating and metal powder molding machines		30	1
Nonelectric machinery, other	26	34	50
X-ray apparatus		94	---
Nuclear radiation detecting and measuring instruments	30	5	35
Electric measuring and controlling instruments and apparatus, other		38	71
Recording magnetic tape and wire		77	34
Manufactured goods, other	47	47	68
Other domestic exports	42	20	27
Reexports	2	4	---
Imports, total	6,537	8,194	4,519
Canned cooked pork	26	58	---
Hops			100
Alcoholic beverages	38	5	1
Horse and mule hides	32	---	---
Wild pig and hog skins	91	56	---
Mink fur, undressed	804	800	395
Fur skins, undressed, other	5	27	---
Cryolite or kryolith			115
Crude materials, other	17	21	3
Montan wax	378	365	268
Nitrogenous compounds			25
Carbon black and similar carbons	57	76	92
Potassium ferricyanide	25	36	39
Cresylic acid, crude	52	---	---
Xylenols, crude	24	118	69
Chemicals, other	18	19	38
Pig and hog leather	71	334	36
Drawn or blown glass, unworked, in rectangles	26	11	21
Glassware	274	305	253
Pottery	153	146	66
Pig iron	2,727	3,236	1,344
Plates, sheets, and strip of brass		40	---
Metal manufactures	3	22	8
Typewriters	269	280	50
Adding machines	32	52	---
Office machines and parts, other	8	73	---
Drilling machines, metalworking		51	12
Milling machines, metalworking		104	17
Boring machines and vertical turret lathes, metalworking	16	240	319
Lathes, metalworking, other		24	64
Textile machinery and parts	55	70	68
Printing presses and parts	155	258	25
Bakery machinery and parts	60	38	46
Radio-phonograph combinations	76	173	179
Telecommunications apparatus, other	46	6	18
Machinery, other	35	49	42
Bicycle parts	59	231	34
Furniture	35	1	1
Binoculars, microscopes, and other optical instruments	39	34	2
Photographic cameras and parts, except motion picture	316	305	302
Professional, scientific, measuring, and controlling instruments and apparatus, other	39	53	65
Musical instruments, sound recorders, reproducers, and parts	123	87	40

See footnotes at end of table.

TABLE 1.—U.S. TRADE WITH PRINCIPAL COUNTRIES OF EASTERN EUROPE, 1965, 1966, AND JANUARY-SEPTEMBER 1967—Continued

[In thousands of dollars]

Commodity	1965	1966	January-September 1967
TRADE WITH EAST GERMANY—Continued			
Printed matter	15	36	21
Artificial fruit and flowers	155	158	95
Manufactured goods, other	75	69	109
Returned goods	17	25	5
Other imports	[1]100	[1]102	[1]100
TRADE WITH HUNGARY			
Exports, total	9,327	10,053	4,958
Beef and pork livers, fresh or frozen		44	124
Corn, except seed		286	
Seedcorn, except sweet seedcorn	8	10	20
Grain sorghums	3	2,785	
Soybean oilcake and meal	2,777	1,815	1,982
Meat and fish meal, inedible	19		
Cattle hides, undressed	706	495	27
Calf and kip skins, undressed	299	951	153
Sheep and lamb skins undressed	89	131	217
Soybeans	3,550	996	
Rubber, synthetic	1	35	93
Seeds for planting	5	35	
Crude materials, other	18	3	14
Tallow, inedible	533	173	
Coal tar and other cyclic intermediate acids	32	57	
Coal tar and cyclic chemical intermediates, other	32	60	
Rubber compounding chemicals, cyclic	102		
Herbicides		230	68
DDT	104		
Acids and anhydrides			68
Organic chemicals, other	6	36	10
Carbon black			32
Potassium compounds	284		
Carbide abrasives	21		
Pigments, paints, and related materials	22	34	65
Antibiotics, bulk	89	1	
Hormones, bulk		464	68
Medicinal and pharmaceutical products, other	29	24	33
Herbicidal preparations	63		
Chemicals, other	7	10	26
Leather		154	170
Paper and paperboard	92	144	186
Agricultural machinery and implements	5	7	59
Electronic computers		135	139
Card punching and auxiliary machinery	122	47	261
Parts for electronic data procession machines		57	3
Milling machines, metal cutting			320
Textile machinery	15	8	81
Paper, pulp, and paper processing machinery and parts	44	1	
Printing machines and parts	2		28
Power craines, draglines, shovels, and parts, excavator type			95
Refrigerating units, centrifugal		18	
Nonelectric machinery, other	19	109	53
Telecommunications apparatus	20	56	18
Electromedical apparatus and parts, except X-ray	4	23	35
Nuclear radiation detecting and measuring instruments	6	44	91
Electric measuring and controlling instruments and apparatus, other	25	59	86
Electric machinery, apparatus, and appliances, other	10	23	18
Professional, scientific, measuring, and controlling instruments and apparatus	56	89	132
Musical instruments, sound recorders, reproducers, and parts	4	12	57
Printed matter	1	256	4
Articles and manufactures of carving or molding materials	6	41	12
Manufactured goods, other	53	72	56
Other domestic exports	7	17	21
Reexports of hydrocortisone, bulk	34		
Reexports of works of art and collectors' items			30
Reexports, other	3	6	3
Imports, total	2,092	2,985	2,860
Cheese		23	45
Vegetables and preparations	14	44	19
Paprika	114	113	237
Food, other	13	16	10
Alcoholic beverages	94	190	132
Wild pig and hog skins	53	14	
Hides and skins, except fur skins, undressed, other		14	
Fur skins, undressed	18	3	
Feathers and down, crude	37	86	60
Plants and parts used in perfumery, pharmacy, or insecticides	70	61	58
Cinchona bark alkaloids and salts	17	108	
Nicotine and compounds		16	16
Hormones, bulk	5	7	20
Medicinal and pharmaceutical products, other	12	22	7
Essential oils, perfume, and flavor materials	20		3
Chemicals, other	10	20	5
Fabrics of vegetable textile fibers, except cotton and jute	112	180	168
Regalia for religious use	7	6	22
Textile yarn, fabrics, and related products, other	34	42	61
Glass		10	28
Glassware	82	159	174
Pottery	103	63	75
Structural steel	46		
Metal manufactures	1	17	10
Metalworking machinery		2	89
Printing presses, letter			135
Electronic tubes, except X-ray and television picture tubes			32
Machinery, other	2	3	14
Motorcycles and parts	47	173	45
Bicycles	140	238	290
Bicyle parts	82	91	94
Furniture	1	7	16
Fur clothing and fur articles	22	32	24
TRADE WITH HUNGARY—Continued			
Footwear	13	1	2
Professional, scientific, measuring, and controlling instruments and apparatus	13	8	25
Musical instruments, sound recorders, reproducers, and parts	24	38	16
Printed matter	63	121	169
Toys and games	21	14	24
Firearms and parts	13	5	
Stamps	195	204	18
Works of art and collectors' items, other	90.	172	143
Jewelry and wares of precious metals	17	13	(2)
Brooms and brushes	123	173	132
Baskets and bags of unspun vegetable materials	209	314	199
Wigs and other human hair manufactures	55	50	20
Manufactured goods, other	29	45	55
Other imports	[1]70	[1]67	[1]92
TRADE WITH POLAND			
Exports, total	35,417	52,988	48,795
Nonfat dry milk[3]	912	629	1,352
Butter[3]	1,818		
Wheat	559	8,925	
Rice			4,671
Barley		1,601	2,940
Corn, except seed		3,105	7,847
Grain sorghums		5,380	2,575
Wheat flour[3]	1,567	2,067	584
Cornmeal[3]	137	175	100
Rolled wheat[3]	79	71	21
Lemons, fresh			423
Tea			162
Cotton seed oilcake and meal	142		
Soybean oilcake and meal	2,646	3,079	3,558
Linseed oilcake and meal		127	378
Food, other[3]	221	68	259
Cigarettes	617	487	465
Cattle hides, undressed	1,723	4,015	1,143
Kip skins, undressed	16	84	54
Sheep and lamb skins, undressed	153	81	152
Peanuts, shelled, green	121	24	92
Soybeans	2,850	93	5,318
Flour and meal of oilseeds, oil nuts, and kernels		212	82
Rubber, synthetic	1,088	1,462	614
Cotton pulp	132		78
Cotton, raw, except linters	1,831	9,206	5,047
Manmade fiber staple	164		
Seeds for planting	363	301	392
Crude materials, other	56	89	160
Petroleum products	2	6	82
Tallow, inedible	8,500	3,151	1,589
Soybean oil, refined[3]	2,480	2,294	1,318
Cottonseed oil, refined[3]	244		
Fats and oils, hydrogenated, except soybean and cottonseed			267
Coal tar and other cyclic intermediate acids	33	134	61
Plasticizers, cyclic			1,270
Butyl alcohol	207		
Acids and anhydrides	(2)	1	131
Organic chemicals, other	293	73	413
Carbon black	134	250	183
Inorganic chemicals, other	11	74	150
Antibiotics, bulk	170	2	
Hormones, bulk	22	328	775
Medicinal and pharmaceutical products, other[3]	139	159	87
Plastic materials	129	34	33
Chemicals, other	128	141	229
Kraft paper and paperboard	442		
Paper, paperboard, and manufactures, other	123	399	314
Rayon or acetate spun yarn	359		300
Yarn and thread of manmade fibers, other	152	122	
Iron and steel	139	87	170
Power generating machinery, except electric	34	95	32
Tractors, tracklaying			128
Office machines and parts	77	139	48
Gearcutting machines, metalworking	85	247	
Metalworking machinery, other	85	162	95
Textile and leather machinery	24	218	12
Food processing machines and parts	33	81	34
Boring and drilling machines, except well drilling			218
Well drilling machines, rotary type			272
Parts for well drilling machines	2	6	92
Glassworking machinery and parts	59	370	1
Machines for special industries and parts, other	56	85	56
Pumps, centrifuges, and parts	283	26	59
Lifting and loading machinery and parts	109	1	6
Trucks and tractors, industrial, and parts	118		2
Spraying machinery	94	10	
Tire recapping and repairing machines and parts		121	
Metal treating and metal powder molding machines	28	147	64
Taps, cocks, valves, and similar appliances	80	4	4
Nonelectric machinery, other	136	288	150
Electric measuring and controlling instruments and apparatus	316	168	97
Electric machinery, apparatus, and appliances, other	212	236	139
Clothing, except of fur[3]	377	647	352
Professional, scientific, measuring, and controlling instruments and apparatus	448	195	211
Developed motion-picture film	162	81	52
Printed matter	225	235	141
Manufactured goods, other	295	341	333
Unspecified commodities for relief	928	453	224
Other and unspecified domestic exports	63	32	78
Reexports	186	64	56
Imports, total	65,861	82,948	71,350

See footnotes at end of table.

TABLE 1.—U.S. TRADE WITH PRINCIPAL COUNTRIES OF EASTERN EUROPE, 1965, 1966, AND JANUARY-SEPTEMBER 1967—Continued

[In thousands of dollars]

Commodity	1965	1966	January-September 1967
TRADE WITH POLAND—Continued			
Horses, live	6	73	132
Canned cooked hams and shoulders	25,409	27,986	26,413
Pork, prepared or preserved, other	7,475	8,197	7,551
Meat and preparations, other	213	146	131
Cheese	18	272	362
Eggs		305	
Cod blocks, frozen	541	2,754	2,112
Fish and preparations, other	100	69	88
Blueberries, except fresh	570	353	110
Strawberries, frozen	242	392	270
Chicory roots, crude	110	234	114
Fruit and vegetables, other	93	32	108
Sugar		255	242
Molasses, inedible	179	1,315	
Caraway seed	118	159	203
Fish and whale meal	30	215	268
Food, other	114	171	126
Alcoholic beverages	117	182	138
Calf and kip skins, undressed	443	92	97
Wild pig and hog skins, undressed	967	933	377
Fox fur, except silver and black, undressed	1,462	3,181	1,655
Mink fur, undressed	1,251	1,369	405
Fur skins, undressed, other	107	103	31
Poppyseed	222	282	223
Rags, bagging, and sugar sack fabric	170	65	9
Feathers and down, crude	701	648	505
Bristles	180	108	36
Crude materials, other	130	103	92
Peat moss, fertilizer grade	227	200	156
Drugs and medicinals derived from benzenoid chemicals and products	1,290	920	1,030
Ethyl alcohol		768	
Trichloroethylene		83	234
Organic chemicals, other	46	193	108
Inorganic chemicals	96	304	389
Synthetic organic dyestuffs and color lakes	72	148	127
Antibiotics, bulk	239	1,066	604
Casein	579	2,416	1,325
Gelatin, inedible, and animal glue	79	158	106
Chemicals, other	77	61	115
Calf and kip leather	111	133	51
Pig and hog leather	1,373	945	151
Wood garment hangers		281	345
Wood manufactures, except furniture, other	504	301	225
Building board	288	308	167
Cotton fabrics, woven	107	217	41
Woolens fabrics, woven	227	195	69
Fabrics of vegetable textile fibers, except cotton and jute	3,255	4,263	2,787
Textile fabrics, woven, other	143	268	62
Textile yarn, fabrics, and related products, other	279	507	705
Drawn or blown glass, unworked, in rectangles	205	302	309
Cast or rolled glass unworked, in rectangles	362	524	298
Glass, other	9	33	141
Glassware	737	756	556
Pottery	295	298	343
Wire rods of iron or steel	1,466	78	361
Bars and rods, except wire rods, of iron or steel	2,766	3,705	3,749
Angles, shapes, and sections of iron or steel	372	202	628
Universals plates, and sheets of iron or steel	1,531	1,991	2,819
Tubes, pipes, and fittings of iron or steel	906	829	728
Aluminum, unwrought, not alloyed			248
Zinc, unwrought, not alloyed		1,452	2,173
Cadmium, unwrought, not alloyed	29	112	
Barbed wire	4	69	148
Wire nails, 0.065 inch or over in diameter, of iron or steel	751	683	827
Nails, screws, and similar articles of iron or steel, other	919	735	864
Handtools and tools for machines	176	605	564
Domestic utensils of base metals	93	82	128
Boring machines and lathes, metalworking	30	225	679
Metalworking machine tools, other	56	162	151
Sewing machines and parts	29	118	88
Metalworking machine tool parts	23	54	131
Machinery, other	70	139	95
Bicycles and parts	247	301	140
Transport equipment, other	43	121	3
Lighting fixtures and fittings	127	109	42
Bentwood furniture and parts	455	629	441
Folding chairs and wood	540	398	56
Furniture, other	369	575	469
Clothing, except of fur	128	360	781
Footwear	237	236	134
Musical instruments, sound recorders, reproducers, and parts	71	98	49
Glass Christmas tree ornaments	511	521	515
Used rifles	141		
Toys, games, and sporting goods, other	158	209	115
Stamps	130	158	82
Brooms and brushes	216	151	205
Baskets, bags, and handbags of willow	932	1,237	1,028
Articles of plaiting materials, other	271	328	181
Manufactured goods, other	319	372	321
Other imports	[1] 177	[1] 262	[1] 165
TRADE WITH RUMANIA			
Exports	6,385	27,057	12,440
Baby chicks		80	150
Potatoes, fresh		134	124
Meat and fish meal, inedible	487		
Yeast and baking powder	114	9	
Cattle hides, undressed	1,523	5,515	1,502
Calf and kip skins, undressed	94	495	
Soybeans		108	3
Woodpulp	389	1,878	1,194
Cotton, raw, except linters		43	
Florida phosphate hard rock and land pebble		383	302
TRADE WITH RUMANIA—Continued			
Crude materials, other	5	12	36
Coal	521	921	131
Coke of coal, lignite, or peat	596		
Petroleum coke	88		
Tallow, inedible	99	9	27
Animal fats and oils, inedible, other	49		
Benzene			277
Rubber antioxidants, cyclic	(2)	56	144
Herbicides		5	323
Glycerine			41
Methyl ethyl ketone			88
Organic chemicals, other	25	41	6
Antibiotics, bulk	16	44	56
Hormones, bulk	41	23	
Blood derivatives for human use			39
Vaccines, except poliomyelitis, for human use			139
Medicinal and pharmaceutical products, other	17	36	26
Essential oils, perfumes, and flavor materials	48		
Explosives and pyrotechnic products		62	54
Plastic materials	66	24	24
Herbicidal preparations		96	111
Catalysts, compound, except nickel		1,305	24
Chemicals, other	31	125	83
Paper and paperboard			74
Oil pipe, seamless, carbon steel			1,326
Oil pipe, seamless, alloy steel, except stainless		380	653
Tubes, pipes, and fittings of iron or steel, other		633	362
Finished structural parts and structures of iron or steel	2	287	2
Containers for storage of iron or steel, 80 gallons or more	41		
Cutting tools for materials other than metal	72	395	467
Handtools and tools for machines, other	17	36	60
Metal manufactures, other	52	70	48
Steam generating power boilers and parts		113	754
Steam engines, turbines, and parts		28	76
Internal combustion engines, not for aircraft, and parts	1	86	3
Harvesters, field forage	4		197
Tractors, wheel and garden	9	46	
Agricultural machinery and implements, other	31	52	16
Metalworking machinery		22	37
Textile and leather machinery	32	131	9
Parts for printing machines		41	1
Flour mill and gristmill machines and parts			274
Food processing machines and parts, other			175
Power cranes, draglines, shovels, and parts, excavator type	40	569	76
Ditchers and trenchers, self-propelled		55	
Well drilling machines and parts	92	260	48
Construction and mining machinery and parts, other	43	40	9
Machines for treatment of food products involving a change in temperature	1	145	182
Material processing equipment and parts involving a change in temperature, other	48	3,183	18
Heating and cooling equipment and parts, other	6	40	5
Pumps for liquids and parts	417	596	259
Pumps, centrifuges, and parts, other	37	1,166	155
Oil and gas field equipment and parts	484	441	199
Mechanical handling equipment, other		99	43
Motorized handtools and parts, nonelectric	187	137	57
Ball and roller bearings		41	11
Plastics working machines and parts	90		
Taps, cocks, valves, and similar appliances	87	894	126
Mechanical power transmission equipment and parts, except for motor vehicles and aircraft	80	8	8
Nonelectric machinery, other	25	276	43
Electric power machinery		295	43
Electric circuit apparatus	2	935	222
Insulated wire and cable and electric insulating equipment		268	37
Telecommunications apparatus		67	20
X-ray apparatus and parts		37	
Waveform measuring and analyzing instruments		296	
Geophysical and mineral prospecting instruments		824	308
Physical properties testing and inspecting instruments	74	87	32
Electric measuring and controlling instruments and apparatus, other	11	411	378
Electric machinery, apparatus, and appliances, other	6	37	42
Passenger cars	14	35	1
Trucks	8	59	
Power cranes, draglines, and shovels, wheel or truck mounted		129	118
Trucks, with drilling equipment, new			54
Special purpose nonmilitary vehicles, other		780	
Truck trailers and parts	27	49	
Professional, scientific, measuring, and controlling instruments and apparatus	51	389	254
Printed matter	(2)	391	25
Manufactured goods, other	23	213	122
Other domestic exports	19	41	44
Reexports	43	40	63
Imports, total	1,836	4,655	4,633
Horses	19		
Cheese	133	482	497
Walnuts, shelled	62		28
Plums, prunes, and prunelles, dried			66
Mushrooms, dried	92	11	78
Coriander	25	118	55
Fox fur, except silver and black, undressed	8	30	
Hare fur, undressed	11	19	
Fur skins, undressed, other	26	6	
Poppyseed	86	321	220
Iron and steel waste and scrap			286
Feathers and down, crude	2	27	83
Plants and parts used in perfumery, pharmacy, or insecticides	32	77	6
Petroleum, crude			513
Xylene		517	

See footnotes at end of table.

TABLE 1.—U.S. TRADE WITH PRINCIPAL COUNTRIES OF EASTERN EUROPE, 1965, 1966, AND JANUARY-SEPTEMBER 1967—Continued

[In thousands of dollars]

Commodity	1965	1966	January-September 1967
TRADE WITH RUMANIA—Continued			
Silicofluoride			25
Rubber tires and tubes	31	1	3
Wood manufactures, except furniture	14	31	37
Textile fabrics, woven, except cotton		19	6
Made-up textile articles		43	102
Carpets, carpeting, and rugs	8	81	46
Drawn or blown glass, unworked, in rectangles	325	286	252
Glassware	159	130	123
Pig iron		956	
Machinery	(2)	15	28
Bentwood furniture and parts	112	107	67
Chairs, wood, including folding	102	237	297
Furniture, other	2	48	31
Clothing, except of fur	2	11	104
Footwear, leather	278	736	1,211
Stamps	82	188	179
Sculptures or statuary, original	140		12
Baskets and bags of unspun vegetable materials	24	65	50
Manufactured goods, other	20	55	39
Returned goods	2	(2)	141
Other imports	[1] 39	[1] 38	[1] 48
TRADE WITH U.S.S.R			
Exports, total	45,161	41,725	45,393
Cattle, beef, for breeding		93	
Cigarettes	36	48	245
Cattle hides, undressed	6,088	15,313	15,556
Calf and kip skins, undressed	81	246	966
Sheep and lamb skins, undressed			1,077
Soybeans	6,374		
Woodpulp	1,986	5,250	3,629
Manmade fiber staple and tow	1,353	2,403	5,258
Tallow, inedible	17,492	7,599	
Coal tar and other cycle intermediates	15	171	425
Rubber accelerators, cyclic	25	59	
Rubber antioxidants, cyclic	756	1,041	27
Herbicides	1,010	372	14
Chlorinated hydrocarbons			112
Butyl alcohol	2,403		
Alcohols and polyhydric alcohols, other		364	665
Acids and anhydrides			1,250
Organic chemicals, other	157	795	1,062
Aluminum oxide			2,624
Sodium carbonate, except natural			177
Inorganic chemicals, other	1	427	506
Synthetic organic dyestuffs and color lakes	118	1	2
Medicinal and pharmaceutical products	313	178	205
Plastic materials	526	522	774
Herbicidal preparations	385	881	1,426
Chemicals, other	21	72	109
Cattle hide and kip side leather			605
Fur skins, dressed			110
Rubber tires and tubes	111	33	
Textile yarn, fabrics, and related products	57	53	36
Plates and sheets of iron or steel		329	77
Tubes and pipes, seamless, carbon steel		445	
Finished structural parts and structures of iron or steel		263	
Power generating machinery, except electric	76	17	165
Agricultural machinery and implements	105	280	283
Electronic computers and parts	5	2	604
Office machines and parts, other	10	50	38
Gear cutting machines, metal cutting			1,202
External cylindrical grinding machines, metal cutting		23	937
Honing and lapping machines, metal cutting			221
Metalworking machinery, other	1		319
Laundry and drycleaning equipment, commercial, and parts	168	129	187
Leatherworking machinery	52	6	
Textile and leather machinery, other	265	423	504
Printing and bookbinding machinery and parts	1	57	116
Food processing machinery and parts, except domestic	57	377	52
Coal cutting and continuous mining machinery	924		
Parts for construction and mining machinery	183	157	344
Construction and mining machinery, other		61	4
Mineral crushing, sorting, and similar machinery parts		107	110
Metal processing and heat treating furnaces			127
Heating and cooling equipment for treatment of food products	2	233	1
Heating and cooling equipment, other	6	54	18
Pumps and centrifuges and parts	61	306	64
Underground mine loaders and parts	401	48	86
Conveying equipment and parts	40	335	178
Mechanical handling equipment, other	32	51	42
Parts for metalworking machinery			81
Wrapping, packaging, filling, and similar machines and parts	25	127	37
TRADE WITH U.S.S.R.—Continued			
Ball and roller bearings and parts	117	36	31
Plasticsworking machines and parts		1	74
Rubber processing and products manufacturing machines and parts		420	
Mechanical power transmission equipment and parts, except for motor vehicles and aircraft	67	52	7
Nonelectric machinery, other	38	120	203
Electric power machinery and switchgear	352	45	138
Telecommunications apparatus	5	244	31
Physical properties testing and inspecting instruments	12	24	634
Electric measuring and controlling instruments and apparatus, other	24	92	236
Electric machinery, apparatus, and appliances, other	55	39	43
Special purpose nonmilitary vehicles	1,757		
Parts for motor vehicles and tractors	286	157	271
Clothing, except of fur	85	47	32
Precision measuring tools for machinists	1		99
Professional, scientific, measuring, and controlling instruments and apparatus, other	86	91	117
Developed motion picture film	13	57	9
Printed matter	57	61	41
Construction plastic products			295
Manufactured goods, other	234	162	250
Live animals, not for food	181	194	179
Other domestic exports	25	25	29
Reexports	44	57	17
Imports, total	42,592	49,414	32,530
Lobster, fresh and simply preserved	183	92	61
Scallops	157		37
Shrimp, unshelled	10	487	546
Fish and preparations, other	181	66	22
Mushrooms, dried or preserved	35	65	3
Alcoholic beverages	20	33	48
Sheep and lamb skins, undressed	158		
Persian lamb and caracul fur, undressed	2,105	1,975	762
Sheep and lamb fur, undressed, except Persian and caracul	115	6	
Sable fur, undressed	2,697	2,517	1,916
Squirrel fur, undressed	1,023	1,264	287
Fur skins, undressed, other	236	540	119
Wool and other animal hair	16	94	55
Cotton linters	1,169	1,150	674
Cotton waste	71	161	5
Manmade fiber waste		113	113
Chrome ore	4,373	6,323	5,058
Aluminum waste and scrap	1,002	473	
Ash and residues bearing nonferrous metals		266	914
Bristles	166	793	598
Sausage casings	174	112	120
Licorice root	543	564	588
Crude materials, other	43	26	17
Cottonseed oil			1,523
Pyridine			98
Arsenic trioxide	8		123
Chromium oxide green		135	
Sodium chromate and dichromate	282	725	262
Inorganic chemicals, other	342	348	220
Creosote oil	70		
Essential oils, perfume, and flavor materials	206	147	141
Chemicals, other	52	32	29
Drawn or blown glass, unworked, in rectangles	683	931	739
Diamonds, cut but unset	1,422	3,425	4,204
Emeralds, cut but unset	4	109	94
Precious and semiprecious stones, natural, unset, except diamonds		7	172
Pig iron	1,039	5,567	
Platinum	7,024	1,720	433
Iridium	261		
Palladium	12,530	13,920	6,382
Rhodium	3,165	3,408	3,037
Nickel			507
Magnesium		241	832
Molybdenum waste and scrap		353	
Titanium	158	447	1,116
Cadmium	103		
Metal manufactures	12	45	9
Musical instruments, sound recorders, reproducers, and parts	59	29	18
Printed matter	144	125	155
Stamps	159	101	41
Works of art and collectors' items, other	140	144	49
Manufactured goods, other	76	156	171
Returned goods	66	6	116
Other imports	[1] 110	[1] 173	[1] 116

[1] Includes an estimate of low-value shipments of $250 or less each on informal entry shipments and under $100 each on formal entry shipments.

[2] Less than $500.

[3] Includes relief shipments.

Mr. MONDALE. Mr. President, during my recent trip for the International Finance Subcommittee into Western and Eastern Europe to explore the problems and possibilities of trade, I also learned a good deal about the extent of trade between American business subsidiaries in Europe and the nations of Eastern Europe. This trade, which may run as high as $300 or $400 million a year, returns profits to American shareholders who are taxpayers in this country.

The Mundt amendment would require us to try to prohibit this trade as well, thus worsening our balance-of-payments situation. In fact, the President's balance-of-payments efforts specifically include increasing the returns from these businesses to the United States. The Mundt amendment would decrease these returns in addition to damaging the expansion of these business efforts.

These American subsidiaries are contributing to the winds of change which are sweeping Eastern Europe. The Mundt amendment would tell these nations that we do not want to encourage this change. There will be celebrations in the Kremlin if we pass this amendment. We will have helped the Russians hang on to their rebellious satellites.

In turn, the Eastern European countries trade only to a very limited extent with North Vietnam.

The figures are important. There is no question that the rhetoric coming out of Eastern Europe is in support of North Vietnam. There is no question that those countries supply some aid. But in many of those countries, such as Rumania, it is a vestigial type of pro forma commitment designed to diminish the embarrassment in the Communist world, and it is not a fundamental, or in a substantially material way, a commitment to North Vietnam.

The Eastern European countries provide only token military assistance. In nonmilitary items, the total comes to $25 million—in small industrial equipment, transportation items, food, and fertilizer—sent from the countries of Eastern Europe excluding Russia. The Soviet Union supplies an additional $75 million worth of trade items. I ask unanimous consent that there be inserted at this point in my remarks in the RECORD tables from the Export Control Quarterly Report showing the items and amounts sent from Eastern Europe to North Vietnam.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

TABLE 8-A. TRADE OF FREE WORLD, COMMUNIST AREAS IN EASTERN EUROPE, AND CUBA WITH NORTH VIETNAM, 1963-66

[In thousands of dollars]

Group and areas	1963	1964	1965	1966
Exports to North Vietnam, total	91,502	75,978	127,965	
Free world, total [1]	12,775	12,535	14,744	[2] 12,544
COCOM countries, total	9,699	8,564	8,801	9,502
United States	None	None	None	None
Canada	(3)	(3)	(3)	(3)
Japan	4,316	3,372	3,853	5,649
European COCOM countries, total	5,383	5,192	4,948	3,853
Belgium-Luxembourg	2	2	1,685	515
France	2,542	2,551	2,124	2,290
Germany, Federal Republic of	322	1,108	136	212
Italy	2,207	1,274	633	399
Netherlands	167	144	93	302
United Kingdom	102	101	202	104
Other European COCOM countries	41	12	75	31
United Arab Republic (Egypt)	140	200	370	53
Cambodia	580	1,188	2,161	[4] 947
Hong Kong [5]	162	88	162	83
Malaya, States of	1,296	1,288	2,799	None
Singapore				1,858
Other free world countries	898	1,207	451	[2] 101
Eastern Europe and Cuba, total	78,727	63,443	113,221	(6)
Czechoslovakia	5,695	4,445	9,700	13,800
Germany, Soviet Zone of	3,596	2,857	4,857	16,500
U.S.S.R	56,666	47,666	74,888	68,200
Other Eastern Europe	11,738	7,475	15,076	(6)
Cuba	1,032	1,000	[7] 8,700	[7] 1,80

Group and areas	1963	1964	1965	1966
Imports from North Vietnam, total	80,390	80,617		
Free world, total [1]	24,803	23,374	23,425	[2] 20,477
COCOM countries, total	18,507	16,350	16,692	12,977
United States	(3)	(3)	(3)	None
Canada	(3)	(3)	(3)	(3)
Japan	10,255	9,842	11,457	9,651
European COCOM countries, total	8,252	6,508	5,235	3,326
Belgium-Luxembourg	1,514	767	604	19
France	3,600	3,740	3,021	2,643
Germany, Federal Republic of	191	236	215	147
Italy	593	278	485	143
Netherlands	2,276	1,312	573	112
United Kingdom	73	165	333	255
Other European COCOM countries	5	10	4	7
United Arab Republic (Egypt)	12	386	55	37
Cambodia	1,409	1,266	1,979	[4] 1,382
Hong Kong	3,304	3,792	2,660	3,032
Malaya, States of	1,434	1,434	1,859	179
Singapore				1,614
Other free world countries	137	209	180	[2] 1,256
Eastern Europe and Cuba, total	55,587	57,243	(6)	(6)
Czechoslovakia	4,862	5,000	7,200	5,600
Germany, Soviet Zone of	2,756	2,691	6,072	5,000
U.S.S.R	35,333	34,777	30,553	25,300
Other Eastern Europe	11,547	14,775	(6)	(6)
Cuba	1,089	(3)	(3)	(3)

[1] Excludes Cuba.
[2] Preliminary and incomplete.
[3] Not reported in the source.
[4] January-November.
[5] Figures are for domestic exports only, Hong Kong reexports to North Vietnam are as follows (in thousands of dollars) for 1963-66: 1,892, 1,598, 285, and 178.
[6] Not available.
[7] Partly estimated.

Note: Figures are compilations of unadjusted data as reported by free world and Communist areas in Eastern Europe, Imports reported by Czechoslovakia, Soviet Zone of Germany, U.S.S.R. and some other countries are valued f.o.b., and therefore are not comparable with c.i.f. values reported by most countries.

TABLE 8-B.—TRADE OF FREE WORLD AND OF U.S.S.R. WITH NORTH VIETNAM, BY PRINCIPAL COMMODITIES, 1963-65

[In thousands of dollars]

Commodity and commodity group	Free world [1]			U.S.S.R.		
	1963	1964	1965	1963	1964	1965
Exports to North Vietnam, total	12,775	12,535	14,744	56,666	47,666	74,888
Food and beverages	1,442	1,803	1,759	692	521	483
Wheat flour	919	324	(2)	264	126	148
Corn	438	842	(2)	(1)	(1)	(3)
Food and beverages, other	85	637	1,759	428	395	335
Crude materials	1,590	2,299	3,207	(3)	1,574	1,592
Crude rubber	885	817	1,876	(3)	(3)	(3)
Textile fibers	552	1,088	900	(3)	1,574	1,592
Crude materials, other	153	394	431	(3)	(3)	(3)
Petroleum products	(2)	(2)	(3)	4,103	4,554	5,322
Fats and oils	435	573	1,203	(3)	(3)	(3)
Chemicals	2,696	1,143	3,834	2,459	1,564	2,403
Manufactured fertilizers	2,003	450	2,136	1,477	1,011	1,543
Chemicals, other	693	693	1,698	982	553	860
Machinery	501	1,543	795	28,637	21,207	39,147
Metalworking machinery	106	769	100	389	301	460
Machinery, other	395	774	695	28,248	20,906	38,687
Transport equipment	1,058	233	123	5,115	3,896	6,960
Trucks	359	1	5	1,199	219	2,261
Ships	(2)	(2)	(2)	1,223	542	788
Aircraft	(2)	(2)	(2)	701	402	189
Transport equipment, other	699	232	118	1,992	2,733	3,722
Manufactured goods, other	4,512	4,766	3,494	14,397	13,125	16,476
Leather and manufactures	490	514	386	(3)	(3)	(3)
Textile yarn, fabrics, and manufactures, except clothing	2,918	3,171	1,825	3,632	3,991	4,543
Base metals and manufactures	540	699	1,028	8,400	6,907	8,556
Manufactured goods, other	564	382	255	2,365	2,227	3,377
Other and unspecified merchandise	541	175	329	1,263	1,225	2,505
Imports from North Vietnam, total	24,803	23,374	23,425	35,333	34,777	30,555
Food, beverages, and tobacco	2,945	3,321	2,722	4,305	6,047	7,305
Crude materials	1,088	970	1,517	2,425	939	948
Jute and other vegetable fibers	(2)	(2)	(2)	1,192	269	376
Crude materials, other	1,088	970	1,517	1,233	670	572
Coal, coke, and briquets	17,193	13,709	12,598	(3)	(3)	(2)
Chemicals	443	112	326	250	79	88
Manufactured goods, other	2,999	4,894	5,775	26,210	26,790	20,475
Cement	2,027	2,462	1,954	(3)	(3)	(3)
Wood manufactures	6	15	20	6,626	5,514	5,116
Clothing	(2)	(2)	28	15,734	16,711	10,507
Footwear	1	(2)	(2)	1,381	1,399	1,357
Manufactured goods, other	965	2,417	3,773	2,469	3,166	3,495
Other and unspecified merchandise	135	368	487	2,143	922	1,739

[1] Excludes Cuba.
[2] None or negligible.
[3] Not reported in the source.

Note: Figures are compilations of unadjusted data as reported by free world countries and the U.S.S.R.

Mr. MONDALE. Mr. President, none of the items sent from Eastern Europe to North Vietnam contain any strategic materials originating in the United States. Our Export Control Act prevents that. The Export Control Act prevents American sellers from supplying any strategic item to Communist countries.

Nevertheless, scare stories about what the U.S. Government allows persist. The Department of Commerce, the agency which administers the Export Control Act, released several statements setting the record straight. I ask unanimous consent that these releases and an excerpt from testimony prepared for the Foreign Affairs European Subcommittee by the Department of State be inserted in the RECORD at this point in my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Licensing of Gravity Meter to Poland

U.S. Department of Commerce,
Bureau of International Commece, Office of Export Control,
Washington, D.C.

Considerable public interest has developed respecting the issuance of a license by the Department of Commerce for the export of a gravity meter to Poland. To satisfy this interest, the salient facts surrounding the transaction and the Department's action are set forth in this brief statement.

Several months ago, the Department of Commerce received an application for a license to export a land-based gravity meter with accessories, valued at $10,200, to the Polish Institute of Geodesy and Cartography in Warsaw, Poland, for the stated purpose of conducting geological research and geodetic measurements. It was learned through a field check that this instrument was to be used to complete the geodetic mapping program sponsored by the International Association of Geodesy, of which the United States is a member. The Soviet meter which the Polish Institute had been using was considered too heavy for use in the mountainous terrain of southern Poland; for this reason the more portable United States meter was desired.

Gravity meters are used to measure variations in the intensity of the earth's gravity. Such measurements are made for various purposes. The primary use of the data relates to geophysical prospecting for petroleum and other mineral deposits, scientific studies to determine the shape of the earth, and geophysical research of the earth's structure. Over 95 percent of the United States production of the meter sought by the Poles has been used to develop data for these purposes. Gravity data obtained by the use of all types of gravity meters are also used by the military to establish gravity values at each launch site to calibrate the acceleration of the inertial guidance system and to prepare a network of gravity information for trajectory improvement. The Communist countries of Eastern Europe have, however, already collected a large amount of land gravity data; consequently, their primary requirement today so far as ballistic and military purposes are concerned is for data respecting the vast areas of the earth covered by water. To conduct gravity surveys over water, a specially designed seaborne meter is needed. The land-based meter desired by Poland cannot be used for this purpose.

Production and technology of the various types of land gravity meters are not confined to the United States. For several years a meter of this type has been produced in Canada with features and capabilities equal to the American instrument. The production and calibration of this type meter are thus not limited to American technicians. Other meters whose accuracy and sensitivity for military end use are comparable to the subject meter are also available to Communist countries from capable instrument manufacturers in West Germany and Sweden. These land gravity meters are not subject to international control by the group of countries that maintain an embargo on the shipment of strategic commodities to Communist countries. In the past few years non-United States producers have sold more than a hundred land gravity meters to Communist countries.

For these reasons, and taking into account that only a single instrument was involved, the Department concluded that issuance of a license was appropriate. Subsequently, the applicant/licensee informed the Department that he was terminating his interest in the transaction and asked that the license be cancelled. This has been done.

Statement on Henry J. Taylor Syndicated Columns on Licensing of U.S. Goods to Eastern Europe

Considerable public interest has been aroused by two articles written by Henry J. Taylor in October and December 1966, mentioning a number of commodities and data that had been licensed for export or reexport to Eastern Europe.

To deal with this interest, the Department of Commerce (Office of Export Control) has prepared a brief statement of the salient features of each case cited by Mr. Taylor. Where his descriptions were precise, the Department has been able to identify its licensing actions and to be specific in its statement. When the commodities have been described in vague or general terms, only general comments could be made.

In issuing these licenses, the Department considered a variety of factors to assure that the export in question would not make a significant contribution to the military or economic potential of these countries that would prove detrimental to the national security and welfare of the United States. Prominent among these factors are: the nature of the commodity, its normal usage, and its strategic potential; the intended end-use of the commodity and the likelihood that it may be diverted from peaceful uses to strategic uses; the availability to Eastern Europe of comparable equipment in other free world countries that could render any denial of a U.S. license ineffective; and the significance of any advanced technology that might be extractable from the commodity. Consultation with other interested agencies of the government is undertaken on policy problems and on significant specific export license applications.

FERTILIZER PLANTS

Technical Data for Ammonia, Nitric Acid, Ammonium Nitrate, and Urea Plants Various licenses for U.S.S.R.

The Department of Commerce has issued licenses authorizing the export to the Soviet Union of both quotation and substantive data for fertilizer plants to produce ammonia, nitric acid, ammonia nitrate, and nitrogen solutions. (A license for quotation data does not cover specific design and technical data required to build and operate a plant. It covers only the information necessary to permit the submission of a bid.) In most cases quotation licenses have not been followed up with applications for licenses to provide technical data for the plants. The countries of Eastern Europe, including the Soviet Union, have been buying a substantial number of fertilizer plants and there is keen competition among the various Western countries capable of supplying them.

METAL CUTTING MACHINES

Licensed 9-15-66 for Bulgaria

This license authorized the shipment to Bulgaria of three machines for the precision grinding of ball tracks on the inner races of ball bearings with bore diameter of 0.75 inch to 4.5 inches. Actual export was not made because the licensee lost the order and returned the license unused. In general, ball bearings comprise three basic components: the ball assembly, an outer race, and an inner race. Each component must be processed through an intricate sequence of machining, grinding, honing, cleaning, and other operations that require a number of different types of machines. The quality of the finished ball bearings depends on how well all of the machines perform all of these operations. The precision grinders covered by this license perform only one of these operations on one component. They are not used in the manufacture of miniature, sub-miniature, or very large bearings. Denial of U.S. exports would not have been effective in preventing Bulgaria from obtaining quality grinding machines for its bearing plant, since precision grinders are available in several West European countries. These countries do not consider such grinding machines to be strategic and readily allow exports to Eastern Europe.

ELECTROLYTIC TINNING LINE

Technical Data licensed 4-4-66 for Bulgaria

Data for construction of an electrolytic tinning line, for annual production of 50,000 metric tons tinned steel strip and sheet. A main use of tinned steel is for making tin cans, and primary uses are civilian oriented. Comparable technology is available abroad.

RAW MATERIALS FOR DYNAMITE

Bulgaria

There is no record of licensing commodities to Bulgaria for use in making dynamite.

CONTINUOUS STEEL STRIP GALVANIZING LINE

Technical Data Licensed 8-8-66 for Bulgaria

Data for a galvanizing line to produce 100,000 metric tons per year of zinc coated steel strip 28″-60″ wide. Galvanized steel has a variety of civilian uses, including roofing, siding, eave troughs, metal lath, garbage cans, etc. Comparable technology and equipment are available from foreign sources.

TURBINE AND GENERATOR

Technical data licensed 1-19-66 for Bulgaria

Data for quotation, installation, maintenance, and repair of a subcritical steam turbine and generator of 200 MW capacity, to be manufactured in Japan using U.S. technology. Manufacturing data will not be reexported from Japan to Bulgaria. The relatively small capacity indicates public utility use. West European firms and the U.S.S.R. make this size equipment with no U.S. technology.

AIRBORNE RADAR EQUIPMENT, AIRBORNE NAVIGATION EQUIPMENT & DEVICES

Various licenses for Hungary and Bulgaria

The Department has, over the past several years, licensed a variety of airborne navigation, communication, and radar equipment for export to East European destinations, when necessary for air safety. For example, the equipment we licensed under the general heading of "airborne radar equipment" was air traffic control radar beacon systems. This is a limited range system permitting the air traffic control center on the ground to interrogate each aircraft within the airport's traffic control pattern and receive an automatic response identifying the aircraft. We have also licensed the necessary related ground equipment and test instruments to support the airborne equipment.

Licenses for such equipment are issued only when the airborne equipment will be used on civil aircraft of East European countries, the related ground equipment and test instruments are required for servicing and maintaining civil aircraft in Eastern Europe, the equipment is within the range of International Civil Aviation Organization recommended standards, and the number, type, and characteristics of the equipment are reasonable for the stated end use.

The U.S. has a valid interest in seeing that all civil aircraft using the same airspace and airports as U.S. and other free world planes are equipped for the safest possible operation. To further this goal, the U.S. supports the efforts of the ICAO to secure, on a worldwide basis, the highest practicable degree of uniformity in the provision of radio navigation aids and communication facilities. Failure of any civil aircraft in international service to conform with ICAO standards would cause an unnecessary hazard to passengers, other aircraft, and persons on the ground.

VACUUM GAUGES

Licensed 8-10-66 for Hungary

These were vacuum gauges for general laboratory use, of a type that has been commonly available for about 30 years. This license covered 4 vacuum gauges. This equipment is also available from U.K., France, Germany, Japan, Italy, and Sweden. The license was returned unused and cancelled 10-13-66.

RAILWAY EQUIPMENT

Various reexports from Sweden to Hungary

These shipments consisted of replacement parts for maintenance of 20 diesel electric locomotives manufactured in Sweden with some U.S. components and shipped to Hungary about 3 years ago. The parts that have been authorized are considered appropriate for normal maintenance of these locomotives. Comparable locomotives containing no U.S. components are readily available abroad.

RADIATION DETECTION AND MEASURING EQUIPMENT

Various licenses for Hungary and Czechoslovakia

The use of nuclear radiation detection and measuring equipment, especially isotope scanners, has become a well-established method for medical diagnosis. The machines are used in conjunction with radio isotopes to map areas of the body for studies of pathological conditions and for planning surgery. Practically all exports of nuclear radiation detection and measuring instruments have been to medical and biological research institutes, hospitals and clinics, for the purposes described above. In addition, there have been a few exports of nuclear measuring instruments for such uses as determination of moisture in soils and newly-laid concrete or asphalt roads. The market for all such apparatus is highly competitive. Equipment comparable to U.S. products is available from the United Kingdom, France, West Germany, Netherlands, Sweden, and Japan. Such equipment does not involve advanced technology and has no important strategic use.

HYDROGEN PLANT

Technical data licensed 2-17-66 for Czechoslovakia

Technical data for erection of a relatively small (14 million cubic feet per day) hydrogen plant at a refinery in Syria. License was necessary because primary contractor is Czechoslovakian and would have access to U.S. technology. U.S. does not have effective unilateral control over such data. The data were to be reexported from Holland to Syria.

MILL FOR MANUFACTURING ALUMINUM TUBING AND COILS

Licensed 9-8-66 for Czechoslovakia

One complete mill for producing aluminum tubing from ¾'' to 4¾'' outside diameter. Capacity would vary from 40 to 250 feet per minute depending on size of the tubing being produced. Included is one complete slitting line for aluminum coils. The mill would produce light gauge aluminum tubing for irrigation pipe and furniture manufacture. The mill cannot roll aluminum alloy tubing to aerospace tolerances and cannot be employed feasibly to roll stainless steels, the refractory metals, or other hard strategic materials. Comparable equipment is available from foreign sources.

NONMILITARY PYROTECHNICAL ROCKET ENGINES

Licensed 5-24-66 for Czechoslovakia

These "rocket engines" were 300 toy propellant devices valued at 25¢ each. They consisted of a mixture of potassium nitrate, sulphur, and charcoal sealed in a rolled paper tubing. Average size of each device was 2½'' x ¾''. Three rockets would be sealed in a waterproof paper container about 9'' x 1¼''. The devices were taken to Czechoslovakia by U.S. citizens for display and demonstration at an international rocketry meet. Any devices not expended in demonstration were to be returned to the U.S.

DATA PROCESSING SYSTEMS, ELECTRONIC COMPUTERS, AND PARTS

Various licenses for East Germany and Czechoslovakia

The Office of Export Control has licensed a number of computers to various countries in Eastern Europe, after careful scrutiny of applications to assure that the computers were types normally used only for peaceful purposes and would not make a significant contribution to a military or other strategic program even if they were diverted to such use. The licenses that have been issued have been for computers that normally are used in such commercial operations as banking, inventory control and economic planning. In each instance, equivalent computers have been available from non-U.S. sources, so that rejecting the application would not have been effective in preventing the export of an equivalent computer. The Office of Export Control also has approved the use of U.S. components and peripheral equipment in foreign-built computers under conditions similar to those for which U.S. computers are approved.

VIRGIN MERCURY

Licensed 4-27-66 for East Germany

This was prime virgin mercury of Mexican origin, entered into the U.S. under Customs bond. This mercury is for use in production of chemical products and is not considered strategic. Grounds for denial on short supply basis did not exist in this case as the mercury was of foreign origin and had not entered into the commerce of the U.S.

ROTARY COMBUSTION ENGINES

Technical data licensed 5-12-66 for East Germany

The engines are small horsepower types suitable for outboard motors, small automobiles, and other light equipment. They are not suitable for aircraft use. The basic design of the engine is foreign. The U.S. technology applies only to modifications and applications developed by the U.S. firm.

STEEL AND COPPER MILL TECHNOLOGY

Various licenses for East Germany and Rumania

Technical data for a twin stand tandem temper mill and a single stand reversing cold strip rolling mill were licensed for reexport from the U.K. to East Germany. Similar data have been licensed for export to Rumania, as well as data for blooming mills, slabbing mills, slitting and shearing equipment, and finishing lines. Much of this equipment can be used in an integrated steel mill, but the United States has not licensed complete integrated mills. We also have authorized the export of data for a copper rod mill. Copper rods are usually drawn into copper wire, which, along with steel sheet and strip, is widely used in all sectors of the economy. Because similar data and equipment for steel and copper mills are available abroad, licenses were issued to enable U.S. firms to bid against foreign competition. Few of these licenses actually resulted in transactions, however, because West European and Japanese firms have been able to offer better pricing, financing, and delivery.

CHEMICAL ANTIOZONANT FOR SYNTHETIC RUBBER

Licensed 8-8-66 for Rumania

Antiozonants are used to counteract the deteriorating action of ozone on rubber, which results in cracking of the product and reduces the rubber's flexibility. Rubber so treated has a wide variety of uses in such products as flooring, sheeting, tires, and collapsible tanks for outdoor storage. Antiozonants are readily available from firms in Western Europe.

PIPELINE CENTRIFUGAL COMPRESSORS

Technical data licensed 4-8-66 for Rumania

Necessary data to permit French licensee to quote on two centrifugal compressors for a 20'' diameter gas pipeline in Rumania. Similar compressors are available from European firms, some of which were bidding against the French licensee. The compressors cannot be used for transmission of oil. The pipeline is considered reasonable and necessary to the civilian economy of Rumania, for supplying natural gas to homes and industry.

HORIZONTAL PRECISION BORING MACHINE

Licensed 9-23-66 for Rumania

One boring machine for manufacture of automobile pistons. Maximum size of the pistons that can be manufactured with this machine is 3¾'', which is about the size that was used in U.S. autos 10 years ago. The pistons would be distributed in Rumania and other European countries. The machine was to be partially tooled in the U.S., with final tooling to be completed in Western Europe. Similar equipment for producing pistons is available from many foreign firms.

RADIO COMMUNICATIONS RECEIVERS

Licensed 5-26-66 for Poland

One radio communications receiver was licensed for export to a telecommunications institute in Poland. The receiver was to be used in testing and monitoring telecommunications equipment. Suitable receivers for this use are readily available from foreign sources.

REFRIGERATOR COMPRESSORS

Technical data licensed 5-4-66 for Poland

Data for the manufacture of fractional horsepower electric refrigerator compressors. The data will be reexported from Italy. The compressors will be manufactured in Poland and sold on the Polish market for use in refrigeration equipment. Comparable data are available from foreign sources.

STYRENE PLANT

Data licensed 8-3-66 for Poland

The Department licensed technical data for construction of a styrene plant in Poland. The plant would produce 30,000 metric tons of styrene from ethylene and benzene. Styrene is used for a wide variety of plastic products such as foams, packaging, appliances, synthetic rubber, and phonograph records. Comparable data are commonly available from other sources.

OIL FIRED STEAM GENERATORS

Technical data licensed 1-19-66 for Poland

Data for construction of at least 12 subcritical oil-fired steam generators of relatively small 120 MW capacity. Data are to be reexported from the U.K. This equipment could be shipped direct to Poland from the U.S. under general license authorization. Comparable data and equipment are readily available from foreign sources.

GRINDING MACHINES

Technical data licensed 5-24-66 for Poland

Data relating to the manufacture of two models external cylindrical grinding machines. These are relatively simple, inexpensive, general purpose grinding machines, comparable to many models built in Eastern and Western Europe. Primary use of these machines is in job shops and tool rooms. They are not equipped with numerical control systems. These are not considered to be strategic, and are needed for the civilian economy of Poland. Manufacture of these machines in Poland would help that country to become less dependent on Czechoslovakia and the U.S.S.R. for such equipment.

TESTIMONY BEFORE FOREIGN AFFAIRS EUROPEAN SUBCOMMITTEE BY ANTHONY SOLOMON, ASSISTANT SECRETARY OF STATE FOR ECONOMIC AFFAIRS

Question.—How can we be sure that United States trade with Eastern Europe is not indirectly helping North Vietnam? What about specific exports criticized in Congressional or public correspondence?

Answer.—Trade with the Communist countries of Eastern Europe is carried on under the Export Control Act of 1949, as amended, through the Security Control Regulations of the Department of Commerce. The Export Control Act provides that licenses are to be denied for exports that make a significant contribution to the military or economic potential of a Communist country, which would prove detrimental to the national security and welfare of the United States. Individual license applications are carefully reviewed and decided on the basis of this criterion.

The regulations identify certain obviously peaceful items that may be sold and shipped without specific license applications. Paper and wood products are examples. This list was expanded by some 400 items on October 12, 1966 in accordance with the President's announcement of October 7. Items to be exported to a Communist country that are not on this "general license" list must be individually licensed.

Of the latter group, items which have strategic significance, such as advanced computers and sophisticated scientific equipment having military applications, are not licensed.

Between these extremes of license-free trade and that which clearly cannot take place for security reasons, there is a wide spectrum of items that are examined with great care on a case-by-case basis before a license is approved or denied—for example, a computer that would normally be used for retail inventory control, but which might have less peaceful applications. Advanced plants, machinery and equipment, and advanced technology are more likely to require detailed review under the Export Control Act than, for example, consumer goods. However, if the products of any such item of equipment or of such technology pose no threat to the security and welfare of the United States, such equipment or technology can be licensed for export.

We expect that our export controls will continue to limit the war-making potential of other countries while permitting normal trade in goods with little if any military significance.

Following are comments on particular items whose export has been criticized in Congressional or public correspondence.

NITROCELLULOSE

There have been no shipments of nitrocellulose to the USSR. The commodity involved was chemical woodpulp, which is used chiefly by the chemical conversion industries for the manufacture of rayon yarn, plastics, transparent film, explosives, paints, lacquers, and paper products. The chemical woodpulp that was licensed was the dissolving grade used for the manufacture of tire cord and cellulose acetate for textiles. Nitrocellulose for explosives and solid rocket fuels is produced from cheaper grades of chemical woodpulp that are widely available in European countries, including the Soviet Union.

DIETHYLENE GLYCOL

This commodity is used almost exclusively in the production of civilian goods. In the United States, about 87 percent of our total consumption of diethylene glycol is in the manufacture of antifreeze for automobiles. The remainder is used mainly in the production of resins, plasticizers, products for lubricating fibers and textiles, and as a moisture-retaining substance in such goods as tobacco, ink, glue, cork, dyes, and cellophane. Only a minor fraction of the U.S. consumption of diethylene glycol is in the manufacture of some of the ingredients of explosives. In the process of explosives manufacture, however, several complex and expansive processing steps are required to convert diethylene glycol into a material having explosive characteristics. Diethylene glycol is not known to have direct or indirect use in the production of liquid rocket propellants.

POLYVINYL BUTYRAL

This chemical is used mainly in the manufacture of peaceful items. When in the form of film or sheeting, it is used as component of shatter-proof glass, which in turn finds its principal application in automobiles, trucks, busses and railway cars. Only a minor portion of this production is in the form of bullet resistant glass. The product that was licensed for export, however, was in the form of powder and was, moreover, of a chemical type that can not be processed readily into film suitable for use in the production of safety glass. Its principal application is in the formulation of paints, varnishes, and protective coatings for various types of consumer goods.

AIRBORNE RADAR NAVIGATION EQUIPMENT AND DEVICES

These types of equipment are shipped to European Communist countries to assure acceptable standards of air safety in civil aircraft. This is in accordance with the objectives of the International Civil Aviation Organization, of which the United States is a member. It is United States policy to encourage the purchase of safety equipment by foreign airlines, following a finding that the export would not make a significant strategic contribution to the importing country. Each case is subject to interagency examination.

ELECTRONIC COMPUTERS (AND PARTS)

Computers whose technical specifications do not exceed certain levels and which will be used for banking, inventory controls, economic planning, or other such peaceful purposes are exported ot European Communist countries. Such a computer is exported only when the United States believes it to be unlikely that the computer will be diverted to strategic uses.

FERTILIZER PLANTS

The Department of Commerce has issued licenses authorizing the export to the Soviet Union of both quotation and substantive data for fertilizer plants to produce ammonia, nitric acid, ammonia nitrate, and nitrogen solutions. (A license for quotation data does not cover specific design and technical data required to build and operate a plant. It covers only the information necessary to permit the submission of a bid.) In most cases quotation licenses have not been followed up with applications for licenses to provide technical data for the plants. The countries of Eastern Europe, including the Soviet Union, have been buying a substantial number of fertilizer plants and there is keen competition among the various Western countries capable of supplying them but most orders have gone to Western European companies.

GRAVITY METERS

The licensing of two land-based gravity meters for export to Romania is consistent with the policy of permitting exports that are determined to be reasonable and necessary to the Romanian civilian economy. Gravity meters are used to measure variations in the intensity of the earth's gravity. Such measurements are made for various purposes. The primary use of the data relates to geophysical prospecting for petroleum and other mineral deposits, scientific studies to determine the shape of the earth, and geophysical research of the earth's structure. Over 95 percent of the United States production of the type of meter exported to Romania has been used to develop data for these purposes. Gravity data obtained by the use of all types of gravity meters are also used by the military to establish gravity values at each launch site to calibrate the acceleration of the inertial guidance system and to prepare a network of gravity information for trajectory improvement. The Communist countries of Eastern Europe have, however, already collected a large amount of land gravity data. In contrast, there is a relative dearth of gravity data for the ocean areas. Thus, while there is a continuing need by the Communist countries for additional land data to complete and refine existing surveys, their primary requirement today so far as ballistic and military purposes are concerned is believed to be for data respecting the vast areas of the earth covered by water. To conduct gravity surveys over water, a specially designed seaborne meter is used. The land-based meters shipped to Romania cannot be used for this purpose.

Production and technology of the various types of land gravity meters are not confined to the United States. For several years a meter of this type has been produced in Canada with features and capabilities equal to the American instrument. The production and calibration of this type meter are thus not limited to American technicians. Another meter whose accuracy and sensitivity for military end use is comparable to the subject meter is also produced in West Germany. These land gravity meters are not subject to international control by the group of countries that maintain an embargo on the shipment of strategic commodities to Communist countries. In the past few years non-United States producers have sold a significant number of land gravity meters to Communist countries.

FOUR HUNDRED COMMODITIES PLACED UNDER GENERAL LICENSE FOR EXPORT TO EAST EUROPE

These commodities (as well as a large number of others placed under general license over the years) were placed under general license to East Europe (excluding the Soviet Zone of Germany) because the United States believes that they can be freely exported without risk to the United States national interest. Before the general license went into effect, a shipment of any one of these commodities to Eastern European countries other than Poland and Romania required an individual validated license. Placing them under general license merely reduces the administrative burden of American businessmen and of the Government.

It should be emphasized that it was not a case of changing the ratings of these items from strategic to non-strategic in one day. It was rather a change from validated license requirement to a general license.

Mr. MONDALE. Mr. President, the basis of the Mundt amendment is mistaken in fact—American business is not assisting the North Vietnamese. If we allow ourselves to be blinded by such stories, we hurt only ourselves—our balance of payments, our peaceful strategic trade, our attempts to understand and assist the nations of Eastern Europe in their attempt to break the monolithic position of the Communist bloc.

Mr. President, throughout Eastern Europe there are young, able, Communist leaders coming into their own who desperately desire to break loose from Soviet Union control. If they are going to be free to do so, they must first have a trade lifeline to the West. This proposal, if it were successful, would be playing totally and completely into the hands of Soviet strategy. But it will not be effective except to adversely affect our balance of payments and adversely affect the economy of this country, because it will simply shift this same trade to our competitors in Western Europe and elsewhere.

The proposal is at best a nullity, but it is far more than that. If it is adopted, as I said earlier, there will be great joy in

Moscow and great joy by De Gaulle and others who wish to detract from the strength and vitality of this country. This amendment is not like some of the restrictions contained in the Export Control Act or in the Eximbank Act. This is a trade restriction act which would prevent all trade between us and Eastern Europe, and would be disastrous and a very dangerous thing for this country.

Mr. MUNDT. Mr. President, I shall be happy to yield 1 minute, or such time beyond the 1 minute as he may desire, to the distinguished Senator from Nebraska [Mr. Hruska].

Mr. HRUSKA. Mr. President, I rise in support of the Byrd-Mundt amendment. It is my intention to vote for it when that time comes.

On frequent occasions this Senator has discussed in some detail the matter of extending the benefits of U.S. actions, whatever they are, whether they are governmental, private, or a combination of the two, to Communist countries who are actively engaged in actions which make possible the continuance by North Vietnam of sustained warfare in South Vietnam.

Such benefits accrue when American firms sell and export to Communist countries who are supplying material, arms, and munitions to North Vietnam and to the Vietcong.

It seems very much in order to express disagreement with the idea that it is wise policy to engage in any program of building bridges to Communist countries. It is an expression of disagreement with the wisdom of entering into relationships with countries which are inconsistent with the direct efforts of such countries to support resistance to and defeat of U.S. military and other efforts and programs in Vietnam.

I wish to commend the Senator from South Dakota for having undertaken the authorship and the sponsorship of this amendment, in association with the Senator from Virginia. I repeat that it is my intention to support and to vote for the amendment.

Mr. MUNDT. I thank the Senator from Nebraska.

The PRESIDING OFFICER. Who yields time?

Mr. MUNDT. I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. MUNDT. I thank the Senator from Nebraska for his very encouraging and helpful remarks, and for his customarily sound judgment in casting his vote against the encouragement of trading with the enemy in time of war.

I ask unanimous consent—on my time, Mr. President—that the clerk at the desk read section (a) as it appears in the amendment, because at the time Senator Byrd and I offered the amendment and called it up for action, we modified the first paragraph, section (a). I have called this to the attention of the Senator from Minnesota, but for the information of all Senators, it should be realized that this bill deals with export products only.

In fact, Mr. President, since the amendment is short, I ask unanimous consent that the clerk read the entire amendment in its present form.

The PRESIDING OFFICER. Without objection, it is so ordered.

The legislative clerk read as follows:

At the end of the amendment, insert the following new section:

Sec. —. Special 20 percent surtax on taxpayers trading with certain Communist countries

(a) In addition to any other tax imposed by the Internal Revenue Code of 1954, there is hereby imposed on every taxpayer who during the taxable year has engaged in export trade with any Communist country which is supplying material to the Government of North Vietnam, a tax equal to 20 percent of the taxable income of the taxpayer for the taxable year.

(b) The tax imposed by subsection (a) shall apply for any taxable year only to taxpayers who have been granted a license to export or who have filed an export declaration with customs at the port of shipment and who fail to file a statement with their tax return that they have not engaged during the taxable year in trade with any Communist country which is supplying material to the Government of North Vietnam.

(c) Terms used in this section shall have the same meaning as when used in the Internal Revenue Code of 1954.

(d) This special 2 percent tax shall cease to be applicable when the United States is no longer engaged in armed conflict with North Vietnam (whether or not there has been a declaration of war).

Mr. MUNDT. I thank the clerk for reading the amendment in its full text. This, for all Senators, will clear up any ambiguities which they might have had in mind. It is unfortunate that some errors were included in the original printed text, but the amendment is now before the Senate in the precise form in which it was offered and intended by the authors, the Senator from Virginia [Mr. Byrd] and myself.

I shall yield in a moment to the Senator from Virginia such time as he may desire, so that he may continue with the debate. I shall, later in the period allotted to me, respond to the statements just made by the distinguished Senator from Minnesota [Mr. Mondale]. He has been called from the floor, as I am being called from the floor. I prefer, of course, to respond in his presence, if he has returned at the time I am able to obtain the floor again, but in any case, what he has said deserves analysis, consideration, and a reply.

Before yielding to the Senator from Virginia, I wish to point out one factual item which became a center of some discussion in our various colloquies yesterday.

I was asked several times yesterday if I would name the full list of Communist countries which are supplying weapons to our enemy in North Vietnam. I rather hesitated to do that from memory, because to name a partial list might exempt from consideration some other country which had not come to mind.

Today, before the Senate convened, I took the time to consult with the Internal Trade Analysis Division of the Department of Commerce. I told them that some of my colleagues thought this was information which should be in the legislative history. I said I had taken a river shot at it, and given a saddleback opinion yesterday as to four of them that I knew something about, but I would like to have the list in its entirety.

So I received it. This is for the year 1966: Czechoslovakia, East Germany, Hungary, Poland, Rumania, and the U.S.S.R.

I was advised that in previous years, Albania and Bulgaria have also been engaged in shipping supplies to the enemy; and, in the case of Bulgaria, at least some arms were shipped in 1966, and the Division believes some are being shipped now, but they have not yet been able to assimilate the figures to make them available.

So under the caveat of "let the seller beware," I suspect that this bill is going to apply to Americans exporting material of any kind to the following Communist countries supplying materials of all types, including weapons of war, to North Vietnam—I read the list again so that every Senator will have them in mind: Czechoslovakia, East Germany, Hungary, Poland, Rumania, the U.S.S.R., Albania, and Bulgaria.

I note with some gratification that while Yugoslavia is a Communist country, it is not engaged in the wicked business of shipping armaments to our enemy in Vietnam. So under that circumstance, unless it changes, there at least is one Communist country to which American traders can continue to export products without being subject to this special penalty tax being levied against those who make it more difficult for us to end the war, and make it more costly in terms of human life for those who fight the war. Our amendment is directed solely at that kind of export, the Communist countries engaged in that kind of bloody business in supplying the weapons which, even now, are prolonging a war which should long ago have been over; because every military expert we have talked with, the knowledgeable people of the entire area, have said that without this steadily growing, significant stream of armaments, guns, weapons, and petroleum from the Communist countries of East Europe, long ago the armies of Hanoi would have had to fold up, because you cannot operate a modern war without oil, and you cannot fight a modern war without planes and moving vehicles.

You have to have tanks, and you have to have helicopters; and while it is true that some may argue that Red China and Red Russia both are supplying arms to Red Vietnam we must remember that the Red Chinese are caught up in a cultural revolution, which is to say they are having a bloody civil war in China, and they need their own guns, their own planes, and their own tanks to maintain some semblance of order over there. So Russia and her East European satellites have become virtually the sole source of supply of all important weapons now being used by Hanoi to continue its war activities.

So we come face to face with the issue, as we vote on this matter in an hour or so: Do we want to take some legislative step, however small, to decrease the shipment of the weapons of war to North Vietnam which are responsible for the war continuing there, which everybody seems to want to stop—doves, hawks, and eagles? Some want to stop it by running out. Earlier today, the distinguished deputy leader for the Democratic side made quite a speech as to why he did not think we should accept defeat and pull out.

Some favor just holing up and rotting away in the unsavory climate of the Orient, subjecting our soldiers to the continual ravages of tropical diseases and staying there endlessly, not fighting, but ducking and dodging and dying until the forces of attrition force us out.

Everybody wants to bring the conflict to an end. Those of us who believe we should bring it to an end successfully, as a prelude to an enduring peace, also want to bring it to an early end. We believe steps should have been taken through the diplomatic and economic processes years ago, but it is never too late to start trying.

The first opportunity this body will have to start an effective approach, by diminishing the flow of arms to Communist countries assisting North Vietnam, will be the rollcall vote on this amendment.

Mr. President, I yield such time as he may desire to the distinguished Senator from Virginia.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

Mr. BYRD of Virginia. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. BYRD of Virginia. Mr. President, how much time remains to the Senator from South Dakota?

The PRESIDING OFFICER. The Senator from South Dakota has 20 minutes remaining.

Mr. MUNDT. Mr. President, may we have a division of all the time between now and the time fixed to vote? It is a little complicated, I know, to divide time that way.

The PRESIDING OFFICER. The Senator from South Dakota has 20 minutes remaining. The other side has 30 minutes remaining.

The Senator from Virginia is recognized.

Mr. BYRD of Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. Out of whose time?

Mr. BYRD of Virginia. Out of our time.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SMATHERS. Mr. President, I yield 10 minutes to the distinguished Senator from Connecticut.

The PRESIDING OFFICER. The Senator from Connecticut is recognized for 10 minutes.

Mr. DODD. Mr. President, I will try to be as brief as possible. I hope that the Senator from South Dakota will be present because I am extremely anxious that he hear what I have to say.

The PRESIDING OFFICER. The Senator from Connecticut is recognized for 10 minutes.

Mr. DODD. Mr. President, I asked for this time in order to clarify my position with respect to the amendment offered by the Senator from South Dakota.

After reading over the Record and thinking the matter over again, I am not sure that I made my position altogether clear. I was present as much as possible to hear the debate.

The Senator from South Dakota enjoys a deserved reputation as a highly knowledgeable and effective opponent of communism. In most matters that have to do with our responses to communism and the cold war, I have found myself in agreement with him. Indeed, although we do have some important differences in the field of domestic policy, on foreign policy issues, unless my memory fails me, we have agreed about 98 percent of the time.

I understand what moves the able Senator to submit this amendment.

It is unquestionably true that Hanoi is receiving the bulk of its military supplies from the Soviet Union and the other Communist countries of Europe. Certainly, this has been the source of the radar-equipped antiaircraft systems that have thus far brought down 900 American planes over North Vietnam.

It is also true that, while this has been going on, we have been moving to expand our trade with the Soviet Union and the Communist bloc, rather than to restrict it. And, in doing so, I fear that we have encouraged other Western nations to follow our example. I do not see how we can be very effective in asking others not to do what we are doing.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. DODD. I yield.

Mr. MUNDT. The Senator is quite right. And it is one of the things that troubles me. The Senator speaks correctly when he says that we have joined together in so many efforts to do something about winning the cold war when it was only a cold war. One example of this was our cosponsorship of the Freedom Academy legislation.

I am sure that the Senator is as desirous as is any other Senator of trying to do something about shortening this war without defeat and without failure. I have heard the Senator express himself rather eloquently before the Committee on Foreign Relations.

Mr. President, I yield myself 2 minutes on my time.

The PRESIDING OFFICER. The Senator from South Dakota is recognized for 2 minutes.

Mr. MUNDT. Mr. President, I want to explain the reason why we came up with the pending amendment.

I gave a speech in Brussels, Belgium, about last Thanksgiving Day at the NATO Parliamentarian Conference, in which I, as a Republican, was stating before that distinguished body of parliamentarians from various countries—about 250 foreign parliamentarians being present from 15 countires—our American position in the war and defending the decision of our Democratic President not to accept defeat in that conflict. I felt it was my patriotic duty to do so.

I did my best. I pointed out that we could use at this time a little more friendliness from the NATO countries, that we were not asking for money or materials of war or for manpower. I pointed out that we were just asking that they not shoot us in the back by shipping supplies to Haiphong. My speech has twice been inserted in the Congressional Record by colleagues of mine who approved of my presentation.

I pointed out to them that there is not any victory that we could win over there that would not mean more to England, France, Belgium, and the other NATO countries than it would to us, and that there is not any defeat we face which would not mean more to them than to us. If they force us out, by surrender to defeat, we still have the bomb and our great system of defense. We could still defend ourselves for a while, even though it seems to me that in the end a greater cataclysmic holocaust might be expected.

They accepted that statement. But they said: "How can we explain that to our chiefs of staff when your country is encouraging your people to send supplies overseas and is also supplying the fighting men? We were not supplying men. Our boys are not being killed. And if you send men overseas and supply the materials to make the guns with which to kill your own boys, how can we convince our leaders that we should put a greater sanction on our exporters than you put on yours?" It was a question to which I could not provide a logical or a convincing answer.

That is one reason that we are trying to write a sort of sense-of-the-Senate measure with this tax amendment so that this kind of export business should be discouraged. That is about what we are trying to do.

Mr. DODD. Mr. President, I thank the Senator. He makes sense, as he always does. I would like to explain, if I may, a little more specifically what I was talking about.

I think this policy has been mistaken, as I have said on more than one occasion, but I think that the amendment proposed by the Senator from South Dakota will not be effective in dealing with the situation about which he rightly complains; and I also feel that it would be a political mistake to take an omnibus approach to all Communist countries, rather than differentiating between them.

In my remarks yesterday, I said that, in the case of the Soviet Union, we should restrict or liberalize our trade policies, depending on their conduct in world affairs. That is not a new position for us. The Senator from South Dakota and I have long held that position.

When we negotiated the big grain deal with the Soviet Union a few years ago I said that I was opposed to selling them grain. If the people were hungry, I said let us give it to them. But in return let us ask that they stop their subversion around the world.

I have taken the position that if they step up the cold war, as they are now doing in Vietnam and elsewhere, then we should cut back sharply. On the other hand, if they were to assist in terminating the Vietnam war on acceptable conditions, I would be in favor of letting them know in advance that we would be prepared to pay for this with substantial trade concessions, including the granting of long-term credit.

But so long as the Soviet Union continues to serve as Ho Chi Minh's chief source of military supplies, so long as she does everything in her power to prevent a settlement of the Vietnam war, it is folly to push for an expansion of trade with the Kremlin.

In support of his remarks yesterday, my colleague from South Dakota inserted into the RECORD a long list of strategic commodities exported to European Communist destinations, primarily the Soviet Union. I share his view that this list gives evidence of a tragically mistaken policy and that, instead of seeking an extension of trade with the Soviet Union under present circumstances, we should sharply restrict the list of commodities whose export to the Soviet Union is now permissible.

The Senator rightly says that these supplies enhance the capacity of the Soviet Union and the other Communist countries to send war materials to Vietnam, and that some of these strategic items are probably transshipped directly to Vietnam.

I would like to put an end to this situation as much as he would.

His amendment, however, if it were enacted, would not materially affect the situation.

Exporters would still remain free to export the same list of strategic commodities to Communist countries; and the Communist countries would still continue to ship arms, and sometimes transship strategic commodities, to North Vietnam.

Mr. MUNDT. It would pretty well stop Americans from shipping arms to those countries, because the 20-percent tax on overall products is a severe penalty; and even with the great profitmaking prices the Soviet Union is willing to pay for supplies, I doubt whether many corporations would subject themselves to an overall war profits tax of 20 percent just for the privilege of shipping materials to the enemy. I believe it would curtail that.

Mr. DODD. I have thought about that. I still make the point—and I am sure the Senator agrees—that they still would be free to do it.

True, exporters would have to pay a penalty in the form of the 20-percent surtax proposed. But the exporters could, in many cases, pass this cost on to their Communist clients, while, in other cases, their Communist clients would probably purchase comparable equipment from other Western sources.

I want to ask the Senator how he arrived at the figure of 20 percent. If we want to stop it altogether by the tax instrument, why do we not make it 100 percent?

Mr. MUNDT. All the arguments that the Senator raises against 20 percent could be raised against 100 percent.

Mr. DODD. I do not particularly raise them against 20 percent.

The ACTING PRESIDENT pro tempore. The time has expired. Who yields time?

Mr. SMATHERS. I yield 5 minutes to the Senator from Connecticut.

Mr. MUNDT. I ask for 2 minutes.

Mr. SMATHERS. I yield 7 minutes.

Mr. MUNDT. The same arguments hold. If, in fact, the Communists are going to pay such fantastic rates that they absorb 20 percent, they will absorb 100 or 150 percent. There is no magic about the 20 percent.

We are trying to stigmatize this trade, to free ourselves from the curse of cupidity which is being leveled against us by all our foreign friends, to try to bring some unity in this country among the young people who cannot understand why they should be drafted to go to war while some corporations are making millions of dollars of extra profit by prolonging the war they are expected to fight.

It will not stop everything. But I believe the other countries of the world, the American forces now overseas, the parents of these servicemen, and the young members of YAF, who are petitioning Congress to do something about it, are entitled to have an expression from us that we stigmatize this trading with the enemy and are trying to discourage it.

Perhaps later, in a more deliberate time, we can take another step, but we have the opportunity to take a first effective step right now.

Mr. DODD. To deal with this situation effectively, as I see the matter, three measures are necessary.

The first thing we have to do is to let the Soviets know that, in view of the fact that their government remains the chief purveyor of military equipment to North Vietnam and the Vietcong, we are obliged, as a matter of elementary self-defense, to sharply restrict the list of commodities whose export to the Soviet Union is permitted.

The second thing we have to do is to embark on an all-out diplomatic campaign to bring about the cooperation of our allies and of other friendly governments in restricting the flow of strategic commodities to the Soviet Union.

And the third thing we ought to do is to close the Port of Haiphong. This is something that could easily be done by sinking a few overage freighters, loaded with concrete, athwart the narrow ship channel, 5 miles long and 100 feet wide, which leads into Haiphong.

I believe that we in the Senate have the responsibility to do everything in our power to persuade the administration to take these vital and long overdue steps.

The Senator from South Dakota said last night that he is not a military man, and that he did not want to pass on that. I say to him, with great respect, that he is overmodest. I am not a military man. I believe that all one needs—and the Senator from South Dakota has it in great abundance—is the commonsense to know that you cannot permit your enemy to get supplies through an open port, right in front of your eyes, day by day—the weapons and ammunition and other material with which to kill American boys.

I do not know why we do not stop it. It should be stopped.

That is what I believe we should do.

The Senator from South Dakota might argue, "You may be right about that, but let's try my proposal." I fear that in trying it, we will hurt ourselves. This is a difference of opinion between two men who generally agree on objectives.

In the case of the Communist countries of central Europe, I said yesterday that we should liberalize our trade policies if they show more independence or grant more freedom to their subjects, and that we should cut back sharply on trade, especially on the items they most desire, whenever they tighten the screws of Communist dictatorship and whenever the trend toward partial independence from Moscow is reversed.

I cited Czechoslovakia as an example of a Communist country which seems to be moving in the right direction, and Poland as an example of a Communist country that appears to be moving in the wrong direction. And I said that I was opposed to the Senator's resolution because it would make it impossible for us to differentiate in our trade policy between Czechoslovakia and Poland.

My distinguished colleague said in reply that he, too, was in favor of using trade as an instrument of diplomacy in our dealings with the Communist countries.

He said that our ambassador might tell the Czechoslovak Government, for example, that if they stop sending arms to our enemies, we will be prepared to make trade treaties with them.

The Senator's concept of diplomacy differs from my own.

In the first place, no Communist country is going to agree to stop sending arms to North Vietnam so long as the war continues. It is conceivable that, given a favorable conjuncture of circumstances, they may be willing to cooperate in bringing the war to an end. But that is an altogether different matter.

To offer them trade treaties only if they terminate all supplies to North Vietnam would be tantamount to an ultimatum. And ultimatums are the direct antithesis of diplomacy.

Before any Communist country agrees to stop shipping material to North Vietnam, it would have to become openly anti-Communist. This is a goal that may be desirable as a long-term objective, but it is certainly not an imminent practicality.

For the foreseeable future, the best that we can hope for, in the case of the Communist countries of central Europe, is that they will move, step by step, toward greater independence from Moscom, toward more personal freedom for their subjects and more political freedom for non-Communist elements in their society, and toward government that is responsive, at least in some degree, to popular will.

At every step along this difficult road, we should be prepared to use all the resources of our diplomacy and of our information services to encourage such Communist governments.

It would be the height of folly to postpone any such encouragement or assistance until these governments had traveled all the way to the openly anti-Communist posture which the Senator from South Dakota, if I understood his remarks yesterday, demands of them.

So let us not lump all Communist government together in a single undifferentiated mass, as this amendment seeks to do.

Let us reserve some flexibility for ourselves.

But let us at the same time push for the strongest possible measures by the administration to restrict the flow of war material to North Vietnam from all sources, and to restrict the flow of strategic commodities to the Communist governments that are supplying Hanoi. And that means in the first place the Soviet Government.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired. Who yields time?

Mr. MUNDT. Mr. President, I yield such time as he may desire to the distinguished Senator from Virginia, the coauthor of the pending amendment.

Mr. BYRD of Virginia. Mr. President, may I ask how much time the Senator from South Dakota has remaining?

The ACTING PRESIDENT pro tempore. The Senator from South Dakota has 17 minutes remaining.

Mr. BYRD of Virginia. I yield myself 4 minutes.

Mr. President, in discussing the Mundt-Byrd amendment, I am not one of those who see a Communist behind every tree or beneath every bush.

I doubt that our Nation can or should police the world and determine just what form of government each of the other nations should have.

So in supporting the Mundt-Byrd amendment to the pending legislation I do it not from the point of view of anticommunism, but from the belief that this could be a step—perhaps only a small one—in bringing to our Government a sense of urgency in ending the Vietnam war.

The Mundt-Byrd amendment would put a profiteering tax on those businesses and exporters which trade with the Communist nations, which in turn supply the North Vietnamese at whose hands the United States has suffered 140,000 casualties—with the casualty rate still rising.

For the first 12 weeks of 1968, U.S. casualties averaged 2,300 per week. This compares with 1,000 casualties per week during the 2-year period 1966 and 1967.

As I see it, when you are in a war, when your national honor is at stake, when your men are being shot at, when you are taking heavy casualties—I would think you would want to put all diplomatic and financial pressure on those helping the enemy—even if it means less business profits.

It was 3 years ago that the massive buildup of U.S. manpower in Vietnam began. During the past 3 years the number of troops has increased from 29,000 to 510,000. General Westmoreland has requested an additional 200,000 troops. I want to ask today what I asked on the floor of the Senate a year ago when the number of U.S. troops in Vietnam were substantially less than they are now: Are we going to continue to send more and more troops, suffer more and more casualties, and simultaneously do nothing to shut off the supplies going to the enemy, take no steps to put diplomatic and financial pressure on friend and foe alike—and have business as usual at home?

When the top U.S. military commander in the Pacific, Adm. U. S. G. Sharp, suggests that Haiphong harbor could be closed by sinking some old U.S. merchant ships in the channel, thus blocking the harbor without injury to ships of any other nation, we are told, "Oh, no; that cannot be done, because the Russians might not like it."

During 1967, 78 free world ships and 386 Communist ships carried cargo to North Vietnam. The Soviet Union announced yesterday it is stepping up its shipments to North Vietnam this year by 20 percent more than they sent last year.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent that I may proceed for 2 additional minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BYRD of Virginia. Mr. President, when U.S. Senators suggest that diplomatic and financial pressure should be put on the British to prevent ships flying their flag to carry cargo to and from Haiphong—as did 67 during the calendar year 1967—we are told, "Oh, no, we cannot do that, it might be hurtful to Harold Wilson, who is having a tough time holding his Socialist government in power."

And then, when it comes to the matter of bombs we are told, yes, it is true, the United States had dropped a greater tonnage of bombs during the Vietnamese war than were dropped on all of Europe during World War II, but that 85 percent of this tonnage was dropped on South Vietnam—Yes, on South Vietnam. "It is not wise to do much bombing of the enemy in North Vietnam," we are told, "because world opinion might get upset."

Now we come to today's pending amendment, the Mundt-Byrd amendment to put a special tax on war profiteers, profiteering by those who would export to Communist nations, which in turn ship to North Vietnam. "Oh, no, this should not be done," we are told, "because Czechoslovakia or Poland or Rumania or some other Communist country might be alienated."

So, Mr. President, I ask this question: How are we going to end this war?

Mr. President, in supporting and advocating the Mundt-Byrd amendment I stand on one broad principle, and that is, if we are going to keep 500,000 Americans in Vietnam—and consider sending even more there—then we must change our method of conducting this war, or else our casualties will continue to mount without our objective being achieved.

Certainly a good place to start, it seems to me, would be for the Senate to approve the Mundt-Byrd amendment so as to let the American public know that at least we in the Senate regard this war as a serious matter, that we look with disfavor upon those nations which trade with our enemy, and that we are prepared to slap a heavy tax on those American companies which export to nations which in turn supply our enemy.

Mr. President, the amendment offered by the Senator from South Dakota has an automatic termination date—whenever hostilities cease between the United States and North Vietnam. At that time this amendment ceases to be operative.

If a nation does not want the provision to apply to it they only need to cease trading with North Vietnam which is the nation with which the United States is at war.

I am glad to associate myself with the distinguished Senator from South Dakota in this endeavor in the hope that it will be one step, even though a small one, in bringing a sense of urgency to our Government.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Mr. MUNDT. Mr. President, I appreciate the statement of the distinguished Senator from Virginia. The Senator has given an excellent, cogent, concise, and compelling argument which should bring a great vote of support for our amendment from an overwhelming number of Senators.

The emphasis by the Senator on the termination date is correct. It is really also a terminal date as far as taxpayers are concerned. All a taxpayer need do is refrain from reaching out for that little extra profit he might get from exporting supplies to the Communists which expand the capacity of our enemy in this most cruel war to prolong it even after 5 years of fighting.

The ACTING PRESIDENT pro tempore. Who yields time?

Mr. MUNDT. Mr. President, what is the division of time now?

The ACTING PRESIDENT pro tempore. The Senator from Florida has 15 minutes remaining; the Senator from South Dakota has 8 minutes remaining.

Mr. MUNDT. Mr. President, I stand by patiently waiting for the other side to use some of its time.

ORDER OF BUSINESS

Mr. SMATHERS. Mr. President, I yield 5 minutes to the Senator from Mississippi.

Mr. STENNIS. I thank the Senator, especially since this is not relevant to the subject matter but a matter that will greatly accommodate me at this time.

The ACTING PRESIDENT pro tempore. The Senator from Mississippi is recognized.

REPORT BY SELECT COMMITTEE ON STANDARDS AND CONDUCT

Mr. STENNIS. Mr. President, because of the late hour of the termination of the Senate session last Friday evening, I did not have the opportunity to present any summary or interpretative conclusions for the resolution that we agreed to.

With the completion of action by the Senate on Senate Resolution 266, it is appropriate to recognize and commend the interest and work of Senators in seeking to develop an effective set of standards of conduct.

During the 5 days of intensive debate here last week on the committee's recommendations, several beneficial revisions were made to the original resolution. The final product, as reflected by the almost unanimous vote of the Senate, represented the consensus of all of us, and is a workable and valuable addition to the body of senatorial ethics.

The Senate now has four special rules of conduct for the guidance of its Members, officers, and employees.

Rule 41 regulates the outside business or professional activity or employment of Senate officers and employees. There are two main provisions in the rule. First, each officer and employee must insure that his own outside activities are not in conflict with his responsibilities to the Senate. Second, the supervisors, who in most cases are Senators, must review the outside activities of their employees and take such remedial action as prudence and good judgment would indicate to avoid any conflict of interest or interference with the duties of the employees to the Senate. In making this review and in taking this action, a Senator will be acting in the discharge of his official duties and responsibilities.

The thrust of rule 41 is toward personal service type activity or employment—that is, jobs or services that entail the performance of work, whether occupational, managerial, creative, or professional. This rule represents a significant step to assure that employees of the Senate devote their principal attention to their positions on the various Senate staffs and, above all, to minimize conflicts of interest.

The financial activities of officers and employees also will be subject to review and inquiry, if necessary, through the operation of the financial disclosure rule that I will comment on later.

Rule 42 regulates the acceptance and use of contributions by a Senator or a candidate for Senator. The rule permits them to accept contributions from three sources: from a fundraising event, from an individual or organization, and from a political party. Before a Senator or a candidate may accept the proceeds of a fundraising event—a testimonial dinner, for example—he must give his advance approval. This advance approval will do much to assure that the fundraising event is properly represented to the public and that the principles of good business management are followed by the sponsors of the event, for it is incumbent upon the Senator to take enough interest to prevent flagrant abuse.

Whether from a fundraising event, an individual or an organization, or from his political party, the funds accepted by the Senator or candidate must be accounted for and, under a later rule, reported to the public.

Rule 42 permits the use of contributions by a Senator to support his nomination for election, or his election. Full understanding of this critical restriction suggests a reading of the language of the rule. It states:

> The Senator may use the contribution only to influence his nomination for election, or his election, and shall not use, directly or indirectly, any part of any contribution for any other purpose, except as otherwise provided herein.

It seems plain from these words that the nomination or election are events following or concurrent with the receipt of the contributions. If the nomination or election were in the past, then they could certainly not be influenced by after-acquired contributions. Thus it is clear that contributions may not be used to pay off past campaign or alleged past campaign deficits. The committee intended this application of the rule as to deficits of past campaigns.

An additional word about campaign funding, especially deficits. Rule 42 does not purport to regulate election financing. The rule simply fills a gap on the periphery of campaign practices. Detailed regulation of the conduct of campaigns is not a matter for Federal regulation, but is best handled at the State level in order to take into account local variations in campaign practices and the historical evolution of the political structure of each State. There are 50 sets of State laws on this subject. A standard of conduct of the Senate is hardly the vehicle to replace them.

The rule requires a detailed report of all these expenditures as to source and also outlay of these funds; and this report must be made public.

Under rule 42, a Senator also may use contributed funds to defray certain expenses of his office, such as travel to his home State, communications to his constituents, and particular office expenses that exceed his allowances.

All of the members of the committee have always felt that these kinds of expenses should be paid by the Federal Government. But since it is a fact that allowances are not enough in some cases, the committee believed that a Senator should not be deprived of the means of supplementing his reasonable and necessary office expenses. I have written to the chairman of the Committee on Rules and Administration, calling his attention to this situation, and suggesting that his committee undertake a thorough study of Senators' allowances and offer an appropriate remedy.

Rule 42 provides further that a Senator must report all gifts aggregating more than $50 from a single source during a year in accordance with the later disclosure rule.

The third rule, No. 43, prohibits generally an officer or employee who is paid by the Senate from becoming involved with campaign funds. A Senator may except specifically an assistant in his own office from the restrictions on receiving, soliciting, taking custody, or distributing campaign funds, provided the assistant's name is made public through the office of the Secretary of the Senate. But committee assistants and officers and employees of the Senate itself may not handle campaign funds for Federal office under any circumstances. This rule goes a long way toward taking employees out of campaign funding.

The final rule, No. 44, sets up a comprehensive program of financial disclosure. Every Senator, candidate for Senator, and officer or employee who is paid more than $15,000 a year by the Senate, must file each year by May 15, a copy of his Federal income tax return and a supplementary statement of financial interests. The supplement covers client fees, director and similar fees, the identity of property and trust interest that are greater than $10,000, the identity of liabilities exceeding $5,000, and gifts. Only the Committee on Standards and Conduct, for cause shown, may examine these reports. Many safeguards against a breach of the confidence of these reports are incorporated in the rule. The individual concerned must be given notice when his reports are examined, and again when the committee undertakes to receive the reports as evidence in a hearing. Provision is made for the return of reports after 7 years, or upon death or termination of service.

Rule 44 requires these same persons to file an additional report each year of contributions and honorariums received. This additional report will be made available to the public.

Thus, all significant financial interests will be reported annually. Those of a private character are available to the Committee on Standards and Conduct, which may use them for the investigation of a complaint or allegation of misconduct. Income which is closely allied to official position is made public.

The rule on political fund activity by employees will be effective 60 days from March 23, 1968, while the other three rules will take effect 90 days from said date. The first disclosure or report of financial interests will be required to be filed by May 15, 1969, and annually thereafter. None of the rules apply to the period of time before they become effective.

These rules are now part of the standing rules of the Senate. As in the case of any rule of the Senate, a violation may be subject to inquiry by the Select Committee on Standards and Conduct. The committee may then recommend appropriate action to the Senate. The power to punish remains in the Senate, as a body, and in accordance with precedent and authority may range from mild admonition to expulsion. In addition, the committee may refer certain matters to Federal and State authorities for further disposition.

My remarks concerning sanctions must not be construed in any threatening sense. The chief value of these rules are the guidance they provide and the deterrent effect they are expected to exert on potential wrongdoers.

Mr. President, these rules are not retroactive in their application in any way. They do not apply to transactions that occurred prior to the effective date. They speak as of their effective date and for the time thereafter.

These new rules give the Senate a new start. They will serve as both guidelines and as deterrents. These rules are clear notice that under no circumstances will one be permitted to use a position in the Senate as Member, officer or staff assistant, deliberately or otherwise, for the enhancement of personal gain at the expense of the public or against public interests.

I hope that Senators and all staff members will become fully familiar with these additions and I know they will all be followed.

TAX ADJUSTMENT ACT OF 1968

The Senate resumed the consideration of the bill (H.R. 15414) to continue the existing excise tax rates on communication services and on automobiles, and to apply more generally the provisions relating to payments of estimated tax by corporations.

Mr. SMATHERS. Mr. President, I am ready to yield back the remainder of my time.

Mr. MURPHY. Mr. President, will the Senator from South Dakota yield?

Mr. MUNDT. Mr. President, I yield 2 minutes to the Senator from California.

The ACTING PRESIDENT pro tempore. The Senator from California is recognized for 2 minutes.

Mr. MURPHY. Mr. President, I rise for the purpose of congratulating my colleague from South Dakota [Mr. MUNDT] and join him in this effort, which I think is long overdue.

We have listened for hours to the problems of the war in Vietnam. No one in this Chamber is for war. Everyone is against the war. I know of no one who would not do anything he could to see that it is stopped as quickly as possible; provided, we can stop it with honor and with the achievement of freedom. The lives of those brave men which have already been lost in Southeast Asia should not have been sacrificed in vain. It would be unthinkable.

Mr. President, I find it inconsistent and difficult to understand why some Americans would attempt to make a profit out of trading with the Communist bloc nations which are sending sophisticated weapons to North Vietnam.

I congratulate my esteemed colleague for his attempt to stop such export trading with the enemy. I hope that the amendment will be adopted, and that this will be the beginning of a series of amendments, rules and regulations, which will finally make it impossible for anyone in America to give any help to those countries helping to perpetuate the enemy's war effort at the cost of American lives.

Mr. MUNDT. I thank the Senator from California for his kind remarks.

Mr. President, may I inquire of the Chair as to the state of the time?

The ACTING PRESIDENT pro tempore. The Senator from South Dakota has 6 minutes remaining. The Senator from Florida has 12 minutes remaining.

Mr. MUNDT. Mr. President, I promised the Senator from Minnesota [Mr. MONDALE] that I would make a rejoinder to his opposition to the pending amendment. He is not in the Chamber at the moment, but I wish to vindicate my promise to him.

I rise once again in support of the amendment introduced by myself and my colleague from Virginia [Mr. BYRD]. I might add that I hope the Mundt-Byrd partnership will be as successful this time as we were when this same general subject area—trading with the enemy—was debated and voted upon with respect to Export-Import Bank bill.

As I explained yesterday, this amendment would impose in addition to any other tax already imposed by the Internal Revenue Service, a tax equal to 20 percent of the taxable income of the taxpayer for the taxable year, if that taxpayer engaged in trade with any Communist country which is supplying material to the Government of North Vietnam.

Mr. President, I have already mentioned the Export-Import Bank bill. What we did there, and what was subsequently endorsed by the House of Representatives and is now the law of the land, was to make it clear that no Government funds could be used in credit transactions to finance exports to countries who are engaged in armed conflict with the United States or any countries who are aiding such countries. In other words, the Government of the United States is not going to be guaranteeing any trade transactions with the same countries that are supplying their North Vietnamese allies with the means to prolong the war and kill more American boys.

This was a significant victory, Mr. President, and the overwhelming vote in favor of the concept of not trading with the enemy was, I believe, representative of the feeling in the country. Unfortunately, much of this trade continues because it does not involve Government financing and because, as incomprehensible as it may sound, private transactions are condoned, even encouraged by the executive branch. As the Senator from Minnesota [Mr. MONDALE] pointed out yesterday, American tools are, in fact, a part of the Fiat factory, through other forms of financing. In other words, certain companies and foundations through their greed for additional profit have decided to do what the Government would not do. This is exactly the problem and I thank the Senator from Minnesota for pointing it out. We cannot prevent them from doing this, although I believe it has been illustrated time and time again that the vast majority of the American people oppose it, unless we place an embargo on all trade, but we can effectively discourage it by making the companies pay for their actions, and that is what this amendment does.

This action by the executive branch and by certain companies, to me, and to many others, does not make sense. Why? First and foremost, because we take our differences with communism seriously, especially in Vietnam. Never before in history have we found it conscionable to trade with the enemy. Today we have more men committed to the defense of free South Vietnam than at any time during the Korean war and some say we will need many more before the strife is over. The ultimate sacrifice has been made by over 23,000 of our fellow citizens. A total in excess of 122,000 men have fallen casualty to Communist-supplied arms in the Vietnam war.

It is little wonder to me that the Communists would question our resolve to carry this conflict to a successful conclusion when we espouse a business-as-usual attitude in our trade policy. Worse, we find this administration assiduously promoting new markets within Communist nations at the very time these adversaries openly brag of "fraternal" support to North Vietnam. What a contrast with our Korean war attitude. Then we drastically cut our exports to the Soviet Union back to zero. Similiarly, during the Berlin crisis, trade was sharply restrained, each application for export being postponed by the Department of Commerce with the explanation that it could not be considered in light of developments arising over tensions in Berlin.

Since the executive branch is unwilling to close the floodgates on this scandalous trade, I believe Congress has the duty to act. Last year I introduced two bills, S. 2098, which would place an embargo on all such exports, and S. 2097, which doubled the customs duties on articles imported from these Communist countries. I still hope these bills are enacted into law. In the meantime, however, we have another opportunity with this amendment to make that trade more difficult.

What we have here today is an amendment that says if you, Mr. Taxpayer, or to be more realistic, Mr. Corporation, want to continue to trade with the Communist countries that are supplying the material necessary for the war in Vietnam to continue, you are going to have to pay for it. If your desire for profits transcends your desire for peace, we are going to make you take another look at your profit-and-loss statement.

This amendment adds 20 percent more on his tax bill. It is a costly penalty—I do not deny that—but Vietnam is no picnic. Neither should it be a bonanza for American war profiteers. Do you not think those boys in service over there would not be willing to pay 20 percent more on their income tax if they could bring the war to an honorable conclusion and come home? You just bet they would.

Mr. President, some may say that this trade is not substantial nor does it have any impact on the war. They have not looked very closely at that trade. They are just too busy looking at their profit reports. Let me give you some examples. Some of these figures I gave you yesterday but I believe they need repeating.

Last year alone, using the time period of January 1, 1967, to December 31, 1967, firms in our country shipped computer parts and related gear to the Soviet Union and other East European Communist bloc countries worth $3,186,707. Are computers valuable to the Soviets in supplying the North Vietnamese? Yesterday, the Senator from Minnesota spoke of "nonstrategic computers." If nothing else is clear as a result of former Secretary of Defense McNamara's 7½ years in the Pentagon, the fact that we are now in a period of computerized warfare is. The logistics of supplying a nation thousands of miles away with what they need, how best to get it there, the requirements of a specific unit to counterbalance U.S. strength in a given area—these are figures you do not come up with by using a Ouija Board. They have made computers actual armaments of war.

Let us take another example for the same time period. U.S. firms have supplied $482,273 worth of oil production and drilling equipment. What do they think the North Vietnam tanks, airplanes, and other military vehicles are running on these days? They can move only because Russia and her Communist satellites are supplying Hanoi with every gallon of petroleum used in the war.

How about items connected with aluminum production? Statistics from the Commerce Department show we traded to the Soviet Union alone last year $4,695,600 worth of these items. That is a lot of money, and aluminum is a mighty important substance in manufacturing airplanes.

Mr. President, some of these items have to be specifically cleared for export by the executive branch, and unfortunately, they are so cleared more than 98 percent of the time.

There is a substantial additional amount of trade, however, in items that do not even need a clearance. On October 12, 1966, the President authorized removal of over 400 items from the strategic control list. Now our exporters can trade in these items with no restrictions applied at all. And what are they? I will list a few. Diamond drill bits to help the Soviets drill for oil. As I pointed out last summer, this is important because Russian oil drills are good only for shallow wells and they need the American kind to get down deep.

We have also opened the floodgates on various forms of scrap metal. Among these are iron ore mass, aluminum alloy waste and scrap, and other magnesium or magnesium alloy waste and scrap. Does that not bring back memories of Pearl Harbor to many of you with even reasonably long memories.

Also included on this list cleared for trading by President Johnson's Executive action of 1966 was rifle cleaning compounds. If you do not believe it you can look it up on the list. It is export control commodity No. 55430. I placed the whole list of the items which were decontrolled by Presidential action in the Record for March 18, 1968. You will find it there starting on page 6816.

We also cleared bandages and surgical dressings, rubber thread and cord, automobile lifts and jacks for automotive vehicles or aircraft by that Presidential action.

We also allow them to ship the Communists shock absorbers, battery separators and other battery parts made of rubber, and spark plugs for aircraft and automobiles.

Mr. President, this covers the first part of our "Tinkers-to-Evers-to-Chance" double play in the deadly conduct of war. Now what about the trade from these Communist nations to North Vietnam? I have already listed the countries. The question was asked yesterday, "What do they supply?" Rumania in particular was the object of the question. The answer is, among other things, oil. Is Hungary involved? Let them supply the answer themselves. Do not take my word for it. I shall come back to that in a moment.

Mr. President, I could go on and on, but I think I have made my point that this trade is substantial and that it is related to the war effort. So we are back to the question of whether or not this trade should be considered in the same category as all other trade. I do not believe it should be.

I believe that if these rich exporters and corporations want to continue with this trade, they should pay for it. Let them pay an extra 20 percent on all their profits. If they do not want to pay the penalty tax, they can quit trading with our enemies and submit to the Treasury Department a statement, under oath, that they have not been engaged during the taxable year in trade with any Communist country which is supplying materiel to the Government of North Vietnam.

Mr. President, I invite special attention to a statement in a radio broadcast from Budapest on May 25, 1967, to which I referred a moment ago. I want to quote it, because so much serious thought has been devoted to this very tricky problem by the Senator from Connecticut, the Senator from Florida, and others, as to whether this effort to curtail the shipment of arms is important enough to justify our amendment, or whether because of some technicality in draftsmanship we should avoid recording our judgment on this basic issue.

So, let us take it from the other side, if any Senator feels this issue is not important.

The statement reads as follows:

> (Budapest MTI International Service, in English, 9:45 a.m. GMT, May 25, 1967:) In a radio broadcast referring to the visit of Hungarian Defense Minister Lajos Czinege, "The importance of this visit was enhanced by the fact that the weapons protecting Hanoi on that front had been designed by Hungarian engineers and manufactured by Hungarian workers."

Let me point out here that we have American exporters sending ingredients from the United States to Hungary right now so that these Hungarian guns could be more abundantly manufactured.

Continuing:

> It was mentioned that the unit using the Hungarian guns was credited with shooting down the 1,000th U.S. plane destroyed over Vietnam and the same unit using the Hungarian guns down 10 other U.S planes bombing Hanoi on May 19.

Mr. President, as the Senator from California puts it, with the realism for which he is noted and his capacity to see through the fog, are we really going to vote now to encourage or discourage this kind of mercenary madness?

Or, are we going to do something to stop it and move in the direction of curtailing it or do we vote to express our approval of it?

This is not the final answer but it is a constructive start.

In his position paper, the Senator from Minnesota stated that there would be celebrations in the Kremlin if the pending amendment should be adopted.

I can assure the Senate that there will be far greater celebrations somewhere else if the amendment is adopted.

Who will be celebrating the most when we adopt this amendment?

It will be our servicemen in Vietnam who are now being shot at by the guns the Communists are supplying.

You could listen to the celebrations in Khe Sanh and Saigon. You would be able to listen to the rejoicing, the thanks, the gratitude, and the pious prayers of appreciation which will emanate from every battle encampment in every village, city, and field in which the American Army is located in South Vietnam, because these men are the targets of the end result of this unprecedented American policy of trading with the enemy which, understandably, has never before prevailed in American history in any other war.

That is where the celebrations will take place, Mr. President, and not in the Kremlin.

Another statement we hear so often is that it would hurt our balance of payments. Exactly and precisely. About $50 or $70 million in the balance of payments is coming our way in trading with the Communists. But I want Senators to know that that is not a balance of payments being paid in Russian gold. That is a balance of payments being paid in American blood, by our boys who are being shot, maimed, and killed in increasing numbers while the administration cries, "Give us more men to go to Vietnam." The administration states to chambers of commerce, labor unions, and to others, "Ship more goods to the Communist countries who are supplying the guns which kill our men and we will provide more men to take their places."

Mr. President, how any rational person believes that he can sell the world that we are serious about this war, with that kind of self-defeating, indefensible, inconsistent policy, I simply cannot comprehend.

How do we ever expect to convince the Communists that we are seriously interested in winning the war? How can we explain to the enemy in Hanoi, or to the mothers and fathers of our boys already in Vietnam, and those who are about to be drafted, that we really should get on with finishing the war but we would like to make a few fast bucks on the side which will not even be subject to an extra war profiteering tax?

Accordingly, I am not worried about that balance-of-payments argument, because it is being paid for in American blood. To that kind of repayment I do not subscribe.

The **ACTING PRESIDENT** pro tempore. All time on the amendment has now expired.

Mr. **MUNDT.** Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. **KUCHEL.** Mr. President, I suggest the absence of a quorum.

The **ACTING PRESIDENT** pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. **KUCHEL.** Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **ACTING PRESIDENT** pro tempore. Without objection, it is so ordered.

The question now is on agreeing to the Mundt-Byrd amendment, as modified. The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. **BYRD** of West Virginia. I announce that the Senator from Maryland [Mr. Brewster], the Senator from Pennsylvania [Mr. Clark], the Senator from Alaska [Mr. Gruening], the Senator from South Carolina [Mr. Hollings], the Senator from Massachusetts [Mr. Kennedy], the Senator from New York [Mr. Kennedy], the Senator from Ohio [Mr. Lausche], the Senator from Montana

[Mr. Mansfield], the Senator from Minnesota [Mr. McCarthy], the Senators from Rhode Island [Mr. Pastore and Mr. Pell], and the Senator from Alabama [Mr. Sparkman] are necessarily absent.

I also announce that the Senator from Arkansas [Mr. Fulbright] and the Senator from Missouri [Mr. Long] are absent on official business.

I further announce that, if present and voting, the Senator from Pennsylvania [Mr. Clark], the Senator from Massachusetts [Mr. Kennedy], the Senator from New York [Mr. Kennedy], and the Senators from Rhode Island [Mr. Pastore and Mr. Pell] would each vote "nay."

On this vote, the Senator from South Carolina [Mr. Hollings] is paired with the Senator from Maryland [Mr. Brewster]. If present and voting, the Senator from South Carolina would vote "yea," and the Senator from Maryland would vote "nay."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. Carlson] is absent on official business.

The Senator from Illinois [Mr. Dirksen] and the Senator from Arizona [Mr. Fannin] are necessarily absent.

The Senator from Kentucky [Mr. Baker] is detained on official business.

If present and voting, the Senator from Kansas [Mr. Carlson] and the Senator from Arizona [Mr. Fannin] would each vote "yea."

The result was announced—yeas 38, nays 44, as follows:

[No. 85 Leg.]

YEAS—38

Allott
Anderson
Bayh
Bennett
Bible
Byrd, Va.
Byrd, W. Va.
Cannon
Cotton
Curtis
Dominick
Eastland
Ervin
Fong
Hansen
Hartke
Hickenlooper
Hill
Hruska
Jordan, N.C.
Long, La.
Magnuson
McClellan
McGovern
Miller
Montoya
Mundt
Murphy
Randolph
Ribicoff
Russell
Smith
Spong
Stennis
Talmadge
Thurmond
Tower
Young, N. Dak.

NAYS—44

Aiken
Bartlett
Boggs
Brooke
Burdick
Case
Church
Cooper
Dodd
Ellender
Gore
Griffin
Harris
Hart
Hatfield
Hayden
Holland
Inouye
Jackson
Javits
Jordan, Idaho
Kuchel
McGee
McIntyre
Metcalf
Mondale
Monroney
Morse
Morton
Moss
Muskie
Nelson
Pearson
Percy
Prouty
Proxmire
Scott
Smathers
Symington
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, Ohio

NOT VOTING—18

Baker
Brewster
Carlson
Clark
Dirksen
Fannin
Fulbright
Gruening
Hollings
Kennedy, Mass.
Kennedy, N.Y.
Lausche
Long, Mo.
Mansfield
McCarthy
Pastore
Pell
Sparkman

So Mr. Mundt's amendment was rejected.

I WEEP FOR MY COUNTRY

Mrs. SMITH. Mr. President, I am going to read into the Record a letter I wish very much for Senators to hear. Yesterday I received a letter from a woman in Maine that moved me very deeply. She is the mother of a young Marine Corps officer recently killed in Vietnam. She is a woman of obvious capability, as she is a practicing registered pharmacist. She is a woman of obvious intelligence and reasoned judgment.

She is a woman who has had the courage to speak up and to say the things that I am sure millions of Americans deeply feel.

She wrote:

> Last night, Senator Smith, I wept for my country. I weep for those who have gone but most of all I weep for my country. It is sick, very sick I am afraid.

She is Mrs. Dorothy M. Dickinson, of Patten, Maine. I so thoroughly share her expression that I want to read her letter to the Senate, for she so magnificently says what should be said time and again throughout this country. Tragically, I have not heard any presidential candidate say what she has said.

Frankly, our country is desperately in need of a presidential candidate who will speak out against the moral decadence, the degeneration of softness and selfishness too prevalent among our people—and yes, the growing defeatism of a once proud and self-reliant citizenry.

I read her letter:

> March 23, 1968.
>
> Hon. Margaret Chase Smith,
> *U.S. Senate,*
> *Washington, D.C.*
>
> Dear Senator Smith: Last evening as is our custom when time permits my husband and I turned on our television set to listen and watch *The Huntley-Brinkley Report.*
>
> Much to our disgust and consternation the report showed "The Establishment" meaning the United States Government, hiring "hippies" in the Post Office at San Francisco.
>
> Now we are not against the showing of this event on television but we are shocked almost beyond belief to think that the United States Government is hiring young men and women who are known users of drugs to work in any of its departments. They were shown smoking "pot" while delivering the mail; they were dressed sloppily, dirty and unkempt.
>
> I have a friend employed in our local post office; she is required to wear a uniform. Why are these employees exempt?
>
> I understand that the excuse the government gives for hiring them is because they are at the top of the civil service rolls in intelligence. Should high intelligence be the only factor considered?
>
> Why are these men who appear to be of draft age not in the armed forces? If they are not usable by these services why should they be used in responsible positions in handling our mail?
>
> Senator Smith, I am not ignorant of the proper use nor of the abuse of drugs. I am a practicing registered pharmacist. I am well aware of the great dangers involved in the use and abuse of drugs. These people need help but this is not the kind of help they need.
>
> My husband and I just buried our only son last month in Arlington National Cemetery. He was an enlisted man who became a Lance Corporal and later received his commission as a second lieutenant in the United States Marine Corps. He served his country proudly and with honor.
>
> While he served and died and many others like him served and died in Vietnam his country allowed known law-breakers to handle his mail and that of his buddies. Perhaps that is why he never received the Christmas tree and gifts we sent him. (In all fairness he did receive a Red-Cross box and some of his gifts.)
>
> I am not bitter. I shall not allow myself ever to become bitter—bitterness and hatred only destroy the one who indulges in those practices. I have wept for my son; I have wept for his friends but last night, Senator Smith, I wept for my country.
>
> Please tell me is this type of thing common practice? Why is it allowed?
>
> There must be honest, clean, law abiding, black, yellow or white citizens in San Francisco much more worthy to serve their government than these selfish people who admittedly care only for their own immediate pleasure; who daily endanger the unborn, break our laws and live in filth.
>
> I believe in free speech, I believe in personal freedom, but when my speech or my expression of personal freedom infringes upon or takes away another's rights then I do not call it freedom. I expect the same treatment from my fellowman.
>
> I believe that the United States Government in condoning this type of behavior is asking for much more internal revolt than it has already experienced.
>
> It is time, Senator Smith, for us, the quiet people, the average citizen; the ones who bear a large share of the tax load, who have given our most cherished possessions—our sons—to speak out and to be heard. Nor is this last circumstance a necessary reason; it only underlines the necessity.
>
> Our personal tragedy is almost unendurable but this insult from the government he fought and died for is unforgiveable.
>
> No, my husband and I will do nothing drastic, we shall go on as before, paying our taxes, voting, participating in civic affairs, but we shall do much thinking, much questioning.
>
> Senator Smith, I weep for the many fine young men and women of our land and there are many. I weep for those who have gone but most of all I weep for my country. It is sick, very sick, I am afraid.
>
> Most respectfully,
> Dorothy M. Dickinson.

SECRETARY RUSK TO EXPLAIN TO EDITORS AND BROADCASTERS THE REASON FOR OUR EXCELLENT PROGRESS IN THE WORLD

Mr. HARTKE. Mr. President, my attention has been called to a program which the Department of State is offering to editors and broadcasters.

On April 15 and 16, 1968, the Department is hauling out its big wheels to give editors and broadcasters "for background only," the Department's views of why we are doing so well in the world. Secretary Rusk will address the conference, presumably impressing the assemblage with our recent victories in Vietnam. Then the Administrator of AID will explain how well goes the aid program. I presume Mr. Eugene Rostow, Under Secretary of State for Political Affairs, will jump into the fray as he did last week in New Hampshire, pointing out that the critics of our policies in Vietnam have not yet defined an alternative policy for Vietnam.

I have no objection to giving background to such editors and broadcasters as will attend the 2-day conference, complete with a 1½-hour reception. Indeed, I suspect these editors and broadcasters, being canny by trait, may get the idea that they are being given the treatment.

I would hope that some of them will find time to talk with critics of American policy because we now have a situation in which Government funds are being used in efforts to brainwash the press.

If the administration wished to be candid in presentations of this kind, it would surely invite some of the administration critics to share in these briefings.

I would be glad to suggest a more balanced program if it were desired by the editors, by the broadcasters, or even by the administration itself.

I ask unanimous consent to insert in the RECORD at this point the provisional program for the U.S. Department of State sponsored National Foreign Policy Conference for Editors and Broadcasters and an article by Bernard Gwertzman, of March 23, 1968, published in the Evening Star, entitled "Rusk Aide Jumps Into Fray, Challenges Vietnam Critics."

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF STATE NATIONAL FOREIGN POLICY CONFERENCE FOR EDITORS AND BROADCASTERS, APRIL 15–16, 1968

PROVISIONAL PROGRAM [1]

Conference registration will begin at 8:00 a.m. Monday, April 15, in the lobby of the West Auditorium, Twenty-third Street between C and D Streets, N.W. The conference will convene promptly at *9:00 a.m.* and you are urged to allow ample time for registration.

Secretary Rusk will address the conference. Among other senior Departmental officers expected to participate in plenary sessions are: William S. Gaud, Administrator, Agency for International Development; Eugene V. Rostow, Under Secretary of State for Political Affairs; Charles E. Bohlen, Deputy Under Secretary of State for Political Affairs; William P. Bundy, Assistant Secretary of State for East Asian and Pacific Affairs; Henry D. Owen, Chairman, Policy Planning Council; Sol M. Linowitz, U.S. Representative to the Organization of American States.

Other members of the Department will participate in concurrent panels from 2:00–4:00 p.m. Monday, April 15. Topics include: Middle East Problems; Africa; Mainland China; Treaty on Nonproliferation of Nuclear Weapons; The Operations Center of the Department of State.

Secretary Rusk's reception for conference guests will be held Monday evening, 5:30 to 7:00 p.m. on the eighth floor of the Department.

The luncheon intermission on Monday, April 15, is scheduled from 12:15 to 2:00 p.m. A half-day session will be held on Tuesday ending at about 12:00 noon.

Unless otherwise announced, all conference sessions will be on *background only.*

[From the Washington (D.C.) Star. Mar. 23, 1968]

RUSK AIDE JUMPS INTO FRAY, CHALLENGES VIETNAM CRITICS

(By Bernard Gwertzman)

Eugene V. Rostow, the No. 3 man in the State Department, says President Johnson's political opponents have failed to come up with a workable alternative to the administration's Vietnam policy.

In the most openly political speech made by a State Department official in years, Rostow said that during the election campaign "the American people will see through verbal formulas, or vague programs which pretend to be alternatives."

"The critics of the administration have not yet succeeded in defining an alternative to our policy in Vietnam," Rostow, undersecretary of state for political affairs, said last night in a speech before the Manchester, N.H., Chamber of Commerce.

After listing and downgrading proposals made by Sen. Robert F. Kennedy, D-N.Y., without mentioning Kennedy by name, Rostow said:

"The plain fact is that Hanoi is not ready to negotiate, save perhaps to preside at our ritual surrender. These are the facts which every American voter should consider very carefully in the months ahead."

The State Department, under Secretary of State Dean Rusk, in the past has shunned direct political involvement, perferring to stick to the issues wherever possible. Rusk went out of his way during the 1964 presidential campaign to avoid controversy, but did on occasion take slaps at what he called efforts by Barry Goldwater, the Republican presidential nominee, to change the direction of American foreign policy.

This year, with Vietnam a major issue, it is perhaps inevitable that department officials will be drawn into the fight, although as recently as last Tuesday, Robert J. McCloskey, the State Department spokesman, said:

"I would hope and expect that as a matter of policy throughout this year we would not be commenting on statements which are made during the political campaign."

Rostow, the older brother of Walt W. Rostow, the President's chief foreign policy assistant, said the coming election "is one of the most important in a generation."

He said it would be dominated by "two immense issues, each central to our history, and to our fate."

One, he said, is the challenge to make good promises of equality to the Negro and the other is foreign policy and, particularly, U.S. policy in Vietnam.

"The issue of foreign policy we are facing in the election, make no mistake about it, is not alone our policies in Vietnam, but whether we continue on the path we have followed since the war, or seek once more to retreat into the isolationism of the 19th Century, as we did in 1920."

Linking the "two dominant issues," Rostow said "we are involved today in Vietnam, as in our cities, because commitments we made, in quieter times, are being put to the test."

"We made a commitment to give our Negro citizens true equality—we cannot now give up on that commitment because its fulfillment is difficult, more difficult perhaps than many may have expected.

"We have made commitments to our friends in the world, first in Europe, then in Asia, to help them resist aggression.

"I propose to you that we cannot now give up those commitments—made with open eyes and with the support of both political parties, representing an overwhelming majority of our people—because they too are more difficult than we may have hoped they would be," Rostow said.

In the section which discussed, indirectly, Kennedy's proposals, Rostow said, "Save for the few who frankly advocate surrender, and others who would support a major expansion of our military effort, it is impossible on analysis to discover in what respects policy of firmness and restraint."

TAX ADJUSTMENT ACT OF 1968

The Senate resumed the consideration of the bill (H.R. 15414) to continue the existing excise tax rates on communication services and on automobiles, and to apply more generally the provisions relating to payments of estimated tax by corporations.

Mr. HARTKE. Mr. President, I should like to have the attention of the manager of the bill, the chairman of the Committee on Finance, for just a moment.

A number of quota measures are pending before the Senate. One concerns the quotas on steel and was introduced by myself and the principal cosponsor, the Senator from Illinois [Mr. DIRKSEN] and 40-some other U.S. Senators.

I have discussed this matter with the minority leader and it is his opinion that the better part of procedure would be to have a measure of this kind pass through orderly hearings in the Finance Committee.

I agree with that procedure and think it should be followed. I wonder if I may have the assurance of the chairman of the Committee on Finance that, within a reasonable length of time, hearings could be held on the steel quota measure and such appropriate action be taken as the Committee on Finance deems appropriate at that time.

Mr. LONG of Louisiana. Mr. President, I am sure that the minority leader has made a statement similar to that made by the Senator from Indiana. While I have not seen the statements, I would agree that we should hold hearings on these proposals to limit certain imports into our country, particularly imports which compete with products made by domestic industries such as steel that are being severely injured as a result. I am personally very much interested in the problems raised by imports of petroleum products.

I assure the Senator that we will conduct hearings on the question of limiting imports during this session of Congress, and I hope in time that the committee's judgment can be offered to the Senate in the form of amendments to appropriate legislation originating in the House. As the Senator knows, such legislation would have to be offered as an amendment to a House-passed bill.

Mr. HARTKE. I understand that. I thank the chairman of the Finance Committee. And, with that assurance, it is not my intention to call up the steel quota measure unless other quota measures are adopted and in that event, I might change my position.

Mr. LONG of Louisiana. I assure the Senator that his chances of prevailing with his amendment will be better if he proceeds in the fashion he has just mentioned.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. HARTKE. I yield.

Mr. JAVITS. Mr. President, I am against the Senator's amendment, as I was against the Hollings amendment.

I say to my colleagues and to my friend, the Senator from Indiana, as well, that I am very pleased he has made the decision he has. I think the incalculable effects upon the country, even if the amendment is agreed to, would be so much less if it were agreed to after at least the considered judgment of a Senate committee and after debate instead of being agreed to in such an atmosphere, with the matter being brought up on yesterday and agreed to in an hour's time, even though it would be invoked everywhere in the world as if it represented a departure from U.S. policy by the U.S. Senate and as if it had exactly the same consideration which the Senator so thoughtfully wishes his amendment to receive.

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[1] The program is tentative and subject to change. A final program will be issued at the time of the conference.

So I say, as the Senator knows, I am against it, but I am pleased that he sees the value to the country of doing what he is doing.

Mr. HARTKE. I thank the Senator from New York.

Mr. LONG of Louisiana. Mr. President, I hope that we might get on with this bill because the law which sets the existing excise tax rates on automobiles and telephone service expires at the end of this week and the bill still has to be discussed in conference. I have discussed this matter with some of the leaders on the other side of the aisle and some of those on this side of the aisle. I hope that we may obtain a limitation on debate, at least with respect to amendments offered to the Williams-Smathers substitute, reserving the right, of course, to Senators to offer any amendments they wish and to speak for any length of time they wish with regard to amendments offered to the bill itself. I believe it would help if we could have an agreement.

So, Mr. President, I ask unanimous consent that, with the exception of an amendment to be offered by the Senator from New York [Mr. JAVITS], which will require 2 hours, that debate on all amendments to the Williams-Smathers substitute be limited to 1 hour, the time to be equally divided between the sponsor of the amendment and the manager of the bill.

Mr. JAVITS. Mr. President, reserving the right to object—and I hope I will not have to object—I should like to ask the Senator a question, which he really should explain.

In the event that there is no limitation upon the Williams-Smathers amendment, why should we accept limitations? Limitations are always prejudicial to the movant, and they are only justified if they serve the purposes of the country in accelerating action. I wish to do that.

I believe the Senator is correct. This matter should be ended tomorrow night at the latest. But if there is no limitation on the Williams-Smathers substitute, this matter can go on for 3 weeks. Why should we accept limitations when they do not?

Mr. LONG of Louisiana. Mr. President, some Senators who favor the Williams-Smathers substitute might desire to offer amendments that would include some part of the Williams-Smathers substitute in the event that that substitute should fail. They might wish to offer such amendments to the bill. In view of that, they would feel that their rights had been prejudiced if they did not reserve the right to offer some amendments that they might wish to offer if the Williams-Smathers substitute is not agreed to.

Mr. JAVITS. That does not answer my question. I still reserve the right to object.

I know that if there is a failure of the Williams-Smathers substitute, then any amendments can be offered to the bill, and there are no limitations on time. I do not understand why the Senator wishes to limit all amendments to the substitute but does not wish to limit time on the substitute. This puzzles me. How are we accelerating anything if time on the substitute is not limited?

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. WILLIAMS of Delaware. It was my understanding that the limitation was to apply to any amendments offered to the substitute, and that after the amendments were completed, there would be a similar time limit on the substitute itself, with a half hour to each side.

Mr. JAVITS. Let us have that package. That makes sense.

Mr. WILLIAMS of Delaware. And then, in the event that the substitute was agreed to, that would be all; but if the substitute was not agreed to, the bill would be open to further amendment.

Mr. LONG of Louisiana. Mr. President, I will amend the request to provide that there then be 4 hours on the substitute, to be equally divided, half the time to be controlled by the Senator from Delaware and half to be controlled by the manager of the bill.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. RANDOLPH. Mr. President, reserving the right to object, I have attempted to hear the discussion. It has been somewhat difficult, and I am not critical, but with movement in the Senate, we do not always hear.

It is my intention to offer an amendment to delete section 23, which is the Williams-Smathers proposal as it affects the broad spectrum of public works projects. I should like to know exactly what the Senator has in mind.

Mr. LONG of Louisiana. Mr. President, I assure the Senator that if I am present during the time the matter is under consideration, we will not permit his rights to be prejudiced in any respect. We will maintain a parliamentary situation in which he can offer his amendments.

Mr. WILLIAMS of Delaware. Mr. President, I join the chairman of the committee in giving that assurance to the Senator from West Virginia, even though I shall oppose the amendment. I shall see that the Senator from West Virginia has an opportunity to offer it before third reading.

The ACTING PRESIDENT pro tempore. The Senate will be in order.

Mr. PROXMIRE. Mr. President, reserving the right to object, I ask the manager of the bill whether it is possible to permit me to have a half hour to speak in opposition to the Williams-Smathers substitute.

Mr. LONG of Louisiana. I had that in mind when I made the request for 2 hours.

Mr. JAVITS. Mr. President, reserving the right to object, I understand that it is the disposition of the manager of the bill that if amendments to the substitute are adopted which are relevant to the bill, and if the substitute is rejected, he will then accept the amendments to the bill?

Mr. LONG of Louisiana. Yes.

The ACTING PRESIDENT pro tempore. May the Chair understand the unanimous-consent agreement.

The Senator from Louisiana has propounded a unanimous-consent agreement, as modified, and as further modified by the Senator from Wisconsin, and as further modified by the Senator from New York. Is there objection? The Chair hears none, and it is so ordered.

UNANIMOUS-CONSENT AGREEMENT

The unanimous-consent agreement, as subsequently reduced to writing, is as follows:

Ordered, That, during the further consideration of the bill (H.R. 15414) to continue the existing excise tax rates on communication services and on automobiles, and to apply more generally the provisions relating to payments of estimated tax by corporations, debate on any amendment (except one amendment by the Senator from New York [Mr. JAVITS], which shall be limited to two hours), to the substitute amendment (No. 662), motion, or appeal, except a motion to lay on the table, shall be limited to one hour, to be equally divided and controlled by the mover of any such amendment or motion and the manager of the bill or a Senator designated by him:

Ordered further, That debate on the substitute amendment shall be limited to four hours, to be equally divided and controlled by the Senator from Louisiana [Mr. LONG] and the Senator from Delaware [Mr. WILLIAMS].

Mr. MAGNUSON. Mr. President, I submit an amendment to the Williams-Smathers substitute, and I ask that it lie on the table. I will write it out. It is as follows:

On page 4, line 12, after the word "highways" and before the parenthesis mark, add "forest road and trail funds."

The ACTING PRESIDENT pro tempore. The amendment of the Senator from Washington will be received and printed, and will lie on the table.

Mr. MAGNUSON. I will bring it up at the time of the discussion of the amendment of the Senator from Virginia or others.

The Senator from Delaware is of the opinion that this would be included, anyway. But I wish to be sure, and I hope he will accept it, because someone might interpret the measure to cut the forest road and trail funds. In the 1969 budget we have suggested only $22 million for the entire country. But it is necessary to bring into the Treasury the Federal timber receipts which amount to almost $200 million. If this is not included in the Williams-Smathers substitute, by interpretation—the Senator did not intend to affect this section—we might be defeating our own purpose, because we would not be able to get that timber out with the Government sales. It is estimated that next year it will amount to $200 million.

Mr. RIBICOFF. Mr. President, on behalf of myself and Senators DODD, CLARK, KUCHEL, MURPHY, NELSON, PROXMIRE, PERCY, RANDOLPH, and WILLIAMS of New Jersey, I offer an amendment to the pending substitute amendment of the Senator from Delaware.

The ACTING PRESIDENT pro tempore. The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. RIBICOFF. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered; and, without objection, the amendment will be printed in the RECORD.

The amendment is as follows:

At the end of the amendment insert the following:

"SEC. 14. INDUSTRIAL DEVELOPMENT BONDS

"(a) Section 103 of the Internal Revenue Code of 1954 (relating to interest on certain governmental obligations) is amended by relettering subsection (c) as subsection (d) and by inserting after subsection (b) the following new subsection:

" '(c) INDUSTRIAL DEVELOPMENT BONDS.—

" '(1) SUBSECTION (a)(1) NOT TO APPLY.—Any industrial development bond (as defined in paragraph (2)) issued after August 1, 1968, shall not be considered an obligation described in subsection (a)(1).

" '(2) INDUSTRIAL DEVELOPMENT BONDS DEFINED.—

" '(A) IN GENERAL.—For purposes of this subsection, the term "industrial development bond" means an obligation the payment of the principal or interest on which is—

" '(i) secured in whole or in part by a lien, mortgage, pledge, or other security interest in property of a character subject to the allowance for depreciation, or

" '(ii) secured in whole or in part by an interest in (or to be derived primarily from) payments to be made in respect of money or property of a character subject to the allowance for depreciation

which is or will be used, under a lease, sale or loan arrangement, for industrial or commercial purposes.

" '(B) EXCEPTIONS.—For purposes of subparagraph (A), property shall not be treated as used for industrial or commercial purposes if it is used—

" '(i) to provide entertainment (including sporting events) or recreational facilities for the general public;

" '(ii) to provide facilities for the holding of a convention, trade show, or similar event;

" '(iii) as an airport, flight training facilities, dock, wharf, grain storage facility, parking facility, or similar transportation facility;

" '(iv) in the furnishing or sale of electric energy, gas, water, sewage or solid waste disposal services or air or water pollution abatement facilities; or

" '(v) in an active trade or business owned and operated by any organization described in subsection (a)(1).'

"(b) The amendment made by subsection (a) shall apply with respect to taxable years ending after August 1, 1968."

Mr. RIBICOFF. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. RIBICOFF. I yield.

Mr. LONG of Louisiana. Mr. President, I have discussed this amendment with the Senators who wish to speak for and against it. I believe they would be agreeable that we further limit debate on this amendment to one-half hour, 15 minutes under the control of the Senator from Connecticut.

Mr. MONRONEY. Mr. President, reserving the right to object, I thought we had agreed on 30 minutes to each side.

Mr. LONG of Louisiana. I withdraw that request, Mr. President.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut is recognized. How much time does the Senator yield to himself?

Mr. RIBICOFF. Mr. President, I yield myself 5 minutes.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut is recognized for 5 minutes.

Mr. RIBICOFF. Mr. President, I agree completely with the sentiments expressed by the National Association of Counties which stated that if we permit the unchecked issuance of industrial development bonds, our action would have to be labeled as "irresponsible." The National Association of Counties pointed out that the use of these bonds "poses a disastrous threat to the entire State and local government bond market" and "the question as to whether this crisis should be handled by the administrative or legislative route should not be allowed to avoid the fact that corrective action must be taken now."

There is a great deal of confusion and misunderstanding surrounding the nature of industrial development bonds: what they are, what they do, and why they are used. When we are dealing with matters of this gravity, I think it is essential that we correct the record so that no one will be misled into thinking that industrial development bonds are somehow a boon to his State; that they somehow encourage industry to locate where it would not otherwise locate, or encourage industry to create new plants and jobs that would not otherwise have been created. None of these arguments is true. It is vital that the fallacy underlying the use of these bonds be clearly understood—that the adverse effects that these bonds have on all State and local governments, large and small, rural and urban, be taken into consideration.

Industrial development bonds are really debt obligations of private corporations. In most cases, they are issued entirely on the credit of the private corporation. That credit standing of the issuing community is not the slightest bit involved in the ability of the corporation to secure a lower interest rate for their corporate bonds. In truth, industrial development bonds are nothing but a device or gimmick for allowing industrial corporations to claim the benefit of the lower interest rate attributable to the Federal tax exemption of interest on State and local government obligations.

The perpetuation and growing use of this device places our small towns, our rural communities, and our underdeveloped areas, into direct competition for funds with United States Steel, Goodyear, Firestone, Litton Industries, and other corporate giants. The growing volume of corporate tax exempt bonds floated by our major corporations directly threatens the ability of these towns, of these counties, and of all our States throughout the country to borrow at reasonable rates to finance their needed governmental facilities.

The tax exemption of State and local government bonds was originally intended to help our State and local governments meet these needs at the lowest possible cost. The Federal tax exemption was not intended to permit United States Steel, Armco Steel, and other major corporations to gain tax advantages at the expense of other taxpayers. It was not intended to permit such private corporations to drain investment funds away from schools, hospitals, roads, and other public facilities. In short, it was not intended as a method of permitting corporations to finance corporate facilities on a tax-exempt basis.

In view of the disastrous effects that the billions of dollars worth of corporate tax exempt bonds have had on the municipal bond market, one may properly question why State and local governments have found it appropriate to authorize this practice. The answer is simple. It started as a method of attracting industry. Other States adopted the practice in self-defense. Today more than 40 States authorize such bonds. As a consequence, in today's world having authority to issue industrial development bonds does not help to attract industry to any particular State. Corporate executives know that almost anywhere they desire to locate in the country they can demand, as a matter of right, the aid of a local government in obtaining tax-exempt financing. The question today is not one of attracting industry. Instead, it is one of losing industry because a State does not authorize a gimmick available in a neighboring State. When all 50 States have authorized this practice there will not be the slightest scintilla of advantage to be gained by one State over another State. But even then, the practice will not be stopped. Not using the bonds will always place a State at a disadvantage vis a vis a neighbor who does use them. It is for this reason that even though responsible State and local government leaders recognize that the use of these bonds represents a self-perpetuating evil, at the same time, those leaders recognize that the States themselves cannot deal with this problem on an individual basis.

It has also been incorrectly suggested that the use of industrial development bonds is somehow responsible for creating jobs and creating new industry that would not otherwise have existed. Nothing could be further from the truth.

A corporation does not decide to expand because a financing gimmick is available. A corporation expands because there is a market for its products and because it considers expansion feasible. Only then does the question of whether to use a financing gimmick arise. There is absolutely no evidence to support the proposition that these corporations would not have expanded, that new facilities would not have been built and that new jobs would not have been created because our major corporations are unable to save a point and a half in interest on their borrowings for plant expansion. This proposition is simply untrue.

The PRESIDING OFFICER (Mr. BAYH in the chair). The time of the Senator has expired.

Mr. RIBICOFF. Mr. President, I ask unanimous consent that I may proceed for 5 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RIBICOFF. Mr. President, many corporate executives frankly admit that they do not like industrial development financing. They consider it an unethical practice. However, they will also point out that as long as this practice is available they owe it to their shareholders to use it. What this means is that plants would be built and jobs would be created irrespective of whether industrial development bond financing is available or not. However, it also means that we will soon see most corporate bonds issued on a tax-exempt basis.

This is not theory; it is fact. A fact that is fully substantiated by the evidence. Over $500 million of these bonds were issued in 1966. Over $1.4 billion new issues were sold in 1967. At the end of last month over $2 billion issues were being prepared for sale. On March 14 alone over $200 million of these bonds were issued.

The issue is clearly not one of new jobs. If it were I do not think we would find the AFL-CIO strongly objecting to the continued use of industrial development bond financing. It is not a question of rural versus urban areas, or underdeveloped communities versus highly developed or industrialized communities. If such were the case we would not find the National Association of Counties going on record as declaring that Congress would be "irresponsible" if it permitted the unchecked continuation of these bonds. Similarly, I feel certain that if either jobs or underdeveloped areas were really at issue the clear majority of the members of the Advisory Commission on Intergovernmental Relations—a group representing a broad cross-section of State, local and Federal officials—would not be demanding action to end this practice.

What is at issue is a practice which historically—when it was used by only a handful of States—may have had some influence on plant locations. Today this practice has become so widespread that it has little influence on where a plant is located and no influence on whether plant expansion will take place and new jobs will be created. This practice has generated a self-perpetuating situation that threatens to undermine the tax-exempt bond market and impair the ability of all States, both rich and poor, both industrialized and non-industrialized to finance their local governmental needs. The continuation of these bonds is a gross waste of both Federal and State resources. It will necessarily lead to higher local taxes in order to generate revenue to pay the higher interest costs on State and local government bonds issued for schools, roads, hospitals, and other governmental purposes. It will also lead to higher Federal taxes to replace the Federal revenue lost.

Yesterday's vote said that the Congress, not Treasury, should act. Today I propose that we take that action. Anyone who takes the trouble to examine the true factual situation dispassionately must come to the conclusion that the use of these bonds represents an unwarranted distortion of the tax-exempt borrowing power accorded our States and local governments. Continuation of these bonds will not help needy States. It will work against the best interests of all States and all local governments. To this end I propose that the present bill be amended to add a new section to provide that, industrial developments bonds issued after August 1, shall be taxed in the same manner as all other corporate bonds.

Mr. GORE. Mr. President, will the Senator yield?

Mr. RIBICOFF. I am pleased to yield to the distinguished Senator from Tennessee.

Mr. GORE. Mr. President, the Senator has made a very able argument. I wonder if the Senator would address his attention to one additional untoward feature, and that is a great increase in the possibility of rich taxpayers having large incomes without tax liability.

Mr. RIBICOFF. I think the Senator is absolutely correct. That is what is happening. Today the exemption does not benefit a community; it benefits some of our largest corporate giants and taxpayers. They are using this exemption to build new plants which are operated in competition with those taxpayers who do not have the advantage, and as a consequence, they are receiving a tax boon.

Mr. GORE. Does not the provision afford individuals with the financial resources the opportunity to invest in securities really backed by the largest corporations in the country and yet receive complete tax exemption on the income derived therefrom?

Mr. RIBICOFF. The Senator is correct.

When one realizes the fantastic growth—$1.3 billion of these bonds were sold in 1967 and $2 billion were being prepared—it is apparent this is what is happening.

I have before me an advertisement which was published in the Washington Post recently. The headline is "Tax Free Income: 5.50 Percent." The advertisement reads in part:

> We're always glad to come to the aid of investors who find their tax bite too sharp for comfort. We suggest your consideration of the advantages of Tax-Exempt Municipal Bonds.
>
> We offer, subject to prior sale, Tax-Exempt Revenue Bonds secured by a major American corporation. The bonds are rated Baa by Moody, and have a 5.70% coupon, priced to yield approximately 5.50% *tax-free income.*

Mr. GORE. Mr. President, will the Senator yield further?

Mr. RIBICOFF. I yield.

Mr. GORE. Every person who works and draws a little wage on Friday afternoon must pay his share of the taxes. I hear speeches in this Chamber about the need for tax reform, and about the need for equity in carrying the burden of the Government. Yet Senators rise in this Chamber and in the name of the little people they support a measure which makes it possible for many people with incomes of a million dollars a year to pay no taxes at all.

Mr. RIBICOFF. There is no Senator who is better advised of the situation than the distinguished Senator from Tennessee, whose knowledge on the subject is second to none.

Mr. MONRONEY. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. MONRONEY. Mr. President, I would be a little more inclined to vote for the measure if I did not read about the giant stadiums, recreation facilities, trade shows, fairs, conventions, travel and similar transportation facilities, electric energy, gas, water, and sewer facilities, bonds for all of which are issued on a tax-exempt basis as far as Federal funds are concerned.

What is being stricken from the bill is not what the proponents of the measure say. There is being stricken a chance for small States and small communities, by a vote of the people, to issue revenue bonds. These revenue bonds do aid the municipality and the city and they sell at a lower interest rate than if they were taxable by the Federal Government.

However, the intelligent communities then, in building these structures, are able to secure an economic advantage. They gain a little bit perhaps, in that they are public bonds, by being able to borrow at two or three points cheaper than if the bonds were taxable.

Nobody is giving anything away to the giant corporation, any more than anything is given to the Washington Redskins if you build a stadium. That is a nice, private little organization that makes hundreds of thousands of dollars.

Mr. GORE. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. GORE. Mr. President, I respectfully challenge the Senator's statement.

The practice does give tax exemption for the benefit of many of the largest corporations in the country.

Mr. MONRONEY. It does not give tax exemptions to the kind of bonds we are talking about here, and that would be denied also by the Treasury Department. I spent a great deal of time discussing the matter with officials of the Treasury Department.

These are exemptions on local bonds issued by governmental bodies. This tax exemption flows to them and gives them the lower rate of interest and, therefore, they can rent to American Airlines a little bit cheaper than if they had to pay the tax on it. They can bargain with a small manufacturer to come in on the basis that they will build a plant and charge them an economic rent based on their cost. This does help to get industry into the Senator's home State of Tennessee and would help to get other industries into other States which are having a hard time.

Mr. GORE. Mr. President, will the Senator from Oklahoma yield?

Mr. MONRONEY. I yield.

Mr. GORE. There may have been a time when a few States indulging in this practice had an advantage, but now that the practice has spread to 42 States and is indulged in by corporations as large as United States Steel, there is no longer an advantage. It is now a tax loophole.

Mr. MONRONEY. I will say to the distinguished Senator that we would have had no chance in Oklahoma. He would have had no chance in Tennessee, perhaps, in some of his counties, at least, ever to attract an industry unless he had this revenue bond law in practice to have the bonds offered at a lower rate of interest than they otherwise would be. All States, even small States like Tennessee and Oklahoma, do have an equal opportunity to offer which we have not had before. The insurance companies in Connecticut are never interested in building factories or plants in Oklahoma. They are not interested in building housing out there. They are not interested in doing anything like that. Even the new types of housing that we are trying to encourage by private investment for low-income housing cannot be financed under this bill unless it is publicly operated—I repeat, publicly operated. This drives the housing program into public housing when all the sociologists I know of are trying to put it in the field of private housing. But we cannot possibly do it because the bill will prevent it.

The bill proposes to build a hangar on a fine airport to lease to Delta Airlines, say; but what are we going to do? Sell a piece of that airport to a factory that wants housing, to overhaul its plant and create employment? What are we going to do when we have a municipal facility that is of service to all the people, such as an airport? We cannot build a plant for them, or design it for them, because the municipality owns the land. They must issue the bonds, which are federally tax exempt, but there is nothing to exempt American Airlines, Braniff, or any others. There is nothing in a fine airport to permit here the issuing of revenue bonds for the building of an air terminal. This includes only the airport.

Mr. GORE. Mr. President, will the Senator from Oklahoma yield?

Mr. MONRONEY. I yield.

Mr. GORE. The Senator has asked two very good questions that deserve an answer. With respect to the advantage that his State or mine, or any other, might have had, the answer is that it is past, because now 42 States are practicing this tax gimmick, and if it remains the law I daresay that 50 States will soon be so doing. So we are all, then, even. It provides no advantage. It is available to all.

Now, second, the Senator asked——

Mr. MONRONEY. Mr. President, will the Senator from Tennessee yield at that point? Will the Senator let me respond to his first answer? I am very short of time for this colloquy. Or would the Senator from Connecticut [Mr. RIBICOFF] yield some time to the Senator from Tennessee?

Mr. RIBICOFF. Mr. President, I yield as much time to the Senator from Tennessee [Mr. GORE] as he may need.

The PRESIDING OFFICER. The Senator from Tennessee may proceed.

Mr. GORE. The Senator asks what I would do about Delta Airlines wanting to build a hangar, or American Airlines wanting to build an office building. I would let Delta and American build the hangar and the office building. I would not transfer to them the tax exemption that we provide to the counties and the towns which need that avenue of revenue in order to be able to build schools, hospitals, and other public facilities. What we are doing here is setting up the big private corporation with a tax exemption for its facilities, in competition with the small as well as the large community needs in our counties and States.

Mr. MONRONEY. Mr. President, on my time now—[laughter]—the Senator well knows that it is pretty hard to split up an airport and let a skyscraper be built——

The PRESIDING OFFICER. The time of the Senator from Oklahoma has expired.

Mr. MONRONEY. Mr. President, I yield myself 2 additional minutes.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized for 2 additional minutes.

Mr. MONRONEY (continuing). To be built on the airport or take half of an air terminal building or an aircargo building. That is only one of the many examples. But when we are worrying about tax exemptions, the bonds the Senator is talking about and the bonds the Senator from Connecticut is talking about for privately built, magnificent structures are generally built by those nice, beneficial trusts which enjoy complete tax exemption.

Now I shall be a little bit more serious about considering any possible tax favoritism to municipalities when the Finance Committee gets around to closing some of these great loopholes in the largest and richest families in this Nation which are buying up the bonds of United States Steel for their plants, because that is tax exempt, as the Senator well knows. Small States are not asking for special privilege. We are asking for equality. We do not believe we should be building up ghettos in the North continuously, which the good Senator from Connecticut has said would cost a trillion dollars to correct, and not have a chance to stop decentralization, to some extent, by offering an opportunity for industry to diversify into some of the smaller communities. We will be on an equal status if we have an opportunity to finance development by people voting the tax and the bonds on themselves. We will take our chance with the quality of our labor any time, any place, anywhere, to meet you in Connecticut, to meet you in New York, to meet you in California on these things. But we do expect an equal opportunity. You are trying to give a death sentence to this without even having a trial. We have not had it before the committee. The bill has been around all year. There have been no hearings yet to support the Treasury which by its own admission said that it did not know what it was talking about when it issued the regulations in the first place.

Mr. President, I reserve the remainder of my time.

Now, Mr. President, I am happy to yield to my distinguished colleague [Mr. HARRIS].

Mr. HARRIS. Mr. President, as I pointed out Tuesday during debate here, the amendment to continue the tax-exempt method of industrial bond financing is an issue here as it was in the Finance committee, of which I am a member, where we previously considered the matter, is not just a question of whether tax exempt bonds for these purposes are good or bad, although I personally feel that they have definitely made their contribution to our economy and to the economy of States such as Oklahoma. But, as has been pointed out today, and earlier by my distinguished colleague from Oklahoma [Mr. MONRONEY], also involved is whether the executive branch alone should be allowed to change what has been a long-standing rule without action by the legislative branch.

I feel that the discontinuance of the present practice of allowing tax exemptions on interest received on industrial bonds in certain cases should come only after due consideration by the appropriate congressional committees—the House Committee on Ways and Means and the Senate Committee on Finance—after formal hearings and deliberate action by Congress.

I cannot say whether financing by industrial tax-free bonds has been abused, as has been said, but I do not think anybody else can say exactly the kind of cases in which that has been so, or how the law should be changed.

Furthermore, if this widely used method of industrial development financing, particularly in areas where so many poor people live, is to be abandoned, it ought only to be abandoned after the appropriate committees of Congress have had an opportunity to examine into alternatives, such as the one now pending before the Committee on Finance for tax incentives for the recruitment, training, and employment of poor people by private industries, and tax incentives for the location and expansion of job-creating industries where poor people are located.

If that is to be done, it ought to be done in a more orderly way, through hearings held by the appropriate committees to consider the present practice and any abuses which have occurred, to consider alternatives, and to afford an opportunity to explain the good uses to which the present law has been put. I hope the pending amendment to alter the committee position, which would prohibit removal of the tax-exempt status of these bonds without legislative approval, will not be agreed to.

Mr. MURPHY. Mr. President, I am pleased to speak as a coauthor of the amendment. I have listened to the arguments in opposition to it today and I think that sometimes, in the emotional state into which we sometimes move when looking after the individual interests of our States, we lose sight of the overall national picture.

The use of "municipal industrial financing" and "tax-free corporate financing" has increased rapidly in recent years. We are told that their use has increased "a hundredfold since the early 1950's, when the annual totals of these offerings rarely exceeded $10 million, to an estimated $1 billion in 1967."

Furthermore, some persons predict that the total annual volume may reach several billion dollars in the next few years.

The growing use of tax-free bonds to finance the construction of industrial facilities for occupancy by private corporations is further evidenced by comparing the percentage of municipal industrial bonds with the total legitimate local public purpose tax-exempt bonds.

In 1963, for example, municipal industrial bonds amounted to 1 percent of total local and State government tax-exempt financing; by 1966, the percentage of these issues had risen to 5 percent; and in a 1-month period in late 1967, these issues reached an alarming 13 percent.

As has been stated here, whereas it was taken advantage of by only a few States in the beginning, it is now spreading to nearly all of the 50 States, so that any advantage at the outset is now no longer an advantage. All that will happen eventually is that all of this type of financing will be on a tax-free basis. Everybody will take advantage of it. I am surprised that the great State of Oklahoma, with all its gas and oil resources, would need such tax gimmicks to attract people to build airports there. I have been at the magnificent airports in Oklahoma. I have traveled in that State. I do not think for a minute that Oklahoma will suffer in the slightest by any change hopefully made here today.

Government officials—State, county, and city—State and local chambers of commerce, bankers, and concerned taxpayers of the State of California have without exception expressed to me their opposition to what they properly regard as a tax abuse. Why is there such strong opposition, Mr. President, to the use of these tax-exempt municipal industrial bonds?

Tax-free municipal industrial bonds are costing the people of California millions of dollars in interest on the legitimate truly public purpose bonds, such as schools, roads, water, and sewer. For example, the State of California and its subdivisions last year issued $3.3 billion in bonds with an average life of 15 or 20 years to finance legitimate governmental functions. Financial experts have estimated that the interest rate on these bonds was between one-fourth and one-half of 1 percent higher than it would have been if these legitimate governmental issues had not had to compete for buyers in the same market as tax-exempt industrial bonds. Thus, it has been estimated that the mere existence of industrial development bonds on the market last year cost the taxpayer of California between $124 million and $248 million in extra taxes in order to make sure that legitimate municipal bonds, such as for water, sewage, schools, were competitive at the marketplace.

This, Mr. President, is the amount of additional interest that the State and local governments of California will have to pay over the average life of the legitimate bonds that were issued in 1967.

These bonds, which were developed in 1936 as a means to attract industry to rural areas of low income, have spread so that the number of states authorizing their issuance has increased from thirteen in 1960 to 35 in 1966, and is now 40.

Thus, Mr. President, whatever reason existed initially for allowing municipal industrial bonds a tax-exempt status no longer exists, for as one can see, if the trend continues, nearly all the states will be authorizing the use of these tax-exempt bonds.

Therefore, when the reason for the "tax-exempt status" no longer exists and when the use of tax-exempt municipal bonds threatens to impair the tax-exempt status of legitimate public purpose municipal bonds, the exemption should be eliminated.

I am pleased to be a cosponsor with my distinguished colleague the Senator from Connecticut. The adoption of this amendment will correct a tax abuse and save the American taxpayers an estimated $50 million. I urge its adoption.

I ask unanimous consent to have printed in the RECORD a news release from the California State Chamber of Commerce, dated February 1, 1968, and an editorial from the New York Times of March 8, 1968, entitled "No Business for Cities."

There being no objection, the news release and editorial were ordered to be printed in the RECORD, as follows:

[From the California State Chamber of Commerce, Feb. 1, 1968]

STATE CHAMBER REAFFIRMS OPPOSITION TO TAX EXEMPT INDUSTRIAL BONDS

The California State Chamber of Commerce today (Thursday) reaffirmed its opposition to tax exempt industrial bonds used to finance factories for companies and commended the U.S. Treasury Department's decision to support pending legislation opposing such bond use.

The Chamber also was critical of the so-called municipal arbitrage bonds whereby state and local governments can profit by selling such bonds then reinvesting the proceeds in federal bonds and other securities with higher interest yields.

"Abuses of the tax exempt municipal bonds and the continuing widespread use of them in 41 states not only deprives the federal government tax revenues but can pose a serious threat to the legitimate tax exempt bond market," said Ernest J. Loebbecke, Chamber vice president and chairman of its Statewide Economic Development Committee.

He pointed out that since 1951 when approximately $7 million in tax exempt industrial bonds were sold, sales have skyrocketed to $1,319,597,000 in 1967, and is still growing.

"Whatever justification may have existed in the early 1950's for use of such bonds in economically depressed areas does not apply today," Loebbecke said. "The competitive advantages have been largely nullified by the widespread resort to such industry inducement practices. If their use continues to multiply it could create a costly competitive situation among states and communities vieing to see which could offer the largest inducements. In the long run all could be hurt," Loebbecke declared.

The Chamber's position will be communicated to the California legislative delegation, to Secretary of the Treasury Henry H. Fowler, and Representative John W. Byrnes of Wisconsin, ranking Republican of the Ways and Means Committee who heads a bi-partisan group seeking to remove the tax exempt privileges for municipal bonds used to finance private industrial construction.

[From the New York (N.Y.) Wall Street Journal, Mar. 8, 1968]

NO BUSINESS FOR CITIES

Since Congress seems reluctant to end the tax-exempt status of industrial revenue bonds, the Treasury intends to try to achieve the same end through administrative action. In the circumstances, that may be a good idea.

For a long time communities have been trying to attract new industry by offering various financial incentives, and in recent years an increasingly popular device has been the industrial-revenue bond. Municipalities sold more than $1 billion of such securities last year, up from only $70 million in 1960.

Money raised with the securities is used to build factories for incoming companies, whose rental payments then go to pay off the bonds. The companies like the idea because the cities can raise the construction funds more cheaply than the firms could if they had to market their own securities.

The prime reason for the lower financing costs, of course, is that income from municipal bonds is exempt from Federal tax; the securities thus are especially attractive to well-to-do investors. The Treasury is not alone in questioning whether this setup is desirable.

AFL–CIO officials charge that the system is a "vicious" way of moving jobs from one place to another. Many municipal-securities firms are fearful that the swift expansion of industrial-revenue financing will make it more difficult for communities to find takers for bonds used to build schools, roads and other more traditional facilities. Criticism of the factory-building schemes, in fact, could eventually lead to elimination of the tax-exempt privilege for all municipal securities.

The best way out would be for the cities themselves to refrain; surely none of them wants to destroy the market for their conventional securities. Aside from that, industrial real estate is a field in which few municipalities can claim expertise, and the losses in future years could be considerable. Companies attracted only, or even mainly, by low rental costs aren't always the soundest providers of long-term jobs, since some may be only too eager to move on if another community makes a better offer.

Naturally enough, the Treasury objects chiefly to the loss of Federal revenue. Its officials argue, and we think persuasively, that the revenue bonds—now authorized in 41 states—are in reality obligations of the business firms involved because their rentals pay off the securities. The Treasury has been pushing for Congressional action, but the lawmakers so far have been unwilling to offend local officials enamored of the practice.

For the good of everyone concerned, the practice should be eliminated. If the cities or Congressmen don't see it that way soon, the Treasury is both right and reasonable to move on its own.

Mr. MONRONEY. Mr. President, I yield such time as he may require to the distinguished Senator from Wyoming [Mr. HANSEN].

Mr. HANSEN. Mr. President, I rise in opposition to this amendment. I would like to point out that the State of Wyoming, since 1960, has not gained in population; it has lost in population. The sale of industrial tax-exempt bonds is before our people. They are interested in the continuance of the tax-exempt status for industrial bonds. If they are able to have this tax-exempt status continued, they will be able better to sell the bonds and they will be able to hold some of the people who have been leaving Wyoming, along with other rural-oriented States, and thereby stop adding to the problems of the cities.

I think I know something about the problems of small municipalities and counties that are faced with failure to hold people. It comes about because we do not have much business going on there. There are not enough jobs to employ all of our young workers. We have many natural resources in Wyoming, and we propose to develop them. New businesses made possible through the sale of this type of bond will create jobs; workers now leaving Wyoming will be able to find work in the State.

It has been estimated by the investment bankers of America that the total impact, cost-wise, which the tax-exempt status on industrial development bonds has had on the municipal bond market generally has been an increase in the rate of perhaps between one-fourth and one-half percent. But let us think for a moment about how we pay these bonds off. Do we pay them off with a tax on real estate or on jobs? The only way they can be paid off is by putting people to work, by creating payrolls, by creating jobs. This is precisely why the State of Wyoming is deeply concerned.

I happen to come from a county which is 97-percent federally owned. The only way we can pay taxes is by putting our people to work. If these bonds become taxable and we do not sell them, and the new plants are not built, we will continue to add to the problems of the cities by being unable to generate the type of industries in Wyoming that are essential to hold our young people there.

I hope the amendment offered by the distinguished Senator from Connecticut will be rejected.

The PRESIDING OFFICER. Who yields time?

Mr. MONRONEY. Mr. President, may I ask how much time is remaining?

The PRESIDING OFFICER. The Senator from Connecticut has 11 minutes and the Senator from Oklahoma has 18 minutes.

Mr. MONRONEY. I yield 4 minutes to the Senator from Massachusetts [Mr. BROOKE].

Mr. BROOKE. Mr. President, I agree in principle with the amendment proposed by the junior Senator from Connecticut [Mr. RIBICOFF]. However, I question the cutoff date proposed in his amendment.

I recognize the fact that industrial development bonds have in some cases adversely affected municipal bonding efforts. These bonds have provided a glut on the bond market; they have resulted in higher interest rates for municipalities which borrow money for public purposes. They have generally complicated and made more difficult the problems of municipal finance.

I believe the long-term economic arguments are clearly in favor of the principle incorporated in this amendment. With virtually every State in the Union now permitting such practices, the competitive advantages that some States previously enjoyed have now been dissipated. In general the impact of such bonds on plant location and expansion seems to me to be declining. And there are serious arguments against the use of the tax-exempt privileges of public institutions to further the expansion of private industrial complexes.

But both the previous Treasury Department ruling and the proposed amendment would place an arbitrary and, I believe, unreasonable cutoff date on industrial development bonding.

Proponents of the amendment argue that 60 or 90 days is more than enough for the companies and communities concerned to develop plans and issue bonds. I cannot agree. The Governor of the Commonwealth of Massachusetts does not agree; nor does the Massachusetts Department of Commerce or the State AFL–CIO. Several more months of planning will be required before these programs can be put in final form and realistic cost estimates obtained. Sufficient time should be allowed for the parties involved to negotiate their agreements and determine their costs.

Massachusetts refrained from the issuance of industrial development bonds for many years, and suffered serious economic injury because of this fact. Belatedly the State approved the practice, but we have only recently begun to make use of this device.

There are at least 10 major projects involving such bonds which are now underway or are being discussed in my own State of Massachusetts. I am sure there are more in other States as well. The proposed projects will result in millions of dollars of investment for the State; they will provide thousands of job opportunities.

As a matter of simple justice, I feel the present plans for a number of bond issues of this character should be allowed time to mature. They should not be disrupted by hasty action by Congress, any more than by the Internal Revenue Service. Indeed, while I would support an amendment to terminate the tax-exempt status of such bonds in early or mid-1969, I think the entire matter might better be handled through the normal processes of committee study and full debate. Neither of those processes have been followed in the present instance.

In summary, I am certainly in favor of an orderly transition away from industrial development bonding over a reasonable period of time. But I do not believe this amendment with its August 1 cutoff date offers such a transition.

Mr. President, I urge that the pending amendment be rejected.

Mr. President, might I ask if the distinguished Senator from Connecticut would be amenable to a change in the cutoff date as set forth in his proposed amendment?

Mr. RIBICOFF. Mr. President, if I had assurance of the change of enough votes, I might. Can the Senator from Massachusetts speak for any other Senators but himself?

Mr. BROOKE. Yes.

Mr. RIBICOFF. If the Senator can assure me that there would be enough votes to carry the day, maybe we can do something.

The PRESIDING OFFICER. The Senator's time has expired. Who yields time?

Mr. RIBICOFF. I am pleased to yield the Senator such time as he may require.

Mr. BROOKE. I am sure there are other Senators who feel the same way, but I should like to ask the Senator to consider amending his amendment on the merits and justice of the issue alone. The date set forth in the amendment is August 1. That leaves precious little time for States to make the transition involved.

Mr. RIBICOFF. What does the Senator from Massachusetts have in mind as a fairer cutoff date?

Mr. BROOKE. I would suggest most respectfully that a cutoff date of January 1, 1969, would be fair. I said in my statement the middle of 1969, but the end of the year 1968 would seem to me to be a perfectly reasonable time to terminate such transactions.

Mr. RIBICOFF. Mr. President, I ask that my amendment be modified to provide for a cutoff date as of January 1, 1969.

The PRESIDING OFFICER. The amendment is so modified.

Mr. BROOKE. I thank the Senator.

Mr. RIBICOFF. I yield 7 minutes to the distinguished Senator from Wisconsin.

Mr. PROXMIRE. Mr. President, I should like to stress, to begin with, the way in which industrial revenue bonds have snowballed. I think few of us realize how rapidly they have pushed ahead and how much they are displacing the regular municipal bonds.

Mr. President, I support wholeheartedly the amendment offered by the distinguished Senator from Connecticut [Mr. RIBICOFF], which would terminate the tax-exempt status of industrial revenue bonds. The method of industrial revenue bond financing was initiated many years ago in the State of Mississippi. At that time, it was regarded as a method of self-help financing, whereby small communities could spur their rate of economic growth by attracting industry.

However, what was started out as a laudable objective has turned into a multimillion-dollar special interest tax subsidy. The growth of industrial revenue bonds has been truly amazing. In 1951, for example, only $7 million in industrial revenue bonds were issued. By 1961, the figure had grown tenfold to over $70 million. Last year the number of revenue bonds issues reached the gigantic total of $1.3 billion. The investment bankers estimate that this year, 1968, the total might go as high as $2.5 billion. Moreover, the projections, assuming that industrial revenue bonds grow at their same rate, indicate that by 1970 revenue bond issues may reach $8 or $9 billion a year. In terms of outstanding issues, revenue bonds could reach well over $20 billion by the end of the 1970's.

Mr. GORE. Mr. President, will the Senator yield?

Mr. PROXMIRE. I am happy to yield to the Senator from Tennessee.

Mr. GORE. At the same time that we are obtaining this much tax-exempt income, we are proposing to add it to a bill increasing every workingman's tax 10 percent.

Mr. PROXMIRE. The Senator makes a good point, because this is a tax-increase bill.

Mr. MONRONEY. Mr. President, will the Senator yield to me?

Mr. PROXMIRE. I yield.

Mr. MONRONEY. I shall speak on my time.

The Senator from Wisconsin is not contending that this is Federal money, is he? This is to avoid spending Federal money to build public housing, to build public facilities. This is all private investment in municipal securities. In this way, it does not add to, but rather detracts from, the need for Federal spending.

Mr. PROXMIRE. Mr. President, this is Federal money, and I shall make that clear in a minute, because it exempts the interest that is paid from Federal taxation. Of course it is Federal money.

Last December the Joint Economic Committee held hearings on the financing problems of our cities. One of the most serious problems which was revealed in the course of these hearings is the rapid growth of industrial revenue bonds. The huge size of industrial revenue bonds financing has played havoc with the municipal bond market. A special committee of the Investment Bankers Association estimated that the sudden and spectacular increase in industrial revenue bond finance had forced up municipal bond rates for public issues approximately one-fourth of a percentage point.

Now, Mr. President, one-fourth of a percentage point may seem small. However, in terms of the $12 billion of ordinary municipal bonds outstanding, the effect of a quarter-percent increase is to raise the cost of borrowing by municipalities by $200 million. This, I might add, is the estimate of the Investment Bankers Association which is most familiar with the situation.

Mr. President, this is truly a shocking figure. Industrial revenue bond subsidies are costing our cities $200 million a year in higher borrowing costs. At a time when our cities are extremely hard pressed for revenue, it is unthinkable that Congress would want to continue this flagrant subsidy which is costing our cities $200 million a year. Because of the war in Vietnam, we may not be able to appropriate all of the funds we would like to see appropriated to solve our urban problems. But, Mr. President, at least we can eliminate this gigantic $200 million tax upon our cities which disappears into the coffers of large, wealthy corporations.

Unless we act, the situation will get much worse and not better. The total volume of municipal bonds of all types are expected to double by 1975. Moreover, the increase in revenue bonds will grow at an even faster rate. Unless we act to end this unconscionable subsidy, it will soon be costing our cities over a billion dollars a year in higher interest charges.

Mr. President. I am sure no Member of Congress wants to tax our cities a billion dollars for the benefit of large, wealthy corporations and wealthy investors who buy these bonds. But, unless we approve the amendment offered by the distinguished Senator from Connecticut this is exactly what we will do. A vote against the amendment is a vote to tax our cities by $1 billion in order to help wealthy corporations and investors.

Now, Mr. President, I should like to make this point: Not only does the industrial revenue bond tax loophole cost our cities $200 million a year, it also costs the Federal Government money. According to the Treasury Department, the average tax bracket of investors in tax-exempt municipal securities is 42 percent. This means that for every dollar of interest paid on tax-exempt bonds the Treasury loses 42 cents. The present outstanding volume of revenue bonds is nearly $3 billion. If these bonds were issued as ordinary corporate securities rather than tax-exempt municipals, the interest would average approximately 6½ percent or nearly $200 million a year. The income accruing to the Treasury Department would, therefore, come to 42 percent of $200 million or approximately $80 million a year. The entire $80 million is lost to the Treasury because of the industry revenue bond tax gimmick. Eighty million dollars of the hard-earned money of our taxpayers are disappearing into the pockets of wealthy investors. Every taxpayer in the country is supporting this dubious tax bonanza to the tune of $80 million a year.

Once again, the problem will get worse and not better unless we act. If revenue bonds grow at their present rate, by 1970 the total volume of outstanding issues will reach $20 billion or roughly six times the present outstanding volume. This means the tax loss to the Treasury will increase six times, and will reach the gigantic sum of $480 million. I wonder how we in Congress could consciously vote to retain a special tax gimmick which diverts $480 million from the pockets of the taxpayers to the pockets of the wealthy investors.

Mr. President, at the heart of the amendment is the statement that this is needed to develop some areas of States that need industrial development. One of the outstanding experts in this matter is the Senator from South Carolina [Mr. HOLLINGS]. He has received awards for doing the best job of any Governor in the country in industrial development, when he was Governor, so recently, of the State of South Carolina.

Mr. President, I think it is particularly appropriate to note that the distinguished Senator from South Carolina [Mr. HOLLINGS] is strongly supporting the measure to do away with the tax-exempt status of industrial revenue bonds. Senator HOLLINGS also was a most distinguished Governor of the State of South Carolina and, as Governor, he organized and implemented one of the most effective State economic development programs in the country. During the period of 1959 to 1963, when he was Governor, the State of South Carolina was able to obtain $1 billion in private investment resulting in the creation of 100,000 jobs. All of this was done without the industrial revenue bond gimmick. Also, Hon. Luther Hodges, a former Governor of North Carolina and Secretary of Commerce, played a most important role in revitalizing the economy of North Carolina. More economic growth was started in North Carolina under the leadership of Governor Hodges than in its previous history. Until recently, North Carolina did not have to depend upon industrial revenue bond financing.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. RIBICOFF. Mr. President, I yield 1 additional minute to the Senator from Wisconsin.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized for 1 additional minute.

Mr. PROXMIRE. It is possible, Mr. President, for States and municipalities to have a vigorous and effective economic development program without the crutch of industrial revenue bond financing. The Congress, therefore, cannot use this argument for an excuse for continuing the tax-exempt status of industrial revenue bonds. It is simply not borne out by the facts.

Mr. President, there is simply no economic, social, moral, or political justification for continuing the tax-exempt status of industrial revenue bonds. It is a flagrant loophole. It is an unconscionable subsidy. It does not help those for whom it was originally intended to help. It benefits the rich and taxes the poor. I hope the Congress will vote today to eliminate this unjustifiable subsidy.

Mr. President, I ask unanimous consent that an excellent letter from Prof. Lester Chandler of Princeton opposing this industrial revenue bond loophole be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

A TAXPAYER'S MATTER?

This is the first time that this taxpayer has complained about being taxed more heavily so that the government can subsidize others. I am glad to have some of my tax dollars used to help the unfortunate and needy. I don't even complain when my money is used to help shaky business firms that don't have access to the capital markets and might otherwise fail. I can even see the point of using my money to subsidize firms to industrialize some of the backward areas in Arkansas, Alabama or Mississippi.

However, my patience is now being strained. Could you tell me why I should pay more taxes to enable some of our leading corporations to finance themselves cheaply through tax-exempt bonds issued by cooperating municipalities and public authorities which assume no responsibility whatever for either principal or interest? Total issues of some $200 million of these bonds were recently announced on one day. They were for the benefit of such worthy firms as U.S. Steel, Spring Mills Inc., Ashland Oil and Refining Co., Chicago and Northwestern Railway, Courts & Co., Reliance Electric and Engineering Co., Iowa Beef Packers, Inc., Sweetheart Plastics Inc., American Automatic Vending Corp., and Eastern Stainless Steel. Some of the funds will indeed be used to build plants in underdeveloped states. But are Delaware, Illinois, Ohio, Michigan, Nebraska and Iowa in this category?

These are indeed worthy firms, and their stockholders are undoubtedly worthy people. But why should we taxpayers subsidize them? Have they demonstrated need or some special merit? Have they promised to reimburse taxpayers by lowering the prices of their products? In this process, are we getting more efficient locations of industries, or less efficient?

Perhaps you or your readers can provide information which will make this form of subsidy seem reasonable. In the meantime, I can only say that the whole process is cockeyed, if not scandalous, and those members of Congress who want to perpetuate it must not have thought the thing through.

LESTER V. CHANDLER.

PRINCETON, N.J.

(The writer is chairman of the Department of Economics, Princeton University.)

Mr. MONRONEY. Mr. President, I yield 1 minute to the distinguished Senator from Wyoming.

The PRESIDING OFFICER. The Senator from Wyoming is recognized for 1 minute.

Mr. HANSEN. Mr. President, since I have been a Member of the Senate, we have devoted a lot of time on how we can put people to work.

I suggest that the pending measure gets right down to that purpose. If we continue to offer the tax-exempt status on industrial development bonds, we will create jobs. We will create payrolls and take people off welfare and put them to work. They will become tax contributors and not tax consumers.

I suggest that, indeed, Federal money is involved here, and it will be Federal money that will be saved because people will be working. They will be on the job. They will have payrolls. They will contribute to the support of the Federal Government and not have their hand out every week or every month to get a welfare check.

That is exactly the purpose of the pending amendment.

Mr. MONRONEY. Mr. President, I yield 2 minutes to the distinguished Senator from Mississippi.

The PRESIDING OFFICER. The Senator from Mississippi is recognized for 2 minutes.

Mr. STENNIS. Mr. President, I thank the Senator for yielding to me.

Mr. President, I am totally impersonal in this statement, but the amendment comes from a strange source. The Senator from Connecticut is a man of fine understanding and great compassion. He comes from an area that is an interesting and great part of the country. The Senator has a subcommittee that is engaged in working on the rebuilding of the cities. That committee has done outstanding work. The Senator is the only one I have ever heard mention a figure of a Federal program the costing sum of $300 billion to rebuild the cities. A great part of that money is to be Federal tax money.

We have these experiments going on with reference to the building with Federal money of high-speed trains to be operated from Washington into the New England States. That is a great and deserving area of the Nation.

We have these other Federal dollars by the billions that are going into welfare. Still, when a little rural community in my area of the country prepares to do something for itself, issues bonds, and puts a tax burden on its own back, their proposal is denounced here and it is claimed to be a subsidy and to be unfair and immoral.

I am surprised that the Senator from Wisconsin, a man of great understanding, would label such a transaction as being immoral.

We want to get a genuine congressional hearing here that will measure any abuses of the program that may exist. And there may be some. We want to get a measurement of the equities involved in the situation and try to get a firm, strong policy that is fair to everyone. However, do not say that the program does not do some good. Do not say that there is equality now because all 50 States do not have it.

In my area of the country, and in other rural areas, these revenue bonds are used as a means for the communities to pull themselves up by their own bootstraps so that they may be able to compete for industry with other areas of the country.

I am amazed that the Senator overlooked that part of the picture. I am willing to have adjustments.

The fine senior Senator from Tennessee [Mr. Gore], mentioned that some corporations would benefit from this measure.

If it is unfair, it ought to be stopped. I tell the Senator now that in the section of the country where I live, we are inducing now, through a bond issue like this, a native-born son who has been away for many years to come back and buy the patent rights on a certain type of agricultural plow for pastures and like lands. Through the use of these bonds they propose to erect a factory there in the county in which he was born. He will use his ingenuity and his own resources—and he is a man of some means—to manufacture these products, not to sell them in Connecticut, Tennessee, or anywhere else, but largely for local consumption, there and in west Alabama and relatively nearby areas.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MONRONEY. Mr. President, I yield 1 additional minute to the Senator from Mississippi.

The PRESIDING OFFICER. The Senator from Mississippi is recognized for 1 additional minute.

Mr. STENNIS. Mr. President, that is the only way in which that little community can get anything approaching equality.

To come in now with a hatchet and cut this tax exemption off with no hearings and no adjustment of equities, but just to let the axe fall, is unfair.

I wish that all Senators were present to hear the actual cases involving communities that need this exemption to enable them to help themselves.

I do not blame any individual for how he votes. However, to denounce this proposal as being iniquitous and something unholy and just for the wealthy people of the country does not correctly sum up the matter.

There is another side of the picture. A great part of the good that this program has done has been done for the small communities, villages, small towns, and counties that vote to place these bonds on themselves and vote the tax money with which to pay for them. And they do pay them off.

It is in the little industrial areas that have many people who are thrown out of work on the farm that the men can be employed on these projects.

I thank the Senator for yielding.

Mr. MONRONEY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MONRONEY. How much time remains?

The PRESIDING OFFICER. The Senator from Connecticut has 2 minutes remaining and the Senator from Oklahoma has 7 minutes remaining.

Mr. MONRONEY. Mr. President, I yield 4 minutes to my distinguished colleague, the Senator from Nebraska.

The PRESIDING OFFICER. The Senator from Nebraska is recognized for 4 minutes.

Mr. CURTIS. Mr. President, we are asked here to tax bonds that have been untaxable for more than 30 years. We are asked to do this with a mere half hour of debate. The proposal has never been heard by any committee. The amendment is so drawn that the author is willing to change most any section in return for one vote.

Mr. President, I wish we could have committee hearings on this proposal. Hearings would bring out the facts. In the first place, the payment of interest by a corporation is a tax deduction. If the corporation borrows at a lower rate because of the pending proposal, they pay less taxes.

Who buys the corporate bonds? Over 77 percent are bought by nontaxable entities: unions, foundations, pension funds, and other nontaxable entities.

On the basis of the $17,000,000 of industrial bonds sold in 1967, if we take into consideration the fact that the lowering of the interest rate lessened the corporate tax, we find that there was a net gain to the Treasury by reason of these bonds of $720,000. Time will not permit me to put in all the figures.

Some Senators would prevent a locality in Nebraska or any other State from using its credit to build an industry facility that would provide employment, yet, without hesitation, they vote out of the Public Treasury money to create a job enterprise through foreign aid, through the Federal Government's Economic Development Administration in the Department of Commerce, through the Small Business Administration, and otherwise.

If we are going to attack the use of government to promote jobs, let us do it across the board and get the Federal Government out of it. Let us not prevent these localities from helping themselves.

I say that this matter should go before a committee. For example, section (v)5 of this amendment exempts from its operation any enterprise that is owned and run by the governmental subdivision.

In other words, the distinguished Senator from Connecticut strikes out the exemption if the facility is used by private enterprise. But if it goes all the way into socialism, whether it be housing, a packing plant, a machine factory, or anything else, if the governmental subdivision keeps the title and operates it, it is not included in the Ribicoff amendment.

Mr. President, the Senator spoke on this matter the other day; and while it is true that the issue was whether or not it should be done by legislation or by Treasury ruling, nevertheless, there was knowledge of what was involved. What is proposed today is a very, very slight difference from what we had before. The other day we were asked to approve or disapprove a ruling of the Treasury about which Congress had never been consulted. Today we are asked to approve or disapprove an amendment offered by the Senator from Connecticut which has never been printed, on which there never has been a hearing before a committee, and no one knows what it is. But we do know that it is very poorly drawn and that if the local subdivisions follow a socialistic route and operate their own enterprise, they are not covered.

The amendment of the distinguished Senator from Connecticut should be rejected, and this matter should be handled by a committee.

Mr. RIBICOFF. Mr. President, I yield 30 seconds to the distinguished Senator from Michigan.

Mr. GRIFFIN. Mr. President, I rise to indicate my support for the pending amendment.

Under the existing revenue code, interest which accrues on municipal bonds is exempt from Federal taxation. This exemption is justified, and it should be continued, to the extent that such bonds are issued for public purposes—such as the construction of schools, roads, sewer systems, hospitals, and the like.

However, I am convinced and have long contended that, in allowing this tax exemption, Congress did not contemplate, and did not intend, that tax-free municipal bonds would be used to finance the construction of private facilities. In my view, when public credit is used for private purposes, the justification for the tax exemption no longer exists.

This gaping loophole in our Internal Revenue Code should be closed.

Earlier this week, I voted with the Finance Committee in support of the fundamental proposition that this is a matter which should be resolved by legislation enacted in Congress rather than by administrative fiat. However, now the issue is squarely before the Senate, and I believe we should take the action which is called for by logic and reason.

Mr. President, in recent years the use of tax-exempt municipal bonds to finance private business has spread across our Nation like wildfire. In 1951, only two States, Mississippi and Kentucky, used such bonds to finance facilities for private enterprises. However, by the end of 1967, the number of States using municipal credit for such purposes had increased to more than 40. Between 1960 and 1967, the total of new issues of industrial bonds grew from $70 million to about $1.4 billion.

In the absence of any Federal legislation to prohibit or discourage the use of municipal bonds for private purposes—legislation which I sponsored and advocated in the 87th, 88th, and 90th Congresses while a Member of the House of Representatives—numerous States, including Michigan, have had no realistic alternative but to embark on the same course in an effort to check the pirating of their industry.

Mr. President, I have long been concerned about the problems generated by this tax loophole. My interest in the subject was stirred in 1961 when the Borg-Warner Corp., moved its Norge operations from Muskegon, Mich., in my congressional district, to Fort Smith, Ark. Norge moved into a new plant in Arkansas which was financed through the issuance of tax-free municipal bonds.

Mr. President, in 1961, the constitution of the State of Michigan prohibited municipalities in our State from using public credit for private purposes. As a result, Michigan was at a distinct disadvantage vis-a-vis other States, such as Arkansas, in the competition to attract industry.

In the light of these circumstances, I made a special appearance on December 7, 1961, before the Committee on Finance and Taxation of the Michigan Constitutional Convention, which was then in session for the purpose of revising our State's constitution.

In the statement presented, I analyzed and emphasized the problems inherent in using tax-exempt municipal bonds for private purposes. I spoke out strongly then in support of Federal legislation to close this loophole in the Federal tax law. However, under the circumstances, I felt there was no real choice but to urge the delegates at that constitutional convention to grant our legislature sufficient flexibility under the new constitution so legislation could be adopted, enabling Michigan to "fight fire with fire" by taking advantage of the same loophole.

Subsequently, Michigan approved a new constitution, and Governor Romney, on May 8, 1963, signed Public Act 62, which authorized municipalities in our State to issue revenue bonds as a means of financing acquisition of industrial facilities and leasing them to industrial firms. On August 24, 1966, the Michigan Supreme Court, in *City of Gaylord* v. *Gladys Beckett* (378 Mich. 273), upheld the validity of the 1963 act under the new State constitution.

Since then, three major industrial projects in Michigan have been financed through the use of tax-exempt bonds. The total cost of these projects exceeds $55 million. I am aware that five other projects are now pending in Michigan totaling more than $80 million, and that a number of other proposals are in various stages of consideration.

I realize that some hardship would result from an abrupt cutoff of the use of this method of financing. I note that the Ribicoff amendment, as modified, would not take effect until January 1, 1969. I am hopeful that, by providing a cutoff date 9 months in the future, most projects now in the planning stages will not be affected.

Mr. President, the continued use of tax-exempt municipal bonds for private purposes—which was never intended by Congress—is interfering with the ability of public bodies to market bonds for legitimate and necessary public purposes.

The time has come for Congress to take action which is long overdue. I urge the Senate to approve the pending amendment.

Mr. President, I ask unanimous consent that the statement, to which I made reference, be reprinted at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF HON. ROBERT P. GRIFFIN, U.S. REPRESENTATIVE, NINTH MICHIGAN DISTRICT, BEFORE COMMITTEE ON FINANCE AND TAXATION OF THE MICHIGAN CONSTITUTIONAL CONVENTION, DECEMBER 7, 1961

Mr. Chairman and members of the Committee. I appear here today to focus attention upon a serious situation which is severely handicapping our State in its efforts to attract new industry and to encourage existing industry to expand within Michigan.

In a way, the problem of which I speak grows out of the federal tax laws with which I am concerned as a Representative in the United States Congress. But the situation also involves the Constitution and laws of our State.

I refer to the fact that in 15 of the other states of the Union tax-exempt municipal bonds are now being used, on an ever increasing scale, to finance industrial development. As this Committee knows, under Article X, Section 12 of our present Constitution, the State of Michigan, its municipalities and other political subdivisions are prohibited from using public credit for private, non-public purposes.

The seriousness of the situation which confronts our State was emphasized this year in my Congressional district when the Borg-Warner Corporation moved its Norge Division operations at Muskegon (where 1800 people were employed) to a new plant in Greenwood, near Fort Smith, Arkansas.

Under enabling legislation enacted in Arkansas in 1958, Greenwood had issued $7.5 million of municipal revenue bonds to finance the construction of a huge new modern industrial plant. Under present federal laws, the interest on municipal bonds is exempt from taxation. As a result of this special tax immunity, municipalities are in a position to issue bonds and borrow money at very low interest rates—rates which are generally lower than that available to the Federal government itself because, since 1941, interest on federal bonds has been taxable.

Consider for a moment the tempting position which Greenwood, Arkansas, was able to hold out to lure the Norge plant away from the State of Michigan. After using its public credit to borrow $7.5 million at low interest rates, the municipality of Greenwood then proceeded to construct a brand new plant, holding title to the land and building in its name. Under such an arrangement, as you have already surmised, the plant is then leased by the municipality to the company which can deduct its rental payments for income tax purposes as a business expense. Of course, the rental payments under such an arrangement can be very reasonable because the land and building owned by the municipality are not on the local property tax rolls.

As topping for the cake, it was rumored for a while that the Borg-Warner Corporation itself, had purchased $6 million of the $7.5 million tax-exempt bonds. Officials of the corporation have denied that such was the case and I accept their statement. However, the suggestion has pointed up the possibility, and I have learned that other municipal bonds issued under similar circumstances have been purchased by the company occupying the plant or its major stockholders. Such an investment is not a bad one because, to a corporation with annual net earnings exceeding $25,000 (placing it in the 52% bracket), a tax-exempt municipal yield of 3.5% is actually equivalent to a yield of 7.29% on a fully taxable investment.

To be sure, it should be recognized that a number of other considerations play equal or more important roles in determining whether a company will locate its operations and its jobs in one state rather than another. In presenting this problem as it affects the ability of our State to compete for industries and jobs, I do not wish to underestimate or underrate the importance of such other vital factors as: the cost and responsibility of labor, the political climate, the natural climate, the proximity of raw materials, and markets, and the availability and cost of such essentials as power and water.

However, I do want to emphasize my concern and my conviction that the rapidly expanding use in other states of this tax-exempt industrial development "gimmick" is much more of a problem than is generally realized, and it is seriously compounding the other handicaps which we may have in this fierce and ruthless competition among the states for industries and jobs.

I want to point out that in the Norge case labor relations in the Muskegon plant were good. In the community the local union leadership was generally considered to be responsible, and there had been no strike there for many years. However, the physical plant occupied by the Norge Division was a very old, inefficient, two-story building. New, modern efficient quarters were needed for the Norge operations. In my own mind, there is no question but that the "gimmick" proposed by Greenwood, Arkansas, made the difference and was the major factor in this particular decision to leave the State.

While the Norge situation may have received a lot of publicity around the State, let me caution the members of this Committee that it is not an isolated case. You have read about the Gemmer Division of Ross Gear and Tool in connection with Judge Kaess' extraordinary ruling that seniority employees continue to have employment rights, even after expiration of their collective bargaining agreement, which can follow a company from Detroit to Lebanon, Tennessee. But attention should be focused upon another aspect of that particular case: In order to lure the Gemmer Division away from Michigan, the city of Lebanon, Tennessee constructed a new factory building in 1960 with the proceeds of a $2.5 million tax-exempt municipal bond issue.

Several months ago, it was announced that the Scott Valve Manufacturing Co. would close its Detroit plant and move to Blytheville, Arkansas to occupy a new plant under a similar financing arrangement, leaving 140 persons unemployed in Detroit, most of them over 50 years of age.

The impetus for the current trend to use low cost municipal financing for industrial development began about 24 years ago in the South wtih Mississippi. Kentucky and Alabama followed suit. Then, for self-protection, a number of Northern states began authorizing similar programs—and now a full-fledged second war among the states is underway.

At the present time the following 14 states have made it legally possible for their municipalities to sell bonds, use the proceeds to build plants, and then to rent the facilities to private industrial corporations:

	Year enacted
Mississippi	1936
Kentucky	1948
Alabama	1951
Tennessee	1951
Illinois	1951
Louisiana	1952
New Mexico	1955
North Dakota	1955
Vermont	1955
Arkansas	1958
Maryland	1960
Missouri	1960
Kansas	1961
Nebraska	1961
Georgia	(1)

[1] Has program limited to 25 counties.

It is reported that at least another 10 or 11 states are currently considering constitutional changes or legislative enactments to authorize similar programs.

According to tables compiled by Prof. C. J. Pilcher of the University of Michigan School of Business Administration, the number and value of municipal industrial development bonds has just about doubled each year over the past 5 years. Keep in mind that each new bond issue represents at least one new industrial plant. In 1957, there were 22 such bond issues totalling $7.5 million. In 1958, there were 47 issues totaling nearly $13 million. In 1959, there were 50 issues aggregating $23 million, and in 1960 there were 74 issues adding up to $47 million.

Mr. Chairman, let me say that I am concerned about this situation, which grows steadily more serious, not only from the standpoint of Michigan's plight, but also from the standpoint of what is sound policy for the Federal government.

As long as the federal tax laws remain as they are, it can be expected that more and more states will move to take advantage of what I term a federal tax "loophole." As this grows, there will be a greater and greater loss in federal tax revenue. Frankly, I believe that the doctrine of reciprocal tax immunity, which is enjoyed between the federal and state governments, is abused when a municipality uses its public credit for anything other than a public or governmental purpose. I question whether the Federal government should exempt from taxation the interest on municipal bonds which are used to finance a private industrial enterprise for profit. Since the Norge situation has come to light, I have been working very hard in Congress in an effort to arouse interest in this problem. I earnestly believe that the situation should be remedied by a change in the federal tax laws.

I am well aware that municipalities are understandably jealous of the tax-exempt status of their bonds. Associations or municipal officials are very suspicious and fearful that any legislation which tampers with this exemption could be the "entering wedge" to an outright elimination of their important tax advantage.

With that concern in mind, I have tried to attack the problem by using another approach. On April 17 of this year, I introduced H.R. 6368. This bill would not affect in any way the tax-exempt status of municipal bonds. However, if the bill were to become law, any person or corporation who leases an industrial plant constructed with tax-exempt municipal bonds would be denied the right to deduct rental payments as a business deduction for federal income tax purposes. In this way, I believe the attractiveness of the "gimmick" could be destroyed and the practice would be discouraged.

While I intend to keep on pushing for federal action, I must indicate to this distinguished Committee that prospects for enactment by Congress in the near future of this or similar legislation are not very bright.

It seems obvious to me that such legislation would get nowhere in the present Congress without the strong and vigorous support of the Administration in power. Earlier this year, on July 31, I wrote to President Kennedy requesting such support. On August 23, I received a weak reply from an Assistant Secretary of the Treasury which recommended that "any action on the bill be postponed for this year" and indicating only that "possible revision of the tax treatment of state and municipal bonds . . . could well be considered as part of a . . . (comprehensive tax program" being prepared by the Secretary of the Treasury for submission to Congress next year.

(A copy of H.R. 6368, together with a copy of my letter to the President and the reply received, are attached.)

Mr. Chairman, I am well aware of the arguments against public financing of industrial development. In effect, the municipality or public body almost becomes a partner in business under such a financing arrangement. Then, too, there is the matter of discrimination against those existing industries which are paying local property taxes.

Obviously our State is on the horns of a dilemma. However, this Constitutional Convention does not have to decide the kind of program or the extent to which municipal bonds might be used for industrial development in Michigan. But the Convention is confronted with this difficult question: Should we keep the door closed completely and absolutely so as to preclude the Legislature and the Governor from considering any program in this area?

After weighing the matter carefully, I should like to make the following recommendation:

1. I believe the new State Constitution should be so drafted as to provide the Governor and the Legislature with flexibility enabling them at least to consider and weigh carefully legislative proposals which would make it possible for Michigan to "fight fire with fire";

2. I believe that any flexibility provided under the Constitution allowing the possible use of state and/or municipal credit for industrial development purposes should be limited to revenue bonds. I do not believe it would be necessary or desirable to permit the use of general obligation bonds for such a purpose; and

3. In the meantime, the Michigan delegation in Congress, the Governor, the State Legislature, the delegates to this Constitutional Convention and everyone else with any influence in our State should exert a maximum effort to obtain enactment in Congress as quickly as possible of H.R. 6368 or similar legislation.

The municipal bond "loophole" now being used by an increasing number of states to attract industry is reminiscent of a situation which once existed with respect to a few community property states. As more and more states began changing their laws to take advantage of the community property loophole, Congress was pressed into action and finally made changes in the federal law to afford uniform tax treatment.

Even though it may appear distasteful in some respects, I believe the new State Constitution should leave enough flexibility so that the Legislature can at least consider various ways and means of taking advantage of this loophole.

If and when Michigan and other states do move to authorize the wider use of tax-exempt municipal financing for industrial development, I believe Congress will be forced to face up to this situation and will take the legislative action that is necessary.

Thank you.

HOUSE OF REPRESENTATIVES,
Washington, D.C., July 31, 1961.

Hon. JOHN F. KENNEDY,
The President,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: On May 9, 1961, the views and recommendations of the Treasury Department were requested concerning H.R. 6368.

This bill, which I have introduced, would disallow, for income tax purposes, the deduction of rental paid by a company occupying a plant financed through the issuance of tax-exempt municipal bonds.

The urgent need for passage of such legislation was emphasized last week by the revelation that the very first "benefit" approved under the so-called "depressed area" legislation will be, in effect, a bonus to a Southern community which has utilized the municipal bond loophole to lure a new industry.

As you may know, Commerce Secretary Hodges approved a $129,000 grant, as well as a $31,000 loan, to the Arkansas community of Gassville (population 233) to finance a water system which is vital to a new industry locating there. According to press reports, the industry will occupy and lease a new industrial plant being constructed with the proceeds of a $535,000 tax free municipal bond issue.

Under the present law, as you know, the interest on municipal bonds is exempt from federal income taxes. This exemption is justified, and should be continued, to the extent that such bonds are issued for a *public* purpose.

However, I am firmly convinced that, in providing this tax exemption, Congress did not contemplate that municipal bonds would be issued to finance the construction of industrial facilities for a *private* business enterprise. Certainly, when the public credit is utilized for *private* purposes, the justification for this tax exemption no longer exists.

In 1956, there were 8 states which permitted local taxing units to issue bonds for such purposes. By 1959, there were 10 such states, and in the year 1960 five more states (Arkansas, Mississippi, Missouri, Maryland and Nebraska) passed enabling laws permitting local units of government to issue bonds for industrial development.

As long as this loophole in the federal tax law remains, more and more states will be forced to adopt legislation to take advantage of it. Unless the federal law is changed in the near future, a substantial loss in federal revenue and other serious consequences can be foreseen.

In the meantime, Michigan and 34 other states, which are not taking advantage of this federal tax loophole, are seriously handicapped in their efforts to attract new industries and to qualify for development grants and loans under the "depressed areas" legislation.

I urge that the Administration lend its strong support to the prompt enactment of H.R. 6368, or similar legislation. In the meantime, I believe that the Administration should withhold approval of "depressed area" projects in communities which use the municipal bond loophole.

Respectfully yours,

ROBERT P. GRIFFIN,
Member of Congress.

TREASURY DEPARTMENT,
Washington, August 23, 1961.

Hon. ROBERT P. GRIFFIN,
House of Representatives,
Washington, D.C.

DEAR MR. GRIFFIN: The President has referred your letter of July 31 regarding H.R. 6368 to the Treasury Department to bring it to the attention of officials directly concerned with tax policy questions. As you indicated, this Department has been requested to report on H.R. 6368 which you introduced and which would deny deductions for payments by private industrial and commercial organizations to State and local governments for the use of plants financed by the issuance of State and local bonds.

We have not yet completed a study of the problems and issues raised by H.R. 6368. Accordingly, we cannot at this time take any definite position on the bill. After preliminary examination I believe it may be advisable for us to suggest that any action on the bill be postponed this year.

The use of municipal bond issues to construct facilities for lease to municipal concerns have received attention in recent years both by the Executive branch and by the Congress. The question was considered at length by the Congressional tax committees during the formulation of the Internal Revenue Code of 1954. This review pointed out some of the controversial policy issues and technical problems which deserve full and careful consideration.

As you know, the President in his Tax Message to the Congress on April 20 directed the Secretary of the Treasury to undertake the research and preparation of a comprehensive tax reform program. This work is now under way, and the possible revision of the tax treatment of State and municipal bonds used for the financing of industrial and commercial plants is a matter that could well be considered as part of this program.

Sincerely yours,

STANLEY S. SURREY.

H.R. 6368

A bill to amend the Internal Revenue Code of 1954 to deny deductions for amounts paid by private industrial and commercial organizations to State and local governments for the use of industrial plants acquired or improved by the issuance of certain bonds by such States and local governments

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) part IX of subchapter B of chapter 1 of the Internal Revenue Code of 1954 (relating to items not deductible) is amended by adding at the end thereof the following new section:

"SEC. 274. CERTAIN PAYMENTS TO ISSUERS OF TAX-EXEMPT OBLIGATIONS.

"(a) GENERAL RULE.—No deduction shall be allowed for any amount paid or accrued to any State or possession of the United States, any political subdivision of any of the foregoing, or the District of Columbia by a nonpublic lessee for the use or occupancy of an industrial plant which was acquired or improved (in whole or in part) out of the proceeds of a tax-exempt obligation issued on or after April 17, 1961.

"(b) DEFINITIONS.—For purposes of subsection (a)—

"(1) INDUSTRIAL PLANT.—The term 'industrial plant' means—

"(A) any building or equipment which is used for manufacturing or processing articles or commodities (including any building or equipment the use of which is incidental to such manufacturing or processing) and which is located on land held by the lessor for the benefit of such plant, and

"(B) the land on which the building or equipment described in subparagraph (A) is located.

(2) TAX-EXEMPT OBLIGATIONS.—The term 'tax-exempt obligation' means any obligation issued—

"(A) by any State or possession of the United States, any political subdivision of any of the foregoing, or the District of Columbia, and

"(B) the interest on which is wholly exempt from the taxes imposed by this subtitle."

(b) The table of sections for such part IX is amended by adding at the end thereof the following:

"Sec. 274. Certain payments to issuers of tax-exempt obligations."

SEC. 2. The amendments made by the first section of this Act shall apply with respect to taxable years ending after the date of the enactment of this Act.

Mr. RIBICOFF. Mr. President, will the distinguished Senator from Louisiana yield me 5 additional minutes on the bill?

Mr. CURTIS. I shall object.

Mr. LONG of Louisiana. Mr. President, might I inquire why the Senator objects to the additional 5 minutes?

Mr. MONRONEY. If the Senator is going to yield the time, I am sure he is fair enough to yield the other side an equal amount of time.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that both sides have an additional 5 minutes.

Mr. CURTIS. All right.

The PRESIDING OFFICER (Mr. TYDINGS in the chair). Without objection, it is so ordered.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. RIBICOFF. I yield to the distinguished Senator from New York.

Mr. JAVITS. Mr. President, I shall be with the Senator from Connecticut with respect to his amendment, for the reasons stated by the Senator from Michigan.

I should like to ask the Senator from Connecticut two questions.

First, is it a fact that the words of the amendment would exclude from its operation—so that those bonds would be subject to the tax exemption privileges—bonds issued by a State dormitory authority for dormitories on college campuses?

Mr. RIBICOFF. Without question, those are excluded. The amendment covers only depreciable property used for commercial or industrial purposes, such as plants or equipment, and that would not apply to a State dormitory authority.

Mr. JAVITS. Second, where the governmental entity itself lends the proceeds of its bond issues to a large number of different small business ventures—in other words, where it is using the proceeds itself for a quasi-banking type operation—would it be excluded under the provisions of (v)(5)?

Mr. RIBICOFF. The Senator is correct.

Mr. JAVITS. I ask unanimous consent to insert a letter I received this morning from Assistant Secretary of the Treasury Stanley Surrey which bears out the position of the Senator. I thank the Senator.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

TREASURY DEPARTMENT,
Washington, D.C. March 28, 1968.

Hon. JACOB K. JAVITS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR JAVITS: We understand that certain technical questions have arisen with respect to the proposed amendment on industrial development bonds being proposed by Senator Ribicoff.

As we interpret Senator Ribicoff's proposed amendment it is limited to bonds issued for industrial or commercial purposes and will not affect bonds issued to finance facilities for colleges, hospitals, and similar non-commercial activities. Thus, the bonds issued by the New York Dormitory Authority will not be affected by that amendment. In addition, Senator Ribicoff's proposed amendment does not affect bonds issued in situations where the governmental unit will itself use the proceeds in a business type operation. As we understand the operations of the New York Job Development Authority the proceeds of its bond issues are loaned to a large number of different small business ventures and it is the Authority itself which is using the proceeds in a quasi banking type operation. Accordingly, the bond issues of the New York Job Development Authority would also be unaffected by Senator Ribicoff's proposed amendment.

Sincerely yours,

STANLEY S. SURREY.

Mr. RIBICOFF. Mr. President, I yield 2 minutes to the Senator from Tennessee.

Mr. GORE. Mr. President, like most tax loopholes, this one started small. Like most tax loopholes, it started with a plea for equity. But, like most tax loopholes, it has grown and grown and grown, until in the debate in the last hour I recall three corporations being identified as beneficiaries of this special device—American Airlines, Delta Airlines. Where are there more profitable corporations? Search your records. United States Steel. Where is there a more basic industry, or how many larger corporations do we have?

Yet, Mr. President, this is offered as an amendment to increase billions of dollars of income, tax-exempt. This is offered as an amendment to a bill raising the taxes of every taxpayer in the United States. Equity? Fairness? Where is there equity in providing large incomes completely free of taxation for many individuals? And you do this in the name of counties? By what right do you speak?

Here is a statement of the National Association of Counties. Let me read it:

> The irresponsible continuation of the unchecked issuance of industrial development bonds poses a disastrous threat to the entire State and local government bond market.

Mr. President, I hope this amendment will be adopted.

Mr. RIBICOFF. Mr. President, I yield 2 minutes to the Senator from New Hampshire.

The PRESIDING OFFICER. The Senator has only 1 minute remaining.

Mr. MONRONEY. Mr. President, I yield 1 minute to the Senator from New Hampshire.

Mr. COTTON. Mr. President, I trust that the Senator from New Hampshire is not entirely parochial or provincial in his attitude. He desires to legislate for the benefit of the entire country. But there are States in this country which, by their own constitution, as interpreted by their own supreme court, cannot issue bonds for any purpose other than public purposes. My State is one of them.

I remember through the years when we were struggling to hold our textile industries, and they were going away from us, that under our constitution a municipality could not agree to a temporary 2- or 4- or 5-year exemption from taxation for any industry.

I believe all States should be on an even basis. I love some of my friends who are anxious. I should like to help some of the other States, but if one believes in States rights, it should refer to Yankee States as well as Southern States. That is why I believe the line should be drawn—not only because of tax loopholes but also so that those States which have held firm and have had to get their business wtihout special considerations shall have an even chance with every other State in the Union.

Mr. MONRONEY. Mr. President, I yield 2 minutes to the Senator from Vermont.

Mr. PROUTY. Mr. President, we are told we must spend billions and billions of dollars—some estimates are as high as $30 billion a year—to save our cities. What is one of the great problems within our metropolitan areas? Much of the problem has to do with the fact that we have had a great migration of people from rural areas who are without education, training, or skills. They have gone on the relief rolls and they create almost impossible situations in those areas.

Mr. President, I point out that 45 percent of the poverty in this country today exists in rural areas; and only about 32 percent of the funds under the so-called antipoverty program go into the rural areas.

Perhaps it is too simple to be worthy of consideration that through industrial development bonds we may establish small plants, factories, and retraining facilities in these areas for the benefit of the people who are there. Certainly, that seems to be the cheapest and most realistic way to handle the problem.

I cannot agree with those Senators who spoke on the other side, most of whom come from highly industrialized centers. Most of us need help, and this means offers the advantage of bonds which have to be approved by the citizens in the communities.

We can do the job, save billions and billions of dollars from taxpayers funds, and at the same time create a reliable and self-supporting community, if we are given the chance.

Mr. MONRONEY. Mr. President, in closing I wish to dispel some of the impressions that may have been created.

We spent $383,600,000 in Federal money in the economic development program. We are trying to offer a substitute whereby people can vote bonds to encourage industrial development. Sometimes companies come in and sometimes they do not.

In Oklahoma we have the Sequoyah Mills, where 80 percent of those employed are Indians. Up until the time the plant was completed, they had never a single day of employment. Today they are among the finest carpetmakers that one can find. There are other examples in this country where training has been made possible and skills developed.

With all of this crying about the great loss, I would like to have the attention of the Senator from Wisconsin because he does not understand or misinterprets the figure. In 1967 $17 billion worth of corporate bonds were issued, and $13.2 billion went into nontaxable hands. The Government lost that interest. There has been so much crying about the rape of the taxpayers. There were $1.5 billion of these tax-exempt industrial bonds issued in 1967. They are an infinitesimal part of the market. When I went to the Treasury Department to talk about their first mistake—when they did not know what they were doing the first time—they said the income loss to the Government was so infinitesimal it gave them no concern.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. CURTIS. I repeat that the payment of interest by corporations is a tax deduction, so the Government loses 48 percent right there.

I believe the Senator from Wisconsin said that the individual who pays taxes on his interest received is in the 42-percent bracket, so the Treasury Department is ahead 6 percent there. However, three-fourths of the bonds go into the hands of people who pay no taxes at all, such as pension funds, unions, foundations, and the like.

It cannot be sustained by any stretch of the imagination that the Treasury Department loses on these matters, aside from any gain by reason of increased activity.

I wish to point out to the distinguished Senator from New Hampshire that constitutions can be changed. This procedure was not permitted in Nebraska. We amended our constitution and, thereby, jobs are now being provided.

Mr. MONRONEY. Mr. President, the important point is if the law stands, as it has for 30 years, municipalities or counties could borrow money to build these plants and industries. The interest rate is 4.5 percent instead of 6 percent. We are trying to help the communities. They are not going to lose big Federal money; but we can give them a chance to build with local credit for a company that wants to take advantage of local labor. Let us give them the chance to do it and not make everything a Government handout. This is the simple way to do it, if we are trying to help agricultural communities, trying to prevent ghettos whose repair will cost trillions of dollars. This is a way to bring industry to the man instead of taking man to the industry.

Mr. COOPER. Mr. President, I shall vote against the amendment offered by the distinguished Senator from Connecticut [Mr. RIBICOFF]. I do so because I believe that the adoption of the amendment would unduly restrict, if not eliminate, the use of revenue bond financing as a means for assisting industry to seek new locations in the economically depressed areas of the country.

From my own personal experience, I know that in Kentucky the sale of industrial revenue bonds has provided an important impetus to the economic growth and development of many communities. In recent years some 137 revenue bond issues have financed a variety of new industries in Kentucky, and have produced an estimated 27,000 additional jobs.

Mr. President, I ask unanimous consent that a list of companies that have located in Kentucky just in the past year and those currently proposing to locate in Kentucky, and financed by revenue bonds, be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

PLANTS FINANCED THROUGH REVENUE BOND ISSUES IN 1967

City	Company leasing building	Year of issue	Amount of issue (thousands)	Interest cost (percent)	Product
Danville	Genesco	1967	$800	4.713	Shoes.
Frankfort	Marsh Instrument Co.	1967	2,140	5.187	Gauges, thermometers, valves.
Florence	Equitable Paper Bag Co.	1967	1,300	5.54	Bags.
Jeffersontown	L. G. Balfour Co.	1967	600	4.95	Printing.
Franklin	Simpson Manufacturing Co.	1967	250	5.9	Men's clothing.
Do	Marvel Industries	1967	250	5.9	Stampings, hoists, couplings.
Bowling Green	Firestone Tire & Rubber Co.	1967	30,000	4½	Tire fabric.
Henderson	Bear Brand Hosiery Co.	1967	270	5	Hosiery.

PLANTS FINANCED THROUGH REVENUE BOND ISSUES IN 1967—Continued

City	Company leasing building	Year of issue	Amount of issue (thousands)	Interest cost (percent)	Product
Florence	American Sign Industries	1967	$200	5.8386	Signs.
Bowling Green	Wellington Electronics	1967	875	5.86	Anodized aluminum foils.
Hickman	Carborundum Co	1967	3,600	5.86	Graphite products.
Wickliffe	West Virginia Pulp & Paper Co	1967	80,000	[1] 5.15	Paper mill.
Mount Sterling	Hobart Manufacturing Co	1967	4,200	5.12728	Home dishwashers.
Hopkinsville	Phillips Products Co	1967	815	4.89	Plastic products.
Bowling Green	Wren Products Co	1967	32	5.98	Desk accessories.
Morgantown	Weatherall Manufacturing Co	1967	400	5.504	Rainwear.
Corbin	Whayne Supply Co	1967	150	5.30	Construction equipment.
Do	American Greetings Corp	1967	5,000	5.6506	Greetings cards.
Prestonsburg	U.S. Shoe Corp	1967	900	5.49	Shoes.
Florence	American Book Co	1967	2,000	5.913	Book warehouse.
Do	Interchemical Co	1967	1.750	5.906	Carbon paper.
Do	Globe-Union, Inc	1967	2,200	5.993	Plastic containers.
Harrodsburg	Textron, Inc	1967	2,800	5.82	Bathroom accessories.
Florence	Hewitt-Robins, Inc	1967	6,000	5.913	Conveyor systems.
Ashland	Pittsburgh Activated Carbon Co	1967	10,500	5.73	Activated carbon.
Jeffersontown	Huttig Sash & Door Co	1967	760	5.99	Windows, doors.
Stanford	George J. Mayer Co	1967	1,150	5.575	Metal name plates, trim.
Dawson Springs	Ottenheimer & Co	1967	250	5.999	Uniforms.
Warren County	Pedigo Pork Rind Co	1967	100	6.0	Fishing bait.
Florence	Continental Electric Equipment Co	1967	1,500	5.657	Power distribution equipment.
Total			160,792,000		

[1] Approximate.

MUNICIPAL INDUSTRIAL REVENUE BOND ISSUES, PROPOSED OR PENDING

City	Company	Jobs	Amount (thousands)	City	Company	Jobs	Amount (thousands)
Versailles	Kuhlman Electric	300	$7,000	NKIF (Kenton County)	Signode	500	$4,500
Hancock County	Southwire	1,000	90,000	Bardstown	Lily Tulip Cup	500	8,000
Lawrenceburg	Young Radiator	250	2,500	Smith's Grove	Kain Manufacturing Co	400	250
Glasgow	Swift & Co	40	1,200	Springfield	Grote Manufacturing	125	1,300
Elizabethtown	Company Confidential	100	12,000	Ludlow	Duro Paper Bag Manufacturing Co	100	800
Frankfort	Bendix-Westinghouse	300	4,200	NKIF (Florence)	Levi Strauss	100	1,000
Somerset	Lear Siegler	300	750	Do	Inter-Chemical	100	1,500
Campbellsville	Copeland Refrigeration	300	3,000				
Richmond	Okonite	200	14,000	Total		4,615	152,000,000

Mr. COOPER. Mr. President, in conclusion, I note at page 108 of the hearings that representatives of the Treasury Department have estimated that the loss of tax revenue to the Department as a result of the tax-exempt status of industrial revenue bonds amounts to some $50 to $100 million annually.

When we compare this loss of tax revenue with the billions of dollars that the Federal Government is spending in the country on programs to assist in economically depressed areas and in its war on poverty, it is my view that we should not curtail the limited means at the disposal of local communities to attract new industry and new jobs not financed by the Government. If abuses have developed in the employment of this means of financing, then efforts should be made to cure or remove the abuses without eliminating the tax-exempt status of revenue bonds for industrial purposes. Where the program has been abused by its application to businesses which can carry the financing themselves or by a failure to set a top limit upon the amount of bonds to be issued in a single financing, corrections can be effected by the Congress.

TAX-EXEMPT MUNICIPAL BONDS

Mr. NELSON. Mr. President, with more than 40 States offering this municipal industrial financing, it is obvious that the decision to locate a plant in a particular locale will be motivated by other economic considerations, not the availability of this kind of financing.

Under present conditions, 40 States are diluting the value of the tax-exempt market with little economic justification.

Last year $1.4 billion of these bonds was issued compared with $0.5 billion the year before. The effect this is having on the legitimate municipal bond market can be measured by the fact that for the last quarter of 1967, for the first time, municipal industrial financing was the largest single use of proceeds of newly issued State and local indebtedness.

This total exceeded even the combined debt issued to finance elementary, secondary, college, and university projects during this 3-month period.

The Investment Bankers Association has informed me that in my own State of Wisconsin, in the school district of Muskego-Norway, officials wanted to upgrade the school system and construct buildings costing $3 million. On December 4, the school bonds were taken to market where they met with competition from $500 million in municipal bonds. This was the heaviest day of bond sales of the year.

Two issues alone of industrial revenue bonds accounted for a great share of the total.

Only two bids were received for the Muskego-Norway school district bonds. The rates quoted were 4.96 and 5.14 percent—the highest ever. The rate up to that time had been below 4.62 percent.

The Wisconsin school officials had no choice but to reject the bids. They had to wait almost 2 months to go to market again, and then were successful in selling only one-half the issue, $1.5 million, at a still excessive rate of 4.77 percent.

The day before yesterday my distinguished colleague from South Carolina, Senator HOLLINGS, said that his State was able to compete with her sister States in successfully attracting industry without the tax loophole.

Now, however, the flooding of the bond market has finally washed away the ability of the small rural towns to sell bonds for legitimate purposes.

He said one South Carolinian town was unable to sell $800,000 of school bonds, full faith and credit, at 5 percent, backed by a substantially and financially successful and stable community.

This will happen all over the country when the real value of the bonds is subverted for any industry on a come-one, come-all basis.

The $1.4 billion sold in 1967 was even greater than all the municipal bonds sold to improve roads, bridges, and tunnels for the entire year and just slightly less than the $1.8 billion of bonds sold for the entire year for sewer and water projects.

This is a national disgrace that major corporations around the country are rushing to use up the available limited municipal credit which could be used for essential public improvements.

Market experts have said that the large volume of these bonds last year had the effect of raising interest rates on normal municipal bonds from one-quarter to one-half of a percentage point.

If one projects this rate against the $13 billion of normal public improvement bonds issued last year, the taxpayers of this country will experience the crunch of having to pay over the life of last year's bonds issues alone, about $.5 billion in excess interest costs.

The Curtis amendment attached to the excise tax bill was aimed at the Treasury Department for taking upon itself the jurisdiction of enacting rulings which belongs to the Congress.

Today the issue is clear; Senator RIBICOFF's amendment is aimed directly at the curbing of the abuse of these bonds. There are no side issues.

Last week the Director of the Bureau of Budget, Charles J. Zwick, told the Municipal Finance Forum of Washington that the competition in the bond field has raised rates to a new high of 4.43

percent—the highest in the history of the program—for public housing bond sale. In 1947 the annual average yield was 1.45 percent, 2.51 percent in 1956, 3.67 percent in 1966, and 3.74 percent in 1967. He said:

> Any sizable increase in net offerings of tax exempts causes yields—the market measure of the cost of municipal financing—to rise more rapidly than yields on taxable obligations. This is because the tax exempt bond market at present yields is limited to buyers with relatively high marginal tax rates.

Senator Proxmire's Joint Economic Committee's study on tax exempts notes that the rapid increase in volume of municipal credit demands could exhaust the market from such buyers and cause yields of municipals to rise to as much as 90 percent of corporate yields, compared to the 75-to-70 percent ratios prevailing in the 1955–65 decade.

An even higher crunch will occur if we fulfill our obligation to provide 1.5 million additional units of public housing per year over the next 10 years. This we can expect to require municipal financing of about $25 billion, or $2.5 billion per year.

The President called for a total of 26 million housing units over the next 10 years to help meet the crisis of the cities in his message to the Congress.

This $2.5 billion average per year over the next 10 years, to be financed through normal municipals, will cost considerably more when it enters the market looking for buyers.

Yesterday my office received a telegram from the Mortgage Bankers Association of America favoring the Ribicoff amendment. The National Association of Counties also endorses the amendment saying:

> The unchecked issuance . . . poses a disastrous threat to the entire state and local government bond market.

Failure to enact this amendment will insure a "New War Between the States."

I ask unanimous consent that some telegrams, a letter, and an editorial be printed in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

Washington D.C.,
March 25, 1968.

Senator Gaylord Nelson,
Senate Office Building,
Washington, D.C.:

The Mortgage Bankers Association of America favors legislation to prohibit the continued use of tax-free municipal bonds for the financing of industrial and commercial properties. We urge your favorable vote for the Ribicoff amendment to H.R. 15414 excise tax bill.

Graham T. Northup,
Director, Governmental Relations.

Washington D.C.,
March 26, 1968.

Senator Gaylord Nelson,
U.S. Senate, Washington, D.C.:

Federal tax exemptions granted municipal industrial bond financing create unjustified tax burdens on average taxpayer while giving unconscionable economic advantages to certain industries. These same industries may create intolerable hardships to the people of communities they leave without jobs, income, and tax revenues when they move to tax-favored locations. On behalf of the more than six million members of the Industrial Union Department, AFL–CIO, I urge your support for the Ribicoff-Clark amendment to H.R. 15414 to limit this discriminatory tax exemption.

Jack Beidler,
Legislative Director, Industrial Union Department, AFL–CIO.

Washington D.C.,
March 27, 1968.

Senator Gaylord Nelson,
Washington, D.C.:

AFL–CIO strongly urges you support Ribicoff amendment to end tax-exempt status of so-called industrial development bonds. After 20 years of abuse, this tax loophole should be closed. Now that this tax-evasion device has been adopted by virtually every State, its attractiveness as a lure to industry is minimal but its cost to taxpayers and government is skyrocketing each month.

We favor new industry and plant expansion and more jobs, but the use of local governments' credit by corporations to escape their tax obligations is neither job-creating nor of financial benefit to communities. In fact, the rising cost of these bonds is forcing cutbacks in schools and public works thus causing substantial job losses.

Andrew J. Biemiller,
Director, Department of Legislation, AFL–CIO.

Washington D.C.,
March 26, 1968.

Senator Gaylord Nelson,
U.S. Senate, Washington, D.C.:

On behalf of Amalgamated Clothing Workers of America, I strongly urge support for Ribicoff-Clark amendment to H.R. 15414, which would curtail use of tax-free municipal bonds for industrial financing. This practice results in wasteful transfer of jobs from one area to another disregarding broad human and economic consequences.

Jacob S. Potofsky,
General President.

National Association of Counties,
Washington, D.C., March 22, 1968.

Hon. Gaylord Nelson,
U.S. Senate, Washington, D.C.

Dear Senator Nelson: The irresponsible continuation of the unchecked issuance of Industrial Development Bonds poses a disastrous threat to the entire state and local government bond market.

We urgently request that no action be taken to reverse the Department of Treasury Regulation which would control this abuse unless such a reversal is accompanied by positive legislative action to likewise control the abuse.

The question as to whether this crisis should be handled by the administrative or legislative route should not be allowed to avoid the fact that corrective action must be taken now.

Sincerely yours,
Bernard F. Hillenbrand,
Executive Director.

[From the Post-Crescent, Aug. 2, 1967]

Tax Exempt Bonds for Industries

Rep. John Byrnes of Green Bay has introduced a bill in the House which would stop federal tax exemption on the interest on state and municipal bonds used to construct industrial plants for private businesses. Mr. Byrnes, whose bill is cosponsored by nine other Wisconsin congressmen strikes at an abuse which has grown during recent years from a total of $7 million in such bonds 16 years ago to an estimated $1 billion this year.

In explaining the effects of the tax exemption, Mr. Byrnes points out: the United States Treasury loses millions in revenue which must be picked up from all taxpayers; states like Wisconsin, which is prohibited from floating bonds for businesses, lose industry to states with such schemes which this state's taxpayers help to pay for; and, finally, the interest rate on legitimate municipal bonds tends to rise as the industrial development bonds are put in competition with them in the market.

Thirty-five states, many of them in the south, now permit state or local governments to float bond issues for industrial development. Proceeds of the bond sale are used to build plants to the specifications of the new industry which are leased or sold to the business with the bonds secured by the lease or sale.

Mr. Byrnes emphasizes that he strongly supports the principle that borrowing by states and municipal governments is necessary to enable them to build such public service facilities as bridges, water works, industrial parks, municipal docks, parking authorities, recreation areas and the like. But he sees the industrial development bond scheme for what it is: an abuse of the principle of government bonding which could, if permitted to continue, jeopardize the whole idea of tax exemption for municipal and state bonds. The idea of tax exempt bonds cannot even be defended as helping underdeveloped areas. As Sen. Nelson of Wisconsin pointed out last March in attacking tax exempt borrowing to attract new industry, only two of 127 bond issues in 1966 were in areas which could be classified as depressed economically.

Rep. Byrnes' bill probably faces an uphill fight because 35 states use the tax exempt bond gimmick. It, however, deserves a full public hearing and action both to eliminate losses to the treasury of millions and the built-in discrimination against states where no such tax exempt bonds are permitted.

Mr. PERCY. Mr. President, I am very grateful that the distinguished Senator from Connecticut [Mr. Ribicoff] has proposed this amendment, and I am happy to join him as a cosponsor. I believe the amendment represents a very sound approach to a problem that has faced the Senate in two previous votes this year. It represents a balanced disposition of the question of the tax status of the income from municipal industrial bonds, and I hope it will be agreed to.

Mr. President, on behalf of my colleague, the most distinguished senior Senator from Illinois [Mr. Dirksen], I thank the Senator from Connecticut for accepting a change in his amendment which is a departure from the form of his original proposal. The exception relating to bonds for the construction of air and water pollution control is, we feel, responsive to a genuine need throughout the Nation. It will retain an avenue for immediate action against a very real and growing problem with which, it seems, everyone is much concerned, but upon which we are slow in mounting a meaningful attack at the grassroots level.

Mr. President, the citizens of the State of Illinois will vote on a $1 billion general obligation bond issue this year. A substantial part of the proceeds of this issue will provide the means for financing water pollution control facilities so desperately needed in our State, particularly in the Chicago area. Many small communities have plans for similar issues, in order to match the State moneys.

An interesting possible application of this exception is described in a paper prepared by Mr. James H. McCall, of the corporate finance department of Goodbody & Co., in Chicago. But more important, the paper, delivered at a recent meeting of representatives of concerned organizations, outlines graphically the tremendous needs in this critical area of pollution control, not only in Chicago and Illinois, but in the Nation, as well, I ask unanimous consent that it be printed in the RECORD, together with the names of those who participated in the discussion of ways to meet this important need.

I urge Senators to vote for the Ribicoff amendment. I hope it will be agreed to.

There being no objection, the paper and list of participants were ordered to be printed in the RECORD, as follows:

A PLAN FOR ENVIRONMENTAL CONTROL FINANCING

(By James H. McCall, Goodbody & Co., March 12, 1968)

INTRODUCTION

The questions and problems of pollution control are being studied on all levels of government and business. The actual definition of many forms of pollution has yet to be agreed upon—the tolerable degree of effluent in one or another stream or airshed is governed by what is the best economic and social usage of each of those courses. Nevertheless, we know pollution has no benefits in itself, and it must be minimized to help control our environment and our ability to maintain our well-being.

The technological approach to these problems is properly being taken on an individual basis, and definitions of need, approach and attack proposed for each individual case are well delineated as to the micro-economics of that portion of the total system it is to satisfy.

But the economics of the whole of the communities' problems must be taken in more broadly in order to be realistic, and a macro-economic approach must be established in order to make full use of the most efficient application of any proposed solution.

THE FEDERAL GOVERNMENT'S ENVIRONMENTAL APPROACH

The federal government has quietly moved in this direction with the introduction of the two bills in the Senate for the organization of an Environmental Council, and with the President's latest message covering all aspects of environment and not one or another area—water, air or solid waste. Under these proposals, the respective Secretaries of Interior and Health, Education and Welfare would work in harness with the Council, and their respective efforts would complement one another. The highly interrelated problems of air pollution, water pollution and disposal of our solid wastes, which are complex in their creation, would likewise be approached and solved on an interrelated basis, in which the economics would play an important role. This broad approach must be made by the State and local governments as well as the Federal, if any progress will be made.

ACTION NEEDED NOW

Unless this broad base is created at the outset of the attack on local problems, some formidable and perhaps insurmountable obstacles will arise that will not permit the new pollution technology to be implemented. If industry and governmental officials do not take an initiative today to provide the proper economic vehicles for effective environmental control, the road to clean air and useful waters is going to be detoured through a sticky political swamp.

A PLAN FOR ACTION

What we are here today to propose to you and to ask your help on, is the creation of a new environment—if you will pardon the pun—that of industry-government cooperation to give the existing regulatory agencies a real chance to do their job, and have some sound, business-like support to get it done; financial support that is not dependent upon relative needs dictated by political pressures, foreign aid, available taxes, or referendums; and operating support that is efficient, effective and comprehensive.

We have a plan which we think can provide Chicago and Illinois an opportunity to lead the nation by providing such a vehicle to aid in resolving problems of environmental control.

BACKGROUND

For over two years, we have intensively put our minds to questions of ways and means of meeting pollution problems. In connection with this, I have, on behalf of Goodbody, visited cities from coast to coast and have discussed first-hand with city officials and civic and industrial leaders the problems and difficulties which they have. We have explored approaches and concepts that might most quickly and most efficiently be employed to diagnose the particular pollution problems, what causes them, and on what economic basis they can be resolved. We are very much aware that new technologies are being developed to meet these problems. Implementing the new technologies requires the development of new methods of financing. Mr. Reilly of our firm is a nationally-recognized authority on developing and applying new municipal financing techniques.

NEEDS

First, what are our needs in Chicago and Illinois? It is conservatively estimated that during the next five years the capital requirements for pollution and environmental control merely to cover present rates of new construction in the Northeastern Illinois area will be at least 1.3 billion dollars. This figure is based on moderate population projections, the standard current per capita expense on water and sanitary facilities and the current share of industrial capital expenditures allocated to pollution control. This estimate does not take into account the development of new technologies or any acceleration in the rate of spending. On a statewide basis, far greater sums will be needed over the next few years.

On a national basis, the need for municipal and industrial water pollution control facilities over the next five years will require between 20 and 23 billion dollars. From that, we can also estimate that the share of water pollution control facilities in Northeastern Illinois alone could easily require one billion dollars or more.

INDUSTRY INCENTIVES

Since the huge investment required does not produce income for those private industries who must bear much of the cost, it is important that incentives be provided to induce maximum cooperation. Control of our environment is a public, as well as a private, responsibility; therefore, it is appropriate that public agencies cooperate with private industry in financing the cost. Only by sharing the load can there be an effective effort to obtain full use of our air, lakes, streams, and rivers. A good example of a joint effort is the low income dwelling rehabilitation now being undertaken by several major corporations and federal and local governments.

OTHER PROPOSALS

We have reviewed legislation and proposals under consideration in other states, such as Ohio, Nebraska and New York, and systems in other countries such as the Ruhr Valley in Germany. We have also studied the background on the proposition for referendum coming up this year in Illinois. We see some good ideas in all these plans but nothing comprehensive enough to provide a strong economic basis for the type of action that is going to have to be taken. The provisions for real and practical incentives for industry to provide its own corrective systems are actually few, and industry needs these incentives, as well as regulations, to stimulate action on many of our most pressing problems.

THE PROPOSAL

Out of this research we think we have found a basis for financing of many of the needed environmental control projects, and we feel that we have developed a unique proposal which is simple, economical, efficient, and which will result in a minimal cost to the taxpayer. What we now propose is the application of the principles of municipal revenue bond financing to the problem of raising capital for pollution control not only for public agencies but also for private industry. This program is designed to meet the requirements of the Federal government for matching funds, and as outlined in the President's environmental message of March 8.

We asked our legal counsel, Mr. Richard G. Ferguson of Isham, Lincoln & Beale to prepare a draft of legislation to provide a vehicle for our plan. The legislation is now in draft form and can be readied to be introduced without delay at the forthcoming reconvening of the State Legislature.

Specifically, the legislation as drafted calls for the following:

1. The creation of local Environmental Control Districts. These districts would be created by counties acting either separately or jointly with other counties. In counties where a municipality has over one-third of the over-all population, the District would be established by joint action of the municipality and the county. These local districts would acquire air and water pollution control equipment and facilities for lease, contracts, or to provide services to private or public interests with pollution control problems. The local districts will also be authorized to provide disposal services for solid wastes arising from all pollution control efforts on a contract basis for other political subdivisions or for private industry.

2. The creation of a state level Environmental Control Commission. The purpose of this Commission would be to supervise and coordinate all pollution control policies and planning undertaken by local and regional agencies as well as by other state agencies. It would be composed of state agency officials, citizens, and representatives of the local districts. The Commission would issue and market state revenue bonds payable out of the pooled revenues produced by the lease or sale of the environmental control facilities and equipment or for services provided by any of these facilities, by the local districts. The proceeds from the sale of these bonds would be distributed to local districts in direct proportion to their actual capital needs to deal with their localized problems. By having the state agency market and issue the bonds backed by the revenue to be received by the local districts, the bonds could be issued in large enough amounts so as to provide the lowest net interest cost for the financing. The revenues would be further backed by guarantees of the leases to smaller firms under a lease guarantee plan developed and administered by the private insurance industry and the SBA. This would save substantial amounts for the community and for industry and the bonds would be readily marketable instruments. The Commission would also render technical and engineering advice to private industry and to government agencies to assist in determining the feasibility, capacity and necessity for various pollution control projects. This Commission would in no way replace or curtail the status or powers of any existing State or local agency, but would exist solely to provide an efficient, expedient and businesslike method of implementing their actions.

Our proposal is analogous to the financing techniques used by the Public Building Commission for public agencies, and to the industrial aid bond technique in its application to private industry.

ADVANTAGES

Of course, the important advantage to private industry from this plan is the reduction in the cost of financing pollution control facilities through the use of the relatively low interest rate, tax free municipal bonds and the incentives of exemption from all property taxes on these facilities arising from public ownership. The advantage to the public from this proposal is clear; there would be an immediate opportunity to accelerate a major part of our pollution control efforts, no additional taxes need be imposed, and in fact, Illinois citizens could be relieved of many of the additional taxes contemplated by the bond referendum to solve a number of the pollution problems caused by the private sector of the economy.

It may be possible for the agency to develop income by reason of services it could also render to the municipalities and industry. This income could provide an effective offset to the costs of financing and the service charges to the municipalities and to industry, by providing them with credits on their payments.

COORDINATION WITH BOND ISSUE

This program would coordinate well with the one billion dollar statewide general obligation bond issue to be presented to the voters in Illinois in 1968. Since revenue bonds could provide a means to finance the bulk of pollution facilities required by private industry and the various local governments, that part of the proceeds of the statewide issue now intended to be used for such purposes would be substantially decreased. The state would then be able either to reduce the amount of bonds actually issued (thereby minimizing the taxpayer's burden) or apply more of the bond proceeds toward water resources and flood control projects. It would be helpful if some small portion of the proposed billion-dollar bond issue could be applied toward start-up operating costs of the various local environmental control districts which might be created. Thus, the funds to be available from the revenue bonds would be available *without* the statewide referendum and without the imposition of a statewide property tax.

EXAMPLE

As an example of the operation of the proposed legislation, suppose, that in Cook County a number of industries need facilities and equipment to meet the pollution control standards promulgated by various federal, state and local agencies. The tight money market with high interest costs makes it difficult and expensive for these private businesses to acquire the needed facilities themselves.

APPLICATION TO INDUSTRY

Under the proposed legislation the industries could lease the necessary equipment from the local Environmental Control District formed jointly by the County Board and the Chicago City Council. The facilities could thus be made available for the public benefit to the industries without impinging upon the capital resources needed by companies for regular business purposes. These facilities would become available to industry at an over-all lower cost due to the tax advantages of public bond financing and the economic advantages accruing from the local district providing pollution control facilities on a greater scale. The program would also be particularly consonant with modern business management attitudes toward the acquisition of nonproductive equipment, which is to have the use of such equipment by lease and not to tie up the working capital of the business for such reasons.

APPLICATION TO MUNICIPALITIES

By the same method, the District could purchase and lease facilities to a municipality or sanitary district that had reached its taxing limits, or for some other reason did not choose to issue additional bonds. These leases or term purchase arrangements are perfectly legal under current legislation, and can be paid for with user charges in many instances where taxes cannot be levied. The cost, because of the revenue pooling arrangements, and loan guarantee programs, may approximate what the municipality would pay on its own.

STATE ISSUES BONDS

The state Environmental Control Commission would then issue its revenue bonds based on the capital needs of the local district and the proceeds of the bonds would go in our example to the Cook County Environmental Control District to acquire or construct the necessary facilities to meet the local needs. The facilities could thus be made available to industry without any direct cost to the public and without additional taxation. By coordinating with the local district, the state agency could insure that local efforts would employ sound technology and responsible financing.

ECONOMIES

Moreover, by the coordinating of various individual pollution efforts, the local districts and the state agency could make additional economies available to the users by the sharing of some facilities among them wherever possible. The technical advice which could be offered by the state experts could result in more efficient implementation of technology as applied to the particular industries involved. For instance, new techniques are providing ways to recover many pollutants as useful raw materials which can be resold or recycled to offset the costs involved in pollution control. We have found in a Houston project we financed that material recycling now significantly off-sets operating costs with the re-use of 30% to 35% of the input volume. There are many instances where wastes and by-products of one industry become raw materials for another, only because the volumes were able to be coordinated and timed. It seems inevitable that additional discoveries of this type will be soon forthcoming. Thus, the industries receiving the control district facilities could be aided in making their own operations more efficient.

SOLID WASTE DISPOSAL

Another interrelated problem which plagues both industrial and municipal agencies is the problem of solid waste disposal which is not a part of the pending $1 billion bond referendum. The combination of increased population and increased waste per capita presents an exploding and ominous problem that involves not only the treatment of residential and industrial wastes, but also that of getting rid of the final wastes after treatment. It is important that any solid waste program be coordinated with the air and water pollution control programs because generally the final product of these projects is an unwelcome sludge which is hard to dispose of in any volume. This problem of solid waste disposal is an area in which economies of scale are most evident. The greater the volume of solid wastes or sludge treated by a facility or to be disposed of, the lower the per-ton cost can be brought.

There are great opportunities for additional revenues and income to be generated here. Solely out of elimination of duplicate facilities, coordination of collection and transfer stations, and the economies of large volume material handling, the district could provide a cheaper service, yet generate income to reduce the overall costs of environmental control, compared to what would be the cost of handled with today's fragmented approach.

In addition, a major hazard could be averted in the regional systematizing of the refuse disposal problem which will become critical within a few years.

The City of Chicago now generates almost 3 million tons of solid wastes (excluding sewage sludges) each year. About 50% of this volume is exported for disposal in other areas. Of the 22 regions in Northeastern Illinois surveyed in 1963, 16 had less than 10 years life in disposal areas, and 10 are now exporting all refuse. In addition, only 28 of the 82 disposal facilities in the area were publicly owned, and no regulations exist on the rates charged by the private sites. In the last year, at least one of the major operators of these sites doubled his rates.

By closely coordinating with both public and private refuse operations, the District could provide regional disposal operations that would most efficiently take advantage of logistics, and provide the lowest cost, yet most up-to-date technological facilities for disposal of all solids generated with the Northeastern Illinois area. By operating as a profit-making operation, it could be self supporting, and maintain the lowest costs for the communities and industries it serves.

ASSISTANCE ON THE PROGRAM

The program we have developed reflects the thinking of many people, all of whom are willing to offer their time and talents to refine and perfect the programs and mechanics and to serve in any way to help implement it. We have the experience and background to bring to bear on the economics and legal aspects of the bond issues and can advise all state and local agencies involved. In addition, we at Goodbody & Co. are prepared to secure the assistance of the financial community to underwrite and distribute the bonds which will be issued by the Commission. All of us have developed this program together in order to bring the critical problem of environmental control into a solvable perspective and to provide a sound economic basis for our community to meet these challenges. We have discussed this concept in general with officials of several large corporations, engineers and civic leaders, with a uniformly positive response. We are confident that the support for this coordinated plan will be widespread and enthusiastic.

OPPORTUNITIES FOR CHICAGO

For Chicago in particular, we believe that this program will provide:

1. An acceleration of the implementation of needed pollution control and abatement methods.

2. The provision of a modern method of *adequate* financing in keeping with the ever-advancing state of the art of pollution control, by offering immediate, direct and attractive financial incentives to industry and the community.

3. Continued national leadership for the City of Chicago in meeting the growing challenge of urban and social problems. This program will demonstrate that this effort need not be based on property taxation and that it can be supported by industry. The program would be a model for others to follow.

PARTICIPANTS, ENVIRONMENTAL CONTROL FINANCING LUNCHEON, MARCH 12, 1968

Todd Cayer, Deputy Regional Construction Grants Program Director, Federal Water Pollution Control Administration, Chicago, Illinois.

Frank E. Dalton, Chief Engineer, Metropolitan Sanitary District of Greater Chicago.

Stephen Denning, General Partner, Goodbody & Co., Chicago, Illinois.

Robert G. Ducharme, Assistant Director, Northeastern Illinois Planning Commission, Chicago, Illinois.

Richard G. Ferguson, Partner, Isham, Lincoln & Beale, Chicago, Illinois.

James V. Fitzpatrick, Commissioner, Dept. of Streets & Sanitation, Chicago, Illinois.

James Flannery, Chief Economist, Federal Water Pollution Control Administration, Washington, D.C.

Robert Gentz, Vice President, Inland Steel Co., Chicago, Illinois.

G. Findley Griffiths, President, Interlake Steel Corp., Chicago, Illinois.

H. Harper, Vice President, Northern Illinois Gas Company, Chicago, Illinois.

E. F. Heizer, Jr., Assistant Treasurer, Allstate Insurance Company, Northbrook, Illinois.

Allen S. Lavin, Chief Counsellor, Metropolitan Sanitary District of Greater Chicago.

Richard C. Lonergan, Vice President, Allstate Insurance Company, Northbrook, Illinois.

James H. McCall, Corporate Finance Dept., Goodbody & Co., Chicago, Illinois.

Ronald D. Michaelson, Administrative Assistant, Board of Commissioners of Cook County, Illinois.

Morgan Murphy, Jr., Partner, Coughlan, McGloon, Joyce & Murphy, Chicago, Illinois.

William F. Palmer, Engineering Consultant, Goodbody & Co., New York, New York.

Preston E. Peden, Director of Governmental Affairs Division, Chicago Association of Commerce and Industry, Chicago, Illinois.

James F. Reilly, General Partner, Goodbody & Co., New York, New York.

John R. Sheaffer, Research Associate, Center for Urban Studies, University of Chicago.

Charles F. Willson, Director of Area Development, Continental Illinois National Bank and Trust Company, Chicago, Illinois.

Richard A. Young, Manager, Institutional Department, Goodbody & Co., Chicago, Illinois.

Mr. MONRONEY. I yield back the remaining time.

Mr. RIBICOFF. I yield back the remainder of my time.

The PRESIDING OFFICER. All remaining time having been yielded back, the question is on agreeing to the amendment. The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BAKER (when his name was called). On this vote I have a pair with the distinguished senior Senator from Illinois [Mr. Dirksen]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withhold my vote.

The rollcall was concluded.

Mr. BYRD of West Virginia. I announce that the Senator from North Carolina [Mr. Ervin], the Senator from Arkansas [Mr. Fulbright], the Senator from Missouri [Mr. Long], the Senator from Arkansas [Mr. McClellan], and the Senator from New Mexico [Mr. Montoya] are absent on official business.

I also announce that the Senator from South Carolina [Mr. Hollings], the Senator from New York [Mr. Kennedy], the Senator from Ohio [Mr. Lausche], the Senator from Montana [Mr. Mansfield], the Senator from Minnesota [Mr. McCarthy], the Senators from Rhode Island [Mr. Pastore and Mr. Pell], and the Senator from Alabama [Mr. Sparkman] are necessarily absent.

I further announce that, if present and voting, the Senator from New York [Mr. Kennedy] would vote "yea."

On this vote, the Senator from North Carolina [Mr. Ervin] is paired with the Senator from Arkansas [Mr. Fulbright]. If present and voting, the Senator from North Carolina would vote "yea," and the Senator from Arkansas would vote "nay."

On this vote, the Senator from South Carolina [Mr. Hollings] is paired with the Senator from Rhode Island [Mr. Pastore]. If present and voting, the Senator from South Carolina would vote "yea," and the Senator from Rhode Island would vote "nay."

I further announce that, if present and voting, the Senator from Arkansas [Mr. McClellan] and the Senator from New Mexico [Mr. Montoya] would each have voted "nay."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. Carlson] is absent on official business.

The Senator from Illinois [Mr. Dirksen] and the Senator from Arizona [Mr. Fannin] are necessarily absent.

The Senator from Nebraska [Mr. Hruska] is detained on official business.

If present and voting, the Senator from Arizona [Mr. Fannin] would vote "nay."

The pair of the Senator from Illinois [Mr. Dirksen] has been previously announced.

On this vote, the Senator from Kansas [Mr. Carlson] is paired with the Senator from Nebraska [Mr. Hruska]. If present and voting, the Senator from Kansas would vote "yea," and the Senator from Nebraska would vote "nay."

The result was announced—yeas 50, nays 32, as follows:

[No. 86 Leg.]

YEAS—50

Allott
Bartlett
Bayh
Bible
Boggs
Brewster
Brooke
Byrd, Va.
Cannon
Case
Church
Clark
Cotton
Dodd
Dominick
Fong
Gore
Griffin
Gruening
Hart
Hartke
Holland
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kuchel
Magnuson
McGee
McIntyre
Metcalf
Mondale
Moss
Murphy
Nelson
Percy
Proxmire
Randolph
Ribicoff
Russell
Scott
Smathers
Spong
Symington
Tydings
Williams, N.J.
Williams, Del.
Yarborough

NAYS—32

Aiken
Anderson
Bennett
Burdick
Byrd, W. Va.
Cooper
Curtis
Eastland
Ellender
Hansen
Harris
Hatfield
Hayden
Hickenlooper
Hill
Long, La.
McGovern
Miller
Monroney
Morse
Morton
Mundt
Muskie
Pearson
Prouty
Smith
Stennis
Talmadge
Thurmond
Tower
Young, N. Dak.
Young, Ohio

PRESENT AND GIVING A LIVE PAIR, AS PREVIOUSLY RECORDED—1

Baker, against.

NOT VOTING—17

Carlson
Dirksen
Ervin
Fannin
Fulbright
Hollings
Hruska
Kennedy, N.Y.
Lausche
Long, Mo.
Mansfield
McCarthy
McClellan
Montoya
Pastore
Pell
Sparkman

So Mr. Ribicoff's amendment was agreed to.

Mr. RIBICOFF. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. PROXMIRE and several other Senators moved to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

Mr. RIBICOFF. Mr. President, I move to make this amendment a part of the original bill.

The PRESIDING OFFICER. The question is on the motion of the Senator from Connecticut.

The motion was agreed to.

Mr. RIBICOFF. Mr. President, I move to reconsider the vote by which the motion was agreed to.

Mr. PROXMIRE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 675

Mr. RANDOLPH. Mr. President, I call up my amendment No. 675. The amendment is at the desk.

The PRESIDING OFFICER. The clerk will state the amendment.

The Assistant Legislative Clerk. The Senator from West Virginia [Mr. Randolph] proposes an amendment for himself, Mr. Byrd of West Virginia, and Mr. Muskie, beginning on page 4, line 9, to strike out all to and including line 16, page 6.

The language proposed to be stricken out, is as follows:

Sec. 3. Moratorium on Public Works Projects.

(a)(1) Notwithstanding any other provision of law, no Federal department or agency shall, during the period in which this section is in effect—

(A) initiate the planning or construction of any public works project (including projects for recreational facilities but excluding projects for highways), or

(B) make any grant to any State or local government agency for initiating the planning or construction of any such public works project.

(2) Upon request of the head of the Federal department or agency concerned, the Director of the Office of Emergency Planning shall investigate a public works project with respect to which paragraph (1) applies for the purpose of determining whether the delay in planning or construction of such public works project required by paragraph (1) will cause irreparable damage to the public health or welfare. If with respect to any planning or construction of any such public works project, the Director determines that such delay will cause such irreparable damage, paragraph (1) shall cease to apply with respect to such planning or construction effective on the date on which the Director publishes such determination.

(3) The Director shall report, from time to time, the results of his investigations and determinations under paragraph (2) to the President and the Congress.

(b)(1) The Director of the Office of Emergency Planning shall make an investigation of all public works projects (including projects for recreational facilities but excluding highway projects), the planning or construction of which has been initiated on or before the date of the enactment of this Act and is being carried out by a Federal department or agency or by a State or local government agency with Federal assistance, for the purpose of determining what planning and construction on such public works projects can be temporarily halted without causing irreparable damage to the public health or welfare.

(2) Notwithstanding any other provision of law, no Federal department or agency shall—

(A) continue any planning or construction, or

(B) make any grant (or payment of a grant previously made) to any State or local government agency for continuing any planning or construction,

which the Director determines under paragraph (1) can be so temporarily halted, during the remainder of the period in which this section is in effect beginning with the day

> after the date on which the Director publishes such determination.
>
> (3) The Director shall, as soon as practicable, report the results of his investigation and determinations under paragraph (2) to the President and the Congress.
>
> (c) This section shall apply during the period beginning on the day after the date of the enactment of this Act and ending on the last day on which the tax required to be deducted and withheld on wages under section 3402 of the Internal Revenue Code of 1954 includes any amount attributable to the tax surcharge imposed by section 51 of such Code.

The PRESIDING OFFICER. Who yields time?

Mr. RANDOLPH. Mr. President, yesterday afternoon I placed on the desk of each Senator a brief memorandum setting forth some of the implications of section 3 of the Williams-Smathers amendment, the "Moratorium on Public Works Projects."

In the memorandum I indicated that there was a need for clarification of some of the subject matter which had been acted on in the Senate in prior votes.

This afternoon I want to further clarify the memorandum and to enlarge upon it. I am very grateful for the privilege of discussing this amendment, which is cosponsored by my able colleague, Senator BYRD of West Virginia, and Senator MUSKIE of Maine.

I shall address myself first to the comments of the Bureau of the Budget concerning this section in reply to a request of the Committee on Finance, chaired by the able Senator from Louisiana [Mr. LONG]. That request was in connection with a report on S. 2902, a bill introduced by the distinguished Senator from Delaware [Mr. WILLIAMS], which contains essentially the language embodied in section 3 of the pending measure, sponsored by Senators WILLIAMS of Delaware and SMATHERS.

The proposed moratorium is offered as an economy measure. However, I think Members of the Senate who are conversant with the construction activities of the Federal Government are aware that a stop-and-go approach is infinitely more costly than the orderly procedures established by the Congress to guide the administration of these programs.

In this regard, the Bureau of the Budget commented in the following words:

> The proposed moratorium on public works projects would be costly and difficult to administer. It would require uneconomic actions to stop many worthwhile projects already underway if large reductions in expenditures were to be achieved.

That is the end of the quotation from the Bureau of the Budget in reporting on the original bill offered by the Senator from Delaware.

Senators have previously heard during the debate on this matter references to the action by President Truman in curtailing public works construction during the crisis in Korea. However, I would point out that even during that period, when the relative wartime demands on the economy were much greater than they are today, the actions of the administration were far less stringent and extreme than those that are proposed in the pending measure.

Mr. President, to quote again from the report of the Bureau of the Budget:

> Contracts were generally allowed to be completed on less essential projects before placing the projects on the standby basis. The present bill would require cancellation of existing contracts.

I underscore that language. The present bill would require cancellation of existing contracts.

The report of the Bureau of the Budget refers to five specific difficulties created by the language proposed in section 3 of the pending measure.

First, economically it would be very costly and wasteful to the Federal Government and to our State and local governments, for it would require additional costs to place projects on a standby basis, and would subject Federal agencies to damage claims for the cancellation of construction contracts.

Second, cancellation of planning on projects would be severely damaging. I think this is important to underscore—not only the projects that are in being, but the projects that are in the planning stage would be affected. This would of course damage programs of the Federal Government as well as State and local programs, and would result in the loss of highly skilled planning staffs, who could not readily be recovered for work after July 1 of 1969, when the moratorium would presumably be lifted.

It would be doubtful, of course, just how quickly we could pull those people back. But I think it is even more important to note that a moratorium on planning would be in direct violation of the recommendations of the Bureau of the Budget to maintain a high level of planning activity at periods of relative cutbacks in construction level, so that these highly skilled teams can be held together.

Third, the Bureau of the Budget criticized the language of S. 2902 as not having clear definitions. The pending measure, I say, has not been improved—and I say that with good conscience and good grace—in this regard. The concept of irreparable damage to public health and welfare is probably without meaning, since it is doubtful that anyone could make a judgment that the failure to construct a hospital or to build a dam or to erect a vocational educational facility would be damaging beyond repair to the public health or welfare.

Fourth, I quote again from the report of the Bureau of the Budget:

> Investigations of the projects being planned or under consideration before a determination to stop a project would require a time-consuming investigation period. The application of the moratorium to all going projects could well take several years, by which time some of these projects would already be completed. If an investigation of going projects were to be required, it is questionable whether OEP is the proper agency.

Of course, I too think the Office of Emergency Planning, without disparagement of it, is not the agency with which the authors of the amendment should have entrusted the making of decisions. But, to continue—

> It is questionable whether OEP is the proper agency to review agency proposals and make the final determination as to what is essential to the public health and welfare.

Finally, there is a serious question of equity involved in section 3, since many of the programs which would be covered by the proposed moratorium are identical to programs financed with Federal loans, which would not be affected.

I now direct the attention of Senators to the all-encompassing scope of the term "public works." As I have stated in the memorandum to which I have called attention, title 40, United States Code, section 460, defines public works as "any public works other than housing."

The Special Analyses of the Budget of the United States for fiscal year 1969 has a separate chapter entitled "Federal Activities in Public Works." I call attention to table G–2, page 79, which presents a summary of direct Federal public works expenditures in 1969 under new obligational authority. I remind Senators that this table includes none of the Federal grant-in-aid programs. I shall not read it, but I ask unanimous consent to have printed in the RECORD the entire list, presented in table G–2, page 79 of the aforementioned document.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE G-2.—DIRECT FEDERAL PUBLIC WORKS—EXPENDITURES AND 1969 NEW OBLIGATIONAL AUTHORITY, BY AGENCY FROM FEDERAL FUNDS AND TRUST FUNDS

[In millions of dollars]

Type of program and agency	Expenditures			New obligational authority, 1969 estimate
	1967 actual	1968 estimate	1969 estimate	
Civil public works:				
Forest Service	112	137	123	139
Corps of Engineers—Civil	1,057	1,022	923	894
Public Health Service	36	47	48	30
Social Security Administration (trust funds)	1	8	26	26
Bureau of Indian Affairs	56	58	55	52
National Park Service	52	54	51	13
Bureau of Reclamation	231	210	215	202
Bonneville Power Administration	106	115	116	114
Post Office Department	43	42	88	130
Coast Guard	29	34	70	52
Federal Aviation Administration	62	79	102	71
General Services Administration	239	214	172	61
National Aeronautics and Space Administration	289	160	76	45
Veterans' Administration	60	59	66	34
Tennessee Valley Authority	183	249	263	28
Other	196	218	213	87
Subtotal, civil public works	2,752	2,706	2,607	1,978

TABLE G-2.—DIRECT FEDERAL PUBLIC WORKS—EXPENDITURES AND 1969 NEW OBLIGATIONAL AUTHORITY, BY AGENCY FROM FEDERAL FUNDS AND TRUST FUNDS—Continued

[In millions of dollars]

Type of program and agency	Expenditures			New obligational authority, 1969 estimate
	1967 actual	1968 estimate	1969 estimate	
National defense public works:				
Army	447	786	604	691
Navy	523	177	356	372
Air Force	550	568	438	278
Interservice activities	80	90	134	79
Civil defense centers and shelters	1	2	6	----------
Atomic Energy Commission	130	161	245	353
Subtotal, national defense public works	1,731	1,784	1,783	1,773
Total, direct Federal public works	4,483	4,489	4,391	3,752

Mr. RANDOLPH. I mention the Forest Service as an example. There was mention, earlier today, by the Senator from Washington [Mr. MAGNUSON], the chairman of the Committee on Commerce, concerning programs in the Forest Service.

The Public Health Service, the Bureau of Indian Affairs, the Bureau of Reclamation, the Coast Guard, the National Aeronautics and Space Administration, the Veterans' Administration, and others—some 18 or 20 in all—have civil works construction programs. Those civil public works activities are under planning and construction, and would be killed by the moratorium which is envisaged in the Williams-Smathers amendment.

The total expenditures in 1967 for all of these agencies, some of which I have mentioned, were $4.483 billion. The estimated expenditures for fiscal year 1968 are $4.489 billion.

Because of the timelag between the obligations, the expenditures, and the completion of construction, in all probability a large part of the funds for fiscal 1967 and possibly all of the funds for fiscal 1968 are still under contract, and much of this contracting would have to be postponed, under the terms of the moratorium proposed in section 3 of the amendment of the Senator from Delaware and the Senator from Florida.

I thus point out again that the proposed moratorium would make a shambles of the activities of every major agency in the U.S. Government engaged in construction.

Mr. CHURCH. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield.

Mr. CHURCH. Mr. President, will the Senator be kind enough to explain to me precisely what his amendment would do with respect to the moratorium?

Do I correctly understand that the Senator's amendment would exempt construction contracts that are underway, that have been started but are incomplete?

Mr. RANDOLPH. The Senator is correct. I would delete in its entirety section 3 from the bill.

Mr. CHURCH. How would the Senator's amendment affect new starts in the field of construction?

Mr. RANDOLPH. The administration would be able to go ahead with the planning and construction of projects that have been authorized by the Congress and for which funds have been or will be appropriated.

Mr. CHURCH. Would it be possible, also, if the Senator's amendment is agreed to, for new construction starts to begin in the coming fiscal year?

Mr. RANDOLPH. It would be possible, though I think that would be very improbable. I point out that the administration's proposed budget for fiscal year 1969 has already cut deeply into these programs, and, of course, the Appropriations Committees will exercise their judgment on these matters.

Mr. CHURCH. I thank the Senator.

Mr. RANDOLPH. Mr. President, the effect of this amendment cannot be determined as we discuss it on the floor of the Senate.

To consider only one small item that would be affected, I call the attention of the Senator from Idaho to the construction involved under the general item of Corps of Engineers, Civil Functions, appropriations. I refer to a request for $904 million. Out of that total, about $100 million can be classified as controllable. The remainder will be required for payment under existing, continuing contracts or for the initiation of other phases of the work which, if not awarded, would require the contracting officers to stop work on the existing contract.

Let us suppose that there is a valid contract for the construction of a dam. Unless contracts are amended for the necessary relocation of the facilities which would be flooded by the impoundment, the Corps would have to suspend the contract to closure in order to avoid damages to a highway, let us say, or to property located within the reservoir or lake area that has not yet been acquired.

Very few if any of these public works projects would qualify as being essential to the public health or welfare. However, the cancellation of the existing contracts in the guise of saving money could be very expensive to the Government and to the taxpayers of the United States and would defeat the very purpose which the authors of the pending measure seek to serve.

I feel that it should be rejected.

Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. RANDOLPH. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from West Virginia has 10 minutes remaining.

Mr. RANDOLPH. Mr. President, I refer to the grant-in-aid programs for such projects as water and sewage treatment. This will be discussed in greater detail by the able Senator from Maine [Mr. MUSKIE], chairman of the Subcommittee on Air and Water Pollution. I refer also to the programs for vocational schools, public hospitals, medical health centers, and airports, all of which would fall under the proposed moratorium.

How many Senators are aware at this point that 41,000 persons are employed at the J. F. K. International Airport in the New York City area in both direct and indirect employment? It is the largest single employer at one site in New York City.

We have to think in terms of a continuing program and facilities for the movement of aircraft so that we may not only move people and products, but may also consider the safety of the people of the United States. Certainly their safety should be protected.

I remind the Senate that the several States and thousands of counties and municipal governments have already made their financing plans and predicated those plans on the good faith of the Federal Government.

The Federal dollars to be expended for such projects are to be matched in many instances by funds raised by bond issues that have not been easy of passage at the local and State level. This applies equally to projects that are already under construction as well as to those authorized and in the planning and preplanning stages mentioned by the able Senator from Idaho.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield.

Mr. LONG of Lousiana. Mr. President, the Senator is to be applauded for offering this amendment. The cosponsors are also to be commended.

In the absence of the Senator's amendment, if the Williams-Smathers substitute should prevail, public works, a very ancient and honorable undertaking of the Government, would be placed in an inferior status in comparison with other kinds of spending for the Great Society. Let it be understood that I am not here to criticize the Great Society programs, I voted for most of the programs suggested by President Johnson. I refer to programs such as VISTA, Headstart, the poverty program, and the various other related programs. I assert, however, that no evidence can be produced to prove that they are any more worthy than the many desirable public works projects.

Is it not correct that, without this amendment, desirable public works, properly recommended and voted on by Congress and for which money would otherwise be appropriated, would be placed in a status inferior to that of other types of spending?

Mr. RANDOLPH. Mr. President, I agree with the statement of the Senator from Louisiana that the so-called old line programs are valuable. They have been tested. However, there is a mixture involved here. We find that the mental health facilities, vocational education, and higher educational facilities are also involved. I think we might call these a part of the Great Society. However, there is no need to downgrade other programs that have been proven over the years, programs of which Congress has a commitment and, in fact, a responsibility. We must be responsible to the American people.

I agree with the statement of the Senator from Louisiana.

Mr. LONG of Louisiana. Mr. President, is it not the case that all programs proposed in the budget will be carefully scrutinized by the Senate, including the public works recommendations? Naturally, the latter are likely to be cut below the President's recommendations, as are a lot of other requests. However, is not the amendment proposed as a substitute for the pending bill guilty of the charge that it overkills? It just kills all public works in sight. A conscientious administrator would be forced to stop virtually all activity under the language of the amendment.

Mr. RANDOLPH. The Senator is correct. It is sad to say it, but this is a meat approach rather than the approach of a careful and skilled surgeon in an attempt to find whether there might be improvements made or programs eliminated.

Mr. LONG of Louisiana. It is an overkill. What conscientious administrator could certify that any delay in a particular program would irreparably damage public health or welfare? When could he say that if we spend money later, even if it costs three times as much later, we could not possibly overcome the damage that had been done?

Mr. RANDOLPH. It could not apply. The Senator is correct. I agree with him completely.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield.

Mr. MONRONEY. I am distinctly disturbed about a reference that this bill would do serious damage to our greatly needed airport program and would further postpone, for a period of many, many months, even the projection of planning for and getting ready for the construction of airports.

The Senator, who was active in writing the general airport bill when President Truman was in office, and who is completely familiar with this matter, knows that usually there is a period of perhaps 6 years between the inception of an airport and the time it is receiving planes.

As I read this amendment, we would jeopardize the program, for whatever period this freeze is on, or whatever the disposition is of the genius who is set up to administer it and to decide what is right and what is wrong with respect to public expenditures.

Can the Senator from West Virginia inform me as to the situation?

Mr. RANDOLPH. The Senator is correct. It takes 3 to 5 years to do an airport project. We know that, and we know that the needs run into the thousands—not only for the convenience and the comfort but also for the safety of the people of the United States as they move about, and also for the products that are shipped by the people of this country.

I referred earlier to the employment of 41,000 persons at J. F. K. International Airport, just to show the impact of this industry.

I believe it is also important to show the airline passenger growth in this country. In 1967, we had 126 million passengers on our scheduled airlines. The projected figure for 1973, as the Senator knows, is 248 million passengers, and by 1979 we project 444 million passengers.

America needs, as the Senator from Oklahoma has said, a continuing program of improvements for the convenience, comfort, and safety of the American people.

Mr. MONRONEY. The Senator is correct. He is aware—I presume he has referred to it—that the 747 jumbo jet will be unloading 450 people from its doors when it lands at the already overcrowded facilities in many cities, on the already overtaxed runways, and the same situation will apply to the 250-passenger DC-10, and the Lockheed Sky Bus, the 1011.

Mr. RANDOLPH. The FAA construction program in 1967 was only $62 million, and the projected figures are $79 million for 1968 and $102 million for 1969. Even these amounts, while substantial, are inadequate to meet our air transportation needs. The Senator knows that to be true.

Mr. MONRONEY. The program would be jeopardized unless the amendment is adopted.

Mr. RANDOLPH. Yes.

Mr. President, is the Senator from Maine [Mr. MUSKIE] in the Chamber?

Are we limited to 1 hour on the amendment?

The PRESIDING OFFICER. That is the time limitation on the amendment. The Senator has 1 minute remaining.

Mr. WILLIAMS of Delaware. Mr. President, I will have control of the time in opposition to the amendment. I shall not need the full 30 minutes to explain my position. If the Senator from West Virginia needs an extra 5 minutes, I will yield him 5 minutes of my time at this time or later, although I shall oppose his amendment.

Mr. RANDOLPH. I believe that the Senator from Deleware might well proceed at this time, and then we could, by his gracious consent, give the Senator from Maine an opportunity to speak. Could that be done?

Mr. WILLIAMS of Delaware. I will yield 5 minutes to the Senator from Maine at this time, if he wishes, or I will yield the time later.

Mr. MUSKIE. It might be just as well if the Senator went ahead at this time, and I will take my time later.

Mr. WILLIAMS of Delaware. All right.

I yield myself 10 minutes at this time.

Mr. President, the Senator from West Virginia has very properly pointed out that the Bureau of the Budget objects most strenuously to this amendment, which is in the Williams-Smathers package. There is no question about that. I spoke with the Director of the Budget yesterday at noon; in fact, I spoke with him several times in the last few days. I asked him particularly, after the Senate had had a couple of votes of rather great importance in connection with this bill, just what the position of the administration was in connection with the package before the Senate.

Mr. Zwick, the Director of the Budget, made it clear that the administration is unalterably opposed to the package before the Senator. They said they would like to have a tax increase, but they are unalterably opposed to each and every section in the bill—1, 2, 3, 4—which has any connection at all with controlling expenditures, not only the section with respect to public works, but the one with respect to controlling employment as well. They are against any control of or a ceiling on expenditures. They are against every proposal in this package which deals with controlling expenditures. They gave me the clear impression that they will do everything they can to defeat it. So there is no question about their position. We are in complete agreement that the Johnson administration is definitely opposed to any control of or any reduction in spending, but they do want the tax increase.

The suggestion has been made that the language is not quite proper and that the bill is not well drawn. I introduced this bill on January 31, and within 24 hours I submitted it to the Director of the Budget and asked him for their comments together with their recommendations for any change in the language. As of this moment, with but one exception, I have not received any suggestions for changes in the language, and I am glad to make that exception because it tightened the language.

They said—as the Senator from West Virginia pointed out—on page 4, line 16, after the word "grant," we should have included "loan"; otherwise, some of them would be left out. So an amendment will be offered in a moment which will put loans in since it was intended that they be covered in the first place. That was an unintentional omission on our part.

I thank the Budget Bureau for giving us that very constructive suggestion to tighten the language. That will be done, so it will be all inclusive.

With respect to the suggestion that the language is cloudy I was asked, "How do you define 'project' and how do you define 'public works'?"

This afternoon an argument is made that the language embraces all the employees at Kennedy Airport, and they now claim that 41,000 people are working there who would be seriously jeopardized and that thousands of people and the great growth of airports would be jeopardized. That is a ridiculous argument.

In fact, I wonder if the Senator from West Virginia, speaking for the administration, overlooked one point he could have made. Our population during this period has been growing at the rate of 2½ billion a year. I suppose some will argue that, too, will be jeopardized if we cut back on spending, because it is the only thing I know of, except the kitchen sink, that was not thrown in as an objection to this proposal. Then we hear the argument that the word "project" is not defined.

Now any bureaucrat or any Member of Congress knows what a public work project is. The word "project" is defined in Webster's Dictionary. One definition is that a project is a plan or a proposal, a planned undertaking. Another definition for the same spelling—pronounced differently—is to throw away or to cast about.

I do not know whether they figure that these projects are something the administration wants to throw away. Maybe that has been the confusion. If the words "public works" are put in front of it, it merely means that it is a public works project and that the American taxpayers are paying for it. Every Senator knows that.

The Senator from West Virginia has enumerated the sewerage and the airports as projects that would be stopped, and there are those in the executive branch who use the same argument. But I will say that the executive branch never raised one question about these projects being involved until this week when the Senate rejected the Long amendment to delete them from the bill.

They were so sure they were going to knock it out that they did not bother to raise a question. Then, and only then, did they suddenly come up with a list of projects that they claim will be affected.

I am reminded of what happened a couple of years ago when we were debating in the Committee on Finance—the chairman will remember this—about whether or not we should extend the debt ceiling by a certain amount. The Secretary of the Treasury, in order to stimulate interest in Congress, made the statement that if Congress did not give them what they asked for by a certain date every social security check in America and all veterans pension funds were going to be stopped. He later admitted that was an off-the-cuff statement and that it was ridiculous and absurd. Veterans benefits are payable under law and the social security checks come out of a trust fund. Neither of those benefits would have been affected by the delay. Those were scare tactics which were being employed then, and that is what we are seeing here this afternoon.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I will yield in just a moment. To reach a compromise the Senator from Florida and I have agreed to reduce the coverage to those projects which are new starts. The part of the amendment in which we were primarily interested was new construction and new starts. We will compromise on this basis.

In a moment we are going to offer as a substitute an amendment which would confine this moratorium solely to new starts, which will eliminate all of the argument we have just heard. It would limit the proposal to new projects started from here on.

Even then, if the Office of Emergency Planning decided that a continuation or initiation of that project was in the best interests of that country it could go ahead.

The suggestion was made that the Office of Emergency Planning was not the proper agency. I do not care what agency is named. If anyone has a better suggestion I would accept it. I did ask the administration which office they think would be most appropriate to which to delegate this authority.

While it was clear that they were against the amendment, they said the Office of Emergency Planning was the most appropriate agency if it were to be approved. It was on their suggestion that we put in the Office of Emergency Planning. As I have said, if any Senator has a better suggestion I would welcome it.

But let us face it, this argument, like the others, was only an excuse to object to a plan they were determined to oppose anyway.

Confining the amendment solely to new construction projects would achieve the objective we seek and at the same time it is a proposal which the administration has said they could live with.

Mr. MORSE. Mr. President, will the Senator yield to me for 4 minutes? I am on the other side, but the Senator from West Virginia [Mr. RANDOLPH] has no time remaining.

Mr. WILLIAMS of Delaware. I would be glad to yield to the Senator from Oregon for 4 minutes if he will wait for a moment.

Mr. MORSE. I am sorry. I thought the Senator had completed his remarks.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. WILLIAMS of Delaware. I yield.

Mr. LAUSCHE. Is it the proposal of the Senator from Delaware that his amendment would allow the administration to go forward with all projects which have already been approved and which are underway?

The PRESIDING OFFICER (Mr. MONDALE in the chair). The time of the Senator has expired.

Mr. WILLIAMS of Delaware. No, Mr. President. How much time do I have remaining?

The PRESIDING OFFICER. The Senator has used 10 minutes of his 20 minutes. The Senator has 10 minutes remaining.

Mr. WILLIAMS of Delaware. Mr. President, I yield myself 6 additional minutes.

The PRESIDING OFFICER. The Senator is recognized for 6 additional minutes.

Mr. LAUSCHE. Mr. President, is it the position of the Senator from Delaware that those projects which have been planned and are underway shall not be interrupted by his amendment?

Mr. WILLIAMS of Delaware. The Senator is correct.

Mr. LAUSCHE. And even beyond that, new projects which the Office of Emergency Planning deems are in the interest of the country in the nature of new projects may go forward.

Mr. WILLIAMS of Delaware. The Senator is correct, just as they had under President Truman during the Korean war.

Mr. LAUSCHE. Is it the position of the Senator from Delaware that the stability of the dollar is of such grave importance that we must do something to demonstrate to the world that the Congress of the United States and the administration contemplate following the fiscal policy that will establish stability to the dollar?

Mr. WILLIAMS of Delaware. The Senator is correct. If we are going to start exempting public work projects the next step would be to exempt education, poverty programs, foreign aid, and agriculture. If we start this practice of exemptions we would be defeating the purpose of the bill.

Mr. SMATHERS. Mr. President, will the Senator yield to me for a question?

Mr. WILLIAMS of Delaware. I yield.

Mr. SMATHERS. It is also a fact, is it not, that Secretary Fowler, in commenting with respect to this kind of amendment we are now talking about said—and I shall read the letter into the RECORD because I think it is important:

> The proposed moratorium on public works projects would be costly and difficult to administer. It would require uneconomic actions to stop many worthwhile projects already underway if large reductions in expenditures were to be achieved.

Those were his comments on the proposal to impose a moratorium on all public works projects.

Mr. WILLIAMS of Delaware. The Senator is correct.

Mr. SMATHERS. Mr. Fowler further said:

> The intent of S. 2902 in restricting new public works construction starts may be only slightly more limiting than the President's recommendations in the 1969 budget. The budget proposes very few new direct Federal projects other than those essential to the national defense and health and welfare of the public and, holds going work to a minimum level.

The effect of what the Secretary of the Treasury said was that while there would be great difficulty in limiting those public works projects which are underway and for which money has been appropriated, he would be for a proposal if ongoing projects were excluded from the amendment, as we have now recommended, and limited to new starts. At least indirectly this seems to be the effect of his statements.

Mr. WILLIAMS of Delaware. The Senator is correct. It would be slightly more limiting only to the extent we would write into law.

Mr. SMATHERS. Rather than by Executive order.

Mr. WILLIAMS of Delaware. The Senator is correct.

Mr. JORDAN of Idaho. Mr. President, will the Senator yield for a question?

Mr. WILLIAMS of Delaware. I yield.

Mr. JORDAN of Idaho. I understand the Senator's amendment would prohibit construction of new projects. Would the amendment in any way prohibit the planning?

Mr. WILLIAMS of Delaware. No. That question was raised by the Senator from South Dakota earlier. He made an excellent point that it would be a good idea to continue the planning so that when this emergency is over they could have these plans on the drawing board. I discussed this with the cosponsors, and we agreed that this was a small point. We would allow them to plan, but the plans would be held in abeyance until the war is over and our budget more nearly under control. This would not restrict planning.

Mr. JORDAN of Idaho. With the understanding that planning can go forward I am pleased to support the amendment.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. LAUSCHE. Assume there is a bridge vitally needed because of the dilapidated condition of the existing bridge and the inadequacy of an existing bridge to serve the needs. Would the Emergency Planning Commission under the proposal of the Senator have the right in that instance to say that this is in the interest of the security and the economy of the country and allow it to be built?

Mr. WILLIAMS of Delaware. Surely, they could. It is intended that they could.

Mr. COOPER. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. COOPER. Senator LAUSCHE has clarified an important point. Bridges which fall or become dangerous will be reconstructed.

Mr. WILLIAMS of Delaware. Surely, they can. Buildings can also burn down, and they will have to be reconstructed. We cannot stop everything.

Mr. COOPER. I have the honor to serve as the ranking Republican member of the Committee on Public Works. I serve also on the Appropriations Subcommittee for Appropriations of public works. I should like to say that no one holds the chairman of the Senate Public Works Committee, Senator RANDOLPH, in higher regard than I. No one has provided more effective leadership for the construction of necessary public works than the Senator from West Virginia.

It is difficult for me to disagree with him on this subject, for we have worked together for many years, but, taking into consideration the critical financial condition of our country, the most critical I have known during my service in Congress, the war in Vietnam, the absolute necessity of getting our house in order, by the control of expenditures and the levying of taxes, to halt inflation, to prevent the drain of our gold, and to establish the confidence of the world in our financial situation, and the dollar, every program must take some reductions.

If we have to make a choice between public buildings and public works as against human needs, I want programs for human needs to be preserved.

Therefore, I shall vote for the amendment of the Senator from Delaware [Mr. WILLIAMS] and against the amendment of the Senator from West Virginia [Mr. RANDOLPH].

Mr. WILLIAMS of Delaware. Mr. President, I yield 4 minutes to the Senator from Oregon [Mr. MORSE].

The PRESIDING OFFICER. The Senator from Oregon is recognized for 4 minutes.

Mr. MORSE. Mr. President, the language of the Williams amendment No. 662 states in section 3 that there shall be a moratorium on the initiation of all public works construction by the Federal Government, or by any State with Federal money, excluding highways.

The moratorium itself would mean disaster to education, health, and many of the activities of all levels of government. Only if the Office of Emergency Planning were to make general exceptions, as it is empowered to do, would the impact of this provision be alleviated. Yet the Office of Emergency Planning must make a finding that a delay in planning or construction of such a facility would "cause irreparable damage to the public health or welfare."

I find that in Vietnam pacification spending, we allocate and appropriate funds for planning and construction of many structures far less important to the people of Vietnam than are the structures forbidden the American people by this amendment. The theory of pacification in Vietnam is that we have to create a feeling of loyalty to their Government on the part of the local people. They do not have it; we have to create it with American money spent for schools, public markets, hospitals and other medical facilities, and housing.

Sidney Roche, the retired lieutenant colonel and a civilian adviser who has resigned for lack of confidence in our pacification program, cites among the instances of corruption he could no longer stomach the furnishing of cement for the patio of a province chief's brother-in-law.

It is not as though we were helping the people of Vietnam at this expense to ourselves. We are forcing our help on them, in the effort to create a feeling of nationality and cohesion with the government in Saigon that does not exist.

I simply cannot imagine what obsession we are developing when we think we have to suspend all construction by the Federal Government here in the United States in order that we can continue planning and initiating the construction of the same projects in Vietnam.

What we have in connection with the 10-percent surtax is the same situation. We all know that a tax increase is the price the European central banks are exacting as the price for stopping their run on U.S. gold. They hold vast quantities of Yankee dollars. Why? In large part because of the stationing of 330,000 American soldiers and many of their dependents across the length and breadth of Europe, except in France, where we have been kicked out. The Senator from Missouri said here yesterday that the net dollar loss to us from those soldiers is some $700 million a year. The majority leader tells us that the total cost to U.S. taxpayers is $2.5 billion.

The Europeans who hold those dollars do not want to see them cheapened by inflation. They are going to demand gold for them unless we maintain their value by imposing a tax increase on the American people. There was no great sentiment for a tax increase in Congress until the word came from Europe that they might lose faith in the value of the billions of dollars we have spent over there to protect them.

The soldiers in the amount of 330,000 or so are not enough of a commitment to suit Western Europe. They want the value of their surplus dollars maintained, too. That is why all the furor for a tax increase in this Chamber in recent days. It is not for the protection of the American people and their confidence in the dollar. It is for the protection of the Europeans who hold dollars.

This, too, is commitment gone mad. We are taxing our own people so that Europeans can enjoy the protection of 330,000 American servicemen which they have not matched with NATO forces of their own, plus the untarnished value of the surplus dollars it costs us to keep them there.

We are being asked in the same amendment to suspend public works in this country so that they can continue in Vietnam, where the people seem less and less willing to put forth any effort to preserve a government that does not represent them.

I am aghast at the illogic and self-defeat of this entire amendment.

Mr. President, if the distinguished Senator from Delaware [Mr. WILLIAMS] wants to know what a substitute may be, I will give it to him:

Take $20 billion from the unjustified $79 billion recommendation of this administration for defense spending, only $26 billion of which is Vietnam connected. Cut the foreign aid bill by $2 billion. Then no one will have to cheat the American people out of needed domestic improvements, which this amendment would do, and drive thousands of workers into the streets, costing us $6 for every $1 we will save, plus precious American blood here at home as well as in Vietnam.

Mr. WILLIAMS of Delaware. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Delaware has 7 minutes remaining.

Mr. WILLIAMS of Delaware. I yield 4 minutes to the Senator from Maine.

The PRESIDING OFFICER. The Senator from Maine is recognized for 4 minutes.

Mr. MUSKIE. I thank the distinguished Senator from Delaware for yielding me time to listen to an argument against his amendment. I appreciate his courtesy very much.

Mr. President, it has been made clear that the amendment strikes at much more than the Corps of Engineers' projects which, I suspect, most Senators had in mind as being affected by the provisions of the Williams-Smathers amendment.

I am particularly interested in the fact that the amendment, if allowed to stand, would bring to a screeching halt the sewage treatment grant program which is so vital to the fight against water pollution in this country.

To give an indication of the magnitude of the impact upon this program, let me cite some figures.

At the present time, the Federal Water Pollution Control Administration has outstanding commitments amounting to $323 million to municipalities, to assist in the construction of over $1.6 billion of waste treatment facilities. These are facilities in the process of construction. We have already committed ourselves to the communities. Those commitments could not be met if the pending amendment should be adopted.

Second, under the water quality standards program which was initiated under the 1965 act, we have brought pressure upon every community in every State to begin planning sewage treatment projects and industrial waste treatment projects to meet higher standards of water quality. That is the pressure which has motivated the States to float bond issues and has motivated the communities to make investments in planning and in staffs. These are not ongoing projects, but they are projects which are the inevitable result of activities we have already stimulated under the landmark legislation of 1965 and 1966, which would be brought to a screeching halt.

In 1966, we enacted legislation to provide $6 billion—that was in the Senate—to help States and communities do the job.

The House forced us to reduce that figure to $3.5 billion. In the first installment of that authorization in this fiscal year, we have cut it from $450 million to $203 million. Now this amendment would force us to cut the $203 million.

Mr. President, I do not think it is necessary to impose that kind of austerity on this kind of domestic national problem, which is so clearly related to the long-range economic growth of our country.

Mr. WILLIAMS of Delaware. Mr. President, I yield myself 2 minutes.

The argument of the Senator from Maine is not at all valid. In the first place, this proposal does not stop projects which are underway. I would like to read what Secretary Fowler said in connection with the amendment now at the desk:

> The intent of S. 2902 in restricting new public works construction starts may be only slightly more limiting than the President's recommendations in the 1969 budget.

As a stanch supporter of the administration, I have had this amendment drafted so that it does only what the President promised he was going to do anyway—only I want to write it in the law.

Mr. MUSKIE. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I do not have the time.

Since this amendment does only what President Johnson said he was going to do, why is there objection? The amendment that the Senator from Florida and I are suggesting is that we write into law what President Johnson said he was going to do. Why does anyone object to writing it into law unless he thinks the President was merely making political speeches and had no intention of implementing his promises?

If the Senator from Maine thinks that President Johnson does not mean what he said, or if he thinks President Johnson wants to stop sewage plants, then he should make that accusation clear, but he should not use that argument against this bill, because it has nothing to do with it.

Mr. President, I reserve the remainder of my time.

Mr. MUSKIE. Mr. President, will the Senator yield to me so I may reply?

Mr. WILLIAMS of Delaware. I have already yielded 4 minutes to the Senator from Maine.

Mr. MUSKIE. It is important to answer that.

May I have some time on the bill?

Mr. LONG of Louisiana. Mr. President, I yield 2 or 3 minutes on the bill.

Mr. MUSKIE. Three minutes.

I have disagreed with President Johnson on air and water pollution legislation for 5 years. I have taken issue with him and prevailed, because I have greater influence in the committee than he does. So I know the impact of the provisions before us on these programs. So my description of them is accurate—they will come to a screeching halt, and the Senator's proposed no-new-starts amendment will not get to this problem.

If that is what the Senate wants to do, it is the Senate's privilege; but let me say that, in my considered judgment—and I have checked this out with competent counsel as well as people in the administration, and formed a judgment of my own—this is the impact. If that is what Senators want, that is the way they ought to vote, but this proposal will bring the water pollution program to a screeching halt.

Mr. WILLIAMS of Delaware. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. One minute.

Mr. WILLIAMS of Delaware. Mr. President, does the Senator from Ohio [Mr. LAUSCHE] wish me to yield?

Mr. LAUSCHE. Yes. May I ask the Senator from Delaware a question.

The PRESIDING OFFICER. Who yields time?

Mr. WILLIAMS of Delaware. I yield 1 minute.

Mr. LAUSCHE. If we do not stabilize the strength of the dollar, if we allow it to collapse, what will then be the situation with respect to the water, sewerage, and air contamination programs which we have adopted? Is it not a fact that all the Senator from Delaware asks is a delay until we put our financial house in order?

The argument has been made by economists of great ability that the problem confronting us is one that may lead to calamitous consequences. It may lead to a collapse of the international fiscal system, which may lead to a collapse of stock sales, and otherwise.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LAUSCHE. May I have 2 minutes on the bill?

Mr. WILLIAMS of Delaware. Mr. President, I yield 2 minutes on the bill.

I completely concur in what the Senator from Ohio has said.

Let me say in conclusion that the adoption of the amendment which we are proposing does not halt any planning. It does not halt a single project underway. It does not halt any projects for which commitments have been made. It does not stop any future initiation of any project which can be certified as being essential to the national interest. What more can we ask at this time?

Mr. LAUSCHE. Mr. President, I want to repeat what the Senator from Delaware has said. The amendment which he proposes allows the Office of Emergency Planning to approve all projects which are deemed essential and necessary in the interest of the people of the country.

Mr. WILLIAMS of Delaware. That is correct. Why should we not postpone projects which can be postponed at a time when we have a $28 billion deficit?

Mr. RANDOLPH. Mr. President, I say, not in disparagement, that there has been an omission by the authors of section 3. The language is very deficient. Now the proposal is to make changes and present a substitute and take another approach. I am thinking of programs like mass transit, public hospital facilities, mental health facilities, facilities of all types to strengthen our economy and look after human resources, and I am thinking in terms of air and water pollution. Certainly a cesspool in this country is not desirable. If we do not continue such programs, and even initiate new ones, we will be in trouble.

Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. WILLIAMS of Delaware. Mr. President, I send an amendment to the desk, which I ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. The Senator from Delaware [Mr. WILLIAMS] offers, for himself, the Senator from Florida [Mr. SMATHERS], and the Senator from Ohio [Mr. LAUSCHE], an amendment on page 4 beginning with line 9, strike out all down to and including line 9 on page 6 and insert in lieu thereof the following:

> SEC. 3. MORATORIUM ON PUBLIC WORKS PROJECTS.—(a) (1) Notwithstanding any other provision of law, no Federal department or agency shall, during the period in which this section is in effect—
>
> (A) initiate the construction of any public works project (including projects for recreational facilities but excluding projects for highways), or
>
> (B) make any grant or loan to any State or local government agency for initiating the construction of any such public works project.
>
> (2) Upon request of the head of the Federal department or agency concerned, the Director of the Office of Emergency Planning shall investigate a public works project with respect to which paragraph (1) applies for the purpose of determining whether the delay in construction of such public works project required by paragraph (1) will cause irreparable damage to the public health or welfare. If with respect to any construction of any such public works project, the Director determines that such delay will cause such irreparable damage, paragraph (1) shall cease to apply with respect to such construction effective on the date on which the Director publishes such determination.
>
> (3) The Director shall report, from time to time, the results of his investigations and determinations under paragraph (2) to the President and the Congress.

Mr. WILLIAMS of Delaware. Mr. President, I ask for the yeas and nays on the pending amendment.

The yeas and nays were ordered.

Mr. WILLIAMS of Delaware. Mr. President, I yield myself 3 minutes. I should like to read again what the Secretary of the Treasury told the Finance Committee on March 12 of this year in connection with the amendment as it is now at the desk:

The intent of S. 2902 in restricting new public works construction starts may be only slightly more limiting than the President's recommendations in the 1969 budget. The budget proposes very few new direct Federal projects other than those essential to the national defense and health and welfare of the public.

The only thing limiting about this amendment is that we write into law what the President has said he is going to do. It does not stop any project which is underway. It does not halt any planning. It does not prohibit construction or the initiation of any new project if—and I emphasize the word "if"—that project has been certified by the Office of Emergency Planning as being essential to the national interest and public welfare.

We are speaking much here about establishing priorities. To me this will be a key vote in the Senate on this bill. Are we merely going to adopt a proposal which embraces a lot of figures about reducing the budget and at the same time insist on deleting from the bill all of those provisions which may affect some particular project we like?

I think if we are to adopt the proposed package, which would require a $6 billion reduction in spending plus an additional $10 billion reduction in the authorization for 1969, we are going to have to cut spending somewhere. Senators had just as well face up to the fact that in the months to come we are going to have to answer some roll calls and do some budget cutting; or do they wish to delegate to the President of the United States the responsibility and the authority to make the cuts?

Here is the place we can start. I think our vote here today will be understood.

Mr. President, I do not think we have any choice but to agree to this amendment and then be sure it is retained in the bill.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. AIKEN. Does the Senator feel that his amendment would prohibit the improvement of veterans' facilities necessary to take care of the increasing numbers of sick and wounded veterans?

Mr. WILLIAMS of Delaware. Certainly it would not. Not only that; using that argument, as they have been trying to do here today, is just as ridiculous as it was when Secretary Fowler made the threat that if we did not extend the debt ceiling by X date he would stop payment of all social security pensions in America.

That is one of the scare tactics used by an administration which does not want to cut spending. Do not overlook the fact that they have said that no matter how it is modified they do not want it.

Mr. AIKEN. Then if it is necessary to extend the facilities to meet actual needs, there is nothing in the Senator's amendment that would prohibit that?

Mr. WILLIAMS of Delaware. Not only nothing in the amendment, but I say that any man who used that as an excuse ought to be impeached.

Mr. AIKEN. I would vote to impeach him.

Mr. WILLIAMS of Delaware. I would, too.

Mr. SMATHERS. Mr. President, will the Senator from Delaware yield me 5 minutes?

Mr. WILLIAMS of Delaware. I yield 5 minutes to the Senator from Florida.

The PRESIDING OFFICER. The Senate will be in order. The Senator from Florida is recognized.

Mr. SMATHERS. Mr. President, the amendment which the Senator from Delaware, the Senator from Ohio, and I have offered seeks to put us in the position we were in during World War II and during the Korean war; to impose the same sort of rules and regulations which prevailed during those conflicts with respect to public works projects.

In other words, we say that we recognize there is some justification for not stopping ongoing public works projects, flood control projects, and things of that kind. But there is no justification, in our view, Mr. President, for starting new projects when we face the kind of emergency which we face in this country. If there should be a project of the type and character that the distinguished Senator from Maine [Mr. MUSKIE] talked about—one that is absolutely essential—the amendment provides that a representation to that effect may be made to the Office of Emergency Planning. If it proves necessary as claimed, then the Office of Emergency Planning will authorize it and work on it can go forward.

Mr. MUSKIE. Mr. President, will the Senator yield at that point?

Mr. SMATHERS. I am happy to yield.

Mr. MUSKIE. Let me make this point: I do not see that one sewage treatment plant is any different than another, by the measurement of irreparable damage to health. I do not think you can distinguish them on that basis.

So, in effect, the amendment would ask the Office of Emergency Planning to make the judgment we are making here this afternoon—whether or not this program should go forward.

Mr. SMATHERS. Let me tell the Senator what the distinguishing feature is. The distinguishing feature is our $25 billion deficit. The distinguishing feature is the run on our dollar that has just occurred. The distinguishing feature is the pandemonium that will reign on Monday if we do not do something now to redeem ourselves.

Mr. MUSKIE. Will the Senator yield?

Mr. SMATHERS. I am telling the Senator what is the distinguishing feature. We cannot run on a basis of business as usual. We cannot do all the things we would like to do under the conditions which prevail today. That is the reason why we have the pending substitute before us.

Anyone would agree, if we were in the position we were in, say, in 1954 and 1955, that we should go forward with public works programs. But in times when people are sacrificing overseas, in Vietnam——

Mr. MUSKIE. Will the Senator yield?

Mr. SMATHERS. No; the Senator from Maine wanted to hear the distinction, and I am going to tell him.

Mr. MUSKIE. Mr. President, the Senator has not answered my question. I shall be glad to listen to his rhetoric after he answers my question.

Mr. SMATHERS. I am answering the Senator's question. The Senator wanted to know what was the distinction. I am telling him the distinction. It is that we do not have the expenditure options we once had. We have a war going on in Vietnam. We have got to be concerned about a run on the dollar. We have got to be concerned about our gold position. We have to pull in. That is the difference.

There are times when we should go forward with the type of program the Senator is talking about. I have voted for such programs. But there comes a time when one cannot any longer, in good conscience, vote for this type of program; that time is when our fiscal situation is what it is today.

Mr. WILLIAMS of Delaware. Mr. President, I yield myself 2 minutes.

I do not think we will need all the time on this particular amendment, I would imagine that the Senator from West Virginia, even though he may later want to strike the whole amendment, would be in favor of this particular amendment. So I expect we will have a strong vote at this time.

Mr. RANDOLPH. Mr. President, will the Senator yield at that point?

Mr. WILLIAMS of Delaware. I yield.

Mr. RANDOLPH. Mr. President, as indicated—I shall not state by admission; I do not want to use that terminology—but certainly by the readjustment of the thinking of the Senator from Delaware, he is going a long way toward what I desired in eliminating section 3. He would eliminate the moratorium on existing contracts. But he is not going far enough. The moratorium would still have a blanket application to all planning in these programs. It is very important that we go all the way.

Mr. President, as I understand it, if the amendment which is offered by the Senator from Delaware prevails, that the Senate will then have the opportunity to vote upon my amendment; is that correct?

Mr. WILLIAMS of Delaware. That is correct.

Mr. LONG of Louisiana. Mr. President, I yield myself 5 minutes.

Mr. RANDOLPH. Mr. President, I should like a response to my inquiry.

The PRESIDING OFFICER. Will the Senator from West Virginia restate his inquiry?

Mr. RANDOLPH. The amendment which has just been offered is a perfecting amendment; is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. RANDOLPH. If it is passed—and I shall vote for it—will there not then come the opportunity for the Senate to express itself by a yea and nay vote on the remainder of my amendment; that is, on the deletion of section 3 in its entirety, which I had previously presented?

The PRESIDING OFFICER. The Senator is advised that the question would then recur on this motion to strike.

Mr. LONG of Louisiana. Mr. President, I yield myself 5 minutes.

It is of course, a generous and laudable act when a man admits he is wrong

I applaud the Senator from Delaware and the Senator from Florida for admitting that they were 94 percent wrong.

I have before me special analysis G of the budget for fiscal 1969. It estimates the following expenditures for direct Federal civil public works in fiscal year 1969:

For continuing work, $2,358,000,000; and

For new projects and features, $166 million.

These figures show, Mr. President, that roughly 6 percent of the total budgeted for direct Federal civil public works will be for new projects and features. So I must say that it is very generous of the Senators to admit that they were 94-percent wrong.

The Senator, by his amendment, now proposes to strike out 94 percent of what he previously wanted to do. At the start he wanted to say all works underway would be stopped unless they were judged to be of irreparable injury to the national health and welfare. The Senator is now willing to say that only new starts should be stopped. So I shall certainly vote for this amendment. When we get through agreeing with the Senator that he is 94-percent wrong, we will see if he can find one more ounce of charity so that he will be able to say that he is the other 6-percent wrong also.

Here is a list of the kind of projects involved in the other 6 percent:

The Federal Aviation Administration—it is concerned with air safety—would receive $30 million for new starts.

The Coast Guard—which deals with safety on the seas—would receive $30 million.

The Post Office Department—to provide new post office buildings, and to provide equipment for new services—would receive $28 million.

Allocated for projects of the Forest Service, $21 million.

Allocated for the Public Health Service, $9 million.

The Corps of Engineers—and these amounts have been very closely scrutinized in an effort to get down to the bare bones—is allocated $7 million for civil functions.

The Office of Economic Opportunity is allocated $5 million.

The Bonneville Power Administration, $5 million.

The Bureau of Indian Affairs, $4 million.

The National Aeronautics and Space Administration, $4 million.

The Veterans' Administration, $3 million.

The Southwestern Power Administration, $2 million.

The Tennessee Valley Authority, $1 million.

Other projects, $17 million.

Mr. President, in suggesting what the proper percentage should be in a few instances, we should look at all of these public works projects. We should look at the whole amount.

The test we should apply in making a judgment should ask whether we are talking about something we want to start right now, or something we want to continue. It should also ask how vital is this matter? How much do we need it when we consider the situation in which we find ourselves?

Mr. President, I have heard this dire talk: "Oh, my goodness, the world is going to come to an end." It reminds me of the story that is ably referred to by the distinguished minority leader, the Senator from Illinois. He tells about Chicken Little telling Henry Penny that the sky is going to fall in because an acorn fell from a tree.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LONG of Louisiana. Mr. President, I yield myself an additional 2 minutes.

The PRESIDING OFFICER. The Senator from Louisiana is recognized for an additional 2 minutes.

Mr. LONG of Louisiana. Mr. President, I notice that in 1943 our national deficit was $57.400 billion, and our entire gross national product at that time was $177.500 billion. Our deficit that year was 32 percent of our gross national product.

This year we are talking about a deficit which might run around $20 billion but will probably be less. Undoubtedly there will be some reductions in expenditures. In all probability, there will be some increases in revenue as a result of increased taxes voted by Congress. However, even if none of that happens, and the deficit is $20 billion, it would be only 2.5 percent of our $800 billion gross national product—one-fortieth. It would be as 1 is to 40 in relative terms, comparing our budget deficit with the gross national product.

It is a false impression that the world will come to an end if we wait until the Appropriations Committee and the Public Works Committee have scrutinized the public works projects and determined which ones should be continued in view of the deficit.

We are required to say that any items totaling $166 million cannot be judged on their merits in the normal manner. We should look at each project and say: Is it vital? How important is it? Is it important to continue, notwithstanding the fact that we have a war in Vietnam and that we have a Federal deficit this year, a gold problem and other things?

Mr. President, I commend the Senator for striking from his proposal 94 percent of what he had originally intended. I hope that, having done that, he will then show the good judgment to withdraw the entire proposal.

Public works projects should be judged like the poverty program or any other program. We should determine how much we want to spend in the same way in each instance.

Mr. WILLIAMS of Delaware. Mr. President, I yield myself 3 minutes.

The PRESIDING OFFICER. The Senator from Delaware is recognized for 3 minutes.

Mr. WILLIAMS of Delaware. Mr. President, I always enjoy listening to the Senator from Louisiana. He never fails to amuse us, even though he does not always make good common sense.

I will say that the Senator from Louisiana has been consistent throughout. He said in the beginning that he was unalterably opposed to any proposal which would reduce spending and that he is opposed to any proposal which would raise taxes.

He has been consistent.

Mr. LONG of Louisiana. Will the Senator yield at that point?

Mr. WILLIAMS of Delaware. That is the position of the Senator. I yield.

Mr. LONG of Louisiana. Does not the Senator recall that we voted on an appropriations bill a while back? There was a suggestion that we cut an item. I voted to cut it. That is about the only vote on an appropriation bill this year that I recall.

Mr. WILLIAMS of Delaware. We still have another vote in a few minutes.

I respect the position of the Senator from Louisiana, and I frankly said that I have yielded some on this proposal.

I have no reason not to be frank. We should have a provision to resurvey existing projects, but I did yield on that point. Why? Because as was pointed out by the Senator from Ohio, I think we are faced with a crisis in this country, and this moratorium on public works is an important part of this package bill, which calls for expenditure reductions as well as a tax increase. The deletion of this section may very well lose enough votes for the overall package that it will be defeated.

There is no doubt in my mind but that the decision we make in the next half hour or so will determine to a large extent whether this bill passes or not. I think that if we fail to keep this provision in the bill, which would place some control over public works programs, it may very well spell defeat for this package which embraces the tax increase.

If there are those who want to do this this would be the way to do it. However, I think it would be a catastrophe to let the news go out to the world as the result of the rollcall votes here today that the U.S. Senate was not willing to go on record for curtailing expenditures and for the payment of higher taxes. Such a decision would be a catastrophe.

I want to make it clear that those who will do this should be willing to accept the responsibility.

This may very well be our last chance at this session of Congress to get any form of tax increase.

There are many of us who are on record as being opposed to any tax increase unless we have an expenditure reduction written in the law.

But I think it would be a disaster if we watered down the bill to the point where it would fail to get the support which it must have if we are going to act responsibly. I believe the House of Representatives would take the bill if these expenditure controls could be kept in it, but I do not think the bill would have a chance of being taken otherwise, even if it got by the Senate, which it might not do if the Senate throws all of these cuts out.

So far as I am concerned, I am willing to yield back the remainder of my time.

Mr. RANDOLPH. Mr. President, will the distinguished Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. RANDOLPH. I want to be very clear in my position in the Senate this afternoon. The Senator from Delaware and the Senator from Florida [Mr.

SMATHERS], a cosponsor of section 3, in modifying, through a perfecting amendment, their earlier proposal have said in effect that what we are attempting to do by the amendment which has been offered is not to think in terms of pork barrel legislation, but to think in terms of programs which are beneficial to America.

I for one do not want to have gain any momentum the thought that what we have been doing is not to concern ourselves with programs that are vital to the strength of America. The projects that we, including the Senator from Delaware, have been discussing are not pork barrel projects in any sense of the word. Would the Senator from Delaware agree with me on that point?

Mr. WILLIAMS of Delaware. Certainly there are some programs or projects which could be postponed. I do not propose to determine their merits and say whether they are pork barrel projects or not. Projects have been approved that I think would have been better left unapproved. There are projects, just as there are items in the budget of the family of the Senator from West Virginia and in my own budget which may have merit, but which we can postpone until we get the money to pay for them.

With a $28 billion deficit confronting us in this fiscal year and a $20 billion to $22 billion deficit in the next fiscal year we have no choice except to establish a list of priorities.

As I told the Senator from West Virginia earlier, I am going far in the hope that we can hold the package together and send it to the House, but that is as far as I can go. I think we can vote first on my amendment, as the Senator from West Virginia agrees. I think there is no controversy. Then I hope we can defeat the Senator's motion to strike. I cannot overemphasize that there is a lot riding on this vote. The fate of the 10-percent surcharge may be decided by the outcome of this decision.

Mr. RANDOLPH. Mr. President, will the Senator yield me 1 minute?

Mr. WILLIAMS of Delaware. I yield.

Mr. RANDOLPH. I do not want to refer to the adjustment of thinking by the Senator from Delaware, but I do feel that the strength of the amendment offered by my colleague from West Virginia [Mr. BYRD] and the Senator from Maine [Mr. MUSKIE] to strike section 3, by the very change the Senator has now made in the perfecting amendment, certainly weighs strongly in favor of what we have been attempting to do this afternoon.

Mr. WILLIAMS of Delaware. That is why I have gone as far as I did to meet the Senator's objection. I cannot overemphasize the importance of what we are doing. I hope that this particular amendment will be adopted and that, following its adoption, either the Senator from West Virginia will withdraw his amendment or it will be defeated.

Mr. LAUSCHE. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Who yields time?

Mr. WILLIAMS of Delaware. I yield to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, when in 1965 we removed the 25-percent gold support securing deposits in the Federal Reserve System, it was argued that two other things should be done: One, the imposition of tax; two, the reduction of spending. We did neither. The $5 billion we released in gold is gone.

Now, in 1968, we were asked to remove the 25-percent gold support on every dollar of currency issued by the Federal Reserve System.

It was also argued that two other steps had to be taken: One, reduction of Federal spending; two, the imposition of a surtax. We have removed the gold cover of 25 cents on each dollar of Federal Reserve currency issued. That act has been accomplished and is over.

Two other acts must be performed: One, the imposition of the surtax; two, the reduction of spending. I am not going to be caught in the trap of voting for the removal of the gold cover, voting for the imposition of the tax, and not have a reduction in spending.

It makes no difference to me what sophisticated argument is made, what appeal to the heart strings is made—I will not have my neck in that trap. You are not going to get me to vote for the removal of the gold support, for the imposition of the tax, and then find myself in the position where I will be caught answering to the public, "Why did you impose the tax and not support the reduction in spending?"

I want them done concomitantly, in one and the same bill.

An argument is made about the various public works projects. I want them. My people want them. But, over and above that, facing us is the question of whether we are going to preserve the integrity of the American dollar. That integrity is challenged, not only by what we are doing domestically but also by what we are doing internationally.

The PRESIDING OFFICER. How much time did the Senator yield?

Mr. LAUSCHE. I ask for 3 additional minutes.

Mr. WILLIAMS of Delaware. I yield 3 additional minutes to the Senator from Ohio.

Mr. LAUSCHE. Mr. Barr, the Assistant Secretary of the Treasury, representing the Inter-American Development Bank, testified on March 25, in answer to the questions of the Senator from Missouri [Mr. SYMINGTON]:

> We must eliminate these $20 billion back to back deficits we are running right now in fiscal year 1968 and fiscal year 1969. It is intolerable we can't do it. That goes to the question of preserving those life insurance dollars and your pension fund dollars. Unless we eliminate these two $20 billion back to back deficits, I can only tell you, Senator, there is going to be a severe erosion in the purchasing power of the dollar and in the value of these life insurance policies. That is number one.

Then Mr. Barr went on to say:

> Number two, unless we bring the dollars we are spending into the World Bank into equilibrium of the dollars we are earning in the world, there is going to be severe erosion in the international value of the dollar, and the consequences there, sir, can be even more severe, because, as you know, as you have been preaching, and I have heard you and Senator Lausche also, that the dollar is the focal point of the world's international monetary system.

He further said that it may bring about a collapse of the stock market and a collapse in the value of the dollar in the whole world.

Now, then, you can argue about your plums and your public works all you want.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LAUSCHE. I ask for 1 additional minute.

Mr. WILLIAMS of Delaware. I yield 1 additional minute to the Senator.

Mr. LAUSCHE. No problem is more important to the Nation than this one. You can wait with your public works for a year. It will take us 1 year or 2 years to put our monetary house in order, and we had better do it and forgo the immediate enjoyment of these public works about which so much has been said, Senator HICKENLOOPER.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

The PRESIDING OFFICER. How much time does the Senator yield?

Mr. SYMINGTON. Mr. President, I appreciate the kind references of the distinguished Senator from Ohio, and would respectfully present to him that there is a difference between an investment in this country and an investment abroad, and that difference is very great when considering the question of balance of payments.

A recent balance-of-payments deficit was approximately 0.004 percent of the gross national product. The question of what we do in this country, however, and the question of what we do abroad are two different questions. The amount of fixed debt struck off on a balance sheet, as does a corporation, whether cost or market, would show our fixed assets as against our fixed liabilities in very good shape. The last figure I received from our former colleague, Senator Douglas, sometime back showed the net fixed position would be many billions of dollars in the black.

On the other hand, when we talk about gold, and the loss of it, we are talking about current assets as against current liabilities.

Mr. President, that is why it is now so terribly important for us to stop much of this spending abroad. That is where and why in the main we lose our gold. We do not lose it primarily because of the investment the American people make in this their own country, for a new dam in the State of Missouri or in the State of Ohio.

I thank the Senator for yielding.

Mr. WILLIAMS of Delaware. The Senator from Missouri is partly right, but I am sure he will agree that the money we spend in this country creating a deficit of $25 to $28 billion does create an inflationary situation in this country, a rising wage spiral. As the cost of goods rises it cuts back on our exports, and at the same time pouring extra money into the economy increases imports. Therefore, it has an effect on the balance of payments.

Mr. SYMINGTON. The Senator is correct.

Mr. WILLIAMS of Delaware. Spending for a dam in Missouri or a project in Delaware does make a contribution to the inflationary spiral and has an effect on the economy and our balance of payments.

Mr. SYMINGTON. I accept that. The Senator from Delaware is also partly right, and he has been good enough to say that I am partly right, also.

Mr. WILLIAMS of Delaware. The Senator is correct.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. SMATHERS. Mr. President, I agree with both the Senator from Missouri and the Senator from Delaware.

It is important to remember that we cannot disassociate the dollar at home from the dollar overseas. There are many central bankers who have in their banks large sums of money which they have been holding because they are friends of ours. If, as a result of seeing us having large deficits and our gold supply diminishing to $10.6 billion, they should get to the point where they feel they can no longer hold the dollar with confidence, they would have to break from any arrangement they have and present those dollars for gold. Then all our gold would be gone.

In the consideration of the entire problem, it is important to remember that we have to protect the value of the dollar at home, which contributes to the value of the dollar overseas.

I thank the Senator.

Mr. WILLIAMS of Delaware. Mr. President, the Senator from Florida is correct.

It has been only a few days since there was an urgent meeting in the office of the majority leader. My good friend, the Senator from Missouri [Mr. SYMINGTON], was present. I was present, as was the chairman of the Committee on Finance. There were other Senators there. At that time, Mr. Martin made the statement that the removal of the gold cover alone would only buy time unless it was implemented further by two extra steps. The first step was to reduce spending, and the other step was to raise taxes.

Mr. Martin placed equal emphasis on both steps. He went further and said that to remove the gold cover, plus a raise in taxes, and then to refuse to cut spending would be a futile effort and serve no purpose except to postpone the crisis.

Mr. President, that is what we are up against now. This is a dual package, and we are ready to vote on the question. Do we want to control spending or not?

Mr. President, I am prepared to yield back the remainder of my time.

Mr. LONG of Louisiana. Mr. President, I yield to the Senator from Missouri.

Mr. SYMINGTON. Mr. President, one of our problems today is because in the past we have attacked the problem over the years from a monetary point of view almost exclusively.

I would mention and I am sure the able Senator from Delaware would agree, that as far as debt in this country is concerned, much of that problem could be either solved or largely ameliorated by the Federal Reserve putting a higher price on money.

It is our foreign expenditure which is the problem, basically, with respect to the loss of gold.

Let us note that as of yesterday we would have had no gold to pay off anybody with dollars from abroad if we had not taken off the gold cover. If someone had demanded gold for dollars at $35 an ounce, now there would not have been any gold left if we had not taken off the cover.

The big problem is to cut our gigantic expenditures abroad, year after year after year. That is the primary reason for the trouble is which the dollar now finds itself.

The PRESIDING OFFICER (Mr. CANNON in the chair). Who yields time?

Mr. WILLIAMS of Delaware. Mr. President, I yield myself 1 minute.

It is easy to speak of cutting our foreign aid program, but if we cut out all of the foreign aid we would have a deficit of $17 to $18 billion, and next year it would be $25 billion. It is easy to talk about cutting out foreign aid; but what about a cut here at home?

We just cannot afford guns and butter while we still have a full-scale war to finance.

Mr. President, I am prepared to yield back the remainder of my time.

Mr. LONG of Louisiana. I am not quite ready to yield back the remainder of our time.

The PRESIDING OFFICER. How much time does the Senator yield to himself?

Mr. LONG of Louisiana. Mr. President, I yield myself 3 minutes.

The PRESIDING OFFICER. The Senator from Louisiana is recognized for 3 minutes.

Mr. LONG of Louisiana. Mr. President, I have been trying to understand how this Williams package has come to be in the fashion it now is in.

My impression is that the Senator undertook to start from the original budget message, the unified budget message, which indicated that there would be a deficit of $8 billion in fiscal 1969 if all the proposed revenue measures were adopted. Then, he suggested an $8 billion cut in spending, to achieve a balanced budget in a wartime year; this is something we have not had in the past two major wars.

Now, starting on the idea that we should have a balanced budget during wartime, the Senator made a proposal on which he could not get an agreement. Since he could not arrive at an agreement, and because he believed the administration would not accept his proposed $8 billion cut in expenditures, the Senator retreated, proposing a $6 billion expenditure reduction. Well, the administration does not buy the $6 billion reduction either. But in any event, the process which I have just described shows how the Senator came to recommend a $2 billion cut in public works projects. As I said, the proposal is based on the premise: That we should have a balanced budget during a time of war.

Now, having recommended a $2 billion cut in public works projects, on the theory that a balanced budget should be achieved, the Senator then proceeded to retreat from that $2 billion figure in the hope that others would agree with his proposal. With that premise, the Senator then retreated 94 percent away from his initial position.

The details of the Senator's reasoning, as reflected in his actions on the amendments before us, were as follows: The Senator from Delaware started out by saying that all public works should be stopped. Inasmuch as he comes from the State of Delaware, which does not have much in the way of public works, that is not a bad position for one to take.

Having started from the position that all public works should be stopped, something that those more familiar with the matter would not recommend, the Senator has said that we should make an exception if failure to either start or continue a project would result in irreparable injury to health and welfare. This, presumably, means that if there was a threat of Bubonic plague or some such thing, in that case it would be proper to go ahead with the project; if that were not the case, however, work on the project should stop in its tracks. The Senator, who does not serve on the Committee on Appropriations, has never studied these public works projects. To follow the approach he recommends would not seem to make good sense.

And having heard the debate, I am happy to know that the Senator also is persuaded that he is at least 94 percent wrong.

Now, I hope the Senator will go the rest of the way with us on this point and say that even on some new starts we should judge them as we would judge continuing projects. How important is it to continue that project? Or how important is it to continue it at that rate, rather than to slow it down? Compared with a new project, that is very important. In other words, I can easily show Senators a case, in the State of Louisiana, of a new proposal, for example, of an old levee needing an abutment in front of the levee to protect a big industry behind it. That is much more important than the millions of dollars it is costing to dredge in the Chapel Island Basin, which is a long-range program and very important; but slowing it down might be preferable to setting a levee back where it will help a major industry.

Mr. RANDOLPH. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. I yield.

Mr. RANDOLPH. Let me illustrate what the proposed moratorium would do with reference to a specific project. We all remember with sadness that a few weeks ago, the Silver Bridge between Gallipolis, Ohio, and Point Pleasant, W. Va., went down. It was a terrible disaster, with 47 or more people losing their lives.

That bridge must be replaced. It is a matter of the greatest urgency that it be replaced. There are certain Appalachian funds, as well as certain funds from Ohio and from West Virginia, that would be used for the bridge reconstruction.

The PRESIDING OFFICER. The time of the Senator from Louisiana has expired.

Mr. LONG of Louisiana. I yield myself 5 additional minutes.

The PRESIDING OFFICER. The Senator from Louisiana is recognized for 5 additional minutes.

Mr. RANDOLPH. If the Senator from Delaware does not go all the way, as is indicated here, we could not rebuild the bridge as now planned.

Mr. LONG of Louisiana. Mr. President, the proposal of the Senator from Delaware exempts highways. When we really get down to it, Presidents Eisenhower, Kennedy, and even Johnson have found, on occasion, that in a budgetary squeeze it is sometimes desirable to slow down the rate at which we are building interstate highways and even primary highway systems. We slow the rate down somewhat by matching controls with expenditure controls toward a particular sum so that we can devote some funds to something more desperately needed. That is what the test should be. It should not be arbitrary. We should not say that no new starts under any conditions will be allowed, or that nothing will be allowed, unless it would do irreparable injury to the public health and welfare. It should be a question of how important it is to continue what we are doing compared with a new project which could be withheld but which might be sufficiently important so as to go ahead with it or perhaps slow it down, so long as we must economize to that extent.

Mr. WILLIAMS of Delaware. Mr. President, I yield back the remainder of my time.

Mr. LONG of Louisiana. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time has now been yielded back on the amendment.

The question is on agreeing to the perfecting amendment of the Senator from Delaware.

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Arkansas [Mr. FULBRIGHT], and the Senator from Missouri [Mr. LONG] are absent on official business.

I also announce that the Senator from South Carolina [Mr. HOLLINGS], the Senator from New York [Mr. KENNEDY], the Senator from Montana [Mr. MANSFIELD], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Arkansas [Mr. MCCLELLAN], the Senator from Rhode Island [Mr. PASTORE], the Senator from Rhode Island [Mr. PELL], and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

I further announce that, if present and voting, the Senator from Alaska [Mr. BARTLETT], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from South Carolina [Mr. HOLLINGS], the Senator from New York [Mr. KENNEDY], the Senator from Rhode Island [Mr. PASTORE], and the Senator from Rhode Island [Mr. PELL] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. CARLSON] is absent on official business.

The Senator from Utah [Mr. BENNETT], the Senator from Illinois [Mr. DIRKSEN], the Senator from Arizona [Mr. FANNIN], and the Senator from Illinois [Mr. PERCY] are necessarily absent.

If present and voting, the Senator from Utah [Mr. BENNETT], the Senator for Kansas [Mr. CARLSON], the Senator from Illinois [Mr. DIRKSEN], the Senator from Arizona [Mr. FANNIN], and the Senator from Illinois [Mr. PERCY] would each vote "yea."

The result was announced—yeas 79, nays 5, as follows:

[No. 87 Leg.]

YEAS—79

Aiken
Allott
Anderson
Baker
Bayh
Bible
Boggs
Brewster
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Case
Church
Clark
Cooper
Cotton
Curtis
Dodd
Dominick
Eastland
Ellender
Ervin
Fong
Gore
Griffin
Gruening
Hansen
Harris
Hartke
Hatfield
Hayden
Hickenlooper
Hill
Holland
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kuchel
Lausche
Long, La.
Magnuson
McGee
McGovern
McIntyre
Miller
Mondale
Monroney
Montoya
Morton
Mundt
Murphy
Muskie
Nelson
Pearson
Prouty
Proxmire
Randolph
Ribicoff
Scott
Smathers
Smith
Spong
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—5

Hart
Metcalf
Morse
Moss
Russell

NOT VOTING—16

Bartlett
Bennett
Carlson
Dirksen
Fannin
Fulbright
Hollings
Kennedy, N.Y.
Long, Mo.
Mansfield
McCarthy
McClellan
Pastore
Pell
Percy
Sparkman

So the perfecting amendment of Mr. WILLIAMS of Delaware was agreed to.

The VICE PRESIDENT. The question recurs on the motion of the Senator from West Virginia [Mr. RANDOLPH] to strike section 3.

Mr. RANDOLPH. Mr. President——

The VICE PRESIDENT. Who yields time?

Mr. LONG of Louisiana. Mr. President, I yield 2 minutes to the Senator from West Virginia.

Mr. RANDOLPH. Mr. President, I appreciate the continued presence of my colleagues on the Senate floor, anticipating a vote now on my amendment. I shall not speak over one and a half minutes.

It is important to indicate that those of us who, in many instances, went along with the adjustment to the perfecting amendment of section 3 as proposed by Senators WILLIAMS and SMATHERS recognize that in our fight here for equity today we have made our point. So at least in part, there was an adjustment in the position of the two Senators whom I have mentioned.

Before we vote now on what I think is the remaining part of the problem, an important part, it is necessary to note that the amendment on which Senators will soon be voting would allow us to continue planning efforts in resource development programs. We make no effort to withhold that. Also, construction programs could continue, but limited by section 4 of the pending bill.

This section takes $6 billion from the budget, and most of that cut would come from the area of public works, the important programs which we have been discussing here this afternoon.

So I trust, the Senate having now approved what in part meets the amendment we had earlier offered, it will now go the whole way, not just so that we can say we get everything, but that we have finished the job in the manner in which it should be finished.

Mr. LONG of Louisiana. Mr. President, I yield myself 2 minutes, and I trust I shall stay within that limitation.

The Williams amendment exempted from the proposed public works freeze the $2.358 billion that is to be spent on direct Federal civil public works projects that are already under way. All we are talking about now, is $166 million for new projects and features and part of a projected $84 million expenditure on advance planning. So we are talking about only 6 or 7 percent of the over-all amount that the Williams freeze would have applied to.

Mr. President, why would the Senate want to specify that construction should not commence on a project unless the Office of Emergency Planning said that to fail to start it would do irreparable injury to the public health and welfare? Why would we do that before we have examined the project? The project would have to come before us, here in the Senate. Why do we want to say in advance that we cannot judge? Why not at least examine the proposals before we say we cannot judge and give some man downtown the authority to decide if to omit the project would do irreparable injury?

Mr. President, involved here are Federal Aviation Agency and Coast Guard safety facilities, Post Office buildings, Forest Service projects, Office of Economic Opportunity projects, and a great many other items. Mr. President, these should be judged on their merits, just as the question of whether we should slow down an existing project should be judged on its merits.

The PRESIDING OFFICER (Mr. MOSS in the chair). The Senator's time has expired.

Mr. MORSE. Mr. President, will the Senator yield me 3 minutes?

Mr. LONG of Louisiana. I yield 3 minutes to the Senator from Oregon.

Mr. MORSE. Mr. President, I want it understood that I approve what the Senator from Louisiana has said. The gimmick before us now, the sleeper before us now, is the language in the bill, as far as the Office of Emergency Planning is concerned, as found on line 24, page 4, requiring a showing that it will cause irreparable damage to the public health or welfare.

We are not going to be able to show that. In project after project—and I speak for the moment as chairman of the Subcommittee on Education—I do not think we know the damage we would do to the educational program by enacting this shocking bill. I voted against the Williams amendment because it does not improve it at all; it only gives us a carrot. The whole bill is bad, and I shall vote against the whole bill.

Look at what we are doing to the educational program under this bill. Do not forget, we have authorized $6.7 billion, in round figures, for education. What is the administration doing in its budget for 1969? Cutting it back to $3.5 billion, in round figures.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. MORSE. No, I shall not yield for anything until I finish my speech.

I ask my fellow Senators, Is that what you want to do to the boys and girls of this country and the college students of this country, in respect to their educational needs, at the same time that we propose to go over to Vietnam and build schools, as I said this afternoon, and spend a lot of money over there, where they have a government that cannot even get the support of the people?

I want to say again, I do not propose to sacrifice the educational program of this country, as the passage of this bill would do.

Take a look at some of the figures. Here is $315 million we authorized for grants for school construction. What is the administration proposing for fiscal year 1969? $52.5 million. Are we going to create a lost generation of young people in this country, and put that cutback in this bill, in order to help the bankers over in Europe who want us to raise taxes over here in order to protect the American currency they hold over there?

As the Senator from Missouri pointed out yesterday, we lose a net of $700 million a year to maintain those troops over there. As I said earlier this afternoon, I shall vote against this bill, as I shall vote against any proposal to put this kind of cut in the educational program, until we are willing to cut into a $79 billion recommendation by this administration for a defense program for 1969, when only some $26 billion of that is Vietnam oriented. Hundreds of millions to protect Europe. Hundreds of millions of dollars for Africa. Millions into Latin America. Billions into the subcontinent of Asia, as we proceed to build these permanent naval installations around the perimeter of the Indian Ocean.

Yet we have an administration that goes on television and says we seek no permanent military bases around the world; and some people are kind enough to refer to it as only a credibility gap. Of course, we all know it is a misrepresentation of facts. The American people are being deluded.

Mr. President, the place to make the cut is out of that $79 billion defense program.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. MORSE. I ask for 1 more minute.

Mr. LONG of Louisiana. I yield the Senator from Oregon 1 additional minute.

Mr. MORSE. The place to make the cut is out of that $79 billion proposed defense budget of this administration for 1969, and protect the domestic economy of this country.

I ask my fellow Democrats, Do you mean to tell me you want to go home and tell the people in your district that you want to make a cut of some $7.5 billion out of a $20 billion domestic economy, and then support a defense economy of $79 billion? I will tell you what will happen to a lot of you: you will get whipped at the polls, if you vote for this bill. Any Democrat who votes for it ought to get beaten, because, in my judgment, he will be letting down his party; and, though the President may not know it yet, he will be voting against the President, too.

Mr. President, I shall vote against the bill.

Mr. CLARK. Mr. President, will somebody yield me 2 minutes?

Mr. LONG of Louisiana. I yield 2 minutes to the Senator from Pennsylvania.

Mr. CLARK. May I say to my friend from Oregon, I completely agree with him; and, there being a good many Senators in the Chamber at the moment, I should like to advise them that when the Javits amendment is called up later during this debate, I shall propose an amendment to read as follows:

> Insofar as may be practicable, the reservations from expenditures provided for in subsection (b) shall be made from authorizations for (1) the proposed supersonic transport, (2) the space program, and (3) the Department of Defense, to the extent that such reservations will in no way endanger the security of the United States or the safety of U.S. troops.

Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. WILLIAMS of Delaware. Mr. President, I yield 4 minutes to the Senator from Florida.

Mr. SMATHERS. Mr. President, this is a very critical vote. It is not a particularly important amendment, but it is a very critical vote. I say that primarily for the attention of my colleagues on the Democratic side.

I have been working to bring about a little bit of, one might say, fiscal reform and monetary reform, for quite some time. I have worked, I think, rather diligently with some of the Members of the other side. I know that the only time some of them are going to vote for a tax increase, is if it is coupled with a sizable expenditure limitation.

And if we on this side happen to knock out what amounts to a sizable expenditure limitation, I know that that moment we will lose a number of votes on the other side, so that they will not vote for the surtax. We will end up having nothing, and the word will go out to the world that Congress took no meaningful action whatsoever.

So, it is of the greatest importance that on this particular vote, even though, as the Senator from Louisiana has said, we have given away 94 percent of the impact of the original provision concerning public works in the Williams-Smathers substitute, if we want to have a surtax charge increase passed in the Senate, we should approve the public works section as it now is.

Mr. President, I want to read something from a magazine which we all read and, I think, respect, because I think it is very significant here. I would like very much to have the attention of everybody.

It reads:

> Red Sneers. From Budapest to Peking, Communists greeted the gold stampede with outright gloating—showing at least that Lenin's followers still heed his counsel: "The way to defeat the capitalist system is to debauch its currency." Crowed the Polish tradeunion council, Glos Pracy: "The dollar is doomed. It is possible that joint efforts by world financial circles will stave off the crisis temporarily, but this will only postpone the execution." Sneered the New China News Agency: "The capitalist monetary system has in fact collapsed."
>
> France's Charles de Gaulle, who wants the Western world to return to the gold standard, was playing only a slightly different tune from the Red band. He called the present international monetary system "inequitable" and "henceforth inapplicable." Its continuance, he maintained, would "condemn the free world to grave economic, social and political trails."

The article also states:

> Almost every private and public authority of the Western countries agrees that to avoid a genuinely serious threat to the dollar, the U.S. must dramatically pare the inflationary deficit in both its domestic budget and balance of payments. Says General Director Max Ikle of the Swiss National Bank: "The welfare of the world depends on confidence in the dollar, and this now depends on American fiscal policies."
>
> Threatened Fabric. Most Europeans regard U.S. willingness to raise taxes as the gauge of its resolve to put its fiscal affairs in order. Technically, budget and payments deficits can be curbed by any combination of higher taxes and lower spending that bites deep enough.

The world is looking at us to see whether we are willing to take that necessary step toward self-discipline which will give the people of the world confidence in our dollar by reducing the sizable $22 billion deficit which we will otherwise have, with all of the resulting consequences.

I urge my colleagues on this side of the aisle not to break up the package, if we want the package. I do not know that it will pass in the House of Representatives. However, I do know that if we in the Senate tonight or tomorrow prove that we were willing to stand up and vote for a tax increase and for expenditure control, it will be very important over there.

I think we could then take satisfaction from having acted to save the integrity of our financial system in this country.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. SMATHERS. I yield.

Mr. SYMINGTON. Mr. President, nobody in this Chamber wants a sound dollar more than I.

It is clear the military budget should be cut wherever possible. It was cut this afternoon, in authorization, by several hundred million dollars as recommended in the Senate Armed Services Committee.

I would rather see this country take on some debt with respect to the future of America, as has just been so well presented by the Senator from Oregon, than go further in debt in an effort to help people all around the world, especially the foreign speculators who have been and are making raids on our gold.

I sit next to the able and distinguished Senator from West Virginia [Mr. RANDOLPH]. He has worked hard on this pending measure. Why is there such apprehension over the amendment, when the Senator from Delaware and the Senator from Florida have already offered an amendment recommending a cut of some 90 percent of what was contained in their original recommendation?

They are now taking exception to funds totaling $250 million, when they themselves recommended exemptions from their original recommendation of sums totaling $2.38 billion. I agreed with the amendment of the able Senator from Florida and the able Senator from Delaware, and will vote also for the amendment of the Senator from West Virginia.

Let us make reductions as much as possible in places which do not hamper the future of the United States.

Mr. RANDOLPH. Mr. President, during the past 2 days, Mr. President, two able and distinguished members of the Committee on Armed Services have spoken eloquently in this forum on the propriety and the importance of making substantial withdrawal of troops of our country presently serving in Europe—the junior Senator from Kansas [Mr. PEARSON] on Tuesday and the senior Senator from Missouri [Mr. SYMINGTON] yesterday. In yesterday's colloquy, Senator PEARSON called attention to the numerous times he has heard Senator SYMINGTON warn in the Armed Services Committee and in this Chamber of the serious consequences of our deficit in the balance of payments. The Senator from Kansas appropriately remarked that if we had paid more attention to what the senior Senator from Missouri had been saying, perhaps we would have been better prepared for the gold crisis of the last 2 weeks.

And the senior Senator from Wisconsin [Mr. PROXMIRE], chairman of the Joint Economic Committee, not only commended our colleagues from Missouri and Kansas for their arguments for withdrawing substantially from our troop strength in Europe, but also said:

> There is no question that the conclusions of the Joint Economic Committee on the balance of payments problem is our overcommitment overseas. Today we have more commitments than this country can afford to support.

Now, Mr. President, I add my commendation to the approval I have heard expressed for the position statements by Senators SYMINGTON and PEARSON in which they urge cutting back the troop strength in Europe for other more necessary and timely deployment. And I not only associate my views with theirs on that subject, I share the opinion of the Joint Economic Committee as briefly outlined by the distinguished senior Senator from Wisconsin in his comment that the heart and soul of our balance-of-payments problem is in our overcommitment overseas. I am sure he referred as much to our excesses in foreign aid as he did to the excessive outflow of dollars for overdeployment of troops and dependents overseas.

In spite of these overcommitments which directly and adversely affect our balance-of-payments problems, we find in section 3 that the effort is being made to place the greatest burden of remedy on a moratorium proposed to be placed on this country's public works.

I am aware that there must be substantial reductions in budgets and expenditures across the broad spectrum of the vast Federal Establishment, and public works should suffer a share—but not two-thirds or more of the total reduction objective reflected in the provisions of the substitute measure.

Because the public works—from water and sewer projects to hospitals to flood control to airports to post offices and other public buildings, et cetera—are for the benefit of the people of the United States who pay the taxes, I see less merit in legislating a moratorium on them than in fixing a moratorium on space exploration, on development of a supersonic transport, or on many far less essential activities under the foreign aid program.

So, Mr. President, let us not abandon the time-honored authorizations and appropriations approach and certainly let us not resort to the bulldozer method—the inequitable one-category bulldozer approach—that section 3 of the substitute measure proposed. We must strike it. I urge an overwhelming rejection of all of section 3.

I reaffirm my support for increased taxes. I reaffirm my support for cutting waste and fat from the budget. But these resource development programs which serve humanity must not be subjected to this kind of ruthless and radical treatment. These programs must not be sacrificed on an altar of false economy. And I believe a majority of the Senate will agree.

Mr. WILLIAMS of Delaware. Mr. President, I would like to take 1 minute to correct what appears to be a slight confusion. Some Senators speak about $258 million being involved in this proposal. I do not recall the exact figures, but remember these are new starts—$200 million or $250 million for project starts means $2.5 billion in ultimate spending.

This section dealing with public works is a multibillion-dollar proposal, and unless Senators are willing to stand up and be counted in favor of a reduction on this program, which has a lot of political appeal back home, we should ask ourselves the question, Is there really going to be an expenditure reduction at this session of Congress?

That is the question here, and that is the reason why this particular vote is so important. It may very well be the deciding point in the ultimate decision that will be made on this legislation.

We are dealing with project starts, and once we commit $200 million for new projects we are committed to spend $2.5 billion more. That is what we are trying to stop at a time when we have this sizable deficit.

The Senator from Louisiana mentioned an $8 billion deficit for fiscal 1969; however, that $8 billion deficit referred to by the President is based on the fact that he is starting with a deficit of $28.3 billion. He then said that if we enact a 10 percent tax increase and extend the excise taxes we will raise $12.9 billion and drop the deficit down to $15.4 billion.

They then take the $7.4 billion that is accumulating in the trust fund, which by no stretch of the imagination belongs to the U.S. Government, but for bookkeeping purposes they subtract that and then claim that we only have an $8 billion deficit.

I think that we should get these figures straight. If Congress does not enact a tax increase and cut spending we will be faced with a $28 billion deficit in 1969, and we already have a $20 billion deficit in 1968. That is a deficit of $48 billion in 2 years. That does not count the increased appropriations that will be asked for with which to finance the cost of the escalation of the war in the last few weeks.

I have taken the position that we in Congress cannot point the finger at the President of the United States and charge him with the sole responsibility for we too, have a responsibility right here in Congress. Nor can the President point his finger at Congress and say that it is the responsibility of Congress for he, too, has a responsibility to cooperate with us in making these cuts.

I regret that we have not had more of that cooperation. Nevertheless, we do have a responsibility. I said in the beginning that we on this side of the aisle could not sit back—which would be very easy to do because a tax increase is not popular—and say, "Well, it is the responsibility of the majority on the other side of the aisle. They have control of Congress."

We have a responsibility as well as do the Senators on the other side of the aisle. I do not think that any of us can sit back and point a finger at the other fellow.

I would hope that we can approach this matter not as Republicans, not as Democrats, but as Americans. I think we must do that and recognize that our country cannot continue to run a deficit at the rate of $2 billion a month without bankruptcy. Some semblance of control over spending or a tax increase or a combination of both is mandatory.

I recognize that politically it may not be popular. I hope that no one who votes for the package will be defeated. However, on the other hand, we are drafting men and sending them to Vietnam. Many of those men will get the Congressional Medal of Honor. They will get citations for bravery, and I shudder to think what would happen in Vietnam if they did not display any more courage than the political courage that is being displayed here tonight. Certainly we in Congress can display just a little of the same courage we are demanding from the boys over there. Being defeated at the polls because of voting for what we believe is right is not half as disastrous as a boy getting killed over there.

We must recognize that our country is in trouble, and I believe that if this package is defeated tonight it will be a disaster. I urge that the amendment be rejected because this one decision may very well be the key vote in this session of the Congress. This may be the straw that breaks the camel's back. The fate of the bill may very well ride on this one vote.

Mr. SMATHERS. Mr. President, will the Senator yield 4 or 5 minutes to the Senator from Mississippi?

Mr. WILLIAMS of Delaware. Yes.

The PRESIDING OFFICER (Mr. NELSON in the chair). How much time does the Senator yield?

Mr. WILLIAMS of Delaware. I yield 5 minutes.

Mr. STENNIS. Mr. President, when I reviewed the figures in the Smathers-

Williams amendment calling for the reductions and for the tax, I told the Senator from Florida that I felt compelled to vote for the proposal.

It is not my suggestion particularly of which I speak, but I am moved to tell the Senate what I see in this picture. I did not think that I would ever vote for a tax bill of any consequence that had not been gone over carefully by the House Ways and Means Committee and the Senate Finance Committee, and which was fully considered and firmly recommended. So this is an unusual conclusion for me in that respect. And I did not think I would ever appear to desert the ordinary formula and procedures for the Appropriations Committee and vote for a decrease of this type. That is the second major reason that drives me to this conclusion.

However, with all deference to everyone, I have seen us drift in the fiscal affairs of our Nation, year after year, with failure to come even close to balancing the budget. In fiscal 1967, our deficit was over $18 billion. One estimate is a deficit of approximately $20 billion for 1969, even with the passage of a tax bill. That figure is disputed somewhat, but even if we pass the tax bill, the deficit will be approximately $12 billion, according to the estimates of last fall. That assumes that this bill would raise $8 billion.

There is another, more compelling reason. We have been going carefully through the hearings on the major part of the defense appropriations for fiscal 1969. In whatever way one views this war, or in whatever way there is a new policy, or whatever reevaluation there is, if any, it does not make any difference. The war is going to cost a great deal more hard money, in my humble opinion, than the budget estimates so far show. It is going to show up in various places, and it will involve necessities that cannot be delayed.

The cupboard is bare of spare parts in many places where it should not be bare. We have exhausted military supplies. We are down to the bone in many places. It will take more money, even if there is no battle plan change, no policy change, no escalation. We are going to be faced with hard figures on the floor of the Senate, in my humble opinion, which will run to several billion dollars more than has yet been requested for fiscal 1969. I would not attempt to put a dollar value on it now, but I have looked into some of these matters. More helicopters will be required, for example. I would rather not go further than that, but that is a hardware matter that is readily seen.

So in view of these jarring facts—and they are facts and figures, not conjecture—I am compelled to desert the ordinary safeguards I would have with respect to approaching these matters, and I am going to vote for the bill on final passage, including the surtax and the limitation on spending.

Now, some people back home have said, "We want you to cut out that useless spending up there, and we don't want any more taxes until you do that." I believe that we should do both; that we must do both. We have gone along and gone along—I say this with all deference—and it seems to me that we have done the easy things and postponed the hard ones. This is a hard one. But it is time to act. Fate has swung development around to putting the Senate in front. But we must meet this issue on this bill, even if it is an unorthodox way to do it.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. STENNIS. I ask for 1 additional minute.

If we do not do this, the consequences will be very bad, as they have been in the past when we failed to meet the hard problems. I believe the finest thing we could do for our country tonight would be to lay aside all reference to party or election year or anything else and say we have the will to act and lay it on the line. I believe we will have changed the direction right there, if we follow it up, and we will be starting out of the woods.

I do not know why there should not be some leadership from Congress with respect to this problem as well as other sources. We have been slow, but it is not too late. So let us meet this issue headon and vote for this bill by a large majority, and show that we are aware of the facts and of our responsibility and that we are going to do what we can to meet the problem.

I thank the Senator.

Mr. LONG of Louisiana. Mr. President, ordinarily, Congress would take a look at the President's recommendations, examine the appropriation bills, and, after passing the appropriation bills, pass on the revenue bills required to pay the cost. If Congress did not want taxes to pay for all of the costs, it would raise the debt limit. That would be the procedure.

That is the way the House has been looking at it. They want to know how much is going to be appropriated. When they know how much is going to be appriated, they will readily decide what new taxes to recommend. That is the way the tax bill should start.

Mr. President, we will put the cart in front of the horse if we cut expenditures before we know how much is going to be appropriated. That is my reaction when a Senator suggests that we cut $6 billion in advance from the budget, not knowing precisely what is going to be cut.

Mr. RANDOLPH. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. RANDOLPH. May I have the attention of my distinguished colleague, the Senator from Mississippi?

I am in agreement with him on the passage of this bill. I have been in favor of a tax increase and have advocated it for over 2 years. I do not understand that his strong advocacy of the passage of the bill is in anywise connected with the pending amendment to strike section 3, which I have offered, and upon which we are about to vote. I should like to have that clarified.

Mr. LONG of Louisiana. Let me make that clear. The Randolph amendment would do nothing one way or the other about the proposal to cut the budget by $6 billion.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LONG of Louisiana. I yield myself 2 additional minutes.

It would do nothing at all about the proposal to cut $6 billion. It would not change the figure at all. All the Randolph amendment seeks to do is to put public works under the proposal in the same posture as all other expenditures.

That would be the situation if the amendment passes when they talk about cutting expenditures. They would take a look at all Federal expenditures, and determine how to cut $6 billion.

Under the approach now in the proposal this would not be the case Congress would have vetoed expenditures on new direct Federal civil public works features and projects and turned it over to some man downtown to determine if some of them should be undertaken because it is vital. The Senator offered the amendment to provide that all continuing projects would be judged on the same basis as other expenditures if we provide for an overall cut of $6 billion.

Mr. RANDOLPH. That is all.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. RANDOLPH. Mr. President, I yield 2 minutes to the Senator from Mississippi.

Mr. STENNIS. Mr. President, the Senator from Florida suggested that I make some statements now that I have prepared in connection with the bill.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield to me for 2 minutes so that I may clarify the matter?

Mr. STENNIS. I beg the Senator's pardon. I came in late. My presentation was with respect to the bill.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. WILLIAMS of Delaware. Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER. The Senator from Delaware is recognized.

Mr. WILLIAMS of Delaware. Mr. President, the original proposal that the Senator from Florida and I proposed was to put a moratorium, first, on new projects until they had been certified as being essential. Second, it was our proposal to ask for a reexamination of existing projects to see whether or not they can be slowed down or held down without jeopardizing the welfare of the country or resulting in an economic loss.

In order to effect a compromise we deleted from our proposal the request for reexamination of those projects already in existence, but we retained the moratorium on new projects as it was in the original proposal.

The Senator from West Virginia now wants to strike out even that part, which would leave no control as far as the new projects are concerned. If his amendment is approved it will be the signal for spending as usual.

That is the reason so much is riding on this vote—and I cannot overemphasize it. Normally, one vote would not be the key, but there are other factors involved in this instance. There are $6 billion in reductions in spending, which is important, and a proposal calling for the President to send down his proposed plan for reducing the budget by $10 billion; however, to implement that $10-billion reduction in appropriations will require further action by Congress. The Senator from Mississippi recognizes that.

Mr. President, the reason so much is riding on this vote is that to many on this side of the aisle this is a key test. Will the Senate stand up when that recommendation for $10-billion reduction comes down, or will they take the politically expedient way of voting for full spending authority.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. WILLIAMS of Delaware. Mr. President, I yield myself 2 additional minutes.

Public works projects have a lot of appeal in all of our States; but can the Senate afford to exempt them from being a part of the $6-billion reduction? This next vote will be an indication as to what the Senate will do later.

Therefore, if we lose this vote we may very well lose the bill. Therefore I say that there is very much riding on this vote. This is a very important moment.

The Senator realizes that we are not just talking about $250 million in new starts. It is not only the $250 million in starts, but we are committing a total of $2.5 billion.

However, the situation gets back to the one key point: Does the Senate want to control spending bad enough that Senators will vote to control a program which is popular in each of the 50 States? That is the point that is so important tonight.

The Senator from Florida and I have gone far to meet the objectives of the Senator from West Virginia in the hope that we could retain this part of the measure, which many of us feel is the most essential.

Mr. HARTKE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. Mr. President, I yield 1 minute to the Senator from Indiana.

Mr. HARTKE. Mr. President, I wish to pay tribute to the chairman of the Committee on Finance, the distinguished Senator from Louisiana [Mr. LONG] for his clear statement with respect to what the problem really is. I think the statement by the chairman of the committee was quite clear.

The chairman of the Ways and Means Committee in the other body has been saying for a long time, "If you are going to have cuts show me the cuts you propose; and then we can talk about a tax increase."

I commend the Senator from Louisiana. If the Senate agrees to the Williams-Smathers amendment we might as well abolish the Congress because we would have no function except to take orders.

Mr. LONG of Louisiana. Mr. President, under the proposal of the Senator from Delaware, Congress would be powerless to initiate any new program. We would, in effect, tell the Committee on Appropriations and the Committee on Public Works that we are in such desperate shape that we cannot have new school buildings or a new dormitory for children.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LONG of Louisiana. Mr. President, I yield myself 1 additional minute.

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

Mr. LONG of Louisiana. Mr. President, we could not even start a new post office building. We would be telling the country we are in desperate shape. Mr. President, if we were in that situation, I would vote for the proposal. But in the present situation, I would hope that we would wait to see exactly what new starts would be considered and that we would decide the same as we would on anything else that is in the national interest.

Mr. CURTIS. Mr. President, will the Senator yield to me for 2 minutes?

Mr. WILLIAMS of Delaware. I yield 2 minutes to the Senator from Nebraska.

Mr. CURTIS. Mr. President, I shall only take 2 minutes. I shall oppose the Randolph amendment.

I come from a State that has had a great deal of public works. We hope to have more public works. We are very much interested in the conservation of our soil and water resources. However, first things come first and the war in Vietnam will not go away by merely pretending that it does not exist. The battle over the dollar and gold, and the problems in connection with a balanced budget will not disappear by mere oratory.

I suggested a couple of years ago that we have a moratorium on new social programs. However, those commitments have gone on. They will have to be met in good faith. There are a few places we could cut, and I am not about to desert the men who are fighting in Vietnam and further jeopardize the financial position of this country by taking the position that I do not want something cut that is dear to my heart and the people I represent.

I shall support the proposal of the Senators from Delaware and Florida.

SEVERAL SENATORS. Vote! Vote! Vote!

Mr. KUCHEL. Mr. President, will the Senator yield to me for 2 minutes while Senators are in the Chamber waiting to vote?

Mr. WILLIAMS of Delaware. I yield.

Mr. KUCHEL. Mr. President, a number of Senators on this side of the aisle, I wish to say to my friend from Louisiana, are interested in how late we are going to stay tonight.

I count nine more amendments that are available to be taken up, at an hour a piece maximum, plus one which the Senator from New York has on which, under the unanimous-consent agreement, 2 hours have been allotted. That, roughly, plus the 4 hours available on the substitute, would be about 13 hours before third reading would be reached.

I also understand, I will say to my able friend from Louisiana, that the House has now adjourned, apparently until Monday. Therefore, I think the Senate should have some idea how long my able friend from Louisiana would want us to run before the hazard of rollcalls is waived.

Mr. LONG of Louisiana. Mr. President, I yield myself 1 minute.

The PRESIDING OFFICER. The Senator from Louisiana is recognized for 1 minute.

Mr. LONG of Louisiana. Quite a few Senators on both sides of the aisle have pleaded with me to try to get on with the bill and hold the Senate in session, if need be, so that we can vote.

I shall try to keep the Senate here until 9 o'clock to vote on as many amendments as possible. However, if the Senate is weary and tired, perhaps we could quit around 8 o'clock. I would hope that we could proceed to vote on as many amendments as possible, but when I detect that the Senate is weary, then we will go home and come back tomorrow.

Mr. KUCHEL. I thank my friend from Louisiana very much.

Mr. MILLER. Mr. President, will the Senator from Louisiana yield me 2 minutes?

Mr. LONG of Louisiana. Mr. President, I yield 2 minutes to the Senator from Iowa.

The PRESIDING OFFICER. The Senator from Iowa is recognized for 2 minutes.

Mr. MILLER. Mr. President, I think we all feel as strongly as anyone else about the relationship between what we are doing on the main Williams-Smathers amendment and the war in Vietnam. I do not see that it has any direct relationship to the pending amendment of the Senator from West Virginia [Mr. RANDOLPH].

If I understand the Senator from Louisiana correctly, he is saying this: that if we take the Randolph amendment then all public works, new starts, and continuing programs are fair game for the appropriations committees when it comes to cutting $6 billion which is in the Williams-Smathers amendment.

If that is so, I think there is a great deal of merit to the argument. There may be some new starts that are more important to the Nation's health and welfare than some of the continuing projects. If we do not take the Randolph amendment, then we prevent the appropriations committees from making that decision.

I think we can, in clear conscience, vote for the Randolph amendment and still hang tight to the $6 billion expenditure reduction.

Mr. MOSS. Mr. President——

The PRESIDING OFFICER. Who yields time?

Mr. LONG of Louisiana. Mr. President, I yield 2 minutes to the Senator from Utah.

The PRESIDING OFFICER. The Senator from Utah is recognized for 2 minutes.

Mr. MOSS. Mr. President, I have long supported a tax increase because I think it is the only reasonable thing to be done to halt the present inflation that threatens us and which, in fact, we are already experiencing.

Last year, I spoke out, as I did before we adjourned that I do not buy the argument we should wait until all appropriations are in to talk about a tax bill. That is the last thing we will do on the last day of this session, pass an appropriation bill. So that we would be putting off a tax increase for another year.

But I want to speak to the amendment of the Senator from West Virginia.

It seems to me it would be the height of folly to direct a cut to public works and say that there will be no new starts and say that this is the place we have to cut the dollars, because I think, in so doing, we weaken the fabric of our economy. In fact, it would be disastrous in many places.

Not only that, but section 4, which remains in the Williams-Smathers substitute, provides for a cut.

It further provides that the cut may go any place Congress chooses to make it. So that if we are going to make a cut, we can determine whether we want the cut in the foreign field or in the military field, or wherever we want to cut, without weakening the economy.

If we now deprive ourselves of new starts in the field of schools, public projects—and there are three projects in my State—flood control projects, and all these other matters, we then have deprived ourselves, as a body of Congress, of determining where the cuts shall be made.

I shall vote for the amendment of the Senator from West Virginia.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from West Virginia [Mr. Randolph].

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. MILLER (after having voted in the affirmative). On this vote, I have a live pair with the Senator from Illinois [Mr. Dirksen]. If he were present and voting, he would vote "nay"; if I were permitted to cast my vote, I would vote "yea." I withdraw my vote.

Mr. BYRD of West Virginia. I announce that the Senator from Alaska [Mr. Bartlett], the Senator from Arizona [Mr. Hayden], the Senator from New York [Mr. Kennedy], the Senator from Montana [Mr. Mansfield], the Senator from Minnesota [Mr. McCarthy], the Senator from Arkansas [Mr. McClellan], the Senator from Wyoming [Mr. McGee], the Senators from Rhode Island [Mr. Pastore and Mr. Pell], the Senator from Alabama [Mr. Sparkman], and the Senator from Virginia [Mr. Spong] are necessarily absent.

I also announce that the Senator from Arkansas [Mr. Fulbright], the Senator from Missouri [Mr. Long], and the Senator from Texas [Mr. Yarborough] are absent on official business.

I further announce that, if present and voting, the Senator from New York [Mr. Kennedy] would vote "yea."

On this vote, the Senator from Rhode Island [Mr. Pastore] is paired with the Senator from Virginia [Mr. Spong]. If present and voting, the Senator from Rhode Island would vote "yea" and the Senator from Virginia would vote "nay."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. Carlson] is absent on official business.

The Senator from Utah [Mr. Bennett], the Senator from Massachusetts [Mr. Brooke], the Senator from Illinois [Mr. Dirksen], the Senator from Arizona [Mr. Fannin], and the Senator from Illinois [Mr. Percy] are necessarily absent.

If present and voting, the Senator from Utah [Mr. Bennett], the Senator from Kansas [Mr. Carlson], the Senator from Massachusetts [Mr. Brooke], the Senator from Arizona [Mr. Fannin], and the Senator from Illinois [Mr. Percy] would each vote "nay."

The pair of the Senator from Illinois [Mr. Dirksen] has been previously announced.

The result was announced—yeas 42, nays 37, as follows:

[No. 88 Leg.]

YEAS—42

Bayh
Bible
Brewster
Burdick
Byrd, W. Va.
Clark
Dodd
Ellender
Ervin
Fong
Gruening
Harris
Hart
Hartke
Hill
Holland
Hollings
Inouye
Jackson
Javits
Jordan, N.C.
Kennedy, Mass.
Long, La.
Magnuson
McGovern
McIntyre
Metcalf
Mondale
Monroney
Montoya
Morse
Moss
Mundt
Muskie
Nelson
Randolph
Symington
Talmadge
Tydings
Williams, N.J.
Young, N. Dak.
Young, Ohio

NAYS—37

Aiken
Allott
Anderson
Baker
Boggs
Byrd, Va.
Cannon
Case
Church
Cooper
Cotton
Curtis
Dominick
Eastland
Gore
Griffin
Hansen
Hatfield
Hickenlooper
Hruska
Jordan, Idaho
Kuchel
Lausche
Morton
Murphy
Pearson
Prouty
Proxmire
Ribicoff
Russell
Scott
Smathers
Smith
Stennis
Thurmond
Tower
Williams, Del.

PRESENT AND GIVING A LIVE PAIR, AS PREVIOUSLY RECORDED—1

Miller, for.

NOT VOTING—20

Bartlett
Bennett
Brooke
Carlson
Dirksen
Fannin
Fulbright
Hayden
Kennedy, N.Y.
Long, Mo.
Mansfield
McCarthy
McClellan
McGee
Pastore
Pell
Percy
Sparkman
Spong
Yarborough

So Mr. Randolph's amendment was agreed to.

Mr. RANDOLPH. Mr. President, I move to reconsider the vote by which the amendment was adopted.

Mr. LONG of Louisiana. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. JACKSON. Mr. President, I offer an amendment, which is at the desk.

The PRESIDING OFFICER. The amendment offered by the Senator from Washington will be stated.

The Legislative Clerk. It is proposed, on page 3, line 18, after the first comma, to insert "the Central Intelligence Agency".

Mr. JACKSON. Mr. President, I am offering this amendment for myself and the distinguished Senator from North Dakota [Mr. Young].

The amendment is obvious. On page 3, Members of the Senate will note that the Williams-Smathers substitute exempts from the employment freeze the Department of Defense, Postal Field Service, and the Federal Bureau of Investigation, among others. I do not think it is necessary for me to explain the obvious reason why we should exempt the Central Intelligence Agency from this personnel limitation.

It is my understanding that the able Senator from Florida [Mr. Smathers] is prepared to accept the amendment.

Mr. SMATHERS. Mr. President, I think we should inquire of the Senator from Delaware [Mr. Williams].

Mr. WILLIAMS of Delaware. Mr. President, I would have no objection to accepting it, but if any other Senator has any other exemptions to propose, he had better bring them up at this time.

Mr. LONG of Louisiana. Mr. President, I yield back my time.

Mr. JACKSON. Mr. President, I yield back my time.

The PRESIDING OFFICER. All time on the amendment has been yielded back.

The question is on agreeing to the amendment of the Senator from Washington.

The amendment was agreed to.

AMENDMENT NO. 676

Mr. MONRONEY. Mr. President, I desire to call up my amendment at the clerk's desk, No. 676.

The PRESIDING OFFICER. The amendment will be stated by the clerk.

The legislative clerk proceeded to read amendment No. 676.

Mr. MONRONEY. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with, and that it be printed in the Record at this point.

The PRESIDING OFFICER. Without objection, it is so ordered.

Amendment No. 676 is as follows:

On page 27, strike out the table following line 14 and insert the following:

"Calendar year	Percent	
	Individuals	Corporations
1968	3.375	4.5
1969	2.25	2.25".

On page 28, line 1, strike out "10 percent" and insert "4.5 percent".

On page 35, after line 2, insert the following new sections:

"Sec. 14. Increase in Tax on Distilled Spirits.

"(a) Tax Increase.—Section 5001(a) (relating to rate of tax on distilled spirits) is amended by striking out '$10.50' each place it appears therein and inserting in lieu thereof '$15.50'.

"(b) Effective Date.—The amendment made by subsection (a) shall take effect on April 1, 1968.

"Sec. 15. Increase in Tax on Cigarettes.

"(a) Tax Increase.—Section 5701(a) (relating to tax on cigarettes) is amended—

"(1) by striking out '$4 per thousand' in paragraph (1) and inserting in lieu thereof '$5 per thousand'; and

"(2) by striking out '$8.40 per thousand' in paragraph (2) and inserting in lieu thereof '$10.50 per thousand'.

"Effective Date.—The amendments made by subsection (a) shall take effect on April 1, 1968.

"Sec. 16. Reimposition of Certain Excise Taxes.

"(a) Retail Taxes.—There is hereby imposed upon articles sold at retail which were taxable under—

"(1) subchapter B of chapter 31 (relating to furs), and

"(2) subchapter C of chapter 31 (relating to toilet preparations),

as such provisions were in effect on the day before the date of the enactment of the Excise Tax Reduction Act of 1965, a tax at the rate which was in effect on such day.

"(b) MANUFACTURERS TAXES.—There is hereby imposed upon the sale by the manufacturer, producer, or importer of articles which were taxable under—

"(1) subchapter C of chapter 32 (relating to entertainment equipment), and

"(2) part II of subchapter D of chapter 32 (relating to photographic equipment),

as such provisions were in effect on the day before the date of the enactment of the Excise Tax Reduction Act of 1965, a tax at the rate which was in effect on such day.

"(c) ADMISSIONS AND CLUB DUES.—There is hereby imposed on amounts paid which were taxable under subchapter A of chapter 33 (relating to admissions and club dues) as such provision was in effect on the day before the date of the enactment of the Excise Tax Reduction Act of 1965, a tax at the rate which was in effect on such day.

"(d) OCCUPATIONAL TAXES.—There is hereby imposed on each activity which was taxable under—

"(1) subchapter B of chapter 36 (occupational tax on coin-operated devices), and

"(2) subchapter C of chapter 36 (occupational tax on bowling alleys, billiard and pool tables),

as such provisions were in effect on the day before the date of the enactment of the Excise Tax Reduction Act of 1965, a tax at the rate which was in effect on such day.

"(e) EFFECTIVE DATE.—This section shall take effect on April 1, 1968.

"(f) REGULATIONS.—The Secretary of the Treasury or his delegate shall prescribe such regulations as may be necessary to carry out this section."

Mr. MONRONEY. Mr. President, I think I would save the time of Senators if I were just allowed to explain it.

AMENDMENT NO. 680

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. MONRONEY. I am glad to yield.

Mr. DOMINICK. Mr. President, I send an amendment to the desk for printing. The amendment concerns the nonpayment of gold to nations who owe us money and have not paid in accordance with the terms of their obligations.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table.

Mr. MONRONEY. Mr. President, briefly, my amendment seeks to cut down what I feel is an oppressive amount of surtax, 10 percent, as provided in the amendment of the Senator from Delaware [Mr. WILLIAMS].

My major difference is that I propose to cut the 10-percent surtax down to 4½ percent for individuals and corporations.

My amendment contains the same provisions for accelerated corporate income tax payments, with estimated revenues of $300 million, that is in the committee bill and the substitute proposal by the Senator from Delaware.

It includes the retention of automobile and telephone excise taxes, of $2.7 billion.

Then these are new taxes:

We increase, in my amendment, the tax on cigarettes by 25 percent, from 8 cents to 10 cents per pack, which will raise $500 million, according to Treasury figures. After all, we are trying to discourage the smoking of cigarettes. We print on each package of cigarettes that smoking may be injurious to health, and I think this is a luxury that could well stand the 2-cents-a-package increase, and produce $500 million.

We increase the tax on alcoholic beverages by approximately $1 a fifth. This is an increase of 50 percent. Many of my friends say, "Well, surely it is worth that much." But whether it is or not, it will produce revenues of $1.5 billion. This, I think, is a legitimate objective.

We reimpose the luxury taxes that we repealed. Bear in mind, we did not raise these: we merely reimposed those that we repealed in 1965.

I believe it is undeniable that conditions are different now than when we repealed these luxury taxes. So the taxes on phonograph records, musical instruments, radios, TV sets, phonographs, and photographic equipment will amount to $400 million.

The tax on furs, at 10 percent, and on toilet preparations—this includes men's shaving lotions as well as ladies' cosmetics, and we do not include baby oil; I remember we were hooked on the baby oil many times when this was originally instituted—will produce $300 million.

On amusements, we include again the tax we once had of 10 percent on moving pictures, on night clubs, on the theater, and on recreational types of things, and we raised $236 million in that manner.

This brings us out with new revenues of $10.3 billion. That compares with new revenues to be produced by the amendment of the distinguished senior Senator from Delaware of $12.8 billion. So we are $2.5 billion below that figure.

I think when we consider the tremendous impact that a 10-percent surtax on top of the already high prevailing personal tax rates would have, this would be a more satisfactory substitute. We have always had luxury taxes in time of war. They are accepted. They have been a part of our tax structure in wartime as long as any of us can remember; and I believe the people prefer that type of tax, rather than have the increase built into the income tax structure.

People with whom I have talked are fearful that if we add a 10-percent surtax to the income taxes, we may be forever in getting that 10-percent surtax off; but they know from past experience that we will take the luxury tax off. Once imposed in time of war, it tends to reduce as the emergency decreases.

There were many other taxes we could have added, but which were not put in. They would have produced another $1.5 billion; but the reason we did not include them was because they deal largely with household furnishings like refrigerators, which are necessary, with household appliances, room air conditioners, light bulbs, jewelry, luggage, and things of that kind. If we need to consider additional sources of revenue, I have a list that would produce another $1.5 billion, and we would then be within $1 billion of what the amendment of the Senator from Delaware will produce, under the 10-percent surtax.

I believe this is a good piece of legislation. The Treasury has helped in supplying these figures, and I personally know, from discussing the matter throughout my State and talking about the difference between the two types of taxes, and where the burden will fall on luxuries, that my constituents far prefer to have luxury taxes.

They say, "This is a tax we do not have to pay unless we want to buy that gin, or go to this night club, or buy a fur coat, or go to a movie."

So I believe this is a very logical way to meet the crisis caused by the war in Vietnam. It will not be an unusually heavy tax, with a 4.5-percent surtax, and certainly the luxury burden will fall very lightly on the general public of this great country.

Mr. President, I reserve the remainder of my time.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that there be a short quorum call, charged to neither side.

The PRESIDING OFFICER. Is there objection?

Mr. LONG of Louisiana. Mr. President, may we have it understood that the Senator is not going to insist on bringing the full 51 Senators into the Chamber?

Mr. WILLIAMS of Delaware. We cannot have a vote without 51 percent.

Mr. LONG of Louisiana. Is the Senator ready to yield back his time and vote, or does he want to debate?

Mr. WILLIAMS of Delaware. No, but there is no point in debating to an empty Chamber.

Mr. LONG of Louisiana. I hope the Senator will not insist on a quorum call. It will take a considerable amount of time.

Mr. WILLIAMS of Delaware. It should not take much time. We had 70 Senators for the last vote, and they are around when it comes time to vote. If we can not get 51 Senators, we are not going to be able to vote tonight, anyway.

Mr. LONG of Louisiana. Would the Senator be willing to take the time for the quorum call out of both sides?

Mr. WILLIAMS of Delaware. Well, no. I think we can have it without it being charged. I ask that the time not be charged to either side.

The PRESIDING OFFICER. Is there objection? The Chair hears none. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HARRIS in the chair). Without objection, it is so ordered.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. MONRONEY. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. SMATHERS. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Florida is recognized for 5 minutes.

Mr. SMATHERS. Mr. President, it grieves me very much ever to be in opposition to the distinguished senior Senator from Oklahoma. I do not know of any finer public servant anywhere. I know that no Senator gives any greater thought to the problems of his State than does the Senator from Oklahoma.

I do not think there is a finer expert to be found anywhere in the United States on matters of transportation than the distinguished Senator from Oklahoma.

So, as I say, it bothers me to be in any fashion in opposition to him. The only reason I am in opposition to him on the particular proposal is because I believe the matter of how we should levy these taxes, if we can get taxes, is a matter on which we should have some hearings before either the Senate Finance Committee or the House Ways and Means Committee.

We have at least had hearings on the matter of a 10-percent surtax charge, and the people who opposed it because they felt that it would hit them most heavily, have had the opportunity to come in and testify. However, the particular proposal of my distinguished and good friend, the Senator from Oklahoma, concerns certain taxes in the excise field.

The people who would be drastically affected by it have not had an opportunity to be heard.

An excise tax is a more regressive tax than a surtax for the simple reason that it weighs far more heavily on the little man than it does on the big man. A surtax, in my judgment, is a fairer tax because it falls on those who are most able to pay.

If the Senator won acceptance of his suggestion that we lessen the surtax and substitute excise taxes, I think he would accomplish what I know he did not intend to accomplish. I refer to the fact that he would put a greater burden on the little people than he would on those who can better afford to pay.

I think we should be reminded that the special 10-percent surtax also does not apply, as it is now proposed, in the same way with regard to all tax groups.

A family of two can have a taxable income of $2,000, before it will be affected at all by the proposed 10-percent surtax.

I believe that we need hearings on this proposal that the distinguished Senator from Oklahoma has advanced. I think those people who would be affected by it should have an opportunity to come in and be heard. I therefore respectfully and regretfully, because the Senator from Oklahoma is the sponsor of the measure, urge the Senator to reject the amendment.

Mr. MONRONEY. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized for 5 minutes.

Mr. MONRONEY. Mr. President, I am deeply grateful to my very gracious friend. I had the honor of serving with the Senator from Florida in the House and had the honor of going on the Commerce Committee of the Senate with him on the same day that we both came to the Senate. I deeply appreciate his very kind words. I appreciate also the sincerity and the great ability that he has to make the points against my amendment.

I have one important point to make. There are no new taxes contained in here. There is nothing new to the Senate or to the taxpayer, because these are taxes that we relieved the taxpayers from paying in 1965. That proves generally my point that an excise tax is easier to get rid of than is a tax that is built into the regular tax structure, like a surtax that can go on and on like a babbling brook. I have seen that done. I have seen the rates maintained through the machinery here.

I do not think there is any reason to wonder about whether a tax on the slot machines is burdensome or not. One will hear testimony to the effect that it is. However, everybody stands in line at Las Vegas and other places to put their money in the slot machines.

In the case of amusements, the pool halls do a great business. There is a tremendous business at the race tracks and at all athletic events. There is no sport that is not prospering as it has never done before.

The night clubs in Washington are the only places that are really busy, and whether it is for the lack of anything else to do in the rather dull Nation's Capital, I do not know, but certainly they are packing them in and doing a big business.

While I do not patronize them, I understand that a check for a nice little evening meal, and a little entertainment can reach $50 or $100 very easily for a rather small party.

I see no reason to have hearings. It would help to pep up the committee hearings if some of the performers could come in and testify in costume, I am told. And I think we might have to take the largest hall we have to accommodate the crowd in that event. I do not think that there is anything strange about any of these things relating to the amusement tax.

We know what a fur coat is. We know that fur coats will be sold whether there is a 10-percent tax or not. And with respect to all of the wildlife in Wisconsin or Alaska which is used for the raising and propagation of furs and fox skins and things of that kind, the tax will not involve a magnitudinous question of the survival of the industry.

I explained the toilet preparation tax. We want to be equally fair to the women and to the men. For that reason we will tax shaving soap and men's toilet preparations the same as the toilet preparations and cosmetics for the ladies.

There will be no baby oil tax involved in this. This is a straight cosmetic type tax.

We are taxing the hobbies a bit, and particularly the phonograph records, which is one of the biggest booming businesses we have in the country. Certainly the records that I buy sell for about twice what they sold for not so many years ago.

With respect to the musical instruments—I believe from the number of bands and particularly the high school bands, that there is no reason to believe this industry cannot stand a tax.

Sales of radio and television sets are going good.

Phonographs are still selling well. Photographic equipment has never had quite such a boom as it enjoys now.

The tax on amusement includes not only all nightclubs and race tracks, but it will also include the legitimate theater.

We used to pay about $3.50 for seats downstairs. However, I think the seats are now about $6.60, and the plays are not that much better. Still, we are entitled, I think, to place a luxury tax on such items.

Certainly, Mr. President, the moving picture industry can easily bear the tax. Incidentally, I believe it is high time to put on a tax, not for our displeasure, but perhaps to say that this industry is not living up to the cultural needs of this country. If one looks through tonight's newspaper, he will see the pornographic pictures of lust and nudity advertised blatantly. If this industry is going to continue along this track, it could very easily pay the 10-percent admission tax that is proposed to be added.

I recall going to see a week of the Greta Garbo festival at the Apex, and I enjoyed the show, and the ticket cost me $2.50. As a movie critic back in the old days on the Oklahoma News, I saw that picture—no difference whatever—for 25 cents. Can anyone tell me that the cost to rerun that picture has risen from 25 cents to $2.50?

These people have brought their prices up to the sky. They are producing the lowest level in junk that the movie industry has ever produced. Certainly, this is a source of income we should have.

I believe the tax on alcohol is justified. Every government of which I know feels that this is an item that is not of great benefit to the people and that it should carry a higher excise tax than other items normally do.

Certainly, the addition of $1 a fifth would not be detrimental to the industry. It might help a little to reduce the consumption, and that would probably be good for the health of the Nation. But, be that as it may, it would produce $1.5 billion, and I believe that is quite important in the situation in which we find ourselves.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. COOPER. The Senator has said that the increase in the excise tax on distilled spirits, which he proposes, would produce an additional $1.5 billion in taxes?

Mr. MONRONEY. Yes, excise taxes. An additional $1 a fifth.

Mr. COOPER. What does the present excise tax on distilled spirits produce for the Treasury?

Mr. MONRONEY. Roughly, $3 billion.

Mr. COOPER. The increase proposed by the Senator's amendment is from $10.50 to $15.50 a gallon? That would be a $5 increase. That would produce a total from distilled spirits of how much?

Mr. MONRONEY. It is a 50-percent increase. It would have to be $4.5 billion, if I calculate correctly.

Mr. COOPER. I note that the Senator also proposes to increase the tax on cigarettes, from $4 per thousand to $5 per thousand.

Mr. MONRONEY. Two cents a package.

Mr. COOPER. I gather from the questioning of the distinguished Senator from Florida [Mr. SMATHERS] that these excise tax increases, several in number, were not proposed by the Senator from Oklahoma before the Senate Finance Committee.

Mr. MONRONEY. No, I did not, because I did not know a surtax was going to be offered to this bill. I would have held this up until we considered a surtax, had it not been for Senator WILLIAMS of Delaware and Senator SMATHERS presenting this proposal. I doubt very seriously that the surtax was heard a great deal. This came from the House as a simple extension of the expiring excise taxes, as the Senator is aware.

Mr. COOPER. In addition to the Senator's proposals to increase the Federal tax on distilled spirits and cigarettes, his amendment would reimpose to the wartime level certain other excise taxes, which have been removed by Congress in past years. But as I understand, the tax he proposes on distilled spirits and cigarettes would exceed even the wartime level.

Mr. MONRONEY. All those existed—I do not believe to this degree on alcohol or cigarettes. I am not certain what that tax was.

Mr. COOPER. What would be the total effect of the Senator's amendment upon revenues, if it should be adopted?

Mr. MONRONEY. My amendment, if adopted, with a 4.5 percent surtax, would raise the total amount of $10.3 billion.

Mr. COOPER. Is the Senator speaking on limited time?

Mr. MONRONEY. I have plenty of time.

Mr. COOPER. In stating my position, I should like to point out, that I have supported and continue to support the 10 percent surtax recommended by the administration, continuation of the excise taxes as recommended by the administration on automobiles and telephones, and that I also support a substantial reduction in expenditures of at least $6 billion. We had a very important test a few minutes ago on reduction of expenditures—in which we were really saying whether we would consent to reductions on those projects which would affect us in our own States. I believe we were called upon to say by our vote whether we would make a decision which would really hurt us a little. Unfortunately, the Senate did not make that decision.

The Senator's proposal affects two industries in my State. One is the distilled spirits industry, and the other is the cigarette industry—and more precisely, the burley tobacco industry.

They are legal and productive industries. Whatever moral views people may hold, these are legal industries. Together, they already produce an enormous amount of tax revenues for the Federal Government, and for State and local governments. But there is a limit to the tax they can be asked to bear.

The excise tax on a gallon of distilled spirits is $10.50. The tax already is many times the cost of a gallon of distilled spirits. Also, it is the only product I know on which the producer is required to pay the excise tax before it is sold. The industry pays out hundreds of millions of dollars to the Federal Government and to the State government when the bonding period has ended, before sale.

The situation with respect to the tax on cigarettes is similar. The tax on cigarettes is much greater than the value of the tobacco. For example, farmers receive only about 3 or 4 cents for the tobacco in a pack of cigarettes, from which the Federal Government receives 8 cents.

Both distilled spirits and cigarettes are taxed very heavily, and much more heavily than other products. This has occurred, I assume, because it seems easy to tax these products. But they should not be burdened with even heavier and inequitable taxes, simply because it seems an easy thing to do. That would be unfair.

So I urge that the Senate reject the pending amendment, for two reasons: First, because the Senate has not had sufficient opportunity to consider the amendment. Second, because the Senator's proposal with respect to these products is inequitable.

The proposal has often been made to take advantage of these two products; I have opposed these proposals in the past and do so now.

The Senator's proposal at this late hour would be similar to my offering an amendment tonight to reduce the 27.5-percent depletion allowance on oil. These votes tonight have been very close; such an amendment might pass. I think the Senator ought not begin to single out products.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. MONRONEY. We have an amendment at the desk by the Senator from Delaware that would seek to reduce the allowance from 27.5 to 20 percent.

Mr. COOPER. The Senator is going to oppose that proposal, is he not?

Mr. MONRONEY. Yes. It is as important to me as whisky is to some other States. When I read all of these big ads about Cabin Still and Four Roses at $3.25 a fifth, surely that is worth $4.25, because they were once higher than that. I am sure that the great product of Kentucky has such a reputation with those who wish to imbibe that they would be willing to accept the great sacrifice and pay $1 more in the future for a fifth, rather than to have the 10-percent surtax on all of their income.

Mr. COOPER. I would be happy to listen to the Senator's argument in connection with the depletion amendment. I must oppose his amendment to substantially increase the Federal tax on distilled spirits and cigarettes—which are already very large—and ask that it be defeated by the Senate.

Mr. SMATHERS. Mr. President, I yield back the remainder of my time.

Mr. MONRONEY. Mr. President, will the Senator yield to me for 1 minute?

Mr. SMATHERS. I yield.

Mr. MONRONEY. Mr. President, due to the absence of so many Senators from the Chamber, I am sure that few Senators have heard the issues joined.

My feeling is that the bill will come out of the House of Representatives with hardly any of the additions or changes that the Senate might make in the bill. Therefore, I hope to have this amendment in the bill when it goes to the House so they will have some idea as to what it is all about. Then, when they write their revenue bill, it will receive some priority along with the suggestion for a 10-percent increase in the individual and corporate taxes, or a surtax charge.

I yield the floor.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment of the Senator from Oklahoma. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Alaska [Mr. BARTLETT], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Massachusetts [Mr. KENNEDY], the Senator from New York [Mr. KENNEDY], the Senator from Montana [Mr. MANSFIELD], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Arkansas [Mr. MCCLELLAN], the Senator from Wyoming [Mr. MCGEE], the Senators from Rhode Island [Mr. PASTORE and Mr. PELL], the Senator from Alabama [Mr. SPARKMAN], the Senator from Virginia [Mr. SPONG], and the Senator from Maryland [Mr. TYDINGS] are necessarily absent.

I also announce that the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Missouri [Mr. LONG], the Senator from Texas [Mr. YARBOROUGH], and the Senator from Ohio [Mr. YOUNG] are absent on official business.

I further announce that, if present and voting, the Senator from South Carolina [Mr. HOLLINGS] and the Senator from Rhode Island [Mr. PASTORE] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. CARLSON] is absent on official business.

The Senator from Utah [Mr. BENNETT], the Senator from Massachusetts [Mr. BROOKE], the Senator from Illinois [Mr. DIRKSEN], the Senator from Arizona [Mr. FANNIN], and the Senator from Illinois [Mr. PERCY] are necessarily absent.

The Senator from Iowa [Mr. HICKENLOOPER] and the Senator from Kentucky [Mr. MORTON] are detained on official business.

If present and voting, the Senator from Utah [Mr. BENNETT], the Senator from Massachusetts [Mr. BROOKE], the Senator from Kansas [Mr. CARLSON], the Senators from Illinois [Mr. DIRKSEN and Mr. PERCY], and the Senator from Arizona [Mr. FANNIN] would each vote "nay."

The result was announced—yeas 13, nays 62, as follows:

[No. 89 Leg.]

YEAS—13

Byrd, W. Va.
Church
Clark
Cotton
Gore
Harris
Hayden
Hill
Inouye
Lausche
McIntyre
Monroney
Randolph

NAYS—62

Aiken
Allott
Anderson
Baker
Bayh
Bible
Boggs
Brewster
Burdick
Byrd, Va.
Cannon
Case
Cooper
Curtis
Dodd
Dominick
Eastland
Ellender
Ervin
Fong
Griffin
Gruening
Hansen
Hart
Hartke
Hatfield
Holland
Hruska
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kuchel
Long, La.
Magnuson
McGovern
Metcalf
Miller
Mondale
Montoya
Morse
Moss
Mundt
Murphy
Muskie
Nelson
Pearson
Prouty
Proxmire
Ribicoff
Russell
Scott
Smathers
Smith
Stennis
Symington
Talmadge
Thurmond
Tower
Williams, N.J.
Williams, Del.
Young, N. Dak.

NOT VOTING—25

Bartlett
Bennett
Brooke
Carlson
Dirksen
Fannin
Fulbright
Hickenlooper
Hollings
Kennedy, Mass.
Kennedy, N.Y.
Long, Mo.
Mansfield
McCarthy
McClellan
McGee
Morton
Pastore
Pell
Percy
Sparkman
Spong
Tydings
Yarborough
Young, Ohio

So Mr. MONRONEY's amendment was rejected.

Mr. DOMINICK. Mr. President, I call up my modified amendment, and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated, as modified.

The ASSISTANT LEGISLATIVE CLERK. At the end of the bill insert the following new section:

SEC. 8. FOREIGN NATIONS INDEBTED TO THE UNITED STATES

(a) The Secretary of the Treasury shall promptly after the date of enactment of this Act make demand on all countries which are more than 90 days in arrears in the payment of principal or interest on obligations owing to the United States (including obligations incurred during World War I or World War II) for the amount of any such arrearages.

(b) During any period in which any foreign nation is in arrears, as determined by the Secretary of the Treasury, in the payment of principal or interest on obligations owing to the United States (including obligations incurred during World War I or World War II), dollars held by such nation, or any instrumentality thereof, which are presented for redemption in gold to the United States, or any officer or agency thereof, shall, in lieu of such redemption, be credited against the amount by which such nation is in arrears in the payment of principal or interest on such obligations.

Mr. LONG of Louisiana. Mr. President, I yield myself 1 minute.

The PRESIDING OFFICER. The Senator from Louisiana is recognized for 1 minute.

Mr. LONG of Louisiana. Would the Senator from Colorado agree to a lesser time limitation than 1 hour on each side? This amendment was at issue during debate on the gold cover. I know that Senators are anxious to vote and I would hope that this would be the last vote this evening.

Mr. DOMINICK. I would be happy to restrict myself in the time allotted for my amendment. I think 20 minutes would be sufficient to take care of other Senators who may wish to talk.

Mr. LONG of Louisiana. Mr. President, I thank the Senator.

Mr. President, I ask unanimous consent that the time on this amendment be limited to 20 minutes on each side.

Mr. YOUNG of North Dakota. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. DOMINICK. Mr. President, I gather, then, that the Senate is now operating under the 1-hour time limitation. I shall try to be as brief as I can.

First of all, let me say to my colleagues, this is very nearly the same amendment I offered during the recent gold cover debate. At that time, many Senators felt that we should not make any change in the proposed bill then before us because if we did, it would have to go back to conference and as a consequence some Senators felt obligated to vote against my amendment although they may have done otherwise under different circumstances.

It seems perfectly obvious from what we have been doing here that the pending bill will go to conference and, therefore, that argument no longer applies.

Mr. PEARSON. Mr. President, may we have order in the Senate?

The PRESIDING OFFICER (Mr. CHURCH in the chair). The Senate will please be in order.

Mr. DOMINICK. Mr. President, I concur with what the distinguished Senator from Mississippi said earlier today. It seems to me that we are in the eye of an economic hurricane and unless we do something about it we will find our whole economic situation deteriorating and we will lose the remaining gold we have.

I might say, for the benefit of those who are here, that we have already lost gold since March 14 when we passed the gold cover bill. Since that time the central banks have met in an attempt to form some kind of agreement under which they could solidify the rest of their holdings.

Senators will remember what they said was twofold: "One, we are no longer going to support a gold pool; two, we will trade freely between central banks at $35 an ounce, but any bank that sells privately shall be automatically excluded from the right of exchanging gold within the central bank system.

That was fine as far as the six central banks are concerned, but there are a great many of them in the International Monetary Fund, and some of those countries are still overdue to us in their obligations.

I am not asking that we as a country immediately require that they pay all the debt that is due us. I am simply asking that they pay their arrearages before they get any gold from the United States.

This amendment is similar to the amendment I called up on March 14 during the course of the debate on the removal of the gold cover. I have added a provision requiring that the Secretary of the Treasury make demand for the past due debts. My original amendment was defeated by a narrow two-vote margin.

The arguments in support of this amendment are, in my judgment, even more compelling today than on March 14.

The arguments I advanced earlier have been strengthened by subsequent events.

On the other hand, Mr. President, the arguments advanced in opposition to this amendment on March 14 have lost their relevancy. The "old" arguments of March 14 have been victimized by the passage of time—a brief 2-week period in this country's history, the impact of which, in my judgment, will adversely affect the economic future of this country.

We are in the eye of an economic hurricane; we must act and act responsibly—now—during the lull—to protect ourselves against the next economic storm.

We have accomplished little in the past 2 weeks to correct our economic dilemma except perhaps to purchase more time in which to set our economic house in order.

We bought time with the removal of the gold cover.

Everyone who attended and everyone who reported the historic meeting between the seven central banks in Washington March 16 and 17 agreed that the maximum result achieved was the purchase of time.

But must the price of that time be the last ounce of gold in Fort Knox? I think not.

We all pay lipservice to the economic truth that two things must be accomplished before we can extricate ourselves from our present dilemma. First, the balance-of-payments deficit must be closed. Second, our domestic deficit must be cut.

Hopefully, we will move forward in both areas immediately.

But I fail to comprehend how we can ask our constituents to tighten their belts and pay more taxes—to protect our monetary system—and then turn around and let countries who are past due in their debts walk off with our gold supply.

Mr. President, I would like to meet head on the arguments advanced against my amendment on March 14.

First, it was urged that the gold cover bill could not be amended because of the crisis then confronting us. The marching orders were issued and the desired result was achieved. That argument is not applicable here. This bill has been amended both in committee and on the floor.

Now every Senator can cast his vote on the issue. The amendment can be voted up or down on its merits.

Second, the convertibility question. It was argued by the Treasury in a memo I placed in the RECORD as well as by several of my colleagues on the floor that this amendment would damage the convertibility of the dollar.

That argument is now moot.

Major restrictions were placed on the convertibility of the dollar by the United States with the concurrence of the major central bankers on March 17. If any central bank sells in the private market, we will not exchange dollars for gold with that central bank. This is a major condition on the convertibility of the dollar—mine by comparison is a most minor condition.

Now we come to the gold pool question. The gold pool is defunct. No country needs our gold to support their interest in that pool. The only reason a country can possibly have for exchanging dollars for our gold is to benefit their own gold reserve position to the detriment of our reserve position. They have the right to do this; but in my judgment as a condition precedent, they should meet their existing obligations to us.

But it should also be recognized that, if our friends—for example Great Britain or Italy—need gold to strengthen their reserve positions, they can turn to South Africa. South Africa has—according to the Wall Street Journal of March 25—announced that they will sell their gold under a two-price system. Private sales will be conducted at the market rate, while central banks may purchase gold from South Africa at $35 an ounce. This will then enable Great Britain and other countries to obtain their gold at the U.S. price if they feel they cannot meet the conditions imposed by my amendment.

I ask unanimous consent to have printed at this point in the Record an article from the Wall Street Journal of March 25.

There being no objection, the article was ordered to be printed in the Record, as follows:

South Africa's Gold: Key Producing Country Plans to Sell the Metal at Both the Price Levels—Move Likely to Narrow Gap Between "Tiers," Bolster New Dual-Pricing System—Good News for the Dollar

(By J. Russell Boner)

Capetown.—South Africa will do its best to make the two-tier gold-pricing system workable.

That's the definite impression given by Nicholaas Diederichs, the finance minister of the nation, which produces more than two-thirds of the free world's gold. Mr. Diederichs disclosed South Africa's new and still sketchy gold policy in an interview in his office here.

The policy has two key points: The nation will supply gold to the private market in London, at whatever the going price is, and it will sell to central banks at $35 an ounce, which is the price that central banks have agreed to use in dealing amongst themselves.

The South African decision will tend to keep the two gold prices relatively close by keeping the private market well supplied. Economists say this could give a long life to the two-tier system, which was established eight days ago after speculators drove the price of gold up sharply in the hope that the U.S. would have to increase the price it paid for gold (and thus devalue the dollar) to more than $35 an ounce. Rather than increase the price, though, the U.S.—and most nations other than France—simply agreed they would no longer buy or sell gold on the open market, letting supply and demand set the private market price while nations continued to deal with each other on the second tier at $35 an ounce.

AVOIDING DEVALUATION

These economists say that as long as the two tiers remain close in price, the U.S. will face little pressure to devalue the dollar. But they say that if the price rises sharply, to, say, $70 an ounce, investors and traders might consider the official price untenable, and this might force the U.S. to devalue the dollar.

South Africa produces so much gold—about $1.1 billion of the $1.5 billion annual market in the metal—that it could pretty much determine the immediate fate of world gold plans. So why doesn't it force the price up, getting as much as it can? "We would give much higher priority to a stable price of a permanent nature than a high price at the moment," says Mr. Diederichs, the country's key figure in gold-selling policies.

It may indeed partly be altruism, but there is more to South Africa's decision than that. If it decided to sell all its gold on the open market, the supply would be so great that the private market price might plummet. This might cause speculators—who now hold billions of dollars worth of gold—to start unloading. This in turn would lower the price even further, perhaps to under $35. And a price of less than $35 an ounce is the last thing that South Africa wants.

THE OFFER TO BANKS

So, by selling part to the free market and part to central banks, it sustains a $35 floor on gold, actually keeps the price somewhat above that by not flooding the market—and builds good will, all at the same time. It also is perfect for the South African economy, officials here say. A sharply higher price would only add to the inflation that now is troubling the nation, they say.

The offer to sell to central banks at $35 an ounce could help them replenish their diminished gold stocks. The seven members of the informal "gold pool"—the nations that agreed to furnish gold from their stocks to satisfy demand for the metal on the London market until eight days ago—had said they had enough gold to last them. But they didn't rule out buying more, and it probably would please them no end if they continue to buy at $35.

Presumably, South Africa stands willing to sell gold at $35 an ounce to France, too, even though France refused to go along with the decision by most big nations not to buy or sell gold in the private market. This means that France could buy gold from South Africa for $35 an ounce, and sell it in private markets for more. Some economists question whether France would do this, though, for that would only tend to increase the supply of gold in the private market and further weaken the price. France, they point out, wants the gold price in the private market to remain high in order to cast doubt on the dollar.

LONDON REMAINS KEY MARKET

But the new South African program does have one apparent blow to France. Mr. Diederichs says that South Africa probably will sell heavily on the private market at London. French officials had been hoping that Paris or Zurich could replace London as the key private market. This would have little monetary effect but would simply tend to diminish the prestige of London and the British financial system.

There are European gold markets in Frankfort, Brussels and Amsterdam along with London, Paris and Zurich, but the key one has long been in London. It has been both a retail and a wholesale market—supplying the continental markets—and British officials have been anxious that it retain its importance under the new setup.

In the past, South Africa has marketed all of its gold through the Bank of England. It isn't known how the marketing will be done under the two-tier system, but it is known that officials of the Reserve Bank of South Africa and the Bank of England are holding negotiations. Other aspects of gold-buying under the new system—such as how much gold will the central banks seek or get—still aren't known, either.

Mr. Deiderichs says that if South Africa takes in considerably more money as a result of any sharp rise in the gold price the nation may relax import controls and loosen restrictions on foreigners' taking money home from investments here. Both these moves would tend to offset any inflationary aspects of higher foreign exchange earnings—and both would be good news for U.S. exporters and investors.

Mr. DOMINICK. Fourth, this then brings us to the loophole or enforcement argument advanced by several of my colleagues on March 14. I think it would be helpful here to compare the loopholes in my amendment with the loopholes of our new gold policy announced by the central banks through their communique of March 17.

The communique of March 17 is fraught with loopholes. France has already stated its opposition and no country is bound with the exception of those six who joined us in the communique.

The agreement will be very hard to police—who can be sure who is trading gold to whom and for what purpose?

Our Treasury is going to have a most difficult time playing gendarme for the entire international monetary system.

So what we are really talking about to a large extent is good faith—and as my senior colleague stated on March 14, we will have our little black notebooks out and ready to make notes in this regard.

But the point is the public has a right to demand that we do all we can to protect their interests—and that is what this amendment does.

So much for the arguments of March 14 which have now drifted into history.

Let me now touch on the arguments in favor of my amendment which are more relevant today than on March 14.

I ask unanimous consent to have printed in the Record at this point the communique issued Sunday, March 17, by the seven participating countries.

There being no objection, the communique was ordered to be printed in the Record, as follows:

Communique

The Governors of the Central Banks of Belgium, Germany, Italy, the Netherlands, Switzerland, the United Kingdom, and the United States met in Washington on March 16 and 17, 1968 to examine operations of the gold pool, to which they are active contributors. The Managing Director of the International Monetary Fund and the General Manager of the Bank for International Settlements also attended the meeting.

The Governors noted that it is the determined policy of the United States Government to defend the value of the dollar through appropriate fiscal and monetary measures and that substantial improvement of the U.S. balance of payments is a high priority objective.

They also noted that legislation approved by Congress makes the whole of the gold stock of the nation available for defending the value of the dollar.

They noted that the U.S. Government will continue to buy and sell gold at the existing price of $35 an ounce in transactions with monetary authorities. The Governors support this policy, and believe it contributes to the maintenance of exchange stability.

The Governors noted the determination of the U.K. authorities to do all that is necessary to eliminate the deficit in the U.K. balance of payments as soon as possible and to move to a position of large and sustained surplus.

Finally, they noted that the Governments of most European countries intend to pursue monetary and fiscal policies that encourage domestic expansion consistent with economic stability, avoid as far as possible increases in interest rates or a tightening of money markets, and thus contribute to conditions that will help all countries move toward payments equilibrium.

The Governors agreed to cooperate fully to maintain the existing parities as well as orderly conditions in their exchange markets in accordance with their obligations under the Articles of Agreement of the International Monetary Fund. The Governors believe that henceforth officially-held gold should be used only to effect transfers among monetary authorities and, therefore, they decided no longer to supply gold to the London gold market or any other gold market. Moreover, as the existing stock of monetary gold is sufficient in view of the prospective establishment of the facility for Special Drawing Rights, they no longer feel it necessary to buy gold from the market. Finally, they agreed that henceforth they will not sell gold to monetary authorities to replace gold sold in private markets.

The Governors agreed to cooperate even more closely than in the past to minimize flows of funds contributing to instability in the exchange markets, and to offset as necessary any such flows that may arise.

In view of the importance of the pound sterling in the international monetary system, the Governors have agreed to provide further facilities which will bring the total of credits immediately available to the U.K. authorities (including the IMF standby) to $4 billion.

The Governors invite the cooperation of other central banks in the policies set forth above.

Mr. DOMINICK. Mr. President, despite the super sales public relations job, only two things of a concrete nature were accomplished by that meeting.

First. The gold pool was ended and the two-price system for gold was then issued.

Second. It was decided that any country selling gold privately could no longer exchange dollars for gold with the United States.

This will work as long as not too large a spread exists between our price of $35 an ounce and the private market price. If a large spread develops, some countries will very likely sell—but let me assure you it will only be after they have accumulated as much of our gold as possible.

My amendment does not require the collection of any debts, but it simply says that any nation which is in arrears cannot get our gold until it is up to date on its overdue debts.

Now, this seems to me to be eminently fair. It makes no sense to me to invite the drain on our gold by countries who would rather exchange their dollar holdings for gold than to pay their overdue obligations to the United States.

It is said that we have an obligation to redeem dollars for gold, and I would certainly agree, but countries in debt to the United States have an equal obligation to pay those debts to us on time.

Does it make any sense to let countries use their dollars for buying gold rather than to pay their past-due obligations to us? I think not.

Many of these countries have been aided by the United States through long-term interest loans—low-interest loans, I may add—dating back more than 20 years to World War II. Many of them have made installment payments over a long period of time, and where countries have legitimately needed assistance, we have renegotiated the loans and stretched out the payments.

The time has now come when we need assistance, and all I am asking is that they pay their overdue debts, rather than use our currency to drain our gold reserves.

What countries, in fact, are delinquent in their payments to us for World War II and post-World War II debts? Since the debate on March 14 the Treasury has furnished me with a more up-to-date chart which goes through June 30, 1967.

I ask unanimous consent to have that chart printed in the RECORD at this point.

There being no objection, the chart was ordered to be printed in the RECORD, as follows:

STATUS OF FOREIGN LOANS AND OTHER CREDITS FROM U.S. GOVERNMENT AGENCIES AS OF JUNE 30, 1967: PRINCIPAL AND INTEREST DUE AND UNPAID 90 DAYS OR MORE

[In dollars or dollar equivalents]

Country and credit program	Total due and unpaid 90 days or more			Principal [1]			Interest [1]		
	Total	Due in dollars	Due in foreign currencies	Total	Foreign government [2]	Private	Total	Foreign government	Private
Argentina under Export-Import Bank Act	5,492,600	5,492,600	...	4,990,300	...	4,990,300	502,300	...	502,300
Bolivia under Foreign Assistance (and related) Acts: Country program loans	871,806	46,332	825,474	536,642	...	536,642	335,164	...	335,164
Chile under Agricultural Trade Development and Assistance Act: Long-term dollar sales	5	5	...	5	5	...	...	...	...
China:									
Surplus property sales:									
Sales of overseas surplus	4,648,157	4,648,157	...	2,585,128	2,585,128	...	2,063,029	2,063,029	...
Lend lease pipeline	50,214,159	50,214,159	...	30,206,981	30,206,981	...	20,007,178	2,007,178	...
Colombia under Export-Import Bank Act	294,400	294,400	...	210,400	...	210,400	84,000	...	84,000
Costa Rica:									
Under Foreign Assistance (and related) Acts: Country program loans	398,685	398,685	...	296,883	...	296,883	101,802	...	101,802
Under Export-Import Bank Act	118,100	118,100	...	100,000	...	100,000	18,100	...	18,100
Cuba, under Export-Import Bank Act	30,088,500	30,088,500	...	15,617,100	...	15,617,100	14,472,300	...	14,472,300
Czechoslovakia, surplus property sales: Sales of overseas surplus	4,660,025	4,660,025	...	2,921,921	2,921,921	...	1,738,104	1,738,104	...
Dominican Republic, under Agricultural Trade Development and Assistance Act: Long-term dollar sales	50,661	50,661	...	50,561	50,661	...	...	...	...
El Salvador, under Agricultural Trade Development and Assistance Act: Long-term dollar sales	122	122	...	...	...	...	122	122	...
Greece, surplus property sales: Merchant ship sales	41,971	41,971	...	30,591	...	30,591	11,380	...	11,380
Guatemala, under Foreign Assistance (and related) Acts: Financing of military sales	68,041	68,041	...	68,041	68,041	...	...	...	...
Haiti:									
Under Foreign Assistance (and related) Acts: Country program loans	28,821	...	28,821	21,933	...	21,933	6,888	...	6,888
Surplus property sales: Sales of domestic surplus	136,884	136,884	...	103,039	103,039	...	33,845	33,845	...
Hungary, surplus property sales: Sales of overseas surplus	3,030,153	3,030,153	...	3,030,153	3,030,153	...	...	...	...
India:									
Under Foreign Assistance (and related) Acts: Country program loans	30,033	25,946	4,087	...	...	...	30,033	4,087	25,946
Under Agricultural Trade Development and Assistance Act: Currency loans to private enterprise	1,834,404	...	1,834,404	1,172,415	...	1,172,415	661,986	...	661,986
Under Export-Import Bank Act	44,900	44,900	...	25,600	...	25,600	19,300	...	19,300
Surplus property sales: Sales of overseas surplus	1,866,680	...	1,866,680	1,866,680	1,866,680	...	...	...	...
Indonesia:									
Under Foreign Assistance (and related) Acts: Country program loans	6,313,121	5,297,249	1,015,872	4,992,898	4,571,747	421,151	1,320,223	1,198,075	122,148
Under Agricultural Trade Development and Assistance Act: Currency loans to foreign governments	720,824	...	720,824	191,818	191,818	...	529,006	529,006	...
Under Export-Import Bank Act	22,941,000	22,941,000	...	17,172,800	17,172,800	...	5,768,200	5,768,200	...
Surplus Property Sales: Sales of overseas surplus	5,500,886	5,500,886	...	4,167,338	4,167,338	...	1,333,548	1,333,548	...
Iran:									
Under Agricultural Trade Development and Assistance Act: Currency loans to private enterprise	78,578	...	78,578	57,778	...	57,778	20,800	...	20,800
Surplus property sales: Sales or overseas surplus	32,261,913	32,261,913	...	23,388,181	23,388,181	...	8,873,733	8,873,733	...
Lend lease pipeline	711,753	711,753	...	711,753	771,753	...	...	...	...
Israel, under Agricultural Trade Development and Assistance Act: Currency loans to private enterprise	859,333	...	859,333	859,138	...	859,138	195	...	195
Korea, surplus property sales: Sales of overseas surplus	6,468,318	6,468,318	...	...	...	...	6,468,318	6,468,318	...
Liberia:									
Under Foreign Assistance (and related) Acts: Country program loans	204,036	204,036	...	158,040	...	158,040	45,996	...	45,996
Under Agricultural Trade Development and Assistance Act: Long-term dollar sales	60,140	60,140	...	41,116	41,116	...	19,024	19,024	...
Pakistan, under Agricultural Trade Development and Assistance Act: Currency loans to private enterprise	574,325	...	574,325	517,711	...	517,711	56,614	...	56,614
Paraguay:									
Under Foreign Assistance (and related) Acts:									
Country program loans	35,017	...	35,017	27,466	27,466	...	7,551	7,551	...
Financing military sales	230,484	230,484	...	217,438	217,438	...	13,046	13,046	...
Under Agricultural Trade Development and Assistance Act:									
Long-term dollar sales	405,374	405,374	...	374,491	374,491	...	30,882	30,882	...
Currency loans to private enterprise	324,131	...	324,131	117,914	...	117,914	206,217	...	206,217

See footnotes at end of table.

STATUS OF FOREIGN LOANS AND OTHER CREDITS FROM U.S. GOVERNMENT AGENCIES AS OF JUNE 30, 1967: PRINCIPAL AND INTEREST DUE AND UNPAID 90 DAYS OR MORE—Con.

[In dollars or dollar equivalents]

Country and credit program	Total due and unpaid 90 days or more			Principal [1]			Interest [1]		
	Total	Due in dollars	Due in foreign currencies	Total	Foreign government [2]	Private	Total	Foreign government	Private
Philippines:									
Under Foreign Assistance (and related) Acts: Country program loans	3,491,691	3,436,840	54,851	2,468,110	54,851	2,413,259	1,023,581		1,023,581
Under Agricultural Trade Development and Assistance Act:									
Currency loans to foreign governments	55,117		55,117	55,117	55,117				
Currency loans to private enterprise	209,330		209,330				209,330		209,330
Somalia, under Foreign Assistance (and related) Acts: Country program loans	32,369	32,369					32,369		32,369
Sudan, under Agricultural Trade Development and Assistance Act: Currency loans to private enterprise	531,827		531,827	452,508		452,508	79,317		79,317
Syria, under Foreign Assistance (and related) Acts: Country program loans	64,405	64,405		52,000		52,000	12,405		12,405
Tunisia, under Foreign Assistance (and related) Acts: Financing military sales	458,100	458,100		440,481	440,481		17,619	17,619	
Turkey:									
Under Foreign Assistance (and related Acts): Country program loans	252,468		252,468	155,000		155,000	97,468		97,468
Under Agricultural Trade Development and Assistance Act: Currency loans to private enterprise	7,209,558		7,209,558	6,217,486		6,217,486	992,072		992,072
United Arab Republic:									
Under Foreign Assistance (and related) Acts: Country program loans	2,299,208	2,299,208		1,971,417	1,971,417		327,791	327,791	
Under Agricultural Trade Development and Assistance Act: Currency loans to foreign governments	248		248				248	248	
Under Export-Import Bank Act	2,752,700	2,752,700		1,812,500	1,812,500		940,200	940,200	
Soviet Union, lend lease pipeline	65,886,244	65,886,244		65,886,244	65,886,244				
Uraguay, under Export-Import Bank Act	40,500	40,500		24,800		24,800	14,100		14,100
Vietnam, under foreign assistance (and related) acts: Country program loans	1,586,773		1,586,773	615,639	615,639		971,134	971,134	
Venezuela, under Export-Import Bank Act	164,100	164,100		150,000	150,000		14,100	14,100	

[1] Does not include amounts charged off as uncollectable as of the date of this report. Does not include amounts rescheduled or deferred according to agreements. In several instances agencies have stopped reporting accruals of interest when credits have gone into default.

[2] Includes amounts where payment is owed or guaranteed by a foreign government or any agency of a foreign government such as a central bank.

Note: Collections under the above programs are generally the responsibility of the following agencies:

Under foreign assistance (and related) acts:	
Country program loans	Agency for International Development.
Financing of military sales	Department of Defense.
Under Agricultural Trade Development and Assistance Act:	
Long-term dollar sales	Department of Agriculture.
Currency loans to foreign governments	Agency for International Development.
Currency loans to private enterprise	Do.
Under Export-Import Bank Act	Export-Import Bank.
Surplus property sales:	
Sales of oversea surplus	Treasury Department.
Sales of domestic surplus	The only outstanding credit (Haiti) in this program was turned over by the General Services Administration to the General Accounting Office and the Department of State for collection.
Merchant ship sales	Department of Commerce.
Lend lease pipeline	Treasury Department.

Source: Treasury Department compilation of data submitted by the responsible agencies.

Mr. DOMINICK. So much for World War II and subsequent debts. What about World War I? There is a prevalent myth concerning these debts that they are somehow untouchable. Most debtors to the United States have acknowledge the validity of these debts, and, as far as I know, most of those countries, even today, are willing to admit these debts are due and owing. Some history is helpful in understanding the background of the World War I debts.

In this connection, I would like to start with the Hoover moratorium and insert into the RECORD a very brief memorandum prepared by the Economics Division of the Library of Congress, Legislative Reference Service:

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

THE LIBRARY OF CONGRESS,
LEGISLATIVE REFERENCE SERVICE,
Washington, D.C., March 6, 1968.

To: The Hon. PETER H. DOMINICK.
From: Economics Division.
Subject: "Hoover Moratorium" on servicing World War I indebtedness.

The Hoover Moratorium on servicing Allied World War I debts to the United States was the result of a chain of factors originating in the Great Depression of the 1930's. That period of economic crisis seriously affected all nations, whether they were creditors or debtors. Its impact was especially serious in Germany which had barely recovered from the runaway inflation and financial collapse of 1923 and was, in addition, burdened by the obligation of making reparation payments to the European Allies.

In these circumstances the reparation burden became almost impossible to bear, and Germany, in early 1931, ceaselessly tried to impress upon the Allies that their insistence on the continued reparation payments would spell an end to Germany's economic viability and result in her total economic collapse. On the other hand, there did not appear to be much chance that the Allies would be willing to compromise on the issue of reparations unless the United States were willing to modify its claims in the sphere of Allied debts to the United States.

The United States, in its turn, was interested in maintaining the health of the German economy, especially because its collapse would endanger some $5,250 million in American short- and long-term loans to Germany. Prompted by this situation and by a direct request made by the German President von Hindenburg, President Hoover, in June 1931, proposed that a one-year moratorium be declared on all inter-governmental obligations, reparations as well as inter-Allied debts.

The U.S. Congress authorized the moratorium with a Joint Resolution (Pub. Res. 5, 72d Congress, 1st session; 47 Stat. 3; copy enclosed), and moratorium agreements with most debtor nations were signed in May and June 1932. They provided for a suspension of all payments due to the United States during fiscal year 1932, and their repayment in ten equal annuities bearing a 4-percent rate, beginning in fiscal year 1934. The Resolution also underscored the interdependence of Allied debts to the United States and Allied claims on their debtors (sec. 3), and emphasized the absolute opposition of the Congress to any cancellation or reduction of the Allied indebtedness to the United States (sec. 5).

After the expiration of the one-year moratorium, most debtor nations did not resume making any payments, and of those that did, only Finland has been servicing its debt in accordance with the consolidation and moratorium agreements.

VLADIMIR N. PREGELJ,
Analyst in International Trade and Finance.

Mr. DOMINICK. Mr. President, I call the Senate's attention to the joint resolution of Congress which established the moratorium. That resolution spells out the payment provisions expected from those countries by Congress. I call especial attention to section 5 which reads as follows:

> SEC. 5. It is hereby expressly declared to be against the policy of Congress that any of the indebtedness of foreign countries to the United States should be in any manner canceled or reduced; and nothing in this joint resolution shall be construed as indicating a contrary policy, or as implying that favorable consideration will be given at any time to a change in the policy hereby declared.
>
> Approved, December 23, 1931.

I ask unanimous consent that the entire resolution be printed in the RECORD at this point.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

[Chapter 5]

Joint resolution to authorize the postponement of amounts payable to the United States from foreign governments during the fiscal year 1932, and their repayment over a ten-year period beginning July 1, 1933

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in the case of each of the following countries: Austria, Belgium, Czechoslovakia, Estonia, Finland, France, Germany, Great Britain, Greece, Hungary, Italy, Latvia, Lithuania, Poland, Rumania, and Yugoslavia, the Secretary of the Treasury, with the approval of the President, is authorized to make, on behalf of the United States, an agreement with the government of such country to postpone the payment of any amount payable during the fiscal year beginning July 1, 1931, by such country to the United States in respect of its bonded indebtedness to the United States, except that in the case of Germany the agreement shall relate only to amounts payable by Germany to the United States during such fiscal year in respect of the costs of the Army of Occupation.

SEC. 2. Each such agreement on behalf of the United States shall provide for the payment of the postponed amounts, with interest at the rate of 4 per centum per annum beginning July 1, 1933, in ten equal annuities, the first to be paid during the fiscal year beginning July 1, 1933, and one during each of the nine fiscal years following, each annuity to be payable in one or more installments.

SEC. 3. No such agreement shall be made with the government of any country unless it appears to the satisfaction of the President that such government has made, or has given satisfactory assurances of willingness and readiness to make, with the government of each of the other countries indebted to such country in respect of war, relief, or reparation debts, an agreement in respect of such debt substantially similar to the agreement authorized by this joint resolution to be made with the government of such creditor country on behalf of the United States.

SEC. 4. Each agreement authorized by this joint resolution shall be made so that payments of annuities under such agreement shall, unless otherwise provided in the agreement (1) be in accordance with the provisions contained in the agreement made with the government of such country under which the payment to be postponed is payable, and (2) be subject to the same terms and conditions as payments under such original agreement.

SEC. 5. It is hereby expressly declared to be against the policy of Congress that any of the indebtedness of foreign countries to the United States should be in any manner cancelled or reduced; and nothing in this joint resolution shall be construed as indicating a contrary policy, or as implying that favorable consideration will be given at any time to a change in the policy hereby declared.

Approved, December 23, 1931.

Mr. DOMINICK. Mr. President, that is pretty clear. To make certain of it, I also have a memorandum sent to me by the Treasury, which explains the Treasury position on both World War I and World War II debts, as well as other collateral matters. This memorandum makes it equally clear that the United States has never recognized that there was any connection between World War I obligations and the debtor nations' reparation claims against Germany. In my judgment, this memorandum reaffirms the fact that there is no legal reason why the United States has failed to press its claim for payment of World War I debts; and I ask unanimous consent that the memorandum from the Treasury Department to which I have referred be printed in the RECORD at this point.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

Gold Losses and Debt Repayment

REPAYMENT OF WORLD WAR I AND II DEBT

In its effort to halt the loss of gold the Administration has given special attention to the potential contribution of debt repayment. Virtually all of the loan agreements and settlements made with foreign countries since the beginning of World War II established fixed amortization schedules which call for regular payments over a period of years. We expect both principal and interest on post-World War II obligations to be paid in accordance with these schedules, and with relatively few exceptions these payments are being made. Receipts from such scheduled debt repayments amounted to more than $800 million in 1966. Only in a few cases has it become impossible for debtor nations to meet scheduled payments, making it necessary to negotiate a rescheduling of the obligation. Some of the loan agreements provide for postponing payments under certain circumstances. Where disputes arise resulting in payment delays, efforts are made to reach agreement in order that payments may be resumed. There have been a few instances, notably in the case of the Republic of China and the USSSR, where it has not yet been possible to reach agreement involving comprehensive settlement of World War II Lend-Lease and related accounts. (The USSR is making payments on Lend-Lease items which were in production or storage in the United States before V–J Day.)

The United States has encouraged the governments of nations which are in a strong financial position to make payments in advance of the scheduled due dates and since 1959 advance repayments of nearly $3 billion have been collected. Several countries, among them Germany, Italy and Sweden have now prepaid all or nearly all of their World War II and postwar debt obligations to the United States.

The situation is different with respect to World War I debts. Most governments fulfilled their commitments under their World War I debt agreements until the depression. Debtor governments stopped making payments in 1932, following the expiration of the one-year moratorium on debts owed to the United States negotiated by President Hoover in an effort to mitigate the effect of these debt obligations on Europe's economic health. Although some countries made token payments until the beginning of World War II, Finland is the only country which is presently meeting its obligations in full.

While the countries which have large World War I obligations to the United States have never denied the juridical validity of their debts, there is a view widely accepted among them that the payment of these debts should be dependent on reparation payments by Germany. Resolution of the problem of governmental claims against Germany arising out of World War I was deferred "until a final general settlement of this matter" by the London Agreement of 1953, to which the United States is a party.

The Government of the United States has never recognized that there was any connection between the World War I obligations of those countries and their reparations claims on Germany. While the London Agreement would not prevent the United States from raising, on a bilateral basis, the question of payment of any of the debtor countries' World War I obligations (except in the case of Germany), it must be recognized that any effort on the part of the United States to collect these obligations would undoubtedly raise the problem of Germany World War I reparations. From the practical viewpoint, therefore, there does not seem to be any possibility of reaching an agreement on repayment in the absence of an over-all settlement of the World War I reparations problem, with its wide-ranging political ramifications.

FRENCH DEBT

The French hold to the generally prevailing view with regard to their debts to the United States. They not only have been servicing debts incurred after World War II regularly but have paid more than $880 million in advance of the due date. As of June 30, 1967 France's obligations to the United States (excluding World War I debts) were roughly $300 million.

The World War I indebtedness of the Government of France due and unpaid as of June 30, 1967 was $5,077 million, including $2,091 million of the principal sum and $2,986 million on interest arrearages. Unmatured principal was $1,773 million. No payments have been made since 1931. The total obligation which might be said to have been outstanding on June 30, 1967, including both matured and unmatured principal and interest arrearages to that date was $6,850 million.

The French Government has never contested the juridical validity of its obligation to the United States growing out of World War I. Within the framework of international law, it is clear that this obligation is not conditioned upon France's receipt of German reparation payments, and the highest officials of our Government have consistently denied any such relationship. The argument has been made, however, that there is a direct connection between the French World War I obligation to the United States and the receipt of German reparation payments. When the French Chamber of Deputies authorized the ratification of the 1926 agreement on funding the World War I debt to the United States, it also passed as a separate action, not affecting the validity of the unconditional ratification, a resolution stating that the French debt to the United States was to be paid "exclusively by the sums that Germany shall pay France." Furthermore, that body passed a resolution on December 14, 1932, deferring payment of the installment due to be paid to the United States the following day and inviting the convocation of a general conference with Great Britain and other debtors for the purpose of adjusting all international obligations and putting an end to all international transfers for which there was no compensating transaction.

U.S. GOLD POLICY

The established policy of the United States is to buy and sell gold to foreign governments and monetary authorities for legitimate monetary purposes at the fixed price of $35 per ounce. This policy provides the foundation for the international position of the dollar and the maintenance of its value in world markets. The stability of the dollar and its convertibility into gold at the fixed price has also resulted in its widespread use as a world trading currency and as the principal currency held along with gold in reserves of other countries. Any restriction on the convertibility of the dollar for monetary purposes or change in its value in terms of gold would create serious difficulties in world financial and exchange markets and consequently undermine the stability of the entire world monetary system.

If the United States placed conditions on its willingness to sell gold to a foreign monetary authority, however merited the condition might seem in an individual instance, the result would be to make the dollar only a partially convertible currency. This would inevitably shake confidence in its continued convertibility for other purposes at a fixed price, and it would no longer be considered, by the bulk of the world, to be "as good as gold". Thus the decision to convert dollars into gold has to remain that of the monetary authority concerned, each of which should be fully aware of the responsibility it shares in maintaining an effective and stable international payments system within the framework of international monetary cooperation.

The accumulation of dollar balances by foreigners and thus their ability to buy gold is a consequence of our balance of payments deficits. The best way to stop gold losses by the United States is, therefore, to have both deficit and surplus countries get back into balance of payments equilibrium. This is the course of action which the United States is pursuing, both in formulating its own policies and in the framework of international cooperation. President Johnson, in his New Year's Day Message to the Nation on the balance of payments, made the position clear. He said:

"The time has come for decisive action designed to bring our balance of payments to—or close to—equilibrium in the year ahead.

"The need for action is a national and international responsibility of the highest priority."

His message, a copy of which is attached, outlined a comprehensive program, beginning with enactment of the anti-inflation tax proposals now pending before Congress, for the achievement of this objective.

Mr. DOMINICK. Mr. President, it would be helpful, I believe, if a precise list of the countries which owe us money on World War I debts be placed in the Record at this point, so that we can see just whom we are talking about. I ask unanimous consent that such a list be printed.

There being no objection, the list was ordered to be printed in the Record, as follows:

PART I.—INDEBTEDNESS OF FOREIGN GOVERNMENTS

INDEBTEDNESS OF FOREIGN GOVERNMENTS TO THE UNITED STATES ARISING FROM WORLD WAR I AS OF JUNE 30, 1967

	Original indebtedness	Interest through June 30, 1967	Total	Cumulative payments		Total outstanding	Unmatured principal	Principal and interest due and unpaid
				Principal	Interest			
Armenia	$11,959,917.49	$28,587,070.35	$40,546,987.84	$17.49		$40,546,970.35		$40,546,970.35
Austria [1]	26,843,148.66	44,058.93	26,887,207.59	862,668.00		26,024,539.59	$882,626.31	25,141,913.28
Belgium	419,837,630.37	318,884,720.47	738,772,350.84	19,157,630.37	$33,033,642.87	686,531,077.60	197,580,000.00	488,951,077.60
Cuba	10,000,000.00	2,286,751.58	12,286,751.58	10,000,000.00	2,286,751.58			
Czechoslovakia	185,071,023.07	111,060,093.17	296,131,116.24	19,829,914.17	304,178.09	275,997,023.98	86,355,000.00	189,642,023.98
Estonia	16,466,012.87	21,869,780.01	38,335,792.88		1,248,432.07	37,087,360.81	9,007,000.00	28,080,360.81
Finland	8,999,999.97	11,476,565.96	20,476,565.93	[2] 4,292,999.97	[2] 11,476,565.96	4,707,000.00	4,707,000.00	
France	4,089,689,588.18	3,246,978,853.39	7,336,668,441.57	226,039,588.18	260,036,302.82	6,850,592,550.57	1,772,868,667.43	5,077,723,883.14
Great Britain	4,802,181,641.56	6,980,131,958.11	11,782,313,599.67	434,181,641.56	1,590,672,656.18	9,757,459,301.93	2,433,000,000.00	7,324,459,301.93
Greece	[3] 34,319,843.67	3,230,509.84	37,550,353.51	983,922.67	3,143,133.34	33,423,297.50	21,205,921.00	12,217,376.50
Hungary [4]	1,982,555.50	2,775,445.76	4,758,001.26	73,995.50	482,924.26	4,201,081.50	1,095,545.00	3,105,536.50
Italy	2,042,364,319.28	339,839,470.22	2,382,203,789.50	37,464,319.28	63,365,560.88	2,281,373,909.34	1,168,900,000.00	1,112,473,909.34
Latvia	6,888,664.20	9,250,660.91	16,139,325.11	9,200.00	752,349.07	15,377,776.04	3,801,800.00	11,575,976.04
Liberia	26,000.00	10,471.56	36,471.56	26,000.00	10,471.56			
Lithuania	6,432,465.00	8,612,114.16	51,044,579.16	234.783.00	1,003,173.58	13,806,622.58	3,487,367.00	10,319,255.58
Nicaragua [5]	141,950.36	26,625.48	168,575.84	141,950.36	26,625.48			
Poland	207,344,297.37	279,443,464.38	486,787,761.75	[6] 1,287,297.37	21,359,000.18	464,141,464.20	115,807,000.00	348,334,464.20
Rumania	68,359,192.45	51,261,664.70	119,620,857.15	[7] 4,498,632.02	[7] 292,375.20	114,829,849.93	31,923,000.00	82,906,849.93
Russia	192,601,297.37	476,089,679.51	668,690,976.88		[8] 8,750,311.88	659,940,665.00		659,940,665.00
Yugoslavia	63,577,712.55	25,825,277.92	89,402,990.47	1,952,712.55	636,059.14	86,814,218.78	35,389,000.00	51,425,218.78
Total	12,195,087,259.92	11,917,685,236.41	24,112,772,496.33	761,037,272.49	1,998,880,514.14	21,352,854,709.70	5,886,009,926.74	15,466,844,782.96

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[1] The Federal Republic of Germany has recognized liability for securities falling due between Mar. 12, 1938, and May 8, 1945.

[2] $6,360,250.26 has been made available for educational exchange programs with Finland pursuant to 20 U.S.C. 222-224.

[3] Includes $13,155,921 refunded by the agreement of May 28, 1964. The agreement was ratified by Congress Nov. 5, 1966.

[4] Interest payments from Dec. 15, 1932, to June 15, 1937, were paid in pengo equivalent.

[5] The indebtedness of Nicaragua was canceled pursuant to the agreement of Apr. 14, 1938.

[6] Excludes claim allowance of $1,813,428.69 dated Dec. 15, 1929.

[7] Excludes payment of $100,000 on June 14, 1940, as a token of good faith.

[8] Principally proceeds from liquidation of Russian assets in the United States.

Mr. DOMINICK. Mr. President, among others, starting at the beginning, this list includes Austria, Armenia, Czechoslovakia, France, a large number of nations, some of which now have different boundaries but still recognize their obligations, but have thus far refused to pay us anything.

The total amount due us and unpaid is over $15.4 billion.

I think it is finally time to realize that we have a little crisis of our own going in the United States. I think it is time we end our role as the world's pool for bad debts. The gold pools are in London, Paris, and Zurich—the bad debt pool seems to be in Washington and we are supporting this pool singlehandedly.

Admittedly, there are countries who are draining our gold who owe us nothing. My amendment will not affect that problem. But, by adopting this amendment we will have fulfilled an obligation to the taxpayers who just cannot understand why we let our gold be drained by countries who do not choose to first pay their overdue obligations to the United States.

At the rate our gold is being drained away we will soon be out of gold and will then be unable to exchange any dollars for gold with or without restrictions. What does the Treasury plan to pay for dollars when our gold reserves are entirely exhausted? I have been asking this question repeatedly over the past several days and have yet to receive a satisfactory answer. I will ask it again: What are we going to exchange for dollars when our gold reserves are exhausted? We will either be forced to end the foreign convertibility of dollars for gold or we will have to obtain a new source of supply of gold at substantially increased prices. We have heard time and time again during this debate the argument that, if we will only release our gold cover, the run on our gold reserves will soon end.

On March 14 I placed several newspaper articles in the Record which indicated quite the opposite. While it is too early to tell, I think it is clear that the run on the gold may well develop again in the near future, and this view is widely held in financial circles. For example, in last Sunday's Washington Post Hobart Rowen in his column stated the following:

> The mad rush for gold could start all over again, despite the courageous steps taken by seven leading nations in Washington last weekend to defeat the speculators. There is still a big testing period ahead for the dollar. Confidence in our currency has been waning because of continued deficits in the U.S. balance of payments.

Mr. President, I shall not try to detain the Senate any longer, but I would like to summarize the matter.

My amendment if agreed to would not prevent any nation from getting gold for dollars if it is current in its obligations to us. Countries which are overdue in their obligations to our country can still turn in their short-term dollar holdings, except that they will not get gold for them, but will receive a credit on their debt to us. And further, the Secretary of the Treasury would have to make a demand on these countries for their postdue debts.

It seems to me that this is eminently fair and sensible. It will help our balance of payments, reduce our gold outflow, and start correcting the general overseas impression that Uncle Sam is at all times a complete sucker.

I reserve the remainder of my time, except for answering questions.

Mr. LONG of Louisiana. Mr. President, I yield 5 minutes to the Senator from Wisconsin [Mr. Proxmire].

Mr. PROXMIRE. Mr. President, when this issue came up during the consideration of the gold cover bill, the distinguished Senator from Alabama [Mr. Sparkman], who is chairman of the Banking and Currency Committee, led the opposition to it. Senator Sparkman cannot be here. He has asked me to oppose the amendment.

Mr. President, it is vitally important that the Senate vote down this amendment which would link our long-established policy of free convertibility between gold and the dollar to our displeasure over the atttiude of a great many countries toward their World War I debts.

This amendment was appropriate and proper on the gold cover bill. It certainly is not to this bill.

It has long been U.S. policy to convert dollars into gold at $35 per ounce for foreign monetary authorities. That pledge is a cornerstone of the international monetary system. It does not relate to our like or dislike of another country's policies. It has no connection with another country's debt to us.

If we placed such a limitation on our gold sales even to one country such as France—and there are many countries in this position—the results for the international monetary system might well be very grave.

In fact, it is my understanding that every major country in Europe, with the exception of Germany, Switzerland, and Finland, would be in the position of not being able to redeem their dollars with gold.

Other countries would feel that they might also be limited in their ability to convert dollars into gold at some future time because of some bilateral political problem we have with them.

The result of such uncertainty would very likely be more gold conversions from these countries. The total of potential gold conversions would, under these circumstances, be far greater than potential French conversions. Countries other than France hold far more dollars than the French. It is also noteworthy that France has not converted any dollars into gold since September 1966.

It is especially important that we do not pass this amendment tonight or tomorrow. Why? Because tomorrow we begin a very important monetary conference in Stockholm, trying to activate the very special drawing rights. If that conference is to succeed, we need to have the good will of other countries with regard to our position on the dollar, and with regard particularly to redeeming dollars for gold.

The United States will be negotiating in Stockholm on a vital element in the future growth and stability of the international monetary system—the plan for the creation of the new special drawing rights. The special drawing rights are a new form of international reserve asset designed to supplement gold and dollars. They should serve to help take the pressure off both in the future by helping to meet the world's reserve needs in a rational and stable way. These will be very difficult and extremely important negotiations, culminating 4 years of intensive studies and efforts.

If the Senate were to pass this amendment tonight—24 hours or less before that conference begins—it would cast doubt on the international convertibility of the dollar, it would seriously endanger our negotiating position at Stockholm; and indeed, would feed right into the hands of the French—who would say, "See, we told you so, you can't trust those Americans."

Passage of this amendment would also place in jeopardy the agreement of a two-tier gold system reached by the central bank governors 2 weeks ago in Washington, just after we acted on the gold cover bill.

Central banks would no longer be sure of the convertibility of their dollars into gold at the U.S. Treasury, and they would have strong incentives to buy gold from the private market, thereby playing right into the hands of the speculators by pushing the gold price up. The result could well be a return to the kinds of widespread speculative activity on the gold and exchange markets which the Washington meeting stanched 2 weeks ago. Moreover, the mere psychological impact of the passage of this amendment could well stir up the speculators, because they would quickly understand the logical effects on central bank decisions of this move. We must vote down this amendment.

In my view, this amendment would mean that we would just go off the gold exchange standard—if it worked. I suppose there is one compensation—that is, that the amendment probably will not work, because even if a country still owes us something, it can secure gold very simply by taking its dollars to a third country—Switzerland or some other country—and redeeming the dollars there, then Switzerland could redeem the dollars here. If we were to say Switzerland could not redeem these dollars in gold because they came from another central bank, then we indeed are off the gold exchange standard even for those countries that owe us nothing.

The **PRESIDING OFFICER**. The time of the Senator has expired.

Mr. **PROXMIRE**. May I have 1 more minute?

Mr. **LONG** of Louisiana. I yield 1 minute to the Senator from Wisconsin.

Mr. **PROXMIRE**. Finally, Mr. President, I should like to reemphasize what I said before: Every major country in Europe and many countries in South America are in this position. It is not simply France or De Gaulle whose policies annoy us. It is simply a question of the United States abandoning its position of being the financial leader of the free world.

So I hope the Senate will reject the amendment.

Mr. **LONG** of Louisiana. Mr. President, I yield 3 minutes to the distinguished Senator of Missouri.

Mr. **SYMINGTON**. Mr. President, when the able and distinguished Senator from Colorado brought his amendment up before on the gold cover bill, I asked him if he would except the British because of the relationship they had incident to the Bretton Woods Agreement. He said he would; therefore, I voted for his amendment.

In this case there has been discussion of the question of France. As the able Senator knows, in the depression of the early 1930's, President Hoover canceled out the German reparations obligations. The French immediately took the position that inasmuch as that was where they were going to get the money to pay us back, automatically their debt was canceled to us.

I have heard good international lawyers say that they felt their position on that question was good, because it was we who had undertaken the action to cancel the debt that was expected to be paid by the Germans to them after World War I.

So far as World War II is concerned, it is interesting to note that France is one of the few countries which not only has paid up with respect to its obligations to us in World War II, but is $800 million ahead of its payments. Therefore, this amendment would not reach France.

The final reason why I cannot vote for the amendment at this time is the same reason I would not have voted for it before if the British were not excepted, because as a result of the Bretton Woods Agreement, the pound was made synonymous with gold and the dollar, and we all know the British are in very deep trouble.

I would hope there would be some other way in which the wise desire of the Senator from Colorado could be accomplished without going to the rather stringent methods characteristic of this amendment.

Mr. **DOMINICK**. Mr. President, I want to answer some of the statements made, because they do have some impact, looked at in the abstract.

First, I have great respect for both the Senator from Missouri and the Senator from Wisconsin; nevertheless I say this: Special drawing rights do not have a thing to do with what I am trying to accomplish. As a matter of fact, I know this is true, because I had a conversation with the head of the Federal Reserve Board, who is going to lead the conference. I asked him whether he had any objections to this amendment, and he said, "No, we have enough troubles now; this could not possibly create any more problems than we already have."

Mr. **PROXMIRE**. Mr. President, will the Senator yield at that point?

Mr. **DOMINICK**. I yield.

Mr. **PROXMIRE**. The people with whom I have been conferring are in the Treasury Department, and they have been very much involved in the negotiations concerning the SDR's and will be in Stockholm. They will be present at the Stockholm conference, and they fear that the adoption of this amendment would seriously weaken their bargaining power. They fear it would indicate that we are not sincere in standing behind the monetary system and in trying to develop it, with special drawing rights supplementing gold and the dollar.

Mr. **DOMINICK**. The second point I wish to make is that I do not care what anybody else says; I am tired of having our country constantly hold the bag for every other country in the world. I see no reason why other countries which owe us money should not make their payments to us on time, before we lose all of our gold.

We have spent billions of dollars bailing them out of one problem after another, one country after another, with one economic development problem after another. But when we ask that they pay their just debts, at a time when we are in trouble, they say, "No, we want your gold, we do not want your dollar."

That, to me, is wrong; and I would say, Mr. President, that before we take that action, before we impose another tax on our people, and before we say we are not going to build any more schools or anything else of that nature, it is time that the Senate stand up and say to other countries that owe us money, "Pay us your money before you come over and take our gold."

Mr. **SYMINGTON**. Mr. President, will the Senator yield?

Mr. **DOMINICK**. I am happy to yield to the Senator from Missouri.

Mr. SYMINGTON. Mr. President, the able Senator knows of my great respect for his knowledge in this field. I do wish to add one point, however.

It seems to me that this amendment is offered at a particularly inopportune time, because in Stockholm, over this weekend, negotiations are actually going on, and whether or not we reach an agreement as to the special drawing rights, primarily because of the Vietnam war the future of the dollar is very difficult indeed.

If, at the same time that the Secretary of the Treasury and the Chairman of the Federal Reserve Board are trying to work out an arrangement at Stockholm over this weekend, we adopt an amendment of this character, it could be the straw that broke the camel's back of an agreement. If we do not reach an agreement on the SDR's, then the problem of the dollar will be very much increased.

I would hope that we would cooperate as much as possible with the very able public servant the Senator mentioned, the Chairman of the Federal Reserve Board, who at this very time is negotiating on the SDR's.

For that reason, I cannot agree on the amendment itself.

Mr. DOMINICK. Mr. President, I cannot see how this amendment has a thing to do with the SDR's. I can understand the Senator is talking about the psychological impact. All we are doing is to say to the nations that we have helped from time immemorial, from World War I on, with billions of our dollars, "We are in a kind of a crisis now, our friends; all we are asking is not to pay the total amount; we are not saying that, because you are overdue on one payment, the total amount immediately becomes due. All we say is, pay what you are behind on. Once you pay what you are behind on, you can turn your dollar holdings in for gold, if you want to. If you do not want to do that, there is no reason we should give you our gold."

It seems to me that that is both elementary and fair.

Let me cite an example: The great country of Chile. Do Senators know how much Chile is behind, in arrearages, as of June 30, 1967? Five dollars. Is there any reason why Chile should not pay us $5, and become up to date, so they can go ahead and turn their dollars in for our gold? Not a bit. It does not hurt my consience to require that.

Let me state another example. The country of Bolivia is behind $46,000. If Bolivia, with all the aid we have been giving them, cannot come up with $46,000 in order to be able to get gold out of us, it is certainly in worse shape than this country, and I did not think any country could be in worse shape than we are in, economically, at the moment.

I could go on with many other examples.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. DOMINICK. Mr. President, I think the Senator had better get some time from the other side, as we are working under a time limitation.

Mr. LONG of Louisiana. Mr. President, I yield 5 minutes to the Senator from Missouri.

Mr. DOMINICK. I have the floor at the moment, and would appreciate the opportunity to continue. I want to point out some other things.

This is not a question of convertibility, as the distinguished Senator from Wisconsin has said. We no longer have that problem. We no longer have any obligation to put gold into the London Gold Pool. We have removed that obligation. We no longer have to supply gold to the pool for private sales. But we do have to give it to central banks, and those central banks can do whatever they want with it. However, we have placed a condition on the convertibility. If they sell it privately, we have announced we will no longer exchange dollars for gold with that central bank.

To say that they can turn in their dollar holdings to us and get gold from us, although they cannot pay their debts, at a time when we are in trouble such as we are in Vietnam, and such as we may be in the Middle East, and in other places, and when we are having economic problems at home, and asking our own people to pay additional taxes, seems to me to be wrong.

Mr. President, I reserve the remainder of my time.

Mr. SYMINGTON. Mr. President, the Senator from Colorado mentioned psychology. It takes 15 percent of those who are involved in the special drawing rights to negate any decision that is made in Stockholm. The Common Market countries control 17 percent of the votes, and General de Gaulle, who in my opinion, at least economically, is the greatest problem that this country faces today, has proved his control over the countries of the Common Market by his ability to keep the British from joining the Common Market for many years.

The Senator from Colorado is exactly right. The psychology of adopting this amendment tonight would make it much more possible for General de Gaulle, who opposes the whole SDR principle, to utilize the entire vote of the Common Market to negate any decision made.

I am one who believes that the special drawing right decisions made in Buenos Aires, which are being debated at this time in Stockholm, are important for the future integrity of the dollar.

Mr. MUNDT. Mr. President, will the Senator yield 1 minute?

Mr. DOMINICK. I yield 1 minute to the distinguished Senator from South Dakota.

Mr. MUNDT. Mr. President, I requested this time, not so much to tell the Senator from Colorado that I shall support his amendment—as I shall—but to call the attention of all Senators to a headline in tonight's Evening Star. I wish it had come out a little earlier, so that I could have used it in the course of the debate on the proposed special war tax for those who are exporting goods to Communist countries.

The headline reads: "Russia Stepping Up Hanoi Aid." It is a UPI release, datelined London, and begins as follows:

> Russia said officially today that Soviet ships will carry 20 percent more cargo to Communist North Vietnam this year.

I ask unanimous consent that the entire article be printed in the Record, on this fateful day when we have cast this highly significant vote.

There being no objection, the article was ordered to be printed in the Record, as follows:

Russia Stepping Up Hanoi Aid

London.—Russia said officially today that Soviet ships will carry 20 percent more cargo to Communist North Vietnam this year.

The supplies will be shipped to Haiphong in obvious defiance of American bombing of the port.

"The sea routes between the two countries (Russia and North Vietnam) are functioning faultlessly," a statement said. It did not mention the closing of the Suez Canal since June, which adds thousands of miles to the sea trip from Western Russia.

The statement was contained in Soviet Weekly, the Soviet Embassy's official publication, released here today. It was attributed to an official of the Soviet Ministry of Merchant Marine, Anatoly Goldobenko.

Mr. DOMINICK. Mr. President, I yield myself 3 minutes.

The PRESIDING OFFICER. The Senator from Colorado is recognized for 3 minutes.

Mr. DOMINICK. Mr. President, I want to give a couple of figures as examples of what the situation really is.

Czechoslovakia owes us $4.6 billion. Is there any reason why we should give gold to Czechoslovakia, a Communist-controlled country?

Greece owes us $41,971. Is there any reason why Greece should not give us that amount of money in return for all that we have done for them if they want to get gold for our dollars? That is most certainly not a very large figure in the Greek budget.

India owes us a great deal of money. We have over $850 million tied up in rupees in India. The total amount they owe us on their obligation in terms of dollars is approximately $72,000. Is there any reason why they should not pay us $72,000 before they get more of our gold and redistribute it on the open market and make more money out of us?

I am no enemy to India. I hope that it is a country and a democracy that will continue to exist and that it has a bright future. However, that does not mean that we have to sit here like Uncle Sam, the sucker, and let everybody around the world take our dollars and give them back to us in return for gold.

Mr. LONG of Louisiana. Mr. President, I yield 1 minute to the distinguished Senator from Oregon.

Mr. MORSE. Mr. President, I say to the Senator from South Dakota, who just quoted from a newspaper article, that all I draw from his statement is that he concludes that because Russia is increasing her aid to Hanoi we ought to step up our aid to Saigon and come nearer and nearer to an all-out war in Asia. What a fallacy.

We should recognize that we had better deescalate now and work out a settlement through the United Nations or the Geneva Conference without further escalation.

I find nothing persuasive about his argument, except an argument for enlarging the war on our part. Of course, Russia is going to give more help to Hanoi. Russia is not losing Russian boys in Vietnam, but already about 22,000 precious American lives have been lost. How many more are we going to sacrifice before we come to our senses and recognize that we should not be killing American boys in an undeclared war in Asia. When are we going to recognize that our intervention with American troops in Asia will only lead to more and more escalation, until we finally end up in a war with China, to the delight of Russia. Now is the time to stop the escalation by stopping the bombing and adopting the recommendation of General Ridgway, General Gavin, General Shoup, and many other experts who are urging that we stop escalating this war.

Mr. LONG of Louisiana. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. LONG of Louisiana. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator from Louisiana has 18 minutes remaining.

Mr. LONG of Louisiana. Mr. President, I yield myself 3 minutes.

The PRESIDING OFFICER. The Senator from Louisiana is recognized for 3 minutes.

Mr. LONG of Louisiana. Mr. President, I shall vote for the amendment offered by the Senator from Colorado. The Senator offered substantially the same amendment on the gold cover bill, and that amendment failed by only one single vote. A number of Senators at the time were urged to vote against any amendments because it was thought that the gold cover bill had to be passed and signed by the President that night, so that it would become law the following morning. The circumstances were such that some Senators might have voted contrary under other circumstances.

There is now the same urgency, but not to the same extent because the tax can be retroactive for a short period in the event we fail to pass it exactly by the deadline.

There are two things contained in the amendment of which I approve.

I approve very much of the first part of the amendment. The first part says that we will ask these people to pay us. I would be curious to know what will happen when we ask them. I know that we are not going to get any money if we do not ask them.

I am very much in favor of asking these people to pay us the $17 billion. Some may laugh at us for this. However, I think the State Department personnel should take off their Santa Claus costumes and put on pairs of overalls and go to work for Uncle Sam, and let us see if we can get something of the $17 billion they owe us.

I would like to know, if not, why not? Up to now, it seems that the State Department and the Treasury Department have not been willing to take us seriously on the matter of collecting the $17 billion.

I think that if we vote for the amendment and go to conference, we can talk this time and really mean it. We want to know why those countries will not pay and why the Treasury Department will not ask for the money. That is part 1 of the amendment.

If we ask them and they do not pay it, then we can tell them that if they bring their dollars here, we will sell them cotton or wheat or something like that, but that we will not pay them in gold until they have paid us what they owe us. We will just credit the amount of their payment against their debt.

It has been suggested that they might transfer the dollars to Switzerland or some other country which does not owe us money and operate through that country. We could handle that. If they use those countries as conduits, it would be easy enough to say, "We will take your dollars in exchange for gold, but not any dollars from France or any of the other countries that are back on their debts because we want them to pay us."

We will have to change our way of doing business anyway in view of the fact that we do not have enough gold to redeem the $34 billion outstanding in Europe and Asia.

Why should we not ask them? We never know whether we will get any of the $17 billion unless we ask. We should ask them and see if they are willing to pay. If they are not willing to pay, then let us explore the idea of crediting any payment they make before we give them gold for the dollars.

I believe that if the Senate votes for the amendment, the administration will have to take us seriously about this matter. Let the Secretary of State, the Chairman of the Federal Reserve Board, and the others understand that Congress really is serious about collecting some of that $17 billion those people owe us. We might get some money as a result.

I know that we will not get 5 cents unless somebody finally marches up here and says, "Let us ask them for the money."

We ought to at least do that much. Then we can hear their arguments.

I would be curious to know when and where we forgave that $17 billion. So far as I know, I have seen no convincing evidence anywhere that we forgave the $17 billion.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LONG of Louisiana. Mr. President, I yield myself 1 additional minute.

The PRESIDING OFFICER. The Senator from Louisiana is recognized for 1 additional minute.

Mr. LONG of Louisiana. Mr. President, so far as I know, they owe us that money, and I think that the American people would feel unkindly toward us if we were to forgive the debt without having made at least some effort to collect some part of it.

I would be willing to urge that the House accept the amendment. We have plenty of other amendments to talk about here. I do not believe that any Senator can argue that I am guilty of making the pending measure a Christmas tree bill or an Easter basket bill.

I have generally opposed amendments but nevertheless we have had all sorts of amendments. One more amendment will not do any harm. And who knows, it might do good.

Mr. DOMINICK. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. PROXMIRE. Mr. President, will the Senator from Louisiana yield me 1 minute?

Mr. LONG of Louisiana. Mr. President, I yield 1 minute to the Senator from Wisconsin.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized for 1 minute.

Mr. PROXMIRE. Mr. President, this is a very far-reaching amendment. If we vote for the amendment and the House accepts the amendment, we are virtually off the gold exchange standard. It will mean that the U.S. promise to redeem dollars in gold is invalid. We will welsh on our promise. We are deliberately undermining the dollar.

Some economists say that we ought to be off the gold standard.

But this is a very complicated and far-reaching step for us to take at 8 o'clock at night after long and weary debate without having any advice from any congressional committee, without any hearings, without any committee report, without any record, guided only by a desire to spite De Gaulle. Oh yes, it's popular. We have letters, hundreds of them, asking us to do this. But we know it is wrong. It will undermine the dollar. It will weaken U.S. negotiators at Stockholm.

It may be that we ought to be off the gold exchange standard. However, I plead with the Senate tonight not to take this late action now at this late date and on this basis.

Mr. GORE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. Mr. President, I yield 2 minutes to the Senator from Tennessee.

The PRESIDING OFFICER. The Senator from Tennessee is recognized for 2 minutes.

Mr. GORE. Mr. President, our country went off the gold standard a long time ago. I am one who believes that it is unnecessary, and I am one who also believes that it will be wise when appropriate action can be taken to demonitize the gold internationally. But how can we do it until some international fund or medium of exchange is established. To do it unilaterally as one agent tonight would create, it seems to me, economic chaos throughout the free world.

Mr. PROXMIRE. Particularly on the eve of the very vital Stockholm conference.

The PRESIDING OFFICER. All time having expired, the question is on agreeing to the amendment of the Senator from Colorado. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PROUTY (when his name was called). On this vote I have a pair with the Senator from Illinois [Mr. DIRKSEN]. If he were present and voting, he would vote "yea." If I were permitted to vote, I would vote "nay." I therefore withhold my vote.

The legislative clerk resumed and concluded the call of the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Arkansas [Mr. Fulbright], the Senator from Missouri [Mr. Long], the Senator from Texas [Mr. Yarborough], the Senator from Ohio [Mr. Young], are absent on official business.

I also announce that the Senator from Alaska [Mr. Bartlett], the Senator from Indiana [Mr. Bayh], the Senator from Massachusetts [Mr. Kennedy], the Senator from New York [Mr. Kennedy], the Senator from Montana [Mr. Mansfield], the Senator from Minnesota [Mr. McCarthy], the Senator from Arkansas [Mr. McClellan], the Senator from Wyoming [Mr. McGee], the Senator from New Hampshire [Mr. McIntyre], the Senators from Rhode Island [Mr. Pastore and Mr. Pell], the Senator from Alabama [Mr. Sparkman], the Senator from Virginia [Mr. Spong], and the Senator from Maryland [Mr. Tydings] are necessarily absent.

I further announce that, if present and voting, the Senator from Massachusetts [Mr. Kennedy], the Senator from New York [Mr. Kennedy], the Senator from New Hampshire [Mr. McIntyre], the Senator from Rhode Island [Mr. Pell], the Senator from Alabama [Mr. Sparkman], the Senator from Maryland [Mr. Tydings], the Senator from Texas [Mr. Yarborough], and the Senator from Ohio [Mr. Young] would each vote "nay."

On this vote, the Senator from Indiana [Mr. Bayh] is paired with the Senator from Rhode Island [Mr. Pastore]. If present and voting, the Senator from Indiana would vote "yea," and the Senator from Rhode Island would vote "nay."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. Carlson] is absent on official business.

The Senator from Utah [Mr. Bennett], the Senator from Massachusetts [Mr. Brooke], the Senator from Illinois [Mr. Dirksen], the Senator from Arizona [Mr. Fannin], and the Senator from Illinois [Mr. Percy] are necessarily absent.

The Senator from Iowa [Mr. Hickenlooper] and the Senator from Kentucky [Mr. Morton] are detained on official business.

If present and voting the Senator from Massachusetts [Mr. Brooke], the Senator from Kansas [Mr. Carlson], and the Senator from Illinois [Mr. Percy] would each vote "nay."

The pair of the Senator from Illinois [Mr. Dirksen] has been previously announced.

On this vote, the Senator from Arizona [Mr. Fannin] is paired with the Senator from Utah [Mr. Bennett]. If present and voting, the Senator from Arizona would vote "yea," and the Senator from Utah would vote "nay."

The result was announced—yeas 48, nays 25, as follows:

[No. 90 Leg.]

YEAS—48

Allott
Anderson
Baker
Bible
Boggs
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Church
Cotton
Curtis
Dodd
Dominick
Eastland
Ellender
Ervin
Fong
Gruening
Hansen
Hartke
Hatfield
Hill
Hollings
Hruska
Jordan, N.C.
Jordan, Idaho
Kuchel
Lausche
Long, La.
Magnuson
McGovern
Miller
Montoya
Mundt
Murphy
Randolph
Ribicoff
Russell
Scott
Smith
Stennis
Talmadge
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NAYS—25

Aiken
Case
Clark
Cooper
Gore
Griffin
Harris
Hart
Hayden
Holland
Inouye
Jackson
Javits
Metcalf
Mondale
Monroney
Morse
Moss
Muskie
Nelson
Pearson
Proxmire
Smathers
Symington
Williams, N.J.

PRESENT AND GIVING A LIVE PAIR, AS PREVIOUSLY RECORDED—1

Prouty, against.

NOT VOTING—26

Bartlett
Bayh
Bennett
Brooke
Carlson
Dirksen
Fannin
Fulbright
Hickenlooper
Kennedy, Mass.
Kennedy, N.Y.
Long, Mo.
Mansfield
McCarthy
McClellan
McGee
McIntyre
Morton
Pastore
Pell
Percy
Sparkman
Spong
Tydings
Yarborough
Young, Ohio

So Mr. Dominick's amendment was agreed to.

Mr. DOMINICK. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. CURTIS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DOMINICK. Mr. President, I move that the amendment be considered as an amendment to the bill as well as to the substitute Williams amendment.

The PRESIDING OFFICER (Mr. Burdick in the chair). The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. DOMINICK. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER (Mr. Burdick in the chair). Without objection, it is so ordered.

Mr. DOMINICK. Mr. President, the amendment is the same amendment. I want to have the amendment attached to the bill as well as to the substitute. I move that the amendment be made a part of the bill.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Colorado. [Putting the question.]

The motion was agreed to.

Mr. DOMINICK. Mr. President, I move to reconsider the vote by which the motion was agreed to.

Mr. WILLIAMS of Delaware. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 681

Mr. LONG of Louisiana. Mr. President, I am considering offering an amendment tomorrow. I send the amendment to the desk. I ask that the amendment and an explanation of how the amendment would operate be printed at this point in the Record.

The PRESIDING OFFICER. The amendment will be received and printed and will lie on the table; and without objection, the explanation will be printed in the Record.

The explanation, ordered to be printed in the Record, is as follows:

Explanation of Amendment by Senator Russell B. Long to the Williams Substitute

The purpose of this amendment is to delete the 10 percent surtax provisions from the substitute, and in their place insert provisions to directly increase individual and corporate income tax rates and the capital gains rate.

INDIVIDUAL INCOME TAX

Specifically, the Long amendment would restore individual income tax rates to the level which applied in 1964 *after* the first stage of the 1964 tax cuts became effective. This individual income tax increase would be roughly equivalent to one-third of the total rate reductions enacted in 1964. This higher tax would apply for the same period as the surtax under the substitute—that is, from April 1, 1968 through June 30, 1969.

CORPORATE INCOME TAX

For corporations, this amendment would add 4 percentage points to the regular corporate surtax, increasing it from 26 percent to 30 percent. This would make the combined corporate normal tax and surtax equal 52 percent—the same maximum rate corporations paid before the 1964 tax reductions. This tax rate increase, too, would apply in the case of corporations for the same period as the surtax under the substitute—that is, from January 1, 1968 through June 30, 1969.

CAPITAL GAINS TAX

The alternative capital gains tax of 25 percent would be increased under this amendment to 27.5 percent, thus conforming to the effect which would occur under the 10 percent surtax proposal. This tax would apply for the same period as the higher rates—in the case of individuals from April 1, 1968 through June 30, 1969; and in the case of corporations, from January 1, 1968 through June 30, 1969.

REVENUE ESTIMATES

This amendment is estimated to increase Federal revenues by $8.3 billion in a full year of operation (as contrasted to $9.8 billions under the surtax). Of this the individual income and capital gains tax hikes account for $5.4 billion and the corporate tax increases amount to $2.9 billion. (Under the surtax individuals would have paid $6.9 billion and corporations would have paid $2.9 billion.)

REASON FOR THE AMENDMENT

If there is to be a tax increase it would be far simpler for the average taxpayer if it were done by an increase in the rates. A surtax is a tax on a tax. It is complicated. It involves additional and unnecessary computations on the tax return. It requires the tax payer to compute a tax, compute a surtax, add the two together and determine the total tax. Resorting to a simple rate, on the other hand, permits tax to be calculated in the same manner as is done today.

The 1964 tax rates are still in the law—no new rate tables are necessary in the statute. Applying them at this time (as this amendment does) is similar to a recapture of one-third of the total individual 1964 tax rate reductions. The surtax on the other hand would recapture about one-half of that reduction.

COMPARISON OF INDIVIDUAL INCOME TAX RATES UNDER PRESENT LAW (1967) AND UNDER THE LONG AMENDMENT

Taxable income bracket		Tax rate (percent)	
Single person	Married (joint)	Present law	Long amendment
0 to $500	0 to $1,000	14	16.0
$500 to $1,000	$1,000 to $2,000	15	16.5
$1,000 to $1,500	$2,000 to $3,000	16	17.5
$1,500 to $2,000	$3,000 to $4,000	17	18.0
$2,000 to $4,000	$4,000 to $8,000	19	20.0
$4,000 to $6,000	$8,000 to $12,000	22	23.5
$6,000 to $8,000	$12,000 to $16,000	25	27.0
$8,000 to $10,000	$16,000 to $20,000	28	30.5
$10,000 to $12,000	$20,000 to $24,000	32	34.0
$12,000 to $14,000	$24,000 to $28,000	36	37.5
$14,000 to $16,000	$28,000 to $32,000	39	41.0
$16,000 to $18,000	$32,000 to $36,000	42	44.5
$18,000 to $20,000	$36,000 to $40,000	45	47.5
$20,000 to $22,000	$40,000 to $44,000	48	50.5
$22,000 to $26,000	$44,000 to $52,000	50	53.5
$26,000 to $32,000	$52,000 to $64,000	53	56.0
$32,000 to $38,000	$64,000 to $76,000	55	58.5
$38,000 to $44,000	$76,000 to $88,000	58	61.0
$44,000 to $50,000	$88,000 to $100,000	60	63.5
$50,000 to $60,000	$100,000 to $120,000	62	66.0
$60,000 to $70,000	$120,000 to $140,000	64	68.5
$70,000 to $80,000	$140,000 to $160,000	66	71.0
$80,000 to $90,000	$160,000 to $180,000	68	73.5
$90,000 to $100,000	$180,000 to $200,000	69	75.0
$100,000 to $150,000	$200,000 to $300,000	70	76.5
$150,000 to $200,000	$300,000 to $400,000	70	76.5
$200,000 and over	$400,000 and over	70	77.0

COMPARISON OF CORPORATION INCOME TAX AND CAPITAL GAINS TAX CHANGES UNDER PRESENT LAW (1967) AND UNDER THE LONG AMENDMENT (IN PERCENT)

	Corporation income		Capital gains tax
	Normal tax	Surtax	
Present law	22	26	25
Long amendment	22	30	27½

Mr. LONG of Louisiana. Mr. President, if it appeared to be the judgment of the Senate that we should vote for a major tax increase, it would be much better, in my judgment, to collect the money as an increase in the rates rather than as a surtax.

As I point out in the memorandum, which is printed in the RECORD, a surtax would require a taxpayer to compute his tax, then multiply that amount by 10 percent, and finally add those figures to come up with the final tax.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that I may proceed for 2 minutes on the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG of Louisiana. Mr. President, if a major tax increase were to be voted, it is my judgment it would be much better simply to increase the rates so a taxpayer could make just one computation of what he owes. I also believe it would be more popular simply to increase the rates rather than to pile an additional tax on top of the existing tax.

The amendment would merely provide for the same rates which are presently provided in the tax schedules after the first rounds of tax cuts under the 1964 tax reduction bill. In other words, the amendment would leave in effect the first stage of the 1964 tax cut but not the second stage that occurred the next year. That would mean that two-thirds of the tax cut which was given taxpayers in 1964 would remain in effect and they would surrender one-third of the tax cut they have previously received. Those rates are still to be found in the law. The tables are there. No new tables are necessary. The effect of the amendment would be to leave the taxpayer with the first step in the 1964 tax cut, but not the second step.

The amendment would also provide that the tax on corporations would be the same as it was prior to the 1964 cut. That is, the top rate would again be 52 percent.

The alternative capital gains tax of 25 percent would be increased under the amendment to 27.5 percent, which is about the same size increase as would occur under the 10 percent surtax.

I believe my proposal is the logical way to handle a tax increase, and I think more acceptable to the public, in the event that a major tax increase is to be passed by Congress. It would not be as unpopular as the surtax which has been suggested.

Mr. HRUSKA. Mr. President, I yield myself 4 minutes on the bill.

The PRESIDING OFFICER. The Senator from Nebraska is recognized for 4 minutes.

QUOTA CONTROL SYSTEM ON IMPORT OF MEAT AND MEAT PRODUCTS

Mr. HRUSKA. Mr. President, upon acceptance earlier of the Hollings textile amendment a number of my colleagues who are cosponsors with me of my bill, S. 1588, which would improve the quota control system on the import of meat and meat products, have asked whether I intended to offer the substance of that measure as an amendment to the pending excise tax legislation.

After consultation with representatives of the cattle industry and more widely with a goodly number of my cosponsors, Mr. President, I have concluded that proposal of such an amendment would not be wise at this time.

It will be recalled that last year a similar amendment was offered by the Senator from South Dakota [Mr. MCGOVERN] and was accepted by the Senate by a vote of 55 to 19.

But after a number of amendments covering other matters had been added to the bill, the Senate sent the measure back to the Finance Committee, by a vote of 64 to 22, with instructions to drop all previously adopted floor amendments.

Mr. President, my purpose, and that of the 36 Senators who have joined me in sponsorship of S. 1588, is to achieve enactment of our bill. If we thought that adding it to the pending excise extension bill would achieve that purpose, we would offer the amendment.

But we must be realistic. Even if we were successful in obtaining Senate approval of our amendment, there is the greater likelihood that the amendment would be lost in the Senate-House conference.

In addition, a bill which is almost identical to S. 1588 has been introduced in the House by the distinguished chairman of the Ways and Means Committee, Mr. MILLS, who feels quite strongly that action should be taken on that measure before final action by the Senate.

Last year the Senate Finance Committee held hearings on a number of proposals to grant additional protection against imports to a number of key American industries suffering damage from such imports, including textiles, meat, dairy products, steel and petroleum. At that time, I and others appeared to explain the provisions of the bill S. 1588, introduced under the sponsorship of 39 members of the Senate, including myself and my colleague from Nebraska [Mr. CURTIS].

Following the completion of the three days of Finance Committee hearings on the various import control measures, it was indicated that some further hearings should be held. But they have not been held and the committee has not yet reported any legislation or made any reports of its findings in this matter.

Therefore, Mr. President, I respectfully urge the Senate Finance Committee to consider the meat import bill which it now has and report it favorably soon to the Senate where it can await action by the House.

This is the orderly and logical way to proceed. A good record has already been made in the Senate; an equally good one will be made in the House, and the issue will not be confused by having this bill added to a measure dealing with an entirely different subject. This bill on meat import quotas is a sound and workable measure, entirely capable of being considered on its own merits and should not be prejudiced because of the manner in which it was considered.

In the meantime, Mr. President, it is hoped that all will understand that the problems of the livestock industry require attention during this session of the Congress.

Mr. President, the Department of Labor reports that the average hourly wage for production workers in all manufacturing industries in February 1968 was $2.95. In 1958 the average hourly wage was $2.11. In 1948 it was $1.32,

compared with $2.95 in February 1968. So wages of factory labor have increased by a good deal more than 100 percent in 20 years.

That is all right. I am glad to see the factory worker steadily getting a higher wage, and improving his standard of living.

The farmer's wage, however, is measured by the price he receives for the product he sells.

In 1948—20 years ago—the average price received on the sale of choice slaughter steers in Chicago was $30.96 per 100 pounds. During the week ending March 24, 1968, the price was $27.71 per 100 pounds, $3.25 lower than the price received 20 years earlier. Meanwhile the price of everything he must buy has gone steadily upward.

The brutal fact is that the farmer and the rancher have not shared in the prosperity gained by every other group in our economy.

Mr. President, the figures on imports of meat for the full year of 1967 indicate a trend which is cause for serious concern.

Imports last year were by far the highest since the disastrous years of 1962–63. Quantity of imports of fresh, chilled, or frozen beef, veal and mutton, by years, has been as follows:

	Million pounds
1964	739.9
1965	613.9
1966	823.4
1967	894.9

Not just the quantity, but the upward trend is alarming. Furthermore, practically all of the increase in 1967 was recorded during the second half of the year. Imports during the last 6 months of 1967 were 517 million pounds, compared with 447 million pounds during the corresponding 6-month period of the previous year—an increase of 16 percent.

The Secretary of Agriculture has told us that imports next year will not be very different from this year. His formal estimate for all of 1968 is 900 million pounds. We must hope he is correct. If imports should continue to increase at the rate experienced during recent years and months, we should soon be in trouble again.

Public Law 88–482, the import quota law passed during the crisis of 1964, contained compromises which had to be made to win the administration's approval. It set a basic quota of 725.4 million pounds, but contained elaborate machinery permitting a growth factor for foreign suppliers, an overrun of 10 percent above the quota, and various other complex escape clauses. As a result, Secretary of Agriculture Freeman has announced that quotas will not actually be imposed for 1968 unless imports threaten to exceed the figure of 1,045,300,000 pounds. That is why a revision of law is urgently needed.

Mr. President, all of us are concerned about the critical problems resulting from our unfavorable balance of payments. If President Johnson is serious about our efforts to reduce this deficit, one of the most useful things he could do would be to withdraw his administration's stubborn opposition to meaningful legislation to curb the imports of meat from foreign countries.

The President has repeatedly expressed grave concern about the serious problem of our international balance of payments and what it means to our gold supply and the stability of the U.S. dollar. Among his proposals to ease the problem is a punitive tax on Americans traveling abroad which is estimated to cut tourist expenditures by about half a billion dollars a year.

Coincidentally, in 1967, our adverse balance of trade on meat and meat products was almost that same amount, $493 million. We imported $644 million worth of foreign meat and exported only $151 million.

I wish to stress, Mr. President, that our bill, S. 1588, would not completely eliminate imports of foreign meat.

We have no intention of retiring behind an unrealistic protectionist barrier, but we do seek to limit imports to a proper historical level, with due consideration for additional growth each year. This would allow the American producer to compete with his foreign competition on even terms.

Despite the worsening balance-of-payments picture, the administration has shown no inclination to retreat from the position taken during hearings on S. 1588 last year when a parade of Cabinet officers expressed inflexible opposition to the measure.

SUMMARY

The bill for meat import limitation clearly should be enacted into law.

But this is neither the time nor the place to get that job done.

Time is very short for the enactment of the Tax Adjustment Act of 1968 as reported by the committee. Unless this is done by the end of this week, great disadvantage will result.

This bill is needed for its help to the beleaguered dollar. The fiscal situation of the country is grave. We should not add to it by complicating and burdening matters by delay and additional extraneous subject matter.

It is better judgment to await a more orderly and timely occasion, which certainly will occur soon.

Unless other import quota or other highly nongermane amendments will be proposed and considered by the Senate, it is my intention not to propose an amendment embracing the substance of S. 1588, until such a more orderly and timely occasion occurs.

Mr. President, I yield back the remainder of my time.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that I may be permitted to proceed for 2 minutes without the time being charged to either side.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF NATIONAL TRAFFIC AND MOTOR VEHICLE SAFETY ACT OF 1966

Mr. BYRD of West Virginia. Mr. President, on behalf of the senior Senator from Indiana [Mr. HARTKE], I ask that the Chair lay before the Senate a message from the House of Representatives on S. 2029.

Mr. President, I understand that this matter has been cleared on both sides.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 2029) to amend the National Traffic and Motor Vehicle Safety Act of 1966 relating to the application of certain standards to motor vehicles produced in quantities of less than 500, which was to strike out all after the enacting clause and insert:

That title I of the National Traffic and Motor Vehicle Safety Act of 1966 is amended by adding at the end thereof the following new section:

"SEC. 123. (a) Upon application made by a manufacturer at such time, in such manner, and containing such information as the Secretary shall prescribe, he shall temporarily exempt a limited production motor vehicle from any motor vehicle safety standard established under this title if he finds that compliance would cause such manufacturer substantial economic hardship or that such temporary exemption would facilitate the development of vehicles utilizing a propulsion system other than or supplementing an internal combustion engine and that such temporary exemption would be consistent with the public interest and the objectives of this Act.

"(b) The Secretary shall require, in such manner as he deems appropriate, the notification of the dealer and of the first purchaser of a limited production motor vehicle (not including the dealer of such manufacturer) that such vehicle has been exempted from certain motor vehicle safety standards, and the standards from which it is exempted.

"(c) For the purposes of this section 'limited production motor vehicle' means a motor vehicle, produced by a manufacturer whose total motor vehicle production, as determined by the Secretary, does not exceed five hundred annually.

"(d) The authority of the Secretary under this section shall terminate three years after the date of enactment of this section, and no exemption granted under this section shall remain in effect after three years after the date such exemption is originally granted."

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that statements by the senior Senator from Indiana [Mr. HARTKE] and the junior Senator from Indiana [Mr. BAYH] in explanation of the bill be printed at this point in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

STATEMENT BY SENATOR HARTKE

S. 2029, as amended by the other body, would amend title I of the National Traffic and Motor Vehicle Safety Act of 1966 to add a new section 123 to that title.

Subsection (a) of the proposed section 123 requires the Secretary of Transportation to exempt temporarily a limited production motor vehicle from any safety standard established under title I if the Secretary finds *either* that compliance with the standard would cause a manufacturer substantial economic hardship *or* that the temporary exemption would facilitate development of vehicles utilizing a propulsion system other than or supplementing an internal combustion engine. Before such a temporary exemption could be granted, however, there must be a finding that the exemption would be consistent with the public interest and objectives of the Act.

The authority contained in this provision granting temporary exemption where this would aid the development of vehicles using in whole or in part propulsion systems other than the internal combustion engine is not contained in the bill the Senate passed last November. It was added by the other body to insure that the invention and development of alternatives to existing propulsion systems would not be stifled or otherwise handicapped by rigid requirements of conformity to the various standards of testing and safety.

To be eligible for exemption, however, a vehicle using such an alternative propulsion system would still have to qualify as a limited production motor vehicle, defined in the bill as "a motor vehicle, produced by a manufacturer whose total motor vehicle production . . . does not exceed five hundred annually." Thus, as soon as a manufacturer produces more than five hundred vehicles, of any type, he is no longer eligible for temporary exemption.

Nothing in this bill is intended to prohibit the Secretary from issuing special or different safety standards for variant types of motor vehicles, under the organic act, regardless of quantity, where justified.

I ask that the Senate concur in the amendment of the House of Representatives.

Statement by Senator Bayh

I have no objection to the amendments made in S. 2029 by the House Committee on Interstate and Foreign Commerce and approved by the House. As I pointed out in my statement last year when I introduced this bill, the problems of complying with the requirements of certain safety standards would effectively preclude several small businesses from remaining a part of the industry.

It is the legislative intent of this amendment to authorize the Secretary, upon the receipt of proper justification, to afford additional time to the companies to meet certain requirements that are beyond their immediate capabilities because of their particular circumstances. It is my hope that the Secretary will take immediate steps to implement the amendment. Only in this way can the small companies survive.

Let me also express my appreciation to all of the Members and staffs of the Senate Committee on Commerce and the House Committee on Interstate and Foreign Commerce to Dr. William Haddon, the National Traffic Safety Agency, and the many parties who took an active interest in the problem and contributed to this amendment and its final consideration.

Mr. BYRD of West Virginia. Mr. President, I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

TAX ADJUSTMENT ACT OF 1968

The Senate resumed the consideration of the bill (H.R. 15414) to continue the existing excise tax rates on communication services and on automobiles, and to apply more generally the provisions relating to payments of estimated tax by corporations.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that I might suggest the absence of a quorum without the time being charged to either side.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG of Louisiana. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 672

Mr. JAVITS. Mr. President, I call up my amendment (No. 672) and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. JAVITS. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered, and the amendment will be printed in the Record.

The amendment ordered to be printed in the Record is as follows:

On page 7, line 23, strike out the period and insert the following: ", except that the President shall not reserve from expenditure any amounts from appropriations or other obligational authority available for the following purposes:

"(1) education,
"(2) low-income housing,
"(3) water and air pollution prevention,
"(4) prevention and detection of crime,
"(5) the District of Columbia,
"(6) training and employment of disadvantaged persons,
"(7) war on poverty."

Mr. JAVITS. Mr. President, I yield myself 1 minute.

The PRESIDING OFFICER. The Senator from New York is recognized for 1 minute.

Mr. JAVITS. Mr. President, it is my understanding that the business for the day is completed. I have called up the amendment so that it will be the pending business and so that we may proceed with the matter the first thing in the morning. I therefore reserve the remainder of my time.

The PRESIDING OFFICER. Is this the 2-hour amendment?

Mr. JAVITS. I will designate it as the 2-hour amendment.

The PRESIDING OFFICER. It is so designated.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the amendment of the Senate to the joint resolution (H.J. Res. 933) to proclaim National Jewish Hospital Save Your Breath Month.

ORDER FOR RECOGNITION OF SENATOR BYRD OF WEST VIRGINIA TOMORROW FOR 15 MINUTES AND FOR A 15-MINUTE PERIOD FOR TRANSACTION OF MORNING BUSINESS

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that when the Senate meets tomorrow, after the disposition of the Journal the Senator from West Virginia [Mr. Byrd] may be recognized for 15 minutes, and that thereafter there be a brief period for the transaction of routine morning business, not to exceed one-half hour, and that statements other than that to be made by the Senator from West Virginia [Mr. Byrd] be limited to 3 minutes.

The PRESIDING OFFICER. The Chair inquires of the Senator from Louisiana: Is that one-half hour beyond the period in which the Senator from West Virginia will speak?

Mr. LONG of Louisiana. No, Mr. President; 15 minutes to be assigned to the Senator from West Virginia and the other 15 minutes for Senators desiring to make 3-minute statements; one-half hour in all.

Mr. JAVITS. Mr. President, would the Senator allow me to make as part of my remarks a brief statement describing the amendment which I will be discussing tomorrow?

Mr. LONG of Louisiana. Of course.

Mr. JAVITS. I thank the Senator from Louisiana.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Louisiana? The Chair hears none, and it is so ordered.

RECESS UNTIL 9 A.M. TOMORROW—OBJECTION TO COMMITTEE MEETINGS

Mr. LONG of Louisiana. Mr. President, if there be no further statements to be made by Senators this evening, I move that the Senate stand in recess until 9 a.m. tomorrow.

Mr. BAKER. Mr. President, before the Senate recesses, I am instructed by the leadership on the Republican side to state—and I believe that this has been discussed with the Senator from Louisiana [Mr. Long]—that there will be objection to any committee meetings after the convening of the Senate tomorrow.

The PRESIDING OFFICER. All committees?

Mr. BAKER. All committees.

Mr. BYRD of West Virginia. May I ask the Senator from Tennessee, am I to understand from what he has just said that no subcommittees will be permitted to meet during the session of the Senate tomorrow?

Mr. BAKER. That is correct. There will be objection to any committee meetings.

Mr. BYRD of West Virginia. Mr. President, I want the record to show that I asked this question of the Senator from Tennessee because of a request which was handed to me by the distinguished junior Senator from Connecticut [Mr. Ribicoff], who wanted the Subcommittee on Executive Reorganization of the Committee on Government Operations to meet during the session of the Senate tomorrow.

Mr. BAKER. For the record, Mr. President, I distinctly regret having to make this request, but I have been instructed by the Republican leadership on this side of the aisle to object to any committee meetings tomorrow, and I do so object.

The PRESIDING OFFICER. Objection is heard.

The question is on agreeing to the motion of the Senator from Louisiana [Mr.

LONG] that the Senate recess until 9 a.m. tomorrow.

The motion was agreed to; and (at 8 o'clock and 22 minutes p.m.) the Senate recessed until tomorrow, Friday, March 29, 1968, at 9 a.m.

NOMINATIONS

Executive nominations received by the Senate March 28 (legislative day of March 27), 1968:

IN THE ARMY NATIONAL GUARD

The Army National Guard of the United States officers named herein for promotion as Reserve commissioned officers of the Army, under provisions of title 10, United States Code, sections 593(a) and 3392:

To be major generals

Brig. Gen. Joseph Mark Ambrose, O460406.

Brig. Gen. LaVern Erick Weber, O963734.

POSTMASTERS

The following-named persons to be postmasters:

ALABAMA

Martha G. Anderson, Semmes, Ala., in place of M. B. Roberts, retired.

ARKANSAS

James D. Vestal, Jr., Huttig, Ark., in place of F. M. Johnson, retired.

CALIFORNIA

Kathryn C. Kelsey, Bryn Mawr, Calif., in place of I. A. Rice, retired.

Crawford F. Smith, San Ramon, Calif., in place of W. C. Fereira, retired.

COLORADO

Philip F. Koerner, Rangely, Colo., in place of M. E. Gerry, retired.

GEORGIA

Tom W. McLeod, Valdosta, Ga., in place of C. C. Alderman, retired.

IDAHO

Lloyd R. Puntenney, Greenleaf, Idaho, in place of G. H. Sherman, removed.

ILLINOIS

Carl W. Johnson, Magnolia, Ill., in place of E. A. Defenbaugh, retired.

Andrew G. Kubaitis, Willow Springs, Ill., in place of C. E. Daenitz, retired.

INDIANA

Russell T. Delp, Brookston, Ind., in place of D. L. Stanford, removed.

IOWA

Robert M. Corporon, Dougherty, Iowa, in place of Marie Dougherty, deceased.

Elmer J. Chalupsky, Elberon, Iowa, in place of J. F. Whelan, deceased.

Francis J. Boyle, Worthington, Iowa, in place of L. P. Sauser, retired.

KANSAS

Robert A. Carpenter, Oswego, Kans., in place of H. E. Monroe, retired.

KENTUCKY

Edward F. Hay, Augusta, Ky., in place of U. M. Richey, retired.

MAINE

Louis P. L. Loubier, Waterville, Maine, in place of E. F. Poulin, deceased.

MICHIGAN

Donald J. Wiltshire, Onaway, Mich., in place of E. A. Peacock, deceased.

MINNESOTA

Arlo O. Bierkamp, Luverne, Minn., in place of M. E. Jensen, retired.

Robert J. Stern, Upsala, Minn., in place of B. B. Amren, resigned.

MISSOURI

Clifford N. Bray, Sweet Springs, Mo., in place of J. W. Jones, deceased.

MONTANA

Elizabeth B. Watson, Trout Creek, Mont., in place of J. J. Cernik, retired.

NEBRASKA

Blaine E. Erickson, Bennington, Nebr., in place of L. A. Mangold, retired.

NEW JERSEY

Lillian E. Noreika, Clarksburg, N.J., in place of Murray Kreutner, deceased.

Andrew Kiniry, Minotola, N.J., in place of L. R. Powers, retired.

NEW YORK

Francis E. Donahue, Hogansburg, N.Y., in place of W. H. Bergo, removed.

Irving G. Weber, Nyack, N.Y., in place of W. J. Barber, retired.

NORTH CAROLINA

Murphy R. Boyd, Jr., Durham, N.C., in place of W. M. Carver, retired.

NORTH DAKOTA

Lawrence W. Schaub, Dickey, N. Dak., in place of K. I. Paton, deceased.

OHIO

Willard E. Poston, Flushing, Ohio, in place of E. L. Romich, retired.

Carlos W. Potts, Lore City, Ohio, in place of H. P. Galloway, retired.

PENNSYLVANIA

Genesio L. Carlini, Lawrence, Pa., in place of William VanTassel, retired.

TEXAS

Edwin L. Logan, Kermit, Texas, in place of C. T. Waller, deceased.

Russell W. McFarland, Portland, Texas, in place of A. B. Shults, retired.

WISCONSIN

Charles E. Stokke, Barron, Wis., in place of G. M. Barritt, retired.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 28 (legislative day of March 27), 1968:

DEPARTMENT OF JUSTICE

Edward J. Schwartz, of California, to be U.S. district judge for the southern district of California.

George I. Cline, of Kentucky, to be U.S. attorney for the eastern district of Kentucky for the term of 4 years.

Klyde Robinson, of South Carolina, to be U.S. attorney for the district of South Carolina for the term of 4 years.

James E. Atwood, of Washington, to be U.S. marshal for the eastern district of Washington for the term of 4 years.

FOREIGN CLAIMS SETTLEMENT COMMISSION

Leonard v. B. Sutton, of Colorado, to be a member of the Foreign Claims Settlement Commission of the United States for the remainder of the term of 3 years from October 22, 1966.

EXTENSIONS OF REMARKS

The Supreme Sacrifice

HON. JOHN E. MOSS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 28, 1968

Mr. MOSS. Mr. Speaker, it was 13 months ago when Marine Cpl. Ronald R. Ryan, of Sacramento, Calif., first wrote to me seeking my assistance in getting him a combat assignment in Vietnam. Today, he is dead—a casualty of a horrendous war.

Corporal Ryan was a trained rifleman in the infantry. It was frustrating to him to know that his security guard assignment in Guam might keep him from serving in Vietnam. He was a determined young man of 21 in February 1967, when he wrote to me. Like many other young Americans, he took leave from college to enlist in the service to fulfill his obligation. Coporal Ryan enlisted in the Marine Corps "for the sole purpose of fighting for my country in Vietnam." It was his intention to return to college in September of this year.

"Please make it possible for an American to be able to help America, while there is a need," he wrote.

His major obstacle in Guam was the entangled web of Marine Corps bureaucracy. His desires to serve his country as he knew best were earnest, and his superior officers were soon to learn that Corporal Ryan was not easily discouraged.

I wrote the Commandant of the Marine Corps and told him that young Ryan was displaying a great deal of patriotism and it would appear that his request should be honored. During the intervening months of February to June, many letters and phone calls were exchanged.

I was notified on June 12, 1967, that Corporal Ryan had been selected for reassignment to the Republic of Vietnam. His perseverance had won out.

During his 9 months of combat duty, Corporal Ryan was wounded twice, once by a grenade and once by mortar fire. He was killed early this month while returning to duty from rest leave in Australia. He was one of 47 men aboard an Air Force transport plane which was shot down by hostile fire.

His last letter to me was dated June 19, 1967. He wrote of his combat assignment and how he would be rotating back to the States in May 1968, and how he would become a civilian again in June. He closed his letter saying:

> I will do my best to serve my country to the fullest extent of of my ability.

This he has done. He has made the supreme sacrifice for his country. He was a brave young man.

I am inserting in the RECORD Corporal Ryan's first and last letters to me, and the newspaper story of his untimely death:

FEBRUARY 5, 1967.

DEAR SIR: By writing this letter, I am exercising my right as an American citizen to voice my opinions and express my thoughts to my Congressional representative in Washington, for the first time in my life. I am a twenty-one year old resident of Sacramento, California, and presently serving my country in the United States Marine Corps. I was a college student and a civil service worker until eight months ago.

Last spring, I quit my job and took leave from college to enlist into the Marine Corps for the sole purpose of fighting for my country in the war in South Vietnam. When I came in, it was more or less a verbal guarantee that I would fight in Vietnam while serving in the Marine Corps. I was trained as a rifleman in the infantry and sent to Hawaii to become a part of the First Marine Brigade, which was destined to serve in the war. However, after being in Hawaii for less than two months, I was transferred to Guam to serve the rest of my enlistment out as a security guard on a Naval Station.

I've tried to volunteer for action in Vietnam while here on Guam, but I've met nothing but stalemate so far. I've only got sixteen months left to serve in the Marine Corps. To get to Vietnam, a Marine must serve thirteen months in the war. That means that I must leave Guam for Vietnam within the next three months or I won't be able to go at all. I have no intention of extending my time in the service and get the same treatment as I'm receiving now. I want to return to my civilian life so that I may continue my education as soon as possible.

However, I will feel that I've completely wasted several years of my life if I don't get to serve my country in combat during a war. There are many people that don't want to go anywhere near Vietnam. Why can't someone that knows why we are fighting and wants to serve his country in the best possible way, take this person's place? Why can't an educated, patriotic, freedom loving, American Marine take another's place in defending democracy in South Vietnam? If there is any way you can help me get to Vietnam, I would sincerely appreciate your help.

I know that asking a personal favor is improper, but what I am asking is in the interest of our country, in the interest of the defense of our way of life, freedom, and democracy, for not only us, but for every free people in the world. Please make it possible for an American to be able to help America, while there is a need.

Sincerely,

RON RYAN.

JUNE 19, 1967.

DEAR SIR: I received your letter dated 13 June 1967. I would like to thank you for your interest and your assistance in helping me attain my goal of serving in Vietnam.

I've already seen my orders. I will be leaving for Okinawa within a week or two. From there, I'll be sent to an infantry battalion in the DMZ zone in the northern part of South Vietnam. I will be rotating back to the states in May 1968, at the end of my eighteen month tour of duty overseas. In June 1968, I will become a civilian once again.

I am very grateful for your concern in me, Sir. In turn, I will do my best to serve my country to the fullest extent of my ability.

Sincerely,

L/Cpl. RON RYAN,
U.S. Marine Corps.

CAPITAL MARINE, 22, DIES IN VIET CRASH

The crash of an Air Force transport plane, shot down by hostile fire in Vietnam, has claimed the life of Marine Cpl. Ronald R. Ryan, 22, a 1964 graduate of Sacramento High School. His sister, Mrs. Elaine Statheros of 6536 Harley Way, has been notified her brother, first reported missing in the crash of the plane carrying 47 men, now is listed as dead.

The Marine Corps wrote: "The aircraft exploded and a huge fireball was observed to rise above the dense foliage in the area . . . It has been determined that there was no possibility for survivors." The plane crashed March 6 near Khe Sanh.

RECEIVED TELEGRAM

Mrs. Ida Anderson of 5043 49th St., a close friend of the Ryan family, received a telegram from the youth less than an hour-and-a-half before the crash reporting he was returning from leave and: "I am safe and well. I will be going home in two months."

Ryan, who had attended Sacramento City College in 1965–66, received notice he was to be drafted and instead enlisted in the Marines. When he found himself pulling MP duty on Guam, he wrote to Congressman John E. Moss of Sacramento, requesting an assignment in Vietnam.

He had been in Vietnam nine months and wounded twice, once by a grenade and once by mortar fire. He was returning to duty from rest leave in Australia when the plane was shot down.

TENNESSEE NATIVE

Ryan was born in Memphis, Tenn., but had lived in Sacramento since 1953. He resided at 5042 49th St. before joining the marines. He was a Boy Scout for six years, reaching the rank of Eagle. His parents, Mr. and Mrs. John Ryan are deceased.

Surviving are his sisters, Mrs. Marilyn Beckley of Rancho Cordova and Donna Ryan of Burlingame and Mrs. Statheros.

Memorial services are planned for 10 a.m., Monday in St. Rose's Church, 38th avenue and Franklin Boulevard. The family requests that any remembrances be made to the St. Patrick's Childrens Home Memorial Fund.

Meeting National Needs and Relieving Pressures on State and Local Bond Markets

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HON. EDMUND S. MUSKIE

OF MAINE

IN THE SENATE OF THE UNITED STATES

Thursday, March 28, 1968

Mr. MUSKIE. Mr. President, the spiraling requirements for public investment in educational facilities, housing, sewage treatment systems, transportation, and other public facilities are being felt in many quarters. As Members of the National Congress we are conscious of the impact on the Federal budget.

Recently, Bureau of the Budget Director Charles J. Zwick addressed himself to the problems States and municipalities are facing in trying to meet their share of these necessary investments. He noted particularly the pressures which have developed on the market for State and municipal tax-exempt bond issues and the adverse impact those pressures have had on the cost of State and local borrowing.

The administration has suggested several remedies for the State and local financing crisis, none of which would interfere with necessary public investments. One of the remedies is contained in the new contract financing system which the President proposed for the sewage treatment construction grant program. It is a remedy which will relieve pressures on the Federal budget and the State and local tax-exempt bond market at the same time. The proposal is contained in S. 3206, which is now pending before the Senate Committee on Public Works.

I commend to my colleague's, Mr. Zwick's remarks to the Municipal Finance Forum, March 19, 1968, and ask unanimous consent that they be printed in the RECORD at this point.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

REMARKS OF CHARLES J. ZWICK, DIRECTOR OF THE BUREAU OF THE BUDGET, BEFORE THE MUNICIPAL FINANCE FORUM OF WASHINGTON ON "THE FEDERAL BUDGET AND STATE AND LOCAL GOVERNMENT FINANCE," WASHINGTON, D.C., MARCH 19, 1968

I am pleased to have this opportunity to discuss with you a topic of unquestioned timeliness and importance—the impact of the Federal budget on State and local government finances. At the same time, I want to commend you and wish you well in your efforts to promote an effective dialogue on State and local financial requirements. One of the identifying features of our federal system of government as it exists today is the heavy reliance placed on a genuine *partnership* of interest and efforts among the private sector of the economy and Federal, State, and local governments.

We have come to realize that it is myopic to speak of "local problems" in fact, we have *national* problems which typically manifest themselves most acutely at that level of government which bears primary, but not sole, responsibility for their solution—i.e., the local community. The solutions to many of these national problems, therefore, must draw upon the combined resources and expertise of the private economy and all levels of government. The resultant marriage, while not always harmonious, is nevertheless both necessary and fruitful. Your own efforts to promote a better understanding of these joint interests and problems are well-placed and, hopefully, will contribute toward more effective solutions.

I. NEW BUDGET CONCEPTS

Before looking closely at the various threads of fiscal federalism running through the Federal budget for fiscal year 1969, I must say a few words about the basic format of the new budget. We will, in effect, be celebrating the "rites of spring" a little early this year—with a new organization being introduced to a new budget concept by a new Director.

It was just a year ago that the President appointed a group of 16 distinguished citizens to review the concepts and format of the Federal budget. The Commission was chaired by Mr. David M. Kennedy, Chairman of the Board of the Continental Illinois National Bank and Trust Company of Chicago and included eminent Congressmen, economists, accountants, and similarly knowledgeable spokesmen from other walks of life. Their assignment was to improve and clarify the budget as a vehicle of public policy, in order to enhance its usefulness for the public and Congress alike.

The President's Commission on Budget Concepts issued its report in October 1967. The budget submitted last January incorporates most of the important recommendations made by the Commission.

The new concepts stress:

A single, unified format.—In a 1-page summary statement, the new budget displays Federal spending, lending, receipts, and debt on a consistent and reconcilable basis. This largely replaces the older competing budget statements: the "administrative" budget, "consolidated cash," and the "Federal sector" of the national income accounts. Whenever the term "budget" is used now, it refers to the unified budget format—thus removing some of the ambiguity which prevailed when several "budgets" existed.

Comprehensive coverage.—The new concept embraces all activities of the Government, including about $47 billion in trust fund spending which was excluded under the old "administrative" budget. As a result, Federal spending appears to increase significantly over the older numbers to which we had become accustomed. But in real economic terms, the impact on demand of all that spending and taxing has always been there—whether counted or not.

The difference between spending and lending.—The new budget recognizes the differing impact on the economy of Federal *spending*—which adds directly to current incomes—and the repayable *lending* activities of the Government, which represent essentially an offsetting exchange of financial assets. This treatment does *not* assume that the loan account has no impact on the economy, it merely recognizes that its effects are different in kind from those of direct spending. Finally, certain loans are counted as spending rather than lending. These include foreign loans made on noncommercial terms and domestic loans where the terms of the contract make repayment contingent in some respects. Eventually, we hope to be able to cover the grey area between these "soft" loans and strictly commercial loans, by imputing a direct spending "charge" for any subsidy element which may exist in the loan terms. Thus, the capitalized value of the interest subsidy will be shown in the "spending" account at the time the loan is made. It will take some time to implement this recommendation of the Commission, however.

Other aspects of gauging economic impact accurately.—The Commission recommended that certain *business-oriented receipts be offset or netted against their related expenditures* to provide a more reliable guide of the net impact on the taxpayer. This proposal has been incorporated in the budget. We are working on another far-reaching Commission proposal, that of putting *expenditures on an accrual basis.* Our efforts to put tax payments on a more current basis in the past few years has already moved receipts close to an accrual approach. This will permit us to judge the current economic impact of the budget much more accurately than if the lags remained.

Participation certificates as borrowing, not receipts.—As recommended by the Commission, we now count the sales of participation certificates as means of financing the deficit, i.e., the same as the issuance of Treasury securities.

II. FISCAL FEDERALISM

Now that we have established the nature of "the budget," let's look a little more closely at those elements in it which directly affect State and local finances.

The "partnership" approach to solving problems which I mentioned earlier is not a revolutionary idea which arose full-blown in the mid-1960's. It has been with us, in one form or another, since the colonies banded together. National assistance for locally administered programs actually predates the Constitution. The Articles of Confederation in 1785 provided for grants of Federal land to support education in the Northwest Territory. The seeds of partnership can also be seen in the generous land grants for railroad expansion. The canal work on the Great Dismal Swamp in the early 19th Century was a combined effort of a joint stock company, the U.S. Corps of Engineers, the State of Virginia, the State of North Carolina, and the City of Norfolk. Many other early examples can be cited of this multi-level, public-private approach.

The technique is not new, but its use has been *greatly expanded in scope* in the last four or five years. In this sense, we may be experiencing a kind of quantum jump—where a sizable change in degree is producing a change in kind. The reasons for the upsurge in multi-level, public-private undertakings are manifold and complex. At the risk of oversimplifying, let me cite two key factors:

(1) *Rising demand for services.*—There has been a steady and impressive increase in the demand for services at all levels of government, but especially for the kinds of services provided locally. These demands have been fueled by increasing population, urbanization, rising incomes, accelerating economic growth—and the concomitant need for the training and education which such growth both requires and stimulates, and a host of related elements too numerous to mention.

(2) *Complexity and magnitude of problems.*—As we moved forward to grapple with each of these problems individually, it soon became clear that many of them were closely interrelated. The boundaries between Problem A (e.g., poverty) and Problem B (e.g., inadequate education) are indeterminate; cause-and-effect relationships become lost in a complex system. Recognition of these interrelationships prompted comprehensive attacks, but it also brought home at an early stage that the solutions could not be bought at "dimestore" prices. If the problems were to be met, all available resources would have to be marshalled. Thus, the characteristic partnership patterns were forged for such endeavors as *Community Action Programs* to combat poverty; *Model Cities* to revivify large blighted areas in the Nation's core cities; the *Concentrated Employment Program* to provide training, job placement, and other employment services in areas of the city where they are most needed; and a variety of similar efforts.

To help meet these critical national problems, the Federal Government tripled its grants-in-aid to States and localities in the short span of a decade. Federal aid, which was $6.7 billion in 1959, will surge to an estimated $20.3 billion for 1969. In fact, the $20.3 billion estimate for 1969 represents a doubling in just the last five years alone.

More than one-fifth of all Federal expenditures for domestic purposes that takes the form of grants to other levels of government—an increase of one-third during the decade.

Federal funds are also becoming increasingly important in the budgets of State and local governments. The latest estimate available reveals that Federal grants constituted nearly 17% of all State and local general revenues in 1967—compared to 13½% five years ago. This increase in the Federal share took place despite efforts to raise revenues on their own behalf which can best be described as "valiant." State and local governments have more than doubled revenues from their own sources over the 10-year period 1956–66. Nearly half of the increase was eked out by raising tax rates—a kind of political parlor game akin to Russian roulette at election time. During the same time span, State and local debt rose nearly 120%—or seven times as fast as the Federal debt.

The contours of Federal grant programs and their relative growth rates have been heavily influenced by national priorities as hammered out in the legislative process. For example, heavy stress has been placed on:

Equalizing opportunity (with sizable grants for the Office of Economic Opportunity, education aid to children of poor families, and "Medicaid").

Stimulating economic growth (with large amounts going for education at all levels, manpower training, and regional economic development).

Meeting urban problems (With total aid to urban areas trebling between 1961 and 1969).

Finally, a recent *trend toward more comprehensive and flexible approaches* has reflected the nature of the problems to which the grant programs are addressed. Community Action Programs, Model Cities, and the Partnership for Health program all combine a multiplicity of approaches and leave the setting of priorities largely in the hands of the grant recipient. In like manner, recent proposals would make a number of education and training grants more flexible and hopefully more effective.

III. PRESENT FISCAL SETTING

While the current response to needs has been impressive, the problems we face show few signs of shrinking. As a matter of fact, both the scope and magnitude of manifest public needs have risen to almost staggering proportions. We have made great strides forward, but many formidable challenges remain. To cite a few examples:

Persistent poverty continues to gnaw at our conscience, dampen aspirations, and even threaten our security;

10% of our *housing* stock, most noticeably in core city areas, is in poor condition—a result of decades of neglect, and

Air and water pollution threaten to strangle us in our own affluence.

The report of the President's Commission on Civil Disorders adds one further note of urgency to the problems which our society must face. It emphasizes the need for simultaneous, rather than sequential, approaches. We can't wait for Problems A through D to be solved before we attack the remaining ones. Rather, we must make some inroads on all of them—and soon.

Yet, it would be an exercise in hyperbole to say that our current resources to accomplish these aims are limited. The sober facts are that our resources are stretched to their limits or beyond—to the point where we must seek new revenues and new financing techniques. The proposed income tax surcharge and other revenue measures are absolutely mandatory to: restrain inflationary pressures; relieve pressure on financial markets; and restore order to the international financial markets.

In the present context of acute fiscal stringency, private enterprise and State and local governments must bear an increasing share of the burden of coping with America's domestic problems. The Federal budget deficit is estimated to approach $20 billion for the current fiscal year, and $8 billion for fiscal year 1969. Only time will tell what additional demands may be placed on the budget or how the Congress will respond to our proposal for increased taxes. Clearly two back-to-back deficits in the neighborhood of $20 billion would place a severe strain on an already high-employment economy and frenetic financial markets.

Many of these requirements would have come home to rest on private and State-local shoulders even in the absence of added demands for Vietnam, because of our growing reliance on an effective partnership of resources in solving deepseated and complex social problems. There are few institutional alternatives for dealing with housing problems for low-income people, for example. We have, therefore, been especially concerned that these expanded requirements might place excessive burdens on the tax-exempt bond market.

IV. PRESSURE ON THE MUNICIPAL BOND MARKET

It may be useful to review briefly the broad developments and prospects for the municipal bond market now—before discussing later some of the new policies designed to avoid any untoward pressure on that market. I would not want to pose as an expert on the market—least of all before this forum. However, as an amateur kibitzer with a great interest in the financial future of State and local governments, as well as in the welfare of the Federal taxpayer, I should like to summarize some of my impressions and the conclusions I draw from them.

1. Over the past two decades, new capital issues of State and local governments have been rising with few interruptions from $2.3 billion in 1947 to $11.3 billion in 1966. In 1967, new capital issues will exceed $14 billion. The net increase in outstanding State and local debt as a percentage of the gross national product has been gradually rising.

2. The outlook for the next decade is for more of the same. A study done by the Joint Economic Committee 15 months ago, for example, projected a rise in the total State and local debt from $100 billion in December 1965 to well over $200 billion by the close of 1975.

3. With the increased demand for funds for all types of State and local borrowing, the annual average yields on prime long-term obligations have risen from 1.45 in 1947 to 2.51 in 1956, and still higher recently—to 3.67 in 1966 and 3.74 in 1967. As you know, the interest rates paid on new issues are even higher. For example, the public housing bond sales this month involved a net interest cost of 4.43%—the highest in the history of this program.

4. Any sizable relative increase in net offerings of tax exempts causes yields—the market measure of the cost of municipal financing—to rise more rapidly than yields on taxable obligations. This is primarily because the tax-exempt bond market at present yields is limited to buyers with relatively high marginal tax rates. Again citing the Joint Economic Committee study, a rapid increase in volume of municipal credit demands could exhaust the market from such buyers and cause yields of municipals to rise to as much as 90% of corporate yields, compared to the 75% to 79% ratios prevailing in the 1955–65 decade.

5. A large share of the increased funds required by State and local governments in the past two decades came from commercial banks. Unless present trends are reversed, they must provide an even larger share of the increased financing projected for the 1965–75 decade. The ability and willingness of banks to add to their municipal portfolios at current yields, however, depends to a considerable extent on monetary policy. If economic conditions require tighter credit, the market for municipals declines and yields increase. This was clearly visible in the "credit crunch" of August-September 1966, when the spread between long-term U.S. bonds and high grade municipals reached a low of 74 basis points in the week ending September 2, 1966.

V. FINANCING REQUIREMENTS FOR HOUSING

With this impression of the demands on and limitations of the municipal market as background, I would like to talk for a moment about the special impact which Federal housing programs can be expected to have on the municipal market. These programs right now probably have a greater influence on the capital markets than any other activity of the Federal Government outside of its direct borrowing. In fiscal year 1967, the Federal Government issued new commitments to guarantee almost $17 billion of private borrowings, of which about $14 billion was for housing. The comparable estimates for 1969 are $25 billion in total borrowings and $20 billion specifically for housing. Moreover, one of these programs—public housing—relies on local tax-exempt borrowing and thus has a direct impact on the municipal market.

The President's recently announced housing production goals can be expected to increase this impact on the capital market in general, and on the municipal market in particular, for two reasons:

Accomplishment of the goals will substantially increase the demands on the mortgage market. Changes will be proposed to allow housing to be able to compete more effectively for the same capital funds on which the municipal market must also draw.

More importantly, an expected expansion of the public housing program will compete directly with other municipal borrowing.

I think it is worthwhile to discuss these goals here, and to describe the proposed new housing assistance programs which are geared to avoid undue reliance on public housing and its demands on the municipal market.

In his February 22 message on the crisis in the cities, the President asked the Congress to recognize a goal of starting 26 million housing units over the next 10 years. Just looking at the goal in terms of averages for a moment, it means that for the next 10 years we should be starting 2.6 million units of housing annually. Over the last 10 years, this country started an annual average of 1.4 million units. Starting 1.2 million more units each year will obviously require substantial amounts of additional financing. Additional net mortgage requirements could reach as high as an average of $20 billion a year. Over the last four years, net mortgage flows have ranged from $38 to $50 billion a year.

Let me point out that I have been talking in averages. Production will not, and cannot, start with an increase of 1.2 million units immediately. Actually, the projection for fiscal 1969 is only 1.7 million housing starts, 300,000 above the average for the last 10 years, and only slightly above the 1964 level for actual starts. Housing starts for 1970 and 1971 are projected at 2 million and 2.1 million, respectively.

As the President stated in his message, these housing goals can be attained only if the Congress takes steps now to insure strong, stable economic growth for the Nation as a whole. If our economy continues to thrive, additional savings will be available for the augmented investment levels needed, in housing as well as in other sectors. This is one of the reasons the tax surcharge is so urgently needed.

However, additional steps must be taken to allow housing to compete on an equal basis for the supply of investment funds. New proposals this year would:

1. Free the FHA and VA mortgage interest rates from arbitrary legislative ceilings. To attract sufficient savings capital, mortgages must provide a yield equivalent to that available from other investments, without the clumsy device of deep discounts (or points) on origination.

2. Encourage the translation of mortgages into debt instruments more convenient for large investors by:

Providing a Government guarantee of bonds issued against pools of FHA or VA mortgages by private financial institutions; and

Establishing the FNMA secondary market operations as an independent, privately-owned corporation, borrowing on the private market for the purpose of buying mortgages to meet mortgage market needs.

These steps should help assure that necessary private financing will be available to meet the Nation's housing goals.

However, we realize that there are many families that need standard housing but cannot afford to pay the full cost without spending a disproportionate share of their incomes. The Nation has long recognized the need to assist low-income families in obtaining decent housing, and has been providing such aid for over 30 years. Within the total 10-year housing goal, therefore, the Federal Government plans to provide direct assistance for some 6 million housing units.

In the past, the principal means for rendering assistance has been the low-rent public housing program. Under this program, tax free municipal bonds are issued to finance housing construction. The Federal Government provides needed funds to local housing authorities to enable them to pay the principal and interest on the bonds. Over 850,000 units of public housing have been, or are being, made available to low-income families. However, no one expects that the public housing program can provide the necessary funds for the 6 million units of assisted housing which will be required over the next 10 years. There are many reasons for this: local political and social problems, need for greater involvement of private enterprise, and perhaps not the least, the limitations of the municipal bond market. Other approaches to provide housing assistance are obviously necessary.

The Government began one such approach in 1959, when low interest rate loans for housing for the elderly were first authorized. This notion was expanded in 1961, with the initiation of the so-called "221-d-3" program to provide housing for families with low and moderate incomes. Under this program, the Federal National Mortgage Association, within its special assistance functions, buys FHA-insured mortgages on rental housing that bear interest rates substantially below the current market interest rate. The interest rate on loans in these two programs is now 3%.

However, we have long recognized that direct, low-interest-rate loans is an inefficient way to use scarce current budget dollars to provide a subsidy. These programs, for example, require the Government to pay out $13,000 immediately in order to reduce the tenants' rent by $25 a month. Moreover, a low interest rate loan provides a fixed subsidy, that cannot be varied to meet needs or respond to changes in the tenants' own ability to pay.

For these reasons, the Administration is relying on the public housing technique of providing needed subsidy through periodic grants, rather than immediate disbursements on low interest rate loans. In 1965, the President proposed, and the Congress adopted, the rent supplement program. These supplements make up the difference between 25% of a tenant's income and the rent needed to cover the costs of his apartment.

This year, the President has proposed extending this principle to two new programs, by substituting interest subsidy payments for direct low interest rate loans.

One of these programs will replace the two existing low interest rate loan programs I just described. It will provide a greater maximum subsidy, but at a lower current drain on the Federal budget. Under the proposal, the Government will contract with private housing owners (cooperatives, nonprofit organizations, or limited dividend corporations) to pay an interest subsidy on mortgages issued to cover the cost of building the housing. The subsidy will reduce the effective mortgage interest rate to as low as 1%. Basic rents will be established to enable the owner to cover operating costs and amortization of the mortgage at the subsidized 1% rate. Tenants will pay the basic rent, or a higher amount up to 25% of income. Rents collected in excess of the basic rent will be returned to the Government for use in making the interest subsidy payments.

The second program is an improvement over the subsidized homeownership program proposed by the Senate Banking and Currency Committee in S. 2700, reported out last year. Under the President's proposal, the Government would make payments on mortgages on new housing sold to low or moderate income families. The payments would be calculated to keep the owner's mortgage payments at 20% of his income. However, the Government payment could not reduce the owner's payment below the amount needed to amortize a 1% mortgage.

These programs, which will rely on the mortgage market for financing, are expected to provide the bulk of the 6 million assisted housing units needed over the next 10 years. The low rent public housing program is expected to provide only one-fourth of the total.

This means that we expect 1.5 million

units of public housing to be provided over the next 10 years. We can expect this to require municipal bond financing of about $25 billion, or an average of $2.5 billion a year. This average compares to the $472 million of new public housing bonds issued in fiscal year 1967, and the $700 million expected this fiscal year. Again, this is an average and should not be expected to be reached next year. In fact, we estimated in the budget that public housing bond issues in fiscal 1969 will total $1.2 billion. To meet the average of 150,000 public housing units annually over the next 10 years, we expect to reach a peak of 200,000 starts in fiscal year 1972, which should translate into a similar number of completions to be financed with public housing bonds in the following year. In 1973, therefore, the municipal market should expect to finance some $3 billion to $3.5 billion of public housing bonds.

VI. MEASURES TO ALLEVIATE STRESS

The increased housing program, along with all the other anticipated requirements for State and local borrowing, will add to the demand for municipal financing. In this situation, we believe it is in the interest of both the municipal borrowers and the Federal taxpayers, in planning Federal assistance to State and local governments, to seek ways in which to relieve the increasingly heavy pressures on tax-exempt financing.

Several measures have been adopted recently or are now proposed to accomplish this objective.

(1) *Preventing abuse of the tax-exempt principle.*—The most rapidly increasing type of tax-exempt financing has been the so-called "industrial development bond." These bonds are issued at tax-exempt rates to provide facilities and services to private firms at interest rates not otherwise obtainable. The intense competition among the States to offer such advantages has been aptly termed the "New War Between the States," and leaves the private business firms as the chief gainer, and the Federal Treasury—and the general taxpayers—as the ultimate losers. Moreover, to the extent to which these industrial development bonds drive up the costs of other State and local borrowing, then these same States and localities can also be counted among the losers.

In 1962, some 23 States had authority to float tax-exempt securities for such private industrial purposes, and the value of new issuances at that time was less than $70 million. However, by 1967, 40 States had such authority and new issuances had skyrocketed to an estimated $1.3 billion. In response to this staggering pressure on the tax-exempt market and the abuse of the tax-exempt principle, the Internal Revenue Service issued Technical Information Release 972 on March 6, 1967—indicating that the Treasury Department was going to reconsider the tax-exempt status of bonds for industrial development purposes. Draft regulations, effective March 15, 1968, would require income from these obligations to be treated as regular income rather than be tax exempt. This should reverse the unhealthy trend for large, corporate borrowers to add to the congestion in the markets for tax-exempt bonds for traditional public benefits.

(2) *"Debt service" grants for water pollution control.*—One new funding mechanism has been developed to meet the relatively unique problems associated with water pollution control. The Water Quality Act of 1965 revolutionized the Nation's fight against water pollution. Rather than piecemeal efforts, the Act required comprehensive national water quality standards for all interstate and coastal waters. These standards, required from the States as of July 1, 1967, were to contain quality criteria to meet designated water uses, and concrete implementation plans—firm-by-firm and city-by-city—to meet the standards. Although the law was not explicit, the general intent was that treatment facilities were to be installed within five years. The Clean Water Restoration Act of 1966 authorized $3.4 billion for grants to help communities meet the standards.

The dilemma is obvious. How can we greatly accelerate construction of treatment facilities to meet standards required by law during the period of budgetary stringency? The President proposed a comprehensive program to resolve this problem in his recent conservation message—"To Renew a Nation."

(a) The program would no longer be funded by direct lump-sum grants only, as is now the case. Instead, the Federal Government would also be authorized to make periodic principal and interest payments over a period up to 30 years on the Federal share of State and local borrowing to finance the needed treatment facilities. Under this program, the Secretary of the Interior would enter into long-term contracts with States or municipalities to make the periodic debt service payments, either to them, or in some cases, to the bondholder.

(b) The interest income to private investors on obligations issued by States and localities to finance these projects would be subject to Federal income taxation.

(c) The States and localities, however, would receive an interest subsidy adequate to bring their costs down to a level reasonably comparable to tax-exempt rates. Thus, there would be no financial disadvantage to States or localities under this program.

Without these latter—somewhat novel—provisions, the water pollution control program would add substantially to the volume of new issues of tax-exempt bonds by State and local public bodies. For example, the currently-authorized program levels would enable local communities to begin construction of approximately $8 billion of waste treatment plants over the next three fiscal years. Apart from the Federal grants, almost $5 billion of the financing would be provided through borrowing by the State and local public units. To add such requirements to the tax-exempt market would be particularly undesirable in view of the already large volume of municipal bond issues and the current high interest rates which States and localities are required to pay. Making the proposed new bonds taxable rather than tax-exempt would avoid adding pressures on the municipal bond market and would thus result in long-term savings in interest costs to States and localities on their borrowings for other urgent needs, such as schools, roads, and other public facilities.

Both the payments on the Federal share and the interest differential may be fully guaranteed by the Federal Government. This provision, plus the flexibility allowed in making payments, should help greatly to make the obligations sound and marketable instruments.

We have discussed this proposal with representatives from State and local governments. We have had a frank exchange of views, especially on the question of requiring that, for the purposes of participating in this specific program, bonds issued must be taxable. We do not believe this proposal erodes the principle of tax exemption, since general tax exemption is not challenged in any way. Actually, the proposal recognizes and underscores the necessity for reasonable interest rates if State and local governments are to make the large public facility investments necessary in the near future. It does this by offering an interest subsidy to reduce costs to levels comparable with those of tax-exempt borrowing. Finally, the regular direct waste treatment grant program will continue, and communities will retain the opportunity to utilize this program alone if they so desire.

VII. CONCLUSION

In conclusion, we recognize that extraordinary demands are now being placed on the municipal bond market. The foreseeable future holds few prospects for abatement in these requirements. If anything, the market will be called upon to provide ever-increasing amounts of capital for essential public programs. It seems clear at this point that State and local debt outstanding will soon be increasing at an annual rate of $10 billion or more, as forecast in the study done by the Joint Economic Committee. Keeping in mind the projections of several billions of tax-exempt financing each year for public housing, an additional $2 to $3 billion a year for pollution control facilities, and several billions of industrial development bonds each year, it is conceivable that the combined effect would be to *double* the annual increase in tax-exempt bonds. Thus, it is clear that some actions must be taken. We are proposing means to alleviate that pressure on many fronts:

Increased taxes, to relieve some of the congestion in the general money market;

New debt instruments, and heavier reliance on some older ones, to help ease some of the pressure on the tax-exempt market; and

Termination of tax exemption for industrial development bonds, to relieve the municipal market of inordinate private demands on limited public resources.

None of these changes will be easy to obtain, despite their benefits for State and local financing. Here is a golden opportunity for your newly-formed organization to perform a key role in promoting public understanding for the need for such change. There are few alternatives available to meet pressing national goals within the narrow confines of today's limited resources.

The Nigeria-Biafra War

HON. ROBERT N. C. NIX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 28, 1968

Mr. NIX. Mr. Speaker, the 9-month-old war between Nigeria and Biafra has revealed:

First. That the essential ingredients for an effective federation—protection and participation—are no longer present in the Nigerian political structure; second, that the Moslem leadership in Lagos is totally indifferent to the needs of the Biafrans; third, that through a series of massacres before and during the war, the Biafran dead has totaled over a hundred thousand; fourth, that Biafrans find it useless to join in a federation where they are neither safe nor secure in their persons or property. The Biafrans cannot even count on personal associates from other parts of the federation for social and psychological support.

The present stance of Biafra is therefore an adaptive response. When an institutional system is regarded as a barrier to the satisfaction of legitimized goals, the stage is set for rebellion as an adaptive response. We did this with the British in 1776. This involved a genuine transvaluation where the direct or vicarious experience of frustration leads to full denunciation of previously prized value, for example, a continued association with Britain, in the case of the United States and the goal of one Nigeria, in the case of Biafra. This does not involve the sour-grape pattern, where the fox in the fable merely asserts that the desired but unattainable objectives do not actually embody the prized values. In other words, the fox does not abandon all taste for sweet grapes, he only says that these particular grapes are sour.

A rebellious fox on the other hand, renounces the prevailing taste for all grapes, sweet or sour.

It may be pertinent to point out that the present strife in Nigeria, or what used to be Nigeria, can be regarded as a breakdown in the cultural structure of the country. Such a total breakdown occurs when and where there is an acute disjunction between the cultural norms and goals and the socially structured capacities of citizens to act in accord with them. When this happens, cultural values may produce behavior which is at odds with the mandates of the values themselves. In this instance, adaptation becomes the main characteristic of a schismatic policy. Since the political behavior that produces adaptation is institutionally permitted, it is not generally regarded as a deviant behavior, hence the justification of the American war of independence and consequently the justification of the Biafran war of independence.

In conclusion, may I observe: First, that the continuation of hostilities will destroy whatever little goodwill that may be needed for effective negotiation. The longer the war, the less the chances for negotiated settlement; second, Russian bombs are dropped daily on Biafran schools, churches, hospitals, and marketplaces; third, that the Nigerian Government seems to aim at the extinction of all life in Biafra and the imposition of tyranny of an unimagined rigor; fourth, that the Gowon deadline of March 31 is at hand and no impartial observer can fail to see that the war would not end on Sunday; fifth, that Americans of all political persuasions can no longer sit back and watch innocent Biafrans being killed with Russian planes and bombs. We can do something to persuade the Nigerian Government to stop this carnage and seek solution on the conference table; sixth, finally, may I suggest to this body to go on record in support of a cease-fire now, and to support the statement issued by the Roman Catholic Church and the World Council of Churches on March 20, 1968, herein incorporated:

COMMON STATEMENT BY THE ROMAN CATHOLIC CHURCH AND THE WORLD COUNCIL OF CHURCHES FOR THE ESTABLISHMENT OF PEACE IN THE NIGERIAN CONFLICT

The Roman Catholic Church and the World Council of Churches unite in one voice in a most urgent appeal to both contesting parties for an immediate cessation of armed hostilities in this sad conflict and for the establishment of a lasting peace by honorable negotiations in the highest African tradition.

Anguished at the appalling loss of life caused by the war, we most solemnly recall to both parties, and to the world in general, the sacredness of human life of which God is the sole arbiter of its earthly duration, and in His name appeal for the respecting of His rights especially in the avoidance of all atrocities, general massacre, mass hatred and vindictiveness.

We further point out that the war is an inhuman and futile attempt to settle disputes. In this sad conflict, especially, armed hostilities cannot achieve a settlement of the differences; on the contrary they are liable to bring, on a scale that is frightening to contemplate, only further loss of life, starvation, suffering and devastation. Even if, against all right reason, armed hostilities continue, the parties can never achieve peaceful co-existence without a negotiated settlement. The longer hostilities endure, the more innocent human lives will be sacrificed in violence and bloodshed, the more impoverished and devastated will become this beloved erstwhile land of promise.

We appeal to all peoples involved in this conflict to act with mercy and compassion at this time. We exhort in particular all on both sides who hear the voice of Christ and are inspired by the supreme example of His redeeming love on Calvary to meet the challenge of the present crisis by the heroic practice of Christian Charity, which demands that we all forgive and love in Christ those with whom we are in conflict. For war always sows in the natural heart of man seeds of deep hatred and separation that jeopardize collaboration between the parties to the conflict even on the natural plane, and make peaceful cohabitation as children of God difficult. In the overcoming of the difficulties may Christ, The Way, The Truth, and The Life, be the inspiring and compelling example for the establishment of His Peace among all children of our Common Father in Heaven.

We appeal in particular to the African Chiefs of State to offer the contribution of their counsel, their suggestions and, should the case arise, their mediation, with a view to the resolution of this sad conflict.

While it is not our part to declare on the issues of contention, we are bound to call the most immediate attention to the sacred issue of the human right to life itself, which is so seriously threatened on such a vast scale by the horrors and effects of the war. We therefore urge Government and International Agencies in a position to act effectively in this matter to secure a denial of external military assistance to both parties, an immediate cessation of hostilities, the necessary assurances of security to both sides on the laying down of arms, and a negotiated peace.

Deeply concerned with the needs for relief in the necessities of life among the suffering peoples, we appeal for cooperation among all International Relief Agencies in the meeting of the grave needs which will continue long after armed hostilities have ceased. We request that understanding facilities be extended by both sides to such International Agencies for the supply of Relief, and to Ministers of Religion and Mercy whose privileged role in the distribution of the relief is of particular importance in this situation.

We appeal to all men of goodwill throughout the world, and especially among the contesting parties, to unite their voices to ours in prayer to God for the achievement of the most immediate and lasting peace, and to use all their efforts to secure this treasured ideal."

For the Roman Catholic Church, the statement has been issued under the authority of His Holiness Pope Paul VI; for the World Council of Churches by Officers of the Central Committee: Dr. Franklin Clark Fry, Chairman; Dr. Eugene Carson Blake, General Secretary; Dr. Ernest Payne, Vice Chairman; Principal Russell Chandran, Vice Chairman.

Fiftieth Anniversary of Byelorussian Declaration of Independence

HON. CHARLES H. PERCY

OF ILLINOIS

IN THE SENATE OF THE UNITED STATES

Thursday, March 28, 1968

Mr. PERCY. Mr. President, this is a week when all free men should pause to commemorate the unquenchable spirit of freedom of the people of Byelorussia. For it was 50 years ago this week that these gallant people, historically oppressed, declared their independence and bravely embarked on a course of national sovereignty.

This course unfortunately was all too soon to come to an end, as the oppression of the czars was replaced by the oppression of the Soviet Communists.

Yet their will to be free is an example of the highest and most laudable aspirations of mankind, and it continues to inspire those who pray and strive for that day when all men may have the opportunity to live in equality and justice and freedom under God.

The Nature of the Enemy

HON. OTIS G. PIKE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 28, 1968

Mr. PIKE. Mr. Speaker, it seems to me that Americans have not been adequately informed about a startling pronouncement made by the Hanoi government last week on the subject of what they call counterrevolutionary crimes. There have been short press accounts to the effect that the decree "promulgated" by Ho Chi Minh back in November, but only announced to the public at a press conference last week, demonstrated that North Vietnam was having its own problems with civilian support for the war effort. I believe that the decree does much more than that—it shows the nature of our enemy. The loose definitions of what constitutes a "crime" would be abhorrent to any citizen raised under any system which emphasizes the protection of the rights of individuals. The vague language setting forth the 11 separate "crimes" under which an individual might be punished by death would make defense against an accusation of such crimes a defendant's nightmare and a lawyer's impossibility.

It is interesting to speculate on how the dissenters in this country who are given freedom to dissent to the point of utter irresponsibility would fare if they lived in Hanoi and attempted to dissent from Hanoi's policies. First, "counterrevolutionary crimes" are defined as "opposition to the fatherland and the people's democratic power, sabotage of Socialist transformation and construction, undermining national defense and the struggle against U.S. aggression for national salvation, aimed at defending the north, liberating the south, and reunifying the country." That could mean any opposition to the administration.

Those civilians who flee to Canada might well read article 9, describing how they would be treated by Hanoi, and those who encourage them to do so might take note that the maximum sentence for doing just that in Hanoi is death.

Those who speculate in gold might well read article 11(E) for which again the maximum sentence is death.

Those who encourage young men to resist the draft might well read article

11(G) under which the minimum sentence is 5 years, the maximum is death.

Those who raise the flag of racial violence might read article 12(B). Even those who are sincere, wholly religious conscientious objectors might consider article 12(C) and what life would offer them in Hanoi.

Those who burn draft cards, picket draft centers, or try to obstruct troop movements might consider article 13(C) under which the minimum sentence is life imprisonment and the maximum, of course, is death.

The editors of those newspapers which on a daily basis print Hanoi's propaganda releases and broadcasts might consider what would happen to them under article 15 if they attempted to do the same in Hanoi.

Those who run for public office by attacking this Government and its policies might count their blessings that they are not governed by article 18(A), and if they are also wealthy, article 18(B).

Those who refer to our war as illegal and who are familiar with the phrase "ex post facto" might just consider article 22(A).

It seems to me, Mr. Speaker, that it might be useful to see just what it is that the enemy represents in the enemy's own words. Here is the full text of Ho Chi Minh's decree as broadcast in Vietnamese to the people of North Vietnam from Hanoi on March 21:

Recently, the National Assembly Standing Committee Secretariat held a press conference to make public a decree on the punishment of counterrevolutionary crimes. Newspaper, news agency, and Voice of Vietnam correspondents were present. On behalf of the National Assembly Standing Committee Secretariat, Comrade Truong Tan Phat read President Ho's promulgation and the decree on the punishment of counterrevolutionary crimes. Chairman of the National Assembly Standing Committee Comrade Truong Chinh discussed the meaning and importance of the decree, emphasizing some of its points. He then talked with the newsmen.

Following is the promulgation of the DRV President:

Considering Article 63 of the DRV Constitution and the resolution of the DRV National Assembly Standing Committee, a decree is hereby promulgated on the punishment of counterrevolutionary crimes.

DRV President Ho Chi Minh, 10 November 1967.

Following is the decree on the punishment of counterrevolutionary crimes.

Considering Article 7 on the DRV Constitution, in order to strengthen the people's democratic dictatorship, protect the fatherland, the people, and the people's democratic state, insure the complete victory of the socialist revolutionary cause and of the anti-U.S. national salvation resistance to protect the north, liberate the south, peacefully achieve national reunification, heighten the people's revolutionary enlightenment, and mobilize all the people to actively participate in maintaining security and order, the present decree defines counterrevolutionary crimes and stipulates punishment for counterrevolutionary criminals.

Chapter 1—Counterrevolutionary crimes and the principle governing the punishment of counterrevolutionary crimes:

Article 1—Counterrevolutionary crimes are opposition to the fatherland and the people's democratic power, sabotage of socialist transformation and construction, undermining national defense and the struggle against U.S. aggression for national salvation, aimed at defending the north, liberating the south, and reunifying the country.

Article 2—Both attempted crimes and actual crimes are punishable. The guiding principles on the punishment of counterrevolutionaries will be to severely punish the main plotters, leaders, principal culprits, and those who stubbornly oppose the revolution; to be lenient toward those who are forced, enticed, or misled and those who sincerely repent; to reduce or exempt punishment for those who show redemption.

Chapter 2—Crimes and punishments:

Article 3—Treason to the fatherland: Any citizen of the Democratic Republic of Vietnam who collaborates with a foreign country to harm the national independence and sovereignty, unification, and territorial integrity of the fatherland and the socialist regime will be imprisoned 20 years to life or executed.

Article 4—Plotting to overthrow the people's democratic power: Those who set up or participate in counterrevolutionary organizations to overthrow the people's democratic power and to destroy the political, economic, and social systems stipulated in the DRV Constitution will be liable to the following punishment:

a—The plotters, leaders, instigators, and principal accomplices will be imprisoned from 15 years to life or executed.

b—Other accomplices will be imprisoned from 5 to 15 years. Under extenuating circumstances, the culprits will be imprisoned from 3 to 12 years.

Article 5—Espionage: Those who commit the following crimes:

Supplying, transmitting, stealing, collecting, and retaining state and military secrets for future supply and transmission to the imperialists and their lackeys or to foreign intelligence services; receiving instructions from foreign countries, recruiting agents to gather intelligence or engaging in other counterrevolutionary activities; sending signals to direct enemy air raids; or receiving instructions from foreign countries, collecting and supplying information and documents which are not state secrets, but which can help foreign countries harm the interests of the Democratic Republic of Vietnam, will be liable to the following punishments:

a—The leaders, the commanders, the main accomplices, the fifth-column members, and those who have caused great damage will be sentenced to imprisonment ranging from 12 years to life imprisonment or to capital punishment;

b—The spies who do not belong to the above-mentioned groups will be sentenced to imprisonment ranging from 5 to 12 years.

Article 6—Violating security and territory: Those who intrude into the territory and undermine the security of the Democratic Republic of Vietnam will be punished as follows:

a—The leaders, commanders, and those who have committed serious crimes will be sentenced to imprisonment ranging from 12 years to life imprisonment or to capital punishment;

b—Their accomplices will be sentenced to imprisonment ranging from 5 to 12 years;

c—Those who provide the above-mentioned groups with supplies, guides, and assistance will be sentenced to imprisonment ranging from 2 to 10 years.

Article 7—Armed rebellion: Those who engage in armed rebellion to oppose or undermine the people's democratic power and the people's armed forces will be punished as follows:

a—The main plotters, leaders, commanders, main accomplices, and those who have caused great damage will be sentenced to imprisonment ranging from 12 years to life imprisonment or to capital punishment;

b—Their accomplices will be sentenced to imprisonment ranging from 3 to 12 years.

Article 8—Banditry: Those who for counterrevolutionary purposes engage in armed activities in mountainous or coastal areas; kill cadres, civil servants, militarymen, policemen, or the people; pillage and burn the properties of the state and people, and disturb security and order will be punished as follows:

a—The leaders, commanders, and those who have committed grave crimes will be sentenced to imprisonment ranging from 10 years to life imprisonment or to capital punishment;

b—Their accomplices will be sentenced to imprisonment ranging from 2 to 10 years.

Article 9—Defecting to the enemy or fleeing to foreign countries for counterrevolutionary purposes:

a—Those who defect to the enemy or flee to foreign countries for counterrevolutionary purposes will be sentenced to imprisonment ranging from 3 to 12 years;

b—Those who for counterrevolutionary purposes force, entice, or help others defect to the enemy or flee to foreign countries will be sentenced to imprisonment ranging from 5 to 15 years. Under certain circumstances, the culprits will be sentenced to life imprisonment or capital punishment.

Article 10—Murder, assault, injuring, kidnapping, or threatening to kill people for counterrevolutionary purposes:

a—Those who, for counterrevolutionary purposes, kill cadres, state personnel, military men, policemen, or other people will be imprisoned from 15 years to life or executed;

b—Those who, for counterrevolutionary purposes, beat, injure, or kidnap cadres, state personnel, militarymen, policemen, or other people will be imprisoned from 3 to 15 years;

c—Those who, for counterrevolutionary purposes, threaten to kill cadres, state personnel, militarymen, or policemen while they are fulfilling their duties will be imprisoned from 2 to 10 years.

Article 11—Sabotage: Those who, for counterrevolutionary purposes, commit the following crimes:

a—Destroying the organs of the government, of political parties, and of people's organizations in the Vietnam Fatherland Front, the barracks of the people's armed forces, and the national defense installations;

b—Destroying dikes, dams, bridges, roads, means of communication, transport, information, and liaison, factories, warehouses, cultural works, or other property of the state, cooperatives, or the people;

c—Stealing weapons, explosives, machines, raw materials, fuel, or other state property;

d—Using poisons, disseminating insects and worms, spraying chemical poisons, or using other means to harm beings, cattle, crops, or trees;

e—Undermining the socialist monetary system and trade;

f—Intentionally performing their tasks badly or refusing to carry them out in order to sabotage production, interrupt or hinder the activities of state organs, people's organizations, or economic, military, scientific, cultural, and social organizations.

g—Urging, enticing, or inciting others to undermine labor and military discipline and the fighting spirit of the people's armed forces and the people will be imprisoned from 10 years to life or executed. Under extenuating circumstances, the culprits will be imprisoned from 5 to 10 years.

Article 12—Undermining the people's solidarity bloc: Those who, for counterrevolutionary purposes, propagandize for, organize, or engage in other activities at:

a—Undermining the people's solidarity and unity bloc, creating feuds and discord among the people and the people's armed forces, sowing discord within the Vietnam Fatherland Front, between the people and the government, between the people's armed forces and state organs;

b—Undermining the nationalities policy and creating enmity and disputes among the fraternal nationalities living together on Vietnamese territory;

c—Undermining religious policy, sowing discord among religions, between the religious and nonreligious, and between religious people and the government; using religion to encroach upon religious people's democratic freedoms and prevent them from fulfilling their citizens' duties or joining the people's organizations, cooperatives, or military, economic, cultural, and social organizations will be imprisoned from 5 to 15 years.

Article 13—Opposing or sabotaging the carrying out of state policies and laws:

a—Those who, for counterrevolutionary purposes, oppose, sabotage, or hinder the carrying out of state policies, laws, and plans will be imprisoned from 2 to 10 years;

b—Those who, for counterrevolutionary purposes, force, entice, or encourage others to oppose, sabotage, or hinder the carrying out of state policies, laws, or plans will be imprisoned from 5 to 15 years;

c—Those who oppose, sabotage, or hinder the execution of national defense plans or create serious obstacles to the carrying out of state policies, laws, or plans will be imprisoned for life or executed.

Article 14—Disrupting public order and security:

a—Those who, for counterrevolutionary purposes, agitate, attract, and assemble groups to disturb public security and order or obstruct state cadres and personnel, troops, and security agents in the performance of their duties are liable to prison terms ranging from 5 to 12 years;

b—Those who, for counterrevolutionary purposes, participate in disrupting public security and order are liable to prison terms ranging from 2 to 5 years;

Article 15—Disseminating counterrevolutionary propaganda:

a—Those who, for counterrevolutionary purposes, disseminate propaganda opposing the people's democratic administration and distorting the socialist regime;

b—Those who, for counterrevolutionary purposes, disseminate the enemy's psychological warfare themes, distort the anti-U.S. resistance for national salvation and for national independence and national reunification, and spread rumors thereby, causing confusion among the people;

c—Those who, for counterrevolutionary purposes, disseminate propaganda favoring imperialist enslavement policy and debauched culture; and

d—Those who, for counterrevolutionary purposes, write, print, circulate, or conceal publications, pictures, or any other materials having counterrevolutionary contents and purposes are liable to prison terms ranging from 2 to 12 years.

Article 16—Attacking detention camps, freeing convicts, and organizing escapes from detention camps and prisons: Those who, for counterrevolutionary purposes, attack detention camps, free convicts, and organize escapes from detention camps and prisons are liable to the following penalties:

a—Those who mastermind, lead, and command such actions, those who play active roles, those who cause major losses, and those detained for a serious crime are liable to prison terms ranging from 12 years to life or execution.

b—Those who participate in the above acts are liable to prison terms ranging from 3 to 12 years.

Article 17—Harboring counterrevolutionary elements: Those who knowingly harbor, conceal, provide supplies for, and help the counterrevolutionary elements to hide themselves, to conceal material evidence, or destroy the proof of their crime are liable to prison terms from 2 to 10 years.

Chapter 3—General provisions:

Article 18—punishment: In addition to the punishment set forth in the provisions contained herein, those who commit the counterrevolutionary crimes listed in section two will also be punished as follows:

a—Those who commit any of the crimes listed from Article 3 to Article 16 will be deprived of the following civil rights for 2 to 5 years: The right to vote and to run for election; the right to work in state organizations and in the people's armed forces organizations; and the right to hold a responsible position in political, economic, cultural, and social organizations.

b—Part or all the property of those who commit one of the crimes listed from Article 3 to Article 16 may be confiscated.

c—Those who commit any of the crimes listed in Chapter 2 may be subjected to control, restricted residence, or prohibited from residing in a number of localities for 1 to 5 years.

Article 19—Cases which involve severe punishment: Those who commit counterrevolutionary crimes which are listed in Chapter 2 and which are committed in the following cases will be severely punished.

a—Those who cause direct damage to the anti-U.S. national salvation resistance and to the national defense task.

b—Those who take advantage of the wartime situation or of the conditions existing in the localities subjected to hostilities, natural calamities, or other difficulties to commit their counterrevolutionary crimes.

c—Those who carry out counterrevolutionary activities in an organized manner.

d—Those who take advantage of their authority to carry out counterrevolutionary activities.

e—Those who adopt extremely wicked tricks and particularly dangerous methods to commit counterrevolutionary crimes.

f—Those whose criminal actions have caused serious consequences.

g—Those who commit new crimes after having previously been convicted of counterrevolutionary actions or having committed crimes against the people.

h—Those who commit crimes as reactionary elements and who have refused to rehabilitate themselves.

Article 20—Cases involving reduction of punishment or exemption from punishment: Those who commit the counterrevolutionary crimes which are listed in Chapter 2 and which involve one or many of the following cases may be entitled to a reduction of punishment or an exemption from punishment.

a—Those who plot crimes but voluntarily refrain from carrying them out.

b—Those who, before their crimes have been discovered, sincerely confess and clearly reveal their own conspiracy and actions and those of their accomplices.

c—Those who deliberately carry out a conspiracy in an incomplete manner or advise their accomplices to carry out the conspiracy masterminded by the counterrevolutionary leaders in an incomplete manner.

d—Those who have carried out actions which have reduced the detrimental effect of their crimes.

e—Those who commit crimes because they were compelled or deceived and whose actions have not yet caused great damage.

f—Those who, while being detained and prior to trial, sincerely repent their crimes and render meritorious service in order to atone for their crimes.

Article 21—Application of identical principles: The trial of the counterrevolutionary crimes which are not listed in this decree may be conducted in accordance with the provisions concerning similar crimes listed in this decree.

Article 22—Effect of the decree:

a—The counterrevolutionary crimes which were committed prior to the promulgation of this decree and which have not yet been tried will be tried in accordance with this decree.

b—Provisions which run counter to this decree are hereby rescinded. This decree was approved by the National Assembly Standing Committee on 30 October 1967.

(signed) DRV National Assembly Standing Committee chairman, Truong Chinh.

Tax-Dodge Farming and Real Farm Problems

HON. FRANK CHURCH

OF IDAHO

IN THE SENATE OF THE UNITED STATES

Thursday, March 28, 1968

Mr. CHURCH. Mr. President, Cecil Calhoun, of Buhl, Idaho, has been a farmer for 34 years. He is known locally as a knowledgeable analyst of agricultural problems.

Recently, at the urging of his friends, he wrote out his thoughts on the present conditions and future prospects of farming. His article was published in the February 23–24 issue of the Twin Falls, Idaho, Times-News.

It is an uncommonly perceptive discussion, ranking with the best I have seen.

Mr. Calhoun knows that Federal programs are not the answer. He said:

> After 46 years of goverment farm programs, the farmer who looks to politicians to rescue him is indeed naive. The very diversity of agriculture, the difference in land quality, management, markets and a host of "unforeseeables" makes it impossible for any program to guarantee the prosperity of agriculture as a whole and the small farmer in particular.

After surveying the current farm credit situation, he wryly advises his fellow farmers to take optimistic USDA press releases with them when they confront their bankers.

The attraction of huge industrial corporations to the tax advantages of unprofitable farming operations is well documented. Mr. Calhoun sees this corporate invasion of farming as today's biggest threat to bona fide agriculture. He notes:

> The stake here, from the pure farm viewpoint, is the end result of bankrupting thousands who have put their productive years into building a modest estate and now see those years stripped from them by men of unlimited credit, operating without regard to profit, and the product of this land used to bankrupt yet another echelon of farmers.

Mr. Calhoun suggests that farmers take the initiative in solving their problems:

> More reliance should be placed on "on the job" growers associations. Then, hopefully, weld these into a solid Brotherhood or Congress of agricultural producers and move to re-write the laws which permit the tax situations of today, put new teeth in the anti-trust laws and apply them to the food processors and chain stores.

These thoughts being so similar to my own, I commend Mr. Calhoun's article to all Senators who support legislation to outlaw the claiming of farm losses by nonfarmers, to strengthen the position of farmer grower associations, and to cut down discrimination against farmers in the marketplace.

Mr. President, I ask unanimous consent that Mr. Calhoun's essay and Paul Harvey's excellent column that accompanies it be printed in the Extensions of Remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Twin Falls (Idaho) Times-News, Feb. 23–24, 1968]

FARMER CRITICIZES FARM USE AS TAX DODGE

(By Cecil Calhoun)

(EDITOR'S NOTE.—Cecil Calhoun, well known Magic Valley farmer for the past 34 years, has been asked by his friends to express in writing some of his interesting provocative thoughts about agricultural problems. A Buhl area farmer, he was winner of the Distinguished Service Award given by the Buhl Jaycees a few years ago. The award came to him primarily for his work in suggesting options under farm controls. The Times-News is privileged to carry this thesis and is indebted to Mr. Calhoun for it.)

The headlong scramble of huge Industrial Corporations, Oil Companies, Construction and Food Processing, Hotel Chains and as Theodore Roosevelt so well put it "malefactors of great wealth" to acquire farm lands, has reached a point where it concerns every bona-fide farmer. The sorry part of this movement is not the cheap production of food in competition with those of lesser financial status, but the usage of such holdings to control, from farm to consumer, the price of any commodity and at the same time use the farm operation as one of the greatest of tax dodging investments. In fact, it is this phase that has attracted the attention of the Bureau of Internal Revenue, the Department of Agriculture, the Press and finally the Congress of the United States.

Figures released by the IRS and the Dept. of Agriculture for the year 1965 would be completely unbelievable if it were not for their un-impeachable source.

In the state of California the Dept. of Agriculture claims a net profit of $896 million and the IRS a net loss of $16 million. This mainly from the oil rich cities of Long Beach and Los Angeles where thousands of "farmer" tax returns totaled losses of $41.8 million. In Texas this story repeated itself. A net profit of $900 million in farming recorded by the Dept. of Agriculture and only $96 million shown in tax returns. The "farmers" living in Houston, Dallas and Fort Worth reported a net loss of $40.2 million. This usage of farm lands to offset the profits is not confined to the Oil companies. Touching directly on the farmers and taxpayers of Idaho is the practice of food processing firms acquiring thousands of acres, farming it as company lands or setting up a subsidiary farm corporation, taking a terrific loss on this operation and off-setting it against profits of the parent company.

In Idaho, this practice started in the rich wheat lands of the Palouse and today is most evident in the potato industry. Here the growers, suffering from production headaches and financial cramps finally formed a Growers Association patterned after the highly successful Beet Growers Association. Regardless of their success in obtaining better prices, they cannot prevent the acquisition of potato lands and inevitably will find themselves filling plant quotas after company production is used.

Just as a flock of sparrows hopefully follows a horse around the pasture, so will the potato producer hop along behind the processor who can produce two-thirds of his needs under a greater loss factor than any individual could stand, and buy the balance of plant needs at negotiated price and grade.

And the suppliers in the trade centers find, all too often, that the Corporation has bought their machinery direct from the manufacturer at less than wholesale. It is well known that the loss of 11 farms means the closing of one business firm in a town that is farm supported and unless that town can induce some industry to locate in its trade area, the vacant building becomes its trademark.

Today's agriculture, in common with most business, is based on the flow of credit. This is especially true of the newcomer and the developer of new lands. It is predicted by some farm economists that by 1972-75 the end of the trail will have been reached for these people and to a lesser degree by all who have been forced into re-financing. These men are broke and the day they are refused credit is the day he is finished as a farmer. Each year he has reaped just enough from each failure to re-finance himself to a greater failure. Under today's financing the man who dabbles in small loans to maintain himself is in a precarious position. A bank can liquidate him without material loss whereas the man or Corporation financed for $1 million or perhaps $5 million (as the case of one California grower) cannot be closed out without severe loss to the lender. Talks with three bankers and the representative of one of the nation's largest mortgage brokers confirm this statement: The moral, get big or get out. As the mortgage papers that represent his farm are channeled into the hands of huge farming corporations, the day of the multi-million dollar farm loan becomes a fact.

In the face of announcements that interest rates will be the highest in 100 years and taxes at an all time high and farm mortgages increasing by millions of dollars per year (much of it representing the last source of credit) with the parity index of farm prices at 74, the lowest since 1934 you will want to take the press release of Secretary of Agriculture Orville Freeman "The unparalleled prosperity of 1967 will continue throughout 1968" with you when you confront your banker.

After 46 years of government farm programs the farmer who looks to politicians to rescue him is indeed naive. The very diversity of agriculture, the difference in land quality, management, markets and a host of "unforeseeables" makes it impossible for any program to guarantee the prosperity of agriculture as a whole and the small operator in particular. Under any program devised to date the large reap the benefits, the small benefit so little it cannot save them and those who rely on produce that sells on the open market of supply and demand (94 per cent) have the doubtful privilege of paying taxes to support both.

Today in the face of rapidly dwindling farm population, there are 2 organizations claiming to represent agriculture and in order to maintain a membership which might command respect they have accepted so many suburban members that few truly represent a farm viewpoint. The interest focus is mainly on the insurance or discount (co-operative) buying. Their weakness is again demonstrated in the fact that few highly successful farmers or stockmen of a community will associate themselves with any organization. By holding themselves aloof from their less fortunate neighbors they effectively deprive them of the leadership they so desperately need.

One reason for this is that perhaps, over the years, all too many farm meetings have deteriorated into "gripe sessions" or to put it bluntly "bitching" without the least concept of constructive solidarity. This may seem a rough analysis but 70 years in close contact with farming and 34 of those in equally close contact with farm organizations is a good teacher.

The politician knows these weaknesses and while the gravy train rolls down the track, he smugly tells us "when you agree on a farm program, then we will solve all your problems." This person well knows that 20 farmers in a room cannot agree on the time of day and should they reach a tentative agreement at least a third will rush out on the street and declare that they are not a party to any such compromise.

In the coral of politics the most overworked cliche is "free enterprise or rugged individualism." It has become synonymous with legal looting. Not in my time, perhaps not in my grandchildren's time but surely, if laws are not revised this land movement into the hands of those who control the financial structure of this country and who can, under present laws, use it to evade any semblance of taxation, the same conditions which prevail in Latin America where 2 per cent of the people own 98 per cent of the land will apply here.

Here in Magic Valley, let us not kid ourselves. The only factor that has saved this land from exploitation is the small irregular fields and intensive irrigation required. Rough as this statement may seem, the average farm in Twin Falls County would hardly make a parking lot for the machinery used on hundreds of the larger units already in existence. And few fields would provide turning space for equipment which prepares, plants, etc. in one operation.

Consider, if you will the holdings of one wheat growing Corporation with headquarters in Montana. In that state alone they have 650,000 acres of grain and this represents only one-third of their holdings.

I have before me a list of six nationally known Corporations with irrigated farm holdings of 1,250,000 acres to over two million acres. And these statistics are seven years old. In Nebraska, the young rancher who cannot get a foothold on his father's spread must bid against Peter Kiewit & Sons, road and bridge contractors. Corporations formed by lawyers, doctors and others of secure income have scooped the heart out of the rich farmlands of the Missouri and Platte valleys. The old farm sites bulldozed into piles and burned and millions of dollars of tax base destroyed. And don't forget that the profits and losses of these lands are juggled just as the "farmers" of California and Texas use theirs.

Drive through the great Central Valley of California. Turn off the freeway and tour the lands 10–20 or 30 miles away from the tourist route. Drive for six miles along a single beet field extending back as far as the eye can see, broken only by the pipelines and ditches, watch sixteen combines strung out in a rice field, imagine a feedlot with 30,000 head of cattle and learn that this is but one of a food chain operation. Sit down, as this writer has done with a Nebraska rancher operating over 20,000 acres and have him tell you that the day will inevitably come when the large holdings of real estate will be broken up by Federal laws in order to avert revolution. That or revise the tax structure.

Nothing in this article should be construed as claiming that the acquisition of farm lands for offsetting the profits of another venture is illegal. It cannot even be classed as tax evasion. The use of subsidiary corporations, holding companies, etc. and the creating of a loss in one department is an established legal course in creating a favorable tax rate. The stake here, from a pure farm viewpoint, is the end result of bankrupting thousands who have put their productive years into building a modest estate and now see those years stripped from them by men of unlimited credit, operated without regard as to profit, and the product of that land used to bankrupt yet another echlon of farmers.

What to do about this? The older farm organizations are too concerned with political situations, too committed to ideology to be effective. To meet once a year and pass resolutions that will not or cannot be implemented is like fighting fire with a water pistol. More reliance should be placed on "on the job" growers associations. Then, hopefully, weld these into a solid Brotherhood or Congress of Agricultural Producers and move to re-write the laws which permit the tax situations of today, put new teeth into the Anti-Trust laws and apply to the Food Processors and Chain Stores. While we cannot prevent the acquisition of lands for bonafide purposes we might prevent their exploitation at the expense of the working man and small but efficient farmer.

It is a bitter paradox that the movement of farmers into the unskilled labor pools of industry has solved neither the problems of agriculture or of industry. While the overburdened cities strive to care for the multitude that has been thrust upon them, industry is fighting to move into the country. Yes: the poor farmer has now found his promised Utopia and is busy burning it down.

On page 4 of the Feb. 4th issue of the Times-News there appeared a column by Paul Harvey titled "The Farm Boy." It should be required reading for those farmers who feel smug and secure in their modest holdings. After reading this fine commentary, I suggest you read it again. It may well be the epitaph of your dreams.

[From the Twin Falls (Idaho) Times-News, Feb. 23-24, 1968]

THE FARM BOY

(NOTE.—For the benefit of the readers, the Editorial Page column which was carried recently in this paper, written by Paul Harvey and titled "The Farm Boy" is again reprinted.)

You're a farm boy; you're extremely fortunate. Pastoral life has enriched your spirit, has given you a healthful, hard-muscled head start on pithy-soft city people. But how are we going to keep you down on the farm after you've punched a time clock?

You've seen dad sweat to harvest the biggest crop in history in 1967—for the lowest price in a decade.

He has produced more and earned less than his city cousins for four decades. In 10 years you have seen farm output per man-hour increase 61 per cent—but your dad is still working for less than the federal minimum wage of $1.40 an hour.

So this life is not for you.

So where there were 4 million farms in the United States 10 years ago, today there are only about 3 million.

Farm machinery costs more and hired hands want 46 per cent more than 10 years ago.

And where the cost of farming was up another one per cent last year, the prices you got for what you sold were down another one per cent.

You'd borrow money to modernize and expand except that interest rates are the highest in history.

You'd demand Congress do something, except that congressmen think in numbers and fewer than six per cent of our nation's voters are farmers. You producers are outnumbered by consumers, 16 to 1.

You'd expect the Department of Agriculture to help you—but it can't seem to. While farm population has declined 4 million in 10 years, the Department of Agriculture has hired 40 per cent more bureaucrats.

But when government could think of nothing better than a "subsidy," you still ended up with the short end of the stick. Some big factory farms collected $1 million each in subsidy payments last year. Hundreds of those giant farms collected $100,000 or more.

And while the government this election year is preoccupied with spending billions to improve the plight of some underprivileged minorities, your minority is mostly ignored. Washington is confident that you won't riot.

Vice President Humphrey's only suggested solution to your problem is that you must form some kind of a union and demand bargaining rights. But harnesses for humans contradict your wide-open-spaces heritage. So you will quit the farm, instead.

You can get a good price for it. The average American farm is now worth $164 an acre. The value of farm real estate increased eight per cent last year.

But taxes are pyramiding, too. So this is the time to sell out to the subdividers or to the giant farm-land combines. They, with mass purchasing and automation, can still make farming pay. You can't.

This is a sad farewell for you, I know. But go, son. And don't look back.

The Enemy Has Trouble, Too

HON. E. C. GATHINGS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 28, 1968

Mr. GATHINGS. Mr. Speaker, the Washington Evening Star of March 26 comments on an important aspect of the war in Southeast Asia that has not been given enough consideration in presenting it to the American public to aid their own understanding of the fighting in Vietnam.

We have centered our concern over the differences in this country on the efforts in Southeast Asia, and we should also know of and appreciate the increasing difficulties that beset the enemy in Hanoi. The people in North Vietnam are growing restive under the yoke of Ho Chi Minh; the pressures of the war in South Vietnam are telling on the Communists; and the realization is growing in Russia and Red China that the horrible terror unleased by Ho Chi Minh has not broken the spirit of the Vietnamese people and that the effort for freedom and dignity in Southeast Asia is not abating but is increasing.

The editorial in the Star is commended to the Members as follows:

THE ENEMY HAS TROUBLE, TOO

President Ho Chi Minh's new decree "on punishment for counter-revolutionary crimes" suggests that disaffection may be spreading in North Vietnam and that dissident elements may be becoming a serious challenge to Hanoi's iron-handed dictatorship.

The decree, in any case, is decidedly tough and sweeping. Penalties ranging up to life imprisonment and death are to be meted out for such "crimes" as "disrupting the public order," "undermining the solidarity" of the people or engaging in anti-government "propaganda." The language is broad enough to make punishable a wide variety of activities, including casual remarks against Ho's war effort, student demonstrations for peace, or other individual or group agitation in favor of some kind of negotiation with Saigon and Washington.

Nhan Dan, the official newspaper in Hanoi, has explained the decree as a measure needed because "U.S. imperialists are frantically sending out spies and commandos against the North, are undertaking psychological warfare and inciting counter-revolutionaries to act against the people's democratic power." The counter-revolutionaries include members of "the former exploiting classes," "reactionary elements acting under the cover of religion," "armed bandits in the hilly region" and "saboteurs." These "criminals," in Nhan Dan's words, are not many in numbers, but "their plotting is very deep and their activities very dangerous."

It would be wishful, of course, if not hazardous, to conclude from this that North Vietnam's Communist regime is gravely divided within itself or imminently threatened with massive resistance from the people at large. Yet the country must be hurting very much, with its economy sorely disrupted and its manpower suffering more and more strain with each passing day. In such a situation, there can hardly fail to be ever-growing disillusionment, discontent, and war weariness of the most profound kind—an atmosphere conducive to the rise of opposition forces, perhaps on a significantly increasing scale.

Ho's grim decree is a reminder that the trouble and woe of the Vietnam war do not lie exclusively on the allied side in the South.

Research and Development in Industry—1966

HON. GAYLORD NELSON

OF WISCONSIN

IN THE SENATE OF THE UNITED STATES

Thursday, March 28, 1968

Mr. NELSON. Mr. President, the report of the Joint Economic Committee of Congress, Senate Report No. 1016, calls attention to the condition of the Nation's human resources and urges steps to transform the impoverished into more productive members of society.

It is a sobering statement that demands the best of our thought. But the report deals with only the impoverished. Our human resources also include the men and women who have become productive members of our society. Among them are the scientists and engineers who work in American industry. It is about the latter that I wish to speak.

The National Science Foundation has published its preliminary report on scientists and engineers engaged in industrial research and development, and funds for research and development—National Science Foundation 68-5. As of January 1967, the full-time equivalent of 371,400 scientists and engineers were employed in industry in research and development. This is 52 percent more than the 243,800 of January 1958. In comparison, total industrial funds for research and development—from private and public sources—rose from $7.7 billion for 1957 to $15.5 billion for 1966, an increase of 101 percent.

All industries, except the lumber, wood products, and furniture and the fabricated metal products industries employed more scientists and engineers for research and development in January 1967 than in January 1958.

One industry, electrical equipment and communications, doubled its January 1958 figure with a 104-percent rise to a full-time equivalent of 97,700 as of January 1967.

Other industries with above-average increases over this period were textiles and apparel, 88 percent; aircraft and missiles, 68 percent; motor vehicles, 63 percent; and paper and allied products, 59 percent.

Looking at the changes from January 1966 to 1967, industrial firms reported an average increase of 5 percent in their full-time equivalent number of R. & D. scientists and engineers, from 354,700 in January 1966 to 371,400 in January 1967. All major industries except motor vehicles showed an increase. The largest relative increase occurred in the food industry, which jumped 19 percent in its employment of scientists and engineers for research and development. The two other industries that gained more than 10 percent were machinery at 12 percent, and textiles and apparel, 10 percent.

Mr. President this increase in the

brainpower working in laboratories of industry is good news, for they are the source of the new and improved products and services of the future.

There remains one fly in the ointment. In 1966 Federal funds accounted for $8.2 billion of the total $15.5 billion spent in industry for research and development. And as we know from past experience these funds tend to concentrate in a few favored industries in a few places. Many areas receive far more in Government funds than they invest on their own. The machinery industry, which is one of the mainstays of the Midwest, received only $343 million in Federal funds while spending $958 million of its own. These National Science Foundation figures give us further reason to continue congressional scrutiny of the distribution of Federal funds for research and development among different parts of the country and their industries.

Travel Tax?

HON. SAMUEL L. DEVINE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 28, 1968

Mr. DEVINE. Mr. Speaker, in connection with the urgent pleas by this administration for a travel tax in an effort to solve the balance-of-payments problem, my attention was invited to a release on March 14 by the Department of Health, Education, and Welfare stating as follows:

> Approximately $742,712 in U.S. currency (Fulbright-Hays) and $100,000 in excess foreign currency (P.L. 83-480) will be obligated for the projects. Award letter to sponsoring schools and organizations will be forwarded on or about March 14, 1968."

In view of the announcement discouraging foreign travel by the White House, I called this matter to the attention of the President by letter on that date asking for an explanation.

A reply was received dated March 26 pointing out that although the President in his state of the Union message on January 17 emphasized the need to reduce the travel deficit that the President added "without unduly penalizing the travel of students, teachers."

Mr. Cohen, Assistant Secretary of Health, Education and Welfare, stated:

> Any travel regulations put into effect will be consistent with the funds available for priority educational activities abroad.

It was interesting to note, Mr. Speaker, that the American people will be requested to make sacrifices and to pay additional taxes, however, when public funds are involved, there seems to be no limit.

For the information of the Members, I am attaching the list of the foreign studies extension program for fiscal 1968:

FOREIGN STUDIES EXTENSION PROGRAM, FISCAL YEAR 1968

Project	Country	Sponsor	Approximate number of participants	Approximate duration
Africa:				
African seminar for advanced graduate students	Kenya and Ghana	Northwestern University (Ghana, graduate seminar)	10	8 weeks.
African seminar for social studies teachers	Ghana	University of Southern California (Kenya and Ghana, teacher seminar).	25	Do.
East Asia:				
Japan seminar for social studies teachers	Japan	Georgetown University	25	Do.
Faculty seminar on Taiwan	Taiwan	Regional Council for International Education	15	7 weeks.
Southeast Asia teacher seminar	Singapore	Washington University (St. Louis)	20	8 weeks.
Europe:				
Scholarships for Russian language study for consortium	Soviet Union	Council on International Educational Exchange	175	Do.
Undergraduate seminar in Yugoslavia	Yugoslavia	Great Lakes College Association	18	7 weeks.
Fellowships for graduate study	Italy	John Hopkins University (School of Advanced International Studies)	5	9 months.
Undergraduate study of the U.S.S.R. in Munich	Germany	Louisiana Polytechnic Institute	12	6 weeks.
Intensive overseas study program for prospective teachers	do	National Carl Schurz Association	50	Do.
Undergraduate year in Yugoslavia	Yugoslavia	Portland State College	20	10 months.
Graduate year in Poland	Poland	Stanford University	7	9 months.
Faculty seminar in Scandinavian studies	Sweden	Society for Scandinavian Studies	20	6 weeks.
Undergraduate work-study project in German language and area study.	Germany	University of Cincinnati	15	9 weeks.
Faculty research team	Italy	University of Connecticut	3	8 weeks.
Graduate seminar in comparative law	Yugoslavia	Washburn University, Topeka, Kans	20	Do.
Graduate year in Yugoslavia	do	Western Michigan University	5	12 months.
Latin America:				
Curriculum development project in Caribbean education, faculty team.	Caribbean area	American Association of Colleges for Teacher Education	8	7 weeks.
Undergraduate seminar on Brazilian studies	Brazil	Miami (Ohio) (Brazil, undergraduate seminar)	21	8 weeks.
Chile seminar for social studies teachers	Chile	University of California, Los Angeles (Chile teachers seminar)	21	Do.
Andean Study and Research Center	Ecuador	University of New Mexico	6	12 months.
Mexican seminar for social studies teachers	Mexico	University of Florida (Mexico, teachers seminar)	31	8 weeks.
Central American studies project	British Honduras	Wake Forest University (British Honduras)	12	7 weeks.
Near East and South Asia:				
Scholarships for individuals	India	American Institute of Indian Studies	3	12 months.
Educational Resources Center	do	New York State Education Department	9	Do.
Graduate internships in international public administration	Pakistan	Maxwell School, Syracuse University	4	9 months.
Graduate internships in international public administration	India	do	10	Do.
Seminar for social studies teachers	do	Syracuse University	16	9 weeks.
Development of institutional materials on contemporary India	do	Tennessee Department of Education	20	8 weeks.
Professional school graduate internships	do	University of California (Berkeley)	13	8 months.
Faculty research team to develop and acquire teaching materials on India.	do	University of Virginia	6	6 weeks.
Undergraduate year in India	do	University of Wisconsin	27	9 months.

Answering Life's Moral Questions—Sermon by Dr. Billy Graham

HON. CARL T. CURTIS

OF NEBRASKA

IN THE SENATE OF THE UNITED STATES

Thursday, March 28, 1968

Mr. CURTIS. Mr. President, our country is beset with problems of every kind and in almost every sphere of our life. It is apparent that something is needed beyond legislation and government action. If an addition to our government, or big government, were answers to problems, our country would not have any.

It was my privilege to hear the broadcast of Dr. Billy Graham on Sunday evening, March 3. He spoke on the subject "Answering Life's Moral Questions." I believe what he says merits the attention of all individuals, those in government and those out of government. I ask unanimous consent that the sermon be printed in the Extensions of Remarks.

There being no objection, the sermon was ordered to be printed in the RECORD, as follows:

ANSWERING LIFE'S MORAL QUESTIONS

The President's antiriot commission's report is in. It blames "white racism," poverty, the police and black militants for the riots last summer. It recommends massive amounts of money to be spent to save the nation from worse riots this next summer.

The report has shocked the American people. Certainly we all agree that action is needed. The report illustrates though one of the great failures of our national leadership to understand the basic cause of all our problems, from Vietnam to racial tension. Our basic problem is not crime, war, poverty, or racism. It is diseased human nature filled with its lust, greed, hate, and pride. One hundred billion dollars would not solve our problems. Our needs are basically spiritual. Only the transforming Gospel of Jesus Christ can solve our basic problems. That is why our Team has scheduled evangelistic crusades in many of our American cities this next summer.

I agree with the report that the need is critical and the hour is late. But I'm not sure that a welfare state such as they recommend is the answer. The British have tried it; and they find that their problems are worse, not better. What is needed is a great spiritual and moral awakening that will turn the nation from our sins to faith in a living God.

There is no doubt that America is passing through the greatest moral battle in its history. Millions of Americans no longer know the difference between right and wrong. The racial problem is called a moral issue. The poverty problem is called a moral issue. The riot and demonstration problem is called a moral issue. The Vietnam war is called a moral issue. However, no one seems to be defining what morality is. What is the yardstick, the criteria, or the authority for our moral judgment?

An American clergyman says that he will no longer obey any law he does not consider to be moral. In other words, he becomes a law unto himself. Suppose everyone said this? We would soon have chaos.

As a result of this fuzzy and confused thinking, Americans are involved in an immoral spree that has few parallels in history. United Press International carried a major story recently entitled, "What's Wrong with America?" Rioters burn and loot. Demonstrators defile the flag and curse the President. Young men answer the call to arms with, "No, we won't go." Mongers of hate travel throughout the county spreading their poison. Teen-agers are turning by the thousands to drugs and sex. United Press International asked this question, "Is the nation going crazy, led pell-mell by a generation of mixed-up, turned-on, and dropped-out youth?"

Our headlines and television screens tell the story of the obvious dissidents, such as the angry apostles of black power, the draft-card burners, the hippies, the haters of the left and the right, the drug takers. But lumped together these make up no more than 5 percent of the American population. What about the other one hundred and ninety million American people? They are the vast backbone majority with whom the nation will survive or fall. The difficulty with the other hundred and ninety million is that they conform and they don't want to be involved. Many of them are selfish and indifferent, so indifferent in fact that many educators are calling our age the Age of Apathy.

But there are deeper problems of morality than this. Some time ago 845 members of a Christian youth society were asked if they cheated on examinations. Eighty-seven percent confessed that they did. Another survey in a respected high school revealed that 90 percent of the students were involved in cheating. The principal said, "Many students are more concerned with escaping detection and punishment than they are with personal character, reputation, or social consequences. They say, 'I'll take my chances.' One student commented, 'We're success oriented, so we figure it's all right to cheat in order to succeed.' " There are thousands of churchgoing young people in America who are able to list all the kings of Israel, yet they cheat on examinations without any qualms of conscience.

The three institutions in America responsible for morality are the *family*, the *school*, and the *church*. The *family* is the logical instructor in morality, but unfortunately all too many parents may teach one thing but they live another. Christian parents are sometimes interested only in a confession of faith or a recitation of Bible facts. Morality is bypassed. For example, cheating on income tax is no different from cheating on a school examination.

The *school* has also failed. In separating church and state, we have also isolated church and morality. A few years ago 50 percent of the content of textbooks used in schools had moral significance. Today only 3 percent has, and even that 3 percent is disappearing. The school has concentrated on the intellectual and the physical and the material, but not on the moral and spiritual.

Thus we are sowing to the wind and we are now reaping a whirlwind (Hosea 8:7) among a new generation of young people. The failure of the family and the school might be understandable, for both of these institutions mirror the society in which we live. But the *church* has no excuse.

Too often the church has dealt only with the sex problem and not with the many other problems involved in morality. A man may be greedy, selfish, spiteful, cruel, jealous, unjust, violent, brutal, grasping, unscrupulous, a liar, stubborn, arrogant, and dead to almost every noble instinct, and still we're ready to say of him that he is not an immoral man. Morality is not concerned only with sex but also with envy, cowardice, covetousness, cruelty, lying, and laziness. The commandment, "Thou shalt not commit adultery" (Exodus 20:14), is only one out of ten.

Dr. Edward Eddy, president of Chatham College, in his article, "What About the Sinful Student?" charges American churches generally with gross negligence. He says, "The church has failed badly to answer the moral questions of youth. Many young ministers, priests, and rabbis fresh from their training are unprepared to answer the pleas of young people for honest, intelligent reasoning on questions of morality."

The question comes to the average clergyman and Sunday School teacher, and for that matter the average Christian, from young people, "What can we do? What is the yardstick that we live by?" And many times the church has no answer.

First, we need to focus the minds of young and old alike on the sovereignty of God and the Lordship of Jesus Christ. This must not just be a doctrine that we accept with our heads but a personal application in our daily lives. Whether or not anyone else is watching, whether or not we will ever get caught, God is omni-present and He is a God who hates sin just as much as He ever has. He is not a divine buddy who slaps us on the back when we succeed.

Secondly, we need to emphasize the Lordship of Jesus Christ. It is not enough that people make a verbal commitment to Christ. They must know that He is to be their Lord in every area of life. In much of our so-called evangelistic preaching we have asked people to come to Christ as Savior, but we have neglected to ask people to come to Christ as Lord. He is to be Lord in every area of our lives. In our school work, in our social relationships, in our sex life, in our business relationships, He is to be Lord. We are to have the highest ethical and moral principles even if it means to suffer loss in this secular and materialistic age.

There are thousands of young people today searching for truth. But they are searching for something even more. They are searching for peace of mind, peace of heart, and tranquillity of soul.

The newspapers the last few days carried the story of Frank Sinatra's wife and two of the Beatles who are high in the Himalaya Mountains meditating and searching for peace of mind that they have not been able to find in the pressures, frustrations, and complexities of the lives they have been living.

Jesus Christ once asked the question, "Whom do men say that I . . . am?" (Matthew 16:13). From the time He appeared on earth and walked among men there have been those who have questioned His claim that He was the Son of the living God and had the answers to the human dilemma and the moral questions. Down through the centuries these questions have been asked in every generation.

Albert Schweitzer while in Africa sought vainly for the historical Jesus, whom the great missionary thought was obscured by the Biblical account of His life and work. In Germany, Rudolph Bultmann has spent many years teaching that modern man needs a demythologized Jesus. Thus the modern world as well as the ancient seeks to provide an answer to the question, "What think ye of Christ?" (Matthew 22:42).

How thrilling and refreshing to turn to the Bible and find the thrilling and moving story of Christ! Here is no philosophizing. The miracles He performed testify to His divine mission. By forgiving sins He demonstrated He is God, for only God can forgive sins. No doctrine in the Bible is more central than that of the Lordship of Jesus Christ. The false representations of Christianity can always be tested at this one point. If the Christology is faulty, it can be predicted that the entire theology is questionable.

If only these young people who have gone to the Himalayas would make a prayerful study of the Scriptures and read the writings of men of God who have faithfully portrayed the Christ of the Scriptures, then with Peter of old they would cry, "Thou art the Christ, the Son of the Living God" (Matthew 16:16). They would find the answer to the riddles and mysteries of life. They would have a hope beyond the grave that is needed by every man who is to find fulfillment in this life. But beyond that, they would find a moral code to live by—a code that would guide and regulate their lives and bring fulfillment, happiness, and peace.

Man was made for authority; and without authority he becomes confused, frustrated, and unhappy. The one authority that works is the authority of the Lordship of Jesus Christ.

When the Apostle Paul said to the Philippian jailer, "Believe on the Lord Jesus Christ, and thou shalt be saved" (Acts 16:31), he emphasized the word "Lord" as well as "Jesus" and "Christ." It meant far more than just an intellectual assent. It meant that from that moment on the Philippian jailer was to be under the daily leadership, direction, and guidance of the Lord Jesus Christ.

This is what young people desperately want to be told. Unfortunately too many of us in the church are giving forth an uncertain sound. We are not saying, "Thus saith the Lord," as the prophets and the apostles did.

Thirdly, we need to de-emphasize the what-do-I-get-out-of-it approach to Christianity. Christianity is not a cafeteria where you can take what you like and leave the rest. Christianity is not man-centered; it is Christ-centered. When we try to mold it into our image to suit our craving, we have seriously distorted it.

The moral code is laid down in the Ten Commandments and the Sermon on the Mount. If we live by these under the Lordship of Christ, then we will get the peace, joy, and satisfaction we are searching for, no matter whether we live in a ghetto or live in a palace. The outward circumstances make no difference. It's the inward faith in God that is basic to our longings, our yearnings, and our cravings.

Some of the most miserable people I have ever met are some of the richest people I know. Their money, their materialism, have not satisfied. And yet we in America are putting so much emphasis on the material that we are not far from the Communist when the Communist indicates that if we all have enough, we'll be happy. But you don't find happiness and fulfillment in materialism. It's bound in the deep spiritual yearning that can be met only by a true faith in Jesus Christ.

You say, "But how can I find faith in Jesus Christ?"

Right now where you sit or where you are riding in your car you can repent of your sins and receive Christ as Savior. You can make that a definite act at this moment. Your life can be changed. You can find Christ.

You say, "But that's too simple."

And that's precisely why many people stumble over the Gospel, because God made it so simple that even children can understand it. You can receive Christ, whoever you are, right now by putting your faith in Him;

and you can find what many millionaires have been unable to find in money. You can find it in faith in Christ.

Shall we pray. . . .

Bankruptcy Stamped on New Economics

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 27, 1968

Mr. DERWINSKI. Mr. Speaker, I would like to call to the attention of the Members the following article by Dr. Melchior Palyi, the internationally renowned economist, which appeared in the March 27 edition of the Chicago Tribune. I feel this is an especially timely article since it points out the practical facts of life that removal of the gold cover as well as the new two tier system for gold convertibility are purely short-term gimmicks. Efforts to control the outflow of gold in our balance of payments depends on a repudiation of the false economic theory now prevailing in Washington. The article follows:

BANKRUPTCY STAMPED ON NEW ECONOMICS

(By Dr. Melchior Palyi)

The dollar was pegged to gold at the rate of $35 to the fine ounce on Jan. 31, 1934. The pegging was maintained by short-term borrowing abroad and by actual sales of gold to foreigners, both on massive scales. But behind the gold standard facade, we kept our money supply recklessly expanding and our payments balance deteriorating, in violation of the rules of the gold standard.

The remarkable thing is not that this system has broken down; the remarkable thing is that it has lasted for 34 years and 6 weeks. It broke down because too many dollars were pouring out of our banks, and the gold bricks were vanishing into hoards. Bad money drove the good one into hiding. Faced with the peril of losing our entire gold reserve as well as the support of friendly central banks, the convertibility of the dollar was informally suspended on St. Patrick's day. The faked convertibility, put to the acid test, was found wanting.

Now, then, what sort of money system did we chose? No system at all, is the answer, merely a makeshift arrangement to keep the dollar in suspended animation.

On the open gold market, the dollar is left to float—no more gold sales to bolster the dollar. On the other hand, dollars held by foreign central banks remain convertible as heretofore, provided that the holders refrain from converting. So, the shabby appearance of convertibility is being preserved.

TWO KINDS OF DOLLARS

In other words, there are now two kinds of dollars. Billions of them, held by foreign authorities, remain (or pretend to remain) "as good as gold." These may be called the official dollars. The "private" ones, such as your money and mine, will be left to float; their value now fluctuates in terms of gold and eventually will fluctuate against hard currencies. In terms of German marks, Swiss and French francs, etc., these private dollars will be rising or falling, depending on the whims and hunches of the foreign spectators—on their guesses about the prospects of our payments balance.

St. Patrick's day, 1968, may well go down as a turning point of monumental significance. For one thing, it has stamped the seal of bankruptcy on the new economics. The idea that one can have a stable money system and yet keep the money-printing press running, this phony idea, applied for three decades, has at last been exposed.

For another thing, we get a lesson in fluctuating exchange rates. The gold value of a floating dollar sank by 20 per cent on the first day of trading, and jumped by over 10 per cent the second. Once a currency is "off gold," such wild fluctuations are a common earmark of its valuation—a fact that is usually ignored by the learned gentlemen who propagandize this sort of money system (or lack of system) from the top of the ivory tower.

MAY ABSORB SHOCK

For a short while, foreign central banks may absorb the shock of our destabilization by buying up the excess dollars at fixed prices, as heretofore. But they could scarcely continue doing so without destroying the confidence of the world in their own currencies.

The reason why we are tumbling into floating exchange rates, sacrificing the very base of monetary stability, was the necessity to protect our remaining gold reserve. But the attempt to do so by breaking the monetary system into two tiers—a schizophrenic dollar—will boomerang. If this moratorium on gold payments, which is what it amounts to, is prolonged, we shall lose the gold thru the back door, as it were, because the central banks of the world will not hold on to their dollar balances indefinitely.

The Riot Commission Report

HON. FRED R. HARRIS

OF OKLAHOMA

IN THE SENATE OF THE UNITED STATES

Thursday, March 28, 1968

Mr. HARRIS. Mr. President, the President's National Advisory Commission on Civil Disorders did its best to "find the truth and express it" in its report, as the President directed us to do. Criticism of that report—some of it uninformed, some misrepresentative—has been given greater publicity than it deserves, for I believe the weight of responsible national opinion is decisively on the side of the report.

I invite the attention of Senators to four eloquent editorials, for example, which appeared in four of our major cities immediately after the report was issued.

From the Washington Post on March 1:

The report of the Riot Commission splits the darkness like a flash of lightning. It is a distinguished, powerful and potentially useful document not because it presents any startling revelations or novel solutions but because it tells the truth with stark candor, exposing the hideous cancer of racial discrimination and injustice which must be excised from the American system if it is not to prove fatal to American life.

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The picture is sketched in brutally jagged lines, but its truth cannot be denied.

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Eleven men and women comprising a cross-section of thinking America have produced a report that can be the basis for a massive new assault on the race problem—and, just possibly a breakthrough.

For the Kerner Report, while containing no startling conclusion, manages to convey a sense of great weight and authority. It manages to say that when any similar group of honest, widely assorted citizens gave the matter the same amount of study, they would come up with about the same answers. And they are rough answers.

From the Baltimore Sun on March 2:

It is time now to end the destruction and the violence, not only in the streets in the ghetto but in the lives of the people.

This is the concluding sentence of the summary of the report issued by the National Commission on Civil Disorder after its study of city riots. It should be something on which all Americans can agree. But agreement with this conclusion calls for a great deal more than a mere nod of the head. It demands a grasp of the full breadth and depth of the ferment which explodes into riots. It demands a clear knowledge of the harsh facts of racial discrimination. It demands a willingness to plan, develop, carry through—and pay for—the Federal, state, urban and private programs which can remove the threat of more destruction and more violence.

Mr. President, I ask unanimous consent that the four editorials from which I have quoted be printed in the Extensions of Remarks.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, Mar. 1, 1968]

RIOT REPORT

The report of the Riot Commission splits the darkness like a flash of lightning. It is a distinguished, powerful and potentially useful document not because it presents any startling revelations or novel solutions but because it tells the truth with stark candor, exposing the hideous cancer of racial discrimination and injustice which must be excised from the American system if it is not to prove fatal to American life.

The danger is more than a danger of disorder. It goes beyond the perils of "the long, hot summer." It threatens more than violence and arson and looting and destruction. What is at stake is the unity of America. This Nation, the Commission warns, is moving toward two societies, one black, one white—separate and unequal. If that movement is not arrested and reversed, it will bring death to the most hopeful of all mankind's attempts at political organization. The alternative to separation is unity—the extension of the promise of American life to all Americans irrespective of race.

One of the most useful aspects of the Riot Commission's report is that it shatters some myths. It dismisses unequivocally the idea that last summer's riots were the result of any organized plan or conspiracy. The true causes lie in pervasive segregation and discrimination in education, employment and housing, in the concentration of impoverished and desperate Negroes in the decaying inner cities, and in the squalor, degradation, bitterness and alienation of these ghettoes.

How much of the violence of last summer was a direct consequence of misguided police conduct is one of the startling disclosures of the report. Again and again, shots fired by nervous or trigger-happy police officers were assumed to come from snipers and were answered by volleys tragically destructive to life and property. The Commission warns in the sternest terms against the danger of excessive force in combatting unrest and most particularly against resort to weapons of mass destruction, such as automatic rifles, machine guns and tanks. The use of such weaphistory. Millions of Americans no longer know the difference between right and wrong. The racial problem is called a moral issue. The poverty problem is called a moral issue. The riot and demonstration problem is called a moral issue. The Vietnam war is called a moral issue. However, no one seems to be defining what morality is. What is the yardstick, the criteria, or the authority for our moral judgment?

An American clergyman says that he will no longer obey any law he does not consider to be moral. In other words, he becomes a law unto himself. Suppose everyone said this? We would soon have chaos.

As a result of this fuzzy and confused thinking, Americans are involved in an immoral spree that has few parallels in history. United Press International carried a major story recently entitled, "What's Wrong with America?" Rioters burn and loot. Demonstrators defile the flag and curse the President. Young men answer the call to arms with, "No, we won't go." Mongers of hate travel throughout the county spreading their poison. Teen-agers are turning by the thousands to drugs and sex. United Press International asked this question, "Is the nation going crazy, led pell-mell by a generation of mixed-up, turned-on, and dropped-out youth?"

Our headlines and television screens tell the story of the obvious dissidents, such as the angry apostles of black power, the draft-card burners, the hippies, the haters of the left and the right, the drug takers. But lumped together these make up no more than 5 percent of the American population. What about the other one hundred and ninety million American people? They are the vast backbone majority with whom the nation will survive or fall. The difficulty with the other hundred and ninety million is that they conform and they don't want to be involved. Many of them are selfish and indifferent, so indifferent in fact that many educators are calling our age the Age of Apathy.

But there are deeper problems of morality than this. Some time ago 845 members of a Christian youth society were asked if they cheated on examinations. Eighty-seven percent confessed that they did. Another survey in a respected high school revealed that 90 percent of the students were involved in cheating. The principal said, "Many students are more concerned with escaping detection and punishment than they are with personal character, reputation, or social consequences. They say, 'I'll take my chances.' One student commented, 'We're success oriented, so we figure it's all right to cheat in order to succeed.' " There are thousands of churchgoing young people in America who are able to list all the kings of Israel, yet they cheat on examinations without any qualms of conscience.

The three institutions in America responsible for morality are the *family*, the *school*, and the *church*. The *family* is the logical instructor in morality, but unfortunately all too many parents may teach one thing but they live another. Christian parents are sometimes interested only in a confession of faith or a recitation of Bible facts. Morality is bypassed. For example, cheating on income tax is no different from cheating on a school examination.

The *school* has also failed. In separating church and state, we have also isolated church and morality. A few years ago 50 percent of the content of textbooks used in schools had moral significance. Today only 3 percent has, and even that 3 percent is disappearing. The school has concentrated on the intellectual and the physical and the material, but not on the moral and spiritual.

Thus we are sowing to the wind and we are now reaping a whirlwind (Hosea 8:7) among a new generation of young people. The failure of the family and the school might be understandable, for both of these institutions mirror the society in which we live. But the *church* has no excuse.

Too often the church has dealt only with the sex problem and not with the many other problems involved in morality. A man may be greedy, selfish, spiteful, cruel, jealous, unjust, violent, brutal, grasping, unscrupulous, a liar, stubborn, arrogant, and dead to almost every noble instinct, and still we're ready to say of him that he is not an immoral man. Morality is not concerned only with sex but also with envy, cowardice, covetousness, cruelty, lying, and laziness. The commandment, "Thou shalt not commit adultery" (Exodus 20:14), is only one out of ten.

Dr. Edward Eddy, president of Chatham College, in his article, "What About the Sinful Student?" charges American churches generally with gross negligence. He says, "The church has failed badly to answer the moral questions of youth. Many young ministers, priests, and rabbis fresh from their training are unprepared to answer the pleas of young people for honest, intelligent reasoning on questions of morality."

The question comes to the average clergyman and Sunday School teacher, and for that matter the average Christian, from young people, "What can we do? What is the yardstick that we live by?" And many times the church has no answer.

First, we need to focus the minds of young and old alike on the sovereignty of God and the Lordship of Jesus Christ. This must not just be a doctrine that we accept with our heads but a personal application in our daily lives. Whether or not anyone else is watching, whether or not we will ever get caught, God is omni-present and He is a God who hates sin just as much as He ever has. He is not a divine buddy who slaps us on the back when we succeed.

Secondly, we need to emphasize the Lordship of Jesus Christ. It is not enough that people make a verbal commitment to Christ. They must know that He is to be their Lord in every area of life. In much of our so-called evangelistic preaching we have asked people to come to Christ as Savior, but we have neglected to ask people to come to Christ as Lord. He is to be Lord in every area of our lives. In our school work, in our social relationships, in our sex life, in our business relationships, He is to be Lord. We are to have the highest ethical and moral principles even if it means to suffer loss in this secular and materialistic age.

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Bankruptcy Stamped on New Economics

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The remarkable thing is not that this system has broken down; the remarkable thing is that it has lasted for 34 years and 6 weeks. It broke down because too many dollars were pouring out of our banks, and the gold bricks were vanishing into hoards. Bad money drove the good one into hiding. Faced with the peril of losing our entire gold reserve as well as the support of friendly central banks, the convertibility of the dollar was informally suspended on St. Patrick's day. The faked convertibility, put to the acid test, was found wanting.

Now, then, what sort of money system did we chose? No system at all, is the answer, merely a makeshift arrangement to keep the dollar in suspended animation.

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How much of the violence of last summer was a direct consequence of misguided police conduct is one of the startling disclosures of the report. Again and again, shots fired by nervous or trigger-happy police officers were assumed to come from snipers and were answered by volleys tragically destructive to life and property. The Commission warns in the sternest terms against the danger of excessive force in combatting unrest and most particularly against resort to weapons of mass destruction, such as automatic rifles, machine guns and tanks. The use of such weap-

ons in densely populated urban areas is sheer madness.

Is there yet time to avert the waste and sorrow and disaster of rioting in the summer months that lie ahead? Little time is left: and little has been learned from the experience of the summers that have passed. But the truth, if understood and accepted by a free people, can be immensely invigorating and liberating. The Commission points to solutions. They are obvious but they are not easy. They call, in short, for an obliteration of all color lines and for the generous holding out of a helping hand to all those—especially to the youth—who have for so long been confined in the basement of the American economy and the American polity. Treated in time, cancers may be curable.

The report—or at least the summary of it currently available—provides few specifics as to expenditures and commitment of resources. It does, however, say one thing that goes to the very heart of the problem. Observing that the programs it proposes "will require unprecedented levels of funding and performance," it declares that "there can be no higher priority for national action and no higher claim on the Nation's conscience." Here is the real nub of the matter. When this truth is genuinely and unstintingly accepted by the Nation's leadership—when it can really be made the first order of business for the American people—it may afford the margin of business for the American people—it may afford the margin of hope that will restore the national health.

[From the Philadelphia (Pa.) Sunday Bulletin, Mar. 3, 1968]

Two Societies or One?

The National Advisory Commission on Civil Disorders has studied last summer's outbursts and come up with a commentary on the United States today.

The picture is sketched in brutally jagged lines, but its truth cannot be denied.

We are, says the commission, moving toward a sort of American apartheid—a black society and a white one, "separate and unequal." Discrimination and segregation no longer threaten just the Negro, but "the future of every American." Continuing polarization will ultimately destroy our "basic democratic values." Violence in streets and in lives must end.

The commission roughs out a huge panorama of programs and changes to reverse this disastrous trend. But the most haunting, most memorable and finally the toughest of its antidotes is this: "From every American it will require new attitudes, new understanding and, above all, new will."

We are summoned, then, all of us in this work of rehabilitating the nation. Programs we must have, but they will not be enough.

This is a distinctive departure for an official commission report. And it is the best reminder yet that the tremendous steps of desegregation over the past decade and a half, valuable though they have been, are not nearly enough to unify the nation, even technically.

As to the programs, the commission makes good on its assertion that they must be "on a scale equal to the dimension of the problems." In jobs, it calls for supplying 550,000 this year, at least double President Johnson's request from public and private sectors; in housing, its call for 600,000 units in the coming year is double the Presidential goal.

The commission makes no truly innovative recommendations; everything it proposes has been suggested by someone sometime before. That is hardly surprising. On the other hand, its advocacy may add weight to concepts like a "basic allowance to individuals and families"—the negative income tax, involving "substantially greater federal expenditures than anything now contemplated."

In other words, a measure of the change in individual attitude is to be a whole new equation of public outlays. The report wisely avoids any mention of a conflict in spending with Vietnam, but adds: "There can be no higher priority for national action and no higher claim on the nation's conscience."

There is much, however, that government—local government especially—is told to do that would cost little or nothing, such as neighborhood grievance machinery and better political representation in ghettos.

Why did the disorders happen? It would, in a way, be comforting to think that a conspiracy did cause them, as some people thought at the time. The commission's report rules out that "easy" answer. There was no conspiracy; the cause was all the harsh and bitter things that have been long apparent.

The report is strong, it does not flinch. All of its recommendations will not be met, but it offers a new framework in which to think and plan. With one hand it holds up a mirror to the United States and with the other it points the way to rehabilitation: enrich the ghetto and integrate the society.

"Choice is still possible," says the commission. We cannot hang back from that choice.

[From the Chicago (Ill.) Daily News, Mar. 2, 1968]

Straight Talk on Racism

Eleven men and women comprising a cross-section of thinking America have produced a report that can be the basis for a massive new assault on the race problem—and just possibly a breakthrough.

For the Kerner Report, while containing no startling conclusions, manages to convey a sense of great weight and authority. It manages to say that when any similar group of honest, widely assorted citizens gave the matter the same amount of study, they would come up with about the same answers. And they are rough answers.

The report addresses itself primarily to the white community. It says that the white community is wrong in trying to pin the blame for the Negroes' plight on the Negroes themselves. It says that the white community is wrong jumping to the easy assumption that Negroes rioted in the streets last summer because they were led by some shadowy "conspiracy" of evil, Communist-inspired firebrands. There were individual agitators, but there was no such conspiracy.

It says that Negroes rioted because of spiritual frustration and desperation of a kind the white community does not comprehend—the despair that wells up from being forever pushed into a situation of being nothing, having nothing and having no hope of changing things. It warns that these same surging spontaneous forces, fired by frustration that has not been significantly relieved, can regroup next summer and lay waste more sections of more cities. And it says that unless the chain is broken the United States is headed toward a perilous separation into two warring societies, "one black, one white—separate but unequal."

It lists a number of positive things that should be done to head off this result, and some of them are drastic. It proposes that government and the private sector each create a million new jobs in the next three years; that industry be encouraged to plunge vigorously into the job-training business; that floors be placed under family income; that the federal government put an absolute end to housing discrimination; that every disadvantaged child be given a hand up the education ladder and all school segregation be ended.

As the report was issued, the nation and its communities were astir with activities in every related area: President Johnson was promising to deal sternly with crime in the streets; the Senate was haggling over fair housing; John Gardner was in Chicago championing his urban jobs program; the Chicago school board was mulling over Supt. Redmond's minor but embattled school busing proposals.

The report swept past all these specifics and leveled its main battery at the problem that is the common denominator of them all: the prejudice that grips the white community.

It undertook to pry open unwilling eyes to reality:

"What white Americans have never fully understood—but what the Negro can never forget—is that white society is deeply implicated in the ghetto. White institutions created it, white institutions maintain it and white society condones it." And more simply: "White racism is essentially responsible for the explosive mixture which has been accumulating in our cities."

And it gave that white society just two choices: face the problem squarely and attack it sincerely and massively, or accept responsibility for America's deterioration into social agony and chaos.

We congratulate the commission and its chairman for having the wisdom to grasp the heart of the problem and the courage to expose it to view.

[From the Baltimore (Md.) Sun, Mar. 2, 1968]

Facing the Facts

"It is time now to end the destruction and the violence, not only in the streets in the ghetto but in the lives of the people."

This is the concluding sentence of the summary of the report issued by the National Commission on Civil Disorder after its study of city riots. It should be something on which all Americans can agree. But agreement with this conclusion calls for a great deal more than a mere nod of the head. It demands a grasp of the full breadth and depth of the ferment which explodes into riots. It demands a clear knowledge of the harsh facts of racial discrimination. It demands a willingness to plan, develop, carry through—and pay for—the Federal, state, urban and private programs which can remove the threat of more destruction and more violence.

The commission did not estimate in its summary the total cost in dollars of the programs it recommended. Some of the news dispatches gave the matter an ironic note by suggesting that the programs might cost as much as the war in Vietnam—$25 billion or more a year. Yet one of the grim facts which must be faced along with the facts in the commission's report is that the war is a heavy drain on the country in terms of dollars and the waste caused by inflation as well as in the confused sense of national purpose.

The commission's recommendations sound familiar, but the important thing about them is that they call for a great deal more than is being done now. Thus the commission urged the creation of 2 million jobs over the next three years and programs to bring 6 million units of new and existing decent housing within the reach of low and moderate income families within the next five years. A massive improvement in public education was urgently recommended.

"We have learned much. But we have uncovered no startling truths, no unique insights, no simple solutions," said the commission. There is no simple cause of riots, such as a national conspiracy, the commission found. Better law enforcement is essential but over-repressive measures and reliance upon rifles, machine guns and tanks threaten more harm than good.

The most fundamental matter, in the complex of factors which cause riots, was described as "the racial attitude and behavior of white Americans toward black Ameri-

cans." Facing this fact, squarely and honestly, is the first necessary step toward ending the destruction and the violence.

Congressman Hamilton Introduces Legislation for Family Farm

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 28, 1968

Mr. HAMILTON. Mr. Speaker, I introduce today a bill to establish a loan program to allow farm families, and especially young farmers, to acquire and improve farms.

Disquieting facts confront us in agriculture today. An average of 800,000 persons leave the farm each year as the farm population has shrunk in the past three decades from 32 million to 12 million. Farmers are getting older and by 1970 half the farmers in America will be 55 years of age or older.

I recently asked a group of high school seniors from a rural community how many planned to return to that community after educational and military obligations were discharged. Not a single hand was raised.

Youth in our rural areas leave for the city and jobs in industry because it requires no investment and allows them to earn a wage sufficient for most young families to live well. They incur no business debt and no crushing payments of principal and interest. But family farms have been and must continue to be the basis of American agriculture, and my bill is designed to encourage the family farm. The difficulties in establishing such a farm today, though, are formidable.

The investment required for an economically viable farm is well over $100,000 for land and machinery. To borrow this money at current interest rates places a real hardship on young farmers. With luck, they may be able to secure their investment but they will not enjoy standard-of-living benefits over the decades.

So the young farm family must live very austerely for many years. It is unfair that those whose incredible productivity brings health and prosperity to the Nation must live for decades in austerity. About one-fourth, or 9,000 of family farmers eligible for farmownership loans each year have insufficient equity to purchase land or make essential improvements and repay in full a 40-year loan with interest. In an agriculture where expansion is often the key to economic success, the family farmer is unable to finance it.

The American farmer has a fundamental right to share in the prosperity of the Nation he feeds. This is basic justice but it is also basic economics. For if we do not preserve the family farm as the most significant producer of our food and fiber, we will see the prices of these commodities increase far beyond what they are now.

Mr. Speaker, the bill I offer today is a simple one. It amends the Consolidated Farmers Home Administration Act of 1961 to provide for additional means of making direct loans for acquisition and improvement of a farm. It will not, of course, cure all of the ills of the agricultural sector, but it will enable farm families to a surer footing upon which to build and prosper.

The bill provides that at least a part of the loan which is equal to the normal agricultural value of the farm as improved, but not less than 50 percent of the loan, may be amortized over a period of 40 years at 4 percent interest. The balance of the loan would not bear interest or be due until the end of the 40-year period, or any extension approved by the Secretary, provided the farm is owned by an eligible borrower.

These provisions of the bill will allow young farmers and others to own and improve their own farms, amortize their debt, and still enjoy a reasonable standard of living.

Mr. Speaker, I urge immediate and favorable consideration of this bill. It will encourage our youth to remain in the rural areas, slowing the exodus from the farm. It will encourage farmownership, and help to maintain the family farm as the most significant producer of agricultural commodities.

Mr. Speaker, the cost of this legislation, in view of the benefits to be gained, is small. It requires an additional $30 million authorization for loans to be made from the Farmers Home Administration direct loan account during fiscal 1969. The administrative expenses involved will amount to approximately $1.3 million. This money will be returned to the Treasury with interest, not only in dollars, but in increased income, productivity, profits and employment. This is not spending, Mr. Speaker; it is investment in the young farm families of America.

Interlochen Arts Academy Orchestra

HON. ROBERT P. GRIFFIN

OF MICHIGAN

IN THE SENATE OF THE UNITED STATES

Thursday, March 28, 1968

Mr. GRIFFIN. Mr. President, the Interlochen Arts Academy orchestra, from Interlochen, Mich., is now world famous. When this renowned group of teenage musicians performed in Chicago recently, well-deserved acclaim followed their appearance.

I ask unanimous consent that two articles by the distinguished music critic, Roger Dettmer, about that appearance be printed in the Extensions of Remarks.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Chicago (Ill.) American, Mar. 2, 1968]

TOUCHING TRIBUTE TO LOU FINK

(By Roger Dettmer)

Nothing in contemporary performance is greater tonic to the spirit than an outstandingly gifted student orchestra, among which the Interlochen Arts Academy's is foremost in the western hemisphere. Last evening—in memory of Lou Kent Fink, a Chicagoan who gave generously of himself to secure the future of this singular high school of the fine arts—they played once more in Orchestra hall, better than ever.

Theo Alcandara, a 1966 Mitropoulos competition winner from Spain, currently on loan to Interlochen from the University of Michigan, conducted as if his charges [age 13 thru 18] were professional. They responded in kind to the spur. Not a single work on his program condescended to youth, and two at least might have thrown certain of North America's established professional orchestras.

Most of the nation's symphonic congregations, allowing them the manpower, can cut Wagner's "Meistersinger" Prelude and Respighi's "Pines of Rome." But how many are capable of Mozart's Sinfonia Concertante [K.Anh. 9] for solo oboe, clarinet, horn, and bassoon with orchestra? Or Ulysses Kay's gorgeously sonorous "Fantasy Variations" of 1963—no matter its obvious derivation from Hindemith by way of Roy Harris?

How many, just for starters, have soloists the caliber of Oboist Richard Skidmore and Hornist Bradley Warnaar [not to slight Sally Saxon, substituting clarinetist on short notice, or Bassoonist Martha Driggs]? Young Skidmore cannot, as an 11th grader, be older than 16, nor Warnaar more than 17, yet both played musically—in particular the younger oboist—and technically with the poise of Big Five professionals. But let's not neglect mention of Concertmaster I-Fu Wang, a Formosan, just turned 16, or Trumpeter Timothy Slayman, Flutist Nancy Warner, and English-hornist David Schinbeckler.

Were they high-school athletes rather than serious musicians, colleges [not to mention professional orchestras] would be counterbidding for them as bonus-babies. Which is maybe what serious music most needs to survive:

Rich trustees with the instincts of proud alumni, meaning endowments for such talented youngsters, and first call of their postgraduate services.

The only sadness last night was a knowledge that compulsory military service confronts the boys in Interlochen's high school of the arts; that the same hands now holding instruments shall be trained in the use of guns—in the art and ethics of Killing for A Cause [nations have always killed the youth of their enemies For A Cause, and had their own youth killed in turn].

That thought aside, if never out of mind, Conductor Alcandara earned further local exposure on the basis of last night's gallant returns. His musicianship was alert and enlivening, his command formidable. Not the least, this tribute to Lou Fink touched the heart of all who knew him, and having known Lou cherished him.

[From the Chicago (Ill.) American, Mar. 10, 1968]

FOR MUSIC'S TOMORROWS

(By Roger Dettmer)

A concert here last week by the Interlochen Arts Academy orchestra—which is to say 105 intent and accomplished young people from 13 to 18 years of age, come together from home as far flung as Formosa—was an experience of particular pleasure and no little poignance.

The pleasure derived from performances steadily more assured and impressive, after a tentative start in Wagner's "Meistersinger" Prelude. By any measure, the solo playing of Oboist Richard Skidmore and Hornist Bradley Warnaar was outstanding in Mozart's E-flat Sinfonia Concertante [K.Anh. 9 or K. 297b, take your choice]. Indeed, I should have thought them unbelievable, had not the tone and artistry of a 17-year-old hornist in the Cincinnati Symphony Orchestra 20-odd years ago been remembered.

His name was Gunther Schuller, leader today of "Third Stream" composers in this country [who seek a union of symphonic and jazz components], as well as dean of a distinguished eastern conservatory. The same Schuller whose first opera, "The Visitation," was an object of derision on the occasion of its United States premiere, in Manhattan, last June by the Hamburg Staatsoper, only to triumph last autumn in San Francisco, and have its midwest premiere last night at the University of Illinois in Urbana.

For 3 seasons, if I may trust memory, Schuller was Eugene Goossens' principal horn in Cincinnati—still to be heard gloriously on a recording, if one can be found, of a "Rosenkavalier" Suite arranged by Antal Dorati. Yet he was no older than 16 at the time of his appointment, and departed at 19 to play first horn in the Metropolitan Opera orchestra. Why not, then, Bradley Warnaar in a comparable post, or Oboist Richard Skidmore?

The critical need for young players in our nation's professional orchestras [strings are especially lacking] is a serious concern of conductors and managers, to the extent that many middle-income orchestras are regularly raided by the rich big-leaguers. What makes this problem of particular urgency is the 52-week season to which our major orchestras increasingly are committed—meaning a need for alternate principal players.

The Interlochen vision—a high school of arts accredited by the University of Michigan—is severally propitious. Not only are youngsters given a rounded course of studies, with much individual instruction, but learn early the discipline—as well as the distinction—of playing in an orchestra. Perhaps Interlochen can overcome the soloist syndrome once and for always; the benighted hope of parents, especially, that their children shall be Heifetzes or Horowitzes or Starkers when many could earn handsomely and function importantly as symphony orchestra players.

To achieve this, however, we need additional Interlochens around the country, not just one with facilities for only a few hundred carefully screened students. We also need an awareness among orchestra-trustees that bonuses paid to promising young student-players can be as important for music as bonuses paid to promising young athletes of high-school age are important in professional sports.

The functional lifespan of a wind instrumentalist is shorter than that of string players, because lip muscles weaken faster [conductors of my acquaintance have suggested reducing the retirement age of wind players from 65 to 55, and in one radical case to 52]. Not only are reserves needed, but the soonest possible training of gifted youngsters in order that they may fulfill their virtuosic potential at the earliest possible age—as Schuller did in Cincinnati; as Skidmore, Warnaar and several of their Interlochen schoolmates, comparably proficient, shall do in the near future.

The need is everywhere, but sufficient facilities are lacking. Interlochen's Arts academy has pointed the way for others to follow—to attempt to match—and must, if we are to remain a musically healthy nation.

The Executive Abolition of Graduate Student and Occupational Draft Deferments

HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 28, 1968

Mr. CURTIS. Mr. Speaker, the effects of the recent order by the President on the advice of the National Security Council to abolish all graduate student deferments except those in the health sciences and suspend the list of essential skills and critical occupations are just beginning to be comprehended throughout the country.

There is a strong possibility that grave dislocations will result in the colleges and universities throughout the country because of the abolition of these draft-deferred classifications. Yet these student deferments have worked an unquestioned inequity in our draft system, which is intolerable in time of armed conflict when the risks should be spread equally across the society. We are, therefore, confronted today with the results of an irrational system, one designed almost 20 years ago without adequate study and deliberation and never thoroughly reexamined since.

It is my purpose today to obtain and publish information and to enlist the aid of the academic community in the development of a sensible system of military manpower procurement. I have long been an opponent of student deferments in times of armed conflict. However, the results of my previous study of the draft lead me to believe that the administration does not at this time have the information necessary to make an intelligent decision on the abolition of graduate and occupational deferments, for the single reason that it has not conducted studies of the competing manpower needs of our society.

It is apparent that graduate education will suffer significantly by the President's order. To illustrate, in a memorandum I received from the Council of Graduate Schools in the United States it is estimated that 40-percent reductions will occur this fall in first- and second-year enrollments, which, the council states will "be disrupting to all universities and disastrous to many". Furthermore, curtailment of graduate education will have substantial effects on undergraduate education because many graduate students assist in the instruction of undergraduate classes. Because the council's memorandum contains many other points worthy of study, I am appending it at the conclusion of my remarks. Similar questions should be posed regarding occupational deferments and essential skills in the military and civilian sectors of our society to supplement the council's study for graduate students.

The sudden disruption of graduate education and impairment of essential skills and activities is regrettable, but may have a beneficial facet if it operates as a catalyst to bring scholarly attention to our military manpower procurement policies which has been absent for many, many years. The difficulty we face today is in no small part due to the neglect of private scholars, educational leaders, public officials, and military men, to devote sufficient attention toward inventorying and coordinating the needs for skills in our society on a continuing basis.

Student deferments were written into law in the Universal Military Training Act of 1952, in exchange for which the universities and colleges desisted in their criticism of UMT and a peacetime draft system. This must now be viewed in the long run as serving only as a dangerous palliative to the universities and colleges during the intervening years of peace which led to the curtailment of academic examination into and criticism of the equitableness and efficiency of the military draft system. Without academic concern or political interest from elsewhere in the society, the defense bureaucracy was not about to critically evaluate its system.

Now the Congress is confronted with a second draft crisis in the short period of 1 year. Precisely 1 year ago, in March 1967, President Johnson's second—within a space of 2 years—"blue ribbon" executive commission, under the chairmanship of Burke Marshall, presented to the Congress its recommendations for alterations in the Selective Service System. Congressional committees subsequently held what can only be described as cursory and inadequate hearings on the Executive's recommendations in April 1967, and a bill changing the existing Selective Service law in only minor ways was passed with practically no debate by the Congress in June 1967.

Prior to that President Johnson's Defense Department study, which was instituted to head off the Republican congressional initiative of 1964, was submitted 1 year late, and with only superficial supporting data. Prior to that there have been other Executive "blue ribbon" commissions established purportedly to analyze and report on the operation of the Selective Service System, but on the basis of the "reports" clearly no study or analysis worthy of the name had been conducted. Indeed, the reports were probably written before the Commission selected to give them public acceptability had been established.

Congress itself has ducked the issue and chosen instead to take refuge in "conclusions" offered by these secretly conducted Executive commissions.

The fundamental neglect common to the series of closed door executive studies I have mentioned is to compile the skills needed in a modern army and correlate them with their counterparts in our civilian sector. No executive commission study has begun at this basic level. I have described their various recommendations "Rearranging the Teacups"—CONGRESSIONAL RECORD, volume 113, part 4, pages 5414–5415.

There are several areas where study is needed in order to develop an intelligent manpower procurement system.

First, we must collect data on the comparability of skills needed by the military that are in existence in the civilian sector. I have seen studies that suggest that this comparability ratio in modern technological warfare of the latter part of the 20th century is extremely high, perhaps as high as 90 percent. What this means is that only 10 to 20 percent of our men in uniform perform skills peculiar to the military, the rest are performing back-up or civilian-type skills. To put this in some context, during the Civil War the comparability of skills ratio was estimated at around 50 percent and in World War I this ratio had risen to approximately 60 percent.

Second, the data on comparability of skills between the military and civilian needs should be utilized. We should go forward with efforts to replace as much as possible military personnel performing nonmilitary jobs with civilians. Our military manpower requirements could be cut substantially in these areas if the studies on the underlying skills are made and applied intelligently.

Third, the other side of the comparability coin, is attracting civilian skills into the military through adequate inducements of improved pay and living conditions. A pertinent example is the Navy Seabeas enlistment system in World War II, where comparability of civilian and military skills was utilized effectively. When there was a need for a bulldozer operator, the Seabees recruited one from the civilian sector. Though he might have been fat and 40, he was skilled because he had been bulldozing as a livelihood. This was far more efficient than the present system of sending a 19-year-old draftee, who might prefer to be a mechanic or a cook, first to boot camp and then a bulldozer school run by the military establishment.

Fourth, we need more data on critical skills in the civilian sector which implement our military preparedness and keep our economy going. During my study of the Selective Service System in the past several years I have been most interested in determining what mechanism had been developed to ascertain what skills were essential and what industries were critical in order to grant draft deferments. I regret to report that there has been almost nothing done in this area at all by the administration. Yet in absence of any information or data, the administration has ordered graduate student and occupational deferments abolished.

The method which was established by the administration prior to the Selective Service Amendments of 1967 to determine occupational deferments and important skills was through the Interagency Advisory Committee on Essential Skills and Critical Occupations. This Interagency Advisory Committee was composed of representatives from seven agencies of the executive branch: Agriculture, Commerce, Defense, Health, Education, and Welfare, Interior, Labor, and the Selective Service System. In the 1967 Amendments to the Selective Service Act this function was apparently transferred to the National Security Council under the new name "National Manpower Resource Board." In my remarks on the floor of the House on July 17, 1967—CONGRESSIONAL RECORD, volume 113, part 14, page 19068—I noted the curious fact that during the debate on the establishment of a "National Manpower Resource Board" no mention was made of its predecessor, the Interagency Advisory Committee. In fact, the latter agency had suspended its operations for the prior 6 months in anticipation of congressional action even though we were engaged in considerable manpower expansion in the Military Establishment because of the Vietnam war.

The difficulties I had found with the previously existing Interagency Advisory Committee, and which should be examined in regard to the National Manpower Resource Board, are not so much with the structure but with performance. As of July 1967, the list of currently critical occupations had not been examined since 1962, despite rapid increases in technological growth and vast changes in needed skills. The job descriptions used are taken from the 1949—supplemented by the 1955 changes—to the "Dictionary of Occupational Titles", although a new edition of the dictionary, itself becoming rapidly obsolete, has been available since 1966. Secretary of Labor Willard Wirtz has informed me by correspondence that neither the Department of Labor nor the Selective Service System keep statistics on the number of workers deferred in each critical occupation let alone what are critical occupations. Since the purpose of the lists, in the words of the Defense Department, is to "protect those skills in which an overall shortage of workers in an occupation exists or is developing which will significantly interfere with the effective functioning of essential industries or activities", an accurate current count is imperative.

Thus the lack of these figures represent important gaps in our knowledge of the relationship between our civilian and military manpower needs. I cannot help but join with those who express anxiety over the President's abolition of these occupational deferments, when he apparently has not the vaguest idea how many there are, or in which industries they work. For anyone interested in my correspondence and other material on this subject, I refer them to my remarks, CONGRESSIONAL RECORD, volume 113, part 2, pages 1822–1830—and CONGRESSIONAL RECORD, volume 113, part 14, pages 19068 and 19069.

Fifth, this attempt to coordinate civilian and military skills must extend to the Ready Reserve and National Guard units. In these units there has been little attempt except on paper to relate the man's skill to his civilian occupation. I have previously called attention to the fact that if one reserve unit in St. Louis were activated, the municipal airport, might have to shut down because of lack of essential skilled manpower.

WHAT SHOULD BE DONE

There is no substitute for study. Whether or not we can be of assistance in time to help those immediately affected when the Executive orders go into effect this June, Congress must begin immediately to undertake the long delayed study of the underlying economic and social principles of our military manpower procurement system. It is only through this mechanism of open congressional study that rationality can be brought to this confused system, the equities balanced and efficiencies developed. Those who serve should do so voluntarily as far as possible, and these numbers of volunteers can be enormously increased through a system of proper inducements. At the same time the numbers needed in uniform can be greatly reduced. The skills needed in each sector should be coordinated and balanced.

For this study, I again urge the establishment of a Joint Congressional Committee consisting of some members of each House who have experience on the education and labor committees and the armed services committees.

The corrosive tragedy to the American people is that after smothering congressional initiative with secret Defense Department studies and blocking other congressional efforts by well-publicized blue ribbon Executive commissions, the administration has suddenly found itself in a position of having to take action in an area it clearly knows very little about and, I am about to conclude, cares very little about. Events are proving that congressional action is indispensable and we should begin the job. On this I am about to conclude it will be necessary to have the present congressional leadership, including the committee chairmanships, replaced by those who might pursue a new course of action. Inasmuch as new leadership in the Congress would come to their positions as the result of an outpouring of expression by the people at the polls this coming November a redirection of policies may be expected.

The memorandum follows:

THE COUNCIL OF GRADUATE SCHOOLS
IN THE UNITED STATES,
Washington, D.C.

Since the enactment of the Military Selective Service Act of 1967 and the issuance of the President's Executive Order 11360 on June 27, 1967, ending deferments of graduate students except those in the Health Sciences, it has become increasingly evident that the new law is already having serious consequences for graduate schools and will have long-range after-effects for all of education, as well as for the industrial, economic, and social structure of the country as a whole.

According to reliable statistics prepared by the Scientific Manpower Commission it appears that for a twelve month period beginning in July 1968, between one-half and two-thirds of all men inducted by Selective Service will be college graduates or those who have pursued graduate studies for a year or more. This means that the available pool of potential entering graduate students for the fall of 1968 and those in the second year of graduate work will be reduced by at least 40 percent.

The immediate consequences of this reduction will be disrupting to all universities and disastrous to many. Almost all universities rely heavily on graduate teaching assistants to staff freshman courses in English and foreign languages and to supervise laboratory sections in physical and biological sciences. Large universities employ two thousand or more teaching assistants. Since the law permits deferments of undergraduate students, it is to be assumed that undergraduate enrollments in 1968 will increase at the normal rate of eight to ten percent. If, at the same time, the available force of graduate teaching assistants is reduced by forty percent, it follows that many universities will be unable to staff their freshman courses.

Similarly, all universities rely on graduate research assistants to provide skilled and technical assistance to faculty members engaged in grant or contract research sponsored by many federal agencies. With the current cutback in research funds, universities will need to employ even more graduate research assistants rather than higher salaried academic staff. If the number of these assistants is drastically reduced, such research will be hampered, interrupted, and in some cases abandoned.

The long-range consequences of the present law will be even more serious. In spite of increased graduate enrollments and greatly increased production of doctorates, the deficit of teachers in higher education continues to be serious. The following figures for the quinquennium 1967-1968 to 1971-1972) are cited from Projections of Educational Statistics to 1975-76 (U.S. Office of Education, 1966 Edition):

	Earned doctorates	Additional full-time staff needed
1967-68	20,000	52,000
1968-69	23,600	43,000
1969-70	24,790	30,000
1970-71	24,900	40,000
1971-72	26,800	39,000

If the entering graduate classes in 1968 and 1969 are reduced by forty percent, the production of doctorates in 1971 and 1972 will be reduced respectively to 14,940 and 16,080. These are roughly the same numbers of doctorates awarded in 1963-64 (14,490) and 1964-65 (16,467). In other words, the needed production of college teachers will have been set back by seven years.

The long-range consequences of a protracted hiatus in doctorate production will be equally embarrassing to government, industry, and other sectors of the economy. Very substantial numbers of Ph.D. recipients are absorbed annually by employers other than the educational establishment. The following statistics are quoted from *Doctorate Recipients From United States Universities 1958-1966*, published in 1967 by the National Academy of Sciences:

PRINCIPAL EMPLOYERS OF DOCTORATE RECIPIENTS IN SELECTED FIELDS, 1958-66

[In percentages]

	Education	Government	Industry	All others
Solid state physics	33	10	50	7
Organic chemistry	18	2	75	5
Earth sciences	44	15	24	17
Biological sciences	58	13	10	19
Agriculture	56	18	8	18
Health sciences	57	7	20	16
Psychology	45	26	7	22
Economics	63	10	6	21

Exact figures on employment of Master's degree holders are not available, but it is well known that only a relatively small fraction of these are ultimately employed in education. By far the greater number, especially those with professional Master's degrees, are absorbed by industry, business, banking, communications, public health and hospital administration, engineering, industrial research, and other highly specialized professions.

Finally, it must be pointed out that the law schools are particularly vulnerable under present draft regulations. Their enrollments are predominantly male and in the age groups between 22 and 25. They have no reserve of women, over-age men, or foreigners as some academic graduate schools have. A sampling of law schools throughout the country produced loss estimates ranging from 25 percent in some eastern schools to 85 percent in at least one large law school on the west coast.

The Council of Graduate Schools believes it has the responsibility of bringing this situation to the attention of the Congress of the United States and of calling upon the Congress to enact such amendments to the Military Selective Service Act of 1967 that may mitigate its damaging consequences. In making this request the Council of Graduate Schools wishes to define clearly its position and its recommendations.

1. We accept and endorse the principle that the national security transcends the interest of any individual or group of individuals and that military service is an obligation of every able-bodied citizen. We believe that this obligation should be borne equally by all citizens and that neither graduate nor undergraduate students should be deferred or exempted from such service.

2. We believe that all fields of higher education are of equally critical importance to the continued welfare and the balanced development of the nation and we therefore recommend strongly against the designation of any disciplines in which students may be eligible for deferment and others in which they may not.

3. We believe that a system of selective service should be designed to create a minimum of disruption and uncertainty in the lives of those eligible for induction and that therefore the selection process should take place at a natural time of transition, that is, at the completion of high school. Students who, under the present law, have been deferred to pursue a baccalaureate or higher degree, should not be inducted until they have completed their immediate degree objective.

4. We believe that draft-eligible men should be inducted on the basis of random selection upon reaching the age of nineteen. Draft-eligible men who have been deferred under the present law to pursue a baccalaureate or higher degree should, upon completion of such degree be constructively classified as nineteen-year-olds and, if drawn by random selection, should be inducted as soon after graduation as possible. Men who are not drawn in the year of their prime age classification and who wish to pursue a degree program should not be in jeopardy again until they have completed their immediate degree objective.

To Save a Nation

HON. EDMUND S. MUSKIE

OF MAINE

IN THE SENATE OF THE UNITED STATES

Thursday, March 28, 1968

Mr. MUSKIE. Mr. President, the New York Times recently placed the conservation needs of the Nation in perspective. It did so in an editorial entitled "To Save a Nation," commenting on President Johnson's conservation message.

The editorial was accurate when it said:

> No recent administration has accomplished more for conservation than President Johnson's has over the past four years. In part, the President and Secretary of Interior Udall have made good on a generation of agitation and education. They have also provided strong leadership and some fresh initiative on their own.

I ask unanimous consent that the editorial be printed in the Extensions of Remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

TO SAVE A NATION

Man's technological capacity to alter his environment and his preference for speed, profits and convenience have placed his very existence in jeopardy. From the ravaged redwood forests of California to the oil-befouled beaches of Puerto Rico, from the now threatened waters of Lake Baikal in Siberia to the choking, polluted air above New York and a hundred other major cities around the globe, humanity is threatened by the unintended consequences of its own ingenuity.

The reckless, unheeding misuse of technology and the refusal to respect ecological values may make earth an uninhabitable environment. As President Johnson observed in his message to Congress last week, "conservation's concern now is not only for man's enjoyment—but for man's survival."

The issues are worldwide but, until the concern is also worldwide, each nation must act to save itself and try to conserve what it can of the human habitat. The United States, one of the most prodigal offenders, is also one of the leaders in the belated effort to bring technologies and resources into a humane balance. That is what conservation is all about.

No recent Administration has accomplished more for conservation than President Johnson's has over the past four years. In part, the President and Secretary of the Interior Udall have made good on a generation of agitation and education. They have also provided strong leadership and some fresh initiative on their own.

The latest message is in the nature of an interim report, reviewing old problems and calling attention to some that are new. Its greatest merit is its comprehensiveness; it brings together many diverse but interrelated environmental issues.

Three of Mr. Johnson's recommendations are particularly promising. He proposes giving the Secretary of the Interior authority to regulate the viciously destructive strip-mining industry. If the states do not devise adequate controls within two years—as Kentucky already has done—the Secretary could impose Federal standards.

Similarly the President asks that the Secretary of Health, Education, and Welfare be empowered to develop and enforce standards covering chemical as well as biological contaminants of drinking water since a recent study indicates that nearly one-third of the nation's public water systems may not be pure.

And to combat the growing danger to the world's oceans and beaches from tankers which spill oil, Mr. Johnson seeks to create an economic incentive for better management. Shipowners would be required by law to reimburse the Federal Government for the full cost of cleaning up oil pollution.

The exciting ideas about long-range planning set forth in last year's report on the Potomac River Valley are carried forward in the President's recommendation that Congress declare the Potomac a "national river" and provide coordinated types of zoning in the valley.

President Johnson submits seven areas for inclusion in the wilderness system and renews his request for several valuable pieces of legislation, some of them long in the Congressional mill, to establish a network of scenic hiking trails, protect certain wild and scenic rivers, revive the highway beautification progarm, replenish the Land and Water Conservation Fund and create national parks in the redwoods and the North Cascades.

If he properly understands his relationship to his environment and has the will and self-discipline to do so, man can be master rather than victim of his own economic and technological forces. The President's message sets forth the minimum measures needed for what must be an unremitting effort.

Distinguishing Between Liberty and License

HON. W. E. (BILL) BROCK

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 28, 1968

Mr. BROCK. Mr. Speaker, there is a dangerous tendency among some political extremists to attempt to use mob action as a political tool. In the name of "free speech" they organize large and often violent crowds.

In a recent address, Supreme Court Justice Hugo L. Black delivered a clear and irrefutable denial that mob action is in any way linked with the right of free speech. At a time when the threat of massive demonstrations and civil disobedience hang over this city like an ominous storm cloud. I feel that the Justice's statement is of particular interest to us all.

I include the coverage of it which appeared in the March 24 issue of the Sunday Star in the RECORD, as follows:

LAW DOESN'T BAR PROTEST CURBS, JUSTICE SAYS

(By Dana Bullen)

The Constitution's guarantee of freedom of speech does not bar authorities from controlling the conduct of demonstrators and street marchers, Justice Hugo L. Black asserted yesterday.

Black, in a speech in New York, said regulation of such activity is "essential" because such conduct "by its very nature tends to infringe the rights of others."

"Our government envisions a system under which its policies are the result of reasoned decisions made by public officials chosen in the way the laws provide," he said.

"Those laws do not provide that elected officials, councilmen, mayors, judges, governors, sheriffs or legislators will act in response to peremptory demands of the leaders of tramping, singing, shouting, angry groups . . . ," Black said.

The 82-year-old Justice's views were expressed in the final lecture of a landmark three-talk series at Columbia university in which the Supreme Court's senior associate justice outlined much of his judicial philosophy.

The lectures, unusual by a justice, drew together constitutional views developed by Black during more than 30 years on the nation's highest court.

Black, among other points, rejected claims that his views in recent years have become more conservative. He said that he always has been willing to go as far as the words of the Constitution provide—but not beyond this point.

"I strongly believe that the public welfare demands that constitutional cases must be decided according to the terms of our Constitution itself and not according to the judge's views of fairness, reasonableness or justice," Black said.

In his comments on demonstrations, Black indicated concern that participants in such activity might hold mistaken views about the scope of constitutional protections.

"Recently many loose words have been spoken and written about an alleged 1st Amendment right to picket, demonstrate or march, usually accompanied by singing, shouting or loud praying. . ." Black said.

"I say these have been loose words because I do not believe that the 1st Amendment grants a constitutional right to engage in the conduct of picketing or demonstrating, whether on publicly owned streets or on privately owned property," he said.

"Marching back and forth, though utilized to communicate ideas," Black said, "is not speech and therefore is not protected by the 1st Amendment."

The line between protected speech and constitutionally unprotected conduct is one that Black has mentioned often in his opinions.

"It is not difficult to understand why the Founders believed that the peace and tranquility of society absolutely compel the foregoing distinction between constitutionally protected freedom of religion, speech and press and nonconstitutionally protected conduct like picketing and street marching," the justice said.

"It marks the difference between arguing for changes in the governing rules of society and in engaging in conduct designed to break and defy valid regulatory laws," Black said.

In other references to 1st Amendment provisions, Black underscored long-held views that, although conduct can be regulated, words—any words—enjoy absolute constitutional protection.

"Censorship, even under the guise of protecting people from books and plays or motion pictures that other people think are obscene, shows a fear that people cannot judge for themselves," he said.

"The plain language of the Constitution recognizes that censorship is the deadly enemy of freedom . . . ," Black said.

"I believe with Jefferson," said Black, "that it is time enough for government to step in to regulate people when they do something, not when they say something."

Optimum Use of Weather Services by Foresters

HON. GORDON ALLOTT

OF COLORADO

IN THE SENATE OF THE UNITED STATES

Thursday, March 28, 1968

Mr. ALLOTT. Mr. President, recently I had the pleasure of reading the keynote address delivered before the first national Conference on Fire and Forest Meteorology, sponsored by the American Meteorological Society and the Society of American Foresters. The address, entitled "The Right Atmosphere," was delivered by Mr. H. R. Glascock, Jr., the executive secretary of the Society of American Foresters, which is the official organization representing professional foresters in the United States.

In his statement, Mr. Glascock suggested the means and the need for greater implementation of programs which will allow foresters to make optimum use of the weather services which meteorologists make available to them.

I was delighted to note that a portion of Mr. Glascock's remarks was directed to the exciting new concentration of atmospheric research facilities at Boulder and Fort Collins, Colo. We are proud to have the National Center for Atmospheric Research Laboratory located in Colorado. I am happy to see that these research programs may add appreciably to the combined efforts of professional foresters and meteorologists, as suggested in Mr. Glascock's fine statement.

Mr. President, I ask unanimous consent that the keynote address be printed in the Extensions of Remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE RIGHT ATMOSPHERE

(By H. R. Glascock, Jr.)

I bring you greetings on the occasion of this first national conference on fire and forest meteorology jointly sponsored by the American Meteorological Society and the Society of American Foresters.

The coming together of these two professional societies represents a landmark in the long history of cooperative endeavor among meteorologists and foresters. It is recognition of what many members of both organizations have long known: that no science or service can operate as effectively independent of related sciences or services; that the fastest progress is made when researchers and administrators of good will ally themselves with their counterparts in neighboring fields—when occupation and communication barriers are overcome and the advantages of working together fully realized. (I do have to mention communication barriers since we professionals tend to take ourselves very seriously indeed and would not be caught dead without our own jargons).

Nor do I feel a stranger at this joint meeting. Before coming to our Society two years ago, it was my privilege and opportunity for eight years to represent the protection interests of forest owners in the West, participate in a number of western fire weather meteorologists' conferences, and carry the cudgels for improved fire weather services. From this latter effort I still bear the scars of frustration over failure to obtain adequate priority and financing for fire weather research, in particular.

Forestry is a mighty broad profession—much broader than most nonforesters, and some foresters, realize. We define it as the science, the art and the practice of managing for human benefit and use the natural resources which occur on and in association with forest lands. These resources are not limited to trees, but include other plants, animals of all descriptions, the climate, the soil, and related air and water.

To be successful in managing these diverse forest resources for people, a forester must involve himself with the physical, biological and social sciences. He must have access to knowledge in all of these sciences on which to base sound management decisions. In the physical sciences, the need for enlightenment on atmospheric phenomena is especially great. Forest scientists have done some good work on climate near the ground with varying forest cover. But foresters generally must turn to the meteorologist to report the condition of the atmosphere at a given place and time with respect to temperature, moisture, air motion and electrical activity.

The application of this information, of course, is as varied as the forest resources and their uses. Forecasts of weather are needed for planning most forest operations. For example, tree planting, road construction, timber harvesting, slash burning, prescribed burning, fire detection and control, and handling public use of forest lands must all be coordinated with weather conditions. It follows that the more advance the warning of changing weather, the more successful these operations can be. Thus foresters have a continuing need for accurate, long-range weather forecasts, a need which grows with the value of forest resources to people.

No greater need for accurate weather prediction exists in forestry than in the field of fire detection and control. At stake is the protection of the invaluable resources of water, timber, wildlife and scenery, not to mention human lives. It should be no surprise to anyone for me to state that fire weather services to forestry have not kept pace with the need. The total effort, in fact, has dropped behind in terms of relative priority. As the burgeoning air transport industry has involved millions of human lives in a form of transportation having maximum exposure to weather conditions, and the exciting development of weather-tracking satellites has produced usable results in the photography of clouds, the more prosaic and far less costly weather services involving the less populous, forested third of America have had to take a seat increasingly further back when appropriations time rolls round. Only by capitalizing on an extra-bad fire year where losses in human and forest resources are high, by dramatizing and emotionalizing (not part of a forester's training and make-up), can favorable attention of appropriations committees be focused on the modest amounts being requested. Often as not, it has been a matter of restoring what had been deleted from the budget at the departmental level itself.

The history to date of the National Fire Weather Plan illustrate this process. The Plan was conceived and developed with maximum cooperation among the Weather Bureau, the Forest Service and other forestry organizations in light of demonstrated needs. It was well launched, got off to a good start, and showed great promise. But what was to have been a three-year plan became a five-year plan—even longer as cutbacks in scheduled appropriations increases threw the program more and more off schedule.

The portions of the first phases of the National Fire Weather Plan which have been implemented constitute without question a net improvement in service. New stations have been established to permit more accurate local forecasting and new equipment provided for increased effectiveness. However, the research support which the Plan calls for has not materialized. Fire weather research is still mostly a part-time assignment of forecasters, with only a relative handful of full-time researchers in the country.

What is the *real* reason for this atmospheric myopia? How can the great physical science of meteorology be utilized more effectively in the protection of America's forest resources from fire—a conservation must? Be directed in a more concerted way toward the solution of specific protection problems? How can research in this area provide the strong backup that is needed for improved fire weather forecasting? How may the significant, diverse findings reported at this joint conference be augmented and completed to the point of break-throughs in specific areas?

Without in any way presuming to reflect the views of my own organization, I would like to venture a partial answer. Could it be that two contrary philosophies have acted to hold up progress in fire weather research?

1. the idea that global atmospheric research and weather satellites will be able to do the *whole* job in weather research and services; and

2. the opposing idea that fire weather research and services should both be done by the practicing meteorologist on the ground.

The corollaries to each of these contrary beliefs are:

1. that weather should be centralized and independent of administrative services; and, conversely,

2. that fire weather research should be entirely decentralized and a function of administrative services.

I suspect that neither of these approaches is the better one; that strict adherence to either would be disastrous. What is indicated is a combination of the two. As a generalist among specialists, I may be allowed to guess with impunity that global cloud tracking and photography by satellites is useful to fire weather service, but only when combined with the more detailed tracking of clouds by weather radar stations and with other localized weather data. Certainly the terrain of much of our forest land is such as to introduce a multitude of local influences which modify local weather. It is hard to imagine *all* of the effective research in fire weather being done at atmospheric research centers and laboratories.

On the other hand, there seems much to be gained by fire weather people taking full advantage of the exciting new concentration of atmospheric research facilities at Boulder and Ft. Collins, Colorado. The Environmental Science Services Administration's Institutes for Environmental Sciences combined with the National Center for Atmospheric Research, its $5.5 million laboratory at Boulder, and the resources of cooperating universities at Boulder and Ft. Collins to constitute an unusually fine environment for weather research of all kinds.

The U.S. Forest Service is beginning to concentrate efforts in meteorological research at Colorado State University. This will supplement its forest fire meteorological research already underway at the three forest fire laboratories in Macon, Georgia, Riverside, California, and Missoula, Montana. The long history of the Forest Service in research and administration teaches the value of having each independent of the other. It also shows the value of concentrating the main thrust of research in a given field where the facilities and climate for that research are best. More recent experience in forestry, in particular the operation of the McIntyre-Stennis Act with matching grants to forestry schools, has shown the advantage of spreading the research dollar among various organizations having the right climate for research.

Looking to the future, one might predict that eventually a fire weather laboratory will be needed as the focal point for a considerably intensified research effort. Surely, means will have to be found for coordinating the cloud-tracking information of weather radar stations with the photographs of clouds taken from satellites, relaying both to a central point where they can be fed into a computer and the results, in the form of weather forecasts, transmitted thence to users.

I would hope, too, that the nation's system of weather radar stations would be completed at an early date. Apparently, stations have been located mainly where hurricanes and severe storms threatened human life. To obtain the radar station at Point Six near Missoula it was necessary to convince government officials that lightning storms are severe storms, which proved not an easy task. The efforts a few years ago to get approval for the weather radar stations which would cover the Pacific Coast came to naught. Since the prevailing winds and weather over much of the country come from the Pacific Ocean, this oversight constituted another kind of atmospheric myopia. One hated to think that it would take another Hurricane Frieda with a blowdown of two billion feet of timber—and perhaps the loss of human lives thrown in—to prove, by the severe storm test, that radar tracking of clouds is desirable here, too. Fortunately, work is now underway to obtain weather radar at Mt. Ashland in Oregon and Larch Mountain in Washington.

The future will expect miracles of foresters and forest lands, in the same way that the present is expecting—and getting—miracles from the environmental scientist. A smaller base of available forest land will have to produce more benefits for more people. *Today's* losses of forest resources from fire will become untenable. The forester will be seeking protection tools yet undreamed of. He will turn increasingly to the meteorologist for accurate, advance notice and evaluation of changes in local weather conditions, for long-range weather predictions on which he can rely.

Above all, let us hope as these related disciplines move ahead together, that foresters will make optimum use of the weather services which meteorologists make available to them. For only thus can the *full* benefit of cooperation between our two professions be ultimately realized.

Poor People's March

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 28, 1968

Mr. RARICK. Mr. Speaker, with the Senator and the reverend doctor teaming up to pull a Vietcong sympathy march in our Nation's Capital, no wonder many Americans are chuckling about the public relations buildup—"Poor People's March."

When several of the Nation's wealthiest men, backed by finances from tax-free foundations, team up under the emotion-packed front of helping poor people—it is time the poor people wake up to the inescapable conclusion they are being used as mere foot soldiers to give a public image of popular support for anti-American goals and promises.

Perhaps the poor exploited troops should ask the Senator and doctor for a show of their good faith by first turning their war chest and accumulation of wealth over to the poor—just to prove their sincere interest in poor people and to disclaim the popular concept that a rich minority is merely using the poor for their personal gain.

After all, the party line has always taught that the poor are poor because of exploitation by the rich. If so, the "poor people's" leaders would appear to be a part of the cause of the plight—and not the answer to the problem.

And the march will cost the "poor taxpayers" how much?

Mr. Speaker, I include, following my remarks, a report by Paul Scott:

[From Human Events, Mar. 30, 1968]

Senator To Support District of Columbia March: Kennedy and King Form Political Alliance

(By Paul Scott)

Sen. Robert Kennedy is counting on Dr. Martin Luther King's forthcoming invasion of Washington to give his presidential ambitions a big lift.

With his full approval, Kennedy's closest political lieutenants are passing the word to give the anti-war leader's "poor army" campaign in Washington all the support King requests.

In addition to deciding to endorse publicly the "announced objectives" of Kings' drive, Kennedy has instructed aides to help King raise money and organize a broad coalition of Negroes, poor whites, students and anti-war groups.

Under his carefully planned strategy, Kennedy plans to use this coalition to bolster his political strength at the Chicago convention, hopefully to help him seize control of the Democratic party and become its presidential nominee.

Should this bold campaign strategy fail, the brother of the late President Kennedy is considering the fourth party route.

As worked out backstage between their advisers, the Kennedy-King political alliance will be built around the twin issues of "Peace and Prosperity."

In his coming confrontation with Congress and the Johnson Administration, King will try to spotlight these goals by pressing demands for swift approval of three proposals:

(1) A guaranteed annual income of $3,000 a year for all families; (2) a national emergency public works and reconstruction pro-

gram, and (3) an end to the Viet Nam war, to pay for these programs.

While King stages his "demonstrations" and wages his campaign of "disruption" for these proposals, Sen. Kennedy will be spotlighting the same issues in his across-the-country campaign for a national political base.

Aides of both Kennedy and King say they are counting on growing opposition to President Johnson, the Viet Nam war, and the worsening U.S. financial crisis to create conditions favorable for the formation of their broad-based political coalition.

The proposed Kennedy-King timetable calls for organization of this new "united political front" by summer so Kennedy can use the movement to support his presidential nomination bid at the Democratic convention.

Already, one of Kennedy's political confidants, William J. vanden Heuvel, of New York, is at work helping King raise money for his massive demonstrations, which begin here in Washington April 22. They are scheduled to last until the two national political conventions convene in August.

King will then take his protesters to Miami and Chicago.

Vanden Heuvel, who served under Kennedy in the Justice Department played a major role earlier this year in keeping King from supporting the candidacy of Sen. Eugene McCarthy (D.-Minn.).

In exchange for withholding his political commitment, King was given a pledge by Kennedy that he would support the organization of the new political coalition regardless of whether he sought the presidency in 1968.

Significantly, both Kennedy and King have been given assurances of support in the development of a broad-based political movement from Walter Reuther, powerful president of the United Auto Workers.

For several years Reuther has advocated such an alliance in order to force a drastic realignment of political power within both parties and Congress.

Like Kennedy and King, Reuther sees the coalition as the catalyst for effecting sweeping social changes in the country and forcing an end to the Viet Nam war.

Continuing Threat of Soviet Union to Europe

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Thursday, March 28, 1968

Mr. THURMOND. Mr. President, an illuminating editorial entitled "Europe and the U.S.S.R.," written by Anthony Harrigan, associate editor of the Charleston News and Courier, was published in the Tuesday, March 26, 1968, issue of the Charleston newspaper and deserves the attention of Congress.

The editorial reports that a Chicago meeting of scientists and journalists from both sides of the Atlantic continues to recognize the imperialistic intentions of Russia toward Western Europe despite Soviet claims to the contrary.

Further, Mr. Harrigan pointed out that Dr. Stefan Possony of Stanford University expounded vigorously on the point that the new nuclear strength of the Soviet Union was of grave danger to America and Europe. Dr. Possony wisely pointed out that the United States will only be able to maintain the peace as long as we hold a nuclear superiority.

Mr. President, I ask unanimous consent that the editorial be printed in the Extensions of Remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the News and Courier, Mar. 26, 1968]

TALKS AT CHICAGO: EUROPE AND THE U.S.S.R.

(By Anthony Harrigan)

CHICAGO.—The Soviet Union's goal of transforming Western Europe into another Finland—a submissive, neutralized region—was cited here at a gathering of political scientists and journalists from both sides of the Atlantic.

Dr. Boris Meissner, director of West Germany's Institute for Research on Marxism-Leninism, warned of the parallel to Finland. He said that "Soviet behavior during the Near East crisis of 1967 demonstrated clearly" that Moscow's moves to relax international tension after former Premier Khrushchev's Cuban adventure in 1962 were only tactical measures.

The Soviet Union, he asserted, still has "the goal of annexing West Berlin" to Communist East Germany. What the world is seeing now, he explained, is simply "a pause for breath" on the part of the Soviets that "may easily be followed by a new phase of expansion."

Dr. Meissner was addressing an international conference sponsored by the Foundation for Foreign Affairs Inc., of Chicago, and the Institute for Central and East European Studies of Wiesbaden, West Germany. For five years, the two institutions have worked together for an exchange of American and European viewpoints. More than 100 specialists on European affairs were on hand, including five members of the West German Parliament and two members of the British Parliament.

The primary concern of the Europeans attending the conference is development of new tension and conflict along the border between free and captive Europe if the United States fails to arrest the communist power drive in Southeast Asia. West Germany, it is feared, would be the prime communist target if American determination falters in the Asian struggle. One of the strongest defenses of U.S. policy in the Far East came from Gen. M. W. Broekmeijer, director of the National Defense College of the Netherlands.

A matter of concern to both the Americans and Europeans present is the policy of France under Gen. De Gaulle, Prof. Wladyslaw Kulski of Duke University raised the question of a possible Franco-Russian treaty that would stab the NATO alliance in the back. The likelihood of such an alliance was discounted by Baron von Guttenberg, parliamentary secretary on foreign affairs to the German Chancellor. He emphasized the fundamental importance of continuing cooperation between France and Germany.

The danger to Europe and America of new Soviet nuclear strength was vigorously expounded by Dr. Stefan Possony of Stanford University. He cautioned conference participants against optimism regarding peace in Europe. Dr. Possony emphasized that Russian talk about relaxing tensions isn't supported by hard evidence. Soviet proposals on the reunification of divided Germany, he said, constitute "political war designed to gain control over Germany." He observed that Germany "is still decisive" in Europe and Americans should bear in mind that "peacc and security can be accomplished only if there is superiority on the part of those who are peaceful."

Informal talks with Europeans attending this conference throw light on recent disorders in Communist Poland. Dr. George Strobel of the University of Cologne, a specialist on Polish affairs, contended that unrest at Poland's universities has its roots in the attitudes of older Polish intellectuals. He said that more than 50 per cent of the Polish university students are children of intellectuals. Dr. Strobel explained that the intellectuals are resentful because their economic status has deteriorated. The university protests, he said, have not attracted support among working people and do not have a mass basis.

This conference brings together professors and writers from Germany, France, England, the Netherlands and other countries. Aside from the light it sheds on specific political issues, it makes plain that not all European intellectuals are anti-American. On the contrary, the prominent university figures meeting here display a deep sympathy with America's difficult role in the world today. In discussions that frequently touch on the Vietnam war, there is respectful awareness that, in the last analysis, the United States has both the power and the responsibility to stop Soviet and Chinese assaults on Western civilization.

America therefore must make the final decisions as to what courses of action are best.

He Earned His Laurels

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 28, 1968

Mr. SHRIVER. Mr. Speaker, Lloyd S. Miller, a distinguished citizen who is well known and respected by many of us in the Congress, is completing a career of 32 years of outstanding service with Southwestern Bell and American Telephone & Telegraph Co. A native Kansan, Lloyd Miller will retire on April 1, 1968. I take this opportunity to congratulate him and to wish him continued good health, success, and happiness.

Mr. Miller has served as vice president of A.T. & T. in charge of the Washington office since 1960. An attorney by profession, he joined Southwestern Bell in Topeka in 1936.

In the years I have known him both in Kansas and here in Washington, I have found Lloyd Miller to be a man of high integrity, good humor, and wisdom. He is dedicated to the private enterprise system which has made our country great. Above all, he is a great American who will continue to take an active interest in his fellowman and his community during what surely will be productive and contented retirement years.

Under leave to extend my remarks in the RECORD, I include the following editorial from the Topeka Daily Capital which pays well-deserved tribute to Lloyd Miller. The editorial follows:

HE EARNED HIS LAURELS

Topekans who know Lloyd S. Miller—and hundreds do—wish him well in his retirement.

If he makes as great a success at it as he has his career with the telephone company, he and his family will be happy.

Miller's is the American story come true. By application of a keen mind, native ability, a good education and a pleasing personality he rose high with Southwestern Bell and American Telephone and Telegraph Co.

A graduate of Kansas State University and Washburn University law school, he joined Southwestern Bell in Topeka as an attorney in 1936. After military service during World War II and in 1950, he returned to Topeka as general attorney for the company in Kansas.

Four years later he advanced to general solicitor in the St. Louis headquarters and in 1955 became a vice president—going on up as vice president of AT&T in charge of the Washington, D.C., office in 1960, the job from which he will retire April 1.

Miller has made frequent visits to Topeka in recent years. One of his latest was when he delivered the Topeka High commencement address last spring.

His Topeka friends hope that, when he has more leisure time, he and his wife will spend more of it here.

The 80th Birthday Anniversary of Ed Ball of Florida

HON. JOSEPH D. TYDINGS

OF MARYLAND

IN THE SENATE OF THE UNITED STATES

Thursday, March 28, 1968

Mr. TYDINGS. Mr. President, last week a distinguished and able citizen of Florida celebrated his 80th birthday anniversary. I refer to Mr. Ed Ball, the principal trustee of the Alfred I. du Pont estate: entrepreneur, and capitalist extraordinary. It is my good fortune to have acquaintanceship with Mr. Ball for many years, and our family ties go back two generations. My father, the late Senator Millard E. Tydings, was a friend and admirer of Mr. Ball, as was my grandfather, the late Ambassador Joseph E. Davies. Although our political philosophies have frequently differed, I have the greatest admiration for Mr. Ball's accomplishments and contributions to his State and Nation over the past half century. I ask unanimous consent that an article entitled "Ed Ball at 80: The Legend Speaks Out," published in the Miami Herald of March 17, 1968, be printed in the Extensions of Remarks.

Mr. SMATHERS. Mr. President, I join the distinguished Senator from Maryland in submitting the article regarding one of Florida's most prominent and respected citizens. Mr. Ball's contributions to Florida have made him significant and worthy. I have not agreed with all of Mr. Ball's activities or beliefs, but no accurate picture of Florida and its growth during the past 40 years would be complete without including the activities and contributions of my friend Mr. Ed Ball.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ED BALL AT 80: THE LEGEND SPEAKS OUT

(By Nixon Smiley)

Ed Ball owns the longest soda fountain in the world and a castle in Ireland. He is neither a soda jerk nor an Irish prince, although he is called these names by critics. He is a craggy, crafty Virginian who for more than three decades has dominated the political and economic face of Florida. He has been vilified and deified with equal vigor.

Mr. Ball. He's as much a part of the Florida scene as Lake Okeechobee or the Florida Keys. Some people say he actually is a bigger natural resource.

He likes to make deals—business or political—on hunting or fishing trips where two men can sit down eye to eye over a drink of good bourbon and talk straight. Like the time, a quarter of a century ago, when Ball and a friend took a hunting trip to South Dakota.

The year was 1943 and the friend was McGregor Smith, head of the sprawling Florida Power & Light Co. Ball invited Smith on the trip ostensibly to shoot pheasants, but the audacious ruler of the duPont estate in Florida had a business deal up his sleeve that he was reluctant to bring up on a pleasure trip. One evening in the hunting lodge, after the third day of shooting speckled birds in the shoulder-high fields of yellow grain, Smith, who realized something was cooking, decided to break the ice after their third highball.

"Mr. Ball (no one ever dares call him Ed), you didn't invite me all the way up here to South Dakota just to go pheasant hunting," said Smith.

He was exactly right, admitted Ball with a smile that cracked his granite face. "McGregah, I want to buy your company."

Smith was a little shaken by the enormity of the offer. "Mr. Ball, you don't want to buy Florida Power & Light," he cautioned. "We are a public utility, you know. The company is limited by law to a seven per cent profit."

The most powerful man in Florida put down his drink and looked aghast. For a few awkward moments there was complete silence as Ball's lips struggled to form words.

"Do you really mean that?" he finally spluttered.

Assured that the board chairman of Florida Power & Light owes it to his stockholders not to joke about a subject as serious as the sale of his company, Ball finally sank back in his chair and picked up his bourbon and ginger ale. "Well," he hurrumphed, "we don't want any company that is restricted to seven per cent earnings."

The subject was dropped and the two men never brought it up again.

Had Ed Ball been born an ordinary man, he may have employed a more ordinary approach to a transaction that involved many millions of dollars. But Ed Ball, who will note his 80th birthday next Thursday, is not an ordinary man.

His personal fortune exceeds the dreams of a caliph, but the money and influence he controls are beyond the comprehension of most men.

Roughly, it adds up to more than two billion dollars.

A reporter once described Ball as "a nuggety, gusty, self-made millionaire," which is not entirely accurate since he was given a grubstake. When Alfred I. DuPont died in 1935 at the age of 69, he left his widow an estate valued at $27 million after taxes. Ball, who is Mrs. DuPont's brother, parlayed this inheritance into an empire that controls at least $500 million worth of duPont and General Motors stock; a billion dollars worth of Florida properties, and a string of 30 Florida National Banks with deposits of $864 million, the largest pool of money in the state. Drew Pearson once characterized him as "the unofficial prime minister of Florida."

Others have been less kind. The late Robert King High of Miami and many other South Florida leaders depicted Ball as a selfish old feudal lord—a kind of robber baron who arbitrarily manipulated, behind the scenes, the economic and political life of the state.

U.S. Senator Wayne Morse of Oregon declared: "Mrs. DuPont gets the money; Ball gets the power, which he then proceeds to abuse."

A *Miami Herald* editorial complained he had sponsored "a generation of obstruction".

He is not an ordinary man, this financial giant. The wife of a business associate learned this one night at dinner when she borrowed his eyeglasses to read a menu.

"Oh, Mr Ball," she trilled, "I can see better with these glasses than I can with my own. You must have paid a lot of money for them."

"I did—one dollar and thirty cents," replied the master of the du Pont holdings. "I used to get them for 60 cents but the price at Kresge has gone up."

He is a remarkable man. He is a mysterious man. But never, never ordinary. Had he chosen 30 years ago to sit back like a Virginia gentleman (which he is by birth) and let someone else do the hard work of administering his sister's estate, he could have led a genteel, albeit boring, life on a fat income. But he plunged headlong into the job and built the colossus he heads today.

Alfred I. duPont, who once owned the controlling interest in I. E. duPont de Nemours Company, married Ball's sister, an attractive schoolteacher, in 1921. He had been pushed out of the duPont Co. by his cousins, Coleman and Pierre, and became angry when Wilmington society snubbed his bride, a divorcee. So shortly after duPont and Jessie Ball were married—he was 57 and she 36—they moved to Florida to start life anew.

Ed, whose abilities duPont already had recognized, was sent ahead to buy land in Northwest Florida, a wild area despoiled by timber cutters. The duPonts visited Miami during the boom and duPont observed the dizzy land speculation, but wanted none of it. He settled in Jacksonville, then the most important city in Florida, and built his wife a handsome home in Epping Forest on the St. Johns.

At the time of duPont's death, he had acquired 280,000 acres of land and seven Florida banks. He also owned the Apalachicola Northern Railroad and the St. Joseph Telephone and Telegraph Co., neither of which could be called a valuable asset.

"We had to rebuild the railroad and buy new equipment," said Ball. "The telephone company had 12 telephones, all used by the railroad. Every time a wet razorback hog leaned against a telephone pole the line went out temporarily."

Today Apalachicola Northern is one of the most profitable short-line railroads in the country, and the telephone company has more than 10,000 subscribers. Most of the other duPont enterprises have thrived in much the same way. The St. Joe Paper Co. mill at Port St. Joe, planned before duPont's death, was built in 1938. Over $40 million has been spent on expansion since 1954. Moreover, the St. Joe Paper Co. owns container factories in 18 states and in Ireland where it also owns a paper mill.

But all these gains have not come without turmoil. He has been denounced nationally by union leaders for refusing to meet their demands and settle the Florida East Coast Railway strike, begun in 1963. His enemies say he wielded control over the Legislature for years, and that anyone wanting to be elected governor or U.S. Senator had to have his support to insure victory. Senators Holland and Smathers had his backing. So did Governors Kirk, Bryant, Johns, Warren, Caldwell. (Others also have said that Ball's backing of a legislative bill or a political candidate can be like the kiss of death.) The only time Ball ever voted for a liberal—he wasn't aware he was voting liberal at the time—was when he voted for Franklin D. Roosevelt in 1932.

"That was a mistake I avoided making a second time," he said. "Roosevelt Tammanized government. Big government started with him and it has been growing ever since. The growth slowed down some during the Eisenhower administration but he did nothing to stop the trend."

He added that "the aim of politics today is to equalize the economic and social positions of those who work and those who don't work."

Ball was a strong supporter of the Pork

Chop Gang, a group of rural state senators who controlled the Florida Legislature before reapportionment. He predicted that if the Pork Chop Gang lost its influence "the NAACP and the unions would take over." He said his prediction had come true in the cities.

Ball believes a person who works is entitled to live on a better level than a person who doesn't work. But while he lives well, he does not surround himself with luxuries. He owns neither an automobile nor an airplane; and the most expensive car he ever owned was a middle-priced Buick. He has never had a chauffeur or a butler. He still drives, much too fast for his friends.

He once drove Col. Thomas Manuel of Fort Lauderdale from Tallahassee to Wakulla Springs, which Ball owns. The frightened Manuel turned to Ball and said: "Mr. Ball, do you drive frequently?"

"Not so often as I did before I had my fourth coronary, colonel," replied Ball.

Manuel, then chairman of the Florida Turnpike Authority, avoided a return trip to Tallahassee with Ball by calling for a state trooper to pick him up.

Traffic cops have stopped Ball frequently, but the affable Ball has a superb record of avoiding tickets. In Jacksonville he was stopped for the fourth time by a patrolman, who caught him doing 60 miles an hour in a 15-mile-an-hour zone. The patrolman pulled out his book and was about to write a ticket when he discovered that his pencil was out of lead.

"Mr. Ball, do you have a pencil?" the patrolman asked.

"Yes, chief, I have a pencil," replied Ball.

"Would you mind lending it to me?"

"Chief," replied Ball, "do I look like a damn fool?"

The astonished patrolman put his ticket book back into his pocket.

Ball manages the affairs of the duPont estate in much the same way as he drives an automobile or avoids getting speeding tickets—with an astonishing audacity and an abiding sense of humor. He has detailed knowledge of his vast empire. He studies reports, analyzes statements, holds brief conferences with associates. He's a good listener, but never engages in long conferences. His associates are often amazed at his perception of engineering plans. He understands them on sight, frequently makes comment that results in changes. He also understands people. He can be skeptical. He said on a telephone:

"No, I haven't had the pleasure of meeting him, But I'm afraid I'm about to get better acquainted with him than I want to."

Ball was married in the early 1930's but the marriage ended in divorce in the 1940's. He required his bride, a widow, to sign a contract stating she could have children. When she had none Ball considered the contract broken.

A short man—five feet six—Ball weighs 150 pounds. His suits, which he wears with vest and a gold four-leaf clover pin in his tie just below the knot, tend to make him appear more trim than he is. When young he weighed 130 pounds. "If I'm overweight, no doctor ever told me so," he said. One reason no doctor has advised him to lose weight is because he avoids them. It's been three years since he had a check-up, although he has a history of four heart attacks. He has never forgiven doctors because one wrongly diagnosed his first attack as angina.

"I adapted myself to an angina status," he said, "and felt comforted. But, hell, that SOB had given me a wrong diagnosis. Two days later I had my second attack. If the Lord hadn't been good to me I would have gone across the creek."

Ball credits bourbon for keeping him healthy. He doesn't smoke, drink coffee or take aspirin. Every day after leaving his office he walks across the street to the Robert Meyer Hotel where he has a two-room suite and pours himself a bourbon and ginger ale. He likes the company of friends and associates and often invites them to join him in "slaying a few pneumonia germs." If you accompany him from his office he introduces you to acquaintances who greet him on the elevators, in the street or in the hotel lobby. He makes you pour your own drink. Then, raising his glass, he proposes a toast:

"Confusion to the enemy!"

He may have four or five drinks before going to dinner in the hotel restaurant. How long he puts off dinner depends on how lively the conversation. Sometimes he may not eat until 10. He likes his steak medium rare. He refuses leafy vegetables, prefers blackeyed peas or beans. The only salad he will eat is slaw or tomatoes. For dessert he orders plain jello, which he eats along with his steak. His favorite soup is beef bone soup, which is always served at Southwood Farm when he is there. Beef soup is standard on the menu at Wakulla Springs Lodge, which he built in the 1930's as a public retreat. If he eats red meat for dinner he likes to wait three hours to have another drink.

He usually has some shelled pecans or other goodies to offer guests invited to his suite—even chocolate fudge, and he may eat three or four pieces while sipping bourbon. His guests must listen to the world news on his color television set.

One evening the news from Vietnam was especially bad. Ball was irritated by a report from the Pentagon which pointed out the large number of enemy dead compared with the few American casualties.

"Hell, I don't think a thousand dead North Vietnamese is worth the loss of one American," snapped Ball. "I don't understand this war. If I had my way I'd give the people of North Vietnam 72 hours to evacuate the cities and the ports and I'd drop an atomic bomb on every one of them. To hell with what the *rest of the world* had to say. I'd bomb or I'd get out. I can't see sending our young men to fight a land war that we're not trying to win."

Ball obviously is not a fencestraddler. Gentlemanly ways and affable calmness camouflage the fighter. In politics he can fight as dirty as the next. He told a timid losing candidate: "You can't expect to win if you fellow Marquis of Queensberry rules in a barroom fight." It was the lion in him that refused to go along with the recommendations of a Presidential emergency board appointed to settle a national railroad strike in 1963. In a sense, he told both labor and the federal government to go to hell, and he has held his ground despite the bombings and countless acts of sabotage against the FEC. Tackling the problem created by the union walkout, Ball eliminated "featherbedding," cut the work force from 2,000 to 900. A crew of three brought a freight train from Jacksonville to Miami instead of three crews of five each before the strike.

"Now we've got one of the most efficiently operated railroads in the country," said Ball. "The railroad was beginning to make a profit before we had to put on a passenger train that nobody used."

Ball is a gut-fighter, but, like his father, Capt. Thomas Ball who came through the Civil War unscratched as a cavalry officer, he wears no battle scars. He has been in continuous litigation since 1930 when a lawyer, James Yates, started a 21-year court battle in connection with an alleged real estate deal. Yates was unsuccessful in trying to collect $240,000 from Ball who denied he had made a contract with the lawyer. In another long fight Roy E. Crummer brought a $30 million suit against Ball. Ball was accused of libel in a state hearing dealing with the Crummer Company's buying and selling of municipal bonds. That suit was dismissed in 1956. But Ball already was in another battle, this one with crusty Champion McDowell Davis, Atlantic Coast Line president, over who was to get the Florida East Coast Railway. Ball had bought the majority of the bankrupt railroad's mortgage bonds in the 1940's and claimed control of the line, but Davis contested the duPont estate's bid to take over its operation. The long litigation is said to have cost both sides $5 million. One day in West Palm Beach Ball and Davis happened to get on the same elevator and Davis pushed a button that sent the elevator in the wrong direction.

"Mr. Davis," said Ball, "you run an elevator just like you run a railroad."

But Davis fought Ball for 17 years before old age forced his retirement in 1958. Davis' successor, W. Thomas Rice, who likes to think of himself as a Virginia gentleman like Ball, dropped the suit. Ball responded by naming Rice a director of the Florida National Bank in Jacksonville. After a federal court judge turned the FEC over to the duPont estate in 1961 Ball named Rice to its board of directors.

"I have a great respect for Mr. Ball," said Rice. "He has a tenacity the like of which you seldom find."

If there is any key to an understanding of Ball, this is it—tenacity. He never gives up and for years has ignored criticism.

Earnings of duPont interests in recent years have been close to $12 million annually. Of this $7 to $8 million goes to Mrs. duPont, under a will left by her late husband. The will also provides that after Mrs. duPont's death, and after the beneficiaries of several annuities have died, the entire earnings "will go to The Nemours Foundation for the caring and treatment of crippled children, not incurables, and for the care of old people." duPont, of course, could not foresee the growth of the estate which would provide his widow with much more income than she could hope to use. What does she do with it?

"More than half goes for taxes," said Ball. "The rest she gives away. I don't see how she has enough left to buy food."

Mrs. duPont is now in Wilmington, where she is a semi-invalid as a result of breaking a hip in a fall. She is 83.

Last year, Mrs. duPont made contributions which totalled $3,556,826.03, while her taxes exceeded $4 million. Her gifts went to charities, churches and educational institutions in over 20 states. The major contributions were in Florida, Delaware, and Virginia. Among her gifts in recent years was a reported million dollars for a library at Stetson University. Between 1936 and 1966 more than $55 million was given by The Nemours Foundation, by Mrs. duPont and by Ball himself.

In his job as managing trustee of the estate, Ball is coordinator of the banks, board chairman of the FEC, and president of most of the other companies. He relinquished his title of president of the St. Joe Paper Co. in February but remains as chairman of the executive committee. In other words he's still boss.

He also controls millions of dollars worth of property in Dade County, including the 14-story Dupont Building and many acres of downtown Miami.

For his labor, Ball gets no salary, except $12 a year as chief executive officer of the FEC. But Ball is no poor man. He was left $750,000 by duPont, and one might conclude that he has used the same keen business sense in investing his own money as he has in parlaying the duPont estate into the economic position it enjoys today.

There is no way to make an accurate guess of Ball's personal wealth, but it probably isn't under $10 million.

Among other Ball interests is the concession at Washington's home, Mount Vernon, reputed to be the longest soda fountain in the world. And, over the years, he has "picked up" service stations because he especially liked the location of the properties. He presently owns six in almost as many states.

His purchase of the Edgewater Gulf Hotel at Edgewater Park, Miss., in the 1930's is an example of Ball's keenness in buying, improving and selling at a profit.

"I like to take a run-down company, build it up and sell it," said Ball. He has bought and sold many, including a safe manufacturing company in Hamilton, Ohio.

After paying $176,100 for the 400-room Edgewater Gulf Hotel, along with an 18-hole golf course, Ball immediately closed down the gambling and lowered room prices and greens fees.

"As soon as we ran the gamblers out we began making money," said Ball. "You don't need gambling to attract respectable people." Ball is no gambler, but he is always ready to "bet you a fifth" if he thinks he's right in an argument.

Ball got his investment out several times before selling the hotel in 1961 for $2.2 million. He also owned La Concha Hotel at Key West but gave it to the Catholic Church. The church sold it. Ball has a Protestant background but has no religious preference.

Ball owns Wakulla Lodge and 7,000 acres about spectacular Wakulla Springs. He has turned 4,000 acres into a wildlife sanctuary under the management of the Edward Ball Wildlife Foundation and the Audubon Society. Tens of thousands of ducks, coots and other water birds spend the winter at Wakulla Springs where they are fed copious quantities of corn.

But the most astounding refuge in Florida is at Southwood Farm, six miles southeast of Tallahassee, where Ball frequently spends weekends. During the winter 5,000 to 6,000 Canada geese stay here. Some 3,200 acres have been included in the wildlife refuge, where no hunting is permitted. Twice a day the tremendous flock of geese waddles up from a lake to within 100 yards of the main house to eat corn that is strewn over acres of pasture. When all the big birds take off at once, as they may do when frightened, the flapping of wings is almost deafening. Ball's wildlife foundation buys 20 tons of corn a year to feed the geese and other birds. According to the Florida Game and Fresh Water Fish Commission, Ball has lured 98 per cent of the winter visiting geese in Florida to his refuge.

Ball is part owner of an 11th century castle in Ireland which he organized a corporation to buy several years ago. Ballynahinch Castle is 89 miles northwast of Shannon Airport. Ball saw it and fell in love with it, then began calling friends.

"How would you like to own a castle in Ireland?" he asked seductively. He found 125 who did. A brochure promotes the castle—it is operated as a hotel—in a romantic setting, on a river teeming with salmon and sea trout.

Ball finds little time to spend at Ballynahinch, where he has a cottage. He doesn't care to fish for salmon. The wait between strikes is often too long. He prefers to meet his friends at Southwood Farm, go fishing there and have bass and bream for breakfast. Or he likes to drive over the big cattle farm, which is owned by the St. Joe Paper Co., and admire the cattle which he calls "flocks of critters." He also likes to drive his friends to look for wild turkeys or deer, plentiful in the protected refuge.

Some years ago at a parley with union leaders at the St. Joe Paper Co. plant, which is 100 per cent organized, the discussion got around to retirement benefits. Ball asked the leaders how they planned to spend their retirement.

"I'm all ready," he added. "I've got myself a pole and some lines and hooks. I'm going fishing."

He did try retirement for awhile, from 1951 to 1960. But now, on the eve of his 80th birthday, he has no thoughts of retirement any time soon. In fact, he couldn't be enjoying himself more. He relaxes in his work. He enjoys a challenge. The sticks of litigation don't bother him. Neither do the stones of politicians. Nothing seems to worry him.

"Yesterday has gone and tomorrow has yet to come," he said, "so I live for today."

This attitude explains why he is unworried over a Congressional order that requires the duPont estate to divest itself of its banking chain or its other interests within a five-year period. You never know what is going to happen in the meantime and Ball thinks that if he has patience it may. Even when he was down with his heart attacks he never believed he was about "to meet St. Peter." He said:

"I figure something would interfere."

Rather than meeting St. Peter, Ed Ball is prepared to get the call of another kindly old man.

One day recently he sat in the living room of his ante-bellum Southwood Farm retreat and sipped a bourbon and ginger ale with his old friend McGregor Smith, 25 years removed from the South Dakota hunting lodge. The phone rang.

Ed Ball jumped to his feet and hurried into the spacious hall to answer it. After hanging up, he returned and took his seat.

"Tell us, Mr. Ball," said Smith in a tone almost as impudent as the telephone's ring, "why you always jump up and run every time that blasted thing starts ringing?"

"Well, McGregah," said the master of the duPont empire in the haughty accent of aristocratic Virginia, "you nevah know when Santa Claus is going to call and I don't want to miss him when he does."

His brown eyes sparkled behind eyelids heavy with age and he threw his bald head back and laughed out loud.

We Have Shown Faith in the Future

(Note.—In a rare interview, Ed Ball answers his critics who, he says "always seem to have the last word.")

Jacksonville.—"Miami will get along all right if these impatient city planners and revampers will let it alone."

The controversial Ball gave a rare kind of interview: he answered his critics, and gave his views freely about Dade County where duPont interests own properties worth at least $25 million.

"First, I'd like to say that I don't know of any of our critics who have done as much for Dade County as we have," said Ball. "A look at the record will prove what we have done. You can then ask the critics what they have done."

Ball has silently borne the brunt of critics for several years. They have accused him of being an obstructionist to the progress of Dade County. They have blamed him for delaying completion of Miami's expressway system, and, even before the system is completed, he is being blamed for predicted traffic bottlenecks downtown.

Before that he was blamed for a delay in the construction of NW 36th St. west of the Miami International Airport. Before the FEC's yards were moved from downtown he was blamed for irritating traffic tie-ups at grade crossings. For years he was blamed for keeping an ugly depot downtown. And once he was blamed for the poor lighting system at the Orange Bowl Stadium.

Although he did not commit himself specifically, Ball displayed a coolness toward the Doxiadis plan for redevelopment of Bayfront Park and a new expressway along the Florida East Coast tracks.

"I have no specific objection to any part of the plan," he said. "But there is one thing I don't understand—why someone from a country that doesn't have a single modern city would be called upon to make plans for a modern city in another part of the world."

Ball said he was not worried about Miami's future, whether the Doxiadis plan is implemented or not.

"Time and the influx of people will produce a plan when it is necessary," he said. "Miami's leaders need a little patience. I don't believe anything is going to stop the growth of Miami, which I think has one of the brightest futures of any city in the nation."

Ball expressed optimism about the rest of Florida, too.

"People everywhere—even in California—want to come to Florida," he said.

He thinks, though, that California will continue its lead as the most populous state, but that eventually Florida will challenge New York for second.

Of Miami, Ball said he wasn't worried about "a few shabby buildings" downtown. "There's not a city in the United States that doesn't have a few old, rundown buildings," he said. "They will be replaced as the needs arise."

Ball said that, contrary to what the critics had said, duPont interests were as much concerned with the future of the area as anybody else, adding that "we have played a major role in the development of Dade County."

"We showed our faith in the area's future by being the only bidder on the $4 million Rickenbacker Causeway just before World War II."

Construction was delayed by the war, and after the war Ball had to put up another $1.5 million of duPont money to meet rising costs.

"The Rickenbacker Causeway insured the development of Key Biscayne, Virginia Key and Crandon Park," said Ball. "At our insistence the causeway toll was cut from 50 cents to a quarter in order to induce more people to use Crandon Park and to encourage more home building on Key Biscayne."

In 1949 duPont interests, through Ball, financed the double-decking of the Orange Bowl Stadium at a cost of $1.6 million. Again Ball was the only bidder, agreeing to buy the bonds at 3 per cent interest. A few years later Ball was criticized because he refused to permit the use of Orange Bowl revenue to replace an inadequate lighting system.

"We objected," said Ball, "because the city wanted to use interest due bondholders to install the lighting. You can't do that. But the bonds have been paid off, and I'm glad that Miami has a fine stadium."

Answering critics who have blamed him for a delay in the construction of the North-South Expressway, Ball said:

"Why should we be penalized for the mistakes in locating the expressway? It was poor planning in the first place to run the expressway through downtown and spoil the city with ugly ramps."

Ball objected in 1960 to the location of a ramp designed to pass through part of Dupont Plaza. He said it would lower the value of property owned by duPont interests. Gov. Farris Bryant settled the problem, temporarily, by ordering a new expressway design and delaying its construction.

To critics who say the new plan will cause a severe traffic bottleneck, Ball replied:

"The mistakes in the Miami expressway system should be blamed on the men who put it downtown, not on me. It should have been located west of downtown and the ramps kept out of the business district."

Ball pointed to the Jacksonville expressway system as being nearly ideal.

"We have no ramps in the downtown area," he said. "Instead , the Jacksonville expressway skirts downtown, releasing traffic on a choice of one-way streets. The expressway is easy to reach from any direction, and you can go anywhere in the city—east or west, north or south—in just a few minutes. Houston is another city that has planned a fine expressway system without any ramps downtown."

Ball was pleased when the Miami City Commission decided not to fight the Florida East Coast Railway's bid to drop an unprofitable passenger service between Miami and Jacksonville. He saw it as a sign that the city leaders were backing away from the anti-Ed Ball movement originated by the late Mayor Robert King High.

It was while High was mayor that the city initiated a suit aimed at forcing the FEC into bankruptcy as a means of wringing control of the line from the duPont estate. Although dismissed by the Federal District Court in Jacksonville, the suit was appealed to the Fifth Circuit Court of Appeals in New Orleans. Upon a recommendation of Mayor Steve Clark the city commission last month decided to drop the suit.

Ball believes the former mayor's influence may have been responsible for the nearly two-year delay in issuance of a permit to build a Holiday Inn on Biscayne Blvd., on property leased from the FEC.

"Holiday Inn's lawyers have agreed to every reasonable demand of the city and its planning departments," said Ball.

The 12-story motel is to be built in the 700 block on the east side of Biscayne Blvd.

"Now who is the obstructionist?" asked Ball. "Are we? Or is it they?"

Ball emphasized he did not want to blame the present City Commission for past difficulties.

"I have the highest regard for Mayor Clark and the other commissioners I have met," he said.

Ball said he hoped Miamians would solve their own problems and "quit blaming me for everything that goes wrong."

Asked why he had never answered his critics before, Ball replied:

"You tell me how it can be done. The critic always has the last word."

Character of the State of Maine and Its People

HON. EDMUND S. MUSKIE

OF MAINE

IN THE SENATE OF THE UNITED STATES

Thursday, March 28, 1968

Mr. MUSKIE. Mr. President, two articles in the winter 1968 edition of the Maine Digest magazine, taken together, provide an unusual insight into the character of the State of Maine and its people.

The first, "Cruising Lobster Pot Alley in a Canoe," illustrates the beauty of Maine's coastline and the thrill of exploring it by canoe.

The second, "Maine Sesquicentennial—1970," illustrates the innovative spirit with which many State of Mainers look forward to the future.

I ask unanimous consent that these two articles appear in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

CRUISING LOBSTER POT ALLEY IN A CANOE

(By Gardiner and Lina Means)

"You otta get a bigger bo't", was all the astonished lobsterman could say when he met our canoe, coming in around the string of islands that run out from Port Clyde, and seeming to emerge from the broad Atlantic. But he was voicing the consensus of the many other fishermen from whom we had bought lobsters for our lunch on the rocks, or at whose houses we had called to fill our water jugs.

Only once in our fifteen years of canoe cruising along the Maine coast from Casco Bay to Cutler Harbor has anyone accepted our means of transportation as unremarkable. That was when one of a group of men on a pier on Beal Island near Jonesport said to his doubting companions, "Well, the Indians usta. Why shouldn't these folks?"

In point of fact, handled by experienced paddlers with due respect for the changeable Maine seas, a fifteen foot Old Town canoe is an ideal craft for poking in among the myriad of islands that give the Maine coast its unique character. And no more attractive area invites exploration by the canoeist, for each island has a distinct personality which you can come to know intimately as you skirt under the shelter of the shore, beach on a tiny bit of sand or inviting pebbles, enjoy the sight and sound of crashing waves as you ride just outside the line where they hump to break, or as you hunt for a site to pitch the pup tent among the firs or in the grass above the beach or on a bit of peat which the sheep have not cut into waffle-like blocks.

The sailboat skipper who passes knows only the general outlines and the principal harbors; the canoeist knows the details—where the Indians got their flint on Flint Island, where the rock resembles petrified gray mud, where you can slide out on a shelf of red granite. Every island has a lea side with quiet water and even the tiniest bit of rock or land jutting from the sea may provide a welcome shelter from the wind and let you rest before pushing on to a more secure destination. Virtually every island offers a camp site for the night. In addition, the bright-colored lobster buoys which ring most of the islands and follow the coast, just far enough off shore to be safe and near enough to be interesting, mark an ideal route to travel. We call it "lobster pot alley".

Of course, Maine islands can present problems, too, like the acres of mussel flats that surround Sheep Island which we chose for our night's destination as we paddled into the sunset and which nearly ruined man and boat by the time we got through to the grassy shore, or the bare, ledgy island fully inhabited by birds where we found ourselves stormbound and faced the choice of a prolonged stay with unpleasant company or a fierce, precarious paddle before the wind to the nearest haven. Sometimes a good landing spot at arrival tide turns out very difficult when we come to depart. But almost without exception the islands as we have known them are each and every one a special delight.

And how better to enjoy Maine's spectacular weather? Is it a fog? You poke around in the canoe close to shore, or follow the line of faithful lobster buoys. Is it a storm? You put up your pup tent, tuck your gear under the overturned canoe, and sit it out. We sat out Hurricane Carol on Friendship Island, tent and canoe snug in a patch of woods on a lea slope. Is it a real, sparkling Maine day? In the canoe you are right there amid the dancing, gleaming tips of water, almost a part of the gay brilliance yourself. Or is there a full moon? Slip silently through the water as you travel down Somes Sound.

It's a fine way to enjoy the wild life, too. You are really close and intimate with your porpoise escort, and you can play wonderful games with the seals off North Haven who suddenly discover your presence, flop down in startled agitation, and then, overcome by their insatiable curiosity, pop up to peer at you again.

Our rules for safe and happy island cruising are simple and uniformly effective. First and foremost, don't take chances. If the sea is too rough or the sky too threatening, stay ashore.

Secondly, never cross more than a mile of open water, that is, never get more than a half a mile from land. We have often been tempted to violate this rule—to scoot across a mile and a half of calm sea—but we have learned our lesson too often to disregard it. We remember the flat calm in which we started to paddle around a small island below Stonington. Suddenly we saw a dark line in the water ahead of us, and within minutes the waves were whipping after us as we turned and scooted for camp. So we never let ourselves be lured into disregarding this rule.

There are few places we have not visited because of it, however, for almost nowhere are island stepping stones more than a mile apart. On the stepping stone principle, we have been able to come along the coast to Rockland, to explore Penobscot Bay, down to North Haven and Vinalhaven, over to and around Deer Isle and down to Isle au Haut, across Blue Hill Bay and down to Swans Island, across Frenchman's Bay and on beyond Schoodic, from the eastern side of Petit Manan to Jonesport, from Roque on up to Machias Bay.

A car on the shore gives us flexibility. Sometimes we put in at a central place, such as Friendship, and spend days paddling west and back, then east and back, going ashore at our launching point. At other times, we paddle up or down the coast, go ashore and hitch our way back to the car. In either case, the car enables us to sample the best parts of the coast without having to go out around each of the long peninsulas which run out into the Atlantic, though we have gone around some when the weather has been favorable.

Our third rule of the sea is "follow lobster pot alley". This is a guide rather than a strict rule, but it serves as a safety factor as well as a useful and pleasant route. For wherever a lobster boat can go to pull a pot, a canoe is safe from hidden and unknown rocks or eddies.

The fourth element which makes for ease and comfort is the mosquito-proof pup tent which we first thought of as a protection against rain, but soon learned to appreciate as our shield against the mosquito and to make our home from dusk through dawn.

For the canoeist who does relish portages—longer than the length of Maine's low-tide beaches—ocean canoeing under Maine conditions offers an ideal activity. Most of the time you can choose how hard you want to work—whether to stay ashore or go out when the breeze is strong, how far to travel in a day. The only compulsion comes from the water supply. Food can almost always be supplemented by fishing for harbor pollock, digging clams, gathering mussels, or intercepting a lobsterman pulling his pots. We carry water for a normal three days, stretchable without much difficulty to four. We could easily add another can if this amount should seem insufficient.

Only a few times have we had to work harder than we wanted to or found ourselves in a precarious situation. On the way to Isle au Haut, and again on the way to Swans, the wind freshened against us, and we were glad the distance was not greater. A tide rip at the mouth of the Medomak River created the kind of water which canoes like to stay out of. We bore down on Starboard Island with a heavy following wind and sea, hoping desperately—and rightly—that the cove we were heading for would turn out to have a landing beach.

Only one place on the coast has really defeated us—Petit Manan Point, with its guardian rock, Old Bull. On a hazy day, we had worked our way across Gouldsboro Bay and were following the lobster pots along the west shore of the Point with the intention of rounding it through the inside passage. Suddenly the fog came down, thick and white, and at the same moment we realized that the lobster pots had stopped. Pausing to get our bearings, we heard the roar of Old

Bull—much too near. "This is no place for a canoe in the fog", we exclaimed and retreated until we found a lobster buoy and could start back along the shore.

But where were we to land? The chart showed no harbor, the sea was running and we could hear it pounding the shore, though we could not see it through the fog even from lobster pot alley. We noted a slight indentation on the chart and remembered seeing a wee cove as we had come out, so we felt our way back to it. As we approached through the fog we made out a tiny bit of gravel among the waveswept rocks—just enough for a quick landing in a canoe. Almost by the time we had carried our gear above the tide and had lifted the canoe onto the shoreward rocks, the tide had risen to obliterate our landing beach. Two days later we made our way overland through the fog, hitched a ride back to our car retrieved the canoe, and drove away, acknowledging Old Bull's ability to guard his point.

Some years later we found ourselves camped on the east side of Petit Manan on a fair, clear, gentle day. "Let's go back out around the Point", we said. "This is the day to see Old Bull and not just hear him roar". So we paddled down the length of the point, to where we could clearly see Old Bull with his waves breaking. Then we looked out. There, quite unpredictably, was a patch of fog. When we were less than a quarter of a mile from Old Bull, he disappeared into his fog blanket. "Done it again", we acknowledged ruefully. "Guess he doesn't want any canoes going around *his* point". So back we paddled. In a few minutes we looked back to see the fog gone and Old Bull grinning his "I told you so" at us.

Though Old Bull kept us from going around Petit Manan, the surf on the rocks at Schoodic did not. After we had sat out a storm near Winter Harbor, the day broke clear and golden, with a gentle breeze barely rippling the surface of the sea. Just the day to paddle around the point. Just the day, too, for visitors to the Acadia National Park to come down on the great red Schoodic rocks to watch the seas, raised by the storm, roll in and break with towering spray. What was the visitors' eordent astonishment to look out over the curling, roaring white water and to see a small gray canoe serenely paddled along, quite unaffected by the great, mountainous seas. They looked every bit at horrified as the lobsterman who told us to get a bigger boat.

Canoe cruising on salt water is indeed an unappreciated vacation possibility. In all our voyaging we have never met another travel-canoe. It is not an activity we would recommend to the greenhorn whose only paddling has been on quiet streams or ponds. But for experienced and competent canoeists, there is no better way to enjoy to the full the unmatched beauty of Maine's islanded coast.

MAINE SESQUICENTENNIAL, 1970: A PROPOSAL

(By Gene Peterson)

Like a stately grand dame the State of Maine carries her years gracefully. She now approaches her 150th birthday and in 1970 Maine will celebrate her sesquicentennial. If this wonderful area has any wrinkles—they show only in her green mountain valleys. If she sheds any tears over her aging—they appear only as deep blue lakes. If she has any worries—they are evidenced only as snow on her white capped winter mountains. Like vintage wine. This beautiful state of ours, grows more rare with each passing year. Then too, her stalwart sons and daughters have risen over the past century and a half to become an even hardier breed than their early blood stock. From a long and glorious past Maine looks confidently to the next hundred and fifty years with a determination that it will eclipse the prodigious deeds that have gone before.

Hardly noticed in the closing days of a bitterly divided 103rd Legislature was the appointment by Governor Kenneth Curtis of Senator Walter Birt as Chairman of the Maine Sesquicentennial Committee.

The Committee to be selected to assist the chairman will be charged with the monumental task of preparing a state wide celebration in observance of the separation of Maine from Massachusetts. This committee will have set before it one of the most challenging opportunities ever presented to a citizens panel. They will have the chore of creating a celebration and a theme that can initiate one of the most fruitful and satisfying events this proud state has ever experienced. Many and varied activities should be planned to properly present the mode of living and cultural creativeness that belongs to Maine. They should revolve around a central theme.

Let us meet this challenge wtih high resolve—and original concepts. Resolve, to make the Sesquicentennial like none other before it, original, in the scope and theme of display.

I would respectfully submit this unique theme to the committee that Senator Birt will head. It will truly make the Maine motto "Dirigo" vibrant and meaningful.

Petition the governments of Sweden, Denmark, Norway and Iceland to join with us to sponsor a Twentieth Century Viking Voyage to America. It has been conclusively established that Viking voyages did sail up and down the East Coast of America as far south as Cape Cod. Recreate the voyage with three of the Viking Longboats manned with nationals of the four Scandinavian countries—colorfully garbed in their Viking bearskin robes with the riveted horn helmets.

What theme shall we then chose that is fitting and worthy to represent the State of Maine? How shall we show our state to its best advantage. What showcase will attract the most attention and not be a meaningless montage of cheap commercialism? Perhaps most important of all, what can we do that will retain its impact for years to come?

May I respectfully submit to whatever committee is finally chosen that we project a grand theme of international proportions. Let us look to the sea that has for so many years been as much a part of our heritage as the air we breathe. In so doing, let us reaffirm our heritage by inviting other seafaring peoples to join us in our celebration.

What more appropriate area to associate with in the celebration than the Scandinavian countries. Here too is the sea—food and drink—to all who live there. Here too are snow and mountains and hardy stock. Here too, are the lovers of the green trees, snow clad mountains, ice blue lakes and rugged individualism. The similarities are striking.

Allow your imagination to dwell on the possibilities of a transatlantic voyage with a caravan of three Viking Longboats, manned by twentieth century Vikings. These hardy Norsemen of today, plowing the waters of the North Atlantic in their Dragon prowed vessels would capture the attention of the whole world—not just the United States.

It does not take much imagination to picture in your minds eye the striking sight of these boats, their single sails bellied out in a stiff breeze, a bearded Viking at the tiller and the metal shields gleaming over the single banks of oars on each side of the hulls.

If Allen Villiers sailing the Mayflower on its voyage to New York could attract hundreds of thousands of viewers to line the banks of the East River to see his arrival, how many more could we in Maine attract with far more colorful pageantry? The attention paid to this modern sea epic would give us a showcase for the initial phase of the Sesquicentennial that could never be bought for mere money. We would find our sea saga gaining international attention from the time the first dowel was driven into the first longboat.

While this would be the moving factor in gaining world wide attention for our venture, here at home we would be putting the permanent touches to the project by building a true replica of a Viking Village circa 780 A.D.

Long after the glamour and excitement of the landing of the Viking Longboats had become a pleasant memory the installation on the Maine coastline of a Viking Village would be a tourist attraction of the proportions of Colonial Williamsburg, Virginia.

Built on the Maine coast with a sweeping sea vista this Viking Village would attract hundreds of thousands of casual visitors for generations to come. With its rough log construction and the simple homely quality of buildings that Americans connect with our period of growth and development, we would have here in Maine the very essence of the vanishing rural homestead. After all . . . one sixth of America springs from a Scandinavian background. This fact and no more would make the Viking Village a valuable economic asset to the state. The American log cabin was born in Scandinavia.

Looking at the theme from a cultural aspect, we could expect to have international music festivals held here annually. With the inclusion of a Great Hall in the architectural spendor of Viking Village it should not be too difficult to sponsor many of the performing arts that are common to the United States and the rest of the world.

Many foreign dignitaries are hosted by the United States each year and frequently the Federal government sees fit to quarter them at Williamsburg, prior to, or following a visit to Washington. With an installation of the magnitude I vision, it is certainly not inconceivable that our Viking Village would be looked upon with favor as a scenic spot for these foreign guests to visit. Certainly our environmental factors, especially weather, would have to be favored over Virginia in the summer when the temperatures are brutal in Williamsburg, air conditioning notwithstanding.

The warmth of the Village with its birch bark and sod roofed houses and churches, farm buildings and boats, all bearing the stamp of originality would give the State of Maine a world renowned tourist attraction that can easily become ranked with St. Moritz and Tivoli.

Of course the impact of a Viking Voyage and Viking Village on all aspects of culture and economics are too immense to be covered here, but it is interesting to contemplate them. Strict zoning on the part of the state to maintain the purity of construction on peripheral surroundings would preserve the authenticity and value of the installation. For years to come we could invite motoring America to, "take a trip abroad without ever leaving the country."

The concept of this venture that I suggest to the men and women who will plan the Sesquicentennial Celebration for Maine in 1970 is unique. Its freshness, its charm and its primal appeal to an America becoming jaded with the pseudo-sophisticated tinsel that they are being constantly fed, will make the Viking Village a valuable and sought after spot for true family enjoyment. The construction of this beautiful set of buildings over an area of approximately one square mile will add much to the natural beauty of any site in which it is set. It will also attract to us the substantial and wholesome family type tourist that is so welcome in Maine.

The planners of the 150th Anniversary of Maine may have entirely different views and values, but I submit the "Viking Village" and "Viking Voyage to America" as a concept that should, at any cost, be sincerely considered.

In His Memory: Louis A. R. Pieri

HON. ROBERT O. TIERNAN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 28, 1968

Mr. TIERNAN. Mr. Speaker, last summer, Rhode Island lost one of its greatest sports figures, Louis Arthur Raymond Pieri. In his passing, I lost a good friend in the ranks of hockey.

Lou Pieri's legacy of accomplishments will long influence the future of hockey in Rhode Island. As a youngster, I grew up in the shadow of the Rhode Island Auditorium, Lou Pieri's domain until his untimely death last year. To those of us who took to the ice in our early youth, he encouraged in us a will to win and a desire to excel.

Mr. Pieri gave much of himself to the advancement of the young in Rhode Island. We will long remember him for his generosity and vision.

Mr. Speaker, as part of my remarks, I include the following memorial which appeared in the Rhode Island Reds first program of last season in the CONGRESSIONAL RECORD:

IN HIS MEMORY: LOUIS A. R. PIERI

This past summer Rhode Island lost one of its greatest sportsmen, Louis Arthur Raymond Pieri. The one man who kept Providence athletically prominent in the professional sports world, while all others failed, is no longer with us.

A graduate of Franklin High School and Dean Academy, both situated in his home town of Franklin, Mass., Mr. Pieri went on to receive his Ph. B. and Master of Science Degree from Brown University in 1920. As an undergraduate there he participated in football, basketball and baseball. He went on to teach and coach at Brown, Rutgers Preparatory School and Central Falls High School.

In 1929 he took over the management of the Rhode Island Auditorium. In 1938 he purchased the Auditorium and the Providence Hockey Club, popularly known as the Rhode Island Reds.

Lou Pieri was one of the original franchise holders in the National Basketball Association, with a franchise here in Providence. In 1949 he became half-owner of the Boston Celtics, World's Professional Champions in nine of the last eleven seasons. He served as Treasurer and later as President of that organization until its sale in September, 1965.

However, Lou's main love was his Reds. Eight times the Reds have finished first in the American Hockey League and they have won the coveted Calder Cup, emblematic of League supremacy, four times. This same team which the AHL once threatened to disband, has won twelve League titles. If it were not for Mr. Pieri's dedicated persistence in working to keep the Reds in Providence, this state would be without a professional sports team today.

In 1963 Louis A. R. Pieri was selected as the original "Pillar" member of the R.I. Reds Hockey "Hall of Fame," an honor by which the Reds and the Greater Providence Chamber of Commerce acknowledged and thanked him for his contribution to the people and the state of Rhode Island.

Sports has lost a dedicated workman, and hockey one of its great champions.

Vietnam Casualty Statistics

HON. ROBERT C. BYRD

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Thursday, March 28, 1968

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the RECORD a news release issued by the Assistant Secretary of Defense—Public Affairs—on March 21, 1968. The news release contains figures with regard to U.S. casualties, and combat deaths for other forces in Vietnam since January 1, 1961.

I ask unanimous consent to include the release in the Extensions of Remarks.

There being no objection, the news release was ordered to be printed in the RECORD as follows:

VIETNAM WEEKLY CASUALTIES STATISTICAL SUMMARY

The Department of Defense released today the weekly casualties reported in connection with the conflict in Vietnam, as of March 16, 1968.

A. U.S. CASUALITIES RESULTING FROM ACTIONS BY HOSTILE FORCES

Total U.S. deaths from actions by hostile forces is the sum of the following categories: killed in action, died of wounds, died while missing and died while captured. Lines 1 through 4 subdivide casualties by cause or category. Line 5 provides an additional breakdown of the same totals by environment (air or ground). Totals are cumulative from January 1, 1961 through March 16, 1968.

	Army	Navy[1]	Marine Corps	Air Force	Total
1. Killed	9,672	494	5,958	240	16,364
2. Wounded or injured:					
a. Died of wounds	1,188	64	721	25	1,998
b. Nonfatal wounds:					
Hospital care required	37,601	1,499	25,000	417	64,517
Hospital care not required	33,217	2,667	20,220	1,396	57,500
3. Missing:					
a. Died while missing	1,389	98	5	232	1,724
b. Returned to control	37	7	6	19	69
c. Current missing	176	110	108	456	850
4. Captured or interned:					
a. Died while captured or interned	9			1	10
b. Returned to control	9	1	2	2	14
c. Current captured or interned	12	111	15	115	253
5. Deaths—					
a. From aircraft accidents/incidents:					
Fixed wing	48	118	37	386	589
Helicopter	554	33	172	12	771
b. From ground action	11,656	505	6,475	100	18,736
Total deaths[2]	12,258	656	6,684	498	20,096

[1] Navy figures include Coast Guard.

[2] Sum of lines 1, 2a, 3a, and 4a.

B. COMBAT DEATHS FOR OTHER FORCES IN VIETNAM—SINCE JAN. 1, 1961

Force	RVNAF[1]	Other free world forces	Enemy[2]
6. Total deaths	[3] 56,888	[3] 1,947	314,460

[1] Does not include para military losses.

[2] Includes adjustments from previous period.

[3] Figures for the weeks Feb 25–Mar 16, 1968 are not available.

C. U.S. CASUALTIES NOT THE RESULT OF ACTION BY HOSTILE FORCES—SINCE JAN. 1, 1961

	Army	Navy	Marine Corps	Air Force	Total
7. Current missing	56	4	2	2	64
8. Deaths:					
a. From aircraft accidents/incidents:					
Fixed wing	158	75	25	151	409
Helicopter	583	16	118	1	718
b. From other causes	1,388	364	556	120	2,428
Total deaths	2,129	455	699	272	3,555

Gov. Lester Maddox

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 27, 1968

Mr. RARICK. Mr. Speaker, a reported speech by the Honorable Lester Maddox, Governor of Georgia, expresses quite bluntly the feelings of many Americans today—that our too big Government has gone mad.

While a national leader proclaims, "We've gone all the way to this point and we are going to keep on going now," and his principal adversary encourages revolt among our youth, it is refreshing to know that we have a Governor who can still voice the fears, frustrations, and wants of our people.

Mr. Speaker, I include the Atlanta Constitution report of Governor Maddox's speech, as follows:

[From the Atlanta (Ga.) Constitution, Mar. 26, 1968]

MADDOX SAYS GOVERNMENT GONE MAD

Gov. Lester Maddox said Monday night that the U.S. government had abdicated its responsibility to protect the people and their property, and "now it seems we need protection from a government which has gone stark-raving mad."

In a speech to the Tri-City Lions Club at Austell, the governor said, "It is my prayer that Georgia may help lead our nation back to sanity and security."

In his second bitter attack on the federal government in four days, Maddox said mass violence in this country is "part of a master scheme born in Moscow more than four decades ago" to tear up America.

There is ample evidence, he said, to support his statement, but it was ignored by the presidential riot probe commission.

"Americans are sick of paying for their

own destruction," Maddox said. "Americans are tired of financing revolutions through big government spending programs which only make bums and deadbeats of many segments of our society."

He said, "Americans want their national leaders to restore local control of government, systems of education, and law enforcement. Americans are ready for a return to constitutional government, states' rights, and private property rights.

"And I believe voices of millions of freedom-loving Americans will make their loudest cry for liberty in the elections of 1968. In the past, the government protected the people and their property. That is the first responsibility of government.

"Now it seems we need protection from a government which has gone stark-raving mad."

Maddox said his administration is "standing for freedom, free enterprise, and the great heritage of America."

Plans of Students for a Democratic Society To Create Turmoil During Late April

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Thursday, March 28, 1968

Mr. THURMOND. Mr. President, the advocates of hate and violence in this country are coming more and more out into the open. This is illustrated by a penetrating article written by syndicated Columnist Alice Widener and published in Barron's Financial Weekly.

The shocking revelations of this article have drawn the attention of the Charleston News and Courier in an article entitled "10 Days in April," published on March 16, 1968.

The editorial states that a meeting held by Students for a Democratic Society in New York City last month resulted in plans for a program of 10 days of violence and disruption in U.S. communities April 21 to 30. This period is expected to coincide with the march on Washington planned by Martin Luther King and supported by black power leader Stokely Carmichael.

It is amazing that such plans can be acknowledged in the press everyday without condemnation by the leadership of this Nation. It would appear that the mayors of the cities threatened should solicit the support of their citizens to prevent these open moves to win social goals through the threat and execution of violence against people and their property.

People of my State have recently witnessed a "hate campaign" against the city of Orangeburg and State law-enforcement authorities who had to deal with violence at South Carolina State College recently.

This country is disintegrating rapidly when our leaders accept violence and do not stand firmly in support of the laws designed to protect the welfare of all of our citizens. It is still my hope that the proper kind of leadership will emerge from our community groups, as they have the most to lose in these matters, since the riots most frequently occur in areas of a city heavily populated by minority groups. Their homes, businesses, and families are threatened when the law is abandoned. Our national leadership should actively seek the support of the responsible leadership among our minority groups, for it is this body that, in my opinion, can be most effective in meeting the present crisis.

The Nation cannot long survive along its present trend, and I never thought I would live to see the day when in the committees of Congress and elsewhere questions arise as to whether it is safe to send our soldiers abroad to meet our commitments overseas in view of their need to maintain order in the turmoil enveloping our cities.

Mr. President, I ask unanimous consent that the editorial be printed in the Extensions of Remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

TEN DAYS IN APRIL

Writing in Barron's Financial Weekly, syndicated columnist Alice Widener has exposed plans of the Students for a Democratic Society for a period of revolutionary action next month. One of the principal targets of the SDS will be the New York City financial center that is vital to the operation of American business and industry.

"At New York University over the weekend of Feb. 10–11," said Mrs. Widener, "the SDS held a regional conference to help plan a program for 10 days of violence and disruption in U.S. communities April 21–30."

Mrs. Widener, an authoritative writer on revolutionary movements, reports that the "overall theme of the SDS is that 1968 can be 'the 1905' of the American revolution."

In 1905, Russian Marxists held a dress rehearsal for the Bolshevik Revolution.

"Naturally," explained Mrs. Widener, "many present-day circumstances are different from those of a generation and more ago, but the basic ideology and revolutionary tactics used by Bolsheviks, terrorists and anarchists in Europe and the U.S. more than 60 years ago are exactly like those used today by radicals, youthful leftist terrorists and anarchists in this country and abroad."

SDS members are not shy about disclosing their schemes. They presented a written proposal for a "Financial District Festival." They openly stated that they hope to swarm into the congested Wall Street area in New York City and paralyze the financial heart of the nation.

This sabotage operation will come after the invasion of Washington planned by the Rev. Martin Luther King Jr. with the cooperation of Black Power leader Stokely Carmichael. SDS planners explained how and where they are cooperating with the Black Panther movement.

Mrs. Widener's article in Barron's is one of a number of responsible journalistic warnings of what to expect in the way of revolutionary action this spring. Irene Corbally Kuhn recently pointed out in a column published in The News and Courier that communist propaganda is being shipped into the United States in an unprecedented quantity. A vast global effort is afoot to force the U.S. to withdraw from Vietnam. Revolutionary action within this country is a key portion of the drive.

South Carolinians would be naive to imagine they will escape revolutionary pressures. The current issue of The New Republic Magazine contains a hate-South Carolina editorial captioned "Orangeburg Massacre." Troubles in Orangeburg suggest that the Palmetto State will be a target of the new revolutionists.

If South Carolinians are to understand the character of the difficulties that lie ahead, they must have facts such as Mrs. Widener has uncovered on the "Ten Days In April."

Poison Gas Boomerang

HON. ROBERT W. KASTENMEIER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 28, 1968

Mr. KASTENMEIER. Mr. Speaker, my initial reaction to the news from Utah that Army experiments in the use of nerve gas had resulted in the death of 6,400 sheep in that State was one of relief. At least the victims were not people. But then as the Army equivocated over its responsibility for the deaths of these sheep it became clear that even they did not know the range of the lethal effects of these weapons.

Some may respond that this illustrates how necessary the testing really is. The question is not whether this testing can be rendered safe, but rather whether it is necessary or desirable in the first instance.

As the editorial in the New York Times for March 27 pointedly argues:

> Both incidents are merely the latest of the many serious warnings society has received in recent years about the extraordinary new environmental perils—many of them initially unrealized—flowing from modern technology.

Indeed this is just another incident in the long history of ugly, distasteful incidents humanity has witnessed in the field of chemical and biological weapons testing and use.

As the Times editorial inquires:

> In this age of nuclear weapons, moreover, we wonder what benefits the nation receives from poison gases that could compensate for the boomerang effects already suffered and those now looming on the horizon.

A meaningful investigation must be made as the Times suggests. I accordingly invite your attention to the New York Times editorial:

POISON GAS BOOMERANGS

The tight secrecy with which every country normally surrounds poison gas research, production and testing has recently been broken in the western United States by two terrifying disclosures.

One is the revelation that some seismologists believe Denver is threatened by a serious man-made earthquake in the next few years. This threat is posed by the changes in subsurface conditions produced since 1962 by 160 million gallons of poisonous waste water. The water, a byproduct of poison gas production, was poured down a well drilled more than two miles deep at an arsenal in the city's outskirts.

The second involves the mysterious death in Western Utah of some 6,400 sheep. The circumstances suggest strongly that their deaths were the unplanned consequences of chemical warfare tests a few days earlier at the Army's Dugway Proving Grounds.

Earlier this decade worldwide concern about radioactive pollution from nuclear weapons tests helped provide much of the push behind the limited nuclear test-ban treaty. In the wake of the Denver and Utah reports the question must arise of whether similar prohibitions are not required for poison gas production and testing as well. Certainly the extraordinarily dangerous qualities of these substances is testified to by the sheep slaughter and by the fact that the Army felt it necessary to drill a well two miles under the ground to dispose of the waste water generated during poison gas production. Unfortunately the commendable zeal to avoid pollution of immediate subsurface waters in the Denver situation was not matched by adequate consideration of the cumulative geological impact of infusing such vast quantities of liquid into the deeper rocks.

The dead sheep cannot be revived and the problem at Denver is complicated by fears that efforts to pump out the waste water may actually increase the earthquake danger. Both incidents are merely the latest of the many serious warnings society has received in recent years about the extraordinary new environmental perils—many of them initially unrealized—flowing from modern technology. In this age of nuclear weapons, moreover, we wonder what benefits the nation receives from poison gases that could compensate for the boomerang effects already suffered and those now looming on the horizon. And if poison gases raise these dangers, what potential menaces lurk behind the screens that now shield biological warfare preparations from public scrutiny? A prompt Congressional or Presidential investigation of these dark military corners is much in order.

Downtown: What's Happening?

HON. GAYLORD NELSON

OF WISCONSIN

IN THE SENATE OF THE UNITED STATES

Thursday, March 28, 1968

Mr. NELSON. Mr. President, downtown Milwaukee is experiencing tremendous expansion and redevelopment. But this is nothing new. Milwaukee's downtown has been growing by leaps and bounds for more than a quarter of a century. From 1947 to 1958, new downtown building totaled $74.5 million; from 1960 to 1966, it totaled $143.3 million. This increase in construction has resulted in spectacular buildings, making the downtown area one of the most beautiful in the Nation. I am quite proud of Milwaukee's achievement—as is all of Wisconsin.

In the March issue of the magazine Milwaukee, a fascinating article entitled "Downtown: What's Happeneng?" describes the growth of this historic city's main shopping area. It is well worth reading, as are the other articles in the magazine.

I ask unanimous consent that the article be printed in the Extension of Remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DOWNTOWN: WHAT'S HAPPENING?

Something's been happening to Downtown. Even the grooviest rut-follower knows that, because his rut is forever being disturbed by a new one-way street sign, a barricade to keep him from falling into a gaping gulch where a freeway will run next year, a choke-up where a mammoth crane is preempting half the street while it lofts pre-cast concrete to the top of a new building, crews digging trenches in the middle of the street (at rush hour) for new sewers or utilities. . . .

What some people call it is unprintable. Others call it a renaissance.

Some of the philosophers in the Division of Economic Development would say this:

"During the late 40's and most of the 50's, there was an almost universal conviction among civic leaders, businessmen, government officials and the citizenry that Downtown was dead. However, in the midst of continuing decentralization, functional change, decay and obsolescence, there are unmistakable signs of a new vigor, meaningful accomplishments and a new spirit in Downtown that denies its death."

Some of the statisticians would put it this way:

"In the last 20 years, the United States has scored a modest increase in building activity in four sectors—government, industry, commercial and residential.

"In that same period, the City of Milwaukee—minus Downtown—experienced a mild decline, reflecting what one might expect of a mature city.

"But Downtown alone established a vigorous growth pattern—quite cyclical but with a pronounced rising trend. It is increasing at a faster rate than the United States average—and when it is combined with the rest of the city it not only arrests the modest decline of the rest of the city but converts it into an increase similar to that of the United States.

"Contrary to popular belief, Downtown not only failed to exhibit a declining trend, but the magnitude of its activity was sufficient to pull up the rest of the city."

If you want the mean-line round numbers (estimated construction costs for all types of buildings, 1947–66), the United States moved up from a little over $30 billion to a little over $40 billion. The City of Milwaukee as a whole moved up from a little under $100 million to a little over $100 million. But the City minus Downtown dropped from over $100 million to less than $80 million—while Downtown rose from a little over $3 million to well over $20 million.

Another way of saying it: from 1947 to 1958, Downtown building totaled $74.5 million; from 1960 to 1966, it totaled $143.3 million—roughly twice as much in the last seven years as in the first 12.

Or another way: Out of a total of $2.3 billion spent in the whole city for new construction, alteration and repairs from 1947 to 1966, $217 million went into Downtown—over 9.5 percent spent on one percent of the geography.

And who was so gung-ho about Downtown? Who were the heavy spenders?

Government? Wrong.

Commercial building led the pack—$91.6 million dollars' worth of new construction, alterations and repairs from 1947 to 1966—and over $75 million of *that* in the last eight years of the period. Both new construction and alterations have run over $1 million every year since 1958, with big new-building peaks in 1961 ($22.9 million), and 1963 ($9.2 million) and 1966 ($12.5 million). This was the era of the Marine Plaza, the Northwestern National, the IBM Building, the Lewis Center, the Juneau Square complex, the Greyhound Building, The First Wisconsin remodeling and addition, the New Pfister—and in 1967 the Marshall & Ilsley Building—to name a few pack leaders.

The public sector—government and quasi-public buildings—was a strong second with $88.7 million, including the $4 million Arena in 1949; the $2 million Library addition and the Central YMCA in 1954; another $26.3 million from 1957 to 1961, including the $7.5 million Municipal Annex, the $5.6 million State Office Building, and the new Museum and expansion of the Vocational School; and by 1966, another $10 million for the MacArthur Square plaza and garage. The Center for the Performing Arts adds another $9 million. The Union Depot and new Post Office are in the picture, too, although they are technically outside the Freeway loop embracing Downtown.

The residential sector has accounted for $21.6 million, in a widely oscillating pattern from 1947 to 1966. There were peaks in 1950 ($2 million), a year that included the 91 unit Shoreland Manor apartments; and in 1954 ($6.4 million), a year that included the 139 unit apartment put up by Knapp, Inc.; and in 1965 ($8 million). Residential population drifted down from 21,322 in 1940 to 13,234 in 1960, and to 12,441 in 1967—but in recent years a small but significant number of middle and high income families have been returning to the central city to live. There has been an upsurge since 1961, largely as the result of the Juneau Village development, and some prospects of developing the residential potential of Downtown with further developments such as the high-rise apartments along Prospect Avenue, the Regency project under construction on Kilbourn Avenue, and a poised-over-the-freeway proposal like the Bradley project.

Industrial construction, totaling $15.9 million in the 1947–66 period, has reflected mainly the development and expansion of large existing enterprises, such as the Johnson Service Co. expansion in 1951, the Pabst Brewing Co. expansion in 1952 and the Journal Co. expansion in 1961.

Tension Between Israel and Jordan

HON. FRANCES P. BOLTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 28, 1968

Mrs. BOLTON. Mr. Speaker, the news from the Middle East grows more ominous each day. And as the Washington Post editorially pointed out Tuesday morning:

> The recent action of the United Nations may very well have the effect of exacerbating rather than calming the tensions between Israel and Jordan.

Recent border clashes between Israel and Jordanians fall into a familiar pattern. As has occurred so many times in past years, terrorist activities conducted by Arab commandos along Israel-Arab borders have resulted in Israel reprisals.

As the Washington Post editorial stated:

> The United Nations Security Council, by condemning the Israeli action alone, can only have the effect by encouraging additional outbreaks.

Already Jordan-based commandos are openly declaring their intention to step up their raids on Israeli-held territory. It was in response to such an Arab commando raid, which destroyed a schoolbus filled with schoolchildren, that Israel Armed Forces struck across the border last week.

The United Nations must exert its full influence to bring Israel and Arab nations to the negotiating table for a peaceful solution of their differences.

Moreover, the United Nations must take steps to curb such Arab commando incursions into Israeli-held territory as precipitated the present crisis.

own destruction," Maddox said. "Americans are tired of financing revolutions through big government spending programs which only make bums and deadbeats of many segments of our society."

He said, "Americans want their national leaders to restore local control of government, systems of education, and law enforcement. Americans are ready for a return to constitutional government, states' rights, and private property rights.

"And I believe voices of millions of freedom-loving Americans will make their loudest cry for liberty in the elections of 1968. In the past, the government protected the people and their property. That is the first responsibility of government.

"Now it seems we need protection from a government which has gone stark-raving mad."

Maddox said his administration is "standing for freedom, free enterprise, and the great heritage of America."

Plans of Students for a Democratic Society To Create Turmoil During Late April

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Thursday, March 28, 1968

Mr. THURMOND. Mr. President, the advocates of hate and violence in this country are coming more and more out into the open. This is illustrated by a penetrating article written by syndicated Columnist Alice Widener and published in Barron's Financial Weekly.

The shocking revelations of this article have drawn the attention of the Charleston News and Courier in an article entitled "10 Days in April," published on March 16, 1968.

The editorial states that a meeting held by Students for a Democratic Society in New York City last month resulted in plans for a program of 10 days of violence and disruption in U.S. communities April 21 to 30. This period is expected to coincide with the march on Washington planned by Martin Luther King and supported by black power leader Stokely Carmichael.

It is amazing that such plans can be acknowledged in the press everyday without condemnation by the leadership of this Nation. It would appear that the mayors of the cities threatened should solicit the support of their citizens to prevent these open moves to win social goals through the threat and execution of violence against people and their property.

People of my State have recently witnessed a "hate campaign" against the city of Orangeburg and State law-enforcement authorities who had to deal with violence at South Carolina State College recently.

This country is disintegrating rapidly when our leaders accept violence and do not stand firmly in support of the laws designed to protect the welfare of all of our citizens. It is still my hope that the proper kind of leadership will emerge from our community groups, as they have the most to lose in these matters, since the riots most frequently occur in areas of a city heavily populated by minority groups. Their homes, businesses, and families are threatened when the law is abandoned. Our national leadership should actively seek the support of the responsible leadership among our minority groups, for it is this body that, in my opinion, can be most effective in meeting the present crisis.

The Nation cannot long survive along its present trend, and I never thought I would live to see the day when in the committees of Congress and elsewhere questions arise as to whether it is safe to send our soldiers abroad to meet our commitments overseas in view of their need to maintain order in the turmoil enveloping our cities.

Mr. President, I ask unanimous consent that the editorial be printed in the Extensions of Remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

TEN DAYS IN APRIL

Writing in Barron's Financial Weekly, syndicated columnist Alice Widener has exposed plans of the Students for a Democratic Society for a period of revolutionary action next month. One of the principal targets of the SDS will be the New York City financial center that is vital to the operation of American business and industry.

"At New York University over the weekend of Feb. 10–11," said Mrs. Widener, "the SDS held a regional conference to help plan a program for 10 days of violence and disruption in U.S. communities April 21–30."

Mrs. Widener, an authoritative writer on revolutionary movements, reports that the "overall theme of the SDS is that 1968 can be 'the 1905' of the American revolution."

In 1905, Russian Marxists held a dress rehearsal for the Bolshevik Revolution.

"Naturally," explained Mrs. Widener, "many present-day circumstances are different from those of a generation and more ago, but the basic ideology and revolutionary tactics used by Bolsheviks, terrorists and anarchists in Europe and the U.S. more than 60 years ago are exactly like those used today by radicals, youthful leftist terrorists and anarchists in this country and abroad."

SDS members are not shy about disclosing their schemes. They presented a written proposal for a "Financial District Festival." They openly stated that they hope to swarm into the congested Wall Street area in New York City and paralyze the financial heart of the nation.

This sabotage operation will come after the invasion of Washington planned by the Rev. Martin Luther King Jr. with the cooperation of Black Power leader Stokely Carmichael. SDS planners explained how and where they are cooperating with the Black Panther movement.

Mrs. Widener's article in Barron's is one of a number of responsible journalistic warnings of what to expect in the way of revolutionary action this spring. Irene Corbally Kuhn recently pointed out in a column published in The News and Courier that communist propaganda is being shipped into the United States in an unprecedented quantity. A vast global effort is afoot to force the U.S. to withdraw from Vietnam. Revolutionary action within this country is a key portion of the drive.

South Carolinians would be naive to imagine they will escape revolutionary pressures. The current issue of The New Republic Magazine contains a hate-South Carolina editorial captioned "Orangeburg Massacre." Troubles in Orangeburg suggest that the Palmetto State will be a target of the new revolutionists.

If South Carolinians are to understand the character of the difficulties that lie ahead, they must have facts such as Mrs. Widener has uncovered on the "Ten Days In April."

Poison Gas Boomerang

HON. ROBERT W. KASTENMEIER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 28, 1968

Mr. KASTENMEIER. Mr. Speaker, my initial reaction to the news from Utah that Army experiments in the use of nerve gas had resulted in the death of 6,400 sheep in that State was one of relief. At least the victims were not people. But then as the Army equivocated over its responsibility for the deaths of these sheep it became clear that even they did not know the range of the lethal effects of these weapons.

Some may respond that this illustrates how necessary the testing really is. The question is not whether this testing can be rendered safe, but rather whether it is necessary or desirable in the first instance.

As the editorial in the New York Times for March 27 pointedly argues:

> Both incidents are merely the latest of the many serious warnings society has received in recent years about the extraordinary new environmental perils—many of them initially unrealized—flowing from modern technology.

Indeed this is just another incident in the long history of ugly, distasteful incidents humanity has witnessed in the field of chemical and biological weapons testing and use.

As the Times editorial inquires:

> In this age of nuclear weapons, moreover, we wonder what benefits the nation receives from poison gases that could compensate for the boomerang effects already suffered and those now looming on the horizon.

A meaningful investigation must be made as the Times suggests. I accordingly invite your attention to the New York Times editorial:

POISON GAS BOOMERANGS

The tight secrecy with which every country normally surrounds poison gas research, production and testing has recently been broken in the western United States by two terrifying disclosures.

One is the revelation that some seismologists believe Denver is threatened by a serious man-made earthquake in the next few years. This threat is posed by the changes in subsurface conditions produced since 1962 by 160 million gallons of poisonous waste water. The water, a byproduct of poison gas production, was poured down a well drilled more than two miles deep at an arsenal in the city's outskirts.

The second involves the mysterious death in Western Utah of some 6,400 sheep. The circumstances suggest strongly that their deaths were the unplanned consequences of chemical warfare tests a few days earlier at the Army's Dugway Proving Grounds.

Earlier this decade worldwide concern about radioactive pollution from nuclear weapons tests helped provide much of the push behind the limited nuclear test-ban treaty. In the wake of the Denver and Utah reports the question must arise of whether similar prohibitions are not required for poison gas production and testing as well. Certainly the extraordinarily dangerous qualities of these substances is testified to by the sheep slaughter and by the fact that the Army felt it necessary to drill a well two miles under the ground to dispose of the waste water generated during poison gas production. Unfortunately the commendable zeal to avoid pollution of immediate subsurface waters in the Denver situation was not matched by adequate consideration of the cumulative geological impact of infusing such vast quantities of liquid into the deeper rocks.

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Downtown: What's Happening?

HON. GAYLORD NELSON

OF WISCONSIN

IN THE SENATE OF THE UNITED STATES

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Mr. NELSON. Mr. President, downtown Milwaukee is experiencing tremendous expansion and redevelopment. But this is nothing new. Milwaukee's downtown has been growing by leaps and bounds for more than a quarter of a century. From 1947 to 1958, new downtown building totaled $74.5 million; from 1960 to 1966, it totaled $143.3 million. This increase in construction has resulted in spectacular buildings, making the downtown area one of the most beautiful in the Nation. I am quite proud of Milwaukee's achievement—as is all of Wisconsin.

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Tension Between Israel and Jordan

HON. FRANCES P. BOLTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 28, 1968

Mrs. BOLTON. Mr. Speaker, the news from the Middle East grows more ominous each day. And as the Washington Post editorially pointed out Tuesday morning:

> The recent action of the United Nations may very well have the effect of exacerbating rather than calming the tensions between Israel and Jordan.

Recent border clashes between Israel and Jordanians fall into a familiar pattern. As has occurred so many times in past years, terrorist activities conducted by Arab commandos along Israel-Arab borders have resulted in Israel reprisals.

As the Washington Post editorial stated:

> The United Nations Security Council, by condemning the Israeli action alone, can only have the effect by encouraging additional outbreaks.

Already Jordan-based commandos are openly declaring their intention to step up their raids on Israeli-held territory. It was in response to such an Arab commando raid, which destroyed a schoolbus filled with schoolchildren, that Israel Armed Forces struck across the border last week.

The United Nations must exert its full influence to bring Israel and Arab nations to the negotiating table for a peaceful solution of their differences.

Moreover, the United Nations must take steps to curb such Arab commando incursions into Israeli-held territory as precipitated the present crisis.

Panel “Gutless” in Civil Disorder Report

HON. ROBERT C. BYRD

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Thursday, March 28, 1968

Mr. BYRD of West Virginia. Mr. President, Mr. George S. Schuyler, respected Negro editor and newspaperman for half a century, recently wrote a column entitled “Panel ‘Gutless’ in Civil Disorder Report.” The article was with reference to the recent report of the National Advisory Commission on Civil Disorders.

I ask unanimous consent to insert the article in the Extension of Remarks.

There being no objection, the article was ordered to be printed in the RECORD as follows:

[From the Waco (Tex.) Tribune-Herald, Mar. 2, 1968]

NEGRO WRITER SAYS WHITES WRONGFULLY BLAMED: PANEL “GUTLESS” IN CIVIL DISORDER REPORT

(EDITOR'S NOTE.—Mr. Schuyler, a Negro who is outspokenly conservative, has been an editor and newspaperman for half a century. Among his books are “Black No More” and “Black and Conservative.”)

(By George S. Schuyler)

NEW YORK.—As predicted by the suspicious when it was appointed by President Johnson on July 29 last year, the National Advisory Commission on Civil Disorders has produced an outrageous whitewash. It is indicative of the pervasive gutlessness of current officialdom and civil leadership on all levels in coping with the crisis confronting us.

Not unexpectedly, the police, perennial whipping boys of those running interference for demonstrators, are blamed by the commission for undue severity in suppressing the riot-prone, retardate, extremist-incited and criminally-inclined elements usually dormant in every city. The police are the first line of defense against the troglodytes ever waiting to mug pedestrians, snatch pocketbooks, rape nurses, toss Molotov cocktails, overturn cars, smash windows and gut stores.

The Commission cries tut-tut because the police fired volleys to suppress snipers and vandals; as if they were supposed to tap mob wrists and recite the Pledge of Allegiance while the town burned down around their ears.

So now the police are advised to train more diligently and, along with other citizens, understand better the dimensions of the emergency and the nature of the people with whom they are dealing. It is because the police do know the agitators and criminal elements with which they are dealing that the cities have suffered no more than they did. Illustrative of this knowledge was the drop in the Miami, Fla., crime rate by 60 per cent in Negro districts after Police Chief Walter Headley warned that “when you start looting; we start shooting.” Both colored and white businessmen lauded the plummeting of the crime rate.

Evidence of the type of people with whom the police are dealing is the decade of calumniation they have endured, charged incessantly with “police brutality” because they refused to let the underworld take over. Further evidence in many cities is provided by the helmets and bullet-proof vests police are wearing, and the protective canopies over the drivers of fire trucks.

The Commission cries out the tired old alibis for hoodlums; that they are frustrated, have poor job prospects, are culturally deprived and do not participate in government. But what's new about that? Who isn't frustrated? Haven't the untrained and unwilling always had poor job prospects? And who has stopped the people in the slums from visiting a library, attending their district political club, and registering and voting?

All of a sudden after years of peace and quiet the slum people are aflame; denouncing whitey, making outrageous demands upon city, state and federal treasuries, baiting public officials. Why? Because of the power of suggestion and the incitement by trained agitators with a vested interest in grief and despair.

For ten years Martin Luther King and his band of pulpit-less parsons of the Southern Christian Leadership Conference have roamed the country obstructing traffic, slandering officialdom, staging demonstrations and inciting to riot all the way from Chicago to St. Augustine. These have been aided and abetted by the Congress of Racial Equality, the Students Nonviolent Coordinating Committee, the Deacons for Defense and Justice, the Black Panthers and a horde of others in cities across the land, panting to stir strife.

As if there were not enough segregation to fight, the National Association for the Advancement of Colored People initiated and has persisted in a hare-brained battle against what it has dubbed de facto school segregation. This has successfully kept the cities in uproar; fraying the nerves and trying the patience and tolerance of otherwise friendly or indifferent whites, and raising the expectations of poor Negroes led by psychotics.

As was to be expected, the commission denies that there is or has been any conspiracy behind the civil riots, when reasonably observant Americans see quite the contrary. It is an insult to the collective intelligence. The leaders of the civil rights organizations have always kept close liaison. Recently they have been meeting secretly with reporters excluded, as at the Black Power Conference in Newark while the surrounding neighborhood smoked from vandalism and arson, and like-minded people from Los Angeles to Boston gathered to blame white people for every Negro social malady. They all supported the Conference of Federated Organizations in Mississippi's travail.

With the cooperation of Marxist student groups on hundreds of campuses, civil rights leaders and spokesmen, both extremist and moderate, have carried on a campaign of misinformation and miseducation. One week filthy-speech playwright LeRoi Jones stages one of his anti-white plays in Intermediate School 201 in Harlem with the connivance of the school authorities, the exclusion of all reporters and the bankrolling of the Ford Foundation; and the next week he attends a three-day symposium on social revolution at the University of Oregon in Eugene.

In fine fettle, as usual, the playwright who is out on bail for carrying arms during the Newark shambles shouted “we will govern Newark or no one will govern it.” He observed that the only alternative to violence was for the authorities to yield control of the cities where Negroes formed majorities. Added the leader of the Black Student Union at San Francisco State College, Ben Stewart; “the best thing white people can do for Negroes is to die.”

Meanwhile in Washington, D.C., Martin Luther King Jr. conferred with H. Rap Brown (now in the New Orleans jug) and Stokely Carmichael at the Presbyterian Church of the Redeemer, after Stokely and 115 of his Student Nonviolent Coordinating Committee supporters took over a meeting of the Southern Christian Leadership Conference. Carmichael had barged into the closed meeting, using storm trooper tactics, King capitulated and accepted the cooperation of the extremists on their promise to be nonviolent in the coming seige of Washington in April. As usual, the press was barred. What did these people want to conceal?

Blaming the white people for our racial trauma is a cheap, political “out” unworthy of the positions the commissioners hold. It is cruelly misleading the public to imply that by some legerdemain nine-tenths of the population, here or anywhere else, can be brought to relinquish their prejudices against one-tenth where multiracialism obtains by being threatened with conflict and possible genocide. If this course is pursued, the blacks will be the ones to suffer.

The best we can hope for in this country is a large measure of tolerance and cooperation between our diverse peoples. There is nothing wrong with prejudice and discrimination per se. Without them we would be devoid of individual personality and the ability to act in new situations. When we reach the point in America that we cannot choose in effect, prejudge the professions, associations and neighbors we prefer, it will not be America any more. Unfortunately, there are ignorant and evil people trying to destroy America as we have known it.

Like Schopenhauer's porcupines, we Americans will have to learn to huddle close enough to keep warm but distant enough not to prick each other. Right now we are on a collision course, and we had better all hold up. It is a time for firmness; not flabbiness.

Let's Establish a National Credit Week

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 28, 1968

Mr. HORTON. Mr. Speaker, I rise to submit a bill which, if enacted, would give full and national recognition to the crucial role that credit has played in the development of this great Nation. By establishing the week beginning with the Sunday immediately following Easter Sunday of each year as “National Credit Week,” we would be giving just recognition to a field which has encouraged the use of consumer credit consistent with sound credit principles and the welfare of the community. From the time of the first Thirteen Colonies, which flourished partly because of wise credit arrangements in colonial commerce, to the present, the stability and growth of our national economy has been interdependent with sound credit policies and sound credit practices.

The credit managers of America are largely responsible for this growth of stable credit relationships, both at home and abroad. It cannot be denied that today credit in America is dynamic and important. It has passed the $100 billion a year mark in consumer credit alone. In the area of trade credit, the workload of credit groups and of the credit interchange of the National Association of Credit Management will almost double within the next 3 years.

I am pleased, Mr. Speaker, that we have recently witnessed some major legislative changes in the entire field of credit extension. However, these changes developed out of the efforts to improve the quality of information and performance in the extension and use of consumer credit. There can be no doubt of the contribution that the credit industry and credit management has made to the development and growth of American economy. I urge you to join with me in support of this legislation.

Railway Supply Industry Urges Action To Help Railroads

HON. FRANK E. MOSS

OF UTAH

IN THE SENATE OF THE UNITED STATES

Thursday, March 28, 1968

Mr. MOSS. Mr. President, last week I had the pleasure of attending an interesting and informative luncheon program on the other side of the Capitol, dealing with the Nation's railroads.

Mr. W. Ashley Gray, Jr., of St. Louis, Mo., president of General Steel Industries, Inc., and chairman of the Railway Progress Institute, the national trade association of the railway supply industry, spoke during a presentation of a color slide show entitled "The New Railroads."

Mr. Gray discussed the activities of the Golden Spike Centennial Celebration Commission, of which I am Vice Chairman, as well as some current problems in the railroad and railway supply industries. I believe his remarks will be of interest to many persons who were not able to attend the program.

I ask unanimous consent that the text of the news release summarizing Mr. Gray's speech, together with some brief supporting data furnished by the Railway Progress Institute, be printed in the Extensions of Remarks.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

RAILWAY SUPPLY INDUSTRY URGES ACTION TO HELP RAILROADS

WASHINGTON, D.C., March 20.—The railway supply industry today urged Washington officials to act on several fronts to improve railroad earnings and thus help stave off more serious cutbacks in equipment plants.

"Railway supply companies are being forced to lay off many thousands of employees in hundreds of railway supply plans in almost every state," W. Ashley Gray, Jr., Chairman of the Railway Progress Institute, said at a luncheon on Capitol Hill.

"The railway supply industry cannot return to healthy production until railroad earnings reach more normal levels," he added.

Mr. Gray was the speaker at a showing of RPI's slide presentation, "Meet the New Railroads," before a blue ribbon audience of 200 in a banquet room of the Rayburn Office Building.

The guests included Senators, Congressmen, Transportation Secretary Alan S. Boyd, Interstate Commerce Commission Chairman Paul J. Tierney and many other officials in government and industry. Sponsors for the luncheon were Thomas M. Goodfellow, President of the Association of American Railroads, and W. Graham Claytor, Jr., President of the Southern Railway System.

As areas where "prompt action" by government is needed to help the railroads, Mr. Gray listed: approval of pending freight rate increases, quicker action on railroad mergers, elimination of "unfair" real estate tax assessments on railroad property, "swift and effective arbitration of rail labor problems," and elimination of the present $400 million a year loss on uneconomical passenger service.

Despite the industry's serious current problems, Mr. Gray voiced optimism about its long range prospects. "We are confident of the long run great potential of the railroad and railway supply industry," he declared.

Mr. Gray is President of General Steel Industries, Inc., of Granite City, Ill., as well as Chairman of the Railway Progress Institute. RPI is the national trade association of the railway supply industry, with headquarters in Washington, under Nils A. Lennartson.

Mr. Gray predicted that the railroads will haul 900 billion ton-miles of intercity freight annually by 1970, an increase of almost 25 percent over 1967.

He based the bright long-range outlook on revolutionary rail technology and marketing techniques, such as "piggybacking," (truck trailers carried on railroad flat cars), the unit train (shuttle freights carrying trainloads of one product over a fixed route), the auto rack car for transporting new vehicles, and high-speed short-haul passenger trains such as those developed for the "Northeast Corridor Project."

"Piggyback shipments moved a record 2.8 million truck-trailers in 1967, compared to only 168,000 loadings when this technique was introduced twelve years ago," Mr. Gray said. "And the present figure is expected to triple within the next decade.

"Unit trains already move about 40 percent of the nation's coal shipments," he went on, "and they show great promise for other bulk shipments such as chemicals, grain, ores, cement and steel.

"Auto rack shipments have grown six-fold since 1960. Last year, nearly 5 million new cars and trucks took their first ride to market in an auto rack railroad car. Railroads now carry 50% of all new autos. This growing trend is sure to continue."

"Railroads now handle 42 percent of the nation's total intercity traffic, the largest single slice of the growing freight pie," he added.

Rail transportation will still be a good buy after approval of the pending request for freight rate hikes of three to ten percent, Mr. Gray emphasized.

"Even with the current proposed rate increases, rail shipping would show an eight year reduction of shipping costs of about seven percent," he declared.

"While the general cost of living increased more than 15 percent in the past eight years, railroads reduced average freight charges by eleven percent," he explained.

As for mass transit, Mr. Gray said: "I am sure you are aware we are at the beginning of a new age in urban rapid transit."

He hailed announcement of plans to begin digging in October on a 97-mile subway and surface system for Washington and its suburbs.

"We congratulate you on these plans," he declared, "because the health of America's large cities, so desperately in need of new life and a fresh start, depends on the free and efficient circulations of people and goods in balanced mass transit systems: autos, buses and rapid transit trains—all working together."

Commenting on the railroad contribution to federal, state and local governments, Mr. Gray noted, "railroads pay an average of $2.8 million in taxes every day of the year, more than all other forms of transportation combined."

SUPPORTING DATA

On March 11, 1968, the U.S. Department of Commerce made public the results of a survey conducted in late January and February by the Office of Business Economics and the Securities and Exchange Commission of capital investment plans of various industries in 1968.

"Business investment programs for 1968 reflect higher anticipated outlays by all major industries except railroads," said the report. While manufacturers generally are projecting an increase of about 5 percent, it said, "Railroads are projecting a reduction of 17 percent in 1968 outlays."

Early this year, the Association of American Railroads published the latest railroad earnings figures in the booklet, "Review of Railroad Operations in 1967," by Burton N. Behling, Vice President, Economics and Finance Department, A.A.R.

"Railroads continue to maintain a relatively low position among corporations generally and transportation companies in particular in regard to earnings rates," it said. In table 1 on page 10 of the booklet, the "rate of return on investment after depreciation" was shown as only 2.59 percent for the latest 12 month period.

A Welcome Lift From the Airlines

HON. DURWARD G. HALL

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 28, 1968

Mr. HALL. Mr. Speaker, as a member of the Airlift Subcommittee, House Committee on Armed Services, I was extremely interested in reading an article in the March issue of the Air Force magazine entitled "A Welcome Lift From the Airlines." I believe many of my colleagues will find in this article an informative source of information about the contributions being made to our defense effort by the civilian airlines. The article follows:

A WELCOME LIFT FROM THE AIRLINES

(By Edgar E. Ulsamer)

The geography of the United States and this nation's global commitments make it imperative for the US to maintain a vast and rapidly available airlift capability. This need exists in times of peace as well as war, and to meet it is costly in terms of manpower and equipment. This is why it makes sense for the US to augment its basic military capability with civilian airlift from the airlines to the benefit of both.

This system of airlift augmentation was recommended in May of 1949 by Gen. Laurence S. Kuter, then Commander of the Military Air Transport Command (MATS—now redesignated the Military Airlift Command). General Kuter rejected as a "fantastic expense to the taxpayer" the creation on the one hand of a solely military airlift capability or on the other hand actually "taking over as a government enterprise the operation of civil airlines—a concept foreign to our free-enterprise system." He spelled out instead the requirement for a voluntary "mix" of military and civil aviation.

Now, nearly twenty years later, this has been achieved, with cross-fertilizing effects to both sides. It has multiplied the USAF's strategic airlift capability and at the same time has stimulated the growth of the US airline industry. The result is that each is substantially above the capacity of any other country.

The central operating authority for US strategic airlift is the Military Airlift Command (MAC), whose "in-house" capability was greatly increased when a total of 224 C–141s came into the operational inventory between 1965 and February 28, 1968.

This capability will further increase, in revolutionary fashion, when the giant Lockheed C–5A enters MAC service next year.

MAC's airlift capability in 1967, according to testimony by former Secretary of Defense Robert McNamara was four times that of the

1961 level. In 1972, with all currently ordered C–5As delivered, this capability will be ten times that of 1961, Mr. McNamara stated.

Working in concert with the uniformed component of the military airlift is the world's largest and best-equipped commercial air transport industry. A flexible mechanism has been created to balance the degree of the civilian involvement against any given strategic requirement. While the means exist to proceed otherwise, the cooperation between the defense sector and the airlines industry continues to be voluntary—and enthusiastic.

Two government agencies have principal responsibility over the augmentation of military airlift through commercial channels.

The Secretary of the Air Force, with the Military Airlift Command acting as the executive agency, has "single-manager responsibility" for worldwide augmentation. Long-term contracts form the basis of this type of auxiliary airlift.

Predominant responsibility for domestic, scheduled, short-term charter operations of commercial carriers in support of the Department of Defense rests with the Military Traffic Management and Terminal Service (MTMTS). This is an agency managed by the Department of the Army but jointly staffed by all military services. MAC maintains technical supervision over MTMTS' charter aircraft.

CRAF, WASP, AND SARDA

Detailed and elaborate programs exist to mobilize civil aviation on behalf of national security during periods of national emergency and all-out war. Foremost in priority is the Civil Reserve Air Fleet (CRAF).

The CRAF plan was initiated in December 1951. CRAF can be tailored, in steps, to any prevailing crisis level, ranging from routine peacetime augmentation of military airlift to the actual incorporation of the CRAF fleet into the Military Airlift Command. The emergency mechanism of the CRAF plan can be activated by the Secretary of Defense or the President, depending on the crisis level involved (*see box*).

Strategic airlift contracts

Commercial carriers:	*Fiscal 1967 MAC contract*
Airlift International	$51,786,000
Alaska Airlines	6,976,000
American Airlines	15,271,000
Braniff Airways	30,171,000
Capitol Airways	21,567,000
Continental Airlines	65,168,000
Eastern Air Lines	68,000
Flying Tiger Line	65,060,000
Mackey Air Lines	133,000
National Airlines	303,000
Northwest Orient Airlines	48,076,000
Overseas National Airways	7,243,000
Pan American World Airways	94,548,000
Saturn Airways	9,410,000
Seaboard World Airlines	31,537,000
Southern Air Transport	11,192,000
Standard Airways	1,186,000
Trans Caribbean Airways	6,740,000
Trans International Airlines	14,815,000
Trans World Airlines	33,131,000
United Airlines	20,945,000
World Overseas Airways	38,018,000
Zantop Air Transport (Universal)	1,911,000
Common Carriage (Miscellaneous)	10,000
Post Office Department Mail	109,675,000
Total	684,940,000

The Secretary of the Air Force is operational manager of CRAF, but this authority is normally delegated to MAC and its Commander, in the latter's function as Executive Director, Single Manager—Operating Agency for Airlift Services. Allocation of aircraft to CRAF has to be approved by the Department of Transportation's Office of Emergency Transportation, with the President's Office of Emergency Planning exercising certain overseeing and policy functions.

Currently committed to CRAF on the basis of individual contracts are 419 commercial airliners, representing an insured value of $2.09 billion. Two hundred and ninety-four of these are jetliners, predominantly 707s and DC–8s in either cargo or passenger configuration. Each aircraft is specifically assigned to one of four CRAF missions—International Cargo, International Personnel, Domestic Service, or Alaska Service.

The approximately 2,000 airliners in the inventory of the U.S. scheduled and supplemental carriers that are not assigned to CRAF are earmarked for the War Air Service Pattern (WASP). WASP is controlled primarily by the Civil Aeronautics Board and is designed to ensure that essential defense and civilian needs are met in a wartime situation. It is likely that, during high states of emergency, the CRAF allocation would be substantially increased over the current level, leaving fewer aircraft for WASP.

General aviation's fleet of more than 100,000 aircraft also can be integrated into the defense transportation system through the so-called SARDA (State and Regional Defense Airlift) program, administered by the Department of Transportation's Federal Aviation Administration.

The importance of civil aviation to defense transportation in general and the United States Air Force in particular is staggering: CRAF, at its present level, can make available 4.2 million ton-mile per hour. It can produce 11.57 million hourly passenger-miles in international passenger service alone.

The WASP fleet represents a value of between $12 to $14 billion, depending on what yardstick is applied, and presumably represents more airlift capability than the Department of Defense is likely to require. In addition, CRAF and WASP will gain a steep capability increase as 1,127 new aircraft currently on order and valued at $8.3 billion come into the inventory of the scheduled U.S. carriers between now and 1971. These aircraft include the Boeing 747 superjet with a capacity roughly equal to that of the C–5A and the "stretched" four-engine McDonnell Douglas DC–8 Sixty series.

While no official dollar evaluation of the general aviation SARDA fleet exists, its 103,000 aircraft represent a value substantially above $10 billion. The importance of SARDA, in the opinion of defense planners, "can't be overrated in case of a nuclear attack on the United States because these planes are so dispersed, often in remote areas where their survival probability is far above that of the commercial fleet located principally in potential target areas."

Short of full "mobilization" of the commercial fleet, the US carriers make their services available to MAC and MTMTS through the Air Transport Association's military and government transport office.

Secretary of the Air Force Harold Brown commented to AIR FORCE/SPACE DIGEST on the current contributions of the airlines to national defense:

"Since MAC contracts with commercial air carriers for the movement of about ninety percent of the passengers and more than thirty-four percent of the air cargo requirements for the Department of Defense, the airline industry plays a vital role in the augmentation of military capability.

"During [calendar year] 1967, commercial carriers airlifted more than 2,100,000 passengers, and more than 189,000 tons of cargo registering 2.3 billion ton-miles. Of this total, 1.9 billion ton-miles were flown in support of airlift requirements to Southeast Asia. That is a most monumental effort and a magnificent contribution."

During Fiscal Year 1967 the total value of these services (not counting off-duty travel by military personnel) amounted to $922.2 million.

Of this total, $685 million represented MAC purchases of worldwide cargo and personnel airlift; 178 million domestic passenger services; $45 million was generated by the so-called Logair (mainly USAF–AFLC) and Quicktrans (mainly US Navy-Systems Command) domestic airlift; and $14.2 million for military airfreight and air-express service. In overseas traffic this amounted to 91.6 percent of the passenger and 38.8 percent of the cargo requirement generated by the armed forces.

IN SUPPORT OF VIETNAM

About ninety percent of the military personnel traffic to and from Southeast Asia was furnished under contract by US commercial carriers. The carriers also delivered 177,680 tons of cargo out of the 454,005 tons which made up the Southeast Asia airlift last year. A senior DoD official says of the airlines' performance: "They give us all that we could possibly ask for, and we have come to rely on them almost completely for all personnel airlift. No other country has this national resource to the degree that we do."

Gen. Howell M. Estes, Jr., Commander of the Military Airlift Command, reported to Congress that the Vietnam War requirement exceeds the military airlift capability. Therefore, he said, the Air Force will continue to rely heavily on augmentation by the civil air industry. He added that it is "indeed fortunate that the nation's air carriers have pursued a large-scale modernization program" and that the nation has "an aircraft industry that is a leader in design and is responsive in production." Because of renegotiated MAC contracts, reflecting the more efficient aircraft now in the airlines' inventory, "the dollar in Fiscal Year 1967 [bought] nine percent more cargo ton-miles and twenty-eight percent more passenger seat-miles than it did in 1965."

DoD officials feel that Fiscal Year 1967 represented a peak year for military airlift with the over-all airlift demand dropping by about ten percent in 1968. This, they say, has reduced the need for commercially furnished military airlift by about the same percentage. They believe, however, that the present level will hold steady in the years ahead, with about ninety percent of all personnel airlift to be furnished by commercial carriers.

HISTORIC PRECEDENT

The military airlift function of the U.S. commercial carriers is rooted in the Civil Aeronautics Act of 1938, which ascribed to the carriers a definite national defense role—to provide immediate support to the Department of Defense, civil defense, and disaster relief agencies in times of national emergency and national calamity. In spite of this foundation in law, the air carriers have always functioned on a voluntary basis. This voluntary responsiveness to national security dates back to World War II when Gen. H. H. Arnold, Commanding General of the Army Air Forces, dissuaded the President from nationalizing the airlines. Between 1942 and 1945 the commercial carriers produced the then staggering total of more than four billion passenger-miles and a billion cargo ton-miles in military airlift. Air Transport Command's Commanding General, Lt. Gen. Harold L. George, characterized as "stupendous" the "contributions made by the commercial carriers during World War II."

The airlines have worked in concert with military authorities during each national crisis that followed. Commercial aviation was a mainstay in the Berlin Airlift, and during the Korean War commercial air carried more than one and a half times the combined volume transported by MATS, the Royal Canadian Air Force, UN military forces, and foreign-flag carriers. During the Cuban crisis, the carriers, through the Air Transport Association, made 400 long-haul aircraft available to the Department of Defense. Almost 25,000 military personnel and more than 50,000 tons of cargo were flown by the airlines to the staging areas in Florida and offshore islands during this crucial period.

In the aftermath of the Cuban crisis the commercial airlines were instrumental in the Cuban prisoner exchange by delivering to Cuba the prisoner exchange ransom of 800,000 pounds of medical supplies valued at $7.5 million.

During the largest postwar military maneuvers, the Desert Strike Exercise of the U.S. Strike Command in May of 1964 in the Mojave Desert, commercial air carriers transported more than 15,000 combat troops and their field equipment.

THE WAR IN SOUTHEAST ASIA

Today, the commercial carriers are deeply involved in the Southeast Asian war effort.

DoD officials are enthusiastic in their praise of what the airlines and their crews are doing in support of the military effort. Commercial aircraft crews often have to brave Viet Cong fire, yet to date there has not been one single refusal by any crew member to fly such missions. "The pilots have learned to perform aircraft carrier type landings and takeoffs to minimize the danger from Viet Cong small-arms fire. In spite of this, the crews keep volunteering for this duty. Stewardesses with high seniority, which would enable them to take the truly plush intercontinental runs, keep coming back time and again to fly such missions," a DoD logistics expert reports.

MAC's Commander, General Estes, has this comment: "In the United States, which has no nationalized airlines, there is an excellent *voluntary* working relationship between the military airlift system and the civil airline industry. This relationship has been demonstrated again in Vietnam. . . . The fact that a Pan American jet was hit by Viet Cong ground fire on its approach to Saigon shows what may occasionally be expected of our civil crews, and also displays their readiness to respond to the demands of the task."

While commercial aircraft have been damaged slightly by mortar fire on the ground and others have sustained occasional bullet hits in the fuselage, there have been no casualties thus far. In terms of air fare the government gets somewhat of a bargain. It costs the DoD $308 for the California-Saigon round trip (about 17,000 miles), compared to nearly $1,000 for an economy-class regular civilian ticket. The load factor on military flights, of course, is in the 100 percent range, enabling the carriers to maintain low rates and still make an adequate profit.

Pan American World Airways, which contributes more than thirty percent of the worldwide CRAF capability, has nineteen four-engine jetliners assigned to military airlift on a full-time basis. Thirteen additional aircraft and an all-volunteer crew of 500 operate a special no-profit R&R (rest and rehabilitation) airlift from Saigon, Da Nang, and Cam Ranh Bay. Last year more than 300,000 US fighting men were carried to Asian resorts and Hawaii for five-day leaves.

Pan American's Chairman Juan T. Trippe says, "We have been devoting an ever-increasing number of aircraft and manpower to the war effort in Vietnam, and it is with some pride that we can say we are the single largest contributor to the military airlift—an airlift that has no parallel in history."

Similarly, TWA's Senior Vice President, R. M. Dunn, told this reporter:

"TWA is genuinely proud of the important part its aircraft have played and continue to play in the US airborne troopship fleet. From the East Coast long-range TWA jets span the Atlantic regularly with American servicemen and dependents bound to and from assignments in Europe and Africa. From the West Coast a TWA jet airlift daily transports American troops to duty in Vietnam . . . and returns with troops [who] are being rotated to the US."

All carriers incorporate defense transportation considerations into their route structures. In turn the Department of Defense presents its views and recommendations at route application hearings before the Civil Aeronautics Board.

Eastern Air Lines, for instance, in its current petition for direct East Coast-Hawaii service, made military considerations part of the premise on which its case was based.

BENEFITS BEYOND REVENUE

Airline executives freely admit that the cooperation between the commercial carriers and the Department of Defense has been beneficial beyond the revenue derived from these sales. The recent and rapid development of the commercial cargo jet fleet would not have been possible without the catalyzing effect of the military business.

The long-term interaction between commercial and military airlift was previewed by General Estes: ". . . one can visualize commercial air transport playing a deterrent role somewhat akin to the role of military airlift. Moving technicians, teachers, advisers, machinery, tractors, bulldozers, tools, books, medicines, and other items of self-help—directly and quickly—to the newly emerging areas of the world, they might well prevent those areas from becoming targets of Communist infiltration. In short, 'recipients of aid' could be helped to turn into 'participants in trade'—and any future need for military airlift to rush in with troops and weapons might thus be substantially diminished or, hopefully, eliminated." The US aviation industry is eager and waiting to do the job.

Green Bay Planning Commission and Brown County Regional Planning Commission

HON. GAYLORD NELSON

OF WISCONSIN

IN THE SENATE OF THE UNITED STATES

Thursday, March 28, 1968

Mr. NELSON. Mr. President, Green Bay, Wis., located in Brown County, can point with pride to many of its accomplishments. One reason for these many successes is the work of the Green Bay Planning Commission and the Brown County Regional Planning Commission.

Both agencies, while charged with the same basic responsibility, have coordinated their efforts, thereby achieving a remarkable amount of good for their citizens including improved educational facilities, the Washington street beautification program, as well as proposals concerning sanitation, and the creation of a civil defense community shelter plan, to mention a few. The staffs of these agencies deserve to be applauded for their fine efforts.

The Green Bay-Brown County annual report for 1967 is most interesting reading, because it illustrates how two seperate government entities can work successfully side by side toward a common goal.

I would be more than happy to supply this report to any Senator upon request.

Editorial Comment on FCC Fairness Doctrine and Tobacco Advertising

HON. HENRY C. SCHADEBERG

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 28, 1968

Mr. SCHADEBERG. Mr. Speaker, Mr. George Comte, the general manager of the Milwaukee Journal television and radio stations, recently presented a most provocative and lucid editorial analysis on the FCC fairness doctrine and tobacco advertising and the Federal Government.

I believe that it is well worthwhile to share the thoughts of this influential group of Milwaukee stations with my colleagues and under unanimous consent I include the editorials at this point in the RECORD:

[A WTMJ and WTMJ-TV, Milwaukee, editorial, Nov. 23, 1967]

By now you must have heard, or heard about, the anti-cigarette commercials that an F.C.C. decision has forced upon the nation's broadcasters. The decision was handed down under the so-called "Fairness Doctrine" of the Communication Act. This requires broadcasters to afford a "reasonable opportunity" for the discussion of conflicting views on issues of public importance. The F.C.C. has ruled that the issue of cigarettes as being injurious to one's health is a public controversy. And that stations must give free time to viewpoints opposing paid cigarette commercials.

This F.C.C. decision has been criticized variously in the nation's press, from a "grave error" to "opening a can of worms." Some papers have praised the ruling as being "in behalf of health" or "high time the other side was heard." The press, radio and television also have raised this question: If cigarettes today, what tomorrow—beer, insecticides, patent medicines, deodorants, tooth paste? The F.C.C. has made it plain that its ruling affects only cigarettes. The industry is appealing the order in court.

As we said earlier, the ruling stems from the Fairness Doctrine which involves matters of conflicting viewpoints on issues of public importance. The federal government, itself, has conflicting viewpoints on the issue of tobacco and your health and tobacco and your tax money. We'll discuss those conflicts in our next editorial.

[A WTMJ and WTMJ-TV, Milwaukee, editorial, Nov. 24, 1967]

In our last editorial we backgrounded the F.C.C.'s ruling that broadcasters must give free time to viewpoints that conflict with paid cigarette commercial messages. The federal government itself has conflicting viewpoints on the issue of tobacco and your health and tobacco and your tax money. Did you know, for instance, that tobacco is worth more as a tax source than as a cash crop? Almost three times more. In its latest summary of tobacco research, the U.S. Department of Agriculture revealed that in 1964 the farm value of the tobacco crop was one billion three hundred million dollars. This same crop yielded three billion one hundred million dollars in taxes.

About one million acres are turned over to the growing of tobacco. And in seven states it provided more cash receipts than any other field crop. From these statistics, the agriculture department came to this conclusion: Because of the importance of the tobacco economy and the seriousness of the charges leveled against the smoking product, its research into the effect of tobacco usage on health would be intensified. However, the research into quality problems still makes up the bulk of the department's efforts, with numerous projects on plant diseases, insects, harvesting and curing. These projects, of course, are all designed to bring about bigger and better tobacco crops. We'll talk about additional governmental conflicts concerning tobacco, particularly in the foreign market, in our next editorial.

[A WTMJ and WTMJ-TV, Milwaukee, Editorial, Nov. 25, 1967]

In our last editorial we talked about the conflicting tobacco research projects of the U.S. Department of Agriculture. On the one hand, research for bigger and better crops. On the other hand, research on smoking and your health. But did you know that the Agriculture Department spends taxpayers' money to exploit the use of tobacco in foreign countries? In the last fiscal year, nearly 30-million dollars was spent in price supports to regain and expand foreign markets for U.S. tobacco. This places the federal government in an awkward position—attempting to cut down on cigarette smoking in this country, while spending huge amounts of money to encourage smoking in foreign countries. And, although Congress legislated a label worded: "Caution: Cigarette smoking may be hazardous to your health," Congress specifically allowed the label to be left off cigarettes which are packaged for export markets.

It makes you wonder about such cross purposes. How can Congress permit this questionable relationship with friendly foreign countries when by standards of federal agencies we might be doing the people of these countries a disservice and perhaps jeopardizing their lives. How else can one interpret the actions of the Surgeon General's Office, the Federal Trade Commission, the Federal Communications Commission and the Agriculture Department, itself, on the question of cigarettes and one's health?

We'll tell you about a special deal that Washington has with three friendly countries, and about a Hollywood film for the promotion of U.S. tobacco abroad, in our next editorial.

[A WTMJ and WTMJ-TV, Milwaukee, editorial, Nov. 26, 1967]

This is the fourth and final editorial in a series on the conflicting positions of the federal government on tobacco. Foreign markets usually take about one-fourth of the U.S. tobacco crop, hence are vital to U.S. growers. During the current fiscal year the export payment program totals nearly 30-million dollars. Yet, only about one-tenth as much is being spent by the Agriculture Department on health-related research towards a safer cigarette.

The conflicting position of our federal government has other appalling cross purposes. The Federal Trade Commission recommends more specific wording in the warning label on cigarette packages, and inclusion of it in all cigarette advertising, along with mention of tar and nicotine content. At the same time, the Agriculture Department expects to spend 240-thousand dollars in friendly Japan, Thailand and Austria. This money is for the promotion of their own tobacco products which contain a high percentage of U.S. tobacco. In addition, the Agriculture Department has provided 106-thousand dollars to join tobacco trade cooperators in the production of a documentary film selling the merits of U.S. tobacco. Made by a Hollywood studio, this film is for European theater audiences only. It will not be shown to the general public in the United States. You can guess the reason as well as we can. It represents another Washington conflict on the subject of tobacco and your health. How could a film extolling the pleasures of tobacco be shown here when American radio and television stations are forced to carry anti-cigarette messages?

The entire situation is a classic example of government so big that one agency finds itself at cross purposes with another—and both using your tax money to support conflicting efforts.

Assault on the Land

HON. WALTER F. MONDALE

OF MINNESOTA

IN THE SENATE OF THE UNITED STATES

Thursday, March 28, 1968

Mr. MONDALE. Mr. President, I ask unanimous consent to have printed in the Extensions of Remarks a nine-part series of articles entitled "Assault on the Land" and a letter from Shelby Southard, of the Cooperative League of the U.S.A.

This series of articles describes the vast changes in the State of Minnesota brought about by people and what we term progress. John Heritage, the author of the series, has magnificently and dispassionately described what has taken place in Minnesota, clearly pointing out that our opportunity to influence further change cheaply is gone—but that we still do have some choices to make.

Although the photographs which accompanied this series cannot be reproduced in the Record, I think it should be noted that Mr. Kent Kobersteen's work in this area greatly reinforced the impact of "Assault on the Land."

There being no objection, the items were ordered to be printed in the Record, as follows:

The Cooperative League of the U.S.A.,
Washington, D.C., March 21, 1968.

Hon. Walter F. Mondale,
U.S. Senate,
Washington, D.C.

Dear Senator Mondale: I have just finished reading with great appreciation the series of articles entitled "Assault on the Land" by John Heritage which appeared in the Sunday Minneapolis Tribune during recent weeks. This is a magnificent journalistic job on a subject right in the center of every thinking man's concern these days. I am urging Mr. Heritage to turn this into a book because both his material and the cool, detached style in which he writes would make it a very special contribution, contrasting sharply with the overblown rhetoric and evangelistic fervor with which too many writers attack this subject.

You are to be congratulated for representing a state which has a newspaper editor capable of seeing the importance of this subject and giving a reporter the freedom to write it. Secretary Udall says it is one of the best expositions in depth on this subject he has ever seen.

If I am not being presumptuous, I would like to suggest that these articles are worthy of reproduction in the Congressional Record for they deserve the widest possible audience.

With very best wishes,
Faithfully yours,
Shelby E. Southard.

[From the Minneapolis (Minn.) Tribune Picture magazine, Feb. 11, 1968]

ASSAULT ON THE LAND

OPTIONS FOR THE FUTURE

(By Stewart L. Udall, Secretary of the Interior)

Perhaps the most far-reaching factor in our society today is the growing awareness of urgent need for a quality environment.

Neither wishes nor wands will create surroundings to our liking, but work and wisdom will. Whether we mean a meadow or a metropolis, the quality of our environment is, and always will be, the sum total of countless, individual, human decisions.

In retrospect, we see now that as a nation we made many a past decision that led to disastrous consequences. The "cut-and-get-out" philosophy of forest management a century ago left still-unhealed scars in the lake states. Yet at the time it seemed like a capital idea to exploit the seemingly endless forests. After all, wouldn't the transcontinental railroads that demanded ties and timbers help to unite a divided land?

Somehow, even after we had recognized that our resources are *not* inexhaustible, we continued to presume that science could forever find substitutes. Again, it seemed a good idea to believe and sometimes it worked.

Will there ever be a conversion process that will bring back to beautiful, or even useful, life a pollution-killed stream or a junk-filled lake? And what of the waterfowl when the marsh is covered with concrete and houses? Will we pave every other living thing off the face of the earth to make sleeping and parking room for ever-increasing hordes of humans? And if we do, from whence will come the plant-produced oxygen we need to breathe?

Over the years we have made many decisions that were good. The islands of open space that bless some of our major cities, the highways that skirt natural wonders instead of bulldozing through on the straightest course, the wild, scenic rivers that were not dammed for hasty exploitation—these were individual choices well-made. They were choices made yesterday that left us the opportunities to choose again today.

The closing of options—therein lies our environmental vulnerability. Undeveloped land and water can always be developed later, but most developments can never, in any foreseeable future, be "undeveloped."

Those who plead for time do so because they fear the irreversible nature of development. The marsh, once drained, can never regain its unique ecological balance. The lakefront, lined with ticky-tacky cottages, may never again echo the slap of a beaver's tail.

But progress cannot be halted while we straddle the horns of our dilemma. Decisions must be made, even though the choice (often the wiser one) is to do nothing. The running thread through the decision-making process must be to *do what is best as we see it now.*

Ultimately, the various levels of government can play only a limited role in our reach for quality. Most decisions affecting our environment are private ones, dealing with privately owned lands and privately invested dollars. But local citizens, through local lawmakers and zoning ordinances, can see their wishes reflected in the communities to come.

Symptomatic of our increasing national concern for the quality of our environment is the public attitude toward the word "conservation." Once looked upon as a synonym for "preservation," conservation no longer evokes a flat, one dimensional, "hands-off" image. The most common definition today is "making wise use of our natural resources."

With this latter day definition in mind, I should like to propose still another description of the practice of conservation. I should like to call it "making the wiser choice."

We do indeed have many choices in the management of our land and our natural resources. We can exploit them to exhaustion, we can preserve them intact, or we can seek a happy balance between consumption and renewal.

On the agonizing anvil of decision, government officials at all levels most frequently choose between the desires of individuals or single industries and that vague, fuzzy entity called "the broad public interest."

Whether as a private citizen or as a public official, one must search long and hard for the wisdom to make the wiser choice.

We can never be 100 per cent right. Our latter day Solomons are faced with choices that can rarely be decided in terms of superlatives, but only in comparatives. Righteousness of cause is a matter of varying degrees. We can only hope that, over the long haul and among the myriad of decisions, the environmental balance will be tipped in favor of the wiser choices.

PART I—METRO SPRAWL

(By John Heritage)

> "If we do not act soon, man will become the cancer of the planet, destroying its resources and eventually his own self."
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> —SIR JULIAN HUXLEY.

Metropolitan Minnesota—the Twin Cities area, Duluth, Rochester, other cities—is rapidly building a new environment. It is expressed mostly in a post-World War I countrywide phenomenon—suburbia, a spearhead of the population explosion. "We're all appalled by it," says Thomas H. Hodne, a Minneapolis architect. He blames it on the planners, "who said we had to have light and air." Planner Howard Dahlgren attributes the shape of the new, urbanized environment in large part to the pioneer spirit, "which is still with us." "Unfortunately it is frequently whether you can make money, not whether the landscape is beautiful," he says. Dahlgren is principal planner of Midwest Planning and Research, Inc., a Minneapolis firm consulting for 40 suburban communities in the Twin Cities area. But "within our system where individual choice has held sway, and community regulation has been minimal," most of what has happened in the suburbs has been rational, says Robert C. Einsweiler, director of planning for the area's new Metropolitan Council.

The system may be changing, however, he says. The fact that the council was created (last year) means more weight is being given to Twin Cities metropolitan area needs, and to the community view as opposed to individual interests, he believes. "The results of the present system have been little short of disastrous," argues Cornell University Prof. John Reps. "Compared to what we are capable of achieving, the American townscape stands as an unanswerable indictment of our chaotic urban land policies," Reps told a recent international meeting of city managers. Characteristics of suburban growth are: rapid land consumption—about 5 square miles a year in the Twin Cities area; rising land and development costs; new, hard-to-meet demands for urban services such as water, sewer, highways and schools; low density, single family housing in subdivisions, and a multitude of governments—300-plus in the Twin Cities area—seeking industries whose taxes help finance the services.

A root problem is the hot competition among the many local governments for industry and the taxes it brings. A recent report by Ted Kolderie, executive director of the Citizens League in Minneapolis, listed some of the by-products: attempts to exclude residential development—which often produces comparatively little in taxes, yet a high demand in services—and difficulty in keeping high development standards. If they are tough, Kolderie said, "a developer can easily slip away to a neighboring community." In the effort to get industry, interchanges are added to the freeway system, cutting its efficiency, and more land is set aside for industry "than could conceivably be used here in the foreseeable future," Kolderie says. Industry often lands amidst residential development or on open space that should have been set aside for the public, Dahlgren adds. Kolderie says local public officials "are responding intelligently and rationally to the demands of an irrational system of local public finance which has been set up by the accidents of history."

Other by-products of suburbanization are criticized. Dahlgren says, "Any suburb that doesn't think it is subject to the same deteriorating conditions as the central city is kidding itself." "A city is born, grows, and without proper care, dies," says Allen Anderson, state housing and redevelopment director at the State Planning Agency. "We know the problems—one of them has been lack of controls in development." Federally assisted urban renewal projects (all partly to renovate downtown business districts) are under way now in five Twin Cities area suburbs. The desire to find and maintain a "nice home" in the suburbs is often expressed as a powerful political force that rules some elements of the urban scene undesirable and attempts to exclude them, planners and officials note. The result: Garbage dumps, sand and gravel pits, junkyards, mobile homes and heavy industries, among others, are often pushed by zoning to less restrictive communities, or to undeveloped areas—only to become problems later. "The Twin Cities area today has a refuse disposal problem somewhat analogous to a sleeping giant," a late 1966 report by the Citizens League said. But "anything can be accommodated in an urban environment, if properly done," says R. W. Turnlund, village manager of Roseville.

"Open space" is another problem. In an urban area, "the man-made generally overwhelms the natural to the detriment of all concerned," says M. Barry Peterson, open space planner for the Metropolitan Council. The epitome of lost opportunity is Lake Minnetonka, whose 110-mile shoreline is almost solidly built-up, Peterson and others say. In the seven-county metropolitan Twin Cities area, two county governments own eight acres or less in recreation-open space lands—Carver and Scott. At the other extreme, the Hennepin County Park Reserve District owns about 12,000 acres. Over-all, not nearly enough, says Peterson. At the municipal level, he says, "some are doing a good job, but a majority have not met their park needs." None of the suburbs "has started soon enough," he adds. A major problem: "People have sunk so much into housing, they don't want more taxes for parks," Peterson says. "They get indignant, though, when the vacant lot across the street is developed."

The marsh—a unique natural feature—is rapidly disappearing from major sections of the Minnesota urban scene. It is filled and built on when adjacent developments boost its land value. Yet marshes have aesthetic values and may play a key role in maintaining a balance between bird and insect life, says University of Minnesota ecologist Alan J. Brook. They also recharge ground water and reduce floodwater run-off, Peterson added. The St. Croix River from Taylors Falls to the Mississippi River—a major natural feature—will someday be an "urban river, mostly low-density residential," says John Borchert, University of Minnesota professor of geography. Major stretches are undeveloped now. The Minnesota River Valley—described by Borchert as an impressive trench cut 10,000 years ago by a glacier-age river—is now a favorite area for heavy industry to locate. "Emphasis, focus and priorities" are needed for beneficial public use of unique Minnesota natural resources, Borchert says, "but we're not giving systematic thought to any of these."

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There will be much more of the "new environment" for Minnesota. Four million people by the year 2000 is the Twin Cities area forecast of the old Metropolitan Planning Commission (replaced by the Metropolitan Council). It is about 1.8 million now. Minnesota's population will increase 15 per cent to 4.1 million by 1980, according to the U.S. Bureau of the Census. The Twin Cities area will occupy 900 square miles by the year 2000, the commission predicted. It occupies about 360 square miles now. What pattern will the growth follow? There are changes: Einsweiler says that the Twin Cities area pattern is already "tightening up a little on the edges" and that "leapfrog" development has been cut somewhat—due primarily to the increasingly general requirement that urban area homes can't be built without provision for central sewer hook-ups, instead of with septic tanks. The profile of suburban housing is changing slightly: the "gridiron" subdivision (duplicate homes laid out on duplicate lots on long straight streets) has been "kind of passe for a while," says Einsweiler. Some developers, like Pemtom, Inc. of Minneapolis, are building attached single family homes, with greater densities, and more open space beyond, and with utility wires underground. Townhouses are becoming more popular. The Jonathan Development Corp. is developing the "new town" of Jonathan on 2,100 acres in Chaska, southwest of Minneapolis. "What we're talking about here is quality of the environment," says the firm's president, State Sen. Henry T. McKnight, Woodland Conservative.

Apartments are on the increase as the "war babies," now in their 20s, hit the housing market, says Lawrence W. Nelson, executive vice-president of the Minneapolis Home Builders Association. Dahlgren predicts "an avalanche back into the central city," and away from the "ranch," where he believes many persons, faced with high costs in suburbia, are realizing they made "a poor compromise." He believes the obstacle to "the avalanche" is people's attitude against raising families in aparaments. Nelson and others don't believe this attitude is changing. Einsweiler says that "if the person makes the choice," knowing taxes and other costs in the suburbs may be high, "is there anything wrong with that? It may be his most practical choice as well." Dahlgren believes European cities, like Stockholm, are solving urban environment problems by "building high and preserving open space." He says, "Far more control is exercised over land use there than in the United States."

Tougher community standards—now a trend—and efforts of groups like the Metropolitan Council will mean less chaotic, built-in problem growth here, says Anderson. But he adds, "I wouldn't say we are at the point of drastic change." The danger, Dahlgren says, is that the American—and Minnesota—system of a "laissez-faire" kind of urbanization has been accepted by the public. "It so often is subtle," he says. "And we adjust. We get used to ugliness, dirt, filth, pollution, inconvenience. In many ways, people are almost too adjustable."

PART II—THE LAKESHORE

Many Minnesota, Wisconsin and Michigan lakes—so highly touted as natural attractions—are "on their way to destruction," says U.S. Sen. Gaylord Nelson, D-Wis. Every lake being surrounded by cottages with septic tanks "has got a death sentence," believes Nelson, a long-time activist in environmental health would be intensified. However, the research into quality problems still makes up the bulk of the department's efforts, with numerous projects on plant diseases, insects, harvesting and curing. These projects, of course, are all designed to bring about bigger and better tobacco crops. We'll talk about additional governmental conflicts concerning tobacco, particularly in the foreign market, in our next editorial.

[A WTMJ and WTMJ-TV, Milwaukee, Editorial, Nov. 25, 1967]

In our last editorial we talked about the conflicting tobacco research projects of the U.S. Department of Agriculture. On the one hand, research for bigger and better crops. On the other hand, research on smoking and your health. But did you know that the Agriculture Department spends taxpayers' money to exploit the use of tobacco in foreign countries? In the last fiscal year, nearly 30-million dollars was spent in price supports to regain and expand foreign markets for U.S. tobacco. This places the federal government in an awkward position—attempting to cut down on cigarette smoking in this country, while spending huge amounts of money to encourage smoking in foreign countries. And, although Congress legislated a label worded: "Caution: Cigarette smoking may be hazardous to your health," Congress specifically allowed the label to be left off cigarettes which are packaged for export markets.

It makes you wonder about such cross purposes. How can Congress permit this questionable relationship with friendly foreign countries when by standards of federal agencies we might be doing the people of these countries a disservice and perhaps jeopardizing their lives. How else can one interpret the actions of the Surgeon General's Office, the Federal Trade Commission, the Federal Communications Commission and the Agriculture Department, itself, on the question of cigarettes and one's health?

We'll tell you about a special deal that Washington has with three friendly countries, and about a Hollywood film for the promotion of U.S. tobacco abroad, in our next editorial.

[A WTMJ and WTMJ-TV, Milwaukee, editorial, Nov. 26, 1967]

This is the fourth and final editorial in a series on the conflicting positions of the federal government on tobacco. Foreign markets usually take about one-fourth of the U.S. tobacco crop, hence are vital to U.S. growers. During the current fiscal year the export payment program totals nearly 30-million dollars. Yet, only about one-tenth as much is being spent by the Agriculture Department on health-related research towards a safer cigarette.

The conflicting position of our federal government has other appalling cross purposes. The Federal Trade Commission recommends more specific wording in the warning label on cigarette packages, and inclusion of it in all cigarette advertising, along with mention of tar and nicotine content. At the same time, the Agriculture Department expects to spend 240-thousand dollars in friendly Japan, Thailand and Austria. This money is for the promotion of their own tobacco products which contain a high percentage of U.S. tobacco. In addition, the Agriculture Department has provided 106-thousand dollars to join tobacco trade cooperators in the production of a documentary film selling the merits of U.S. tobacco. Made by a Hollywood studio, this film is for European theater audiences only. It will not be shown to the general public in the United States. You can guess the reason as well as we can. It represents another Washington conflict on the subject of tobacco and your health. How could a film extolling the pleasures of tobacco be shown here when American radio and television stations are forced to carry anti-cigarette messages?

The entire situation is a classic example of government so big that one agency finds itself at cross purposes with another—and both using your tax money to support conflicting efforts.

Assault on the Land

HON. WALTER F. MONDALE

OF MINNESOTA

IN THE SENATE OF THE UNITED STATES

Thursday, March 28, 1968

Mr. MONDALE. Mr. President, I ask unanimous consent to have printed in the Extensions of Remarks a nine-part series of articles entitled "Assault on the Land" and a letter from Shelby Southard, of the Cooperative League of the U.S.A.

This series of articles describes the vast changes in the State of Minnesota brought about by people and what we term progress. John Heritage, the author of the series, has magnificently and dispassionately described what has taken place in Minnesota, clearly pointing out that our opportunity to influence further change cheaply is gone—but that we still do have some choices to make.

Although the photographs which accompanied this series cannot be reproduced in the RECORD, I think it should be noted that Mr. Kent Kobersteen's work in this area greatly reinforced the impact of "Assault on the Land."

There being no objection, the items were ordered to be printed in the RECORD, as follows:

THE COOPERATIVE LEAGUE OF THE
U.S.A.,
Washington, D.C., March 21, 1968.

Hon. WALTER F. MONDALE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MONDALE: I have just finished reading with great appreciation the series of articles entitled "Assault on the Land" by John Heritage which appeared in the Sunday Minneapolis Tribune during recent weeks. This is a magnificent journalistic job on a subject right in the center of every thinking man's concern these days. I am urging Mr. Heritage to turn this into a book because both his material and the cool, detached style in which he writes would make it a very special contribution, contrasting sharply with the overblown rhetoric and evangelistic fervor with which too many writers attack this subject.

You are to be congratulated for representing a state which has a newspaper editor capable of seeing the importance of this subject and giving a reporter the freedom to write it. Secretary Udall says it is one of the best expositions in depth on this subject he has ever seen.

If I am not being presumptuous, I would like to suggest that these articles are worthy of reproduction in the Congressional Record for they deserve the widest possible audience.

With very best wishes,

Faithfully yours,

SHELBY E. SOUTHARD.

[From the Minneapolis (Minn.) Tribune Picture magazine, Feb. 11, 1968]

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In retrospect, we see now that as a nation we made many a past decision that led to disastrous consequences. The "cut-and-get-out" philosophy of forest management a century ago left still-unhealed scars in the lake states. Yet at the time it seemed like a capital idea to exploit the seemingly endless forests. After all, wouldn't the transcontinental railroads that demanded ties and timbers help to unite a divided land?

Somehow, even after we had recognized that our resources are *not* inexhaustible, we continued to presume that science could forever find substitutes. Again, it seemed a good idea to believe and sometimes it worked.

Will there ever be a conversion process 'that will bring back to beautiful, or even useful, life a pollution-killed stream or a junk-filled lake? And what of the waterfowl when the marsh is covered with concrete and houses? Will we pave every other living thing off the face of the earth to make sleeping and parking room for ever-increasing hordes of humans? And if we do, from whence will come the plant-produced oxygen we need to breathe?

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PART II—THE LAKESHORE

Many Minnesota, Wisconsin and Michigan lakes—so highly touted as natural attractions—are "on their way to destruction," says U.S. Sen. Gaylord Nelson, D-Wis. Every lake being surrounded by cottages with septic tanks "has got a death sentence," believes Nelson, a long-time activist in environmental quality matters. The threat lies largely in over-fertilization of low-turnover lake waters by nitrogen and phosphorus. Recreation-destroying algae are a result. The often scummy growth has shown up in bothersome abundance on many Minnesota lakes, including Bald Eagle, Big Stone, Minnetonka, the Rice Creek chain of lakes, and Sallie.

The death of a lake—loss of its ability to sustain life, then, over the centuries, its shrinking or filling in—is the long-term end. It happens naturally, but man speeds the process. Seepage from septic tanks is a major contributor of the fertilizing chemicals. Regulation of the situation in this state is "almost nil," said Tom Wasbotten, senior public health engineer for the Minnesota Pollution Control Agency. (St. Louis County requires a permit for septic tanks, with review and inspection. Olmsted County has similar controls.)

John Borchert, University of Minnesota professor of geography and member of the pollution control agency, sees the heavy homebuilding on lake frontage as "an aspect of American urbanization," with most of its attendant problems. He notes the development of "summer cities" around popular out-state lakes. Breezy Point on Pelican Lake in Crow Wing County and Port Mille Lacs on the west shore of Lake Mille Lacs are examples. At Port Mille Lacs, 4½ miles of shoreline and 1,500 acres are being subdivided for homes, most of which will be away from the lake. The "public" part of the shoreline will be the marina, where "everybody will have a spot for his boat," according to Cliff Murdock, a lot salesman for the private project. When lot owners build, they will be required to put in wells and septic tanks, Murdock said. There are no plans now for central sewer or water facilities. Many of the lots, as is common in Minnesota, are 50 feet in width. "We could pollute the water, I'll grant," Murdock said. "But they (the public agencies) don't put the squeeze on the big corporations. Nor have they done anything yet about synthetic soaps."

Borchert sees conversion of summer homes to residences requiring year-round urban services as a strong trend. It is happening on any lakeshore within 35 miles of any major Minnesota city, said Borchert, who is directing a statewide lakeshore study. Year-round homes are fast circling, or have circled, the shorelines of lakes like Minnetonka, near the Twin Cities; Pike, near Duluth; Gull, near Brainerd, and Otter Tail, near Fergus Falls. Borchert believes there wil have to be "some kind of regulation of both lakeshore and lake use in Minnesota." Otherwise, he said, "we could use the resource all up by the end of the century."

By contrast, the province of Ontario, Canada, has a policy of perserving at least 25 per cent of its lakes' shorelines in a natural, publicly owned condition. "We have thousands and thousands of lakes on which we still own the shoreline, and we can take advantage of our mistakes and your mistakes, too," said Walter Jarvis, land supervisor in the Ontario Department of Lands and Forests at Port Arthur.

Those studying the Minnesota situation say that, for "people use," the lake resource is limited, and more so than is commonly believed. Statewide, all lakeshore homes are on 14 per cent of the lakes, according to George Orning, senior research assistant to Borchert on the Minnesota lake study. Orning is on leave from the North Central Forest Experiment Station in St. Paul to work on the study. The concentration is on relatively scarce "prime lakeshore," of which sandy shore with evergreens and pine trees is an example, Orning says. In north central Minnesota's lake-studded Crow Wing County, the prime lakeshore will be "saturated with development by the middle 1970s," if homebuilding continues at recent high rates, Orning said.

A basic problem: urban lake development is going into a rural environment "in which preparation has not been made," said Roland Nichols, professor of geography at Wisconsin State University, Eau Claire. He is doing a doctoral thesis on his study of Twin Cities ownership of lake homes in northwestern Wisconsin. Some of the results may be: poorly maintained roads; inadequate police and fire protection; cottages so crowded that, Nichols said, "you can almost jump from roof to roof"; cottage and resort parking areas so close to highways they stymie traffic; wells polluted by septic tanks; lake pollution, and shorelines so built up that back-lot cottage owners and the public have no access. Water weed eradication, dredging, marsh filling, tree cutting, and heavy lake use can permanently alter a lake's natural characteristics, destroying much of what is attractive to its human users, Nichols and others say. All are common practices on Minnesota lakes. "You should apply an urban code" to the lakeshore, Nichols believes. In its development, "you should have to consider slopes, soils and drainage," as in cities.

This is rarely the case on Minnesota lakes. "I'm not aware of any real controls that the state is able to exercise," said Jerome Kuhen, planning director for the Minnesota Department of Conservation. At the county and township level, regulation is spotty. Lakeshore controls "may be an ingredient" in some county plans, "but there aren't many examples where it is on the front burner," said Ralph T. Keyes, executive secretary of the Association of Minnesota Counties. (Rice and Olmstead counties are mentioned as having "front burner" interest.)

Wisconsin has moved faster in lakeshore controls. As of Jan. 1, its counties had to have in effect a "shoreline protection ordinance," based on state standards. Required, for example, are minimum lot sizes, minimum lake home setbacks from roads and lakes, and retention on lake lots of some trees. If counties don't set the standards, the law authorizes state action. The new law also calls for state review of proposed subdivision of shorelines for lake homes.

The future in Minnesota? "Planners are coming out wtih better programs, which should bring benefits shortly," Kuehn said. "But," he added, "an awful lot of shoreline is already developed, which we can't do much about. We haven't really faced the fact that this is sort of a singular problem area." (Federal assistance might be forthcoming to at least one Minnesota lake as a pilot algae clean-up project if Congress approves a lake measure of which U.S. Sen. Walter Mondale, D-Minn., is an author. It passed the Senate last year as part of another bill and is pending in the House.)

[From the Minneapolis (Minn.) Tribune Picture magazine, Feb. 18, 1968]

ASSAULT ON THE LAND

(By John Heritage)

PART III—HIGHWAYS

The Interstate Highway System—with 904.5 miles of it programed for Minnesota—is called both Beauty and Beast.

It is an immense new man-made feature which is provoking violent controversies nationwide about its impact on the land and on society. State highway departments have been charged with an "engineering" focus that ignores aesthetics and human needs.

For example, the Minneapolis Park Board has challenged in court the Minnesota Highway Department's proposed routing of a new highway through Minnehaha Park. Agreement on the issue is close. Interstate and state trunk highways ultimately might take bits and pieces of 27 parcels of Minneapolis park property, according to highway department figures. (In total, a small percentage, the department says; dangerous nibbling at priceless lands, says the park board.)

(The highway department recently offered the park board 20 small parcels, remnants from the interstates, and has worked with Minneapolis to landscape stretches of Interstate Hwy. 35W.)

"Only in the last five years has there been any sophistication developing about the urban freeway," says Robert C. Einsweiler, planning director for the new Metropolitan Council. Yet most of the decisions—at least regarding the urban interstates and their routings—already have been made.

In the Twin Cities metropolitan area, there will be 171.3 miles of interstate. About 88 miles are complete now. There will be 12 miles in Duluth, and 8.4 miles split among four other Minnesota cities. The remainder of the state's system will be rural.

The new highways are "pulling everything apart," says Ralph Rapson, head of the University of Minnesota School of Architecture and Landscape Architecture.

"We've subsidized the automobile so enormously across the country," he says. "We complain that the central city is disintegrating, yet we support the very elements that contribute to it." (In more-populous states, steps being taken to accommodate the automobile are enormous. Thirty miles of the crowded New Jersey Turnpike are being converted to a mammoth 12-lane highway.)

Yet the interstate has cut driving time from St. Paul to Chicago by three hours and is giving Duluth a new main street, notes John R. Jamieson, who until recently was Minnesota's commissioner of highways.

More urban mobility, the tying together of Upper Midwest markets and the opening of rural areas to industrial expansion are primary results, says Jamieson, now deputy administrator of the Federal Highway Administration. (He isn't sure the opening of rural areas to industry is a plus.)

"The interstates have given you a new front door to just about everything," says Howard Dahlgren, principal planner of Midwest Planning and Research, Inc., a Minneapolis firm.

He sees dangers, though, in "trying to do it all with freeways." One result: two-thirds of downtown Minneapolis is parking lot and street. Another possible result: with continued reliance on the automobile, "the whole Twin Cities area system might become unworkable in terms of movement," says R. W. Turnlund, village manager of Roseville, a northern Twin Cities area suburb.

Yet alternatives—such as some form of mass transit—are proving hard to find, nationwide, and especially in the sprawling, low-density Twin Cities area.

"We (the Minnesota Legislature) have failed to really bring under control the private automobile system," says State Sen. Gordon Rosenmeier, Little Falls Conservative. "But what was the background of our experience? How were we to tell?"

In rural Minnesota, where it is proving to be a prime avenue for swift urbanization, the interstate highway is viewed with apprehension by some. Recently completed sections of Interstate Hwy. 94 through west-central Minnesota's Otter Tail County will make rural lakeshore far more accessible to Twin Cities area residents and others. The area "is beautiful now, but if we don't make some effort to shape its future, it will grow as it will," says Clarence W. Peterson of Pelican Rapids, vice-chairman of the Otter Tail County Planning Advisory Commission.

In southern Minnesota farm country, a major issue is what kinds of development should be allowed around interstate interchanges, and whether it will threaten communities' downtown business base.

PART IV—ROADSIDES

Hawaii has no highway billboards. It has declared them unattractive, undesirable elements in the "new environment." In Iowa, 30 out of the state's 99 counties have adopted billboard controls. Minnesota, more conventionally, has about 28,000 signs along major rural highways, according to a State Highway Department count last month. There are many times that number in towns and cities. State and federal efforts to control signs here face an uncertain future. County and community regulations are, as yet, spotty and frequently weak.

Nationwide, outdoor advertising has put on a new face since the small Burma Shave signs perched unobtrusively along the highways. The huge or dramatic signs and devices used today compete with the landscape, giving the driver no choice but to look, says Roger Martin, head of the University of Minnesota Department of Landscape Architecture. Today's billboards are concentrated in heavily traveled cities where their messages catch the most attention. The "pure chaos" to which they contribute "is subtly and subconsciously eating away at the state of our well-being," Martin believes.

But as criticized as the appearance of signs, junkyards, highways and the Minnesota and American landscape in general has been, especially by planners and architects, the art of regulating it is taking shape only reluctantly. Hawaii's "no billboard" policy is unique among the 50 states. In contrast, Wyoming recently zoned all federal highway rights-of-way "commercial," which could open them all to billboards.

The 1967 Minnesota Legislature actually weakened the state's then two-year-old billboard control law. After prolonged criticism of the Highway Beautification Act of 1965, pushed by Mrs. Lyndon Johnson. Congress appears willing to grant only enough funds to keep the federal sign control effort barely in motion. Minneapolis recently set moderate limitations on billboard use of its freeways, but only after a long controversy which came to a head when the big signs started going up. St. Paul is considering a tightening of controls.

John Borchert, University of Minnesota professor of geography, says, "Society doesn't have enough agreement yet on what is tolerable from an aesthetic point of view." A dollar value, which might make the difference, hasn't been put on beauty yet, says Robert C. Einsweiler, planning director for the Metropolitan Council. State Sen. Gordon Rosenmeier, Little Falls Conservative, says there have been restraints on the legislature by court decisions. It is changing. In the Minneapolis billboard debate and in others across the country, supporters of controls have been finding and citing decisions that say "appearance" is a public responsibility that can be regulated.

Despite what appeared to be bleak prospects for outdoor sign controls in Minnesota, John R. Jamieson, former state highway commissioner, started steps last summer which he thinks will succeed, "if we carry through." Jamieson's strategy (he departed in December for a high federal highway post) involved pushing local billboard regulations (department officials testified for them in Minneapolis hearings), starting to implement what authority is provided in state law, obtaining conditional compliance with federal law, and presenting alternative ways of communicating information to highway travelers.

Now the highway department is acquiring easements on stretches of highway declared "scenic" under state law. Hearings will start in late March on classification of more "scenic" roads, then on removal around the state of abandoned signs, and finally, on the meeting of sign-spacing requirements, says Richard Braun, deputy highway commissioner. (The department says 15,176 rural signs have been removed voluntarily by owners since a statewide permit system went into effect in 1966. Some 11,000 are still up without permits and tentatively are considered abandoned, and about 17,000 rural signs are up legally.)

Jamieson's strategy faces acknowledged hurdles. Planned removal, often with required compensation to owners, of all signs along the scenic roads will be costly and will depend heavily on continued federal assistance. (Washington and some other states have been removing billboards without paying their owners on highway stretches declared scenic.) If the legislature doesn't fill gaps in the state law in 1969, the conditional state-federal agreement could fall through, possibly leaving the state open for a 10 per cent cut in federal highway aid funds.

Also, the highway department and Minneapolis face possible court challenges from the billboard industry on attempts to make controls stick. "The only thing we ask is the ability to do business where other business is being done," says Roger A. Peterson, attorney for Naegele Outdoor Advertising Co., Inc., headquartered in Minneapolis. Naegele, largest outdoor advertiser in the state, says it supports regulations, but it opposed the Minneapolis controls, disagrees with the highway department's classification of some "scenic" roads and believes the conditional state-federal sign control agreement was entered into "hurriedly and prematurely."

D. D. Wozniak, a St. Paul attorney and former state legislator, is not optimistic that regulation attempts will succeed. "An apathetic public gets used to all this junk lying around," he says. Wozniak sponsored billboard-control measures in four legislative sessions and says "I got beat by the billboard lobby" every time. He believes the signs are "taking a heavy toll against the public interest," though, "and the public has every right to exclude them if it wants to."

PART V—POWERLINES

Your lights don't go on by themselves. Minnesota natural resources, through the massive electric power industry, help run them. Here, there is no state regulatory agency overseeing the industry, although several state agencies regulate portions of its activities with permits, etc. (Northern States Power Co. says it wants such an agency.) Federal controls are limited. For the most part, what regulation there is on a community-by-community basis.

Communities have been grappling with the newest feature in the "landscape of power"—towers up to 150 feet high to carry extra high voltage lines. Northern States Power Co., responding to electricity demands that it says double every 10 years, is circling the Twin Cities area with 350 miles of the towers. In instances, they are going through heavily developed suburbs. NSP says technology is not to the point where the big lines can go underground. It may be a moot point if it does become feasible. The towers will probably be up before then.

Roseville, north of the Twin Cities, fought NSP's proposed handling of the high voltage lines through the village, claiming they would lower property values and clash with the environment. The village obtained concessions on landscaping and on the type of poles that will be used, and NSP says it is including similar provisions along the line through other suburbs. Most of the line's routings and conditions have now been settled. NSP is pioneering here with changes it made toward less obtrusive poles in developed areas, but it is still criticized for often routing the structures along highway rights of way, where they dominate the scene for motorists.

Technology and economics permit low voltage power lines underground now, and in many new Minnesota housing developments, they are being put under, with the developer generally paying the added cost and passing it onto the homeowner. The village of Edina last year declared that low voltage lines where new homes will be built must go underground. The state of Maryland is considering a statewide policy to that effect. NSP says costs for putting the thousands of miles of existing low voltage lines underground would be prohibitive, and would result in much higher electricity bills. Low voltage lines already in developed areas will probably be put underground as housing deteriorates and is redeveloped, NSP says.

In other resource use, about 50 electric power generating dams were exempted by the 1937 Minnesota Legislature from a state say over whether they could be raised, lowered, or abandoned, except in protection of "health and safety." About 35 are left. "It is obvious that many more are going to be abandoned," says Eugene Gere, director of the Department of Conservation's division of waters, soils and minerals. NSP late last year lowered its dam at St. Cloud on the Mississippi River. The structure was possibly near collapse and it was no longer being used to generate power, NSP said. The river dropped six feet and the city marina was left high and dry. After controversy, NSP replaced what it had taken down, at least until after the spring ice breakup.

Raymond Haik, a Minneapolis attorney and a national director of the Izaak Walton League, says the Minnesota Legislature has been responsive in natural resources issues to industry, rather than to the public interest. "I deny that," says State Sen. Gordon Rosenmeier, Little Falls Conservative and a key figure in resource decisions. "I think the legislature has taken a lead, and I think industries are entitled to a good deal of credit in their willingness to go along."

On Minnesota resource use in general, "there has been a strong materialistic priority," says former Republican Gov. Elmer Andersen. "There has been a lot of turning of heads and blinking of eyes. All kinds of things have been permitted that everybody knows shouldn't be."

[From the Minneapolis (Minn.) Tribune Picture magazine, Feb. 25, 1968]

ASSAULT ON THE LAND

(By John Heritage)

PART VI—FLOOD PLAIN

An increasing number of Minnesota homeowners and businesses are playing a poker game with nature. Knowingly or not, they are betting their investment that the placid stream or river nearby won't swiftly rise over its banks and flood them out. They are building in the flood plain—a normally dry area that under high-water conditions can temporarily and disastrously become part of the bed for a rampaging river. Often, the flood plain gamblers have a hedge against disaster—if they lose their bet and are flooded, public programs, such as federal business and home loans, may help take up their loss. Thus, the public tax dollar pays off the debt.

Historically, many towns have been born on Minnesota rivers, for good reasons like water transportation and power generation. Minneapolis and St. Paul were, as were whole strings of towns along the Minnesota, Mississippi, and St. Croix Rivers, the Red River, and others. And historically, they have had flood problems, although dams, dikes, and other control measures, usually undertaken by the U.S. Army Corps of Engineers, have provided a partial remedy. But a frustrated corps has been finding that the more than $7 billion federal agencies have spent on control measures since the early 1930s has not cut total flood damage. To the contrary, the corps says U.S. flood losses are still increasing, and now top $1 billion a year. A major part of the answer: homes, shopping centers, industries, a whole array of urban facilities, are still being constructed in flood prone areas, and being flooded.

Nationally, about 8 per cent of total homes are in flood plains, the corps says. Minnesota probably fits this pattern, said Harold Toy, chief of flood plain management services with the corps in St. Paul. (He notes, though, that detailed studies have not been done yet in the state to exactly determine flood prone areas and measure the amount of development in them.) A major path of development in fast-growing Rochester, Minn., is down the wide, flat plain surrounding the south fork basin of the sometimes violent Zumbro River. A shopping center, a bowling alley and subdivisions have located recently on formerly flooded lands, exposing themselves to a possible devastating flood someday, Toy said. Near Elk River, Minn., on the Mississippi, expensive homes have been built recently on aesthetically desirable waterfront, and flooded, the corps says.

Why? The low lying lands are often relatively cheap, and especially in space-thirsty urban areas, are tempting. "Certain kinds of businesses seek out this kind of property, taking the risk," said James M. Harrison, a Minnesota Senate research assistant who is staffing subcommittee hearings on the flood plain dilemma. Some businesses need the river, some don't, he noted. And "some people know full well they're going to get flooded out every year," he added. Lilydale, near the Twin Cities on the Mississippi, frequently has been hit. Treating flood plain the same as other land for sewer line assessments, etc., may make it economically necessary for the owner to put it on the market for building, said Raymond Haik, a Minneapolis attorney and counsel for three watershed districts. The politics of a city saying "no" to a possibly hazardous land use becomes even more difficult then, he noted.

Ignorance or refusal to believe there is danger is another reason, said Thomas Lee, supervisor of Wisconsin's flood plain-shoreline management program (Minnesota does not have one yet). "It is a part-time problem. It is difficult to get people excited unless the water is lapping at their doorstep," said Harrison.

Ironically, a building in a flood plain, whether or not it is specially protected from high water, "is the birth of a flood problem," says Lee. More building and filling usually follow, constricting the river system. In the end, man actually forces flood levels up, increasing their range and severity, and changing the everyday face of the river. "There's today's flood plain, then there's tomorrow's," said Haik. Upland development has changed Bassett's Creek through northwest Minneapolis suburbs "so it doesn't take much rain to drown out people below," Haik said. Urban encroachment has lined much of the entire creek, the corps notes. Yet the suburbs involved could not agree on a proposed corps of engineers project to provide water holdback areas. The fear is the impoundments would affect existing development and take away scenic, natural values. But without the project, "the only choice eventually will be running it through another big pipe (already the case where the creek runs through Minneapolis)," Haik said. The corps of engineers, an energetic dam-building agency, has swung now, nationwide, to saying that often the answer is not just corralling the water. Activity in the flood plain must be controlled as well, the corps says. Although building in it is not wrong per se, it must be selective, and usually, flood proofed, the corps says.

Wisconsin's plan, enacted into law in 1965, requires counties and communities to act with applicable tools, such as zoning, building codes, subdivision regulations, and land acquisition, to regulate the flood plain activity. Statewide criteria must be met. Nearby Iowa and Nebraska are among other states with similar regulations, Lee said. Although the corps has had available a flood plain study program since 1960, no Minnesota communities asked for help until 1966. That was the year after severe floods caused $191 million damage in the state, with 57 counties declared disaster areas. Now the corps is doing the studies for four communities, including Rochester, at their request. (Corps funds for the studies are limited.) According to Harrison, only a handful of Minnesota communities have regulations to manage flood plain activity. Yet the corps lists 76 communities with potential flood problems. "You need statewide standards. Otherwise, I don't see how you could come up with effective control," Toy said. Today's rapid urbanization will present a continued threat of unwise flood plain use, he said.

The recent costly floods, the possibility of congressional passage of a flood insurance bill which would require flood plain controls before a state could qualify for the program, and the corps' promotion of regulations have stimulated some Minnesota concern. "It appears certain that something substantive will be before the 1969 Legislature," Harrison said. The flood plain zoning subcommittee of the Senate Public Domain Committee is holding hearings around the state on the problem, and two state agencies are studying it. A flood plain control measure was proposed in the 1967 legislature, but got little response. As is typical in Minnesota, legislators are moving cautiously. Involved are the troublesome politics of enacting a law that in instances says "no" to private property owners.

PART VII—WETLANDS

Awesome sights greeted explorers and pioneers in the prairie wetland country a century and more ago. In 1849, Capt. Howard Stansbury saw in Utah "marshes covered by immense flocks of ducks and geese. Thousands of acres, as far as the eye could reach, seemed literally covered with them, presenting a scene of busy, animated cheerfulness." When the flocks rose, there was a sound like thunder. The fantastic display of rich, varied wetland life—ducks, geese, pheasants, mink, muskrats—is gone now. The "thunder" of the flocks is a murmur—the birds' wetland breeding grounds have been greatly reduced. The miles of vibrant marsh and potholes are broken into bits and pieces. It was a play closed by man.

In Iowa, it is estimated there were 6 million acres of wet prairie. There are about 50,000 left. The Minnesota loss, though not as large, is comparable. The glacier-produced waterfowl wetlands, concentrated by nature in southern, west central and northwest Minnesota, have been artificially drained, filled, silted in, making way for the "new environment." Among other things, 3,000 lakes, most of them located in the wetlands area, have been eliminated. The massive drainage, which started after the Civil War and continues today, is a striking example of man's ability to remake the face of the land. The alteration has been done mostly in the name of agriculture, and has produced some of the richest farmland in the world.

And the drainage "is going to continue for a long time, provided you're going to use Minnesota land for agriculture," said P. W. Manson, professor of agricultural engineering at the University of Minnesota. Last year's drainage, he noted, was one of the biggest. Although elimination of wetlands usually has proved worthwhile to the farmer, Minnesota experienced a massive failure in the attempt to dry and till the huge Red Lake Bog in the north. The huge network of drainage ditches never was successful in getting rid of the water. Left are crumbling, abandoned farm homes and remnants of the bog. "It was a bad calculation," said Alan J. Brook, University of Minnesota ecologist. The bog, "a huge sedge mass with pear-drop shaped islands," was unique and worth leaving untouched, Brook believes.

Reflecting the agricultural priority, early Minnesota laws treated the wetlands as "wasteland," and water as the "common enemy," presenting little resistance to elimination of the wet prairie, said Raymond Haik, Minneapolis attorney and water-law specialist. Recognition of the threat to the ecologically unique prairie features, with their myriad plant and animal life, started to come around the turn of the century, said Grady Mann, west central Minnesota wetlands supervisor in Fergus Falls for the U.S. Fish and Wildlife Service. But decades of protests from hunters and preservationists have resulted in only minor changes in the state's drainage laws as they relate to use of surface waters.

Instead, a much more costly route has been taken: purchase of wetland areas with state and federal funds (fed mostly by hunting license fees and duck stamp sales). It has been the only major way tried to prevent elimination of wetlands in agriculture areas, Mann said. To date, federal purchases and easements have brought 160,000 acres under public protection in Minnesota, at a cost of about $5 million. The state has acquired 156,000 acres, at a cost of more than $5 million. Ironically, nearly all wetlands and swamps were United States-owned about 100 years ago. But they were turned over to many states under three Swamp Land Acts. Minnesota received about 4.7 million acres. All but 1.6 million acres of that has been put in private hands, and much of it—including much wet prairie—has been drained.

Doubling the irony is the fact that before and while the U.S. Fish and Wildlife Service has been buying wetlands, the U.S. Agricultural Stabilization and Conservation Service (ASCS) has been helping pay for farmers' elimination of them. In Minnesota, 103,437 acres were drained under that program in 1966, with $792,986 in ASCS assistance. (Recent changes have made the federal drainage-aid program more selective in projects it assists, reduced its funds, and have given the fish and wildlife service review over drainage proposals.) The "preserve some" versus "farm it" race is pretty well finished in much of southern Minnesota and northern Iowa, the richest farmland. There, "the deeper marshes are in public hands or they are almost gone," said Mann. The economics of food production belated the economics of leaving some wet prairie untouched. The battleground now is in west central and northwestern Minnesota—the northern part of the wet prairie range—still studded with marshes and potholes and busy with waterfowl.

Mann believes the "buy it back" effort will protect only a nucleus of waterfowl prairie. Zoning of wet prairie remnants, with appropriate financial aids, for more selective farm use would supplement the costly public purchase program, he said. This tool hasn't been used for wet prairie protection, either in Minnesota or in North Dakota and South Dakota, he and others say. Obliteration of the "wetland" is not exclusive to the wet prairie which Minnesota shares. A recent report on the situation in Europe concluded that wetlands are "dwindling faster than any other ecological system."

The report, published by The International Union for Conservation of Nature, said ill-considered drainage "results in a chain of troubles, short-term gains are never worth a long-term loss." Part of the aftermath, it said, is increased flooding downstream, although agriculturalists like Manson dispute that. The wetlands absorb water during wet periods and replace it slowly in times of drought, the report and others like Mann said. When they are drained and farmer, the run off of rain and melting snow is greatly hastened, increasing flood levels, the wetland preservationists contend.

The wetland elimination is an example of what Wayne Olson, former Minnesota commissioner of conservation, calls "letting the development come first and worrying about the problems later." He believes that "despite all of the increased effort, we're still going in the wrong direction" in building the "new environment."

[From the Minneapolis (Minn.) Tribune Picture magazine, Mar. 3, 1968]

ASSAULT ON THE LAND

PART VIII—THE IRON RANGE

(By John Heritage)

Frenchman F. Bouliere, an ecologist, called the Mesabi Iron Range the worst example of man-made devastation he had seen. U. W. Hella, Minnesota state parks director, said he was embarrassed when he heard Bouliere tell this to an international audience at a parks meeting in Seattle, Wash., several years ago. "Something has got to be done about those pits and dumps," Hella said. The Iron Range townscape is dominated by huge piles of earth and lean ores stripped off to get to iron ore and taconite. Some of the piles are 100 feet high, many are eroded; a few are replanted with trees and one in Hibbing is covered with attractive homes.

Charles Aguar of Duluth, whose consulting firm does planning for range communities, believes the dump-pit array is not a blight but "kind of interesting." The mined lands offer opportunities for ski runs, unique parks and recreation lakes, and they attract tourists, he says. Recreation use "won't take care of 5 per cent of the problem," replies Hella, who believes the mine aftermath looks like the moon.

Pell-mell strip mining for coal through Appalachia in the eastern United States has gutted mountains, poisoned rivers with acid and brought dramatic confrontations with stubborn mountaineers who say their homeland is being wrecked. It has caused enough of a controversy to start people asking nationwide whether mining companies shouldn't be forced to be more heedful of the destruction to scenery wrought by the shovel. The issue is coming home to Minnesota, where even today state laws and leases require iron mining companies to consider little more than "safety" in how they handle and leave the land.

"It is an urgent problem in the state," says countryside. "I'm amazed at the extent of who recalls Gov. Harold LeVander asking mining company officials at a meeting last year what might be done to rehabilitate the countryside. "I'm amazed at the etxent of these operations and their total effect on beautiful northern lands," says the commissioner, who has been discussing the issue with the mining companies.

The companies are leery of the idea of restoration requirements. For one thing, the Minnesota open-pit mines, usually worked for decades, don't compare with the strip-it-and-leave-it coal mining in Appalachia, and don't produce acid pollution, says B. M. Andreas.

Andreas is manager of Hanna Mining Company's Minnesota operation and president of the Lake Superior Industrial Bureau in Virginia, which represents major iron mining and taconite companies. The old iron-ore pits can't be filled because they are in the huge taconite body which is now being mined, Andreas says. It has been occasionally suggested by some outside the industry, perhaps in jest, that the pits might do well as giant trash cans for the garbage of the Midwest. The new taconite mines on the eastern end of the range (with huge pits and sprawling tailing basins) are frequently in swampland, and thus are not ravaging scenic territory, Andreas said. And the lean ore dumps that populate the range can't be moved, reshaped or leveled for aesthetic reasons because they someday may be put through new processes to extract what iron they contain, according to Andreas.

The answer to criticisms like Hella's? Aesthetics, seldom considered in past diggings, could be engineered into new mines, says Leonard F. Heising, supervising mining engineer with the U.S. Bureau of Mines in Minneapolis. "You could balance the dumps out, landscape them, so you don't have one big heap. It would look more natural." Other states, especially through Appalachia, are requiring extensive mined land restoration.

"I don't think there is much question controls are going to spread nationwide before too long," said Elwood Rafn, chief mining engineer in the department of conservation. Landscaping new dumps would probably be a starting point here, he said.

One thing is certain—what has happened so far is small scale compared with what is coming. The awesome holes on the range now, some of them up to 650 feet deep, represent removal over a period of 80 years of pockets of iron ore that are just the "raisins in the cake." The cake itself is a 110-mile-long, 3-mile-wide body of low grade iron ore—much of it taconite—which in a hundred years could be dug into a giant canal or lake, a 1967 federal strip-mining report speculated. Reserve Mining Company's taconite pit near Babbit is already 10 miles long.

Little Leetonia, now down to about 50 families, symbolizes another troublesome peculiarity on the Iron Range—the awkward mixture of mines, towns and highways. Leetonia residents, squeezed by a pit in front of town and dumps in back, went to court in 1963 in an effort to get payments from mining companies for what the families claimed were damages from dynamite blasts, heavy trucks and water seepage. They lost. Virginia, surrounded by mines, is so cramped for space that it has considered relocating its golf course to make way for homes, Aguar said. Seventy settlements have had to be moved off the iron formation in the last 60 years. Eleven communities, including Virginia, are still partly, sometimes completely, on the formation.

Setting off sparks now is the possibility of copper-nickel mining in Minnesota, northeast of the Iron Range in scenic wilderness. International Nickel Company's holdings border the no-mining Boundary Waters Canoe Area. If there is copper-nickel mining, which hasn't been decided yet, most of it will be underground, said Phil Hanft of Duluth, an attorney for Inco. But conservationists remain skeptical and concerned. Reflecting increased aesthetic concerns, state and federal leases and regulations stress land protection and restoration with copper-nickel more so than did the state with taconite, although Raymond Haik, a Minneapolis attorney and a national director of the Izaak Walton League, contends the new controls don't assure provision of adequate restoration funds.

Other unresolved questions in the copper-nickel situation are the location of plants and methods for extracting the ore. Conservationists oppose location of smelter operations in the Superior National Forest where the deposits are found. Inco's Hanft discounts this possibility but said milling operations might locate there. As a possible way to extract low-grade ores, "leaching" with acids is being discussed by the copper-nickel companies, it was learned recently. "I wouldn't discard the idea," said Hanft. Inco will probably use milling instead, he added. The problem with leaching is to prevent the acid's destroying natural surroundings after it has been used.

Efforts to broaden controls over mining would bring some strong resistance, at the minimum, in the Minnesota Legislature. It has tended to respond instead to taconite and copper-nickel company contentions that they operate on narrow profits and need clearance of economic obstacles. "Aesthetics" cost money. Proposals before Congress would broaden federal controls over restoration, but their passage is as yet uncertain, and President Johnson's administration has not yet taken a position on specifics.

PART IX—OVERVIEW

(Editor's Note.—"We can only hope that, over the long haul and among the myriad of decisions, the environmental balance will be tipped in favor of the wiser choices," wrote Interior Secretary Stewart L. Udall in his introduction to "Assault on the Land." Can Minnesota still make the wiser choices and tip its balance? How far has quality yielded to the needs of an encroaching people? Minnesota's length and breadth have been studied in this series by John Heritage and, inevitably, he has formed a point of view. Here, in a closing essay, is his view of Minnesota and its land, its problems and its promise.)

What is happening to Minnesota is people. They are the reason for accelerating pressure on natural resources, for the assault on the land. They are the reason for 150-foot-high power poles, highways wider than the length of a football field, and 650-foot-deep iron mines. There is an increasing feeling that if nuclear bombs aren't used to obliterate the human race, man will assure his end by becoming impossibly numerous, or by building an environment that will choke him out. The possibility of preservation, saving something from man, has already become nearly meaningless, even in once-remote Minnesota, which still pictures itself as having vast sections of pristine wilderness, sparkling lakes and tumbling wild rivers which never hear the voice of man.

The picture is wrong. Minnesota clearly shows the marks of civilization, from the Canadian border to the wind-swept Mississippi River bluffs around Winona. Ask the hunter, who finds no-trespassing signs deep in the backwoods. Ask the forest ranger in the Boundary Waters Canoe Area, who says it is time to stop pretending people aren't there and, instead, to start putting in outdoor toilets and garbage cans for the crowds. Ask the city dweller, who waits in clouds of automobile exhaust fumes at rush-hour traffic lights. The question is not whether man can stop himself from including a lake, a forest, the deer, in his "living room." He has already pulled them in. Minnesota, and America, from "sea to shining sea," are man-dominated, and there is no turning back. The only variation from state to state is one of degree.

The question now being raised is whether quality can be included in the new environment—quality of a kind that permits people to live harmoniously, with the enjoyments and satisfactions they seek. Failure to find and assure this may mean "the whole of our elaborate existence" will be swept away, says zoologist Desmond Morris in his book, "The Naked Ape." Ecologists, whose business it is to understand the myriad relationships among plants, animals, water and land, say the "quality" question could have been better answered 50 or 100 years ago. There is a pessimism now, a feeling that too much may already have happened. But the quality issue still is only sporadically raised in Minnesota, and seldom has it brought commitments to effective action. Minneapolis should have decided 10 years ago whether billboards should be on the freeways it knew were coming, says architect Thomas H. Hodne. Lakes for which the state is famous, are being developed pell-mell, with few controls and chaotic results. Yet what is most often mentioned is not their loss of quality, but the need to "play them up" as one of the state's tourist attractions. Some observers believe that in 25 years there won't be much left in the lake resource that will be worth touring.

Hot debates about "game and fish" in Minnesota often obscure the other crucial environmental quality matters, actually serving as obstacles to wise "quality" decisions. And "present resource management in the state is on a case-by-case basis, with the economic interests well prepared to get across their points of view," says Minneapolis attorney Raymond Haik, a national director of the Izaak Walton League. What really hits home in Minnesota is 400 deer trapped on the grounds of the Twin Cities army ammunition plant—a tragic little story of incompatibility that reveals again the great public sympathy for animals that can't fight back. What have gone mostly unquestioned are developments like the homes spreading along the bluffs of the St. Croix River, a uniquely beautiful waterway, and the massive new highway shooting up the scenic North Shore, flanking old roads that were too developed to be widened. Minnesota is rapidly closing options, putting people in incompatible situations.

The hottest "conservation" debates in the Minnesota Legislature usually concern game and fish—like the issue of whether the state should continue to pay bounties on wolves.

Meanwhile, bills making long-term state commitments to mining companies for huge land and water use in the northern Minnesota wilderness move through with relatively little debate. "Conservation" organizations in the state, which might argue the public interest, as national groups are doing in Congress, are often made up of sportsmen, with narrower sportsmen's interests. And of the five divisions in the Department of Conservation, "game and fish" has a staff of 358, far more than any other division. An irony which grows from the Minnesota focus on game and fish is that "conservation" is often so narrowly defined it doesn't include the real issue, the impact of urbanization. One of the most significant conservation questions is how the sewage of the 1.8 million residents in the Twin Cities area will be handled. At stake is the quality of 270 miles of the Minnesota, Mississippi and St. Croix rivers. Yet the hottest part of the issue has not been about river quality, but about how to split financing of the sewage disposal between the central cities and the suburbs.

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Yet the reluctance has usually meant a late response—at all levels of government, although the 89th Congress broke records with environmental programs and supporting funds. The late response has usually made inexpensive preventive measures impossible. Instead, costly remedial efforts are required in an effort to "undevelop" and start over, and everyone's taxes are boosted. Removing billboards will be expensive; buying back or protecting wetlands has cost Minnesota and the federal government $10 million in the past 17 years; a bill pending in Congress would pump millions of dollars toward pilot projects to restore the quality of a few lakes; urban renewal has cost billions across the nation. Minnesota is taking scattered steps now to influence the accumulation of events, but again, the efforts are late. After the Twin Cities area had grown to 360 square miles, a Metropolitan Council with limited powers was created; the Minneapolis Park Board has challenged the routing of a new highway through Minnehaha Park, after highways ripped apart several other parks; the state is acquiring more park lands, although today's high land prices make it expensive; the Minnesota Highway Department is landscaping a new Minneapolis Freeway, after fierce criticism of its design; the still-young State Planning Agency is involving itself in resource matters; many counties are attempting regulation of their growth with planning and zoning, although the federal aid that initiated the effort is scarce now, and Otter Tail County recently shelved a planning proposal for "lack of public support," and the highway department is attempting to implement billboard controls, though it faces many obstacles.

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The addition of all these extra calories is likely to change the shape of a lot of people, who then would need new and better-fitting clothing, making the textile people happy. Almost everybody, indeed, would be happy except the physicians who are always issuing dire warnings against excess weight.

Still, if the Kansans' scheme actually could slim down Washington's outlays for farmers, maybe a lot of people would adopt it, even at the risk of getting fat.

The Pierre Monteux Memorial Foundation, Hancock, Maine

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The Late Honorable Noble J. Johnson

HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 28, 1968

Mr. FISHER. Mr. Speaker, I was saddened to learn of the recent death of Hon. Noble Johnson. On March 17 he was called to his reward following a long illness.

It was my pleasure to serve in this body with Noble for a period of 5 years—from 1943 to 1948, at which time he resigned to become a judge of the U.S. Court of Customs and Patent Appeals.

Everyone who knew Judge Johnson liked and respected him. He was a man of sound judgment whose service in the Congress was constructive and always in the public interest. He always looked after the interests of the taxpayers, and as a member of the Appropriations Committee wielded considerable influence in shaping sound fiscal policies.

Noble Johnson was my personal friend. Indeed he could count many friends among his former colleagues and among those whom he knew following his departure from this body. Always affable, pleasant, solicitous, and friendly, he was in the real sense a delightful person and interesting company. He was blessed with a remarkable memory and often drew upon his vast storehouse of earlier experience in the courts and in the field of politics, as he would recall interesting and unusual events.

Our late friend also distinguished himself as a jurist. Blessed with a judicious mind, he rendered decisions that were clear, pointed, and sound.

Above everything, Noble Johnson was a man of strong character. He tolerated no compromise with evil, and always stood up for what was right and honorable.

To Mrs. Johnson and their daughter I extend my deepest sympathy in their bereavement.

The Bright Promise of Neighborhood Health Centers

HON. GAYLORD NELSON

OF WISCONSIN

IN THE SENATE OF THE UNITED STATES

Thursday, March 28, 1968

Mr. NELSON. Mr. President, Reporter magazine for March 21 contains a highly illuminating and interesting article called "The Bright Promise of Neighborhood Health Centers."

It is a growing concern of the Nation that the high degree of medical care we afford to the majority of our citizens is not also completely available to the minority—the poor of our country. Judith Randal, the author of the article, states:

> Despite growing reliance on government supported programs such as Medicaid and Medicare, medicines' ability to deliver care to the whole community has not kept pace with the high quality of service it can provide the relatively few.
>
> Obviously, no group suffers more from this than the poor.

During the hearings of the Subcommittee on Antitrust and Monopoly, dealing with the competitive problems of the drug industry, several witnesses have corroborated that the poor get sicker more often and the sick get poorer. They generally have available to them less than the best of medical care and quite often pay higher prices in terms of drugs and other essentials. Because I believe that Senators will be interested in the article, I ask consent that it be printed in the Extensions of Remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE BRIGHT PROMISE OF NEIGHBORHOOD HEALTH CENTERS

(By Judith Randal)

Of all the innovations put forward by the Office of Economic Opportunity in its fight against poverty, the one that perhaps will eventually accomplish the most is its relatively recent Neighborhood Health Center program. If Project Head Start was the first to catch the public's fancy, the Health Center idea is likely to be of more direct benefit to the poor.

Medical reformers have been aware for some time that as medical discovery and technology have leaped ahead, the profession has become fragmented into isolated specialties with steadily costlier treatment often subordinate to research. Despite growing reliance on government-supported programs such as Medicaid and Medicare, medicine's ability to deliver care to the whole community has not kept pace with the high quality of service it can provide the relatively few. Obviously, no group suffers more from this than the poor. Statistics reveal that the poor have more heart disease, more rheumatoid arthritis, more unrehabilitated injury, more mental illness, more tuberculosis, more of almost every illness whether chronic or acute, and higher death rates in all age groups than do Americans at large. Yet the more that is known about the treatment of any disorder, the greater the likelihood that this knowledge is not benefiting the poor.

Illness—or even lack of well-being—and poverty go hand in hand. It is axiomatic that the poor get sicker and the sick get poorer. To break this cycle, since 1966 OEO has offered grants to Community Action agencies, hospitals, medical schools, health departments, medical societies, and other public or nonprofit agencies interested in setting up and operating neighborhood centers "for the development of comprehensive health services for the poor." OEO does not initiate or operate the projects; it selects from among many offered for its approval, provides money and administrative guidance, and sets up broad goals and specific standards. Beyond that, each center is left to make its own decisions and launch its own projects.

UNDER ONE ROOF

One major difference between OEO centers and existing clinics lies in the phrase "comprehensive health services." The patient is treated not only for specific illnesses; the idea is, as much as possible, to prevent illness and maintain a high degree of health. Another difference is that the OEO centers are run for the convenience of the patients rather than for that of the people who provide the care. There is no need for several members of a family to go from one special clinic to another—all facilities are under one roof. Members of the same family are treated in relation to one another, and patients' medical and other problems are considered and tackled together.

The emphasis is on finding those who need help rather than putting up barriers to help. Initially, care is provided without question. Emergency care is always provided. Whether or not a family is entitled to continuing free medical care is determined by the center's administrators and OEO's eligibility requirements. (Under the OEO poverty standard, an urban family of four must earn less than $3,200 a year.) In narrowing the choice from among many eligible families, the administrators depend heavily on the views of the Neighborhood Health Council, composed of representatives of those eligible for service and, in most cases, health professionals and other community leaders. Neighborhood workers actually seek out people who will not or cannot come on their own; if transportation or baby sitters are needed, they are supplied. In no case are patients forced through the humiliation of welfare investigations.

Instead of keeping only daytime hours, which mean sacrifices in time and money for many patients. Neighborhood Health Centers are open evenings and weekends; they offer appointments rather than endless waits. Whereas most public facilities are impersonal and dismal, with doctors seeing patients in turn and at random, Health Center patrons may choose a physician and see him regularly in "doctor's office" surroundings. Typically each family chooses the doctor, nurse, and other health worker whom it sees on every visit, although family members will see specialists when necessary.

No one center exactly resembles another. Physically, they range from Watts' brand-new $1.5 million building to Mound Bayou, Mississippi's, temporary quarters in an abandoned church, a movie theatre, two former stores, and a trailer. They differ considerably, too, in number of patients. The Columbia Point Center in Boston, the earliest, treats only the residents of one housing project; an OEO grant has been given to another center that will draw families from five counties in Michigan. All are staffed with at least an internist, an obstetrician, a pediatrician, and a dentist, supplemented by part-time specialists and supporting personnel including trained residents of the neighborhood.

All Health Centers, according to OEO ground rules, rely as much as possible on the poor themselves to perform a host of necessary tasks. They are trained for a wide variety of occupations, many of which are undermanned in the nation as a whole. Family

Meanwhile, bills making long-term state commitments to mining companies for huge land and water use in the northern Minnesota wilderness move through with relatively little debate. "Conservation" organizations in the state, which might argue the public interest, as national groups are doing in Congress, are often made up of sportsmen, with narrower sportsmen's interests. And of the five divisions in the Department of Conservation, "game and fish" has a staff of 358, far more than any other division. An irony which grows from the Minnesota focus on game and fish is that "conservation" is often so narrowly defined it doesn't include the real issue, the impact of urbanization. One of the most significant conservation questions is how the sewage of the 1.8 million residents in the Twin Cities area will be handled. At stake is the quality of 270 miles of the Minnesota, Mississippi and St. Croix rivers. Yet the hottest part of the issue has not been about river quality, but about how to split financing of the sewage disposal between the central cities and the suburbs.

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Thursday, March 28, 1968

Mr. FISHER. Mr. Speaker, I was saddened to learn of the recent death of Hon. Noble Johnson. On March 17 he was called to his reward following a long illness.

It was my pleasure to serve in this body with Noble for a period of 5 years—from 1943 to 1948, at which time he resigned to become a judge of the U.S. Court of Customs and Patent Appeals.

Everyone who knew Judge Johnson liked and respected him. He was a man of sound judgment whose service in the Congress was constructive and always in the public interest. He always looked after the interests of the taxpayers, and as a member of the Appropriations Committee wielded considerable influence in shaping sound fiscal policies.

Noble Johnson was my personal friend. Indeed he could count many friends among his former colleagues and among those whom he knew following his departure from this body. Always affable, pleasant, solicitous, and friendly, he was in the real sense a delightful person and interesting company. He was blessed with a remarkable memory and often drew upon his vast storehouse of earlier experience in the courts and in the field of politics, as he would recall interesting and unusual events.

Our late friend also distinguished himself as a jurist. Blessed with a judicious mind, he rendered decisions that were clear, pointed, and sound.

Above everything, Noble Johnson was a man of strong character. He tolerated no compromise with evil, and always stood up for what was right and honorable.

To Mrs. Johnson and their daughter I extend my deepest sympathy in their bereavement.

The Bright Promise of Neighborhood Health Centers

HON. GAYLORD NELSON

OF WISCONSIN

IN THE SENATE OF THE UNITED STATES

Thursday, March 28, 1968

Mr. NELSON. Mr. President, Reporter magazine for March 21 contains a highly illuminating and interesting article called "The Bright Promise of Neighborhood Health Centers."

It is a growing concern of the Nation that the high degree of medical care we afford to the majority of our citizens is not also completely available to the minority—the poor of our country. Judith Randal, the author of the article, states:

> Despite growing reliance on government supported programs such as Medicaid and Medicare, medicines' ability to deliver care to the whole community has not kept pace with the high quality of service it can provide the relatively few.
>
> Obviously, no group suffers more from this than the poor.

During the hearings of the Subcommittee on Antitrust and Monopoly, dealing with the competitive problems of the drug industry, several witnesses have corroborated that the poor get sicker more often and the sick get poorer. They generally have available to them less than the best of medical care and quite often pay higher prices in terms of drugs and other essentials. Because I believe that Senators will be interested in the article, I ask consent that it be printed in the Extensions of Remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE BRIGHT PROMISE OF NEIGHBORHOOD HEALTH CENTERS

(By Judith Randal)

Of all the innovations put forward by the Office of Economic Opportunity in its fight against poverty, the one that perhaps will eventually accomplish the most is its relatively recent Neighborhood Health Center program. If Project Head Start was the first to catch the public's fancy, the Health Center idea is likely to be of more direct benefit to the poor.

Medical reformers have been aware for some time that as medical discovery and technology have leaped ahead, the profession has become fragmented into isolated specialties with steadily costlier treatment often subordinate to research. Despite growing reliance on government-supported programs such as Medicaid and Medicare, medicine's ability to deliver care to the whole community has not kept pace with the high quality of service it can provide the relatively few. Obviously, no group suffers more from this than the poor. Statistics reveal that the poor have more heart disease, more rheumatoid arthritis, more unrehabilitated injury, more mental illness, more tuberculosis, more of almost every illness whether chronic or acute, and higher death rates in all age groups than do Americans at large. Yet the more that is known about the treatment of any disorder, the greater the likelihood that this knowledge is not benefiting the poor.

Illness—or even lack of well-being—and poverty go hand in hand. It is axiomatic that the poor get sicker and the sick get poorer. To break this cycle, since 1966 OEO has offered grants to Community Action agencies, hospitals, medical schools, health departments, medical societies, and other public or nonprofit agencies interested in setting up and operating neighborhood centers "for the development of comprehensive health services for the poor." OEO does not initiate or operate the projects; it selects from among many offered for its approval, provides money and administrative guidance, and sets up broad goals and specific standards. Beyond that, each center is left to make its own decisions and launch its own projects.

UNDER ONE ROOF

One major difference between OEO centers and existing clinics lies in the phrase "comprehensive health services." The patient is treated not only for specific illnesses; the idea is, as much as possible, to prevent illness and maintain a high degree of health. Another difference is that the OEO centers are run for the convenience of the patients rather than for that of the people who provide the care. There is no need for several members of a family to go from one special clinic to another—all facilities are under one roof. Members of the same family are treated in relation to one another, and patients' medical and other problems are considered and tackled together.

The emphasis is on finding those who need help rather than putting up barriers to help. Initially, care is provided without question. Emergency care is always provided. Whether or not a family is entitled to continuing free medical care is determined by the center's administrators and OEO's eligibility requirements. (Under the OEO poverty standard, an urban family of four must earn less than $3,200 a year.) In narrowing the choice from among many eligible families, the administrators depend heavily on the views of the Neighborhood Health Council, composed of representatives of those eligible for service and, in most cases, health professionals and other community leaders. Neighborhood workers actually seek out people who will not or cannot come on their own; if transportation or baby sitters are needed, they are supplied. In no case are patients forced through the humiliation of welfare investigations.

Instead of keeping only daytime hours, which mean sacrifices in time and money for many patients. Neighborhood Health Centers are open evenings and weekends; they offer appointments rather than endless waits. Whereas most public facilities are impersonal and dismal, with doctors seeing patients in turn and at random, Health Center patrons may choose a physician and see him regularly in "doctor's office" surroundings. Typically each family chooses the doctor, nurse, and other health worker whom it sees on every visit, although family members will see specialists when necessary.

No one center exactly resembles another. Physically, they range from Watts' brand-new $1.5 million building to Mound Bayou, Mississippi's, temporary quarters in an abandoned church, a movie theatre, two former stores, and a trailer. They differ considerably, too, in number of patients. The Columbia Point Center in Boston, the earliest, treats only the residents of one housing project; an OEO grant has been given to another center that will draw families from five counties in Michigan. All are staffed with at least an internist, an obstetrician, a pediatrician, and a dentist, supplemented by part-time specialists and supporting personnel including trained residents of the neighborhood.

All Health Centers, according to OEO ground rules, rely as much as possible on the poor themselves to perform a host of necessary tasks. They are trained for a wide variety of occupations, many of which are undermanned in the nation as a whole. Family health workers, home health and laboratory aides, physicians' and nurses' assistants—these are just a few of the categories destined to help the poor help themselves and others. Contact with doctors and other Health Center professionals, OEO officials think, may even encourage underprivileged young people to try for medical and other health careers.

Neighborhood Health Centers are equipped for emergencies but do not have hospital beds. Each center is allied with a local hospital and sends patients there for surgery or other in-hospital care. For this service, as for any other service provided eligible patients, the centers are reimbursed if a Federal, state, or private agency would normally foot the bill. If no such agency is involved, the center itself pays for care. Just as the family's chosen doctor assumes overall responsibility for his patients' health, the center attends to all the interagency red tape and paper work that must be coped with, relieving patients of tasks that are beyond them. The total average cost per patient is about $120 a year.

Centers are located in city neighborhoods or rural areas that doctors in private practice have found unrewarding. In Watts, for example, before the Health Center opened in the fall of 1967, there was one doctor for every 2,900 persons and the nearest hospital was twelve miles distant. In urban areas where the poor often flock to hospital emergency rooms with every kind of complaint rather than wait hours in special clinics, many hospitals have taken the initiative and sought OEO help in setting up Neighborhood Health Centers, lending staff members to the project. In rural areas, it has often been doctors in group practice who have initiated centers.

TWO APPROACHES, ONE PROBLEM

At the start of this year, thirteen centers, nine in the big cities and four in rural areas, were in full operation; nine others were offering services to a limited number of people, and nineteen more have been given grants but were not yet open. Two centers that were authorized simultaneously under the auspices of Tufts University Medical School—one at the Columbia Point public housing project in Dorchester, Massachusetts, the other in Mound Bayou, Mississippi—serve to illustrate the program.

The Columbia Point housing project is austere, cut off from the mainstream of Boston life. For 150 years the site was Boston's city dump. Since 1953 its dingy brick apartment buildings have been home to 1,500 families or a total of about six thousand people.

Superficially, it is entirely different from rural Mound Bayou, a community of 1,200 Negro sharecroppers in the heart of the Delta. But below the surface, Mound Bayou and the Negro slums of the North share a common background of misery. As machines and weed-killing chemicals have replaced black hands on Southern plantations, 200,000 Negroes have been moving north and west each year, bringing with them a melancholy inventory of want, ignorance, and disease. Although disadvantaged Negroes are not the only ones to benefit from the new health care—Columbia Point is not entirely Negro; poor whites in Appalachia, migrant workers of Mexican extraction, and Indians in Minnesota are also receiving attention—Negroes are by far the most numerous and most typical of the program's beneficiaries.

In the development of their health programs, Columbia Point and Mound Bayou have followed disparate paths determined largely by local attitudes. From the time of its inception two years ago, the Dorchester project has had all the advantages in terms of support from government and professional groups. As a result, service was started six months after the OEO grant was awarded.

Of the six thousand residents in the Columbia Point housing project, 5,324 are patients of the center. Three family-care teams—internist, pediatrician, health workers and other supporting personnel—have been set up. The center has the most up-to-date equipment for ambulatory care, including a computerized record system. A neighborhood immunization program is almost complete. A particularly active health council has been created in a community where no organized activity existed before. It has not only taken an increasingly strong role in planning and administering health care but has gone on to initiate programs for older people and youth groups and has helped to familiarize project residents with other community resources.

An initial survey based on the health records of fifty-four apparently typical Columbia Point families reveals that since they have been under the care of the center, hospitalization of family members has dropped eighty per cent. In part, this is due to the fact that health problems are often treated before they get serious enough to require hospitalization, and in part it is because home-care and neighborhood workers are able to make patients comfortable in their own homes.

At Mound Bayou, by contrast, establishment of a health-care center has been a long, uphill fight. Here the reaction of public officials and medical authorities ranged from indifference to outright hostility. The official line seemed—indeed at times was stated openly—to be that the Negroes of Bolivar County neither needed nor deserved medical attention and that the whole scheme was just more Yankee carpetbagging. Even the Negro fraternal burial societies slowed the efforts of the OEO.

According to a Department of Labor estimate, more than sixty per cent of Bolivar County's Negroes now have no work at all. Many get no relief payments and are too poor to buy the Federal food stamps that are worth twenty or thirty times their cash value in surplus food.

Malnutrition is a serious problem. Infant mortality is another. Ninety-eight per cent of white mothers are attended by a doctor at delivery; only fifty-five per cent of the Negroes are. For Bolivar County's 19,000 whites there are nineteen doctors; for 40,000 Negroes there are only three. The doctor-to-patient ratio in the county is half of Mississippi's average, which in turn is half the national average. The county has maintained a small but active health department. But with an annual budget of only $70,000 and just six public-health nurses (none Negro), it has offered only limited care and little doctor service. Tufts University expected and found an abundance of undetected, neglected disease and a backlog of uncorrected birth defects and unrehabilitated injury among the poor of Bolivar County.

Two Negro beneficial groups, the United Order of Friendship and the Knights & Daughters of Tabor, had built small "hospitals" at the end of the Second World War. They were utterly inadequate to the needs of Bolivar County Negroes; but they had been established after herculean efforts by their sponsors, and even though they were on the verge of bankruptcy, they were sold only reluctantly to the Mound Bayou Community Hospital Association through a separate grant arranged by OEO. The hospitals have been merged and are now being modernized.

Operating under the sponsorship of Tufts and the direction of Drs. Jack Geiger and Count Gibson, who had set up the Columbia Point center, the Mound Bayou center now has two pediatricians and three other doctors on its staff as well as the part-time services of Bolivar County's three Negro doctors. The Health Center's facilities are makeshift: one church serves as a clinic and another as staff offices, a movie theatre as a classroom for health-care trainees. (There were 982 applications for thirty trainee jobs when the center opened in November.) A prefabricated building will be set up this spring. By the time it is ready for use, the health center's present daily case load of sixty patients is expected to double or triple. OEO expects eventually that the center will serve 14,000 people.

In a county where 42,000 people come from families that live on less than $3,000 a year and where some are actually starving, the poor themselves decide who are the very neediest. It is also in such a situation that the comprehensiveness of the Health Center concept is shown at its sharpest. A half-starved child with pneumonia may need penicillin but he also needs, food. Mound Bayou's doctors must provide both.

If the health benefits that accrue from the Mound Bayou center are obvious, certain other implications are not. The Health Center staff, with OEO assistance, will also try to help people in Bolivar County to improve their housing, to establish a co-operative to raise and can foods (a farmer has donated the use of a hundred acres of land), and perhaps to open a small factory. The center is running a formal part-time program whereby high-school and junior-college students may get preliminary medical training. The outcome of these efforts is uncertain, but on other scores, at least, two indications of progress are evident.

One is that skilled Southern-born Negro professionals have been willing to return, not merely, as Dr. Geiger said, to give service, but also to provide disheartened people with living examples of what might be possible even for them.

A second is that other Southern states that have been watching events in Bolivar County are displaying a willingness—even an eagerness—for home-grown comprehensive health services of the OEO sort. Lowndes County, Alabama, is a typical case. An area described as "virtually without medical resources," it has received a Neighborhood Health Center planning grant to be administered by the county board of health. The board, along with the state university medical school and the state health department, has begun the preliminaries necessary before services can be begun. So eager was Alabama to get started on this project that Governor Lurleen Wallace, away in Houston, Texas, for cancer treatment, had the necessary papers rushed to her hospital bedside for signature. A similar project is being considered for Montgomery, the state capital.

PRESCRIPTION FOR CHANGE

Many observers believe that Neighborhood Health Centers, if built in sufficient numbers throughout the country, might eventually effect a change in many aspects of the nation's system for delivery of medical care. Indeed, the National Advisory Commission on Health Manpower suggested in its report last November that the national health-care apparatus is more mishmash than system: ". . . a collection of bits and pieces [characterized by] overlapping, duplication, great gaps, high costs, and wasted effort." Daniel Zwick, an OEO official, states the problem in these simple terms: "With medicine one of the most highly organized segments of American society and poor consumers among the least, redressing the balance without scaring the doctors away is by no means an easy task."

Zwick sees in the Neighborhood Health Center a tool for making badly needed changes in the way of delivering health service. Many hospital administrators, he points out, are aware that their outpatient services—frequent targets of social criticism—are inadequate. These hospital managers have often been powerless to rearrange priorities so as to give more attention to the needs of outpatients. OEO may turn out to be just the sort of leverage they need.

Dr. Paul Torrens, director of community medicine at St. Luke's Hospital Center in New York, three years ago saw money earmarked for a badly neded rehabilitation service snatched away to outfit an open-heart surgery suite, despite the fact that New York City was already oversupplied. Now Torrens has received a $939,402 grant to open a Neighborhood Health Center under St. Luke's auspices.

The OEO Health Centers are also forcing local medical societies and health departments into new professional and social patterns and causing them to accept roles they never would have considered in the past. One example is to be found in Atlanta, where the local Community Action agency, Economic Opportunity Atlanta, Inc., has turned over health-care programming to the Fulton County Medical Society and the Medical School of Emory University. Along similar lines, in the farming community of King City, California, the Monterey County Medical Society is directly involved in the provision of OEO-sponsored health care to indigent people of the area. And in Denver, the city Department of Health and Hospitals has assumed responsibility for two centers, one serving a predominantly Negro area on the east side, the other a Mexican-American west side neighborhood.

Perhaps more significant than any of these developments is the profound influence OEO's Health Center concept seems to be exerting on the nation's medical schools and on the direction of their graduates' careers. For years now, most of these institutions have almost deliberately isolated themselves from the community. Most young doctors have headed either for the research laboratory or the suburbs where a comfortable practice could be staked out in respectable surroundings. Working among the poor was not only frustrating financially but professionally as well. The cost and complication of scientific advances made it virtually impossible for individual practitioners to deliver modern medical care in the slums.

With the advent of OEO Health Centers and the involvement up to now of twenty medical schools in the experiment, both faculty and students have been undergoing a change of heart. The University of Southern California School of Medicine, for example, not only co-operated successfully with the Neighborhood Health Council of nearby Watts in setting up a center, but when Congress delayed in voting funds for the poverty program last fall, the USC medical school came voluntarily to the rescue. Without assurance that it would be repaid, the school advanced enough money to keep the Health Center going.

Other medical schools seem willing to run this sort of risk. About half of those in the country have participated in developing proposals for OEO funds, recognizing that comprehensive health programs not only do a great deal for the poor but also do something for doctors in training.

There is a widespread opinion in medical-education circles these days that the carefully selected cases seen by students in teaching hospitals are hardly typical of the spectrum of ills afflicting America. "Only in the community can a more random selection of health problems be found and early stages of illness studied and cared for . . . ," wrote Robert J. Haggerty, professor of pediatrics at the University of Rochester, in the January issue of the *New England Journal of Medicine*. "To achieve this goal of a realistic setting, a defined and known population is needed—a parish for which a clinical department or a university can be responsible, to know who its patients are and who does not now receive adequate care."

It is to be expected, of course, that not everyone shares the high-minded outlook of a medical academician like Haggerty, and indeed much discussion of the OEO program within the health profession has been couched in terms of whose ox is being gored. The pharmacists are often worried about competition, and at the recent AMA-sponsored National Conference on Health Care for the Poor, for example, there was concern for preserving the right of the underprivileged to "free choice of physician"—despite the fact that this choice is largely fictional. At the same conference, AMA President Milford Rouse cautioned the participants not to overlook the thousand health-care programs currently administered by 175 public and private agencies, and in effect warned OEO not to try to become the 176th—a warning hardly called for in light of the poverty agency's record of attempting to fill vacuums rather than engage in competition with existing health services.

Nonetheless, things are taking shape. President Johnson has recommended that $60 million of the OEO budget be spent on Neighborhood Health Centers. The goal is to have fifty centers going by the end of this year. Even this amount would be capable of helping only a small fraction of the poor—and the poor are not the only Americans whose health care could stand improvement. (In order to meet the needs of the poor alone, it is estimated that 850 health centers throughout the country would be needed.) Supporters of OEO are confident, however, that no matter how many centers are established, their numbers are less important than the chain reaction this social experiment will set off.

The Effects of Nuclear War on Civilization

HON. EMILIO Q. DADDARIO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 28, 1968

Mr. DADDARIO. Mr. Speaker, late in the last session of Congress I received from the Arms Control and Disarmament Agency a copy of the report "The Effects of Nuclear War on Civilization," prepared for the agency by Dr. Earl W. Lindveit, a senior staff member of the Battelle Memorial Institute. Because this report is concerned with a matter of such importance to us all, I commend it to my colleagues and include here an excerpt from the introduction:

THE EFFECTS OF NUCLEAR WAR ON CIVILIZATION

(By Dr. Earl W. Lindveit, Senior Staff, Battelle Memorial Institute)

INTRODUCTION

There are several reasons for undertaking this study to explore the effects of nuclear war on civilization. First, through the quantitative assessment of the horrors of nuclear war will come renewed vigor for the prevention of such a holocaust. Second, in spite of the best political and military actions to prevent war, one must admit that it is a possibility. Thus, nations have responsibilities toward their present and future generations to understand the consequences and, where possible, to ameliorate them.

The physical effects of nuclear explosions are generally well documented. Prevalent reaction toward the prospect of nuclear war frequently predicts an end to civilization and total destruction of society, and such dire predictions may seem logical because of the proven destructive power of nuclear weapons. The extent to which such effects on society are necessarily a logical extension of the destructive power of nuclear weapons is a matter less well documented. Despite a lack of agreement among scientific authorities on the dimensions of such a disaster, the findings that exist are still significant. In many respects, however, analytical studies represent only first attempts to approach problem areas quantitatively.

All thoughts on the subject do not necessarily reflect hopelessness and despair. In his pioneering study *On Thermonuclear War*, for example, Herman Kahn expresses the belief that our society could be restored in time if advance preparation were made to do so, particularly through Government programs. In this regard, preparations such as civil passive and active defense should not be dismissed out of hand as illusory, for studies exist which indicate their life-saving potential in combination with warning and shelter.

Civilization, for all of its sophisticated aspects, remains a delicate balance of related elements. We are reminded of this when natural disasters, power failures, strikes, and other disruptions occur. By and large, these are localized situations that can be made tolerable through outside assistance. On the other hand, nuclear war poses a potential catastrophe with which previous experience provides little guidance. It would unleash widespread destruction upon the world and disrupt the precarious relationships of society with synergistic effects which at best may be only partially predictable. Directly or indirectly—through global fallout in food and water as well as in disruption of international relations—other countries of the world not directly involved in the conflict would nevertheless suffer the consequences . . .

Dickey-Lincoln School Hydroelectric Project, Maine

HON. EDMUND S. MUSKIE

OF MAINE

IN THE SENATE OF THE UNITED STATES

Thursday, March 28, 1968

Mr. MUSKIE. Mr. President, at the annual meeting of the National Rural Electric Cooperative Association on February 25–29, at Dallas, the association passed a resolution in support of the Dickey-Lincoln School hydroelectric project in Maine.

It is significant that the association, representing Americans across the land, should feel strongly enough about the first multipurpose project proposed for New England to adopt a resolution in its support.

The resolution correctly reports that New England is the only region in the country without a multipurpose hydroelectric plant, that New England has the highest electric rates in the Nation, that the Dickey-Lincoln School project has been carefully studied and has an excellent cost-benefit ratio of 1.9, and that failure by Congress to approve final planning funds for the project would deal a severe blow to all future multipurpose resource development.

Because of the outstanding reputation of the National Rural Electric Cooperative Association and because of the aptness of its resolution on the Dickey project, I ask unanimous consent that the resolution be printed in the Extensions of Remarks.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

National Rural Electric Cooperative Association Resolution F-3, on Dickey-Lincoln Project, Maine

Whereas, the full development of water resources is of critical importance to a region's development of its commercial, industrial, agricultural and recreational potential; and

Whereas, the Dickey-Lincoln project would be the first multiple-purpose project in the New England area which would serve to develop the above mentioned potentials of the New England area, and

Whereas, the New England area has the highest electrical rates in the nation, and

Whereas, the Dickey-Lincoln project has been carefully studied and shown to have an above-average benefit-to-cost ratio of 1.9, and

Whereas, final planning funds in the budgeted appropriation for fiscal year 1968 were removed from the Public Works Appropriation bill last year through the concerted effort of the New England power companies,

Now, therefore, be it resolved, that we strongly support the budgeted appropriations for the fiscal year 1969 for the Dickey-Lincoln project, and

Be it further resolved that we actively urge the Congress to fully support the Dickey-Lincoln project as the failure to approve the construction of a project having such an excellent benefit-to-cost ratio would deal a severe blow to all future multiple-purpose resource development.

Narcotics and Dangerous Drug Control Strengthened by Reorganization Plan No. 1

HON. CHET HOLIFIELD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 28, 1968

Mr. HOLIFIELD. Mr. Speaker, the Committee on Government Operations has approved Reorganization Plan No. 1 of 1968 combining the Bureau of Drug Abuse Control and the Bureau of Narcotics and placing the new Bureau of Narcotics and Dangerous Drugs in the Department of Justice. This matter will come before the House on Tuesday when we will be called upon to vote upon a disapproval resolution that has been reported unfavorably by our committee.

The President's plan was supported during hearings of our Subcommittee on Executive and Legislative Reorganization by the Bureau of the Budget, the Department of Justice, the Department of the Treasury, and the Department of Health, Education, and Welfare. These are the agencies which have the job of enforcement in this field. Witnesses include the Attorney General of the United States, the Deputy Director of the Bureau of the Budget, the Assistant Secretary of Health, Education, and Welfare, the Special Assistant to the Secretary of the Treasury for Enforcement, the Commissioner of Narcotics, the Director of the Bureau of Drug Abuse Control, and the medical director of the American Psychiatric Association. Statements were received from several Members of Congress.

Under the reorganization, the major function of the new Bureau will continue to be the enforcement of laws to eliminate the illicit traffic in narcotics and the abuse of drugs. The drugs referred to are stimulants, depressants and hallucinogenics such as LSD.

In the new Bureau, the 600 agents would have the authority to make arrests in cases involving both narcotics and dangerous drugs, whereas now the agents of the separate bureaus have no authority in such cases to go beyond their field of control.

Experts such as the Attorney General and the Commissioner of Narcotics have testified that we need this coordination to exercise more control over this problem. A dangerous trend in our country in the use of narcotics and potent drugs has become alarming to us all. The number of active narcotic addicts has increased 15,000 in the past 7 years and a large percentage of these are young people.

In the interest of our children and the public in general, this strengthened program should be adopted.

Family Service Association Volunteers Welcome Newcomers to Indianapolis Housing Project

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 28, 1968

Mr. JACOBS. Mr. Speaker, we all know that moving into a new home can be a difficult, as well as exciting, experience.

And moving can be especially confusing and trying for low-income families as they make the adjustment to the strange new world of a housing project.

It is particularly helpful at such times if there is someone available who can provide answers to the many questions which inevitably arise.

Such assistance is now being provided by Family Service Association volunteers in Indianapolis in connection with the opening of the new Salem Village housing project.

Much of the success of the project is due to Henry M. Graham, director of the Family Service Association, who has helped guide the efforts of FSA volunteers.

Because of the general interest which I am sure this type of approach might arouse in similar projects elsewhere in the country, I am inserting at this point in the Record an article on the program which appeared in the March 10 edition of the Indianapolis Star:

NEW FRIENDS EASE ADJUSTMENTS AT SALEM VILLAGE

(By Robbie Du Bois)

A group of outer city housewives have found it easy to bridge the gap in economic levels by simply being a friend in deed to low-income counterparts.

As each family moved into the new Salem Village housing project, one of the group welcomed the tenants, particularly the mother. She was a sympathetic, knowledgeable visitor who backed her first offer of help with later visits and is on call for assistance if there is any inkling of a problem developing.

Salem Village is a Federal housing project for low-income families. Operation Welcome is the undertaking of women volunteers in the Indianapolis Family Service Association. It is a pilot project, first of its kind. Each of the women in the 11-member FSA group was given the names of families she was to assist in the move-in.

Mrs. Robert Bruce McClure is chairman of the group and the only one experienced in social work.

Their efforts were well received.

"My visitor was so kind," says Mrs. Lee D. Maxwell, a widow with four children, 1 to 10 years old.

"I didn't have beds for my children and she took right over and helped get them.

"I was glad to have a woman to talk to. I could talk more freely to her than to the management.

"I surely do feel I've found a friend!" Her new friend is Mrs. Clyde L. Peterson.

Says Mrs. Haddie Reedus, divorced mother of three, "My Mrs. Baker was so nice and courteous. She pointed out the things I needed to know. She knew how things should be done.

"I enjoyed her second call, when she came one evening.

"I know I can call on her if I have any problems."

Mrs. William B. Baker, Mrs. Reedus' caller, is the FSA vice-president in charge of volunteers. She has added the Salem Village welcoming project to many other volunteer responsibilities in the association.

While a few of the new tenants were capably coping, most of the volunteers found immediate problems to attack, like getting children promptly enrolled in their new school, arranging transportation for a handicapped child, explaining management regulations, community facilities, bus schedules.

"There wasn't much I could do on one first visit," rather ruefully confessed Mrs. Andrew J. Brown. "The furniture had been in storage and some of it arrived broken and her husband is in Vietnam. I just stood with her and wrung my hands, too."

"One of my tenants just wanted to sit," said Mrs. Peterson. "If you've ever moved, you know the confusion. I have, so I just sat with her for a while."

"I couldn't do much in one apartment. All they were doing was oh-ing and ah-ing over the lovely place they were living in," said Mrs. Burton B. Kohn. "It was nice to be part of it."

In preparation for Operation Welcome, the volunteers had toured the neighborhood and apartments, learned about the stoves and garbage disposals, been briefed in the rules and regulations. They had frankly and openly discussed their role and decided, as Mrs. Charles T. Coy put it, "We just want them to know they have an interested friend."

The FSA volunteers "greatly eased the transition," says Lewis N. Jones, director of the housing project.

"They're doing a wonderful job in getting the tenants started right. Women will talk to women and listen to women about housekeeping problems."

Some of the volunteers detected in the early visits incipient problems; a rebellious teen-ager, a need for more or better employment perhaps requiring special training, need for convenient child care for working mothers, lack of counseling for a kindergarten child as recommended by his teacher.

The volunteer's role, Mrs. McClure emphasizes, is not to counsel but to know agency resources and encourage referral.

To a woman, the 11 volunteers feel Operation Welcome has been worthwhile and they have done something substantially good, though often at their own considerable inconvenience. Some waited more than two hours for their families to arrive. Others made repeated calls until they found the family moving in.

Eight of them will expand their efforts, as requested by the housing authority, to welcome families as they start moving in this month in the Holmes Avenue project. They and Family Service Association are eager for reinforcements.

"We couldn't have touched this welcoming project with our professional staff alone," says FSA Director Henry M. Graham. "It's got to be a volunteer project, and really, that's the way it should be.

"Volunteers have a very special value in social work because, putting it very simply, they are motivated by a personal love for and desire to be of assistance to their fellow men."

Any one interested in FSA volunteer work, he pointed out, need have no prior social work experience, special education or training.

Diversified Farming in Kansas

HON. ROBERT DOLE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 28, 1968

Mr. DOLE. Mr. Speaker, I call to the attention of my colleagues an interesting article by the Honorable Clifford Hope. Mr. Hope, during his long years of service in the Congress, contributed much to our more substantive agricultural programs. The food for peace program is one of the outstanding monuments to his service.

I commend Mr. Hope's article which follows:

[From the Salina (Kans.) Journal, Mar. 24, 1968]

KANSAS NO LONGER ON A ONE-CROP ECONOMY

(By Clifford Hope)

In the last two weeks this column has discussed the importance of grain sorghums and corn in the Kansas agricultural economy, particularly since 1957 when the great breakthrough occurred in grain sorghum production. It was also pointed out that in recent years the production of both of these crops has been widely dispersed throughout the state. This has been followed by a substantial increase in beef cattle production, which is reflected in the larger proportion of cash receipts from farming, derived from livestock and its products as compared with crops.

During the ten year period, 1958–1967, cash receipts from crops have exceeded those from livestock in only two years—1958 and 1960. In each case, the margin was small. A recent report from the Kansas Crop and Livestock Reporting Service shows that for the five year period, 1961–1965, cash receipts from farm marketing of crops averaged 533 million dollars, compared with 741 million dollars from livestock and products. For 1966 the figures for crops were 556 million, and 976 million for livestock and products. The corresponding figures for 1967 are 529 million and 970 million respectively.

Most of this increase has come from beef cattle, which have substantially increased both in numbers and value. The west 31 counties of the state have fully shared in this increase. In 1940 the number of beef cattle in the state was 2,155,000, of which 13 percent was in the west 31 counties. In 1950 the number was 2,999,000 and the proportion in these 31 counties was 23.7 percent. On January 1, 1968, the number was 5,324,000, of which 23.6 percent was in the western counties.

When I was a boy on a Finney county farm in the first decade of this century, the farm program which was being urged by the Agricultural College and the State Board of Agriculture, put the emphasis on the cow, the sow, and the hen. All of these have fared rather badly in Kansas during recent years. Today, the number of chickens on Kansas farms is less than the number of beef cattle. In the west 31 counties, beef cattle outnumber chickens three to one.

Kansas had 727 thousand milk cows in 1940 and 604 thousand in 1950. On January 1, 1968, the number was 240 thousand, of which only 22 thousand were in the west 31 counties. Milk production has not dropped proportionately because of higher production per cow, but is still far below earlier years.

The sow has held her own a little better. In 1940 there were a little over a million and a half hogs in Kansas. This year the number is about the same. In between, the figures have fluctuated between seven hundred thousand and two and a half million. In recent years about ten percent have been produced in the 31 western counties.

While Kansas agricultural production is rather widely diversified, over eighty-five percent of its cash receipts come from five products. These are beef cattle, wheat, grain sorghums, hogs and corn. To a greater extent than ever before, production of all of these commodities is on a statewide, rather than an area or regional basis.

There is now no part of the state which can be said to be on a one crop economy. This has resulted in greater stability of farm income in all areas. At the same time as shown by recent shifts in the production of corn and grain sorghums between east and west, farmers have been quick to change production patterns when it is to their advantage.

U.S. Dollar Rejected

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 28, 1968

Mr. RARICK. Mr. Speaker, the effects of removal of the gold cover from the U.S. paper money has already been noted.

Some of our foreign friends—who were once eager to accept our paper dollars backed by gold—no longer want to take a chance that U.S. currency may turn out to be worthless.

Mr. Speaker, the comments from the April 1 U.S. News & World Report and Human Events follow:

Americans headed abroad this summer will have to be ready for *trouble*. Dollars, once sacrosanct, may not always be honored for foreign cash. What happened the week-end of March 16 could happen again. *Our men report:*

From Johannesburg: "There were wild scenes at Johannesburg airport as Americans trying to buy airline tickets waved dollar bills that neither airlines nor banks would accept. In *Blantyre*, Malawi, one resident American had his bank refuse his dollar check for deposit."

From Paris: "An editor of 'U.S. News & World Report' traveling in Europe was allowed to change only enough dollars in Geneva to pay his hotel bill.

"His Paris hotel let him change *only $20* into francs at the rate of 4.6 francs to the dollar instead of the usual 4.9. He also had to promise to make up the difference if the dollar was devalued. Airlines, too, were choosy."

Tourists found similar problems in *London, Germany, Italy*.

An exception: Greece. The military government there is so determined to attract Americans it played down the dollar crisis. Greeks recalled that one hotel was shut last year for overcharging. Few wanted to risk a repeat.

But in Greece, as elsewhere, there is *no telling* what will happen next time.

Hazel Henderson Clears the Air

HON. THEODORE R. KUPFERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 28, 1968

Mr. KUPFERMAN. Mr. Speaker, my constituent, Hazel Henderson, chairman of the board of honorary trustees of Citizens for Clean Air, Inc., which has its office in my district, spoke recently at a YWCA luncheon on her unending fight to improve our environment.

Her talk is entitled "Man: Guinea Pig in the Growing Metropolis" and I am pleased to bring it to the attention of my colleagues, as follows:

MAN: GUINEA PIG IN THE GROWING METROPOLIS

(Speech given by Hazel Henderson, chairman of board of honorary trustees, Citizens for Clean Air, Inc., before New York City YWCA forum March 7, 1968)

Just last week the New York Times carried one of humorist Russell Baker's inimitable little gems of wisdom entitled *New Yorkers Can Take it, Unfortunately*. He claims that the inhabitants of our town "are undoubtedly the most tolerant citizens in the Western world. If there is any physical discomfort, human inconvenience or affront to the dignity of man that they will refuse to put up with . . . it has yet to be devised." He cites the current New York thing called The Strike of the Week; and a host of other irritations and indignities—the high prices, the dirt, noise, overcrowding, chaos and confusion—that masochistic New Yorkers bear without a murmur. Any one of these insults would have Parisians or Washingtonians up in arms. But, he says sadly, "Just like sheep, New Yorkers will take *anything*."

Mr. Baker, like most of us, has noticed that our cities are not only growing in size, but seem to be growing out of control and becoming more chaotic every year. And as this unplanned growth continues, they also are becoming giant laboratories for the study of a formerly little-understood science known as ecology.

Broadly speaking, ecology is the study of the total environmental system and all the organisms including man which inhabit it. A sprawling city offers a living laboratory for this kind of study, and is a treasure house for scholars of not only the physical sciences, but the behavioral sciences as well. The only trouble is that in every case . . . we human beings are the helpless guinea pigs in these vast urban test tubes. If we are to survive in our cities, the researchers will have to find the answers to three basic questions.

First, will increasing overcrowding of our population into already bursting metropolitan areas eventually so overtax the land, air and water in them that the urban environment will break down completely?

Second, what are today's large cities doing to people, physically, emotionally and spiritually?

And thirdly, is there a better way of organizing ourselves? Are our cities worth the billions of dollars it will need to save them? Or might they even become unnecessary and obsolete in the near future?

Let's look at the first. The question of how many people you can cram into a certain land area without it losing its capacity to cleanse and renew itself. Well, we all know of the Black Hole of Calcutta, and in that case it was the oxygen supply which gave out first, and the people suffocated. What does this have to do with cities? Well just recently at a symposium held by the American Association for the Advancement of Science, many of its eminent members were discussing whether the earth's oxygen supply would be able to continue to support the present population, or whether it too would be used up by man and all of his manufacturing activities. This isn't as far out as it sounds when we remember that the planet's oxygen supply was not always just there. In fact it has been painstakingly manufactured over the millennia by green plants, and they still remain the only natural source of oxygen we have.

And yet we not only use the precious stuff each time we inhale, but each time we drive our car, turn the lights on or use an appliance and whenever we burn anything. It takes oxygen to make steel, paper, electricity, in fact almost every manufacturing process uses it up one way or another. As our population increases, we all use more of it, faster and faster.

And not only are we using up the oxygen in the air supply, but as you all know, we are adding a great many disgusting things to it, like incinerator smoke, dust from demolition sites, automobile fumes, and radioactive wastes to name a few. When we pack so many people and all their activities into a very small area—like New York City for instance, or any other major metropolis—the air loses its capacity to clean itself. The total system gets a little out of whack. Add to this the fact that we all breathe out carbon dioxide, and all our manufacturing activities give off carbon dioxide too; then it begins to pile up in the atmosphere and the plants and trees can't use it up fast enough to maintain the normal balance. But wait a minute—in the average city there hardly are any plants anyway! So once again, we have really messed up nature's system.

It's the same story with the water supply, we simply expect it to do too many things. Not only must it be our drinking supply, but at the same time a sewer, and a raw material for manufacturing, cooling, air-conditioning as well as recreation. There just isn't enough of it where we need it for the increasing numbers of people, and we must either clean it up and use it over, or run out like New York City nearly did in the summer of 1966.

The same thing applies to land when too many people try to use the same piece of it. It becomes geometrically more expensive and difficult to keep the whole environment clean—just like too many guinea pigs in too small a cage. We all saw what happened if the garbage collection stopped for even a few days. We were almost inundated. Dr. Athlestan Spilhaus, President of the Franklin Institute in Philadelphia, says "If the two hundred million people in the United States were living in 800 cities with a population of 250,000 each, and if these cities were scattered evenly across the United States, we would not have the pollution problems, the riots, and many of the other ills that develop when cities become too large." Already our cities have begun to create their own weather! The great dome of dust which hangs over them considerably increases rainfall, and the heat absorbed by buildings and sidewalks, as well as that generated by all the human activity, increases their average temperature several degrees.

If we are governed by the same set of natural laws that govern all other species, we may be on the verge of finding that our desire to crowd together in rabbit-warren like cities may have put us on a collision course with disaster. Let's consider now what this strange desire to crowd together in ever huger cities may be doing to the poor human guinea pig.

I think we have all read enough about the hazards to our health caused by pollution of the air to know that long exposure to it can result in diseases like emphysema, bronchitis, allergies, sinus trouble, colds and other respiratory infections, as well as lung cancer. What some of us may not know is that it also puts a heavy burden on the heart which gradually becomes enlarged because it has to pump blood through the lungs much faster to obtain sufficient oxygen. Pollutants gases such as carbon monoxide from car exhausts, of which there are huge quantities in urban air, can cause headache, fatigue, irritability, loss of memory and disorientation in human beings at the current levels found on most city streets.

It is even suspected that children who are driven long distances to school or through heavy traffic, are slower learners because of their exposure. And studies done on traffic policemen show that they are often disoriented and their responses are considerably slowed. Dr. A. J. Haagen Smit of California has done many studies which show that freeway accidents are often not caused by people falling asleep at the wheel, but rather that they are drugged by the carbon monoxide.

Polluted water as we recently learned over again during the New York City garbage crisis, can cause typhoid fever, dysentery and other intestinal infections, and hepatitis. And another little-known pollutant—noise—can also make us physically ill. Dr. Vern O. Knudsen of the University of California found that exposure to over 90 decibels can flush the skin, constrict the stomach muscles and shorten tempers. Other doctors suspect that noise may be a hidden factor in heart disease, high blood pressure, allergy, nervousness and even mental health. When we consider that ordinary New York street noises regularly exceed 100 decibels, we begin to wonder what all these stresses may be doing to us!

But worse is to come. Add to all this, the overall conditions of overcrowding under which city-dwellers live—and we really have a witches brew. Some little known research on the consequences on various species of animals of overcrowded living was recently published by Dr. Edward T. Hall in a book called *The Hidden Dimension*. He claims that all species in the animal world need a certain dimension of physical elbow room. It varies with different creatures, but in each case, if the animals are overcrowded beyond their elbow room requirements they begin to develop physical symptoms, and evidences of mental stress. He found that when rats, monkeys and deer are placed in overcrowded conditions similar to those experienced by humans in our cities, they begin to regress. They develop stomach ulcers and enlarged adrenal glands and their infant mortality rate soars. They become a little deranged, and more irritable and aggressive. Some become apathetic, some homosexual, while others become cannibal and attack and eat each other. Then their fertility begins to decrease as nature desperately tries to restore the balance.

We might even ask ourselves the question as to whether part of the cause of the aggressive behavior in some of the ghetto areas of our cities is not only caused by racial discrimination, but because the whole city environment is more and more difficult to take. It would only be natural that ghetto residents who have to live under the worst conditions of overcrowding, with the least elbow room for recreation, who must spend more time on noisy streets and crowded subways, and who at the same time cannot get away for a little weekend peace and quiet, would be the most likely group to start showing signs of strain with increased irritable and aggressive behavior. In fact could it be that we are witnessing the start of a much wider breakdown of human behavior in response to urban stress and the increasingly impersonal environment? The New York Times editorialized after the riots last summer that any human being condemned to live for the rest of his life in the dirt, ugliness, noise and pollution of a modern American city would eventually "blow his cool".

The World Health Organization takes a very serious view of such problems, and states that after world peace, urban planning is the greatest problem facing man in the second half of the twentieth century, and that the cities of today present health problems of staggering proportions. Let's look at some ominous facts. A study completed in 1956 on the upper East Side of Manhattan found that four out of five of the people examined had symptoms of psychiatric disorders, and one out of four had neuroses sufficiently severe as to disrupt their daily lives.

Coronary heart disease death rates were 37% higher for males and 46% higher for females in center cities as compared with suburban and rural areas.

Studies on the incidence of lung cancer—once a comparatively rare disease—show that the rate among urban nonsmokers is eleven times higher than among rural non-smokers.

Incidence of emphysema, a once-almost unknown lung disease, has shot up 700% in New York City in the last ten years, and hepatitis traced to contaminated drinking water and shellfish caught in polluted waters is reaching epidemic proportions in many cities.

To add to it all, urban areas now receive 25% less sunlight than rural areas due to the thickening blankets of smog, and affect the spirits and lower the morale of our poor urban guinea pig even further.

The U.S. Surgeon General's Committee on Environmental Health summed it all up as far back as 1962 when it reported that "increasing populations and increasing concentrations of people in urban areas of the United States decrease the quantity of fixed resources of air, water and land available to each individual. This poses a threat of an insidious nature which if not recognized and corrected can lead to urban stagnation and death, as surely as the most violent epidemic.

And finally, lest we think that these symptoms of the toil on people's mental and physical health are only visible in American cities; let's look at the largest city in the world, Tokyo, Japan. In the long hot summer of 1967, Tokyo too, had riots in its slums. The outbreaks were spontaneous, according to reports, and broke out on hot, sultry nights, where hundreds of slum dwellers spilled out into the sweltering streets. They would drink cheap liquor in order to forget their discomfort and sooner or later would begin arguing with each other, and before long there was a fight. The arrival of the police was the signal for everyone to get into the act and mobs raged around, breaking windows, and senselessly destroying property.

It has a familiar ring doesn't it? Of course, there were other factors involved, caused by social discrimination against the slum dwellers, many of whom belonged to minority groups. But then we must also ask ourselves why people discriminate against each other? Would they discriminate less against each other if they weren't jostling each other for elbow room and social position, but lived in smaller communities, with more breathing space? At least the subject deserves a little research in light of the fact that most of last summer's violence occurred in densely overcrowded urban ghettoes.

And just three days ago the New York Times reported that Buenos Aires is presently suffering a summer heat wave, and that with it the grime and soot from factories and power plants is hanging in the air. The people are especially aggressive, irritable and short tempered, and arguments between motorists flare up in the street. Taxi drivers snarl; and usually polite businessmen push and shove each other in crowded lunch counters.

Could it be that the urban environment is to blame? Already sociologists are noticing the apparent indifference of urban-dwellers to each other's needs. They wonder at the kind of alienation that causes people to look the other way in the case of attacks on fellow citizens instead of coming to their aid. The answer that such people often give is that they "didn't want to get involved." And we all feel a little shocked.

But is it really so surprising? How can any human being really be concerned about each and every one of his millions of close neighbors all competing together in the vast urban rat-race?

And with that unhappy view of the urban animal, what can we do to release him from his self-made urban trap? Now we get to the exciting part, because many far-sighted men are already making plans for him. Men like Dr. Athelstan Spilhaus, mentioned before and Dr. Barry Commoner of Washington University. Men like Buckminster Fuller the wonderful humanistic architect who gave us the geodisic dome, and the great urban planner, Constantinos Doxiades to name a few.

Many of them believe that the first question we must ask is what is the best size for a city to be and whether our present cities are not already cancerously overgrown. A city should be big enough to give us all the cultural diversity we love, and yet in physical surroundings that are clean, orderly and beautiful, with elbow room for everyone. Dr. Spilhaus believes that 250,000 people living together in a city is just about right, and has, with a distinguished group of citizens, launched the first study design for such an experimental city, which will be built in Minnesota, one hundred miles from any other populated area. This distance will make sure that the city will really function as a self-contained unit with its own employment opportunities, so no-one will have to travel to a job in an already existing town nearby. The city will be planned and designed as if it were a huge hotel complex, with shops, services, sleeping, dining and entertainment facilities all built together and integrated into the residential areas, schools and offices.

All the pipes that ever could be needed for drainage, sewage, garbage removal, as well as telephone and electric cables designed to carry much larger future loads, would all be placed underground in the virgin soil, before any streets have to be dug up!

Tunnels would accommodate all vehicular traffic, and garaging would be underground in all buildings, so that man would never again have to confront anything as terrifying as a Mustang, a Cougar or a Barracuda face to face on a street corner. Houses and other larger buildings would be constructed like building blocks in the same way as the apartment complex called Habitat at Expo '67 in Montreal. Whole living units could be added, or taken away as needed. An obsolete building, instead of being wrecked with the usual ear-shattering paraphernalia, would be quietly and simply dismantled without a hammer blow, and reassembled in another way somewhere else. Husbands could (wives permitting!) travel the short distance home to lunch by moving sidewalk, or perhaps tiny plug-in electric vehicles. The city would also be very compact, and surrounded by an enormous wild belt of virgin land, so that weekend hunting or skiing trips would take only a few minutes traveling time.

Stale air would be automatically sucked into underground fume-sewers, where it would be piped to a cleansing and filtering plant, and rainfall would never become mixed or contaminated with sewage as it is today because all sewage would be purified back to drinking quality before being released into rivers or lakes. The sewage itself might be piped long distances and ploughed into desert areas to make them fertile once more.

In cold climates, large areas of the city could be domed over to provide resort-like climates for recreation as well as comfortable shopping and living. A dome about two miles in diameter could pay for itself in ten years on the savings gained from snow removal alone!

How could we have all this beauty and cleanliness when we would have to have offices and manufacturing facilities in the same location? The answer lies in the very concept of designing and building everything from the ground up. Electric power for the city would be generated by atomic reactors without smoke pollution. Industries, power plants, hospitals, schools and all other facilities would be selected for participation in the city only if they agree to abide by the standards set by the community beforehand. The city would agree to hook them up to all the waste-disposal facilities and these services would be part of the local taxes. But because of the re-cycling and more efficient handling of wastes, these costs would be competitive or cheaper than in old cities. In fact, services such as mass-transit would be so efficient that they could be, like elevators of today, free of charge. The greatly advanced communications system in the city will enable its lucky residents to tune in the library to choose a book or the supermarket, the bank or the local school in their video-screen, and even tele-baby-sitting services will be available. Crime prevention will be simplified for the local police force with the use of video monitors, and the whole city could be managed with the help of minute to minute information provided by computers. Computerized medical check-ups could monitor the health of every citizen, and in every way the new technology would be put to the service of man rather than expecting man to somehow fit himself into the vast machine.

Pie in the sky? I don't think so. As Dr. Spilhaus is fond of pointing out to politicians who tell him that you can't move people around. We do it all the time! In fact, our politicians are always moving us around for all the wrong reasons. They displace people to drive huge highways through their neighborhoods. They bulldoze their property to make way for all kinds of dubious "progress". They take parks to make parking lots, and move thousands of people every year in urban renewal.

In fact some people are beginning to wonder whether we aren't doing exactly the wrong thing by pouring money into our old cities, and building more and bigger buildings to huddle people closer and closer together while 75% of our land area is almost uninhabited. We pour poverty funds into our cities and then wonder why more and more of the poor leave the rural areas of the south and migrate to them? Everything we are doing at present serves to increase the rush to the cities. Shouldn't we instead be trying to improve the lives of people where they are in rural areas which might help to de-centralize the population and use our land area more effectively?

Which leads me to the last and most vital question. Are our old cities really worth saving? Will they require so much money to re-fashion them that we would be better off spending it building new ones? After all, Americans are the only people in the world who discard their houses, appliances and cars without a thought. The pioneers used up the farmlands and then pushed West, and whenever the particular reason for the location of a certain town no longer made sense they just left, and gave the world that unique American phenomenon—the ghost town. After all, what is so magic about one piece of real estate as opposed to another? The reasons that most of our old cities are located where they are have in many cases become irreleveant. With the communications networks of the future we won't need to have towns situated on rivermouths for shipping or near the railroad connections.

Of course, all this isn't to say that we would have to junk our old cities entirely. As we build the new cities, we could, instead of urban renewal, bulldoze buildings and turn them into badly-needed parks and recreation areas, and in this way we could open out and humanize the old city. Such new areas of greenery and refuge dotted around the densest areas, even if they are small like the new Paley Park off Fifth Avenue in New York, could work wonders in restoring the shattered nerves of city-dwellers.

All of these exciting things are possible. We can spend the funds either way. All we have to do as voters and citizens, is to stop being guinea pigs but think and then decide before it's too late.

Rabbi Spigelman To Be Honored by Los Angeles Jewish Community

HON. THOMAS M. REES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 28, 1968

Mr. REES. Mr. Speaker, the Jewish community of Los Angeles will honor one of its most distinguished leaders, Rabbi William Spigelman, during the month of June 1968, at the Beverly Hilton Hotel.

Rabbi Spigelman stands at the helm of the largest traditional synagogue west of New York, Congregation Shaarei Tefila, the Gates of Prayer, where he has been honored with life tenure. The impressive sanctuary, with its seating capacity of 1,400, was awarded the Los Angeles Beautiful Award, and is a veritable hub of activity for both young and old, sponsoring functions and meetings.

Vitally concerned with education, Rabbi Spigelman is the founder and dean of a scholastically high standard day school, the Yavneh Hebrew Academy, which has accommodations for a thousand students. He is also among the founders of the Rambam Torah Institute, a secondary school, and the Teachers Institute of Yeshiva University on the west coast.

In the numerous citations which he has received for community and civic endeavors, Rabbi Spigelman has been lauded as "a spiritual architect" who has consistently added to the growth and welfare of Los Angeles.

Formerly president of the Board of Rabbis of Southern California and of the Rabbinical Council of California, he now serves at the head of the Southwest Division of the American Jewish Congress, and is a member of its national governing council board.

After the 6-day war in the Middle East last June, he was chosen to participate in a 6-man U.S. team in discussion with the high-ranking officers of the State of Israel, including its President and Prime Minister.

Rabbi Spigelman has also served on the mayor's committee for urban crisis. He offered the opening prayer for the session of the U.S. House of Representatives in Washington, D.C., on May 23, 1967.

An anticipated gathering of a thousand people will honor the eminent rabbi for 18 years of dedicated and distinguished service to his congregation and to the community at large.

Lake Tahoe Preservation

HON. ED REINECKE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 28, 1968

Mr. REINECKE. Mr. Speaker, I share the widespread concern that has been voiced by scientists as well as the general public and press over the pollution threat to Lake Tahoe. With its location on the route of two transcontinental highways, this is probably the best known and most visited lake in the Western United States. We have started late and, even with maximum pollution abatement effort, it will take years to restore the water quality of this unique scenic area. To get on with the job, it is imperative that State and local jurisdictions both in Nevada and California clarify their specific responsibilities in carrying out treatment work and the planned development of the entire drainage basin. This is vital to the preservation of Tahoe.

I am much encouraged by the active lead taken by Governor Reagan in supporting the strong language of Nevada legislation which is designed to establish a bi-State commission for this purpose. Governor Reagan has recommended that California adopt similar legislation and seek immediate ratification of the compact by the Congress. Conservationists who have battled for nearly a decade to save Lake Tahoe have warmly welcomed this leadership.

Mr. Speaker, I include Governor Reagan's recent message to the Senate and Assembly of the Legislature of California on this subject in the RECORD:

LAKE TAHOE BASIN PRESERVATION

To the Senate and the Assembly of the Legislature of California:

I would like to urge quick passage of legislation to take the very important first step toward protecting Lake Tahoe.

While the legislation enacted by the Nevada Legislature to protect Lake Tahoe is not perfect, it is in many respects stronger than the legislation enacted by the California Legislature last year. Failure to enact this legislation would be a great tragedy for the people of California, Nevada and the nation who are concerned about maintenance of the unique environment of Lake Tahoe.

It is doubtful if a more effective piece of legislation can be achieved in subsequent years, and as a matter of fact, it would probably be weakened as time wore on. It would be a tragedy to permit this to be delayed. The bill is nonpartisan in content and nationwide in implication.

It is my opinion that the major portion of the Nevada amendments strengthens the bistate compact, provides for an orderly approach to its business, and also clarifies the specific areas of jurisdiction of the agency and the counties and the city in the basin.

I feel that we should strongly support the necessary amendments to the California law to bring it into full conformance with the Nevada bill for expeditious action at this session of the Legislature as an urgency measure so that it can be transmitted to Congress for ratification at the earliest possible date.

The bi-state body compact is absolutely necessary to insure that the legislative authorities of the agency controlling the basin are basinwide and clear.

In summary, this legislation represents the efforts of hundreds of people in both California and Nevada who are interested in preserving the Tahoe Basin. The bill is probably as strong as any measure which could attain the support of the majority of local residents, convervation groups, and officials of local and state government in both California and Nevada.

We should adopt the Nevada bill, seek ratification by Congress of the compact, and then work together for the preservation of Lake Tahoe.

If we let this opportunity pass, we may never have another.

Caution Urged in Purchase of County Co-op Shares

HON. JOSEPH Y. RESNICK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 28, 1968

Mr. RESNICK. Mr. Speaker, for months now I have been digging into the diversified business activities of the American Farm Bureau Federation and the gigantic fraud that it is perpetrating upon the American farmer. One of the more interesting tricks practiced by this self-proclaimed "friend of the farmer" is for some of its cooperatives to issue patronage dividends which are supposedly redeemable, and then to refuse to redeem them. A champion practitioner of this neat little ruse is the Ashland County, Ohio, Farm Bureau Co-op, which has not redeemed its dividends for the last 20 years.

Another device used to permanently separate the farmer from his money is to sell him stock with the promise that it can be redeemed on 30 days' notice, and then to refuse to cash it—ever.

Throughout the course of my investigation, Farm Bureau officials have not denied a single one of the charges I have made. In fact, Roger Fleming, the No. 2 man in the AFBF hierarchy, confirmed a good many of them.

The latest testimony to the truth of my charges is the following article by Robert J. Havel, which appeared in the March 19 edition of the Cleveland Plain Dealer. In the article, Mr. Stanfield, executive vice president of the Ohio Farm Bureau, supports my findings. In fact, he agrees that perhaps new laws are necessary to regulate the sale of stock. Here is the executive vice president of the Ohio Farm Bureau admitting to Farm Bureau abuses, while Ohio Attorney General William Saxbe conducted an investigation which can only be described as a "whitewash," and cleared the co-ops of any illegal practices.

This article also shows what happens when the AFBF flexes its political "muscles." Mr. Stanfield's threat to "take another look at" its support of Representative JOHN ASHBROOK because Congressman ASHBROOK has also questioned these co-op practices constitutes the closest thing to political blackmail I have seen in a long time.

Mr. Speaker, I include this article in the RECORD:

CAUTIOUS TACK IS URGED ON COUNTY CO-OP SHARES

(By Robert J. Havel)

WASHINGTON.—D. R. Stanfield, executive vice president of the Ohio Farm Bureau Federation, said yesterday he would shy away from buying stock in a county farm cooperative until he had carefully checked its financial soundness.

Stanfield made the statement here yesterday when asked about charges of questionable stock practices involving certain county Farm Bureau cooperatives in Ohio. He and other Farm Bureau representatives are in Washington to discuss farm problems with Ohio congressmen.

Several Ohioans have alleged they bought stock in county co-ops on the promise they could redeem the stock on 30 days' notice if dissatisfied with dividends. They have received no dividends for years and are unable to cash in the stock, the Ohioans charge.

Stanfield said it was too bad this situation existed. But he pointed out that an investigation by Ohio Atty. Gen. William B. Saxbe had cleared the co-ops of any illegalities. He agreed that perhaps new laws might be necessary to regulate such stock sales.

The state federation has no control over county co-ops unless operated by the federation, Stanfield said. He asserted that all co-ops run by the state body redeem stock and pay dividends.

"And we will not lend a local co-op money unless we take over control of the co-op," Stanfield said. "When they pay us off, they can have back control of the co-op."

To charges made by Rep. Joseph Y. Resnick, D-N.Y., that some co-ops fail to redeem patronage dividends that members receive for dealing with co-ops, Stanfield said most co-ops redeem blocks of dividends every seven years. When told of charges that the Ashland County co-ops has not redeemed such dividends for some 20 years, Stanfield said he did not know the reason.

"The Ashland co-op is in good financial shape," Stanfield said.

He charged Resnick with merely seeking publicity in his Farm Bureau investigation and said the congressman was not interested in the interests of the farmer. He also said that Rep. Michael A. Feighan, D–20, Cleveland, knew nothing about farming and that Feighan had introduced a resolution to compel co-ops to make full disclosure of their finances merely as a publicity ploy.

"I understand he faces a tough primary fight," Stanfield said.

Reminded that Rep. John M. Ashbrook, R-17, Johnstown, O., never known as an enemy of the Farm Bureau, has also questioned these co-op practices. Stanfield said: "We have supported Ashbrook in the past, but we may take another look at that support."

Many of the complaints have come from Ashbrook's district. The Farm Bureau, like Ashbrook, is conservative.

Violence a Threat to the Great American Ideal

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 28, 1968

Mr. DERWINSKI. Mr. Speaker, I would like to call to the attention of the Members the following thoughtful and perceptive editorial which appeared in the March 24 issue of the Harvey, Ill.,

Tribune, which certainly merits our serious attention:

VIOLENCE A THREAT TO THE GREAT AMERICAN IDEAL

At stake in the current civil rights controversy and the rash of disorders, riots and extreme action, is the ideal upon which the country was founded. That ideal is not only that all men are created equal in the eyes of the law but more—the assumption that peoples from different countries, from different faiths, of different races, can build a great new country and create a homogenous population.

Throughout history there have been perhaps more doubters and nationalists than believers, concerning this theme. One of the latest examples of nationalism breaking up a great power is Austria-Hungary which, of course, also carried with it the burden of a questionable monarchy. Nevertheless, that once-great power broke up into various nationalist and ethic groups in 1918 and 1919.

Will the United States eventually succumb to the same fate?

We have progressed toward unity and freedom for all and equal opportunity for several centuries, though the process has never been easy nor have we achieved these goals to the fullest measure. But there has been steady progress. Perhaps it has been too slow. Perhaps, due to circumstances, goals could not be achieved overnight.

In today's confusing picture, sometimes a violent one, the great hope of the United States of America is that the vast majority segment of the population, of all races, will avoid extremist action and extremist views. Extremists often lead the nation part of the way, they often motivate change. Sometimes, however, they tend to retard progress, in advocating violence.

While one can often sympathize with those who become impatient at the pace of progress, we must all keep in mind the great hope and ideal of our country, and the fact that violence seldom produces lasting progress or good will. This great historical concept should not, of course, be used as a justification for inaction in righting wrongs; it should be remembered, however, that extremism, violence and hatred have broken up many countries which contained diverse elements and peoples, as does the United States.

Gomulka's Anti-Semitic Gambit

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 28, 1968

Mr. DERWINSKI. Mr. Speaker, in the last few weeks I have repeatedly pointed out to the Members the rigid Moscow line used by the Communist dictatorship of Poland in the recent student unrest in that country. The Moscow line, which is obviously anti-Semitic, was the subject of the following penetrating editorial which appeared in the March 23 edition of the Polish American.

GOMULKA'S ANTI-SEMITIC GAMBIT

The events in Poland of the past few weeks once again reveal to the world something of the spirit of the Polish people when given the opportunity of expressing their true sentiments. But there are other aspects to the turmoil which can only inflict lasting harm upon the Polish nation, and must be commented upon.

We refer to the tactics being employed by Gomulka to discredit the student demonstrators and the liberal cause they represent. A recent issue of the Communist Party newspaper Trybuna Ludu, for instance, "reported" that many towns and villages have passed a resolution stating:

"We await severe punishment for organizers of the Zionist campaign and we demand exposure of all responsible and a swift and complete purge of all party and state posts of people unworthy of the confidence of the Polish nation."

The Communist campaign against a number of Jewish intellectuals who are opponents of the Gomulka regime—including the noted poet Antoni Slominski—smacks of Joseph Stalin's campaign against "rootless cosmopolitans" during the last years of his rule. The tactics being adopted by the Gomulka regime to rid itself of opposition thus provides fuel for the fires of those who enjoy slandering Poland as being a nation of anti-Semites.

The Gomulka regime's mischievous and dangerous campaign can only serve to blacken the name of Poland among many people throughout the world as supposedly providing further "evident" of the Poles' alleged tendency towards anti-Semitism. Current developments in Poland should serve as further evidence, on the contrary, of the extent to which the Gomulka regime is unrepresentative of the Polish people.

The Legislative Reorganization Act

HON. GARRY BROWN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 28, 1968

Mr. BROWN of Michigan. Mr. Speaker, because of widespread confusion surrounding the proposals for legislative reorganization, I have had prepared a section-by-section comparison of the two most recent versions of the Legislative Reorganization Act which is still pending in the House Rules Committee.

Since the House Republican Task Force on Congressional Reform, of which I am a member, began its project of setting forth in the RECORD detailed comparisons of other bills with the act passed by the Senate on March 7, 1967, another committee print has appeared, and a bill dealing with legislative reform has been introduced by the gentleman from California [Mr. SMITH].

I include below a sectional comparison of Committee Print No. 5 and of H.R. 15687 with the Senate-passed act, which is numbered S. 335:

LEGISLATIVE REORGANIZATION ACT OF 1968

SUPPLEMENT

(Sectional comparison of Committee Print No. 5, dated Feb. 29, 1968, and of H.R. 15687, introduced Feb. 29, 1968, by Mr. Smith (Calif.), with S. 355 as passed by the Senate on March 7, 1967)

(NOTE.—For description of S. 355 provisions, see previous comparison of other bills with the Senate-passed bill, inserted in the Congressional Record during February and March 1968 by Members of the House Republican Task Force on Congressional Reform. Committee Print No. 5 is a reworked version of Committee Print No. 3. Except where noted, the Smith bill is in conformity with Print No. 5.)

TITLE I—THE COMMITTEE SYSTEM

PART 1—PROVISIONS APPLICABLE TO BOTH HOUSES

Sec. 102(a). Calling of meetings.

Print No. 5—Same as S. 355.

Smith—Same as Print No. 5.

Sec. 102(b). Open business meetings and public announcement of committee votes.

Print No. 5—Retains language of Print 3.

Smith—Same as Print No. 5.

Sec. 102(c). Filing of committee reports.

Print No. 5—Same as S. 355.

Smith—Same as Print No. 5.

Sec. 102(d). Proxy voting.

Print No. 5—Deleted (same as Print No. 3).

Smith—Same as Print No. 5.

Sec. 102(e) "e". Minority or supplemental views.

Print No. 5—Same as S. 355 (renumbered 102(d) ("e").

Smith—Same as Print No. 5.

Sec. 102(e) "f". Availability of committee report before floor vote.

Print No. 5—In both S. 355 and Print No. 3, this provision was stated in positive terms: "The report . . . *shall be filed* . . . at least three calendar days before . . ." In Print No. 5 and Smith, the language is prohibitive: "No measure or matter shall be considered . . . *unless* . . . " The intent is the same; the emphasis is altered. However, Print No. 5 exempts from the 3-day rule: (1) privileged reports from House committees as set forth in House Rule XI, clause 21 (compare with Print No. 3, which exempts only privileged reports of Rules and House Administration Committees), and (2) legislative veto procedures (the same as Print No. 3). Further, in both the House and Senate the right to waive is to be unlimited by any conditions, and in the House the Speaker alone may exercise this waiver authority. (Renumbered 102(d) "f".)

Smith—Otherwise identical to Print No. 5. Smith strikes authority for Speaker and Minority Leader, or Speaker alone, to waive in the House. (I.e., under Smith, the 3-day rule could be waived only by the Rules Committe or by unanimous consent.)

Sec. 102(e) "g". Committee funds; fair treatment for minority.

Print No. 5—Same as S. 355. (Renumbered 102(d) "g").

Smith—Provision deleted.

Sec. 102(e) "h". Exemption for appropriations committees.

Print No. 5—Exempts House Rules Committee, in addition to both Appropriations Committees already exempted. (Renumbered 102(d) "h".)

Smith—Same as Print No. 5. (Renumbered 102(d) "g".)

Section 103

Sec. 103(a) "A". Public notice of hearings.

Print No. 5—Adds select and special committees. (Under S. 355, provision applies only to standing committees.)

Smith—Same as Print No. 5.

Sec. 103(a) "B". Open hearings; broadcasting of hearings.

Print No. 5—Retains language of Print No. 3.

Smith—In re open hearings, the language of Smith is not substantially different from Print No. 5. In re broadcasting, Smith deletes requirement for prior House concurrence, adds still photography and motion pictures to the coverage, makes the provision applicable to both Houses, and appears designed to assure that whether or not hearings are to be broadcast is a determination to be made by each committee.

Both Print No. 5 and Smith add exemption of House Rules Committee to previous exemption of both Appropriations Committees from this provision.

Sec. 103(a) "C". Statements of witnesses. See also subsections 103(a) "D"—Summaries of daily testimony, 103(a) "E"—Minority right to call witnesses, and 103(a) "F"—Points of order on hearing procedure.

Print No. 5—All four subsections are deleted. Instead, the following language is added to subsection 103(a) "A": "Each such committee shall require, so far as practicable, each witness who is to appear before

it to file, in advance of his appearance, a written statement of his proposed testimony and to limit his oral presentation at his appearance to a brief summary of his argument. The minority members of the committee shall have a reasonable opportunity to call witnesses before such hearing.

Smith—Same as Print No. 5.

Sec. 103(a)"G". Exemption for appropriations committees.

Print No. 5—Adds exemption, also, of House Rules Committee. (Renumbered 103 "Sec. 133A(c)".)

Smith—Same as Print No. 5.

Section 104

Sec. 104. Committee meetings during session.

Print No. 5—In Print No. 3, Speaker alone, without the concurrence of the Minority Leader, may permit House committees to hold hearings while the House is in session. This language is retained in Print No. 5, but only for those periods when the House is engaged in "general debate."

Smith—Retains the language of S. 355 (requiring concurrence of Speaker and Minority Leader), adding the specification of "general debate."

Section 105

Sec. 105. Legislative review.

In Print No. 3, all of the specific language of S. 355 is stricken, leaving only the general admonition that each standing committee of the Senate and House "shall review and study, on a continuing basis, the application (the word 'operation' is stricken), administration, and execution of those laws, or parts of laws, the subject matter of which is within" its jurisdiction. Subsection (b) of Print No. 3 merely adds a professional staff position to each of the committees—in the Senate by concurrence of the chairman and ranking minority member, but in the House by majority vote alone. Both Appropriations Committees are exempted, as well as the proposed House Committee on Standards and Conduct, and legislative "oversight" is redesignated legislative "review."

Print No. 5 retains the language of Print No. 3 with this modification: the House Standards and Conduct Committee is deleted from exempting language, for the reason that Print No. 5 makes no provision for such a permanent (or select) committee on ethics, and the House Rules Committee is added to the exemption which applies to both Appropriations Committees.

Smith—Same as Print No. 5 with the following modification: Smith retains the language of S. 355 requiring each standing committee to submit to its respective House, no later than March 31 each year, an annual report of its review activities "under this section."

Section 106

Sec. 106. Conference Reports.

Print No. 5—Retains language of Print No. 3.

Smith—Same as Print No. 5.

PART 2—PROVISIONS APPLICABLE TO THE SENATE

Sec. 121. Jurisdiction of Senate committees, and Sec. 122, membership of Senate committees.

Print No. 5—Same as S. 355.

Smith—Same as Print No. 5 (i.e., same as S. 355).

PART 3—PROVISIONS APPLICABLE TO THE HOUSE

Sec. 131. Jurisdiction of House standing committees.

Print No. 5—Entire section deleted.

Smith—Same as Print No. 5.

TITLE II—FISCAL CONTROLS

PARTS 1 AND 2—BUDGETARY AND FISCAL INFORMATION AND DATA

Sec. 202. Data processing system.

Print No. 5—Retains language of Print No. 3.

Smith—Same as Print No. 5.

Sec. 203. Budget standard classifications.

Print No. 5—Same as Print No. 3.

Smith—Same as Prints No. 3 & 5.

Sec. 204. Distribution of program and fiscal data.

Print No. 5—Same as Print No. 3.

Smith—Same as Prints No. 3 & 5.

Sec. 205. GAO assistance for cost effectiveness studies.

Print No. 5—Same as S. 355.

Smith—Same as Print No. 5 and S. 355).

Sec. 206. Updating the budget.

Print No. 5—Same as Print No. 3.

Smith—Same as Prints No. 3 & 5.

Sec. 207. GAO personnel, etc.

Print No. 5—Essentially same as Print No. 3.

Smith—Same as Print No. 5 except that consultants shall be paid at per diem equivalent to the highest rate for GS-18 (approximately $110) instead of $200.

Sec. 208 of Print No. 3, Construction clause on Comptroller General's functions.

Print No. 5—Same as Print No. 3.

Smith—Same as Prints No. 3 and 5.

Sec. 221. Supplemental budget information.

Print No. 5—Retains language of Print No. 3.

Smith—Same as Prints No. 3 and 5.

Note—Both Prints, as well as Smith, delete the provision in S. 355 requiring the Federal budget to include the gross amount of expenditures and estimated expenditures of all Government programs, in addition to other changes made in language of this section. See previous comparison.

PART 3—THE APPROPRIATIONS PROCESS

Sec. 231(a). Appropriations hearings to be open.

Print No. 5—No change from Print No. 3, which deletes this subsection.

Smith—Same as Prints No. 3 and 5 (i.e., subsection deleted).

Sec. 231(b–f). Hearings on the budget as a whole.

Print No. 5—Same as S. 355 (subsections renumbered).

Smith—Same as Print No. 5.

Sec. 232. Budget review of multiagency programs.

Print No. 5—Retains language of Print No. 3.

Smith—Same as Prints No. 3 & 5.

Sec. 233. Proxy voting; committee reports.

Print No. 5—No change from Print No. 3, which deletes entire section.

Smith—Same as Prints No. 3 & 5.

Sec. 234. Rollcall vote on appropriations bills.

Print No. 5—Retains language of Print No. 3.

Smith—Section deleted.

Sec. 235. Rollcall vote on compensation of Senators and Representatives.

Print No. 5—No change from Print No. 3, which deleted this section.

Smith—Same as Prints No. 3 & 5.

PART 4—UTILIZATION OF REPORTS OF GENERAL ACCOUNTING OFFICE

Sec. 241. GAO assistance to committees.

Print No. 5—Retains language of Print No. 3.

Smith—Same as Prints No. 3 & 5.

Sec. 242. GAO reports to committees.

Print No. 5—Retains language of Print No. 3.

Smith—Same as Prints No. 3 & 5.

Sec. 243. Agency statements on GAO reports.

Print No. 5—Section deleted.

Smith—Same as Print No. 5 (i.e., section deleted).

PART 5—LEGISLATIVE COMMITTEES

Sec. 251. Cost estimates by legislative committees.

Print No. 5—Same as S. 355.

Smith—Same as S. 355, also, except that in Smith the language providing committees with an escape hatch from 5-year estimates is deleted.

Sec. 252. Annual appropriations; grants-in-aid programs.

Print No. 5—Retains language of Print No. 3.

Smith—Same as Print No. 5.

Sec. 253. Committee jurisdiction.

Print No. 5—Same as S. 355.

Smith—Same as Print No. 5 (and S. 355).

TITLE III—SOURCES OF INFORMATION

PART 1—STAFFS OF SENATE AND HOUSE STANDING COMMITTEES

Section 301. Committee staffing and related provisions

Subsection 301(a) of S. 355 increases from four to six the number of permanent professional staff members authorized to be employed by standing committees of the Senate and House exclusive of both Appropriations Committees. If a majority of the minority members of any committee so desire, they may select for appointment two of these six employees, who shall be primarily responsible to minority Members and whose services may be terminated only by consent of the minority.

Print No. 5—As it applies to the Senate, there is no change in language from Print No. 3, which is the same as S. 355. *For the House, however, the provision is significantly altered* to require that professional staff employees (two) selected pursuant to a request of the minority members shall be in addition to the *increased staff of six professional staff employees to be appointed by the majority.* Further, any professional staff employee hired pursuant to minority request may be fired by a majority vote of the committee. (Compare with other provisions of the "committee print" bills wherein language has been altered regarding minority rights.)

Smith—Retains language of S. 355 for both Senate and House.

Subsection 301(b) of S. 355 provides that, if they so desire, minority members of a committee may select for appointment one of the six clerical staff authorized to be hired by the committee.

Print No. 5—Provides that minority members may request the appointment of one clerical staff employee, but whether or not that request is granted is up to the majority of the committee, as is all authority to terminate services of any employee of the committee.

Smith—Retains language of S. 355.

Subsection 301(c) of S. 355 provides that if a request by the minority for appointment of a staff member under above provisions is made at a time when there is no vacancy on the permanent staff, the requested appointment shall nevertheless be made and the person so appointed paid from the contingent fund until a vacancy occurs.

Print No. 5—Same.

Smith—Same.

Subsection 301(c)"h" of S. 355 requires fair treatment for minority staff in salary rates, assignment of facilities, and accessibility of committee records.

Print No. 5—Deletes that part of the language which concerns accessibility of committee records.

Smith—Retains language of S. 355.

Subsection 301(c)"i" of S. 355 provides authority for standing committees to procure temporary services of consultants and organizations upon approval of authorizing resolutions submitted in each House by that body's administration committee. Such consultants and organizations are to be selected by joint action of the chairman and ranking minority member of the committee.

Print No. 5—Retains language of Print No. 3, which transfers to the full committee the responsibility of selecting consultants and organizations.

Smith—Same as Print No. 5.

Subsection 301(c)"j" of S. 355 authorizes standing committees, on approval of the administration committee in either house and subject to availability of funds for such purpose, to provide assistance to professional staff members in obtaining specialized training connected with their jobs.

Print No. 5—Same.

Smith—Same.

Subsection 301(d) of S. 355 provides for comparability of pay of Senate and House committee employees.

Print No. 5—Retains substance of the provision but revises figures to conform with latest pay increases.

Smith—Same as Print No. 5.

PART 2—OFFICE STAFFS AND ALLOWANCES OF MEMBERS OF CONGRESS

Sec. 321. Legislative assistants for Senators.

Print No. 5—Retains the substance of the provision but revises salary figures to conform with latest pay increases.

Smith—Section deleted.

Sec. 322. Additional travel allowances.

Print No. 5—Retains increase for Senate but strikes provision for the House in view of the fact that since passage of the reorganization bill by the Senate, the House by independent action raised the travel allowances for Representatives. (See previous comparison.)

Smith—Same as Print No. 5. (New Sec. 321 in Smith.)

Sec. 323. Telecommunications.

Print No. 5—Sas as S. 355.

Smith—Same as Print No. 5 (and S. 355). (New Sec. 322 in Smith.)

Sec. 324. Conversion of Senate employees' salaries from basic to gross rate.

Print No. 5—Deleted. By independent action, the Senate has implemented this provision since passage of the reorganization bill.

Smith—Same (i.e., deleted).

PART 3—LEGISLATIVE RESEARCH SERVICE

Sec. 331. Improvement of L.R.S. within Library of Congress.

Print No. 5—Substantially the same language as S. 355 with one significant difference: Print No. 5 deletes (as did Print No. 3) the language of the Senate-passed bill authorizing acquisition and utilization of automatic data processing support for the Service.

Smith—Same as Print No. 5.

Sec. 332. Joint Committee on the Library.

Print No. 5—Same as S. 355.

Smith—Same as Print No. 5 and S. 355.

Sec. 333. Abolishment of Office of Coordinator of Information.

Print No. 5—Retains language of Print No. 3 repealing the legislation which established the Office. (This is technical language in either case since the House Appropriations Committee has ceased to provide funds for the operation of the Office.)

Smith—Same as Print No. 5.

Sec. 334. A saving provision affecting L.R.S. employees.

Print No. 5—Deleted.

Smith—Same as Print No. 5 (deleted).

Sec. 335. P.A. system for Senate chamber.

Print No. 5—Same as S. 355. (New Sec. 334.)

Smith—Same as Print No. 5. (New Sec. 334.)

TITLE IV—CONGRESS AS AN INSTITUTION

PART 1—JOINT COMMITTEE ON CONGRESSIONAL OPERATIONS

Sec. 401. Establishment of Joint Committee.

Print No. 5—Retains language of Print No. 3, which eliminates requirement that Joint Committee's membership be taken from certain standing committees.

Smith—Same as Print No. 5.

Sec. 402. Duties of Joint Committee.

Print No. 5—Retains language of Print No. 3, which strikes authority of Joint Committee *on Congressional Operations* to make continuing study of the operation and organization of Congress (!); also strikes authority of Joint Committee to provide for appropriate representation in the courts on behalf of Congress. (In brief, the Joint Committee proposed by Print No. 5 would have these responsibilities: to study automatic data processing, to identify court actions of vital interest to Congress, and to absorb the functions of the old Joint Committee on the Disposition of Executive Papers ("Wastebasket Committee").

Smith—See previous comparison under "Smith-Curtis Draft." The Smith bill retains language prepared for this draft, which *added* responsibilities to the Joint Committee in connection with lobbying activities and deleting from the duties prescribed in the Senate-passed bill only that of providing for appropriate representation on behalf of Congress in the courts.

Sec. 403. Powers of Joint Committee.

Print No. 5—Retains language of Print No. 3, which eliminates subpoena power of Joint Committee.

Smith—Retains language of S. 355 granting subpoena power.

Sec. 404. Staff of Joint Committee.

Print No. 5—Retains language of Print No. 3, which reduces the professional staff of new Joint Committee from six to *one*, the clerical staff likewise. (Proposed Joint Committee will be majority-controlled committee.) Also strikes $100 per diem provision relating to consultants, substituting "equivalent to GS–18" language.

Smith—Retains language of S. 355 except that provision for additional personnel to carry out functions of "Wastebasket Committee" is stricken, and the perdiem figure in Smith is the GS–18 figure of Print No. 5.

Sec. 405. Records of Joint Committee.

Print No. 5—Same as S. 355.

Smith—Same as Print No. 5 (and S. 355).

Sec. 406. Transfer of functions of Joint Committee on Disposition of Executive Papers to Joint Committee on Congressional Operations.

Print No. 5. Same as S. 355.

Smith—Same as Print No. 5 (and S. 355).

Sec. 407.—Office of Placement and Office Management.

Print No. 5—Retains language of Print No. 3, which prescribes that the staff of the Office is to be appointed by the Joint Committee on Congressional Operations, and strikes the detailed language of S. 355 describing the functions of the Office.

Smith—Same as Print No. 5.

Sec. 408. Expenses of Joint Committee. Same in all bills.

PART 2—AUTHORITY OF OFFICERS OF THE CONGRESS

Sec. 421. Officers' authority over Congressional employees.

Print No. 5—Same as S. 355.

Smith—Same as Print No. 5 (and S. 355).

Sec. 422. Capitol Police.

Print No. 5—Retains language of Print No. 3, which is reasonably close to S. 355.

Smith—Same as Print No. 5.

Sec. 423. Senate and House pages.

Print No. 5—Retains language of Print No. 3, which strikes the provision.

Smith—Same as Print No. 5.

Sec. 424. Capitol Guide Service.

Print No. 5—Retains, in general, the language of Print No. 3, in which this provision is rewritten to take care of some technical problems without, however, substantially altering the recommendation.

Smith—Same as Print No. 5.

PART 3—CONGRESSIONAL ADJOURNMENT

Sec. 433. August recess for Congress.

Print No. 5—Same as S. 355.

Smith—Same as Print No. 5 and S. 355.

PART 4—APPOINTMENT OF POSTMASTERS

Sections 441 thru 444 of S. 355 provide that the Postmaster General shall appoint postmasters of all classes in accordance with civil service examinations, laws, and rules. Members of Congress are prohibited from soliciting favored treatment for any applicants. Rural route mail carriers are similarly to come under civil service regulations.

Print No. 5—Retains that part of the language which applies to postmasters of the 1st, 2nd, and 3rd classes but strikes the rest.

Smith—Same as Print No. 5.

PART 5—REVISION OF HOUSE EMPLOYEES POSITION CLASSIFICATION ACT

Sections 451 thru 462.

Print No. 5—Same as S. 355.

Smith—Same as Print No. 5 and S. 355.

PART 6—PAYROLL ADMINISTRATION IN THE HOUSE OF REPRESENTATIVES

Sec. 471. Conversion from basic to gross rate.

Print No. 5—Same as S. 355.

Smith—Same as Print No. 5 and S. 355.

New Sec. 472 of both Committee Prints and the Smith bill retain a provision written into the Bolling bill allowing sick pay for Representatives' staff.

PART 7—MISCELLANEOUS

Sec. 481. Stationery Allowances of Senators and Representatives.

Print No. 5—Deleted (as per Print No. 3).

Smith—Same as Prints No. 3 and 5 (deleted).

TITLE V—REGULATION OF LOBBYING

Sections 501 thru 507 of S. 355 amend the Federal Lobbying Act. See previous comparison.

Print No. 5—Except for some renumbering due to technical changes, Print No. 5 retains the language of Print No. 3, which is identical to S. 355.

Smith—Retains all language of S. 355 with the following differences: (1) The Smith bill transfers administration of the Lobbying Act *not* to the Comptroller General but *to the Joint Committee on Congressional Operations,* which shall carry out the same duties as are listed in S. 355, adding authority for the Joint Committee to issue advisory rulings on whether or not persons and organizations must register. Also, the Joint Committee is to refer to the Justice Department information it obtains through its studies under Section 402 re lobbying by the Executive of the Federal Government. (2) In Smith, the estimates of lobby spending would be available to public inspection, as in S. 355, but the total receipts and expenditures statements would not be open to the public unless so ordered by the Joint Committee. (3) In Smith, contingent fees are flatly prohibited.

TITLE VI—EFFECTIVE DATES

Sec. 601. Technical changes occur, and are periodically revised, in all bills.

St. Mary's Hospital Auxiliary of Racine, Wisconsin

HON. HENRY C. SCHADEBERG

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 28, 1968

Mr. SCHADEBERG. Mr. Speaker, I have taken the floor on several occasions to point with pride to the voluntary efforts of individual local groups which, in my opinion, provide the impetus for successful community action in these United States. The Federal Government cannot wave any magic wand and cure all the ills of the Nation, and there is no way in the world for the bureaucrats to provide all the services necessary for the day-to-day functioning of the local communities.

As I have said previously, the State of Wisconsin is second to none in the field of public service by its citizens. And, in my opinion, Mr. Speaker, the First District leads the State. Today I would like to proudly salute another of the many groups of volunteers who spend long hours working for the benefit of their fellow man, the St. Mary's Hospital Auxiliary of Racine, Wis.

For the past 10 years the St. Mary's Hospital Auxiliary has performed an outstanding service, and in the words of the president of the group, Mrs. Ralph Voigt:

> Many women have found a way in which they can enrich their own lives and those of others through their dedication to humanity.

These women deserve our gratitude and humble thanks for a job well done.

A Living Symbol of Light in Darkened Part of World

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 28, 1968

Mr. DERWINSKI. Mr. Speaker, lest we forget, Jozsef Cardinal Mindszenty of Hungary has for over 11 years been confined to the U.S. Legation in Budapest. A very thoughtful reminder of Cardinal Mindszenty and all that he symbolizes appeared in the New World, the official newspaper of the Catholic archdiocese of Chicago, on March 22, written by its editor, Very Rev. Msgr. John M. Kelly.

The article follows:

A LIVING SYMBOL OF LIGHT IN DARKENED PART OF WORLD

(By J. M. Kelly)

It is hard to realize that 11 years have passed since the famous but ill-fated Hungarian revolt against their communist masters. To the loyal and devout Hungarian people there was in the person of Jozsef Cardinal Mindszenty the chief symbol of freedom from oppression and of their own great faith. Their first act was to free him from the imprisonment which he had suffered for so long.

The Cardinal's freedom—after spending 17 years of his life in imprisonment—was short-lived. When the Russians moved in with troops and tanks at the request of Janos Kadar (who is still the Red boss of Hungary) to crush and destroy thousands of young patriots, the Hungarian Freedom Fighters, the Cardinal was admitted to the asylum of the U.S. legation in Budapest. There he has kept his lonely vigil for 11 years, most of the time spent in prayer and study, with an occasional walk—under guard—in the legation garden The autos of communist agents can be seen outside the legation to prevent possible escape.

His presence still makes itself felt throughout Hungary. The Hungarians remain a devout, courageous, freedom-loving people. They do not want Soviet domination. They know that their Cardinal remains in their midst, even though he could have gained freedom in exile long ago through capitulation. For them and for foreign visitors to Budapest, a stroll past the U.S. legation shows that the Cardinal is still with them. The light that shows through his upstairs window is truly for them a beacon of freedom.

On Mar. 29, the Cardinal will be 76 years of age. Twenty-eight years of his great life have been spent in one form or another in confinement. Let's all pray very hard for him, just as he prays for us, constantly. Lest we forget, he is one of the true living symbols of light in the communist world. I'm sure he's praying for the Vietnamese, and for our fighting men there, that their lives will be spared the communist enslavement that has been his lot for so long.

Remarks by Vice President Hubert Humphrey at the Regional Democratic Conference, Pittsburgh, Pa., March 22, 1968

HON. WILLIAM J. GREEN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 28, 1968

Mr. GREEN of Pennsylvania. Mr. Speaker, at the end of 1967 I was honored by the leaders of the Democratic Party of Philadelphia when they asked me to become the Democratic Party chairman in the city of Philadelphia. I took the post and indicated at the time that I wanted the party to be an open forum, not a closed political club. Since then the party in my city has been enriched by a diversity of opinion, and by the contributions of many new people. I think the same might be said of our National Democratic Party. It has become a forum for diverse opinion.

Last week I was privileged to hear the Vice President of the United States address a conclave of Democratic leaders from Pennsylvania, Michigan, Ohio, and the District of Columbia. In the same spirit of an open forum, I present the views he expressed:

REMARKS BY VICE PRESIDENT HUBERT HUMPHREY AT THE REGIONAL DEMOCRATIC CONFERENCE, PITTSBURGH, PA., MARCH 22, 1968

I want today, as Adlai Stevenson used to say, "to talk sense to the American people."

I want to put in perspective—and I think it needs to be done—just where we have been . . . where we are . . . and where we are going.

Is the American dream lost in a deep pit of public and private immorality?

Are we a society drifting, without purpose and moving away from our higher instincts?

I say no.

I say this is a time of change . . . a time of ferment . . . a difficult time of growth and transition in America.

It is a time demanding much of us.

But it is above all a time when this nation, as never before, is on the verge of finally achieving democracy's full potential.

Almost two hundred years ago we dedicated ourselves to a new proposition—that every single child should have the right, at birth, to free and equal pursuit of life, liberty and happiness.

We dedicated ourselves to the principle that men should not be divided king and servant . . . slave and master . . . rich and destitute.

We launched a peaceful, human revolution to achieve what had never before in the world been achieved.

Through blood and heartbreak, through failures and false starts, America has always kept its eye steadily on that goal.

And today, as we enter the final third of this 20th century, we have every right to ask: Where do we stand? Just what must be done to finally build democracy's house?

Where do we stand?

There is turmoil in America. But there is turmoil because there is progress.

There is turmoil because we are engaged in the greatest effort our nation has ever known—to break through the old barriers of hate, injustice and inequity which have been a blight on our national conscience.

We are taking small children by the hand in our ghetto streets. We are giving them health and education and hope.

We are reaching out to young men without skills or jobs. And we are helping them get those skills so they can get those jobs.

We are pledged to rooting out the dirt, the ugliness, the congestion and the fear which fill America's cities and replacing them with clear sunlight and a new spirit of community.

And the banners under which we march are not those of wealth . . . comfort . . . or luxury for those who already have their established place in life.

Our banners—new banners—read: "Job Corps," "Head Start," "Upward Bound," "VISTA," "Work Study," "Teacher Corps," "War on Poverty," "Jobs," "Schools," "Decent housing." And yes, "Freedom Now."

By any measure, what we are doing is unprecedented in human society.

In three years alone: We have increased by three times our national investment in health and education . . . by 10 times the number of people in job training programs.

In the past four years alone, we have provided twice as much federal help for education as was provided in the previous 100 years.

We have won legal and tangible human victories that were thought impossible in 1960.

And there will be another victory this year when the Congress passes a national Open Housing Law.

And make no mistake about it: Despite setbacks and delays . . . despite opposition from the old Coalition of Retreat, a national Open Housing Law will be passed.

We have goals clearly before us—goals set forth this year by President Johnson in historic messages to the Congress:

Decent low cost housing for 20 million Americans still trapped in degrading, unhealthy, unnecessary tenements;

A partnership between government and private industry to provide training and jobs for 500 thousand hard-core unemployed Americans;

A comprehensive crime control program to provide Americans "the security that they demand and the justice that they deserve."

Five hundred thousand men trained and employed by 1971 . . . full pre-natal and post-natal care for every needy American mother and infant by 1973 . . . 26 million new housing units by 1978.

We cannot wait.

No single American—living with anything less than an equal chance in this great society—should be made to stand waiting for that chance while we possess the means to help him.

Yet none of this commitment . . . none of this progress can ultimately mean a thing unless this nation can remain free and safe in a peaceful world.

And that is why—while we make this commitment at home—we must also make our commitment to peace and safety in this world.

As President Roosevelt prepared for one of his fireside chats early in 1942, he said to members of his staff:

"I am going to ask the American people to take out their maps. I am going to speak about strange places that many of them have never heard of—places that are now the battleground for civilization. I'm going to ask the newspaper to print maps of the whole world. . . ."

The world has taken up the front pages of our daily papers ever since—strange names . . . hungry children in far-off lands . . .

threats and opportunities . . . the slow and halting story of men everywhere slowly awakening to their common interests.

And since World War II—since the advent of terrible nuclear weapons—we have known that this strong nation had to play a strong and active and responsible role or lose the peace by default.

In these postwar years, we have—in Berlin, in Greece and Turkey, in Iran, in Korea, in the Straits of Formosa, in Lebanon and the Congo, in Laos, in Cuba, in the Dominican Republic, in the Mediterranean and Cyprus—stood up and faced the challenges we had to face.

We have done so because we have known that the risk would be far greater if they were not faced.

At the same time we have, block by block, tried to build a world environment in which peace might grow.

We have waged war on hunger.

We have launched an Alliance for Progress and a Peace Corps.

We have joined with others in taking down barriers to world trade and economic growth.

We have dedicated ourselves to stopping the nuclear arms race.

We have put our commitment behind the United Nations.

We have sent our young people overseas, in uniform and in shirt sleeves, to help those who needed our help.

Oftentimes that work has been thankless. It has been frustrating. It has been costly.

It has been all of these things in Vietnam.

Yet, in Vietnam as in other places, the President of the United States has done what he thought was right to protect the peace.

President Johnson stood by our commitment there because he believes—as other Presidents before him believed . . . as the leaders of Asia certainly believe—that the success of aggression in Vietnam would lead to wider and far more dangerous aggression throughout all of Southeast Asia.

President Eisenhower said in 1959:

"Strategically, South Vietnam's capture by the Communists would bring their power several hundred miles into a hitherto free region. The remaining countries in Southeast Asia would be menaced by a great flanking movement. . . . The loss of South Vietnam would set in motion a crumbling process that could, as it progressed, have grave consequences for us and for freedom."

President Kennedy in late 1963, in a television interview was asked: "Mr. President, have you any reason to doubt this so-called domino theory that if South Vietnam falls, the rest of Southeast Asia will go behind it?"

And he replied: "No, I believe it. I believe it. I think the struggle is close enough. China is so large, looms so high beyond the frontiers, that if South Vietnam went, it will not only give them an improved geographic position for a guerrilla assault on Malaya but would also give the impression that the wave of the future in Southeast Asia was China and the Communists. So I believe it. . . . What I am concerned about is that Americans will get impatient and say, because they don't like events in Southeast Asia or they don't like the government in Saigon, that we should withdraw."

What Presidents Eisenhower and Kennedy said has been repeated to me, face-to-face, by the leaders of the independent nations of Asia and the Pacific. None of them has the least doubt about the stakes involved in the struggle in Vietnam.

They know their safety and independence are at stake.

President Johnson has held to a difficult middle course in Vietnam—a course avoiding both appeasement and the risk of World War III.

It has been no pleasure ride.

Now there are those who say: "We must have peace in Vietnam."

I agree with that. President Johnson agrees. But I ask in reply:

What price are you willing to pay? What will you give for peace? For make no mistake about it, our objective in Vietnam is this:

Not the promise of peace as an election year gimmick.

But real peace for our children and ourselves.

Peace that will last.

A candidate of the other party says he has a plan for peace in Vietnam. But he can't unveil it until next year. What kind of cynical partisanship is this?

Others feel that more could somehow be done to bring peace today. Yet I must admit that their concern has yet to be matched by their specifics.

Over the past number of days, an intensive review has been undertaken within our government to find some better or more effective way to peace.

Yet I think most Americans know that there can be no true and lasting peace in Vietnam, or Southeast Asia, until militant and powerful Communist forces are convinced that aggression will not pay—and that they must turn to honest negotiation.

John Kennedy said it: "Peace and freedom do not come cheap, and we are destined—all of us here today—to live out most if not all of our lives in uncertainty and challenge and peril."

That is how it is.

We Americans must ask ourselves: Are we willing to accept that?

Are we willing to make the sacrifices we will have to make?

Do we have the courage to face up to our own prejudices and shortcomings and imperfections in America?

Do we have the courage to match our noble words with often painful deeds in distant places?

Our answer can and must be yes.

Finally, let's talk sense about our party.

Our party will undergo a severe test in the months ahead.

I think it will be good for the party—if the real issues and real alternative courses of action, not just the hopes and wishes—are fully debated.

I think it will be good for the country—as long as we remember that we Democrats are today responsible for the fate of this nation and, to a very large extent, the fate of the world. And the world is listening to us today—not as the "outs" who will say whatever is necessary to get in, but as the policymakers, statesmen and guiding spirit of America.

I think the Democratic Party is fully capable of meeting that extra responsibility, and the voter of America will recognize it.

Twenty years ago I stood in Convention Hall in Philadelphia and said the time had come in America for the full realization of human rights.

A good number of our fellow Democratic Party members walked out.

That same year others left our party because they placed more faith than we in the intentions of totalitarian forces in this world. They distrusted our President and opposed his policy.

Others didn't like President Truman's "style"—the way he talked or the patterns on his shirts or the width of his trouser cuffs.

But those of us who had hope and faith and a willingness to see it through stood by our President.

We fought and we won.

In 1968, too, I stand by my President. And we shall fight and win.

President Johnson has done more, in the past four years, for the full realization of democracy in America than any American President in this century.

That is his record. That is the record on which he should be judged.

I am proud to be a part of that record.

I am proud to say that he has brought to reality causes we have fought for all our lives.

If we, as Democrats and Americans, will stand with him we will make it through these difficult times.

America has not lost its way.

America is on its way.

And that is why President Johnson deserves and needs your support today and every day until November.

Memphis Riots: Prelude to Washington?

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 28, 1968

Mr. ASHBROOK. Mr. Speaker, once again Dr. Martin Luther King has pulled the trigger while someone else held the gun. Today's afternoon papers report that nonviolent rioters separated from a march led by Dr. King and the results indicate one killed, many wounded, both demonstrators—so called—and police, and undetermined property damage.

King scheduled his march in what has been for some time a racially charged city and then, when he lost control, King sprinted down a side street, leaped into an old model car and sped away. I remember that this is the same way Dr. King helped relieve tension in Chicago several years ago. He is running true to form, literally.

All Americans, and especially residents of the Washington area, must wonder if an ordeal such as just occurred in Memphis is now facing this area.

In addition to an account of today's rioting in Memphis, as it appeared in the Washington Evening Star, I would also like to include in the RECORD a short statement detailing plans for King's Washington protest.

In this connection, I have written to the Secretary of the Interior inquiring whether King has requested use of the Mall or other Federal lands, and on what considerations the request will be granted or denied. I will make the answer public as soon as I receive it.

The news items follow:

MEMPHIS: KING MARCHERS RIOT, YOUTHS LOOT STORES

MEMPHIS.—Some 4,000 riot-trained National Guardsmen moved into Memphis this afternoon to put down looting and rioting which erupted earlier in the day during a Negro protest march led by the Rev. Dr. Martin Luther King. Gov. Buford Ellington said: "The situation in Memphis has worsened. There are groups of rioters scattered throughout the areas."

Screaming Negro youths broke away from Dr. Martin Luther King's march through Memphis today and ran through the streets, smashing windows and looting downtown stores until police, using tear gas, stopped them.

Police said one of the looters was killed.

When the youths tore away from the 3,000 marchers, King sprinted down a side street, leaped into an old-model car and sped away.

Remaining Negro leaders turned the marchers back toward their starting point while 200 helmeted policemen, using tear gas and clubs, battled the Negro youths along historic Beale Street.

Police said at least 51 persons were arrested and dozens of police and rioters were injured.

"We have one dead," said Detective Chief W. P. Huston. "The situation is complete turmoil." He said the looter was slain about eight blocks from Clayborn Temple African Methodist Episcopal Church, rallying point of the marchers.

A spokesman said King had gone to a hotel and would announce later whether he would make a scheduled speech at a rally tonight.

He said King "is an unviolent person and it was obvious there were people in the march who were violent. This thing has been building up—all these kids have been becoming more and more impatient with the ministers."

The marchers, demonstrating in support of the seven-week old strike by sanitation workers, struggled back to Clayborn Temple and police sealed off Beale Street.

(The Associated Press reported that the march leaders, using bullhorns, shouted to the crowd, "The march is over, the march is over."

(But the looting and violence continued, despite police use of tear gas, the AP said. Finally, the crowd gave way before officers armed with shotguns and rifles, who formed a blockade of squad cars and motorcycles to push the mob out of the downtown area.

(Virtually every store window on historic Beale Street was smashed by the marchers, and many on Main Street also were shattered, the AP said.

(In Nashville, Gov. Buford Ellington dispatched 250 riot-trained Tennessee Highway patrolmen to Memphis to help deal with the situation, the AP said. At the same time, he alerted 4,000 National Guardsmen who were to assemble at West Tennessee armories to await further orders.)

Sporadic skirmishing continued around the AME Temple. Bottles and rocks flew through the air at officers, who replied by lobbing tear gas shells.

A young Negro jumped out of a telephone booth near the temple with what appeared to be a rifle. Officers pounced on him and beat him unconscious. A young Negro girl tried to claw the police, but they knocked her down with a nightstick and fired tear gas at her.

A deep, booming report like that of a shotgun came from a tenement across the street from the temple. Fifteen police cars converged on the building.

THROWING POLES

At the temple, about 2,000 persons crowded inside. Outside, many youths milled around, throwing poles that had carried picket signs at police, who replied with tear gas. Ministers inside the church used bullhorns to tell the crowd, "Don't be violent."

One civil rights leader, the Rev. Henry Starks, said: "If the leadership had not been what it was, there would have been a tragedy to blot the pages of history."

Another spokesman said the youths "didn't come to march—they were outside of our control and always have been."

(There were varying reports of how many youths broke away from the marchers to begin the rioting. United Press International said about 150 youths left the marchers. The Associated Press used a figure of 20 to 30, but said others joined them later.)

It was the second outbreak of violence by the youths. Earlier, a group leaving a high school to join the march bombarded police with bricks and rocks for half an hour, but were allowed to go ahead and join the demonstration.

In the earlier incident, one Negro girl was slightly hurt when she was struck on the back of the head, and windows in a squad car were shattered.

This disturbance broke out when about 250 students left Hamilton High School to join King's mass march. The principal tried, in vain, to stop them. Police were called and the rock-throwing began when they arrived.

Police said this disturbance simmered down within 30 minutes and the students resumed their trek downtown to the gathering point for King's march.

The sanitation workers strike, which the marchers were supporting, has become a major racial issue in the city. Most of the garbage collectors are Negroes who claim the city is discriminating against them.

Dr. King Promises Housing for March of Poor People

Albany, Ga., March 23.—The Rev. Dr. Martin Luther King Jr., attempting to enlist support for his poor people's march on Washington, April 22, said here Saturday the participants would not have to worry about food or lodging.

Dr. King told about 350 persons that his organization, the Southern Christian Leadership Conference, was storing food and had secured housing to accommodate 1,500 families.

He said, however, that the housing arrangements would be temporary and would last only "until we can build a shanty town—a town within a town that will let the world know how America treats its poor."

Dr. King said that activities would include regular physical check-ups at Walter Reed Hospital, organized classes on Negro history and top-flight jazz music.

Coalition for Youth Action

HON. ROBERT W. KASTENMEIER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 28, 1968

Mr. KASTENMEIER. Mr. Speaker, 3 months ago a group of enterprising young management interns at the Department of Labor started an exciting program aimed at involving community, you and college students in a partnership to help solve the problems of their community. The coalition for you action is a unique program which enables the Nation's young people to take a greater role in shaping the society in which they live.

The coalition received an initial grant of $300,000 in Manpower Development and Training Act experimental and demonstration funds.

One project funded from this grant is the young adult board in Madison, Wis. In an article written by Rosemary Kendrick which appeared in the Capital Times in Madison on March 20, 1968, this program aimed at involving community, In the belief that my colleagues will find this report of interest, I include it in the Record, as follows:

Truax Chapel Lease Paves Way for Wright Street Center

(By Rosemary Kendrick)

The ink was barely dry on the lease for the Traux chapel and annex when representatives of several organizations met to plan activities for making it into a Wright Street community center.

Their enthusiasm did not seem dampened by the knowledge that the lease, signed Tuesday morning by Mayor Otto Festge and Madison Housing Authority (MHA) representatives, runs for only three months.

Mayor Festge has appointed a committee to find a permanent home for the center, which is intended to serve residents of the Truax housing project operated by the MHA.

Monthly rental is $350, of which $100 is being paid by the MHA and $250 by the University YMCA.

At Tuesday afternoon's meeting in the chapel annex, University Y program director Jim Sykes explained that his organization has received funds from the Department of Labor for the new center.

Under its Coalition for Youth Action project, the Labor Department supports programs conceived and staffed by college student volunteers.

"An experiment to see if young adults can run their own programs in partnership with the community" is the way the project is described by its director, Fritz Kramer.

Kramer, formerly a graduate student at the University of Wisconsin, told The Capital Times today that "having lived in Madison, I realize the Wright Street area needs something like this."

He said he had received "excellent cooperation" from the City of Madison and the University. "Everyone seems to be very much behind the program, and we certainly are behind it here in Washington," he added.

The University Y's representative to the Wright Street center is William Fritz. He told those assembled at the Tuesday meeting, which was called by the Wright Street Betterment Association, about his plans.

University student volunteers, he said, would like to conduct the following programs at the center:

Recreation activities;

A "pal program," providing companionship and guidance for young boys on a one-to-one basis;

A "big sister" program similar to the above, except with girls; and

A drama project to give youngsters an opportunity to express themselves and learn basic drama techniques.

Other plans were presented at the meeting by:

Andrea Lobert and Nancy Drapin, University students who volunteered to organize a study hall and an arts and crafts program, respectively, at the center.

Jill May, Bookmobile librarian for the Madison Public Library, who discussed her ideas for serving children in the Wright Street area.

Emilie Wallace, supervisor in family welfare, Dane County Department of Social Services, who requested office space at the center for her social workers, so they could be more accessible to area residents.

The Wright Street Betterment Association and the University YMCA will assume responsibility for co-ordinating these and other future programs, with the MHA having general administrative responsibility for the center.

Securing of the chapel and annex, at least temporarily, for use by low-income families represented a victory for the Wright Street Betterment Association, which was formed about a year and a half ago primarily to provide youth in the area with recreational facilities.

About 550 persons live in the Truax area, more than half of them youths under the age of 19.

The chapel and annex were among the Truax Field buildings given to the city after evacuation by the Air Force began in 1965.

Hoover Speaks Out on Violence in American Society

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 28, 1968

Mr. ASHBROOK. Mr. Speaker, certainly no other Federal official has the experience or the facilities to comment as authoritatively on the increase of violence in this country today as does Mr. J. Edgar Hoover, Director of the Federal Bureau of Investigation. In addition to his unsurpassed expertise in this area, he has for years accentuated the importance of moral precepts so necessary to the maintenance of law and order. For decades Director Hoover has held a unique position in American public life, and his efforts have been rewarded by the utmost confidence of an overwhelming majority of grateful American citizens.

The George Washington University Law Review, in its issue of January 1, 1968, featured an extensive treatment of violence in the United States today by Mr. Hoover. In his conclusion, Director Hoover points the finger at each one of us:

> Ultimately, the answer must be the development of a sensitive citizen, obedient to the law, but also conscious of the needs of his fellow man.

I place the above-mentioned commentary, "Violence in American Society—A Problem of Critical Concern," in the RECORD at this point:

VIOLENCE IN AMERICAN SOCIETY—A PROBLEM OF CRITICAL CONCERN

(By J. Edgar Hoover*)

On January 27, 1838, Abraham Lincoln, then a young lawyer, made a highly significant speech before the Young Men's Lyceum in Springfield, Illinois on "the perpetuation of our political institutions."[1] In this speech, America's future President spoke about certain things of "ill-omen amongst us." "I mean," he said, "the increasing disregard for law which pervades the country; the growing disposition to substitute the wild and furious passions, in lieu of the sober judgment of Courts; and the worse than savage mobs, for the executive ministers of justice."[2]

Lincoln was appalled by accounts of violence from many areas of the country. "Accounts of outrages committed by mobs, form the everyday news of the times. They have pervaded the country, from New England to Louisiana. . . "[3] Such mob action, he told the audience, injured the country. "There is no grievance that is a fit object of redress by mob law."[4] "Thus, then, by the operation of this mobocratic spirit, which all must admit, is now abroad in the land, the strongest bulwark of any Government, and particularly of those constituted like ours, may effectually be broken down and destroyed—I mean the *attachment* of the People."[5]

The antidote to this "mobocratic spirit," and basic to the nation's welfare, was "a strict observance of all the laws."

"Let every American, every lover of liberty, every well wisher to his posterity, swear by the blood of the Revolution, never to violate in the least particular, the laws of the country; and never to tolerate their violation by others. . . . Let reverence for the laws, be breathed by every American mother, to the lisping babe, that prattles on her lap—let it be taught in schools, in seminaries, and in colleges;—let it be written in Primmers, spelling books, and in Almanacs;—let it be preached from the pulpit, proclaimed in legislative halls, and enforced in courts of justice. And, in short, let it become the *political religion* of the nation; and let the old and the young, the rich and the poor, the grave and the gay, of all sexes and tongues, and colors and conditions, sacrifice unceasingly upon its altars."[6]

Some of the violence and lawlessness of the 1830's, Lincoln recognized, stemmed from individuals who disliked and hence disobeyed "bad laws," for he points out:

"When I so pressingly urge a strict observance of all the laws, let me not be understood as saying there are no bad laws, nor that grievances may not arise, for the redress of which, no legal provisions have been made. I mean to say no such thing. But I do mean to say, that, although bad laws, if they exist, should be repealed as soon as possible, still while they continue in force, for the sake of example, they should be religiously observed."[7]

In his closing remarks, Lincoln considered the potential impact of lawlessness on the survival of our political institutions and the need for individual responsibility to insure their perpetuation. The men of the Revolution, who fought and died to create this new nation scarcely five decades before, he said, were passing away through "the silent artillery of time."

"They are gone. They were a forest of giant oaks; but the all-resistless hurricane has swept over them, and left only, here and there, a lonely trunk, despoiled of its verdure, shorn of its foliage; unshading and unshaded, to murmur in a few more gentle breezes, and to combat with its mutilated limbs, a few more ruder storms, then to sink, and be no more.

"They were the pillars of the temple of liberty . . . now, that they have crumbled away, that temple must fall, unless we, their descendants, supply their places with other pillars, hewn from the solid quarry of sober reason."[8]

This means, among other things, Lincoln said, developing men and women who have "a reverence for the constitution and laws."[9]

Seldom has a great statesman of the past spoken so directly, candidly and poignantly to the America of today—a nation whose political institutions are currently under the assault of violence, lawlessness and the "mobocratic spirit." As Lincoln said 130 years ago, "If destruction be our lot, we must ourselves be its author and finisher. As a nation of freemen, we must live through all time, or die by suicide."[10]

VIOLENCE IN AMERICA

Recent happenings, such as the riots of last summer (and in previous years), the increasing crime rate, and the existence of organizations which espouse hatred and contempt, reflect that violence is a dangerous reality in our society today. Every indicator available to the FBI, from its investigative responsibilities in both the criminal and the security fields, emphasizes that violence is a rapidly growing malady in our national life.

There are some who claim that America at heart is a land of violence. They cite past wars, the Western frontier of the 19th century, the assassination of Presidents, the anarchist bombings of a generation ago. Violence, they assert, is part and parcel of the American character. Admittedly, American history is replete with tragic instances of violence. All too often violence has prevailed over reason in the settlement of problems. Mobs, riots, even a terrible Civil War brought death, injury and bitter rancour. No intelligent observer will deny the role violence has played in our national history or, for that matter, in the history of mankind. Yet, in America we have prided ourselves for developing what Theodore Roosevelt called "an experiment . . . of administering the affairs of a continent under the forms of a Democratic republic."[11] Our constitution, laws and legal system are designed to provide an effective means by which men of varying interests, backgrounds and desires can live in peace and harmony. Over the years, America's constitutional system has been one of its most noble accomplishments. Wisely, the Founding Fathers understood the true inner nature of man; they realized that a system of government based on law subject to change by the consent of the governed was man's best protection against himself.

"It may be a reflection on human nature that such devices (as checks and balances) should be necessary to control the abuses of government. But what is government itself, but the greatest of all reflection on human nature? If men were angels, no government would be necessary . . . . In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself . . ."[12]

Government must be a means for men to control themselves, taking into account their personal weaknesses, passions, violence and conflicting aims, yet providing the machinery whereby their common interests can be promoted both as individuals and as a group. Therefore, a public acceptance and respect for law has grown in America since 1789. This is reflected in thousands of ways, large and small: citizens obey traffic regulations, pay their taxes, respect their neighbor's property. There will be exceptions, but they are dealt with through our judicial system. The important point is that the overwhelming majority of Americans respect, obey, and uphold the law. If they did not, our government would disintegrate. People realize that only by this method can their personal security and the safety of the community be assured.

Violence can destroy the harmonious functioning of government. Any individual or group which resorts to violence can negate the validity of our system of government. Here is the death knell for peace and security for *all* members of the community.

The violence erupting in America today should cause each of us, particularly members of the legal profession, to ask many questions. Is America a nation of permanently increasing violence? Is violence such an integral part of its culture that it is destined in one way or another to alter future political institutions? What can be done about violence?

Violence is a growing menace in terms of human lives lost, property destroyed and personal anguish and injury incurred. More important, however, it inculcates a psychology of lawlessness—a concept that law and order are not ultimately to be trusted, that only by handling the matter outside the law can a favorable decision be obtained. This view promotes fear, hostility and hatred, often erupting into a blind, nihilistic, sadistic violence whose only purpose is to destroy for the sake of destruction.

This psychology of lawlessness is reflected in myriad ways in our society. For example, there are crimes of violence (murders, crazed gunmen spraying inhabited areas with bullets, physical assaults). Gang fights, underworld crime, and forcible rapes form part of the picture of violence—often abetted by lax procedures of judicial leniency such as parole and probation. Recent urban riots show violence on a massive scale. In the nation today there are many incendiary ingredients which make—or can make—for violence.

But violence in our society cannot be measured alone by overt eruptions such as crime and riots. There are a number of organizations, some ideological in nature, whose main tenets are ultimate appeals to force and violence. Some of these groups would like to see guerrilla-style warfare in the United States. They preach a doctrine of violence. In addition, there are various hate groups whose aims are promoted not by appeal to constitutional methods but to the base passions of man. In summary, in our society today there are many seeds of violence, often lying deep and ill detected. As in a witch's cauldron, these ingredients can foment a poisonous brew for the nation; they must be identified, and their potential as well as actual danger appreciated.

CRIMES OF VIOLENCE

A major ingredient of violence in America today stems from the field of crime. Accord-

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ing to the Uniform Crime Reports of the FBI,[13] crime in the United States increased 11 per cent in 1966 over the previous year. Crime is increasing roughly seven times more rapidly than population. During 1966, almost 3¼ million serious crimes were reported. This meant, therefore, that six serious crimes were committed in 1966 every minute, day and night, every day of the year.[14]

A large proportion of these crimes are crimes of violence. Actually, the Uniform Crime Reporting program employs seven crime classifications to establish an index to measure the trend and distribution of crime in the United States. These crimes are: murder, forcible rape, robbery, aggravated assault, burglary, larceny $50 and over in value, and auto theft. They were selected for use in the Crime Index because they represent the most common law enforcement problem; all are serious crimes, either by their nature or in their volume.

Four of the seven major crimes—murder, forcible rape, robbery, and aggravated assault—can be categorized as crimes of violence. Of the total number of crimes in the Crime Index in 1966, 87 percent are crimes against property, that is, burglary, larceny $50 and over in value, and auto theft. This means that violent crimes as a group represent 13 percent of the total. Thirteen percent of 3¼-million serious crimes, however, represents a total of over 420,000 murders, forcible rapes, robberies and aggravated assaults in 1966—a serious epidemic of continuing violence in our society. Not only is the total volume alarming, but also the trend. During the period 1960 to 1966, crimes of violence rose 49 percent.[15] This trend continues. For the first six months of 1967, for example, as compared with the corresponding period of the previous year, the following increases were recorded: murder, 16 percent; robbery, 27 percent; forcible rape, 7 percent; aggravated assault, 9 percent.[16]

For most citizens, crime is synonymous with violence. To have a house burglarized or merchandise stolen from an automobile is a serious violation, but it normally does not place life in jeopardy. The rapist, the mugger, or the street hoodlum, however, bring fear into the hearts of citizens, making them afraid to venture forth on the streets at night or even during the day. Individuals not only lose their lives from crimes of violence, but personal anguish is experienced by the victim, his family, friends and acquaintances. Never can we accurately determine the damage done to both society and individual human lives by the loss of an eye, the paralysis of the body or injuries suffered by multiple stabbings. Countless Americans, without question, have moved their residences, changed the patterns of their lives and taken other preventive steps to avoid becoming victims.

Violence, moreover, is an ingredient of life which often leaves indelible marks even though the intended victim escapes. What psychological effects are left on a child or young person who endures a harrowing experience with a hardened criminal? What tensions are generated in an individual, adult or juvenile, who narrowly escapes being a victim of violent crime? The fear of footsteps following you on a dark street is a nightmare remembered for many years. Nothing erodes the human personality more quickly than fear of physical assault, especially an assault which strikes from unexpected places without reason or purpose.

CAREERS IN CRIME

The growing role of criminal violence is also reflected in the FBI's Careers in Crime study. In January, 1963, we initiated a study of criminal careers made possible by the cooperative exchange of criminal fingerprint data among local, state and Federal law enforcement agencies. Fingerprint cards were used to obtain each offender's criminal history. Individuals were initially selected because they had become involved in the Federal process by arrest or release, were serious state violators arrested as fugitives under the Fugitive Felon Act, or were District of Columbia violators. Specifically excluded from this study and resulting tabulations were the fingerprints of chronic violators of the immigration laws and fingerprints submitted by the military. At the end of 1966, a total of 160,310 criminal histories of individual offenders had been incorporated into the program.

This study has reflected many pertinent trends in current criminal behavior. For example, this data documents the existence of the persistent or hard-core offender; the study disclosed that 55 per cent of offenders released to the street in 1963 were rearrested within two and one-half years. Obviously, rehabilitation methods have not been very successful with this type of criminal behavior. Of key interest, however, is that the study showed a tendency toward the commission of more violent crimes by repeaters. For those persons released in 1963 and then rearrested, a large proportion of their criminal repeating was in the property crimes of burglary, larceny and auto theft; however, 19 per cent of the rearrests for the property crime offenders were for the more serious crimes of violence. Primarily the result of this escalation, violent crime offenses on rearrest were more than double those in 1963. This trend in the Careers in Crime study is a harbinger of deep trouble; if it continues, violence in crime will be a growing problem.

VIOLENCE DIRECTED AGAINST LAW ENFORCEMENT OFFICERS

Law enforcement officers in particular feel the violence of the criminal. In 1966, a total of 57 officers were killed while performing their official duties. For the seven-year period beginning with 1960, a total of 335 officers have met tragic deaths because of criminal action. Over a third of the 1966 deaths, 37 per cent, occurred while officers were effecting arrests and handling prisoners. Nearly a quarter of the deaths (23 per cent) occurred when the officers answered disturbance-type calls, such as family disputes or a man brandishing a weapon. Another 18 per cent were killings by persons whom the officers had stopped for questioning or investigation. Murders by robbers either caught in the act or fleeing the scene accounted for 16 per cent of the total.[17]

Criminal violence can strike the officer at any time. In 1966, 35 of the officers who lost their lives were on car patrol. During the seven-year period 1960–1966, more officers were murdered on Friday than any other day of the week. As for the hours of greatest personal risk, they were 10 p.m. to 3 a.m.—with 130 murders occurring during this 300-minute period.

Of the 442 persons involved as offenders in the 335 police murders since 1960, 76 per cent had been arrested on some criminal charge before becoming involved in the police killing. Over one-half of those with prior criminal arrests had been previously taken into custody for an assault-type crime such as murder, rape, robbery, assault with a deadly weapon and assault with intent to kill. During the 1960–1966 period, a total of 11 police murderers had been charged with the offense of murder on some prior occasion. Revealingly, three of every 10 of the murderers were on parole or probation when they murdered a police officer.

Death is only part of the story of violence directed against the police officer. A news item tells another facet:

"'You cops won't make it out of here alive!' More than 35 persons mauled the four officers, shouting 'Kill them . . . punch them . . . grab their guns!' It took 15 more policemen to break up the taproom brawl. . . ."[18]

In recent years, as is well known, the number of physical assaults against officers has been on the increase. In 1966, there was a nationwide increase of 13 per cent in the rate of assaults on law enforcement officers. Nationally, statistics reflect 12.2 assaults per 100 officers in 1966, up from 10.8 in 1965. This increase was recorded in every geographical area of the nation. In 38 of every 100 assaults in 1966 physical harm resulted to the officer victim.

A recent study in the FBI's Law Enforcement Bulletin[19] on the rising number of physical assaults on officers comments:

"Any individual who attacks a law enforcement officer has to be characterized as vicious, whether or not the attack results in the officer's death. Any attack on an officer is an absolute disregard of and disrespect for constituted authority and reflects positive action taken by the attacker against such authority."[20]

This streak of disrespect for the law is also manifested by what might be called verbal violence. More and more officers are being subjected to bitter verbal abuse, scorn and ridicule by citizens. They are called vile names, accused (in most cases unjustly) of "brutality," and vilified in the press. Law enforcement does not consider itself above criticism nor does it attempt to operate beyond the domain of public opinion. But to abuse an officer verbally with catcalls, slanderous names and obscenity is to give vent to attitudes which can only undermine respect for law and order. Increasingly, citizens are refusing to aid officers or to provide vital information on their possession necessary to solve a criminal case. Citizen contempt, fear of personal involvement and lack of interest in police problems are unwitting allies of violence in our society.

FIREARMS IN CRIME

Firearms play a preponderant role in criminal violence. For example, 60 per cent of the murders in 1966 resulted from firearms. Roughly one out of every five aggravated assaults that year (19 per cent) involved firearms. During the three year period, 1964–1966, assaults with firearms jumped an alarming 36 per cent. In the robbery category, *armed* perpetrators were responsible for committing 58 per cent of the 1966 offenses. The dreary story goes on *ad nauseam*.

In cases involving the murder of police officers, firearms continue to be the major instrument of death. In 1965, 55 of the 57 law enforcement officers killed while performing their duties died from wounds inflicted by firearms. Since 1960, firearms have been used as the murder weapons in 96 per cent of the police killings.

Actually, the time has come when the nation must understand that the ready availability of firearms, of all types, has greatly enlarged the area of violence in our society. In 1966 alone, more citizens were killed or assaulted with guns in American streets and homes than were killed in battle during the entire Korean conflict. We know too well the tragic story of snipers during urban riots, of crazed gunmen (with complete arsenals of weapons) shooting innocent people, of individuals angered in an argument running home for a gun. In a Northern area a city official described an arms cache seized by police:

"The seized weapons included 45 rifles, seven shotguns, 14 hand guns, 18 sticks of dynamite, two cans holding 50 rounds of black powder, one anti-tank gun, one submachine gun, a gun hidden in a cane, three hand grenades, 103 high power blasting caps, one plastic bomb, 12 hunting knives, one machete and 250,000 rounds of live ammunition for . . . guns."[21]

A newspaper commented about last summer's urban riots: "Almost every urban riot this summer has witnessed snipers perched in windows and on rooftops sending a fusillade upon police, firemen and others—with weapons that could be purchased in any sporting

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Footnotes at end of article.

goods store merely by putting down the necessary cash." [22]

Better control of firearms is not only desirable, but necessary for the public's safety. In my opinion, mail-order firearm purchases should be banned, interstate transportation of firearms controlled and local registration of weapons required and enforced. The chief responsibility is local, but Federal assistance must strongly complement state gun legislation.

ORGANIZED CRIME

In the area of organized crime, violence is the hallmark of daily life. The major syndicate of organized crime, known as La Cosa Nostra, is the modern outgrowth of the prohibition days, when gang wars, murders and tortures were common occurrences in many sections of the country. It is a criminal fraternity which has committed virtually every known type of crime. Broken down into groups, geographically or by population areas, each group is referred to as a "family." Each "family" is headed by a "boss," whose authority is virtually unlimited. A ruthless discipline is enforced by violence and terror. The "boss" needs merely to indicate that a Cosa Nostra member, or another individual, is "unwanted" and his death is a *fait accompli*.

The ordinary citizen probably does not appreciate the extent and parasitic nature of La Cosa Nostra's influence on our national life. This group of criminals (employing today high-priced legal talent and endeavoring to operate under legitimate fronts) utilizes violence in enforcing control over corrupt labor units, in collecting on gambling debts, in fighting competition in such fields as the jukebox industry, in coercing legitimate business to pay tribute, or in blackmailing through usurious loans. Millions of dollars illegally make their way into the pockets of La Cosa Nostra.

Some citizens may say: "A bunch of gangsters. Let them kill themselves off. It's no worry of mine." This viewpoint is categorically wrong. La Cosa Nostra, aside from the financial drain it extorts from the public, injects violence, in many forms, into our body politic. It is virtually a state within a state, with its own laws and discipline, bitterly contemptuous of our concepts of law and order. By the very nature of La Cosa Nostra operations, murders are perpetrated in ways which make the investigative tasks of law enforcement officials most difficult. For example, bodies of murdered individuals have been secretly buried in rural hideouts owned by gang members or weighted down in barrels dropped at sea.

Organized crime pollutes our society. Time after time, using violence or threats of violence (often threats are enough to achieve the syndicate's aims since the intended victim knows the threat will be carried out), La Cosa Nostra has attempted to impede, subvert or nullify the machinery of legitimate government, especially its judicial processes.

Any syndicate member believed to have furnished information to law enforcement officials places himself in physical jeopardy. If a labor leader, businessman, newspaper reporter or other citizen becomes a possible witness in court against the syndicate, he may find himself the object of physical harassment or hoodlum assault. The syndicate will not hesitate to intimidate jurors, use bribery or other types of pressure if they will achieve the desired purposes. Violence begets violence; violence pollutes the society in which it exists. La Cosa Nostra is living proof of this present—and growing—danger.

RIOTS

Riots, or other types of civil disturbances, suddenly bring violence to the eruption point. People are killed or injured, property destroyed, law and order subverted. Law enforcement responsibility relative to riots is basically local in nature. The FBI's responsibility is to develop and disseminate intelligence information while remaining alert to any violations of Federal law within its investigative jurisdiction. The FBI does not have jurisdiction for either protecting property or persons, or for policing riotous situations.

Riots can be of many types. In recent years, we have seen a variety of riots involving young people, especially at beach resorts. These student riots bring about vandalism, physical violence and mass hysteria.[23] Such actions are justified by some people as "pranks" or "good time fun." Nothing, however, could be more wrong. When mobs, student or otherwise, wantonly destroy property, disobey police regulations and injure people, firm steps must be taken. So-called thrill violence is an earmark of individual and communal disorder.

On occasions violence stems from labor disputes, sports events, demonstrations, picket lines or wherever passions run high on controversial topics. Often a minor incident—an arrest by an officer, a demagogic speech, a fight between two individuals—will ignite a conflagration. Over the years we have had instances of sabotage of many types. Sabotage, especially if committed by trained, fanatical individuals or groups, can be deleterious.

The recent urban riots, as in Newark and Detroit, illustrate the intensity which violence can attain—and the damage which can be wreaked in a few short hours in an urban, highly populated neighborhood. Virtual guerrilla warfare quickly erupts with snipers playing a primary role. Law enforcement officers, unfortunately, find themselves the special target of violence. Law and order break down completely.

What do these civil disturbances show? Relative to violence, they tell us that the passions of men flare quickly. No community in our society can feel immune from a sudden, irrational breakdown of law and order. Violence is never completely predictable. Moreover, it often betrays the "beast" in man. "Good people," those who are good citizens, may suddenly be caught up by the passions of the moment, and become involved in violence or counterviolence. Undoubtedly, many students who participate in beach riots, after returning to their schools, feel chagrined over their disgraceful personal behavior. Some adults in urban or other types of riots may feel the same way, but this does not condone their actions. Moreover, riotous situations attract the criminal element. Violence erupts—and almost immediately looting, burglaries and robberies occur. A high percentage of individuals arrested in the recent urban riots had prior criminal records.

IDEOLOGICAL VIOLENCE

The twentieth century has popularized the term "ideological." In America today we have a number of groups, ideological in type, which are based on principles advocating force and violence. They strive in every possible way to disrupt law and order, to inculcate hatred and bigotry and to subvert the institutions of free society. These organizations are of foreign origin and inspiration, small in number, but highly organized; their ultimate loyalties are to foreign nations and anti-democratic philosophies.

Ideological violence has left deep stains of blood and hatred in the world since World War I. The ideologies associated with Hitler, Mussolini and lesser despots linger, while those associated with Lenin and Stalin have continuing vitality. Ideological violence is particularly cruel, bestial and fanatical (as the concentration camps of Hitler's Germany and Stalin's Russia testify), since reason is dethroned, myth supplants the truth, and law becomes what the ruling clique says it is. The individual exists only for the benefit of the state. Often, as in Nazism, an individual's blood, race or nationality is the determinative factor for personal survival.

History of Ideological Groups in America. Although America has been spared the ravages of influential ideological parties, the end of World War I saw the planting of ideologies from abroad in our country. In 1919, the Communist Party, USA,[24] which, loyal to the doctrines of Marx, Engels and Lenin, regarded force as the ultimate determiner of the future, was formed. In the absence of strength sufficient to generate such force, its tactics called for encouraging discontent and hatred, and utilizing unrest, caused, for example, by civil disturbances, to hasten the accomplishment of its own purposes.

Soon Communist splinter groups appeared, reflecting the ideological divergences developing in the international movement. The Socialist Workers Party[25] based its ideology on the communist revolutionary teachings of Leon Trotsky, and attempted to subvert United States domestic and foreign policies either through its own activities or through the agitation and propaganda work of its Young Socialist Alliance. These groups were followed by pro-Axis groups associated with Hitler, Mussolini and the Japanese militarists.

Since 1945, such ideologically oriented groups have continued to pose security problems for the nation through direct activity, through fear generated by their potential for violence, and through the possibility of their infiltration of riots or demonstrations. Moreover, the Communist Party has attempted to enlist the support of students and younger working people through youth fronts such as the W.E.B. DuBois Clubs of America.[26] Recently, the Progressive Labor Party, the aggressive spokesman for the Mao Tse-tung government, has attempted to arouse a revolutionary consciousness in the United States and has participated in a number of demonstrations, picket lines and marches.[27]

Impact of Ideological Groups. In this country ideological violence has not mean overt displays of force. We have had no attempted coup d'etats, putsches or storm troopers (though the pre-World War II American Nazis attempted military formations. Ideological groups which operate from definitive revolutionary blueprints realize they are a numerical minority; hence, they hesitate, for tactical reasons, to be implicated in any acts of violence, especially if they might trigger investigations by law enforcement authorities and generate hostile public opinion. This tactic of restraint does not arise from any basic disbelief in violence by the group. The Communist Party's ideology, for example, is anchored on the premise of violence ("Force is the midwife of every old society pregnant with a new one," said Karl Marx).[28] Its leaders, however, being realistic interpreters of our society, know that acts of violence would do their cause more injury than good.

Therefore, ideological violence in this country has largely been implicit, rather than explicit; a matter of future threat, rather than immediate preoccupation. The nation's security problem arises from what organizations such as the Communist Party could do, from both present and future strength, to injure this country by acting on their avowed principles of violence. The FBI's responsibility, pursuant to acts of Congress and Presidential directives, is both to gather and disseminate intelligence information and to be alert to any violations of Federal law.

The whole problem of potential ideological violence becomes more serious since the most potent organization, the Communist Party, has mastered the technique of camouflaging its advocacy of force and violence, providing a cover behind which it can develop new strength, both in membership and influence, which may enable it to attain sufficient potency to seize state power. In communism this technique is called "Aesopian language," that is, the use of roundabout or elusive words to conceal the Party's real intentions of violence—words which the "initiated" fully understand in their Marxist-Leninist

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meanings while the general public is fooled. Hence, the Party is able to operate "fronts," form alliances with noncommunist groups, and encourage citizens to drop their fear of communism. Under the cover of "Aesopian language," the Party is able to draw money, talent and influence for its cause from noncommunist elements of society. The paradoxical situation arises that non-communists, who actually have no sympathy with communism, are manipulated to support its objectives, enabling the party to accumulate power for future strikes against our society. We must make no mistake that the Communist Party, despite its "Aesopian language," depends ultimately on the use of force and violence to attain a qualitative change in our society. If ever the conditions of society, through internal chaos or disintegration, permitted the Communist Party freedom of action, it would move to overthrow our Government by force and violence.

TERRORIST VIOLENCE

A rising problem is posed by groups emphasizing terrorist or hoodlum violence. In addition to ideological groups, there are a number of organizations which are basically terrorist and hoodlum by nature. Some, such as the Revolutionary Action Movement and the American Nazi Party, may claim to espouse a type of ideology, but they are not truly ideological since they neither owe allegiance to a preconceived blueprint of principles nor are they integral parts of an international movement. They are chiefly interested in creating disruption, chaos and trouble.

These groups are chiefly of a hate or "anti" variety—anti-Negro, anti-white, anti-Semitic or anti-minority group; their common denominator is a distrust for law and order and a belief in force and violence. They are purveyors of hate, bigotry and prejudice, eager to stir up discontent, fear and unrest. Some of the groups, such as the Ku Klux Klan,[29] were organized many years ago. Others, such as the American Nazi Party,[30] the Revolutionary Action Movement,[31] and the Minutemen[32] are recent in origin. Terrorist violence, as in the case of the Klan, is a matter of record. Murder, arson, or bombings have been perpetrated in many areas by the Klan. This violence has a primary purpose of spreading fear; while they stress a policy of nonviolence, it is in reality hypocritical semantics. Through violence, the Klan has usurped and defiled the law. Overt violence, however, does not tell the full story of terror of these groups. A sinister danger lies in the potential for violence inherent in their fanatical appeals to bigotry, irrationality and fear. At hooded Klan meetings, racial violence is preached in frenzied tones. Similarly, the American Nazi Party can deliver a violent anti-Negro, anti-Semitic harangue and suggest the necessary tools for action in a Nazi "kit" which includes such odious items as "selected rocks carefully balanced and weighted for breaking out school windows" and "switchblade knife lightning fast, extra-long blade for stabbing students." The latent violence in these meetings has a potential for realization since these groups attract a variety of misfits, failures and dropouts from society—men who already bear personal hatreds and grudges and are desperately looking for scapegoats. In addition, there are other groups, which espouse hatred and look with favor on the use of violence. For example, Nation of Islam (NOI) [33] espouses hatred of the white race, government, law and law enforcement. NOI counsels Negroes not to serve in the armed services and has developed a belligerent black nationalist policy. They present a danger which we as a nation must not overlook.

The whole problem of violence in American society has been accentuated by the recent emphasis on "black power," as interpreted by such individuals as Stokely Carmichael, former chairman of the Student Nonviolent Coordinating Committee (SNCC). To Carmichael and others of his thinking, "black power" means terror and violence directed against the white community. Many of his statements are highly inflammatory,[34] and at a rally in Washington, D.C., he exhorted his listeners to "burn down this city" if they did not get the vote. The danger is not only the threat of immediate violence, when individuals take these words at face value; there is also the danger of seeds being planted which may cause individuals to take violent actions at a later date.

Inflammatory statements about "black power" inevitably bring forth calls for "white power." "White power," meaning reliance on force and violence, also is repugnant. Both concepts, black and white power, mean denial of law and order and reliance on the barbarian tactics of brute force. Far too many young people, in particular, of both races are thinking in terms of power outside the law to solve the problems of society. The proliferation of this type of thinking can only mean trouble ahead.

CIVIL DISOBEDIENCE

A problem related to the rise of violence is civil disobedience, a pernicious doctrine which is becoming more widespread with tragic consequences for the observance of law and order. Proponents of this theory assert that civil disobedience is justifiable if the acts are open, not violent, respectful of the rights of others, and have the purpose of focusing attention on significant moral issues of the day.

To individuals caught up in righteous indignation about problems in current society, the appeal of civil disobedience may seem great. To "gently" break the law, so to speak, for the purposes of your group or cause seems such a "minor" infraction. But suppose every group or individual who honestly believed he had a valid or righteous cause did the same? Chaos would result. Law and order would break down. Society would disintegrate.

What today is peaceful civil disobedience may tomorrow mushroom into open violence. What starts out as a planned, controlled incident of disobedience may infect large numbers and turn into mass violations of the law. What today is a legitimate cause with a moral foundation, justifying civil disobedience to some, may fall into unscrupulous and hoodlum hands with tragic results. In such cases, decisions in society would be made on streets, behind barricades and through gunfire, not by ballot, rational discussion or courts of law.

THE NEW LEFT

A contributory factor in the assessment of potential violence in our society is the rise of a student movement called the New Left, with its basic attitudes of bitter hostility, hatred and opposition to democratic values and the principles of free government. The New Left actually is difficult to define. Chiefly student oriented, it is not so much an organization as a point of view, an attitude, a way of viewing society. Its mood is not one of support for America and its values; rather it is one of hostility, defiance and opposition to our government. The New Left's chief passion is to destroy—our government, our democratic values, our American way of life. In a nauseating air of self-righteousness, it criticizes, belittles, mocks. Contemporary society (contemptuously called the "Establishment") is treated with disdain. New Leftist heroes are Castro, Che Guevara, Mao Tse-tung, Ho Chi Minh. It counsels evasion of the draft, attempts to disrupt the legitimate operations of Universities, and catcalls at government officials on campus. Some New Leftists are "beatniks," with sandals, long hair, and old clothes. Other are hippies living in a drug-induced world to evade the problems of life. Still others are sincere idealists who are badly misguided.

Our nation needs young people who ask questions, who probe into the questions of life. But strict negativism, cynicism, and pessimism are self-defeating. The New Left, though disliking our society, offers nothing constructive in return. Its aim is to destroy, not to build. A key word of New Leftism is resistance. In recent months, the movement has been moving from protest to resistance. Vague talk is heard about "revolution," creating "a revolutionary movement and socialist political party able to take power in America."

Inevitably, this mood of anarchism and nihilism moves toward violence. In their distorted view of society, feeling personally frustrated and alienated, some of these young people are talking about violence. "We are working to build a guerrilla force in an urban environment," said one top New Leftist.[35] "We are actively organizing sedition." [36] "I think violence is necessary, and it frightens me," [37] are other comments.

What if this mood spreads? What if more young people (who will be our leaders tomorrow) become motivated by this anarchism, negativism, and nihilism? Will disrespect for law be enhanced? What about the potentialities for violence in the years ahead?

CONCLUSION

Violence and the potential for violence are current realities in our national life. Violence springs from many sources and displays many faces. No simple explanation or formulation of its origins, motivations or ultimate consequences can be given. The whole problem of violence is inextricably interwoven in the fabric of America's twentieth century life.

That is why the best minds of our nation—the doctor, the psychiatrist, the sociologist, the political scientist, the historian, the attorney, the law enforcement officer—must lend their talents to this problem. If the present trend toward increasing violence continues, the institutions of our society will be gravely imperiled.

As we have seen, violence comes from many sources. Its actuality has been extensive (crime, riots, terrorist groups); its potential for future acts great. It is a feature of contemporary society which needs attention now. Yet our approach must be intelligent and rational, based on sound principles of study and action. Too often emotion, fear, and misunderstanding intrude into the analysis of such national problems. Fear breeds fear; violence begets counterviolence. So-called "power" of one type militates "power" of other types. The end result could actually be an increase instead of a decrease in the potentialities of violence. Therefore, our approach must be positive. Remedial steps must be taken to eliminate the causes of riots, to cut down on crime, to make less attractive the appeals of ideological groups. Ultimately, the answer must be the development of a sensitive citizen, obedient to the law, but also conscious of the needs of his fellow man. Now, as in 1838 when Abraham Lincoln spoke at Springfield, Illinois, the issue at stake is nothing less than "the perpetuation of our political institutions."

Footnotes at end of article.

FOOTNOTES

*Director, Federal Bureau of Investigation, United States Department of Justice.

[1] Lincoln, *The Perpetuation of Our Political Institutions*, in I The Collected Works of Abraham Lincoln 108 (Basler ed. 1953).

[2] *Id.* at 109.

[3] *Id.*

[4] *Id.* at 113.

[5] *Id.* at 111.

[6] *Id.* at 112.

[7] *Id.*

[8] *Id.* at 115.

[9] *Id.*

[10] *Id.* at 109.

[11] The Inaugural Addresses of the American Presidents 186 (Lott ed. 1961).

[12] The Federalist No. 50, at 285 (Colonial Press rev. ed. 1901) (Hamilton). Other compilations attribute this essay to Madison. *E.g.*, The Federalist No. 51, at 356 (Belknap Press, Wright ed. 1961) (Madison) (same essay but given different number).

[13] The Uniform Crime Reporting Program is a nationwide, voluntary effort by law enforcement agencies directed toward the collection, analysis, interpretation and publication of crime figures for the United States. The FBI, as the national clearinghouse, compiles these statistics and publishes them in an annual bulletin. This publication, Uniform Crime Reports, provides data on crime trends and rates by state, geographic division and population group. In addition, supplemental data is furnished on a current basis with statistical releases showing crime trends quarterly. These trends are based on a Crime Index which provides the only nationwide measure of the volume and type of criminal activity.

[14] In January, 1967, the FBI National Crime Information Center (NCIC) was instituted at FBI Headquarters in Washington, D.C. The NCIC is designed as the hub of a computerized information network which will serve as a rapid means of processing, storing, retrieving and instantly transmitting vital police data throughout the country in a matter of seconds. NCIC-programmed services include files on stolen vehicles, vehicles used in the commission of felonies, stolen engines and transmissions, stolen or missing license plates when all plates issued for a specific vehicle are missing, stolen guns, other items of stolen property which are serially identifiable, and wanted persons. As the Center expands, other applications will be added. At present the NCIC links law enforcement agencies coast to coast and it is hoped that eventually all law enforcement, local, state and national, will be coordinated by this center. The NCIC represents the entrance of law enforcement into the computer age.

[15] These figures, taken from 1966 Uniform Crime Reports 3–4, represent urban, rural and suburban areas.

[16] Uniform Crime Report Statistics, FBI Press Release, Dec. 11, 1967.

[17] 1966 Uniform Crime Reports.

[18] FBI, *Police Officers Killed in the Line of Duty*, April Law Enforcement Bulletin 25 (1966). The Bulletin is a monthly professional journal published especially for persons associated with or interested in law enforcement and is not available to the general public.

[19] *Id.* at 26.

[20] *Id.*

[21] Wash. Post, Aug. 24, 1967, § A, at A3, cols. 1 & 2.

[22] N.Y. Times, Aug. 27, 1967, § 4 (Magazine), at 4E.

[23] A ranking law enforcement officer describes a Labor Day weekend riot at Hampton Beach, New Hampshire: "Troopers were faced with bricks, bottles, beer cans filled with sand, rocks, and pieces of plate glass hurled at them from shoulder height." Then the student rioters started to throw Molotov cocktails which caused several small fires. "Firemen trying to extinguish the blazes were under constant attack by the mob," and one fireman was stabbed in the leg.

Student misbehavior at a 1967 Fort Lauderdale, Florida, beach riot is set forth as follows: "A soft drink truck, which had been caught in the traffic tie up, and a bakery truck were looted by the rampaging students. Some students started to hurl soft drink bottles at the officers who were attempting to quell the disturbances. . . . Two blocks north of the main trouble area, students tried to tip over a large bus but were dispersed by a squad of officers."

[24] Current officers include Henry Winston, National Chairman, and Gus Hall, General Secretary.

[25] Minor splinter groups from the Socialist Workers Party include the Workers World Party, the American Committee for the Fourth International and the Revolutionary Committee of the Fourth International.

[26] This organization was founded at a convention in San Francisco, California in June, 1964.

[27] In one demonstration, a PLP leader told a crowd: "We will not be fully free until we smash this state completely and totally. We're going to have to kill a lot of these cops, a lot of the judges, and we'll have to go against the army."

[28] 1 Marx, Das Kapital 776 (Int'l Publishers ed. 1939).

[29] The origin of the Ku Klux Klan was in the Civil War South. In the 1920's the Klan reached a peak membership of some four million members, but has experienced long periods of relative inactivity. It is currently experiencing a resurgence, dating from the 1954 Supreme Court decision in Brown v. Board of Education, 347 U.S. 483 (1954).

At the present time, there are 14 active Klan-type organizations in the United States. Membership is estimated as approximately 14,000, exclusive of thousands of sympathizers. The largest Klan group, the United Klans of America, Inc., Knights of the Ku Klux Klan, has headquarters in Tuscaloosa, Alabama. Led by Imperial Wizard Robert M. Shelton, this group accounts for over two-thirds of the total Klan membership.

[30] The Virginia-based group, comprising fewer than 100 members and having only a fabricated connection to the Hitler regime, is violently anti-Semitic and anti-Negro. The assassination of George Lincoln Rockwell in August, 1967, leaves the current status of the Party in doubt.

[31] Currently composed of about 50 members, RAM was organized in 1963 by Negroes who favor the concept of organized violence. RAM would like to bring about a communist-oriented society along Red Chinese lines. The key figure is Robert Franklin Williams, who fled the United States in 1961 to Cuba, and then to Red China, to avoid a Federal warrant issued for his arrest on a charge of kidnapping a white couple during a racial disturbance in North Carolina.

Their basic tenet, as expressed in their "Manifesto," is: When massive violence comes, the USA will become a bedlam of confusion and chaos. . . . Stores will be destroyed and looted. Property will be damaged and expensive building will be reduced to ashes. Essential pipe lines will be severed and blown up and all manner of sabotage will occur. Violence and terror will spread like a firestorm. RAM Manifesto.

[33] The Minutemen is an extremist guerrilla warfare group, headed by Robert Bolivar DePugh, with headquarters in Norborne, Missouri. Formed in 1960, this group of vigilante superpatriots believes that a communist take-over will occur in the United States and that guerrilla warfare must be waged against the communist conquerors. The Patriotic Party is the political arm of the Minutemen. It is designed to spread the group's propaganda and obtain financial asistance. Total membership is estimated at fewer than 200.

DePugh and four cohorts were indicted and arrested in August, 1966, in Kansas City, Missouri, on charges of conspiracy to violate the National Firearms Act. DePugh and two others were found guilty and given prison sentences. All remain free on bond pending an appeal.

[33] NOI is an all Negro group, with a highly disciplined membership of over 5,000.

[34] "When you talk of black power, you talk of bringing this country to its knees. When you talk of black power, you talk of building a movement that will smash everything western civilization has created." Cleveland Press, Aug. 6, 1966, at 4, col. 1.

[35] N.Y. Times, May 7, 1967, at 1, col. 3.

[36] *Id.*

[37] *Id.* at 74, col. 1.

Escalation to Disaster—IV

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 28, 1968

Mr. LEGGETT. Mr. Speaker, ofttimes in a discussion on a critical issue the participants tend to escalate their rhetoric and as a result their discussion generates more heat than light. Usually at this point, cooler heads prevail, and by interjecting a little levity they place things in their proper perspective. In this regard, I insert at this point in the Record Art Buchwald's column from the March 28, 1968, edition of the Washington Post. I commend it to my colleagues.

The article follows:

Columnist Wallstop Is Ignored in Shifting General Westmoreland

(By Art Buchwald)

The decision to bring Gen. William C. Westmoreland back to the United States caught Washington completely by surprise. Even Joseph Wallstop, the syndicated hawk and widely-read pundit, had been kept in the dark on the President's plans.

This didn't go down too well with Wallstop when I saw him a few days later at the Army-Navy Club.

"No one consulted me," Wallstop complained. "I had to read about Westmoreland's recall in the newspapers."

"It's typical of the President," I said, trying to placate my friend. "The people involved are the last to know."

"Even Westmoreland knew before I did," Wallstop said.

"But not by much," I pointed out.

"Well, I think it's sheer idiocy," Wallstop said angrily. "Just when the tide has turned and we have the Vietcong and the North Vietnamese on the run, and the Hue offensive proved once and for all that we were fighting paper tigers, Johnson has given in to political expediency. Doesn't the President know that I need Westmoreland in Vietnam?"

"But there will be other generals, Joe, and I'm sure they'll work with you."

"That's not the point," Wallstop said. "Westmoreland understands my strategy. He's a 'search and destroy' man as I am. He understands my attrition policies. This is no time for me to break in a new commanding general."

"But, Joe, there has been some criticism of those policies since the Tet offensive. There are even some military experts who say that they are not working."

"Well, those experts will soon have jam on their faces. Of course, I can't be responsible for every minor setback in Vietnam, particularly when the President won't give me the troops I've asked for."

"That's right," I said. "You did call up the reserves last month, didn't you?"

"I certainly did, not just in one column, but in three. Yet the President overruled me. I can't get it through to the Administration that if I'm going to be proven right in my column, I need at least 500,000 more men."

"Joe, do you think if we had a million American men in Vietnam we could win the war?"

"Maybe not at first, but we certainly could get the pacification program off the ground."

"And then win the hearts and minds of the Vietnamese people," I said.

"Exactly. But every time I make a suggestion and the Administration rejects it, they dance in the streets of Hanoi."

"That's not easy to do with all the bombing going on," I agreed. "Tell me, Joe, why can't anyone else in Washington see the Vietnam problem as clearly as you do?"

"Because they don't have access to captured enemy documents," Joe said. He opened his briefcase and handed me a sheaf of papers. "Read them and then tell me if we aren't winning the war."

"They're all printed in Vietnamese, Joe."

"Well, you can guess what they say, can't you?" he said, putting them back in his briefcase.

"Tell me, Joe. Now that Westmoreland is coming back to the United States, do you think you'll be consulted about his replacement?"

"If I'm not, I can't guarantee the war will continue as well as it's going now."

Vietnam

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 28, 1968

Mr. COHELAN. Mr. Speaker, it seems increasingly clear to me that our official policy in Vietnam must be changed if we are to achieve a decent solution there without destroying that unfortunate country and its people.

Three years, thousands of lives, and tens of billions of dollars seem only to have proven the futility of our present course. We, quite simply, are stalemated.

I do not think we should be ashamed to accept a stalemate, however. In fact, the sooner we recognize that we cannot drive out the enemy and the enemy cannot drive us out, the sooner we will have negotiations and a settlement.

The New York Times put the case well when it said:

> If the American aim is simply to deny victory to the Communists, to impose a stalemate than can only be resolved by a negotiated settlement—a settlement that accepts the Vietcong as a continuing political factor in the country—then a half million American troops should be more than sufficient. What is needed is a new strategy designed to achieve this country's limited objective with economy of force.

I commend the Times views to the readers of this RECORD, and include them in the RECORD at this point:

[From the New York Times, Mar. 4, 1968]

NEEDED: A VIETNAM STRATEGY

President Johnson's decision to give General Westmoreland a new job instead of the 206,000 new troops he requested could mark a basic turning point in Vietnam, but only if the change in commanders is accompanied by a change in strategy.

The change that is needed after the heavy blow of the Communist Tet offensive is that proposed to Defense Secretary Clifford and the President recently by high Pentagon civilians who oppose further increases in American forces and favor de-escalation instead.

This proposal would cut back on "search-and-destroy" missions in sparsely populated border regions—where the Communists benefit from short supply lines and nearby sanctuaries—and would avoid, especially, static defense there of posts like Khesanh. Emphasis would be put on mobile operations in defense of populated areas, rural and urban, through "clear-and-hold" campaigns and pacification programs.

This strategy has support in the State Department and the Central Intelligence Agency. It is also favored in the Treasury, which has heard Europe's central bankers warn that mobilization of reserve troops would trigger another run on the dollar.

A change in strategy appeared unnecessary to many as recently as January 1, when General Westmoreland's year-end report predicted that allied war gains of 1967 would be "increased manyfold in 1968." But the excerpts from the Westmoreland report, disclosed last week by Times correspondent Neil Sheehan, make sorry reading now.

The American military command in Saigon did not envisage the possibility of a setback on the scale inflicted by the enemy's attacks on the cities later in January. General Westmoreland evidently believed that his military strategy had driven the Communist forces to withdraw to frontier sanctuaries, denying them the ability to mount major attacks from bases within South Vietnam.

But while American forces, operating on this assumption, concentrated on "search-and-destroy" missions in sparsely populated border areas—and dug themselves into such unfavorable static positions as Khesanh—the Communists, undetected, assembled 60,000 troops and hundreds of tons of munitions at bases inside South Vietnam for the Tet offsensive.

A massive failure of intelligence was involved, as the C.I.A. now privately admits. General Westmoreland's "war of attrition" last year—in which, as his report said, "the enemy did not win a major battle"—did not see Communist strength reduced, as was thought. Instead, it increased. The C.I.A.'s latest assessment indicates that the Communist forces just before Tet totaled not 448,000 to 483,000 men but 515,000 to 600,000 men—15 to 25 per cent more.

The intelligence failure, however, was less important than what it concealed—the failure of the Westmoreland strategy. That failure was cloaked by tactical successes. Whenever Communist forces could be found and fixed, they could be punished severely by a combination of American firepower, mobility and willingness to take losses at a rate that has lifted American casualties above those of the Korean war. The Communist losses undoubtedly have been much higher; but they have been more than replaced.

Moreover, the C.I.A. estimate of Hanoi's military capability, as reported by Times correspondents in Washington, is that a further American troop increase now would simply "bring a matching increase by North Vietnam, thereby raising the level of violence without giving the allies the upper hand."

The futility of allied-initiated escalation has long been evident. As long ago as May 21, 1964, these columns pointed out that "American intervention was followed by an increased Communist effort. The result so far has been merely to enlarge the guerrilla war without changing the real balance of forces. Further increase in American aid could simply mean another frustrating spin around this vicious circle." At that time there were 16,000 American troops in Vietnam. Now there are more than thirty times that many, with still more on the way.

This "open-ended" character of the war, as Senator Mansfield has described it, makes the search for a military solution not only futile but irrelevant. The Communists have no need to win big-unit battles if, by gratifying the American desire to fight them, they can divert American attention from the real task in South Vietnam. That is the political task of protecting, pacifying and winning the loyalty of the populated areas for the Saigon Government.

The trouble with the Westmoreland strategy is not only that it has failed but that it has been a strategy for fighting the wrong war. The Communist success at Tet, which has halted or seriously disrupted the pacification program in two-thirds of the country, was attributable not solely to surprise and the absence of half the South Vietnamese Army on holiday leave.

Most of the American combat forces were also absent from the crucial battlegrounds in South Vietnam's populated areas. Forty of the ninety American combat battalions were concentrated in the five northernmost of South Vietnam's 44 provinces. Half of these were deployed as reserves against the Communist threat—which increasingly appears to have been a feint—against a single American military post in an unpopulated border area: Khesanh.

In these circumstances, it is no answer to proposals for a new strategy to argue, as President Johnson did last week, that lives could not be saved "by moving the battlefield in from the mountains to the cities" or that doing "less than we are doing" is no solution when "we are not doing enough to win it the way we are doing it now."

The present strategy has not kept the battlefield away from South Vietnam's cities. Nor is there any evidence that it can "win" the war. If victory is to be the American objective, neither 50,000 nor 200,000 more American troops will be enough.

But if the American aim is simply to deny victory to the Communists, to impose a stalemate that can only be resolved by a negotiated settlement—a settlement that accepts the Vietcong as a continuing political factor in the country—then a half-million American troops should be more than sufficient. What is needed is a new strategy designed to achieve this country's limited objective with economy of force.

Nationwide Computerizing of Credit Fine—If

HON. CORNELIUS E. GALLAGHER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 28, 1968

Mr. GALLAGHER. Mr. Speaker, on March 12, 13, and 14, 1968, the Special Subcommittee on Invasion of Privacy held hearings into commercial credit bureaus. Since that time the subcommittee and my office have been deluged with numerous examples of the kind of abuses and errors which were mentioned during the hearings.

The distinguished columnist, James J. Kilpatrick, has provided yet another example in the Washington Star of March 28. I am pleased to insert it into the RECORD at this point:

NATIONWIDE COMPUTERIZING OF CREDIT FINE—IF

The Humble Oil & Refining Company maintains its Esso credit card records in a highly computerized operation at Bala-Cynwyd, Pa. Toward the end of January, a man named W. M. Cashman was working on the "K" section of those records.

Cashman's task on this particular day was to cull those accounts so badly delinquent that drastic action would have to be taken toward their collection. His eye caught an item of $7.05 that was months overdue; his eye also caught the name of "Kilpatrick." He noted these facts on his tablet.

Then he says contritely, he must have been interrupted—a telephone call, perhaps; someone asked a question. He does not recall. But his attention flickered. When he returned to the unfinished entry, he looked at the ledgers and wrote "James J." in front of "Kilpatrick." Then he added address and credit card number.

As a general proposition, columnists ought not to write of their personal problems. Permit an exception. For the flickering eye of Cashman is related to a study now being conducted by a subcommittee of House Government Operations. The study deals with the recording, retrieval, and dissemination of personal data; it is concerned with computers, and with privacy. Cashman had the wrong "Kilpatrick." The Kilpatrick of the $7.05 was some other Kilpatrick, unknown, unrelated, somewhere else in the country.

On Feb. 7, a coldly peremptory notice arrived in my mail. It came from the Brook Adjustment Service in Brookline, Mass. "This account has been listed with our office for immediate collection," said the printed notice. "This is a demand for payment in full, today." If such payment were not made, "further procedure" was implied. And do not fold, staple, or mutilate this card.

In 30 minutes, I tracked down Cashman and had him on the wire. It was not, perhaps, his happiest day. It was a mistake, he said. He was sorry. Okay. But what had this done to my credit reputation? What had his error set in motion?

It turned out that when the $7.05 memorandum went off to Massachusetts for collection, a copy routinely went also to the Associated Credit Bureaus of America in Houston. The ACBA, as it is known, is composed of 2,068 local credit bureaus throughout the United States. They maintain dossiers on 96 million Americans. Last year they provided more than 100 million credit reports to 365,000 subscribing merchants, banks, and other granters of credit. The local affiliate, the Credit Bureau, Inc., maintains dossiers on two million present and former residents of the Washington area. (It corrected my own credit record on March 11.)

In recent testimony before the House committee, Robert K. Pinger discussed the approaching nationwide computerization of credit records, and opposed "any legislation that would hamper efforts of credit bureaus to centralize information." Pinger is general manager of the Credit Bureau of Greater Houston, which is pioneering (with Dallas) in an advanced system of computerized data retrieval. By midsummer, the two cities will be "on the line." Because credit data is ideally suited for computer input, other cities soon will follow their lead. The computers will be linked to each other.

This will make possible the virtually instantaneous filing, retrieval, and disclosure of information relating to the financial responsibility "and character" of every person who makes use of credit. Computer symbols will reflect not only how rapidly a man pays his bills, but also data relating to bankruptcy, garnishment, forced collection, divorce, liens, lawsuits, indictments, convictions, income, marital status, dependents, and the like.

So long as the information is accurate, fine. An efficient credit system is vital to the economy; and a man who seeks credit reasonably may be asked to answer such questions. But suppose a clerk's eye flickers? Suppose the symbols are wrong? Pondering these problems, the House committee has set an alarm bell swinging. We ought to heed it closely. It tolls for us all.

Mr. Tenzer's Retirement

HON. SEYMOUR HALPERN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 28, 1968

Mr. HALPERN. Mr. Speaker, the recent announcement by my good friend and esteemed colleague from the Fifth Congressional District in New York, Representative HERBERT TENZER, that he plans to retire from the political hustings, was a source of very real regret to many of us.

Although he sits on the other side of the aisle, I am confident that I can speak for our side in expressing the admiration and affection my fellow Republicans hold for HERB TENZER.

Whatever I might say about HERB has already been said in one of the most touching and beautiful feature columns I have been privileged to read in many years.

Written by Andrew J. Viglietta, the column appears in the March 24 edition of the Long Island Press.

Mr. Speaker, Andy Viglietta has become an almost legendary figure among the Nation's journalists and his Sunday Washington column about HERB TENZER clearly reflects the reason.

It dramatically unfolds the human side of a Member of Congress with a kind of simplicity that bespeaks a remarkable insight into the stark realities of political life. That insight, coupled with a consummate writing skill, is the product of more than 30 years of observing, analyzing, and reporting the political scene.

Andy Viglietta is a master craftsman who has produced a superlative essay about a valued Member of this distinguished body, who is taking leave of us. I commend to my colleagues that essay, and I feel certain we all join in wishing HERB TENZER many fruitful, productive, happy years:

TENZER RETIREMENT

(By Andrew J. Viglietta)

WASHINGTON.—The retirement of Rep. Herbert Tenzer, Lawrence Democrat, is a loss that the federal legislature can ill afford.

Tenzer was not just an ordinary congressman. The Long Islander had more on the ball than most of the 435 members of the House of Representatives.

While he loves the fascination and responsibility of Congress, Tenzer is bowing out only because he wants to spend more time with his wife, Florrie, his children and his five grandchildren.

His stature in Congress began growing the day he was sworn in a little more than five years ago. There were many reasons for it.

First, Tenzer is a man of broad experience—more than most of his colleagues—in the business world, the judiciary, civic affairs and a man who felt keenly about the war in Vietnam but never, never joined with those who practically excoriated President Johnson for his handling of the situation.

Tenzer, too, is a deeply religious man, who prayed to his God not only on Holy Days but every day in the week. Only those of us who have been close to Tenzer in Washington know how religious he is.

His friendly hand on the shoulder of a colleague in trouble always brought hope. His wisdom, gathered from years of experience as a top-flight lawyer and business man was always evident, whether it was in the House Judiciary Committee or on the floor of Congress.

When Tenzer took to the floor to make a speech, one could hear a pin drop. That's the kind of respect his colleagues have for him.

Probably the man who knows him best as a legislator and friend is Rep. Emanuel Celler, Brooklyn Democrat whose district includes the Rockaways.

It was Celler who urged Tenzer to run for Congress; it was Celler who suggested that Tenzer be named to the Judiciary Committee, a coveted assignment for any lawyer.

Tenzer's availability to his constituents is well known. Many times he flew back to his district during the week, just to keep a promise that he would attend one function. This was especially true if the case was a charitable one.

The United States, going through a rough period in its history, cannot afford to have men like Tenzer retire.

Tenzer will no doubt give advice and counsel freely after next Jan. 1, but it's a sure bet that there will be times after the next Congress convenes that Herb Tenzer will be wishing he were down in Washington taking part in the debate.

Press him on this point, and he'll probably admit it.

And Death Came for a Young Man

HON. JAMES H. (JIMMY) QUILLEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 28, 1968

Mr. QUILLEN. Mr. Speaker, I call to the attention of my colleagues and the readers of the RECORD a most thought-provoking editorial which recently appeared in the Bristol, Tenn., Herald-Courier.

If every American could read this editorial and pause to think of the personal sacrifice of our fighting men, I believe we would have an outpouring of gratitude to these brave young men who are fighting and dying for each of us in Southeast Asia. The editorial follows:

AND DEATH CAME FOR A YOUNG MAN

Once in a while, the complexities of the war in Vietnam are pushed aside by a single thought, eloquently expressed—a thought that, at least, makes some sense out of the frustration and the sacrifice and the doubts which are part and parcel of this war.

Such a thought occurred recently to Paul Jones, commentator for Newspaper Enterprise Association (NEA), and this is the way he expressed it:

A boy died for me in Khe Sanh today.

I didn't know him, and he didn't know me.

But he died for me just the same.

I learned about it when the 6 o'clock newscast showed him being carried off the battlefield by his buddies.

He was going home at last—but not the way he had dreamed of going.

I watched the newscast as I ate a good, hot meal in my safe, comfortable home.

The news was pretty much as usual. The war in Vietnam . . . college kids demonstrating against changes in the draft rules, screaming and mugging for the camera . . . more teachers out on strike.

After dinner I tuned in to a program on which a comic wisecracked sourly about the way the war was going—and probably got more money for doing it than this boy in Khe Sanh had been paid all the time he was in service.

Then I went to bed, free from any fear that the house might be blown up by the enemy. The enemy is busy over in Vietnam.

But I couldn't get this boy off my mind.

I wondered if he had been frightened. Of course, he had. Who wouldn't be?

Had he hated this war as much as I hate it?

Probably more. He was in it!

But, somehow, those boys in the thick of it over there seem to understand more clearly than many of us just why they are there, and the dreadful alternative if they weren't.

How had he felt about these characters who are defying the government, calling our leaders murderers, tearing up draft cards and pulling down the American flag?

However he had felt, he had fought for that flag until he was killed.

It's too late now, of course, to try to thank this boy for what he did. But it's not to late to thank his buddies for what they're doing.

But how do you thank someone for facing death for you?

How do you reassure him that as long as men like him are willing to die for freedom, freedom is worth dying for—even though it be abundantly used and abused by the very ones who disdain to fight for it?

So you hope that the boys over there realize that dissent is loud and gets attention, but that gratitude is quiet and doesn't make the headlines.

You hope they know that millions upon millions of Americans are with them all the way.

I hope and pray that boy knew it as he died for me in Khe Sanh today.

Charles K. L. Davis, Hawaii's Golden-Voiced Tenor, To Sing in Carnegie Hall

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 28, 1968

Mr. MATSUNAGA. Mr. Speaker, a voice of unusual beauty will be heard in Carnegie Hall on the evening of June 11, 1968, when Hawaii's own golden-voiced tenor, Charles K. L. Davis, appears in his first concert at the world-famous concert hall.

Like leis from his native State, garlands of superlatives have been heaped upon the shoulders of the Hawaiian-born singer in praise of the beautiful quality of his lyric tenor voice.

In a career stretching from his barefoot days on the beaches of Honolulu to a White House command performance, Charles K. L. Davis has proved to be equally at home in opera as in concert and musical comedy.

A winner of the Metropolitan Opera auditions, he has appeared with such luminaries as Rise Stevens and Licia Albanese, as well as with leading opera companies and symphony orchestras throughout the country.

In a rare tribute to this young American tenor, the mayor of Honolulu proclaimed January 19, 1968, as "Charles K. L. Davis Day" to honor him for his outstanding contributions to the arts in Hawaii.

The program at Carnegie Hall will be a repeat of the one given on January 19 when the young star's versatility and showmanship enchanted an overflow audience of 2,300 at the Honolulu International Center. The packed house responded warmly to the varied selections in nine languages—whether a Puccini aria, a hit song from Broadway, a Japanese folk song, or a Brahms lieder. A highlight of the evening was his rendition of "Eli, Eli," the emotional Yiddish lament.

Honolulu Advertiser columnist Eddie Sherman wrote recently:

> People are still talking about the sellout smash of the Charles K. L. Davis concert.

The concert at Carnegie Hall will give fresh evidence of the brilliant artistry of Charles K. L. Davis, and I hope that many of my colleagues and other lovers of fine music will join us at Carnegie Hall on Tuesday evening, June 11, 1968, for what will be one of the most exciting musical events of the current season.

I am pleased to insert in the RECORD some additional information about the forthcoming Guido Salmaggi presentation of this bright phenomenon of the arts from the Island. State—Hawaii's own Charles K. L. Davis:

> Charles K. L. Davis is the most famous opera and concert tenor now representing The State of Hawaii, where he was born. Someone to hear, someone to watch, someone to remember is this young American whose "lyric tenor voice of beautiful quality and vibrant fresh vocalism" (New York Post) has marked him as an outstanding young star in the ranks of bel canto tenors. A winner of the Metropolitan Opera Audition, this artist—in a record short period of time—has scored importantly in opera, concert, radio, television, recordings, summer festivals and supper clubs. He recently sang at a White House Command performance. When Ed Sullivan took a special troupe to Russia he chose Davis to sing with Rise Stevens. Davis' unique versatility, his warm quality of talent plus personality, herald a true star, for, to quote the famous columnist Louella Parsons, "What a voice that boy has!" Equally at home in opera as in concert and musical comedy, Davis has appeared with leading opera companies and symphony orchestras throughout the country. He sings in nine languages.

Los Angeles County: America's Outstanding Pioneer in Designing Effective Clean Air Programs

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 28, 1968

Mr. ROBAL. Mr. Speaker, Los Angeles County is recognized as the Nation's leader in the fight for cleaner air in America's crowded metropolitan centers—where nearly 80 percent of our people live, and where air pollution is becoming an increasingly dangerous menace to health, and to the kind of clean, wholesome atmosphere we want for ourselves and for our children.

For that reason, I am delighted to have the opportunity of including in the RECORD at this point, the text of a recent address on the subject of effective air pollution control presented by Mr. Joseph M. Pollard, Los Angeles County's Washington legislative representative, to the recent Seattle environmental pollution conference of the National Association of Counties.

Mr. Pollard's most informative and enlightening remarks follow:

REMARKS OF JOSEPH POLLARD, LEGISLATIVE REPRESENTATIVE, LOS ANGELES COUNTY, AT THE AIR POLLUTION WORKSHOP SESSION, ENVIRONMENTAL POLLUTION CONFERENCE, NATIONAL ASSOCIATION OF COUNTIES, SEATTLE, WASH., MARCH 24 TO 27, 1968

It would be difficult to discuss the financing of American air pollution control programs without some reference to the experience of Los Angeles County. This is so because Los Angeles County instituted the first large municipal program, it has expended the largest total amount of any municipal program, and it continues to have the largest annual budget of any municipal program.

Air pollution first became a noticeable problem in Los Angeles during World War II. The Los Angeles County Air Pollution Control District was activated late in 1947 and has been operational for more than 20 years.

The Air Pollution Control District has jurisdiction over the entire 4,000 square miles of Los Angeles County, serving both the incorporated and unincorporated areas. It has one set of rules and regulations applied uniformly across municipal lines, and one set of enforcement officers who carry out their functions everywhere within the District.

Within the District resides a population of about 7¼ million. There are 4 million motor vehicles using nearly 8 million gallons of gasoline daily. There are more than 20 thousand manufacturing establishments. This is the third largest petroleum refining complex in the country, and there are 11 major electrical generating plants burning fossil fuel.

The air pollution experienced during the late forties and early fifties consisted of about 40% emissions from stationary sources—industry and rubbish disposal—and about 60% of emissions from automobiles. Today, pollution from rubbish disposal has been eliminated, pollution from industry has been reduced almost to the practicable minimum, but pollution from motor vehicles has been controlled only slightly. In the meantime, the number of motor vehicles has more than doubled, and there is more than twice as much pollution from this source as there was when the control program began in 1948. The ratio now is approximately 15% from stationary sources and 85% from motor vehicles.

At present, control measures now in effect are keeping a total of 7,250 tons of pollution out of the air of Los Angeles County every day. Of these 7,250 tons, 5,550 tons are controlled as the result of the steps taken by the Air Pollution Control District in regulating stationary sources. The other 1,700 tons are being controlled by the installation of crankcase and exhaust control devices on motor vehicles.

Still uncontrolled and being emitted are pollutants totaling 13,500 tons per day. Of this, 1,300 tons come from all stationary sources, including not only industry but all combustion processes such as domestic heating and cooking as well. Of the remaining, 12,200 tons are being emitted from motor vehicles, meaning for the most part from the exhaust pipes of gasoline-powered automobiles.

The cost to control 5,550 tons of pollution from stationary sources has been at least three-quarters of a billion dollars. Some of this we can measure with exactness, the remainder we can estimate. For example, a permit must be obtained for every piece of air pollution control equipment installed in Los Angeles County, and we keep a precise record of the cost of this equipment. Our records show that industry has expended more than $142 million for such control equipment. This does not include, however, the cost of maintaining or operating this equipment, or the value of the land it occupies, nor does it take into account the cost of designing and building into other basic equipment the modifications necessary to meet our requirements without use of separate control devices. Wherever this is possible, it is done. The true cost to industry may be twice the $142 million. Another item which we measure precisely is the amount paid for fees for these permits, and the amount paid as fines for convictions of violations of our Rules. Since 1948 these two items amount to about $3 million. We also know accurately the cost of the Air Pollution Control District for the 18 years of its existence: $46,430,300. Of this amount, more than $6 million have been spent for basic research. In addition, however, Los Angeles County taxpayers have also borne a pro-rata share of the air pollution control expenditures of the State of California and of the Federal government; and that is a sizable amount.

Another area of expense has been rubbish collection and disposal, which costs an estimated $55 million a year in Los Angeles County. Since 1957, this has amounted to about $500 million.

All of this expenditure for control is only the top of the iceberg of the cost of air pollution. There is no way of knowing the full cost to Los Angeles County over the past 20 years, but we can make an estimate. President Johnson has given the Federal government's estimate of the cost of air pollution to the nation as 11 billion dollars each year. Los Angeles County represents about 5% of the national market, and if we assume that we share the national air pollution cost in the same 5% proportion, then in 20 years we have suffered a loss equal to 11 billion dollars. Because the figure is so staggering, our inclination is to discount it, and then discount it again, but even so we must conclude that the loss has been tremendous. And that is without taking account of the loss of productivity due to the distress of air pollution, and the price of pain and suffering, impaired health and loss of well-being for millions of people. Nor does it take into account the general friction and drag on the entire mechanism of society caused by the debate, and pulling and hauling over the problem; the deluge of billions of words printed and spoken about the subject; the legislative hours expended, and the cost in time and money of discussions such as this very panel. For example, the cost to the APCD of just two proceedings that extended over 4 years—the hearings before the Federal Power Commission on applications to bring in more natural gas, and a case in the Superior Court challenging our Rule 62 on oil burning—cost the County of Los Angeles at least $250,000.

It is against this backdrop of cost and loss—the three-quarter billion in cost of control, the 11 billion in loss to air pollution—that we evaluate the need for preventive action.

Our District employs 305 personnel, and the budget for 1967–68 is $3,900,000. These operations are financed from the general tax revenue of the County. There is no special assessment for the Air Pollution Control District as there is for other special districts such as Flood Control, Sanitation, Mosquito Abatement, etc.

Since 1965, the Los Angeles County Air Pollution Control District has received grants from the United States Public Health Service totaling somewhat in excess of $600,000. The grants were authorized for the addition of new monitoring stations to our network, the purchase of a mobile laboratory, and the enforcement of new rules and regulations, including an extensive program to control solvent emissions.

The Los Angeles County Air Pollution Control District has received little if any "technical assistance" from either the State or Federal governments, largely because the District itself has the best expertise in the field. It has proved to be a valuable recruiting ground for the State and Federal governments, and for other local jurisdictions.

Its function and structure have provided a model for the guidance of other agencies. The United States Public Health Service has printed as the standard guidebook, "Air Pollution Control Field Operations Manual," which describes the practices and procedures in the Los Angeles County District. The National Center for Air Pollution Control has printed an engineering manual authored by District personnel, which sets forth the design criteria of both basic and control equipment from an air pollution control point of view. The Federal government also is printing a book on incinerator design, authored by the Los Angeles County APCD.

Many of the rules originated by Los Angeles County, such as Rule 62 governing the sulfur content and use of high-sulfur fuels, and Rule 66 regulating the use of organic solvents, have been adopted for Federal installations and by other jurisdictions. So in the case of Los Angeles County, the direction of the flow of technical assistance is the reverse of what might be expected elsewhere.

From our experiences over the years we can draw two important conclusions. First, the technical know-how and the actual control devices are now available for the control of almost any air pollution problem existing from stationary sources. Second, each community must determine for itself the degree of clean air it desires and the price that the community is willing to pay for that degree of clean air.

In Los Angeles, the price has been high because the control program was a pioneering effort. The price in other areas should be much lower because of that effort. Results, answers and techniques now are available that can be of benefit to other areas. The experiences in Los Angeles need not be repeated in every urbanized area facing an air pollution problem. The mistakes and accomplishments in Los Angeles should prove valuable guidelines for other areas to follow. The price any community pays, therefore, for clean air should be far less than it has been for Los Angeles.

Or Doesn't Anybody Care?

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 28, 1968

Mr. WOLFF. Mr. Speaker, one sometimes loses sight of the tragic human circumstances of war while discussing the politics of war policy and the conditions of international relations.

But ultimately what we are talking about when we talk about war, is the tragedy of human suffering and the loss of life. When war is far removed from our borders we, therefore, must be careful not to lose sight of what is happening. We must constantly care.

To this end I would commend to my colleagues' attention a newspaper column by Walter Kaner in the March 10 edition of the Long Island Press. Mr. Kaner is a sensitive human being and an excellent writer. In answer to his question: "Or does not anybody care?" the answer must be: "Yes, Mr. Kaner, we try to understand and we do care."

Because Mr. Kaner's column raises a vital question, I wish to include it in the RECORD at this point:

OR DOESN'T ANYBODY CARE?

(By Walter Kaner)

The war in Vietnam is so far away.

It never reached home. Not really.

Not the war pictures. Or the battle reports. Or the war casualties. It touched somebody else. Someone I didn't know.

This week it struck close to home.

I learned, painfully, how a bullet that cuts down a boy in Vietnam can also rip through a mother's heart here.

I was visiting the boy's home when the dreaded telegram arrived.

I saw the grief etched in his mother's face as, with fingers trembling she opened the telegram. Anguish filled his grandmother's face, her eyes sunken and red. His grandfather's chin quivered as he tried to control his tears.

"The Secretary of the Army has asked me to express his deep regret that your son . . . died in Vietnam on March 2 from gunshot wounds received while on combat operations . . ."

She didn't cry. She was numb from heartache. She had cried her heart dry the day before when an Army official came to the home that day to break the tragic news. The telegram made it official.

The telegram left out the details. It didn't say he and 47 buddies were killed in ambush outside Saigon. It didn't say they all died in eight minutes of gunfire.

Eight hours, eight weeks, eight years won't ease his mother's grief.

The telegram didn't say other things.

That he was just a boy. Only 23. With his whole life ahead of him. A girl to marry. And a family to raise.

The telegram should have told how he was born of his mother's pain. Raised as a baby with loving care. Of his first day at school. The tears at his first bloody nose in a fight. The joy when he got his first bike.

It should have mentioned the blond, grinning kid playing baseball at the neighborhood lot. The boy who loved to gulp down ice cream sodas. And gorge himself on pizza pies. How he blushed when he introduced "his girl" to his mom. And how he spent hours polishing his jalopy and souping up the motor.

And when he went off to war he joked about it and told his mom not to worry, and how he'd write every day and he'd be home soon and everything would be OK.

But inwardly, he told me, he was worried and wondered if he was really coming back and if he'd ever see his folks and the house and the neighborhood again.

He couldn't understand death. "I don't understand death," he wrote his mother. "Why is it the death rate of American men is considered a statistic when a couple of men trapped in a mine is a national catastrophe?"

Once, before he left for Vietnam, we were having dinner in a restaurant and he watched people laughing, drinking and dining. "Doesn't anybody know there's a war on?" he asked.

"If it's a war for us—isn't it a war for everybody? If a guy must sacrifice his life for his country . . . shouldn't the people back home sacrifice something too?"

I kept thinking of the dead boy's painful questions as I numbly read the telegram over and over.

Shamefully, most of us don't know there's a war on. And many don't care, as long as it doesn't touch home.

It wasn't an enemy bullet alone that killed the boy. Or the more than 400 other Long Island boys . . . or the more than 19,000 American boys who have died for us in Vietnam.

We helped kill them too. You and I.

We killed them with grenades of apathy. With mortars of complacency. And mines of disinterest.

We've made it the kids' war. Not our war.

We're too busy going to nightclubs and restaurants and ballgames and the movies to notice. We're too busy making a buck to think about the kids dying for us. We're too busy with our petty everyday problems to write a GI fighting for us.

While some blond's hips writhe to the rhythm of the Twist at a discotheque a young boy writhes in agony in a rice paddy. While we scream with laughter at a TV comic a kid screams in pain as a bullet rips into his young body.

There's something wrong, terribly wrong in America.

The dead boy's questions demand an answer. "If it's a war for us—isn't it a war for everybody? If a guy must sacrifice his life for his country—shouldn't the people back home sacrifice something too?"

I've seen the grief, the heartache, the agony inflicted on the mother and family of just one GI killed in Vietnam. It is being repeated thousands of times across America.

When—in God's name—when will we Americans wake up to the fact there is a war going on?

Or doesn't anybody care?

Nixon Leads Johnson for the First Time

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 28, 1968

Mr. FULTON of Pennsylvania. Mr. Speaker, with permission to extend my remarks, I include the following article from the Washington Post of March 27, 1968:

THE GALLUP POLL: NIXON LEADS JOHNSON FOR FIRST TIME

(By George Gallup)

PRINCETON, N.J., March 26.—Richard Nixon has a 41 to 39 per cent lead over President Johnson in the latest Gallup Poll "trial heat," conducted after the New Hampshire primary. Far behind Nixon and Johnson, but gaining strength, is ex-Gov. George Wallace of Alabama, with 14 per cent of the vote.

This marks the first time Nixon has led in a three-way test in surveys during the last 15 months.

In a pre-New Hampshire survey in early March, Nixon and Mr. Johnson were tied at 39 per cent, with Wallace, the candidate of the American Independent Party, drawing 11 per cent of the national vote.

Since October, 1966, the Gallup Poll has conducted five test election contests matching Mr. Johnson, Nixon and Wallace. Over this period, Mr. Johnson's support has shown a steady decline, while Nixon and Wallace have registered gains. Wallace, in particular, has doubled his following since the fall, 1966, survey.

Following is the question asked of a national cross-section of 1145 register voters between March 16-20:

"Suppose the presidential election were being held today. If Richard Nixon were the Republican candidate and Lyndon Johnson were the Democratic candidate, and George Wallace of Alabama were the candidate of a third party, which would you like to see win?"

NATIONAL TOTALS

[In percent]

	Latest survey	Early March	December 1967	April 1967	October 1966
Nixon	41	39	36	36	34
Johnson	39	39	44	46	51
Wallace	14	11	12	12	7
Undecided	6	11	8	6	8

In the 13-state region of the South Wallace wins 31 per cent of the vote in the latest survey, equalling Nixon's total. Mr. Johnson, with 34 per cent, emerges with a slim lead in this region.

Outside the South, however, the Wallace vote drops to 8 per cent, with Nixon managing to top Mr. Johnson by 44 to 41 per cent.

Vietnam—Peripheral Vision

HON. HERBERT TENZER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 28, 1968

Mr. TENZER. Mr. Speaker, on Thursday evening, March 21, 1968, I attended a meeting of the executive committee of the Union of Orthodox Jewish Congregations of America in New York City.

I spoke to the members of the executive committee in my capacity as a Member of Congress, also as a member of the executive committee of the UOJCA, and as national secretary of the Synagogue Council of America, representing the rabbinical and lay leadership of the three branches of Judaism—Orthodox, Conservative, and Reform.

The purpose of the meeting was to review the official position of the UOJCA on the Vietnam war. I am placing in the RECORD at this point extracts from the text of my statement:

EXTRACTS FROM STATEMENT OF CONGRESSMAN HERBERT TENZER, MARCH 21, 1968, AT MEETING OF EXECUTIVE COMMITTEE OF UNION OF ORTHODOX JEWISH CONGREGATIONS OF AMERICA, HOTEL ESPLANADE, NEW YORK CITY

I have announced that I will not seek a third term in the House of Representatives. My decision was made for purely personal reasons. There are 10 reasons for my retirement—my dear wife, Florrie, our son, daughter, son-in-law, daughter-in-law, and our five grandchildren.

During the next 9 months I will continue at my post serving my constituents—attending to my committee work—and continuing my work on pending legislation.

I will also continue my search for and offer constructive proposals and alternatives in pursuit of peace. I will cooperate with all who are dedicated to move the Vietnam conflict from the battlefield to the conference table.

* * * * *

While the President wants peace, I am aware that he cannot view the situation in Vietnam wearing "blinkers" in the manner of some of the candidates. His peripheral vision must enable him to keep in full view and proper focus the global interests of the United States.

The President's peripheral vision must keep in focus at all times:

a) The Warsaw Ambassadorial conferences with the Chinese for the release of American fliers, and other questions.

b) The Panmunjon negotiations with the North Koreans for the release of the *Pueblo* and its crew.

c) The Geneva Nuclear Test Ban Treaty negotiations and implementations.

d) The Middle East where the Soviets have rearmed the UAR with sophisticated weaponry keeping the area on a powder keg.

e) The Berlin area where the Communist East Germans are trying to create another Berlin crisis.

f) The Soviet Union and China—psychological, ideological, political competition.

and other places on the globe.

* * * * *

While I may differ with the President on Vietnam—I have stated some of the reasons why at present I stand with the President. You might say that I am a "loyalist". I am not a candidate for delegate to the Democratic National Convention.

In the months ahead I will be watching and listening to the debate within the Democratic party, with great interest. It is significant and unfortunate that no such debate is taking place in the Republican party which has offered little to date in the way of constructive peace in Vietnam.

Mr. Speaker, I am also placing in the RECORD for the information of my colleagues the text of the resolution adopted by the Union of Orthodox Jewish Congregations of America first adopted in 1967 and still representing UOJCA's position on the Vietnam war which is under constant review by its executive committee:

VIETNAM

Our country is deeply engaged in the war in Vietnam as part of its determination to resist Communist aggression anywhere in the world. A true conception of American aspirations, however, must also encompass an ultimate desire and continuing quest for peace. Such a quest is deeply ingrained in the Jewish soul. It is our Prophets who gave to mankind the eschatological vision of a world in which all nations live in harmony with each other and no longer wage war. The constant efforts of the President of the United States to promote peace and to end the conflict have our fervent support.

The leaders of American government have recognized that any hope for peace by negotiation in Vietnam rests on the manifestation of the ability of the Free World to contain aggression. We express our full confidence that the President of the United States and his Administration will discharge their awesome responsibilities to manifest this determination for the achievement of lasting peace in the best interests of the United States and of all mankind.

Mr. Speaker, I have offered several proposals in connection with the Vietnam war—proposals designed to remove the war from the battlefield to the conference table. Others have made similar proposals. The best of these proposals should be tested. See CONGRESSIONAL RECORDS: March 6, 1968, 5435; March 7, 1968, 5791; March 22, 1968, 7425.

I have differed with the President on Vietnam. I want an escalation of our efforts to bring about peace. I believe the President wants peace in Vietnam, too, but when he speaks publicly on the issue, he must consider many trouble spots and potential trouble spots on the globe at the same time.

The President must have a wide scope of peripheral vision and all Americans should understand that when he speaks, he is speaking for 200 million Americans and for our national interests throughout the world.

We can support his efforts for peace—by acting in unity in pursuit of peace—by urging that one or the other—or a combination of the proposals for peace be tested—yes—tested now.

Reorganization Plan No. 1

HON. CHET HOLIFIELD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 27, 1968

Mr. HOLIFIELD. Mr. Speaker, it is my understanding that the disapproval resolution, House Resolution 1101, reported by the Committee on Government Operations, will be called up in the House next week. This resolution calls upon the House to reject President Johnson's Reorganization Plan No. 1 of 1968 which transfers to the Department of Justice the administration of the narcotics laws now carried out by the Bureau of Narcotics under the Secretary of the Treasury and the administration of the drug abuse laws now carried out by the Bureau of Drug Abuse Control under the Secretary of Health, Education, and Welfare. These two bureaus will be joined together in a new Bureau of Narcotics and Dangerous Drugs in the Department of Justice, reporting directly to the Office of the Attorney General. Narcotics laws deal generally with marihuana and the addictive narcotics such as opium and heroin. Drug abuse laws deal generally with stimulants, depressants, and hallucinogenics, such as LSD.

In our judgment, this is a meritorious reorganization and the disapproval resolution should be defeated. I remind the Members that the proper vote in support of the reorganization plan will be "nay."

In anticipation of this debate and for the information of the Members, I include herewith as part of my remarks the President's message transmitting the plan, the text of the plan itself, and a section-by-section analysis:

Reorganization Plan No. 1 of 1968—Creating a New Bureau of Narcotics and Dangerous Drugs

To the Congress of the United States:

In my first Reorganization Plan of 1968, I call for the creation of a new and powerful Bureau of Narcotics and Dangerous Drugs.

With this action, America will serve notice to the pusher and the peddler that their criminal acts must stop.

No matter how well organized they are, we will be better organized. No matter how well they have concealed their activities, we will root them out.

Today, Federal investigation and enforcement of our narcotics laws are fragmented. One major element—the Bureau of Narcotics—is in the Treasury Department and responsible for the control of marihuana and narcotics such as heroin. Another—the Bureau of Drug Abuse Control—is in the Department of Health, Education, and Welfare, and is responsible for the control of dangerous drugs including depressants, stimulants, and hallucinogens such as LSD.

Neither is located in the agency which is primarily concerned with Federal law enforcement—the Department of Justice.

This separation of responsibilities—despite the relentless and dedicated efforts of the agents of each Bureau—has complicated and hindered our response to a national menace.

For example, more than nine out of ten seizures of LSD made by the Bureau of Drug Abuse Control have also turned up marihuana—but that Bureau has no jurisdiction over marihuana.

In many instances, we are confronted by well organized, disciplined and resourceful criminals who reap huge profits at the expense of their unfortunate victims.

The response of the Federal Government must be unified. And it must be total.

Today, in my Message on Crime, I recommended strong new laws to control dangerous drugs. I also recommended an increase of more than thirty percent in the number of Federal agents enforcing the narcotic and dangerous drug laws.

I now propose that a single Bureau of Narcotics and Dangerous Drugs be established in the Department of Justice to administer those laws and to bring to the American people the most efficient and effective Federal enforcement machinery we can devise.

Under this Reorganization Plan the Attorney General will have full authority and responsibility for enforcing the Federal laws relating to narcotics and dangerous drugs. The new Bureau of Narcotics and Dangerous Drugs, to be headed by a Director appointed by the Attorney General, will:

Consolidate the authority and preserve the experience and manpower of the Bureau of Narcotics and the Bureau of Drug Abuse Control.

Work with states and local governments in their crackdown on illegal trade in drugs and narcotics, and help to train local agents and investigators.

Maintain worldwide operations, working closely with other nations, to suppress the trade in illicit narcotics and marihuana.

Conduct an extensive campaign of research and a nationwide public education program on drug abuse and its tragic effects.

The Plan I forward today moves in the direction recommended by two distinguished groups:

The 1949 Hoover Commission.

The 1963 Presidential Advisory Commission on Narcotic and Drug Abuse.

This Administration and this Congress have the will and the determination to stop the illicit traffic in drugs.

But we need more than the will and the determination. We need a modern and efficient instrument of Government to transform our plans into action. That is what this Reorganization Plan calls for.

The Plan has been prepared in accordance with chapter 9 of title 5 of the United States Code.

I have found, after investigation, that each reorganization included in the plan is necessary to accomplish one or more of the purposes set forth in section 901(a) of title 5 of the United States Code.

I have also found that, by reason of these reorganizations, it is necessary to include in the accompanying plan provisions for the appointment and compensation of the five new positions as specified in section 3 of the plan. The rates of compensation fixed for these new positions are those which I have found to prevail in respect of comparable positions in the Executive Branch of the Government.

Should the reorganization I propose take effect, they will make possible more effective and efficient administration of Federal law enforcement functions. It is not practicable at this time, however, to itemize the reduction in expenditures which may result.

I recommend that the Congress allow this urgently needed and important Reorganization Plan to become effective.

LYNDON B. JOHNSON.

Reorganization Plan No. 1 of 1968

NARCOTICS; DRUG ABUSE CONTROL

SECTION 1. *Transfer of functions from Treasury Department.* There are hereby transferred to the Attorney General:

(a) Those functions of the Secretary of the Treasury which are administered through or with respect to the Bureau of Narcotics.

(b) All functions of the Bureau of Narcotics, of the Commissioner of Narcotics, and of all other officers, employees and agencies of the Bureau of Narcotics.

(c) So much of other functions or parts of functions of the Secretary of the Treasury and the Department of the Treasury as is incidental to or necessary for the performance of the functions transferred by paragraphs (a) and (b) of this section.

SEC. 2. *Transfer of functions from the Department of Health, Education, and Welfare.* There are hereby transferred to the Attorney General:

(a) The functions of the Secretary of Health, Education, and Welfare under the Drug Abuse Control Amendments of 1965 (Public Law 89–74; 79 Stat. 226), except the function of regulating the counterfeiting of those drugs which are not controlled "depressant or stimulant" drugs.

(b) So much of other functions or parts of functions of the Secretary of Health, Education, and Welfare, and of the Department of Health, Education, and Welfare, as is incidental to or necessary for the performance of the functions transferred by paragraph (a) of this section.

SEC. 3. *Bureau of Narcotics and Dangerous Drugs.*

(a) There is established in the Department of Justice an agency which shall be known as the Bureau of Narcotics and Dangerous Drugs. The Bureau shall be headed by a Director who shall be appointed by the Attorney General to a position in the competitive service. The Director shall perform such duties as the Attorney General shall prescribe, and shall receive compensation at the rate now or hereafter provided for Level V of the Executive Schedule Pay Rates (5 U.S.C. 5316).

(b) There are hereby established in the Department of Justice, in addition to the positions transferred to that Department by this Plan, four new positions, appointment to which shall be made by the Attorney General in the competitive service. Two of those positions shall have compensation at the rate now or hereafter provided for GS–18 positions of the General Schedule and the other two shall have compensation at the rate now or hereafter provided for GS–16 positions of the General Schedule (5 U.S.C. 5332). Each such position shall have such title and duties as the Attorney General shall prescribe.

SEC. 4. *Abolition.* The Bureau of Narcotics in the Department of the Treasury, including the office of Commissioner of Narcotics (21 U.S.C. 161), is hereby abolished. The Secretary of the Treasury shall make such provision as he may deem necessary with respect to terminating those affairs of the Bureau of Narcotics not otherwise provided for in this reorganization plan.

SEC. 5. *Performance of transferred functions.* The Attorney General may from time to time make such provisions as he shall deem appropriate authorizing the performance of any of the functions transferred to him by the provisions of this reorganization plan by any officer, employee, or organizational entity of the Department of Justice.

SEC. 6. *Incidental transfers.* (a) There are hereby transferred to the Department of Justice all of the positions, personnel, property, records, and unexpended balances of appropriations, allocations, and other funds, available or to be made available, (1) of the Bureau of Narcotics, and (2) of the Bureau of Drug Abuse Control of the Department of Health, Education, and Welfare.

(b) There shall be transferred to the Department of Justice, at such time or times as the Director of the Bureau of the Budget shall direct, so much as the Director shall determine of other positions, personnel, property, records and unexpended balances of appropriations, allocations, and other funds of the Department of the Treasury and of the Department of Health, Education, and Welfare employed, used, held, available or to be made available in connection with functions transferred by the provisions of this reorganization plan.

(c) Such further measures and dispositions as the Director of the Bureau of the Budget shall deem to be necessary in order to effectuate the transfers provided in this section shall be carried out in such manner as he may direct and by such agencies as he shall designate.

Section-by-Section Analysis of Reorganization Plan No. 1 of 1968

Section 1.—Transfer of functions from Treasury Department.—This Section transfers from the Department of the Treasury to the Department of Justice the functions involved in enforcing the narcotics and marihuana laws, but leaves in the Department of the Treasury the functions now carried out through the Internal Revenue Service and the Bureau of Customs with respect to narcotics and marihuana taxes and imports. This is accomplished by transferring to the Attorney General all functions of the Bureau of Narcotics, all functions of the Secretary of the Treasury performed elsewhere solely with respect to that Bureau, and so much of all other functions or parts of functions of the Secretary or the Department of the Treasury as is incidental to or necessary for the performance of the functions of the Bureau.

Section 1(a) transfers to the Attorney General those functions of the Secretary of the Treasury which are delegated to the Commissioner of Narcotics for administration through the Bureau of Narcotics. It also transfers other functions of the Secretary which are performed with respect to the Bureau, such as hearing appeals from decisions of the Commissioner of Narcotics or approving regulations issued by the Commissioner under delegated authority.

Section 1(b) transfers to the Attorney General all functions vested by law in the Bureau of Narcotics, the Commissioner of Narcotics, or any other officers, employees, and agencies of the Bureau of Narcotics.

Section 1(c) transfers any other functions or parts of functions of the Secretary or the Department of the Treasury which are incidental to or necessary for the performance of the functions transferred. For example, the Alcohol and Tax Laboratories of the Internal Revenue Service furnish the laboratory services required by the Bureau of Narcotics and, as necessary, provide expert witnesses. This subsection assures that the Attorney General will have statutory authority to provide, directly or indirectly, for necessary laboratory services and related expert witnesses. The Secretary is authorized to make expenditures for arms and ammunition required by "civilian employees." Since this authorization applies to all law enforcement arms of the Department of the Treasury, this subsection would transfer only so much of the authority as relates to the Bureau of Narcotics.

Section 2—Transfer of functions from the Department of Health, Education, and Welfare.—This section transfers to the Department of Justice the functions involved in controlling depressant and stimulant drugs pursuant to the Drug Abuse Control Amendments of 1965.

Section 2(a) transfers all of the functions of the Secretary of Health, Education, and Welfare under those amendments, except that the function of regulating the counterfeiting of non-controlled drugs would remain in HEW.

Section 2(b) transfers so much of other functions or parts of functions of the Secretary as is incidental to or necessary for the performance of the functions transferred. Since dangerous drugs are controlled under amendments to the Food, Drug, and Cosmetic Act, which applies to drugs in general, other prior provisions of the Act apply to dangerous drugs where relevant, as well as to drugs which will continue to be under the jurisdiction of HEW. The language of section 2(b) will assure that the Attorney General and the Secretary will each have any relevant statutory authority under the Act, such as the authority to issue regulations.

Section 3—Bureau of Narcotics and Dangerous Drugs.—Section 3 provides for the organization and administration of the transferred functions within the Department of Justice.

Section 3(a) establishes a Bureau of Narcotics and Dangerous Drugs in the Department of Justice. The Bureau would be headed by a Director appointed by the Attorney General to a position in the competitive service. The Director would perform such duties as the Attorney General may prescribe, and would be compensated at Level V of the Executive Schedule Pay Rates.

Section 3(b) establishes four new positions in the Department of Justice, to be filled by appointment by the Attorney General in the competitive service. Two of the positions would be compensated at the rate now or hereafter provided for GS-18 positions of the General Schedule, and two at the rate for GS-16. Each position would have such title and duties as the Attorney General may prescribe.

Section 4—Abolition.—Section 4 abolishes the Bureau of Narcotics established by law in the Department of the Treasury, including the office of the Commissioner of Narcotics, and directs the Secretary of the Treasury to make such provision as he deems necessary with respect to terminating the affairs of the Bureau not otherwise provided for in the reorganization plan.

Section 5—Performance of transferred functions.—Section 5 authorizes the Attorney General to delegate the functions transferred to him.

Section 6—Incidental transfers.

Section 6(a) transfers to the Department of Justice all of the positions, personnel, property, records, and funds of the Bureau of Narcotics of the Department of the Treasury and of the Bureau of Drug Abuse Control of the Department of Health, Education, and Welfare.

Section 6(b) transfers to the Department of Justice so much as the Director of the Bureau of the Budget may determine of other positions, personnel, property, records and funds of the Department of the Treasury and the Department of Health, Education, and Welfare.

Section 6(c) directs such other actions as the Director deems necessary to effectuate the transfers provided by Section 6.

Sections 6 (b) and (c) are standard provisions of reorganization plans. They enable the transfer, without regard to organizational lines or jurisdictions, of all personnel, property, records, and funds used by the Department of the Treasury and the Department of Health, Education, and Welfare in administering the functions to be transferred to Justice.

News Blackmail

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 28, 1968

Mr. RARICK. Mr. Speaker, more and more the conscience of the American people is awakening to the misuse of some news media to prostitute reporting for sinister purposes—a sort of educational method of imposing the news writer's philosophy on the reader and listener.

Many have noticed the escalation of smears and attacks upon Rhodesia in recent days to the extent that it causes concern as to just what the news media is being used to cover up or what upcoming event is planned that needs justification.

Could it be a concerted effort on behalf of the news manufacturers to promote more U.N. sanctions against Rhodesia because of the execution in that country of three legally convicted murderers?

Strange behavior indeed when the same media remains noncommittal on the murder of 20,000 American boys by the Vietcong in South Vietnam.

But no one is fooling anyone—no American is going to sit back and permit any American boys to be sent to Africa because of a stacked vote in the U.N., the New York headquarters of the black racist OAU, nor can all the warped news coverage change anyone's thinking that some of the news media is being used as war promoters and agitators.

I am in receipt of a news cast from WDNG, Anniston, Ala., which indicates the Associated Press opinionmakers do not fool all newscasters—some still believe in fair reporting to the extent that they warn their listeners that all is not right at the control switch of the news monopoly.

The surest way to destroy freedom of speech appears to try to control freedom of speech. The believeability gap widens.

Mr. Speaker, I include the station WDNG radio editorial and the U.S. News & World Report article on "Success Story in Africa" following my remarks:

[WDNG radio editorial broadcast Mar. 25, 1968]

On March 17, the Associated Press took a thousand words to tell a story of the Rhodesian arrest of over 100 terrorists that begins, quote "Every time an African drops through the gallows trap in Salisbury prison, the whites of southern Africa cannot help wondering if a day of judgment is creeping closer for them . . . Can the white governments stand against the threats of men who have assumed leadership over the continent's black millions?", end quote AP which goes on and on and on for a thousand words to tell the story that 38 black African governments are banded together in the Organization of African Unity—the OAU—for the purpose of destroying "white supremacy" in the four governments of Angola, Mozambique, Rhodesia and the Republic of South Africa, that the campaign started in 1961 when Holden Roberto organized guerrilla warfare in the Congo to cross the border and attack the Angola farmers—both white and black—that the campaign to date is to free 100 men held in Rhodesia prisons and that the hanging of the five convicted of murder angers all Africa.

The Associated Press goes into great detail about the forces of "black nationalism", about terrorists calling themselves "freedom fighters", about the threat of racial war in Africa that is expected by the Organization of African Unity "to escalate into international confrontation with measureless dimensions" and that the hanged murderers in Rhodesia are considered "racial martyrs" throughout Africa.

Out of this thousand word story, AP takes ten words to say that those who are invading Rhodesia are, quote "armed with sophisticated weapons often of Russian or Chinese manufacture," end quote. AP takes five more words of the thousand word story to say that the Organization of African Unity, quote "plan a Chinese-type guerrilla operation," end quote.

The Associated Press could have taken the thousand words to tell what Red China and Red Russia are doing to train and arm these attacks on the white and the black people of Rhodesia. Instead, AP skips lightly over that part of the story.

The big story in Africa, today, is the subversion of black African states by the Red Chinese and the Red Russians by training and arming these black African states to deliver to the Communists the vast storehouse of natural resources which is southern Africa. Why does not AP tell how Moscow and Peking are working together to destroy the white governments of four countries so that they will become Communist slave-states?

On the following day, AP takes 300 more words to tell how 9 terrorists were killed by Rhodesia when the invaders tried to free the 100 others from prison. Not a word was there in the follow-up story that the whole deal is run from Moscow and Peking. How can AP use 1300 words in two stories in successive days on Rhodesia and lose the big story in the fine print? AP can and does. This is the type of slanted reporting which influences the official policy of the United States government.

[From U.S. News & World Report, Dec. 18, 1967]

SUCCESS STORY IN AMERICA: HOW RHODESIA FARES UNDER SANCTIONS

SALISBURY, RHODESIA.—A visitor returning to Rhodesia after an absence of one year quickly comes to this conclusion:

It seems hardly likely that anyone is going to upset the independence of Britain's former colony unless the situation here should get decidedly more critical than it is now.

Two years after Rhodesia's whites unilaterally declared their country independent, Rhodesia keeps perking along—under a lot of strain, but clearly not yet reeling from the effects of a British campaign to bring the rebels down.

There is some evidence, in fact, that Rhodesia is better off than it was a year ago. One diplomatic source estimates that the country will wind up 1967 with a larger trade surplus than it had last year.

UNRUFFLED SURFACE

On the drive into town from the Salisbury airport, the visitor passes through some modest, middle-class suburbs. The small, ranch-type houses are surrounded by well-kept lawns and gardens, many with swimming pools. Whites in summer clothes sit in easy chairs, relaxing on a warm Sunday afternoon. There is no visible sign that these people have been seriously hurt by the international economic sanctions carried on against Rhodesia by Britain and the United Nations.

In the grill room of Salisbury's leading hotel, the visitor is surprised to find a big crowd on a Monday night, usually the slowest for restaurant keepers anywhere. The restaurant is packed with people—all of them white—and on the dance floor couples are gyrating to the latest vogues in dance steps.

Miniskirts are as short as those in London, and it is obvious that everyone is having a good time. Says a bystander:

"Sometimes it's hard to figure out whether these people are having a last fling before things get really serious, or whether all this is just proof of how normal everything is."

In the hotel bar, an American businessman who has been coming to Rhodesia for years hoists his glass and declares:

"Sanctions? Our company has a plant in Tokyo, and we're exporting to Rhodesia from there. We're even exporting directly from the U.S."

This American businessman's local representative travels all over the African continent drumming up business. He is a South African by birth and lives in Rhodesia, but carries a British passport. That enables him to travel in black Africa with no questions asked.

A diplomat estimates that there have been 10,000 new-car registrations in Rhodesia this year. That's quite high in a country where only a minority of the people live in the cash economy. All of the 220,000 whites do, plus all of the Asians and the Coloreds—mulattoes—but the majority of the 4.3 million Africans live entirely outside the money economy.

Rhodesia's two principal auto plants—those of Ford and British Motor Holdings—have been shut down as a result of sanctions. But cars come in from overseas. Plenty of Japanese and German vehicles are to be seen on the streets of Salisbury.

"You can have a new Cadillac if you want it," says an auto dealer. "Of course, it will cost you more—a lot more than in ordinary times."

Also closed as a result of sanctions is the Rhodesian oil refinery near Umtali, close to the Mozambique border. A pipeline from Beira, in Mozambique, used to pump crude oil to the refinery, but today that lies idle.

All of Rhodesia's gasoline now comes either by rail from the Portuguese port of Lourenço Marques or by road from South Africa. Plenty of it is coming in, more than enough under the Rhodesian rationing system, but not enough for indiscriminate use.

CROWDS AT THE RACE TRACK

Salisbury is full of cars every day and parking spaces are difficult to find. There isn't much traffic on the country roads, but on Saturday afternoon the local race track, some distance from town, is jammed with people—both black and white—who have come there by car.

However, since the unilateral declaration of independence in 1965, Rhodesia's trade has been pretty clearly restricted. That shows up in figures that are available.

In 1965, Rhodesia's exports were valued at 462 million dollars. In 1966, they dropped to 294 million. Imports, on the other hand, went down sharply under tight Government restrictions, and the country wound up both years with a favorable balance of trade.

For this year, unofficial estimates disclose that Rhodesia will have exported goods worth 376 millions, well over the total for last year. Imports are figured to come to 294 millions. That would leave a surplus of 82 millions. What the final result will be when the balance of payments is added up is not known.

TOBACCO IN TROUBLE

It is the sale of Rhodesia's big tobacco crop abroad that has been hardest hit by the sanctions. Normally, Rhodesian tobacco accounted for one third or more of exports. Much of it went to Britain under a preferential-price system. Now, production has been cut almost to half, from 250 million pounds a year to 132 million pounds.

It is estimated that some 600 farmers will be forced out of tobacco growing and that as many as 50,000 Africans will lose their jobs.

Even so, the farmers, are not likely to turn against the Government. Backbone of the ruling political party—the Rhodesian Front—is the farmer, and just two days after a sharp cut in tobacco quotas was announced recently, farmers in an area devoted exclusively to tobacco passed a unanimous vote of confidence in the Government.

Some people, including Prime Minister Ian Douglas Smith, are predicting that Rhodesia may never return to its preindependence tobacco sales. If so, foreign-exchange earnings from agriculture probably will continue to be lower, since other crops are not as valuable.

MINERALS IN DEMAND

Still being sold abroad are Rhodesia's minerals—asbestos, copper, chrome and iron ore. Some people claim just as much chrome as ever is being exported, although the U.S., formerly the principal customer, has switched to buying chrome from Russia.

Mineral production in Rhodesia during 1966 came to nearly 90 million dollars, according to Government figures, but there is no official word on how much of this was exported.

An American visitor to Rhodesia can, at this time, buy his favorite brand of toothpaste in any drugstore. Also available are familiar brands of American and British gasoline, Scotch whisky and a choice of several American bourbons.

What has surprised many people, at the same time, is the resilience within the Rhodesian manufacturing industry, which is making things that are hard to get as a result of the sanctions. Breakfast cereals, for example, now are made in Rhodesia. Retail-shop windows are full of such things as shirts, shoes and suits marked "made in Rhodesia."

Industrial production, as a whole, increased 7 per cent in the second three months of 1967, as compared with the same period in 1966. A large textile company reported that its local sales increased 47 per cent between April and July of this year over 1966 figures.

FUTURE STILL HOBBLED

If the Rhodesian economy seems to be doing well despite sanctions, there is much concern about how things will go in the future. Everyone in commercial and official circles wants a settlement with Britain, and as soon as possible. Sanctions have meant that any big-boom type of economic growth is out of the question for the present.

There is little evidence of new foreign investment in Rhodesia. A big South African mining company is to put 28 million dollars into nickel mining, but how much of this money will come from outside Rhodesia is a question.

Meanwhile, life for most Rhodesians—both white and black—continues much as it did before independence. Most Africans seem to accept white control—and virtually all whites do.

Although it is clear that the sanctions are hurting the Rhodesian economy, they are not—at this time—a clear danger to the forces in control.

[From U.S. News & World Report, Dec. 18, 1967]

LEAVE US ALONE TO SOLVE OUR OWN AFFAIRS

(Interview with Ian Smith, Prime Minister of Rhodesia)

SALISBURY.—

Question. Mr. Prime Minister, is Rhodesia over the hump in its struggle with Britain?

Answer. No. It really depends on whether these chaps are going to see reason over there, so I wouldn't like to say we're over the hump. We are, however, nearer reaching a position where a final decision has to be made one way or the other.

Question. A decision by the British?

Answer. By both. We either make an agreement or we don't. I don't think there is much time to go on and on, equivocating and delaying.

Question. Would an agreement involve British recognition of Rhodesia's independence?

Answer. Yes, unless we agree that we aren't going to agree—unless we agree to differ.

Question. Will normal relationships with Britain be resumed if you do reach an agreement?

Answer. One would expect this.

Question. Normal trade as well as political relations?

Answer. Yes, one would expect this.

Question. The Rhodesians say the sanctions campaign against them has failed. If that's true, why have they failed?

Answer. I think there are a number of reasons. I think first and most important is that Rhodesia was too strong. We had a well-balanced economy, and it was impossible to get us down by hitting one side of the economy, or even two sides of the economy. This the British tried to do, and to a certain extent they were successful. But we have such a diversified economy that we were simply able to shift the emphasis and to go on.

We are a very advanced and civilized country, you know, and I don't think the rest of the world realizes this sufficiently. Yet we were, because of this very high standard that we had in our country, able to adapt ourselves to new circumstances. We had all the facilities. We could pretty quickly make things here that sanctions would deny to us. I think you are aware of the fact that over

400 new factories have been set up since independence, and so on.

Then I also believe, turning to a different phase of the argument altogether, that we found a lot more sympathy from other people in the world than Britain expected. I think the British should have expected this, because, after all, our case was such a just case. We had done nothing wrong. What we were asking for was what Britain has given to everybody else in the world—independence.

In fact, they were prepared to give it to others far sooner than to us. For some reason or other it seemed the color of our skin was wrong, evidently, and so we couldn't get this. So we did get a tremendous amount of sympathy and support.

Question. Has any hostility of the American Government toward Rhodesia been a factor in your ability to survive?

Answer. No, I wouldn't say so.

Question. Where sanctions have done damage, how long will it take Rhodesia to recover, if you do reach a settlement with the British?

Answer. I think it is difficult to be precise as far as this is concerned. There may be certain areas where we will never return to the position that existed before independence.

Question. Which areas, for example?

Answer. Maybe tobacco, in the agricultural field. I think there are many farmers who relied exclusively on tobacco before who have now diversified and will never go back to that exclusive position in tobacco.

Question. What crops have they gone into?

Answer. Cattle, cotton, maize, monkeynuts [peanuts], soybeans.

Question. Do you think Rhodesia will not go back to producing the great amount of tobacco that it did?

Answer. It would have to prove very attractive, I would say, in order to entice people to do that.

I think that there will be a return if the demand is there, but I don't think it will be quite on the same pattern. I wouldn't necessarily say to the same extent, but on the same pattern, where there were farmers who set up in a pretty big way exclusively on tobacco.

Question. Once a settlement with Britain is reached, what do you foresee as the relationship between Rhodesia and the black African countries to the north? Will you exchange diplomatic missions? Will there be any new developments in trade?

Answer. Well, I think this is possible, but I certainly couldn't give a guarantee, because this depends entirely on those people, and many of them are very unpredictable.

On the other hand there are some who are, I think, displaying a certain amount of reason, who are behaving in a civilized way, and I think it is possible we will have relations with some of them. But as far as the others are concerned, I think we will just have to wait and see, and if we do have relations with them tomorrow, those relations might be broken the next day. This is Africa.

Question. Would you expect to resume normal trade relations with Zambia, which was one of your biggest customers?

Answer. This is one of the most difficult of all to predict, I should think.

Question. What about the trouble you have had with some guerrillas, or terrorists, coming down into Rhodesia from the north? Was that a real threat?

Answer. No, that was of very little consequence to us. Some of these chaps came in and made a nuisance of themselves.

Most of this activity took place round about the Wankie Game Reserve and just below it. Well, this was in the middle of our tourist season, and we have people booked in there from all over the world, including Rhodesia, and as far as I know no single person canceled his booking. They went through there, through the game reserve in the middle of the wilds and the bush in their motor cars, and this was the battleground.

In fact, I went through there myself, about that time, and as far as I and the rest of us were concerned, these terrorists might just as well not have been there.

Question. How many were there?

Answer. There were about 80 of them, I think.

They came immediately from Zambia, and prior to that they had been trained, I think in countries like Cuba and China.

Then they came to Tanzania, and then Zambia—and Zambia was the launching pad for this little operation.

Question. Were they Rhodesians?

Answer. They were a mixture of Rhodesian and South African. But they were all dealt with, so this may be a salutary lesson for them.

Question. To what exent were the South African police involved in combatting the terrorists?

Answer. No South African police were involved.

Question. Are there not South African police now stationed on Rhodesian territory?

Answer. They came as a result of this incursion, because this was the first incursion of South African terrorists. Prior to that they had been Rhodesians.

Question. Were these South African terrorists on their way to South Africa?

Answer. This was the first time we had had South Africans, and people who openly said—their leader in Zambia said—they were South Africans, and they were on their way to South Africa. They boasted about this. They asked for it. And when we caught some of them and we found that they were South Africans, the South Africans thought that it might be an idea if they sent a contingent of their police to keep a watch on the line there, because this is where they come through. It is very difficult for them to come through to the west, and they come through onto Rhodesian territory.

So I would say that nothing is more logical, nothing better in the way of common sense, than for the South Africans to say, "Well, do you mind if we just come along and have a look here and see if any more South Africans are coming across? We would like to have a look at these chaps."

Question. Do you expect more of this terrorist activity?

Answer. Not any immediate expectation, but who can tell? There are these people hanging around, and for all I know they may be planning to come across.

"A MODEL" ON RACE

Question. You were reported recently as saying that it is essential to retain the position of the white man and his civilization in Rhodesia. Can you spell out what that means in terms of the future of the Africans?

Answer. As far as race relations are concerned, I would hope that we will manage to continue to preserve the harmonious race relations that we have always had in Rhodesia. It is no idle boast, this, I think Rhodesia is a model to the rest of the world as far as race relations are concerned. I know of no happier country.

Wherever there are two races, not only in Rhodesia but also, for example, in America, there are always problems, and I would like to know where race relations are more harmonious than in Rhodesia. This is what we are trying to preserve.

Now, dealing with the question of what role the African is going to play in the political field: It is almost impossible to be categorical on this question, because so far the African has shown one thing. He has been very consistent as far as this is concerned, and that is that he is not interested in the Western democratic system of government. He doesn't understand it, and he doesn't want to, and he doesn't want to have any part of it. This has been our experience so far.

They are basically tribesmen who have been brought up under a tribal structure which has a system of kraal [village] heads, headmen and chiefs. These people represent them. They don't understand our political system, and so far they have shown no interest.

Question. Would future African participation in the political life of Rhodesia then be based on this traditional tribal system?

Answer. Well, at the moment this is how it is, whether we like it or not. There are some Africans who are emerging and who are showing a certain amount of interest in politics. It would, of course, be wrong of me to say that none of them do, but it is a handful, a few thousand out of 4 million, and I think it fair to say that one must presume this will be a gradual business. As they gradually become more and more emergent, I presume they will turn toward the European way. But as yet it just isn't there.

Question. Will this be a slow process?

Answer. Your guess is as good as mine. I don't know whether it's going to be 10 years or a hundred years.

Question. The Russians and some of the other Communists have been involved in supplying weapons to the Nigerians in their civil war. How do you assess that a possible threat to the stability of Africa as a whole? Is it of concern to people down here?

Answer. I suppose it is of some concern. I wouldn't like to be so complacent as to say it is of no concern. Nigeria is a bit far away from us, but this can spread anywhere, and I think it is part of the Communist technique.

Wherever the Communists can get in and leave a few guns and bombs lying around and walk out, they do it, hoping that they will have stirred up trouble. They'll do this anywhere, I think—not only in Africa, of course—anywhere in the world. But this could deteriorate, create problems. On the other hand, it might not.

There are some parts of Africa, I must say, which have indicated quite clearly that they don't like Communism—they're not interested in Communism. It has to be forced upon them. But, on the other hand, the Africans are a very primitive, emergent people, and when they are having a squabble with somebody, and a third party comes in and says, "Well, look here, we'll supply you with a lot of guns and tanks and airplanes to shoot your enemy there," well, they say, "That's fine, thanks, let's have them." That's how the Communists get in; that is their technique.

Question. The Red Chinese have said they are going to build the railroad from Zambia through Hanzania to the sea, and this will be a lot closer to Rhodesia than Nigeria. Does that concern you?

Answer. Yes. This, I think, could have some serious consequences.

Question. Looking ahead, do you see the formation of any kind of common market, or economic union, among the countries of southern Africa, or even some kind of political federation or common-defense organization?

Answer. Yes. I think it is natural that there should be a coming together of those countries that think alike in the southern part of the African continent, in the same way that I think it is natural for this to happen anywhere else in the world. You've got SEATO [Southeast Asia Treaty Organization], you've got your organizations in Europe, and so on. So this is just a natural trend which I think would take place anywhere in the world, and I see no reason why it should not take place in southern Africa.

Question. Would you include a common-defense organization?

Answer. Your question referred to a common-market area. This is what I was dealing with.

ADVICE TO THE UNITED STATES ON AFRICA

Question. Is there anything that the U.S., in your opinion, should be doing to restore and maintain stability in Africa?

Answer. Well, I don't know a great deal about what America is doing in the rest of Africa. I have heard some stories, some of which caused me and my colleagues to raise an eyebrow, but I don't know whether there is any truth in these stories, and I think perhaps it would be unwise for me to identify these particular things. I don't want to be provocative.

As far as we are concerned, we would just wish that America and the rest of the world would leave us alone to solve our own affairs.

America, I don't suppose, has done a great deal positively against us. But, at the same time, America has quietly assisted Britain in things like sanctions. I don't know where it is leading them—it certainly isn't in the interest of the black man in Rhodesia, and I think they profess to be trying to help him. I think they have brought more hardship to him than they have to the white man. So I wonder what they are after.

All we want is to be given a chance to prove our case. We reckon that the record proves that we have got a pretty good case here, and in fact many other parts of the world could look to us for the answer to their problems.

Question. How does devaluation of the British pound affect Rhodesia?

Answer. Fortunately, it is of little consequence to us at the moment, and I think probably it will strengthen us. Had this come about before independence, the consequences would have been quite serious. I've no doubt that we would have been forced to follow suit. But nowadays the position has changed completely—we have realigned ourselves, and I think that this might do us more good than harm.

Question. If the South Africans were to devalue their currency, would Rhodesia have to follow suit?

Answer. This would be a more serious problem for us.

[From the U.S. News & World Report, Apr. 1, 1968]

EDITORIAL COMMENTS

Once again *black guerrillas* are thrusting into *white-ruled Rhodesia*.

In Lusaka, capital of black-ruled Zambia, next to Rhodesia, African nationalists called them "freedom fighters," claimed they had inflicted 33 casualties on Rhodesia's forces. From our staff man in Salisbury, Rhodesia:

"Rhodesian planes and ground troops are in action against a sizable group of black terrorists. It's war on a small scale, but it's *real guerrilla war."*

This time, black guerrillas are *better armed, better trained*. Thornbush country favors them. Summer rains are ending. Rhodesians say they killed 14 raiders, captured one, lost two Government soldiers—one black, one white—in the first clashes. Guerrilla aim is to reach settled areas of Rhodesia, melt into the black population, then operate as *terrorists, guerrilla organizers*.

Who backs the black guerrillas? "They get arms and training from Chinese Reds," says our man in Salisbury. But odds now favor Rhodesia's whites, better armed, better trained, better organized. The outlook, from Salisbury:

"As black-guerrilla activity grows, whites of South Africa, Rhodesia and Portuguese Africa tend to unite in *a white alliance*. Rhodesia looks secure."

The "Pueblo": How Long, Mr. President?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 28, 1968

Mr. SCHERLE. Mr. Speaker, this is the 66th day the U.S.S. *Pueblo* and her crew have been in North Korean hands.

SENATE—*Friday, March 29, 1968*

The Senate met at 9 o'clock a.m., on the expiration of the recess, and was called to order by the President pro tempore.

Rev. Edward B. Lewis, D.D., minister, Capitol Hill Methodist Church, Washington, D.C., offered the following prayer:

We come to Thee, Heavenly Father, with a very present need. We acknowledge that the bonds which hold the human family together have been broken. Our wisdom has been lacking, our hearts have become increasingly hard, our divisions between man and man, race and race, nation and nation are more apparent from day to day. None of us are free from fault. We have a deep hurt as we look at the world today.

Yet we must look up and see Thee longing to help us. This spring morning gives us new hope in Thy creation. From the dull earth of winter, we see nature reborn in splendor. We remember the words of Jesus, "Marvel not that I said unto you, 'You must be born again.'" Man's nature, O God, needs the touch of a new birth in Thee.

With a new birth in our hearts, our eyes are not dimmed by deep-seated prejudices that feed fear, our attitudes are not stirred by resentment. Our hope is in new opportunities of peace.

We pray for our worthy leaders. Give wisdom, patience, steadfastness, courage, and the gift of love. Here are our minds, our hearts, our lives. Make us anew. We pray in the name of our Lord and Master. Amen.

THE JOURNAL

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Journal of the proceedings of Thursday, March 28, 1968, be approved.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MEMPHIS RIOTS AND THE COMING MARCH ON WASHINGTON

Mr. BYRD of West Virginia. Mr. President, we have been hearing for months now that Dr. Martin Luther King, Jr., has been planning a march on Washington and a "civil disobedience campaign" in the Nation's Capital in April.

Yesterday, Mr. President, the Nation was given a preview of what may be in store for this city by the outrageous and despicable riot that Martin Luther King helped to bring about in Memphis, Tenn.

If this self-seeking rabble-rouser is allowed to go through with his plans here, Washington may well be treated to the same kind of violence, destruction, looting, and bloodshed.

In Memphis, people were injured, stores were looted, property was destroyed, terror reigned in the streets, people were beaten by hoodlums, at least one Negro youth is known to have been killed, and massive rioting erupted during a march which was led by this man. It was a shameful and totally uncalled for outburst of lawlessness, undoubtedly encouraged to some considerable degree, at least, by his words and actions, and his presence. There is no reason for us to believe that the same destructive rioting and violence cannot, or that it will not, happen here if King attempts his so-called poor people's march, for what he plans in Washington appears to be something on a far greater scale than what he had indicated he planned to do in Memphis.

When the predictable rioting erupted in Tennessee, Martin Luther King fled the scene. He took to his heels and disappeared, leaving it to others to cope with the destructive forces he had helped to unleash.

He was due in Washington today, to conduct discussions in furtherance of the demonstration planned for this city. However, as a result of the tragic happening of yesterday, he canceled the conferences in Washington for today. Nonetheless, I do not believe that the implications of the ugly events of yesterday will be lost on local residents—despite the widespread sanction and support that has been offered to King by churches, the YMCA, and many other organizations in the Nation's Capital. I hope that well-meaning Negro leaders and individuals in the Negro community here will now take a new look at this man who gets other people into trouble and then takes off like a scared rabbit. If anybody is to be hurt or killed in the disorder which follows in the wake of his highly publicized marches and demonstrations, he apparently is going to be sure that it will be someone other than Martin Luther.

Mr. President, what occurred yesterday in Memphis was totally uncalled for—just as Martin Luther King's proposed march on Washington is totally uncalled for and totally unnecessary. He himself has been publicly quoted as saying that he thinks nothing constructive, so far as congressional action is concerned, can come out of his campaign here. Yet he says he is coming anyway. Why? To bring about another riot?

Mr. President, the main difference that I see now between what Martin Luther King plans here and what happened in Memphis yesterday is that the Memphis riot he precipitated might best be described as a hit-and-run riot, in view of his flight, while he was promised that his demonstration in the Federal City may last all summer.

Ostensibly, Martin Luther King went to Memphis to do the same sort of thing he has promised to do here—to "help poor people." He has billed his Washington march as a "poor people's crusade." In Memphis he went to lead striking garbage workers in a march to "help" them, but today, in the aftermath of Thursday's stupid and tragic occurrence, the Negroes he purportedly wanted to help are far worse off than they would have been if he had never gone there, for many are in jail and many are injured—and most certainly race relations have been dealt a severe setback across the Nation, as they have been in Memphis.

Is Washington now to be subjected to the same destruction and bloodshed?

Martin Luther King had no business in Memphis, he should never have gone there for the purpose of leading the protest march—just as he never should come here for the purpose of conducting a poor people's demonstration. There can be no doubt that he must be held directly responsible for much of what took place in Tennessee, and he will have to bear the onus for whatever takes place in Washington if he carries through on his threatened demonstration here.

King, himself, has talked of a crisis-packed situation in connection with his projected Washington demonstration and the erection of his proposed "shanty town," wherever it is to be located, whether among the Tidal Basin's cherry trees, on the Mall, in the District of Columbia Stadium, or elsewhere.

This man, who suffers from the delusion that only his eyes have the divine insight to detect what is wrong in our country, claims he wants to dramatize the plight of the poor. He has declared:

> Bitter experience has shown that our Government does not act until it is confronted directly and militantly.

With this as his deceitful theme, King intends to demand greater and more unrealistic governmental subsidies in a year when the Federal Government is already spending over $25 billion annually to help the poor.

His plan for creating a crisis-packed situation, which he so often foments, is to bring 100 initial demonstrators to the Nation's Capital on April 22 to pressure Congress and Federal executives for more adequate health care and education, increases in jobs and incomes, and numerous other actions. Larger masses of people will begin moving in on April 26, according to a news story written by Willard Clopton, which was published in the Washington Post, of March 28, 1968.

Never before in history has an administration, a Congress, or a Nation's citizenry as a whole devoted as much effort and action toward alleviating the problems of poverty and discrimination. Yet, in the midst of this, the pious Dr. King ominously declares:

> We have a national emergency. The prospects of cities aflame is very real indeed, but I would also remind America of the continuing violence perpetrated daily by racism in our society.

If King goes through with his plans now, he will indeed create a crisis-packed situation in Washington, just as his presence created an explosive situation in Memphis.

There are very real dangers, Mr. President—as yesterday's rioting clearly showed—in the sort of irresponsible actions King indulged in in Memphis, and in what he is planning here. The warning signals should be raised, if, indeed, they have not already been. There are dangers from the leader himself, as he so thoroughly demonstrated by not being able to keep down violence in Memphis despite his vaunted policy of nonviolence. And there is certainly danger in the type of gathering he envisions here.

Mr. President, I call attention to one paragraph in an article written again by Willard Clopton, entitled "Riot Spurs Review of March Here," which was published in the Washington Post of this morning. The paragraph reads as follows:

> One of the Campaign's organizers said of the Memphis eruption, "It looks like we were 'had' by the extremists. . . . We weren't prepared."
>
> He indicated that the SCLC's usual precautions against violence such as the posting of numerous marshals and monitors, were overlooked yesterday.

King intends to create a black hole of despair with people packed together with pigs and chickens in a "shanty town" lacking sanitation. Surely he must know that to change hearts it is not necessary to turn stomachs. It can be assumed that, however, if yesterday's flight by King from the disorder he had helped to generate was any indication of what he might do here, the "Messiah" himself will not share the squalor he plans and that instead he will be conducting a lay-in at a posh Washington hotel to dramatize some imaginary discrimination there.

In his typical fashion, King intends to build a powder keg village and then plead that no one play with matches nearby lest destruction occur. He lays down the fuses around such a situation, however, with his semantic storehouse of volatile phrases such as "bloodless war," "direct action program," "crisis-packed situation," "dramatic confrontation," "attention-getting activities," "pressure," and "civil disobedience."

King's semantic gyrations have not fooled the American public, because violence has followed him like his shadow. Just as Shakespeare's Iago goaded Othello, the Moor, into committing outrage, King, the ever-correct phrasemaker, manages with saccharin words to produce sanguinary results.

He preaches nonviolence as a characteristic of disobedience. But the new civil disobedience is "civil disturbance." Riots, bombing, and violent protest typify the civil disobedience of today.

The marches in Milwaukee and Chicago last year were chaotic, and the Memphis march Thursday was disastrous. King has called for nonviolence here, but there are people allied with the poor people's campaign who call for the overthrow of the American Government by violence. Martin Luther King may have been a powerful man in the civil rights movement up to now, but it seems almost impossible to expect that he can control such large groups of militant activists as those he expects to join him in the demonstration here. Or, Mr. President, does he really expect to control them?

Both Stokely Carmichael and H. Rap Brown, if he can get out of jail, have agreed to march with Dr. King on the latter's terms—nonviolence—but how can we, or King, be sure of this? How can we be sure that another Memphis will not erupt? How can we be sure that King's lieutenants will not again have to say, "It looks like we were 'had' by the extremists. We were not prepared."

It is a well-known fact that riots begin when there is some uniting spark to excite a mob. All it would take in a situation like a Washington camp-in would be for some incident to turn the modern Coxey's Army King is raising into an angry, and ugly mob.

If Dr. King's plans to obstruct passage into the departments of the Government and buildings on Capitol Hill are carried out, it is certain that these actions will be met with a counterforce. There would be violence, and there is a great possibility that someone could be injured or killed.

Washington citizens and businessmen are concerned about their city. They do not want Washington to be torn apart by riots or discord.

Washington businessmen have been meeting with District officials and among themselves to draw up plans for the possible coming of the campaign. Hotel Association President Hudson Moses was quoted in the Washington Post on March 1 on what the city might lose as a result of the demonstration. He said:

> Several of our members told me they have had group cancellations specifically because of the march. . . . It will cost this city millions of dollars in indirect loss of business and taxes.

Martin Luther King's main target, in Washington, Mr. President, is the Congress, because it has not passed all of the broad legislation that he seeks.

From the beginning, this Washington march and demonstration—if it really seeks the goals that King claims for it—has been poorly conceived and poorly planned. It must be obvious to anyone that people who have to be recruited and trained will not be coming to Washington of their own volition. This will be no spontaneous demonstration, Mr. President, no grassroots movement. This task force he wants to bring here, by King's own admission, must be recruited and "trained."

Some of the recruits, it is said, will come from cities that went up in flames last summer. One can only assume that they will be riot-hardened veterans. One can properly ask, I think: What sort of "training" are they now being given?

Why, Mr. President, do citizens, if their cause and their grievances are just, have to be trained? It seems to me that there is something very sinister here. I am aware, as I have indicated before in these remarks, that Dr. King has said that his tactics will be nonviolent. But when he sets the stage for violence, how long can his "trained" army and the malcontents, disrupters, militants, and hoodlums already here be expected to remain nonviolent in Washington's long, hot summer?

Mr. President, they may have learned their lessons well from King, who once said:

> I do feel that there are two types of laws. One is a just law and one is an unjust law. I think we all have moral obligations to disobey unjust laws. I think that the distinction here is that when one breaks a law that conscience tells him is unjust, he must do it openly, he must do it cheerfully, he must do it lovingly, he must do it civilly, not uncivilly, and he must do it with a willingness to accept the penalty.

King lovingly breaks the law like a boa constrictor. He crushes the very life from it. His willingness to accept the penalty, which is supposed to set him apart from the common lawbreaker, can be judged by his irritation at a court decision which upheld a 5-day jail sentence for King recently. Faced with the prospect of accepting the penalty, King intoned that the decision would "encourage riots and violence in the sense that it all but said that Negroes cannot redress their grievances through peaceful means without facing the kind of decision that we face." Analyze this comment, if you will. Although King states the court decision did not declare that Negroes could not redress their grievances, he seems to say just the opposite and warns that the dire consequences are riots and violence. The English language is like putty in King's hands, but his incantations are loaded with hidden land mines.

Apparently the hoodlums in Memphis yesterday followed King's advice to break laws with which they did not agree. This has been a cardinal principle of his philosophy—a philosophy that leads naturally to the escalation of nonviolence into civil disobedience—which is only a euphemism for lawbreaking and criminality and which escalates next into civil unrest, civil disorder, and insurrection.

Mr. President, I have previously urged, in discussing this matter with the Justice Department, that the Federal Government seek a court order to enjoin Martin Luther King and his pulpitless parsons from carrying out their planned poor people's campaign in the Nation's Capital. In the light of yesterday's bloody chapter of violence which erupted with the visit of Martin Luther King to Memphis, I again urge that the Federal Government take steps to prevent King from carrying out his planned harassment of Washington, D.C. An ounce of prevention is worth a pound of cure. It is time for our Federal Government—which in recent years has shown itself to be virtually spineless when it comes to standing up against the lawbreakers, the hoodlums, and the Marxist demonstrators—at least to let the Nation know, in no uncertain terms, that it will not allow this Nobel Peace Prize winner to create another Memphis in the city which serves as the seat of the Government of the United States.

Law-abiding citizens, both Negro and white, in Washington and elsewhere, deserve no less from a government, the first duty of which is to preserve law and order.

Mr. President, I ask unanimous consent to have printed in the RECORD the article entitled "Riot Spurs Review of March Here," written by Willard Clopton, to which I have referred; an article entitled "Leaders of March Map Camp-In," written by Willard Clopton, Jr., also published in the Washington Post yesterday; and an article entitled "King's Memphis March Explodes Into Violence—Looter Dies, Curfew Set, Guard Called," written by Nicholas C. Chriss, and published in the Washington Post today.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

Riot Spurs Review of March Here

(By Willard Clopton)

The violence yesterday in Memphis has prompted a review of security precautions for the Poor People's Campaign set to begin here April 22.

"We are all determined that that kind of thing will not happen here," said the Rev. Walter E. Fauntroy, Washington representative of the Southern Christian Leadership Conference, which is staging the Campaign.

Mr. Fauntroy said he was "distressed, as I'm sure all citizens of good will in the country are," at the news of the disturbance that broke out yesterday during the Rev. Dr. Martin Luther King's visit to Memphis. Mr. Fauntroy is vice chairman of the City Council.

Asked what impact the Memphis incident might have on the Poor People's Campaign, Mr. Fauntroy said, "That's what we'll be assessing . . . I just don't know."

Mr. Fauntroy is leaving for Memphis today to confer with Dr. King, presumably about the Washington Campaign.

Dr. King, president of the SCLC, has been touring the country seeking support for the campaign.

Dr. King had planned to spend today in Washington but will remain in Memphis instead, according to Anthony Henry, the Campaign's Washington director.

It was uncertain whether Dr. King would be able to keep a number of speaking engagements Saturday in Virginia, but he is expected to speak Sunday as scheduled at Washington Cathedral.

One of the Campaign's organizers said of the Memphis eruption, "It looks like we were 'had' by the extremists . . . We weren't prepared."

He indicated that the SCLC's usual precautions against violence, such as the posting of numerous marshals and monitors, were overlooked yesterday.

[From the Washington Post, Mar. 28, 1968]

Leaders of March Map Camp-In

(By Willard Clopton, Jr.)

Organizers of the Poor People's Campaign, set to begin here April 22, met for the first time yesterday with District and Federal officials to discuss arrangements for the proposed "camp-in."

The 2¼-hour closed meeting took place in the office of Nash Castro, regional director of the National Park Service, who said afterward that the discussion focused on possible sites for a tent city to house the first contingent of 3000 demonstrators.

Castro said that both park and non-park locations in Washington were mentioned, but that no decisions were reached and no permits were applied for.

Among those at the meeting was the Rev. Walter E. Fauntroy, City Council member and Washington representative of the Southern Christian Leadership Conference, which is staging the campaign. Anthony Henry, local director for the project, also attended.

Others present were Julian R. Dugas, director of the District Department of Licenses and Inspections, Chief Walter Lange of the Park Police and two Interior Department attorneys:

The Rev. Dr. Martin Luther King Jr., president of SCLC, said yesterday in New York that the camp-in participants will create a "shanty town in Washington" and remain here 60 to 90 days lobbying for congressional action to help the poor.

He said that if Congress adjourns without taking significant action, the Poor People's Campaign will be taken to the Democratic and Republican National Conventions.

Dr. King also said that because issues are so critical in this election year, "I may deviate from my policy and endorse a candidate for President." He indicated he would make his choice known in about a month.

Dr. King, due in Baltimore for speeches and meetings today, canceled his stopover there to join a one-day Negro work stoppage in Memphis.

The action by the Memphis Negro community is planned in support of striking city sanitation workers. Dr. King has marched with the strikers before.

SCLC officials, meanwhile, sought to clear up published reports that the April camp-in was being delayed. The plan has been that a small delegation would come to Washington on April 22 and that larger masses of people would begin moving in April 26. That has not changed, organization officials in Atlanta said yesterday.

Locally, the campaign gained the support yesterday of the Young Men's Christian Association of Metropolitan Washington.

In a policy statement, the group's directors endorsed the campaign's "lawful, nonviolent efforts . . . to achieve minimal standards of decency for all of our people," in such areas as jobs, housing and education. It called on all area YMCA units to aid the campaigners.

Looter Dies, Curfew Set, Guard Called

(By Nicholas C. Chriss)

MEMPHIS, March 28.—A protest march led by the Rev. Dr. Martin Luther King turned into a bloody riot today which ravaged historic Beale Street and left at least one looter dead.

Police, provoked by a hard-core of about 30 militants who broke off from the march and started breaking windows and looting, struck out vigorously, beating back rioters with billy clubs, tear gas and chemical spray.

At least 37 policemen and marchers were injured as street warfare raged for several hours in a predominantly Negro section of the city just a few blocks from the Mississippi River.

More than 100 persons were arrested. Dr. King fled almost immediately. He was hustled away in a car by associates and reportedly met with them at an undisclosed location.

GUARDSMEN CALLED

Gov. Buford Ellington sent 4,000 National Guardsmen and 250 riot-trained State Troopers into the city and put another 8,000 Guardsmen on alert at their home armories throughout Tennessee.

Mayor Henry Loeb ordered a 7 p.m. to 5 a.m. curfew. All city buses stopped running, although the violence remained confined to the few blocks where it broke out.

The Tennessee Legislature in Nashville, the capital, sped to the Governor an emergency measure granting broad powers to declare a state of emergency. It would allow the mayor in any town of the State to impose curfew, prohibit sale of gasoline, liquor, beer and firearms, and take whatever steps he felt necessary to preserve order.

MILITANTS RESTRAINED

Braxton Bryant, head of the Tennessee Humans Relation Commission, said militant young Negroes had been seeking to start trouble for weeks, but had been restrained by Negro ministers.

"What the police did today has encouraged plenty of disciples of violence," said Byrant, who is white.

[Washington Post Staff Writers Paul Valentine and Leon Dash, in Memphis tonight, quoted the city's three Negro councilmen as saying that some 300 students became enraged prior to the march when police tried to stop them from leaving Hamilton High School to join the march in support of striking garbage workers.

["The kids were clobbered and Maced (squirted with a chemical spray)," said P. J. Ciampa, an official of the American Federation of State, County and Municipal Employes. By the time they reached the march, he said, they were joined by "quasi-organized hoods" and other nonparticipants in the march.

[At a news conference, Dr. King said the trouble was caused by "those on the sidelines" and not members of the march. He said it is "imperative to press vigorously and relentlessly for the goals" of the march. A smaller scale march is planned for Friday.]

A large segment of the City's Negro population had stayed home from work today to participate in the march and observe Dr. King's request for a one-day "strike" to force the city to come to terms with striking sanitation workers.

An estimated 10,000 Negro students did not show up for classes today.

The March of 6000 to 8000 persons began at 11 a.m. at the Clayborn Temple AME Church, with only two policemen present. It was bound for City Hall.

Dr. King and his monitors never were fully able to control the young militants who began shouting and jeering as the protest march began.

Dr. King was nearly mobbed and repeatedly jostled, and a frightened look crossed his face as the tension increased.

When the march had advanced about five blocks in about 15 minutes to Main Street, the violence erupted. Negro teenagers smashed store windows in the partly residential, partly commercial neighborhood and began looting.

About 250 city policemen and Shelby County patrol officers arrived on the scene in squad cars, sirens screaming.

As officers moved in to scatter or arrest the trouble-makers, they were met with a barrage of stones, heavy planks and bottles.

Policemen barged into the march, firing tear gas and temporarily disabling spray and lashing out with their clubs.

As the marchers retreated back along Main, onto Beale and, in many instances, toward the Clayborn Church, officers followed, raining blows upon them.

Men, women and youths stumbled beneath the police clubs.

A newsman watched from a few feet away as eight policemen piled on a middle-aged Negro man and struck him at least 20 times on the head and body as they cursed him.

Nearby, other officers cornered four other Negro men and struck them until blood spurted from head wounds.

"Please don't beat me any more," a young Negro male pleaded through bloody lips.

A young girl in a pink dress, who could not keep up with other fleeing marchers, was jabbed in the back with police nightsticks. One officer yelled at her: "Black ——, get out of here."

OFFICER IS BEATEN

Two officers pulled another policeman off a Negro man he was pummeling. The restrained policeman gasped at the other two officers. "I'd have killed that —— if you hadn't pulled me back."

Farther down the street, another policeman became separated from fellow officers, and several Negro youths fell on him and beat him.

By noon, three blocks of Beale Street "where the blues were born" was in shambles, as was a short stretch of Main Street and the intersection of Hernando and Linden Streets, where the Clayborn Church is located.

Shards of glass littered the pavement on Beale, and half-dressed, mutilated store manikins lay in gutters.

[Police identified the looter who was killed as Larry Payne, 16, UPI reported. Officers said they caught him inside a store, and that he came out swinging a knife. He was killed by a shotgun blast.

[Much of the violence occurred after the main body of marchers had returned to the church. Instead of following their leaders inside, some of the young Negroes began throwing rocks and bottles at police officers, who replied by lobbing tear gas shells at them. Numerous pawn shops, liquor stores and other businesses were looted by the youths during the hit-and-run raids which followed.

["Man, we've got fires everywhere," said a patrolman guarding firefighters at a store in a Negro neighborhood. He estimated 30 fires were started tonight.]

LOUDSPEAKER PLEA

From the church's loudspeaker system a deep voice, directed at officers lobbing tear gas cannisters into the chapel, pleaded:

"Don't gas us no more. We're going to leave. Put that [tear gas] gun down. Don't shoot. Don't you know this is a house of the Lord?"

Officers withheld their tear gas fire, some persons emerged from the church and headed home.

The City has been using nonstrikers, new employees and supervisory personnel to continue partial garbage collection during the seven-week strike which, at the very outset, was fraught with racial overtones because nearly all the strikers are Negro.

The sanitation workers walked off the job after the City rejected their demands for higher pay, city recognition of their union—the American Federation of State, County and Municipal Employees—and payroll deduction of union dues.

Civil rights leaders accused the executive branch of the city government of showing "bad faith" during negotiations.

Mr. **STENNIS**. Mr. President, are we still in the morning hour?

The **PRESIDING OFFICER**. Yes. There is a 15-minute period for the transaction of morning business.

Mr. **STENNIS**. I thank the Chair.

Mr. President, the riot in Memphis which has developed out of the announced nonviolent protest march presents a very strong and valuable lesson that the city of Washington would do well to study. The morning press reports that because of these riots, city government authorities here are reassessing plans for the proposed poor people's march on Washington, now scheduled for April 22.

What happened in Memphis clearly shows that the best policy for Washington officials to follow is to stop the marchers at the city limits, allowing a small number of them and their leader, who presumably will be Dr. Martin Luther King, who also led the Memphis march, to come in and speak and otherwise present their case in an orderly manner and, thus, symbolically represent all the other would-be participants.

The idea that in order that some may have the right to protest, others must have the right to loot, burn, and destroy, is, of course, ridiculous. Furthermore, it is self-destructing for the Nation, unless it is stopped.

This is another case in which the Government must have the will to act. The government authorities responsible for keeping peace and order must act firmly and promptly.

It is a tragic situation when practically all of the National Guard of a State must be called out, or at least alerted, in order to protect the businesses and the lives of shopowners, simply to allow unlimited numbers to march and protest, while, nevertheless, violence and loss of life do occur.

There are rights on both sides of this question. While those who protest have a right to do so in an orderly and peaceful manner, other citizens also have rights, particularly to be secure in their persons and in their property.

Mr. President, until we assess the situation further and place the blame on those who are in the wrong rather than categorically blame the police, we are not going to face up to any kind of remedy to meet the situation.

I want to refer to the prospective cost and waste which will go with the huge, planned march on Washington.

Last October, during the march on the Pentagon, Senators may recall, it cost the Government more than $1 million—I repeat, $1 million in additional outlays.

I want to give a word of advice and counsel to the colored people and to any others who may be inclined to come to Washington from Mississippi. It is to stay out this march. Nothing good for them or from anyone else can come from it. They run the risk that harm can come to any individual or any group. I mean by that the possibility of personal injury and violence in the course of any demonstrations that may get out of hand.

OUR DOMESTIC MINERALS POLICY AND OUR BALANCE OF PAYMENTS

Mr. **HANSEN**. Mr. President, I have prepared some remarks on our domestic minerals policy as it affects the balance of payments, which I had intended to deliver in the Senate today. The text of these remarks has already been released to the press.

However, inasmuch as the Senate is now engaged in debate on the very important excise tax bill, and because I do not wish to delay the Senate in the disposition of that bill, I have decided to defer my remarks until next week.

COMMITTEE MEETING DURING SENATE SESSION

Mr. **LONG** of Louisiana. Mr. President, I ask unanimous consent that the Subcommittee on Executive Reorganization of the Committee on Government Operations be authorized to meet during the session of the Senate today.

The **PRESIDING OFFICER**. Is there objection? The Chair hears none, and it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 4282. An act to amend the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, so as to eliminate certain requirements with respect to effectuating marketing orders for cherries; and

H.R. 15344. An act to amend section 14 (b) of the Federal Reserve Act, as amended, to extend for 2 years the authority of Federal Reserve banks to purchase U.S. obligations directly from the Treasury.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred, as indicated:

H.R. 4282. An act to amend the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, so as to eliminate certain requirements with respect to effectuating marketing orders for cherries; to the Committee on Agriculture and Forestry.

H.R. 15344. An act to amend section 14(b) of the Federal Reserve Act, as amended, to extend for 2 years the authority of Federal Reserve banks to purchase U.S. obligations directly from the Treasury; to the Committee on Banking and Currency.

EXECUTIVE COMMUNICATIONS, ETC.

The **PRESIDING OFFICER** laid before the Senate the following letters, which were referred as indicated:

PROPOSED CONCESSION CONTRACT, GRAND TETON NATIONAL PARK

A letter from the Deputy Assistant Secretary of the Interior, transmitting, pursuant to law, a proposed contract extension under which Signal Mountain Lodge, Inc., will be authorized to continue to provide accommodations, facilities, and services for the public in Grand Teton National Park, Wyo. (with accompanying papers); to the Committee on Interior and Insular Affairs.

THE 18TH ANNUAL REPORT OF THE GIRL SCOUTS OF THE UNITED STATES OF AMERICA

A letter from the president and national executive director, Girl Scouts of the United States of America, transmitting, pursuant to law, the 18th annual report of the Girl Scouts of the United States of America (with an accompanying report and papers); to the Committee on Labor and Public Welfare.

EXPRESSION OF APPRECIATION TO THE MEN OF THE U.S. ARMED FORCES—RESOLUTION OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF GEORGIA

Mr. **TALMADGE**. Mr. President, I ask unanimous consent to have printed in the RECORD H.R. No. 843, adopted by the House of Representatives of the State of Georgia; and that the resolution be appropriately referred.

There being no objection, the resolution was referred to the Committee on Armed Services and ordered to be printed in the RECORD, as follows:

A RESOLUTION EXPRESSING APPRECIATION TO THE MEN IN THE U.S. ARMED FORCES; AND FOR OTHER PURPOSES

Whereas, many thousands of our finest young men are presently serving in the Armed Forces of the United States; and

Whereas, these young men are dedicated to their Country and to the ideals and principles for which it stands; and

Whereas, over one-half million of our servicemen are presently on duty in Vietnam fighting the spread of Communism and defending the right of the Vietnamese people to live with freedom and dignity; and

Whereas, some of those fine young men are daily paying the supreme sacrifice in the struggle against Communist aggression in Vietnam.

Now, therefore, be it resolved by the House of Representatives that the members of this body do hereby express their sincere appreciation to the men of the United States Armed Forces for their bravery and devotion to duty in serving their Country.

Be it further resolved that the Clerk of the House of Representatives is hereby authorized and directed to transmit an appropriate copy of this resolution to Honorable Lyndon Baines Johnson, President of the United States; Honorable Clark P. Clifford, Secretary of Defense; and to each member of the Georgia delegation to the United States Congress.

Read and adopted *in House,* March 6, 1968.

GLENN W. ELLARD,
Clerk.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ELLENDER, from the Committee on Agriculture and Forestry, with amendments:

S. 2986. A bill to extend Public Law 480, 83d Congress, for 3 years, and for other purposes (Rept. No. 1066); and

H.R. 15398. An act to amend the National School Lunch Act to strengthen and expand food service programs for children, and for other purposes (Rept. No. 1067).

By Mr. JORDAN of North Carolina, from the Committee on Agriculture and Forestry, with an amendment:

H.R. 11527. An act to direct the Secretary of Agriculture to release on behalf of the United States conditions in a deed conveying certain lands to the University of Maine and to provide for conveyance of certain interests in such lands so as to permit such university, subject to certain conditions, to sell, lease, or otherwise dispose of such lands (Rept. No. 1068).

By Mr. MONTOYA, from the Committee on Agriculture and Forestry, with amendments:

S. 1975. A bill to amend section 202 of the Agricultural Act of 1956 (Rept. No. 1069).

By Mr. McGOVERN, from the Committee on Interior and Insular Affairs, without amendment:

H.R. 10599. An act relating to the Tiwa Indians of Texas (Rept. No. 1070).

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, with amendments:

S. 1401. A bill to amend title I of the Land and Water Conservation Fund Act of 1965, and for other purposes (Rept. No. 1071).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. NELSON:

S. 3260. A bill for the relief of Kam Ching Chau, Kam Chuen Chan, Yip Kuen Chan, Wa Kam Tsang, Leung Chiu Hui, Man Au, Chun Piu Yung, Fong Kee Chan, Ku Yung Chen, Mo Chung Chik, Tin Pue Chui, and Fai Yuen Wong; to the Committee on the Judiciary.

(See the remarks of Mr. NELSON when he introduced the above bill, which appear under a separate heading.)

By Mr. BREWSTER:

S. 3261. A bill for the relief of Poon Tak and Chan Tam Tung; to the Committee on the Judiciary.

By Mr. ANDERSON (for himself and Mr. PASTORE):

S. 3262. A bill to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes; to the Joint Committee on Atomic Energy.

By Mr. HATFIELD (for himself and Mr. MORSE):

S. 3263. A bill to provide for holding terms of the U.S. District Court for the District of Oregon at Coquille; to the Committee on the Judiciary.

By Mr. CLARK:

S. 3264. A bill for the relief of Francesco Messano; to the Committee on the Judiciary.

S. 3260—INTRODUCTION OF BILL RELATING TO PROPOSED RELIEF BILL FOR CERTAIN ALIENS

Mr. **NELSON**. Mr. President, I introduce, for appropriate reference, a bill for the relief of certain aliens. I ask unanimous consent to have printed in the RECORD brief summaries relating to each case involved in the proposed legislation.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred; and, without objection, the summaries will be printed in the RECORD.

The bill (S. 3260) for the relief of Kam Ching Chau, Kam Chuen Chan, Yip Kuen Chan, Wa Kam Tsang, Leung Chiu Hui, Man Au, Chun Piu Yung, Fong Kee Chan, Ku Yung Chen, Mo Chung Chik, Tin Pui Chui, and Fai Yuen Wong, was received, read twice by its title, and referred to the Committee on the Judiciary.

The summaries, presented by Mr. NELSON, are as follows:

YIP KUEN CHAN

(Immigration and Naturalization file No. A15598180)

Alien is a native of Chung Shan District, Kangtung Province, China and was born on August 29, 1939.

He is single. His father died in 1950 as a result of persecution at the hands of the Chinese Communists in mainland China. He has a widowed mother, who was last reported alive and is believed to be still living in mainland China.

His father was the owner of agricultural land and of several grocery stores. All these properties are said to have been forfeited to the Chinese Communist Government long before persecution was forced upon him.

Alien escaped from mainland China in December 1957 into Macao thence into Hong Kong, where he remained until June or July 1958. During this brief period in Hong Kong, he earned a bare living by undertaking menial jobs whenever such job-opportunities came by. At that time, jobs were hard to come by although social violence and disruption of law and order were still a long way off; because Hong Kong was already ever so over-crowded.

He had been a crewman for several years before entering the United States on May 16, 1966.

He was apprehended on December 5, 1967 by the Immigration Officers in New York, New York and has since co-operated with the Immigration Service at every inch of the way.

He has no criminal record in or outside of the United States.

He is employed as a cook in an American-Chinese restaurant.

He is required to leave the United States on or before March 18, 1968 to return to

Hong Kong, where he was signed on as ship's crewman. He is afraid to go there because of the fact that Hong Kong is what he believes to be a place where he would suffer from the full effects of the reportedly communist-instigated communal turbulence if he were to fit himself there at this hour of instability.

He has been employed in various New York restaurants as Chinese specialty cook.

WA KAM TSANG

(Immigration and naturalization file No. A14945881)

Alien entered the United States as a non-immigrant crewman on January 11, 1968. He was apprehended by Immigration Officers on February 7, 1968, and was on the same day placed under deportation proceedings.

He was ordered to leave the United States at his expense on or before March 15, 1968.

The only country he will be allowed to go to, immigrationwise, will be Hong Kong from whence he came. However, he is afraid to go to Hong Kong at a time such as at present in fear, as he believes to be the case, that he might be subjected to persecution at the hands of the local communists in Hong Kong, whom he believes the British Authorities have up to now failed to completely subdue.

He was born on November 12, 1942 in Tai Pang, Po On Province, China but was raised and brought up in Lung Kong Village.

He was a student in China. When he found he could no longer withstand the hardship brought upon him to bear following communization of the entire mainland China, he fled to Hong Kong in 1955 with his father.

Arriving Hong Kong in or about July 1955, he continued his studies and, when his father died in 1959, dropped out of further studies owing to financial difficulties.

He took on odd jobs for a few years and in 1964 became a crewman, which post he held until January 1968.

He is married with 3 children, all of whom are presently residing in Hong Kong.

He has no criminal record in or outside of the United States.

LEUNG CHIU HUI

(Immigration and naturalization file No. A15989054)

Alien was born on November 11, 1926 in Swatow, Kwangtung, China. He was a fisherman in China. He owned 3 fishing trawlers and had 12 men working for him as crew for the 3 trawlers.

After the Chinese Communist Regime took over Mainland China from the Chinese Nationalist Government, Alien suffered a great economic blow at the hands of the Chinese Communists. His fishing trawlers were confiscated sometime in 1950. He was forced to work for the Communist Government among his old hands on his erstwhile own trawlers. In this manner, he slaved for about 7 years.

In November 1957, he fled from Communism and escaped into Hong Kong leaving behind his wife and 5 children, who are now still in Communist China.

In September 1960, he got a crewman's job and was shipped out of Hong Kong until March 20, 1967, when he landed in the United States.

He was apprehended by the Immigration Officers on September 25, 1967, since which time he had been placed under deportation proceedings.

He is required to leave the United States at his own expense on or before March 18, 1968. The only country to which his admission is permitted being Hong Kong. And he is afraid to go there at a time when Hong Kong is still said to be unfree from political upheaval. He also fears that while complete law and order are not yet restored, he may suffer tremendously at the hands of the local communists. He asserts that such sufferings are analogous to persecution.

Since his said apprehension, he has cooperated with the Immigration Service to the best of his ability. He has no criminal record in or outside of the United States.

MAN AU

(Immigration and naturalization file No. A15987157)

Alien was admitted into the United States as non-immigrant crewman on or about June 16, 1966. He was apprehended by the Immigration Officers on July 20, 1967 because of his illegal immigration status and had since been placed under deportation proceedings.

He is required to surrender to the New York District of the Immigration Service for deportation to Hong Kong. The date set for this surrender is March 29, 1968. Alien intends to keep this appointment despite the threat of deportation.

He was born on August 29, 1930 in Sa Tsui Village, Po On District, Kwangtung Province, China. He is married with 3 children. His wife and children are all living in the New Territories, Kowloon, Hong Kong, B.C.C. having all escaped thereto sometime in 1956 from Communist dominated mainland China.

He became a crewman in 1957 until June 16, 1966. From 1956 through 1957 he worked as a menagerie attendant for a brief period and then switched over to work in an enamel-ware factory.

While in New York, he worked in various restaurants as cook.

He always co-operated with the Immigration and has no criminal record in or outside of the United States.

CHUN PIU YUNG

(Immigration and naturalization file No. A17 350 273)

Alien was admitted to the United States on November 14, 1966 in Newark, New York, as a non-immigrant crewman. Because of his illegal immigration status, he was apprehended by immigration officers on December 22, 1967 in Schenectady, New York, where he is now residing and working.

He is required to depart the United States at his expense on or before April 4, 1968 and return to Hong Kong from whence he came.

He was born on March 12, 1931 in Singchow Village, Toyshan, Kwangtung, China and is married with 5 children. All his family are now residing in Hong Kong.

He escaped from Communist Chinese mainland in 1950 and from 1950 through 1962, worked as a menial worker in construction line. He became a crewman in October 1962 and stayed on in that capacity until 1966.

While in the United States, he worked as a kitchen helper for 5 months and as a specialty cook for 8 months.

After he was placed under deportation proceedings following his apprehension by the Immigration Officers, he co-operated with the Immigration Service to the fullest extent. He has a clear police record both in and/or outside the United States.

FONG KEE CHAN

(Immigration and naturalization file No. A15978608)

Alien is now 29 years old (born on August 29, 1938 in Swatow, Kwangtung, China). He is single. His widowed mother is now residing in Hong Kong dependent upon the alien for support.

He escaped from mainland China in 1950 (sometime in August) and while in Hong Kong, was engaged in various odd jobs for a living until February 1964 when he became a crewman and since that time was shipped out to service at sea right up to May 1, 1966.

On May 1, 1966 he was admitted as non-immigrant crewman and because of his illegal immigrant status was apprehended by Immigration Officers on March 1967. For the same offense, he was charged and dealt with by the United States District Court Southern District of New York and fined $100.00: In addition, he was placed under unsupervised parole of Mr. Tye. In the wake of this sentence, he is now required to depart the United States on March 29, 1968 at his expense bound for Hong Kong.

Since his apprehension by the Immigration Officers, he has been in close co-operation with the Immigration Service. Save and except the above Court fine, he has no other police record in or outside the United States.

KU YUNG CHEN

(Immigration and naturalization file No. A15199371)

Alien was born on October 6, 1928 in Chun Kiang City, Kiangsu Province, China and is married with 2 children. His wife and children are residing in Taiwan.

Alien was a Captain in the Nationalist Chinese Army stationed in Taiwan and was demobilized in 1961.

He was admitted to the United States on December 7, 1967 and the admission being illegal (he entered the United States as a crewman) he was soon arrested by the New York Immigration Officers on January 25, 1968.

He has two sisters who are lawful permanent residents in the United States and both are married and residing in Los Angeles, Calif.

He is required to depart from the United States on or before April 3, 1968 at his own expense for Taiwan from whence he came.

He has a clear police record in or outside the United States.

MO CHUNG CHIK

(Immigration and naturalization file No. A17531019)

Alien was admitted to the United States as a non-immigrant crewman on September 6, 1967 and because of this legally faulty entry of the alien, he was arrested by Immigration Officers on January 18, 1968.

He was born on October 13, 1947 in Wei-hai-wai, Shangtung, China, where he lived until November 1958 when he fled from mainland China to come to Hong Kong.

What normally would take 7 days to travel the distance from his native village to Hong Kong, it took him three (3) months to complete the trip. He worked in various capacities whilst in Hong Kong and also as cook. He became a crewman in early 1965 and held on to that post until September 1967.

Whilst in the United States, he has been employed as cook in a restaurant.

He is still under deportation proceedings. He has co-operated with the Immigration Service well.

He has a clear record policewise in or outside the United States.

TIN PUI CHUI

(Immigration and naturalization file No. A15985028)

Alien was born on February 7, 1948 in China, and is single. He last entered the United States on or about April 9, 1967 having been admitted as a nonimmigrant crewman. He was apprehended by the Immigration Officers on July 12, 1967 and has since been placed under deportation proceedings.

At one stage of the said proceedings, the alien through his attorney put forward his request for temporary withholding of his deportation to Hong Kong on the alleged grounds that he fled from China to Hong Kong as a refugee from communism, that he is opposed to communism, that there have recently been communist riots in Hong Kong and that if he were sent to Hong Kong, he would be persecuted by the communists there.

The said request was denied and he is required to depart the U.S. for Hong Kong on March 19, 1968. He did not do so because of the said fear which he still entertains. It is likely that he will be told to surrender to the Immigration Service for deportation to be effected on him, in the almost immediate future.

Otherwise, he has co-operated with the Immigration Service all along. He has no criminal record in the U.S.

FAI YUEN WONG

(Immigration and Naturalization file No. A15991368)

Alien was admitted on September 5, 1967 and was apprehended by the Immigration Officers on January 23, 1968 after having been in the United States for hardly 5 months. He was a crewman found to have overstayed the authorized period of 29 days.

As a result of deportation proceedings which have just been concluded, he is required to leave the United States to return to Hong Kong on or before April 9, 1968 at his own expense.

He was born on March 12, 1928 in Swatow, Kwangtung, China. He is married with 4 children, all of whom now reside in communist China.

He lived in China all along until August 1962 when he escaped into Hong Kong. While in Hong Kong, he worked in a plastics factory from 1962 to 1964. He became a crewman in 1964 and was shipped out of Hong Kong to sea from 1964 to 1967.

During the last few months while in New York, New York, he worked as a presser in Kin Yip Sportswear, Inc. He claims that he always co-operated with the Immigration Service; and has a clear record in or outside of the United States.

TAX ADJUSTMENT ACT OF 1968—AMENDMENTS

AMENDMENTS NOS. 682 THROUGH 691

Mr MORSE submitted 10 amendments, intended to be proposed by him, to the bill (H.R. 15414) to continue the existing excise tax rates on communication services and on automobiles, and to apply more generally the provisions relating to payments of estimated tax by corporations, which were ordered to lie on the table and to be printed.

AMENDMENT NO. 692

Mr. BYRD of Virginia submitted an amendment, intended to be proposed by him to House bill 15414, supra, which was ordered to lie on the table and to be printed.

(See reference to the above amendment when submitted by Mr. BYRD of Virginia, which appears under a separate heading.)

HEARINGS ON S. 2923 AND S. 3133

Mr. PROXMIRE. Mr. President, the Subcommittee on Financial Institutions of the Committee on Banking and Currency will hold hearings on S. 3133 to extend for 2 additional years the authority of the appropriate regulatory agencies to regulate the maximum rates of interest which may be paid on time and savings deposits and S. 2923, to extend the authority of the Treasury to sell Government obligations directly to the Federal Reserve Board. These hearings which were previously scheduled for today will be rescheduled for Wednesday, April 3, at 10 a.m., in room 5302, New Senate Office Building. Questions on these hearings should be directed to Mr. Kenneth McLean, room 5306, New Senate Office Building.

THE GREEK CONSTITUTION

Mr. CLARK. Mr. President, I am increasingly concerned about the behavior of the fascist Greek junta with which our State Department is playing so cozy.

I now note that a new constitution, quite undemocratic, one which is entirely inadequate to restore democracy to Greece, is being proposed by the junta.

I ask unanimous consent that an article on the subject, published in the Washington Post this morning, be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE GREEK CONSTITUTION

The draft of a new constitution which the Greek junta submitted for debate to the Greek people is an inadequate document which, if put into effect unchanged, would allow a military dictatorship so minded to stay in power virtually forever. When individual rights can be suspended for unspecified "internal dangers"; when the press can be silenced when it "insults the honor" of public officials; when meetings can be banned "if they present a risk for the public security"; if "political" strikes are illegal; if parties can be outlawed for "aims or action opposed to the manifest or indirect fundamental principles" of the state; then this is not a constitution, it is a charade.

Surely the draft constitution requires extensive revision. Foreigners will pay particular attention to the articles touching on basic liberties. Greek democrats likely will extend their concern to the articles governing the relationship of the monarchy, government and legislature. For the aim of a new constitution should be not only to enlarge the realm of freedom but to establish a mechanism of responsible representative government equal to contemporary demands.

This aim cannot be fulfilled unless the Athens regime publishes the contributions to the "full and free public debate" which Premier Papadopoulos offered in releasing the new draft. The refusal of former Premiers Papandreou and Canellopoulous to deem this offer worthy of serious consideration does not bode well. Moreover, it is anomalous, if not grotesque, that the press should be unleashed only for constitutional discussion; the freeze just ordered on news about Senator Kennedy, for instance, is a crude and offensive play for the favor of President Johnson.

It is perfectly clear that a constitution is no better than those who rule in its name. Only if there is a general respect for the principles it endorses, can it help a nation express its will. On the record so far, there is little reason to believe that the leadership in Athens harbors any serious intent to step out of power soon. On the contrary, its repeated vague mystical pronouncements about purifying Greece have seemed calculated to justify prolonged rule.

There are now hints that the colonels, or the more enlightened ones, perhaps partly out of a previously lacking appreciation of the burdens of power, may be taking another view. It should not be deemed inconceivable that some of them wonder whether they could not trust their nation, fairly launched with a new constitution, to find its own way. The junta should move promptly to show these hints have substance. It could do so by more actively encouraging real discussion of the constitutional draft, and by setting a date for elections under a completed document.

Performance on these lines would justify the United States in restoring, perhaps by stages, that part of its military aid which was halted last year. The purpose of the cutoff was to push the junta to restore constitutional rule. As it makes real progress toward that goal, the United States should concretely signify its approval.

URBAN TRANSPORTATION

Mr. MAGNUSON. Mr. President, in the February 1968 edition of the Nation's Cities there appears an article entitled "Urban Transportation at the Crossroads." The article, written by Seattle Mayor J. D. Braman, provides an excellent synopsis of the current urban transportation situation. Mayor Braman, who is chairman of the National League of Cities Committee on Transportation and Communications, also submits seven principles as guides for the Federal Government in determining jurisdiction for the urban mass transit program.

His experiences in attempting to bring improved mass transportation to the Seattle area have provided Mayor Braman with firsthand knowledge of the problems confronting local governments in urban areas. This article deserves the serious consideration of all of us in the Congress. I ask unanimous consent that Mayor Braman's article be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

URBAN TRANSPORTATION AT THE CROSSROADS: HARD DECISIONS MUST BE MADE IN WASHINGTON THIS YEAR

(By J. D. Braman)

The most casual scrutiny of our national goals raises the question of just why we, as a nation, choose to place our emphasis in one area as against another. A comparison which comes to mind is the confidence with which we are moving forward in our plans to land on another planet contrasted to our inability to agree on just how we should improve the quality of our urban environment. Reconciling this difference in attitude poses one of the more difficult tasks for any mayor or urbanologist.

A decision that we will land a man on the moon is backed up by a target date and a programmed budget. The fact that present technology is not capable of performing the task is a matter of limited concern. The dollars, the manpower, the creative genius is set in motion, and the obstacles are brushed aside one by one.

Compare this methodology with the attempts to solve social problems. Rather than a planned long-range program with adequate resources backed by a will to move mountains, we must be satisfied with government by crisis. When a problem in the metropolitan areas reaches dramatic proportion, only then do we act.

If crisis be the yardstick of action, the time has come for us to get moving again. The metropolitan areas of the United States are approaching chaos in the area of public transportation. A transportation system permitting expeditious movement of people and goods is an absolute necessity for our urban centers.

In seeking solutions to our urban transportation problems, a balance must be struck in use of the various modes of transportation that will allow each mode to make its maximum contribution to the improvement of our urban environment.

Programs in the past gave only incidental support to the important role which public mass transportation can play in a coordinated transportation program. The Urban Mass Transit Act of 1964 gave form and direction to the federal government's concern with the problem of how we develop a balanced transportation system for metropolitan areas. The Housing and Home Finance Administration was given responsibility for this program, properly recognizing the role of public transportation in shaping urban developments.

When the Department of Housing and Urban Development was created, the mass transit program was placed under the aegis of the Assistant Secretary for Metropolitan Development. In the years this program has been operating, lack of adequate appropriations has limited its national impact. The program has, however, acted as a stimulus to many cities and it contains the hope of better days ahead. Congress appropriated $125 million in fiscal 1968 for the total urban mass transit program. By way of contrast, $4.4 billion will be made available during the same period for highway construction from the Highway Trust Fund.

The role of public mass transportation once again was reviewed by Congress when it created the Department of Transportation in 1966. President Johnson, in his 1966 Message on Transportation, requested that the Departments of HUD and DOT recommend to him the best procedures to achieve cooperation between the respective departments in their actions as they affect urban areas. In response, Congress again demonstrated that it recognizes the role of mass transportation as an element of urban development. When it created the Department of Transportation, Congress narrowed the Presidential request by addressing itself to the specific problem as follows: "The Secretary [of the Department of Transportation] and the Secretary of Housing and Urban Development shall study and report within one year after the effective date of this Act to the President and the Congress on a *logical and efficient organization and location of the urban mass transportation functions* in the Executive Branch." (Emphasis added.)

This report is due by April, 1968.

In the past, the focus of federal programs has been entirely too narrow. Not only have they been uncoordinated but at times they have actually worked against each other and in the process have damaged or, in some cases, destroyed the existing social fabric.

The National League of Cities recognizes the need to coordinate transportation and other community programs. Its transportation policy states:

In the development of all modes of transportation systems for service to the nation's urban areas it is imperative that due consideration be given in planning and project implementation to all urban problems interrelated with transportation development such as housing, education, welfare, and local financing. To this end, all federal urban transportation programs must provide for consultation and agreements with local officials on objectives, plans, and specific projects.

All programs which have as their purpose the movement of people and goods into and through urban areas must be concerned at a minimum with the following three objectives:

(1) A public transportation system must have as its primary purpose the enhancement of the quality of urban environment.

(2) The particular characteristics of each urban region should determine the transportation modes most appropriate for that area.

(3) Priority consideration should be given to the funding of a balanced transportation system for urban areas.

Public transportation should be a land use planning tool to be used in improving the quality of the environment.

The NLC Transportation Policy also provides: "The federal government has developed programs of financial assistance for highways, urban mass transportation, airlines, railroads, and waterways but no over-all national policy has been developed for dealing with transportation as an integral and related system to be dealt with in coordinated and rational manner. Many of our national transportation policies are contradictory and do not allow for the impact of one form of transportation on another."

The federal government has not been completely remiss in recognizing this problem. The 1962 Federal Aid Highway Act requires that each metropolitan area of over 50,000 population develop a comprehensive transportation plan. This is a hopeful sign but falls far short of developing local capability for a balanced transportation system.

Should you wonder why we are floundering in our transportation morass, consider the following:

Development of a total urban system is limited because the public transportation component depends on what has been, up until this point, a relatively minor annual federal appropriation in contrast to assured substantial federal funds for financing the highway program.

Use of highway funds for highway-related public transportation needs is severely restricted by law, notwithstanding the fact that they are actually an adjunct of the highway system.

The Interstate system has done a magnificent job of bringing automobiles into urban areas. But only minimal attention has been paid to the congestion problem which plagues every metropolitan area.

The allocation of federal highway funds according to the classifications of the Interstate and the ABC programs has encouraged development of particular classes of roads in urban areas without proper regard to needs or priorities.

The Transportation Committee of the National League of Cities presently is developing a financing and administrative structure for coordinating urban transportation programs. Hopefully, our plan will eliminate biases inherent in the varied financing approaches and administrative structures that typify present federal support for urban transportation.

The time will shortly be upon us when HUD and DOT will be required to make their joint report on the jurisdiction for the future administration of Urban Mass Transit. In making this judgment, an opportunity is offered to help urban areas solve one of their most provoking problems. I submit that we will not solve the crisis of our nation's cities until we have understood the significance of transportation and its relationship to that crisis. Public transportation should provide every citizen with full access to his community.

The determination of the logical and efficient federal adminstrative jurisdiction for the urban mass transit program should include consideration of the following:

(1) A Public Transportation System must have as its primary purpose the enhancement of the quality of the environment.

Adequate provision has to be made to assure that meaningful community values will be maintained or enhanced and that future development, affected by the transportation system, will be of maximum quality as well as being safe, convenient and at a cost which makes it available to the traveling public. The transportation system required to preserve or enhance community values may not at all times meet the traditional standards of financial feasibility for public transportation. Planning and approval processes must also be structured to give appropriate consideration to environmental values. Short-range economics is only one of several essential factors.

(2) Metropolitan areas should evolve their own transportation solutions.

Administration of public transportation programs must assure that metropolitan areas will be allowed to solve their own transportation problems. Grants should be made directly to the appropriate authority responsible for implementing the plan.

(3) No one transportation mode should be in a position to exercise undue influence on what the interrelationships of modes should be.

A mechanism must exist to assure that a comprehensive urban transportation network can be planned and developed without domination either through financing patterns or administrative arrangements which favor any particular system.

(4) Research and development must concern itself with broad economic and social values as well as traditional function-oriented considerations.

Research and development must be oriented toward meeting the particular requirements of urban transportation systems and solving urban needs rather than simply improving the economy and efficiency of a transportation system. A research program must allow a sufficient variety of projects to take into account differing characteristics of various metropolitan areas.

(5) An administrative arrangement must be developed to give urban public transportation a visibility in federal policy making and budgetary processes that is at least equal to that of other transportation modes.

The administrative structure of the agency or agencies given the responsibility for the urban mass transit program must provide that the individual responsible will have a position of prestige to guarantee that he will have a positive voice in developing policy, administering the program, and recommending budget.

(6) Urban Mass Transit must be funded as a system if we are to achieve balanced transportation in metropolitan areas.

Any long-range capital improvement program requires the commitment of substantial amounts of money over an extended period of time. In order that intelligent and orderly implementation can be obtained, there has to be assurance that the money committed will be there on the date promised. This is a concern of utmost importance and requires the concurrence and positive support of the agency or agencies to be charged with administering this program.

(7) Case histories of community efforts in developing urban mass transit systems, as well as technical information, should be made available.

There is a wide variance in the planning capability of different metropolitan areas. All information which is material to establishing a balanced transportation system should be collated and made available. There has been a redundancy of effort which wastes both time and money.

The seven criteria are not submitted as being all inclusive. These are reasonable goals which the Congress and the Executive Branch of our government should take into account as being of primary concern to metropolitan America.

Seattle has been selected to be one of the laboratories in urban survival. We are one of the 63 Model Cities recently designated. A major component of our application, perhaps the most vital element, was the use of rapid transit as an adjunct to a freeway system. We are going to reduce a divisive eight-lane freeway in our ghetto into a unifying boulevard, with the aid of rail rapid transit. The station areas will become community activity centers. Rapid transit will serve as the vertebrae about which we will convert our ghetto into, hopefully, one of the most desirable places in Seattle in which to live.

Urban mass transportation is vital not only to insure the efficient movement of people, but, more important, it is essential to the vitality of our urban areas. The decisions that are being made today will determine the quality of the environment in which metropolitan America will live for generations to come.

THE PUBLIC BROADCASTING CORPORATION

Mr. MAGNUSON. Mr. President, much has been said in recent days about the Public Broadcasting Corporation and its operation.

Last year when the Senate Commerce Committee held hearings on this legislation, the Columbia Broadcasting System announced that it was contributing $1 million to the Public Broadcasting Corporation.

I ask unanimous consent at this point to make part of the Record a copy of a letter from Dr. Frank Stanton, president of the Columbia Broadcasting System, in which he delivered the $1 million to the Corporation for Public Broadcasting on March 27, 1968, the day the Corporation was officially incorporated.

I commend Dr. Stanton for the contribution and particularly his confidence in the great promise this program has for the citizens of our country.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Columbia Broadcasting System, Inc.,
New York, N.Y., March 27, 1968.
Hon. Frank Pace,
Chairman, Corporation for Public Broadcasting, Washington, D.C.

Dear Mr. Pace: Early last year, when James R. Killian, Jr. made public the recommendations of the Carnegie Commission on Educational Television, of which he was chairman, I sent him the following telegram:

"The report of the Carnegie Commission on Educational Television provides the American people a balanced, realistic and practical approach to a more adequate noncommercial television service. . . . As further evidence of CBS's long-standing endorsement and support of non-commercial television and to help launch the $25 million enabling endowment for the proposed Corporation for Public Television, CBS pledges an unrestricted gift of $1 million payable the day the new Corporation is chartered."

I have learned that the Corporation for Public Broadcasting this morning received its charter from the District of Columbia. Hence it is my privilege and great pleasure to hand you, in behalf of Columbia Broadcasting System, Inc., this check for $1 million.

With it goes CBS's best wishes for the immediate and lasting success of the Corporation in fulfilling the great promise public broadcasting holds for this nation.

Sincerely,

Frank Stanton,
President.

HOW THE UNITED STATES GOT INTO THIS GOLD MESS

Mr. SYMINGTON. Mr. President, in a recent column, Miss Sylvia Porter summarizes well the major factors which resulted in the recent abolition of the international gold pool and the establishment of a two-price gold system—a "stopgap system."

In brief, the key factors: Vietnam, overcommitment on the part of the United States, lack of domestic financial responsibility.

Faced with the vital task of restoring confidence in the dollar, Miss Porter emphasizes the importance of establishing long overdue priorities as to how we distribute our limited resources.

I ask unanimous consent that the article in question, "How the United States Got Into This Gold Mess," be inserted at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Evening Star, Mar. 19, 1968]

Your Money's Worth: How the United States Got Into This Gold Mess

(By Sylvia Porter)

How did the mighty United States ever get into a position where we could be battered by a world stampede from dollars to gold?

How could mistrust of our dollar and expectations that it would be devalued over last weekend become so widespread that on Friday many European merchants were refusing to accept U.S. currency?

The usual way questions in this sphere are answered is by an analysis of the deficits in our balance of payments. But because of the magnitude of this gold run and the events which triggered it, the questions this time demand a more fundamental answer—specifically:

We got into this mess by pursuing policies abroad and at home which have undermined the faith of even our best foreign friends in our financial responsibility—not to mention our moral integrity and political diplomatic wisdom.

VOTE OF NO CONFIDENCE

In a very real sense, the run on gold this month was a massive vote of no confidence in our Vietnam policies.

It was an indictment of our failure to offset soaring Vietnam spending with higher income taxes and lower non-military spending and thereby to limit the red ink in our budget.

It was a reminder that monetary systems run on faith, a warning that we must make strengthening of the dollar a major goal and pursue the goal relentlessly.

These are serious accusations and behind them is the fact that for 18 years since 1950—with the single exception of 1957—we have spent more money abroad than we have earned abroad and we have thus flooded the world with dollars which can be turned into our gold by qualified foreign holders.

We have each year exported more goods and services than we have imported. But we have also each year turned the multi-billion dollar surpluses in our balance of trade into deficits in our over-all balance of payments by our heavy military spending and economic aid abroad, our mounting tourist sprees and our huge private investments overseas.

WAR CAUSES DEFICIT

In 1967, the surplus in our balance of trade came to $3.6 billion. But primarily because of our Vietnam war spending, the deficit in our balance of payments came to $3.5 billion.

What makes this red ink total so important is the fact that under the international monetary system we created at Bretton Woods, New Hampshire, in 1944, the dollar is the Free World's key "reserve currency"—meaning it is used by nations to settle debts with each other and has a status equal to gold. What gives it this status is the fact that the United States stands committed to convert dollars held by qualified foreign creditors into gold on demand at $35 an ounce.

While most of our creditors have been willing to hold dollars, others have been converting dollar claims into gold. France has been deliberately conspicuous and malicious in her demands. Her gold purchases have been openly designed to promote her vicious anti-American campaign.

Our foreign creditors now hold about $34 billion of claims against our gold reserve. Our gold reserve is a fraction of that: down to $11.4 billion from $24.5 billion in 1949.

GOLD POOL FORMED

But even this disturbing ratio would not have erupted into so violent a crisis had it not been for what until recently was a minor aspect of the system—the existence of free gold markets, notably in London, in which dealers, speculators and hoarders trade in gold.

To hold down the price of gold in the free markets in line with the $35 price maintained by the United States, the leading financial powers of the Free World formed a "gold pool" in 1961 through which they have been supplying metal to the London market from their own monetary reserves whenever the private demand threatened to send the price soaring. France dropped out of the pool last year. The United States has been contributing 59 percent of the gold fed into the market by the remaining member nations.

Now come the events which triggered the stampede.

In November, the British devaluation of the pound set off a series of gold buying sprees in the free markets on the basis that the U.S. dollar would topple next and we would be compelled to double or triple our official $35 gold price. France fed rumors into the markets fostering this expectation.

The setbacks the United States has suffered in Vietnam this year have encouraged worldwide doubts that we could win the war. These doubts have encouraged more buying of gold, more destructive rumors about the dollar.

The gold speculators started the rush; the hoarders joined in quickly. Then last week came normally respectable international businessmen frightened by the gold rush and trying to protect their corporations from losing big money by owning dollars. Through it all, the gold pool stood fast and poured metal out of national treasuries into private hands.

Thursday night, the central bankers admitted the madness of catering to the gold fetish. The London gold market was closed on Friday; the gold pool members convened in Washington Saturday and Sunday; the free gold market was set completely "free" yesterday to price gold where it wishes; the United States and other members of the former gold pool are conserving the gold left to them to back up the monetary system.

The stop-gap system buys the United States more time in which to shore up the dollar during the transition toward a new world currency. We're on center stage now.

Tomorrow: How strong is the U.S. dollar?

SENIOR CITIZENS MONTH

Mr. WILLIAMS of New Jersey, Mr. President, on March 1, President Johnson issued a proclamation, designating May as Senior Citizens Month, 1968. Speaking at the Schlesinger Old Folks Home in Beaumont, Tex., the President recalled the efforts of the Federal Government over the last three decades to come to grips with the enormous problems that have faced the elderly in the United States.

In his remarks the President cited the Social Security Act as a "social miracle that has been happening in our country has allowed tens of millions of older people not to give up things, and not to be afraid of their future."

Turning his attention to the medicare program, the President commented:

> It is hard to believe that only 2½ years ago, millions of elderly Americans lived in

fear of a sudden medical emergency that could wipe out their savings after a lifetime of hard work.

That was what we called "social insecurity." The enactment of the medicare bill that . . . passed in 1965 eliminated that fear for more than 19 million proud, elderly Americans, nearly 10 percent of the total population of America.

Mr. President, the proclamation for Senior Citizens Month, 1968, begins with a truly meaningful paragraph. It expresses a thought that should be central to all efforts aimed at improving the lot of the elderly. I quote:

> The respect we show for older Americans is not an act of charity. It comes from the recognition that this generation owes all it possesses to those who have borne responsibility in years past.

As chairman of the Senate Special Committee on Aging, I commend President Johnson for the great strides he has taken in all aspects of concern for the elderly.

Mr. President, I ask unanimous consent that the President's proclamation on Senior Citizens Month, 1968, be printed at this point in the Record.

There being no objection, the proclamation was ordered to be printed in the Record, as follows:

SENIOR CITIZENS MONTH, 1968

(Proclamation 3833, March 1, 1968, by the President of the United States of America)

The respect we show for older Americans is not an act of charity. It comes from the recognition that this generation owes all it possesses to those who have borne responsibility in years past.

We have not always recognized the debt we owe them. It was only three decades ago, with the passage of the original Social Security Act in President Roosevelt's administration, that we first began to respond effectively to our continuing national obligation.

In recent years we have begun to make up this moral deficit:

This year 24 million older Americans will receive the highest level of Social Security benefits in the history of the program—thanks to the 13 percent increase in benefits we passed last year. *Ninety* percent of our citizens aged 65 and over are now eligible for retirement benefits under Social Security. Millions of older people have been lifted out of conditions of poverty by increased Social Security benefits. Nearly every one of the 78 million wage earners working today has a future retirement protected by Social Security.

Through Medicare, adopted in 1965, we have at last guaranteed adequate health care to our older citizens—a minimal standard of civilization and decency which required 30 years to achieve. More than 19 million older Americans are now covered by Medicare. During its first year of operation—in fiscal 1967—it paid hospital bills for over 4 million people, and doctor bills for more than 7 million. And it is now providing home health services and other assistance for half a million more.

Since 1963, we have increased the quality and quantity of housing for our senior citizens. Today the Federal commitment in special housing programs for older citizens totals some $3 billion.

Under the Older Americans Act, passed in 1967, we have increased educational, recreational, and health services. Today that program includes 650 individual local projects reaching older people in their home communities across the land.

Demonstration projects are showing us how to make important advances in nutrition, education, transportation and leisure time activities. We are steadily increasing the number of professionally trained individuals who work with and for the elderly.

We are increasing opportunities for our elder citizens to make use of their talents and experience. Today older Americans serve with great distinction in the VISTA, SCORE, the Foster Grandparent Program, the Peace Corps, and in many community projects and programs of voluntary agencies.

In 1967 we enacted long-overdue legislation which prohibits discrimination because of age in employment.

This is an extraordinary record of achievement in so short a time. I am proud of it, as every American should be.

But we are still far from the day when we can be satisfied with our achievements. Our goal must be to give each man and woman the opportunity to make his years of retirement also years of accomplishment and meaning, good health and economic security.

Perhaps the greatest need of age is the need to know that one's contributions are still valued. In a society where youth is so highly prized, older men and women need to know that their wisdom and experience are also important to their fellow citizens. Their contributions are one of our nation's most valuable assets—a resource that should be celebrated by every generation of Americans.

Now, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby designate the month of May 1968 as Senior Citizens Month.

I call upon the Federal, State and local governments, in partnership with private and voluntary organizations, to join in community efforts to give further meaning to the continuing theme of this special month: Meeting the challenge of the later years.

Let special emphasis this year be placed on making known the contributions that older Americans are making to our welfare. Let us demonstrate the greatness of our society by bringing new meaning and new vigor to the lives of our elders, who built the framework of our present prosperity and greatness.

I invite the Governors of the States, the Governor of the Commonwealth of Puerto Rico, the Commissioner of the District of Columbia, and appropriate officials in other areas subject to the jurisdiction of the United States, to join in the observance of Senior Citizens Month.

IN WITNESS WHEREOF, I have hereunto set my hand this first day of March, in the year of our Lord nineteen hundred and sixty-eight, and of the Independence of the United States of America the one hundred and ninety-second.

LYNDON B. JOHNSON.

[Filed with the Office of the Federal Register, 4:38 p.m., March 4, 1968]

(NOTE.—Proclamation 3833 was not made public in the form of a White House press release. For the President's remarks upon signing the proclamation, see the preceding item.)

STATEMENT BY SENATOR AND MRS. CASE OF ASSETS, LIABILITIES, AND INCOME FOR 1967

Mr. CASE. Mr. President, I ask unanimous consent to have printed in the Record the combined statement of my wife and myself of our assets and liabilities at the end of 1967 and our income for that year.

There being no objection, the statement was ordered to be printed in the Record, as follows:

ASSETS

Cash in checking and savings accounts (after provision for Federal income tax for 1967), approximately	$29, 000
Life insurance policies with the following insurers (currently providing for death benefits totaling $126,000): U.S. Group Life Insurance, Aetna Life Insurance Co., Connecticut General Life Insurance Co., Connecticut Mutual Life Insurance Co., Continental Assurance Co., Equitable Life Assurance Society, Provident Mutual Life Insurance Co. of Philadelphia, Travelers Insurance Co.; cash surrender value	42, 443
Retirement contract with Federal employees retirement system (providing for single life annuity effective January 3, 1973 of $19,932 per annum). Senator Case's own contributions to the fund total, without interest	28, 991
Annuity contracts with Teachers Insurance & Annuity Association and College Retirement Equities Fund. As at Dec. 31, 1966, these contracts (estimated to provide an annuity beginning at age 65 of $986) had an accumulation value of	10, 296
Securities as listed in Schedule A	338, 917
Real estate consisting of residence building lot on Elm Avenue, Rahway, N.J., and house in Washington, D.C. (original cost plus capital expenditures, $71,400, less mortgage on Washington property, $11,939)	59, 461
Tangible personal property at Rahway apartment and Washington house, estimated	10, 000
Contingent interest in a small trust fund of which Chase Manhattan Bank of New York is trustee. Income from this was approximately $9 in 1967.	

LIABILITIES

None except mortgage above listed.

INCOME IN 1967

Senate salary and allowances, $31,560, less estimated expenses allowable as income tax deductions of $6,726 (actual expenses considerably exceed this figure)	24, 834
Dividends and interest on above securities and accounts	12, 382
Lectures and speaking engagements: Brookings Institution, City of Hope, Los Angeles; Honest Ballot Association, Retail Clerks International; St. Mark's School	3, 594
Net gains on sales of property	649
Miscellaneous—estates and trusts	84

CLIFFORD P. CASE.

MARCH 29, 1968.

Schedule A

SECURITIES	*Principal amount*
Bonds and debentures, at cost (aggregate market value slightly lower)	$52, 735
U.S. Treasury	2, 500
American Telephone & Telegraph Co	11, 000
Cincinnati Gas & Electric Co	4, 000
Consolidated Edison Co. of N.Y	5, 000
Consumers Power Co	5, 000
General Motors Acceptance Corp	5, 000
Iowa Electric & Power Co	5, 000
Mountain State Tel. & Tel. Co	5, 000
Southwestern Bell Tel. Co	5, 000
Toledo Electric Co	5, 000

Schedule A—Continued

SECURITIES—continued

	Principal amount
Stocks (common, unless otherwise noted) at market	$286, 182
Corporation:	*No. of Shares*
American Electric Power Co	919
American Natural Gas Co	548
American Tel. & Tel. Co	200
Cities Service Co	104
Consolidated Edison Co. of New York	400
Consolidated Edison Co. of New York ($5 preferred)	50
Detroit Edison Co	100
General Electric Co	100
General Motors Corp	150
Household Finance Corp. ($4.40 cumulative convertible preferred)	100
International Business Machines Corp	64
Investors Mutual, Inc	2, 406. 028
Kenilworth State Bank	21
Madison Gas & Electric Co	275
Marine Midland Corp	565
Merck & Co., Inc	200
Tri-Continental Corp	1, 200
Union County (N.J.) Trust Co	267
Warner-Lambert Pharmaceutical Co	200

NEWARK LEADS THE NATION IN TRIBUTE TO AN AMERICAN HERO

Mr. WILLIAMS of New Jersey. Mr. President, it seems to me that we spend too little time remembering, and reflecting, on the men and ideas that helped our country grow. Because we are caught up in the urgent matters of today, we sometimes fail to acknowledge that early in our Nation's history, men grappled with equally pressing problems.

I want to remind us today that ours is a nation born of revolution. Ours is a tradition of courage, of endurance, and of great personal sacrifice. The violent upheaval which cut us loose from England's empire, and which gave the world a new and exciting American idea, took its toll in human lives.

Since many were to die in the American Revolution, one man had to be the first to fall. On March 5, 1770, Crispus Attucks, a seaman, led a rag-tag group of colonials in a skirmish with British regulars on King Street, Boston. Attucks fell from a bullet, and lost his life as the first victim of the Revolution.

There is a stone monument to Crispus Attucks standing now on the Boston Common, and the history books and public schools give some passing mention of his name. But I want to point out a different kind of memorial to the memory of America's first fatality in its fight for freedom. I want to cite a different kind of remembrance.

This year, on Tuesday, March 5, the 72 public schools in Newark, N.J., closed in memory of Crispus Attucks. Newark thus became the first city in the Nation to commemorate the day Crispus Attucks was killed.

This public recognition of one man's personal sacrifice in the name of liberty is significant because of what it says to our day, and to our generation. It symbolizes our acknowledgement that brave men stand above the storm and turbulence of an era. It focuses our attention on the meaning of freedom.

Mr. President, Crispus Attucks was a Negro. I am proud that Newark led the way in honoring the memory of a man who gave his life for the American experiment, and who stands as a symbol of Negro involvement in American progress.

An excellent article in the Bergen County, New Jersey Record summarizes the Newark observation of Crispus Attucks Day. I ask unanimous consent to have this account reprinted in the RECORD at this time.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TWO HUNDRED YEARS AFTER—NEWARK'S SCHOOLS HONOR ATTUCKS

(By Roger Beirne)

The eight bells in the tower of Old North Church, Boston, once rang in tribute to him. The schools in Newark closed for him yesterday. The time between was 200 years.

A Negro and the first American killed in the Boston Massacre of March 5, 1770, Crispus Attucks led a small group of colonials in the first clash between Americans and British troops. Daniel Webster said the skirmish on King Street, Boston, when the unarmed colonials refused to give ground to the tramping, bayonet-jabbing red coats, marked the colonies' initial break with the British Empire.

It was Attucks, a 47-year-old seaman and runaway slave, who stepped before the colonials and united them into resistance with a moving speech. He then led them against the soldiers and was the first to fall—shot as he tried to grab one of their rifles.

The second shot killed Samuel Gray, James Caldwell, a sailor, and Samuel Maverick, a boy of 17, were both wounded and died later.

The two seamen were carried to Faneuil Hall, where large crowds gathered to see their dead heroes.

ALL BURIED TOGETHER

School children of the nation's city ghettos know that Attucks was the first to fall, the first man to die in the War for Freedom. They know, too, how the bells in the Old North Church tolled for him and his fallen friends and how the funeral from Faneuil Hall, which was about to become "The Cradle of American Liberty", was a procession six columns deep. All were buried in one patriots' grave.

A monument on Boston Common commemorates the incident, but only Negro historians spread word of the hero, who is known by a brief sentence in most history books.

The Negro community of Newark, where 26 died in rioting last summer, is honoring Attucks for the third year. The celebration, which includes a program held at the city's art high school last night and a biographical play to be put on Friday, will culminate with a parade on Broad Street March 24.

Next year, all city employes will get Crispus Attucks Day off, according to city officials.

By closing all 72 public schools, Newark became the first city in the nation to declare an official holiday for a Negro. The Newark Human Rights Commission and the Crispus Attucks Association had petitioned the school board for the holiday.

INSPIRATION FOR ALL

Board president Harold Ashby, himself a Negro, agreed, saying that the school population is about 71 percent Negro. "School children are looking for something to inspire them and to build their self-image," he said.

The significance of Attuck's death, according to Negro historian John Hope Franklin, seems to lie in the dramatic connection which it pointed out between the struggle against England and the status of Negroes in America. Franklin writes of Attucks:

"Here was a fugitive slave who, with his bare hands, was willing to resist England to the point of giving his life. It was a remarkable thing, the colonists reasoned, to have their fight for freedom waged by one who was not as free as they.

"The colonists from the time of the Boston Massacre almost always spoke against slavery and England at the same time."

Twenty years before he gave his life for his country, Crispus Attucks' name was in a paid notice in the Boston Gazette that read in part: "Ran away from his master William Brown of Framingham, on the 30th day of September last, a mullatto fellow, about 27 years of age, named Crispus, 6 feet 2 inches high, short curl'd hair. . . ."

The notice appeared Oct. 2, 1750 and twice the next month. The reward for his return was 10 pounds.

ADDRESS BY SENATOR PERCY BEFORE EXECUTIVES CLUB, CHICAGO, ILL.

Mr. BROOKE. Mr. President, I ask unanimous consent to have printed in the RECORD a speech delivered by the distinguished Senator from Illinois [Mr. PERCY] before the Executive Club of Chicago on March 8.

Senator PERCY's remarks on the recommendations of the Commission on Civil Disorders and his statement that only with the help of American business can these recommendations become realities bear careful consideration by all of us.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

Since I last left Chicago, the Democrats have decided to dump Adlai Stevenson and Sarge Shriver, which I think makes Mayor Daley the biggest name dropper in town today.

Anyone who saw the ending of Bonnie and Clyde will know how Adlai and Sarge felt.

I was asked this morning in the press conference whether there would be any conditions under which I would consider running for national office and I said, "Absolutely no conditions whatsoever."

I have thought about it since then. I would like to, just between friends and off the record, of course, make just this one exception. I do foresee some circumstances under which I would be really compelled and required to say yes. If, for instance, in Miami the Republicans nominated Harold Stassen and if Harold Stassen after thinking it over decides not to accept the nomination, then I will accept.

I was also asked whether or not, coming back from Vietnam, I was now a hawk. A hawk, you know, is someone today who pursues the policy where we should recapture Saigon.

I am not going to talk about Vietnam today. I would like to talk about recapturing the American cities. I would like to talk about the job we face at home. I would like to talk about it in the light of the Kerner Commission report.

Hubert Humphrey in a moment of exuberance in Southeast Asia last year said, "We are going to help you build a great society in Southeast Asia." All I can say is, heaven help the Southeast Asians if they build a great society out there like we are building here at home.

Two hundred cities have experienced riots. I believe in a firmness of law enforcement. The mistakes that we made in Detroit cannot be made again. In dealing with criminals, looting and sniping and so forth, we certainly must remain firm and leave the impression we intend to have law and order and not anarchy in this country. But I would be very remiss if I left you with the impression that I felt that that will really solve the problems that this nation faces. I think anyone who leaves that impression can stand to be corrected.

For I believe the long, hot summers which come but once a year are simply the visible part of the iceberg that comes above the surface because the bitterness, frustration and despair in the American ghettos is year-around. I think it is this aspect of the problem that we must deal with.

America is in a state of crisis today and I think that crisis has been described and fully documented in the United States Riot Commission's report. I think this should be required reading in its full text for all responsible and thinking Americans. The Commission was a distinguished one headed by our own Governor Otto Kerner. There is no man in this room that knows how effective he is better than I do. It was headed by Vice Chairman John Lindsay, a man who is beginning to really understand and know the problems of a big city, and included my distinguished Senate colleague, Ed Brooke. These are moderate, sensible, responsible men and the fact that such men produced a bold, brutally honest report of crisis in America makes it all the more worthy of our attention.

CITIES BECOMING NEGRO GHETTOS

What are the proportions of the crisis described in the Riot Commission report? Listen to these words that you have read many times in the last few days:

"This is our basic conclusion: Our nation is moving toward two societies, one black, one white—separate and unequal."

What the Commission is really saying is that the nation is in a crisis because too many of its major cities are turning into Negro ghettos while the whites flee to the suburbs. Every other night, the City of Miami, coming up through Alabama and through the South, and other I.C. trains, coming every night, bringing as they have year after year, Negro families of the rural communities of the South. Six mornings a week, year after year, morning after morning, as they were this morning, moving trucks are moving white families out of the City of Chicago.

Evidence of this lies all around us. Our ghetto in Chicago is divided into two islands, the West Side with more than 300,000 Negroes and the South Side with over 600,000 Negroes. Fifteen years ago there were only a half a million Negroes in the entire City of Chicago and they lived in different territories, interspersed among white neighborhoods. Now, with almost a million Negroes in Chicago, the spaces between these areas have been abandoned by whites who moved to the suburbs. What is left is 9 square miles of Negro poverty on Chicago's West Side and 30 square miles on the South Side.

In 1950 it was not possible anywhere in Chicago to walk five blocks without passing some white house or white community. On the South Side today, you can start a few blocks from here and you can walk for ten miles almost in a straight line and not pass a single house occupied by a white family. This same pattern is being repeated across the country.

In every ghetto the younger, more restless Negroes are increasingly prone to violence because they feel trapped. Two or three years ago, I visited Joliet Prison twice. I stood out in the courtyard of the County Jail, talked with nine men, who were convicted and ready for the electric chair. [In the aftermath of the '64 campaign] I met with the leaders of the Disciples and the Rangers. I tried to understand what distorted the minds of our youth and I wandered through the streets of the West and the South Sides of Chicago. Meeting with these young people entrapped in the cycle of poverty, inadequate education, inadequate housing, unemployment, more poverty and despair, I came to understand this bitterness that exists among the citizens of our own great city.

Here is what the Riot Commission said on jobs: "In the riot cities, Negroes are three times as likely as whites to hold unskilled jobs, which are often part-time, seasonal, low-paying and dead-end. Unemployment rates for Negroes in 1967 was more than double that for whites."

In the time of our lowest national unemployment rate in many years, we have the highest teenage Negro rate of unemployment on record.

What does the Riot Commission say on education? "In critical skills, verbal and reading ability, Negro students are falling farther behind whites with each year of school completed."

I believe that the crisis of our cities, the potential division of our land into two societies—white and black—is the most serious challenge to our way of life, to our ideals, and to our nation since the Civil War. This present battle can be fought and must be fought on two fronts, a hardheaded, realistic, practical ground and also a moral ground.

What can be done? What kind of program can be developed?

There are no cheap and easy solutions to this problem, a problem that has accumulated through the years, although there are those men who would offer such solutions. Let me give you a quotation from one of them.

"Those who instigate the breakdown of law and order are the same ones who want us to lose the war in Southeastern Asia. Both national parties today explain away the breakdown of law and order. They say it is caused by this welfare, it is caused by education, it is caused by health, it is caused by job opportunities. But every man on the street knows it is caused by militant activists, revolutionaries, Communists and anarchists."

You may recognize these words. They were spoken before you three weeks ago by one of the leading proponents of the cheap and easy solution, George Wallace of Alabama.

Every one in this room is here in positions of success and prominence because you deal with facts, not fiction, in the way you run your businesses and your lives.

Every one knows the Negro contribution to the war in Vietnam is double that of the white, that our percentage is substantially lower than the Negro percentage in this country. The deaths and casualties are higher. What Negroes want to see us lose in Southeast Asia when their sons, their sweethearts, their brothers and their boys are out there just like the white boys?

Who could say this is what causes despair and that these are the same as the anarchists in this country?

My friends, how simple life would be if we could accurately blame the riots on a conspiracy by Communists and anarchists. Then perhaps we could ignore the slums with their dark stairways, the urine in the halls, the garbage in the streets, rats as large as cats scurrying among the children, the children crowded four and more to a single bed. According to the Wallace theory of riots, which I can assure you is not subscribed to by J. Edgar Hoover, we could just send out the FBI to round up all the Communists and we would no longer be bothered by this messy business of riots. We would not have to think in terms of hard decisions, in terms of past failures, in terms of sacrifice.

The trouble with the Wallace theory is that it bears little relation to reality. The President's Commission concluded that, "The urban disorders of the summer of 1967 were not caused by, nor were they the consequence of any organized plan or 'conspiracy.' "

Now one may accept the conclusions of men like Otto Kerner, John Lindsay, Chuck Thornton, Chairman of Litton Industries; Hubert Jenkins, the Chief of Police in Atlanta, Georgia, or the conclusions of George Wallace.

I, for one, and I think you for another, will accept the conclusions of the Commission and then start to put those facts to work in finding solutions to these grave problems.

During his appearance here, former Governor Wallace, was asked for his solution to the racial problem. He said that, "If the Negroes and whites in Illinois and Alabama will take advantage of education offered by the state, they can find a good place in our economy. That is the solution to it."

Combined with Mr. Wallace's violent opposition to federal participation in education, that sounds to me like too neat a solution.

State education, unhampered by the "intellectual morons" as he termed them, in Washington, will save the day. I suppose he meant an intellectual moron like John Gardner, one of the great Americans that we have.

Or perhaps an intellectual moron like Commissioner Howe, Commissioner of Education, a great intellect and a great American.

You get the impression from Governor Wallace that he is taking care of his State's problems all alone. I called my office this morning and I asked my staff to find out what the federal subsidy was to the State of Alabama in the last fiscal year. In fiscal 1967, through the Department of Health, Education, and Welfare, Alabama received three-quarters of a billion dollars. It received 167,000,000 dollars from the Department of Housing and Urban Development alone.

Now let's see how Mr. Wallace's theory squares with the facts, remembering that Alabama ranks 22nd among the States in population.

In the Governor's own state, school teachers are among the lowest paid in the nation, despite all of this federal assistance. Alabama ranks fifth among the 50 states in the number of illiterates over the age of 14. It ranks third in the number of high school dropouts. The uneducated and illiterate of Alabama too frequently can't get decent paying jobs. By the tens of thousands, for years they have been going off the farms of Alabama and coming right here to Chicago and with their lack of education and understanding of how to live in an urban community, year after year they swell our own relief rolls. Cities like Chicago, year after year, must absorb these people, ill-equipped as they are, into our growing ghettos. They are the have-nots in a have society.

This leads to the kind of urban restlessness which has brought us to a state of crisis. So you see, haranguing against the Federal Government is not really such a constructive solution after all. In fact, I think it is a down-right dangerous solution because it would delude people such as yourselves into feeling you could leave the room and let it be someone else's problem. I can tell you it is not. It is our problem.

It is our problem, and we must, as legislators, as administrators; our problem as lawyers, bankers and business men, leave this room with one thought uppermost in our minds: this problem will not be solved by the Federal Government alone. It will not be solved unless all of us become involved in it.

The decision made by the insurance companies of this country to invest a billion dollars in the slums was more important than ten billion dollars of federal money, because management goes behind that decision. The home ownership program that many of us have introduced for low income families, designed to give them a feeling that they can own something and be somebody, is a powerful idea. This bill includes 60 million dollars of federal money, but it will attract, hold and invest with management 2 billion dollars of private funds. The Human Investment Act that Republicans have introduced in the House and the Senate would give a tax incentive to any business that will invest in the hard core unemployed. The Job Corps costs $10,000 a man; for $500 to $800 a man, industry—every business involved here—can become involved in this job of hiring the despondent, the ill-educated and those who want work and can work if they are given a chance. We certainly must do far more in the way of fair housing. It is men like Joe Cook who have made possible, I think, a great forward movement in this area.

The University of Chicago has proven in the Woodlawn area that we can develop an integrated, fine community with property values soaring upward. Companies can do the same, as has Sears, Roebuck in the Homan Street area.

But we need far more. We haven't even begun to make the sacrifices we must make if we aren't to sacrifice the society we must build. John Gardner has said, "History is not going to deal kindly with a rich nation that will not tax itself to cure its miseries."

We must support necessary federal expenditures by paying our taxes—if necessary higher taxes—to cut back on this terribly burdensome debt we are carrying. But men like you can do much more. I can't tell you the inadequacy we feel as legislators, trying to pass laws to solve these problems. In Washington they don't understand the community of Chicago like you do. What would happen if the management in this room went to work on any given problem? Could any company afford it? No. But a group of companies, working with the city, can and must solve these problems.

That is why you must leave here feeling that there is something you can do.

I really feel that the Wallace theory epitomizes the very attitudes that must be combated if we are not to see our country follow the road of social chaos. He is all the more dangerous because he has a finely honed sense of what to say where.

Before this group he spoke in measured terms of the "breakdown of law and order," as an "issue which confronts our people." Contrast this with his view expressed in another forum, in a slightly different way, when he said, and I quote:

"Bam, shoot 'em dead on the spot! Shoot to kill if anyone throws a rock at a policeman."

I believe the experiences of Newark and Detroit bear out the Commission report conclusion that weapons designed to destroy, not to control, have no place in densely populated urban communities.

To the extent that the American people respond to the glib rhetoric and demagoguery of George Wallace, the future of the kind of society we must create is put in doubt.

How will we respond to this report? Will we respond by following the easy path outlined for us by George Wallace? I don't think we will. I don't think there is a man in this room that would feel it is that simple. I think we are going to follow the hard, tough, anguishing route of facing up to this problem and solving it. And doing that is going to make us grateful for having had the great opportunity to live and work in these times of great need; to feel there is something we can do about these problems—because there is.

Thank you.

GUESTS AND MEMBERS SEATED AT THE SPEAKER'S TABLE, MARCH 8, 1968

Luther I. Replogle, *President,* Replogle Globes, Inc.

Marshall Haywood, Jr., *President,* Haywood Publishing Company.

Peter G. Peterson, *President & Chief Executive Officer,* Bell & Howell Company.

Alexander White, *Chairman,* Young Republican Organization of Cook County.

Brian B. Duff, *Lawyer* (Republican Candidate for Secretary of State).

Jesse Owens, *Partner,* Owens-West & Associates (Winner of Four Gold Medals in the 1936 Olympics).

William Hodge, *President,* Hodge-Cronin & Associates, Inc.

Homer P. Hargrave, Jr., *General Partner,* Dean Witter & Company.

Everette A. Sisson, *President,* Workman Manufacturing Company.

Jack W. Gray, *Corporate Controller,* Allied Mills, Inc.

Frank M. Sims, *Vice President,* Harris Trust & Savings Bank.

Timothy P. Sheehan, *Chairman,* Republican Central Committee of Cook County.

Thomas J. Houser, *Special Counsel to* Senator Charles H. Percy.

Leonard Spacek, *Chairman of the Board,* Arthur Andersen & Company, (Member, Executive Committee of The Club).

Martin J. Koldyke, *Manager,* Corporate Finance Department, Paine, Webber, Jackson & Curtis (Secretary of The Club).

The Honorable Charles H. Percy, *United States Senator from Illinois* (Guest Speaker).

Charles J. Scanlon, *President,* Federal Reserve Bank of Chicago (President of The Executives' Club).

Richard B. Ogilvie, *President,* Board of Commissioners of Cook County.

Arthur C. Nielsen, Jr., *President,* A. C. Nielsen Company.

Robert A. Dwyer, *President,* Robert A. Dwyer Enterprises, Inc. (Republican Candidate for Lieutenant Governor).

William J. Scott, *Lawyer* (Former Treasurer of The State of Illinois).

G. Allan Julin, Jr., *Senior Vice President,* Chicago Title & Trust Company.

Blaine E. Rieke, *President,* Chicago Junior Association of Commerce & Industry.

John J. Markham, *Partner,* Hornblower & Weeks.

William B. Graham, *President,* Baxter Laboratories, Inc.

Richard L. Duchossois, *President,* Thrall Car Manufacturing Company.

Oliver S. Turner, *Chairman of the Board,* Turner, Bailey & Zoll, Inc.

William H. Fetridge, *President,* The Dartnell Corporation (President, United Republican Fund).

Morris Levinkind, *President,* Kahn-Levinkind, Inc.

James J. McCarty, *President,* Dukes Company, Inc.

William McGinley, *President,* Methode Electronics, Inc.

Walter L. Sorg, *Sales Executive,* McCormick & Henderson.

ORDER OF AHEPA HONORS SENATOR DIRKSEN

Mr. HRUSKA. Mr. President, on the evening of March 18, together with a number of my colleagues, it was my privilege to attend the 18th biennial national banquet of the Order of AHEPA at which our able minority leader, Mr. DIRKSEN, was presented the 1968 AHEPA Socratic Award.

AHEPA, a nationwide fraternal, civic, educational and charitable organization has, in the 46 years of its existence, established a splendid record of service and it was in keeping with this tradition that the award was made to Senator DIRKSEN.

The presentation was made by Mr. Andrew Fasseas, supreme president of AHEPA. I ask unanimous consent, Mr. President, to have printed in the RECORD a portion of the transcript of that evening's proceedings which includes Mr. Fasseas' presentation and Senator DIRKSEN's response.

There being no objection, the proceedings were ordered to be printed in the RECORD, as follows:

Mr. FASSEAS. Mr. Toastmaster, Your Eminence, Your Excellency, Ambassador Palamas, Senator Dirksen, Governor Spiro Agnew, of Maryland, members of all capacities in the Order of AHEPA and AHEPA family, and friends of the AHEPA, and our guests of honor, the members of our Congress in this United States of America. [General applause.]

You know, we Laconians are supposed to speak briefly, and I'm going to live within that short speech tonight. I'm sure that most of you from throughout the country, you've seen me in your cities, in your chapters, in your affairs in the last two years, and I don't think I can add more to it. Tonight, however, I'm addressing myself to the representatives of our country in our Congress, and I will say to them, this banquet is one of the events which bring your constituents to the capital, meeting with you personally, discussing with you their local problems, yes, the national problems, and if you will, the international problems as well, for they look to you for the destinies not only of America but the destinies of the world.

And tonight, it is with great pride and pleasure that I have the privilege to bestow one of the greatest honors that the organization has to give. Only three such awards have been given. The last recipient was the present President of the United States, Lyndon Johnson. [General applause.]

And the recipient who receives it tonight is a man dedicated in his entire life not only for the problems of Illinois, not only for the problems of the Nation, but for the problems of the world, and I thank God that we have such a man in the Senate of the United States as Senator Everett Dirksen. [General applause.]

I am now unveiling the 1968 AHEPA Socratic Award to be given to this great man tonight.

Senator, this bronze bust of Socrates is symbolic of what you have stood for during your entire life. May you enjoy this and place it in a conspicuous place where everyone visiting your office will ask you, "What does this represent?" [General laughter.]

It is with my great pleasure to introduce to you the recipient of this great honor, the great man from Illinois, the second Lincoln of Illinois, Everett Dirksen, our beloved Senator from Illinois. [General applause.]

(Presentation by The Honorable Everett McKinley Dirksen, Senator from Illinois.)

Senator DIRKSEN. My friend, Andrew Fasseas before I say another thing I'm going to ask Governor Spiro Agnew whether he was born in Laconia. [General laughter.]

Spiro, can you imagine a United States Senator who came away with the traditions of Laconia? [General laughter.]

Why, it is hard to imagine. You couldn't fill enough pages in the Congressional Record to even mail it out. [General laughter.]

If that had been the case. But my friend, Andrew, and Your Eminence, Archbishop Iakovos, and perhaps I ought to pick out Mrs. Rummel first. Mrs. Rummel, where are you? The Grand President of the Daughters of Penelope. You see, I always [general applause] I always pick out the ladies first. [General laughter.]

And Miss Contos, Grand President of the Maids of Athena. Where is she? [General laughter.]

Oh, you better be here. [General laughter.]

And Mr. Stavrakas. That's not the way to pronounce that. It's Stavrakas. [General laughter.]

I have trouble with my Hellene, as you notice. My old friend, Mike Manatos, Assistant to the President of the United States. [General applause.]

Glad to see you, Mike. And Your Excellency, the Attorney General, Ramsey Clark. [General applause.]

Who comes from the greatest unfrozen state, namely Texas. [General laughter.]

And Mr. Ambassador—Andrew, did I leave anybody out? [General laughter.]

Well, I did. I got to add koumbaros. [General laughter.]

Because I'm a koumbaros, so why don't you salute me? [General applause.]

Well, anyway, I asked the distinguished Archbishop whether Socrates came from Laconia. [General laughter.]

And he said he didn't. He came from Athens, the very seat of culture, where they talked long and loud when it became necessary, and in that respect they found a reflection centuries later in the United States Senate. [General laughter.]

First I'm grateful for your hospitality. You've been very kind; you always have been, except on one occasion, and that is when you had your national convention in Minneapolis. You didn't let me get on the program until 2:00 o'clock in the morning. [General laughter.]

But you see, I didn't arrive here until 3:00 o'clock this morning. So, Mr. Batsakis, that was the reason for this special request, and I hope you won't be offended if after what brief remarks I have that—a little water, Andrew. [General laughter.]

That Mrs. Dirksen and I take our leave because there's an awful early breakfast and a lot of work to be done tomorrow, and so you'll indulge us and forgive us. But I thank you for your hospitality. As I think of it I think of that North Dakota farmer when it was forty degrees below zero, who went out to milk his only milk cow, and when his hands reached out to come in contact with those lactile conduits [General laughter] that old cow turned around and said, "Boss, thanks for the warm hand." [General laughter.]

So, tonight my Hellene friends, I thank you for the warm hand. [General laughter.]

This dinner is to honor the Congress and how delighted I am. First, we're so delighted to see you; but secondly, and that reminds me, Spiro, I forgot to include my Congressional colleagues tonight. I include them now. Besides we like to have you see us. You see, that's the intrinsic weakness in the political breed. It reminds me a little of the hired man who one night said to his boss farmer, "Boss, I'd like to borrow the lantern tonight." He said, "What for?" He said, "I want to go down the road and spark my girl." "Huh", he says, "Look young fella, when I was your age and sparked my wife I didn't take a lantern." He says, "I know you didn't and look what you got." [General laughter.]

So you see, we like to see you on these occasions. But we also like to have you see us.

First, I want to pay a tribute to this fellow sitting next to me, Andrew Fasseas. Andy, I don't know how long I've known you——

Mr. Fasseas. Twenty-seven years.

Senator Dirksen. But every time he comes to my office he wears me out. [General laughter.]

Just to see him in action for five minutes wears me out, and Mike, I warn you, if he sees the President, you better tell the distinguished President what this fellow will do, because when he gets through with these gesticulations and this radiance of energy as if he were a ball of fire which he is, why everybody better take heed. Well. you've been my friend——

Mr. Fasseas. And I'm proud of it.

Senator Dirksen. And I'm proud of your friendship, and what a public spirited citizen you've been. You really have, and tonight, as the Supreme President, I pay homage and tribute to you in the presence of your members. [General applause.]

But I'm doubly honored tonight with this Socratic award, one of the greatest minds that lived in the history of mankind. But what a singular thing about Socrates that he left scarcely a written line. It was that whole group of his pupils who told us about him so that he lived in history. Is there a greater name? Is Plato a greater name, who was really one who inscribed so much of his teachings? Or Aristotle? No. We go back to Socrates and to the Socratic philosophy because he taught it in his own very humble way and others recorded it, and that's the reason it came to us. So in our literature, in the literature of every country, in our culture, in the schools, the name of Socrates is so well and so familiarly known.

And there's a reason for it. He embodied the very best in the Greek mind. First its clarity that somehow made manifest to his pupils the principles by which they had to live; and then his moral concern for his own society in his day and time. Always he went about saying, "Know thyself," because that's where wisdom begins. When people know themselves everything will be added unto it. And that was the greatness of it. But you see, he was brilliant in life and perhaps even more brilliant and greater in death.

Someone said about him and wrote about him that when all is said and done, there were only two consistent minds in the whole history of mankind. One was the Christ, whose life was the greatest life ever lived, but whether in life or in agony, whether before Pilate to be tried, or whether carrying that heavy cross down the Via Dolorosa, always and always he hewed so steadfastly to a constant and consistent Christian principle. And so it was with him, with Socrates and his philosophy. When the judges condemned him to death, did he fulminate about it? No, he didn't. His friends said, "Look, there are two escapes that you have. One is you can escape." But he says, "I don't want to escape. The law—the law—has pronounced a sentence on me." And other friends said, "You are free to go into exile." "But I don't want to go into exile. The law has pronounced its judgment." They said, "But you've been unjustly condemned." He says, "But that's not the law, and that's not the state; that is merely the imperfection of the judges who condemned me."

That was his consistency. That was his steadfastness to principle. And that was his devotion to the law. And when the cup of hemlock came, he did not retreat, he did not haul back. No, steadfastly he abided by the law and its judgments. It's an interesting concept today. In the last couple of years you've heard in various quarters the new concept: "I'll obey the law if I agree with it." Governor Agnew, you've heard it in your state, haven't you? Indeed you have. What happens to free society when it is given to every man to be his own judge of his own sins, his own violations of the concepts of society? Then what happens? Then, of course, there comes not merely instability, but finally there comes anarchy and all that goes with it.

So, in a time like this when this strange and almost fantastic concept is seeping into the minds of people so many centuries after Socrates and the Socratic philosophy, isn't it time we get back to him? Isn't it time we go back and unearth those truths? Isn't it time that we feast our hearts and our minds with those very simple bits of philosophy on which a stable civilization must be founded? Then and only then can we in a free society in this country be sure that there will be survival.

So, Andrew, you honor me tonight with this Socratic bestowal. I'm deeply grateful to you, and it shall have a place of honor, and whenever I look, always and always it will be a reminder of those amazing truths that must be discovered and rediscovered in the interest of a free society and a stable civilization.

And so to you and all your associates and to all koumbaros my sincere thanks. [General applause.]

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

TAX ADJUSTMENT ACT OF 1968

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, which the clerk will state.

The Assistant Legislative Clerk. Calendar No. 995, H.R. 15414, an act to continue the existing excise tax rates on communication services and on automobiles, and to apply more generally the provisions relating to payments of estimated tax by corporations.

The Senate resumed consideration of the bill.

TEMPORARY WITHDRAWAL OF PENDING AMENDMENT NO. 672, AND CONSIDERATION OF AMENDMENT NO 661

Mr. JAVITS. Mr. President, I yield myself 1 minute.

The PRESIDING OFFICER. The Senator from New York is recognized for 1 minute.

Mr. JAVITS. I wish to explain to the Senator in charge of the bill that it is so early in the morning I doubt very much that Senators are seriously prepared to address themselves to this most important amendment at this hour. I therefore temporarily withdraw amendment No. 672 which is the pending business, and call up my amendment 661 and ask that it be stated.

Mr. LONG of Louisiana. Mr. President, I yield myself 30 seconds.

The PRESIDING OFFICER. The Senator from Louisiana is recognized for 30 seconds.

Mr. LONG of Louisiana. Mr. President, if the Senator is not ready with the pending amendment, I believe that the Senator from California [Mr. Kuchel] has a matter on which the Senate could act immediately.

Mr. JAVITS. I have already arranged that with the Senator from California. Inasmuch as I have four amendments to offer, I am sure it does not matter to the Senator from Louisiana which one is acted upon first.

The PRESIDING OFFICER. The pending amendment is temporarily withdrawn. The clerk will state amendment No. 661.

The assistant legislative clerk read as follows:

> At the end of the bill insert the following:
>
> "Sec. 8. Submission of Proposals for Tax Reform.
>
> "Not later than ninety days after the date of the enactment of this Act, the President shall submit to the Congress proposals for a comprehensive reform of the Internal Revenue Code of 1954."

The PRESIDING OFFICER. The Chair inquires of the Senator from New York whether that is the amendment which was designated last night as the 2-hour amendment.

Mr. JAVITS. Mr. President, this is the 1-hour amendment.

The PRESIDING OFFICER. The Chair thanks the Senator from New York.

Mr. JAVITS. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from New York is recognized for 5 minutes.

Mr. JAVITS. Mr. President, the reason why we are acting as we are with respect to a bill which, for all practical purposes, would be a routine tax bill, is that we feel the country and the world are in a very serious situation with respect to the inflationary surge in our country, with respect to the serious imbalance of international payments, and with respect to the very serious imbalance in our budget.

It is interesting to me that the margin in respect of these matters is relatively narrow. The imbalance in our international payments represents about $3 billion between a good situation and a bad situation. The imbalance in our exports as contrasted with our imports has shown deterioration lately of about $3 billion. Even our deficit, large as it is, over $20 billion—variously estimated from $20 billion to $26 billion—when compared with the $800 billion or $850 billion economy in proportion is not going to shake the world. Nonetheless, the confluence of these events has brought us to the situation where, notwithstanding the mandate of the Constitution with respect to the authority of the other body to originate legislation of this character, the Senate wishes to manifest its will upon this subject.

I have no illusions about what we are doing here. We all know, because most of us have been around here a long time, that the conference which will ensue as we pass the bill today may very well confine itself to the excise taxes alone, perhaps because of the sheer exigency of time, but we also know that the Senate has clearly expressed its will to have an income tax increase and an expenditure reduction.

I have predicted a tax increase within 30 days. I do not know who is going to do what to whom, in terms of these two bodies, but I predict that within 30 days, if the Senate passes the Smathers-Williams substitute, there will be a tax increase, and there will be a requirement for an overall expense reduction.

Now, what has been discussed all the time so far is an expense reduction. What has not been discussed during all of this time is the very real problem of what to do about tax reform, which can also produce considerable money in the way of revenues.

We are talking about a surtax which will produce, in round figures, between $10 billion and $12 billion. We are talking about an expenditure reduction of $6 billion. That is not enough, of course, to overcome our deficit. Our deficit is well in excess of $20 billion. But it is enough to make measurable progress, to bring the deficit down to measurable proportions. But it seems, in all fairness to the people of our Nation, that we should not be content with merely giving them more taxation, and depriving them of some of the benefits of some of the legislation already on the books, but we should seek to tighten up our tax codes, to eliminate inequities, to deal with discrimination, and generally to make a much better posture for the situation than now exists.

In that regard, I wish to point out that the President, in his economic message of January 1967, stated that he would send a message to the Congress on tax reform during that session of Congress. Over a year has now passed, and we still have no such legislation before us.

I had contemplated introducing a series of tax reform proposals as amendments to the pending legislation. However, in view of the complexities of any such tax reform package, and the need to expedite passage of the present excise tax bill, I decided instead, to ask the Senate to go on record to urge the President to send a tax reform bill to the Congress within 90 days.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JAVITS. I yield myself another 5 minutes.

I would like to point out that over 9 months ago, on June 20, 1967, Assistant Secretary of the Treasury Stanley Surrey stated:

> It seems clear our tax laws, as they stand today, impose burdens on some of our citizens which are clearly unfair. In other cases, they grant special preferences to individuals and groups which are just as clearly inequitable.

Secretary Surrey also recommended specific reforms at that time.

We have not had a tax reform message since January 24, 1963.

I might point out that former Commissioner of Internal Revenue Caplin said, not so long ago, in discussing the need for improvement of the tax system:

> The system, after all, requires voluntary assessment by each taxpayer of his own tax liability. Without fundamental public respect for the tax law, we cannot expect the broad-based tax compliance which is essential to the vitality of the system. Unfairness, discrimination, and abuse erode that respect; and in doing so, they present serious danger to the mechanism by which our federal government supports itself.

A number of proposals for tax reform have been introduced in the Congress. It seems apparent that until the administration sends up its own bill, no action will be taken. Even when a bill is introduced, it will undoubtedly take many months. Therefore, we should have a bill before us as early as possible if we are to get tax reform through even by this time next year.

The amendment, in my judgment, is very relevant to the measure which is before us. Again I quote Mr. Caplin this past January when he said:

> The subject of tax reform has special urgency at the present time. The Administration proposes and continues to press for a 10 percent surcharge upon the existing income tax. The additional revenue to be raised by the surcharge is considerable—an estimated $9.8 billion for fiscal 1969. When those who bear the burden of the present income tax are called upon for an additional contribution of that magnitude, it is hardly surprising that they give special attention to aspects of the tax law which enable others to pay less than their share. And, naturally enough, demands for reform have mounted.

This is a very simple approach to the problem. It simply asks the administration to give us its recommendations for tax reform within 90 days.

The manager of the bill felt that a longer period was required. I would not argue with him about that. It seems to me this is the kind of amendment which is very pertinent to this bill or any bill which imposes additional taxes, excise or income. We are proposing exactly that in the Smathers-Williams substitute.

Therefore, I hope this is one amendment that the managers of the bill will take, but I certainly feel that it is an amendment which deserves the affirmative action of the Senate, which I hope it will have.

As I said before, it is very hard to get our colleagues to be here much before 10 o'clock. Therefore, I ask unanimous consent that I may call for a quorum without the time being charged to either side.

The PRESIDING OFFICER. Is there objection?

Mr. LONG of Louisiana. Mr. President, what is the request?

Mr. JAVITS. I am asking for a quorum call without the time being charged to either side.

Mr. LONG of Louisiana. Can we let it be charged equally?

Mr. KUCHEL. Mr. President, will the Senator yield to me?

Mr. JAVITS. Mr. President, I will withhold my request momentarily.

The PRESIDING OFFICER. The Senator from California.

Mr. JAVITS. I will, provided I am assured that I will have a quorum call, when the Senator from California is through, without the time being charged. It is necessary to me as I want a rollcall on my amendment.

Mr. LONG of Louisiana. Mr. President, I will assure the Senator that when we get down to the time of approaching a vote, with perhaps 5 minutes left on both sides, I will be willing to have a quorum call in order to have the yeas and nays ordered. I am sure the Senator realizes the frustration of trying to keep Senators present on the floor. Within 10 minutes of the time for a vote, I will help him get a rollcall.

Mr. JAVITS. Mr. President, I ask unanimous consent that the amendment I have offered be temporarily laid aside and that when consideration of the amendment to be offered by the distinguished Senator from California is completed, the Senate may again turn to the consideration of my amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 669

Mr. KUCHEL. Mr. President, I ask that the Chair lay before the Senate an amendment to the substitute offered by the distinguished minority leader [Mr. DIRKSEN], amendment No. 669.

The PRESIDING OFFICER. The clerk will state the amendment.

The assistant legislative clerk read the amendment (No. 669) as follows:

At the end of the bill insert the following:

"SEC. —. ADVERTISING IN A POLITICAL CONVENTION PROGRAM.

"(a) Section 276 of the Internal Revenue Code of 1954 (relating to certain indirect contributions to political parties) is amended by redesignating subsection (c) as (d), and by inserting after subsection (b) the following new subsection:

" '(c) Advertising in a Convention Program of a National Political Convention.—Subsection (a) shall not apply to any amount paid or incurred for advertising in a convention program of a political party distributed in connection with a convention held for the purpose of nominating candidates for the office of President and Vice President of the United States, if the proceeds from such program are used solely to defray the costs of conducting such convention and the amount paid or incurred for such advertising is reasonable in light of the business the taxpayer may expect to receive directly as a result of such advertising or is reasonable in light of the business expected to be brought by such convention to the area in which the taxpayer has a principal place of business.'

"(b) This section shall be effective with respect to amounts paid or incurred on or after January 1, 1968."

The PRESIDING OFFICER. How much time does the Senator from California yield himself?

Mr. KUCHEL. Two minutes.

The PRESIDING OFFICER. The Senator from California is recognized.

Mr. KUCHEL. Mr. President, this amendment modifies section 276 of the Internal Revenue Code, to permit the deduction of certain amounts paid or incurred for advertising in a political convention program, where the convention is held to nominate candidates for President and Vice President of the United States.

Present law prohibits the deduction of all amounts paid for advertising in such a program, although they may constitute an ordinary and necessary business expense which otherwise would be deductible.

The amendment now pending is limited so as to maintain the prohibition against deduction of political contributions that are made in the guise of advertising expenditures in convention programs. To accomplish this, the amendment is applicable only if the amounts paid are reasonable in the light of the business the taxpayer may expect to receive as a result of the advertisement, or are reasonable in the light of the business expected to be brought by the convention to the area in which the taxpayer has a principal place of business.

In addition, the amendment applies only if the proceeds of the program are used solely to defray the costs of conducting the convention.

Mr. President, as I stated earlier, I introduce this amendment on behalf of the distinguished minority leader [Mr. Dirksen]. I might say that this proposal seeks to resolve an inequity in our tax laws. Prior to this moment, I have discussed it with my able friend, the distinguished senior Senator from Delaware, who is about to speak and indicate his approval. I am hopeful that the amendment will be adopted.

ORDER OF BUSINESS

Mr. MORSE. Mr. President, will the Senator yield for a moment, for a privileged matter?

Mr. KUCHEL. I yield.

Mr. MORSE. Mr. President, I ask unanimous consent that I may present to the Senate the conference report on H.R. 13042, and that the very brief time it will take not to be counted against either side on the pending amendment.

Mr. KUCHEL. I have no objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

DISTRICT OF COLUMBIA ELECTED BOARD OF EDUCATION ACT—CONFERENCE REPORT

Mr. MORSE. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 13042) to amend the act of June 20, 1906, and the District of Columbia election law to provide for the election of members of the Board of Education of the District of Columbia. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The assistant legislative clerk read the report, as follows:

Conference Report

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 13042) to amend the act of June 20, 1906, and the District of Columbia election law to provide for the election of members of the Board of Education of the District of Columbia, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

"SHORT TITLE

"Section 1. This Act may be cited as the 'District of Columbia Elected Board of Education Act.'

"FINDINGS AND DECLARATION OF PURPOSE

"Sec. 2. The Congress hereby finds and declares that the school is a focal point of neighborhood and community activity; that the merit of its schools and educational system is a primary index to the merit of the community; and that the education of their children is a municipal matter of primary and personal concern to the citizens of a community. It is therefore the purpose of this Act to give the citizens of the Nation's Capital a direct voice in the development and conduct of the public educational system of the District of Columbia; to provide organizational arrangements whereby educational programs may be improved and coordinated with other municipal programs, and to make District schools centers of neighborhood and community life.

"AMENDMENTS TO DISTRICT OF COLUMBIA BOARD OF EDUCATION LAW

"Sec. 3. (a) Section 2 of the Act entitled 'An Act to fix and regulate the salaries of teachers, school officers, and other employees of the board of education of the District of Columbia', approved June 20, 1906 (D.C. Code, sec. 31–101), is amended by striking out the first paragraph of subsection (a) and inserting in lieu thereof the following:

" 'Sec. 2. (a) The control of the public schools of the District of Columbia is vested in a Board of Education to consist of eleven elected members, three of whom are to be elected at large, and one to be elected from each of the eight school election wards established under the District of Columbia Election Act. The election of the members of the Board of Education shall be conducted on a nonpartisan basis and in accordance with such Act.

" '(b) (1) Except as provided in paragraph (2) of this subsection and section 10(e) of the District of Columbia Election Act, the term of office of a member of the Board of Education shall be four years.

" '(2) Of the members of the Board of Education first elected after the date of the enactment of this paragraph, three members elected from wards and two members elected at large shall serve for terms ending January 26, 1970, and the other six members shall serve for terms ending January 24, 1972. The members who shall serve for terms ending January 26, 1970, shall be determined by lots cast before the Board of Elections of the District of Columbia upon a date set and pursuant to regulation issued by the Board of Elections.

" '(3) The term of office of a member of the Board of Education elected at a general election shall begin at noon on the fourth Monday in January next following such election. A member may serve more than one term.

" '(4) The members may receive compensation at a rate fixed by the District of Columbia Council, which shall not exceed $1,200 per annum.

" '(c) (1) Each member of the Board of Education elected from a ward shall at the time of his nomination (A) be a qualified elector (as that term is defined in section 2 of the District of Columbia Election Act) in the school election ward from which he seeks election, (B) have, for the one-year period immediately preceding his nomination, resided in the school election ward from which he is nominated, (C) have, during the three years next preceding his nomination, been an actual resident of the District of Columbia and have during such period claimed residence nowhere else, and (D) hold no elective office other than delegate or alternate delegate to a convention of a political party nominating candidates for President and Vice President of the United States. A member shall forfeit his office upon failure to maintain the qualifications required by this paragraph.

" '(2) Each member of the Board of Education elected at large shall at the time of his nomination (A) be a qualified elector (as that term is defined in section 2 of the District of Columbia Election Act) in the District of Columbia, (B) have, during the three-year period next preceding his nomination, been an actual resident of the District of Columbia and have during such period claimed residence nowhere else, and (C) hold no elective office other than delegate or alternate delegate to a convention of a political party nominating candidates for President and Vice President of the United States. A member shall forfeit his office upon failure to maintain the qualifications required by this paragraph.

" '(3) No individual may hold the office of member of the Board of Education and also be an officer or employee of the District of Columbia government or of the Board of Education. A member will forfeit his office upon failure to maintain the qualification required by this paragraph.

" '(d) Whenever, before the end of his term, a member of the Board of Education dies, resigns, or becomes unable to serve or a member-elect of the Board of Education fails to take office, such vacancy shall be filled as provided in section 10(e) of the District of Columbia Election Act.

" '(e) The Board of Education shall select a President from among its members at the first meeting of the Board of Education held on or after the date (prescribed in paragraph (3) of subsection (b) of this section) on which members are to take office after each general election. The Board of Education may appoint a secretary, who shall not be a member of the Board of Education. The Board of Education shall hold stated meetings at least once a month during the school year and such additional meetings as it may from time to time provide for. Meetings of the Board of Education shall be open to the public; except that the Board of Education (1) may close to the public any meeting (or part thereof) dealing with the appointment, promotion, transfer, or termination of employment of, or any other related matter involving, any employee of the Board of Education, and (2) may close to the public any meeting (or part thereof) dealing with any other matter but no final policy decision on such other matter may be made by the Board of Education in a meeting (or part thereof) closed to the public.'

"(b) The second, third, fourth, and fifth paragraphs of such section 2(a) are redesignated as subsections (f), (g), (h), and (i), respectively.

"(c) Subsection (b) of such section 2 is repealed.

"(d)(1) The provisions of the Act of June 20, 1906, listed in paragraph (2) of this subsection, are amended by striking out the terms 'board of education' and 'board' each place they appear in such provisions and inserting in lieu thereof 'Board of Education' and 'Board', respectively.

"(2) The provisions of the Act of June 20, 1906, amended by paragraph (1) of this subsection are as follows:

"(A) Subsections (f), (g), (h), and (i) of section 2 of such Act (as so redesignated by subsection (b) of this section) (D.C. Code, secs. 31–102, 31–103, 31–104, 31–101).

"(B) Section 3 of such Act (D.C. Code, secs. 31–105, 31–108, 31–110, 31–111).

"(C) The first paragraph of section 5 of such Act (D.C. Code, sec. 31–112).

"(D) Section 12 of such Act (D.C. Code, sec. 31–117).

"AMENDMENTS TO DISTRICT OF COLUMBIA ELECTION LAW

"SEC. 4. The Act entitled 'An Act to regulate the election in the District of Columbia of electors of President and Vice President of the United States and of delegates representing the District of Columbia to national political conventions, and for other purposes', approved August 12, 1955 (D.C. Code, sec. 1–1101 et seq.), is amended as follows:

"(1) The first section of such Act (D.C. Code, sec. 1–1101) is amended by inserting immediately after 'Vice President of the United States' the following: ', the members of the Board of Education,'.

"(2) Section 2 of such Act (D.C. Code, sec. 1–1102) is amended by adding at the end thereof the following new paragraphs:

" '(4) The term "ward" means a school election ward established by the Board under section 5(a)(4) of this Act.

" '(5) The term "Board of Education" means the Board of Education of the District.'

"(3) Paragraph (4) of section 5(a) of such Act (D.C. Code, sec. 1–1105(a)(4)) is amended by inserting immediately before the semicolon the following: '; divide the District into eight compact and contiguous school election wards which shall include such numbers of precincts as will provide approximately equal population within each ward; and reapportion the wards accordingly after each decennial census'.

"(4) Section 7 of such Act (D.C. Code, sec. 1–1107) is amended—

"(A) by striking out in subsection (a) 'he registers in the District during the year in which such election is to be held.' and inserting in lieu thereof 'he is duly registered in the District on the date of such election. A person shall be considered duly registered in the District if he registers under this Act after January 1, 1968, and if after the date he registers no four-year period elapses during which he fails to vote in an election held under this Act.';

"(B) by amending subsection (d) to read as follows:

" '(d)(1) The registry shall be open during reasonable hours, except that the registry shall not be open (A) during the thirty-day period ending on the first Tuesday following the first Monday in November of each odd-numbered calendar year and of each presidential election year, (B) during the thirty-day period ending on the first Tuesday in May in each presidential election year, and (C) during such other period as the Board may provide in the case of a special election.

" '(2) The Board may close the registry on Saturdays, Sundays, and holidays. While the registry is open, any person may apply for registration or change his registration.'; and

" '(C) by striking out in subsection (e), 'Municipal Court for the District of Columbia' and inserting in lieu thereof 'District of Columbia Court of General Sessions'.

"(5) Section 8 of such Act (D.C. Code, sec. 1–1108) is amended—

"(A) by striking out in subsection (a)(1) 'thirty days' and inserting in lieu thereof 'forty-five days'; and

"(B) by adding the following new subsections at the end thereof:

" '(h)(1) Except in the case of the three members of the Board of Education elected at large, the members of the Board of Education shall be elected by the qualified electors of the respective wards of the District from which the members have been nominated.

" '(2) In the case of the three members of the Board of Education elected at large, each such member shall be elected by the qualified electors of the District.

" '(i) Each candidate in a general election for member of the Board of Education shall be nominated for such office by a petition (A) filed with the Board not later than forty-five days before the date of such general election; (B) signed by at least two hundred and fifty persons who are duly registered under section 7 in the ward from which the candidate seeks election, or in the case of a candidate running at large, signed by at least one hundred and twenty-five persons in each ward of the District who are duly registered in such ward; and (C) accompanied by a filing fee of $100. Such fee may be refunded only in the event that the candidate withdraws his nomination by writing received by the Board not later than three days after the date on which nominations are closed. A nominating petition for a candidate in a general election for member of the Board of Education may not be circulated for signatures before the ninety-ninth day preceding the date of such election and may not be filed with the Board before the seventieth day preceding such date. The Board may prescribe rules with respect to the preparation and presentation of nominating petitions and the posting and disposition of filing fees. In a general election for members of the Board of Education, the Board shall arrange the ballots in each ward to enable a voter registered in that ward to vote for any one candidate duly nominated to be elected to such office from such ward, and to vote for as many candidates duly nominated for election at large to such office as there are Board of Education members to be elected at large in such election.

" '(j)(1) The Board is authorized to accept any nominating petition for a candidate for any office as bona fide with respect to the qualifications of the signatories thereto if the original or facsimile thereof has been posted in a suitable public place for the ten-day period beginning on the forty-second day before the date of the election for such office. Any qualified elector may within such ten-day period challenge the validity of any petition by a written statement duly signed by the challenger and filed with the Board and specifying concisely the alleged defects in such petition. Copy of such challenge shall be sent by the Board promptly to the person designated for the purpose in the nominating petition.

" '(2) The Board shall receive evidence in support of and in opposition to the challenge and shall determine the validity of the challenged nominating petition not more than eight days after the challenge has been filed. Within three days after announcement of the determination of the Board with respect to the validity of the nominating petition, either the challenger or any person named in the challenged petition as a nominee may apply to the District of Columbia Court of Appeals for a review of the reasonableness of such determination. The court shall expedite consideration of the matter and the decision of such court shall be final and not appealable.

" '(k) In any election, the order in which the names of the candidates for office appear on the ballot shall be determined by lot, upon a date or dates and under regulations prescribed by the Board.'

"(6) Section 9 of such Act (D.C. Code, sec. 1–1109) is amended—

"(A) by striking out 'for electors of President and Vice President' in the second sentence of subsection (b); and

"(B) by striking out 'Municipal Court for the District of Columbia' in subsection (e) and inserting 'District of Columbia Court of General Sessions'.

"(7) Section 10 of such Act (D.C. Code, sec. 1–1110) is amended—

"(A) by striking out the second and third sentences of paragraph (1) of subsection (a) and the second sentence of paragraph (2) of such subsection;

"(B) by adding at the end of subsection (a) the following new paragraphs:

" '(3) The first general election for members of the Board of Education shall be held on November 5, 1968, and thereafter on the Tuesday next after the first Monday in November of each odd-numbered calendar year.

" '(4)(A) If in a general election for members of the Board of Education no candidate for the office of member from a ward, or no candidate for the office of member elected at large (where only one at-large position is being filled at such election), receives a majority of the votes validly cast for such office, a runoff election shall be held on the twenty-first day next following such election. The candidate receiving the highest number of votes in such runoff election shall be declared elected.

" '(B) When more than one office of member elected at large is being filled at such a general election, the candidates for such offices who receive the highest number of votes shall be declared elected, except that no candidate shall be declared elected who does not receive a majority of the number of all votes cast for candidates for election at large in such election divided by the number of at-large offices to be filled in such election. Where one or more of the at-large positions remains unfilled, a runoff election shall be held as provided in subparagraph (A) of this paragraph, and the candidate or candidates receiving the highest number of votes in such runoff election shall be declared elected.

" '(C) Where a vacancy in an unexpired term for an at-large position is being filled at the same general election as one or more full term at-large positions, the successful candidate or candidates with the highest number of votes in the general election, or in the runoff election if a runoff election is necessary, shall be declared elected to the full term position or positions, provided that any candidate declared elected at the general election shall for this purpose be deemed to have received a higher number of votes than any candidate elected in the runoff election.

"'(D) The Board may resolve any tie vote occurring in an election governed by this paragraph by requiring the candidates receiving the tie vote to cast lots at such time and in such manner as the Board may prescribe.

"'(5) In the case of a runoff election for the office of member of the Board of Education elected at large, the candidates in such runoff election shall be those unsuccessful candidates, in number not more than one more than the number of such offices to be filled, who in the general election next preceding such runoff election received the highest number of votes less than a majority. In the case of a runoff election for the office of member of the Board of Education from a ward, the runoff election shall be held in such ward, and the two candidates who in the general election next preceding such runoff election received respectively the highest number and the second highest number of votes validly cast in such ward or who tied in receiving the highest number of such votes shall run in such runoff election. If in any case (other than the one described in the preceding sentence) a tie vote must be resolved to determine the candidates to run in any runoff election, the Board may resolve such tie vote by requiring the candidates receiving the tie vote to cast lots at such time and in such manner as the Board may prescribe.

"'(6) If any candidate withdraws (in accordance with such rules and time limits as the Board shall prescribe) from a runoff election held to select a member of the Board of Education or dies before the date of such election, the candidate who received the same number of votes in the general election next preceding such runoff election as a candidate in such runoff election or who received a number of votes in such general election which is next highest to the number of votes in such general election received by a candidate in the runoff election and who is not a candidate in such runoff election shall be a candidate in such runoff election. The resolution of any tie necessary to determine the candidate to fill the vacancy caused by such withdrawal or death shall be resolved by the Board in the same manner as ties are resolved under paragraph (5).'

"(C) by amending subsection (b) to read as follows:

"'(b) All elections prescribed by this Act shall be conducted by the Board in conformity with the provisions of this Act. In all elections held pursuant to this Act the polls shall be open from 8 o'clock antemeridian to 8 o'clock postmeridian. Candidates receiving the highest number of votes in elections held pursuant to this Act, other than general elections for members of the Board of Education, shall be declared the winners.';

"(D) by inserting after 'In the case of a tie' in subsection (c) the following: 'vote in any election other than an election for members of the Board of Education';

"(E) by inserting after 'official' in subsection (d) the following: ', other than a member of the Board of Education,'; and

"(F) by adding at the end thereof the following new subsection:

"'(e) Whenever a vacancy occurs in the office of member of the Board of Education, such vacancy shall be filled at the next general election for members of the Board of Education which occurs more than ninety-nine days after such vacancy occurs. However, the Board of Education shall appoint a person to fill such vacancy until the unexpired term of the vacant office ends or until the fourth Monday in January next following the date of the election of a person to serve the remainder of such unexpired term, whichever occurs first. A person elected to fill a vacancy shall hold office for the duration of the unexpired term of office to which he was elected. Any person appointed under this subsection shall have the same qualifications for holding such office as were required of his immediate predecessor.'

"(8) The first sentence of section 11(b) of such Act (D.C. Code, sec. 1-1111(b)) is amended by striking out 'the United States District Court for the District of Columbia' and inserting in lieu thereof 'the District of Columbia Court of Appeals'.

"(9) The following new sections shall be added at the end of such Act:

"'Sec. 15. No person shall be a candidate for more than one office on the Board of Education in any election for members of the Board of Education. If a person is nominated for more than one such office, he shall, within three days after the Board has sent him notice that he has been so nominated, designate in writing the office for which he wishes to run, in which case he will be deemed to have withdrawn all other nominations. In the event that such person fails within such three-day period to file such a designation with the Board, all such nominations of such person shall be deemed withdrawn.

"'Sec. 16. This Act may be cited as the "District of Columbia Election Act".'

"COORDINATION WITH THE DISTRICT OF COLUMBIA GOVERNMENT

"Sec. 5. (a) The Board of Education and the Commissioner of the District of Columbia shall jointly develop procedures to assure the maximum coordination of educational and other municipal programs and services in achieving the most effective educational system and utilization of educational facilities and services to serve broad community needs. Such procedures shall cover such matters as—

"(1) design and construction of educational facilities to accommodate civic and community activities such as recreation, adult and vocational education and training, and other community purposes;

"(2) full utilization of educational facilities during nonschool hours for community purposes;

"(3) utilization of municipal services such as police, sanitation, recreational, maintenance services to enhance the effectiveness and stature of the school in the community;

"(4) arrangements for cost-sharing and reimbursements on school and community programs involving utilization of educational facilities and services; and

"(5) other matters of mutual interest and concern.

"(b) The Board of Education may invite the Commissioner of the District of Columbia or his designee to attend and participate in meetings of the Board on matters pertaining to coordination of educational and other municipal programs and services and on such other matters as may be of mutual interest.

"EFFECTIVE DATE AND TERMINATION OF OFFICE

"Sec. 6. (a) The amendments made by this Act shall take effect on May 15, 1968, except that—

"(1) the Board of Education of the District of Columbia, appointed under the Act of June 20, 1906 (as in effect on the date of the enactment of this Act), shall continue to exercise the powers, functions, duties vested in it under such Act (as in effect on such date);

"(2) vacancies in such Board shall be filled by appointment in accordance with such Act (as in effect on such date); and

"(3) the members of such Board appointed under such Act (as in effect on such date) shall continue in office;

until such time as at least six of the members first elected to the Board of Education (under such Act as amended by this Act) take office."

And the Senate agree to the same.

Wayne Morse,
Robert Kennedy,
Winston Prouty,
Managers on the Part of the Senate.
John L. McMillan,
John Dowdy,
Donald M. Fraser,
Bernie Sisk,
Ancher Nelsen,
Joel T. Broyhill,
John M. Zwach,
Sam Steiger,
Managers on the Part of the House.

The **PRESIDING OFFICER**. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. **MORSE**. Mr. President, I shall make a very brief statement in connection with the conference report.

H.R. 13042, as agreed to by the House and Senate conferees, provides for the first School Board election to be held on November 5, 1968, with each succeeding School Board election to be held in November in odd-numbered years.

The elected School Board would consist of 11 members, eight elected from individual wards and three elected at-large for terms of 4 years on a nonpartisan basis.

The bill also establishes the qualifications to hold office, and compensation and procedures for submitting nominating petitions.

The conference report comes to the Senate with the unanimous recommendation of both the House and Senate conferees.

The favorable action about to be taken by the Senate on the District of Columbia elected School Board conference report and the favorable action anticipated on the report shortly in the House of Representatives ranks as a very significant historical event in the history of the Nation's Capital. Never before in the history of the District of Columbia have the citizens who resided here had an opportunity to elect their own School Board members.

During the first three-quarters of the 19th century, the Department of Interior managed the local colored schools, while the District of Columbia Government managed the white schools. This changed in 1873 when the colored schools were transferred to the District of Columbia under a board of nine trustees appointed by the Governor. In 1906, Congress vested control of the public schools in a Board of Education appointed by the supreme court judges of the District of Columbia. Presently, School Board members are appointed by the U.S. district court. It is obvious that until the elected School Board bill becomes law we really have made little progress since 1804 in putting democracy to work in the Nation's Capital by allowing its citizens the right to elect their own School Board.

In my judgment, congressional approval of the elected School Board bill is a giant stride forward toward the ultimate goal of true home rule for the Nation's Capital.

The recent reorganization of the District of Columbia government and final approval of the elected School Board bill ushers in an era of greater democracy for the Nation's Capital.

Much credit for these accomplishments must go to my distinguished friend from Nevada [Mr. Bible], the chairman of the District Committee, for the leadership he has shown, and to my distinguished colleagues, Senators Prouty and Dominick for the great contributions they have made on behalf of home rule and elected School Board proposals over the years. My friend from Colorado, since coming to the Senate, has been in the forefront of efforts to secure an elected School Board for the Nation's Capital. I also wish to pay tribute to my colleague from New York [Mr. Kennedy] for the contribution he made to this legislation and the wonderful cooperation he gave me at all times. Each member of the District Committee has made significant contributions toward passage of both bills.

I also want to compliment the members of the House District of Columbia Committee for their strong support of the elected School Board.

I would be remiss if I did not state my deep appreciation to President Johnson for the strong support he has given us in trying to bring about this long overdue and necessary reform.

Mr. PROUTY. Mr. President, the pending conference report is of singular importance to the District of Columbia. The citizens of the District have been isolated too long from their educational system. The future of their children is the paramount concern of all parents, but parents in the District have been deprived of a voice in the keystone of their children's lives—their education. Particularly in the ghettoes of the District, where the lack of an education has been the bar to a better life, there is great respect for education and parents are vitally interested in the schools and the quality of education provided for their children.

Throughout the Nation, Mr. President, in every community, the school system is an integral part of the community it serves and direct election of members of the School Board is the common practice. In the State of Vermont they have been elected since 1870. In the District of Columbia, due to an archaic selection system, the citizens do not have this fundamental right to select those who determine educational policies and the quality of education provided for their children. Parents in the District are denied any direct involvement in the effective operation of their children's schools. With the passage of the pending legislation, Mr. President, which provides for elected School Board, the residents of the District will share with millions of other Americans citizens a voice in the administration of their educational system. They will have the opportunity to select a School Board responsible to them.

My statement, Mr. President, is not meant in criticism of those who presently serve or have served in the past on the Board of Education. The District has been fortunate to have such dedicated and selfless individuals serve on its School Board and they have served the community faithfully and well, laboring under difficult circumstances imposed upon them by an outmoded selection system. The judges of the Federal district court, who have been charged with the responsibility of appointing the members of the School Board, have urged that they be relieved of this duty alien to their judicial responsibilities, and I agree that they should be.

An independent elected School Board for the District of Columbia, Mr. President, is not a new concept. For several years my colleague on the Senate District of Columbia Committee, the distinguished Senator from Colorado, and I have been advocates of an elected School Board. In the past he has introduced legislation to bring this voice to the residents of the District—without success. In commitee I have given him my full support when he unsuccessfully attempted to have such a measure added as an amendment to other legislation. I was gratified when belated support for an elected School Board was forthcoming in this 90th Congress

One of the things which gives me great satisfaction in this legislation, Mr. President, is the fact that it is a bipartisan measure. The distinguished Senator from Oregon, who is chairman of the Public Health, Education, Welfare, and Safety Subcommittee of the Senate Committee on the District of Columbia, has long been recognized as a leader in the field of education in this country. I have had the honor and privilege of serving with him not only on the Senate District of Columbia Committee but on the Subcommittee on Education of the Labor and Public Welfare Committee. He has been the champion of countless causes resulting in the enlargement and improvement of education in this country and the legislation we are considering today is another of his meaningful contributions.

The acceptance of the conference report on this elected School Board legislation, Mr. President, and its enactment into law, will not be the panacea for all the ills in the District's educational system but it will do much to resolve some of the serious differences which have developed in this community. It is legislation which has broad based support from every quarter of the community, and I am glad to see such strong support for a measure which I have long considered to be of great importance to the District. Through increased community participation the educational system of the District can become a part of the community life. All of us must now assume our responsibility to bring to the citizens of the District this much needed and long overdue reform in its educational system.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. MORSE. I thank the Senator from California and the Senator from Delaware.

TAX ADJUSTMENT ACT OF 1968

The Senate resumed the consideration of the bill (H.R. 15414) to continue the existing excise tax rates on communication services and on automobiles, and to apply more generally the provisions relating to payments of estimated tax by corporations.

Mr. WILLIAMS of Delaware. Mr. President, we have worked this amendment out after discussing it with the representatives of the department, and we are willing to take it. In fact, we think it is necessary.

This problem first arose a few years ago as a result of the excessive amount of advertising that was appearing in the brochures of the national conventions—advertising to the extent that, in effect, contractors were making their $10,000 or $25,000 contributions under the guise that the money was for advertising.

By an amendment which I offered, that practice was tightened up, and such contributions were completely eliminated.

However, it was pointed out by the administration that in tightening the loophole, we had proceeded to the extent that hotels, for example, in the area where the convention was being solicited, could not make the normal donations which are customarily raised when cities bid for these conventions. It has always been customary, for instance, as, for example, for the Cherry Blossom Festival, to raise a fund, through the chamber of commerce, to underwrite the convention coming to the city, on the basis that the hotels and business people in the community will profit therefrom.

This amendment would allow such advertising only in two cases. First, it would be allowed to the extent that people in the area would have a reasonable expectation of making an additional profit in their business as a result of getting the convention in the area. For example, when one of the conventions is to be held in the Miami area, the hotels in that area could deduct the cost of advertising in the brochures for that convention to the extent its business could reasonably be expected to increase as a result of the convention. The Miami hotels could not get a deduction, of course, for a Chicago convention. When the convention goes to Chicago, the business interests in Chicago that would have a reasonable expectation of making a profit as a result of that convention would be allowed the same deduction they would be allowed if it were a convention of the American Legion or any other organization. Beyond that, this part of the amendment does not go.

The second type of advertising allowed by the amendment would be for a business, such as the Coca Cola Co., if it wanted to advertise. They could only be allowed a deduction to the extent that they would normally expect to take advertising in any nonpolitical brochure having a distribution among a similar size group. It could not be in the nature of a contribution, political or otherwise.

Another safeguard is that in all instances if, perchance, they had a surplus after the convention, none of the proceeds could be used to defray the expenses of a political campaign. They would have to be earmarked and set aside and carried over for the next convention, 4 years later. Under no circumstances could those funds be used for political purposes. The whole cost would be rejected if any of the proceeds were sought to be used to defray such campaign costs.

As I said before, it is very clear that defense contractors and various other contractors who heretofore were solicited for advertising would not be allowed to deduct that cost because there would be no reasonable expectation that business would result. Such advertising could only be interpreted as improper influence, and that is not considered to be a proper deduction.

This amendment does spell out a clear interpretation for the representatives of the Treasury Department. We were told that they need these safeguards. While they felt that they could interpret them by regulation, it would be better to do it in this manner.

I wanted to make this intent clear. I am sure that the sponsors of the amendment will agree. We do not think it can result in an abuse.

Mr. KUCHEL. Mr. President, the Senator is correct. I think it is an excellent amendment and does serve a useful purpose.

The **PRESIDING OFFICER.** The question is on agreeing to the amendment of the Senator from Illinois.

The amendment (No. 669) was agreed to.

Mr. KUCHEL. Mr. President, I move that the same amendment, No. 669, be added to the bill itself.

The **PRESIDING OFFICER.** The question is on agreeing to the motion of the Senator from California.

The motion was agreed to.

Mr. KUCHEL. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. LONG of Louisiana. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. KUCHEL. Mr. President, I thank my able friend, the Senator from Louisiana [Mr. LONG], and the Senator from Delaware [Mr. WILLIAMS].

Mr. LONG of Louisiana. Mr. President, is an amendment now pending?

The **PRESIDING OFFICER.** The Javits amendment is the pending business.

Mr. LONG of Louisiana. Mr. President, on my own time, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

UNANIMOUS-CONSENT REQUEST

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Sergeant at Arms be directed to keep the Senate floor and lobby clear of all Senate staff personnel except those on the staff of the Sergeant at Arms, the Secretary of the Senate, the secretary for the majority, the secretary for the minority, the Finance Committee, the two policy committees, and the staff of any Senator who makes a special request.

Mr. CLARK. Mr. President, reserving the right to object, and I do not object, I would like to have it perfectly clear that my assistants, Mr. Kirst and Mr. Schwartz, may be on the floor at all times during the consideration of the pending bill.

Mr. LONG of Louisiana. Mr. President, reserving the right to object, and I believe I will be constrained to object, I do not think the request will be necessary today. I do not think we will have that much confusion. I would prefer to wait until we see if such a request becomes really necessary.

I hope that the Senator will not insist on the request. If he does, I will have to object.

Mr. BYRD of West Virginia. Mr. President, I will not insist on it if the majority whip intends to object.

I want to make the point that during the conference held earlier this year, the members of the Democratic conference agreed to make every effort to keep the floor clear of attachés who had no business on the Senate floor.

Yesterday I counted almost 50 Senate aides on the floor. And that situation held true throughout most of the day. I do not believe that 50 Senators need 50 aides present on the floor. It was for that reason that I propounded the request. I asked unanimous consent that the staff of the Finance Committee be permitted to have the use of the floor today.

Any Senator could ask unanimous consent to have any aide he wishes on the floor in spite of this request.

Mr. LONG of Louisiana. I am managing the bill. It is a Finance Committee bill, and we do have a large staff. In addition, in my own case, members of my staff must communicate from time to time.

I do not want to ask a favor for myself that I would not want to ask for others. I would prefer not to use this procedure at this time, and I hope that the Senator will work with me on the matter. I believe that it will work out all right.

Mr. CLARK. Mr. President, I think it will work out all right, too, despite what the Democratic conference did.

I think it is confusing to have individual Senators get up and ask unanimous consent that staff members be granted the privilege of the floor to assist the Senator when, to me, they are clearly entitled to be here.

I yield to my friend, the Senator from West Virginia, who has been an efficient secretary of the conference and has done marvelous work. However, I think we are going too far when we attempt to impose this restriction in the widest sort of way.

I join my friend, the Senator from Louisiana, in asking that the Senator from West Virginia play it by ear for the time being.

Mr. BYRD of West Virginia. Mr. President, I will not press the request. However, if we play it by ear, it will get out of hand as it did on yesterday, and then it is difficult to restore control of the situation. Whereas if consent to clear the floor is gotten early in the day as I have attempted to do, the matter will not get out of hand.

A number of Senators yesterday objected to all the aides running up and down the aisle and sitting in the seats of various Senators. Senators could not hear what was said. I think it is holding the Senate up to ridicule.

So far as I am concerned, I am willing to ask unanimous consent at any time I need an aide on the floor. But, as a usual procedure, I let my aides come to the lobby, and I meet them out there, and I then send them back to the office.

If aides wish to listen, they can sit in the gallery and hear everything that is said. If we are not going to have order in the Senate, then I will not press my request. If Senators desire order, this is the only way to get it and maintain it.

Mr. LONG of Louisiana. Mr. President, at such time as it becomes a problem, I will join the Senator in the request.

Mr. BYRD of West Virginia. At such time as it becomes a problem, the Senator from Louisiana can make the request himself.

Mr. LONG of Louisiana. I thank the Senator.

Mr. BYRD of West Virginia. I thank the Senator.

The **PRESIDING OFFICER** (Mr. BURDICK in the chair). Objection is heard.

The Senator from New York is recognized.

Mr. JAVITS. Mr. President, I yield myself 3 minutes.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. LONG of Louisiana. Mr. President, if the Senator would be willing to modify his date to make the date, let us say, December 31—I have mentioned this to the Senator—I would be willing to agree to the amendment. Otherwise, I would feel constrained to oppose it.

I know the study is going on in the Treasury Department, and I believe I understand their point of view on the matter. I do not see any reason for bringing these reforms before us long before we could possibly consider them. Because of this, I do not believe it would be fair to ask the Treasury Department to bring the study here before the end of the year.

I believe that the amendment would be rejected if the Senator insisted on a date earlier than that. If he would accept the December 31 date, and would so modify the amendment, I would be willing to support it.

Mr. WILLIAMS of Delaware. Mr. President, if the Senator will yield, I should like to join the Senator from Louisiana in expressing the hope that the Senator from New York would modify the date. I believe it would work out then. It would then be a most constructive amendment.

Mr. JAVITS. Mr. President, I believe the Senate would agree to the amendment. I differ with the Senator in that regard. But I am delighted that both the manager of the bill and the ranking minority member of the committee would accept this amendment.

Mr. President, I just wish to say to them that I hope that we realize the meaningfulness of this matter to people generally. We have had an enormous amount of mail—I am sure the Senators have.

I shall take the Senator's suggestion, but I just wish to comment to both Senators—who are so important in the conference, in the future work of the Finance Committee—how important many people in the country consider such an amendment; because there is much feeling that at one and the same time that they are going to pay a bigger tax bill, at least we should try to do away with many discriminations and inequities in the tax code. You never get rid of all of them, and you probably never will get rid of a majority of them.

Some effort in that regard is clearly indicated, in common decency to the millions of Americans who feel much put upon when their own tax bill is going to rise materially.

I am grateful to both Senators. I am realistic about the legislative process, and I would hope very much that they would consider this as an expression of what the people really want. Whether it finds its way in this particular measure, at this time, or in some other measure, this is something which is desirable on the part of millions of Americans.

Mr. WILLIAMS of Delaware. I can give the Senator from New York my assurance that in accepting this amendment, it is not just an idle gesture of taking it to conference. I believe the changed date would be a realistic date.

I agree with the Senator that it is most essential that we get such a report, and perhaps the Treasury Department needs this extra incentive to make sure that it is here on time.

In accepting this amendment, I would certainly express the hope that it can be kept in conference, and I think it can, because it should be.

Mr. JAVITS. I thank the Senator.

I yield to the Senator from Pennsylvania.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JAVITS. I yield 5 minutes.

Mr. CLARK. Mr. President, I commend the Senator from New York for proposing this study for a tax reform measure.

I believe it is disgraceful that in all the years I have been in the Senate—now over 11 years—we have never had from the Treasury Department, under either a Republican administration or a Democratic administration, a good, well-drawn, tight tax reform bill.

If we had it, I am confident that it would be unnecessary to put on a surcharge now—and we should have had this study by now—and it would be unnecessary to do a great many other things which are quite unpopular taxwise, whereas tax reform will be popular with all except a few vested interests.

I would hope that the Senator from Louisiana would listen to what I am saying now, because it is perfectly clear that the first and most important tax reform is to cut out the oil depletion allowance. I am very much concerned, since Paul Douglas left the Senate, that we have not really had any thrust to get rid of the oil depletion allowance, which I say again—as a beneficiary of oil royalties—is absolutely economically unjustifiable.

I congratulate the Senator from New York for taking this step; and I hope that before this report comes in next December, we will not have to impose a lot of unjust taxes on the American people because we do not have the benefit of appropriate tax reform.

I know that the Senator from Delaware has been active in this respect.

Mr. LONG of Louisiana. Mr. President, will the Senator yield, on my time?

Mr. JAVITS. May I finish?

Mr. President, in proposing the modification of my amendment, which I will do in a moment, and in acting as I am, I am not trying to prejudge anything. The view of Senators as to what should be included in a tax reform package will have plenty of time to manifest itself.

I wish to make clear to the Senator from Louisiana that I am not adopting the argument of the Senator from Pennsylvania as part of the argument for this particular measure, so there is no legislative record on that subject.

I am perfectly willing to consider whatever the administration sends us, and then we will use our own wit and good judgment on it. It so happens that my own attitude on that subject was somewhat more favorable to the position of the Senator from Delaware [Mr. WILLIAMS] than to the position of the manager of the bill. But it is not material now. The administration may recommend things which I will find very onerous and which the Senator from Pennsylvania will find very onerous, on totally different subjects. We all know that the matter has been studied for some time, as to what aspects of the tax code require modification. As a matter of fact, many of us believe that they have it on the desk now, and that the only reason they have not sent it to us is that they want this 10-percent tax surcharge. Well, this is life.

I believe that what the Senator has suggested, considering the political realities, is probably the best we can get. Therefore, I hope we will all save our time and tempers, instead of arguing about the details of tax reform, and agree that it is desirable to get a statement of the position.

Therefore, I modify my amendment in accordance with the modification I have sent to the desk, which I ask the clerk to read.

The PRESIDING OFFICER. The amendment will be so modified.

The amendment, as modified, will be stated.

The legislative clerk read the amendment, as modified, as follows:

At the end of the bill insert the following:

"SEC. 8. SUBMISSION OF PROPOSALS FOR TAX REFORM.

"Not later than December 31, 1968, the President shall submit to the Congress proposals for a comprehensive reform of the Internal Revenue Code of 1954."

Mr. LONG of Louisiana. Mr. President, I am pleased that the Senator from New York has made clear that he is not insisting that there be any particular recommendation in the field of tax reform. On that basis, I believe I can support the Senator's amendment.

The Senator from Pennsylvania [Mr. CLARK] has said that he thinks he is not properly entitled to a 27½-percent depletion allowance, that he is not justified in receiving it. That being the case, I think he should not claim percentage depletion, but should pay his tax on a cost depletion basis.

As a practical matter, there is a better argument for denying the oil depletion allowance to a royalty owner who needs no incentive to simply sit there on the land while somebody else explores for oil, than there is for denying the depletion allowance to someone who goes out looking for oil.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I shall yield in a moment.

From a political viewpoint, since there are more landowners than there are oil producers, it would be more difficult to take that depletion allowance from the former group than from the oil companies. The point of the depletion allowance is something I am well prepared to debate in due course. Inasmuch as the Senator from New York is not making the issue, I shall not pursue it further at this time, except to yield to the Senator from Pennsylvania if he wishes to discuss whether or not he is entitled to the depletion allowance.

Mr. CLARK. Mr. President, I hope I am not violating rule XIX, section 2, which I had occasion to call into action the other day. I thought the Senator made a rather absurd suggestion that since I do not approve of the oil depletion allowance I should pay taxes on the whole thing. I did not approve of the rule, either, of which the Senator is one of the strong protagonists. I play games as I find them. I do not like to take two strikes with me when I go to bat. I do not think any Members of this body think I should pay oil depletion taxes. I think the suggestion is rather absurd.

Mr. LONG of Louisiana. All I am suggesting is that if the Senator thinks it is immoral to claim a tax deduction, he does not have to claim it.

Mr. JAVITS. Mr. President, I yield back the remainder of my time.

Mr. LONG of Louisiana. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment. [Putting the question.]

The amendment (No. 661) of the Senator from New York [Mr. JAVITS], was agreed to.

Mr. JAVITS. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. LONG of Louisiana. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. JAVITS. Mr. President, I move that the amendment which has just been agreed to be added to the bill.

Mr. LONG of Louisiana. At the end of the bill.

Mr. JAVITS. Yes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from New York. [Putting the question.]

The motion was agreed to.

AMENDMENT NO. 672

Mr. JAVITS. Mr. President, I call up my amendment No. 672 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The bill clerk read as follows:

On page 7, line 23, strike out the period and insert the following: ", except that the President shall not reserve from expenditure any amounts from appropriations or other obligational authority available for the following purposes:

"(1) education,

"(2) low-income housing,

"(3) water and air pollution prevention,

"(4) prevention and detection of crime,

"(5) the District of Columbia,

"(6) training and employment of disadvantaged persons,

"(7) war on poverty."

The PRESIDING OFFICER. Is this the 2-hour amendment?

Mr. JAVITS. Mr. President, this is the 2-hour amendment.

Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JAVITS. Mr. President, I am aware of the fact that the distinguished Senator from Pennsylvania [Mr. CLARK] proposes to offer an amendment to the pending amendment.

I ask the Chair, by way of a parliamentary inquiry, at what stage in the consideration of my amendment would an amendment to my amendment be in order, so that I may gage my time?

Mr. CLARK. Mr. President, I would like to be heard on that point before the Chair rules.

Mr. JAVITS. Mr. President, I yield 1 minute to the Senator from Pennsylvania.

Mr. CLARK. Mr. President, at the appropriate time I do intend to call up my amendment No. 680. It is my understanding that that amendment can be called up at any time before the final vote on the pending Javits amendment. Is that correct?

The PRESIDING OFFICER. The amendment of the Senator from Pennsylvania would be in order after the 2 hours have expired or all time has been yielded back, and prior to the vote.

Mr. CLARK. I thank the Presiding Officer.

Mr. JAVITS. Mr. President, in view of the importance of this amendment, I wish to suggest the absence of a quorum, and I ask unanimous consent that the time not be charged against either side.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. JAVITS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. JAVITS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. JAVITS. Mr. President, I should like, if I may, to interest as many Senators as I can in the discussion of the amendment.

I yield myself 10 minutes.

First, Mr. President, may I say that I support the Smathers-Williams substitute, as it may be amended, with the exception, of course, of one of the things that is in it—and I cannot do anything about it now, apparently—and that is the textile quota amendment, which really does not belong in the bill, no matter what one may think about it, and which I hope will be properly disposed of in conference. But, laying that aside, and dealing only with the tax questions, I say I support this concept.

That being said, one must examine the structure of the Smathers-Williams approach in order to see precisely what it will do. It will be noted that the $6 billion prospective reduction in expenditures—if Members of the Senate will look at it, and I hope very much they will look at page 7 of the measure, and item (b) under that particular section—is to be taken out of appropriations made by the Congress which are prospective. In short, we ourselves are not actually cutting; we are simply giving a mandate to the President that, in cutting, he shall cut $6 billion out of the aggregate appropriations which the Congress will pass.

It will be remembered that yesterday the Senate decided to hold to Congress certain of the authority which it has basically, the power of the purse, and not to surrender it to the President. In this case we determined to hold our authority with respect to public works projects, and so we struck out the whole moratorium on public works, making the decision, quite properly, that we will not yield that power to the President or to the Office of Emergency Planning or its Director.

The amendment which I have before the Senate seeks to do substantially the same thing with respect to the crisis of the cities, for it would preserve from the power of the President the authority to cut those items of appropriations and expenditures which represent the essence of the crisis of the cities.

We will, ourselves, creatively have the power to deal with these appropriations. We may set them at whatever figure we like. We may cut or we may increase them. But we will address ourselves to it.

In proposing this amendment, I have no guarantee that the amounts which I would like to see appropriated will be appropriated, but if this amendment carries, we will have one guarantee, and that is, that the President will be unable to apply to these appropriations any part of the $6 billion overall cut in expenditures which we provide for in this bill. I think it is essential, in the crisis of the cities, that we should reserve to ourselves this authority.

I must say I am deeply discouraged—and this is what really started me on this amendment—by the reaction of the President and the administration to the report of the President's Commission on Civil Disorders. Here was a report which I think all America hailed as containing a prescription which might bring us some reasonable measure of domestic order and tranquility in 1968. I have hardly seen, outside the administration, any basic criticism of its findings, aside from the general color which was disagreed with in some quarters that it represented reaping the whirlwind of a century of neglect of our Negro minority population. But as to the recommendations of the report, the emphasis on jobs being the key to human dignity, the key that will unlock all other doors in the slums of the United States, and as to the ideas set out on housing, education, crime, and crime control, it was generally hailed as a magnificent landmark document.

Yet it was completely cold-shouldered by the administration. The President did not embrace it. He did not even mention it. The Vice President found fault with it in a minor way, without espousing it as a major report. Again, I hardly think this was in the Vice President's nature, but I think he was bound by the administration's policy, indeed, in treating the report so coldly. Knowing him and knowing that he would be one of the most fervent advocates of it were he still a Senator only confirms my view that this is the general administration policy.

Then when the new Secretary of Health, Education, and Welfare, Wilbur Cohen—incidentally, I am delighted his nomination was confirmed—gave it the cold shoulder, it was very clear what the administration's policy was with respect to this report.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. JAVITS. I am glad to yield.

Mr. CLARK. I am afraid the Senator is being a little unfair to the Vice President. I saw him on television yesterday afternoon as a part of the Huntley-Brinkley broadcast, and he spoke with words of great praise for the report. He did have some qualifications, to be sure. The first part of his presentation indicated he thought it was a splendid report that should be read by all Americans and, generally speaking, he was in accord with its recommendations.

Mr. JAVITS. I am delighted to hear that. The reports I had read before indicated he was that lukewarmly for it. Since I consider the Vice President my friend, I am pleased to hear the Senator from Pennsylvania say that.

Mr. President, I was stimulated in preparing the amendment by virtue of the fact that we will want, as far as we can, affirmatively to help implement this report. We will determine where we can and where we cannot in the appropriations. Certainly we have already heard word on the floor here about the Memphis riot, which seems to have very seriously dented one of the major strongholds of nonviolent protest, to wit, Dr. Martin Luther King's organization, and those who would follow him. We deplore the development of horror and terror that occurred there. It is very significant to me that apparently the focal point of this outbreak was a relatively small band of militant young Negroes, according to the press reports.

It was accounted for also because people were nervous and a little trigger happy as a result of a rather oversized police reaction, which the reporters noted. But that is symptomatic—and this is no place to discuss the anatomy of that particular riot—of our times, and indicates why we should do our utmost to do justice and constructive things to avoid, as the Bible says, the stern decree which we seem to be in for, to some extent at least, in 1968.

The amendment would, therefore—and I wish to emphasize that—not secure the cities against cuts in appropriations, but would assure against Presidential cuts after Congress had acted on each appropriation.

This area is so sensitive that it certainly deserves this kind of treatment. If leaving out public works was deserving, as a majority of the Senate thought it was, how much more deserving is preserving for ourselves what we will do about the crisis of the cities?

Mr. CLARK. Mr. President, will the Senator yield at that point?

Mr. JAVITS. I yield.

Mr. CLARK. I note the Senator places great stress upon appropriations and authorizations for the cities, and I share his concern in that area, but I would like to point out what I am sure the Senator knows, that the areas in which he would exempt cuts by his amendment involve many programs for rural areas, too.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JAVITS. I yield myself another 5 minutes, Mr. President.

Mr. CLARK. The Senator has put a copy of an explanation on each Senator's desk dealing with priority exemptions, which I have read with interest. There again, he stresses the city. I would point out that, under the heading of education, a considerable portion of that money goes to rural areas. There is more and more low-income housing being built in some of the rural areas. Surely the rural areas are equally concerned with water pollution control, though perhaps not so much with air pollution control. Certainly there is a crime problem in the rural areas.

Of course, the District of Columbia is an urban center; but as to the training and employment of disadvantaged persons, I think the Senator from New York and I agree that we ought to lay great stress on the training of disadvantaged persons in the rural areas, in the hope of preventing them from coming to the urban areas, and of inducing industry to move into the rural areas, by helping make possible the expectation of finding a skilled labor force when they get there.

Mr. JAVITS. Mr. President, I am very grateful to the Senator for his intercession. He anticipated one of my arguments. I was going to point out, in due course, how the necessities of the cities mesh with the necessities of the rural areas, because great pressure has been created within our cities by the migration of people from the rural areas, and it is extremely desirable, in our consideration of these appropriations, that we make rural living and the opportunity for a full life in rural areas more attractive. There is, in addition, a very large amount of rural poverty of the worst kind—sometimes even worse than that of the cities—which feeds the migration into the cities and materially aggravates city problems.

So that is very much an element in what I have to say.

Mr. President, I wish to emphasize the main point, which is that we are not insuring these appropriations as against cuts; we are just insuring them as against cuts over and above the cuts which are made by Congress itself.

The second point of great importance, Mr. President, is the amount involved. It will be noted that conservatively estimated the amount involved in my amendment is $6,177,000,000. This represents the expenditures proposed by the President in his fiscal year 1969 budget. I wish, Mr. President, to refer to the fact, as part of the legislative history, that these are the items which are contemplated within the board terms of this amendment; that is, the items totaling $6,177,000,000, which are a part of the Record; I put it in last night.

Senators will want to know, if we reserve whatever may be appropriated with respect to this $6,177,000,000 from the President's cutting power under the Smathers-Williams amendment, what do we leave available for cuts? I should like to make that clear, Mr. President, because I believe it is most important. What we leave available for cuts are, for one, the so-called relatively controllable civilian expenditures with respect to the budget, and they amount to a total of $39.5 billion for the 1969 estimate.

In any case, these items are listed in the budget message of the President at page 15 as relatively controllable civilian programs, including outlays for prior year contracts and obligations, and the amount is $39.5 billion.

If we, therefore, deduct the budgetary amounts for the seven areas, which my amendment would prevent cutting once they are appropriated, we still have left, in relatively controllable civilian programs, $33.2 billion.

In addition, Mr. President, outside of Vietnam, from the national defense establishment would be available cuts in non-Vietnam defense spending of $54 billion. That is in the budget outlay table on page 25 of the budget. Overall defense expenditures for fiscal year 1969 are estimated at $79.8 billion.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. JAVITS. I yield myself 5 additional minutes.

The estimate for Vietnam is $25.8 billion. Therefore, the difference is about $54 billion.

Mr. President, with the national defense figure of $54 billion and the relatively controllable balance of $33 billion added, we get a total of $87 billion, to which the $6 billion cut for which we shall call may be applied by the President. It seems to me, Mr. President, that my exemptions bear the same relation to those expenditures that the tax surcharge bears to income taxes—in the general area of 10 percent—and therefore, it is an entirely reasonable approach to take as far as we are concerned in this very sensitive area.

Mr. President, I ask unanimous consent that the table from the budget message of the President for fiscal 1969 entitled "Controllability of Budget Outlays" be printed in the Record at this point.

There being no objection, the table was ordered to be printed in the Record, as follows:

CONTROLLABILITY OF BUDGET OUTLAYS

[Fiscal years. In billions]

Type of controllability	1967 actual	1968 estimate	1969 estimate	Change, 1968 to 1969
National defense	$70.1	$76.5	$79.8	+$3.3
Relatively uncontrollable civilian programs:				
Open-ended programs and fixed costs:				
Social security, medicare, and other social insurance trust funds	30.3	34.3	38.5	+4.2
Interest	12.5	13.5	14.4	+.9
Civilian and military pay increase			1.6	+1.6
Veterans pensions, compensation, and insurance	4.9	5.1	5.2	+.1
Public assistance grants	4.2	5.2	5.7	+.5
Farm price supports (Commodity Credit Corporation)	1.7	2.8	2.9	+.1
Postal operations	.8	.7	.3	−.4
Legislative and judiciary	.3	.4	.4	([1])
Other	2.4	2.7	2.8	+.1
Subtotal, relatively uncontrollable civilian programs	57.1	64.7	71.8	+7.1
Relatively controllable civilian programs, including outlays from prior year contracts and obligations	35.2	39.0	39.5	+.5
Undistributed intragovernmental payments (−)	−4.0	−4.6	−5.0	−.5
Total, budget outlays	158.4	175.6	186.1	+10.4

[1] Less than $50,000,000.

Mr. JAVITS. Among the items which are included in this type of approach are military purchases in Europe—which, incidentally, are listed in the budget at more than $2 billion; the supersonic transport, which could be in for well over $200 million; the civilian space program, for $400 million; and various aspects of the foreign aid program.

Mr. President, I am personally partial to the foreign aid program, and want very much to protect it; but nonetheless, it is within this tranche that I have described, that would be subject to cuts.

Another item is Government personnel. There are various types of contingency funds on the part of the President, which are down for $400 million.

Mr. President, I do not necessarily agree that the President ought to cut many of these items, but nevertheless these are items which are available, and which represent a measurable field in which the $6 billion in cuts may be effected.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. JAVITS. Not yet.

Mr. President, one other thing is very important. The concept which is contained in my amendment comes out of a very splendid initiative taken in the

House of Representatives by a group of Members headed by Representative CHARLES GOODELL, of New York, in which they proposed what they called the human renewal fund. They proposed a $6.5 billion cut in expenditures and the restoration of roughly $2.5 billion for jobs, education, housing, pollution, crime, rural revitalization, and the District of Columbia.

Mr. President, I have incorporated this whole concept which those gentlemen offered—which I consider to be a very splendid one—in an amendment calling for precisely that kind of a cut. That is amendment No. 637. But, Mr. President, I am in no position to present that amendment, including the part of it for which I am here contending, unless and until the Smathers-Williams amendment should be rejected. I doubt very much that it will be, and I hope it will not. Hence I have taken out of my own blanket amendment carrying out this human renewal plan that part of it which is directly applicable to this question of priorities, which I have laid now before the Senate.

Mr. President, in conclusion, I should like to repeat the major point that the budget estimate items which I am seeking to reserve out of the area which the President can cut need not necessarily be in that exact amount. Congress may appropriate less or it may appropriate more. But whatever it does appropriate will not be subjected to Presidential cuts. And even after that, there still remains approximately $87 billion in programs available for the cuts provided by the Smathers-Williams amendment.

Under those circumstances, and considering the precedent which we set last night with respect to public works, I think that we should at least insure our freedom of action without an overriding Presidential right to cut further in these items which are of such critical importance to the struggle against poverty and to the order and tranquility of our Nation.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. JAVITS. Mr. President, I yield 2 minutes to the Senator from Pennsylvania.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized for 2 minutes.

Mr. CLARK. Mr. President, I certainly support the Senator's amendment wholeheartedly. But I would point out to him that there appears to be an inconsistency between the provisions in the bill, which are very sweeping and which contain no dollar figures, and the provisions in the paper which he has placed on the desk of each Senator with respect to the protection of perhaps $6.177 billion of expenditures and net lending in fiscal 1969.

I call to the Senator's attention an example under which his amendment would contain an exception for education. Yet, in the paper he has had passed around the Senate, he refers only to elementary and secondary education.

I point out that higher education is of equal importance. I hope that the Senator will not make legislative history which would enable all higher education appropriations to be cut as much as anyone wants to cut them, despite the wording contained in the amendment.

Mr. JAVITS. Mr. President, in response to the Senator's statement, I was trying to outline the major items which would be included in the reserved items. I will get the figures for higher education, perhaps while the opposition is speaking, and I will see then what can be done to fit those in.

Mr. CLARK. Mr. President, will the Senator yield me 30 seconds?

Mr. JAVITS. Mr. President, I yield 30 seconds to the Senator from Pennsylvania.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized for 30 seconds.

Mr. CLARK. Mr. President, I suspect—in fact, I know—that in each of the other seven categories which the Senator has in the provision, there are other programs which are not included in his explanation which I would hope the Senator would want to have included.

I do not have the dollar figures here, but I would hope that the Senator has made legislative history and indicated that he intends the words in his amendment to be used in the normal and reasonable sense and not be restricted in the sense indicated in the paper he has had passed around the Senate.

Mr. JAVITS. I thank the Senator from Pennsylvania for calling my attention to that matter. I am sure that we will take care of it in the intervening period, and I assure the Senator that I will take another look at the figures.

Mr. President, I reserve the remainder of my time.

Mr. LONG of Louisiana. Mr. President, the yeas and nays have been ordered. I do not intend to speak for more than a few minutes. I would be perfectly willing to surrender part of my time for the purpose of suggesting the absence of a quorum, if the Senator would be agreeable, with the understanding that we reserve perhaps 5 minutes to each side and then vote.

Mr. JAVITS. Mr. President, there are other Senators who wish to be heard. So, if the Senator from Louisiana would be kind enough to address himself to the matter for as long as he wishes, I will see that we get another speaker over here.

Mr. LONG of Louisiana. Mr. President, the amendment seeks to take programs for education, low-income housing, water and air pollution prevention, the District of Columbia, the prevention and detection of crime, training and employment of disadvantaged persons, and the war on poverty and exempt those programs from the reductions that would have to take place. In fact, the amendment would provide that there would be no reduction in those programs. Reductions would be required, however, in other programs.

It does not make any sense to me. If there have to be reductions, the new programs should be considered along with the other programs, in my judgment, to see where we can make some cuts.

If we agree to this amendment and exempt such programs, we would place a heavier burden on many other programs of long standing, such as the highway program and the public works program. We would have to cut deeper in the areas that, in my judgment, are even better established in the public mind and more popular with the public in order to give priority, to the urban areas.

I represent urban areas and a lot of rural areas. It is my impression that the people in the rural areas also need the services of the Government, whether it be the REA, the highway program, farm price supports, or whatever. They need these programs as badly as the people in the cities need the programs directed toward them. In some ways, they may need the programs more. Rural people are not as prosperous as far as per capita income is concerned.

If we must have this $6 billion spending cut, I think that the programs for housing and control of air pollution and disadvantaged people, and the other programs that have a particular appeal to the urban areas, including the war on poverty, should take their share of the cut along with all the rest.

There is no appeal to me, and I doubt that there will be any appeal to Senators generally, in an action which favors the urban areas over the rural areas in the matter of where the cuts should be made. That is the case, as I see it, against the amendment. I think the amendment tends to discriminate against people of the rural areas in favor of those in urban areas and to favor certain new programs over old established programs.

If we are going to have to tighten our belts as much as the Williams-Smathers substitute requires, I would think that the war on poverty would have to be examined for possible reductions along with everything else.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. Mr. President, I yield to the Senator from Florida such time as he may desire.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. SMATHERS. Mr. President, first, speaking only for myself, I am a bit discouraged about our program for a combination tax increase and expenditure reduction.

As I endeavored to say last night, but did not say too well, the package which had been proposed by the distinguished Senator from Delaware and myself was a very fragile package. What we are trying to accomplish, and what most of us or many of us think needs to be done, is to impose greater fiscal order on our domestic Federal budget and improve our international balance of payments. And we believed that the best way to accomplish this and the only way we could acquire the votes to do it would be to have a tax increase of—in the form of the 10-percent surcharge which had been recommended by the President and which met with same favor on the Democratic side of the aisle—and, at the same time, have an expenditure cut—which met with considerable favor on the Republican side of the aisle.

Last October I had suggested a proposal of this nature. It did not get any attention at that time. It did not get off the ground, so to speak.

Also, the distinguished minority leader, the senior Senator from Illinois [Mr. DIRKSEN], made a similar proposal and his proposal did not seem to get off the ground. Thereafter, in January, the distinguished Senator from Delaware [Mr. WILLIAMS] came in with the same type of proposal, but he had proposed in greater detail what he wanted to do. He called for an $8 billion expenditure cut and approximately a $10 billion or $12 billion cut in new obligational authority. He included a public works cutback and a moratorium on new starts. He also included a personnel limitation and several other items.

I went to the distinguished Senator from Delaware at that time. We thought that we could work out something between us and that we might be able to get a bill passed which we both thought would be very much in the best interest of the country.

So he agreed to reduce the amount of expenditure control from $8 billion to $6 billion.

I forgot to say one thing. In his original package, he had only a 6-percent tax surcharge. I asked him whether he would increase it, the rate of tax, and he accepted a 10-percent increase. So we compromised on a 10-percent surcharge and we got a $6 billion reduction in expenditures, a $10 billion cut in new obligational authority, and the public works moratorium, and the personnel limitations.

The distinguished Senator from Delaware had been telling me for some time that if any of these provisions in the package were knocked out, some of the Senators on his side of the aisle might decide at that point that they could no longer support the package. Frankly, that is why last night I felt so keenly and felt as disappointed as I did at the end of that vote when we lost by one or two votes.

As I said before the vote, we have put together a very fragile package, and if we destroy more of the pieces it is likely to come loose at the seams.

I do not know exactly what the future of the package is at the moment, but I would say that certainly the package cannot be improved. It has no chance to succeed, in my judgment, if we attempt to emasculate it further, as has been suggested by the distinguished Senator from New York; that is, by approving the exceptions he is now talking about to the expenditure cuts in the package. He does not want to apply the cuts to education, low-income housing, water and air pollution prevention; prevention and detection of crime, the District of Columbia budget, training and employment of disadvantaged persons, and the war on poverty.

These, of course, are very appealing items. Nobody likes to be against education. Nobody likes to be against elementary and secondary education. Nobody likes to be against the teachers. Nobody likes to be against the expansion and improvement of vocational education. Nobody likes to be against educational improvement for the handicapped.

These are all very appealing items. These are the items for which we have been appropriating large sums of money in the past 8 or 10 years, some of which, in point of fact, perhaps we have overdone. I do not know. But, essentially, nobody likes to be on record against education.

However, I do not know where you begin to cut a budget, I do not know how you decrease expenditures, I do not know what you can accomplish by this manner of making reductions, unless you make the reductions generally across the board. We are leaving to the discretion of the Appropriations Committee the specific areas for reduction. If you except education, if you except low-income housing, if you except water and air pollution prevention, if you except prevention and detection of crime in the District of Columbia, then, of course, if you have an expenditure cut of $6 billion, you must practically eliminate many other items.

So what will the Senators from the farm areas say—the Senator from Kansas; the Senator from North Dakota, who is in the Chamber; the Senator from Alabama? They will say, "Look, you cannot cut the Commodity Credit Corporation. You cannot cut any programs we have going for the farmers. Who are the most depressed people we have in all the United States? It is the farmers. We can prove to you that of all the disadvantaged people we know about, it is the farmers."

So you know very well that when you have a bill of this nature which would except the programs which are of great importance to mostly the urban areas of our country, the farmers will say, "You cannot cut us either."

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. SMATHERS. I yield.

Mr. JAVITS. I should like to make a correction. The Senator may not have been in the Chamber when I analyzed the budget message of the President.

One of the uncontrollable expenditures, and therefore one which would not be in any way affected by my amendment, is farm price supports, which is budgeted at $2.9 billion for 1969. When I outlined what would be available for cuts, even after my amendments were adopted, I pointed out that that would not include what the budget calls relatively uncontrollable civilian programs, among which is farm price supports.

Now, whatever there may be to the Senator's argument, that is a point of fact. That would not be affected.

Mr. SMATHERS. I should like to yield to the distinguished Senator from Delaware on that point, and let him explain to the Senator from New York. There are many uncontrollable items which cannot be cut.

Mr. WILLIAMS of Delaware. I point out to the Senator from New York that I am not debating the point as to whether this is or is not a place at which the cut should be made. I particularly tried to maintain my support of this package without making establishing priorities on the floor of the Senate.

However, while it is true that there may be some uncontrollable items in the budget, there are also many controllable items. I cite one in agriculture which was just mentioned as being fixed. The support levels for the various agricultural commodities are determined by the Secretary, and they will be determined in the weeks immediately ahead. Conceivably, as they change these support prices for certain crops, up or down, it does increase or diminish the amount of the cost.

I will agree that there are uncontrollable items; but certain items in any department could be curtailed by the administration, and they particularly may be subject to control by the administration in a year when it would be a strong incentive at times to perhaps boost these prices. So there could be some control in that area.

I can appreciate the position of the Senator from New York. I discussed his amendment with him earlier, and I told him then I would oppose it because, while we were strongly in favor of the mandatory reduction of $6 billion in the ceiling and the $10 billion in the budget authority, I did not believe that on the floor of the Senate we should get into the details as to where these cuts should be made but that it should be left to the Appropriations Committee in the weeks and months ahead as they act on each of the 1969 appropriations for the respective agencies. It was for that reason that I strongly opposed yesterday—and the Senator from Florida joined in that opposition—that we single out public works as being exempt. I will concede to the Senator from New York inasmuch as the Randolph amendment carried yesterday, that that action, to a certain extent, strengthens his argument that if you are going to single out public works, why not single out education and various other programs. As the Senator from Florida has indicated, that argument has much appeal, but its acceptance will definitely defeat this pending bill.

I hope this amendment will be rejected because I know that otherwise other amendments will be submitted and we will end up with all the pet programs of Senators exempted. Let us be realistic. If we are going to exempt all programs from this economy move there will not be any reduction in expenditures. Let us not fool ourselves.

I made the statement early in this discussion, very frankly, that as the pruning knife begins to work—if this package is accepted—and the $6 billion cut in expenditures and the $10 billion cut in appropriations are applied, it will hurt. It will hurt some programs that I like. It will hurt some programs that are desired in my State. It will hurt each Senator with respect to some of his pet projects. But this goal can be accomplished in no other way. The only alternative I see is to continue down the road of deficit spending, which I do not believe we can afford in face of the $48 billion deficit which we would have in fiscal 1968–69, assuming there would be no change in the tax structure and no change in the spending level that is budgeted. For that reason the amendment must not be agreed to. It would open the floodgates. I would not be a part of trying to kid the American people that there would be expenditure reductions left in this measure. I say that with all due respects to my friend from New York.

I concede that the Senator from New York does have a strengthened argument after what the Senate did yesterday; however, I think we made a tragic mistake yesterday when we opened this matter partially and started to exempt certain programs. It was a mistake, and I am fearful that it may have been a fatal one. Nevertheless, I do not want to go further down the road to what I am confident would be the end of this effort if the amendment were agreed to.

I thank the Senator from Florida.

Mr. SMATHERS. I thank the Senator from Delaware, and I agree with him.

Mr. CLARK. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. PEARSON in the chair). Does the Senator yield?

Mr. SMATHERS. I yield to the Senator from Pennsylvania.

Mr. CLARK. Mr. President, I wonder if the Senator from Florida and the Senator from Delaware might not agree that the place to make these cuts—and I thoroughly agree they have to be made in view of the dangerous gold situation in which we find ourselves—would be the places that have swollen unjustifiably in the military and space budget, and thus enable all domestic programs to continue. We have $80 billion in the budget for the military. It seems to be sacrosanct.

I read an article in the Washington Post this morning that stated the Pentagon is using $2.5 million for a bird study. This is the kind of thing I am talking about. I think any sort of examination of the military budget would make it possible to make more than the cuts which the Javits amendment would provide for.

Mr. SMATHERS. Mr. President, I am happy to try to respond by saying I am sure the Senator appreciates the fact that at this particular time it would be very difficult in light of the fact that we are in Vietnam to the large extent that we are.

UNANIMOUS-CONSENT AGREEMENT TO TEMPORARILY LAY ASIDE AMENDMENT NO. 672

Mr. WILLIAMS of Delaware. Mr. President, with the concurrence of the Senator from New York, I ask unanimous consent that the amendment of the Senator from New York be temporarily laid aside and that the Senator from Tennessee [Mr. BAKER] be permitted to present an amendment for clarification, which the authors of the package did not think necessary but which the Tennessee Valley Authority, which is in the State the Senator represents, believes would be better to have spelled out in the bill. The amendment is a measure on which there will be no argument; we can accept it immediately.

The PRESIDING OFFICER. Is there objection?

Mr. LONG of Louisiana. Mr. President, reserving the right to object, I ask that it be understood that this request is without prejudice to the time that has been charged against both sides, and that the time will continue to run when we return to the consideration of the amendment of the Senator from New York.

Mr. WILLIAMS of Delaware. That is my understanding.

Mr. JAVITS. Mr. President, reserving the right to object—and I shall not object—I ask unanimous consent to include also the provision that immediately after the disposition of the Baker amendment we will return to the pending amendment.

The PRESIDING OFFICER. Is there objection to the request? There being no objection, it is so ordered.

The Senator from Tennessee is recognized.

AMENDMENT OFFERED BY MR. BAKER TO AMENDMENT 662

Mr. BAKER. Mr. President, I send to the desk an amendment to amendment No. 662 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. BAKER. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with and that the amendment be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered; and, without objection, the amendment will be printed in the RECORD.

The amendment, ordered to be printed in the RECORD, is as follows:

On page 3, line 19, insert the following: "To employees of the Tennessee Valley Authority engaged in its power program and paid exclusively from other than appropriated funds,"; and

On page 7, line 16, following paragraph (4), insert the following new paragraph:

"(5) Those expenditures from power proceeds, including the proceeds of power revenue bonds and notes, of the Tennessee Valley Authority in excess of the amount shown for such expenditures in the Budget of the United States for such fiscal year."

Mr. BAKER. Mr. President, the sole purpose of the amendment, which is an amendment to the Williams amendment, is to make abundantly clear that the Williams amendment does not apply to nor restrict the use and utilization of funds in the Tennessee Valley Authority derived from power revenues and the sale of power revenue bonds and notes.

Mr. WILLIAMS of Delaware. Mr. President, as I stated earlier, there is no objection to accepting the amendment.

We were advised by the Treasury Department that they could not possibly have taken those funds because our proposal deals with revenues available to the U.S. Government separately. This is a separate entity.

We accept the amendment.

Mr. President, I yield back the remainder of our time.

Mr. BAKER. I yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment of the Senator from Tennessee. [Putting the question.]

The amendment to the amendment (No. 662) was agreed to.

AMENDMENT NO. 672

The PRESIDING OFFICER. Who yields time on the amendment of the Senator from New York?

Mr. JAVITS. Mr. President, I yield 5 minutes to the Senator from Massachusetts.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. BROOKE. Mr. President, first let me say that I am certainly in sympathy with the distinguished Senator from Delaware in his move for economy. I do understand the practical considerations he has suggested in opposition to the amendment offered by the distinguished Senator from New York.

The Senator from New York has submitted a most vital and important amendment. It is an amendment which, if enacted, would seek to insure that those programs most essential to our Nation's welfare would receive the full funding to which they are presently entitled.

There are many good reasons for providing the maximum possible appropriations, not for some but for all the programs in which our Government is presently engaged. We derive great benefit from programs which provide for new construction, which conserve our natural resources, which promote scientific explorations and technological innovation.

But I submit that it will not benefit us, in the long run, if we build great office buildings and stadiums, develop supersonic jet transports, and even land a man on the moon, but do not provide a better life for our own people here on earth.

It should be self-evident that we should provide many billions of dollars more than we have for education, health, crime prevention, and the war on poverty. At the very least we should make sure that these funds are not reduced at a time when the needs of our people and our society are greatest.

There are in our country today 6 million substandard housing units in which an estimated 10 to 15 percent of our population live. Many of these units are in our central cities where inadequate job opportunities, public services, education and health facilities combine to entrap the inhabitants in an endless cycle of poverty from which they, and the cities, and the entire Nation suffer immeasurably.

In our country today it is not unusual to find suburbs which spend twice as much on education per pupil as do the neighboring central cities. Yet an increasing percentage of our population is located in the central cities. And most who are compelled to live in the ghetto are disadvantaged not only in education but in job opportunities and housing as well.

In our country today, 32 million Americans are living in poverty. Of these fewer than 9 million, or a little over one-fourth of those who need it, are receiving any form of public assistance. Ours is the only nation in the entire Western World which regards welfare as a dole or a handout and not as a right of citizens who are otherwise unable to provide for themselves.

Job training is desperately needed by those Americans whose education—or lack of an education—has not equipped them to compete in the present job market. Although our numerous manpower training programs, if continued at the present rate of funding, will soon reach a million of the unemployed, more than twice that number, or 2 million of those who need job training, will receive no aid.

No one can deny, with the rising crime rates presently facing this Nation, that adequate appropriations are required for crime prevention and control. As criminal mobility increases and our lawless citizens acquire and use more sophisticated weapons and means of evading the law, it is essential that better techniques of detection and control be devised and implemented. We cannot afford to cut back funding in this area, either.

Providing a better environment for all our citizens should also be high on our list of priorities. Clean air and clean water are no longer aspects of our environment which can be taken for granted. Pollution threatens our rivers and streams, our drinking water and our beaches. Smoke and waste from industrial plants and exhausts soil our buildings and our homes, impair our vision, and threaten the health of all our people indiscriminately. These problems, too, must be dealt without delay.

Mr. President, the amendment of the Senator from New York is intended to provide a guideline, to establish priorities for a nation at war—at war not only in South Vietnam, but here at home.

I hope that this amendment, expressing as it does our deep concern with the problems of our people and our personal commitment to the welfare of our country, will be adopted by the Senate.

Mr. JAVITS. Mr. President, I yield myself 30 seconds.

The PRESIDING OFFICER. The Senator from New York is recognized for 30 seconds.

Mr. JAVITS. I wish to thank the Senator from Massachusetts [Mr. Brooke] for his very helpful intercession in this debate, and for bearing out from another State and another vantage point the essentiality of what I have provided, which in no way interferes with the essential purpose of the bill but only retains in Congress authority with respect to items so critical to domestic order and tranquillity.

I thank my colleague.

Mr. BROOKE. I thank the distinguished Senator from New York for his generous comments. He has made a most worthy contribution in offering his amendment and I hope that it will be adopted.

Mr. JAVITS. Mr. President, I yield 4 minutes to the Senator from Connecticut [Mr. Ribicoff].

The PRESIDING OFFICER. The Senator from Connecticut is recognized for 4 minutes.

Mr. RIBICOFF. Mr. President, I commend the distinguished Senator from New York for introducing this amendment. The Senator has highlighted the fact that the security of the Nation is as deeply involved here at home as it is in Vietnam.

None of us who have followed the events of the past 4 years can fail to realize how much violence and hatred threatens to tear apart the fabric of American society.

It is my feeling that there is as much at stake in solving the crisis of the cities as there is in determining the future of American policy in Vietnam.

Long before the Kerner committee handed down its report, our subcommittee, for 2 years, went into all phases of the problem in an effort to try to determine what the problems were. The distinguished Senator from New York was a member of that subcommittee and performed yeoman service in his analysis and questioning.

It became obvious to us that it was important for the United States to make a commitment to help solve the problems facing American cities. None of us contended that the immediate voting of funds would automatically solve the crisis.

For 100 years, the United States has neglected the problem of the Negro. Yet, it is little understood that when we talk about the problems of poverty and the problems of the city, we are not just talking about the problems of the Negro because, when we analyze the problems of poverty, we find that 67 percent of those living in poverty are white. The figures are also interesting because they show that in cities over 50,000 population, 50 percent of those who live in poverty are also white.

Thus, what we seek to solve is the problem of poverty and neglect, which involves not only Negroes but also whites, Mexicans, Indians, Puerto Ricans—wherever Americans may live—in both rural and urban areas.

It also became obvious during our hearings that we faced a crisis of doubt. A great doubt existed in the minds and hearts of millions of Americans that we were even trying to attempt to find a solution of their problems.

As the frustration and disillusionment grew, the realization came that civil rights legislation of itself would not solve the problems and it became important to go to the basic problem.

We cannot afford to neglect the immediate problems that cry out for solution.

The Senator from New York, in his amendment, has pointed out the needs and the necessary priorities.

Mr. President, without question, the first priority to help solve the crisis of the cities and the crisis of the disadvantaged, Negro or white, is jobs. That is the No. 1 priority, because a job brings self-respect. It brings independence. It brings economic advancement and a way of the ghetto on an individual basis. The future of the economy and the future of our society could be in great jeopardy if we eliminated manpower development and training activities. Thus, I say that is the No. 1 priority in this country.

The second priority is in the field of housing and the physical environment, the development of decent and safe neighborhoods.

Today, there are some 4½ million substandard housing units in urban America. It becomes important for us to eliminate those substandard housing units. Of course, we cannot do it this year. It will take at least 10 years to eliminate all substandard housing units. But, we must begin. We must make a start and carry on a program.

Nor, Mr. President (Mr. Lausche in the chair), can we afford to ignore education. This is a matter of high priority because without education, we have nothing. There is a great opportunity to proceed in the field of education to improve the lot of the handicapped and the disadvantaged.

When it comes to the prevention and detection of crime, what is so little understood—and which the hearings brought out—is that the Negro in the ghetto wants more law enforcement instead of less law enforcement, because the main victim of crime is the resident of the ghetto himself.

Every study indicates the need for more and better law enforcement. Certainly we should not deprive or take away any funds that would provide for more law enforcement—not only to bring peace and tranquillity to all America, but also to improve the lot of the people living in the ghettos.

Once more, I commend the Senator from New York. His amendment is an absolute "must."

I would hope that we would keep our eyes on the main problem; namely, the national security of our Nation which is threatened right here at home.

I know of no greater way to protect the national security of our country than for the Senate to vote for the amendment of the distinguished Senator from New York.

Mr. JAVITS. Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER. The Senator from New York is recognized for 2 minutes.

Mr. JAVITS. I am very grateful to my colleague from Connecticut. He was a leader in the hearings on the Government Operations Committee on the question of the cities. He is a former Secretary of Health, Education, and Welfare, where he made an extraordinary and outstanding record of achievement. He is also a former Governor of the State of Connecticut.

The Senator from Connecticut has had a wealth of experience on which to speak concerning the pending amendment and I am, once more, very grateful to him for his important contribution to this amendment.

Mr. President, I reserve the remainder of my time.

Mr. COTTON. Mr. President, will the Senator from Louisiana yield me 6 minutes?

Mr. LONG of Louisiana. Mr. President, I yield 6 minutes to the Senator from New Hampshire.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized for 6 minutes.

Mr. COTTON. Mr. President, I do not rise to oppose the amendment now before the Senate. Undoubtedly when we breached the wall yesterday and proceeded to take out all the substantive provisions against public works, part of which at least certainly can justly be referred to as public works legislation, the distinguished Senator from New York is amply justified in breaching the wall again on a matter which pertains to the health and welfare of the people of this country. But I merely rise because I thought later in the day I could not have the time, and I wanted to get this information into the Record.

In the first place, the Senator from New Hampshire will probably be unable to vote for the Williams-Smathers substitute, anyway, because, as he has said today, with the exception of perhaps the limitation on employment, the only thing in that substitute that is going to stick will be the tax. The economies in that substitute, in the opinion of this Senator, are hardly worth the paper they are written on.

Already in this fiscal year we have had $3.2 billion in supplementals, and another big one is coming up, it is anticipated. So that even if those economies were put into effect, we can see how easy it would be for the Executive to circumvent those economies in fiscal 1969 by supplementals. But the people who will violate, the people who will nullify, this earnest and sincere attempt for economy will be ourselves, and particularly the committee on which I serve and the Senator from New York serves, the Appropriations Committee.

In any approach to accomplish what the Senator from New York wishes to accomplish, and to make the substitute worthwhile, there should be written into the bill a limitation of authority, of authorization. That binds the Appropriations Committee. There is nothing improper about it, because the Appropriations Committee now cannot appropriate a cent that is not authorized.

I want to call to the attention of the Senate that 50 Members of the other body, advised by technical staff, have come up with concrete recommendations of cutbacks. I merely want to call to the attention of the Senate the subjects they cut.

They recommend a reduction of military personnel in Europe.

These are deferrals and reductions. This does not abolish the appropriation.

Some of the others are:

Supersonic transport, except research and development.

Defense supported arms sales abroad.

Civilian space program.

Highway beautification.

Longworth House Office Building renovation. This was suggested by the other body.

Madison Library.

Government Printing Office building, site acquisition, and planning.

USDA, $10,000 maximum subsidy limit per farm.

Freeze on moderate and high-income apartment building programs—not low income, but moderate and high.

A cutback on foreign aid.

A cutback on forest roads construction, 50 percent of it being new of the entire amount.

Arts and Humanities Foundation.

Public office buildings, site acquisition, and planning.

Public information.

Post office buildings, 50-percent unobligated, new obligational authority.

A freeze on Government civilian employment. That, of course, is included in the present substitute.

National Science Foundation.

Forest highways, 50 percent, new construction.

Earth description and mapping, 50 percent, new unobligated authority.

President's contingency reserve held to 1968 level.

Public works, 20-percent stretchout.

Appalachia held to 1968 level.

That, itemized, would lead to cut in appropriations for fiscal 1969 of $6,614,916,500.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. COTTON. I yield.

Mr. JAVITS. The Senator is reading the findings of a group headed by Representative GOODELL, of New York, and that is precisely what my amendment is based on.

Mr. COTTON. I was coming to that, if the Senator will permit me.

Mr. JAVITS. Very well.

Mr. COTTON. This does affirmatively what the distinguished Senator from New York does, in a sense—he cannot help it, because he has to do it that way in this particular bill—negatively.

The recommendations further provide that, of the $6.6 billion saved, $2.5 billion shall be plowed back into what? Plowed back into the areas of air and water pollution control, crime control, vocational and technical education, job and economic development.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. COTTON. Mr. President, may I have 2 additional minutes?

Mr. LONG of Louisiana. I yield 2 minutes to the Senator from New Hampshire.

Mr. COTTON. This is a logical way to reduce current spending by $4.1 billion, they say.

All I can say is this: There are some modifications which all of us might make in this particular proposal. There are some I can think of that should be added. They do not touch the sensitive point the Senator from New York is striving to save on the floor this morning. But the point is, if Senators want to make this particular bill, or the substitute for it, meaningful, the way to do it is for the Senate to specifically limit and cut back on authorizations for fiscal 1969 only.

That is not an insult to the Appropriations Committee. We cannot appropriate for anything that is not authorized. It is the only way. Otherwise, voting for this substitute is voting for the tax, perhaps providing for some restrictions on Government employment; the rest is just a dream and a matter of a New Year's resolution.

I voted against exclusion of public works yesterday. What I shall do about the Senator's proposition does not matter—I intend to vote against the substitute, because the substitute is not bombproof. It is not even a real guarantee of any kind of economy. It simply means that we are voting the tax and making a gesture for economy.

Mr. JAVITS. Mr. President, I yield myself 2 minutes. The Senator from New Hampshire will find that I actually based my amendment on Representative GOODELL's plan, which the Senator referred to with approval. That is amendment No. 637. The difficulty is that the amendment would not be in order until disposition of the Williams-Smathers substitute. The only part which would be in order is the part I am moving now to take items such as those in the human renewal fund and sets it up as what the President—I emphasize, the President—could not cut. So I hope the Senator understands the scheme of my amendment clearly.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. COTTON. I do understand it. I commend him. It is my hope the substitute will be defeated. It is my hope the Senator from New York will then submit that amendment. The Senator from New Hampshire will certainly support it.

Mr. President, I ask unanimous consent that following my remarks there may be printed in the RECORD a table of the items I referred to.

Mr. JAVITS. Mr. President, will the Senator also include the human renewal items; that is, the restorations, as well as the cuts?

Mr. COTTON. I am glad to.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Immediate budget deferrals

60 percent reduction of military personnel in Europe	$2,080,000,000
Supersonic transport (except research and development)	222,000,000
Defense supported arms sales abroad	200,000,000
Civilian space program	400,000,000
Highway beautification	85,000,000
Longworth House Office Building renovation	6,058,000
Madison Library	2,500,000
Government Printing Office Building (site acquisition and planning)	2,500,000
USDA: $10,000 maximum subsidy limit per farm	410,000,000
Freeze on moderate to high income apartment programs	400,000,000
Foreign aid	700,000,000
Forest roads construction (50 percent new)	45,790,000
Arts and Humanities Foundation	9,800,000
Public buildings (site acquisition and planning)	5,497,000
Public information	100,000,000
Post office buildings (50 percent unobligated NOA)	36,121,000
Freeze on Government civilian employment at 97 percent	961,000,000
National Science Foundation	250,000,000
Forest highway (50 percent new construction)	15,000,000
Earth description and mapping (50 percent NOA)	6,750,000
President's contingency reserve (1968 level)	400,000,000
Public works (20 percent stretch-out)	200,000,000
Appalachia (1968 level)	86,900,000
Total	6,614,916,500

We believe these are programs of high priority, which as now projected will not result in the minimum benefits desired. Therefore, it will be our recommendation to the Congress that we plow back $2.5 billion of the $6.6 billion savings and deferrals. The prime programs which must be improved are in the areas of air and water pollution control, crime control, vocational and technical education, job and economic development. This is a logical way to reduce current spending by $4.1 billion and also shift the emphasis to meet critical needs.

It becomes obvious when wrestling with this problem that, long term, our only hope of achieving a balance between revenue and spending is through substantial reduction in our military requirements. Let us remember that we outdo the Communists at every turn on a peaceful course; that is why they inevitably try to draw us into war.

Mr. JAVITS. My own time is rather limited.

Mr. COTTON. That is why I asked for time from the other side.

Mr. JAVITS. Mr. President, I yield myself 2 minutes to sum up. Then I would suggest a unanimous-consent request to the Senator from Louisiana.

I am trying to deal with priorities. I am not trying to curtail what we will cut. I am putting a priority upon items which, in round figures, represent about $6 billion of the budget.

This claim for priority is attributable to the crisis facing this country, a crisis in the cities equal to the crisis in Vietnam.

Mr. President, most of these items, of course, benefit rural areas. We made that clear before. That is true of water and air pollution, crime detection and prevention, manpower, and education especially; but the essential thrust is with repect to the crisis in the cities, and it does carry out essentially what was an effort to allocate priorities in the House study to which I have referred, that is, to cut $6.5 billion, but to add $2.5 billion in these designated areas, because the thing I violently objected to on the part of the administration was its failure to face the necessity of fixing priorities. It has talked about a tax surcharge and it has talked about reducing expenditures, but it has been unwilling to face the necessity of grasping the nettle of the question, "Where are you going to cut?" It just says, "Leave it to us."

We are unwilling to leave it to them; we showed that yesterday by eliminating the whole public works picture; and in my opinion we should show it today by reserving to ourselves these key items having to do with the crisis in the cities.

Again I point out, Mr. President, that the President still has plenty of places to cut the $6 billion we ask him to cut if my amendment is adopted, because he has $87 billion in controllable expenditures outside of Vietnam, both in defense and in the whole host of other items which the Senator from New Hampshire just detailed, which can be cut by the President; and the ratio of the $6 billion exemption to $87 billion is less than 10 percent.

We certainly do not restrict the amplitude of the President's authority or his ability to carry out our will, but we protect ourselves in certain key items over which we wish to exercise control. That does not mean they will not be cut, but we want the control of what is cut and what is not.

Mr. LAUSCHE. Mr. President——

Mr. JAVITS. Not yet. Mr. President, I intended to suggest to the Senator from Louisiana that we might bring this debate to a close as soon as the Senator from Ohio or any other Senator who wishes to ask questions has finished, provided we can obtain unanimous consent to reserve 5 minutes of time on each side after the Clark amendment to my amendment has been voted on. Otherwise, we would be completely shut off from any opportunity to debate the main point again, after the Clark amendment is disposed of.

Mr. LONG of Louisiana. Mr. President, I yield myself 30 seconds.

Under the unanimous-consent agreement, we cannot do what the Senator from New York suggests. I assure the Senator, however, that I will yield him some time on the bill to explain his amendment after the Clark amendment has been disposed of.

Mr. JAVITS. I am sure that will be satisfactory.

Mr. LAUSCHE. Mr. President, reserving the right to object, what is the request? For the fixing of time?

Mr. LONG of Louisiana. There is no request.

The PRESIDING OFFICER. There is no request. Who yields time?

Mr. LONG of Louisiana. Mr. President as far as I am concerned, I am prepared to yield back the remainder of the time I control on the Javits amendment.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield 5 minutes to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, I have in my hand the statement prepared by the Senator from New York in support of his amendment, and I should like to make inquiry as to where the figures shown on this paper were obtained.

Mr. JAVITS. They came out of the budget of the U.S. Government. And may I zero the Senator in on the principal item?

Mr. LAUSCHE. That is, they are copied from figures in the budget?

Mr. JAVITS. They are budgeted figures.

Mr. LAUSCHE. And that is the budget for 1969?

Mr. JAVITS. Exactly. And may I point out to the Senator that the essential facts are contained at page 15, the table being headed "Controllability of Budget Outlays," and I have put that in the RECORD.

Mr. LAUSCHE. Can the Senator state whether, for example, the figure on elementary and secondary educational activities of $1.4 billion is more than the appropriation for fiscal 1968?

Mr. JAVITS. If the Senator will give me a moment to consult a table which I have before me. If the Senator wishes to make further inquiries, I will come back to it, and give the Senator the facts in a moment.

Mr. LAUSCHE. The inquiry is directed toward ascertaining whether these several itemized figures are not all in excess of the appropriations which we made for fiscal year 1968.

Mr. JAVITS. I can answer the Senator's question. The item on elementary and secondary education, is $14,376,000 less than the appropriation for 1968.

Mr. LAUSCHE. Does the Senator have before him that part of the budget which will disclose whether these figures from the budget of 1969 are in each case in excess of, equal to, or less than the appropriations for 1968?

Mr. JAVITS. A quick calculation would indicate that, taken together, they are somewhat less. For example, I find a slight increase in the Teacher Corps, of $8 million.

Mr. LAUSCHE. What about the expansion and improvement of vocational education?

Mr. JAVITS. That is less. That is more than $13 million less.

Just a quick survey would indicate that the aggregate figure of $6,177 million is less than the 1968 appropriation.

Mr. LAUSCHE. Mr. President, I will forgo using the remainder of the time allotted to me and examine the book myself, with the view of determining what the facts are.

The PRESIDING OFFICER. Who yields time?

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that, without prejudice to the Senator's rights and without the time running on either side, the Senate may turn to the consideration of the nominations on the executive calendar.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

EXECUTIVE SESSION

The PRESIDING OFFICER. The Senate will proceed to the consideration of executive business, for action on nominations.

U.S. AIR FORCE

The assistant legislative clerk read the nomination of Lt. Gen. Jack G. Merrell, U.S. Air Force, to be a general.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

U.S. NAVY

The assistant legislative clerk proceeded to read sundry nominations for promotion in the U.S. Navy.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations are considered and confirmed en bloc.

NOMINATIONS PLACED ON THE SECRETARY'S DESK

The assistant legislative clerk proceeded to read sundry nominations in the Navy and the Marine Corps which had been placed on the Secretary's desk.

The PRESIDING OFFICER. Without objection, the nominations are considered and confirmed en bloc.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE REPORT OF A COMMITTEE

The following favorable report of a nomination was submitted:

By Mr. EASTLAND, from the Committee on the Judiciary:

Wilbur H. Dillahunty, of Arkansas, to be U.S. attorney for the eastern district of Arkansas.

LEGISLATIVE SESSION

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Senate resume the consideration of legislative business.

The PRESIDING OFFICER. Without objection, it is so ordered.

TAX ADJUSTMENT ACT OF 1968

The Senate resumed the consideration of the bill (H.R. 15414) to continue the existing excise tax rates on communication services and on automobiles, and to apply more generally the provisions relating to payments of estimated tax by corporations.

Mr. CLARK. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CLARK. Is time yielded back on the Javits amendment?

Mr. JAVITS. Mr. President, I yield myself 30 seconds. On the assurance of the Senator from Louisiana that a minimum of 5 minutes will be allotted to me on the bill to debate my amendment after the vote on the Clark amendment, I am prepared to yield back the remainder of my time.

Mr. LONG of Louisiana. I give the Senator that assurance, and I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back.

Mr. CLARK. Mr. President, I ask unanimous consent that I may suggest the absence of a quorum without the time being charged to either side.

Mr. LONG of Louisiana. Mr. President, I feel that I must object. Senators are waiting to vote on these matters. I am willing to have the time charged equally against my time and the Senator's time, or against my time alone, if the Senator prefers.

I ask unanimous consent that the time be charged equally against both sides.

I ask that the Senator from Pennsylvania first offer his amendment.

Mr. CLARK. Mr. President, I intend to offer my amendment; but the time for the quorum call can be charged equally against both sides on the pending amendment, can it not?

The PRESIDING OFFICER. The Chair advises the Senator that there is no time remaining on the pending amendment.

Mr. LONG of Louisiana. Mr. President, I yield myself 30 seconds on the bill. If the Senator from Pennsylvania will offer his amendment, I shall be glad to yield half the time for the quorum call from my time on the amendment, and we can have a quorum call.

AMENDMENT NO. 680

Mr. CLARK. Mr. President, I will agree to having half of the time charged against my time.

I suggest the absence of a quorum.

Mr. LONG of Louisiana. Mr. President, the Senator must first offer his amendment.

Mr. CLARK. I call up my amendment No. 680 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

On page 2 after line 4, insert the following:

"(c) Insofar as may be practicable, the reservations from expenditure provided for in subsection (b) shall be made from authorizations for:

"(1) foreign military assistance;

"(2) the space program; and

"(3) the Department of Defense, to the extent that such reservations will in no way endanger the security of the United States or the safety of United States troops."

Mr. CLARK. Mr. President, I suggest the absence of a quorum.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the time be charged equally to both sides.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CLARK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BYRD of West Virginia in the chair). Without objection, it is so ordered.

Mr. CLARK. Mr. President, I ask for the yeas and nays on the Clark amendment.

The yeas and nays were ordered.

Mr. CLARK. Mr. President, I yield myself such time as I may require.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. CLARK. Mr. President, my amendment is really a complement to the Javits amendment. The Javits amendment provides where cuts should not be made. My amendment provides where cuts should be made.

It is a very simple amendment. It is amendment No. 680 and a copy will be found on the desk of each Senator. The amendment is only about nine lines long.

It provides that insofar as may be practicable, the reservations from expenditures, which under the Javits amendment are not to be made from such areas as education, low-income housing, and the like, shall be made from three sources:

First, foreign military assistance.

Second, the space program.

Third, the Department of Defense, to the extent that such reservations will in no way endanger the security of the United States or the safety of U.S. troops.

Mr. President, last August 22, at the time of the consideration of the——

The PRESIDING OFFICER. The Senator will suspend until the Senate Chamber is in order.

The Senator may proceed.

Mr. SMATHERS. Mr. President, I ask that the time just consumed not be charged against the time of the Senator from Pennsylvania.

Mr. CLARK. I thank my friend, the Senator from Florida, for his unfailing courtesy.

Last August 22 at the time the Department of Defense appropriation bill was under consideration, I made a rather extensive speech pointing out the desirability at that time of cutting some $3,500 million from the Defense budget.

I ask unanimous consent that a reprint of that speech and the colloquy I had with various Senators be printed at this point in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

[From the Congressional Record, Aug. 22, 1967]

Department of Defense Appropriations Bill, 1968

The Senate resumed the consideration of the bill (H.R. 10738) making appropriations for the Department of Defense for the fiscal year ending June 30, 1968, and for other purposes.

Mr. Dirksen. Does the Senator actually intend to make his motion to recommit?

Mr. Clark. Yes, I do; and for the information of the Senate, Mr. President, I now move that the bill making appropriations for the Department of Defense for the fiscal year ending June 30, 1968, and for other purposes, be recommitted to the Committee on Appropriations, with instructions to report the bill back to the Senate as soon as practicable with such amendments as are necessary to accomplish a reduction of $3.5 billion in the total amount now appropriated by the bill, as the committee may think necessary.

The Presiding Officer. The question is on agreeing to the motion of the Senator from Pennsylvania.

Mr. Clark. Mr. President, I should like, if I might, to address some questions to my good friend, the floor manager of the bill, the Senator from Mississippi [Mr. Stennis].

Mr. Clark. I ask my friend, the distinguished Senator from Mississippi if it is true, as alleged by Members of the other body when the pending bill was before the House for passage, that this is the largest single appropriation bill ever presented to Congress.

Mr. Stennis. The Senator is correct. I made that statement in my opening statement. There were other war years, as I recall, when the total amounts in all bills for military were greater. However, that was not in a single bill.

Mr. Clark. I ask my friend, the Senator from Mississippi, if the amount in the pending bill as reported to the Senate is not $70,156,420,000.

Mr. Stennis. The Senator is correct, except for the reduction we made on the floor earlier.

Mr. Clark. Is it not correct that on top of that huge amount we can also expect before the end of the fiscal year a supplemental military appropriations bill?

Mr. Stennis. The Senator is probably correct. There may be a supplemental defense bill. However, that depends largely upon the number of additional men that we send to Vietnam.

Mr. Clark. Can the Senator give me any idea now as to how much money the supplemental appropriation bill is likely to contain?

Mr. Stennis. There are different ways of making an estimate on that. However, I had rather rest on this matter on the prediction that this war will soon be costing us $2.5 billion a month.

Mr. Clark. The Senator will recall that a year ago when the bill was before the Senate he and I had a most interesting colloquy at which point he advised me that in his judgment—which turned out to be a pretty good one—the war was then costing us in the neighborhood of $2 billion a month.

For the 12 months of the last fiscal year, if we say that the cost is $2 billion a month or $24 billion for the fiscal year, we would not be very far away from the correct figure for the fiscal year ending June 30.

Mr. Stennis. I think it came to just about that amount in the fiscal year that just closed. That is a round figure, but that is about it.

Mr. Clark. May I ask the Senator whether the 45,000 additional troops which the President has indicated he wants to send to Vietnam are funded in the pending bill?

Mr. STENNIS. The bill before you provides funds for an in-Vietnam strength of 475,000. An increase above that number will bring about an increase in the cost of the conflict. The increase to date already amounts to 45,000.

Mr. CLARK. So, therefore, that would have to be included in any supplemental bill which comes along.

Mr. STENNIS. The Senator is correct. And that is about as accurate as we can get. It has not been contemplated that these men would be sent to Vietnam. However, it has been contemplated that there will be that many men in uniform, and it has been provided for.

Mr. CLARK. The President in his message requesting a tax increase indicated that the cost of the military part of the budget might well go up by a total of $4 billion. I take it that no part of that amount is included in the pending bill.

Mr. STENNIS. This Senator is correct. I would not pit my judgment against the President's at all. However, in my opening remarks I alluded to the statement by the Secretary of Defense during our hearings in which he indicated that, barring unforeseen contingencies, no supplemental for 1968 would be required. In my statement I said that I did not share that belief, for I think there is every likelihood that there will be a supplemental.

Mr. CLARK. Would the Senator be shocked if I suggested my untutored guess that the supplemental appropriation which we will face before the end of this fiscal year is likely to be at least as much as $10 billion? Does the Senator think I am high?

Mr. STENNIS. I would not want to make an estimate now on the facts I have before me. I would rather that the Senator make his own estimate.

I have said that I thought it would be from $4 billion $6 billion anyway if 100,000 additional men are sent to Vietnam. And they already plan to have 45,000 additional men in Southeast Asia.

Mr. CLARK. Whatever amount the supplemental appropriation may be—and I guess we can agree that it will be at least $5 billion—that amount would have to be added to the deficit for the fiscal year ending June 30, 1968.

Mr. STENNIS. The Senator is correct. I assume there will be a deficit. Additional defense expenditures would have to be added to the cost in the fiscal year 1968 and presumably to the deficit.

Mr. CLARK. Actually, my friend, the Senator from Mississippi, is keenly aware of the fiscal implications of the pending bill. I think he has been very candid and very honorable in pointing out that we are heading for an enormous deficit in the coming fiscal year whether we pass the tax bill which the President has recommended or not.

I think the Senator has answered all of the questions I wanted to ask him. I thank the Senator.

Mr. STENNIS. I thank the Senator from Pennsylvania.

The PRESIDING OFFICER. Will the Senator kindly send to the desk his motion?

Mr. CLARK. I did not understand the inquiry of the Chair.

The PRESIDING OFFICER. The Chair is advised that it would be very helpful to the Parliamentarian to have the motion that has been offered by the Senator from Pennsylvania because it contains instructions that we frankly did not hear at the time the Senator made his motion.

Mr. CLARK. I would be happy to repeat the motion which I think I have already cleared as to propriety with the Parliamentarian.

The PRESIDING OFFICER. The Parliamentarian advises that the rules require that the motion be formally sent to the desk.

Mr. CLARK. The Senator from Pennsylvania is very happy to take it to the desk in person. The Parliamentarian may not be able to read my writing.

Mr. President, my first argument in support of the proposed reduction in the appropriation is that the bill is too high. This is a swollen bill containing, in my judgment, billions of dollars of unnecessary appropriations. We are spread too thin in the world, and I suggest that it is time that we begin to pull in our horns.

My second point is that the bill, and its predecessors—starting with the acceleration of the war in Vietnam—is largely responsible for the fiscal crisis in which we now find ourselves.

My third point is that there is a growing resentment against the apparent need for tax increases dictated in part, but not entirely by the war in Vietnam, but dictated perhaps even more by the successful efforts of the military-industrial-scientific-congressional complex to foist on this country a series of expenditures which, in my judgment, may in the foreseeable future threaten our democratic system of government and erode our liberty.

My fourth point is that there is no real necessity by reason of the current situation in Southeast Asia or with respect to China to justify the enormous expenditures we are now engaged in making in the Army, Navy, the Air Force, and the Marine Corps.

My fifth point is that the war in Vietnam has arrived at a stalemate, that the possibility of our winning it in the foreseeable future is minimal, that it is likely if we continue on our current course we will be there for a decade, and that, as the Senator from New Jersey [Mr. CASE] pointed out earlier today, we should either have some assurance from the President that a military victory and/or a pacification of the country is within the reasonable possibility of achievement in the reasonably near future, or we should have a complete reexamination of our entire Southeast Asia policy.

My last, or sixth point, is that Congress—and, indeed, the administration—has a false set of priorities as to what is important in terms of the foreign and domestic policies of this country.

I shall develop each of these points in turn, but I thought it might be useful to give the general outline of my speech before I make it.

I. A SWOLLEN APPROPRIATION

I turn now to point No. 1. The bill is too high. We are spread too thin from a military point of view.

When this bill was before the other body, Congressman GEORGE E. BROWN, Jr., of California, the only Member of the House who voted against the bill, pointed out that it was the largest single appropriation ever presented to Congress. He also stated:

"The amount of money represented by this bill is equivalent to the total gross national product of approximately one-third of the human race. It is staggering to the imagination to realize that this Congress for 150 years struggled over the appropriation in total of an amount of money that we have disposed of here this afternoon in three or four hours."

He was discussing the debate in the House of Representatives.

This bill calls for the deployment of a total of 3,464,302 men. In the military personnel section of the committee report, the dollar figures, when presented in conjunction with the number of men to be kept under arms and in uniform—in the Army, the Navy, the Air Force, the Marine Corps, the Reserve, the National Guard, and the other minor components of the armed services—work out at a cost of $5,400 for every man in the armed services.

If you were to cut back the military personnel in this bill to the actual number of individuals in the armed services in fiscal year 1966, you would reduce the 1968 estimate from 3,464,302 military personnel to 3,091,552. If you were to make that cutback and make the basic assumption which I believe we should make—that we can get along very well in the United States of America in the next fiscal year with the number of men under arms that we had in fiscal 1966—you would immediately cut $1,914,200 from the total amount of the bill. So that there, alone, in the one element of military personnel, you could get approximately $2 billion of the $3.5 billion which my motion to recommit envisages.

I have not attempted to pinpoint the reductions which the committee, in its wisdom, might determine to make in the event the motion to recommit should carry; but there are obviously vast areas where substantial reductions could be made without affecting in any way the military mission of the United States, if that mission really is to maintain peace, to work for international cooperation, and to bring the difficulties which now confront us into the diplomatic area instead of the military area.

Title II of the bill deals with operation and maintenance. I will not undertake to suggest specific cuts there. I do not have the expertise to make such suggestions. But no Senator can read through that portion of the committee report without concluding that substantial cuts totaling, at the very least, several hundred million dollars, could be made in the operation and maintenance part of the bill.

Then we come to the procurement part of the bill for which $5,578,600 is requested for the Army, including missiles, of which we have so many already that they are coming out of our ears.

Every Senator knows, and most of the people in the United States know, that we have an overkill capacity, in terms of nuclear weapons, which could flatten the Soviet Union and Communist China together several times over, and still leave a substantial arsenal in the hands of the Army.

Procurement of aircraft and missiles for the Navy is recommended by the committee at $2,950,700. Shipbuilding and conversion for the Navy is fixed at $1,297,000. Other procurement in the Navy is fixed at $2,336,000. Procurement in the Marine Corps is fixed at $665 million. Procurement in the Air Force, which includes many a missile, also, is fixed at $5,547,400.

So, without attempting to indicate to the committee in any specific way, because I say again I do not have the particular expertise to do so, these are the general major areas where, in my opinion, cuts far in excess of $3,500,000,000 could be made, without affecting in any way the national security of the United States or the capability of our Armed Forces to do those things which they should be doing in terms of defending the United States of America.

I say again what I said last year when this bill was before us: This is not a defense appropriations bill. This is an offense appropriations bill. Let no one contend that the $70 billion in this bill is intended to defend the United States of America. Far from it. It is intended to defend a wide perimeter all around the world, in many parts of which the United States is engaged in ground operations totally unsuitable to the American character, and where we are pouring out our treasure and our manpower in futile efforts to hold beachheads in countries far beyond the legitimate diplomatic interests of the United States.

So if we are prepared to renounce the thought that we are the modern Roman Empire and that we should impose a Pax Americana on the continents of Latin America, Africa, Asia, and particularly Southeast Asia, and also to undertake the guarantee that another war should not break out in Western Europe, if we are going to renounce that concept, this bill could be cut, not by the amount I am proposing of $3.5 billion, but at least by $10 billion which the Senator from Oregon proposed an hour or two ago that we cut from the bill.

Mr. President, I complete my summary of my first point by reiterating that this is a swollen bill in terms of money; it gives us an offensive capability far in excess of the defensive needs of the United States, and far in excess of our legitimate objectives.

II. THIS BILL AND ITS PREDECESSORS ARE LARGELY RESPONSIBLE FOR THE FISCAL CRISIS IN WHICH WE FIND OURSELVES

Mr. President, I now turn to my second point. The fiscal crisis in which we find ourselves was graphically set forth in the President's tax and budget message of a couple of months ago. He then pointed out that the total expenditure contemplated in his budget message for the fiscal year ending June 30, 1968, was $135 billion. Of that sum, $70 billion, or more than one-half, is represented by this bill.

The President told us that by reason of the fallback in contemplated revenues and the increases in contemplated expenditures, the $9 billion deficit which he envisaged in January 1967, when he sent his budget message to Congress, had increased to somewhere between $23.6 billion and $28 billion. This, obviously, is a frightening deficit, one which I am confident will be all too likely to bring on the fiscal crisis, dislocation, huge deficit, inflation, tight money, and the high interest rates which the President referred to in his message.

The President suggested there were two courses which Congress and the country could pursue in the light of his fiscal crisis. The first course was to do nothing and let things drift. He pointed out the dire consequences of such a course, and strongly recommended that we follow a second course, which was to make a series of drastic economies, almost all out of domestic programs.

He paid lip service to cutbacks in defense expenditures, but by the time he finished he indicated the defense expenditures might be in excess of what he contemplated in his budget, and this suggestion on his part was no less than candid because in the same message he indicated he wanted to send 45,000 more men to Vietnam. As the Senator from Mississippi so candidly replied in answer to my question, the sending of those men is not funded in this bill, although it is true that most or perhaps all of them are now in uniform.

So the President recommended additional taxes to the tune of $7.4 billion and a cutback in domestic expenditures, which he thought might result in a deficit, not of $23 billion to $28 billion but $14 to $18 billion.

I say that deficit is unmanageable. The greatest peacetime deficit we had before was during the Presidency of Dwight Eisenhower, when it went to $13 billion and brought on both deflation and recession. I would have little doubt, although I am not a trained economist, that the same result would occur if we were to repeat that disaster and run a deficit of that sum.

The Presiding Officer. The Parliamentarian informs the Chair that the 3 minutes of the Senator on the motion has expired, but the Senator has 2 hours remaining on the bill.

Mr. Clark. I am grateful to the Parliamentarian for calling that technical point to my attention. I was under the impression I was using my 2 hours on the bill. I should have stated so. I would like to have the time I have used charged to my time on the bill, and I ask unanimous consent that may be done.

The Presiding Officer. Without objection, it is so ordered.

Mr. Clark. Mr. President, I suggest that there is a third alternative and a wise and sound alternative which the President did not mention in his message. That third alternative is to obtain, in one way or another, a large part of the curtailment of expenditures out of appropriations which do not cut into the heart and soul of the American people, do not prejudice the poverty program, do not prejudice Federal aid to education, do not result in our turning our heads away from the task we have undertaken of eliminating water pollution and air pollution in this country, do not turn our backs on the Appalachian program, do not turn our backs on a score of other programs including housing for low-income families, rent supplements, model cities, mass transit, public health, and welfare expenditures.

Mr. President, these programs of the once Great Society are the heart and core of the Roosevelt-Truman-Kennedy-Johnson program and I, for one, shall fight as hard as I can to prevent those programs being curtailed. There are programs where we can make cuts without affecting the well-being of a single American citizen. There are three, and the first is the foreign aid program. We have already cut $800 million out of the foreign aid bill, which is pretty close to being 30 percent of the total bill. The House of Representatives has already cut $500 million from the space program. I am in favor of those cuts in light of the fiscal condition and approaching chaos in which we find ourselves. However, why is the military appropriation bill the sacred cow which, like the sacred cows in India, cannot be touched by a Senator or a Representative? Who are we afraid of? I know the Hindus in India are afraid of their gods should they undertake to kill sacred cows over there. That is one of the reasons the Indian economy is in such a chaotic condition. The cows are eating the food which should go to human beings.

I suggest, Mr. President, it is high time the Senate faced the logic of the situation and undertook to cut reasonable amounts from the Defense appropriation bill, with the idea in mind that we might even make the proposed tax increase unnecessary—although I am afraid we cannot do that; but at least that through the total of the cuts in the particular appropriations which do not affect the health, well-being, or safety of a single American family, we could make some significant contribution toward cutting our enormous deficit.

The President is asking for additional taxes totaling $7.4 billion. If we were to recommit the bill as I have suggested, there is almost half of that amount in this bill. Add the $800 million from the foreign aid bill, and the budget figure of $500 million from the space bill, and we have another $1.3 billion. So that we are getting within striking distance of the $7.4 billion in additional taxes which the President is asking.

Oh, no, we are not there. If we had adopted the proposal of the Senator from Oregon—I was one of the five Senators who voted for it—we would be there. I know that the Senate is not ready to go that far. I expect the vote which will take place in the reasonably near future to recommit the Defense appropriation bill will indicate that I will get few, if any, votes, just as the Senator from Oregon did. But let us face this problem now. Because if we do not do so now, we will have to do so on the supplemental appropriation bill and on the bill next year; or this country will go bankrupt. We cannot continue at this rate without either going bankrupt or raising additional taxes far in excess of anything the President has recommended.

What we are doing now in Congress is going down that first alternative against which the President warned us. He said that there were two alternatives: one, to face the situation, pull in our belts, and the other just to let things drift. That is just what we are doing: We are letting things drift.

I hope that, in due course—if not tonight—the Senate will face its fiscal responsibilities.

It has been said that only $22 billion of the $70 billion in the appropriation bill is for the Vietnamese war. My good friend from Mississippi has suggested that the figure should be a little higher. I think he would place it at $30 billion for the coming fiscal year. Let us say it is $30 billion. This is a bill for $70 billion. What are we going to do about the other $40 billion which is not part of the war in Vietnam?

How can we possibly justify not cutting the bill on the grounds that we are providing our boys in Vietnam with everything they need—although I think the way to provide them with everything they need is to bring them home under an honorable peace—but how can we justify not cutting this swollen bill with the $40 billion additional in it not being used for Vietnam, kidding ourselves and the country that we are doing the patriotic thing, which will result, in all likelihood, in a fiscal crisis which will bring us—and I use these words advisedly—close to the brink of monetary and fiscal disaster.

Certain Senators have suggested that I should indicate where the cuts should be made. Earlier, I indicated that I do not think I have the expertise to do that. But if I were a member of the Appropriations Committee, I would look pretty hard at military personnel and cut back on that total to the figure we had at the end of 1966 which, in itself, would obtain $1,981 million in savings.

I would also take a good hard look at procurement in the Army, Navy, Air Force, and Marines in terms of missiles. We have such a huge overkill now that it is, to me, a futile suggestion to manufacture, store, and stock more lethal weapons of atomic destruction.

Mr. Hart. Mr. President, will the Senator from Pennsylvania yield at that point?

Mr. Clark. I am happy to yield to my good friend from Michigan.

Mr. Hart. I must plead guilty to being one of the Senators about whom the Senator just made reference. I was one of the Senators who went to him and said, "Look, please do not use the rule of thumb, x percentages of the total, and ask us to reduce it by that amount. And don't pick a fixed figure and then tell us that is the equivalent of a 10-percent tax surcharge."

Mr. Clark. Because of my enormous admiration for the distinguished Senator from Michigan, that is what I have done. I have followed his advice.

Mr. Hart. Yes, but we are now down an alley which seems to be equally blind. I am going to read the Senator's remarks at the end of the day——

Mr. Clark. The Senator will have voted before he can read them.

Mr. Hart. Then I will sit here and listen to the Senator's remarks. Perhaps he will be pleased to give us a summary of what he is proposing, because I am anxious about it. I suspect I speak for a lot of frustrated Members in this Chamber on that score.

Mr. Clark. Yes; and there are plenty of frustrated Members in this body.

Mr. Hart. I feel as the Senator from Pennsylvania does, uncomfortable in stating to the Army, Navy, Marine Corps, National Guard, and others, what particular items we believe can wait a year, or saying that something is an item we never did or will need. He and I find ourselves on committees which expose us not to that specific information, but to overwhelming and specific domestic needs which must be met, I suspect, with the same directness that any foreign enemy has to be met with and which relate equally to our survival as a society worth protecting.

Certainly, I share the point the Senator from Pennsylvania has just made. Who wants to run around with a label on him, "You let our boys down in South Vietnam"? No one. And none of us do.

I share the Senator's feeling that the best thing we can do for our boys in Vietnam is to bring them back home under an honorable peace. I think the Senator from Pennsylvania used those words. The problem is when we get to define the conditions, it gets to be about as difficult as looking at a $70 billion defense budget and pointing to what items should be eliminated. Surely there are some substantial items that could wait until we put the fires out at home. In order to get the water to put out those fires, we are going to have to take a look at this $70 billion and see if we can trim it.

I am very grateful to the Senator from Pennsylvania for taking the leadership in an effort to identify those things that prudent men would agree are desirable but are not essential under the circumstances which exist today.

Mr. CLARK. I thank my friend from Michigan for his most helpful intervention. I want to make my own position crystal clear because I made some points before the Senator from Michigan came into the Chamber.

As I look at the bill, as a layman, I think I can see a number of areas where it could be prudently cut.

One is by cutting down the size of the Armed Forces. I have looked at the military personnel sections of the bill. I find if we could cut back the total number of individuals within the armed services to the figure we had in 1966, we could save $1,912,000,000.

Then I looked at the procurement section of the various armed services components, and I think I recall that most Senators—perhaps not all—are in agreement that we have an "overkill" capacity in terms of nuclear and hydrogen weapons, enough to flatten our enemy a good many times over, and that the needs of the Navy for a certain number of ships has been a little exaggerated.

So we could easily get this $3.5 billion that I have in mind. But I do not want to take the responsibility for doing that and I do not think I should. That is why my proposal is to refer this matter back to the people who are experts with this proposed cut of $3.5 billion, and ask them to cut the bill to that extent.

Mr. HART. Mr. President, will the Senator yield further?

Mr. CLARK. I yield.

Mr. HART. The Senator has stated the fact. I arrived late on the floor. I did not realize he was referring to a motion to recommit with instructions to eliminate the things that may be desirable but are not essential.

Mr. CLARK. I thank the Senator.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. CLARK. I am glad to yield to the Senator from Oregon, whose courage I commend for the position he took today in the face of overwhelming odds.

Mr. MORSE. I am greatly honored to have the Senator from Pennsylvania stand shoulder to shoulder with me.

I am glad the Senator from Michigan made the last comment he made, which changes what I, otherwise, was going to say, although I still find myself completely in disagreement with the major thesis of the Senator from Michigan. I do not think the Senator from Michigan or any other Senator can sit here on the basis of the facts, and object to cutting a $70.2 defense request, the largest in the history of this country, larger than at any time, larger than for World War II, World War I, the Korean war. It only bears out what I said this afternoon. We are turning over foreign policy, in a real sense, to the military. We get the same argument the Senator from Michigan is using, by clear implication, when he says he does not want to be put in the position that we are letting the boys down in Vietnam. We are not letting the boys down in Vietnam.

Mr. HART. Mr. President, will the Senator yield?

Mr. MORSE. Yes, I yield. If I made a misstatement, the Senator may correct me.

Mr. HART. Will the Senator from Pennsylvania yield?

Mr. CLARK. I yield.

Mr. HART. I was adopting, I will advise the Senator from Oregon the remarks that had been made, perhaps before the Senator from Oregon reached the floor, by the Senator from Pennsylvania, who was explaining he did not like to be laid open to the assertion that he was letting down the boys in Vietnam by any meat-ax cut. I do not, either.

Mr. MORSE. In reply I wish to say that we have not offered meat-ax cuts. Our proposals do not let the boys down in Vietnam. The "letting down the boys" argument is the argument other Senators have made in this debate today. That is a flag-waving argument. When we propose cutting this bill, it does not involve any cutting into the Vietnam operation. No one can argue soundly that we would be letting the boys down if the cuts we propose were adopted. It is a non sequitur. In my opinion, it is an unfair argument to be heard from the lips of Senators of the United States. We have a trust and a duty to make cuts in the Defense Department as well as other departments if any of the amounts cannot be justified. When it can be shown there is a national interest need to make a cut in the $70.2 billion defense appropriation, it is our duty to make it.

When the administration goes to the other departments and asks them to take a 10 or 15 percent cut in their appropriations, what is so sacrosanct about the Defense Department budget?

The amounts which would be reduced by the percentage cut, which the Senator from Michigan does not like, on the ground that it is a meat-ax cut, will be made by the very people in the Department of Defense the Senator from Michigan says are qualified to make the cut. My amendment calling for a 10-percent cut provided that the cuts would be made by the experts in the Defense Department.

Unless the Senator from Michigan is to take the position that the $70.2 billion defense appropriation is sacrosanct and we cannot make any cuts in it, his argument falls to the floor. Let the Secretary of Defense take a 10-percent percentage cut which I propose and tell the President where he thinks the cuts should be made. He has authority to transfer money from item to item under my proposed 10-percent cut amendment.

We should not take the attitude that we cannot touch a $70.2 billion Defense Department appropriation and say there is something about this that makes it untouchable. That is exactly the psychology the Defense Department is trying to create in this country. Those of us who oppose cutting the budget of the Defense Department are unfairly attacked. I know. I have been the butt of it. The charge is that if one takes the position the Senator from Oregon is taking, somehow he is unpatriotic because supposedly he is letting down the boys in Vietnam. That is hogwash. It is pure nonsense. My 10-percent cutting amendment would have not hurt the boys in Vietnam. It would strengthen our position in Vietnam by strengthening our economy. It is a mistake to take the position that this bill is an untouchable bill on the floor of the Senate.

I want to disassociate myself from any argument and any implication that a cut in this appropriation such as is being proposed by any of us has anything to do with the boys in Vietnam.

If the Senator from Michigan does not know where we can make cuts, I suggest that he consider the equivalent of eliminating four unnecessary divisions in Germany, for example. That would save quite a bit of money. Let him refer to the defense stock fund or the antiballistic missile proposal that we have in this bill. I suggest that cuts can be made there and I think they would be there under my proposal.

The fact is that, for some reason, there has developed in the Senate of the United States an unwillingness to face up to what I think is our clear responsibility to protect the interest of the American taxpayer. Here is one vote against any tax increase, as I announced earlier. The American taxpayers are entitled to have Senators vote against tax increases unless they are willing to make cuts in a $70.2 billion defense appropriation. In closing I want to make clear that I respect the views of my friend the Senator from Michigan [Mr. HART]. I do not question his dedication to the welfare of our Nation. I do not question his sincerity in believing that my proposals for cutting this bill are unwise. I know that he is not charging me with letting down the boys in Vietnam. However, in fairness to myself and to him I have made these remarks in an endeavor to leave no room for doubt as to the intent and purposes which are behind the proposals I have made this afternoon.

Mr. HART. Let me make very clear that any suggestion that the Senator from Oregon, in offering his amendment, was letting down the boys in Vietnam would be grossly unfair and will find me in strongest criticism. The fact is I found myself reluctantly working against it.

It was not because of any letting down of the boys which caused me finally to vote against it. Rather, I preferred taking the approach now proposed by the Senator from Pennsylvania [Mr. CLARK] and I am delighted that I find myself now joining both the able Senator from Oregon and the able Senator from Pennsylvania in attempting to eliminate from this $70.2 billion defense appropriation bill a sum which may cover desirable but surely not necessary items.

Mr. CLARK. Mr. President, the argument of the Senator from Oregon is so persuasive that I voted with him today, but I think he has possibly done an injustice to the Senator from Michigan, because the Senator from Michigan has never accepted the point of view which others have taken. I think he has taken an objective view toward the pending amendment. I know he felt bad when he felt he could not vote for the amendment of the Senator from Oregon.

III. RISING TIDE OF OPPOSITION TO WAR IN VIETNAM

Mr. President, I would like to turn now to the third point, "Rising Tide of Opposition to the War in Vietnam."

There is a rising tide of opposition across the country to the way the war in Vietnam is being conducted. I regret that that tide of opposition comes from two diametrically opposed philosophies of thinking.

There are those of us in this body who believe we ought to be making a more earnest effort to arrive at a negotiated settlement, who are not happy with the high casualties we are suffering in Vietnam, who do not approve of the bombing of North Vietnam, and who think that the search and destroy policies in the south are counterproductive, are not working, and are only mounting the toll of American boys being killed and wounded.

Unfortunately, there is another school of thought which many advocate in the Senate, which may be called a "Let's kill 'em," philosophy, a philosophy of let us get in there and get it over with, based on the emotional concept that the United States of America is the strongest military power in the world, and it is ridiculous that we cannot beat down to their knees, in the little country of Vietnam, the guerrillas there. Somehow they think the flag is demeaned and somehow the power and status of the American people is suffering because we do not go in there and get it over with.

Mr. President, it is not for me to attempt to controvert that argument at this point, but I think it is enough to say that there is a rising tide of opposition to the conduct of the war in Vietnam. This was evidenced in a poll which was taken, I think by the Associated Press, over the past weekend, which indicated that 44 Senators, I believe, were content with the way the war in Vietnam is being conducted; 40 were disappointed; and the other 16—perhaps the wisest 16 of all—refused to tell the pollster what they thought, if anything.

However, Mr. President, I think there was a widespread feeling also that the respective responsibilities of the executive and the legislative branches of our Government are getting out of line—a feeling that the Executive is assuming too much power, both as Commander in Chief of our Armed Forces and under the Tonkin Bay resolution.

As a member of the Committee on Foreign Relations, I have become acutely aware of that controversy by reason of the testimony of Under Secretary of State Nicholas Katzenbach before our committee early this week. The chairman of our committee, the able Senator from Arkansas [Mr. FULBRIGHT], is strongly of the view that the President is undertaking to exercise authority which is not in accordance with the Constitution.

I do not share that view, but I do think that the President has exercised authority without much reference to the legislative branch, which, if not unconstitutional, is at least unwise; and I believe that this clash of views between a group in the legislative branch and the Executive is not healthy for Congress or for the country.

What happens is that it throws those of us in Congress who disapprove of what is being done in Vietnam back on devices to thwart the President's will—devices which I believe are unsound—and to which we should not resort.

One of them is to cut the liver—and I use the word advisedly—out of the foreign aid bill. I was prepared to vote to cut the military aid, and I did, but I thought the committee went too far in terms of cutting badly needed economic aid for the underdeveloped countries of the world.

Another way we get back at the President is to cut the space program. Personally, I am not too unhappy about cutting the space program, but actually the motivation of most of us in cutting that program is to get back at the President, because of his point of view and his policies in connection with the war in Vietnam.

Mr. President, I do not think that any one of those three devices is a very good way to indicate our displeasure. The courageous and sound thing to do is to vote to cut this bill; and it is in an effort, which perhaps will be a vain effort, to persuade those Senators who do not like our policy in Vietnam, who do not want to see the war accelerated any further, who want to see the bombing of the North stopped, who want to see those additional 45,000 Americans boys kept home, if that is what they want to do, to have the courage to vote for this motion to recommit, because this is the honorable way to do it.

Those are strong words. I must say I myself have not always hitherto had the courage to follow that practice. I had great trepidation in voting for the amendment of the Senator from Oregon an hour or two ago. I almost did not propose this motion to recommit with instructions to cut, because I was afraid to.

Then I asked myself, "If you haven't got the guts to do this, what are you doing in the U.S. Senate?"

So I decided to take the step. I do not wish to beat my chest or pat myself on the back for doing something that perhaps not too many of my fellow Senators are prepared to do; but I do note that this body is full of a great many logical thinkers, some but not all of whom are lawyers. I suggest that if, after searching your soul, as you ought to be doing, you disapprove of the conduct of the war in Vietnam, you vote to cut this appropriation bill, and do not go off voting to cut taxes, to cut foreign aid further than you think it should be cut, or to cut the space program further than you think it should be cut. Face up to the problem, and vote to cut this bill.

Mr. President, I turn now to my fourth point:

IV. SOUND SOUTHEAST ASIAN POLICY DOES NOT REQUIRE CONTINUED INTENSIFICATION OF THE VIETNAM WAR

Mr. LAUSCHE. Mr. President, before the Senator gets into that subject, will he yield for a question?

Mr. CLARK. Certainly.

Mr. LAUSCHE. I have deep respect for the sincerity of the Senator from Pennsylvania. In my opinion, he is attempting to give full expression to his honest thoughts about how best to serve his country. He will understand that there may be differences of opinion among Senators about how that service can best be achieved.

Mr. CLARK. I do, indeed.

Mr. LAUSCHE. There are those who complain about what is happening in Vietnam, but insist that we cannot pull out, and the only way it can come to an end is through the achievement of an honorable peace.

Mr. CLARK. I share that view myself.

Mr. LAUSCHE. If it is argued that we cannot pull out, what alternative course is there except to give the fullest support, by way of military equipment, to our men who are in South Vietnam?

Mr. CLARK. I think, of course, we should give full support and all necessary military equipment to protect their lives. I do not wish to digress, in this speech, by going into a long dissertation of what I think should be done in Vietnam. But the Senator from Ohio knows that for months, if not for years, I have been advocating a much more strenuous effort to get to the negotiating table, through stopping the bombing in the North through stating that in the South we would fire only if fired upon, and by persuading our little puppet, General Ky, to do the same. I have reasonable confidence that if we were to assume that primarily defensive attitude, we would get to the negotiating table within the foreseeable future, and the number of American casualties and the loss to the American Treasury would be very much reduced.

I do not expect the Senator from Ohio to agree with me, but that has been my consistent position.

Mr. LAUSCHE. Well, there are three courses that we can follow. One is to pull out.

Mr. CLARK. And nobody advocates that.

Mr. LAUSCHE. Nobody advocates that. The Senator from Pennsylvania and I agree that in the Committee on Foreign Relations, the most vehement opponents of what is happening still take the position that we cannot pull out.

Mr. CLARK. That is right.

Mr. LAUSCHE. The second course would be to cut the appropriations for the military, which in my opinion would be the equivalent of pulling out.

Mr. CLARK. I made the point, before the Senator came into the Chamber, that this is a $70 billion military appropriation bill, of which, at the very most, $30 billion was for the war in Vietnam, as was developed in a colloquy I had with the Senator from Mississippi.

That leaves $40 billion of swollen appropriation having nothing whatever to do with the war in Vietnam. I am proposing that we cut that amount back by $3.5 billion.

Mr. LAUSCHE. I can see how the Senator could come to that conclusion; but I believe the committee that reported the bill has positively and fully explored that situation.

Mr. CLARK. I would disagree with that, but the Senator is certainly entitled to his opinion.

Mr. LAUSCHE. Mr. President, I want our country to achieve peace. However, it must be on an honorable basis. We stopped the bombing five times, and once for 35 days.

Mr. CLARK. Once it was for 6 days, and I think that was all.

Mr. LAUSCHE. The Senator is incorrect. There were some smaller intervals.

I suggested about 2 months ago that we again test Ho Chi Minh by a stopping of the bombing. However, that has not been done.

I am not sure that I was right in suggesting that we stop the bombing again. However, on the subject of pulling out and failing to give adequate moneys to the men, I want to read a letter that was sent to a newspaper in Ohio.

It is with great distress that I read this letter. It reads:

"I always have had great respect and confidence in Senator Frank Lausche until he said, 'Quit bombing.' "

I did not have in mind the ultimate quitting of the bombing of North Vietnam. I recommended another lull in the bombing hoping that Ho Chi Minh would be brought to the negotiating table.

I continue to read the letter:

"Why does he say it and what does he expect the men from the U.S. to do? Sit back and be killed?

"In my estimate they are already taking it too slowly. If all I read is true, many men have been killed because they weren't allowed to go ahead until further orders arrived. So I say don't quit now but double the effort to stop those Communists."

This is the most painful sentence in the letter:

"From the mother of five sons who have served in the Navy, Air Force and Army, and a granddaughter now in the Marines.—Mrs. W. J. ROSE, SR."

I conclude by saying that my fullest respect goes to you, Senator CLARK, on having sincerely and courageously expressed your views on trying to solve this problem that is so perplexing to our country.

Mr. CLARK. Mr. President, I thank my friend, the Senator from Ohio, very much for his kind words.

Mr. President, with respect to my fourth point, I wish to pay tribute to a very distinguished American diplomat, a former Ambassador to Japan, and presently a university professor at Harvard, for the assistance he has given me in the preparation of these remarks, in a splendid address he made on June 15 and the annual meeting of the Associated Harvard Alumni in Harvard Yard.

Ambassador Reischauer points out, and I agree, that the unitary threat of communism had faded to a large extent in Europe, but in Asia it probably never existed. Military aggression has not been a major threat in most of Asia. Chinese armies have crossed their own borders very rarely. They came out to meet us in North Korea, but only when we bore down on their frontiers with massive military strength, as we are now bearing down on their frontiers with massive Air Force strength. China administered a defeat to the Indians along their disputed border, but it made no effort to launch a real invasion of India. Today it has sent 40,000 engineers into North Vietnam, but this is only a tenth as many men as the actual fighting forces we have sent halfway across the world to South Vietnam.

The real threat to the countries of Asia is not aggression so much as internal instability. They are vulnerable to subversion and revolution. They have little defense against guerrilla warfare.

But these are the types of military threat against which our military power is relatively ineffective. When we try to build in Asia a solid defense wall like that of NATO in Europe, it tends to sink into the quagmire of weak economies and unstable political institutions. In guerrilla warfare, under such conditions, we can end up as we have in Vietnam, appearing like an elephant vainly attempting to combat gnats. I believe that analogy is very pertinent indeed, and I say so because it is former Ambassador Reischauer's and not mine.

For many Asians, the enemy has not been

Soviet military might or even the rising power of Communist China, so much as the former colonial or semicolonial domination of the West, and their own economic backwardness and political instability which these Southeast Asian countries attribute, not entirely without justification, to the colonial domination under which they have suffered for well over 100 years. It is Western countries such as ours that have raised their deepest fears.

Those Asians who have embraced Marxist concepts—and many have—regard the capitalism that we seem to champion as the chief threat of continuing foreign domination, and look to socialism, the economic system the Russians proclaim, as their main hope for progress.

We do not seem, either racially or culturally, like friendly overseas cousins, but rather as a new and bigger form of the sort of Western nation—namely, France, and to some extent Britain—that dominated them in the past. One should perhaps also add the Netherlands.

In bringing these false European analogies to Asia, as we are doing in our foreign policy—and the Secretary of State is perhaps the worst offender—we have attempted to implement a set of policies designed to give advanced nations military protection against Communist aggression which were valid in Europe, particularly at the time of the Marshall plan and the Truman doctrine.

We have applied these theories to a part of the world where less developed countries are struggling with the task of nation-building, where the problems of external defense are overshadowed by those of lethargic and primitive economies. The lethargy, to a substantial extent, in my opinion, is due to malnutrition and inadequate diet; for it is a fact that perhaps half of the people of the world, including most of those in Southeast Asia, are going to bed hungry tonight. And they are afflicted with antiquated social systems far removed from democracy, inadequate levels of knowledge and skills, and internal political instability. The object lesson of internal political instability is South Vietnam.

Our ponderous war machine all too easily breaks through the weak social and economic foundations of the very country it is meant to defend. Our unrealistic expectations of quick economic results lead to disillusionment and bitterness, both in Asia and back home in the United States. We find ourselves frittering away our great wealth and strength in destructive warfare, rather than bringing them to bear in constructive ways that would seem to be of more benefit to our own interests as well as those of Asians.

And so Ambassador Reischauer makes certain specific proposals which I endorse. First, he says, the immediate balance of power is not much involved in our relationship with Asia, because most of the countries of Asia have little or no weight to bring to a world balance of power—and this is particularly true in the light of the current domestic chaos inside Red China.

His second proposition is that defense against aggression is much less of a problem in Asia than are internal instability and sluggish economic growth. Two corollaries of the second proposition would be that we can do relatively little in a military way to help Asian countries cope with the problem of internal instability, and an overconcentration on the problems of defense would limit and in some cases negate our more important efforts to help in economic development.

As I shall argue in a few moments, this is exactly what has happened in South Vietnam, where our economic efforts are pretty nearly futile.

The third proposition is that we should be careful not to get ourselves involved in the hopeless task of trying to provide internal stability through our own military strength. We should not waste our great resources primarily on costly defense establishments for Asian countries or destructive military activity, but should attempt to save our efforts—and our limited power, for we are not omnipotent—for the vastly more important tasks of construction and development at home as well as abroad.

Finally, we should not try to push ourselves into the role of dominators or leaders or even teachers of Asia, for we are not welcome in those roles. Instead, we should learn how to be of even more help to Asians as sympathetic friends and outside supporters of their own efforts to achieve their own objectives.

We have approached the problems that face Asia with little knowledge and less understanding. We should reexamine our entire Southeast Asian policy. I suggest one of the best ways to get the matter on the record is to indicate to the military, industrial, scientific, and reportorial sectors that the Senate has the will to cut back in a modest amount this enormous and swollen appropriation.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. CLARK. I yield.

Mr. MORSE. Mr. President, I wish to say to the Senator from Pennsylvania that I support his motion. I shall vote for his motion. I think it is a very sound motion. I think it is an unanswerable reply to a good many arguments we have heard on the floor of the Senate this afternoon by some Senators who do not want to vote for the type of cuts that have been offered them this afternoon.

The Senator's motion means we return the responsibility for cutting over to witnesses for the Department of Defense, who would have to come up and appear before the Committee on Appropriations again. I do not know how the motion of the Senator could be implemented without the Committee on Appropriations seeking the views of the Pentagon and they would have to testify where to make the $3 billion cut.

If they know that is what they have to do, it would be surprising how quickly they could do it. It defies the understanding of anyone how, out of a $70.2 billion budget they could not cut $3.5 billion without having any effect whatever of a kind that would jeopardize the security of the Republic.

I am proud to stand with the Senator and I support his motion.

Mr. CLARK. I thank the Senator.

V. STALEMATE IN VIETNAM

Mr. President, it is true, beyond peradventure of doubt, and despite the optimistic prognoses which have been coming from the military for the last 10 years, that we are in a condition of stalemate in Vietnam.

I am reminded of the old fable, which I believe is from Aesop, of the young man who came running into the assembly of his village crying "Wolf! Wolf! Wolf!" The people went out and looked for the wolf and there was no wolf. He did it again, and somewhat warily they went out and there was no wolf. The third time he cried "Wolf! Wolf!" they would not go, and that was the time the wolf came.

However, the difference between the presence of the United States in Vietnam and the fable is that the victory which the military have been predicting in South Vietnam—the military victory, the great, glorious military victory they have been predicting for 10 years—has not come yet, and I suspect it will never come; but they are going to keep crying "Military victory. We can settle for nothing else."

I say that we are in a stalemate, however disagreeable that phrase may be to those who are in authority in the Pentagon and elsewhere. Why do I say we are at a stalemate? I say that because, having started at the time of the assassination of President Kennedy with something like 16,000 American military personnel in uniform in November 1963, we now approach November 1967, 4 years later, with 485,000 men, more or less, in uniform in Vietnam, and 45,000 more to come in the immediate future, and we are worse off now than we were then.

Meanwhile, over 15,000 American boys have been killed, over 75,000 have been wounded or injured, 850 of our airplanes have been lost in combat, 2,573 airplanes and helicopters have been lost from all causes since the American involvement in Vietnam. We were spending $2 billion a month for this war, but my friend the Senator from Mississippi, now tells me that we are on our way to spending $2.5 billion a month.

Our military leaders, while voicing optomistic views as to how the war is going one day, tell us the next day it will be a decade or more before we achieve that military victory.

I suggest that although we have killed, according to our own count, 200,000 Vietcong and North Vietnamese, the enemy force we are now facing is the largest that has been under arms since we began attempting to crush the guerrillas and bomb North Vietnam into submission in an effort to bring peace to that war-torn land.

We are told there are 270,000 of the enemy as opposed to our roughly 500,000 Americans, and several hundred thousand more South Vietnamese of various categories, whose fighting ability and will to fight are subject to some question.

Meanwhile, while the military capability of our South Vietnamese allies is shrinking by the day, and while this is becoming more and more an American war every day, the enemy is vastly improved in terms of ordnance, automatic weapons, heavy mortar, flame-throwing equipment, antiaircraft guns, SAM missiles, and Mig aircraft. All we have done has been to accelerate the enemy resistance as we escalated our military effort.

Let us remember that only a fraction of Ho Chi Minh's regular army has been committed to combat. It was reliably stated from American sources the other day that only one-fifth of the regular army of North Vietnam has crossed the demilitarized zone in order to assist their allies, the Vietcong. I wonder who is going to run out of manpower first: The enemy, or we Americans, who are hard pressed not to induct Reserves and the National Guard into Federal service and send them to South Vietnam? Or are we going to draft more and more American boys to maintain the manpower to fight teeming millions of Chinese?

Mr. President, we cannot fight that kind of war. There are too many Chinese. Actually, there may be too many North Vietnamese. We may well be coming to the bottom of the manpower pool long before our enemies. I do not care how patriotic any citizen or Senator may be, there is a limit beyond which even this Senate is not going to go in permitting the flower of the youth of America to be destroyed in the jungles and elephant grass of Vietnam.

Let us take a look at that other war, the war of so-called pacification.

It started with the strategic hamlet plan of Ngo Dinh Diem. That was a failure. There have been half a dozen other plans for pacification—as one phrase has it—of the South Vietnamese countryside, and in other terms perhaps more friendly, the effort to win the hearts and minds of the people of South Vietnam, an effort which has been a complete failure. No one can really deny that.

We go in bombing, dropping napalm, throwing mortar shells, using automatic weapons, and dragging out screaming natives under the allegation that they are Vietcong or Vietcong sympathizers. So how do we think we are going to win the hearts and minds of the people in that hamlet?

One may say, "How is the Vietcong going to win the hearts and minds of those people when their torture is probably a great deal more terrible than that of our South Vietnamese allies?"

The answer is, they are fellow citizens in that country. They have a racial and nationalistic affinity for each other; whereas we are the hated colonialists.

If we look candidly at the pacification program, we must come to the conclusion that we have been unable to pacify the country. Our South Vietnamese allies have also been unable to pacify the country. If there is one group of people that the average resident in a South Vietnamese hamlet hates more than American colonials, it is the minions of General Ky.

Why?

Because the third generation of formerly French officers, who represent a majority of the leaders of the fascist junta which now rules South Vietnam, have never fought for their country. They fought for the French. I believe that there are only two officers of lieutenant colonel rank in the South Vietnamese Army today who fought with the Viet Minh and with Ho Chi Minh. If they fought at all, they fought for the Cao Dai and the French.

Under those circumstances, how can we expect these people to be happy about being pacified, how can we expect that they will turn their hearts and minds to what we call the American way of life and democracy in light of the basic facts which I have just recited?

I think it is pretty well accepted that if we left South Vietnam tomorrow, General Ky and his dictatorship would crumble within months, because it does not have the popular support of the people.

Toward the end of last week, I had occasion to comment on the coming South Vietnam elections and I made the point—and I make it again—that it is not necessarily the fact of possible fraud or intimidation or the ruling off the ballot of individuals who in all good conscience should be permitted to run for office, that makes it futile to hope for a reasonably free election, but rather it is the very nature and geography of the country.

I saw a most interesting table published in the New York Times about 10 days ago, under the byline of R. A. Apple, which he said contained information which was collected from official American sources, and which showed that of 17 million people in Vietnam, more or less, hardly more than 3,750,000 would be safe if they voted in the coming election. I am talking of the total population figure. I assume that perhaps half of them would be under 21. I really do not happen to know. But the only people who will vote in this election, as I see it, Mr. President, based on that table, will be the military, civil servants, the merchants and clerks in the cities, and refugees.

The table shows that of 12,000 hamlets in South Vietnam where over 13 million people live—the table is based on American sources of information—only 169 have a total population of 469,000 people who will be secure.

How are we going to open ballot boxes in hamlets when the Vietcong may come in and disrupt everything at the moment the polls open?

Of the 12,000 hamlets, according to the table, well over 3,000 hamlets are completely controlled by the Vietcong. The remainder shift back and forth—one day under our control, the next day under Vietcong control, sometimes at night—usually at night under Vietcong control; sometimes in the daylight, often in the daylight under our control.

Thus, I suggest that without regard to the charges of fraud, the elections on September the third in South Vietnam cannot possibly represent the real thinking of the peasants—the people of South Vietnam.

It appears that the U.S. goal in South Vietnam is a military victory. It is becoming increasingly clear that to achieve that victory will likely take a decade, will cost hundreds of thousands of casualties, will result in total devastation of the country, and may even, at that, be impossible to achieve.

In a guerilla war, Mr. President, artillery and aerial bombardment cannot do the job; technology is no substitute for the man on the ground. This is a foot soldiers' war. They will have more foot soldiers, in the long run, than we will have.

The most damaging fact, as I said earlier, is that the pacification effort has failed.

It was a high-ranking American officer who told Mr. Apple, in the article to which I referred in the New Times a while ago—and I can well understand why—that 8 million troops would be needed for the pacification of the country.

It has well been said by a prominent Vietnamese politician, who is on our side, that the problem is not the North Vietnamese army but the South Vietnamese Government.

Corruption is rife. Police state tactics are rampant. It is as much of a dictatorship as any military junta has been anywhere in the world. The South Vietnamese army is widely charged with incompetent leadership. Young officers who are the head—as I said, the third generation—of the South Vietnamese French hierarchy are too young, too facist, too pro-American to make any appeal to the people of their country. The request for reinforcements coming from General Westmoreland and our military are a measure of our failure with the people of South Vietnam.

The people of South Vietnam do not support the Ky dictatorship. If the Ky dictatorship were fighting for freedom in Vietnam, land reform, education, sanitation, for all the things which every human being in this world has a right to ask for, it would have achieved the loyalty of the people. But it has not.

There is open revolt among the Buddhists. The army is dispirited and unwilling to fight under incompetent leadership.

So I say there is a stalemate in Vietnam, and 45,000 troops, or, in my opinion 450,000 more troops, will not break that stalemate. The enemy have the manpower reserves and the will to fight. While our boys, I am happy to say, have the will to fight, they are up against almost insuperable odds.

VI. WHAT ARE OUR NATIONAL PRIORITIES?

So I come to my final point, VI, which I would like to have headed, "What Are Our National Priorities?"

I suggest that the price we are paying for the Vietnamese war is high, far too high for us to pay. I say this for the following reasons:

First, the thought, energies, and spirit of the leaders of our Government are so absorbed with Vietnam that they have little time for anything else. I think this is apparent almost every day in terms of the President, the Cabinet, and the Pentagon.

Second, until the shooting stops in Vietnam, there is little chance that we can make meaningful progress in establishing that detente with the Soviet Union which is so essential to peace and to the well being of the peoples of both countries.

Third, all efforts to bring Communist China into the company of civilized nations at the United Nations and elsewhere are bogged down by the war in Vietnam.

Fourth, forward movement toward improving the structure of the United Nations and its ability to establish and maintain the peace of the world has practically come to a halt because of the war and the international animosities it has aroused.

Fifth, the traditional tug-of-war between the Executive and the Congress has been exacerbated.

Sixth, the public image of the United States has been changed from a benevolent Uncle Sam seeking to do more than his share in curing the ills of the world to a power-hungry imperialist bent on establishing by force of arms a Pax Americana.

Seventh, the efforts to balance our international payments and to protect our gold supply have been crippled, if not killed.

Eighth, the casualties are unsupportable.

The figures I have given do not include those afflicted with malaria, dysentery, hepatitis, bubonic plague, and other jungle diseases, which may last for life. The carnage continues and mounts in intensity each month.

Ninth, but perhaps the highest price of all, is the brutalization of human nature and the turning aside of our aspirations for man caused by the war. Primitive instincts for combat have been revived by the daily statistics of the number of Vietcong and North Vietnamese troops killed in the last 24 hours. Watching the war on TV has become a popular spectator sport. Seeing young men killed and old women burned is commonplace in the living rooms of millions of Americans. Clamor in the country for "getting it over with quickly through the unrelenting use of military power, including nuclear weapons," rises daily. The military-industrial-congressional-scientific-reportorial complex rides high. Advocates of arms-control and disarmament have taken to the fallout shelters.

In such an atmosphere, one must attest to the validity of Alexander Pope's phrase, "The greatest enemy of mankind is man."

We still have a chance to make out of America a modern Athens. I fear we are on our way to making it a modern Sparta.

I yield the floor.

Mr. CLARK. Mr. President, the thrust of my argument then and the thrust of my argument now is that if we are willing to postpone certain expenditures and cut out the fat in the space program and in the Defense Department budget, and in other areas, we can, if we also extend the excise tax, strengthen our monetary and fiscal position and shore up the status of our dollar. The result will be to keep our gold supply secure until such time as international monetary authorities can progress further in their plans to eliminate gold and the gold exchange standard as the principal backing for international monetary transactions.

I will not undertake at length to point out at this time the various areas where these cuts can usefully be made. I would rather devote myself to the philosophical concept behind the pending amendment and, taking the categories one by one as they are set forth in the proposed amendment, I would suggest that foreign military assistance on the whole does us more harm than good. It was really foreign military assistance which got us embroiled in Vietnam. It is foreign military assistance which is encouraging a whole host of countries to adopt attitudes of belligerence toward their neighbors and render the likelihood of more brush fire wars breaking out.

The Senate last year did make a significant cut in foreign military assistance programs.

The PRESIDING OFFICER. The Senator will suspend until we have order in the Senate Chamber.

The Senator may proceed.

Mr. CLARK. In my judgment, I believe there is substantial room for further cuts without affecting in any way our national security. Latin America is one area in which I believe quite significant cuts in foreign military assistance could well be made.

As one example of what I have in mind, I understand that today there is a high level meeting at the State Department to determine whether to resume military assistance to the Greek dictatorship. I would hope very much that the decision would be in the negative. But since I appreciate that there are many protagonists of the Greek dictatorship in the State Department, I would be fearful that foreign military assistance would be resumed to shore up that regime, which is anathema to an overwhelming majority of the people of Greece.

If we have to make cuts in order to deal with our very serious monetary and fiscal crisis, I believe that foreign military assistance is one area in which we could well make them.

The second category has to do with the space program. I share the pride of all Americans in having the United States the preeminent country in the development of manned adventure into space, to the moon and other planets, and the various other categories of the space effort. But we are dealing with the critical matter of determining our national priorities.

I see in the Chamber the Senator who has been the most outstanding Member of the Senate in calling to our attention the increasingly critical nature of our fiscal and monetary problems. I refer to the able Senator from Missouri [Mr. SYMINGTON]. I know that it would be very important to follow the advice of Senator SYMINGTON and others and to put our fiscal house in order.

Therefore, we are faced with a choice of priorities. It is the job of Congress to determine what those priorities should be. To my way of thinking, the clear priority is to advance our domestic programs and to protect our fiscal and monetary integrity.

Adventures into space which are costing billions of dollars—yielding, of course, useful information; but, in the end, adventures into space which could well be postponed—are clearly of a lesser priority.

Finally, Mr. President, I have worded very carefully the third category, which deals with expenditures of the Department of Defense. In order that Senators may understand how carefully this has been drawn to protect the national security, I read again that the cuts should be made in the Department of Defense "to the extent that such reservations will in no way endanger the security of the United States or the safety of U.S. troops."

Senators may inquire as to how we can cut the defense budget at all and still comply with the careful wording of the reservation. I would say that the answer is very clear, indeed. It is set forth in detail in the speech I delivered on August 22, which I have just asked to have printed in the RECORD. I do not wish to take my limited time to go into it in greater detail, other than to say that we have almost an $80 billion defense budget. From that amount, we are spending $30 billion in Vietnam. That leaves $50 billion for other defense expenditures—defense installations scattered all over the United States, troops all over Europe, the fleet in the Mediterranean, 3.4 million men under arms in the Army, the Air Force, the Navy, and the Marine Corps. Surely, in this area, notorious for waste and for extravagance, the cuts necessary to put our budget in order and to preserve our domestic programs can easily be made.

As one example, if we were to take a cut of 20 percent of the number of men under arms today and not take one man out of Vietnam, we could save several billions of dollars, which would make it possible to bring our fiscal affairs into better balance.

In the speech to which I have referred, I gave a number of other examples. I will not take the time to go into them in detail now, because few Senators are on the floor. But there is this to be said in connection with the antiballistic missile: It is one of the areas in which I am certain we could make a cut. There is new obligational authority in the fiscal 1969 budget of $1.141 billion. This includes costs for procurement, research and development, construction, and deployment. The bulk of the expenditures is for the so-called anti-Chinese Sentinel missile. These amounts also include the R. & D. on the Nike X. This does not include the $100 million for research on future antiballistic missile systems.

Mr. President, there is hardly a scientist in the world, there is hardly a military expert in the world, who does not agree that the antiballistic missile system is no good, that it will not do the job. It is admitted that it will not protect us against the Russians. My view is that this entire expenditure is for the benefit of the military-industrial complex against which General Eisenhower warned us so strongly when he left the White House. It is an example of folly and waste combined.

There is another area I did not include in my amendment because I was assured by the able Senator from Washington [Mr. MAGNUSON], the chairman of the Committee on Commerce, that there was no present intention to spend any money in fiscal 1969 for the so-called supersonic transport, another low-priority item, which in my opinion, will do no more than break all our windows and shatter all our eardrums.

However, an item of $223 million is in the fiscal 1969 budget for the further development of the supersonic transport, and I am happy to learn from Senator MAGNUSON that the Bureau of the Budget and the President have already decided not to spend that money. At least, that is one area in which cuts could be made which would make unnecessary the cuts in the domestic programs to which the Javits amendment is directed.

I strongly support the Javits amendment, and I hope that he, in due course, will see the wisdom in supporting my amendment.

I reserve the remainder of my time.

Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CLARK. How much time do I have remaining?

The PRESIDING OFFICER. The Senator from Pennsylvania has 16 minutes remaining.

Mr. CLARK. I thank the Chair.

I yield the floor.

The PRESIDING OFFICER. Who yields time? Time is running.

Mr. SMATHERS. Mr. President, I am happy to yield to the Senator from New York such time as he may desire.

Mr. CLARK. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CLARK. Against whose time is the Senator yielding 5 minutes?

Mr. SMATHERS. It is being yielded on my time.

The PRESIDING OFFICER. The time is charged against the opposition.

Mr. JAVITS. Mr. President, nothing in the world would please me better than to be able to vote "yea" on Senator CLARK's amendment to my amendment. I hope he will understand and forgive me when I say I cannot do so, in fairness to the proposal I have submitted to the Senate. I hope he will not be so put out with me that he will decide not to support my amendment if his amendment does not carry, as I can promise him that I will continue to urge mine if it does.

Briefly, my problem is this: As we calculate the amendment offered by Senator CLARK, it would limit the area to which the $6 billion of cuts to be made by the President is required to apply from $87.3 billion—which we have as the area of application under my original amendment—to $58 billion. The difference of $29 billion, while I deeply appreciate the desire of the Senator from Pennsylvania, makes a great difference to me, because it very materially therefore increases the amount of cuts which will have to be made against the three items to which the Senator has limited the cuts.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. CLARK. I am sure the Senator does not desire to misrepresent my amendment. I call to his attention that the statement he just made is not correct, because the amendment reads, "Insofar as may be practicable, the reservations shall be made" from the following authorizations. This does not limit the cuts to those three at all.

Mr. JAVITS. It is an elementary principle of law that where you specify categories, they take precedence over the generalization.

Mr. President, I must assume, because I am left no other assumption on which to proceed, that the cuts will be made to these items and that they will not be made to the list of 23 items which the Senator from New Hampshire read and to which I referred in my argument, which are susceptible to cuts on the part of the President when he applies the $6 billion cut.

After all, the purpose of the Senator's amendment to my amendment must be to limit somewhere the $87.3 billion, the area in which cuts can be made; and it is because I do not feel such limitation is desirable that I take the attitude I do.

The approach of the Senator from Pennsylvania is entirely different than my approach because ~~he would~~ provide the cuts must be made from certain things. I provide that certain things appropriated by Congress shall not be cut. My approach is a totally different approach and it is 100 percent the other way.

I believe that the appeal of my amendment is heavily based upon the action the Senate took last night to free the hands of the President rather than to tie them.

It will be recalled that last night we eliminated the moratorium on public works. That action did not mean—and several Senators have asked me to explain it and I have—that public works cannot be cut because they can be. They are available for cuts within the $87 billion I described. We said they cannot be treated specially; they have to be treated like everything else and they are subject to cuts.

I am trying to reserve certain critical items which affect the cities primarily, although as the Senator has pointed out, there are definite rural implications. However, primarily they deal with the problem in the cities with respect to tranquility and public order. Therefore, the area in which cuts can be made remains very wide and it includes the entire defense program and many other things not included in the three specifics the Senator mentioned.

I wish to give one or two examples, drawing on this very splendid list made by Members of the other body. They include, for example, $100 million for various expenditures for public information; they include a freeze on government civilian employment involving $961 million. That would go across the board. They include the National Science Foundation, as much as I value it. However, in that item there is $250 million involved. There is also involved the supersonic transport, $222 million; highway beautification for $85 million. I approve of all of these programs, but we have to make a choice somewhere on priorities.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The time of the Senator has expired.

Mr. JAVITS. Mr. President, I yield myself 1 additional minute.

The PRESIDING OFFICER. The Senator from New York is recognized for 1 minute.

Mr. JAVITS. Mr. President, the priorities I am seeking are the negative priorities of not cutting things we appropriate, but I do not want to be a party to zeroing the President in on only certain items. That is the thrust of the Senator's amendment.

I cannot tell the Senator how much I appreciate his help and espousal of my amendment. I would be ungrateful if I did not say what I am saying. I wish I could go along and accept the Senator's amendment. However, inasmuch as it narrows the field for cutting by about $30 billion, about 40 percent of the field I leave in my amendment, I feel it would prejudice my amendment if I went along with his amendment.

For those reasons, I most regrettably would have to vote against the Senator's amendment.

Mr. CLARK. Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized for 2 minutes.

Mr. CLARK. Mr. President, I thank the Senator from New York for his kind remarks. However, I am sure he inadvertently very badly misrepresented my amendment. It is perfectly clear.

What I have in mind and what I think the amendment would do would be to indicate areas of priorities in which cuts should be made. There is nothing in the amendment to require cuts to be made only in these areas and the words "so far as practical" in the amendment make this abundantly clear.

It is my strong belief, and I am sure the Senator from New York will agree—although he may not want to say so—that the swollen military budget, the space program, and foreign military aid are areas which should take a much lower priority than domestic programs, which are not only city programs, but also are rural programs as well.

I hope that when we come to vote on my amendment it will be understood that this is intended to indicate priorities where I believe cuts must be made in the foreseeable future.

The people of the United States are not going to permit very much longer having a swollen military budget of $80 billion, the space programs and the foreign military aid program, taking priority over the poverty program and the education program when we have such enormous need for domestic programs at home.

Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. LAUSCHE. Mr. President, is there any more time remaining on the Javits amendment?

Mr. SMATHERS. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 21 minutes remaining.

Mr. SMATHERS. How much time does the Senator desire?

Mr. LAUSCHE. Mr. President, will the Senator yield to me for 5 minutes?

Mr. SMATHERS. I yield.

Mr. LAUSCHE. Mr. President, earlier this morning I made inquiry of the Senator from New York as to the source of the figures contained in his memorandum covering the various items of expenditures that would be protected by his amendment. His answer was that they were taken from the budget.

I then further inquired whether the budgetary figures of 1969 were in excess, equal to, or below the actual appropriations for 1968. The Senator could not immediately answer that question, but he had me consult with his assistant for the purpose of ascertaining the facts.

We checked to determine the situation with respect to the major expenditures that would be protected by the Javits amendment. One major item is expansion and improvement of vocational education. The budget for 1969 is $246,300,000, or $13,700,000 less than the appropriation for 1968. I now turn to urban renewal programs. The 1969 budget is for $699 million, or $200 million more than the 1968 appropriation. Low-rent public housing, administrative expenses, the budget of 1969 is for $335 million plus, or $55 million in excess of the 1968 appropriation.

In connection with model-cities programs, the budget of 1969 is for $250 million, which is $225 million more than the 1968 appropriation. On the item of water- and air-pollution prevention, the 1969 budget is for $278 million or $61 million more than the appropriation for 1968. Air pollution in the budget is for $80 million for 1969, which is $27 million more than the appropriation for 1968.

I now come down to aid to the District of Columbia. The Federal payment for aid to the District of Columbia is $83.5 million, $10 million more than the 1968 appropriation.

Loans to the District of Columbia for capital outlay, $67.2 million, which is $51 million more than the 1968 authorization or appropriation.

There is one other large item and that is for manpower, development, and training activities. The 1969 budget is $430 million. In other words, $143 million more than the 1968 appropriation.

The total of all these figures shows in record numbers that the budgetary recommendations of 1969 are $823 million more than the appropriations for fiscal year 1968.

I point out, Mr. President, that if we are to tackle the subject of the challenge to the credibility and stability of the dollar, we must do it at an early date. We cannot wait. If we do, we will find ourselves, in all probability, in a position from which we cannot extricate ourselves, leading to destruction of the value of annuities, pensions, and savings accounts gathered by people to take care of themselves in their old age, in the value of Government bonds, and in practically every other intangible asset except the tangibles which people possess. It would seem to me that we should at least stay with the figure of the 1968 appropriations and not the 1969 budgetary recommendations.

Mr. President, I may have something to say on this subject at a later time.

I yield the floor.

Mr. SMATHERS. Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER. The Senator from Florida is recognized for 2 minutes.

Mr. SMATHERS. Mr. President, I would hope that the Senate will vote against the so-called Clark amendment. It states:

> (c) Insofar as may be practicable, the reservations from expenditure provided for in subsection (b) shall be made from authorizations for:
>
> (1) foreign military;
>
> (2) the space program; and
>
> (3) the Department of Defense, to the extent that such reservations will in no way endanger the security of the United States or the safety of United States troops.

Mr. President, that item number 3, on line 6 of the amendment, which concerns expenditures by the Department of Defense, does not say who will have to decide what endangers the security of the

United States or the safety of U.S. troops. Obviously, we would expect people in the military departments to state that everything they are now doing is necessary for the national security of the United States or the safety of U.S. troops. So the result might well be, under this particular language, that we could not affect any cuts in the Department of Defense. It would mean that the balance of the cuts would have to come from foreign military and the space program.

If we were to affect the entire cut which has been proposed against the foreign military and the space program I think we would have to eliminate both programs, for all practical purposes. I do not believe that we want to eliminate both programs.

The PRESIDING OFFICER (Mr. BYRD of Virginia in the chair). The time of the Senator from Florida has expired.

Mr. SMATHERS. Mr. President, I yield myself 2 additional minutes.

The PRESIDING OFFICER. The Senator from Florida is recognized for 2 minutes.

Mr. SMATHERS. Mr. President, there are some justifiable criticisms which can be made to the foreign military program, I am certain. With respect to military assistance programs, even in the case of dictatorships, it has been my observation that not all such assistance programs have been bad. In some of the underdeveloped countries of the world, the people do not have sufficient experience to run the kind of democracy that we have here in the United States. Hopefully, we think, such governments are tending toward eventual democratic processes.

Of course much of this program also goes to countries which are not dictatorships. In this particular program, we give aid to Turkey to help it to resist outside pressures, since it is on the periphery of the Communist world. We also give aid to Greece for the same reason. Now Greece is a military dictatorship. We do not particularly like that fact and are trying to bring pressure to bear, as well as we can, to keep it moving toward democracy. If we withdrew our assistance from either country, however, we would throw those countries into the Communist orbit almost immediately. The same thing would be true of Thailand, and some 15 to 20 other countries on the borders of Communist-controlled countries. We do not want that to happen.

I also do not think it would be wise to eliminate the space program. I am sure the Appropriations Committee will find some areas that could be cut out of the space program, but I do not think we should stop the space program altogether. It would seem to me that the best idea would be to try to bring about balanced, generally distributed cuts in the budget in order to protect the dollar both here and abroad.

The PRESIDING OFFICER. The time of the Senator from Florida has expired.

Mr. SMATHERS. Mr. President, I yield myself 2 additional minutes.

The PRESIDING OFFICER. The Senator from Florida is recognized for 2 additional minutes.

Mr. SMATHERS. Put an expenditure ceiling over the Appropriations Committee and then let it exercise its best judgment as to where it will make the necessary cuts. It seems to me, this would be the proper way to do it.

Mr. CLARK. Mr. President, I yield myself such time as I may require.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. CLARK. Mr. President, with all due deference to my able and charming friend, I differ significantly with his interpretation of the third part of my amendment which deals with cuts to be made in the Department of Defense.

I would not expect the generals and admirals at the Pentagon to say that any part of that huge expenditure of almost $80 billion for defense was not necessary to protect the security of the United States or the safety of U.S. troops. But I would point out that, thank God, we still have civilian control over the military. We have an able, new Secretary of Defense in Clark Clifford. I hope that he will be as tough with his generals and admirals as Secretary McNamara was. Above it all we have the civilian President of the United States. And that is where I would expect cuts to be made—by the Secretary of Defense and the President; that they would agree that the highest priority is first to protect the dollar and second to protect the domestic programs which President Johnson played so large a part in getting started.

The interests of the military industrial complex which profits from the swollen defense appropriation certainly come last.

Mr. President, I ask unanimous consent to have printed in the RECORD an article which was published in the Washington Post this morning, entitled "Pentagon Uses $2.5 Million in Bird Study," written by Thomas O' Toole.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PENTAGON USES $2.5 MILLION IN BIRD STUDY

(By Thomas O'Toole)

Why has the Pentagon spent $2.5 million on something called the Pacific Bird Project?

One answer the Pentagon gives bird watchers is that it wants to find out whether birds carry the Asian flu to the United States. The answer given by the Smithsonian Institution, which runs the program for the Pentagon, is that the Pentagon is honestly interested in knowing the migratory patterns of birds as they wander about the Pacific.

There is a third version. It is unofficial, and goes like this:

The Pentagon, so it is said, would like to move germ warfare testing to an island in the Pacific—but what island? Not only would it have to be remote and uninhabited, it would also have to be barren enough that birds would not want to use it as one of their regular homesteads.

The way the Pentagon has chosen to find this island, goes this unofficial version, is through a vast and meticulous study of Pacific bird migrations.

Ostensibly, this is all that the Pacific Bird Project has been for the past six years. In that time, Smithsonian ornithologists have visited hundreds of islands, banded more than 2 million birds and written more than 40 reports on the migrations of the numerous bird species that flock one end of the Pacific to the other.

But there's more to the Pacific Bird Project than meets the eye.

For one, it's financed and directed by the U.S. Army Biological Center in Fort Detrick, Md., and a telephone call to the officer-in-charge of the project suggested it might be more than a bird study.

"I can't talk about that project," he said. "It's classified."

About all the Pentagon would say is that it is interested in finding out what diseases Pacific birds might pickup in their migrations and what kinds of ticks and mites (notorious disease carriers) they might pick up as they wander from island to island.

Indeed, the Pentagon said, this is the reason the project is directed by Fort Detrick, which as everybody knows, is vitally interested in diseases passed on by birds.

All of this tends to confirm the unofficial version that the Pentagon would like to set up germ warfare testing in the Pacific. The reason is that birds could carry a disease brought on by "fallout" from a germ warfare test from one island to another, so naturally the Pentagon wants to know how the birds might carry disease.

The only thing the Pentagon will say is that the idea of setting up germ warfare operations to the Pacific was considered in the past, but that the cost of moving it from the Dugway Proving Ground in Utah has always far outweighed the benefits of an isolated Pacific test site.

But now—with the possibility that nerve gas (a form of germ warfare) caused the deaths of 6400 sheep near the Dugway site—expense may no longer be a dominant factor. At the same time, goes the unofficial version, germ warfare may be reaching the stage where testing must be moved outside the country.

"It could be," said one source, "that open-air testing is now necessary, to find out if some of these things work under field conditions and long exposure to sunlight. If that's the case, then the Army has to test them in the Pacific."

Mr. CLARK. If Senators will read the article, they will find that $2.5 million is being spent by the Pentagon to band birds for the purpose, alleged by some, of seeing whether they can find some island where they can conduct further research and development on germ warfare. To me, this is not only a ridiculous expenditure, it is also immoral and unethical.

I reserve the rest of my time.

Mr. SMATHERS. Mr. President, I yield 5 minutes to the Senator from Oklahoma [Mr. HARRIS].

Mr. HARRIS. Mr. President, I rise in support of the amendment offered by the distinguished Senator from New York [Mr. JAVITS]. As Senators know, I had the rather unpleasant duty recently of serving as a member of the President's National Advisory Commission on Civil Disorders. The 10 other members on that Commission are, I think, among the most dedicated and most patriotic men with whom it has ever been my honor to be associated.

We spent 8 months with some 48 full days of meetings of that Commission, together with personal visits to the various major cities of America, looking at what we came to see as a very alarming and depressing picture of our country presently, a very alarming and depressing picture of what the future may hold in this country if we do not now commence to take some steps which are long overdue.

It gave us no particular joy, as I have said before, to make that kind of report; but the President had said to us, when he appointed us, "As best you can, find the truth and express it in your report." That was exactly what we tried to do.

Strong and eloquent agreement with the findings of the President's National Advisory Commission on Civil Disorders has been expressed not only by the editors of newspapers in our largest cities, but also by editors in smaller cities and towns. I think it is all the more impressive in view of the fact that many smaller cities and towns have never experienced the level or intensity of deprivation and discrimination which underlie disorders in our larger urban areas.

My point is stated explicitly in a column by Brooks Bicknell, in the Review-Courier of Alva, Okla., on March 8, 1968, which argued that—

> Riots in our cities are more than the concern of the officials and residents in the metropolitan areas "struck" by lawlessness, rioting and civil disobedience. It is quite natural for citizens in smaller communities not "shot through" with racial uprisings; ghettos; damage to property, arson and mayhem . . . and sometimes death to contend they have no "stake" . . . but no hamlet or big town of residents can escape a portion of the responsibility.

I ask unanimous consent that the complete editorial may be printed at this point in my remarks, together with a similar editorial that appeared in the Elk City, Okla., Daily News, of March 4, 1968, and an editorial which appeared in the Tulsa World on March 2, 1968.

There being no objection, the article and editorials were ordered to be printed in the Record, as follows:

[From the Alva (Okla.) Review-Courier, Mar. 3, 1968]

OFF THE CUFF

(By Brooks Bicknell)

Riots in our Cities are more than the concern of the officials and residents in the metropolitan areas "struck" by lawlessness rioting and civil disobedience. It is quite natural for citizens in smaller communities not "shot through" with racial uprisings; ghettos; damage to property, arson and mayhem . . . and sometimes death to contend they have no "stake" . . . but no hamlet or big town of residents can escape a portion of the responsibility.

The President's National Advisory Commission on Civil Disorders has produced a far-reaching report along with predictions of possibly more of the same in the forthcoming "long hot summer." Hailed with expert esteem the commission's report has hit the front pages with a solidarity, in most areas, of support.

Oklahoma's own junior U.S. Sen. Fred R. Harris, a most active member of the civil disorders commission, has been forthright in his reflection of the report. He has withstood powerful questioning in interviews and, I am most happy to note, come through with flying colors on a nationally recognized scale. Senator Harris has stood "Ten Feet Tall" in this effort and to him I extend my congratulations.

It won't be easy and it won't be cheap . . . It can't be corrected overnight, this serious situation involving humans, but movement in the right direction and soon as possible would be a show of good faith to eventually solve the problems.

We are not going to eliminate the poor. We have always had poor people and always will. We're not going to completely eradicate sub-standard living conditions because we will always have those kind of persons who wouldn't take care of, or keep respectable, property no matter if they were "given" outright, modern homes with some of today's conveniences. But the "picture" is out of balance. Improvements can be made.

The Commission has used a term "white racism" as one of the major causes of the unrest that in the past few years, developed near anarchy in certain areas among certain people. I'm not going to disagree with the term. I'm confident we, in this nation, have "white racism" and, most likely, too much of it in most sectors. And yet, I'm not going to place all the blame for the sorry conditions at that one "doorstep."

Opportunity for improvement by an individual is present in a majority of cases. We realize that this is not universal. I do believe that bigotry has no place in the American way of life . . . I disagree with anyone or movement that "puts down" a human being because of his color, creed, or national origin. I also, insist that legislation is not the whole answer.

Respect! That's the key word. Persons who decline to have respect for themselves certainly shouldn't expect to gain respect simply because of law. The Negro who has worked, developed himself through availabilities will gain self-respect and can expect then, and should receive respect from his fellowman in return and color has no place in the consideration. Not a few white men and women have been as degraded as many Negroes because of refusal to seek out and work for achievement to gain such respect.

We have never been convinced that a government can legislate morals nor can it pass laws making anyone my friend.

The causes of the riots and disturbances are so many, it wouldn't be possible to reiterate all that have been suggested. I am dubious about many causes put forth from different areas and by different individuals. We do know we have the problems. We do know that these problems are generated by some cause or causes. We can't ferret each and everyone quickly. We can face them as they arise and then go to work to correct the situations in an effort to solve them.

Rights and privileges are, of course, paramount among causes. Poverty must be regarded as a major cause. Jobs, good employment under good conditions play a major part . . . But, human beings play the "starring" roles, both as employer and employee. The employer wants production. The employee must be willing to work, learn and elevate himself in a chosen field. These factors are the basic foundation for conditions and solutions.

And all this must be prefaced with a dedication to respect and observe law and order first, or the efforts will be lost in the whirlwind of refusal to understand and seek improvements.

[From the Elk City (Okla.) Daily News, Mar. 4, 1968]

PEOPLE FACE DECISION

President Johnson's Advisory Commission on Civil Disorders reported this past weekend a document which underscores the need for considerable progress in making equality of opportunity a "real thing" in America today.

The commission and its subsequent report is the outgrowth of the unfortunate civil disorders which occurred in several metropolitan areas this past summer.

Perhaps the one most truthful point in the entire document is that which says that the most effective instrument in bringing opportunity about is the interest of concerned citizens at the local level.

Generally, the document reports that all is not right in America but things are showing slow improvement.

Senator Fred Harris, D-Okla., commented following the issuance of the report by the committee on which he served that the American people are not aware of the danger of polarization" of the races.

By this the senator is saying that the commission members were fearful that the American people were tending to line up on two sides the whites vs. the blacks and vice versa.

If this is taken to an extreme, it will be an unfortunate day for this nation and its people.

While considerably, the white must have been at fault in the Negro plight, it is not enough to say this without saying that the Negro must share in this responsibility.

Further, while the government can encourage by its support of integration and cooperation between races, the real test of opportunity will have to come from decisions by individual human beings in the hundreds of thousands and even millions.

These decisions will be from somewhat different perspectives. It is true that the whites will have to recognize the Negro as an equal human being from an opportunity point of view in more ways than just a mere statement of the same.

Negroes very obviously will have to get off their inferiority and persecution complexes from a racial basis of consideration.

Whites cannot give Negroes respect. They will have to earn it by the fruits of their labors, and such has never been easy in the past nor will it be in the future.

Likewise, whites cannot give real respect to whites who have not the desire nor the will to make a contribution to civilization and mankind in some productive form.

Where there are problems and they do exist in varying degrees in virtually every city in America, it is up to the people in those towns and cities to face the reality of the need for Americans to work and build together.

The belligerents in both races do the causes of justice, progress and harmony a considerable disservice. And it should be remembered by all of those who care to dwell on the problems of America in this area that those who cause the most trouble and are the most difficult with which to reason are a small minority.

"Polarization" as Senator Harris put it will not occur if the majority of Americans of all races face the facts and realize that solutions rest in any broad sense in decisions involving understanding by individual human beings.

[From the Tulsa (Okla.) World, Mar. 2, 1968]

TWO-WAY RIOT REMEDIES

The full report—250,000 words—of the President's anti-riot commission is still to come, but the 12,000-word summary already released is enough to show what a vast, long-range problem the nation faces.

Every thinking person ought to read at least a brief of the summary, because this is the most comprehensive study yet made of our No. 1 domestic problem. Prevention of riots and street disturbances is infinitely important because that problem envelops most of our others to some degree—poverty, unemployment, under-education, public health and urban blight, to name a few.

To start clearing such a jungle is to tackle almost every known frailty and illness of our society. This is not to say the job cannot or should not be undertaken because it is too tough, but simply that no one should expect all the accumulated wrongs and ills of our age to be dissipated overnight.

Even the entire Federal Treasury cannot do that—and it is hardly an exaggeration to speak of Fort Knox in connection with this report. No one has any idea how much it would cost to put all its vast and varied recommendations into effect.

This is one thing the anti-riot students do not tell us. They see the problem with great clarity and wisdom. They understand the corrections that are needed in order to form a more perfect world—and certainly they sense an urgency that more of us should grasp. The problem is not going away.

But the members of the commission do not allow themselves to look beyond or outside the anti-riot problem. Perhaps they feel they cannot or should not because that is not their job.

But the rest of us have to take this wider viewpoint. We have to see the problems of the cities and the minorities in the light of a war-burdened economy already stretched thin. We have to search the report for places where *beginnings* can be made, for we know the entire overhaul of our society is not possible overnight.

The potential rioters also must be made to see this. If society has an obligation to them, have they none in return? They must see that if new efforts are made to improve education, housing, employment and race relations—as they already are and must continue to be—then rioting, looting, arson and shooting must stop. Anything less will hamper progress on what is essentially a two-way street.

We cannot be satisfied with a do-nothing approach to the tremendous problem outlined by the President's commission. Nor can we be satisfied with lip service or token measures. We must in fact begin to correct below-par schooling, lack of job training, miserable housing and a double standard of justice among minority groups.

At the same time, let's not kid anybody. All inequalities and injustices cannot be wiped out overnight. The perfect society doesn't exist and will be a while in coming. And it will come faster if it is not set back by new riots that destroy far more than they build.

Mr. HARRIS. Mr. President, after wrestling with these problems for 8 months, we on the Commission said quite plainly, and I think quite truthfully, that "there can be no higher priority and no higher call on the American conscience" than the problems with which we were dealing. Therefore, in pursuance of what I know to be the truth, having served in that capacity, I support the amendment now offered by the distinguished Senator from New York [Mr. Javits].

I regret that I cannot in this instance support my distinguished friend from Pennsylvania [Mr. Clark] in listing certain areas where the cuts and expenditures ought to come from. I believe that the better approach, as has already been stated in the Williams-Smathers substitute before us, is to point out those places where they should not come from.

I think it is eminently right that the Senate should adopt the Javits amendment. I do not think that at a time such as this, when our country faces the greatest domestic crisis it has seen at least since the days of the Civil War, we can justify a cutting back of educational funds, funds for the Teachers Corps, which are pitifully small even in the budget, funds for vocational education, funds for educational improvement for the handicapped, and for all the measures that are mentioned in the Javits amendment having to do with housing which, in most of the urban ghettos of America, as well as in rural poverty areas, is tragically deteriorated.

I point out, Mr. President, that the Javits amendment applies to rural as well as urban areas.

I do not think any Member of the Senate feels it would be proper and justified, at this critical time in American history, to cut back on funds allowed in the President's budget for law-enforcement assistance or for the control of crime. Surely we would not feel it would be appropriate to cut back on manpower development and training activities, when the best ticket, the most socially acceptable, the one which allows a man best to retain his self-respect—the best ticket to the outside world from urban ghettos or from depressed rural areas is a job. I do not see how we can cut back on items in the President's budget for OEO.

Therefore, I plead with the Senate to adopt the Javits amendment, which I hope will be adopted without the Clark amendment. I think the future of the country requires it.

I feel quite strongly that we must exercise fiscal responsibility. We must get our fiscal house in order. As I have said before, that will require both a tax increase and a delay or deferral or cut in nonessential expenditures simultaneously. But I think, as the Commission on Civil Disorders made clear, there is no higher priority or call on the American conscience than the items represented in the Javits amendment.

Mr. CLARK. Mr. President, will the Senator yield, on my time, for an observation?

Mr. HARRIS. Yes.

Mr. CLARK. I agree with everything the Senator has said about the Javits amendment. I am grateful to him for helping me on this side of the aisle to support it. I regret the Senator does not feel able to support my amendment, which may be a little ahead of its time, although I hope not. But the Senator is a wise Member of this body and he knows we have to protect the integrity of the dollar. We have to assure that our monetary situation is sound. We have to keep our domestic programs going. We cannot cut them, as will be able to be done, unless the Javits amendment prevails. But then we are faced with the situation of where we are going to cut. We ought to be brave about it and say there are only a few places where we can cut.

I am sure the Senator will agree with me in his heart that we cannot indefinitely continue to have a military budget of $80 billion, plus a space budget of several billion dollars, plus a rather elaborate foreign military aid program, and keep the dollar in sound shape and the domestic programs going. We ought to face up to this problem—if not now, soon.

We cannot keep this country sound if we continue military expenditures at the rate of $80 billion. It cannot be done. The defense budget is full of water. It is full of waste. Now is the time for those of us who like to look a little ahead and who love our country as much as those who are willing to see thousands of our boys killed month after month and year after year for the illusory thing called military victory to cut back where we can. Let us get the budget back in line.

Mr. HARRIS. Mr. President, may I briefly respond, on the Senator's time?

Mr. CLARK. Yes.

Mr. HARRIS. I do not want to fall out with the distinguished Senator from Pennsylvania over his amendment, because, as he well knows, I honor him greatly for the tremendous work he has done in this field over the years. I laud him for his continued dedication to helping our country see the critical problems that face us domestically, and helping in this fight to build the national will and determination to meet those problems.

It just happens that I have a different approach. It is the approach of stating where the cuts should not come, and not where they should come. The Senator has admitted that his amendment is not binding on the Chief Executive, anyway.

We are in agreement on the tremendous need to face up to our domestic problems here at home.

Mr. CLARK. Mr. President, I thank the Senator for his observation.

If the Senator from Florida is prepared to yield back his time, I am prepared to yield back my time.

Mr. SMATHERS. Yes.

Mr. CLARK. I yield back my time. I suggest that the Senate vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Pennsylvania [Mr. Clark] to the amendment of the Senator from New York [Mr. Javits]. All time on the amendment has been yielded back. The yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Indiana [Mr. Bayh], the Senator from Arkansas [Mr. Fulbright], the Senator from Montana [Mr. Mansfield], the Senator from Minnesota [Mr. McCarthy], the Senator from Arkansas [Mr. McClellan], the Senator from Oklahoma [Mr. Monroney], the Senators from Rhode Island [Mr. Pastore and Mr. Pell], the Senator from Alabama [Mr. Sparkman], the Senator from Mississippi [Mr. Stennis], the Senator from Georgia [Mr. Talmadge], and the Senator from Texas [Mr. Yarborough] are necessarily absent.

I also announce that the Senator from Alaska [Mr. Bartlett], the Senator from Michigan [Mr. Hart], the Senator from New York [Mr. Kennedy], and the Senator from Missouri [Mr. Long] are absent on official business.

I further announce that, if present and voting, the Senator from Michigan [Mr. Hart] would vote "nay."

On this vote, the Senator from New York [Mr. Kennedy] is paired with the Senator from Rhode Island [Mr. Pastore]. If present and voting, the Senator from New York would vote "yea," and the Senator from Rhode Island would vote "nay."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. Bennett], the Senators from Illinois [Mr. Dirksen and Mr. Percy], the Senator from Arizona [Mr. Fannin], and the Senator from Iowa [Mr. Miller] are necessarily absent.

If present and voting, the Senator from Utah [Mr. Bennett], the Senator from Illinois [Mr. Percy], the Senator from Arizona [Mr. Fannin], and the Senator from Iowa [Mr. Miller] would each vote "nay."

The result was announced—yeas 17, nays 62, as follows:

[No. 91 Leg.]

YEAS—17

Burdick
Byrd, W. Va.
Church
Clark
Gruening
Hartke
Hatfield
Kennedy, Mass.
McGovern
Metcalf
Mondale
Morse
Moss
Nelson
Randolph
Tydings
Young, Ohio

NAYS—62

Aiken
Allott
Anderson
Baker
Bible
Boggs
Brewster
Brooke
Byrd, Va.
Cannon
Carlson
Case
Cooper
Cotton
Curtis
Dodd
Dominick
Eastland
Ellender
Ervin
Fong
Gore
Griffin
Hansen
Harris
Hayden
Hickenlooper
Hill
Holland
Hollings
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kuchel
Lausche
Long, La.
Magnuson
McGee
McIntyre
Montoya
Morton
Mundt
Murphy
Muskie
Pearson
Prouty
Proxmire
Ribicoff
Russell
Scott
Smathers
Smith
Spong
Symington
Thurmond
Tower
Williams, N.J.
Williams, Del.
Young, N. Dak.

NOT VOTING—21

Bartlett
Bayh
Bennett
Dirksen
Fannin
Fulbright
Hart
Kennedy, N.Y.
Long, Mo.
Mansfield
McCarthy
McClellan
Miller
Monroney
Pastore
Pell
Percy
Sparkman
Stennis
Talmadge
Yarborough

So Mr. CLARK's amendment to Mr. JAVITS' amendment was rejected.

The PRESIDING OFFICER. The question recurs on the amendment of the Senator from New York.

Mr. JAVITS. Mr. President, I ask the Senator from Louisiana to yield me 5 minutes.

Mr. LONG of Louisiana. Mr. President, I yield 5 minutes to the Senator from New York.

The ACTING PRESIDENT pro tempore. The Senator from New York is recognized.

Mr. JAVITS. Mr. President, if I may have the attention of the Senate, I assure the Senate that we will have a vote within 10 minutes on my amendment. I will take 5 minutes, and I do not think that the Senator from Louisiana will take any longer.

The purpose of my amendment lies in certain categories of appropriations that Congress, and not the President, will control, even if we pass the Smathers-Williams substitute. Just as last night, when we took out the moratorium on public works, it does not mean that appropriations cannot be cut. The appropriations can be cut, but it does not create a situation in which various starts may be permitted. It had no relationship to the amount of $6 billion in cuts. The same is true of my amendment.

Congress may cut the President's budget in the appropriations. However, whatever Congress does with relation to the specified items in my amendment—education, low-income housing, water and air pollution prevention, the District of Columbia, the prevention and detection of crime, training and employment of disadvantaged persons, and the war on poverty—will be final. The President could not apply any part of the $6 billion in cuts to those programs and subject them to further cuts after Congress appropriates money for them.

When we rejected the Clark amendment, we rejected any idea of confining the President to the items he could cut. My amendment is negative in character. The President may not cut these items. However, he still would have some $87-odd billion open to him to cut. Of that amount, about $50 billion is for defense other than Vietnam. The remaining amount under budget control would be something in the neighborhood of $31 or $32 billion.

The ACTING PRESIDENT pro tempore. The Senator will suspend.

The Senate Chamber will be in order so that the Senator from New York may proceed. The Senate will please be in order.

The Senator from New York may proceed.

Mr. JAVITS. The reason for the amendment is that these are sensitive items in the cities and in other parts of the country, but primarily in the cities

We should keep control of them, because we are in for a rough time. If anybody needs any proof it, yesterday's riot in Memphis should be adequate confirmation of that. That is the entire purpose of everything I am trying to do, and the whole reason for it.

The reason I was most regretfully—because Senator CLARK is on my side—compelled to vote against the Clark amendment was that I did not want to confine the area in which the President could cut further by some $30 billion in round figures, but I want to leave him as much latitude as possible.

I should like to explain one point. Senators will find on their desks an analysis of what my staff computed to be the amounts of the budget which would be protected, depending upon our appropriations under this amendment. There is an error in that, which I wish to state to the Senate, it comes under the heading of "Education."

We failed to list under the heading "Education" higher education and impacted areas. That adds to the aggregate amount of $6.177 billion, which is contained at the end of the chart, a figure—approximately $1.7 billion—which increases it to $7.8 billion. I cannot correct my amendment.

Mr. MORSE. Mr. President, will the Senator yield for a question?

Mr. JAVITS. I yield.

Mr. MORSE. All higher education is eliminated as well as certain special education matters. The Senator has said that he cannot correct his amendment.

Mr. JAVITS. The amendment covers it, but my chart does not, and I am correcting the chart. My amendment covers it. It has one word, "education." I am basing my amendment on the budget. I have said so; that is my legislative history. The budget carries higher education.

Mr. MORSE. The budget is $3.5 billion, against $6.7 billion that Congress has already authorized for all education. When we get into the budget issue, some of us will insist that we improve that budget and get back to the $6.7 billion that it should be.

Mr. JAVITS. I realize that, but I am just giving my budget figures. Therefore, the aggregate figure which should appear on the chart is $7.8 billion.

I ask unanimous consent that the corrected chart be printed at this point in the RECORD.

There being no objection, the corrected table was ordered to be printed in the RECORD, as follows:

	Amount
EDUCATION	
Elementary and secondary educational activities:	
Expenditures	$1,400,000,000
Net lending	900,000
Teacher Corps	21,700,000
Expansion and improvement of vocational education	246,300,000
Educational improvement for the handicapped	64,000,000
Higher educational activities:	
Expenditures	945,300,000
Net lending	31,900,000
School assistance in Federally affected areas	415,500,000
Other educational activities	445,700,000
Total	3,571,400,000
LOW-INCOME HOUSING	
Grants for neighborhood facilities	32,000,000
Urban renewal and community facilities, salaries	14,600,000
Urban renewal programs (liquidation of contract authorization)	699,100,000
Low-rent public housing, administrative expenses	335,300,000
Housing for the elderly or handicapped fund	98,400,000
Model cities programs	250,000,000
Low-income housing demonstration programs (liquidation of contract authorization)	3,800,000
Rent supplemental program	16,100,000
Total	1,449,000,000
WATER AND AIR POLLUTION PREVENTION	
Water pollution control	278,100,000
Air pollution	80,000,000
Total	358,100,000
PREVENTION AND DETECTION OF CRIME	
Law enforcement assistants	14,200,000
Control of crime	39,000,000
Total	53,200,000
DISTRICT OF COLUMBIA	
Federal payment to the District of Columbia	83,500,000
Loans to the District of Columbia for capital outlay: Net lending	67,200,000
Total	150,700,000
TRAINING AND EMPLOYMENT OF DISADVANTAGED PERSONS	
Manpower development and training activities	430,000,000
WAR ON POVERTY	
Economic opportunity program:	
Expenditures	2,000,000,000
Net lending	3,100,000
Total	2,003,100,000
Grand total	8,015,000,000

Note: Figures may not total due to rounding.

Mr. JAVITS. Mr. President, the reason why I said I cannot change my amendment is that if I could change it, I could say elementary and secondary education. It has to be taken as the total sum, education, which includes higher education and impacted areas.

There is $87 billion from which he can cut; and if the figure of $7.8 billion is the figure, as contained within this amendment, then it is under 10 percent of the amount available to the President, within which he can cut the $6 billion that is provided by the Smathers-Williams substitute.

That is the net of the argument. I base it entirely upon the sensitivity of the situation in which we are engaged. All I argue is that we should not surrender to the President to make a supervening cut based on the $6 billion once we have determined what the appropriations should be within these categories; and, hence, we are safeguarding to ourselves some $7.8 billion in budget requests which we have determined that we will rule on alone, once we have decided the President has to leave that alone, still leaving him some $80 billion in which he can cut.

The PRESIDING OFFICER (Mr. BYRD of Virginia in the chair). The time of the Senator has expired.

Mr. JAVITS. I ask for 1 additional minute.

Mr. LONG of Louisiana. I yield 1 additional minute to the Senator from New York.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. MORSE. What does the Senator from New York say about the comment that has been made on the floor of the Senate, in our conversations among each other, that the amendment deals with urban problems but does not do anything for the benefit of the rural areas of the country, which also should be protected with regard to some of the cuts?

Mr. JAVITS. That is not so, because education does deal with rural areas. For example, higher education, impacted areas, and the various items of elementary and secondary education where there is poverty. Those items deal with rural areas. Water and air pollution deal with rural areas. Certainly low-income housing is now being built in the smaller cities of the country. Prevention and detection of crime, training and employment of disadvantaged persons, the war on poverty—all quite clearly deal with rural problems.

Mr. MORSE. What concerns some of the people from the rural areas is the entire matter of our natural resources program, our conservation program, our water development programs. How will they be protected in regard to those cuts?

Mr. JAVITS. Other Senators could move the same way I have moved, with respect to other items. I have tried to zero in on the crisis of the cities, primarily.

Mr. CLARK. Mr. President, will the Senator yield me 1 minute?

Mr. LONG of Louisiana. I yield 1 minute to the Senator from Pennsylvania, on the bill.

Mr. CLARK. Mr. President, I should like the attention of the Senator from Oregon.

I support the Javits amendment, because I believe the language is clearly broad enough to cover all our rural programs.

I regret that the Senator from New York, in the statement he placed on our desks, put such stress on the cities. He has told me that it was inadvertent. With respect to the program with which I have some familiarity, the war on poverty, 43 percent of all the people in poverty in the United States are in rural areas.

Mr. MORSE. I am going to support the amendment.

Mr. CLARK. I thank the Senator.

Mr. LONG of Louisiana. Mr. President, I yield myself 1 minute on the bill.

Mr. President, as I have said, I do not believe that this revenue bill—to extend excise tax rates—is the vehicle by which to act on appropriation bills. The Committee on Finance does not have the responsibility in that field; it does not have the staff in that field; it does not have the information in that field. We might not know what to advise the Senate.

But I will say that if the Senate decides it must act on appropriations through an amendment to this tax bill, it does not make any sense to first insist on a $6 billion cut and then to specify that none of it should come out of new programs.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LONG of Louisiana. I yield myself 30 seconds.

It seems to me that all programs will have to be cut. Only $39 billion in the budget, from the point of view of the administration, can be touched at all; and the Senator from New York would reduce that amount by a great deal. Our staff estimates that the items the Senator has in mind would amount to $16 billion. The Senator estimates that they would amount to $7.8 billion.

Whatever figure is used, the proposed overall reduction is so large that it would be wrong to say that the poverty program is sacred and must not be cut, that urban housing must not be cut, and so forth. If an enormous cutback such as that must be made, everything should be eligible for pruning.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. JAVITS. Is it not a fact that of the $79 billion for defense, only $26 billion, in round figures, is for Vietnam, and that there is some $54 billion-odd which is the normal defense quota?

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LONG of Louisiana. I yield myself 1 additional minute.

That is the Senator's statement. It is not the statement of the administration or of the Defense Establishment. So far as the Defense Establishment is concerned, research and development, which is a huge part of what the Senator is talking about, is absolutely vital; that if you do not continue the research and development on a large scale, while it may not cost the war in Vietnam, it may cost us our very survival somewhere down the road.

From the point of view of the administration, the items that the Senator says are non-Vietnam expenditures are even more vital in some instances than the war in Vietnam.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LONG of Louisiana. I yield myself 1 additional minute.

I believe that the Committee on Armed Services would state that some of these defense items which the Senator calls non-Vietnam items are more essential to our ultimate survival than some of the expenditures for Vietnam.

Mr. LAUSCHE. Mr. President, will the Senator yield me 3 minutes?

Mr. LONG of Louisiana. I yield 3 minutes to the distinguished Senator from Ohio.

Mr. LAUSCHE. Mr. President, there is now a dispute as to the exact amount of money that would be rendered immune from cuts if the amendment of the Senator from New York is adopted. The staff aides state that it would amount to $16 billion. The statement submitted by the Senator from New York indicates that it would amount to $6.177 billion.

Mr. JAVITS. $7.8 billion. I have amended it.

Mr. LAUSCHE. Some other items are included. That is quite a difference, whether it is $16 billion that will be exempt or whether it is $7 billion.

However, I wish to call the attention of the Senate to this fact: The figures of the Senator from New York are taken out of the budget of 1969.

The budget for 1969 is higher than the appropriations for 1968. The Senator contemplates rendering exempt from reductions the educational programs, low income housing, water and air pollution prevention, prevention and detection of crime, the District of Columbia in certain respects, training and employment of disadvantaged persons, and the war on poverty.

Mr. President, in consultation with the staff member of the Senator from New York I have studied the figures involved in the principal items concerning expansion and improvement of vocational education, urban renewal program, low-rent housing program, model cities program, water pollution control, air pollution control, prevention and detection of crime, and the war on poverty.

The budget shows that for fiscal 1969 the amount allocated to these different functions, which I have just identified, is $830 million more than we appropriated in 1968. I wish to repeat that statement. The budgetary figure for 1969 for these principal items is $823 million more than the actual amount appropriated in 1968. Mr. President, I think that is a very pertinent factor to consider in determining how the vote should be cast.

SEVERAL SENATORS. Vote! Vote!

Mr. WILLIAMS of New Jersey. Mr. President, we hear a great deal of talk about national security. Generally speaking, however, this is usually in context with our overseas involvement or with our military posture. I, too, believe that we must maintain as strong safeguards as necessary in order to maintain our national security. But I think this should mean security at home, on the domestic scene, as well as on the foreign scene. A country cannot be secure with riots raging in its bowels.

In its recent report on civil disorders, the Kerner Commission stressed the need for improved low-income housing. The Kerner Commission recommended that the Federal Government "bring within the reach of low- and moderate-income families within the next 5 years 6 million new and existing units of decent housing, beginning with 600,000 units in the next year."

Secretary Weaver, in testifying before the Banking and Currency Committee on the administration's housing bill, S. 3029, reiterated this need. The Secretary, however, proposed a 10-year housing program rather than the 5 years recommended by the Kerner Commission and asked for additional authorization of $662,500,000 for fiscal 1969.

I, for one, prefer the approach recommended by the Kerner Commission. The authorization asked for in S. 3029 provides a bare minimum authorization to carry out the most pressing need for adequate low income housing and to rebuild our Nation's ghettos. Any further cuts in the authorization would wipe out the recommendations of the Kerner report and those of the administration contained in S. 3029. Such action would bring further disillusionment to our Nation's impoverished citizens.

There has been a great deal of talk of a choice between guns and butter. I am not sure I would have chosen those words to describe the priorities; however, we were told the other day by the Under Secretary of the Treasury that it was impossible to have both. At a hearing in December before the Aging Committee, one of the witnesses stated:

> Not only materialistic goals, but scientific, technological and military aims absorb us. We are skilled in the art of war; we are unskilled in the art of peace. We are proficient in the art of killing; we are ignorant in the art of living. Somewhere in the scheme of things, these values must be reordered. This must be reflected in the re-allocation of our national expenditures. Basic human qualities have to receive our highest priority, or progress on all other fronts becomes meaningless.

I do not think one should have to make a choice between foreign and domestic spending, because are very necessary to the welfare of our country. I must confess, however, that I much prefer building to destroying. I feel that it is absolutely urgent to continue our programs at home at least at the bare minimum level we are presently on. I support, therefore, the amendment of the Senator from New York.

Mr. WILLIAMS of Delaware. Mr. President, I yield myself 1 minute.

The **PRESIDING OFFICER.** The Senator from Delaware is recognized for 1 minute.

Mr. WILLIAMS of Delaware. Mr. President, with due respect to the Senator from New York, I understand his position and he is sincere. However, it should be already pointed out that if we are going to adopt these exceptions there will be other exceptions, and we might as well face the fact that that would mean the end of the bill which is now before us. I do not think it would be possible to proceed further.

Mr. SMATHERS. Mr. President, I associate with the statement by the Senator from Delaware that if this amendment should be agreed to, which I hope it will not be, there would be no prospect of getting other Senators to vote for spending cuts.

The **PRESIDING OFFICER.** All time has been yielded back, the question is on agreeing to the amendment of the Senator from New York. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Indiana [Mr. BAYH], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Indiana [Mr. HARTKE], the Senator from Montana [Mr. MANSFIELD], the Senator from Minnesota [Mr. McCARTHY], the Senator from Arkansas [Mr. McCLELLAN], the Senator from Oklahoma [Mr. MONRONEY], the Senator from Rhode Island [Mr. PASTORE], the Senator from Rhode Island [Mr. PELL], the Senator from Alabama [Mr. SPARKMAN], the Senator from Mississippi [Mr. STENNIS], the Senator from Georgia [Mr. TALMADGE], and the Senator from Texas [Mr. YARBOROUGH] are necessarily absent.

I also announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Michigan [Mr. HART], the Senator from New York [Mr. KENNEDY], and the Senator from Missouri [Mr. LONG], are absent on official business.

On this vote, the Senator from New York [Mr. KENNEDY] is paired with the Senator from Rhode Island [Mr. PASTORE]. If present and voting the Senator from New York would vote "yea," and the Senator from Rhode Island would vote "nay."

I further announce that, if present and voting, the Senator from Rhode Island [Mr. PELL] and the Senator from Michigan [Mr. HART] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Tennessee [Mr. BAKER], the Senator from Utah [Mr. BENNETT], the Senators from Illinois [Mr. DIRKSEN and Mr. PERCY], the Senator from Arizona [Mr. FANNIN], and the Senator from Iowa [Mr. MILLER] are necessarily absent.

If present and voting, the Senator from Arizona [Mr. FANNIN] and the Senator from Iowa [Mr. MILLER] would each vote "nay."

On this vote, the Senator from Illinois [Mr. PERCY] is paired with the Senator from Utah [Mr. BENNETT]. If present and voting, the Senator from Illinois would vote "yea," and the Senator from Utah would vote "nay."

The result was announced—yeas 22, nays 55, as follows:

[No. 92 Leg.]

YEAS—22

Brooke
Case
Clark
Gruening
Harris
Hatfield
Inouye
Javits
Kennedy, Mass.
McIntyre
Metcalf
Mondale
Morse
Muskie
Nelson
Prouty
Randolph
Ribicoff
Scott
Tydings
Williams, N.J.
Young, Ohio

NAYS—55

Aiken
Allott
Anderson
Bible
Boggs
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Church
Cooper
Cotton
Curtis
Dodd
Dominick
Eastland
Ellender
Ervin
Fong
Gore
Griffin
Hansen
Hayden
Hickenlooper
Hill
Holland
Hollings
Hruska
Jackson
Jordan, N.C.
Jordan, Idaho
Kuchel
Lausche
Long, La.
Magnuson
McGee
McGovern
Montoya
Morton
Moss
Mundt
Murphy
Pearson
Proxmire
Russell
Smathers
Smith
Spong
Symington
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NOT VOTING—23

Baker
Bartlett
Bayh
Bennett
Dirksen
Fannin
Fulbright
Hart
Hartke
Kennedy, N.Y.
Long, Mo.
Mansfield
McCarthy
McClellan
Miller
Monroney
Pastore
Pell
Percy
Sparkman
Stennis
Talmadge
Yarborough

So Mr. JAVITS' amendment (No. 672) was rejected.

AMENDMENT NO. 670

Mr. JAVITS. Mr. President, I call up my amendment No. 670 and ask that it be stated.

The **PRESIDING OFFICER.** The amendment will be stated.

The ASSISTANT LEGISLATIVE CLERK. At the end of the bill insert the following:

SEC. 8. ESTABLISHMENT OF A COMMISSION ON FEDERAL BUDGET PRIORITIES AND EXPENDITURE POLICY.

(a) Recognizing the profound influence which the composition and level of Federal expenditures and their relationship to revenues have on the Nation's general welfare, domestic tranquility, economic growth and stability, it is hereby declared to be the intent of Congress to initiate a far-reaching, objective, and nonpartisan review of Federal budget priorities and expenditure policy. In the carrying out of such review, and in the formulation of recommendations with respect thereto, particular consideration shall be given to the following—

(1) establishing spending priorities among Federal programs, including the identification of those programs which need greatest immediate emphasis and those which can be deferred in a time of expected deficits, in order to serve as a guide to the administration in making expenditures and in drawing up future budgets;

(2) appraising Federal activities in order to identify those programs which tend to retard economic growth and for which expenditures should be reduced or eliminated;

(3) improving the Federal budgeting and appropriations process in order to increase the effective control of expenditures;

(4) examining the responsibilities and functions which are now assumed by the Federal Government, but which could be performed better and with superior effectiveness by the private economy;

(5) reviewing Federal responsibility and functions in order to determine which could be better performed at the State and local levels; and

(6) improving Government organization and procedures in order to increase efficiency and promote savings, including a review of the recommendations of the Hoover Commission in order to determine how well those already implemented have achieved their purposes in practice and whether those not yet implemented should be given further consideration.

ESTABLISHMENT OF THE COMMISSION ON FEDERAL EXPENDITURE POLICY

(b) (A) In order to carry out the purposes set forth in the first section of this Act, there is hereby established a commission to be known as the Commission on Federal Budget Priorities and Expenditure Policy (referred to hereinafter as the "Commission").

(B) The Commission shall be composed of sixteen members as follows:

(1) Four appointed by the President of the United States, two from the executive branch of the Government, including the Director of the Bureau of the Budget, and two from private life who have distinguished careers in labor, the professions, industry, local and State government, or higher education;

(2) Six members of the Senate appointed by the President of the Senate; and

(3) Six Members of the House of Representatives appointed by the Speaker of the House of Representatives.

(C) Of each class of two members referred to in subsection (B), not more than one member shall be from any one political party.

(D) Any vacancy in the Commission shall not affect its powers, but shall be filed in the same manner in which the original appointment was made.

(E) Service of an individual as a member of the Commission or employment of an individual by the Commission as an attorney or expert in any business or professional field, on a part-time or full-time basis, with or without compensation, shall not be considered as service or employment bringing such individual within the provisions of sections 281, 283, 284, 434, or 1914 of title 18 of the United States Code.

(F) The Commission shall elect a Chairman and a Vice Chairman from among its members.

(G) Nine members of the Commission shall constitute a quorum.

ADVISORY PANEL TO THE COMMISSION

(c) The Commission may establish an Advisory Panel which shall consist of persons of exceptional competence and experience in appropriate fields, including social welfare, economics, and political science. Such Advisory Panel members shall be drawn equally from the Government, private industry, and nonprofit educational institutions, and shall be persons available to act as consultants for the Commission.

STAFF OF THE COMMISSION

(d) (A) The Commission may appoint and fix the compensation of such personnel as it deems advisable in accordance with the provisions of the civil service laws and the Classification Act of 1949.

(B) The Commission may procure, without regard to the civil service laws and the classification laws, temporary and intermittent services (including those of members of the Advisory Panel) to the same extent as authorized for the departments by section 15 of the Act of August 2, 1946 (60 Stat. 810; 5 U.S.C. 55a), but at rates not to exceed $75 per diem for individuals.

DUTIES OF THE COMMISSION

(e) (A) The Commission shall make a comprehensive and impartial study and investigation of the programs and policies of the Federal Government with a view to carrying out the purposes set forth in the first section of this Act.

(B) During the course of its study and investigation the Commission may submit to the President and the Congress such reports as the Commission may consider advisable. The Commission shall submit to the President and the Congress an interim report with respect to its findings, conclusions, and recommendations pursuant to section (a) (1) no later than January 1, 1969, and a final report no later than January 1, 1970.

POWERS OF THE COMMISSION

(f) (A) (1) The Commissioner or, on the authorization of the Commission, any subcommittee thereof, may, for the purpose of carrying out its functions and duties, hold such hearings and sit and act at such times and places, administer such oaths, and require, by subpena or otherwise, the attendance and testimony of such witnesses, and the production of such books, records, correspondence, memorandums, papers, and documents as the Commission or such subcommittee may deem advisable. Subpenas may be issued under the signature of the Chairman or Vice Chairman, or any duly designated member, and may be served by any person designated by the Chairman, the Vice Chairman, or such member.

(2) In case of contumacy or refusal to obey a subpena issued under paragraph (1) of this subsection, any district court of the United States or the United States court of any possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which the inquiry is being carried on or within the jurisdiction of which the person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the Attorney General of the United States shall have jurisdiction to issue to such person an order requiring such person to appear before the Commission or a subcommittee thereof, there to produce evidence if so ordered, or there to give testimony touching the matter under inquiry; and any failure to obey such order of the court may be punished by the court as a contempt thereof.

(B) Each department, agency, and instrumentality of the executive branch of the Government, including independent agencies, is authorized and directed to furnish to the Commission, upon request made by the Chairman or Vice Chairman, such information as the Commission deems necessary to carry out its functions under this Act.

COMPENSATION OF COMMISSION MEMBERS

(g) (A) Members of the Commission who are Members of Congress or officers of the executive branch of the Federal Government shall serve without compensation in addition to that received in their regular public employment, but shall be allowed necessary travel expenses (or, in the alternative, a per diem in lieu of subsistence and mileage not to exceed the rates prescribed in the Travel Expense Act of 1949, as amended, without regard to the Travel Expense Act of 1949, as amended (5 U.S.C. 835–842), the Standardized Government Travel Regulations, or section 10 of the Act of March 3, 1933 (5 U.S.C. 73b), and other necessary expenses incurred by them in the performance of duties vested in the Commission.

(B) Members of the Commission, other than those to whom subsection (a) is applicable, shall receive compensation at the rate of $75 per day for each day they are engaged in the performance of their duties as members of the Commission and shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties as members of the Commission, as provided for in subsection (a) of this section.

EXPENSES OF THE COMMISSION

(h) There are hereby authorized to be appropriated to the Commission, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this Act.

EXPIRATION OF THE COMMISSION

(i) The Commission shall cease to exist — days after the submission of its final report.

Mr. JAVITS. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from New York is recognized for 5 minutes.

Mr. JAVITS. If I may have the attention of Senators, I think this amendment can be disposed of quickly. It is sponsored by the Senator from Idaho [Mr. JORDAN], the Senator from Iowa [Mr. MILLER], the Senator from Illinois [Mr. PERCY], and myself. It carries the recommendations of the minority members of the Joint Economic Committee which were made in 1963 and 1964 and again—this year, in 1968—in its report on the President's Economic Report.

Mr. President, the recommendations of the minority members of the Joint Economic Committee and this amendment seek establishment of a commission, which will have a limited life, on Federal budget priorities and expenditure policy. The powers of the commission will be to establish spending priorities among Federal programs including identification of those programs which need the greatest immediate emphasis than those which can be deferred; to appraise Federal activities in order to identify the programs which tend to retard economic growth and for which expenditures should be reduced or eliminated; to improve Federal budgeting and appropriations processing in order to increase effective control of expenditures, and to examine responsibilities and functions which are now assumed by the Federal Government but which could be performed better and with superior effectiveness in the private economy, which is something that i dear to the hearts of many Senators; to review Federal responsibilities and functions in order to determine which could be better performed at the State and local level—again a matter of great interest to many Senators; to improve Government organization and procedures, to increase efficiency and promote safety, the powers including review of the recommendations of the Hoover Commission in order to determine how well those efficiency measures already implemented have achieved their purpose in practice, and whether those not yet implemented should be given further consideration.

The Commission is not expensive. It consists of four members appointed by the President, two from the executive, including the Director of the Bureau of the Budget, and two from private life; six Members of the Senate and six Members of the House. The Commission is to be compensated on the per diem basis of $75 a day for the time spent in the work of the Commission. The Commission will cease to exist within a specified number of days after submission of its final report.

It seems to the minority members on the Joint Economic Committee—and, as I say, we recommended this now on a number of different occasions, 1963, 1964, and 1968—that this is a highly desirable review especially on the matter of machinery to establish priorities, and especially on the matter of continuing an evaluation of the programs we do undertake in order to determine whether they are desirable or undesirable.

The Commission would also undertake a review of the work of the Hoover Commission. This is the kind of amendment which applies to the bill and not just to the Williams-Smathers amendment. The only reason for seeking this is that the door may be shut to any amendment once the Williams-Smathers amendment is adopted.

Therefore, I submitted the amendment to this particular substitute. If the amendment carries, I shall then move—and I am sure the manager of the bill would not object—to put the amendment on the bill.

It is the kind of measure which I would hope the manager of the bill would take to conference, especially when it has been recommended by the minority members of the Joint Economic Committee on a number of occasions. If, on an evaluation in conference, it is not considered to be a desirable thing, then it will be explained to us why, and it can be dealt with properly.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JAVITS. I yield myself 5 minutes.

The Republicans on the Joint Economic Committee have constantly been seeking ways and means to bring about a reevaluation of budgetary procedures and practices with regard to priorities and an appraisal of whether or not programs we have legislated are good and a reevaluation of what has been done under the Hoover Commission.

It is significant that there are joined in this amendment both those of liberal and more conservative persuasion—in addition to myself other cosponsors of the bill are Senator JORDAN of Idaho, Senator MILLER of Iowa, and Senator PERCY of Illinois. I am anxious, as they are, to get the best out of government. This proposal represents a joint effort on the part of the minority on the Joint Economic Committee to get the best out of government.

In order that the Senate may evaluate the minority members of the Joint Committee who are making the recommendation, I would like to refer to them. They are, aside from myself: Senator MILLER, Senator JORDAN of Idaho, Senator PERCY, being the total representation of the minority members of the committee on the Senate side. From the other side of the Capitol, they are Representatives CURTIS of Missouri, WIDNALL, RUMSFELD, and BROCK. We have joined on a number of occasions in urging this Commission to the Congress.

I hope very much it may be found worthy of at least consideration in the totality of this bill when considered by representatives of both Houses.

Mr. GRIFFIN. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. GRIFFIN. On page 4 of the amendment, in subsection (c), it is stated:

> Of each class of two members referred to in subsection (B), not more than one member shall be from any one political party.

What does that mean?

Mr. JAVITS. It means it will be composed of a Democrat and a Republican, rather than two Democrats or two Republicans.

Mr. GRIFFIN. In other words, with a commission of 16 members, six Members from the Senate, and six from the House, would it be understood that from the Members of the Senate there would be three Democrats and three Republicans, for example?

Mr. JAVITS. Yes; there would be three Democrats and three Republicans. Of course, the fulcrum of party control would come in the four appointed by the President. So there would really be a 10-to-6 ratio on the Commission and the majority party would retain control of it.

Mr. President, I reserve the remainder of my time.

Mr. LONG of Louisiana. Mr. President, I yield myself 3 minutes.

The Senator's proposal is not within the jurisdiction of the Finance Committee. This is the kind of matter that we should not be called upon to study or to recommend to the Senate. On the House side, also it is not within the jurisdiction of the Ways and Means Committee.

If this proposal were introduced as a bill on its own merits, it would be referred, properly, I believe to the Committee on Government Operations, of which the Senator from Arkansas [Mr. MCCLELLAN] is chairman. I assume the committee would study it and make recommendations to the Senate, for or against it. For all I know, it may be studying the matter now.

The proposal has no place even in the substitute, much less the bill itself.

If the Senate wants to vote on everything, just any bill, whether it is a matter of taxing or spending—just anything—I suppose we could be here forever on the tax bill which involves excise tax rates which expire Sunday night.

I would hope the Senator would not insist on it. If he insists on it, then I hope the Senate will reject it.

Even if the Senate is so foolish as to wander into the policy of putting almost anything on a tax bill, I am sure the House will not do it. The members of the Ways and Means Committee will not like the idea of violating the jurisdiction of every other committee, just as members of the Senate Finance Committee would not trample over the jurisdiction of other committees.

I hope the amendment will not be accepted.

Mr. JAVITS. Mr. President, I yield myself 5 minutes.

The best answer to the argument of the Senator from Louisiana, of course, is that he made precisely the same argument with respect to the Smathers-Williams substitute. The Smathers-Williams substitute, according to him, does not belong on this bill, anyhow.

What we are trying to do is put the fiscal and monetary house of the United States in order, because it is in disorder, with great damage to us throughout the world. Therefore, anything which can contribute to that very desirable result is entitled to the consideration of the Senate upon this bill, not just what the administration tosses up to us. The administration has given us the extension of two excise taxes and has said, "Get along with that for the present, boys." But the world will not wait.

This is one of the measures proposed in an effort to put the monetary and fiscal house of the United States in order. It goes to the root of one of the significant problems troubling us, and that is our failure or refusal to set national priorities, which is one thing that a commission like this could recommend to the Nation.

Who could quarrel with the impact on both our tax system and revenues in terms of the efficiencies and operations in the various Government departments? So I think the amendment is pertinent. It is not an unrefined proposal. As I pointed out, as long ago as 5 years the minority members of the Joint Economic Committee recommended it on three separate occasions, including a report in 1968.

When we are dealing with the problem, when one is seized with the responsibility as we are now, we should deal with the problem.

Unless this is a government in which we have some creativity, then the situation will go from bad to worse to worse, which is the way it has been going, precisely for the reason that the proper amount of creativity has not been exercised here.

Therefore, for precisely the same reasons for which we are dealing here at considerable length and trouble with the Smathers-Williams proposal, we should deal with this proposal. It is desirable. It has been refined and thought through. It certainly meets the needs of the United States. The Hoover Commission recommendations have not been evaluated in terms of what has been done. The others may be gathering dust on the shelf. They may be desirable in the interest of the Nation.

There are more ways to bring revenues into the Federal Treasury. One is by taxes and reducing overall expenditures. Another is to cut Federal employment. That is dealt with, too.

The third way is to review the operations of the Government in the way that this Commission proposes.

For all those reasons, Mr. President, I feel it my duty to press for this amendment. It is neither a conservative nor a liberal amendment; it is an intelligent effort to try to come to grips with our problems, and to get the best advice possible on them.

Why appoint a Commission on Civil Disorders, Mr. President? The FBI, the Army, the Navy, the Air Force, and the local police can take care of the situation.

But that is not the way we feel about things in this country. We want to be forehanded, and not sweep up the wreckage after wreckage has been created.

It is the same with this Commission, Mr. President. So I hope very much that the Senate will consider it desirable to grant this authority.

It is very reasonable. It costs no money of any kind or character, and it is a very useful, important thing to do at this particular moment.

Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. LONG of Louisiana. Mr. President, I yield myself 1 minute.

At least it can be said for the Williams-Smathers substitute that it does propose to raise taxes, and so, to that extent at least, it is within the jurisdiction and competence of the Committee on Finance. Inasmuch as it says that a tax increase should be conditioned on some reductions in expenditures, the spending cut is added to it.

But, Mr. President, whatever one might say with regard to this commission, the results it might obtain lie off in the future. After the commission is appointed and makes its study, and makes a recommendation, the Executive must consider the recommendation, Congress must consider the recommendation, and both must act on it. As far as the short term is concerned, all this amendment could possibly do is just cost more money. In that regard, it has nothing to do with either the purpose of the substitute or the purpose of the bill itself, insofar as the short-range effects of it are concerned.

Mr. JAVITS. Mr. President, I yield myself 1 additional minute.

The reason I am proposing this amendment—it is not solely my own creation—is that I am the ranking Republican member of the Joint Economic Committee. Hence, when the members of the

Joint Economic Committee on our side determined that this was the proper course, it was quite proper that I should make this move in the Senate.

It is well known that the rules of the other body do not accommodate amendments of this character. They just would not be in order. They have various problems with their Rules Committee, and in other ways. But it can be done here. I believe it is my duty to do it, and I am deeply convinced that it is the right thing to do, and that it should be done on this bill, because if we are to recognize the problems we face, then it is up to us, on this side, to present creative alternatives.

This is a creative alternative. The administration can tell us, "Just leave it to us, and we will take care of it." That is what they do all the time. But we want some light thrown on the interior of the process by which expenditures and budgets are created.

This measure can only reduce expenditures; it will not raise them, because that would be contrary to the fundamental thrust of the function of a commission of this type.

Naturally, any incumbent administration wants to keep everybody out. They all say they will take care of it. Well, this administration has taken care of it very badly, Mr. President, and that is why we are now considering the Smathers-Williams substitute, which I support and which I hope will be adopted. That is why, in my judgment, this type of approach, which is intelligent and scientific, comes at the right time and the right place and for the right purposes, should be agreed to by the Senate.

Mr. President, I am ready to vote.

Mr. LONG of Louisiana. I yield back the remainder of my time.

Mr. MORTON. Mr. President, I suggest the absence of a quorum.

Mr. JAVITS. Mr. President, I suggest that the time for the quorum call be charged to neither side, or that it be charged equally to both sides.

Mr. LONG of Louisiana. If both sides will yield their time back, we can have a quorum call then.

Mr. MORTON. Mr. President, the Senator from Delaware [Mr. WILLIAMS], who has played an important role in this matter, asked me to get word to him before we came to a vote, and I am doing this as a matter of courtesy to him. I am not being dilatory in any way. If the Senator from Louisiana can find him, he may call the quorum call off.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MORTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

All time having been yielded back, the question is on agreeing to the amendment (No. 670) offered by the Senator from New York. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Indiana [Mr. BAYH], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Montana [Mr. MANSFIELD], the Senator from Arkansas [Mr. MCCLELLAN], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Montana [Mr. METCALF], the Senator from Oklahoma [Mr. MONRONEY], the Senator from Rhode Island [Mr. PASTORE], the Senator from Rhode Island [Mr. PELL], the Senator from Alabama [Mr. SPARKMAN], the Senator from Mississippi [Mr. STENNIS], the Senator from Georgia [Mr. TALMADGE], the Senator from Texas [Mr. YARBOROUGH], and the Senator from Ohio [Mr. YOUNG] are necessarily absent.

I also announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Michigan [Mr. HART], the Senator from New York [Mr. KENNEDY], and the Senator from Missouri [Mr. LONG] are absent on official business.

On this vote, the Senator from New York [Mr. KENNEDY] is paired with the Senator from Utah [Mr. BENNETT]. If present and voting, the Senator from New York would vote "nay" and the Senator from Utah would vote "yea."

On this vote, the Senator from Rhode Island [Mr. PASTORE] is paired with the Senator from Arizona [Mr. FANNIN]. If present and voting, the Senator from Rhode Island would vote "nay" and the Senator from Arizona would vote "yea."

I further announce that, if present and voting, the Senator from Michigan [Mr. HART] would vote "nay."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. BENNETT], the Senators from Illinois [Mr. DIRKSEN and Mr. PERCY], the Senator from Arizona [Mr. FANNIN], the Senator from Tennessee [Mr. BAKER], and the Senator from Iowa [Mr. MILLER] are necessarily absent.

If present and voting, the Senator from Illinois [Mr. PERCY], and the Senator from Iowa [Mr. MILLER] would each vote "yea."

On this vote, the Senator from Utah [Mr. BENNETT] is paired with the Senator from New York [Mr. KENNEDY]. If present and voting, the Senator from Utah would vote "yea," and the Senator from New York would vote "nay."

On this vote, the Senator from Arizona [Mr. FANNIN] is paired with the Senator from Rhode Island [Mr. PASTORE]. If present and voting, the Senator from Arizona would vote "yea," and the Senator from Rhode Island would vote "nay."

The result was announced—yeas 36, nays 40, as follows:

[No. 93 Leg.]

YEAS—36

Aiken
Allott
Boggs
Brooke
Carlson
Case
Clark
Cooper
Cotton
Curtis
Dominick
Fong
Griffin
Hansen
Hatfield
Hickenlooper
Hruska
Javits
Jordan, Idaho
Kuchel
McGovern
Mondale
Morton
Mundt
Murphy
Nelson
Pearson
Prouty
Proxmire
Ribicoff
Scott
Smith
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NAYS—40

Anderson
Bible
Cannon
Church
Dodd
Eastland
Ellender
Ervin
Gore
Gruening
Harris
Hartke
Hayden
Hill
Brewster
Burdick
Holland
Hollings
Inouye
Jackson
Jordan, N.C.
Kennedy, Mass.
Lausche
Long, La.
Magnuson
McGee
McIntyre
Montoya
Byrd, Va.
Byrd, W. Va.
Morse
Moss
Muskie
Randolph
Russell
Smathers
Spong
Symington
Tydings
Williams, N.J.

NOT VOTING—24

Baker
Bartlett
Bayh
Bennett
Dirksen
Fannin
Fulbright
Hart
Kennedy, N.Y.
Long, Mo.
Mansfield
McCarthy
McClellan
Metcalf
Miller
Monroney
Pastore
Pell
Percy
Sparkman
Stennis
Talmadge
Yarborough
Young, Ohio

So Mr. JAVITS' amendment (No. 670) was rejected.

Mr. McGOVERN. Mr. President, I send to the desk an amendment on behalf of myself, the Senator from North Dakota [Mr. YOUNG], the Senator from Wisconsin [Mr. NELSON], and the Senator from Idaho [Mr. CHURCH].

The PRESIDING OFFICER (Mr. HARRIS in the chair). The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. McGOVERN. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

Mr. GRIFFIN. Mr. President, reserving the right to object, are copies of the amendment available?

Mr. McGOVERN. I do not believe copies are available?

Mr. GRIFFIN. No copies are available?

Mr. McGOVERN. I can explain it to the Senator in a very few words.

Mr. GRIFFIN. This is an amendment to propose a quota so far as dairy products are concerned?

Mr. McGOVERN. That is correct. It would place a quota at the average of the 5-year period from 1961 through 1965. It is the same language contained in the bill (S. 612) offered by the senior Senator from Wisconsin [Mr. PROXMIRE] and 59 other Senators, who joined in cosponsoring the proposal.

Mr. GRIFFIN. I withdraw my reservation.

The PRESIDING OFFICER. Without objection, it is so ordered; and, without objection, the amendment will be printed in the RECORD.

The amendment is as follows:

At the end of the bill add the following new title:

"TITLE —

"SEC. 01. This title may be cited as the 'Dairy Import Act of 1968.'

"SEC. 02. No imports of dairy products shall be admitted into the United States for consumption except pursuant to authorizations issued by the Secretary of Agriculture in accordance with the provisions of this title.

"SEC. 03. No authorizations for imports of dairy products shall be issued by the Secretary which would result in total imports for consumption in any calendar year of butterfat or nonfat milk solids, in any form, in excess of the respective average annual quantities thereof which were admitted for consumption during the five calendar years 1961 through 1965.

"SEC. 04. In the event that total annual domestic consumption of milk and milk products in any calendar year shall be greater or less than the average annual domestic consumption of milk and milk products during the five calendar years 1961 through 1965, the total volume of imports for such calendar year authorized under section 63 shall be increased or decreased by a corresponding percentage. For the purposes of this Act, the Secretary may estimate such total annual domestic consumption on a quarterly basis and reflect adjustments of such estimates in the level of imports authorized in subsequent quarters or in the subsequent year. In computing or estimating such annual domestic consumption under this Act, milk and milk products used in Federal distribution programs shall be excluded.

"SEC. 05. The President may permit, if he finds such action is required by overriding economic or national security interests of the United States, additional quantities of imports of any dairy product. Additional imports permitted under this section shall be admitted for consumption under special authorizations issued by the Secretary. No additional imports shall be admitted for consumption under this section at a time when prices received by dairy farmers for milk on national average as determined by the Secretary are at a level less than parity, unless the Secretary shall, at the time such imports are authorized, remove from the domestic market, in addition to and separate from other price support purchases and operations, a corresponding quantity of dairy products. The cost of removing such dairy products from the domestic market shall be separately reported and shall not be charged to any agricultural program.

"SEC. 06. 'Dairy products' for the purpose of this title includes all forms of milk and dairy products, butterfat, nonfat milk solids, and any combination or mixture thereof, and includes also any article, compound, or mixture containing 5 per centum or more of butterfat, or nonfat milk solids, or any combination of the two.

"SEC. 07. The Secretary may prescribe such rules and regulations as he deems necessary for the effective administration of this Act.

"SEC. 08. Nothing contained in this title shall be construed to repeal section 22 of the Agricultural Adjustment Act or any import limitation established thereunder; but the total annual quantitative limitations on imports of butterfat and nonfat milk solids prescribed by this title shall prevail, and all imports authorized under said section 22 or any other law shall be included in computing such total."

Mr. McGOVERN. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. How much time does the Senator yield himself?

Mr. McGOVERN. I yield myself 5 minutes.

Mr. President, I shall not take much time on this proposal, because I believe the outline of it is generally known to all Members of the Senate. It is a simply worded proposal which would limit dairy imports—milk equivalent—into the United States to the average of the 5-year period 1961 through 1965.

This is the proposal that was introduced some time ago by the Senator from Wisconsin [Mr. PROXMIRE] in which some 60 Senators on both sides of the aisle have joined as sponsors. It already has the general endorsement of the administration in the form of an Executive order which attempted to accomplish the purpose of this amendment. However, several loopholes have developed under the Executive arrangements that have been worked out, which have permitted a considerable increase in dairy imports to take place; and the loopholes threaten further imports in the form of condensed or evaporated milk, which are not covered by the existing order. Also, several types of cheeses and other products are coming in under the existing controls.

This amendment would have the effect of actually closing those loopholes and limiting imports of dairy products to the 5-year average, 1961 through 1965. It would also have the merit of continuing force while the Executive order issued by the President some months ago, can be withdrawn at any time by the President. It does not have the force of law.

On yesterday, I discussed the proposed amendment briefly, and I made a judgment at that time, after talking with other Members of the Senate, that perhaps we should delay offering the amendment on this bill and seek action on the measure itself. However, further consultation with dairy industry leaders and with milk producers in my State and other parts of the country, have convinced me that this is the most practical way to proceed for immediate relief in this important problem.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. McGOVERN. I yield.

Mr. MAGNUSON. This is the same proposal that many of us have been trying to get into law?

Mr. McGOVERN. It is.

Mr. MAGNUSON. I believe that 60 Senators have cosponsored it.

Mr. McGOVERN. The Senator from Washington has been one of its principal backers.

Mr. MAGNUSON. And, generally, the proposal has been endorsed by the administration.

Mr. McGOVERN. It has.

Mr. MAGNUSON. It is long overdue.

I do not desire to clutter up the pending measure with amendments relating to a matter of this type, but inasmuch as we did it with respect to the textile amendment and others, I believe it would be helpful to the administration to do what I am sure they have wanted to do, because the imports have developed into a disguised situation. I believe the figures indicate that the imports have gone up almost astronomically in the past 3 or 4 years.

Mr. McGOVERN. There is no question about that.

Mr. MAGNUSON. I heartily support the amendment, as I always have.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. McGOVERN. I yield myself 5 additional minutes.

Mr. NELSON. Mr. President, will the Senator yield for a question?

Mr. McGOVERN. I yield.

Mr. NELSON. The Senator from Washington mentioned the fact that he was sure the administration approved of the general idea. I am sure the Senator is aware that after a group of Senators talked with the administration, when the import rate had risen to 4 billion pounds of dairy equivalent a year, the President did exercise his authority—I believe the Senator from Washington was there at the time the President announced it, in the White House—and reduced it to 1 billion pounds a year.

Mr. MAGNUSON. The Senator is correct.

Mr. NELSON. This actually would formalize in the statute the same proposal that the White House has already endorsed by Executive order.

Mr. MAGNUSON. And they have expressed an opinion that they would endorse proposed legislation that would do the same thing.

Mr. McGOVERN. The Senator is correct.

I believe the President deserves full credit for what he has accomplished by Executive order. This measure would give it legislative force, and it would close some of the unanticipated loopholes that have developed under the existing arrangement.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. McGOVERN. I yield to the distinguished Senator from Vermont.

Mr. AIKEN. Mr. President, a year ago last summer, the consumption and production of milk and dairy products in the United States was virtually in balance, and it looked as if we might be in for a long period of stability in the dairy industry. Then the importers—there are many of them—at least 34 importers, devised a means of importing dairy products—ice cream mix, you might say, and Colby cheese—in violation of what was supposed to be the rules of the Import Act. Before they could be stopped, they had reached a point, as stated by the Senator from Wisconsin, where they were importing the equivalent of 4 billion pounds of milk a year. They had completely thrown off the production-consumption balance. The Department of Agriculture had to buy over 8 billion pounds of milk equivalent in order to maintain the support price, the guaranteed price, in this country.

Then the President took a hand in the matter. Unfortunately, he asked the Tariff Commission to study the situation. It was natural for him to do that. The Tariff Commission was not a bit sympathetic to American farmers, and on July 1 the President had to override the Tariff Commission's recommendations and reestablish the import quota at the 1 billion pounds equivalent a year. But by that time so much damage had been done and so much of the imported goods had been put in storage that it would take a long time to get the market back into the proper balance again.

I commend the President for taking the action he took last summer. I hope he will take action again soon.

I wish to read one sentence from a ruling by the Food and Drug Administration, as reported in the Federal Register of March 22. They ruled as follows:

> The department concludes that imported milk products in hermetically sealed cans so processed by heat as to prevent spoilage are not subject to the provisions of the Federal Import Milk Act.

In other words, the Food and Drug Administration, by this ruling, amends the law enacted by the Congress.

Mr. McGOVERN. That would be the

effect of opening the country to a flood of imports.

Mr. AIKEN. It would open the floodgates again to a situation that would contribute to the destruction of the American dairy industry.

I hope that the White House will take prompt action and go as far as it can in stopping this practice, which the ruling of the Food and Drug Administration would not only permit but would encourage.

It is not only evaporated milk that could come in, but also any other dairy product that had been hermetically sealed to prevent spoilage. It is a long step toward further destruction of the American dairy industry.

Mr. McGOVERN. Mr. President, I ask unanimous consent to have printed in the RECORD at this point the ruling to which the Senator from Vermont referred. The document is entitled "Title 21—Food and Drugs."

There being no objection, the ruling was ordered to be printed in the RECORD, as follows:

TITLE 21—FOOD AND DRUGS

CHAPTER I—FOOD AND DRUG ADMINISTRATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Subchapter A—General

Part 3—Statements of General Policy or Interpretation

Revocation

The Federal Import Milk Act prohibits importation of milk or cream unless the importer holds a valid permit from the Secretary of Health, Education, and Welfare. Milk or cream is considered unfit for importation unless the cows have been examined within the previous year and found healthy and free of tuberculosis and all dairy farms and plants involved have been found to meet certain sanitary requirements.

In a statement of policy (21 CFR 3.56) published in the FEDERAL REGISTER of September 10, 1966 (31 F.R. 11935), the Food and Drug Administration announced that the provisions of the Federal Import Milk Act apply to "all imported milk and cream, whether sterilized or not." Subsequently, objections received regarding § 3.56 were referred to the Department of Justice with a request for an opinion. That Department concludes that imported milk products in hermetically sealed cans so processed by heat as to prevent spoilage are not subject to the provisions of the Federal Import Milk Act.

Therefore, pursuant to the provisions of said act (secs. 1–9, 44 Stat. 1101–1103), as amended; 21 U.S.C. 141–149) and under the authority delegated to the Commissioner of Food and Drugs by the Secretary (21 CFR 2.120), Part 3 is amended by revoking § 3.56 *Imported canned heat-processed milk products under the Federal Import Milk Act*.

This action shall not be construed as exempting such products from any of the applicable provisions of the Federal Food, Drug, and Cosmetic Act or regulations promulgated thereunder.

Effective date. This order shall be effective upon publication in the FEDERAL REGISTER. (Secs. 1–9, 44 Stat. 1101–1103, as amended; 21 U.S.C. 141–149)

Dated: March 13, 1968.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 68-3480; Filed, Mar. 21, 1968; 8:47 a.m.]

Mr. AIKEN. Mr. President, will the Senator yield further?

Mr. McGOVERN. I yield.

Mr. AIKEN. Mr. President, I would like to add that in New England, as far as is known, there was only one ice cream manufacturer last year who was using native cream alone in the manufacture of ice cream, and that was one cooperative in Vermont. They persisted in using our own cream. But the urge to import was great because on imported butterfat the importers could make 10 to 20 cents a pound profit more than they could on domestically produced butterfat. The consumer never received a nickle of benefits out of it; it all went into the profits of the importers and the processors.

The ice cream mix came principally from Belgium. I know that the Belgian Government warned its exporters against the violation of the U.S. import laws but the importers paid no attention and sent it in. They will give us the same treatment now if they are permitted to get away with it.

I would prefer not to add an amendment to the bill but I do not see any other way to do it now because the imports will start almost immediately since they have permission from the Food and Drug Administration.

Mr. McGOVERN. I think the Senator would agree that this legislation would have the effect of reenforcing what the President attempted to accomplish with an Executive order.

Mr. AIKEN. Yes; but I do hope that the Senate will take action promptly to block this attempt to circumvent the intent of the Congress and the President's proclamation.

Mr. PROUTY. Mr. President, will the Senator yield?

Mr. McGOVERN. I yield.

Mr. PROUTY. Mr. President, I wish to join my senior colleague in complimenting the distinguished Senator for introducing this amendment. I heartily favor the amendment. I know that it is essential to maintain the economy of our dairy producers.

I believe that this year the Vermont Legislature, by joint resolution, memorialized the Congress to support legislation of this kind.

I am sorry that the measure has to come in a tax bill, but I can see no alternative.

I am happy to join my senior colleague in supporting the amendment.

Mr. YOUNG of North Dakota. Mr. President, will the Senator yield?

Mr. McGOVERN. I yield.

Mr. YOUNG of North Dakota. Mr. President, all agriculture is in trouble financially today. The situation is understandable inasmuch as the prices for most farm commodities are lower today than they were 20 years ago, while the cost of everything farmers have to buy has increased.

Agriculture is still the biggest and most important segment of our economy. No segment of that economy has had more trouble than the dairy industry. It is a sick industry today.

The trouble is due in large part to imports. In 1967, dairy imports reached 2.8 billion pounds milk equivalent. That amount of imports would ruin almost any industry.

This involves not only the amount of imports at any given time but also the uncertainty with respect to how much will be imported in the future. This is even more devastating pricewise.

On June 30, 1967, President Johnson issued a proclamation aimed at reducing imports of dairy products. He recognized the need that something must be done. At that time it was argued that this action would eliminate the need for legislation such as we are now considering. I did not agree with that assessment then and I do not today. That Presidential order is proving to be no more effective than previous such orders were in reducing and limiting imports. All that is needed is for the exporters in foreign lands to alter the makeup of their product somewhat and continue to pour their dairy products into our market.

What is needed is an import restriction that cannot be evaded—one that is simply defined and easily understood. This amendment would clearly define permissible import levels and eliminate the ever-present danger of skyrocketing levels of imports because of quota evasion through product variation.

Mr. President, this proposal is not aimed at shutting the door to imports or freezing the level of imports. It does permit continued imports and would allow expanded levels of imports if domestic demand expands.

This is reasonable and necessary legislation. It would be a tremendous boost to the domestic dairy industry and would help greatly in stemming the increasing flow of farmers out of the dairy business. The decreasing number of dairy farmers poses a direct threat to the stability and availability of supplies of these most essential food products. Thus, this legislation is also in the very best interests of the American consumer.

The PRESIDING OFFICER. (Mr. BYRD of West Virginia in the chair). The time of the Senator has expired.

Mr. YOUNG of North Dakota. Mr. President, I ask unanimous consent that I may proceed for 2 additional minutes.

Mr. McGOVERN. I yield 2 minutes to the Senator from North Dakota.

The PRESIDING OFFICER. The Senator from North Dakota is recognized for 2 additional minutes.

Mr. YOUNG of North Dakota. Mr. President, quotas are not new on farm commodities and especially dairy commodities. The first quotas were set in 1942.

Mr. President, I ask unanimous consent to have printed in the RECORD an excellent presentation made in behalf of this legislation by the National Milk Producers Federation in a pamphlet entitled "Invasion by Evasion." Specially, I ask unanimous consent to have printed in the RECORD the following material from that publication: The article on page 2 entitled "Import Controls Are Indispensable," the article on page 3 entitled "Brief History of Dairy Imports," the chart on page 4 entitled "Import

Quotas Established by Presidential Proclamation 3019, Effective July 1, 1953, and Milk Equivalent—Fat Base," the article on page 5 entitled "Invasion by Evasion," the article on pages 7 and 8 entitled "Legal Background of Import Controls," and the article on pages 9 and 10 entitled "Dairy Import Act of 1967."

There being no objection, the material was ordered to be printed in the RECORD, as follows:

IMPORT CONTROLS ARE INDISPENSABLE

Effective control of dairy imports is indispensable to dairy farmers and of vast long-range importance to the general public.

Effective import controls are necessary in order that farmers may have an opportunity to achieve parity prices for their milk and butterfat. Achievement of parity prices as a goal of national public policy is clearly set forth in all major agricultural legislation, including the Agricultural Adjustment Act of 1933, the Agricultural Marketing Agreement Act of 1937, and the Agricultural Act of 1949. This parity price goal cannot be attained if large scale imports are permitted because they either will (1) render the price support program ineffective, or (2) involve the government in the purchase of such large volumes of products displaced by imports so as to cause the discontinuation of the program.

Effective import controls are necessary to provide dairy farmers a level of income commensurate with that received by other segments of our economy, and to enable farmers to maintain a strong and progressive industry in the face of ever-increasing costs. Prices to farmers for milk and butterfat last reached the parity level in 1952. Since that time they have been considerably below parity. In four of the last five years they have barely been above 75 percent of parity.

Effective import controls are necessary also to assure an adequate supply of fluid milk and other dairy products for our growing population, to meet our needs for national defense and security, to meet the critical needs of our government for use in foreign nations as an integral part of our foreign policy, and to provide for essential uses within the United States. If imports are allowed to impair our production capacity, it cannot be quickly restored.

Effective import controls are necessary to provide an opportunity for U.S. dairy farmers operating in our high-price and high-wage economy to compete free from inroads of large supplies of foreign products made cheap through subsidy arrangements. In the common market countries minimum import prices for butter range from a low of 70 cents per pound in the Netherlands to 94 cents per pound in Belgium and Luxembourg. Such prices are maintained by import levies. These same nations export butter at prices as low as 20 cents per pound.

Effective import controls are necessary to neutralize the great pressures which are generated by the vast difference in subsidized world market prices and the prices which public policy demands be received by American dairy farmers.

BRIEF HISTORY OF DAIRY IMPORTS

Imports will show an increase of 567 percent—almost 7 times above 1953—if U.S.D.A. estimates of dairy product imports for 1967 are realized. Last year imports showed a startling increase. Whereas from 1953–1965 the increase in imports was 75 percent, in 1966 this jumped to 433 percent.

The first dairy proclamation under Section 22, issued in 1953, established annual quotas equal to 189 *million* pounds of milk equivalent in the form of dairy products. In that year total imports were 525 *million* pounds. U.S.D.A. estimates that in excess of 3½-*billion* pounds of milk equivalent will be imported in 1967.

IMPORT QUOTAS ESTABLISHED BY PRESIDENTIAL PROCLAMATION 3019, EFFECTIVE JULY 1, 1953, AND MILK EQUIVALENT (FAT BASIS)

Product	Quota (pounds)	Milk equivalent (pounds)
Cheese:		
Cheddar	2,780,100	27,244,980
Blue mold	4,167,000	37,890,531
Italian	9,200,100	73,416,798
Edam and Gouda	4,600,200	34,869,516
Total, cheese	20,747,400	173,421,825
Butter	707,000	15,235,850
Dried cream	500	9,300
Malted	6,000	15,900
Dried whole	7,000	51,450
Dried skim milk	1,807,000	
Dried buttermilk	496,000	709,280
Total, milk equivalent of quotas		189,443,605

INVASION BY EVASION

Quotas intended to limit entry of dairy products into the U.S. were established July 1, 1953, by Presidential Proclamation 3019. The proclamation reasonably could have been expected to have established maximum quantities of dairy products which may be imported.

The ink on the proclamation was scarcely dry, however, before exporters abroad and importers within the U.S. quickly discovered that import quotas were easy to circumvent and reprisals by the executive branch would not result from such circumvention. It was soon found that any product—irrespective of whether it had ever been imported or even existed—could be imported in unlimited amounts. Such imports establish a "history of imports" which was useful to foreign exporters and U.S. importers in later establishment or enlargement of quotas.

The first overt circumvention of established quotas involved the splitting of "loaves" of Italian-type cheese. The original quotas specified in the original proclamation, entered the market. The import quotas as established were not full or effective since cheese imports outside the quotas exceeded those permitted by a ratio of 3 to 2 the first year.

The tug of war over cheese imports continues to this day. At present the big noncontrolled item is Colby cheese, a product particularly identical to Cheddar cheese. Colby cheese is entering the country at a rate ten times the volume established as a quota for cheddar.

When Section 22 of the Agricultural Adjustment Act was invoked July 1, 1953, imports of butter were limited to 707,000 pounds annually, but this was circumvented immediately by the importation of butteroil, a product not previously imported. After much urging and a hearing, the Tariff Commission established an import quota on butteroil at 1,200,000 pounds annually. Total imports of butterfat (as butter and butteroil) thus became nearly three times as great as intended when the 707,000-pound quota was established.

Once the quota for butteroil was made effective, evasion and circumvention of such quotas took the form of butterfat-sugar mixtures.

Exylone, the first product of this type to be imported, was used principally in the ice cream trade as a replacement for domestic cream. The domestic cream, of necessity, was churned into butter for sale to the government under the price support program at lower returns to dairy farmers.

The Tariff Commission held another hearing. This time, however, it relied upon a representative period predating imports of Exylone, and established a quota for Exylone at zero.

In barring imports of Exylone, however, the regulation applied only to products containing 45 percent or more of butterfat. The dairy industry argued that this limitation would merely invite new imports in mixtures containing less than 45 percent butterfat. This happened at once.

A new mixture, called Junex, promptly made its appearance, Junex contained 44 percent butterfat and 55 percent sugar. In 1966 alone, 104.5 million pounds entered the United States, dwarfing the quota on butter and butteroil to meaningless terms.

As a substitute for action under Section 22, the executive branch negotiated with Australia, Ireland, and New Zealand, limiting imports for Colby cheese, cream and butterfat-sugar mixtures, all nonquota products, in 1962 through 1964. These agreements could not bind nonsignatory countries. As shipments from the latter countries increased, the agreements were abandoned. In mid-1966 the Secretary of Agriculture promulgated regulations under the Sugar Act limiting the importation of products containing 25 percent and more of sugar.

This regulation, too, proved ineffective. Mixtures containing 44 percent butterfat, 24 percent sugar, and 31 percent nonfat milk solids were at sea before the regulation was issued. In 1966 imports of butterfat-sugar mixtures displaced a market for U.S. dairy farmers equal to 10 percent of total ice cream production.

Imports of dairy products thus continued to increase. The U.S. Department of Agriculture predicts that the total of imports in 1967 will approximate 3.5 billion pounds of milk (calculated on a butterfat basis). This level of imports is 12 times the total authorized by import quotas.

LEGAL BACKGROUND OF IMPORT CONTROLS

In earlier years the dairy industry in the United States was largely self-sufficient, and the small differences in domestic and foreign prices were offset by modest tariffs.

Following World War I, the butter tariff was increased from 2.5 cents to 12 cents per pound to reflect increasing price differentials. The Tariff Act of 1930 set the tariff rate at 14 cents per pound on butter with corresponding rates on other dairy products. Although these were fixed rates, they operated effectively for several years.

These tariff rates were subsequently reduced to inadequate levels under the trade agreement acts. The reduced tariffs were unrealistic in that they failed to take into account the substantial price differences which were developing between domestic and world price levels for dairy products.

The tariff reductions were not correlated with the programs of the Department of Agriculture and the results were at cross purposes. Moreover, ready use by foreign nations of heavy export subsidies, currency devaluation, exchange manipulations, and similar practices operated to render fixed tariff rates practically meaningles and to require the use of import quotas.

Import quotas were imposed on major dairy products in 1942 under the Second War Powers Act. This was done primarily to keep fats needed in the allied countries from being drawn to the high-priced American market, and to help carry out an international allocation of dairy products.

These controls continued in part through 1948. Later, in the 1949–51 period, imports of butter were controlled under special legislation to permit the orderly liquidation of stocks the government had acquired under the support program.

To prevent excessive imports from resulting in unnecessary expenditures under the price support program, Congress in 1951 authorized import quotas in Section 104 of the Defense Production Act. These controls were maintained until 1953, when they were shifted to Section 22 of the Agricultural Adjustment Act.

Section 22 of the Agricultural Adjustment Act was enacted back in 1935 as a part of the agricultural programs designed to provide fair returns to agricultural producers as measured in terms of parity prices. Its purpose was to assure that the government programs would not be rendered ineffective by imports. It was materially strengthened in 1951 when Congress amended it to state clearly and forcefully that the protection which it had authorized for the agricultural programs would take precedence over the trade agreements.

Although Section 22 has been available since 1935, it was not until 1953 that use of it was made to protect the agricultural programs provided by Congress for dairy farmers.

Since that time, the controls set up in 1953 have been continuously eroded because administration of the section has been weak and ineffective.

Particularly in more recent years, evasion of the import controls has become a popular and profitable pastime for importers and foreign nations. Huge quantities of imports are being brought into the country in open and flagrant evasion of the import quotas.

These have resulted in millions of dollars of added and unnecessary cost to the dairy price support program, and they are interfering substantially with the attainment of the goal of the program which is parity prices in the marketplace.

Dairy Import Act of 1967

The National Milk Producers Federation, after careful study and consultation with members of Congress, developed a new import control program which was incorporated in a bill introduced last year by Senator Proxmire and 21 other Senators. Numerous similar bills were introduced in the House.

Legislation has now been introduced in the new Congress, and the Federation will make an all-out fight for its passage. This will not be an easy task, since it must be assumed that there will be strong opposition. The bill should be supported because it sets a fair guideline under which government and industry can operate.

Opposition will arise in spite of action by other nations, such as those in the European Common Market, to protect their own agriculture, and in spite of tremendous differences between our domestic prices and world export prices which make free trade concepts with respect to dairy products completely visionary and unrealistic.

The legislation proposed would use as a base the average annual quantities of butterfat and nonfat milk solids imported during the five calendar years 1961–65. 1966 would not be included in the base because it was not a normal year. Heavily subsidized exports of surplus production in foreign nations, coupled with price increases in this country needed to stop a dangerous decline in domestic production, resulted in abnormally large volumes of imports of evasion-type products during 1966. The same condition threatens serious harm to American dairy farmers in 1967, unless Congress acts to fix a limit on imports under this legislation.

The 1961–65 average would be an automatic control and would not require lengthy and unsatisfactory Tariff Commission proceedings as under present law.

The controls would be flexible as between products and countries, subject to the overall limitation that the annual total of all dairy-product imports could not exceed the 1961–65 average. This would permit recognition of any legitimate new dairy products which might be developed while at the same time preventing evasion.

Provision is made to permit the President to authorize additional imports in the national interest. If additional imports are admitted under this provision, at a time when dairy prices are below parity, a corresponding quantity of dairy products would be removed from the domestic market. This would permit the market to respond to domestic market forces and help attain the goal of the agricultural program authorized by Congress, which is parity prices in the marketplace for American dairy farmers.

The bill also provides that as the domestic market expands due to population or other factors, the import total would increase in the same ratio.

Thus foreign countries would share in the growth of the United States market in the same relative proportion as our own farmers, but their exports to this country could not grow by displacing domestic production. This would prevent serious impairment of our dairy industry which is much too important to our national economy and national security to be sacrificed for concepts of free trade which, so applied to the dairy industry, are unrealistic and impractical.

Most important, the new bill would put an end to the subterfuge and evasion practiced under the present inadequate import controls.

Furthermore, a definite and known level of imports would be established to which the market could adjust and on which our own farmers and foreign countries could make sound future plans.

Mr. COTTON. Mr. President, will the Senator yield for one-half minute?

Mr. McGOVERN. I yield.

Mr. COTTON. Mr. President, as a person who was born and reared on a dairy farm and who has watched the depletion of the dairy industry in my State, which used to be one of its leading activities, I commend the Senator. I am glad that he and other Senators associated with him are striking a blow to save this industry.

Mr. President, as a cosponsor of the dairy import bill, I associate myself with them in this amendment.

Mr. McGOVERN. I thank the Senator from New Hampshire.

Mr. NELSON. Mr. President, will the Senator yield for a question?

Mr. McGOVERN. I yield.

Mr. NELSON. It is clear in the amendment pending before us that it would not freeze the situation, and freeze an import quota; but that it allows for a growth factor as the increase in the total amount of consumption of dairy products grows greater in this country.

Mr. McGOVERN. Yes. As the consumption pattern increases, assuming that it will, as our population grows, or for whatever cause, the quota would be raised proportionately in amount to allow for the additional demand.

Mr. NELSON. It is correct, is it not, that over a period of years the Department of Agriculture has been advising and suggesting the dairy industry cut its production so that it will have a balance as between production and demand in this country?

Mr. McGOVERN. The Senator is correct.

Mr. NELSON. During a relatively brief period of time, in the past 3 or 4 years—I do not have the exact figure before me, but during a relatively brief period of time—milk production has been cut from the 126-billion-pound mark last year, to the 120-billion-pound mark. But, in the meantime, imports ballooned to replace in substance what was cut back by the farmers in this country. In recognition of this, the President did set in order 1 billion pounds of importation of dairy products or equivalent; is that not correct?

Mr. McGOVERN. The Senator is correct. I might say to the Senator that for many years other countries have provided this kind of protection to their dairy producers. The Senator from Wisconsin knows that we are not asking for something for our own producers which has not been available for a long time to the dairy producers in other countries.

There are two reasons for that; one, to protect their own domestic dairy industry and, two, to protect their balance of payments.

I am advised that the dollar drain on our balance of payments by dairy imports is something over $36 million a year for dairy imports that are not really needed in this country. They increase the burden on our dairy producers and on our price support mechanisms in addition to complicating the balance-of-payments position.

Mr. AIKEN. May I add that as a result of the deluge of imports in violation of the Milk Act, our own Government had to purchase the equivalent of 3 billions pounds of milk in the price support program. That meant several hundred million dollars of expense to this Government in addition to whatever it may have lost in the balance of payments.

Mr. McGOVERN. Yes. The Senator makes a very good point. I have been concerned for a long time with our food-for-peace program and the use of surplus commodities in this country to reduce hunger in the world. But, it seems to me, with so many food deficits in many of the developing countries of the world, that it makes no sense to export surplus food to the United States where we already have so much food that it is depressing the markets and adding to the cost of the price-support operation.

I think it would be better taken if some of those exporting dairy products to the United States would join us in sending commodities to those areas where there is a food deficit which will assist us in the so-called war on hunger. There is a strong moral argument to be made here, in addition to the economic appeal to protect our dairy producers. It is in the interest of the world as a whole to send food to countries which are short of it and not send surpluses here where we have more than enough.

Mr. AIKEN. One more thing that disturbs me even more is that when Congress enacts legislation, in the Senate at least, there is an agency of the Government that will go to work in an attempt to circumvent that legislation. We seem to have it in this case. Those people know perfectly well that evaporated milk is a dairy product that comes from milk. They must know it comes from a cow. But, I am not sure.

Anyway, it is a deliberate attempt to circumvent the intent of Congress and I think we should put a stop to it, so far as it lies within our power. However, I am sure that they will then go to work and try to figure some other way.

Mr. McGOVERN. I thank the Senator for his comments.

Mr. President, I have nothing further to say on this legislation. I am prepared to yield back the remainder of my time.

Mr. HARRIS. Mr. President, I have a great many dairymen in my State, and I know and am concerned about the pressures they feel from dairy imports. I have been trying my best to help them. But the adoption of this amendment is not the way to help them; it does not belong in this bill and will surely be dropped in conference.

As I said in opposition to the textiles quota amendment, these matters are serious enough to require their consideration in a regular, orderly and careful manner.

Lastly, if we are going to add this amendment, then I fear there will be a flood of other such amendments, accomplishing nothing except damage to our chances to improve our balance of trade and help American agriculture and industry.

Mr. CHURCH. Mr. President, America's dairy farmers have been burdened with unfair competition from heavily subsidized imports. They have not been sharing in the prosperity of this country. It's time they had a chance to do so.

This amendment, which I am pleased to cosponsor, would limit dairy imports to the average of the 1961–65 period.

Mr. President, dairy farmers are getting tired of paper gestures which have been used in the past to discourage Congress from enacting permanent import controls. The present system of setting import levels has been marred by a long history of evasion on the part of importers.

The Food and Drug Administration recently ruled that evaporated milk is not covered by the Federal Import Milk Act. This means that importers will be able to turn surplus milk into evaporated products and evade the quotas which the President proclaimed last July.

This flagrant evasion must stop. Our dairy farmers need legislative protection against excessive imports in order to enjoy a stable market for their milk and dairy products.

Other countries have for many years controlled their imports—not only to protect their own industry, but to conserve their balance-of-payments positions as well. They cannot object to our doing the same thing.

Mr. LONG of Louisiana. Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The Senator from Louisiana is recognized for 2 minutes.

Mr. LONG of Louisiana. Mr. President, we already have quotas on dairy imports. I hold in my hand the President's proclamation of June 30, 1967, pertaining to quota limitations on dairy imports, which is in line with the legislation on that subject to which the Senator has made reference. It was issued pursuant to the terms of section 22 of the Agricultural Adjustment Act.

I ask unanimous consent to have the President's proclamation printed in the RECORD.

There being no objection, the proclamation was ordered to be printed in the RECORD, as follows:

Statement by the President on Dairy Imports, June 30, 1967

I have today signed a proclamation which will reduce dairy imports to the normal level which prevailed before 1966. On the basis of these new quotas, annual imports will be approximately one billion pounds of milk equivalent.

This action has been taken on the recommendation of the Vice President, the Secretary of State, the Secretary of Agriculture, the Chairman of the Council of Economic Advisors and the Director of the Bureau of the Budget, and numerous members of Congress concerned.

Dairy imports from 1961 through 1965 averaged 850 million pounds of milk equivalent annually, 1965 imports were 900 million pounds. The level established by this action will permit us to meet all existing international commitments and will restore dairy imports to historic and normal levels.

This action is of benefit to all Americans:

It will help the dairy farmer to obtain a fair return.

It will save tax dollars of between 100 and 200 million annually from lower government purchases of dairy products.

It will provide the consumer with more stable domestic production at no increase in milk prices.

It will still permit us to honor our trade commitments to other nations.

A Proclamation by the President of the United States of America Amending Part 3 of the Appendix to the Tariff Schedules of the United States With Respect to the Importation of Agricultural Commodities

Whereas, pursuant to section 22 of the Agricultural Adjustment Act, as amended (7 U.S.C. 624), limitations have been imposed by Presidential proclamations on the quantities of certain dairy products which may be imported into the United States in any quota year; and

Whereas, in accordance with section 102 (3) of the Tariff Classification Act of 1962, the President by Proclamation No. 3548 of August 21, 1963, proclaimed the additional import restrictions set forth in part 3 of the Appendix to the Tariff Schedules of the United States; and

Whereas the import restrictions on certain dairy products set forth in part 3 of the Appendix to the Tariff Schedules of the United States as proclaimed by Proclamation No. 3548 have been amended by Proclamation No. 3558 of October 5, 1963, Proclamation No. 3562 of November 26, 1963, Proclamation No. 3597 of July 7, 1964, section 88 of the Tariff Schedules Technical Amendments Act of 1965 (79 Stat. 950), and Proclamation No. 3709 of March 31, 1966; and

Whereas, pursuant to said section 22 the Secretary of Agriculture advised me there was reason to believe that the dairy products described hereinafter are being imported, and are practically certain to be imported, under such conditions and in such quantities as to render or tend to render ineffective, or materially interfere with the price support program now conducted by the Department of Agriculture for milk and butterfat;

Whereas, at my request, the United States Tariff Commission has made an investigation under the authority of section 22 of the Agricultural Adjustment Act, as amended, with respect to this matter and related questions outlined in my request for an investigation and has reported to me its findings and recommendations made in connection therewith; and

Whereas, on the basis of such investigation and report, I find that the articles described below are being imported and are practically certain to be imported into the United States under such conditions and in such quantities as to materially interfere with the price support program now conducted by the Department of Agriculture for milk and butterfat:

(1) American-type cheese, including Colby, washed curd, and granular cheese (but not including Cheddar) and cheese and substitutes for cheese containing, or processed from, such American-type cheese;

(2) Articles containing over 5.5 percent but not over 45 percent by weight of butterfat which are classifiable for tariff purposes under item 182.91 of the Tariff Schedules of the United States (TSUS), the butterfat content of which is commercially extractable, or which are capable of being used for any edible purpose (except articles packaged for distribution in the retail trade and ready for use by the purchaser at retail for an edible purpose or in the preparation of an edible article); and

(3) Milk and cream, fluid or frozen, fresh or sour, containing over 5.5 percent but not over 45 percent by weight of butterfat; and

Whereas, on the basis of such investigation and report, I find and declare that for the purpose of the first proviso to section 22(b) of the Agricultural Adjustment Act, as amended, the representative period for imports of such articles is the calendar years 1961–1965; and

Whereas, on the basis of such investigation and report, I find and declare that changed circumstances require that the section 22 quotas on dairy products be changed to a calendar year basis, with semiannual allocations when the yearly quota is periodically allocated; and

Whereas, at my request, the United States Tariff Commission has also made an investigation under the authority of section 22 of the Agricultural Adjustment Act, as amended, to determine whether an additional quantity of Cheddar cheese could be imported without materially interfering with the price support program and has reported to me its findings and recommendations made in connection therewith; and

Whereas, on the basis of such investigation and report, I find and declare that changed circumstances require the modification, as hereinafter proclaimed, of the quota on Cheddar cheese, and cheese and substitutes for cheese containing, or processed from Cheddar cheese; and

Whereas, on the basis of such investigations and reports, I find and declare that the imposition of the import restrictions hereinafter proclaimed is necessary in order that the entry, or withdrawal from warehouse, for consumption of such articles will not render or tend to render ineffective, or materially interfere with the price support program now conducted by the Department of Agriculture for milk and butterfat;

Now, therefore, I, Lyndon B. Johnson, President of the United States, acting under and by virtue of the authority vested in me as President, and in conformity with the provisions of section 22 of the Agricultural Adjustment Act, as amended, and the Tariff Classification Act of 1962, do hereby proclaim that part 3 of the Appendix to the Tariff Schedules of the United States is amended as follows:

"(1) headnote 3(a) is revised to read as follows:

" '3. (a) *Dairy Products.*

" '(i) imported articles subject to the import quotas provided for in items 950.01 through 950.11, except 950.06, may be entered only by or for the account of a person or firm to whom a license has been issued by or under the authority of the Secretary of Agriculture, and only in accordance with the terms of such license; except that no such license shall be required for up to 1,225,000 pounds per quota year of natural Cheddar cheese made from unpasteurized milk and aged not less than 9 months which prior to exportation has been certified to meet such requirements by an official of a government agency of the country where the cheese was produced, of which amount not more than 612,500 pounds may be entered during the period July 1, 1967, through December 31, 1967, or during the first six months of a quota year. Such licenses shall be issued under regulations of the Secretary of Agriculture which he determines will, to the fullest extent practicable, result in (1) the equitable distribution of the respective quotas for such articles among importers or users and (2) the allocation of shares of the respective quotas for such articles among supplying countries, based upon the proportion supplied by such countries during previous representative periods, taking due account of any special factors which may have affected or may be affecting the trade in the articles concerned. No licenses shall be issued which will permit entry during the first six months of a quota year of more than one-half of the quantities specified for any of the cheeses or substitutes for cheese (items 950.07 through .10) in the column entitled "quota Quantity."

"'(ii) not more than 4,406,250 pounds of the quota quantity specified for articles under item 950.08 for the period July 1, 1967, through December 31, 1967, and not more than 8,812,500 pounds of the annual quota quantity specified in such item for each subsequent 12-month period shall be products other than natural Cheddar cheese made from unpasteurized milk and aged not less than 9 months,'.

"(2) The superior heading preceding items 950.00 through 950.13 of part 3 is changed to read as follows:

"'Whenever, in any 12-month period beginning January 1 in any year, the respective aggregate quantity specified below for one of the numbered classes of articles has been entered, no article in such class may be entered during the remainder of such period:'.

"(3) item 950.00 is added preceding item 950.01 which reads as follows:

"'950.00	Milk and cream, fluid or frozen, fresh or sour, containing over 5.5 percent but not over 45 percent by weight of butterfat:	
	For the 12-month period ending Dec. 31 1967:	
	New Zealand	The quantity entered on or before June 30, 1967, plus 750,000 gals.
	Other	None.
	For each subsequent year:	
	New Zealand	1,500,000 gals.
	Other	None.'

"(4) item 950.08 is amended to read as follows:

"'950.08A	Cheddar cheese and cheese, and substitutes for cheese containing, or processed from, Cheddar cheese:	
	For the 12-month period ending Dec. 31, 1967	The quantity entered on or before June 30, 1967, plus 5,018,750 lbs. (See headnote 3(a)(ii) of this part.)
	For each subsequent 12-month period	10,037,500 lbs. (See headnote 3(a)(ii) of this part.)'

"(5) item 950.0810 is added following item 950.08, which reads as follows:

"'950.08B	American-type cheese, including Colby, washed curd, and granular cheese (but not including Cheddar) and cheese and substitutes for cheese containing, or processed from, such American-type cheese:	
	For the 12-month period ending Dec. 31, 1967	The quantity entered on or before June 30, 1967, plus 3,048,300. lbs.
	For each subsequent 12-month period	6,096,600. lbs.'

"(6) item 950.12 is divided into two items and is amended to read as follows:

"'Articles containing over 5.5 percent by weight of butterfat, the butterfat content of which is commercially extractable, or which are capable of being used for any edible purpose (except articles provided for in subparts A, B, C or item 118.30, of part 4, Schedule 1, and except articles imported packaged for distribution in the retail trade and ready for use by the purchaser at retail for an edible purpose or in the preparation of an edible article):

"'950.12	Over 45 percent by weight of butterfat	None.
950.13	Over 5.5 percent but not over 45 percent by weight of butterfat and classifiable for tariff purposes under item 182.91:	
	For the 12-month period ending December 31, 1967:	
	Australia	The quantity entered on or before June 30 1967, plus 1,120,000 lbs.
	Belgium and Denmark (aggregate)	The quantity entered on or before June 30, 1967, plus 170,000. lbs.
	Other	None.
	For each subsequent 12-month period:	
	Australia	2,240,000 lbs.
	Belgium and Denmark (aggregate)	340,000 lbs.
	Other	None.'"

In witness whereof, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

Done at the City of Washington this 30th day of June in the year of our Lord nineteen hundred and sixty-seven, and of the Independence of the United States of America the one hundred and ninety-first.

LYNDON B. JOHNSON.

By the President:

DEAN RUSK,
Secretary of State.

[From the U.S. Department of Agriculture, Washington, June 30, 1967]

PRESIDENT ACTS TO RESTRICT DAIRY IMPORTS

Imports of dairy products will be reduced to one-fourth the present volume beginning July 1, 1967, under a proclamation issued today by President Johnson which will place import quotas on a number of dairy products for the first time.

Hailing the action as promising "long-sought relief both to dairy farmers and the taxpayer," Secretary of Agriculture Orville L. Freeman pointed out that dairy imports would be cut from an annual rate of nearly 4.3 billion pounds milk equivalent currently to about 1 billion pounds.

Since Jan. 1 through June 27, the Secretary noted, USDA purchases under the dairy price support program are 208 million pounds of butter, 101.9 million pounds of cheese, and 379 million pounds of dry milk—or the milk equivalent of 5.5 billion pounds—at a cost of $265.6 million.

Dairy imports have increased sharply from about 900 million pounds milk equivalent in 1965 to 2.8 billion pounds in 1966 and are running at an annual rate of nearly 4.3 billion pounds during the first half of 1967. Most of the increase has been in the form of butterfat/sugar mixtures used in ice cream manufacture, and Colby cheese, a cheddar-like cheese used mainly in manufacturing process American cheese.

The Proclamation, issued under the authority of Sec. 22 of the Agricultural Adjustment Act, as amended, will result in an overall annual level or dairy imports of around one billion pounds of milk equivalent. This will bring imports to less than 1 percent of domestic milk production, which currently is running at about 121 billion pounds annually.

The cutback in imports will be achieved by bringing the high-volume items under the existing import quota system for the first time. These items include the butterfat/sugar mixtures, such as Junex; Colby and other American types of cheese other than Cheddar (which is now under quota); and frozen cream. Butter, butteroil, dried milks, certain competitive cheese, and other dairy products already are imported under quotas. Certain items with limited markets, including chocolate crumb, processed Edam and Gouda, and processed Italian-type cheese will not be placed under the quotas system.

Secretary Freeman emphasized that the Presidential Proclamation will result in a volume of imports substantially below the overall level recommended by the Tariff Commission. Under Sec. 22, the President directs the Commission to investigate the impact of imports on domestic farm programs and to report its findings and recommendations to him. The Commission report, which is being made public today, recommends quotas under which total imports would have been around 2.8 billion pounds milk equivalent, or about the 1966 level.

"The President could not accept that recommendation," Secretary Freeman said, "since it would add about $100 million annually to the cost of the dairy price support program compared with the level proclaimed by the President."

The Secretary welcomed the President's action as a measure which "will help relieve the cost-price squeeze which dairy farmers particularly have felt in recent years.

"The upsurge of imports—made up largely of low-priced products specifically manufactured to avoid our import quotas—has greatly aggravated that condition.

"The President's action will end an intolerable situation where both the farmer and the taxpayer have lost, and where the consumer has gained no discernible benefit."

According to the Proclamation, effective July 1, 1967, annual imports of all American-type cheese will be limited by quotas to a total of approximately 16 million pounds. This includes an increase in the previous Cheddar cheese quota of about 2.8 million pounds, as well as a new quota for Colby and other American-type cheese, and a separate quota of 1,225,000 pounds for Cheddar aged 9 months or more. By comparison, 1966 imports of Colby cheese alone were 46.8 million pounds. In the first half of 1967, Colby imports were about 50 million pounds.

Butter fat/sugar mixtures will be restricted to 2,580,000 pounds annually. This figure is only a fraction of the 106 million pounds imported in 1966 and is approximately the 1961–1965 average before the import surge began.

Frozen cream also will be brought under quota. The limit is set at 1.5 million gallons annually.

Secretary Freeman called the new Proclamation "a vital move in our continuing effort to assist the dairy farmer by bringing production and supply into a healthy relationship with demand." He also noted that the new commodity descriptions called for by the Proclamation should effectively foreclose the type of wholesale quota evasions which prompted the Administration's Sec. 22 action.

Quota shares (by country) for American-type cheese will be announced later. Secretary Freeman stated that, "I have been directed by the President to allocate the quotas among the supplying countries, taking into account trade during the representative period and any special factors involved."

Detailed regulations covering licensing procedures and related matters will be issued by the Department of Agriculture in the near future. All firms now eligible for dairy import licenses, as well as firms on record as desiring an import license, will be notified of the new regulations and license-application procedures, which will also be published in the Federal Register.

Mr. LONG of Louisiana. Now, Mr. President, I understand that the Senator is not satisfied with the President's proclamation and that he feels that more should be done on the subject. Perhaps he is correct. I am not the best witness of that because I certainly am no expert, as are some of those who have studied this matter more deeply than I.

Jurisdiction over this matter lies in the

Committee on Agriculture and Forestry. It is an agricultural issue which has historically been handled by the House Committee on Agriculture, and by the Senate Committee on Agriculture and Forestry.

I have before me a bill by the Senator from Wisconsin [Mr. PROXMIRE] and many other sponsors—I have not counted the number, perhaps it is the same 60 to which the Senator from South Dakota [Mr. McGOVERN] made reference. The number of the bill is S. 612. That bill was referred to the Committee on Agriculture and Forestry which, of course, has jurisdiction over that legislation as does the equivalent committee on the House side.

Mr. AIKEN. Mr. President, we are not dissatisfied with the President's proclamation of last June 30. What we are mad about now is that an agency of the Government can thwart the intent of the President as well as Congress. I do not think the President will like it, either. It seems to be a sharp practice to think that these speculators can make a few million dollars without much work and have a Government agency to smooth the way for them.

Mr. McGOVERN. We can all understand the feelings of the Senator from Vermont. The Food and Drug Administration took evaporated milk and condensed milk out of the President's order, and that is one of the reasons for this amendment, we must close that loophole. I frankly praise the President for what he is trying to do. We are trying to reinforce his efforts.

Mr. NELSON. Mr. President, I support this amendment to place permanent restrictions on all dairy imports. The Presidential proclamation of last summer was a positive step in the right direction.

But loopholes still exist. Massive imports of foreign dairy products not covered by the President's action are streaming into the country. Evaporated milk, condensed milk, milk crumb, and certain specialty cheeses, all excluded from the proclamation, are now entering the country at record high levels.

Farmers have been told time after time that if they reduce their production and get supply in better balance with demand, the result would be better prices. But, the events of the past few years have proven that this is not to be correct for our dairy farmers.

In 1966, dairy farmers cut milk production to barely 120 billion pounds nationally, more than 3 percent less than the previous year. But prices stayed down because imports ballooned from only 900 million pounds in 1965 to 2.7 billion pounds in 1966 and reached an import rate of 4 billion pounds a month in 1967 prior to the Presidential order limiting imports to 1 billion pounds per year. This dairy import explosion wiped out any chance of improving dairy prices.

This recent experience has clearly demonstrated that we need permanent comprehensive controls on dairy imports. Otherwise, our own American dairy industry is destined for elimination or take over by huge factory dairy farms, operated by corporations.

In the last 15 years, the number of farms selling whole milk nationally has dropped from more than a million to some 500,000 today. Current reports from Wisconsin indicate that farmers there are leaving dairying at a rate of 50 per week.

The number of dairy cows in the United States dropped to a record 13,800,000 in December, the lowest figure in this century. In my own State of Wisconsin, our milk cow population has fallen below the 2 million mark for the first time since the 1930's.

These downward trends have forced national milk production down to below 120 billion pounds last year.

Domestic dairy prices have been drastically depressed by the record high foreign imports in 1966 and in 1967. While imports totaling some 900 million pounds of milk equivalent were shipped to the United States in 1965, the volume shot up to 2.7 billion last year. Sources indicate that current estimates for 1967 reach 4 billion pounds.

The 2.7 billion pounds was the same as 300,000 additional dairy cows producing milk in the United States, or 6,000 more dairy farms. However, instead the Nation lost twice that number of dairy cows and more than seven times that number of dairy farms.

If dairy imports had not increased last year, income to dairy farmers would have been increased by up to $640 per farmer, adding $185 million to gross national dairy income.

Produced and processed under cheap labor and questionable sanitary conditions, these foreign dairy imports drive down domestic prices for our family farmers here in the United States.

The results of continuously low dairy prices are plainly evident. In 1964, there were 641,000 family farms selling milk and cream in the United States. As of last year, that number had been reduced to 460,000 farms.

In my home state of Wisconsin—America's Dairyland—we lost 1,039 dairy farmers between May and September of last year alone. We now have less than 70,000 dairy farms in the entire State, where 132,000 existed in the 1950's.

Milk production on family dairy farms is at its lowest level in 15 years as tens of thousands of farmers are leaving dairying every year. Last year, milk production dropped below 120 billion pounds for the first time since 1952, 5 percent less than the 1961–65 average. Wisconsin milk production was off 2 percent from the previous year.

There is always going to be a demand by our Nation's families for pure, nutritious Grade A milk. If family farms cannot stay in business and produce it, then corporation farms will certainly take over with consumers paying royally for dairy products.

Today's American family farm is the most efficient and effective producer of food in the world. That is the reason why American consumers pay a smaller share of their income for food than anyone else in any other country.

But our family dairy farmers need a better return on their investment of labor and capital. The Wisconsin dairy farmer producing the milk realizes a $1 or $1.25 an hour for his labor with a $75,000 investment while the Chicago milkman delivering the milk earns more than $3.50 an hour with little or no investment. Many people do not realize that the Wisconsin dairy farmer receives only about 9 cents per quart for the milk he produces.

It is abundantly clear that the prices that our family farmers are receiving for the milk they produce are inadequate to keep pace with rapidly increasing production costs.

Ten years ago a Wisconsin dairy farmer could buy a new three-plow tractor by producing and selling 92,000 pounds of milk. Today, he must produce and market 97,300 pounds of milk to purchase the very same tractor.

Hiring a farmworker for a single day cost the dairy farmer the equivalent of 255 pounds of milk in 1958. Today, he must produce and sell 280 pounds to employ the same worker for the same period of time.

In making spot checks on imported food last year, the Food and Drug Administration found that more than 10 percent of imported foreign dairy products were contaminated, adulterated or otherwise unfit for human consumption. This is a continuing health hazard for consumers as well as being grossly unfair to our dairy farmers whose pure, wholesome products compete with them in the market place.

American dairymen must invest thousands of dollars in equipment and facilities to meet local, State and Federal health regulations. But, there are no comparable sanitary requirement for the production of foreign dairy imports. The extra cost that American producers must pay to insure the sanitary quality for domestic products gives the unregulated foreign product its vital price advantage in the marketplace.

My Foreign Dairy Inspection Act would resolve this inequity by requiring foreign dairy farms and plants producing dairy products for importation to the United States to meet sanitary standards established by the U.S. Government.

Mr. LONG of Louisiana. Mr. President, as I have pointed out before, the press has labeled the pending bill an "Easter basket" bill because it has picked up so many amendments not really related to the subject of the legislation brought before the Senate at the beginning, and on which, therefore, the committee had no opportunity to reach a conclusion.

This particular quota matter is one over which we really do not have jurisdiction. Historically, it has been a matter for the Committee on Agriculture and Forestry. I suspect that if the Senate saw fit to agree to this kind of amendment, the House Ways and Means Committee members who confer with us would probably take the attitude that it was not within their jurisdiction.

Not being an expert on the matter, I must protest, even though I can understand how Senators who feel strongly would want to offer it.

Mr. AIKEN. Mr. President, may I say I am familiar with the bill the Senator from Louisiana has referred to. May I also add I understand it was not intended to offer that bill as an amendment to the pending legislation until yesterday when the decision of the Food and Drug Administration became known, and today it appears necessary to pass it if we are going to protect the intent of the Congress and protect the President of the United States in his proclamation of last June, because there are people who will circumvent the President just as quickly as they will circumvent the Senator from Louisiana.

Mr. LONG of Louisiana. Of course, the President can modify his proclamation. I would certainly hope the President, if he thinks his proclamation is being circumvented, would modify it to take care of the situation.

Mr. AIKEN. I have already made that suggestion to the President. I hope he will take prompt action, but there is a question as to whether he can go further than he has, in view of the ruling of the Food and Drug Administration, which is directly controverting the intent of the Congress and the intent of the President.

Mr. LONG of Louisiana. I hope, if the Senate sees fit to agree to the amendment, Senators will be tolerant and understanding of those other Senators who may be conferees. I hope they will recognize that the Senate conferees will be drawn from the Finance Committee, which does not have jurisdiction over the matter, and that the conferees from the House also will be from a committee which has no jurisdiction over it. If the Senate sees fit to agree to the amendment, it will be our duty to see that the House conferees consider it, but I fear their attitude will be that, because they do not have jurisdiction, they will not agree to it.

I would like to point out that the Senator from Indiana [Mr. HARTKE] has an amendment, that he was going to offer yesterday, concerning steel imports. He said he would withhold it in the event no other quota amendments were added to the bill. That happened to be an amendment over which the Finance Committee and the House Ways and Means Committee would have jurisdiction.

Mr. AIKEN. No; not exactly, because I voted against the textile amendment yesterday, not because I did not have sympathy for the textile people, because I did, but because I did not want to clutter the bill up with a lot of amendments. But in view of what happened yesterday, and the ruling of the FDA first became known to the dairy industry, there is no time to lose. As a matter of fact, the timing of the Food and Drug Administration was marvelous. They could not have issued it in a more timely way than if they had been working on it a long time. And maybe they have. But I am not going to let them circumvent the Congress or the President if I can help it.

Mr. LONG of Louisiana. I believe the Agriculture Committee held one meeting on S. 612. That is my information. I would hope we could know what the Committee on Agriculture thought about it.

Mr. GRIFFIN. Mr. President, will the distinguished Senator from Louisiana yield me 5 minutes?

Mr. LONG of Louisiana. Mr. President, I yield 5 minutes to the Senator from Michigan.

Mr. GRIFFIN. Mr. President, it hardly behooves a freshman Senator to rise and suggest that the Senate does not know what it is doing. But I must say that this is one of the saddest days in the period of my service in the Senate as I see this "Easter basket" being loaded down to the point where one can only wonder if there can be any delivery at all.

Mr. President, there are many fine dairy farmers in the State of Michigan, and I know the importation of dairy products is a serious problem. But surely, when the attention of the world is focused on the U.S. Senate—when concerned people around the globe are wondering what we are going to do or not do with the opportunity we have to demonstrate a sense of responsibility, to demonstrate a sense of fiscal discipline—this is the wrong time to consider import quota amendments.

I am very frustrated and disturbed about procedures of the U.S. Senate which require Senators to vote on amendments which are not germane under circumstances such as those we face today.

I do not know what the effect of the legislation would be on our neighbor Canada or on friendly countries such as New Zealand, Australia, and others.

Most of us have no idea what the effect of the amendment would be. We do know, however, that its adoption would have a serious, adverse effect on an important conference going on in Stockholm right now—a conference where other nations of the world are gathered—nations that are concerned about the gold crisis and the threat to the dollar—nations that are interested in cooperating with us and wondering whether we are going to cut back on spending and increase taxes.

But let me say that the final nail in the coffin would be for Congress to tack onto this bill a series of import quota amendments.

Oh, I know that such amendments could be thrown out in conference. Perhaps they would be. But an attitude, a lack of will, on the part of the Senate would be revealed and demonstrated if these amendments should go on the bill—an attitude which would speak very loudly to those who wonder and are concerned about the United States and its intentions.

I suspect—I hope—that many of my colleagues who voted the other day for the textile import quota amendment would like to reconsider that vote as they look now toward the vote on this amendment. If they had realized what the earlier vote would lead to, I believe some of them would have voted the other way.

Surely, we have to vote against this amendment. Because if this amendment should be adopted, the floodgates will be open, and, as the chairman of the Finance Committee has indicated, we might as well add on import quota amendments for steel and for all the other commodities which face tough competition from imports.

Mr. President, I hope the Senate will rise to the occasion and demonstrate a sense of responsibility. I hope the Senate will do what is needed at this hour and vote down the amendment offered by the distinguished Senator from South Dakota.

Mr. AIKEN. Mr. President, will the Senator yield me 1 minute?

Mr. McGOVERN. I yield 1 minute to the Senator from Vermont.

Mr. AIKEN. Mr. President, this amendment will not take a nickel from any foreign country. It will improve the United States' gold position and our balance of trade, and it can conceivably prevent the United States from having to spend another half billion dollars in supporting the price of dairy products in this country.

What the Senator from Michigan has said is completely wrong. This amendment is the result of an act taken by an agency of the Government which became known only yesterday, which would play right into the hands of foreign countries, to the detriment of the United States.

The amendment should be agreed to. We have already asked the White House to take what steps they can. The President assured us previously that he would hold them to the 1 billion pounds in imports to which they were entitled under the law; and he did his best to stop the circumventing of the law.

We are not circumventing any law. It was these importers from the foreign countries who were circumventing the law and the intent of Congress. I think we had better administer a little justice here.

Mr. YOUNG of North Dakota. Mr. President, in all due deference to the Senator from Michigan, I hope the time will never come when we who represent agricultural States cannot get up on the floor of the Senate and defend a segment of our economy which is so important and which is in such serious trouble.

It may be true that this amendment will be lost in conference with the House of Representatives. As a result of this amendment having been considered, the people of this country will know a little more about the difficult problems facing the dairy industry. The dairy industry is being ruined by excessive and unnecessary imports.

Mr. AIKEN. If we wanted to improve the lot of foreign countries, instead of concentrating on letting them ship dairy products in here duty free, we had better increase the quotas of Volkswagens and other foreign automobiles.

Mr. McGOVERN. Mr. President, I yield myself 1 minute.

I wish, once again, to remind other Senators that if we fail to act on this measure, far from improving our standing in the world and our image of responsibility, we will be neglecting one of the areas of real economic trouble for our country, and damaging our position in the world.

The present dairy import problem in this country is costing us something more than $36 million in additional drain on our balance of payments that this measure would close. In that respect, it works hand in hand with the overall purpose of the legislation that is pending before us. By strengthening the economic position of a very important industry in this country, we are making our entire economy stronger and our position in the world more viable.

So I would hope that, far from interpreting what we are asking the Senate to do at this point as an irresponsible act, Senators would interpret it for what

I believe it to be—the discharge of our responsibilities to our dairy industry, and an action that will benefit the taxpayer and the American economy as a whole.

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. McGOVERN. I yield 2 minutes to the Senator from Minnesota.

Mr. MONDALE. As the Senator from South Dakota knows, many of us have sponsored dairy import quota legislation, with requests for hearings, which were very useful, by the Committee on Agriculture and Forestry, and then pressed the administration to use existing authority under the Tariff Act to impose meaningful restrictions, all designed to promote dairy income and to protect the integrity of our domestic price support system.

Minnesota, together with the State of Wisconsin, lies in the greatest dairying area in the world. I have therefore concerned myself deeply with the problems of the dairy industry and solutions to its problems. Declining prices, increasing costs, sharp drops in dairy cow numbers, competition from imports, and loss of export markets all plague the dairy industry and dairy farmers.

In an effort to promote and encourage this industry, I have sponsored legislation to provide income support for dairy farmers. I am the Senate author of a bill to encourage the consumption of butter through domestic price reductions by butter processors. I have joined in asking for higher basic support prices for manufacturing milk every year since I came to the Senate.

And, more relevant to the present amendment, I sponsored Senator PROXMIRE's bill to impose import quotas on the flood of dairy products being dumped on our domestic markets. I worked hard to get hearings on this bill in the Senate Agriculture Committee, and we were successful in that effort. I also asked the U.S. Tariff Commission and President Johnson to plug the outrageous loopholes and evasions of presently existing dairy quotas—and the President effectively responded.

While I am not an expert on the GATT rules, I am of the understanding that for a domestically supported agricultural product under the GATT rules you are entitled to protect the integrity of your domestic price system; otherwise you have a world price support system.

Mr. McGOVERN. I think the Senator is correct.

Mr. MONDALE. So, under the understanding of the world trade community, dairy products are on a different basis than some other commodities which are unsupported. And the United States has already acted by Executive order.

Mr. McGOVERN. The Senator is correct, and I am sure he knows that all other dairy-producing——

The PRESIDING OFFICER. The Senator's time has expired.

Mr. McGOVERN. I yield myself 3 additional minutes.

The PRESIDING OFFICER. The Senator has only 1 minute remaining.

Mr. McGOVERN. I will take a half minute.

I am sure the Senator knows that all other dairy-producing countries are already exercising the kind of control we are calling for in this measure.

Mr. MONDALE. Mr. President, does anyone have any time to yield?

Mr. LONG of Louisiana. How much time does the Senator require?

Mr. MONDALE. Five minutes.

Mr. LONG of Louisiana. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 15 minutes.

Mr. LONG of Louisiana. I yield 5 minutes to the opposition.

Mr. MONDALE. Following this effort, which, as the Senator from South Dakota knows, was under the leadership of the senior Senator from Wisconsin [Mr. PROXMIRE], who is present in the Chamber, we have seen an impressive downward trend in dairy imports under the new Presidential tariff orders.

U.S. imports of all dairy products totaled 2.9 billion pounds milk equivalent in 1967, slightly more than the 2.8 billion in 1966. More than 75 percent of the 1967 imports occurred in the first 6 months of 1967, however, because dairy imports were sharply checked during the last half of the year by the new import restrictions announced by the President on June 30, 1967.

These new restrictions held imports in the last half of 1967 to just under 0.7 billion pounds milk equivalent, compared with 2.2 billion—more than three times larger—in the first half of the year.

For example, last year's 152-million-pound imports of cheese were up about 17 million pounds from 1966—but the bulk of this increase was Colby cheese imported before the new restrictions.

Imports in 1968 are expected to approximate 1 billion pounds milk equivalent—less than half the total for the year 1967.

I ask unanimous consent that a table showing the dramatic drop in dairy imports in the last half of 1967 following the new Presidential import restrictions be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE 23.—DAIRY PRODUCTS: U.S. IMPORTS, QUOTA AND NONQUOTA, 1965–67

[In millions of pounds]

Product	1965			1966			1967 [1]		
	January to June	July to December	January to December	January to June	July to December	January to December	January to June	July to December [2]	January to December
Cheese:									
Quota types:									
Cheddar	1.4	0.4	1.8	2.6	1.6	4.2	1.6	3.5	5.1
Other American types [3]	8.9	5.3	14.2	15.1	30.9	46.0	45.6	9.7	55.3
Italian types	4.6	3.2	7.8	4.2	4.0	8.2	6.5	3.4	9.9
Edam and Gouda	3.2	4.3	7.5	5.0	5.9	10.9	5.1	6.5	11.6
Blue mold	2.4	2.0	4.4	2.9	2.3	5.2	2.5	2.3	4.8
Total	20.5	15.2	35.7	29.8	44.7	74.5	61.3	25.4	86.7
Nonquota types:									
Swiss	6.6	9.1	15.7	9.3	14.6	23.9	10.9	13.3	24.2
Pecorino	6.0	9.9	15.9	6.2	9.6	15.8	7.0	8.7	15.7
Roquefort	1.1	1.1	2.2	.8	1.0	1.8	.8	1.0	1.8
Other [4]	4.2	5.6	9.8	7.6	11.8	19.4	13.2	10.2	23.4
Total	17.9	25.7	43.6	23.9	37.0	60.9	31.9	33.2	65.1
Other quota products:									
Butter	.3	.4	.7	.3	.4	.7	.3	.4	.7
Butteroil	1.2		1.2	1.2		1.2	1.2		1.2
Butterfat mixtures		3.4	3.4	61.3	44.3	105.6	92.4	8.1	100.5
Frozen cream	6.2	6.4	12.6	9.6	5.4	15.0	9.5	2.7	12.2
Dried cream		(5)	(5)						
Dried whole milk				(5)		(5)		(5)	(5)
Dried skim milk	.8	.6	1.4	1.0	1.8	2.8	.1	.8	.9
Dried buttermilk	.1	(5)	.1	.2	.2	.4	.1	.1	.2
Malted milk	(5)	(5)	(5)	(5)		(5)	(5)		(5)
Nonquota products:									
Canned milk	.6	1.2	1.8	1.1	2.2	3.3	4.0	1.4	5.4
Casein	51.2	40.6	91.8	52.8	55.1	107.9	46.3	52.9	99.2
Milk equivalent, total, all products	458.0	460.0	918.0	1,386.0	1,389.0	2,775.0	2,196.0	659.0	2,855.0

[1] Preliminary.

[2] Includes entries and quantities afloat by June 30 not reported previously by Census.

[3] Includes Colby.

[4] Gjetost, Bryndza, "Other," and Gammelost and Noekkelost.

[5] Less than 50,000 pounds.

Mr. MONDALE. My point in quoting these statistics is to show that dramatic improvement has flowed from the action by the President of the United States under existing authority.

I will continue to oppose the dumping of dairy products onto American markets.

But this amendment—coming as it does after adoption of a textile import quota rider—and at a time when other protectionist riders are waiting in the wings for the opportune moment to come forward—can only result in a serious trade barrier war. If the U.S. imposes new quotas, foreign countries will merely retaliate with new tariff and non-tariff barriers of their own. These are the rules of the game. A retreat to protectionism not only undermines our long run interest, but involves high short run costs. Quotas will immediately increase the price of imported goods and reduce the standard of living for everyone. The price increase, coupled with loss of tariff revenue will fan the already rising flames of inflation—and further seriously impair our balance of payments.

Mr. McGOVERN. Mr. President, will the Senator yield at that point?

Mr. MONDALE. I am happy to yield.

Mr. McGOVERN. I think the Senator's point is well taken. As we have pointed out previously today, the President deserves great credit for the efforts of the executive department in attempting to deal with this problem. But the action of the Food and Drug Administration this week in removing condensed milk, evaporated milk, and other hermetically sealed dairy products from the Milk Import Quota Act has the effect of opening the floodgates again; and we are attempting to close them by the amendment now pending, which, in effect, would strengthen what the President wanted to accomplish under the Executive order.

Mr. MONDALE. One of the problems which I see, and which I am sure the Senator from South Dakota is concerned about as well, is that there are pending before the Senate today dangerously restrictive amendments on various commodities that could affect and halt some $6 billion in world trade. We have already adopted one relating to textile import quotas. I am very fearful that we may be on the verge of starting the adoption of a whole spate of import quotas that could imperil, if not destroy, existing opportunities for expanded free movement in world commerce, and would imperial such exciting new efforts as the one reported in this morning's Washington Post, in which members of GATT have agreed to review their rule relating to border taxes. This is the direction I think we should be going in, not backward into erecting Smoot-Hawley protectionist walls, but forward into trying to knock down these border barriers, which now exist in the form of border taxes and other various kinds of oppressive restrictions.

I am very fearful that, although I see the dairy industry in a slightly different category for the reasons that I have suggested—and I think GATT would view it as such—we may bring forth in the Senate a new, highly dangerous protectionist trend that could have exceedingly serious consequences.

As the Senator from South Dakota knows, quota systems breed economic inefficiency, creating difficult conditions of entry into markets and a tendency toward allocation of quota rights to larger and more powerful concerns.

On the international level—quite apart from trade barriers imposed on U.S. products in retaliation—the Congress would create a serious "credibility gap" which would forever hamper American traders and negotiators. The U.S. position in future negotiations on trade matters would not be taken seriously by other countries, knowing that the Congress would not honor the position of the negotiators and was not committed to free trade.

The **PRESIDING OFFICER.** The time of the Senator has expired.

Mr. LONG of Louisiana. Mr. President, I yield 2 additional minutes to the Senator from Minnesota.

The **PRESIDING OFFICER.** The Senator from Minnesota is recognized for 2 additional minutes.

Mr. MONDALE. Mr. President, I believe the adoption of the textile import quota was a mistake. But I cannot contribute to an effort which will only encourage the remaining suggested quotas—oil, zinc, lead, and others—to the extent that it would be easy to anticipate all of the kinds of logrolling that could develop.

Such a trade barrier war would gravely endanger U.S. export trade in a large number of agricultural commodities, with extremely serious effects on all farmers and the entire agri-business industry.

This would also have a crippling effect on our balance of payments. In fiscal 1967, estimated commercial agricultural exports earned more than $5.3 billion worth of dollar exchange and prevented our balance of payments from being a disaster. The value of farm exports set a record $6.8 billion in fiscal year 1967.

I know well the plight of the dairy farmer. I have worked very hard on the problem. I think the issue is separate from any of the others. However, I think we have made remarkable progress in world trade. And I am very fearful that if the pending amendment is agreed to, it could bring forth a trend in a direction that we would all truly regret.

Mr. President, while I know well the plight of the dairy farmer, I know well, too, that many dairy farmers grow cash grain crops or soybeans, which is an excellent cash crop. They and their neighbors can ill afford a loss of export markets for these crops.

One of every four acres harvested in the United States goes for export. In fiscal 1966–67, over half of the U.S. wheat crop—four-fifths of the dried edible peas—two-thirds of the milled rice—one-fourth of the soybean crop—and more than one-third of the grain sorghum—and more than two-fifths of the cotton crop—were shipped to consumers in other nations.

Secretary Freeman has estimated that agricultural exports provide jobs for about one million workers, and this obviously helps labor and business.

I know of the remarkable contributions which the Senator from South Dakota [Mr. McGovern] has consistently made for the best interests of not only the farmers and American agriculture, but also for this country and the world.

It is not easy to vote against his amendment—but I must, because I think the current tendency toward trade protection for a wide range of commodities is ill advised and will cause damaging repercussions in agricultural and other export markets. There may be special equities in the case of dairy imports, and it may be that the Tariff Commission restrictions will be evaded in the future. If that happens—or if signs of "dumping" are present—then I will support action on this as I have in the past.

Mr. President, I ask unanimous consent that the article entitled "On 'Border Tax' Question—U.S. Gets Major Concession From Its Trading Partners," to which I referred earlier, be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

On "Border Tax" Question: United States Gets Major Concession From Its Trading Partners

The United States won a major concession from its trading partners yesterday.

They agreed to restudy the question of border taxes, which U.S. officials have long contended discriminate against American exports.

The General Agreement on Tariffs and Trade in Geneva decided to establish a "working party" to delve into the whole question of border taxes with a view toward making possible "adjustments."

For years the United States, arguing that such levies are inequitable, has sought such a study—but to no avail.

"It's a major step forward," an American trade official said last night. But he cautioned against expecting early results.

The development may have an important impact on American policy. Administration and Congressional leaders have been working covertly on a possible retaliatory border tax for the United States. Concessions on the issue by other industrialized nations might soften the U.S. stand.

Border taxes on imports are generally combined with export rebates. They work this way:

Sales, excise, value-added and similar taxes are refunded to a manufacturer on those goods he ships into foreign markets. An amount equal to the rebate is levied as an import surcharge on similar goods coming into the country. This makes exports more competitive in price and subjects imports to the same levy on domestic products.

The United States contends this works a hardship because it depends more on income taxes, which are not rebatable under GATT rules, and less on excise and value-added taxes, which are the mainstay of revenue in European countries. GATT does permit the rebate of these latter levies.

The GATT action yesterday is the latest in a series of unexpected concessions by other nations to help ease American balance of payments problems and strengthen confidence in the dollar.

The others are a proposal that the European nations accelerate their schedules of tariff cuts under the 53-nation Kennedy Round GATT agreement last summer and indications the Japanese may voluntarily limit their exports of steel to the United States.

Mr. McGOVERN. Mr. President, I ask unanimous consent that a staff explanation by the Senator from Wisconsin [Mr. Proxmire] of the bill (S. 612) which is the substance of the pending amendment, and appears on pages 2 and 3 of the Senate committee hearings, be printed at this point in the Record.

There being no objection, the staff explanation was ordered to be printed in the Record, as follows:

Staff Explanation of S. 612

(Subcommittee No. 3)

SHORT EXPLANATION

This bill restricts imports of dairy products (containing five percent or more butterfat and nonfat milk solids) to those not resulting in total imports of either butterfat or nonfat milk solids in excess of—

(A) the average quantity imported in the five years 1961 through 1965, increased or decreased by

(B) the percentage that domestic consumption of milk and milk products (excluding those used in Federal distribution programs) increases or decreases in relation to such consumption for 1961 through 1965.

The President may permit additional imports if he finds such action is required by overriding economic or national security interests, and if either (1) prices received by farmers for milk are at parity or above, or (2) the Secretary of Agriculture removes a corresponding quantity of dairy products from the market.

NEED FOR THE BILL

Senator Proxmire stated at page S. 762 of the Congressional Record for January 24, 1967 that in order to insure a stable, adequate supply of fluid milk at reasonable prices, some surplus must be produced and there must be a market for this surplus in the form of products. Importation of excessive quantities of products destroys this market and results in additional Government support program purchases and costs. Import limitations under section 22 of the Agricultural Adjustment Act have been circumvented by the importation of Junex, Colby cheese, and other products which vary slightly from the products subject to quotas. The Tariff Commission is holding hearings on May 15, 1967, to investigate the need for further limitations under section 22.

SECTION-BY-SECTION EXPLANATION

The first section provides a short title, "Dairy Import Act of 1967".

Section 2 prohibits importation of dairy products except pursuant to authorizations issued by the Secretary of Agriculture.

Section 3 prohibits the issuance of authorizations which would result in total imports in any calendar year of butterfat or nonfat milk solids, in any form, in excess of the respective average annual imports thereof during the 5 years 1961 through 1965. This would set up one quota for butterfat content and a separate quota for nonfat milk solid content, each of which would be subject to adjustment as provided in section 4.

The bill does not require the Secretary to issue authorizations or to allocate authorizations among particular products or importers. The bill might be construed as leaving these matters to the discretion of the Secretary or requiring the issuance of authorizations for all within quota imports.

Section 4 provides that the total volume of imports authorized under section 3 shall be increased or decreased by the percentage by which the total annual domestic consumption of milk and milk products is greater or less than such consumption during the base period. Milk and milk products used in Federal distribution programs would be excluded in computing or estimating domestic consumption. Estimates of domestic consumption could be made on a quarterly basis and reflected in imports authorized in subsequent quarters or in the subsequent year.

Section 5 provides an escape clause. If the President finds such action is required by overriding economic or national security interests, he may permit additional imports of any dairy product. However, no additional imports may be admitted when prices received by farmers for milk average less than parity, unless the Secretary removes a corresponding quantity of dairy products from the domestic market. The quantity thus removed would have to be in addition to and separate from other price support purchases and operations. The cost of such removal would be separately reported and would not be charged to any agricultural program.

Section 6 defines "dairy products" as including all forms of milk and dairy products, butterfat, nonfat milk solids, and any combination or mixture thereof, and also any article, compound, or mixture containing 5 per centum or more of butterfat, or nonfat milk solids, or any combination of the two. The bill regulates the importation of "dairy products" so as to prevent total imports of "butterfat" or "nonfat milk solids" in any form, from exceeding the respective average annual imports thereof during 1961 through 1965, adjusted in relation to domestic consumption of "milk and milk products". Use of these varying defined and nondefined terms may require some clarification. For instance, imports of products containing less than 5 percent butterfat and nonfat milk solids would count against the quota and reduce the quantity of dairy products that could be imported. Determination of these small amounts might prove difficult, particularly for the 1961–1965 period. Domestic consumption of "milk and milk products" would probably also have to be reduced to some common denominator, such as milk equivalent, for comparison purposes.

Section 7 authorizes the Secretary to prescribe rules and regulations.

Section 8 disclaims any intention of repealing section 22 of the Agricultural Adjustment Act, or any import limitation established thereunder.

Mr. McGOVERN. Mr. President, I ask unanimous consent that the excellent statement of the Senator from Wisconsin [Mr. Proxmire], appearing on pages 6 through 8 of the Senate committee hearings also be printed at this point in the Record. It is one of the most complete and thoughtful of any statement that the Senator from Wisconsin has made on this subject.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Senator Proxmire. Mr. Chairman, I am delighted to appear before your subcommittee today in support of S. 612, the Dairy Import Act of 1967.

In response to your question as to whether anyone had any information as to whether the Secretary had taken any position on this bill, to the best of my knowledge he has not on this particular bill, but on two separate occasions, once before the Holland Subcommittee of the Appropriations Committee he did indicate that if the Tariff Commission did not act satisfactorily, he would favor legislation, and yesterday, when he appeared before the Tariff Commission, he repeated that statement; so that he would favor some kind of legislation whether it is this bill or not.

Senator Holland. As I have already stated, we will hear from the Secretary and his people on Thursday, and if you care to be here at that time, we will be glad to have you present.

Senator Proxmire. Thank you very much. I certainly will.

I introduced this legislation on January 24, in response to a dairy import explosion that has driven down domestic dairy prices to ever lower levels.

In 1965, 900 million pounds of dairy products were imported into the United States. In 1966 imports more than tripled to an incredible 2.7 billion pounds. The Department of Agriculture estimates that imports in 1967 will reach 3.5 billion pounds.

This chart, which I understand is that of the milk producers, shows what an enormous increase this is, and anybody, with any basic knowledge or any knowledge at all of agriculture markets, can see that that kind of an import explosion is bound to have a very serious adverse, direct, and explosive effect in knocking down prices.

Senator Holland. Will this chart be offered for the record at a later time?

Senator Proxmire. It is my understanding that it will be.

My proposal is being cosponsored by 56 of my Senate colleagues including four members of your distinguished subcommittee. It would place permanent controls over dairy imports based on a 1961–65 average. This average is 844 million pounds. It would also allow imports to share in any growth in domestic consumption. Finally, it would give the President the power to authorize additional imports if he felt they were in the national interest. However, if domestic market prices were less than parity the Secretary of Agriculture would have to purchase an amount of domestic dairy products corresponding to the amount authorized to be imported by Presidential order.

Significantly, the Secretary of Agriculture would not be forced by S. 612 to set a given quota on each and every imported product. The bill simply sets the total quantity of butterfat or nonfat milk solids which may be imported in a given year. Within this overall restriction the Secretary can use his judgment in adjusting quotas on a product-by-product basis. In other words, he may increase the quota on item A and a corresponding reduction in the quota on item B in a given year and still comply with the language in S. 612.

Many have asked me why this legislation is necessary, especially in view of the powers available under section 22 of the Agricultural Adjustment Act of 1933 to curtail imports that "render ineffective, or materially interfere with, any * * * program or operation undertaken by the Department of Agriculture." As this subcommittee knows, section 22 hearings on dairy imports started yesterday before the Tariff Commission.

The historical answer is that these controls have never proven effective in the past on an extended basis and there is no reason to think that they will prove effective in the future. For example, when butteroil imports were placed under a section 22 quota, importers promptly concocted a butterfat-sugar mixture called exylone. Exylone imports were then barred by a regulation applying to mixtures containing 45 percent or more of butterfat. Almost immediately "junex," containing 44 percent butterfat, started to pour into the country.

Or take the case of *Colby* v. *Cheddar Cheese*. Cheddar imports are controlled under section 22. Colby imports are not. Both products contain not more than 40 percent moisture and, in solid state, not less than 50 percent milk fat. In fact, the standards of identity are almost identical. The taste is also very similar, much to the despair of domestic cheddar producers who have been badly hurt by Colby imports. The only basic difference between the two cheeses is that there are differences in the manufacturing process. This does not mean much to the housewife who shops at the cheese counter of her supermarket.

These blatant attempts to circumvent section 22 controls have never been more obvious than over the past 2 years. Imports of Colby cheese in 1965 came to a grand total of 14.3 million pounds. In 1966, 46.5 million pounds squeezed through the section 22 loophole. Junex imports went from a relatively minor 3,510,032 pounds in 1965 to a whopping 104,522,904 pounds in 1966. Foreign producers knew a good thing when they saw it.

Now, the lumbering machinery available under section 22 has been cranked up again. On March 30 the Secretary of Agriculture called for a Tariff Commission investigation of dairy imports as soon as possible. The President seconded this request on April 3; the Tariff Commission announced hearings on April 10. The hearings got underway on May 15—yesterday. When the investigation will be completed, a report made, and the recomemndations contained in the report carried out is anybody's guess. However, by that faraway date dairy product importers may well have come up with another way to beat the system.

S. 612 would set up a system that just cannot be circumvented. All products containing 5 percent or more of butterfat—all products—or nonfat milk solids or any combination of the two would be covered. Furthermore, the bill would, with great fairness, permit foreign producers to share in an increase in domestic consumption. However, it would not put a premium on attempts to get around the letter of the law, as the section 22 system now does.

The consumer may well ask why import controls of any sort are necessary, let alone the stricter controls contained in S. 612. The answer lies, in large part, in the perishable nature of dairy products. Because fluid milk is so perishable and because it is essential in the diets of our youth, a standby supply, or "surplus" must always be available in case of emergency demand. This necessary surplus dampens prices because supply will always outstrip demand. Therefore, Congress authorized domestic milk marketing orders—controlled price markets—guaranteeing that the dairy farmer will receive a sufficient return on his investment to keep him in business. The alternative would be prices so low that a great many dairy farmers would be driven out of business.

In the long run, this could mean sky high prices to the consumer because of the very low milk production.

Imports, of course, can have the same effect. By cutting into domestic prices, driving dairy farmers out of business and thus reducing domestic production, such imports will ultimately drive fluid milk prices way, way up. For fluid milk cannot be imported—it is too perishable. We must rely on domestic production and make sure that production stays above the danger point by controlling imports. In other words, excessive imports may mean low prices to the housewife in the short haul, but in the long run, by destroying our capacity to produce fluid milk, excessive imports will result in excessive domestic prices for fluid milk.

Finally, Mr. Chairman, I would like to point out that those who feel this legislation would tinker with the machinery of international trade are proceeding on the naive assumption that other countries are letting that machinery run freely. This is far from the truth. In fact, "junex" imports are being indirectly subsidized. The butter used in the butterfat-sugar mixture called "junex" receives vast subsidies from European countries. The Dutch sell butter at home for 64 cents a pound. This means Dutch exporters can offer butter free on board Dutch ports at around 26 cents per pound. This butter is used by Canada and the United Kingdom in butterfat-sugar mixtures for ultimate sale in the United States. With this type of subsidy, U.S. importers have been able to offer these mixtures on a delivered basis in this country at prices ranging from 30 to 35 cents per pound. And in times of surplus production in the domestic dairy industry, each pound of this imported subsidized dairy product means that the Commodity Credit Corporation has to use tax dollars to purchase and store an equivalent amount of domestic dairy products.

Mr. Chairman, the passage of S. 612 is essential to dairy farm price stability. For too long American dairy farmers have been at the mercy of foreign producers who have not hesitated to tailor their products to fit the loopholes in section 22. We must not continue to reward these efforts. We must make it clear by passage of S. 612 that foreign producers can go so far and no further in their attempts to invade American markets.

The PRESIDING OFFICER. Who yields time?

Mr. McGOVERN. Mr. President, I yield back the remainder of my time.

Mr. LONG of Louisiana. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time having expired, the question is on agreeing to the amendment of the Senator from South Dakota. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

Mr. LAUSCHE (after having voted in the affirmative). On this vote I have a live pair with the Senator from Montana [Mr. Mansfield]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I therefore withdraw my vote.

Mr. BYRD of West Virginia. I announce that the Senator from Indiana [Mr. Bayh], the Senator from Arkansas [Mr. Fulbright], the Senator from South Carolina [Mr. Hollings], the Senator from Montana [Mr. Mansfield], the Senator from Arkansas [Mr. McClellan], the Senator from Oklahoma [Mr. Monroney], the Senator from Rhode Island [Mr. Pastore], the Senator from Rhode Island [Mr. Pell], the Senator from Alabama [Mr. Sparkman], the Senator from Mississippi [Mr. Stennis], the Senator from Georgia [Mr. Talmadge], the Senator from Maryland [Mr. Tydings], and the Senator from Texas [Mr. Yarborough] are necessarily absent.

I also announce that the Senator from Alaska [Mr. Bartlett], the Senator from Michigan [Mr. Hart], the Senator from New York [Mr. Kennedy], and the Senator from Missouri [Mr. Long] are absent on official business.

I further announce that, if present and voting, the Senator from New York [Mr. Kennedy], the Senator from Rhode Island [Mr. Pell], and the Senator from Michigan [Mr. Hart] would each vote "nay."

On this vote, the Senator from South Carolina [Mr. Hollings] is paired with the Senator from Rhode Island [Mr. Pastore]. If present and voting, the Senator from South Carolina would vote "yea" and the Senator from Rhode Island would vote "nay."

Mr. KUCHEL. I announce that the Senator from Tennessee [Mr. Baker], the Senator from Utah [Mr. Bennett], the Senators from Illinois [Mr. Dirksen and Mr. Percy], the Senator from Arizona [Mr. Fannin], the Senator from Iowa [Mr. Miller], and the Senator from Texas [Mr. Tower] are necessarily absent.

If present and voting, the Senator from Utah [Mr. Bennett], the Senator from Arizona [Mr. Fannin] and the Senator from Texas [Mr. Tower] would each vote "yea."

On this vote, the Senator from Iowa [Mr. Miller] is paired with the Senator from Illinois [Mr. Percy]. If present and voting, the Senator from Iowa would vote "yea" and the Senator from Illinois would vote "nay."

The result was announced—yeas 37, nays 38, as follows:

[No. 94 Leg.]

YEAS—37

Aiken
Allott
Brewster
Burdick
Byrd, Va
Byrd, W. Va.
Cannon
Carlson
Church
Clark
Cotton
Curtis
Dominick
Eastland
Ellender
Ervin
Gruening
Hartke
Hayden
Hickenlooper
Hruska
Jackson
Jordan, Idaho
Magnuson
McCarthy
McGee
McGovern
McIntyre
Montoya
Morse
Mundt
Nelson
Prouty
Proxmire
Smith
Spong
Young, N. Dak.

NAYS—38

Anderson
Bible
Boggs
Brooke
Case
Cooper
Dodd
Fong
Gore
Griffin
Hansen
Harris
Hatfield
Hill
Holland
Inouye
Javits
Jordan, N.C.
Kennedy, Mass.
Kuchel
Long, La.
Metcalf
Mondale
Morton
Moss
Murphy
Muskie
Pearson
Randolph
Ribicoff
Russell
Scott
Smathers
Symington
Thurmond
Williams, N.J.
Williams, Del.
Young, Ohio

PRESENT AND GIVING A LIVE PAIR, AS PREVIOUSLY RECORDED—1

Lausche, for.

NOT VOTING—24

Baker
Bartlett
Bayh
Bennett
Dirksen
Fannin
Fulbright
Hart
Hollings
Kennedy, N.Y.
Long, Mo.
Mansfield
McClellan
Miller
Monroney
Pastore
Pell
Percy
Sparkman
Stennis
Talmadge
Tower
Tydings
Yarborough

So Mr. McGovern's amendment was rejected.

Mr. SCOTT. I rise to seek clarification on the amendment by the distinguished Senator from Connecticut [Mr. Ribicoff], which we passed yesterday to end the tax-exempt status of industrial development bonds. This amendment provides for the specific exclusion of bonds of a clearly nonindustrial nature which would continue to remain exempt from any obligation for the payment of Federal taxes on related interest.

Essentially, this amendment is the language of the bill introduced by the Senator from Connecticut [Mr. Ribicoff] as S. 2636 on November 8, 1967. A Treasury Department technical explanation entered in the Congressional Record for that date indicates, in part:

> The phrase "industrial or commercial purposes" is intended to have its customary meaning and is not specifically defined by the bill. Thus, for example, bonds issued to construct a facility for an exempt organization, such as a college dormitory, would not be an industrial development.

A colloquy with the Senator from New York [Mr. Javits] yesterday further indicated that bonds issued for this purpose by a State dormitory authority would be similarly exempt. However, I should like to ask the Senator from Connecticut [Mr. RIBICOFF] these additional questions:

First, would bonds issued for classroom and other college facilities also be excluded under the terms of this amendment in the same way as bonds for college dormitories?

Mr. RIBICOFF. Certainly; my amendment is limited to bonds issued for industrial or commercial purposes and will not affect bonds issued to finance any college educational facilities.

Mr. SCOTT. Second, unlike the New York State Dormitory Authority, to which reference was made yesterday, some dormitory authorities in other States are not empowered to exercise the right of eminent domain. This is true, for example, of the Pennsylvania Higher Educational Facilities Authority, which does not have the right of eminent domain. Am I correct in assuming that the amendment intends no distinction for exemption purposes between those State dormitory authorities which do, and do not, have the right of eminent domain?

Mr. RIBICOFF. The distinguished Senator from Pennsylvania is absolutely correct.

The PRESIDING OFFICER. The bill is open to further amendment.

What is the will of the Senate?

Mr. LONG of Louisiana. Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

Mr. COTTON. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. LONG of Louisiana. Mr. President, in view of the large number of absent Senators, many of whom had requested that we postpone the vote until such time as they could be here, I am going to move, after Senators have made their speeches and offered amendments, that we postpone the final vote on the Williams-Smathers substitute and the bill, too, until those Senators are able to return.

Mr. DOMINICK. Mr. President, may we have order? We cannot hear.

The PRESIDING OFFICER. The Senate will be in order.

UNANIMOUS-CONSENT REQUEST

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that when the Senate convenes on Monday the Williams-Smathers substitute may be the pending business before the Senate; and that no further amendments will be considered at that time.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

Mr. MORSE. Mr. President, reserving the right to object, is it the suggestion of the Senator that we vote on Monday?

Mr. LONG of Louisiana. Yes; on the Williams-Smathers substitute.

Mr. COTTON. Mr. President, reserving the right to object, if it has been determined by the majority—and certainly with respect to those on this side of the aisle, like the Light Brigade, ours is not to reason why, ours is but to do or die—that this vote is to go over until Monday, I think other amendments might well be offered this afternoon.

Mr. President, we have opened the door. Some of us are very much interested in importation of electronics, the importation of shoes, and some Senators are interested in the importation of beef. The door is open. I do not think the leadership should have its cake and eat it, too.

After we have canceled our reservations and stayed in town to wind up the bill today, if the vote is going to go over until Monday, let us not close the door to other amendments.

Mr. LONG of Louisiana. Mr. President, if the Senator suggests that point of view, I wish to make the request that the Senate vote on the Williams-Smathers substitute at 4 o'clock on Monday afternoon.

The PRESIDING OFFICER. Is there objection?

Mr. MORSE. I object.

Mr. GORE. Mr. President——

Mr. JAVITS. Mr. President——

The PRESIDING OFFICER. Objection is heard.

Mr. MORSE. Mr. President, I wish to put my objection in the form of a reservation.

We have been debating this bill all week. I think we should conduct the business of the Senate in the regular order—and the regular order, it seems to me, is to vote on the bill today.

I shall be very frank with respect to the situation in which this puts me, as well as certain other Senators. There is a very important conference to be held in Mexico City on Monday. The administration has asked us to go to Mexico City to represent it at the conference with the Vice President. It was expected we would dispose of this bill today, I, of course, will not go to Mexico City, even though I am the chairman of the Subcommittee on Latin American Affairs.

I shall stay, but I am not going to permit a vote on Monday because if we are going to follow the regular order in the Senate—I object. I will be in good voice and good health on Monday.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. MUNDT. Mr. President, I rise to direct a question to the acting majority leader.

The PRESIDING OFFICER. Who yields time?

Mr. LONG of Louisiana. I yield 2 minutes.

Mr. MUNDT. Mr. President, some time this afternoon I would like to have 12 minutes in order to speak on a different topic.

Mr. LONG of Louisiana. Mr. President, I yield myself 1 minute.

The PRESIDING OFFICER. The Senator is recognized for 1 minute.

Mr. LONG of Louisiana. Mr. President, it was my hope that Senators who had amendments to offer would offer them so that we could proceed to vote and dispose of them today. We would then proceed, in view of the requests I have had, to vote on the substitute and then vote on the bill on Monday. Senators certainly have the right to object.

Mr. MURPHY. Mr. President, can we vote on the substitute right now?

The PRESIDING OFFICER. Who yields time?

Mr. LONG of Louisiana. Mr. President, I yield 30 seconds to the Senator.

Mr. MURPHY. Mr. President, I would like to know why we cannot vote on the substitute now.

If the substitute carries, we would have accomplished what we came here for; if it fails, we can go to the regular order of business on the bill.

We should clear away the confusion. Let us vote on the substitute today.

Mr. COTTON. Mr. President, will the Senator yield to me for a minute?

Mr. LONG of Louisiana. I yield.

Mr. COTTON. Mr. President, the position of the Senator from New Hampshire was not in criticism of the leadership, nor was it intended to be obstructive.

I do hope we will not start with a large group of amendments on steel, cattle, and everything else. However, to avoid that, I do not think it fair to close the door and then wait until Monday. I hope we can go ahead and vote on the substitute now and stop delaying with amendment after amendment. If we are not going to vote, then I hope the door will be left open.

Mr. JAVITS. Mr. President, will the Senator yield to me for 1 minute?

Mr. LONG of Louisiana. I yield.

Mr. JAVITS. Mr. President, I deeply appreciate the situation in which the leadership finds itself. However, is it not a fact that if the Smathers-Williams substitute should be rejected, any other substitute could be offered prior to third reading of the bill?

As a suggestion, I think the Senator would be in a much better position if we had a vote—which seems to be the attitude of the Senate—on the Williams-Smathers substitute.

Then, if the Senator wanted to go over until Monday on the bill, either as amended by the Williams-Smathers substitute—because that would lock it up and it is as effective as a third reading—or, if defeated, on the bill as reported before the Senate, that procedure would seem to make sense.

For the Senate not to act after so much debate, and when we are ready to vote, it seems to me is dragging out the matter unnecessarily.

I make these remarks as a suggestion to the leadership.

Mr. LONG of Louisiana. Mr. President, does the Senator from South Dakota wish to make his statement at this time?

Mr. MUNDT. I am prepared to proceed.

Mr. LONG of Louisiana. Mr. President, I yield 12 minutes to the Senator from South Dakota.

The PRESIDING OFFICER. The Senator from South Dakota is recognized for 12 minutes.

THE COSTLY VENTURE OF THE F-111

Mr. MUNDT. Mr. President, events of yesterday resulted in more unhappy news for the American people concerning the continuing sorry story of the ill-fated adventure to develop a military aircraft which would be suitable for use by both the U.S. Air Force and the U.S. Navy. I speak of the F-111 program, the TFX plane, about which the Senator from Arkansas [Mr. McCLELLAN] addressed the Senate yesterday.

The Senate Armed Services Committee has now voted its disapproval against the expenditure of any additional funds for the Navy—F–111B—version of this plane. I welcome this decision, amply supported by testimony from high-ranking Navy officials, which will result in utilizing well over $400 million for the purpose of developing another aircraft instead of continuing to pour these massive amounts into a plane for which there has been evidenced little support from those directly concerned with utilizing a Navy defender.

The user services, through long investigation of the TFX contract, consistently, persistently, and aggressively opposed the idea of developing a single plane with commonality features to do a variety of jobs in the air.

While the committee's decision is welcome, it also is unhappy, for it marks confirmation of a contention raised many, many months ago that the commonality theory simply would not work with respect to the TFX. As was pointed out yesterday, by the distinguished chairman of our Permanent Investigations Subcommittee [Mr. McCLELLAN], had the requirement for commonality been dropped at a time it was recommended, a Navy fighter plane could undoubtedly have been ready now to fulfill its fleet defense needs, for it was in 1964 when a redesign proposal was made by the Gruman Co.

The second unhappy event of yesterday—truly a tragic one—is the loss in combat of one of the first six F–111A's of the Air Force to fly in action in the Vietnam war.

Mr. President, some 8 months ago in questioning Pentagon witnesses at the appropriations hearing on the F–111 program, it was brought out by our committee that the Air Force version of the TFX had some serious problems to be solved. The Congress was assured, however, by the civilian witnesses from the Pentagon that these problems would be fixed before the airplane was committed to combat operations. I did, however, have what proved to be a prophetic colloquy with Admiral Connolly regarding this situation. I said:

> I don't see how you can train the crews to get ready for this kind of operation if you have bad speed brakes, if you have had buffeting from the speed brakes, or if you cannot do the other things you have been saying to Senator McClellan about the plane. Maybe the story is wrong, but I don't know. We ought to have it in the record because we are going to be confronted with that; we have a plane now that we can win the war with in Vietnam.

F–111 CAN FLY

> Admiral CONNOLLY. We sit here and discuss all the things wrong with the F–111. There are some things that the F–111 can do. It can fly. Even though the speed brake is not what it ought to be, we can fly without it. It has gone [deleted] on the deck with the same bum speed brake. It won't serve the pilots' needs like it should, and it ought to be fixed and fixed properly, but it still can fly [deleted].
>
> Senator MUNDT. I think so, too. If you are going to take it out before it is fully operational, with a billion and a half dollars invested in research, and get it shot down in a dogfight by some Russians so that they get all the research free, I don't think it is a good bargain.
>
> Admiral CONNOLLY. I agree with you. [Deleted.]

As all of us are well aware, this event came to pass yesterday on the F–111A's third combat mission in Vietnam. While the Pentagon has clamped a veil of secrecy over the exact circumstances surrounding the disappearance of this aircraft, this morning's newscasts indicate that the North Vietnamese are taking credit for having knocked it down. Quite obviously, they know it has disappeared. But I bring this up today, not because I want to get any personal satisfaction out of saying "I told you so" but because of a much more serious, and much more fundamental, problem with this airplane program that it is my duty to bring to the attention of the Congress. As an introduction to my remarks, I now ask unanimous consent that an article from last Monday's Aviation Week and Space Technology magazine, dated March 26, 1968, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From Aviation Week & Space Technology, Mar. 25, 1968]

SHORTCUTS SEND F–111'S TO VIET TEST—SIX VARIABLE-GEOMETRY FIGHTER BOMBERS ARRIVE IN SOUTHEAST ASIA FOR COMBAT EVALUATION BEFORE NORMAL USAF TRIALS ARE COMPLETED

(By C. M. Plattner)

LOS ANGELES.—Deployment of six USAF/General Dynamics F–111A fighter bombers to Southeast Asia Mar. 15 for combat operation and evaluation short-circuited normal Air Force development patterns, and probably will force the aircraft to operate under some flight restrictions.

In addition, because tactics best suited to the variable-geometry fighters are not defined in detail, they will be flown on the basis of contractor-furnished information and use hastily adapted standard weapons delivery techniques.

The six F–111s, forming Detachment 1, 428th Tactical Sqdn., flew from Nellis AFB, Nev., to Takhli Royal Thai Air Base, 85 mi. north of Bangkok, where they arrived Mar. 16. Takhli, also the base of a Republic F–105 wing, is about 500 naut. mi. from Hanoi.

The Air Force designation for the evaluation is Combat Lancer.

The 428th Sqdn., based at Nellis, received the first Tactical Air Command F–111A last summer and began qualifying a small group of pilots for deployment under project Harvest Reaper. The aircraft used by the Harvest Reaper group were pre-production models initially intended for the Category 2 test program.

In terms of configuration, F–111 No. 31 was regarded as the first production aircraft, although several minor modifications have since been required, and aircraft No. 42 is now regarded as the standard production version.

The substantial number of modifications made during the F–111A development program has resulted in long delays and an almost continuous juggling of schedules and plans.

One officer says that the situation now is so confused that the status of the original incentive contract, with its penalties and rewards, is unclear. A key element, an Air Force reliability and maintainability evaluation, has been postponed repeatedly, and it is not clear now if it will be run at all.

Aside from the modifications, the pressure to prepare a group of aircraft for combat has forced additional juggling of flight test activities and Category 3 work at Nellis.

Excessive drag and engine inlet problems have been responsible for much of the delay, but avionics systems modifications have been equally troublesome, an Air Force officer said.

The original goal in the F–111A development program was to proceed normally through the standard Category 1, 2 and 3 test program to the operational phase. Category 2 testing was to have been completed by the end of 1967 at about the time the first squadron was to have become operational.

Currently, Category 2 testing of the F–111A at Edwards AFB, Calif., is only partially completed, and present estimates are that it will not be finished until late 1969. This does not include Category 2 tests of the F–111D, with its advanced Mk. 2 avionics equipment, nor testing of the FB–111A Strategic Air Command bomber version.

Category 1 contractor testing of the F–111A is 80–85% complete. General Dynamics said. Category 3 user command testing at Nellis began only early this year. It is generally unrelated to the Harvest Reaper crew training program, although some benefits are expected from the combat deployment.

In general, all three category test phases are far behind original schedules, although, paradoxically, aircraft deliveries have stayed fairly close to schedule.

Although most of the contractor modifications of the engine, inlet and avionics are believed now to be correct, Air Force verification of them through its own testing is far from complete. This does not mean that the aircraft is unsafe to fly. Basic F–111 airworthiness has long been established, but as a weapons system, it has yet to be shaken down in standard fashion.

Stability and control work is only about one-half done in Category 2, and performance testing of the most recent version of the aircraft just got under way. Systems testing also is unfinished.

The F–111A will carry an impressive load of conventional ordnance in various combinations, but not all combinations and types of ordnance have been cleared for release from the aircraft.

However, the major part of Category 1 ordnance qualification has been completed, including the use of:

Internally mounted M–61A1 gatling gun.
Variety of bombs—from 500 to 3,000 lb.
Napalm.
Cluster bomb unit (CBU).
2.75-in. rockets.
Nuclear weapon shapes.

Air Force is pressing to clear the F–111A for most standard ordnance but has not completed this work. While sufficient standard load configurations have been cleared to permit its use in combat, some specific types of ordnance, such as the Mk. 2 Mod 0 Walleye TV-guided glide weapon, have not been tested.

The variable-sweep wing has added considerably to the work loan of ordnance qualification, because tests must be repeated with various wing plan-forms.

Within the Air Force structure, the F–111 is expected ultimately to be essentially a Republic F–105 replacement. Its principal attributes in relation to the F–105 are longer range, faster speed, greater load-carrying capability and substantially improved avionics, providing better all-weather low-level penetration and weapons delivery characteristics.

Otherwise, in design philosophy, the F–111A resembles the F–105, being primarily an air-to-ground interdiction and nuclear weapons delivery aircraft with only limited air-to-air fighter capability.

Most weapons will be carried externally on the F–111A's four inboard stations, which swivel to remain parallel to the fuselage as the wing sweeps. For high-speed flight up to

Mach 2.5 at high altitude and Mach 1.2 at ground level, the wing is swept aft. This precludes carrying ordnance on the outboard four stations, which have fixed pylons. Each station is stressed for the same maximum load, at least 4,000 lb.

Bombs, rocket pods and napalm canisters will be slung from either triple ejector racks (TERs) or multiple ejector racks (MERs).

A vibration problem encountered during flight test last summer has been solved by modification of the standard multiple ejector racks. The MER suspension lugs have been shifted 10.35 in. forward to move aft the over-all center of gravity of the loaded rack. The aft end of the MER also has been tilted downward 1.75 deg. No modifications have been necessary to the triple ejector racks.

The bomb bay of the F–111A can carry ordnance as well as the internal gun. Two 750-lb. M117 bombs can be stowed in the weapons bay if no gun is carried. On one test flight, General Dynamics has carried 32 M117 bombs.

Mr. MUNDT. Mr. President, I want to emphasize the title of that article, "Shortcuts Send F–111's to Vietnam." The author avers that these airplanes sent over in this Harvest Reaper program were not operationally ready, contained many unsolved problems, and had not completed their normal Air Force test program. I happen to know that the charges he makes are true. He also says that airplanes are rolling down the production line today with all of the many faults and problems he describes being built into each and every one of them. That charge also is very, very true.

I also know that there are other problems with the F–111A which have been hidden behind the Pentagon's cloak of secrecy. In January of this year, additional serious faults were uncovered in the course of normal testing and yet, only 2 months later, the airplanes were sent to Vietnam with these faults unremedied.

Without belaboring the matter further or speculating as to just why these planes were sent over there, I want to get back to the major issue involved here. In last July's hearings on the F–111, we were assured that all of the problems with these planes that we were questioning the Defense officials about would be fixed in airplane No. 31, the first so-called "production configured" airplane.

The Aviation Week reporter was told that airplane No. 44 is now considered to be the real production configuration. Yet the actual fact of the matter is that airplane No. 160 is the first one that will really have all of the scheduled engineering fixes built into it. To name a few, it gets a new air intake and a new speed brake, both of which we were assured 8 months ago would be tested and ready for airplane No. 31.

These airplanes are quoted by the Pentagon as costing some $6½ million each, and to my mathematical reckoning that means that over $1 billion will be spent building F–111A's before they get around to producing one that really works as advertised. As a matter of fact, they even plan to change the name of the F–111A to the F–111E when they finally get to that number 160, which indicates to me that there must be quite an improvement in it if it is worthy of a new name.

Now, the F–111A is supposed to be the Air Force's primary tactical bomber during the decade of the 1970's. What they are going to be doing with those first 160, I do not know. They are going to be a distinctly inferior version, with many, many built-in deficiencies and weaknesses. Is there some particular reason for wanting to get all those planes built immediately, other than to be able to say that the contract has been kept "on schedule"? After all, they are supposed to be one of our mainstays of defense for many years to come, and in view of the new advancements that the Russian planes are showing, I think that we had better be ready with our best, and only our best, in the years ahead.

Mr. President, in conclusion, I have two recommendations to make on this F–111A program. First, I think it is mandatory that the remaining five "Harvest Reaper" airplanes be brought back immediately from Vietnam and not returned to combat until they are fully tested and ready. I also think it is imperative that the production line be held up until the design of the airplane number 160 configuration is completed and tested and can be incorporated into the very next plane the Air Force buys. If this drastic step is not taken, then we will truly be committing another billion dollar blunder in this TFX program which already has cost the American taxpayers many, many fruitless billions of dollars.

Mr. President, I leave these recommendations to be considered by the Congress, by the Defense Department, and by the President. I can only hope that those with authority will act upon them.

Mr. President, I ask unanimous consent that the appropriate pages, 1052 to 1058, from last year's F–111 hearing, held July 14, 1967, be printed in the Record.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

Department of Defense Appropriations for Fiscal Year 1968—Part 3

(Excerpt from the hearings before the Subcommittee of the Committee on Appropriations, U.S. Senate, 90th Congress, first session, on H.R. 10738, making appropriations for the Department of Defense for the fiscal year ending June 30, 1968, and for other purposes)

TAKEOFF WEIGHT GUARANTEE OF AIR FORCE PLANE

Senator McClellan. The takeoff weight guarantee, as I recall, the takeoff weight of the Air Force plane was 69,122 pounds. What do you say, or give us your estimate of what its weight is going to be now as you did for the Navy?

Mr. Nitze. I will supply that for the record.

COMBAT CEILING GUARANTEE

Senator McClellan. Combat ceiling was guaranteed at [deleted] feet. Your estimate of what it will actually be? This I would like to know about. With an [deleted] mile radius mission to penetrate at a low-level dash to the target at mach [deleted] for [deleted] nautical miles. That was guaranteed. Now my understanding is that it will not do that, that it is down below [deleted]. And that is your estimate that it will be below [deleted]. Quite a deficiency. What can you say about that as of now?

Mr. Nitze. May I supply the answer to that for the record?

Senator McClellan. Very well.

(The information follows:)

"It is estimated that the initial operational F–111A will have a gross take-off weight of approximately 81,400 pounds for the basic design mission.

"(Additional classified material has been furnished separately to the Committee.)

"The F–111A has flown to an altitude of over [deleted] at heavier than combat weight in the flight test program. The current Air Force estimate for the production aircraft combat ceiling under specification conditions is [deleted] feet.

"(Additional classified material has been furnished separately to the committee.)

"Since the 1962 evaluations, it has never been estimated that supersonic dash of [deleted] nautical miles, the originally stated parameter, could be provided over a total mission radius of [deleted] nautical miles. The current estimate is [deleted] nautical miles. At the [deleted] nautical mile figure cited, the total mission radius as currently estimated would be approximately [deleted] nautical miles. This represents a significant increase in existing tactical air capabilities and is considered militarily acceptable, particularly in view of the inherent flexibility of the F–111A for farward basing. The range can also be substantially extended by the use of external tanks and in-flight refueling, provisions for which have been included in the F–111A.

"(Additional classified material has been furnished separately to the Committee.)

"Under the contractual provisions on the correction of deficiencies, the contractor is penalized by a downward adjustment in the R&D contract price for any uncorrected failure to meet contract specifications."

FERRYING RANGE

Senator McClellan. Your ferrying range was guaranteed at [deleted] nautical miles. Whereas, the actual capability estimate as of now is what?

Mr. Nitze. About [deleted].

Senator McClellan. According to my information [deleted].

Mr. Nitze. I think it is in excess of that. I think they have demonstrated [deleted].

Senator McClellan. It will be considerably lower. You have had the same experience in the same areas with the Air Force plane as with the Navy?

Mr. Nitze. I think what the Air Force is interested in is a ferry range of [deleted] miles and I think they are confident that they will meet that.

ACCEPTABILITY

Senator McClellan. Again we come back it is going to be acceptable. That is a word that we are having to use in this program, where it fails to meet the requirements and so forth we come back to the word "acceptable."

OPERATIONAL REQUIREMENT FOR SUPERSONIC DISTANCE

What was the Air Force's specific operational requirement for supersonic distance in the [deleted] mile radius mission when General Dynamics was awarded the contract in 1962? Was it not [deleted] miles?

Mr. Nitze. [Deleted] miles.

Senator McClellan. Has that basic requirement changed?

Mr. Nitze. I think the Air Force is prepared to live with less than that.

Senator McClellan. It would have to if it can't get that. If it can't get it it will have to live with less. How much less?

Mr. Nitze. May I supply the specific figure for the record?

Senator McClellan. Very well.

(The answer was previously provided for the record on p. 1052.)

REQUIREMENT FOR FERRY RANGE

Senator McClellan. What was the Air Force's specific requirement for ferry range? You stated you thought it was [deleted].

Mr. Nitze. I think the contract provision was [deleted]. I think what they really need is [deleted]. I think that is what they think they can get.

Senator McClellan. They will take [deleted] whereas they contracted for [deleted] without penalty.

Mr. Nitze. This is the same situation as with the weight problem with respect to the B.

Senator McClellan. What is the ferry range of Air Force plane No. 31 now estimated to be?

Mr. Nitze. May I supply that for the record? I think what has been demonstrated, as I said before, is around [deleted].

(The information follows:)

"The Air Force ferry range requirement is defined in terms of non-stop deployment to Europe, as recently demonstrated, and specifies an unfueled mission of [deleted] nautical miles. It is estimated that F–111A #31 will have the capability of meeting this requirement."

(An additional request was made to include information on the basic airplane ferry range in the same configuration as the proposal plus increments for (*a*) bomb bay tanks; (*b*) Navy wing tips; (*c*) external tanks; and (*d*) whether or not the 5-percent fuel flow factor is included. The information follows:)

"a. F–111A No. 16 (RDT&E) has flown some [deleted] NM with internal fuel (excluding the weapons may tank). With incorporation of scheduled changes to the TF–30/P–3 engine, some [deleted] NM in additional range is expected.

"b. The range increments for the items stated are estimated as follows: left hand weapons bay tank—[deleted] NM, wing tips—[deleted] NM, two external fuel tanks—[deleted] NM.

"c. The demonstrated range of [deleted] NM has not been degraded for higher engine fuel flows."

Senator McClellan. According to my information here it is between [deleted] miles.

Mr. Nitze. I think it is substantially in excess of that.

Senator McClellan. If you put the Navy tips on it, I think that increases the range a little, does it not?

Mr. Nitze. That would be over and above what I have said. That will contribute toward the [deleted].

Senator McClellan. You put the Navy wingtips on the planes, don't you?

Mr. Nitze. Yes.

Senator McClellan. That increases the range another [deleted] miles, does it not?

Mr. Nitze. Yes.

I think the [deleted] has been demonstrated without the Navy tips.

CALCULATED ALLOWANCE FOR FUEL

Senator McClellan. Let me ask you this. There is a 5-percent calculated allowance, is there not, for fuel on this ferry range flight; is that correct?

Mr. Nitze. I think that is correct, but I would like to check that.

Senator McClellan. Is that 5 percent?

Admiral McDonald. Are you familiar with this Air Force version, Bill?

Admiral Sweeney. Yes, sir. I think the Secretary has given the figures that the Air Force has given us.

Senator McClellan. I want to ask you if that 5 percent was not omitted in giving this total range?

Mr. Nitze. I don't know the answer to that.

Admiral Sweeney. The 5 percent is in addition to the range calculation.

AIR INLET CONFIGURATIONS

Senator McClellan. You spoke a while ago about Triple Plow 1; is that correct?

Mr. Nitze. That is right.

Senator McClellan. There is a Triple Plow 2; is there not?

Mr. Nitze. There is

Senator McClellan. According to the Air Force plane, there is trouble with the speed brake. Is that correct?

Admiral Sweeney. Yes, sir. We are having some vibration in the speed brake.

Inadequate inlet

Senator McClellan. According to this information that I am quoting from, it will have an inadequate inlet. I understood you a while ago as saying that inlet was sufficient and it would not have to be enlarged.

Mr. Nitze. That is my understanding.

Senator McClellan. It will have an inadequate inlet. It will be unstable at landing, center of gravity too far out and will not have a usable speed brake. This is Air Force plane No. 31 I am talking about. These are some of the estimates on it. An inlet design that should be safe, however, has resulted from the 6 months of extensive wind tunnel testing at the end of 1966 through the spring of 1967. This wind tunnel program, as I understand it, was directed by Mr. Fred Rall, the Air Force's top inlet expert. Is that correct?

Admiral Connolly. That is correct.

Senator McClellan. Did he not come up with this recommendation to you with a configuration called Triple Plow No. 2?

Admiral Sweeney. Yes, sir; which is the one we are putting on.

Senator McClellan. Did that not include blunting or rounding the inlet lips?

Admiral Sweeney. Yes, sir.

Senator McClellan. Moving the inlet 4 inches outboard from the fuselage?

Admiral Sweeney. Yes, sir.

Senator McClellan. Increasing the area 10 percent?

Admiral Sweeney. Yes.

Senator McClellan. I thought you said it didn't a while ago.

Rall report

Mr. Nitze. I was talking about Triple Plow No. 1.

Admiral Connolly. This is the Rall report you are talking about. That is what it included.

Senator McClellan. That is what he recommended. Whether you put it on the Air Force plane or not it has been recommended in order to solve this problem; has it not?

Also No. 4, replacing the translating cowl with blow-in doors. Is that contemplated?

Admiral Sweeney. We are working on that.

Senator McClellan. Are all of these being done or just three being done and the area inlet not being increased? Which is correct?

Admiral Sweeney. They are all being done to the Navy airplane, but not for the F–111A.

Senator McClellan. You are not doing that for the Air Force 111–A?

Utilization of Triple Plow No. 2

Mr. Nitze. As I understood it, Triple Plow No. 2 will be put on an Air Force plane in August and will be flown experimentally, but it is not contemplated that that will go on Air Force No. 31.

Senator McClellan. It will be a later plane?

Mr. Nitze. I think it is the Air Force's view that Triple Plow No. 1 is adequate because it has opened up the envelope that they require to mach [deleted].

Senator McClellan. This consideration or something else has supplanted this since the recommendations has been made?

Mr. Nitze. What I said was that they are going to put Triple Plow No. 2 on an airplane which will fly experimentally in August. They will see how it compares in effectiveness and efficiency with Triple Plow No. 1. No. 1 is the one they are contemplating for Air Force No. 31. That one has No. 1 without the recommendation of the Rall report and has opened up the envelope that is adequate to the Air Force.

Senator McClellan. The one you will fly this summer will not have the enlarged intake?

Mr. Nitze. I think it will. Will the one in August have the enlarged inlet?

Admiral Sweeney. Not the enlarged one. Just the inlet move out 4 inches from the fuselage. The enlarged one is going for the P–12 only.

Configuration Change

Senator McClellan. Is not the moving out of these inlets a major operation, so to speak?

Admiral Sweeney. It is a structural change.

Senator McClellan. A configuration change?

Admiral Sweeney. Yes, sir.

Senator McClellan. The landing center of gravity is so far out that the plane is unstable at landing. This gives the pilot a difficult control problem particularly if the artificial stability like an autopilot built into the flight control system should not be working. This defect was reported in 1964 by an outside review committee of civilian experts, yet nothing has been done to correct it. Is that correct?

Admiral Connolly. Are we talking Air Force airplanes?

Mr. Nitze. I would like to supply the answer to that for the record.

Senator McClellan. The wings cannot be swept any further back in the Air Force plane since they are already at the full aft position from flaps down 26 degrees. The only quick solution is to add lead ballast in the nose; about [deleted] pounds will be required to make the airplane stable. Is that correct?

Mr. Nitze. I think there are other ways of curing this problem. Again I would like to supply the answer for the record.

(The information follows:)

"Flight tests have shown that the F–111A fully meets the requirements with respect to static balance under the standard established design conditions with the Stability Augmentation System (SAS) in operation. Even in the event of emergency conditions when there is both a complete failure of the Low Speed Trim Compensator (LSTS) and the aircraft is light with minimum fuel reserves no ballast is required. Negative static margin can be avoided under these conditions by small increases in the approach speed in the same manner as for other operational conditions such as high wind gusts."

Senator McClellan. The speed brake causes extreme and unacceptable buffeting or shaking of the airplane when open at supersonic speeds. Does that condition still prevail?

Mr. Nitze. It buffets and it needs to be made better, but it is not that bad.

Senator McClellan. Can it be opened now to full deflection subsonically without similar unacceptable buffeting?

Admiral Sweeney. This is the Air Force plane.

Senator McClellan. This is substantially the same thing.

Admiral Connolly. We can give that for the record, sir.

Senator McClellan. Do you know?

Admiral Sweeney. I know the contractor is experiencing some vibration such as this.

Senator McClellan. Also it causes engine compressor stall due to its location near the engine inlet. Is that a factor?

Admiral Sweeney. It is considered a possible factor.

Senator McClellan. In short the present design of the speed brake is not operationally ready. Is that correct?

Admiral Connolly. I would agree with that, yes, sir.

ADEQUACY OF AIR BRAKE

Senator McClellan. The result is that the pilot does not have its use for, one, maneuvering in dogfighting; two, holding stable speed in dive-bombing runs and, three, rapid slowdown in emergency. Is your present air brake adequate for those functions?

Admiral Connolly. No, sir.

Mr. Nitze. I would rather have a reply for the record.

(The information follows:)

"The original speed brake design caused moderate to severe buffet at high speed. However, the contractor has designed and is testing a modified speed brake that is expected to perform acceptably up to the established structural limits of the aircraft. This speed brake is scheduled for installation in Air Force aircraft Number 31 and subsequent."

(Additional information was requested as to whether the speed brake is operable within the speed and altitude limits, including a statement as to whether or not the airplane buffet is acceptable. The information follows:)

"It is anticipated that the redesigned speed brake now being tested will be operable throughout the flight envelope with an acceptable level of buffet."

Senator Mundt. May I ask a question at that point?

Senator McClellan. Yes, sure. I am trying to hurry along. Go ahead.

Senator Mundt. In view of this exchange of testimony, will you comment on this Washington Post article this morning:

"It is expected to send some TFX's—F-111's—the headline says, "TFX"—"into Vietnam in an operation called Harvest Reaper to start bombing sites now."

How can you send a plane with those deficiencies in combat duty.

Mr. Nitze. [Deleted.]

Senator Mundt. [Deleted.]

Mr. Nitze. [Deleted.]

Senator Mundt. All these things you have been responding to, to Senator McClellan, would have to be corrected before you could take these planes in combat?

Admiral McDonald. Some of these he has been speaking to recently; yes.

Senator Mundt. This is the Air Force plane?

Admiral McDonald. What he has been talking to about recently would have to be corrected; yes.

Senator Mundt. That is what I am talking about.

Mr. Nitze. [Deleted.]

Senator Mundt. It says here:

"The Air Force plans to announce soon that the first F-111A crews will start receiving combat training at the Air Force base at Las Vegas."

I don't see how you can train the crews to get ready for this kind of operation if you have bad speed brakes, if you have bad buffeting from the speed brakes, or if you cannot do the other things you have been saying to Senator McClellan about the plane. Maybe the story is wrong, but I don't know. We ought to have it in the record because we are going to be confronted with that; we have a plane now that we can win the war with in Vietnam.

F-111 CAN FLY

Admiral Connolly. We sit here and discuss all the things wrong with the F-111. There are some things that the F-111 can do. It can fly. Even though the speed brake is not what it ought to be, we can fly without it. It has gone [deleted] on the deck with the same bum speed brake. It won't serve the pilots' needs like it should, and it ought to be fixed and fixed properly, but it still can fly [deleted].

Senator Mundt. I think so, too. If you are going to take it out before it is fully operational, with a billion and a half dollars invested in research, and get it shot down in a dogfight by some Russians so that they get all the research free, I don't think it is a good bargain.

Admiral Connolly. I agree with you. [Deleted].

Senator McClellan. It was supposed to be a tactical fighter when it started.

Senator Jackson. Tactical fighter experimental.

Mr. Nitze. [Deleted.] What has been decided is to try to get a capability.

Senator McClellan. It started out as a fighter.

Mr. Nitze. This will be very carefully vetted before a decision is made.

Senator McClellan. Is it not going to be a good fighter plane?

TAX ADJUSTMENT ACT OF 1968

The Senate resumed the consideration of the bill (H.R. 15414) to continue the existing excise tax rates on communication services and on automobiles, and to apply more generally the provisions relating to payments of estimated tax by corporations.

Mr. LONG of Louisiana. Mr. President, it is now clear that this bill will not be finally enacted before April 1. The House of Representatives has already adjourned for the weekend and they will not reconvene until after the statutory deadline—which is midnight Sunday.

I understand there is some misapprehension among the automobile dealers and manufacturers as to how the tax should be handled during the early part of next month while Congress is finishing its work on this bill. The telephone companies, too, should know what tax they should apply in the brief interval between the April 1 deadline and the final enactment of this bill.

I want to make it as clear as I possibly can that the way this bill is drafted—the way it passed the House—and the way it is being considered here today—there will be no temporary reduction in the 7-percent automobile tax and there will be no reduction in the 10-percent tax on telephone service. It has not been intended that these taxes would go down on April 1 and this bill, H.R. 15414, makes it clear that they will not be reduced on that date.

The bill does not permit any "temporary" reduction in these excise taxes. Under the bill, there will be no roller-coaster effect on these rates just because April 1 comes before the bill is finally enacted. To the contrary there will be a continuation, throughout the interval between April 1 and the date of final enactment of this bill, of the 7-percent excise tax on automobiles and the 10-percent tax on telephone communications.

I urge those industries to proceed with "business as usual" next week. We are going to continue these taxes and there will be no break—or interim period of reduction—in the rate.

That is clear from the bill.

The Internal Revenue Service has advised the auto companies and the telephone companies by a special news release—dated March 28—that in planning for the period following April 1, they should take the excise tax extension bill into account.

I ask unanimous consent that this news release be printed at this point in the Record.

There being no objection, the news release was ordered to be printed in the Record, as follows:

March 28, 1968.

Washington, D.C.—The IRS today said if the Tax Adjustment Act of 1968 is enacted in its present form, reductions in excise taxes on autos and telephone service scheduled for April 1, 1968, will not take place even though the bill is not approved until after that date.

Under these circumstances, auto manufacturers and phone companies will continue to be liable for excise taxes at existing levels after April 1.

Under present law, the excise tax on manufacturers' sales of autos is scheduled to be reduced from 7 percent to 2 percent on cars sold on or after April 1. Similarly, the excise tax on amounts paid for telephone service would be reduced from 10 percent to 1 percent effective April 1, 1968.

The Tax Adjustment Act of 1968, as passed by the House and reported to the Senate by its Finance Committee, provides for continuation of these excise taxes at their present rates until Jan. 1, 1970. However, the pending bill repeals the existing provisions dealing with floor stock refunds.

Under the bill's effective date, which is March 31, there would be no reduction in the tax rates on April 1, 1968, even though the bill is not enacted until after that date.

The IRS suggested that auto manufacturers, telephone companies, and others liable for excise taxes under sections 4061 and 4251 of the Internal Revenue Code take this excise tax extension bill into account in planning for the period following April 1.

ORDER OF BUSINESS

Mr. LONG of Louisiana. Mr. President, if Senators desire me to yield them additional time, I shall be glad to yield for statements, reserving my right to the floor.

Mr. MAGNUSON. Mr. President, may I ask the Senator from Louisiana a question, on behalf of the Senator from California [Mr. Kuchel], not pertaining to the bill? It was planned to bring up a bill on the calendar pertaining to fishing vessels. Is that still the plan?

Mr. LONG of Louisiana. It will not come up until some time after we dispose of the pending bill.

Mr. MAGNUSON. We will still go right on until we dispose of the pending bill, and then the Senate will consider the fishing vessel bill?

Mr. LONG of Louisiana. Yes; some time after we dispose of the pending bill.

Mr. MAGNUSON. The Senator from California [Mr. Kuchel] wanted me to ask.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. COTTON. Is it the purpose of the Senator to have a third reading of the substitute and then go over until Monday?

Mr. LONG of Louisiana. I regret that is not possible. I tried to limit debate as much as possible. It simply is not possible. I regret it.

Mr. COTTON. I want to cooperate with the Senator. If this substitute goes over until Monday, there are people in my State deeply interested in the shoe situation. There are in my State people deeply interested in the electronics situation. There are Senators who have people in their States interested in beef. Between now and Monday, there can be much pressure. If it were possible to vote on the substitute now, we would not have the door open, and a long list of amendments they might be compelled to offer, even though they dislike to do it. On the other hand, we can hardly consent to having a third reading bar others, and then wait until Monday.

Mr. LONG of Louisiana. I have not asked that. I would welcome the opportunity to discuss the parliamentary situation confidentially with the Senator. I believe I have made my position as clear as I can with the Senator.

Mr. COTTON. This Senator does not want any confidence handed to him. I wanted to know whether we were going over until Monday and leave it open.

Mr. LONG of Louisiana. I desire to move to adjourn as soon as Senators conclude statements they may have.

Mr. COTTON. Without third reading?

Mr. LONG of Louisiana. Yes.

Mr. COTTON. I thank the Senator.

Mr. CARLSON. Mr. President, yesterday amendment No. 644 was adopted, which dealt with hospitals. The amendment was approved to the Smathers-Williams amendment. I ask unanimous consent that it be transferred to the bill as reported by the committee, if the Chairman has no objection.

Mr. LONG of Louisiana. Mr. President, can that request be agreed to?

The PRESIDING OFFICER. What was the request?

Mr. LONG of Louisiana. That the Carlson amendment (No. 644) be added to the bill.

The PRESIDING OFFICER. Is there objection? There being no objection, it is so ordered.

Mr. MORSE and **Mr. THURMOND** addressed the Chair.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that, without prejudicing my right to the floor, I may yield to Senators briefly.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG of Louisiana. I had promised to yield to the Senator from Oregon [Mr. MORSE].

Mr. MORSE. Mr. President, I send to the desk an amendment to the present substitute and ask that it be printed and lie on the table.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table.

Mr. MORSE. Mr. President, I ask unanimous consent to have printed and lie on the table a series of amendments now being prepared that I shall introduce on Monday.

The PRESIDING OFFICER. The amendments will be received and printed, and lie on the table.

ORDER OF BUSINESS

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that, without prejudicing my right to the floor, I may yield to the Senator from South Carolina [Mr. THURMOND] 6 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

VIOLENCE IN MEMPHIS

Mr. THURMOND. Mr. President, this morning's papers are filled with stories and headlines about the violence which erupted in Memphis, Tenn., as a result of Martin Luther King's supposedly nonviolent demonstration in favor of the Memphis sanitation workers. These news stories clearly indicate that there was no provocation for this violence, except the heated tension that Martin Luther King himself has built up in that city.

Fires, looting, vandalism, and violence are the natural outcome of King's tactics. Newspaper pictures showed policemen with blood streaming down their faces as a result of attempting to restore law and order. Everywhere that King goes, he says that he does not intend to stir up violence and hatred. Yet it is an accepted maxim of law that he who pursues a certain course of action may be assumed to have intended the natural consequences of that action. The events in Memphis are the natural consequence of King's course of action.

Mr. President, King says that he is nonviolent. Nevertheless, he has linked his cause with the most outspoken advocate of violence in the United States, Stokely Carmichael. In a press conference described by Frank van der Linden, and published as an article in the Charleston News and Courier, February 11, 1968, King is quoted as saying that he was not " 'worried' about the danger that more militant Negroes might resort to open violence" in the planned demonstrations here in Washington. I wonder what King says today after the Memphis affair? Was his demonstration infiltrated by Negroes who were more militant, or were King's own followers worked up to a fever pitch or agitation? I do not think the distinction is very important. Human nature is human nature. Once passions are unleashed, there is no way they may be held in control. King knows exactly what he is doing.

I would like to point out some more of King's statements last month. He said that if his demands are not met, then "we will consider disruptive protests and it will be necessary to go to broader civil disobedience." Surely this is stretching human nature too far. He is deliberately provoking his followers to violence. King says further:

> We will not destroy life or property, but we happen to know that non-violence must be militant.

Examine that phrase: militant nonviolence. It is a contradiction in terms. This is Orwell's Newspeak, where words mean the opposite of their accepted meaning. War is Peace; Love is Hate. It is apparent that King is not only doing violence to language but is also doing violence to our Nation. Unless protective steps are taken, what happened in Memphis is what will happen in Washington. I wonder if he is already planning to have another car waiting in the alley, as he did in Memphis, so that he can scoot away to safety.

Mr. President, these demonstrations are inspired or directed by men who do not believe in our representative form of government. King and his followers are seeking to tie up the organs of government so that democracy will be paralyzed. Blackmail and mob rule have no part in our system of government. King and his followers are proposing such tactics in order to bring our Government down. I believe that President Lyndon Johnson knows what King is trying to do, and that he should do something about it. I call upon President Johnson to make public the information about King which is available to him. This information is openly talked about in Washington. References to it have appeared in the newspapers. I challenge the administration to let all the citizens of this country know what kind of a man King really is, and what his true purpose is.

The article I have just been quoting, by Frank van der Linden, has a headline entitled "King, Carmichael To Join Forces." I have here another article, by UPI writer Jack V. Fox, published in the Northern Virginia Sun, which has a headline that reads as follows: "Carmichael Conducting Sabotage School in the District of Columbia."

Mr. President, I ask you to consider these two headlines in conjunction: "King, Carmichael To Join Forces," and "Carmichael Conducting Sabotage School in District of Columbia." I believe these headlines speak for themselves.

I ask unanimous consent that the articles, "King, Carmichael To Join Forces," written by Frank van der Linden and published in the Charleston News and Courier of February 11, 1968, and "Carmichael Conducting Sabotage School in the District of Columbia," written by Jack V. Fox and published in the Northern Virginia Sun of February 28, 1968, be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

KING, CARMICHAEL TO JOIN FORCES

(By Frank V. D. Linden)

WASHINGTON.—Dr. Martin Luther King and black power revolutionary Stokely Carmichael are allies now and will work together in a massive civil disobedience campaign in Washington, D.C., starting the first or second week in April.

King, after meeting privately with Carmichael and other Negroes here, said their campaign might last all summer and affect the presidential race.

The presidential candidate who responds to the Negroes' demands for jobs, income, and housing, "will get the Negro vote," the Atlanta minister said.

"We'll have the Negro community, by that time, so fired up by our demands that they will refuse to support the candidate who opposes them."

NONVIOLENT TACTICS

King said his demonstrators would first try non-violent tactics to pressure Congress into adopting a program for the "poor," to cost from $10 to $30 billion. It would include a guaranteed annual income for everybody, "good housing and free choice of neighborhoods."

If Congress refuses, the protests will "escalate to a level much more massive" and "it may be necessary to block a little traffic," he said. But he wasn't "worried" about the danger that more militant Negroes might resort to open violence.

King said Congress will be to blame if the cities have another summer of riots. "Our nation will sink deeper and deeper into the tragic valley of chaos and our cities will continue to go up in flames," he said.

King feared that another "dark desolate summer would lead to more repression and a Fascist state . . . a rightwing take-over" of the government.

King conceded that Congress would not eagerly adopt his proposals at a time when the government has a large deficit because of the "senseless, cruel war in Vietnam," which he bitterly opposes.

He predicted that Southern Democratic chairmen of key committees in this "rural-dominated Congress" would cooperate with "right-wing Republicans" to hold down domestic spending.

OTHER MEANS

If appeals to Congress do not solve this "desperate situation," King said, "we will then consider disruptive protests and it will be necessary to go to broader civil disobedience."

"Our aim is not to tie up Washington," he added. "Our civil disobedience will be centered on the government and Congress, not the city." Blocking traffic on streets and bridges, he said, would be "a last resort."

King foresaw "simultaneous demonstrations in more than 15 other cities" and said some Negroes "may picket Congressmen's homes and offices."

King said he and Carmichael had agreed to work together in "the most effective way" and Carmichael "made it clear he would not engage in a philosophical debate over nonviolence."

Asked if he "welcomed" the Black Power chieftain, King replied that he welcomed "all organizations" to aid his cause.

"Our operations will be nonviolently executed," he said. "We will not destroy life or property, but we happen to know that nonviolence must be militant. We often have to be obedient to a higher law to make people see the problems."

SENSE OF HOPE

"If Congress had sense enough," King said, it would "sign a promissory note" of at least ten billion dollars in aid to the Negroes and the poor, to give them "some sense of hope," and ease their "anger and despair."

King, who has talked about building a settlement of tumble-down shacks amid the cherry blossoms, to dramatize the plight of the poor, said these "shanty towns" wouldn't necessarily be illegal.

"Poor have built tent towns in Washington before," he said. "We are not going to be driven out."

If forced off public property, he indicated, his followers could build their shacks on "private property" in "two or three different places."

SUSPEND PROTEST

King said he might have to suspend his Washington project temporarily in the summer so that his people could demonstrate at the two major national political conventions. The Republicans will meet at Miami Beach, Fla., Aug. 5 and the Democrats at Chicago, Aug. 26.

"There are those who feel very strongly that we must have demonstrations at the conventions," he said.

King also is expected to join the pickets protesting President Johnson's Vietnam war policies. Chicago authorities are so worried about the danger of violence that Mayor Richard Daley has announced plans for beefing up his police force.

Helicopters may be used to fly the President and other officials from their downtown hotels to the Chicago convention hall.

Dr. King outlined his demonstration plans at a press conference at the Church of the Redeemer in Washington. On a bulletin board in the sanctuary was a poster bearing a picture of a Negro woman and this message:

"Black is beautiful—it's so beautiful to be black, Dr. Martin Luther King, Jr., Southern Christian Leadership Conference."

CARMICHAEL CONDUCTING SABOTAGE SCHOOL IN DISTRICT OF COLUMBIA

(By Jack V. Fox)

The kingpin of violent Negroes in America is Stokely Carmichael. He is now conducting a secret school for black militants in Washington.

Carmichael told newsmen in Paris last autumn he hoped for a U.S. defeat in Vietnam. Not withdrawal. Defeat.

Carmichael was on his way back from visits to Cuba and North Vietnam.

He held a press conference at the "Latin American Solidarity Conference" at the Havana Libre Hotel (the old Havana Hilton). At Carmichael's request, American newsmen were barred but the Algerian Press Agency reported his comment on the racial picture in the United States.

"Only the gun can pull us out of this situation," Carmichael said.

"Up to last year we were organized only to defend ourselves, since the white man had convinced us that violence was bad for our struggle even though he was using it freely outside the United States.

"Now our people employ passive violence. However, the line between defensive and offensive violence is a slight one. Once an individual has fired a gun to defend himself, he is capable of using it to attack. We are advancing toward guerrilla violence in the American urban center."

Barry Goldwater says Carmichael should be tried for treason. If found guilty, he should be sentenced as a traitor.

According to reliable informants, Carmichael is operating in Washington a school for black militants from about a dozen cities. The location of the school and its curriculum are secret but it is not anything so sensational as a "School for Sabotage."

Carmichael is said to be teaching some 50 militants how to organize the black community in each ghetto, to obtain key positions of leadership so they can call signals if and when there is a riot or other incident. The militants are then to go home and conduct similar schools in their own communities.

This month, Carmichael held two private meetings with Dr. Martin Luther King. Carmichael is reported to have promised King not to try to take over, or inject violence into King's "Mobilization of Poor People" which is supposed to begin in the Capital in early April.

Why doesn't the Department of Justice prosecute Carmichael?

"We feel we do not have enough evidence to warrant prosecution of Mr. Carmichael on any federal charge," a spokesman told UPI. "We will try to match prosecutions with any violations we do find. But the department will not institute a prosecution unless it has conclusive evidence."

High administration officials fear prosecution which failed to produce ironclad evidence and secure a conviction would make a martyr of Carmichael and fire up the black community worse than ever. Legal officials point out that courts traditionally have been loathe to convict any man of sedition just for shooting off his mouth.

Carmichael is a native of Trinidad, a handsome West Indian who can be charming of manner. Now 27, he came to New York in 1952 and became an outstanding student among 50 Negroes at the Bronx High School of Science, mixing amiably with whites.

He went on to graduate from Howard University with a degree in philosophy.

He participated in a sit-in in Virginia in 1960 and quickly became involved in the civil rights movement. By 1966, he had become chairman of the Student Nonviolent Coordinating Committee. Originated in 1960 at the urging of King, SNCC had swung far from the teachings of its patron.

After the killing of Malcolm X, the Black Muslim whose autobiography is virtually a bible to militants, Carmichael replaced him as something of a national figure for extremists. He has been jailed, briefly and on various local charges, 27 times. Today he is the idol and is quoted by many of the angry men in the ghettos.

One of those attracted was H. Rap Brown. A six-foot, three-inch native of Baton Rouge, La. At Southern University where he majored in sociology he was Hubert Gerold Brown.

He was dropped from the school in his senior year for failure to attend classes.

Last May he succeeded Carmichael as chairman of SNCC. Carmichael said at the time, "People will be glad to have me back when they hear him—he's a bad man."

Brown fulfilled his buildup. At his first press conference he attacked Lyndon Johnson as a "Mad Dog." "Violence is as American as cherry pie," he said.

A few nights later at a gathering of 1,000 Negroes in a Washington church, Brown said:

"Get you some guns and burn this town down if it doesn't come around don't love the white man to death. Shoot him to death."

"The American civil rights movement is dead. It is going to be replaced with something else. The people of America will have to wait and see."

A few months later he was charged with inciting to riot and arson in Cambridge, Md. The trial is pending. In August he was released on $15,000 bail in New York after being charged with carrying a loaded .30-caliber carbine on a plane to New Orleans and back. In January he grappled with a New York policeman outside the Cuban United Nations mission and faces trial for interfering with an officer's performance of duty.

Last Tuesday, he was arrested again—this time for making an unauthorized trip to California while under court order to stay in New York. He had gone to Los Angeles to appear at a black power rally with Carmichael.

There are many responsible people who feel the Carmichaels and Browns have been built into bogeymen, alarming and inflaming both the Negro and white communities, by the mass media reporting of their actions and particularly their words.

If it were only a handful, it might be well to let them shrivel in obscurity. But there are dozens like them, as bad or worse, spouting off in the Negro neighborhoods of most big cities.

In Chicago, the angriest man in the black slums is Russell Meek, 34, chairman of the Afro-American Unity Committee and the Black Impeachment Committee. Meek has a goatee and mustache, usually dresses in Afro-styled garb with beads and bracelets. He participated in the open housing march into the white suburb of Cicero in September, 1966, in which six persons were seriously injured and more than 30 arrested.

Meek buys one hour of radio time from a Chicago FM station and broadcasts from his living room Sunday night at 10 p.m.

"I teach blacks to love blacks and to hate injustice, oppression and the people who create this—white people, of course," he says.

He warns whites: "The die is cast, you shall pay for the past."

"No more Negro generations will grow up under the same conditions as this one has, this I swear." Meek declares, "I don't advocate riots. I advocate revolution."

His type of revolution calls for isolation of Negro neighborhoods—anyplace where Negroes are in a majority—from white communities. Once in control, the blacks should live in cooperatives and share responsibilities and income.

TAX ADJUSTMENT ACT OF 1968

The Senate resumed the consideration of the bill (H.R. 15414) to continue the existing excise tax rates on communication services and on automobiles, and to apply more generally the provisions relating to payments of estimated tax by corporations.

Mr. LONG of Louisiana. Mr. President, if there be no further business to come before the Senate, I move that the Senate stand in adjournment until 12 o'clock noon on Monday.

Mr. BYRD of Virginia. Mr. President, will the Senator withdraw that motion, and yield briefly to me?

Mr. LONG of Louisiana. How much time does the Senator from Virginia require?

Mr. BYRD of Virginia. Two minutes.

Mr. LONG of Louisiana. Mr. President, I withdraw the motion and yield 2 minutes to the Senator from Virginia.

AMENDMENT NO. 692

Mr. BYRD of Virginia. Mr. President, I send an amendment to the desk, and ask that it be printed.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table.

Mr. BYRD of Virginia. The purpose of this amendment is as follows: As I understand the pending proposal, if the surtax is agreed to, it would become effective April 1. It is now obvious that the bill will not be enacted by that date, and it seems to me that, unless the date is changed, wage earners and other taxpayers will be called upon to pay taxes retroactively which have not been deducted from their paychecks, which would be a hardship and a burden on them.

My amendment would make the effective date of the surtax the first day of the month following whatever date the bill is signed into law.

ADJOURNMENT TO MONDAY

Mr. LONG of Louisiana. Mr. President, if there is no further business to come before the Senate, I move that the Senate stand in adjournment until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 3 o'clock and 45 minutes p.m.) the Senate adjourned until Monday, April 1, 1968, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 29 (legislative day of March 27), 1968:

U.S. Air Force

Lt. Gen. Jack G. Merrell, FR1687 (major general, Regular Air Force), U.S. Air Force, to be assigned to positions of importance and responsibility designated by the President, in the grade of general, under the provisions of section 8066, title 10, of the United States Code.

U.S. Navy

The following-named officers of the Navy for permanent promotion to the grade of rear admiral:

LINE

Thomas D. Davies
Fillmore B. Gilkeson
John R. Wadleigh
Burton R. Shupper
Frederick E. Janney
Robert B. Erly
Valdemar G. Lambert
Ben B. Pickett
Leslie J. O'Brien, Jr.
William N. Leonard
Walter L. Small, Jr.
Lucien B. McDonald
Leroy V. Swanson
Frank W. Vannoy
Thomas J. Rudden, Jr.
Charles D. Nace
Lloyd R. Vasey
Ernest W. Dobie, Jr.
Dick H. Guinn
Maurice F. Weisner
Roy M. Isaman
Frederick H. Michaelis
Roy G. Anderson
William E. Lemos
Gerald E. Miller
Isaac C. Kidd, Jr.
James F. Calvert
Elmo R. Zumwalt, Jr.
James J. Stilwell
John W. Dolan, Jr.
William C. Hushing
James H. Smith, Jr.
Kenan C. Childers, Jr.

MEDICAL CORPS

Frank B. Voris

SUPPLY CORPS

Fowler W. Martin
Frederic W. Corle
Joseph L. Howard

In the Navy

The nominations beginning Peter D. Abbott, to be lieutenant commander, and ending Paul F. Bolding, Jr., to be a permanent chief warrant officer (W-3) and a temporary chief warrant officer (W-4), which nominations were received by the Senate and appeared in the Congressional Record on March 18, 1968.

In the Navy and Marine Corps

The nominations beginning William M. Adney, to be ensign in the Navy, and ending Francis P. Warrington, to be second lieutenant in the Marine Corps, which nominations were received by the Senate and appeared in the Congressional Record on March 18, 1968.

EXTENSIONS OF REMARKS

Speech by Senator Jordan, of Idaho, Before Washington, D.C., Section of Society of American Foresters

HON. GORDON ALLOTT

OF COLORADO

IN THE SENATE OF THE UNITED STATES

Friday, March 29, 1968

Mr. ALLOTT. Mr. President, a few days ago I had the great pleasure of reading the remarks of the distinguished Senator from Idaho [Mr. Jordan] before the Washington, D.C., Section of the Society of American Foresters on March 19, 1968. I think all Members of the Senate continue to recognize and appreciate the great contributions which the Senator from Idaho continues to make to this body.

From his particular vantage point as a member of the Committee on Interior and Insular Affairs, the Committee on Public Works, the Committee on Aeronautical and Space Sciences, and the Joint Economic Committee, as well as of the Public Land Law Review Commission, Senator Jordan has the unique capacity to add significantly to the work of the Senate—a capacity which he continually draws upon to add new dimensions and insight into contemporary problems.

In his prepared remarks, Senator Jordan addressed himself to the question of the influence which the proper use of our land and related resources may have, not only upon the quality of present American life, but also upon future generations. Senator Jordan has added a significant contribution to the problem of how we must aproach this important question in order to strike the proper balance to fit the needs of the greatest public interest in managing and utilizing our great national treasure of land and its related resources.

Mr. President, I ask unanimous consent that the speech by Senator Jordan be printed in the Extensions of Remarks.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Speech by Senator Len B. Jordan Before the Washington, D.C., Section of the Society of American Foresters, March 19, 1968

My good friends it has been said that "Man is the product of his environment." As is usual in making such a general statement, this is only partially true. Many other variables enter into the complexities which affect people and which help to mold our civilization. Certainly the proper use of our land and related resources has a major influence, not only on those now living but on generations yet unborn.

It is timely and pertinent that those of us who now have some responsibility concerning the highest and best use of our land resources should meet to analyze and discuss the subject, "The land use: Who calls the shots." The subject is well-chosen and you have heard outstanding land economists discuss the matter in depth here today.

I am honored and certainly appreciate this opportunity to meet with such a distinguished group of people. As a member of the Senate Interior, Public Works, Aeronautical and Space, and Joint Economic Committees, as well as a member of the Lewis and Clark Trail Commission and of the Public Land Law Review Commission, it is quite evident that I am exposed to many of the current problems concerning uses not only of our land but of the space above as well. In view of these complexities it may well be that at times we can be compared to an old Idaho judge who said, "I have no trouble making up my mind on a case until I have heard both sides." That is one of the many advantages of living in this great country. We do have the privilege of hearing both sides of any issue, and we should make full use and really appreciate the freedom of speech which we have.

If I could in one word express what I consider the paramount goal in our land uses I would say "balance." This word according to Webster means equilibrium, equality, to compare, to counterbalance, equal or to make equal, adjust or to settle.

Multi-purpose is often used where land is utilized for many purposes, but we must balance our land to fit the needs of a particular period of time. We also must balance the use of any specific area of land to those lands which are adjacent or nearby if we are to serve the greatest public interest. To do this where we have private, municipal, county, state or federally owned land in the same general location, or if we have any combination of these ownerships we must have full cooperation and coordination.

We also should define "public interest." How much consideration should be given to the needs and wishes of local people, compared to a greater number of people who are far removed from any specific land. Because some of the land is in federal ownership each person feels that he should have an equal voice in its use and management.

We may compare, for discussion purposes, Western public range lands which are used for watershed management, growing of timber, furnishing forage for livestock and wildlife, supplying local needs for camping, picnicking, hunting, fishing and for the production of minerals, to lands involved in a federal highway which is near a congested city. In the first category a local advisory committee usually assists the land manager or supervisor to develop the proper program. In the second instance a local community planning or zoning commission or group make recommendations concerning limited access, overpass or possibly the need for a traffic control facility on such a highway so that children may cross this busy street to get to their schools. In either instance local interest should have full consideration so the land uses will be compatible with the need. In other instances such as Yellowstone National Park where national or even international public interest is involved a different situation exists.

We do not want to have our land administrators in the same position as the Bible story where the Lord had fasted for 40 days and was weak with hunger. The Devil approached Him and after taking the Lord to a high mountain showed Him a beautiful valley with sparkling cold water, green grass and tall trees. He told the Lord if He would forsake His program and join with the Devil, He would give Him half of all these things. But as you know, the Devil didn't own one acre of those lands.

The word conservationist has never been fully explained. We have working conservationists and we have writing or vocal conservationists who are sometimes called dedicated conservationists. Each of these groups is important in developing and implementing a conservation program. Each is important in analyzing and implementing proper land uses so we may achieve the best results. To do this we need better communication between these two groups of conservationists than we have had at times in the past. The public should be made fully aware of the part that each group plays in the total land used effort, one to help the public understand the problems, the other to actually put conservation practices to use. I fully believe it is possible for members of these somewhat separate categories of conservationists to disagree in some respect without being disagreeable. Some communication barriers should be broken down.

Out west two adjoining owners of lands which are fenced have a "common shared boundary." It is necessary to agree on certain land use practices in this same way if we are to have the best balanced use of our land resources now and in the future. We also need to develop more common boundaries and to fully understand the difference reality and illusion in developing land use planning.

I fully subscribe to planning and zoning of land uses so we may develop programs in advance to meet our future needs with the very minimum of disruption of existing land use. No one really likes the new. We are all in a sense, afraid of change. If we are to progress, however, we must accept change. But we must be sure change is necessary. This applies to land use, and each day we see some new highway, some new building, a new canal or other change in our land pattern.

History tells us that changes have taken place in the country, but none of us in this fast moving age can foretell with any degree of accuracy what land pattern changes are likely very far in the future. We should use history and, of course, past experience, along with all available resource information to arrive at some meaningful land use plans for the future. But let us be practical. Land use sets a pattern for higher use which cannot be determined very far in advance.

I sometimes wonder what would happen to our land development and how much land development may have been retarded if the "Plymouth Colony Planning and Zoning Commission" could have envisioned our present existing uses of land and attempted to classify in advance, lands that through their crystal ball would be needed for railroads, highways, parks, wilderness areas, green belt spaces, transmission lines, natural gas lines, airports, runways and beltways, to mention only a few.

Even this city of Washington, D.C. was selected principally as a compromise for the Capitol of our country not because, at that time it was classified as being suitable for a Capital City. The land was mostly swampy and undesirable and the area where the Capitol now stands, because of its slight elevation, no doubt was choice hunting ground for wild game. Later through an evolutionary process it possibly became a farm, and still later some of the area was a row-housing development. From that it has gradually developed to its present use. So our planning must be practical and realistic, it must be based primarily on current needs. Our laws also provide methods of acquiring any land the public may need when such use has been fully justified.

In "calling the shots" or using land for its highest and best use landowners and managers must cooperate and, in a sense, coordinate or balance their operations and programs. In some particular tracts such as those in National Parks, defense sites, fish and game refuges, atomic energy plant sites and others, a very definite paramount purpose has been established.

Of the 180 million acres of land managed by the U.S. Forest Service, however, and the 475 million acres managed by the Bureau of Land Management, multiple-use can and in most instances should be practiced. Much of these lands are either intermingled or adjacent to state or private lands. Fire presuppression, fire protection, and fire fighting, insect control, noxious and poisonous weed programs, predator control projects and others too numerous to mention are involved. We see again there must be full understanding and cooperation between the land managers and owners, if we are to continue to improve our present uses.

We have made wonderful progress since the beginning of this century in securing this type of cooperation. I want to pay tribute at this time to the managers of these federal and state agencies, to private landowners, as well as research, educational agencies and individuals. Through improved seed, wise use of pesticides and insecticides, better equipment and knowledge gained through research, our farmers and ranchers are producing more food than we can presently use in this country in spite of our tremendous population growth. The consumers are able to eat better on a smaller percentage of their take-home pay than at any time in history.

Our fish and game numbers have doubled and tripled in many instances. In fact when Lewis and Clark made their historic expedition in 1804 they were hard put at times to find wild game and food when only a few thousand Indians were eking out a scant living from the lands in the west. Now although our hunters greatly exceed the number of Indians we had at that time, we are able to produce additional food to feed millions of people.

Minerals from our lands provide raw materials which helped to build the greatest industrial empire the world has ever seen and supply the nation's sinews of war. From these minerals are forged the vehicles of our transportation system and the energy to keep our cars, trucks, buses, trains, airplanes and tractors operating.

In forestry our sustained yield policy is geared to provide wood products in perpetuity. Our lands are now producing more timber than we are cutting.

Through current management programs our watersheds fulfill many needs and require the close cooperation between private owners and representatives of public ownership. Landowners are permitting wildlife to feed and winter on their private lands. These owners also permit hunting both for wild fowl and wildlife on their land. Sunbathers, rock hounds, fishermen, picnickers, and other outdoor enthuasiasts are usually allowed on most private lands. True we have a few landowners who do not cooperate but with the power of eminent domain we can acquire access or the land itself if we can show a real need.

Private land ownership is, in reality, a stewardship and such land should be managed so it will be available for future generations in as good or better condition than when the present owner acquired it. In addition, of course, the owner must make a profit and pay taxes to assist in caring for our governmental needs. We expect and require as good or better management on our public lands as on private or state lands. We must all work with and not against nature. The evidence of this lack of proper use occurs, not only in our country, but in older countries.

Several years ago I spent a summer in Afghanistan investigating the economic feasibility of a large reclamation development. I found that certain centuries of watershed abuse had first removed all of the timber from the slopes of the higher elevation. Overgrazing had contributed to the destruction of the grass cover by leaving insufficient vegetation to retard the run-off. Erosion was inevitable and devastating almost beyond belief. Soil movement had bared the hillsides to bedrock so that there was little more run-off retardation than from the roof of a building.

Masonry arched bridges perhaps a quarter of a mile long stood stark and desolate in the desert, mute evidence to the fact that a rampaging river had damned its own channel by logging debris against the bridge piers and then cutting a new channel as if in defiance of man's efforts to contain it. At flood state the river was a monster out of control. In the heat of summer when water was most needed the river would shrink to a docile, sluggish stream, an altogether inadequate fraction of its flood stage. In this same country I have seen drifting sand dunes uncover the houses of the village that was once the center of an irrigated agriculture community. Here was a civilization that had perished for lack of water. This is a silent indictment of man's refusal to observe sound conservation practice.

On the other hand, if we fail to use our resources through complete preservation we can go to another extreme. In the 1930's several five-acre enclosures were fenced on public domain land in the state of Nevada. When I looked at some of these a few years ago I found that through non-use large old bitter brush and big sagebrush had taken over and there was little or no browse or useable grass growing in these fenced areas. Conservation usually means wise use and not in most instances complete preservation.

A Public Land Law Review Commission was created by congressional action to study all land use and related laws as well as the regulations which govern them. We cannot make this study without taking into account, of course, the operations of our state and private lands as well as federal lands. Contracts for studies with outstanding research groups have already been made on about a third of those that will be studied. The others are being readied for submission for study. It would seem that the millions of dollars that are being spent and the research that is being developed in connection with this that we should not move too fast too soon on new regulations or legislation. If we do not have an emergency we should not create one. We should move with caution on new legislation or changes in regulations, unless we do have an emergency situation.

I hope that landowners, land administrators, researchers, and educators will all join together in assisting to find the right answers in connection with the studies we are now making. I hope we can find the balance of use of our lands for which we are all seeking. This can only be done if we each understand the problems of the other segments of our land use, research and educational groups.

In conclusion, I would leave this thought with you. Never, let us forget the interdependence of land and water. Whether our interest in these resources derives as owners, renters or custodians for all of the people we must remember that we are stewards only—no one has yet devised a way to take even a small parcel of these resources with us when we cross the bar. They come to us as our heritage. Let us use them wisely and well with full dedication to the proposition that by the very nature of what is best for all of us, we must pass this legacy on to future generations as good or better than it came to us. Only in this way can we discharge our own responsibilities as keepers of the precious resources which for one brief moment in history is ours to cherish and protect.

New Frontiers of Understanding the U.S.S.R.

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 28, 1968

Mr. **DERWINSKI**. Mr. Speaker, there is no greater, general misconception held in our country than that the Soviet Union is "Russia," "a nation," "a country of over 200 million Russians." This grave misconception is almost daily encountered not only in the private realm but also in the highest official circles. Regrettably, many of our misdirected policies toward the U.S.S.R. are based on this misconception and will undoubtedly cost us much in this historic struggle with Soviet Russian imperiocolonialism

The new book on "The Vulnerable Russians" explodes this basic misconception and illuminates the new frontiers of understanding the U.S.S.R. It also sets forth concrete recommendations for a rapid rectification of the Red empire. Authored by Dr. Lev E. Dobriansky of Georgetown University, the book is lucidly written, quite revealing in many areas, and well documented throughout. With broad perspective, it shows the blinders of misunderstanding by which our policymakers have approached the Russian problem.

"The Vulnerable Russians" is now available at the Georgetown University Bookstore, White Gravenor, Georgetown University, Washington, D.C. However, some excerpts from the book will give the reader an indication of the novel nature of the work.

The excerpts follow:

NEW FRONTIERS OF UNDERSTANDING THE U.S.S.R.

"What man dare, I dare: Approach thou like the rugged Russian bear."—Macbeth

By now you may well be saying, "Propaganda? This could not possibly be the major clue for beating the Russians in the Cold War. After all, propaganda is just propaganda, words and more words which cannot resolve any issues." Sometimes a further thought is added: "Let them propagandize; we'll maintain our military strength. Propaganda won't help us, but superior military strength will." Skakespeare in *Macbeth* showed a keener insight.

Statements of this type miss the whole point of the Cold War. First, look up the definition of propaganda. It is not the offensive or meaningless word you may think it to be. Propaganda means ideas, concepts, doctrines, systems of thought which, regardless of their validity or lack of validity, ultimately determine and shape the behavior and actions of men, whether rationally or irrationally. All revolutions owe their birth and development to propaganda; men have laid down both their lives and arms because of propaganda.

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Keeping these points in mind, it should be evident by now that one of the most strategic concepts in our psychopolitical warfare against imperialist Moscow is the captive non-Russian nations in the USSR. Herein lies the new frontier of understanding and combating the USSR. There is no question but that this will become the primary concept in our cold war operations against the Soviet Russian Empire. It is only a question of time—time for more shock treatments administered by colonialist Moscow in Africa, Asia, the Middle East, and Latin America; time for more Red totalitarian takeovers in any of these areas via the classic imperialist Russian cold war principle of *divide et impera;* time for a sobering realization in the United States that man with all his complement of ideas, will, convictions, faith, courage, and cunning will always be the ultimate weapon.

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Several years ago an expert on polwar wrote: "If Russians who claim to be anti-Communists refuse to extend the goal of freedom to non-Russians, then we must wonder whose side such Russians will be on when a showdown comes." The author of this observation was himself at first skeptical about the contention that a basic common denominator exists between the Russian totalitarians in Moscow and a sizable number of empire-minded Russian emigres in the Free World. This denominator has been the preservation of the primary Russian Empire now paraded about as the Soviet Union. Close experience helped to dissolve the author's early skepticism.

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The plain fact is that no foreign army or subversive machine had ever overtaken Russia in the imperialist manner that the Soviet Russian aggressors invaded the Baltic countries, Ukraine, Poland, and others, whether directly or indirectly. The Bolshevik Revolution and all that followed was thoroughly and completely a Russian phenomenon.

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THE CAPTIVE NON-RUSSIAN NATIONS IN THE U.S.S.R.

In a sense this essential polwar concept of the non-Russian nations in the USSR is not new. For some time it has been tied up with the righteous cause of the subjugated nations in the Russian Empire, the right of national self-determination and similar objectives. Naturally these ends are indispensable to the existence of the concept. But in an instrumentalist and operational sense there has been no thorough and systematic development of the concept along lines of a planned strategy against the modern totalitarianism and colonialism of Moscow. The Germans made a haphazard attempt at it, and disclosed documents of World War II well attest to its character. Elevated as an instrument of thought and action, and logically distinguished but not divorced from certain moral and political ends, the concept is a most powerful device in the propaganda field, which in the Cold War—the war to move minds and win hearts—encompasses all else.

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In present as well as future circumstances the relentless pursuit by Moscow to foist the Soviet Russian image upon the non-totalitarian Free World will only serve to underscore the urgency of properly characterizing the Soviet Union as it really is and of formulating plans of positive action accordingly. The main character of Moscow's policy is propagandistic and psycho-political; its military power is in reality secondary. This character is in complete harmony with the traditional cold war nature of Russian diplomacy.

* * * * *

The peculiarities of current thinking on the USSR, both in the United States and in Western Europe, are four in number. One is the careless and literal confusion of nation and state. Second, in a persistent historical void, "Communism" continues to be unrealistically reified. Third, the ramifications of monolithic imputations to the USSR extend into every imaginable sphere—the political, economic, cultural, scientific, and so forth. And fourth, a double standard is knowingly or inadvertently maintained in connection with different areas of U.S. relations. Taken in combination, these peculiar aspects portray a distorted picture of the Soviet Union, reinforce the image Moscow seeks to establish permanently of its own empire, and insure a major disadvantage for us in the cold war contest.

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Another outstanding example of the first peculiarity is President Kennedy's contradictory statements. As we observed, during the 1960 Presidential campaign he deplored the Eisenhower Administration's use of such terms as "Soviet nation" and "Soviet people." Yet, in his State of the Union address he declared, "I now invite all nations—including the Soviet Union— to join with us. . . ."

Concerning the second peculiarity, the reification of Communism, it would seem that the spectacular Hungarian Revolution alone should have convinced us of the objective sterility and vacuity of Communism. Unfortunately, this impression was not lasting, for in the period following, especially in 1959, the unreal contest between "Communism" and capitalism was revived, and many continued to be prepossessed with the notion of "fighting Communism." Despite the fact there are no such real entities, terms such as "Communist nations" and "Communist peoples" became rampant in Western use.

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In classes at Georgetown University and elsewhere, the writer has for many years insisted on a concretist definition of Communism from those who uncritically apply the term to the Soviet Union or any other sector of Moscow's empire. Even Soviet Russian tergiversates cannot define concretely what everyone seems to bandy about loosely. In 1961 they conjured up this moonshine definition: "Communism is a classless social system with one form of public ownership of the means of production, and full social equality of all members of society; under it, the all-round development of people will be accompanied by the growth of the productive forces through continuous progress in science and technology; all sources of public wealth will gush forth abundantly, and the great principle from each according to his ability, to each according to his needs will be implemented."

* * * * *

The final peculiar aspect, our double standard, is a highly vulnerable point in U.S. foreign relations. In fact, its presence makes for manifest contradictions in our official utterances and policies. For instance, our Presidents have frequently held out for the freedom and independence of all nations, large and small, but when concrete projects arise in connection with most of the non-Russian nations in the USSR, a vague and self-defeating position of non-predetermination is maintained. We are quick to recognize the independence of entities in Africa, which could hardly be deemed nations, but we are afraid to uphold the long-established independence aspirations of real national organisms in the immediate environment of the avowed enemy.

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Several months after the Captive Nations Week explosion in 1959, Moscow suddenly began publishing and distributing through London sources a series called *The Fifteen Soviet Republics, Today and Tomorrow.* From December, 1959 to April, 1960 these booklets were prepared in typical Potemkin Village style. Puppet ministers of the non-Russian republics introduced their respective domains to the reader. Thus, for example, the chairman of the Ukrainian SSR Council of Ministers, N. Kalshenko, presented the "happy and prosperous" conditions of Ukraine, which, for him "is one of Russia's biggest industrial areas."

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Moreover, there is no question but that Khrushchev's prime mission in the U.N. Assembly in 1960 was to deflect attention from colonialism in the USSR by concentrating on colonial vestiges in the Free World. This was his way of replying further to the Captive Nations Week Resolution. Even the USSR Embassy in Washington has come into the potemkinistic act for the benefit of Americans showing an interest in the strategic non-Russian concept. The scandalous UNESCO study prepared by subsidized "Red scholars" in 1962 would make a story in itself.

It is most important to recall that in that 15th General Assembly of the United Nations, both Prime Minister John Diefenbaker of Canada and the Chinese Nationalist Ambassador, Dr. Tingfu F. Tsiang, only scratched the surface of the captive non-Russian nations issue, but both immediately became targets of Moscow's tirade. On the dominant question of colonialism and imperialism, the subject of the captive non-Russian nations in the USSR was a natural one for us to advance in order to gain a strong offensive in the debate. But, unfortunately, we scarcely raised it.

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But it is illuminating that in 1960 the then Under Secretary of State, Douglas Dillon, referred to these captives and said: "The Armenians, the Georgians, the Ukrainians, the Tatars, the Turkomans, Uzbeks, and Tadzhiks—and many others who attempted to escape from the Czarist 'prison-house of nations,' as Marx called it—were thrust by force into the Communist straitjacket." Regardless of some conceptual inaccuracies in the statement, it is nevertheless a decided mark of progress, an advance in our official thinking about the Soviet Union. After all, only a few years before the Department taught, in its *Soviet Affairs Notes* (No. 156): "The term 'Ukraine' is itself a modern political rather than a historical term. It was invented in the nineteenth century by nationalists seeking to detach the southwestern borderlands of Russia from the Tsarist Empire."

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REQUISITES OF REORIENTATION

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The four requisites are: (1) the strategic polwar concept of the non-Russian nations in the USSR; (2) emphasis on Moscow's totalitarian imperialism; (3) the full exposure of Soviet Russian colonialism; and (4) the development of a universalized Declaration of Independence and all that this implies. The sorry confusion of state and nation with reference to the Soviet Union is readily resolved by the adoption and use of the determining concept of the non-Russian nations in the USSR. The concept also counteracts the use of such baseless terms as "the Soviets," "the Soviet nation," "the Soviet people," and the like.

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Emphasis on Moscow's totalitarian imperialism is a second workable requisite. It is totally in accord with historical fact and current political reality. Such emphasis is obviously related as a necessary support to our primary concept. We noted before that when the Hungarians revolted in 1956 the battle cry was both "Freedom!" and "Russki go home." When the Georgians rioted in March and May of the same year, public buildings in Tiflis were chalked with the slogan, "Long Live an Independent Georgia." When the Germans invaded Ukraine in 1941, they were greeted with flowers and mass cries for independence from the Russian masters. These cases can be multiplied indefinitely, going back to the conquest of the first array of non-Russian nations at the beginning of the 20's. Foreign domination with totalitarian reins—meaning Russia—is the crucial and overall fact in all of these cases.

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Beyond the propaganda smoke screen of "independent socialist countries," including even the non-Russian nations in the USSR, is the opaque reality of Soviet Russian colonialism. Knowing the usual output of Western scholars, I cannot agree with the observation made by a quoted official study that "Western scholars of Soviet affairs agree on the imperial-colonial character of the U.S.S.R." This condition, too, is interwoven with the polwar non-Russian concept. Moscow has been the center of imperialist conquest over all the captive non-Russian nations now being fallaciously represented as "the socialist countries."

* * * * *

The full exposure of Soviet Russian colonialism would further reveal the existence of an extended Soviet Russian empire with different sets of relationships contained within, such as that of the Russian and non-Russian within the USSR, that of Moscow and the so-called satellites in Central Europe, and the Moscow-Peking, Moscow-Belgrade, Moscow-Havana relationships. Whatever the motivation behind theb, oft-used references to "the Soviet bloc," "Communist bloc," indeed, even "the Soviet Empire," lack the existential pungency and operational significance of the conception advanced here. The infrequent criticism in a few circles that this requisite implicates the Russian people is without logical point in this context. The oppressed Russian people, as a whole, have little to do with this political phenomenon. Moreover, continual stress on the empire character of the Soviet Union and its legalistic extensions in Central Europe and Eastern Asia leaves no room for the imputation of monolithism in any form.

* * * * *

Mention should be made here of another conclusive and pragmatic test of the determining concept of the captive non-Russian nations in the USSR. In 1960 the writer succeeded in having a measure passed by Congress honoring Taras Shevchenko. A century ago our own great tradition of independence, freedom, and constitutional government rubbed off on this heroic Ukrainian poet and humanist. The Congressional tribute vexed Moscow so much that a whole barrage of verbal assault against the author and others was launched. Because of the pragmatic value of the test and the fact that this story is yet to be fully understood, a whole chapter is devoted to the subject. The new frontier of understanding and combating the USSR will become even more clear.

* * * * *

Whether there be a Stalinist or a Khrushchevian climate in the Soviet Union and other sectors of Moscow's empire, cultivated psycho-political means can be employed with uncanny flexibility and maneuverability. As we shall see, on the diplomatic level, in one situation we might be compelled to sever relations with the master and dependent Red capitals in the empire; in another, such as now, we should be extending these relations to the non-Russian capitals in the USSR. By taking this latter step, we would be fully recognizing the nations involved and thus reinforcing the national pride and appetites of these non-Russian peoples.

* * * * *

These are only a few indications of the possibilities and opportunities open to us in this deadly contest. Even these in combination stand to demolish the spurious "Russian image" being built by adroit Moscow propaganda. But before a successful program along these lines can be launched, sound working conceptions and concepts must first anchor our thoughts and perceptions in relation to the problem facing us. Without this, we can only hope to drift aimlessly from project to project at considerable cost to ourselves. And second, a new frontier or a real bridge of understanding is yet to be reached by our successive Administrations in the region of foreign affairs. Our fundamental concept points to the new frontier—a genuine bridge of understanding peoples and nations rather than Red regimes—in U.S. foreign relations.

Support for Report of Advisory Commission on Civil Disorders

HON. FRED R. HARRIS

OF OKLAHOMA

IN THE SENATE OF THE UNITED STATES

Friday, March 29, 1968

Mr. HARRIS. Mr. President, the U.S. Commission on Civil Rights on March 15 issued a strong and welcome statement of support for the report of the President's National Advisory Commission on Civil Disorders. The Commission on Civil Rights commends the report as "a challenging and significant document which should awaken the American people to the urgency of our domestic crisis." They conclude their statement by saying:

> We share with the National Advisory Commission on Civil Disorders the conviction that this Nation is on a course leading rapidly toward polarizing the black and white communities into separate and unequal societies. Along with the Advisory Commission, we believe that the trend can be reversed only by acting now to make the elimination of racism and poverty within our own borders the Nation's first priority.

I ask unanimous consent that the statement be printed in the Extensions of Remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

> WASHINGTON, D.C.—The U.S. Commission on Civil Rights today released the following statement on the report of the National Advisory Commission on Civil Disorders:
>
> The U.S. Commission on Civil Rights commends the report of the National Advisory Commission on Civil Disorders and urges

support of its recommendations. The report is a challenging and significant document which should awaken the American people to the urgency of our domestic crisis. In identifying white attitudes and actions which have helped to create and maintain the ghetto as the root of the problem, the report has provided a hard dose of medicine for the American people. But the hope of this Nation lies in its capacity for self-criticism and its ability to correct its feelings.

Thus, it is of the utmost importance that national, State, and local leaders avoid the temptation to quibble over details of the report, to ignore its clear warnings, or to respond with superficial remedies. In the weeks and months that lie ahead this report should strengthen thoughtful Americans everywhere in their resolve not to yield to the blind urgings of violence or repression.

Since its establishment 11 years ago, our Commission has investigated the status of the Negro and other minority groups throughout this land. It has reported to the President, the Congress, and the public the sad history of deprivation, discrimination, and prejudice which has denied justice and economic security to millions of nonwhite Americans. Our experience over this period has deepened our belief that the only ultimate guarantee of equal justice and civic order is the creation of a truly integrated society. We share with the National Advisory Commission on Civil Disorders the conviction that this Nation is on a course leading rapidly toward polarizing the black and white communities into separate and unequal societies.

Along with the Advisory Commission, we believe that the trend can be reversed only by acting now to make the elimination of racism and property within our own borders the Nation's first priority.

The statement was signed by John A. Hannah, Chairman, President of Michigan State University; Eugene Patterson, Vice Chairman, Editor, Atlanta Constitution; Frankie M. Freeman, Commissioner, Associate General Counsel of the St. Louis Housing and Land Clearance Authorities; Rev. Theodore M. Hesburgh, C.S.C., Commissioner, President, University of Notre Dame; Robert S. Rankin, Commissioner, Professor of Political Science, Duke University; and William L. Taylor, Staff Director.

Student Reporters in Vietnam—VII

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, March 29, 1968

Mr. ROSENTHAL. Mr. Speaker, I am pleased to insert into the RECORD two new dispatches by Lee Dembart and Ralph Paladino, students from Queens College now reporting from Vietnam for their college newspapers.

These most recent dispatches serve to highlight the continuing agony of Vietnam. Mr. Dembart's article gives shocking evidence of the widespread use of marihuana and other drugs by Americans in Vietnam, and Mr. Paladino describes at length the problems that American troops are encountering in trying to control the Mekong Delta, the breadbasket of Vietnam.

The articles follow:

(By Lee Dembart)

SAIGON.—The lights were low and the tape recorder was loud, and the sweet smell of marijuana hung over the barracks.

". . . And now they know how many holes it takes to fill the Albert Hall," the soldiers sang along with the music. "I'd love to turn you on."

And as they sang they passed a marijuana cigarette back and forth among them, breathing deeply and holding down the smoke and gazing at the walls, the ceiling, and each other.

It is a scene that I have witnessed in almost every major city in the country, from Saigon to Hue and Danang in the north to Pleiku in the central highlands to Can Tho and Soc Trang in the Mekong Delta.

For though military spokesmen deny it, a tremendous number of American servicemen and civilians in Vietnam are smoking marijuana on a regular basis. Throughout the country marijuana is readily available at unbelievably inexpensive prices and heavily in use.

Warned a recent editorial in the 7th Air Force newspaper: "Marihuana, as well as the narcotic drugs, are things you should remember to 'steer clear of' at all times.

"In addition to the harmful medical effects, the mere curiosity of buying a 'numbah one cigarette' from a cyclo driver may lead to a military court-martial with its resultant jail terms, forfeitures of pay and allowances, and a possible punitive expulsion from the Service."

But not many GI's are being scared by the threatened penalties. The mere mention of "con xa" (Vietnamese slang for marijuana) brings instant recognition from taxi drivers, sidewalk vendors, and children playing in the streets anywhere in the country.

And the recognition is invariably followed by the question: "How much you buy?"

Prices vary widely depending both on the supply and the amount of pressure being put on Vietnamese officials to crack down on sales. But even at the highest prices, marijuana costs a fraction of what it sells for in the States.

As one Air Force sergeant observed: "A nickel bag out here costs just that: five cents."

Usually, though, marijuana cigarettes are sold, already rolled, in cellophane packets of ten. Such a packet, containing "joints" the size of a regular non-filter cigarette, costs anywhere from $1 to $2.50.

In Saigon the packets can be purchased at any cigarette stand on Tu Do Street and vicinity, in the heart of the capital's downtown area. And now that the City is back on limits to servicemen, a number of GI's can invariably be seen clustered around the Vietnamese suppliers.

Danang-based soldiers usually find it necessary to travel to China Beach near the USO in order to purchase marijuana. There, a half-mile long stretch of thatched bungalows serves as the local supply point.

A prospective customer looks over the assortment of Vietnamese flags, stolen combat gear, knives, and Oriental souvenirs, and then, turning to the proprietor, says, "Marijuana."

"Fi' dollar, thirty," comes the answer, but everyone in Danang holds out for 10 cents apiece, thus buying 50 cigarettes for $5 or 20 for $2 or 10 for $1.

Or, if China Beach is too inaccessible, there are other supply areas in Danang. A report has it that one Vietnamese is doing a $30-a-day business half a block from Naval headquarters.

And across the street from the airbase BX a crowd of children scampers up and down the dirt sidewalk, ready, willing, and eager to produce marijuana for anyone who asks.

In Cam Ranh Bay, site of a major U.S. logistics supply area, almost every bar in the Village will sell marijuana for the asking. And says one sergeant stationed there: "A lot of guys are doing the asking."

Hue, in the north of the country, presents a special problem. The town suffered greatly and was in large part destroyed during the Tet offensive seven weeks ago. Many of the usual suppliers have either been killed or run off or are still too frightened to resume their trade.

As a result, the town prostitutes have become the only source of supply, and they demand exorbitant prices for marijuana, prices that are equal to or higher than prices in the States.

But the high cost and relative inaccessibility has not cut down use. Said one Marine sergeant: "Out in the field we never smoke, but here in our barracks we're smoking all the time.

"I'd say half the guys in this town smoke grass a lot."

Throughout the Mekong Delta the situation is the same, with the possible exception that marijuana is cheaper there than anywhere else in the country. In Chau Doc, near the Cambodian border, a quarter of a pound of marijuana sells for 500 piastres (about $4.25), while a kilogram bag can be bought for 4,000 piastres (just under $34).

And in one provincial capital in the Delta, the local CIA "spook", a Vietnamese with a weighty French background, is the marijuana supplier for the town.

But nothing compares with Saigon.

In addition to the Tu Do Street merchants, marijuana can be purchased with ease from any cab driver or in practically any store.

The bars are all sources of supply, with special bars, like Mom's, coming in for special praise from GI's throughout the capital area. Mom's has no bar girls, but it is closely watched by military authorities.

Though Cokes and beers are relatively expensive, the "free lunch" entices the customers. For here, instead of seeing little plates of peanuts about, a visitor sees little plates of hashish, to which customers are invited to "help themselves."

A man assigned to Tan Son Nhut Airbase just outside of Saigon doesn't even have to leave the base to buy marijuana. Little Vietnamese beer stands set up in the rear of the base, outside the Ellis Compound, fill all orders. Sold in what look like unopened packs of regular American cigarettes, the marijuana has been conveniently packed into what once were Salems or Winstons.

Even the cellophane has not been removed from the packages of repacked cigarettes. Only a small piece of scotch tape near the bottom of the pack indicates that the cigarettes it contains have been tampered with in any way.

Such a pack of cigarettes usually sells for $2.

In Bien Hoa, a large airbase 20 miles from Saigon, a carton of "Winstons" sells for $30.

But closer to town, on "100-p alley" (with "p" standing for piastre, and the whole alley named for the cost of a prostitute), the same carton can be bought for $20. "There's so much marijuana in that alley," said one soldier "that if it ever caught fire it would stone out all of Saigon."

And the marijuana that is there is rumored to be the proverbial Cambodian Red, which, heady GI's insist, is far better than Acapulco Gold.

The extent of marijuana use varies throughout the country. But it is never difficult to find a group of soldiers who are in to the marijuana scene in their area, know where to get it, what to pay for it, and whom to smoke it with.

One highly reliable source says that the use of marijuana is "extensive" everywhere in Vietnam, especially among the troops in the field, where greater tension combines with less supervision to produce favorable conditions for smoking.

Those who are picked up by the military or air police face anything from a reprimand to a dishonorable discharge and five-year jail term.

But before any punishment can be imposed, the seized marijuana must be analyzed chemically, a process which is accomplished at Camp Zama, Japan.

Every month, sources claim, Camp Zama reports 400 to 500 positive identifications of marijuana from Vietnam alone. And, continue the sources, the number of people who are caught is insignificant compared to the number who are smoking.

"And what do you say to the chief of security police when he says that few people if any are smoking marijunana?" the source was asked.

"I would tell him he's out of contact with what's going on," he answered.

Even the Navy has its share of marijuana smokers. One officer aboard the Bon Homme Richard confided there was a "considerable amount" of marijuana smoking aboard ship, and that there had been a number of administrative discharges because of marijuana use.

And last time Enterprise pulled into the Philippines' Subic Bay, the major supply source for most of the Navy, the captain announced to the crew that if necessary everyone's belongings would be searched for marijuana when they came back on board.

One group of soldiers whose job is to escort dead bodies from the field into the mortuaries in Saigon and Danang told a reporter that they were taking marijuana from four out of every five American dead during Tet.

"We took a pack of Camels off a lieutenant last week," they said. "Turned out to be full of joints."

Asked whether their statistics weren't a little high, a corporal answered, "Hell, nine out of 10 guys in the infantry smoke pot."

But the figure varies considerably. One Spec/4 from Nha Trang said of 20 guys in his unit, six smoked marijuana. A sergeant in Pleiku said of 25 men he knew well, "about 10" were frequent users. A private in Can Tho said he was the only person he knew in Vietnam who smoked pot.

Reminisced a Spec/4 who had been assigned to a company in Long Binh, the Army's logistic center for the Saigon area:

"When I first got here I figured I was the only guy who smoked, so I would sometimes sneak into the latrine at night to have a couple of pokes.

"Then about two weeks later a guy from Philly joined the outfit, and we talked to each other for about ten minutes one day and each of us knew right away that the other was a head. After that we smoked together.

"A couple of weeks later another guy in the company, a soul brother, came over and started asking me whether I had ever smoked marijuana and what was it like and 'Boy, I'd sure like to try some of that stuff—someday.' I didn't realize it, but he represented another group that had been smoking, suspected that we were, and wanted to feel us out to make sure.

"We all joined forces.

"And then we found more and more little groups of guys smoking grass, and we merged, and one day we discovered that the whole company was one big bunch of heads."

The actual figure, though, countrywide, is probably something around 20 percent, and when that's spread out over half a million men, there's 100,000 potheads serving Uncle Sam in Vietnam.

A fairly large percentage of them had never smoked at home at all, and are not looking forward to going back to the States where, friends have told them, marijuana is expensive, relatively difficult to come by ("You have a hassle for it back there," a private explained), and reputedly much weaker than in Vietnam.

But some of the hippie soldiers say they have been turning on for years. "See this pipe?" one GI asked, holding up a bent Kaywoodie that could hardly have been called new, "I bought this pipe in 1963, and it hasn't had tobacco in it yet."

The soldiers say they get caught when somebody tells the authorities or when a spot search of personal belongings is conducted. Military officials deny that searches take place, but the troops deny the denials.

In any event, they say, more to be feared is the informant. "When you're a civilian you can choose your friends and exclude anybody who's going to make a big stink about it," explained a soldier. "But here there's always a Southern Baptist turning up who you can't get rid of. Then you're in trouble."

An Air Force sergeant explained it a little differently. "Heads are always wanting to turn on everybody," he said. "You get in trouble by turning on the wrong people."

The military police have even discovered some facts about marijuana that make it easier for them to prove possession, itself a punishable offense. Marijuana leaves reportedly have thousands of microscopic hooks all over their surface, and these hooks attach themselves to clothing and the insides of pockets.

"If you carried a joint on you six months before, there'd still be some leaves left in your pocket, and they'd find them," explained a reliable source.

But so far the number of people who have been caught has been a minor fraction of those who smoke.

Perhaps it is because of a generally lenient attitude toward marijuana that characterizes a large part of the military. Chuckled one chaplain who walked into a Marine barracks in Hue to find its occupants smoking marijuana, "Oh, a pot party. Well, you guys deserve it." And he walked out.

And a general confided to a reporter last week that as far as he was concerned marijuana was less dangerous than alcohol and probably ought to be legalized anyway.

Asked why he thought so many men in the service were using marijuana, the general explained that it was probably because of the nature of the closed society where all there is otherwise is working, eating, sleeping, and taking in a movie. Marijuana, he said, seems to be just one more thing to do to pass the time.

Others disagree. Said one infantryman who spent last fall at Dak To during the battle there:

"You see this guy laying out there. Maybe he's your buddy or cousin. You gotta take something."

Whatever the reason, military officials who are aware of the situation say that while young people in the States smoke marijuana as part of rebellion, the soldiers who smoke it here do so because "it's a lot of fun."

In any event, the practice is widespread and growing. Even among those who do not smoke marijuana themselves, there is both awareness and understanding of the situation. Said one Marine lance corporal: "I don't smoke, but I often hustle it for the other guys."

As a tourist checks into one of the cheaper hotels in Saigon, usually frequented by soldiers, the desk clerk is as likely as not to ask, "You want crazy cigarette?"

And if the tourist asks where to get them, as one did a few weeks ago, the response is, "Beaucoup GI come here smoke crazy cigarette."

(By Ralph Paladino)

Can-Tho.—If water is life, then the Mekong Delta is inundated with both. There is little of a spectacular news value here only because the same war has been continuing since the Viet Minh and the French fought it out on the rivers. The birthplace of the Viet Minh, the Delta is almost their fief, occasionally challenged, but for the most part successfully held.

With only one American division and three Vietnamese divisions here, U.S. forces have only barely penetrated into the Delta's marshy countryside. The bulk of the defense is left to local Regional and Popular forces. As a result, the allies control only the major cities, the military base camps, whatever outposts the VC choose not to destroy, and portions of the major river and highways.

But this is no small accomplishment, given the importance of the Delta's foodstuffs to the survival of the northern cities. By controlling the roads and waterways and keeping them open to traffic, the allies enable food to flow to Saigon markets in a relatively uninterrupted stream. Underlying the importance of this continuous flow is the often slow, always unrefrigerated transport of the Delta's rice, vegetables, meat, and fish from farm to city. If Route 4, which makes its way southeast from Saigon through the Delta's three most fertile provinces, is closed for eight daylight hours, food prices in the capital rise by 15 per cent. If the waterways are closed, food could never reach the roads for transport.

Keeping the waterways free is a fantastically complicated job. It is difficult to conceive of the maze of rivers, canals, streams, and ditches that criss-cross through the Delta. If only because of the problems this creates for any type of ground operation, the Navy has become the one overwhelming American presence in the Delta. With a few hundred ships, it is delegated the job of keeping the waterways free of VC influence, interdicting VC supply lines and troop movements, keeping the passage open to the inland port of Saigon, and naturally killing VC.

The Navy has built hundreds of new ships for use in the river war and broken out of mothballs some that never were expected to be needed again. Twenty-four hours a day, River Patrol Boats (PBRs) bristling with three 50-caliber and one 30-caliber machine guns, grenade launchers, small arms, and no armor to speak of cruise the river in search of the enemy. The waterways they patrol are seldom much larger than the boats themselves, and often only a few feet deeper than the ships' seven-foot draft. But narrow and shallow as these canals are, they are all capable of carrying a loaded sampan north.

In the narrower waterways, the weapons are kept manned, the gunners alert every second. It is impossible to penetrate the dense jungle on either side for even a few feet. There is nothing to see except the trees and vines and shrubs. The boat becomes too good a target; a few rapid shots, a rocket or grenade fired, and the enemy can disappear until next time. Even a BB gun could penetrate the ships' soft plastic hull.

In the wider rivers, far from the shore, the danger is less acute. The air is cool and the sun hot. Quickly flak jackets and shirts are shed. The PBR crews are authorized to stop any boat they encounter to check identification and search through its contents. Most of the people do not have to be called over, instead drift up, stop and display their ID cards, sometimes with smiles or scared deference or sullen hate. While a few are searched, traffic is heavy and most boats go undisturbed.

A refusal to stop brings a few warning shots into the air. If there is no reaction, the ship will be sunk. The warning shots are a fairly common occurrence, often a result of misunderstanding on the part of the sampan's driver or impatience on the part of the sailors. Since few sampans are fast enough to outrun the PBRs, it is seldom necessary to sink them until the PBR is actually fired upon. Many more sailors have been killed or wounded for firing too late than civilians for firing too soon.

At night, the river belongs to the Navy. There are no warning shots. If it moves, unless it is brightly lit to indicate an emergency, it is sunk. The night can be too deadly and mercy too dangerous.

But the Navy's small fleet of just under 100 PBRs cannot do the job entrusted to it. There are too few for the immense river system. There are an almost infinite number of possible routes an enterprising enemy can use to circumvent the main river system.

The only real danger comes when he must cross the larger rivers, but it is hardly an unacceptable risk. By traveling by day, the VC are in little danger of interception on the canals. The PBRs seldom venture into anything too narrow in which to turn around.

At night, the VC need only to reach the river and wait in the brush along the bank for the PBR patrol to go past. In many ways, it has become a complicated game, with PBRs doubling back unexpectedly or arranging to pass each other in the dark in the hope of catching the boats in the middle of the river as they cross.

But the tactic hardly works any longer, and the amount of material the PBRs have intercepted in the last two years has been negligible.

Beyond the fleet of River Patrol Boats, the Navy maintains one of the most formidable inland arsenals in the history of river warfare. Only the Civil War's Mississippi River Fleet and the river patrol boats pictured in the movie "The Sand Pebbles" precede it in history. It is a varied array, especially on paper, of troop landing ships, heavy arsenaled gun boats (some closely resembling the Civil War "Monitor"), single ship heli-pads, barracks ships, repair ships, and finally three hover craft capable of traveling a few feet above water or ground on a cushion of air.

The Riverine force, a joining of Army troops and Navy ships, is the only thing that makes large scale ground operations possible in the Delta. Early in the morning hours, regiments of the division lead on 40-man troop carriers to be ferried to the operation's starting point. After two or three days, the landing craft will return to a prearranged rendezvous to pick up the same troops. During the operation, towed artillery barges and Army helicopters will lend whatever support is necessary to the troops on the ground. The soft marshland makes any kind of mobile operation impossible; artillery, personnel carriers, and trucks would simply be bogged down in the water and mud.

The troops of the Riverine Force live differently than Army troops anywhere in the world. Cramped aboard a barracks ship called the "Ark" (and it does closely resemble the classic picture of Noah's Ark) they find their lives both more comfortable and more annoying than normal camp life. They do not have to tolerate the heat and dust of most Army encampments in Vietnam (none of which have a shred of vegetation on them), but they don't have the room that all but highly disciplined men need to live in either. And two out of every three days, they don't see the ship at all.

The key to understanding what it is like to be an American soldier operating in the Delta is to understand what it is like for everything to rot. During the dry season the rice paddies are only ankle rather than waist deep, the small rivers, ditches, and streams only waist or chest deep rather than over his head. From the moment he leaves the landing he is wet. In the first half hour he will wade across dozens of pieces of water, only to be confronted with nothing but miles of rice paddies, broken only by the land boundaries that jut up a few inches above the water line. Water and mud. After two days in the infested water, things begin to rot.

Your boots begin to rot, your feet, your fatigues. The Army has created a special boot for use in the damp Vietnam climate. But the boots do not help much if you can hardly ever leave the water. After an average operation, 20 per cent of each unit involved will be down with fungus or some other exotic skin disease or cracked feet.

For real comfort, there are leeches and bugs, leeches that stick to you right through the fatigue trousers or work their way up under your shirt, red ants the size of large American black ants, with heads twice the size of their bodies. They drop on you from the trees and have a bite that has to be endured to be believed. The mosquitos eat you alive, and repellent is useless because the water washes it away as fast as you apply it.

But occasionally there are compensations. Some troops have stopped carrying C rations to cut down weight. Instead the men will pick bananas, coconuts, melons, tomatoes, or peppers from the trees and ground as they move along. It makes a good meal. But the meal can be ruined by the water in your canteen. If you're lucky and don't drink much, you may have ships' water left and only suffer from it being 100 degrees hot. It is this that makes powdered drink mixes so popular a gift from home in Vietnam. It makes the water drinkable.

A lot of effort goes into the river war in the Delta. Most of it, unfortunately, is wasted. The Navy succeeds in stopping a few tons of material now and then, delays large enemy troop movements until the men trickle across the river one by one, and prevents the surrounding ocean from becoming too large a supply route. But the Tet offensive seems to indicate that the bulk of the men and materiel gets through, one way or another. The Army's Search and Destroy Missions (now euphemistically called "Reconnaissance In Force") seldom find anything.

There are many reasons for the failure of most American operations in the Delta: insufficient troop and ship strengths to cover the whole area, the ineffectiveness and lack of aggression on the part of Regional and Popular forces, the waste of valuable manpower on pointless aid projects, the fear of alienating an already alienated people, orders from Washington, and sometimes a simple lack of competence at all levels of command.

The presence of troops in a VC area is announced by artillery barrages and constant helicopter observation. There is no attempt at silence; commanders yell orders from one end of a paddy to another, searches are desultory or non-existent. An enterprising VC could easily hide the U.S. grain surplus for the year along an operation's route and get away with it. Searched homes could have full attics, full bomb shelters (and eleven homes in the Delta have formidable bomb and artillery shelters), and no one would look. Haystacks in the dry paddies remain untouched.

At least half the operation is spent trying to locate lost elements of the companies. A typical radio conversation only made things more confusing: "I think I'm to the right of you. Aren't you the unit to the left? No, then who is it? Am I behind you now? The helicopters put you 200 meters to my right. No, there's no river there." The conversation goes on for many more minutes and finally the unit can be seen through the trees. The operation may only yield 300 pair of rotten boots, an infinite number of insect bites and scratches, 50 pair of temporary unusable feet, a few stripped banana and coconut trees, and a lot of sheer exhaustion.

Nothing has really changed in the Delta, even with the Tet offensive, if only because things were terrible to begin with. Portions of the major cities were destroyed, but most are rapidly being rebuilt (most dwellings in Vietnam can be built in a matter of days or weeks at the most), refugees are returning home, and the school and temporary refugee shelters opened on March 20.

Food is moving north as the U.S. Army steps up its paving of Route 4 to Saigon. The aid program is dead, but that is no loss since it was mostly useless to begin with. The suburbs are not yet secure, but they never were very secure before either. The rest of the Delta remains as it has always been, not really caring, but firmly under VC control.

A Truly Unique Brochure

HON. CLIFFORD P. HANSEN

OF WYOMING

IN THE SENATE OF THE UNITED STATES

Friday, March 29, 1968

Mr. HANSEN. Mr. President, the town of Lusk, Wyo., offers an excellent example of what can be accomplished by enthusiasm and plenty of old-fashioned friendly interest.

The Lusk Woman's Club has recently published an interesting brochure called "A Woman Talks to Women About Lusk, Wyo.," that helps characterize the spirit of this fine Wyoming town. According to Mrs. Dale M. Bardo:

> The brochure is directed at the wife whose husband might like to move to Lusk, but who is unwilling to do so because she fears that there could be no advantages to her and her family here, that her children could not receive an education which would qualify them for college, that there would be no shopping advantages and little opportunity to enjoy that which makes life interesting.

The brochure certainly lays those misconceptions to rest as it relates to this Wyoming town near the Nebraska border. It points out the advantages of living in the Equality State.

Mrs. Bardo, who was kind enough to send me a copy of the brochure, notes:

> It is designed to call attention to the benefits of small town living, which many times has more to offer than does a city—and the unique opportunities a child has if he can grow up in a more personalized atmosphere and environment.

The Lusk Woman's Club, to my mind, has made a significant contribution and I am pleased to have copies of the colorful brochure to use as an instrument to perhaps encourage industry to come to Wyoming.

I ask unanimous consent to have the brochure printed in the Extensions of Remarks, as an example of what one hard-working community has done to make its area more attractive to would-be residents and that a story on the Woman's Club project be included. They point up what is very special about Lusk, in particular, and Wyoming, in general.

There being no objection, the brochure was ordered to be printed in the RECORD, as follows:

A WOMAN TALKS TO WOMEN ABOUT LUSK, WYO.

(Produced by Lusk Woman's Club, member Wyoming Federation of Women's Clubs)

Do you hunger for clean, deep blue skies? for pure air? for perfect-tasting crystal cold drinking water?

Are you weary of streets unsafe for your children? of traffic congestion problems?

Are your children in split sessions in crowded schools, with lessened opportunity for the education they will need?

Are you concerned over the dehumanizing environment of urban life?

Do you want for your children the closeness and personal warmth of a small place? the all-around development not possible in a large place?

Are you already living in a small town but long for greater diversity in your life?

Might you prefer to live in a small town if you could be certain of quality education, of excellent shopping, of access to things which make the quality of life interesting—certain that it is a good place to rear a family?

Do you think that towns of 1,890 population have to be dowdy, dull, with limited advantages? Well, perhaps some small towns are but, let's look at Lusk, Wyo.

Hereinafter, for clarity and brevity, the name Lusk is used to identify both it and Niobrara County of which it is the County Seat. Town and county are interchangeable. It is emphasized that ranch people and others outside Lusk have made major contributions to everything mentioned here.

In the 1960 census: Lusk, 1,890, Niobrara County 3,750.

The town of Lusk, representing Niobrara County, sits on the high plains of eastern Wyoming at an elevation of 5015 feet. This is high country, of rolling hills of grass and cedar, pure-tasting water, pure air, clean clear blue sky, mystic moonlight, with dark blue midnight skies seen from horizon to horizon. Here are cool summer nights, golden falls, bright winters, spring's towering white masses of clouds.

This is a land possessed by light of such golden clarity one feels she could see forever. It is pervading, all-encompassing, brilliant, with sudden deep shadows slicing into clean abstract lines. Engrossed with light, born of a radiant sunrise, the day does not leave wearily but with a triumphant final blaze of color.

The relative isolation characteristic of the area has proven to be its strength, for it forces its people into resourcefulness, producing a vigorous, individualistic, yeasty breed of participants rather than spectators.

This land takes a person's measure. Residents strive to match their efforts to those of earlier resolute and imaginative individuals who poured out their strength, love, and generosity to build a good place to rear a family, a good place to live.

This literate population is partly an inheritance from hardy mothers of earliest generations who usually were schoolteachers and who produced education-oriented families. Following this pattern and that of pioneers' adventurous thinking, citizens, disregarding personal inconvenience, created in 1949 the first unified county school district in the state, one of the very first in the Rocky Mountain area. Thus, county resources, physical and human, are focused on one goal: the best education possible.

Niobrara County High School and predecessors prior to unification have qualified students for any college they desire. Many scholarships have been offered by leading colleges, universities all over the country; students have been admitted to two service academies. National Merit finalists are graduates plus others receiving National Merit Letters of Commendation. Students consistently rank high in national tests such as: Scholastic Aptitude Test, National Educational Development Test, Iowa Test of Basic Skills. Graduates include (both before and after unification), from average graduating classes of 53: at least 75 elementary, secondary school teachers; estimated 31 with master, Ph. D. degrees; estimated 15 members of college faculties, including full professors; 20 registered nurses; 9 medical doctors; 4 medical technicians; 3 dentists; 10 ministers; 9 lawyers; 8 professional musicians; 3 county agents; 2 each doctors of veterinary medicine, licensed practical nurses, optometrists, pharmacists, physical therapists; as well as a certified R.N. anaesthetist, a Vista worker, a Peace Corps worker.

Graduates have fanned out across the country and around the world, in: accounting, aviation, business (especially oil, banking), aerodynamic propulsion, animal nutrition, chemistry research, computer quality control, electronics, many in engineering (aerospace, agricultural, architectural, chemical, civil, electrical, mechanical), home demonstration agent work, library, mathematics, mathematics analysis, social service, statistics, technical, vocational fields.

Schools (High school or elementary schools where applicable): "There is here every teaching advantage and aid a teacher needs" (A Teacher); accredited by North Central Association since 1937; staffs fully state certified (requiring bachelor or master degree); average size of high school classes: 18.4; average expenditure per pupil: $756; curriculum more varied than enrollment indicates including: BSCS biology, modern mathematics all grades, vocational-agriculture, driver education, remedial English and mathematics, physical education (two years required, five days a week), music (five days a week within school hours); free up-to-date textbooks, free out-of-town trips (sports, music, speech, special), libraries in grade school, high school, with qualified librarian; gymnasium seats 1,000, auditorium 526, both built 1962.

All Departments completely furnished; at random, some interesting items: science department equipment equivalent to that of many small colleges; memorial $1,200 library globe, overhead projectors, controlled readers.

Extra-Curricular Activities, all open to all students, include—

Athletics: Junior high organized athletics begin at 7th grade, with football, basketball, wrestling, track; high school has 3 football, 3 basketball teams, wrestling, track; lighted, well-equipped football field; district, state tournaments often held here because of excellent facilities; several conference, state titles won; many full college athletic scholarships offered.

Speech: debate, speech, drama offered; speech students participate in district, state competition; several plays given each year.

Music: "In other towns, cities, states of my experience, I have not found a music program as excellent and complete as is Lusk's" (Former student); program prepares students to enter any music school they wish or their college music groups; solo and ensemble are highly developed aspects and many students present these at grade and high school music festivals which are judged by qualified college faculty who consistently give students high ratings; students can participate in both vocal, instrumental music; school provides complete band instrumentation; most parents provide their children with fine instruments.

Band begins at 4th grade with 3 grade and junior high bands; high school concert, stage, pep, marching bands available; uses contemporary band music, orchestral transcriptions; organized chorus begins at 4th grade with large choruses in elementary and junior high, and large chorus, choir in high school; vocal groups use music of all periods for education, fun; original Broadway versions of top musicals recently presented; All-State, All-Northwest States' music groups available by taped audition.

Yes, you can get quality 2-year, 4-year college education in Wyoming.

Casper College, oldest, largest of 2-year colleges, has traditional course offerings, cooperates with U.S. Bureau of Apprenticeship and Training in presenting required related training of apprentices.

The University of Wyoming mixes its traditional course offerings and research activities with those geared to the space age and new technology; student-teacher ratio in recent years has averaged around 14:1; "Of the more than 1,800 colleges and universities in the nation, only 229 have produced any Rhodes Scholars and only 22 of these have turned out more than the Univ. of Wyoming" (1961 Rhodes Scholars survey); "Outstanding scholars on the faculty and the spirit of free inquiry characterize the Univ." (Prominent Graduate). Courtesy marks students at both schools.

To the colors: A high percentage of men in the county has enlisted in the Armed Forces for many years. With 22 career military personnel serving, as of 1968, 7 have rank of Air Force Captain or higher. Adding the young men who serve through the draft, this small county serves its country well.

PARTIAL LIST OF THOSE WHO HAVE PROVIDED LEADERSHIP TO STATE, NATION

U.S. Senator, Representative and Governor.

Rocket pioneer and space scientist.

Two state attorneys general.

President of state Senate.

State Examiner.

Chairman of state Highway Commission.

Three Trustees of Univ. of Wyoming.

President of American Assoc. of Governing Boards of State Universities.

Two delegates to White House Education conferences.

Published poet and author; exhibiting artist.

One with U.S. State Department; executive with UNICEF.

First runner-up to Miss America 1948.

First runner-up to Mrs. America 1966.

Meanwhile, who's staying home? Why, the classy ranchers, who hold a majority on the county school, library, hospital boards; enterprising business community and those involved with it; dependable city, county, state, federal personnel; valuable older folk who continue their efforts—all the innovative, hardy, pleasant people who through the years have built, supported the schools, consistently follow their musical and athletic children to out-of-town events, form concert audiences, work hard to sustain their community as they see it should be.

ABOUT THE TOWN ITSELF

All intersection lighted, majority of street paved.

Uncongested traffic.

Lighted, green, shaded, clean city parks.

Lighted baseball field.

For appearance and quality, a business district you wouldn't believe (please see Business, Name Brands).

Restaurants which tempt housewives to skip home cooking (accommodating waitresses).

Hotel a pleasant surprise; some of the best motels in state.

Airport has mile-long hardsurfaced lighted runway, design factor adequate for aircraft with gross weights up to 60,000 lbs. Services: major airframe, engine repair, 80 and 100 octane fuel; airport serviced by Unicom 122.8.

Children safely have the run of the town.

Summer recreation program for the youngster who likes to be organized (or he can just sit and watch the clouds!).

Courteous youth in all of county; no real delinquency problems.

Churches: Other church groups are: Church of Jesus Christ of Latter-day Saints, Jehovah's Witnesses, Seventh-day Adventist.

Business: Banks and stores with zeal for community activities; weekly newspaper which makes a career of supporting community functions; friendly, courteous, helpful clerks; food stores with the same fresh produce, frozen foods, foodstuffs as in city stores—and with perhaps more variety; of especial interest to women: antiques, bakery, dress and drapery-makers, dry cleaner, florists, laundry, self-service dry cleaner, self-service laundry, upholsterer; books, art supplies available; catalog ordering services; diet, dietetic foods; hair, wig styling . . .

Sports and recreation for all the family: Sports are almost as vital to Luskites as the pure air they breathe. Golf: Niobrara Country Club maintains "state's sportiest" 9-hole grass greens golf course with 6 holes over a creek which wends its way through the course. Here wild birds sing, as players, able to play immediately without reservation and for a modest fee, enjoy a beautiful course. 2 women's tournaments, men's 5-state tournament, plus some for fun, are annual events; drive-in theater; free Red Cross swimming lessons in outdoor pool, afternoon and evening swimming just for fun; men's, women's bowling leagues; residents can go hunting in the early morning return with antelope, deer in time to go to work; many adults, youngsters keep riding horses; riding and roping clubs; rock and artifact hunting; fishing and boating near the Glendo Reservoir; bridge tournaments; recreation center; Junior Legion, Babe Ruth, Pee Wee baseball leagues; hills right outside town for hiking; tennis courts; Black Hills can be reached and toured in a day; Devil's Tower, Fort Laramie, Fort Robinson, agate fossil beds, Spanish diggings, Lance Creek fossil beds, each a pleasant day's trip; summer melodrama in "Opery House" (Lusk Melodrama group performed at Seattle World's Fair).

Healing professions: Lusk has had for many years the services of skilled physicians and surgeons, chiropractor, dentists and dental surgeons, optometrist.

New Niobrara Memorial Hospital is a practical, well-equipped building providing complete modern medical and surgical facilities. The hospital is fully staffed and qualifies for Medicare. Many rooms are equipped through memorials.

Medical specialties and orthodontic care are just 1–2 hours away.

Lusk Veterinary Clinic is a working veterinary hospital with adequate facilities for handling both large and small animals.

Lusk has had for many years the services of artisans in building trades and crafts, in auto mechanics, in service business; and repair men, nurserymen, who come!

We all worship together: Religious faiths and denominations dwell amiably together; all church structures are well-maintained; Church Women United is an active group; church youth grow up; knowing how to publicly speak, sing, usher, play organ for services; numerous youth attend national meetings of church organizations.

Library—Niobrara County Carnegie: 20,000 volumes; center for research in western history; memorial $500 globe; 40% of county (which includes newborn babies!) are patrons. (Remember, county population only 3,750.)

Adult volunteers are the key to consistent success of programs designed for all-around youth development. Working closely with professional leadership, adults give freely of their time, in their areas of skill, to help school athletics, summer baseball, 4–H work, music festivals, and of course, Scouting, church youth. Unexpected bonuses: skills are sharpened, leadership developed—and what an opportunity to become acquainted with state leaders, nationally known coaches, college faculty!

4–H, a way of life. Ranch youth in the 12 clubs in the county have achieved: 8 state champion livestock judging teams representing state at National 4–H livestock judging contest in Chicago; 5 state champion wool judging teams, two representing state at National 4–H judging contest in Sonora, Texas; clubs open to town youth, with 35% town membership; 4–H youth have constant opportunities for public speaking, leadership; and do they have fun at their dances!

"On my honor . . ." Boy Scout Troop and Cub Pack activities are available; Scout camp in Laramie mountains provides camping, climbing trails, wilderness experience; Scouts engage in locating area Indian tepee rings; at least 15 Scouts have achieved the rank of Eagle.

What are your tastes? There are 12 extension homemaker clubs, town women welcomed, with 37% town membership; there is a county fair, with opportunity for crafts, needlework entries, plus parade, jolly home show rodeo; there is a lively art group, presenting well-attended shows of their work and that of out-of-town artists; another lively group is the weekly drama reading group which often attends summer Shakespeare festivals; small city and metropolitan newspapers are delivered daily.

And then there is music: This music-oriented town enjoys an average of 4 concerts yearly, by visiting choruses, bands, orchestras, Univ. of Wyoming string quartet, soloists; visiting groups often ask to be invited here; town business underwrites a local concert series; for 4 years a Community Concert Association series was supported; town abounds in good voices, instrumentalists; for 3 years a community chorus enjoyed singing, gave concerts; wide-spread interest in piano, vocal work.

Concerts, theater, ice shows, stock shows, rodeos, Univ. games are just 1–2–3–4 hours away on superior, uncongested highways.

Are you organization-minded? National organizations represented here: American Legion and Auxiliary, American War Mothers,* Business and Professional Women, Chamber of Commerce, Cowbelles, DAR,* Democratic Women, Extension Homemakers Council,* Farm Bureau, Garden Club,* Lions Club,* PEO Sisterhood,* Republican Women,* Veterans of Foreign Wars and Auxiliary, Woman's Club.

Are you lodge minded? Nationally affiliated orders represented here: Does, Eastern Star,* Elka,* Odd Fellows,* Job's Daughters,* Masons,* Rebekahs,* Royal Neighbors.*

Are you politically-minded? Wyoming being the first state to grant to women the right to vote, it is logical that there should be high political interest here which has resulted in: 7 residents (three women) chosen as delegates to national (presidential) conventions of both parties since end of World War II; 6 persons (three women) employed on Congressional staffs; residents having opportunity to meet nationally important political figures, to be personally acquainted with state, national, elected officials. And able, interested persons in a county small as this, can rapidly gain state political recognition.

What unique quality enables Lusk to produce poised citizens who hold their own in the world? Perhaps it is the lack of harmful stratified environment, a lack of provincialism, the absence of derision toward ideas which are a little different. Maybe it is the demonstrated knowledge of the values of neatness and contemporary dress as well as pleasant manners. Perhaps the diversified development of one's abilities available here? Whatever it is, the Lusk recipe produces good citizens ready for their world, prepared for responsibility to their communities, not turned in on themselves. Though remote from the nation's pressing problems. Lusk sends out youth concerned and creatively working for human justice for persons less blessed than they.

Paradise? No. Problems? Yes, large and small, as in all towns. But this is a good place to rear a family. This is a good place to live.

Oh, almost forgot—crisp crackers, no floods, no mildew in closets, no cockroaches, hardly a moth to be found.

The "Pueblo": How Long, Mr. President?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 29, 1968

Mr. SCHERLE. Mr. Speaker, this is the 67th day the U.S.S. *Pueblo* and her crew have been in North Korean hands.

Blaming or Solving

HON. THRUSTON B. MORTON

OF KENTUCKY

IN THE SENATE OF THE UNITED STATES

Friday, March 29, 1968

Mr. MORTON. Mr. President, I have just had the privilege of reading a most perceptive and provocative sermon delivered by the Reverend John R. Claypool, minister of the Crescent Hill Baptist Church, of my hometown of Louisville, Ky. In the uncertain and frantic atmosphere besetting us today, I think the thoughts so ably set forth therein merit the attention of all individuals in and out of government. I ask unanimous consent that the sermon be printed in the Extensions of Remarks.

There being no objection, the sermon was ordered to be printed in the RECORD, as follows:

BLAMING OR SOLVING

(A sermon by John R. Claypool, delivered at Crescent Hill Baptist Church, Louisville, Ky., March 10, 1968)

(Scripture reference: John 9.)

For most thoughtful Americans, I rather imagine this last week has been a time of sober reflection and soul-searching. Ever since the report of the President's Advisory Commission on Civil Disorder was made public, it has been hard to read or hear about anything else. It is not that what was disclosed was all that new. Most people, I trust, already realize that our country and particularly our cities were in the gravest sort of crisis. However, the report and all its dire predictions about potentially two societies and a future of endless conflict and violence did serve to underscore just where we are and what we are up against in the America of the 1960's. This sort of realization is bound to stir some deep and searching questions in the minds of almost everyone. For example, one wonders how he ought to feel about this whole problem of poverty and violence and "the other America." One wonders what he should do individually in relation to this crisis, and what he should support in terms of votes and influence among the various solutions that are proposed. These are the kinds of questions that have bombarded my mind this week, and because I am not only an American but a Christian as well, I have found myself asking yet another question, namely: "What would Jesus Christ feel and think and do if He were in our shoes today and faced what we face?" This question goes to the heart of my faith that the Bible contains the Word of God both for history and to this world of time and space. I think there is in this Document and most especially in the figure of the Christ some very present help for *this* time of trouble. Therefore as I pondered this week how I should make up my own life in relation to this crisis, I turned to the Bible and one chapter in particular really "came alive" for me in terms of relevance and insight. I am referring to the ninth chapter of John's Gospel, which I read as our text for this morning. If one really wants to know how Jesus would feel and think and act today in relation to our urban crisis, he could not look in a better place, for here is what Jesus actually did under remarkably similar circumstances.

I want you to notice carefully the setting of chapter and sense the relevance I am talking about. We see Jesus here in a city, in Jerusalem, the largest urban area of Palestine, and as He and His disciples were leaving the Temple one day, they encountered a man who had been born blind, and whose only vocation was to sit in the street and beg. Here was one who could not compete in the world of work in that time. Because of a handicap going all the way back to his birth, he was not a productive member of society. By no measure was he in the main stream of life. He was in fact, a parasite, or a drain on the resources of the public. He could not carry any of the load of life himself; on the contrary, he had to be carried by others and live in useless and costly dependence on society. Now is not this precisely the sort of person who stands at the center of our present urban crisis and who constitutes such a problem? For a variety of reasons there are a host of folk today who are unable to compete and participate in the productive processes of life, and as they gather more and more in our cities, and accumulate particularly in certain sections, their condition of idleness and hopelessness turns into social dynamite, and thus the awesome prospects that some are predicting for us now. The similarities between the man here and "the other America" we hear so much about are strikingly real, and this gives us a golden opportunity to observe the Christ in a "life situation" and see how He responds and acts. This is what I want us to do this morning—with one eye on our situation and the other on this passage, let us ask and seek to answer the burning question: "what would Jesus think and feel and do in the face of poverty and hopelessness and idleness?"

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* At least one member has held highest state office.

The first thing I want us to note is the attitude Jesus assumed toward this situation in contrast to the attitude of the disciples. This is really the place to begin; namely, how do we feel toward this whole problem? How do we see these problem people? Interestingly enough, the disciples were the first to call attention to the blind beggar, but we need to notice carefully the level of their interest. *The blind man was to them an intriguing object of conversation and discussion*. Because religion and morality had always been closely intertwined in the Old Testament, the Jews liked to speculate about the casual relation between suffering and sin. When they came across some calamity, they liked to try to explain it by locating the blame somewhere. Thus, the sight of the man who may have been quite well known in Jerusalem stirred their minds and curiosity more than their hearts, and they proceeded to say to Jesus: "Now here is an interesting case. Who is the blame here? Who sinned? the man himself or his parents, that he should be like this?"

Such an approach to a person in difficulty is perfectly natural and commonplace: we look on him as a statistic, or perhaps even an unusual phenomenon, and do him the honor of discussing his case and making his situation the occasion of deliberation. Who of us has not done this again and again in relation to some problem person, and never once realized that what we were really doing by this means was subtly avoiding any involvement of ourselves with this problem? Let us face it: as long as we can intellectualize about situations and approach a person's condition as a topic of conversation, we can thus keep the matter at a distance and never find ourselves entangled in some costly involvement. This is especially true if we concentrate on the question of blame, and spend our energies trying to ascertain who, other than ourselves of course, is actually responsible for the problem. There is no indication in the passage that the disciples intended to stop and do anything for this man in his blindness and poverty. He was of interest to them only academically and thus they were free to move on by and spend themselves in spirited discussion.

This very approach to the problems of today is certainly open to us right now, and many people seem to be responding to the Commission's report in just this way. It has become the number one topic of conversation; in fact, everywhere I go these days people are talking about it and debating it heatedly among themselves. You cannot say we are uninterested in the matter, but I fear that our level of interest is like that of the disciples. What I mean is, all we want to do is talk about and point our fingers and find some culprit on whom we can blame the whole mess.

Just like the disciples of old, we speculate among ourselves as to whose fault it is. Is it the poor themselves because they are lazy and trifling and unwilling to work. Or is this the result of some agitators or a communist conspiracy, or some sinister attempt by a foreign power to overthrow our government? I hear talk like this all the time and interestingly enough, these people always rule themselves out of any blame or responsibility. They seem to feel that nothing is wrong with them or this great country of ours. The culprit is always someone else or somewhere else, which of course exonerates them and frees them of any involvement except watching from the sidelines or pointing fingers of recrimination.

Because this approach of discussing and blaming is so characteristic of the way most Americans are responding to the situation this morning, we need to look all the more closely at the attitude of our Lord in this passage, for it was something different altogether. In one majestic sweep, He rejected the whole approach of the disciples as a pointless and futile endeavor. To their question: "Who sinned? This man or his parents?" Jesus shot back pointedly: "Neither one! This condition exists so the glory of God can be revealed." In other words, Jesus condemned their line of inquiry as irrelevant and beside the point, and unmasked it for what it was; namely, a grand evasion from having to become involved. Instead of asking: "Who is to blame here? How can we condemn?" Jesus said they ought to ask: "What does God want done here? How can I join Him in doing it?" The challenge of such a condition was not discussion or name calling, but rather "to work the works of Him who sent the Christ," to join Him in bringing light out of darkness and being a part of the answer and not part of the problem. Having said that, Jesus proceeded to act on His words, and instead of walking away in animated discussion about the man, He went over to join him, literally spat on His hands, and got down to the business of tackling the real problem.

This, it appears to me is the first answer we get from the passage as to what Jesus would do if He were here today and facing what we face. Instead of discussing poverty and climbing all over each other assessing blame and pointing fingers, what we ought to do is accept the problem as a God-given challenge and get down to "the brass tacks of concrete solutions." Now, of course this will call for costly and demanding involvement; it will entail getting our hands dirty and having close contact with some things and people we would like to avoid. There is no doubt about it—it is easier to debate and decry than it is to deal with the dirt, but nothing much comes from such efforts. It is only through the approach of solving and not blaming that anything ever happens, and the darkness begins to be transformed into light.

I do not mean to sound overly dramatic or falsely rhetorical just now, but I honestly believe that the future of this country hangs in the balance at this very point; namely, the attitude we choose to assume toward our urban crisis. In the past when faced with times of mortal conflict, our country has tended to follow the approach of Jesus here; namely, facing up to the problem and mobilizing its resources in the name of solution. However, this time we appear to be following the example of the disciples and wanting only to discuss it and blame it on someone else, and all along remain uninvolved ourselves. Jesus was dead right in saying: "We must work the work of him who sent Me while it is day, for the night cometh when no man can work." Night is coming, a darkness of urban chaos the like of which we have never seen before. If we do not get to work and start being part of the answer instead of part of the problem. Our attitude then, is something of primary importance. How do you feel toward it? Jesus turned His back on speculating abstractly or trying to find a scapegoat. He spat on His hands and went to work. This is our first clue as to what Jesus would do if He were in our shoes.

But if one should assume such a positive attitude toward the crisis, how should he proceed to act? What methodology will lead to a constructive solution? Here again, our passage is full of insight, for notice carefully what Christ did. First of all, He took the initiative, He moved toward the man and provided him with new resources and a new possibility. What He actually did was spit on the ground and make a kind of mud plaster to put on those blinded eyes. Some think that this is a religious image: that the writer of the Fourth Gospel had in mind Genesis 2, where God stooped to the earth and shaped man from the dust, and that this symbolizes the creativity of God once again, as He restores what He has made. This may be true; however, I rather think there was practical wisdom behind this act. Saliva has always been looked upon as having healing powers. When one burns his finger, he instinctively licks the wound, as do the animals their cuts. Perhaps the whole problem with this man went back to a failure of cleanliness at his birth, and that his eyes were clotted shut by foreign matter. At any rate, Jesus provided some resources for him, and then most significantly called on the man himself to participate in the healing process. Having applied the plaster, Jesus instructed the beggar to go to the reservoir of Siloam and wash, and *He did not offer to go with him!* He left something for the man to do in the process. He gave him a stake in what was happening and in so doing honored his personhood and involved him in the cure.

I think this methodology is absolutely crucial if the problems of human helplessness are going to be solved. Let us face it—our present approach to welfare meets the needs of the strong at the expense of the personhood of the weak. Back during the Depression, when whole masses of men were caught in the clutches of something they could not solve, society was not able to bring itself to see women and children and older people starve to death right before their eyes. So "the dole," "the hand-out," was begun, as a minimum effort to keep people alive. It met the needs of the strong; it relieved their consciences, and in some cases they enjoyed being depended upon and seeing themselves as providers. After thirty years of this, however, we are beginning to see the devastating results of this on the poor. Because nothing was demanded of them, no way open for them to do and to create and to produce, they have been dehumanized, pauperized, locked in dependency so long that they have become incapable of mobilizing themselves.

I suggest to you that Jesus did not make this mistake with the beggar in this chapter. He did not simply do something for him as one might treat a little baby; He provided help, and at the same time provided a challenge that made the man a participant in the healing process.

This is what we must learn to do if we are ever going to reverse the trend of dehumanization that now results from the traditional approaches to welfare. We must concentrate on the development of personhood and not just the doling out of assistance. I think the sequence of Jesus' action is important here. He did not go to the beggar and make a lot of demands on him before He offered help; rather, He first provided new resources. In putting on the mud plaster, Jesus gave the beggar something additional to work with and then directed him in how to use this for his own healing. This is very different from some conservatives today who ridicule all forms of public assistance and demand that people solve their own problems before help be given them. You could just as well say to a man with a broken leg, "Learn to walk and then I'll put a cast on your leg," as to say to people who have never learned responsibility: "Become responsible citizens and then we will give you something to be responsible for." The help must come first, the assistance must precede the cure, but then effort needs to be made to develop and call forth responsibility by genuine personal expectation.

Now, I realize there is aversion right now to this thing called "a guaranteed annual income" by the government, and I would be against it too if it is just another dole or a handout that meets the needs of the strong at the expense of the weak. However, if this could be like the mud plaster Jesus gave the blind man if it is a provision tied in with some call to go to the pool and wash, some program to develop personhood and responsibility—it could be the key to a breakthrough in the urban crisis. Let us face it—something has to be done. That man could never have healed himself or solved his problem alone. Jesus had to step in and help, and so must we with the poor. The question is not *if*, but *how*. We are already spending billions on relief and will spend billions more. The question is: how can we do this so that the personhood of the poor is either regained or maintained? For too long, society has met its needs through the dole at the expense of the personhood of the poor. The example of Jesus is clear here; He first of all provided for the man out of His own resources, but He did not stop there. He cared for this man, not just His own feeling, so He said: "You go now and wash in the pool. You must join me if the task of bringing wholeness to your life is to be successful."

As the story goes, the beggar did just that, and lo and behold he came back seeing for the first time, and proceeded to demonstrate unbelievable gifts in the events that ensued. This is one of the greatest truths of this chapter; namely, the tremendous potential that lies unrecognized in the poverty dimension of society. Here was a man whose whole life had been spent sitting in idle uselessness. Thousands of people must have seen him sitting there with his can, but no one saw anything in him or expected anything from him. Then comes one handled himself under tremendous pressure. As soon as he came back from his cure, which incidently occurred on the Sabbath, controversy began to rage about his identity and what had happened to him. This one must have sensed he was caught in a power struggle between the Pharisees and Jesus, and a lesser man would have picked up the new eyeballs and run for cover, but not this man. Having been helped by another and having participated in an event, he stood his ground and managed to outwit the most clever minds in the Jerusalem establishment. In reading this account, who would not be delighted to have this kind of a man working for him, a person with this much backbone and basic honesty and loyalty and good sense. I submit to you, here is a remarkable and capable human being, and all his life he had been ignored and overlooked because of his handicap.

We need to remember this as we contemplate the struggle with poverty. We tend to approach this area negatively and think in terms of just preventing riots and holding down violence. The truth is, there is vast potential in "the other America"—people exactly like this beggar who could greatly enrich society if given a chance and set free from their handicaps. There is no way to estimate the human potential now being lost as men sit in the idleness and uselessness of poverty.

This fact came to me forcefully a few weeks ago when I had the privilege of attending a production in the new Metropolitan Opera House in New York City. As I sat in that magnificent new structure, I recalled the fanfare that had centered on the opening night in this location. The leading feminine role that evening was sung by Leontyne Price, one of the great voices of our century. Miss Price was born in Laurel, Mississippi, the daughter of a Negro domestic servant. As a little girl, I am sure she must have looked like what they call down there, "just another little pickininney," and she might well have known no better prospect than being a domestic servant herself. However, the white woman for whom her mother worked sensed in this little one an extraordinary talent, and opened for her opportunities that are not usually accorded Negroes in Mississippi. This help started her on the road to the Met. As I thought about this, I wondered how many other voices like Leontyne Price's have been born and lived and died unnoticed in some cotton field or ghetto or kitchen? In this chapter we see a man who everyone looked on as a beggar and from whom no one expected anything, yet look what had been in him all along!

I come back then to our present situation, as foreboding as it is, and to the question with which I began the sermon: "What would Jesus feel and think and do if He lived in America right now and faced, as we do, the urban crisis?" Of course, I cannot speak for you, but I have found my answer to this in the ninth chapter of John. Here, face to face with this very situation, He felt something, He did something, He saw something happen that was wonderful to behold.

Is there any chance this morning that enough of us will be willing to follow Him and go and do likewise? It appears to me that this is the only chance any of us have of avoiding chaos. The night is coming, it is already on the way. Are we willing to work the works of Him who sent Jesus, and in Him is trying to show us what to do? We had better be, for believe me, it is later . . . it is later than you think!

Chinese Youth Day

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, March 29, 1968

Mr. WOLFF. Mr. Speaker, today, March 29, is Chinese Youth Day, a major holiday for our friends of the Republic of China.

Youth Day is dedicated in the commemoration of 72 martyrs who gave their lives to help build the Republic of China, the first republic in Asia.

Following Sun Yat-Sen, the father of the Republic of China, students in Canton launched a small-scale revolt on March 29, 1910. Of those students, 72 were killed and their sacrifice became an inspiration in the struggle to establish the Republic. The martyrdom in Canton was reported throughout China and after the Republic was established it was determined that the martyrs should be remembered.

Thus there is Youth Day.

On Youth Day, 1968, I call my colleagues' attention to this important date in the history of our good friends, the people of the Republic of China. I hope our friendship will be eternal and I am pleased to recognize this Chinese national holiday.

The State of American Agriculture

HON. FRED R. HARRIS

OF OKLAHOMA

IN THE SENATE OF THE UNITED STATES

Friday, March 29, 1968

Mr. HARRIS. Mr. President, recently we have heard from some of our distinguished Republican colleagues both in the Senate and in the other body about the dire state of American agriculture as measured by parity levels.

What they neglect to mention, however, is that the state of the American farmer measured by an accurate yardstick is in much better condition than in the dismal days of 1953 to 1960, when the Republicans administered the Department of Agriculture.

Because there has been so much talk by our GOP colleagues of the prevailing level of parity prices, the time has come to set the record straight.

I shall place in the RECORD at the conclusion of my remarks a letter which I have received from the Secretary of Agriculture, Hon. Orville L. Freeman, under date of March 15, 1968, which sets forth the fallacy of employing parity levels as the sole measurement of agricultural economic health.

Secretary Freeman's thoughtful communication presents some interesting facts and figures regarding the inaccuracy of the use of the parity as a measuring device. I am in agreement and I feel that a more modern and more accurate method should be devised to determine the economic health of our farmers.

I ask unanimous consent that Secretary Freeman's letter be printed in the Extensions of Remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF AGRICULTURE,
Washington, March 18, 1968.

Hon. FRED R. HARRIS,
U.S. Senate,
Washington, D.C.

DEAR FRED: One of our friends from the minority side of the aisle in the House has in recent weeks inserted in the Congressional Record the monthly parity prices for agricultural commodities as evidence of a continued deteriorating condition of the rural farm economy.

Our Republican friends for some time have gleefully pointed to the fact that parity prices and the parity ratio have been at low levels for the past few months.

They draw the inference that this somehow means that the economic position of farmers is at an all time low.

Nothing could be further from the truth.

The fact is that the farm economy is in a much healthier condition today than it was in 1960 when my predecessor, Secretary Ezra Taft Benson, was administering the Department of Agriculture.

The truth is that realized net farm income has risen from $11.7 billion in 1960 to $14.5 billion in 1967. And, net average income per farm was only $2,956 in 1960 whereas in 1967 it has risen to $4,573 per farm.

The fact is that cash receipts from marketings have risen from $34.0 billion in 1960 to $42.5 billion in 1967.

In addition, the net equities of farm proprietors have risen from $178.6 billion in 1960 to $223.8 billion in 1967.

Some of the Republicans have made much

of the elimination of the family farm and of farm foreclosures, but they fail to tell us that farm foreclosures dropped from 5,100 in 1960 to 2,400 in 1967.

With respect to parity levels, I would like to point out that it is unrealistic to employ the parity level as the only criteria of the economic well-being of farmers. The long-held belief that parity is the only measure of the state of the farm economy should be re-examined closely.

Much has been made by the Republicans of the fact that farm prices averaged 80 percent of parity in 1960 under Secretary Benson but slumped to 74 percent of parity in 1967.

To demonstrate the fallacy of these parity figures, ask any farmer whether he would rather have a net average farm income of $2,956 such as existed with 80 percent of parity in 1960, or the $4,573 average income which prevailed in 1967 with parity at 74 percent.

Ask any farmer, or farm equipment dealer, or seed or fertilizer merchant whether he would rather have total national gross farm income of $37.9 billion as in 1960 or the $48.8 billion of 1967.

The fact is that you cannot eat parity, you cannot deposit it in the bank, you cannot buy a tractor with it, you cannnot use it as collateral for a loan.

As a consequence of the large increase in productivity since World War II and the disappearance of surplus stocks the parity price ratio is no longer closely related to changes in net income. It is completely out of date.

For example, in 1959 when the realized net income of farmers was $11.3 billion, the parity ratio was 81. In 1967 when the realized net income of farm operators had risen to $14.5 billion, the parity level was 74.

When the parity ratio is adjusted to reflect government payments, it becomes 82 in 1959 and 79 in 1967. The adjusted parity ratio provides a better indication of parity income but it does not measure increased productivity.

Parity is a yardstick of economic health which has become outmoded.

To understand this, parity, prices and parity ratios must be viewed in historical perspective. In the 1920's equality for farmers became a much sought after goal by farmers who properly felt that they should receive a fair share of the national income. High tariffs protected industry and the immigration laws protected labor, but farmers bought in a protected market and sold in the world market.

The fair-exchange value was devised in 1924 to give farmers the same purchasing power for their products which the products had brought in the years 1910 to 1914. Thus was born the parity concept which soon became national policy.

The Agricultural Adjustment Act of 1938 used the term "parity" for the first time in legislation. Parity income was to be measured by per capita net income from farm operations as compared with per capita net income of persons not on farms—both were to be related to the August 1909–July 1914 base.

President Roosevelt envisioned parity for agriculture as a longtime principle to be achieved by programs and methods which would be improved over the years. He said: "What counts is not so much the methods of the moment as the pathways that are marked out down the years. . . . I like to think that never again will this Nation let its agriculture fall back into decay. . . . Methods and machinery may change, but principles go on, and I have faith that, no matter what attempts may be made to tear it down, the principle of farm equality expressed by agricultural adjustment will not die."

Under the last Republican Administration the farm price parity ratio fell from 103 in 1951–52 to 80 in 1960 and realized net farm income declined $2.4 billion between 1953 and 1960.

Regardless of the yardstick which is used, however, we must continue to strive to bring about an increase in farm prices and farm income. Net income per farmer, while higher than it was under the Republicans, is now pegged at 61 percent of what the nonfarm individual receives and this level should be improved.

Let me assure you that those of us in the Administration who are responsible for agricultural policy continue to work energetically to increase the income of the farm family to a level on a par with the income of the city and urban family.

Farmers have made substantial economic progress under the voluntary programs approved by Congress in the Food and Agriculture Act of 1965.

Net farm income was 25% higher in 1967 than 1960 and net average income per farm was 50% higher. The disparity in per capita income of farm people as compared with nonfarm people has been narrowed.

We must continue to seek means of assuring our farmers of their fair share of the national income. But continued carping criticism of farm programs and their operations by Prophets of Doom and Gloom is of no value in that regard. Likewise, conclusions regarding agriculture's economic health based on outmoded parity concepts can serve no purpose in improving the status of the American farmer.

Sincerely yours,

ORVILLE L. FREEMAN.

Arvid Paulson and the Work of Henrik Ibsen

HON. THEODORE R. KUPFERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, March 29, 1968

Mr. KUPFERMAN. Mr. Speaker, my constituent and friend, Arvid Paulson, is the foremost translator of the works of Henrik Ibsen and other prominent Scandinavian authors.

But he does not merely translate. In order to be steeped in the thinking of his alter ego so that the essence of the author's meaning is retained and expressed in the English language, Arvid Paulson studies the original author's life and works much beyond that involved in simple translation.

He has recently written an historical account in brief of the life of Henrik Ibsen for the Scandinavian-American Bulletin of March 1968. I am certain my colleagues will be interested.

The article follows:

HENRIK IBSEN

(By Arvid Paulson)

Henrik Ibsen was born in the little town of Skien in the southeastern part of Norway, the date being just 140 years ago this month, in the year of 1828. The second son of Knud Ibsen and his wife Marichen Cornelia Martine Altenburg (their first born had died within a month after Henrik's birth), his early life was spent in bitterness and privation. His father, once a well-to-do merchant, soon after their second son's birth failed in his business because of spendthrift habits and lavish living and entertaining. Soon after having been confirmed, young Ibsen was sent away to the nearby town of Grimstad as a student-apothecary. He had hoped to become a painter and spent a great deal of his time there painting canvases of the surrounding country and the sea. It was during his years in this provincial little town that he wrote his first play, *Catilina;* and it was there that he became acquainted with and learned to despise the hypocrisy and smugness of character of some of his fellow citizens.

In 1850 young Ibsen went to Christiania to continue his study at the university there. The same year *Catilina* appeared in book form, published by the author himself in 250 copies, of which the booksellers at the end of a year returned 205. Having had the play refused for publication as well as production on the stage, a young friend of his generously advanced the money necessary for the printing.

While at the University of Christiania Ibsen became deeply interested in the folklore, old legends and the sagas of Norway and Iceland, as well as the medieval history of these two countries. These studies led to his writing of plays like *The Feast at Solhaug* and *Lady Inger of Ostraat*, both of which had their premiéres at the Bergen Theater of which Ibsen at this time was director, the former on January 2, 1855, and the latter play exactly one year later. They mark a new era in the Norwegian theater and were the beginning of a movement for a national theater and a national drama.

Little was it thought in those days, however, that Henrik Ibsen was destined to become the great figure in the drama of modern times. But with the appearance of *The Warriors at Helgeland, Love's Comedy* and *The Pretenders*—in which the influence of Scribe, Augier and others of the French school of playwriting gradually gave way to his own individual mode of expression and technique—critics began to realize his importance as writer for the stage.

Then along came the Danish-Prussian war, and the struggle of the Danes to prevent Bismarck from annexing Schleswig-Holstein—a wrong not righted until after the First World War. Henrik Ibsen wanted his compatriots to make common cause with their Danish brothers, and when he found public opinion against him he exiled himself in protest and went to Italy to live.

The first sound of his voice from abroad came in 1866—two years later—when *Brand,* a dramatic poem in five acts, brought the whole literary world to his feet. Contrasted with *Peer Gynt,* which followed in the very next year, (1867), *Brand* pictures an idealized Norwegian people, willing to make sacrifices and to suffer in order to attain to spiritual heights, while his "hero" in the latter play, Peer, is an embodiment of traits that Ibsen, to his dismay, had found in many of his own compatriots. These very traits, however, make Peer universal in character and one of the truly great, human portraits in the dramatic literature of the world. As the play inspired Edvard Grieg to write one of the classics in musical literature, so the role of Peter has been an inspiration to many of the great artists of the stage, Mansfield among others.

Peer Gynt was followed by *The League of Youth* and *Emperor and Galilean, The Pillars of Society* and in 1879 *A Doll's House,* which later play created a stir throughout the whole civilized world at the time of its appearance, particularly in England, where it had not yet ceased to be the topic of discussion when *Ghosts* appeared and was a still greater sensation.

As a direct answer to the many attacks upon him because of *Ghosts* came in 1882 *An Enemy of the People*. This was followed in close succession by *The Wild Duck,* (1884), *Rosmersholm,* (1886), *The Lady from the Sea,* (1888), *Hedda Gabler,* (1890), *The Master Builder,* (1892), *Little Eyolf,* (1894), and in 1896 *John Gabriel Borkman.* Three years later, (1899), he wrote his last play, *When We Dead Awaken,* but it is clearly visible that the masterful mind of the years that had passed, was ebbing. An occasional flare of his own former self can be sensed in some of the passages—but the great spiritual beauty that one meets with in *John Gabriel Borkman* is lost. Unquestionably, the latter play contains some of the finest poetic moments that Ibsen created. In it he reached the pinnacle of fine feeling—the feeling created by an anguished soul lost in a spiritual mist. He may, indeed—for his creation of *John Gabriel Borkman*—be spoken of as the poet of the anguished soul.

Henrik Ibsen's great life work was to lay bare the shams and hypocrisies of his fellowmen. The prejudices that had taken root everywhere had to be pulled up; the barriers that conventions—conventions that had come to be looked upon as divine laws—had built up, had to be torn down in order to let in fresh air and new ideas. Frankness and truth had to be the foundation of the home, of our relations with our neighbors and in politics; social and ethical questions had to be discussed in the open, evil, inherited traits must be bred out of our families. With the blending of expert craftsmanship and dialogue that was perfection in its terseness and economy of words, he broke away from the antiquated, conventional school and gave us the technique which has as yet been unsurpassed and serves as a model for the playwright of today.

Perhaps his greatest asset was his remarkable knowledge of psychology, his deep insight into character. Such knowledge is not inborn. Founded on instinct and aided by intuition, it is developed by self-analysis, a questioning mind and observation.

Ibsen often took his plots and characters from real life. As he ferreted out and exposed covered shams, he not only scraped the veneer off their surface but penetrated to the core. While he, as a philosopher, may not have been revolutionary, he has few peers in modern drama as a psychologist. A profound champion of frankness and truth in our daily life and personal contacts, he was the first playwright to realize the value of unity of time, economy of words, and simplicity of language—a concentrated form of playwriting hitherto unknown.

Ibsen was a true Norseman—a modern viking, always on a hazardous pilgrimage, constantly discovering new realms to conquer: false pride, hypocrisies, immoral and unmoral "morality", stagnated lies and perverted truths.

Ibsen was a true aristocrat—not the kind that you read about in story books and in the news of the day, but a democrat ennobled by thoughts of good deeds which, (because so often misunderstood), turned him into a man difficult to approach. Snobbishness, flattery, shams were his arch enemies. It was these enemies he set out to conquer on his crusades. He did not have to go far. He found them in his own native Norway, and he attacked them. He was attacked in turn viciously, violently, maliciously. No one wishes to be told his own faults, especially when told in plain and unmistakable language, and in public. And so the old proverb came true once again; no one is a prophet in his own country.

Henrik Ibsen was a defiant individualist. His character was one of flint—and he never stooped to tackle anything but flint; therefore the sparks were always certain to fly whenever he sought battle. Petty foibles did not engage his interest—he left those to the minor souls of his century to use as pawns in their little game. He may, as a matter of fact, have felt that human beings, himself included, were entitled to their little vanities, and frailties.

It was the beasts of rotten conventions, prudery, lies and hidden truths that were his prey—and how many men will walk this path for a life time without deviating from their ideals?

Having lived in Italy and Germany with infrequent visits to his native Norway, he finally returned there in 1891 and spent the remainder of his life in Christiania where he died on May 23, 1906.

Rotary Club Project Service Above Self

HON. HERBERT TENZER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, March 29, 1968

Mr. TENZER. Mr. Speaker, during the national observance of Brotherhood Week, the Rotary Club of Far Rockaway and the Five Towns sponsored an unusual project which I wish to bring to the attention of my colleagues in the House.

The project was a joint program of exchange assemblies between Far Rockaway High School and Lawrence High School. These brotherhood assemblies were held at Far Rockaway High School on February 19 and 21, 1968, and at Lawrence High School on March 8 and 15, 1968.

Lawrence High School is located in the Fifth Congressional District which I am privileged to represent and Far Rockaway High School is located in the 10th Congressional District represented by the distinguished dean of the House, the Honorable EMANUEL CELLER, who joins me in this tribute to the Rotary Club program.

I am placing the program for these assemblies in the RECORD at this point so that my colleagues may read this experiment in brotherhood:

THE FIFTH ANNUAL COMMUNITY BROTHERHOOD OBSERVANCE

(Sponsored by the Rotary Club of Far Rockaway-Five Towns)

"1968 SCENE—AMERICANS ALL"

(Joint Participation by Students of Far Rockaway, N.Y., High School and Lawrence, N.Y., High School, February 19 and 21, 1968; March 8 and 15, 1968. An inaugural Rotary community service project—"Service Above Self")

"For happily the Government of the United States, which gives to bigotry no sanction, to persecution no assistance requires only that they who live under its protection should demean themselves as good citizens in giving it on all occasions their effectual support."—George Washington.

"That this nation, under God, shall have a new birth of freedom; and that government of the people, by the people, for the people, shall not perish from the earth."—Abraham Lincoln.

PROGRAM

(Presented by the Far Rockaway High School at the Lawrence High School, February 19, 1968, and February 21, 1968)

Brotherhood Today: Helen Fink and Kathy Kahn.

Choral Numbers: 1. "Sing We and Chant It," by Morley; 2. "Come Again, Sweet Love," by Dowland; 3. "Ride the Chariot," by Smith.

Solo—"The Sound of Music," by Rodgers: Allyne Ross.

Duet—"You'll Never Walk Alone," by Rodgers: John Belle, Tenor; Thomas Mason, Baritone.

Greetings from Rotary: Rabbi Lowenheim.
David Gordon, Principal.
Hyman Seiden, Administrative Assistant.
Ralph Stark, Teacher in Charge.

Members of chorus

1st Soprano: Berg, Heidi; Gross, Elaine; Merenstein, Sandi; Mitchell, Denise; Quaker, Jane.

Alto: Hermelin, Beth; Lefkowitz, Loree; Ross, Allyne; Wade, Colleen; Webb, Gloria.

Bass: Jackson, William; Kolenick, Michael; Kronick, Dennis; Linder, Christoph; Lucien, Randy; Mason, Thomas.

2nd Soprano: Fremed, Shari; Gronin, Beth; Kurtzman, Ellen; Russo, Christine; Sherman, Sharon.

Tenor: Belle, John; Chernoff, Michael; Siperstein, Edward; Sophos, William.

Soloist: Gloria Webb.

Folk Singer: Jaqueline Shapiro.

"Brothers all"

"At a time of plague and pestilence we speak of disease and yearn for health. In our time of deep-rooted hostility, violence, hatred and self-hatred, it may not seem very fashionable to speak of brotherhood. Yet brotherhood is that social health which ultimately must conquer and replace the bubonic plague of our time: emotional and physical destructiveness. The young—in order to survive—have vital reasons to explore the promises of brotherhood as the healthy reality of tomorrow."—Herman Ebeling, Long Island Area Director, National Conference of Christians and Jews.

"Far Rockaway High School is pleased to exchange these Brotherhood assemblies with its neighbor, Lawrence High School. While these exchanges bridge only a small distance and link only two small groups, they attest to our mutual good will and our reaching out toward a great principle. In the final analysis, harmony and peace on earth rely upon many small gestures, initially reaching out from group to group and then from nation to nation. We offer our small force toward what we hope will be a gathering momentum directed toward universal brotherhood."—David Gordon, Principal, Far Rockaway High School.

"The faculty and student body of Lawrence High School strongly endorse the concept of Brotherhood Week and welcome the opportunity to share our experiences with others. We are privileged to be host to Far Rockaway High School students, who will present an assembly program in the Lawrence High School auditorium on the brotherhood theme. This "exchange" program will take place on Monday, February 19, and Wednesday, February 21, 1968. Lawrence High School, in turn, will present two assembly programs at Far Rockaway High School on Friday, March 8, and Friday, March 15, 1968.

"We strongly commend the efforts of the Rotary Club of the Five Towns for initiating the proposal involving the two neighboring high schools."—Edwin D. Krawitz, Principal, Lawrence High School.

"The theme of Rotary is Service Above Self. We, of the Rotary, take great pride in bringing together the students of Far Rockaway and Lawrence High School to mark the national observance of Brotherhood Week. We are happy to learn that through our endeavors of Service to the Community the message of Brotherhood may become a reality to thousands of teen-agers.

"It is our wish that spirit of Brotherhood will indeed permeate our hearts and the hearts of our fellow citizens everywhere."—Morris Gabriel, President, Rotary of Far Rockaway & Five Towns.

PROGRAM

(Presented by the Lawrence High School at the Far Rockaway High School, March 8, 1968 and March 15, 1968)

Americans All: Marc Dreier and Abby Bloom.

Lawrence High School Chorus

Directors: Miss Dorothy Garver, Mr. Anthony Pollere.

"Sanctus," by Joseph Haydn.

"150th Psalm," by Jean Berger.

"Everytime I Feel The Spirit," by William Dawson.

Lawrence High School Band

Directors: Mr. Arthur Jones, Mr. John Turner.

"Pan American Percussion," by David Steinberg.

Lawrence High School Dramatic Society

Director: Mr. James Duffy.

Excerpts from: "The People, Yes," by Carl Sandburg.

Lawrence High School Student Council

Advisors: Miss Lenore Kodner, Mr. Gregory Monahan.

Speakers: Marc Dreier, President, Student Council; Abbey Bloom, Secretary, Student Council, Representative, IZZAT Club.

Chorus members

Victor Adamo, Jonathan Alpern, Gerald Balzano, Joel Barnett, Roanne Barris, Edward Basile, Sherry Bess, Susan Bickwit, Nell Birkhahn, Jeffrey Brayn, Barbara Brown, Pamela Calabria, Cynthia Carpenter, Diane Cittadino, Kathryn Cohen, David Dubrow, Sara Feldman.

Ronnie Finkle, Gerard Frederic, Edward Galante, Steven Gardner, Joseph Garguilo, Jacob Garvin, Judith Gewanter, Andrew Gevanthor, Martin Gorchoff, Elizabeth Grabelsky, Audrian Gray, Tanya Griffin, Jeff Harts, Edward Hendrickson, Walter Jacobson, Valerie Jones.

Nanette Kaplan, Jessica Katz, Norman Kearney, Jill Kirschbaum, William Lane, Gregory Lazan, Gale Litt, Eileen Minkoff, Fred Natter, Michael Nova, Dennis Oddo, William Parker, Eileen Perahia, Candace Pinquist, Nancy Pollock, Barbara Roberson.

Barbara Rosenthal, David Ruskay, Alyce Seidman, Lulu Settles, Andrew Shulman, L. Singer, Eric Stricoff, Richard Tarin, Marny Tepper, Marc Trussel, Barbara Walsh, Daryl Wager, Joyce Wiener, Robert Wigging, Phillip Witt, Robert Zuckerman.

Band members

Lisa Abelson, Linda Aron, Jerry Balzano, Jody Bergman, Lorelee Bierman, Lawrence Brodey, Catherine Calabria, Masi Calcagno, Kathleen Carucci, Janet Cole, Scott Colman, Joseph Dilorio, Robert Douglas, Peter Dreilinger, Richard Drucker, Laurie Gordon, Jerry Hauser, Jeffrey Gradinger.

Carol Haber, Morgan Halperin, John Kent, Laura Koch, Stewart Levine, Francine Oddo, Michael Perone, Marc Potkin, Wayne Ratner, Beth Rosen, Ellen Rosenberg, Edward Sloyer, Peter Sokoloff, John Taranto, Frank Vilardi, Alan Warshavsky, Saul Waxman, Clifford Zucker.

Steven King, Susanne Aron, Charles Bender, Frances Bleiman, Anne Bodell, Robert Brackman, Theodore DeSibio, Susan Frier, Joseph Garigiulo, Melvin Gluskin, Neal Goldberg, Ellis Greenfield, Ina Greenfield, Diana Greenwald, Dohn Heller, Laurie Kasoff, Bruce Kinon, Louis Manara.

Joseph Martinis, Peggy Mende, Richard Oshrain, Robert Peskin, Nancy Pollock, Julie Quain, Sheldon Radin, Anthony Sarceno, Robert Sharrott, David Shulman, Robert Slochover, Paul Socolow, Robert Sorrentino, Michael Suchoff, Lillian Swords, Hope Wallach, Marc Warshawsky, Samuel Young.

Lawrence High School Dramatic Society

Sherry Bass, Linda Halperin, Ronnie Herst, Gergory Lazan, Sherry Smith, Marc Trussel.

Greetings from Rotary: Rev. James Cray.

Edwin D Krawitz, Principal.

Playlets by Buskin Dramatic Society

MEMBERS, ROTARY CLUB OF FAR ROCKAWAY-FIVE TOWNS

Richard I. Arkin, Dr. Raoul Barquin, Dr. Marc Berg, Joseph L. Bloch, Dr. Bernard M. Cohen, Barry J. Connolly, Rev. Richard Cray, Lee R. D'Anna, Rubin R. Dobin, Dr. Martin S. Fink, Morriss Gabriel, Dr. Irving D. Gordon, Mark Harwood, Izidor Jutkovitz, Philip A. Laban, Dr. Emanuel Levokove, Milton Liberman, Rabbi Irwin C. Lowenheim.

Dr. Victor W. Michaels, Cosmo Pacetta, Jesse Plaxen, Dr. Frederick T. Randolph, Robert A. Reber, Louis Resnick, Richard Rogoff, Fred J. Sarro, Jr., Bernard Satin, Meyer Schneider, Max Silver, George Stern, Mack Stroller, Myron E. Teter, Alfred Van Leeuwen, Barney Young, Mac Zakin.

ROTARY BROTHERHOOD COMMITTEE

Chairman: Rabbi Irwin Lowenheim.

Co-Chairmen: Rev. James Cray, Lee D'Anna.

Program Chairman: Rubin R. Dobin.

Sponsors: Dr. Victor Michaels, Barney, Young, Philip Labin.

Arrangements: Dr. Fred Randolph, Max Zakin, Dr. Raoul Barquin.

READ AND PONDER

Have we not all one father? Has not one God created us?

Behold, how good and how pleasant it is for brethren to dwell together in unity.

Nature has mother-like borne and reared all men alike, and created them genuine brothers.

In the Titanic tragedy, all creeds were at last united in the brotherhood of Death. If one could only hope for a brotherhood of Life.

Let everyone act according to his convictions and rest perfectly assured that this will not displease his Creator.

Men are men before they are lawyers or physicians or manufacturers.

One man was created the common ancestor of all so that the various families of men should not contend with one another.

OUR SINCERE THANKS TO YOU ALL

"As chairman of the Brotherhood Committee, may I take this opportunity to sincerely thank all the members of Rotary who worked to make this program a success. A special word of gratitude to our patrons who generously contributed. Finally, our grateful appreciation to the Principals, the faculty members and the students of Lawrence High School and Far Rockaway High School who gave of their time and talents to this special program. We are grateful."—Rabbi Irwin C. Lowenheim, Chairman, Brotherhood Committee.

Mr. Speaker, I congratulate Mr. Rubin Dobin, chairman of this project, and the faculty and students of Far Rockaway and Lawrence high schools for a successful program. The Rotary Club of Far Rockaway and the Five Towns deserves the thanks of the residents of these communities for sponsoring this project to bring the message of brotherhood to our young people.

Byelorussian Independence Day

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Friday, March 29, 1968

Mr. SCOTT. Mr. President, 50 years ago this week the people of Byelorussia proclaimed their independence and established the Byelorussian Democratic Republic. It is a tragedy that this golden anniversary of national independence marks also a century of Russian persecution.

In 1795 Byelorussia was conquered and annexed to Russia. Byelorussian religion and culture were severely censured. The people twice revolted under the Russian colonialists, but were unsuccessful each time.

Late in 1917 when the czarist Russian Empire collapsed, the Byelorussians assembled the First All-Byelorussian Congress and established an independent Byelorussian Republic. On March 25, 1918, the Council of the Byelorussian Democratic Republic proclaimed the national independence of Byelorussia and the fight for independence began. Many brave and loyal people died under the overwhelming force of Soviet Russia and the country fell to Russian occupation in August 1920.

At the end of the Second World War, the Second Byelorussian Congress convened to confirm the proclamation of independence of the Byelorussian Democratic Republic, but fell again to Soviet might.

In the past 50 years, the Communist government has annihilated more than 6 million of the Byelorussian population.

This 50th anniversary of Byelorussia's proclamation of independence is a fitting time to commemorate those who have given their lives in the name of freedom as well as those in the free world who today continue their untiring effort to give strength of spirit and hope to the Byelorussian people behind the Iron Curtain.

HOUSE OF REPRESENTATIVES—*Monday, April 1, 1968*

The House met at 12 o'clock noon.

Rabbi Arthur T. Buch, Shaare Zedek Congregation, New York, N.Y., offered the following prayer:

Our fathers' God who hast endowed all humanity with unalienable rights of life, liberty, and the pursuit of happiness,

With whom the people of America have entered into a compact to guarantee that endowment,

We acknowledge the blessedness which has come to our Nation—its land and its people.

At this hour when some of the blessing is in danger of being blighted,

We ask Thy grace upon the leader of our Republic, the President of the United States, the constituted officers of its realm, and the representatives of the people.

Guide them in their decisions, and strengthen them in their determination to convert the agony of Vietnam into a triumph of the spirit.

Remove the strange symbols of hawks and doves from our midst, and restore the American eagle in its majestic soaring heavenward as our chief concern and pride. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, March 28, 1968, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 2029. An act to amend the National Traffic and Motor Vehicle Safety Act of 1966 relating to the application of certain standards to motor vehicles produced in quantities of less than 500.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 13042) entitled "An act to amend the act of June 20, 1906, and the District of Columbia election law to provide for the election of members of the Board of Education of the District of Columbia."

PRESIDENT LYNDON B. JOHNSON

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, the President's announcement that he would not accept his party's nomination for the Presidency came at a time when our national problems are so serious and grave that their attack from the Presidency has to be completely free of political implications, real or imaginary. The President's action in placing patriotism above party, above self-interest, is an inspiration for all. The President has led the way. Americans unite. Our people must cooperate, must work with one another to promote the country's welfare without regard to self-interest.

The time has come to act in the name of our Nation. All of us know that there are elements of divisiveness on the home front. In spite of the fact that the Johnson administration has done more for racial minorities than the combined administrations of a century, racial strife is still with us. The danger of inflation is real and imminent. There is widespread discord over our role in Vietnam. Our monetary system is in grave danger.

These are neither the problems of Democrats nor the problems of Republicans. They are the problems of all Americans. They can be solved only by leadership whose voice speaks from above the political rostrum. By his action, President Johnson unselfishly affords us that leadership.

The President's personal sacrifice in the interest of national unity, together with his unparalleled accomplishments entitle him to a unique place in American history. He deserves the support of a grateful nation. United behind his leadership, America can solve its domestic problems and lead all mankind to establish a permanent, just, and lasting peace.

RABBI ARTHUR T. BUCH, SHAARE ZEDEK CONGREGATION, NEW YORK, N.Y.

Mr. RYAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, we are indebted today to Rabbi Arthur T. Buch, of Shaare Zedek, for the moving prayer which he offered. In these trying times, it is to our great benefit that we have in our midst a spiritual leader such as Rabbi Buch whose leadership helps us in our efforts to resolve the conflicts which confront us and in our quest for a world in which all men can live in peace and brotherhood.

Rabbi Buch's congregation, Shaare Zedek, is the third oldest Jewish congregation in New York City, having served the residents of my congressional district on Manhattan's West Side since 1837. It is my very special privilege to welcome the rabbi and his congregation, including the president of the congregation, Barnett Kaprow; the president of the sisterhood, Mrs. Fannie Platt; the president of the brotherhood, Sol Nodel—whose paintings were exhibited yesterday at B'nai B'rith in Washington; and Alexander Elishewitz, the director of their visit to Washington.

A Hebrew scholar and teacher, Rabbi Buch has taught at the New School for Social Research in New York City and the University of Scranton. He has a special interest in the theater, and he is about to publish a book on the Biblical influence in our modern theater, which is based on his column published weekly, entitled "The Bible on Broadway."

We are indeed privileged to have Rabbi Buch open the proceedings of the House of Representatives. His words of prayer reflect his deep compassion and understanding.

DISTRICT OF COLUMBIA ELECTED BOARD OF EDUCATION ACT—CONFERENCE REPORT

Mr. McMILLAN submitted a conference report and statement on the bill (H.R. 13042) to amend the act of June 20, 1906 and the District of Columbia election law to provide for the election of members of the Board of Education of the District of Columbia.

PRESIDENT JOHNSON PLACED NATIONAL UNITY ABOVE POLITICS

Mr. PRICE of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE of Illinois. Mr. Speaker, I rise today to express my deepest shock and disbelief with President Johnson's astounding announcement that he will not seek or accept the Democratic Party's nomination for reelection to the presidency this year. President Johnson's decision has most obviously been made in the spirit of high statesmanship and true courage.

It is now imperative that the entire Nation unite as one behind our President to support him in his continuing efforts to bring to an honorable and peaceful conclusion the hostilities in Vietnam.

Many would have the President reconsider his decision, but the President has clearly placed his desire for peace and unity above partisan politics. Others should emulate his courage.

The burden now rests squarely upon the shoulders of the leaders of the North Vietnamese Government in Hanoi to respond favorably to the unilateral bombing pause ordered by the President, and to his renewed appeal to North Vietnam to enter into peace negotiations.

My own personal feelings regarding the President's decision is best expressed in these words from an editorial in this morning's Washington Post:

> Many public men have spoken in the name of national unity to advance their own cause and candidacy. The President last night put unity ahead of his own advancement and his own pride.
>
> The verdict of history remains to be written upon an Administration that has attacked the social and racial problems of America with skill and vigor. The judgment of the world remains to be pronounced upon the success or failure of foreign policies that will influence world affairs for generations.
>
> Americans need wait no longer, however, to conclude that the man who spoke to them last night is a man who greatly loves his country and who deeply cherishes its unity.

A PLACE OF HONOR

Mr. WOLFF. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WOLFF. Mr. Speaker, President Johnson's historical speech last evening has appropriately caused the interests of this Nation to be placed far before politics.

By removing himself from partisan politics and deescalating the war in Vietnam President Johnson has moved boldly for unity at home and the realization of the needs of this Nation. In this he deserves the support of all Americans.

We must look with respect and admiration at a man who ignores self-interest. President Johnson rightly recognizes that the needs of this Nation must be above party politics. Thus he has elevated the awesome Presidency to new stature while reminding Americans that our President is a sincere and patriotic man.

Lyndon Baines Johnson may fill out his term with the knowledge that in 37 years of selfless service to his country he has earned the highest possible regard of the American people and a place of honor in the history of his country.

A CONSCIENTIOUS AMERICAN PRESIDENT'S DUTIES

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. SMITH of Iowa. Mr. Speaker, President Johnson has decided that he will not let his effectiveness be reduced, nor permit Hanoi to believe that his actions will be affected by political considerations. To make sure that Hanoi will not fight harder nor longer than they otherwise would in the hope that it will bring pressure upon him politically, the President has announced that he will not be a candidate for, nor accept the nomination for reelection.

A conscientious American President of 200 million people, who is also leader of the world, with a capacity and responsibility to trigger or not to trigger an atomic holocaust cannot be expected to carry the load of the world and the minute-by-minute responsibility for calling back a deterrent force of bombers loaded with atomic warheads, and, at the same time, engage in primary elections in individual States stretching over a period of many months.

If he is to answer in detail as to why he undertook each action which it is necessary for him to take, any opportunist by merely criticizing every action could not only rob the President of time and strength needed to carry out his duties, but also pressure him with the alternative of being misunderstood or declassifying information that the enemy should not know and which would reveal our sources of information.

It is ridiculous for any State to think that the President of the United States can spend several weeks campaigning in a primary within that State, and in each State, and still fulfill his duties as President. I think serious consideration should be given to either having all preferential primaries on the same day or abolishing them.

EXPRESSION OF HOPE THAT OTHER WORLD LEADERS WILL JOIN PRESIDENT JOHNSON IN HIS QUEST FOR PEACE IN VIETNAM

Mr. WHITENER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. WHITENER. Mr. Speaker, I too wish to associate myself with the remarks which have just been made by our distinguished colleague, the gentleman from Illinois [Mr. PUCINSKI], and to say that I hope that those who occupy positions of leadership in the world and who have undertaken to recognize what I believe are rather dangerous military procedures will now have the same courage that our great President had in taking the action which he announced he would take last evening.

Mr. Speaker, in making the remarks that I make at this time, I do so with a firm conviction that when the President announced the fact that he would not be a candidate for reelection, he meant exactly that. The great Democratic Party of which I am a member will now have the responsibility of providing a candidate who is qualified to give not only the United States of America, but the free world, the leadership which it desires in these troublesome times.

Mr. Speaker, we have, in my judgment, a man of great stature in Gen. William Childs Westmoreland, and I urge that my fellow Democrats, in the spirit in which our great President spoke last night, to approach the Democratic convention without blind partisanship and nominate this great American. General Westmoreland is not under the handicap of the disability of being called a political partisan, but he is an American who has proved himself in a great many of our democratic activities.

So I urge that my colleagues in the Democratic Party join with me in urging consideration for General Westmoreland as our next nominee for President.

PRESIDENT LYNDON B. JOHNSON'S ANNOUNCEMENT ON VIETNAM

Mr. HAYS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HAYS. Mr. Speaker, some newspapers in Ohio called me this morning for a comment on the President's announcement last night. And especially did I think his announcement of a bombing pause would bring the North Vietnamese to the negotiating table. May I say that I do not think it will, because the two most prominent candidates left in the field on our side have painted themselves so deeply in a corner with promises to end the war that I think Hanoi will wait to see if either one of them is elected and then collect on the due bill and the blank check—and it is pretty blank and pretty due.

Let me say that I think a bombing pause, therefore, will not have any effect whatsoever. I think the President's announcement that he would not run frees his hands to do some of the things that I hope he will do, because I do not believe he is the captive of the left wing and the beatniks, hippies, bums, and all the rest of them who seem to be the camp followers of the so-called New Left.

I might just bring out one further word—some of those who are so happy about the President's speech who are here in the Chamber, and I will not mention any names—I know who they are—without his coattails we may be missing them the next time around and that will not hurt the country any.

PRESIDENT JOHNSON

Mr. OLSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. OLSEN. Mr. Speaker, I want to join the Members who speak in praise of the tremendous sincerity and efforts of President Johnson during his years in public service—37—but particularly to speak in praise of his earnestness and his dedication, sincerity, and his drive and his hard work for the years that he has spent in the White House. Now then, even more particularly, I praise the sincerity of last night—that he would end his career in order to demonstrate his absolute sincerity in his search for peace, and that his move in his search for peace, in last night's speech, was not and could not be interpreted as a political move, but a sacrifice of the rest of what could have been an even greater political career.

I join those who salute President Johnson as "The Great American" of our time.

THE CIVIL RIGHTS BILL

Mr. SMITH of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SMITH of California. Mr. Speaker, after 2 days of hearings before the Committee on Rules on H.R. 2516, the civil rights bill, I am convinced that it should be sent to a House-Senate conference.

Mr. Speaker, I am making this suggestion particularly with reference to language contained in the bill passed by the other body dealing with Indian legislation. The other body has included in the bill legislation which in my opinion should be considered by the full Committee on Interior and Insular Affairs of the House of Representatives. Also, Mr. Speaker, there is legislation contained in the Senate-passed bill which deals with gun control and which in my opinion should be considered by conferees.

Mr. Speaker, pending before the Committee on Rules at this time is a resolution to take the Senate-passed bill to the floor of the House of Representatives and agree to the Senate amendments. Only a "yes" or "no" vote on that question would be permitted.

Today, I am introducing a resolution, which if approved, will take the bill from the Speaker's table and send it to conference where, in my opinion, it should be. I believe there should be some other legislative vehicle before the Rules Committee for its consideration. True, we can write any rule which the majority of the committee feels it should report. However, I am convinced that this particular piece of legislation should go to conference and the resolution which I am today introducing will provide the means to get it to conference if reported by the committee and adopted by the House.

I merely want the Members of the House to know that I am introducing this resolution today in order to accomplish that purpose.

THE PRESIDENT'S SPEECH OF LAST EVENING

Mr. THOMPSON of Georgia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. THOMPSON of Georgia. Mr. Speaker, last night for approximately 30 minutes, the President of the United States detailed to the Nation the courses of action which have been taken in Vietnam, together with a number of propositions that have been made to the North Vietnamese in an effort to bring about peace.

He disclosed to the people of this Nation, at that time, the fact that he is calling for a cessation of bombing of North Vietnam in an effort to bring the North Vietnamese to the peace table.

Mr. Speaker, I know that the President of the United States has been under tremendous pressure and that his critics have undoubtedly taken their toll. However, I regret the fact that the President saw fit to take himself out of the Democratic nomination, although obviously, I could not have supported him because I am not of his party. In my estimation his taking himself out of the picture as a candidate of the Democratic Party leaves a leadership gap in that party and a void which is questionable as to whether it can be filled by the members of that party who are now considered to be foremost in the race for the office of the President of the United States from the ranks of the Democratic Party.

I further submit, Mr. Speaker, that in Hanoi the call for negotiations will now fall upon deaf ears, because the leaders of the Democratic Party who are now in presidential contention have already indicated the fact that they favor withdrawal. If they favor withdrawal, there is no need for the North Vietnamese to enter into negotiations, certainly, prior to the elections.

This is a leadership gap which apparently can now only be filled by electing a Republican for President.

AMERICA SHOULD APPLAUD COURAGE AND LEADERSHIP OF PRESIDENT JOHNSON

Mr. FASCELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FASCELL. Mr. Speaker, the President's announcement underscores his continued determination to resolve the Vietnam war, even at the expense of his own political career. All Americans should applaud his courage and admire his leadership.

Freed of political overtones, the President is now able to more easily act in a manner which he determines to be in the best interests of our country. He has put the challenge of peace squarely on the Hanoi government and the Russians by calling for the convening of the Geneva Conference.

The President's action is bold and decisive, designed to help unify our country and to solve its most pressing problems.

SALUTE TO PRESIDENT JOHNSON

Mr. WILLIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WILLIS. Mr. Speaker, last night was Lyndon Baines Johnson's finest hour. He wrote a page in the history book, and he wrote it well. At the same time, he proved himself to be truly worthy of the highest, the most important and the most powerful office in the whole world. He proved himself to be truly a world leader, and I salute him as an American citizen.

PERMISSION FOR SUBCOMMITTEE ON HOUSING, COMMITTEE ON BANKING AND CURRENCY, TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Housing of the Committee on Banking and Currency may be permitted to sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

APPOINTMENT AS MEMBERS OF COMMISSION ON REVISION OF CRIMINAL LAWS OF THE DISTRICT OF COLUMBIA

The SPEAKER. Pursuant to the provisions of section 1002, Public Law 90–226, the Chair appoints as members of the Commission on Revision of Criminal Laws of the District of Columbia the following members on the part of the House: the gentleman from North Carolina [Mr. WHITENER] and the gentleman from Ohio [Mr. HARSHA].

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

AMENDING SECTIONS 281 AND 344 OF THE IMMIGRATION AND NATIONALITY ACT TO ELIMINATE THE STATUTORY PRESCRIPTION OF FEES

The Clerk called the bill (H.R. 2792) to amend sections 281 and 344 of the Immigration and Nationality Act to eliminate the statutory prescription of fees, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, reserving the right to object, I want to say that in the interim since the last call of the Consent Calendar, we have received an extensive letter to the "objector"; from the U.S. Department of Justice, Immigration and Naturalization Service, which is completely satisfactory to me on this bill of the Consent Calendar, and I therefore withdraw my reservation of objection.

Mr. Speaker, I ask unanimous consent that this letter may be inserted in the RECORD immediately following the passage of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, further reserving the right to object, I would like to ask someone why we could not have had a new schedule of fees, rather than turn this over exclusively to Immigration and Naturalization to fix any fees it desires?

Mr. HUNGATE. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Missouri.

Mr. HUNGATE. Mr. Speaker, in reply to the inquiry of the gentleman from Iowa, the fees are already set forth in the law today, they are already set forth in the statute.

Mr. GROSS. But why could not the agency have produced another schedule of fees instead of turning it over to the agency to fix the fees on an unlimited basis?

Mr. HUNGATE. I believe the gentleman will find that this is set forth under the heading of general information in the report in this matter. The exact amount, I believe, varies from time to time because it is based on a user principle, and therefore the amount that is used determines the particular fee.

Mr. GROSS. I trust that in giving this authority to the agency that the Committee on the Judiciary will carefully scrutinize what is done, the new fees that are established, because we are here giving them unlimited authority to fix fees.

Mr. HUNGATE. I can assure the gentleman from Iowa that I concur in his wish that the Committee on the Judiciary closely scrutinize the administrative action that is taken.

Mr. GROSS. Mr. Speaker, with that assurance I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 2792

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 281 of the Immigration and Nationality Act (66 Stat. 230; 8 U.S.C. 1351) as amended, is amended to read as follows:

"NONIMMIGRANT VISA FEES

"SEC. 281. The fees for the furnishing and verification of applications for visas by nonimmigrants of each foreign country and for the issuance of visas to nonimmigrants of each foreign country shall be prescribed by the Secertary of State, if practicable, in amounts corresponding to the total of all visa, entry, residence, or other similar fees, taxes, or charges assessed or levied against nationals of the United States by the foreign countries of which such nonimmigrants are nationals or stateless residents: *Provided,* That nonimmigrant visas issued to aliens coming to the United States in transit to and from the headquarters district of the United Nations in accordance with the provisions of the Headquarters Agreement shall be gratis."

SEC. 2. The reference to section 281 in the table of contents of the Immigration and Nationality Act is amended to read as follows:

"Sec. 281. Nonimmigrant visa fees."

SEC. 3. Section 344 (a), (b), and (g) of such Act (66 Stat. 264; 8 U.S.C. 1455) are respectively amended to read as follows:

"SEC. 344. (a) The clerk of court shall charge, collect, and account for fees prescribed by the Attorney General pursuant to title V of the Independent Offices Appropriation Act, 1952 (65 Stat. 290) for the following:

"(1) Making, filing, and docketing a petition for naturalization, including the final hearing on such petition, if such hearing be held, and a certificate of naturalization, if the issuance of such certificate is authorized by the naturalization court.

"(2) Receiving and filing a declaration of intention, and issuing a duplicate thereof.

"(b) Notwithstanding the provisions of this Act or any other law, no fee shall be charged or collected for an application for declaration of intention or a certificate of naturalization in lieu of a declaration or a certificate alleged to have been lost, mutilated, or destroyed, submitted by a person who was a member of the military or naval forces of the United States at any time after April 20, 1898, and before July 5, 1902; or at any time after April 5, 1917, and before November 12, 1918; or who served on the Mexican border as a member of the Regular Army or National Guard between June 1916 and April 1917; or who has served or hereafter serves in the military, air, or naval forces of the United States after September 16, 1940, and who was not at any time during such period or thereafter separated from such forces under other than honorable conditions, who was not a conscientious objector who performed no military duty whatever or refused to wear the uniform, or who was not at any time during such period or thereafter discharged from such military, air, or naval forces on account of alienage.

"(g) All fees collected by the Attorney General, and all fees paid over to the Attorney General by clerks of courts under the provisions of this title, shall be deposited by the Attorney General in the Treasury of the United States: *Provided, however,* That all fees received by the Attorney General or by the clerks of the courts from applicants residing in the Virgin Islands of the United States, and in Guam, under this title, shall be paid over to the treasury of the Virgin Islands and to the treasury of Guam, respectively."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The letter referred to earlier in the colloquy by Mr. HALL is as follows:

U.S. DEPARTMENT OF JUSTICE, IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D.C., March 25, 1968.

Hon. DURWARD HALL,
House of Representatives,
Washington, D.C.

DEAR MR. HALL: The effect of passage of H.R. 2792 would be to increase by at least 1.8 million dollars annually the revenue received from Immigration and Naturalization fee receipts. This revenue *is deposited* into the General Fund of the Treasury and *not added* to the appropriation available to the Immigration and Naturalization Service.

H.R. 2792 would make this increased revenue possible by eliminating the statutory specifications of fees in Sections 281 and 344 of the Immigration and Nationality Act. Under Title V of the Independent Offices Appropriations Act of 1952 the Attorney General will then be able to set these fees to assure, as much as possible, that the services furnished will be self-sustaining and the charges fair and equitable. This will bring the Immigration and Naturalization Service in a position to fully carry out the intent of Title V of the Independent Offices Appropriations Act of 1952 by requiring the person receiving the special service to be responsible in large part for defraying its cost. This principle was first enunciated by President Truman and was given further impetus by Presidents Eisenhower, Kennedy, and Johnson.

The fees we now are required to charge under the law were set in 1952 and have remained unchanged since then. In the meantime operating costs have been definitely and consistently upward. Unless authority is given to the Attorney General as provided in H.R. 2792 the gap between the fees for the services and the costs of the services will grow ever wider. In other words, the recipients of these special services will have an ever increasing portion of their services paid by the taxpayers at large.

The fees that will be set will be based on the actual costs of the Immigration and Naturalization Service. Persons affected will be notified in advance through publication in the Federal Register and given a chance to have their opinions considered. In addition, the Bureau of the Budget is advised of our fee structure, and we receive a regular General Accounting Office inspection which will assure that Congress is kept aware of our actions in this area.

The bill H.R. 2792 is not creating a novel situation since most Governmental agencies now have the authority being sought. In fact, we have it ourselves as to those services for which no statutory fee is prescribed. There are twenty-eight fees now set by the Immigration and Naturalization Service under regulatory authority. Our experience shows that we are able to set fair and equitable charges for services which are acceptable to both the Government and the affected parties.

Sincerely,
RAYMOND F. FARRELL,
Commissioner.

AMENDING THE ACTS OF FEBRUARY 1, 1826, AND FEBRUARY 20, 1833, TO AUTHORIZE THE STATE OF OHIO TO USE THE PROCEEDS FROM THE SALE OF CERTAIN LANDS FOR EDUCATIONAL PURPOSES

The Clerk called the bill (H.R. 13176) to amend the acts of February 1, 1826, and February 20, 1833, to authorize the State of Ohio to use the proceeds from the sale of certain lands for educational purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. McCULLOCH. Mr. Speaker, reserving the right to object—and I shall not object—I should like to say that this legislation has been petitioned for by the General Assembly of the State of Ohio, that it has the approval of the Governor of the State of Ohio, that it is not objected to by the Department of Justice, the Department of the Interior, or the Department of Agriculture, and that 22 of the 24 members of the Ohio delegation to the House of Representatives are cosponsors of this legislation.

Therefore, I rise in support of H.R. 13176, a bill to free Ohio's school and ministerial lands from Federal statutory restrictions which are both cumbersome and costly.

The problem concerning these school and ministerial lands arises because Ohio has outgrown legislation that was enacted almost two centuries ago.

To view this problem in its proper perspective, we must turn back through the pages of our history to the early America that had just won its national independence. The Continental Congress was in session under the Articles of Confederation.

In 1785 and 1787, it enacted two famous Land Acts. Their tenor was reflected in article III of the Northwest Ordinance which began with this renowned statement:

> Religion, morality, and knowledge being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged.

Since the members of the Continental Congress strongly believed in those principles, they declared in the Land Acts that the land in the Northwest Territory be divided into townships and that one section in each township be reserved for educational purposes and another section for religious purposes.

The Government formed under the present Constitution continued those policies. Sales of lands were made in the new territories with the Federal Government reserving sections for school and religious purposes and noting the reservation in the contract of sale.

The territorial government of Ohio was entrusted with the care of these school and religious lands. In 1803, when Ohio became a State, the administration of these lands devolved upon the State government. There was no Federal agency in existence charged with overseeing the problem. Hence, by necessity, the responsibility passed to the State.

To make the transfer of responsibility clear, Congress passed the act of March 3, 1803 (2 Stat. 225). However, that act referred only to the transfer of school lands. It is thought that Congress shied away from the religious-lands issue for constitutional reasons, for this was the first occasion that Congress had to pass on Ohio's religious-lands program since the enactment of the first amendment.

Nevertheless, Ohio continued to administer both the school and the religious lands. However, the administration consisted only of leasing the lands and distributing the proceeds to schools and churches. Doubts were expressed that the lands could be sold.

Congress resolved those doubts insofar as the school lands were concerned by the act of February 1, 1826 (4 Stat. 138). The act provided as follows:

> *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the legislature of the State of Ohio shall be, and is hereby, authorized to sell and convey, in fee simple, all, or any part, of the lands

> heretofore reserved and appropriated by Congress, for the use of schools within said state, and to invest the money arising from the sale thereof, in some productive fund, the proceeds of which shall be forever applied, under the direction of townships and districts of country, for which they were originally reserved and set apart, and for no other use or purpose whatsoever: *Provided*, Said land, or any part thereof, shall, in no case, be sold without the consent of the inhabitants of such township, or district, to be obtained in such manner as the legislature of said state shall be law direct: *And provided also*, That, in the apportionment of the proceeds of said fund, each township and district aforesaid shall be entitled to such part thereof, and no more, as shall have accrued from the sum or sums of money arising from the sale of the school lands belonging to such township or district. . . ."

Finally, by the act of February 20, 1833 (4 Stat. 618), Congress made similar provision for the religious lands. This was the first time that Congress acknowledged the existence of Ohio's religious lands. That act said that Ohio could sell them and use the proceeds for religious purposes. It provided the following:

> *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the legislature of the state of Ohio shall be, and is hereby, authorized to sell and convey, in fee simple, all or any part of the lands heretofore reserved and appropriated by Congress for the support of religion within the Ohio Company's, and John Cleeves Symmes' purchases, in the state of Ohio, and to invest the money arising from the sale thereof, in some productive fund; the proceeds of which shall be for ever annually applied, under the direction of said legislature, for the support of religion within the several townships for which said lands were originally reserved and set apart, and for no other use or purpose whatsoever, according to the terms and stipulations of the contracts of the said Ohio Company's and John Cleeves Symmes' purchases within the United States: *Provided*, Said land, or any part of it, shall, in no case, be sold without the consent of the person who may be the lessee thereof, nor without the consent of the inhabitants of the township within which any such land may be situated, to be obtained in such manner as the legislature of said state shall, by law, direct: *And provided also*, That in the apportionment of the proceeds of said fund, each township within the districts of country aforesaid, shall be entitled to such portion thereof, and no more, as shall have accrued from the sum or sums of money arising from the sale of the church land belonging to such township.

In the early 19th century, this method of financing education and religion was considered sound policy. The restrictions were not oppressive but merely recounted the practice preferred at the time. Land would be sold, the proceeds would be invested in a fund, and the annual interest would support the program.

In fact, Ohio supplemented this Federal program with its own. The financing was the same.

But modern policies on financing such programs have relegated the 19th-century theories to the status of historical curiosities.

Nevertheless, those ancient theories still skulk in the halls of the present casting their dark shadows. That is the reason why the auditor of each one of Ohio's 88 counties must annually determine how much money will be allotted to each school district and to each church on the basis of an outdated formula.

Under this formula, the auditor must determine the number of people residing within the townships as originally established regardless of the changes in boundary lines and political subdivisions that have everywhere occurred. Then he must determine in what proportion the townships residents attend the schools and the churches located in the same township where the school or religious lands are producing revenue. In that proportion, he must then distribute the revenue to the schools and churches. Very often, the recipient gets no more than $10.

The individual grants are indeed tiny, especially when it is noted that the large administrative costs are not deducted from the distributed funds but are borne entirely by the State of Ohio.

The complexity of the distribution process, which I referred to, is excelled by the difficulty of the revenue-raising process. It is almost impossible to sell the school or religious lands.

For no parcel can be sold except upon approval of the inhabitants of the area comprising the original township. That means a very specialized election is necessary. Often, the cost of the election balances the value of the land.

Moreover, in the case where religious lands are offered for sale, the lessee has the power to veto the transaction even if a costly election indicates the people want the land sold.

This situation is incredible. It is costly. It is cumbersome. It is wasteful.

This Federal-aid program—one of the oldest in our history—should be rejuvenated. The worthwhile purpose of aiding education has over the years only grown in stature.

Such a purpose is timeless. It should not be leaded down with anachronistic restrictions.

It is now time to eliminate the requirement of having an election every time land is to be sold. It is now time to stop giving aid to schools in proportion to their proximity to the reserved sections of land and to start giving aid fairly and equitably where it is needed. It is time to stop spending $200,000 to distribute $300,000 in ludicrously small grants. It is time to start allocating these funds to larger scale programs that can have a measurably beneficial effect on education in Ohio.

H.R. 13176 would eliminate these restrictions and allow the Federal-aid program to continue as originally planned. Of course, we must recognize the constitutional bar to direct church aid. But the main thrust of H.R. 13176 is to free a worthwhile aid program of costly, unnecessary, and outdated restrictions.

There are at present in Ohio over 5,200 acres of school and religious lands which are unsold and under lease. Ohio is asking for Federal permission to sell those lands and apply the proceeds to educational purposes without being required to fulfill the old statutory requirements. Ohio is not asking for Federal permission to interfere with vested property rights.

Ohio is not asking the Federal Government to condemn these lands for Ohio's benefit. Ohio is merely asking to be put in the position it would be in if the old statutory restrictions had never been enacted.

That is an important point. Thus the contractual rights of the lessees of these lands will continue to be respected by Ohio when H.R. 13176 becomes law. Section 10 of article I of the Constitution says that:

> No State shall . . . pass any . . . law impairing the obligation of contracts.

Ohio has no intention to circumvent that mandate. However, it is believed that in most instances the present lessees are willing to purchase the land they are presently leasing.

Thus, the bill does not grant Ohio the absolute right to the school and religious lands. Rather, it removes certain statutory restrictions.

Of course, among those restrictions were the veto powers over a sale possessed by the inhabitants and the lessees of religious lands. These powers are now abolished. The Federal Government accorded them gratitously. It now may take them back.

Unlike the lessee's contractual rights, these powers did not become legally solidified and cognizable by the passing of a consideration. Hence, the Federal Government may repeal its prior grant.

In conclusion, the enactment of H.R. 13176 is very important to the State of Ohio. No longer would Ohio have to spend its time and money to administer a complex formula on an annual basis. Rather, the proceeds would be used to support education fairly and equitably, as provided by the General Assembly of Ohio.

Mr. WYLIE. Mr. Speaker, further reserving the right to object, I rise in support of H.R. 13176—ministerial lands—which I cosponsored along with 21 of my colleagues from Ohio.

The purpose of this bill is to amend two acts of Congress dating back to February 1, 1826 and February 20, 1833, which amended earlier laws and made provisions relating to Federal requirements for the maintaining in Ohio of a system of funds and leased lands for the "support of religious societies" and "common schools."

The purpose of the original acts were to encourage the settlement of frontier lands. This method of supporting schools were abandoned by the State of Ohio almost a century ago as being entirely inadequate. No other State has ever been required to maintain and administer funds which can be used only for the support of religion. Other such acts were either not approved by Congress or were vetoed by President Madison as being unconstitutional.

The lands are held in trust by Ohio to be leased for an amount fixed over 155 years ago. This act, passed on February 1812, reads in part as follows:

> This has resulted in a system which costs more to administer than is realized in income. Twenty-six allocations to school districts were for less than $1.00 and 87 were for less than $10.00.

H.R. 13176 would permit the State of Ohio to dispose of these lands at present-day market values and use the proceeds for the originally intended purpose. I, therefore, urge the membership of this House to act favorably on this bill.

Mr. GROSS. Mr. Speaker, further reserving the right to object, I should like to ask someone in connection with this bill how much land is involved? I fail to find a total estimate in the report.

Mr. McCULLOCH. Mr. Speaker, there are approximately 5,200 acres of land involved in this legislation.

By the way, Mr. Speaker, I am pleased to say to the Members of the House that this was one of the first acts of assistance of the Federal Government to schools in the United States of America and that was 173 years ago.

Mr. GROSS. The statement just made by the gentleman from Ohio [Mr. McCulloch] indicates that Ohio was the leader in Federal aid to education.

Mr. ASPINALL. Mr. Speaker, will the gentleman yield.

Mr. GROSS. I yield.

Mr. ASPINALL. I think the statement made by our colleague, the gentleman from Ohio [Mr. McCulloch] cannot be contested as far as that is concerned.

These 5,200 acres are isolated tracts, very small individual tracts, scattered throughout the State of Ohio and are very difficult to administer.

Mr. GROSS. That would have been my next question. What is the size of the lots in each township which were turned over to the State of Ohio, or by whatever the process? What is the size of the lots?

Mr. ASPINALL. Of course, the gentleman knows that the Northwest Territory was the first area in the United States to be laid out on a section-by-section basis, and a lot could consist of anything from a very few acres to I suppose 80 acres or something like that—but never any more than 160 acres.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 13176

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to authorize the Legislature of the State of Ohio to sell the lands heretofore appropriated for the use of the schools in that State," approved February 1, 1826 (4 Stat. 138), is amended to read as follows: "That the Legislature of the State of Ohio may sell all or any part of the lands heretofore reserved and appropriated by Congress for the use of schools within that State and may use the proceeds from the sale of such lands for educational purposes, as the Legislature of the State of Ohio in its discretion shall deem appropriate."

SEC. 2. The Act entitled "An Act to authorize the Legislature of the State of Ohio to sell the land reserved for the support of religion in the Ohio Company's and John Cleeves Symmes' purchases", approved February 2, 1833 (4 Stat. 618), is amended to read as follows: "That the Legislature of the State of Ohio may sell all or any part of the lands heretofore reserved and appropriated by Congress for the support of religion within the Ohio Company's and John Cleeves Symmes' purchase in the State of Ohio and may use the proceeds from the sale of such lands for educational purposes, as the Legislature of the State of Ohio in its discretion shall deem appropriate."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. This concludes the call of the Consent Calendar.

CALL OF THE HOUSE

Mr. SPRINGER. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 76]

Abbitt
Anderson, Tenn.
Andrews, N. Dak.
Ashley
Boggs
Bolling
Brademas
Bray
Brock
Brooks
Brown, Ohio
Burton, Utah
Bush
Button
Casey
Clausen, Don H.
Corman
Cowger
Cramer
Dickinson
Diggs
Dingell
Dowdy
Eshleman
Farbstein
Feighan
Fino
Foley
Gardner
Gibbons
Goodell
Green, Oreg.
Green, Pa.
Gurney
Halpern
Hansen, Wash.
Hawkins
Holland
Hull
King, Calif.
Kupferman
Landrum
Lukens
Matsunaga
Mize
Moorhead
Nix
Patman
Pepper
Pickle
Poage
Quie
Resnick
Riegle
Rivers
Rostenkowski
Roth
Roybal
Rumsfeld
Selden
Skubitz
Stubblefield
Tunney
Walker
Watts
Whalley
Wilson, Bob
Winn
Zablocki

The SPEAKER pro tempore (Mr. ALBERT). On this rollcall 366 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

EMPLOYER CONTRIBUTIONS FOR JOINT INDUSTRY PROMOTION OF PRODUCTS AND FOR JOINT COMMITTEES ON BOARD TO INTERPRET COLLECTIVE-BARGAINING AGREEMENTS

Mr. PERKINS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 15198) to amend section 302(c) of the Labor-Management Relations Act, 1947, to permit employer contributions for joint industry promotion of products, in certain instances or a joint committee or joint board empowered to interpret provisions of collective-bargaining agreements, as amended.

The Clerk read as follows:

H.R. 15198

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 302(c) of the Labor-Management Relations Act, 1947, is amended by striking out "or (6)" and inserting in lieu thereof "(6)", and by adding immediately before the period at the end thereof the following: "; or (7) with respect to money or other thing of value paid by any employer of the construction industry to a trust fund established by such representative for the purpose of a joint industry promotional program or a joint committee or joint board empowered to interpret provisions of collective bargaining agreements: *Provided,* That (a) in relation to a joint industry promotional program such payments as are intended to be used for defraying the cost and expenses thereof are made to a separate trust which provides that the funds held therein cannot be used for any purpose other than for product and product application research and development, product and product application market development, promotion of product and product application with architects, engineers, and Government contracting officials, product and product application technical information and data: *Provided,* That no labor organization or employer shall be required to bargain on the establishment of any such program, and refusal to do so shall not constitute an unfair labor practice. (b) In relation to a joint committee or joint board empowered to interpret provisions of collective bargaining agreements such payments as are intended to be used for defraying the cost and expenses thereof are made to a separate trust which provides that the funds held therein cannot be used for any purpose other than the interpreting of provisions of collective bargaining agreements and to resolve and determine issues arising from disputes regarding provisions of a collective bargaining agreement, providing that the findings and/or determinations of such committee or board are binding on all parties concerned: *Provided,* That no labor organization or employer shall be required to bargain on the establishment of any trust fund pursuant to this clause (b), and refusal to do so shall not constitute an unfair labor practice. (c) Such funds shall not be commingled with any other funds or used in any manner to share expenses or otherwise defray the cost of programs that are employer or management functions or labor organization functions, and that the requirements of clause (B) of the proviso to clause (5) of this subsection shall apply to such trust fund as well as the requirements of the Welfare and Pension Plans Disclosure Act (except any which the Secretary determines are not applicable to trust funds of the type to which this clause applies)."

The SPEAKER pro tempore. Is a second demanded?

Mr. DELLENBACK. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from Kentucky [Mr. PERKINS] will be recognized for 20 minutes, and the gentleman from Oregon [Mr. DELLENBACK] will be recognized for 20 minutes.

Mr. PERKINS. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I rise to speak on behalf of H.R. 15198, a bill which I introduced on behalf of myself and almost two dozen Members of the House from both sides of the aisle. This bill would amend section 302(c) of the Labor-Management Relations Act of 1947 to make lawful employer contributions to jointly administered trust funds for product promotion or for joint boards or committees empowered to interpret provisions of collective bargaining agreements.

This marks the fourth year in which hearings have been held on such a measure. Previously, hearings were held by the Labor Subcommittee of the full Committee on Education and Labor in 1962, 1963, and 1965. In 1962, 1964, and 1965 the full committee reported favorably on this legislation, and on August 10, 1965, the House passed H.R. 1153, which is substantially similar to H.R. 15198.

The need for enactment of the bill arises from the nature of the drafting of section 302 of the act. This section makes it unlawful for employers to make payments to a representative of his employees or to a labor organization, or an officer or employees thereof, which represents any of his employees. Subsection (c) thereof spells out certain exceptions to this prohibition, including compensation for employees' services, payment of court judgments or arbitration and other awards, purchase of commodities at the prevailing market price in the regular course of business, the check-off of union dues, certain payments to welfare trust funds, and payments to trust funds for the pooling of vacation, holiday, severance or similar benefits, or to defray the costs of apprenticeship or other training programs.

Because the Congress has chosen to validate jointly administered funds solely by way of specific exceptions to the broad prohibitions of section 302, an amendment to the act, in the form of H.R. 15198, is necessary to add these further exceptions under 302(c). In 1959, for example, a special amendment was obtained to permit the jointly administered funds now listed in item (6) of 302(c), including funds for vacation, holiday, and severance benefits, and for defraying the costs of apprenticeship and other training programs. This is precisely the method we must now adopt in order to permit the joint administration of industry promotion funds and various boards or committees to interpret collective bargaining agreements.

Under present law, neither product promotion programs nor the joint boards or committees covered by the bill are unlawful. Indeed, countless numbers of such programs and boards exist. Nor is collective bargaining with respect to these subjects unlawful. Moreover, there is no objection to these concepts where unilaterally administered. Only the jointly administered funding of these programs or groups remains unlawful because of the technical drafting approach to section 302.

In addition, I can see no valid objection to the joint administration of such programs. In this regard, several points are worth noting. First, there is no invasion of "management prerogatives," for the widespread utilization of collective bargaining agreements to carry out promotional objectives and to achieve the settlement of disputes indicates the recognition by management of the interest of employees in such matters. Also, the bill provides specifically that—

> Such funds shall not be commingled with any other funds or used in any manner to share expenses or otherwise defray the costs of programs that are employer or management functions or labor organization functions . . .

Second, the bill makes it abundantly clear that the joint industry promotional programs will continue to be permissive, rather than mandatory, subjects of collective bargaining and that it will not be an unfair labor practice for either an employer or a labor organization to refuse to bargain about the establishment of these programs. Existing law on this point would thus remain unchanged. A similar guarantee is included for the trust funds used to defray the costs and expenses of the joint boards or committees covered by the bill. Third, the provision for joint committees or boards in the bill is completely in keeping with the stated national policy of minimizing labor instability by resolving disputes through the collective bargaining and auxiliary procedures.

In short, the programs covered by the bill presently exist on a large scale and are covered by many collective bargaining agreements. The law with respect to the substance of these subjects is not being changed in any way. Rather, this bill will merely correct an oversight in legislative drafting at the time of enactment of the Taft-Hartley bill by permitting these subjects to be jointly administered.

Finally, the detailed safeguards which are presently contained under section 302(c)(5) and (6) will apply to the funds covered by this bill as well. For these reasons, I urge the enactment of H.R. 15198.

Mr. JONES of Missouri. Mr. Speaker, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman.

Mr. JONES of Missouri. What employer groups came before your committee in support of this legislation?

Mr. PERKINS. This affects the construction trades and only the construction trades.

The SPEAKER pro tempore (Mr. ALBERT). The gentleman from Kentucky has consumed 5 minutes.

Mr. PERKINS. Mr. Speaker, I yield myself 1 minute and then will yield to the gentleman from New Jersey [Mr. THOMPSON] who conducted these hearings, and I want to compliment him for such an outstanding job—and he will answer your question.

Mr. THOMPSON of New Jersey. Among those, I will say to the gentleman from Missouri, are the director of the Industrial and Government Relations Printing and Decorating Contractors.

Mr. JONES of Missouri. They are not employer groups are they?

Mr. THOMPSON of New Jersey. Yes; you asked for the employer groups.

Mr. JONES of Missouri. Yes; but as I gather from the title of those you mention it indicates that they are groups of employees.

Mr. THOMPSON of New Jersey. No, sir.

Mr. JONES of Missouri. Will you read that again?

Mr. THOMPSON of New Jersey. Edward S. Torrance, director, Industrial and Government Relations Printing and Decorating Contractors.

Also a gentleman from the Contracting Plasterers and Lathers.

Also two other employer groups, the Associated General Contractors and the Plumbing and Heating were the only two witnesses against it.

Mr. DELLENBACK. Mr. Speaker, I yield 4 minutes to the gentleman from Illinois [Mr. ANDERSON].

Mr. ANDERSON of Illinois. Mr. Speaker, I should like at this time to address myself very briefly to the procedural objections that I have to considering a bill of this importance under this type of procedure and I thank the gentleman from Oregon for making this small amount of time available.

I think most of us realize over the years that under the suspension procedure when you handle bills on the Suspension Calendar where we have only 20 minutes on a side to discuss and debate the merits of a bill and where there is absolutely no opportunity to offer amendments to a bill even though that may appear eminently desirable after discussion has taken place here on the floor, that we ought to be very, very careful about rushing into the enactment of a piece of legislation of importance and scope and magnitude.

I want to state just as strongly as I can to the House here today that I think the Committee on Education and Labor has committed a grievous error in bringing this bill before the House today under this procedure and for that reason I am certainly going to vote against it when a call for a vote is had.

You could have come, gentlemen, to the Committee on Rules and there is no question in my mind but what you would have been given a rule—you would have been given a rule under which the Members of this body would have had 1 or possibly 2 hours to fully discuss the merits of the bill and then we would have proceeded to act as the Committee of the Whole under the 5-minute rule to amend the bill in any particulars where it proved to be deficient.

I must say in response to some of the things that have been said by the distinguished chairman of the committee, the gentleman from Kentucky [Mr. PERKINS], that things are not quite as clear and as undisputed with respect to this legislation as he indicated. He said for example there is absolutely no question about the possible invasion of management prerogatives under the joint management and administration of these funds.

But, as I read the bill—and I call the attention of the House to the language on page 2, beginning at line 11—it discusses these funds, and they would be used "for product and product application research and development, product and product application market development, promotion of product and product application with architects, engineers, and Government contracting officials, product and product application public relations, publication of product and product application technical information and data."

As I read those words—and, unfortunately, we will not have time under this procedure today really to find out and discuss them as we should—but as I read the clear language of this bill, lines 11 through 17, I think they very clearly involve important management prerogatives.

So on procedural grounds I urge the House to turn this bill down, go to the Rules Committee, get a rule, and then come back to the floor.

Mr. DELLENBACK. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. ASHBROOK], a member of the committee.

The SPEAKER pro tempore. The gentleman from Ohio is recognized for 5 minutes.

Mr. ASHBROOK. Mr. Speaker, I certainly agree with what my able colleague from Illinois has said. There are certainly procedural grounds for being against this bill.

I would also like to point out that there are impelling substantive grounds for being against this bill. At the present time the law forbids the administration of such agreements through a fund to which the employer contributes and which is jointly administered by the union and the employer. Ask yourself: Why is this law on the books? It is on the books for very definite reasons: First, to avoid collusion between management and union as regards funds. I think it is also on the books because it was felt that extraneous matters like this add one more unnecessary area to the collective bargaining process which is already at best an onerous procedure. It presents one more area where you can have disagreements and delays.

I want to say to the gentleman from Kentucky, when you say it is permissive, or when you say it is not mandatory, the proposed legislation would make such jointly administered funds mandatory subjects of bargaining in fact—mandatory subjects of bargaining.

The Taft-Hartley Act very properly set these areas out and said that labor and management shall not work together where funds are involved. There is a very basic reason for this.

Mr. PERKINS. Mr. Speaker, will the gentleman yield at that point?

Mr. ASHBROOK. If the gentleman will give me some time.

Mr. PERKINS. I do not have the time to give.

Mr. ASHBROOK. I am limited to 5 minutes. The way this bill was brought up, we cannot get extra time, so I will have to keep my 5 minutes. I am very sorry, Mr. Speaker.

The reason being that labor and management can do an effective job in the collective bargaining process, only if each of them is advocating their own basic interests. I do not say self-interest although at times it would be their own self-interest. Management speaks as management and labor speaks as labor. When you put money into a fund, when you have labor and management working on the same fund, I think every Member of this body knows this is a very good place where you can have collusion, where you can have intimidation.

It is strictly a management function. The reason I say it is strictly a management function is this: Ask yourselves, Where is the money coming from? Does labor contribute one dime to this fund? If this bill were to require labor to put an equal amount into the fund along with management then there might be some reason for saying that they should jointly administer the fund. I point out to you the money comes strictly from management, strictly from business. It makes no more sense to allow the union to sit in trusteeship, in a position of responsibility determining how these funds shall be used, than it does to allow management to work with labor, on a trusteeship basis, to determine how labor shall spend their own dues that they collect from their members. It makes no sense to me, and I think to avoid collusion, to keep from adding one more area to the already overburdened collective bargaining process and to prevent labor from taking over management funds, we should, not only on procedural grounds, but also on substantive grounds vote against this bill and vote against it overwhelmingly.

Mr. PERKINS. Mr. Speaker, I yield 5 minutes to the gentleman from New Jersey [Mr. THOMPSON].

Mr. THOMPSON of New Jersey. Mr. Speaker, I rise, as the chairman of the subcommittee which conducted hearings on this legislation, to urge approval of it.

As the Members know, bills like H.R. 15198 have been before the House on earlier occasions. Hearings have been held on similar legislation four times in the last 7 years. This legislation was favorably considered and passed by the House in the last Congress.

It is sponsored by 21 members of the Committee on Education and Labor from both sides of the aisle. This continues the history of the bipartisan and broad support for the authorization of joint labor-management programs.

This bill was strongly supported during the hearings by Mr. C. J. Haggerty, president of the Building & Construction Trades, and by representatives of the component craft unions of the department and by some contractors. The bill was opposed by the Associated General Contractors and by other specialty contractor associations.

H.R. 15198 amends section 302 of the Labor Management Relations Act to permit employer contributions for joint industry promotion of products in certain instances or a joint committee or joint board empowered to interpret provisions of collective bargaining agreements. It applies only to employers of the construction industry.

Section 302 of the Labor Management Relations Act makes it unlawful for an employer to make any payment to a representative of employees. This section was enacted to prevent bribery, kickbacks, extortion, sweetheart contracts, and other corrupt practices.

However, section 302(c) contains six exceptions to this general prohibition, and thus permits employer contributions to jointly administered trust funds established for medical care programs, retirement pension plans, apprenticeship programs, and other specific programs. The bill would add two more exceptions to 302(c)—jointly administered promotion programs and joint boards empowered to interpret collective bargaining agreements—and would thereby legalize such jointly administered programs.

It must be stressed then that industry advancement funds were not made illegal by section 302 of the Labor Management Relations Act. In fact, thousands of such funds today exist. Many are incorporated into collective bargaining agreements and are financed through the collective bargaining mechanism. However, it is presently unlawful for employer and employee representatives jointly to administer these programs.

The need for this bill arises from court decisions which held that since jointly administered promotional funds were not excepted from the general prohibition on employer contributions contained in section 302, these joint trust funds were unlawful. In Cement Masons against Paramount Plastering, in affirming the trial court's holding that employer contributions to such jointly administered trust funds violated section 302, the Court of Appeals for the Ninth Circuit declared—at 310 F. 2d 179, page 191:

> We do not quarrel in the slightest with the laudable objectives of the trust amicably created by labor and management to solve a vexing industry problem . . . But like so many of our present-day problems, our duty is to rule in accordance with that which the Congress has seen fit to enact . . . The relief sought by appellants herein must be found in Congressional and not judicial action.

Mr. STEIGER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman from Wisconsin.

Mr. STEIGER of Wisconsin. Mr. Speaker, as the gentleman knows, one of the reasons there has been some confusion about this section, which the gentleman touched on just before reading the court's decision, opposition mainly grew from industry and contractor groups which have established industry advancement programs. I would appreciate the gentleman's discussing a bit more fully just what is meant by the language in the bill as it relates to a product promotion.

Mr. THOMPSON of New Jersey. I will be glad to. There has been opposition on that ground by certain contractor groups, including general contractors and mechanical contractors. But in my view these groups should not be concerned with respect to the (a) portion of the bill, which pertains to product promotion. For the so-called industry advancement programs of these contractors simply do not promote a "product," as that word is used in this bill.

The bill is very specific. It refers only to product promotion, not to general industry advancement.

The SPEAKER pro tempore (Mr. ALBERT). The time of the gentleman from New Jersey has expired.

Mr. PERKINS. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. THOMPSON of New Jersey. Mr. Speaker, as was said on the floor when an earlier bill—H.R. 1153—was considered:

> The proposed legislation . . . refers to product promotion programs only. For example, the Operative Plasterers and Cement Masons might choose to promote plaster through jointly administered programs. Other contractors and craft unions might choose to promote the use of other materials. It is the purpose of this bill to permit this.

The word "product" as used in the bill refers, for example, to tangible materials or substances physically incorporated in buildings or other facilities, or the application of such materials as in painting or decorating services. It does not refer to the activities of the so-called industry advancement program.

Mr. STEIGER of Wisconsin. Mr. Speaker, will the gentleman yield for a further brief question?

Mr. THOMPSON of New Jersey. I yield to the gentleman from Wisconsin.

Mr. STEIGER of Wisconsin. The other concern which has been raised is about the definition of the word "joint." Would it be correct to say, as it is set forth in the committee report, on page 4, H.R. 15198 specifically incorporates the safeguards of section 302(c)(5)(B) in terms of its definition of the word "joint"?

Mr. THOMPSON of New Jersey. Yes; the gentleman is correct.

Mr. PERKINS. Mr. Speaker, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to my chairman.

Mr. PERKINS. It has been inferred by one of the speakers on the other side that this proposed legislation would invade the prerogatives of management. I will ask the distinguished chairman of the subcommittee about the savings clause on page 3 of the bill and whether it is solely permissive, whether we place safeguards against intrusion into purely management functions on the one hand and purely labor functions on the other and whether we are trying to invade the prerogatives of management in this bill.

Mr. THOMPSON of New Jersey. We are not trying to invade these prerogatives. This is permissive only. It would not be an unfair labor practice under the law for any employer to say, "I am not interested in this fund, and therefore I do not want to discuss it." It is entirely permissive.

Incidentally, it is very highly desired by a great many of the employers.

Mr. DELLENBACK. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin [Mr. STEIGER], a member of the committee.

Mr. STEIGER of Wisconsin. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. STEIGER of Wisconsin. Mr. Speaker, I rise in support of this legislation, H.R. 15198.

I recognize full well that there has been a great deal of controversy and confusion related to this specific piece of legislation. The procedural questions raised by the distinguished gentleman from Illinois [Mr. ANDERSON], I believe, are worthy of some consideration by the Members of this body. I for one, however, am prepared to support this bill in its present form, because I believe the safeguards are adequate and the reasons why the bill is before us are reasonable and sound.

The definition of the product promotion fund is one which was covered by the gentleman from New Jersey [Mr. THOMPSON], and it is one to which I believe we all ought to give our attention, that is, the word "product" as used in the bill refers, for example, to tangible materials or substances physically incorporated in buildings or other facilities, or the application of such material as in painting or decoratng. It does not refer to the activities of the so-called industry advancement programs.

During the hearings on this bill we had testimony from a number of individuals both pro and con. I believe one of the most interesting was from William Richard Latta, president of Latta & Co., and for the Southern California Plastering Institute, the Orange County Lathing Bureau, the Plastering Contractors Association of Southern California. He points out:

> The Southern California Plastering Institute was created in 1952 as a trade promotion arm of the plastering contractors of Los Angeles and Orange Counties and the various local unions of the Operative Plasterers and Cement Masons' International Association.
>
> The Board of Trustees of this Institute was comprised of members of the contractors association and representatives of the union who were signatory to the agreement. The agreement provided for a contribution for trade promotion in the same sense that contributions are made for health, welfare, pensions, vacations, apprentice programs and other considerations generally identified as "fringe benefits".
>
> The initial trade promotion effort provided for advertising and publicity in building trade publications and consumer media in an effort to encourage a general public awareness of materials used in construction with an accent on the benefits inherent in walls and ceilings of genuine lath and plaster. The campaign's slogan, first projected in the early 1950's, was "Knock on the Wall and Be Sure It's Genuine Lath and Plaster". It continues to remain a means for identifying this kind of construction . . . and more particularly, the kind of public interest that is expressed in a sincere team of employer-union representatives.
>
> The South California Plastering Institute was the first industry group of its kind to adopt a program calling for a joint effort to promote business for the plastering contractors.

In addition, we had testimony during the hearings from the general counsel of the Painting & Decorating Contractors of America, Mr. A. E. Robert Friedman. He said:

> It is respectfully submitted that the prohibitions and exceptions of section 302 were initially provisional regulations to avoid improper, unethical and illegal bribes between unscrupulous employers and labor leaders. Subsequent to the original enactment of that law, Congress saw fit to amend the Sub Section by adding such items as vocational and apprenticeship funds and vacation funds. Hence there is a precedent for amending this original concept.

Let me suggest to you, lastly, that on behalf of the Painting & Decorating Contractors of America, Mr. Edward Torrance testified:

> My association is primarily interested in that portion of this proposed legislation which pertains to joint committees established for the purpose of handling disputes that arise from interpretations of clauses contained in the collective bargaining agreement. This is because of the long and successful history of such committees in the painting industry. The first such joint committee was establisehd in the San Francisco Bay area in 1935. With pardonable pride, I admit to having been a party to the negotiations of the next such joint committee agreement in Portland, Oreg., in 1937.

Basically, if we believe, as I do, that a product for which an employer is working and for which his employees are working is inexorably tied together, because the strength of the worker depends on the strength of the company which depends on the strength of the industry and the product, the two can and should, it seems to me, rightfully work jointly for the purposes of promoting a product through joint promotion funds. That is what this bill is all about and I hope that the bill is passed.

Mr. SAYLOR. Mr. Speaker, will the gentleman yield to me?

Mr. STEIGER of Wisconsin. I am glad to yield to the gentleman from Pennsylvania.

Mr. SAYLOR. Mr. Speaker, I would like to commend the gentleman from Wisconsin for the tremendous statement he has just made. I certainly feel this bill, instead of being called a step backwards, as it is in the minority report, is a tremendous step forward when, in a time of relative labor difficulty you can set the ground rules to permit labor and management to get together to solve their common problems.

Mr. STEIGER of Wisconsin. I appreciate the statement of the gentleman from Pennsylvania.

Mr. PERKINS. Mr. Speaker, will the gentleman yield?

Mr. STEIGER of Wisconsin. I am delighted to yield to the chairman of the committee, the gentleman from Kentucky.

Mr. PERKINS. Mr. Speaker, I wish to compliment the gentleman from Wisconsin on such an outstanding and eloquent statement. I want to say, in reply to the statement of the gentleman from Pennsylvania, that the minority members, supported this bill in committee. These views in opposition represent a minority of the minority members on the committee.

Mr. STEIGER of Wisconsin. I appreciate the gentleman's clarification of that point.

Mr. HUNGATE. Mr. Speaker, will the gentleman yield?

Mr. STEIGER of Wisconsin. I am glad to yield to the gentleman from Missouri.

Mr. HUNGATE. Do I understand from the gentleman's statement that the Painters & Decorators of America support this measure?

Mr. STEIGER of Wisconsin. Yes, the testimony I quoted was from the Painting & Decorating Contractors of America.

Mr. DELLENBACK. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I wish to make just a few points in summary on this particular measure, because it is obviously either controversial or else there is some confusion about the measure. If I may, I would like to touch on the basic essentials that are involved here. The fundamental point that the gentleman from Illinois made as to procedure I do not quarrel with. I think that one could have made the alternative decision in this regard that instead of bringing this to the floor as a unanimous-consent measure, they should have sought a rule and then brought it forth under a rule. However, this was not the decision made, and this is not a terribly complex piece of legislation. The arguments against it have been made. If we debated for an hour or 2 hours on this particular measure, the points are not going to be made any more clearly than the gentleman from Ohio made them. There is not going to be a great deal added to it, either.

There are certain objections made by certain people to legislation of this nature, but let us understand that we are dealing here with permissive legislation. This is not a case of saying that bargaining is mandatory in the sense that the parties must sit down and both of them must discuss this particular issue and decide they will do a certain thing with it. This is permissive. Either side can say, "We do not want to discuss this." As the bill itself expressly points out, it says, "No labor organization or employer shall be required to bargain on the establishment of any trust fund pursuant to this clause, and refusal to do so shall not constitute an unfair labor practice."

So this is permissive. Management can say that it will or management can say that it will not bargain on this issue, and labor can say that it will or labor can say that it will not bargain on this particular issue.

Mr. Speaker, how complex are the points that are made permissive under this legislation? In my opinion, there are only two:

This bill if it passes makes it possible to have funds contributed for joint industry promotion and a joint board to interpret a collective bargaining agreement.

Now, Mr. Speaker, there are areas of business operations which in my opinion belong exclusively to management and there are likewise areas of business operations which belong exclusively to labor. So, there are very important labor points wherein management should not intrude and there are very important managerial points wherein labor should not intrude.

It is improper to say that it is exclusively a management prerogative to deal with control of funds for industry promotion if and when the setting aside of moneys for such industry promotion has been a subject of collective bargaining. If it has been a subject of collective bargaining, then both sides of the management-labor table have an interest in those funds and how they are spent.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. DELLENBACK. I shall be happy to yield to the gentleman from Illinois.

Mr. PUCINSKI. Mr. Speaker, I would like to congratulate the distinguished gentleman from Oregon upon the very fine statement which he has made, particularly with reference to the question that this is a permissive, voluntary program. There are certain labor-management groups that want these programs. They have asked for and are willing to accept them. They are very happy with them, while others have not been.

However, this legislation, if adopted, would in no way interfere with this interplay of management-labor relations as they deal with this particular problem. I am in complete agreement with the statement which has been made by the distinguished gentleman from Oregon that the funds cannot be commingled with any other funds; is that correct?

Mr. DELLENBACK. The gentleman from Illinois is completely correct in this respect. There are all sorts of protection against the commingling of funds.

The SPEAKER pro tempore (Mr. ALBERT). The time of the gentleman from Oregon has expired.

Mr. DELLENBACK. Mr. Speaker, I yield myself 2 additional minutes.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield further?

Mr. DELLENBACK. I yield further to the gentleman from Illinois.

Mr. PUCINSKI. Mr. Speaker, I would like to point out to the various Members of the House of Representatives the fact that during the last session of the Congress this legislation was overwhelmingly approved by the Members of the House of Representatives and it was sent over to the other body. I had the privilege to sponsor this legislation.

Mr. DELLENBACK. The gentleman from Illinois is completely right. Such legislation was passed in the House of Representatives in 1965.

Mr. Speaker, I am sure that everyone of us is interested in labor-management relations being as harmonious as possible. If and when in a given situation a certain employer and that employer's employees have mutually agreed in advance that the best way to assure such harmonious relations is to have a jointly operated and controlled way to interpret ambiguities in the collective bargaining agreement, then that way should be permitted to operate. And the employer should be permitted to make agreed upon contributions to permit that agreed upon procedure to function effectively. This bill would make that possible.

Mr. Speaker, this is legislation which is designed to look forward along the direction of labor-management peace. It is time that no Member of this House should react automatically when one raises the flag of change in existing labor-management legislation. We should not automatically react on the side of management nor on the side of labor. This is the type of measure which should not be labeled as "pro labor" nor as "pro management". It should be seen for what it is. A good bill calculated to increase the freedom of both parties to bargain beneficially. If one looks below the surface, one will find that we are dealing with sound legislation, legislation which is designed to bring about harmony and peace in the labor-management field. This is a good bill which should pass.

Mr. TAFT. Mr. Speaker, will the gentleman yield?

Mr. DELLENBACK. I yield to the gentleman from Ohio.

Mr. TAFT. Mr. Speaker, I would like to ask the gentleman with regard to the matter of joint contribution committees, that if the contract provides in effect a fund for this sort of thing, is it not true that the effect would be to shift to the employer the entire cost of supporting the contributions that would be used in interpreting the dispute between labor and management because the support of labor which would have to be provided today by such committees would no longer be necessary? Is that correct?

Mr. DELLENBACK. No, that is not my interpretation. But I would say to the gentleman from Ohio at the present time we actually have an anomolous situation that if labor were to contribute to such a committee under the present situation, and it were a situation involving a fund into which management was also contributing, labor could actually have made contributions into that fund with no voice whatsoever as to how that fund should be spent.

Mr. TAFT. Yes, but if the contract provides the setting up of funds for this sort of thing, then the employer would be contributing the entire cost.

Mr. DELLENBACK. This is a setup which permits funds to be contributed to make possible a joint interpretation.

The SPEAKER pro tempore. The time of the gentleman has expired.

The gentleman from Kentucky [Mr. PERKINS] is recognized.

Mr. PERKINS. Mr. Speaker, in conclusion, I would regret to see the House turn down this bill when it is so clearly understood that it is permissive.

There is nothing inconsistent with the original legislative concept of section 302 for industry and labor to be permitted to administer a joint fund for industry promotion when they want to set up such a fund and agree on it.

It would just be bad judgment on the part of the House of Representatives to turn down this exception to section 302.

I am certainly most hopeful that Members will support the suspension of the rules and pass this bill.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from Illinois.

Mr. PUCINSKI. Mr. Speaker, I rise in support of this legislation. I think it has been very carefully thought out by the subcommittee and by the full committee. Adequate safeguards have been written into the bill to avoid and prohibit any abuses.

I think this legislation will lead to better relationships between labor and management in those areas where labor and management want this kind of joint agreement.

Present court decisions have created a "gray" area in some instances, in forbidding this sort of fund.

So it seems to me if labor and management want something like this on both sides, the least that this Congress can do is to accommodate them. Therefore, Mr. Speaker, I rise in support of this legislation.

The SPEAKER pro tempore. The time of the gentleman has expired. All time has expired.

The question is on the motion of the gentleman from Kentucky that the House suspend the rules and pass the bill, H.R. 15198, as amended.

The question was taken.

Mr. ASHBROOK. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The **SPEAKER** pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 219, nays 138, answered "present" 1, not voting 75, as follows:

[Roll No. 77]

YEAS—219

Adair
Adams
Addabbo
Albert
Annunzio
Aspinall
Ayres
Barrett
Bates
Bell
Bennett
Bevill
Biester
Bingham
Blatnik
Boland
Bolton
Brasco
Bray
Broomfield
Brotzman
Brown, Calif.
Burke, Mass.
Burton, Calif.
Byrne, Pa.
Byrnes, Wis.
Cahill
Carey
Carter
Celler
Clark
Cleveland
Cohelan
Collier
Conable
Conte
Conyers
Corbett
Corman
Culver
Cunningham
Curtis
Daddario
Daniels
Dawson
Delaney
Dellenback
Denney
Donohue
Dow
Dulski
Dwyer
Eckhardt
Edmondson
Edwards, Calif.
Edwards, La.
Eilberg
Esch
Evans, Colo.
Evins, Tenn.
Fallon
Fascell
Feighan
Flood
Ford, Gerald R.
Ford, William D.
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Gallagher
Garmatz
Giaimo
Gilbert
Gonzalez
Griffiths
Grover
Gubser
Gude
Halleck
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Wash.
Harsha
Harvey
Hathaway
Hays
Hébert
Hechler, W. Va.
Heckler, Mass.
Helstoski
Hicks
Holifield
Horton
Howard
Hungate
Hunt
Ichord
Irwin
Jacobs
Joelson
Johnson, Calif.
Johnson, Pa.
Jones, Ala.
Karsten
Karth
Kastenmeier
Kazen
Kee
Keith
Kelly
King, N.Y.
Kirwan
Kluczynski
Kyros
Laird
Long, Md.
McCarthy
McClory
McCloskey
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
Macdonald, Mass.
MacGregor
Machen
Madden
Mailliard
May
Meeds
Meskill
Michel
Miller, Calif.
Mills
Minish
Mink
Minshall
Monagan
Moore
Moorhead
Morgan
Morris, N. Mex.
Morse, Mass.
Mosher
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nedzi
Nelsen
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen
O'Neill, Mass.
Ottinger
Patman
Patten
Pelly
Perkins
Philbin
Pike
Pirnie
Podell
Pollock
Price, Ill.
Pryor
Pucinski
Randall
Rees
Reid, N.Y.
Reuss
Rhodes, Pa.
Robison
Rodino
Rogers, Colo.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Roush
Ruppe
Ryan
St Germain
St. Onge
Sandman
Saylor
Scheuer
Shipley
Sikes
Sisk
Smith, Iowa
Stafford
Staggers
Stanton
Steed
Steiger, Wis.
Stratton
Sullivan
Thompson, N.J.
Tiernan
Vanik
Vigorito
Whalen
White
Widnall
Wilson, Charles H.
Wolff
Wright
Wydler
Yates
Young
Zwach

NAYS—138

Abernethy
Anderson, Ill.
Andrews, Ala.
Arends
Ashbrook
Ashmore
Baring
Battin
Belcher
Berry
Betts
Blackburn
Blanton
Brinkley
Brown, Mich.
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burleson
Cabell
Cederberg
Chamberlain
Clancy
Clawson, Del
Colmer
Davis, Ga.
Davis, Wis.
de la Garza
Derwinski
Devine
Dole
Dorn
Downing
Duncan
Edwards, Ala.
Everett
Fisher
Flynt
Fountain
Galifianakis
Gathings
Gettys
Goodling
Griffin
Gross
Hagan
Haley
Hall
Hansen, Idaho
Hardy
Harrison
Henderson
Herlong
Hosmer
Hutchinson
Jarman
Jonas
Jones, Mo.
Jones, N.C.
Kleppe
Kornegay
Kuykendall
Kyl
Langen
Latta
Leggett
Lennon
Lipscomb
Lloyd
McClure
McMillan
Mahon
Marsh
Martin
Mathias, Calif.
Mayne
Miller, Ohio
Montgomery
Morton
Moss
Nichols
O'Neal, Ga.
Passman
Pettis
Poff
Price, Tex.
Purcell
Quillen
Railsback
Rarick
Reid, Ill.
Reifel
Reinecke
Rhodes, Ariz.
Roberts
Rogers, Fla.
Roudebush
Satterfield
Schadeberg
Scherle
Schneebeli
Schweiker
Schwengel
Scott
Shriver
Smith, Calif.
Smith, Okla.
Snyder
Springer
Steiger, Ariz.
Stephens
Stuckey
Taft
Talcott
Taylor
Teague, Calif.
Thompson, Ga.
Thomson, Wis.
Tuck
Udall
Ullman
Utt
Van Deerlin
Vander Jagt
Waldie
Wampler
Watkins
Watson
Whitener
Whitten
Wiggins
Williams, Pa.
Willis
Wyatt
Wylie
Wyman
Zion

ANSWERED "PRESENT"—1

Waggonner

NOT VOTING—75

Abbitt
Anderson, Tenn.
Andrews, N. Dak.
Ashley
Boggs
Bolling
Bow
Brademas
Brock
Brooks
Brown, Ohio
Burton, Utah
Bush
Button
Casey
Clausen, Don H.
Cowger
Cramer
Dent
Dickinson
Diggs
Dingell
Dowdy
Erlenborn
Eshleman
Farbstein
Findley
Fino
Foley
Gardner
Gibbons
Goodell
Gray
Green, Oreg.
Green, Pa.
Gurney
Halpern
Hawkins
Holland
Hull
King, Calif.
Kupferman
Landrum
Long, La.
Lukens
Mathias, Md.
Matsunaga
Mize
Nix
Pepper
Pickle
Poage
Pool
Quie
Resnick
Riegle
Rivers
Rostenkowski
Roth
Roybal
Rumsfeld
Selden
Skubitz
Slack
Smith, N.Y.
Stubblefield
Teague, Tex.
Tenzer
Tunney
Walker
Watts
Whalley
Wilson, Bob
Winn
Zablocki

So (two-thirds not having voted in favor thereof) the motion was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Dent and Mr. Green of Pennsylvania for, with Mr. Waggonner against.

Mr. Gray and Mr. King of California for, with Mr. Foley against.

Mr. Fino and Mr. Boggs for, with Mr. Winn against.

Mr. Halpern and Mr. Brademas for, with Mr. Cramer against.

Mr. Button and Mr. Tenzer for, with Mr. Don H. Clausen against.

Mr. Kupferman and Mr. Farbstein for, with Mr. Andrews of North Dakota against.

Mr. Mathias of Maryland and Mr. Matsunaga for, with Mr. Gurney against.

Mr. Rostenkowski and Mr. Zablocki for, with Mr. Dickinson against.

Mr. Dingell and Mr. Resnick for, with Mr. Abbitt against.

Mr. Hawkins and Mr. Nix for, with Mr. Eshleman against.

Mr. Roybal and Mr. Holland for, with Mr. Dowdy against.

Until further notice:

Mr. Long of Louisiana with Mr. Bush.
Mr. Casey with Mr. Mize.
Mr. Teague of Texas with Mr. Bow.
Mr. Hull with Mr. Quie.
Mr. Walker with Mr. Skubitz.
Mr. Ashley with Mr. Brock.
Mr. Pepper with Mr. Erlenborn.
Mr. Gallagher with Mr. Whalley.
Mr. Pickle with Mr. Burton of Utah.
Mr. Stubblefield with Mr. Riegle.
Mr. Brooks with Mr. Findley.
Mr. Anderson of Tennessee with Mr. Gardner.
Mr. Watts with Mr. Rumsfeld.
Mr. Tunney with Mr. Lukens.
Mr. Rivers with Mr. Goodell.
Mr. Landrum with Mrs. Green of Oregon.
Mr. Slack with Mr. Selden.
Mr. Gibbons with Mr. Pool

Mrs. **BOLTON** and Mr. **SIKES** changed their votes from "nay" to "yea."

Mr. **WAGGONNER**. Mr. Speaker, I have a live pair with the gentleman from Pennsylvania [Mr. DENT] and the gentleman from Pennsylvania [Mr. GREEN]. If they had been present they would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

The doors were opened.

AUTHORIZING TECHNICAL ASSISTANCE TO STATE CORRECTIONAL INSTITUTIONS

Mr. **CELLER**. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 15216) to authorize the Bureau of Prisons to assist State and local governments in the improvement of their correctional systems, as amended.

The Clerk read the bill, as follows:

H.R. 15216

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4042 of title 18, United States Code, is amended by striking out the period and inserting a semicolon and by adding the following at the end of the first paragraph:

"(4) Provide technical assistance to State and local governments in the improvement of their correctional systems."

The **SPEAKER** pro tempore. Is a second demanded?

Mr. **POFF**. Mr. Speaker, I demand a second.

The **SPEAKER** pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The **SPEAKER** pro tempore. The gentleman from New York [Mr. CELLER] will be recognized for 20 minutes, and the gentleman from Virginia [Mr. POFF] will be recognized for 20 minutes.

The Chair recognizes the gentleman from New York [Mr. CELLER].

Mr. **CELLER**. Mr. Speaker, the purpose of this bill, H.R. 15216, as amended, is to authorize the Federal Bureau of Prisons to provide technical assistance to State and local governments in improving their correctional systems.

The modest statutory change effected by this bill will enable the Federal Bureau of Prisons to establish a clearinghouse for information in correction policies and techniques, and to enlarge its capacity to respond to requests for consultation and technical assistance.

This type of assistance on a very limited scale has been rendered in the last few years to various State correctional institutions when requested.

This bill would be an express authorization to render this aid to the various State institutions in the future.

The bill has been recommended by the Director of the Federal Bureau of Prisons, by the Department of Justice, and has been approved by an organization known as the American Correctional Association, a professional organization representing over 8,000 members in some 50 States.

I know of no objections to the bill. It is a very modest proposal. Today the country is plagued with recidivism, where many prisoners, having served their term, go back into society and commit crimes all over again, and are returned to places of incarceration.

It is hoped that the Federal Bureau of Prisons, which has become a leading expert on the subject of corrections, will be able to impart considerable knowledge to State institutions and help them in rehabilitating prisoners so that they will not return to recommit crime.

The bill in many other respects is most praiseworthy, and I urge its approval.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentleman.

Mr. HALL. I appreciate the chairman of the Committee on the Judiciary yielding. I rise for information.

Does the gentleman have an estimate, which I believe is not given in the report, of the cost to the taxpayers of this advice, consent, and consultation with various State correctional institutions?

Mr. CELLER. If the gentleman will read on page 3 of the report, in the second paragraph, the Attorney General indicates that the cost may be $3 million to implement the proposal involved in this bill.

Mr. HALL. I appreciate the gentleman pointing that out. I have studied the bill and the report, as usual, and I did see where it said that $3 million was requested by the President. I presume that that is for this fiscal year budget, for fiscal year 1969. How long would this authorize continuation—or would increases be necessary for this otherwise apparently worthwhile bill, in future fiscal years?

Mr. CELLER. We do not have the information as to what these authorizations would be in subsequent years.

At the present juncture we are confident it will not exceed $3 million. If the demands, for example, later made by State institutions would involve greater expenditures, I presume that that would be up to the Committee on Appropriations and not up to the Committee on the Judiciary.

Mr. HALL. Then this would be more of an open-ended authorization on which the Committee on Appropriations could act in the future?

Mr. CELLER. That is correct.

Mr. HALL. Then I would ask the gentleman, if he would yield further, if in view of the President's statement only last evening that we should cut back, and establish priorities in the Congress on the expenditure budget, if such an open-ended authorization for the future is apropos today?

Mr. CELLER. Of course, all I can say at this juncture is that this is a very salutary bill. The sum to be expended is very modest.

If in the judgment of the Chief Executive it is felt that a certain amount would be appropriate, then I suppose that would be the case—and then it is up to the Committee on Appropriations of the House.

Mr. HALL. I do think the bill and its intent is probably erstwhile, especially inasmuch as, since we are not prosecuting under the United State Code to the fullest extent through the Attorney General and Department of Justice—I think perhaps then we have no alternative. I thank the gentleman.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Iowa.

Mr. GROSS. Will the gentleman supply a name to the letter from the Attorney General's Office which makes the estimate of $3 million? My concern is that this may be a foot in the door to a much larger expenditure in the future.

Mr. CELLER. I received the letter which is in the report signed by the Attorney General of the United States. I did not think it would be essential to ask for more. We have this declaration by the Attorney General, which coincides with what the President suggested. I did not think anything more would be necessary at this time.

Mr. GROSS. The thing that concerns me about this proposition is that it can, like Topsy, grow and grow.

Mr. CELLER. I think we would have other opportunities subsequently in any appropriation bills, would we not? All we would do here is to give the imprimatur of approval on that which has already been practiced on a limited basis.

Mr. Speaker, over the past few years, the Bureau of Prisons has, on occasion, provided limited technical assistance when requested by State and local correctional agencies. However, at present the Bureau is not in a position to respond to such requests for advice and consultation because there is no statutory authority to render such service as a matter of course.

Mr. Speaker, the Federal Bureau of Prisons is universally recognized as a leader in the field of corrections and its personnel is among the best trained and well equipped in the world. This bill will authorize it to share its expertise in support of State and local authorities.

The modest change effected by H.R. 15216 will enable the Federal Bureau of Prisons to establish a clearing house for information in corrections policies and techniques and enlarge its capacity to respond to requests for consultation and technical assistance. As amended by the committee, the bill expressly authorizes technical assistance only and does not authorize the extension of funds through loans or grants to State or local correctional systems. Another committee amendment conforms the style of the bill to the codified title 18, United States Code.

I introduced H.R. 15216 at the request of the Department of Justice. The measure is supported by the American Correctional Association, a professional organization representing over 8,000 members in all 50 States.

Mr. Speaker, I believe that this measure will enable the Bureau of Prisons to lend significant support toward the improvement of State and local correctional systems, and I urge my colleagues to support it.

Mr. POFF. Mr. Speaker, I yield myself such time as I may consume.

The SPEAKER pro tempore (Mr. PRICE of Illinois). The gentleman from Virginia is recognized.

Mr. POFF. Mr. Speaker, I support this legislation, which comes as an amendment to section 4042 of title 18, United States Code, and which undertakes to define the jurisdiction and the responsibilities of the Bureau of Prisons. As the bill was amended in the Committee on the Judiciary, it simply adds one additional paragraph to that inventory of rights and responsibilities, and that paragraph would authorize the Bureau of Prisons to grant technical assistance to the correctional systems of State and local governments.

In fact, as the distinguished chairman has already explained, the Bureau of Prisons has customarily responded to requests for such assistance from State and local correctional systems. The Bureau of Prisons feels that it should have the statutory justification for continued service in that area.

I call particular attention to the fact that the committee amended the bill in such a manner as to make plain what the Department of Justice said it wanted, namely, the right to grant technical assistance.

The language of the bill itself makes that purposes plain. That purpose is further underscored in two separate sections of the committee's report.

Mr. Speaker, I believe it is important for the Department of Justice to establish a clearing house for information concerning proper correctional techniques upon which the State and local correctional systems can draw. That is what is intended by this legislation.

Mr. McCLORY. Mr. Speaker, will the gentleman yield?

Mr. POFF. I am happy to yield to my distinguished colleague, a member of the Committee on the Judiciary, the gentleman from Illinois [Mr. McCLORY].

Mr. McCLORY. Mr. Speaker, I thank the gentleman for yielding. I just want to comment further, in support of this legislation, that this measure appears to be consistent with the prior action of this House in supporting and passing the Law Enforcement and Criminal Justice Assistance Act of 1967. It provides Federal leadership and direction with regard to a very important part of the war against crime.

I know we should provide leadership at the Federal level with respect to investigation and prevention and prosecution of crime in addition to the rehabilitation of criminals and it seems to me in this area where we are lending assistance and support to local authorities with regard to the subject of correctional institutions we are fulfilling a very important national role.

I know this will permit of course as the gentleman stated, continued State and local control of this operation, but at the same time offer the technical support and professional advice and assistance which the Federal Government can provide. For that reason, I am very happy to express my full support for this legislation.

Mr. POFF. Mr. Speaker, I thank the gentleman for his contribution.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. POFF. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, whether it is professional or technical assistance, that is beside the point as far as I am concerned. Whether they are professional or technical assistants, that is somewhat beside the point. What I am trying to get at is whether we here today, by this device, are establishing bureaucracy in the Federal service. How much staffing is this going to take? How much is this going to blossom out into another grand bureaucracy? This is what concerns me in this day, when, if ever, we ought to be awfully careful about how we expand the bureaucracy.

Mr. POFF. Mr. Speaker, I could not agree more with the gentleman. We were given assurances that this would not entail any growth of the personnel structure beyond that absolutely necessary to maintain the clearinghouse and perform the functions which have been customarily performed by the Bureau of Prisons now for a number of years.

As the gentleman, I believe, understands, I have gone to some pains to get assurances from the Department of Justice that the bill would simply authorize the granting of technical assistance and would not in any way lay the foundation for a grant or loan program and other forms of financial assistance.

Mr. Speaker, I have no further requests for time.

The **SPEAKER** pro tempore. The question is on the motion of the gentleman from New York that the House suspend the rules and pass the bill H.R. 15216, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

PERMITTING BLACK AND WHITE OR COLOR REPRODUCTIONS OF U.S. AND FOREIGN POSTAGE STAMPS UNDER CERTAIN CIRCUMSTANCES

Mr. FEIGHAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 15972), to permit black and white or color reproductions of U.S. and foreign postage stamps under certain circumstances, and for other purposes.

The Clerk read as follows:

H.R. 15972

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (1) of section 504 of title 18, United States Code, is amended to read as follows:

"(1) the printing, publishing, or importation, or the making or importation of the necessary plates for such printing or publishing, of illustrations of—

"(A) postage stamps of the United States,

"(B) revenue stamps of the United States,

"(C) any other obligation or other security of the United States, and

"(D) postage stamps, revenue stamps, notes, bonds, and any other obligation or other security of any foreign government, bank, or corporation,

for philatelic, numismatic, educational, historical, or newsworthy purposes in articles, books, journals, newspapers, or albums (but not for advertising purposes, except ilustrations of stamps and paper money in philatelic or numismatic advertising of legitimate numismatists and dealers in stamps or publishers of or dealers in philatelic or numismatic articles, books, journals, newspapers, or albums). Illustrations permitted by the foregoing provisions of this section shall be made in accordance with the following conditions—

"(i) all illustrations shall be in black and white, except that illustrations of postage stamps issued by the United States or by any foreign government may be in color;

"(ii) all illustrations (including illustrations of uncanceled postage stamps in color) shall be of a size less than three-fourths or more than one and one-half, in linear dimension, of each part of any matter so illustrated which is covered by subparagraph (A), (B), (C), or (D) of this paragraph, except that black and white illustrations of postage and revenue stamps issued by the United States or by any foreign government and colored illustrations of canceled postage stamps issued by the United States may be in the exact linear dimension in which the stamps were issued; and

"(iii) the negatives and plates used in making the illustrations shall be destroyed after their final use in accordance with this section.".

SEC. 2. (a) The table of contents of chapter 31 of title 39, United States Code, is amended by striking out—

"2506. Printing of black-and-white illustratrations of United States stamps."

and inserting in lieu thereof—

"2506. Printing of black-and-white or color illustrations of United States stamps.".

(b) The section heading of section 2506 of title 39, United States Code, is amended to read—

"§ 2506. Printing of black-and-white or color illustrations of United States stamps"

(c) Section 2506(a) of title 39, United States Code, is amended by inserting "or in color" immediately following the words "in black and white".

The **SPEAKER** pro tempore. Is a second demanded?

Mr. BIESTER. Mr. Speaker, I demand a second.

The **SPEAKER** pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. FEIGHAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the purpose of H.R. 15972 is to permit the reproduction of U.S. postage stamps in color for newsworthy and philatelic purposes.

Under the present law, reproduction of postage stamps is restricted to black and white in newspapers, magazines, and similar publications. This restriction was imposed in the belief that it would serve to deter counterfeiting. Today, stamp counterfeiting is virtually nonexistent and color reproduction of postage stamps would not serve to encourage counterfeiting. The Post Office Department's Chief Postal Inspector has said:

> To the criminal, stamp counterfeiting just does not make good sense from an economic point of view.

The United States is one of the few countries which prohibits color reproductions of stamps. Many other nations, in fact, encourage reproduction in color, because this enhances the national image and serves to persuade stamp collectors to buy the stamps of that particular nation.

Stamp collectors provide the Post Office Department with a tidy profit from its philatelic program, a conservative estimate being an annual profit in excess of a half-million dollars. It can be anticipated that if stamps are reproduced in color, this can lead to increased interest in philately.

The Post Office Department endorses enactment of this legislation. The Secret Service of the Treasury Department, which enforces the law, does not oppose enactment.

Mr. BIESTER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the purpose of H.R. 15972 is to remove a restriction in the law which is no longer necessary.

The statutory bar set forth in the present law has no application and serves no present useful purpose, since counterfeiting no longer is a profitable operation and has become almost nonexistent.

This bill would permit colored illustrations of canceled U.S. postage stamps in the exact size of canceled stamps and would permit colored illustrations of uncanceled U.S. and foreign stamps if the size of those illustrations is less than three-fourths, or more than one and one-half times the size of the genuine stamps.

This legislation will be beneficial to the Government. It will serve the public interest and will be of educational value. It will also increase revenues, according to the Post Office Department, in the profit from the sale of commemorative stamps.

I might point out that the problem of counterfeiting in stamps is controlled by a lack of economic benefit in the first place; and in the second place U.S. postage stamps are impregnated with an invisible phosphor, and in the canceling machines this phosphor glows under ultraviolet light. This process and the lack of any kind of economic benefit from counterfeiting, have effectively controlled and virtually eliminated stamp counterfeiting.

Mr. Speaker, I support this legislation.

Mr. FEIGHAN. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from New York [Mr. DULSKI].

Mr. DULSKI. Mr. Speaker, the bill before us has a very simple purpose with which I know of no disagreement.

The purpose of H.R. 15972 is simply to repeal the present restriction in law against the reproduction in color of U.S. postal stamps.

The restriction is long outdated. Whatever justification it had in years past is no longer valid.

I would like to express my sincere appreciation to my good friend, the gentleman from Ohio [Mr. FEIGHAN], chairman of Subcommittee No. 1 of the

Committee on the Judiciary, for scheduling hearings on my bill.

There was expert testimony from representatives of the Post Office Department, the U.S. Secret Service and the Treasury Department.

The bill before us is a clean bill which carries out precisely the intent of my original bill, and incorporates technical recommendations made by the administration.

The United States is one of the few countries which forbids color reproductions of stamps.

This display board beside me shows how Russia, the United Nations, and most other countries permit true color reproductions of their stamps. You can see how drab the U.S. stamp appears in contrast because it can be printed only in black and white.

My best information is that the prime reason for restricting color reproductions was in the hope of deterring counterfeiting.

Mr. Speaker, I think that the Members will concede that only the most naive counterfeiter today would rely on a color reproduction of a stamp. Instead, he would go to the stamps themselves—not reproductions—if he wanted to make printing plates.

Counterfeiting of stamps is not now a problem. Further, I have found no one who feels that this situation will change if color reproduction of stamps is authorized as proposed in my bill.

Indeed, today's sophisticated controls on paper and inks are the real deterrents to counterfeiting.

Counterfeiting laws are strict, penalties are heavy for getting caught, and the rewards are limited for those who try duplicating stamp issues.

Clearly, it is time for a change—a change to permit the reproduction of U.S. stamps in their true colors.

One of our great pastimes for young and old is stamp collecting—philately. It is a pastime that is universal—unhampered by international barriers or by language barriers; indeed, not hampered by much of any barrier.

Mr. Speaker, just a few blocks away from this Chamber is the National Gallery of Art, one of the world's great cultural centers. Hanging on the walls of the gallery are some of the world's great paintings, all of them having considerable dollar as well as cultural value. Yet, you can stop at the counter in the art gallery and purchase accurate reproductions of those paintings in full color.

Why should not the daily newspapers, the magazines, the philatelic publications be able to reproduce a U.S. stamp in color? They can reproduce our art treasures. I see no reason why they should not be able to reproduce our postage stamps.

Everyone is sensitive to bright colors today. Look at the great progress and acceptance of color television. And except for limousines and official vehicles—how many black automobiles do you see on our highways today?

Mr. Speaker, I have received broad support for my bill. I have received letters from philatelists throughout the country and some, even, from abroad. I have received letters from editors and publishers.

Many have sent examples which tell the same story, over and over; that is—the ability of most other nations to capitalize on their stamp issues—call it publicity, call it propaganda—by being able to have them reproduced in color in publications throughout the world.

As a member of the House Committee on Post Office and Civil Service since I came to Congress, and particularly now as chairman of the committee, I am keenly aware of the national and international interest in our stamp issues. I am aware too—as I am sure most of you are—of the important source of revenue to our Government which stamp issues provide.

Mr. Speaker, I believe H.R. 15972 provides a long-overdue updating of the law dealing with reproduction of postage stamps in color.

COLOR REPRODUCTIONS OF U.S. POSTAGE STAMPS

Present law—18 U.S.C. 504(1)—prohibits the printing of color illustrations of U.S. postage stamps. Printed illustrations of canceled or uncanceled U.S. postage stamps are permitted when the illustrations, in any size, comply with all of the following conditions:

First, they are printed in black and white;

Second, they are printed and published for philatelic, educational, historical, or newsworthy purposes; and

Third, they are printed in articles, books, journals, newspapers, or albums—including illustrations in philatelic advertising of legitimate dealers in stamps or publishers of or dealers in philatelic articles, books, journals, newspapers, or albums.

The use of illustrations of U.S. postage stamps or uncanceled foreign postage stamps for advertising purposes is not permitted, except in connection with philatelic advertising.

Illustrations of canceled foreign postage stamps, that is, stamps that have been used for postage and bear an official cancellation mark, may be printed in color for any purpose, including advertising.

H.R. 15972

This legislation will continue all of the conditions indicated above and will permit illustrations of U.S. postage stamps to be printed in color subject to the following conditions:

First. Canceled U.S. postage stamps may be in exact dimensions as original stamps.

Second. Uncanceled U.S. postage stamps must be of a size less than three-fourths or more than 1½ in linear dimensions of each part.

Mr. Speaker, I include at this point an article from the New York Times of March 31, 1968:

COLOR ILLUSTRATION BILL ADVANCES

(By David Lidman)

Illustrations of United States stamps in color in newspapers, magazines and philatelic journals may soon be permitted. On March 13 a subcommittee of the House Committee on Judiciary, after hearings in Washington, approved a bill by Rep. Thaddeus J. Dulski, Democrat of Buffalo, which would permit color illustrations of cancelled stamps in their original size, and uncancelled stamps in more than one and one-half or less than three-fourths their normal size.

All who testified at the hearings, including representatives of the Post Office Department and the Treasury Department's Secret Service, approved the bill. The Secret Service is the agency that guards against counterfeiting of United States securities, and stamps fall into this Treasury category.

OVER 1 YEAR AGO

The original measure was introduced by Rep. Dulski on Jan. 17, 1967. It subsequently was reintroduced with clarifying language recommended by the subcommittee, which is headed by Rep. Michael A. Feighan, Democrat of Ohio. Senator Howard H. Baker, Republican of Tennessee, has sponsored a similar bill in the Senate and the House subcommittee has recommended the bill to the full Judiciary committee.

Mr. Dulski, chairman of the House Post Office and Civil Service Committee, said that legislation forbidding color illustrations of United States stamps was outmoded. He observed that most countries permitted such illustrations and he displayed a magazine featuring the stamps of 56 nations that have memoralized President John F. Kennedy. The only one in black and white was the United States memorial stamp.

Burrill A. Peterson, assistant director of the Secret Service, testified that the bill would not make counterfeiting of stamps easier or more profitable. He said the Treasury Department did not object to the bill's enactment.

Ira Kapenstein, Special Assistant to the Postmaster General for Public Information, and the man who directs the stamp-issuing program, cited a statement by Henry B. Montague, Chief Postal Inspector. The latter said that if a counterfeiter could produce one-color stamps at the price paid by the Post Office Department, the profit would only be about $30 per thousand sold.

Mr. Kapenstein also observed that even a passable counterfeit stamp would be rejected by electric eye cancelling machines because, more than likely, it would not have the invisible phosphor coating now applied to all United States stamps.

Belmont Faries of Washington has reported that the man who had urged Mr. Dulski to sponsor the bill Dr. Matthew Grajewski, was unable to testify. A storm had grounded his flight from Buffalo.

WHEN IT BEGAN

Until 1936, Federal law forbade even black and white illustrations of United States postage stamps. Only portions could be pictured. Foreign stamps shown in journals and catalogues had cancelling lines drawn through them.

After many years effort, Congress finally approved an illustration law in 1936. It permitted the showing of United States stamps in black and white, but in sizes smaller or much larger than the normal design.

Judge Albert B. Maris of the United States Court of Appeals, Philadelphia, a leading philatelist, spearheaded an effort in 1958 that brought passage of an act to permit both postage and revenue stamps to be illustrated in black and white in their actual size. Until then, revenue stamps could not be illustrated at all.

Bernard Harmer, of H. R. Harmer, Inc., New York, in recalling passage of the 1958 measure, hoped that the new bill would also permit colored illustrations of uncancelled foreign stamps. This is permitted abroad and featured in many catalogues of top-rank stamp auction houses overseas.

BRIDGES

Ancient and modern bridges will be depicted on four multicolored stamps from Britain due April 29. The four stamps, to be printed in photogravure by Harris & Sons, London, will each display Queen Elizabeth's head in profile in the upper left corner, with the denominations in the lower right corner.

The designs and designers for each are: 4 pence, prehistoric Tarr Steps on Exmoor, Somerset (Jeffery Matthews); 9p, Aberfeldy Bridge, Perthshire, 1733 (Andrew Restall); 1 shilling 6 pence, Menai suspension bridge, North Wales (L. Rosoman), which, for the first time on British stamps will bear the name in Welsh (Pont Menai) as well as in English; 1s9p, the M.4 Viaduct, longest elevated road in Europe, built in 1965 (Mr. Matthews).

The Netherlands will also display some of its bridges on its 1968 summer stamps, 29th in the series of semi-postals, with plus funds that aid social and cultured activities. Designed by R. J. Draijer, the stamps will be photogravure printed in one color by Joh. Enschede en Zonen, Haarlem, as follows:

12 cents plus 8 cents, green, bridge in Maastricht; 15c plus 10c, dark brown, bridge over Amsterdam canal; 20c plus 10c, red, Clumemborg railway bridge; 25c plus 10c gray, highway bridge near Rotterdam; 45c plus 20c, blue, bridge across the Osterschelde estuary, Zeeland.

HYDROLOGICAL DECADE

A weighing rain gauge forms the basic vignette of Canada's May 8 commemorative for the International Hydrological Year, a world-wide program sponsored by the United Nations Educational, Scientific and Cultural Organization. The four-color stamp, designed by Imre von-Mosdossy will be printed by photogravure and steel engraving by the British American Bank Note Co., Ottawa. To the left of the gauge is a weather scene superimposed over the globe with North America predominating, and with a maple leaf centered on Canada.

APRIL FIRST DAYS

First-day sales for United States, United Nations and Canadian stamps in April will be as follows:

U.S.: 4—$1 Airlift airmail, Seattle, Wash. 98101.

U.N.: 15—6c and 13c United Nations Industrial Development Organization; also, 20c airmail, United Nations, N.Y. 10017.

Canada: 10—5c Narwahl, Ottawa, 2, Canada.

DIGEST

Inter-Governmental Philatelic Corporation, philatelic agent for a number of countries, is publishing the "New Issue Digest." It will appear every two months in promotion of its wares. Subscription, from the agency, 225 West 34th Street, New York, N.Y. 10001, is $1.60.

The **SPEAKER** pro tempore. The question is on the motion of the gentleman from Ohio that the House suspend the rules and pass the bill H.R. 15972.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

PROVIDING FOR SETTLEMENT OF CERTAIN CLAIMS

Mr. **ASHMORE.** Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 203) to amend section 2734a of title 10, United States Code, to provide for settlement, under international agreements, of certain claims incident to the noncombat activities of armed forces and for other purposes, as amended.

The Clerk read as follows:

H.R. 203

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the text of section 2734a of title 10, United States Code, is amended to read as follows:

"(a) When the United States is one of the contracting parties to an international agreement which provides for the settlement or adjudication and cost sharing of claims against the United States arising out of acts or omissions of members of its force, its civilian employees, or duly authorized agents, done in the performance of official duty under the agreement, or out of any other act, omission, or occurrence for which a force or civilian component is legally responsible, the Secretary of Defense or the Secretary of Transportation or their designees may—

"(1) reimburse a foreign country for the agreed pro rata share of amounts paid by the country in satisfying awards or judgments on third party claims, including any authorized arbitration costs, for damage, personal injury, or death to third parties, other than any of the contracting parties, when the claim was settled or adjudicated by that country under its laws and regulations in accordance with the agreement, or

"(2) pay that country the agreed pro rata share of its property damage, including any authorized arbitration costs, for damage to property owned by it, located in its territory and not being used by its land, sea, or air armed services, when the claim was settled by agreement between the parties concerned or by a sole arbitrator, in accordance with the agreement.

In this subsection, the terms 'force', 'civilian component', and 'receiving state' have the same meaning as they have in the respective international agreements under which reimbursement or payment to a foreign government is authorized by this subsection.

"(b) A claim arising out of an act of an enemy of the United States or arising, directly or indirectly, from an act of the armed forces, or a member thereof, while engaged in combat may not be considered or paid under this section.

"(c) A reimbursement or payment under this section shall be made by the Secretary of Defense out of appropriations for that purpose except that payment of claims against the Coast Guard arising while it is operating as a service of the Department of Transportation shall be made out of the appropriations for the operating expenses of the Coast Guard. The appropriations referred to in this subsection may be used to buy foreign currencies required for the reimbursement or payment.

"(d) Upon the request of the Secretary of Transportation or his designee, any payments made relating to claims arising from the activities of the Coast Guard and covered by subsection (a) may be reimbursed or paid to the foreign country concerned by the authorized representative of the Department of Defense out of the appropriation for claims of the Department of Defense, subject to reimbursement from the Department of Transportation".

The **SPEAKER** pro tempore. Is a second demanded?

Mr. **MESKILL.** Mr. Speaker, I demand a second.

The **SPEAKER** pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. **ASHMORE.** Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, the bill H.R. 203 amends section 2734a of title 10 to clarify the provisions of the section concerning government-to-government claims and to further clarify the authority of the United States to reimburse foreign countries for third-party claims settled or adjudicated on the basis of legal responsibility as set forth in the section. The amended bill also provides for the amendment of the section by identical language to that approved by the House by its passage of H.R. 13669 on November 6, 1967, concerning the use of Coast Guard funds to reimburse or pay a foreign country under the authority of this section for claims arising from operations of the Coast Guard.

The committee amendments added to the bill are based upon recommendations of the Air Force. The amendments relating to the Coast Guard are supported by the Department of Transportation.

The purpose of the bill as summarized in the Air Force report can be stated as being related to two areas of claims settlements:

First, to clarify payment authority with respect to certain government-to-government claims, and permit reimbursement to a foreign country for all third-party claims settled or adjudicated on the basis of legal responsibility; and

Second, to authorize the use of Coast Guard funds to reimburse or pay a foreign country for international agreement claims arising from operations of the Coast Guard while it is in the service of the Department of Transportation.

The bill H.R. 203 amends section 2734a by restating the language of the section. The new language follows the language utilized in the agreements made with the various countries and therefore reflects current practice under the law. Thus, in subsection (a), the language has been restated to define the actual persons whose acts or omissions can give rise to claims covered by the section and the agreements promulgated with the various countries. Legal responsibility as referred to in this subsection means the law of negligence, that is, tort law, and this is carefully spelled out in each agreement. The law and standards applicable to settlement of these categories of claims are those which apply in the settlement of claims arising from the activity of the other country's own armed forces.

As was noted in the committee report on the bill, the amendments proposed in the bill to subsection (a) of section 2734a, would make the subsection consistent with the obligations undertaken by the United States under agreements of the type represented by the NATO Status of Forces Agreement. These agreements provide for reimbursement or payment to a foreign country by the United States for claims which are settled or adjudicated under such agreements. These agreements provide that the foreign country referred to as the "receiving state," shall investigate, settle, adjudicate, and make final awards direct to the claimants in two categories of cases. The first is where the claim arises out of the acts or omissions of the members of the armed forces or civilian components of the sending state done in the performance of official duties. The second category of claims are those arising under other acts, omissions, or occurrences for which an armed force or civilian component is otherwise legally responsible under local law. The agreements require that reimbursement be made in both situations by the sending state on a pro rata basis, usually 75 percent. Section 2734a presently implements these agreements, but may not completely provide for reimbursement of the foreign governments in the second category mentioned above. This bill clarifies this aspect of the law. The agreements permit reimbursement or payment of claims settled or adjudicated under the law of the receiving state.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. ASHMORE. I shall be glad to yield to the distinguished gentleman from Missouri.

Mr. HALL. Mr. Speaker, I appreciate the distinguished chairman of the subcommittee of the Committee on the Judiciary yielding to me at this point. Further, I appreciate the gentleman bringing this bill to the floor of the House today.

However, in the opinion of the distinguished gentleman from South Carolina [Mr. ASHMORE], would the passage of this legislation cut down upon the number of private bills introduced and which are scheduled for consideration on the Private Calendar for overseas claims under these circumstances?

Mr. ASHMORE. I would say to the distinguished gentleman from Missouri that that area of claims would be covered to a degree, but this bill refers primarily to foreign claims arising in a foreign country which are now being settled under the various status of forces agreements. The other private bills to which the gentleman from Missouri has made reference that we frequently have up here on the floor of the House for consideration so usually are not bills arising in the foreign areas. At least this is true of most of them.

Mr. HALL. Mr. Speaker, if the gentleman will yield further I understand that. But we do have a sizable number of bills as the result of accidents or negligence, or tort claims overseas where we have our various installations of garrisoned enclaves. I thought, just as the distinguished gentleman from South Carolina [Mr. ASHMORE] has tried to so briefly describe, that there should be introduced general legislation to cover such claims and that perhaps this particular bill would do that in those instances, albeit, they arise as the result of losses during the course of transportation and warehouse fires as in the domestic areas of the United States?

Mr. ASHMORE. I can say that the adoption of this legislation could result in some losses and private bills which could be introduced for restitution thereof which the gentleman has mentioned. The clarification provided in this bill could obviate private bills by making settlement possible under the various agreements.

Mr. HALL. I thank the gentleman from South Carolina.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ASHMORE. I shall be glad to yield to the distinguished gentleman from Iowa [Mr. GROSS].

Mr. GROSS. I still do not understand the necessity for this legislation. Could the distinguished gentleman from South Carolina [Mr. ASHMORE] give Members of the House an example of a case wherein this legislation would come into play?

Mr. ASHMORE. Many of the claims of this kind have been settled in accordance with NATO forces agreements, whereas the present law may not cover some unusual situations where some claims of that kind, and this would give the military authorities the right and legal authority to settle claims that are in more or less the same category as the NATO forces claims, and some other claims that the gentleman asked about.

An example would be where some extrahazardous equipment was being transported from one place to another in a foreign country and an accident happened, and then the case would be settled under the law of that country. It would be adjudicated, and investigated in accordance with the standards of legal responsibility as defined by the rules of that country and as recognized by our agreement with the country, for instance, in England if a truck loaded with ammunition should have a collision and injure somebody, or cause a fire or otherwise damage the property of someone, under the circumstances where the transportation of such inherently dangerous items would give rise to legal responsibility, this bill would permit settlement.

Mr. GROSS. Would this cover the case of the loss in Spanish waters, and in Greenland, of the nuclear devices? Would this cover damages of that kind in a so-called damage action?

Mr. ASHMORE. They would be covered, in my opinion, if the forces and activities were included in a status of forces agreement.

Mr. GROSS. By the NATO agreement?

Mr. ASHMORE. Yes, if this was NATO activity.

Mr. GROSS. But not by the status of forces agreements; is that correct?

Mr. ASHMORE. I believe it could be covered by the status of forces agreements.

Maybe this will help clarify it for the gentleman: Ordinarily these claims we are speaking about now are noncombatant claims, arising as a result of noncombatant accidents. The illustration I gave about carrying the load of ammunition on a truck in England, and it should blow up, or should possibly set some property on fire, this could occur incident to training exercises, but would not be considered as a combat accident.

Mr. GROSS. What is meant by a "legally responsible accident"? Is it made legal because it occurs on the part of a country involved in the NATO forces?

Mr. ASHMORE. No.

Mr. GROSS. What is a "legally responsible accident" in terms of this bill?

Mr. ASHMORE. A legally responsible accident, in general has the same meaning and carries the same implications as the law of negligence or tort law in this country. Our negligence claims would be in the same category as the legal responsibility phrase the gentleman is speaking of in that the settlement or adjudication would be based upon the law of the jurisdiction concerned.

Mr. GROSS. I have one final question. When the gentleman speaks of 75 percent of the settlement, does the gentleman mean to say that the United States pays 75 percent of a settlement that is made as the result of an accident that grows out of the operation of some vehicle in NATO, or what is the meaning of 75 percent of the settlement?

Mr. ASHMORE. Let me give the gentleman an illustration, using this same ammunition truck as I did before, which is operating in England, and it runs into the property of a citizen of England and damages it, or burns his house up, or it injuries that individual, or whatever it might be, the case would be investigated under the law of England, because that is where it happened, and under the agreements dealing with the status of forces, that is true in all the cases. The English authorities would determine the amount to be paid based upon their law and their standard of recoveries prevalent in that country. I would believe in 90 percent of the instances, or in the greater percentage of the cases, this would mean a savings to the United States because these standards, are often lower than these encountered in the United States. The British Government would pay the claimant who was injured, or whose property was damaged, and the United States would reimburse the British Government for 75 percent of the amount of the claim that was paid.

Mr. GROSS. And the same would be true if it were a Belgian truck being operated in Great Britain? Belgium would pay the 75 percent, not the United States, is that correct?

Mr. ASHMORE. That is correct.

Mr. GROSS. I thank the gentleman.

Mr. MESKILL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this bill amends section 2734a of title 10, United States Code, known as the International Agreement Claims Act so as to clarify payment authority with respect to the government-to-government claims and to clarify the authority of the United States to reimburse foreign countries for third party claims settled or adjudicated on the basis of legal responsibility. The amended bill also provides for amendment of the section by identical language to that approved by the House by its passage of H.R. 1369 on November 6, 1967, for the use of Coast Guard funds to reimburse or pay a foreign country as provided in the section for claims arising from operations of the Coast Guard.

The bill is technical in nature and its purpose is to implement and clarify the claims obligations of the United States under the NATO Status of Forces Agreement and similar bilateral agreements.

Under these agreements, the receiving state investigates, settles, adjudicates, and makes final awards direct to claimants in certain cases. In some instances, the United States presently is unable to give assurances that its permanent domestic legislation is sufficiently broad to implement its treaty obligations to reimburse its pro rata share of such claims adjudicated under the law of the receiving state. Additionally, the amendments would authorize settlement by administrative action, which method has been generally followed, whereas the present law provides only for the reimbursement of payment for claims adjudicated by the foreign country under its laws and regulations.

Finally, amendment with respect to payment of foreign claims by the Coast Guard is necessary because of the transfer of the Coast Guard from the Treasury to the Department of Transportation.

Enactment of this bill is favored by the Air Force which reported on behalf of the Department of Defense. It was unanimously passed by the Committee on the Judiciary. I urge its passage.

Mr. Speaker, I have no further requests for time.

The SPEAKER pro tempore (Mr. ALBERT). The question is on the motion of the gentleman from South Carolina that the House suspend the rules and pass the bill, H.R. 203, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

SEA-GRANT COLLEGE AUTHORIZATION

Mr. LENNON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 13781) to amend title II of the Marine Resources and Engineering Development Act of 1966, as amended.

The Clerk read as follows:

H.R. 13781

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title II of the Marine Resources and Engineering Development Act of 1966 is amended as follows:

(1) Section 203(b)(1) of the Marine Resources and Engineering Development Act of 1966 is amended by inserting immediately after "for the fiscal year ending June 30, 1968, not to exceed the sum of $15,000,000," the following: "for the fiscal year ending June 30, 1969, not to exceed the sum of $6,000,000, for the fiscal year ending June 30, 1970, not to exceed the sum of $8,000,000,".

(2) Section 204(d)(1) of the Marine Resources and Engineering Development Act of 1966 is amended by deleting the phrase "in any fiscal year" each time it appears therein.

The SPEAKER pro tempore. Is a second demanded?

Mr. MOSHER. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. LENNON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the purpose of this bill is to amend title II of the Marine Resources and Engineering Act of 1966—the Sea Grant College and Program Act—so as to provide authorization for funding for fiscal years 1969 and 1970 and to clarify a technical difficulty relating to the application of matching funds contributed by participants in authorized projects.

By way of background, the Marine Resources and Engineering Development Act of 1966 laid down broad guidelines for the President in connection with an overall national oceanographic program; it established a Cabinet-level council under the chairmanship of the Vice President with membership from all major agencies or departments concerned with any aspect of oceanography; and it established a Commission on Marine Science, Engineering, and Resources, composed of 15 members, not more than five of whom could be from the Federal Government, plus four advisory members from the Senate and the House of Representatives.

The Sea-Grant College and Program Act of 1966 added a new title to the Marine Resources and Engineering Development Act of 1966 by making specific authorizations applicable for the creation of the manpower needed to carry out the basic act. This is authorized to be accomplished through support of programs at sea-grant colleges and other suitable institutes, laboratories, and public or private agencies for the education of participants in the various fields relating to the development of marine resources and related matters.

The maximum Federal contribution to the program would be not in excess of 66⅔ percent of the total cost of a particular project. The other party would contribute money, facilities, or both, to make up the 33⅓ percent.

Other restrictions would assure that the program is administered on a broad national base and thus avoid excessive participation in any one State.

The original act, with administration vested in the National Science Foundation, authorized funding for 2 years—fiscal year 1967 and fiscal year 1968. The authorized amounts were $5,000,000 and $15,000,000 respectively.

The program did not really begin to get underway until well into fiscal year 1967. No appropriation was requested for that year although the National Science Foundation was permitted to reprogram $1 million of its own funds to organize and get the program started.

For fiscal year 1968, $4 million was appropriated. Approximately half—$1.9 million—of this amount has been obligated to date, with the remainder—$2.1 million—to be obligated during the next few months.

This bill does two things:

First. It would authorize appropriations for the next 2 fiscal years—1969 and 1970. As recommended in the President's budget $6 million would be authorized for 1969.

The program is successfully getting underway. To give impetus and continuity to it, your committee is recommending $8,000,000 for fiscal year 1970.

Second. The act now provides that payments in any fiscal year from the Government shall not exceed two-thirds of the total program. Technical difficulties of an administrative nature would be resolved if the fiscal year limitation were removed. By this action there would be more flexibility in the administration of the program. For example, the success of a project would not be impeded during periods when Federal funds and State, or other project money, might not both be immediately available on a matching basis during a precise time period.

Accordingly, this bill removes the fiscal year limitation from the matching fund formula.

The legislation was recommended by the National Science Foundation with open-ended authorization for the 2 years. Your committee amended it to place specific dollar limitations on the authorized amounts.

The sea grant program has gotten off to a good start.

The proposed legislation is for the purpose of continuing and clarifying existing authority in order to expand and improve the administration of the program.

Committee action was unanimous.

Mr. MOSHER. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I wish to associate myself with the remarks of the distinguished chairman of our Subcommittee on Oceanography, the gentleman from North Carolina [Mr. LENNON] and urge the passage by the House of the bill (H.R. 13781).

There seems little need for me to dwell upon the provisions of this legislation which already have been explained. Essentially, the purpose of H.R. 13781 is to amend in two instances title II of the Marine Resources and Engineering Development Act of 1966, the so-called Sea Grant College and Program Act, by—

First. Authorizing to be appropriated to carry out the program not to exceed $6 million and $8 million for the fiscal years ending June 30, 1969 and 1970, respectively; and

Second. Removing the requirement that the statutory cost-sharing formula be satisfied in each fiscal year, and which serves to impose administrative obstacles upon the execution of the program.

As originally submitted to the House by Executive Communication No. 1177, the appropriation authorization would have been "open ended"—that is, without specifying fixed dollar amounts. Recognizing the current need for fiscal restraint and for continuing legislative oversight of such programs, I joined several of my colleagues on our Committee on Merchant Marine in introducing the bill now under consideration, and which originally authorized $18 million to be appropriated in each of the next 2 fiscal years. This was substantially reduced to the sums now provided for in H.R. 13781. I therefore feel that your Committee on Merchant Marine has acted in a responsible and realistic manner.

At a future date, however, when budgetary limitations may not be as severe as they are today, larger amounts of funds may be required to meet the demands of the program. Nevertheless, it is essential that this joint effort now be continued at an adequate level so as to furnish the skilled manpower essential for our Nation to advance in science and technology.

Significantly, a report of the National Science Foundation transmitted to the Congress by the President less than 2 weeks ago noted that:

> Few sciences offer as much promise toward the solution of future human needs as the science of the seas, oceanography.

Yet the availability of manpower, both in terms of quality and quantity, is critical in the field of marine science and technology.

Support for education of marine science technicians and ocean engineers has lagged behind corresponding support for other fields. The importance of remedying this deficiency is appropriately pointed out in the second report of the President of the Congress this year on Marine Resources and Engineering Development, which noted that:

> The entire marine science program is dependent on an expanded base of highly skilled and innovative specialists.

Accordingly, to enable this manpower need to be met, I earnestly urge all of my colleagues in the House to act favorably upon the bill, H.R. 13781.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. MOSHER. I yield to the gentleman.

Mr. GROSS. For what specifically is the money being spent in this fiscal year?

Mr. MOSHER. Four million dollars was spent, sir. These are university programs that are scattered throughout the Nation. There are a number of highly qualified universities that can meet this manpower need, this very crucial manpower need, in this technical field, and they have instigated programs that are beginning to meet this need on a matching basis of one-third local expenditure and two-thirds—at least, it is a maximum of two-thirds—of Federal expenditure.

Mr. GROSS. The projected expenditure is $6 million for fiscal 1969 and $8 million for the fiscal year 1970; is that correct?

Mr. MOSHER. That is correct. That is what this measure would authorize. I point out that the original request as it came from the executive branch was for an open-end authorization. We refused that and established ceilings at $6 and $8 million.

Mr. GROSS. I am glad to hear that, but this bill still calls for the spending of a substantial amount of money in the future. Have you gone into bricks and mortar with this, or do you have the authority to go into bricks and mortar?

Mr. MOSHER. No, there is no authority. In fact, the authority is rejected specifically in the statute for bricks and mortar.

Mr. GROSS. You cannot build any laboratories or go into that sort of thing?

Mr. MOSHER. That is correct.

Mr. GROSS. I thank the gentleman for yielding.

Mr. ROGERS of Florida. Mr. Speaker, I rise in support of H.R. 13781, a bill which will extend the sea grant college program for an additional 2 years.

Basically the bill was designed to broaden and encourage this Nation's program of marine sciences and oceanography. At the same time it was envisioned that the Nation's manpower supply would be stimulated to the point that it was sufficient to keep up with the growing demands in industry and government.

Our Nation has undertaken a program of developing our resources of the oceans and has lead the world in matters of undersea technology. But because of the infancy of oceanography, our lead will be a precarious one if we do not continue to develop at a greater pace than we are now.

We have long realized the bountiful benefits which await us under the seas. And this Nation has already realized benefits. The Treasury has taken in nearly $4 billion in leases, royalties, and bonuses from work now being done on the Continental Shelf.

The petroleum, gas, and oil industry is now producing substantially from offshore work. Minerals are being mined on the Continental Shelf. Aside from taxes, the Department of the Interior estimates that the Federal Government will realize an additional $4 billion from leases, royalties, and bonuses from this type of work in the next decade.

There is also talk of the wealth of food which is to be harvested from the seas. Some have estimated that the food resources of the sea could feed the entire world if developed.

Our military has been working on defense systems under the seas to better insure the security of the Nation.

I would like to emphasize that this legislation asks for an appropriation of $6 million for fiscal year 1969 and $8 million for fiscal year 1970. I feel this is a reasonable and conservative approach to a program which will pass on benefits to the Nation, both in finance and material gains. We are already receiving many benefits. We will realize more.

This legislation in effect represents a small reinvestment of funds we have realized from our marine resources. This program is paying its own way already.

The demand of trained scientists and marine technicians is already great. If we hesitate, the demand will grow beyond our ability to answer it.

I urge that we continue our progress in our marine and ocean-oriented programs by passing H.R. 13781.

Industry has already committed itself. It is estimated that industry is investing between $4 billion and $7.5 billion a year now. They have not delayed or looked to the Government as a sole source. I think the Government should show its confidence in the future benefits of the oceans by reinvesting in its own future.

Under the guidance of Dr. Robert Able, the sea-grant program has initiated interest throughout the Nation. Forty-six States have written concerning the program and all 50 States have made inquiries through various universities, colleges and laboratories. In all, 650 written requests have been made with the program and between 1,500 and 2,000 contracts have been made. I think this points out the enthusiasm and interest which this program holds for the people of this Nation.

Mr. TALCOTT. Mr. Speaker, I am pleased to support the passage of this bill, H.R. 13781, to extend the sea grant college program for 2 years.

The sea-grant program is in its infancy and I predict it will become one of the most productive programs that we have established in recent years. We are just beginning to fathom the resources of the oceans with our limited means. To fully utilize the wealth of the marine potential, we must train skilled personnel to conduct marine research, to develop practical techniques for converting these resources into usable commodities, and to establish manufacturing processes to capitalize on this untapped resource.

The sea-grant program marks the beginning of this process. I regret that various factors have slowed progress of this program and that the funds which were previously authorized were not fully utilized. I am hopeful that in the next 2 fiscal years more educational institutions will be able to expand their curricula to include pathfinding courses in all phases of oceanography. This bill recognizes the national interest in oceanography and seeks to encourage a more rapid development of this most promising field of endeavor.

The ocean may be our greatest new frontier. We should be prepared to attack and cope with it. The sea-grant program is the best device we now possess for this attack.

The SPEAKER pro tempore. The question is on the motion of the gentleman from North Carolina that the House suspend the rules and pass the bill H.R. 13781, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill as amended, was passed.

A motion to reconsider was laid on the table.

PESTICIDE RESEARCH

Mr. LENNON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 15979) to amend the act of August 1, 1958, in order to prevent or minimize injury to fish and wildlife from the use of insecticides, herbicides, fungicides, and pesticides, and for other purposes, as amended.

The Clerk read as follows:

H.R. 15979

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of August 1, 1958 (16 U.S.C. 742d–1), is amended to read as follows: "That (a) the Secretary of the Interior is authorized and directed to undertake comprehensive continuing studies on the effects of insecticides, herbicides, fungicides, and pesticides, upon the fish and wildlife resources of the United States, for the purpose of determining the amounts, percentages, and formulations of such chemicals that are lethal to or injurious to fish and wildlife and the amounts, percentages, mixtures, or formulations that can be used safely, and thereby prevent losses of fish and wildlife from such spraying, dusting, or other treatment.

"(b) On the basis of the studies carried on pursuant to subsection (a) of this section, the Secretary of the Interior shall transmit information to the Secretary of Agriculture as to how, in the use of insecticides, herbicides, fungicides, or other pesticides, injury to fish and wildlife can be prevented or minimized and the Secretary of Agriculture, in consultation with the Secretary of the Interior, shall require that such information or warning pertinent to any insecticide, herbicide, fungicide, or other pesticide shall appear on the label of each package of such insecticide, herbicide, fungicide, or other pesticide, as the case may be, which is required to be labeled under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 135–135k).

"SEC. 2. The Secretary of the Interior is authorized—

"(1) to conduct a program of evaluating chemicals proposed for use as insecticides, herbicides, fungicides, or other pesticides for the purposes of determining whether the chemicals are harmful or hazardous to the Nation's fish and wildlife resources;

"(2) to distribute to interested persons and agencies, both public and private, data collected under this Act showing the effects of insecticides, herbicides, fungicides, or other pesticides; and

"(3) to operate and maintain existing facilities, including laboratories, necessary to carry out the purposes of this Act.

"SEC. 3. There is authorized to be appropriated the sum of $5,000,000 for the fiscal year ending June 30, 1969, and for each of the two fiscal years immediately following such year."

SEC. 2. The amendments made by this Act shall take effect on the one hundred and eightieth day after the date of enactment of this Act.

The **SPEAKER** pro tempore. Is a second demanded?

Mr. **PELLY**. Mr. Speaker, I demand a second.

The **SPEAKER** pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The **SPEAKER** pro tempore. The gentleman from North Carolina will be recognized for 20 minutes and the gentleman from Washington will be recognized for 20 minutes.

Mr. **LENNON**. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, for a matter of general information to the House, this is a program that came into being in 1958, known as the Pesticide Act. It enacts into law a cooperative program, now participated in by the Department of Agriculture, the Department of the Interior, and the Department of Health, Education, and Welfare, as provided by a 1964 interdepartmental agreement. This program, however, is related specifically to the effects that pesticides, herbicides, insecticides, and fungicides have on fish and wildlife, especially in estuary areas of our country.

The bill simply authorizes a continuation of this program for a period of 3 fiscal years—1969, 1970, and 1971.

The bill, as introduced, would authorize a program on an indefinite period basis. Both the subcommittee and the full committee, after hearings and after due deliberations, took the appropriate, and I think proper position, that this program ought to be reviewed at least every 3 years. This precedent was established when the same program was extended 3 years ago.

We also provided in section 2 of the bill, that the legislation would take effect 180 days after its enactment.

The figures that are approved by the committee are $5 million annually for each of the 3 fiscal years that I have enumerated—fiscal years 1969, 1970, and 1971. The current level of expenditures since is approximately $3 million.

I know it would be of interest to the Members of the House to have inserted in the RECORD following my short statement a summary of the benefits that have accrued from this program, both in relation to our commercial fisheries under the Department of the Interior as well as our Bureau of Sport Fisheries and Wildlife.

The list follows:

BUREAU OF COMMERCIAL FISHERIES, DEPARTMENT OF THE INTERIOR

1. Conducted 180 tests on chemicals used in the manufacture of pesticides used throughout this country. This information is valuable in providing warning information on the labels of containers of chemicals concerning the effects on fish and wildlife.

2. Have monitoring programs in 16 States. These programs have produced greatly needed information on toxicity as well as the chronic effects on fish and wildlife. As a result of these studies the Department has worked closely with industry encouraging the use of pesticides which are not highly toxic and do not have long-term effects on fish and wildlife.

3. Have sampled fish on a season basis approximating 6,000 fish per month on a monitoring basis.

4. Have developed methods to measure growth in oysters affected by pesticides.

5. Have assisted in the establishment of competent State organizations in conducting similar research programs on pesticides.

BUREAU OF SPORT FISHERIES AND WILDLIFE, DEPARTMENT OF THE INTERIOR

1. Conducted an evaluation of 7,600 tests per year on the effects of pesticides on fish and wildlife.

2. Based on these studies, safe levels of usage of many pesticide and a few compounds have been discovered to control undesirable species of fish and wildlife, such as sea lamprey, carp, bullhead catfish.

3. At 4 major research laboratories strategically located throughout the United States, the Department has used 1,800,000 organisms in conducting these tests.

4. Conducted 1,800 tests on the effect of pesticides on the Bald Eagle in trying to protect our National emblem.

5. Conducted research programs on the effects of pesticides on migratory game birds and other important sport fishes such as salmon and trout.

6. Have carried out cooperative pesticide research programs with 65 private industries, 28 State agencies, 18 Universities and 12 other Federal agencies. Results of these tests are transmitted to the U.S. Department of Agriculture for its use in carrying out a program of protecting fish and wildlife.

7. Since 1964 when the interdepartmental agreement was entered into among the Departments of the Interior, Agriculture and Health, Education and Welfare, approximately 25,000 labels have been reviewed as provided under the interdepartmental agreement.

8. Participate and advise annually on approximately 50 Federal spray programs carried out on Federally-owned lands throughout the Nation.

9. Active in devising better methods of control of mosquitoes in marshes and estuarine areas.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. LENNON. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I have a copy of H.R. 15979, and nowhere do I see in it the authorization for the succeeding fiscal years.

Mr. LENNON. Mr. Speaker, if the gentleman will look on page 3, line 6:

SEC. 3. There is authorized to be appropriated the sum of $5,000,000 for the fiscal year ending June 30, 1969, and for each of the two fiscal years immediately following such year.

Mr. GROSS. That is June 30, 1968, I would say to the gentleman.

Mr. LENNON. As the gentleman understands, fiscal year 1968 is already authorized. This is for fiscal year 1969, fiscal year 1970, and fiscal year 1971, for a total of 3 years.

Mr. GROSS. I see.

May I ask the gentleman, How is this money being expended? We are not in the business of building laboratories or anything of that kind. Is that correct or incorrect?

Mr. LENNON. That is correct. We are not doing that. Reference is made to lines 3 and 4 on page 3 of the bill whereby the Secretary is authorized to operate existing facilities only, including laboratories—no construction funds are authorized. I would like very much—but in the interest of time have not done so—to read the specific areas in which these funds have been expended since the act was passed originally in 1958, both in the areas of commercial industries and sport fisheries and wildlife.

Mr. GROSS. Are there any other agencies in this business of investigating the use, and results thereof, of pesticides with respect to marine life?

Mr. LENNON. The Department of Interior is the only one I have any knowledge of. However, the Department of Interior works with HEW and the Department of Agriculture, in furnishing the information obtained from research. In return it secures information from HEW and then passes on this information to the Department of Agriculture in order to let them know in what particular instances pesticides and insecticides have caused damage to fish and wildlife in our estuarine areas, and further asks them at all times to require manufacturers to properly identify the packaged goods, so people will have some knowledge of what is being used in these areas and how harmful they may be to fish and wildlife if improperly used.

Mr. GROSS. The gentleman does not feel there is duplication of this?

Mr. LENNON. I do not think so; no, sir.

Mr. GROSS. I thank the gentleman.

Mr. WHITTEN. Mr. Speaker, will the gentleman yield?

Mr. LENNON. Mr. Speaker, I yield to the gentleman from Mississippi.

Mr. WHITTEN. Mr. Speaker, I earlier read this bill. The gentleman knows that some years ago we destroyed the cranberry industry by an erroneous report. Our Committee on Appropriations had an investigation 2 years ago in which they interviewed approximately 180 scientists and 23 doctors. We met this morning, in Mr. PURCELL's subcommittee, and we had a Water Control Board, on which the Secretary of Agriculture is a member, and the Secretary of Health, Education, and Welfare, and the Secretary of Interior. We have a pollution control group that has several hundred million dollars with which it is trying to do something about pollution. But this bill turns over to the Secretary of Interior, in an area where all of these people have an interest, where it can reach the sole conclusion as to what pesticides and insecticides can be used. Yet, it has been recognized in all the legislation that this is a joint thing.

From reading this act, I notice Mr. Udall, who has tried repeatedly to get full control in this area, is authorized to make all tests and use his judgment, ignoring the Health, Education, and Welfare tests and ignoring the Agriculture Department tests.

May I say the statement in the report, if we read it, has these significant words: "It is reported." That does not say who. Here is the report from the staff of the Appropriations Committee, taking complete issue with the statement of fact as the gentleman says in his report, which says, "It is reported," but that does not say who. I would hope this whole subject matter would be left for planning by all three of these sectors.

We are dealing with an area, judging from my own studies over 4 or 5 years, in which, unless it has been a case of misuse, the herbicides and pesticides have not done any injury, according to the testimony of the doctors and scientists. They have no evidence where there ever has been done any injury to human beings, when properly used.

So far as the fish and wildlife record is concerned, this shows no injury except from improper use.

Under this bill the whole business is being turned over to the Secretary of the Interior, because of the fish and wildlife, as against the Department of Health, Education, and Welfare, which has the problem of getting rid of mosquitoes, rats, and all the other things. The Secretary in turn calls the shots on public health, and on the food which we eat.

Under those conditions I would hope that this bill would be withdrawn. I do not believe either one should run the others, but I do not believe this one should run the other two.

Mr. LENNON. I do believe the gentleman is unduly alarmed because, as the gentleman knows, this program has been in being 10 years. We simply continue the authorization.

I am interested in the language of the distinguished Secretary at that time Under Secretary of Health, Education, and Welfare, who now I believe has been designated Secretary of Health, Education, and Welfare, in his communication addressed to the distinguished chairman of the full committee, the gentleman from Maryland [Mr. GARMATZ]. He says:

> We defer to the views of the Department of the Interior with respect to section 2 of the bill.
>
> We are advised by the Bureau of the Budget that there is no objection to the presentation of this report.

Also I would ask the gentleman to look at the letter of February 29 of this year addressed to the chairman of the full committee, the gentleman from Maryland [Mr. GARMATZ], signed by the distinguished Secretary of Agriculture. He said:

> This Department has no objection to the proposed bill to the extent that it would provide new and more extensive research data on the relation of pesticides to fish and wildlife and increased information to this Department for use in the administration of the Federal Insecticide, Fungicide, and Rodenticide Act. However, we defer to the Department of the Interior as to the need for this provision.

If there is any objection on the part of either of these Departments, we have difficulty interpreting it as such in the light of that language.

Mr. WHITTEN. May I say to the gentleman, I have been unable to get a copy of the report. I just walked in from a conference.

Mr. LENNON. Yes.

Mr. WHITTEN. I have the bill here. The Secretary of the Interior is the one authorized first to conduct the research, and then to distribute, and then to require the Secretary of Agriculture to take certain actions.

I understand that in the report they referred to certain parts, but in each case they took exception to some phases of the bill.

Mr. LENNON. Let me ask the gentleman a frank question. This says:

> The Secretary of the Interior shall transmit information to the Secretary of Agriculture as to how, in the use of insecticides, herbicides, fungicides, or other pesticides, injury to fish and wildlife can be prevented or minimized and the Secretary of Agriculture, in consultation with the Secretary of the Interior, shall require that such information or warning pertinent to any insecticide, herbicide, fungicide, or other pesticide shall appear on the label of each package—

Certainly the gentleman would not say that is an inappropriate request, would he?

Mr. WHITTEN. It leaves the Secretary of the Interior in the saddle. Through the years I have formed an opinion as to how strongly the Secretary of the Interior feels in this sports fisheries area.

We have 16 laboratories in the Department of Agriculture doing this exact type of work.

Mr. LENNON. We will be glad to show them how to do it.

Mr. WHITTEN. I have no objection to more laboratories, but when there are two Departments doing work in the same area, this bill would require us to take the one which has to do with the sports fisheries and hunting. I say they ought to get together, as they do under existing law.

Mr. LENNON. The basic law and an interdepartmental agreement I believe the gentleman will recall, provide for a meeting between the Secretary of Agriculture and the Secretary of the Interior to exchange information relating to this subject matter.

Mr. WHITTEN. Let me show what is being changed in this bill.

Mr. LENNON. Go right ahead.

Mr. WHITTEN. The Secretary of Agriculture, in consultation with the Secretary of the Interior, shall require that such information—that is, Interior's information—be used on the label.

Now, under the original act the labeling is the part that the Department of Agriculture has to handle. They already are doing research work in the area where this would continue the right of the Secretary of the Interior, to which I have no objection, but this says that when the two get together the Secretary of Agriculture shall accept what Interior does, not what his own Department may say.

Mr. LENNON. I do not agree with my distinguished friend. I believe it merely says that once the determination is made, the research information is transmitted to the Secretary of Agriculture, then the Secretary of Agriculture, in consultation with the Secretary of the Interior, shall require the information pertinent to any insecticide, as to its effect on fish and wildlife, to be printed upon it, that it appear on the label. It says pertinent information. The Secretary of Agriculture would not be required to accept the Secretary of the Interior's recommendations per se. The Secretary of Agriculture makes the final determination as to what warning information appears on each label of pesticidal chemicals.

Now, that is not unreasonable. It merely provides a warning to the people as to how these chemicals should be used in the estuarine areas.

Mr. WHITTEN. But it says, however, that the Secretary of Agriculture shall do as the Secretary of the Interior tells him.

Mr. LENNON. I do not interpret it that way. When the determination is made and that information is passed on to the Secretary of Agriculture, then the Secretary of Agriculture, after consultation, with the Secretary of the Interior will see that pertinent warning information on the use of pesticidal chemicals is dangerous to fish and wildlife. Then why not print it on the package and notify the manufacturer. That is all we want to do.

Mr. WHITTEN. I appreciate my colleague being courteous and giving me this much time, but let me say that the Secretary of the Interior is authorized, it says in the first section, to make this investigation. When he decides, then he shall consult with the Secretary of Agriculture. But then the Secretary of the Interior shall tell the Secretary of Agriculture what to do. So the determination in the first section is done by the Secretary of the Interior. He then consults with the Secretary of Agriculture and then tells him what to do.

Mr. LENNON. Let me ask the gentleman this question. Of course, I come from an agricultural as well as an ocean and lakeland area, but is it not the responsibility of the Department of the Interior to make the determination as to how these insecticides and herbicides affect marine life?

The SPEAKER pro tempore. The gentleman has consumed 15 minutes.

Mr. LENNON. Mr. Speaker, I yield myself an additional 3 minutes.

Mr. WHITTEN. Will the gentleman yield further?

Mr. LENNON. I yield to the gentleman from Mississippi.

Mr. WHITTEN. I would like to say this: I do not want the Secretary of Agriculture to have the sole responsibility and authority in this area. I do not want the Department of HEW or the Department of the Interior to have it, because we have recognized through the years that it is an area of great controversy and it should be done together.

Here, instead of following the law which exists on this, which we have done in all other areas, it says that the Secretary of the Interior shall make the investigation and the determination and consult with the Secretary of Agriculture and then tell the Secretary of Agriculture what to do. That is going completely away from the procedure that we have followed all through the years. I think the Secretary of Agriculture should be told if they find anything, then, they can reach a consensus, but to let the Department of the Interior do the research and make the determination and tell the Secretary of Agriculture what to do goes counter to what we have done in the past.

Mr. LENNON. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Minnesota [Mr KARTH], the author of this bill.

Mr. KARTH. Mr. Speaker, I want to thank the distinguished gentleman from North Carolina [Mr. LENNON] for bringing this bill before us. I might say to the gentleman from Mississippi, who has been asking these questions—and I appreciate the fact that he is so interested in this subject—that really I do not think the bill does what the gentleman says it does or thinks it does. Let me say to the gentleman and to the House that this bill provides that the Department of the Interior will do the research within their laboratories in consonance with the research they have already done and in carrying out the provisions of this act insofar as it applies to research on the effects of fungicides and pesticides, and what have you, on wild life and fish life. They will then make a report to the Secretary of Agriculture as to how injury, or death if it does come about, can be prevented or minimized. The Secretary of Agriculture then will meet with the Department of the Interior and jointly, hopefully, they can come up with information or have warning notices pertinent to the various fungicides and insecticides so as to limit the adverse effects that those chemicals will have on fish and wild life. That is all this does, and I may say that this section is in consonance with the interdepartmental agreement that is now in effect and which has been for a number of years.

Mr. WHITTEN. Mr. Speaker, will the gentleman yield?

Mr. KARTH. I am glad to yield to the gentleman.

Mr. WHITTEN. If you read the language in the bill, it says that the Secretary of the Interior shall make the investigation and he shall make a determination and then he shall consult with the Secretary of Agriculture and then direct the Secretary.

But, then it says, "He shall direct the Secretary of the Department of Agriculture" to do so and so. Now, if in this area, or in the area of the operations of the Department of the Interior, it has been said that this work is being done at many other research stations but they did not reach the same conclusion.

So, I will say to the distinguished gentleman that the gentleman is in an area where there will be controversy. That being true, it is my opinion that it would be a mistake to turn it over to any single department head.

Mr. KARTH. Mr. Speaker, I appreciate the concern about this problem which has been expressed by the distinguished gentleman from Mississippi. However, it is my opinion that it is important that we write into the legislative record here, what the intent of the proposed language is.

I would merely like to read for the benefit of the Members of the House this language, and also to set the record straight insofar as it applies to the legislative history surrounding this legislation.

Mr. Speaker, the distinguished gentleman from Mississippi [Mr. WHITTEN] is referring to page 2, line 5, and thereafter, up to and including line 17, is he not?

Mr. WHITTEN. That is right.

Mr. KARTH. That language is as follows:

> (b) On the basis of the studies carried on pursuant to subsection (a) of this section, the Secretary of the Interior shall transmit information to the Secretary of Agriculture as to how, in the use of insecticides, herbicides, fungicides, or other pesticides, injury to fish and wildlife can be prevented or minimized and the Secretary of Agriculture, in consultation with the Secretary of the Interior, shall require that such information or warning pertinent to any insecticide, herbicide, fungicide, or other pesticide shall appear on the label of each package of such insecticide, herbicide, fungicide, or other pesticide, as the case may be, which is required to be labeled under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 135–135k).

The SPEAKER pro tempore (Mr. ALBERT). The time of the gentleman from Minnesota has expired.

Mr. LENNON. Mr. Speaker, I yield the 1 minute which remains to us to the distinguished gentleman from Minnesota.

Mr. KARTH. I thank the distinguished gentleman from North Carolina for yielding this time to me.

Mr. WHITTEN. Mr. Speaker, will the gentleman yield further?

Mr. KARTH. I yield further to the gentleman from Mississippi.

Mr. WHITTEN. Could I ask the gentleman one further question?

Mr. KARTH. Yes.

Mr. WHITTEN. As the distinguished gentleman well knows, the Department of Agriculture conducts research in this area as well as does the Department of Health, Education, and Welfare.

However, in the event that the Department of Health, Education, and Welfare and the Secretary of the Department of Agriculture differ with the Secretary of the Department of the Interior, whose judgment would prevail under this legislation, if passed?

Mr. KARTH. It is my opinion that the judgment of the Department of Agriculture would prevail. However, it is my further opinion that the Department of Agriculture and the Department of Health, Education, and Welfare does not conduct research in this area, that, is, what the effect of insecticides, herbicides, fungicides, or the pesticides have upon wildlife and fish. Therefore, it is my opinion that they do not conduct a duplicity of research in this area.

Mr. Speaker, I want to commend the subcommittee chairman, the distinguished gentleman from North Carolina [Mr. LENNON], for bringing this legislation to the floor today.

The question of the effects of pesticides, insecticides, fungicides, and herbicides on fish and wildlife is indeed a worthy research effort. In fact, the limited research already done, indicates strongly that there is a number of relationships between that use and the deaths of fish and wildlife. Research has found evidence of pesticides and insecticides in animals thousands of miles removed from the areas of use. There is a preponderance of evidence that many thousands of wildlife deaths have resulted from excessive concentrations in both fish and animals.

New chemicals are now being tested on plankton, crabs, shrimp, oysters, and other commercial fish.

It is the effort of the researchers to find narrow-spectrum pesticides that may be used to control target pests without harm to other life.

It is my hope that if this bill is passed, greater progress will be made in this area under question, and that technical breakthrough will be made so as to protect fish and wildlife and still allow uses of those chemicals to control pests and fungus.

Mr. PELLY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I too wish to express my support for the passage of the bill, H.R. 15979.

Subsection (a) of the first section of this bill is simply a restatement of existing law.

Subsection (b) of the first section of H.R. 15979, however, does represent new law. It establishes a mandatory responsibility upon the Secretaries of the Interior and Agriculture to require appropriate information or warning on the label of each package of insecticide, herbicide, fungicide, or other pesticide in its use to prevent or minimize injury to fish and wildlife. It embodies essentially what has heretofore been contained in an interdepartmental agreement. I consider this to be a reasonable requirement and in consonance with the concern of the Congress in the field of consumer protection—to wit, to protect the user of such pesticides from doing irreparable damage to the very environment in which he lives.

Mr. Speaker, in many respects man is his very own worst enemy. This is particularly true with respect to his actions which either knowingly or unknowingly serve to contaminate many of the natural resources upon which he is dependent. By comparison, threats of fire, pestilence and plague against our natural resources are somewhat inconsequential when considering the more sinister and long-lasting effects resulting from indiscriminate use of pesticides. It, therefore, seems to me to be highly appropriate that there be adequate labeling on such chemicals so as to forewarn man against this probable harm.

The new section 2 of the 1958 act would authorize the Secretary of the Interior to evaluate chemicals proposed for use as pesticides as to their potential hazard to our fish and wildlife resources and to make an appropriate public dissemination of this information. It, too, is in the ultimate interest of the user of such chemicals.

Finally, H.R. 15979 authorizes the appropriation of not to exceed $5 million in each of the 3 fiscal years ending June 30, 1969, 1970, and 1971. This provision constitutes a committee amendment contrary to the administration's request, which would have extended the basic enabling law indefinitely and without dollar limitation. Exercising appropriate fiscal restraint, your committee extended the program for a period of 3 years and with a fixed sum authorized for appropriation. This is in keeping with an earlier amendment to the act in the 89th Congress, Public Law 89-232.

Mr. Speaker, I consider the bill, H.R. 15979, meritorious and in the interest of the Nation in the preservation of its fish and wildlife resources. I, therefore, earnestly urge that the House do pass the bill, H.R. 15979.

Mr. WHITTEN. Mr. Speaker, will the gentleman yield?

Mr. PELLY. I yield to the gentleman Mississippi.

Mr. WHITTEN. Mr. Speaker, I would ask the gentleman from Washington in the event—and I know the gentleman wants to be reasonable and fair, as I do—in the event the Secretary of Agriculture should differ with the Secretary of the Interior as to results of the research so conducted, is it not true that the Secretary of the Interior's decision would be binding?

Mr. PELLY. I believe it is absolutely correct that what the gentleman says that if the Department of Agriculture felt that some particular pesticide was not injurious to fish or wildlife, and the Department of Interior felt that it was, that then the decision of the Department of the Interior would prevail.

Mr. WHITTEN. Then let me carry it one step further. If the Secretary of the Interior should determine that all of these chemicals throughout the United States that are used by American agriculture which feeds the whole country are harmful, the Secretary of Agriculture would have to warn against the use of them on the say-so of the Department of the Interior, because the water, of course, runs from the land into the water.

Mr. PELLY. I would like to say to the gentleman from Mississippi that I believe there was one time when there were some differences between these two great departments of the Government, but my understanding is that now they work well together under an interagency agreement signed in 1964, and I believe the fear the gentleman expresses as to the jurisdictional responsibility is not warranted.

Mr. WHITTEN. The gentleman knows that the streams of our country draw their water from the surrounding land, and if we turn these decisions over to one Department which may have for its main interest, something different from the other Department, which has as its prime duty the feeding of this great Nation—while protecting human health, and of course game and fish, I am sure the gentleman is correct that they have worked well together under the interagency agreement signed in 1964, but I do seriously question this matter of turning it all over to the Secretary of the Interior if that is what this bill is intended to do.

Mr. PELLY. No, I do not agree that that is the situation we are faced with in this bill. I do not believe that there is any diminution of responsibility of the Department of Agriculture in this legislation over what has existed in the past.

Mr. WHITTEN. I am glad to have the gentleman's statement and the gentleman has been most courteous in yielding to me, and if he will yield further, but that is the way that I read this particular legislation. I am glad that it is not the committee's intent that the Secretary of the Interior take over the determination for whoever has jurisdiction over what goes into the streams, can control the feeding of our Nation, and affect human health by affecting what is done over the whole watershed.

Mr. KARTH. Mr. Speaker, will the gentleman yield?

Mr. PELLY. I would say in reply to the gentleman—before I yield to my friend from Minnesota—that I believe the problem of pesticides and the injury to fish and wildlife is very serious, and that no Member of this House should hold any qualms as to jurisdiction; the obvious attempt here is to deal with a very serious problem.

Mr. WHITTEN. I cannot argue with my colleague, but if he will yield further, I will say that I have the feeling that it is not fair to turn over the full authority to make this determination to the Secretary of the Interior, and to place the Secretary of Agriculture in a subordinate position. I shall vote against the bill because of the language but trust it shall be handled as members of the committee intend.

Mr. PELLY. I would hope that the legislative record, as has been made, and as the gentleman from Minnesota suggested, would in that regard satisfy the gentleman.

Mr. KARTH. Mr. Speaker, will the gentleman yield?

Mr. PELLY. I yield to the gentleman from Minnesota.

Mr. KARTH. Mr. Speaker, I thank the gentleman for yielding.

I hesitate to argue with the gentleman from Mississippi, but I want him to feel very comfortable about this bill. The fact of the matter is that the answer to the question the gentleman asked is "No, the Secretary of the Interior would not have the final say-so." The situation is as such, Mr. Speaker, the pesticides and fungicides are on the market, and they are in fact being used, and the Department of the Interior discovers that a particular pesticide or fungicide is harmful to fish or wildlife if used in certain dosages, and they inform the Department of Agriculture of this, and the Department of Agriculture then in concert with the Department of the Interior prepare a warning notice for the label, and that label thereafter goes on after they have made an agreement.

That warning notice, after they have made an agreement, goes on the product—it does not come off the market.

Mr. WHITTEN. If the gentleman assures me that he contemplates an agreement between the two, I have nothing further to say, though I do not think the language requires that, but, of course, does permit it.

Mr. KARTH. That is my opinion of what the language says.

Mr. WHITTEN. That it requires an agreement?

Mr. KARTH. Yes.

Mr. JONES of Missouri. Mr. Speaker, will the gentleman yield?

Mr. PELLY. I yield to the gentleman.

Mr. JONES of Missouri. The thing that always worries me about these things is that some several years ago, I think about 15 years ago, we had a select committee on the use of pesticides and insecticides and so on, known as the Delaney committee. We have held hearings for about 2 years and we found that we could always find some expert who would have a very definite opinion against the use of any pesticide or insecticide or herbicide and we even had experts to come before that committee who condemned the drinking of any cola drink—that it was just going to eat your stomach up—and they had all kinds of demonstrations to prove that.

From what you have said here today, the Department of Agriculture is working in this field now, and the gentleman from Minnesota said that if the Department of the Interior finds out this, that, and the other thing, then they will go to the Department of Agriculture and they will try to reconcile their differences. But if that is the case, why do we have to appropriate another $5 million? That is the thing I am interested in. I know that the gentleman from Washington is one who wants to save money and this is one occasion where you can save $5 million real quick—because they will find enough experts in some fields who will come before them and contend that they have some new information, and they will spend that $5 million and there will be a deficit, and then you will have to come through with another appropriation, a deficiency appropriation, to pay for that.

If we are going to try to get our fiscal house in order, we are going to have to start somewhere, and this is a good place to start, because this is purely a duplication of what is being done in this field, in my opinion, and if you are going to keep on duplicating and spending another $5 million and another $5 million with other bills, then you will never get this budget balanced.

Mr. PELLY. I would say to my distinguished friend, first of all, that I do not think there is any duplication.

Second, I have tried to call attention to the fact that after consultation, there are labels warning the users of these pesticides as to the danger to fish and wildlife, and this is nothing that the Department of Agriculture, so far as I know, has ever done except under the agency agreement signed in 1964 I previously referred to.

Mr. JONES of Missouri. They have always put warning labels on all pesticides and insecticides—the law requires them to do that.

Mr. PELLY. I was referring to the effect on fish and wildlife.

Mr. JONES of Missouri. Well, you said, and I understood the gentleman from Minnesota to say, that if the Department of the Interior found that there was something injurious they would go to the Department of Agriculture. I think they could go to them now and I do not think they would have any difficulty in getting that done.

Mr. PELLY. I would say to the gentleman that I would hope the great Committee on Appropriation would satisfy itself that there was no duplication—or they would not appropriate the funds.

Mr. WHITTEN. Mr. Speaker, will the gentleman yield?

Mr. PELLY. I yield to the gentleman.

Mr. WHITTEN. May I say, and I am not sure if I am correct about the exact money—but we have been appropriating something like $30 million a year for research in this overall area of pesticides, herbicides including substitutes for them, by the Department of Agriculture. I am sure that the Bureau of Sport Fisheries has a considerable sum now in research in this general area—in fact, the whole amount being spent annually is in excess of $100 million in this general area as I recall it.

I certainly do not want to kill fish and wildlife—but we should not exclude the Secretary of Agriculture from the determination of safety, a decision which could affect the whole welfare of the country by limiting the use of essential chemicals.

The gentleman from Minnesota states that they would have to reach an agreement.

Mr. PELLY. I would want to agree with the gentleman from Minnesota and be satisfied also along with the Committee on Appropriations that there was not any duplication and that the respective departments were working together, and that there was no conflict—so I will join in writing legislative language here today on the part of the minority side that we do not want to have duplication or waste of the taxpayers' money.

Mr. WHITTEN. I know the gentleman does not want to see any waste of the taxpayers' money. This whole area is one that I have studied for some several years. We had this investigation. It appears that the root of the problem is some people will conclude one thing, and some people will conclude another thing—from the same set of facts.

But we have now reached the point at which the test can be so fine as to detect traces of the material, and when you reach that point, the question is whether we can leave to one department the determination of whether or not its use ought to be in effect, prevented.

Mr. BOLAND. Mr. Speaker, I wish to express my strong support for H.R. 15979, a bill designed to prevent or minimize injury to fish and wildlife from the use of insecticides, herbicides, fungicides, and pesticides.

Pesticides, like so many other manmade agents which are invented and developed to control and improve our environment, possess both positive and negative qualities. They are designed to increase our supplies of food and materials, thus immeasurably improving public health and welfare. Today, pest control in agriculture and forestry is an indispensable and important activity without which our growing populations could not be assured of an adequate and wholesome food supply.

On the other hand, chemical pesticides pose some definite problems. Because of their toxicity, they do not only kill pests but are potentially harmful to many useful animals, insects, fish, and wildlife. Pesticides often do not vanish after use. They remain potent, sometimes for long periods of time. Moreover, they frequently do not remain where they are applied. We have increasing evidence of chemical pesticides cropping up far from their original area of application and still retaining their toxicity.

It is clear that a new, positive approach is needed to assess the problem of widespread use of pesticides, to gain knowledge of the effects of pesticides, from the time of manufacture through their utilization, decomposition or dilution, and eventual removal from the environment. A comprehensive research program is needed to provide all the necessary data on which future protective legislation may be based.

H.R. 15979 authorizes the Secretary of the Interior to undertake comprehensive, continuing studies on the effects of insecticides, herbicides, fungicides, and other pesticides, upon the fish and wildlife in this country. These studies are to determine the amounts, concentrations, and chemical compositions which are lethal or harmful to fish and wildlife, as well as the safe amounts, concentrations, and chemical compositions which will not damage fish and wildlife.

On the basis of these findings, the Secretary of the Interior is to transmit concise information to the Secretary of Agriculture on how, despite the use of pesticides, injury to fish and wildlife can be prevented or minimized. Such information is then to appear on the label of each container of such pesticides required to be so labeled under the Federal Insecticide, Fungicide, and Rodenticide Act—7 U.S.C. 135–135k.

The bill authorizes the Secretary of the Interior to conduct a program of evaluating chemicals proposed for use as pesticides in order to determine whether such chemicals are potentially harmful or hazardous to our fish and wildlife resources; to distribute such information without restriction, and to operate and maintain existing facilities necessary for the gathering and evaluation of such data.

As we are becoming more aware of the potential undesirable changes in our environment due to widespread, large-scale use of pesticides, we should, I believe, follow three specific goals in our studies of the chemical compositions of pesticides and their effects. First, increased efforts should be made to pinpoint the chemicals which are most effective for a specific purpose, and to use none other. Second, we should encourage the development of pesticides which will disintegrate more rapidly and thus leave the environment after a shorter period of time. Third, we should accelerate the development of nonchemical pest control methods, or use a combination of chemical pesticides and biological inhibiting agents.

I believe that the provisions of H.R. 15979 represent a meaningful step forward in our efforts to control our environment wisely, by preventing further damage to our natural resources through the indiscriminate use of pesticides. I also believe that the stated authorization of $5,000,000 for the fiscal year ending June 30, 1968, and for each succeeding fiscal year is appropriate and necessary.

I urge my colleagues in the House to act favorably on this bill.

The SPEAKER pro tempore. The question is on the motion of the gentleman from North Carolina that the House suspend the rules and pass the bill H.R. 15979, as amended.

The question was taken.

Mr. WHITTEN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 333, nays 25, not voting 75, as follows:

[Roll No. 78]

YEAS—333

Adair
Adams
Addabbo
Anderson, Ill.
Anderson, Tenn.
Annunzio
Arends
Ashbrook
Ashmore
Aspinall
Ayres
Baring
Barrett
Bates
Battin
Belcher
Bell
Bennett
Berry
Betts
Bevill
Biester
Bingham
Blackburn
Blanton
Blatnik
Boggs
Boland
Bolton
Bow
Brasco
Bray
Brinkley
Broomfield
Brotzman
Brown, Calif.
Brown, Mich.
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burton, Calif.
Byrne, Pa.
Byrnes, Wis.
Cahill
Carey
Carter
Cederberg
Celler
Chamberlain
Clancy
Clark
Clawson, Del
Cleveland
Cohelan
Collier
Conable
Conte
Conyers
Corbett
Corman
Culver
Cunningham
Curtis
Daddario
Daniels
Davis, Ga.
Davis, Wis.
Dawson
Delaney
Dellenback
Denney
Derwinski
Devine
Dickinson
Dole
Donohue
Dorn
Dow
Downing
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, Calif.
Edwards, La.
Eilberg
Esch
Evans, Colo.
Everett
Fascell
Feighan
Findley
Flood
Flynt
Foley
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Garmatz
Gettys
Giaimo
Gilbert
Goodling
Gray
Griffiths
Grover
Gubser
Gude
Hagan
Haley
Halleck
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Idaho
Hansen, Wash.
Harrison
Harsha
Harvey
Hathaway
Hays
Hébert
Hechler, W. Va.
Heckler, Mass.
Helstoski
Henderson
Herlong
Hicks
Holifield
Horton
Hosmer
Howard
Hungate
Hunt
Hutchinson
Ichord
Irwin
Jacobs
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Karth
Kastenmeier
Kee
Keith
Kelly
King, N.Y.
Kirwan
Kleppe

Kluczynski
Kornegay
Kuykendall
Kyl
Kyros
Laird
Langen
Latta
Leggett
Lennon
Lipscomb
Lloyd
Long, Md.
McCarthy
McClory
McCloskey
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
McMillan
Macdonald, Mass.
MacGregor
Machen
Mailliard
Marsh
Martin
Mathias, Calif.
May
Mayne
Meeds
Meskill
Michel
Miller, Calif.
Miller, Ohio
Mills
Minish
Mink
Minshall
Monagan
Montgomery
Moore
Moorhead
Morgan
Morris, N. Mex.
Morton
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Myers
Nedzi
Nelsen
Nichols
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Patten
Pelly
Perkins
Pettis
Philbin
Pike
Pirnie
Podell
Poff
Pollock
Price, Ill.
Pryor
Pucinski
Railsback
Randall
Rees
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Roudebush
Roush
Ruppe
Ryan
St Germain
St. Onge
Sandman
Satterfield
Saylor
Schadeberg
Scherle
Scheuer
Schneebeli
Schweiker
Schwengel
Scott
Shipley
Shriver
Sikes
Sisk
Slack
Smith, Calif.
Smith, Iowa
Smith, Okla.
Snyder
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stratton
Stuckey
Sullivan
Taft
Talcott
Taylor
Teague, Calif.
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tiernan
Tuck
Udall
Ullman
Utt
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waggonner
Waldie
Wampler
Watkins
Watson
Whalen
White
Whitener
Widnall
Wiggins
Williams, Pa.
Willis
Wolff
Wright
Wyatt
Wydler
Wylie
Wyman
Yates
Young
Zion
Zwach

NAYS—25

Abernethy
Andrews, Ala.
Burleson
Cabell
Colmer
de la Garza
Fisher
Gathings
Gonzalez
Griffin
Gross
Hall
Jarman
Jones, Mo.
Kazen
Mahon
Natcher
Pickle
Poage
Pool
Price, Tex.
Quillen
Rarick
Roberts
Whitten

NOT VOTING—75

Abbitt
Albert
Andrews, N. Dak.
Ashley
Bolling
Brademas
Brock
Brooks
Brown, Ohio
Burton, Utah
Bush
Button
Casey
Clausen, Don H.
Cowger
Cramer
Dent
Diggs
Dingell
Dowdy
Erlenborn
Eshleman
Evins, Tenn.
Fallon
Farbstein
Fino
Gardner
Gibbons
Goodell
Green, Oreg.
Green, Pa.
Gurney
Halpern
Hardy
Hawkins
Holland
Hull
Karsten
King, Calif.
Kupferman
Landrum
Long, La.
Lukens
Madden
Mathias, Md.
Matsunaga
Mize
Morse, Mass.
Nix
Passman
Patman
Pepper
Purcell
Quie
Resnick
Riegle
Rivers
Rostenkowski
Roth
Roybal
Rumsfeld
Selden
Skubitz
Smith, N.Y.
Stubblefield
Teague, Tex.
Tenzer
Tunney
Walker
Watts
Whalley
Wilson, Bob
Wilson, Charles H.
Winn
Zablocki

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

Mr. Dent with Mr. Brown of Ohio.
Mr. Green of Pennsylvania with Mr. Mathias of Maryland.
Mr. King of California with Mr. Morse of Massachusetts.
Mr. Brademas with Mr. Cramer.
Mr. Farbstein with Mr. Erlenborn.
Mr. Resnick with Mr. Whalley.
Mr. Roybal with Mr. Halpern.
Mr. Stubblefield with Mr. Goodell.
Mr. Zablocki with Mr. Fino.
Mr. Matsunaga with Mr. Kupferman.
Mr. Hull with Mr. Andrews of North Dakota.
Mr. Tenzer with Mr. Brock.
Mr. Teague of Texas with Mr. Don H. Clausen.
Mr. Selden with Mr. Quie.
Mr. Karsten with Mr. Skubitz.
Mr. Evins of Tennessee with Mr. Bob Wilson.
Mr. Charles H. Wilson with Mr. Gurney.
Mr. Madden with Mr. Burton of Utah.
Mr. Long of Louisiana with Mr. Mize.
Mr. Casey with Mr. Smith of New York.
Mr. Abbitt with Mr. Eshleman.
Mr. Landrum with Mr. Cowger.
Mr. Walker and Mr. Rumsfeld.
Mr. Passman with Mr. Riegle.
Mr. Albert with Mr. Button.
Mr. Patman with Mr. Gardner.
Mr. Pepper with Mr. Lukens.
Mr. Rivers with Mr. Roth.
Mr. Watts with Mr. Bush.
Mr. Brooks with Mr. Winn.
Mr. Holland with Mr. Hawkins.
Mr. Rostenkowski with Mr. Nix.
Mr. Tunney with Mr. Diggs.
Mr. Dingell with Mr. Dowdy.
Mr. Fallon with Mr. Ashley.
Mr. Hardy with Mrs. Green of Oregon.
Mr. Purcell with Mr. Gibbons.

Mr. **FISHER** changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

PERMISSION FOR THE COMMITTEE ON RULES TO HAVE UNTIL MIDNIGHT TO FILE CERTAIN PRIVILEGED REPORTS

Mr. **COLMER.** Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The **SPEAKER** pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from Mississippi?

There was no objection.

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 15399, URGENT SUPPLEMENTAL APPROPRIATION BILL, 1968

Mr. **BOGGS.** Mr. Speaker, on behalf of the gentleman from Texas [Mr. MAHON] I ask unanimous consent that the managers on the part of the House may have until midnight tonight to file a conference report on the bill H.R. 15399, the urgent supplemental appropriation bill, 1968.

The **SPEAKER.** Is there objection to the request of the gentleman from Louisiana?

There was no objection.

AMENDING THE ACT CREATING THE ATLANTIC-PACIFIC INTEROCEANIC CANAL STUDY COMMISSION

Mr. **GARMATZ.** Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 15190) to amend sections 3 and 4 of the act approved September 22, 1964 (78 Stat. 990), providing for an investigation and study to determine a site for the construction of a sea-level canal connecting the Atlantic and Pacific Oceans.

The Clerk read as follows:

H.R. 15190

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act approved September 22, 1964 (Public Law 88–609, 78 Stat. 990), as amended, is hereby further amended (1) by striking out "December 1, 1969" in section 3 and inserting in lieu thereof "December 1, 1970", and (2) by striking out "$17,500,000" in section 4 and inserting in lieu thereof "$24,000,000".

The **SPEAKER.** Is a second demanded?

Mr. **GROVER.** Mr. Speaker, I demand a second.

The **SPEAKER.** Without objection, a second will be considered as ordered.

There was no objection.

The **SPEAKER.** The gentleman from Maryland is recognized for 20 minutes.

Mr. **GARMATZ.** Mr. Speaker, some 10 years ago, my predecessor as chairman of the Merchant Marine and Fisheries Committee, the late Herbert C. Bonner, obtained the services of five of the most eminent engineers in the country to examine all existing plans with respect to improved transit from the Atlantic to the Pacific in the area of Panama. In 1961, that group made a report, the substance of which was that the most effective means of transit for the future was a sea-level canal, and that if nuclear means for its construction could be devised that they be seriously considered. Cost estimates of the many plans considered were attached to the report and it appeared that the sea-level canal would be by far the cheapest in operation even though requiring a much greater construction investment.

Some 3 years later, at the request of the administration, legislation was enacted for the appointment of a commission to study the feasibility of a sea-level canal, and $17.5 million was authorized and subsequently appropriated for its work. By reason of delays in appointment of the commission and delays in negotiating agreements with Panama and Colombia to permit exploration, the commission has been unable to meet the legislative deadline for its report and has expended virtually all of the money appropriated to it. At the present time, its work has been virtually completed on three routes in Panama—one of which is a potential nuclear route—and work has been started on a nuclear route in Colombia. Part of the planning behind the appointment of the commission was the thought that discovery of a practical route beyond the limits of the Republic of Panama might be helpful either in negotiating with that country or giving an alternative in case an acceptable agreement could not be made. The commission chose to begin its work in Panama, and by reason of factors beyond its control, its expenditures have been larger than planned, with the consequence that we now find ourselves in the position of having virtually complete data with respect to Panama and with a bare beginning in Colombia. As stated, $17.5 million has been expended and a further expenditure of $6.5 million will be required to complete the work.

It is my view, and that of my committee, that completion of the entire project is necessary to furnish to the Congress a full and complete report with respect to the various routes.

In connection with its work, the commission is conducting studies of weather conditions, air currents, environmental factors, rainfall, possible effects of fallout on the food chain, as well as conventional core drilling. Even if a canal is never built, a considerable part of the knowledge being collected will be useful in other fields. The public health aspect of the work has ramification far beyond the particular areas, and the upper atmosphere studies may well have a bearing on future weather predictions. In addition, the areas being explored for the two nuclear routes, one in Panama and one in Colombia, are practically virgin areas, and their exploration will add to our knowledge of the Isthmus of Panama which could well have a future benefit to our country.

As a part of its work in determining the feasibility of a sea-level canal, the commission has stated that it plans to examine other approaches to interoceanic transits including the various plans for the improvement and modification of the present canal. Cost comparisons of all of the possible alternatives will be submitted to the Congress so that it can determine the cheapest and most efficient area for improved transits.

As we all know, the commerce of the world is constantly increasing, and greater and greater demands are being placed on the present canal. While there can be no firm estimate of the time when the present canal will be unable to service all of the ships that present themselves for transit, it is clear that that day is coming and we must prepare for it.

I submit that this legislation furnishes a relatively inexpensive and, at the same time, effective means of securing the information that we in the Congress will require for an intelligent determination of our course when the question arises with respect to improved transit facilities. I strongly urge the enactment of this bill, and I call the attention of the House to the fact that whether or not we construct a canal within our lifetime, the knowledge gained from the studies underway will be available to future generations for their consideration.

Mr. GROVER. Mr. Speaker, I yield 6 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Speaker, I take this time to ask the chairman of the committee a question or two concerning this bill. How much has been spent on exploration with respect to a new canal in recent years? Can the gentleman give us some information as to how much has been spent for this purpose?

Mr. GARMATZ. The last expenditure was authorized in 1947.

Mr. GROSS. Was this the $17.5 million the gentleman was talking about?

Mr. GARMATZ. This new legislation is $17.5 million. The time was set from 1964 until the present date.

Mr. GROSS. That totals how much of an expenditure for this exploration?

Mr. GARMATZ. Seventeen and one-half million dollars. Now there is another request for $6.5 million.

Mr. GROSS. But has not the Corps of Engineers spent some money on studies through the years for a new canal?

Mr. GARMATZ. They have acted as engineering consultants for the Canal Commission.

Mr. GROSS. That may be, but have they not spent a considerable amount of money on studies throughout the years?

Mr. GARMATZ. Not to my knowledge. I do not think there has been any spent since 1947.

Mr. GROSS. The Commission was provided for by law on September 22, 1964, and it was 6 months later before the members were appointed? Is that correct?

Mr. GARMATZ. That is correct.

Mr. GROSS. Why was there such a delay in appointment of the commission members? Does the gentleman know?

Mr. GARMATZ. I am sure that was up to the administration, probably up to the President.

Mr. GROSS. Can the gentleman give us any idea how much the Atomic Energy Commission is spending with respect to the construction of a new sea-level canal?

Mr. GARMATZ. I will ask the gentlewoman from Missouri if she can answer that question, because she is the chairman of the Panama Canal Subcommittee.

Mrs. SULLIVAN. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentlewoman from Missouri.

Mrs. SULLIVAN. Mr. Speaker, in answer to the question of the gentleman from Iowa, through December 31, 1967, this Interoceanic Canal Commission has spent $12,294,000 of the $17.5 million that was appropriated. They have obligated more than $14,800,000. We were told that since December 31, 1967, this past year, they have obligated the balance of the $17.5 million already appropriated and they must have $6½ million more before the first of June or they cannot continue their work.

Mr. GROSS. Mr. Speaker, how much, in all conscience, is going to be spent on studies for a sea-level canal across Panama or Colombia, or any other country?

Mrs. SULLIVAN. If the gentleman will yield further?

Mr. GROSS. I yield to the gentlewoman.

Mrs. SULLIVAN. I would like to explain to the House, in answer to the first question of the gentleman, when he asked about the "Plowshare" program of the Atomic Energy Commission, none of the money spent by the Atomic Energy Commission is charged to the Atlantic-Pacific Interoceanic Canal Study Commission. The AEC is making tests, and they have had two successful tests the first 3 months of this year, one in January and one in the first part of March.

Mr. GROSS. Do we have any idea of the cost of that?

Mrs. SULLIVAN. No. We do not have the cost to the Atomic Energy Commission for these explosions.

If I may say this to the gentleman, the Commission came to us last year asking for some 2 years' extension of time and for another $6.5 million. We discussed this request in committee. We had hearings on it last year. The committee was unconvinced that they needed this additional $6.5 million to complete the work to be done in Colombia. The main work that must be done in Colombia is the geology work, the drilling work to find out whether the nuclear devices could be used in that area, and so forth.

We passed legislation last year extending their time but giving them no more money.

They came back again the first of this year and said they must have more money and they must have more time, until the end of December 1970, to finish their work in Colombia and to make the reports.

I have grave misgivings as to the need for this money, particularly because I did not feel the Commission had carried out its program as it was supposed to do; that was to make exploration outside of Panama as well as certain sites in Panama. The basic reason for setting up the Commission was to explore areas outside of Panama as well as within. But the greater portion of the appropriation has been spent in Panama.

Mr. GROSS. I say to the gentlewoman that I share the grave misgivings she has with respect to this particular project, and thank her for the information she has provided.

Mrs. SULLIVAN. If the gentleman will yield further, I should like to say this to the House, also: I have not been convinced that they need this additional money, but I felt that while I was somewhat prejudiced perhaps the Commission could convince the full committee. So I asked the chairman of the committee if he would call a meeting of the entire Committee on Merchant Marine and Fisheries so that the Commission members could possibly convince the entire committee that I was wrong and they were right. They did this. Later, in executive session the vote was taken, and mine I believe was the only "no" vote on the committee.

Mr. GROVER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I supported this legislation in committee, and I do support it today.

This legislation has the following purposes: To provide the Atlantic-Pacific Interoceanic Canal Study Commission an additional year in which to submit its report; and to authorize to be appropriated an additional $6½ million for the Commission to complete its work.

The basic enabling legislation authorizing the President to establish this Study Commission was enacted in September 1964. However, the Commission itself was not appointed until April 1965. Since that time, the Commission's work has been hampered by delays beyond its control, which in part accounts for the extension in time now being sought by H.R. 15190.

The purpose of this Commission is to make a full and complete investigation and study for the purpose of determining the feasibility of and the most suitable site for the construction of a sea-level canal connecting the Atlantic and Pacific Oceans.

Brig. Gen. Charles C. Noble, the Commission's engineering agent, cited the following specific areas of consideration in the engineering feasibility study when testifying before our Committee on Merchant Marine last month:

> (1) Meeting traffic demands by modernizing the existing lock canal;
>
> (2) Constructing a sea-level canal using conventional excavation methods;
>
> (3) Constructing a sea-level canal using principally nuclear excavation methods; and
>
> (4) Constructing a sea-level canal using a combination of conventional and nuclear excavation methods.

The Commission was originally authorized to have appropriated $17½ million. These funds now have been largely obligated, but the Commission's work has not been completed. The principal task remaining to be accomplished is the inspection of the route alinement in northwestern Colombia.

If denied the additional time and money sought by H.R. 15190, the Commission will not be able to appropriately and adequately conclude its work. The Nation, therefore, would not in my opinion receive an appropriate return on the moneys thus far invested in the project.

There is one other facet which has not been touched on today. We know there have been three rather unpopular treaties negotiated with Panama but not yet approved. If these treaties are approved, within 33 years the Panama Canal will be given, "locks," stock, and barrel, to the Panamanians. I believe recent incidents in Panama indicate that country is not quite ready to take over trusteeship of the Panama Canal.

If the Colombia site, to which this money would be applied, is fully explored then I think we have both a political bargaining tool and possibly ultimately a good option for a sea level canal. This is an option that should be fully investigated, and time would thus be given for the American people to look at these proposed treaties and perhaps bring pressure on the Senate of the United States to reject them.

There also is involved in the consideration of this legislation today a certain sense of urgency for taking timely action. As Commissioner Fields stated before our committee:

> If we [i.e., the Commission] don't know very soon, we are going to stop things and if we have to start them up six months from now, it is going to cost more than $6 million to get back to the information we need. I think we can give you a reasonable judgment if we have a fairly rapid indication that we should go on.

Accordingly, the principal issue posed by H.R. 15190 is simply one of whether we will choose to capitalize upon the millions of dollars which already have been invested in this effort, or whether we will refuse this request and settle for an inadequate report. At a time when a meaningful report is close at hand but for the additional time and money requested in this legislation, I see little choice but to pursue the study effort to its logical conclusion.

Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin [Mr. DAVIS].

Mr. DAVIS of Wisconsin. Mr. Speaker, I am not able to find on the floor any of the other members of the Public Works Appropriations Subcommittee, which recently held hearings with regard to this matter. It was quite clearly explained to us, I believe, that the studies must be continued on the Colombia site and also the eastern Panama site. On the proposed site along the Costa Rica and Nicaragua border, they have given up, practically, at this time as a source of study because they have found many obstacles in connection with it.

Mr. Speaker, I think it would be a mistake to drop the study at this time in view of the work that has already been done. I do not think we would want them to come in here and make recommendations to us on a matter which is admittedly critical without having an opportunity to complete the studies which we directed them to perform. I feel a little bit embarrassed about suggesting the authorization of additional money at this time, but I feel I must do so out of fairness because of the testimony that was submitted to our committee within the past 2 weeks. I think it would be a mistake to fail to pass this additional authorization.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Wisconsin. I yield to the gentleman from Iowa.

Mr. GROSS. What excuse can be given for the continued delay in making the report?

Mr. DAVIS of Wisconsin. I think they have probably run into some matters that required study that they did not sufficiently anticipate at the time they began. I do feel a very complete and thorough job is being contemplated. I do not think that we dare expect or anticipate anything less than this. This is a matter of considerable importance and one which will cost us a considerable amount of money. Failure to complete the studies would mean, I believe, that we would lack the information upon which to make our decision as to whether we should go ahead with the project at all.

Mr. GROSS. Is my friend from Wisconsin convinced that there is not a lot of slippage and a lot of waste of money in this exploration?

Mr. DAVIS of Wisconsin. I am not contending but what there has been some slippage. We all know they have fallen behind schedule. However, I do not feel that I have sufficient information arbitrarily to say here that they should not continue on with the studies in which they are now engaged. I think it would be a mistake for us to fail to get the information we directed them to get for us for the purpose of our making our decision.

Mr. GROVER. Mr. Speaker, I yield 3 minutes to the gentlewoman from Ohio [Mrs. BOLTON].

Mrs. BOLTON. Mr. Speaker, some of us have been very much troubled over the whole canal situation for some time, and I am one of those. I feel very, very disturbed over those treaties. We originally agreed that we would accept the responsibility for the protection of the Panama Canal in perpetuity. We now apparently are considering giving it over. As the gentleman said a few minutes ago, of course, Panama is not ready.

May I ask a question of, perhaps, the chairman of the committee—may I ask what has been the result of the stalemate in the midlevels of the two oceans? Is the Pacific at the same level as the Atlantic? Does anyone have an answer to that question?

Mr. GARMATZ. Mr. Speaker, will the distinguished gentlewoman from Ohio yield?

Mrs. BOLTON. I yield to the gentleman from Maryland.

Mr. GARMATZ. The level in comparison with the tides of the Pacific and the Atlantic is in my opinion 12 feet on the Atlantic and only 11 feet on the Pacific.

Mrs. BOLTON. In other words, only 1 foot difference?

Mr. GARMATZ. Yes; based upon the tides.

Mrs. BOLTON. Would that factor make a difference in the two canals which are proposed to be constructed?

Mr. GARMATZ. There is no difference at all; there is very little difference, with reference to the level of the canal. There is very little difference in the Atlantic and Pacific Oceans. In other words, the average level of the Atlantic with reference to the Pacific is relatively the same.

The very fact that most of the Commission's work to date has been done in Panama is the strongest argument for this legislation. We must have an option not to build in Panama and unless we proceed with the work in Colombia, we will not have one. The other routes through Costa Rica and Nicaragua are far longer and require vastly more excavation, which places them out of reach with respect to cost.

Mrs. BOLTON. And, how do they propose to even it up?

Mr. GARMATZ. Mr. Speaker, if the distinguished gentlewoman will yield further, to float it back and forth.

Mrs. BOLTON. In other words, there are no locks involved?

Mr. GARMATZ. No locks.

Mrs. BOLTON. No locks at all?

Mr. GARMATZ. That is correct. However, in connection with this colloquy I would like to mention the fact that the sum of some $17 million-odd, have been already expended largely upon the Panama Canal site.

Mrs. BOLTON. I thank the distinguished gentleman.

I would like to mention also the fact that $17 million, odd, have been expended largely in the Panama area, and as the gentleman from Maryland has said, it was supposed to have been expended outside of Panama, as I understood it. I cannot quite understand why we should OK something that was palpably wrong in its method and then put another $6 million down that drain.

Perhaps it will represent a lever against the Republic of Panama in its not wanting us to do certain things. After all, is the Republic of Panama this big and are we this big? Are we so afraid of Panama as compared to the strength of this country and have we lost our backbone and do we not stand up for those things for which America stands? In other words, I am amazed and I have a horrid feeling that these decisions have already been made.

Mr. GARMATZ. Mr. Speaker, will the distinguished gentlewoman yield further?

The SPEAKER pro tempore. The time of the distinguished gentlewoman from Ohio has expired.

Mr. GARMATZ. Mr. Speaker, I yield 1 additional minute to the distinguished gentlewoman from Ohio [Mrs. BOLTON].

The very fact that most of the Commission's work to date has been done in Panama, is the strongest argument for this legislation. We must have an option not to build in Panama and unless we proceed with the work in Colombia, we will not have one. The other routes through Costa Rica and Nicaragua are far longer and require vastly more excavation which places them out of reach with respect to cost.

Mrs. BOLTON. That is quite true, but why did we not begin with Colombia? Why did we wait until the last couple of months? It does not make sense to me.

Mr. GROVER. Mr. Speaker, will the distinguished gentlewoman yield?

Mrs. BOLTON. I yield to the distinguished gentleman from New York.

Mr. GROVER. I think I can answer that question by pointing to the fact that the negotiations with Panama were concluded on February 15, 1966, but there was some difficulty with Colombia and they did not enter into agreements with us until October 1966. So there was not any further effort made to proceed with reference to negotiations in Colombia.

Mrs. BOLTON. It is my opinion that it is very important that these facts should appear in the RECORD.

The SPEAKER. The time of the distinguished gentlewoman has again expired.

Mr. GARMATZ. Mr. Speaker, I yield 5 minutes to the chairman of the Subcommittee on the Panama Canal, the distinguished gentlewoman from Missouri [Mrs. SULLIVAN].

Mrs. SULLIVAN. Mr. Speaker, I feel I should explain to the House my reluctance to authorize more funds for this project. However, I do not intend to make a stiff fight against this bill.

This bill is identical to S. 1566 as introduced, which became law in an amended form on January 2, 1968.

There can be no question of the need of the Commission for additional funds if it is to complete the work originally planned. However, I have grave misgivings as to the direction that has been taken by the Commission in its activities, and I am not certain that the expenditure of this additional amount of money will be productive.

In the course of the hearings which I conducted as chairman of the Panama Canal Subcommittee of the Merchant Marine and Fisheries Committee some 4 years ago, it was stated that the proposed Commission would investigate routes not only in Panama but in adjoining countries, and it was implied, if not stated, that the occasion for this was potential difficulties in securing an agreement from Panama for the construction of a new canal.

The Commission upon its appointment immediately proceeded to work in Panama and to date has concentrated by far the greater part of its efforts in that country. It has checked no less than three routes in Panama and at this moment has virtually completed work on all three. It has undertaken no work in any country other than Panama, except that a small amount has been done in Colombia, and its appropriated funds are running out before any significant work will have been completed in Colombia.

In view of what I regard as the original intention with respect to canal surveys—to explore alternates in countries other than Panama—I am not convinced that the Commission has met its responsibilities. We are all aware of the disorders in Panama during the past 3 weeks, and very many of us know of the treaty that has been negotiated with Panama, under the terms of which we would surrender virtually all of our interest in the canal, forgo some $350 million owed to the United States on account of its construction, and would turn over the entire enterprise to Panama 21 years hence.

All of these things lead me to believe that somewhere in the Government is an expressed intent to confine our canal building to Panama regardless of surveys, political conditions or anything else, and I do not believe that this is to the best interests of the United States.

We are told that there is a possibility that a canal might be built by nuclear means either in Panama or Colombia. At the time of my hearings in September 1967, the Atomic Energy Commission had done no work leading to development of devices suitable for nuclear excavation. I am happy to report that since that time, in the first 3 months of this year, two of a series of six planned experiments have been conducted, and we are informed that they have been successful.

However, the major roadblock of the nuclear test ban treaty remains and we have no assurance that even if a suitable site for a nuclear canal can be found and appropriate nuclear devices can be devised, that the test ban treaty can be relaxed to the point to permit construction. Further, in view of the disorders in Panama, and the atmosphere surrounding the present treaty, I am not certain in my own mind that another canal will ever be built. In this respect, I call your attention to the fact that right now plans are under way to transport freight in containers from the Far East by ship to the west coast of the United States, by rail to the east coast, and by ship to Europe. This will eliminate a considerable part of the traffic on the canal.

With respect to bulk freight, the present canal will handle up to 50,000-ton vessels, and it appears that larger vessels might well seek toll-free routes since their cost of operation would be so low as not to justify payment of tolls.

Under these circumstances, I am not convinced of the need of this legislation and reluctantly must withhold my assent to it.

Mr. GARMATZ. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. MURPHY], a member of the committee.

Mr. MURPHY of New York. Mr. Speaker, I rise in support of the additional $6.5 million appropriation which I feel is vitally necessary to the successful and proper completion of the mission of the Interocean Canal Commission which was the subject of a resolution already passed by this House.

Some years ago we authorized $17.5 million to be spent by the Panama Canal Commission. The purpose of that $17.5 million was to have the President appoint a commission that would recommend to the Congress the feasibility of building another interocean canal.

This is the crux of the matter today. This House has already appropriated $17.5 million to do the job—the specific job—of making an engineering survey—an engineering study—to recommend the feasibility of building another interocean canal. We now find, some years later, due to means beyond the control of the Commission that an additional $6.5 million is necessary for that Commission to adequately report back to the Congress.

So here we are faced with this problem. Do we deny the $6.5 million, thereby telling the Commission—and this was the question I asked the chairman of the Commission during the committee hearings—I said what would be the result of denying this $6.5 million to the Commission, and he said categorically that they would come in with an inadequate report. That is, that the $12.5 million already spent and the other $5 million that will be spent, which is already obligated, will go down the drain in an incomplete engineering study.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. MURPHY of New York. I will be happy to yield to the gentleman from Iowa.

Mr. GROSS. If it is beyond the control of the Commission, under whose control is it?

Mr. MURPHY of New York. Unfortunately, the Commission got off on a little late start. Second, one of the reasons for that late start was this—it was to get the local authorizations in those countries, both Colombia and Panama, so that the site selection teams and the meteorological teams and the medical teams and hydrography teams could have the permission of the countries and the Provinces to go in and to do the proper surveys that were necessary.

This is what brought on the main problem. You see, the Panamanian jungles and the Colombian jungles are not exactly like Davenport, Iowa. You have the difficulty in the rainy season, which covers half of the calendar year, making it virtually impossible to do a certain portion of the engineering work during that time of the year.

That is one of the things that have delayed the Commission from completing its jobs. Also the problem of getting together proper and adequate engineers and capable scientists to come in and do this type of work has made it very, very difficult.

Now we come to the problem of the treaties.

Here we have three treaties that this Commission had nothing to do with. The

Commission had no responsibility to negotiate treaties. The Commission was specifically authorized to do one thing—report to the Congress on the feasibility of building an interocean canal.

The purpose of the three treaties was to negotiate in the following areas: a status of forces agreement, a treaty on the present canal, and a future interocean canal treaty.

That has nothing to do with the Commission and the report on the feasibility of completing this new interocean canal. So therefore I do not think we should consider the deliberation of this basic $6.5 million a question of Panama Canal treaties.

I think that should be left to the House Committee on Foreign Affairs and also to the Senate Foreign Relations Committee.

Now, so far as the Atomic Energy Commission is concerned, we now have this problem with the Atomic Energy Commission.

Several years ago when some of the cratering shots were to be fired the Arms Control and Disarmament Agency asked the President to delay for some period of time the firing of atomic weapons and nuclear weapons in this country. And that was done. This caused a delay beyond the control of the Commission.

However, I have here a report from the Atomic Energy Commission dealing with the latest cratering shots fired just a few weeks ago—a series of five nuclear explosions—and this is the picture developed—they were all 1.1 kiloton shots. These detonations were very successful shots, and I will leave this photograph here for Members of the House if you would like to look at it.

I would also like to include the report of the Atomic Energy Commission at this point:

U.S. Atomic Energy Commission,
Washington, D.C., March 26, 1968.

Hon. John M. Murphy,
Committee on Merchant Marine and Fisheries, House of Representatives.

Dear Mr. Murphy: In view of the interest of the House Committee on Merchant Marine and Fisheries in the Plowshare program, I would like to take this opportunity to report the preliminary results of Plowshare's most recent cratering experiment, Project Buggy.

Buggy, which was conducted on March 12, 1968, at the Nevada Test Site, consisted of the simultaneous detonation of a row of five nuclear explosives each having a yield of about 1.1 kilotons (equivalent to 1100 tons of TNT). The explosives were buried 135 feet deep in hard rock and were spaced 150 feet apart in a straight line.

I have enclosed a photograph of the resultant linear crater which is about 80 feet deep, 310 feet wide, and 930 feet long. These dimensions compare very favorably with the predictions of 40 to 100 feet deep, 120 to 280 feet wide, and 760 to 880 feet long. As a basis for comparative size of the crater, a truck can be seen just below center near the left margin of the photograph. Radioactivity released by the detonation was less than expected and caused no health or safety problems either on-site or off-site.

The experiment is considered a very significant step in the program to develop nuclear excavation technology, being this country's first nuclear row-charge excavation. Preliminary indications are that the experiment was highly successful in providing information about ditching effects using nuclear explosives in hard rock.

If you desire further information on Project Buggy or the Plowshare program, please feel free to contact me.

Sincerely yours,
John S. Kelly,
Director, Division of Peaceful Nuclear Explosives.

Mr. GARMATZ. Mr. Speaker, I yield an additional minute to the gentleman from New York [Mr. Murphy].

Mr. MURPHY of New York. Mr. Speaker, I am happy to yield to the gentleman from Iowa.

Mr. GROSS. The gentleman has said that these proposed treaties have nothing to do with the work of the Commission on the Selection of a Sea-Level Canal. I say to the gentleman that I serve on the Inter-American Subcommittee. We did have hearings on this subject. They have everything to do with it in this respect. Who is going to control the new canal, if there is to be a new canal? I think some of us would like to know before we go very much further spending millions of dollars on explorations and surveys in this respect. I say it has everything to do with it.

Mr. MURPHY of New York. It does have everything to do with it, and it will take an accurate and a correct engineering study to determine whether or not the Colombia route or the Panama route or both are feasible to build an interocean canal, whether or not nuclear explosives can be used along the Colombia route or along the Panama route; these will be key discussions in the preliminary work in our treaty negotiations.

Mr. GROSS. Practically all the money has been spent in Panama, and very little in Colombia.

Mr. MURPHY of New York. I would like to say this to the gentleman from Iowa. The gentleman from New York [Mr. Grover] and I have spent many days in the jungle sites in Panama and along the Atrato River in Colombia. Much work has been done on the Atrato River site for the past 2 years. We have gone down to those jungles each year and have visited every site. We have witnessed the problems of those site engineers and have seen what the scientists have faced. We have observed the amount of work that has been done. I assure the gentleman the Colombia route is receiving every bit as much attention as has the Panamanian route studies. That is why we need the additional $6.5 million. We need it to come up with an accurate and definitive engineering recommendation to this Congress.

My colleagues, do not throw away $17.5 million by voting down the authorization requested here today. It is false economy to deny this Commission this small increment of funding which is vital to their properly completing their mission. Specifically to fulfill the duty assigned to them by this Congress of recommending the site of a new interocean canal.

Mr. GARMATZ. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. Clark].

Mr. CLARK. Mr. Speaker, I believe that this bill is necessary for the commerce of the United States. It is essential that we maintain free passage between the Atlantic and Pacific Oceans, by reason of the fact that almost 70 percent of the commerce through the canal originates or terminates in the United States.

The present canal has a limited future life and we must plan for another means of transit. A complete report from this Commission will enable the Congress to determine what steps should be taken to safeguard our commercial and defense interests in the area.

I am for this legislation as I want Colombia to be surveyed as the country for the new canal.

I strongly urge adoption of the bill.

The SPEAKER. The question is on the motion of the gentleman from Maryland that the House suspend the rules and pass the bill H.R. 15190.

The question was taken.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 216, nays 137, not voting 80, as follows:

[Roll No. 79]

YEAS—216

Adams
Addabbo
Albert
Anderson, Ill.
Annunzio
Aspinall
Ayres
Barrett
Bates
Bell
Biester
Blanton
Blatnik
Boland
Bow
Brasco
Brown, Calif.
Burke, Mass.
Burleson
Burton, Calif.
Byrne, Pa.
Cabell
Cahill
Cederberg
Celler
Clark
Cohelan
Collier
Conable
Conyers
Corbett
Culver
Daddario
Daniels
Davis, Wis.
Dawson
de la Garza
Dellenback
Denney
Donohue
Dorn
Dow
Downing
Eckhardt
Edmondson
Edwards, Ala.
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Esch
Evans, Colo.
Evins, Tenn.
Fascell
Feighan
Findley
Flood
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fuqua
Galifianakis
Gallagher
Garmatz
Giaimo
Gilbert
Gonzalez
Gray
Griffin
Griffiths
Grover
Gubser
Gude
Hamilton
Hanley
Hanna
Hansen, Idaho
Hansen, Wash.
Hardy
Harvey
Hathaway
Hays
Hébert
Hechler, W. Va.
Helstoski
Hicks
Holifield
Horton
Hosmer
Howard
Irwin
Jacobs
Joelson
Johnson, Calif.
Johnson, Pa.
Jones, Ala.
Jones, N.C.
Kazen
Kee
Keith
Kelly
Kirwan
Kleppe
Kluczynski
Kornegay
Kyros
Leggett
Lennon
Lloyd
McCarthy
McClure
McDade
McDonald, Mich.
McEwen
McFall
Macdonald, Mass.
Machen
Mailliard
Mathias, Calif.
Meeds
Miller, Calif.
Minish
Mink
Monagan
Moorhead
Morgan
Morris, N. Mex.
Morse, Mass.
Morton
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nelsen
O'Hara, Ill.
O'Hara, Mich.
Olsen
O'Neill, Mass.
Ottinger
Patten
Pelly
Perkins
Pettis
Philbin
Pickle
Pirnie
Podell
Poff
Pollock
Price, Ill.
Price, Tex.
Pucinski
Railsback
Rees
Reid, N.Y.
Reinecke
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Robison
Rodino
Rogers, Colo.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Ruppe
Ryan
St Germain
St. Onge
Sandman

Schadeberg
Scheuer
Schneebeli
Schweiker
Schwengel
Shipley
Shriver
Sikes
Sisk
Slack
Smith, Iowa
Stafford
Staggers
Stanton
Steiger, Wis.
Taft
Taylor
Thompson, N.J
Thomson, Wis.
Tiernan
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waggonner
Whalen
White
Whitten
Williams, Pa.
Willis
Wright
Wyatt
Wydler
Wyman
Yates
Young
Zwach

NAYS—137

Abernethy
Adair
Andrews, Ala.
Arends
Ashbrook
Ashley
Ashmore
Baring
Battin
Belcher
Bennett
Berry
Betts
Bevill
Blackburn
Bolton
Bray
Brinkley
Broomfield
Brotzman
Brown, Mich.
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Carter
Chamberlain
Clancy
Clawson, Del
Cleveland
Colmer
Conte
Cowger
Cunningham
Curtis
Davis, Ga.
Delaney
Derwinski
Devine
Dickinson
Dole
Dulski
Duncan
Dwyer
Everett
Fisher
Flynt
Foley
Fulton, Tenn.
Gathings
Goodling
Gross
Hagan
Haley
Hall
Halleck
Hammerschmidt
Harrison
Harsha
Heckler, Mass.
Hungate
Hunt
Hutchinson
Ichord
Jarman
Jonas
Jones, Mo.
Karth
Kastenmeier
King, N.Y.
Kuykendall
Kyl
Laird
Langen
Latta
McClory
McCulloch
McMillan
MacGregor
Mahon
Marsh
Martin
May
Mayne
Meskill
Michel
Miller, Ohio
Mills
Minshall
Montgomery
Myers
Nichols
O'Konski
O'Neal, Ga.
Passman
Patman
Pike
Poage
Pryor
Purcell
Quillen
Randall
Rarick
Reid, Ill.
Reifel
Roberts
Rogers, Fla.
Roudebush
Roush
Satterfield
Saylor
Scherle
Scott
Smith, Calif.
Smith, Okla.
Snyder
Springer
Steiger, Ariz.
Stephens
Stratton
Stuckey
Sullivan
Talcott
Teague, Calif.
Thompson, Ga.
Tuck
Utt
Waldie
Wampler
Watkins
Watson
Whitener
Widnall
Wiggins
Wolff
Wylie
Zion

NOT VOTING—80

Abbitt
Anderson, Tenn.
Andrews, N. Dak.
Bingham
Boggs
Bolling
Brademas
Brock
Brooks
Brown, Ohio
Burton, Utah
Bush
Button
Byrnes, Wis.
Carey
Casey
Clausen, Don H.
Corman
Cramer
Dent
Diggs
Dingell
Dowdy
Eshleman
Fallon
Farbstein
Fino
Gardner
Gettys
Gibbons
Goodell
Green, Oreg.
Green, Pa.
Gurney
Halpern
Hawkins
Henderson
Herlong
Holland
Hull
Karsten
King, Calif.
Kupferman
Landrum
Lipscomb
Long, La.
Long, Md.
Lukens
McCloskey
Madden
Mathias, Md.
Matsunaga
Mize
Moore
Nix
Pepper
Pool
Quie
Resnick
Riegle
Rivers
Rostenkowski
Roth
Roybal
Rumsfeld
Selden
Skubitz
Smith, N.Y.
Steed
Stubblefield
Teague, Tex.
Tenzer
Tunney
Walker
Watts
Whalley
Wilson, Bob
Wilson, Charles H.
Winn
Zablocki

So (two-thirds not having voted in favor thereof) the motion was rejected.

The Clerk announced the following pairs:

Mr. Dent with Mr. Brown of Ohio.
Mr. Green of Pennsylvania with Mr. Mathias of Maryland.
Mr. King of California with Mr. Lipscomb.
Mr. Brademas with Mr. Cramer.
Mr. Farbstein with Mr. Byrnes of Wisconsin.
Mr. Resnick with Mr. Whalley.
Mr. Roybal with Mr. Halpern.
Mr. Stubblefield with Mr. Goodell.
Mr. Zablocki with Mr. Fino.
Mr. Matsunaga with Mr. Kupferman.
Mr. Hull with Mr. Andrews of North Dakota.
Mr. Tenzer with Mr. Brock.
Mr. Teague of Texas with Mr. Don H. Clausen.
Mr. Selden with Mr. Quie.
Mr. Madden with Mr. Skubitz.
Mr. Henderson with Mr. Bob Wilson.
Mr. Charles H. Wilson with Mr. Gurney.
Mr. Carey with Mr. Burton of Utah.
Mr. Long of Louisiana with Mr. Mize.
Mr. Casey with Mr. Eshleman.
Mr. Abbitt with Mr. Riegle.
Mr. Landrum with Mr. Button.
Mr. Walker with Mr. Lukens.
Mr. Pepper with Mr. Roth.
Mr. Rivers with Mr. Bush.
Mr. Watts with Mr. Winn.
Mr. Holland with Mr. Diggs.
Mr. Rostenkowski with Mr. Nix.
Mr. Dingell with Mr. Hawkins.
Mr. Bingham with Mr. Smith of New York.
Mr. Anderson of Tennessee with Mr. Moore.
Mr. Karsten with Mr. McCloskey.
Mr. Boggs with Mr. Rumsfeld.
Mr. Corman with Mr. Gardner.
Mr. Fallon with Mr. Gettys.
Mr. Steed with Mr. Gibbons.
Mr. Brooks with Mr. Tunney.
Mrs. Green of Oregon with Mr. Herlong.
Mr. Dowdy with Mr. Long of Maryland.

Mr. **HUNGATE** changed his vote from "yea" to "nay."

Mr. **KASTENMEIER** changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

INDEPENDENCE NATIONAL HISTORICAL PARK, PHILADELPHIA

Mr. **TAYLOR**. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6347) to amend the act of June 28, 1948, as amended, relating to the acquisition of property for the Independence National Historical Park.

The Clerk read as follows:

H.R. 6347

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 6 of the Act entitled, "An Act to provide for the establishment of the Independence National Historical Park, and for other purposes," approved June 28, 1948 (62 Stat. 1061), as amended, is further amended by striking out "$7,950,000" and inserting in lieu thereof "$11,200,000."

The **SPEAKER** pro tempore (Mr. ALBERT). Is a second demanded?

Mr. **SAYLOR**. Mr. Speaker, I demand a second.

The **SPEAKER** pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The **SPEAKER** pro tempore. The gentleman from North Carolina [Mr. TAYLOR] will be recognized for 20 minutes and the gentleman from Pennsylvania [Mr. SAYLOR] will be recognized for 20 minutes.

The Chair recognizes the gentleman from North Carolina [Mr. TAYLOR].

Mr. **TAYLOR**. Mr. Speaker, I yield such time as he may consume to the gentleman from Colorado [Mr. ASPINALL].

Mr. **ASPINALL**. Mr. Speaker, it is a great pleasure for me to recommend to the Members of the House the bill (H.R. 6347) which is now before us.

This legislation is designed to complete the acquisition program at the Independence National Historical Park which the Congress authorized in 1948. It provides the funds necessary to acquire the last remaining parcel of land in private ownership which is within the boundaries of the park.

This property—which consists of a 16-story office building and two other smaller structures which are totally incompatible with the historic setting—can be acquired for $3,250,000. The National Park Service presently has an option for the purchase of this property at this price and the committee has been advised that this is the fair market value of the property according to the appraisals made by the National Park Service.

In short, H.R. 6347 merely provides the necessary authorization for this particular acquisition. This is accomplished by amending the basic act of 1948 to increase the amount authorized to be appropriated from $7,950,000 to $11,200,000.

I might say, parenthetically, Mr. Speaker, that the authorizing committee feels that this procedure is the only way to keep projects of this sort honest. If there were no limitation on the amount authorized to be appropriated, then it would be very difficult for the Congress to maintain adequate surveillance over these programs. Under this procedure, we generally authorize the amount estimated to be needed by the authorizing agency. Then, if it is impossible for the agency to stay within the limits of its own estimates, we say that the agency must come to the Congress again and justify any additional outlay.

Mr. Speaker, we are approaching the bicentennial of our national independence. It is hoped and anticipated that some 6 million Americans will visit this most revered treasure of our national history. If those visitors—and the millions who will come after them in succeeding years—are to experience the fullest measure of the "Spirit of '76," then it is essential that we act now to acquire this last parcel of nonhistoric property within the boundaries of this national historical park.

In conclusion, Mr. Speaker, I want to say that our colleague from Pennsylvania [Mr. BYRNE], who sponsored H.R. 6347, has been a most persistent proponent of this national historical park. His active interest, together with that of my friend from Philadelphia [Mr. EILBERG], has been most helpful to the committee in the consideration of this legislation.

Mr. Speaker, as chairman of the Interior and Insular Affairs Committee, I recommend the favorable consideration of H.R. 6347.

Mr. **GROSS**. Mr. Speaker, will the gentleman yield?

Mr. **ASPINALL**. I yield to my good friend, the gentleman from Iowa.

Mr. **GROSS**. I thank the gentleman for yielding.

What is the proximity of this property to Independence Hall in Philadelphia?

Mr. **ASPINALL**. There are three blocks that are involved in this unit. This area, as I understand, is the southwest corner of the three-block area. It would be about a block and a half, a block and three-quarters from Independence Hall.

Mr. GROSS. The gentleman is saying that this is necessary for the preservation of this historic site.

Mr. ASPINALL. It is my opinion that it is. A good case was made, may I say to my good friend. Usually, I am not too much in favor of just tearing down a building because of the fact that it happens to be an old building in a particular area. But certainly this high-rise building in this particular area does take away from this particular spot the advantages that we should have present in a national historic area.

Mr. GROSS. The site on which the present buildings exist will be converted into a park?

Mr. ASPINALL. It will be just converted into a park like the rest of it. There will be no building left.

Mr. GROSS. Subject to public use?

Mr. ASPINALL. That is correct. It would be subject to public use.

Mr. GROSS. How much more property will it be necessary to acquire?

Mr. ASPINALL. This is the last of this unit. It will depend entirely, as far as future purchases are concerned, upon action by Congress. But at the present time we have no legislation before the committee for additional areas.

Mr. GROSS. What has the Federal Government already expended in this particular situation?

Mr. ASPINALL. The original authorization was $7,950,000. This measure would raise the authorization to $11,200,000.

Mr. GROSS. The sum of $11,200,000, and this is the last, so far as the gentleman knows, from the standpoint of acquiring property?

Mr. ASPINALL. Of this unit; that is correct.

Mr. GROSS. Does the gentleman know—as I usually inquire in cases of this kind—whether the last time we had this request, we were told that would be the last time the request would be made?

Mr. ASPINALL. No. May I answer my good friend from Iowa, we have never been told this is the last request, and I suppose we are not being told that now. We knew this property would have to be acquired sooner or later. Plans have been made for that. This has been a business building, held by a life insurance company.

Mr. GROSS. The chairman is saying, so far as he knows now, this is the last real estate acquisition necessary for the preservation of this site?

Mr. ASPINALL. So far as the gentleman now speaking knows, there will be no other request in this particular area.

Mr. HALEY. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from Florida.

Mr. HALEY. Mr. Speaker, may I say, the Members of the House know I am not a spendthrift. I do not like to spend the taxpayers' money. But here is something that above all things should be historically important to the people of America—that is, the preservation of this historical monument, where this Nation was born, and where the Founding Fathers set up this Nation and all the machinery that has so successfully operated all these years.

We spend billions of dollars in many projects I think are not worthwhile. As a matter of fact, a few years ago I was somewhat alarmed, as the gentleman from Colorado knows, when we had before our committee some members of a national memorial board and we were trying to establish a national monument where two of the signers of the Declaration of Independence were buried, and they had arrived at the conclusion that this was not of such national significance that it should be set aside as a national memorial. I say if we are going to continue to honor the people and men who brought forth this great Nation, I think this is money we can well afford at this particular time, and we should do away with some other things that probably are not as important.

I thoroughly agree with the gentleman. I agree with the gentleman who introduced the bill that this is a historical monument that should be preserved for all Americans to go and see.

Mr. ASPINALL. I thank my friend from Florida. I think his evaluation is 100 percent correct.

Mr. SAYLOR. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from Pennsylvania.

Mr. SAYLOR. Mr. Speaker, I concur in the statement of the gentleman from Colorado in regard to the acquisition of this piece of property. This property was included in the original bill, introduced by our colleague, the gentleman from Pennsylvania [Mr. BYRNE], and at the insistence of the company at that time, we eliminated this building. Now, development has taken place, and the purchase price which is here fixed is the lowest appraisal that has been made by any of these appraisals, and I think it should be acquired at this time.

Mr. ASPINALL. Mr. Speaker, if the gentleman will permit, the building has outgrown the purpose for which it was constructed. If we do not pick it up at this time, the building will be renovated and refurbished and after many years we may have to acquire it at much greater cost.

Mr. SAYLOR. Mr. Speaker, this is correct. This is why I urge our colleagues at this time to accept this offer.

Mr. TAYLOR. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from North Carolina.

Mr. TAYLOR. Mr. Speaker, I agree with all that has been said. The insurance company moved out of this building because it could not expand and could not get other property. Only short-term leases have been entered into. We have an option. What is the alternative? If we do not take advantage of the option, the insurance company is going to make other plans. They are going to renovate the building and make long-term leases, and our opportunity to get it at a reasonable price will be gone.

Mr. ASPINALL. Mr. Speaker, I thank my friend, the gentleman from North Carolina.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. Mr. Speaker, I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Speaker, I commend the chairman for his presentation and commend the ranking Republican Member of the committee for emphasizing the bipartisan support of this bill. I think it is a bill that is very deserving of support on both sides of the aisle. I commend the gentleman from Philadelphia [Mr. BYRNE] who has been the champion of this development for many years. I hope this bill will be passed without a dissenting vote.

Mr. ASPINALL. Mr. Speaker, I thank my friend, the gentleman from Oklahoma.

Mr. CAHILL. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I am glad to yield to the gentleman from New Jersey.

Mr. CAHILL. I should like to join my colleagues in commending the chairman and the ranking member, the gentleman from Pennsylvania [Mr. SAYLOR], for the work which has been done on Independence Hall.

As the gentleman probably knows, I have represented the district in New Jersey immediately across the Delaware River from Philadelphia; therefore, I have had an opportunity of observing since 1948 the work which has been done by the committee and the members of the committee. I believe that all of the people not only of that area but of the entire country, of both political parties, owe the committee a vote of thanks for what they have done at this shrine.

In all fairness, I believe the one man who deserves the credit more than anyone else is the gentleman from Pennsylvania, the distinguished Representative from Philadelphia, JAMES BYRNE. It has been his leadership and his dedication to this shrine which has brought forth the beauty and has brought forth the improvements that have really made it something all Americans can be proud of. I know I speak for the Members on my side of the aisle when I say that Representative BYRNE has truly done an outstanding job.

Mr. ASPINALL. I wish to thank my friend. I join with him in commendations to our colleague from Pennsylvania [Mr. BYRNE]. He is one of the most pleasant prodders I have among the Members of the House.

Mr. TAYLOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. TAYLOR. Mr. Speaker, in 1948 the Congress authorized a program of acquiring the properties in the vicinity of Independence Hall in the city of Philadelphia. The purpose was to restore the area to something approximating its appearance during the American Revolution and the years that followed that great event. Today Independence National Historical Park is one of our national treasures and one of the great attractions of the system of parks that is administered by the National Park

Service. In 1966, for instance, it was visited by 2,750,000 persons.

As presently constituted, Independence National Historical Park comprises a little less than 22 acres, of which nearly 16 acres are owned by the United States. The remainder of this area, with one exception, is owned by the city of Philadelphia, private nonprofit organizations, and the State of Pennsylvania. Included in the park are a number of historic structures—Independence Hall itself; Carpenters Hall, where the First Continental Congress met; Philosophical Hall, the home of the American Philosophical Society founded by Benjamin Franklin; and the First and Second Banks of the United States, the names of which speak for themselves. In the vicinity are a number of other historic structures which belong to the same period and are administered by or in cooperation with Independence National Historic Park—Christ Church, St. George's Church, Old Swedes' Church, Mikveh Israel Cemetery, the Bishop White House, Franklin Court, the Deschler-Morris House where George Washington lived in 1793 and 1794, and many others.

The purpose of the bill we are now considering, H.R. 6347, is to make provision for acquiring the last remaining nonconforming parcel of land within the area, bounded on the north by Chestnut Street, on the south by Walnut Street, and on the east and west by Third and Sixth Streets, respectively. The property is now owned by the Reliance Insurance Co. On it are a 16-story office building and two smaller structures which, if the historic scene on which they stand is to be fully restored and preserved, ought to be torn down.

The company is willing to sell its property to the United States for $3,250,000 and has given the National Park Service an option to buy at that price. Testimony before our Subcommittee on National Parks and Recreation was to the effect that this is less than the lowest of several appraisals made for the company and that the National Park Service regards it as a fair figure.

We all realize that these are tight budget days, but I believe and our committee believes that acquisition of this property ought not to be delayed any longer. The bicentennial of the Declaration of Independence is not many years away. Independence National Historical Park will be the focus of attention for the celebrations that will come with the bicentennial. The Park Service is anticipating 6 million visitors to the park that year. They are very properly looking ahead and preparing for this event. Acquisition of the Reliance Insurance Co. property and restoration of the scene is one part of the program. But this will all take time. It will take time to get the necessary appropriations even after this bill becomes law. It will take time for the present tenants of the building to make arrangements for other office space and, after they are out, to demolish the building, fill in the excavations, and landscape the site to conform with the rest of the area.

Most important, however, is the question of price. As elsewhere, we may assume, real estate prices in Philadelphia are rising. Although the insurance company has been very cooperative thus far—and I personally want to thank it for its public-spirited attitude—it would be unfair for anyone to ask it to extend its option indefinitely without taking a fresh look at the price that is now agreed upon. This, I say, is to me a very compelling reason for our taking favorable action on this bill this afternoon.

In substance, what H.R. 6347 does is to raise the amount authorized to be appropriated for acquisition of property for the Independence National Historical Park by the amount required to pay the option price. The land and water conservation fund will be available for appropriations for this purpose. There will be other costs, now estimated at $580,000, which will be borne by the National Park Service from its regular sources of revenue. This amount is that which, it is thought, will be needed for demolition, backfill, and landscaping.

Mr. Speaker, I urge the House to act favorably on H.R. 6347.

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, I rise in support of H.R. 6347, a bill to amend the act of June 28, 1948, relating to the acquisition of property for the Independence National Historical Park.

The act of June 28, 1948, authorized the establishment of Independence National Historical Park, in the city of Philadelphia, Pa., for the purpose of preserving for the benefit of the American people as a national historical park, certain historic structures and properties of outstanding national significance associated with the American Revolution and the founding and growth of these United States.

Acquisition of these properties was originally begun as part of the National Park Service "Mission 66 project." Today, the acquisition program for this historic park remains uncompleted. There remain three nonhistoric buildings in the central unit of the park which intrude upon the scenic and historic integrity of this national shrine. H.R. 6347, if passed and the moneys appropriated, will eliminate this intrusion and permit the completion of the acquisition program for the park.

H.R. 6347 increases the amount authorized to be appropriated for the acquisition of property for the Independence National Historical Park from $7,950,000 to $11,200,000. The increase of $3,250,000 will permit the acquisition of the remaining nonhistoric structures which comprise a 16-story office building and two adjacent smaller buildings. These nonhistoric structures are presently owned by the Reliance Insurance Co. The company has executed an 18-month option to sell these properties to the United States for $3,250,000. This amount is substantially less than the lowest appraisal made for the company. The option to purchase these properties will expire on October 31, 1968.

Acquisition of these properties is necessary because they are not compatible with the plans and design of the historical park. After acquisition, the plans call for the demolition of these structures in order to interpret and portray the area as it existed in 1776.

Mr. Speaker, in view of the pending bicentennial celebration commemorating the 200th anniversary of our Nation, the acquisition of these properties becomes most important. It is most important that we portray accurately on our 200th birthday, the birthplace of our Nation and the cradle of its liberty and freedom.

Mr. Speaker, perhaps the four most significant and inspiring symbols of our American heritage are: our flag, the Statue of Liberty, these hallowed Halls we now occupy, and Independence National Historical Park, the birthplace of our Nation.

H.R. 6347 seeks to preserve a part of that American heritage. I urge its favorable consideration.

Mr. BARRETT. Mr. Speaker, I rise in support of H.R. 6347. The Congress has very wisely been providing the means for the celebration of our Nation's 200th anniversary, which will take place in 1976. As part of the preparation for that historic occasion an area of Philadelphia is being restored to its colonial character and style.

This bill will provide the needed authority to complete the acquisition of the last remaining tract of commercial land remaining within the boundaries of Independence National Historical Park. This park includes a number of restored colonial structures which are historic landmarks—Independence Hall, Carpenters Hall, Philosophical Hall, Library Hall, the First and Second Banks of the United States, and others. The parcel of land which will be acquired under the authority of this bill is occupied by three buildings—one of them a 16-story office building—which are completely out of keeping with the historic structures in the remainder of the park.

The restoration of this area is a joint effort by the city of Philadelphia, the State of Pennsylvania, the Federal Government, and private nonprofit organizations. To lose this opportunity to acquire this parcel of land, at what is considered a very reasonable price to the Government, would not be in keeping with the wisdom displayed heretofore. I therefore urge the prompt passage of the bill.

Mr. BYRNE of Pennsylvania. Mr. Speaker, I am enthusiastically in support of H.R. 6347, a bill I introduced for the acquisition of property for Independence National Historical Park. I would like to take this opportunity to express my gratitude to Chairman WAYNE N. ASPINALL, Subcommittee Chairman ROY A. TAYLOR, and the members of the full committee and the subcommittee for reporting it out unanimously. I feel this proposal is of great value and significance to Independence National Historical Park, to greater downtown Philadelphia, and, of course, to the Nation.

The citizens of Philadelphia and Pennsylvania have for the past 20 years shared in the steady development of the Independence Park. They have applauded the many efforts which have drawn public interest to this part of the city which saw the birth of the Declaration of Independence. The millions of visitors who have made Philadelphia's "old city" a must in their vacation plans are testimony to the vision and the imagination of the Advisory Commission and to all those organizations and individuals who played a part in the transformation.

Now the Nation looks forward with enthusiasm and anticipation to the coming decade with all of the significance that it holds—Philadelphia will share with other cities and communities the planning, the coordinating and the plain hard work in preparation for the 200th anniversary of the American Revolution. In Philadelphia, I have learned that we may expect over 6,000,000 visitors at Independence Park. For so many reasons, it is timely that we get on with the work in the very heart of Independence Park.

Independence National Historical Park was established on July 4, 1956 pursuant to the act of June 28, 1948—Public Law 795. The legislation called for a unique degree of cooperation between the city of Philadelphia, the Carpenters' Co., the National Park Service, and many other formal and informal civic and business groups.

That this cooperation has been eminently successful is now most evident when one visits the park. Through the extensive, careful restoration of buildings and their furnishings, streets, walks and gardens, the visitor gains an indelible impression of life in late 18th century Philadelphia, and of concern of citizens for the future of the Nation and its form of government.

Acquisition and development of the park began with Independence Square, where buildings owned by the city were studied, later restored, and then interpreted for visitors by the Park Service. Acquisition and restoration of other Project A properties continued as rapidly as studies and available funds permitted.

The act of 1948 describes Project A as "an area of three city blocks bounded generally by Walnut Street, Fifth Street, Chestnut Street, and Second Street, but excluding the new U.S. Customhouse." This recommendation was made in the December 29, 1947, report of the Philadelphia National Shrines Park Commission. As I have indicated, the Irvin Buildings will complete what thus far has been so admirably accomplished in the Project A area.

The Irvin Building complex is now owned by the Reliance Insurance Co. of Philadelphia, a most public-spirited party to the Independence Park project. Since the establishment legislation, this company, finding itself within park boundaries, has, of course, been unable to contemplate expansion of its physical plant to meet its growing operations, nor could it interest other organizations in the purchase of the property. Hence, it has offered to sell the property to the United States for $3,250,000. An appraisal by the Department of the Interior supports this figure. Meanwhile, Reliance has relocated its main offices to another more central part of the city in the modern Penn Center Plaza.

H.R. 6347, which I introduced on March 1, 1967, would make possible this acquisition by an amendment to the Establishment Act of 1948 (62 Stat. 1061), as amended, by changing the authorized appropriation, now $7,950,000 to $11,200,000, the difference constituting the appraised value of the Irvin Building and its associated structures.

Thanks to the support of my colleagues, H.R. 6347 passed the House on April 1, 1968, and I sincerely hope it will be considered favorably by the Senate of the United States in the near future. It is most timely in view of the circumstances of both parties to the transaction, and it has singular importance in the light of the forthcoming American Revolution Bicentennial.

May I say, personally, I am honored and privileged to represent the congressional district in which the "Cradle of Liberty" is located. Independence National Historical Park has been, and will always be, the object of my personal attention and effort.

The **SPEAKER** pro tempore. The question is on the motion of the gentleman from North Carolina that the House suspend the rules and pass the bill H.R. 6347.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. **TAYLOR**. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on the bill H.R. 6347.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

PRESIDENT JOHNSON SHOULD RECONSIDER HIS DECISION AND RUN FOR REELECTION

Mr. **PATMAN**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. **PATMAN**. Mr. Speaker, President Johnson should reconsider and reassess his decision not to seek reelection.

President Johnson's leadership is needed now more than ever. We are entering a critical period in Vietnam and a critical period on the domestic front. President Johnson must lend his continued leadership to the solution of these problems.

Mr. Speaker, I hope that the leaders of the Democratic Party and the rank and file members of our party will do everything to urge the President to reconsider his decision. I hope the President will modify his position and agree to accept a draft.

If President Johnson goes through with his decision, the country's leadership will be gravely weakened and we will, in effect, be in a long period of "lame duck" status. At this critical juncture in our history, we cannot afford a period of diminished influence from the White House. With all due respect to the other leaders in the Democratic Party, we simply do not have anyone who could match the leadership, the strength, and the influence of Lyndon Baines Johnson.

Last night, the President made a magnificent speech outlining a clear course of action in Vietnam and at home. His speech was a magnificent document, but its stated aims can be carried out only if Lyndon Johnson will agree to continue his service to the country.

For example, Mr. Speaker, we need immediate action on a tax increase. President Johnson outlined this need in his speech last night. We must have this tax increase if we are to head off ruinous inflation. I am gravely concerned that the President's decision may weaken congressional resolve to face up to the economic facts and pass a tax increase.

We have a known, proved way of stopping inflation; that is, by taxes to siphon off excess purchasing power. That is the way which is effective, which has been proved, which should be used.

Mr. Speaker, none of us want higher taxes but inflation would be a much crueler blow. The tax increase that has been proposed by the President and so far refused by the Congress is a reasonable approach to our economic problems.

The proposed tax bill will not be a heavy burden on anyone. The first measure that Lyndon Johnson pushed through as President was a reduction in taxes—a reduction of about $15 billion in 1964. Now, he proposes a 10-percent surcharge which would raise about $10.3 billion in new taxes.

So, Mr. Speaker, compared with the earlier tax reduction, President Johnson's request is not an onerous burden on the people. Instead, it is a necessary move to strengthen the economy, to meet our war needs in Vietnam, and to prevent inflation. This tax measure, in my opinion, is the most critical problem facing the Congress and this bill should be passed without further delay.

Mr. Speaker, the tax bill is but one of a multitude of reasons why we need the continued leadership of President Johnson. I plead with the President to reconsider his decision and to give fully of his services and his leadership to the people of the United States.

PRESIDENT JOHNSON'S EARNEST AND DEVOUT DEDICATION TO THE SEARCH FOR AN HONORABLE AND ENDURING PEACE IN SOUTHEAST ASIA

Mr. **WRIGHT**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. **WRIGHT**. Mr. Speaker, the stunning announcement by President Johnson that he will not seek reelection has come as a shock and a surprise to the American people.

Perhaps it should not be surprising to

contemplate, however, that a climate of cynicism and distrust can sometimes make it necessary for even a President to resort to the ultimate in shock value in order for his words to be understood and believed.

President Johnson's earnest and devout dedication to the search for an honorable and enduring peace in Southeast Asia should never be doubted again by any American, however cynical, or by any foreigner however skeptical.

May this act of self-abnegation on the part of our President be clearly understood by Ho Chi Minh as evidence of our national will to work with him or anyone else in creating the framework for an honorable and enduring peace, and also as evidence of our complete unwillingness ever to accede to a phony peace based upon the surrender, sale or barter of the freedoms of those plain people whose freedoms we are sworn to defend.

May we in the Congress thus be inspired to rise above the pettiness of politics and division so that we can help provide the leadership that our people so desperately need in time of stress. May we have the honesty not to promise the impossible, not to pamper selfishness, but to show faith in the responsibility and patriotism of the American people—to raise taxes to the degree that is necessary to carry on the common struggle and to protect the American dollar and the American honor.

And may those preoccupied with seeking office return to the honorable priority of being Americans first and politicians second. May they recognize the moral and intellectual bankruptcy of trying to drive a wedge of disbelief between the American people and their national leaders. May they abandon the practice of blaming everything upon the President and face their own responsibilities.

I would hope that President Johnson might be prevailed upon to reconsider his decision not to accept the nomination. His administration has achieved more solid accomplishments for the American people than any other in history. But if his decision is indeed irrevocable, may the American people have the commonsense to follow not those who would divide us but those who would unite us, not those who promise the slick and easy way, but those who show us the honest way even if it be hard.

THE PRESIDENT WITHDRAWS

Mr. HANNA. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman California?

There was no objection.

Mr. HANNA. Mr. Speaker, the startling announcement that came as the President concluded his sincere and serious report to the people of America left me stunned. With others in responsible political office, I had consistently insisted that the President would, of course, be a candidate for renomination. I seriously doubt that there were more than a small handful of persons privy to the President's intentions prior to the announcement to the Nation and to the world.

This development, of course, will have a dramatic and determinative effect upon the campaign. A campaign which so far has held a unique content, the consistency of surprise. Caution dictates some thought before hasty conclusions be drawn as to what the full ramifications will be. Who is to be helped and who hindered is not so simple as to be readily discernible. One thing is sure, it is a new and different ball game and all the players will have to adapt to the new environment.

Gone is the luxury of attacking the specifics of the President's actions. Gone is the comfort of the broad platitudes and generalities that posed as alternatives. Exposure falls with full light now on those who propose so glibly "We can do better."

The announcement reveals something of our people and much about our President. The President in his action places his political career on the line to back the sincerity of his belief in a firm but restrained military stand. A stand that denies a military victory or a victory by violent intervention by our adversaries. At the same time he has restated a readiness to shift the conflict to a negotiation table.

President Johnson likewise placed the unity of his country above his personal ambition. Lyndon Johnson understands the prevalence of personification. We tend to personalize in some our joys and satisfactions. We personalize in another our aspirations and hopes. Many had personalized their dissatisfaction and frustration in the President. To unite the country the President has denied them this self-indulgent lightning rod. Now, perhaps, it can be seen that the illness lies not in the President but in the events and in ourselves. Only as we conquer our shortcomings can we subdue events. Now we must face that unhappy fact.

I believe the President. I have always believed him. He is a complex man but his speech is the essence of simplicity. So much so it confounds the sophisticates. To cover confusion, they invented the "credibility gap." The President said simply:

> I will not seek, nor will I accept the nomination.

We had better believe that is precisely and simply what he means and intends.

Oh yes, there will be an inevitable drive and substantial sentiment for Mr. Johnson to reassess and reconsider his decision. Moreover the usual pack of political cynics and political satraps will see the whole thing as a plot to create a draft. I will say right now that that is just a continuation of their hogwash and swill, born of their contemptuous underrating of the complete dedication the President has to the future of his country and his constructive posture in its history. Personally, I am recalling the last lines of Sidney Carton in Dickens' "Tale of Two Cities":

> It is a far, far better thing that I do, than I have ever done; it is a far, far better rest that I go to, than I have ever known.

How will this affect the other declared candidates. First, it would have been worth a fortune to have had a camera to catch the facial expression of each as the word-blows fell on unprepared ears. It would be equally precious, even possibly shocking, to have recorded on tape the unguarded and inevitable explosive verbal ejaculations.

I hope Nixon was thinking—"Let's see, Romney left, Rockefeller declined, and President Johnson bows out. I wonder if these other 'Old Pros' are trying to tell me something."

I hope Senator McCARTHY was thinking—"That really places an awesome seriousness upon my campaign. It calls for assumption of the full burden of all the issues in their nittiest-grittiest detail."

I hope Senator KENNEDY was thinking—"Will this not make the American people quite critical about a demonstrated preference of the plight of the Nation over political aspirations."

I hope Ho Chi Minh was thinking—"Ah, the inscrutable occidental."

WORLD LEADERS WHO HAVE BEEN URGING BOMBING HALT IN NORTH VIETNAM MUST NOW PRODUCE ON THEIR PROMISE THAT A BOMBING HALT WILL BRING PEACE

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PUCINSKI. Mr. Speaker, last night the President of the United States put into proper perspective the great challenge for preservation of freedom which exists in Southeast Asia. His speech was truly tremendous, historic, persuasive, and convincing.

Mr. Speaker, the President of the United States demonstrated the kind of leadership that we have learned to admire in him. I join my colleagues in praying and hoping that he will reconsider his decision not to run again for the Presidency of the United States, and if he does not do so, I hope that the convention in Chicago will draft him for another term.

However, Mr. Speaker, last night the President did what world leaders have been urging him to do during the past several months, when he ordered a bombing halt to bombing in North Vietnam. I hope they will now support him in his search for peace.

Mr. Speaker, in the President's historic speech of last evening, he laid down the formula for peace in Vietnam. I think this Congress of the United States ought to get from these world leaders who have been saying for the last month, "Stop the bombing and we will help you bring peace to Vietnam," ought to now either put up or stop needling the American effort.

Mr. Speaker, we have heard U Thant of the United Nations state that he would help to negotiate peace in Vietnam if we stop the bombing. We have heard Brezhnev and Kosygin, De Gaulle and Wilson, Willy Brandt, and, yes, even the Pope himself, urge a halt in the bombing and state that such a halt would lead to negotiations.

Mr. Speaker, it seems to me that if these world leaders, if their statements mean anything, if they have any influence over world opinion, they now have the responsibility to join the President in his great and historical statement of last evening and carry through upon the pledges which they have made in order that we may bring the hostilities in Vietnam to a conclusion.

Mr. Speaker, if these world leaders renege on their pledge to help restore peace if we stop the bombing, it is my opinion that the United States ought to reevaluate our relationship with these nations and we ought to reexamine just how much influence these world leaders have on world events.

Mr. Speaker, let us see now if they can make good upon their pledges and promises to help us restore peace in Vietnam.

Mr. MILLER of California. Mr. Speaker, will the gentleman yield?

Mr. PUCINSKI. Yes, I shall be glad to yield to the distinguished gentleman from California.

Mr. MILLER of California. Mr. Speaker, I would like to associate myself with the remarks which have just been made by the distinguished gentleman from Illinois and I wish to congratulate him for his forthright statement with reference to this situation.

Mr. PUCINSKI. I thank the distinguished gentleman from California for his endorsement of this position.

PRESIDENT JOHNSON HAS CHOSEN NOT TO RUN

Mr. ROONEY of Pennsylvania. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. ROONEY of Pennsylvania. Mr. Speaker, last week, in a speech on the floor of the House of Representatives, I gave my support and my commitment to President Johnson as a candidate for reelection to the Presidency.

I said then my decision was based on his quality of determined leadership. My impressions of Lyndon Johnson were expressed this way:

> He has steadfastly refused to slip through already-open doors to avoid confronting new challenges. Instead, he has stood his ground and strived diligently to open new doors—doors of opportunity, understanding and cooperation among the people of our own nation and the people of the world.

I was saddened to hear the President's decision. But it was reassuring to realize that his quality of determined leadership was what motivated him to remove himself from the 1968 political arena to focus his energies totally on the formidable tasks of the Presidency during troubled times.

This reflects the true greatness of Lyndon Johnson. So determined was he that his policies in Southeast Asia should not be misjudged because of any possible political distortions, he freely removed himself from contention for the Democratic Party nomination for another term as President.

His career has been built upon right causes he has championed. His career now has been voluntarily terminated because he sincerely champions yet another right cause—a monumental one of seeking world peace which is secure and durable.

His action reflects the highest ideals of true patriotism—a devotion to country so deep that neither party nor personal ambition can detract from it.

I plan to withhold my own endorsement of a candidate for the Democratic Party nomination until a clearer picture of the alternatives emerges. President Johnson's withdrawal opens the field to all capable party leaders who aspire to our Nation's highest office.

The opportunity now exists for full debate of future policies, both domestic and international, without any limitations, real or supposed, which might exist if an incumbent President were seeking reelection and continuity of his policies were at issue.

Nevertheless, I regret that Lyndon Johnson has chosen not to run.

A DEDICATED PRESIDENT

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, mine is the unique distinction of addressing the House of Representatives of the Congress of the United States at an interesting moment of history as the only "dumped Congressman" from the great State of Illinois. "Dumped" is a dirty word. It is a fighting word. It is a word of presumption and of insulting arrogance. But of that I shall speak later.

I rise now to add the sincere words of a humble but discerning man, the oldest Member of this body, to those of others commenting on the self-exile of President Johnson from the arena of political strife. It was an eventuality that I had long expected, and had predicted to my most intimate friends whom I was certain would not turn my thinking aloud with them into mischievous gossip.

When I saw him at the White House the evening of the capture of the *Pueblo* and again when reverses had come to us in Vietnam I saw the face of a man I felt was beyond the call and beckon of the vanities and silently by day and on his knees at bedside was asking his Lord for strength and guidance. I could not envision him remaining on the field of controversy, possibly harmful to the cause of unity at home and certainly destructive of the last hope of peace throughout the world if unhappily our hearts and minds at home were in quarreling disunion.

President Johnson will take an honored and a hallowed place in our history. He did all within his power, within the power of any man, to make come true the dreams of the martyred President Kennedy of a better world, a world of real and welding brotherhood, a world without poverty, and without bitter and disabling ignorance. I was happy and I was, in the sense of public duty performed in good conscience, to be numbered by the Congressional Quarterly among the eight or 10 Members of the House in the 89th Congress who gave President Johnson the largest measure of support. Congressman PRICE of Illinois was in this list, indeed as I recall he was third in the list. There was none other from Chicago in the first 10 save myself.

Yet in the 90th Congress there was one time when, sincere and conscientious though I knew him to be, I could not stand and vote in agreement. To me compulsory arbitration is an evil thing, destructive of the best interests of management and of labor. For more than half a century I have been close to the battles of labor, and I have seen my country thrive and flourish and our prosperity expand as more than living wages were paid our toilers and the Nation's industry grew and grew as increased wages gave swollen volume to the Nation's buying power.

I no more could have voted for compulsory arbitration in any form or measure than I could have thrown stones at a house of worship. I do not say that I was right and that others were wrong. I have never taken that position. But I do say that I could have voted in any other way and held to my conscience and my self-respect.

As to other conflicts in the Far East I have always felt that our deepest interest was in what roughly might be described as the North and South American and the African area. I always have questioned the wisdom of the extension of American influence and power too extensively and too violently into the Far East. But I have never questioned the sincerity and the patriotism of those whose approach may have been different.

I do say, and I say it with all the emphasis and conviction of 85 years of living in the rises and falls of the times, in peace and in war, that within 3 years Red China will have nuclear weaponry on a scale comparable to that of Russia and the United States, and France will have nuclear weaponry on a formidable scale, and unless we give our time and efforts and devote our thinking to other than the playing of petty politics, 3 years may see the end of our civilization.

President Johnson again has given his countrymen a pattern in self-abnegation.

Mr. Speaker, I have intimated that in my district in Illinois the good men and women pretty generally, men and women of all shades of political thinking and of all trades and occupations, resent the term "dumped Congressman" as applied to their Representative in this body—dumped as garbage—and I have the faith that on June 11, with no campaign funds save those of good hearts and a warm sense of decency and fairness they will renominate a "dumped Congressman" and in November will reelect him to the 91st Congress.

PRESIDENT JOHNSON

Mr. DENT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. DENT. Mr. Speaker and Members, I have lived a long time, I guess, when you consider the lifespan of man's normal life, and like many other Americans I was very much surprised last night, and somewhat shocked.

However, when I cooled off a little I realized I had heard a great decision made—one that will probably stand out in our generation as the greatest decision—when a man gives up his personal political ambitions and that which he probably desires most in all this world, to be President of the United States again, in order that this country can proceed in unity to tend to the grave and serious problems that are ahead of us.

However, there are those who, while they have been detracting for so long, have forgotten that there is such a thing as a man in our midst—one with a conviction and a determination.

So it is difficult for me to understand why we allow ourselves to listen to, and be persuaded by, men who have the facilities at their command to create the news and to mold it, who have already started the same kind of talk that led us to the position that we are in today, about the President's sincerity and his credibility.

What more can a man do than to stand before his people and take such a position in a clear, honest voice? What a contrast to the detractors who know not where they go but know where they want to go, whose whole opposition and dissent has been based on political expediency, who are nimble on their feet, and who probably will die with the splinters they have gathered jumping the fences of political opinion, following the whims of the polls, determined to win at any cost, even if it disrupts this Nation so that it cannot proceed in its determined course—that of fighting for our integrity, fighting for a position of welfare for the people of this great Nation, not being dissuaded by the political bickerings of persons motivated by political expediency to the point that they would not only disunite but would disrobe this Nation before the whole world which they, as a group of indecisive men, representing millions of people in the Halls of Congress and the Senate of the United States, men who I believe would rather win their election than save this Nation, would encourage.

I was with the President in the beginning, in the middle, and to the end. Political victory for me is the least concern of all. The strengthening of this Nation is my only concern. I learned to love this Nation from the knees of parents who came from what was and what there is in this country, the poor, but living their lives in faith and fidelity, believing in and obeying the laws of this country, and giving of their lifeblood in order that this country might move forward.

I need nothing to renew my faith in America. But if this political system of ours cannot breed better men than those whom I see running around this Nation dividing us and holding us up to scorn and ridicule by good peoples all over the earth, then let us change this type of political atmosphere that we live in and do whatever must be done in order to have Americans respected all over the world.

THE PRESIDENT STANDS TALL

Mr. CAREY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CAREY. Mr. Speaker, I do not command the words to express my pride in the Presidency of the United States and in the person of our President today. I simply do not have the words.

Let me suggest that from here on in, in this session of Congress, I hope that there are two words that we will not hear in the cloakrooms or on the floor or in the galleries, and those two words are "lame duck." There is nothing lame about President Lyndon B. Johnson. He stands as tall as any man who ever occupied the White House. He stands on two strong legs. And he did not duck. He did not duck the greatest responsibility ever placed on the shoulders of one man, possibly in the history of our country, but sacrificed himself in the cause of peace.

I do not know what the response in Hanoi may be; I do not know what response may come from Moscow or the response that may come from Peking. That is not the responsibility of the Members of this body, even the self-appointed experts on foreign policy that I have been listening to for too long in this body.

The responsibility of this body is to respond to the greatness demonstrated by our President, Lyndon Johnson, last evening. The response in this body ought to be to get the President's domestic program moving for all the people of the United States. That is our responsibility. We can respond to his greatness by bringing out the civil rights bill and passing it; by bringing forth the tax bill needed to face up to our fiscal responsibility; bringing forth the education bills; bringing forth the safe streets bill; and doing all the things we need to do to measure up to the courage of the man who leads us in this hour.

That is the responsibility that the man who leads us charges to us. He is no "lame duck." If we do not pass his program from here on in, the people have the right to call us not "lame duck" but lame brain here in Congress.

A SAD DAY IN THE HISTORY OF OUR COUNTRY

Mrs. KELLY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mrs. KELLY. Mr. Speaker, this is a sad day for our country. We are facing the loss of a strong, responsible hand at the helm of our Government at a time when our Nation, our way of life, and freedom are being challenged on all sides.

I was not surprised, Mr. Speaker, when I heard President Johnson say last night that the awesome burdens of the Presidency demand all of his energies.

I do not know how any human being can bear those heavy responsibilities and try to respond to all of the demands made upon him.

What makes his tasks all the more difficult—and what must at times make life nearly unbearable for his family—is the constant barrage of criticism directed at his every decision, no matter how necessary these may be from the standpoint of our national interests.

Yesterday, when I saw his daughter's picture in the papers, saying goodby to her husband who was leaving for Vietnam, I knew that the President was sharing the anguish of all parents and all relatives whose dear ones went off to fight for our country and freedom.

And I wished that we as a people would be a bit more considerate, a bit more understanding, of the burdens borne by our leaders.

At the same time, I was convinced that President Johnson's decision not to seek reelection did not grow out of these considerations, but out of his sincere desire to do his best for our country.

Certainly, if we look at the record, we would be hard pressed to find anyone who, during the past few critical years, has worked harder than President Johnson to achieve a just peace in Vietnam, to find a solution to the basic problems of our own society, and to remedy our balance-of-payments difficulties.

President Johnson's statement on Vietnam is fully consistent with his past efforts to bring to an end that tragic conflict. I pray that his offer will be accepted and that peace will be achieved in Southeast Asia.

But I also hope that we as a Nation will determine to live up to our commitments—in the Far East as well as in Europe, the Middle East, and other areas. For once we start going back on our word, and turn our backs on aggression, there will be no security and no peace anywhere in the world.

PRESIDENT JOHNSON

Mr. HANLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HANLEY. Mr. Speaker, like so many of my colleagues here in the Chamber today and so many hundreds of thousands of citizens around the country, I am stunned and distressed by the President's announcement of last evening.

Mr. Speaker, I term the announcement of our President as tragic in a sense, yet absolute proof of the sincerity, the dedication, and the straightforwardness of a truly great American President who now sacrifices his richly deserved reelection lest the action he directs in Vietnam be construed as politically expedient and thus further delay the honorable peace which he has so diligently sought. This further documents the fact that in the forthcoming campaign the real peace candidate would have been Lyndon Baines Johnson.

His remarks offered conclusive evidence to the American people of something those of us who are privileged to know him have realized for a long time: that there is no one in this Nation who desires peace in Vietnam more than Lyndon Baines Johnson; that he has always, and will continue to place principle and dedication above personal or political gains; that he is willing to sacrifice a great career in public service for the unity and purpose of this country; that he is without doubt one of the greatest men ever to hold the office of the Presidency.

Since he assumed the awesome burdens of the Presidency some 52 months ago, Lyndon Johnson has strived with unparalleled dedication to carry out the great challenges laid before us on that bitter cold day in January of 1961 by John Kennedy. No man in history has contributed so much to the progress of our Nation; no man has given so much of his energies to the betterment of the American community. The stamp of Lyndon Baines Johnson appears in our unprecedented economic upswing; it appears in our educational structure as a result of the Elementary and Secondary Education Act, the College Facilities Act, the medical and nursing programs, the Higher Education Act and a multitude of other educational bills; it appears in our cities through urban renewal, the model cities program, and air pollution control legislation; it appears in our hospitals, in the countryside; in our veterans legislation; in medical care for the elderly and the indigent; in mental health and related activities. In short there is not one face of the American society where the dedication and activities of our President does not manifest itself.

Mr. Speaker, I take this opportunity to publicly thank the President for his leadership, his devotion to duty, and his unstinting efforts to make America, already great, even greater.

PRESIDENT JOHNSON'S ADDRESS TO THE NATION

Mr. HATHAWAY. Mr. Speaker, the Nation and the world are still reeling under the impact of President Johnson's announcement last night that he will not seek or accept nomination as President of the United States for another term.

Much time must pass, and many events must occur before the full import of his decision may be evaluated, but the decision itself reveals the true measure of Lyndon Johnson's patriotism, strength, and statesmanship.

No one will doubt that this was a difficult and painful decision or that it was made solely with the national interest in mind.

The President made his decision in order that he may continue to devote all of his time and energy to efforts to preserve national unity and to bring an end to the war in Vietnam. This grand and unselfish gesture, this noble disregard for personal interest, has earned him an increased measure of respect from all men.

No man has occupied the White House in more troubled days or borne a greater burden or responsibility. And no President has led our Nation with greater dedication or clarity of purpose.

All Americans, and especially the poor and disadvantaged, whose rights he has so effectively championed, have cause to regret Lyndon Johnson's voluntary removal from the Presidency at the end of his current term in office.

Lyndon Johnson has earned our respect as a strong and effective President. Now, by disdaining all self-interest in order to more effectively advance the national interests, he has marked himself as a statesman of the first order.

To be the President of the United States is to bear a cruel burden of responsibility and demands true greatness in a man. President Johnson has proven himself equal to the demands of his office. His strength, courage, statesmanship and devotion to our Nation and its people give the measure of his own greatness.

Mr. GALLAGHER. Mr. Speaker, last night, President Johnson demonstrated his deep desire for a just settlement in Vietnam by courageously deescalating the war and putting peace above politics.

In one of the most moving addresses ever seen by this generation of Americans, President Johnson announced a bombing pause over all areas of North Vietnam not directly threatening the lives of America's fighting men.

This halt in bombing over 90 percent of North Vietnam is not a sign of our weakness—but rather is a symbol of America's strength. For Lyndon Johnson has shown the world that the mightiest nation on earth—and its President—are prepared to walk the last mile for peace.

But President Johnson went one step further—he made the supreme sacrifice a President can make for peace. To demonstrate to Hanoi that our deescalation was not politically inspired. President Johnson subordinated self to country by withdrawing from the presidential race in 1968.

Let no man doubt now President Johnson's deep wish for peace. Let no people doubt the President's courage in taking a bold unilateral step to end the conflict in a war-torn land.

But let no nation doubt America's resolve to hold the course—regardless of politics or party—until aggressions end.

America stands tall today because of the steps taken by President Johnson.

Peace is now up to Hanoi. Let us pray that we will soon see the honorable peace for which President Johnson and the American people have so fervently hoped.

Mr. Speaker, prior to his statement last night, the President had every reason to expect the nomination of his party and ultimate reelection in November. I expressed this and my own support in a speech on the floor of the House not very long ago. Yes, it was a shock to all of us to hear him tell us that he would not accept the nomination.

We can all understand it, though, because we know of the tremendous burdens that go with this office. We can also understand his desire that every moment he can find be dedicated to a proper conclusion of the war in South Vietnam. In this and in his other great aspirations for the high achievements and principles of our beloved country, our President has today the solid support, concern and prayers of a unified people. Although I sincerely regret that he is not going to run again, as I am sure that he would have been reelected for great additional services to our country. I can understand his decision and wish for him and his family all things that are good.

GENERAL LEAVE

Mr. PERKINS. Mr. Speaker, I ask unanimous consent that all Members may be permitted to revise and extend their remarks on the President's statement of last night.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from Kentucky?

There was no objection.

CALIFORNIA'S CHERRY BLOSSOM PRINCESS

Mr. SISK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SISK. Mr. Speaker, it is indeed a rare occasion when I take it upon myself to comment on the statements of the Members of the other body, and particularly about statements of members of the other party who are Members of that body.

I am constrained, however, to comment briefly on a statement made by the senior Senator from the great State of California on January 25. The senior Senator from California has startled and amazed his friends and befuddled and frustrated his foes for years by his ability to maintain his aplomb throughout the most difficult of crises.

In 1958, while the leaders of his party in California were cutting themselves to ribbons, the then junior Senator was able to keep his humor about him and hold himself above the fray. For the past 2 years, he has survived many a barbed thrust from his own party members. Today, he faces the prospect of a joust with one of the ranking educators in our State—a member of his own party—and his charm and humor are still with him.

On January 25, the senior Senator let out the secret of how he is able to maintain his humor under his present trying circumstances. On that day he admitted, in the full light of day, that a charming, attractive young lady from Merced, Calif., which I have had the honor to represent in this House for the past 13 years, is the sunshine of his office staff and provides the sparkle and wit upon which his entire organization depends for its intellectual sustenance.

This scintillating, radiant young lady is Miss Susan Schmoll, who is California's cherry blossom princess, and who will uphold the honor of the Golden State in the forthcoming Cherry Blossom Festival. I am happy to say that I have known Miss Schmoll and her family for many years, and I am confident that she will discharge her duty to our State commendably in the forthcoming festivities. I wish her every success, both in the festival, and in continuing to furnish the grace and ebullience in the office of the senior Senator from California, who will no doubt find increasing need for it between now and the early part of June.

PERSONAL EXPLANATION ON CLAIM OF PRIVILEGE AND EXEMPTION FROM SUIT

Mr. POOL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. POOL. Mr. Speaker, a Federal court has issued orders under order for discovery directing me to submit to interrogatories concerning the Communist conspiracy in America, and to produce information and documents over the period of my service on the House Committee on Un-American Activities.

I tell you this morning that the Federal court cannot compel and should not require me to make response to the court's order for discovery; for the court cannot, in these suits draw in, question, or inquire into the legislative actions or motivations of any Member of Congress for performing them.

I have told the court, that under the Constitution, no Federal court should infringe on the responsibilities vested in a Member of the House of Representatives, nor on the privileges of the House itself, in violation of the fundamental law of the land defining the powers and duties of the three coordinate departments of the Government. The executive, the legislative, and the judicial. I insert for the Record my assertion of privilege. I have faced this type of harassing order before. I refused then to knuckle under, and I refuse today to do so. The court cannot usurp the legislative power of Congress.

The material referred to follows:

[In the U.S. District Court, Northern District of Illinois, Eastern Division, 65C800 and 65C2050]

JEREMIAH STAMLER, ET AL., PLAINTIFFS, *v.* HON. EDWIN E. WILLIS, ET AL., DEFENDANTS

CLAIM OF PRIVILEGE AND EXEMPTION FROM SUIT

To the Honorable, the Judges of said Court:

Whereas, The above-captioned actions and suits have been instituted against the defendants therein named, individually and as Chairman and members of the Committee on Un-American Activities of the House of Representatives of the United States, for matters allegedly said or done in connection with the performance by defendants of legislative activity pursuant to the rules of the House of Representatives, and the Constitution and laws of the United States; and

Whereas, the gist of the above actions, and the basis upon which plaintiffs seek relief, rest on conclusory allegations charging defendants with conspiring under color of an act of Congress and resolution of the House of Representatives of the United States to subject the plaintiffs to a deprivation of rights, privileges, and immunities secured to plaintiffs by the Constitution and laws of the United States and for the purpose of embarrassing, harassing, and intimidating plaintiffs and to deter them from the exercise of their rights, privileges, and immunities as citizens of the United States; and

Whereas, on February 27, 1968, in aid of the aforesaid actions, the court on motion of the plaintiffs has ordered certain discovery, or response to interrogatories and production of documents by defendants, the court declaring that its order was entered on the basis that "the plaintiffs, the court feels—when I say the court I mean all three judges—are entitled to certain information and materials which might support the efforts of the Committee to use its broad grant of power for improper purposes":

Now therefore, I, Joe R. Pool, individually and as member of the aforesaid House Committee on Un-American Activities, defendant in the above-captioned actions, do hereby make respectful response to the court as follows:

(1) The court cannot compel and should not require me to make response to the court's aforesaid order for discovery, for the court cannot in these suits draw in question or inquire into the legislative actions or motivations of any member of Congress for performing them. I accordingly assert my privilege against, and exemption from, any such demand in accordance with the rights, privileges, and immunities conferred upon me by the express terms and provisions of Article I, section 6, clause 1 of the Constitution of the United States.

(2) No court may compel a member of the said House, a Committee of the Congress acting for the House of Representatives, or the House itself, as a party or parties defendant, to submit to its jurisdiction in a civil suit at law, or to adjudicate any matter against any of them, with respect to any thing said or done in the exercise of their legislative function in pursuance of their powers or authority under the Constitution, laws, and customs of this land. Any such assumption of jurisdiction would infringe the privileges vested in me as a member of the House of Representatives, as well as the privileges of the House itself, in violation of the fundamental law of the land defining the powers and duties of the three coordinate departments of the Government, the executive, the legislative, and the judicial.

(3) The court is without jurisdiction in the above-captioned suits to grant any item of relief for which the plaintiffs pray.

Wherefore, in light of my claim of privileges, immunities, and prerogatives as a member of the House, and asserting likewise the privileges of the House itself, it is requested that the court permanently stay any order or demand for discovery, and that a judgment be entered for the defendants in the above actions and the actions dismissed.

JOE R. POOL.

MARCH 29, 1968.

PRESIDENT JOHNSON'S DECISION

Mr. DORN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN. Mr. Speaker, last night President Johnson put the welfare of the United States and the cause of freedom throughout the world ahead of politics and personal considerations. President Johnson sincerely and deeply feels that every moment of his time as President and Commander in Chief between now and January 20 should be dedicated to the cause of peace and freedom, our acute domestic problems, and U.S. military strength. This could not be done if he had to wage a bitter divisive fight for the Democratic nomination and an even more vitriolic campaign following the convention. The next 9 months and 20 days constitute the most critical period in American history.

President Johnson concluded that the high office of President with its awsome responsibility as Commander in Chief of our Armed Forces could not at this critical time in world affairs be subjected to the continued villification, abuse, vicious attacks, rumors, and gossip while trying to secure an honorable peace and resist Communist aggression. I believe President Johnson could have won the Democratic nomination and could have won the election in November. I further believe that the President felt while winning the nomination and the election we might lose an opportunity to secure peace and freedom in the world because of American disunity and political greed.

I wish for President Lyndon Johnson the utmost success in this still another effort to negotiate an honorable peace. In this endeavor he will have my prayers, support, loyalty, and devotion.

DEBORAH CORNELL WINS SECOND-PLACE AWARD ON ESSAY ON BENJAMIN FRANKLIN

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. TALCOTT. Mr. Speaker, Deborah Cornell, a fifth grade student at Richard J. Neutra School, Lemoore Naval Air Station, Calif., recently won the second-place award among all California fifth grade students for her essay on Benjamin Franklin.

The essay contest is sponsored by the Daughters of the American Revolution to promote patriotism and to encourage young persons to study their history.

Youngsters who study and research our history and take the time and interest to write essays pertaining to our history are likely to be better citizens.

I commend the DAR for sponsoring this American history essay contest. I congratulate young Miss Cornell for her excellent essay and I am grateful for her classroom teachers who encouraged her and whetted her interest in American history.

I include the text of the essay at this point:

BENJAMIN FRANKLIN

Benjamin Franklin was born in Boston, Massachusetts, in 1706. No one knew then that he would be one of the greatest men in history.

Since the family was very poor, Mr. Franklin could barely pay for Benjamin's education. He went to school for two years and after many discussions, Mr. Franklin made him work with his brother, James. Benjamin had many fights with him, so he ran away to Philadelphia.

Franklin's journey was very long and tiring. Since he was very poor, he worked until he got enough money to start his own printing business.

In 1730, he married Deborah Reed. Soon afterwards, he published Poor Richard's Almanack, which brought him much fame.

In 1736 Franklin became clerk of the General Assembly and the next year was elected Postmaster General. For the General Assembly he thought of many inventions and improvements. He thought of the library, where books could be stored; he gave suggestions about paving the streets and then hiring someone to clean them; he suggested a Fire Company for putting out fires. He also found ways to correct the extra smoking of chimneys; and in 1744 he invented a stove that gave out more heat, using less fuel. In 1747 Franklin proved that lightning is electricity with a kite experiment and said that lightning rods would protect more people and their homes. All this helped Philadelphia to be a better and safer place to live in.

Soon afterward the French and Indian War broke out. Since the colonies along the coast were in trouble, they turned to Benjamin Franklin for help and he did help, indeed. He raised troops for Philadelphia; he got money, guns and wagons for General Braddock, and gathered an army to get to forts that had been attacked and rebuild them. Since he had done what he had set out to do, he returned to Philadelphia.

Now Benjamin Franklin was called to a new problem—The Stamp Act. It was a tax on everything that the colonists brought from England. Franklin went to France, and after much discussing, the tax was lifted! Franklin had won the case!

Other demands were made by King George of England and the colonists did not like this. Already fights with the British had been fought. The colonists thought of a document to let England know that they were a free nation. Benjamin Franklin, Thomas Jefferson, and John Adams wrote this and on July 4, 1776, the Declaration of Independence was completed. Now King George sent more redcoats to fight the colonists and the Revolutionary War began. The last thing Benjamin Franklin did to help the United States was to give money for guns, ammunition, food and wagons for General Washington.

After that, he returned to Philadelphia and found out that his wife had died, and three years later, he died. He died at the age of eight-four in 1790. Now there are many pictures and statues of a great man, Benjamin Franklin.

SETTING THE RECORD STRAIGHT ON MEMPHIS

Mr. KUYKENDALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. KUYKENDALL. Mr. Speaker, last week an internationally known figure, who by some unbelievable set of circumstances was at one time awarded a Nobel Peace Prize, came into Memphis, Tenn., a city under great, but not hopeless, stress because of a municipal employee strike. This man, Dr. Martin Luther King, exhorted even high school students to leave their classrooms and to join a march through the downtown streets of our city. The Negro teenagers of our city are no more and no less impressionable than those of any other city, Negro, or white. If a nationally known leader is irresponsible, they will become irresponsible. Very quickly after the march reached Main Street in Memphis, violence erupted and this so-called national leader who is supposed to be an example to his people throughout the country, tucked his tail like a scared puppy and ran. In his afternoon press conference he blamed our local Negro leadership who stayed in the melee and desperately tried to restore order while he was cowering in a back alley several blocks away. Dr. King's blaming our local leadership for this violence is like a visiting uncle giving his nephew a 5-pound box of chocolates and blaming the bellyache on the child's mother.

Once again we witnessed the actions of Martin Luther King generating a violent demonstration and causing untold damage to the cause of his own people. Before the propagandists completely confuse the story of what happened, I would like to set the record straight on Memphis, its people, and the disruptive tactics of King.

Memphis has a long and proud record of good relations between the races. We do have problems, but we have been making steady progress in solving them.

Integration of the schools in Memphis was brought about without fanfare, without recrimination, and with a minimum of ill feeling. We have three Negroes on our city council and three members of the Tennessee Legislature from Memphis. Judge Ben Hooks, popularly elected with overwhelming white votes, is one of the most respected and able members of the bench in Memphis. A Negro heads one of our major city departments and we have long had Negro members of the police and fire departments.

There has been a real effort in Memphis among members of both races to make our city a shining example of the American dream where every man is free to rise to whatever heights his own initiative and willingness to work will permit him. Job opportunities for Negroes have been constantly on the rise and we probably have more Negro-owned businesses than any city our size in the Nation.

While other communities talk about doing something to improve housing for its poor, we in Memphis are already well underway with a plan to make it possible for every family to own its own home.

This project, known as HOME—Housing Opportunity, Memphis Enterprise—was started in December with the cooperation of private funds, FHA, and community leaders, both black and white. We are very close to beginning the building of the first homes under the program.

This is the background of community relations which Martin Luther King now may well have destroyed.

Oh, he loudly and piously preaches nonviolence, but at the same time he exhorts his people to be ready to go to jail, suffer, and even die in his demonstrations. He claims to be for peace, but warns that if his demands are not met completely and fully all functions of government will cease, business will be disrupted, and the economic life of the community brought to a standstill and then has the gall to proclaim that if there is any reaction by law-enforcement agencies to such violations of the law, they, not he, will be responsible for violence.

Mr. Speaker, the Negro people in community after community across America have been the victims of this fraudulent leadership for the past 10 years. Call the roll of the cities where King has taken his nonviolent demonstrations—in city after city there has been violence, the mob ran wild, there was burning and looting, and people were killed. But King always manages to get away just before the shooting starts.

Mr. Speaker, Memphis, more than any other place, has exposed King's methods for what they are, troublemaking without any concrete purpose of bettering the condition of the poor. Whatever his motives are in agitating destruction, violence, and hatred against America and American institutions, I hope this exposure will wake people up to the evil results of his activities before it is too late and freedom is destroyed in America for all, whatever their color.

Mr. ANDREWS of Alabama. Mr. Speaker, will the gentleman yield?

Mr. KUYKENDALL. I yield to the gentleman from Alabama.

Mr. ANDREWS of Alabama. Mr. Speaker, I think this Dr. King, to whom the gentleman refers, is the same man who in November 1965 was described by J. Edgar Hoover as being not one of the most notorious liars in America, but the most notorious liar in America, and Mr. Hoover, until this time, has not retracted that statement.

MEMPHIS AGITATION CREATED BY MARTIN LUTHER KING

Mr. EVERETT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. EVERETT. Mr. Speaker, I am happy to join with my colleague, the Honorable DAN KUYKENDALL, of Memphis, relative to the recent fiasco that happened in Memphis due to the agitation which was created by one Martin Luther King.

He is a troublemaker of the first water. I realize that he preaches nonviolence on one hand but yet by his words and deeds he creates violence and disorder wherever he might be able to spew his venom.

Last Thursday, March 28, he visited Memphis, of which part of the city is in our Eighth Congressional District, and there followed one of the worst riots there has ever been, not only in the history of Memphis, but the State of Tennessee as well.

I certainly wish to commend the city officials, especially the police and fire commissioner Frank Holloman and his entire organization, for the wonderful way in which this chaotic situation was handled.

The police department of Memphis has always been a great organization, developed throughout the years beginning with our former colleague, Congressman Clifford Davis, and later on by Claude Armour.

At 11:48 a.m., Mayor Loeb, an outstanding young man who has the intestinal fortitude of meeting any emergency, called upon Governor Ellington, asking for assistance from the Tennessee National Guard. At 11:50 a.m., Task Force Alfa was alerted for duty and by 2:15 p.m., 165 troops were on the scene led by our Adj. Gen. Robert W. Akin.

Other troops throughout the Seventh and Eighth Congressional Districts swung into action immediately and by 6 p.m., 3,200 troops were placed at the disposal of the police department of Memphis. Their instruction from Governor Ellington was to protect themselves, their fellow guardsmen, and to assist the local police department in keeping law and order by whatever means was necessary. All Tennesseans are proud of Governor Ellington.

Incidentally, to show you how this Martin Luther King works, when he was leading this march, the march got out of hand and hoodlums and goons began to smash store windows and looting began to take place. The police department moved in to stop this violent action and Martin Luther King joined the "bird gang," which we call it in west Tennessee, and as one radio announcer from a Negro station commented, "He ran like a scared rabbit."

I agree with Senator BYRD and Senator STENNIS of the other body in their remarks of last Friday. I certainly think that if he is so interested in law and order, that he should call off the proposed Washington march which is scheduled later this month.

COMMUNISTS AND CHAOS

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. EDWARDS of Alabama. Mr. Speaker, a series of student strikes, demonstrations, and flag burnings will likely occur in large cities across the country later this month, and they will have been planned and directed by the Communists.

The House Committee on Un-American Activities has carefully documented the evidence of the organization of these events, and the chairman of the committee revealed it to the House of Representatives a few days ago.

The major efforts will be made on April 26 and 27 when several groups together will try to whip antiwar sentiment into major chaos. Their goal is "disruption and obstruction by whatever means necessary."

Their targets, for the record, are the draft system, defense research programs in universities, Armed Forces recruiters, and their version of American "imperialism."

But what they really seek is nothing less than American defeat in Vietnam. They want to make the United States appear to be at fault for aggression in Southeast Asia. This, of course, would give aid and comfort to Communists all over the world, and would further weaken the U.S. position in the eyes of those who support us, or who are neutral.

These people feed on the notion that dissent is being stifled in this country. Thousands upon thousands of students today believe, somehow, that honest political dissent is being repressed, and they are prepared to march in the streets because of it.

Nobody should make the error of believing that all the students taking part are Communists. But just as important nobody should ignore the fact that the organizers of these disruptions are Communists.

The committee has the facts. The main organizational meeting was held at Chicago January 27 to 29. It was dominated by the Communist Party of the United States, the W. E. B. DuBois Clubs, the Socialist Workers Party, and the Young Socialist Alliance.

Among the other organizations represented at the meeting were Students for a Democratic Society, which J. Edgar Hoover says is working constantly for the Communists, the Student Nonviolent Coordinating Committee, the Progressive Labor Party, and similar groups.

One of the core leaders is Bettina Aptheker, the daughter of one of the most important U.S. Communists, and herself an admitted Communist who has already won some agitation "battle ribbons" on the University of California campus at Berkeley.

All the groups together, along with the Communist press and affiliated support groups, are working for these demonstrations under the name of Student Mobilization Committee.

Antiwar sentiment is one of their tools for getting students to do foolish things. Another major weapon is their argument that ghetto problems are not being solved because money is being used in the war instead of in welfare programs.

Although most of the support for this effort is outside the South, one organization listed among the sponsoring groups is called the Southern Student Organizing Committee.

In their own words, the organizers show something of their plans:

> The symbols and machinery of war, violence and oppression, are all around us in draft boards, napalm plants, airplane and armament factories, military installations, repressive police departments, and so forth.

The pattern for all of this has been shown before from China to Poland and from Venezuela to India. And Communist connections with earlier riots and disruptions in this country have been known, but the Government officials have decided not to talk about it.

Not all the unrest and dissent in the United States is Communist itself, by any means. But the Communists are working hard to inflame hatred and to eventually organize it into violent revolution.

Mr. Speaker, I think it is a terrible mistake for the President to remain silent on this point. The people need to be told from the highest authority that Communists are at the root of these demonstrations.

Because when that is understood, then the American people can deal with it. Until it is understood, the disorders can only cause confusion and doubt, and can only serve to further damage the resolution and conviction of the American people, which, of course, is exactly what the Communists are trying to do.

CONGRESS SHOULD CANCEL EASTER RECESS AND DEAL WITH VIETNAM POLICY

Mr. FINDLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FINDLEY. Mr. Speaker, the President's announcement last night creates doubt and concern over U.S. worldwide policies in the crucial 9 months remaining in his term. It projects a period of prolonged uncertainty without parallel in our Nation's history.

His announcement does not end the discord of which he warned. Indeed, it will tend to deepen it.

In this period, the role of the Congress becomes more important than ever before. The Congress can clarify the national will and purpose as the President now never can do himself. The Congress can speak with unique authority on America's future course. The President cannot. The Congress can unify the country, and reduce discord. It can give the world assurance as to just what our future policies will be. It can reduce the uncertainties which inevitably will flow from the President's announcement of major new military policies.

It can hammer out a new proposal for mutual security and economic progress in Southeast Asia—a new Pacific partnership—which will give other nations confidence and hope in a situation which otherwise might quickly disintegrate.

Now, more than ever before, the Congress must devote itself to the fundamental question of Southeast Asia policy.

This is a time of testing for Congress, a test of our constitutional system, a challenge and an opportunity of unexampled scope. Meeting it is the least we can do for the American people, and especially for the men committed to battle.

To me, it is unthinkable that the Congress would recess for the customary week at Eastertime. We should stay on the job, and work at the job given us by the Constitution. If we recess, we will be recessing from our responsibility in a time of great peril and need. By staying on the job, and by doing our job, we can dispell uncertainty, give new life and spirit to our Nation, and give the President a mandate and broad support for it.

Accordingly, I appeal to the leadership of the House of Representatives to cancel plans for the Easter recess and clear for action the resolution, now gathering dust in the Rules Committee, under which the

House and Senate would be directed to conduct an immediate review of Southeast Asia policy and decide what legislation is needed.

This bipartisan resolution now has 144 cosponsors.

IMPACT OF FOUNDATIONS ON OUR ECONOMY

Mr. CONTE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. CONTE. Mr. Speaker, as the ranking minority member of the House Small Business Subcommittee on Foundations, I have noted with great interest the actions taken last week by our subcommittee chairman, the distinguished gentleman from Texas [Mr. PATMAN].

I rise at this time to express my complete perplexity about what I consider to be the extraordinary procedures which seem to be involved in the operations of our subcommittee.

Last week, Chairman PATMAN issued a 491-page report to our Foundations Subcommittee on the impact of foundations on our economy. This was his sixth installment on the subject, the fifth installment having been issued approximately a year ago.

Mr. Speaker, in my 10 years as a Member of this House. I have never before been involved in a procedure like this, and I must confess that I just do not understand it at all.

It has always been my experience in serving on various committees of this House that the committee involved would report its views out to the Members of this body.

If there was disagreement among the committee members as sometimes is known to happen in the House, minority reports would be issued so that the House could have the benefit of the views of all of those who have been close to the subject.

But in the case of the Foundations Subcommittee for as long as I have been a member, we have never reached this stage. In fact, we have never even come close to it.

I do not rise today to state any agreement or disagreement with the positions set forth by Chairman PATMAN.

I rise rather to point out that I have never had the opportunity to agree or disagree.

I rise to point out in fact that I do not have the slightest knowledge or information about what my subcommittee is investigating. Outside of some hearings held earlier this year concerning the ABC Foundations of Illinois, the only time I ever hear anything about the activities of my Foundations Subcommittee is when I pick up the paper to see that Chairman PATMAN has issued another installment of his treatise.

I rise further to state that our subcommittee has not considered the matters set forth by Chairman PATMAN in his report, that it should be considering these matters, and that the subcommittee should be issuing reports to the full committee and to this House rather than the chairman issuing reports to our subcommittee via the press.

As I have said at the outset, I, for one, find this whole situation rather perplexing and unique in my experiences as a Member of this body. It is my hope that procedures can be worked out in the future to allow this subcommittee on which I serve to begin to function as a subcommittee should, rather than continuing to function as a body whose purpose is to receive the reports of its chairman.

INVESTIGATION AT DUGWAY PROVING GROUNDS, UTAH

Mr. LLOYD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. LLOYD. Mr. Speaker, in the Washington Post for today, Monday, April 1, there is a column printed under the bylines of Drew Pearson and Jack Anderson, the headline of which reads, "Vets Examining Utah Sheep Also Ill."

The column has to do with the tests of a persistent chemical agent in the Dugway Proving Grounds in Utah, which is some 75 miles away from the populated area of Salt Lake City and Salt Lake County, more particularly the specific test of March 13 which was followed by the still mysterious deaths of several thousands sheep about 20 miles distant from the test zone.

In this column there is an indication that human beings have been affected, perhaps seriously, by what is described as "nerve gas."

Last Thursday, March 28, I went to Dugway, Utah, and spent about 10 hours on a personal examination of the investigations and inquiries which are going on there at the present time. I flew over the test area, over the area where the sheep died and witnessed the laboratory research now going on to discover the cause. I found that the U.S. Public Health Service is conducting an independent examination with 11 scientists and technicians on the job, that the Army is leaving no stone unturned to discover the answer to this puzzle at the present time, that the Utah State Departments of Agriculture and Public Health are conducting independent inquiries on behalf of the State of Utah and the U.S. Department of Agriculture and their scientists and technicians are also busy at work to find the cause of the death of the sheep.

I want now to direct my comments to the statements made that human beings were affected by this chemical agent, which some call a nerve gas or similar descriptions. The names of Dr. Kent van Kampen and Dr. Lynn James are mentioned, and it is said that they have developed some symptoms which are similar to those exhibited by the sheep previous to their deaths and that these two men have been instructed to keep their symptoms to themselves.

This morning I talked on the telephone with attorneys for the owners of the dead sheep and also officials at the Dugway Proving Ground, including Brig. Gen. William Stone, who is out there from Washington. They advised me that Dr. van Kampen and so, I believe, Dr. Lynn James are not only not suffering ill effects this morning but are at Dugway continuing their experiments, and that the Basque sheepherder referred to has been blood-tested in an officially supervised test, and the result of that has been zero, meaning there has been no effect by the so-called nerve gas.

I have also talked personally today with Dr. van Kampen. He advises me he did have a severe headache one afternoon, but has had no recurrence and that no one has attempted to instruct him to "keep his symptoms to himself."

Now, it is not my purpose here to whitewash these experiments, because certainly the tests at the Dugway Proving Ground continue to be the prime suspect for the mysterious death of these sheep. Also involved is the fact that alternatives have been pretty well discarded; but the casual connection has not yet been firmly established. I think it is my responsibility as the Congressman from that district, to reveal the results of my personal examination which have convinced me that there is no improper lack of disclosure, that all involved agencies are making an honest, conscientious, and extremely vigorous attempt to find the cause of the death of the sheep, and human beings as of this morning has not indicated ill effects. I make these statements as a matter of record at this point in the investigations going on at Dugway, Utah.

I also wish to state that in my visit to Dugway last Thursday, I saw no evidence of undue concern, much less fright, among the 3,500 inhabitants who live and work at Dugway, who are in closer proximity to the test area even than the sheep which died, and who are most knowledgeable concerning the hazards, if any, of living near the testing grounds.

Messrs. Pearson and Anderson are certainly correct in emphasizing necessity for urgent reappraisal of the safeguards at all chemical and biological warfare centers.

THE PRESIDENT'S NEW APPROACH TO PEACE—GRAND STRATEGY

Mr. MONAGAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MONAGAN. Mr. Speaker, when I wrote to President Johnson last Wednesday, March 27, I urged him to initiate a review of our military and political effort in Vietnam and to spell out personally our objectives so that a national appraisal of public support could be obtained.

Needless to say, I did not then expect the dramatic and far-reaching decision which the President announced to the Nation last night.

His direction of a pause in the bombing of North Vietnam coupled with his statement that he will neither seek nor accept our party's nomination for reelection in order that he may concentrate his full and undivided attention on the task of seeking peace merits national and world acclaim. I regret that President Johnson has concluded that it is necessary to retire from the field but I recognize and applaud the grand strategy of his approach to peace.

It is clear that a new domestic political situation has been created—one in which there is no longer any front-runner, one in which the candidates must now state affirmative positions and one to which it is quite possible and even desirable that previously unmentioned candidates will be introduced. Surely the present limited array does not exhaust the resources of the Democratic Party.

The situation in Vietnam will also be altered. The President has made a dramatic move toward peace and he has assumed a disinterested position which will give him greater authority in dealing with Hanoi.

In view of the dramatic weekend developments, I include at this point the text of my letter of March 27 to the President:

CONGRESSMAN MONAGAN URGES PAINSTAKING REVIEW OF VIETNAM POLICIES AND OBJECTIVES IN LETTER TO PRESIDENT JOHNSON

MARCH 27, 1968.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: I am sending you this letter because of my concern about the course of the war in Vietnam and the widespread effect which it exerts upon so many American lives and programs.

It is my feeling that the length of the war and its cost emphasize the need for a painstaking review of the policies which have brought us to our present situation and underline the need for new tactics and new methods to bring about an acceptable termination. I have long been troubled over our military difficulties there, the administrative and ethical problems of the Vietnamese government, the diffidence of their civilians, the lack of support from our natural allies and treaty associates, and the massive Russian materiel assistance which has practically counterbalanced our restricted military efforts.

The implications of the recent Tet offensive have been profoundly disturbing and have served to emphasize the gap which still exists between the present situation and the objectives which we have set forth, with the primary goal being meaningful negotiations.

The feeling of frustration recently expressed in New Hampshire is felt in other sections of the country. Without assessing the reasons for this feeling, the fact is that it exists. It is only extremists who oppose or question what we are doing. Many sincere and moderate Americans are asking if our achievement is worth the effort.

It seems to me, therefore, that it is incumbent upon our civilian and military leaders to re-examine our whole strategy and our stated goals, to see where we are and whither we wish to go; what the alternatives are and the cost of each.

Certainly the ends which three Presidents have supported are legitimate ones: The preservation of a system of security won at such great cost in the past and the containment of an aggressive imperialism which threatens the safety of the area and ultimately of our own shores.

I also share the general eagerness to terminate the fighting and destruction in Vietnam which is restricting our attack upon critical domestic problems, is leaving the Russians free to adventure at will elsewhere in the world, and is causing such repercussions in our national economy and in the fiscal stability of the Western community.

And yet, I realize that disengagement cannot be achieved by a wave of a magic wand. Our involvement in Southeast Asia has a long history reaching back to the Boxer Revolution. Only twenty-six years ago, we fought a colossal war which had its beginnings in this area. More recently we fought a war in Korea whose basic rationale was similar to the present one. After the disintegration of the Geneva accords we began under President Eisenhower a policy of supporting the South Vietnamese in their efforts to resist aggression.

President Kennedy decided not to make a military stand in Laos, but drew the line at Vietnam and steadily increased our commitment there with the result that American soldiers were shooting and being shot at there while he was still alive. It must be remembered too that under his administration the United States acquiesced in the overthrow of President Diem who with all his faults—and they were many—had achieved control over some 80 percent of the country and whose downfall led to the disintegration of the national governmental apparatus and resulted in the administrative vacuum which is today criticized by so many of our people.

Finally, a withdrawal would place in jeopardy the millions of South Vietnamese who have relied on our commitment and do not wish to be ruled by Hanoi and would at the same time remove support from the many governments in the area—Korea, Taiwan, the Philippines, Indonesia (not to mention India and Australia)— who are confident that we will assist them in their efforts to remain free. The absence of our backing would doom the achievement of this goal by nations which otherwise would seek to emulate Indonesia and Malaysia in their successful overthrow of Communist regimes. It would also increase the certainty that there would be other and more critical Vietnams in the future.

Thus, it is readily apparent that we cannot capriciously divest ourselves of the responsibility which we have assumed over the years without widespread and potentially dangerous results to ourselves and our associates, including a change in the balance of power in all Southeast Asia.

Having said this, however, does not mean that we must not question the policies which have brought us to our present status and which furnish serious doubts as to their efficacy. The frustration we feel, the slow pace of tangible progress, the evanescence of our victories and the torpedoing of our plans clearly require a searching reassessment of our goals and our methods and a recalculation of our achievements and the cost in lives and in assets that they have required and would require if continued. They also call for a strong and firm domestic economic policy that will be based upon the realities and needs of our military commitments.

The American people have never shrunk from sacrifice for the protection of our national interests. It is essential, however, that these interests be clearly articulated and that they receive the support of the majority of our people. There will then be a national responsibility for the course that will be followed, whatever it may be.

It is for these reasons that I urge a review of our military and political effort in Vietnam, the articulation of a national policy defining our objectives, and finally if substantial agreement is not reached among those who have opposing views, an aggressive and forthright presentation of these conclusions to the American people including their advocacy by you in the coming Presidential primaries so that popular support can be effectively appraised.

This is not a time when we can afford a fragmentation of leadership in our parties or in the nation. It is a time to give direction to our national effort, to harmonize our differences for the common welfare and to fashion a policy which will unite us in the common effort to preserve our nation's security and safeguard the values that have made us great. I hope that in the days immediately ahead you will direct anew the attention of the Executive Branch to this vital objective.

Sincerely yours,
JOHN S. MONAGAN,
Member of Congress.

YOUR NEW SOCIAL SECURITY

Mr. ROONEY of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include a magazine article.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROONEY of New York. Mr. Speaker, yesterday in This Week magazine, March 31, 1968, I read an interesting résumé of the effect of the changes which went into effect recently in our social security laws. It is entitled "Your New Social Security," and ably written by the Honorable Robert M. Ball, Commissioner of Social Security, with Frances Spatz Leighton. Commissioner Ball is a Presidential appointee elevated from the ranks of civil service. He joined the social security agency in 1939 and in 1962 became Commissioner.

The magazine article reads as follows:

YOUR NEW SOCIAL SECURITY

(By Robert M. Ball with Frances Spatz Leighton)

A lot of changes went into effect this month—you may be one of 24,000,000 now eligible to get more money.

The new Social Security Act is a landmark bill. To quote President Johnson: "Measured in dollars of insurance benefits, this bill is the greatest stride forward since Social Security was launched in 1935." The changes that are newly in effect this month will raise 1,000,000 Americans above the poverty level for the first time and many millions of others will be significantly better off than before.

But in spite of much publicity about the changes and about the Social Security law in general, millions of Americans still don't fully understand its benefits or their rights to collect them.

For one thing, Social Security isn't just for "old folks." Older people are the largest group—18,200,000 of them make up three-fourths of those on the benefit rolls—but there are over 5,500,000 others who are affected by the new rates, too.

WIDOWS AND DISABLED WORKERS

Among these are widows and children, about 3,400,000 of whom get monthly Survivors' Insurance payments. Then there are about 2,200,000 disabled workers and their families on Disability Insurance.

In all, about 24,000,000 persons who were on the rolls as of March 1 have had their monthly cash payments increased at least 13 per cent from this month forward and some in the lower brackets have had increases as high as 25 per cent. Yet many more thousands do not know they, too, may be entitled to benefits.

We estimate that nearly 500,000 people have been made newly eligible for benefits under these amendments, but they will get these benefits only if they come in and apply for them. Some people have come into our 700 district offices in response to newspaper articles (and I hope this article will help reach many more of them). But it will take us considerable time to get the story across to everyone affected.

MANY LOSE OUT ON BACK BENEFITS

And, besides this new group, there are thousands of qualifying persons who still do not know they are entitled to Social Security under older provisions. For example, even in the case of the disability benefit program that has been operating for over 10 years now, we found in a sample study that 30 per cent of those who apply have not applied early enough to get all the benefits that they could have collected.

When people file late for Social Security benefits, we can pay back benefits for up to 12 months—no more. This goes, too, for people who have found they are entitled to payments but aren't getting them. No matter how long they've been entitled to payments, they can only collect back benefits for up to 12 months.

I remember a touching letter I received from a California man who had received a back injury and had been out of work for several years. He went through several operations. One of his four children quit school in order to help but still he could not make ends meet.

Finally, he had to turn to welfare for help and the welfare people told him of his eligibility under Social Security and referred him to us. He had never even heard of the Social Security disability program. He has now received a check for $3,302, covering payments for 12 months back, but he lost several thousand dollars which could not be paid to him.

There are several other types of benefits that many people do not know about, too, such as special benefits for certain persons 72 and older who did not work long enough under Social Security to qualify for regular benefits—over 800,000 of these are now receiving monthly checks.

Also, there is still some lack of knowledge about survivors' benefits. Often a bereaved family does not know, until told by a funeral director, that every person covered by Social Security is entitled after death to a lump sump of from $160 to $255 to take care of funeral expenses.

Fortunately, the funeral directors have been very good about informing the family about death benefits. But many young widows have spent anxious hours because they did not know ahead of time that Social Security is not just for older people—that monthly benefits can be paid to a worker's children and their mother even if he has worked under Social Security for as little as a year and a half out of the three years before his death.

And some people do not know that children going to colleges and other schools are now entitled to benefits up to their 22nd birthday—instead of their 18th as under the old law—if their parent who was under Social Security is retired, dead or disabled. About 400,000 students between 18 and 22 are now receiving monthly payments—and more could.

Then, in the matter of retirement or so-called "old age" benefits, some people wait for us to notify them and they keep waiting when their payments could already be coming to them. We try to remind people about three months ahead of the time they reach 65 that they ought to get in touch with their Society Security office to apply for their retirement benefits and for Medicare. But we can only do this for those people who have had occasion to give the government a current address by filing an income tax return. It's necessary, therefore, for people to take the responsibility for getting in touch with us.

YOU DON'T HAVE TO WAIT TILL AGE 65

But let me point out that you don't always have to wait till you are 65 to get retirement benefits. You have to be 65 to get *full* benefits. But you can get *reduced* benefits—80 per cent—if you are 62 and out of work or retire early for any reason. Or you can be 62 if you are the wife of a retired worker covered by Social Security, and get reduced benefits. And if you are the widow of someone who was insured under Social Security, you can get reduced benefits at 60 and full benefits at 62, and by full benefits, we mean that the widow gets 82¼ per cent of the amount that would have been paid her husband if he were alive and retired on Social Security. (Widowers who were dependent on their wives for at least half of their support, and whose wife was covered by Social Security, can get full benefits at age 62, but no reduced benefits before that age, as widows can.)

Under the new law which went into effect this month, both a widow and widower can get reduced Social Security at age 50 *if they are disabled* and, of course, if their deceased spouse had Social Security coverage. Up to now they had to be 60.

But the largest group of persons among the 500,000 newly eligible for benefits under the new law consists of about 175,000 children—dependents of women who were not previously eligible for benefits because their mother was not working at the time she died. Benefits used to be paid to children of a working mother only if she had worked under Social Security for 1½ years out of the last three years. Now the children of retired, dead or disabled mothers are eligible as long as the mother earned work credits at any time.

AGE CHANGE FOR THE DISABLED

Another category of people eligible for benefits for the first time includes 100,000 people—workers who became disabled before age 31 and their dependents. Under the old law, disability insurance benefits were not payable unless the worker had Social Security credit for at least five out of the 10 years before he became disabled. Under the new law, a young worker who becomes disabled before he is 31 will be able to qualify on the basis of a shorter period of work—as little as 1½ years of Social Security credit in the case of someone who becomes too disabled for work before he is 24.

A worker is considered disabled if he or she is unable to engage in any *substantial* gainful work because of a physical or mental impairment which has lasted or is expected to last for 12 months or longer. I stress the word "substantial" because for widows and widowers the rule is more strict—they are considered disabled only if they have an impairment which is so severe that it ordinarily would prevent a person from working at all.

The new law liberalizes the amount of outside income you can earn without having Social Security benefits withheld. Starting this year, you can earn $1,680 for a year and still collect all your monthly benefits. Under the old law, it was $1,500.

Also, regardless of how much you earn in a year, you still get your benefits for any month in which you neither perform substantial services in self-employment nor earn wages of more than $140. Under the old law, this figure was $125.

For a beneficiary who earns more than $1,680 a year, there is a sliding scale: $1 of benefits is withheld for every $2 of earnings between $1,680 and $2,880 a year, and dollar for dollar above that amount. A beneficiary can thus have fairly high earnings during a year and still get some Social Security benefits.

Not everyone knows that the Social Security program is self supporting. It is. All benefits and administrative expenses are paid for entirely from the contributions of workers and their employers. Under the new law, the maximum annual earnings on which contributions are paid has been raised from $6,600 per year to $7,800, effective this year, and there will be a small increase in the contribution rate from the current 4.4 per cent to 4.8 per cent starting in 1969 and further gradual increases to 5.9 per cent by 1987.

MAXIMUM BENEFITS UP $18.50

Under the new schedule of increases, the top amount a person on Social Security can get as of this month is $160.50, up from $142. Eventually, based on a maximum $7,800 average yearly earnings, persons retiring in the top bracket will get as much as $218 per month, and family benefits can bring it up to as much as $434.40 cash payments per month. But this is looking into the future, when credits will have built up. The maximum family payment under the old law has been $368.

At the other end of the scale, as of this month, the person retired from work and until now receiving the minimum retirement check of $44.50, will receive $55. Likewise, the individual who retired with average earnings of $300 a month used to receive $112.40 retirement insurance every month—he now will receive $127.10. And the person earning $400 a month has gotten an increase from $135.90 to $153.60.

INCREASES FOR RETIRED COUPLES, TOO

Take a worker who is 50 this year and earns $7,800 or more a year over the next 15 years.

At 65, he will be able to expect a monthly retirement benefit of $188.90, up 23 per cent over the $155 he could have received under the old law. For the young worker who will earn at a level of $7,800 or more until he is 65, benefits can be as much as 30 per cent higher than under the old law.

For a retired couple, the maximum benefit rose $27 a month to a monthly payment of $240.80 but ultimately it will be possible for a retired couple to get a monthly check of $323.

In the first full calendar year of operation, payments to those insured under Social Security will be $3,700,000,000 more than under the old law. Remember, Social Security is an earned right. It is not based on need. It is not a charity program. A few people have refused to apply because they think it is—and in some cases they have needed the money later, but the back payments could not be made beyond one year.

As for the claim by some people that Social Security is unnecessary—that people could save enough on their own—the fact remains that only about one out of four beneficiaries would be above the poverty line if it were not for Social Security and half our beneficiaries have practically no other cash income. For most beneficiaries, Social Security is the major source of income.

The new law also makes it easier to collect one's Medicare benefits and it also adds a lifetime reserve of 60 additional days of hospitalization. *In this respect, I would like to remind all those persons 65 and over who missed their first chance to sign up for the voluntary doctor bill insurance that* Monday, April 1 is the last day they can do so. (This is the program, matched dollar for dollar by the government, in which, for the rate of $4 a month, you can take out insurance to supplement your basic hospital insurance.) Otherwise they'll have to wait another year and will pay a higher premium.

Another change of interest gives better protection to armed forces' families. Under the old law, only base pay was counted toward Social Security benefits. But now, in effect, an additional $100 a month will be counted for each month the serviceman draws active-duty pay, without any additional deductions being made from his pay.

So the new amendments *do* affect practically every family in the country, with additional protection for current beneficiaries and also for 89,000,000 workers who will contribute to Social Security this year.

TRIBUTE TO THE LIFE AND SERVICE OF THE LATE FORMER MEMBER OF CONGRESS, A. S. J. CARNAHAN

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Missouri [Mr. ICHORD] is recognized for 1 hour.

Mr. ICHORD. Mr. Speaker, it is with a great deal of sadness that I take the floor at this time to pay tribute to the life and service of former Member of Congress A. S. J. Carnahan, of the Eighth District of Missouri, the district I now represent.

Mr. Carnahan passed away about a week ago after an illness of several months. Last rites were conducted last Wednesday in the community of Ellsinore, Mo., where he lived and was loved by all who knew him.

A. S. J. Carnahan served in this House of Representatives during the 79th, 81st, 82d, 83d, 84th, 85th, and 86th Congresses quietly, but effectively, in the best traditions of the House of Representatives. His long and distinguished service on the House Foreign Affairs Committee, where he rose to the ranking majority member, enabled him to use his talents and to become a great scholar on foreign policy and foreign affairs.

After retiring from Congress in 1961, Mr. Carnahan was appointed by President Kennedy to become the first Ambassador to Sierre Leone, a position which he held for 3 years. Ambassador Carnahan is credited with establishing a school in this small country, an enduring monument to his interest in the educational field.

For more than a quarter century prior to his tenure in the Congress, Mr. Carnahan characterized his public service in the field of education—he was both an educator and a school administrator.

When Mr. Carnahan was a Member of this body, he displayed at all times a friendly manner and cooperative spirit, unique integrity and stalwart courage, sound judgment, and outstanding ability in his field of expertise. Indeed, he brought to his legislative duties sage knowledge and wisdom acquired through many personal successes and rewarding achievements in his career. Mr. Carnahan was fully appreciative of both the human and material values and he placed loyalty ahead of any other motivation. The idealistic life of Mr. Carnahan personifies the words of Carl Schurz:

> Ideals are like stars; you will not succeed in touching them with your hands. But like the seafaring man on the desert of waters, you choose them as your guides, and following them you will reach your destiny.

I express to Mrs. Carnahan, a great helpmate to her husband, to the former Congressman's two sons, both of whom are close personal friends of mine, and other members of the family, deepest personal condolences in their hour of grief. They can all take a great measure of comfort in knowing that A. S. J. Carnahan left behind him a fine record of public service as a legislator and in the diplomatic corps, and an example of American statesmanship at its best.

Mr. Speaker, all Members here today who served with Congressman Carnahan, I am sure, will want to join with me in extending sincerest sympathy to the Carnahan family, especially his devoted and attentive widow. May it be consoling to them that their husband and father had a host of friends who join them in mourning his passing.

Mr. Speaker, I yield to the gracious gentlewoman from Missouri [Mrs. SULLIVAN].

Mrs. SULLIVAN. Mr. Speaker, I certainly want to add my voice to those of my colleagues who miss and mourn the late Albert S. J. Carnahan, who was a Member of Congress from Missouri for seven terms. My husband served with him during three of those terms, and it was my privilege to have him as a colleague in our State delegation during the remainder of his service in the House of Representatives. My husband and I both regarded Albert Carnahan as a friend as well as a colleague. He was a fine person and had a deep regard for this House and all of its Members.

Mr. Carnahan, as a member of the Committee on Foreign Affairs, became a dedicated supporter of the idea of international cooperation among nations to achieve and maintain an enduring peace. We all remember—those of us who were privileged to serve with Albert Carnahan—when he and former Congressman Chester E. Merrow of New Hampshire, a Republican, joined in a bipartisan speaking tour and series of hearings to enlist greater public support for, and understanding of, the United Nations and its many specialized agencies.

To Mrs. Carnahan and to their two sons and seven grandchildren, I would like to express my deepest condolences on the death of a fine husband, father, and grandfather—a man who left behind him a reputation for integrity and for decency in public life.

Mr. RANDALL. Mr. Speaker, will the distinguished gentleman yield?

Mr. ICHORD. I am pleased to yield to the distinguished gentleman from Missouri.

Mr. RANDALL. Mr. Speaker, it is with profound regret and a deep sense of personal loss that I learned of the passing of my good friend, Albert Sidney Johnson Carnahan, who was known throughout the halls of Congress as "Sid," and who represented the Eighth Congressional District of Missouri for many years.

Mr. Speaker, our fellow Missourian was truly one of those good men from Missouri who, over the years, gave his all to the service of his country. It is axiomatic to say that the courage of great men outlives their natural lives to become the heritage of our great country. This is something that all too often passes without notice.

Our late and beloved friend, Sid Carnahan, was a reserved man. He was a thoroughly honest man who rose from the position of a country schoolteacher to become a Member of the Congress of the United States and then to become the first ambassador of our country to the newly emerging country of Sierra Leone.

Sid Carnahan served six successive terms in the Congress. He was highly respected and regarded as being one of the most influential members of the House Committee on Foreign Affairs, where he served most effectively. I think we should recall at this time that Sid Carnahan represented a district that was not enthusiastic about such things as foreign aid. Yet, Mr. Carnahan submerged his own views for what he felt to be of national interest in support of legislation which many of his own constituents opposed.

Let us not forget that we eulogize here today a rare crusader for the cause of all humanity—a crusader who fought for what he thought was the best interest of the entire country.

Quite frequently I called upon him as a fellow Member from Missouri for advice and counsel. This happened repeatedly during my freshman term in Congress.

Sid Carnahan never forgot he was ever mindful of the opportunity America afforded him—to rise from the position of schoolteacher to that of Congressman and ultimately to be an Ambassador of the United States of America.

Our departed friend took a great interest in building or molding the character of the youth. Because of his background in the educational field as a teacher and a youth counselor, he guided many young people to rise above their own economic level.

I feel it is most fitting that his life became a model for his students to achieve success in their own fields of endeavor. As a stimulus there came into being the "A. S. J. Carnahan Memorial Scholarship Fund."

Here was a man of sterling character, and one devoted to the service of his country. Those of us who knew him and who served here with him will cause his name to be cherished and will remember him with high regard and esteem. He held no malice toward anyone who might have differing views to those which he held. He held no grudge toward those who opposed him.

Mr. Speaker, let us say Sid Carnahan was a good winner but he also knew how to be a good loser. He was tolerant. He loved the rural areas, and represented such an area, yet he recognized the plight of our cities. He fought for the improvement of conditions which existed in the city areas, although he came from the country.

He stood for those principles of foreign policy that he felt were in the best interest of this great Nation of ours. He supported foreign aid or foreign assistance, although it was not popular in the district he represented.

I shall never forget the many pleasant associations which I had with Sid as a fellow Member of the Congress of the United States. I refer particularly to the spring of 1959 when I first came to Congress. I point to that time because those were the days we were considering the Landrum-Griffin bill. Some of the newer Members of the House of Representatives today think they receive unpleasant mail on such subjects as Vietnam and riots in our cities in this spring of 1968. They should know there has never been any more bitter mail than was received by the Members of Congress in March and April of 1959 when Landrum-Griffin was being considered and debated by the House of Representatives.

During those months as we sat together on the floor listening to that debate I asked Sid Carnahan for his advice. This is what he said: "Bill, you cannot please both sides. Don't be hypocritical or a demagog. Give the provisions of the bill your very best thought and careful consideration. Then make a decision and stand by it. In this way you will have peace of mind knowing that you have acted as you thought was for the best interest of your district, and the best interest of the country."

Sid Carnahan's advice was valuable. I shall always cherish those conversations during the trying days of March and April 1959.

Yes, the passing of our former colleague is a great personal loss to me. I extend sympathy to his good widow and two sons, Robert and Melvin.

Mr. ICHORD. Mr. Speaker, I yield to a close and longstanding friend of our late colleague, the distinguished gentleman from Illinois [Mr. O'Hara].

Mr. O'HARA of Illinois. Mr. Speaker, I speak from a saddened heart. There was no man for whom I had a greater affection than Sid Carnahan. We served together on the Committee on Foreign Affairs of the House of Representatives, and we went to Africa together. As a matter of fact, Mr. Speaker, I believe I had a bit of a hand in picking out for him Sierra Leone.

When he retired from Congress and went as our Ambassador to Sierra Leone he was not a well man. He had diabetes, but apparently the climate agreed with him and, more than that, the challenge to his usefulness. He performed 2 years of tremendously valuable service as our Ambassador to Sierra Leone. The people in that country related to him, and he had a closeness to them and their families and their lives in his service as our Ambassador.

I remember when Sid was appointed, I said "Sid, how many Ambassadors are there?" Well, he sat for a moment, and then said "I believe there are about 40 or 50." I said "Sid, what a promotion. Last year you were one of 435, and now you are one of 42 or 43," and a smile came over his face.

He had a problem there, and he was always conscientious. Once he visited here while he was Ambassador. He said to me, "Barratt, I am concerned. There are three big celebrations in Sierra Leone this year, and those people cannot afford it." He was that conscientious.

Mr. Speaker, the gentlewoman from Missouri [Mrs. Sullivan] mentioned the lecture tour of Sid Carnahan, and our former colleague, Chester E. Merrow, one a Democrat and one a Republican. I believe very definitely they saved our foreign aid program that year. The foreign aid program was never too popular, but they went all over the country speaking under the auspices of the League of Women Voters, and as I say, I believe very definitely that that service which those two Congressmen gave, one a Democrat and one a Republican, was a great factor in saving the foreign aid program.

Mr. Speaker, as I have mentioned, foreign aid has never been too popular a political vehicle. I believe that Sid Carnahan realized that. His heart was in foreign aid. His was the spirit of the missionary, and yet he knew that among his good constituents in Missouri that was not too popular a political approach. Yet he gave his entire life to it, because he believed in it. He was a great man—a great man in every way, and I mourn his passing.

Mr. Speaker, I would like to say that I believe I resented a little bit the man who defeated him until I got to know him. Let me say that I have never had a better friend or anyone whom I esteem more highly than the distinguished gentleman who followed my dear friend, Sid Carnahan.

Mr. MORGAN. Mr. Speaker, I was saddened to learn that my dear friend and former colleague, A. S. J. Carnahan, has passed away. Sid Carnahan represented the Eighth District of Missouri in this House from 1945 to 1947 and from 1949 to 1961. He served with distinction and great legislative skill and I well remember how effectively he served as chairman of the Foreign Affairs Subcommittee on International Organizations and Movements.

Sid Carnahan suffered from chronic illness for many years, but he did not allow this to affect his kindly even disposition, nor did it affect or diminish his zeal and great capacity for hard work. He early dedicated himself to public service; he was active in the field of teaching, in our country's defense in World War I, in our National Legislature, in the U.S. delegation to the United Nations, and later as U.S. Ambassador to Sierra Leone.

In the passing of Sid Carnahan we have lost a dear friend, a skilled statesman and a great patriot whose productive life furnishes an example we could all try to emulate with benefit. I wish to extend my heartfelt condolences and sympathy to his family.

Mr. JONES of Missouri. Mr. Speaker, I regret that I was unable to be present in this Chamber last evening when my colleague, the Honorable Richard Ichord, had a special order, eulogizing the memory of our former colleague and his predecessor from the Eighth Missouri District, the late Honorable A. S. J. Carnahan, who passed away last week after an illness of several months. I am requesting, Mr. Speaker, that these remarks be included with those of other Members who availed themselves of paying their respects to this departed Member.

While our friend, Representative Ichord, presented a résumé of Mr. Carnahan's service in this body, and alluded to his service as the first American Ambassador to Sierra Leone, where he served for 3 years before his resignation, I would like to express my condolences to the members of his family, and to remind them, especially his two sons, that the memory of their father will long live in the minds of those he had served both as a Representative in Congress, and as the Ambassador to one of the smaller African nations where I know he served as an inspiration, and a help to their progress.

I like to remember Congressman Carnahan as he first impressed me—as a Christian gentleman, courteous, kind and helpful. As a country school teacher, and later as a principal and superintendent of the various schools which he served throughout the hill sections of Missouri, he was about as close to those he served as any Representative could be. Some of the counties which are now in the 10th Congressional District, which I serve, were formerly in the Eighth District, and literally hundreds of new friends that I would make as I visited for the first time in the new counties of the 10th District, would tell me of their high esteem and great respect for "Professor" Carnahan.

Frankly, his devotion to the needs of the emerging nations, and his sincere convictions in his support of the foreign aid program, which he knew and understood as the ranking member of that great committee, was not the most popular position and not the best way of enlisting the support of many of his rural constituents, but this was just an example of the devotion he had to the principles in which he believed. He was a good man. He has many friends in this body in which he served for 14 years, who will mourn his passing and whom I know join me in many expressions of sympathy to Mrs. Carnahan and other members of his family.

GENERAL LEAVE TO EXTEND

Mr. ICHORD. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may have 5 legislative days to extend their remarks in the Record.

The SPEAKER pro tempore (Mr. Holifield). Without objection, so ordered.

There was no objection.

RENEGOTIATION BOARD

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Ohio [Mr. Vanik] is recognized for 15 minutes.

Mr. VANIK. Mr. Speaker, tomorrow, April 2, the House Ways and Means Committee, of which I am a member, will begin closed session consideration of a number of bills to continue and expand the Renegotiation Board. The Board, which was created in 1951 and consists of five members, is charged with protecting the public interest by preventing excess profits accruing to defense, space, and atomic energy contractors. Since its creation, the Board has saved the taxpayers $950 million in determinations of excess profits. In addition, the mere presence and authority of the Board has resulted in the voluntary refund of $1.2 billion to the Government.

These figures alone justify the continuance of the Board and its strengthening in the present war situation when defense contracts have hit a post world war high. The continuance of the Board is needed to police the procurement program. But in the last few days, several developments have come to my attention which dramatically highlight the need for the Board and further justify its continuance and strengthening.

I would like to call the attention of the House to an introductory statement made by a Washington University professor of economics, Dr. Murray L. Wiedenbaum, to the Conference on Economics and the Defense Industry, held in Washington, March 5, 1968. The professor's paper can be summarized by a single quote:

> My research at Washington University shows that the large defense companies are more profitable than nondefense firms of similar size. Also our data show that the gap between defense and nondefense profits has widened over the past decade—in favor of defense business.

In an average of a sample of defense firms' return on net worth as compared to the return of nondefense industrial firms, the defense firms had a return of 17.5 percent for the period 1962 through 1965 as compared to 13 percent for the industrial firms.

The second point which comes to light at this time involves one of the defense contractors included in Dr. Weidenbaum's study whose average return on worth was 17.5 percent. It has come to my attention that this company, which last fiscal year did nearly half a billion dollars worth of business with the Government and is among the corporate giants doing business with the Federal Government, is being closely examined by the Renegotiation Board and that there is a renegotiation claim against this company for excess profits of $5 million. Five million in excess profits by a single company.

Some might argue that such incidents happen only once in a great while. But this same company was declared to be making excess profits of $2.25 to $3 million in fiscal year 1951 and $5.5 million in fiscal year 1953. The claims of the Renegotiation Board were appealed to the tax court by this company but no action was taken and the appeals were withdrawn in 1959.

Others have argued that the Board is unnecessary because of the Truth-In-Negotiation Act passed in 1962 and which applies to defense contracts. But it should be noted that the claim against the company, which is now before the Board, is for profits gained in 1965—three years after the passage of the Truth-In-Negotiation Act.

These facts make a clear-cut case for strengthening the Renegotiation Board. At this time when so many Americans are sacrificing so much in Southeast Asia, there is no defense for reprehensible profiteering at the taxpayers' expense.

THE ANTIDUMPING ACT AND PROPOSED CHANGES

The SPEAKER pro tempore (Mr. HOLIFIELD). Under previous order of the House, the gentleman from Pennsylvania [Mr. SAYLOR] is recognized for 30 minutes.

Mr. SAYLOR. Mr. Speaker, the Antidumping Act was enacted to deal with what was considered to be an unfair practice in international trade. This is the practice of selling foreign products in this country at prices lower than those for which the same products are sold in the home country.

The act provides that if this practice causes injury or likelihood of injury to a domestic industry, then a dumping duty is to be assessed equal to the difference between the home market price and the price in this country, taking into account, of course, various necessary adjustments to put the computation of these two prices on the same basis.

It would seem that this act should be fairly simple in administration and should provide the relief necessary to protect domestic industry from this unfair trade practice. However, it has not proved workable and effective in recent years in dealing with actual dumping problems. Whether it could be made more effective by a different approach and philosophy in its administration is a subject which can be debated but which cannot be resolved as a practical matter in time to meet the current situation.

The increased interest that has been shown in the Antidumping Act in the last few years is the result of increased pressures in foreign countries to export various products to the United States and in many cases to sell these products on an incremental cost or some other basis which results in a substantially lower price in this country than in the home country. Basically, of course, the antidumping problem is just one aspect of the overall import problem which is rather well known to business generally and certainly to Government officials who have responsibilities and interests in this area.

Several of the major steel companies attempted to deal with this dumping problem by instituting proceedings in 1962 under the Antidumping Act to obtain relief with respect to the dumping of wire rods. Complaints were made with respect to four European countries and Japan. These cases became known as the wire rod cases. Under the Antidumping Act the Treasury Department must first determine whether or not there have been sales at less than fair value. If there have, then the Tariff Commission must determine whether or not a domestic industry has been injured or is likely to be injured.

The Treasury Department found sales at less than fair value with respect to wire rods manufactured in the four European countries, but found no sales at less than fair value with respect to wire rods imported from Japan. The Tariff Commission in 1963 found that there was no injury to domestic industry as a result of the sales at less than fair value by the European producers.

It is not my purpose to reargue the wire rod cases. They are mentioned because they are relevant to an understanding of why some amendments to the Antidumping Act are necessary. These amendments are set forth in the bill which I am introducing today. Essentially they are as follows:

The amendments would provide a detailed procedure for the initiation of an antidumping proceeding by the filing of a complaint, for hearings before the Secretary of the Treasury with respect to the matter of sales at less than fair value and for hearings before the Tariff Commission with respect to the matter of injury. The amendments would also provide for judicial review of determinations by the Secretary of the Treasury and by the Tariff Commission. Under the existing law there is some opportunity for submission of information and proceedings in the Treasury Department and for hearing before the Tariff Commission. However, this bill would make this procedure much more detailed and much more helpful to the domestic industry that was attempting to obtain relief.

The bill provides specifically that persons injured by dumping may institute a private damage action in addition to the institution of antidumping proceedings.

The Treasury Department has often refused to find sales at less than fair value, or where it has done so, has found only very small dumping margins, due to the fact that its computation of foreign market value has taken into account sales that were not fairly representative of the home market. For example, when third-country sales were taken as the measure of fair value, the Treasury Department has refused to average these with the higher home country selling prices. The bill remedies this situation by providing that, when home country sales are too insignificant to be considered, foreign market value shall equal the highest price at which merchandise is sold in any third country.

Dumping margins in the past have been further reduced by the Treasury Department's practice of accepting tenuous differences in circumstances of sale as justifying the difference between home market value and purchase price or exporter's sales price. The bill provides that allowance for such differences shall be made only to the extent that the difference actually affects the exporter's costs and is actually taken into account by him in setting his price.

One of the basic problems under the existing law is that there are no guidelines for the Tariff Commission in reaching a determination of injury. In this connection the bill defines what is meant by an industry in the United States for the purpose of determining what is being injured. It then sets forth certain tests for the determination of injury which must be followed by the Tariff Commission and which recognize the two basic concepts in the law; that is, injury and likelihood of injury.

For example, the bill provides in effect that if 10 percent or more of the domestic market is taken over by foreign merchandise, then injury or likelihood of injury from dumping is presumed. It also provides that if the dumped merchandise in any area of the United States accounts for 5 percent or more of the total sales in that area, or has been sold at a price which is 5 percent or more below the prevailing domestic price in that area or has caused a price or wage reduction or has prevented a price or wage increase in that area, then injury will be presumed.

The bill contains a general provision which in effect permits the Tariff Commission to find injury or likelihood of injury under any other circumstances which might be appropriate. This provision specifies that the Commission shall take into consideration the present or future adverse effect on prices, sales, production, employment, profits, or wages and the present or potential increase in imports, either actual or relative. These, of course, are just highlights of my bill.

It might be well to point out that this measure contains many features of the so-called Herlong-Hartke bills which were introduced in 1965 and which, of course, would bring about a great improvement in the present law. It is felt, however, that my bill contains certain additional features particularly with respect to the injury determination by the Tariff Commission which are most important in that they establish more specific and workable guidelines on the questions of injury and likelihood of injury.

PRESIDENT LYNDON B. JOHNSON: A MAN FOR ALL TIMES AND ALL PEOPLE

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New Jersey [Mr. RODINO] is recognized for 15 minutes.

Mr. RODINO. Mr. Speaker, last night President Johnson announced to a startled Nation his decision not to seek or accept renomination as the Democratic Party's candidate for President.

This decision, in the highest tradition of patriotism, demonstrates his selfless concern for the United States and for people throughout the world. For by withdrawing himself, and the office of the Presidency, from the political arena, he has placed the causes of national unity and peace for the world above all personal desire, pride, and ambition.

No one can doubt the sincerity of his statement:

> Throughout my public career, I have followed the personal philosophy that I am a free man, an American, a public servant, and a member of my party—in that order, always and only.

We can only respect and honor the rare courage and dedication which led him to bring an early end to his service to the Nation in order to free the Presidency from political partisanship and help heal the divisiveness, dissent and discord which weaken the Nation's strength and will.

It is my fervent hope and prayer that the President's action to deescalate the conflict by ceasing the bombing of all North Vietnam except in the area adjacent to our forward positions where a cessation would endanger our troops, will at last bring North Vietnam to the conference table. This action, and the President's decision to remove himself from the campaign to devote his energies to finding a solution to this tragic war, leave no doubt about the desire of the United States to seek a just and honorable settlement in Vietnam.

Mr. Speaker, it is also my fervent hope that now, when we are strongly and actively seeking an accommodation in Vietnam, the Democratic Party will renew its vision of past accomplishments, rededicate itself as the party of the people, and perceive the wisdom of casting off divisive efforts so that we can carry on the work so magnificently begun by President Johnson.

The Washington Post this morning published a fine editorial commenting on the President's declaration, and I place it and an article from the Newark Star-Ledger of today in the RECORD. In the Star-Ledger article New Jersey's Governor, the Honorable Richard J. Hughes, pays tribute to our President's "noble words" and states that he is in the company of American patriots who "always put their country first." I most strongly concur.

Mr. Speaker, we all should have a heavy obligation and a deep sense of gratitude to President Johnson for his nobility of spirit and action in the service of America and, indeed, all mankind.

The articles referred to follow:

[From the Washington Post, Apr. 1, 1968]

IN THE NAME OF UNITY

President Johnson, by his moving declaration that he will not seek nor accept the nomination of his party, has taken himself out of the presidential campaign, barring developments that at this juncture simply cannot be foreseen.

He has at the same time, by both his remarks on his candidacy and the suspension of bombing in nearly all Vietnam, taken the war out of the presidential campaign as far as it is in his power to do so.

He has made a personal sacrifice in the name of national unity that entitles him to a very special place in the annals of American history and to a very special kind of gratitude and appreciation.

Many public men have spoken in the name of national unity to advance their own cause and candidacy. The President last night put unity ahead of his own advancement and his own pride.

The shape of the forthcoming presidential campaign is obscure at this moment; but it ought to be, by any normal expectation, a campaign of less divisiveness and less bitterness than the one the country had expected. The President lanced the boil of faction and opened the abscess of partisanship on the body politic. It is to be hoped that his surgery will diminish the fever of public life and permit the Nation to pursue its political decisions in a climate of restraint and prudence.

The verdict of history remains to be written upon an Administration that has attacked the social and racial problems of America with skill and vigor. The judgment of the world remains to be pronounced upon the success or failure of foreign policies that will influence world affairs for generations.

Americans need wait no longer, however, to conclude that the man who spoke to them last night is a man who greatly loves his country and who deeply cherishes its unity.

[From the Newark (N.J.) Star-Ledger, Apr. 1, 1968]

WIRES ENCOURAGING WORDS—HUGHES: "HE ACTED WITH NOBILITY"

A stunned Gov. Richard J. Hughes last night found a touch of nobleness in the words of President Johnson as he rocked the nation with the announcement he would not seek re-election.

Immediately after Johnson's TV bombshell, Hughes wired the President:

"In your noble words tonight I heard the voices of Washington and those who supported him at Valley Forge, of Lincoln at Gettysburg and of Americans without number who always put their country first.

"God bless you, Mr. President."

Hughes told the Star-Ledger that as the leader of the Democratic Party in New Jersey he would expect that other Democrats in the state would do no less for their country "than the President did tonight."

"For the sake of unity I would hope they will not be stampeded and that they will put the interest of their nation first," Hughes said. "What the candidates have to say should be studied and no speedy decisions should be made at this time."

Hughes said the President's announcement came "as a complete surprise."

The Governor said he will meet later this week with state Democratic leaders to discuss the situation.

Most Jersey political leaders reacted with similar surprise. Only one, who declined use of his name, recalled that at a private meeting some months ago, Johnson told a select group he was not a candidate because he felt the war was getting to be political and it was dividing the nation.

Like Hughes, Robert J. Burkhardt, chairman of the Democratic State Committee, felt emotional about Johnson's speech. He also urged caution.

"I thought it was a tremendous speech the President made," he said, "but I would hope that there wouldn't be any precipitous statements by any of our leaders until we've had a chance to meet to discuss the situation."

Burkhardt said Johnson's announcement would "obviously" have an effect on the June 4 primary in the state, but he said coolly, "We still have until April 24 (deadline for filing in the primary) and that gives us plenty of time for this situation to clarify. We'll have to let it go for a few days."

The state Republican chairman, Webster Todd, was stunned also:

"I would say that this is the most confused picture ever faced by this country in its history. It was a terrific surprise—nobody expected it.

"Now we have a lame-duck President and I just wonder how the North Vietnamese will consider this. They may figure he was under such great pressure from his own people that he quit."

Former New Jersey Gov. Robert B. Meyner, touching a related nerve, declared:

"Now the Republicans might feel that they might like someone who would be more dovish."

This was an oblique reference to the hawkish positions of Republican candidate Richard M. Nixon.

The former Democratic governor also admitted to surprise, but added:

"It seems to me that he (Johnson) assumed the role of a real patriot in that he felt that the best efforts to bring about a resolution in Vietnam would be not to run.

"I think he wants to pursue a course that would not make him subject to criticism that he was engaged in partisan politics."

Meyner said Johnson's abdication was certain to trigger entrance into the Presidential race by at least one, if not more candidates. "Certainly, Humphrey (Vice President Hubert Humphrey) is still to be heard from, and there may be more."

Meyner will be a delegate-at-large to the Democratic National Convention in Miami. "I'll be going to the convention," he said, "in an atmosphere that will certainly be more unpredictable, with more variables to be considered."

Newark Mayor Hugh J. Addonizio reacted cautiously to the news.

NO PREDICTIONS

The Mayor thought Johnson's declaration "would seem to call for a reassessment. I imagine it projects the candidacies of Sens. Robert F. Kennedy and Eugene McCarthy further along the road, but I wouldn't even attempt to predict what might happen. I'm not ready to support either one of them right now."

"I have to evaluate my own support," Addonizio concluded, "and I think it's quite too early to make predictions—I want to see what develops."

The New Jersey Citizens for Kennedy, a group hard at work forming county organizations to work for Sen. Kennedy's election, was elated at the news. Charles E. Stein, state chairman of the new group, said his organization now believes that Johnson's abdication will result in the election of Kennedy.

Stein, last night, revealed the contents of a telegram sent to Gov. Richard J. Hughes. It read:

"In the interest of unity for the nation, New Jersey and the Democratic Party, the New Jersey Citizens for Kennedy urges you to support the candidacy of Sen. Robert F. Kennedy for President.

"Your support of Sen. Kennedy will help to prevent a bitter and divisive primary battle. In view of the grave problems facing the nation and the cities of New Jersey, we must have dynamic leadership to fulfill the hopes and dreams inspired by our late President John F. Kennedy."

THE PRESIDENT'S ADDRESS TO THE NATION

The **SPEAKER** pro tempore. Under previous order of the House, the gentleman from New Jersey [Mr. Minish] is recognized for 10 minutes.

Mr. MINISH. Mr. Speaker, the whole Nation must be deeply moved by the President's memorable address last evening. He has devoted himself unsparingly to the staggering burden of his office and his deep love of country and sense of duty have sustained him in grappling with the pressing issues at home and abroad.

Each of us in the Congress has had to determine for himself the most effective method of making his contribution to the resolution of the Vietnamese dilemma. It has been my opinion that, when war and peace and survival are at stake, the interests of our Nation could be best served by pursuing any differences of judgment and recommending what seemed to be positive and constructive alternatives in private discussions with the administration. My conviction that military pressure alone could not obtain our objective of insuring stability in Southeast Asia prompted me repeatedly to urge the administration to keep all options open in the pursuit of an honorable political solution. It was this conviction that caused me to introduce in the last session, House Resolution 586, which would express the sense of the House of Representatives to seek U.S. initiative to assure United Nations Security Council consideration of the Vietnam conflict. As I stated to the House on March 6, the Tet offensive has made even more imperative U.N. efforts in the search for peace.

The Tet offensive increased the danger that the war would continue to feed upon itself with steadily expanding escalation and the growing threat of the wider war which we have sought to avoid. Expansion of the conflict into nuclear war would be as intolerable and self-defeating as would be complete unilateral abandonment of our commitment to the cause of collective security and international order. Accordingly, I again advocated to the President early this month that, in addition to utilizing the peacemaking responsibilities of the U.N., our Government study ways to deescalate the war, with due concern for the safety of our men; redeploy our forces so as to cut down casualties; and accelerate Saigon's manpower mobilization programs with the aim of phasing out U.S. troops as fully trained and equipped South Vietnamese forces could step in to assume a greater share of the burden of their nation's survival. Believing as I do that in this critical hour we dare not overlook any avenue to end this cruel conflict, I am immensely heartened by the President's decision to stop the bombing and otherwise reduce substantially the present level of hostilities with the hope of moving toward a peace of conciliation among the peoples of Asia. Let us pray that Hanoi will respond in kind and that all the nations of the world will, in the words of President John F. Kennedy in his inaugural address:

> Begin anew the quest for peace, before the dark powers of destruction unleashed by science engulf all humanity in planned or accidental self-destruction.

I am confident that the American people will weigh the momentous decisions before us with the restraint, objectivity, and maturity that the times demand.

SANE PUBLIC OPINION

The **SPEAKER** pro tempore. Under previous order of the House, the gentleman from West Virginia [Mr. Staggers] is recognized for 15 minutes.

Mr. STAGGERS. Mr. Speaker, the rural areas of this country make up the natural habitat of the dependable weekly newspaper. The suburbs of big cities cannot begin to match them, either in interest, or in influence, or in general attractiveness.

My district is largely rural, and we have a number of highly superior weekly papers. Some of them have a history running through several generations. They are local institutions with a reputation and a responsibility to maintain. They mean to add to the former, and to prolong the latter.

One of the best of these papers is the Grant County Press, published at Petersburg, W. Va., Grant County is entirely rural. Its population is less than 9,000. Petersburg is the county seat, population less than 2,500. Yet both the county and the town have most of the appurtenances of advanced civilization, including the Grant County Press, which would do credit to a quite large city.

The editor at this time is Mrs. Ralph P. Welton; before her was her deceased husband, and before him his father; back to 1898. In the March 27, 1968, issue, Mrs. Welton had something to say about the expression of public opinion. What she had to say speaks for her and for her paper. The candid and temperate expression of opinion is such a vital need in this country at this time that it ought to be brought forcibly to the attention of every individual who presumes to speak or write. Discuss public matters in Mrs. Welton's tone, and we have a chance to reason ourselves out of our present difficulties. Give way to some of the irresponsible harangue that seems to be the vogue today, and we will never be able to settle anything. I include the editorial to be inserted in the Record, as follows:

Your Newspaper—A Marketplace for Exchange of Ideas . . .

We know from the years we have been at the Grant County Press that by expressing our opinions, ideas and thoughts through the use of an editorial, and by speaking out in print we do not always win friends and influence people. Many of the times our views are among the minority; quite frequently we find ourselves on the other side of the fence from our friends and even our business associates. This was reaffirmed following our recent editorial on striking teachers.

But then we didn't get into this business with the thought of winning a popularity contest. We feel, however, that there is a responsibility vested in us to set the stage for an open forum about our county; to provide a marketplace for the exchange of ideas.

We have been told, among other things, that nobody in their right mind would go against the grain of the majority, stick their neck out in print (where it lives forever) and then stay around to be subjected to the repercussions which are sure to follow. And let us tell you, in certain instances they have been so unpleasant that we're still carrying the battle scars of some.

But, regardless of our mental evaluation by others, that is exactly what happens every time an editorial is published. We occasionally receive an anonymous telephone call, or run into the person who takes exception to something we write; these individuals who fail to realize they have an editorial column of their own right here in this newspaper. It is called the "Letters to the Editor" column which is always open with a standing invitation for our readers to use.

The only restriction, outside of using language which can't be sent through the mail, or matters of libelous nature, is that your opinions carry your signature. That's only fair, for every time an editorial appears you know the identity of the author.

There is hardly a week goes by that we don't have someone or some group suggesting editorial comment for our use. When asked why they don't write it in a letter to the editor, in most cases the answers boil down to just one: "We can't afford to get people mad at us, we're in business, or we have to live with those people."

Our answer to this argument is that agreement on every subject is not vital for intelligent discussion. Rather, conflict of opinion on an issue often brings forth truth, understanding, and action towards a better community—if those involved have the maturity to remain objective.

The editorials in the Press remain our ideas. They are our thoughts. We do not expect agreement on everything we write. But when you see it in print, it is there as a marketplace for thought and discussion. But you can bank on one thing—when you read it in an editorial—that's the way we feel.

CHAMPION OF THE DISPOSSESSED

Mr. BURTON of California. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BURTON of California. Mr. Speaker, the death of Prof. Jacobus ten Broek last week saddened the countless thousands who knew, admired or were benefited by the tireless efforts of this outstanding man who dedicated his adult life to championing the cause of the dispossessed in our society.

As chairman of the California Assembly Committee on Social Welfare before coming to the Congress, it was my privilege to work with him and to see firsthand his dedication and selflessness.

The San Francisco Examiner summarized his life this way:

> Prof. Jacobus ten Broek, scholarly crusader who overcame the handicap of blindness to become one of the University of California's best known faculty members, is dead at the age of 56.
>
> Dr. ten Broek died yesterday at Presbyterian Hospital, the victim of cancer.
>
> He was internationally known as a crusader for "equal rights for the blind." But he also crusaded for members of racial minorities and the underprivileged.
>
> POLITICAL SCIENTIST
>
> In addition, he was a respected political scientist, an expert on constitutional law, a speech teacher of renown and the author of a number of books.
>
> He was a native of Canada. He was blinded at the age of seven, struck by an arrow during a game of cowboys and Indians.
>
> He came to the United States in 1919, became a naturalized citizen eight years later. He was graduated from UC at Berkeley in 1934, completing his course of studies in 3½ years and starring as a debater. He also earned the Phi Beta Kappa Key.
>
> He took his law degree at UC in 1938, was awarded his J.S.D. from UC in 1940, and his S.J.D. from Harvard in 1947.
>
> A TEACHER
>
> His academic career began at his alma mater in 1937 as a teaching assistant in the political science department. He also taught at the University of Chicago and the University of Colorado law schools.
>
> He rejoined the UC faculty in 1942 as a speech teacher, rising to become a full professor in 1953 and chairman of the speech department in 1956.
>
> He resigned that post in 1963 to transfer to the political science department.
>
> Doctor ten Broek received many honorary degrees and awards for both his academic and social work over the years.
>
> He was founder and former president of the National Federation of the Blind.
>
> In 1949, he led the successful effort to amend the California Constitution to reorganize the state's welfare system.
>
> In the following year, then Governor Earl Warren appointed him to the State Board of Social Welfare. He resigned from that post in 1963.
>
> He was the author or coauthor of more than a dozen books, including "Japanese-American Evacuation in World War II," a biting criticism of this country's treatment of Japanese-Americans during the war.

While Professor ten Broek lacked the sight which most enjoy, he possessed the vision of which few are capable. Strength and determination were his habit and service to others was his life. His eloquent voice was never more eloquent than when raised to combat any aspect of injustice or callousness in our society.

His is a voice which shall be sorely missed.

NIXON IS SHADED FIVE POINTS BY KENNEDY, TWO BY L. B. J.

Mr. BURTON of California. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BURTON of California. Mr. Speaker, in the light of the events which have occurred within the past few hours, I found the following article which appeared in the Washington Post this morning of great interest. This Louis Harris poll reflects the very significant strength which Senator ROBERT F. KENNEDY has throughout the Nation when considered as a presidential candidate.

The article follows:

THE HARRIS SURVEY: NIXON IS SHADED FIVE POINTS BY KENNEDY, TWO BY LBJ

> (NOTE.—This poll by Louis Harris was completed in the days preceding President Johnson's announcement last night that he would not be a candidate for re-election.)
>
> (By Louis Harris)
>
> In Nationwide pairings among a cross section of all voters, Sen. Robert Kennedy presently runs ahead of Richard Nixon, 44 per cent to 39 per cent, and finishes on top of Gov. Nelson Rockefeller by an even more commanding 43 per cent to 34 per cent.
>
> President Johnson also shades Nixon, by 41 per cent to 39 per cent, and finishes in a dead heat with Rockefeller, 39 to 39.
>
> By contrast, Sen. Eugene McCarthy as the Democratic nominee loses both to Nixon, 34 per cent to 43 per cent, and to Rockefeller, 35 per cent to 36 per cent.
>
> These figures are with former Gov. George Wallace of Alabama in the race as a third-party candidate, Wallace draws from 10 per cent to 19 per cent, depending on the opposition.
>
> Other significant findings from this survey are:
>
> In the first reading since he said he would not be an active candidate, Gov. Rockefeller's standings with the voters has slipped dramatically. Three weeks ago, he was 7 points ahead of the President. Now all 7 points have disappeared.
>
> The main reason Sen. Kennedy runs a stronger race against Gov. Rockefeller than against former Vice President Nixon is that the vote for former Gov. George Wallace as a third-party independent diminishes to a low of 10 per cent in a Kennedy-Nixon contest. Clearly, many potential Wallace voters would switch to Nixon to try to stop Kennedy.
>
> Here are the results of the first pairings with Sen. Kennedy pitted against the two leading Republicans:

Kennedy versus Nixon

Total voters:	*Percent*
Kennedy	44
Nixon	39
Wallace	10
Not sure	7

Kennedy versus Rockefeller

Total voters:	*Percent*
Kennedy	43
Rockefeller	34
Wallace	15
Not sure	8

> Against Nixon, Kennedy wins by a small margin in the Midwest and by a sizable 54 per cent to 38 per cent in the West. He takes the Negro vote, 83 per cent to 3 per cent, and the Catholic vote, 53 to 34 per cent. Nixon edges Kennedy in the East, however, and defeats Kennedy among white voters and Protestants.
>
> Here are the latest pairings of President Johnson against Nixon and Rockefeller:

L. B. J. VERSUS NIXON

	Percent	
	Late March	Early March
Johnson	41	39
Nixon	39	39
Wallace	13	12
Not sure	7	10

L. B. J. VERSUS ROCKEFELLER

Johnson	39	34
Rockefeller	39	41
Wallace	15	14
Not sure	7	11

> Rockefeller's biggest slippages from the pre/and post-announcement showings were among young people, independent voters, and those who live in the East. Many expressed disappointment that he had not seen fit to go out and fight for the nomination directly in a confrontation with Richard Nixon.

McCarthy Versus Nixon

Total voters:	*Percent*
McCarthy	34
Nixon	43
Wallace	14
Not sure	9

McCarthy Versus Rockefeller

Total voters:	*Percent*
McCarthy	35
Rockefeller	36
Wallace	19
Not sure	10

> Against McCarthy and Rockefeller, Wallace would run ahead in the South, would receive 23 per cent of the low-income white vote in the North, would win 27 per cent of the vote in rural areas, and 21 per cent of the voters 50 years old and over.

THE PRESIDENT AND VIETNAM

Mr. COHELAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. COHELAN. Mr. Speaker, it is of course a gross understatement to say that last night's momentous Presidential address has massively changed the complexion of the situation both at home and in Vietnam.

That President Johnson has declined to run for renomination in the name of avoiding domestic divisiveness and distraction from the demands of the office is a great tribute to him, and a mark of his dedication to the people he serves.

That now the Democratic Party will have an open convention and a full airing of the personalities and positions of the candidates at this crucial time is most fitting.

That our policy with regard to Southeast Asia will be carried on under a new administration means that the country will have the magnificent opportunity of listening to and gaging the policies espoused by the various presidential candidates.

In short, we have witnessed an act of ultimate dedication to country and party, and we will hopefully hear a new and constructive political dialog.

But while the President's announcement was certainly sensational, I think it would be tragic if the thrust of last evening's Vietnam policy statement were lost in the glitter of presidential politics.

Last night President Johnson ordered a halt to most of the bombing of North Vietnam, and he called on Great Britain and the Soviet Union to reconvene the Geneva Conference.

Some of us have long advocated and urged the administration to halt the bombing of North Vietnam. I am therefore pleased and gratified to see this step finally being taken.

I think that those of us who differed with official Vietnam policy but who continued to urge a change by the administration have shown that diligence and dialog is effective. Our Government is moving toward negotiations in ways we have advocated.

While I do not favor sending any more troops to Vietnam, I am pleased that the increase announced by the President is small enough that it seems to indicate that we will be consolidating our positions and reducing the levels of violence and destruction accordingly—and not massively escalating again.

It is my firm belief that the United States must now do everything in our power to mobilize world opinion to urge Hanoi and the National Liberation Front to take part in negotiations. Most of the world wants to see peace in Vietnam. Now these nations must act.

Without solid international support our initiative will fail, and no one can predict what further violence will then ensue. Hanoi has said it will negotiate if all acts of hostility against it are halted. The President did not meet this demand, but he went a very long way toward it. Now, it is Hanoi's turn to act responsibly.

I do not think that we should be overly optimistic, however. Our adversary continues defiant.

But with the bombing stopped, we may have halted the inertial trend toward escalation. Still, it is, at the least, problematical whether negotiations will now proceed, and whether those negotiations will produce an early ceasefire. However, I think we are on the right track. We have taken action—unilaterally—toward negotiations. The next steps are up to world opinion and our adversaries.

Mr. Johnson's statement last evening put the responsibility for Vietnam where it largely belongs—with the Vietnamese people. Major changes by the South Vietnamese are still required. The South Vietnamese Army—already dreadfully short of competent officers—will not in my judgment soon create 100,000 effective new soldiers. Vietnamese corruption and incompetence will not be ended by words and intentions. When the Vice President of South Vietnam publicly states that his Government is "useless"—or worse—it strengthens the doubts about the alleged progress that has been made by the Saigon regime.

I am especially pleased that the President reiterated the pledge of American aid to develop and rebuild Southeast Asia.

In conclusion, let me say that ultimately a realistic accommodation amongst all the parties must be worked out, and a bombing halt leading toward negotiations is only a first step in this direction.

I applaud the new initiative in stopping the bombing. And, I hope that it will not only lead to an honorable peace, but will begin a new, flexible, and realistic U.S. policy in Southeast Asia.

U.S. FOREIGN POLICY

Mr. BROWN of California. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BROWN of California. Mr. Speaker, historians, military strategists, and politicians, among others, will give serious study for years to come to the long and expensive U.S. involvement in Vietnam. If the full facts can ever be revealed, and many are today classified, they may help to shape this country's actions for a century to come—a century during which our main problems will be with continuing revolutionary struggles among that 75 percent of humanity who have not yet reached a stable equilibrium in the organization of their economic and political power, not yet cross the threshold of the new technological world.

Despite the often-repeated statement that the United States stumbled into the Vietnam war, the fact is that every step has been planned and approved at the highest levels of the executive branch during three administrations. And the general course arrived at has had the active support of the leadership of the Congress and, until quite recently, of the great majority of the Members of both the House and Senate. Nor have the American people, or their intellectual or moral leaders, questioned the course we followed until quite recently, with minor exceptions.

Vietnam has been a 15-year experiment to test the proposition of whether a great power could, by any of the techniques available to it, direct the affairs of a small underdeveloped and peasant country toward the goals desired by the great power, in the face of strong indigenous drives toward a different course. We have phrased this goal in terms of the conventional American values of bringing independence, freedom, democracy, and peace to this small country, or saving them from Communist dictatorship. But this has been largely a cover for the benefit of U.S. and world opinion. Our actual goal, and one clearly perceived by the opposite side and most of the rest of the world, has been to demonstrate to the Communist world our ability to maintain an anti-Communist, pro-U.S. Government under adverse circumstances in an area important to our overall policy of containing Chinese communism.

In seeking to carry out this goal we have selected and indoctrinated the key leaders of South Vietnam, financed its government and its military force almost 100 percent, and largely determined its economic, social and military policies. During almost all of this time much of these activities were carried on by clandestine agencies of the U.S. Government, with the amount of the funds required and spent concealed from the Congress and the American people.

At this juncture in our history, marked by the Presidential announcement that the United States will deescalate the war, probably the most important decision facing this country is the larger question of whether we will continue to follow the course which brought us to this point in Vietnam, or whether we will chart a new one based upon a different evaluation of the reality of the world today. Will we allow our basic foreign policy role to be determined by a select few at the highest level and carried out secretly, backed by the power of the U.S. military forces? Will we continue to act as if we could have a major voice in the affairs of the underdeveloped nations, large and small, by virtue of our dollars and our guns? Will we continue to follow a policy of seeking military containment of China, or any country, whose government and ideology we regard with strong disfavor. Or to put it positively, are we ready now to follow the course we originally helped to chart in World War II, based upon the strongest possible support of an international peacekeeping system acting under law, and with full cognizance of the realities underlying the national goals and fears of all other countries.

These questions are merely indicative of those which deserve the fullest possible exploration by the political candidates and by the people of this country during this election year. The answers we give, by our actions more than our words, can determine the course of history. The fact that we can debate them—and by debate choose a new course, new goals for our country—is sufficient to justify man's faith in the democratic process.

To have the illusion, however, that there is a road which will be easy—which will allow us to relapse into the comfort of our affluence—would be ample evidence that we do not yet deserve for ourselves the status we have assumed of superiority over all other nations of the earth. No course available to us can do more than reduce the level of violence in the world, and reduce the chances of a nuclear world war III. No course we can follow will be without cost and sacrifice for the American people. And no course can be followed successfully which does not involve the contribution of the best in wisdom and effort by all concerned citizens.

Perhaps our greatest original error in Vietnam was in thinking that what we proposed to do there could be done cheaply and easily and without sacrifice. This error was due to an almost fantastic miscalculation of the fundamental aspirations, motives, drives—the political, psychological, and cultural forces—of those whom we called the enemy. This miscalculation, of course, was reflected in a completely distorted military evaluation of the situation.

History shows, however, that this kind of miscalculation is the rule, rather than the exception, for those men and nations who believe that human beings are more readily swayed by fear and force than by the ideals and aspirations which they hold dear.

How do we measure the strength of these ideals and aspirations which may be the major factor in the resistance of peasant societies to our efforts to direct their history? In the case of Vietnam, as we embarked on our course there 15 years ago, it is doubtful if there were a dozen officials of any level of U.S.

bureaucracy, military or civilian, who knew the language, understood the history, or could feel the currents in Vietnamese striving.

We applied policies based upon vague and conventional attitudes which might have been inherited from the worst of Western colonialism or U.S. treatment of the American Indians. And this we set within our own postwar framework of containing a monolithic world Communist conspiracy.

If this country is to be successful, and I am sure it will, in maintaining a leadership role among the growing billions of mankind faced with the greatest revolution the human condition has ever experienced, it must base its actions within a framework of reality, and with the fullest possible knowledge of all the factors in each situation. This we have not done.

In retrospect, we can make a very rough evaluation of the strength of the intangible forces we faced in Vietnam by translating the destruction and death which that society has withstood, without collapse, into comparable figures for the United States. The comparison would produce the following: A U.S. Government with an army of 10 million men paid for by a foreign power, and aided by a foreign army of 8 million more, equipped with the finest military technology developed by the human race, has killed 6 million of its own citizens, has wounded 12 million more, and has destroyed the homes and made refugees of 50 million more. In the process the U.S. Government bureaucracy and the country's business leaders have become rich. But desertions from the army run between 1 and 2 million per year, and the "American" enemy we are fighting, supplied and directed by other "Americans" based in Canada, has become stronger each year.

Does any American believe for a moment that citizens of this country could tolerate this cataclysm and continue fighting their own Government unless they were motivated by aspirations and drives within each person as strong or stronger than any we have ever experienced, even in our own Revolutionary or Civil Wars? Yet we have persisted in ignoring this fact, confident that our leaders must know what they are doing, and perhaps imbued with a little of that racist attitude of which we are accused in recent reports which might lead us to feel that those little yellow men in black pajamas do not really deserve the same consideration that we white Americans deserve.

Another measure of the forces we are facing can be obtained by counting our own costs. The 100 or more billions we have spent in seeking to pacify South Vietnam under a government of our choice would support every South Vietnamese citizen for the next 100 years. It would probably purchase everything of value in South Vietnam, including the land, 25 times over. Surely, when we are trying to help another country, there must come a point at which we can measure our efforts, and their resistance, and say to ourselves that possibly they don't want the kind of help we are giving them.

Extrapolating from the experience of Vietnam, it should be clear to us that when the revolutionary and nationalistic drives in any society reach the levels of Vietnam, they cannot be contained by U.S. military efforts. For the United States to seek to so contain them can only mean the weakening of our society. The application of American military power at the level used in Vietnam must be reserved for the defense of America's vital interests, not for intervening in the dubious cause of directing the course of underdeveloped nations.

Such nations have a hundred or more years of political instability ahead of them. During those years their governments and their political ideologies will change dozens of times. At no time can they pose a military threat to this country. In fact, the total military power of all the underdeveloped nations together could not endanger this country, even in combination with other great powers, unless we persist in again weakening ourselves by seeking to force them into our mold by military means.

The greatest step we can take in the interests of our own security, and in the interests of solving the problems of the developing societies, is to put our strength behind a framework of dynamic collective security for all nations. No other course can meet the need of this period in history. This is the overriding message to be drawn from the tragedy of Vietnam. It is my hope that this message has finally become clear to the President, and that he has taken the first step on a new path for our country.

ST. VRAIN PLANT

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, I have previously drawn to the attention of my colleagues the public safety aspects of the application for a permit by the Public Service Co. of Denver, Colo., to construct a nuclear plant near St. Vrain, Colo. Although the Public Utilities Commission of the State of Colorado and the Atomic Energy Commission have not granted authorization of this plant, from recent reports the Public Service Co. is so assured of approval of their request, they have started on preliminary construction of the project.

As a part of my remarks, I am including an article from the Cervi's Rocky Mountain Journal relating to the situation.

I also include a press story which states the Dow Chemical Co. claims its "nuclear bomb" factory at Rocky Flats near Denver, Colo., is within prescribed safety levels for the use of radioactive material. This may be true for this individual plant but studies of the U.S. Public Health Service disclose a higher content of radioactive substance was found in Denver over a 3-month period in 1967, than in seven other selected key areas across the Nation.

This seems to be further evidence of the risk which a community must accept in exchange for the tax and other benefits a nuclear plant might bring to an area.

[From the Rocky Mountain Journal, Mar. 6, 1968]

ST. VRAIN PROTEST: MINERS PICKET PUBLIC SERVICE CO. A-PLANT SITE

The dozen pickets paraded slowly around the perimeter of the fields—the future site of the Fort St. Vrain Nuclear Generating Station. They bore signs with such wording as: "No permit but work begins on nuclear plant"—and—"Put public safety before Public Service Co."

To the few rural onlookers at Platteville last Friday afternoon, the demonstration could have appeared to be forlorn pantomime, but the mine workers were not members of a flaccid union engaged in a charade.

It was a symbolic occasion, expressive of the men's deep-rooted fear that they will be railroaded out of their livelihood by a decision already secretly made that the Public Service Co. (PSCo) will be allowed to build its experimental nuclear electricity plant, no matter what logic is advanced against it.

The demonstrators were telling miners everywhere—for the record—that they are not about to quit even if the scheduled hearings on their arguments against the St. Vrain project, prove to be only a mock gesture.

The pickets aroused curiosity from a few farm folk, passersby in vehicles and a crew which vouched that it was in charge of the steel tower constructed by the PSCo in a field.

The site is approximately four miles northeast of Platteville and some 40 miles north of downtown Denver, near the confluence of the St. Vrain Creek and the South Platte River.

There was no encounter between mine workers and PSCo workmen.

Mrs. Aleta Wright, wife of farmer John Wright, said that PSCo men had been working in the field behind her home but had taken off. It could not be ascertained if the arrival of the pickets had stimulated a temporary cessation of the project.

Mrs. Wright said that the main St. Vrain buildings will be built in the field behind her house which is to be demolished.

Inspection of the field showed evidence of core and well drilling and installations capped with concrete. The field was marked out with stakes and flags.

One stake was marked: "NW corner of Reactor Building, 4785.25 elevation."

In Denver, a PSCo spokesman denied that the work under way by engineers and surveyors, represents a start on preliminary construction before authorization has been obtained from the Public Utilities Commission or Atomic Energy Commission.

"It is our property," he noted. "It is natural that we should want to carry out drilling in preparation for the time when we do start construction."

The picketing miners, who came from different locals in District 15 of the United Mine Workers of America, displayed some quiet bitterness over the nuclear project.

"They have only to dig down 100 feet and they can find all the coal they want for an electric generating plant," said Lawrence Amicerella of Local 7637. "They don't need uranium fuel."

Another man, Henry Mathias from Local 5909, felt that coal industry conditions had "retired" too many miners already.

"I think this nuclear plant is intended to retire us for good," he said.

Albert Williams of Local 1388, thought that nuclear plants might make economic sense in areas where there was a lack of fossil fuels . . . "but in Colorado we have enough coal to supply electric generating plants for hundreds of years."

Arthur Biggs, president of District 15, cut in:

"Apart from the fact that a conventional coal generating plant would be cheaper for the public, it won't pose any radiation threat.

"At this St. Vrain plant, Uncle Sam will be subsidizing a new industry through the Atomic Energy Commission, to compete with an old tried and trusted one which is not subsidized."

Among the agricultural community at Platteville, there was uncertainty about the plant.

This may have been generated in part by an intensive campaign on behalf of the PSCo through business interests which anticipate hungrily the economic advantages they think may be accrued through the $100 million project.

The local newspaper, the Platteville Herald, perks support with an additional line on its masthead: "The Fort Town With an Atomic Future."

Its front page was given over recently to a letter-story bylined Public Service Co. The blazing headline read: "Nuclear Plant Will be Safe!"

The PSCo and the newspapers had better be right if the plant is built. If radioactive substances are leaked through any unforeseen accident, which nuclear scientists testified in Denver is quite possible, then cattle and turkey producers and vegetable farmers may run into difficulty in the marketing of their output.

Nuclear Bomb Factory Is Safe Denver Industry—Dow Claims Radioactivity Not Above Danger Levels—U.S. Public Health Figures Inject Doubts

(By Douglas Bradley)

In the Dow Chemical Co.'s new booklet on the Atomic Energy Commission's Rocky Flats plant, for which Dow is prime contractor, there is no mention of a primary function of the AEC plant which is "to recharge" nuclear bombs.

The recently issued 20-page booklet, described as an updated, general background edition, claims there have been no adverse effects on the community resulting from the plant's use of radioactive material.

A Dow news release, separate from the booklet, states that radioactivity in the area is within prescribed safety levels.

U.S. Public Health Service studies, however, disclose that higher content of radioactive substances was found in Denver over a three-month period in 1967, than in seven other selected key areas across the nation.

This newspaper learned that the Rocky Flats plant has the dubious distinction of being the only nuclear plant in the country where the delicate and vital bomb-booster project is carried out.

The choice of Denver for the unique, if perhaps insalubrious task, was apparently actuated by the city's relative isolation and the comparatively small population which would be imperiled should anything go amiss.

The necessity to revitalize a nuclear bomb, an informant disclosed, is due to a weakening or erosion of its components.

Plutonium a direct ingredient, and strontium-90, a product of split uranium, can escape in the testing of a nuclear bomb.

"When the bomb is recharged," the informant said, "the elements of plutonium are very unstable and with the passage of time, they tend to break down and create other atoms called fission products.

"They create enough fission products in the plutonium so that their presence would interfere with the mechanics of the bomb. This necessitates a continual checking process."

He exampled the bomb recharging project to a barrel of apples at the wholesale level, where bad ones have to be removed.

"That is what is being carried out at Dow. The nuclear bombs are sorted and checked to insure every last one will work," he said.

He added that the Rocky Flats plant produces and works with more plutonium than any nuclear plant in the world. He did not agree that the Dow news release on the area's radioactivity levels presented a true picture.

Dow has nine air monitors in communities within 30 miles of its plant. It takes water samples from four reservoirs and some outlying lakes and streams.

From its analyses, Dow concluded "that in no case were the recommended concentration guide levels as set by the Federal Radiation Council exceeded during the last six months (of 1967). This is in keeping with the ultimate goal of total containment of all radioactive materials at the plant."

The authoritative source insisted that the guidelines of the Federal Radiation Council lacked "authority" and were a subject of controversy in a field where too little was known as to what constitutes a threat to human health.

"You had better check the figures released for Denver by the National Center for Radiological Health on the plutonium and strontium-90 in precipitation," he suggested.

Reference was made to tables issued by the National Center, a division of the U.S. Public Health Service, based on analyses conducted by the agency's Radiation Surveillance Network.

The tables, issued in the fall of 1967 on samples collected at eight geographically selected stations in a three-month period last year, showed a far greater content of plutonium and strontium-90 at Denver than at the other seven cities named.

(The other areas were Honolulu, New Orleans, Rockville, Md.; Gastonia, N.C.; Pierre, S.D.; Austin and Seattle.)

Total plutonium, in values of picocuries against earth surface, was recorded at 8.30 for Denver, as against the next highest recording of 4.49 in Gastonia. Lowest for the period was Seattle with a 1.00 recording.

Strontium-90 in precipitation, picocuries per liter, for the same period in the same areas, showed Denver at 12.98, in comparision with 7.52 at Gastonia (the next highest) against a low of 1.57 at Pierre.

In an attempt to obtain evaluation of what the Public Health Service figures disclosed, *Cervi's Journal* talked with officials of the PHS National Center in Rockville.

Dr. Howard McMartin, chief of the control branch said "a real, concentrated study is under way" in the field of radiation contamination and possible risks, but he balked at making a pronouncement on the significance of the center's analysis which showed Denver as recording substantially higher radioactivity.

So did David Harwood, chief of nuclear reactor facilities safety at the center.

To the Public Health Service goes much of the credit for first nailing lung cancer as an industrial disease so far as uranium miners are concerned.

The federal health agency came in for a lot of political heat from those who challenged its findings on the Colorado Plateau toll a few years ago.

Dr. McMartin, asked whether the agency still was liable to political pressure over its conclusions, replied fervently:

Dow's press release on its environmental survey, says that Rocky Flats is engaged "in routine production operations involving plutonium and uranium." Routine! If the production of nuclear weapons is now routine, why the aura of secrecy?

The pat answer to that is the nation's security necessitates silence. But agents for a potential enemy would not be hard put to glean much of what goes on at Dow. Loyal subjects of the nation are also concerned about the public's security and wonder if the Dow veil shrouds potent aspects about the efficacy of public safety.

Dow also called its evaluation of air and water samples "routine." The company admitted in its press release data that the water sampling program is "occasionally not possible during the winter months." Here the public must take its chances.

To arrive at its conclusions on area radioactivity, the highly technical nuclear firm strikes an unscientific average for its safety report to the public, which it announces is in accordance with the regulations of the AEC.

The recent flurry of Dow "information" activity also included a news release from the International Union of District 50, United Mine Workers of America. The union, which represents Dow's nuclear workers, reported that its board has adopted a resolution calling for the expansion of the atomic power industry.

Despite its title, District 50 is a union independent of the United Mine Workers of America. It became disaffiliated from John L. Lewis' union with the passage of the Landrum-Griffith Act which ordered dismemberment of union conglomerates representing workers in different industries.

The AEC, Dow and its District 50 union, have maintained a traditional silence over the activities of Rocky Flats since secret work started in 1953.

Piercing of the secrecy curtain is tied into the currently projected plan of the Public Service Co. to build the Fort St. Vrain Nuclear Generating Station at Platteville, north of Denver.

The St. Vrain affair is also part of the reason why District 50 chose this time to come up with its servile-tinged resolution.

When the United Mine Workers (the original parent union) sent a delegation to Denver to oppose the St. Vrain project before the Public Utilities Commission, Dow workers in a spontaneous fraternal gesture, met with the Washington delegation at the Diplomat Hotel.

The outburst of confidences from Dow workers included detailed histories of accidents and illness and their speculative fears on the effects to health from radioactivity.

The new Dow booklet admits that the plant has sustained 21 disabling injuries and one fatality. The word "disabling" applies to physical impairment other than cancer.

This newspaper was invited to attend the Dow-UMWA meeting at the Diplomat. The Dow workers hammered on an issue which the Dow booklet avoids in favor of juggling statistics on man-hours and industrial safety averages.

The issue was cancer. The men had some questions:

Is there a link, they asked, between work in a nuclear plant and the implanting of cancer?

What connection, they wondered, exists between the incidence of cancer in a community and the existence of nearby nuclear plants?

Are the precautions taken in nuclear plants over radioactive wastes and escaped radioactivity, sufficient for the public's protection?

It seemed that efforts by Dow's nuclear workers to discuss these questions with Dow staff doctors had met with aversion. The reluctance of the doctors was possibly not singular, in view of the paucity of knowledge on cancer causes within the medical profession.

"But," said one union official, "the reason why Dow's brass won't discuss these matters is because of the compensation which would be involved if they admitted there was any kind of a link between a man's leukemia and the Dow plant."

An appointment was set up between a reporter for *Cervi's Journal* and two officials of District 50—Sam T. Franklin, the regional director, and Patrick F. Kelly, District 50 treasurer.

The meeting at a Denver club, at which

the two officials were to enlarge further upon safety and perils existent at the Rocky Flats plant, was abruptly canceled a few hours before the rendezvous.

"I'm sorry, but I've had orders from the highest source not to discuss the matter further with you," Franklin explained.

He also failed to keep an appointment in Washington, which he had initiated, with an atomic advisor to the United Mine Workers on the St. Vrain hearing.

The District 50 board endorsement of nuclear plants followed. So did the Dow booklet. And the Dow press release on statistical environmental safety.

A union official, not a member of the United Mine Workers, hazarded an informed guess on why District 50 leadership chose this time to mark its support for the atomic power industry with the trite resolution.

He said District 50 was being offered the ultimate in union contract benefits at Dow "if it would cooperate" in the synonymous interests of the company and union members.

He showed some cynicism:

"They have 3,000 workers at Rocky Flats. What if some of them do get cancer and what if the radioactive substances are to blame? They don't want to jeopardize the entire payroll."

And the public, which has no representation at Dow, and only a token voice in AEC deliberations, will have to take its cancer affliction in its stride—all 900,000 cases currently under treatment across the country.

THE RHODESIAN CALUMNY

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, a controlled, incisive analysis of some of the propaganda surrounding the issues of Rhodesia has been written by Prof. W. H. Hutt and published in the latest issue of the New Individualist Review, a journal of classical liberal thought.

For anyone truly interested in knowing the facts behind the Rhodesian position, the efforts of the Government and the situation of its citizens, this treatment of the question is of great value.

As a South African, Professor Hutt writes from a point of view which most of us cannot assume. His earlier treatments of the racial problems in Africa make him even more qualified to speak on this issue.

I have been as vocal as any in attempting to present a full picture of Rhodesia as it is and attempting to point up the dangers and contradictions in our sanctions against this nation. And it is with pride that I find references to these earlier attempts within Professor Hutt's article.

Among the several important points which are discussed, Professor Hutt treats the paradox of those opposed to the present government and system; the connection between Rhodesia and South Africa; political freedom and freedom of the press; the nature of the prejudice that exists and the distinction between privilege and property; and the central point of voting requirements and attempts by the Government to help the citizens achieve the necessary, but minimal, qualifications. In relations to this last area, it will be helpful for the reader to know that the "primary" schooling referred to is similar to our first through sixth grades; the "secondary" to the seventh through 12th grades.

For anyone who is keeping informed on the Rhodesian issue, the Hutt article is indispensable. It follows:

The Rhodesian Calumny

(By W. H. Hutt)

(Note.—W. H. Hutt has been Professor of Commerce and Dean of the Faculty of Commerce at the University of Cape Town, South Africa; currently Visiting Professor of Economics at Wabash College. His book, *Economics of the Colour Bar*, remains one of the principal works on the origins and impact of racial legislation in South Africa.)

I have lived for thirty-seven years in race-troubled South Africa and during that time I have been observing, thinking about, and occasionally writing about, the superficially intractable problems of color prejudices and racial domination. I have seldom felt that the politicians were leading wisely on the always delicate and sometimes explosive issues of race antagonisms, either in my own country or in adjacent countries. Yet during the 1950's and early 1960's, there was one area in which there were hopeful signs of emerging enlightenment. I refer to the now disintegrated Federation of Rhodesia and Nyasaland.

With rare statesmanship, commendable realism, and courage, the Welensky regime had brought about in the Federation an all too brief era of peaceful and prosperous development under the rule of law, independent courts, integrity of administration, and as rapid an orderly modernization as the world had ever witnessed. Nowhere else had Blacks and Whites got on with one another better under the stresses of radical sociological change and economic progress. Order was maintained by a tiny *unarmed* police force, more than half of which was African. Time-rooted color prejudices were being slowly dissolved whilst, for Southern Rhodesia, the 1961 Constitution had not only laid down a non-racial voting qualification, but, through a Declaration of Rights, provided for the unconstitutionality of legislative discriminations on the grounds of race or color.

Unfortunately the British government, placing the ambitions of a handful of power-hungry African politicians above the interests of the inarticulate African masses, decided to break up this great experiment. Nevertheless, in the present Rhodesia, the 1961 constitution (with minor amendments) has survived; and under it, *the most promising deliberate attempt the world has ever seen at creating a wholly democratic, multiracial society has continued.*

But persistent pressures from the new totalitarian and nationalistic African governments, which were understandably hostile to a genuine democracy in their continent, have demanded that it be crushed; and the belief of the White Rhodesians that Britain and the United States were siding with the totalitarians drove Ian Smith's Government (legally elected under the 1961 Constitution) into a Declaration of Independence in 1965.

The present position is that Britain, the United States, and the United Nations reject the system under which the right to the franchise in Rhodesia is independent of race or color and based on very modest educational and/or property qualifications. They want a system which confers the right to vote unconditionally upon four million tribal Africans. That is what the quarrel is about. Yet Rhodesia was offering, in the middle of Africa, a continuous object lesson in growing racial and color harmony, under *classical democracy.*[1]

Ian Smith's regime, whilst solemnly pledged to "unimpeded progress to majority rule"; and prepared to entrench this objective by any bona fide technical means the world might demand ("by solemn treaty if necessary"); and prepared further to lighten materially the franchise requirements (under adequate safeguards), is nevertheless doggedly resolved to preserve the Western heritage for all races to share, and not to permit its destruction (which nearly all White Rhodesians believe would be the outcome under "one man, one vote"). The only limitations on the franchise are, in fact, of the kind that J. S. Mill advocated in his classic *Representative Government* (1861).

I allege that Americans have been grievously misled about the facts. The frankness of Ian Smith and his colleagues in expressing their fears of the *unconditional* enfranchisement of Africans, has been subtly used, by unscrupulous reporters, to create an impression that the Rhodesian government is keeping the Africans in political subjection. That is false.

Admittedly, there *are* White supremacists in Rhodesia. They support the present Government *faute de mieux*, because it is at least staving off African uni-racial totalitarian rule. Today they are taking advantage of the backlash caused by anger at the injustice of sanctions and pressing for an *apartheid* policy. If the supremacists gain power and put back the clock, will it not be the fault of Britain and the United States?

The present situation may easily confuse the superficial observer. Originally the threat, and later the actuality of sanctions, together with unprecedented internal efforts (mainly by non-Rhodesians) at subversion, have forced the Rhodesian government into defensive action. It is easy to represent emergency steps as normal policy. The white leaders of Rhodesia are not Nazis. Some have a proud war record.

The extent to which, through press, radio, television, and pulpit, the American public has been misinformed on this issue is fantastic. I can illustrate by a few out of *hundreds* of examples. In September, 1966, the influential *Newsweek* (relying upon a reference by Ian Smith to Dr. Verwoerd's personal kindliness: words of sympathy following the latter's assassination) remarked that "the Rhodesian leader made it plain that his support for white supremacy was unshaken." . . . told Congress shortly before that the Rhodesian government "favors rule by a racial minority through policies aimed at excluding virtually all Africans." Various politicians (mostly ill-informed, but still irresponsible) have referred to "racial and political injustice" in Rhodesia (these are President Johnson's words), or expressed similar blanket condemnations. Ambassador Goldberg told the world through the United Nations that Rhodesia involved "the seizure of power by a minority bent on subjugating a vast majority on racial grounds." And a host of other seemingly well-informed and trustworthy authorities have succeeded in slandering the rulers of Rhodesia by deepening the impression that Africans are being denied democratic or human rights by a White minority.

Actually, Rhodesia offers free political institutions, the rule of law, a judiciary with an independence of politics which most Americans would find difficult to believe, a free enterprise economy, and few surviving *state-imposed* (I stress this qualification) barriers to equality of economic opportunity. It *was* also a happy and internally peaceful area until recently, order having been maintained since the beginning of the century by a tiny force of *unarmed* police. That was, of course, before the return of saboteurs trained in China, Algeria, and Tanzania. Otherwise, since World War II, persons of all races had obviously been learning to live with one another under increasing amity.

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[1] It is as essential to distinguish between "classical democracy" (i.e., the form of representative government advocated by the "classical liberals") and what is commonly called "democracy" today, as it is to distinguish between "classical liberalism" itself and what is today commonly called "liberalism."

The greater proportion of the 220,000 Whites (which includes many whose enterprise and industry had created the civilization established in Rhodesia) had undergone an agonizing readjustment of deep-rooted racial attitudes. They had come to accept not only the inevitability of equality of political opportunity, but also the wisdom of a policy aimed at deliberately hastening progress toward the day when the majority of the qualified electorate would be Africans. Moreover, prior to the imposition of sanctions, Rhodesia had been prosperous. Its GNP had almost doubled during one decade, providing more than proportional benefits to the African section of the population and attracting an enormous number of foreign Africans to share in temporary employment opportunities.

The main source of discord was a small group of African leaders, imbued with a faith in their ability to serve their people, but often spurred on chiefly by personal ambition; and sometimes understandably bitter in the light of humiliations and indignities which they may have had to endure. Among this group, the politicians' ubiquitous hunger for power was whetted by the apparent prospect of *early* African supremacy. They had just witnessed a succession of capitulations which had conferred sudden status, privilege, and wealth on similarly placed African leaders to the north. They were aware of the dominating population of mainly tribal Rhodesians whose votes could obviously be won by appeals to perfectly natural envy as well as to color resentments, nationalist emotions, and class antagonisms. All this seemed to suggest that, with determination and the right strategy, office and honor were within their grasp. They found they were *thwarted by the entrenchment of a non-racial political equality, a reasonably achievable franchise available on equal terms for every literate and responsible Rhodesian, whatever his color.*

Why should governments which claim, at least, to be striving for the eradication of color prejudices and racial injustices wish to crush this genuinely democratic society? One reason is, I believe, that American and British politicians tend to think in terms of the aspirations of African *politicians*. They are not directly concerned with the welfare of the African masses, who, unlike their leaders, are not possible future voters at the United Nations; and sometimes the Western politicians seem to think that it is expedient to retain the friendship of "moderate" leaders in African territories; whilst even the moderate leaders find it desirable, for popularity reasons, to appease the racial emotions and resentments of the black peoples. If they did not, they could not survive, it is felt, against more extreme rivals.

A more difficult question is, why should so many who obviously do sincerely wish to eliminate surviving inequalities of opportunity and respect between Black and White in the world, also wish to destroy the most propitious experiment in non-discriminatory representative government that mankind has known? I can conceive of only one answer: because of culpable news-slanting by reporters, newspaper correspondents, editors, and radio and television staff.

What I cannot explain satisfactorily to myself is why those in control of propaganda resources should have a *vested interest* in misinforming the world on so vital an issue. Yet the blatant fact remains that the number of people outside Rhodesia who know the facts about that country is almost infinitesimal, and the occasional attempts of these few to correct misrepresentations have had little success. For instance, during the year 1966, I can recall seeing only two really unslanted references in New York newspapers to the policy of the Smith Government. One was in a very well informed letter from John Davenport (of *Fortune*), and the other a brilliant letter, quoted from the English press, of Elspeth Huxley's.

Now there are some aspects of the racial situation in Rhodesia which critics abroad might deplore, whilst giving full recognition to the democratic, non-racial objectives of the Smith Government. I shall shortly refer to policy aspects which I myself regard as wrong or ill-conceived; but it has been a tactic of those who are hostile to Rhodesia's aim of preserving Western civilization for gradual sharing with the Africans, to refer to these aspects and, through references to her friendship with the Republic of South Africa, to imply that Rhodesia is following an *apartheid* policy.

It is true, of course, that South Africa has tactfully assisted Rhodesia's resistance to sanctions, yet this is not because there is any basic similarity in objectives. It is due to fear that the overthrow of Smith's regime would lead to the early establishment of a hostile black nationalist dictatorship on the northern boundary of South Africa. The Rhodesians are genuinely grateful for this support in their hour of need, and official references to the Republic are understandably amicable; but the proclaimed racial policies of the two countries, whatever their merits or demerits, are at present diametrically *different*.

Let us consider the allegations of racial discrimination in parliamentary representation, with general political bondage for the Africans. In truth, every Rhodesian at the age of twenty-one upwards has the right to qualify for the vote (or to stand for election) on the same terms, irrespective of his race, color, or ancestry. Moreover, the franchise qualifications are surprisingly moderate when one considers the need, in so complex a racial situation, for insuring that voters shall be able to understand something about the issues on which they will be expected to exercise ballot-expressed judgments.

The qualification is based on education or property, or a combination thereof. Thus, on the so-called "A" roll (providing for 50 of the 65 seats in the legislature) completion of primary education *plus* either an annual income of £528 (say $1300) *or* property of £1100 is one of the conditions which qualifies a voter.[2] But *no* property or income standard is applied if four years of secondary education have been completed (a provision intended, I understand, to bring as many moderately qualified young Africans, as rapidly as possible, onto the "A" roll). And there are other, alternative conditions for qualification. For the "B" roll (providing for 15 seats only) the requirements are much more lenient. For persons over thirty years of age, income of only £132 *plus* completion of primary education will qualify, as will completion of two years of secondary education with no age, property, or income requirement. Again, there are other means of qualifying. The "B" roll qualifications were intended to insure immediate representation by African members in Parliament.[3]

Following the *Tiger* talks, the Smith regime had been willing to accept even easier franchise qualifications. The Rhodesian government was, indeed, prepared to lean over backward in its efforts to refute the slander that its object was to perpetuate the subordinacy and inferiority of the Africans. Now I submit that, unless by some stratagem Africans are prevented from exercising their rights, even under the present provisions, there is nothing to justify the sanctions through which Britain and the United States have been trying to bring the regime to an end. Let it be clearly understood that there is no parallel in Rhodesia to the subterfuges which have, in the past, denied *constitutional* rights to Negroes in some parts of the United States. Moreover, there are no grounds whatsoever for the suggestion that educational opportunities are being deliberately withheld from Africans, or not reasonably available. (I shall return to this point.) Nor can the Whites be shown to be using the dominating parliamentary majority power which the franchise conditions at present accord them in order to legislate against equality of opportunity in the economic sphere. Even if they did, the Declaration of Rights, with the Constitutional Council's power to declare such measures unconstitutional, would stand in their path.

If Rhodesia's critics had merely demanded even more ironclad constitutional entrenchment to insure that African rights should not be subsequently revoked, there is not the slightest doubt that the Smith Government would have agreed to this, although not in a form which would have given a veto right to the "B" roll voters. The intransigence of the White Rhodesians rests in their determination not to let the future of their land—a progressive country which their courage, industry, and integrity have built up—be determined by a "one man, one vote" referendum in which almost wholly tribal and illiterate Africans were allowed to vote.

The political protection of these presently voteless Africans is secured through the "Declaration of Rights," which provides for what are termed "fundamental rights and freedoms." Equality of treatment in all legislation is guaranteed to every Rhodesian ". . . whatever his race, tribe, place of origin, political opinions, color or creed, subject to respect for the rights and freedoms of others." To pronounce on the constitutionality of proposed legislation (in the light of this "Declaration") there is a Constitutional Council, of *predominantly non-white membership*. Its members are nominated and chosen by an electoral college consisting of the existing and any former chairman of the Council, members and former members of the Council, judges and retired judges, and the President of the Council of Chiefs.

Through the chance of history and tradition, few of the four million Africans were able to play more than a passive role in the development of their country. Hardly any were capable of being more than unskilled collaborators with the hard-earned savings, enterprise, energy, and skill of the White settlers. This was due, as every *intelligent* Rhodesian knows, not to any innate inferiority of the Black people, but to history and the absence of earlier opportunity. Insofar as there remains any *deliberate* perpetuation of practices or procedures which deny opportunities to Africans, there is something which any "classical liberal" like myself would never hesitate to censure; and any *unintended* perpetuation of racial economic inequalities can equally be subjected to exposure and criticism. Yet White property owners, including landowners, have never been responsible for racial discrimination—at least *not in that role*.

But are the political rights conferred under the sort of franchise conditions I have briefly indicated a mere sham, as is often alleged? Let us consider the educational facilities available for Africans as a path to enfranchisement. . . . told Congress last year that "the Smith regime refuses to provide education above the primary school level for a meaningful number of Africans," and Mr. Joseph Palmer, Assistant Secretary of State for African Affairs, recently told the California Institute of Technology that "relatively few Rhodesian Africans are permitted the facilities to complete the highest secondary grade or go to college." These assertions are false.

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[2] It should be noticed that *this* qualifying income is less than one quarter of the family income regarded by the U.S. Bureau of Labor Statistics as the poverty or "deprivation" level.

[3] There are 13 African representatives in Parliament.

What are the facts? To get the matter into perspective we must remember that, although the Whites make up only one-twentieth of the population, they provide 98 per cent of the *direct* taxes collected. In spite of the fact that 220,000 Whites alone must for some time finance educational development for 4,000,000 Africans, *the most impressive achievement of the regime and the most impressive planned achievement is precisely in respect to secondary education*. A top priority in the reforms introduced by the Field Government in 1962 was a rapid speeding up in the provision of secondary schools. In the period since then, 45 new secondary schools have been established. The present program aims at offering secondary school education to 50 per cent of those Africans who complete primary school; and for the rest a system of correspondence courses is to be provided.

If the opportunities available in Rhodesia are seized, progress toward the time when responsible Africans will hold the balance of power should not be protracted. A team of three Americans, headed by Rep. John Ashbrook, has recently reported, after a study of the situation at first hand, that there have been "spectacular advances" in education and that "the demand for . . . places in secondary schools has yet to equal the supply." Far from being *excluded* from opportunities, Africans are not yet voluntarily taking advantage of the facilities available. In vocational training the same apathy on their part is slowing down the progress hoped for.

Over a decade, enrollment of Africans in *primary* schools has doubled, enrollment in *secondary* schools has increased six-fold, and enrollment as a whole has tripled. Ashbrook's team points out, quite pertinently, that in Britain "only 34 per cent continue to go to school after age 15." In Rhodesia the *target* for Africans alone is 50 per cent. Unless sanctions succeed in sabotaging the most rapid advance in educational facilities which any African area has ever experienced, in three years time all Rhodesian children of all races will have an opportunity of achieving a complete primary education. Expenditure on education, which is the biggest item in Rhodesia's budget, has trebled over the last seven years and has been accelerating. Moreover, as far as university education is concerned, a deliberate policy of discrimination in favor of Africans in respect to scholarships and loans has been followed. In the words of the Ashbrook Committee, the Rhodesians have "struggled valiantly to pull the African into the twentieth century."

These facts, which can easily be verified, ought to have been known to Mr. Palmer. If they did not trouble to check their facts but based their allegations upon reports of newspaper correspondents, articles in popular periodicals, and the like, their speeches were recklessly irresponsible. But should the facts as I have stated them be doubted, let one of the large foundations finance a visit to Rhodesia by a small body of disinterested members of the academic profession—*chosen for their known independence from affiliation or association with any political party*—and let them report, from first hand contact, on what is happening. The overall aim of the program, planned in 1962, may well be over-ambitious, almost naive in its optimism and idealism; but what chance has it when the world tries to destroy the regime which boldly conceived of it?

At times, I get the feeling that it is hopeless to try to expose the repeated misrepresentations and false stereotypes that have been created, particularly in the minds of American Negroes. I can illustrate by a typical distortion. On one occasion a reporter told the world that Ian Smith had declared "There will be no black rule in my time." This alleged assertion made headlines everywhere and it is constantly repeated; but the repeated denials seldom get printed, let alone make headlines. What Smith had actually said, in a CBS telecast, and I quote from Anthony Harrigan's *One Against The Mob* was: "If we had a black nationalist government—a black extremist government in my lifetime, then I believe we would have failed in our policy . . . [which] has always been no discrimination between black or white."

A report published in the American press on September 18, 1967 said that Prime Minister Wilson was sending aides to Rhodesia to seek "acceptance of eventual African majority rule." How tendentious and subtly mendacious it all is! There is majority rule under nondiscriminatory franchise qualifications, and the whole plan, guaranteed since 1961, contemplates an eventual African majority of votes on both the A and B rolls as soon as the Africans have used the rapidly growing facilities to achieve education or to qualify under the other responsibility tests. Moreover, the hackneyed insistence that "all sections of Rhodesian opinion, black and white, should be consulted" is equally tendentious; for already, under the present constitution, all sections who can be reasonably assumed to be capable of envisaging the issues have equal rights under the franchise provisions. But if "all sections" is a euphemism for Nkomo and the PCC, and Sithole and ZANU, anything short of immediate black supremacy seems certain to be rejected.

How much wiser and commendable is Ian Smith's attitude towards the whole franchise problem! He has said: "We hope the time will come when we shall have Black and White Parliament and nobody will start counting heads to decide whether there are more Blacks than Whites."

Do those Americans or British who applaud the "tough" line taken against Rhodesia *know* that this is the spirit with which the government of that country has faced its appallingly difficult task? How many who feel indignation at the supposed "oppression" of the Africans in Rhodesia know that in advising his countrymen about how to act in face of brutal attacks, perfidious misrepresentations, and vindicative sanctions, he urged them all to exercise "courtesy, kindness and understanding towards all peoples, especially those of other racial groups . . . to maintain the highest standards in everything that you do: in your work, in your play, in your thoughts, especially when thinking of other people; in your general demeanour. . . ." Are these the words of a Rhodesian Hitler determined to treat the Africans as the Nazi regime treated the Jews? Yet that *is* the image which has been created of Ian Smith.

Yet is there political freedom in Rhodesia? Is there not suppression of effective opposition? Again, I have found that most Americans and Britons who have been interested in the subject believe that the expression of anti-government *views* is somehow restrained. The truth is, I think, that the restrictions imposed have been aimed not at *opinion* but firstly at incitement to mob violence, terrorism, and intimidation, and secondly at more subtle attempts to destroy morale.

It is possible that, through an element of war hysteria created by world hostility and organized misrepresentation of their aims, the Rhodesian government has gone beyond what has been needed to prevent instigation to disorder; but confronted with sustained cold war aggression, together with the burden of sanctions, it was vital that they should maintain legitimate hopes of success in their struggle to preserve non-racial democracy. Although the newspapers of Salisbury and Buluwayo (which are under a single British ownership) have a justified reputation for responsibility, they have pursued a policy of supporting Britain right or wrong. Their news presentation and comments were obviously felt to be destructive of good racial feelings, and even worse, destructive of *faith* in the power of Rhodesia to survive the world's aggression (through sanctions and otherwise).

The Rhodesian government had no journals of their own of similar influence; short of nationalizing the press. They were led to drastic censorship; and the power to censor remains. The Ashbrook Committee reports that it is the Administration's "earnest hope that the worst rigors of censorship are past. . . . . If the editors would only be a little more co-operative, the whole unpleasant business could be brought to an end."

The sort of problem which has to be resolved can be illustrated by difficulties encountered at the University College of Rhodesia recently. As in virtually every college or university of the free world, a few Communist *sympathizers* among staff and students (of course, "they are not Communists," we are always assured) appear to work for the "other side" in the cold war. They work as unobtrusively as they can, but their task is to spread dissention and inspire "demonstrations." Now it was the hope of the Smith Government that the College could train a growing number of Africans to take their part among Rhodesia's future rulers, and that within its walls the old prejudices, antagonisms, and misunderstandings could be eradicated. A minority among the staff, however, (mostly British) seemingly indoctrinated with the notion that the fomentation of race hatred, and the quiet implementation of class and race war are legitimate in the struggle against "capitalist imperialism," were causing serious friction. They seemed to be inculcating resentments and the spirit of revenge among the African students. The deportation of certain lecturers who were believed to be guilty of this abuse of academic freedom has naturally been represented as, in itself, a denial of that freedom.

A typical misrepresentation can be mentioned. Last year the College entertained the Principal of the University of Cape Town, Dr. J. P. Duminy. At the ceremony, a deplorable demonstration was organized among some of the students on the grounds that the principal of "a segregated university" was being honored. The American journal, *Christianity and Crisis*, subsequently published an article which sought to justify this insult to an eminent academician, by describing the invitation to Dr. Duminy as "provocative to the African students." Yet the Univeristy of Cape Town is (and will always remain, I hope) open to students of all races. Segregation is imposed by the government of South Africa upon students wishing to attend, not by the University's own decision or regulations. Moreover, every year after he was appointed, Dr. Duminy, together with the Chancellor of the University, played his role in an annual ceremony and procession of protest at which the "torch of academic freedom" is carried—a torch which was ceremonially and solemnly extinguished when academic *apartheid* was enacted. The writer must have known these facts. Why did he suppress them?

If, in these circumstances, the Rhodesian government has resorted to press censorship and suspension of the rule of law (and of *habeas corpus*) in dealing with suspected troublemakers, the criticisms of those far from the scene ought, at any rate, to be guarded. There are no racial riots and no *obvious* signs of smouldering discontent among the great mass of Rhodesian Africans. From that angle, whatever the demerits of the regime, it has its concomitant virtues.

Ashbrook's Committee reported of the Rhodesian capital: "The only troops in evidence are a handful of smiling Africans. . . . On the streets white and black mingle with one another with every appearance of courtesy and good humor. . . . During the whole of our visit, we never heard a siren; . . . we never noticed so much as a sidearm. . . . The perceptive American knows that racial tensions can be sensed; but he senses none of these tensions here." We must remember that, due to the infiltration of saboteurs trained abroad, Africans who wished to cooperate in the democratic order, by enrolling as voters or by actually voting, were for some time in danger of being murdered, tortured or having their houses and crops destroyed and their cattle maimed. After Rhodesia's independence, the Zambia Broadcasting Corporation, with the collaboration of the BBC, explicitly exhorted participation in sabotage and murder. This seemed incredible to me when I first heard of it; but it is true. Tape recordings exist and the text has been published. Both the PCC[4] (formerly ZAPU) under Nkomo, and ZANU[5] under Sithole, are supported by the two great Communist powers. Captured bombs, grenades, and machineguns together with sabotage instruction manuals from various places beyond the Iron Curtain have been produced in the courts.

The first big campaign for lawlessness and disorder was rapidly suppressed by the loyal and efficient Defence and Police Forces:[6] Internal peace then ruled for some time; and a second large-scale effort launched from Zambia recently appears also to have been effectively suppressed. Those who forecast wide-spread bloodshed following the Declaration of Independence have been proved wrong, although many Africans lost their lives and their property at first.

In defending the Rhodesian regime from contemporary misrepresentations, I must not leave the impression that, in my judgment, the Africans have no legitimate grievances. There *are* surviving discriminations. How rapidly the causes of the discrimination can be removed will depend upon the wisdom of those elected as the weight of the African vote gradually increases. Moreover, as I have already insisted, there *are* supremacists in Smith's Rhodesian Party. But the Prime Minister himself vehemently and indignantly denies that his policy is moving towards *apartheid*. He maintains—and with patent sincerity, I believe—that his government stands for non-discrimination and the right of all to progress on merit.

U.S. Representative J. D. Waggoner claimed recently that "Segregation is unknown in Rhodesia. It is forbidden by law. Public facilities, hotels, bars, buses and the like are open to one race as well as another." That *is* broadly the position; but a cultured African is, I understand, still subject to indignities and affronts, mainly from Whites of a lower social class; and exclusions by subterfuge occur here in other spheres,[7] fortunately not in the University College, or in public transport, or in public buildings. In housing, de facto segregation persists fairly widely, but only in the sense in which this assertion is still equally true of the United States, and it is basically an income segregation. (The most stupid follies of *apartheid* are not found in Rhodesia).

The remaining major discrimination *imposed by law* against Africans is, in my opinion, that due to segregation maintained under the *Land Apportionment Act*. There is, I believe, almost universal agreement that this Act must eventually be drastically amended; but the case against precipitate action is strong. What *were* the objects of the *Land Apportionment Act?* The British Parliament passed it with two aims in mind:

The first aim was to attract settlers with enterprise and know-how capable of developing the flow of real income for the benefit of all races (which aim has been realized). The Act was in the nature of a contract with the settlers who responded. If there was any element of privilege conferred by the contract, it resembles the monopoly promised to prospectors everywhere—to induce them to risk capital in searching for the earth's hidden wealth.

The second aim was to protect land allocated to African ownership from purchase by Whites. There is, I understand, no *legal* restraint on the sale of agricultural land in White ownership to Africans: the chief protection the Act provides is for Blacks, not Whites.

Mr. Palmer told his audience that "the acreage reserved for the white minority consists of the best land." That is not true. In a reply to Mr. Palmer, the Rhodesian Ministry of Information has pointed out that "there was a slightly higher percentage of higher fertility soils in the African area than in the white area, nearly twice the percentage of medium fertility soils and, while only 37 per cent of Rhodesia has a rainfall above 20 inches, half the African areas fall within this zone."

Now it is complained also that the area of land *per head* possessed by Whites is incomparably greater than that possessed by Africans *per head*. Of course, but should that be a grievance? The Whites equally remain in possession of a proportionally greater capital *per head* in other forms; but it was the capital which their enterprise, stubbornness, expertness, and energy could alone have created. What is now their land was hardly capital when they took it over. It was virtually valueless—almost wholly unproductive scrub. Many of the critics of Rhodesia *seem* to be arguing that the Whites should be dispossessed of that property simply *because* they are Whites. But the principle of non-discrimination condemns privilege, not property. Privilege may become property—e.g., import licenses may become assets—but property is not privilege. It cannot be held that the Whites *exploited* the Africans they employed.

The chief obstacle to a more rapid achievement of equality of economic opportunity on the part of Rhodesian Africans is to be found, however, in the labor market. This is an aspect of the problem, however, which Rhodesia's critics all pass over. Just as in the Republic of South Africa, the most powerful color bars in Rhodesia do not arise from quite honest exclusions in "job reservation" form, or from the indirect but still obvious exclusions via "group areas" and "labor allocation" forms. It is the simple insistence on "the rate for the job" which creates the really vicious color injustices. The principle of "equal pay for equal work" prevents the African from discounting his initial inferior training for many types of work required in modern society, the extra costs of employing him (including the unrest which labor union leaders can initiate by playing on the color prejudices of the Whites). It confines him on the whole, therefore, to occupations of relatively low productivity and value, and it destroys the business incentive to invest in the inculcation of industrial skills. Where the Rhodesian Africans are progressing economically is in the spheres where the standard rate cannot be enforced and labor union power cannot be exerted—in the white collar occupations, journalism, and the civil service.

In the professions and in business, the qualified Africans encounter merely the kind of obstacles (not imposed by law) which similarly qualified Negroes encounter in the United States. But it is through restraints in the labor market, of a kind which are defended by practically all Rhodesia's critics, that the key injustices can be discerned.[8] Whether African leaders wise enough to perceive this reality are likely to emerge in the near future is very doubtful. But as the political progress of Africans under the present constitution will be to some extent dependent upon economic progress, their leaders will have every incentive to rescue their people from the tyranny of "the standard wage-rate."

Of course the constitution withholds present majority power from the Africans, but the purpose is to insure their eventual sharing in the heritage of the West by preventing their destruction of it; and the planned gradualness is surely to be welcomed. Blacks as well as Whites are stupidly emotional on the skin color issue in all areas of contact all over the world. The problem is aggravated when color prejudice is merged, as it usually is, with class prejudice. With gradualness and steadfast policy, these prejudices can be dissolved; but demagogues demanding haste can sabotage the process.

Those who, like myself, regard color prejudice as the worst social evil of the contemporary era must strive for the removal of the sanctions which were imposed against Rhodesia after she was condemned, *unheard and unrepresented*, by the United Nations. If we want the most hopeful planned attempt the world has ever experienced to achieve a free multi-racial society to be allowed to demonstrate its potentialities—for the benefit of all—we must, indeed, go even further. Rhodesia deserves generous compensation for the harm already caused, mainly to innocent Africans, from past efforts to compel her to capitulate to the prospect of black totalitarian racism; and in the United States, if the Negroes were rationally and disinterestedly led, we should find them fighting for the right of the Rhodesian Africans to qualify for a democratic and prosperous future; and that means their protection from the "one man, one vote" tyranny which capitulation to the PCC and ZANU would surely impose upon them.

YOU ARE SUPPOSED TO BE WRONG IF YOUR BOSSES ARE WRONG

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, next to the end of last year the Senate passed S. 633 which seeks "to promote the foreign policy of the United States by strengthening and improving the Foreign Service personnel system of the U.S. Information Agency through establishment of a Foreign Service Information Officer Corps." This legislation would create a corps similar to the Foreign Service Officer Corps of the Department of State.

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[4] People's Caretaker Council.

[5] Zimbabwe African National Union.

[6] It is perhaps significant that, at the rank and file level, Africans constitute the majority in the Defense and Police Forces.

[7] Segregation in schools has not discrimination as its purpose, but maintenance of standards. This is not just hypocrisy. No one believes, I think, that it will survive African progress in the cultural and educational fields. The Ashbrook Committee reported, after interviewing three African members of the Rhodesian Parliament, "They do not urge even the integration of elementary and secondary classrooms."

[8] Since NRA, in the United States the relative progress of *male* Negroes appears to have been confined solely to the white collar field (clerks, salesmen, teachers, or professional men), and to the entrepreneurial field, or to professional sport.

Because of highly questionable personnel practices at the State Department which have been brought to my attention in the past, and which I have commented on extensively in the CONGRESSIONAL RECORD, I believe a lesson can be gained from the abuses to Foreign Service personnel due to the absence of an appeals system for such personnel. This class of personnel is not covered by civil service regulations, therefore an FSO who might have fallen from grace with the clique at the State Department can eventually be selected out and removed from the service. Recently, I inserted in the RECORD information on the experiences of Stephen Koczak and David G. Nes, both Foreign Service officers with a cumulative service of over 40 years, who felt the wrath of the bureaucracy because of their initiative.

In the case of Mr. Nes, his criticism of our Arab-Israel policies proved to be his undoing. He was given a meaningless assignment, and rather than wait for his eventual selection out, he resigned. Briefly, but incisively, he described the sorry state of affairs under which FSO's labor today:

> It takes about two years for the State Department to move a man from the top to the bottom of his professional rating. It is done by assigning him to meaningless tasks where it is impossible to achieve a good record. Then the State Department has the excuse to "select out" the man—meaning to fire him.

Referring to other victims of this vicious practice, Nes stated:

> I've seen it done to others and I didn't want it to happen to me. So I left, while I still had my top professional rating.

Apparently, it matters not what talent and experience a Foreign Service officer brings to his assignment, nor whether his efforts are in the best of interests of the Nation. Institutional loyalty is the first commandment at the State Department, and woe to him who dares not conform. Or, as the syndicated columnist, Edith Kermit Roosevelt, so expertly put it:

> You are supposed to be wrong if your bosses are wrong.

In the consideration of S. 633, it would behoove the House to learn from past experience regarding the Foreign Service Officer Corps at the State Department and not subject another body of Federal employees to the possibility of similar abuses.

I place the column "Our 'Sophisticated' Diplomacy," by Edith Kermit Roosevelt, and appearing in the Philadelphia, Pa., Bulletin of March 17, 1968, in the RECORD at this point:

OUR "SOPHISTICATED" DIPLOMACY: DAVID NES REFUSED TO ADAPT TO "THE LINE"

(By Edith Kermit Roosevelt)

WASHINGTON.—The amazing metamorphosis in the traditional duties of a State Department diplomat is exemplified in the case of David G. Nes, 22-year veteran in the foreign service, who recently resigned in time to avoid getting fired as a punishment for his objectivity.

Nes told me that after his return from the Middle East, he asked for an appointment to see Under Secretary of State Nicholas de-Belleville Katzenbach but was told he had to make his request in writing with eight carbon copies.

He complied, only to receive a memo from Katzenbach's office, initialed by an aide, informing him that an Under Secretary of State could only meet with an ambassador. This had to be a pretext because Nes had been acting head of the embassy in Cairo as charge d'affaires.

For six months prior to the Arab-Israeli war, he had been sending warnings to the State Department about the necessity of giving immediate attention to the Middle East situation to prevent another crisis. His warnings were ignored and he was told he was an alarmist.

"SELECTING OUT"

Nes learned the hard way that you are supposed to be wrong if your bosses are wrong. On his return, he was shunted into a humiliating make-work job in the Bureau of Intelligence and Research. He resigned before the State Department could go through its drawn out firing tactic. Nes discussed the department's so-called "sophisticated" personnel procedures as follows:

"It takes about two years for the State Department to move a man from the top to the bottom of his professional rating. It is done by assigning him to meaningless tasks where it is impossible to achieve a good record. Then, the State Department has the excuse to 'select out' the man—meaning to fire him. I've seen it done to others and I didn't want it to happen to me. So I left, while I still had my top professional rating."

MUST BE "REALISTIC"

Nowadays, he went on to explain, diplomats are indoctrinated with the necessity of being "mature" or "sophisticated." This has come to mean adapting themselves to "realism" and realism has come to mean simply policy—or what Reds call "the line."

For example, Nes was called to the White House where President Johnson discussed his assignment before formalizing his appointment as deputy chief of the mission in Saigon in 1964. This is as it should be, of course, but Nes discovered in Saigon that he was supposed to report to his higher-ups only those facts in the field which supported pre-determined decisions. He was to leave out any first-hand information that failed to buttress Washington policy.

Nes wrote that the United States could not expect to counter the Viet Cong guerrillas by using the conventional warfare approach of World War II. He said that as long as there was infiltration of men and arms into the South, we could not cope with the invasion in the way the war was being fought.

ORDERED HOME

Ambassador Henry Cabot Lodge didn't like the Nes reports. It was an election year and Lodge did not wish to get "involved." Nes was ordered back to Washington on three days notice. "I thought my career was busted right then and there," he recalled.

His crime in Vietnam and Cairo was that he was not "reliable," a Red word that means that no matter what an official sees or witnesses in the field, this must not go in his reports which must be pre-determined as though they were written in Washington instead of abroad.

The recruiting of so-called "reliable" personnel has become the obligatory way of processing people for personnel jobs in Washington, D.C.

McCLOSKEY & CO.

Mr. GROSS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include newspaper articles.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, I am surprised—yes, shocked—to learn that the firm of McCloskey & Co., of Philadelphia, is still engaged in big business with the Government.

No one in this House is more interested in assuring that there be competition in Government contracts, and award of Government contracts to the lowest responsible bidder. However, I am greatly concerned when I learn that the McCloskey firm is still regarded as a "responsible bidder" and has been determined to be the winner of a contract for a new $7 million main post office in Des Moines, Iowa.

I am writing to the Postmaster General to ask for an explanation of this matter. It seems to me that the revelations of the Bobby Baker case relative to Matthew McCloskey and the McCloskey firm; the problems the Government is having with the construction defects in the veterans' hospital in Boston, and the defects in the District of Columbia stadium raise serious questions about whether the McCloskey firm is a "responsible bidder."

I would have thought the McCloskey firm would have been removed from the list of responsible Government bidders until such time as officials of that firm agreed to pay the $5 million the Justice Department claims it owes in connection with the defects in the veterans' hospital in Boston.

It seems to me that it is time for the Post Office Department arm of the Government to find out what the Justice Department arm is doing with respect to McCloskey, and to take into account the role the McCloskey firm has had in a whole series of questionable matters.

Following are two articles from the Des Moines Register which describe some of the more recent operations of McCloskey & Co.:

[From the Des Moines (Iowa) Register, Feb. 16, 1968]

McCLOSKEY BID LOW ON DES MOINES POST OFFICE

(By James Risser)

Two firms, one of which has periodically been in hot water with the federal government, Thursday submitted the apparent low bid for construction of a new $7 million main post office in Des Moines.

The two, bidding in a joint venture, are McCloskey and Co., Inc., of Philadelphia, Pa., and C. H. Leavell and Co. of El Paso, Tex.

The McCloskey firm was headed until recently by Matthew H. McCloskey, a former Democratic Party fund raiser who figured in the Robert B. (Bobby) Baker case.

The federal government has a $5 million case pending against the company for alleged defects in construction of a Veterans Hospital in Boston, Mass. The firms' performances in building the Rayburn House Office Building in Washington, D.C., also has been questioned.

In the 1964 Senate investigation into the financial affairs of Baker, former secretary to the Senate Democratic majority, there was testimony that McCloskey's firm knowingly made a $35,000 overpayment on a performance bond in connection with the construction of the District of Columbia Stadium.

Insuranceman Don Reynolds testified that he kept $10,000 of the $35,000 as his cut and that the rest was paid to Baker to be used in the 1960 Democratic campaign.

Matthew McCloskey retired recently as head of the firm and was succeeded by his son, Thomas.

The new Des Moines post office, a two-story building to be located at the southeast corner of Second and University avenues in the River Hills urban renewal project, will be built and owned by the successful bidder and will be leased to the federal government. It will be on Des Moines tax rolls.

Bids were based on the amount of annual rent to be paid by the government to the developer over a 30-year period.

The McCloskey-Leavell bid, lowest of nine opened at the Post Office Department in Washington Thursday, calls for the federal government to pay an annual rent of $684,575 for 30 years.

It has been estimated that the total cost to the developer for buying the land, constructing the building and paying architects' and engineers' fees will be $7 million.

If the McCloskey and Leavell bid is accepted, they will receive $20,537,250 in rentals over the 30-year life of the contract. In addition, all property taxes and maintenance costs, except those due to construction defects, will be paid by the federal government, according to Fred Agnew, head real estate man for the Des Moines post office.

LAST OF BIG ONES

Representative Neal Smith (Dem., Ia.) has said that the Des Moines postal facility "will be one of the last big ones built" under the lease-back arrangement. "From now on, they will probably be built with U.S. money because it costs less," he said.

In addition to serving as Des Moines' new main post office, the new 286,000-square-foot building will be the central distribution point for all mail coming into Iowa by air, postal officials here said. There also will be a 56,000-square-foot garage and other vehicle maintenance facilities.

The McCloskey-Leavell bid, along with the other eight bids, was referred to Post Office Department lawyers in Washington Thursday for study. The successful bidder is to be designated within 60 days and construction is expected to be started this spring.

The developer must complete construction within 790 calendar days (2 years and 2 months) after awarding of the contract.

One of the eight apparently unsuccessful bidders Thursday was U.S.P.O. of Iowa, Ltd., of Des Moines, which bid a yearly rental figure of $748,800. The bid was signed by Jeanne S. Levitt, general partner; Richard Levitt and Madelyn L. Glazer, limited partners, and Edward Glazer, as spouse of Madelyn L. Glazer.

DIAL FINANCE

Edward Glazer is president of Dial Finance Co. here. Levitt is a vice-president of the company. Levitt's father, Ellis, who is Dial's board chairman, resigned last month from the Des Moines Urban Renewal Board.

Other bidders and the annual rental figures they submitted were:

Building Leasing Corp., of Kansas City, Mo., $714,714.

Seymour Rubin, of Miami Beach, Fla., $719,000.

Penner-Ring Co., of Los Angeles, Calif., $724,880.

Knutson-Wingard Co., of Minneapolis, Minn., $758,028.

William L. Gunter, of Atlanta, Ga., $760,000.

Fred O. Watson Co., of Minneapolis, $764,800.

Robert B. Russell, of Charleston, S.C., $795,000.

The McCloskey firm was sued four years ago in connection with the Boston Veterans' Administration Hospital after sections of the outside walls fell to the ground.

The U.S. Department of Justice claimed that in 1953, three years after construction, the hospital's walls began to crack and bulge. The suit said the government spent more than $4 million to repair the $10 million hospital. The suit is still pending.

OFFICE BUILDING

The McCloskey firm later built the Rayburn House Office Building, which ended up costing far more than original estimates. Some congressmen also charged that the building was full of defects.

During the Baker hearings, Matthew McCloskey testified that his company "goofed" in paying insurance man Reynolds $109,000 for a performance bond on construction of the $17-million D.C. Stadium. The actual cost of the bond was $73,000.

Reynolds testified, however, that he was the "bag man" in the deal and that both Baker and McCloskey knew of the arrangement to pay $25,000 of the overpayment to then Senate Majority Leader Lyndon Johnson and other Democrats.

President Johnson subsequently ordered an inquiry by the FBI, but nothing conclusive has come of it.

McCloskey was treasurer of the National Democratic Party before President John Kennedy appointed him ambassador to Ireland in 1962. McCloskey was confirmed over the objections of Senator John J. Williams (Rep. Del.), who alleged that McCloskey was the recipient of "favored treatment" in a purchase of a shipyard from the federal Maritime Commission.

IN DES MOINES

It was learned that while bids were being opened in Washington Thursday for the Des Moines post office. Thomas McCloskey and J. P. McCloskey, executive vice-president of McCloskey and Co., were in Des Moines. The Hotel Fort Des Moines reported that the two checked out late Thursday afternoon.

The 13-acre site for the new Des Moines postal facility was purchased by the federal government from the city for $480,000.

In addition, the government has paid $136,173 to Emery-Praill and Associates, Des Moines architects, who designed the facility. Both amounts will be repaid to the government by the developer.

The Post Office department will assume payment of all property taxes after taking occupancy of the building. Until that time, the developer will pay them.

The present main post office at Second avenue and Walnut street will continue to be used as a downtown post office station for box patrons and business firms after the new post office is built. The Des Moines Post Office has 1,800 employes and takes in more than $20 million a year in postal receipts.

[From the Des Moines (Iowa) Register. Feb. 28, 1968]

McCloskey Co. Loses a Roof

(By James Risser)

Two roof sections of a $12-million Philadelphia, Pa., sports arena—built just last year by the same firm that is the low bidder for construction of a new Des Moines post office—blew away on a recent windy day.

After the roof blew off, Philadelphia city building inspectors conducted an investigation. They concluded last week that the five-month-old building itself is structurally sound, but Mayor James Tate has called for redesign of the tar paper and fiberboard roof.

The builder of the Spectrum sports arena was McCloskey and Co., Inc., of Philadelphia.

Several other structures put up by the McCloskey firm in the last few years have resulted in lawsuits and other controversy.

LOWEST OF NINE BIDS

The McCloskey firm, bidding in a joint venture with an El Paso, Tex., company, submitted the lowest of nine bids Feb. 14 for construction of a new $7-million main post office and statewide mail distribution facility in Des Moines' River Hills urban renewal project.

The bids are being reviewed by Post Office Department lawyers in Washington and a contract is expected to be awarded within about two weeks, according to a postal official.

Winds, gusting up to 49 miles an hour, ripped off a 150-by-50 foot section of the roof on the Spectrum Arena and a smaller 2-by-6-foot chunk Feb. 17 as 10,000 adults and children waited for the beginning of a Saturday matinee ice show.

Nobody was seriously injured, although a number of persons in a nearby parking lot were struck by flying debris.

The Philadelphia Inquirer, in an editorial, promptly called for an inspection "from foundation to roof" of what it called "that oversized chicken coop on South Broad street, known as the Spectrum."

The Inquirer observed: "Perhaps one reason that nobody was killed, and only a few injured, was the flimsiness of the roofing material—consisting largely of layers of tar paper and fiberboard."

The editorial said the wind, "although brisk, was not exceptional. . . . When the roof of a building completed less than five months ago is ripped apart by such commonplace winds, what might happen when a storm hits?"

The Inquirer said that spectators at Spectrum events have questioned the construction quality.

"The building has an unfinished appearance," the editorial said. "Bare walls, exposed brick and other crudities are suggestive of a temporariness that is seen in buildings at world fairs and other exhibitions where construction is intentionally cheap and haphazard and designed not to last."

Four scheduled performances of the ice show were canceled after the mishap, while the building was inspected and the roof was patched.

The arena has reopened and one basketball game and two hockey games have been played.

The arena is privately owned by a company headed by Jerry Wolman, financier-sportsman who owns the Philadelphia Eagles professional football team.

The Inquirer editorial stated:

"Matthew H. McCloskey, the Spectrum's builder, has a long record of controversial construction jobs which have been the subjects of Justice Department litigation, FBI investigation and congressional criticism.

RAISES QUESTIONS

"Against this background, the permature demise of the Spectrum roof inevitably raises questions about the quality of materials and workmanship provided by contractors and subcontractors."

Matthew McCloskey, a former Democratic Party fund-raiser who figured in the Robert G. (Bobby) Baker case, was the long-time head of the McCloskey firm. Although still involved in company matters, he retired recently and was succeeded by his son, Thomas.

The federal government has a $5-million case pending against the company for alleged defects in construction of a Veterans Hospital in Boston, Mass. It was built in 1953. Parts of the hospital's walls fell into the street three years later.

The firm's performance in building the $122-million Rayburn Office Building and the $17-million District of Columbia stadium has been questioned by some congressmen.

The firm's $35,000 overpayment of a performance bond in connection with the stadium resulted in testimony at a 1964 Senate investigation that $25,000 of the overpayment was siphoned through Baker, former secretary to the Senate Democratic majority, to the 1960 Democratic election campaigns.

TO BE LEASED

The new post office facility here is to be built and owned by the successful bidder and leased to the federal government. Land, construction and other costs are expected to require about a $7-million expenditure by the developer.

Under the bid submitted by McCloskey and the C. H. Leavell firm of El Paso, the federal government would pay the two firms a total of $20,537,250 in rentals over the 30-year life of the contract.

In addition, all property taxes and maintenance costs, except any caused by construction defects, will be paid by the federal government.

The two-story, 286,000-square-foot building is to be at the southeast corner of Second and University avenues, across the street from the Americana Park Apartments.

ADMINISTRATION SURTAX PROPOSAL AS NECESSARY AS 1964 TAX CUT

Mr. ANNUNZIO. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, the strong, healthy growth of our economy since 1961 under two Democratic administrations did not come about by accident. This continuous, unprecedented peacetime prosperity—now in its 83d month—was the direct result of the intelligent use of tax and fiscal policies that were designed to increase our gross national product and insure a healthy, continuous rate of economic growth.

The greatest single step we took to achieve these essential economic objectives was the passage of the Revenue Act of 1964. During the past 5 years, from 1964 through 1968, citizens of this country have benefited from the biggest tax cut in our history. American taxpayers have had more than $78 billion to spend, save, and invest in our country's future growth than would otherwise have been available to them. The results of this bold, enlightened measure of 1964 are visible everywhere—in every home, every community, every business and corporation.

We must not allow the achievements of the past to be eroded by inflationary movements of the present. The time has now come, I believe, to be as bold and wise in our use of fiscal policy during prosperity as we once were during economic stagnation. The passage of the administration's tax surcharge proposal, requested last August, should be one of the earliest objectives of this Congress. For just as lower taxes worked effectively to revitalize our economy in the early sixties, so higher taxes will work advantageously today in helping to reduce inflationary pressures on an economy already characterized by high interest rates, tight money markets, and rising prices in consumer and capital goods.

As a result of the 1964 tax cut, the American taxpayers will have in 1968 some $20 billion more than they otherwise would have had. The proposed 10-percent surcharge will remove $10 billion of this amount from circulation. Moreover, it will reduce the Federal deficit by the same amount and in a manner that is anti-inflationary.

The deficit we face this fiscal year will be one of the largest in our country's history—in spite of the fact that the administration has consistently pared its spending programs and made expenditure restraint an essential part of fiscal programs recommended to the Congress. It is true that during the past 4 years Federal expenditures have risen as a result of our desires to diminish the severity of national domestic problems in such areas as health, education, urban development, and poverty. But this rise in expenditures when compared with percent of our gross national product has changed little from 16 percent in fiscal 1964 and still remains near the ratio of the late 1950's. Apart from expenditures necessitated by Vietnam, our Federal expenditures today constitute a smaller—not larger—share of our country's economic activity. Exclusive of our Vietnam outlays, moreover, we would have had a budget surplus during the past 3 fiscal years.

To those who would say that the American taxpayer is now overtaxed, I would like to emphasize that taxes in the United States, as a percentage of our country's GNP, is one of the lowest in the world. In 1965, taxes as a percentage of our GNP was 27.3 percent. This compared most favorably with Sweden's 39 percent, France's 38.5 percent, West Germany's 34.4 percent and the United Kingdom's 29.9 percent. Of the 12 leading industrialized nations, only Canada and Japan had less taxes as a percentage of their GNP than we in the United States. Even though taxes have risen since 1965, the rankings have not changed.

The American taxpayer not only can afford a tax surcharge but is willing, I believe, to assist his Government and his country in facing the challenges ahead. One of these is the strengthening of our dollar. Although the tax surcharge is only a portion of the administration's overall program to achieve this goal, it is the most vital part. Its quick passage will have the same beneficial effect on our economy now as its counterpart—the Revenue Act of 1964—had in giving the American people the prosperity they have so long enjoyed and can continue to enjoy.

A GREAT PRESIDENT'S QUEST FOR PEACE

Mr. ANNUNZIO. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, President Johnson has placed the American people forever in his debt by his decision to place the urgent matters of war and peace above partisan political rancor.

I think the leaders in Hanoi must now know that the President's desire for an honorable settlement in Vietnam is sincere, beyond all question.

The President's actions speak louder than any words in demonstrating his determination to end this terrible and costly war. I am certain that all Americans agree that the President is second to none in the world in wanting to end this conflict. And I am certain that he spoke for the overwhelming majority of his countrymen in expressing a prayerful hope that the decisions he has made will provide a giant step toward a peaceful settlement of this war.

This was a great and moving address. And I think I can speak for my colleagues in Congress when I say: "God bless you, Mr. President. We are with you all the way."

TOPSY-TURVY U.N. POLICIES—ISRAEL CENSURE CONDEMNED

Mr. BARRETT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BARRETT. Mr. Speaker, it is indeed tragic that the good citizens of Israel continue to live in fear of sneak attacks by fanatical Jordanian terrorists. When will bloodshed in the Holy Land ever end? I am firmly convinced that the answer to that question must come from the Kremlin. The Communists' favorite sport is fishing in troubled waters. Without Soviet political and military support there can be no doubt that the insane policies pursued by some Arab States would have to be abandoned. Moreover, the Soviet role in the Middle-Eastern turmoil and the Soviet Government's despicable anti-Semitism in Russia itself are no mere coincidence.

Frankly, Mr. Speaker, I was deeply shocked at the U.N. Security Council resolution of censure against Israel on March 24, 1968.

Certainly this unjustifiable action will make no contribution toward peace. For my part, a U.N. censure of the Soviet Union for its role in supporting violence and aggression in both the Middle East, and Southeast Asia as well, would have been more to the point.

THE RENEGOTIATION ACT HAS OUTLIVED ITS USEFULNESS

Mr. GUBSER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GUBSER. Mr. Speaker, on March 12, 1968, I testified before the Ways and Means Committee in opposition to the extension of the obsolete, outmoded, and expensive Renegotiation Act.

It is time we recognized the changes which have taken place in defense procurement policy and allowed the Renegotiation Board, which no longer serves a useful purpose under that policy, to be terminated.

At this point, I would like to include the full text of my statement to the Ways and Means Committee:

STATEMENT OF HON. CHARLES S. GUBSER IN OPPOSITION TO THE RENEGOTIATION ACT, MARCH 12, 1968

PREFACE

Mr. Chairman, as a Member of the Armed Services Committee, with a special interest in defense contracting, I have devoted considerable study to the Renegotiation Act. As the ranking minority Member of the Special Investigations Subcommittee of the Committee on Armed Services, which is charged with the continuing responsibility of reviewing defense contracting procedures, I have probed deeply beneath the surface of this subject.

The original purpose of the Renegotiation Act was to prevent excessive profits and war profiteering. And during the Korean War, when procurement was accomplished on a crash basis, it clearly served that purpose. None of us sanction and approve war profiteering just as none of us would favor sin or oppose motherhood. Why then should we terminate an act which once served this meritorious purpose?

To answer this question will require the courage to probe beneath the obvious, perhaps at some political risk. Such a probe will prove that the Renegotiation Act results in a net loss to the taxpayers. Secondly, it will show that the act contradicts established procurement policy and its stated goals. Thirdly, it will reveal that the act contributes to a dangerous centralization of defense effort. Fourthly, it will become clear that the act is unnecessary.

It will be my purpose in this presentation to discuss these four points in depth. Following this, I should like to offer a rebuttal of some of the arguments which are being advanced by proponents of the Renegotiation Act.

RENEGOTIATION ACT RESULTS IN A NET LOSS TO TAXPAYERS

Mr. Chairman, on March 25, 1964, I presented figures to this Committee which showed that for the year 1963 the Renegotiation Act resulted in a net loss of $9,321,000 to the American taxpayers. On May 10, 1966, I testified again to the effect that for the fiscal years 1962 through 1965 renegotiation resulted in a net loss to the taxpayers of $30.8 million. This figure was based upon an estimate that the cost of preparing and processing renegotiation filings amounts to .06 percent of renegotiable sales. The Machinery and Allied Products Institute a very reputable organization, has estimated the cost of filing renegotiation reports at .1 percent of renegotiable sales. Using this factor, the loss to the government for the years 1962 through 1965 would rise to $64.2 million.

My charges in 1964 and 1966 were given wide circulation, were presented before this Committee, and were reiterated on the Floor of the House. Yet to this day not a single representative of the Renegotiation Board has risen to challenge my figures!

I have updated my calculations and now contend that for the years 1963 through 1967, the latest date for which I could secure figures, the total net loss to the taxpayers as a result of renegotiation was $27.7 million, based upon a .06 cost factor and $69.3 million based upon a .1 factor.

For these years, renegotiable sales totaled $170.2 billion. The cost of submitting to renegotiation, based upon the .06 percent factor, would therefore be $102.1 million.

This cost to industry would be a deductible tax item and by making the assumption that the sales were equally divided over the base years and weighting those years with the declining corporate tax rate, we can say that $50.2 million of this cost was paid for by the government in the form of reduced income tax.

To this amount, let us add the amount which is charged to the government in the form of increased prices to recover the cost of preparing renegotiation filings. Assuming that the average defense contractor has a 25 percent defense volume, then we have an additional cost of $12.5 million.

By adding the operating expenses of the Renegotiation Board over the base period of $12.4 million, we now have a total cost of renegotiation, before refunds are made, of $75.1 million.

Over the base period, the refund determinations, net of tax, were $47.4 million, thus producing a net loss of $27.7 million to the taxpayers.

Had I not been overly conservative and applied the .1 percent factor used by MAPI, the loss would rise to $69.3 million.

In fiscal year 1967, the determination of excess profits after tax, which resulted from renegotiation, was $8,254,257, out of a total in sales subject to renegotiation of $33.12 billion. In rough figures, this amounts to less than one-quarter of one percent recovery after taxes of total renegotiable sales. This is a rather ridiculous recovery in terms of the costs incurred by industry and by the government in arriving at this determination.

Representatives of the Renegotiation Board will undoubtedly counter this statement with the old, tired "cop on the beat" argument. This argument completely ignores the great strides which have been taken in recent years toward the improvement of defense contracting, the completely changed policy we have adopted, the principle of redetermination, and laws like the Truth in Negotiations Act which have come into effect in recent years. I will deal with these matters later in my presentation.

Though the Renegotiation Board has not, to my knowledge, claimed credit for voluntary refunds as the direct result of the renegotiation process, it is noteworthy that no qualifying language is included in its report listing such refunds. For example, for fiscal year 1967 the report of the Renegotiation Board lists more than $30 million in voluntary refunds. Unless one carefully analyzes this figure, it is possible to make the mistake of assuming that all of these refunds were due to the renegotiation process. The report should have stated that such refunds are for all purposes, including such things as engineering changes which resulted in cost reductions, refunds due to redetermination, and a variety of other reasons.

In summary of this point, Mr. Chairman, I believe the evidence is overwhelming that since 1955, when excessive profit determinations reached a high of $165 million, the return to the taxpayer from the renegotiation process has been gradually declining until it has now reached the point where it consistently costs the taxpayer more than it saves.

RENEGOTIATION CONTRADICTS ESTABLISHED PROCUREMENT POLICY AND ITS STATED GOALS

Mr. Chairman, early in Secretary McNamara's administration of the Department of Defense it became apparent that defense contracts were gradually becoming less attractive to thousands of small and medium-sized businesses across the country and, as a result, we were headed toward a concentration of defense procurement into large firms which did nothing but government contracting. Accordingly, a new Armed Services Procurement Regulation, numbered 3–808.1, was added to the ASPR on July 17, 1963. It states:

"It is the policy of the Department of Defense to utilize profit to stimulate efficient contract performance . . . Negotiation of very low profits, the use of historical averages, or the automatic application of a predetermined percentage to the total estimated cost of a product, does not provide the motivation to accomplish such performance. Furthermore, low average profit rates on defense contracts overall are deterimental to the public interest. Effective national defense . . . requires that the best industrial capabilities be attracted to defense contracts. These capabilities will be driven away from the defense market if defense contracts are characterized by low profit opportunities. . . ."

ASPR 3–808.1 then goes on to spell out guidelines, rules and regulations for the implementation of this policy. In these implementing regulations, the profit objecttive is stated to be "that part of the estimated contract price . . . which, in the judgment of the contracting officer, is appropriate for the procurement being considered . . ." This will be a part of the record of negotiation and will be subject to redetermination. Why, then, should it be renegotiated?

Mr. Chairman, the record clearly shows that despite the contrary intent of ASPR 3–808.1, defense profits have been going steadily downward.

The Logistics Management Institute recently completed a study entitled "Defense Industry Profit Review," which was made under contract with the Department of Defense. The revelations of this report are startling. Based upon statistically valid procedures, Logistics Management Institute found and so informed the Defense Department that the average profit as a percent of capital investment of high and medium volume companies has been lower for the past five years on their defense business than on their commercial business. The trend of profits on defense business has been downward since 1958 while commercial profits have steadily trended upward.

The LMI report showed that net profit on total capital investment was 6.9 percent on defense business in 1966. The corresponding ratio for defense contractors' commercial business was 10.8 percent and for companies in an FTC–SEC sample 12.4 percent.

From a high in 1958 of 10.2 percent profit on total capital investment, defense profit sunk to 6.9 percent in 1966.

At the same time profit as a percentage of total capital investment on the commercial business of defense contractors ranged from a low of 4.7 percent in 1961 to a high of 11.6 percent in 1965 and stood at 10.8 percent in 1966.

Over the same period the defense business ratio of profit to sales declined from 2.7 percent in 1958 to 2.4 percent in 1966. In contrast, the commercial business of both defense firms and the FTC-SEC companies showed increases in profit on sales. The first group showed increases from 3.4 percent in 1958 to 5.0 percent in 1966 and the second group increased from 3.6 percent in 1958 to 5.5 percent in 1966.

The LMI report states further: "Discussions with defense contractors reveal that most of them plan to increase their commercial business as a percent of their total business. They intend to change their commercial/defense business mix primarily by concentrating growth efforts on non-defense business."

Defense contractors explain their reasons as follows: "Because commercial business is generally less competitive, there is a greater profit potential in that type of business."

Thus from a reliable group conducting a statistically valid study for the Department of Defense, it is obvious that defense profits are continuing to go down and there is less and less reason for the renegotiation process.

The Congress, the Administration, and the general public have constantly urged greater use of competitive fixed price contracts. This emphasis upon firm fixed price contracts involves a significant shift of financial risk from the government to the contractor. When a contractor assumes the risk of quoting a fixed price, he accepts uncertainty. In some cases he may, due to an unanticipated and an improved production technique, make a larger profit than expected. On the other hand, he might just as easily lose. In fact during the five-year period, 1963–1967, there was a total of $1.5 billion of losses reported by defense contractors in filings with the Renegotiation Board. To require a contractors to assume this new risk and comply with the policy demanded by Congress and the Administration, and then deny him the right to profit which stems from an improved and unanticipated productive technique, is contradictory to the previously mentioned Armed Service Procurement Regulation and present procurement policy. This is one reason contractors are concentrating on commercial rather than defense business.

Furthermore, let us not forget that, contrary to the statement by Mr. Hartwig, Chairman of the Renegotiation Board, in his letter to Speaker McCormack of February 23, all large contracts for the procurement of new and complex systems are subject to redetermination and profits are reviewed in the light of actual cost experiences rather than estimated and uncertain cost estimates.

For these reasons, Mr. Chairman, I conclude that the principle of renegotiation contradicts established procurement policy and its clearly stated goals.

THE ACT CONTRIBUTES TO A DANGEROUS CENTRALIZATION OF DEFENSE EFFORT INTO THE HANDS OF A FEW COMPANIES

Mr. Chairman, we have already seen from the Logistics Management Institute report that defense contractors are emphasizing growth in non-government, non-defense business because of declining profits.

In addition, industry is concerned over the activities of the General Accounting Office and the requirements of the Truth in Negotiations Act. The whole question of which costs are allowable and which are pertinent in pricing is causing contractors to think twice before soliciting government business as opposed to concentrating on commercial markets.

Also, Mr. Chairman, private industry has become reluctant to concentrate research and development efforts on the development of a product which might be useful in the national defense. Oftentimes a developer is not allowed to recover his costs on the first procurement. On the second round he may be forced to bid against competitors who have a competitive advantage because they have no research and development costs.

All of these factors tend to compress the number of firms who honestly vie for government business. The very small firm, the "loft operator," the marginal and unqualified bidder is always around to bid from somebody else's blueprints. And then there are the industrial giants, the General Electrics, the Lockheeds, the General Dynamics, who deal with government on a large scale and are geared for such business. But the medium-sized companies, with their great wealth of talent and the tremendous contributions which they can offer to the national defense, are being frozen out of the defense effort. This compresses and concentrates productive capacity, know-how and ability. Mr. Chairman, this is serious and adversely affects the national defense because it narrows the base of ingenuity available to the national defense.

Renegotiation is one cause of this. It is one more harassment from government, one more unnecessary step which adds unreasonably to overhead and makes government business less attractive than commercial.

THE RENEGOTIATION ACT IS UNNECESSARY

Mr. Chairman, government negotiators are securing better prices and there is more competition in every type of defense activity than ever before. The LMI report showing that defense profits are going down even while gross business is increasing is ample proof of this statement.

In addition, we have a law, Public Law 87–653, commonly referred to as the "Truth in Negotiations" Act. Just last Friday, the Special Investigations Subcommittee, on which I serve as ranking minority member and which is responsible for a continuing review of the "Truth in Negotiations" Act and its application, issued a report which suggested that the Department of Defense "expand post-award activities to provide greater protection against defective pricing stemming from the use of inaccurate, incomplete, or non-current data supplied by prime and subcontractors." In our recommendations we advocated further that defense contractors be declared ineligible for future business "if, after investigation of over-pricing, it is found sub-contractors have willfully or through culpable negligence deceived any government contracting official with respect to pertinent cost information in existence at the time of the agreement or pricing."

The Truth in Negotiations Act is a relatively new tool which renders the renegotiation process even more obsolete. Furthermore, as recommended by our Committee, the Department of Defense is continuing to sharpen the effectiveness of this tool.

The present emphasis upon firm fixed price competitive contracting with redetermination and incentive clauses allows redeterminations to be made based upon actual proven costs rather than estimations. Here is another tool which is available to the Department of Defense and which accomplishes anything which the Renegotiation Board can possibly claim as a reason for its existence.

Under today's circumstances, the act is unnecessary, obsolete and wasteful.

REBUTTAL OF CLAIMS BY THE RENEGOTIATION BOARD

Though, as I previously stated, the Renegotiation Board did not claim credit for all voluntary refunds listed in its annual report, I must say nothing was done to rebut a probable implication that such was the case. As previously stated, it is likely that very few, if any, of these voluntary refunds are due to the threat of renegotiation.

In his letter of February 23 to Speaker McCormack, Mr. Lawrence Hartwig, Chairman of the Renegotiation Board, states, ". . . there will be a continuing demand for new and increasingly complex aircraft, missiles, space vehicles and other specialized items; . . . market tested prices do not and cannot exist for costly, novel, and complex military and space products. For this reason prices must be negotiated, often with sole-source contractors. *Such negotiated prices are necessarily based upon uncertain cost estimates because reliable cost experience is not available*. . . ." (Emphasis supplied)

Mr. Chairman, this statement is either deliberate misrepresentation or it is made out of inexcusable ignorance!

Mr. Hartwig is obviously referring to major procurements like the F–111 and other weapon systems. In every one of these cases there has been competition just as there was competition between Boeing and General Dynamics in the case of the F–111. In almost all cases the contracts were fixed price with incentives calling for redetermination. In most every case the final price is based upon actual cost data instead of "uncertain cost estimates" as Mr. Hartwig implies. The only possible exception I can think of is the procurement of F–4 aircraft for the Navy. This procurement under an emergency situation does not fortify Mr. Hartwig's argument because the F–4 contract was based upon actual not estimated cost experience.

Mr. Hartwig's statement, as I previously mentioned, contradicts our changed procurement practice of emphasizing fixed price contracts and forcing contractors to assume new risks. We cannot promote a new policy of urging contractors to assume the risk of quoting a fixed price by saying to them in effect, "We deny your right to profit from your own improved techniques, but we preserve your right to lose."

Mr. Hartwig mentions that the Armed Services Committee favored making the law permanent. I remind you that this recommendation was made in 1960 before our changed defense procurement policy which emphasizes fixed price contracting and before the Truth in Negotiations Act passed in the 87th Congress. It strikes me that Mr. Hartwig has gone rather far back in history for support of his plea for permanency of his outmoded organization.

I am further shocked by Mr. Hartwig's recommendation for the opportunity to expand the Board's useless operation by elimination of the commercial exemption. Government has been very adept at negotiating discounts for catalogue items. Furthermore, there is no justification for the assumption that government is entitled to lower prices than commercial customers. It amounts to after-the-fact determination of volume discounts and it ties the hand of the government negotiator who is trying to get the lowest possible price. It forces the contractor to peg his lowest possible volume price at a higher level so as to anticipate the added risk of a cutback by renegotiation.

At the present time, the General Services Administration is attempting to follow the fantastic policy whereby the government would be entitled to a volume discount for an order quantity of one, on the justification that the government is a major customer and entitled to "most favored" treatment.

This type of thinking and that which crops up in Mr. Hartwig's recommendations are defiant of the private enterprise system where the price of catalogued items is set by competition in the market place. If we are to commence such a one-sided system of negotiation where the government can negotiate in the private enterprise system under a special set of rules, then we are taking a step in the direction of totalitarianism.

Only two arguments in favor of renegotiation seem to have any validity at all. And they are both rebuttable. First, there is the "cop on the beat" argument; namely, that the threat of renegotiation causes contractors to be a little more honest in estimating costs.

This may have been true ten years ago, but it ignores things which I have repeatedly mentioned in this statement. It ignores the trend toward fixed price redeterminable type contracts, the Truth in Negotiations Act, and the improved contracting procedures used by the Department of Defense.

Profiteers can be caught without renegotiation. This process is simply an extra—an unneeded "cop on the beat."

The other argument for renegotiation is that it provides an after-the-fact review of all of a contractor's profits over a full year and takes into consideration all of his contracts, while the safeguards I have mentioned are applicable only on a contract-by-contract basis.

Mr. Chairman, if the proper monitoring of each contract is made under existing law, the sum total is bound to be reasonable. Also, this argument ignores present contracting policy whereby contractors are urged to assume the risk of quoting fixed prices under redeterminable contracts.

SUMMARY

Mr. Chairman, I believe I have shown that the renegotiation process results in a net loss to the taxpayer, that it contradicts established procurement policy, that it is injurious to defense procurement and restricts the talent and ingenuity of American industry which is available to the national defense and, lastly, that the act is unnecessary. I urge you to let this useless and obsolete act die at the end of its authorized period. In no event should it be made permanent and in no event should its jurisdiction and authority be increased.

THE PRESIDENT'S ADDRESS TO THE PEOPLE LAST NIGHT

Mr. ESCH. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. ESCH. Mr. Speaker, the entire Nation today is discussing the President's address to the people last night.

Without going into all the points he raised or their many complex political implications, I would like to highlight briefly what I think to be the major thrust of his speech—the deescalation of the Vietnam conflict.

I am most pleased with this aspect and consider it to be the first major affirmative step toward peaceful resolution of the war. In many respects, the President's action parallels the proposal for staged deescalation that I and eight of my colleagues offered last July. Although not totally the same as our plan, the President's action contains at least the following similar factors:

First, a recognition that this is a limited war; that we are not out to annihilate the people of North Vietnam.

Second, a unilateral and limited bombing halt in North Vietnam, with a maintenance of supply line raids to protect our servicemen.

Third, the promise of an all-out U.S. peace offensive encouraging similar activity by the Soviet Union and Great Britain.

Fourth, a willingness to move toward greater deescalation should the Hanoi government reciprocate with deescalation after our first move.

Fifth, an open-ended invitation to the North Vietnamese to reciprocate in their own manner without pre-set conditions.

Mr. Speaker, I am delighted the President has finally attempted this course of action. At last we have what appears to be the first meaningful and unilateral step toward the conference table while continuing to protect the lives of our servicemen in Vietnam. I applaud the President for this action. The world now awaits Hanoi's reaction.

LYNDON B. JOHNSON PROFILE IN COURAGE

Mr. MOORHEAD. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MOORHEAD. Mr. Speaker, dulce et decorum est pro patria mori. "It is sweet and honorable to die for one's country." President Johnson, in announcing the end of his distinguished political career, has echoed Horace's words with an act of political courage almost unparalleled in our time.

For more than 30 years this man has dedicated his life to his country; since November of 1963 he has dedicated his life as President to finding the road to world peace. He has now made the final political sacrifice which he deems necessary to secure that peace, and every American must applaud his good will, his courage and his personal integrity.

I know that his act will receive the approbation of his fellow countrymen; I pray that the Government of North Vietnam will heed his offer of peace and that Great Britain and the Soviet Union will redouble their efforts toward achieving that goal so greatly desired by all of us.

AMERICA NEEDS A TAX INCREASE NOW

Mr. MOORHEAD. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MOORHEAD. Mr. Speaker, as the devil hates holy water, so a politician hates to vote for a tax increase in an election year.

Today, however, the responsible politician must recognize that time has run out for congressional debate over the need for a tax increase.

The time has long passed when we could afford the luxury of delaying action on a surcharge on the ground that not every economic indicator was pointing toward disaster.

In nearly 2 years of inaction, we have watched economic forces, clearly within our control, erode the purchasing power of the dollar, dissipate faith in the international monetary system and disfigure the Federal budget.

Mr. Speaker, we must act now or America may be overwhelmed by onrushing events.

Let me recite these events.

Event No. 1. The recent resurgence in the gold markets has driven the free market price of gold to over $40 an ounce.

Mr. Speaker, we must act to preserve the value of the dollar.

Event No. 2. The consumer price index has continued its accelerated rise. Over the most recent 3 months, this rise has averaged out to an annual rate of 4.1 percent per year. This is at least double the maximum rate of increase in consumer prices our economy can tolerate.

Mr. Speaker, we must act to protect the American consumer from ruinous inflation.

Event No. 3. Our balance-of-payments deficit in the fourth quarter of last year reached the historically high rate of over $7 billion per year on a liquidity basis.

Mr. Speaker, we must act to preserve our international monetary system. A breakdown of this system could precipitate a worldwide depression of catastrophic dimensions.

Event No. 4. Even without escalation, which I firmly oppose,[1] the war in Vietnam will cost some $30 billion per year and last year accounted for nearly half of our international payments deficit.

Mr. Speaker, we certainly should not increase the number of American troops in Vietnam, but so long as American soldiers are fighting there, I believe the American people are willing to support their sacrifices by paying higher taxes.

Event No. 5. Without a tax increase the deficit in the Federal budget for the current fiscal year can be estimated at at least $20 billion and for fiscal 1969 it will be at least $18 billion.

Mr. Speaker, we must act to preserve the solvency of America.

Such tremendous deficits in the Federal budget rapidly accelerate inflation, worsen our balance of payments, frighten our friends abroad, increase the costs of domestic programs so rapidly as to make their execution difficult if not impossible, jeopardize the value of every American's savings, and threaten a complete breakdown of our international monetary system, which, in itself, might generate a worldwide depression of catastrophic dimensions.

What does this mean for fiscal 1969? Clearly, the President's program calling for an $8 billion deficit is the least we should achieve in the way of progress toward a balanced budget. With careful planning, and a willingness to make speedy adjustments if conditions change in the year ahead, such a target should enable us to be at high employment balance in the Federal budget by the beginning of fiscal 1970, a little over a year from now.

It, therefore, appears that the issue is not whether we should continue to run a $19 and $20 billion deficit—clearly this would force the monetary authorities to follow either a policy of inflationary credit expansion to finance the deficits or, alternatively, a severely restrictive policy to offset the inflationary influence of the budget deficit with consequent decline in over-all activity and severe damage to home building, small business, State and local governments, and so forth, none of which can accept this burden.

The real problem is to choose a combination of fiscal policies that will yield at least as good budget results as those called for by the President. This means either expenditure reductions, tax increases—including the surtax—or some combination of such proposals adequate to do the job.

While every effort to reduce expenditures for fiscal 1969 should be made, we should be aware that further reductions will be extremely difficult. Efforts in the first session of this Congress have reduced the room for such economies in this second session, and most of the present budget uncertainties would involve significant rises in the military and/or civilian budget expenditures should prospects not be as favorable as all of us now hope. The first supplemental appropriation bill of this session lends emphasis to this point.

But there is another significant aspect of the budget process. Most discussions of inflation and the budget revolve around the argument as to how much inflation is caused by a deficit in the Federal budget. Rising wages and prices throughout the economy result also in increases in the costs incurred by the Federal Government in carrying out its program. No definitive study of the relationship between rises in wages and prices and increases in the costs of Government has been made as far as I know. It would be a mistake, however, to assume that the Government does not have to meet these rising costs as do individuals and organizations in the private sector. Rough computations suggest that the increase of 3 percent or more per year in the general price level from 1965 to 1968 means rises in the cost of running the Federal Government of a minimum of $10 billion and a possible eventual maximum of $15 billion to $20 billion, even if inflation ends by the end of this year.

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[1] See H. Con. Res. 675 and 683, which I introduced March 11 and 12, providing that "it is the sense of Congress that the United States should not increase its military involvement in Vietnam." See also my Supplementary Views on pages 52 and 53 of the 1968 Report of the Joint Economic Committee.

Consequently, I fear that even with the most intensive efforts at economy, the Congress and the administration will do well to hold fiscal 1969 outlays at the level indicated in the President's budget, though I again stress that if some reduction below this level can be achieved in the face of rising responsibilities, it will be all to the good. In view of the very substantial probability that our best efforts will still leave a substantial deficit —probably on the order of $15 to $20 billion for fiscal 1969—I am reluctantly forced to the conclusion that the deficit cannot be reduced without a tax increase. I agree wholly with those who believe it would be desirable to be able to do so. I would be less than candid, however, with the Congress and my constituents if I failed to point out the improbability of success.

Passage by the Congress of a temporary surtax, therefore, is necessary and should be expedited as rapidly as possible in order to insure the shrinking of the deficit at the earliest possible time.

Events of last week on Capitol Hill tend to confirm the wisdom of the Founding Fathers in placing the primary responsibility for tax matters in this body.

However, Mr. Speaker, we in the House of Representatives will not have kept the faith of our Founding Fathers if we fail to act.

America needs a tax increase now.

JOHN MISHA PETKEVICH DAY

Mr. OLSEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. OLSEN. Mr. Speaker, the State of Montana and the Nation have been greatly honored by the fine showing of John Misha Petkevich, of Great Falls, Mont., in the 1968 Olympics. Many honors have been bestowed on this young man, but I think that the following proclamation is Montana's greatest accolade. I insert into the Record the proclamation of the city of Helena, the capital of the State of Montana, proclaiming March 20, 1968, as a "John Misha Petkevich Day":

Proclamation, City of Helena, Mont.,
March 20, 1968

Whereas: John Misha Petkevich, of Great Falls, Montana, member of the 1968 United States Olympic Team, has brought outstanding international acclaim to the State of Montana, and

Whereas: John Misha Petkevich's performance at the 1968 Winter Olympics was outstanding, and he proved that he is an outstanding competitor, and

Whereas: We, the Citizens of Montana, and specially of Helena, Montana, take deep pride in the accomplishment of youth, and

Whereas: His continued performance here in Helena today, at the Helena Exchange Club Honor Luncheon and Birthday Party has been also outstanding, and proves to the people of Montana that he is an outstanding American.

Now, therefore, be it resolved that I, Darryl A. Lee, mayor of Helena, Montana, the capital of the great State of Montana, do hereby proclaim Wednesday, March 20, 1968 as "John Misha Petkevich Day" and ask that all Montanans join with me in wishing this fine competitor continued success in all of his ventures, and

Be it further resolved, That copies of this Proclamation be spread on the Official Records of the City of Helena, and that copies be sent to the Hon. Mike Mansfield, Senator from Montana, Hon. Lee Metcalf, Senator from Montana, Hon. Arnold Olsen, Congressman from Montana, and the Hon. James Battin, Congressman from Montana, and request that each of them and as a body, request that this Proclamation be spread upon the Congressional Record, and

Be it further resolved that a copy be sent to the Director of the State Historical Society, Helena, Montana, so as to be preserved with our State Records.

EMPLOYER CONTRIBUTIONS FOR JOINT INDUSTRY PROMOTION OF PRODUCTS AND FOR JOINT COMMITTEES ON BOARD TO INTERPRET COLLECTIVE-BARGAINING AGREEMENTS

Mr. OLSEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. OLSEN. Mr. Speaker, I am happy to express my support of H.R. 15198, to amend section 302(c) of the Labor-Management Relations Act, 1947, to permit employer contributions for joint industry promotion of products in certain instances or a joint committee or joint board empowered to interpret provisions of collective bargaining agreements.

It is interesting to note that over the years, the building construction and trade unions and related industry management have consistently supported the principles of this legislation.

There have been some very commendable efforts by labor and management to develop joint industrial funds and efforts for this purpose, particularly in the lathing and plastering industry, the electrical contracting industry, and other related industries.

The concept of joint labor-management trade promotion is an economic necessity for many industries and highly desirable in the overall picture of labor-management relations.

I believe that this legislation will clarify an undesirable jurisdictional conflict by including provisions for such funds under section 302(c) of the Taft-Hartley Act as amended by the Landrum-Griffin Act.

Beyond the legal need for such legislation, there is overwhelming evidence that this legislation will have favorable effects on our economy. It will specifically authorize labor and management to work together to promote products common to both. Such cooperation, both labor and labor and management have indicated, would be a most welcome sign in labor-management relations in addition to promoting what was economically desirable for both parties.

I believe that the provisions of the bill include adequate safeguards to that no undefined use or abuse of the joint promotion funds.

Also an additional safeguard is provided—that there will be no commingling of promotion funds with any other funds.

It certainly makes sense to me that labor and management join together in promoting the sale of the products they mutually work to produce. I am hopeful that this legislation will serve as a pattern for further, meaningful cooperation between labor and management.

I urge my colleagues in both the House and the Senate to support this legislation and it is my hope that it will be approved during this session of Congress.

GARY FRINK

Mr. O'HARA of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. O'HARA of Michigan. Mr. Speaker, on Thursday of last week, the gentleman from Ohio [Mr. Latta], on the floor of the House, commented upon a fundraising conducted on behalf of Mr. Gary Frink, a member of the professional staff of the Committee on Post Office and Civil Service, who apparently may become a candidate for Congress in the 19th District of Michigan.

The comments of the gentleman from Ohio, based upon an article appearing in the Washington Daily News of March 28, in addition to generalized observations, suggested possible violations of canons 6 and 7 of the proposed "Code of Official Conduct" submitted to the House by the Committee on Standards of Official Conduct.

Canon 6 would require that campaign funds be kept separate from personal funds.

Canon 7 would require that the proceeds from fundraising events be considered as campaign contributions unless there was advance notice that the proceeds were intended for other purposes.

It is regrettable that the gentleman from Ohio saw fit to raise these questions reflecting unfavorably upon the rectitude of Mr. Frink without first attempting to determine if there was a factual basis for such questions. Had he inquired, he would have learned that the funds are in the possession of the sponsoring committee; that they will be used only for campaign expenses, and that they will be returned to the donors if Mr. Frink does not become a candidate.

I am hopeful that the gentleman from Ohio [Mr. Latta] will take an appropriate opportunity to repair any damage to Mr. Frink's character that may have resulted from these innuendos.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. Matsunaga (at the request of Mr. Albert), for today, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Vanik, for 15 minutes, today; and to revise and extend my remarks and include extraneous matter.

Mr. Saylor, for 30 minutes, today; and to revise and extend his marks and include extraneous matter.

(The following Members (at the request of Mr. O'Hara of Michigan), to revise and extend their remarks and to include extraneous matter:)

Mr. Rodino, for 15 minutes, today.

Mr. Minish, for 10 minutes, today.

Mr. Staggers, for 5 minutes, today.

EXTENSIONS OF REMARKS

By unanimous consent, permission to extend remarks was granted to:

Mr. Hays to extend his remarks and include extraneous material.

Mr. Springer.

Mr. Edmondson and to include extraneous matter.

Mr. Holifield in five instances and to include extraneous matter.

Mr. Talcott on H.R. 13781 and to include extraneous matter.

All Members (at the request of Mr. Lennon) to revise and extend their remarks on H.R. 15979 and H.R. 13781 prior to passage of those bills.

(The following Members (at the request of Mr. Biester) and to include extraneous matter:)

Mr. Quillen in four instances.
Mr. Utt in two instances.
Mr. Harrison.
Mr. Collier in two instances.
Mr. Derwinski in three instances.
Mr. Ashbrook in two instances.
Mr. Kleppe.
Mr. Morse of Massachusetts.
Mr. Bates.
Mr. Langen.
Mr. Scherle.
Mr. Carter.
Mr. Reinecke.
Mr. Dole in two instances.
Mr. Nelsen.
Mr. Harvey.
Mrs. Bolton.
Mr. Hunt.
Mr. Button.
Mr. Rumsfeld.
Mr. Mathias of Maryland in two instances.
Mr. Hosmer in two instances.
Mr. Bow in five instances.

(The following Members (at the request of Mr. O'Hara of Michigan) and to include extraneous matter:)

Mr. Long of Maryland.
Mr. Blatnik in five instances.
Mr. Corman in five instances.
Mr. Resnick.
Mr. Colmer.
Mr. Zablocki.
Mr. Daddario in two instances.
Mr. Tunney.
Mr. Moorhead in three instances.
Mr. Shipley.
Mr Morris of New Mexico in four instances.
Mr. Daniels.
Mr. Gallagher.
Mr. Gathings.
Mr. Brown of California.
Mr. Edwards of California in two instances.
Mr. St. Onge in two instances.
Mr. Downing.
Mr. Hamilton.
Mr. Gonzalez in three instances.
Mr. Rarick in six instances.
Mr. Eilberg.
Mr. Carey.
Mr. Holland in two instances.
Mr. Burton of California in two instances.
Mr. Fraser in three instances.
Mr. Leggett.
Mr. Purcell in two instances
Mr. Hathaway.
Mr. O'Neill of Massachusetts in two instances.
Mr. Stephens.
Mr. O'Hara of Michigan in two instances.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 2029. An act to amend the National Traffic and Motor Vehicle Safety Act of 1966 relating to the application of certain standards to motor vehicles produced in quantities of less than 500.

ENROLLED JOINT RESOLUTION SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H.J. Res. 933. Joint resolution to proclaim National Jewish Hospital Save Your Breath Month.

BILL AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on the following days present to the President, for his approval, a bill and joint resolution of the House of the following titles:

On March 29, 1968:

H.R. 1308. An act to establish the Saugus Iron Works National Historic Site in the State of Massachusetts, and for other purposes.

On April 1, 1968:

H.J. Res. 933. Joint resolution to proclaim National Jewish Hospital Save Your Breath Month.

ADJOURNMENT

Mr. O'HARA of Michigan. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 29 minutes p.m.), the House adjourned until tomorrow, Tuesday, April 2, 1968, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1701. A communication from the President of the United States, transmitting letters and reports from the Secretary of Agriculture and the Secretary of the Interior proposing new wilderness areas, and supporting the recommendations therein (H. Doc. 292); to the Committee on Interior and Insular Affairs and ordered to be printed with illustrations.

1702. A letter from the president and national executive director, Girl Scouts of the United States of America, transmitting the 18th annual report of the Girl Scouts of the United States of America, pursuant to the provisions of section 7 of the act of March 16, 1950, as amended by Public Law 272, August 14, 1953 (H. Doc. 293); to the Committee on the District of Columbia and ordered to be printed with illustrations.

1703. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to authorize the Secretary of Agriculture to cooperate with the several governments of Central America in the prevention, control, and eradication of foot-and-mouth disease or rinderpest; to the Committee on Agriculture.

1704. A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to amend title 10, United States Code, to authorize the Secretary of a military department or the head of a defense agency to sell production equipment to contractors and subcontractors; to the Committee on Armed Services.

1705. A letter from the Secretary of the Air Force, transmitting a report on the Air Force military construction contracts awarded by the Department of the Air Force without competition for the period July 1, 1967, through December 31, 1967, pursuant to the provisions of section 804, Public Law 90–110; to the Committee on Armed Services.

1706. A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting a report on Department of Defense procurement from small and other business firms for July 1967 to January 1968, pursuant to the provisions of section 10(d) of the Small Business Act, as amended; to the Committee on Banking and Currency.

1707. A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting the 20th annual report on the national industrial reserve, pursuant to the provisions of section 12 of the National Industrial Reserve Act of 1948 (Public Law 80–883); to the Committee on Armed Services.

1708. A letter from the Administrator, General Services Administration, transmitting a draft of proposed legislation to amend the Federal Property and Administrative Services Act of 1949, as amended, to authorize the rendering of direct assistance to and performance of special services for the inaugural committee; to the Committee on Government Operations.

1709. A letter from the Chairman, National Transportation Safety Board, Department of Transportation, transmitting the first annual report of the Board covering the last 9 months of 1967, pursuant to the provisions of section 5(g) of the Department of Transportation Act; to the Committee on Interstate and Foreign Commerce.

1710. A letter from the Administrator, General Services Administration, transmitting prospectuses of certain proposed public buildings projects supplementing a report of March 27, 1968, pursuant to the provisions of section 7(a) of the Public Buildings Act of 1959, 73 Stat. 479, as amended; to the Committee on Public Works.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of March 28, 1968, the following bill was reported on March 29, 1968:

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. H.R. 15979. A bill to amend the act of August 1, 1958, in order to prevent or minimize injury to fish and wildlife from the use of insecticides, herbicides, fungicides, and pesticides, and for other purposes; with amendment (Rept. No. 1223). Referred to the Committee of the Whole House on the State of the Union.

[*Submitted April 1, 1968*]

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. McMILLAN: Committee of conference. H.R. 13042. An act to amend the act of June 20, 1906, and the District of Columbia election law to provide for the election of members of the Board of Education of the District of Columbia. (Rept. No. 1232). Ordered to be printed.

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. H.R. 15189. A bill to authorize appropriations for certain maritime programs of the Department of Commerce; with amendment (Rept. No. 1246). Referred to the Committee of the Whole House on the State of the Union.

Mr. JOHNSON of California: Committee on Interior and Insular Affairs. S. 2912. An act to authorize appropriations for the saline water conversion program for fiscal year 1969, and for other purposes; with amendment (Rept. No. 1247). Referred to the Committee of the Whole House on the State of the Union.

Mr. BOLLING: Committee on Rules. House Resolution 1099. Resolution amending House Resolution 418, 90th Congress, to continue the Committee on Standards of Official Conduct as a permanent standing committee of the House of Representatives, and for other purposes; with amendment (Rept. No. 1248). Referred to the House Calendar.

Mr. BOLLING: Committee on Rules. House Resolution 1119. Resolution for consideration of House Resolution 1099, resolution amending House Resolution 418, 90th Congress, to continue the Committee on Standards of Official Conduct as a permanent standing committee of the House of Representatives, and for other purposes (Rept. No. 1249). Referred to the House Calendar.

Mr. MILLS: Committee on Ways and Means. H.R. 16241. A bill to extend the tax on the transportation of persons by air and to reduce the personal exemption from duty in the case of returning residents (Rept. No. 1264). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FEIGHAN: Committee on the Judiciary. S. 107. An act for the relief of Cita Rita Leola Ines; with amendment (Rept. No. 1224) Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 1147. An act for the relief of Mariana Mantzios (Rept. No. 1225). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 1180. An act for the relief of Ana Jacalne (Rept. No. 1226). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 1395. An act for the relief of Dr. Brandla Don (nee Praschnik) (Rept. No. 1227). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 1490. An act for the relief of Yang Ok Yoo (Maria Margurita) (Rept. No. 1228). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 1808. An act for the relief of Miss Amalia Seresly; with amendment (Rept. No. 1229). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 1483. An act for the relief of Dr. Pedro Lopez Garcia (Rept. No. 1230). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 1918. An act for the relief of Dr. Gabriel Gomez del Rio (Rept. No. 1231). Referred to the Committee of the Whole House.

Mr. SMITH of New York: Committee on the Judiciary. H.R. 1527. A bill for the relief of Rachel Stimpson; with amendment (Rept. No. 1233). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 4404. A bill for the relief of Hubert Ashe; with amendment (Rept. No. 1234). Referred to the Committee of the Whole House.

Mr. SMITH of New York: Committee on the Judiciary. H.R. 6655. A bill for the relief of Mary Jane Orloski; with amendment (Rept. No. 1235). Referred to the Committee of the Whole House.

Mr. HUNGATE: Committee on the Judiciary. House Resolution 1098. Resolution to refer the bill (H.R. 1624) entitled "A bill for the relief of Sherman Webb, and others" to the chief commissioner of the Court of Claims pursuant to sections 1492 and 2509 of title 28, United States Code (Rept. No. 1236). Referred to the Committee of the Whole House.

Mr. TENZER: Committee on the Judiciary. House Resolution 1110. Resolution to refer the bill (H.R. 9752) entitled "A bill for the relief of Douglas E. Kennedy and Alvin B. Burt, Jr." to the chief commissioner of the Court of Claims pursuant to sections 1492 and 2509 of title 28, United States Code (Rept. No. 1237). Referred to the Committee of the Whole House.

Mr. HUNGATE: Committee on the Judiciary. House Resolution 1111. Resolution to refer the bill (H.R. 1761) entitled "A bill for the relief of Mr. and Mrs. Ralph J. Messina, Sr. and John H. FitzGerald," to the chief commissioner of the Court of Claims pursuant to sections 1492 and 2509 of title 28, United States Code (Rept. No. 1238). Referred to the Committee of the Whole House.

Mr. EILBERG: Committee on the Judiciary. S. 321. An act for the relief of Charles Bernstein; with amendment (Rept. No. 1239). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 1828. An act for the relief of Susan Elizabeth (Cho) Long (Rept. No. 1240). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 1829. An act for the relief of Lisa Marie (Kim) Long (Rept. No. 1241). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 1968. An act for the relief of Dr. Jose Ernesto Garcia y Tojar (Rept. No. 1242). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 2005. An act for the relief of Dr. Anacleto C. Fernandez (Rept. No. 1243). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 2022. An act for the relief of Dr. Mario Jose Remirez DeEstenoz (Rept. No. 1244). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 2023. An act for the relief of Virgilio A. Arango, M.D. (Rept. No. 1245). Referred to the Committee of the Whole House.

Mr. TENZER: Committee on the Judiciary. H.R. 6321. A bill for the relief of the Cuban Truck & Equipment Co., its heirs and assigns; with amendment (Rept. No. 1250). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 2078. An act for the relief of Dr. Alberto De Jongh (Rept. No. 1251). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 2132. An act for the relief of Dr. Robert L. Cespedes (Rept. No. 1252). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 2139. An act for the relief of Dr. Angel Trejo Padron (Rept. No. 1253). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 2176. An act for the relief of Dr. Edgar Reinaldo Nunez Baez (Rept. No. 1254). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 2193. An act for the relief of Dr. Alfredo Jesus Gonzalez (Rept. No. 1255). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 2248. An act for the relief of Dr. Jose Fuentes Roca; with amendment (Rept. No. 1256). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 2256. An act for the relief of Dr. Margarita Lorigados (Rept. No. 1257). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 2285. An act for the relief of Gordon Shih Gum Lee (Rept. No. 1258). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 2301. An act for the relief of Dr. Francisco Guillermo Gomez-Inguanzo (Rept. No. 1259). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 2381. An act for the relief of Dr. Jesus Adalberto Quevedo-Avila (Rept. No. 1260). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 2403. An act for the relief of Dr. Teobaldo Cuervo-Castillo (Rept. No. 1261). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 2404. An act for the relief of Dr. Heriberto Jose Hernandez-Suarez (Rept. No. 1262). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 2489. An act for the relief of Dr. Jesus Jose Eduardo Garcia (Rept. No. 1263). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR:

H.R. 16311. A bill to amend title 38, United States Code, to provide increases in rates of compensation for disabled veterans; to the Committee on Veterans' Affairs.

H.R. 16312. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

By Mr. BROYHILL of Virginia:

H.R. 16313. A bill to amend the District of Columbia Teachers' Salary Act of 1955 to increase teachers' salaries, and for other purposes; to the Committee on the District of Columbia.

By Mr. CORMAN:

H.R. 16314. A bill making a supplemental appropriation for the fiscal year ending June 30, 1966, for unemployment compensation for Federal employees and ex-servicemen; to the Committee on Appropriations.

H.R. 16315. A bill to amend the Public Health Service Act so as to extend and improve the provisions relating to regional medical programs, to extend the authorization of grants for health of migratory agricultural workers, to provide for specialized facilities for alcoholics and narcotic addicts, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 16316. A bill to amend title 38 of the United States Code to provide increased rates of disability compensation, improve service-connected benefits, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 16317. A bill to amend title 38, United States Code, to provide increases in rates of compensation for disabled veterans; to the Committee on Veterans' Affairs.

H.R. 16318. A bill to amend title 38 of the United States Code with respect to compensation and educational assistance for widows of veterans, to make certain widows and children eligible for care in Veterans' Administration hospitals, and to change the limitation on the periods of educational assistance available under part III of such title; to the Committee on Veterans' Affairs.

H.R. 16319. A bill to amend title 38 of the United States Code to improve vocational rehabilitation training for service-connected veterans by authorizing pursuit of such training on a part-time basis; to the Committee on Veterans' Affairs.

H.R. 16320. A bill to prohibit the Administrator of Veterans' Affairs from requiring an annual income statement from certain pensioners who are 72 years of age or older; to the Committee on Veterans' Affairs.

H.R. 16321. A bill to amend the Social Security Act to establish a national system of minimum retirement payments for all aged, blind, and disabled individuals; to the Committee on Ways and Means.

H.R. 16322. A bill to permit transfers between appropriations, trust fund limitations, or allocations to the Department of Labor to insure that benefit payments are made under the unemployment compensation program for ex-servicemen and former Federal employees; to the Committee on Ways and Means.

By Mr. EDMONDSON:

H.R. 16323. A bill to provide for the disposition of funds appropriated to pay a judgment awarded to the Creek Nation or Tribe of Oklahoma, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HOLIFIELD:

H.R. 16324. A bill to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes; to the Joint Committee on Atomic Energy.

By Mr. MATSUNAGA:

H.R. 16325. A bill to amend the Internal Revenue Code of 1954 to remove all limitations upon the amount of the deduction allowed a taxpayer under section 213 for medical, dental, and related expenses, and to exclude from deduction under section 163 the first $50 of interest paid by an individual taxpayer in the taxable year; to the Committee on Ways and Means.

By Mr. MEEDS:

H.R. 16326. A bill to make the benefits of the Bilingual Education Act available for payments by the Commissioner of Education to the Department of the Interior for programs to meet the special needs of persons on reservations serviced by schools operated for Indian children by that Department; to the Committee on Education and Labor.

H.R. 16327. A bill to amend the Public Health Service Act to provide assistance to certain non-Federal institutions, agencies, and organizations for the establishment and operation of regional and community programs for patients with kidney disease and for the conduct of training related to such programs; to the Committee on Interstate and Foreign Commerce.

By Mr. MILLER of Ohio:

H.R. 16328. A bill authorizing the Secretary of the Army to establish a national cemetery in the southeastern quadrant of Ohio; to the Committee on Veterans' Affairs.

By Mr. OLSEN:

H.R. 16329. A bill to provide for the regulation of political activities of public employees, and for other purposes; to the Committee on House Administration.

By Mr. PELLY:

H.R. 16330. A bill to protect consumers by requiring that imported fish and fish food products made in whole or in part with imported fish bear a label showing the country of origin of such imported fish; to the Committee on Interstate and Foreign Commerce.

By Mr. REINECKE:

H.R. 16331. A bill to provide compensation for civilian American citizens and prisoners of war captured during the Vietnam conflict; to the Committee on Interstate and Foreign Commerce.

By Mr. SAYLOR:

H.R. 16332. A bill to amend the Antidumping Act, 1921; to the Committee on Ways and Means.

By Mr. WHITTEN:

H.R. 16333. A bill granting the consent of the Congress to the negotiation of a compact relating to the waters of the Escatawba River by the States of Mississippi and Alabama; to the Committee on the Judiciary.

By Mrs. BOLTON:

H.R. 16334. A bill to amend the Federal Trade Commission Act to encourage the establishment and strengthening of State offices of consumer protection through a program of Federal grant-in-aid assistance, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FULTON of Pennsylvania:

H.R. 16335. A bill to modernize certain provisions of the Civil Service Retirement Act, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 16336. A bill to require specific prior authorization, at least once every 2 years, for all appropriations made to the National Bureau of Standards; to the Committee on Science and Astronautics.

H.R. 16337. A bill to require specific prior authorization, at least once every 2 years, for all appropriations made to the National Science Foundation; to the Committee on Science and Astronautics.

By Mr. HALPERN:

H.R. 16338. A bill to amend title 38 of the United States Code so as to make widows of veterans of World War II, the Korean conflict, or the Vietnam era eligible for education assistance; to the Committee on Veterans' Affairs.

By Mr. HELSTOSKI:

H.R. 16339. A bill to assure every American a full opportunity to obtain adequate housing for himself and his family, and for other purposes; to the Committee on Banking and Currency.

H.R. 16340. A bill to assure every American a full opportunity to obtain housing for himself and his family free from any discrimination on account of race, color, religion, or national origin, and for other purposes; to the Committee on the Judiciary.

H.R. 16341. A bill to assure to every American a full opportunity to have adequate employment, housing, and education, free from any discrimination on account of race, color, religion, or national origin, and for other purposes; to the Committee on Education and Labor.

H.R. 16342. A bill to assure a full educational opportunity beyond high school for all Americans through long-term, low-interest loans and increased construction grants to stimulate a greatly increased number of teachers in low-income areas, and for other purposes; to the Committee on Education and Labor.

H.R. 16343. A bill to assure every American the full opportunity to obtain employment free from any discrimination on account of race, color, religion, national origin, or sex, and for other purposes; to the Committee on Education and Labor.

H.R. 16344. A bill to assure every American workingman and woman, without exception, a minimum wage of $2 an hour, and for other purposes; to the Committee on Education and Labor.

H.R. 16345. A bill to assure every American a full opportunity to obtain adequate employment and employment training, and for other purposes; to the Committee on Education and Labor.

H.R. 16346. A bill to provide monthly family allowances for the care, education, and advancement of all American children, and for other purposes; to the Committee on Ways and Means.

By Mr. O'NEILL of Massachusetts:

H.R. 16347. A bill to amend title II of the Social Security Act to remove the limitation (added by the Social Security Amendments of 1967) on the payment of benefits to citizens of certain foreign countries having social insurance or pension systems of general application; to the Committee on Ways and Means.

By Mr. PODELL:

H.R. 16348. A bill to assure a full educational opportunity beyond high school for all Americans through long-term, low-interest loans and increased construction grants to stimulate a greatly increased number of teachers in low-income areas, and for other purposes; to the Committee on Education and Labor.

H.R. 16349. A bill to assure to every American a full opportunity to have adequate employment, housing, and education, free from any discrimination on account of race, color, religion, or national origin, and for other purposes; to the Committee on Education and Labor.

H.R. 16350. A bill to assure every American a full opportunity to obtain housing for himself and his family free from any discrimination on account of race, color, religion, or national origin, and for other purposes; to the Committee on the Judiciary.

H.R. 16351. A bill to assure every American the full opportunity to obtain employment free from any discrimination on account of race, color, religion, national origin, or sex, and for other purposes; to the Committee on Education and Labor.

H.R. 16352. A bill to provide monthly family allowances for the care, education, and advancement of all American children, and for other purposes; to the Committee on Ways and Means.

H.R. 16353. A bill to assure every American a full opportunity to obtain adequate housing for himself and his family, and for other purposes; to the Committee on Banking and Currency.

H.R. 16354. A bill to assure every American a full opportunity to obtain adequate employment and employment training, and for other purposes; to the Committee on Education and Labor.

H.R. 16355. A bill to assure every American workingman and woman, without exception, a minimum wage of $2 an hour, and for other purposes; to the Committee on Education and Labor.

By Mr. CAREY:

H.R. 16356. A bill to amend section 101 (a)(27)(D) of the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. CONYERS (for himself, Mr. Brown of California, Mr. Burton of California, Mr. Edwards of California, Mr. Farbstein, Mr. Gilbert, Mr. Gonzalez, Mr. Helstoski, Mr. Podell, Mr. Resnick, Mr. Rosenthal, Mr. Roybal, and Mr. Ryan):

H.R. 16357. A bill to assist local educational agencies to carry out programs for more effective schools where there are high concentrations of children from low-income families, and for other purposes; to the Committee on Education and Labor.

By Mr. FALLON (for himself and Mr. Gray) (by request):

H.R. 16358. A bill authorizing the trustees of the National Gallery of Art to construct a building or buildings on the site bounded by Fourth Street, Pennsylvania Avenue, Third Street, and Madison Drive NW., in the District of Columbia, and making provision for the maintenance thereof; to the Committee on House Administration.

By Mr. GERALD R. FORD (for himself and Mr. Vander Jagt):

H.R. 16359. A bill to amend the Community Mental Health Centers Act to permit staffing grants to be made to certain mental health centers; to the Committee on Interstate and Foreign Commerce.

By Mr. LENNON (for himself, Mr. Rogers of Florida, Mr. Mosher, Mr. Pelly, Mr. Downing, Mr. Keith, Mr. Dow, Mr. Reinecke, Mr. Karth, Mr. Edwards of Alabama, Mr. Hathaway, Mr. Schadeberg, Mr. Clark, Mr. Roth, Mr. Jones of North Carolina, Mr. Dellenback, Mr. Hanna, and Mr. Pollock):

H.R. 16360. A bill to amend the Marine Resources and Engineering Development Act of 1966 and the National Sea Grant College and Program Act of 1966 in order to provide financing for programs under such acts; to the Committee on Merchant Marine and Fisheries.

By Mr. McMILLAN (for himself, Mr. Sisk, Mr. Nelsen, and Mr. Broyhill of Virginia):

H.R. 16361. A bill to provide additional revenue for the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. PRYOR:

H.R. 16362. A bill to provide that certain expenditures in Camden, Ark., shall be regarded as local grants-in-aid to the southeast Camden urban renewal project; to the Committee on Banking and Currency.

By Mr. PURCELL (for himself, Mr. Smith of Iowa, and Mr. Foley):

H.R. 16363. A bill to clarify and otherwise amend the Poultry Products Inspection Act, to provide for cooperation with appropriate State agencies with respect to State poultry products inspection programs, and for other purposes; to the Committee on Agriculture.

By Mr. RARICK:

H.R. 16364. A bill to amend title 37 of the United States Code to provide members of the uniformed services with travel and transportation allowances for ordinary leave to their homes taken during or after a change of permanent station from overseas to within the United States, and for emergency leave travel within the United States if stationed overseas; to the Committee on Armed Services.

H.R. 16365. A bill to impose certain restrictions upon the appellate jurisdiction of the Supreme Court; to the Committee on the Judiciary.

By Mr. ADAIR:

H.J. Res.1207. Joint resolution authorizing the President to proclaim August 11, 1968, as Family Reunion Day; to the Committee on the Judiciary.

By Mr. COLLIER:

H.J. Res. 1208. Joint resolution to declare the policy of the United States with respect to the recommended identification of the historical economic system involving responsible individual enterprise of free men; to the Committee on the Judiciary.

By Mr. DOWDY:

H.J. Res. 1209. Joint resolution authorizing the President to proclaim August 11, 1968, as Family Reunion Day; to the Committee on the Judiciary.

By Mr. WOLFF:

H.J. Res. 1210. Joint resolution in honor of Amelia Earhart and Joan Merriam Smith; to the Committee on the Judiciary.

By Mr. HUNGATE;

H.J. Res. 1211. Joint resolution authorizing the President to proclaim August 11, 1968, as Family Reunion Day; to the Committee on the Judiciary.

By Mr. KARTH:

H.J. Res. 1212. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. RARICK:

H.J. Res. 1213. Joint resolution proposing an amendment to the Constitution of the United States relating to subversive activities; to the Committee on the Judiciary.

By Mr. BURTON of California:

H. Con. Res. 748. Concurrent resolution concerning repeal of the Tonkin Bay resolution; to the Committee on Foreign Affairs.

By Mr. CORMAN:

H. Con. Res. 749. Concurrent resolution expressing the sense of Congress that U.S. diplomatic relations with the United Arab Republic should not be restored until certain conditions are met; to the Committee on Foreign Affairs.

By Mr. DAVIS of Georgia:

H. Con. Res. 750. Concurrent resolution expressing the sense of Congress that the tax-exempt status of interest on industrial development bonds should not be removed by administrative action; to the Committee on Ways and Means.

By Mr. SMITH of California:

H. Res. 1118. Resolution providing for disagreeing to the Senate amendments to the bill (H.R. 2516) to prescribe penalties for certain acts of violence or intimidation, and for other purposes, and requesting a conference thereon; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII:

326. The SPEAKER presented a memorial of the Legislature of the State of California, relative to the reinstitution of Federal services for California Indians, which was referred to the Committee on Interior and Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 16366. A bill for the relief of Hom Wai Hong; to the Committee on the Judiciary.

By Mr. ANNUNZIO:

H.R. 16367. A bill for the relief of Silvio Boaro; to the Committee of the Judiciary.

By Mr. BROWN of California:

H.R. 16368. A bill for the relief of Adejar Graciano; to the Committee on the Judiciary.

By Mr. BURKE of Massachusetts:

H.R. 16369. A bill for the relief of Quazi Ahmed; to the Committee on the Judiciary.

H.R. 16370. A bill to authorize the award of the Soldier's Medal or other appropriate decoration to S. Sgt. Charles S. Tolias; to the Committee on Armed Services.

By Mr. BURTON of California:

H.R. 16371. A bill for the relief of Pearl K. H. Chun; to the Committee on the Judiciary.

H.R. 16372. A bill for the relief of Branko Cusak; to the Committee on the Judiciary.

H.R. 16373. A bill for the relief of Gloria Gau Lai; to the Committee on the Judiciary.

By Mr. CELLER:

H.R. 16374. A bill for the relief of Anastase Politopoulos; to the Committee on the Judiciary.

By Mr. DANIELS:

H.R. 16375. A bill for the relief of Acangelo Borrelli; to the Committee on the Judiciary.

By Mr. DELANEY:

H.R. 16376. A bill for the relief of Salvatore Arcabascio; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 16377. A bill for the relief of Vincenzo Di Martino; to the Committee on the Judiciary.

H.R. 16378. A bill for the relief of Zosima Marasigan Phojanakong also known as Zosima Marasigan Arceo; to the Committee on the Judiciary.

By Mr. IRWIN:

H.R. 16379. A bill for the relief of James Vincent, Eugenia Serafina, Rocco Ferando, and Nicola Melia; to the Committee on the Judiciary.

By Mrs. KELLY:

H.R. 16380. A bill for the relief of Dr. Ricardo J. Crudo and his wife, Antonia Yulo Crudo; to the Committee on the Judiciary.

By Mr. McFALL:

H.R. 16381. A bill for the relief of Jimmie Kazu Uyemura and others; to the Committee on the Judiciary.

By Mr. McMILLAN:

H.R. 16382. A bill for the relief of Benjamin Warren Moore; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.R. 16383. A bill for the relief of Judith Nadir; to the Committee on the Judiciary.

H.R. 16384. A bill for the relief of Elizabeth Angtuaco Yap; to the Committee on the Judiciary.

By Mr. PELLY:

H.R. 16385. A bill for the relief of Yuda Galazan; to the Committee on the Judiciary.

H.R. 16386. A bill for the relief of Jose Guadalupe Sauceda Vazquez; to the Committee on the Judiciary.

H.R. 16387. A bill for the relief of Mrs. Beatriz S. Vinluan and Bruno S. Vinluan, Jr, her minor son; to the Committee on the Judiciary.

By Mr. PODELL:

H.R. 16388. A bill for the relief of Angela Palmeri and her son, Giuseppe Palmeri; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.R. 16389. A bill for the relief of Miss Alexandria Vardalos; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

276. By the SPEAKER: Petition of R. F. Nichols, chairman, political action committee, Veterans of World War I, Los Angeles, Calif., and others, relative to a pension for all veterans of World War I; to the Committee on Veterans' Affairs.

277. Also petition of the chairman, Pennsylvania Public Utility Commission, Harrisburg, Pa., relative to calling a moratorium on passenger train discontinuances; to the Committee on Interstate and Foreign Commerce.

278. Also, petition of Henry Stoner, Avon Park, Fla., relative to passage of H.R. 15070; to the Committee on Rules.

SENATE—*Monday, April 1, 1968*

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

Dr. David S. Evans, executive secretary, Board of Christian Social Concerns, Michigan Conference of the Methodist Church, Grand Rapids, Mich., offered the following prayer:

Gracious and Eternal God our Father, we gather this day as free members of a nation blessed in so many ways by Thy divine providence. For Thy goodness unto us we give Thee our earnest thanks and ask that we might merit Thy favor in the days to come.

Comfort us in the moments when we feel buffeted by the winds of change, that Thou art ever near us to sustain us and give us the strength we need. Grant us wisdom to do that which is most creative for the cause of freedom at home and abroad regardless of the fear or favor of man.

This day, O God, the beauty of spring is all about us. Neither the harshness of winter cold nor the scorching heat of summer torment us. In this time of the blooming of the new flowers and the gentleness of nature's reawakening, may our spirits be touched with that spirit of hope and new beginnings that what we do may be freighted with a new promise and benefit for our own people and all mankind. We pray in the Saviour's name. Amen.

THE JOURNAL

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Friday, March 29, 1968, be dispensed with.

The **PRESIDENT** pro tempore. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The **PRESIDENT** pro tempore. Without objection, it is so ordered.

TAX ADJUSTMENT ACT OF 1968

Mr. LONG of Louisiana. Mr. President, because of circumstances I did not wish to discuss at the time, I thought it necessary to move to adjourn the Senate early on Friday afternoon.

I can say at this time that I was informed by a representative of the Secretary of the Treasury that the latter felt that if the Senate voted on Friday not to increase taxes, it would have had an adverse effect on negotiations going on in Stockholm at that time.

It was feared that such action might give the impression that the U.S. Senate was not willing to vote for a tax increase.

I believed that it would be possible to make the legislative history clear to the effect that on occasion when the House saw fit to send the Senate a measure recommended by the House, many of us who were not inclined to vote for a major tax increase under the parliamentary situation existing on this last Friday, would consider the matter in an entirely different light in the case of a major tax measure originating in the House. In other words, in my opinion, turning down a tax increase last Friday would not necessarily have closed the door at all.

Nevertheless, it was felt that this would be viewed by the foreign press in an entirely different light and might be very much misunderstood. This apparently was on the theory that the Senate would by such a vote be indicating its intention to not, under any circumstances, vote for a major tax increase. As I said, I believe this would not be an accurate reflection of the will of the Senate. But I, for one, as manager of the revenue bill on the floor of the Senate, did not wish to take any action at that point that might embarrass, or in any respect prejudice, the delicate negotiations in Stockholm in which the Secretary of the Treasury and the Chairman of the Federal Reserve Board were engaged, as representatives of this country.

It was for that reason that I moved to adjourn the Senate rather than have a vote on the Williams-Smathers substitute at that time. I have no idea what the result would have been. I believe it would have been a close vote, in any event. One can only speculate as to the outcome.

I believe Senators noted at that time that the Senator from Oregon [Mr. MORSE] felt that by the Senate adjourning until Monday, he had been done an injustice, and that he would feel compelled to hold the floor all day Monday in order to keep the Senate from voting on the Williams-Smathers substitute. In view of this position—I had no doubt that the Senator felt strongly about the matter and would accomplish just what he said—I assured him that if it were within my power, I would postpone the vote on that matter until sometime on Tuesday.

The **PRESIDING OFFICER** (Mr. HART in the chair). The time of the Senator has expired.

Mr. LONG of Louisiana. I ask unanimous consent that I may proceed for 2 additional minutes.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. WILLIAMS of Delaware. Does that mean that there will be no votes on the Smathers-Williams package today?

Mr. LONG of Louisiana. I have no objection to amendments that may be offered to it.

Mr. WILLIAMS of Delaware. I mean the final action.

Mr. LONG of Louisiana. As I have said, if it were within my power, I will postpone votes on amendments until sometime Tuesday, in view of the gentleman's commitment I made to the Senator from Oregon. I honestly believe that had I not done that, he would have felt it his duty—each Senator must respond to his own conscience—to hold the floor all day.

Mr. WILLIAMS of Delaware. Some of the Senators on this side of the aisle would like to have the record made clear and would like to make plans accordingly. Do I understand that it is the intention of the leadership that there be no vote on final action on the Smathers-Williams package today?

Mr. LONG of Louisiana. That is my intention, yes.

Mr. WILLIAMS of Delaware. Mr. President, in further reference to the remarks of the Senator from Louisana, I am familiar with the situation in which he found himself last Friday. I know that the Secretary was greatly concerned about the possibility that the Williams-Smathers substitute, which embraced both expenditure reductions and a tax increase, would be defeated and the effect that such action would have on the opinions of some of the leaders of the central banks in Europe as well as at home. I believe he was correct in that evaluation.

The rejection of the Williams-Smathers substitute, in my opinion, would be a firm announcement not only to the central bankers but also to the country that the U.S. Senate or Congress and the administration were not going to take any action toward fiscal restraint. I am afraid that would be the interpretation put upon the matter, at least is the interpretation put upon it.

I believe the administration would do well to be on notice and should have a clear understanding as a result of last week's votes that they will not get their tax increase bill unless it is accompanied by a bona fide, realistic, and firm control over spending.

That was made clear by the results of the previous votes. It is most certainly clear as to my own position. I regret very much that thus far the administration has not seen fit to support those of us who are trying to write into this package bone fide control over spending.

I listened to the President's speech last night, in which he chided Congress for its inaction on the proposals to cut spending and the proposals to raise taxes. Yet, this morning in conference with administration officials I am told that they still will not support the spending controls in this package.

I believe it is the height of fiscal irresponsibility on the part of the Johnson administration not to stand up and tell the American people what the position of this administration really is on the pending Williams-Smathers substitute bill. If they are against a cut in spending they should say so in clear language. If they are in favor of some control over spending then I would appreciate their support on tomorrow's votes here in the Senate.

The **PRESIDING OFFICER**. The time of the Senator has expired.

Mr. WILLIAMS of Delaware. I ask unanimous consent that I may proceed for 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WILLIAMS of Delaware. I believe we will have to face up to the situation. Spending reductions and a tax increase must go together.

I hope that during the remainder of this day—before we vote tomorrow—the administration will make clear to Congress and to the country their position on this package, that is, whether they want it approved or not.

I believe it will be disastrous if Congress does not take some action dealing with both control over spending and the question of taxes. I am not excusing the House or the Senate of its responsibility. We have a responsibility. I have said many times that we cannot point a finger at the President and then excuse our own responsibility by inaction.

By the same token, however, the President has a responsibility to speak to the Congress through his Budget Director and other representatives of the various agencies as well as on television. All I want the administration to do is to back up the President's statement of last night with support of this proposal to achieve the same result.

I thank the Senator for yielding.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that I may proceed for 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG of Louisiana. Mr. President, the thoughts stated by the Senator from Delaware are, of course, in line with the views of the chairman of the Ways and Means Committee of the House of Representatives, and I believe they are probably reflected by a majority of the members of the Ways and Means Committee in the House of Representatives, which has been conducting hearings on the administration tax bill this last year.

As I can best deduce, it has been the attitude of the senior members of that committee, particularly the chairman and the senior members generally, that they wanted to see what reductions were going to be made in the proposed spending program of the President before they reported a tax bill, if, indeed, they did report one.

My impression was that they were conducting hearings to consider the President's tax measure, and that there was a decided possibility that they will report a tax bill, although perhaps not precisely what the President recommended. It might reflect their views more than the administration's views. However, it was my view that in due course, if they were satisfied with respect to the level of spending and that a tax increase was necessary, the committee would recommend a tax bill. I have yet to see any indication from the House that the House suggests we pass a tax bill and approach it in this way.

It is my view that those statesmen in the House of Representatives are equally as aware of their responsibility and this Nation's interest as those of us who serve in the Senate.

I have seen no indication from them that they wish us to initiate the major tax bill by an amendment to one of the bills they have sent us. That view has had a considerable bearing on the attitude I have taken with regard to the Williams-Smathers substitute.

PRESIDENT JOHNSON'S DECISION NOT TO BE A CANDIDATE FOR REELECTION

Mr. LONG of Louisiana. Mr. President, I have issued a statement to the press with regard to the President's dramatic statement last night. I ask unanimous consent that the statement be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

A STATEMENT BY SENATOR RUSSELL B. LONG OF LOUISIANA IN RESPONSE TO PRESIDENT JOHNSON'S ANNOUNCEMENT THAT HE WILL NOT BE A CANDIDATE FOR REELECTION

During my time, it has been my impression that people never fully appreciate a President while he is carrying the heavy burdens of his office. It is only after he has retired to the sidelines that people begin to reflect on the great difficulties with which he was confronted, and realize that he was doing his very best to protect and advance the interests of our people and, indeed, those of the entire free world.

So it will be with Lyndcn Johnson. Now that he has removed himself from the race for re-election, his motives will be less subject to misunderstanding. There will, of course, be skeptics, but events will demonstrate that the President is a man of peace who nevertheless values freedom above all else.

A review of the President's historic speech reveals that, from this point forward, the emphasis will be on building a fighting force of South Vietnamese soldiers capable of bearing the brunt of the enemy attack.

Our adversary will be poorly advised if he views the President's statement as a sign of weakness or lack of resolve on the part of the United States. The President's message was directed toward uniting our people, and I believe that will be its result.

Some events in the short run might not give the impression that greater unity has developed in the Congress, but, as events transpire, it will be seen that the President's noble gesture meets with an appropriate response on Capitol Hill.

What this means with regard to the Presidential race cannot be predicted at this moment. Anyone's guess is as good as mine and, therefore, I shall not venture one.

WAIVER OF CALL OF CALENDAR UNDER RULE VIII

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the call of the calendar under rule VIII be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATORS FOLLOWING MORNING BUSINESS

Mr. LONG of Louisiana. I have had requests on behalf of certain Senators that they be permitted to make speeches after the conclusion of morning business.

I ask unanimous consent that immediately after the conclusion of the morning business the Senator from Wyoming [Mr. HANSEN] be recognized for 1 hour, that the Senator from Pennsylvania [Mr. CLARK] be recognized for 45 minutes, and that the Senator from New Jersey [Mr. CASE] be recognized for 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE—ENROLLED BILL AND JOINT RESOLUTION SIGNED

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bill and joint resolution, and they were signed by the President pro tempore:

S. 2029. An act to amend the National Traffic and Motor Vehicle Safety Act of 1966 relating to the application of certain standards to motor vehicles produced in quantities of less than five hundred; and

H.J. Res. 933. A joint resolution to proclaim National Jewish Hospital Save Your Breath Month.

DECISION OF THE PRESIDENT NOT TO SEEK REELECTION

Mr. GORE. Mr. President, the American people sat on the couch with history last evening. They watched and lived with a strong and virile leader in an hour of travail in the leadership of our country at a time of danger.

Unquestionably, in my mind, the hearts of millions of people reached out to our President as he dramatically and eloquently placed peace, unity, and the interest of his country ahead of all else.

For one who has had a career of public service spanning almost four decades to make the decision which President Johnson announced last night demonstrates a patriotism and a magnanimity which will live in history.

It is true that our country is deeply divided. It is not deeply divided about the patriotism, the generosity, or the courage of President Johnson. It is divided over the wisdom and the rightness of our policies in Vietnam.

President Johnson made a contribution toward the unity of our country and a possible peace. Unity is needed, but unity can only come in a policy that offers hope for peace.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. GORE. Mr. President, I ask unanimous consent that I may proceed for 3 additional minutes.

The PRESIDING OFFICER. The Senator from Tennessee is recognized for 3 additional minutes.

Mr. GORE. Mr. President, in removing himself as a candidate for public office President Johnson has freed himself from the political inhibitions of a candidate.

If we are to have peace in 1968 it will only come, in my view, as a result of concession and compromise; concessions and compromises which would subject a candidate to charges of appeasement and ugly questions of being soft on communism.

The example which the President set last night and the act which he has taken places him in a position, in my opinion, more effectively than a candidacy would have done to take the hard decisions necessary for peace and to lead the

American people into acceptance of the hard choices that I think we must make and accept in order to achieve peace. At least, this is by earnest hope.

The choices before the President in the reassessment that has been under way, seemed to me to be generally threefold:

One, to escalate the war as had been recommended by many military leaders, not only an escalation in intensity of violence but also a geographic escalation. This has many risks and dangers which I shall not now discuss.

Second, to continue what we have been doing with all the consequent loss of life, uncertainty of time and outcome.

Third, deescalation—a reduction of violence in the war in the hope of a negotiated settlement.

To what extent the policy has been changed in this direction, I do not know. Perhaps we will learn as time unfolds.

There is a difference in policy and the strategy, tactics, and forces to implement that policy. The partial bombing pause is not a policy, it is a tactic. But it may indicate a policy.

I took more hope in the President's reiteration of his view that the Geneva Accord, to which we and other nations agreed in 1954, was an adequate basis for peace. It provided for self-determination for all the Vietnamese. It was the departure from this Accord that created and set in motion the course of events which has led us and the Vietnamese to such tragedy.

I have long believed, and I suggest to the President now, that a return to the Geneva Accord and a nonalined or neutral status for the former colonies of France, known as Indochina, offers the best hope for peace.

Mr. President, the President has moved toward unity. In this move, he deserves the compassionate and sympathetic regard of all Americans. Unity is a national need, unity upon a policy that will offer genuine hope for a negotiated settlement and America's ultimate extrication from a tragedy which has brought bloodshed, heartache, and trouble to our people.

Mr. McINTYRE. Mr. President, like millions of other Americans last night, I was shocked and stunned by President Johnson's statement that he would relinquish his chances for continuation in office as a sacrifice for the cause of peace and national unity.

I cannot recall a truly comparable act by any other individual in the history of this or any other nation. As we continue to defend the security of the United States and the strength of the American economy and as we continue to build a better America for our children and their posterity, we too, will be called upon to sacrifice for the good of the Nation. President Johnson has set an example whose leadership will serve his people well.

Those of us from the State of New Hampshire who supported President Johnson in his victory in the New Hampshire Presidential Preference Primary last month have had our judgment that he was the best possible man to lead our Nation in these troubled times vindicated. His actions last night have proven beyond any doubt his dedication to peace and to America, and his willingness to pay any personal price for the good of his country. My only regret is that we will not have his continued leadership during the next 4 years.

THE DECISION FOR PEACE

Mr. KUCHEL. Mr. President, all of a sudden, a doubting world was electrified last night by the sudden realization of a simple fact too long overlooked in the bitterness of public debate. The American people believe in peace. They are a peace-loving people. They want peace with justice in this war weary globe. The President of the United States, the most powerful public servant in the free world, abruptly announced the termination of his public career, a sacrifice to signify beyond any shadow of uncertainty that this is the belief and the goal of a united American people. He lent an enormous credibility to his entreaties for peace. It was a worthy act to achieve a noble end. There should be no longer any question of America's willingness to negotiate with honor—that is the key word—for peace and stability in Southeast Asia.

The road to a just conclusion of this conflict will at best be arduous and difficult. The President's action sought to remove the issue from domestic American politics in a fateful election year. Last night, he put Vietnam above party, where it belongs. I believe with Republican help, it can be clearly demonstrated that we, most of us in this Nation, Democrats and Republicans together, have the same fundamental view.

Speaking to the Senate last May, as a member of the minority, I said that the Republican Party had a solemn duty to avoid making the Vietnam war, in which so many young Americans are now engaged in combat, a source of maneuvering for political advantage:

> The issue before us now is not the origin of our involvement in the conflict, but bringing it to a conclusion, honorably, and hopefully, peacefully.
>
> The role of our party is to seek that end, not for the sake of potential political gain but for the sake of the course of freedom for human beings.
>
> The role of a Republican Party must be a forthright one—criticizing where blame is due, providing alternative avenues for solution, and encouraging, advising, and warning the administration regarding our national policies, as we conceive them.

I believe that the American people have a right now to demand from both of our great political parties a pledge to unite in the common effort for peace with honor and justice—not solely for Vietnam, but for all of Southeast Asia.

Hanoi has now been given the clearest possible sign of American intentions and desires. I cannot resist the comment that it is probably more than it deserves. Radio Moscow has already characterized the President's dramatic action as a "maneuver."

Whatever the wellsprings of cynicism that have brought forth this scornful comment, let reasoning men understand. America, as a united country, has now thrown down the gauntlet for peace. Hanoi can either accept or reject the challenge. We pray ardently that she will accept, for the alternative would be dark, indeed. Let the Communist world realize that the President's actions cannot be tossed aside as a mere gesture. The alternatives to a genuine effort for peace are frightening to contemplate. Sane persons want to avoid a re-escalation of hostilities. Hanoi must realize that whatever action is taken during the remainder of this year will have the united support of the American people.

Mr. President, I want to commend the President for moving toward a settlement on a broad international basis. The rapid response to the provocations in the Gulf of Tonkin in the summer of 1964 which brought us into the Vietnam conflict were not, regrettably, accompanied by our Western allies in joint action against North Vietnamese aggression.

We must not make the same mistake on the way out that we made on the way in. A just solution of this conflict must bring a durable peace. The human race needs assurance that the cycle of bloodshed raging over the past 20 years in East Asia will have come to an end, and a durable one. This can only be achieved by broad agreement among all those who have a joint interest in a fair settlement. Conclusion of hostilities on a bilateral basis between America and Hanoi could not possibly solve the broader issues and could easily be made a sound stage to drum us out of Vietnam in dishonor or—God forbid—defeat. Geneva, or its equivalent, is the correct forum. The President, to his great credit, stated that was his judgment in his address to the Nation last night.

TAX ADJUSTMENT ACT OF 1968

Mr. KUCHEL. Mr. President, representing the minority, I want to ask my able friend, the acting majority leader [Mr. LONG of Louisiana], whether he is in hopes of arranging a unanimous-consent agreement for a vote tomorrow on the Smathers-Williams amendment. If he did, I would hope it would not come before the middle of the afternoon, to accommodate some of our returning colleagues.

Mr. LONG of Louisiana. Mr. President, there is nothing firm at all in my mind. As I said before the distinguished acting minority leader came in, I received an entreaty from the Secretary of the Treasury that we should not have a vote on the matter Friday. That being the case, I felt I could not explain my reasons for it at that time. I will see if I can discuss the matter with my colleagues.

Mr. KUCHEL. I thank the Senator.

SUBCOMMITTEE MEETING DURING SENATE SESSION

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Subcommittee on Separation of Powers of the Committee on the Judiciary be authorized to meet during the session of the Senate today.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRESIDENT JOHNSON'S NEW INITIATIVE TOWARD POLITICAL SETTLEMENT OF WAR IN VIETNAM

Mr. COOPER. Mr. President, President Johnson's new initiative toward a political settlement of the war in Vietnam affirms the best purposes and character of our country. His decision to cease the bombing of North Vietnam and to seek the good offices of the Geneva Conference offer an opportunity for negotiations and an honorable peace, if North Vietnam and its supporters, Communist China and the Soviet Union, truly seek an end of the war.

Whatever may be the political and domestic implications of President Johnson's decision not to seek again the Presidency, his decision, in a moving way, supports the sincerity of his purpose to bring the war to an honorable and peaceful close.

I have urged that the question of Vietnam be submitted to the Geneva Conference, and as one who since 1966 has urged an unconditional cessation of the bombing of North Vietnam to test the possibilities of negotiations, I consider the President's order, which he characterized in his speech as unilateral, essentially unconditional and above quibbling.

I do hope this pause and cessation will be of such duration that it will provide without question an opportunity for acceptance.

Leaders of countries throughout the world have urged this course of action upon the President. They ought now to give him their full support. And it is the duty of the Congress and of our people to support the President in every way that we can to help achieve the honorable peace that our country so earnestly seeks.

I join with others in saying the President last night spoke courageously, and spoke with honor and with nobility.

PRESIDENT JOHNSON'S WITHDRAWAL FROM PRESIDENTIAL CAMPAIGN

Mr. McGEE. Mr. President, President Johnson's withdrawal from the presidential campaign was a dramatic act of statemanship. In doing so, he moved by deed not by platitude, in the direction of his long professed belief that the war in Vietnam and its successful resolution should take precedence over anyone's political role or political ambitions. I believe that this act will loom very large in the history of our time.

But I sense, in listening to the comments that have been made today, and some of the press reactions to the President's action that the point of his move may be misread. It may be misread both here at home and abroad. If the President's move is interpreted as an American recession from its basic position in Southeast Asia, if it is regarded as a retreat from our firmness, then Hanoi can hardly be expected to respond favorably to an effort to bring them to the negotiating table.

I submit to my colleagues the thought that if we are genuine in looking toward negotiations, we would do well not to foster false hopes about a steady American deescalation and retreat from our position in Southeast Asia; for if it is indeed the impression we convey, Hanoi's position will be, "Let us sit it out; let us wait, because we do not have to negotiate anything."

The only real hope for negotiations, it seems to me, is negotiation from a position of steadfastness and firmness.

Likewise, through the airwaves I have noticed with some serious misgivings the rather uniform response out on the campaign trail some of the more belligerent critics of the administration's policy in Asia that this proves that they were right all along and that the President was wrong and he has now confessed it. I want to say to those fostering that criticism, Mr. President, that they have grievously misread the President's motivation and his reasons. President Johnson, in the deep sense of history that has moved him in the pursuit of his policy in Southeast Asia, is mindful of how dangerous it is to play the tune of policy in the Far East to the scales of a political election year. The thrust of President Johnson's proposal to Hanoi, it seems to me, is not based on any so-called reversal the second guessers wish to read into the President's brave act. His motivation last night, his withdrawal, was inspired on a much higher level than that.

The PRESIDING OFFICER. The time of the Senator from Wyoming has expired.

Mr. McGEE. Mr. President, I ask that I may proceed for an additional 3 minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. McGEE. Mr. President, I think it well that before we over-expect or overreact to all the implications attendant upon last night's drama, we search our own souls again; that we remember that the pursuit of a basic American policy with respect to this issue is now more than 20 years of age. Harry Truman and Dean Acheson spelled out this national-interest implication in the chances for a favorable balance in Asia to emerge from the wreckage of war. President Eisenhower and John Foster Dulles, his Secretary of State, were very specific in expressing it as a part of that continuing policy; namely, that what happens in Southeast Asia makes a difference to the United States. President John F. Kennedy pursued the same conviction, as has President Johnson.

The point that should not be lost upon us is that that policy has not changed; that nothing that was said last night altered it; and that the basic interests of our country are to stand for the simple and obvious fundamental fact which has come to be dramatized in the agony and the bitterness of Vietnam, that is, that the geography of Southeast Asia should not be transformed or transferred by force of arms, and that if it happens again, it will happen again, and still again and again.

The best place to arrest that impulse, the best place to thwart that kind of grand design, is at its inception, at its beginning. That, it seems to me, is what the President of the United States is trying to get through to all of America: That with all the divisiveness that has occurred, with all the bitter criticisms that have been hurled in the direction of the President, we should not lose sight of these deep fundamentals. I think that otherwise we would run the risk of missing the whole point of the President's act.

The PRESIDING OFFICER. The time of the Senator from Wyoming has again expired.

Mr. McGEE. Mr. President, I ask that I may have an additional 2 minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. McGEE. I would hope that the surviving contenders for this most awesome office in the land, yes, in the world, the office of President of the United States, will reassess their own language that they have been using during the last 2 weeks on the stump.

They should reassess the options that they believe honestly to be available to their country before they plunge ahead with new promises—most of which, in my judgment, they would find it very difficult to live up to once the ballots were counted and the results were in.

I would like to believe that those who would seek this highest office in the land this year would be straightforward enough, now, to come to grips with the problem of American policy in Eastern Asia in the national interest rather than in the context of an election year expediency, it behooves all of the candidates to readdress themselves to a much higher level in their quest for the awesome office of the President of the United States. Hopefully, the President's action will also force the other candidates to weigh more rationally the options open to the United States in Southeast Asia.

We must remember, Mr. President, that we have now a whole generation of new governments in Asia, a whole generation of new leaders in Asia, a whole generation of new economic developments and social restructuring, all of which were dependent upon an American presence that, in effect, pledged stability and resistance to the use of force and violence as to instruments to prohibit Asia's self-determination.

What happens, then, if we follow the advice of those who propose that we steadily withdraw and back out? What happens to the prospects of those who took that chance? I think the consequences are obvious, Mr. President; and I think, if we welsh in Vietnam, the whole cloth of Southeast Asia would become unraveled.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. McGEE. I ask unanimous consent to speak for 2 more minutes, Mr. President.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McGEE. With that great doubt, then, injected into the scene of the Orient, even Korea would come unhinged, and where the process would stop no one could then predict.

It is this that hangs in the balance on the kind of decision our country makes this year; and I sincerely hope, Mr. President, that all of the candidates will reassess their own stands, as they have demanded that the President reassess his, and that they will address themselves more forthrightly to the whole question of what our realistic capabilities and responsibilities must be in the months ahead.

Finally, Mr. President, I once again pay tribute to President Lyndon Johnson. His withdrawal not only should pin a greater sense of responsibility on the other presidential aspirants, but I believe his action will also stand as one of the most high-minded and significant developments in our country's recent political history.

I ask unanimous consent to have printed in the RECORD the lead editorial, entitled "In the Name of Unity," published in this morning's Washington Post.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

IN THE NAME OF UNITY

President Johnson, by his moving declaration that he will not seek nor accept the nomination of his party, has taken himself out of the presidential campaign, barring developments that at this juncture simply cannot be foreseen.

He has at the same time, by both his remarks on his candidacy and the suspension of bombing in nearly all Vietnam, taken the war out of the presidential campaign as far as it is in his power to do so.

He has made a personal sacrifice in the name of national unity that entitles him to a very special place in the annals of American history and to a very special kind of gratitude and appreciation.

Many public men have spoken in the name of national unity to advance their own cause and candidacy. The President last night put unity ahead of his own advancement and his own pride.

The shape of the forthcoming presidential campaign is obscure at this moment; but it ought to be, by any normal expectation, a campaign of less divisiveness and less bitterness than the one the country had expected. The President lanced the boil of faction and opened the abscess of partisanship on the body politic. It is to be hoped that his surgery will diminish the fever of public life and permit the Nation to pursue its political decisions in a climate of restraint and prudence.

The verdict of history remains to be written upon an Administration that has attacked the social and racial problems of America with skill and vigor. The judgment of the world remains to be pronounced upon the success or failure of foreign policies that will influence world affairs for generations.

Americans need wait no longer, however, to conclude that the man who spoke to them last night is a man who greatly loves his country and who deeply cherishes its unity.

THE PRESIDENT'S DECISION NOT TO SEEK REELECTION

Mr. MANSFIELD. Mr. President—

I shall not seek and will not accept the nomination of my party for another term as your President.

Thus spoke the President of the United States last evening, in a most historic address to the American people and to the world. I have been interested in the reaction to that speech, and am somewhat disturbed at the different interpretations given, especially by those who seem to raise questions, once again, about the credibility of the President, and who put their own interpretation on what he has to say.

I am quite certain that the President was honest, candid, and forthright, and that he meant what he said. I am quite certain that he searched his own soul before he made that historic declaration. I believe every word he said, and I think the Members of the Senate, unanimously, do as well.

There has been some talk by a candidate of the other party which seems to indicate that he considers this "the year of the dropout." I do not like that term, because I think it denigrates the position taken by the President of the United States last night. The President laid before the people once again the fact that he stood by the San Antonio formula, as refined, and I think I can state without fear of opposition that at no time has he dropped his efforts to bring about, if possible, a way to the negotiating table. Something on the order of 30 public attempts have been made, and in excess of 100 unpublicized attempts have been made.

I approve thoroughly the call issued by the President to both the United Kingdom and the Soviet Union that the Geneva Conference be once again brought into existence. I disagree completely and emphatically with the statement in Moscow this morning which calls this speech by the President a "maneuver."

I do not know what those people have to know to be aware of what the truth is when it is uttered. The Russians are very good at talking peace. They are very good at talking about stopping the bombing as a prelude to peace. But when the time comes to put action where their words are, they can always find an excuse.

Who has been holding up the reconvening of the Geneva Conference for 3 years? The Soviet Union.

Who has been preaching peace for the past 3½ years? The Soviet Union.

Who has said that if the bombing is stopped, there is a good possibility that negotiations will get underway? The Soviet Union, from the lips of her leaders.

Who has been blocking the U.N. resolution, passed by this body unanimously, in the Security Council? The Soviet Union.

What do they mean? Do words have no significance for them? Are they the only ones who speak the truth? Are they interested in peace in Southeast Asia and throughout the world, or are they not? To repeat, I think it is about time that they put their actions where their words are, and I think that time is long overdue.

I am also in full accord with the statement made by the President that he had ordered, as of 9 o'clock last night, a stop to the bombing of North Vietnam except for that area above the DMZ. And even there I am in accord with him, although I would like eventually to see all bombing stopped as far as the north is concerned—negotiations or no negotiations.

And I am in accord with him on that because of the fact that we have men concentrated in Khesanh, Conthien, Camp Carroll, and other areas along the DMZ. Those men are entitled to all the protection, air and otherwise, that they can get, because those men are there, not because they made the policy, but because under the Constitution they are obligated to carry out the policy laid down in Washington.

I pay my respects to the distinguished Senator from Kentucky [Mr. COOPER], who I know has been in the forefront in seeking to bring about a consolidation and concentration of the war to South Vietnam and a cessation of the bombing of North Vietnam, always with the proviso that as far as American soldiers, Marines, and others along the DMZ are concerned they should be given full aerial protection.

The President also said last night that the increase in U.S. forces will not be the 206,000 which has been mentioned from time to time, but on the order of 13,000, and those only in the form of support troops to take care of the elements of the 82d Airborne Division and the Marines sent from the west coast several weeks ago as a result of the Tet offensive. That is understandable. That very likely is necessary. And even that increment will keep the overall figure under the 525,000 limitation set for mid-1968.

The President also emphasized, this time more strongly than ever—and I approve completely—that the South Vietnamese should become more active in this war and assume more of the primary responsibility, and also that they should start talking with other South Vietnamese. And, to my way of thinking, that means the Vietcong, because I do not care what one says or how one looks at it, this is basically a civil war and most of the opponents of the allied forces in South Vietnam are South Vietnamese. So, we cannot gloss over that fact, because that is just what it is—a fact. And if there is to be a solution of South Vietnam, then I think it is high time that Saigon which, at the present time, is run by two North Vietnamese—President Thieu and Vice President Ky—get together with the NLF, the political arm of the Vietcong, and that the South Vietnamese themselves not only increase their strength from Saigon with which to carry on the fighting, which is their responsibility, as the President indicated, but also seek to achieve a diplomatic settlement among the South Vietnamese themselves.

In that respect, I express the hope that the present Saigon government will seek to broaden the areas of its responsibility, and its personnel; and to that extent, I also hope that it would include a coalition composed of the Cao Dai, the Hoa Hao, the Montagnards, the Buddhists, the Catholics, and all other groups, so that that additional strength and assistance will be added to its government as well.

Mr. President, I thoroughly approve also, in addition to the warning given to South Vietnam—a warning long overdue—to get together with all South Vietnamese, of the statement made by the President of the United States that on the basis of the Geneva Conference, we were prepared to withdraw as the North Vietnamese withdrew. However, may I say also that the President said at Manila that we would withdraw our forces from South Vietnam 6 months after peace was achieved.

We have no desire to hold bases that we built at Danang, Cam Ranh Bay, or elsewhere. South Vietnam, in my opinion, is not vital to the security of the United States. And I would hope and expect, and I know, that the words uttered by the President at Manila after that conference would still hold true and that if peace is achieved, we will do our best to get out of that area lock, stock, and barrel at the earliest opportunity.

I believe the President, in his speech, followed that old precept which he gave to us so often while he was the majority leader of the Senate—the precept from Isaiah in the Bible "Come now and let us reason together."

Yes, he has reasoned with his advisers, with himself, and he has reasoned with some Members of the Senate, both those who were for his policy in Vietnam and those who were against it. And he has done it on many occasions which were unpublicized. He has paid heed to what some of us had to say, and he has done his best in line with his responsibility to find a way to the negotiating table.

I express the hope that the principle uttered by the President on yesterday would not only be heard by Brezhnev and Kosygin, so that they would lend their efforts and their leadership to bring about a reconvening of the Geneva Conference—because, after all, the U.S.S.R. is one of the two cochairmen—but that Ho Chi Minh will read the speech and take it at face value.

I would hope that all of them and all of us would understand that the President indeed made a great sacrifice on yesterday when he announced that he would not be a candidate for reelection.

I hope there will be no question raised in this country about the credibility of Lyndon B. Johnson in this or any other respect. Oh, I know of the rumors and speculations that have gone around. But I wonder how many people took the time and the effort to really find out just how vague and misleading this supposed credibility gap was. To the best of my knowledge, the President at no time has ever knowingly misstated the truth to the American people. It is true that he has said something on one day, and perhaps something quite different occurred a week later. But on the basis of the facts which the President had at his disposal at the time he made that statement, or those statements, he was telling the American people the truth.

So, I hope, Mr. President, that we recognize that not only has the President searched his soul, but that a lot of us have also searched our soles, and so have the American people.

It is my belief that because of what occurred last night, there will be better understanding and greater tolerance on the part of all of us.

I hope the personal attacks, the placards that carry scurrilous sayings, the invidious comparisons, and the lack of dignity would be done away with; and I would hope that, regardless of the feelings of any of us insofar as Vietnam or any other matter is concerned, we would treat the one who happens to occupy the office of the Presidency with the dignity, the courtesy, and the respect which is his due.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a transcript of the President's address on the Vietnam war and his political plans, which appeared in the New York Times of April 1, 1968.

There being no objection, the transcript was ordered to be printed in the RECORD, as follows:

TRANSCRIPT OF THE PRESIDENT'S ADDRESS ON THE VIETNAM WAR AND HIS POLITICAL PLANS

Good evening, my fellow Americans.

Tonight I want to speak to you of peace in Vietnam and Southeast Asia.

No other question so preoccupies our people. No other dream so absorbs the 250 million human beings who live in that part of the world. No other goal motivates American policy in Southeast Asia.

For years, representatives of our Government and others have traveled the world seeking to find a basis for peace talks.

Since last September they have carried the offer that I made public at San Antonio. And that offer was this:

That the United States would stop its bombardment of North Vietnam when that would lead promptly to productive discussions—and that we would assume that North Vietnam would not take military advantage of our restraint.

Hanoi denounced this offer, both privately and publicly. Even while the search for peace was going on, North Vietnam rushed their preparations for a savage assault on the people, the Government and the allies of South Vietnam.

Their attack—during the Tet holidays—failed to achieve its principal objectives.

It did not collapse the elected Government of South Vietnam or shatter its army—as the Communists had hoped. It did not produce a "general uprising" among the peoples of the cities, as they had predicted.

The Communists were unable to maintain control of any of the more than 30 cities that they attacked, and they took very heavy casualties.

But they did compel the South Vietnamese and their allies to move certain forces from the countryside into the cities.

They caused widespread disruption and suffering. Their attacks, and the battles that followed, made refugees of half a million human beings.

NEW ASSAULT FORESEEN

The Communists may renew their attack any day. They are, it appears, trying to make 1968 the year of decision in South Vietnam—the year that brings, if not final victory or defeat, at least a turning point in the struggle.

This much is clear: If they do mount another round of heavy attacks, they will not succeed in destroying the fighting power of South Vietnam and its allies.

But tragically, this is also clear: Many men—on both sides of the struggle—will be lost. A nation that has already suffered 20 years of warfare will suffer once again. Armies on both sides will take new casualties. And the war will go on.

There is no need for this to be so. There is no need to delay the talks that could bring an end to this long and this bloody war.

Tonight, I renew the offer I made last August: to stop the bombardment of North Vietnam. We ask that talks begin promptly, that they be serious talks on the substance of peace. We assume that during those talks Hanoi will not take advantage of our restraint.

We are prepared to move immediately toward peace through negotiations. So tonight, in the hope that this action will lead to early talks, I am taking the first step to de-escalate the conflict. We are reducing—substantially reducing—the present level of hostilities, and we are doing so unilaterally and at once.

Tonight I have ordered our aircraft and our naval vessels to make no attacks on North Vietnam except in the area north of the demilitarized zone where the continuing enemy build-up directly threatens allied forward positions and where the movement of their troops and supplies are clearly related to that threat.

The area in which we are stopping our attacks includes almost 90 per cent of North Vietnam's population, and most of its territory. Thus there will be no attacks around the principal populated areas, or in the food-producing areas of North Vietnam.

FULL HALT POSSIBLE LATER

Even this very limited bombing of the North could come to an early end—if our restraint is matched by restraint in Hanoi. But I cannot in good conscience stop all bombing so long as to do so would immediately and directly endanger the lives of our men and our allies. Whether a complete bombing halt becomes possible in the future will be determined by events.

Our purpose in this action is to bring about a reduction in the level of violence that now exists. It is to save the lives of brave men—and to save the lives of innocent women and children. It is to permit the contending forces to move closer to a political settlement.

And tonight I call upon the United Kingdom and I call upon the Soviet Union—as cochairmen of the Geneva conferences and as permanent members of the United Nations Security Council—to do all they can to move from the unilateral act of de-escalation that I have just announced toward genuine peace in Southeast Asia.

Now, as in the past, the United States is ready to send its representatives to any forum, at any time, to discuss the means of bringing this ugly war to an end.

I am designating one of our most distinguished Americans, Ambassador Averell Harriman, as my personal representative for such talks. In addition, I have asked Ambassador Llewellyn Thompson, who returned from Moscow for consultation, to be available to join Ambassador Harriman at Geneva or any other suitable place—just as soon as Hanoi agrees to a conference.

I call upon President Ho Chi Minh to respond positively, and favorably, to this new step toward peace.

But if peace does not come now through negotiations, it will come when Hanoi understands that our common resolve is unshakable, and our common strength is invincible.

Tonight, we and the other allied nations are contributing 600,000 fighting men to assist 700,000 South Vietnamese troops in defending their little country.

Our presence there has always rested on this basic belief: The main burden of preserving their freedom must be carried out by them—by the South Vietnamese themselves.

We and our allies can only help to provide a shield behind which the people of South Vietnam can survive and can grow and develop. On their efforts—on their determinations and resourcefulness—the outcome will ultimately depend.

That small, beleaguered nation has suffered terrible punishment for more than 20 years.

I pay tribute once again tonight to the great courage and the endurance of its people. South Vietnam supports armed forces tonight of almost 700,000 men, and I call your attention to the fact that that is the equivalent of more than 10 million in our own population. Its people maintain their firm determination to be free of domination by the North.

There has been substantial progress, I think, in building a durable government during these last three years. The South Vietnam of 1965 could not have survived the enemy's Tet offensive of 1968. The elected Government of South Vietnam survived that attack—and is rapidly repairing the devastation that it wrought.

FURTHER TASKS FOR SAIGON

The South Vietnamese know that further efforts are going to be required to expand their own armed forces; to move back into the countryside as quickly as possible; to increase their taxes; to select the very best men they have for civil and military responsibility; to achieve a new unity within their constitutional government, and to include in the national effort all those groups who wish to preserve South Vietnam's control over its own destiny.

Last week President Thieu ordered the mobilization of 135,000 additional South Vietnamese. He plans to reach as soon as possible a total military strength of more than 800,000 men.

To achieve this, the Government of South Vietnam started the drafting of 19-year-olds on March 1. On May 1, the Government will begin the drafting of 18-year-olds.

Last month, 10,000 men volunteered for military service. That was two and a half times the number of volunteers during the same month last year. Since the middle of January, more than 48,000 South Vietnamese have joined the armed forces, and nearly half of them volunteered to do so.

All men in the South Vietnamese armed forces have had their tours of duty extended for the duration of the war, and reserves are now being called up for immediate active duty.

President Thieu told his people last week, and I quote:

"We must make greater efforts, we must accept more sacrifices, because as I have said many times, this is our country. The existence of our nation is at stake, and this is mainly a Vietnamese responsibility."

He warned his people that a major national effort is required to root out corruption and incompetence at all levels of government.

We applaud this evidence of determination on the part of South Vietnam. Our first priority will be to support their effort.

We shall accelerate the re-equipment of South Vietnam's armed forces in order to meet the enemy's increased firepower. And this will enable them progressively to undertake a large share of combat operations against the Communist invaders.

BUILDUP IN U.S. FORCES

On many occasions I have told the American people that we would send to Vietnam those forces that are required to accomplish our mission there. So with that as our guide we have previously authorized a force level of approximately 525,000.

Some weeks ago to help meet the enemy's new offensive we sent to Vietnam about 11,000 additional Marine and airborne troops. They were deployed by air in 48 hours on an emergency basis. But the artillery and the tank and the aircraft and medical and other units that were needed to work with and support these infantry troops in combat could not then accompany them by air on that short notice.

In order that these forces may reach maximum combat effectiveness, the Joint Chiefs of Staff have recommended to me that we should prepare to send during the next five months the support troops totaling approximately 13,500 men.

A portion of these men will be made available from our active forces. The balance will come from reserve component units, which will be called up for service.

The actions that we have taken since the beginning of the year to re-equip the South Vietnamese forces; to meet our responsibilities in Korea, as well as our responsibilities in Vietnam; to meet price increases and the cost of activating and deploying these reserve forces; to replace helicopters and provide the other military supplies we need, all of these actions are going to require additional expenditures.

The tentative estimate of those additional expenditures is $2.5-billion in this fiscal year and $2.6-billion in the next fiscal year.

These projected increases in expenditures for our national security will bring into sharper focus the nation's need for immediate action, action to protect the prosperity of the American people and to protect the strength and the stability of our American dollar.

On many occasions I have pointed out that without a tax bill or decreased expenditures, next year's deficit would again be around $20-billion. I have emphasized the need to set strict priorities in our spending. I have stressed that failure to act—and to act promptly and decisively—would raise very strong doubts throughout the world about America's willingness to keep its financial house in order.

Yet Congress has not acted. And tonight we face the sharpest financial threat in the postwar era—a threat to the dollar's role as the keystone of international trade and finance in the world.

Last week, at the monetary conference in Stockholm, the major industrial countries decided to take a big step toward creating a new international monetary asset that will strengthen the international monetary system.

And I'm very proud of the very able work done by Secretary Fowler and Chairman Martin of the Federal Reserve Board.

But to make this system work, the United States just must bring its balance of payments to—or very close to—equilibrium. We must have a responsible fiscal policy in this country.

TAX BILL IS URGENT

The passage of a tax bill now, together with expenditure control that the Congress may desire and dictate, is absolutely necessary to protect this nation's security and to continue our prosperity, and to meet the needs of our people.

Now, what is at stake is seven years of unparalleled prosperity. In those seven years, the real income of the average American, after taxes, rose by almost 30 per cent—a gain as large as that of the entire preceding 19 years.

So the steps that we must take to convince the world are exactly the steps that we must take to sustain our own economic strength here at home. In the past eight months, prices and interest rates have risen because of our inaction.

We must therefore now do everything we can to move from debate to action, from talking to voting, and there is, I believe—I hope there is—in both Houses of the Congress a growing sense of urgency that this situation just must be acted upon and must be corrected.

My budget in January, we thought, was a tight one. It fully reflected our evaluation of most of the demanding needs of this nation.

But in these budgetary matters, the President does not decide alone. The Congress has the power, and the duty, to determine appropriations and taxes.

The Congress is now considering our proposals, and they are considering reductions in the budget that we submitted.

As part of a program of fiscal restraint that includes the tax surcharge, I shall approve appropriate reductions in the January budget when and if Congress so decides that that should be done.

One thing is unmistakably clear, however. Our deficit just must be reduced. Failure to act could bring on conditions that would strike hardest at those people that all of us are trying so hard to help.

A PLEA TO CONGRESS

So these times call for prudence in this land of plenty. And I believe that we have the character to provide it, and tonight I plead with the Congress and with the people to act promptly to serve the national interest and thereby serve all of our people.

Now let me give you my estimate of the chances for peace—the peace that will one day stop the bloodshed in South Vietnam. That will—all the Vietnamese people will be permitted to rebuild and develop their land. That will permit us to turn more fully to our own tasks here at home.

I cannot promise that the initiative that I have announced tonight will be completely successful in achieving peace any more than the 30 others that we have undertaken and agreed to in recent years.

But it is our fervent hope that North Vietnam, after years of fighting that has left the issue unresolved, will now cease its efforts to achieve a military victory and will join with us in moving toward the peace table.

And there may come a time when South Vietnamese—on both sides—are able to work out a way to settle their own differences by free political choice rather than by war.

As Hanoi considers its course, it should be in no doubt of our intentions. It must not miscalculate the pressures within our democracy in this election year. We have no intention of widening this war. But the United States will never accept a fake solution to this long and arduous struggle and call it peace.

No one can foretell the precise terms of an eventual settlement.

Our objective in South Vietnam has never been the annihilation of the enemy. It has been to bring about a recognition in Hanoi that its objective—taking over the South by force—could not be achieved.

We think that peace can be based on the Geneva accords of 1954, under political conditions that permit the South Vietnamese—all the South Vietnamese—to chart their course free of any outside domination or interferences, from us or from anyone else.

MANILA PLEDGE REAFFIRMED

So tonight I reaffirm the pledge that we made at Manila: that we are prepared to withdraw our forces from South Vietnam as the other side withdraws its forces to the North, stops the infiltration, and the level of violence thus subsides.

Our goal of peace and self-determination in Vietnam is directly related to the future of all of Southeast Asia, where much has happened to inspire confidence during the past 10 years. And we have done all that we knew how to do to contribute and to help build that confidence.

A number of nations have shown what can be accomplished under conditions of security. Since 1966, Indonesia, the fifth largest nation in all the world, with a population of more than 100 million people, has had a government that's dedicated to peace with its neighbors and improved conditions for its own people.

Political and economic cooperation between nations has grown rapidly.

And I think every American can take a great deal of pride in the role that we have played in bringing this about in Southeast Asia. We can rightly judge—as responsible Southeast Asians themselves do—that the progress of the past three years would have been far less likely, if not completely impossible, if America's sons and others had not made their stand in Vietnam.

At Johns Hopkins University about three years ago, I announced that the United States would take part in the great work of developing Southeast Asia, including the Mekong valley, for all the people of that region. Our determination to help build a better land—a better land for men on both sides of the present conflict—has not diminished in the least. Indeed, the ravages of war, I think, have made it more urgent than ever.

So I repeat on behalf of the United States again tonight what I said at Johns Hopkins—that North Vietnam could take its place in this common effort just as soon as peace comes.

Over time, a wider framework of peace and security in Southeast Asia may become possible. The new cooperation of the nations of the area could be a foundation stone. Certainly friendship with the nations of such a Southeast Asia is what the United States seeks—and that is all that the United States seeks.

One day, my fellow citizens, there will be peace in Southeast Asia: It will come because the people of Southeast Asia want it—those whose armies are at war tonight; those who, though threatened, have trus far been spared.

Peace will come because Asians were willing to work for it and to sacrifice for it—and to die by the thousands for it.

But let it never be forgotten: peace will come also because America sent her sons to help secure it.

It has not been easy—far from it. During the past four and a half years, it has been my fate and my responsibility to be Commander in Chief. I have lived daily and nightly with the cost of this war. I know the pain that it has inflicted. I know perhaps beter than anyone the misgivings it has aroused.

VITAL TO EVERY AMERICAN

And throughout this entire long period I have been sustained by a single principle: that what we are doing now in Vietnam is vital not only to the security of Southeast Asia but it is vital to the security of every American.

Surely, we have treaties which we must respect. Surely, we have commitments that we are going to keep. Resolutions of the Congress testify to the need to resist aggression in the world and in Southeast Asia.

But the heart of our involvement in South Vietnam under three different Presidents, three separate Administrations, has always been America's own security.

And the larger purpose of our involvement has always been to help the nations of Southeast Asia become independent, and stand alone self-sustaining as members of a great world community, at peace with themselves, at peace with all others. And with such a nation our country—and the world—will be far more secure than it is tonight.

I believe that a peaceful Asia is far nearer to reality because of what America has done in Vietnam. I believe that the men who endure the dangers of battle there, fighting there for us tonight, are helping the entire world avoid far greater conflicts, far wider wars, far more destruction, than this one.

The peace that will bring them home someday will come. Tonight, I have offered the first in what I hope will be a series of mutual moves toward peace.

I pray that it will not be rejected by the leaders of North Vietnam. I pray that they will accept it as a means by which the sacrifices of their own people may be ended. And I ask your help and your support, my fellow citizens, for this effort to reach across the battlefield toward an early peace.

Yet, I believe that we must always be mindful of this one thing—whatever the trials and the tests ahead, the ultimate strength of our country and our cause will lie, not in powerful weapons or infinite resources or boundless wealth, but will lie in the unity of our people.

Finally, my fellow Americans, let me say this:

Of those to whom much is given much is asked. I cannot say—and no man could say—that no more will be asked of us. Yet I believe that now, no less than when the decade began, this generation of Americans is willing to pay the price, bear any burden, meet any hardship, support any friend, oppose any foe, to assure the survival, and the success, of liberty.

Since those words were spoken by John F. Kennedy, the people of America have kept that compact with mankind's noblest cause. And we shall continue to keep it.

ORDER OF LOYALTIES LISTED

This I believe very deeply. Throughout my entire public career I have followed the personal philosophy that I am a free man, an American, a public servant and a member of my party—in that order—always and only.

For 37 years in the service of our nation, first as a Congressman, as a Senator and as Vice President, and now as your President, I have put the unity of the people first, I have put it ahead of any divisive partisanship. And in these times, as in times before, it is true that a house divided against itself by the spirit of faction, of party, of region, of religion, of race, is a house that cannot stand.

There is division in the American house now. There is divisiveness among us all tonight. And holding the trust that is mine, as President of all the people, I cannot disregard the peril of the progress of the American people and the hope and the prospect of peace for all peoples, so I would ask all Americans whatever their personal interest or concern to guard against divisiveness and all of its ugly consequences.

Fifty-two months and ten days ago, in a moment of tragedy and trauma, the duties of this office fell upon me.

I asked then for your help, and God's, that we might continue America on its course binding up our wounds, healing our history, moving forward in new unity to clear the American agenda and to keep the American commitment for all of our people.

United we have kept that commitment. And united we have enlarged that commitment. And through all time to come I think America will be a stronger nation, a more just society, a land of greater opportunity and fulfillment because of what we have all done together in these years of unparalleled achievement.

LIFE OF FREEDOM

Our reward will come in the life of freedom and peace and hope that our children will enjoy through ages ahead.

What we won when all of our people united just must not now be lost in suspicion and distrust and selfishness and politics among any of our people, and believing this as I do I have concluded that I should not permit the Presidency to become involved in the partisan divisions that are developing in this political year.

With American sons in the fields far away, with America's future under challenge right here at home, with our hopes and the world's hopes for peace in the balance every day, I do not believe that I should devote an hour or a day of my time to any personal partisan causes or to any duties other than the awesome duties of this office—the Presidency of your country.

Accordingly, I shall not seek, and I will not accept, the nomination of my party for another term as your President. But let men everywhere know, however, that a strong and a confident and a vigilant America stands ready tonight to seek an honorable peace; and stands ready tonight to defend an honored cause, whatever the price, whatever the burden, whatever the sacrifice that duty may require.

Thank you for listening. Good night and God bless all of you.

Mr. JACKSON. Mr. President, under the Johnson administration our Nation has moved to correct social injustice, resist aggression abroad, and build a better America and a better world on a scale unprecedented in our history.

It has been the lot of the President to bear the criticism and even the personal abuse that befalls one who must take the responsibility for far-reaching and difficult decisions.

The remaining months of the Johnson administration will span a critical and dangerous period in our history. The President must have had great concern that whatever moves he must make during this period would be subject to partisan and political question and discord if he were a candidate. By denying himself renomination and reelection, the President has taken the most convincing step possible to prove that he is guided by no motive other than what is best for our country.

President Johnson has acted in the finest spirit of service and devotion to the duties of the President. He has acted as a great President, with sincerity and with determination, to achieve world peace, protect the vital interests of the United States, and secure domestic tranquillity. In these efforts he must have the support of all Americans.

Mr. PERCY. Mr. President, I should like to respond to both our majority leader and the able Senator from Washington, on the other side of the aisle, in indicating that it is my deep and sincere feeling that the President's decision, which we all know was an exceedingly difficult decision for a man who has served his country for so long, was a wise decision, a realistic decision, and a generous decision, one that was based solely on his belief as to what was best for the United States of America.

I also believe that this decision will enable those factions which have been working to divide America to begin now the momentous job of uniting this country once again.

I was gratified by the President's initiative in reducing the bombing, and I hope it will move us toward a negotiated settlement of the war.

I also believe very deeply that the Republican Party, as it deliberates now on the policy it should take toward the war, in its platform—and I hope in the voice of its candidate to be nominated in Miami—will not offer this Nation the fruitless task of trying to find a military solution to what is essentially a political, economic, and social problem in Southeast Asia. I cannot imagine our nominating a candidate who would offer the endless road of trying to find some sort of elusive military victory or military solution to the problem.

I believe that today, with the President's clear-cut decision—which I accept in the seriousness and the earnestness with which he made it last night before the Nation—rather than dwelling on the failures of the past, we all have an opportunity and a responsibility to devise constructive solutions to the problems of the late sixties and the early seventies.

I reiterate a suggestion I made on the floor of the Senate last month, that if in our present crisis Congress is unable to move forward with dispatch, it might serve the national interest if the President would appear before a joint session of Congress to once again, in specific terms, show the willingness of this administration to reduce expenses, the willingness of this administration to recognize that the situation in Europe can be drastically altered by bringing back many of our European forces, and to show that we can reduce our balance-of-payments problem by a sacrifice on the part of the Government in certain programs that it has undertaken.

I hope Congress will move forward now with great dispatch to find a way to give us fair housing legislation in this country. I hope the Senate will move forward with the greatest possible dispatch to reduce expenses and to bring forth the tax increase that we know is necessary to restore fiscal sanity to our fiscal and monetary policy.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. PERCY. I yield.

Mr. MANSFIELD. Mr. President, I am delighted that the distinguished Senator from Illinois has raised that question; because, there again, the President laid it on the line last night, and he asked Congress to do something about reducing expenditures, reducing his budget, and granting a 10-percent surcharge tax. It is up to us now, because, as he indicated indirectly, all he can do is propose. It is up to us to dispose. I hope we do it and take heed of his warning.

Mr. PERCY. I trust, also, that the majority leader would agree that this certainly is not the time to start putting extraneous matters on his bill, to start loading it up at the time when we are trying to move ahead with a national policy, to have this bill the instrument for moving the foreign economic policy of this country back 30 years, by seeking to limit the importation of goods and merchandise flowing into this country, which will set us back through retaliation abroad.

Mr. MANSFIELD. I agree completely with the Senator, and I would hope that those matters could be considered on their own merits.

Mr. BYRD of West Virginia. Mr. President I ask unanimous consent that I may proceed for 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, the action of President Lyndon Johnson in taking himself out of consideration for reelection was an act of selfless devotion to duty. The President has clearly placed his own personal interests in a position of secondary importance to the best interests of his country. I deeply regret that he will not be a candidate for reelection, but I salute him for his courage and for his patriotism.

Lyndon Johnson in my opinion, could have had the Democratic nomination for a second full term as President, if he had sought it. He has not bowed out for any fear that the prize might not be his. He has removed himself so that he may be free to use every means at his command, with any thought of self-interest put aside, to attain the objectives America has sought in this conflict and to bring an early and honorable peace, if that is possible.

I honor him for the decision he has made, and I hope his fellow Americans will recognize that in his announcement there is the stamp of greatness. It has been clear, from the moment he assumed the burdens of the Presidency in those dark days in November 1963, that Lyndon Johnson is a man in whom love of country is deeply ingrained. In a time when so many others seem to think patriotism passé Lyndon Johnson has never hesitated to articulate his faith in America and his deep devotion to his country and to his country's responsibilities wherever they might lie.

The course he has chosen now in Vietnam—the cessation of bombing in most of the country—should resolve once and for all the question of whether or not there can be genuine hope for any meaningful negotiation with the Communists. The President has offered Hanoi an honorable way to bring an end to the hostilities, while serving notice at the same time through the troop increase that the United States is acting from strength and not from weakness. The President is wavering neither in his search for peace nor in his resolve to honor America's commitments to stop Communist aggression and to help preserve freedom in the world wherever there is a desire for it.

President Johnson has pointed out to our people time and again that the United States is in Vietnam because three Presidents and three administrations have believed that our presence there is fundamental both for the preservation of freedom in Southeast Asia and for the protection of the vital national interests of the United States. While some have denounced this course and his perseverence in it, he has unswervingly held to what he believes to be the right course. By his willingness to step out of the presidency, he has done all that any man could do for a cause that he believes is in the best interests of America.

I hope that other nations will now redouble their efforts to bring peace to the world, and especially do I hope that the message of the President will be instrumental in exerting the Soviet Union to match his dedication to peace and thus hasten the day when Hanoi will move to the negotiating table.

Lyndon Johnson, I believe, will be counted among America's great Presidents. There is no doubt about his achievements on the domestic front. I have not always agreed with all of his proposals, but there can be no question about the forward-looking nature of many of the programs he has proposed and has seen enacted.

It is my opinion that he may be equally well known in years to come for the farsightedness and the soundness of his approach to the complex world problems that involve the Nation. To the solution of these problems he has now fully addressed himself in his final months in office.

From the moment I entered the U.S. Senate, Lyndon Johnson has been my friend, a fact in which I take great pride. I am honored to have served with him in its Chamber, and I am proud as I look back now that I supported him for the Presidency before the convention of 1960. When there have been differences between us they have usually been differences over methods and seldom disagreements over objectives or goals.

The unity of the American people now is of the utmost importance in the face of the external threat which Communist aggression poses for the whole free world. A nation divided as America has recently been divided by the more radical and reckless war dissenters cannot hope to prevail in its national purposes. Those who would divide and fragment America for their own ends have shaken our people's belief in our Nation's purposes and their faith in themselves, and they have tarnished the image of the United States. The President himself has been the target of much of this abuse.

Lyndon Johnson, recognizes that America's strength can come only from unity, and that the divisiveness that has been eating away at the national fabric can have only ruinous results. He has put this need for unity above everything else, even his own career. History, I believe, will accord him a high place indeed for his resolute determination to take all personal political considerations out of the conduct of the war and the efforts to bring peace.

I regard Lyndon Johnson as a great American. I hope that his desire for world peace will be realized.

COURAGEOUS DECISION

Mr. BREWSTER. Mr. President, the President's announcement last night may have taken us all by surprise, but it did not take long to realize what a courageous and truly-statesman-like move he has made.

In the tradition of this country's greatest leaders, President Johnson has placed national unity and devotion to world peace above personal ambition. In this time of foreign war and internal strife, he has elevated the Presidency above partisan politics into a position of objective and truly unbiased leadership.

President Johnson has fought for his country in war and in peace. By his announcement last night, he demonstrated beyond any doubt the sincerity of his intention to work for peace in Vietnam. The decision to stop the bombing north of the region immediately adjacent to the demilitarized zone is tangible evidence of the wise course the President is determined to follow. Let us hope that this course will evoke a favorable response from Hanoi. If it does not, the onus of continuing the war will surely not be with the President.

Lyndon Johnson's devotion to duty to country will earn him a place of high distinction in U.S. history. His announcement last night long will be remembered as the announcement of a brave and honest man.

Mr. President, newspapers across the country have published editorials today praising the President's action. Two particularly good editorials have appeared in the Baltimore Sun and the Washington Post. I ask unanimous consent that these editorials be printed in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Apr. 1, 1968]

IN THE NAME OF UNITY

President Johnson, by his moving declaration that he will not seek nor accept the nomination of his party, has taken himself out of the presidential campaign, barring developments that at this juncture simply cannot be foreseen.

He has at the same time, by both his remarks on his candidacy and the suspension of bombing in nearly all Vietnam, taken the war out of the presidential campaign as far as it is in his power to do so.

He has made a personal sacrifice in the name of national unity that entitles him to a very special place in the annals of American history and to a very special kind of gratitude and appreciation.

Many public men have spoken in the name of national unity to advance their own cause and candidacy. The President last night put unity ahead of his own advancement and his own pride.

The shape of the forthcoming presidential campaign is obscure at this moment; but it ought to be, by any normal expectation, a campaign of less divisiveness and less bitterness than the one the country had expected. The President lanced the boil of faction and opened the abscess of partisanship on the body politic. It is to be hoped that his surgery will diminish the fever of public life and permit the Nation to pursue its political decisions in a climate of restraint and prudence.

The verdict of history remains to be written upon an Administration that has attacked the social and racial problems of America with skill and vigor. The judgment of the world remains to be pronounced upon the success or failure of foreign policies that will influence world affairs for generations.

Americans need wait no longer, however, to conclude that the man who spoke to them last night is a man who greatly loves his country and who deeply cherishes its unity.

[From the Baltimore (Md.) Sun, Apr. 1, 1968]

THE PRESIDENT'S SPEECH

President Johnson's announcement last night that he will not accept his party's nomination for another term as President underscored his decision to stop the bombing in North Vietnam beyond the demilitarized zone and to move toward a de-escalation of the war. By removing himself as a political candidate in the midst of our divisive and rapidly developing election campaign, Mr. Johnson has given a tangible proof of his desire to bring the war to an end and to establish an honorable and lasting peace in Southeast Asia.

Mr. Johnson's speech thus was of the highest order—on a level with his solid performance of November, 1963, when he took over the Presidency with a sure, steady hand in one of the nation's most tragic moments. The United States is divided and in turmoil now—confused and doubtful about the progress of the war in Vietnam, beset by inflation and racial strife at home and trouble by the plight of the dollar abroad.

The President, like many other Americans, could foresee only more domestic strife, more bitter argument and more trouble if matters continued on the course of the past several weeks. He had been under strong military pressure to step up the whole level of the war, through a large increase in the number of our troops and through more intensive bombing—in short to press hard for a military victory. Such a decision, undoubtedly, would have increased our domestic turmoil.

The course the President decided upon in Vietnam is an earnest of the United States desire for prompt peace negotiations. By halting most of the bombing in North Vietnam and by holding down the increase in American forces to some 13,500 support troops, Mr. Johnson is deliberating slowing down the American operations, and urging North Vietnam to reciprocate. He wisely put no time limit on the bombing pause. This represents a real effort to limit the scale of the war and bring it under control.

Congress should now match the President's action promptly, and bring the budget under control through reduced spending and a tax increase. It can do no less, and it should delay no longer.

CONTROL OF UNFAIR TRADE RELATIONS TO AGRICULTURE

Mr. AIKEN. Mr. President, I ask that the Chair lay before the Senate a message from the House on S. 109.

The **PRESIDING OFFICER** laid before the Senate the amendment of the House of Representatives to the bill (S. 109) to control unfair trade practices affecting producers of agricultural products and associations of such producers, and for other purposes, which was, strike out all after the enacting clause and insert:

That this Act shall be known as the Agricultural Fair Practices Act of 1967.

LEGISLATIVE FINDINGS AND DECLARATION OF POLICY

SEC. 2. Agricultural products are produced in the United States by many individual farmers and ranchers scattered throughout the various States of the Nation. Such products in fresh or processed form move in large part in the channels of interstate and foreign commerce, and such products which do not move in these channels directly burden or affect interstate commerce. The efficient production and marketing of agricultural products by farmers and ranchers is of vital concern to their welfare and to the general economy of the Nation. Because agricultural products are produced by numerous individual farmers, the marketing and bargaining position of individual farmers will be adversely affected unless they are free to join together voluntarily in cooperative organizations as authorized by law. Interference with this right is contrary to the public interest and adversely affects the free and orderly flow of goods in interstate and foreign commerce.

It is, therefore, declared to be the policy of Congress and the purpose of this Act to establish standards of fair practices required of handlers in their dealings in agricultural products.

DEFINITIONS

SEC. 3. When used in this Act—

(a) The term "handler" means any person engaged in the business or practice of (1) acquiring agricultural products from producers or associations of producers for processing or sale; or (2) grading, packaging, handling, storing, or processing agricultural products received from producers or associations of producers; or (3) contracting or negotiating contracts or other arrangements, written or oral, with or on behalf of producers or associations of producers with respect to the production or marketing of any agricultural product; or (4) acting as an agent or broker for a handler in the performance of any function or act specified in clause (1), (2), or (3) of this paragraph.

(b) The term "producer" means a person engaged in the production of agricultural products as a farmer, planter, rancher, dairyman, fruit, vegetable, or nut grower.

(c) The term "association of producers" means any association of producers of agricultural products engaged in marketing, bargaining, shipping, or processing as defined in section 15(a) of the Agricultural Marketing Act of 1929, as amended (49 Stat. 317; 12 U.S.C. 1141j(a)), or in section 1 of the Act entitled "An Act to authorize association of producers of agricultural products," approved February 18, 1922 (42 Stat. 388; 7 U.S.C. 291).

(d) The term "person" includes individuals, partnerships, corporations, and associations.

(e) The term "agricultural products" shall not include cotton or tobacco or their products.

PROHIBITED PRACTICES

SEC. 4. It shall be unlawful for any handler knowingly to engage or permit any employee or agent to engage in the following practices:

(a) To coerce any producer in the exercise of his right to join and belong to or to refrain from joining or belonging to an association of producers, or to refuse to deal with any producer because of the exercise of his right to join and belong to such an association; or

(b) To discriminate against any producer with respect to price, quantity, quality, or other terms of purchase, acquisition, or other handling of agricultural products because of his membership in or contract with an association of producers; or

(c) To coerce or intimidate any producer to enter into, maintain, breach, cancel, or terminate a membership agreement or marketing contract with an association of producers or a contract with a handler; or

(d) To pay or loan money, give any thing of value, or offer any other inducement or reward to a producer for refusing to or ceasing to belong to an association of producers; or

(e) To make false reports about the finances, management, or activities of associations of producers or handlers; or

(f) To conspire, combine, agree, or arrange with any other person to do, or aid or abet the doing of, any act made unlawful by this Act.

DISCLAIMER OF INTENTION TO PROHIBIT NORMAL DEALING

SEC. 5. Nothing in this Act shall prevent handlers and producers from selecting their customers and suppliers for any reason other than a producer's membership in or contract with an association of producers, nor require a handler to deal with an association of producers.

ENFORCEMENT

SEC. 6. (a) Whenever any handler has engaged or there are reasonable grounds to believe that any handler is about to engage in any act or practice prohibited by section 4, a civil action for preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order, may be instituted by the person aggrieved. In any action commenced pursuant hereto, the court, in its discretion, may allow the prevailing party a reasonable attorney's fee as part of the costs. The court may provide that no restraining order or preliminary injunction shall issue except upon the giving of security by the applicant, in such sum as the court deems proper, for the payment of such costs and damages as may be incurred or suffered by any party who is found to have been wrongfully enjoined or restrained.

(b) Whenever the Secretary of Agriculture has reasonable cause to believe that any handler, or group of handlers, has engaged in any act or practice prohibited by section 4, he may request the Attorney General to bring civil action in his behalf in the appropriate district court of the United States by filing with it a complaint (1) setting forth facts pertaining to such act or practice, and (2) requesting such preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order against the handler, or handlers, responsible for such acts or practices. Upon receipt of such request, the Attorney General is authorized to file such complaint.

(c) Any person injured in his business or property by reason of any violation of, or combination or conspiracy to violate, any provision of section 4 of this Act may sue therefor in the appropriate district court of the United States without respect to the amount in controversy, and shall recover damages sustained. In any action commenced pursuant to this subsection, the court may allow the prevailing party a reasonable attorney's fee as a part of the costs. Any action to enforce any cause of action under this subsection shall be forever barred unless commenced within two years after the cause of action accrued.

(d) The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether the aggrieved party shall have exhausted any administrative or other remedies that may be provided by law.

The provisions of this Act shall not be construed to change or modify existing State law nor to deprive the proper State courts of jurisdiction.

SEPARABILITY

SEC. 7. If any provision of this Act or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the Act and of the application of such provision to other persons and circumstances shall not be affected thereby.

And, amend the title so as to read: "An act to prohibit unfair trade practices affecting producers of agricultural products, and for other purposes."

Mr. AIKEN. Mr. President, the bill was passed by the Senate unanimously; it was approved by the Committee on Agriculture of the House of Representatives by a vote of 28 to 5, and it was passed by the House of Representatives by a vote of about three or four to one.

It appears that the House did not make any substantial change in the bill. It did give the court descretion with respect to requiring security from the applicant for a restraining order. The changes are immaterial.

I move that the Senate concur in the amendment of the House.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Vermont.

The motion was agreed to.

DECISION OF THE PRESIDENT NOT TO SEEK REELECTION

Mr. BIBLE. Mr. President, I have long held the firm conviction that the civilized world could hope for no more earnest advocate of peace than the President of the United States. It is a conviction that has been rewarded time and again by a man whose sincerity and integrity will forever be a source of inspiration to the American people.

On Christmas Day 1948, President Truman said:

> I would rather have peace in the world than be President.

History will record that 20 years later another great President, Lyndon B. Johnson gave new dignity and nobility to these words by sacrificing the highest office in the land to devote his entire energies to the cause of peace.

Few men in our history have demonstrated an equal measure of courage and unselfishness, and few men can lay equal claim to the mantle of greatness. His place in history is secure. It will be guaranteed not by those who value the art of politics, but by those who revere human life and work for the survival of mankind.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of executive business to consider a nomination on the Executive Calendar.

There being no objection, the Senate proceeded to the consideration of executive business.

DEPARTMENT OF JUSTICE

The assistant legislative clerk read the nomination of Wilbur H. Dillahunty, of Arkansas, to be U.S. attorney for the eastern district of Arkansas.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of the nomination.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE REPORT OF A COMMITTEE

The following favorable report of a nomination was submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

Edward Clark, of Texas, to be commissioner for the Federal exhibit at HemisFair 1968.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate resume the consideration of legislative business.

There being no objection, the Senate resumed the consideration of legislative business.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of measures on the calendar, beginning with Calendar No. 1000.

The PRESIDING OFFICER. Without objection, it is so ordered.

WEATHER PREDICTIONS

The concurrent resolution (S. Con. Res. 67) requesting the President to take action to insure that the United States will derive maximum benefits from an expanded and intensified effort to increase the accuracy and extend the time range of weather predictions was considered and agreed to, as follows:

S. CON. RES. 67

Resolved by the Senate of the United States (the House of Representatives concurring), That it is the sense of Congress that the United States should participate in and give full support to the world weather program which includes (1) a world weather watch—the development and operation of an international system for the observation of the global atmosphere and the rapid and efficient communication, processing, and analysis of worldwide weather data, and (2) the conduct of a comprehensive program of research for the development of a capability in long-range weather prediction and for the theoretical study and evaluation of inadvertent climate modification and the feasibility of intentional climate modification;

SEC. 2. That it is further the sense of Congress that the President should cooperate with other nations in (1) a program, utilizing proven technology, procedures, and techniques, for the immediate improvement of the capability of the existing international weather system to observe the global atmosphere and to communicate, process, and analyze worldwide weather data; (2) a program to develop new technology, procedures, and techniques for the observation of the global atmosphere and for the communication, processing, and analysis of worldwide weather data, so that the needs of operational weather forecasting may be adequately served; (3) a program of research on the global wind systems of the atmosphere and on the interactions between the atmosphere and the underlying earth and oceans, including the collection of the data that may be required for these research activities; (4) a program for the training and education of scientists, engineers, and technical personnel for the development, operation, and conduct of any system or program referred to in clauses (1), (2), and (3) of this section; and (5) a program to provide appropriate technical and training assistance and facilities to other nations and to international organizations so that they may effectively participate in an international system for the observation of the global atmosphere and the rapid and efficient communications, processing and analysis of worldwide weather data and so that they may fully utilize the data, charts, analyses, and other information provided by such a system.

SEC. 3. It is further the sense of the Congress that, on or before March 1 of each year, the President should transmit to the Congress a plan setting forth the proposed participation of the United States for the next fiscal year in international programs in meteorology. The plan should contain a statement of the activities to be conducted and specify the department or agency of the Government which would conduct the activity and seek appropriations therefor.

The PRESIDING OFFICER. Without objection, the preamble is agreed to.

Mr. MANSFIELD. Mr. President. I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1020), explaining the purposes of the concurrent resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

BACKGROUND

This is an important program that had its origin in 1961, when, on the initiative of the U.S. delegation the United Nations adopted resolutions that all member states and the appropriate international agencies conduct studies on how they might cooperatively improve weather forecasting and encourage increased scientific atmospheric research.

With a view to improving forecasts the World Meteorological Organization evolved the concept of a world program of weather observation which it has designated as the World Weather Watch. The 128-member nation organization approved this program at its Fifth Congress, held in May 1967.

The International Council of Scientific Unions (ICSU), a nongovernmental scientific body of great prestige, responding to the United Nations resolutions, concerned itself primarily with atmospheric processes and is projecting a global atmospheric research program. This is being implemented in cooperation with the World Meteorological Organization.

Objectives of the twin activities are the development of better long-range weather predictions and the systematic exploration of the feasibility of large-scale weather modification.

Here in the United States an Interagency Committee for International Meteorological Programs was established in October 1964. Early in 1966 the committee recommended that the United States support a world weather program through a coordinated multi-agency effort. Following this recommendation President Johnson directed that the Environmental Science Services Administration, which includes the Weather Bureau and the Coast and Geodetic Survey, coordinate U.S. agency activities in the international program. Other agencies with important roles include the National Science Foundation, Department of State, Coast Guard, and National Aeronautics and Space Agency.

The United States is well prepared to participate in the global meteorological endeavor and the concurrent resolution reported today constitutes a prospective congressional endorsement.

WORLD WEATHER WATCH

As developed by the World Meteorological Organization, the World Weather Watch will have five major components. They are:

(1) A global observing system utilizing artificial satellites, merchant ships, buoys and other floating stations, and ocean weather ships in addition to a greatly increased number of observation stations on land. At present 80 percent of the earth, principally in ocean areas or in developing nations, is gravely deficient in scientific weather observations or has none at all.

(2) A global data processing system so that results of observations may be centralized, recorded, analyzed, and made available for forecast use. It is contemplated that world, regional, and national data centers will be established, many of them to be equipped with computers. Presently designated centers are Washington, D.C., Moscow, U.S.S.R., and Melbourne, Australia. The United States also plans a center in the Caribbean area where hurricanes are not uncommon.

(3) A global telecommunications system is being organized to insure the rapid exchange of meteorological data. Telecommunications hubs and meteorological centers will be linked by an effective high-speed global main trunk circuit. Of great importance also the International Telecommunications Union, following representations by WMO and the Intergovernmental Oceanographic Commission, is making additional frequencies available for use in transmitting marine data.

(4) A global atmospheric research program is being developed both within the World Meteorological Organization and in appropriate bodies of the International Council of Scientific Unions. WMO and ICSU have established a joint organizing committee to carry out the program which will include extensive studies of air-sea interaction.

(5) The fifth element of the World Weather Watch plan is education and training to assure the availability of trained scientists to carry on the program in all parts of the world.

Mr. D. A. Davies, Secretary General of the World Meteorological Organization, has termed the World Weather Watch plan "an unprecedented project in meteorology, and in some ways perhaps in any international field of scientific endeavor."

U.S. PARTICIPATION

The Environmental Science Service Administration, in preparation for the international cooperative weather program, has established an Office of World Weather Systems which plans to initiate system-design studies of observing techniques, identify merchant ships to be equipped with meteorological instruments, and develop the detailed design of the international communication system.

One of ESSA's activities will be to make use of islands of the Pacific Islands Trust Territory for upper air observations, and the agency is developing equipment capable of adding wind data to upper air observations taken from merchant ships.

Plans call for instrumenting 32 U.S. merchant ships in addition to the 15 now taking upper air observations.

A communications link already has been established between Washington, D.C., and Offenbach, West Germany, and further links are contemplated between Washington and Brasilia and between Honolulu and Japan. Where links are established between the United States and another nation costs will be shared equally.

ESSA will continue to cooperate with NASA in development of techniques for remote sensing from a satellite and for satellite interrogation—location of observation platforms.

The Coast Guard is presently maintaining for the Weather Bureau four shipboard weather stations in the Atlantic and two in the Pacific. Five Atlantic shipboard stations are operated by West European nations.

In the Pacific in addition to the two shipboard U.S. weather stations, one between California and Hawaii and the other between Hawaii and Japan, the Dominion of Canada maintains an ocean weather station in the Gulf of Alaska, and Japan at least a part-time station south of the archipelago in the area where typhoons are prevalent.

Senate Concurrent Resolution 67 has been substituted by the Committee on Commerce for Senate Joint Resolution 116 which was, in substance, virtually identical. The committee had earlier invited comments from the appropriate departments and agencies on Senate Joint Resolution 116 and as these comments are equally applicable to Senate Concurrent Resolution 67 they are appended.

BILL PASSED OVER

The bill (S. 1316) to amend the Bankruptcy Act and the Civil Service Retirement Law with respect to the tenure and retirement benefits of referees in bankruptcy was announced as next in order.

Mr. MANSFIELD. Over.

The PRESIDING OFFICER. The bill will be passed over.

THE 1868 TREATY OF PEACE

The bill (S. 2745) to provide for the observance of the centennial of the signing of the 1868 Treaty of Peace between the Navajo Indian Tribe and the United States was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is requested (1) to issue a proclamation designating the calendar year 1968 as the centennial of the signing of the 1868 Treaty of Peace between the Navajo Indian Tribe and the United States, and calling upon the Governors of the States, mayors of cities, and other public officials, as well as other persons, organizations, and groups, to observe such centennial by appropriate celebrations and ceremonies and (2) to provide, in such manner as he deems appropriate, for participation by Federal agencies and officials in such observance.

Sec. 2. The President of the Senate is authorized to appoint eight Members of the Senate, and the Speaker of the House of Representatives is authorized to appoint eight Members of the House of Representatives, to represent the Congress in connection with observances and activities of the Navajo Indian Tribe commemorating the historic events that preceded, and are associated with, the signing of the 1868 Treaty of Peace between the Navajo Indian Tribe and the United States.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1021), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of the proposed legislation is to request the President of the United States to issue a proclamation designating the calendar year 1968 as the centennial of the signing of the 1868 treaty of peace between the Navajo Indian Tribe and the United States, and to authorize the President of the Senate and the Speaker of the House of Representatives to appoint eight Members from each body to represent the Congress in connection with observances and activities of the Navajo Indian Tribe.

STATEMENT

The year 1968 marks the 100th anniversary of the signing of the treaty of peace between the Navajo Tribe and the U.S. Government. This treaty, signed by 29 Navajo headmen and 10 officers of the U.S. Army on June 1, 1868, officially recognized the sovereignty of the Navajo Tribe. The treaty was ratified by the Senate of the United States on July 23, and proclaimed by President Andrew Johnson on August 12, 1868. The mutual acceptance of this treaty brought to an end a tragic 4-year period of suffering, hardship, deprivation, and exile at Fort Sumner on the banks of the Pecos River.

During the intervening century, the Navajo people have witnessed a substantial population increase and have undergone drastic and far-reaching changes in their economy, self-government, social status, education, and living conditions. In many areas they have begun to solve some of the problems of poverty, land depletion, lack of modern utilities, and chronic unemployment. There is still much work yet to be done.

The Navajos now number about 100,000, are the largest Indian tribe on the largest reservation (about 12 million acres of tribal and allotted land) in the United States. Their forest industries, oil and mineral wealth, agriculture, arts and crafts, and their most recent welcome to the reservation of nationally known manufacturing firms, make them an outstanding example of a people who have moved with the new century while still holding fast to the best of their ancient beliefs and creeds.

The centennial of the signing of the Treaty of Peace and the centennial of the recognition of the sovereignty of the Navajo Tribe will be celebrated with appropriate ceremonies under the auspices of the Navajo Centennial Commemoration Committee during the year 1968. The appointment of eight Members of the Senate and eight Members of the House of Representatives to represent the Congress in connection with the observances and activities of the Navajo Indian Tribe commemorating the historic events that preceded and are associated with the signing of the 1868 Treaty of Peace between the Navajo Indian Tribe and the United States would demonstrate the interest of the people of the United States in the Navajo Tribe and their accomplishments during the past century.

The committee is of the opinion that it would be appropriate for Congress to recognize this tribe centennial, and accordingly the committee recommends favorable consideration of S. 2745, without amendment.

CHARLOTTE, N.C., DAY

The joint resolution (S.J. Res. 131) to designate May 20, 1968, as "Charlotte, N.C., Day" was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That May 20, 1968, is hereby designated as "Charlotte, North Carolina Day" in commemoration of the two hundredth anniversary of such city, and the President is authorized and requested to issue a proclamation inviting the people of the United States to observe such day with appropriate ceremonies and activities.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1022), explaining the purposes of the joint resolution.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of the joint resolution is to designate May 20, 1968, as "Charlotte, N.C., Day," in commemoration of the 200th anniversary of that city.

STATEMENT

The year 1968 will mark the 200th anniversary of the establishment of the city of Charlotte, N.C., by the State Assembly of North Carolina.

Charlotte, called the Queen City, was for the wife of George III, King of England, and the county of Mecklenburg which embraces Charlotte was taken from the name of the Queen's Royal House in Germany.

Throughout 1968 the people of Charlotte have planned an elaborate celebration of their bicentennial. During the year, Charlotte will present an outdoor drama by one of the State's most gifted literary talents, Legette Blythe. The drama will be given throughout the summer months in a 4,000-seat amphitheater now under construction. Several souvenir magazines will be published and a book has been written—"Charlotte, Queen of Carolinas" by Kenneth and Blanche Marsh.

The general chairman of the Charlotte bicentennial is Mr. John M. Belk, an outstanding citizen of the Queen City. He is attempting to have the State Culture Week held this year in Charlotte and a jazz festival, similar to the one in Newport, R.I., is expected to be held with many famous North Carolina jazz musicians returning to the State to participate.

Charlotte has become the center of the largest concentration of population in the southeastern United States. It is second only to Chicago as a major national trucking center, and because of its busy air, bus, and rail industry, Charlotte is a major distribution center for the entire Southeast.

Since 1930 Charlotte's population has grown by almost 150 percent and a 90-percent increase has been forecast from 1960 to 1980. Not only is the growth in Charlotte's population expected to continue at this phenomenal rate of increase; the growth of the surrounding market area served by Charlotte is expected to be substantial.

The city of Charlotte has contributed greatly to the heritage of our Nation, and the committee believes that during this bicentennial year it would be most fitting to focus national attention on Mecklenburg County and the city of Charlotte and appropriate for our country to recognize Charlotte's anniversary in this way, because in so many instances the historical background and dynamic growth of Charlotte are typical of our Nation. Accordingly, the committee is of the opinion that this resolution has a meritorious purpose and therefore recommends favorable consideration of Senate Joint Resolution 131, without amendment.

BILL PASSED OVER

The bill (S. 2658) to amend section 127 of title 23 of the United States Code relating to vehicle weight and width limitations on the Interstate System, in order to make certain increases in such limitations, was announced as next in order.

Mr. MANSFIELD. Over.

The PRESIDING OFFICER. The bill will be passed over.

BILL PASSED OVER

The bill (S. 2884) to amend the Federal Voting Assistance Act of 1955 so as to recommend to the several States that its absentee registration and voting procedures be extended to all citizens temporarily residing abroad was announced as next in order.

Mr. MANSFIELD. Over.

The PRESIDING OFFICER. The bill will be passed over.

ESTABLISHMENT OF A COMMISSION ON BALANCED ECONOMIC DEVELOPMENT AND CREATION OF NORTHWEST REGIONAL SERVICE CORPORATION

The concurrent resolution (S. Con. Res. 64) authorizing the printing of additional copies of Senate Hearings on the Establishment of a Commission on Balanced Economic Development and the Creation of a Northwest Regional Service Corporation was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate Committee on Government Operations one thousand additional copies of its hearings of the Ninetieth Congress, first session, on S.J. Res. 64, to establish a Commission on Balanced Economic Development, and S. 1602, to create a Northwest Regional Services Corporation.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1028), explaining the purposes of the concurrent resolution.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

Senate Concurrent Resolution 64 would authorize the printing for the use of the Senate Committee on Government Operations of 1,000 additional copies of its hearings of the 90th Congress, first session, on Senate Joint Resolution 64, to establish a Commission on Balanced Economic Development, and S. 1602, to create a Northwest Regional Services Corporation.

The printing-cost estimate, supplied by the Public Printer, is as follows:

Printing-cost estimate

Back to press, 1,000 copies	$1, 735. 55

RESEARCH NEEDS IN AGING

The concurrent resolution (S. Con. Res. 66) to print, for the use of the Senate Special Committee on Aging, additional copies of its hearings on long-range program and research needs in aging was considered and agreed to, as follows:

S. Con. Res. 66

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate Special Committee on Aging six thousand additional copies of its hearings of the Ninetieth Congress, entitled "Long-Range Program and Research Needs in Aging and Related Fields."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1029), explaining the purposes of the concurrent resolution.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

Senate Concurrent Resolution 66 would authorize the printing for the use of the Senate Special Committee on Aging of 6,000 additional copies of its hearings of the 90th Congress, entitled "Long-Range Program and Research Needs in Aging and Related Fields."

The printing-cost estimate, supplied by the Public Printer, is as follows:

Printing-cost estimate

6,000 additional copies, at $825.34 per thousand	$4, 952. 04

THE OZARKS REGIONAL COMMISSION REPORT

The resolution (S. Res. 255) to print as a Senate document the First Annual Report of the Ozarks Regional Commission, for the period from September 7, 1966, to December 31, 1967, was considered and agreed to, as follows:

S. Res. 255

Resolved, That there be printed as a Senate document the First Annual Report of the Ozarks Regional Commission, for the period from September 7, 1966, to December 31, 1967, pursuant to section 510 of the Public Works and Economic Development Act of 1965 (Public Law 89–136); and that there be printed for the use of the Committee on Public Works one thousand additional copies of such document.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1030), explaining the purposes of the resolution.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

Senate Resolution 255 would authorize the printing as a Senate document of the First Annual Report of the Ozarks Regional Commission, for the period from September 7, 1966, to December 31, 1967, pursuant to section 510 of the Public Works and Economic Development Act of 1965 (Public Law 89–136). The resolution also would provide 1,000 additional copies of such document for the use of the Committee on Public Works.

The printing-cost estimate, supplied by the Public Printer, is as follows:

Printing-cost estimate

To print as a document (1,500 copies)	$278.97
1,000 additional copies, at $28.98 per thousand	28.98
Total estimated cost, S. Res. 255	307.95

HISTORY OF COMMITTEE ON THE JUDICIARY

The resolution (S. Res. 258) to print the "History of the Committee on the Judiciary Together With Chairmen and Members Assigned Thereto, 1816–1967" as a Senate document was considered and agreed to, as follows:

S. Res. 258

Resolved, That there be printed with illustrations as a Senate document a compilation of materials entitled "History of the Committee on the Judiciary Together With Chairmen and Members Assigned Thereto, 1816–1967", and that there be printed ten thousand additional copies of such document for the use of the Committee on the Judiciary.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1031), explaining the purposes of the resolution.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

Senate Resolution 258 would authorize the printing with illustrations as a Senate document of a compilation of materials entitled "History of the Committee on the Judiciary Together With Chairmen and Members Assigned Thereto, 1816–1967," and further would authorize the printing of 10,000 additional copies of such document for the use of the Committee on the Judiciary.

The printing-cost estimate, supplied by the Public Printer, is as follows:

Printing-cost estimate

To print as a document (1,500 copies)	$1,636.96
10,000 additional copies, at $114.13 per thousand	1,141.30
Total estimated cost, S. Res. 258	2,778.26

FEDERAL ARCTIC RESEARCH

The resolution (S. Res. 259) to print as a Senate document a report entitled "Federal Arctic Research" was considered and agreed to, as follows:

S. Res. 259

Resolved, That there be printed as a Senate document a report entitled "Federal Arctic Research", prepared according to the instructions of Senator E. L. Bartlett, chairman, Legislative Appropriations Subcommittee, Committee on Appropriations, by George A. Doumani, Science Policy Research Division, Legislative Reference Service, Library of Congress.

Sec. 2. There shall be printed one thousand additional copies of such document for the use of the Committee on Appropriations.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1032), explaining the purposes of the resolution.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

Senate Resolution 259 would authorize the printing as a Senate document of a report entitled "Federal Arctic Research," prepared according to the instructions of Senator E. L. Bartlett, chairman, Legislative Appropriations Subcommittee, Committee on Appropriations, by George A. Doumani, Science Policy Research Division, Legislative Reference Service, Library of Congress. There would be printed 1,000 additional copies of such document for the use of the Committee on Appropriations.

The printing-cost estimate, supplied by the Public Printer, is as follows:

Printing-cost estimate

To print as a document (1,500 copies)	$6,593.79
1,000 additional copies, at $417.31 per 1,000	417.31
Total estimated cost, S. Res. 259	7,011.10

AIR POLLUTION BY FEDERAL FACILITIES

The resolution (S. Res. 261) to print as a Senate document "Air Pollution by Federal Facilities" was considered and agreed to, as follows:

S. Res. 261

Resolved, That there be printed as a Senate document the report of the Secretary of Health, Education, and Welfare, entitled "Air Pollution by Federal Facilities," in compliance with the provisions of title I, section 111(b) of the Clean Air Act, Public Law 90–148, as amended; and that there be printed two thousand five hundred additional copies of such document for the use of the Committee on Public Works.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1033), explaining the purposes of the resolution.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

Senate Resolution 261 would authorize the printing as a Senate document of the report of the Secretary of Health, Education, and Welfare, entitled, "Air Pollution by Federal Facilities," in compliance with the provisions of title I, section 111(b) of the Clean Air Act, Public Law 90–148, as amended. There would be printed 2,500 additional copies of such document for the use of the Committee on Public Works.

The printing-cost estimate, supplied by the Public Printer, is as follows:

Printing-cost estimate

To print as a document (1,500 copies)	$507.98
2,500 additional copies, at $50.97 per thousand	127.43
Total estimated cost, Senate Resolution 261	635.41

SENATE REPORT NO. 1006, 90TH CONGRESS

The resolution (S. Res. 269) authorizing additional printing of Senate report No. 1006, 90th Congress, was considered and agreed to, as follows:

S. Res. 269

Resolved, That there be printed, for the use of the Committee on Labor and Public Welfare, three thousand additional copies of the 1968 report of its Subcommittee on Migratory Labor entitled "The Migratory Farm Labor Problem in the United States" (Senate Report Numbered 1006, Ninetieth Congress).

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1034), explaining the purposes of the resolution.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

Senate Resolution 269 would authorize the printing for the use of the Committee on Labor and Public Welfare of 3,000 additional copies of the 1968 report of its Subcommittee on Migratory Labor entitled "The Migratory Farm Labor Problem in the United States" (S. Rept. No. 1006, 90th Cong.).

The printing-cost estimate, supplied by the Public Printer, is as follows:

Printing-cost estimate

Back to press, first 1,000 copies	$719.34
2,000 additional copies, at $239.01 per thousand	478.02
Total estimated cost, Senate Resolution 269	1,197.36

CEREMONIES AT UNVEILING OF BUST OF CONSTANTINO BRUMIDI

The concurrent resolution (H. Con. Res. 657) providing for ceremonies in the rotunda of the Capitol in connection with the unveiling of the bust of Constantino Brumidi was considered and agreed to, as follows:

H. Con. Res. 657

Resolved by the House of Representatives (the Senate concurring), That the bust of Constantino Brumidi procured by the Joint Committee on the Library pursuant to Senate Concurrent Resolution 70, Eighty-ninth Congress, second session, to be placed in the corridor, known as the Brumidi Corridor, on the first floor of the Senate wing of the Capitol, is hereby authorized to be placed temporarily in the rotunda of the Capitol; and that ceremonies are authorized to be held in the rotunda on said occasion; and that the Architect of the Capitol is hereby authorized to make the necessary arrangements to carry out the purposes of this concurrent resolution.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1035), explaining the purposes of the concurrent resolution.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

Purpose of House Concurrent Resolution 657

House Concurrent Resolution 657 would provide (1) that the bust of Constantino Brumidi (procured by the Joint Committee on the Library pursuant to S. Con. Res. 70, 89th Cong., second sess., to be placed in the corridor, known as the Brumidi corridor, on the first floor of the Senate wing of the Capitol) be authorized to be placed temporarily in the rotunda of the Capitol; (2) that ceremonies be authorized to be held in the rotunda on said occasion; and (3) that the Architect of the Capitol be authorized to make the necessary arrangements to carry out the purposes of this concurrent resolution.

While the Brumidi corridor would be an appropriate place for the dedication ceremonies, it is considered too small to accommodate the number of persons expected to attend.

PRINTING OF PROCEEDINGS IN CONNECTION WITH UNVEILING OF BUST OF CONSTANTINO BRUMIDI

The concurrent resolution (H. Con. Res. 658) providing for the printing of the proceedings in connection with the unveiling of the bust of Constantino Brumidi was considered and agreed to, as follows:

H. CON. RES. 658

Resolved by the House of Representatives (the Senate concurring), That there be printed as a House document, with illustrations and bound in such style as may be directed by the Joint Committee on Printing, the program and proceedings in Congress at the unveiling in the rotunda, together with such other matter as the joint committee may deem pertinent thereto, of the bust of Constantino Brumidi; and that there be printed thirteen thousand five hundred and fifty additional copies of which two thousand five hundred and seventy-five copies shall be for the use of the Senate, and ten thousand nine hundred and seventy-five copies for the use of the House of Representatives.

SEC. 2. The Joint Committee on Printing is hereby authorized to have the copy prepared for the Public Printer and shall provide suitable illustrations to be bound with these proceedings.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1036), explaining the purposes of the concurrent resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

House Concurrent Resolution 658 would authorize the printing as a House document, with illustrations and bound in such style as may be directed by the Joint Committee on Printing, of the program and proceedings in Congress at the unveiling in the rotunda, together with such other matter as the joint committee may deem pertinent thereto, of the bust of Constantino Brumidi. There would be printed 13,550 additional copies of such documents, of which 2,575 would be for the use of the Senate (25 per Member) and 10,975 for the use of the House of Representatives (25 per Member). A printing-cost estimate is not obtainable at this time.

DR. CRAWFORD H. GREENEWALT

The joint resolution (S.J. Res. 142) to provide for the reappointment of Dr. Crawford H. Greenewalt as Citizen Regent of the Board of Regents of the Smithsonian Institution was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S.J. RES. 142

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress, which will occur by the expiration of the term of Doctor Crawford H. Greenewalt, of Wilmington, Delaware, on April 6, 1968, be filled by the reappointment of the present incumbent for the statutory term of six years.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1037), explaining the purposes of the joint resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Senate Joint Resolution 142 would provide that the vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress, occasioned by the expiration of the term of Dr. Crawford H. Greenewalt, of Wilmington, Del., on April 6, 1968, be filled by the reappointment of Dr. Greenewalt for the statutory term of 6 years.

The Board of Regents, pursuant to 20 U.S.C. 42, is composed of the Vice President, the Chief Justice of the United States, three Members of the Senate, three Members of the House of Representatives, and six other persons other than Members of Congress. The six Citizen Regents, two of whom shall be residents of the District of Columbia and four of whom shall be inhabitants of some State (but no two of the same State), are appointed by joint resolution of Congress and serve 6-year terms.

At the recent annual meeting of the Board of Regents of the Smithsonian Institution it was unanimously resolved that the reappointment of Dr. Crawford H. Greenewalt be recommended to the Congress.

DR. CARYL P. HASKINS

The joint resolution (S.J. Res. 143) to provide for the reappointment of Dr. Caryl P. Haskins as Citizen Regent of the Board of Regents of the Smithsonian Institution was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S.J. RES. 143

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress which will occur by the expiration of the term of Doctor Caryl P. Haskins, of Washington, District of Columbia, on April 6, 1968, be filled by the reappointment of the present incumbent for the statutory term of six years.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report, No. 1038, explaining the purposes of the joint resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Senate Joint Resolution 143 would provide that the vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress, occasioned by the expiration of the term of Dr. Caryl P. Haskins, of Washington, D.C., on April 6, 1968, be filled by the reappointment of Dr. Haskins for the statutory term of 6 years.

The Board of Regents, pursuant to 20 U.S.C. 42, is composed of the Vice President, the Chief Justice of the United States, three Members of the Senate, three Members of the House of Representatives, and six other persons other than Members of Congress. The six Citizen Regents, two of whom shall be residents of the District of Columbia and four of whom shall be inhabitants of some State (but no two of the same State), are appointed by joint resolution of Congress and serve 6-year terms.

At the recent annual meeting of the Board of Regents of the Smithsonian Institution it was unanimously resolved that the reappointment of Dr. Caryl P. Haskins be recommended to the Congress.

DR. WILLIAM A. M. BURDEN

The joint resolution (S.J. Res. 144) to provide for the reappointment of Dr. William A. M. Burden as Citizen Regent of the Board of Regents of the Smithsonian Institution was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S.J. RES. 144

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress, which will occur by the expiration of the term of Doctor William A. M. Burden, of New York, New York, on July 2, 1968, be filled by the reappointment of the present incumbent for the statutory term of six years.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1039), explaining the purposes of the joint resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Senate Joint Resolution 144 would provide that the vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress, occasioned by the expiration of the term of Dr. William A. M. Burden, of New York, N.Y., on July 2, 1968, be filled by the reappointment of Dr. Burden for the statutory term of 6 years.

The Board of Regents, pursuant to 20 United States Code 42, is composed of the Vice President, the Chief Justice of the United States, three Members of the Senate, three Members of the House of Representatives, and six other persons other than Members of Congress. The six Citizen Regents, two of whom shall be residents of the District of Columbia and four of whom shall be inhabitants of some State (but no two of the same State), are appointed by joint resolution of Congress and serve 6-year terms.

At the recent annual meeting of the Board of Regents of the Smithsonian Institution it was unanimously resolved that the reappointment of Dr. William A. M. Burden be recommended to the Congress.

FIRST ANNUAL REPORT OF THE NEW ENGLAND REGIONAL COMMISSION

The Senate proceeded to consider the resolution (S. Res. 254) to print as a Senate document the First Annual Report of the New England Regional Commission, fiscal year 1967 which had been reported from the Committee on Rules and Administration, with amendments, in line 1, after the word "printed" insert "with illustrations", and in line 4, after the word "section" strike out "509" and insert "510"; so as to make the resolution read:

S. RES. 254

Resolved, That there be printed with illustrations as a Senate document the First Annual Report of the New England Regional Commission, for fiscal years 1967, pursuant to the provisions of section 510, of the Public Works and Economic Development Act of 1965 (Public Law 89–136); and that there be printed for the use of the Committee on Public Works one thousand additional copies of such document.

The amendments were agreed to.

The resolution, as amended, was agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No.

1040), explaining the purposes of the resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Senate Resolution 254 would authorize the printing as a Senate document of the First Annual Report of the New England Regional Commission for fiscal year 1967, pursuant to the provisions of section 510 of the Public Works and Economic Development Act of 1965 (Public Law 89–136); and the printing for the use of the Committee on Public Works of 1,000 additional copies of such document.

The amendments, pro forma in nature, adopted by the Committee on Rules and Administration, would (1) provide authority for reproducing certain illustrations in the document, and (2) change an incorrect reference in the statutory citation.

The printing-cost estimate, supplied by the Public Printer, is as follows:

Printing-cost estimate

To print as a document (1,500 copies)	$461.28
1,000 additional copies, at $50.97 per thousand	50.97
Total estimated cost, S. Res. 254	512.25

"ELECTION LAW GUIDEBOOK"

The resolution (S. Res. 271) authorizing the printing of a revised edition of the "Election Law Guidebook" as a Senate document was considered and agreed to, as follows:

S. RES. 271

Resolved, That a revised edition of Senate Document Numbered 91 of the Eighty-ninth Congress, entitled "Election Law Guidebook", be printed as a Senate document and that there be printed one thousand additional copies of such document for the use of the Committee on Rules and Administration.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1027), explaining the purposes of the resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Senate Resolution 271 would authorize the printing as a Senate document of a revised edition of Senate Document 91 of the 89th Congress, entitled "Election Law Guidebook"; and further would authorize the printing of 1,000 additional copies of such document for the use of the Committee on Rules and Administration.

The printing-cost estimate, supplied by the Public Printer, is as follows:

To print as a document (1,500 copies)	$992.82
1,000 additional copies, at $248.64 per thousand	248.64
Total estimated cost, S. Res. 271	1,241.46

JANE W. BELL

The resolution (S. Res. 272) to pay a gratuity to Jane W. Bell was considered and agreed to, as follows:

S. RES. 272

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Jane W. Bell, widow of J. Heywood Bell, Junior, an employee of the Senate at the time of his death, a sum equal to one year's compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

ANNE M. CRAIG

The resolution (S. Res. 273) to pay a gratuity to Anne M. Craig was considered and agreed to, as follows:

S. RES. 273

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Anne M. Craig, widow of Rupert T. Craig, an employee of the Senate at the time of his death, a sum equal to three months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

EXCHANGE OF CERTAIN FEDERAL LANDS

The bill (H.R. 7325) to authorize the Secretary of the Interior to exchange Federal lands for certain lands owned by Mr. Robert S. Latham, Albany, Oreg., was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1041), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

This bill, H.R. 7325, which was introduced by Representative Ullman of Oregon, passed the House, October 18, 1967. It authorizes acceptance for the United States by the Secretary of the Interior of a small triangular-shaped piece of land consisting of approximately 2,315 square feet, owned by Mr. Robert S. Latham of Albany, Oreg., in exchange for an adjacent tract of similar shape owned by the Federal Government containing approximately 2,892 square feet.

BACKGROUND

The lands involved are located within the city limits of Albany, Oreg. The privately owned parcel is part of residential property now owned by Mr. Latham while the Federal tract is part of the land used by the Bureau of Mines as a buffer zone to its Albany Metallurgical Research Center. The exchange would permit Mr. Latham to square up his backyard: It would also give the Bureau of Mines somewhat better street frontage and a more adequate buffer zone for the Metallurgical Research Center.

The parcels involved in the exchange are of equal value, and have been privately appraised at $1,275. However, as an additional 90 linear feet of fencing would be needed by the Bureau of Mines to properly fence the newly acquired tract, the cost of this fencing, which is estimated at $500, will be borne by Mr. Latham by payment of this amount. There are no improvements of either tract. Under the terms of proposal, the offer to exchange must be made within 1 year from the date of enactment.

COST

No increase in budgetary requirements is involved in enactment of H.R. 7325.

RECOMMENDATION

Enactment of H.R. 7325 is recommended by the Senate Committee on Interior and Insular Affairs.

BILLS PASSED OVER

Mr. MANSFIELD. Mr. President, I ask that Calendar Order No. 1024, H.R. 5785; 1025, H.R. 14367; 1026, Senate Resolution 113; and 1027, S. 2409, be passed over.

The PRESIDING OFFICER. The bills will be passed over.

JACK L. GOOD

The bill (H.R. 11254) for the relief of Jack L. Good was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1064), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the proposed legislation is to authorize and direct the Commissioner of Patents to accept late payment of the final issue fee in the application for United States letters patent of Jack L. Good, serial No. 381,830, filed July 10, 1964, and allowed July 28, 1966, for a stump pulverzing apparatus, as though no abandonment or lapse had ever occurred, and to authorize the Commissioner to issue the patent if such fee is paid within three months from the date this legislation is enacted.

STATEMENT

Information submitted to the committee in the form of affidavits and additional information indicates that on July 10, 1964, Jack L. Good, of Palestine, Ark., filed a patent application for a stump pulverizing apparatus through his general attorney, F. C. Harrelson, of Forrest City, Ark. Mr. Harrelson, not being a patent attorney and, therefore, unable to represent Mr. Good before the Patent Office, had the application prepared and prosecuted by his patent associates, the law firm of Kimmel & Crowell of Washington, D.C. On July 28, 1966, the Patent Office sent a notice of allowance to Kimmel & Crowell, the attorneys of record, stating that the application had been approved and would be issued upon payment of the final issue fee. The notice of allowance was not sent to Mr. Good because the rules of the Patent Office require that all communications intended for the applicant be sent to the attorney of record and not to the individual applicant.

In accordance with the procedure established by Mr. Harrelson and Kimmel & Crowell for communicating with Mr. Good, the latter firm sent the notice of allowance to Mr. Harrelson on July 29, 1966, for forwarding to Mr. Good. As no response was received to this letter, the Washington firm sent another letter to Mr. Harrelson on September 30, 1966, reminding him that the final fee had to be paid by October 28, 1966, or the application would lapse. Again, Mr. Harrelson did not respond. Therefore, on October 29, 1966, the application lapsed for nonpayment of the final issue fee.

On March 16, 1967, approximately 7½ months after the notice of allowance was sent to Kimmel & Crowell, Mr. Good telephoned the Washington firm to inquire about the status of his application. During this inquiry, he learned for the first time of the events that had transpired. Immediately thereafter, Mr. Good conducted an investigation to determine why Mr. Harrelson had not sent him the notice of allowance. This investigation revealed that in February 1967, the probate court of St. Francis County, Ark., had found Mr. Harrelson of unsound mind and had committed him to the veterans' hospital in North Little Rock, Ark., for treatment. The investigation also disclosed that Mr. Harrelson had apparently not answered any mail, maintained a telephone service, nor transacted any business since the summer of 1966, the time at which he had been sent the notice of allowance.

On April 6, 1967, approximately 8¼ months after the notice of allowance was issued and approximately 3 weeks after Mr. Good first learned that his application had lapsed, he filed a petition to revive the application and tendered the final issue fee. This petition was considered by the Patent Office in view of 35 U.S.C. 151, which provides that an issue fee be paid within 3 months after a notice of allowance is sent, and further provides that—

"If any payment required by this section is not timely made but is submitted with fee for delayed payment within 3 months after the due date and sufficient cause is shown for the late payment, it may be accepted by the Commissioner as though no abandonment or lapse had ever occurred."

In interpreting section 151, the Patent Office held that it authorized the Commissioner of Patents to accept payment of the final issue fee only if it is tendered within 6 months from the date the notice of allowance is sent. Since Mr. Good had not tendered the final issue fee within the time required by section 151, the Patent Office denied the petition on the ground that it lacked statutory authority to grant it.

Mr. Good has advised the committee that his invention has been in public use for more than 1 year. As a result, the issuance of a patent on a new application filed by him is prohibited by section 102(b) of title 35 United States Code, which provides in part that an application for a patent must be filed within 1 year from the date the invention was first used by the public.

As a general rule, the committee is opposed to special legislation providing for private relief from the general patent laws. In this particular case, however, the committee feels that the circumstances justify creating an exception to the time limit established by 35 U.S.C. 151. If this relief is not granted to Mr. Good, he will lose all rights in his invention because of conditions completely beyond his control, a situation that the committee feels would be most inequitable.

For the foregoing reasons, the committee is in agreement with the House of Representatives that H.R. 11254 be favorably considered. Accordingly, the committee recommends the enactment of this legislation without amendment. Enactment of the legislation will entail no cost to the U.S. Government.

The Department of Commerce in its report to the committee on S. 2046, a companion bill to H.R. 11254, states that it has no objection to the enactment of S. 2046.

JACK NAM YEE

The bill (S. 1000) for the relief of Jack Nam Yee was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1000

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purposes of the Immigration and Nationality Act, Jack Nam Yee shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1044), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Jack Nam Yee. The bill provides for an appropriate quota deduction and for the payment of the required visa fee.

DR. ENRIQUE JOSE CATASUS SOTO

The bill (S. 1749) for the relief of Dr. Enrique Jose Catasus Soto was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1749

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Enrique Jose Catasus Soto shall be held and considered to have been lawfully admitted to the United States for permanent residence as of May 24, 1963.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1045), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. ALFREDO AUCAR

The bill (S. 1960) for the belief of Dr. Alfredo Aucar was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1960

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That, for the purposes of the Immigration and Nationality Act, Doctor Alfredo Aucar shall be held and considered to have been lawfully admitted to the United States for permanent residence as of October 19, 1962.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1046), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Dr. Alfredo Aucar as of October 19, 1962, thus enabling him to file a petition for naturalization.

DR. HUGO VICENTE CARTAYA

The bill (S. 2250) for the relief of Dr. Hugo Vicente Cartaya was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2250

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Hugo Vicente Cartaya shall be held and considered to have been lawfully admitted to the United States for permanent residence as of June 28, 1961.

DR. EVELIO FRANCISCO DIAZ

The bill (S. 2311) for the relief of Dr. Evelio Francisco Diaz was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2311

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That, for the purposes of the Immigration and Nationality Act, Doctor Evelio Francisco Diaz shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 2, 1962.

DR. HERMAN J. LOHMANN

The bill (S. 2371) for the relief of Dr. Herman J. Lohmann was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2371

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That, for the purposes of the Immigration and Nationality Act, Doctor Herman J. Lohmann shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 10, 1957.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1049), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. JULIO P. AMABLE

The bill (S. 2378) for the relief of Dr. Julio P. Amable was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Julio P. Amable shall be held and considered to have been lawfully admitted to the United States for permanent residence as of June 15, 1961.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1050), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. FRANCISCO J. MENENDEZ

The bill (S. 2383) for the relief of Dr. Francisco J. Menendez was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Francisco J. Menendez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of February 28, 1961.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an except from the report (No. 1051), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

BILL PASSED OVER

The bill (S. 2448) for the relief of Dr. Gilberto Hedesa de la Campa was announced as next in order.

Mr. MANSFIELD. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

DR. CARLOS HERNANDEZ

The bill (S. 2469) for the relief of Dr. Carlos Hernandez was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2469

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Carlos Hernandez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 11, 1961.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1053), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Dr. Carlos Hernandez as of September 11, 1961, thus enabling him to file a petition for naturalization.

DR. ANTONIO PINERA

The bill (S. 2491) for the relief of Dr. Antonio Pinera was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Antonio Pinera shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 11, 1961.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1054), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Dr. Antonio Pinera as of July 11, 1961, thus enabling him to file a petition for naturalization.

DR. FERNANDO RAFAEL BOUDET-ESTEBAN

The bill (S. 2501) for the relief of Dr. Fernando Rafael Boudet-Esteban was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Fernando Rafael Boudet-Esteban shall be held and considered to have been lawfully admitted to the United States for permanent residence as of March 23, 1961.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1055), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. MARTINIANO L. ORTA

The bill (S. 2504) for the relief of Dr. Martiniano L. Orta was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Martiniano L. Orta shall be held and considered to have been lawfully admitted to the United States for permanent residence as of March 25, 1961.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1056), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. EDMEE SERANTES

The bill (S. 2581) for the relief of Dr. Edmee Serantes was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Dr. Edmee Serantes shall be held and considered to have been lawfully admitted to the United States for permanent residence as of December 21, 1961.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD, an excerpt from the report (No. 1057), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

D. CHUNG CHICK NAHM

The Senate proceeded to consider the bill (S. 1069) for the relief of Dr. Chung Chick Nahm which had been reported from the Committee on the Judiciary, with an amendment, in line 6, after the word "of" strike out "August 30, 1954, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota control officer to deduct one number from the appropriate quota for the first year that such quota is available" and insert "September 1, 1954"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Chung Chick Nahm shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 1, 1954.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1058), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows·

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to enable the beneficiary to file a petition for naturalization. The bill has been amended in accordance with established precedents and to reflect the proper date upon which he first entered the United States.

RENE E. MONTERO

The Senate proceeded to consider the bill (S. 2165) for the relief of Rene E. Montero which had been reported from the Committee on the Judiciary, with an amendment in line 6, after the word "of" strike out "the date of February 13, 1962, upon payment of the required visa fee. Upon the granting of permanent residence to such aliens as provided for in this Act, the Secretary of State shall instruct the proper quota control officer to deduct one number from the appropriate quota for the first year that such quota is available" and insert "February 9, 1962"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Rene E. Montero shall be held and considered to have been lawfully admitted to the United States for permanent residence as of February 9, 1962.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1059), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to enable the beneficiary to file a petition for naturalization. The bill has been amended in accordance with established precedents and to reflect the proper date upon which he was paroled into the United States as a refugee.

DR. JULIO EPIFANIO MORERA

The Senate proceeded to consider the bill (S. 2506) for the relief of Dr. Julio Epifanio Morera which had been reported from the Committee on the Judiciary, with an amendment, in line 6, after the word "of" strike out "December 31, 1961" and insert "December 5, 1961"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Julio Epifanio Morera shall be held and considered to have been lawfully admitted to the United States for permanent residence as of December 5, 1961.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1060), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to enable the beneficiary to file a petition for naturalization. The purpose of the amendment is to reflect the proper date upon which he was paroled into the United States.

KIM KAP RAI

The Senate proceeded to consider the bill (S. 2585) for the relief of Kim Kap Rai which had been reported from the Committee on the Judiciary, with an amendment to strike out all after the enacting clause and insert:

That, in the administration of the Immigration and Nationality Act, section 204(c), relating to the number of petitions which may be approved in behalf of adopted children, shall be inapplicable in the case of petitions filed in behalf of Kap Rai Kim and Young Nam Kim by the Reverend and Mrs. Elwood John Culp, citizens of the United States: *Provided,* That no brothers or sisters of the beneficiaries shall thereafter, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Kap Rai Kim and Young Nam Kim."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1061), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to facilitate the entry into the United States in an immediate relative status of two orphans to be adopted by citizens of the United States, notwithstanding the fact that the prospective adoptive parents have previously had the maximum number of petitions approved. The bill has been amended in accordance with established precedents. In addition, the bill has been amended to add the beneficiary of S. 2586, since both orphans are being adopted by the same parents. A further amendment places the names in proper sequence.

HENG LIONG THUNG AND YVONNE MARIA THUNG

The Senate proceeded to consider the bill (S. 2720), for the relief of Heng Liong Thung and Yvonne Maria Thung which had been reported from the Committee on the Judiciary, with amendments, in line 4, after the name "Thung" strike out "and Yvonne Maria Thung have" and insert "has"; and in line 5, after the word "and" strike out the word "were" and insert "was"; so as to make the bill read:

S. 2720

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of the Immigration and Nationality Act, the periods of time Heng Liong Thung *has* resided and *was* physically present in the United States or any State since September 4, 1962, shall be held and considered as compliance with the residence and physical presence requirement of section 316 of said Act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended, so as to read: "A bill for the relief of Heng Liong Thung."

BILLS PASSED OVER

Mr. MANSFIELD. Mr. President, I ask unanimous consent that Calendar Order Nos. 1048, S. 2986; 1049, H.R. 15398; 1050, H.R. 11527; 1051, S. 1975; and 1052, S. 1401, be passed over.

The PRESIDING OFFICER. The bills will be passed over.

TIWA INDIANS OF TEXAS

The bill (H.R. 10599) relating to the Tiwa Indians of Texas was announced as next in order.

TIGUA (TEWA) TRIBE OF PUEBLO INDIANS WHO LIVE AT YSLETA DEL SUR, THE CITY OF EL PASO, TEX., ARE RECOGNIZED AS A TRIBE OF INDIANS

Mr. YARBOROUGH. Mr. President, the Tigua Indians who now live in the far western part of my State are not so well known as they should be. It is not generally known, for example, that in the year 1682 they established the first permanent settlement in what is today the State of Texas. Few Americans know what a rich contribution the Tiguas and their tribal predecessors have made to our neighboring State of New Mexico, long before statehood.

Since 1682, a group of Tigua Indians have lived at Ysleta, El Paso County, Tex.—now surrounded by the city of El Paso. In the Pueblo revolt of 1680, the Spaniards were driven out of New Mexico and back to El Paso—present, Juarez, Mexico. One group of Indians speaking the Tewa language—Tigua or Tihua is the Spanish spelling—had been Christianized and retreated southward with the Spaniards to the present location at Ysleta.

The Tigua Indians who came with the Spaniards south in 1682 were a Pueblo Indian language group, speaking the Tewa language. They are known locally as the Tigua Indians. The Tiguas at Ysleta—El Paso—Tex., are a displaced branch of the Tewa-speaking Pueblo Indians of central New Mexico.

These Indians have been at this location near El Paso since approximately the year 1682 and did not return to New Mexico when the Spaniards reconquered it about 1691. During the Apache Indian Wars of the 1870's and 1880's, some of the Tiguas of the Ysleta, Tex., Pueblo settlement enlisted as Indian scouts with the American Army, marched with the American Army, fought as scouts, and some lost their lives fighting the hostile Apaches.

A marker in Presidio County, Tex., 10 miles from Valentine, states:

> In the vicinity, June 12, 1880, the Apache made their last stand in Presidio County, when 4 Pueblo Indian Scouts of General Benjamin Grierson, USA, fought and defeated 20 Apache warriors. Erected by State of Texas, 1936.

These Pueblo Indians were the Tiguas of Ysleta, El Paso, Tex. Under a Mexican census of 1814, 226 Tiguas lived in Ysleta, Tex. Today there are fewer than 167 Tiguas left, but they still beat their ancient drums, use paint, colored feathered rattles, some ancient articles of clothing, and ancient chants.

Mr. President, these people represent a very distinctive culture in our Nation, and they are the bearers of a noble heritage that has contributed so much to the Southwestern United States. In a monograph published in 1966 by the National Congress of American Indians Fund, Inc., there appeared two exceptionally good articles that relate the history and culture of these proud people. I ask unanimous consent that the article by Tom Diamond, entitled "Jornada del

Muerto: A Story of the Tigua Indians," and the article by J. Walter Fewkes, entitled "The Pueblo Settlements Near El Paso, Tex.," written in 1904, be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

JORNADO DEL MUERTO: A STORY OF THE TIGUA INDIANS

(By Tom Diamond)

There is a tribe or Pueblo of Indians near the Ysleta Church in El Paso, Texas who refer to themselves and are known locally as the "Tigua Indians". Their story of survival is within parallel in the annals of Indian lore, its telling however, makes some terminological comments of first importance:

Tiwa: A Pueblo Indian language or group of Indian Tribes or pueblos speaking the Tiwa language. The Spanish spelling is Tigua or Tihua.

Piro: A Pueblo Indian language. Piro speaking pueblos were south of the Tiwa speaking pueblos in the Rio Grande valley.

Tompiro: A language dialect of Piro spoken by the Pueblo Indians east of the Rio Grande valley from Gran Quivara in the south to Chilili in the north. The range of this language group was coterminous with a 17th Century geographical area of New Mexico known as Salinas Province.

Isleta Socorro, Senecu: Refer exclusively to the corresponding communities in New Mexico. In New Mexico, Isleta is spelled with an "I".

Ysleta del Sur, Socorro del Sur, Senecu del Sur: Refer exclusively to the communities of Ysleta, Socorro and Senecu located in or near El Paso, Texas. Ysleta is now within the city limits of El Paso, Texas. Socorro is a small farming community located southeast of El Paso and Senecu is located on the outskirts of Juarez in the Mexican State of Chihuahua. In Texas, Ysleta is spelled with a "Y", and "del Sur" means of the South.

Cauique: The chief of the Tiguas. Originally the spiritual leader or native Priest of Tiwa speaking pueblos. The title originated with the Spanish who borrowed it from the Arawak Indians of the West Indies.

The Tiguas are a displaced branch of the Tiwa speaking Pueblo Indians of central New Mexico. Tiwa Pueblos are located in the Rio Grande valley from Taos on the north to Isleta, New Mexico on the south. The Tiwa Pueblo Indians are believed to have migrated from the Wetherill Mesa country of southern Colorado, an area famous for its Indian artifacts and ruins including the famous cliff dwelling of Wetherill Mesa. The Indians who originally resided there are referred to as the Anasazi by the modern day Navajos. Archeologists date their initial occupation of the Wetherill Mesa at approximately 200 A.D. and the Indians that inhabited the area at the time were referred to as Basket Makers because of their weaving skills. These Indians enjoyed rapid cultural advancement and current excavations indicate an extreme preoccupation with religion, typified by extensive construction of Kivas. Sometime between 1100 and 1200 A.D. these Indians moved from the Mesa tops to the famous Cliff Dwelling which were occupied until late in the 13th Century when a prolonged drought probably forced their abandonment and migration of the Indians to the Pueblos of central New Mexico and Arizona. The tools and construction techniques of the Anasazi Indians are strikingly similar to those of the modern day Pueblo Indians of New Mexico.

While there were various other Pueblo groups of Indians located in the New Mexico area, the Tiwa speaking group occupies essentially today the same area they occupied when the Spaniards first visited central New Mexico. Other speaking groups such as the Piro and the Tomiro Indians have ceased to exist entirely. The Tiwa's strong, ingrained spirit of survival and retention of ancient culture could not be better illustrated than by the Tiguas, who still exist today as an intact group of Indians with many families of pure Indian strain living in a small community in the City of El Paso.

The mature adult member of the Tigua Pueblo speaks little or no English and though their general spirit and disposition, cling almost fanatically to their Tiwa culture. This, in spite of their almost complete withdrawals from modern day civilization and its comforts. Each year they faithfully perform their Indian ritual dancing in the front of the Ysleta Mission Church which their forebears constructed, as wards of the early day Padres, almost 300 years ago. They still maintain the tribal civil organization given to them by the early Spanish explorers and the missionaries and their dancing. Indian chants, and the few words of the Tiwa language that they still retain have been verified as authentic by Mr. Andy Abieta, the Governor of the Isleta Pueblo in New Mexico.

The story of how these courageous people came to be in El Paso starts with the intrusion of Spanish explorers into central New Mexico. The first of these was Cabese de Vaca who, in the 1530's traveled vast areas of the southwest including portions of New Mexico and returned to Old Mexico with magnificent tales of wealth and the fabeled city of Cibola (legendary seven Cities of Gold). The next visitor was Coronado, who traveled through central New Mexico in the 1540's and crossed the Rio Grande at or near the present day site of the Isleta Pueblo. The third Spanish thrust occurred when Frey Agustin Rodriquez, with two other Franciscan Fathers and a handful of Spanish soldiers and Indian servants left San Bartholomae in Old Mexico June 5, 1551. The Rodriguez party followed the Rio Conchos in Old Mexico north of the present day Rio Grande and then along the Rio Grande to the Pass of the North, where the modern day City of El Paso, Texas, and Juarez, Chih, are located. The party then moved northward along the Rio Grande River into the central New Mexico area as far as the Province of the Tiwa Indians where the Friars elected to remain and began their task of converting the local Indian population. The soldiers returned to San Bartholomae and all record of the Friars disappeared except for evidence of their violent death at the hands of the Indians they had come to convert.

Next, Padre Bernadino Beltran, with 14 soldiers and Indian servants and 115 horses departed from San Bartholomae again to spread Spanish influence to the north and search for a trace of the missing Friars. This party followed the Rodriguez trail as far as the Tiwa Indian Pueblo of Puara, near the site of the modern day New Mexico community of Bernalillo, where they verified to their satisfaction that the Friars had indeed been murdered. Before returning to Old Mexico, they claimed to have visited 74 Pueblos with a population of 253,000 Indians, a figure that may be excessive. They also brought back with them more tales and rumors of Cibola, the mythical City that spurred most of the Spanish exploration on the new frontier.

On January 26, 1598, the first Spanish expedition with serious intent to colonize left Mexico headed by Don Juan de Onate. Accompanying him were 130 soldiers who were also colonists, their families, a large contingent of Indian servants and a band of Friars. This group was accompanied by 83 wagons and several thousand head of cattle. They reached the Rio Grande River at or near the present day town of San Elizario, Texas, on the 20th day of April, 1598. Ten days later on the 30th, Onate took official possession of New Mexico. Proceeding westward on the south bank of the Rio Grande, he crossed the river at "El Paso del Norte", a name bestowed by him on what is now the city of Juarez. The name, of course, survives today in the American city of El Paso, Texas.

Onate crossed the river and proceeded through the Pass of the North and with the river, bent northward, traveling from pueblo to pueblo and in a bloodless conquest, brought civil organization to the tribes. The name of the civil office holders he created such a Cacique, Alguacil, Capitan and Major Domo are the very names of the office holders of the Tiguas at this time. Strangely enough, the Pueblos of central New Mexico for many of their office holders, no longer use these ancient Spanish titles but instead use names common to office holders in the United States; such as Governor, Lt. Governor, Sheriff and so on. The Onate expedition besides bringing Christianity and civil organization and colonists, also established lines of communication and trade between New Mexico and Old Mexico.

Following the Onate expedition, a Mission important later on to our story was established by Padre Garcia de Zuniga, accompanied by Frey Juan de Salazar and 10 families of Christian Indians who opened a church mission for the Mansos Indians. The Church was dedicated to the most Holy Virgin of Guadalupe on December 8, 1659 and is a present day site of the vigorous Mexican metropolis of Juarez. The foundation and corner stone of the Church were layed on April 2, 1662.

The Isleta Pueblo in New Mexico was named by the Spanish due to its location on a small island in the Rio Grande River formed by the main river channel and a tributary. The main channel filled with alluvial deposits over the years and the present day pueblo is situated entirely on the west bend of the Rio Grande and the main channel now passes east of the Pueblo. In 1670 and 1680 it became a place of refuge for scattered groups of Piro and Tompiro speaking Pueblo Indians fleeing from increasing inroads from the fierce, warlike Comanche and Apache tribes east of the Manzano Mountains. There is evidence that refugees from the Mission Churches at Gran Quivera, Quari and Abo in the Salinas Province came to Isleta. However, the Tuva culture continued to predominate and all trace of these Tompiro speaking Indians has vanished.

There is not much written historical evidence of the civil affairs of the Isleta Pueblo between 1613 and 1680. In 1680, the first substantial repulse of the Spaniards in the New World occurred when an Indian Cacique named Pope, who had been ill-treated by the Spaniards in their attempt to reduce the influence of the Indian Priests and their political powers successfully organized a Revolt against the Spaniards from his stronghold in the Taos Pueblo. The Revolt spread southward and the Spanish officials and colonists along with the Catholic Missionaries were forced to retreat in a blood path that claimed more than 400 victims, including 21 missionaries and 73 men capable of bearing arms. The Spaniards quickly fell back with the Governor of New Mexico, Otermin, to the Isleta Pueblo and then further southward to a camp called La Salenita, which may have been in the vicinity of the present day town of Canutillo, Texas, where a camp was established while the refugees cared for their wounds and considered returning to the North to recapture their lost holdings. Accompanying the Spaniards southward were several groups of Indians including a few Tiwas. Whether these Indians came as refugees or as bearers of burden is not certain. In any event, it is known that most of the Indian population at Isleta Pueblo remained when the Spaniards left and enjoyed a brief period of freedom.

The Isleta Pueblo as a whole, did not join in the great Indian Revolt and some attribute this to evidence that the Isleta Pueblo Indians were loyal to the Cross and Spain. It is equally plausable that being the southern most Tiwa Pueblo and the natural gathering point for all of the refugees from the North, that the Spaniards were in such strength that the Indians were not so foolhardy as to resist them.

When the survivors arrived at La Salenita, there were already three Pueblo Missions in the vicinity of El Paso; the Mansos at the San Francisco, (near present day Fabens, Texas); and Sumas and Humanas at the Mission of La Soledad (seventy leagues southeast of Guadalupe). The Humanas had probably come from the Pueblo and ment operated by the National Park Service. These Indians had earlier fled from the Apache and Commanche depredations in the Salinas Province with some coming South to El Paso and others, as previously mentioned, to the Isleta Pueblo.

Gov. Otermin finally decided to abandon any attempt at reconquest in 1680 and proceeded south to the safety of the Mission of Guadalupe at Juarez. Once there, three camps for the Indians accompanying the retreating Spaniards were established. The Sacramento Camp was established with the first Priest being Father Alvaro de Zavalata. This camp was located at or near the present Mission Church at Ysleta, Texas and the first Church was constructed of logs. A second camp called St. Pedro de Alcantarra was established and the first Priest was Frey Antonio Guerra. This camp was probably located south of the present day town of Socorro, Texas and later moved to Socorro. A third camp Seneca del Sur was established near Socorro. At this time, a very interesting entry was made in the records and archives of the present day Ysleta Mission Church to the effect that in addition to the camps established by the Spaniards, "a few Tihua (Tiwa) try to found Ysleta del Sur in a nearby place". A nearby place referring to a place near Sacramento Camp.

In 1681, Otermin determined to recapture the lost territories, mounted an expedition northward and successfully surprised the Isleta Pueblo under the cover of darkness and captured substantially all of its inhabitants, numbering possibly as many as 500. The Spaniards moved northward but were repulsed by the other Pueblos and once again fell back towards El Paso. As many as 100 of the Isleta Pueblo Indians captured by the Spaniards escaped on the journey southward and with a few others who had evaded capture at the time of the Spanish raid, possibly took refuge with the Hopi Indians of Arizona, with whom the Tiwa speaking Pueblos had always maintained friendly contact. The majority of the Isleta Pueblo Indians accompanied the Spanish southward and no doubt, many perished crossing the dread Jounada del Muerto, a trackless waste of 60 miles, void of water and shelter.

Upon the return of the expedition to the Pass of the North, an interesting note appears in the archives of the Ysleta Church mission in February, 1682, to the affect that "305 Tihua Indians coming from Isleta, New Mexico failed to stay in Ysleta del sur the camp the Tihuas themselves had tried to found. In 1683, another notation in these records is worthy of note, to the effect that "the Tihua Indians joined the Camp of Sacramento and it is now called Sacramento de los Tihuas de Ysleta, with Sacramento and San Antonio as Patron Saint". This entry undoubtedly referred to the Sacramento Camp, established by the Spaniards. It is interesting to note that the Spanish records at this time do not refer to Ysleta as Ysleta del Sur and that it may have been the Indians themselves who gave this name to their new location, which is the name they are today genetically and historically known by.

In 1684, the records of the Ysleta Church indicate that Gov. Cruzle organized the *new* (emphasis added) pueblos of Sacramento de los Tihuas del Ysleta and St. Pedro de Alcantarra de los Piros de Socorro. This same year, the Mansos Indians in Juarez revolted and the Ysleta and Socorro Pueblos were, along with other settlements, closer to the control of the military garrison in Juarez following a series of abortive Indian Revolts.

These church archives further record that in 1691 Governor Diego de las Vargas, in the name of King Carlos II gave Friar Joaquin de Hinojosa official responsibility for the Missions with the new name of "Mission of Corpus Christi de los Tehuas de Ysleta" and "Mission de Nuestra Senora de Limpia Concepcion de los Piros de Socorro" and that the construction of new Churches was authorized.

There are two other notations of note in these records, pertaining to the Ysleta del Sur Pueblo, indicating that in 1749, the new Church of Ysleta was constructed, the walls of which are incorporated in the presently existing Church and that in 1760 Bishop Tamaron from Durango visited the Pueblo and noted that the inhabitants consisted of "425 Tihuas and 135 Spanish".

Meanwhile, back at the Isleta, New Mexico Pueblo, there is evidence that the pueblo remained vacant for a time after 1681. The Pueblo was reoccupied sometime between 1709 and 1719, at which time Tiwa speaking Indians repopulated the pueblo, perhaps returning from the Hopi country along with Hopi Indians, with whom they had intermarried and possibly by Tiwas moving from neighboring Tiwa Pueblos, either forced by drouth or religious differences.

There is still today in Isleta, New Mexico evidence in the names of outlying communities of the presence for a time of Hopi Indians, although their culture has, either disappeared or they themselves returned to their homelands. In any event, a Tiwa Pueblo was re-established over the years.

In 1863, the Isleta Pueblo at New Mexico, after making claim with the United States Government, based on a Spanish Land Grant, was recognized as an Indian tribe and given a reservation. The Spanish Grant was made some 31 years prior to the claiming of New Mexico as a Colony of Spain, and set forth a grant to each pueblo of 4 leagues, measured 1 league in each cardinal direction from the door of the pueblo Church.

President Lincoln sent to the Isleta Pueblo, as a symbol of sovereignty authority over their reservation, a silver headed cane. The sovereignty of the modern day inhabitants of the Isleta Pueblo, New Mexico and those of the other pueblos of central New Mexico is unique in that they have never formally signed a peace treaty with the Federal Government but have handled their affairs through contracts and Congressional Acts.

The distinction here is more technical than practical but does have a bearing on the present day inhabitants of Ysleta del Sur, who have never signed a peace treaty nor entered into any contractual relations with any governmental agency other than one or two Indians having attended Indian School. The Isleta Pueblo in New Mexico is a comparatively prosperous community with 2,600 souls, a poverty program, a Federally sponsored water and sanitation system and their reservation now contains 209,880.33 acres.

But what happened to the Ysleta del Sur pueblo in El Paso all those many years after the visit of Bishop Cameron? Precious little is known of their activities other than that they did stay around the Ysleta Church Mission. On September 21, 1880, two Tiguas from Ysleta, Texas were discharged from the United States Army, having served with Lt. Hellill's detachment of Pueblo Indian Scouts 10th Cavalry and their conduct was reported as good. Grandchildren of these two Indians state that their grandfather recounted that they had scouted for the Army in an attempt to capture the fierce Apache Chieftain, Victorio. An old Sharp's rifle carried by one of these Indians is still in the possession * * * met and defeated a band of 20 Apaches under Victorio on the 12th and 13th of June, 1880 at Sierra Vieja Pass in Presidio County, Texas. For a brief moment in 1936, the Tiguas received nationwide publicity when their Cacique, in ceremonies at the Dallas Cotton Bowl during the Texas Centennial Celebration named Franklin D. Roosevelt, President of the United States, as honorary Cacique of the Tigua Indian Nation.

The tribal organization today consists of the Cacique, Jose Granillo; the Assistant Cacique, Salvador Granillo the Capitan Major, Trinidad Granillo, also known as the Capitan de Guerro; and Capitans Antonio Silver, Rudolpho Silvas; the Alguacil or Sheriff, Santiago Bustamente; and Major Domos, Johnny Hiza and Rudolpho Silvas.

It is interesting to note that a branch of the El Paso Tiguas is a thriving community in Las Cruces, New Mexico, having journeyed there sometime around 1900, according to the El Paso Indians, in search of work as farm laborers. The community numbering some 40 Tigue families and a like number of Mansos still holds it's religious celebrations and performs Indian dances. These Indians live in the small community of Tortugas on the southern outskirts of Las Cruces.

A Catholic Church is located upon lands with title held in the name of a religious corporation established by the Indians and there has been difficulty between the Indians and the church in recent years involving the continuation of Indian rites in front of the church. This group of Indians retains some knowledge of the Tiwa language and significant culture including ritual dancing and, once again, they are fiercely proud of their Indian ancestry. Present day inhabitants of Tortugas recall some of their parents and grandparents attending Indian schools in the 20's and 30's and recall visits by Indians from Ysleta, who walked the 50 miles along the Rio Grande from Ysleta to Tortugas to visit with some of their old friends and cronies. These visits are also remembered by the decendants of the visiting Indians from Ysleta del Sur.

The establishment of this colony of Tiwa Indians in Tortugas could not have been many years prior to 1900, as the residents of Tortugas have no recollection of any church attended by the group prior to the 20th Century and considering the strong religious inclination of these people and the fact there is no old Church located in or near the Las Cruces area with any Indian history, it is doubtful they migrated there long before 1900. One member of the Ysleta Pueblo in El Paso recalls his grandfather starting the move was made in 1906. At the present time in Ysleta, Texas, there are some 20 families of pure Indian strain. These families contain approximately 150 people and there are 500 additional inhabitants of the Ysleta area of varying degrees of Indian-Mexican mixture. Every year they religiously observe their Indian ceremonials and they still retain their Patron, St. Anthony, which was the Saint originally given to them as their Patron by the Spaniards in Isleta, New Mexico in the year 1613.

Governor Andy Abieta of the Isleta Pueblo visited El Paso on the 13th and 14th days of November, 1965 and went to several of the legal rights of this tribe, which must be the only group of Indians in the United States of America who have never received assistance of any kind from any Governmental Agency. Governor Abieta, incidentally, is the same Indian Governor who earlier in 1965, forceably ejected a handcuffed Priest from the Isleta Mission Church because he had planted cactus in the courtyard patio of the Church so as to prevent the Indians holding their ritual dances there.

At the home of Miguel Pedrazza, located on Old Pueblo Road, a very interesting event occurred. The Governor asked Mr. Pedrazza if he knew any Indian words, any Indian chants or the dances. Mr. Pedrazza said no, that he had forgotten them all but that his grandfather had been a Pueblo Indian Scout and spoke the Tiwa language fluently. Mr. Pedrazza went into a back room and returned with an ancient drum with a beautiful Indian painting on its face, representing the moon with human features superimposed. Governor Abieta identified the drum as a typical Tiwa drum but stated that the present day Isleta, New Mexico Indians do not paint their drums. Upon first being handed the drum, the Governor shook it and there was a rattling noise, as if several small objects were being tumbled about. Mr. Pedrazza smiled and told the Governor, "they are still in there". Later, the Governor said that this was in reference to objects of a religious nature which he could not further discuss.

The Governor placed the drum between his knees and began to beat and sing an Indian chant. Mr. Pedrazza leaned forward intently and finally began to join the Governor in his chant. Next, Mr. Pedrazza stood up along with Mrs. Silvas and the two of them performed a Tiwa ritual dance. Governor Abieta identified the dancing as being identical to those performed by the Tiwa Indians in Isleta, New Mexico.

Mr. Pedrazza and Mrs. Silvas, then, upon urging by the Governor, spoke a few words of Tiwa, which they recalled from their childhood days as being phrases they knew as being from the Tiwa language. Mr. Pedrazza then brought forth one of the discharge papers being that of his grandfather previously discussed. Upon leaving the Pedrazza house later on, the front yard, Mr. Pedrazza told Governor Abieta how happy he had been because of his visit. He then stated: "I don't tell many people I'm an Indian because they only laugh". Governor Abieta then embraced Mr. Pedrazza and with arms about each other and tears beginning to run down their cheeks, Governor Abieta said: "You were born an Indian and you will die an Indian". Later that same day, we visited with other Indian families in the same area. In one household we found 10 people living in a single room with no utilities other than a butane cooking stove and by the light of a kerosene lantern, examined another discharge document of a Tigua Indian who had served with Mr. Pedrazza's grandfather in the 10th Cavalry.

Later the same day, we visited the home of Pueblo Carbajal and Governor Abieta talked with Mr. Carbajal's grandmother, Sra. Marguerita Pedrazza who is 93 years of age. Mrs. Pedrazza, although blind, has an extremely sharp memory and is quite alert. She recalled that her uncle, Agripito Granillo had married a Tiwa Indian woman from Isleta, New Mexico pueblo by the family name of Chihoho. Governor Abieta was acquainted with the family which still resides in Isleta, New Mexico and this suggests that there has been some communication between the Isleta, New Mexico pueblo and the pueblo of Ysleta, Texas. The Tiguas today, however, have little recollection of their origin and a common myth among them is they originated at the Hueco Tanks area in El Paso County, Texas. They tell a story that one day a brave, while out hunting, discovered the Rio Grande River and that the Pueblo was then moved to its present day site in Ysleta, to be near the river. Perhaps Hueco Tanks was a "nearby place" mentioned in archives of the Ysleta Mission Church. More likely, the myth originated from the fact that a group of Tigua Indians were taken to Hueco Tanks some years ago to perform a ritual dance. While there, they observed the Indian pictographs found in the Hueco Tanks caves and possibly misinterpreted these signs of Indian life as evidence of their origin.

On a recent visit to the Tortugas community in New Mexico with a group of El Paso Tiguas, a member of the Tortugas group recounted a story told by his elders that the Tortugas had arrived in Las Cruces after crossing the Oregon Mountains from White Sands, and that this group had been part of a larger group which was lost in the White Sands area and out of water. The legend went on to say that the Indians at White Sands had divided into two groups, that a second group went south and located in El Paso. One of the Tiguas with us readily accepted the story and concurred in its authenticity. This legend seems highly unlikely, as all of the travel in the Rio Grande valley by the Spaniards and Indians followed the River with the exception of the section known as Jornada del Muerto, where narrow and precipitous river gorges forced travel across parched and burned wastes.

The present day Tigua Indians live, for the most part, in circumstances that can only be described as conditions of most dire poverty. Many of the Indians are facing tax foreclosures on their small adobe homes. Only a few enjoyed the luxury of modern utilities. The cacique, Jose Granillo, shares a small one room adobe building with his brother, Salvador Granillo. Each brother has an old double bed draped with what must be the oriental linens. Between the beds is an ornate homemade shrine that they have built over the years. The walls are covered with religious pictures and few photographs of them and their family. In one corner, there is a small, wood burning stove upon which they cook and heat their home. On one wall are hung rolls of paper sacks filled with herbs with which they treat their ills. Cacique Jose Granillo states that he has only visited a doctor once in his 67 years, and then, when he was a young man. Few of the adult members of the tribe over 50 years of age have ever voted or held a social security card. Their principal sources of living is from picking cotton two months of the year and most have had no formal education. Almost invariably, the younger member of the tribe are dropouts.

The patriotism of these people is well demonstrated by the home of Pablo Silvas, who is one of the tribe's officers, where the American flag is displayed 365 days a year; again, evidence of the deeply ingrained loyalty of the Tiguas.

The Tiguas have never made a formal application to the Government of the United States for recognition, and for 300 years, they have lived in El Paso and no one has thought to act on their behalf, with the exception of an inquiry by the Mayor of El Paso in the year 1961, which was rejected by the Indian Bureau on the basis that the fare. It would appear today that only recourse these Indians have for reparation is to entreat with the President and Congress to recognize their entitlement to the same basic rights as all other Indians.

Were it not for an expansion of the City of El Paso on March 15, 1955, when the Ysleta area was annexed to the City of El Paso, it is doubtful that the Tiguas would be making a claim at this time and would probably be continuing their proud and independent ways. The annexation, however, raised the taxes on their small homesites from $6.00 to $10.00 per year to over $100.00. With family incomes averaging less than $1,000.00 per year, the additional tax burden had been too much to bear.

While the Tiguas survived the Jornada del Muerto and 300 years of struggle to survive in what is to them in many respects, an alien community, their will is fast fading and their culture is in danger of disappearing with that of their Piro and Tompiro neighbors.

CRECITE AND ACKNOWLEDGMENTS

(By Tom Diamond, in lieu of footnotes to his foregoing paper)

(Note.—Page numbers refer to original paper, not to place in Record.)

(Page 3) Terminological comments, courtesy of Douglas H. Scovill, Archeologist, U.S. Dept. of the Interior, National Park Services, Gran Quivira Nat. Monument, Route 1, Mountainair, N.M. 87036.

(Pp. 3, 4) Origin of Tigua Indians, suggested by Douglas Osborne, Ph. D., "Solving the Riddles of Wetherill Mesa," National Geographic Magazine, Vol. 125, No. 2, Fed. 1964.

(Page 4) The account of the early Spanish exploration of central New Mexico is based largely on Eugene O. Porter's "The Spanish Occupation of West Texas and New Mexico," in Password, quarterly of the El Paso County Historical Society, Vol. X, No. 3, Fall 1965, p. 79.

(Page 6) Discussion of Ysleta Pueblo, from Handbook of American Indians of North America, Bureau of American Ethnology.

(Page 6) Origin of Humanas Indians, from pamphlet "Gran Quivira National Monument" by U.S. Department of the Interior, National Park Service, 1963.

(Pp. 6, 7) First church; first, second and third camps, etc., from "Short History of Ysleta Mission Founded in 1680" by Gerardo Decorme, S.J. Published by Our Lady of Mt. Carmel Parish, Ysleta, Texas. No date.

(Pp. 6, 7) History of the Isleta Pueblo, as compiled by the Isleta Pueblo Tribe, Isleta, New Mexico (Unpublished).

(Page 8) Original documents in the possession of Tigua Indian descendants of the Scouts.

(Page 8) Legend on marker located in Sierra Vieja Pass on the Clay Miller Ranch in Presidio County, 10 miles from Valentine, Texas.

"In the vicinity, June 12, 1880, the Apache made their last stand in Presidio County, when 4 Pueblo Indian Scouts of General Benjamine Grierson, USA, fought and defeated 20 Apache warriors. Erected by State of Texas, 1936.

General Grierson commanded the 10th U.S.A. Cavalry, which was composed of Negro troops. The following is an account of the battle as told to Antonio Granillo Silvas by his grandfather, one of the four Tiguas participating.

"Tigua Indian's important event. When the Tigua Indians were at Ysleta, New Mexico, for certain reasons decided to come to Ysleta, Texas. Reasons such as because Victorio, Chief of the Apache at that time wanted the Tigua Tribe to join together with them, but Tigua Indians did not like the idea because they were different in ways. First because Tigua Indians were Catholic and the Apache did not believe in that. So, Tigua Indians came to Ysleta, Texas and reunion with Spaniards, they started to build Temples. Temples that are very well known to our history. Three of them are Socorro Mission at Socorro, Texas; San Elizario Mission at San Elizario, Texas and Nuestra Senora Del Carmen at Ysleta, Texas.

"After being here, they were molested by the Apache Tribe. They were obligated to fight with them at "Sierro Waco" but Tigua Indians ran the Apache off the Waco Territory. Then, Victorio sent word to the Tigua Indians, that he wanted to fight with them, because he believed the Tigua Indians to be very brave. He wanted to fight with them on clean territory. So then Tigua Indians sent notice to the government, because they did not have rifles and ammunition. The government then sent them rifles, ammunition and all necessaries. The government also sent colored soldiers for help to the Tigua Indians.

"So the Tigua Indians sent word to Victorio that they were ready for war. So on the 12th of June, at late evening, they arrived at Sierra de la Vieja. Victorio was also ready at Sierra de la Vieja.

"So on the 13th of June, as soon as daylight was seen, they started to fight. At those same hours, men of the Tigua Indians had to go back for more ammunitions. At those same hours, only one Tigua Indian was killed. So by the time the men that had gone to get ammunition returned the war was over. It ended at around 12:00 that same morning. So Victorio lost this war. When Tigua Indians and soldiers went to the top of Sierra de la Vieja, Victorio was gone. Then only found branches of stuffed grass, used for their wounds. Victorio went to Mexico. It is known that Victorio did not let his people down. He showed them to have courage. Victorio mounted a White horse and he wore a red band around his chest to his waist. Victorio had white complexion and blue eyes. Victorio never returned. He died at a place named "Tres Castillos" at Mexico. This is one of the most important events to the Tigua Indians."

(Page 8) Contemporary newspaper accounts described Tigua Indian award to President Franklin D. Roosevelt as Honorary Cacique, 1936.

(Page 8) Personal recollection of Pablo Silvas, regarding Las Cruces colony of Tiguas.

THE PUEBLO SETTLEMENTS NEAR EL PASO, TEX.

(By J. Walter Fewkes, 1903)

On a map of the "reino de la Nueva Mexico," made by Father Menchero about 1747, five puebloes are figured on the right bank of the Rio Grande, below the site of the present city of El Paso, Texas. One of these, called in the legend, Presidio del Paso, is situated where Juarez, in Chihuahua, now stands, just opposite El Paso. The other four are designated on this map as Mission d Sn Lorenzo, Mision d Cenecu, Mision d la Isleta, and Mision del Socorro. Each is indicated by a picture of a church building with surrounding lines representing irrigation canals, as the legend "riego de las misiones" states. All of these lie on the right bank of the river, or in what is now the state of Chihuahua, Mexico. It is known from historical sources that Indians speaking at least four different dialects, and comprising three distinct stocks, inhabited these five towns. The Mansos lived in El Paso, the Suma in San Lorenzo, the Tiwa in Ysleta, and the Piros in Senecu and Socorro; there were also other Indians—Tano, Tewa, and Jemez—scattered through some of these settlements. All the abovementioned villages had been founded in historic times, or since Onate first founded the Rio Grande at the Pass of the North in 1598. From documentary sources we learn that Tiwa and Piros were colonized in this region at the end of the seventeenth century, having come down the river with Otermin in 1680, and that the Mansos and Suma were settled in pueblos near the ford almost a century before.

During an exploration of certain ruins in central New Mexico in the summer and autumn of 1901, under the auspices of the Bureau of American Ethnology, the author studied the ancient habitations of the Piros Near Socorro, Texas, where the survivors now live, in order to gather any current traditions concerning them that might be found to survive. He had also in mind the forming of an acquaintance with the remnants of the Tiwa whose ancestors lived in New Mexico about the northern boundary of the old Piros range. The present article considers especially the Tiwa of Ysleta and Piros of Senecu and Socorro.

These Indians have practically become "Mexicanized" and survivals of their old pueblo life which still remain, such as their dances before the church, have long lost the meaning which they once had or that which similar dances still have in the pueblo higher up the Rio Grande. The southern Tiwa and Piros are good Poma Catholics, and their old dances are still kept up not from a lingering belief of the Indians in their old religion as is the case with certain pueblos in which Christianity is merely a superficial gloss over aboriginal beliefs, but as survivals which have been worn down into secular customs. They cannot give an intelligible explanation of the meaning of these dances, because they do not know their significance. Interest in them on the part of the ethnologist is purely as folklore, for they represent a stage through which the dances of the Pueblos ultimately go when the complexion of the population changes from Indian to Mexican. Ysleta is an instructive example of a Pueblo Indian settlement which has become a Mexican town, the number of Americans settled there not being large enough to affect materially the population. It is therefore instructive to a pueblo in this stage of transformation.

The notes which serve as the basis of this article were collected on a brief visit to El Paso, in October, 1901. While the author lays no claim to an exhaustive study of the survivors of the Pueblos, he would call attention to a field which offers much to the ethnologist, folklore, and archeologist. The object of the article in a general way, a few facts regarding the Tiwa of Ysleta and the Piros of Senecu. Since the former are more numerous and their customs less changed, he will begin with them.

YSLETA

The pueblo of Ysleta, Texas situated on the left bank of the Rio Grande, about fourteen miles below El Paso, is a small village with a mixed population of the Indians, Mexicans, and Americans. The Indian name of the village is Chiawipia, or practically the same as that of the pueblo of Isleta in New Mexico, a name which the Hopi also give to the latter village, in which, they say, are settled certain Tiwa whose ancestors once lived in their territory. The name "Ysleta" would indicate its site on an island, and the fact that on Menchero's map it is placed on the right bank of the Rio Grande, while its present site is on the left, may be harmonized by supposing that the course of the river has changed since the map was made.

The most striking building in Ysleta is the church, dedicated to Nuestra Senora del Carmen, the beautiful bell-tower of which can be seen for several miles.

Several references to the settlement and early history of Ysleta may be found by consulting the valuable contributions of Bancroft and Bandeliever. The author has taken the liberty of quoting a few lines from the former to account for the existence of Tiwa and Piros colonies in this section. "With the 385 natives", writes Bancroft, "That had crime with Otermin from Isleta, a few who had accompanied the original refugees of 1680, and some who came later, the padres proceeded to found three new mission pueblos in the south. These were Senecu, Socorro, and Isleta."

The author has seen a manuscript copy of a document, dated May 19, 1692, in possession of Father Cordovas, a priest at Ysleta, who claims that the original, now in Mexico, is the earliest existing record of the Church. The following legend found on a photograph by the same priest refers to this manuscript: "This document in the name of the King of Spain gives charge of the church of Corpus Cristi de los Tiguas en el Reimo de la Nueba Mexico de el Distrito de el Paso Canton Bravos, to Fray Joaquin Ynojosa. Years after, the titular saint of the church was changed to St. Anthony, the patron of the Indians, Ysleta being then a Tigua village. Later on a petition was sent to the Bishop to change the second titular saint; this request being granted, the church was dedicated to Nuestra Senora del Carmen."

The oldest portion of the present church building is that in which the altar now stands, the tower and facade being of much later construction. The open space before the church is surrounded by a low adobe wall. This enclosure, in which stands a cross, is called the cemetery, and was formerly a burial place, as its name implies, but it is no longer used for that purpose. Here certain dances—survivals of pagan ceremonies dating back in the history of the pueblo to a time it was practically a Tiwan village—occur after mass of feast days elsewhere mentioned.

The site of the old pueblo adjoins this cemetery, from which it is now separated by a street. The cacique remembers that formerly Indian houses were arranged on that site in rectangular form about a plaza, each building a small one-story habitation made of upright logs chinked and plastered with abode, forming a type of building called by the Meivans *jacal*. There still remain a few houses of this kind in the neighboring hamlet of Socorro that are reputed to be among the oldest in the pueblo. Piarote, the present cacique of Ysleta, lives in an adobe house standing not far from what was once a corner of the former pueblo, and other houses in the neighborhood belong to Indians who likewise have dwellings and traces of land scattered in small directions from the church.

In late years several Tiwa families have moved away from Ysleta to Las Cruces, New Mexico, and other localities along the railroad where they find profitable employment. The governor, Mariano, claims that the town of Tulerosa, near the Mescalero Apache reservation, was setled by Tiwa families from Ysleta, but others deny this. The Ysletenos formerly hunted bison in Pecos valley, and one of the masks used at Christmas in the Baile de Tortuga, elsewhere referred to, is made of bison hide. They were therefore well acquainted with the Mescalero reservation, and the springs there were probably favorite camping places.

Many of the Tiwa have served in the army as scouts against the Apache, and among the names of some twenty men recorded by the writer several have discharge papers setting forth the value of their services; others were killed while in the service of the United States. None of the former receives a pension or rations. They have no resident agent or missionary, and although poor, they are industrious, self-respecting, law-abiding citizens.

In addition to the Tiwa living at Ysleta, there are one or two families in a neighboring hamlet called Zaragosa, across the river in Mexico. About twenty-five persons, whose name are appending, can conduct a conversation in the Tiwa language, and there are as many more who understand the idiom but cannot converse in it.

Men: Jose Tolino Pirote, Tomal Graneo, Tebebucio Oligin, Jose Maria Montoya, Ponciano Olgin, Patricio Perea, Manuel Ortega, Sebastiano Duran, Alvino Aquiar, Cristobal Aquiar, Pasqual Piarote, Maleno Marques, Robel Trujillo, Reyes Trujillo, Crecencio Marques.

Women: Cornelia Colinero, Andrea Piarote, Estefana Montoya, Valentina Ortega, Augustina Olin, Patricia Montoya, Nestora Piarote, Dolores Graneo, Andrea Marques, Juana Duran Graneo.

Social organization

The Tiwa of Ysleta still retain a survival of their tribal organization, which is set forth in two documents drawn up before a notary, Dr. Wahl, a few years ago. These documents, formally signed and sealed, are written in Spanish. The author obtained a copy, a free translation of which follows:

"Pueblo of San Antonio de Ysleta, Texas. January 6, 1895.

"We, the undersigned, comprising natives, have assembled for the purpose of making the following regulations, and complying with those duties which our ancestors observed and which we wish to transmit to our children.

"We solemnly bind ourselves, in the first place, to celebrate in the best manner we are able, the festival of our patron, Saint Anthony.

"In the second place, we bind ourselves to respect the native authorities which we ourselves nominate and elect, and also to submit to such punishment as the same native authorities may impose, without complaint or appeal to any other authority regarding matters, personal or domestic, pertaining to us, without prejudice to the general laws of the remaining citizens.

"In the third place, we decree that every failure to respect our native authorities shall be punished, for the first offense, with twenty hours' arrest; leaving the punishment, however, to the prudence of the same native authorities, should the same person repeat his offense. That this regulation may have force and authority, all desirous of doing so have freely affixed their signatures."

This first document closed with the signatures of the Indians, all in the same handwriting, and the notary's acknowledgment of the notary, enumerated the duties of the officers. Freely translated it is as follows:

Duties of the Cacique

First Duty: Every year, on New Year's eve, the Cacique Major shall assemble all his people and advise the meeting to nominate native authorities to hold power for the forthcoming year. The same Cacique Major shall give the badges of office in the following order: To the Governor, to the Lieutenant-Governor, to the Alguacil, to the Capitan Major, to the four subordinate Capitans. Indeed all these officials are subject to the Cacique, as likewise all sons of the pueblo of San Antonio, according to the laws and conditions of the tribe. This dependence extends to the Cacique Major to look after his life and the maintenance of his family.

Duties of the governor

This officer, with the badge of his office in his hand as a symbol of administering justice, represents a Justice of the Peace in minor matters, such as civil offenses; he shall punish lack of respect to the sons of the pueblo of San Antonio, and shall give permission for customary dances which are lawfully permitted to the sons of the tribe.

In addition, the Governor is requested to see that fathers of families comply with the sacred duty of teaching the Christian doctrine to their sons, and of celebrating annually the festival of our patron, San Antonio. Lastly, the Governor shall see to it that the sons of the tribe perform, in such manner as may be possible, the marriages and funerals of the natives.

In conformity with the third clause the Governor has not authority to impose punishment exceeding three days in prison.

Lieutenant-governor

The Lieutenant-Governor is clothed with the same power as the Governor when the duties of the Governor devolve on him.

Duties of the Capitan Major and the Subordinate Capitans.

To direct the dances in the public plaza and to preserve order during the dance; also to well regulate everything pertaining to hunts of deer, rabbits, and hares, but always after consultation with, and notification of such diversions to, the Cacique Major, who shall never permit them on Sunday or on those days when they are obliged to hear the holy mass as in the Christian faith universal.

Regarding the dances, it is recognized that they are permitted on the following days only: Christmas, St. Anthony's, St. John's, St. Peter's, St. James', St. Ann's and St. Andrew's (if the days does not fall at the time of the hunt).

Lastly, it is the duty of the Capitan Major, aided by his subordinates, to remove from the pueblo of San Antonio every kind of witchcraft and belief contrary to our Holy Catholic Apostolic and Roman religion. No son of the Pueblo of San Antonio is obligated to accept, for example, if so commanded, any sorcery or false belief. It is the duty of all who follow the regulations of the sons of the Pueblo of San Antonio to sign this enactment. On the other hand, those who do not wish to sign it, by the same wish do not regard themselves as sons of San Antonio."

This second document is signed by the same persons as the former, and may be regarded as a constitution of the Tiwa of Ysleta. It embodies certain aboriginal customs, but it is practically of modern character and origin.

The present Indian Officers of Ysleta are as follows:

Title, Native Title, and Spanish Name:
Cacique: Aikamede, Jose Tolino Piarote;
Governor: Tuwatabode, Mariano Manero;
Lieutenant-Governor: (no native title given) Felipe Cruz;
War Capitain: Wilawpkamede, Tomal Graneo;
Subordinate Captain: (no native title given) Blas Gominero, Blas Graneo, Cristobal Aquiar, and Aniseto Graneo.

Insignia of Office

Each of the chief officials above mentioned has a baton, or staff of office, known as a kikawee, which is help in such high esteem that the cacique spoke of his as "mother," which reminds one of the reverance paid by the Hopi to their so-called *tipni*. The author has examined the staffs of the cacique, governor, and lieutenant-governor, finding them to be similar; and he has been told that those of the remaining officers have the same general form. They are all said to be old, and to have been in possession of the tribe from the time the pueblo was settled; but such assertion is hardly borne out by close examination.

The cacique's staff of office consists of a baton the length of the forearm and diameter of an ordinary walking-cane. It is made of black wood, and is provided with a silver cross set in the head and two metal tips, one inside the other. There is a silver cross set in the head, and midway of its length is a hole in which a thong is tied by which it may extended. The governor's baton is like that of the cacique, except that is made of chestnut-colored wood. The lieutenant-governor's baton is black: it was broken but has been mended with sinew. These badges, as referred to in the documents setting forth the duties of the officers, are insignia of rank and are used as symbols in elections, dances, and races.

Dances

The most interesting survivals of the old cermonies of the Tiwa of Ysleta are the dances which are performed in front of the church at the celebration of the festival of their patron, St. Anthony, at Christmas, and on the days of St. John, St. Andrew, St. Peter, and St. James, as mentioned in the document above given. These dances differ but little from the secular dances, or *bailes*, which occur in winter and at other times.

Shiafura, the Rattle Dance

This dance, which occurs after mass in the festival of the patron saint, is one of the most important of their ceremonies. It consists of two parts—the first with two male and two female participants, the other with many men who carry rattles from which it takes its Tiwa name.

These dances are first performed in the old cemetery before the church, after which the dancers visit in turn the houses of the majordomo, Manuel Otero, George Piarote, and Patricio Perea. It closes with a feat at the house of the majorodme, after which all return to the church.

Newafura, the Mask Dance

The dance in which two men are masked is celebrated on Christmas afternoon and is sometimes called *Baile de Tortuge* from the turtle shell rattle employed. A drum is used in this dance, and the men carry gourd-rattles in their hands. The dance is first performed before the church, and then in the houses of the cacique, governor, lieutenant-governor, sheriff (capitan de guerra), and other officers, on the three following days. It is danced on the fourth day by children, who imitate their elders. The two participants wear masks, and one of them represents a male, the other a female personage. The mask of the latter is made of buffalo-skin and is painted red and yellow. These men are called *abuelos* (Spanish, "grandfathers," "ancestors", and they function as clowns, frightening little children. A little girl, to whom the author showed the mask, called it a *coco*, a Spanish term for "boggy".

Poafura, the Red Pigment Dance

This dance, which occurs on the festival of St. John, was thus described to the author by the "cacique." Twelve women, forming two lines, stand facing each other, and between them passed another, singing "Ha-wi-na-a-e!" In this festival, food and other stuffs are thrown to the spectators. One of the women wears two feathers in her hair. The dance lasts one day and is called Baile de la Flecha. The same song, "Ha-wi-na-a-e"—is sung in the Hopi harvest festival, when food and other objects are also thrown to spectators.

Kufura, the Scalp Dance

In this old war dance, which is no longer celebrated, both men and women formed a ring around one of their number—a woman who held aloft a scalp tied to a stick. A warrior beside her, and at the close of the dance ran to the river and plunged his head under the water four times.

Fura-shuite

This dance occurs during the time of the carnival, and in it the participants are divided into two parties, each having a drum. It takes place in the houses of the cacique and other Indians.

Nakupura, the House Dance

While the author was at Ysleta, several secular dances were performed by the Indians in one or another of their houses. These dances were characteristically aboriginal and closely resembled those celebrated on festival days before the church. Permission for them is obtained from the governor, who in fact, gave one of those witnessed by the author in his own house. The dance began about 9 o'clock, but for some time before that hour a young man sat at the entrance to the house, violently beating a drum made of an earthen jar, and singing a song with monosyllabic words. Later this youth went inside, where he was joined by other singers, forming a chorus. Several of his companions clapped their hands in time with the songs as in certain characteristic Spanish dances.

There were two distinct figures, or rather two kinds of dances practically differing in the number of participants. In the first kind, two persons, a man and a woman, took positions facing each other on opposite sides of the room. These began the dance by beating time with their feet, at the same time almost imperceptible swaying their bodies to the beat of the drum. As the druming continued, the two dancers approached each other, and the man put first one hand, then the other, on the woman's shoulder, at the same time one hand, dancing with a sort of shuffle, like that of the Bison dance at Hano. Spectators and those not taking part in this dance were seated about the room.

Several men and as many women participated in the second figure of the dance. Two lines, one of men, the other of women, faced each other and opened the dance with slight movements of their bodies. Both lines then turned faced the dancer, and marched around the room to the opposite side, as in the well-known "Virginia Reel". The step, song, and drum accompaniment recall the solemn religious *Katcina* dance of the Pueblo, but unlike them, is secular and accompanied with meriment.

Foot-race (Kivehwewehim)

The Ysletenos have a foot-race strictly comparable with that of their northern kindred. It occurs at midday, on Palm Sunday, and in it the contestants divide into two groups of about half a dozen men each, distinguished by facial painting. The course is from the house of the cacique, past the church, and along the main street. The cacique stands at the place of starting, holding a bow and arrow, and calls out three times. First he shouts, "We-va!" When all get ready; the second signal is "We-cho!" when he shoots the arrow in the direction of the course and the runners start.

In awarding the prized, the cacique received the first prize and the winners the second; but other participants are also rewarded. The object of the race, they say is for rain, and the shooting of the arrow a symbolic act to aid the runners as well as to indicate the course.

Rabbit-Hunt (Shalaito)

Both the Tiwa of Ysleta and the Piros at Senecu still have rabbit-hunts in which aboriginal elements survive. The war-chief is leader of the hunts, but permission for them is always asked of the cacique or the governor. The hunters having assembled in the field, a fire is first built and a section of country surrounded by the huntsmen. The men, forming a ring, close in, shouting "Hotcha-pe-we-a-newa!" at the same time killing the rabbits with sticks and other weapons.

When the hunters return home with their rabbits, the women rush out to meet them and to seize the game. If, as sometimes happens, two women grasp the same rabbit, the war chief divided it between them. In old times, they say, the dead rabbit was sprinkled with sacred meal (tluka), which, however, is not now made or used at Ysleta.

Language of the Ysletenos

Ysleta affords a good opportunity for the collection of material for a knowledge of the Tiwa idiom; but such work must be done at once, as a speaking knowledge of this variant, if such it be, of the Tiwa, will probably not survive the present generation. No Ysleta child can at present speak the language, and those adults who can converse in it are old men and women. It is imperative that philological studies among these people be made at once, for it will soon be too late.

The special interest attached to a study of the Ysleta Tiwa is, of course, for comparison with the Tiwa of the Pueblos of Sandia and Isleta in New Mexico. It has been known that the idiom of the pueblos of Taos and Picuris has Tiwan affinities, but the Ysletanos say that it is very different from their language. Several years ago an old man went from Taos to Ysleta to live, but he later settled in Senecu, where he died recently. His speech was incomprehensible, his native tongue differing greatly from that spoken at Ysleta. Some of the southern Tiwa have visited Isleta, New Mexico, and claim, as one would expect, that the language of the two pueblos is practically identical, differing only in minor details. During his visit to Ysleta, the author recorded a considerable Tiwa vocabulary, which he hoped later to compare with the northern Tiwa. These words were obtained during several councils with the chiefs, which generally lasted late into the afternoon, when the angelus sounded from the bell tower of the neighboring church. At the close of these councils, the cacique, Piarete, repeated a long Tiwa formula, or prayer, with other Indians were familiar. It would be interesting for one who seriously takes up the linguistics of the Ysletenos to transcribe this prayer as a specimen of their language. All these Indians at present speak "Spanish", but when together the old men converse in their native language. The more aged, in fact a majority of the adults, can neither speak English nor write their own names.

There still remain in Ysleta survivals of the former clan system of the Tiwa, in which the descent was matriarchal. All have Spanish baptismal names, and a few have Tiwa names. They assert that when the latter was given them, an aboriginal rite in which water was used was performed. The Tiwa name of Piarote, the cacique, is Shiu-tusan (Eagle-tusan); the governor, Mariano, Yekaptusan (Corntassel-tusan). Another man is called Yen-tusan (Mountain-tusan); and still another, Thuwirpo-tusan (Rainbow-tusan). None of the children now have Tiwa names.

The Ysleta Tiwa have several very suggestive folktales, to which the author can only refer at this time. He listened to several, but it was said that there were many more, all of which are well worth collecting. They retain traditions of the *Shipapu* or *Shipapunai*, the ancestral opening in the earth out of which the races of men originally emerged, and they declare it to be a lake in the far north.

So far as their clothing is concerned, it is impossible to distinguish the men and women of Ysleta from their Mexican neighbors; even the want of a beard not being always a distinguishing trait among the men. One man was seen with long hair, but it was not tied in the usual Pueblo fashion. Several wore moccasins, and one a leather wrist-guard.

The houses are not characteristic, and exteriorly there is nothing in the present appearance of the village to lead one to suspect that it was once a purely Indian pueblo or that at present any people of Indian blood inhabited it.

One or two old Pueblos customs are still kept up by the Ysleta Tiwa. They know how to use the fire-drill and the fire-stock (fukrisla), and how to kindle fire with them, although they generally use flint-and-steel or matches. Of their weapons several bows and arrows were shown the author, and he has also seen rabbit sticks, a lance, and a drum of aboriginal manufacture. One or two women know how to make paper-bread, which they call pahnshave, and to color it into various tints. They at times grind corn (ae) on matates which have an ancient appearance, and one of the old women said that this sucrom was common in her childhood. She added that while the women are thus at work over a mealing-stone the men sang, beating a drum or folded sheep-skin. A diligent search for aboriginal pottery in Ysleta was not successful; a few old pieces were found, but they were very crude and probably Mexican; nevertheless, all said that in former times the Tiwa women were good potters and made black ware like that of the Santa Clara Indians.

THE PIROS SETTLEMENTS NEAR EL PASO

The survivors of the Piros live in the hamlets of Socorro and Senecu, the former situated in Texas, about three miles below Ysleta, and the latter on the opposite or right bank of the Rio Grande, about six miles from Juarez, in Mexico. The settlement at Socorro is small and while there are at present only a few families that claim to be of Indian blood, none of them speak the Piros idiom. They have no tribal organization, and the town is throughly Mexicanized.

It is commonly said in Ysleta that the Indians of Socorro are descended from Piros and other tribes, and that their ancestors spoke differently from the Tiwa—in fact more like the Senecu people. Piarote, the Ysleta cacique, states that in his youth the irrigation ditches of Socorro was called "acequia de los Piros", implying that Piros Indians were settled in this pueblo in old times. The fact that the native language has vanished, and that Jemez and Tanos Indians were among those colonized there, partially explains the total disappearance of their language. The author visited one or two old men who claimed to be pure Indians, but they could utter not a word of Piros, and one of them apologetically said that even his father was totally ignorant of any language but Spanish.

SENECU

The pueblo of Senecu in which the Piros who once lived in New Mexico were colonized at the close of the seventeenth century, is situated in Chihuahua, about six miles from Juarez, on the right bank of the Rio Grande. It consists of a small cluster of adobe houses, in the midst of which rises an old church containing many ancient *santos*, a few old paintings, and interesting altar paraphernalia.

The following names of Piros Indians were obtained at Senecu: Augustin Allegro (cacique), Pablo Gonzales, Jose Maria Podraqua, Vicente Paiz, Caspio Paiz, Dolores Allejo, Juan Delgado, Nicasio Alban, Thomas Ortiz, Toredo Podraqua. In addition to these there are many women names were not recorded, making in Senecu fully fifty persons who may be called Piros Indians.

The Senecu Piros perform dances in the open space before the church building and are accompanied by a drum and rattles. They are practically secularized pagan dances which have lost all their aboriginal significance. These occur after mass on the festival of their patron, St. Anthony, at Christmas, and on the festivals of their St. Ann, and others.

The old drum used in these processions and dances is still preserved in one of the houses not far from the church. It consists of a hollow log with a piece of rawhide stretched over each end, closely resembling those used for the same purpose by the Pueblos higher up the Rio Grande. The drum employed in their secular dances, of which they have many, consists of a jar with skin stretched over the top.

The author saw in the village several hand rattles and one or two bows and arrows. It was not learned whether masks were worn in their dances, inquiry sufficient to decide that point not being pursued. The Senecu Indians have rabbithunts and footraces similar to those of other Pueblos.

The Piros language, as a means of conversation, has practically disappeared, as no one at Senecu or Socorro now converses in it, but there are still remembered many words which, if recorded, would form a larger vocabulary than any known to exist. There may be other Piros living in other pueblos, who know more of the language than do the Senecu people. The governor of Senecu claims that there are Piros living at a place in Mexico called Ajotitian, but the author does not know the situation of the settlement.

The writer visited the church of San Lorenzo, about two miles from Senecu, but was not successful in finding ethnological traces of the Sumas. The present church building is a new one, the fourth of its name, the others, at least the last, the Ysletenos declare, having been destroyed by freshets.

An instructive survival of Indian customs at San Lorenzo is a dance which occurs before the church, when a masked personage, called Malinche, appears. Malinche is a common modern name of a masked dancer, occurring throughout the Nahua region of Mexico, and its existence at San Lorenzo, as well as in some of the New Mexican pueblos, is significant. About the middle of November fires were kindled at night on the hills near El Paso and Juarez. The explanation given the author was that these fires were to guide Moctezuma, a Messiah, who, folklore has it, will come down the Rio Grande and cross the river at this point.

It is suspected that there may still be traces of Suma blood, and perhaps survivals of their customs, at Samalauca, in Chihuahua, where these Indians were early colonized, but he was not to visit that place.

No studies were made of the survivors of the Mansos near Juarez.

The treatment adopted in the preceding pages is intended to be ethnological rather than historical. Fortunately these pueblos have been studied from both these aspects by Bandelier to whose valuable researches the writer refers with great respects. As there still remain many important data to be gathered regarding both the history and the ethnology of the El Paso pueblos, the author hopes that in these pages he had done something to attract attention to the immediate necessity of additional studies in this locality.

CREDITS AND ACKNOWLEDGMENTS

(In lieu of footnotes to foregoing paper by J. Walter Fewkes)

(NOTE.—Page numbers given refer to original paper, and do not refer to place in RECORD.)

Page 1: A copy of Father Mencheros map was published in 1892 by the Kartographisches Institute of Berlin. Although not dated, the legend reads that it was prepared during the administration of Don Juan Francisco Guemes y Orcasitas, who was Governor of New Mexico during 1747.

Page 1: A special account of the ruins (paragraph 2) near this town, especially those of the "pueblo" visited by Vargas in 1692, is in preparation.

Page 2: Chiawipia or Chipiya. Note the similarity of this term with Cipia, an historic name of former puebla dwellers along the Little Colorado.

Page 2: Note in Bancroft, Arizona and New Mexico, p. 191: "S. Ant. de Senecu, of Piros and Tompiros, 2 leagues below El Paso (or Guadalupe); Corpus Christi de Isleta (Bonilla, Apuntes, MS., 2, calls it S. Lorenzo del Realito), of Tiguas 1½ leagues east of Senecu; and Nra del Socorro, of Piros, Tanos, and Jemes, on the Rio del Norte 7 leagues from Isleta and 12 leagues from El Paso." If Socorro was then 7 leagues from Ysleta, it was not on its present site, if the distance given is correct. "In '83," according to Bancroft (p. 191), on account of a plot in Socorro to kill Padre Antonio Guerra, the pueblo was "moved to a site nearer Isleta." evidently to its present location.

Page 3: This mask was obtained by the author.

Page 5: Kikawee (staff of office). The church is called kikawee-missatu, signifying "house containing sacred objects of the mass," a compound of Tiwa and Spanish in which appears the name of the chieftain's staff.

Page 6: *Shiafura*, the Rattle Dance: *Shia*, rattle. Danced in two parts, called *Shopisane* and *Shiafura*. Name of the mask dance from Newa-de, mask. The children of the Hopi also have a masked dance in imitation of their elders. Name of the Red Pigment Dance from *Poaputa*, red pigment.

Page 6: Name of the House Dance from *Naku*, house.

Page 7: In the foot race, the words used by the cacique are apparently those for "one, two, three," respectively. The numerals and the method of formation of the larger numbers may be seen by a study of the following:

One, wima; Two, wisi; Three, pachowin; Four, wiran; Five, patowa; Six, matle; Seven, weede; Eight, whang; Nine, tetehem; Ten, te; Eleven, tewin; Twelve, tweisi; Twenty, wete; Twenty-five, wete-pantowa; Thirty, pachoate; Forty, wiante; Fifty, pantoate; One Hundred, shute.

Page 8: Names given at baptism: The root *thus* meaning sun, occurs in *thusaina*, sunrise; tathuakin, sunset. Apparently the idiom of Ysleta differs somewhat from that of their kindred in Isleta, and Sandia, as would be expected from the two centuries of separation. If the termination *tusan* means people, or clan, its phonetic relation to "Tusayan" is highly significant.

Page 9: Paper-bread, *pahnshave;* apparently related to the Spanish, *pan*.

Page 9: The Ysletanos speak of Socorro in New Mexico as *Socorrito*, "Little Socorro."

Page 9: Piros settlements: later information reached the author that there is an old man living near Socorro who speaks the Piros dialect. The word *Sececu* is of Piros origin, and was formerly applied to a New Mexican pueblo where San Antonio now stands.

Page 10: The Bureau of American Ethnology has a small vocabulary of Piros words recorded by John Russell Bartlett.

Page 10: Reference to Bandelier, from Final Report; Archaeological Institute of America, American Series LLI.

Mr. YARBOROUGH. Mr. President, another monograph was published in 1953 by Cleofas Calleros, one of the great historians of the Tiguas and one of the very few men to bear the honorary title of adelantado. I ask unanimous consent that his outstanding study, entitled "Tigua Indians: Oldest Permanent Settlers in Texas," be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

Tigua Indians—Oldest Permanent Settlers in Texas[1]

(By Cleofas Calleros, in collaboration with Marjorie F. Graham)

(AUTHOR'S NOTE.—Historical high lights of El Paso and vicinity: Alvar Nuñez Cabeza de Vaca passed through Big Bend country in 1536. Fray Augustin Rodriguez, O. F. M., alone, reached El Paso del Norte in 1578. Francisco Sánchez (Chamuscado) and Fray Agustin Rodriguez led expedition, through El Paso to New Mexico in 1581. In 1582 Antonio de Espejo passed through El Paso seeking Fray Rodriguez and learned of his death. Don Juan Oñate took possession of this region as New Mexico in the name of the King of Spain, on "The day of the Ascención of the Lord," April 30, 1598 in the neighborhood of present Socorro, Texas. On the same day Captain Farián presented a comedy, the first play in the United States. At Ciudad Juárez, in 1683 was established the Presidio de Nuestra Señora del Pilar y el Glorioso San José which was moved in 1773 to the East side of the river, and named San Elzcario, now known as San Elibario, Texas.)

The stern Indian, standing high on a windswept hill, his taut, muscular body silhouetted against a brilliant, sky, suggests, to any with imagination, a colorful, romantic bygone era.

For in modern mind an Indian epitomizes the brilliant pageant of Southwestern history, the mighty epoch of the opening of the West. His stern face lifted toward the sun, the methodic beat of his tom-tom breaking the stillness over the desert, the rise of smoke signals, are all those small remnants of a post regime out of which men today make movies.

In El Paso del Norte one may recapture, rub shoulders only slightly, with those whose ancestors constructed the past. If he will listen carefully, he may hear the faint echo of an Indian chant, the slow shuffle of an ancient tribe observing its traditional dance. These will be Tiguas, oldest and perhaps most venerable residents of the State of Texas. Here, in the quaint historic towns of Tigua and Ysleta, one may be a guest in their crude homes, at their small mission, and an observer of their peaceful, simple, agrarian way of life.

Who are these people? From where did they come? And why? These are, for the most part, the direct descendants of those savage natives to which Coronado referred in relating his expedition of 1540. Coronado, in quest of the fabulous cities of gold, found, on the contrary, a primitive group of tribes, occupying twelve pueblos in the vicinity of Isleta, Nueba México, eating corn and beans and melons; covering their bodies with animal skins. These resented the Spanish conquerors, avenged their conquest by staging a bloody attack. The Spaniards retaliated, burning two hundred of their captives at the stake, assaulting the women.[2]

These people are the colorless leftovers of barbarians who once massacred Frailes Rodríguez, López, and Santa María, the first among the heroic missionaries who had come to Christianize them. Then in 1583, motivated by their fear of being punished for having killed, the Tiguas fled to the mountains from the approaching Antonio de Espejo Expedition, and remained in hiding, out of which they would not be coaxed.[3]

By 1629 this same nation, in need of protection, had consolidated, reducing their pueblos in both sides of the Río del Norte (Río Grande) from sixteen to eight. Fierce Apaches—Rulers of the Kingdom of New México—were their destructive, predatory rivals, already having wiped out seven pueblos of other Indian nations in the Kingdom.

But the howling hordes of the Popé Rebellion in 1680 turned the tide of Tigua history. On August 10th the revolt against Spanish control, master minded by the notorious Popé, an Indian of the Tewa tribe, broke in all of its fury. The screaming savages wrought havoc, desolation and destruction, abolishing an entire civilization and Christian efforts of a century.[4]

Tiguas, however, who had gradually responded in great numbers to the efforts of the missionaries, among them the famous Padre Fray Alonso Benavides, O. F. M., fled in panic from their ancient pueblos. Some remained, preferring to resume their pagan practices, but these were few.[5]

Pouring into the Misión Nuestra Señora de Guadalupe del Paso del Norte, the frightened wounded, homeless Indians and missionaries presented a difficult problem to Governor Don Antonio de Otermín. These, he knew, needed refuge, and there was none for them.[5a]

Governor Otermín was a man of initiative and action. By two years later, in 1682, he and the Rev. Fray Francisco Ayeta, O. F. M., had founded Misión de Corpus Christi de la Ysleta del Sur, some three and a half leagues below the Paso del Norte Mission, and had established their wandering Tigua charges there. This, too, was one further preliminary step toward drawing back the cloak of ignorance which shrouded the valley.[6]

The Mission, Tigua home now for three centuries, is steeped in their history as well as in the historical record of this region.

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[1] Cleofas Calleros, Series of articles (*four*) published in *El Paso TIMES: Tom-Toms Call Tigua Indians to Celebrate Annual Fiesta*, June 10, 1952. *Indians Release Intense Emotions In Strange Dance*, June 11, 1952. *Time, Modern World Deal Harsh Blow To Tigua Race*, June 12, 1952. *Tigua Tribe Holds Dances, Honors Patron*, June 14, 1952.

[2] Joseph I. Driscoll, *El Paso the Land of Romance on its 400th birthday*, in *Diocese of El Paso Centennial Celebration* booklet, Edited by Cleofas Calleros, El Paso, 1936.

[3] Carlos E. Castañeda, *Our Catholic Heritage in Texas 1519–1936*, in VII Vols. Austin, Texas, 1932–1952.

[4] Clenofas Calleros, *La Antorcha de El Paso del Norte*, El Paso, American Printing Co., 1951.

[5] Frederick Webb Hodge, George P. Hammond and Agapito Rey, *Fray Alonso de Benavides Revised Memorial of 1634*. Coronado Cuarto Centennial Publications, 1540–1940. Vol. IV, 1945.

[5a] Cleofas Calleros, *Queen of the Missions*, El Paso, 1952.

[6] Cleofas Calleros, *The Mother Mission*, El Paso, 1952.

During the vicious New México tribal wars which ensued the 1680 Rebellion, the tribe offered protection to the early settlers and Franciscan missionaries. When abuses were shown against the settlers, Tiguas would spring to their aid, engaging in tribal wars with the Mansos of El Paso del Norte, the Piros and Tompiros of Senecú, and with their nearby neighbors, the Thanos and Gemex of Socorro.[7]

They have been for three centuries now a docile, exemplary tribe, and a credit to the mission, which may well stand as a monument to their accomplishments. They have been neither war-mongers nor troublemakers, preferring to live in peace, cultivating the land around them. One of their tangible deeds most readily recognizable today is a farm, laid out west of the mission in 1682, and continually cultivated until the present time. It annually harvests rich fruits and vegetables, and is, of course, the oldest farm in the present United States.[8]

History records that the Tiguas were neither sociable nor conventional. Other El Paso del Norte Indians chose to walk nakedly about while the Tigua has always covered his body. And it is highly probable that women's rights was a social and political issue among them, since men, as well as women, worked. However, a man has never been known to do household chores, such being below his masculine station. There is, consequently, no record of the Tigua "man of the house" donning an apron to do the dishes.

The Tiguas retain a deep respect for their tribal organization, faithfully observing the traditional Tigua feasts and holidays which were the customs of their ancient ancestors.[9]

Today the rhythmic beat of the great Cacique's tom-tom still bids the Tigua to the feast in honor of Saint Anthony, patron saint of his tribe. On June 13th this Indian observes the most important time of the religious year, although the feasts of St. John, June 24th; Sts. Peter and Paul, June 29th; St. James, July 25th; St. Ann, July 26th; St. Andrew, November 30th; Christmas Day; New Year's Day; Feast of the Kings of Epiphany, January 6th; and Feast of the Holy Innocents, December 28th, are also given special attention.

However, with the dawn of St. Anthony's Day, which is the most significant to him, the Tigua rises early, dresses hurriedly, and attends high Mass at the Mission. Afterwards he and his squaw go as guests to the governor's house, where, as is expected of him, he dances the traditional "Baile Primero" and "La Figura." This is a strange, awe-inspiring medium of expression, and he performs it well.

For by his dancing he is paying tribute to St. Anthony, acknowledging favors past granted or pleading for additional ones. This Indian, by physical expression, is releasing his strong emotional feelings, portraying ancestral ideals and tribal motivations, and he is not aware of giving a performance.

Spectators are somewhat disappointed by the dancing. The movements are monotonous, the meaning vague. But it matters not at all to the Tigua that an observer enjoys or is bored by his weird antics.

Throughout the day ancient Indian traditions continue to be faithfully observed. The sun sets on another Day of St. Anthony, and there is peace in the Tigua's heart. Only a few leagues away the modern world, which has dealt his people so harsh a blow, races by, but the beat of the tom-tom is heard far into the night.

And it is unquestionable that time and the modern world have dealt the pure Tigua race severe blows. Their young generation has, and inevitably so, displayed its obvious disrespect for the tribe's continuity and ancient customs. Intermarriage with Mexicians and Anglos has alienated them from their fathers, and many, now entirely modernized, renounce or ignore their former association, refusing to participate in tribal ceremonials.[10]

Still, the few remaining Tiguas, now reduced to five pure blood families and some sixty persons who have a large percentage of straight lineage, have proven that they are forward looking and intelligent people, capable of grasping modern trends. The tribe participated in the dedication of Elephant Butte Dam in 1916; at two Texas State Expositions; and in the Texas Centennial Cavalcade opening the National Folk Festival, in Dallas on June 12, 1936.[10a]

At that time President Franklin D. Roosevelt was invested with the title of "Honorary Cacique," or chief, of the tribe.[11] This marked the first and only time that a President of the United States had been honored by an Indian tribe west of the Mississippi River. At that celebration, the Most Rev. Joseph P. Lynch, DD, Bishop of Dallas, was invested with the honorary title of "Fraile." Two others, Mrs. Eleanor Roosevelt and Mrs. Sarah Gertrude Knott, executive secretary of the National Folk Festival, Association, were named "honorary squaws." [12]

Others who have been conferred with honorary titles for outstanding tribal services are the following: Cleofás Calleros, honorary adelantado; Joseph I. Driscoll, honorary historiador; Leslie Reed, honorary indio; Charles J. Perry, honorary fotógrafo; and Marjorie F. Graham, honorary india.[13]

To commemorate the 273rd anniversary of the coming of the Tiguas to Paso del Norte, and on the Novena period of their patronal feast, the Most Rev. Sidney M. Metzger, D. D., Bishop of El Paso was conferred the honorary title of "Fraile de los Tiguas."

Still, regrettably, the Tigua Indian nation is disappearing. And it is doing so with frightening rapidity. Friction, disbandment, intermarriage and fundamental differences are the results. They are dying out, and in the near future will be only history recorded on a page. One day soon the beat of the tom-tom bidding Tiguas to assemble will be only an echo.

The PRESIDING OFFICER. The time of the Senator from Texas has expired.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that I may have 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YARBOROUGH. Mr. President, in 1936, during the centennial of Texan independence when President Franklin D. Roosevelt and his wife, Eleanor Roosevelt, visited Texas, a delegation of the Tigua Indians of El Paso met the Roosevelts in Dallas and conferred upon President Roosevelt the title of Cacique and upon Mrs. Roosevelt, Squaw of the Cacique of the Tigua Indians.

In El Paso this year, the Tiguas were generous enough to confer upon me the title of Honorary Governor, the only white man ever so designated by this Honorary Governor title in this southern Tigua tribe. I ask unanimous consent to have printed at this point in the RECORD S. 1958, the bill that I introduced to recognize the Tigua Indians of Ysleta, Tex., as a tribe.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1958

Whereas Indians now living in El Paso County, Texas, are descendants of the Tiwa Indians of the Ysleta (Isleta) del Sur Pueblo, a branch separated in 1682 from the Tiwa-speaking Isleta Pueblo of central New Mexico; and

Whereas the Ysleta del Sur Pueblo founded the first permanent Tiwa settlement in Texas at Ysleta in 1682, where the tribe still lives today; and

Whereas the Tiwa Indians of Ysleta del Sur today, known as the Tigua Indians, have a distinctive speech, appearance, and culture and a well-organized tribal civil organization, all of which can be traced to the original Tiwa Indians of the Ysleta del Sur Pueblo; and

Whereas these people are naturally and understandably proud of their heritage and desirous of establishing their social status and preserving their racial history: Now, therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Indians now living in El Paso County, Texas, who are descendants of the Tiwa Indians of the Ysleta (Isleta) del Sur Pueblo settling in Texas at Ysleta in 1682 shall, from and after the ratification of this Act, be known and designated as Tiwa Indians of Ysleta, Texas, and shall continue to enjoy all rights, privileges, and immunities enjoyed by them as citizens of the State of Texas and of the United States as they enjoyed before the enactment of this Act, and shall continue to be subject to all the obligations and duties of such citizens under the laws of the State of Texas and the United States.

SEC. 2. Responsibility, if any for the Tiwa Indians of Ysleta del Sur is herewith transferred to the State of Texas. Nothing in this Act shall make such tribe or its members eligible for any services performed by the United States for Indians because of their status as Indians nor subject the United States to any responsibility, liability, claim, or demand of any nature to or by such tribe or its members arising out of their status as Indians, and none of the statutes of the United States which affect Indians because of their status as Indians, shall be applicable to the Tiwa Indians of Ysleta del Sur. Nothing herein shall preclude the application to the people of the Tiwa Indians of any program arising under the Office of Economic Opportunity.

Mr. YARBOROUGH. Mr. President, I went to El Paso, Tex., in 1927, as a young lawyer. As I reached there, the Tiguas were having their fall harvest dance. I learned at that time, as most Texans do not know, that there was a tribe of Tiguas there and that they have been there ever since 1682, when they came from Mexico to Texas.

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[7] Cleofas Calleros, *El Paso's Missions and Indians*, McMath Co., El Paso, 1953.

[8] El Paso County Centennial Celebration 1850–1950 Official Program. *Oldest Cultivated Plot of Ground in the United States,* El Paso, Dec. 1950.

[9] J. Walker Fewkes, *The Pueblo Settlements near El Paso, Texas, in* American Anthropologist, New Series, Vol. 4, No. 1, January-March 1902.

[10] Author's private archives. Material assembled for future publication of "History of the Tigua Nation."

Gerardo Decorme, *The Oldest Towns of Texas "Socorro, 1680–1688; Isleta, 1682–1684"*. MSS unpublished (copy in Calleros' archives, together with correspondence with Carlos E. Castaneda, regarding dates and establishments of Missions, Presidios, etc.)

[10a] See Author's scrap book entitled: *"Tigua Indians at Texas Centennial Celebration."*

[11] The Dallas Morning News, *City Edition,* 51st year, No. 257, Dallas, Texas, June 13, 1936.

[12] Third Annual National Folk Festival Program, Texas Centennial Exposition at Dallas, Texas, June 14–21, 1936.

[13] El Paso Times, June 14, 1952.

I became acquainted with the Tigua Indians and have retained an interest in that tribe ever since.

The ancient Tiguas, who came to Texas through loyalty to the Spaniards, are finally receiving the recognition as a tribe that has, in fact, existed for nearly 300 years of their displacement from their ancient homes in central New Mexico. They have maintained a cultural difference from the surrounding Mexican or Anglo-American population during this nearly three-century period. Though their numbers are decreasing, their pride and their ancient heritage have not diminished. This recognition by the Congress of the United States will give them the juridical status that is their just due.

Mr. President, I ask unanimous consent to have printed at this point in the Record a portion of the report of the House Committee on Interior and Insular Affairs, Report No. 558, 90th Congress, including the U.S. Department of Interior departmental report of July 28, 1967, concerning the Tigua Indians.

There being no objection, the extracts were ordered to be printed in the Record, as follows:

NEED

The present-day Tiwa (or Tigua) Indians resident in El Paso County are the descendants of a band of Indians who moved there in 1682 from the Isleta Pueblo in New Mexico. The New Mexico Tiwas, in turn, are believed to have been descendants of prehistoric inhabitants of the Wetherill Mesa in southern Colorado who settled there in the third century A.D.

The Tiwas at Ysleta, currently numbering 167, have maintained their cultural identity—their customs, songs, dances, political organization, folk medicine, and, to some extent, speech—notwithstanding their long years of residence in the midst of a white population and notwithstanding their conversion to Christianity two or more centuries ago.

Considering how many other tribes, groups, and bands of Indians in the country have been recognized by the United States, it is virtually impossible to explain how the Tiwas have been missed up to this time. The most plausible explanation is that the Texas Tiwas, unlike most other tribes, never had occasion to enter into a treaty with the United States, that they never occupied land which was subject to Federal jurisdiction, that they were far removed from other known Indian groups, that at the time recognition was being extended to the other Pueblo Indians the Tiwas were resident in Texas and Texas was in the Confederacy, and that they have been both too retiring and too proud to ask for what they think others might regard as favors from any person or any government.

The development of El Paso and the extension of its boundaries to include the little land that they occupy have brought their poverty, their lack of any except the most primitive housing, and their lack of education, and many of the other decencies of life to public attention and have made it urgent that some forms of relief from these conditions be afforded them. During its last session the Legislature of Texas enacted laws extending to the Tiwas the services of the State's commission for Indian affairs, authorizing the Governor to accept a transfer of responsibilities from the United States such as is proposed in H.R. 10599, and appropriating $35,000 to finance in a modest way certain assistance programs for them. The attorney general of the State has advised that Federal recognition and a transfer of trust responsibility to the State is necessary before these acts can be implemented. It is this that makes necessary enactment of H.R. 10599.

It will be noted that the bill specifically provides that its enactment shall not make the "tribe or its members eligible for any services performed by the United States for Indians because of their status as Indians" but that this does not "preclude the application to the people of the Tiwa Indians of programs undertaken pursuant to the Economic Opportunity Act of 1964." The latter reference is included in the bill by way of emphasis and not to indicate that other Federal programs which are available for the public at large, as distinguished from the Indian population of the country, will not be available for the Tiwas.

DEPARTMENTAL REPORT

The favorable report of the Department of the Interior dated July 28, 1967, follows:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., July 28, 1967.

HON. WAYNE N. ASPINALL,
Chairman, Committee on Interior and Insular Affairs, House of Representatives, Washington, D.C.

DEAR MR. ASPINALL: Your committee has requested a report on H.R. 10599, a bill relating to the Tiwa Indians of Texas.

We have no objection to the enactment of the bill.

The bill provides that a group of Indians in El Paso County, Tex., shall be known and designated as the Tiwa Indians of Ysleta, Tex., but that their status as citizens will not be affected by the designation.

The bill also provides that the responsibility, if any of the United States for these Indians is transferred to the State of Texas. The Indians will not be eligible for any special Federal services because of their status as Indians; Federal statutes which affect Indians because of their status as Indians will not be applicable to them; and the enactment of the bill will not subject the United States to any liability or claim arising out of their status as Indians.

The Tiwa Indians consist of about 160 persons who are descendants of a group that was separated from the Pueblo of Isleta about 300 years ago. They reside in a suburb of El Paso under very poor economic conditions. They have never been recognized by the United States as Indians entitled to special Federal services, and such recognition is not contemplated by this bill.

We understand that the State of Texas has enacted a statute authorizing the Governor to accept on behalf of the State a transfer of trust responsibility of the United States with respect to these Indians, and that such transfer of trust responsibility is regarded as necessary before the State may provide trust services to them. We are not informed of the basis for this latter conclusion.

The bill purports to transfer to the State the responsibility of the United States, if any, for these Indians. The United States does not have any responsibility, and the bill clearly provides that its enactment will not create any responsibility. It is therefore not clear, at least to us, how the enactment of the bill will help the State assert a trust responsibility for the group. If it will have that effect, however, we certainly have no objection to its enactment. Before the bill is enacted, however, we suggest that a letter be obtained from the appropriate State official indicating that enactment of the bill will accomplish its purpose.

The bill is modeled after the act of June 7, 1956 (70 Stat. 254), which relates to the Lumbee Indians of North Carolina.

The last sentence of the bill states that "Nothing herein shall preclude the application to the people of the Tiwa Indians of any program arising under the Office of Economic Opportunity." We understand that the purpose of the sentence is to give the Office of Economic Opportunity the basis for formulating a program for this ethnic group. You may wish to consult that Office for advice regarding the adequacy and the desirability of the language.

Time considerations have not permitted the Bureau of the Budget to advise us of the relationship of this bill to the program of the President.

Sincerely Yours,

STANLEY A. CAIN,
Assistant Secretary of the Interior.

Mr. YARBOROUGH. Mr. President, the pending bill to give the Tiguas congressional recognition as an authentic American Indian tribe, was guided through the House of Representatives by Representative RICHARD C. WHITE, of El Paso, will bring the remaining 20 families of pure Tigua blood and their kin of mixed blood the benefits from the Texas State government which they rightly deserve.

I urge Senate approval today of the proposed legislation, which is so important to the Tigua people of my State.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1070), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purposes of H.R. 10599 are to recognize the Tiwa people of the pueblo of Ysleta del Sur in El Paso County, Tex., as a band of American Indians and to transfer to the State of Texas any responsibility that the United States may have for them. A similar bill, S. 1958, introduced by Senator Yarborough, was also considered by the committee.

NEED

The Texas constitution contains no express authority for the recognition of or assistance to Indian tribes. The Legislature of the State of Texas has enacted legislation for the benefit of the Tiwa Indians. In order to overcome the lack of authorization in the State constitution to treat Indians differently than other citizens, the enactment of H.R. 10599 is necessary.

The Tiwa Indians of Ysleta, El Paso County, Tex., numbering approximately 160 individuals, separated about 300 years ago from the pueblo of Isleta in what is now the State of New Mexico. Through the years they have maintained their identity as an ethnic group although they have never had recognition by the United States as Indians entitled to special Federal services. Today they reside within a suburb of the city of El Paso, Tex., under extremely poor economic conditions.

The committee understands that the State of Texas enacted a statute on May 23, 1967, authorizing the Governor to accept on behalf of the State a transfer of trust responsibility of the United States with respect to these Indians. The State regards the transfer of trust responsibility as necessary before the State may provide trust services to them. The United States does not have any responsibility, and the bill clearly provides that its enactment will not create any trust responsibility. As precedent the bill is modeled after the act of June 7, 1956 (70 Stat. 254), which relates to the Lumbee Indians of North Carolina.

It is expected that by enactment of H.R. 10599 certain benefits provided for by the Legislature of the State of Texas will be made available to members of the Tiwa Tribe.

COST

No expenditure of Federal funds will be required as a result of the enactment of H.R. 10599.

The PRESIDING OFFICER. The bill is open to amendment.

If there be no amendments to be proposed, the question is on the third reading and passage of the bill.

The bill was ordered to a third reading, was read the third time, and passed.

PRESIDENT JOHNSON'S DECISION NOT TO SEEK REELECTION

Mr. PROXMIRE. Mr. President, President Johnson has made his supreme effort to get our country's policies moving toward an honorable peace in Vietnam.

For 11 years I have known the President well, both as majority leader of the Senate and as President. And I have never known a man who has sought or used power with more force or determination. The power of leadership flowed to him more naturally than to any other American of our time.

And, of course, as President of the United States, he has occupied the most powerful position on earth.

For this reason his decision to relinquish the Presidency without a fight is stunning. I think it shows how very deeply the President wants to bring this divided country together again on the central issue of Vietnam. He has decided that in his view his candidacy frustrates the possibility of negotiating for a just peace in Vietnam. So he has renounced that candidacy and the Presidency.

This startling action by President Johnson is unquestionably the most dramatic development in a presidential campaign year that has already experienced more earth-shakers than any I can recall.

Whether Americans like or dislike President Johnson, they must admire the amazing demonstration of his desire for unity and peace which this dramatic renunciation represents.

AAUW JOURNAL MARCH ISSUE FEATURES SENATOR PROXMIRE'S ARTICLE ON HUMAN RIGHTS CONVENTIONS

Mr. PROXMIRE. Mr. President, recently I had the honor of writing an article on the Human Rights Conventions for the March issue of the American Association of University Women Journal.

The outstanding work of the American Association of University Women in public service is already known to all Members of this body. The AAUW testified before the Dodd subcommittee in support of the Human Rights Treaties. They have continued to work most diligently for the adoption of these conventions.

Mr. President, I ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

THE UNITED STATES AND THE HUMAN RIGHTS CONVENTIONS

On June 26, 1945 at the time of the signing of the United Nations Charter in San Francisco President Harry S. Truman said:

> Under this document we have good reason to expect the framing of an international bill of rights, acceptable to all the nations involved. That bill of rights will be as much a part of international life as our Bill of Rights is dedicated to the achievement and observance of human rights and fundamental freedoms. Unless we can attain those objectives for all men and women everywhere—without regard to race, language or religion—we cannot have permanent peace and security.

Only a month later on July 28, 1945 the United States Senate gave its advice and consent to the United Nations Charter by a vote of 89 to 2.

Article 55 of the U.N. Charter states clearly the duty of the United Nations to promote "universal respect for and observance of human rights and fundamental freedoms for all without distinction as to sex, language, or religion." In Article 56, all members of the United Nations "pledge themselves to take joint and separate action in cooperation with the organization for the achievement of the purposes set forth in Article 55."

In 1948, with the memory of the 12 years of Nazi barbarism still fresh in mind, the United Nations General Assembly, at American initiative and through American advocacy, unanimously adopted the Convention on the Prevention and Punishment of the Crime of Genocide. Simply stated, this Convention declared the systematic extermination of a racial, ethnic, or religious group is a crime under international law.

When President Truman submitted the Genocide Convention to the Senate for its advice and consent in 1949, only five nations had ratified the Convention. During the intervening 19 years another 66 nations have ratified the Genocide Convention. But with the exception of the Senate Foreign Relations Subcommittee hearings in 1950, *the Senate has taken no action on this first, great Human Rights Convention of the United Nations.*

Since 1948 the United Nations, in cooperation with the International Labor Organization, has adopted and opened for ratification eight other Human Rights Conventions which attempt to establish minimum universal standards of human dignity. Four of these Conventions—Freedom of Association, Political Rights of Women, Forced Labor, and Supplementary Slavery—have been submitted by American Presidents to the Senate for action. President Truman submitted the Freedom of Association Convention in 1949. The other three Conventions were submitted by President Kennedy in 1963.

President Kennedy said of these three Conventions when he sent them to the Senate:

> They will stand as a sharp reminder of world opinion to all who may seek to violate the human rights they define. They also serve as a continuous commitment to respect these rights. There is no society so advanced that it no longer needs periodic commitment to human rights. The United States cannot afford to renounce responsibility for support of the very fundamentals which distinguish our concept of government from all forms of tyranny.

President Kennedy believed devoutly that human rights and peace are intimately related and historically interdependent. He stated this belief so very well in his magnificent American University speech when he asked, "And is not peace, in the last analysis, basically a matter of human rights?"

Twice in this century the United States has been drawn into world wars. Twice we watched helplessly while unchecked domestic oppression in another nation grew into unprovoked foreign aggression. Aggression in recent history has been almost the exclusive practice of those regimes which first deprived their own citizens of basic human freedoms.

The conclusion, I believe, is inescapable. Where human rights are secure, peace is attendant. Where the human right of any people are threatened, peace itself is threatened.

For 23 years the people of the United States have given generously of their resources and energies to the United Nations. A great majority of the American people, and I among them, believe that the United Nations serves the interests of the United States and all mankind, because the United Nations serves the cause of world peace.

Yet the United States Senate has given its advice and consent to only one Human Rights Convention, and Supplementary Convention on Slavery, which is undeniably the least controversial of all the human rights treaties. In fact, this Convention is called "supplementary," because it is basically a postscript to the Slavery Convention signed by the United States during the Administration of Calvin Coolidge and ratified by the United States during the administration of Herbert Hoover.

I frankly question whether the Senate giving its advice and consent to a Convention on Slavery in 1967, 102 years after the adoption of the 13th Amendment, qualified as either a bold departure or an historical act.

By giving its advice and consent to the Supplementary Convention on Slavery, the Senate enabled the United States to become the seventy-first nation to ratify that particular human rights convention.

Just consider what an unpardonable insult and a grievous disservice the Senate's failure to approve the Human Rights Conventions constitutes to both the United Nations and the United States.

By failing to become a party to the Human Rights Conventions, the United States Senate is reneging on the solemn promise this Nation made 23 years ago when we helped to found the United Nations.

I am most reluctant to admit that the American people and their elected representatives subscribe to the thoroughly discredited notion that human rights are merely a matter of state law or royal edict, to be alternately granted or grabbed at some despot's whim. I refuse to believe Hegel's cynical observation that "peoples and governments have never learned anything from history, or acted on principles deduced from it."

I am encouraged by the fact that at the Senate Foreign Relations Subcommittee hearings last March on the so-called "Kennedy package" (the Convention on Forced Labor, Political Rights of Women, and Slavery), 23 witnesses representing 74 organizations (including, not incidentally, the American Association of University Women) testified in support of United States ratification of the Human Rights Conventions. Only two witnesses representing one organization—the American Bar Association—appeared in opposition to United States ratification.

The American Bar Association was silent on the subject of the Human Rights Conventions for four years after President Kennedy submitted them to the Senate. But last August at that organization's convention in Honolulu, the A.B.A., by a vote of 115–92 out of the more than 300,000 lawyers in the United States, went on record against the Political Rights of Women Convention and made no recommendation on the Forced Labor Convention.

The central thrust of the A.B.A. argument was that the subject matter of conventions were matters of domestic political concern.

I respectfully suggest that one of the fundamental purposes of the United Nations is to convince the world that human rights are not simply a matter of domestic concern. Human rights transcend national boundaries. Human rights must be truly universal if we are ever to have a truly peaceful world.

I do not believe that any rational observer seriously proposes United States abdication from the international stage. The question we face is not whether the United States accepts an international role but whether we have the courage to determine, for ourselves, a role commensurate with our unique opportunities and grave obligations.

In the continuing struggle for universal human rights, the United States cannot indefinitely ignore our opportunities nor permanently postpone our obligations.

We cannot continue indifferent to the battle for human rights. If we fail to lead, mankind will be the victim and history will be our final judge. Recalling the words of Dante: "The hottest places in Hell are reserved for those who in a time of moral crisis remained neutral."

THE PRESIDENT'S ADDRESS ON VIETNAM, REELECTION, AND NATIONAL UNITY

Mr. MONDALE. Mr. President, last night a great American gave a great American speech.

President Lyndon B. Johnson spoke to us of Vietnam and peace, and the effort this world demands of our Nation.

But he spoke to us even more of America and democracy, and the sacrifices our Nation demands of its leaders.

He began by announcing new initiatives in the name of peace in Vietnam. And he ended by announcing the end of his political career in the name of unity in America.

Lyndon B. Johnson has made his reputation in American politics through the art of consensus. His years as majority leader of this body speak for themselves, and so do his years of bringing major legislation into reality as President of the United States.

He has always understood a fundamental truth of American democracy—that we can accomplish almost anything when we work with each other and we can accomplish almost nothing when we work against each other. And so he took two steps:

He acted to deescalate a military conflict which threatened the American consensus without which we cannot progress as a nation;

And he acted to protect the great leadership position of the American political system from the threat which was posed by divisive conflict in a political year.

He defended the commitments which we have made and still must make as a leader of the free world. He promised no easy solutions to the war, and he predicted no immediate end to our problems at home.

But he said:

> I cannot disregard the peril to the progress of the American people and the hope and the prospects of peace to all peoples.

He said:

> What we won when all our people united must not now be lost in suspicion, distrust and selfishness or politics among any of our people.

And so he said he would not seek or accept a nomination for another term as President.

He saw that America needed still another initiative to cool down the military conflict in Vietnam. He saw that America needed still another initiative to cool down the political conflict at home.

And so he took both initiatives. As the Nation requires of its greatest men, he placed the Nation ahead of his personal and political career. And the Nation will remember that he truly understood what leadership must be in a Nation like ours.

Mr. President, the Washington Post paid a fitting tribute to the President in an editorial this morning. I ask unanimous consent that this editorial and the text of the President's message of last evening be inserted at this point in the RECORD.

There being no objection, the editorial and text of address were ordered to be printed in the RECORD, as follows:

IN THE NAME OF UNITY

President Johnson, by his moving declaration that he will not seek nor accept the nomination of his party, has taken himself out of the presidential campaign, barring developments that at this juncture simply cannot be foreseen.

He has at the same time, by both his remarks on his candidacy and the suspension of bombing in nearly all Vietnam, taken the war out of the presidential campaign as far as it is in his power to do so.

He has made a personal sacrifice in the name of national unity that entitles him to a very special place in the annals of American history and to a very special kind of gratitude and appreciation.

Many public men have spoken in the name of national unity to advance their own cause and candidacy. The President last night put unity ahead of his own advancement and his own pride.

The shape of the forthcoming presidential campaign is obscure at this moment; but it ought to be, by any normal expectation, a campaign of less divisiveness and less bitterness than the one the country had expected. The President lanced the boil of faction and opened the abscess of partisanship on the body politic. It is to be hoped that his surgery will diminish the fever of public life and permit the Nation to pursue its political decisions in a climate of restraint and prudence.

The verdict of history remains to be written upon an Administration that has attacked the social and racial problems of America with skill and vigor. The judgment of the world remains to be pronounced upon the success or failure of foreign policies that will influence world affairs for generations.

Americans need wait no longer, however, to conclude that the man who spoke to them last night is a man who greatly loves his country and who deeply cherishes its unity.

TEXT OF JOHNSON SPEECH ON VIETNAM, DECISION NOT TO RUN

Tonight I want to speak to you of peace in Vietnam and Southeast Asia.

No other question so preoccupies our people. No other dream so absorbs the 250 million human beings who live in that part of the world. No other goal motivates American policy in Southeast Asia.

For years, representatives of our Government and others have traveled the world—seeking to find a basis for peace talks.

Since last September, they have carried the offer I made public at San Antonio.

It was this:

That the United States would stop its bombardment of North Vietnam when that would lead promptly to productive discussions—and that we would assume that North Vietnam would not take military advantage of our restraint.

Hanoi denounced this offer, both privately and publicly. Even while the search for peace was going on, North Vietnam rushed their preparations for a savage assault on the people, the government, and the allies of South Vietnam.

Their attack—during the Tet holidays—failed to achieve its principal objectives.

It did not collapse the elected government of South Vietnam or shatter its army—as the Communists had hoped.

It did not produce a "general uprising" among the people of the cities.

The Communists were unable to maintain control of any city. And they took very heavy casualties.

But they did compel the South Vietnamese and their allies to move certain forces from the countryside, into the cities.

They caused widespread disruption and suffering. Their attacks, and the battles that followed, made refugees of half a million human beings.

The Communists may renew their attack. They are, it appears, trying to make 1968 the year of decision in South Vietnam—the year that brings, if not final victory or defeat, at least a turning point in the struggle.

NATION WILL SUFFER

This much is clear: If they do mount another round of heavy attacks, they will not succeed in destroying the fighting power of South Vietnam and its allies.

But tragically, this is also clear; many men—on both sides of the struggle—will be lost. A nation that has already suffered 20 years of warfare will suffer once again. Armies on both sides will take new casualties. And the war will go on.

There is no need for this to be so.

There is no need to delay the talks that could bring an end to this long and bloody war.

Tonight, I renew the offer I made last August—to stop bombardment of North Vietnam. We ask that talks begin promptly, and that they be serious talks on the substance of peace. We assume that during those talks Hanoi would not take advantage of our restraint.

We are prepared to move immediately toward peace through negotiations.

Tonight, in the hope that this action will lead to early talks, I am taking the first step to de-escalate the conflict. We are reducing—substantially reducing—the present level of hostilities.

And we are doing so unilaterally, and at once.

Tonight, I have ordered our aircraft and naval vessels to make no attacks on North Vietnam, except in the area north of the demilitarized zone where the continuing enemy build-up directly threatens allied forward positions and where movements of troops and supplies are clearly related to that threat.

The area in which we are stopping our attacks includes almost 90 per cent of North Vietnam's population, and most of its territory. Thus there will be no attacks around the principal populated areas, and in the food-producing areas of North Vietnam.

Even this limited bombing of the North could come to an early end—if our restraint is matched by restraint in Hanoi. But I cannot in conscience stop all bombing so long as to do so would immediately and directly endanger the lives of our men and our allies. Whether a complete bombing halt becomes possible in the future will be determined by events.

A REDUCTION IN VIOLENCE

Our purpose in this action is to bring about a reduction in the level of violence that now exists.

It is to save the lives of brave men—and of innocent women and children. It is to permit the contending forces to move closer to a political settlement.

Tonight, I call upon the United Kingdom and the Soviet Union—as co-chairmen of the Geneva Conference, and as permanent members of the United Nations Security Council—to do all they can to move from the unilateral act of de-escalation I have just announced toward peace in Southeast Asia.

Now, as in the past, the United States is ready to send its representatives to any forum, at any time, to discuss the means of bringing this war to an end.

I am designating one of our most distinguished Americans, Ambassador Averell Harriman, as my personal representative for such talks. In addition, I have asked Ambassador Llewellyn Thompson, who returned from Moscow for consultations, to be available to join Ambassador Harriman at Geneva or any other suitable place—just as soon as Hanoi agrees to a conference.

I call upon President Ho Chi Minh to respond positively, and favorably, to this new step toward peace.

But if peace does not come now through negotiations, it will come when Hanoi understands that our common resolve is unshakable, and our common strength is invincible.

Tonight, we and other allied nations are contributing 600,000 fighting men to assist 700,000 South Vietnamese troops in defending their country.

Our presence there has always rested on this basic belief: the main burden of preserving their freedom must be carried by the South Vietnamese themselves.

We and our allies can only help to provide a shield—behind which the people of South Vietnam can survive and develop. On their efforts—on their determination and resourcefulness—the outcome will ultimately depend.

That small, beleaguered nation has suffered terrible punishment for more than 20 years.

I pay tribute once again to the great courage and endurance of its people. South Vietnam supports armed forces of almost 700,000 men today—the equivalent of more than 10 million in our own population. Its people maintain their firm determination to be free of domination by the North.

There has been substantial progress in building a durable government during the past three years. The South Vietnam of 1965 could not have survived the enemy's Tet offensive of 1968. The elected government of South Vietnam survived that attack—and is rapidly repairing the devastation it wrought.

FURTHER EFFORTS REQUIRED

The South Vietnamese know that further efforts are required: to expand their armed forces, to move back into the countryside, to increase their taxes, to select the very best men they have for civil and military responsibility, to achieve a new unity within their constitutional government, and to include in the national effort all those groups who wish to preserve South Vietnam's control over its own destiny.

Last week President Thieu ordered the mobilization of 135,000 additional South Vietnamese. He plans to reach—as soon as possible—a total military strength of some 800,000 men.

To achieve this, the government of South Vietnam started the drafting of 19-year-olds on March 1. On May 1, the government will begin drafting 18-year-olds.

Last month, 10,000 men volunteered for military service—two and a half times the number of volunteers during the same month last year. Since the middle of January, more than 48,000 South Vietnamese have joined the armed forces—nearly half of them volunteers.

All men in the South Vietnamese armed forces have had their tours of service extended for the duration of the war, and reserves are now being called for active duty.

President Thieu told his people last week: "We must make greater efforts and accept more sacrifices because, as I have said many times, this is our country. The existence of our nation is at stake, and this is mainly a Vietnamese responsibility."

He warned his people that a major national effort is required to root out corruption and incompetence at all levels of government.

We applaud this evidence of renewed determination on the part of South Vietnam. Our first priority will be to support their effort.

REEQUIPPING SOUTH VIETNAM

We shall accelerate the re-equipment of South Vietnam's armed forces—to meet the enemy's increased firepower. This will enable them progressively to undertake a larger share of combat operations against the Communists.

On many occasions I have assured the American people that we would send to Vietnam those forces that are required to accomplish our mission there. With that as our guide, we have previously authorized a force level of approximately 525,000 men.

Some weeks ago, however—to help meet the enemy's new offensive—we sent to Vietnam about 11,000 additional Marine and airborne troops. They were deployed by air in 48 hours, on an emergency basis. Artillery, tank, aircraft, medical and other units needed to work with and support these infantry troops in combat did not accompany them.

In order that these forces may reach maximum combat effectiveness, we should prepare to send—during the next five months—support troops totalling approximately 13,500 men.

A portion of these men will be made available from our active forces. The balance will come from reserve component units which will be called up for service.

Actions we have taken since the beginning of the year—to re-equip the South Vietnamese forces—to meet our responsibilities in Korea, as well as in Vietnam—to meet price increases and the cost of activating and deploying reserve forces—to replace helicopters and provide the other military supplies we need, will require additional expenditures.

The estimate of those additional expenditures is $2.5 billion in this fiscal year, and $2.6 billion in the next fiscal year.

These projected increases in expenditures for our national security bring into sharper focus the nation's need for immediate action: To protect the prosperity of the American people and the strength and stability of the dollar.

DEFICIT OF $20 BILLION

On many occasions I have pointed out that, without higher taxes or decreased expenditures, next year's deficit would again be around $20 billion. I have emphasized the need to set strict priorities in our spending. I have stressed that failure to act—promptly and decisively—would raise strong doubts throughout the world about Amercia's willingness to keep its financial house in order.

Yet Congress has not acted. And today we face the sharpest financial threat in the postwar era—a threat to the dollar's role as the keystone of international trade and finance.

Last week, at the monetary conference in Stockholm, the major industrial countries took a big step toward creating a new international monetary asset that will strengthen the international monetary system.

But to make this system work the United States must bring its balance of payments to—or close to—equilibrium. We must have a responsible fiscal policy. Enactment of a tax increase now, together with expenditure control, is necessary to protect our security, continue our prosperity, and meet the needs of our people.

What is now at stake is seven years of unparalleled prosperity—in those seven years, the real income of the average American—after taxes—rose by almost 30%—a gain as large as that of the preceding 19 years.

The steps we must take to convince the world are exactly the steps we must take to sustain our economic strength at home. In the past eight months, prices and interest rates have risen.

We must move from debate to action. There is, I believe—in both Houses of the Congress—a growing sense of urgency that the situation must be corrected.

My budget in January was a tight one, It fully reflected an evaluation of our most demanding needs.

But in these budgetary matters, the President does not decide alone. The Congress has the power and the duty to determine appropriations and taxes.

REDUCTIONS IN BUDGET

The Congress is now considering proposals for reductions in our national budget.

As part of a program of fiscal restraint that includes the tax surcharge, I shall approve appropriate reductions in the January budget when and if Congress so decides.

One thing is unmistakably clear: Our deficit must be reduced. Failure to act could bring on conditions that would strike hardest at those people we are striving to help.

The times call for prudence in this land of plenty. I believe we have the character to provide it, and I plead with the Congress to act promptly to serve the national interest, and all the people.

Now let me give you my estimate of the chances for peace: the peace that will one day stop the bloodshed in South Vietnam, allow that people to rebuild and develop their land, and permit us to turn more fully to our tasks at home.

I cannot promise that the initiative I am announcing tonight will be any more successful in achieving peace than the more than 30 others we have undertaken and agreed to in recent years.

It is our hope that North Vietnam, after years of fighting that has left the issue unresolved, will now cease its efforts to achieve a military victory and join us in moving toward peace.

And there may come a time when South Vietnamese—on both sides—are able to work out a way to settle their differences by free political choice rather than by war.

As Hanoi considers its course, it should be in no doubt of our intentions. It must not miscalculate the pressures within our Democracy in this election year.

We have no intention of widening this war. But the United States will not accept a fake solution to this long an arduous struggle and call it peace.

No one can foretell the precise terms of an eventual settlement.

Our objecitve in South Vietnam has never been the annihilation of the enemy. It has been to bring about a recognition in Hanoi that its objective—taking over the South by force—could not be achieved.

PEACE BASED ON GENEVA

Peace can be based on the Geneva Accords of 1954—under political conditions that permit the South Vietnamese—all the South Vietnamese—to chart their course free of any outside domination or interference.

Tonight I also reaffirm the pledge we made at Manila—that we are prepared to withdraw our forces from South Vietnam as the other side withdraws its forces to the North, stops infiltration, and the level of violence thus subsides.

Our goal of peace and selfdetermination in Vietnam is directly related to the future of Southeast Asia—where much has happened to inspire confidence during the past 10 years. We have done all that we could to contribute to that confidence.

A number of its nations have shown what can be accomplished under conditions of security. Since 1966 Indonesia, the fifth largest nation in the world, has had a government dedicated to peace with its neighbors and improved condiitons for its own people. Political and economic cooperation between nations has grown rapidly.

Every American can take pride in the role we have played in Southeast Asia. We can rightly judge—as responsible Southeast

Asians themselves do—that the progress of the past three years would have been far less likely—if not impossible—if America and others had not made the stand in Vietnam.

At Johns Hopkins University, three years ago, I announced that we would take part in the great work of developing Southeast Asia, including the Mekong Valley—for all the people of the region. Our determination to help build a better land—for men on both sides of the present conflict—has not diminished. Indeed, the ravages of war have made it more urgent than ever.

I repeat tonight what I said at Johns Hopkins—that North Vietnam could take its place in this common effort just as soon as peace comes.

Over time, a wider framework of peace and security in Southeast Asia may become possible. The new cooperation of the nations of the area could be a foundationstone. Certainly friendship with the nations of such a Southeast Asia is what we seek—and all that we seek.

One day, my fellow citizens, there will be peace in Southeast Asia.

It will come because the people of Southeast Asia want it—those whose armies are at war today, and those who though threatened, have thus far been spared.

Peace will come because Asians were willing to work for it—to sacrifice for it—to die for it.

But let it never be forgotten: Peace will come also because America sent her sons to help secure it.

It has not been easy—far from it. During the past four-and-a-half years, it has been my fate and responsibility to be Commander-in-Chief. I have lived—daily—with the cost of this war. I know the pain it has inflicted and the misgivings it has aroused.

Throughout this period, I have been sustained by a single principle: That what we are doing now, in Vietnam, is vital not only to the security of Asia, but to our own security.

Surely we have treaties which we must respect, and commitments we must keep. Resolutions of Congress testify to the need to resist aggression in Southeast Asia.

But the heart of our involvement in South Vietnam has always been America's security. And the larger purpose of our involvement has always been to help the nations of Southeast Asia become independent, self-sustaining members of the world community.—At peace with themselves and with all others.

With such an Asia, our country—and the world—will be far more secure than it is tonight.

I believe that a peaceful Asia is far nearer to reality because of what America has done in Vietnam. I believe that the men who endure the dangers of battle there are helping the entire world avoid far greater conflicts than this one.

The peace that will bring them home will come. Tonight I have offered the first in what I hope will be a series of mutual moves toward peace.

I pray that it will not be rejected by the leaders of North Vietnam. I pray that they will accept it as a means by which the sacrifices of their own people may be ended. And I ask your support, my fellow citizens, for this effort to reach across the battlefield toward an early peace.

RENOUNCES NOMINATION

"Finally my fellow Americans, let me say this:

"Those to whom much is given, much is asked. I cannot say—no man could say—that no more will be asked of us. Yet I believe that now—no less than when the decade began, this generation of Americans is willing to 'pay any price, bear any burden, meet any hardship, support any friend, oppose any foe, to assure the survival and the success of liberty.' "

Since those words were spoken by John W. Kennedy the people of America have kept that compact with mankind's noblest cause. "We shall continue to keep it. Yet I believe we must always be mindful of this one thing:

"Whatever the trials and tests ahead, the ultimate strength of our country and our cause will lie not in powerful weapons or infinite resources or boundless wealth, but in the unity of our people.

"This, I believe very deeply.

"Throughout my public career, I have followed the personal philosophy that I am a free man, an American, a public servant, and a member of my party—in that order, always and only. For 37 years in the service of our Nation—first as Congressman, as Senator, as Vice President, and now as your President, I have put the unity of the people first, ahead of any divisive partisanship.

In these times, as in times before, it is true that a house divided against itself—by the spirit of faction, of party, of region, of religion, of race—is a house that cannot stand.

A HOUSE DIVIDED

There is a division in the American house now. There is divisiveness among us all tonight. Holding the trust that is mine—as President of all the people—I cannot disregard the peril to the progress of the American people and the hope and the prospects of peace for all peoples. I would ask all Americans, whatever their personal interest or concern, to guard against divisiveness and all of its ugly consequences.

Fifty-two months and ten days ago, in a moment of tragedy and trauma, the duties of this office fell upon me. I asked then for "your help and God's" that we might continue America on its course, binding up our wounds, healing our history, moving forward in new unity to clear the American agenda and to keep the American commitment for all our people.

United, we have kept that commitment, and united, we have enlarged that commitment.

Through all time to come, America will be a stronger nation, a more just society, a land of greater opportunity and fulfillment because of what we have done together in these years of unparalleled achievement.

Our reward will come in the life of freedom and peace and hope that our children will enjoy through ages ahead.

What we won when all our people united must not now be lost in suspicion, distrust and selfishness or politics among any of our people.

I SHALL NOT SEEK NOMINATION

Believing this as I do, I have concluded that I should not permit the Presidency to become involved in the partisan divisions that are developing in this political year. With America's sons in the field far away, with America's future under challenge here at home, with our hopes and the world's hopes for peace in the balance every day. I do not believe that I should devote an hour or a day of my time to any personal partisan causes or to any duties other than the awesome duties of this office, the Presidency of your country.

Accordingly, I shall not seek and I will not accept the nomination of my party for another term as your President, But, let men everywhere know, however, that a strong and a confident, a vigilant America stands ready to seek an honorable peace and stands ready tonight to defend an honored cause, whatever the price, whatever the burden, whatever the sacrifice that duty may require.

Thank you for listening. Goodnight, and God bless all of you.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDING OFFICER laid before the Senate the following letters, which were referred as indicated:

Proposed Additions to Nation's Wilderness System

A communication from the President of the United States, urging the Congress to consider making 26 additions to the Nation's wilderness system (with accompanying documents); to the Committee on Interior and Insular Affairs.

Proposed Foot-and-Mouth Disease Legislation

A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to authorize the Secretary of Agriculture to cooperate with the several governments of Central America in the prevention, control, and eradication of foot-and-mouth disease or rinderpest (with an accompanying paper); to the Committee on Agriculture and Forestry.

Report of National Industrial Reserve

A letter from the Assistant Secretary, Department of Defense (Installations and Logistics) transmitting, pursuant to law, the 20th annual report to the Congress on the National Industrial Reserve (with an accompanying report); to the Committee on Armed Services.

Nuclear-Powered Guided-Missile Frigates

A letter from the Secretary, Department of Defense, transmitting, pursuant to law, the President's determination with respect to nuclear-powered guided-missile frigates (with accompanying papers); to the Committee on Armed Services.

Proposed Amendment of Title 10, United States Code

A letter from the Deputy Secretary, Department of Defense, transmitting a draft of proposed legislation to amend title 10, United States Code, to authorize the Secretary of a military department or the head of a Defense agency to sell production equipment to contractors and subcontractors (with accompanying papers); to the Committee on Armed Services.

Report of Air Force Military Construction Contracts Awarded Without Formal Advertising

A letter from the Secretary, Department of the Air Force, transmitting, pursuant to law, a report on Air Force military construction contracts awarded by the Department of the Air Force without formal advertising for the period July 1, 1967, through December 31, 1967 (with an accompanying report); to the Committee on the Armed Services.

Naval Reserve Officers Training Program

A letter from the Deputy Chief of Naval Personnel, Department of the Navy, transmitting, pursuant to law, the list of principal and alternate candidates selected for the 1968 Regular Naval Reserve officers training program (with accompanying papers); to the Committee on Armed Services.

Report on Department of Defense Procurement From Small and Other Business Firms

A letter from the Assistant Secretary, Department of Defense (Installations and Logistics), transmitting, pursuant to law, a report on Department of Defense procurement from small and other business firms for the period July 1967–January 1968 (with an accompanying report and paper); to the Committee on Banking and Currency.

Report of National Transportation Safety Board

A letter from the Chairman, National Transportation Safety Board, Department of Transportation, transmitting, pursuant to law, the first annual report of the Board to the Congress, covering the last 9 months of calendar year 1967 (with an accompanying report); to the Committee on Commerce.

Proposed Amendment of Federal Property and Administrative Services Act of 1949

A letter from the Administrator, General Services Administration, transmitting a draft of proposed legislation to amend the Federal Property and Administrative Services Act of 1949, as amended, to authorize the rendering of direct assistance to and performance of special services for the Inaugural Committee (with an accompanying paper); to the Committee on Government Operations.

Proposed Public Buildings Projects

A letter from the Administrator, General Services Administration, transmitting, pursuant to law, prospectuses of proposed public buildings projects; to the Committee on Public Works.

Disposition of Executive Papers

A letter from the Acting Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest and requesting action looking to their disposition (with accompanying papers); to a Joint Committee on the Disposition of Papers in the Executive Departments.

The Presiding Officer appointed Mr. MONRONEY and Mr. CARLSON members of the committee on the part of the Senate.

PETITION

The PRESIDING OFFICER laid before the Senate the petition of A. J. Porth, of Wichita, Kans., praying for a redress of grievances, which was referred to the Committee on the Judiciary.

BILLS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. PROXMIRE:

S. 3265. A bill to authorize the erection of a monument to honor the war veterans of the Oneida Tribe of Indians; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. PROXMIRE when he introduced the above bill, which appear under a separate heading.)

By Mr. NELSON:

S. 3266. A bill for the relief of Theodora Kontoulis; to the Committee on the Judiciary.

S. 3265—INTRODUCTION OF BILL AUTHORIZING THE ERECTION OF A MONUMENT HONORING THE ONEIDA INDIAN WAR VETERANS

Mr. PROXMIRE. Mr. President, I am introducing a bill today to authorize the erection of a monument honoring the war veterans of the Oneida Tribe.

The Oneida Indians have a long history of valiant deeds in the service of our country. I think it is only fitting that we show our appreciation.

Although the monument may be small in size, it expresses our great gratitude to the Oneidas for all that they have contributed to our country. Let us hope that this memorial to those who have served with such distinction shall be a lesson to future generations.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3265) to authorize the erection of a monument to honor the war veterans of the Oneida Tribe of Indians, introduced by Mr. PROXMIRE, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

ADDITIONAL COSPONSORS OF BILLS

Mr. LONG of Louisiana. Mr. President, on behalf of the Senator from Minnesota [Mr. MONDALE], I ask unanimous consent that, at its next printing, the names of the Senator from Oklahoma [Mr. MONRONEY], the Senator from New York [Mr. KENNEDY], the Senator from Texas [Mr. YARBOROUGH], the Senator from New Mexico [Mr. MONTOYA], and the Senator from Missouri [Mr. LONG] be added as cosponsors of the bill S. 2973) to provide for the orderly marketing of agricultural commodities by the producers thereof and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HRUSKA. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Idaho [Mr. JORDAN] be added as a cosponsor of the bill (S. 2964) to amend title 23, United States Code, in regard to the obligation of Federal-aid highway funds apportioned to the States.

The PRESIDING OFFICER. Without objection, it is so ordered.

RESOLUTION

POLICIES FOR THE SELECTION OF PERSONS FOR INDUCTION INTO THE ARMED FORCES

Mr. SCOTT. Mr. President, I submit, for appropriate reference, a resolution urging that the President of the United States act within existing authority to institute as soon as feasible, a fairer and more equitable method for the selection of men eligible for induction into the Armed Forces.

There is no greater problem, with such immediate urgency within the Selective Service System, than the question of graduate deferments. The current policy of selecting the oldest eligible registrants first for induction, and eliminating deferments for graduate students, will result in a disproportionate number of recent college graduates and graduate students being called to the Armed Forces.

It is my firm belief that the real promise of America's future lies in the dedication of those students now engaged in post-graduate education. The long-term consequences of naming college graduates and graduate students as primarily susceptible to the draft will be most damaging. As the Council of Graduate Schools in the United States points out in its argument in favor of reinstituting such deferments:

> All fields of higher education are of equally critical importance to the continued welfare and the balanced development of the Nation.

In addition, they state:

> The long-range consequences of the present law will be even more serious . . . (for it) will be equally embarrassing to government, industry, and other sectors of the economy.

The concurrent problem here is the present method of selection of the "oldest first." This policy is particularly objectionable to those men who have completed their college or graduate educations, and have become actively involved in their chosen fields. At the age of 22 or 23, the draft is more disruptive than it would be to younger men. Moreover, there are humanitarian considerations which may not be readily apparent. Taking younger men would greatly reduce the number of peak years for which any young man was draft-liable, thus removing the uncertainty and the inability to make long-range plans that exist under present regulations.

I might add that the military has indicated often that younger men adapt more readily to the required training and discipline than do older men. In testimony before the Senate Armed Services Committee last year, Gen. Mark Clark said that combat commanders prefer 19- and 20-year-olds as new recruits rather than men in their early twenties. It is also my understanding that the pool of available manpower is extremely large, and indeed growing larger every day with so many men reaching the age of eligibility. With these factors in mind, I fail to see why appropriate changes have not been made.

Under Public Law 90–40, the Military Selective Service Act of 1967, the President has the authority to issue an Executive order eliminating two of the glaring defects in an already overtaxed and inequitable system: First the dilemma of the college graduate or graduate student, and second, the problem of taking the oldest first. The act itself need not be amended. The President already has the existing authority. With the introduction of my resolution today, I urge the Senate, and the President of the United States, to take immediate action on this crucial matter, the consequences of which reach far beyond our limited ken.

The PRESIDING OFFICER. The resolution will be received and appropriately referred; and, under the rule, the resolution will be printed in the RECORD.

The resolution (S. Res. 274) was referred to the Committee on Armed Services, as follows:

S. Res. 274

Whereas the current policy of selecting the oldest eligible registrants first for induction into the Armed Forces and of eliminating deferments for graduate students will result in a disproportionate number of recent college graduates and graduate students being inducted into the Armed Forces after June 1968; and

Whereas such policy will seriously affect civilian manpower needs in teaching, science, engineering, and other critical fields and could have serious repercussions on the future of the Nation; and

Whereas the policy of drafting older registrants first is more disruptive of the lives of young men than if they were inducted at a younger age; and

Whereas the military departments have indicated a preference for younger registrants because they adapt more readily to military training and discipline than older registrants; and

Whereas the number of registrants in the younger age group is more than adequate to fill the current military manpower needs: Now, therefore, be it

Resolved, That it is hereby declared to be the sense of the Senate that the President should institute as soon as feasible a fair and equitable method for the selection of persons eligible for induction into the Armed Forces and should provide for the selection of the youngest registrants first in order to avoid (1) unnecessary disruption of the lives of young men after they have completed their education and entered upon careers, and (2) critical shortages of highly skilled and trained persons necessary to the security and welfare of the Nation.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, April 1, 1968, he presented to the President of the United States the enrolled bill (S. 2029) to amend the National Traffic and Motor Vehicle Safety Act of 1966 relating to the application of certain standards to motor vehicles produced in quantities of less than 500.

THE PRESIDENT AGAIN PROVES HIS GREATNESS

Mr. BARTLETT. Mr. President, difficult times pose difficult problems, but then only problems of paramount importance and profound difficulty offer the opportunity for momentous decisions. It is the manner one responds to weighty problems which measures his ability and provides the test of his greatness. I think that our President stood at the pinnacle of his career last night when he informed the American public of his decision not to permit the Presidency to become involved in the partican divisions so clearly developing in this election year. It was probably one of the most difficult decisions he has ever had to make, for in making it, he had to sacrifice himself as a candidate for the Presidency. It was one to which he responded with characteristic selflessness and overriding concern for the good of the Republic. It is certianly one with momentous implications for the American people.

Perhaps more than any of his predecessors, President Johnson has been besieged by a succession of problems of crisis proportions. He ascended to the Presidency in the aftermath of a national catastrophe, succeeded in maintaining national calm where panic and hysteria might have ensued, dedicated himself to fulfilling the unrealized dreams of his predecessor, and succeeded remarkably in bringing to the Nation domestic programs which provided great hope for all parts of our Nation.

The first year of Lyndon Johnson's Presidency was a year of incredible achievement. No President had greater success in persuading the Congress of the need for legislation to bring the benefits of our Great Society to those parts of the population which theretofore had been denied them. No President has a greater record of legislative accomplishment. No President enjoyed greater public acclaim than did Lyndon Johnson, 1 year after he became President. So overwhelming was public support that his reelection was a resounding expression of public support, of public gratitude, of public esteem. He was loved in all parts of the Nation, when he was reelected in 1964. He was, like George Washington "first in the hearts of his countrymen." Their love had been richly earned.

The ominous drums of war, already sounding faintly during President Kennedy's administration, were growing much more audible as Lyndon Johnson was sworn in as the elected President of the United States. The Congress granted the President the authority to respond to the menacing threat of war, and the President responded.

Almost from the onset of the war in Vietnam, there began a wave of public discussion almost unparalleled in our history. Lines of opinion became increasingly sharply divided, and the ranks of those convinced that our involvement in the war was unjustified began to grow. The years since 1965 have witnessed increased involvement in the war paralleled by increased public dissension.

Now, Mr. President, I strongly support the right of those who dissent, for the President, like you and I, and indeed, like all men, including those who dissent, may indeed be wrong. Considerable merit may be contained in the opinions of those who dissent. Even if particular opinions do not themselves seem to hold merit, there is considerable merit in the mere fact of opposition. Witness our court system which is an adversary one. Witness our political system which has its opposing parties. Witness the Halls of this Senate where we engage in friendly debate and often disagree quite vigorously.

I believe, Mr. President, that President Johnson also welcomes the public discussion of what is certainly a public issue of overwhelming importance, for upon its resolution hangs the fate of this Nation. He, like I, however, believes that there are limits to the propriety of certain forms of dissension, determined more by the good taste of the dissenter than any legal constraint. He also believes, as do I, that after all is said and done, the ultimate decisions as to whether we are to continue to prosecute the war in Vietnam and what kind of action is to be taken there, is his. It is his constitutional responsibility. It is a responsibility he cannot and has not shirked.

With all that President Johnson has done, I do not agree. I think that there perhaps were some things that could have been done to bring peace closer which were not. Despite whatever disagreement I may have, however, I respect the President's decisions. I know that after considering the best available military advice, after listening to the Members of this Congress, after consulting with his civilian advisers, after considering the public opinion, pro and con, the President has made the decision which he thought best. I have no doubt that he would be the first to admit that he had erred, if indeed events proved that he had. I know also that any decision he has made has been in what he believes to have been in the best interests of this Nation.

The decision which the President announced last evening was made in the same spirit. Confronted by the war in Vietnam, remembering last year's violent summer in so many of our cities, and aware that this summer may bring a repeat performance, struggling with the critical money problems which have occupied the headlines, the President decided that these problems required his full attention. He decided that he could not, in a time of national crisis, devote any of his time—and I quote—"to any personal partisan causes or to any duties other than the awesome duties of this office." He, thereby, effectively removed himself from candidacy for the Presidency.

Mr. President, it is with considerable regret that I applaud the President's momentous decision. Surely, the Nation will be losing a great President, but the reasons for his decision I can fully appreciate. I am sorry that the President had to sacrifice himself for what he believes to be the paramount responsibilities of his office and the good of the Nation. Let us unite in our resolve, Mr. President, that this noble act shall not have been in vain.

NEW LIGHT ON A DARK SUBJECT

Mrs. SMITH. Mr. President, I invite the attention of Senators to an article published in the latest issue of the Journal of the Armed Forces, the issue of March 30, 1968, which sheds new light on a dark subject—the Vietnam casualty reports.

So much has been written about the number of lives that have been lost that it is easy to lose sight of the number of lives that have been saved. Too many lives have been lost but we can be thankful for those saved. The medical save rate in Vietnam, as the Journal of the Armed Forces article points out, is the highest in U.S. history. Many more lives would have been lost in Vietnam, it is apparent, were it not for the valiant efforts of U.S. military medical personnel and the helicopter rescue units.

The Journal article also puts the overall casualty picture in perspective by comparing U.S. casualties in Vietnam with U.S. losses in other wars. It is a responsibly written report by a responsible publication and I commend it to the Senate. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE CASUALTY LIST: DISTURBING BUT DISTORTED

(By James Hessman and Louis Stockstill)

Despite growing and disturbing casualty lists, members of the U.S. Armed Forces—in a very meaningful sense—have been winning their grim race with death on the Vietnam battlefield.

No troops in U.S. history have benefited from such a high "save rate" as have those engaged in the Vietnam conflict.

The heavy losses of the recent Tet offensive may temporarily have distorted or obscured the situation but the fact is that the war in Southeast Asia has been waged since its inception with a lower death rate and lower wounded rate than other wars in which the U.S. has been involved.

Analysis of various official source documents on Vietnam battle casualties reveals that:

The U.S. combat death rate in Vietnam is less than half that of the Korean War.

The wounded rate in Vietnam is lower

than in Korea, and "markedly lower" than in World War II.

The incidence of *serious* wounds (those causing "permanent residual effects") also have been lower in Vietnam than in Korea.

At the same time the analysis discloses (1) that ground forces have suffered over 90% of all U.S. battle deaths in Vietnam; (2) that, in aircraft accidents/incidents, non-combat deaths almost equal combat deaths.

A compilation of casualty statistics (Table A) discloses that the United States had suffered 20,096 combat deaths in Vietnam as of March 16, 1968, latest date for which data was available as the JOURNAL went to press.

TABLE A.—U.S. BATTLE CASUALTIES IN VIETNAM (AS OF MAR. 16, 1968)

		Wounded or injured		Missing			Captured/interned			Summary			
										Combat deaths			
										In aircraft			
	Killed in action	Died of wounds	Nonfatal wounds	Died while missing	Returned to control	Current missing	Died while captured	Returned to control	Current captured/interned	Fixed wing	Helicopter	In ground action	Total
Army:													
1961-66	3,445	360	23,561	347	25	29	4	3	14	34	279	3,843	4,156
1967	4,039	580	33,556	808	7	36	4	5	9	11	191	5,229	5,431
1963	2,188	248	13,701	234	5	111	1	1	3	3	84	2,584	2,671
Total	9,672	1,188	70,818	1,389	37	176	9	9	12	48	554	11,656	12,258
Navy:													
1961-66	144	18	971	37	7	49	0	0	46	78	7	114	199
1967	260	27	2,338	24	0	45	0	0	61	20	19	272	311
1968	90	19	857	37	0	16	0	1	4	20	7	119	146
Total	494	64	4,166	98	7	110	0	1	111	118	33	505	656
USAF:													
1961-66	108	10	846	143	10	256	1	0	34	232	5	25	262
1967	90	7	587	75	5	167	0	0	71	135	6	31	172
1968	42	8	380	14	4	33	0	2	10	19	1	44	64
Total	240	25	1,813	232	19	456	1	2	115	396	12	100	498
USMC:													
1961-66	1,790	232	12,360	5	4	42	0	0	2	16	69	1,942	2,027
1967	3,077	362	25,523	0	0	23	0	0	8	12	64	3,363	3,439
1968	1,091	127	7,337	0	2	43	0	2	5	9	39	1,170	1,218
Total	5,953	721	45,220	5	6	108	0	2	15	37	172	6,475	6,684
Total:													
1961-66	5,487	620	37,738	532	46	376	5	3	96	360	360	5,924	6,644
1967	7,466	976	62,004	907	12	271	4	5	135	178	280	8,895	9,353
1968	3,411	402	22,275	235	11	647	1	6	22	51	131	3,917	4,099
Total	16,364	1,998	122,017	1,724	69	850	10	14	253	589	771	18,736	20,096

When the number of men who have died is combined with the number of men who have been injured or wounded in Vietnam, the total dead/injured/wounded column adds up to 142,113—or some 5,200 more than in Korea (Table B). But in Korea there were 336,629 U.S. battle dead, 13,533 more than in Vietnam.

No comparison with the Korean War can be valid, however, unless the casualty rate is related to troop strength. Top U.S. strength in Korea was 358,735. At latest count there were 509,000 U.S. military personnel in Vietnam (333,000 Army; 34,000 Navy; 83,000 Marine Corps; and 59,000 AF). This is 150,000 more than in Korea.

Thus, it readily can be seen that 13,000 fewer men have died in Vietnam, despite a much higher troop deployment than in the earlier conflict.

Even more meaningful, perhaps, is some of the information gleaned from statistical studies periodically conducted by the Office of the Army Surgeon General (OSG). These studies have computed the death rate per thousand men per year in the combat zone.

The most recent study shows that, from July 1965 through January 1968, deaths in Vietnam from all combat causes (killed in action, died of wounds, died while captured, and declared dead from a missing status) "occurred at a rate of 19.2 per thousand average troop strength per year." This compares "to a rate of 43.2 Korea and 51.9 for the [WWII] European Theater of Operations from June 1944 [D-Day] through May 1945."

[In the United States in 1966 some 29,500 Americans died in home accidents. In 1967 more than 53,000 U.S. citizens died in traffic accidents (over 1,000 per week). Some 2,700 additional Americans (more than 50 per week) were killed in firearms accidents. About 2,400,000 Americans suffered "disabling injuries," including 600,000 who suffered "permanent impairments."—National Safety Council figures.]

TABLE B.—OTHER WARS

War and branch of service	Number serving	Casualties		
		Battle deaths	Other deaths	Wounds not mortal
Revolutionary War, 1775-83 (total)	[1] 184,000–250,000	4,435		6,188
Army		4,044		6,004
Navy		342		114
Marines		49		70
War of 1812, 1812–15 (total)	286,730	2,260		4,505
Army		1,950		4,000
Navy		265		439
Marines		45		66
Mexican War, 1846–48 (total)	78,718	1,733		4,152
Army		1,721	11,550	4,102
Navy		1		3
Marines		11		47
Civil War (Union forces only) 1861–65 (total)	2,213,363	140,414	224,097	281,881
Army	2,128,948	138,154	221,374	280,040
Navy	84,415	2,112	2,411	1,710
Marines		148	312	131
Spanish-American War, 1898 (total)	306,760	385	2,061	1,662
Army	280,564	369	2,061	1,594
Navy	22,875	10	0	47
Marines	3,321	6	0	21
World War I (Apr. 6, 1917, to Nov. 11, 1918) (total)	4,734,991	53,402	63,114	204,002
Army	4,057,101	50,510	55,868	193,663
Navy	599,051	431	6,856	819
Marines	78,839	2,461	390	9,520
World War II (Dec. 7, 1941, to Dec. 31, 1946) (total)	16,112,566	291,557	113,842	670,846
Army	11,260,000	234,874	83,400	565,861
Navy	4,183,466	36,950	25,664	37,778
Marines	669,100	19,733	4,778	67,207
Korean war (June 25, 1950, to July 27, 1953) (total)	5,720,000	33,629	20,617	103,284
Army	2,834,000	27,704	9,429	77,596
Navy	1,177,000	458	4,043	1,576
Marines	424,000	4,267	1,261	23,744
Air Force	1,285,000	1,200	5,884	368

[1] Estimated.

The wounded in Vietnam also have fared better than their predecessors who fought in earlier wars.

Touching upon the save-rate, the OSG study comments that: "Of the wounded admitted to medical treatment facilities, 2.3% have died of their wounds. This is slightly less than the 2.5% recorded for the Korean War, and markedly lower than the 4.5% for WWII."

The medical save rate actually is more impressive than even these figures would indicate. Because of the greatly increased use of helicopters for medical evacuation, a number of mortally wounded personnel—who would not survive in any case—now reach hospitals alive. Because they die *after* arrival at the medical facilities, they are counted against the medical save rate. As the OSG study notes, such personnel in earlier conflicts "would have died on the battlefield and been considered and counted among the 'killed in action'."

Use of the medical evacuation helicopter is but one of the factors contributing to the high Vietnam save rate. Among other factors frequently cited are the qualitative improvement of hospitals (many, if not most, have modern surgical wards), the forward location of many permanent-installation medical facilities, the greater availability of whole blood, increased use of protective armor, more and better survival gear, and improved and intensified air rescue activities.

In addition, the types of weapons employed by the enemy would seem to have some bearing on the dead/wounded ratio. Among combat deaths in Vietnam, the OSG study observes that, "much higher proportions are due to small arms fire, and to booby traps and mines than in Korea or in WWII, and much lower proportions are due to artillery and other explosive fragments than in these earlier conflicts.

The study comments that among nonfatal wounds the proportion due to small arms fire, although not markedly different from WWII, is "somewhat lower than in Korea. The proportion due to booby traps and mines is considerably higher than in either of these past two wars, and the proportion due to explosive projectiles and fragments is slightly lower. Also, some 6% of the nonfatal wounds are due to punji stakes, which were not a factor in the earlier conflicts."

Data compiled for the House Armed Services Committee by the Defense Intelligence Agency also adds significant shading to the overall picture. The DIA statistics show that, of 99,817 personnel injured in combat from January 1965 through December 1967, some 48,565 (48.7%) were returned to duty without hospitalization. Of the 51,252 hospitalized, 38,545 (75.2%) were returned to duty after a short stay. Some 23,539 went back to in-theater duty, and 15,006 were sent elsewhere.

In all, 87,110 (87.3%) of all wounded were returned to duty within 90 days after being wounded.

Of the other 12,707 personnel: 3,400 (3.4% of the total number wounded) were discharged disabled; 1,585 (1.6% of the original total) died; 7,722 (7.7%) remained in the hospital—an estimated 50% of this latter group (3,861 personnel) were expected to be returned to duty, which would bring to 91.2% (90,971 personnel) the overall total of wounded returned to duty, and to 8.8% (8,846 personnel) the number died, discharged disabled, or not expected to be able to return to active duty.

The DIA report embraced all Services. The OSG study, which considered Army casualties only, took a different approach, computing the number of wounded per thousand per year. The study found that in the period July 1965–January 1968 in Vietnam, Army troops receiving nonfatal wounds were admitted to medical treatment facilities, at a rate of 82.8 per 1,000 average strength per year. In Korea this rate was 121.1 and in the WWII European Theater of Operations from D-Day to V-E Day it was 152.

The Army study disclosed that, "if percentage ratios of these surviving wounded to the total of battle deaths plus surviving wounded are computed, it is seen that some 70.7% survived in WWII, 73.7% survived in the Korean War, and 81.2% have survived in Vietnam."

Not only have there been fewer actual deaths, as well as fewer deaths and fewer wounded per thousand in Vietnam than in Korea or in WWII, but there also are indications that the incidence of major wounds—of the type which leave permanent residual effects—also is somewhat lower in Vietnam than in previous conflicts: "Such indicators as are now available," the OSG study notes, "seem to point towards marked improvement over previous experience."

As an example, the study cites the fact that "in Korea and in WWII the number of soldiers with major amputations resulting from wounds, who were admitted to amputation centers in this country, represented 2 to 2½% of the total hospitalized wounded. Thus far, for Vietnam the corresponding proportion is about 1%. From January 1965 through January 1968 the Army general hospitals in this country have reported that 306 wounded patients have been admitted to their amputation services. From January 1965 through January 1968, a total of 227 major amputee Army patients have been transferred to Veterans Administration hospitals. During this same period, the number of blind and deaf Army patients so transferred was 33."

The casualties have not been distributed evenly among the Services. As has always been true in all wars in which the U.S. has fought (Table B), the number of Army deaths (12,258) and of Army wounded (70,818) exceed the dead and wounded totals of all other Services combined. The Army dead/wounded total represents 58.5% of all U.S. casualties for the entire war.

The Marine Corps, with 51,904 casualties (6,684 dead and 45,220 wounded) has suffered 36.5% of all U.S. casualties. The Navy, with 4,822 casualties (656 dead, 4,166 wounded) has suffered 3.4% of the total U.S. casualties. The AF, with 2,311 casualties (498 dead, 1,813 wounded) has suffered 1.6% of the total.

With the Army and Marine Corps combined accounting for 95% of all casualties, it is not surprising that 93.3% of all deaths (18,736 of 20,096) have occurred in ground action.

Of the 1,360 aircraft-related combat deaths, well over half (771) have occurred in helicopter accidents or incidents. The remaining 589 resulted from accidents/incidents involving fixed-wing aircraft.

Statistics on the number of non-combat U.S. casualties in Vietnam (as disclosed in the weekly DoD summaries) show that, as of 16 March, there have been 1,127 aircraft-related deaths (409 helicopter, 718 fixed-wing) of U.S. personnel in Vietnam which were "not the result of action by hostile forces." In other words, almost as many aircraft-related deaths have occurred in non-combat situations as in combat situations.

No truly objective picture of U.S. casualties in Vietnam would be complete, however, without comparative data concerning allied and enemy losses. DoD summaries reveal that, as of 16 March, the South Vietnamese Armed Forces had lost 56,888 personnel in combat since the beginning of the war, and other free world forces had lost 1,947.

During the same time frame, according to Pentagon data, the Viet Cong and North Vietnamese combined had lost 314,460 men.

And enemy losses, already large, have been soaring in recent weeks.

From 1961 through 1966 the Viet Cong and North Vietnamese had suffered an estimated 161,041 combat deaths. The total for 1966—first full year of large-scale U.S. participation—was 55,524. In 1967 the total climbed to 88,104. During the first 11 weeks of 1968 there have been 65,315 enemy combat deaths—a rate close to 6,000 per week (or over 300,000 per year, if the enemy could continue to absorb such losses).

Of perhaps more significance than the actual total of enemy dead is the *ratio* of allied dead to enemy dead—the so-called "kill ratio." DoD statistics show that, from 1961 through 1967, U.S. and allied forces combined lost 70,834 men in combat, and the Viet Cong and North Vietnamese had lost 249,145.

In other words, about 3½ enemy soldiers were killed for each allied soldier killed—such was the ratio at the beginning of 1968.

During the first 11 weeks of this year 8,097 U.S./allied deaths were recorded—this total compared with the 65,315 lost by the enemy, works out to an eight to one ratio.

FARMERS UNION HONORS SENATOR FRANK CARLSON

Mr. McGOVERN. Mr. President, it was my privilege to participate in the banquet session of the National Farmers Union convention in Minneapolis last month and to be present when that organization honored one of our colleagues, Senator Frank Carlson, of Kansas.

Senator Carlson was presented with the National Farmers Union's 1968 award for outstanding service to agriculture.

President Tony T. Dechant, in presenting the award, praised the Senator's consistent friendship for the farm people from whose ranks he himself came, and for his bipartisan approach to agricultural problems.

My own admiration for the Senator from Kansas is well known, and it is a privilege for me to request unanimous consent to include in the Record Farmers Union President Dechant's remarks upon presentation of the award to Senator Carlson, and the biography of the Senator contained in a brochure circulated to all those who attended the presentation banquet.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

Presentation of Award for Outstanding Service to Agriculture to Senator Frank Carlson by Tony T. Dechant, President, National Farmers Union

A great man in politics announced a few weeks ago that he is stepping down after 40 years and going back to his Kansas farm. He is not seeking re-election to the Senate seat he has held for 17 years.

His career is the American dream come true . . . the rise to high office and public trust of a farm boy, the son of immigrant parents who came to Kansas from Sweden.

Frank Carlson's reputation as "Mr. Wheat" or as the "Small Farmer's Friend" is earned. He is a man who never planned to enter politics, and who has never sought the spotlight of publicity.

Yet he has been state legislator, governor, congressman and senator. He has never lost an election. He has never lost touch with Kansas, with agriculture, or with the people who honored him with their votes.

He is a pillar of strength in the international aspects of agriculture, food for peace, international commodity agreements, expanding trade. He saw, before most others, that agriculture is becoming a new and mighty global force in foreign policy.

Perhaps his most important contribution has been his most bipartisan approach to legislation concerning agriculture—elevating the farmer's problems above partisan politics.

Next year, at long last, Frank Carlson will be able to devote time to the land he started out to farm back in the 1920s. The step from

U.S. Senator to farmer in Cloud County, Kansas, is a natural and proud one for this man—for in his heart he never really left the farm.

Before he leaves public office we want to recognize the life-long friendship of this great man for farm people and for agriculture. On behalf of our members, I present to Senator Frank Carlson the National Farmers Union 1968 Award for Outstanding Service to Agriculture.

FRANK CARLSON'S RECORD

Senator Frank Carlson of Kansas has been called by his Senate colleagues, "The Small Farmer's Friend, Mr. Wheat, The Sunflower of the Senate, A Son of the Soil." And, now that he has announced his retirement after 40 years of public service, "A Kansas Legend."

Such glowing tributes for a man who has never sought the spotlight of publicity, who, more often than not, avoided it. Publicly, Senator Carlson is perhaps best known for initiating the Presidential Prayer Breakfasts, an annual non-denominational event now practiced by heads of state throughout the Christian world. To the people of Kansas, he is simply, "Senator Frank," the farmer's friend.

Frank Carlson is truly a "son of the soil"—the son of early settlers of Cloud County, Kansas, who immigrated from Sweden. His parents were true Kansas pioneers who braved the dangers of the prairie and elements to carve out a proud living and heritage from the rich Kansas soil.

He was educated in the Cloud County rural schools, attended Concordia Business College and later completed a course in agriculture at what is now Kansas State University in Manhattan. He holds eight honorary degrees from colleges and universities.

He never planned to enter politics. After serving in the Army during World War I, he returned to Concordia where he began farming and raising livestock. In 1928, while operating his farm in Cloud County, he was asked to run for the state legislature by friends in his home community.

The Cloud County farmer responded by saying, "I agreed to have my name placed on the ballot because I knew I would not be elected; I had too much work to do on the farm for politics." He was elected by a landslide and was re-elected to a second term in 1930.

It was during his early days in the Kansas legislature that Frank Carlson became the friend of the small farmer. He was instrumental in defeating a corporation farming bill that prevented a wholesale takeover of many Kansas family farms enduring hard times.

In 1934, the Republican Party, in an effort to find a positive and attractive candidate, asked the young legislator-farmer to run for Congress. Despite the fact his farm was his first love, he agreed to run.

The sixth district of Kansas elected him to Congress in 1934. Re-elected five times, he withstood the depression, the dust storms of the 1930's and a political climate that was the downfall for many others. His reputation as a friend of the farmer became household knowledge in Kansas.

It was on April 27, 1935, that he helped sponsor a bill that would stand as landmark legislation towards conserving and saving our national farm land . . . it was the birthdate of the Soil and Water Conservation Service. He was a powerful proponent of this act during hearings—coming from a state where he had seen good top soil blown right out of the country.

The Carlson farm, still in operation, was again destined to take a back seat in 1946. Frank Carlson was elected governor of Kansas and was re-elected in 1948. During his administration, farmers benefited from provisions for vast, new research facilities to seek new uses for farm crops and new industrial opportunities. Governor Carlson, recalling his early days at Kansas State University, foresaw abundance through research and knowledge.

As governor, Frank Carlson also put a long-range highway program into effect that, in many cases, enabled rural citizens to reach the market place with comparative ease for the first time.

In 1950, Frank Carlson's career of public service became complete. He became the only Kansan to serve as representative, governor, and U.S. senator. He was elected to the Senate in 1950 and was returned in 1956, and in 1962.

Owning and operating his family farm in Concordia gave him insight into the problems of those engaged in agriculture. He sponsored many initial flood control and soil conservation projects. The public law providing for extensive watershed projects is the result of the Hope-Aiken bill introduced by Frank Carlson. He literally changed the face of his once arid state into one of fertile crop lands, conservation and recreation.

Recently, Senator Carlson has been instrumental in the Kennedy Round trade negotiations that have greatly enhanced the opportunities for American agriculture to participate profitably in the international exchange of goods.

A second key element with regard to liberalizing trade agreements is the Food for Peace program. As he has stated publicly, "Perhaps our greatest contribution in the struggle for world peace is our ability and capacity to produce food and our willingness to share that knowledge and bounty with our neighbors and friends."

Senator Carlson's interest in agriculture is clear in everything he does. In the Post Office and Civil Service Committee, he maintained that rural people should share equally with their urban friends the great benefits of general news and specific scientific data for the advancement of agriculture. He has been a firm supporter of low distribution rates for weekly newspapers and agricultural magazines.

In the Senate Foreign Relations Committee he has consistently stated that while military might is essential for our national defense, food for peace and freedom over the world may prove the mightiest weapon of all. Through this program, the United States has provided food to people in 116 countries, containing almost half of the world's population. Senator Carlson believes agriculture is a new and mighty global force in our foreign policy.

Perhaps the most important contribution Senator Carlson has made to the American farmer over the years, however, is his almost "bi-partisan" approach to legislation concerning agriculture. Although he avoids the spotlight, he is a tower of strength in committee and on the floor where the legislative decisions are made.

Many Carlson bills designed to meet specific needs have passed without hearings. Two of his bills this session—one to end federal estate tax discrimination against the family farm and ranch and the other to provide some control over noxious weeds on federal lands adjacent to crop land—will attract little publicity and few headlines. But they will save the farmer millions of dollars. He is truly the man behind the scenes in American agriculture and he prefers it that way.

Now, in his last year of public service, Senator Carlson has turned his attention to agriculture of the future. In a recent speech he said the farm picture today is not so much one of despair and failure but of challenge and change. He predicts a new and exciting world of agriculture with a new breed of farmer—a highly-educated and talented man who must run a technical and complex business operation.

In his retirement statement, Senator Carlson said his 40 years of public service had been the American dream come true—the son of immigrant parents being honored and entrusted to public office.

At long last, Frank Carlson will be able to devote time to the land he started out to farm back in the 1920's. The step from U.S. senator to farmer in Kansas is a natural and proud one for this man—for in his heart he never really left the farm.

OUR INTELLIGENCE IN VIETNAM TERMED FAULTY

Mr. YOUNG of Ohio. Mr. President, it is extremely disappointing to me and, in my opinion, it is a manifestation of poor judgment on the part of President Johnson that when re relieved Gen. William C. Westmoreland of his command in Vietnam he postdated it to next July 1. This is very unfortunate for American fighting men now in South Vietnam and Thailand.

The evidence is clear and convincing that General Westmoreland has made very miserable use of the Armed Forces under his command. He was clearly outgeneraled by the leaders of the armed forces of the National Liberation Front or Vietcong who noisily and openly massed many battalions of VC and North Vietnamese troops encircling Khe Sanh on three sides. It should have been evident to an alert general that such rather noisy massing of soldiers in the early darkness and until midnight before Khe Sanh during the latter part of January was a bluff or feint to have our generals withdraw our forces from other areas, leaving those areas bare and unprotected to the devastating attacks carefully planned and prepared by the VC leadership.

General Westmoreland and other generals of his command informed me in Vietnam approximately 2 weeks before the Tet holiday that the VC and Vietnamese would attack Khe Sanh in force probably 3 days before the Tet holiday, planning to overrun it and then celebrate their great victory during the holiday season. General Westmoreland adopted a grandiose scheme of encircling the encirclers before Khe Sanh by withdrawing some 40,000 men of our Armed Forces from the central highlands and even in the Mekong Delta and sending them to the Khe Sanh area and to the other outpost areas near the demilitarized zone. The VC struck everywhere else in South Vietnam and met with huge success during all the time that our marines, the best offensive fighters in the world, were held on the defensive in fortified enclaves such as Khe Sanh and Danang.

Secretary of Defense Robert McNamara complained that General Westmoreland, with more than a half million men under his command, was making use in combat of some 67,000 while the others were engaged in clerical, supply and so-called logistic work in Saigon and other areas many miles from the combat areas. In Vietnam I learned with amazement that huge numbers of marines and our infantry were even assigned to so-called pacification work in the provinces and hamlets.

For many months I have spoken out against our involvement in a civil war in

Vietnam. In particular, in recent months I have denounced our ineffective conduct of the war and the fact that everywhere throughout all South Vietnam more than half a million American soldiers and marines, in addition to 50,000 Republic of Korea soliders, have been stationed in defensive positions. It seems amazing that the Marine generals, and in particular General Westmoreland who is in supreme command and who dictates the policy, remain in defensive position, fortified strongholds, so called, which are not so fortified, despite the fact that daily and nightly these positions are pounded by mortar fire from the VC. Never, to this good—or rather bad—hour, has General Westmoreland ordered the marines and his thousands of other troops, herded in bunkers at Khe Sanh, Danang, and elsewhere, to leap from those bunkers and trenches and under cover of artillery and airpower take the offensive against the VC.

General Westmoreland should be relieved and replaced forthwith, instead of 3 months hence. Our entire policy should be reappraised under new leadership in Vietnam and by President Johnson and Defense Secretary Clifford in Washington, eliminating Secretary of State Rusk from decisionmaking as his views all along have been proven wrong.

Mr. President, in the Washington Post of March 30, 1968, under the caption "U.S. War Intelligence Called Faulty," there was published a column by Jack Anderson, a highly respected, nationally known columnist, stating in most convincing terms the fact of our deplorable situation in Vietnam, the lack of adequate handling of our Armed Forces, and the startlingly inadequate intelligence, so-called, relied on by our generals. I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

U.S. War Intelligence Called Faulty

(By Jack Anderson)

The United States cannot afford to wait until Gen. William Westmoreland's delayed departure from Vietnam next July to repair his failures. Here are problems that need immediate attention:

Intelligence gap: It is now clear that our policy makers have been basing their war plans upon faulty intelligence. Before the Communist Tet offensive, Secretary of State Rusk justified his hawkish views by showing intimates a confidential report from Saigon. We have now obtained a copy of this pre-Tet document. It's amazing in its errors, yet it had great influence on Rusk's thinking.

"We have mounting evidence that the Southern-born enemy is rapidly losing heart for the war," declared the report. "Once the enemy was able to recruit about 7000 men per month from the population. Now we believe fewer than 3500 are recruited; and many of these are boys 14 and 15 years of age. Women are also being recruited where possible in order to release more men to combat.

"No doubt the enemy is trying to offset his recruiting deficiency in the South by increasing his rate of infiltration from the North. While we do not know just how successful he is, we believe he has not sent South enough men to offset his losses during the past several months. We believe the tide has turned and the enemy strength is on the decline. There is evidence of faltering morale and discipline among the Southern enemy—the true Vietcong. There are fewer but significant signs that the Northern invader is likewise weakening."

The Tet lunar offensive proved just the opposite. Last November we reported that Westmoreland's former intelligence chief, Maj. Gen. Joseph Alexander McChristian, was transferred to Ft. Hood, Tex., because his bosses in the Pentagon didn't like his pessimistic estimates of Communist infiltration and recruitment. They preferred to believe lower, more comfortable estimates of enemy strength.

The Air Force, in particular, disputed McChristian's figures, because they implied that Air Force bombing was not slowing down the infiltration from the north.

Today intelligence experts generally agree that McChristian was right, that the official figures underestimated enemy strength by as much as 130,000.

Strategic gap.—Westmoreland has relied largely upon conventional strategy to defeat an enemy who has refused to fight according to the rules laid out in the West Point textbooks. Many observers feel that the United States might have done better if Westmoreland had forgotten all he learned in World War II and studied the Indian wars instead.

More and more, our troops find themselves operating from fortified strongholds into hostile country, just as the cavalry did in Sitting Bull's day. The parallel is heightened by the Marines at Khesanh, who must know how Custer's troops felt at the Little Big Horn.

At Khesanh the Marines find themselves crowded into a bull's-eye, pounded from all sides by Communist artillery. Trained as a shock force, to be used in offensive situations, the Marines haven't done an adequate job of digging in for defensive trench warfare.

In the Mekong Delta, meanwhile, Army units trained for foxhole fighting are being used in amphibious assaults against the fleeting guerrillas in the swamps. They should have been in Khesanh, and the Marines in the Delta.

The South Vietnamese army has also been organized by its American advisors in the image of the U.S. Army, trained to fight a conventional war. Westmoreland has largely ignored pleas that the South Vietnamese be retrained and re-equipped to fight guerrillas. He has given only nominal support to his own counterinsurgency forces, which know how to fight Vietcong-style warfare.

Manpower gap: When Westmoreland took command of our forces in Vietnam in August, 1964, the U.S. role was limited almost entirely to advising the South Vietnamese army. Our troop commitment was then only 27,000 men. At his urging, there has been a continuing increase in American participation. The troop strength is now close to 600,000 men.

Of these 600,000, only 65,000 to 100,000 men are in combat. The rest are behind desks or in garages and storehouses—a bureaucracy of half a million men.

Westmoreland's decisions have been dictated, in part, by President Johnson. The general ruefully refers to the heat from the White House as "the blowtorch." LBJ has shown his gratitude by appointing Westmoreland to be the next Army Chief of Staff, which, though a kick upstairs, is nevertheless a promotion.

PRESIDENT JOHNSON'S DECISION NOT TO RUN

Mr. YARBOROUGH. Mr. President, like all Americans, I was greatly surprised at President Johnson's announcement that he will not seek renomination for the Presidency. I had expected him to run, and I felt he would win renomination and reelection.

His very moving statement last night that he will not run represents the ultimate sacrifice for national unity. It is a sacrifice that saddens me, but I salute the President's courage.

The President and I have known each other and worked together for many years. I know of no American who loves his country more deeply, and I can think of no man who has gone further or done more to make our United States a greater nation.

I have sent the President the following telegram:

The President,
The White House,
Washington, D.C.

It was with deep and stunned regret that I heard your announcement that you would not seek reelection to the Presidency. It has been a rare privilege to serve in the United States Senate while a fellow Texan of my party was President—a privilege that comes to few Senators in America. Your great services in the fields of health, education, agriculture, civil rights, labor, relief of poverty, and all other fields of domestic progress and welfare marks your Administration as one of the all time great Presidencies in the field of public welfare of all the people. God bless you and keep you in good health.

Ralph W. Yarborough.

Let history reflect that the Johnson administration is an administration of domestic triumphs. More significant education legislation; more new laws to assure human dignity; more efforts to reduce the gaps between the haves and the have-nots have emerged during the 5 years since Lyndon B. Johnson became President than in any similar period of our history. The Johnson years have been years of achievement for every American.

SPECIAL DRAWING RIGHTS

Mr. BREWSTER. Mr. President, this past weekend a decision was made in Stockholm which should draw a sigh of relief from every one concerned about the world monetary system. In Stockholm, the big 10 financial powers—including, of course, the United States—agreed to the creation under the auspices of the International Monetary Fund of a new international asset, Special Drawing Rights.

Special Drawing Rights, or "paper gold," as they have come to be called, will increase substantially the volume of credit available to finance trade expansion. This credit increase is direly needed, for as John Maynard Keynes warned at Bretton Woods in 1945, the world's supply of gold is too limited to cover the increasing flow of capital between nations.

On several occasions, I have advocated that we sever our monetary link with gold altogether, and set about a basic overhaul of the international monetary system. Although the creation of "paper gold" is not the extent of what needs to be done, it is certainly a giant step in the right direction.

Mr. President, yesterday the Washington Sunday Star published a very intelligent editorial on this subject. I ask unanimous consent that this editorial be printed in the Record.

There being no objection, the editorial

was ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Star, Mar. 31, 1968]

Paper Gold as an Alternative to Chaos

It is probable that gold, the most beautiful of all the elements, was the first metal to attract man's attention. It is certain that since the earliest civilizations, gold has held a mystic fascination for mankind; a fascination that defies all rational explanation.

Man has fought wars for gold. He has murdered for gold; enslaved his brother, denied his gods and—in recurrent legend—sold his soul to the Devil for gold. The worth of the individual and the wealth of nations has been measured in gold from the beginning of recorded time down to the present.

But at this moment in time, men have planned the most decisive move ever made to free themselves from the ancient thralldom of gold. This weekend, in Stockholm, officials of the Big Ten—the major financial powers of the free world—have tried to move the international monetary system toward logic and away from the idolatry of gold as the basic medium of international financial transactions.

The idea of an international scrip—paper gold—for use in dealings between central banks is not new. In 1944, representatives of 45 nations met in Bretton Woods, N.H., with the aim of creating international machinery to prevent wild fluctuations in the value of national currencies, to pool resources to aid member nations over economic rough spots and to curb the sort of financial adventurism on the part of the major economic powers that had, in the past, touched off international depressions.

The result was the International Monetary Fund, which now counts a 107-nation membership—nearly all the non-Communist countries of the world—and which exercises a considerable measure of control over the financial practices of all the member nations. At the time of the founding of the IMF, it was decided—largely at the insistence of the United States—to retain the traditional predominance of gold as the basic medium for international exchange. But prescient voices were raised, notably that of England's John Maynard Keynes, who urged the creation of a new international medium of exchange for use by governments only, and who warned that the world's supply of gold was too limited to cover rapidly expanding international trade and the increasing flow of capital between central banks.

Keynes' vision of 24 years ago has today become a reality. The gold crisis, which has temporarily been brought under control by the creation of a two-price gold system, was a manifestation of the inability of the gold supply to keep pace with the demands of world trade. So long as the international financial waters remained calm, so long as confidence in the dollar remained high, there was no major problem. Central banks and monied speculators were willing to maintain large percentages of their reserve funds in dollars and to refrain from taking advantage of the United States' pledge to redeem foreign-held dollars for gold at $35 an ounce.

But in recent years, that confidence has begun to erode. Foreign bankers and investors noted that the United States' balance of payments had shown a deficit in 17 of the past 18 years. They noted that the outflow of dollars from the American economy was increasing rapidly. They watched inflationary pressures building up, budget deficits increasing, and they took careful not of the fact that neither the administration nor the Congress seemed to take the matter very seriously.

It was not a question of America going broke. No nation with a gross national product pushing a trillion dollars is going to hit the gutter in the foreseeable future. But serious doubts began to grow that the United States would ever take the fiscal steps necessary to protect the dollar from devaluation. As those doubts grew the demand for gold in return for dollars began to grow. And the doubts began to feed on themselves, creating a 24-karat snowball. The United States, faced with $34 billion foreign-held dollars and $10.4 billion in gold holdings, was forced to take emergency action.

The first emergency step was the creation of the two-price system for gold. One price—$35 an ounce—was fixed for monetary gold. A free market, uncontrolled and unsupported, was established for speculators. The supply of gold on the free market is more than enough to meet the demands of technology, jewelry and dentistry, on which gold depends for its intrinsic value. The big speculators, notably the oil-rich sheiks whose personal wealth rivals that of many governments, had hoped to make a killing by forcing a devaluation of the dollar in relation to gold. They have been left, instead, holding a very dubious bag.

But the monetary crisis is by no means over. Renewed doubts about paper currency and about the determination of the United States to defend the dollar could send the price of gold on the free market skyrocketing again. Some nations would be sorely tempted to go for a quick killing by selling their gold holdings to the speculators, despite the warning that if they do, their gold holdings will not be replaced.

The next logical step to bring a semblance of permanent order to the potential monetary chaos is the one decided upon in Stockholm; a step toward the total abolition of gold as a monetary metal. The idea of establishing an official currency, known as Special Drawing Rights, has been under consideration for years and has won general international acceptance. But now, the need for SDRs has taken on an urgency that should finally produce results.

The final steps will not be easy ones. There is powerful opposition to the concept from Charles de Gaulle, who insists that the Western world should turn back the clock to the 19th century by a restoration of the full gold standard. De Gaulle would solve the problem of a shortage of gold by raising the price of gold to a point at which it would, once again, be of sufficient value to cover international financial transactions.

Such an arrangement would, it is true, be of benefit to France, which is second only to the United States in its gold holdings, and is second to no Western nation in the percentage of its national treasure tied up in gold. But the belief is that even De Gaulle will have to realize that France cannot impose its will on all the other fund nations and cannot refuse indefinitely to join in a general monetary reform.

There are economists in this country who take a very dim view of any move by this or any other government to cut its monetary system completely free from all monetary metal. To do so, they argue, is to remove all restriction on the issuing of paper money. An irresponsible administration could then try to solve its financial problems merely by printing more money.

But the fact is that the International Monetary Fund and the proposed paper gold should themselves act as a very effective curb on any such monetary hanky-panky. SDRs would be in part a form of international currency and in part a form of credit. A given nation's drawing rights would depend, in part, on its credit rating in the community. A disorderly financial house would not sit well with the other partners.

It would mean, for the United States, no relaxation of the necessity to tidy up its affairs by controlling its balance of payments problem, by cutting the budget deeply and by raising taxes materially. It would, if anything, mean an increase of the pressure, for the success of the plan would depend in large measure on the integrity of the dollar, and the failure of the plan would mean international financial chaos.

It would mean some loss of economic sovereignty. But the gold crisis has already shown that the United States is not a financial island unto itself. This country, in its own self-interest, must pay close attention to foreign opinion.

It will mean an agonizing fiscal belt tightening—once the practicalities of the election make it possible—regardless of who is elected president. But there is, it would seem, no reasonable alternative.

OVID A. MARTIN, OF ASSOCIATED PRESS, HONORED BY FARMERS UNION

Mr. McGOVERN. Mr. President, at the banquet session of the National Farmers Union convention in Minneapolis recently, which I was privileged to address, a distinguished service to agriculture award was presented to Ovid A. Martin, farm writer for the Associated Press here in the Capital. He has held that post for more than 30 years.

The Farmers Union's award to Ovid is a well-deserved tribute, and I took satisfaction in being present when it was given to him. Ovid was a veteran of the farm struggle when I came here as a Member of the House in 1957. The very fact that he has survived and won widespread respect while reporting one of the most controversial policy and program fields in American political and economic life is really all that needs to be said to prove that he richly deserved the recognition he received.

I ask unanimous consent, Mr. President, to place in the Record the remarks of President Tony Dechant of the Farmers Union when the presentation was made and a sketch of Mr. Martin contained in a brochure presented to those at the meeting.

There being no objection, the remarks and sketch were ordered to be printed in the Record, as follows:

Presentation of Award for Distinguished Service to Agriculture to Ovid A. Martin of the Associated Press by Tony T. Dechant, President, National Farmers Union

Telling agriculture's story is one of the challenging responsibilities of a farm organization. And it becomes increasingly important in a society that becomes more and more urban . . . that now has 70% of its people living on 1% of its land.

As one editor from an eastern metropolitan paper said to me recently, "Tony, what you don't seem to realize is that there are hundreds of thousands of people in big cities that have never seen a live cow."

We are confronted with misunderstandings . . . with attitude problems . . . and by outright propaganda. We can not afford to take these things lightly because gaps in information are reflected in editorials . . . in positions taken by labor, business and other urban-based groups . . . in decisions made in Statehouses and in Congress.

Fortunately, most of this misunderstanding about agriculture and farm people is in the big cities. The main reason is that the rest of the country is served by a large number of professional farm writers, editors and broadcasters.

Many of them have been at this convention. All of you know them . . . both from their work and from their appearances at farm meetings.

These men are committed to farm people . . . they identify with you . . . they attempt to interpret you and your problems to the public . . . they are your advocates.

Their after-hours bull sessions, much like ours, deal with such things as the out-migration of young people from rural areas . . . low farm prices . . . the quality of rural schools and other facilities . . . the effect of low farm income on Main Street businesses.

We don't insist that a farm writer or broadcaster should be biased toward our viewpoint (although we certainly don't discourage that). All we ask is that they present our position fairly . . . and we hope, often. We want our viewpoint to be part of the continuing farm policy debate in agriculture.

A number of farm writers, editors and broadcasters spend a lifetime in the high calling of interpreting agriculture . . . of doing this job in line with the highest standards of objectivity, fairness and responsibility. That is the kind of man we are honoring here tonight.

Ovid Martin, one of the most modest and unassuming reporters in Washington, is the dean of American farm writers. That is a title Ovid would never claim for himself. But it is one that is earned and unchallenged.

His entire career, spanning 42 years of reporting farm policy news, has been closely tied to events shaping the lives of farm and rural people. The byline "By Ovid A. Martin" has appeared in large papers and small. City and farm people alike follow the clear and objective reporting that marks his work.

To Ovid A. Martin, farm writer, we present our 1968 award for distinguished service to agriculture.

For Outstanding Service to American Agriculture

OVID A. MARTIN'S RECORD

Ovid Martin, one of the most modest and unassuming reporters in Washington, is the dean of American farm writers. This is a title he would never claim for himself. But it is one that is earned, deserved and unchallenged.

His entire news career, spanning 42 years, has been closely tied to events shaping the lives of farm and rural people. The byline, "By Ovid A. Martin," has appeared in large papers and small, and from border to border. It is the trademark of careful and objective reporting, read and understood by farm and city people alike.

When Ovid Martin came to Washington in 1936, the nation for the first time was attempting to deal directly with the economic and social problems facing agriculture. He witnessed, and reported on, the New Deal, the Depression years effort of President Roosevelt that put the beginning of our farm programs on the books.

He was transferred to Washington by the Associated Press from the bureau in Topeka, Kansas. There, as AP correspondent, he had covered the dust storms, drouth, and economic hardship that drove hundreds of thousands of farm families off the land. This experience could not help but move the spirit of a man who, even then, identified closely with the people who tilled the soil.

He also is a perceptive and experienced political reporter. He helped cover the Presidential campaign of Alf Landon, a Kansan, in 1936. A month after the election Ovid Martin was transferred to Washington, a move that prompted Gov. Landon to remark, "Well, Ovid, I'm glad that one of us got to go to Washington anyway."

This transfer removed him from the Missouri and Kansas farm areas he knew so well. He was born in the central Missouri farming community of Iberia in 1904. He grew up in Tuscumbia, Missouri, where his father published a rural county seat weekly paper.

He attended the University of Missouri where, in 1926, he was graduated from that institution's famous School of Journalism. Upon graduation, he joined the news staff of the Springfield (Mo.) News and Leader, with the county agent's office one of his news beats.

In 1933 he joined the news staff of The Associated Press at Kansas City, Missouri, beginning a distinguished career with that international wire service. He went to Topeka, then to Washington to cover the House of Representatives, and finally to the Department of Agriculture assignment.

Ovid Martin has covered the department longer than any other man. He has covered the administrations of six Secretaries of Agriculture—Henry Wallace, Claude Wickard, Clinton Anderson, Charles Brannan, Ezra Taft Benson, and Orville Freeman.

It has been a long time since the farm planks in the platforms of either political party escaped the sharp analysis of Ovid Martin. He has helped cover 15 national political conventions, explaining to his readers the aspects affecting agriculture.

When the United Nations Food and Agriculture Organization (FAO) was organized at an international meeting in Quebec, Ovid Martin was there. He also has covered dozens of conventions of national farm groups including, of course, several by Farmers Union.

He accompanied one secretary of agriculture on a tour of farming areas of West Germany, Yugoslavia, Poland, Finland, Sweden, Norway and the Soviet Union.

He has never been the kind of reporter who sought honors or awards. Among those he has received is the J. S. Russell Award for distinguished service to agriculture, given annually by the Newspaper Farm Editors Association.

THE CASE AGAINST A TAX INCREASE

Mr. NELSON. Mr. President, the Wall Street Journal on March 22, 1968, carried a very interesting article on the proposed tax increase, substantially endorsing the position of my distinguished colleague, the senior Wisconsin Senator, William Proxmire.

The article notes that renewed administration pressure has been extered for a tax increase because of the balance of payments and gold crises

Senator Proxmire, and the article agrees, says that a tax increase will aggravate and not improve our balance-of-payments position.

I recommend that my colleagues take a few moments to glance through the article, for it makes some powerful arguments. I ask unanimous consent that it be printed in the body of the Record at this point.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

The Case Against a Tax Increase

A great many people, both in and out of Government, contend that the gold crisis has made a 10% income surtax imperative. It is, however, possible to argue quite persuasively that a tax boost, far from solving the balance-of-payments problem, could easily make it worse.

One man who does so is Senator William Proxmire, chairman of the Joint Economic Committee. "The surtax," the Wisconsin Democrat declares, "would weaken our balance-of-payments position. It would aggravate the gold outflow."

In the Senator's view the tax-rise talk is a bit paradoxical. "Consider," he says, "that on February 6, 1964, the then Secretary of the Treasury Douglas Dillon told the House Ways and Means Committee that the tax reduction recommended that year . . . would help our balance of payments.

"He said that it would do so by making American investment more attractive relative to European investment, and help stop the flow of American capital and U.S. gold abroad. And Dillon was right. In the two years following the 1964 tax reduction, America's balance of payments did improve."

This year it is reasonable to assume that a tax increase would depress expectations of after-tax business profits in the U.S. and thus make investment in other countries relatively more attractive. Ironically this would come at a time when Europe's slower economic pace has been diminishing U.S. interest in investments there.

Senator Proxmire is no more optimistic that a tax boost would counter the inflationary forces that are making U.S. exports less competitive abroad. In fact, a tax is a cost that would tend to push prices of America's exports still higher.

The Senator is probably close to the mark when he estimates that it would take more than a year for a tax increase to have any significant anti-inflationary impact on the domestic economy. Even that assumes the Government would not use any revenue gain as an excuse for stepped-up spending—a risky assumption at best.

In any case, the Government almost certainly cannot wait a year or more for improvements in the nation's payments position. Like the rest of the Administration's gadgetry the "two-tier" gold market has given the U.S. some time to maneuver, but the time is more likely to be measured in weeks than in months.

Much more quickly effective, Senator Proxmire comments, would be sizable reductions in nondefense Federal spending. Cuts in outlays, furthermore, would be at least as effective as a tax rise in alerting other nations to the fact that the U.S. had finally awakened to its financial responsibilities.

For our part we would add that spending reductions also would take account of the circumstance that the payments crisis has been caused almost entirely by actions of Government, not the public. Therefore a tax increase, in addition to its other flaws, would be more than somewhat unfair.

Even as a booster of Federal revenue, a tax rise could prove to be self-defeating. In the current uncertain economic situation the increase could deflate economic activity to such an extent that the higher levies would produce not more but less revenue.

Finally, on a politically pragmatic basis spending cuts look fully as good as a tax increase. There are of course potent pressures for maintaining or raising practically all sorts of Federal nondefense outlays, no matter how nonessential or ineffective the spending has been. But Congressmen shouldn't kid themselves into believing that the gold crisis has softened the public's antipathy to a tax rise in this election year.

On all counts, then, the case against a tax increase appears powerful. And, as Senator Proxmire says, the case is strengthened, not weakened, by the urgent need to restore a stable dollar.

INDIAN EDUCATION

Mr. FANNIN. Mr. President, last week it was my privilege to participate in hearings before the Subcommittee on Indian Education of the Committee on Labor and Public Welfare. I regret very much that these hearings, which had already been postponed and rescheduled several times, came during a very busy time in the Senate. Information was uncovered and testimony taken that I think will prove most helpful as we seek to devise ways of improving Indian education.

Mr. President, I invite the Senate's attention to a statement made during one of our meetings that sums up the Indian educational problem better than I have heard it done before anywhere. When I first heard Miss Marion Antone, of the Papago Tribe, give this statement, I was moved more than I can express. I invited her later to repeat it for the news media, and although she was quite nervous, she did an excellent job.

Miss Marion Antone is a high school senior at the Indian Oasis School, near Sells, Ariz., west of Tucson. I ask unanimous consent that her statement before the Subcommittee on Indian Education be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Members of the Senate committee, honored guests, parents, and fellow students, I have been asked to come before you this day to represent high school boys and girls on this reservation. I am supposed to be able to tell you what we the Papago boys and girls of the high school age want for educational opportunities.

Realizing that I cannot possibly speak the minds of all my fellow students I will attempt to tell you how I feel and I am sure that most other Papago boys and girls must feel.

First of all I want to make it extremely clear that we do not like our present position of poverty and ignorance caused by the lack of educational opportunities. We do not want charity—we do want—opportunity. We want the opportunity to help ourselves. We want the opportunity for good education and we can help ourselves.

To me education means more than a diploma. Many of our people have had diplomas from high school. Many of these same people were not educated.

During the entire history of our Papago people, less than 10 people have graduated from college, so I am told by Mr. Ray Narcho.

Gentlemen, does this tell you anything? Some people have said that the Papago people are dumb, some people said that the Papago people don't care, I care. I am not dumb and I don't believe that any other boys and girls on this reservation are anymore dumb or care any less than children anywhere.

What is this education about which I speak?—I do know that it has something to do with knowledge. We need knowledge. We need knowledge about ourselves, about our country and about how to do things like all other Americans.

Education cannot be bought with money—education cannot be bought with dedication. It can be bought by all of the things I just mentioned.

Money has been too often used as a measurement of educational opportunity—not far from this spot you can see a new school building being built. As you travel over this reservation you can see many other school buildings—the old saying, "a house doesn't make a home" applies here—buildings do not make schools.

It is true that we need these buildings but we also need more dedicated teachers who believe in us. We need leaders who seek our opinions. We need leaders who respect us.

We do appreciate what others have tried to do especially on the national level. But we cannot tell other people what is best for them anymore than they can tell us what is best for us.

I am sorry that I cannot tell you just what our schools should be like. I do not have the experience. I do know that all of us want an opportunity to become whatever we desire—limited only by our abilities.

Give us these opportunities and we will give you in return—responsible, productive American citizens instead of wards of the United States Government.

CONCLUSION OF MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

TAX ADJUSTMENT ACT OF 1968

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 995, H.R. 15414.

The PRESIDING OFFICER. The bill will be stated by title.

The Assistant Legislative Clerk. A bill (H.R. 15414) to continue the existing excise tax rates on communication services and on automobiles, and to apply more generally the provisions relating to payments of estimated tax by corporations.

There being no objection, the Senate resumed the consideration of the bill.

ORDER OF BUSINESS

The PRESIDING OFFICER. Under the previous order, the Chair will recognize Senators Hansen, Clark, and Case.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that Senator Case may be permitted to proceed out of order notwithstanding rule VIII.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CASE. Mr. President, I thank the acting majority leader for his courtesy.

Mr. BYRD of West Virginia. I thank the Senator.

PRESIDENT JOHNSON'S ANNOUNCEMENT THAT HE WILL NOT BE A CANDIDATE FOR REELECTION—THE VIETNAM CONFLICT

Mr. CASE. Mr. President, President Johnson's announcement that he will not be a candidate for reelection occupies all our thoughts today.

All Americans, regardless of party, must join in common sympathy and compassion for the travail through which Mr. Johnson must have passed in reaching his decision.

Yet, even as we pause to honor the courage with which he faced and made his personal decision and as we share in a measure the suffering through which he has passed in reaching it, we must continue our concern with the problems which face our Nation and all of us and which inevitably were his chief concern.

And so I feel that remarks which I prepared for delivery today should not be postponed.

They deal with Vietnam and our country's role in that unhappy land.

In his speech last night, overshadowed only by the President's announcement in regard to his noncandidacy, was his statement in regard to deescalation of the bombing of North Vietnam. Incidentally, this is a step which I urged in practically identical terms many months ago. I am glad he has taken it.

But his speech as a whole, it seems to me, does not advance matters much. I waited in vain for some recognition of the essential failure of our policy, namely, the making of this struggle into an American war and the failure to get the South Vietnamese to do what they must do if it is ever to be won.

More than 2 years have passed since Senators Mansfield and Aiken returned from Vietnam to warn that, in the absence of a negotiated settlement, we faced an "indefinite expansion and intensification of the war which will require the continuous introduction of additional U.S. forces."

Nothing has occurred since then to fault the logic of that prediction. To the contrary, everything that has happened confirms its remarkable—and terrible—accuracy. The number of American troops in South Vietnam has grown in this time from 170,000 to more than 500,000, and still the war rages on with no end in sight.

It is no wonder that the expanding scope of our involvement—and the swiftly rising number of our casualties—have contributed to the growing sense of frustration, misgiving, and apprehension here at home. But it is not only the "open-ended" nature of this war that underlies the spreading bewilderment and bitterness among Americans.

More and more, the confidence of the American people is being sapped by the growing belief that if the administration continues its present policies it can have no hope of saving South Vietnam except by destroying it.

The recent Tet offensive against the cities revealed far more than the hollowness of claims that we were making steady progress in providing security to the people, that at long last there was "light at the end of the tunnel."

What these bloody weeks have brought into focus is the true costs to the South Vietnamese of relying upon American firepower for their protection. Vast sections of Saigon, Hue, and other cities were reduced to rubble as the only means of dislodging the Vietcong attackers. To the millions of refugees who had already fled the countryside were added hundreds of thousands in the urban areas. And this promises to be only a beginning, for it appears that the enemy retains the capacity to set off further rounds of "saving" destruction.

Is the American commitment in Vietnam such that, inexorably, we must destroy the country and its people if that is the only way to deny victory to the other side?

When I asked that question of Secretary Rusk when he appeared before the Senate Foreign Relations Committee, he responded by denying the premise and asserting that we had inflicted a great deal more destruction on Germany in World War II than has been the case in South Vietnam.

The Secretary's analogy was highly questionable, and in any event most unfortunate, for it was the opposite of reassuring. It implied a commitment to "unconditional surrender" in Vietnam and a willingness to destroy a good deal more of the country if need be. Such a commitment, I submit, speaks more for the failure of administration policy in Vietnam than for its success.

What has become of our essential objective of helping the people of South Vietnam to build a cohesive society and viable nation?

For all the talk of steady progress in nation building, the Thieu government rules today by martial law, holds many of its political opponents in jail, and advances an inch for every mile of proclaimed reform. The proportion of Vietnamese military forces willing and able to provide security for the people remains appallingly small. And of genuine public support for and loyalty to the Government of South Vietnam there is precious little, if any, evidence.

But the lack of significant progress toward strength and stability in South Vietnam is not, of itself, the full measure of our policy failure. The full measure of the administration's failure lies in its refusal to recognize the fact that, by turning this into a largely American war, it has deprived the Vietnamese of any real incentive to take up their own cause.

Last summer, on my return from a trip to Southeast Asia, I called attention to the fact that in the judgment of some close observers, the United States no longer exercised any real influence or "leverage" in South Vietnam because the regime there had come to believe that we were so deeply committed that it could safely ignore any and all suggestions, requests or even demands we might make upon them for self-help.

As I stated then, this was an intolerable position so far as the United States was concerned. I urged the administration to refuse to accept it. At the same time I warned against the constant increase of American personnel in South Vietnam and the danger that the war was becoming an American war.

My own and many other similar warnings were ignored. The President announced last August, without explanation or public justification, that we would send an additional 45,000 troops to Vietnam, for a total of 525,000. Now, that ceiling has been raised to approximately 550,000. Thus, we continue to compound our loss of effective leverage with the South Vietnamese.

It has become clear to me—and to most Americans, I believe—that the course the administration is pursuing in Vietnam is sterile and self-defeating. It is becoming more and more obvious that this administration can destroy South Vietnam and that, without a change in direction, it will destroy South Vietnam.

Success in South Vietnam depends primarily upon the South Vietnamese themselves, and the odds against their doing what only they can do increase in proportion to the growth of the American presence in their country. As one highly perceptive observer pointed out, how can anyone expect the South Vietnamese Government to change its ways when those who control it have never had it so good. Yet, unless it does change its ways, we are faced with an endless involvement in this war on the Asian mainland at an awful cost in American lives and in Vietnamese lives, both North and South, civilian and military alike. And in the end Vietnam reduced to dust and ashes.

The time has come to redirect our policy in Vietnam to fit these facts. Most needed is a credible assertion that we recognize these facts and are prepared to act upon them, that we are determined to deescalate the American involvement.

How do we get from here to there, from the course of constant increase of American military presence and responsibility to the only course which ever made sense, that of supplying marginal help for a nation effectively meeting a challenge to its survival?

There are several ways by which this reversal of policy could be affected. Several have been publicly discussed.

Common to all must be, of course, every consideration for the safety of our own forces and to the avoidance of adding unnecessarily to the problems and difficulties of the South Vietnamese themselves.

A first step might well be to arrange now for the withdrawal of one or more American combat units by a fixed date. Granted, this would seem a drastic action. But so involved have we allowed ourselves to become that only action, drastic action, will convey to the South Vietnamese regime our determination to insist upon a change of course.

Faced with such a determination, the Government of South Vietnam would be obliged, and would be free, to weigh realistically its interests in pursuing a solution to the war. And that is as it should be. Indeed, that is as it must be if any viable solution is to be reached in Southeast Asia.

If this is not America's war to win, it is not our war to lose.

We can no longer refuse to face the truth so well set down by Barbara Tuchman:

> Where will and motive and energy and ability to resist aggression are not present, they cannot be synthetically induced, nor substituted for, nor can the country in question be propped up from outside.

And, as we cannot do these things, neither can we successfully prescribe the nature of any settlement that the people of Vietnam can or should seek. No outsiders can do this. The primary responsibility is theirs. Only they can meet it. So far we have surely fulfilled in more than generous measure whatever commitments we have undertaken to help the people of South Vietnam settle their own future. We can continue to help but only in a secondary role and only if their own effort becomes such as to hold a fair promise of success.

The time has come, I believe, for that change in American policy which will permit the South Vietnamese to choose among the alternatives to the only future that the mushrooming American presence promises: the devastation of their country.

Mr. President, I yield the floor, and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. ALLOTT in the chair). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that notwithstanding rule VIII, the distinguished Senator from Wyoming [Mr. HANSEN] may proceed for not to exceed 1 hour on a subject that is not germane to the unfinished business.

The PRESIDING OFFICER. Without objection, it is so ordered. The Chair recognizes the Senator from Wyoming.

THE GOLDEN GOOSE—IS IT DYING?

Mr. HANSEN. Mr. President, the President's announcement renouncing his candidacy is uppermost in our minds today. Eloquent expressions have been made already in the Senate and I'm sure that all Americans will weigh this event for some time to come.

Nevertheless, I had prepared a speech to be delivered in the Senate last week. The Senate has been engaged in very pressing business and because of that business I postponed my speech.

Because the Senate will give all its attention to tax matters tomorrow, it appears best, despite the momentous news events of the day, to proceed with my remarks now.

Mr. President, the week before last was a busy time for Washington and for our Nation. That was the week that Members of this body took to the campaign trail making headlines as they went. That was the week when the people of this country and responsible members of the financial banking community around the world sought to catch their breath following the frantic rush for gold on the free world money markets. That was the week when all Members of Congress began to ponder the need for significant cuts in the Federal budget more earnestly than we had ever done before. Two weeks before that, world confidence in the dollar, and indeed world confidence in this Nation, was at a dangerous low. Today, many of us, indeed I hope all of our countrymen, are asking: "Now, where do we start working to again put things right?"

Thursday before last, I had the privilege of attending a hearing before a subcommittee of the Senate. At the hearing there were no television cameras, there were no bright lights, there were few interested spectators, and even fewer reporters. The Subcommittee on Minerals, Materials, and Fuels of the Committee on Interior and Insular Affairs was chaired by Senator ERNEST GRUENING. Speaking to Senator GRUENING and Senators ALLOTT, FANNIN and myself, was Dr. Walter R. Hibbard, Jr., Director of the Bureau of Mines of the Department of the Interior. Dr. Hibbard will soon be leaving his post at the Bureau of Mines to accept a responsible position with private industry. In many ways, Dr. Hibbard presented us with a valedictory, but more important he presented us with a landmark statement.

Dr. Hibbard is a brilliant scientist. He spoke quietly but as his testimony progressed, he also spoke with a growing sense of urgency.

I speak out in the Senate today for a number of reasons, but first among these is my concern that Dr. Hibbard's remarks will go all but unnoticed in the feverish competition among ideas now taking place on the contemporary scene. Second, I would note that it has been a little over a year since I first spoke out in the U.S. Senate on the subject of U.S. minerals and fuels policy. I would like to reflect now, a year later, on this subject and would like to indicate my view of where we have, or have not, made progress toward the proper development of our domestic minerals and fuels resources. I would like to draw specific attention to the part that I believe our domestic resource policies should, indeed must, play with respect to our continuing balance-of-payments crisis.

On March 22, Senator GRUENING placed in the CONGRESSIONAL RECORD the text of Dr. Hibbard's formal remarks. Therefore, I will only draw on small portions of his testimony. In addition, though, I would like to have placed in the RECORD at this point the introductory remarks which were made by Senator GRUENING last Thursday, when he opened the public hearing on the increasingly critical problems facing our country with respect to shortages of minerals and our consequent growing dependence on foreign, oceanborne sources of these minerals. I read the remarks:

> Dr. Hibbard is an extremely articulate scientist and will develop the case best in his own way. However, by way of background, the physical foundation of our society is based on minerals and the materials derived from them. Among all the world's peoples we enjoy the highest standard of living in no small part because we have been able to develop and utilize the abundant mineral resources of the United States. . . . Minerals are woven inextricably into the very fabric of our history, our economy, and our civilization, and they are indispensable to our continued security. Structures, roads, and machines are built largely of minerals; the energy to heat homes and buildings and to drive the machines is mostly mineral; agriculture fertility is maintained by mineral fertilizers; and the national security is provided by military equipment and machines largely of mineral origin.
>
> We are the world's largest consumer of minerals. We have, in fact, during the past 30 years, consumed more minerals than the entire world for all time prior to that. It is a fact that must be faced that we consume more than we produce. And our own national demands are growing in what seems to be geometrical progression.
>
> The value of mineral imports in 1966 were $2.9 billion and exceeded the value of exports by a ratio of more than three to one. In addition, quantities of semi-processed and manufactured minerals, fuels and other mineral-related products are imported. Department of Commerce statistics indicate that the total dollar value of these imports was $6.7 billion, with exports of $3.3 billion in the same categories. Actually, today, imports supply more than 75 percent of our needs for 20 different mineral commodities. Unless this particular trend is somehow reversed, there appears no alternative to a steady growth in our reliance on imports.
>
> Yet, at the very time our reliance on foreign, ocean-borne supplies of minerals are increasing, we know we have vast reserves of many of the same minerals within the borders of our own country, or within the North American continent. Much of these vast reserves are, unfortunately, of low grade, compared to some foreign sources. This fact, plus high production costs in the United States, plus the attractiveness of the growing foreign market, have resulted in what is perhaps a disproportionate emphasis by Americans on the development of foreign mineral resources.
>
> My long interest in the development of the mineral resources of my own State of Alaska, and my service as Chairman of the Subcommittee on Minerals, Materials and Fuels, have impressed on me the great potentials for further discovery of new mineral resources and the further development of these resources now known.
>
> Mineralogically speaking, the United States—and especially my own State of Alaska—may still be an "under-developed" and "emerging" country.
>
> Over the years, from time to time, various units of the Congress, as well as various Commissions appointed by the Executive Branch, have held hearings and conducted investigations as to the validity of the controversial theory or concept that the United States now is a—quote—"have-not"—unquote—Nation.
>
> I hope that these hearings will throw additional light on this vital subject and point to what if anything we should and can do about it.

In his opening statement Dr. Hibbard said:

> My purpose is to invite your attention to a situation that is emerging which appears to threaten both the adequacy and dependability of our supply of minerals and mineral fuels. This conclusion has resulted from a long-range study which I initiated a year ago.

In presenting the detailed results of this study to the committee, Dr. Hibbard said:

> Of course, our domestic mineral industries now fulfill a substantial portion of our needs and also supply a great variety of minerals to world markets. How long this important domestic capability can be maintained is open to considerable conjecture.
>
> That question lies close to the center of a complex pattern of foreseeable critical issues . . . issues to which we not only should, but absolutely must, give immediate attention. How effectively this attention is directed will largely determine the degree to which an adequate, dependable, timely, and efficient flow of mineral materials may be achieved in 2000, or at any future time, for that matter.

Dr. Hibbard summarized the findings of his study in this way:

> Today the United States is the largest consumer of metals and fuels in the free world. It maintains this position by being the largest producer of minerals and fuels in the free world. Over the years, it has maintained its production leadership, even in the face of the necessity for using lower and lower grade resources and rising labor costs, by an aggressive program of exploration and new discoveries and in advancing technology which has reduced the overall costs of extracting and processing these lower grade ores.
>
> Recent and projected trends indicate that U.S. mining interests are turning to foreign sources. The U.S. is now the largest importer of minerals and fuels. Over 75 percent of our requirements for a number of important commodities are imported today. This is not new. For many of these commodities we have never had substantial production. However, major tonnages of our key basic materials are coming from foreign operations:
>
> 85 percent of our bauxite for aluminum;
>
> Almost 20 percent of our copper (and probably much more in 1967 and 1968);
>
> 40 percent of our iron ore;
>
> Nearly 40 percent of our zinc and more than 25 percent of our lead;
>
> All of our manganese and chromium for steel; and
>
> Our gold and silver production is about one-fourth of our industrial consumption.
>
> Our projections based on population growth indicate that by 1985 our mineral and fuel requirements will increase by about 50 percent on the average, and in some cases by as much as 100 percent.
>
> Facilities for this increased supply require on the average about 5–10 years lead-time and $100 million per venture to bring them on stream.

Then Dr. Hibbard delivered, in his admirable low-key way, the kicker to his statement:

> There is no evidence that these facilities are being put in place today to provide for this long-range need. And this is what worries me.

He pointed out that a substantial amount of U.S. exploration and investment for facilities in the future is now being made in foreign countries. Dr. Hibbard summarized the reasons for this trend as follows:

> (1) Foreign ores are richer and new technology to mine and process them is not required.
>
> (2) Foreign labor is cheaper.
>
> (3) Many countries are making tax and other financial concessions.
>
> (4) Foreign markets are growing faster than U.S. markets.

He often departed from his prepared testimony and highlighted his discussion with us by examples of events that have prohibited or inhibited the domestic production of such commodities as copper, gold, potash, sulfur, iron ore, aluminum, natural carbonates, uranium, and finally oil shale.

Director Hibbard testified:

> If these trends continue, our capability to produce minerals from domestic sources may not only remain static, but in some cases disappear, because they cannot be maintained in competition costwise with foreign production.

Most important, he said that inattention by our Government at this time would result in the idling, and thereby the wasting of abundant resources which are being passed over in favor of more attractive imports.

Last year, at the request of myself and others, the Senate Interior Committee held a series of informational hearings on the "Federal Oil Shale Program." One of the star witnesses at that hearing was John G. Winger, vice president, Energy Resources Division, Chase Manhattan Bank, New York, N.Y. Mr. Winger made no moral judgments about whether domestic capital should or should not be allowed to migrate to foreign investment opportunities. Instead, Mr. Winger presented to the committee in clear and precise terms, using excellent graphs and slides, he had prepared for the purpose, the factors which influence a businessman in making his investment decisions.

Similarly, Dr. Hibbard did not pretend to make a moral judgment about the flight of U.S. dollars to foreign investments, but he did issue to us a stark and dramatic warning. He said:

We may then lose our market leadership with respect to this mineral production and possibly be obligated to pay world prices which are often controlled by the country of origin during periods of tight supply. And I would point out that this future period is going to be a period of tight supply unless someone moves very fast to put in new production facilities.

One need only glance at the morning's news to have his preconceptions joggled about world trade, world monetary arrangements, and U.S. policies with respect to the foreign investment of U.S. dollars. I call the attention of the Senate to three articles that appeared in the Wall Street Journal during 2 days in the week before last.

The first is headlined, "Devaluation of the U.S. Dollar, In Effect, Already Has Occurred, Economists Argue," and I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Mar 18, 1968]

DEVALUATION OF THE U.S. DOLLAR, IN EFFECT, ALREADY HAS OCCURRED, ECONOMISTS ARGUE

(By Chairles Stabler)

NEW YORK.—At the Pentagon, procurement officers buy U.S. construction materials for foreign bases, paying up to 50% more in dollars than the same materials would cost at the construction site.

In Islamabad, dollars given to help development of Pakistan are reduced in purchasing power because they must be used to buy higher-priced U.S. steel rather than being spent in Japan where the same dollars would buy 15% more of the metal.

And at the fashionable George V hotel in Paris, an assistant manager tells an American tourist his dollar Travelers Cheques may not be cashed for francs.

Thus, argue many economists, the dollar already has, in effect, been devalued. Although formal devaluation was avoided yesterday, a patchwork defense of penalties and controls on the dollar's use already hobbles what has long been the world's strongest currency. The result, it's argued, is that a defense procurement dollar, a foreign investment dollar or an Agency for the International Development dollar, isn't worth a dollar.

"In a very real sense, the dollar has already been devalued," maintains Peter B. Kenen, chairman of Columbia University's economics department. Says Milton Friedman, professor of economics at the University of Chicago, "We profess to have kept the exchange rate rigid. Yet we have in effect devalued its selectivity."

Not all economists agree, by any means. Yale University's Henry Wallich scoffs, "It's a question of semantics, with a political background. To call this devaluation does violence to the normal usage of the word."

The argument is more than academic. If, in fact, controls over use of the dollar add up to unofficial devaluation, the argument for maintaining present currency exchange rates is weakened. Professor Friedman, for example, argues that multiple exchange rate systems are an inevitable outgrowth of an artificial gold price peg. He would, "abolish governmental price fixing. Let exchange rates become free market prices determined primarily by private dealings."

To an economist, the term devaluation means the lowering of one nation's currency in terms of the currency of other nations. It's brought about when there is an oversupply of the weaker currency, such as when, in the present case of the U.S., a nation runs a continuing deficit in its balance of payments with another nation. If the rate of exchange between the weak currency and the stronger ones—its price—doesn't change freely, it must be shored up artificially.

A change in the price of gold wouldn't necessarily mean devaluation, economists note. Other nations can simply change their relationships with the dollar in the same amount. In the end, the dollar's official value in terms of gold might be, say $70 an ounce, or twice the current level, but it could remain worth four West German marks or 625 Italian lire, as it is now.

If the U.S. continued to send more dollars abroad than were brought home, the need for selective controls—unofficial devaluation in the opinion of many economists—would remain.

What form has this concealed devaluation taken? Some economists argue that the most obvious loss in buying power of the dollar has come through inflation—a lowering of the dollar's current value in terms of its past value as a currency.

EFFECT OF INFLATION

"Remember we have had actual devaluation of our dollar over a period of years—devaluation measured in very real terms," says Arthur A. Smith, economist for the First National Bank in Dallas. "Inflation has so eroded the real value of the dollar that it now takes about $2.50 to buy what $1 bought in 1940. That is the kind of devaluation we must live with—devaluation that hits us squarely in the pocketbook."

However, other nations have also experienced inflation, so that net effect on exchange rates is lessened. In fact, says James Meigs, economist for New York's First National City Bank, "the dollar has probably suffered less (from this deterioration) than any other currency."

More clearly damaging to the purchasing power of the dollar have been selective controls over its use, most economists agree. The U.S. has clamped these controls on three major areas:

Tied Aid: Dollars given to other nations by the Agency for International Development must be spent in the U.S., even if they would buy more goods in other nations. This aid is running at about $2 billion a year.

There are no solid estimates of how much this rule has reduced dollar purchasing power for recipients of this aid, but it's probably 15% to 20%, estimates C. Fred Bergsten, an economist for the Council on Foreign Relations. A case study of aid to Pakistan, for example, indicates that if that nation had been able to spend its dollars freely, they would have bought 15% more in actual quantity than they did by being spent in the U.S.

Defense Procurement: Since 1961, the Defense Department has been willing to pay a premium of up to 50% in order to buy goods in the U.S. for use overseas, instead of buying them freely on the world market.

PURCHASING HERE AND ABROAD

According to a Defense Department study, from the beginning of 1961 through June 30, 1967, procurement officers spent $340 million in the U.S. for goods that could have been purchased abroad for use abroad. If these goods had been purchased abroad, the spending would have been reduced by $75 million, or 22%. This study covered only certain categories of products, leaving out oil, for example, so the total extra cost charged against defense of the dollar was higher.

The Interest Equalization Tax: Since 1963 there has been a Federal tax on money used by Americans to buy foreign securities from foreigners. In effect, this tax is geared to increase the interest foreigners must pay for American investment money. The same requirement, designed to discourage the outward flow of U.S. dollars, was extended to long term bank loans in 1965.

The tax originally amounted to 15% on these portfolio dollars and represented, in effect, a 15% devaluation of these dollars. It has since been raised and the President has authority to boost it further, to 22.5%.

In addition, there are other hard-to-measure controls that have the effect of devaluing the dollar. For example, as of the beginning of this year, there are mandatory controls over direct investment in industrialized, developed foreign lands. An American company may still build a plant in Germany, but it may have to borrow foreign money at relatively higher interest rates in order to finance it. In effect, these higher interest rates represent a devaluation of the dollars so borrowed, economists argue.

DEFENSE OF OFFENSE?

New proposals for defense of the dollar could represent further devaluation. For example, a border tax on imports into the U.S. would be "massive" devaluation, says Mr. Bergsten, and would move dollar defense into a new, more touchy area. He notes that measures taken so far have involved capital movements and transactions between governments. Controls on trade, or on tourism, might easily provoke retaliation by other countries.

"We would be breaking the international rules," he says. Agreements such as the one setting up the International Monetary Fund or the General Agreement of Tariffs and Trade, seek to limit such unilateral restrictions on trade. They're less binding on capital movements.

However, the present monetary crisis already has sparked incidents indicating an informal and unofficial weakening of the dollar in terms of other currencies. Over the week-end, for example, there were numerous cases of foreign hotels or banks refusing to accept dollars at the official rate of exchange, or limiting the amount they would accept.

And earlier, some American businessmen detected the same decline in confidence. Nelson B. Bosted, executive vice president of International Rectifier Corp., Los Angeles, said he recently asked a European creditor if he would accept Italian lire instead of dollars in payment of a debt. To the American's surprise, the creditor said he would in fact prefer lire.

"He said it half jokingly," says Mr. Bosted, "but only half."

Mr. HANSEN. The second article, titled "Tiger in the Tank of Peruvian Fields," by Roger W. Benedict, describes how U.S. private investment in foreign countries is plagued by the capriciousness of unpredictable foreign governments. Perhaps our State Department, which in the past has actively sought to stimulate U.S. private investment in underdeveloped countries by favoring an increase in oil import allowances within administration councils, should look at facts for what they are. Despite these efforts by the State Department, it is now clear that U.S. investors are leaving such countries as Peru, Venezuela, and the more volatile Arab States at a fast walk.

I ask unanimous consent that this article, which appeared in the March 20, 1968, issue of the Wall Street Journal, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TIGER IN THE TANK OF PERUVIAN FIELDS

(By Roger W. Benedict)

An affiliate of the world's largest oil company is learning how nightmarish international business agreements can be in these days of nationalistic fervor. The lesson is being taught by a small democratic nation generally considered friendly to U.S. investment.

The big company is Standard Oil Co. (New Jersey) and the affiliate is International Petroleum Co., of which Jersey Standard owns a comfortable 99.9%. But the real tiger in the tank is the Republic of Peru.

What began as a dispute over taxes flared into a crisis last July, when the Peruvian congress passed a law canceling IPC's title to La Brea y Parinas oil fields, Peru's second largest. The measure also authorizes President Fernando Belaunde to expropriate any company equipment and property used to produce, refine, store, transport and sell oil from the fields—assets IPC puts at $200 million.

The law provides no compensation to IPC and states that any payment for other seized assets would take into account any "debts owed by IPC to the State." Peru says it plans to sue IPC for $144,015,582, which it calculates to be the company's entire profit from La Brea y Parinas for the last 15 years—as far back as Peru's statute of limitations permits a claim to be made. The government has also forced IPC to pay another disputed new retroactive tax by threatening to attach all IPC funds in Peru. Yet in the end Peru will surely lose more than it gains.

What is the dispute all about? There isn't even agreement on that. An ancient land grant is apparently the central issue, but a review of the history of this document, and the complex unfolding of recent developments, suggests "national sovereignty" is more important than the legalistic dispute over the land grant. The controversy has also become entwined with Peruvian domestic politics.

Unlike all other oil and mining operations in Peru, La Brea y Paranas oil fields are on private property, rather than being a concession granted on goverment-owned land.

EXPENSIVE SPECIAL STATUS

At present, private ownership results in somewhat lower payments to the government than a concession would pay, since royalties are paid on oil produced on government-owned land. But the property's special status has often meant higher, rather than lower taxes. In fact, IPC's efforts to convert the fields to concession status in 1957 were rejected by the government on the ground it would reduce the company's taxes.

Status of the land grant has been the subject of several disputes between the government and prior owners. Most notable was a controversy between 1911 and 1922, finally resolved by an international arbitration tribunal and two treaties. Peru disavowed those agreements in 1963 and now contends it can claim the title and past profits from La Brea y Parinas. IPC asserts that even if such unilateral and retroactive action could be condoned, it still would not alter title to the area, which it says dates the earliest years of the Peruvian republic.

"La Brea" in Spanish means pitch. The ancient Incas and later the Spanish Conquistadores collected tar-like deposits to waterproof their boats from an area in extreme northern Peru on the Pacific Ocean, which became a mine owned by the Spanish crown. Simon Bolivar, the "Great Liberator," whose defeat of Spanish armies forced Spain to recognize Peru as an independent nation in 1824, decreed all abandoned mines to be state property that could not be sold to repay debts incurred in Peru's fight for independence. One of these was the former crown pitch mine called "La Brea de Amotape." It was awarded to Jose Antonio de Quintana in payment for supplies provided Peruvian hero Jose de San Martin.

Jose de Lama, who owned the estate surrounding the mine, bought it from Mr. Quintana, and the combined 643-square-mile area eventually came to be known as "La Brea y Parinas." In 1863, just four years after the first oil well was completed in the U.S., the first oil well in South America was drilled on the pitch deposits. The result was La Brea y Parinas oil fields.

The property's status came into question when Peru passed laws in 1873 and 1877 to revalidate mining claims and to tax them. Genero Helguero, who had inherited La Brea y Parinas, claimed exemption from both laws on the basis the oil fields were private property. A Peruvian court in 1888 levied taxes on the oil fields equal to those on ten mining claims, but upheld Mr. Helguero's private ownership claim. When Peru started an official compilation of real property in 1899, La Brea y Parinas was duly registered in it.

Two British citizens, Herbert Tweedle and William Kestwick, bought the oil fields and leased them in 1889 to London & Pacific Petroleum Co. In 1911, Peru decreed taxes on them equal to 41,614 mining claims. When company efforts to contest these taxes were overruled, the British government protested on behalf of the company. This eventually led to the international arbitration award and two treaties between Peru and Britain, specifying a $1 million tax settlement and setting tax rates on La Brea y Parinas through 1972.

Much of the subsequent resentment of this decision probably relates to the Peruvian view that a powerful foreign nation, Britain, forced an unpopular compromise on a weaker nation, Peru. And Peru, which once ruled what is now Bolivia, had lost another area to Chile and has had border disputes wtih Colombia and Ecuador, is quick to take offense at anything it feels imposes on its sovereignty.

IPC inherited the La Brea y Parinas dispute by buying the oil fields in 1924. Recognizing resentment over the private-property status of the fields, IPC asked in 1959 that they be changed into a concession subject to terms of Peru's 1952 petroleum law. The government rejected IPC's petition.

Following sharp devaluation of the Peruvian sol in 1958, President Manuel Prado in 1959 approved price increases on petroleum products. Opposition parties attacked both the new prices and IPC, but the increases proved an ineffective political issue. So attacks were switched to seeking nullification of the 1922 arbitration award. A consulting commission named to study the issue asserted such action would be "improper," so the government suggested negotiating a new type of agreement with IPC. Congress failed to act on the proposal.

In his presidential campaigns of 1962 and 1963, Mr. Belaunde, seeking support of opposition groups, promised to resolve the status of La Brea y Parinas. On taking office he said he'd negotiate a settlement within 90 days. But IPC charged that his proposals would take over 100% of its profit from the oil fields, and talks broke off. Congress then passed a law voiding the 1922 award.

GOVERNMENT COUNTERPROPOSAL

New talks began in 1964. IPC thought it had agreement on a contract giving Peru 65% of the profit. But the government submitted a new "counterproposal" calling for a 90% take. There followed over the next three years a wild succession of proposed settlements and proposed legislation ranging from a two-thirds profit take to expropriation.

The situation is further complicated because the Congress is controlled by two opposition parties, not President Belaunde's alliance of two other parties. This opposition coalition introduced the legislation last summer that confiscated IPC's title to La Brea y Parinas and authorized expropriation of IPC assets. Under an option in that new law, President Belaunde last fall announced his intention to put La Brea y Parinas up for bid. But when IPC indicated it did not intend to join the bidding, these plans were indefinitely shelved.

After the government announced late last year its intention to sue IPC for $144,015,582, IPC considered further negotiation futile. But earlier this year the government indicated it still may be willing to talk. It announced that any such discussions in the future would be between IPC and the heavily subsidized government-owned oil company, Empressa Petrolera Fiscales.

Meanwhile there are indications that some Peruvians are not unmindful of the long-term consequences of the dispute.

Peru's potential losses loom larger than those of IPC. For one thing, IPC is currently Peru's biggest taxpayer, contributing $26.1 million to the nation's coffers in 1966. If the heavily subsidized government-owned oil company winds up running La Brea y Parinas, as now seems likely, a large plus for the federal treasury could become a minus.

Far more important could be potential impact on future development of Peru's oil industry and its economy as a whole. Once the world's tenth largest source of crude oil and a major oil exporting nation, Peru has slipped to 27th place in oil output and has been forced to import steadily rising amounts of oil the last five years. With its internal oil consumption expected to about double in the next decade. Peru's oil production is declining and oil exploration has dwindled.

Oilmen suspect there are large untapped oil reserves in Peru, a nation as big as Texas, New Mexico and Arizona combined. They've found major new oil fields in the Amazon jungles of neighboring Colombia and Ecuador. But so far they've plowed little exploratory money into Peru, and they say the IPC affair dampens interest in Peru at a time when the U.S. has further tightened restrictions on foreign investment.

EXPERIENCE AND OUTPUT

It's obvious that Peru will need the help of both foreign capital and technical knowledge to adequately search for and develop its oil and gas resources. And IPC has already shown what an experienced oil company can do to boost the country's oil output. IPC more than quadrupled production from La Brea y Parinas within ten years after buying title to those oil fields, although they contain some of the world's most complex oil geology. IPC has more than tripled output in the neighboring Lobitos oil fields, Peru's biggest, the last ten years, after buying a 50% interest in them and taking over as operator. What's more, IPC is the country's biggest oil refiner, and Peruvians can buy gasoline as cheaply as 10½ cents a gallon, probably the lowest prices in Latin America.

Then, too, there are other IPC contributions to the Peruvian economy. Its employes are among the most highly paid in the country, receiving $18.4 million in wages and benefits in 1966. And IPC bought $28.9 million of materials and supplies from other Peruvian companies in 1966.

Should Peru seize IPC assets without adequate payment, it could also jeopardize a sizable flow of U.S. foreign aid. The Hickenlooper amendment to U.S. foreign aid legislation permits the State Department to cut off funds to any nation expropriating U.S.-owned assets without providing adequate compensation. Peru has received an estimated $379 million in U.S. economic and military assistance the past seven years, and is scheduled to receive $34 million more this year.

IPC's weird adventure has not gone unnoticed by other U.S. subsidiaries in Peru, of course. (And 10 of Peru's 20 biggest taxpayers in 1966 were U.S. subsidiaries.) A spokesman for one large U.S. mining company with operations in Peru said the government had tried to assure company officials that the IPC matter was a special case.

"But," he adds, "it's causing us some unease."

Mr. HANSEN. I ask unanimous consent that a third article, headlined "Oil Producing Nations May Bid Firms Pay More if 'Free' Gold Price Rises Too Much," be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Mar. 20, 1968]

OIL PRODUCING NATIONS MAY BID FIRMS PAY MORE IF "FREE" GOLD PRICE RISES TOO MUCH

International oil companies may face demands for higher oil taxes and royalties from major producing nations if the free-market price of gold rises too much above the fixed $35 an ounce official exchange rate on the U.S. dollar.

Kuwait, the tiny Persian Gulf country that ranks as the fourth largest source of Free World crude oil outside the U.S., has asked for an emergency meeting of the Organization of Petroleum Exporting Countries, (OPEC), made up of nine major oil-producing states.

The meeting is said to have been called to review oil payments to producing countries in light of the current world monetary crisis.

Should the nine-nation group demand higher oil payments based on the free-market price of gold, in effect, it would be unilaterally devaluating the U.S. dollar. This is something many international financial experts have feared might occur with establishment of the "two-price" system for gold. Under this system, the U.S. continues to pay $35 an ounce for gold in governmental dealings. Supply and demand fix the price in unofficial, or free-market, transactions.

Officials of international oil companies both in the U.S. and abroad were reluctant to comment about the possible demands. But one international oil expert predicted there would be resistance to any such demands, asserting that if they should be forced on oil companies, it could lead to a flight of important amounts of oil capital to non-OPEC countries and to ventures outside the oil industry.

OFFICIAL COMMENT DECLINED

Officials of OPEC at the group's headquarters in Vienna declined to comment on the meeting, its purpose or where it would be held.

Greatest concern over the gold situation appeared to be among the Middle East oil countries, which like to hold gold in their national reserves. They have also been quick to seize on any development that might increase their revenue from oil companies. For example, when Britain devalued its pound last November, the Middle East countries received oil payments computed in pounds immediately asked for a switch to computing them in dollars.

Other OPEC countries are Indonesia, Iran, Iraq, Libya, Saudi Arabia, Venezuela, and two other small Persian Gulf members, Abu Dhabi and Qatar.

Oil companies are already being asked by Middle East producing countries for modification of various allowances and crude-oil pricing that would amount to eventual increases in annual tax and royalty payments of between $120 million and $250 million, depending on final terms of pending agreements.

Seven OPEC members (excluding Indonesia and Abu Dhabi) received a total of $3,474,400,000 in oil payments in 1966. Each country boosted its oil output in 1967 from 1966, and several raised tax and royalty rates.

One U.S. banker asserted that if new demands are made on international oil companies, "they'll begin to squeeze the golden goose too hard."

PRECEDENT CITED

The banker recalled that adverse decisions by the Venezuelan government several years ago led to a heavy flight of oil capital from that country, much of which brought about the rapid rise of Libya as a new oil power. Libya's swift climb, in turn, also cut into the oil production growth of not only Venezuela, but the Middle East countries as well. The same type of situation could happen again, he said, with capital this time fleeing to Australia, Africa or even back to the U.S. He noted that in 1966, for the first time, oil companies earned a higher return on investment at home than abroad.

He also noted increasing investment by oil companies outside the industry, and pointed out that one company, Signal Oil & Gas Co., now has more nonoil than oil ventures.

Present oil company contracts with producing nations call for payment in dollars or pounds, not in gold. A spokesman for one Middle East country raised the possibility of seeking insertion of clauses in oil contracts protecting against devaluation of the dollar or gold revaluation. But it seemed unlikely that any practical method could be devised to do so, since the potential cost to a company would be prohibitive. The suggestion however, indicates there is Middle East concern over the gold situation.

The wider the spread between the official $35 price and the free market price—$37 to $39.50 an ounce yesterday—the more pressure is likely to develop from oil-producing nations for renegotiation of oil contracts.

Mr. HANSEN. The conclusion that I come away with after listening to Dr. Hibbard and reviewing the day's news is simply that we must look to the heartland of our own country rather than abroad if we are to assist, by domestic minerals and fuels policies, in bringing order out of the chaos caused by our imbalance of payments. By this, I do not mean that we as politicians can set things right by locking our doors and shutting our eyes to all events abroad, but we must form policies which will stimulate domestic, as opposed to foreign, investment of U.S. dollars.

Dr. Hibbard addressed himself to one way of reversing the alarming trends which threaten to debilitate our economy, our dollar, and our world stature. He put it this way:

> The answer to these trends—the ways and means of retaining leadership in world mineral production is clear from history—that is, the retention of world leadership in technology, the technology of exploration and discovery, extraction, processing and use.

To sum up, I believe that those of us charged with the responsibility for influencing present and future policy must see to it that our Government of laws is administered in such a way as to make our domestic industry and our domestic sources competitive in the world marketplace wherever that is possible.

Let me hasten to add that I oppose any attempt by our Government to impose further restrictions on U.S. investment abroad. Critics of the administration's recent attempts in this direction argue that such a policy would worsen rather than lessen our long-range payments problems. But U.S. investment capacity is a finite thing. Businessmen in this country choose that investment opportunity which promises the greatest return. Presently, decisions are being made on whether to place large amounts of U.S. capital in long-term investment either at home or abroad. What I am arguing is that where we have a clear opportunity to produce a domestic resource profitably, such as our oil shale and associated minerals, this opportunity should be positively encouraged by our Government. Long-term investment decisions are being made today in the private sector. Our Government cannot afford to procrastinate in making its mineral policy decisions if this country is to keep pace in the world markets of the future.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. HANSEN. I yield.

Mr. ALLOTT. Mr. President, I wish to congratulate the distinguished Senator from Wyoming on his speech, which I have read, with respect to the mineral hearings we held week before last.

We both share a very common interest in the entire question of minerals, the production of minerals and their relation to our economy as well as our national welfare.

I believe it is unfortunate—I am sure the Senator has said this in other words—that the entire Senate could not have been present when Dr. Hibbard testified and, without any wraps on him—politically or otherwise—expounded so clearly on the economic forces which move the mineral markets of the world. He also expressed quite clearly why the mineral resources of the United States have not been developed. Frankly, I believe everyone who is interested in the economy of this country should read his testimony. I believe the Senator agrees with this.

Mr. HANSEN. I do, very much.

Mr. ALLOTT. Certainly, anyone who is interested in the national welfare of this country, as determined by our future interests, should read that testimony, because we are at the dividing point.

I have offered several times in the Senate a bill to establish a national minerals policy; and it came out quite clearly at those hearings that Dr. Hibbard had approved this bill and had sent it on to the hierarchy in the Department of the Interior, where the approval had promptly been lost, and it has never been communicated to the Committee on the Interior, although it has been requested several times.

I believe the Senator is performing a very worthwhile service for the Senate in calling attention to an area about which most people very rarely think. They do not wonder where their aluminum, copper, steel, antimony, zinc, lead, or any of the other minerals come from. Yet, either we are going to attack this problem, which the last two administrations have failed and refused to do, or we may well wind up in the next few years dependent basically upon foreign countries for our raw materials, which would mean we would also be at their mercy in times of crises both as to supply and price. Does the Senator agree with that statement?

Mr. HANSEN. I agree with the statement very much.

I am delighted to have the Senator, who is a recognized authority on oil shale, participate with me this afternoon.

Senators who read the RECORD are aware of the fact that last week the Senator from California [Mr. KUCHEL] had printed in the RECORD a factual and comprehensive statement which the Senator from Colorado delivered in New York City in February calling the attention of the people of this country to the great emergency facing the people of the United States.

As I recall, the Senator chose as the title of his address "To Be or Not To Be." In that excellent speech he called attention to the fact that if we are going to have the development of oil from oil shale, we have to get onto the job now. Leadtime is required, and great investment is required. These are things which cannot be postponed, as Senators know, until the last minute or until we need oil from this source. Is that correct?

Mr. ALLOTT. The Senator is entirely correct.

When one considers that we have 800 billion barrels of oil from high grade oil shale in Colorado alone, not to mention the high grade shale in Utah and the formation in the Senator's great State of Wyoming, it is fantastic that the Department of the Interior could have made so many continuous blunders and forays off the trail in this attempt to develop one of the greatest assets of this country.

I applaud the Senator and I sincerely hope that he and other Senators, both on the other side of the aisle and on this side of the aisle, will be able to call the attention of the country and the Congress to the fact that we are in fact bypassing one of our great resources and letting it become a "has been." We will come to the day when we will rue our lack of attention.

I thank the Senator for yielding and I compliment him on the very learned speech he is making, not only with respect to oil shale, but also all minerals. I can agree with the Senator in almost all respects, if not in all respects, and I agree with his conclusions.

Mr. HANSEN. I thank the Senator very much for his gracious remarks.

U.S. POLICY FOR SYNTHETIC FUEL PRODUCTION—DO WE HAVE ONE?

This brings me to focus on the issue which was the subject of my first speech in the Senate, oil shale and its associated minerals. I would like to expand upon that issue now to have it include the entire question of synthetic fuel production from both oil shale and coal sources which will be required if we are to meet our domestic demands within the next decade.

Many leaders and executives from both the private and public sectors have spoken out in the last year to the effect that synthetic fuel production will be required to meet domestic needs within a time certain. Some of these authorities list the year 1975 as the point at which the domestic requirements will demand fuel sources in addition to that which can be reasonably supplied by the present crude oil petroleum industry. Others state the year 1980 or 1985. On the question of timing, there is some small difference of opinion, but on the question of inevitability of our requirements, there is none.

During last Thursday's hearing, I called attention to the fact that the Provincial Government of Alberta had just recently authorized a production increase, from 50,000 barrels per day to 150,000 barrels per day, from its vast Athabaska Tar Sands.

I said:

> It seems to me, Dr. Hibbard, from everything I can learn, that Canada is moving ahead full bore with its program for increasing synthetic fuel production, while we in this country are sitting on dead center.

In response, Dr. Hibbard spoke of projections for synthetic fuel production from domestic sources of oil shale and coal:

> We have projections for production in 1980 and the year 2000 at the level of 400 million barrels and 1 billion barrels respectively. We believe this is very essential to our fuel mix, energy mix. And again I believe that technically we are almost ready to go.

Further he said:

> We believe that production from oil shale is almost essential by the year 1985.

I was delighted to see Dr. Hibbard emphasize, as I had tried to do, albeit without his professional expertise, before the Senate Judiciary Subcommittee on Antitrust and Monopoly hearings which were held by Senator HART last year, that technology is best developed by doing.

A celebrated political theorist testified before Senator HART's subcommittee on the question of oil shale development. Unfortunately, his testimony was a tour-de-force studded with starbursts of wit and bright rhetoric, rather than an up-to-date appraisal of the facts. But if this witness could bring himself to agree with me on several points, then we might be better able to discuss the realities of technology development. I have already stated the first of these points which is that within a very few years this country will need to develop domestic sources of synthetic fuels if it is to supplement adequately present crude oil supplies in order to meet our Nation's total energy requirements.

The second point upon which we might find agreement is my assertion that it would be a scandalous dereliction of responsibility for our Government to prevent a largely Government-owned resource, such as oil shale, from being used to meet these domestic requirements. It would be a fraud on the American people to tell them, as some public figures have recently done, that they own a share of a vast public resource of potentially, and I emphasize the word, great value, and then to prevent the development of this resource by Government inaction.

If we can reach some public understanding of these points, then we are confronted with the question of means. I believe that Dr. Hibbard's testimony last week reflected my view that the most efficient, and the most economically and politically advisable way to stimulate a workable technology for the processing of any given commercial product is by permitting that product to enter into the marketplace at the hands of the private sector. As I tried to point out before Senator HART's subcommittee last year, the production of synthetic fuels cannot be accomplished by Government edict nor can it be accomplished overnight. The most efficient way, and the way which is most beneficial to this country, is to allow private industry access to a resource, such as oil shale, and let them market it, if they can. The technology necessary to do this will be perfected as that resource, and only that resource moves closer and closer to the market. Technology is only developed by doing and I, for one, believe that the energy industry of this country is ready to go.

A qualifier is in order here however, for leadtime is required if commercial production of any major mineral or fuel is ever to be achieved. And on this note let me add my admonition to our present administration that there is little time left to maneuver. We do not have time to dally much longer if we are to meet our domestic energy needs by 1980.

Mr. Russel J. Cameron, the Nation's leading expert in the field of synthetic fuel technology, appeared before the Committee on Interior and Insular Affairs during its exploratory hearings on Federal oil shale policy. More recently, he said:

> Frankly we are in a critical time bind. With little more than ten years until the decade of the 1980's there is serious doubt in my mind that significant production of synthetic oil can be developed before we encounter actual shortages by being denied imports, either because of the balance-of-payments problem or interruptions by external forces.

U.S. ENERGY POLICY AND THE BALANCE-OF-PAYMENTS CRISIS

Let me turn now to that other consideration which is of especial importance to the Congress and to the country today. That is the question of whether an intelligent minerals and fuels policy could and should contribute to an easing of the balance-of-payments crisis which faces us so starkly.

According to a study which was made by the Chase Manhattan Bank, which I I used in preparing my statement to the Senate last year, the U.S. petroleum industry invests large amounts of capital overseas. But the bank study indicates that earnings from these foreign investments exceed the rate of new investment, making these investments a net producer of foreign exchange. The industry also provides services, sells equipment, licenses processes, and the like, and it earns for than it spends for these activities.

The industry imports oil and refined products into this country amounting to about 20 percent of our total domestic oil demand, spending almost as much for these imports as it earns from its other activities.

But it is apparent from studying the statistics of the industry that there is very little connection between the earnings of the industry overseas and its imports into this country. Most of the earnings arise from the production and sales of oil and refined products in foreign countries and not to the United States. Therefore imports to this country could be diminished without serious effect on overseas earnings but with a significant reduction in dollar outflow.

Currently we have shut-in oil production that could replace a reasonable cut in imports. A reduction of 1 million barrels per day could reduce dollar outflow by more than $500 million per year. We increased domestic production by about 1 million barrels per day during the recent Arab-Israel conflict.

Oil producers are unanimous in saying that the domestic industry has productive capacity that can be developed at modest increases in cost over current producing reserves. In the meantime, an aggressive effort to initiate synthetic fuels production from oil shale and coal would insure our ability to sustain this more favorable balance of payments.

Looking to the future, an even more critical situation is facing us if we do not minimize our dependence on imports. Chase Manhattan Bank estimates we will be spending about $2.4 billion on imported oil and refined products by 1975 and an additional $244 million in foreign exchange for transportation and shipping.

Cameron & Jones, Inc. of Denver, Colo., an independent engineering and consulting firm, did a study entitled "A Comparative Study of Oil Shale, Coal, and Tar Sands for Sources of Oil." That study suggests an import level by 1985 of more than 6 million barrels per day, if present policies are continued. The cost in foreign exchange for such a level of imports at 1964 prices would be about $4.5 billion exclusive of transportation charges. I believe a substantial part of this future outflow could be stopped if we vigorously attack and solve the problems that hinder oil shale development and place greater emphasis on perfecting oil from coal processes now only beginning the pilot plant stage.

THE PRESENT SITUATION

This brings me up to the situation at the present day. Last year, I spoke only of oil shale and associated minerals. This year, I speak of the entire synthetic fuel issue.

A member of my staff recently attended a meeting at which Federal officials estimated that as many as eight coal hydrogenation plants may be constructed by 1980 in the Powder River Basin of northeastern Wyoming and southern Montana. It was estimated that these plants would each have an average capacity of 100,000 barrels of synthetic oil per day. In addition, these same officials estimated that major new thermal plants generating electricity and fired by this same Powder River coal or by uranium would appear in this area by 1980.

Bidding by major energy companies for water sources, which is indispensable to both the hydrogenation process and thermal power production, has been spirited and serious within the past 4 months. These companies are moving rapidly to tie up all available industrial water from the Boysen Reservoir and the Yellowtail Reservoir in Wyoming and Montana by contracting with the U.S. Bureau of Reclamation within the Department of Interior. Plans for transporting this water vast distances by pipeline across the upland basins of Wyoming are now on the drawing boards.

Leasing of coal deposits for hydrogenation purposes and for the production of electricity by steam is going on at a rapid pace. A staff study which describes the current law with respect to acquisition of rights to deposits of coal owned by the United States shows that in this area, at least, policy has been clearly defined and intelligent investments by the private sector are now being made in order to meet future demands.

I ask unanimous consent that this study be printed in the RECORD at this point.

There being no objection, the study was ordered to be printed in the RECORD, as follows:

ACQUISITION OF RIGHTS TO DEPOSITS OF COAL OWNED BY THE UNITED STATES

Coal was the first of the minerals to be reserved to the United States under a general policy. It was one of the enumerated minerals made subject to leasing by the Mineral Leasing Act of 1920. The 1920 Act, as amended, the regulations implementing the same, and certain supplementary acts form the basis for the acquisition of coal rights from the United States.

The Mineral Leasing Act does not apply to lands within national parks, national monuments, Indian reservations, incorporated cities and towns, or Naval petroleum and oil shale reserves. But other lands are not necessarily available for lease or permit. The particular land may have been withdrawn for specific purposes. Between January 1, 1948 and December 31, 1965, there were approximately 3,475 Public Land orders issued and most of those orders constituted withdrawals.

Certain rules apply to coal as well as to other of the leaseable minerals. Generally, it can be said that leasing requires more capital than is usually required for mining claim location. The areas involved in leases are large compared to individual mining claims. Filing fees and yearly land rental fees are collected in advance and bonds in varying amounts are required before the issuance of either a prospecting permit or a lease. Unless the would-be lessee has a right to a preference right lease by virtue of discovery made under a prospecting permit, he may never obtain a lease. If mineral deposits are known to occur in an area open to lease, leases on such ground are sold to the highest bidder after an initial application therefor. If a discovery is made on unsurveyed land and a preference right lease is in order, the lessee may have to bear the costs of the survey.

Coal lease royalties are prescribed by law at not less than 5 cents per ton and in recent practice have varied from 17.5 cents to 20 cents per ton, with relief being given at times to assist during the first 5 years of a new operation.

Sections 2 to 8 inclusive of the Mineral Leasing Act of 1920, as amended, authorizes the Secretary of the Interior to:

a. Divide into leasing units and award leases to coal lands and coal deposits owned by the United States;

b. Issue permits to prospect unclaimed and undeveloped areas of coal lands and coal deposits; and

c. Issue limited licenses or permits to prospect for, mine, and take for use coal from public lands.

When the land included in an application for a coal lease, permit or license is within a withdrawal, the head of the agency responsible for the withdrawal may be called upon for a report as to the objection to the application. He may require special stipulations be included in the lease to protect the interest of the United States.

A coal lease or permit may not exceed 5,120 acres. Tracts will include contiguous tracts in reasonably compact form. In any one state, the maximum an individual, association or corporation is allowed to hold at one time is 46,080 acres by permit, lease or license. (78 Stat. 710, 1964) Under special cases, an additional 5,120 acres (in multiples of 40 acres) may be permitted if shown to be necessary for economical operation. Such applications for additional lands are posted in the appropriate land office, and public hearings are held on the applications.

Leases and prospecting permits may be issued to citizens, associations of citizens, corporations organized under the laws of the United States and municipalities. Limited licenses or permits for mining coal may be issued to citizens, associations of citizens, municipalities, and certified relief agencies.

Applicant must submit a statement that his application will not exceed the 46,080-acre limitation as far as his own interests, leases, permits, directly or indirectly, are concerned.

If lands included in a lease, permit or license have been disposed of with reservation of the coal to the United States, it is the responsibility of the lessee to comply with the law under which the reservation was made even though it is not written into his lease, permit or license. This provision applies particularly to coal deposits on Stock Raising Homesteads.

No coal may be leased until the land has been divided into suitable leasing units. These units may be established by application or by departmental decision. Factors taken into consideration when establishing the units are: character of the deposit, depth, topography, contiguous land (private or public), proximity to transportation, market outlets, and investment required. If the land is unsurveyed, it must be surveyed before the lease is issued.

Lands contiguous to those leased may be obtained through a modified lease if it is advantageous to both the lessee and the United States. However, such a modified lease may not exceed 2,560 acres.

A lessee may apply for additional land if he can show that his lease will be worked out within three years from the date of the application. Before a lease is modified under these provisions, the lessee must file the consent of his surety and the agreement to the applicable reservations.

No specific form is required for an application for a coal lease. The application should be supported by: name and address of the lessee, proof of citizenship, complete information on partnerships, associations or corporations, such as articles of incorporation, agreements, etc., citizenship of members and/or stockholders, and aggregate of coal land acreages held individually, directly or indirectly. Municipalities must submit evidence of their charter and authorization for the application. An accurate description of the land is required in the application. The application should include information as to the need, topography of the area, markets, transportation, character and depth of the deposit, contemplated investment for development for a stated daily production, signatures, authorization, and authority for signature if on behalf of a corporation. A compliance bond of not less than $1,000 is required for the issuance of the lease. This may be increased before or after issuance of the lease at the discretion of the Bureau of Land Management.

Leases are conditioned upon the payment of a royalty on a minimum annual production beginning with the sixth year of the lease, and operation must be continuous barring strikes, the elements, or casualties. If the operator wishes, he may with the consent of a designated official pay the royalty, less rent, for a year in advance and suspend operations for that year.

If lands are found to form an acceptable leasing unit and are subject to lease, they will then be offered at sale to the qualified bidder offering the highest bonus.

Notice of lands open for lease by competitive bidding is published in a newspaper of general coverage in the county in which the lands are located. The notice will contain the time and place of the sale. Successful bidders are required to pay their prorated share of the cost of publication of the offer to lease notice. In all auctions the government reserves the right to reject any and all bids.

In instances, sealed bids may be supplemented by oral auction. In that event the sealed bids received prior to the auction are read before the bidding is started. In practice, the public auction is used primarily to afford the owner of the land in which the coal owned by the United States is situated or the owner of a nearby operating mine a chance to top the prior high bid. All sealed bids must contain an advance payment of one-fifth the amount of the bid in the form of a certified check, cashier's check, bank draft, money order or cash. The successful bidder at a sale at public auction must deposit with the manager at that time one-fifth the amount of the bid.

If the lease is awarded and the land is surveyed, the lease forms will be forwarded to the lessee. He will be allowed 30 days in which to comply with the lease terms and make final settlement on the amount due on the bid. If the land is unsurveyed, the lease will not be forwarded until the survey has been completed and made a matter of record. If the lessee fails to execute the lease within the 30-day limitation, the deposit on the bid will be forfeited.

Leases are for an indefinite period but are subject to revision or adjustment at the end of each period of 20 years. If there are reasons for objection, the lessee may file an objection to the revised conditions. If he does not file an objection or does not relinquish the lease within 30 days of receipt of the notice, it is understood the lessee has agreed to the new terms.

When it has been shown that the public interest will not be impaired, the lessee may surrender the lease or any legal subdivision thereof. If a relinquishment is accepted, it is effective as of the date filed, subject to accrued rentals and royalties and to requirements for preservation of the mines. Leases may be cancelled for failure to comply with all the provisions of the law and specific conditions of the lease. Leases may also be cancelled if the cancellation is in the public interest or if the coal deposit lands are no longer necessary for the lessee to carry on business economically.

Permits are issued for a period of 2 years to qualified applicants. They are for the purpose of prospecting unclaimed and undeveloped lands where prospecting is necessary to determine the existence or workability of coal deposits. The permit gives the holder the exclusive right to prospect for coal in the land described in the permit. He is allowed to remove as much coal as is necessary to determine the workability and commercial value of the coal.

A permit is obtained by making an application, in duplicate, to the appropriate land office. The application must be accompanied by a $10 filing fee, a year's rental at 25 cents per acre, and all the same supporting documents required for a lease, i.e., proof of citizenship, acreages held, etc. Submitted with the permit application, there must be a plan for prospecting and exploration, together with the estimated cost and rate at which the work will be done.

A corporate surety bond is required to be filed after the amount, not less than $1000, is determined by an authorized officer.

Permits may be extended two years upon application to the Bureau of Land Management and satisfactory evidence presented to the Bureau of Land Management and United States Geological Survey supervisor that work has been prosecuted with reasonable diligence. If no application is filed, the permit will expire without notice and the lands will again be subject to filing for new permit applications.

Permits may be relinquished in whole or in part. If it is a partial relinquishment, the notification submitted to the local land office must describe the lands relinquished. However, relinquishment of a permit does not relieve the permittee of the responsibility of providing for the preservation of mines or production works and any permanent improvements according to the terms of the permit.

Permits may be cancelled for failing to comply with the various provisions of the permit, and will terminate automatically if the annual rental is not paid on or before the anniversary date.

Lands covered by a cancelled permit become available for the filing of a new permit, provided they have not been withdrawn for leasing.

A permittee, who discovers coal in commercial quantities in the land embraced in his permit, may apply for a preference right lease promptly after the beginning of commercial operations—in no case later than the expiration of the permit. The application must be accompanied by the rental fee of 25 cents per acre per year for one year. If the permit holder applies for a preference right lease, and the permit expires with final rejection of the lease application, the permittee will be charged royalty on any coal that was removed up to the time of receipt of the rejection but he will not be charged with trespass.

Coal permits and leases may be transferred in whole or in part. The procedure is the same as for obtaining the permit-application, filing fee, advances, qualifications of the transferee, bonds, etc. An application for transfer must be filed within 90 days from the date of execution of the transfer.

Overriding royalties created by assignment or transfer may not exceed 50 percent of the royalty first paid the United States unless it can be shown that such an overriding royalty in excess of the 50 percent is necessary because of substantial investment in the lease prior to the transfer.

Coal licenses may be issued for a period of two years to individuals, associations of individuals and municipalities to mine coal for their local domestic fuel need. Licenses to an individual or association of individuals are limited to a 40-acre legal subdivision or less, and may be revoked at any time. Licenses expire automatically at the end of two years unless renewed upon application made in plenty of time before the end of the two-year period. Renewal applications cost $10. Applications must be filed in quadruplicate on an approved form, or substantial equivalent, with the appropriate land office.

Licenses may be granted to recognize relief agencies for mining coal at not more than 20 tons per relief family per year. The areas to be mined will be designated by the local land office. No filing fee is required for these applications. All operations of this type must operate pursuant to the state and federal mining regulations. (See 43 CFR 3130)

Mr. HANSEN. On the other hand, the outlook for oil shale is grim indeed. A year ago last January, Secretary of the Interior Stewart L. Udall announced a five-point oil shale program. Then in May of last year the Secretary promulgated in the Federal Register the regulations which he proposed for the administration of this program. Following the publication of those proposed regulations the Senate Interior Committee, as I have indicated, held informational hearings on the subject. The one conclusion that could be reached from these hearings was that the private sector could not live under the regulations as proposed by Secretary Udall. The regulations, such as have been brought to light so far, have discouraged rather than encouraged possible investment in the development of shale oil from the public lands.

The Secretary has since returned to his Department where he promised to form a study group to evaluate the comments that had been received by the Department and by the Senate Interior Committee. That study was to have been completed by mid-January of this year and, while I have contacted the Secretary since that time, nothing has yet been made available to me or to the public. I have only received conflicting reports from within the Department of the Interior, some of which would indicate that no action on a synthetic fuels policy is contemplated by the administration until after the November elections.

I consider this most regrettable. I believe that Secretary Udall did a real service by helping to give the question of oil shale policy a public airing. But if we are to grind to a stop on the question of policy formulation now, we may find that within the very near future events most prejudicial to the best interests of this country will overtake us. This year's election campaign's promises to be most beneficial to the country to the extent that public debate will be stimulated on the question of whether we may have been led into a policy of doing too much of the wrong thing in a tragic war in Southeast Asia. On the other hand, if the Department of Interior is in fact stalemated on the question of domestic mineral and fuel policy formulation, I believe we have an example of how Washington gets stuck in the mud at election time because the Federal bureaucracy fears public criticism in this instance of having done too much of nothing.

The public has been led to believe that oil shale development has been just around the corner for the last 40 years. Throughout that entire time the Federal Department of the Interior has held a key to the granting of production leases on oil shale lands. According to the thrust of Dr. Hibbard's testimony we now have sufficient technology to begin moving this resource toward the commercial production of synthetic fuels from oil shale.

As I have outlined, synthetic fuel production from coal is off and running. That is healthy, and in itself, as it should be. In addition, uranium production has boomed reflecting the glowing projections for future nuclear power demands. Looking a bit further to the north, as I mentioned previously, our neighbor of Canada has recently tripled the daily production allowed from its vast Athabaska Tar Sands.

All of these potential energy sources should be allowed to compete with one another. All will be needed, unless this country prostrates both its security and the value of its dollar in favor of rapidly increasing foreign imports.

All that has been asked in the past by those interested in seeing an orderly development of our mineral and fuel resources has been that these various resources be allowed to compete on even terms. Competition is one thing that made our country great. An abundant supply of natural resources is another thing that made it great. We are now at a crossroads. For the first time in our history, our Government is apparently choosing, by its inaction, to stifle competition and to prohibit the entry of a resource into the market when it is desperately needed.

The flight of gold, and the flight of U.S. dollars to foreign investments, leads me to urge as strongly as possible that the administration come forward with a forthright and timely policy for future minerals and fuels development, especially with respect to oil shale and its associated minerals. If we cannot continue to move forward with a workable policy that will provide sufficient incentive for the creation of a viable commercial shale oil industry, I believe that we will all be guilty of a dereliction of duty that nears scandalous proportions.

Consequently, if the Department of the Interior cannot produce a workable leasing policy which would give private industry sufficient go ahead to develop these much needed resources, I will be prepared, within a reasonable time to introduce legislation to that end. I have deferred this action because I respect the effort that the Secretary of the Interior has taken on this problem during the past year. I am hopeful that he can continue to make progress since he has all the legislative authority necessary to do so at the present time.

The threat poised against this country from the imbalance in our international payments is familiar to us all. Nevertheless, if we face the facts, and plan now for the future utilization of our domestic resources, the alarming flight of U.S. capital and U.S. gold can slowly be turned around.

On the other hand, if we now sit idle, allowing our publicly owned resources to lie wasting in the ground only for the lack of a positive policy, we must all share responsibility for killing a golden goose that could give great benefit to all the people of this country.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. LONG of Louisiana. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. HANSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. HANSEN. Mr. President, I ask unanimous consent that I may be permitted to make two insertions in the Record.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

NATIONAL SECURITY CONSIDERATIONS

Mr. HANSEN. Mr. President, in my speech to the Senate February 2, 1967, I went to considerable lengths to describe the strategic importance of a healthy domestic energy industry. Events since that speech, and I speak of the last summer's Suez crisis, bore out my observations, I believe.

I did not want to cover that ground again in today's speech, but since the question of national security has been raised, I will put in the Record at this point a staff study showing the effects of last summer's Arab-Israeli war on world oil demand-supply relationships and on the national security of our country.

I ask unanimous consent to have the staff study printed in the Record at this point.

There being no objection, the staff study was ordered to be printed in the Record, as follows:

Staff Study on U.S. Strategy Implications of 1967 Suez Crisis, July 1967

The dependence of the Free World on petroleum and petroleum products has been brought sharply into focus since the Mid East crisis early last month. Petroleum plays the largest role in the entire energy demand of our nation, and half of Free Europe's total energy use depends upon oil. The tremendous economic development of the U.S. and the rest of the Free World would not have been possible without the energy source provided by petroleum. With the closing of pipelines and the Suez Canal, the economic growth of nations outside the U.S., heavily dependent upon Mid-Eastern oil supplies, now remains uncertain.

Even more important perhaps is the dependence on petroleum in national defense efforts. Mr. J. J. Muir of the State Department points out that military demand for fuels, while steadily increasing, is not subject to sudden increase or decrease during times of war and peace. He says:

"First, is the ever increasing thirst for oil of our new weapons systems. For example, the First Cavalry Division now operating in South Vietnam consumes fuel three times that of a World War II or a Korean division. Also, the planes and ships of the Seventh Fleet operating off Vietnam, and the Guam-based B–52's supported by KC–135 refueling tankers, require many times the fuel of their predecessors.

"Secondly, and the important key, is the fact that modern military forces, whether on alert, training, or combat, consume substantially the same quantities of fuel."

Mr. Muir indicates that the use of petroleum and petroleum products will continue to be used as energy for our military equipment, and even when these present systems are replaced, it will be by the larger hydrocarbon energy consuming systems.

Until 1939, the U.S. was one of the largest suppliers of oil in the world. By 1966, our industrial development had proceeded to such a level that our total petroleum demand required that we import about 20% of all oil used in this country. Some experts are already claiming that the U.S. is now or soon will become an energy-deficient nation. What this means is that the U.S. must rely upon the importation of energy in order to run its industry. This increasingly heavy reliance on imported energy is a major threat to our national security.

In 1966, the Mid Eastern oil producing countries (Saudi Arabia, Kuwait, Iran, Iraq, Qatar Bahrain, and Abu Dhabi) produced an average of 9.210 million bbls/day. At the time the Suez Canal, IPC and Trans-Arabian pipelines were closed, between 11 and 12 million barrels of oil a day were suddenly unavailable. This accounted for nearly ⅔ of all oil used by Free Nations excluding the U.S.—or ⅓ of the world's daily supply. (Although the U.S. imports of oil included only 2% from Mid East sources, Western Europe depends upon Mid Eastern oil for 70% of its oil supplies.

And, of course, besides the tremendous loss of oil to free world markets, tanker and transportation rates have skyrocketed, because oil must now be tanked around the coast of Africa, shipping schedules disrupted, and losses of millions to the producing nations with 65% to 70% of the Arab economy alone based on petroleum.

Assistant Secretary of the Interior J. Cordell Moore, speaking to the National Petroleum Council, stated "Even if the Canal were to open tomorrow, and normal production and shipping resumed, and the embargo to U.S. and U.K. ports lifted, an enormous dislocation has already occurred which will take weeks and months to straighten out." It has been predicted by some sources that the world oil situation will never be the same again.

The petroleum industry maintains its traditional position as the largest single industrial category of U.S. investment abroad. The U.S. Bureau of Mines reports that as of 1964, the total value of direct foreign investments of the U.S. was over $44 billion—and about 40% of this was in mining and smelting and petroleum. J. Cordell Moore states that long before the Mid East crisis the steadily declining profitability of overseas oil investment was in evidence. "The return to U.S. companies on capital invested in foreign oil operations dropped below that for domestic operations—for the first time in 20 years: 11.7% as against 12.3% for 1966 reported by the Chase Manhattan Bank last month.

Mr. Michael T. Halbouty, President of the American Association of Petroleum Geologists, urged that the vast sources of supply of oil in the Mid East are unreliable as evidenced by two Suez crises, and that nations of the Free World should not depend upon it. Our domestic sources are the only dependable sources of supply, he insists. Mr. Halbouty objects to our continuing efforts in the Mid East, at the sacrifice of our domestic petroleum industry.

95% of companies in Saudi Arabia, and 54% of all companies in the Mid East oil producing countries are equity-owned by the U.S.; 30% are owned by the U.K.—the two major victims of the recent embargo. Just last month the Chairman of the Syrian National Petroleum Organization urged Arab oil-producing countries to revise their contracts with Western companies "in order to end all imperialist concessions." He added, "A revision of our oil policy would aim a fatal blow at monopolistic and imperialist interests."

U.S. RESPONSE TO 1967 SUEZ CRISIS

On June 8th, 1967 Emergency Petroleum Supply Committee, established by the Secretary of the Interior in 1951, was called into session to determine the scope of the disruption of petroleum supply as a result of the Mid East crisis on the Free World. Before this Committee can be called the Assistant Secretary for Mineral Resources must determine that an emergency exists outside of the U.S. which threatens the broad security interests of the U.S.

On June 10th an emergency situation was declared by J. Cordell Moore, with the concurrence of the Office of Emergency Planning, the Department of Defense, and the Department of State. A Plan of Action was drawn up by a Subcommittee of the EPSC and Government officials to outline the operating policies and procedures to meet the oil shortages resulting from the Mid-East production shortages and closure of pipelines and the Suez Canal. John Ricca, Deputy Director of the Office of Oil and Gas, was named Chairman of the Emergency Petroleum Supply Committee. On June 20 the Plan of Action was approved by the full EPSC. The first meeting of the EPSC was held on July 7, and the first task of the 26 member oil companies is to "provide a continuing appraisal of the size and detail of the supply and transportation problems affecting mainly the countries of Western Europe, but including other countries as well."

To meet the free world oil shortages the U.S. has already responded admirably. Texas has raised its allowable for July to 42.9% from 35.9% in the latter half of June. Jim C. Langdon, Chairman of the Texas Railroad Commission, responsible for the state's allowable raise, indicated that Texas and Louisiana may be producing 12 million barrels per month of additional crude just to meet U.S. domestic deficits. Oklahoma has also increased its allowable from 42% to 54% for August and September, 1967, with Louisiana and New Mexico following suit. June increases from Gulf Coast ports of crude oil and products totaled 5½ million barrels over the normal monthly estimates. 2.2 million barrels of this total went to Europe, 5 million to Canada, and 2.8 million to the East Coast U.S. June increases in Venezuela production totaled 6½ million barrels—6.6% increase. On July 14th U.S. crude oil production was up 650,750 bbl/d.—with approximately 40% of this increase exported to Europe and Canada.

Canada has begun exploration off her eastern and western coasts with a $50 million plunge into the waters of the continental shelf. Utilizing what is termed the world's largest mobile drilling platform, a major discovery could boost Canada to an important position in the world offshore oil industry.

Oil shipments from Libya have resumed except, of course, to the U.S. and U.K. Iraq has resumed shipments to France, Spain, and Turkey. But the fact remains that the closing of the Suez Canal has cut off approximately 3.5 million barrels of oil a day and there is no indication of when this oil will again flow into world markets.

CONCLUSION

Many sources indicate that the U.S. is confronted with a serious decline in our own domestic energy producing capabilities. In contrast to the phenomenal growth of the oil industry in foreign countries, our domestic drilling for oil has fallen off by 41% in the past decade and our oil finding success ratio is the lowest it has been in 30 years. Our ratio of domestic reserves has declined accordingly. In 1950, the ratio of reserves to production in the United States was 13.6 to 1. Last year, it was only slightly more than 12 to 1. This steady decline of exploration in this country has reached a point where annual consumption of petroleum products exceeds new reserves found.

Yet, with all these indications that the key to our complex industrial economy—energy—will possibly be lost in the shuffle of foreign investments and increased foreign trade, aid, and development, our Government has generally favored the political ramifications of trade and disfavored recent efforts to stimulate our domestic industries.

BUREAU OF MINES COMMODITY STUDIES: GOLD, ALUMINUM, OIL SHALE

Mr. HANSEN. Mr. President, Dr. Walter R. Hibbard, Jr., presented my office with a copy of the commodity statements to which he referred during the hearing by the Subcommittee on Minerals, Materials, and Fuels on March 21, 1968.

Perhaps, readers of the CONGRESSIONAL RECORD would be interested in selected excerpts from that commodity statement study. Therefore, I ask that portions of the statements on aluminum, on gold, and on oil shale, be printed at this point in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF THE INTERIOR,
BUREAU OF MINES,
Washington, D.C., March 25, 1968.

Hon. CLIFFORD P. HANSEN,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HANSEN: Attached is a copy of the Commodity Statements to which reference was made during the hearing by the Subcommittee on Minerals, Materials and Fuels on March 21, 1968.

While these are working papers designed to support initial attempts to improve upon our capabilities to understand current and future supply-demand relationships I believe you may find them useful for reference purposes.

I deeply appreciated the opportunity to discuss the Bureau of Mines current studies and findings with your committee.

Sincerely yours,
WALTER R. HIBBARD, Jr.,
Director.

COMMODITY STATEMENTS, JANUARY 1968

(Supplement to Bureau of Mines strategic plan)

These statements furnish the source material comprising one facet of a comprehensive planning endeavor that seeks to continuously identify subjects in most urgent need of the Bureau's attention. They are, in effect, digests of voluminous information concerning some 80 mineral materials reduced to a common topical format. Each topic is described in three parts and each part treats only with information that was, at the time of compilation, considered to be significant in some way to the overall planning operation.

In each instance the opening paragraphs comprise a limited number of summary observations in which the essential conclusions, relative to the individual topics, are thought to be pertinent. Thus, the reviewer may gain a rapid summary of the status of a given mineral material through reference to the first page or two of each statement.

The summary observations are, in each instance, followed by a Background section in which current relationships, positions, and factual data are digested. The year 1966 is taken as a base wherever statistical data are employed. Supply-demand relationships are abstracted diagrammatically and are followed by sections on apparent reserves, industry patterns, consumption patterns, byproduct and coproduct relationships, economic factors and technology.

Finally an Outlook section projects a range of domestic and world demands through 1985 and 2000, and resources are appraised in terms of price-quantity and price-time relationships. Projections are based upon standard econometric techniques after selecting an index considered best applicable to each topic. The projections have been modified to reflect the effects of foreseeable probable and possible technological advances that would tend to lessen costs, reduce demands, increase supplies, or establish new markets. They have been further modified through introduction of the possible effects of non-technologic changes like price incentives, import or export controls, international events and the like.

The topics describe here include the significant mineral forming elements, the common fossil fuels, and certain mineral forms of commercial significance. Wherever feasible substances are addressed in terms of elemental content in preference to the mineral forms in which they are commonly priced, traded, and in some instances, consumed, in current marketing patterns. While the resulting units are not familiar in some discussions of current supply-demand relationships, they are essential in speculating upon future source and end-use patterns. The effectiveness of the planning endeavor rests largely upon the appraisal of future events and constraints and dictates the adoption of the unfamiliar units in many of these statements.

On some copies of these statements certain data have been obliterated because the manner in which information became available to the Bureau of Mines does not permit general disclosure. Where such information is essential for planning purposes it may be obtained from the appropriate office.

ALUMINUM—OUTLOOK

Demand

United States demand for primary aluminum as shown in the following table, projected on the basis of GNP, will be about eight times the 1966 consumption by the year 2000. The average annual growth rate from 1966 to 2000 is about 6 percent. Growth in demand for bauxite for applications other than making aluminum is expected to parallel that for the metal. Aluminum demand in the rest of the world, on the basis of population growth, is expected to grow at about 4½ percent per year, reaching 24 million short tons by the year 2000. Significant technological advances occurred during the period on which these projections are based and future advances of the "non-breakthrough" type are expected to affect future consumption. Production of aluminum from clay, probably by 1985 for 10–20 percent of total production, is expected to have little or no effect on the projected demand pattern.

PROJECTED U.S. DEMAND FOR ALUMINUM

[Million short tons]

	1966	1985	2000
High	4.45	14.34	36.81
Median	4.45	13.68	35.03
Low	4.45	13.12	33.69

PROJECTED REST OF THE WORLD DEMAND FOR ALUMINUM

High	5.42	12.52	24.02
Median	5.42	12.05	23.18
Low	5.42	11.59	22.33

The price of aluminum is expected to stay relatively stable.

Availability of aluminum from GSA stocks through 1978 also should help stabilize prices as well as supplement supply.

Supply

Supply is projected in terms of contained aluminum in bauxite, the present ore of aluminum, and on contained aluminum in high-alumina clays if the price of aluminum increases to 30 cents per pound. The ratio of 4.1 long tons of bauxite to one short ton of aluminum in 1966 is expected to increase gradually as lower grade ores are used.

Domestic reserves of metallurgical-grade bauxite, all in Arkansas, contain 11 million tons of aluminum. An additional 55 million tons are estimated to be economically recoverable from ferruginous and other low-grade bauxites containing an average of 38 percent Al_2O_3 in Arkansas, southeastern States, Oregon and Washington, and Hawaii at prices for aluminum ranging from 27.5 cents to 35 cents per pound. An estimated 4 billion tons of bauxite and kaolin clays in Arkansas, Georgia, Hawaii, and Oregon, averaging 33 to 42 percent Al_2O_3, contain on the order of 500 million tons of aluminum that can be considered a reserve at prices above 30 to 35 cents per pound for aluminum. The United States, however, must rely almost entirely on imports for the immediate future bauxite supply because of the time necessary for industry to convert to the use of lower-grade materials.

GOLD

The national interest would be advanced through events that would permit increased domestic primary production of gold at the prevailing statutory price for the metal. Among other factors short-term foreign liabilities are reducing United States Treasury stocks at a rate that threatens statutory reserve requirements.

Because of its monetary relationship and the resulting fixed price and single legal domestic market for gold, the normal commodity supply-demand relationships do not apply. Price is not influenced by costs and, as a result, domestic production except that issuing as a byproduct has declined as costs have increased. Except in a few instances, technologic advances have not effected cost reductions to the extent necessary to permit continued commercial production. In view of the extent of the known resources that are presently noncommercial, the feasibility of new techniques, systems, or concepts that would permit profitable exploitation at the fixed price level invites attention.

Technologic advances in exploration have been effective in recent gold discoveries of commercial significance. In fact, the prospect of finding new sources of gold that will yield to present technology at present price levels is sufficiently attractive to merit a priority of attention. Similarly, such techniques are expected to disclose new large marginal gold sources that might be commercially attractive if modest advances in extraction and processing technology are realized.

Other factors which increase the uncertainty of gold supplies include the fact that gold production abroad was dominated by the Republic of South Africa where 65 percent of world output was mined in 1966, but where some uncertainty attaches to future production rates. Although demand abroad for the arts and industry appears to have been relatively small compared with per capita consumption in the United States, there is an enormous but unmeasured disappearance of gold into foreign private hoards.

In the United States, copper and other base metal ores provide substantial amounts of byproduct gold. Byproduct silver is obtained from most gold ores and the recent increases in the price of silver have given some gold mine operators a small lift. Additional emphasis on byproduct production and the development of new techniques to base metal refinery slimes might result in some additions to supply.

Considerable gold is recovered from secondary sources, but the supply could be extended by improvements in salvage practices and techniques.

The marine environment promises a new dimension to source concepts if certain capabilities can be developed (see section on nickel).

New primary sources of gold are likely to be low in grade and, if commercially significant, likely to involve large volume mining and major surface disturbance. Major land-use conflicts must be expected and equitably resolved. For example, the importance of placer deposits as a source of production is decreasing because of competitive uses for suitable dredging land.

GOLD—OUTLOOK

Demand

United States demand for gold as measured by metal issued for industrial use and based on modified projections of the Federal Reserve Board Index, is expected to increase about 4.5 times by the year 2000. The average compounded annual growth rate from 1966 to 2000 is 4.5 percent. Demand in the rest of the world is expected to reach 60 million ounces by the year 2000.

PROJECTED U.S. DEMAND FOR GOLD

[Millions of troy ounces]

	1966	1985	2000
High	7.8	22	45
Median	7.8	19	35
Low	7.8	18	32

PROJECTED REST OF THE WORLD DEMAND FOR GOLD

High	40	52	60
Median	40	52	60
Low	40	52	60

Improved techniques of plating and coating gold on other metals and nonmetals probably will extend the application and lower the cost of using gold in industrial products, particularly electronic components. The development of new solders and brazing alloys will continue to extend the use of gold of joining materials in electronic devices. These technologic advances may tend to increase future demands.

Since the price of gold has remained fixed since 1934 and is not likely to change in the foreseeable future, price stability is a significant factor tending to increase future demand. Inflationary factors, political and monetary uncertainties create speculative demand for gold in industrial products well as in other forms. Conversely, when deflationary factors predominate in the economy demand for gold probably would decline. These factors while difficult to forecast could have an appreciable effect on demand projections. Also, changing vogue in an affluent society is a significant factor that could affect future demand for gold in fabricated products, particularly jewelry, the largest use.

The pattern of future consumption in the rest of the world may be similar to that in the United States but the overall growth rate will be appreciably lower.

Supply

Domestic resources of gold are estimated at 450 million ounces of which 9 million ounces are reserves considered economically minable at $35 per ounce from gold ores. An additional 53 million ounces are recoverable as a byproduct of copper ores. The remaining 388 million ounces could be mined at cost levels ranging upward from $35 to $200 per ounce. The 62 million ounces potentially recoverable at present price levels of gold and copper are approximately equivalent to cumulative consumption in the next 6 years.

Technologic advances in exploration utilizing new and improved scientific devices have been a factor in recent gold discoveries and are expected to contribute to future discoveries and ultimately to increased production. Bulk mining methods using modern drilling, loading and transportation equipment have lowered operating costs where the application of these methods is feasible. It is anticipated that further improvement in mining techniques will be made which could contribute in a modest way to increasing future supply of gold.

Present gold mining operations have little adverse effects on land use, but it is conceivable that exploitation of new primary sources of gold could involve large-scale surface mining, land disturbance, and some conflict in land use.

Conclusions and appraisal

Domestic resources of gold probably are of sufficient magnitude to meet projected demand to 2000 at price levels up to $200 per ounce, but at the current fixed price level of $35 per ounce minable reserves are only equivalent to projected demand to 1972. Furthermore, most of this potential gold production is dependent on the production of copper. Total minable reserves at current and future rates of production together with gold from the U.S. monetary stock (378 million ounces) are not adequate to balance total industrial demand projected to the year 2000. At the current price and present technology the indicated cumulative deficit is about 300 million ounces. Imports could conceivably balance the deficit but are by no means assured unless the price of gold is increased.

OIL SHALE

It has been repeatedly demonstrated that liquid and gaseous fuel products may be derived from oil shale. But there remains uncertainty as to whether the present technology and concepts are basically those that will ultimately be employed commercially, and a wide diversity of opinion as to when a combination of circumstances will encourage and demand large-scale domestic commercial exploitation of oil shale. (Present concern attaches almost entirely to the shales of the Green River formation and the production of liquid fuels substitutable for those commonly derived from petroleum).

Despite the technologic and economic uncertainties, the issues that immediately beset the embryonic shale-oil industry center initially on legal, social, and environmental issues. The fact that much of the oil shale is in public ownership complicated by unsettled disputes over the validity of private claims (to sodium and aluminum minerals in addition to the shale) and the absence of a perfected leasing system that would insure protection of the public's interest, tends to depress active development but not exhaustive, and largely unproductive, debate.

Aside from the legalistic issues, the emergence of a significant commercial shale-oil industry would be more apparent in the presence of further advancements in extraction and processing technology. Specially, the practical employment of in-situ extraction processes has been only partially explored, the extent to which conventional mining costs might be reduced is speculative, the present retorting concepts have certain shortcomings, the real significance of the mineral substance associated in the oil shale is wholly unknown, and, the disposal of waste products that might issue in the exploitation of oil shale under presently conceived processes or those that might be discovered in the future is seen as an impending environmental problem. Paradoxically, much of the uncertainty that complicates the legalistic and economic aspects of oil shale stems from these technologic gaps.

The commercial development of oil shale depends not only on developing an economic process to compete with petroleum but also is vulnerable to the development of a technology to liquefy coal or to the increased availability of oil produced from the Athabasca tar sand deposit in Alberta, Canada.

The environmental problem resulting from the large scale processing of oil shale and the generation of 1 to 2 million tons of solid waste per day will have to be solved before oil shale operations begin on any scale. Associated with the solid waste generation are also air and water pollution, damage to vegetation and other ecological factors. The problem of adequate water supply as well as its unpolluted disposal is involved. This subject requires intensive study and has a high priority for attention.

OIL SHALE—BACKGROUND

Supply-demand relationship

It has been demonstrated that shale oil can be used as a fuel that is supplementary to petroleum. The Bureau of Mines, in its demonstration plant near Rifle, Colorado, produced, refined, and used both gasoline and diesel fuel made from shale oil. It is reported that the Union Oil Co. processed about 20,000 barrels of shale oil to acceptable finished products comparable to similar products from petroleum. There is, however, no commercial shale oil on the market today so that a discussion of the supply-demand relationship must depend on the projected needs of the country for future energy sources.

It has been estimated that the requirement for petroleum will be 6,665 million barrels in 1980. Due to increasing costs and reserve problems, petroleum supply from domestic sources could face serious problems in the future.

A shale-oil industry, utilizing the vast reserves of oil shale in the United States could partly solve the problem of projected shortages of liquid fuels from domestic sources. Present indications are that an embryo industry may be born within 1 or 2 years. By the year 1980, perhaps 1 million barrels of shale oil per day will be produced, and the quantity will increase to perhaps 3 million barrels per day by the year 2000, representing

5 percent and 10 percent, respectively, of the country's energy needs. There is always danger in trying to predict the future. The numbers given here could be extensively modified by a breakthrough in the technology to liquefy coal or by increased reliance on the tar deposits of this country and Canada. Either of these events could affect the price of oil and endanger a new-born shale-oil industry. Similarly, a change in import regulations might either benefit or harm a new industry.

Apparent reserves

Oil shales of the Green River Formation are the world's largest hydrocarbon deposit, representing a tremendous reserve of fossil fuel energy. Composed of Eocene sediments deposited in ancient lakes, the Green River Formation lies under more than 16,000 square miles in adjacent corners of Colorado, Utah, and Wyoming. Estimates of the oil potential of this formation continuously increase with accumulation of reliable data. One recent estimate is as follows:

POTENTIAL OIL IN KNOWN OIL-SHALE DEPOSITS OF THE GREEN RIVER FORMATION

[Billions of barrels of oil in place]

	Colorado	Utah	Wyoming	Total
Intervals 10 or more feet thick averaging 25 or more gallons of oil per ton	480	90	30	600
Intervals 10 or more feet thick averaging 10 to 25 gallons of oil per ton	800	230	400	1,430
Intervals 10 or more feet thick averaging 10 or more gallons of oil per ton	1,280	320	430	2,030

Shale thicker than 10 feet with an average yield of 25 gallons per ton or more may be close to economic production now. Lower grade deposits become a reserve as demand increases or as production costs decrease.

All current estimates for the Green River oil-shale resource are based on detailed oil-yield data accumulated by the Bureau of Mines. Although more than 125,000 oil-yield assays have been made, there are significant limitations to the available data. These limitations are the inadequate geographic and stratigraphic coverage of the deposits and the fact that for much of the formation the only samples available for study have been drill-cutting samples rather than the much more reliable core samples.

The Devonian "black" shales of the central United States constitute a huge resource of fossil fuel energy. Theses marine sediments, containing organic matter relatively poor in hydrogen (about 50 percent of that in Green River oil shale), occur from Texas to New York and from Alabama through Michigan. These shales may represent an oil resource of 1 trillion barrels, but little definite information on the deposits is available.

Oil-shale deposits occur on every continent. The South American Iraty deposit in southern Brazil, Uruguay, and eastern Paraguay appears to be the largest deposit outside the United States.

Potential oil production from the world's oil-shale deposits furnishes no competition to oil produced from the United States Green River Formation. Oil produced in quantity from the Athabasca tar sand deposit in Alberta, Canada, probably will affect marketability of Green River shale oil.

Industry pattern

Currently no oil-shale industry exists in the United States. However, interest in this possibility is high. More than 20 major oil companies own oil-shale land. Most of this fee land, purchased and valued for its Mahogany-zone oil shale, is in Garfield County, Colorado, along the southern edge of the Piceance Creek Basin. Also held for oil shale are some fee lands and some leased lands in Utah, also primarily for Mahogany-zone shale. A few companies, notably Superior, Sinclair, Humble, Marathon, Shell, and a combine of Shell, The Oil Shale Corp. (TOSCO), and Standard of Ohio, own fee land in the Rio Blanco County portion of Colorado's Piceance Creek Basin where shales below the Mahogany zone are also rich. In Wyoming, the Union Pacific Railroad is virtually the only private owner of oil-shale land. UPRR acquired these rights, composed of alternate sections on each side of the rail line, over the route granted by the federal government. It has been estimated that as much as 95 percent of the richest oil-shale land in the Green River Formation is federally owned.

If an oil-shale industry were to begin immediately, it would exploit Mahogany-zone oil shale cropping out in the southern part of the Piceance Creek Basin and in extreme eastern Utah. Mahogany-zone shale has been the test material for all pilot-scale tests for production of shale oil by mining-retorting procedures. All oil-shale mining tests have been made in this Mahogany zone.

TOSCO is probably nearest to commercial production. They claim to be completing successfully a series of tests on a prototype plant in Parachute Creek north of the town of Grand Valley, Colorado. Mahogany-zone shale averaging 37 gallons per ton is mined and retorted at this plant. TOSCO has announced the hope that they will be producing 58,000 barrels of shale oil per day by 1970.

Other industry experimental production activity is in progress. A group of six companies—Mobil Oil, Humble Oil and Refining, Continental Oil, Phillips Petroleum, Pan American Petroleum, and Sinclair Research—recently completed a $7.2 million research program at the U.S. Bureau of Mines facility at Anvil Points, near Rifle, Colorado.

Tests of methods for producing oil from shale without mining have been conducted in the shale strata below the Mahogany zone. Companies making independent tests include Sinclair Oil and Gas, Humble Oil and Refining, Equity Oil, Shell Oil, and Mobil Oil. The Bureau of Mines is also conducting such tests. Project Bronco, an atomic blast experiment proposed to test a possible method for achieving shale-oil production by underground combustion, is now being worked toward the proposed explosion. Tests for producing shale oil from oil shale in place have yet to produce technical success, although quite a number of patents covering the postulated methods have been issued.

Consumption pattern

The shale oil produced will have to be shipped to major refining and marketing centers. The end use patterns for shale oil will follow, in general, those for petroleum and natural gas. Present processing techniques, usually involving hydrogenation with severe conditions, to reduce nitrogen and sulfur contents of the shale oil will probably result in much of the oil being marketed as gasoline or other light distillates. The technology for removing sulfur and nitrogen from heavy distillates without changing the boiling range is not well developed. This type of sulfur removal is presently receiving attention because of air pollution by sulfur oxides and it is to be expected that nitrogen will receive similar attention in the future.

Although the bulk of the shale oil will be used as fuel, specialty items may be a significant economic factor to the success of a shale-oil industry. In comparison to petroleum, shale oil is a hydrogen-deficient product. Therefore, it has a high content of such things as olefins, useful in making biodegradeable detergents, and of nitrogen compounds, useful as commercial solvents. The nature of the materials in the low-boiling fractions has been amply demonstrated for shale oils produced in experimental retorts. Corresponding studies of heavier fractions are incomplete. Therefore, their utility in the production of specialty items cannot be predicted with certainty.

Byproducts and coproducts

Byproduct relationships are considered here as those from the production of fossil fuels. More specifically the byproducts will be those non-fuel products that are collected together with the crude shale oil and with the retort gases in the retorting step.

It is generally conceded that the gross compositions of shale-oil crudes produced in internally-fired retorts show only small differences. It is also generally conceded that the typical byproduct petrochemicals—such as ethylene, propylene, benzene, and so forth—could be produced in a shale-oil refinery as easily and in about the same quantities relative to the original crude as are produced in petroleum refineries. We will consider here only the byproducts relationships that will be more or less peculiar in quantity to a shale-oil industry as opposed to those byproduct relationships in a petroleum industry. In essence then, these byproducts will be those organic compounds that contain oxygen, nitrogen, and sulfur. The major byproducts that are recoverable and that contain these heteroatoms are as follows:

BYPRODUCTS FROM TWO KINDS OF REFINING PROCESSES

	Case 1[1]	Case 2[2]
Tar bases (pounds per month)	3×10^6	7.5×10^6
Tar acids (pounds per month)	1.5×10^5	
Sulfur (tons per day)	50	50
Ammonia (tons per day)	300	200

[1] Refining process: (1) Distillation to recover raw naptha, (2) extraction of raw naptha to recover tar acids and tar bases, and (3) hydrogenation of bottom to give a nitrogen- and sulfur-free product and ammonia and hydrogen sulfide.

[2] Reforming process: (1) Recycle hydrocracking to give 80 percent of crude as reforming stock, (2) extraction of tar bases prior to reforming, and (3) recovery of ammonia and sulfur from the hydrogenated products.

The impact of these products upon the chemical industry can be seen when one considers that the monthly production of tar bases is about 1 million pounds. Thus, tar-base product from a 100,000-barrel-per-day refinery would equal 3 to 8 times the current production.

Co-product relationships are considered here as being those products that will be removed from the shale before retorting or from the spent shale after retorting.

The possibility of co-producing Al_2O_3 and soda ash with shale oil by mining and processing dawsonite- and nahcolite-bearing oil shale from the northern part of Colorado's Piceance Creek Basin recently appeared. Dawsonite $[NaAl(OH_2CO_3]$ occurs in an area greater than 300 square miles in a stratigraphic section of relatively rich oil shale. Lying below the Mahogany zone, this section ranges in thickness to 700 feet. In this section alumina in dawsonite represents 2½ times the free world's known supply of alumina in bauxite.

Through much of the dawsonite-bearing section nahcolite occurs in the oil shale in vugs and crystal masses. This almost pure bicarbonate of soda is an excellent starting material for production of soda ash.

Technologic processes for production of Al_2O_3 and nahcolite products are under study.

Economic factors

The most probable production of shale oil in the near future is from the Green River Formation shales of Colorado, Utah, and Wyoming. The shale is located in a sparsely settled semi-arid area. The deposit locations require that industry recruit and relocate personnel from larger centers of population. The problem of supplying an industry with water is a serious one and meaningful engineering and economic studies are needed to solve the problem.

The shale oil will probably be transported to the West Coast or to the Mid-Continent area for processing. In either event, the necessity to make a pipeline quality crude shale oil is imposed on the producer.

In recent years the federal government granted some exploration permits for sodium mineral search in the Piceance Creek Basin. Many additional applications were filed but not granted. These sodium exploration applications, granted and not granted, cover most of the thick, rich oil-shale deposits in Rio Blanco County, Colo. Coring under the granted permits found nahcolite and dawsonite plus some halite. Oil and gas leases had been granted previously over much of the "withdrawn" oil-shale land, establishing precedent for validity of the sodium lease applications. To complicate this question, mining claims based on discovery of aluminum have been filed covering the same land as the sodium exploration applications. Most of these claims are not owned by those who filed sodium prospecting applications on the same land. Filing of these mining claims has only recently been terminated.

Legal problems posed by these events include definitions of validity of the sodium lease applications before and after explorations, validity of the aluminum mining claims, whether dawsonite is a claimable or a leasable mineral, and which filing form takes precedence over the other. All of the problems tie up any possible development of the thick oil shales in the northern part of the Piceance Creek Basin.

The regulating of oil imports has a significant bearing on the development of a shale-oil industry. A change to allow the importation of more inexpensive foreign oil could act adversely to the health of a new shale-oil industry. Conversely, a further limitation on imports, through controls by the Department of by an adverse political situation could contribute to the rapid development of shale-oil production. In this situation, low-cost energy and security of supply are opposed to each other. The first suggests an increase in the supply of low-cost foreign petroleum; the second a reliance on domestic supplies or on supply by stable, friendly, foreign countries.

Under present tax laws, a depletion allowance of 15 percent of the value of the oil-shale rock as mined can be deducted from the taxable income of a commercial oil-shale operator in figuring income tax liability (provided that amount does not exceed 50 percent of taxable income computed without allowance for depletion). Oil shale, as petroleum and all minerals, is a natural resource that is entited to a depletion allowance. The depletion-allowance provisions of Federal tax laws reflect a recognition of the wasting-asset nature of the extractive mineral industries. Allowable percentage depletion rates range from 5 to 27.5 percent. A change to allow a larger depletion rate would make the production of shale oil more economically attractive.

Large-scale processing, 1 to 2 million tons of shale per day, implies a tremendous waste disposal problem. This poses unsolved problems in water and air pollution, damage to vegetation, permanent or long-term damage to the landscape and concurrently a large economic liability in materials handling.

Technology

Production of fuels from oil shale began in France in 1838. Since that time various countries throughout the world have attempted to exploit this resource on a commercial scale. Industrial shale-oil production continued sporadically in France and Scotland from the middle 1800's until the early 1960's. Government subsidy and/or import duties on petroleum products accounted, for the most part, for the industry's 100-year life. Brazil and Canada have been active in oil-shale development work and Australia, Estonia, Germany, Sweden, Spain and Red China have, at one time or other, achieved commercial production of shale oil. However, the only known large-scale shale-oil production today is in the Russian controlled Estonian plant, near Leningrad, and the Red Chinese operation at Fushun, Manchuria.

Over the past 60 years or so, many attempts have been made to mine and retort oil shale in the Piceance Creek Basin. Four of the more extensive investigations were conducted near Rifle, Colo., by (1) the Bureau of Mines under the Synthetic Liquid Fuels Act, (2) the Union Oil Co. of California, (3) the Colony Development Co., and (4) a group of six oil companies, including Socony Mobil as Project Manager.

During 1944–56, pilot-plant investigations of mining and retorting oil shale were conducted by the Bureau of Mines. A demonstration mine was opened in a 73-foot minable section of the Mahogany zone to show that low mining costs and high recovery in a room-and-pillar operation were possible. An extraction ratio of 75 percent was attained and mining costs computed during the period of operation in the 1940's ranged between 47 and 56 cents per ton.

Of the numerous retorts studied in the Bureau of Mines program, the gas-combustion retort gave the most promising results. This retort is a vertical, refractory-lined vessel through which crushed shale moves downward by gravity. Recycled gases enter the bottom of the retort and are heated by the hot retorted shale as they pass upward through the vessel. Air is injected into the retort at a point approximately one-third of the way up from the bottom, and is mixed with the rising, hot recycle gases. Combustion of the gases and some residual carbon from the spent shale heats the raw shale immediately above the combustion zone to retorting temperature. Oil vapors and gases are cooled by the incoming shale and leave the top of the retort as a mist. The novel manner in which retorting, combustion, heat exchange, and product recovery are carried out gives high-retorting and thermal efficiencies. The process does not require cooling water, an important feature because of the semiarid regions in which the shale deposits occur.

The retort developed by Union Oil Co. of California also consists of a vertical refractory-lined vessel. It, however, operates on a downdraft principle and the shale is moved upward through the retort by a unique charging mechanism referred to as a "rock pump". Heat is supplied by combustion of the organic matter remaining on the retorted shale and is transferred, as in the gas-combustion retort, by direct gas-to-solids exchange. The oil is condensed on the cool, incoming shale and flows over it to an outlet at the bottom of the retort. This process, also, does not require cooling water.

Two major efforts are being made toward utilizing oil shale by mining and aboveground retorting techniques. One of these is using the facilities of the Bureau of Mines near Rifle, Colo. In May of 1964, these facilities were leased by the Colorado School of Mines Research Foundation and are being operated by it under a research contract with six oil companies; Mobil, which acts as project manager, Humble, Phillips, Sinclair, Pan American, and Continental. The first phase of the research, which lasted approximately 2½ years, was devoted primarily to studying the gas-combustion retorting process in two small pilot plants that had been constructed by the Bureau. The second phase, started in May 1966, involved both mining and retorting. The retorting included use of the largest gas-combustion process pilot plant at the facilities. This phase lasted 18 months. The entire program involved an expenditure of about $7.2 million. All of the research was on a pilot-plant scale and thus will not lead immediately to a commercial operation.

The second major effort is by TOSCO. TOSCO operations on Parachute Creek north of Grand Valley, Colo., have been in progress for about 3 years. These operations included construction of a "semi-works" plant using the TOSCO retort, and the attendant opening of a mine. The retort is a rotary-type kiln utilizing externally heated balls to accomplish retorting. Shale feed of -½ inch size is preheated and pneumatically conveyed through a vertical pipe by flue gases from a ball heating furnace. The preheated shale then enters the rotary retorting kiln with the heated balls where it is brought to a retorting temperature of 900° F by conductive and radiant heat exchange with the balls. A trommel receiving the retorting kiln discharge recovers the balls from the shale dust and they are cycled for reheating while the spend shale is routed to disposal by a screw conveyer. Excellent oil recoveries and high shale throughput rates have been reported. The announced objective of the undertaking is to achieve full plant operation at a level of about 66,000 tons per day.

Operations described in the previous section will use modern developments of the room-and-pillar mining method. Two other approaches have been proposed. One of these is large-scale, open-pit mining that has the potential of producing shale at a low cost per ton. The other new approach to mining is the use of automatic mining machines. Machines that have been proposed are outgrowths of equipment used for tunneling operations that have been successful in materials more easily mined than oil shale.

Several retorting processes, in addition to those previously described, are receiving some attention. One, known as the Petrosix process, is a variation of gas-combustion retorting. Another variation of the gas-combustion retort developed by John B. Jones, Jr., president of Development Engineering, Inc., Denver, Colo., is claimed to be applicable to oil-shale retorting.

In aboveground moving-bed operations, segregation of various sizes of crushed shale creates a serious obstacle to efficient continuous retorting. The degree of segregation increases with the particle size range and the deleterious effects are magnified sharply as the particle size range extends below ¼ inch. Pressure drops through the bed rise to a point where channeling of gas or other heat-carrying media begins and this leads to uneven heat distribution. Heat is concentrated in the channels and, if sufficiently high temperature levels are reached in the bed, fusion of the inorganic material, or clinkering, occurs. The operation then must cease and the fused material must be removed. Movement of the shale through the vessel must be controlled in such a manner that segregation does not occur.

The state of the shale retorting science has not yet advanced to the point where run-of-the-mill crushed shale can be efficiently utilized by the several modern retorting processes that have reached a reasonable stage of development. To avoid waste of a considerable portion of our oil-shale resources (12–15 percent) one of three alternatives may be taken in building a commercial oil-shale plant at the present time, these are: (1) Use a system designed to retort fine shale and grind all mined shale accordingly, (2) use a system designed to retort large particle size shale, screening out the fines and briquetting them for retort feed, or (3) use two types of retorts, one for fines and one for the oversize.

Because mining, crushing, and retorting make up about 60 percent of the cost of producing shale oil, retorting shale in place is being investigated as a means of reducing the cost of shale-oil production. This approach is attractive for several other reasons. It may be applicable to deposits of various thicknesses, grades, and quantities of overburden. In addition, it eliminates the necessity of disposing of large quantities of spent shale. Two major approaches to this problem are in the early stages of investigation. They differ principally in the manner proposed for creating permeability in the shale bed. One approach proposes limited fractoring, whereas the other proposes massive fracturing.

When limited fracturing techniques are employed, wells are drilled into the shale bed, and a series of horizontal fractures are produced between them to provide paths for injected and produced gases and liquids. In one approach the shale adjacent to the injection well is ignited by some suitable means, and the burning zone moved outward from the well at a controlled rate. Heat is transferred from the combustion gases to the cold shale and also by conduction from the burning zone to adjacent shale. The hydrocarbons produced by pyrolysis are swept through the fractures into the producing wells by the stream of gaseous combustion products.

Sinclair Oil and Gas Co. began studying the feasibility of in situ retorting oil shale in 1953. From these tests and subsequent ones made during the following year, it was concluded that communication between wells could be established through induced and natural fracture systems, that wells could be ignited successfully although high pressures were required to maintain injection rates during the heating period, and that combustion could be established and maintained in the shale bed. More recently Sinclair Oil and Gas Co. has been conducting extensive field research at a site on Yellow Creek in Rio Blanco County, Colo.

One of the newer in situ shale recovery processes had been patented by Equity Oil Co. of Salt Lake City. This process employs injection of hot natural gas to retort the shale and it has been applied in a field experiment in the Piceance Creek Basin.

In another approach, in situ retorting by steam is being investigated by Shell Oil Co. In this process, the steam boiler is fired by methane obtained by pyrolysis of the shale. Because of retorting with steam, the methane is undiluted with products of combustion and should make an excellent fuel. However, the fuel value of the carbon residue remaining in the shale would be lost.

In situ field tests have also been conducted by Mobil Oil Co., but little information on their operation has been released.

Success of any in situ process is directly dependent on the permeability that exists or can be created in a shale bed. The Bureau of Mines is presently studying two methods for creating permeability. The first uses high-voltage electricity to fracture the shale at predetermined locations approximately parallel to the shale bedding planes. Field tests are being conducted in shale beds near Rock Springs, Wyo., to determine whether oil shale under pressure of overburden responds the same to the passage of high-voltage electricity as do unrestrained blocks in the laboratory. The second approach, which is underway at the same field location, is a study of the detonation of liquid nitroglycerine, injected into natural or induced permeable zones, to create fracturing in oil-shale beds.

The site of the preceding experiments is also being used for an attempt to recover shale oil from a bed of shale that was fractured first by electricity and then by liquid nitroglycerine. Preliminary tests use superheated steam as a heat-carrying medium. If satisfactory recovery techniques are developed, an attempt will be made to conduct underground combustion.

The second approach is represented by the Plowshare program for peaceful uses of nuclear explosives; study is being made of the feasibility of using a confined underground nuclear explosion for shattering very large quantities of oil shale from which shale oil would subsequently be recovered by in situ retorting techniques. Because of a single nuclear explosive would fracture several million tons of shale, its use may offer an economical approach to the utilization of oil shale. An experiment to test this approach is being proposed as a joint effort of government and private industry.

Fuels and chemicals can be produced from shale oil by using established techniques appropriately modified to account for differences in composition between shale oil and petroleum.

OIL SHALE (SHALE OIL)—OUTLOOK

Demand

Inasmuch as there is no shale-oil industry in the United States, the assumption used for the future pattern of utilization of shale oil is that it will follow the patterns projected for total liquid fuels in 1980 and 2000, and that the shale-oil contribution in each section will be in the same proportion as total shale-oil demand to total liquid-fuels demand.

PROJECTED U.S. DEMAND FOR SHALE OIL

[In millions of barrels]

	1966	1980	2000
Median	0	400	1,059

Because no new major shale-oil industry is envisioned for the rest of the world, no estimate of shale-oil demand outside of the United States has been made.

There is a need for continuous evaluation of trends in petroleum-product quality and markets, and of the applicability to shale-oil demand of improvements in petroleum-refining methods as they are developed. The high level of research and development in the petroleum-refining industry and the adaptability of some petroleum-refining techniques to shale oil, mitigate the need for a major effort directed toward development of unique methods for shale-oil refining.

Supply

The extent and nature of domestic oil-shale resources are discussed in the oil-shale background profile. The rate of technologic advancement in reducing operating costs will determine how much shale oil will be produced from these resources. The relationship between operating cost and 1980 shale-oil production is shown on the following chart; the assumptions and operating costs used to develop this chart are summarized in the table below:

EFFECT OF TECHNOLOGY ON THE OPERATING COST OF PRODUCING SHALE OIL AND RELATED BYPRODUCTS FROM SURFACE INSTALLATIONS

Technology used		Year in operation	Operating cost (dollars per barrel)	
Retorting	Mining		Before by-product credit	After by-product credit
1st generation gas combustion	Room and pillar	1972	$2.10	$1.49
Above with a 60-ft. diameter retort	do	1976	1.57	.97
2d generation gas combustion	Cut and fill	1980	1.28	.31

The cost of producing shale oil is the key to when the Nation's vast oil-shale deposits will be developed. Currently, a shale-oil industry appears to be only marginally attractive; thus, reduction in cost is prerequisite if industry is to develop a meaningful shale-oil production rate of the order of at least a million barrels per day by 1980. The extent to which the goal may be met, or perhaps exceeded by a factor or two, depends on how successfuly the envisioned scale-up and technologic improvements are accomplished.

New technological developments that might be used to achieve the lowest possible costs in the underground mining of oil shale would be improvements in large mechanized equipment, such as self-propelled drill jumbos, electric or diesel shovels, and diesel trucks. Some further reduction of costs can be achieved through research and development on room-and pillar configuration.

The principal improvements that might be made in open-pit technology are in the development of large-capacity machines, automation and improved methods of transporting solids.

An ideal oil-shale mining system is one that could be used to extract the full deposit thickness (up to several hundred feet), recover nearly 100 percent of the deposit, prevent land-surface damage and despoilment, and be sufficiently economical to permit extraction of substantially lower-quality shale than possible by current technology. The key elements envisioned for such a system are continuous shale breaking, inexpensive loading and haulage, and positive ground control by filling the underground voids with spent shale. As this system is developed it may be possible to retort the shale underground immediately in a mobile retort.

To reduce the expense of mining, crushing, and retorting, which make up about 60 percent of the cost of producing shale oil, retorting the shale in place should be investigated. The success of this approach will require research on method of creating permeability in the shalebed through use of high-voltage electricity, liquid nitroglycerine, hydraulic fracturing, or nuclear explosives.

Large-scale development of the oil-shale industry will create environmental problems of solid waste disposal, air and water pollution, and damage to vegetation.

Conclusions and appraisal

Although the vast domestic resources of oil shale contain the equivalent of about 70 times the present domestic proved reserves of crude petroleum, commercial development is complicated by technologic gaps and economic and environmental problems. Reduction in production costs is prerequisite to the emergence of a significant commercial shale-oil industry.

SUBCOMMITTEE MEETING DURING SENATE SESSION

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Subcommittee on Government Research of the Committee on Government Operations be authorized to meet during the session of the Senate today.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent, without its being charged to either side, that I may suggest the absence of a quorum.

The PRESIDING OFFICER. Is there objection?

Mr. LONG of Louisiana. Mr. President, I withdraw that suggestion for a moment.

Mr. ALLOTT. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. ALLOTT. I understand I must get unanimous consent in order to speak.

The PRESIDING OFFICER. The Senator is correct.

Mr. ALLOTT. Mr. President, I ask unanimous consent that I may speak for 5 minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

CONGRESSIONAL ACTIONS IN REDUCING BUDGET REQUESTS

Mr. ALLOTT. Mr. President, events of the last few hours have caused everyone in America to "reassess" and "reappraise," but one part of the President's speech which seems to have gone past most people, because most people are reassessing the political situation, has to do with the remarks which the President made with respect to the budget and our finances. I am going to read a portion of those remarks, but first I ask unanimous consent that the entire portion of his remarks beginning with "deficit of $20 billion," and going on for several paragraphs thereafter be included in the RECORD at this point.

There being no objection, the extract was ordered to be printed in the RECORD, as follows:

> DEFICIT OF $20 BILLION
>
> On many occasions I have pointed out that, without higher taxes or decreased expenditures, next year's deficit would again be around $20 billion. I have emphasized the need to set strict priorities in our spending. I have stressed that failure to act—promptly and decisively—would raise strong doubts throughout the world about America's willingness to keep its financial house in order.
>
> Yet Congress has not acted. And today we face the sharpest financial threat in the postwar era—a threat to the dollar's role as the keystone of international trade and finance.
>
> Last week, at the monetary conference in Stockholm, the major industrial countries took a big step toward creating a new international monetary asset that will strengthen the international monetary system.
>
> But to make this system work the United States must bring its balance of payments to—or close to—equilibrium. We must have a responsible fiscal policy. Enactment of a tax increase now, together with expenditure control, is necessary to protect our security, continue our prosperity, and meet the needs of our people.
>
> What is now at stake is seven years of unparalleled prosperity—in those seven years, the real income of the average American—after taxes—rose by almost 30%—a gain as large as that of the preceding 19 years.
>
> The steps we must take to convince the world are exactly the steps we must take to sustain our economic strength at home. In the past eight months, prices and interest rates have risen.
>
> We must move from debate to action. There is, I believe—in both Houses of the Congress—a growing sense of urgency that the situation must be corrected.
>
> My budget in January was a tight one. It fully reflected an evaluation of our most demanding needs.
>
> But in these budgetary matters, the President does not decide alone. The Congress has the power and the duty to determine appropriations and taxes.
>
> REDUCTIONS IN BUDGET
>
> The Congress is now considering proposals for reductions in our national budget.
>
> As part of a program of fiscal restraint that includes the tax surcharge, I shall approve appropriate reductions in the January budget when and if Congress so decides.
>
> One thing is unmistakably clear: Our deficit must be reduced. Failure to act could bring on conditions that would strike hardest at those people we are striving to help.
>
> The times call for prudence in this land of plenty. I believe we have the character to provide it, and I plead with the Congress to act promptly to serve the national interest, and all the people.
>
> Now let me give you my estimate of the chances for peace: the peace that will one day stop the bloodshed in South Vietnam, allow that people to rebuild and develop their land, and permit us to turn more fully to our tasks at home.
>
> I cannot promise that the initiative I am announcing tonight will be any more successful in achieving peace than the more than 30 others we have undertaken and agreed to in recent years.
>
> It is our hope that North Vietnam, after years of fighting that has left the issue unresolved, will now cease its efforts to achieve a military victory and join us in moving toward peace.
>
> And there may come a time when South Vietnamese—on both sides—are able to work out a way to settle their differences by free political choice rather than by war.
>
> As Hanoi considers its course, it should be in no doubt of our intentions. It must not miscalculate the pressures within our Democracy in this election year.
>
> We have no intention of widening this war. But the United States will not accept a fake solution to this long and arduous struggle and call it peace.
>
> No one can foretell the precise terms of an eventual settlement.
>
> Our objective in South Vietnam has never been the annihilation of the enemy.

Mr. ALLOTT. The President said:

> On many occasions I have pointed out that, without higher taxes or decreased expenditures, next year's deficit would again be around $20 billion. I have emphasized the need to set strict priorities in our spending. I have stressed that failure to act—promptly and decisively—would raise strong doubts throughout the world about America's willingness to keep its financial house in order.

Mr. President, the President went on last night in the same vein. I think, from a reading of these remarks, it must be apparent not only to all Members of Congress but to all Americans that the President pointed to Congress and said in effect, "If there are any taxes to be levied, I have already asked for them. If there are expenditures to be cut, I have asked for that, and Congress is going to have to do it."

I recently placed in the RECORD some figures on the appropriations of the Congress of the United States, which show that in the last 8 years the Congress of the United States has cut the budget of the President of the United States significantly in all but 2 years. In those 2 years the cuts were still in the neighborhood of $200 to $400 million. In the other years the cuts have been of remarkable amounts.

Last year the Congress of the United States and its Appropriations Committees were able to effect cuts in the President's budget of $6.2 billion.

I think the thing America is missing today in the significance of the President's remarks is that if there is going to be any fiscal policy in this country, if there is going to be any sensible monetary policy, if we are going to take any steps to bring our balance of payments back into normal range, Congress is the one that is going to have to take those steps. Despite the statements of the President, every Member of the Congress in both Houses knows that week after week, and month after month we see more and higher requests for additional money for the President's Great Society programs.

We are all aware of the necessity in these areas, but we cannot continue to buy guns and butter at the same time. Despite what was said last night, this is not the end of the Vietnam war. It is not the end of the cost in dollars or in lives to the American people or to the people of Vietnam.

So it seems to me appropriate today to direct attention to these particular remarks, and to say to my fellow Senators on the Committee on Finance and the Committee on Appropriations that now is the time, as we are doing here, to consider not only a tax increase, but a tax increase with decided restrictions upon expenditures.

The big problem in this country is that no one, either downtown at 1600 Pennsylvania or up here on the Hill, has been willing to set priorities. But someone, somewhere, will have to do it, and I know of no one more appropriate than the members of the Committee on Finance and the Committee on Appropriations, of which I am a member. I must take my share of the responsibility. I know of no one who can properly take the lead in those matters except the membership of those two committees.

So I hope that while we are considering here an excise tax bill, which also, as amended, includes an income tax increase and a $6 billion reduction in expenditures, we will look at these things very hard. I hope, since we have complained—and I do not like that word, but Congress has complained—that the President has taken over too many responsibilities, and, since today and last night the President has tossed this little ball of wax into the hands of Congress, that we will live up to our responsibilities. I think we can. I think we can make meaningful cuts in expenditures. I think that with such cuts—but only with such acts—we can have an increase in the income tax; and I think, with the cuts, we can provide a set of priorities and a sense of direction which this country, in my opinion, has lacked for several years.

So the challenge has been put up to us by the President. I hope that Congress will accept its responsibility, state its priorities, set out its aims for expenditure limitation, and, in addition, take such other steps as will increase the income tax and bring our balance of payments back to a more favorable position.

TAX ADJUSTMENT ACT OF 1968

The Senate resumed the consideration of the bill (H.R. 15414) to continue the existing excise tax rates on communication services and on automobiles, and to apply more generally the provisions relating to payments of estimated tax by corporations.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent to proceed for 10 minutes.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. LONG of Louisiana. Mr. President, tomorrow we shall vote on the so-called Williams-Smathers substitute for the revenue bill which is before us.

I know that some will contend that, because of the President's historic and dramatic statement last night, we should proceed to adopt this substitute. I wish to say, Mr. President, that impressed as I was with the President's statement, it does not change my view, and I do not believe it should change the view of any Senator with regard to the vote which will occur tomorrow.

If we are to agree to a big tax increase, it is certainly within the power of Congress to do it by the thoughtful consideration and the processes that Congress has used for a great number of years. It is possible to enact a tax increase by conducting hearings and making a study of the issue, and not buying the administration's recommendation like a pig in a poke. It is possible to do so only after thoughtfully analyzing the recommendation and seeing that it is the best fashion in which the desired result can be accomplished and to bring forth what we believe is the means best calculated to meet the needs of the country.

For example, I have at the desk an amendment that could be considered, if we wanted to do it—I do not expect to call it up—which indicates how I would go about raising a large amount of revenue, if that is what we want to do. It would restore the corporation tax back to the 52-percent rate which existed prior to the 1964 tax cut. That would bring in about $2.9 billion of additional revenue. Then it would proceed to raise income taxes by what would amount to about one-third, by simply going back to the rates that existed after the first step of the 1964 tax cut on individuals. Instead of having a surtax, we would simply fix a tax increase within the rates. My proposal would then proceed to increase the rates for capital gains from 25 percent to 27½ percent.

Instead of having two taxes, we would have one tax; it would still be the income tax, and to calculate it we would have one set of rates, and that is how much we would owe. That would be a much lesser burden on most taxpayers. It would be a somewhat heavier burden on corporations, but corporations are able to stand a heavier burden.

As I say, Mr. President, I shall not suggest the imposition of that tax at this point. I am fully convinced that the House of Representatives is composed of statesmen equally as loyal, patriotic, and conscious of their duty as we are. I am convinced that the President has as many friends and sympathizers in the House of Representatives as he has here in the Senate. They have a very fine committee over there, the Committee on Ways and Means—the oldest committee in that body, I believe—which is composed of some of the most senior and most highly regarded Members of the House of Representatives. Those gentlemen, in my judgment, will initiate a tax increase—if they think the national interest requires it, if they agree with the President, and if they agree with the statements we have heard on this side of the Capitol about fiscal responsibility to whatever extent they think necessary and proper.

Furthermore, Mr. President, the Williams-Smathers substitute has certain other features not recommended by the President. In fact, it still has an item or two with which the President strongly disagrees. For example, it provides for a ceiling on Government employees, and imposes the ceiling in a way that is totally impracticable. It says that at any time that the number of employees exceeds the number employed on September 20, 1966, no vacancy can be filled unless the director of the Bureau of the Budget approves it. If a man who is the head of some particular agency, or who has the top office in a major city, were to retire, that position could not be filled unless it were cleared with the Director of the Bureau of the Budget who would be controlled to such on extent that only 50 percent of the vacancies referred to his discretion could be filled during any quarter when the number of employees exceeded the number employed on September 20, 1966.

It would make much more sense to say that, were two people to retire, only one of those two jobs, numerically speaking, could be filled. It should be left to the discretion of the person who is the head of the agency, or the personnel executive, to decide whether he wanted to fill the No. 1 slot and dismiss somebody holding a lesser job down the line rather than leave unfilled the position of supervisor.

Those who have studied the matter in the executive branch of the Government find very little reason to recommend the personnel ceiling as it would be applied by the Williams-Smathers substitute. I rather doubt that the Senator from Florida [Mr. SMATHERS] concurred in that section of the amendment, and I imagine it to be the idea of a single Senator, rather than of two Senators.

Furthermore, this $6 billion proposed cutback is more or less a figure picked out of the air. Originally $8 billion was the figure picked by the senior Senator from Delaware [Mr. WILLIAMS] when he thought up his proposal. It was based on what he believed the budget deficit would be, according to earlier administration statements—not its most recent statements—and based on the theory that we could have a balanced budget during a time when the Nation was at war—something that has never happened during my time in the Senate—and it was arrived at by taking the amount of money raised by a 10-percent surtax, reducing the estimated deficit by that amount, and then putting a freeze on expenditures for the difference.

The Senator subsequently adjusted his budget freeze downward by $2 billion, purely in the spirit of compromise. And there is no one to compromise with.

There have been suggestions from the executive branch directed toward the members of the Ways and Means Committee, and, I believe, even directed toward the senior Senator from Delaware [Mr. WILLIAMS] and the junior Senator from Florida [Mr. SMATHERS], indicating their judgment that a lesser figure would be more practicable and far more in the national interest. However, just grabbing a figure of $6 billion out of the thin air is not a practical way to arrive at the level of expenditures.

The Committee on Finance is not a committee with the expertise and knowledge to know what would be the best level at which to freeze expenditures. It is doubtful that the Committee on Appropriations, which does have the knowledge and expertise and the staff, could tell us at what level the expenditures should be frozen, until they have had an opportunity to study all the items that might be involved and to consider all the problems involved in the matter.

Mr. President, those are just some of the considerations that occur to me. I personally believe that we should not undertake to grab the ball and run off with it until we have had a chance to see whether the House of Representatives would welcome our doing a thing such as that—in view of the constitutional requirement that revenue measures must originate in the House of Representatives.

If the House committee feels it wants to study the matter further and give more thought and study to the proposed tax increase before it recomends it to the House of Representatives, that is certainly its privilege and, in my judgment, it would be well that we recognize that.

For those reasons and for a number of other reasons, I still remain firm in my opinion that now is not the time to add some huge tax increase to a revenue measure which was merely to extend and continue excise taxes that presently exist. And while I am very much impressed by what the President said last night and am moved inwardly to accord the President greater cooperation and consideration for his program and suggestions, I do feel that this is not the way we should discharge our duty.

I believe that we could do a better job and a more thorough job if we were to conduct hearings on all aspects of the tax measure, preferably based on a bill on this subject that originates in the House of Representatives. This is a matter that the House has been studying for a year.

I doubt very much that the House would be constrained to agree to the Senate's action in this fashion if the Senate should see fit to try to impose this provision on the House by amendment to an entirely different revenue bill while it was being considered by the Senate.

Mr. President, I have been asked to insert in the RECORD a summary of the Williams-Smathers substitute amendment so the Members tomorrow, when they are called upon to vote upon this substitute, will know exactly what they are voting upon.

The provisions under the Williams-Smathers amendment can appropriately be grouped into two categories, those which appear only in the substitute and those which are in both the substitute and the underlying bill for which the substitute is offered. It is only the first category which are unique to the substitute and, therefore, are the provisions to which attention should especially be devoted.

Mr. President, I ask unanimous consent that the summary which has been prepared by the staff be inserted at this point.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

SUMMARY OF WILLIAMS-SMATHERS SUBSTITUTE AMENDMENT TO H.R. 15414

PROVISIONS WHICH APPEAR ONLY IN THE WILLIAMS-SMATHERS SUBSTITUTE

1. Reduction in the number of civilians employees in the Executive Branch (sec. 2): The substitute provides that no vacancy in the executive branch is to be filled, except as determined by the Director of the Bureau of the Budget, during the period the aggregate number of employees in the executive branch exceeds the aggregate number employed on September 20, 1966. However, the Director may authorize the filling of not more than 50 percent of the aggregate number of vacancies. The following executive agencies are excluded from the operation of this provision: the Department of Defense, the postal field service, the CIA (as a result of a floor amendment), and the Federal Bureau of Investigation. Also excluded are certain casual employees, employees employed without compensation, employees appointed by the President with the advice and consent of the Senate, and employees transferred between positions within the same department or agency.

2. Limitation on expenditures during fiscal year 1969 (Sec. 4): The substitute provides that budget expenditures are not to exceed $180 billion ($6 billion less than the budget calls for) except by—(1) expenditures in excess of $25 billion necessary for the military effort in Southeast Asia, (2) expenditures for interest in excess of the budget amount, (3) expenditures for veterans benefits in excess of the budget amount, and (4) expenditures from Social Security trust funds in excess of the budget amount. In the case of categories (3) and (4) the only excess amounts to be taken into account are those provided for by law on March 1, 1968.

3. Reexamination of the Budget (Sec. 5): The substitute directs the Director of the Bureau of the Budget to reexamine the budget to submit to Congress within 30 days after date of enactment a report setting forth proposed reductions in obligational authority of at least $10 billion and priorities for allocating the reductions among the various Government agencies and activities in a manner which least impair the efficiency of the Government.

4. Tax Surcharge (sec. 7): The substitute imposes a 10 percent income tax surcharge applicable both to individuals and corporations. In the case of individuals the surcharge is effective for the period from April 1, 1968 through June 30, 1969, a period of 15 months. In the case of corporations the surcharge is effective from January 1, 1968, through June 30, 1969, a period of 18 months. The surcharge in the case of individuals, does not apply in the case of the first two brackets, or up to the level of $1,000 of taxable income in the case of a single person and $2,000 of taxable income in the case of a married couple. The withholding, in the case of individuals, begins the 10th day after date of enactment. It is estimated that this provision will raise $9.8 billion of revenue in the fiscal year 1969 and $1.9 billion in the fiscal year 1968.

Provisions which appear in both the Williams-Smathers substitute and the bill to which the substitute is offered.

1. Excise Taxes: Both bills continue the existing 7 percent excise tax on passenger automobiles until December 31, 1969, and then provide for the gradual reduction and eventual elimination of the tax. They also continue the existing 10 percent tax on telephone services until December 31, 1969, and then provide for the gradual reduction and eventual elimination of the tax.

2. Payment of Estimated Tax by Corporations: Both bills provide for the reduction of the present $100,000 corporate exemption from the estimated tax payments requirement to $5,500. They also provide for increasing from 70 percent to 80 percent the liability which a corporate taxpayer must pay in estimated tax payments to avoid an addition to tax.

3. Quick Refund of Overpayment of Estimated Tax by a Corporation: Both bills provide for a quick refund of an overpayment of estimated tax by a corporation if the overpayment exceeds the corporation's expected tax by at least 10 percent and the excess amounts to at least $500.

4. Timely Mailing of Deposits: Both bills provide that where a taxpayer mails a deposit of tax two or more days before the prescribed due date, the mailing is to be considered a timely deposit even though the deposit is received after the due date.

5. Interest on industrial development bonds: Both bills provide that interest on so-called industrial development bonds is to be excluded from income tax under the code in accordance with regulations prescribed by the Treasury Department, as in effect on March 13, 1968, and in accordance with the principles set forth in certain prior revenue rulings.

6. Termination of exempt status of industrial revenue bonds: Both bills provide that interest on industrial development bonds is not to be considered tax exempt under the Internal Revenue Code. This applies only to bonds issued after December 31, 1968. Industrial development bonds do not include debt with respect to recreational facilities for the general public; debt with respect to facilities for holding a convention, trade show, etc.; debt with respect to an airport, flight training facility, dock, wharf, grain storage facility, parking facility, or similar transportation facility; debt for facilities for furnshing electric energy, gas, water, sewage or solid waste disposal, or air or water pollution abatement; or debt for facilities owned by a State or local government and used in an active trade or business.

7. Public Welfare Amendments: (a) Repeal of limitation on Federal participation in aid to families with dependent children. Both bills remove the limitation set by the Social Security Amendments of 1967 on Federal financial participation in the AFDC program based on the proportion of the child population under age 18 aided because of the absence of a parent from the home. Under the limitation, this proportion is calculated based on the child population in each State on January 1, 1968, and the average monthly number of children dependent because of the absence of a parent during the first calendar quarter of 1968. The limitation becomes effective July 1, 1968.

(b) Assistance to families with unemployed fathers. Both bills repeal the requirement established by the Social Security Amendments of 1967 that in order for a dependent child to qualify for assistance (in which the Federal Government participates) on the basis of the unemployment of his father, the father must meet certain tests of prior attachment to the labor force. The bills also remove the absolute prohibition on payment of assistance (with Federal participation) to a family when the father receives any amount of unemployment compensation during the same month. Under the bills, the choice as to whether unemployment compensation payments can be supplemented is left to the States.

(c) Medical Assistance (Medicaid). Both bills extend, from January 1, 1968, to January 1, 1970, the period in which the Federal Government is to continue to make matching payments, under Medicare Part B coverage, for medical services to welfare recipients of a State which has not elected such coverage.

8. Advertising Income of Exempt Organization Publishing Periodical Substantially Related to Exempt Purpose: As a result of a floor amendment, both bills provide that the advertising income which an exempt organization receives in publishing a periodical is to be exempt from tax if the publication of the periodical is substantially related to the exempt activities of the organization.

9. Advertising in a Political Convention Program: As a result of a floor amendment, both bills allow a deduction for expenses paid or incurred on or after January 1, 1968, for advertising in a program at a political convention held to nominate candidates for President and Vice President. To be deductible, the expenses must meet certain tests designed to insure that the expenses are reasonable advertising expenses, and the funds must be used only for convention expenses.

10. Tax Exemption for Certain Hospital Service Corporations: As a result of a floor amendment, both bills accord tax-exempt status to certain entities which provide joint services to hospitals which themselves are tax-exempt.

11. Proposals for Tax Reform: As a result of a floor amendment, both bills require the President to submit to the Congress proposals for a comprehensive reform of the Internal Revenue Code not later than December 31, 1968.

12. Foreign Nations Indebted to the United States: As a result of a floor amendment, both bills require the Secretary of the Treasury to demand payment of arrears from all countries that are more than 90 days in arrears in the payment of principal or interest on debts owed the United States. The amendment further provides that dollars presented to the Treasury by a country that is in arrears are not to be redeemed in gold but instead are to be credited against the debts owed by the country to this country.

13. Textile Import Quota System: As a result of a floor amendment, both bills impose certain quotas on imports of specified textiles effective 180 days after the date of enactment.

ORDER OF BUSINESS

Mr. McINTYRE. Mr. President, I ask unanimous consent that, notwithstanding rule VIII, I be permitted to speak for 25 minutes on a matter not germane to the pending business.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

AIR TRAFFIC CONTROL SAFETY

Mr. McINTYRE. Mr. President, located at Nashua, N.H., is one in the network of air traffic control centers in America. Under the supervision of the Federal Aviation Agency the Nashua station plays an important role in all safety in the Boston area and all along the northeastern region. I have visited this installation on a number of occasions and have marveled at the job being performed here for our air traveling public. But, Mr. President, the growth of our travel of all sorts in America has begun to take its toll on the men—the controllers who operate this Nashua, N.H., installation.

Mr. President, the volume of aircraft traffic in the United States is truly exploding. In just one area—commercial airline traffic—in the first 10 weeks of this year there was an increase of 23 percent over the corresponding period of 1967. However, projected volumes of aircraft operations from 1965 to 1980—

"Aviation Demand and Airport Facility Requirement Forecasts for Large Air Transportation Hubs Through 1980," published in August of 1967—dwarf this modest increase.

I ask unanimous consent that these forecasts of future air transportation be printed at this point in the RECORD.

There being no objection, the forecasts were ordered to be printed in the RECORD, as follows:

	1965	1980	Percent of increase
Aircraft operations (millions)	20.3	74.6	269
Air carrier (millions)	3.8	9.1	143
General aviation (millions)	15.9	65.1	309
Enplaned passengers (millions)	69.5	370.6	433
Scheduled aircargo (tons)	1.3	19.7	1,377

Mr. McINTYRE. Mr. President, a 1962 analysis of the density of registered aircraft per square mile for the large English-speaking nations shows that Canada had one aircraft per 1,000 square miles, the United Kingdom, one per 60, and the United States, one per 28. A current figure would no doubt alter these figures to show even more crowded conditions in this country. Obviously, unless such traffic were under control, the consequences would be tragic. Control does exist under the jurisdiction of the Federal Aviation Administration. But few air travelers know how complete and how complicated it is or how remarkable its record of accomplishments.

From the moment the door of a commercial aircraft is closed and the mobile stairway removed, the movements of the plane—on the ground, through takeoff, en route to destination, landing and taxiing to the airline terminal—are under the overall control, not of the pilot, navigator, and crew, but of a group of dedicated Government employees known as air traffic controllers.

These men work in the glass enclosed towers one sees in 370 American airports, giving clearance to planes as they taxi to and from the landing and departure strips. They work in darkened rooms, deep within these same towers, staring hour after hour at the eerie light of radar screens, talking to pilots of incoming and outgoing aircraft, keeping them separated safely one from the other, holding some aloft in carefully prescribed areas and specified altitudes, while others are landed in coordination with those taking off. They work in similar rooms in the 21 air traffic control centers throughout the country, controlling the flights of planes after they leave the range of local control facilities.

It is the unique and tremendous responsibility of these men to safeguard the lives of the 100 million passengers and crews of aircraft soon to be traveling the air highways of America. It is a task which with the mushrooming volume of air traffic daily becomes more difficult for these men to perform, more demanding on their health and more dependent on their judgment.

Without being an alarmist, Mr. President, let me say that it is a well-known fact within the aviation industry that there are not enough of these trained men available in the air traffic control network. Those already available and working are dissatisfied. Their morale is sinking. Their job tenure is comparatively short. They are leaving Government service for positions in private industry that carry less awesome responsibilities and provide greater income. At the same time, the program to recruit additional air traffic controllers suffers from lack of financial incentive for students and outmoded civil service restrictions against rapid advancement.

An examination into the reasons for this situation reveals that something more than 2 years ago, cutbacks in appropriations within the FAA brought to a virtual halt the recruitment program for controllers. Mr. Archie League, former Director of Air Traffic for the FAA and now Assistant Administrator for appraisal, put it this way:

> Our pipeline of supply for new controllers was shut off.

In addition, research and development programs for new traffic control equipment were downgraded so that equipment now in use is below the quality and capability of newer equipment already available. What we have then in the high density traffic control facilities is a condition comparable to that of a military unit facing an enemy force, but doing it with insufficient manpower, low morale, and inadequate firepower.

It is not as though the rising volume of air traffic was unforeseen when the curtailment of funds took place. It was not as though this curtailment was in an area which might have been considered a luxury. Rather, it came in an area immediately concerned with the safety of millions of traveling Americans. Under the circumstances, I must conclude that the economy was false. And that it has resulted in a most serious and pressing necessity for correction.

Even with a "crash" program of recruiting under which an additional 1,200 traffic controllers have been authorized, the present shortage of qualified personnel cannot immediately be filled. This is due to the length of the training program and to "Whitten amendment restrictions" on advancement through the various grades of the Civil Service System.

An interview with Mr. Walt Buechler, chief of the air traffic branch, New York area, disclosed a typical schedule of progress for an air traffic control trainee. The applicant is selected from the civil service registers.

I ask unanimous consent that this typical schedule be printed at this point in the RECORD.

There being no objection, the schedule was ordered to be printed in the RECORD, as follows:

> First 6 months, GS-6: Applicant is assigned to facility for which he has been recruited and in which a vacancy exists. His first 5 weeks are occupied with basic classroom training in the academic phases of Air Traffic Control. He learns the procedures and functions of the various types of facilities in the over-all system. The remaining portion of his first 6 months' training period is spent in learning particularly about the installation in which he will work: its own geographical features, its own weather patterns, its operational procedures, etc.
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> From 7 to 18 months, GS-8: With fully qualified Radar Controller as his goal, the trainees now works on Flight Data, passing by telephone items of information regarding aircraft clearance, flight plans, departure times and other routine information between tower and center facilities. Assuming his progress has been satisfactory, he becomes eligible at the end of the 18-month period for advancement to GS-10.
>
> From 18 to 30 months, GS-10: During this period he works on Clearance Delivery, he is allowed to contact planes on the ground by means of radio. He goes through "on the job" training for advancement to GS-11.
>
> From 30 to 42 months, GS-11: Now he is qualified to speak to pilots by radio after their planes leave terminal positions. He controls them through the taxiing to runway phase of their flights before passing them on to local radar control. During the final 6 months of this period, he may, if qualified, serve as an associate Radar Controller, working as an assistant to fully qualified Radar Controllers but still not eligible for talking to pilots of planes in flight. At the end of this period, if found capable by supervisory personnel, he becomes a fully qualified GS-12 Radar Controller.

Mr. McINTYRE. It is noteworthy that a period of 3½ years expires from the time an applicant is accepted as a trainee until he becomes a qualified radar air traffic controller.

There has been a recent and intensive effort on the part of the FAA to augment the recruiting of traffic control trainees and to cut down the length of time required to provide fully qualified radar controllers. The effort is two-pronged. First, to create greater incentive in air traffic control as a profession, the Civil Service Commission has tentatively revised the job standards of controllers so as to bring about grade raises later this year for about 4,000 of the 17,000 controllers by July, and eventually for many others. At the present time, the controllers start at grade 6, and their career step-ups are grades 8, 9, 10, 11, and 12. The Civil Service Commission has proposed that they be started at grade 7 and follow the regular route up through grades 9, 11, 12, and 13.

To qualify as a trainee at grade 7, the applicant must have a college degree and at least a year of training. The top grade 13 jobs would be confined to towers and centers in high-density traffic areas, such as New York, Chicago, Boston, Washington, and Los Angeles.

In addition, a new effort, based on a cooperative agreement between the Civil Service Commission and the FAA proposes to accept men who have had previous air traffic control experience in the armed services into the Federal system at the grade 10 level. This would cut the time between entering the system and qualifying as radar controllers to a maximum of 24 months instead of the 42 now required.

The demand for these new men is now desperate. More than half of them accepted as trainees are, for one reason or another, not satisfactory. They quit because they do not like the job—because it is not attractive to them or they are not qualified and they are forced out. So the pressure mounts upon the men presently employed in the high-density traffic areas. It is pressure almost impossible to describe. But day in, day out, whenever an aircraft is in flight, there is a partnership between a group of men in its cockpit and a group of men on the ground. The failure of any of these men can result in disaster.

In a talk in New York before a group of air traffic controllers, F. Lee Bailey, the prominent attorney, said:

> There is no rule or law directive from the FAA which directs how many planes may arrive at a given point at a given time. They arrive spontaneously because they chose to go there. At any time, the ground controller may be hit with thirty targets on his radar screen that he did not intend to have. It is his responsibility to get them all down, each of them safely.

This kind of a job requires more than intelligence and ability. It also requires vigor and resiliency which are byproducts of youth.

In a report published in Aerospace Medicine, February 1968, is the following conclusion:

> Based on training entry age, it was found that the older recruits—particularly those over 40—were more apt either to fail the initial 8 week training course or to pass with only marginal grades. More importantly, the analysis of posttraining data indicated that the older individuals were much more likely to: either leave or be separated from the FAA; transfer to another type of work; or be reported by their supervisors . . . as undesirable, potentially hazardous, or less than fully satisfactory in the performance of duties.

An earlier report, also published in Aerospace Medicine, of April 1964 says:

> The only conclusion possible is that a strong inverse relationship exists between age at entry into training and subsequent training and job performance. If an individual were 33 years of age or older at the time he entered air traffic control specialist training, his chances of completing training and being considered satisfactory on the job were approximately 1 in 6. On the other hand, if he were younger than 33, his chances of completing training and being considered satisfactory on the job were approximately 1 in 2. Therefore, in the interests of air safety, fiscal responsibility, and for humanitarian reasons an upper age limit should be established.

From the above reports, one must conclude that the profession of radar air traffic controller is a young man's game. The controller's maximum effectiveness lasts over a 15 year span. The ideal age for enrollment of trainees is from the middle to upper twenties. Thus, the controller is past peak efficiency before he reaches his 45th birthday. Conversation with FAA officials disclosed the fact that with an anticipated 20,000 controllers in the near future, the attrition would eventually level off at approximately 1,200 per year. In an era when old age security is important to younger men seeking careers—and with the opportunity for administrative or executive jobs in air traffic control severely limited—there is no particular appeal to a profession for which the qualification standards are so high and the income levels so low.

Although the workload of the controller at La Guardia far exceeds that of the man in Denver, due to the rigidity of civil service regulations, they are paid at the same rate. At the same time, the cost of living in the New York area is higher than that in less congested regions. But when job opportunities open in more desirable locations, the New York controller is frozen in his present position because no replacement is available.

Many of the personnel problems were disclosed in a study of air traffic delays in the New York region by the Air Transport Association of America, a trade and service organization of the scheduled airlines. In a section devoted to "personnel" the report stated:

> STAFFING
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> Since controller workload is directly related to factors such as volume and weather, which vary widely and may be unpredictable from day to day and shift to shift, the problem of staffing is complex; especially since the training of new controllers has been almost non-existent for the past four years. A program of hiring and training has recently been announced, but since the training of a qualified controller requires approximately two years, the problem of staffing will continue for some time.
>
> It was the opinion of the observers that staffing in the New York Center was adequate during the periods of observation. However, much of the staffing during these periods was accomplished through the utilization of overtime and frequently through the use of "holdovers" from a previous shift for a period of four to six hours. It is obvious that the efficiency of a controller must be lessened after 12 or more hours of continuous duty and the use of "holdovers" should only be resorted to in emergencies.
>
> TECHNIQUE
>
> It was noted in the New York Center that while all controllers possessed the basic ability to handle traffic—whether light or heavy—and to handle emergencies which are unexpectedly presented, there is a wide variation in technique employed to accomplish the job. The controller is given wide latitude in determining the necessity for starting holds either at inner or outer fixes and the determination of aircraft separation (10 miles in-trail, for example). This is a difficult area in which to accomplish reform. However, the FAA should pursue a training program for technique standardization in order to increase the over-all efficiency of air traffic control personnel.
>
> GENERAL MORALE
>
> The controllers do an excellent job with the facilities with which they have to work. For the most part, they are interested in doing the best possible job of keeping the traffic flowing and their "esprit" remains good. However, they are unhappy about basic working conditions, meal breaks, overtime, vacation policy, etc., when they compare their gains with those made by others with similar responsibilites. Overtime is a particular source of irritation as under present regulation, for example, a man called for involuntary Sunday overtime earns less per hour than if it were his scheduled workday.
>
> Another common complaint is that it is next to impossible to transfer to another center when a job opportunity arises, inasmuch as a controller cannot obtain a release from New York because no trained replacements are available.
>
> The suggestion plan is apparently ineffective and poorly administered. Controllers complain that there is no point in submitting suggestions for procedural change as management is unreceptive. If so, this is most undesirable. Any suggestion should be reviewed for merit and the sender should be apprised of the reasons for its acceptance or rejection.
>
> Unfortunately, no good yardstick exists today for adequate comparison of facility workload. The New York Center controller feels that he works harder to control a given number of aircraft than, for example, a Denver Center controller, due to route complexity and flow patterns. An effective comparison of workload should not be based merely on the number of aircraft movements, but it should reflect a ratio of productivity to the capacity of the facility. An evaluation of this sort will not only serve to evaluate the workload of the employee for pay purposes, but will give an index to the efficiency of the center sectarization, route structure and flow patterns.
>
> The foregoing indicates a definite problem of declining controller morale within the center and it extends to include the middle echelon of supervisory personnel. Certainly, it has some impact on over-all efficiency. The problem appears to be growing rapidly and is one with which the Administration must deal effectively in the near future.

Another comment on the inequity existing in the workload factors of controller jobs in different geographical locations comes from the Chicago terminal chapter of the Air Traffic Control Association:

> In the past few years Controllers at the busy, complex facilities have become disenchanted with their jobs because of the inadequate pay compensation and are looking for controlling positions at slower and better geographically located facilities. These Controllers realize that, by and large, the FAA considers all controller positions equal (no matter how complex or busy the operation) and know that a transfer to a slower facility will not impair their career progression. They find themselves asking the question, "Is it worth controlling record numbers of airplanes with thousands of lives riding on my judgment and the knowledge that a slight error could cost many lives, when I could be living equally as well and have far less responsibility elsewhere?" This question is being weighed by every Controller in every traffic hot spot, with the obvious answer being felt through mass requests for transfers.
>
> The reasons behind this overwhelming expression of distaste are not necessarily because of traffic, the complexity, or even the immense and continuing responsibility. It is simply the location and the high cost of living associated with these gigantic contractions of humanity.

In his Federal Diary column in the Washington Post of March 27, 1968, Jerry Kluttz described the efforts being made by the FAA and the CSC to relieve the personnel tensions. I ask unanimous consent that the column be printed at this point in the RECORD.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

FAA TRAFFIC CONTROLLERS WIN PROFESSIONAL STATUS

(By Jerry Kluttz)

Air traffic controllers with their pressure-packed jobs have won their long fight for professional status.

The Civil Service Commission recognized the 17,000 Federal Aviation Administration employes as professionals in a tentative revisions of job standards that would bring about grade raises next July 1 for about 4000 controllers and eventually for many others.

Controllers start in Grade 6 and their career step-ups are Grades 8, 9, 10, 11 and 12, the top journeyman grade.

CSC proposed that they be started at Grade 7 and follow the regular professional ladder to Grades 9, 11, 12 and 13.

To qualify for a Grade 7, an employee must have a college degree and at least a year of training. Grade 13 journeyman jobs would be limited to towers and centers in high-density areas like New York, Boston, Chicago and Los Angeles.

Controller trainees would continue to enter at the Grade 6 level. But CSC proposed creation of "sub-trainee jobs" that could be filled by junior college graduates who would be hired at Grades 4 and 5. Sub-trainees would have to undergo longer periods of training before being promoted to controllers.

Flight specialists who service private flyers in high-density areas also would be upgraded from Grade 10 to Grade 11.

Controller supervisors would come under standards the CSC has issued for all agencies. Many of the supervisors, again in high-density areas, would be upgraded to Grade 13, 14 or 15.

Mr. McINTYRE. Mr. President, in my opinion this effort is a long-overdue move in the right direction. Unfortunately, the solution it offers in respect to controller income in high-density areas is inadequate and there is still not sufficient compensation to top-echelon controllers to make the career appealing to young men. It does not quickly enough provide qualified radar controllers to ease the present shortages.

It is altogether possible some radically different system of recruiting, training, and assigning controllers could be legislated. The controller is much like a soldier excepting that he serves his country in a civil rather than in a military environment. His profession demands the most youthful, vigorous and responsible people. On the basis of the projected increase in air traffic, it would indeed be wise to study the system now being used by the British.

Some time ago, they were faced with much the same problem we have. To meet their requirements, they established a 3- or 4-year course at an Air Traffic Control Institute for qualified high school graduates. Such an academy in the United States could be given the same status as the Coast Guard Academy. On the basis of an attrition rate of 1,200 controllers a year going out of the service, the academy might well have a total enrollment of 4,500 with a graduating class of 1,000 controllers a year. As in Britain, the Government would pay all expenses of these "cadets," including training as private pilots so that they would better appreciate the controller's functions.

Upon graduation, the cadets would be assigned, as are men in the Armed Forces, to locations specified by the Government on the basis of need. They would be paid in a manner commensurate with their responsibilities.

While this system, sketched here in barest outline, is a radical departure from the present one, it has obvious advantages. The nucleus of an Air Traffic Control Academy already exists in Oklahoma City. The facilities would have to be expanded, of course. The technical aspects of traffic control could be taught by former controllers, the faculty providing several hundred new postcareer opportunities for the controllers who have lost their "active duty" effectiveness.

Mr. President, the air traffic control situation becomes more critical every day. At stake are not only the lives of millions of people who travel by air—but the future development of air commerce toward which billions of dollars have already been invested. Delay, procrastination, and shirking of responsibility must not be tolerated.

The science and technology of air transportation are marching quickly forward. We here in the Congress have our special responsibilities to meet the problems posed by these advances. Insofar as the air traffic controllers are concerned, the problem is governed by the logic of supply and demand. More controllers are needed than there are controllers available. This condition will continue to exist until the profession of air traffic control becomes more desirable to young men seeking careers. It will not become more desirable until the economic benefits are commensurate with the duties performed, until working conditions are improved and a general overhaul and updating of equipment is accomplished.

I would hope that the Secretary of Transportation, a man whose past experience has given him wide knowledge of our aviation system, would promptly take steps to reevaluate the present methods of recruiting, training, equipping, and paying our air traffic controllers. Secretary Boyd has the ability to make significant and meaningful contributions to this essential element of present-day transportation. I am confident he will act promptly in this direction.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum and I ask unanimous consent that the time not be charged to either side.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The assistant legislative clerk proceed to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be recinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senator from Vermont [Mr. PROUTY] may be permitted to speak out of order, notwithstanding rule VIII.

The PRESIDING OFFICER. Without objection, it is so ordered.

DECISION OF THE PRESIDENT NOT TO SEEK REELECTION

Mr. PROUTY. Mr. President, had the President been motivated by concern for his own political future, I think he would have ordered a suspension of the bombing of North Vietnam months ago.

This certainly would have muted much of the criticism of Mr. Johnson, both at home and abroad. If such a suspension had resulted in meaningful negotiations leading to peace he would have been widely applauded around the world.

If, on the other hand, the North Vietnamese had taken advantage of the cessation of bombing to strengthen their forces and expand the war, he could have pointed a finger of scorn at his critics and said: "I did exactly what you claimed would bring an end to hostilities and the result is exactly what I have predicted—a larger and more destructive war."

I think it logical to assume that until recently, at least, the President has been convinced that the North Vietnamese were unwilling to negotiate on any basis acceptable to the United States and its allies.

I hope and pray that he now has good reason to believe that there has been a change of attitude on the part of the leaders in Hanoi and that they are ready to negotiate.

If, as I believe, the President's decision not to seek reelection was impelled in part by a determination to convince the North Vietnamese Government of his complete and utter sincerity of purpose, he merits the plaudits of us all.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time not be charged to either side.

The PRESIDING OFFICER (Mr. McINTYRE in the chair). Without objection, it is so ordered. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the distinguished senior Senator from Virginia [Mr. BYRD] be recognized for not to exceed 5 minutes, notwithstanding rule VIII, and with the time not charged against either side.

The PRESIDING OFFICER. Without objection, it is so ordered.

TAX ADJUSTMENT ACT OF 1968—CORRECTION OF AMENDMENT

Mr. BYRD of Virginia. Mr. President, on Friday, March 29, 1968, I submitted amendment No. 692. There was an error in the page number to which the amendment would apply.

The correct page number is page 28, line 13 of the Williams-Smathers amendment in the nature of a substitute.

Mr. President, I ask unanimous consent that the amendment, which I submitted last week, be corrected to show the new page and new line number.

The PRESIDING OFFICER. The correction will be made.

ORDER FOR ADJOURNMENT TO 11 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 11 a.m. tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR MOSS TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that immediately following the prayer and the disposition of the reading of the Journal tomorrow morning, the distinguished Senator from Utah [Mr. MOSS] be recognized for not to exceed 1 hour.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time not be charged to either side.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the order previously entered, that the Senate stand in adjournment until 11 o'clock a.m. tomorrow.

The motion was agreed to; and (at 3 o'clock and 15 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, April 2, 1968, at 11 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate April 1, 1968:

DEPARTMENT OF JUSTICE

Wilbur H. Dillahunty, of Arkansas, to be U.S. attorney for the eastern district of Arkansas for the term of 4 years.

EXTENSIONS OF REMARKS

Administrator Howard Bertsch Speaks at Okmulgee, Okla., Dinner

HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. EDMONDSON. Mr. Speaker, one of this Nation's most effective public servants, Administrator Howard Bertsch of the Farmers Home Administration, delivered an outstanding address at the 11th annual banquet of the Community Chamber of Commerce in Okmulgee last Saturday evening, March 30.

The Bertsch message was an inspiring report of progress in building of a better rural America and a convincing rebuttal to the critics and skeptics who spend most of their time lamenting, "What's wrong with America?"

I believe every American who is interested in learning the truth about the development of our rural economy, and the importance of that development to our country, should have the opportunity to read Administrator Bertsch's speech. It is offered for the RECORD at this point:

REMARKS BY HOWARD BERTSCH, ADMINISTRATOR, FARMERS HOME ADMINISTRATION, AT THE ANNUAL BANQUET OF THE COMMUNITY CHAMBER OF COMMERCE, OKMULGEE, OKLA., MARCH 30, 1968

Winston Churchill once said that the three most difficult things for man to do are these:—to climb a wall leaning toward you—to kiss a woman leaning away from you—and, third, to make an after dinner speech.

Not being a human fly, climbing any kind of wall would be difficult, if not impossible—though, I must admit that there have been times when I felt like I was being driven up one.

As for trying to kiss a woman leaning away—well, I know better than to comment on that.

And, as for making an after dinner speech—as Mr. Churchill pointed out—what can one say that can match the honor and the significance of the occasion.

For I am deeply honored to be here as your guest, and I find there is exciting significance in this annual meeting of town and country people.

To me, this meeting signifies that there is something very right and very good going on in rural Oklahoma—and yes, in all rural America.

What is going on in rural America that is good and right is not something that ordinarily makes newspaper headlines or is featured on the radio and television news. It's not bizarre enough, sexy enough, nor is it dramatically violent. These seem to be the essential ingredients of today's news.

No, what is going on in rural America is really a quiet revolution—a revolution in people's thinking, their attitudes, their way of working together to build a new rural America.

This is not a revolution that tears down the fabric of our society—but a revolution that builds it up.

Because the process is slow, gradual but permanent—it does not create the sort of flashy drama that hits the front pages.

The situation reminds me of the story of Moses when he was leading his people out of Egypt to the Promised Land.

When Moses and his people reached the shores of the Red Sea, they were some six hours ahead of their pursuers.

Moses called his engineer. He said: "You have two hours to come up with the answer of how to get us across the Red Sea."

Two hours later, the engineer came back to Moses and admitted failure.

So Moses called his architect. He said: "I shall give you two hours to figure out how we can get across—the Egyptians are only four hours behind us."

The architect came back in two hours and he, too, had to admit failure.

So, in desperation, Moses called his Public Relations man. Moses said to him:

"The enemy is only two hours from us. I shall give you one hour to solve this problem and save our chosen people."

The public relations man turned to Moses and said:

"The answer is simple. Stand on the shore of the Sea. Take your right hand and wave it to the right and the sea will move back. Then take your left hand and wave it to the left and the Sea will move to the left. There will be passage large enough for all of us to march through and when the enemy comes the sea will close around them. They shall drown and we shall reach the Promised Land."

Moses turned to his public relations man and said: "Do you really think it will work?"

And the man said to Moses: "I don't really know but if it does I can guarantee you a full page in the Old Testament."

So, while what you and thousands of other rural people are doing may never hit today's front pages, I can guarantee that you will get a full chapter in tomorrow's history books.

Yes, there is much that is right about America today and I get a little weary of the massed choir of the disenchanted, the disaffected and the disoriented who sing the chorus of despair and gloom and spend their time telling us what's *wrong* with America.

You have only to open the paper or switch on TV to see them at work. And too often, today's treatment of the news makes heroes out of nonheroes, leaders out of demagogues, statesmen out of paranoics, notables out of hatemongers, nihilists, and misdirected and alienated youth.

Six million hardworking young people, getting an education in college isn't news.

But one college pot party is.

How three million family farmers produce the most abundant food at the least price for some 200 million American consumers year after year, as they are doing doesn't make news.

But let one demagogue call farmers "price gougers" because they want increased bargaining power in the market place, and that makes the front page.

And many people reading only the headlines and hearing the flashy news bulletins, think the country is going to the dogs.

This country is not going to the dogs—it's on its way to becoming the greatest society and land of opportunity man has ever known, and rural America is destined to become a most favored place in our nation.

As President Johnson said in his recent farm and rural America message (and I quote) "We have long spoken of parity of opportunity for rural Americans. I speak now of making that promise a reality."

A decade ago, there was a chorus of voices throughout the land which said that the future of rural America was hopeless.

Let rural people shift for themselves. Let the towns dry up. Let a few big operators run our vast agricultural plant. The farm problem is insoluble. It's no use investing money to build new homes, community water systems, or new schools or health facilities, they said. In a few years there will be nobody around to use them.

And these people made the most of their arguments. They pointed to the fact that farm income had steadily declined for eight years. Farmers were leaving the land at the rate of nearly a million a year. Rural towns *were* drying up. In the period of 1945 to 1960, nearly 20 million rural people left the countryside to live in larger urban areas and cities.

But these men of little faith and less vision, did not reckon with the indomitable spirit of rural people nor the creative leadership of the Johnson Administration. They underestimated the sense of responsibility and the statesmanship of the kind of people you sent to Congress—men like your Senators Mike Monroney and Fred Harris and that truly great Congressman from this district, Ed Edmondson.

Nor did these naysayers and Jeremiahs reckon with the havoc which the migration of 20 million rural people with all their problems created in our cities—the congestion, the pollution, new and larger ghettos filled with poor, dispossessed people who out of their frustration and despair bred crime and violence.

Today, rural America offers new and fresh hope for all of who now live there and those who wish to return.

Since 1961, massive efforts have been made by all levels of government—Federal, State and County—and by thousands of rural people—to rebuild rural America and make it a place of unlimited opportunity.

Yes, today a complete turn-around has taken place in the countryside. We are moving toward a higher plane of living and economic opportunity in rural America.

Maybe we are not moving as fast as we would like—but we are moving.

As President Johnson reported to Congress:

Today, net farm income is 55 percent

higher than it was at the beginning of the decade.

1967 produced the second highest per farm income in two decades, even after the disappointing price drop from 1966 which was a record year.

Farm exports soared to a record $6.8 billion, which means one out of every four farm acres produce for the foreign market.

The purchasing power of farmers—the money they spend on Main street—is running $10 to $12 billion more than it was in 1960 and this has injected new economic blood into our rural towns.

But there is a lot more things that are being done right for rural America. Let's just look at a few of them:

In the Farmers Home Administration, funds to build basic water and sewer facilities for rural communities have risen from less than $1 million in 1960 to $220 million last year. The number of people helped each year has grown from 20,000 rural people to more than a million each year. Since 1961, we have assisted more than 2,400 rural communities under this program with loans and grants totaling some $546 million.

In the area of rural housing we have made great strides. Since 1960, the amount my agency has loaned for building and improving private homes, migrant labor housing and senior citizen housing—has increased 13 fold—from $40 million to more than $500 million a year.

Since the passage of the Economic Opportunity Act of 1965, some 45,000 individual and cooperative loans totaling $96 million have gone directly to poor rural families as a means of raising their incomes.

We have assisted nearly 500 rural communities to develop outdoor recreation facilities.

Since 1961 we have advanced nearly $4 billion in short and long-term credit to farm families.

These are dollar figures, and dollars invested is one good measure of progress.

But we have gone beyond the dollar mark in improving our service to rural America.

For seven years we have been searching for, and hiring, those best qualified to administer our program regardless of race.

We have ignored the old standards and as a result today we have in the Farmers Home Administration, Negroes serving as accountants; information specialists, civil engineers, home economists, and budget analysists, as well as county supervisors and loan officers.

The success of our employment policies is marked by the fact that two-thirds of the members of minority groups hired in the past few years have already been promoted.

We have Negroes serving as members and as chairmen of our county committees.

Overall there are 763 Negroes on our staff compared to 80, seven years ago.

We are expecting in many areas the kind of special effort that Hollis Stearns demonstrates so well in your community.

The list of improvements we have made is endless.

But all of this is only the beginning. More that is right and good for rural America lies in the very near future.

In his recent message to Congress on Agriculture and Rural Affairs, President Johnson made these recommendations to strengthen the economic position of the family farmer and improve the economic and social opportunities for all rural people:

New bargaining authority for the farmer, to give him a stronger voice in setting terms and conditions for the sale of his products.

New programs for the small farmer.

New credit programs for rural cooperatives.

Strengthening of the REA and rural telephone programs.

A greatly expanded rural housing program which would include reduced interest rates for low and moderate income families.

An expanded program to revitalize and rebuild rural communities which will attract industry and business and produce more jobs. The program would include expanded credit programs for firms seeking to locate in rural areas, top priority of SBA loans for the construction of industrial buildings in rural areas; extend work training and job counseling and housing for trainees; increase programs to assist rural communities in building modern water and sewer systems plus an extended and improved grant program for this purpose.

And finally, the President urged Congress to take action that would finance comprehensive planning for groups of rural counties. Such planning can help rural communities attract business and industry and make better use of existing Federal programs.

Never in all my public life working with rural people—and that takes in a span of more than 30 years—never has so much promise and opportunity been held out for all those who live in the countryside. Never have the people had so many good programs and tools to help themselves and to revitalize their communities.

America never was, and never will be, a finished society. There will always be another frontier ahead of us. New challenges to meet. New visions to explore.

Writing of another age, the historian, Bruce Catton, described the American condition as the age of the physical frontier dawned before us. He said:

"The people could go anywhere they chose, quite literally anywhere: all the way to the shining mountains and the deserts, beyond these to the extreme limit of the imagination. Men could very likely do anything on earth they had the courage to dream of doing."

We still can my friends, we still can. And this above all is what is so very right and so very good with America.

Thank you.

Fair Housing

HON. WALTER F. MONDALE

OF MINNESOTA

IN THE SENATE OF THE UNITED STATES

Monday, April 1, 1968

Mr. MONDALE. Mr. President, the Kansas City Star on Sunday, February 11, 1968, outlined and summarized the briefs in an extremely important case involving the issue of fair housing. This case is, of course, the Jones against Mayer Co. involving the refusal by the respondent to sell to a Negro seeking housing in a suburb of St. Louis.

In view of the interest in this decision, I ask unanimous consent that the Kansas City Star article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ST. LOUIS COUPLE DENIED PURCHASE: NATIONAL STAKE IN HOUSING CASE

(By Joe Lastelic)

WASHINGTON.—Some of the most influential religious, professional, and civil rights organizations in the country are exhorting the United States Supreme court to declare that the Constitution forbids discrimination in housing.

Such a landmark decision would come to grips with the most divisive civil rights issue today. Some cities and states have passed fair housing laws, but their effect is limited. Congress has wrestled with it for years, but cannot bring itself to take the step.

Having failed with the lawmakers, a variety of organizations have gone to the high court to argue that housing discrimination is a deprivation of liberty, an evil, a blight on the American dream, a vestige of slavery.

The organizations, as friends of the court, have filed 382 pages of briefs and 54 pages of documents in support of a St. Louis couple, Joseph Lee Jones, and his wife, Mrs. Barbara Jo Jones. The Joneses tried to buy a lot in the suburban development of Paddock Woods, but the developer, the Alfred H. Mayer company, refused to sell because Jones is a Negro.

The couple went to U.S. District court contending that the refusal was unlawful because the civil rights statutes of 1866 bar discrimination based on race in the sale of housing. The court found those statutes were directed toward governmental action, not private action, and that no state action was involved in the developer's refusal to sell.

The Joneses went to the Eighth Circuit Court of Appeals which seemed sympathetic to their cause but agreed with the lower court's decision. They appealed to the Supreme court which agreed in December to hear the case.

Arguments are slated for this spring with a decision expected by the end of the court's term in June. To grant a writ of certiorari requires the votes of four justices. Presumably these men were inclined toward the point of view of the Joneses. Only one more vote would be necessary to win a 5 to 4 decision. The case has stirred the nation and the decision very well could be as momentous as the 1954 ruling that struck down segregation in public schools.

ADVOCATES ARE MANY

The Justice department argues for the Joneses, as do the states of California and Michigan. Both Kansas Citys intend to file briefs. Leaders of Protestant, Jewish and Catholic organizations, including Bishop Charles H. Helmsing of Kansas City, the American Civil Liberties union, fair housing groups and civil rights organizations have joined together in support of the couple. They make two points:

Discrimination that prevents a man from buying a home where he pleases deprives him of owning property and thus is a vestige of slavery and contrary to the 13th and 14th amendments to the Constitution.

Discrimination by the Paddock Woods association and the Mayer company is unlawful because the development, although a private enterprise, is in reality a town operating under the laws of Missouri and St. Louis County.

Some of the briefs argue the fine legal points, going back to the debates in Congress when the civil rights statutes were formulated a century ago. Other briefs concentrate on the social and economic aspects, citing the opinion of sociologists, philosophers and other professional persons.

A PANDORA'S BOX

The National Council of Churches, with a membership of 34 Protestant and Orthodox denominations, argues that the lower court decisions provide an open door for vast quasi-municipalities built on discrimination for profit.

"If Mr. Mayer has indeed successfully found a lawful loophole for profiting in the sale of racism as regards Negro citizens," the council says in its brief, "he and other seekers after profit can do likewise as regards citizens of other national origin or religious groups. . . .

"Through such a loophole all the evils and danger of racial and religious discrimination against which our Constitution and civil rights laws are designed to immunize our nation and its people, can be brought flooding back until they become a roaring torrent.

"The vast suburbia around our cities can be converted into sanctuaries for racial or religious monopolies or bigotries . . . . Apartheid would be introduced effectively and given immunity. Racism would be advertisable and salable."

A NATURAL RIGHT

The Catholic bishops, who are members of the National Catholic Conference for Interracial Justice, argue that the freedom to buy a house without discrimination is a natural right. They turn to the encyclicals of Pope John XXIII and Pope Paul VI and to the French Neo-Thomist philosopher, Jacques Maritain. They note that over the last quarter century Catholic bishops have condemned all forms of racial discrimination, including discrimination in housing.

Parties to the brief besides Bishop Helmsing include Bishop Joseph M. Marling of Jefferson City; Msgr. George J. Gottwald, administrator of the archdiocese of St. Louis; Patrick Cardinal O'Boyle, archbishop of Washington, and Lawrence Cardinal Shehan, archbishop of Baltimore.

The right to buy a house without discrimination, the bishops say, is a right grounded not upon social convenience, but upon moral rights deriving from the nature of man. Some points from their brief:

"The increasingly marked insistence by religious leaders upon what they say is the 'injustice' or 'immorality' of racial isolation in housing is not an abstraction, but a moral judgment deriving from observation of actual conditions in our society.

CONTRADICTION IN TERMS

"Failure of ghetto people in economic, family and civic life rot the entire social fabric. But the greatest public harm which results from such segregation is that it is a direct and active negation of the idea of society itself, that is, a society of human persons.

"The Declaration of Independence speaks of man's endowment with the 'unalienable' rights of life, liberty and the pursuit of happiness, thus establishing rights as inherent in the nature of man rather than as dependent upon social convenience . . . It is submitted that Christian teaching roots the freedom to purchase a home in firmer soil because of its expansive view of the nature and dignity of man and its view of rights of property not as autonomous but as always linked to man-in-society. In Christian teaching the human person has an absolute worth because (he is) created by, and intended for, God.

"What our law needs now to make clear is that whatever freedoms and limitations otherwise inhere in the property right, neither the right to acquire or to dispose of property may be made to depend upon the race of the buyer or the seller, since the imposition of such a test is harmful to the welfare of others and destructive of the dignity of the human person," the bishops conclude.

STRONG JEWISH ROLE

Virtually all of the major Jewish organizations are represented in one brief, including the Union of American Hebrew Congregations, the Union of Orthodox Jewish Congregations, United Synagogues of America, the Jewish War Veterans, American Jewish Committee, the Jewish Labor committee and the National Council of Jewish Women. Also included is the community relations bureau of the Jewish Federation and Council of Greater Kansas City.

"We submit," their brief says, "that the right to live where one chooses, within the limits of economic capability, regardless of the inhospitality of others is a right worthy of protection by this court.

"This much is clear: a federal open occupancy law will be no panacea. The implementation of such a law, however, for its moral and educational value alone, would constitute a giant step forward along the road to the professed American goal of liberty and justice for all.

"Some people who are opposed to a fair housing ordinance solely in their own community, fearing an island of open occupancy in a sea of exclusion, may feel quite differently were open occupancy to become the general rule rather than the exception.

MATTER OF CONDITIONING

"In a very large measure attitude changes derive simply from what people have become exposed or accustomed to; our fair employment practices laws demonstrate that truism. It is time, then, to accustom the American people to integrated housing, and the statute to accomplish this objective already is part of the federal law. Only its activation yet remains to be achieved."

It was noted that there is much discrimination against Jews in residential communities throughout the country. An example given was Grosse Pointe, Mich., wealthy suburb of Detroit, where a point system was used as late as 1960 to keep Jews out. A gentile who dressed conservatively got four points on the real estate questionnaire, but a Jew got only three. It caused a local Congregational minister to observe wryly that Jesus Christ, carpenter of swarthy complexion, would have failed the test.

A theme running through many of the briefs is that confining families to one area and denying them access to improved housing not only served to humiliate them, but deny them opportunity for advancement. Poverty, crime, deterioration and overcrowding are characteristics of vast monoracial areas. Jobs usually are not available, and transportation is lacking to areas where the jobs exist. Property is uninsurable against riots, fire and burglary, which deters the new business investment urgently needed in such areas. School segregation works against the children.

WARNING HAS SOUNDED

The nation, the briefs remind, already has paid a high price in widespread racial fear and hatred, in the riots of last summer and the threats of new ones this year.

The National Association for the Advancement of Colored People, the Anti-Defamation league, the American Jewish Congress and the National Committee Against Discrimination in housing join in declaring that denial of the right to buy and hold real estate is one of the most onerous of the badges of slavery.

"Increasingly many Negroes are obtaining more education, better jobs, higher income . . . at the same time residential segregation is not declining, but the ghettos are growing," their brief says. "One of the most important American manifestations of status, the home and the neighborhood, is being denied increasingly to many Negroes just as they achieve the characteristics that are supposed to bring high status."

Twenty-two states have enacted open occupancy laws, but they have been met with stubborn resistance to integration. Those who argue for fair housing concede that such legislation does not today command the allegiance of a clear majority of white citizens. In most cases where fair housing laws have been submitted for approval to the electorate they have been rejected.

ROLE FOR THE COURTS

The decision of the Colorado Supreme court in upholding the constitutionality of that state's fair housing law is cited:

"The constitution of the state and the nation recognize unenumerated rights of natural endowment. These God-given rights should be protected from infringement or diminution by any person as well as any department or government. It is the solemn responsibility of the judiciary to 'fashion a remedy' for the violation of a right which is truly 'inalienable' in the event that no remedy has been provided by a legislative enactment . . ."

The Justice department points out that the 14th amendment forbids state action that supports racial segregation in housing. It then contends the Mayer company exercises state power and performs governmental functions, acting in the absence of an established local government.

The N.A.A.C.P. takes the same tack, noting that the segregation in the community of 2,700 homes and 10,000 persons is not the result of voluntary private action, but is "municipal action possibly only with the direct permission and assistance of the state government and its agencies."

POWER IS DELEGATED

The Joneses point out in their brief that the state action arises through delegation of governmental functions to the developers. They note that zoning, planning, housing standards, installation of sewers and streets and utilities all are subject to local and state laws and are accomplished only with the approval of various governmental agencies and officials.

The Justice department agrees with this point of view.

California also agrees there is state action by virtue of the various licenses held by the developers.

"We urge the court," the California brief says, "to accept the view that the possession of those licenses is sufficient state involvement to invoke the prohibitions of the 14th amendment. Respondents (the developers) have engaged in state action resulting in illegal racial zoning."

The Joneses argue that the lower court decisions allow Missouri to deny them equal protection by permitting the developers to practice discrimination. The Missouri Commission on Human Rights also makes that point in its brief to the court.

OWNERSHIP NOT THE ISSUE

The American Civil Liberties union went back to a 1946 case in which Grace March, a Jehovah's Witness, was not allowed to distribute literature in Chickasaw, Ala., a town owned by the Gulf Shipbuilding corporation. The high court found the exclusion unconstitutional, Justice Felix Frankfurter noting "A company-owned town is a town." The town's action was a deprivation of freedom of speech and press, the court said.

"There is no essential difference between Chickasaw and Paddock Woods," the Civil Liberties union's brief asserts. "Both are communities of people within the United States and both are subject to the constitutional principles that protect people living in American communities.

"If Jehovah's Witnesses can be excluded from Chickasaw and Negroes from Paddock Woods, Catholics, Jews, persons of Asian descent, political radicals, paupers and any other socially, culturally, economically or politically identifiable groups can be excluded from other communities. The ultimate result could well be a country marked by a series of monolithic islands barred to all but Anglo-Saxon Protestants.

TERM IS DEFINED

"A community is a community even if it is not legally incorporated as a municipality and the constitution does not stop at its gates. Were a municipality to have adopted the exclusionary policy of Paddock Woods there could be no doubt as to its unconstitutionality."

The Joneses point out that the 1866 statute to allow Negroes to purchase, own or sell property—a right denied to slaves—was passed by Congress to place Negroes on the same footing as white citizens.

"It would have been relatively easy for Congress to provide that no state shall pass a law containing discriminatory provisions based on race, but Congress did not do that," the brief of the Joneses argues. "Instead, Congress enacted a law creating certain positive rights for Negro citizens, which rights it considered to be the fundamental rights of citizenship.

"In creating this remedy, Congress, knowing the ingenuity of the human mind and the self-perpetuating nature of racial prejudice, did not seek to enumerate the means by which these fundamental rights could be denied, but simply forbade their denial by any means.

RIGHT NOT ILLUSORY

"Congress did not intend to create an illusory right to purchase, dependent upon the will of the sellers in the market to sell. If such is the case, the Joneses have no real right to live anywhere in St. Louis County, or for that matter, in the state of Missouri, or any of the states of the United States.

"If the sellers are allowed to exclude Negroes from one area, they equally are allowed to exclude Negroes from all areas. Certainly, Congress did not mean to allow the owners and sellers of real estate to create two separate but equal real estate markets, for Negroes and whites, which exist in the metropolitan St. Louis area, and in other areas of this nation."

Congress of Freedom 1968

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. RARICK. Mr. Speaker, the Congress of Freedom will hold its 17th annual session at the Blackhawk Hotel, Davenport, Iowa, on April 3, 4, 5, and 6, 1968.

The invitation reads:

All who believe that the pledge of allegiance to the American Flag should not be recited by lips that speak falsely are urged to attend.

I include the program for the interest of our colleagues:

THE BIRD WITH THE BROKEN PINION

THE AMERICAN EAGLE

Of course he can't fly without using both wings.

The Hawks, the Doves, the Vultures appear agreed that the American Eagle has no need of his right wing! Yet without it, he can neither fight nor fly away!

Says the wise old Owl, Whoo! Whoo! Whoo Whoo!

WHO? WHO? WHO?

Who continues to paralyze the right wing of the American Eagle by smear, derision, distortion, and suppression of the truth, even absolving the media of public information from the consequences of criminal libel as was done by the unanimous opinion of the United States Supreme Court in the case of Edwin A. Walker vs. The Associated Press?

Who deprives the American people of the protection of their laws against crime and criminals, including *sedition*, by distorting the Bill of Rights and converting the United States Constitution into a shield for murderers, rapists, arsonists, robbers, and like enemies of public law and order?

Who has made us perpetual partners in crime with the dictators, scofflaws and anarchists who dominate the United Nations?

Who involves us perpetually in undeclared foreign wars that necessitate peace-time draft laws, war-time taxes, regimentation, and deficits every year, making national bankruptcy and makes a *dictatorship* inevitable?

Who makes sport and profit from pictures of our sons as they are being slaughtered in battle by Communists while the Red United Nations and U Thant rule the world from their spy's nest on East River in New York?

Who discarded the United States Constitution in favor of the "Charter" of United Nations?

Who substituted government of, by and for the people with their capitol in Washington for government from New York and Moscow by *unelected* representatives, handpicked in the main by alien dictators and tyrants?

FOR ONE STUDENT: 26,000 ARMED GUARDS

Who ordered 26,000 federal troops to escort one adult citizen to college at Oxford, Miss., contrary to long established local law and custom?

Who robs us here at home of protection against riots, rape, robbery, murder and anarchy by committing our armed forces to the service of foreign governments and of the United Nations?

Who determines that it is more in the interest of national defense to drive Communists from South Vietnam or South Korea than it is to drive them from the Pentagon, The State Department, The White House, New York City or Cuba?

After interminable conferences with Communist Dictators as at Tehran, Yalta, Potsdam, Geneva, Panmunjom, Paris, Vienna, Glassboro and elsewhere, *who limits the objective of war in Asia to another conference?*

Who aids and abets our enemies in time of war by inviting them to our shores under consular treaties, cultural exchange agreements and by open invitation?

Who foments internal disorder, setting black against white, Semite against Anti-Semite, the haves against the havenots, the workers against the shirkers, the Godly versus the ungodly, all to the end that we be rendered powerless to defend ourselves from impoverishment by robbery in the name of law and serfdom, through fraud and deceit?

Who can and will help save our nation, our homes, our sons and our souls from the Red Revolution that now engulfs the whole world?

Who is responsible for a condition where before all the world the United States appears so impotent that all its armed forces cannot defeat North Vietnam, not even when aided by South Vietnam?

When the late John F. Kennedy, President of the United States and Commander-in-Chief of our armed forces, was boldly murdered in open day by a confessed Red-World trigger-man, who aborted an honest investigation and paralyzed all efforts to bring the real perpetrators of that time to the bar of justice for punishment conformable to the laws of the State of Texas where the crime was committed? Who saved Jack Ruby from the punishment provided by Texas law? Who protects Earl Warren?

Who debased the American dollar by abandonment of, first the gold, then the silver standard?

Who made off with the gold of the U.S.A., first that in the hands of private citizens, then that stored by the government at Fort Knox? Where is it?

Who filched the silver from the coins we use as currency? Who now has it?

Who has prolonged the depression of the thirties until more people are on relief and the burden of caring for them with public money collected as taxes is now greater here than anywhere at any time or any place in all U.S. history?

Who packed the U.S. Supreme Court with nine old men who see red?

Who systematically and designedly attempts to infiltrate and paralyze every effort of patriotic and loyal citizens to organize and themselves provide for the common defense?

Who shields, protects, and encourages crime by attributing its causes to *the victims*, rather than to *the felons?* Who systematically indoctrinates our citizenry with the false impression that police are brutal?

Who imposes upon free citizens outrageous and ever-mounting federal taxes and public debts *to make them poor*, then provides them with inadequate shelter, food, and clothes *to make them slaves?* Who by endless propaganda equates poverty and crime?

Who originates and ceaselessly broadcasts the mass deception that the solution for crime is to *reward those who violate the law* and *penalize those who observe it?*

These will be among matters considered at a convention of American citizens in the heart of the nation.

All who believe that the pledge of Allegiance to the American Flag should not be recited by lips that speak falsely are urged to attend.

The Gold Crisis

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Monday, April 1, 1968

Mr. SCOTT. Mr. President, all of us are concerned with the gold crisis around the world and how it affects the economy of the United States and all other nations. Mr. S. Hayward Wills, chairman of the board of General Acceptance Corp., draws upon his expertise in financial affairs to present a thoughtful view, which should be of interest to all Members of the Senate and the House. I ask unanimous consent that the speech by Mr. Wills be printed in the Extensions of Remarks.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

[From the Allentown Pa. Call-Chronicle, Mar. 24, 1968]

GENERAL ACCEPTANCE CORP. HEAD SAYS THE UNITED STATES MUST SOLVE OWN GOLD PROBLEMS

(EDITOR'S NOTE.—Last week S. Hayward Wills, chairman of the board of General Acceptance Corp. (GAC), and an expert on the world financial community delivered an address on the current gold crisis before the Rotary Club of Allentown. Because of the importance and timeliness of his subject, the full text of his talk is presented here.)

When invited to join you today and talk about the money market, I decided to limit my remarks to one sector. I assumed that the money market was in for some changes, and so to avoid having to make any predictions I picked a nice safe subject—gold.

The much of the business of General Acceptance Corp., money is our basic stock. Our concern is interest rates, financial controls and, of course, the main issue—the value of the dollar.

When we attempt to make any forecasts, a major factor is what will the interest rates be in the year ahead. In attempting to determine interest rates, the gold situation as it affects world monetary markets has a very important effect.

ROOT OF WARS

History books tell us that the roots of most wars lie in economic conditions and the imperfections in world trade. In the past year we have seen a labor government in Great Britain impose an economic depression on the people and deliberately devalue the pound. In our own country we have all felt the rapid rate of increase in general price levels and have witnessed long term interest rates unknown in this country since the bleak early days of the Civil War.

A well-known and highly respected financial writer was heard to say in a small group last December that he only knew of five or six people in the world who were really qualified to talk intelligently on the subject of world liquidity and the gold situation.

Perhaps I should stop right here.

BEFORE PROBLEM

But, let's take a few minutes to review what we can say on this subject and what others have said. My purpose is to attempt to define the problem, to look at some solutions which have been proposed by responsible and qualified observers, and give you, for whatever it may be worth, my own opinion.

Gold has a long history as a monetary measure, but it was not the only measure; silver, for example, was another.

Recently in this country we have seen the commercial price of silver rise over its monetary value because it is used in many commercial enterprises. Gold also has commercial value, estimated in an address made last December by George Moore, chairman of First National City Bank of New York to be worth "as a raw material—for industrial and decorative purposes instead of monetary purposes—about $8 an ounce, according to many London gold dealers."

Although nobody seems able to separate the gold going into commercial use from that going into private hoards, we have several sources that agree on one thing: the world private demand for gold is absorbing an amount greater than what is being mined, with the result that government, central bank, and international institutions holdings of gold have declined.

CONFIDENCE DIPS

There are many that agree the reason for private demand is a growing lack of confidence in all paper currencies, including the dollar.

As Americans, none of us are holders of gold, at least not since 1934. Let us also remember, we have not been affected by devaluations of paper currency as have people in other countries.

Before World War I, and again in the depression, we have seen our dollar appreciate in terms of the goods you can buy for a dollar. Only in war times have we experienced sharp inflationary price spirals, and these have been mild in comparison to inflations elsewhere.

We may be puzzled by the desires of foreign citizens to hold gold, but we must remember that their experience has been different from ours and their attachment to gold is a fact of economic life. How would we feel if our currency had been devalued in every generation?

CITES LIQUIDITY

One of the real problems in the financial world today is liquidity; that is the ability to trade on a short term basis. Although gold holdings by world monetary authorities have declined in the past year or two, there had been a slow growth in the seven prior years. World reserves of monetary gold today are about five per cent larger than 10 years ago.

In this same 10 year period the volume of world trade has about doubled.

Obviously, growth in world trade has not been limited to the five per cent increase in monetary gold reserves. A large part of the slack has been absorbed by the creation of paper reserves, the mechanism for which was established at the Bretton Woods Monetary Conference in 1944.

In the past decade the world money supply has grown about 40 per cent. The difference between the five per cent growth in gold reserves and the 40 per cent growth in total reserves being accounted for largely by the dollar. As we have spent dollars abroad, both for foreign aid and for building foreign plants by American industry, most foreign holders of dollars have been willing to hold the dollar because the dollar was as good as gold. The dollars held abroad are used to settle international accounts the same as gold. Therefore the supply of unredeemed dollars has increased world liquidity. The United States is, and has been, the world banker in providing an exchange medium other than gold.

BLAMES RESTRICTIONS

In 1967 world trade did not grow as fast as the previous year. The last time this happened was 1960, and the reason then was undoubtedly connected with the United States recession. The reason given by many economists for the 1967 slow-down in the expansion of world trade is the restriction placed upon outflow of dollars by the United States government.

This leads us to the consideration of the real problem of the United States, the balance of payments deficit. How we cure the problem is an internal matter which we must settle within our own economy. So far as the rest of the world is concerned, any solution under the monetary system in effect up to last Sunday would restrict world liquidity because it would stop increasing the supply of dollars held by foreign nations.

So we had come to the point, as a nation, as a world banker, where we are damned if we do and damned if we don't.

If we should solve our balance of payments problem by cutting foreign military and economic assistance or by cutting foreign investment by U.S. companies, or by taking a dose of recession to cool our economy, then we will be accused of wrecking the world economy and abandoning our position as the world banker and free world leader.

If, on the other hand, we continue our domestic pursuit of full employment and continue to broaden our political and commercial activities in every corner of the globe, we will push so many dollars into the hands of foreigners that they are of little value. Our gold will disappear, and our currency will become devalued. We will have wrecked the world economy and failed as a world banker, if we follow this course.

A CLASSICAL ANSWER

The classical solution to solve this dilemma is vigorously argued by Roy Reierson, the able senior vice president and chief economist of Bankers Trust Co. He opposes restrictions on foreign investment by Americans. Eight years ago he was urging the removal of gold cover (this was just signed into law Tuesday), but recently he felt this move would only allow the administration and congress to further delay a real solution to our balance of payments deficit.

Dr. Reierson sees three measures as inevitable to any solution:

First, we must reduce the cost of foreign economic and military activities of the United States government.

Second, we must reduce government domestic spending and, hence, the Treasury deficit.

Third, we must pursue a credit policy appropriate to the present condition of the American economy which he regards as inflationary.

A more radical possible approach revolves around doubling or even tripling the price of gold from $35 per ounce to $70 or even $105. We are told that this is not equivalent to devaluation. Other countries would have to follow suit because we have the industrial capacity to flood Europe with American products at bargain prices if the dollar is devalued.

This position was presented very convincingly in a market letter published by Bolt-Trembly on Dec. 15, 1967. The writer argues for sharp increase in the price of gold while we still have a significant fraction of the world supply. If a sharp increase in the price of gold is needed to increase world liquidity, we are suckers to sit and watch our last $12 billion go out at $35 when we will finally have to buy some back at a higher price.

The argument goes, if you triple the price of gold you triple monetary reserves, and hence, allow a vast expansion in world trade. At the same time, many of the private holders would sell their gold to take their fantastic profits and would thereby further increase the gold available in world trade. Ultimately, you would stimulate gold production, which at $35 an ounce is marginally profitable in the free world.

SOVIET MOVES

This way everybody is happy. The Soviet Union becomes a big buyer from the West to take advantage of the windfall profit from its huge gold holdings. The U.S. can keep on—even increase its deficit both in world trade and domestically—because money is no longer tight either at home or abroad. And, of course, the stock market would really take off and four per cent unemployment would look like the great depression.

The only problem is that the real value of the dollar would come to resemble the peso.

This market letter recognizes the more classical approach:

1. Reduce foreign-military and economic commitments.
2. Reduce domestic spending.
3. Increase money costs as another solution, but says, "the result is almost certain recession or depression . . . Under such circumstances the stock market would be a disaster."

The Bolt-Trembley letter concludes that either inflation or the classical deflationary solution is inevitable sooner or later. Isn't this a cheerful thought?

BEST SOLUTION

Of all the proposals for solutions which have come to my attention, the one which fits in best with my understanding of the problem was proposed by Eugene A. Birnbaum, senior economist at Standard Oil of New Jersey.

To summarize Birnbaum's position I quote, "Continuation of the present trend can only result in further drains on the limited stock of United States Treasury gold, reductions in over-all international liquidity, inefficient and increasingly restrictive balance of payments controls—reduced levels of international trade, investment and foreign aid—and higher levels of interest rates, all of which tend to retard rates of world economic growth."

Birnbaum's plan, in essence, would involve turning over to the International Monetary Fund the role of world banker.

The dollar would become just another world currency and would be freely convertible into other currencies as is the franc or the pound at rates agreed upon between the members of the International Monetary Fund. The value of the dollar in terms of other currencies would be stabilized through purchases and sales of other currencies rather than by purchases and sales of gold.

On this basis the United States would have to acquire substantial holdings of other currencies which could be sold to uphold the price of the dollar. Incidentally, this is what every other nation in the free world is now doing.

END OBLIGATION

This approach implies that the United States should terminate its self-imposed obligation to buy and sell gold at $35 an ounce. We might elect to use some of our gold to acquire other currencies from time to time or even to purchase dollars in the hands of foreigners, but we would be under no obligation to do so.

Here are the two essential features of this proposal:

1. The International Monetary Fund would become the residual holder of gold anyone wanted to sell rather than the U.S.
2. The International Monetary Fund would not be obligated to sell gold, but would be obligated to buy it, perhaps at $35 an ounce or the equivalent in other currencies.

If the world were currently on such a system, it seems to me that we would have solved at least half of the problem.

The problem of world liquidity would be in the lap of the International Monetary Fund. It is possible that the existence of the machinery to increase world liquidity would take care of the problem. In other words, all trading nations would hold reserves of many currencies. All currencies held outside of the issuing nation would become monetary reserves.

INCREASE PRICE

If it were at all necessary to increase world liquidity the International Monetary Fund could implement a system like the one proposed in Rio de Janeiro last year employing special drawing rights, or it could even increase the price of gold.

Either way, the solution has to be decided jointly by the trading nations and not unilaterally by the United States.

This proposal will not cure our balance of payments deficit. The real value of the plan lies in the new freedom we would have to solve our problem. We could face our balance of payments deficit without worrying about a contraction in world trade. We could cut back on some of our overseas expenditures without hampering the market for our own experts.

Milton Friedman of the University of Chicago feels the whole problem was created by President Roosevelt when he pegged the price of gold at $35. Friedman has said that the move made no sense in 1934, and has not become any more sensible with the passage of time. Furthermore, Friedman tells us the ultimate solution involves letting the dollar find its own level in terms of gold, and in terms of all other currencies.

Dr. Elmer C. Bratt at the Business Economics Center at Lehigh does not feel the world is ready for free floating currencies because businessmen who buy and sell in international markets require advance knowledge of their prices. But he does agree that it is high time we get down off our high horse and stop saying "we'll sell gold at $35 an ounce down to the last bar."

TWO PIECES

Where do we come out with all these conflicting opinions after the seven gold pool nations have stopped selling gold to individuals, and now that we have two prices for gold?

In the first place, I think everybody agrees that the present arrangement will not last long. Martin characterized it as an "intermediate step" on the way to stern restraint of government spending. We, as a nation, have not climbed down off our high horse because we still peg the price of gold at $35 an ounce in dealing with monetary authorities of other nations.

Ultimately, I believe two basic steps must be taken before we can say the problem is solved. Both of these steps must be made by the United States government.

The first—we must untie the dollar from gold. No other nation in the world has put itself under such a burden, and why should we?

WHY CONVERT?

When you consider all nations (and especially those in Europe) need imports to survive and we, the United States, supply much of what they need, why should they want to convert dollars into other currencies or to gold?

It would seem to me, before the dollar can be finally untied from gold and become like other currencies the International Monetary Fund must be made ready to take over the banking role which the United States has been playing.

The second step, and maybe the major step, which can only be taken by the United States is to end its balance of payments deficit. This step may take longer to accomplish.

With only four or five percent of our Gross National Product accounted for by foreign trade, some say we could go our merry way forever. If the dollar were untied from gold we might see foreign prices of U.S. products go up until we could no longer sell abroad, but so what? After we had pushed all the dollars on foreigners they cared to hold, we might have to devalue the dollar, but again, so what? Foreign goods and travel would become a little more expensive, but who cares?

TWO CONSEQUENCES

There are two consequences of such an undisciplined course of action which I feel far outweigh any temporary benefit we may derive.

The first concerns domestic inflation, which is the cruelest tax of all.

It's not the balance of payments deficit that causes inflation, but the other way around. An end to domestic inflation would help to solve our balance of payments by making the prices of our products more attractive to foreign buyers.

The root of both problems—inflation and the balance of payments—lies in the fiscal policies of our government.

If we must take a reduction in our present standards of living by paying higher taxes and undergoing a recession and postponing the first flight of the supersonic transport plane and the completion of the highway program, let's do it now before our pensions and insurance policies become worthless and before all of us find ourselves unable to cash checks in Paris or London.

BEST INSURANCE

The second potential casualty of our present policies is the progress that has been made prior to 1965 in the international exchange of goods and services. In the long run, I feel free trade is the best insurance against a third world war. We have already seen our government seek to raise barriers to the free exchange of capital and even to travel by American citizens. Measures of this type are self-defeating, lead to retaliation, and could recreate the kind of hostile economic climate in which wars of the past have been born.

This week you may have read the story about the shopkeeper who told a reporter that finding a solution to the gold problem isn't his worry. "Every four years," he said, "I go to the voting booth and I vote for people who understand things like gold standards. Then I stop worrying about it."

For our sake, as well as his, I certainly hope that we, as shopkeepers of every kind, do a good job when we pull the curtain behind us this November.

International Peace Park

HON. THOMAS G. MORRIS

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. MORRIS of New Mexico. Mr. Speaker, the Republic of Mexico has always been very much associated with the history of our own great Nation. Both countries have long been friends, sharing common hopes and goals. As a symbol of this lasting and warm relationship between the two countries, the Senate of the State of New Mexico in a memorial has proposed that the Federal Government consider the establishment of an International Peace Park between the Republic of Mexico and the United States of America in the vicinity of Columbus, N. Mex. I am placing that memorial in the RECORD, and urge that my colleagues give careful consideration to this most worthwhile venture:

SENATE MEMORIAL 7

A memorial requesting the Congress of the United States and the National Park Service to consider the establishment of an international peace park between the Republic of Mexico and the United States of America in the vicinity of Columbus, New Mexico

Whereas, the relationship between the Republic of Mexico and the United States of America, sharing a common border, has been, for many years, one that is based on mutual help, trust and understanding; and

Whereas, the interests of these two great countries are common to one another and in times of stress both have had the same goal; and

Whereas, in these times of international dispute and worry, it can be a satisfaction to every Mexican and every American citizen that the relationship between the two countries is one based on peaceful cooperation and trust;

Now, therefore, be it resolved by the Senate of the State of New Mexico that it respectfully requests the U.S. congress, the national park service in Washington and the southwestern regional office of the national park service to consider the establishment of an international peace park between the Republic of Mexico and the United States of America in the vicinity of Columbus, New Mexico, as a symbol of the relationship of the two countries; and

Be it further resolved that copies of this memorial be sent to the New Mexico delegation to the Congress of the United States, to the director of the national park service and to the director of the southwestern regional office of the national park service.

Signed and sealed at the Capitol, in the City of Santa Fe.

E. LEE FRANCIS,
President, New Mexico Senate.
JUANITA PINO,
Chief Clerk, New Mexico Senate.

Hamilton Protests Inadequate Budget Appropriations for Soil Conservation Service

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. HAMILTON. Mr. Speaker, I am very concerned about certain items in the budget appropriations for the Soil Conservation Service.

I represent the people in 16 Indiana counties. In past years, many of my 16 counties have been declared flood disaster areas and drought disaster areas within the same year. Soil and water conservation is vital to both their livelihood and well-being.

Development and management of soil and water resources under the leadership of soil and water conservation districts is moving toward a brighter future.

These districts are broadening their horizons to meet emerging needs. Where formerly they were concerned in only agricultural erosion activities, they now are deeply involved in total soil and water resource development. This includes assisting local people, both rural and urban, manage water resource for flood prevention, municipal and industrial supplies, recreation, beautification, and fish and wildlife.

Each of the 16 soil and water conservation districts in the Ninth Congressional District is manned by five local supervisors. They work with and provide technical assistance, through the Soil Conservation Service, to 8,507 cooperators who either own or operate land. These supervisors are dedicated, leading citizens in their areas, and serve without pay to improve the public welfare through soil, water, and related resource conservation. To cite some examples, the Ripley County Soil and Water Conservation District worked with 154 landowners who applied one or more conservation practices this year. They had 22 new cooperators apply for assistance this year, which brings their total number of cooperators to 524. The Dearborn County District, with 407 cooperators, has assisted in building 383 small ponds, 28 of which were done last year.

These districts depend on the technical assistance furnished by Soil Conservation Service personnel.

From a recent newsletter published by the National Associations of Soil and Water Conservation Districts. I was shocked to learn that moneys budgeted in 1968 furnished 600 man-years less of technical assistance to these districts nationally, than was budgeted in 1959. This trend toward eventual emasculation of soil and water conservation districts, dedicated to planned development and wise utilization of our natural resources, must be reversed.

Included in the appropriation for assistance to districts are the Federal funds needed to carry on the cooperative soil survey. This provides a sound basis for determining good land use, and is used extensively by local planning boards, highway departments, park and recreation boards, engineers, architects, as well as builders, developers, and other landowners and operators.

In Indiana, districts have an immediate need for 46 man-years of technical service in addition to the budgeted positions to meet their scheduled workload. Ten of these needed man-years are in the Ninth Congressional District, and the shortage is adversely affecting the conservation effort therein.

In the light of these needs and the impact of the soil and water conservation movement on the lives of my constituents, the national budget appropriation for technical assistance to soil and water conservation districts should be $130,000,000.

Within the total program of the Soil Conservation Service are the Public Law 566 small watershed projects, which have gained tremendous popularity. These projects are aimed at full development of the soil and water resources in an area, and serve to reduce costly flooding and provide water for beneficial uses.

In my congressional district there are 16 applications on file in various stages of completion. A breakdown of these projects is shown as follows:

Construction completed: Elk Creek.

Approved for construction: Stucker Fork, Muddy Fork of Silver Creek, Twin Rush Creek, and Dewitt Creek.

Planning completed and awaiting authorization: Delaney Creek.

Planning authorized and underway: Upper Vernon Fork, Lower Vernon Fork, East Fork of Whitewater, and Lost River.

Preliminary investigation completed: Whitewater River (Fayette County), and Upper West Fork of Whitewater River.

Preliminary investigation studies underway: Silver Creek and Blue River.

Applications awaiting service: White Creek and Lewis Creek.

On most of these projects, local people have spent considerable time and money to organize conservancy districts, and secure land easements and rights-of-way. In some cases money was borrowed and interest is being paid to provide their portion of the costs for this watershed development. All this activity was predicated on the Federal Government providing their share of the agreed amounts of money for planning and construction on schedule. Preliminary investigation is currently being delayed in Silver Creek due to lack of watershed planning funds. This is holding up the local organization of conservancy districts, which are necessary before the Soil Conservation Service can proceed with work plan development.

Construction plans are either ready, or will be ready, to contract in fiscal year 1969, amounting to $8,051,900 for the State of Indiana. If the present national budget appropriation is allowed to stand, only about 25 percent of this construction could be started.

Based on the State estimate, the three operational watersheds in the Ninth District—Twin Rush, Stucker Fork, and Muddy Fork of Silver Creek—which have construction planned in the amount of $1,172,400 during fiscal year 1969, would be forced to delay approximately 75 percent of their needed improvement.

It required much initiative, enthusiasm, hard work, and local money on the part of my constituents to advance their watershed projects to where they are now. I do not believe we should so lightly regard this local effort, in which we encourage the action and then say, "No, we cannot assist you now. You must live with your flood problems until some indefinite future time." Instead, I strongly believe we should encourage this local initiative whenever and wherever they have the courage to move forward as my constituents have done.

A recent study completed in Indiana identified 44 additional potential watersheds in my district that have problems and needs that can be overcome by action under the Small Watershed Act. With these additional potential projects installed my district would receive benefits amounting to $2,300,000 annually from flood prevention and drainage improvements, have 3,000 man-years of additional employment, create 200 new jobs and 69 new or expanded businesses, 15 additional water supply reservoirs, sufficient to supply 91,000 people, 18 new recreation developments, and the increase in the annual payroll would be at least $1,480,000 per year. The reduced pollution from sediment would be very significant—1,600,000 tons per year—and the cost of antipollution efforts would be reduced by nearly $300,000 per year. The total need for application of soil and water conservation practices would be accelerated, and when all projects were installed, would have a value to the land in my district that would exceed $41,000,000.

For the benefit of these people, as well as many others in Indiana, the Soil Conservation Service national budget appropriation should be placed at $10,000,000 for watershed planning, and $125,000,000 for watershed operations.

At the present time there is not a resource conservation and development project in the Ninth Congressional District, but local interests are currently evaluating their ability to sponsor one. They are aware of the success achieved in southern Indiana's "Lincoln Hills" project. These conservation action programs, on the part of local people, have a marked effect for good on the economy of the area and are well accepted. Therefore, I recommend that the national appropriation for resource conservation and development be supported at $6,500,000.

Mr. Speaker, I know that this is a time when every Federal dollar must be spent wisely. But we must also move ahead with certain proven domestic programs for the well being of our own people. In my opinion, the benefits attained through the work of the Soil Conservation Service is of tremendous value to our Nation. I sincerely hope the increase in budget appropriation outlined in this statement will be favorably considered.

Watershed operations in the Ninth District of Indiana follow:

WATERSHED OPERATIONS IN THE NINTH DISTRICT OF INDIANA

Units of watershed construction that could be contracted for in the Ninth District of Indiana during fiscal year 1969 if funds were available and land, easements and rights of way secured: Twin Rush, Washington County; Stucker Fork, Scott, Jefferson, Clark and Washington Counties; Muddy Fork of Silver Creek, Clark, Floyd and Washington Counties; Delaney Creek (and authorized), Washington County.

Construction completed: Elk Creek, Washington County.

Authorized for construction (and under construction): DeWitt Creek, Lawrence County; Muddy Fork of Silver Creek, Clark, Floyd and Washington Counties; Stucker Fork, Scott, Jefferson, Clark and Washington Counties; Twin Rush, Washington County.

Planning completed: Delaney Creek, Washington County.

Authorized for planning: Indian Creek, Harrison, Floyd and Clark Counties; Lost River, Orange, Washington, Lawrence, Martin and Dubois Counties; Lower Vernon Fork of Muscatatuck River, Jackson and Jennings Counties; Upper Vernon Fork of Muscatatuck River, Decatur, Jennings and Ripley Counties; East Fork of Whitewater River, Wayne, Union, Fayette, Franklin and Randolph Counties, Indiana; and Darke and Preble Counties, Ohio.

Application received: Silver Creek, Clark, Scott and Floyd Counties; Upper West Fork of Whitewater River, Fayette, Henry, Randolph and Wayne Counties; Whitewater River, Fayette; Fayette, Franklin, Rush, Union and Wayne Counties; Upper Big Flat Rock River, Rush, Henry and Fayette Counties.

Application not currently feasible: Log Lick Creek, Switzerland County.

Arlington, Va., Young Republican Club Resolution

HON. JAMES B. UTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. UTT. Mr. Speaker, under unanimous consent to extend my remarks in the Record, I include a resolution adopted by the Arlington Young Republican Club of Arlington, Va., requesting the State Department to permit Rhodesian Prime Minister Ian D. Smith to enter the United States to fulfill a speaking engagement. The resolution follows:

Whereas Ian D. Smith, Prime Minister of the freedom loving and anti-Communist country of Rhodesia, has been invited to address a recognized student organization of the University of Virginia; and

Whereas the Johnson Administration's State Department has refused to allow Mr. Smith to enter the United States, while it has granted free access to this country to such Communists as Fidel Castro, and to numerous left-wing revolutionaries for whom it has waived the passport requirement it uses as a pretext to bar Mr. Smith; and

Whereas Ian Smith, from his valiant service as an RAF pilot during World War II to his recent offer of Rhodesian troops to fight alongside of Americans in Vietnam, has been a consistent friend of the United States and foe of totalitarianism of all shades; and

Whereas in conformity with the basic American tradition of free and open discussion of all controversial issues Mr. Smith should have a right to state his case to the American people, and the American people should have the right to decide for themselves on the merits of that case; therefore

Be it resolved that the Arlington Young Republican Club requests that the State Department reverse its uncalled for and inconsistent action, and immediately grant a visa to Mr. Smith so that he can visit the United States and honor his speaking engagement; and

Be it further resolved that the Arlington Young Republican Club requests Virginia's members of Congress to demand that President Johnson and Secretary Rusk take whatever action is necessary to insure that Ian Smith is admitted to the United States.

Adopted March 13, 1968.

Claude H. Smith, Jr.
President.

Why Haiphong Spared?

HON. THOMAS N. DOWNING

OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Monday, April 1, 1968

Mr. DOWNING. Mr. Speaker, the distingushed senior Senator from Virginia, the Honorable Harry F. Byrd, Jr., continues to attract editorial recognition in many newspapers published in localities far from our native State. I include four such editorials in the Record in order that they may be brought to the attention of all of the Members of both bodies:

[From the New Orleans (La.) States-Item]

Why Haiphong Spared?

When Virginia's Sen. Harry F. Byrd, Jr. appeared before the Senate Armed Services Committee lately, he presented a viewpoint held by so many fellow Americans:

There's something basically wrong when the United States, greatest military power in the world, can't handle the aggressions of one small Asiatic nation which is scarcely to be ranked as even a minor power.

Sen. Byrd notes no overwhelming sense of urgency on the part of top civilians in the Defense Department to bring the Vietnam war to an end. And he censures President Johnson for his "complete disregard" of military recommendation that enemy supply lines through North Vietnamese ports be severed.

As an eye-opener, Sen. Byrd relates: "A greater tonnage of bombs has been dropped on Vietnam than on all of Europe during World War II. Eighty-five per cent of this tonnage was dropped on South Vietnam, 10% on North Vietnam (the remaining 5 per cent on the Ho Chi Minh Trail in Laos)."

If only one-tenth of our bombs has rained on North Vietnam, this explains how the enemy has been able to secure supplies, 85 per cent of which go through North Vietnamese ports.

Yet, months ago, the chairman of the Joint Chiefs of Staff, the Army's Chief of staff, the Air Force chief of staff, the chief of naval operations and the Marine Corps commandant formally recommended to the President that North Vietnam's port of Haiphong be closed.

Such reluctance on the part of the White House denies a sense of urgency necessary for the honorable termination of an Asiatic war which has dragged on for three years at grievous cost.

[From the Amarillo (Tex.) Globe-Times, Jan. 12, 1968]

Repeated Question

"I do not want this session of the Congress to adjourn without calling to the attention of the American people certain facts regarding free world shipping to the enemy port of Haiphong."

This comment was made by Sen. Harry F. Byrd, the Virginia Democrat, just before Congress adjourned.

During the first 11 months of 1967, Byrd said, 58 ships flying the flag of Great Britain carried cargo to North Vietnam.

During the same period, the United States, suffered 66,000 battle casualties in Vietnam.

"Why does not the American government bring diplomatic and financial pressure on the government of Great Britain to keep from Haiphong ships flying the flag of Great Britain?" he asked.

The senator first called attention to the fact that British ships were carrying cargo to North Vietnam early in 1966.

He took the matter up with the secretary of state and the secretary of defense, each of whom said an effort was being made to eliminate such British shipping. Then they added that Harold Wilson, the British prime minister, was having a hard time, and inferred that he should not be pressed too hard.

"Apparently he has not been pressed too hard," said Sen. Byrd.

British trade with North Vietnam presumably could be eliminated through efforts by the state and defense departments.

Byrd has once again raised his important question. Should Britain, a U.S. ally, trade with a nation which perpetrates the Southeast Asian conflict—a conflict in which thousands of people are losing their lives, including more than 16,000 American soldiers?

[From the New York Times, Mar. 10, 1968]

In the Nation: Agonizing Reappraisal

(By Tom Wicker)

Washington.—Slowly, perhaps not quite surely, but with increasing momentum, American public opinion seems to be moving to the conclusion that the war in Vietnam is a creeping disaster that military means cannot salvage.

This is not a matter of marches on the Pentagon, nor is there any suggestion that Americans generally are now ready to "turn tail and run"—in the derisive phrase of those in the Johnson Administration, and elsewhere, who equate any questioning of the war with appeasement, cowardice and lack of patriotism.

Rather, there is an ever more apparent collection of straws in the wind that suggests a painful and hesitant reappraisal of the war—of what it is all about and of what ought to be done about it—by many moderate Americans who have tended to support without much question the President, the troops and their country's foreign policy.

GALLUP POLL CITED

In this newspaper today, for instance, Dr. Gallup is able to report that 49 per cent of his respondents now believe it was a mistake for President Johnson to have sent combat troops to Vietnam in 1965. Forty-one per cent do not believe it was a mistake, and 10 per cent are undecided.

This represents only a small increase since December, the last moment of euphoria before the Tet offensive—but that small increase was enough to produce for the first time a plurality who consider the American entry into the war a mistake. When the question was first asked, in August, 1965, only 24 per cent so believed.

The same poll, incidentally, shows that 61 per cent of the American people believe that the United States and its Allies either are losing the war or are making no progress toward winning it.

As another example of such indicators, almost all political observers now expect Senator Eugene McCarthy to make a strong showing in the New Hampshire primary on Tuesday. When he first opened his low-key campaign against President Johnson, McCarthy was not expected to get more than perhaps 10 per cent of the vote; now it is being freely predicted that he may get 25 to 35 percent of it.

The upturn in McCarthy fortunes apparently has attracted the attention of Senator Robert Kennedy of New York, from whose camp guarded reports are issuing to the effect that he is "reconsidering" his decision not to challenge President Johnson. If Kennedy reconsiders himself into the race, however, it is not clear just how he could get McCarthy out of it.

In the Senate last week, hawks resorted to parliamentary tactics to limit a debate that was extremely critical of the war, and in which Senator Fulbright of Arkansas demanded that the Administration consult Congress before committing more troops to Vietnam.

The tactics did not end the debate before Senators Jack Miller of Iowa and Norris Cotton of New Hampshire, both Republican conservatives who have supported the war, expressed agreement with Fulbright. The whole debate left the impression that not even Senate hawks like John Stennis of Mississippi had much enthusiasm for defending the way the war is being conducted, or any plans for it now pending.

Such a conservative Senator as Harry Byrd Jr. of Virginia said recently: "If I sense accurately the mood of my fellow Virginians, the national leadership has lost to a considerable degree the confidence of the public in its handling of the Vietnam war. . . . Is not now the time for a reappraisal of our policies and objectives?"

Perhaps the caution of the Republican Presidential candidates is even more significant. Just before the withdrawal of Romney forced him into the open, Nelson Rockefeller of New York, for instance, expressed this view at a news conference:

"I do think that we are living in a period of high tension, high frustrations, and what we need is to find moderate solutions, and that to reach for a gun or to call in the military isn't necessarily the best solution."

Rockefeller refused to say specifically that this meant he no longer favored military escalation in Vietnam, but that obviously was the intent of his remarks.

NIXON ALTERS APPROACH

Nixon clearly had a similar purpose when he declared in New Hampshire last week that if elected he would "end the war and win the peace in the Pacific." While that could mean as much to hawks as to doves, Nixon also has taken to reminding his audiences that he was part of a Republican Administration that came into office in 1953 and ended the Korean war by a negotiated settlement.

This is substantially different from the hawkish approach of using military power more massively and efficiently that Nixon has been advocating for years. Whatever his other qualities, he always has been adept at sensing which way the wind is blowing and therefore his cautious shuffle toward the dovecote ought not to be taken lightly. Even President Johnson might want to consider what it means.

[From the Chattonooga (Tenn.) News-Free Press, Jan. 31, 1968]

OF "FRIENDS" AND ENEMIES

There have been complaints because the LBJ Administration has refused to let our military forces strike the Communist North Vietnam port of Haiphong. And these are valid complaints, because that is the Reds' only major port and it receives huge quantities of arms and other supplies that are used in killings Americans in South Vietnam.

There have been complaints, too, because Russia supplies 80 percent of North Vietnam's war materials to be used against us, yet our leaders try to tell us that Russia is "mellowing" and that we really ought to step up trade with Russia. They don't add that this would strengthen Russia's economy and thus make it better able to supply North Vietnam, which then would be better equipped to kill our young men.

There is, however, another cause for complaint that we have not given sufficient attention. It is the shipping that goes to Haiphong from nations that are supposedly "friendly" to us.

Sen. Harry F. Byrd, Jr., D-Va., has reported to Congress that January through November of last year, "58 ships flying the flag of Great Britain carried cargo to the North Vietnamese."

The senator observed: "During that same peirod of time, the United States suffered 66,000 battle casualties in Vietnam.

"Why does not the American Government bring diplomatic and financial pressure on the Government of Great Britain to keep from Haiphong ships flying the flag of Great Britain?

"I first invited attention to the fact that ships flying the British flag were carrying cargo to North Vietnam in February of 1966.

"I took this matter up with the Secretary of State and the Secretary of Defense, each of whom said an effort was being made to eliminate this British shipping. But then they would add that Harold Wilson, the British Prime Minister, was having a hard time, and would infer he should not be pressed too hard.

"Apparently he has not been pressed too hard.

"To my mind, our Government's attitude toward ships flying the flag of Great Britain entering Haiphong is another indication of what I have been saying throughout . . . 1967, that there is no sense of urgency in bringing the Vietnam War to a conclusion.

"I repeat the figures: For the 11 months January through November 1967, 58 ships flying the flag of Great Britain carried cargo to the North Vietnamese at whose hands the American people have suffered 66,000 combat casualties during the first 11 months of 1967."

We are not nearly so concerned about a "hard time" Britain's Socialist prime minister may be having as we are about the hard time the patriotic American troops are having facing well-supplied Communist aggressors.

There is a simple and direct way to stop both Russian and British shipping to Haiphong—and that is to stop Haiphong. We could bomb it, mine it, sink a ship in its channel or blockade it, or do all of them, within a matter of hours and solve the issue—if our leaders had the courage that the men who are dying have.

Wheat Market Development

HON. ROBERT DOLE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. DOLE. Mr. Speaker, on March 20, I had the honor of being a guest at a congressional breakfast sponsored by Great Plains Wheat, Inc. This organization, an association of wheat producers, has done an extremely effective job of developing markets for American wheat throughout the world. Wheat market development programs carried out by Great Plains Wheat, Inc., and the Western Wheat Associates are the only agricultural programs financed entirely by producers. Mr. Mearl Gifford, president of Great Plains Wheat, gave an excellent talk at the breakfast on these market development activities.

I think my colleagues will find Mr. Gifford's remarks highly enlightening, and I commend his talk to their attention by inserting it in the RECORD at this point:

A PRICELESS PLUS

(Delivered by Mearl H. Gifford, President, Great Plains Wheat, Inc., at the second congressional breakfast, Washington, D.C., March 20, 1968)

The United States is a commercial country. We are constantly thinking in terms of money—How much does this cost?, Is this item worth what they're asking? We answer these questions either yes or no, depending upon whether we buy or do not buy.

But there are also many other things on which we are asked to place a value—Things which we cannot touch or see, things we only feel within us. One of these is market development. Specifically today we are referring to wheat market development—a priceless plus for both the country and the producers.

Wheat market development, as carried on by both Western Wheat Associates and Great Plains Wheat, is the only agricultural program financed entirely by producers. And it is truly a worldwide operation.

For wherever there exists a market capable of expansion, or the potential of a new market, the two organizations are there. In many cases, these organizations are the advance eyes and ears of the wheat industry.

We do not call upon our trade contacts with an order book in our pocket. We are only interested in creating a climate in which the importer will look more favorably upon the value of U.S. wheat to his business.

To achieve this goal, for instance, Great Plains Wheat has regional offices in Rotterdam, The Netherlands; Caracas, Venezuela and a country office in Rio de Janeiro, Brazil. The organization is financed by the wheat commissions or similar organization in the states of Colorado, Kansas, North Dakota, Oklahoma and South Dakota. In addition, The Nebraska Association of Wheat Growers, affiliated with the National Association of Wheat Growers, contracts with GPW to further the work in the vast potential market of Brazil.

Western Wheat, on the other hand, is supported by the producers in Idaho, Oregon and Washington. Regional offices are maintained in Tokyo, Japan; Haipei, Taiwan; Manila, The Philippines, and New Delhi, India under the name of Wheat Associates, U.S.A.

In addition to the support from the Pacific Northwest, Great Plains Wheat contributes to the Asian program and the Nebraska Wheat Commission also contracts with WWA for certain programs.

Both organizations also contract for foreign currencies accrued under P.L. 480 from the Department of Agriculture.

Market Development programs vary but usually fall into three categories—market information, technical assistance and consumer promotions. Market information takes the form of supplying the foreign trade with current information on quality, availability, price and credit, mainly through contacts by GPW staff.

Technical assistance is the services of a bakery technician, cereal chemist or establishing a baking school. Consumer promotions are programs of market development in cooperation with local trade associations to place bread, pasta, cake or other wheat product directly before the public.

Market development programs have played a tremendous part in the increased exports from the United States. For instance, during the marketing year before large-scale market development programs began, wheat and flour exports totaled only 401.7 million bushels.

Exports increased in seven short years to 869 million bushels for the 1965–66 marketing year, the current record. Although total exports this last marketing year fell off slightly, the United States set a new record of 416.3 million bushels for commercial exports.

Market development has been responsible to a large degree for these increased exports. For many years, the U.S. producer has been operating under heavy acreage controls. But with the increase in exports, the burdensome surplus has been lowered and producers are again producing for the market.

Increased exports means a market for about half of each years' total production. The export market, both commercial and concessional, has exceeded the domestic market in the United States for seven consecutive years. This is the value of market development to the producers.

But what of the value to the United States? The record commercial wheat and flour exports of the last marketing year meant more than $668 million dollars towards easing the balance of payments deficit.

And the concessional sales under Public Law 480, which is before your respective chambers for extension, also provided funds in lieu of dollars for payment of many government expenses.

P.L. 480 funds have played another part in this success. It was the availability of these funds to market development associations like Western Wheat Associates and Great Plains Wheat which has allowed us to enlarge our programs to effectively work in more countries.

Yes, these programs, coupled with the cooperation from government and grain trade, have significantly contributed to the increase in U.S. wheat exports. It has not only changed many concessional markets into commercial buyers, but has strengthened the U.S. position in traditional dollar markets.

This has happened in Peru, Japan, Italy and Ecuador. Japan has become the largest dollar market for U.S. wheat. Italian purchases of U.S. wheat under commercial terms have increased from 1.2 million bushels to 7.5 million in fiscal 1967.

Peru increased dollar imports from 720 thousand bushels in 1955–56 to 7.6 million last fiscal year. Ecuador's purchases for dollars increased from 268 thousand bushels to more than 1.8 million bushels. Venezuela, a long-time cash market, increased her purchases to 17.2 million bushels last fiscal year compared to 3.4 million in 1959.

All of these are success stories. There are many, many more. But the need for market development has not passed. It is a continuing operation. The importance of market development was stated much better by a former colleague of yours and a former chief executive officer of Great Plains Wheat, Clifford R. Hope of Kansas. He said, "No doubt several factors have contributed to this fabulous expansion in agricultural exports. I know of no method of analysis by which it is possible to determine what proportion of these gains may be credited to the market development program or to any other one factor.

"The very fact, however, that this increase began with the initiation of the program and has continued with little interruption during its life, is strong evidence of the contribution it has made."

Sargent Shriver Receives the John F. Kennedy Award

HON. WAYNE L. HAYS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. HAYS. Mr. Speaker, on March 17 at the Institute of North American Studies in Barcelona, Spain, Sargent Shriver received the John F. Kennedy Award, which is given annually, alternately to a Spaniard and to an American, who has made a distinguished contribution in a field of human endeavor—the arts, public service, international relations or science—reflecting the precepts and ideals of the late President.

Mr. Shriver, who has concluded three and a half years of eminently distinguished service to the American people as director of the Office of Economic Opportunity, is moving on to serve his Nation as Ambassador to France. The ceremony in Barcelona honored him for his outstanding leadership and achievement as head of the Peace Corps and the war on poverty, and it is certainly my opinion that the Institute could have found no worthier recipient of an award given in memory of our late beloved John F. Kennedy.

Mr. Speaker, in accepting this fitting award, Mr. Shriver delivered a very eloquent and timely address which called attention to the Peace Corps and such antipoverty endeavors as VISTA as true reflections of the best in American life, which is unfortunately too often ignored in the European press, as well as of man's deepest longing for peace.

Mr. Speaker, Sargent Shriver's entire illustrious career of service to his country perfectly reflects the spirit of a saying of President Kennedy, which Mr. Shriver referred to in his Barcelona address.

> Some people see things as they are, and ask why. I dream things that never were, and ask why not.

Mr. Speaker, I salute my distinguished and honored friend, Sargent Shriver, and include his address before the Institute of North American Studies in Barcelona at this point in the RECORD:

REMARKS BY SARGENT SHRIVER, DIRECTOR, U.S. OFFICE OF ECONOMIC OPPORTUNITY, AT INSTITUTE OF NORTH AMERICAN STUDIES, BARCELONA, SPAIN, MARCH 17, 1968

Early in September of 1960, when John F. Kennedy was running for President, he went to California. The campaign was not going too well out there. So Kennedy asked Adlai Stevenson to go to California before him—to shake up the Democrats, get them to do less talking and more acting.

The reason Kennedy asked Stevenson's help was that many Democrats in California were originally for Stevenson. They supported him at the Convention, not Kennedy. So with great heart, Stevenson agreed to introduce Kennedy wherever he spoke in California. Over and over, Stevenson used the same line: "Do you remember that in classical times when Cicero finished speaking, the people said, 'How well he spoke'—but when Demosthenes finished speaking, the people said, 'Let us march'."

The reference was obvious. Because after John Kennedy gave each speech in California, the people were ready to march.

His call was simple. In speech after speech, he said:

"I have premised my campaign for the Presidency on the single assumption that the American people are uneasy at the present drift in our national course, that they are disturbed by the relative decline in our vitality and prestige, and that they have the will and the strength to start the United States moving again."

To start moving again, Kennedy said you first had to know why the United States had stopped moving. He said that: "The trouble with the United States politics . . . is that we talk in slogans too often and symbols and we fight old battles. The sixties are going to be different . . ."

When John F. Kennedy became President, the sixties did become different. Suddenly, there was a new flash of courage across the United States. As though we were just given the gift of tongues, like the Apostles at Pentecost, millions of United States citizens began to speak with a new vocabulary. Self-giving replaced self-service, commitment replaced comfort, my brother replaced myself.

The concrete changes in our national life were immediately obvious. First off, John Kennedy made the United States aware of its art and literature. He opened up the White House to artists and writers. In November, 1961, Pablo Casals, played at the White House. President Kennedy had dinners for men like Stravinsky, André Malraux, Robert Frost.

What did the artists and writers think of this new freedom? Said Ernest Hemingway, who loved Spain: "It's a good thing to have a brave man as our President in times as tough as these for our country and the world."

One of the next things to take hold of the United States was the Peace Corps. At first, the skeptics said the young people of the United States were too soft and too smug. They didn't care about the world's poor and sick. But the skeptics were wrong. Within two years, 10,000 volunteers were working in 46 countries. Today, over 50,000 United States citizens have served in the Peace Corps. They have returned to their homeland different persons. They have been changed trying to change the changeless.

That might sound poetic and romantic, but it's true. Four years ago at Peace Corps headquarters, the Ambassador from Bolivia to the United States came to my office. Like most Bolivians, he was a man with much Indian blood.

"When the Peace Corps started, I knew it wouldn't work," he said. "I knew it wouldn't work because I myself had worked for 20 years to improve the life, education, housing and health of the Indians in the Alte Plano. I'm more than half-Indian myself. I worked with the United Nations. I worked with experts of all kind, with lots of money. So I knew that inexperienced, young Peace Corps volunteers couldn't succeed where able, dedicated, experienced men with plenty of money had failed. But I was wrong."

What's your explanation?" I asked.

"The Peace Corps volunteers have succeeded," he said, "because they have come to Bolivia speaking our language, willing to live in our homes, eat our food, wear our clothes, travel in our busses or walk on our back roads. They have come not only willing, but eager, to learn about our culture, our religion, our dancing, our songs, our customs. They have not come to take money from us, nor change our religion, nor dominate our political life. They have treated us as human beings equal to themselves—even better than themselves. They are the first white men who were ever willing to learn from us!—rather than try to remake us into Yankees.

"As a result," he went on, "our people have come to trust the Peace Corps volunteers. Our ears are open to their words. Our eyes are open to their example. Our hearts are open to their guidance. Our minds are open to their thoughts. The Peace Corps volunteers, without any money, without handouts of food or clothing, have succeeded in reaching us and teaching us more than all the experts put together."

A third reason why the sixties began differently was because President Kennedy was aware of its poor. Only a few days before his death he said, "The time has come to organize a national asault on the causes of poverty with a comprehensive program, across the board."

President Kennedy did not live to see his own war on poverty, but President Lyndon Johnson did start exactly the effort that John Kennedy proposed. Under President Johnson, the United States began to respond to the needs and rights of its 35 million poor people—whether in Harlem or Watts, or Appalachia, or Alaska, or migrant workers in camps or on Indian reservations.

That was how the sixties began in the United States. But there is talk the sixties won't end that way. People are saying that the United States has changed. Look at the European newspapers. They write almost exclusively about a United States where crime fills the streets, about an America where blacks and whites hate each other, where 50,000 people are killed in traffic accidents every year, where one out of every four marriages ends in divorce, where a murder is committed every hour and a robbery every 24 seconds, where drugs are bought and sold like candy, where it's almost as easy to get an abortion as an appendectomy, where the rivers and air are as polluted as our hearts.

To millions of Europeans, even millions of Spaniards, that's the U.S.A. The home of the brave has become the home of the brazen. The land of the free has become the land of the free-for-all.

But that's not the whole picture. It's not the United States I've seen.

The trouble with newspapers is that they only report facts. But a thousand facts don't always equal one truth. Applied to the United States, a thousand facts about our high crime-rate don't equal the one truth that we also have a high love-rate. For every act of crime that gets printed in La Vanguardia, I'd say there are 10 acts of love that never see print.

I don't mean selfish love or sexual love. I mean the kind of love the great Spanish philosopher, Ortega y Gasset spoke of: "A going forth towards another person," a self-giving love that is "a cordial, affirmative interest in another person for himself," a love that, "springs from the most profound depths of our being." The kind of love I saw last summer when I took a trip to Alaska to visit a group of VISTA volunteers.

VISTA is a new national program in the United States that enlists young, and sometimes elderly, people to give a year or two of their lives in service to their country. It's like the Peace Corps, but instead of going into the slums of Colombia, South America, they might go to the slums of Columbia, South Carolina. Instead of serving the poor in India, they serve the poor in Indiana. In brief, they volunteer to serve within our nation—because the United States has poverty, too. Right now, we have over 4,000 VISTA volunteers working in 49 states.

VISTA is a Spanish word. Literally it means "view." That's exactly what a VISTA volunteer is: A person who views human life and human suffering differently, someone who sees himself not apart from the poor, but as a part of the poor. President Kennedy had a saying he used many times. "Some people see things as they are, and ask why. I dream things that never were, and ask why not."

Well, I was in Alaska with some VISTA volunteers who were saying "Why not." I'll never forget one volunteer in particular. He was in Nome, Alaska. There isn't a paved street in Nome. Most of the houses in Nome are ramshackle, falling-down places. But even Nome has a slum that is worse than the rest of Nome. Living in this slum are 500 natives who migrated there from an island out in the Bering Sea called King Island. These people live in poverty as abject as I've seen anywhere in the world—including Africa, Latin America, India or anywhere else. Down in the middle of all this was a VISTA volunteer. He had a house that would make the hermitage of a Carthusian at Miraflores look like a palace. He had one little stove in it. He had a wooden bed, one window. The shack was made out of corrugated tin backed up with wallboard or paper. And he lived there at 40 degrees below zero, day in and day out, day in and day out—until you said to yourself, why? What's he trying to prove? What's he trying to tell us? About himself or us or what?

Suddenly, I realized that that VISTA volunteer was a witness. A witness to an interest in those poverty-cursed fishermen living in an Alaskan slum. He was witnessing to a remark made by a character in The Cypresses Believe In God by José María Gironella, who lives in Barcelona. Ignacio Alvear had just come home from the Seminary—for good. He was undecided about his future. His mother, a wise woman, advised him. She said it was useless to pay attention to all the theories going around Spain at that time, all of them claiming to be true. "There's only one truth," she said, "to be good."

That's what that VISTA volunteer was doing with those King Island fishermen. He was witnessing to the one truth: Goodness. Not by talking about it, or defending it—but by living it. For those King Island fishermen who had known nothing but raw deals and raw fish, the VISTA volunteer was the only human being who had not pushed them aside, the only person willing to be a part of their life.

That's what's happening in Alaska, our coldest State. The same thing is happening in one of our warmest states, Alabama.

Most of you know about Alabama. It received world-wide attention, perhaps infamy, a few years ago. You remember the pictures: Police dogs being set on Negroes, policemen beating Negro women over the heads with clubs, firehoses being sprayed full-force into defenseless crowds of Negroes.

And you remember the news stories about the Alabama civil rights murders. The most shocking of these was in Haynesville, Alabama. That's where a Protestant Seminarian and a Catholic Priest were gunned down on the main street, the Protestant killed, the Catholic wounded.

That was four years ago. Today in Haynesville, across the street from where that Seminarian fell in death, a Neighborhood Health Center is being built. The Center will be funded by the Office of Economic Opportunity, but local doctors and nurses will run it.

Who's responsible for that health center in Haynesville, Alabama? Not me. Not President Johnson. Not the United States Congress.

The person responsible is a white man—a doctor—from Haynesville. He didn't come down from the North. He's lived in Haynesville all his life. His family goes back five generations. Down the years, his ancestors probably did as much as anyone in Alabama to keep the black man down and the white man up.

Yet this lone doctor decided to change the system. He asked the Negroes in Haynesville what they needed most. They said health care. So that's what this doctor is giving them right now—not in a spirit of paternalism, but in spirit of partnership.

Many of his white friends think he's crazy. His life has been threatened. But he goes ahead despite the ridicule, despite the threats.

That doctor would probably be the last to say that he is practicing the simple kind of love defined by Ortega: "A going forth toward another person." But that's what he's doing—he's going forth toward the sick and poor of a small town in Alabama. Maybe it's not a tremendous improvement, but that doctor is a pioneer staking his claim in a no man's land of racial hate. His health clinic answers the question President Kennedy asked in May, 1963, on the day after a Governor of Alabama blocked the doorway of a public university to Negroes. If the Negro cannot enjoy the full and free life which all of us want, asked President Kennedy, "then who among us would be content to have the color of his skin changed and stand in his place?"

It's impossible for a person to change the color of his skin, but thousands of Americans are willing to stand in the place of a poor person. Because standing in the place of someone is what love means: putting yourself into the skin of another man, to be weakened by his burdens and heartened by his joys. Into the skin of a black man, into the skin of a Jew, into the skin of a convict, into the skin of a leper, into the skin of a revolutionary.

The kind of revolutionaries that were in the Dominican Republic in 1965. Forty-six Peace Corps volunteers were down there when the fighting broke out. Some were girls. Nurses. When the wounded were brought in—some of them shot by our own marines—these girls stayed on duty around the clock.

So did all the volunteers. In fact, these Peace Corps volunteers were the only group allowed behind the lines of both sides. The words "Cuerpo de Paz" eliminated all barriers—military, political and human.

The volunteers stayed on during all the fighting and left for Puerto Rico. Their two years was up. They were scheduled for debriefing, and then home. While the de-briefing was still going on, an unusual election was held in the Barrios, the slums of Santo Domingo. The slum dwellers with whom the Peace Corps volunteers had worked—they are called counterparts—took a vote to see if they wanted the Peace Corps back. Despite their hatred of Yankees, these slum dwellers voted 46 to 0 in favor of the Peace Corps.

What explained that vote? One Peace Corps volunteer offered this explanation. "The people liked us because we lived with them and knew them. A Dominican friend of mine put it this way, 'when we were hungry, you were hungry. When we walked in the mud, you walked in the mud.' "

That's what getting into the skin of another man means. When he's hungry, you're hungry. When he walks in the mud, you walk in the mud.

This idea of standing in another man's place isn't something new to America. Dorothy Day, one of the United States' great Apostles to the poor, wrote over 30 years ago about the time she was in jail:

"Solitude and hunger and weariness of spirit—these sharpened my perceptions so that I suffered not only my own sorrow but the sorrow of those about me. I was no longer myself I was no longer a young girl . . . I was the oppressed. I was that drug addict, screaming and tossing in her cell, beating her head against the wall. I was that shoplifter who for rebellion was sentenced to solitary. I was that woman who had killed her children, murdered her lover."

Dorothy Day is an old woman today. But she still lives in the Bowery of New York. She not only lives with the poor and for the poor—she is poor.

What does all this mean for the United States—VISTA, the War on Poverty, the Peace Corps, Apostles like Dorothy Day?

It means simply that instead of going through the first throes of national death—which is what the headlines about our riots and crimes would indicate—instead of the throes of death, the United States is really experiencing the pains of birth. The United States is not dying—it is being born. A new community is coming out of itself, the way new life comes out of its mother.

It's true, there is a great suffering in my country, but it's always that way at a birth. But just as there is great suffering, there is also great sacrifice. The sacrifice of 10,000 VISTA volunteers. The sacrifice of 50,000 Peace Corps volunteers. The sacrifice of over 500,000 unpaid volunteers in the War on Poverty. The sacrifices of doctors, lawyers, teachers, priests and nuns, housewives, college students, black and white, old and young, Catholic, Protestant and Jew.

These are the hidden sacrifices that never get on the wires to Europe and never see the headlines. But the people of Spain don't need to be told about hidden sacrifices. You are told about them in the book The Way by Monsignor Escriva: "The world admires only the spectacular sacrifice, but it ignores the value of the sacrifice that is hidden and silent."

The United States is beginning to find out another truth found in The Way: "No ideal becomes a reality without sacrifice." The ideals of life, liberty and the pursuit of happiness—the ideals that made the United States—these are the ones for which we are now sacrificing. From a distance, the strain may seem to be killing us, but the United States has never been more alive!

Before I finish, I want to say a word about peace. It is one of the most talked about but least understood and least lived of words. One man says, "Let us work for peace by defeating the enemy." Another man says, "Peace through treaties." Another, "Peace through bombs," or, "Peace through conquest."

But they are all deluded. As history shows and our hearts reveal, none of that leads to peace. With luck, you get only a truce—and always a dead truce that does nothing about live hates. The kind of peace the world seeks is not the kind that puts an end to a war—because another war will soon start up again—but the kind of peace that puts an end to the causes of war: Poverty, sickness, ignorance. Then another war can't start up again—because, finally for the first time on earth, men will have nothing to fight about. Peace will happen not through the absence of war but through the presence of love. The kind of love that will see to it that men have enough food to eat, enough clothes to wear, enough houses to live in.

I agree with José María Gironella, who wrote in Phantoms And Fugitives: "All men carry two opposites within themselves—a man who lives and a man who dreams. There is in us a realistic being, meticulous, preoccupied with daily incidents and with the present moment, and another magic being that occasionally turns a somersault and is preoccupied with the improbable, with things situated beyond logic, with the inexplicable and the mysterious."

Peace is beyond logic. Peace is inexplicable. Peace is mysterious. But I have seen and spoken to the "dreamers" who are the peacemakers of this world. I'll never forget in Malaysia, about 50 miles from Kuala Lumpur, going through a local hospital where we had two or three Peace Corps nurses. One of them worked in the leper ward. When this girl said to me, "Mr. Shriver, you've got to come see my ward," I didn't want to see her ward. But how could I say no if that girl was in there? So I went in and she had the patients all sitting up in bed dressed in those blue things they wear and their hands were stumps, and they had sores all over their faces. The nurse went down the beds saying hello, introducing them to me. And they'd hand that stump out to me. I'll never forget when I grabbed that first one and shook it. It felt just like a hot poker. I was scared. I shouldn't have been, but I was.

That girl was working in the leprasorium not because I told her to or anybody else told her to. She worked there to bring peace on earth. Not the abstract kind of peace that politicians talk about, but the peace that men feel in their bones when they are loved, or fed, or clothed, or housed.

Although she probably never thought of it, that nurse was trying to stop the steady stream of wars that plague the earth. She was destroying the conditions that make war possible: By "going forth towards another person," even if that other person is a leper.

I see no other way. Peace is like war: If enough men want it, enough men can cause it. They can cause peace to happen in a leper ward in Asia, in a health center in Alabama, on a lonely island in Alaska, in the Bowery of New York. Each of us has the power to bring peace not only to the world, but to our hearts.

Is peace an impossible goal? A lot of people tell me it is. But I am reminded of what Unamuno once said: "Unless you strive after the impossible, the possible you achieve will be scarcely worth the effort."

American Cancer Society National Crusade Chairman Lawrence Welk

HON. JOHN V. TUNNEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. TUNNEY. Mr. Speaker, Lawrence Welk, national crusade chairman for the American Cancer Society, is opening the 1968 campaign at a dinner at the National Orange Show in San Bernardino, Calif., today.

I place in the RECORD the following resolution of the American Cancer Society commending Lawrence Welk for his public service in this area and in the hope that the 1968 Cancer Society Crusade will be a great success:

RESOLUTION, AMERICAN CANCER SOCIETY

Whereas, Lawrence Welk is better known by his thirty million television fans for his "Champagne Music"; and

Whereas, Lawrence Welk was born on March 11, 1903, on a farm near Strasburg, North Dakota; and

Whereas, he left the farm on his 21st birthday, determined to make a career for himself in the field of music; and

Whereas, Welk's radio career was started with his own five-piece band in 1927, playing at a radio station during the day, and appearing at ballrooms in five surrounding states at night; and

Whereas, in their first coast-to-coast show Welk's crisp musical sound was introduced for the first time and caught on with tremendous impact all over the nation; and

Whereas, in addition to his weekly television show, and his weekly appearances at the Hollywood Palladium, the Welk band fills engagements every summer and makes several concert tours annually, thus maintaining the all important personal contact with their fans, so necessary to sustaining a close liaison with the public; and

Whereas, Lawrence Welk, a man with numerous interests and tremendous responsibilities has now added one more extremely important activity to his heavy schedule, that of 1968 National Crusade Chairman for the American Cancer Society; and

Whereas, the American Cancer Society has designated April as Cancer Month; and

Whereas, cancer, last year, caused the deaths of some 300,000 Americans; and

Whereas, the ultimate conquest of cancer depends mainly on three things: 1) trained scientific minds to do research, 2) adequate facilities with which to work, and 3) cooperation between the public and the medical and health professions for effective disease control; and

Whereas, more money is needed for a cancer research program which is turning up exciting new leads every day, and everything possible must be done to help this program expand and develop, to allow exploration of every lead, and to translate laboratory findings into clinical control at the earliest possible moment for the benefit of mankind; and

Now, therefore, be it resolved that Lawrence Welk is hereby commended for the time and energies he is devoting to the American Cancer Society as National Crusade Chairman.

Further, that the people of this Nation are urged to open their doors and their hearts to the two million volunteers in this great drive who will be calling upon them.

University of Illinois Centennial

HON. WILLIAM L. SPRINGER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. SPRINGER. Mr. Speaker, the centennial year of the University of Illinois has just ended. The convocation of March 11, 1968, marked the close of the final major event on the centennial calendar which began on February 28, 1967.

The plans for the centennial year were prepared as a basic academic program of dignity and quality under the able direction of Dean Fred H. Turner. Five major events were planned with centennial features and accouterments added to all on-going activities and special activities between major events.

The first of the five major events was held in Gov. Otto Kerner's office at the State capitol in Springfield on February 28, 1967, memorializing the signing of the bill by Gov. Richard J. Oglesby on February 28, 1867, establishing the new State university under the Land Grant Act of 1862; the second major event was centered on the May Honors Day programs at the three campuses; the third, the commencement and graduation of the centennial classes of 1967, in June; the fourth, the welcome to new students in September; and the final centennial week at Urbana-Champaign, March 6–11, 1968.

In between these major events, there was a crowded program of symposiums, lectures, conferences, conventions, convocations, concerts, dramatic events, building dedications and ground-breaking ceremonies, centennial books and publications, and an outstanding series of radio, television, motion picture, and press activities. If any aspects in the programs stood out particularly, they would include—first, the excellent quality of all, and the unprecedented interest and participation of students, staff, alumni, and citizens in the numerous events, which certainly are worthy of a great university.

It might be added that the university centennial flag was lowered for the last time at sundown on March 11, 1968, and the Illinois State sesquicentennial flag replaced it on March 12, 1968, to be flown along with the American and Illinois flags through the remainder of the State's sesquicentennial year ending in December 1968.

The closing convocation on March 11 was addressed by University of Illinois President David D. Henry. Dr. Henry's address was so appropriate, not only for the University of Illinois, but for all land-grant institutions in their second centuries, that I am including it in full at this point. I also include an article from the Champaign News-Gazette, by Diana Moore, quoting Governor Otto Kerner's remarks at the convocation:

THE LAND-GRANT UNIVERSITY IN ITS SECOND CENTURY

(Centennial Convocation Address by President David D. Henry, University of Illinois, Assembly Hall, Urbana-Champaign Campus, Monday, March 11, 1968)

I

With this convocation, we close the Centennial Year of the University of Illinois. Its theme has been, "From a Distinguished Past, a Promising Future."

Examination of the past has been reassuring. We have noted great achievements and they have stirred our pride as we identified the University with historical benchmarks—in science, technology, humanities, the arts and the professions. The agriculture, industry, business, government and social organization of the State and Nation have been influenced by what has been discovered and encouraged at this University. People's lives have been enriched—through countless public services, from the outcomes of research, and from the contributions of the tens of thousands who have been formally enrolled.

We have, however, looked forward even more than we have looked back. Aware that many now enrolled in the University will spend their most productive years in the 21st century, the centennial events have been designed for analysis of trends and potentialities in the long view.

Students, faculty, and alumni, in company with outstanding visiting commentators and observers, with artists, scholars, and public leaders have canvassed, among many subjects, science and the human condition; man and the multitude in the search for the values in our culture; the university in motion, a matrix for the arts; urban education and the study of urban affairs; changing concepts in all the major disciplines; business and social responsibility; world food needs; and education for the 21st century.

War and peace and race relations, two overriding concerns of the present, have, of course, been a part of the context of all of the programs.

The intellectual life of the University has been immeasurably enriched, enlarged and strengthened by the stimulating discourse which has been presented, not alone on the campuses, but to the larger public through radio, television, books, monographs and meetings.

The observance of the Centennial Year has in itself been an historic event in the life of the University and of Illinois; and we believe that the benefits have rippled out to a very large audience. Agencies and institutions around the world have sent their greetings and felicitations, for which we are most grateful.

From the inspiration of this year, we are moved to carry on with increasing energy and spirit, in the great academic tradition, described on a similar occasion three years ago by President James A. Perkins of Cornell University: "From the very beginning, the idea of the university has been nourished by and it has contributed to the great universal imperatives of the Western world: the respect for reason, the distaste for unexplained inequality, the compassion for the individual spirit, and the compulsion to be of service to all mankind."

II

On celebrating an anniversary, one is tempted to engage in forecast as well as reminiscence.

Fifty years ago, President Edmund J. James included some prophecy in his introduction to the Semi-Centennial History of the University. He claimed that the changes in the University by 1968 would outreach 1918 to a greater extent than the latter's comparison with 1868 because "The world of 1968 will be more vastly different." He noted: "Prophecies of the men who labored to secure the foundation of this institution were large and far reaching, but none of them equalled the reality, none of them appreciated what the possibilities of the next fifty years were to be, and they would all be greatly surprised at this institution now if they could return to view it. Our fate will doubtless be the same."

However, in many ways, President James foretold what has come to pass. We have not achieved the goal of no fees for students, but we have maintained the low-fee principle. We have not reached the five-million library books which he predicted, but we have come close and have a ranking among the great university libraries of the world. His prophecies on buildings and equipment, on breadth of curriculum, on expansion in the advanced areas of learning, including the professions, and on faculty salaries and conditions of work have been fulfilled. Only on enrollment did he miss the mark significantly; he said, "Our five thousand students may have become ten or fifteen or twenty thousand." His maximum was nearly 25,000 short of the number recorded in the fall of 1967.

More to the point, however, is the fact that President James' statement of purpose for the University is one which we honor today: "Let Illinois become one of the holy places in the history of the human spirit, . . . Let it be counted one of the very greatest because it has ministered most to the welfare of mankind."

And yet, as we express our respects for these moving words, I would be less than candid if I did not quickly note that our capability for forecasting is more limited than was his. Our confidence in the future importance of the University is no less firm, our optimism as to its future achievements is no less dynamic, and our faith in the eventual attainment of the ideals of the academic community generally is no less enduring. But the map of progress previously followed has been obscured by the climactic problems with which we must now deal. The forces which now move our society will in turn affect our University in ways beyond our present perception.

At this turn of a century, we must acknowledge that the University of Illinois is in transition. Another has described this condition as a time of "no longer and not yet." We no longer have room for all the qualified young people who seek admission and yet this situation is not likely to change. Our public services, once directed to individual consumers, are now designed for the preparation and continuing education of professional people who in turn will reach the larger public clientele—in teaching, social work, and public administration to name a few. The complex needs of society have placed new demands upon the University at the advanced levels of education; and the vast increase in knowledge requires that the retraining of graduates be given a high priority. The contributions of research have created a demand for more, and the University is pressed for answers to questions which in other times would not have been asked.

Although we do not have the ingredients for specific prophecy, I believe that future strength and future usefulness go hand in hand and that our chief institutional characteristic must continue to be comprehensiveness—comprehensiveness in service, in levels of education, in scope and nature of program. Here, I do not mean that the University can be all things to all people; but I do mean that our strength in the future, as in the past, is our role as a people's University.

I hope that our plans for the future will be set in a pattern which will always include expectation for high quality of academic performance, for the best conditions for student life and individual growth, for a capability for innovation and experimentation in the educational process, for a continuing search for opportunity to do what the University is especially qualified to do. At the same time, our contribution to the public welfare, broadly conceived, must not be restricted by elitism of any kind. I repeat, while the University cannot be all things to all people, it should strive to merit the gratitude, regard, respect and affection of the people whom it directly and indirectly serves.

III

Out of the many forces which will affect the future of the University, I mention three as defined recently by Sir Eric Ashby. These are the pressure from students to enter the system, the manpower needs for graduates, and the historic inner logic of the system itself which makes for a high degree of institutional autonomy.

There is little likelihood that the demands for student admissions will decrease in the short or long future. The projections, based on the number of children now born, carry us firmly into the eighties and the trend of a century takes us farther. An increase in the population base and the increasing proportion of that base who desire post-high school education will in numbers more than offset any decline in the birth rate itself.

An important factor in the continuing demand for enrollment is student evaluation of the college experience. In spite of current dissent to the contrary, career preparation remains an important factor in motivation. A part of that preparation will be an enlarged understanding of our world and times; and still appreciated is the premise that education is the chief means of social mobility in a democratic society.

How will the University meet the student demand for educational opportunity? It is to be regretted that not all qualified applicants who now seek to enter the University of Illinois as a matter of choice are or will be able to do so. A high degree of freedom of choice is a factor in the educational success of the student with the corollary educational benefits for people which a state system should aspire to provide.

Obviously, in a state program for higher education diversity which provides varied systems and institutions differently organized is an appropriate objective. However, the typing of institutions to gain a simplistic map of diversity, limits the natural and healthy growth of the institutions and restricts the freedom of choice of students.

Illinois has embarked upon the organization of a group of multi-campus systems. The three campuses of the University of Illinois comprise one of them. Unless the University of Illinois is permitted to grow, along with the others, through the development of additional campuses, including some of limited mission, as well as through enlargement of the present ones, the State will lose some of the benefit of its investment in the University and the proportion of young people in Illinois who may earn a University of Illinois degree will continue to decline. Directing student attendance into preconceived types of institutions, through unduly limiting freedom of choice, is not sound public policy or sound education. Ultimately, parents, students and employers will resist such an arrangement.

A central question in the days ahead is thus posed: Will the University, in its next Century, have the freedom to grow and develop as it has in the past and will the qualified young people of Illinois be reasonably free to gain admission to its programs and services?

IV

The longtime demand for admission to the University is clear. What shall we say about the role of its graduates in the context of the manpower needs of the country?

In his 1968 Education message to the Congress, the President of the United States declared:

". . . For now we call upon higher education to play a new and more ambitious role in our social progress, our economic development, our efforts to help other countries.

"We depend upon the universities—their training, research and extension services—for the knowledge which undergirds agricultural and industrial production.

"Increasingly, we look to higher education to provide the key to better employment opportunities and a more rewarding life for our citizens.

"As never before, we look to the colleges and universities—to their faculties, laboratories, research institutes and study centers—for help with every problem in our society and with the efforts we are making toward peace in the world."

In this comment, we have a forecast of the demand for college and university graduates as well as an enunciation of policy as to the role of the Federal Government in helping institutions meet the complex needs of society.

The university has become a part of the economic resources of the state and nation. The education of students, the discovery of new knowledge and the extension of public service are now to be regarded as an investment, not an expense. The state or nation that will not make this investment will lose ground in the struggle for human and social advancement.

Peter Schrag has made the point in these words, ". . . the new industrial state . . . has developed a voracious appetite for highly trained individuals and a major dependency on the institutions which produce them. . . . Education has now the greatest solemnity of social purpose."

V

After the flow of students into the University and their graduation into key tasks in service to society, Sir Eric Ashby's third major force in the shaping of a university is described as the inner logic of the system.

In structure and management, the university is different from any other organization. The faculty members are full professional partners in determining educational policy and ordering the educational process. Students are not merely silent and compliant consumers but at once apprentices and clients in the world of learning and citizens of an academic community. They are also citizens of the state and nation and in each category have natural expectations as to their part in influencing the world in which they live. The larger citizenry is not merely a constituency to supply funds; it is made up of parents, alumni, employers, civic leaders—literally millions of people whose interest in the university is quite personal and who expect and are entitled to be heard on the goals, objectives and effectiveness of the university.

This complex of factors affecting the governance of a university is made the more difficult to manage under newly organized demands of our time. One may mention, as examples, the impact of Federal programs, the militancy of teachers' organizations and civil rights groups, and other organizations who press demands. To this list might be added alumni, donors, planning boards, public officials and the structured voices of the university's constituencies and of society generally.

One must not forget, too, that controls or limitations are not always apparent. Sometimes they take the form of direct restriction on appropriations or facilities but often they are reflected in limited alternatives in program offerings and research endeavor. Whether the source of the restriction is the State Government, the Federal Government, the organized minority, the philanthropist or the editorial writer, the impingement upon institutional autonomy can be as serious as more obvious examples.

The mere recitation of the forces and pressures affecting the university, heightened by the growing public expectation for higher education, as reflected in President Johnson's words, suggests the new importance of institutional autonomy.

Institutional autonomy in this setting does not mean freedom from external influence, from evaluation or ultimate control by those who have direct governance responsibility. It does mean a framework of operation that will include the professor's freedom to teach and to do research according to standards defined inside the university; immunity from political partisanship or patronage and a high degree of self-determination of the conditions of internal operation and academic and campus life.

The conservation of institutional autonomy as here defined, which is, I believe, the final protection of academic freedom as historically conceived, rests not with laws and rules of organization or with manifestos and resolutions but with the faith of the people in the integrity of the institution and the devotion of the people to support the institutions' perennial search for new knowledge and for truth. Where such faith and dedication exist, institutions enjoy academic freedom to the fullest. Where they do not exist, restrictions, direct or indirect, may be expected. Our goal here, then, is the never-ending search for public understanding and acceptance of the fundamental missions of the university.

The tasks of public interpretation are enormous and complex, particularly as the ultimate determination of many university actions moves from the traditional mechanisms of other days into channels of a variety of influences which currently impinge upon the governance of the university.

Coping with these influences in preserving the basic traditions of academic endeavors becomes increasingly difficult but, obviously, increasingly important.

While the "efficiency of freedom" requires a dependence upon the professional character of the faculty and upon professional direction of the university, these attributes of the strong university do not allow for isolation of the institution from the broad purposes of society. Hence, there is no room for nihilism, for anarchy, for destructive forces, however organized. Reason, rational debate and intellectual analysis must be the framework for decisions in university governance.

The university is a social institution created by society for its own conservation and for its own advancement. It does not belong to the students or the faculty or to officers of internal or external government—it has been created by the people and it derives its strength from the confidence of the people in its purposes and its significance.

That university will prosper which recognizes its "grassroots" and which works to preserve its identity with the broad purposes for which it was established. Education for relevance must remain a constant in the changing public university. It has been a people's university in concept and in form; and I believe that this concept and form will be as viable in the next century as in the past one.

In the record of the land-grant colleges and state universities, it is clear that each generation of leadership and each period of growth added a new layer of strength through distinctive innovation. After the institutions were established and their purposes set forth, with emphasis on agriculture and the mechanic arts, the battle for broadly-based curricula in science and the liberal arts was fought and won. Then came the proliferation of the professions, including technology, and training for them. Graduate education was added, as were extension and basic research.

But within the many changes, Mr. Allan Nevins points out, there has been continuity in devotion to a single commitment—a commitment to serve democracy.

It was to serve democracy that the three great ideas of the land-grant movement evolved—wide educational opportunity, comprehensive curricula, and diversification of education service in instruction, in extension and in research. I believe that these ideas are and will continue to be valid although, of course, they are to be applied to a setting totally different from the mid-nineteenth and early twentieth centuries. Fundamental changes in American life have occurred and now constitute a new context of our work. Others are in the making. The tensions of war, race relations at home and the complex problems accompanying the rise of underdeveloped countries are but several of the items on the agenda for tomorrow which will affect our colleges and universities as well as all other aspects of American life.

The fundamental wants of our people, as in any country, developed or underdeveloped, have to do with food, housing, employment, health care, education and a satisfying social life. The elements in this list are easily identified but supplying them equitably and adequately in exceedingly complex. Solutions to the problems of our cities, of water and air pollution, of disease and health care, of family sustenance and decent family living conditions, and of equality of individual opportunity for education and employment as means to human dignity have their roots in the discovery of new knowledge, its useful application, the preparation of specialists and broad education of all who seek it. These are functions of the university—indeed, the university is the only major agency for objective analysis and for creative experimentation. The task is awesome and the stakes are high; hence the challenge and the opportunities are the greater.

As the University enters its second century, it is mindful of its strength and achievements. This fact does not induce complacency, however, The past is indeed prologue, and the agenda for the future suggest that the work to be done is of such importance that it will command the dedicated service of all who believe in the greatness of the University of Illinois.

We have no reason to change, for the next century, the article of faith set down by Jonathan Baldwin Turner as he envisioned the land-grant university at the start of the past century:

"The sun never shone on such a nation, and such a power, as this would soon be, with such facilities of public advancement and improvement put into full and vigorous operation. Set all the millions of eyes in this great Republic to watching, and intelligently observing and thinking, and there is no secret of nature or art we cannot find out; no disease of man or beast we cannot understand; no evil we cannot remedy; no obstacle we cannot surmount; nothing that lies in the power of man to do or to understand, that cannot be understood and done."

May this call to greatness continue to inspire us in the years to come!

UI Past Guarantee to Future: Kerner

(By Diana Moore)

The future of the University of Illinois has been guaranteed by its past, Illinois Gov. Otto Kerner said Monday morning at the University's Centennial Convocation.

"You can predict the future if you know the past," the Governor said.

"And with the past this great University has had. . . . I am confident that the future that we seek will be realized."

Gov. Kerner, who has been nominated by President Johnson for a federal judgeship, was greeted by a standing ovation from those present at the ceremonies honoring the University's 100th year.

"One of the first things that a governor learns upon taking office," he said, "is that the strength and weakness of the state in general, and state government in particular, rests upon the relative strength and weaknesses of the institutions of higher learning which are located in that state.

UI "BACKBONE"

"We indeed have been most fortunate in Illinois to have as the backbone of our system of higher education a great University such as the University of Illinois."

Kerner said it is "unfortunate" that the University of Illinois is better known outside the state than within.

The UI, he said, is one of the "great universities of the world."

As a part of the University's Centennial Celebration, Kerner said he was proud that the UI devoted its efforts to defining the purpose and role of today's public university.

Through examination of the University's past traditions, he said, the University's role in society is put into perspective.

Kerner noted that channels of communications have been opened outside the academic community, which has created an important change of direction in the University.

CHANGE ESSENTIAL

"Without this change we would not have progressed as we have," he said.

"The international impact of the University of Illinois is not realized by many people in Illinois," he continued.

Gov. Kerner cited agriculture, physics, science, architecture and engineering as areas in which the University has had a great international impact.

"It is time now to concentrate on the future," the Governor continued.

"We leave behind 100 years of solid accomplishments and the seeds of knowledge and learning which in some cases, have already grown into bursts of achievement, and in others are still climbing towards those same goals.

"Using the outstanding analysis of the review of the University's role in our state, which was deliberately conceived during this past year, we can now build on that base toward an even greater future, one which knows no obstacles, no limits and no horizons."

Kerner said that he was fearful that much of the motivation that created the United States and its great universities "is slowing down."

The people in the Middle West, led by their great universities, such as the University of Illinois, "must take upon ourselves that aggressive philosophy," he said.

Dairymen Hurt by Foreign Imports

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. RARICK. Mr. Speaker, while it is accepted as legal to boycott and strike for better working conditions for American workers and the city streets thrown open as demonstration arenas for social

progress, why does the administration work to prevent protective tariffs against foreign agricultural imports which are destructive to our farmers and dairymen?

Cheap foreign imports in the long run cost the American taxpayers through every price support given our farmer producers.

Protection of our U.S. food producers becomes essential. We owe no guaranteed living to foreign farmers at the expense of our own people. If it takes a protective tariff—let's have one.

I insert the following item from Saturday's Washington, D.C., Evening Star:

> The Senate yesterday barely rejected, 38–37, an amendment sponsored by Sen. George McGovern D-S.D., and others to impose quotas limiting imports of dairy products. The sponsors said Johnson's executive order on dairy quotas has too many loopholes.
>
> If the dairy quota amendment had prevailed, it probably would have opened the gates for a flood of quota proposals to protect other U.S. products, including meat and steel, from import competition.
>
> The administration is worried about the rise of protectionist sentiment in Congress.

Brotherhood of Temple Beth-El Resolution

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. DANIELS. Mr. Speaker, among the 300 members of the Brotherhood of Temple Beth-El are some of the leading citizens of Jersey City, N.J.

It is for this reason that I think all Members of this House will be interested in a resolution which was recently passed by the membership of this outstanding religious assemblage, dealing with the National Advisory Commission on Civil Disorders.

Mr. Speaker, I include this resolution in the RECORD following my remarks. I urge all Members of this House and all persons who read the RECORD to pay special attention to it.

The resolution follows:

> Whereas, the President's National Advisory Commission on Civil Disorders has issued its historic report, warning that the very existence of democracy in America is threatened unless its recommendations be heeded and fulfilled, and
>
> Whereas, unless drastic and costly remedies begin at once, there will be a continuing polarization of the American community, and ultimately the destruction of basic democratic values, and
>
> Whereas, there can be no higher priority for national action and no higher claim on the nation's conscience than to mount a massive, sustained and compassionate attack on the rootcauses of disorder, to wit, pervasive discrimination in employment, education and housing.
>
> Therefore, be it resolved, That the Brotherhood of Temple Beth-El, Jersey City, representing almost three hundred members accepts the conclusion of the Presidential Commission and
>
> Be It Further Resolved, that we pledge our efforts to bring about the recommendations aforesaid of the Commission, to give our black brothers justice, and equal opportunity so long denied and,
>
> Be It Further Resolved, that we call upon all religious, civic, labor and commercial groups in our city to join us in this pledge to save our country in this hour of travail, and
>
> Be It Further Resolved, that copies of this resolution be sent to the President of the United States, our United States Senators from New Jersey, and our two Congressmen representing the Hudson County District.

All of Marked Tree Family's Six Sons in Armed Forces

HON. E. C. GATHINGS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. GATHINGS. Mr. Speaker, with justified admiration, Mrs. Dorothy Stuck, the editor of the Marked Tree, Ark., Tribune, in the March 20 issue, writes of the six sons of Mrs. J. D. McKenzie who are serving in the armed services of this Nation.

It is a splendid article voicing the lonely concern but fierce pride of a widowed mother for her sons who have gone away to meet their citizen responsibilities with service in our military forces.

Her youngest, 21-year-old Burl, enlisted last month and is taking his basic training at Fort Campbell, Ky.

The oldest son, John, enlisted during the Korean conflict and has remained in Air Force service. Robert, the next oldest, serves in an airborne division as a medic and has seen service in Vietnam. Burford is a technical sergeant with 12 years in the Air Force. His younger brother, Buron, has 10 years' Air Force service with a tour of duty in Thailand. Gerald, an Air Force mechanic, has been in Vietnam since December of last year.

Mrs. McKenzie admits to many moments of strain and concern for her sons, but, as Mrs. Stuck's article relates, she believes strongly in prayer and finds strength in her faith.

It is a privilege to call Mrs. Stuck's article on this fine Arkansas mother and her six patriotic sons to the attention of the Members:

ALL OF MARKED TREE FAMILY'S SIX SONS IN ARMED FORCES

> There are six sons in the J. D. McKenzie family of ten children and with the enlistment of the youngest, 21-year old Burl L. McKenzie, last month, all are now serving in the Armed Forces.
>
> The story of this family's sons is indicative of the era the United States is in now—for these young men with over 56 years combined service have crisscrossed the world from France to Thailand; Vietnam to Africa and Formosa to Germany in their careers as soldiers and airmen. The oldest enlisted during the Korean War and now the youngest two have enlisted in the Vietnam War.
>
> Left at home in Marked Tree is their widowed mother, a devoted aunt, Miss May McKenzie, a 16-year old sister, Janie, and Kathy Fikes McKenzie, high school age wife of Airman 1/c Gerald McKenzie who is currently stationed at Da Nang, Vietnam, as an Air Force mechanic. Mr. McKenzie died six years ago.
>
> This exodus to the service began with the oldest son, John D. McKenzie, 38. His mother said last week, "He finished high school and enlisted in the Air Force rather than be drafted in the time of the Korean War." Before long he will have completed twenty years service. He is currently stationed at Keesler Air Force Base, Biloxi, Mississippi as an instructor.
>
> Sfc. Robert G. McKenzie, 36, was drafted. He has now put in 14 years in the service and is a medic with a U.S. Airborne unit, currently stationed in Germany. He has served a year in Vietnam.
>
> T/Sgt. Burford McKenzie, 34, is a veteran of twelve years service. Also in the Air Force, his specialty is that of meteorology and he has just been sent to Norton AFB near San Bernardino, California. He has also served in overseas posts with the Air Force.
>
> Another Air Force veteran in the family is T/Sgt. Buron McKenzie, 32, who is rounding out ten years in service. He has been in Thailand but is currently stationed at Davis-Monthan AFB, near Tucson, Arizona.
>
> Gerald McKenzie gave the Air Force men in the family the edge when he enlisted in May, 1967, a year after his graduation from high school. Twenty-two-year old Gerald completed his basic Air Force training and was holding orders for service in Germany when these orders were cancelled and he was given new ones for Vietnam. He arrived in Vietnam about December 20, 1967, a little over six months after he had enlisted.
>
> Recently Gerald sent home a tape that he had made during the early moments of a Viet Cong attack on his Air Base. "You could hear the sirens and explosions in the background and the warning to 'take cover—take cover' until he finally did that," his mother said.
>
> Burl, who enlisted in the Army in January, will complete his basic training at Fort Campbell, Kentucky, next month. He is following in the footsteps of his brother, Bob, and has requested assignment as a medic. He expects to receive advanced training in this field at Fort Sam Houston, Texas, when he is through with his basic training period.
>
> Mrs. McKenzie admits that it was unusually hard to see Burl go. "I just felt that five sons in the service was enough for one woman," she says as she looks at all of their pictures. Then she adds, "But he wanted to do the same thing his brothers did. He just wasn't going to be satisfied with anything else and so I couldn't stand in his way."
>
> She carries on a regular correspondence with all of them but Robert. "He is the only one who never did write very good". Gerald and Burl get the most letters right now. Gerald because he in the hottest military spot in the world and Burl because he is away for the first time.
>
> Mrs. McKenzie doesn't work but she does put in time when needed as a baby-sitter for her other daughters who live in this vicinity. They are Mrs. John (Eva Nell) Ward and Mrs. Paul (Rose) Hardin of Lepanto and Mrs. Leo (Hattie Lee) Houchin of Osceola.
>
> Questioned about the strain of the circumstances of having all of her sons in service during a time of war and international unrest, Mrs. McKenzie admitted that there have been bad moments. Then she added, "But I believe strong in prayer and I find strength in it".
>
> It is obvious that such strength is sufficient for the demands of each day for a Marked Tree mother whose courage has been put to the test by her soldier sons. She is a splendid testimonial for the power of prayer.

Judge Payne's Decision Restraining Killing of Wildlife in Carlsbad Caverns National Park

HON. THOMAS G. MORRIS

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. MORRIS of New Mexico. Mr. Speaker, on March 12, 1968, Judge H. Vearle Payne, U.S. district court, New Mexico, ruled that the National Park

Service does not have the right to illegally shoot resident wildlife species on its lands.

The action arose as a result of a research project on the Carlsbad National Park in which the National Park Service proposed to kill deer in order to study their food habits. The offer of the New Mexico Department of Fish and Game to issue scientific collecting permits to park employees was turned down by the National Park Service on the basis that the deer would be killed within the park.

I believe that this is a very significant case, as Judge Payne noted that New Mexico has not ceded exclusive jurisdiction over the area of Carlsbad National Park to the Federal Government:

> It follows that the authority of the Federal Government on Carlsbad National Park is not absolute.

For the benefit of my colleagues, I am placing the opinion of the court in the RECORD at this point:

[In the U.S. District Court for the District of New Mexico—Civil Action No. 7373]

THE NEW MEXICO STATE GAME COMMISSION, PLAINTIFF, *v.* STEWART L. UDALL, SECRETARY OF THE INTERIOR; STANLEY A. CAIN, ASSISTANT SECRETARY OF THE INTERIOR; GEORGE HARTZOG, JR., DIRECTOR OF NATIONAL PARK SERVICE; NEAL G. GUSE, SUPERINTENDENT OF CARLSBAD CAVERNS NATIONAL PARK; R. R. MABERY, CHIEF RANGER; AND ROBERT J. SCHUMERTH, NEAL R. BULLINGTON, WILLIAM J. WILSON, ROBERT M. TURNER, WALTER B. O'NEAL, WALTER H. KITTAM, DERRICK C. COOKE, PARK RANGERS, DEFENDANTS

OPINION

This is a contest between the New Mexico State Game Commission and the Secretary of the Interior and his delegates. Ostensibly, the issue presented concerns the Secretary's authority to order the destruction of wildlife in the Carlsbad Caverns National Park, in violation of New Mexico law, for the purpose of conducting a scientific research study. The broader issue presented relates to the role of the States in the activity of wildlife management. Because federal lands located in states other than New Mexico might be effected by the outsome of this dispute, a number of states have appeared as *amicus curiae*.

Plaintiff has requested (1) a declaratory judgment pursuant to 28 U.S.C. § 2201, and (2) that the defendants be enjoined from killing any more wildlife on the park. Defendants contend that they are acting within their authority, and that this is in reality a suit, without consent, against the United States. They have responded with a motion for summary judgment.

The parties have filed herein a stipulation of the facts, and the case is being decided on its merits and not on the defendant's motion for summary judgment. Both parties desire that the Court decide the case on the stipulation as though a trial had been held.

When the parties signed and filed the stipulation of facts, the Court inquired whether the deer in question were to be killed to prevent injury to the park lands, or to permit a study to determine the likelihood of future depredation. The Court was informed that the Government did not intend to kill the deer because of present knowledge of depredation, but merely to gather information as the basis for a study. It has been stipulated that the State of New Mexico has offered to provide the defendants with state permits authorizing the killing of the deer, and that the defendants have refused the offer.

As mentioned, defendants contend this is, in reality, an unconsented-to suit against the United States. In this regard, the Court is cognizant of the rule that an officer of the United States, such as the Secretary of the Interior, is immune to suit in his official capacity when the suit is, in effect, one against the United States. However, there exists an exception to the rule where there are allegations that the officer's actions exceeded his statutory authority. Actions of an official that exceed his authority are not actions of the United States, and in such case, the doctrine of sovereign immunity does not apply. *Malone* v. *Bowdoin*, 369 U.S. 643; *Pan American Petroleum Corp.* v. *Pierson*, 284 F. 2d 649 (10 Cir., 1960); *Frost* v. *Garrison*, 201 F. Supp. 389 (D. Wyo., 1962). In the instant case, plaintiff alleges that defendants are without authority to do the acts complained of, and the Court concludes that the doctrine of sovereign immunity does not preclude this action.

In the alternative to the contention that the defendants have exceeded their authority, plaintiff alleges that any such authority found to exist is clearly unconstitutional. Should it be determined that defendants were acting within their statutory authority, and that a substantial question of constitutionality with respect to the statute, or statutes, challenged exists, the Court would initiate the convening of a three-judge panel to hear the matter. *Ex parte Poresky*, 290 U.S. 30, and cases following. However, insofar as the problem is one of statutory construction, and the constitutional question is not reached, the parties and the Court are in agreement that the case is not one appropriate for adjudication by a three-judge court.

The parties are apparently in agreement that the United States has not acquired exclusive jurisdiction over the Carlsbad Caverns National Park. If the Federal Government possessed exclusive jurisdiction over this area, a different problem would be presented. See, for example, Chalk v. United States, 114 F. 2d 207 (4 Cir., 1940), Cert. denied, 312 U.S. 679. No evidence to the contrary having been introduced, the Court concludes that the land in question was not acquired under circumstances which authorize the United States to exercise exclusive jurisdiction, and that New Mexico has not ceded exclusive jurisdiction over the area to the Federal Government. From this conclusion, it follows that the authority of the Federal Government upon the Carlsbad National Park is not absolute. The question then remains whether Congress has provided the Secretary with the authority that he now asserts. If the asserted authority exists, State Law that is inconsistent therewith must fall.

According to the law of the State of New Mexico, the State Game Commission is charged with the responsibility of managing, controlling, and of regulating the hunting of all resident species of wildlife within the state. The defendants are charged by federal law with the responsibility of managing and and controlling federal lands in the state, including the area known as Carlsbad Caverns National Park.

In accordance with a program planned by the National Park Service, the defendants notified the New Mexico State Game Commission that they intended to issue federal permits to persons selected by them authorizing the killing of fifty deer in the Carlsbad Caverns National Park. The killing would take place out of the New Mexico deer hunting season, and the consent and cooperation of the Game Commission would not be obtained. Thereafter, certain of the defendants were issued such permits by another of the defendants, and fifteen deer were killed. Pending a determination of their right to continue, defendants have temporarily abandoned the program.

The parties' stipulation includes facts already recited, and makes reference to an affidavit filed in this case by the Director of the National Park Service in describing the program which is underway on Carlsbad Caverns National Park. The Director states that the federal officers are conducting studies concerning the "Dry Season Food Habits of Deer" within the Carlsbad Caverns National Park, and he concludes that "(T)hese research programs are absolutely necessary for proper management and administration of Carlsbad Caverns National Park in order to fulfill the responsibilities and obligations of the Secretary of the Interior and his delegated agents to conserve the scenery, natural and historic objects, and wildlife of the park; and that this research project is required in order that reliable scientific information may be gathered and used as a basis for other decisions affecting the management and administration of the area for the purpose of preserving and protecting the park lands from injury or damage."

The responsibility of administering, protecting, and developing Carlsbad Caverns National Park is placed with the National Park Service, subject to the provisions of Title 16, Sections 1 and 2–4 of the United States Code. 16 U.S.C. § 407a. By the terms of Section 1 of Title 16, the National Park Service is obligated to implement the fundamental purpose of the national parks. This fundamental purpose to "to conserve the scenery and the natural and historical objects and the wildlife therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations." 16 U.S.C. § 1. The defendants assert they are conforming with this directive in conducting their present study. They rely for their authority, as well, upon Section 3 of Title 16, which authorizes the Secretary to "provide in his discretion for the destruction of such animals and of such plant life as may be detrimental to the use of any of said parks. . . ."

Section 3 of Title 16 is clearly inapplicable in the present situation. No showing has been made that the deer involved are detrimental to the use of the park, and indeed, defendants make no such claim. It is the opinion of the Court that the Secretary's authority under this section must be predicated upon such a finding.

The question remains whether the broad mandate contained in Section 1 includes the authority the defendants have asserted. The Court has concluded that this section does not include such authority. Reading Section 1 of Title 16 as broadly as defendants contend it should be read would render Section 3 unnecessary, as the authority to order the destruction of wildlife "as may be detrimental to the use" of national parks would be provided without the specific authorization found in Section 3. It seems to the Court an unreasonable conclusion that Congress authorized an activity in Section 3 that was already permitted by Section 1. The conclusion that Congress intended the Secretary's authority to be proscribed by the conditions set forth in Section 3 seems the more logical to the Court.

Defendants rely in part upon Hunt v. United States, 278 U.S. 96 (1928). It seems to the Court that the defendants' reliance is misplaced, however, for that decision is distinguishable from the present case in more than one respect. In *Hunt*, the Supreme Court permitted the destruction of deer on a national forest and game preserve by United States officials, noting (1) that the deer were in such excess numbers "that the forage is insufficient for their subsistence" and the deer "have greatly injured the lands in the reserves by over-browsing upon and killing valuable young trees, shrubs, bushes and forage plants", and (2) observance with the game laws of the State "would have so restricted the number of deer to be killed as to render futile the attempt to protect the reserves." 278 U.S. 96, 99, 100. Neither of the recited factors is present in this case. No depredation is known to be occurring, and New Mexico has offered to cooperate with the Federal officers. Clearly, *Hunt* does not authorize the killing of deer for the purpose of conducting a study. No one doubts the Government's authority to protect its lands, and it seems to the Court that *Hunt* merely reaffirms that proposition, as does Section 3 of Title 16, U.S.C.

Section 53-3-23 of the New Mexico Statutes provides in pertinent part as follows: "The state director may issue permits to any person to . . . kill . . . game . . . at any time when satisfied that such person desires the same exclusively . . . for scientific . . . purposes."

The Court concludes that Sections 1 and 2-4 of Title 16, U.S.C., do not authorize the destruction of wildlife upon the park for the purposes outlined in the Director's affidavit. The Court further concludes that enforcement of Section 53-3-23, New Mexico Statutes Annotated, quoted above, will not interfere with the Secretary's task as defined in 16 U.S.C. § 1. For these reasons, defendants must comply with Section 53-3-23, N.M.S.A., if they intend to pursue this study further.

This Court has jurisdiction to enjoin acts of officials which are unsupported by statutory authority. Leedom v. Kyne, 358 U.S. 184; Frost v. Garrison (D. Wyo., 1962) 201 F. Supp. 389; Harper v. Jones (10 Cir. 1952), 195 F. 2d 705, and cases cited therein. Accordingly, it is the opinion of the Court that the defendants should be restrained and enjoined from the further killing of wildlife within the boundaries of Carlsbad Caverns National Park for the purpose of conducting a research study, unless they first secure authority for their acts by compliance with State Law.

This opinion shall constitute the Court's findings of fact and conclusions of law, as required by Rule 52(a) of the Federal Rules of Civil Procedure.

At Albuquerque, this 12th day of March, 1968.

H. VEARLE PAYNE,
U.S. District Judge.

Cpl. Robert E. Monahon; A Patriotic American

HON. JOHN E. HUNT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. HUNT. Mr. Speaker, words cannot express the sorrow and grief of a mother who loses a son, but certainly the burden is lightened if there is a belief that the loss was not in vain.

Mrs. Mary Monahon, a resident of the First District, lost her son, Cpl. Robert E. Monahon, last year in Vietnam. On May 25, 1967, Mrs. Monahon wrote me of a letter that her son had written on May 4 in which he laid open his case on the M-16 rifle, an issue that reached serious proportions and is still the subject of hearings. Corporal Monahon appealed to his mother, "hoping you can help others like us, before it is too late." On May 28, 1967, Corporal Monahon was killed in action.

Mr. Speaker, contrary to a subsequent investigation of Corporal Monahon's charges, immediately undertaken at my request, I have no reason to believe that he did other than honestly describe the situation as he saw and lived it. He had doubts as to the efficacy of his combat training—and why not?—it was his life at stake. But his concern was for others like himself and there is no doubt that his evaluation, along with the many reports on the M-16 received since, have aided investigations and prompted steps to insure that our fighting men have the best training and the most modern and adequate supply of weapons available. We cannot and will not tolerate anything less.

That is not the whole story of Cpl. Robert E. Monahon, Mr. Speaker, for he was above all else a patriotic American, a proud marine who was selflessly dedicated to the cause for which he was called upon to serve—even at the cost of his own life.

Little more than 3 weeks ago, a Marine Corps major presented to Mrs. Monahon two medals—the Navy Cross and the Vietnamese Gallantry Cross. They will join the flag which had shrouded the coffin of her son.

The Camden Courier-Post reported the circumstances of Corporal Monahon's last battle, now a solemn tribute to this brave young soldier whose greatest sacrifice to his country was his life:

> Cpl. Monahon, a fire team leader with Company D, First Battalion, Ninth Marine Regiment, Third Marine Division, had been ordered to reinforce Marines pinned down by a company of North Vietnamese regulars in Quang Tri Province, South Vietnam.
>
> The operation designation—Prairie IV—was deceptively suggestive of quiet, of peace.
>
> Approaching to within 100 meters of the battered Marine forces, Cpl. Monahon's platoon suddenly was blasted by heavy small arms and mortar fire. The point man went down.
>
> "With complete disregard for his own safety," Cpl. Monahon sprinted 30 yards through a gauntlet of fire and dragged the wounded point man to safety.
>
> Some 200 feet away, two other Marines lay face-down in the dirt.
>
> Though North Vietnam forces were pounding the area with satchel and grenade charges, shredding the air with heavy machine gun fire, Cpl. Monahan and another volunteer made a desperate bid to rescue the wounded men.
>
> A burst of machine gun slugs tore into Monahon, but the Marine lumbered on, disregarding the pain of the wound, and made it to the first downed man . . . who was already dead.
>
> He reached the second Marine, administered basic first aid, then rose to one knee and fired his automatic weapon on three North Vietnamese manning the machine gun.
>
> Their weapons suddenly were silenced, but Cpl. Monahon, mortally wounded, had already crumbled to the ground.
>
> For his heroism, the young Marine earned the Navy Cross, which ranks second only to the Congressional Medal of Honor. South Vietnam also honored Monahon with the Vietnamese Gallantry Cross.
>
> He was awarded a Purple Heart March 2, 1967 after being wounded in the back and right side by shrapnel; he received a second Purple Heart on May 17 for minor wounds of the left arm.
>
> "We walked into an ambush where the enemy surrounded us, hit us with a mortar barrage and shot us up bad," he wrote of the May 17 engagement.
>
> A graduate of St. Joseph's Catholic Elementary School here, he also attended St. Joseph's Industrial School for Boys in Philadelphia.
>
> The medals he had earned were presented to the family by Maj. William E. McKenna in ceremonies staged at the Marine Corps Reserve Training Center, Camden.
>
> "One thinks this war will never end," Cpl. Monahon had written in that last letter home.
>
> For him it has.

It's Time We Properly Identify the American Economic System

HON. HAROLD R. COLLIER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. COLLIER. Mr. Speaker, due in part perhaps to a grevious error in word selection committed about 150 years ago and not corrected to date, we in America appear to have become mesmerized by the sound of "capital," the root of the word "capitalism" which improperly identifies the American economic system.

A recent issue of Life magazine carried an editorial which emphasized our most "hopeless" condition beset by problems on every side. And what is the key to the proposed solutions to these problems in nearly every case Naturally, "capital." President Johnson's National Advisory Commission on Civil Disorders, headed by Governor Kerner, has recently released its lengthy report on the problem of the cities. The proposed answer requires much more "capital." Of course, it is claimed that we who have built the wealthiest country in the world's history can afford the additional billions of dollars. After all, our system is "capitalism." Presently, our gross national product equals over $25,000 per second, $1,150,000 per minute, $90,000,000 per hour, and over $2,000,000,000 per day. It is self-evident that with the creation and expenditure of a few billion of these already committed capitalistic dollars, we "capitalists" can do anything. But is "capital" the basic key to our past successes? And the answer to our present problems? We submit the answer to both questions is "No."

And we had better waste little time in deciding the name of the game. We are told by many thoughtful students that 1968 is a year of transition. Social, economic significance of public affairs provides a challenge equal to the Civil War. It is the first time in 100 years that the United States faces a major threat to its constitutional republican form of government with built-in safeguards for minority interests and personal rights. It has been predicted that failure to act now will result in social revolution.

This action can bring an end to the enterprise of free men. It can create a new socialist state, at best similar to Great Britain, at worst similar to the Iron Curtain countries. Have things already gone too far? Or can we do something really effective now to change the present trends?

It is suggested that we can change the course of history for good in 1968. But first let us review some of the major problems which face us today—crime, immorality, inflation, apathy, selfishness, prejudice, excess Government regulation, dishonesty, lack of goals, Vietnam war, breakup of family, rising taxes, poor motivation, racial unrest, and materialism.

Careful analysis indicates that most of these problems are really a variation of poor relationships based on inadequate communications. And if we read the current press or study statistics and trends, most of us will agree that we are not making satisfactory progress in solving these problems.

If this is the case, it might be wise for us to step back and consider whether we may be spending too much capital and time and effort on temporary solutions to secondary problems. It may be desirable to give more attention to the basic underlying problem behind these poor relationships created by inadequate communications.

Surveys indicate that many people are convinced that lack of our ability to identify with a common reference point or basic premise is a very important part of our growing difficulties. It is a fact of life that most individuals seek to identify with an acceptable self-image. Usually, this self-image is composed of a montage of ideals, idols, and/or group standards which have played some part in the past experience of the individual. A young girl may mimic her mother or older sister or teacher; a teenager may strive to act like some TV or movie idol; an adult may seek to conform to a composite image set by his career, his friends, his family, and his church or some other combination.

It should be noted here that the self-image goal of the individual is frequently made up of what one does not want to identify with as well as what he does desire. The spirit of man is so constructed to desire a satisfying identification. The amazing brain of man is a goal-seeking machine and proceeds to attempt to fulfill this basic desire of clear identification—a minimum requirement to insure emphatic understanding and/or positive action. Lack of identification makes the individual ineffective, frustrated and defensive at best. Usually, the choice of an image is not made on an objective basis. The sound of a word, an unpleasant experience with someone already claiming the label, or a feeling that the demands exceed the claimed benefits frequently alienates a person from desiring to identify with a particular image.

Let us consider what kind of Americans have to agree on the common identification image?

Catholic, Jew, Protestant, Atheist, Negro, Caucasian, Indian, Oriental, Democrat, Republican, Independent, Labor, Management, Poor, Middle Class, Wealthy, Men, Women, Youth, Maturity, Illiterate, Educated.

The term which is presently used by the rest of the world and, in history, literature, and the press to identify all these different individuals—or our total system—is "American capitalist." Is this an acceptable identification? If not, why not?

ARE YOU A CAPITALIST?

This is a reasonable question. The world knows the United States as a "capitalistic" country. Because of this title placed on the free enterprise system and particularly by detractors such as Karl Marx, we are considered by many others in the world as a group of "capitalists" exploiting the proletariat. To be sure, there is no clear-cut identification between the one and the other here in our country, and so in many minds, we are all lumped together as "capitalistic imperialists" taking advantage of the rest of the world—or so-called disadvantaged minorities here.

Our youth are faced with the dilemma in history and economics books to identify with or reject the "capitalistic" system—which by the very sound of its name conveys an unworthy association to the uninformed. And so many unconsciously reject capitalism by default. Some try to remain uncommitted and therefore become impotent with fractured loyalties.

Are you a capitalist? The answers reveal an inherent fault with the word itself. Following is a tabulation of answers to this question from a cross section of Americans on October 23, 1967, in New York City:

Individual	Question: "Are you a capitalist?"	
	Answer	Attitude
Union construction laborer (male)	No	Declined discussion.
Restaurant waitress (female)	No, I don't know	Confused.
Broker of court (male)	No	Hesitation.
Clerk of court (male)	No, I'm a freeloader on the Government.	Ashamed.
*Attorney (male)	Yes, why?	Certain, but curious.
Elevator operator (male)	What do you mean?	Uninformed.
Elevator operator (female)	No	Do.
Airline ticket clerk (female)	[After hesitation] Why?	Suspicious.
Airline office manager (male)	Somewhat	Uncertain.
*Recent Greek immigrant (male)	Yes	Conscious of opposite.
Bookkeeper (male)	It all depends	Doubtful.
Cafeteria waitress (female)	No	Uninformed.
Manager of feed cooperative (male)	Well, maybe	Hesitation.
*Owner of feed distribution firm (male)	Yes	Positive.
Owner of road construction firm (male)	Why	Questioning.

Only three* out of these 15 gave indication of desire for positive identification with the word "capitalist." Two knew the values of the system from education; the other knew it by personal contrasting experience.

But it is submitted that the lack of ability or unwillingness to identify with the term "capitalist" by the vast majority of people in this country results in an unhealthy vacuum which can too easily be filled by fine-sounding words, such as "socialism" or "communism" which on the surface may appear to convey worthy objectives.

Repeated surveys confirm that less than 20 percent of our citizens can positively identify with the word or mental image of "capitalist." And the next 10 people you meet—if representative. You will note that they will hesitate, stumble, apologize, deny, or attempt to defend their forced association with the word "capitalist". Then ask yourself what effect their attitude and answers have on the problems which face us today. Why do so many reject identification with "capitalist"? It is because of first, a limited understanding of the word meaning—most people do not look the word up in the dictionary; second, a personal lack of money—others have more; third, a derogatory connotation of materialism, per se; fourth, the spirit of man which seeks to identify with higher spiritual values; and fifth, a poor mental image of a cruel, inhuman capitalist exploiting others?

The word "capitalist" and the related image actually alienates and frustrates most unthinking individuals and inexperienced students. It is reasonable to assume that this condition will increase. The question then arises, "Would it be wise to initiate an all-out educational project to convince the American people that identification with the word 'capitalist' is desirable?" Or are there good reasons why such effort should be exerted elsewhere more effectively? Perhaps it would be in order for us first to examine this word "capitalist" and its component parts.

Is capital really the basic-basic concept of the capitalistic system as many people believe? The answer is "No." Rather, the key factor is the creative free will of the individual and a spiritual phenomenon. Note what the leading economist, Ludwig von Mises says:

> It is not the "capital" employed that creates profits and losses. "Capital" does not "beget profit" as Marx thought. The capital goods as such are dead things that in themselves do not accomplish anything. If they are utilized according to *a good idea*, profit results. If they are utilized according to a mistaken idea, no profit, or losses result. It is the entrepreneur, from which profits ultimately originate. Profit is a product of the mind, of success in anticipating the future state of the market. It is a *spiritual and intellectual phenomenon*.

We note, therefore, that capital is not the proper emphasis of the historic American economic system.

Where did the word "capitalist" come from? Although Arthur Young—1741-1820—is frequently credited with applying the term to landowners, Karl Marx gave the word the greatest thrust in his application as "capitalist exploiting the proletariat." This German socialist philosopher is frequently credited with assigning the term "capitalist" to any individual who subscribes to the philosophy or lives in an area which promotes "an economic system characterized by private or corporate ownership of capital goods; by investments that are determined by private decision rather than by state control; and by prices, production, and the distribution of goods that are determined mainly in a free market."—Webster.

There is nothing the matter with this definition of the word itself, except that it infers that a "capitalist" concerns himself mostly with money transactions, rather than with the responsibilities incurred by his initiation of such freewill decisions and actions. It is apparent that Marx chose to use the word in a derogatory sense. To a great extent he may have accomplished—and even surpassed—his objectives because today the word "capitalist" carries a derogatory connation, not only to the enemies of freedom and to interested external observers, but even to many of those who are citizens of the United States. The ordinary association of the word with "capital"—money—implies to the uninformed that the overriding consideration in the mind of those who believe in individual freedom and willing exchange is the dollar sign—for the sake of the dollar itself, affluence, and materialism. It is always easy to "Monday-morning quarterback," but it does become rather obvious when we take an objective view of the events of history, that the selection of this "capitalist" name presently applied to us by others and ourselves was not a wise or helpful or proper choice as far as our own image and welfare is concerned. Is there any good reason for letting Marx and his associates continue to have such a large part in determining our image and welfare—really? There are a few stalwarts who have grown up with the word "capitalist," have developed a rational defense for this proven system and take the position that they will defend its use and their identification with it to the last breath—even though their lengthy explanation of the evident merits of the entire capitalistic system takes a lot of time and breath. But is this the most intelligent stance? Should we proceed in this unprofitable defensive position of semantics and permit the ideological competition to gain more valuable ground in the minds of all peoples in this critical area of personal identification? Or might it be a healthy strategy to go on the offense for a spell? Might it be desirable for us to select the name with which we wish to be identified—a name which communicates our basic belief loud and clear? Could we choose a name which makes a man thankful every time he hears it—which makes him stand straighter and taller with a thrill running up and down his spine? Could we choose a name which will make other men around the world want to identify with our philosophy—even those deluded adherents of the unfreedom projects in their more thoughtful moments? Could we choose a name that will make a father proud to tell his son what it means and why it was chosen? As a nation of free men with free wills believing in freedom, is there anything evil in considering a change and an improvement? Is the word "capitalist" sacred?

Let us consider what specifications should apply to a new identification:

First. Everyone all around the world should be able to aspire to identify with it.

Second. A father will be proud to explain it to his son.

Third. A detractor will have difficulty to build a case against the sound of it—by implication.

Fourth. The word, image and definition will provide the best possible framework for the operation of the free market.

Fifth. It will constantly remind the individual of his personal responsibility.

Sixth. It will discourage the well meaning planner from usurping too much control.

Seventh. It will apply equally to all facets of life and to every worthy career.

Eighth. It will promote an attitude of positive action.

Ninth. It will correct a historical error by the establishment of our own chosen identification.

Tenth. It will be a common reference point for beginning fresh, new communications to establish better relationships in order to solve problems.

When should this new identification and image be introduced? Now. Before summer riots, before July 4, Independence Day. Before more faulty decisions are made on the basis of emphasis on "capital" rather than on the sense of "responsible freedom." How should this new image be introduced? By joint resolution of Congress as the elected Representatives of the people who are committed to protect their freedom; by cooperative mass media promotion; by cooperative promotion of American organizations; by cooperative promotion of business; through grassroots activity including every means possible, even comic strips. What concepts are important in selecting a new identification?

Responsible freedom, dignity of the individual, a free market; self-respect; free willing exchange, voluntary sharing, a free-will spirit, free enterprise, inspiration, action, and motivation—all to insure a maximum environment for the exercise of freedom.

What is suggested as a better identification for the historic American economic system to replace the "capitalism" misnomer? Simply the enterprise of freemen, words that are used every day and which fulfill the stated specifications. The present definition of "capitalism" in the dictionary applies to this phrase. Added emphasis could be given to the importance of the element of "responsible freedom" in the process. Similarly, the better identification than "capitalist" of the individual in this willing exchange system is the word "freeman".

DEFINITION

One who enjoys liberty; liberated from ignorance, slavery, or imprisonment; capable of choosing for himself; not subject to an arbitrary, external human power or restraint *because he knows, accepts and fulfills his responsibilities;* one who is courageous in conception and execution; one who experiences spiritual self-fulfillment; one who has a privilege or franchise to freedom; one who subscribes to the philosophy which promotes an economic system characterized by private ownership of capital goods; by investments that are determined by private decision; and by prices, production, and distribution of goods and services that are determined in a willing exchange in a free market—adapted from Webster.

It is important that we include a clear definition at the time this word is introduced.

How different this image is from "capitalist." The freeman symbol has been designed to convey the idea of a free individual reaching upward and beyond himself to achieve a desired goal—with the help of his Creator. He stands tall and erect with great courage and potential. This arrangement of his body and arms and legs indicates free action which is essential for achievement. He stands on top of his own thought and responsibility world in his rightful place to subdue more of the forces of nature as more truth is revealed to him. The right side of his body forms a straight line—stretched to its maximum to utilize his God-given abilities with excellence in providing profitable service for his fellow man, indicated by the extended left hand. By this sharing in love, he fulfills his basic purpose in life. Freeman is one word because oneness is man's inherent nature. He is created in the image of God—free and with great potential. He is not a robot—which would destroy the challenge and enjoyment of life—but has the freedom to choose good or evil under the moral law with immediate and/or eventual rewards or sanctions; "free" describes the entity, man. One's perception of "free" is never as great as it can be; it can be continually increased as man learns more truth and applies it. Free can become less and disappear if the proper vigilance is not maintained by the individual. This freeman word and symbol should be promoted in every way possible to generate interest, hope, and courage, and remind every thinking man in all the world that he is—or can be—free indeed—as he exercises his option to obtain a franchise to freedom in each area of life.

We must remember that the real battle being waged is for the minds of people. To a great extent, we are what we think. We think what we see and hear. We see and hear what is promoted in this age of electronic circuitry—an extension of the central nervous system through the optic and auditory sensory perceptors. Let us promote the freeman concept. It is strongly recommended that we promote the total visual impact of the freeman image loud and clear, since the visual impact on the brain's computer has been proved psychologically to be five times more effective than auditory perception for the majority of people, all other things being equal.

The promoters of the unfreedom philosophy have prophesied that the American capitalists will destroy themselves and fall off the tree like overripe fruit within the next few years. Our time is too valuable to spend in developing a matching program to destroy the proponents of the unfreedom philosophy. In addition, we must understand that a negative emphasis does not result in long-term success. However, the promotion of such a positive program of responsible freedom to the United States of America and to the world can change the future course of history. The exercise of responsible freedom is the source of effective power provided by the Creator and proven throughout history to solve problems.

Stand back for a minute and examine the arena of life. Would it not be desirable if each individual born with a free will could face two clear alternatives throughout his life? Should he be encouraged to identify with a philosophy of responsible freedom or with unfreedom? This is the real battle. We can begin to clear up present confusion by first clarifying the heart of our chosen American way of life and our own individual identification. Let us use this promotion of a fresh, new, common identity as an opportunity to reaffirm our commitment to the superiority of the free market—to the willing exchange system improperly identified as the capitalistic system. Let us upstage the competition and stake clear claim to this highly desirable identity before someone else does. Let us return this inept word choice of capitalist to its originators since they are already begging to apply some facets of the system to shore up their inherently weak controlled conformist system.

Let us inform everyone that we have a new game now and we are playing by the economic rules which harmonize with irrefutable natural law—"one reaps what he sows." And remember, this is only the beginning. With this bold and inspiring, new identification as a reference point, a continuing stream of positive action projects can be made available to the heads and hands of each alert freeman. These can be designed to help him understand and activate his franchise option for personal fulfillment. He can then proceed to share the basic-basic concept of responsible freedom with the whole world by the 200th anniversary of the Declaration of Independence. Let us show the world what a free people can do when they set a clear objective. The people independently and in voluntary groups are already beginning to establish programs to promote the understanding and use of this new identification by all of the world. Let us begin to coordinate the details of such a long-term project. Let us select the 1976 target date for completion of our objective.

And as we proceed together on this positive program, it may be in order for us to also pull a switch on our old friend, Karl Marx. It may be well for us to coin a name to identify the opposing philosophy which he espoused and which has existed in a variety of forms and nations and under a number of titles throughout history. It even applies to the working philosophy of some of our own neighbors who may not yet have thought the philosophy through to its logical conclusion. This name should not single out any individual, country or group, since each entity contains some potential for good and evil, but should describe the ultimate basic philosophy. The name should not be clothed in words which give a more favorable connotation than is involved—even on the surface. In fact, it should be carefully chosen to not only identify the philosophy for exactly what it is, but the coined name could well include the true derogatory meaning. The word would describe a condition of "unfreedom." The net result of the selection and use of such a name could be the alerting of present deluded adherents to reexamine their alinement. It could encourage new prospects to conduct a thoughtful examination of the opposing philosophies before their initial identification.

Let us face it. This is a revolution. Up with responsible freedom and the freeman concept—and up with the proven benefits of our free market system. Down with poorly chosen words, like "capitalist" and the rest of the "unfreedom" confusion. The future welfare of the United States is at stake. Everybody inherently wants freedom. That is how man is created. We can change the course of history for good in 1968. Do not laugh and brush off this idea carelessly. As a thoughtful loyal American citizen, you can investigate and prove to yourself the truth of the foregoing statements. You may at first think this proposed starting point is just too simple or foolish or incidental. Remember, Samuel Adams motivated many of the people to action by a simple poster campaign in the American Revolution—"Tea Stands for Tyranny."

Where and when is a better place to begin? Where will your name be in history? Will you be the one who has helped this "grassroots" groundswell attain fulfillment? You may be a writer or speaker, a parent or youth, a business leader or an editor, a pastor or a teacher, a Congressman or even the President. Freedom is really your idea. You and all the other free men can join together in this common denomination and begin to communicate a better understanding of responsible freedom. What can you do to help eliminate this present evident identification cancer in our wonderful country and life? Up to now you may not have been aware of the subliminal problem. It is assumed that every single Senator and Representative on both sides of the aisle will see the wisdom in such action to help promote responsible freedom, and make this one of the most rapidly enacted resolutions ever to be considered by Congress. Lack of action is a decision. Consider the consequences. Does this proposal make sense? Do you have a better plan? Please share it now, if you do. If not, please begin promoting this freeman idea to everyone you talk to—in speeches, letters, editorials. Your name can go down in history as you speak up loud and clear with thousands for freedom. Expect resistance to the suggested change. This is human nature. But review the reasons for the proposal and proceed in confidence. To recap, it is suggested that this simple step of the replacement of the improper name and identification and image of "capitalist" by "freeman" can introduce the key to solve our problems—not through capital, but through the better understanding, appreciation, and exercise of the basic-basic concept of responsible freedom.

President Johnson's Withdrawal Has Serious International Implications

HON. THOMAS S. KLEPPE

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. KLEPPE. Mr. Speaker, the dramatic announcement by President Johnson that he will not seek reelection radically changes the 1968 political scramble at both national and local levels. It also has serious international implications.

The President's order to discontinue bombing of all but a few military targets in North Vietnam tests again Ho Chi Minh's willingness to begin peace negotiations. Senator ROBERT F. KENNEDY, Senator J. W. FULBRIGHT, and others have been saying a cessation of the bombing would improve chances for ending the war. Now we shall see. I fear that the restriction of U.S. bombing and the President's withdrawal as a candidate might instead have an opposite effect. The North Vietnamese may figure they can get a better deal from the man who succeeds him. Moreover, some of our own military leaders have argued that a reduction in bombing would permit a further buildup of North Vietnamese strength and a greater threat to the lives of American fighting men.

Vice President HUMPHREY may now emerge as a presidential candidate. Nevertheless, it seems to me that President Johnson's decision all but hands the Democratic nomination to Senator KENNEDY. It would also seem that the new situation calls for Senator KENNEDY to shift his major campaigning from the college campuses to the country at large. His words will be subjected to closer scrutiny. His tactics must be shifted from an all-out attack on the President to the presentation of his own alternatives.

Politically, we have a new ball game.

Needed Assistance for Local Police Officers

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. PICKLE. Mr. Speaker, I would like to lend my enthusiastic and wholehearted support to the bill, H.R. 11816, to provide benefits for local law enforcement officers and their dependents, not employed by the United States, who are killed or injured while apprehending violators of Federal law.

Crime does not observe neat jurisdictional lines between city and State. Neither does it take cognizance of whether a given action is a State crime or a Federal crime. In most cases, the events take place so quickly, and there is such a good spirit of cooperation, that no thought is given to the question of personal safety or benefits extended to injured police officers.

Enforcement of laws must provide a tight net to assure that our peace officers are not hampered in the reasonable execution of their duties. Every brick must be placed in the wall of solid protection, and with local police lending so much help in enforcing Federal law, I believe this is the least we in Congress can do to express our gratitude.

The bill does two things: It provides benefits for State and local law enforcement officers when they are injured while apprehending, protecting witnesses, or preventing crimes, in connection with or relating to violations of Federal law. It also provides compensation to the survivors of an officer if he should be killed while attempting to apprehend an individual wanted for violating a Federal law, or while protecting a witness, or while preventing a crime.

The legislation will provide State and local police officers with some measure of financial security in recognition of the risks and dangers they assume in assisting in the enforcement of the laws of the United States.

Mr. Speaker, I salute these brave men, and wish to express my own appreciation to the job they are doing.

Hope for "Bleeders"

HON. THOMAS G. MORRIS

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. MORRIS of New Mexico. Mr. Speaker, of the many diseases that have long defied cure, hemophilia is among the most dreaded. Modern medicine has done remarkable things; too many to even begin to outline here. Now, after many arduous years of research, cures for this horrible disease may also soon be forthcoming. For the benefit of my colleagues, I am inserting an article by Richard D. James on this matter, which appeared in the Wall Street Journal on March 26, 1968:

HOPE FOR "BLEEDERS": END TO HEMOPHILIA PERIL MAY BECOME POSSIBLE WITH NEW PREPARATIONS—BLEEDING NOW CAN BE HALTED WITH INJECTION OF CLOTTING FACTOR MISSING IN VICTIMS—BAXTER LABS UNVEILS A DRUG

(By Richard D. James)

Seven-year-old Brooks Wright recently tumbled from a rocking chair onto his back. For most boys, it would have been just another bump. But Brooks, who lives in Greensboro, N.C., is a hemophiliac, and the fall produced bleeding around his spinal column that threatened permanent damage to the nerves leading to his legs.

Two years ago Brooks had suffered another crisis, bleeding from the throat. That time he was given transfusions of plasma, the clear liquid portion of the blood that contains the vital clotting "factor." But nine transfusions were required, and the bleeding continued for three days.

The conventional treatment wouldn't work with the spinal bleeding; a three-day delay might have resulted in paralysis of the boy's legs. But fortunately a new treatment was at hand. Medicine has discovered how to concentrate the clotting, or antihemophilic factor (AHF), into a white powder, and an intravenous infusion halted the bleeding in a matter of hours.

Medical researchers believe that they are coming close to controlling hemophilia, the perilous hereditary ailment known as the "disease of kings" because of its frequent occurrence in the royal families of Europe. The National Hemophilia Foundation estimates that hemophilia afflicts about 100,000 Americans.

PAINSTAKING PROGRESS

The AHF concentrate used on Brooks, which became available in mid-1968, is considered a major step forward. Even more effective preparations are on the way, giving doctors hope that hemophiliacs eventually may be able to control their ailment entirely through periodic injections, much as diabetics use insulin.

"The concentrates promise to revolutionize the management of serious bleeding in hemophiliacs," says Dr. Kenneth Brinkhous, a blood scientist at the University of North Carolina medical school. Demand is expected to be substantial, and several drug companies are marketing AHF preparations. Baxter Laboratories Inc., Morton Grove, Ill., announced yesterday that it soon will begin selling a concentrate containing at least 100 times more AHF than ordinary blood plasma.

Progress is being made on another front. Hemophilia results from a genetic defect that prevents the body from producing enough AHF, and some researchers believe it may become possible to cure the disease entirely through organ transplants. The organ involved would be the spleen. Many clinicians believe it plays a key role in production of AHF; transplants, it is reasoned, might give the hemophiliac functioning machinery for making sufficient AHF.

Hemophilia is almost exclusively a male disease, although the gene for the disease is passed along by the female parent. Britain's Queen Victoria bore a hemophilic son and two daughters who transmitted the disorder to the royal families of Russia and Spain. Ten of her male descendants had hemophilia.

INSIDIOUS BLEEDING

Effects of the disease are numerous. A major problem is bleeding into the joints, stemming from an accident, however minor, or from normal stresses in the body. The afflicted joint may swell two or three times normal size, and permanent crippling is frequent. Recuperation is arduous. Brooks, for instance, missed 80 days of school during the last academic year while recovering from various bleeding incidents.

Moreover, hemophilia imposes a harsh economic burden. Robert K. Massie, author of the best-selling book Nicholas and Alexandra, says expenses for doctors, blood and other items run up to $4,000 a year in caring for his hemophilic 11-year-old son, Bobby. Expense, however, also is a problem with the concentrates, which are in short supply now. They may cost a hemophiliac about $6,000 a year.

AHF, the clotting factor, is a blood protein, and giving plasma transfusions to persons lacking it has long been the standard treatment. But such transfusions bring AHF levels in the body to 20% of normal at most, with transfusions given each six hours over a period of several days. Massive transfusions raise the peril of causing death by overtaxing the patient's heart.

Work by Dr. Brinkhous in the 1940s demonstrated that the AHF was in the blood plasma. But attempts to isolate the AHF protein proved frustrating, and researchers were stymied for almost a decade. Then two discoveries unlocked the puzzle.

A BIT OF READING

One of them came from Dr. Robert Wagner, a biochemist at the University of North Carolina, who one day in 1956 paused over a research report pointing out that the solubility of protein substances decreased in the presence of amino acids, the chemical building blocks at which proteins are made. "Knowing that AHF was a poorly soluble protein anyhow, I thought that adding an amino acid might actually cause the AHF to precipitate out of the plasma," Dr. Wagner recalls. "It worked the very first time, and we were very excited."

This suggested a way to isolate AHF. At about the same time Judith Pool, a researcher at Stanford Universiay medical school, turned up another important point. She wondered how much AHF was lost while a pint of plasma was being transfused into a patient.

Miss Pool took a sample from a pint of plasma before transfusion and another sample from the dregs at the end of transfusion, and found that the end sample was stronger in AHF than the beginning sample. She then examined white threads of matter screened out by a filter in the plasma bottle, "And, lo and behold, that's where the AHF was."

Another decade passed before these finds were incorporated into commercially feasible methods for producing AHF concentrates. Murray Thelin, a biochemist and a hemophiliac, worked with Dr. Edward Shanbrom of Baxter Laboratories' Hyland division in devising methods for which Hyland won the 1966 scientific and research achievement award of the National Hemophilia Foundation.

However, problems remain with the concentrates in use now. They're usually impure, containing other blood proteins that couldn't be screened out. And they have to be injected slowly in the manner of transfusions, which is inconvenient.

Also, the concentrates are in short supply. Currently about one million pints of plasma are needed each year to care for the nation's hemophiliacs. Concentrates equivalent to about 300,000 pints now are being produced annually, much less than is needed.

The problems of supply and expense continue, but new and more potent concentrates such as that introduced by Baxter should solve many difficulties. Based on work by Dr. Alan Johnson, associate research director of the American National Red Cross, they contain an additive-polyethylene glycol (PEG)—that is similar to antifreeze.

MUCH TO BE DONE

Baxter's product is a purified concentrate about 10 times more potent than those now in use. It can be administered quickly and efficiently by injection and it halts minor bleeding episodes within a few minutes. Dr. Brinkhous reported several months ago that the new preparation proved completely effective with 11 patients, including one who had 32 teeth extracted, a perilous operation for hemophiliacs.

The notion of curing hemophilia altogether through spleen transplants remains in early experimental stages. Several months ago Dr. John C. Norman and associates at Harvard medical school reported that blood from a hemophiliac introduced into a pig's spleen apparently caused the organ to make AHF.

In experiments with dogs at the University of North Carolina, Dr. John C. Webster decided that transplanting normal spleens into hemophiliacs might provide a permanent source of AHF. Last December he reported two successful transplants with dogs.

But human beings present many more problems, and Dr. Webster stresses that much animal work remains to be done before human experiments can be undertaken. The art of human organ transplants still is in its infancy. One big problem: The tendency of the human immunity system to reject foreign tissue.

BAXTER LABS' NEW DRUG

CHICAGO.—Baxter Laboratories Inc. said it has received Federal Government approval to market a new drug for treating hemophilia. The preparation, called Method Four, is a highly concentrated form of antihemophilic factor (AHF), a protein in the blood that causes clotting.

Baxter originally scheduled a press conference today to announce the new product, but news reports yesterday of the new drug resulted in active trading of Baxter's stock and led the New York Stock Exchange to halt trading in the issue until the company released an announcement. The stock, up more than 2 points at one time, closed at 36⅛, up 1¼ from Friday's close, on volume of 15,100 shares.

Marketing of the drug is expected to begin in about three to four weeks, Baxter said. The company declined to say how large the market might be "because of the number of unpredictable factors involved." It's unofficially estimated, however, that sales in the second year may total $3 million to $4 million and that eventually they could reach $15 million a year.

Equal Employment Opportunities Debunked

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. RARICK. Mr. Speaker, equal employment opportunities in practice has come to mean the opposite—it is unequal—a ratio of employees based solely on race.

One wonders what will happen when other minorities start pushing their ratio of jobs based on population percentage. The French, the Germans, the Poles, the Italians, and the English are as of yet quiet or not organized.

Will anyone be eligible for hire because of ability?

Mr. Speaker, I include the John Fialka article from the Washington, D.C., Evening Star for March 29, authorizing the discriminatory hiring practices being paid for by the U.S. taxpayers in ratio recruiting of police officers, as follows:

NEW PROGRAM STARTS: POLICE SEEK NEGRO RECRUITS

(By John Fialka)

"I think I've got the best experience you can have for this job—being a Negro for over 40 years."

The speaker was Capt. Tilmon B. O'Bryant, 47, who has been asked by Safety Director Patrick V. Murphy to head a new police recruiting program aimed at finding ways to reach Negro youths.

O'Bryant, who has spent most of his 21 years on the force working the streets of Washington as a detective, spent part of this week looking for prominent places to put up his new signs, advertising the first police examinations to be given regularly in Negro neighborhoods.

"No Appointment Needed," the signs said.

A MAJOR PRINCIPLE

The examinations, which will be given on Tuesdays from 4 to 9 p.m. and on Saturdays from 9 a.m. to 2 p.m. at Spingarn and Cardozo High Schools, reflect a major principle of O'Bryant's approach.

"I'm looking for a man who already has a job. I don't think a Negro will lose a day's pay to get a job that he may feel he doesn't want to have anyway," said O'Bryant.

Except for the police recruitmobile, which stays open until 8 p.m., the only time a working man can take the entrance exam is on alternate Saturdays at the Civil Service Commission.

The main reason for O'Bryant's program is Murphy's belief that the racial balance of the District's 2,850-man force should be closer to that of the city. The force is about 22 percent Negro.

O'Bryant says he is looking for men with jobs because they have the education and drive to meet existing departmental standards which, he argues, should never be lowered.

What about the "negative image" that some Negroes may have of a police career? O'Bryant says the answer for that one is money.

"You can't tell me that there aren't 250 people in D.C. who are working at $4,000 to $5,000 a year who wouldn't like about $3,000 a year more. We just have to motivate: To tell it like it is."

O'Bryant says he is going to work 14th Street, Florida Avenue, Benning Road, Georgia Avenue and Anacostia, "the main streets the Negro travels."

"THE CLEAN-CUT GUY"

He plans to speak at civic meetings and churches and to visit bowling leagues. "This is where you find the clean-cut guy," he says.

O'Bryant remembers that when he joined the force in 1947, "I was told that there was not that much opportunity, but I didn't believe that."

Until 1960, he remained a private. Six years later he made captain, after passing the examination the first time.

He started a series of night classes for a group of Negro officers who wanted to study for the promotional exams, using the basement of Holy Name Catholic Church, 11th and K Streets NE, for a classroom.

In 1963, he wrote to a newspaper, vehemently rejecting a proposal that the District should hurriedly appoint its first Negro captain before the civil rights march.

The only way to make captain was to pass the test, argued O'Bryant, then a lieutenant.

Farm Labor Regulations Too Severe and Limiting

HON. ROBERT DOLE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. DOLE. Mr. Speaker, as my colleagues from rural districts know all too well, certain Department of Labor regulations went into effect on January 1, 1968, severely limiting the jobs on farms that persons under 16 could be legally hired to perform.

We are assured by the Secretary these regulations are only of an interim nature, and for a 2-year period subject to revision and review.

Certainly there can be no question that some of the prohibited activities are dangerous and should perhaps be restricted to those over 16. One item, however, limits tractor driving to those over 16, and I am in firm agreement with the many Kansans who have written me to protest this regulation.

The Kansas State House of Representatives during the session just ended passed House Resolution 1024, which I submit for inclusion in the RECORD at this point:

HOUSE RESOLUTION 1024

A resolution urging the United States Secretary of Labor to reconsider his action in issuing certain regulations concerning hazardous occupations in agriculture for children under sixteen

Whereas, W. Willard Wirtz, the United States Secretary of Labor, on November 1, 1967, issued child labor regulations concerning occupations in agriculture particularly hazardous for the employment of children below the age of sixteen; amending 29 CFR Part 1500, to be effective January 1, 1968; and

Whereas, These determinations were made on an interim basis pending a study in greater depth of the occupations found particularly hazardous; and

Whereas, It appears that some of these regulations issued are too stringent: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we urgently request the United States Secretary of Labor to reconsider his action in issuing certain regulations concerning occupations in agriculture particularly hazardous for employment of children under the age of sixteen; and in particular the regulation (CFR 1500.71 [5]) which determines that "operating, driving, or riding on a tractor (track or wheel) over 20-belt horsepower, or attaching or detaching an implement or power-takeoff-unit to or from such tractor while the motor is running" by children under 16 is particularly hazardous for employment of such children; and that we further urge said secretary of labor, that, if upon reconsideration such a regulation is termed necessary, that such tractor horsepower be increased to a tractor over 100-belt horsepower.

Be it further resolved: That the chief clerk be directed to send an enrolled copy of this resolution to the United States Secretary of Labor, W. Willard Wirtz, Washington, D.C., and to each member of the Kansas congressional delegation.

I hereby certify that the above resolution originated in the House, and was adopted by that body March 7, 1968.

JOHN G. CONARD,
Speaker of the House.
L. D. HAZEN,
Chief Clerk of the House.

Questions for Senator Bobby

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. DERWINSKI. Mr. Speaker, it is obvious that President Johnson recognized that his discredited administration would be rejected by the American public and, therefore, he announced his decision not to seek reelection. This, of course, places New York's—or is it Massachusett's—BOBBY KENNEDY closer to the center stage. It is very timely therefore. Mr. Speaker, to take note of a very interesting commentary in a column by Miss Lyn Daunoras, feature editor of Summit Valley Times, Lyons, Ill., which very effectively speaks for itself:

QUESTIONS FOR SENATOR BOBBY

(By Lyn Daunoras)

One thing you have to say about the Kennedys. They certainly have a flair for the dramatic. And money to back it.

While we always took a dim view of Sen. McCarthy's candidacy, we must say he doesn't deserve the treatment he's getting from the Kennedy heir. To do all the groundwork and, through personal conscientious efforts, make a good showing in his first primary, only to have Sir Robert sweep majestically into the picture with the supposition that it's time for another Kennedy in the White House is a bit too much.

Well, we have some questions for the man who walked into New York without having been a prior resident, rented an apartment and used his money and relationship to the late President to defeat a veteran statesman:

(1) The legend about John Kennedy is that he was a courageous, determined young man who set high goals and never took "no" for an answer. The last thing even his enemies would have said about him was that he was a quitter—witness the Cuban fiasco. In view of this legend, then, can Robert Kennedy honestly look the people squarely in the eye and say irrevocably that John Kennedy, if he were still in the White House today, would pull out of Viet Nam?

(2) Since Robert was one of his brother's advisors, where was he when John Kennedy started sending boatloads of troops into Viet Nam?

(3) Does Robert realize that every war we've had has been under the Democrats? What makes him different? If he gets us out of Viet Nam, where will he put us next?

(4) Is Mr. Kennedy really interested in peace or just in getting Mr. Johnson out of Washington? Why should voters have to referee his personal vendetta?

(5) Robert surely remembers that Mr. Johnson inherited this war, doesn't he?

(6) Just where does Robert Kennedy stand on Viet Nam anyway? We're not eager, gullible college kids so he isn't fooling us one whit. He says our policy is wrong, but doesn't say what policy he would pursue. He says we're making mistakes, but isn't specific. He says it's time for peace, but doesn't propose what he will do to guarantee it.

After all, in the last campaign, Barry Goldwater had the temerity to speak up and suggest that the war should be escalated, that we should win and get out. Johnson shouted "warmonger" and the voters echoed the shout. Johnson won easily and what was his first move? Escalate! It was the only course, but why couldn't he have shared Goldwater's courage in admitting it before election?

What makes voters think they can believe so-called peace candidates now? Will they really bring peace or are they just buying votes? If they do bring peace, what kind? There have been too many lives lost and too much blood shed to settle for a sell out. We've had enough deals where we, as the strongest nation at the negotiating table, succumbed to the terms of the weakest.

So, Bobby, go home. We don't want any more purchased presidencies. If you really want to set an example, go trim your bangs and start looking like the father of 10 children.

GI in Army a Year Dies in Vietnam

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. LONG of Maryland. Mr. Speaker, Cpl. Dennis R. Cantler, a fine young soldier from Maryland, was killed recently in Vietnam. I wish to commend his courage and honor his memory by including the following article in the Record:

GI in Army a Year Dies in Vietnam—Cantler Got Purple Heart, Was Killed in Tet Fighting

A 22-year-old Baltimore paratrooper who enlisted in the Army a year ago today has been killed in action in Vietnam, the Defense Department announced.

Cpl. Dennis R. Cantler, of 857 West Lombard street, died Monday night, just ten days after he was released from an Army field hospital.

Corporal Cantler was wounded by flack in the shoulder and neck February 4 during the Tet offensive, according to his brother Thomas C. Cantler, of 867 West Lombard street.

KILLED AT NIGHT

The soldier was awarded a Purple Heart and returned to hostilities, his brother said.

Corporal Cantler was killed at night during fighting near Da Nang. He served with the 101st Airborne Division. He had been in Vietnam since November 17.

"He was not angry about being in Vietnam," his older brother said. "He was angry because of the aggression. He never did like other people being pushed around."

His brother said Corporal Cantler "never talked much about his missions" but had described the war as "worse than some people think it is."

Besides his brother Thomas, survivors include his mother, Mrs. Ida F. Cantler, with whom he lived; his father, Henry C. Cantler, of Fort Lauderdale, Fla., and another brother, Roy H. Cantler, of Jessup, Md.

A Bill To Establish and Strengthen State Offices of Consumer Protection

HON. FRANCES P. BOLTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mrs. BOLTON. Mr. Speaker, today I am introducing a bill to provide Federal grants-in-aid to States to establish and strengthen State offices of consumer protection. This is similar to legislation introduced by our colleague, the gentleman from Maryland [Mr. Machen].

The purpose of this legislation is to provide the States the helping hand they need to set up and bring State offices of consumer protection to the level necessary to protect the public from unfair practices. Total amount to be provided to the States would be $9 million over a 3-year period. The $9 million would be distributed on a 3-to-1 basis of Federal to State funds and would include a State population factor. For the first year of operation, $5 million would be available as Federal matching funds, followed by $3 million the second year and $1 million the last year of operation.

Some 30 States have consumer protection offices with a wide range of powers and in a wide range of sizes. In my own State of Ohio there is a consumer frauds and crime section in the office of the State attorney general. The chief of this section, Col. George Mingle, has advised me that he would be in favor of this legislation and that it would be helpful in expanding the consumer protection program in Ohio.

A concerted effort to strengthen the existing offices and to assist other States in establishing consumer protection offices could be the beginning of a nationwide campaign against unfair, deceptive and sharp practices of an interstate or national character. Except for certain interstate operations, this area properly belongs with the State governments and the objective of my bill is to give the States assistance, on a limited basis, to protect their own consumers. The modest sums called for in this legislation should be returned to the taxpayer-consumer with interest in a very short time. The bill would require each State to prepare a plan for its consumer protection office to meet certain minimum standards stated in the legislation.

During the first year of the program's operation, each qualifying State would be guaranteed a minimum grant of $50,000 provide it could demonstate need for such an amount. The remainder of the funds would be apportioned to all qualifying States on the basis of their population expressed as a ratio of the national population. The minimum grant for the second year would be $30,000 and for the third year $10,000, with the same apportionment formula being applied to the amounts remaining after the initial grants had been made.

By strengthening State offices of consumer protection many instances of unfair and deceptive practices could be stopped before they develop into problems of interstate proportions. It is my hope that the House Committee on Interstate and Foreign Commerce will give this legislation favorable consideration in the near future.

As part of my remarks, I include the following letter from Col. George Mingle, chief, consumer frauds and crimes section, office of the attorney general, State of Ohio:

Office of the Attorney General,
State of Ohio,
Columbus, March 29, 1968.

Hon. Frances Bolton,
Rayburn House Building,
Washington, D.C.

Dear Mrs. Bolton: Your interest in and desire to introduce a bill to amend the Federal Trade Commission Act to encourage the establishment and strengthening of state offices of consumer protection through a program of federal grant-in-aid assistance we commend.

Various types of consumer legislation have been studied by this office in the belief that new and more effective state regulations must be formulated to insure meaningful consumer protection. In Ohio there is an absence of an effective means to combat deceptive practices which are widespread or difficult to discover.

Recently a questionnaire was prepared and circulated throughout the state seeking an expression of opinion from county prosecutors, city solicitors, chiefs of police, sheriffs, chambers of commerce, better business bureaus, retail merchants, and others asking if they favored certain consumer legislation. As a result of this questionnaire, we are now aware of considerable interest in deceptive trade practice legislation.

At the next session of the legislature, it is the intention of the section to seek statutory authority for the Consumer Frauds and Crimes Section and also to prohibit unfair or deceptive business practices by statute.

The introduction of the bill which you are considering seems to be compatible with what we hope to accomplish. Were a federal grant available, this could be persuasive in convincing our legislature that the consumer protection program should and could expand in Ohio.

We are, therefore, in favor of this type of legislation and shall view with interest the outcome.

Sincerely,

William B. Saxbe,
Attorney General.
Col. George Mingle,
Chief, Consumer Frauds and Crimes Section.

Public Opinion Poll, Minnesota's Seventh District

HON. ODIN LANGEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. LANGEN. Mr. Speaker, the people of the Nation are speaking out more than ever on the important issues of the day. With that in mind, I recently submitted a questionnaire to all of my constituents in Minnesota's Seventh Congressional

District. They responded in overwhelming numbers, many writing additional pages of comment on the questions.

I would like all of my colleagues to share in the opinions of northwestern Minnesota, and I therefore submit the results of my public opinion poll at this point in the RECORD:

[In percent]

	Yes	No	No opinion
1. Several proposals have been made to reduce deficit spending and curb inflation. Should we—			
(a) Raise income taxes?	27.3	54.2	18.5
(b) Reduce Federal spending?	94.3	2.7	3.0
2. Do you favor returning a percentage of Federal tax collections to State and local governments, thus eliminating some Federal programs?	86.9	9.1	4.0
3. Britain has devalued its pound, and there have been serious attacks on our dollar. In view of our unfavorable international monetary balance, should more effort be made to collect World War I debts that now total $15,000,000,000?	93.0	4.0	3.0
4. Do you believe that Federal antipoverty programs will substantially reduce poverty?	12.7	83.6	3.7
5. Do you believe that stricter handling of rioters and demonstrators by the police and the courts would appreciably reduce civil disorders?	88.4	8.6	3.0
6. Do you believe the restrictions recently imposed on procedures of arrest have placed undue handicaps on the police and other law enforcement officials?	88.6	7.5	3.9
7. Several gun-control bills are pending before Congress. In general, do you believe there is need for greater control over the sale and possession of firearms?	38.1	58.5	3.3
8. Do you feel Federal officials provide accurate and sufficient information for the public on the vital foreign and domestic issues facing this Nation?	13.0	81.2	5.8
9. Should States and local schools be given a greater voice in the spending of Federal aid to education funds?	82.7	12.3	5.0
10. Do you favor Federal income tax credits to help finance higher education?	51.7	38.7	9.6
11. Do you believe our Government has adequately stated and defined U.S. objectives in the Vietnam war?	22.7	72.7	4.6
12. Do you favor intensifying our efforts to bring peace through victory in Vietnam?	71.1	18.5	10.4
13. Do you favor withdrawing our forces from Vietnam at the earliest possible moment?	48.6	38.9	12.5
14. Should the Government exercise greater control over agricultural imports in order to strengthen farm prices in the United States?	86.4	9.3	8.2
15. Do you feel that present farm programs and policies have contributed to the decline in farm income?	70.8	19.5	9.6
16. Should future farm legislation place greater emphasis on parity of income?	64.2	17.0	18.8
17. Do you favor less Government control with greater emphasis on supply and demand?	74.8	16.0	9.1
18. Do you believe that adequate farm income would be the best solution to the problems of rural poverty?	82.1	10.8	7.0

Note.—Because of computerized rounding off to 1st decimal point, totals do not necessarily equal 100 percent.

A Real Success Story

HON. JAMES HARVEY

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. HARVEY. Mr. Speaker, it is with a great deal of pleasure to bring to the attention of all Members a truly fine success story involving a small business in my congressional district and the Small Business Administration. We are aware that unemployment in many rural areas of the United States is well above the national average. The SBA has done a great deal to alleviate the threat of unemployment in rural areas by urging cooperation between Government and private enterprise.

In relating this one experience, I want to first share with you a letter addressed to the Small Business Administration:

AUTOMOTIVE INDUSTRIES, INC.,
Owendale, Mich., February 5, 1968.

Mr. ROBERT C. MOTT,
Administrator, Small Business Administration, Washington, D.C.

DEAR MR. MOTT: It occurred to me that our experience with Small Business Administration would be of interest to your office.

It was October, 1961, when business reverses made it necessary to first contact your local office (Detroit banks wouldn't let me in their back door) and for the next year Small Business Administration extended to this company three loans totaling $200,000.

There was an extended period before we were able to turn the corner and start the long road back and, had it not been for the understanding and faith of Robert Phillips and Don Failor of your Detroit Office, this company would have had no choice but to close the doors and liquidate.

Late in the automotive model year of 1963, we secured a contract that started the happy ending to this story and from that time through our fiscal ended July 31, 1967, we can show the following result:

Sales	$5,874,164
Salaries and wages paid	1,599,652
Federal withholding tax paid	269,790
Federal, State, and local taxes paid	162,058

Sales for our present fiscal year should reach 2½ million dollars and at the present time we have 125 employees on the payroll.

The impact of our operation is recognized all through Huron County (we are now the second largest employer in the county) and if we had not had the cooperation and understanding of Small Business Administration, this company would not now be in existence.

Since Governmental Agencies are likely to receive more bricks than bouquets, we thought this story would be of interest to you.

Very truly yours,
AUTOMOTIVE INDUSTRIES, INC.,
J. MACKENZIE, *President.*

I happen to know the letter was hand delivered by its author, John MacKenzie, on a recent visit to Washington. That is how strongly Mr. MacKenzie felt about the services of this agency.

Financial assistance from SBA proved to be the turning point in Mr. MacKenzie's operations in Owendale, Mich. The history of his operation is a case of riches to rags and back to riches. For years his plant thrived on the production of armrests for the major automobile manufacturers. But a change in technology suddenly swung his customers to other sources. And as he tells the story, his sales dropped in 1 year from $2 million to practically nothing. It was then, in 1963, that he turned to SBA for help.

With his sales in armrests almost wiped out, he explored new products. The Ford Motor Co. showed an interest in letting him handle a part of their production on sun visors. But his plight by then was such that he needed help to put materials into the plant to even start production. This is where SBA stepped in.

With the backing of three SBA loans totaling $200,000, the plant started on a schedule of producing 464 sun visors a day for Ford. Today the same plant is making 12,000 sun visors a day and carrying a regular payroll of 125 employees.

Actually, his production picture is even brighter than his recent letter of appreciation to SBA Administrator Moot reports. The figures in the letter have been rendered out of date by a new contract which Mr. MacKenzie has made with the Chrysler Corp.

In the coming year the plant will start turning out a 1-year order of 157,000 armrests for Chrysler. This order will push the annual sales volume to well over $3 million, and increase employment to 175 people.

With the added production the payroll will approach an annual total of well over half a million dollars. I hardly need to comment on the significance of that payroll to Owendale, a town of 300 people, and to the rest of Huron County.

This is the story of one small business in one small town in Huron County, Mich. But it is not the only small business in Michigan that has received help from the Small Business Administration.

I have been told that during fiscal 1967, 153 small businessmen in Michigan got SBA regular business loans totaling $9,823,000.

One hundred forty-four economic opportunity loans totaling $1,068,000 were made, giving people in poverty-stricken areas a chance to be their own bosses and become contributing members of a community.

Twenty small businesses, displaced by federally assisted projects, received loans adding up to $11,015,000 to help them relocate and continue in business.

Seven disaster loans—$37,000—were made, and two local development companies received $199,000.

I think that the Small Business Administration is doing very fine work and is fulfilling the mandate of the Congress—to preserve and encourage free enterprise. Other people think so, too. Just ask John MacKenzie.

Teachers-in-Politics Weekend

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. NELSEN. Mr. Speaker, I would like to join in urging teachers to go all out in making Teachers-in-Politics Weekend, April 5–7, successful. Tragically, some of our young people feel shut out of the political processes which are the strength of this Nation. This alienation is dangerous in a vital democracy. Teachers are in a unique position to restore faith and confidence through their active involvement in the business of government.

It is important that educators set a good example by backing the teachers-in-politics program this coming weekend.

We must emphasize to our young people that the healthy expression of political opinion, and constructive work in the field of politics, is in the national interest.

The National Education Association and its constituent State associations, including the Minnesota Education Association, deserve public support and commendation for undertaking this worthwhile effort, TIP Weekend.

A Clean Sweep Needed

HON. JAMES B. UTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. UTT. Mr. Speaker, under unanimous consent to extend my remarks in the RECORD, I wish to include two fine editorials from the Altoona Mirror, Altoona, Pa., written by Managing Editor Robert W. Boyer. The first, "A Clean Sweep Needed," appeared on March 21, 1968, and the second, "Our War Objective," was printed in the issue of March 23, 1968:

A CLEAN SWEEP NEEDED

With confidence in our government at the lowest ebb in this century, with our dollar distrusted abroad for the first time, with our nation torn by a multitude of divisive elements not the least of which is a far-off war we should have won long ago—if we had entered it with the right kind of planning, intelligence and preparations, it is abundantly clear that a drastic remedy is needed. No half measures will suffice.

The signs are so profuse they cannot be ignored. The remedy must include first of all, a totally new administration, a totally new, firm and strong leadership.

President Johnson simply cannot provide this necessary change. It is too late for him. His highly-touted "Great Society" is the most damaging fiasco in the history of this country. It was constructed out of sheer political publicity, and the few good ideas contained in it have been lost by the wayside of political opportunism.

Unless the people of this country realize this and steel themselves to put country above partisan politics, America will be in for a bad time.

Mr. Johnson has lost the confidence of his own people, and of the world. The fact that, politically, he still holds top edge for the nomination is due entirely to the political view and the power normally behind an incumbent of the White House.

It is equally clear that the Democratic party can meet this challenge only with a traditional Democrat, a conservative, if there is such a thing, and not the contemporary liberal "breed of cat."

Senator McCarthy is only a symptom of the malaise sweeping America. He is not a cause of it.

Senator Kennedy, on the other hand, must be numbered among those divisive elements which are part of the cause of our malaise. He has offered no constructive action. He has been one of the many voices of discord, one of the many speech makers who have found our troubles simply a source of political opportunity for themselves; a part of that ruthless band of "ambulance chasers" who seek to profit by trouble simply by talking loudly about it.

His announcement of candidacy on an anti-war platform after McCarthy felt his way alone through the political warfare that led to the New Hampshire primary, and Kennedy's "war commission" offer have proved conclusively that he is not the quality of leader America must have.

Nor will a Republican administration which is a carbon copy of the Johnson administration serve any better.

Neither this country nor the world will be fooled by a change of name only.

We must have a change of course!

This challenges the Republican Party as never before in our history. If the GOP will put the nation first, above all, and seek the leadership in terms of strength and unity, we may be able to make a start out of this morass.

If the GOP plays a "wheeling-dealing" game to see who can emerge the Big Man, they shall have lost the game, and only God can know what the nation may lose.

To people inclined to think only in terms of "party," one may advise them to look at the record of the last four bad years.

Anarchy in our cities, fire, murder and ruin in riots despite the most this country ever has done on the vital subjects of meeting the needs of the poor and needy, and the problem of race relations. Troops and tanks fighting in the streets of some of our cities.

Crime rampant while dilettantes in sociology and social welfare experiment with human emotions and the executive, legislative and judicial branches of government play politics with the main issue.

While a spirit of uncertainty, fear and spiritual debilitation paralyzes the initiative and the will of our people.

While the "most affluent society" in our history watches business progress, we are stricken by the contradiction of an international money crisis based solely on loss of faith in America in other lands.

While our friends and allies turn against us, and while we bog down the greatest military force in history in a jungle war with a primitive people armed by our "friends" with the most modern weaponry. . .

While we see throngs demonstrating, striking, marching, protesting, spitting, fighting, groveling and menacing, turning against every moral anchor man ever has known.

While young people senselessly get "turned on" with dope while they turn off their country and every moral foundation in its tradition.

While we see the rise of the sex symbols, the dominance of our culture by "fun and games" and a rising tide of skepticism of the only values which build, preserve and strengthen men and nations.

Certainly, we cannot blame the government for all this. But we can blame it for a lack of strong leadership out of the difficulties.

Only a clean sweep in Washington will do it. We must have it to save America.

OUR WAR OBJECTIVE

Some day, no doubt, students of American history will be puzzled over the factors which have divided the American people, the contradictions which created a wall between otherwise sensible people.

To make any sense at all, the contemporary American situation must be viewed against the background of American purpose and high idealism which led us into two wars specifically, and all our wars in a general fashion. And, it must be viewed against the facts of today which will emerge much more clearly no doubt when historians are privileged to see the whole picture unhampered by the blindness and heat of fear, politics and selfishness.

It does not appear perhaps so amazing to many Americans today as it will in the pages of history, that a senator can campaign on a "stop-the-war" program which is essentially only talk.

For, granted Sen. McCarthy's good intentions, the enemy has not listened to any proposals for peace; nor has the enemy at any time evinced the slightest interest in such suggestions as McCarthy's and Sen. Robert Kennedy's to have South Vietnam take into its government the Viet Cong, or National Liberation Front, which simply is the guerrilla arm of the North Vietnamese communist government.

ALL OFFERS IGNORED

The record shows that the enemy has ignored every kind of proposal that has been offered either by the President or, tentatively, by peace groups and others.

The enemy has made only one known position—for the U.S. to halt all attacks and withdraw from Vietnam.

Obviously, the talk about other alternatives by McCarthy et al, simply does nothing more than to encourage the enemy to resist all the harder, quite sure that a little more pressure will break the American will to resist.

So, one must perforce, it seems to us, regard, even in the face of this tragic war—and what war isn't tragic?—that all such peace talk in this country is just that—talk—but talk which helps the enemy and divides us.

President Johnson made a belated fighting speech the other day, when he said, "Let no American mistake the enemy's major offensive now. It is aimed squarely at the citizens of America."

How do you talk peace with an enemy who refuses to talk peace? Neither McCarthy nor Kennedy, and certainly not Fulbright has answered this question. They merely continue to ignore the bloody, grim facts and make their incessant speeches for peace with an enemy which does not want peace and will not stop fighting, infiltrating and murdering long enough to talk; an enemy who demands only that we turn tail and run!

In the fact of this factual situation, we are afflicted with men in public life who cry, "Stop the war!"

But, to the question, "How?" they only continue to repeat their cry, "Stop the war!"

The frankest appraisal possible it seems to us must be on these terms: What good are they doing America by their cries? What good are they doing the enemy?

Certainly, so far, only the enemy profits.

We went to war with Spain in the last century over its treatment of Cuba.

TO MAKE THE WORLD SAFE

We went to war with Germany in World War I after the sinking of the British liner Lusitania in 1915 with a loss that included 124 American lives. President Wilson sent such a stern warning note to Germany that Secretary of State William Jennings Bryan resigned in protest, considering the warning too severe. Germany promised thereafter to give warning to liners before sinking them.

In 1917, Germany announced a policy of unrestricted submarine warfare, its intent, to sink any vessel aiding or carrying aid to Britain. Feb. 3, 1917, the U.S. broke diplomatic relations with Germany. Feb. 26, 1917, President Wilson asked Congress to arm American merchant vessels to allow them defense against German U–boats. When the Senate voted down his request, Wilson armed U.S. merchant marine vessels by executive order. April 6, this country declared war on Germany.

The motivating factor here was to stop the aggression of Imperial Germany. This aggression was noted by President Wilson in Germany's attack on Belgium, and violation of its treaty with Belgium, but most pointedly, through Germany's declaration that the high seas were no longer safe for commerce, and any ship would be considered fair prey for German submarines.

In World War II, Japan's attack on Pearl Harbor resolved the situation for us on the plainest terms.

But, in all our wars, we have not fought for territory or political exploitation—but we have committed men to battle only for an ideal. Each time, the world has gained a respite from an aggressor.

SAME GOAL

In Vietnam, our objective is to show another aggressor, communist North Vietnam and its supporting communist sphere of nations, that it cannot with impunity, invade and violate other nations.

This objective was set forth repeatedly by former Secretary of State Dulles, it was repeated by President Johnson—but, he failed to exert the single-minded leadership necessary to make his point. He allowed the major objective to be obscured as he tried to make this traditional American objective more palatable to a new and more skeptical and more pleasure-loving people.

He allowed the objective to become lost amid the maze of his political maneuvering, and his efforts to soft pedal the war while waging it; his efforts to effect a "bridge of trade" with communist lands even while at war with them.

A late news dispatch shows again the character of the aggressor enemy—6,000 Vietnamese civilians slain in Viet Cong "incidents" and terrorist attacks since January; 16,500 men, women and children wounded. And these casualties do not include at least 9,100 Vietnamese civilians killed and 21,000 wounded in the recent Red offensive.

This is the face of the aggressor. Asiatic authorities freely predict that if we were to stop the war now, and let the communists have their way with South Vietnam, the purge would far overshadow Ho Chi Minh's slaughter of 50,000 North Vietnamese a dozen years ago when he eliminated all political opposition with the usual communist finality.

The President has failed to bring home to the people what he has said in various ways—this is a war to show the aggressor that war does not pay.

If the enemy beats us off, makes us turn tail and run, the whole world will lie open before him, and his successive aggressions.

We need leadership to make this plain. So far, only the men dying in Vietnam seem fully aware of this great objective.

Statement on President Johnson's Announcement

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. ST. ONGE. Mr. Speaker, I am, of course, stunned as everyone else is by President Johnson's announcement last night that he would not be a candidate for reelection this year. It is an act of unparalleled statesmanship and political courage in the annals of our great country. Undoubtedly, it will bring peace in Vietnam much closer and sooner than it is today.

As to the political situation, the American people will now have an opportunity to debate not only Vietnam, but all of the issues that face us in the international and domestic fields. The President's decision will unite the American people in the days ahead to discuss and solve the problems of the dollar and the balance of payments, nuclear proliferation, help to the underdeveloped countries, and our relations with Communist China.

Domestically, it could very well mean an end to the problems of our ghettos and hard-core unemployment, pollution of water and air, aid to education and the many other problems. It may also mean that the American Government will face up to the fiscal problems that in recent months have made the future of expanded international trade a difficult problem.

I am hopeful that this will lead to a new era and new horizons in American life and in the world.

If All Is Hush-Hush

HON. JAMES H. (JIMMY) QUILLEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. QUILLEN. Mr. Speaker, the Nation's press has been criticized severely in some circles in recent months for their coverage of crime and criminals.

I disagree with the arguments of those who want to muzzle the press, and I believe the following editorial from the Johnson City, Tenn., Press-Chronicle points out several very good reasons for allowing the public full information.

I call this editorial to the attention of my colleagues and the readers of the RECORD:

IF ALL IS HUSH-HUSH

If the nation's press were to adopt a hush-hush policy on crime and criminals, what would happen?

We strongly believe crime would increase much faster than it is increasing now.

The ruling clique of the American Bar Association wants to put a muzzle on the press. For a long time it has advocated a freeze on all pre-trial information except the bare-bones facts such as the arrest, the name and the charge. The ABA house of delegates wants to embargo all information relating to past records, current confessions, results of lie detector tests and the like.

Recently New York Police Commissioner Howard R. Leary, recalling his experiences while holding a similar position in Philadelphia, said that a survey taken in 1965 showed that 35 per cent of all violent crimes in Philadelphia were committed by individuals who were on parole, probation or bail, and 40 per cent were committed by persons who had been convicted at least twice previously for lawless acts.

Assuming that these percentages would apply, roughly at least, all over the nation, it is not difficult for us to see that past records of offenders are highly important as matters of public information—and, for that matter, public safety. Yet, under the ABA plan, press and public would be shut off from such information, the argument being that it would stand in the way of a fair trial for the offender.

Our observation is that the courts already lean over backward to see that the criminal has his dues. We know that many criminals are released on the most tenuous of technicalities. We know, too, that from the highest court in the land has come a series of rulings that certainly make it more difficult for law enforcement to be effective.

Are we now to give the criminal additional protection by denying the public access to pertinent information about him. We do not believe the American people are going to accept any such notion, even if it does come from the ABA.

We agree with Commissioner Leary when he says:

"Why should we have to arrest the same man over and over again for rape? The same man over and over again for robbery? Perhaps what we need is a law to remove him permanently from society?"

There will be more repeaters and more releases of repeaters if the public through the press, is denied full and free information.

Congressman Bob Dole: Midwesterner on the Rise

HON. DONALD RUMSFELD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. RUMSFELD. Mr. Speaker, 4 years ago it was my pleasure to place in the RECORD, a perceptive profile of a Midwesterner on the rise in Republican politics—Congressman BOB DOLE, of Kansas. The article, which appeared in the March 22, 1964, edition of the Chicago Tribune, was entitled "Survival of the Human Spirit Under Adversity." At that time, I described the article as "a well-deserved tribute to an able, hard working, and unusually effective Member of Congress who overcame adversity because he just would not give up."

BOB DOLE continues to receive widespread attention and praise because he continues to be an outstanding representative of the people of Kansas. In fact, in the opinion of many political observers, he is destined to move from the House to the Senate following the November elections. That he is keeping his ear to the ground in his senatorial campaign is underscored in a recent article by reporter Aldo Beckman in the Chicago Tribune. Mr. Beckman's report is proof once more that BOB DOLE's record in Congress is recognized far beyond the borders of Kansas.

The Chicago Tribune article, "DOLE Heeds Cabbie's Tip in Kansas Senate Race," follows:

WASHINGTON, March 23.—How does a congressman who has devoted eight years to serving farmers convince city voters that he would make a good United States senator?

That widening gulf between the needs and the general philosophy of rural and urban America seems to be the only obstacle between Rep. Robert Dole [R., Kans.], who was born 44 years ago in Russell, Kans., a village of 3,000 that has since grown to 6,500, and the Senate seat now held by Sen. Frank Carlson [R., Kans.], who has announced he plans to retire next fall.

It was brought forcefully home to Dole several weeks ago when he and his wife were in Wichita, the largest city in Kansas. They were taking a cab to a restaurant when Dole, without identifying himself, asked the cabbie what he had heard about the Senate race.

HE'S GOOD MAN, BUT

"I understand there's a fellow out west named Dole who is running," the cabbie responded. "He's a good man but he worries too much about the farmer."

"He's probably typical of the city voter in Kansas," Dole said and smiled during an interview. "I never did tell him who I was but I gave him a good tip since he had given me one."

Most Kansans, like the Wichita cab driver, are familiar with Dole's record in agriculture, so he probably won't talk much during the campaign about his work on the agriculture committee, how he sponsored a bill that resulted in a people-to-people program between farmers thruout the world, or how he helped expose Billie Sol Estes, the Texan convicted of grain storage fraud.

MISSED FEW ROLLCALLS

He will discuss his attendance record in the House, where he has answered 98 per cent of all roll calls since taking office in 1961.

The war in Viet Nam is on the minds of nearly all voters, and Dole, while rejecting all tags, probably would have to be classified as a hawk.

"I try to point out the credibility gap on the war," said Dole. "No one knows for sure what is going on. President Johnson seems to be using the yo-yo theory. Today, he pleases the hawks. Tomorrow, he pleases the doves.

"I'm convinced we have got to make one of two decisions. We've either got to go all-out to win or negotiate on any basis we feel is face-saving."

REMINDED EVERY DAY

"I'm reminded of war every morning when I get dressed because of the things I can't do," Dole emphasized.

He's also reminded of war every time someone offers him a hand to shake and he puts out his left hand, pretending that the rolled-up paper he "happens to be carrying" in his right hand is in the way.

Dole is reminded of that early April morning in 1945, when as a young army lieutenant leading a platoon of men across the Po Valley in Italy, he decided to lead a squad to wipe out a German machine gun nest, instead of assigning a sergeant to the task.

He saw two of his companions killed by mortar shells, before his radioman fell under a hail of machine gun bullets. Crawling under heavy fire, Dole dragged the wounded radioman to cover.

ARMS, LEGS PARALYZED

He then left a shell hole to get close enough to toss a hand grenade at the Germans. He was hit by machine gun bullets and mortar fragments and was blown back into the shellhole.

Dole waited on the battlefield for hours for medics to arrive. His arms and legs were paralyzed and he thought his arms were missing because he could not see them. They were stretched over his head.

There followed 39 months in hospitals in Italy, Africa, Florida, Kansas, and eventually Percy Jones General hospital, Battle Creek, Mich., where one of the nurses was Phyllis Holden, a pretty brunette from Concord, N.H. She was there to help as Dole fought his way back, from bed to wheelchair, and then to those wobbly first steps.

HAS SURGERY IN CHICAGO

The army awarded him the bronze star with cluster, hailing his "persistence, fearless leadership, and personal daring," and a promotion to captain, but it could not give him back the use of his right arm.

Dole had heard of a Dr. K. Kelikian in Chicago, "who could perform miracles." Dr. Kelikian, in a series of operations in Chicago's Wesley Memorial hospital, transplanted bone and muscle from Dole's leg to his shoulder and arm. Altho Dole still can't grasp with his right hand, it is his only real handicap.

A photograph of Dr. Kelikian hangs in a place of honor in Dole's office in the Cannon House office building.

In 1948, Miss Holden became Mrs. Robert Dole and they have one daughter, Robin, 13.

After his discharge from the army in 1948, Dole earned his law degree at Washburn Municipal university in Topeka. He became interested in politics while in college and was elected to the Kansas legislature in 1951. He then served four terms as Russell county attorney before being elected to Congress.

HE'S HEAVY FAVORITE

Former Kansas Gov. William Avery announced this week that he will oppose Dole in the primary, but Dole is a heavy favorite to win. The Democrats haven't yet slated a candidate, but state leaders are so confident in Dole's success that they hope privately it will be Gov. Robert Docking, giving them a better chance to regain the statehouse.

Facing one former governor in the primary and hoping for opposition from the incumbent governor next fall might sound like political suicide to many office holders. But to someone who has overcome the obstacles which have been hurdled by Bob Dole, it doesn't look like that big a job.

Cigarettes: Taxes and Smuggling

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. EILBERG. Mr. Speaker, I would like to share with my colleagues a very serious problem facing my State, Pennsylvania, a problem many of them may be experiencing in their own States at the present time or may be confronted with in the future.

Before entering this august body, I served for 12 years as a State representative, the last 2 years as majority leader. Time and time again, the proposal was made by the Governor to increase substantially the cigarette tax as a revenue-raising measure.

Time and time again, I fought these proposals, not because I favor cigarette smoking—I am a nonsmoker and have sponsored legislation emphasizing the dangers of smoking—but because I thought then, and I still do, that overtaxation defeats the original purpose.

Sometimes we would prefer to be proven incorrect. However, in this case, the facts speak loudly and clearly that this was a correct position.

Last October, the Pennsylvania Legislature increased State cigarette taxes from 8 cents a pack to 13 cents a pack, an increase of more than 60 percent. Has this measure produced the desired and anticipated revenue? No, Mr. Speaker, it has not.

Instead, it has stimulated and created another racket for both organized and unorganized crime—cigarette bootlegging. Perhaps this new racket has not reached the magnitude of liquor bootlegging during the period of "the noble experiment," but it is high, it is growing and its potential is unlimited.

Untaxed cigarettes are brought in from States with no taxes by the millions. They are being carried in automobile and truck—and even being shipped by air express.

Already overworked law enforcement officers have had still another burden added to their already awesome task. Law enforcement costs money, too, so the question arises: Who benefits from this new state of affairs? The answer, unfortunately, is the criminal.

I am not talking here of the person who brings home a carton or two during a trip back to Pennsylvania; I am speaking of the criminal who smuggles in thousands of cartons of cigarettes—cigarettes which find their way into the regular cigarette commerce, many of them with counterfeit stamps.

There is pending at present in the Pennsylvania Legislature a new and stiffer law for violators—maximum penalties of $5,000 fine and 5 years' imprisonment for an attempt to avoid Pennsylvania taxes—with double these penalties for using a counterfeit stamp.

Will added penalties prevent this illegal traffic? I would like to think so, but past practice has shown that it will not. What it will do, I am afraid, is drive out the small operator and turn cigarette smuggling into a monopoly of organized crime.

And it would cost more money, too, to enforce these new laws, more money for enforcement officers, more money for prosecutions and more money for court costs.

And what will be the outcome? A Frankenstein monster will have been created and no additional revenues will have been produced.

I think a lesson is to be learned by all of us here. Overtaxation does not and cannot produce revenue; it breeds crime and dishonesty.

Resolution of the Board of Directors of the Bar Association of San Francisco

HON. PHILLIP BURTON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. BURTON of California. Mr. Speaker, the Office of Economic Opportunity has devoted a significant share of its resources into the crusade for justice and legal aid for the poor. The OEO's legal services division has been very important in the successful work of the San Francisco Neighborhood Legal Assistance Foundation. Recognizing the excellent public service being performed by both the Legal Assistance Foundation and the Legal Aid Society, the board of directors of the San Francisco Bar Association recently passed a resolution commending their efforts on behalf of the poor. This resolution also praises the high degree of cooperation that exists between the Legal Aid Society and the San Francisco Neighborhood Legal Assistance Foundation.

Mr. Speaker, I include the text of the San Francisco Bar Association's resolution for the information of my colleagues:

RESOLUTION OF THE BOARD OF DIRECTORS OF THE BAR ASSOCIATION OF SAN FRANCISCO

Whereas, the Bar Association of San Francisco believes that lawyers have a fundamental responsibility to insure that all persons, rich and poor alike, are afforded equal justive and competent representation in asserting and protecting their legal rights; and

Whereas, the Bar Association of San Francisco and the San Francisco Neighborhood Legal Assistance Foundation and the Legal Aid Society of San Francisco have developed a close working relationship in many areas of common concern,

Now, therefore, it is hereby resolved, that the Bar Association of San Francisco:

1. Commends the San Francisco Neighbor-

hood Legal Assistance Foundation and the Legal Aid Society of San Francisco for their vigorous and dedicated service to the poor of San Francisco, and

2. Pledges its continued support of the efforts of the San Francisco Neighborhood Legal Assistance Foundation and the Legal Aid Society of San Francisco to provide effective legal service to the poor in accordance with the high ethical standards of the legal profession, and

3. Commends the Foundation and the Legal Aid Society for their close cooperation.

Lithuanian Independence

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. O'NEILL of Massachusetts. Mr. Speaker, earlier this year I joined with many of my colleagues in commemorating the 50th anniversary of the Independence of Lithuania. The Lithuanian community of Boston, Mass., has passed a resolution reiterating the determination and desire of their fellow countrymen to wrest their land away from the oppressive Soviet Union. I submit this resolution as an example of their courage and strength of purpose and as a signal to their oppressors that these stalwart men and women have not forgotten what freedom means and will fight off their bond until they are granted their inalienable right of liberty.

RESOLUTION

On the occasion of the fiftieth anniversary of the restoration of the independence of Lithuania, we, the representatives of the Lithuanian community of Boston, Massachusetts, assembled at the John Hancock Hall in Boston on February 18, 1968, in order to:

Commemorate Lithuania's Declaration of Independence, proclaimed in Vilnius on February 16, 1918, whereby a sovereign Lithuanian state was restored which had antecedents in the Kingdom of Lithuania, established in 1251;

Honor the memory of the generations of Lithuanian freedom fighters who fought in 1812, 1831, 1863, 1905, 1918–20, and 1941–52 to defend Lithuania's national aspirations and values against foreign oppressors;

Recall with pride the political, cultural, economic, and social achievements of the Republic of Lithuania during the independence era of 1918–40;

And express our indignation over the interruption of Lithuania's sovereign functioning by the military occupation of our homeland by the Soviet Union on June 15, 1940, as a result of which national traditions and values were trammeled, the civil liberties of the people suppressed, and hundreds of thousands of people liquidated by Soviet genocidal practices.

Gravely concerned with the present plight of Soviet-occupied Lithuania and moved by a spirit of solidarity, we, the representatives of the Lithuanian community of Boston, Massachusetts, do hereby protest Soviet Russia's aggression and the following crimes perpetrated by the Soviets in occupied Lithuania:

1. Murder and deportations of more than 400,000 Lithuanian citizens to concentration camps in Siberia and other areas of Soviet Russia for slave labor:

2. Yearly systematic deportations, under various guises, of Lithuanian youths to forced labor in Soviet Russia and their unlawful conscription into the Soviet Russian army;

3. Colonization of Lithuania by the importation of Russians, most of whom are Communists or undesirables, who receive various privileges at the expense of the Lithuanian people.

4. Pauperization of the Lithuanian people, conversion of once free farmers into forced laborers on state and collective farms, as well as the exploitation of workers;

5. Persecution of religion, restriction of religious practices, closing of houses of worship;

6. Distortion of Lithuanian culture by efforts to transform it into Soviet Russian culture, and continuous denial of creative freedom.

We demand that Soviet Russia immediately withdraw from Lithuania its armed forces, administrative apparatus, and colonists, letting the Lithuanian nation freely exercise its sovereign right to self-determination.

We support the efforts of the United States of America to discourage communist aggression wherever it may occur.

We request the Government of the United States of America to raise the issue of Lithuania in the United Nations and at international conferences, as well as to support our just requests for the condemnation of Soviet aggression in Lithuania and for the abolition of Soviet colonial rule there.

JUOZAS KAPOCIUS,
Chairman.
FALISA M. GRENDAL,
Secretary.

An Incentive to Needed Government Economies

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. DERWINSKI. Mr. Speaker, the President's promise to trim his budget is welcome news although the credibility gap in Washington is such that we must wait for visible proof.

As an incentive to the needed economies in Government, I am pleased to place in the RECORD an editorial from the Calumet Index, Chicago, Ill., which bluntly and vigorously discusses taxation.

AFTER ALL, IT'S YOUR MONEY

Crushing taxation has caused poverty, wars and the downfall of governments since the recorded history of human affairs. And, strange as it may seem, exhorbitant taxation is more often than not the result of government trying to give the people something it thinks they want at public expense that they think they get free.

The United States for years has been giving away more to more people than any nation in history. As a result, it is so deeply in debt and already taxes its citizens so heavily for handouts at home and abroad that our public officials are at a loss to know where to turn next or how to stop playing Santa Claus. The remedy must come from the people themselves. They are going to have to pay for whatever they ask their government to provide for them. They must see that their elected officials manage their government so that it lives within its means.

Extravagance in government ultimately has the same effect as in a family. So when your accumulated savings for the year are taken to pay your taxes, check on your public officials to see that they practice the same economy in public affairs that you ask your family to practice at home. Check government income and spending as closely as the Internal Revenue Service checks yours. After all, it's your money they're spending.

Pride, Inc.

HON. GEORGE E. SHIPLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. SHIPLEY. Mr. Speaker, it has always been a pleasure and an honor for me to represent Alton, Ill. It is the largest city in the 23d Congressional District, and I wish to bring to the attention of the Congress and the general public an example of a community that has embarked on a stimulating, challenging endeavor.

Pride, Inc., a new organization working in Alton, has been able to generate enthusiasm among the people of Alton in all walks of life, and it is one of the most energetic beautification programs in all America.

The following remarks by my personal friend, William Osborne, an officer of Pride and a member of the board of directors, explain in detail a current project which has been undertaken by Pride, Inc., and the people of Alton:

ELIJAH PARRISH LOVEJOY: AMERICA'S UNKNOWN MARTYR TO FREEDOM

Citizens and newspapermen are reviving the memory of Elijah Parrish Lovejoy, America's martyr to freedom of the press, who is one of this country's least known national heroes. Lovejoy's Monument and grave are located in the Alton City Cemetery, Alton, Illinois.

Lovejoy's murder at the hands of a mob in Alton November 7, 1837, was protested because of his courageous stand against slavery in his newspaper, the Alton Observer.

His fourth printing press was smashed to pieces and thrown in the nearby Mississippi River by the mob.

The body of the free press martyr was carried out of the warehouse where Lovejoy was mobbed and shot, and buried by his friends under a roadway in a secret spot.

In 1864, Lovejoy was reinterred in Alton City Cemetery with a simple scroll marking the site. In 1897, the state of Illinois and people of Alton erected a 90-foot tall monument to his memory.

The Lovejoy Memorial Association of Alton kept the memory alive with scholarships and annual pilgrimages to the gravesite. Classes of school children visited the grave.

But gradually the community and state let the Lovejoy site fade from prominence. Weeds began to grow around the monument entrance and the fence sagged. Monument Street, the main tourist entrance leading upward to the monument on a hilltop, grew wild with trees, hiding the site.

This is one of the projects supported by Pride, Incorporated, a dynamic new beautification organization working in Alton and sixteen communities of the surrounding area. Pride is a concept of encouraging and educating all walks of life to participate in beautification.

This non-profit organization, which was formed in 1965 and has been gaining prominence ever since, is enlisting the support of industries, businesses, organizations, communities and home owners and renters in developing and actively working to make their communities more beautiful places in which to live. No tax money is used in any of the projects. Each of the citizens or groups furnish their own money and do their own projects.

The acceptance of this organization by the more than 160,000 people living within the Alton Lake Area has been outstanding. This newly formed organization is a private approach to urban beautification that works.

Desalting "Pro's" Question Value of Office of Saline Water's Universal Design

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. HOSMER. Mr. Speaker, today I am releasing the results of a survey I conducted among operators of multistage flash evaporation desalting plants. The purpose of the survey was to determine the views of plant operators on the 2.5 million gallon per day "universal" desalting plant design developed by the Office of Saline Water of the U.S. Department of Interior.

The survey was a sequel to one I conducted last year among manufacturers of multistage flash evaporation equipment. The manufacturers, as you might expect, were solidly against the OSW "universal design" approach to multistage flash evaporators. With OSW lined up on one side and the manufacturers on the other, it was clear that the ultimate customer, the plant operator, should also be queried.

I mailed a two-page questionnaire to about 30 operators of multistage flash evaporation desalting plants, both in the U.S. and around the world. Operators of 17 desalting plants responded to the questionnaire.

It is clear from this survey that the operators of existing desalting plants have more confidence in the equipment manufacturers than does OSW. It is equally clear that the operators do not share OSW's enthusiasm for the universal design.

For example, of the operators responding to my questionnaire, not one believes that the universal design is the best design available today. And I might add that the universal design was supposed to incorporate the best features of many designs into one superior design. Similarly, all of those responding agreed that they would prefer to take bids on the basis of guaranteed performance specifications instead of the detailed universal design specs being developed by OSW.

While only half of those responding feel that their current plant is of high quality, 70 percent feel that flash evaporator technology is sufficiently developed today that procurement of future plants can be made by guaranteed performance specs. Significantly, a majority feels that universal manufacturing standards and design data would not improve the economics or reliability of desalting plants.

It is clear to me that the concern of the Committee on Interior and Insular Affairs over OSW's foreign projects is completely justified. First the manufacturers and now the operators of desalting plants concur that OSW should leave detailed design to the manufacturers, and assist the equipment manufacturers by promoting desalting, rather than being in direct competition with them.

The results of the survey follow:

RESULTS OF QUESTIONNAIRE FOR OPERATORS OF MULTISTAGE FLASH EVAPORATION WATER PLANTS

1. Please list the multi-stage flash evaporators you have in operation, including the capacity, manufacturer, and year of operation of each unit in your plant(s):

Capacity: 16.5 m.g.p.d. (combined total capacity of plants whose operators responded to questionnaire).

2. What is the load factor of each operating unit? (Load factor is defined as the daily average production based on annual output divided by the daily design capacity.)

	Percent
Load factor (average for 17 plants)	76

3. What is the availability of each operating unit? (Availability is defined as the number of hours per year that each unit is available to operate at its design capacity, whether it is operating or not.)

	Percent
Availability (average for 17 plants)	90

4. In connection with the operation of your evaporator, have you had any direct contact with the Office of Saline Water (OSW), United States Department of Interior?

	Percent
Yes	30
No	70

5. Do you feel that the evaporator manufacturer's design, materials of construction, workmanship, and quality control during fabrication were adequate to assure that the plant will have a high availability over its expected life?

	Percent
Yes	50
No	50

6. Do you believe the 2.5 million gallon per day "universal" multi-stage flash evaporator is a worth-while contribution to the desalination field?

	Percent
Yes	44
No	56

7. Do you believe the universal plant design is the best design available today?

	Percent
Yes	0
No	100

8. Do you feel that multi-stage flash evaporator technology is sufficiently developed that procurement of this equipment can be made by performance specifications? Performance specifications give the evaporator manufacturers freedom to incorporate their own equipment, design, manufacturing standards and ingenuity.

	Percent
Yes	70
No	30

9. If not, why not?

10. If you were ordering another multistage flash evaporator today, would you prefer to take bids on the basis of "universal" plant design specifications, or guaranteed performance specifications?

	Percent
Universal	0
Performance	100

11. Do you think an evaporator manufacturer should be expected to guarantee a unit based on the OSW design?

	Percent
Yes	12
No	88

12. Do you believe the *economics* of desalination plants can be improved if "universal" manufacturing standards and design data are established for or by the industry?

	Percent
Yes	22
No	78

13. Do you believe the *reliability* of desalination plants can be improved through such standards?

	Percent
Yes	37
No	63

14. If you would like to see such standards developed, which of the following would be your choice to develop them:

(a) Office of Saline Water alone ☐; with architect engineers ☐; with manufacturers ☐.

(b) Manufacturers alone ☐; with architect engineers ☐.

(c) Architect engineers alone 12 percent.

(d) Operators of desalination equipment alone ☐; with Office of Saline Water, 12 percent; with OSW, architect engineers and manufacturers, 63 percent; wtih architect engineers and manufacturers, but without OSW, 12 percent.

15. Do you believe that the OSW involvement with the design of and establishing manufacturing standards for U.S. and other nations' desalting projects is—

	Percent
Excellent idea	11
Generally good	33
Poor idea	56

16. Do you believe that OSW leadership in developing and promoting flash evaporator technology is—

	Percent
Excellent	22
Good	33
Poor	45

17. Do you believe it is necessary for evaporator bidders to divulge the details of their design, including arrangement of internals, basis of heat and mass transfer calculations, reasons for materials selection and quality control procedures (inspection and testing) for proper bid evaluation?

	Percent
Yes	88
No	12

18. Do you generally approve of the United States providing technology and assistance in the field of desalting on a world-wide basis?

	Percent
Yes	78
No	22

19. Please include any additional comments you have regarding the OSW universal plant design.

The "Pueblo": How Long, Mr. President?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. SCHERLE. Mr. Speaker, this is the 70th day the U.S.S. *Pueblo* and her crew have been in North Korean hands.

Assistance for Potatogrowers

HON. WILLIAM D. HATHAWAY

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. HATHAWAY. Mr. Speaker, I want to relate the prompt and effective manner in which the U.S. Department of Agriculture sprang to the assistance of the beleaguered potatogrower this winter.

In December, potatogrowers across the country discovered that they were experiencing one of the poorest marketing seasons in years. As a consequence, the farmers' returns have failed to equal the cost of growing their potatoes.

That was the situation in January of this year when the potatogrowers asked the Secretary of Agriculture, Orville L. Freeman, for help in marketing their crop. The U.S. Department of Agriculture's Consumer and Marketing Service responded by putting two programs in operation on January 8. The objective of these programs was to remove excess supplies so prices would eventually improve.

One was a payment program to encourage growers to dispose of lower quality potatoes to starch and flour plants or to livestock-feeding operations, with only the best quality potatoes to be sold to consumers.

The Secretary announced on March 18 that more than 500 million pounds of potatoes had been diverted under this program, with 15 major potato-producing States taking part.

The second program operated in areas in which there are no starch and flour plants or livestock feeding operations. This was a limited program to purchase good quality fresh potatoes to be distributed by USDA's Consumer and Marketing Service to schools and other outlets within the State of purchase. These purchases are being made in five States.

Because grower prices were still low in February, USDA increased the payment rates for diverting potatoes to starch, flour, and feed on February 9. And the Secretary assured growers on March 18 that the diversion and purchase programs would continue and that additional funds were being allocated.

As a further part of this effort to improve growers' prices, the Consumer and Marketing Service recently purchased 9.6 million pounds of instant mashed potatoes for distribution to needy persons. USDA has also listed potatoes as a plentiful food eight times this season to let consumers and food editors know that potatoes are a good buy.

All of these actions were taken by USDA under section 32 of Public Law 74–320. The purpose of section 32 is to permit just such help to improve prices when an oversupply occurs and depresses prices.

The diversion program makes the outlook for the early spring market more optimistic.

But this problem of oversupply is a chronic cause for concern. An oversupply could occur every year. High yields can cause on oversupply. Of course, if you have exceptionally fine growing weather which results in high yields, there is not much the individual farmer can do about it.

But part of this problem of oversupply is caused by overplanting—and there is something the individual farmer can do about that.

Each year the Consumer and Marketing Service develops acreage guides for potato growers, to help them balance supplies with consumer needs and avoid this problem of oversupply and depressed prices. The guides tell growers how much they should plant in the coming year to keep supplies in line with market demands. Grower compliance with the guides is voluntary, but there has been little trouble in the past with prices when plantings were in line with the guides. At least part of the problem this winter was the result of growers' planting 75,000 acres more nationally than were recommended in last year's guides.

In late February, Secretary Freeman urged growers of summer and fall crop potatoes to reduce their 1968 plantings by about 5 percent, and I am pleased to note that the latest Crop Reporting Board report shows growers intend to cut acreage by that amount. I believe those of us in potato-producing States should also urge growers to follow the USDA recommendations, so they can help themselves to a better marketing season next year.

Mississippi Legislature Commends Gulfport CB Center

HON. WILLIAM M. COLMER

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. COLMER. Mr. Speaker, in 1967 an outstanding military organization returned to Gulfport, Miss.—the U.S. Navy Seabees.

Thousands of Seabees trained there during World War II, but the training center was abandoned when the organization dropped back to its peacetime strength. Fortunately many of the buildings, including barracks, were still standing when the Vietnam war made it necessary to increase the number of mobile construction battalions in a hurry. The buildings were in disrepair but could be renovated and placed in usable condition.

So the training center at Gulfport was reactivated and five mobile construction battalions were trained and are now home-ported there. Despite the fact that new, permanent structures have not been constructed and these battalions are housed in refurbished World War II buildings, they are able to train year round in the moderate climate of the Mississippi Gulf coast, and they have made an excellent record.

I take great personal pride in the accomplishments of these men. They have supported local civic activities. They have served their country well in constructing direly needed facilities in Vietnam under trying conditions, as indicated by the fact that they have been awarded 300 Purple Hearts.

Recently the Mississippi State Legislature recognized the splendid contribution of this group both to the State and the Nation. I quote below the speech of Senator Nap L. Cassibry, District 35, Harrison County, Miss., in support of Senate Concurrent Resolution 132. It expresses the sincere feeling of admiration and appreciation of our people of this dedicated military organization:

> Mr. President, My Fellow Senators, in support of Senate Concurrent Resolution 132, it is my great privilege to call to your attention the following facts regarding the U.S. Naval Construction Battalion at Gulfport, Mississippi, and the fine contributions made by this Center to our local and overall state economy as well as their valiant support of our war effort in Vietnam and our Nation's general military preparedness.
>
> Officers and men of the U.S. Navy Seabees have returned to Gulfport after an absence of 22 years. The U.S. Naval Construction Battalion Center was given an increased mission two years ago which required that some 5,000 Seabees were to be homeported at the Gulf Coast naval installation for training to perform military construction duties in support of the nation's armed services in forward combat areas. In the past two years Seabees have been "busier than Bees":
>
> (a) Building a Teen Center in Gulfport;
>
> (b) Building a Teen Center in Long Beach;
>
> (c) Building a Dixie Youth League baseball field in Long Beach;
>
> (d) Erecting the mast and superstructure salvaged from the cruiser, USS Biloxi, in a beachfront park in Biloxi;
>
> (e) Building camp facilities at the Girl Scout's Camp, Iti Kana, near Maxie;
>
> (f) Repairing cabins and building docks at the Boy Scout's Camp, Tiak;
>
> (g) Landscaping and beautifying the grounds at the Biloxi-Gulfport Municipal Airport;
>
> (h) Building a three-acre fishing lake for patients at the Gulfport Veterans Administration Hospital;
>
> (i) Fighting forest fires in the coastal counties helping to confine the fires to a 5,000 acre plot of ground;
>
> (j) Assisting Gulfport firemen in extinguishing a house fire next to the Center and then, in their free time, helping the owner rebuild his home;
>
> (k) Improving recreation facilities at historic Naval Reserve Park at Keesler Air Force Base;
>
> (l) Taking part in all community celebrations and observances such as Christmas Parades, Mardi Gras parades, holiday parades, etc.;
>
> (m) Lending their support and active assistance in many community projects as good citizens and neighbors.
>
> Seabee disaster recovery teams, and the medical aidmen and doctors serving with them, earned the undying gratitude of Gulf Coast residents last October 30th, when they served to valiantly and efficiently bring swift aid to people injured during a sudden tornado on the Gulf Coast. The Seabees' initial efforts were coordinated with the Harrison County Civil Defense unit. Seabees continued to cooperate with Public Works officials for more than two weeks following the tornado by hauling debris to disposal sites. City and county officials praised them for their tireless efforts, their speedy response and extensive knowledge of disaster recovery techniques. Capt. Robert C. Engram, Center Commanding Officer and Commander, 20th Naval Construction Regiment, received Gulfport mayor R. B. Meadows' "Good Citizenship Award" on behalf of the men of his command. Former Governor Paul B. Johnson sent the Captain a letter expressing the heartfelt thanks of all Mississippians.
>
> Captain Engram, a native of Florida, in true southern gentlemanly manner, counters all

expressions of appreciation by stating that these acts of Seabee benevolence offer the very best method of training his fighter-builders. The Captain is a member of the U.S. Navy's Civil Engineer Corps and has been a naval officer for 26 years. He plans to make the Gulf Coast his retirement home. He is an active member of the Pine Burr Area Council, Boy Scout of America, and has encouraged several of his fellow officers and Seabees to work with coastal youth groups. The Center's recently organized Boy Scout troop is reported to be one of the most aggressive on the coast. A Little League ball team sponsored by the Seabees of Mobile Construction Battalion-121 last year took the league championship. Capt. and Mrs. Engram are the parents of four children. Both exhibit a deep concern for the moral fiber of young people and encourage this adult responsibility in others at every opportunity.

The Gulfport Seabee Center is a $17.5 million installation staffed by 5,000 military personnel and some 700 civilian employees. Because of the Center we have 1,200 new families on the Gulf Coast attending our schools and churches and taking an active part in community cultural activities.

The Center's Disbursing Office pays out more than a million dollars each month. Add to this the cost of utilities, locally purchased supplies, dependents' allotment checks, civilian contractor payrolls and other costs, and the monthly economic impact rises to $1.3 million.

The Gulfport naval installation was recently selected to be the active duty training center for all Reserve Mobile Construction Battalions bringing some 4,000 Seabee Reservists to the Gulf Coast each year.

Five Seabee battalions are homeported at the Center. Their operations and training are supervised and conducted by the 20th Naval Construction Regiment and by the Construction Training Unit. The latter agency has the additional responsibility of conducting basic military training for all Directly Procured Petty Officers of the U.S. Navy Seabees. By the end of June, 1968, nearly 2,500 Seabees of this category will have spent five or more weeks on our Gulf Coast. Each of the five regular Seabee battalions has served, is serving, in Vietnam. One of these units is on its second assignment to Southeast Asia and a second is scheduled for another overseas deployment in the very near future. While overseas, these units receive support from their homeport to the extent of some 10,000 measured tons of equipment processed through the Gulfport Seabee Center each month. Shipments through the State-owned port at Gulfport from the Center averaged 25 percent of the port's total tonnage for Fiscal Year 1967.

The Navy's Civil Engineer Corps observes its 101st anniversary March 2, and the Seabees celebrate 26 years of service to the nation March 5. The first CEC officer killed in Vietnam, Lieutenant Joseph J. Rhodes, was a member of Mobile Construction Battalion-121, a Gulfport unit. As of the end of 1967, 25 Seabees died in action against the Viet Cong and 310 Seabees received Purple Hearts for wounds sustained in doing battle with the enemy to preserve our freedom. A proportionate share of Gulfport's Seabees have bled and died serving their country. America can ask no more than that of her people. Mississippi is fortunate to have this stalwart group living and training in her midst and setting an outstanding example for her youth.

I urge your favorable support for this resolution.

Church Involvement on Vietnam Grows

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. BROWN of California. Mr. Speaker, the war/peace report of March contains an analysis of increasing church involvement on the Vietnam war issue. It begins with this statement:

> American churches and churchmen have recently escalated their concern over the country's involvement in Vietnam, with a preponderance being critical of the war and calling on the U.S. to stop the bombing of North Vietnam as a first step toward negotiation.

It is significant that the President's halt to the bombing has long been called for by many voices in our society. I believe that it is a healthy sign that the people of our Nation are deeply concerned about what is happening in Vietnam. Few church bodies have been left undisturbed by the inevitable moral questions of the kind of involvement we as a nation have sustained in that country.

It is not known what part these resolutions by the churches might have played in the decision of President Johnson to order a bombing halt, but it is known that the greater portion of the leadership of America's religious bodies many times appealed to the President's conscience with petitions for steps toward an end of the war and an end to the destruction of the people and land of Vietnam. We, as legislators, must keep in mind that the moral conscience of our Nation will not be at ease with just a partial bombing halt but will continue to be troubled until we have peace—total peace.

I include in the RECORD this entire article as an extension of my remarks. It follows:

CHURCH INVOLVEMENT ON VIETNAM GROWS

American churches and churchmen have recently escalated their concern over the country's involvement in Vietnam, with a preponderance being critical of the war and calling on the U.S. to stop the bombing of North Vietnam as a first step toward negotiation. A few voices, however, have suggested that churches should not take specific policy positions on the war but rather should devote themselves to the moral questions of the conflict.

In general, the churches are clustering around the "moderate dove" position, with none of them, so far as is known here, taking either of the polar stands of "unilateral withdrawal" or "escalation." For that matter, none of them are known to have endorsed the present position of the Johnson administration either.

The National Council of Churches, a federation of most of the major Protestant and Eastern Orthodox churches in the country, recently called upon the government to stop the bombing of North Vietnam as a prelude to seeking a negotiated peace. The council issued its recommendation as part of a larger critique of American foreign policy, set forth in a 5,000-word statement entitled "Imperatives of Peace and Responsibilities of Power." Other measures endorsed in the statement include admission of mainland China to the United Nations, recognition of the governments of Cuba and the East German Democratic Republic, and greater economic and political cooperation with all communist countries.

Rabbi Maurice N. Eisendrath, president of the Union of American Hebrew Congregations and spokesman for a delegation of 15 Jewish, Roman Catholic and Protestant leaders who recently completed a 22-day peace mission around the world, called upon Johnson to "reevaluate present United States policy, to give serious consideration to an immediate halt, on moral and political if not military grounds, of the bombing of North Vietnam, and to deescalate the level of military action without immediate withdrawal." He said that members of the group also agreed that the United States should be "continually open to negotiation, including the use of the services of the secretary general of the United Nations."

Taking a somewhat stronger position, the Council of Bishops of the Methodist Church has issued a statement urging that the United States "implement verbal offers of negotiation with concrete action," namely, that a new effort to negotiate should be accompanied by a ceasefire declaration by the United States and South Vietnamese governments. The bishops' statement declares: "The sterile rounds of demand and counter-demand, accompanied by steady escalation by the parties to the conflict, must be broken by fresh and creative action by one of the parties. We believe the United States should take this initiative."

In contrast to the above positions, the Rev. Richard John Neuhaus, pastor of the Church of St. John the Evangelist in Brooklyn and a leader of the National Emergency Committee of Clergy and Laymen Concerned About Vietnam, stated at a symposium sponsored by the Council on Religion and International Affairs that church opposition to the war is frequently self-defeating because it focuses on policy decisions, such as ending the bombing of North Vietnam, rather than on moral principles.

"What we disagree with," said Neuhaus, "is the whole philosophical and theological assumption that the State Department or the American way of life can be the artisan of other people's destinies."

A related position was taken by the Rev. Carl Henry, editor of the conservative Protestant journal, *Christianity Today*. According to Rev. Henry, "We should either say the war is just or it's unjust and then leave the rest to military experts."

Another group, consisting of 29 prominent Protestant, Roman Catholic and Jewish clergymen, has released a 420-page indictment of U.S. conduct in Vietnam, which, it charges, has been marked by "consistent violation of almost every international agreement relating to the rules of warfare." The document, entitled "In the Name of America" and bound in red, white and blue, was published by Clergy and Laymen Concerned About Vietnam. It contains 16 chapters of documentation on such subjects as the treatment of prisoners of war, the use of napalm, the destruction of huts and villages, and the care of refugees.

In the introduction to the volume, the signers state that despite its quasilegal format, it "does not purport to be a legal brief." They added, however, that "there is a legal case to be made against our actions in Vietnam and it is, we believe, a devastating one."

Tax Deductible Status of Sierra Club

HON. PHILLIP BURTON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. BURTON of California. Mr. Speaker, I would like to call to the attention of the Members of this House the latest development in the effort of the Internal Revenue Service to determine whether contributions to the Sierra Club are tax deductible.

My colleagues will recall that the IRS curiously and suddenly became interested in the tax deductible status of the Sierra Club almost 2 years ago, when the Sierra Club was engaged in a vigorous campaign to prevent the construction of two dams in the Grand Canyon as a part of the proposed central Arizona project.

At that time the IRS announced to contributors and potential contributors to the Sierra Club that their gifts might not be tax deductible, and that they could be claimed only under a cloud of uncertainty pending a determination by IRS. If the IRS were to find that "a substantial part" of the Sierra Club's activities consisted of attempting to influence legislation during the years of 1964, 1965, and 1966, then contributions to the club would not be deductible.

In the ensuing months the Sierra Club made its presentation to the IRS, which then studied the matter and in December of 1966 announced its intention to revoke the Sierra Club's status as an organization qualified to receive deductible contributions. The Sierra Club naturally protested this action and further proceedings were conducted until on March 13 of this year, just 12 days ago, the IRS district director finally notified the club that he has decided to sustain the findings of the hearing officer. The Sierra Club now has the opportunity to request a conference in the national IRS office.

The Sierra Club executive committee has decided to pursue all administrative courses and then go into the courts, to the Supreme Court if necessary, in an effort to regain its status as qualified to receive tax-deductible contributions.

I believe that the Sierra Club eventually will win this fight. But it does seem to me to be grossly unfair for the IRS to do this kind of damage to a worthy organization without being required to give more than the most perfunctory of explanations, without disclosing its own standards and definition of what constitutes "a substantial part of your activities." The Sierra Club has approximately 60,000 members who participate in countless hours of hiking, camping, and related club activities which in no way can be considered as attempting to influence legislation. Probably the large majority of these club members have never written even one letter to an editor or a congressman expressing his views on conservation. Perhaps if they had, we would not have spent so much time and energy arguing over the unthinkable idea of dams in the Grand Canyon, and by now we would have our National Redwoods Park.

There is one interesting sidelight to this whole procedure. The Sierra Club, founded in 1892, had 39,000 members in 1966 when the IRS first threatened its tax status. Since then the club has added 21,000 members. Thus, it might appear that the IRS has done the club a favor. It should be pointed out, however, that major donations both to the Sierra Club and other conservation organizations have fallen off sharply as a result of the IRS action. These organizations have annual dues to support their always depended on contributions over and above annual dues to support their various worthwhile programs.

For the further enlightenment of the Members, Mr. Speaker, I will put into the RECORD a recent statement made by Dr. Edgar Wayburn, the president of the Sierra Club and a constituent of mine, and an editorial broadcast over radio station KCBS in San Francisco:

STATEMENT BY DR. EDGAR WAYBURN
PRESIDENT OF THE SIERRA CLUB

It has been nearly two years since the IRS first clouded our tax status by informing us that it could no longer guarantee that contributions to us made after June 10, 1966, would be considered deductible. They subsequently examined our records and, in a 23-page letter a year ago December, let us know that they intended to revoke our charitable status. They allowed us until May 1967 to show why this should not be done. Our attorneys submitted a 93-page presentation, with supporting exhibits, that provided what we think was abundant evidence to justify a reversal of the initial IRS recommendation. They later conferred at length with the club treasurer, and the case was submitted six months ago.

Considering all the effort that has gone into this case and the wide attention it has received across the country, we find the letter we received today a bit perfunctory.

The IRS already knows that we desire a conference in its national office as soon as possible.

CONSERVATION OR CONVERSATION?

(An editorial broadcast by radio station KCBS in San Francisco on March 18, 1968)

Are we going to have conservation . . . or just conversation about it? Earlier this month we observed National Conservation Week. President Johnson issued his conservation message to Congress. In it, he underscored the importance of preserving our natural resources and wilderness.

On the heels of that message, another significant event took place in San Francisco. The Sierra Club lost their appeal before the local office of the Internal Revenue Service. The issue in question was an IRS order issued in June, 1966. It revoked the tax-deductible status of the club. The reason was that the Sierra Club was an active lobbyist. Thus, they were not entitled to their tax-deductible privilege. The springboard of this conflict was a series of newspaper ads. The full page statements were published nationally. They condemned the proposed dams in or near the Grand Canyon. Immediately thereafter, the IRS issued its order. Many viewed the action as a punitive penalty.

In our view, this whole sequence of events is contradictory. The Sierra Club battled on behalf of conservation. The President called for programs support conservation. Yet, the IRS contends such activities are grounds for penalty. Obviously, there's something wrong.

The case will be carried to Washington. KCBS applauds the Sierra Club for their courage and conviction. We think issue is important. We invite President Johnson to exercise his influence in the matter.

Depending on his action or lack of it, we'll know whether the message to Congress was for conservation . . . or merely for conversation.

Will America Also Go Down the Drain?

HON. WILLIAM HENRY HARRISON

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. HARRISON. Mr. Speaker, the Wyoming State Tribune at Cheyenne has reprinted in its March 20 edition, an editorial which appeared originally in the February 11 issue of the Arizona Republic.

In reprinting the editorial, Wyoming State Tribune editor, James M. Flinchum, wrote:

> Because of its timeliness, the searching questions it asks, and the disturbing conclusions it draws, we feel that it also should be made available to the readers of this newspaper and of newspapers elsewhere in this country.

In bringing this editorial to my attention, Wyoming State Auditor Everett T. Copenhaver concurs in the point that some governmental research groups not only are spending needlessly the ever-diminishing supply of Federal funds but, as Mr. Copenhaver puts it:

> These new projects are taking people away from the University of Wyoming, they are almost daily taking employees from the State and from our schools by paying them fabulous salaries.

This editorial and Mr. Copenhaver's trenchant observation merit special consideration as we face an unprecedented crisis of confidence in the American dollar and our ability to pay our bills abroad.

Mr. Speaker, I include the editorial to which I have referred, in the RECORD, as follows:

WILL AMERICA ALSO GO DOWN THE DRAIN?

(NOTE.—The following editorial is reprinted in its entirety from the Sunday, Feb. 11 issue of the Arizona Republic. Because of its timeliness, the searching question it asks, and the disturbing conclusions it draws, we feel that it also should be made available to the readers of this newspaper, and of newspapers everywhere in this country.)

"Germany will militarize herself out of existence, England will expand herself out of existence, and America will spend herself out of existence." So said Nikolai Lenin in 1917.

Germany has fulfilled the prophecy. England has fulfilled the prophecy. America is in the process of doing so.

Our country has already reached the point where our profligate, wasteful, extravagant and unnecessary government spending is threatening the entire future of our nation and our people. We keep being reassured that we can afford all those billions, that "the people" need or want these expensive programs at home and abroad, that we only owe our huge debt to ourselves. But the dollar is in trouble. Inflation is increasing. We are losing gold at unprecedented rates. And taxes are still increasing.

In 1960 our total federal budget was $94 billion. Last year it was almost double that—$172 billion. The President has asked for $186 billion for 1969. And every state is increasing expenses and increasing taxes.

Do we really need to spend all these

billions? Do "the people" want to be taxed all those billions?

There have been 112 "new" federal programs since 1960. The President has asked for 16 new ones this year. Since 1960 only one federal program has been abolished. All the rest have been increased. Congress last year increased the budget by $13.5 billion—more than the biggest total budget of Roosevelt's peacetime years!

We have spent $152 billion on foreign aid and interest on what we borrowed to spread this money around to more than 100 countries. What good did it do? What good did it do you? What good is it doing now?

There is $23 billion "in the pipeline" for foreign aid—all so far unspent. Yet the President keeps asking for more and more billions to add to it!

Do you want to spend the $36.5 million Vice President Humphrey just promised to send to the Ivory Coast while the President was proposing a tax on American tourists going abroad?

The administration is spending millions to beautify our highways and tear down ugly signs. At the same time it is spending $5 million to erect new signs to put up along the highways!

Do you want to pay taxes to finance a $2,350 picnic shelter in Manitowoc County, Wis.? How about the $2.5 million we spent to build houses in Rio de Janeiro? The $1 million we spent on trains in Thailand? The $1.5 million we spent on a WAC barracks in Maryland just before the WACs were sent to Florida? Or the $45,000 flagpole?

You paid $33,398 for 130 knobs at the Pentagon that retailed at only $210. You paid for 27,000 tons of food that was just plain "lost" overseas. That cost $4.3 million, or the same amount that an entire ctiy of 10,000 people pay each year in income taxes.

You are paying the salaries of 276,000 more federal employes this year than last. Non-defense spending has almost doubled since 1960. The national debt has increased 14 times since 1960. Since President Johnson entered the White House, your cost of living has increased 9 per cent!

The federal government spends $17 billion on "research." That is enough by itself to wipe out this year's inflation-producing deficit. What is this research for? Nobody knows. The Library of Congress tried to find out and reported that nobody in the federal government knows how many research laboratories are federally financed or where they are!

The Department of Health, Education and Welfare spends more than $100 million a year on research programs like "Understanding the Fourth Grade Slump in Creative Thinking." The Commerce Department spent $95,000 to find out why shipping rates are lower on imported goods than exported goods.

The National Science Foundation financed a study of the 1966 governor's campaign in Maryland. What on earth for? The National Institutes of Health spent $11,782 to finance "A Social History of French Medicine 1789–1815." It spent $10,917 for "Emergence of Political Leadership; Indians in Fiji."

The Office of Economic Opportunity shelled out $39,000 to find out why some underprivileged youths reacted favorable to "It's What's Happening, Baby"—a nationally televised rock and roll show praising the Job Corps. The National Science Foundation gave Stephen Smale, who organized demonstrations aimed at halting troop trains in California, $6,556 of your tax money to go to Europe!

U.S. government agencies subsidize with your taxes $2 billion a year in university "research." The result has been that 40,000 professors have stopped teaching to do federal "research." Dr. W. T. Lippincott of Ohio State University calls federal research grants "the most powerful destructive force the higher education system ever faced."

Is all this, and much more, really necessary? Is it even desirable? Does it do any good for the people of the United States who support it? Do you "demand" these services, implore your federal government to start new programs at the rate of more than 100 every 10 years?

The average American is being taken by his government and its sycophants to the tune of billions of dollars. He gets nothing back but the bills for hundreds of unnecessary and useless programs that the government loads on his back.

How much can you take? How much can the nation take? How much, before we go down in the dust under this intolerable burden?

Unless this is stopped—and soon—Lenin will be proved right. "America will spend herself out of existence" and we will all lose the "last best hope of earth" to the tyranny of communism.

The Coalition for Youth Action

HON. DANIEL E. BUTTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. BUTTON. Mr. Speaker, just 3 short months ago a group of enterprising young management interns at the Labor Department started an exciting new program to establish a dialog between the youth in our ghetto areas and college students on our campuses. The Coalition for Youth Action is a unique program which will enable the Nation's young people to take a greater role in shaping the society in which they live.

It is hoped this direct link between young Americans in and out of college will provide the spontaneity and freshness needed in designing new methods to meet the Nation's manpower needs.

The program, for which an initial grant of $300,000 in Manpower Development and Training Act experimental and demonstration funds has been made, grew out of a proposal made to Secretary of Labor Willard Wirtz by 25 Labor Department management interns. The interns, young professionals recently out of college, visited college campuses and communities to gage the interest and enthusiasm of young adults for a program that would enable them to become involved in solving the problems of the disadvantaged.

Response at the local level to the plan was good and the Coalition for Youth Action developed and proposed a program to Secretary Wirtz, who enthusiastically endorsed it.

Young people have ideas and energies—

The Secretary said—

> and, the Government has resources. I intend to see what happens when the two are brought together.

The program calls for the development at the local level of "boards" composed of young community residents and college students. These boards will develop and operate projects to meet community interests and needs through the extensive use of student volunteers. The Labor Department will fund the projects through the boards but will not direct them. Each project will grow out of a partnership between young adults in the community and local college.

As a basic part of the program, local boards will be encouraged to develop manpower-related projects that reach the poor on a one-to-one basis through the use of volunteers.

Experience gained so far in the operation of manpower programs by the Government has demonstrated that much of the remaining unemployment in the country requires case-by-case, person-by-person, attention. Many of the unemployed have complex personal problems that make it difficult for them to use the normal employment channels. Large Government programs are least effective in dealing with these situations and this is the area in which the program developed by the Coalition for Youth Action is intended to work.

The unique feature of the program is the high degree of youth participation in its decisionmaking—both at the grassroots and the Washington level. On the local level, the responsibility for shaping and designing project proposals rests entirely with ad hoc groups of young people. On the National level, the responsibility for developing guidelines and funding projects has been vested completed in the Coalition for Youth Action.

The coalition is also exploring a number of other special projects—ranging from experiments in curricula to developing new mechanisms for bringing young people's attitudes and opinions into the policymaking process.

The coalition will act as an information center to young people for Labor Department programs affecting youth. It will also function as a sounding board to receive suggestions from young people on ongoing programs and ideas for new programs.

In this short time proposals have come to the coalition from all over the country—a response which shows overwhelmingly that the youth-to-youth approach is both meaningful and effective. Mr. Speaker, it is my hope that the innovative and vital work by the coalition be given our support and I urge that it be continued.

Georgia's House of Representatives Commends the Honorable Frank Alfred Hayes

HON. ROBERT G. STEPHENS, JR

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. STEPHENS. Mr. Speaker, on February 1, 1968, the House of Representatives in Georgia adopted House Resolution No. 558 commending the Honorable Frank A. Hayes, associate professor of pathology and parasitology, School of Veterinary Medicine, the University of Georgia. This resolution praised Dr. Hayes for his contribution to wildlife disease study. The resolution was cosponsored by Representative Leon Farmer and Representative Chappelle Matthews of

Clarke County and others. I submit it for insertion in the CONGRESSIONAL RECORD that it may be read by Members of the Congress of the United States in recognition of the work of this dedicated man:

RESOLUTION COMMENDING HONORABLE FRANK ALFRED HAYES, B.A., B.S., D.V.M., M.S., ASSOCIATE PROFESSOR OF PATHOLOGY AND PARASITOLOGY, SCHOOL OF VETERINARY MEDICINE, UNIVERSITY OF GEORGIA; AND FOR OTHER PURPOSES

Whereas, Honorable Frank Alfred Hayes was instrumental in obtaining the Southeastern Cooperative Wildlife Disease Study for the University of Georgia, School of Veterinary Medicine and has served as Director since its inception; and

Whereas, his academic and research efforts have brought world-wide recognition to and reflected great credit upon the University of Georgia; and

Whereas, he has served the people of his State and his profession with dedication and effectiveness; and

Whereas, he has pioneered research efforts in Wildlife Diseases making important contributions to the State of Georgia and the Nation.

Now, therefore, be it resolved by the House of Representatives that this body does hereby commend Honorable Frank Alfred Hayes for his diligence, foresight and effectiveness as Director of the Southeastern Cooperative Wildlife Disease Study, School of Veterinary Medicine, University of Georgia.

U.S. Conference of Mayors Supports Occupational Safety Bill

HON. ELMER J. HOLLAND

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. HOLLAND. Mr. Speaker, my good friend Mayor Joseph M. Barr of Pittsburgh, president of the U.S. Conference of Mayors, has submitted a most constructive statement to the Select Subcommittee on Labor, of which I am chairman, in support of the Occupational Safety and Health Act of 1968—H.R. 14816.

On behalf of the Conference of Mayors, Mayor Barr stated:

> There can be no doubt from the statistics that much needs to be done to protect the workers of this nation. This bill will go far in assisting this effort.

Because I am sure our colleagues will be interested in the views of the U.S. Conference of Mayors, I call attention to the following statement on H.R. 14816—legislation designed to save workers' lives, to prevent on-the-job disabilities and injuries, and to provide employees with a healthful environment in which to perform their work:

STATEMENT BY MAYOR JOSEPH M. BARR OF PITTSBURGH, PRESIDENT OF THE U.S. CONFERENCE OF MAYORS, ON H.R. 14816, THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1968

I am pleased to have this opportunity to express support for the Occupational Safety and Health Act of 1968 in behalf of the United States Conference of Mayors.

There can be no doubt from the statistics that much needs to be done to protect the workers of this nation.

This bill will go far in assisting this effort.

It authorizes the establishment of uniform nationwide standards protecting our workers which will reap the benefits of economy of resources and efficiency in operating procedures. The economic advantages to industry of uniform standards and specifications have long been recognized.

The bill authorizes the Secretary of the Department of Health, Education and Welfare to undertake training and educational programs. These programs will be of immeasurable value to states and local governments in meeting the manpower shortage of qualified personnel responsible for occupational safety and health.

Moreover, the Secretary of Health, Education and Welfare would be authorized to provide for research in this vast field. We have accomplished much by research in the field of health and other disciplines. Without research many of our technological, engineering and other feats would have been unrealized. But we have never really put research techniques to work for us in the field of occupational safety. This program of research could be of untold benefits to the working people of this country and the nation itself.

The bill provides authorization of grants assistance. It is important, however, to unforcement of occupational health and safety standards. We recognize that states need this assistance. It is important, however, to understand that many local governments have great responsibilities to provide safety and health services to the working population. This is true particularly in areas where the primary objective has been to safeguard the public safety and health but the overlap for workers has been substantial.

Fire prevention is only the most conspicuous example of such activity. The emphasis given to the safety movement by the catastrophic Triangle fire of 1911 in the New York garment district which took 145 lives is well known. Local fire regulations in places of employment have reduced the chances of such holocausts occurring again. And Congress has taken one great step forward in the field of fire prevention by its passage of the Fire Research and Safety Act.

All cities and municipalities have adopted codes and ordinances to promote health and safety by maintaining standards of construction for residences and public buildings. The safe construction, installation and maintenance of boilers and pressure vessels is another area where local regulations and enforcement have played an important role. Cities' building and inspection departments regulate and inspect elevators, electrical installations, plumbing, refrigerating, heating, and air conditioning units. They establish requirements for such building service occupations as window cleaning. Furthermore licensing requirements for electricians, stationary and hoisting engineers, boiler elevator operators, etc., also contribute to job safety. City health departments have a primary role in air pollution control and establishing sanitation standards in places of employment.

Since 1962 a continuing policy resolution of the U.S. Conference of Mayors has called on all members cities to conduct regular safety programs for municipal employees—not only to cut the costly toll of accidents and injuries but as "sound municipal management."

But we should be able to do more.

Because of this great local responsibility for worker safety, I urge the Committee to amend Section 17 of the bill before you. The amendment would authorize the Secretary of Labor to make grants "to the states and other public bodies to assist them in identifying their needs and responsibilities in the area of occupational safety and health and to develop plans for" assisting both levels of government in the enforcement of safety and health programs.

Thank you.

Joe Martin's Newspaper Records His Death and Funeral

HON. WILLIAM H. BATES

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. BATES. Mr. Speaker, as we in the Congress continue to honor the memory of our beloved former Speaker Joseph W. Martin, Jr., it is especially appropriate that we quote from the newspaper which he proudly published for many years, the Evening Chronicle of North Attleboro, Mass., Joe's hometown.

The articles, including tributes, printed in the Chronicle concerning Joe Martin's death and funeral contribute much to the permanent record of this great man. I should also note that similar accounts appeared in a second newspaper of which he was publisher, the Sentinel of Franklin, Mass.

Along with picture highlights of his career and numerous other tributes by local area friends, Joe Martin's paper reported the story over 3 days. Pertinent excerpts follow:

[From the North Attleboro (Mass.) Evening Chronicle, Mar. 7, 1968]

FORMER SPEAKER JOE MARTIN DIES—TOWN MOURNS DEATH OF BELOVED FAVORITE SON

Joseph W. Martin Jr., the son of a North Attleboro blacksmith who became a towering figure in American politics, died yesterday in Hollywood, Fla., at the age of 83.

The former House Speaker, whose career in Washington spanned more than 40 years and made him on intimate of countless world figures, was stricken at his vacation retreat in Fort Lauderdale and taken to Hollywood's Memorial Hospital, where he succumbed. He was the publisher of the Sentinel (of Franklin, Mass.) and the North Attleboro Chronicle.

His passing evoked a kaleidoscope of memories for his hometown intimates and for those in public life who sought his counsel and waged the political struggles of the nation's capital with him—or against him—for two generations.

He was a figure of prominence in the nation's highest councils through two wars, a depression, and a half dozen administrations, and at one time was only the proverbial heartbeat away from the presidency.

But his hometown knew him as a quiet, stolid, friendly man whose memory for names, faces, and the problems of his constituents bordered on the mystical.

When he returned home from the political battles of Capitol Hill, he either rested at the family home on Grove St. or held court in the offices of the Evening Chronicle or behind an old-fashioned rolltop desk at the A. T. Parker Insurance Co.

His career in Congress spanned 42 years—from 1924 to 1966—but his life as a public figure began much earlier. Joe was only 24 when, with $1,000 of his own hard-earned money and $9,000 furnished by local businessmen, he purchased the Chronicle and became the nation's youngest publisher.

Even earlier, at 21, he had been a reluctant candidate for the North Attleboro School Committee, absorbing one of his rare political defeats by a scant 35 votes.

And he was already a businessman when he began selling newspapers at the age of six to supplement his family's income.

A good enough ballplayer to receive a scholarship offer from Dartmouth, Joe bypassed college life to continue helping with the support of his family.

A good student in high school, he graduated with high honors at 17 and foreshadowed his newspapering career by accepting a reporter's job.

ELECTED STATE LEGISLATOR

By the time he reached his mid-twenties, he was developing a growing interest in politics, stimulated by his successful management of a friend's candidacy for the legislator. At 27, he decided to take a crack at the legislature himself, and won election by an easy margin. He remained there for three years and served a similar term in the state senate.

After taking five years off from the political wars, Joe accepted the key post of executive secretary of the Republican State Committee, and held the job until he, himself, became a member of congress in 1924.

He served through the administrations of Coolidge and Hoover, survived the Democratic sweep of 1932, and gradually rose in power within GOP ranks. Early in his career, he was named to the House Rules Committee.

By 1936, he had won sufficient respect to be named eastern campaign manager for the presidential election, later becoming assistant to the leader of the House minority.

Joe was regarded as a key figure in the genesis of a Republican resurgence in 1938 when, with the North Attleboro man functioning as chairman of the Republican Congressional Campaign Committee, the GOP doubled its strength in the House. He became Republican leader of the congress in 1939.

From that point on, he became the man to see in the congress—an expert "cloakroom politician" who could settle issues in a quiet, direct way without the flamboyance which characterized the style of many politicians.

BECOMES SPEAKER

By 1946, his preeminence was firmly established, and he became the Speaker of the House. He was to become one of the most beloved and respected figures on the national political scene over a span of 20 more years after he achieved the political pinnacle for the first time, a pinnacle he was to share over the next few years with his friend and colleague, Democrat Sam Rayburn of Texas. He also was chairman of the GOP National Convention five times.

Long regarded as one of the nation's most eligible bachelors, Joe never married, leading a circumspect, abstemious private life whether he was in Washington or at home.

His home on Grove St. bore to the visitor the earmarks of a museum of national history—an archives of mementoes from of nationally and internationally famous personages from all walks of life. He accumulated scores of gavels during his travels, and one, appropriately enough, still maintains order at meetings of the North Attleboro Board of Selectmen.

SCHOOL BEARS NAME

Less than two years ago, a grateful hometown named its new elementary school off Landry Ave. the Joseph W. Martin Jr. Elementary School. No other living person had ever been so honored.

GOVERNOR'S TRIBUTE TO AN OLD FRIEND

Governor John A. Volpe today led state officials in mourning the death of former Speaker of the U S. House of Representatives Joseph W. Martin, Jr.

Governor Volpe said, "Speaker Martin's death is a loss, not only to the people of Massachusetts, but to the entire country. His untiring efforts in the cause of good government will be ever remembered.

"I was most proud," the Governor continued. "to be able to number him among my long-time friends, and his counsel and advice were always welcomed by me as they were by all who were privileged to know him.

"Joe Martin contributed greatly to the welfare of his fellow men and served as an example of one who devoted his life to the service of others."

[From the North Attleboro (Mass.) Evening Chronicle, Mar. 8, 1968]

L. B. J., IKE, AND H. S. T. LAUD JOE—FORMER SPEAKER DIED OF RUPTURED APPENDIX

Presidents Johnson, Eisenhower, and Truman were among the national leaders who paused today to pay homage to the late Congressman Joseph W. Martin Jr., who died Wednesday in Florida.

An autopsy has disclosed that the 83-year-old former House speaker succumbed to peritonitis resulting from a ruptured appendix. His body arrived home last night for Monday's funeral.

* * * * *

Mr. Martin, a congressman for 42 years, collapsed at the Fort Lauderdale home of his nephew, George Kelley. Peritonitis apparently set in quickly, causing a fatal inflammation of the inner organs, according to the medical examiner. Mr. Martin succumbed enroute to the Hollywood, Fla., Memorial Hospital.

The report added that Mr. Martin probably was unaware of the rupture which "is not necessarily painful" in a person of advanced years.

It is expected the town offices will be closed during the funeral. In a special tribute to the veteran legislator, school children will hold special assembly programs Monday. The principals at all schools wil give appropriate talks, and special musical programs will be presented.

The town's school youngsters will send a large floral arrangement and the Joseph W. Martin School building committee will send a second floral piece.

PRESIDENT'S TRIBUTE

President Johnson lauded the former speaker as a statesman "who placed the nation's trust first. For half a century, Joe Martin demonstrated the finest qualities of legislator and statesman," the President said. "Among those of us who knew him well, and worked long hours at his side, he will be missed but affectionately remembered."

"He stood always on the side of the traditional American principles of representative government. Few men have contributed more to their party or their country," was the tribute paid by Ray Bliss, Republican national chairman.

Former President Eisenhower said he had lost "a dear, long-time friend. During my time as president, he was a loyal and efficient associate and valued counselor."

Another former president, Harry S. Truman, said he was "deeply sorry" to hear of Mr. Martin's death and declared that the North Attleboro man "served with distinction" in the congress.

Gov. Volpe led the state officials who mourned the former congressman, who served as both a representative and as a senator at the state level before moving on to Washington.

The governor praised Mr. Martin's "untiring efforts in the cause of good government" and said he will be "ever remembered."

Rep. Leslie C. Arends of Illinois, deputy Republican leader, said the nation owes Mr. Martin "a debt of gratitude for keeping the two-party system alive."

Rep. Carl Albert of Oklahoma, Democratic floor leader, said "few men have known the House as Joe Martin knew it," and Rep. Hale Boggs of Louisiana said Mr. Martin was "devoid of pomp and circumstance."

Senator Edward W. Brooke praised Mr. Martin for his "long and distinguished public service," but said "many will remember Joe Martin as one of the nicest, truest, kindest men imaginable. There will never be another quite like him. His life will remain an inspiration to all of us."

House Speaker John McCormack praised the former speaker as "a great and good man."

STATE HOUSE HONORS EX-SPEAKER JOE MARTIN

The following resolution was offered by Representative Donald Bliss of North Attleboro in the State House on Thursday:

"Resolution on the Death of Joseph W. Martin, Jr., of North Attleborough.

"Whereas, The Massachusetts House of Representatives learns with great sorrow of the death of one of the outstanding citizens in the Commonwealth, former United States Representative Joseph W. Martin, Jr., of North Attleborough, who was a member of Congress from 1924 to 1966; and

"Whereas, His political career dates back to 1911 when he was first elected as a member of this House, and later as a member of the Massachusetts Senate; and

"Whereas, During twenty years of his long and distinguished service in the United States House of Representatives, he was Republican Leader, having been Speaker in 1947–1948 and 1953–1954, as Minority Leader until 1959, in addition to which he served as Chairman of five consecutive Republican National Conventions starting with the one in 1940; and

"Whereas, The memory of Joseph W. Martin Jr. will always recall to mind a hard working man of great amiability and unquestioned integrity, a capable and conscientious legislator who stood as a symbol of unselfish devotion to public service; therefore be it

"Resolved, That the Massachusetts House of Representatives hereby expresses its deep sorrow at the death of Joseph W. Martin, Jr.; and be it further.

"Resolved, That these resolutions be entered into the Journal of the House and an engrossed copy thereof be sent by the Secretary of the Commonwealth to the family of the late Joseph W. Martin, Jr."

PLAN SCHOLARSHIP MEMORIAL FOR "JOE"

The Kiwanis Club announced today that it will create a "Joe Martin Memorial" scholarship fund to honor the memory of the former House speaker who died Wednesday in Florida.

The club, acting with the approval of the Martin Family, is asking that donations be made to the fund in lieu of flowers at Monday's funeral services.

When the campaign is concluded, the funds will be included either in the North Attleboro Scholarship Foundation or will be established as a permanent separate fund in its own name.

HERALD LAUDS GOP'S "GRAND OLD MAN"

The Boston Herald-Traveler in an editorial on the death of former Speaker Joe Martin said:

"In American society, rising from modest beginning to power and fame is not unique. But few men have risen as far and stayed at the top as long as Joseph W. Martin, Jr., whose career was service to that society.

"Son of a North Attleboro blacksmith, Mr. Martin served 42 years in Congress, half of that time as Republican leader of the House. He presided over more GOP national conventions (five) than any other man. As Speaker of the House when Harry Truman was President, the Massachusetts Republican was the proverbial heart-beat away from the Presidency. And some GOP leaders thought of him as a potential nominee for the office.

"While he was recognized as a national leader of great influence and capability, many of his constituents back home in Massachusetts knew him also as a friend they could turn to for aid with small problems as well as great. He was never too busy to help. The people's trust in him was reflected in his 21 successful campaigns for his House seat.

"For many, one of the sharpest memories of Joe Martin is the good grace with which he accepted the end of his public service when it did finally come. He showed no bitterness when a GOP caucus voted to replace him as leader with Rep. Charles A. Halleck in 1959. And in 1966, when Margaret M. Heckler defeated him in the primary, he took it philosophically and was able to quip: 'If I'm the Republican party's Grand Old Man, someone forgot to tell them (the voters).'

"But one election, of course, does not dislodge a title earned by a lifetime of accomplishment. Joseph W. Martin, Jr., dead this week at 83, was in truth and will remain in memory the Grand Old Man of the GOP, as well as a good public servant."

[From the North Attleboro (Mass.) Evening Chronicle, Mar. 11, 1968]

TOWN BIDS FAREWELL TO BELOVED JOE MARTIN—HUNDREDS ATTEND FINAL RITES FOR FORMER SPEAKER

Former Congressman Joseph W. Martin, Jr., was eulogized as "a good Christian and a gentleman to the core" this forenoon as North Attleboro bade farewell to its most famous native son during a requiem Mass at St. Mary's Church.

The words were uttered by the Most Rev. James L. Connolly, DD, bishop of the Fall River Diocese, during a service attended by high state and national figures and Mr. Martin's lifelong friends from North Attleboro.

Hundreds listened solemnly to the bishop's words while hundreds more stood outside the church to share in the valedictory to the 83-year-old former House speaker.

The Bishop linked Mr. Martin with the many statesmen who have served the nation from Massachusetts, declaring that few of them could match his "simple loyalty and devotion" to the cause of public service.

"Joe Martin made friends because he was a friend," the Bishop declared. "Goodness belongs to God, but kindness is certainly the mark of a good Christian and a gentleman to the core. These were the characteristics of this man."

Onlookers stood 10 deep along the church stairways as prominent personalities filed into the sanctuary for the 10 o'clock service.

Among those present were former U.S. Senator Leverett Saltonstall, Attorney General Elliot C. Richardson, Lt. Gov. Francis Sargent, Congresswoman Margaret M. Heckler, who succeeded the former House speaker in Congress; Massachusetts Congressmen William Bates, Hastings Keith, Silvio O. Conte, F. Bradford Morse, and Rhode Island's Robert Tiernan.

Former Atty. General Edward McCormack, Commissioner of Administration Anthony DeFalco, former Congressman Laurence Curtis, State Senator John F. Parker, District Atty. Edmund Dinis, Mrs. Robert Amesbury and Mrs. Georgia Ireland of the Republican State Committee, State Senator John M. Quinlan, Norfolk County Register of Deeds L. Thomas Schine, city and town officials from the Attleboros, Plainville, and other communities; and Judge Edward A. Lee, presiding justice of the Fourth District Court.

A number of former St. Mary's priests attended the service, either as participants or as mourners. Msgr. Robert F. Stanton, a former curate here and now serving at St. Mary's Cathedral in Fall River, was the deacon, and the Rev. Arthur G. Considine, another former curate now serving at St. Mary's Church in South Dartmouth, was subdeacon.

Deacons of honor were the Rev. David O'Brien of Sts. Peter and Paul Church in Fall River and the Rev. Howard A. Waldron, another former local curate now at St. Thomas More Church in Somerset.

Also participating were Msgr. Raymond Considine of the diocesan hierarchy, the Rev. Reginald Barrette, chancellor of the diocese who functioned as master-of-ceremonies; and the Rev. William Blottman, St. Mary's curate who assisted the master-of-ceremonies.

Burial was in Mt. Hope Cemetery.

OVER 1,300 PAY HOMAGE TO LATE JOE MARTIN

Public and private citizens from all walks of life converged on the Sperry-DeBlois Funeral Home during the weekend to pay homage to late former Congressman Joseph W. Martin, Jr.

More than 1,300 persons, including U.S. Senator Edward W. Brooke and several congressional personalities, thronged the funeral home Saturday and Sunday to honor the former House speaker, whose death last Wednesday in Florida ended a career which spanned more than 40 years of eminence in Washington political circles.

Congresswoman Margaret M. Heckler, the only person to defeat Mr. Martin in a congressional election, appeared and paid her final respects, as did, Congressman Robert McClory of Illinois, Senator John F. Parker of Taunton, former Masachusetts Attorney General Clarence Barnes of Mansfield, Jarvis Hunt, former president of the Massachusetts senate; and industrial leaders from throughout the area.

Senator Edward M. Kennedy called the funeral home Sunday night and expressed his regret at his inability to attend today's rites. The Rotary and Kiwanis Clubs sent delegations, and the Elks and VFW conducted rituals at the funeral home.

NATIONALIST CHINESE TRIBUTE

Meanwhile, messages of condolence continued to pour into town from all over the world. One of the messages came from Nationalist Chinese President and Madam Chiang Kai-Chek, who said they were "deeply grieved to learn of the passing of our old friend Speaker Martin. The world will long remember him for his valiant courage and unflinching stand for righteousness and justice.

"His loss is not only to his country but to all freedom-loving people everywhere."

The wire, addressed to Albert L. Martin, the late congressman's brother and editor of the North Attleboro Chronicle, said, "To you and other members of his family, we send our heartfelt condolences."

NEIGHBORING TOWN MESSAGE

The Plainville Board of Selectmen also expressed grief on its part and in behalf of the people of the neighboring community.

" 'Joe,' as his friends and neighbors used to call him, was Mr. North Attleboro and Mr. Integrity to all of us, both young and old, and a model by which to live our own lives.

"As he advanced in the service of his country and of his constituents through the various stages of his political career," the letter said, "his name was passed down from generation to generation as a statesman, a gentleman, and a symbol of honesty and integrity in political office."

He was "a man who throughout his more than three generations of political life never forgot his district, his home town, or his friends and neighbors," the letter said. "Even when he was next in line for the presidency, his friends had no fear, because they knew that, should the occasion arise, and 'Joe' had to assume the highest office in our land, he was qualified, honest, and able to lead our nation."

HERALD NEWS IN TRIBUTE TO "JOE"

The Fall River Herald News in an editorial on the death of Joe Martin said:

"From 1924 to 1966 Joe Martin represented this congressional district in Washington. During that long period of time he rose to one of the highest positions in the nation. He was twice Speaker of the House of Representatives, and for part of the first term of President Harry Truman, he was next in line for the presidency. For 20 years he was the leader of the Republicans in the House, and for all those years he was one of the most powerful men in Washington.

"In spite of these honors, however, Congressman Martin remained throughout his career deeply interested in the problems and concerns of individual members of his constituency. No one approached either 'Joe' Martin or his staff with a problem they did not try to solve. If ever there was a congressman who bore in mind his responsibility to the individuals he represented, it was he.

"The great good will he built up over the years was evident in his successive reelections. It was also evident in the many official honors he received. Throughout his life 'Joe' Martin was loyal to the principles that had served him so well in his own career. Sometimes that loyalty made him the object of gentle satire from his political opponents, but in the long run it won even their liking and respect.

"This city always found 'Joe' Martin responsive to its needs. Over the years, it grew to regard him as a friend as well as a congressman. And it is to an old and good friend that Fall River pays Congressman Joseph W. Martin Jr., former speaker of the national House of Representatives, its last respects. He will be remembered."

Ethics Code a Farce

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. EDWARDS of California. Mr. Speaker, last year, the Dodd and the Powell cases centered our national attention on the always important but too often ignored question of congressional ethics. With all the hue and cry for standards of ethical conduct and the glaring exposure of abuses, those of us who have long urged the adoption of such standards on a regular and legal basis were hopeful for action.

A bipartisan House committee was set up, studies were conducted, recommendations made. Yet for all this, we are no further along than before—loopholes pervade these recommendations just as they do present law on political and campaign expenditures.

The San Jose Mercury, the major newspaper of the growing San Jose, Calif., metropolitan area, has done a public service in analyzing the recommendations of the Committee on Standards of Official Conduct in an editorial in their March 18, 1968, edition. Because of the significance of this question and the perceptiveness of the Mercury analysis. I ask unanimous consent that this editorial be inserted in the CONGRESSIONAL RECORD at this point.

The editorial follows:

ETHICS CODE A FARCE

The Committee on Standards of Official Conduct of the House of Representatives labored mightily for an entire year and last week brought forth an ethical mouse.

The eight-point "code of ethics" produced by the committee is half-hearted in conception and self-defeating in operation. It will do nothing to increase public respect for or confidence in the integrity of the individual members of the House.

The bipartisan committee, headed by Rep. Melvin Price (D–Ill.), simply wasted a year of its time. For example:

The "code of ethics" requires a House member to file a statement of ownership or interests of $5,000 or more in any business "doing a substantial business" with the government or subject to government regulation or from which he received $1,000 or more in income during the preceding year.

The filing requirement would apply to interests held by members of a congressman's family if the congressman "constructively controlled" those interests.

In addition, the House member would have to name any professional body that paid him $1,000 or more for a service and list the source of all income of $5,000 or more tendered for "services."

It sounds morally stern and high-minded, but it doesn't mean a thing in terms of telling the public who is paying a congressman how much for what. For example:

No cash figures need be filed, only the sources of income.

A congressman would be required to list, in a sealed envelope filed with the ethics committee, the amount of his outside income.

The committee, however, could not open the envelope unless seven of its 12 members decided that disclosure was in the public interest.

Committee investigations normally would be undertaken only upon a sworn complaint presented by a member of the House, though a non-member's sworn complaint might be examined by the committee if three or more House members refused to pass the complaint along to the committee.

In other words, the only persons qualified to judge the conduct of the members of the House are the members of the House. The public has no right, in the ethics committee's view, to know who is paying Representatives how much for what, and anybody who wants a complaint examined must be able to scare up at least seven out of 12 votes on the committee—if he can get his complaint to that body at all.

In terms of public disclosure, the committee's recommendations are a farce and an insult to the intelligence of the citizenry. The recommendations are worse than no action at all since they were drawn patently to avoid disclosure—which amounts, after all, to an attempt to deceive, an unethical act in itself.

Requiem for Father Michael J. Quinn of St. Augustine's Church, Brooklyn, N.Y.—Eulogy by Father Francis J. Kelly

HON. HUGH L. CAREY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. CAREY. Mr. Speaker, the residents of Brooklyn were shocked and saddened at the untimely death of Fr. Michael Quinn, pastor of St. Augustine's Church in Park Slope.

Father Mike had served St. Augustine's for more than 25 years and was one of the principal architects of a private, interfaith, and interracial community rehabilitation project that turned ancient brownstone buildings into decent housing for area residents.

At a requiem mass on March 27, Father Francis J. Kelly delivered a memorable eulogy to Father Quinn, and I ask that the full text be printed at this point in the RECORD.

TRIBUTE TO FATHER QUINN

(Eulogy for Father Michael J. Quinn by Father Francis J. Kelly)

This sad and memorable occasion brings us together to mourn the passing from this life of our good and loyal friend, Father Mike. A pilgrim priest has completed his journey through this life and is now with God; just as surely we, one day, will complete our life's journey.

Fifty eight years ago his good father and saintly mother brought him to nearby St. Francis Xavier Church to have the priest baptize him and place him under the protection of St. Michael the Archangel. Last Saturday evening Our Lord called him back to Himself from Whose hand he first came on the earth.

EASY MAN TO KNOW

Father Mike was an easy man to know because he made himself available to every man in matters pertaining to God. He had a tremendous and evident self-respect because he followed closely the teaching of the Master, the Great High Priest whose priesthood he shared with honor all his days.

Jesus said, "I am the good shepherd; I know mine and mine know me, as the Father knows me and I know the Father; and I lay down my life for my sheep" (John 10, 14).

Ever since his incorporation in Christ at Baptism, through his school days, in his brilliant career as one of the top students and football players at St. John's University, during his days in the Seminary of Our Lady of the Angels at Niagara, Father Mike desired only to be one of God's Holy Anointed. With full maturity and an open heart he responded joyfully to the call of Christ which he heard from the lips of our late and lamented Archbishop Thomas E. Molloy.

READ SIGNS OF TIMES

Jesus, through this same Archbishop, conferred the Sacrament of Holy Orders on him June 10, 1933. To develop into the good shepherd he wished to be, he was required to read the signs of the time in the light of the Gospel Message he loved and lived so well that he was a shining light to all who had the good experience of knowing him. During the eight years of his being assistant pastor in three different parishes of our Diocese he went out to instruct the faithful and others not of our faith. He listened, "Other sheep I have that are not of this fold; I must bring them also and they will hear my voice. So there shall be one flock and one shepherd" (John 10, 16).

Father Mike, then in St. Theresa's Richmond Hill was put in charge of the recently formed Confraternity of Christian Doctrine. There was urgent need for proper instruction of Christians willing to listen. A parish census was required. Usually this is a long process taking many months. But the need would not wait. Therefore a new plan had to be created. Father Mike prepared and implemented what is now generally known as the 48-hour census. A census card with full instructions was delivered to each Catholic's door by carefully selected laymen on Tuesday. On Thursday the same laymen picked up the completed card in a sealed envelope and returned it, sealed, to Father. This provided him with a wealth of information about the spiritual condition of the parish.

He formed groups of children, teen-agers, adults, young and advanced married couples, and non-Catholic inquirers. They discussed and learned about Christ's message and how it could enliven them with the Grace of Participation in the very Life of God.

In September, 1941, he was sent by our Bishop into the Confraternity of Christian Doctrine Office, because of his outstanding success in the parishes. Immediately, his capacity to share grace was felt in the entire Diocese. He was a rock of loyalty to the Revealed Principles. He heard Jesus saying "If a man loves me he will keep my word and my Father will love him and we will make our home with him. He who does not love me does not keep my words; and the word that you hear is not mine but the Father's who sent me" (John 14, 24). No compromise with God's word! Yet, love and compassion for every man.

In September, 1962, he was changed from the Confraternity Office by our beloved Archbishop McEntegart to become the pastor of this fine Brooklyn parish of St. Augustine in the very neighborhood where he learned the principles of Christian manhood in his growing years. After 27 long years he was back in parish work which he enjoyed. Many of his long time friends were still here; the stores where he shopped for incidentals were the same; a very familiar place. Upon his arrival he was greeted by old and new friends.

From his first day he made his people welcome. He never stood on formality but was outgoing and genuinely interested in persons. Their concern became his. Many of the pensioners live in furnished rooms on their small income. He opened the facilities of the school to them.

When the terrible tragedy of President Kennedy's assassination occurred he brought his television over to the school and invited them to see the news coverage. Many stayed for the afternoon and evening and enjoyed the lunch he served. He always walked in the streets of the parish, speaking to the people he met.

Because he was a truly devoted man of conviction persons knew him and loved him. If he showed Christ to them he saw Christ in them. Many times and often he visited friends in the hospital when there was no other friend or relative to do so. He sympathized in death with the families left behind. His enduring devotion to our Blessed Mother of God supported him when his great spirit became weary. His dedication to the Most Holy Eucharist showed him clearly the way of Jesus.

HEARD CRY OF POVERTY

Father Mike heard the words of Pope Paul in his "On the Development of People." "Today, people in hunger are making a dramatic appeal to the people blessed with abundance. The Church shudders at the cry and calls on each one to give a loving response in charity to this brother's cry for help."

The cry of poverty and for better housing was raised in this parish. As soon as it was feasible, Father Mike became personally and generously involved in the St. John's Place Project. The project and his work in it are well known and publicized. This genuine pastor followed the Good Shepherd because it was the right thing to do. This rock of Christian wisdom never moved hastily. With intelligence, prudence, prayer, faith and trust in God he moved wisely and well.

Father Michael Quinn, our dear friend, we will miss you. You have been one of the great priests of our time. Pray for us, Father. We shall pray for you. May Almighty God give you eternal rest. And may your soul and the souls of the Faithful departed rest in peace.

Reds Give Blueprint for V

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. DERWINSKI. Mr. Speaker, at a time when debate on foreign policy reaches a confusing stage and many major figures display complete befuddlement, it is refreshing to note clear concise commentary of current events.

I am especially interested to take note of an editorial which appeared in the March edition of Marian Megaphone, the publication of Marian Catholic High School, Chicago Heights, Ill. This thoughtful commentary on communism was written by the publication's staff writer, Jeff Schenck.

REDS GIVE BLUEPRINT FOR V

Peaceful co-existence is a myth. It is a term coined and pushed on the American people to dull their fears in regard to Communist domination. It is clearly evident to those who will look about them that there is an international Communist conspiracy.

Under Lenin, the Communists adopted a three fold plan for world conquest and to this day have followed it through.

1. Take Eastern Europe.
2. Gain control of the mass and masses of Asia.
3. Encircle and infiltrate the United States.

Step number one was completed by 1950 except Greece and the city of Istanbul. Step number two is 80 per cent accomplished.

The liberal element in this country is making step number three more and more of a reality each day. The administrative goal of "building bridges" with Communist nations centers around the possibility of peaceful co-existence. In that case the goal has no basis.

By its very nature, Communism is a threat. Aggression is its constant intent, for the Communist program necessitates rioting, assassination, revolution, wars of liberation, and other chaotic means to cause the breakdown of existing governments.

Today, Communism is infiltrating our government through the liberals who believe peaceful co-existence to be the ultimate answer. These liberals, or leftists, would probably have been the same men who would have appeased Hitler.

The ultimate answer to the ultimate Communist question is world domination. As Lenin said:

"In the end . . . a requiem will be sung over the Soviet Republic or over world capitalism."

One needs only to study history.

Graduate Schools and the Draft

HON. CHARLES McC. MATHIAS, JR.

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. MATHIAS of Maryland. Mr. Speaker, the recent administrative rulings on the draft, combined with the very high level of recent draft calls, have given new urgency to the continuing challenge of reforming the Selective Service System.

In a very thoughtful article in the Baltimore Evening Sun of March 18, Dr. Lincoln Gordon, the distinguished president of the Johns Hopkins University, summarized the tremendous impact of the new directives on the Nation's graduate schools. He noted, for example, that Johns Hopkins may lose up to half of its normal complement of 800 first- and second-year graduate students, a prospect faced by nearly every graduate school in the Nation.

As Dr. Gordon outlined, the forthcoming concentration of draft calls on college graduates results from the combination of two factors the administrative decision not to extend any occupational deferments to graduate students, and the administrative continuation of the present system of drafting the oldest eligible men first. Both of these situations could be changed by executive order within the framework of the present law, but so far the administration has declined to adjust either regulation despite many informed recommendations for reforms.

Dr. Gordon's comments are directly relevant to two provisions in the bill, H.R. 16011, which I introduced in March 18. First, this legislation would permit full-time students in graduate schools to obtain student deferments, on the condition that their total draft liability would be extended after graduation for a corresponding length of time. While this is not a final solution to the graduate-student question, I feel that it is prudent at this time to avoid the decimation of university enrollment which has been predicted under the present rulings.

Second, my bill would remove the prohibition against use of a lottery or other random selection system, a prohibition inserted in the law last year. By repealing this prohibition, H.R. 16011 would expand the range of alternatives open to the President, and would remove one statutory clause which the administration has cited as a barrier to reforming induction priorities and procedures.

I trust that every Member of Congress will give serious attention to the questions which have been raised by Dr. Gordon and many other leading educators. In my judgment, we cannot afford to risk undermining our higher educational system and disrupting the education and training of the young men whose talents we may need most during the years ahead.

The article follows:

[From the Baltimore Evening Sun, Mar. 18, 1968]

THE GRADUATE SCHOOLS AND THE DRAFT

(By Lincoln Gordon, president, the Johns Hopkins University)

The combined effect of the amendments to the draft law adopted by Congress last June and the administrative decisions announced in mid-February will be to concentrate the draft almost entirely, beginning this summer, on new holders of graduate degrees, present first-year graduate students, and present college seniors. Unless remedial action is taken promptly, male enrollments in first and second-year post-graduate and professional courses, except for medicine and dentistry, may be cut by as much as 50 percent.

The results would be vastly damaging to the universities. They would reverse years of effort to build up the flow of highly trained manpower to levels which are still short of national needs. They would remove a large number of teaching assistants essential to undergraduate programs at a time when undergraduate enrollment is rising from 8 to 10 percent a year. They would constitute a grossly unfair discrimination against one segment of our young male population.

It is no wonder that university authorities all over the country are deeply worried about this prospect. On March 5, Congresswoman Edith Green, chairman of a special subcommittee on education, read into the *Congressional Record* messages from 65 universities. Many set forth in detail the anticipated losses in graduate enrollments and teaching assistants, with crippling effects on educational programs and school finances. Others emphasize the uncertainties of the present situation, which leaves both students and schools in hopeless confusion in their efforts to plan rationally for graduate admissions, assignment of fellowships, and the manning of courses. College presidents are normally cautious in their choice of words and given to understatement, but these messages speak of "serious damage," "major impact," "incalculable loss," "disastrous consequences," "critical shortages" and even "potential national disaster."

At Johns Hopkins, we foresee the possibility of losing next year up to half of our normal complement of 800 first and second-year graduate students in arts and sciences, and over half in our School of Advanced International Studies in Washington. Teaching by graduate assistants is concentrated in the group most likely to be lost, so that we face a major problem in manning laboratory sciences and language courses for undergraduates. Our plight is neither worse nor better than that of the other few dozen universities, private and state, to whom the nation looks for the preparation of our future scientists and engineers, lawyers and business leaders, teachers and scholars, diplomats and administrators.

The reason for this crisis is an administrative anomaly for which there is no visible excuse. The crisis is *not* created by the ending of automatic deferments for graduate students. That was decided by Congress last June, and university administrators as a group support that decision. The crisis comes from the fact that along with the lifting of graduate deferments. The Administration is maintaining the old and unwise rule of drafting the oldest eligible age group (25-year olds) first; then the 24-year olds, and so on down until the numbers are enough to meet the draft calls.

At present, the average draft age is between 20 and 21, but this results from the large number of older men deferred on account of graduate studies or specialized occupations. Unless the policy is changed, there will be a brusque reversal of the situation in June. Instead of there being no graduate students, the men drafted will be almost all recent, actual or potential graduate students. This is both unfair and harmful to the national interest.

Every responsible body which has reviewed the Selective Service System in recent years has strongly advised a change in the "oldest-first" draft policy. The Burke Marshall Commission; last year's panel chaired by Gen. Mark Clark; the Department of Defense, and the House Armed Services Committee have all been in agreement on this point. And President Johnson, in his message of March 6, 1967, stated that he would issue an executive order to change this rule, Yet, for reasons not made clear, the obvious opportunity to do this last month was passed by.

It would manifestly be unfair to shift simply to a "youngest-first" policy, even though this would best meet the needs of the armed services. Like most of my fellow university presidents, I would prefer some form of national lottery treating all young men alike, but permitting them to postpone induction until they finish whatever phase of their education (high school, college, or graduate degree) they are engaged in when called. I also see great merit in a system of truly universal national service. Either of these reforms would require new legislation, and it would be foolish to expect this from a Congress preoccupied with election-year pressures.

But there are two remedies open for executive action *within the present law.* One would be to treat all newly eligible men, including new college graduates and graduate students ending their first year, *as if* they were 19, and then calling up equal proportions of these men and the actual 19-year olds. The other would be to instruct the draft boards to draw in equal proportions from each of the seven age groups within their pools. This type of action was specifically endorsed by the House Armed Services Committee last year. It would also be enormously helpful to defer the actual induction of draftees who have once been admitted to graduate studies until they have completed a full academic year, so as to avoid pulling them out in mid-term. Measures of this type would cut the drop in graduate enrollments to about one sixth, instead of one half—still a serious loss, but one which could be reasonably accommodated especially because it would enable universities to plan adequately for one full year of academic operation.

Some editorial comment has suggested that a possible reason for the failure to take such remedial action is a feeling among some members of Congress that graduate students as a group have been evading their fair share of military service and should therefore now be "punished" as a group. If this feeling does exist—and there is some basis for the charge of evasion in recent years—it surely makes no sense to "punish" the next generation of graduate students for the omissions of their older brothers.

The cost of inaction will be a blow to college as well as graduate education, and a gap in the flow of talented manpower which will take many years to overcome.

What Christian Young People Should Do To Fight Communism

HON. HAROLD R. COLLIER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. COLLIER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include a sermon recently preached by John C. Gann, one of my constituents.

Mr. Gann's message, which was entitled "What Christian Young People Should Do To Fight Communism," was given on Youth Sunday, February 25, to the congregation of the First Baptist Church of Park Ridge, Ill. I believe my colleagues will derive inspiration from this sermon by a 17-year-old, which follows:

WHAT CHRISTIAN YOUNG PEOPLE SHOULD DO TO FIGHT COMMUNISM

The struggle between Communism and Christianity is a conflict in basic philosophies of life. It is hard to visualize that a Christian could be a true Communist or a true Communist a Christian. The two do not mix. By saying that you are both would imply that you are either an unorthodox Christian, or an unorthodox Communist. There is a great gap between Christianity and Communism, and it is impossible to make a compromise between the two. It should be a fight to the finish against Communism; ideally not between two nations or people, nor between two lines of soldiers, but between two systems of ideas or philosophies of life. The Communist philosophy of life is built upon the ancient foundations of materialism. Materialism explains everything in terms of matter and motion. This was first thought of by Karl Marx and had no place for God. Marx and Engels formed a philosophy of materialism that Communist countries thrive on today. Communism started as a system of ideas and philosophies. Later it became the center of faith, action, and organization seeking social reform through violence. Today it is the ideological brain center of one of the most dangerous revolutionary movements in history. Marx and his many disciples built, upon the foundations of materialism, a gigantic knowledge center with answers to every question known to man. They decreed religion as a stupid, unscientific, and idealistic superstition. A very important thing to remember about Marx and his followers is that they were revolutionists before they were philosophers.

One thing is certain and that is that Communism is no new foe of Christianity. The Christian faith challenges the materialistic foundation of Communism and does so not only to protect the philosophical idealism but more deeply in the vital belief of the reality of God. Both Communism and Christianity believe in morality and in obeying rules. But there is one great difference. The Christian does not put his faith in the party, but only in his obedience to God. Under Communism God is merely a figment of the imagination. Communism also feels that man, unaided by any divine power, can save himself and usher in a new society. It provides no place for God or Christ. Communism exploits the dreadful philosophy that the end justifies the means. Lying, violence, murder and torture are considered to be justifiable means. The words of Nikolai Lenin will prove that this is not an unfair claim. "We must be ready to employ trickery, deceit, lawbreaking, and withholding and concealing the truth." On the opposite side of the fence, Christianity has no ends to justify means. Communism attributes ultimate value to the state. A person born under Communism is born for the state and the state only. His only rights are those given to him by the state. This runs a person's freedom pretty thin. The biggest fault of Communism is that it robs man of that quality that makes him a man. He is not free. The so called classless society of Marx now contains a party, a small middle class and a large peasant population.

We are Christians because we dedicate our lives to Christ. The Communists recognize their commitment to a cause which they believe will create a better world. They have a sense of purpose and destiny and work passionately and assiduously to win others to Communistic control. How many Christians are as concerned to win others to God? For so many Christians, Christianity is strictly a Sunday only activity. It could be that Communism is alive today because we have not been true Christians long enough. A kind of revolutionary commitment to Christ today is our best defense against Communism. The idea of Communism can only be defeated, but not destroyed for good. When we do defeat Communism however, we must use our Christian love to persuade the other people to follow God. Atomic bombs and guns are not the answer. But we must as true Christians be ready to defend the principle of our religion. We have a deep belief that when all the bombs and bullets fail, we have the fact that you can never underestimate the power of the spirit and the greatness of the truth before God.

At this exact moment that I talk to you, some of the 500,000 soldiers in Viet Nam are being killed. The purpose of our commitment is to help the Southeast Asian people to be liberated from Communism and let them have a fair chance at democracy. As a young Christian, I am very much affected by the war in Viet Nam. We are not fighting people. We are fighting an idea. It is understandable that an American soldier would have no true hate for the enemy since they have never harmed him. The reactions change though when you are confronted either to kill or be killed yourself. There should be no protesting or demonstrations about this war. Whether moral or immoral, justified or unjustified, the fact remains there is a war and we as Christians must look at what we should do about it. The spread of Communism could be very fatal to Christianity and if the Communists are not stopped in Viet Nam, they will have to be stopped somewhere else, hopefully not at our back door. It is evident that peace talks will prove futile because the differences between the two ideas are too great. The structure of Communism as a whole is to get whatever you want and use any means available to get it. It is the idea of Communism, not the people that must be stopped. In Matthew 26:31, Jesus said to his disciples on the Mount of Olives, "I will strike the shepherd and the sheep of the flock will scatter." A person who refuses to fight for his country is not only refusing his government but also the all powerful God. There are no real moral or justified wars. History has proven that any previous war could have been stopped at numerous crucial points along the way. Communism must be dealt with a firm policy so we have no repetition of the dictatorship of Germany during World War II. As the strongest *free* nation, we have no stronger opponent. The final thing to remember is that as much as you can sit down and criticize the administration, the government and foreign policy, this war started actually as an end result of World War II and the Korean War. We are fighting a war now, today. Have we been strong enough in our commitment to Christ? We must realize that although we are fighting a dirty, bloody war in a small country, in reality we are fighting the biggest detriment to Christianity and its people.

Boyd Puts on Bad Show for Public

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. LEGGETT. Mr. Speaker, one really expects the Department of Transportation should endeavor to give leadership and a balanced program to meet the needs of a growing nation. When the Secretary fails to realize his role, such expectations are in vain.

For the information of my colleagues, I am inserting at this point in the RECORD an editorial from the March 21 edition of the McClatchy newspapers which criticizes Transportation Secretary Alan Boyd for his "biased" position in favor of the railroads' antipassenger campaign.

BOYD PUTS ON BAD SHOW FOR PUBLIC

U.S. Secretary of Transportation Alan S. Boyd has taken a position so biased in favor of the railroads' antipassenger campaign he has reduced his usefulness as chief official guardian of the nation's transportation needs.

In an interview with The Bee Boyd failed utterly as the champion of a balanced transportation mix for the nation. Few assertions on transportation have been more defeatist than that of Boyd in declaring most of the nation's passenger trains will be extinct before any major revival occurs.

He virtually lined up with the Southern Pacific Co. and the Western Pacific Railroad Co. Both roads have petitioned the Interstate Commerce Commission to allow discontinuance of their passenger runs between the bay area and Chicago. Boyd said he sees little prospect of the survival of passenger service on runs of more than 500 miles.

Particularly disappointing was Boyd's remarks about Congress, even though he said he bowed before the sovereign rights of Congress. He was explaining that Congress, not the executive branch, should establish the criteria for the long-range goals of railroad service.

Yet the law created by Congress and establishing the department he runs delegates to Boyd the obligation "to provide general leadership in the identification and solution of transportation problems." He has failed, here, to give this "general leadership."

Indeed Boyd seems to be trying to foreclose the "sovereign right of Congress." He said it would be unrealistic to demand that railroads continue passenger service in the face of heavy losses.

Rep. John E. Moss of the 3rd, Sacramento, District pointed out the railroads are enjoying huge profits and it was never meant for them to demand a profit in every division of their operations.

Boyd foresees the possibility of the ultimate revival of rail passenger travel when faster trains are developed. It will be vastly more difficult to put such trains in operation, however, if passenger service is allowed to lapse.

Intellectual Excitement at Taxpayer's Expense

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. RARICK. Mr. Speaker, some of the pseudointellectuals are so satisfied with their socialism-through-education movement in the United States that they now pursue foreign minds at taxpayer's expense.

It is bad enough for mother and dad to pay for the brainwashing of our own children—but for the U.S. Information Agency to come out with a sheet called Dialogue in order to confuse the foreigners' minds exceeds the qualities of mercy.

Mr. Speaker, I include in the Record Howard Taubman's column from the March 29 New York Times, as follows:

An Attempt at Dialog: New Quarterly of USIA Is Aimed at Attracting Intellectuals Overseas

(By Howard Taubman)

It is cheering to discover that our Government, even in these troubled times on the international scene, can still confuse well- and ill-wishers abroad in the most delightful way. What are they to think of the new quarterly called Dialogue, prepared under the guidance of the United States Information Agency in Washington, which is being distributed by air and surface mail to readers in all parts of the world? Here is a magazine whose first issue has a lead article by, of all people, John Kenneth Galbraith, the Harvard economist and former United States Ambassador to India. Surely many foreign readers are aware that Mr. Galbraith, as president of Americans for Democratic Action, has been blasting the policies of the Johnson Administration.

It happens that Mr. Galbraith's article deals with the problems of the developing nations. He discusses three models that might be used in a search for solutions—a sub-Sahara African, a Latin American and a South Asian.

His ideas on these themes do not touch on the domestic embroilments that divide the country and the Democratic party to which belong Mr. Galbraith and the President whose Administration is publishing and distributing Dialogue. Nevertheless, a cynic might think that Mr. Galbraith would hardly be chosen to appear in a Government-sponsored publication.

LOWELL ARTICLE PLANNED

If Mr. Galbraith is a surprise, there are others to come. According to Nathan Glick, editor of Dialogue, the next issue will include an article by Robert Lowell. The poet will be writing about his friend and fellow-poet, the late Randall Jarrell. Nevertheless, it cannot be forgotten that in 1965 Mr. Lowell publicly rejected a White House invitation as a protest against the war in Vietnam, and lately he has been stumping for Senator Eugene J. McCarthy of Minnesota.

"Nobody," says Mr. Glick, "is bothering me. I have encountered less censorship in editing Dialogue than you do on the New York Times."

I don't know of any on The New York Times. Mr. Glick is thus a fortunate editor, indeed. One can only hope that some of the reactionaries in Congress will not hear of this freedom of expression.

The first issue of Dialogue is an impressive effort. It carries out the aim Leonard Marks, the director of the U.S.I.A., set for it—to be a publication that will appeal to intellectuals in other countries. It hopes to speak, as the introductory page puts it, to "those readers who have a compelling interest in ideas, social problems, literature and art," hoping to "avoid facile popularization and irrelevant scholarship and to punish articles that link special knowledge to wider cultural influences or pressing human needs."

In his opening statement of purpose Mr. Glick goes on to say that "we welcome controversy and variety of styles and approaches." Dialogue expects, he asserts, that there will be disagreement among readers, writers and editors, but, he adds, "we hope to provide stimulation, provoke dissent and (at least occasionally) elicit enthusiasm."

Mr. Glick, who was born and educated in New York (Townsend Harris High School and City College), has been with the U.S.I.A. for almost 20 years, serving as an editor and writer. He wants Dialogue to reflect for people in other lands a sense of the intellectual excitement of the United States.

FERMENT ON CAMPUS

One of the major themes of the first issue is the ferment in the American university. The lead article in this special section, "The New Involvement With Society," was specially written by Clark Kerr, who should know, in view of his experience as chancellor of the University of California in a turbulent time.

Not every place in Dialogue was specially written for it. There is a wealth of material to be garnered from other publications, and for the first issue Daniel Bell's "The Year 2000" came from Daedalus, Kenneth Clark's "Negro Youth's Search for Identity" from Ebony, Irving Howe's "Henry James' Return to America" from his introduction to a new edition of James' "The American Scene," Robert Coles' "The Limits of Psychiatry" from The Progressive, Eric Hoffer's "Man, Plans and Creativity" from Think, Robert Mazzocco's study of Elizabeth Bishop, the poet, from The New York Review of Books, James R. Mellow's "The Legend of Jackson Pollock" from The New Leader and George Plimpton's interview with William Styron from The New York Times Book Review.

Among the freshly written articles are Isa Kapp's on David Levine, the caricaturist, Richard Kostelanetz' on Marshall McLuhan and Alan Downer's on the American theater.

Dialogue has been published in English and Spanish, and a French version is being considered. The response from readers? It is too soon to know, but it will be well worth watching.

Martin Luther King: Master of Deceit

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. ASHBROOK. Mr. Speaker, Martin Luther King is now doing to himself what many of us have been trying in vain to do for some years. He is finally removing his mask. There has never been any doubt in my mind that he is a master of deceit. On October 4, 1967, in a lengthy extension of remarks, I outlined the credibility gap between the man, his legend, and his performance. How he has duped so many people, particularly the liberal clergymen who flock behind him, is still a mystery but like most demagogs he is finally becoming the architect of his own undoing.

In his Memphis riot he again showed his familiar pattern. He exhorts others to civil disobedience and then tries to evade the blame himself when the logical result of his disobedience follows: rioting. He exhorted children to leave their classrooms and join in his march. Having set a pattern of illegal conduct himself in the past, it came as no surprise when his nonviolent followers turned violent. Reverend King has the false notion that you can encourage lawlessness while at the same time limiting it. Lawlessness is lawlessness; once you start on this course you must expect the consequences.

Reverend King again removed his mask after the bloody Memphis riots of last week. He tried to exonerate the criminal conduct of his followers by telling the press that "riots are part of the ugly atmosphere of our society now." One of his associates even referred to the Memphis riots as "moderate violence." With his tacit approval we can expect this same phenomenon when he marches on Washington later this month and establishes his shanty town settlement.

MOST NOTORIOUS LIAR

Mr. Speaker, last year I outlined the various statements of Reverend King which more than gave credibility to the charge by J. Edgar Hoover that he was the Nation's "most notorious liar." I am heartily in accord with the FBI Chief who is in an excellent position to know just how true this statement is. Take several of his recent statements—just a few in the long line of deceitful utterances he has made while masking his true intentions and self. While extolling the late Negro Communist W. E. B. DuBois, Reverend King said:

> "We can't talk of Dr. DuBois without recognizing that he was a radical all of his life. Some people would like to ignore the fact that he was a Communist in his later years. It is worth noting that Abraham Lincoln warmly welcomed the support of Karl Marx during the Civil War and corresponded with him freely.

The Communist press obviously played up this statement by their hero, Reverend King, so I checked it out to see if his credibility was in true form. I received the following from the Library of Congress:

Alleged Correspondence Between Lincoln and Karl Marx

Following the reelection of Abraham Lincoln in 1864, the Central Council of the International Workingmen's Association sent a congratulatory address to Lincoln. Carl Sandburg, in *The War Years*, volume 3, page 579, refers to this address as the work of Karl Marx. It was forwarded through Charles Francis Adams, the United States Minister in London, and on January 31, 1865, its receipt by Lincoln was acknowledged by Adams.

> *The Collected Works of Abraham Lincoln* (New Brunswick, Rutgers University Press, 1955) does not include or refer to any letter written by Lincoln to Marx.

This shows just about how close Mr. King usually comes to the truth. Where is the record of the warm welcome of support of Karl Marx, Reverend King? Where is the record, as you put it, that Lincoln freely corresponded with Marx during the Civil War?

Of course, Mr. King was trying to make a point and the facts do not usually worry him when this is the case. He was talking about a Communist at a function sponsored by Communists and attended by Communists. He was endeavoring to show that Lincoln did not consider Marx an anathema and he, the great civil rights leader, did not consider modern communism as a bugaboo either. As he concluded:

> It is time to cease muting the fact that Dr. DuBois was a genius and chose to be a Communist. Our irrational obsessive anti-Communism has led us into too many quagmires. . . .

Reverend King has found himself in the same quicksand while trying to whip up mob passions during the past few months. He has been conjuring up a whole series of things which will happen to American Negroes if his demands are not met. Of course, his demands call for substantially socializing and bankrupting the Nation but that is of no concern to him and he has never expressed anything but narrow concern for America.

The ultraliberal Washington Post in a feature story on February 11, 1968, written by staff writer Robert C. Maynard, noted:

> To group after group, he has drawn the scenario of what the end of the road of ghetto violence could be. "I see a barbed wire fence around the ghettos. I see us in concentration camps. That," he says, "will be the end of the America we know now. It will be a rightwing takeover, a sort of fascist state."

Washington Post Staff Writer Paul W. Valentine in a late column noted:

> Two weeks ago, the Rev. Martin Luther King Jr. joined the growing chorus of Negro spokesmen who publicly fear some form of concentration camps as a possible part of white response to Negro violence.

The Nation's most notorious liar is now fanning fear and hatred by telling Negro audiences that concentration camps are being constructed to house them. Then he piously dons his public mask and tells the church audiences that he is fearful that we might have even more violence this summer.

Mr. Speaker, the record is very clear. Everything I stated last October about this man is being borne out in different ways every week. We are undoubtedly headed for more violence in this country. Memphis indicates that Reverend King, his mask removed, is now showing his true self for the whole Nation to see. The only question remains is this: will America and the Negro community in particular summarily reject his demagogic leadership or will they continue to be brainwashed by the liberal news media which allows him to wear his mask with impunity. He has taken it off with proper news reporting, he would never be able to put it back on again.

Report of Neil McElroy, President of Procter & Gamble Co.

HON. JOHN A. BLATNIK

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. BLATNIK. Mr. Speaker, the enormous challenge of cleaning up our Nation's waters cannot be handled by any particular group. It calls for an all-out cooperative venture by civic, industrial and governmental forces at all levels.

A recent example of the cooperative effort of industry in fighting water pollution is outlined by the able chairman of Procter & Gamble, Mr. Neil McElroy.

Since his superb message is of interest to all of us, I include it for all of us to share:

REPORT BY NEIL MCELROY, CHAIRMAN OF THE BOARD, THE PROCTER & GAMBLE CO., ANNUAL MEETING OF SHAREHOLDERS, OCTOBER 10, 1967

A whole group of important problems are engendered by the increasing urbanization of our country's population. They will require the best thinking and action not only of business but of all facets of our society. Today, in the balance of these remarks, we want to report to you on your Company's actions in one of these public problem areas where the urgency of the problem is accentuated by the increasing concentration of our population in cities.

We refer to the growing concern about the quality of our water and air resources—the increasing recognition that more must be done to protect these resources for present and future generations. While this is to varying degrees a public issue in all the other countries where we operate, our comments today will be restricted for the most part to the United States.

Pollution is, of course, largely a "people problem." As new millions of people join our population each year and the urban concentration trend continues—with no increase in our water and air resources—it requires immense efforts even to hold pollution at present levels. If the United States is to effect the improvements in water and air quality that are clearly desirable—and be able to maintain these advances in the face of steady population growth—there will have to be a national commitment to reasonable, achievable quality goals and a massive cooperative effort by the private and public sectors of the economy.

This cooperative attack on the pollution problem is justifiable and sound because a composite of individuals, governmental units and business and industry is responsible for the problem and, thus, should share in the search for solutions.

As you know, there has been a lot of new local, state, and Federal legislation on pollution control during the past several years. We believe that these laws for the most part are fair, realistic and effective. They evolved from a democratic process of hearings and discussions, and business and industry have been welcome participants.

The more stringent water and air quality standards established as a result of the legislation generally take into account the public benefits to be obtained in relation to the costs involved. Our view is that this is the only reasonable way to justify the huge expenditures required for waste treatment—whether they be governmental or private funds—because the total costs will be borne by all Americans in the long run.

Now we want to talk specifically about some of our Company's efforts in pollution abatement. In so doing, however, we want to emphasize that we do not view Procter & Gamble's policies and actions as unusual. Most companies are as concerned as we about the pollution problem and are steadily moving ahead with effective abatement programs. Also, as we discuss the Company's activities, we will have some suggestions as to the relative responsibilities of industry and government in carrying the attack against pollution.

Our overall attitude as to our corporate responsibility is that we must continue to work to eliminate any pollutants which could be detrimental to the environment in which we operate.

We recognize that pollution control operating expense is a legitimate and necessary cost of doing business, a part of our operating budget along with wages and salaries, raw materials, utilities, taxes and transportation.

Illustrative of our long concern for effective pollution control is the fact that in 1946 we established a group of specialists within the Company to devote full time to these matters. The group itself has expanded over the years and, moreover, regularly supplements its own efforts by employing as consultants many outstanding authorities in the pollution control field.

Members of this Environmental Control group—and many others in our technical divisions and plants—have served as leaders in public activity to advance the state of abatement technology and to promote workable, constructive and reasonable laws and regulations. As a specific current example, the manager of our Environmental Control group is now serving on a special advisory committee on water pollution to the Department of Interior.

No new manufacturing installation is approved—whether a new plant or a plant expansion—until we have made proper provision for waste treatment facilities. Most of our older plants are located in large metropolitan areas where recent urban growth has lent a new urgency to more effective treatment of manufacturing discharges. Thus, we have been and are spending large sums each year to bring our older plants up to the control standards that today's situation demands.

For many years, we have been installing in our plants equipment of the most advanced technology to rigorously combat dust and odor emissions for the protection of our own employees as well as community neighbors. Procter & Gamble engineers have developed methods for measuring odor emissions which were valuable technical contributions to the odor control field and are now accepted nationally as standard methods.

At many of our plants, treatment of liquid wastes involves a cooperative effort with other industry and the local municipal government in what is known as "joint treatment." Industrial and domestic wastes are treated in a central plant owned and operated by the municipality, and we and other industrial participants pay charges which represent our fair share of both the capital and operating costs of the community's treatment plant. "Joint treatment" is a concept which Procter & Gamble people have been successfully encouraging around the country for about 15 years, and many of our executives and other employees have served actively in campaigns to obtain voter approval of bond issues for municipal treatment plants.

The Company's dollar investments for pollution control have been large and are growing. Looking ahead, we conservatively estimate that during the next five years our capital expenditures in this country for pollution control at existing and new plants will amount to more than $25 millions. By 1972 our spending just for maintaining and operating pollution control facilities will be in the range of $4 millions annually.

Because these sums are so large, it is mandatory that we make the best feasible use of technical knowledge and be as ingenious as we possibly can to obtain maximum amount of pollution reduction for each dollar and man-hour expended. Costs versus public benefits must be our constant guide.

A considerable body of scientific knowledge exists as a basis for much of the pollution control work immediately ahead of us (and of the country as a whole), but today's waste treatment technology is nowhere near the needed level of efficiency. Still higher degrees of treatment will become necessary during the next decade or so because of population growth and man's expanding needs and demands for clean air and water.

To us, it now seems imperative that industry and government accelerate research efforts—separately and jointly—to open up new scientific frontiers in the waste treatment field. Companies such as Procter & Gamble must work on their own and in cooperation with industry associations to develop research programs directed against problems associated with specific types of manufacturing. We are already doing this in our own research laboratories and via such organizations as the Soap and Detergent Association, Manufacturing Chemists Association, and the National Council for Stream Improvement.

An excellent example of the effectiveness of a total industry approach to a specific pollution problem is seen in the research program of our Company and other Soap and Detergent Association members on a "foaming" problem in streams, which was attributed to one of the ingredients in synthetic detergents. This research effort produced an effective and acceptable substitute ingredient, suppliers built new plants to manufacture it, and the detergent industry switched over to the new ingredient—all of this at a total cost estimated in excess of $150 millions.

As one looks at tomorrow's probable waste treatment requirements, it is clear that a great deal of research support by the Federal government will be necessary—whether in government laboratories or by way of Federal grants to educational institutions and industry associations.

There is another aspect of the pollution problem which has been discussed but not yet acted upon at the Federal level. This is the matter of appropriate tax incentives for industries which install pollution control facilities. Many states and municipalities have already taken steps in this direction. In view of the tremendous capital investments—with no profit benefit—some form of Federal tax assistance seems very much in order. We are pleased to note that the Congress is giving consideration to this possibility.

Now, to summarize briefly: Pollution is a serious problem—one which both the private and public sectors of our economy are responsible for and must therefore work together to solve.

We are confident that American industry will continue to act responsibly to reduce that portion of the problem which can be attributed to industry, and we know that Procter & Gamble will continue to participate fully in this endeavor.

Government at all levels should encourage the industrial effort by establishing reasonable, achievable goals of water and air quality and by administering laws and regulations with fairness and understanding. Governmental bodies should also move positively against the non-industrial sources of pollution—including household wastes—and all of us as individual citizens should support this activity.

Moreover, it seems necessary that the Federal government take two immediate steps to stimulate and financially support pollution control: There is first a clear need for Federal tax assistance for companies which make large, non-productive investments in control facilities. Also, the Federal government should provide financial support for accelerated research to develop more efficient waste treatment techniques.

By continuing to move ahead in the United States on a broadly based, cooperative effort in which each segment of our society carries its proper share, we will be assuring ourselves of the kind of water and air quality that we all will want and need in coming years.

President Johnson's Announcement

HON. GRAHAM PURCELL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. PURCELL. Mr. Speaker, I am sure that most Americans were shocked by the President's announcement last night that he will neither seek nor accept the nomination of his party for another term as President.

It will be some time before we are fully able to comprehend the implications of this announcement.

Last night I sent the President the following telegram:

MARCH 31, 1968.

Hon. LYNDON B. JOHNSON,
President,
The White House,
Washington, D.C.:

Your courageous and forthright statement tonight is indicative of the loyal and dedicated service you have given to your Nation and the world for all your adult life. I sincerely hope that your decision not to seek reelection is not as final as it sounded tonight. No man has made personal sacrifices more meaningful to the cause of peace, at tremendous cost to himself, than you have made during the time you have given your entire being to your service as President. God bless you, Mr. President. I join the large majority of Americans in offering you my full support.

GRAHAM PURCELL,
U.S. Congressman,
13th Congressional District, Texas.

Mr. Speaker, I want to take this opportunity to affirm the sentiment I expressed in that message. Certainly no man deserves a rest from the duties of high office more than our President. No man is more deserving of our praise, support, and compassion at this time. A man can only bear such monumental strains as the Presidency imposes for a limited time.

President Lyndon Johnson showed the world last night the fallacy of the criticism which has been leveled at him for so many months. At great personal sacrifice, with only regard for world peace and the unity of his nation, he sacrificed his own political career on the altar of statesmanship. He proved himself a totally different person than the critics who have sought his destruction would have had us believe him to be. While many of his critics have ruthlessly sought their own political gain without regard to the consequences to our own Nation and the world, our President has rightly set himself above such partisan battles. I know it was a sad day for a man who has worked all his life to achieve this highest position of service to mankind.

I do not claim to be as competent a judge of events today as President Johnson. It is my own belief that he could continue to serve as President and succeed in rallying the American people to support his sound solutions to both our foreign and domestic crises. However much I may hope that our President changes his mind about seeking reelection, and I sincerely hope that he does, I will honor his decision because I respect his judgment and his ability.

I have disagreed with the President on occasions. I have never considered myself a "rubberstamp" for this or any other administration. However, I could not agree more with all the President had to say in his remarks last night except in those final moments when he chose not to stand for reelection.

Mr. Speaker, it is time for the Congress, as I have said before in recent days, to face up to our responsibilities for the fiscal welfare of our Nation. We cannot blame the President or any one else if we fail to deal realistically with the budget deficit and with our serious balance-of-payments problem. However unpopular election year action to straighten out our present economic mess may be, we will be derelict if we fail to act and act promptly.

On the subject of Vietnam, I think there can be no real question about the purpose, intent, and justice of the policy of our Government. We have gone more than the second mile in an effort to gain a prompt and meaningful settlement to this conflict. President Johnson certainly deserves the full support of the Congress and of the American people in his present efforts. I urge my colleagues and all Americans to follow the example of the President and place the national interest above personal and partisan interest. I for one will have no more patience, and it has been wearing thin for a long time, with the purveyors of disunity and discord in our Nation. This is a time in our history when all Americans should get in harness with our President and pull together.

Compensation for Civilian American Citizens and Prisoners of War Interned by the Enemy During the Vietnam War

HON. ED REINECKE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. REINECKE. Mr. Speaker, today I am introducing legislation which will provide, under certain circumstances, compensation for the hardships endured by American civilians and military personnel who are imprisoned by the North Vietnamese. We have firmly espoused the principle of extending to Vietnam veterans the same benefits provided veterans of the previous wars. Mainly because of the action of this and the 89th Congresses, a grateful Nation no longer excludes Vietnam veterans from education benefits and various types of medical and monetary assistance provided for World War II and Korean war veterans.

However, our duty is not completely performed. Prisoners of war, and also civilian captives, imprisoned by the enemy in Vietnam, are still not eligible for imprisonment compensation provided for Americans so imprisoned during the last two wars.

My bill eliminates this inequity, and amends section 5 of the War Claims Act of 1948 so that Americans interned by the enemy in Vietnam since December 1, 1961, will receive compensation as did those citizens and fighting men held captive by the enemy during the last two wars.

Prisoners of war—that is, members of the U.S. Armed Forces—as distinguished from imprisoned civilians, would be eligible to receive $3 per day of imprisonment. Whether their imprisonment is compensable depends on whether the enemy violates the Geneva Convention which defines standards of humane imprisonment. And, I regret to say, all indications are that the imprisonment of American captives does not meet the Geneva standards.

Each veteran would receive $1.50 for each day of captivity during which his captors fail to provide adequate nourishment. In addition, he would receive the same amount for each day during which his captors subject him to forced labor, or subject him to other inhumane treatment as such treatment is determined by the Geneva Convention. As we must sadly acknowledge, far from adhering to the Geneva standards, Ho Chi Minh does not even allow the Red Cross to inspect the confinement conditions.

Interned American civilians would receive $75 for each month of captivity. In event of the civilian's death, his survivors would receive the compensation.

The statute of limitations is 3 years. It begins to run at the time of the prisoner's return to American jurisdiction.

Veterans receiving imprisonment compensation would be eligible, in addition, for compensation for any disability incurred during imprisonment or any other time during their service.

Compensation for imprisonment by the enemy is entirely consonant with that provided for other sacrifices necessitated by war. The spirit which motivates a grateful nation to compensate injuries incurred during war calls for compensation for infractions of imprisonment standards prescribed by the civilized world. The citizenry as a whole should help bear part of imprisonment sacrifice, just as it helps to bear the burden of disabled veterans. The captive subjected to uncivilized treatment endures hardship for the cause of our freedom, just as does the wounded soldier.

You've Got a Right—Part 4

HON. CHARLES McC. MATHIAS, JR.

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. MATHIAS of Maryland. Mr. Speaker, I include in the RECORD today the fourth script in the series, "You've Got a Right," presented by Group W, the Westinghouse Broadcasting Co., and shown in Baltimore by WJZ–TV on February 8. This program focused on the fourth amendment protection against illegal search and seizure:

[Group W—Westinghouse Broadcasting Co.]

YOU'VE GOT A RIGHT

The Fourth Amendment (Illegal Search and Seizure)

(Produced by Robert Lewis Shayon; written by William N. Robson; Directed by Henry Behar)

PART 4

Cast

Director: Alexander Scourby.

Actor 1 (James Otis, Supreme Court Justice Frankfurter, Officer): Robert Milli.

Actor 3 (William Pitt, A. L. Kearns): Addison Powell.

Actor 4 (Ohio Supreme Court Justice Taft, Officer Delau): Michael Baseleon.

Actor 5 (Lower Court Judge Lybarger, Berkman, Second Officer, Cicero): Richard Kilbride.

Actor 6 (Officer Haney): John Harkins.

Actor 7 (Ohio Court Appeals Judge, Supreme Court Justice Clark, Officer): Conrad Jameson.

Actor 8 (Dollree Mapp): Gloria Foster.

Actor 9 (Mrs. Mahon, Ohio Prosecuting Attorney): Vicki Vola.

Prologue

DIRECTOR. "A man's house is his castle." It's an ancient principle. Hammurabi made it law for the people of Babylon, and Moses for his people wandering in the wilderness. And two thousand years later, the great orator, Cicero, was reminding the Roman Senate. . . .

(Cicero (Actor 5), clad in a toga, appears.)

CICERO (Actor 5). What is more inviolable, what better defended by religion than the house of a citizen? This place of refuge is so sacred to all men that to be dragged from thence is unlawful.

DIRECTOR. The principle, survived in England where, by the middle of the Eighteenth Century, William Pitt was declaring to Parliament—

(William Pitt (Actor 3) addressing an imaginary Parliament.)

WILLIAM PITT (Actor 3). The poorest man may, in his cottage, bid defiance to all the forces of the Crown . . . it may be frail; its roof may shake; the wind may blow through it; the storm may enter; but the King of England may not enter: all his force does not cross the threshold of the ruined tenement.

DIRECTOR. And in the American Colonies in 1761 James Otis, a flame of fire, denounces the infamous writs of assistance.

(James Otis (Actor 1), periwigged and clad in the satin coat and breeches of a colonial gentleman, addresses an imaginary tribunal.)

OTIS (Actor 1). If the King of Great Britain in person at the head of twenty thousand men were encamped on Boston Common, he would not be able to execute these laws. One of the most essential branches of English liberty is the freedom of one's house. "A man's house is his castle."

(Dollree Mapp (Actor 8) observing Otis.)

MAPP (Actor 8). Maybe so in merry Old England. But it didn't work that way for me in Cleveland, Ohio. Seems like nothing could keep the Cleveland police from busting into a person's home anytime they take a mind to. My name is Dollree Mapp and my home wasn't a strong enough castle on May 23rd, 1957. That was the day the police broke in and found dirty books and filthy pictures that belonged to a tenant of mine. Only the cops said they belonged to me, and they arrested me. I don't know about your house being a castle. Mine sure wasn't.

DIRECTOR. Good, that's the end of the tableau . . . We're a repertory company—nine actors rehearsing freedom. More specifically, the Bill of Rights—the first ten amendments to the Constitution. We're working on the Fourth, which guarantees among other things, that "the right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures shall not be violated." We play many roles. Occasionally we wear costumes. Sometimes we suggest our settings. But always, the trappings of production are incidental to the argument, and argument you will find in this rehearsal. If you don't agree, speak up. "You've Got a Right". . . .

ANNOUNCER. Group W, Westinghouse Broadcasting Company, in association with the New York University School of Law, presents "You've Got a Right", a series of programs dedicated to the proposition that "a frequent recurrence to fundamental principles is absolutely necessary to secure the blessings of liberty." This program examines the principles embraced by the Fourth Amendment. . . .

In a moment Act I.

Act I

DIRECTOR. Ohio vs Mapp, later to become Mapp vs Ohio, began here in the Court of Common Pleas. County of Cuyahoga, State of Ohio, in 1957, much more was on trial than Mrs. Mapp. The principle of the right of privacy was on trial, the simple axiom . . . that a man's house is his castle. Dick, you're playing the Judge, the Honorable Donald F. Lybarger, Court of Common Pleas, County of Cuyahoga, State of Ohio.

(Lybarger (Actor 5) waves his hand in acknowledgement and slips into judge's gown as he mounts the bench.)

Then there are the arresting officers, Michael Haney and Carl Delau. That'll be you John and Mike.

(Haney (Actor 6) and Delau (Actor 4) nod. They put on cop's hat and a Sam Browne belt with gun and holster.)

Dollree Mapp is present.

And we have our lady lawyer. Gertrude Bauer Mahon, Assistant Prosecuting Attorney, Cuyahoga County. All right, begin.

(Mrs. Mahon (Actor 9) walks to the witness chair. When she reaches it, Patrolman Haney is in it.)

MRS. MAHON (Actor 9). Now, Officer Haney, will you tell the court in your own words what happened on the afternoon of May 23rd, last year?

HANEY (Actor 6). On that particular day we had received information from a confidential source that there was a person hiding out at Mrs. Mapp's home who was wanted for questioning in connection with a recent bombing, and that there was a large amount of policy paraphernalia being hidden there. Upon our arrival at the address, we rang the bell at the side of the house.

DIRECTOR. O.K., let's act out what actually happened at Mrs. Mapp's house.

ACTRESS 8. Wait a minute . . . what do you mean the way it actually happened. You mean the way Officer Haney says it happened.

DIRECTOR. Haney's on the stand, let's play it according to his testimony.

ACTRESS 8. O.K. That's better.

(Haney and Delau to exterior of house, Mapp to interior, looks out window.)

MAPP (Actor 8). What do you want?

HANEY. (Actor 6). We would like to come in and talk to you.

MAPP (Actor 8). I'll have to call my attorney, Mr. Green, and see if he thinks I should let you in.

DIRECTOR. A few minutes later, according to Haney's testimony, Mrs. Mapp came back. She informed the officers that her attorney advised against admitting them without a search warrant. They left, and an hour and a half later, Haney said, they came back.

HANEY (Actor 6). We brought the search warrant. We've gotta look around.

(Mapp admits Haney and Delau, they start searching, Haney finds four books in dresser.)

Mapp (Actor 8). Help yourself.

Haney (Actor 6). You take the closet.

Mapp (Actor 8). Better not look at those, they might excite you.

(Haney looks at books.)

Haney (Actor 6). This is obscene.

Mapp (Actor 8). Oh come off it.

Delau (Actor 4). That's not all, I found four separate groups of vulgar pictures in the room.

Mapp (Actor 8). This is ridiculous.

Haney (Actor 6). We're taking this to headquarters and you're coming with us.

Mapp (Actor 8). This is what you came here to find? Ha, ha—

Director. O.K. . . . that's what actually happened at Mrs. Mapp's house according to officer Haney's testimony.

Haney (Actor 6). Right!

Director. And on the stand Haney further testified . . . that the officers took the evidence and conveyed Mrs. Mapp to central police station house and then a magistrate issued a warrant for her arrest. For violating Ohio Revised Code Section 290.34.

(He reads from the book in his hand.)

"No person shall knowingly have in his possession or under his control an obscene, lewd or lascivious book, magazine, picture or film. Whoever violates this section shall be fined not less than two thousand dollars or be imprisoned not less than one or more than seven years . . . or both."

Actor 7. Well—there's no problem here. The officers produced a warrant they found evidence that was admissible "it's an open and shut case."

Actor 3. Just a minute, that conclusion is based on Officer Haney's testimony. What about Mrs. Mapp's testimony?

Director. We're going to get to that in a minute.

Actor 3. Why? Can't we get to it now . . . when we can compare them both for Connie's sake.

Director. Why not . . . let's do Mrs. Mapp's version . . . for Connie's sake. (Pause) O.K. you're A. L. Kearns, Mrs. Mapp's counsel . . . Mrs. Mapp to the stand.

Kearns (Actor 3). Now, Mrs. Mapp, when you would not let the officers in without a warrant they left, right?

Mapp (Actor 8). Right!

Kearns (Actor 3). Then what happened?

Mapp (Actor 8). Around four-thirty in the afternoon, they came back. Lots of them. All kinds of police cars started arriving up and down the street.

Director. Hold it.

Kearns (Actor 3). I've just started.

Director. I know. When Haney was on the stand he started to testify and then we acted it out. Now let's be fair. Mrs. Mapp has started to testify. Let's act out her testimony.

Kearns (Actor 3). Fair enough. "I've Got A Right."

Announcer. In a moment we will return to "You've Got a Right" and Act 2 of Mapp vs Ohio, an examination of the Fourth Amendment.

Act II

(Five cops, Actors 6, 4, 5, 7, 1, are crowding around door, one of them bangs on it. Another breaks glass with gun butt. Before he can reach through to open it, Mrs. Mapp does so.)

Director. O.K., play it.

(Interior of Mapp's House.)

Mapp (Actor 8). You got no right breakin' in like that .

Delau (Actor 4). We got a search warrant this time.

Mapp (Actor 8). Search warrant don't give you no right to bust in my door.

Delau (Actor 4). Then y'ought answer it when somebody knocks.

Mapp (Actor 8). Let me see that warrant.

(Delau waves a piece of paper in front of her face.)

Delau (Actor 4). Here it is.

(She reaches for it. He pulls it back, teasing her.)

Mapp (Actor 8). My lawyer says I got to see it before I let you in.

Delau (Actor 4). You're lookin' at it.

Mapp (Actor 8). He said I got to read it.

(She grabs the paper from the policeman, who lunges after it.)

Delau (Actor 4). Gimme that back.

(Mrs. Mapp stuffs the paper into her bosom.)

Mapp (Actor 8). Not until I get a chance to read it.

(Delau is taken aback. Second cop grins, challenging him.)

Second Cop (Actor 5). What are you going to do now?

Delau (Actor 4). I'm going down after it.

(He moves toward Mrs. Mapp.)

Mapp (Actor 8). Oh no, you're not.

Delau (Actor 4). Oh yes, I am.

(Mrs. Mapp fights him off.)

Grab her arms.

(Second Cop pins her arms behind her.)

Mapp (Actor 8). Get your hands off me.

Delau (Actor 4). Shut up!

(He yanks the warrant from her bosom.)

Mapp (Actor 8). Let me go, you. . . .

Delau (Actor 4). I said shut up!

(Second Cop slaps a hand cuff on her right wrist, holding on to the other end.)

Mapp (Actor 8). You got no right to do this . . . You got no right.

Second Cop (Actor 5). Shut up!

(Second cop pulls her up short as he snaps the free end of her handcuffs to the bed post. Mrs. Mapp lands abruptly on the bed in a sitting position . . . Two other officers (Actors 1 and 7) searching room . . . Mrs. Mapp takes this all in with mounting fury. . . . Officer Haney shoulders into room carrying paper shopping bag, pulls a couple of paperback books from bag shows them to Delau.)

Haney (Actor 6). Hey, Carl look what I found!

(A dirty leer spreads over Delau's face. He lets out a low whistle.)

Mapp (Actor 8). Better not look at that stuff, it might embarass you.

(Haney turns to her and thrusts the books under her nose.)

Haney (Actor 6). Does this stuff belong to you?

Mapp (Actor 8). Not me. I don't mess around with filth. That junk belongs to a boarder. Used to rent this room. He left in a hurry, so I put all his stuff into a box in the basement. That where you found it?

Haney (Actor 6). Never mind where I found it, it was in your possession and you knew it was there.

Director. Good. That's very good.

Actor 1. Clear cut violation of the Fourth Amendment.

Actor 3. On more than one count. Don't forget the search warrant.

Actor 4. What about it?

Actor 3. Article Four says "No warrants shall issue but upon probable cause, supported by oath or affirmation and particularly describing the place to be searched and the persons or things to be seized."

Actress 9. But those police had a warrant.

Actor 3. Did they?

Actress 9. Why, certainly. I saw it.

Actor 1. Maybe that piece of paper Mrs. Mapp tried to tuck into her dress was a phony.

Actor 3. Could be. At any rate, there isn't a word of testimony which indicates what it said, or who issued it, or where it is now.

Actress 9. Warrant or not, there's still that Ohio law that says "no person shall knowingly have in his possession——

Actress 8. Those dirty books weren't in Mrs. Mapp's possession.

Actress 9. But I——

Actress 8. They were in a paper sack in the basement.

Actress 9. Let me finish . . . "knowingly have in his possession, or under his control . . ." You can't say the obscene material wasn't under her control. After all, it was her home.

Actor 1. In her home or not, that's not the issue—The police acted outrageously. There must be a law.

Actor 4. There is . . . Section 2905.94 of the Ohio Criminal Code . . .

Judge (Actor 5). . . . which statute provides for a maximum penalty of seven years in the state reformitory. The jury having found the defendant guilty as charged, it is now my duty to sentence her to the Ohio Women's Reformatory for the maximum length of time the law permits.

Director. Kearns takes the case to the Ohio Court of Appeals . . . He argues that the Section of the law under which Mrs. Mapp was indicted, tried, convicted and sentenced, deprived her of her rights guaranteed by Article I of the Constitution of the State of Ohio.

Actor 1. What are those rights?

Director. Listen!

Kearns (Actor 3). Section 1, the right to freedom and protection of property. Section 9, no cruel or unusual punishment. Section 14, the right to be secure from search and seizure.

Director. Kearns also will attempt to prove to the Court of Appeals. . . .

(Sound of gavel interrupts him. Judge (Actor 7) on his bench.)

Judge (Actor 7). Appeal denied. (He strikes gavel.) The Ohio Court of Appeals finds no error at the trial prejudicial to the rights of the defendant. The question of punishment is within the exclusive jurisdiction of the trial court. The judgment of the Court of Common Pleas is therefore affirmed.

Mapp (Actor 8). Seven years. Seven years in prison. For what?

Kearns (Actor 3). We'll go higher. We'll go to the State Supreme Court.

Mapp (Actor 8). (Smiles ruefully) Don't you know when you're beat?

Actor 7. Hey. Wait a minute. The Fourteenth Amendment! That's it. Base your appeal to the state Supreme Court on the Fourteenth Amendment, denial of due process of law . . . Addison, listen, "No state shall deprive any person of life, liberty, etc., etc. without due process of law."

Actor 3. Kearns can't do that.

Actor 7. Why not. What's wrong with the Fourteenth.

Actor 3. Not a thing. The trouble is Wolf versus Colorado.

Actor 7. Colorado I know. But who's Wolf?

Director. Wolf vs Colorado, a famous supreme court case involving evidence obtained without a warrant. The decision was given by Mr. Justice Frankfurter.

(Justice Frankfurter (Actor 1) on S.C. Bench.)

Frankfurter (Actor 1). We hold that in a prosecution in a State Court for a State crime, the Fourteenth Amendment does not forbid the admission of evidence obtained by unreasonable search and seizure.

Actor 7. I see what you mean . . . what can Kearns do then?

Actor 3. Repeat, repeat, repeat. Insist that she was denied her rights under the Ohio Constitution. The State Supreme Court has got to listen to him.

Director. The State Supreme Court does listen. It is March 23rd, 1960. Chief Justice Kingsley A. Taft concludes the majority opinion of the Ohio Supreme Court in the case of Ohio vs Mapp.

Taft (Actor 4). The Section of the revised code upon which the defendant's conviction was based is constitutionally invalid and for that reason, the judgment of the Court of Appeals should be reversed.

Taft's Voice. However . . .

Taft (Actor 4). The Constitution of Ohio reads in part, "no law shall be held unconstitutional and void by the Supreme Court without the concurrence of at least all but one of the judges. Since more than one of the judges of this court are of the opinion that no portion of the statue upon which defendant's conviction was based is unconstitutional and void, the judgment of the Court of Appeals must be affirmed."

Mapp (Actor 8). I don't get it—didn't the man say the majority of the court was on my side.

Kearns (Actor 3). Mrs. Mapp, the majority was on your side—4 out of 7 voted in your favor. But in Ohio to make a law unconstitutional you got to have 6 out of 7.

Mapp (Actor 8). That figures—there's always an angle.

Kearns (Actor 3). Look . . . you don't understand, we're on our way, 4 out of 7 voted to set you free. We're not stopping here.

Mapp (Actor 8). That's for sure. I'm stopping at the Ohio Reformatory for Women for the next seven years.

Kearns (Actor 3). No, we're going to the top.

Mapp (Actor 8). We just been.

Kearns (Actor 3). We're going to appeal to the United States Supreme Court.

Mapp (Actor 8). There are no angles in the U.S. Supreme Court.

Announcer (off camera). In a moment we will return to "You've Got a Right" and Act 3 of "Mapp vs Ohio", an examination of the Fourth Amendment.

Act III

Director. March 29th, 1961. The United States Supreme Court, A. L. Kearns, attorney for Dollree Mapp, arguing her case.

Kearns (Actor 3). The conduct of the police in this case portrays a shocking disregard for human right. Dollree Mapp committed no crime. She was not in possession and control of the articles belonging to the roomer Jones. No person who happens to have possession merely could have been intended by the legislature to have imposed on them a seven year sentence. Such a sentence provided by a statute, makes not only the statute unconstitutional, but the punishment excessive.

Director. Gertrude Bauer Mahon, assistant prosecuting attorney, Cayahoga County, arguing the case for the State of Ohio.

(Mrs. Mahon addressing Supreme Court.)

Mahon (Actor 9). It is not incumbent upon the state to offer a search warrant into the evidence. And it is admitted that such a search warrant was not secured. The constitutional guarantee against unreasonable searches and seizures was never meant to prevent the administration of criminal justice, for that would be the end result if criminal evidence such as uncovered in the instant case is not competent and admissible. Without it, the case could not be proven.

Actor 1. Which is exactly the point. Without that illegally obtained evidence—the state could not have convicted Mrs. Mapp.

Actor 4. Nevertheless, Mrs. Mahon's argument is a tough one to answer. Do we want criminals using the Constitution as a shield to hide behind?

Actor 8. So what? What if occasionally a criminal does just that and gets away with it? It's a price we ought to be willing to pay to guarantee to every man the right to fair treatment by the police.

Actor 6 (pointing off). Who's that coming up to bat now?

Director. The Amicus Curiae.

Actor 6. That what?

Director. Friend of the court.

Actor 6. And just what is a friend of the court?

Director. A person or an organization invited by the court to present arguments which may help the Justices to become more fully informed on the issues involved in the case before them. In this instance, the friend of the court is the American Civil Liberties Union represented by Bernard A Berkman.

(Berkman addressing the Supreme Court)

Berkman (Actor 5). This case presents the issue of whether evidence obtained in an illegal search can constitutionally be used in a State Criminal proceeding. We are aware of the view that this court has taken on this issue in Wolf versus Colorado. It is our purpose to respectfully request that this Court re-examine this issue and conclude that the ordered liberty concept guaranteed to persons by the due process clause of the Fourteenth Amendment necessarily requires that evidence illegally obtained in violation thereof not be admissible in state criminal proceedings.

Actress 8. Wow! That took a lot of nerve—asking the Supreme Court of the United States to admit it's wrong and change its mind.

Actor 4. Wait a minute. The Amicus Curiae argues against Wolf—but Kearns doesn't. Why? Is there some law that says he hasn't got a right to ask the Supreme Court to reverse itself?

Director. Not at all. He has that right. Kearns was perfectly free to argue against Wolf—but he chose not to. It was entirely a matter of counsel's judgment.

Actress 8. O.K. So what's his reasoning in avoiding Wolf?

Director. Simply this. He doesn't want to weaken or risk losing his client's case by introducing a point that the Supreme Court has already rejected in Wolf.

Actor 4. What point?

Director. Namely that the Fourth Amendment—Search and Seizure applies to the individual states as well as the Federal Government. He chooses instead to argue that the Ohio Law under which Mrs. Mapp was convicted is unconstitutional because it inflicts cruel and unusual punishment.

Actor 1. And if the Civil Liberties Union introduces Wolf—that doesn't endanger Mrs. Mapp's case?

Director. Precisely. It can afford to take a much broader view of the issue. The Civil Liberties Union continues to hammer away at Wolf—insisting that the time has come to reverse it. That's what friends of the court are for.

Actor 6. I'm not so sure it's such a good thing. If the court reverses itself on Wolf, if it excludes illegally obtained evidence from the state courts, it will become almost impossible for the police to do their job.

Actress 8. Oh, come off it. Why shouldn't the police be constitutional? Everyone else is expected to be. The police officer is sworn to protect the rights of the citizen. How can he do this if he himself is permitted to violate one of a citizen's most basic rights in the name of law and order?

Director. A very good question. Justice Cardozo once observed that this doctrine of excluded evidence may sometimes mean that the criminal is to go free because the constable blundered. Yet if he does go free, it is the law that sets him free.

(He turns to Cicero, Pitt and Otis.)

What think you, gentlemen of history, you the Roman Cicero, the English William Pitt, and you, the American James Otis?

Cicero (Actor 5). The road that runs from Rome to Washington should be marked by the same ancient way-sign: The house of a citizen must always be sacred.

Pitt (Actor 3). Absolutely. As for Kings—so for domocracy's officers—their power in every period must pause at the door of the poor man's threshold.

Otis (Actor 1). We shall see now—in your century—whether a man's house is still his castle.

Director. Yes, we shall see. Monday is traditionally Decision Day when the United States Supreme Court is sitting—and it was on Monday, June 19, 1961, that the Court handed down its decision on Mapp vs Ohio: Mr. Justice Clark delivering the majority opinion.

Justice Clark (Actor 7). We hold that all evidence obtained by searches and seizures in violation of the Constitution is, by the same authority, inadmissible in a State Union represented by Bernard A. Berkman. Court. The judgment of the Supreme Court of Ohio is reversed, and the case returned to the State Court for action not inconsistent with this opinion.

Director. And not only is the judgment of the Supreme Court of Ohio reversed, but the Supreme Court of the United States has reversed itself on Wolf vs. Colorado. The Fourth Amendment of the Bill of Rights is now enforceable upon the states!

(He turns to trio.)

Otis (Actor 1). No search and seizure without sufficient warrant—a precious freedom.

Pitt (Actor 3). Precious yes—but not perfect.

Cicero (Actor 5). Freedom must ever be wooed, and fought over, argued about and carefully cared for. . . .

Director. As it is, you must admit—even in this brave new world.

Announcer. In a moment—the epilogue to You've Got A Right—Mapp vs. Ohio.

Epilogue

Actor 4. And, as they say on the late show, did Mrs. Mapp beat the rap?

Actress 8. Did she? With an order like that from the man. What do you think?

(She throws Mrs. Mapp a mock dirty look.)

Actor 6. I know this is a great thing for the rights of a man and all that, but I still can't help thinking that this decision is going to make it all the harder for a cop to do his job.

Actor 7. (singing). Oh take one consideration with another, a policeman's lot is not a happy one.

Actor 6. No, I'm serious. All over the country, there's a growing lack of respect for the police.

Actor 1. No wonder, if they act the way those Cleveland cops did out at Mrs. Mapp's house.

Actress 9. John's got a point though. How are the police ever going to conduct investigations if they have to get a search warrant issued by a magistrate every time they want to. . .

Actor 3. The FBI always gets a search warrant before investigating suspected premises . . . and they've never complained that this constitutional safeguard interfered with their work.

Actor 4. Look—Kearns brings Mapp vs. Ohio to the Supreme Court, arguing that the Ohio statute is unconstitutional—yet the Supreme Court doesn't rule on that issue. Instead it decided on Wolf v. Colorado—which is about whether or not the 4th Amendment applies to the states.

Actor 5. But the two cases are connected. Remember, Kearns said he could have chosen to base his case on Wolf, but he didn't.

Actor 4. And the Supreme Court could have chosen to stick to Mapp vs. Ohio, but they brought in Wolf. They decided one case by reversing another.

Actress 8. There are no angles in the Supreme Court?

(They all laugh and continue talking.)

Director. And so it goes. Nine actors rehearsing freedom. "Liberty," said a famous judge, "lies in the hearts of men and women. When it dies there, no law can save it."

Announcer. Group W, Westinghouse Broadcasting Co., in association with the New York University School of Law, has presented "You've Got A Right," a program on the 4th amendment. "You've Got A Right" is a series of programs dramatizing the origins and contemporary significance of the Bill of Rights the first ten Amendments to the Constitution.

Nixon Calls for a New Role for the United States in World Affairs

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. FULTON of Pennsylvania. Mr. Speaker, I call to the attention of my colleagues a very significant address by Richard Nixon which all should consider:

THE DEBATES OF 1968: A TEST FOR AMERICA

(By Richard M. Nixon)

Never before in the history of Presidential campaigns have four weeks been more unpredictable, or in a political sense more exciting, than those we have just experienced. All the signs indicate that this year's campaign will be one of the historic political battles of our time. But the question lingers: will this battle move America forward or backward?

At its worst, this campaign could be seriously destructive of the great goals we seek. At its best, it can make a great contribution not only to better understanding of the issues, but also to the charting of a new direction for the nation as we enter this final third of the twentieth century.

This promises to be a year of great debates—both within the two parties, and between the parties.

These debates will be a test of our political system—a test of the nation's ability to deal rationally with the harsh problems of a distant war; a test of our capacity to move from violence to reconciliation in our cities; a test of the mood and spirit of the nation, and of our capacity as a people to rise above the tensions and distractions of a deeply troubled time.

The questions facing us this year are difficult—far more difficult than those that ordinarily constitute the "issues" in a political campaign, precisely because they are so much more fundamental. Both abroad and at home, we are confronted by far-reaching questions of the balance of power, the distribution of power, the exercise of power and the limits of power. Both abroad and at home, we face the wrenching readjustments of a time of rapid transition.

Never has the United States been in more trouble in more places than it is today—in Europe, in Latin America, in the Middle East, in Southeast Asia, and in the cauldrons of our cities here at home.

Never have we more needed an intelligent, rational and dispassionate discussion of the great issues. And yet seldom has debate been more raucous and more irresponsible.

Senator Kennedy accuses his fellow Democrat, President Johnson, of "calling upon the darker impulses of the American spirit." The President and his supporters too often respond in kind by savage attacks on the motives of his critics.

The Great Society is becoming a bitter society—bitter in its mood, bitter in its frustration, bitter in the sense of foreboding that poisons the atmosphere of discussion.

We need a new unity—but not a unity which discourages dissent. We need a unity within which a diversity of view and expression is welcomed. True unity can only be hammered out on the anvil of free debate, and the sparks from that debate are what today must light the fires of hope. We need dissent—but we need a creative dissent, one that contributes to the dialogue and to the fund of fresh ideas from which practical approaches can be drawn.

What we need is not less debate or more debate, but to improve the quality of our debate. For the decisions facing us cut to the heart of our structure as a society and our purpose as a nation.

The future of peace and freedom in the world depends on the manner in which the United States meets its responsibilities—and also on the way in which those responsibilities are defined and shared.

One of America's strengths has always been its abiding streak of idealism. But unless we temper this idealism with realism, it can prove our undoing. We must be idealists about the goals we seek, but realists about the means of reaching those goals. We must be realists about what is necessary, and also about the limits of the possible—about the extent to which our resources can be stretched, and about what our power can accomplish.

We have come to a time when America must reappraise—in a most searching measured and fundamental way—its role and its responsibilities in the world, and the resources which we and which other nations can bring to the meeting of those responsibilities.

We need to fashion a new diplomacy which can readjust the balances within the free world, as well as those between the free and the communist worlds.

Economically, diplomatically, militarily, the time has come to insist that others must assume the responsibilities which are rightly theirs. We must do our full share, both in maintaining order and in helping the have-not nations onto their feet. But the free world can no more base its security and prosperity on a system of permanent welfarism abroad than the security and prosperity of our own cities can be based on permanent welfarism here at home.

Since World War II, the United States has moved into a new and unfamiliar position—often an uncomfortable position—of power and of responsibility. We have inherited by default the role of the world's chief keeper of peace and guardian of freedom. This is a role we did not ask; it is one history thrust upon us. But our not asking it makes it no less ours.

However, conditions have changed since we first assumed that role. The other nations of the West have grown in strength. Japan has moved into the first rank of industrial powers. All around the rim of China the nations of non-Communist Asia are building a new prosperity and developing a new cohesiveness, which together suggest that they should be able to play far more assertive roles in their own defense.

The Soviet drive for strategic supremacy—which the Soviets already have very nearly achieved, while the United States has passively watched—is deeply troubling and seriously threatening. No longer is it possible for the thinly stretched power of the United States to play the decisive role that it has in many crises in the past. Even where it can be deployed, it is not backed today by the nuclear superiority which in the past has made it credible.

The United States has been able to keep the peace since World War II, as far as another world war is concerned, because we have had an overwhelming balance of power in our favor.

But we have let that balance slip, and with it we have seen an erosion of our ability to keep the peace in the world.

This has profound implications not only for the United States, but for the rest of the free world.

For one thing, it means that what has always been an elusive goal must now be made a reality: the other nations of the world must begin, and quickly, to pick up a greater share of the burden of the common defense.

To insist that others share more fully in the responsibililites of defining and maintaining the conditions of peace is not a retreat into a new isolation. Rather, it recognizes that today there are new realities of power. It recognizes, to put it very bluntly, that even if the United States had the will, it no longer has the capacity to do all that needs to be done. If the other nations of the free world want to remain free, then they must rise in their own defense. They can no longer afford the luxury of relying on American power.

We must, then, do three things. We must move quickly and persuasively to enlist the other nations of the free world more fully in the tasks which must be done. During this critical time of transition, we must continue to bear the burdens which are inescapably ours until a new system of stability can be constructed. At the same time, we must restore at least a part of the strategic advantage that we once held—not because we want power, but because in the world as it is we need power if we are to be secure.

Viet Nam has been a deeply troubling lesson in the limits of U.S. power. But it is not enough simply to lament those limits, or to criticize the commitment, or to wish that history had dealt differently with that tormented part of the world.

The crucial point is that we must confront the reality of the world as it is, even as we press toward the goal of what we want it to become.

The war itself is the latest and the grimmest battlefield in a larger, continuing struggle. This struggle is in part between the United States and the Soviet Union, and between the United States and Communist China, but more fundamentally between those nations that want stability and those that want instability; between those that want order, and those that want disorder; between those that want peace, and those that seek domination.

As we approach the day of nuclear parity between the United States and the Soviet Union, we approach the moment of truth in the relations between East and West. What strategists called the "Cuban power environment" no longer exists. In 1962, at the time of the Cuban missile crisis, the balance of strategic power made it possible for President Kennedy to deliver a fully credible threat of nuclear retaliation. The balance was then sufficiently in our favor so that the Soviet ability to destroy the United States with an inferior missile force was doubtful, while the capacity of U.S. bombers and missiles to destroy the Soviet Union was certain. In these circumstances, the President was able to face down the Soviet leaders, and to force them to withdraw their offensive missiles from Cuba. But the United States no longer has such a decisive power advantage.

Nor do we command either the allegiance or the respect that were ours in the world at large only a few short years ago. No longer do our words receive the hearing they once enjoyed. Those who once *followed* the United States now *observe* the United States.

The world has lost much of its respect for our power. When we possessed an overwhelming strategic superiority, as well as mobile forces that could be dispatched to world trouble-spots both quickly and safely, without leaving other frontiers unguarded, then we had to be listened to.

Our ideals no longer communicate the fire, the passion and the promise that they did only a few short years ago. The passion we have been demonstrating lately is the passion that tears a society apart rather than the passion that builds unity and hope.

The world has lost its confidence in our dollar. It has lost its faith in our purposes, its respect for our judgment, its trust in our word.

If we delay our reappraisal of the U.S. role; if we delay moves to establish a new structure of security adequate to the age; if we delay these until the war in Viet Nam has ended and the dust settled, then we will have delayed too long. Viet Nam must be the last agony of the old order, because there is question whether the old order could sustain another.

Both abroad and at home, the dominant trend of the middle third of the 20th century was toward the concentration of responsibility. What we need now is a dispersal of responsibility.

Abroad, a world that in the early thirties had many centers of power developed in the years after World War II into one dominated by the two superpowers and divided into two great blocs.

The fact that recent years have seen a growing polycentrism in the communist world and a fracturing of the Western alliance signals a major crack in the essential bi-polarity of this division. But it has not altered the fundamental fact of a continuing confrontation between communist ambition and Western resistance.

However, the growing strength of the nations of Western Europe, of Japan, and of other nations now emerging into a new prosperity does indicate the capicity of the noncommunist world to move toward a dispersal of responsibility that accords with the new distribution of power.

Here at home this last third of a century has been a time of rapid accumulation of federal power. I do not maintain that big government is necessarily bad government, or that federal power necessarily limits personal freedom. But the problems facing our country today simply cannot be handled by the federal government alone. The complexity of our national life today requires a dispersal of power here at home that accords with the diversity of our society and the variety of its needs.

Devising the most effective ways of achieving this is one of the central tasks of our time.

I am not suggesting that we should be trying to undo what has been done, that we should turn back the clock or renounce the great progress that has been achieved.

I am suggesting, rather, that we have reached a point at which we need a new direction. This is a cause in which liberals and conservatives increasingly are finding common ground. The old New Deal was born in response to despair and desperation. We now need a new vision that embraces the hopes of an age of opportunity.

America has been learning the lessons of reality the hard way, but also the best way—by trial and error, by pursuing hopes and confronting disappointments. We are learning better what government can do, and what it cannot.

We already have learned a great deal about our society—its strengths and its shortcomings. The explosion of bitterness in the Negro ghetto has driven home a dramatic lesson that there are many whom this society has tragically failed. But if it has shown this, it also has shown that the old approaches—the government charities that feed the stomach and starve the soul—have also failed.

The American opportunity is neither a black nor a white opportunity—but if we are to make our nation whole again by making our people one, we must begin with the recognition of a need for a greater black opportunity. The only way to set right the power balance in our cities is to put a greater measure of power in the ghetto. By this I speak not of "Black Power" as some of the extremists would interpret it—not the power of hate and division, not the power of cynical racism, but the power the people should have over their own destinies, the power to affect their own communities, the power that comes from participation in the political and economic processes of a society.

This is a goal. The nation still is struggling and stumbling toward the best, the most effective and the most equitable means of reaching this goal.

On the goal, I am convinced there can be no compromise. On the means there must be cooperation, accommodation, a searching out of the possible, a testing of what works and what does not.

I have cited these examples to illustrate the point I want to make tonight: that the questions facing America in 1968 *are* fundamental ones, and they *do* require the best and the most dispassionate thinking we can mobilize.

The tortured problems of Viet Nam cannot be solved by an emotional jingoism, or by impassioned laments for the agonies of war that ignore the hard requirements of peace.

Neither can they be solved by a stubborn intransigence that seeks to justify the mistakes of the past by carrying them to futile extremes, when new approaches are needed.

Whether in defining our role abroad, or in remaking our society at home, we must recognize that we live in a complex and difficult world, in which the realities of power can be cruel and in which the answers are seldom simple.

The issues before us this year center on the most fundamental questions of all: about the conditions that may determine whether peace and freedom survive, and indeed whether civilization as we know it survives. They require a new enlistment of the people of America in the shaping of their own destiny—whether on college campuses, or in industry, or in the slums of our festering cities. We need a new freedom from dogma, freedom from the old ideologies and the old isms.

We need to restore to our political dialogue the sense that it *matters*—that the processes of democracy still *are* effective, even for dealing with the complexities of the modern day. I share the view of those who say that Senator McCarthy's campaign has contributed significantly to this goal: that his enlistment of the enthusiasm, the energy and the faith of many who had given up on the political process is a step toward the restoration of that process itself to the place it deserves, and must have if our system of government is to work.

But we need to do more than focus dissent. We also need to enlist energy and enthusiasm in the fashioning of realistic programs that can achieve the promise of this final third of the century. We need the same energy in *positive* causes that negative causes enlist. We need helping hands, not marching feet.

The tragedy of the Johnson Administration is not a tragedy of mean intentions or of ignoble motives, but simply a tragedy of failure. Never has an Administration so misjudged a people, so underestimated their promise, or so missed the challenge and the opportunity of its time.

I believe that the role of the Republican party in 1968 is larger than party—that it centers on a cause bigger than differences among Republicans, and bigger than the differences between Republicans and Democrats. The role of the Republican party in 1968 is to assemble a new coalition—a coalition of those dissatisfied with things-as-they-are, with politics-as-usual and slogans-as-usual and drift-as-usual.

During twenty years in public life, studying the problems of our nation and of the world as a public official and as a private citizen, I believe I have found *some* of the answers. Because I *have* seen the range and complexity of our problems, I would not presume to suggest that I have all of the answers. But I do have certain convictions about the values that are important, and about the kind of means that are most effective.

And I think I know the questions.

In the months ahead, I will be talking with all of our Republican Governors, with the Republican Senators and members of Congress, with the mayors of our cities, and with other leaders of thought in all fields without regard to party. I will be asking their ideas, and seeking out their answers. The problems of America today are not Democratic problems or Republican problems. They require the marshaling of the best brains America can produce, and the broadest range of experience that can be brought to bear. If the debates of 1968 can serve this end, then they will have served their purpose—and the American system will have passed its test.

And now, a final word: We can never master our problems unless we measure our opportunities.

For too long, we have listened to the tired voices of defeatism, the bitter voices of negativism.

But this *is* a moment of opportunity for America. We all can sense that opportunity when we put aside what's wrong with America, and look at what's right with America. We can feel it in the pride that has never been stilled—pride in our ideals, pride in our strength, pride in the fact that for all its faults, ours *is* the society that has come closer to realizing man's age-old dreams of liberty and abundance than any other, any time, any place.

The dimensions of this opportunity are what give force to our drive to surmount the problems of an age of challenge. For if we can put these problems behind us, the horizons of the possible stretch almost without end.

The world's future depends on the leadership America gives. And that leadership depends ultimately on the spirit of America's people. Unless we have faith in the basic strengths of our system, in the basic idealism of our people, in the basic workability of our institutions, we can hardly expect to inspire that confidence abroad that our effort to establish a new system of order in the world requires.

But I believe we have that faith, and that capacity, and that by giving new life to our ideals at home we can and will provide an example for the world.

Eugene T. Kinnaly

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. O'NEILL of Massachusetts. Mr. Speaker, Eugene T. Kinnaly has served the House of Representatives as a congressional secretary for over 50 years. A man of enormous loyalty and devotion, he joined the staff of our great and honorable Speaker, and my very good friend and colleague, JOHN McCORMACK. The dean of congressional secretaries, Gene Kinnaly has been the confidant of legislators and others in the high echelons of public service. He is a behind-the-scenes technician of legislation and has served his country faithfully and with great ability. I am very happy to submit, for the benefit of my colleagues, the following article about this distinguished and humble American which appeared in the South Boston Tribune earlier this month:

EUGENE T. KINNALY

The phone rang. A secretary answered it. "Gene, it's for you." A small, pleasant-looking, white-haired gentleman picks up the piece. "Yes, Everett . . . that bill should come up about the 15th of March in the next session." He hangs up.

Minutes later another call. Gene answers. "Bobbie, how are you? How was the skiing in Sun Valley? Fine. On that Civil Rights bill, the Speaker feels . . ." His calm voice trails off.

Another ring. "Hello, Lyndon . . . Yes, I'll make sure of it this time, Lyndon. I know John is pushing for an adjournment. My guess is that it will wind up in about three weeks at the most. I doubt if you have time in this session." He said goodbye.

Over in the White House in the chief executive's office, a tall Texan put down his phone and turned to his anxious cabinet. "Gene says three weeks. Gentlemen, I believe we'll have to wait until next year for this program."

The man known as Gene is Eugene Timothy Kinnaly, administrative assistant to U.S. House Speaker John W. McCormack in Washington. He's been in the Capitol so long he's on a first name basis with practically everyone.

And whether he's talking to the President of the United States, a famous Senator, an ambassador or to one of McCormack's constituents back in South Boston, he is generally polite, attentive and friendly. He invariably gives the right advice and performs the service asked of him.

This July 19 in the capitol Gene Kinnaly will celebrate his 50th anniversary as a congressional secretary in the usual way he works every day—quietly and efficiently.

The South Boston Tribune has decided not to wait for that day. We are going to say it now for everyone in the district.

For his devoted half-century of service to the people of South Boston as congressional secretary, the Tribune awards him the Seventh Annual "Distinguished American" Award of 1968.

Other recipients have been his boss, Speaker McCormack, Supreme Judicial Court Clerk John E. Powers, South Boston District Court Judge Joseph F. Feeney, Longshoremen's International Vice President John F. Moran, former Atty. Gen. Edward McCormack and Teamsters' General Sec.-Treas. John F. English.

Kinnaly had gone to Washington in 1918. He was a graduate of Boston's High School of Commerce.

He was offered a temporary job as secretary to Cong. James A. Gallivan, a prominent Harvard graduate, who represented South Boston. The regular secretary had left for World War I duty with the A.E.F. in France. Kinnaly had been turned down for service because of an eye defect.

His predecessor returned safe, but decided to take a job with the Boston Edison Company. It was a turning point for both men.

The Edison worker rose in the ranks to become vice president. His name was Edward Giblin.

And Kinnaly is recognized on Capitol Hill today as the finest congressional secretary in history.

John McCormack knew what he was doing in 1928 when he asked Kinnaly for his help during a special congressional election in District 9 when Gallivan died suddenly.

Fighting for the political prize was a solid array of local talent. Besides young McCormack, who had run and lost in the regular election against Gallivan a short time before, there was Dan Lyne, a U.S. Department of Justice lawyer; Dist. Atty. Edward M. Sullivan, called the Golden Boy of Boston politics; state Sen. Bill Hennessey of Dorchester, a big vote puller, and a host of others.

Cliff Carberry of the Boston Post wrote during the campaign, "The man who Gene Kinnaly supports will be elected." Gene supported McCormack. He won.

Called a living saint by friends and relatives, Kinnaly doesn't smoke, drink or swear. He attends the 7 a.m. mass daily. James V. (Buster) Hartrey, a friend who handles the Boston office for McCormack, said, "Gene knows every statue in the Catholic Church."

Dr. M. Vincent Casper, life-long pal and dentist with an office at 525 E. Broadway, called Kinnaly "a living saint." And added, "He missed his vocation when he went into politics."

Msgr. John T. Powers of the Gate of Heaven Church, said Kinnaly sent his weekly envelope and other contributions regularly to the church from Washington when he maintained a home with his wife at 94 I St. "That's the sign of a religious man," said the pastor.

Kinnaly is a political aide of the old school. Standing 5'7'' and weighing about 170 pounds, he is always pleasant, soft-spoken and dignified. Remarkable on remembering names, he knows how to write a gracious letters, suitable for any occasion. He's also a wizard at shorthand.

Gene is an avid reader of church, newspapers, particularly columnists, and western thrillers. Being a liberal in his political thinking hasn't hurt him one bit in his relations with party members of various opinions from all parts of the nation or with Republicans.

On March 2, 1948, his wife, Alice Louise (Mulholland) Kinnaly died in Washington. A native of Somerville, she was brought up in the fishing town of Gloucester. The couple had no children.

The saddened Kinnaly said goodbye to his devoted mate at a funeral mass March 6 from the Gate of Heaven Church. Rev. William J. Callahan was celebrant, assisted by the Rev. Edward McKenna and the Rev. John Watson.

Among the bearers were Cong. McCormack, Dr. Casper and Middlesex Sheriff Howard Fitzpatrick. Mayor Curley led city, state, federal and civic mourners. Chief Justice John J. Higgins led a large judicial delegation.

The church was filled to overflowing with hundreds standing outside during services. The funeral procession had more than 100 cars in line. Mrs. Kinnaly was laid to rest in St. Paul's Cemetery, Arlington.

Later, the beloved dean of congressional secretaries liked to take trips abroad when Congress was out of session. On one of his trips in the summer of 1957 he went to Rome for an audience with the Pope and then visited Ireland.

Thomas Winship, Globe Washington correspondent then and now executive editor, wrote the story of his getaway from the capitol. It was headlined: A South Boston Gentleman is Coming Over to Visit You."

Winship said, "His departure was typical of him. He didn't let many in on his plans. He just put on his hat at the close of business, stepped in the office of the leader to say goodbye and was off. He sailed aboard the S.S. America with Mr. and Mrs. Winifred Howes of Gloucester." Mrs. Howes was the sister of his late wife.

Kinnaly was named administrative assistant to the Speaker on Jan. 12, 1962. The post pays $17,500 annually.

As the Speaker's chief aide he heads a 12-man staff in the office. He keeps Congressmen informed of the progress of their pet bills, keeps tabs on administrative goals in the legislative branch, keeps the House calendar up to date, reminds Congressmen when an important bill will be voted on and maintained a close liaison with legislators, federal department heads, foreign envoys and dignitaries.

He is known to thousands of Bostonians and the "little people of Washington," the thousands of aides serving House and Senate members. He is the official greeter to persons from Massachusetts who visit Washington regardless of their political party affiliations.

The late Boston Post said of him: "No person has ever contacted Gene Kinnaly who has not forever after had the warm and secure feeling that he or she had a personal, true friend laboring in his interest."

What members of the House think of him was partially shown on July 20, 1963, when seven columns of the Congressional Record were devoted to his praise by members on Kinnaly's completing 45 years' service as a congressional secretary.

The Boston Record American said: "House members took official notice of Kinnaly's long tenure the day before as member after member followed the lead of Rep. John C. Kluczynski (D–Ill.) in heaping compliments on McCormack's right hand man."

As the eyes and ears of the Speaker on the Hill he knows what is going on officially and unofficially. But he is very close-mouthed about his work, Dr. Casper said, "Gene wouldn't tell St. Peter what went on in his office."

A man of regular habits, when he enters the House restaurant oldtime waiters don't ask questions. Gene sits at the head of the House secretaries table.

In comes his old standby—a peanut butter sandwich, cup of tea, Jello and apple pie with cheese. On Friday morning it's always grapefruit juice and pancakes. In the afternoon it's flounder.

He graduated from Columbus University School of Law in the Capitol, now Catholic University. On Sept. 17, 1942, he was admitted to the practice of law before the courts of Massachusetts, District of Columbia, federal and the U.S. Supreme Court.

Gifted with an Irish sense of humor, he told Joseph Feeney when that young man went to work in the office as his protege, "Pay attention to what I'm telling you. I'm thinking of retiring next year." That was in 1946.

Judge Feeney worked there 15 years under the excellent tutelage of Kinnaly. "He's a wonderful man. I owe him everything," said the South Boston jurist.

The widow of his brother Dan, who lives on Old Colony avenue now, said Gene is, "One man out of 1,000. He was very kind and considerate of everyone."

She said Kinnaly and her husband were very close. They liked to take the families out to eat on Sunday afternoons. Kinnaly stayed with his brother or nephews and nieces in South Boston after his wife died. Later, he stayed at the Parker House when he came to Boston.

Presently, he lives in a Washington hotel and rarely comes back to his native city.

As one of the unsung men behind a great Speaker of the House, the Tribune and its thousands of readers salute him for his noble efforts for the district and all its people.

Postal Workers Observe "Spiritual Sunday"

HON. F. BRADFORD MORSE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. MORSE of Massachusetts. Mr. Speaker, recently the Lawrence, Mass., postal employees celebrated the first Spiritual Sunday in which Catholics and Protestants joined together in the spirit of ecumenism and fellowship.

This is the 17th year in which a Spiritual Sunday observance was held in Lawrence. Originally the idea grew out of a desire to make a public demonstration of anticommunism.

Cochairman for this year's observance were Thomas McEvoy and Mitchell A. Harb. Bernard McCabe served as toastmaster of the breakfast which followed the religious services and the principal speaker at the breakfast was Fred H. Harrison, athletic director of Phillips Andover Academy.

I include in the RECORD a description of the Spiritual Sunday observance which appeared in the Lawrence Eagle-Tribune:

POSTAL WORKERS' SPIRITUAL SUNDAY

This year for the first time, Catholics and Protestants joined together in the Spiritual Sunday observance held by postal employees at the Salvatorian Center for Ecumenical Studies and Retreats at St. Basil's Seminary, Methuen.

Rev. David R. Ladre, minister of the First Church, Congregational, conducted communion service. Following his sermon, prayers and hymns, he gave communion to those of the Protestant faith. John Apkarian, Frank S. Tetler and Horace Killam assisted Rev. Mr. Ladre during the service.

A dialogue Mass in the Byzantine Catholic Rite was explained and celebrated by Rev. John A. Elya, who later gave communion to those of the Catholic faith. Protestant hymns under the direction of Douglas Bolduc were sung during both services. The Epistle was read by Edward Nassif.

Ushers were: Michael Ganem and Edward J. Harb. Checkers and parking committee members were: Edmond Fournier, John Hartnett, Gerald Gendron and Charles Manzi.

Fred H. Harrison, athletic director and member of the history department of Phillips Academy, Andover, was the principal speaker at the breakfast which followed.

Mitchell A. Harb and Thomas A. McEvoy were co-chairmen for the affair. Bernard McCabe was toastmaster.

Other committee members were: Miss Annette Andrews, George DiFalco, Walter Calnan, William Barrows, Alfred J. Collins, Robert O'Brien, John Sullivan, Leo P. Morel, Michael Ciardello, Ralph Shalhoub.

Thomas McDermott, Joseph Viens, Frank S. Tetler, Nicholas Vaitimos, Stephen Stephanian, Raymond Donovan, Robert Matton, Louis Caredeo, Rene Faucher and Francis Prescott.

Seated at the head table were: Special Justice Paul J. Perocchi, Rev. John A. Elya, Rev. David R. Ladre, Fred H. Harrison, Postmaster and Mrs. Daniel F. Cahill, Thomas A. McAvoy, postal inspector, Bernard McCabe, Stephen J. Stephanian, president of Branch 212, NALC, Nicholas Varitimos, president of Local 366, Rep. Paul Cronin, Thomas E. McEvoy and Mitchell A. Harb.

Guests seated in the audience were: Rep. Gerald A. Guilmette, Francis Mooney, Andover postmaster, Hugo Taglieri, Haverhill postmaster, Walter Calnon, Merrimac postmaster, Alfred J. Collins, Salem, N.H., postmaster and Miss Gladys V. Crane, retired postmaster of Merrimac.

Telegrams and letters were read from: Lawrence O'Brien, postmaster general of the United States; Sen. Edward M. Kennedy; Sen. Edward W. Brooke, Congressman F. Bradford Morse; Rabbi Seymour Panitz; Postal Inspector Warren A. Wagner and Mayor and Mrs. Daniel P. Kiley, Jr.

The Lawrence postal workers introduced the concept of Spiritual Sunday in which all postal employees attend services as a public demonstration against communism.

Are You a Triakaidekaphiler?

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. MOORHEAD. Mr. Speaker, WQED, Pittsburgh, the country's first community educational television station, uses the catchy phrase, "Are You a Triakaidekaphiler?"—a lover of the number 13—as its fundraising campaign motto. In Pittsburgh, 13 has indeed been a lucky—and a loved—number, and is one example of the enormous promise of noncommercial television.

Pittsburgh, which has been a pioneer in what has been called TV's noble experiment, also has a representative on the recently appointed Corporation for Public Broadcasting, under the provisions of the legislation which I was proud to cosponsor in the last session.

To make the story of channel 13 and its sister channels known to the rest of the country, the National Citizens Committee for Public Television has been formed under the able leadership of Thomas P. F. Hoving. I ask leave to include his remarks, "Moving Ahead With Public Television," at the WQED campaign kickoff luncheon in Pittsburgh at this point in the RECORD for the attention of my colleagues:

MOVING AHEAD WITH PUBLIC TELEVISION

(Address by Thomas P. F. Hoving, chairman, National Citizens Committee for Public Television at the WQED campaign organization kickoff luncheon, Pittsburgh, Pa., February 14, 1968)

I had the great pleasure this weekend of getting to know your wise and good Leland Hazard, who is a member of and attended the first meeting of the National Citizens Committee for Public Television. Also there, giving of the wisdom and humor for which he is well known was WQED's Don Taverner. Pittsburgh is indeed fortunate to have had men of the calibre of Mr. Hazard and Mr. Taverner involved in Public Television's development here. And I know that all of you join in doing your share—and sometimes more than your share—in making WQED the resounding success it is and must grow still more to be.

This past Sunday and Monday in New Orleans, the National Citizens Committee for Public Television met together as a body for the first time. Its 120 members are many of them prime movers in the arts, business and education from all over the country. While some are on the boards of trustees of Public Television stations, the majority are simply most vitally interested citizens who believe in the Public Television concept because they want this nation as a whole to have a Public Broadcasting service that more fully meets our educational and cultural needs.

The other trustees of the Committee and I took a calculated risk by going to this group of wide and varying interests and asking them—without any strictly structured agenda—to say how they thought the Committee as the national force that it is could help make Public Television become more and more the vital, driving resource for this nation that the television medium has yet to be. There was really only one point of discussion for the Committee's meeting: how could we help mass the largest possible public support in favor of the freest, strongest Public Television system possible?

I think we may have come out of that meeting—because of the leadership qualities of the members—with more things to say and do than if the members had been given a full series of resolutions and propositions to approve. Let me tell you what happened.

First, we received a wire from President Johnson. I'd like to quote it to you: "You are gathered to discuss an important subject at an important time. Public Television holds enormous promise for our country. I hope your deliberations will stimulate both ideas and actions that can help guide its future course."

The call for guidance and action from the President was taken seriously by our membership. We unanimously resolved that the Congress reaffirm its commitment to the Public Broadcasting Act of 1967—as already passed and enacted into law—and appropriate the full amounts as authorized of the $9 million for the Corporation for Public Broadcasting and the $10.5 million for Public Television station facilities. Why did we do that? I think you know how important the federal monies obtained for WQED over the years have been. They might not have always been instant enough, flexible enough, but with them, it was like four pints of badly needed blood. At the moment, there are $35 million in grant requests for local station facilities around the country, with no appropriations request in for them in the current fiscal budget. This is clearly a jab in the chops to those who claim that Title I, facilities money, is not terribly, terribly important. All citizens must back the stations on their need for facilities money. And I would suggest that you write your Congressman on this matter. And many of those requests are from areas which do not have either the financial resources or a strong battalion of fighters and believers like you to help obtain such monies to make Public Television operations even begin to get on the air—let alone approach yours in quality and service once they are.

As certain as it is that facilities money for local stations is an absolute necessity, the Citizens Committee maintained that foresight and justice demanded that the Corporation for Public Broadcasting be fully funded. The Corporation is most essential. Through it, almost all of the activities that a strengthened Public Television system in this country needs can be accomplished.

The Corporation, as defined by the Public Broadcasting Act, ultimately will be the body to assist in the establishment and development of non-commercial television or radio stations.

More than that, the Corporation will facilitate the full development of Public Broadcasting. It will make funds available for the production of programs of high quality for non-commercial broadcasting. It will obtain grants from various sources—public and private—and make payments to local stations for programming and other costs of operations. It will arrange by grant or contract for interconnection facilities at the free or reduced rates which the communications common carriers are permitted to provide. And it will engage in activities that will assure maximum freedom of the system and its stations. Those are its mandates by law. It is up to all of us—citizens such as yourselves and our Committee to be constant, sharp-eyed, sharp-eared watchers and listeners to the demand that non-commercial television has no government interference or censorship.

It is to the best interests of all of non-commercial television around the country that the resolution as passed by the National Citizens Committee for Public Television urging full financing both for facilities and for the Corporation for Public Broadcasting be supported by action directed toward the Congress by citizens from all walks of life.

In addition to the resolution, the next most important item that came out of that meeting was the decision to do a Citizens Report—a report of the National Citizens Committee for Public Television to the general public of the United States—on non-commercial television. It will be based on what the members themselves said. It has to do with matters such as long-term financing for Public Television; freedom from political restrictions for Public Television; working toward an art form unique to television, and how young people can be reached and be able to use Public Television—how to keep the human elements and human possibilities of non-commercial television burning. The report will be the result of studying the Committee's own recommendations on the part of the board of trustees of the Committee, the full Committee and the Committee's staff. The report will be no bland, sticky-with-the-mucilage paper, white-washed concensus. It will be a tough, blunt, passionate and red-hot beacon for guidance and action—exactly what the President's wire to the Committee called for.

I want now to tell you about some of the

Committee's objectives, as they also came out of the mouths of the members themselves. I think these objectives particularly important because maybe they can be of some use to you here. I know that in the short time I have been in Pittsburgh this morning and in the short time I have remaining, I have learned and will learn from you. What has been lacking, perhaps, is not only a national dialogue on non-commercial television but a wide variety of other dialogues on non-commercial television: community-to-community, station-to-station, citizen-to-citizen. We need to get the ball really rolling. We must make everybody in this nation know and become excited about the very real excitement already inherent in non-commercial television and in the greater excitement that can be there when it finally is funded properly.

The first thing the Citizens Committee decided to do is broaden its public information programs—to reach the press with the total story of Public Television, no matter if the broadcasts be national, regional or local originations. Also, the use of both commercial and non-commercial television itself to tell Public Television's story has been neglected in many parts of the country. The Committee will see to it that promotional announcements are prepared that can be used in public service time on commercial stations. These announcements undoubtedly could be adapted to local Public Television station use, particularly in those areas where the stations do not have the resources to tell their stories as well as they should. In many areas commercial television has been giving full support. Publicly, the leaders of the commercial television industry have endorsed the non-commercial public broadcasting concept. And nobody will forget CBS President Frank Stanton's $1 million contribution toward the Corporation for Public Broadcasting.

While the Committee already has made liaison with or received the endorsement of many national organizations and associations affirming the Committee's efforts, it will increasingly seek still more endorsements. The Committee recognizes that its goals are understood by many other national organizations and will ally them with its objectives. Their national support, funneled to local chapters and offices, will help bring to your city and others increased support for non-commercial television.

While the final responsibility for recommending a permanent financing plan for the Corporation for Public Broadcasting lies with the Corporation, the members' recommendation of an independent study on the combined public and private long-term financing requirements of Public Television presenting a series of alternative financing recommendations should be offered to the Corporation. The Committee believes particularly strongly about this because a financing plan that does not give the Corporation adequate monies will hamper its work and have an adverse effect on Public Television's growth.

The Committee will serve as a means of checks and balances on what is happening in Public Television. If it does not perform this function, what function should it perform? What else is a citizens group—any citizens group, anywhere—really for?

There is another problem, a national problem, to which the Committee addressed itself. It does not affect you and your fellow residents here in Pittsburgh as it does many other Public Television stations in the rest of the country. What you have here with a splendid 54-person citizens board of directors and an 8,000-person campaign organization is something largely unique. Many cities which have non-commercial television stations have weak boards. Many stations have no citizens groups whatever concerned with the financing of the local station. What the National Citizens Committee proposed for those situations—either on a local or statewide level—are citizens committees for public television that would have a strong alliance with the national organization. What the National Citizens Committee wants is strong non-commercial television wherever it is found in this country. It is what groups such as your board and your campaign organization want for Pittsburgh. We not only can work together for those common aims. We must work together.

On a grandiose scale never attempted before, the National Citizens Committee wants to begin to tell Public Television's story in a way that will have viewers become increasingly aware of what non-commercial television is doing and have them increasingly flock to the channels where Public Television is doing it. Here in Pittsburgh that channel is 13, and that's the luckiest number this city ever had. And all of its citizens, if they are not aware of it already, had better well know it.

If one conviction overrode any other at the Committee's New Orleans meeting, it was that the story of Public Television is not getting out, is not being told. That word is not reaching those millions of people in this country who literally hunger and thirst for something better on television and hardly know—because the vital, exciting, important, compelling message of non-commercial television is not being drummed into them—that something better already is there.

Probably the last thing we want is for a triakaidekaphiler[1] from distant parts to come here and tell you what to do, but—hoping to get by under the protecting umbrella definition of an expert as the "man from out of town"—I would like to conclude with one thought. Probably the single most important thing that could be happening in Public Television today is to give a voice to tell and an ear to hear what young people today are doing creatively and what they are thinking. The last thing that Public Television should do is alienate what is or quickly will be half of this nation's population by not allowing it a rightful place in its schedule. We keep reading of what these young people think of all parts of society as it is or as they think it is, with justification. We've got to be sure that they know they can trust Public Television, that Public Television has not sold out on them, too.

With that, I conclude on what the Citizens Committee is about, what some of the areas of concern were at its first membership meeting in New Orleans, and how deeply I believe in Channel 13 here and all the sister channels all over the country.

Thank you.

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[1] Reference here is to the WQED fund-raising campaign motto, "Are you a triakaidekaphile?" i.e., "a lover of the number 13." WQED operates on Channel 13 in Pittsburgh.

The McCarthy Happening Is a Pleasure

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. EDWARDS of California. Mr. Speaker, the renowned columnist, Max Lerner, in the Evening Star of Saturday, March 30, was able to express with keen words and warm feeling, the essence of Senator Eugene J. McCarthy. He is able to express the personality of this man and the meaning, not only of that personality, but of his whole political philosophy and approach, for the tense and complex times of today's America. This column says a great deal about Eugene McCarthy and his impact on the American political scene which has been so very phenomenal and I insert it in the Record at this point:

The McCarthy Happening Is a Pleasure

(By Max Lerner)

At this point I don't know what's going to happen to Eugene McCarthy, but whatever it is, I like the way it is happening. In an era like ours, and a year like the present one, it is a sweet and heartening thing to have a man emerge who adds a dimension of sanity and courage and grace to the political fracas.

The New Hampshire primary was an ordeal, and Wisconsin has been one, too. Each of them offered him chance after chance to do or say the wrong thing. He hasn't done it or said it. These cruel primaries bring out the worst and the best in those who have to suffer them. They separate the men from the merely candidates. The test is battle—the test of mind and style and personality structure, and Gene McCarthy is coming through the test beautifully.

I like McCarthy. I like his modesty and casualness. In a situation where some candidates behave like princes and heirs apparent, and some like tired Roman emperors, and some like image-merchants, and some like lightning calculators of political advantage and disadvantage, and some like liberal or reactionary demagogues, McCarthy behaves only like himself. I like his low-keyed temperateness about many things and his quiet passion about the war and the peace. I like his refusal to maneuver and manipulate and make deals.

I like his scale of living. As against rich lawyers like Richard Nixon, and millionaires like Lyndon Johnson, and meg-millionaires like Nelson Rockefeller and Robert Kennedy I like McCarthy for having something like $30 to $30,000 to his name. I don't hold wealth against a man, but I remember that Jefferson—for all his estates—died impoverished and bankrupt, and that Lincoln moved from poverty to simplicity.

I like McCarthy's brand of liberalism, which is not that of the fanatical True Believer, but a blend of reflective humanism tempered by the pragmatic. I like his knowledge of foreign policy and how he has functioned on the Senate committee in that area. I like his concern at once with the farmers and the cities. I like his stand on the recent CIA crisis and the way he has tried to set limits on CIA autonomy.

But there are other liberals, and some of them are more militant than McCarthy, and more flamboyant, or perhaps only louder. What I like best about McCarthy, I suppose, is the character and personality structure that have been revealed. I like his refusal to be caught up in the furor Americanus—the drive to action for action's sake. This involves a detached and contemplative quality which some of my readers may believe unfits a man for the presidency. I don't think it does. Two very different presidents like Jefferson and Lincoln had it, and while it didn't hurt their functioning as president, it enhanced the dimension of their greatness.

It is curious that Americans should cast their presidents in the image of hard-driving salesmen or businessmen, as if the best president were a whirling dervish. The trouble with Woodrow Wilson was not that he was an intellectual but that he was a neurotically driven man who equated himself with God. John Kennedy, who was also something of an intellectual, didn't suffer that confusion of roles. It would be good, after Lincoln and Wilson and Kennedy, to have an intellectual politician in the White House again.

Like John Kennedy, McCarthy has a feel for irony and a wry sense of humor which enables him to laugh at himself while he digs at his opponents. Even his religious sense, as a committed Catholic, does not exclude this gift for the ironic. Adlai Stevenson had it, too, and in many ways McCarthy learned from Stevenson, whom he supported strongly at the 1960 convention to the displeasure of the Kennedys. I confess I was concerned at the start, lest McCarthy turn out to be a political amateur as Stevenson was. But the primary campaigns have reassured us all on that score. Whatever Stevensonian qualities he may have or lack, McCarthy is far more of a political pro than Adlai was.

I like his being a man of action who thinks, and a man of thought who is ready to act. It would be inspiriting to have that kind of blend in the White House. I like his relation to the young, whom he has won not only by what he says but by what he is, as a person. I am tired of seeing the generational split stretch endlessly on. McCarthy could help heal it. I like the way he enjoys what the young people have done not only for him but to him.

Even in hard, practical terms, which is where the Bobby Kennedy supporters think he has it all over McCarthy, my answer is—it ain't necessarily so. True, Kennedy has an enthusiastic and articulate following, but it is also true that half the nation is as deeply hostile to him as the other half is intensely for him.

Kennedy's danger, whether at the convention or in the election, is that he polarizes the nation, evoking strong loyalties and hates. McCarthy doesn't alienate people. He is no polarizer. "What we need now," he said in Milwaukee, "is a reconciliation in this land." Just possibly he might achieve it.

A Briton Reports on Rhodesia

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. RARICK. Mr. Speaker, the distinguished British author and writer, Elspeth Huxley, has recently returned to her native England after visiting Rhodesia.

Her special article which appeared in the London Daily Telegraph follows, along with remarks from the Rhodesian Commentary:

In a country in theory beleaguered by sanctions, new cars roll along wide avenues lined with scarlet-blossomed flame trees and forsythia-yellow cassias. Delivery of a first-rate Japanese car is guaranteed within 15 days. Shops are crowded, office space and houses are almost unobtainable.

Window-displays of luxury fabrics from Switzerland, Germany, France and Italy are tempting as ripe peaches. Dress styles are smart but not way-out, gone are the days of shoddy, makeshift workmanship. One factory I visited has quadrupled its output of women's dresses since UDI and now exports half its wares, not only to South Africa but to Europe. "It costs me 3s to send a dress by air," the proprietor told me. "I can't keep pace with the demand."

Some 500 new industries are said to have mushroomed up since UDI, equipped with up-to-date machinery bought in almost every country but Britain. I did see one British machine. "I left instructions how to get it here," said the owner, "but the suppliers forgot them and sent it direct. It got here." One man told me he had recently installed £250,000 of American machinery. "It goes elsewhere first, of course, and someone changes the label."

An ex-Hungarian refugee runs a factory whose entire white staff includes Germans, Austrians, Czechs, Italians and "a woman who can only speak Rumanian and Yiddish." Many are newcomers since UDI—white immigration was up last year by 4,000. Side by side are Asians, Coloureds and Africans from Zambia, Malawi and Tanzania, as well as locals. Four Africans in every 10 living in the Salisbury area come from other countries, many of them from the independent black States.

Some of these industrially employed Africans are breaking through into the higher wage economy, £20 a week or even more. An increasing number buy their own houses, watch TV, play golf and tennis, eat steak, frequent cocktail bars. In the newest township one family in 10, living in a modern semi-detached at a heavily subsidized rent, owns a car—a low proportion by European standards but remarkable by agriculturally-based African ones, at least in a land beleaguered by sanctions. It is the failure of sanctions that is benefitting Africans; success would beggar them. More upside-downery.

Truth lives at the bottom of a well and everything depends on your approach, geographical as well as ideological. I approached from the south, and the first thing I saw was a group of well-dressed Africans sipping beers in the lounge of my hotel. The ladies of the party and I shared a wash-room and no one's blood-pressure even quivered. An all-African team reached the finals of this year's tennis championships.

In the Republic, no European may enter an African township without a permit, and the authorities have said that they will put an end to home ownership. Here, whites come and go as they wish; European women sometimes run out to buy fresh produce in the well-stocked markets. If they want to, Europeans can drink in African bars in Harari, Mufakosi or Highfield on the outskirts of Salisbury. I don't suggest that many do; the point is they can.

Mr. Smith's wicked rebel government runs home-ownership schemes whereby Africans buy, at subsidized rates, a "heart unit" containing the essentials, and build on to it themselves in stages as their families grow. And how they grow!

At Marimba Park outside Salisbury I took tea with an African MP whose new house cost him £15,000. An African bus tycoon has, since UDI, spent £22,000 on his home, a three-story job set in terraced gardens with swimming pool, spacious garages, built-in TV and a penthouse flat, designed and built by European architects and contractors. He employs European mechanics to service his bus fleet, and maintains one of his sons at an English university despite the British Treasury's efforts to block such exercises.

Of course, all is not milk-and-honey here, still less in the rest of a Rhodesia ravaged by drought. There are hardships, frustrations and much sadness because people who were staunchly loyal to Britain feel betrayed and bitter against a country they used to love, and would like to love again. Sinister, square-jawed characters are said to lurk in bars muttering about kaffirs, two thousand years of Christian civilisation and the therapeutic value of sjamboks—Mr. Smith's famous Right Wing. Of course, it exists, through such members as I met appeared to be mild, courteous and nonapoplectic men, one of whom said: "All we ask is, go anywhere you like and talk to whom you please."

You cannot talk to those restricted or detained, including the African leaders Messrs. Sithole and Nkomo. Undoubtedly there is Right-wing pressure on Mr. Smith, and this is the irony, that we in Britain are strengthening it. Crowd a man into a corner and he will fight back, unless he is a weakling, which Rhodesians are not. If you want to soften him up, tempt him with sweetmeats and flagons.

If pressures were lifted from Rhodesia, rifts would almost certainly widen in the Rhodesian front. Tighten the pressure, as Mr. Wilson has been doing, and ranks will close, the square-jawed gentleman will increase their influence and the trend towards apartheid grows. "There is a wind blowing from South Africa," an African told me. British-U.N. policy is freshening this wind and it is Africans who will shiver. Upside down again.

Anomalies continue. Cars and even lubricating oil imported into Zambia stream across Rhodesia but Zambia will not allow the petrol in, preferring the appalling road through Tanzania, petrol famines and soon a costly pipeline from Dar es Salaam. While almost daily denouncing Rhodesia, Dr. Kaunda buys power from Kariba and coal from Wankie.

By blocking Rhodesian funds, the British Treasury relieves the wicked rebels of their obligation to find some £10 million a year to service overseas loans. It takes about four months and a lot of red tape to import a British book; the British Council and U.S. information services have withdrawn, but anything can come in from South Africa, or elsewhere for that matter. Cheap goods needed by poorer Africans rise in price while South Africans make a good thing out of selling to Rhodesia at retail prices and buying at cut rates produce—beef is an example—that used to come to Britain. Upside down.

However, life goes on, a good life still for most white Rhodesians and a tolerable life for most blacks despite British-United Nations efforts to impoverish it. I was told—I have not checked this—that Rhodesia is the only country in the world with a falling crime rate. Since UDI, the prison population has gone down by one-third. One's impression is of confidence, friendliness and relaxation, and in Salisbury of prosperity, which may be partly artificial—one might offset against the full shop windows, the busy factories and the flats and houses going up, long sheds full of unsold tobacco—but it is none the less vigorous, and shared by all races.

On Saturdays Rhodesians of all ethnic races go to horse races, very much a family affair. White women take babies in prams, African women carry them on their backs. The gold enclosure is for members at £1 a head and I did not see any Africans there. In the silver enclosure, at 10s a head, Europeans mingle with évolué Africans who relish their beers and bets and bring wives in flowery dresses, sometimes hatted and gloved. The bronze stand, at 2s 6d, is packed with the African rank and file. Buses stream in from townships like Harari and Highfield (about 260,000 live in the city's orbit). An impromptu market with roasted mealies, maize-meal porridge, hot sauces and bananas springs up.

I saw no drunks, sjamboks or armed policemen, the sun shines, the horses shine, everyone cheers and eats and drinks, and the ethnic races mingle freely without any apparent reserve or rancour. These are flower rebels indeed.

MOST PEOPLE IN THE UNITED KINGDOM SAY: "EXTREMELY FOOLISH"

While he is not optimistic about the chances of a negotiated settlement with Britain, Mr. John Gordon, editor-in-chief of Beaverbrook Newspapers and noted columnist of the Sunday Express, said Rhodesia was a very British, loyal country and it seemed extremely foolish that trade, of immense importance to both countries, and all other social and moral links should be thrown away because of an ideal about one man, one vote.

"This is what we believe, and what I think the majority of people in Britain believes," he said.

He was touring South Africa and Rhodesia with Mr. Tom Blackburn, chairman and joint managing director of the Beaverbrook group.

OPPORTUNITIES FOR WELL-TO-DO RETIRED PEOPLE TO SETTLE HERE

While this country needed skilled and professional immigrants as fast as they could be got, other newcomers to be encouraged were those looking for a place to retire to, said the Deputy Minister of Information, Mr. P. K. van der Byl.

As things go on in Europe, places like England were becoming more and more uninhabitable with credit squeezes, devaluation and overcrowding and elderly people found it difficult to live their retirement in comfort.

On the other hand, Rhodesia offered "marvelous opportunities."

Places like the Cote d'Azur and the Spanish coast were now so prosperous that no one short of a millionaire could live there.

Rhodesia had great potential as a new venue for retired people even though it did not have the sea. There were people—not in the multi-millionaire class, but very well off—who wanted to have a certain amount of comfort and who wanted to live in an agreeable country with agreeable people, who would come here.

Mr. van der Byl said last year slightly less than 10,000 immigrants came to Rhodesia, mainly from South Africa and Zambia and with a "gratifying number" from Britain. The January immigration figures for 1968 were the best for the past few years.

SENATE—*Tuesday, April 2, 1968*

The Senate met at 11 o'clock a.m., and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

God and Father of mankind, who opens the gates of the morning, send us forth with powers of mind and body to front the duties and responsibilities of another day.

In these days thrilling with the loveliness of spring, we thank Thee for every sacrament of beauty of which our enraptured senses drink as we bend in wonder by bushes aflame with Thee. May the glory of the earth be but a parable of the things that are excellent, blooming in our risen lives.

In these historical days of national and world concern enrich us with those durable satisfactions of life so that the multiplying years may not find us bankrupt in those things that matter most—the golden currency of faith, and hope, and love.

We ask it in the name of the One whose life is the light of men. Amen.

THE JOURNAL

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Monday, April 1, 1968, be dispensed with.

The **PRESIDENT** pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the following committees and subcommittee be authorized to meet during the session of the Senate today:

The Committee on the Judiciary.

The Committee on Armed Services.

The Subcommittee on Government Research of the Committee on Government Operations.

The **PRESIDENT** pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Senate go into executive session to consider a nomination on the Executive Calendar.

The **PRESIDENT** pro tempore. Without objection, it is so ordered.

HEMISFAIR 1968

The assistant legislative clerk read the nomination of Edward Clark, of Texas, to be Commissioner for the Federal exhibit at HemisFair 1968.

The **PRESIDENT** pro tempore. Without objection, the nomination is considered and confirmed.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of the nomination.

The **PRESIDENT** pro tempore. Without objection, it is so ordered.

EXECUTIVE MESSAGES REFERRED

The **PRESIDENT** pro tempore laid before the Senate messages from the President of the United States submitting several nominations, which were referred to the Committee on Foreign Relations.

(For nominations this day received, see the end of Senate proceedings.)

LEGISLATIVE SESSION

Mr. LONG of Louisiana. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The **PRESIDENT** pro tempore. Without objection, it is so ordered.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1037 and Calendar No. 1050.

The **PRESIDENT** pro tempore. Without objection, it is so ordered.

DR. GILBERTO HEDESA DE LA CAMPA

The bill (S. 2448) for the relief of Dr. Gilberto Hedesa de la Campa was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2448

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Gilberto Hedesa de la Campa shall be held and considered to have been lawfully admitted to the United States for permanent residence as of February 14, 1963.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1052), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

CONVEYANCE OF CERTAIN LAND TO UNIVERSITY OF MAINE

The Senate proceeded to consider the bill (H.R. 11527) to direct the Secretary of Agriculture to release on behalf of the United States conditions in a deed conveying certain lands to the University of Maine and to provide for conveyance of certain interests in such lands so as to permit such university, subject to certain conditions, to sell, lease, or otherwise dispose of such lands which had been reported from the Committee on Agriculture and Forestry, with an amendment, on page 2, line 16, after the word "purposes" strike out the comma and "or for the development or improvement of lands of the university."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1068), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

SHORT EXPLANATION

This bill, with the committee amendment, would—

(1) Authorize the Secretary of Agriculture to release a condition in a conveyance to the University of Maine requiring the lands conveyed to be used for public purposes. Such release would be conditioned

upon (A) the university's agreement that all proceeds from the sale, lease, or other disposition of the lands be used to acquire lands to be held permanently for university purposes, and (B) the proceeds being kept in a separate fund and subject to inspection by the Secretary.

(2) Require the Secretary of the Interior upon application to convey the mineral interests of the United States to the surface owners at fair market value (or $1 per application if of only nominal value).

BACKGROUND

The bill involves approximately 1,748 acres which were acquired by the United States in the late 1930's and administered under title III of the Bankhead-Jones Farm Tenant Act. Title III authorizes the Secretary of Agriculture to conduct a program for the rehabilitation of submarginal lands, including authority to dispose of lands acquired. These lands may be conveyed to public authorities and agencies under such terms and conditions as he deems will best accomplish the purposes of the act, but only on condition that the property will be conveyed for public purposes.

In the early 1940's these 1,748 acres were leased by the Department of Agriculture to the University of Maine for 50 or more years for use in connection with its agricultural activities. On March 4, 1955, because the lands had been committed to the University of Maine on a long-term basis, the Department conveyed the tracts (there are about 20 parcels of this land) to the university with a condition in the deed which specified that the lands would revert back to the United States if not used for public purposes.

PURPOSE

The bill would direct the Secretary of Agriculture to release this condition, and would permit the University of Maine to sell, lease, or otherwise dispose of the land under the following conditions which would be specified in an agreement between the Secretary of Agriculture and the university: (1) All proceeds from the sale, lease, exchange, or other disposition of such lands must be used by the university for the acquisition of other lands to be held permanently for university purposes; and (2) all proceeds from the sale, lease, or other disposition of lands covered by any such agreement shall be maintained by the university in a separate fund and the records of all transactions involving such fund shall be open to inspection by the Secretary of Agriculture.

The bill also directs the Secretary of the Interior to convey to the University of Maine or any of its successors in title, all of the undivided mineral interests in the land upon application. If any mineral value exists, the applicant must pay the fair market value as determined by the Secretary of the Interior. Where no mineral value exists, the mineral interests would be conveyed to the applicant for the consideration of $1. Each application for mineral rights would be accompanied by a nonrefundable deposit which would be used to cover the administrative costs of the Secretary of the Interior's determination of the mineral character of the land in question and the fair market value of the mineral interest therein.

If a conveyance of mineral rights is made to the Secretary of the Interior pursuant to application for mineral rights, the applicant must pay full administrative costs, less the deposit. If conveyance is not made, the deposit shall constitute full satisfaction of the administrative costs, notwithstanding that the administrative costs exceed the deposit.

NEED FOR THE LEGISLATION

The 1,748 acres involved in this legislation are located mainly in the vicinity of the communities of Orono, Old Town, and Stillwater, Maine. The University of Maine is located near Orono. The land consists of 20 separate parcels varying in size from 2 to 419 acres. The area in which the 1,748 acres is located is becoming increasingly urbanized.

Most of the lands conveyed to the university are now used either as part of a university forest or in connection with university cattle, dairy, or other agricultural projects. The lands are mostly forest or pasture and grasslands. Some of the tracts lie along principal avenues of travel between communities. There is an increasing demand for additional suitable land for residential development in the area, and some of the tracts granted to the university are favorably situated and suitable for that use. The University of Maine has received inquiries from local groups or individuals who are interested in purchasing some of these for either residential use or community facility developments such as churches.

On the other hand, the University of Maine needs to enlarge its campus and facilities. This bill, therefore, would be of benefit to both the University of Maine and the nearby communities. It would allow the University of Maine to dispose of lands on the outskirts of its campus and buy additional land closer to the center of the campus.

COMMITTEE AMENDMENT

The original lands were conveyed to the university on the condition that they be used for public purposes, and the committee feels that that condition should attach to any lands acquired with the proceeds from the sale of the original lands. The committee regards "university purposes" as being public purposes in the case of a State university. However the committee felt that "the development or improvement of lands of the university" would not necessarily be public purposes, since, conceivably the university might hold land for investment purposes and devoted it to housing or commercial use. The committee has therefore recommended deletion of the phrase just quoted.

COST

Enactment of H.R. 11527 would not result in any additional cost to the Federal Government.

ORDER OF BUSINESS

The PRESIDING OFFICER (Mr. BYRD of West Virginia in the chair). Under the previous order, the Chair recognizes the Senator from Utah.

FEDERAL FIREARMS LEGISLATION

Mr. MOSS. Mr. President, following the tragic riots in our cities last summer emotions ran high—crime and guns became synonymous in the minds of many of our citizens. Some urged a complete ban on all firearms in the cherished belief that, somehow, this would eliminate crime. Of course, logic rejects this idea; however, it is indicative of extreme suggestions born of emotional reaction to vexing problems. But when public clamor for action is most extreme, caution is indicated lest we legislate precipitately. Therefore, during this period of relative calmness in our cities, I consider it timely to offer my views on the issue of Federal firearms regulation.

All responsible Americans are concerned over mounting crime rates and the criminal use of firearms. They are further concerned, however, about the extent to which the Federal Government should become involved in what is essentially a local or regional problem and about the potential effectiveness of the various bills that are before Congress.

I share these concerns, and I shall support wholeheartedly a reasonable bill that would help curb the flow of firearms to persons having criminal records, to fugitives, alcoholics, the emotionally disturbed, addicts, and others, including unsupervised youngsters. And I shall resist as vigorously any bills that threaten to deprive law-abiding citizens, the vast bulk of our countrymen, of their right to purchase, possess, and use firearms and ammunition for legitimate recreation and protection of life and property.

Prior to commenting on the various bills pending before the Senate, I feel it is essential to place the role of the Federal Government with respect to firearms control in proper perspective. In President Johnson's message, transmitting his recommendations based on the report of the National Crime Commission, he said:

> In our democracy, the principal responsibility for dealing with crime does not lie with the National Government but with the States and local communities.

This basic concept under our form of government is well established. Therefore, the primary responsibility for regulation of firearms rests with local and State authorities. The role of the Federal Government is to assist the States when through interstate commerce the laws of the individual States are thwarted.

I shall oppose any Federal legislation which would infringe on the basic right of the States to regulate acquisition, possession, and use of firearms by their citizens.

Crime in our country today is a national disgrace and seriously challenges our society. While we know all too little about the causes of crime, we do know that socioeconomic problems are major factors. Since guns are involved in only 3 percent of the crimes we do know that they are a small part of the overall problem. Therefore, I caution that the control of firearms is no panacea in eliminating crime.

The American Bar Foundation has issued a report dealing with the firearms and legislative regulation problem, and the distinguished senior Senator from Idaho called the attention of the Senate to this document not many weeks ago. Within the report there are two matters that bear on what I have just said. I read from the report:

> A fundamental assumption of those who support the drive for stricter regulation of firearms is the belief that easily available weapons are a stimulus to crime, and that the absence of weapons would significantly reduce criminal activity. * * * In our inquiry, we have discovered no convincing evidence on this question.

Therefore, after thorough study, the American Bar Foundation has found that there is no convincing evidence that the possession and availability of weapons is a significant factor in the cause of crime.

Bills which I believe would impose serious restrictions on our law-abiding citizens without any commensurate reduction in the misuse of firearms for criminal purposes are S. 1 and Senate amendment No. 90 to S. 1. These proposals are opposed almost unanimously by local, State, and National conservation groups and sportsmen's organizations. I have received a tremendous number of letters from gun-owning constituents in Utah who believe that enactment of either S. 1 or Senate amendment No. 90 would work an unnecessary and unwarranted hardship on sportsmen and gun collectors and on ranchers who need firearms to protect their livestock from predators and their persons and property from criminals. Many westerners live far from communities and patrolled highways. There is no friendly policeman on the beat or any precinct station just around the corner.

To demonstrate the number of communications I have received on this subject, I call attention to a series of names that are attached to a petition that has been sent to me in which the signers of the petition state that they support the opposition which I have announced to the Dodd bill; and they ask that their names be submitted to the Senate in support of my stand against Federal gun control. These names are coming in now by the hundreds.

One distasteful feature of the two bills I have mentioned is the requirement that the interstate shipment of firearms be made to federally licensed dealers instead of to the individual. Nearly every rural general store, hardware store, and similar business establishment in the West stocks small quantities of ammunition and sometimes a few popular models of rifles and shotguns for the convenience of local customers and visiting sportsmen. The volume of sales usually is small and the margin of profit thin. The expense and redtape required to comply with the provisions of the bills I have mentioned would force many of these small dealers to discontinue their handling of these commodities. This also is true of many local gunsmiths with small shops whose profits come largely from custom gunsmithing for out-of-State customers. These are not federally licensed shops; these are small, local hardware stores I am talking about.

This feature of these two bills would be equally disadvantageous to sportsmen in another way. Hunters and other shooters take much commendable pride in their firearms, and the nature of firearms owners always is to be striving to acquire a better firearm, one with a more ornate stock, detailed engraving, and of a superior design or operating character. Prohibition of the interstate shipment of firearms to individuals would deprive the sportsman of the opportunity to order a firearm of his choice through the mail. To get one, he would be required to order it through a local licensed dealer. In the West, local dealers oftentimes are many miles away. And further, this funneling of trade through a dealer would subject the prospective firearms purchaser to all the delays and inconveniences that arise when dealing through a third party.

A second and equally objectionable feature of S. 1 and Senate amendment No. 90 is the linking of sporting rifles and shotguns with such destructive devices as hand grenades, bazookas, and antitank guns—all of no conceivable interest to sportsmen. The printed records of every public hearing at which this class of weapons, that is, the destructive devices, has been considered show there is absolutely no opposition to the enactment of legislation for their rigorous restriction. Destructive devices should be restricted to the maximum degree.

Sportsmen and gun collectors rightfully insist that this desired control should be achieved through appropriate amendment of the National Firearms Act, the law that controls machineguns and other gangster weapons. The destructive devices have virtually no sporting adaptation. They should not be lumped summarily with rifles, shotguns, and other sporting firearms. Sportsmen do not want their firearms linked with gangster-type weapons in any way. Destructive devices belong under the purview of the National Firearms Act, and further delay in controlling their interstate commerce under the terms of that act is inexcusable.

There is absolutely no objection to the control of destructive devices under amendment of the National Firearms Act, and Congress should accomplish this without delay. Such action would receive the widespread support of millions of Americans. This could be done quickly by the enactment of a bill along the lines of S. 1854, introduced by the senior Senator from Nebraska [Mr. HRUSKA] and now pending in the Senate Committee on the Judiciary. I hope that this bill can be reported favorably from the committee soon so that it may be approved by the Senate and forwarded to the House for consideration there.

The separation of destructive devices from the consideration of the use of firearms by criminals and other undesirables would clear the way for appropriate amendment of the Federal Firearms Act. Such appropriate amendment, in my opinion, would require that no manufacturer or dealer may ship any firearms in interstate commerce to any person in violation of State or appropriate local law. As I noted earlier, criminal and other misuse of firearms is essentially a local or generally regionalized problem. Utah presents an entirely different situation than does southern California or New York City, for example.

I believe that these situations should be handled as they exist on the local level with steps taken as necessary to combat the specific difficulties that are encountered. Instead of an outright, flat ban, such as proposed in S. 1 and Senate amendment No. 90, the requirement I have outlined would give flexibility to the Federal law, permitting it to assist States and localities where such assistance is required while at the same time imposing no obstacles in those places where a problem does not exist.

A second appropriate amendment of the Federal Firearms Act should provide that no person may transport or receive in his place of residence a firearm acquired by him outside the State if such acquisition or possession is unlawful in the place of his residence. This amendment, plus its vigorous enforcement, would terminate a practice that now causes difficulties in some metropolitan areas. Notice that I say vigorous enforcement, for the Federal Government has been doing a completely inadequate job of enforcing the present statute, which has been on the books for 30 years. Actually, we do not know how effective the Federal Firearms Act really is, because no effort ever has been made to put it to work in protecting our citizens.

Another appropriate amendment should require that no carrier in interstate commerce may deliver any handgun to a person under 21 years of age. Linked with this would be still another requirement that the purchaser of a handgun in interstate commerce must make an affidavit of eligibility which is filed with the purchaser's local law-enforcement agency, and that the seller wait at least 1 week after receiving evidence of delivery of the affidavit to the local police before shipping the handgun to the purchaser. This procedure would invoke still another check on the age and character of the prospective purchaser of a handgun and of the existence of local or State laws that might apply to his receipt and possession of such a firearm.

Another effect of this amendment would be, of course, to place limitations on the interstate commerce in handguns; that is, the concealed firearms which are used most in crime. Interstate commerce in rifles and shotguns would not be affected. Abundant testimony, even by proponents of S. 1 and Senate amendment No. 90, at the hearings before the Subcommittee To Investigate Juvenile Delinquency last year clearly shows that long guns, the rifles and shotguns, are used in only a small proportion of crimes involving the use of firearms.

An example is the testimony of the Wayne County, Mich., prosecuting attorney, Mr. William L. Callahan. He told the committee that concealable weapons were used in 90 percent of the homicides and in 95 percent of the armed robberies in the Detroit area. Mr. Callahan also told the committee:

> The increase in the use of rifles and shotguns within Michigan bears no significant relationship to crime as does the dramatic rise brought about by the use of handguns and does not present a serious problem to law enforcement in the State.

The State of Michigan issues more than 1,200,000 hunting licenses annually to sportsmen who use rifles and shotguns in the field. Without doubt, thousands more persons use shotguns and rifles for either trap and skeet or for target shooting.

Concealable weapons are the important problem, and I see no justification for linking them with rifles and shotguns. S. 1 and Senate amendment No. 90 go too far. They would impose on the Nation, in every region, despite its own problems and opportunities, rigid and unjustified obstacles to the acquisition of firearms. The bills hold no promise of a reduction in the misuse of firearms. Their foremost promise is the maximum inconvenience of the great number of our citizens who own and use sporting firearms for the legitimate and recognized purposes for which they are intended.

Beyond the desirable amendments I have detailed, I would be reluctant to go. These are the changes in the Federal

Firearms Act that experts have held to offer promise in regulating the purchase of handguns by the criminally inclined, by providing a waiting or cooling-off period for those who might be prompted to misuse a handgun, and to assure that local views are not circumvented by the out-of-State purchase of handguns. These essential amendments, including a few others regarding standard for federally licensed dealers, are contained in S. 1853 by the senior Senator from Nebraska [Mr. Hruska] and others, also pending in the Committee on the Judiciary.

I hope that this bill, too, will receive the committee's approval so that it may be considered by the Senate this session and forwarded to the House for its consideration. There is no purpose to be served by further delay in the enactment of these important amendments to the Federal Firearms Act. These strengthening amendments, plus active, realistic, and conscientious enforcement by the responsible Federal agencies, will contribute to the solution of the serious crime problem with which all Americans are so deeply concerned.

The total crime problem, it should be kept in mind, dwarfs the statistics of the use of firearms in crime. No one should be misled into believing that firearms are responsible for all crime or that approval of S. 1853 or S. 1854 will end all crime. Approval of these two bills will help in one small area of crime prevention. But the total problem of crime in this country will be helped hardly at all, because guns are not a cause nor even a significant adjunct to crime in all of its many forms.

Mr. President, the burden of my speech is that we should improve the National Firearms Act which has to do with control of machineguns and gangster weapons by including therein the so-called destructive devices. These devices should be under severe control and severe repression because they are items which cannot be used, except to a very small degree, in any legitimate way. They are not used for sporting events or for recreation. They are not appropriate for defense of property or of life. But, on the other hand, the Federal Firearms Act should be strengthened only in the sense that it is strengthening the local law to control weapons by giving Federal interstate control when there is violation of local law. It should be directed primarily in the area of handguns which are concealable weapons and certainly should not apply to legitimate sporting weapons such as rifles and shotguns.

Mr. President, before yielding the floor, I should like to comment on a column which was published in the Pittsburgh Press on February 6, and which has just been called to my attention.

The column, written by Roger Latham, reports the reactions to an antigun law of a three-time felon now serving a sentence in the Ohio State Penitentiary for armed robbery and kidnaping. The felon finds it quite baffling that anyone should feel that a man intent on committing a serious crime would try to obey a gun law, or be deterred in any way by it. At 26, the felon says, he has possessed some 20 different pistols, and all but one of them were stolen. No elaborate antigun machinery could keep a man like this from committing armed robbery, or carrying a gun during any other criminal undertaking he might pursue.

Roger Latham also discusses the importance of more effective enforcement of the gun laws now on the books in his column, a point that I have also tried to make in my speech this morning.

I ask unanimous consent that the column from the Pittsburgh Press, entitled "The Great Outdoors," be printed in the Record as I feel that it supplements what I have said today.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Pittsburgh Press, Feb. 6, 1968]

Old Gun Law Finally Fires Its First Shot

(By Roger Latham)

An article in the February issue of American Rifleman is written by Charles Lee Howard, an inmate in the Ohio State Penitentiary at Columbus.

Howard, who is serving his third felony sentence (15 to 55 years for armed robbery and kidnaping), tells how at 26 he had possessed 20 different pistols and got all but one of them illegally. In fact, 19 of the 20 were stolen.

He claims that from inside prison walls, the antigun uproar makes strange reading. He says:

"It's baffling that the people who want to prevent criminals like me from getting hold of guns expect to accomplish this by passing new laws. Do they forget that the criminal makes a business of breaking laws? No criminal would obey a gun law while committing a crime of equal or greater seriousness."

To carry this subject of gun laws a little further, a recent conviction by Federal agents revealed a startling fact. For the first time since its passage in 1938, a provision in the Federal Firearms Act concerning the interstate shipment of guns has been enforced!

Just recently, U.S. Attorney Robert Morgenthau obtained a Federal grand jury indictment against a Namuet, N.Y., firearms dealer. The indictment charged that the mail-order house violated the 30-year-old law by shipping guns to individuals in other states who had not produced the required state or local licenses or permits.

ENFORCE PRESENT LAW FIRST

Sportsman interests have maintained for years before congressional committees and subcommittees considering new legislation that existing Federal firearms laws suffer from lack of enforcement by the U.S. Treasury and Justice departments.

At the same time, the Treasury and Justice departments have been working strenuously for more rigid gun laws, pushing in particular for increasingly restrictive versions of the Dodd bills.

The delay in acting upon a provision of Federal law is a glaring example of lax enforcement. It lends strength to the position of law-abiding gun owners that existing laws never have been given a real chance.

Sportsmen see little merit in passing additional laws when Federal enforcement agencies have scarcely sampled the effectiveness of laws passed three decades ago.

This same lack of active enforcement probably also has contributed to the general lack of information about gun laws on the part of the public.

PENALTIES ARE THERE

The public has been led to believe there are no laws which prohibit criminals from obtaining firearms, even though such prohibitions have been a basic part of the Federal law since 1938.

The Act provides: "It shall be unlawful for any person who has been convicted of a crime punishable by imprisonment for a term exceeding one year or is a fugitive from justice to receive any firearm or ammunition . . ."

A violation of the act can bring imprisonment up to five years, a fine up to $5000, or both.

Once again, it may well have been the singular lack of enforcement which has created this impression among the public and the news media. Under questioning by Congressmen at hearings in Washington, Treasury officials have claimed they are unable to enforce these firearms laws because of lack of manpower.

During the 1965 hearings, Treasury officials admitted that only two men and three women were assigned full time to enforcement of both the 1938 Federal and 1934 National Firearms acts. This hardly seems a strenuous effort for a department which views the commerce in firearms with such alarm.

This lack of enforcement seems to go along with the lack of action on reasonable and useful firearms legislation.

Mr. MOSS. Mr. President, in the presentation that I have made, I should like to refer to the statement of Neal Knox, the editor of the Gun Week newspaper, in which he says:

> Most of the facts that are adduced for gun legislation rely on the broad generalization that crime rates—particularly murder rates—are highest in areas with minimal gun laws, yet this claim cannot withstand close scrutiny. It fails to take into account the socio-economic factors which directly relate to crime—while the existence or lack of gun laws does not.
>
> There have been many facts or statistics put before this committee. Generally, they rely on the percentage of murders committed with firearms. For instance, when the chairman of this committee, Senator Dodd, introduced S. 1, Amendment 90, he compared New York with a low 32 percent of its murders with guns, to Nebraska with a high percentage, 70 percent of its murders with guns. What his researchers failed to tell him was that in 1965 Nebraska had a total murder rate of 2.4 per 100,000 residents, while the published rate for New York was almost twice as high—4.6 per 100,000—and the actual murder rate was even higher.

That is the point I am trying to make—that guns do not figure in the large percentage of all crimes and their use generally is in the violent crimes such as murder and armed robbery, even though the gun is an incident to the crime, it certainly is not a cause of it.

Another point I have tried to make, is that areas of the country are so different in their problems, population, and morés, that what is applicable in one section is not applicable in another. I come from a very sparsely populated State in comparison with New York and California. Vast areas of my State are very rural still. In those places it is essential that those who live there be permitted to possess and utilize firearms of a legitimate type.

Therefore, I think the pending bill, S. 1, and amendment No. 90, should certainly not be enacted by this body; but I do support the strengthening gun bills which are proposed by the Senator from Nebraska [Mr. Hruska].

Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER**. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. **KUCHEL**. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

TRANSACTION OF ROUTINE MORNING BUSINESS

The **PRESIDING OFFICER**. There will now be a period for routine morning business.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS AND JOINT RESOLUTION

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries, and he announced that the President had approved and signed the following acts and joint resolution:

On March 27, 1968:

S. 989. An act to provide improved judicial machinery for the selection of Federal juries, and for other purposes.

On March 28, 1968:

S. 793. An act to provide for the conveyance of certain real property of the United States to the Alabama Space and Science Exhibit Commission.

On March 29, 1968:

S. 454. An act for the relief of Richard K. Jones;

S. 2318. An act for the relief of Kelley Michelle Auerbach; and

S.J. Res. 72. Joint resolution to provide for the designation of the second week of May of 1968 as "National School Safety Patrol Week".

On March 30, 1968:

S. 876. An act relating to Federal support of education of Indian students in sectarian institutions of higher education; and

S. 2336. An act to determine the respective rights and interests of the Confederated Tribes of the Colville Reservation and the Yakima Tribes of Indians of the Yakima Reservation and their constituent tribal groups in and to a judgment fund on deposit in the Treasury of the United States, and for other purposes.

REPORT ON ACTIVITIES UNDER THE COMMUNICATIONS SATELLITE ACT OF 1962—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 295)

The **PRESIDING OFFICER** laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Commerce:

To the Congress of the United States:

The Communications Satellite Act of 1962 requires that the President transmit to the Congress an annual report on the activities and accomplishments of the past year.

This is the fifth annual report under this landmark legislation. It reflects, as did the others, steady progress toward the ultimate goal of providing mankind with new capabilities for worldwide communication.

In the brief span of five years, satellite technology has grown dynamically. The possibilities envisioned in 1962 have been greatly exceeded.

Indeed, the rapid tempo of progress in telecommunications has created challenging problems in the proper use and orderly expansion of this vital national resource. Last August 14, in a report to the Congress on our communications policies, I announced the creation of a task force to examine the course we should follow in the future.

We know that we must provide the environment in which telecommunication can play its increasingly crucial role in the affairs of our Nation, and provide bridges of understanding among all nations.

The role of communications is not limited to commercial use. It must also provide a "network for knowledge" so that all peoples can share the scientific, educational, and cultural advances of this planet.

Failure to reach these goals can only contribute to apathy, ignorance, poverty and despair in a very large part of the world. Success in our telecommunications policies can be a critical link in our search for the understanding and tolerance from which peace springs.

Communication by satellite is a tool—one of the most promising which mankind has had thus far—to attain this end.

We must use it wisely and well.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *April 2, 1968.*

REPORT OF APPALACHIAN REGIONAL COMMISSION—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 294)

The **PRESIDING OFFICER** laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Public Works:

To the Congress of the United States:

I am pleased to transmit to the Congress the Second Annual Report of the Appalachian Regional Commission, for fiscal year 1967.

This report marks the end of the second year of the Federal-State effort to lift the 18 million people in Appalachia up to economic parity with the rest of America.

The Congress has already expressed its confidence in the program by revising and extending it for another two years. More than $300 million have been obligated for programs which will help the people of Appalachia on their way to self-sufficiency.

The framework of the program is commendable in itself. Federal, State, and local authorities have been working together, recognizing that need does not respect State lines, and poverty does not stop at the boundaries which separate communities.

This report shows proof, I believe, that such a partnership—seeking common solutions to common problems—can work to rebuild a segment of America, to provide its citizens with a chance to share in America's plenty.

Our ultimate goal is to assist Appalachia to attract and hold public and private investments—the cornerstones on which economic well-being is built.

We have not yet achieved that goal, but in two years we have made a strong beginning.

One of our first aims was to unify Appalachia internally—and to make it accessible to the affluent nation outside. Had it remained an enclave of poverty, it would have withered and died.

As the report testifies, we made substantial progress in Fiscal 1967 on the Appalachian Development Highway System.

Highways that today are lines on the planner's map will tomorrow be asphalt bonds to the rest of America. We are providing access to opportunity.

For a region to survive, its people must be healthy, its children educated, and its land productive.

Among the programs approved for construction in Fiscal 1967 were:

—100 facilities for vocational and higher education

—75 for health care

—27 libraries

—37 facilities to combat water pollution

—And 20 projects to restore ravaged mine areas.

On December 28, I signed an executive order which will increase the strength and efficiency of our partnership for regional economic development.

Under this order, the Secretary of Commerce will provide effective liaison between the Federal Government and our six regional commissions.

He will also become the chairman of a Federal Advisory Council on Regional Economic Development. This council will help him coordinate the activities of the Federal Government in the six regions.

By placing this authority in the hands of the Secretary of Commerce, I intend to encourage the private and business resources of our country to take a hand in these regional ventures.

Our work has just begun. I am confident that future reports will justify the faith we have placed in this program.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *April 2, 1968.*

EXECUTIVE COMMUNICATIONS, ETC.

The **PRESIDING OFFICER** laid before the Senate the following letters, which were referred as indicated:

PROPOSED ADDITIONAL 1-YEAR TERM FOR CHAIRMAN OF JOINT CHIEFS OF STAFF

A letter from the Secretary, Department of Defense, transmitting a draft of proposed legislation to authorize the President to reappoint as Chairman of the Joint Chiefs of Staff, for an additional term of 1 year, the officer serving in that position on April 1, 1968 (with an accompanying paper); to the Committee on Armed Services.

REPORT OF BOARD OF TRUSTEES OF THE FEDERAL OLD-AGE AND SURVIVORS INSURANCE TRUST FUND AND THE FEDERAL DISABILITY INSURANCE TRUST FUND

A letter from the Board of Trustees of the Federal Old-Age and Survivors Insurance and Disability Insurance Trust Funds, transmitting, pursuant to law, their 1968 annual report (with an accompanying report); to the Committee on Finance.

REPORT OF BOARD OF TRUSTEES OF THE FEDERAL HOSPITAL INSURANCE TRUST FUND

A letter from the Board of Trustees of the Federal Hospital Insurance Trust Fund, transmitting, pursuant to law, their 1968 annual report (with an accompanying report); to the Committee on Finance.

REPORT OF THE COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the follow-up review of causes of erroneous payments of military pay and allowances, Department of Defense (with an accompanying report); to the Committee on Government Operations.

THIRD PREFERENCE AND SIXTH PREFERENCE CLASSIFICATION FOR CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, reports relating to third preference and sixth preference classifications for certain aliens (with accompanying papers); to the Committee on the Judiciary.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

Two letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders suspending deportation of certain aliens, together with a statement of the facts and pertinent provisions of law pertaining to each alien, and the reasons for ordering such suspension (with accompanying papers); to the Committee on the Judiciary.

TEMPORARY ADMISSION INTO THE UNITED STATES OF CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization, Department of Justice, transmitting, pursuant to law, copies of orders entered granting temporary admission into the United States of certain aliens (with accompanying papers); to the Committee on the Judiciary.

PROPOSED PUBLIC BUILDING PROJECTS

A letter from the Administrator, General Services Administration, transmitting, pursuant to law, a list of public building projects included in the President's budget for fiscal year 1969; to the Committee on Public Works.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDING OFFICER:

A concurrent resolution of the Legislature of the State of Kansas; to the Committee on Agriculture and Forestry:

"HOUSE CONCURRENT RESOLUTION 1060

"A concurrent resolution concerning advance participation payments under the federal agricultural program

"Whereas, While the well-being of the economy of Kansas is dependent in large measure on the agricultural sector, this sector has declined and continues to decline; and

"Whereas, Several factors have contributed to this decline, among the most important of which have been depressed wheat, feed grain, and livestock prices; and

"Whereas, Coupled with these factors have been the increasing cost of doing business, including the restrictive effects of current tight money policies and high interest rates; and

"Whereas, There is a continuous reduction in the number of family-size farms, with those remaining experiencing difficulty in obtaining adequate operating capital at reasonable cost; and

"Whereas, The average price received by Kansas farmers, for hogs in October, November and December of 1967 was 13.4% less than the same period one year earlier and in the same period the Kansas producer received 17.8% less for wheat, 19.5% less for his corn, 11.6% less for his soybeans and 37.5% less for his eggs; and

"Whereas, The average market price received by farmers in October, November and December for wheat was 54% of parity; for grain sorghum, 66% of parity; for soybeans, 74% of parity; for hogs, 70% of parity; for beef cattle, 76% of parity; for butterfat, 77% of parity; and for eggs, 57% of parity; and

"Whereas, The declines in grain and livestock prices and the increases in the cost of doing business have a direct and depressing effect on agricultural business, as well as on the other business activities in the Kansas communities, with a consequent decline in business activity in the smaller communities, of the state which are more closely and directly dependent upon the agricultural economy; and

"Whereas, There are present indications that the practice of making these advance payments will be discontinued, with all payments being made after the completion of the harvest: Now, therefore,

"Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: (1) That it is vitally necessary to stimulate the agricultural sector of the economy of Kansas; and

"(2) That the discontinuance of advance participation payments from the United States department of agriculture would depress rather than stimulate the agricultural economy; and

"(3) That the United States department of agriculture be requested to continue the present program of making advance payments under the federal agricultural program; and

"Be it further resolved: That the secretary of state be directed to send enrolled copies of this resolution to the president of the United States senate, the speaker of the United States house of representatives, the secretary of the United States department of agriculture and to all members of the Kansas congressional delegation.

"I hereby certify that the above CONCURRENT RESOLUTION originated in the HOUSE, and was adopted by that body January 30, 1968.

"JOHN J. CONARD,
"Speaker of the House.
"L. O. HAZEN,
"Chief Clerk of the House.

"Adopted by the SENATE March 8, 1968.

"——— ———,
"President of the Senate.
"RALPH E. ZARKER,
"Secretary of the Senate."

A concurrent resolution of the Legislature of the State of Kansas; to the Committee on Commerce:

"HOUSE CONCURRENT RESOLUTION 1038

"A concurrent resolution memorializing the Congress of the United States to reconsider its action in delegating power to the United States secretary of transportation to develop highway safety program standards

"Whereas, In 1966, under the highway safety act, the United States secretary of commerce (later, the secretary of transportation) was directed to develop highway safety program standards in cooperation with the states and their political subdivisions; and

"Whereas, In February, 1967, drafts of standards by the national highway safety agency were submitted to the governor's representatives requesting suggestions and information concerning the draft highway safety program standards; and

"Whereas, These proposed standards were not directed to the legislature which is the official policy making body of this state; and

"Whereas, The standards submitted encompass a broad series of proposed programs with which this legislature is thoroughly familiar and has regularly considered over the past several years; and

"Whereas, It is the responsibility of this legislature to determine what the state highway safety program in Kansas will be and to initiate and provide for the enforcement thereof; and the legislature in recent years has seriously applied itself to making the best decisions in the interests of the state by adopting model codes, and selecting feasible procedures to promote the interests and safety of all Kansans; and

"Whereas, It is the consensus of this legislature that congress should reconsider its action in delegating authority to the United States secretary of transportation that should be determined and exercised by the Kansas legislature: Now, Therefore,

"Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That we respectfully petition and urge the congress of the United States to reconsider its action in delegating power to the United States secretary of commerce (transportation) to develop and determine highway safety program standards applicable in the several states and instead to allow the legislatures to develop their own programs appropriate to the highways, people and problems of each state with the assistance of the regularly constituted state highway authorities; and

"Be it further resolved: That the secretary of state be directed to send enrolled copies of this resolution to the president of the United States senate, the speaker of the United States house of representatives, the United States secretary of transportation and to all the members of the Kansas congressional delegation.

"I hereby certify that the above CONCURRENT RESOLUTION originated in the House, and was adopted by that body April 13, 1967.

"JOHN J. CONARD,
"Speaker of the House.
"L. O. HAZEN,
"Chief Clerk of the House.

"Adopted by the SENATE March 5, 1968.

"——— ———,
"President of the Senate.
"RALPH E. ZARKER,
"Secretary of the Senate."

A joint resolution of the Legislature of the State of California; to the Committee on Interior and Insular Affairs:

"Senate Joint Resolution" 3—Joint resolution relative to the reinstitution of Federal services for California Indians

"Whereas, The Indians of California have been excluded from various federal programs and services available to all other Indians of the United States; and

"Whereas, The Legislature of the State of California in 1953 adopted Assembly Joint Resolution No. 38 and is now clarifying its position with respect to the full participation of California Indians in all federal programs and services available to Indians of the United States; and

"Whereas, For many years the State of California received three hundred eighteen thousand five hundred dollars ($318,500) as its share of federal moneys allocated to Indian education under the "Johnson-O'Malley Act'; and

"Whereas, Congress, in the late 1950's, increased federal programs and resources for Indian education; and

"Whereas, California Indians were precluded from sharing in the increased federal moneys expended for IIndian education under the 'Johnson-O'Malley' program nor have they, in fact, received any aid under such program since 1958; and

"Whereas, Congress appropriated for the 1967–1968 fiscal year nine million five hundred thousand dollars ($9,500,000) for 'Johnson-O'Malley' programs, over one million dollars ($1,000,000) of which would have been received by the State of California had it retained its previous percentage share of such funds; and

"Whereas, There is an actual demonstrated need for the reactivation of the 'Johnson-O'Malley' program in California as evidenced by the fact that the State of California has not enacted adequate programs to meet Indian needs and by the 1966 Report of the California State Advisory Commission on Indian Affairs which documents the appallingly high dropout rate for Indian students; and

"Whereas, Federal funds received by school districts in California under Public Law 81–874 (which authorizes supplemental payments to school districts receiving school children from nearby federal facilities) is not an adequate substitute for 'Johnson-O'Malley' funds because: (1) funds received pursuant to Public Law 81–874 become part of the local school district's general fund and are not earmarked for special Indian programs; and (2) funds received pursuant to Public Law 81–874 are tied to Indians in federally impacted areas and thus do not benefit rural Indians; and

"Whereas, There are many California Indian children who might benefit from schools for Indians and who might qualify under the admission criteria promulgated by the Bureau of Indian Affairs; and

"Whereas, In 1955, responsibility for Indian health passed from the Bureau of Indian Affairs to the Public Health Service, Department of Health, Education, and Welfare; and

"Whereas, The Public Health Service succeeded to, and continued, the policy of withdrawal embarked upon by the Bureau of Indian Affairs, and Public Health Service medical services programs were phased out in the 1950's; and

"Whereas, Although the Public Health Service still administers a health and sanitation program for California Indians, it recognizes that unmet medical needs exist among the rural California Indians; and

"Whereas. While the California State Department of Public Health recently received a United States Public Health Service contract grant to develop a pilot Indian health aid training program, medical "outreach" programs are urgently required for the California Indians; and

"Whereas, Under Public Law 84–959, the Bureau of Indian Affairs operates a vocational training and relocation program for Indians in California, however, the funds received under such program primarily benefit out-of-state Indians whom the Bureau is relocating and training for jobs in California; and

"Whereas, Under Public Law 84–959, eligibility is limited to those residing "on or near" reservations, and many California Indians, in need of vocational training services, are nonreservation and are thus ineligible for training; and

"Whereas, Eligibility requirements under Public Law 84–959 achieve substantial fairness in other states which have large reservations; now, therefore, be it

"*Resolved by the Senate and the Assembly of the State of California, jointly,* That the Legislature of the State of California respectfully memorializes the Congress of the United States to provide for the full financial participation by California Indians in all federal programs, to require that all schools for Indians be made available to California Indians, that "outreach" medical services programs be provided for the California Indians, that Public Law 84–959 be amended to remove the requirement of living "on or near" a reservation, and thereby make available federal vocational training services to all California Indians, and to reinstitute and expand the 'Johnson-O'Malley' contract funds for the education of California Indians; and be it further

"*Resolved,* That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, to the Secretary of Health, Education, and Welfare, and to the Director of the Bureau of Indian Affairs.

"______ ______,
"President of the Senate.

"______ ______,
"Speaker of the Assembly.

"Attest:

"______ ______,
"Secretary of State."

A resolution adopted by the City Council of Pueblo, Colo., urging the Government to attempt to obtain the release of the U.S.S. *Pueblo* and its officers and men from the government of North Korea; to the Committee on Foreign Relations.

CONCURRENT RESOLUTION OF THE SOUTH CAROLINA GENERAL ASSEMBLY

Mr. **HOLLINGS.** Mr. President, I have received from the South Carolina General Assembly a concurrent resolution memorializing the Congress of the United States to act favorably on Senate bill S. 2263 or House bill H.R. 13209, identical bills now pending in the Congress, concerning rural fire control.

I ask unanimous consent that this resolution be printed in its entirety in the RECORD.

The **PRESIDING OFFICER.** Without objection it is so ordered.

The concurrent resolution was referred to the Committee on Agriculture and Forestry, as follows:

CALENDAR NO. S. 820

A concurrent resolution to memorialize the Congress of the United States to act favorably on Senate bill S. 2263 or House bill H.R. 13209, identical bills now pending in the Congress, concerning rural fire control

Whereas, fire control in rural areas of South Carolina is a continuing and growing problem in relation to forest fires and fires which destroy dwellings and other buildings in rural areas; and

Whereas, forest fires alone did damage in South Carolina last year estimated by our State Forester at two million dollars; and

Whereas, certain legislation now pending in the Congress of the United States would, if passed, immeasurably assist in programs of rural fire control by providing financial aid which would be spent under the supervision of our own Forestry Department to control fires in woodlands, pastures and buildings in rural areas. Now, therefore,

Be it resolved by the Senate, the House of Representatives concurring:

That the Congress of the United States be memorialized to enact H.R. 13209 or S. 2263 now pending before the Congress, which bills would fulfill a long standing and urgent need for expanded rural fire control.

Be it further resolved that copies of this Resolution be forwarded to each member of the South Carolina Congressional delegation.

RESOLUTION OF HOUSE OF REPRESENTATIVES OF GEORGIA

Mr. **TALMADGE.** Mr. President, I ask unanimous consent to have printed in the RECORD H.R. 896, adopted by the House of Representatives of the State of Georgia; and that the resolution be appropriately referred.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

The resolution was referred to the Committee on Agriculture and Forestry, as follows:

H.R. 896

A resolution opposing the Proposed Marketing Agreement and Order regulating the handling of Flue-cured tobacco; and for other purposes

Whereas, the auction system has been the traditional method of selling tobacco and has satisfactorily served the needs of producers and purchasers; and

Whereas, the Flue-cured tobacco industry has been able to work out its own marketing problems without intervention by the federal government; and

Whereas, the Flue-cured tobacco industry in Georgia is fearful that the adoption of the Proposed Marketing Agreement and Order will be the death knell of the auction system; and

Whereas, the agricultural members of this august body have been unable to find a single tobacco farmer who endorses the Proposed Federal Marketing Agreement and Order.

Now, therefore, be it

Resolved by the House of Representatives, That this body does hereby go on record, as opposing the Proposed Marketing Agreement and Order of the Secretary of Agriculture regulating the handling of Flue-cured tobacco; be it further

Resolved, That the Clerk of the House is hereby authorized and directed to forward an appropriate copy of this Resolution to Honorable Orville Freeman, Secretary of the United States Department of Agriculture; to Honorable Claude G. Turner, Director, Tobacco Policy Staff, United States Department of Agriculture; and to Honorable Horace Godfrey, Administrator, ASCS, United States Department of Agriculture.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. **BARTLETT**, from the Committee on Commerce, with amendments:

S. 2123. A bill to provide for the control of the alewife and other fish and aquatic animals in the waters of the Great Lakes which affect adversely the ecological balance of the Great Lakes (Rept. No. 1072).

ADDITIONAL ASSISTANCE FOR AREAS SUFFERING A MAJOR DISASTER—REPORT OF A COMMITTEE—SEPARATE VIEWS (S. REPT. NO. 1073)

Mr. **BAYH.** Mr. President, from the Committee on Public Works, I report favorably, with amendment, the bill (S. 438) to provide additional assistance for areas suffering a major disaster. I ask unanimous consent that the report be printed, together with the separate views of the Senator from Kentucky [Mr. COOPER].

The **PRESIDING OFFICER.** The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Indiana.

EXTENSION OF TIME FOR FILING REPORT BY SENATE SPECIAL COMMITTEE ON AGING

Mr. BYRD of West Virginia. Mr. President, at the request of Senator Williams of New Jersey, I ask unanimous consent that the time for filing the report of the Senate Special Committee on Aging be extended from April 1, 1968, to April 17, 1968.

The PRESIDING OFFICER. Without objection, it is so ordered.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. KUCHEL:

S. 3267. A bill to prohibit mineral exploration and development in certain Outer Continental Shelf lands lying off the coast of California; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Kuchel when he introduced the above bill, which appear under a separate heading.)

By Mr. TALMADGE:

S. 3268. A bill to enable honey producers to finance a nationally coordinated research and promotion program to improve their competitive position and expand their markets for honey; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. Talmadge when he introduced the above bill, which appear under a separate heading.)

By Mr. PROUTY (for himself, Mr. Aiken, Mr. Cotton, and Mr. McIntyre):

S. 3269. A bill to consent to the New Hampshire-Vermont Interstate School Compact; to the Committee on the Judiciary.

(See the remarks of Mr. Prouty when he introduced the above bill, which appear under a separate heading.)

By Mr. RIBICOFF:

S. 3270. A bill for the relief of Stavros (Steve) Christoforakis; to the Committee on the Judiciary.

By Mr. ALLOTT (for himself and Mr. Dominick):

S. 3271. A bill to provide for the conveyance by the Secretary of the Interior of certain lands and interests in lands in Grand and Clear Creek Counties, Colo., in exchange for certain lands within the national forests of Colorado, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HARRIS:

S. 3272. A bill to provide for the disposition of funds appropriated to pay a judgment in favor of the Delaware Nation of Indians in Indian Claims Commission Docket No. 337, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Harris when he introduced the above bill, which appear under a separate heading.)

By Mr. BREWSTER:

S. 3273. A bill for the relief of Wan Wai Chung and Chim Ping; to the Committee on the Judiciary.

By Mr. ERVIN:

S. 3274. A bill for the relief of Vo Thi Thien Nga; to the Committee on the Judiciary.

By Mr. RANDOLPH (for himself, Mr. Williams of New Jersey, Mr. Smathers, Mr. Bible, Mr. Morse, Mr. Long of Missouri, Mr. Moss, Mr. Yarborough, Mr. Carlson, Mr. Miller, Mr. Hansen, and Mr. Kennedy of Massachusetts):

S.J. Res. 158. Joint resolution to provide for the designation of the first full calendar week in May of each year as "National Employ the Older Worker Week"; to the Committee on the Judiciary.

(See the remarks of Mr. Randolph when he introduced the above joint resolution, which appear under a separate heading.)

S. 3267—INTRODUCTION OF BILL RELATING TO ESTABLISHMENT OF SANTA BARBARA OIL BUFFER ZONE

Mr. KUCHEL. Mr. President, earlier this year the Secretary of the Interior obtained bids and let oil development leases on several parcels of land off the coast of California. On one occasion, in the Santa Barbara area, the U.S. Government received in excess of $600 million in bonuses. Early indications are that the areas leased are rich in petroleum, thus adding to the availability of this much needed natural resource, as well as providing related economic benefits, such as employment in developing, processing, and distribution activities.

One problem that arose in connection with the leasing of this section of the Outer Continental Shelf was that much of the area to be put under development is off the coast of one of our most beautiful communities, the city of Santa Barbara. The ideal climate and lovely natural setting of Santa Barbara have made it a world renowned tourist and retirement area. It has long been feared that oil development off the coast of this region, giving rise to the appearance of drilling structures near the famous Santa Barbara area beaches would harm the appeal, attraction, and, thereby, the economy of the region. Recognizing the need to protect this beautiful section of California's shoreline, the State of California, by statute in 1955, established a so-called oil sanctuary extending some 18 miles along the coast of Santa Barbara. This action prohibited the development of the State-owned tidelands in this area out to the 3-mile limit, where Federal jurisdiction commences. When the Federal Government announced that it was proceeding with development of the federally controlled Outer Continental Shelf—that is, seaward of the 3-mile limit in this area—the local citizens, their press, and the local governing bodies were understandably concerned. Not only were they concerned at the forthcoming appearance of drilling structures, but they were concerned that the exploration and development operations in the Federal lands would drain oil pools underlying the State sanctuary, thus forcing offset operations in the tidelands immediately off their shores.

To the credit of the Department of the Interior, the esthetic values of the Santa Barbara area were not ignored in the planning of the leasing program. Officials of the Department met with my staff, as well as with local officials, to discuss proposed plans and related problems. As a result of these meetings, Interior Department officials have imposed restrictions on the operations in the Santa Barbara channel designed to protect the scenic value of the area while allowing the development of the Nation's resource. Most noteworthy of these restrictions was the informal establishment of a so-called buffer zone extending some 2 miles seaward of the State oil sanctuary within which leases were not let. Geologic investigations have indicated that if this buffer zone is preserved, the danger of draining the lands in the State sanctuary will be all but eliminated. Similarly, the lands underlying the buffer zone are not endangered by activities on adjacent non-Federal land. Thus, development in adjacent areas can proceed while the Santa Barbara area will have an 18-mile-long, 5-mile-wide strip within which no drilling activities will occur.

My friend and colleague, Representative Charles Teague, who represents the Santa Barbara area is introducing in the House of Representatives legislation similar to that which I shall in a moment send to the desk. This legislation was developed at the suggestion of a distinguished California newspaperman, Mr. Paul Veblen, editor of the Santa Barbara News-Press. He is a stanch defender of the preservation of this lovely area of my State of California. I believe enactment of the bill which I introduce will demonstrate the good faith of the Federal Government in formalizing an arrangement which might otherwise be altered at the whim of this or future Secretaries of the Interior. My bill recognizes the scenic values of the concerned area while adequately protecting the legitimate interest of the people of America in preventing the loss of their natural resources.

With that background, Mr. President, I now send to the desk for appropriate reference a bill which would make the buffer zone which I have mentioned semipermanent and, thus, hopefully somewhat alleviate the fears of the good people of the Santa Barbara region. I say that my bill would make the buffer zone semipermanent because I have indicated in the bill that should the development of non-Federal lands, such as those included in the State oil sanctuary, cause drainage of the resources of the buffer zone, the State government authority would be permitted to go ahead with development of the buffer zone. Otherwise, to all intents and purposes, the drilling operations would be 5 miles seaward from the coast.

I ask that the bill be appropriately referred.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3267) to prohibit mineral exploration and development in certain Outer Continental Shelf lands lying off the coast of California, introduced by Mr. Kuchel, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

S. 3268—INTRODUCTION OF BILL TO BE KNOWN AS THE HONEY PROMOTION AND RESEARCH ACT OF 1968

Mr. TALMADGE. Mr. President, today I introduced the Honey Promotion and Research Act of 1968, that would permit the honey producers of our Nation to decide for themselves in a referendum whether or not they want to adopt an order relating to assessments for research and promotion for honey.

This order would result in the expansion of existing honey markets and provide for research that, hopefully, would develop new or improved markets. It is my belief that the producers should have this privilege to vote in a referendum.

The election provided for in this legislation would be administered by the Department of Agriculture, with the producers themselves determining whether or not they want to establish an orderly procedure for the financing, through adequate assessments, of promotion and research for honey marketed in the United States for commercial use.

It should be noted that this program would not be of any cost to the taxpayers of our Nation.

If the results of the referendum show that more than a third of the producers are against this program, then no assessment will be levied. If, however, two-thirds of the producers are in favor of the program, then an assessment will be placed on the honey producers and the program previously described in order to market larger quantities of honey will be undertaken.

I want to make it clear that this program is solely for the producers to elect, and the Government will only be the administrator of the election.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3268) to enable honey producers to finance a nationally coordinated research and promotion program to improve their competitive position and expand their markets for honey, introduced by Mr. TALMADGE, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

S. 3269—INTRODUCTION OF BILL TO CONSENT TO THE NEW HAMPSHIRE-VERMONT INTERSTATE SCHOOL COMPACT

Mr. PROUTY. Mr. President, I introduce, for appropriate reference, on behalf of myself and Senators AIKEN, COTTON, and MCINTYRE, a bill to enable the formation of additional interstate school districts between Vermont and New Hampshire.

In May 1963 the four of us introduced a bill to enable the formation of a particular interstate school district uniting Hanover, N.H., and Norwich, Vt. When that bill was enacted into law during the 88th Congress the first interstate school district between Vermont and New Hampshire came into being.

Residents of my State joined with their New Hampshire neighbors and created the Dresden school district. Over 4 years have passed since the creation of the Dresden School District and the passage of each year has demonstrated the great value interstate cooperation has brought to the residents of Norwich, Vt., and Hanover, N.H.

As you know, Mr. President, the beautiful Connecticut River serves as a natural border between Vermont and New Hampshire. Long ago the residents of both States constructed bridges across the Connecticut River so that the border would not become a barrier to economic and social cooperation.

The Dresden school district represented the first of what I hope will be many "educational bridges" so that residents of both Vermont and New Hampshire living along the Connecticut River will have the best education available.

Mr. President, both New Hampshire and Vermont have enacted the necessary legislation to permit the formation of additional interstate school districts. Both States now turn to Congress for its consent. The bill we introduce today will enable Vermont and New Hampshire to proceed with the interstate cooperation necessary for educational excellence. I am hopeful that both the Senate and House will promptly enact this bill so that Vermont and New Hampshire can further their goal of efficiently providing the best in education for individuals living along the Connecticut River.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3269) to consent to the New Hampshire-Vermont Interstate School Compact, introduced by Mr. PROUTY, for himself, Mr. AIKEN, Mr. COTTON, and Mr. MCINTYRE, was received, read twice by its title, and referred to the Committee on the Judiciary.

S. 3272—INTRODUCTION OF BILL RELATING TO JUDGMENT IN FAVOR OF THE DELAWARE NATION OF INDIANS

Mr. HARRIS. Mr. President, I introduce today, for appropriate reference, a bill to provide for the disposition of funds appropriated to pay a judgment in favor of the Delaware Nation of Indians in Indian Claims Commission Docket No. 337, and for other purposes. I am hopeful that hearings can be scheduled on this legislation at an early date.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3272) to provide for the disposition of funds appropriated to pay a judgment in favor of the Delaware Nation of Indians in Indian Claims Commission Docket No. 337, and for other purposes, introduced by Mr. HARRIS, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

SENATE JOINT RESOLUTION 158—INTRODUCTION OF JOINT RESOLUTION RELATING TO NATIONAL EMPLOY THE OLDER WORKER WEEK

Mr. RANDOLPH. Mr. President, I introduce, for appropriate reference, a joint resolution to provide for the designation of the first full week in May of each year as "National Employ the Older Worker Week." Joining me in cosponsoring this measure are Senator WILLIAMS of New Jersey, chairman of the Senate Special Committee on Aging, and Senators SMATHERS, BIBLE, MORSE, LONG of Missouri, MOSS, YARBOROUGH, CARLSON, MILLER, HANSEN, and KENNEDY of Massachusetts, all of whom are members of the Senate Special Committee on Aging.

Mr. President, the Subcommittee on Employment and Retirement Incomes, which I am privileged to chair, has conducted hearings and studies on the subject of increasing employment opportunities for older workers. We have found that employers frequently entertain false stereotypes concerning older workers, amounting, in some cases, to prejudices against employing workers as young as the late thirties or early forties. Accordingly, we have recognized the necessity of informational and educational efforts to give employers an appreciation of the excellent qualities of older workers, such as experience, stability, and dependability. The designation of a week as "National Employ the Older Worker Week" would be a meaningful force in helping to eliminate the false impressions and the prejudices against older workers. It would provide an opportunity to present, through all means of communication, information on older worker capabilities.

Last year Congress made a major advance toward increasing employment opportunities for older persons when it enacted Public Law 90-202, the Age Discrimination in Employment Act of 1967. Many of us cosponsored this measure. In enacting this public law, Congress recognized that a prohibition against age discrimination in employment must be supplemented by an active program of information and education concerning "the needs and abilities of older workers, and their potentials for continued employment and contribution to the economy." Pursuant to this recognition of the need for such programs, Public Law 90-202 directs the Secretary of Labor to "carry on a continuing program of education and information, under which he may, among other measures"; "publish and otherwise make available to employers, professional societies, the various media of communication, and other interested persons the findings of studies and other materials for the promotion of employment"; and "sponsor and assist State and community informational and educational programs."

It is my belief that a National Employ the Older Worker Week will be an effective instrument through which the Secretary of Labor can discharge his duties in conducting programs of information and education on employing older citizens.

In introducing this joint resolution, I commend the American Legion for its leadership in seeking to have a week designated as "National Employ the Older Worker Week." For approximately 10 years, this organization has designated the first week in May as a period of concentrated emphasis on this theme and has celebrated it by recognizing employers who have taken the leadership in this area. At its national convention in

1962, the American Legion adopted a resolution calling upon Congress to take the action I propose today—to pass a resolution to designate the first full week in May of each year as "National Employ the Older Worker Week." I ask unanimous consent that a copy of the resolution adopted by the American Legion's National Convention be printed in the RECORD.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection the American Legion resolution will be printed in the RECORD.

The joint resolution (S.J. Res. 158) to provide for the designation of the first full calendar week in May of each year as "National Employ the Older Worker Week," introduced by Mr. RANDOLPH (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

The American Legion resolution, submitted for the RECORD by Mr. RANDOLPH, is as follows:

RESOLUTION 617

(Convention Economic Committee) Designate the First Full Week in May as "National Employ the Older Worker Week" is recommended for adoption and is consolidated with Resolutions Numbers 280 (Georgia); and 361 (Utah). Resolution No. 617 (Convention Economic Committee) becoming the master resolution reads as follows:

Whereas, The American Legion for a number of years has concerned itself with the difficulty encountered by the older worker who in many cases is only forty-five years of age or younger, because 50% of this group are veterans; and

Whereas, The practice of discrimination in employment because of age for otherwise qualified persons is contrary to the American principles of liberty and equality of opportunity for all citizens; and

Whereas, The American Legion, since 1959, has promoted annually during the first full week in May a successful program designated as, "Employ the Older Worker Week," to focus public attention on the advantages of employing older people, especially veterans; and

Whereas, Under the program, The American Legion annually presents citations to employers who do not discriminate against older workers; and

Whereas, In the past, thirty-seven State Governors scheduled official ceremonies marking the observance of "Employ the Older Worker Week"; and

Whereas, There is increased interest shown each year by participating Departments of The American Legion and employers; and during the 1962 annual observance, a majority of the Departments of The American Legion presented National Citation Awards to employers of the older worker; now, therefore, be it

Resolved, by The American Legion in National Convention assembled in Las Vegas, Nevada, October 9–11, 1962, that the National Legislative Commission be, and it is hereby directed to petition the Congress of the United States to adopt a Joint Resolution requesting the President of the United States to issue a proclamation (1) designating the first full week in May of each year as "National Employ the Older Worker Week" and (2) call upon employer and employee organizations, other organizations concerned with employment and the citizens of the United States in general, to observe such week with appropriate ceremonies, activities and programs designed to bring about the elimination of discrimination in employment because of age.

ADDITIONAL COSPONSORS OF BILLS

Mr. AIKEN. Mr. President, on last October 23, I introduced, in behalf of the Senator from New York [Mr. KENNEDY] and myself, S. 2564, a bill to insure a reasonable opportunity for all electrical utilities to participate in the benefits of nuclear power.

In effect, this is a bill to lay down guidelines for the licensing of atomic powerplants.

After its introduction, I added the names of the Senator from New Mexico [Mr. ANDERSON], the Senator from Montana [Mr. METCALF], and the Senator from Massachusetts [Mr. KENNEDY] as cosponsors. Today I ask unanimous consent that at the next printing of the bill, in addition to these five sponsors, the names of the Senator from West Virginia [Mr. BYRD], the Senator from Kentucky [Mr. COOPER], the Senator from Pennsylvania [Mr. CLARK], and the Senator from New York [Mr. JAVITS] also be added as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HRUSKA. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from Iowa [Mr. HICKENLOOPER], the Senator from Ohio [Mr. LAUSCHE], the Senator from Oregon [Mr. HATFIELD], the Senator from Idaho [Mr. JORDAN], and the Senator from South Carolina [Mr. THURMOND] be added as cosponsors of the bill (S. 1854) to amend the National Firearms Act, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HRUSKA. Mr. President, I also ask unanimous consent that, at its next printing, the names of the Senator from Iowa [Mr. HICKENLOOPER], the Senator from Ohio [Mr. LAUSCHE], the Senator from Oregon [Mr. HATFIELD], the Senator from Idaho [Mr. JORDAN], and the Senator from South Carolina [Mr. THURMOND] be added as cosponsors of the bill (S. 1853) to amend the Federal Firearms Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXPANSION OF NATIONAL SCHOOL LUNCH PROGRAM—AMENDMENT

AMENDMENT NO. 693

Mr. YOUNG of Ohio submitted an amendment, in the nature of a substitute, intended to be proposed by him to the committee substitute to the bill (H.R. 15398) to amend the National School Lunch Act to strengthen and expand food service programs for children, and for other purposes, which was ordered to lie on the table and to be printed.

NOTICE OF RECEIPT OF NOMINATIONS BY THE COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that today the Senate received the following nominations:

George C. McGhee, of Texas, to be Ambassador at Large.

Henry Cabot Lodge, of Massachusetts, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Federal Republic of Germany.

In accordance with the committee rule, these pending nominations may not be considered prior to the expiration of 6 days of their receipt in the Senate.

NOTICE OF HEARINGS ON HEALTH CARE AND COSTS

Mr. RIBICOFF. Mr. President, the high cost of health care is a subject of great concern to all Americans. It is one of the fastest rising items in the Consumer Price Index. During the past 10 years, all consumer prices rose 16 percent, but the cost of health care skyrocketed 50 percent. By 1975, when the cost of living will rise 20 percent, the cost of health care will be 140 percent higher.

Clearly, such enormous costs force us to ask fundamental questions about the manner in which the United States, in both the public and private sectors, provides health care to its citizens. We must ask how we organize, finance, and deliver health care to our people, and what steps we can take to provide the best possible health care at reasonable costs to the consumer.

Accordingly, the Subcommittee on Executive Reorganization of the Committee on Government Operations will begin hearings on April 22, 1968, on the efficiency, economy, and coordination of public and private agencies' activities and the role of the Federal Government in organizing, financing, and delivering health care in America. We will hold 5 days of hearings during this first week. The examination will continue over a considerable period of time.

Mr. President, my views on this subject were contained in a speech I made on March 1 before the National Cystic Fibrosis Research Foundation in New York City. I ask unanimous consent that the text of the speech be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

TEXT OF AN ADDRESS BY SENATOR ABRAHAM RIBICOFF BEFORE THE FIRST NATIONAL CONFERENCE OF THE NATIONAL CYSTIC FIBROSIS RESEARCH FOUNDATION, NEW YORK CITY, MARCH 1, 1968

The twentieth century often is called the century when man, having conquered most of the problems nature put in his path, now must conquer those he has created for himself.

And the most serious of these is that as our skills increase, our wisdom often seems to decrease.

Most of us see this as a warning about our skills of destruction—war and nuclear holocaust.

But few of us see this as a warning about our skills of healing—about the health and medical care the American people receive—and for which we pay $47 billion a year.

For when it comes to advancing medical science and reducing—in general—the risk of death, disease and illness, we Americans have made outstanding achievements.

But when it comes to providing these benefits and services to all who need them—when they need them—where they need them—at costs that are reasonable and that they can afford—we find great shortcomings and failures.

We find a pattern of health care that often is arbitrary and uneven—to say nothing of its fragmentation.

We find that the amont of care a person receives, the quality of that care, and the price of that care all too frequently are determined by such accidental factors as where a man lives, where he works, how much he earns, the size of his family, his race, his age and his social class.

We find many examples of poor care—and what is worse—no care at all.

We find major faults in our programs of hospital and medical insurance.

And finally, we find high costs that are out of proportion to what we pay for other services—and that are going even higher.

The situation is so serious that one prominent physician and hospital administrator has warned us:

"The day is fast approaching when inadequate distribution of medical care will adversely affect the quality, the teaching and the very purpose of medicine."

Let us take a closer look at the problem.

The $47 billion we spend each year on health and medical services—a full six percent of our gross national product—is more than twice as much as we were spending ten years ago.

This increase reflects both a growing demand for health and medical care—and a sharp increase in prices.

Health care costs have gone up almost 50 percent in the past decade—compared with a 16 percent rise in all consumer prices.

They are rising faster than the income of the average American family. And according to a recent report of the Department of Health, Education, and Welfare, the question is not whether health and medical costs will rise in the future, but how *fast* they will rise.

Without question, the steepest increase has been in hospitals.

In the 15-year period between 1950 and 1964, the cost of the average hospital day jumped 400 percent—from $11.08 a day to $48.15 a day. In some hospitals, costs already have reached the $100 a day level.

Why should this be? What has happened in medicine and health to push costs so high?

The major reason is labor. It accounts for two-thirds of a hospital's operating expense—compared to only one-third in private industry.

Today's hospital employs more people—and pays them higher salaries.

And we are feeling the pinch because hospital staffs—from nurses to dishwashers—were among the most underpaid persons in our economy for many years.

In some areas of the country, they earned as little as 45 cents an hour—until the Federal minimum wage law, which went into effect in January of 1967, not only covered hospital employes for the first time—but in many cases doubled their salaries.

Another factor is the rising cost of equipment. When a new lifesaving apparatus is developed, hospitals buy it.

Naturally, the machinery is expensive.

But whereas in most industries, the purchase of new machinery generally results in reduced labor costs, in hospitals the opposite holds true.

The new devices usually require highly trained and well-paid people to maintain and operate them.

There is another reason why hospital costs are on the rise. More people are using them. The more we know about medicine and the ability of the medical profession to cure our ills, the more we go to hospitals. And once again, we begin the spiral of more staff, higher wages and more technology.

But what about our hospitals? Are they managed as well as they might be?

A recent study of 12 distinguished hospitals suggests that there is room for improvement.

The study found that costs ranged from $46 to $96 a day—even when labor—the largest item in the hospital budget—was kept constant.

And when it comes to expensive technology, we have the report of the President's Commission on Heart Disease, Cancer and Stroke.

The Commission found that more than 250 of the 777 hospitals equipped to do open heart surgery—a full one-third—had no such cases during the year the study was made.

They also found that 476 hospitals—more than 60 percent—have less than one open heart operation a week—and that 225 have less than one a month.

Death, the Commission noted, occurs more often in hospitals where these operations are performed less—and that some of these expensive and specialized units are either not large enough or not used enough—often both—to properly train the hospital staff.

Here in New York, the administrator of one of your leading hospitals has said that this city has twice as many cardiac centers as it needs—duplication, he said, that results in "astronomical" costs and "miserable" care.

And what of our other institutions and services?

Have we developed an alternative in this country to the high-cost hospital so we can have some flexibility both in care and cost?

Not yet.

We have some flexibility, but we still see countless examples of hospital beds that cost anywhere from $40 to $100 a day being occupied by persons who need care that costs only half as much.

One hospital president has told us that one-third of the people in his institution did not need to be there—that they could be receiving less expensive care—if it existed. And other hospitals estimate that between 10 and 40 percent of their patients do not need to be in the hospital.

We have much further to go when it comes to tailoring health care to the individual—by providing him with the kind of care he needs—where he needs it.

And let us not forget that our insurance programs generally cover certain charges *only* when they occur in hospitals. This contributes both to higher costs and an unwise use of hospital beds.

The list could go on—and in much greater detail.

But the foregoing is enough to make clear three very important points:

First, health and medical care costs have increased—by and large—for very sound reasons: staff, salaries, new equipment and technology, greater use of our health and medical care facilities.

Second, the rising costs—though shocking—are symptoms of much more serious problems.

Third, these more serious problems relate to the fundamental questions of how we organize, finance and deliver health and medical care in America—and how we *should* organize, finance and deliver it.

These are questions to which my Senate Subcommittee on Executive Reorganization will address itself when it begins hearings next month on the status of health care in America.

Unfortunately, Americans rarely are interested in questions of organization—until they decide it is too expensive *not* to be interested in them.

But health, a leading medical economist has told us, is "inescapably an organizational process."

How foolish—how almost impossible—to try and solve the question of rising health costs without also trying to improve the care we receive.

Accordingly, our first concern will be: Do we really have a system of health care in America?

Much of the evidence suggests we do not—that the rise in health costs is not so much a result of our health care system—as it is the result of the fact that we have no system at all.

As the Report of the National Advisory Commission on Health Manpower told us last November:

"The organization of health services has not kept pace with advances in medical science or with changes in society itself. Medical care in the United States is more a collection of bits and pieces—with overlapping, duplication, great gaps, high costs, and wasted effort—than an integrated system in which needs and efforts are closely related."

Our second concern will be: What is the foundation upon which a system of health care should rest?

We ought to develop a system of health care whose objective not only is to keep people out of the hospital—but to keep them out by providing them with better and more personal care.

Within this general context, we will probe all the major areas and problems of health care that exist in our country.

We will survey our health manpower needs and our training institutions.

We will see how well we are applying the techniques and methods of automation and computer technology. Such skills may make the difference between life and death when a quick diagnosis is needed—and no hospital or medical facility is nearby.

We will survey our non-medical resources and see what kinds of contributions they are making—and can make in the future—in this field.

We will consider regional health planning—especially as it affects expensive equipment.

And we will, of course, assess the massive Federal investment in health—$15 billion in 14 departments and agencies.

I urge everyone connected with health and medical care—from the physician to the patient—to join with us in this effort. For we all have a vital stake in the outcome.

We need solutions—not scapegoats.

I believe we can achieve these solutions—as long as we understand that technology is not enough—it is not an end in itself—that to build a better society, we need more than a better mousetrap.

For wherever we have failed to make meaningful progress, it is not because we lacked the knowledge or the technology, the skills or the ideas—but because we were not ready—or willing—to organize and use these skills to the best of our ability in order to achieve our full potential.

PROTECTING CALIFORNIA'S WORK TRAINEES

Mr. KUCHEL. Mr. President, on Tuesday of last week, I received an urgent telegram from Spencer Williams, administrator of the California Health and Welfare Agency, outlining a desperate situation facing thousands of Californians now receiving work training in my State.

Today, we have close to 16,000 welfare recipients being trained under various Federal- and State-sponsored programs in California. Of these, the vast majority of trainees come under a State administered operation entitled "the community work training program." This program, which receives extensive Federal funding, provides work training assistance to welfare recipients. Although it is optional in the various States, California has exercised that option and developed a highly effective program operating in practically every county in my State.

Recently, however, legislative action was taken by the Congress to replace this type of program by July 1, 1968. According to the terms of the Social Security Act Amendments of 1967, a new work incentive program, under the direction of the Department of Labor, will become the only job training operation funded by the Federal Government for welfare recipients. This step will virtually cut off all Federal reimbursements for the California community work training program—a step which will have serious and tragic consequences for those individuals now receiving this needed job training.

State and Federal authorities estimate that the new Labor Department program will not be in operation earlier than May and then in only 26 counties in California. It is expected that it will take many more months before it is in full operation in those few counties. The effect of this delay, according to Mr. Williams, is that only 8,000 current job trainees will be accommodated by the new program, despite the fact that close to 16,000 are now in the community work training program. What then will happen to the remaining 8,000—are they to be cut off before completing their training, or will local and county governments be forced to pick up the awesome financial burden of carrying on this effort

I believe it is in the interest of the Nation and the State that an orderly transition in programs take place. Every step must be taken to insure that those thousands of welfare recipients now receiving job training are given the opportunity to continue in their efforts to become self-supporting Americans.

For this reason, I prepared an amendment to the pending excise tax bill which would have extended the community work training program until December of 1968. This proposal would continue Federal assistance to allow recipients currently under the State program to complete their job training. Following a number of thorough discussions on this situation with officials at both the Department of Health, Education, and Welfare as well as the Department of Labor, I believe that this matter need not require legislation but can be handled on an administrative level. To support this belief, I requested Mr. Stanley H. Ruttenberg, Assistant Secretary and Manpower Administrator at Labor, to direct a letter to me indicating that the Labor Department would do everything possible to accommodate all of those now participating in the California work training program. On Friday, March 29, I received a letter from Mr. Ruttenberg which states in part, as follows:

> If (1) an appropriate California plan for participation in the Work Incentive Program is received by June 1, 1968, and (2) the supplemental appropriation for the Work Incentive Program is approved by June 1, 1968, the Department of Labor will make provision for picking up every project in which it is agreed that there is a viable training situation.

This letter has been discussed with officials in California and Washington who believe that the commitment made by Mr. Ruttenberg will go a long way toward resolving this desperate situation.

It is my hope that officials at Labor as well as at HEW will continue to do everything possible to protect the welfare of the Californians involved. There is no reason why these worthy Americans should be prevented from receiving the type of training which will take them off the welfare rolls and place them in the mainstream of American life.

I ask unanimous consent that copies of the telegram from Mr. Williams, my reply wire, the draft legislation I had prepared, and the letter from Mr. Ruttenberg be printed in the Record at this point.

There being no objection, the items were ordered to be printed in the Record, as follows:

Sacramento, Calif.,
March 25, 1968.

Senator Thomas H. Kuchel,
Old Senate Office Building,
Washington, D.C.:

The Social Security Amendments of 1967, P.L. 90-248, withdraw Federal funds on June 30, 1968, for State operated community work training programs. Calif. currently has almost 16,000 welfare recipients in 52 counties being trained under this program. In order to assure continuity in California's efforts to help welfare recipients become self-supporting, I respectfully urge action by the Congress to extend the life of section 409, Social Security Act at least until December 31, 1968. The specific legal provision is contained in section 204(C)(2) of P.L. 90-248 which provides "the provisions of section 409 of the Social Security Act shall not apply to any State with respect to any quarter beginning after June 30, 1968".

This means no Federal reimbursement will be available after that date for costs of welfare operated work and training programs.

The effect of this in California will be to force us either to discontinue this program by June 30, or fund these operations entirely with State and local money. This would be of no concern if, as of July 1, the U.S. Department of Labor working through the State Department of Employment would be in a position to meet the needs of these recipients for work experience and training activities under the New York incentive program. However, there is every indication that (1) at best the win program will just begin to get underway no earlier than May, and then in only 26 counties in California; (2) It will be some months before it is in full operation in those counties, and even then will accommodate only about 8,000 recipients despite the fact that 14,000 are now in community work training programs in those 26 counties; (3) Under the best of circumstances it will be the end of 1968 before the program approaches the level of operations of our current community work training program. If, through the provisions of P.L. 90-248 cited above, we are forced to close down our community work training programs before the new work incentive program is geared to pick up the load, there will be a net reduction in the total effort being made to help welfare recipients become self-supporting.

If this happens, I believe there could well be a severe negative public reaction.

Spencer Williams,
Administrator,
Health and Welfare Agency.

March 28, 1968.

Hon. Spencer Williams,
Administrator, Health and Welfare Agency,
State Capitol,
Sacramento, Calif.:

Received your telegram re effect of Social Security Act on community work training programs and share concern of State over this predicament. Have discussed matter fully with officials at HEW and Labor. Both agree matter deserves urgent attention. Initial indication is that orderly transition in programs can be provided for through administrative remedies. Be assured I will explore this possibility fully. Will keep you informed of further developments particularly should legislative action be required.

Regards,

Thomas H. Kuchel,
U.S. Senator.

AMENDMENT BY SENATOR KUCHEL

(An amendment intended to be proposed by Mr. Kuchel to H.R. 15414, an act to continue the existing excise tax rates on communication services and on automobiles, and to apply more generally the provisions relating to payments of estimated tax by corporations)

At the end of the bill, add the following new section:

"Sec. —. Amendment relating to Community Work and Training programs under Title IV of the Social Security Act.

"Section 204(c)(2) of the Social Security Amendments of 1967 is amended to read as follows:

"'(2) The provisions of section 409 of the Social Security Act shall not apply (A) to any State with respect to any quarter beginning after December 31, 1968, and (B) to any expenditure, made by any State to provide aid to families with dependent children, if such expenditure is made in the form of payments for work performed after June 30, 1968, by a recipient of such aid who did not perform work during June 1968 for which such aid was provided in the form of money payments.'"

U.S. Department of Labor,
Office of the Assistant Secretary,
Washington, March 29, 1968.

Hon. Thomas H. Kuchel,
Washington, D.C.

Dear Senator Kuchel: This letter is in response to your inquiry regarding the ability of the Department of Labor through its Work Incentive Program to pick up the trainees in California currently engaged in the Community Work and Training Program.

The Department of Labor has requested a supplemental appropriation of $35 million for activities under the Work Incentive Program for Fiscal Year 1968. From these monies the Department of Labor has allocated 8,000 trainee slots for California. One hundred million dollars is budgeted for the Work Incentive Program for Fiscal Year 1969. From these monies 9,400 additional trainee slots are allocated for California.

In addition, 25% of the budgeted monies for both Fiscal Year 1968 and Fiscal Year 1969 are being held in reserve in order to accommodate extra needs that may arise in any state.

Representatives of the Department of Labor have been working closely with both the California State Employment Service and the California Welfare Department in developing plans for picking up people currently enrolled in the Community Work and Training Program under the new Work Incentive Program. Further meetings are planned to insure a smooth transition. The Department of Labor will review with Employment Service and Welfare representatives all current Community Work and Training projects in coming weeks.

If (1) an appropriate California plan for participation in the Work Incentive Program is received by June 1, 1968 and (2) the supplemental appropriation for the Work Incentive Program is approved by June 1, 1968 the Department of Labor will make provision for picking up every project in which it is agreed that there is a viable training situation. If the review reveals that a viable training situation is not present efforts will be made to reconstruct the projects in all cases where it is deemed appropriate.

In general, the Department of Labor believes that good working relationships have been established between the Department, the State Employment Service, and the State Welfare agency with regard to the implementation of the Work Incentive Program. We anticipate that the vast majority of those presently participating in Community Work and Training Programs can be and will be accommodated under the new Work Incentive Program.

Sincerely,

STANLEY H. RUTTENBERG,
Assistant Secretary and Manpower Administrator.

PRESIDENT'S PLAN OFFERS BEST HOPE FOR VIETNAM PEACE

Mr. **INOUYE**. Mr. President, President Johnson's dramatic decision to suspend bombing over nearly all of North Vietnam may offer the best hope for peace in Vietnam.

The President's decision offers renewed evidence to Hanoi—and to the world—that we seek a peaceful settlement, not a military victory; a just peace, not a declaration of surrender from the enemy.

By withdrawing from the presidential campaign he has underscored his purpose to take Vietnam out of partisan politics—and place it above party and power.

Let it be unmistakably clear that now, as before, the only roadblock Hanoi must hurdle for peace is its own refusal to talk.

The leaders of North Vietnam will reject the President's latest offer of peace at their own peril, for America will never surrender under pressure.

Through 4½ years of unprecedented accomplishment, President Johnson's speech on Sunday was perhaps his finest hour. By announcing a deescalation of the conflict he has taken a bold step toward peace.

And in renouncing further political intentions, President Johnson made an enormous personal sacrifice to bind the wounds which divide our people.

Last Sunday night, Lyndon Baines Johnson was truly a profile in courage—a man who put the cause of his country and of world peace above personal gain and glory; unity above personal pride.

PRESIDENT JOHNSON REMOVES HIMSELF FROM REELECTION—ADVANCES UNITY—LABORS FOR PEACE

Mr. **RANDOLPH**. Mr. President, while in Parkersburg, W. Va., on Monday, I issued a statement on President Johnson's decision not to seek reelection. I ask unanimous consent that it be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR RANDOLPH ON PRESIDENT JOHNSON'S ANNOUNCEMENT

President Johnson, by his forthright and sacrificing statement that he will not seek or accept the nomination of the Democratic Party, has removed himself from the often bitter and divisive campaign now being waged for the Presidency. I firmly believe that the President meant exactly what he said—that he is not a candidate.

In a real sense, he has taken the Vietnam war out of the campaign, insofar as he can at this time.

I firmly believe that the President spoke to advance the cause of unity. His declaration was restrained but courageous. He loves his country and its people. He has labored for freedom and justice and peace for mankind.

CODIFICATION OF TRANSPORTATION LAWS

Mr. **MAGNUSON**. Mr. President, the program begun under the leadership of the Committee on Commerce to consolidate and reenact the various transportation laws is moving ahead.

In the 89th Congress, the Committee on Commerce began the task of consolidating and reenacting the merchant marine, navigation, and shipping laws of the United States. This enormous task was broken down into three sections. Under Senate Resolution 76 of the 89th Congress, first session, which authorized funds for the activities and investigations of the Committee on Commerce, there were included funds for a compilation and reunion of the maritime statutes. Pursuant to this authorization, the committee entered into a contract with Pike & Fischer, Inc., of Washington, D.C., to prepare a revision of the statutes relating to the Federal Maritime Commission and the Maritime Administration. The Pike & Fischer revision was introduced in the 89th Congress as S. 3446. This bill received wide support and was subsequently passed by the Senate, however, the House of Representatives failed to act before adjournment. On January 24, 1967, I reintroduced the proposed Merchant Marine Act of 1967, as S. 620.

The second portion, the Navigation Act of 1967, was prepared in a draft form by the Bureau of Customs, Department of Treasury, and set forth in a committee print dated May 1, 1967, "Draft of Proposed Navigation Act of 1967."

The third portion, the Marine Safety and Seamen's Welfare Act of 1967, prepared in a draft form by the Coast Guard, which is now part of the Department of Transportation, was set forth in a committee print dated August 1967, "Supplement to a Committee Print of Draft Bill Entitled 'The Marine Safety and Seamen's Welfare Act of 1967.' "

In the 90th Congress, the committee began the task of consolidating and reenacting the provisions of the Interstate Commerce Act. The Interstate Commerce Commission agreed to assume the primary responsibility for this project, and as a first step to submit to the committee a draft consolidating the provisions of the act it administers. The Interstate Commerce Act, like the shipping laws of the United States, is in need of consolidation and reenactment. Since the original passage of the act to regulate commerce in 1887, it is estimated that there have been no fewer than 80 amendments and amendatory acts.

Under section 14 of the Department of Transportation Act, Public Law 89-670, the Secretary of Transportation was directed to submit to the Congress within 2 years of the effective date of the act a proposed codification of laws containing functions transferred to the Secretary or the Department under the act.

The Secretary of Transportation has proposed a two-phase interagency codification program to eventually codify all of the major transportation laws that have not heretofore been codified into two titles of the United States Code—title 49, "Transportation"; and title 46, "Shipping."

The first phase of this program—title 49 "Transportation"—would be a joint effort by the Department of Transportation, the Interstate Commerce Commission, and the Civil Aeronautics Board to submit to the Congress by July 1, 1969, a draft bill to codify the Interstate Commerce Act—and related laws—the Federal Aviation Act of 1958—and related laws—the Department of Transportation Act, and the rail safety statutes from title 45.

The project now being undertaken by the ICC to prepare a proposed consolidation of the Interstate Commerce Act will contribute specifically to the overall effort, save many months of preliminary work by the joint group, and be incorporated into the final codification effort.

The second phase of this program—title 46, "Shipping"—would be a joint effort by the Department of Transportation, Bureau of Customs, the Federal Maritime Commission, and the Maritime Administration to submit to the Congress by April 30, 1970, a draft bill to codify the provisions currently in title 46, United States Code, relating to the Department, including the Coast Guard, the Bureau of Customs, Federal Maritime Commission, and the Maritime Administration.

The work undertaken at the direction of the Commerce Committee by Pike & Fischer, the Coast Guard, and the Bureau of Customs will contribute specifically to this overall effort, save many months of preliminary work and will be incorporated into the final codification effort.

This codification effort is proceeding under a directive not to make substantive changes to the transportation laws unless made necessary by recent organizational changes or similar requirements, or to eliminate repealed and obsolete sections. The gathering together, organizing rationally, and codification of the present scattered statutes affecting transportation and shipping will be of substantial benefit to the Government, industry and the public. This project could also focus attention on matters which at a later time might be the subject of substantive changes in these laws.

I ask unanimous consent that there be printed in the RECORD the texts of Secretary Boyd's letter of February 26, 1968, and my reply of March 5, 1968, concerning this interagency codification project.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

THE SECRETARY OF TRANSPORTATION,
Washington, D.C., February 26, 1968.

Hon. WARREN G. MAGNUSON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MAGNUSON: On November 20, 1967, I wrote to you describing our plan for an interagency codification project as a method of complying with the requirements of section 14 of the Department of Transportation Act. Under that section, this Department is obligated to submit to Congress a proposed codification of laws containing functions transferred to the Secretary under the Act. We have been giving continuing consideration to the matter and are now able to furnish further details and time projections for your consideration.

Our proposal of an interagency effort primarily concerns two titles of the United States Code—Title 46 "Shipping" and Title 49 "Transportation." We would also propose to transfer certain railroad safety statutes from Title 45 "Railroads" to Title 49, leaving the bulk of Title 45 (railroad labor legislation) undisturbed. This would effectively allocate all of the major transportation laws that have not been already enacted in codified form.

As the first phase of the program, we would prepare a draft bill to enact the Interstate Commerce Act (and related laws), the Federal Aviation Act of 1958 (and related laws), the Department of Transportation Act, and the railroad safety statutes from Title 45, as a new Title 49 "Transportation" of the U.S. Code. We estimate that this part of the project could be submitted to the Congress by July 1, 1969. The draft bill would be the joint efforts of the Interstate Commerce Commission, the Civil Aeronautics Board, and the various elements of this Department, and would be jointly submitted to the Congress.

The second phase of the program would be the preparation of a draft bill to enact the provisions currently in title 46, U.S. Code, relating to this Department (including the Coast Guard), the Bureau of Customs, the Maritime Commission, and the Maritime Administration, as a new Title 46 "Shipping." All of the agencies named would participate. The estimated date for the submission of this portion would be April 30, 1970. We would plan to work on both portions of the project at the same time.

I would like to reemphasize that this proposal for a joint project is made with full awareness of the projects now going forward under the auspices of the Senate Commerce Committee (e.g., the consolidation of the ICC Act; the Pike and Fischer project; and the Coast Guard project). The starting point that these projects provide should contribute specifically to the overall effort and save many months of preliminary work by the joint group. These efforts, with necessary changes to achieve a unified product, will be incorporated into the final codification effort. The unified approach to a codification, using material to this extent already prepared, will result in an end product of substantial benefit to the Government, industry, and the public.

We would very much appreciate an expression from your Committee as to whether the project as outlined meets with its approval.

Sincerely,

ALAN S. BOYD.

U.S. SENATE,
COMMITTEE ON COMMERCE,
Washington, D.C., March 5, 1968.

Hon. ALAN S. BOYD,
Secretary, Department of Transportation,
Washington, D.C.

DEAR ALAN: Thank you for your further letter of February 26, 1968 concerning the Department's plan for an interagency codification project as a method of complying with the requirements of section 14 of the Department of Transportation Act.

Your letter indicates details and time projections for a two phase program to allocate all of the major transportation laws that have not been already enacted in codified form into two titles of the United States Code—Title 49, Transportation; and Title 46, Shipping.

The first phase of this program—Title 49, Transportation—you advise would be a joint effort by the Department, the Interstate Commerce Commission, and the Civil Aeronautics Board to submit to the Congress by July 1, 1969 a draft bill to codify the Interstate Commerce Act (and related laws), the Federal Aviation Act of 1958 (and related laws), the Department of Transportation Act, and the rail safety statutes from Title 45. Your letter indicates that the project now being undertaken at the direction of the Commerce Committee by the Intertsate Commerce Commission to consolidate the Interstate Commerce Act will contribute specifically to this overall effort, save many months of preliminary work by the joint group, and be incorporated into the final codification effort.

This proposed joint effort to codify a comprehensive Title 49 meets with my approval, and I join you in thinking that it will produce a more useful end product than separate efforts on the part of the Department and the two regulatory agencies.

Your letter also indicates that the second phase of this program—Title 46, Shipping—would be a joint effort by the Department, Bureau of Customs, the Federal Maritime Commission, and the Maritime Administration to submit to the Congress about April 30, 1970 a draft bill to codify the provisions currently in Title 46, U.S. Code, relating to the Department, including the Coast Guard; the Bureau of Customs, Maritime Commission, and the Maritime Administration. As is the case with the I.C.C. project, your letter indicates that the work now being undertaken at the direction of the Commerce Committee—the Pike and Fischer project, the Coast Guard project and the project undertaken by the Bureau of Customs, Department of the Treasury—will contribute specifically to this overall effort, save many months of preliminary work, and be incorporated into the final codification effort.

This proposed joint effort to codify Title 46 also meets with my approval, and I join you in thinking that the end product will be of substantial benefit to the Government, industry, and the public. As you are aware, the Senate in the 89th Congress reenacted consolidated shipping laws, and this proposed legislation, S. 620 of the 90th Congress, is again pending before the Commerce Committee. Whether or not the Commerce Committee determines to favorably report S. 620 to the Senate, I agree that the consolidated shipping laws should be made a part of the codified Title 46 as proposed in your letter.

The Commerce Committee has been actively concerned with the need to gather together, organize rationally, and reenact the scattered statutes affecting transportation and shipping. You may be assured of the cooperation and assistance of the Committee and the Committee staff in the two phase interagency codification project to accomplish this result. During the coming months it would be appreciated if you would keep us advised as to the progress of this interagency codification project, and provide us with the drafts and revised texts from time to time prepared prior to completion of the submitted project in the 91st Congress.

Sincerely yours,

WARREN G. MAGNUSON,
Chairman.

THE SELECTION AND APPOINTMENT OF A POSTMASTER AT DEER ISLE, MAINE

Mrs. SMITH. Mr. President, I have received a most disturbing letter from the chairman of the Board of Selectmen of Deer Isle, Maine, with respect to the filling of a postmaster vacancy in that town.

As a Republican, I am excluded from any participation in the selection process on postmasters. Consequently, the only manner in which I could respond in this matter is to bring it to the attention of those who do make the selection and the appointment.

I have accordingly written the Postmaster General about this matter and pursuant to the request of the chairman of the selectmen, I have sent copies of his letters to me on to Representative HATHAWAY in whose congressional district Deer Isle is located.

I now ask unanimous consent to insert his letter of March 20, 1968, in the RECORD at this point and I invite the serious attention of the Committee on Post Office and Civil Service to it.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEER ISLE, MAINE,
March 20, 1968.

Senator MARGARET C. SMITH,
Washington, D.C.

DEAR SENATOR SMITH: Several years ago I took an examination for filling the postmaster's vacancy here on the Island and received the highest grades placing me in the number one spot on the eligibility list to be considered by the local Democratic committee in filling the vacancy.

Instead of filling the vacancy the committee called for another exam because they did not have at least three eligibles to choose from which was their right even though the previously deceased postmaster was chosen under the same conditions of just two eligibles. The results of this second examination shocked not only me but every person of any intelligence here on the Island. In this exam despite an even higher grade I was lucky to squeeze into the eligibility list being named as number three man.

It would be very interesting if you would arrange to look at these results and check the manner in which the Civil Service Commission does their grading. Personally there is no doubt in my mind as to the manner in which the Civil Service Commission does operate. I am now going to present just the facts of the matter to you for your own perusal and resolution. Remember these are just facts to which I would swear to in open hearing under oath.

1. Wilfred Weed was an unsuccessful candidate for the Rural Carrier job and finished fourth in an examination for same.

2. After stalling for months in making the appointment, Mr. Colby Weed, Chairman of the Democratic Committee personally called upon a Mr. Douglas Haskell, who placed high on the rural carrier exam and tried in vain to have Mr. Haskell declare himself no longer interested in the rural carrier job, since by virtue of his not being a veteran, he could not be named to the vacancy anyway. If Mr.

Haskell were to drop out of contention, then Wilfred Weed, brother of Colby Weed could then be moved up the list and nominated to the job.

3. This action, being highly unethical on the part of Colby Weed according to the standards set by the Civil Service Commission, was then immediately reported by Mr. Douglas Haskell to the District Representative of Rep. William D. Hathaway, Norman Drew, at the Bangor, Maine office.

4. There was no other cause of action to follow since Mr. Haskell would not swerve from his position hence, the Rural Carrier eventually went to a Mr. Hubert Billings.

5. In spite of all the evident collusion between the brothers Weed, they were allowed to take the subsequent examination for the still vacant postmaster job. Results of the grading of that exam are certainly open to criticism. With all my administrative years of experience Colby Weed finished ahead of me and Wilfred Weed finished right behind me. Can you explain how two brothers Weed, truck drivers, all their lives can get ahead of Douglas Haskell who received a grade of 96 on the written exam alone? Several other aspirants, all Republicans, also had marks in the upper brackets, yet received efficiency gradings way below that of the brothers Weed despite the fact that they were either college graduates or school teachers.

6. Here comes the stickler, Colby Weed, a walking invalid, who could never pass the physical, now drops out of contention, calls a meeting of the committee and lo and behold, Wilfred Weed receives the appointment for the postmaster vacancy. You and I most certainly know by this time as to the abilities of any individual after dealing with them for years. I declare that Colby Weed could never beat me in any exam and even in high school had trouble passing any exam. Wilfred on the other hand just barely squeezed through school, could not get into the eligibility list on both exams and here he is holding the laurel wreath of victory in his hand.

I have now had my say, Senator Smith, and if these kind of people are to be nominated for office in the Senate and automatically approved then our Country is most certainly sinking lower and lower in morality. It is these happenings on the home front that eventually bring about civil disorders and riots. Could I, with any respect to myself, say to my son or any other persons son, go off to Vietnam boy, get yourself blown apart, because we are a Democracy where all men have been created equal. One reaps benefits only if one belongs to the right party at the right time.

Hoping you stand by yourself, if necessary, when it becomes time to make or reject confirmation to Wilfred Weed's appointment to the Postmaster job, I remain

Very truly yours,

Leonard P. Dramis,
Chairman of the Board of Selectmen.

TAX DEDUCTION FOR THE HANDICAPPED

Mr. JAVITS. Mr. President, it had been my hope to be able to submit, as an amendment to the proposed legislation before the Senate, the proposal I introduced on March 9 of last year for myself and the distinguished Senator from Missouri [Mr. Long] which would give the disabled an income tax deduction of up to $600 to cover transportation to and from work and to allow them the additional $600 tax deduction now given to the blind. This proposal, S. 1239, and its predecessor bills has had editorial support ranging from the New York Times to the Progressive Farmer; endorsement from the AFL–CIO, the VFW, the General Federation of Womens Clubs, the National Association of Social Workers, and the National Council of Churches of Christ; and, in 1966, some 30 Governors indicated to the Joint Handicapped Council their support.

Regrettably, as has now become quite apparent, it is not feasible to submit S. 1239 as an amendment to H.R. 15414, the bill now before the Senate, as had been my original hope. However, it is my intention to press my handicapped persons tax proposal as an amendment to the first tax measure to come before the Senate where such an amendment would be feasible.

What would be done through S. 1239 would be to help handicapped individuals to help themselves and aid them to achieve some personal independence from institutions, from overburdened families, and from local and State governments. Such legislation is as hard-nosed and practical in economic terms as it is humanitarian, a practical bill to benefit those who have no alternative but to be practical.

The distinguished medical writer, Dr. Howard A. Rusk, described, in a New York Times article, the "inequities of our present tax system, which discriminates against the severely handicapped." The facts detailed by Dr. Rusk and the conclusions drawn argue eloquently for enactment of legislation similar to S. 1239. I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the New York Times, Apr. 16, 1967]

Taxing the Handicapped—Present System Is Called Unfair to the Disabled Who Are Employed

(By Howard A. Rusk, M.D.)

Tomorrow's deadline for Federal, State and local income tax payments for 1966 again highlights the inequities of our present tax system, which discriminates against the severely handicapped.

Currently our nation spends more than $1 billion a year for rehabilitation services for our handicapped fellow citizens.

Our motives are both humanitarian and economic.

We are concerned with removing these people from public and private welfare rolls and giving them the dignity and self-respect that comes from gainful employment.

These efforts have become increasingly effective. In the last fiscal year the state-Federal vocational rehabilitation program rehabilitated a record total of 154,000 disabled men and women into employment. The goal for this fiscal year is 190,000.

About three-quarters of those rehabilitated were unemployed when accepted for service and most were dependent upon welfare or the largesse of their families and friends.

PROFIT RATIO OF 10 TO 1

Based on previous experience, it is estimated that for every Federal dollar invested on their rehabilitation the Federal Government will receive from direct taxes approximately $10.

Certainly this is an economically enlightened as well as humanitarian concept.

But our tax treatment of these disabled workers is far from enlightened. They are not permitted to deduct the extraordinary expenses they have as a result of disability.

There is no doubt that severe disability creates extraordinary expenses over and above those that are now deductible as medical expenses.

Major among these is the cost of transportation to and from employment. Since they cannot use public transportation, many disabled persons must rely on taxicabs or chartered car services.

It is not unusual to find a severely handicapped worker paying out half of his weekly salary for transportation.

Those who own cars with such special equipment as hand controls are not even permitted to deduct the cost of such equipment.

To permit deduction of extraordinary transportation expenses by the handicapped would be consistent with basic tax principles. These permit other categories of wage earners or the self-employed to deduct certain expenses they incur as essential to their income-producing activities.

Clothing of the disabled is subjected to unusual wear and stress. Many disabled persons require custom-made clothing or special alterations on ready-to-wear clothing.

Housing costs are frequently higher as disabled persons cannot live in the less expensive, nonelevator buildings. They often live in ground floor apartments at higher rents. There may also be added costs for ramps or special household equipment, particularly in the kitchen and bathroom.

In the last 12 years there have been 480 bills seeking such equity introduced in the Congress.

In introducing such legislation in the Senate last month, Senator Jacob K. Javits estimated that some 300,000 disabled persons would qualify under the legislation at a maximum cost to the Government of $40 million.

Amusement costs are frequently higher as the disabled person must use the more expensive orchestra seats in theaters and concert halls and usually must have an escort or attendant.

Many medical, labor, health, welfare, veteran and other groups have supported legislation to create the parity and equality which the disabled seek in taxes.

Under the New York Republican's proposal the disabled taxpayer, in order to qualify for an additional $600 exemption, must suffer from the loss of one or more extremities or 50 per cent or more loss of ability as defined by the Veterans Administration.

In addition, both the blind and disabled would qualify for an additional tax deduction of up to $600 for expenses of going to and from work.

In 1964, Senator John Sparkman, Democrat of Alabama introduced such an amendment to a general tax revision amendment. It was passed by the Senate but died in the Senate-House conference.

Among one of a number of groups actively lobbying for such legislation is the Joint Handicapped Council, 720 West 181 Street, New York, N.Y. 10033.

MILLS CALLED SYMPATHETIC

The council reports a delegation of its members met last year with Representative Wilbur D. Mills, Democrat of Arkansas, and he seemed sympathetic to their views. Mr. Mills is chairman of the House Ways and Means Committee.

Later this month—at the annual meeting of the President's Committee on Employment of the Handicapped, April 27–28—the group will return to Washington to attempt to stimulate support for the legislation.

When a severely disabled person completes his rehabilitation, he enters the job market with high expectations.

Frequently, he finds his hopes dashed in that his salary is not sufficient to meet his costs of transportation, his payroll deductions and his living expenses.

He has no other alternative but to go back on public assistance.

The result is that the several thousands of dollars and frequently innumerable hours of professional and volunteer services have been wasted.

Even more important is that added to his physical problems are the frustrations and disappointments of being able and wanting to work and be self-sufficient, but being denied that opportunity because of discriminatory taxation.

FREIGHT RATE INCREASE

Mr. METCALF. Mr. President, recently Secretary of Agriculture Orville Freeman asked the Interstate Commerce Commission to cancel the $300 million freight rate increase granted to the railroads in February.

His petition pointed out the undue burden forced on agricultural producers by the ICC action. This point was stressed in the Department of Agriculture's presentation to the Commission last year, and in my October 12 statement to the Commission, on behalf of my colleague from Montana [Mr. MANSFIELD], Representative OLSEN, and myself.

Mr. President, it was my hope that the Commission would carefully consider the petition of the Secretary of Agriculure. He speaks for farmers and for businesses dependent on a healthy agriculture, all of whom will be adversely affected if the Commission decision is allowed to stand.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the release of March 8, which I received regarding Secretary Freeman's forceful position.

There being no objection, the release was ordered to be printed in the RECORD, as follows:

SECRETARY FREEMAN PETITIONS ICC TO CANCEL RAILROAD FREIGHT RATE INCREASES

Secretary of Agriculture Orville L. Freeman today petitioned the Interstate Commerce Commission to cancel the $300 million freight rate increase permanently granted the nation's railroads in February.

Secretary Freeman said the ICC erred in its computation of the increased cost to railroads due to wage increases and saddled American agriculture with a disproportionate share of the rate increases.

The U.S. Department of Agriculture challenged the rate increase sought by the railroads during ICC hearings last summer, and again in oral argument and a brief filed last fall. Across-the-board increases became effective last August, subject to further ICC investigation.

The ICC concluded its investigation and allowed the increase in an order issued Feb. 15.

The Secretary's petition for reconsideration states that USDA had conclusively demonstrated on the record that the rail carriers grossly overstated their increased operating costs due to wages, and that although the ICC had expressed "dissatisfaction with the quantum of proof" presented by the carriers, it nonetheless granted nearly all the increased revenue sought by the railroads. The petition also repeated USDA's contention that the increases placed an inequitable burden on agricultural commodities.

In the petition, USDA compares the railroads' estimate of $320 million in increased payroll costs for 1967, presented to support their request for a rate increase, with the *actual* increased payroll costs for the year. Based on annual reports for 1967 recently submitted by the railroads, increased wage and payroll tax costs in 1967 were about $53.5 million, or one-sixth of what the railroads had estimated.

Thus the railroads "overestimated" their increased costs due to wage increases by about $266.5 million, the petition states.

The petition also states that the railroads have similarly overestimated their increased payroll costs by amounts ranging from $30 million to $761 million in six different rate increase requests since 1948.

"It would be a serious error to permit the railroads the increases sought predicated upon such gross overstatement of need," the petition states. "The record shows that the carriers have habitually overestimated their wage costs and we strongly urge the Commission to halt this practice which is so patently unjust."

Under the increases granted by ICC, the petition says, agriculture is being saddled with about $130 million of the increased rate charges, or 42 percent of the increased revenue the carriers say they expect from all commodities. However, agricultural products, food, and farm supplies represented less than 24 percent of total railroad tonnage in 1965, the last year for which complete figures are available.

The petition says that while the Commission took note of the depressed economic condition of the nation's farmers, it did not, except for minor adjustments in rates on fresh fruits and vegetables, provide relief for farmers.

Mr. METCALF. Mr. President, now I find that the Commission is considering an additional freight rate increase in an amount at least equal to the rate increase granted by the Commission last February. The Washington Post, in an editorial published March 21, has raised some questions for the Commission, questions that I find myself asking as well. So that Senators may have the benefit of the editorial, I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Mar. 21, 1968]

QUESTIONS FOR THE ICC

Last August the Interstate Commerce Commission granted the railroads an estimated $300 million in rate increases as an offset to rising operating costs. But the Department of Agriculture, relying on its able staff of transportation specialists, challenges that decision on the ground that the ICC accepted the railroads' grossly inflated estimate of their 1967 labor costs.

In filing against the rate increase last November, Secretary Orville L. Freeman contended that the rail carrier's projection of their labor costs was far too high, and the subsequent release of the official figures by the ICC sustains that point. In petitioning for higher rates, the carriers estimated that their payroll costs would rise by $320 million and their total operating costs by $440.8 million. But according to the data for 1967 that were filed with the ICC, the actual increase in payroll costs was about $53.5 million. Much of the overestimate of $266.5 million was apparently due to an error projecting the decline in railroad employment. The carriers stated that the number on their payrolls would decline by 2.25 per cent when it actually fell by 5.27 per cent.

Since the carriers are now asking for another $300 million or more in increased freight rates, it is fair to ask the ICC to provide answers to several relevant questions. Why did it deny the Department of Agriculture's petition to reconsider the August rate increase within three hours after it was filed? Why didn't the ICC subject the carriers' labor cost estimates to critical scrutiny?

There is also a broader question affecting the public interest. The repeal of "full crew laws" by a number of states, the acquiescence of the rail labor unions on "featherbedding" rules, the recently approved mergers and new technology, all these factors tend to raise railroad productivity and lower their unit operating costs. Are these gains to be shared solely by the carriers in higher rates and the rail unions in higher wages? Or will the ICC exercise its regulatory authority to transfer some of the benefits to the public? That question is particularly relevant at a time when real consumers' incomes are being eroded by inflation.

Mr. METCALF. Mr. President, Montanans who oppose additional increases have called upon the Commission to grant public hearings in Montana before reaching any final decision granting the railroads' petition. This is a reasonable request. Indeed, I should think the Commission would welcome a full discussion of the issues in the geographical areas that would be affected by any additional increases. However, I would hope that the Commission would render moot any necessity for hearings by denying the railroads' petition in its preliminary order.

POVERTY COORDINATION

Mr. FANNIN. Mr. President, in the debates that have raged around the matter of who controls the purse strings of poverty programs, a very vital relationship has been largely neglected. This concerns the role local and State governments will have in seeing that taxpayers' money is wisely spent. I have always held firmly to the belief that the best government is that which is closest to the people.

In my State of Arizona, Gov. Jack Williams has made great progress in establishing an Indian development district of Arizona to coordinate programs helping the Indians. He has done this in order to bring some sense and eliminate confusion in the many programs that overlap and tend to duplicate effort. Now he is planning a similar approach to the poverty programs.

One of the outstanding attorneys in Arizona, Mr. Royal D. Marks, has written a very perceptive letter on this whole problem and makes suggestions which I think are very applicable on the national level.

I ask unanimous consent that Mr. Marks' letter be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

[From the Arizona Republic, Mar. 3, 1968]

A STATE COORDINATING OFFICE SEEN A BIG STEP FORWARD

EDITOR, THE ARIZONA REPUBLIC:

I read with interest the article in your paper regarding Governor Williams' taking over the poverty war reins by establishing a central, controlling agency for programs in the state.

It is certainly time someone did something about coordinating the various poverty programs, not only on a statewide level but on the national level as well. We are being initialed to death with poverty programs, and other programs such as OEO, HUD, EDA, etc. Now that Governor Williams is planning on taking the initial step to try and coordinate all of initialed programs let us hope that the federal government will take similar action.

> As tribal attorney for several Indian tribes in the state, I have been able to closely observe the tugging and pulling of all of these poverty programs in a purported effort to alleviate the serious problems that exist on Indian reservations, such as unemployment, underemployment, lack of development of economic resources, etc. There could be and should be millions of dollars saved in administrative costs if the overlapping of these various initialed agencies is eliminated.
>
> It is frustrating enough for the non-Indian, as has been demonstrated in our larger cities such as Phoenix, to know how and why to set up a program. So one can imagine how frustrating it is to our Indian tribal leaders when they are called into meeting after meeting and listen to the glorious stories of the programs available to them. And then, when they attempt to put in an application or even after an application is acted upon and the funds granted, to meet red tape and other obstacles in trying to put the funds to work on the reservation level.
>
> To begin with, when the Office of Economic Opportunity was first set up and they came on the Indian reservations to tell about the programs the question was asked, "Why is this OEO program necessary when the Bureau of Indian Affairs already has the same programs and all that is needed is money to implement the programs?" The answer always was, "Oh, but this is different."
>
> Yes, it is just a different way to spend millions and millions more of our taxpayers money without any benefit to the persons such as our Indian citizens who need the assistance so badly on their reservations. There is such an overlapping and duplication of effort in these various poverty programs that it would astound the average individual if he knew what was going on.
>
> We all hope that Governor Williams does do something about establishing a state coordinating office as he has already assisted through his office in taking a great step forward by helping to establish the Indian Development District of Arizona. Let's not stop there but insist that something be done on the national level to stop the great waste of our taxpayers' dollars.
>
> ROYAL D. MARKS.

GEORGE D. WOODS: A GREAT INTERNATIONAL PUBLIC SERVANT

Mr. PERCY. Mr. President, those individuals who have responsibility for programs of economic assistance to the developing countries surely fill some of the most thankless positions in public life today. There is widespread disillusionment over the effectiveness of development aid. The amount of assistance which the wealthy countries provide, either bilaterally or through multilateral institutions, is disappointingly low. Aid officials are obliged to seek funds with hat in hand, facing gigantic obstacles in the shape of the balance-of-payments difficulties and the budget problems of the rich countries.

It would be easy for an aid official to despair in the face of the massive development task and the equally massive apathy which often meets his urgent appeals for action. It is all the more impressive, therefore, that men like George D. Woods, the retiring president of the World Bank, have tirelessly and with profound dedication devoted themselves to the critical task of closing the gap between the world's rich and poor nations.

George Woods assumed his duties at the Bank on January 1, 1963, after a distinguished career in business which he concluded as chairman of the board of the First Boston Corp. In the 5 years of his "second career" at the World Bank, he has achieved a well-earned reputation as a truly outstanding international public servant.

Under George Woods' direction the World Bank has experienced a period of significant growth. Along with the doubling of its staff, the Bank has struck out in new directions, making wide-scaled investments in the field of agriculture and education. Three of the Bank's most pressing concerns have been resolved: the replenishment of International Development Association funds; the financing of the Bank's lending funds; and a new policy decision on interest rates charged by the Bank.

One of George Woods' most recent efforts was to help dispell the fog of suspicion and discouragement that concerns the free world's economic assistance effort. Contrary to general opinion, the developing countries have been moving ahead at a rapid rate, thanks in large part to development assistance. Since the early 1950's the average annual economic growth of the poorer countries has surpassed 4.5 percent. At least 25 countries with a per capita GNP of $200 to $600 per year grew during 1966 at an impressive rate of between 5 and 10 percent.

George Woods believes that the developing countries can now absorb much more investment capital than has been forthcoming to date from the developing countries. He has stated:

> It is surely not impossible to give economic assistance a somewhat higher priority when one recalls that arms spending, in the world at large, has passed the $160 billion a year mark.

In pursuit of this objective, George Woods last year traveled roughly 100,000 miles throughout the world on behalf of the 77 capital-short client-countries adjudged qualified to borrow from the World Bank.

One of his latest and most dramatic suggestions was to organize a full scale review of development assistance comparable to that which preceded the Marshall plan in 1947. In a recent speech he said:

> What can be done? I would like to suggest that the governments of the developed countries—on whose support and resources any more ambitious strategy for the 1970s will depend—decide to get away from rumor and innuendo and half facts and half truths and put themselves in the position to learn the real facts. I suggest that they invite the dozen or more leading world experts in the field of development to meet together, study the consequences of 20 years of development assistance, assess the results, clarify the errors and propose the policies which will work better in the future. In 1947, before Europe and America could enter wholeheartedly into the experiment of the Marshall Plan, an official body of experts under the leadership of Lord Franks, drawn from the participating nations, studied the whole range of programs and policies required to achieve European recovery. Today, it is high time to work out a similar perspective of the problems of growth in the less developed countries, and to draw, for all to see, a genuinely comprehensive, objective and expert picture of where we are and where we can go from here.

I feel confident that George Woods' successor, former Defense Secretary Robert S. McNamara, will pursue this constructive idea or something comparable. It would be a worthy tribute to George Woods.

It is sometimes said that the stature of a man is indicated by the quality of the replacement he recommends. If this is true, as I believe it is, it says much about the quality of Mr. McNamara's predecessor. It is my understanding that Mr. McNamara was George Woods' personal choice to succeed him. That fact alone speaks well for both men, and it augers well for the future of the Bank. I feel certain that we can anticipate a continuation of the forward-looking policies of the past 5 years under what surely will be the dynamic, creative, and gifted leadership that Robert McNamara will provide to the Bank.

U.S. CHAMBER OF COMMERCE JOB PUBLICATIONS

Mr. JAVITS. Mr. President, one of the most difficult problems for those uninitiated in the mysteries of Federal grant-in-aid programs has been the sometimes confusing proliferation and duplication of programs in the area of manpower training for the hard-core unemployed. The situation is still deteriorating in this regard, although the National Manpower Act introduced by me and 14 Republicans in the Senate and by 63 Republicans in the House has as two of its goals the consolidation of overlapping programs and the provision of technical assistance to private groups interested in knowing about the field.

A number of programs have been inaugurated recently dealing in particular with the area of job training in private industry. Within the last year we have seen the emergence of major programs with the not-very-helpful titles of "MA–1," "MA–2," and "MA–3." If the business community is to become involved in manpower training activities for the hard-core unemployed, it must not be forced to confront a confusing array of programs and Government agencies.

The U.S. Chamber of Commerce is making a major contribution in the effort to present brief and readable descriptions of Federal manpower programs to the business community. As part of its "Forward America" program, the chamber has put out several brief pamphlets providing useful information on these programs.

I would like at this time to insert the text of one of the chamber's publications, entitled "Summary of Federal Programs for Hard-Core Unemployed," which gives the best single summary I know of the group of new business-oriented manpower programs. I ask unanimous consent that the text of this pamphlet appear at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SUMMARY OF FEDERAL PROGRAMS FOR HARD-CORE UNEMPLOYED

(Prepared by Community and Regional Resource Development Group, Chamber of Commerce of the United States)

Program title: National Alliance of Businessmen (NAB).

Purpose of program: The National Alliance of Businessmen is established for the purpose of getting private business firms in the na-

tion's fifty largest cities to hire and train hard-core workers. As a corollary function, it will advise the Secretaries of Labor and Commerce about the guidelines for federal programs to facilitate hard-core hiring in the private sector.

The Alliance will not provide jobs or set up national programs. Rather, it will be the merchandising mechanism to encourage local communities to participate in the JOBS[1] program.

The NAB is headed, at the national level by Mr. Henry Ford. In each of the fifty largest cities a businessman has been appointed to establish a local alliance.

Government contact: Mr. Leo Beebe, Executive Director, National Alliance for Businessmen, Federal Office Building Number Seven, 17th and H Street, N.W., Room 7236, Washington, D.C. 20006.

National Chamber contact: Miss Patricia A. Goldman, Karl Schlotterbeck.

Program title: MA-1.

Purpose of program: The MA-1 Program, also referred to as the Zisch Program, was designed to operate on a pilot basis to induce private industry to locate new facilities in urban ghettos in order to create jobs for the hard-core unemployed. The pilot cities are Washington, D.C.; San Antonio, Texas; Chicago, Illinois; Boston, Massachusetts; and Los Angeles, California.

A broad range of inducements to industries to relocate were offered, including: reimbursements for the extra cost of training new personnel residing in the ghetto areas; reimbursement for the speical cost of recruiting, counseling, health care, and transportation for disadvantaged employees; and special arrangements for the use of surplus federal land and awarding of government contracts.

Contractor: Any industry which is interested in establishing new facilities in any of the five pilot cities is eligible to apply.

Government contact: Office of the Under Secretary, Department of Commerce, Washington, D.C.

National Chamber contact: Miss Patricia A. Goldman, Karl Schlotterbeck.

Comment: It is understood that this program is being phased out, after a few months, in favor of the MA-2 and MA-3 programs.

Program title: MA-2.

Purpose of program: MA-2 is the second phase of the MA-1 Program. Its purpose is to use Federal manpower funds to recruit and train the disadvantaged for companies that will guarantee jobs to the trainees. Funds may be used to offset the cost of recruiting, education, counseling, training, and supportive services for the hard-core jobless. Companies will be required to pay the worker's salaries during training and to keep them on the job after the training ends. The reimbursed training may run as long as fifteen months.

MA-2 may be used by industries in the fifty largest cities in the country, in addition to the five target cities of the MA-1 Program.

Contractor: Any industry willing to participate in the MA-2 Program must be able to employ at least fifty hard-core unemployed persons to qualify for the program.

Government contact: Office of the Under Secretary, Department of Commerce, Washington, D.C.; or Bureau of Work Programs, Department of Labor, Washington, D.C.

National Chamber contact: Miss Patricia A. Goldman, Karl Schlotterbeck.

Comment: MA-2 and MA-3 are jointly known as the JOBS (Job Opportunities through the Business Sector) program being coordinated by the National Alliance for Business.

Program title: MA-3.

Purpose of program: The MA-3 has the same general purpose as MA-2—to use Federal funds to induce private employers to hire the hard-core disadvantaged. It differs from MA-2 as to contractor qualifications and the type of training component.

This program is for the private employer who cannot take 50 people or do the training himself.

Contractor: Two types of contracts are available: 1) Several businesses that can offer a combined total of 50 jobs or more may form a consortium. They must develop some type of joint training program. 2) Individual businesses which can hire only a few employees may contract to participate by having the local CEP[2] program provide pre-employment training.

Government contact: Office of the Under Secretary, Department of Commerce, Washington, D.C.; or: Bureau of Work Programs, Department of Labor, Washington, D.C.

National chamber contact: Miss Patricia A. Goldman, Karl Schlotterbeck.

Comment: MA-2 and MA-3 are jointly known as the JOBS Program (Job Opportunities through the Business Sector) being coordinated by the National Alliance for Business.

Program title: CAMPS (Cooperative Area Manpower Planning System).

Purpose of program: CAMPS is actually a system rather than a program, designed to promote interagency coordination of manpower programs at all levels of administrative responsibility.

All local manpower-related agencies are requested to form a committee to develop a coordinated manpower plan for their geographical area. When developed, this system should function to facilitate single grant applications for local programs which will necessitate federal funding from a variety of sources. In other words, if a community organization prepares a program that will require funding by several different agencies, a single application would be prepared.

Government contact: Manpower Administration, U.S. Department of Labor, Washington, D.C. 20036; or: Regional Offices of the Manpower Administration.

Administering Agency: Department of Labor.

National Chamber contact: Miss Patricia A. Goldman, Karl Schlotterbeck.

Program title: CEP (Concentrated Employment Program).

Purpose of program: The Concentrated Employment Program is not a new "program" but rather a "delivery system" for on-going, existing programs. It provides a central intake center in a ghetto area for recruiting, counseling and preparing of individuals to participate in other manpower programs or for job placement. Training can include motivational, grooming, and attitudinal instruction.

CEP programs are largely sponsored by Community Action[3] agencies but recent plans have been made to contract out the program to private enterprise.

Enrollee eligibility: Any low income persons, aged 16 and up, who would be eligible for other public poverty programs are eligible for participation in the CEP program.

Government contract: Manpower Administration, U.S. Department of Labor, Washington, D.C. 20036; or: Regional Offices of the Manpower Administration.

Administering agency: Department of Labor.

National Chamber contact: Miss Patricia A. Goldman, Mr. Karl Schlotterbeck.

Comments: The Labor Department is said to favor private enterprise contracting and is expected to increase the use of this approach. The San Francisco Chamber of Commerce, for example, is a contractor under this program.

Program title: Job Corps.

Purpose of program: Job Corps is a residential program of basic education, skill training, and work experience for young men and women. It is aimed at those who need a change of environment to develop motivation and job skills.

Enrollees reside at one of three types of centers: (1) conservation centers for men located in national parks and operated by the Interior and Agriculture Departments; (2) urban centers for men operated under contract with private industry or public nonprofit agencies; and (3) training centers for women, also operated under contract with private and public nonprofit agencies.

Enrollee eligibility: Anyone aged 16 through 21 and who is in the poverty status as determined by OEO criteria and is a permanent resident of the United States is eligible to join the Job Corps. Enrollees receive room and board, medical and dental care, work clothing, allowance for additional clothing, a monthly living allowance, and a terminal allowance of $50 of each month's satisfactory service in the Job Corps.

Local contractor: The program is run under a contract between a private industry or a public non-profit corporation and the Office of Economic Opportunity.

Government contract: Director, Job Corps, Office of Economic Opportunity, Washington, D.C. 20506.

Administering agency: Office of Economic Opportunity.

National Chamber contract: Miss Patricia A. Goldman.

Comment: Due to a limitation of federal funds many existing Job Corps facilities are being closed and it is not anticipated that new facilities will be contracted for during FY 1968 or FY 1969.

Program title: Neighborhood Youth Corps.

Purpose of program: The Neighborhood Youth Corps has three major programs: an in-school program, an out-of-school program, and a summer program. The in-school program provides part-time work and on-the-job training for students of high school age from low-income families. The summer program provides these students with job opportunities during the summer months. The out-of-school program provides economically deprived school dropouts with work experience and on-the-job training to encourage them to return to school and resume their education, or if this is not feasible, to help them acquire work habits and attitudes that will improve their employability.

Enrollee eligibility: The in-school program is open to students from low-income families, grades 9 through 12, or those who are of high school age but are in lower grades. The out-of-school program is open to unemployed youth from low-income families who are 16 through 21 years of age.

Local contractor: Federal funds and technical assistance are given to projects that are initiated, developed, and sponsored by local groups. The Federal Government will finance up to 90 percent of the cost of these projects.

Private on-the-job training projects may also be funded. The Federal Government will pay legitimate training costs, while the employer is responsible for the trainee's wages.

Government contact: Neighborhood Youth Corps, U.S. Department of Labor, Washington, D.C. 20036; or: Regional Offices of the Bureau of Work Programs.

Administering agency: U.S. Department of Labor.

National Chamber contact: Miss Patricia A. Goldman.

Comment: Due to a limitation of funds it is expected that programs will be frozen at approximately current levels or cut back.

Program title: Operation mainstream.

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[1] MA-2 and MA-3 are jointly known as the JOBS Program (Job Opportunities through the Business Sector) being coordinated by the National Alliance for Businessmen.

[2] The CEP Program is explained elsewhere.

[3] Community Action agencies are usually organized under Title II of the Economic Opportunity Act administered by the U.S. Office of Economic Opportunity.

Purpose of program: This program establishes work-training and employment projects, augmented by supportive services, for chronically unemployed poor adults. It enables such persons to contribute to the betterment and beautification of communities or areas served by the project. Job opportunities may involve the management, development and conservation of parks, highways, and recreational areas of Federal, State, and local governments; the improvement and rehabilitation of other community facilities; and the provisions of social, health, and educational services to the poor. In this manner, Operation Mainstream is designed to provide work experience and training leading to opportunities for permanent employment.

Enrollee eligibility: Operation Mainstream is open to adults 22 years of age or older who are chronically unemployed and have an annual family income below the poverty line. State and local government agencies and private non-profit organizations may sponsor projects under this program. Emphasis is placed on establishing projects in rural areas or towns. Priority is also given to the enrollment of older people.

Local contractors: The program provides Federal funds and technical assistance to projects initiated, developed, and sponsored by local groups. The Federal Government will generally defray no more than 90 percent of the cost of these projects. Non-Federal contributions may be in cash or in kind, including but not limited to plant, equipment, or services.

Government contact: Bureau of Work Programs, U.S. Department of Labor, Washington, D.C. 20036; or; Regional officers of the Bureau of Work Programs.

Administering agency: U.S. Department of Labor.

National Chamber contact: Miss Patricia A. Goldman.

Comment: Due to a limitation of funds it is expected that programs will be frozen at approximately current levels or cut back.

Program title: Special Impact Program.

Purpose of program: The Special Impact Program is a work-training experience program concerned with the socio-economic problems of poverty-stricken urban communities or neighborhoods. Its purposes are to: (1) solve critical manpower problems in urban slum areas with high concentrations of unemployed, underemployed, or low-income residents, (2) be of sufficient size and scope to diminish the tendencies of these areas toward dependency, chronic unemployment, and rising community tensions, and (3) help structure and coordinate projects aimed at improving employment prospects of neighborhood residents and the general welfare of the neighborhood.

Enrollee eligibility: The Special Impact Program is open to persons 16 years and over who are residents of the community or neighborhood served by the project, and who are unemployed or are members of low-income families. Projects may be sponsored by public or private organizations.

Local contractor: The program provides Federal funds and technical assistance to projects initiated, developed, and sponsored by local groups, including business firms. The Federal Government will generally defray no more than 90 percent of the cost of these projects. Non-Federal contributions may be in cash or in kind, including but not limited to plant, equipment, and services.

Government contact: Manpower Administration, U.S. Department of Labor, Washington, D.C. 20036; or Bureau of Work Programs, Regional offices of.

Administering Agency: U.S. Department of Labor.

Chamber contact: Miss Patricia A. Goldman.

Comment: Due to a limitation of funds it is expected that programs will be frozen at approximately current levels or cut back.

Program title: Work Experience Program.

Purpose of program: This program seeks to raise the employability of needy adults, with emphasis upon unemployed parents of dependent children, including actual as well as potential recipients of public assistance. The program is social service related and family-centered. Participants may receive maintenance grants, adult basic education, vocational instruction, high school equivalency, work experience, supportive services related to employability, child day care, and medical care.

On-the-job training may be provided in the public and private sector in such occupations as nurse's aides, hospital orderlies, clerical and sales work, operation and maintenance of heavy equipment, laboratory aides, teacher and library assistants, and a wide range of service and trade occupations.

Enrollee eligibility: Enrollment preference is given to unemployed parents on welfare.

Contractor: Grants are made to a state public welfare agency for projects at the community level. Projects are administered by the local public welfare agency, and local unit of the state employment service. Federal funds pay up to 100 percent of the cost of a project. Business firms may be contractors although the majority of grants have been made to non-profit organizations.

Government contact: Office of Special Services, Bureau of Family Services, Welfare Administration, U.S. Department of Health, Education, and Welfare, Washington, D.C. 20201.

Administering agency: U.S. Department of Health, Education, and Welfare.

National Chamber contact: Karl Schlotterbeck.

Comment: Due to a limitation of funds it is expected that programs will be frozen at approximately current levels or cut back.

Program title: Manpower Development and Training Act (MDTA).

Purpose of program: This program provides occupational training for unemployed and underemployed persons who cannot reasonably obtain appropriate full-time employment without training. Basic education, when required, enables trainees either to undertake occupational training or to find a job. Training programs under the MDTA are conducted either in vocational schools or on the job or a combination of both.

The program provides payment of training allowances up to 104 weeks to eligible trainees plus transportation and subsistence allowances. The institutional allowance costs are paid by the Federal Government. On-the-job trainees are paid by employers.

The 1966 amendments to the MDTA provide special programs (1) to meet the specific employment needs of older workers, (2) to authorize experimental programs for part-time training in occupations and areas with critical skill shortages, and (3) to train inmates of correctional institutions.

Enrollee eligibility: Workers given priority for training are: (1) unemployed workers (including members of farm families with less than $1,200 annual net family income), (2) persons working below their skill capacity or substantially less than full-time, (3) those unemployed because their skills have or will become obsolete, (4) disadvantaged youth between 16 and 22 years of age who are out of school and in need of occupational training, and (5) persons who will be trained for skills, needed first within the labor area in which they live, and second within the state where they live.

Local contractor: Schools and other non-profit agencies contract directly with the Labor Department to operate institutional programs. On-the-job programs are operated by private industry through state contracts funded by the Labor Dept.

Government contractor: Office of Manpower, Policy, Evaluation, and Research, Manpower Administration, U.S. Department of Labor, Washington, D.C. 20210; or: Local state employment service agency.

Administering agency: U.S. Department of Labor.

National Chamber contact: Mr. Karl Schlotterbeck.

Comment: Programs under MDTA authority are being frozen at current levels and excess funds are being transferred under this authority to the MA-2 and MA-3 programs.

"NEW DAWN" HOUSING PROGRAM OF THE LARGE FAMILIES OF AMERICA, INC.

Mr. PERCY. Mr. President, Large Families of America, Inc., is an organization dedicated to promoting the welfare of America's families of five and more. Since its inception, LFA has been deeply involved in the difficult problem of providing better housing for all Americans.

In particular, LFA has recognized the importance of expanding the opportunities for home ownership to the thousands of American families who today do not have the realistic opportunity to own a home or apartment of their own. One of LFA's founders, Judge John Henry Norton of Fairfield, Conn., gave eloquent testimony on this point before our Housing Subcommittee last July.

Large Families of America, spearheaded by Judge Norton, has embarked on an active program of encouraging the sale of public housing to tenants as co-operatives, condominiums, or fee simple homes. They recognize the contribution that home ownership can make to human dignity, pride, self-respect, and motivation. It is significant, I think, that LFA, in proposing this program, is not seeking benefits for its members, who are generally from the higher income levels. LFA is seeking to help other families, and to contribute to the solution of the urban problems that so vex this great Nation today.

I commend Large Families of America for their concern, and ask unanimous consent that the "LFA's 'New Dawn' Housing Program" be printed in the RECORD at this point:

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LFA's "NEW DAWN" HOUSING PROGRAM

Although our members have a respectable income and live mainly in the suburban areas, nevertheless, our large families are concerned with the increasing unrest in our cities. The intensity of this concern becomes greater with each passing month, especially in the year 1968.

The possibility of further riots in America's cities will not be alleviated until our city citizens receive *immediate hope* of owning their own individual apartments and homes. The LFA "New Dawn" Housing Program advocates the sale of public housing units and privately owned apartment units to tenants themselves on a condominium basis. As far as privately owned apartment units are concerned, we are not advocating any mandatory legislation, but simply legislation which would make it easier from the landlords' standpoint and from the tenants' standpoint for these privately owned apartment buildings to be sold to the tenants themselves on a condominium basis.

In 1874, Benjamin Disraeli, the great British statesman said: "The best security for civilization is the dwelling, and upon proper and becoming dwellings depends more than anything else the improvement of mankind."

We submit that a program of this type is not wishful thinking. LFA testifying before the United States Senate Committee on Urban Affairs several months ago saw and heard first hand reports on somewhat similar programs which are being carried out successfully in many states. That certainly is hopeful news.

Fact: 40% of Americans do not own their own individual apartments or homes.

Fact: 90% of these unpropertied people live in our cities.

Fact: Despite progressive policies in some of our outstanding cities, we have seen widespread destruction.

Question: Why?

We believe that one basis of this obvious frustration is the lack of the opportunity for low-income people to own their own individual apartments and homes. Certainly education is helpful in our urban areas, but it is only one of the basic approaches.

Since it appears that most riots start near public housing projects, importance is lent to the realizable and constructive promise of the LFA "New Dawn" Housing Program by advocating the sale of public housing projects to the tenants themselves on a condominium basis. This being the case, we should encourage the sale of privately owned tenement and row houses to the tenants themselves on a condominium basis. This will help in our efforts to do everything legally possible to make slums unprofitable for the self interested slumlords. What is more despicable than the business of a slumlord who profits on the residential miseries of American families?

Today thousands of people inhabit public housing in America. Most of them are stacked into cold cliffs of concrete and brick. Here sometimes life is desperate and dignity always seems elusive. The buildings are solid, but life is sordid. Little wonder many of our riots have started in or near public housing units.

It is essential that we give *immediate hope* to people living in the slum areas. We are not talking about "give-away" programs, but the "right" of people in the slum areas to earn their own way by purchasing their individual apartments and homes with long-term mortgages, financed at modest rates of interest. How much more sound and constructive a program of this sort would be—and how much less expensive—than to see millions of dollars of damage taking place through the riots in our major cities!

Couldn't all levels of government, if we cannot induce slumloards to dispose of their properties fast enough, build decent apartment houses and *immediately sell* them to the tenants themselves on a condominium basis?

Americans sincerely believe in the great principle of private ownership. People really do not want doles nor to be dependent. It is the American way to be independent and self-reliant. Government should help all of our people attain that status.

Government does not fill basic human needs and aspirations by rent subsidies or by low rent public housing projects. Government actively paying the way for individual dwelling *ownership* is another matter altogether. The principle of apartment and home ownership recognizes the basic desire of most people to own their own homes. We start improving our society in the *home*. Without comprehending the ramifications of the simple principle of private ownership, legislators will never effectively deal with the pressing problems to our cities. Individual apartment and home ownership is basic, adequate housing should come before other approaches to urban problems. When we make headway in ownership, our other city problems will yield more readily to constructive action. Through ownership of the dwelling units in a city, the city becomes "our city" as far as the resident citizens are concerned. It is no longer the city of the politicians, or the businesses, or the slumlords or the corporations. The city, in truth, now becomes "our city" in the eyes of the people who are most directly involved in this problem.

The "New Dawn" Program accomplishes these immediate objectives:

1. It provides the vehicle to satisfy the most important material desire of people in the cities. It is "in tune" with human nature.

2. It will add dignity to the entire family unit.

3. It will alleviate a major source of frustration on the part of the family.

4. It will alleviate many police problems because a great deal of "owner self-policing" will now take place in former public housing projects and in former private tenement houses.

5. It will alleviate rioting because no property owner desires to damage his property or the property of his friends.

6. Property owners become more aware of personal responsibility. It is human nature. They become taxpayers, and consequently more cautious of how tax money is going to be spent.

7. It will lift the morale of the entire family. The family unit will now have something to strive for. Now they will have an incentive. Now they will be a "team". Now they will be able to build up an equity in a piece of their very own private property.

8. Propertied people in the cities will be less inclined to pay heed to the extremists on either side because they will now have a personal stake in preserving a society of law and order.

Our families in the cities have experienced grave injustices in our slums at the hands of unscrupulous slumlords. We have a tremendous moral obligation to help straighten out the turmoil in our cities regardless of where we live. This is not simply a moral obligation, but a very practical consideration of day-to-day living for our own families.

It was LFA's concern for city citizens paying outrageous rents to slumlords for dilapidated apartments which motivated us to think about this general situation four years ago. Urban stability will be greatly enhanced when the citizens of our cities can lay their heads down on their *own* pillows in their *individually owned* apartments. Any other measures will be "stop-gap" measures. Ownership is a basic, long-range necessity. Progress in other areas should follow rapidly.

Let's give *immediate hope* to our city citizens by having individual home and apartment ownership in America's cities! Remembering that crime bred in public housing and slum areas has not confined itself to neighborhood boundaries, we must realize that by helping families in the slum areas attain the basic goal of property ownership, we will be helping our own families and our society to find a workable path to social, economic, and moral health.

NICK GALIFIANAKIS

Mr. ERVIN. Mr. President, NICK GALIFIANAKIS, who rendered great service to the people of North Carolina as a member of the North Carolina General Assembly prior to his election to Congress, is now completing his first term in the House of Representatives, where his untiring industry, ready grasp of the issues, and courageous action have earned for him the highest respect of his colleagues. His constituents are well aware of this fact, as appears by articles and editorials published recently in the Durham Sun, the North Carolina Leader, the Raleigh News & Observer, and the Winston-Salem Journal.

I ask unanimous consent that the articles and editorials be printed in the body of the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From the Durham (N.C.) Sun, Jan. 2, 1968]

ALL THAT GLITTERS NOT NECESSARILY GOLD

In a recent editorial castigating the record of North Carolina's delegation in Congress as reflecting "nothing so much as lackluster provincialism," the respected Charlotte Observer appears to assume that because the North Carolina delegation did not give unified "positive" support to all social and economic measures, it failed to "rise above the familiar pattern of Southern negativism."

We cannot agree that all of the social and economic legislation proposed during the first session of the 90th Congress warranted universal support, or that the lack of support for the full sums requested by the Administration for those programs was confined to the South.

Some of the programs were and are necessary, although there certainly is room for legitimate differences of opinion on the extent of expenditures proposed for some of them.

We were glad to see that the Charlotte paper has taken note of our district's Rep. Nick Galifianakis of Durham and the fact that he gave "positive" support to two of the most important social-economic issues that were before the session.

On the whole, Congressman Galifianakis' voting record on important issues has been well balanced, in keeping with the best national interests as well as the interests of the people of his district.

We quote here from three paragraphs of The Charlotte Observer's editorial which we consider pertinent to the matter we are discussing:

"Time and again the whole delegation, Republicans and Democrats alike, lined up against programs that seek to deal with pressing national problems.

"On the key urban program (Model Cities) only Democrats Nick Galifianakis of Durham and Horace Kornegay of Greensboro had voting records that truly qualify them as backers. On continuation of the antipoverty program, only Galifianakis and Republican Charles Jonas were on the positive side in the crucial showdown vote.

"What makes the delegation's record lackluster is not just the opposition to specific programs proposed in the last session. A delegation could have voted "no" on every major program that came up in 1967 and escaped the negative label if it were seriously concerned with producing what it considered better answers to problems that do concern this state and nation.

"But the bitter fact is that North Carolina's delegation didn't peg its naysaying on any such positive push for alternatives. Even on the hoary old issue of federal spending, the delegation's record was hardly inspiring."

Signaling the virtual death knell for the Model Cities program or the Antipoverty Program would have been extremely unwise, a fact Congressman Galifianakis recognized with his usual acumen. Despite a good many fallacies in the manner in which the antipoverty program has been operated, it is necessary that an antipoverty program be continued, even if only as a basis for a more workable, more practical, and perhaps even more extensive program that would be more realistic in its approach to the solution of the national unemployment problems.

This does not mean, however, that all—or even nearly all—of the social and economic programs proposed in the first session of the 90th Congress were completely desirable, or that opposition to some of them without offerings of alternatives is necessarily significant.

After all, what alternative is there to excessive federal spending except to register disapproval by refusing to go along with the total amounts requested, thereby applying—at least to some extent—the brakes to continuous deficit spending?

All that glitters is not necessarily gold, we must remember.

[From the North Carolina Leader, Mar. 6, 1968]

Congressman Nick Says Research Is Key

(By Margaret Knox)

Congressman Nick Galifianakis of Durham coined a phrase for the new Fourth District—"the fabulous fourth" and explained it by adding:

"I believe research in North Carolina will really be a hallmark in the State."

The incumbent Democratic Congressman who was elected from the Fifth District until the last session of the General Assembly passed major redistricting legislation already is running hard to keep his seat in Congress which now represents Raleigh, Durham and Chapel Hill.

Congressman Nick was interviewed in the offices he maintains in the Durham Post Office. Admittedly, he was feeling the pressure of the campaign but he seemed happy to take time out to discuss the way he feels about the "fabulous fourth" and some of his views.

He is a vital, vigorous man who says he works hard on researching answers to public problems.

He is both excited about and stimulated by Research Triangle Park.

"On the national level, I get real pleased when people ask me about it," he said. "Politically, I've grown up with the Research Triangle."

He referred to his terms in the State legislature when necessary legislation for taking care of water and sewage for the Park had to be passed.

"Another bond is the Raleigh-Durham airport . . . I again worked on handling the legislation," he recalled.

Then Nick Califianakis recalled the session of the General Assembly when the North Carolina Board of Science and Technology was formed.

"At first we wanted to call it the Board of Space, Science and Technology, but I think the word 'space' sounded a bit glamorous. Some legislators said I was aiming for the moon. So we eliminated 'space' and we gave a grant for a cucumber harvester!" he said.

And he was one of the first members of STRC's board.

Today Nick Galifianakis still has great ideas for Research Triangle Park which he says he hopes will grow into one of the great research centers in the world.

Take the tobacco controversy, Galifianakis said. "If you take tobacco out of North Carolina, it will cause more problems than cancer."

He noted the work of the National Environmental Health Sciences Center in Research Triangle Park involves research on how tobacco affects health.

"I think there should be a great deal more research," he said. "Pure research and if there is a deleterious subject in tobacco, we ought to find how we can free it."

He urged vigorous research—"not prohibition, but positive research."

"I hope to get some legislation on this. Everybody has an interest in research because revenues of all the states are involved. I don't think even Bobby Kennedy would be against that," he told the Leader.

The North Carolina Congressman pointed out that he opposed the now famous posters on U.S. mail trucks which were antitobacco.

"If they had only channeled that money into research," he commented.

And he said the tobacco companies themselves should be doing more research.

"Also I mean pure research such as could be done at the Research Triangle Park," he said, singling out the Research Triangle Institute.

He said that news of a new kind of filter had reached him and that he thought the tobacco companies—"American, Liggett and Meyers, and Peter Lorillard" should be present to hear about it at Research Triangle Park, possibly.

At another point in the interview he said he thought the Park could become "a little Geneva" in many other areas.

"We need research into human relations too," said Galifianakis.

The former Duke professor (for nine years) and attorney (Upchurch and Galifianakis) in Durham now spends his weekends campaigning and the rest of the week in Washington.

"Some critics have said I am out of touch with my district, yet I opened the first congressional office in Durham. I have Howard Jones (former newspaperman) here and I can be reached easily. If I am reelected I will open a congressional office in Raleigh too," he said.

As a matter of fact, he said that even though the seat he won in 1966 didn't include Wake in the district, letters to him from that county "began arriving almost immediately in Washington."

"You can't be all things to all people at all times," he observed. "There are so many diverse interests and one of the difficult jobs is to do what I think is right."

He said he answers some 1,200 letters a week and that he is readily available to constituents.

"I don't feel I should intrude where local government has a role," he said. "I have a deep and abiding recognition for their offices."

Galifianakis mentioned demonstrations "which draw attention, but not results." He said some alternative to demonstrations should be offered and he is doing some heavy thinking about it.

"I like to study problems, but the think process isn't newsworthy," he said, somewhat wistfully. "But I believe a methodical approach will bring an eventual solution."

There will be increasing emphasis on domestic tranquility, he said and voiced the opinion that there must be a firm meaning on law enforcement—"a condition precedent to any kind of progress."

"Communities now demand safety from violence and riots," he said. "We need to be exceedingly firm and people must understand law and order will be preserved. Neither race can argue about the need for domestic tranquility."

Congressman Galifianakis emphasized that he always tries to take the positive approach.

He married a Durham girl, the former Louise Cheatham, and they have two daughters and a son. They live on University Drive in Durham.

Pretty Mrs. Nick is kept "very busy with two phones and three kids," said her husband.

The Congressman made mention of his interest in the Pueblo crisis and the gold drain.

"That's part of my interest in my government," he said. "There wouldn't be a United States if every Congressman thought of his district alone!"

[From the Raleigh News & Observer, Dec. 30, 1967]

Judgment

"The voters sent me here to exercise my judgment," said Congressman Nick Galifianakis in an interview with a Piedmont newspaper. This was his explanation for his voting record in which he disappointed—maybe alienated—some liberals by voting against legislation on civil rights, foreign aid, food stamps, Appalachian development and the Teacher Corps. It was also explanation for his votes for amended anti-poverty programs, model cities, rat control, federal aid to education and public television—most of which annoyed many conservative supporters back home.

Well, "Congressman Nick" is a freshman, and as with all first-termers his judgment is little appreciated in a seniority minded Congress. And his record may be viewed with suspicion back home by those who associate legislative independence only with opposition to the prevailing Washington mood. But his assertion that "The voters sent me here to exercise my judgment" reflects both an open mind and an honest one. That is not a novelty in the Congress. But it is a credit to the Fifth District of North Carolina, and it would reflect credit on any freshmen legislator from any district.

[From the Winston-Salem (N.C.) Journal, Mar. 22, 1968]

A Working "Lame Duck"

Nick Galifianakis will represent Winston-Salem and Forsyth County only a few more months because reapportionment has shifted us out of his district.

Our votes will be of no use to him whatever come next November.

Yet he keeps on acting as if we mattered to him. In the last few months he has performed extraordinarily well in that role so vital to all congressmen, serving the district back home.

He worked hard to get reconsideration of Winston-Salem for a Model Cities planning grant, and we got both the reconsideration and the grant. He has helped to channel federal money to the police department's Community Services Unit, the Forsyth Technical Institute, the Bowman-Gray School of Medicine and Wake Forest University.

All of it is needed, but all Mr. Galifianakis will get from some folks is a sardonic, "Well, that's his duty, isn't it?" And in the strict sense it is his duty, but it is a duty that a lot of other "lame duck" congressmen conveniently ignore.

Still Enthusiastic: Galifianakis Likes Life in Congress

(By Bill Connelly)

WASHINGTON.—Nick Galifianakis has found his first year in Congress a time of intense political pressure, personal frustration and bitter criticism. He has had no honeymoon with the voters and no respite from political warfare.

But somehow Galifianakis, a 39-year-old Democrat from Durham, is still enthusiastic about the job. He obviously wants to keep it a long time and to build the seniority that will enable him to be a mover in the House.

His colleagues give him generally high marks for his first year. "Within the limits of what a freshman can do up here," said one, "I'd say he has made an outstanding start."

Harold Thomerson, who has been administrative assistant to Galifianakis and to the four previous 5th District congressmen, has told friends: "I've never seen a man adapt to this job any faster than he has."

Galifianakis has not always received such high marks from his constituents.

BETRAYAL CHARGED

He was elected with support from businessmen and workers, Negroes and segregationists, liberals and conservatives. Once the roll calls began, the cries of betrayal came rather quickly.

His liberal friends, especially those in the Negro and academic communities, were angry when he voted against legislation on civil rights, foreign aid, food stamps, Appalachian development and the Teacher Corps.

His conservative backers complained when he voted for the federal anti-poverty program, the model cities program, rat control (on one early vote), federal aid to education and public television.

His complete 1967 record has something for everyone. Although he clearly is the most progressive member of a conservative delegation, he has cast some votes that would warm the heart of any Goldwater conservative.

Galifainakis explains his mixed record, by saying he is an "independent thinker" who considers each issue on its merits and does not try to vote a pure ideological line. "The voters sent me here to exercise my judgment," he says.

HEAVY PRESSURE

But some feel his record was greatly influenced by the political pressures that dogged him all year. He had barely taken office when freshman Republican Jim Gardner began aiming for a race against him next year in the new 4th District. He thus had to represent one district and prepare for reelection in another.

Galifianakis went through his most conservative phase during the summer and early fall when Gardner was attacking the anti-poverty programs in Galifianakis' district and seeking to brand Galifianakis as a liberal.

Some Galifianakis supporters feel he should have defended the anti-poverty programs more boldly and answered Gardner more often. Some feel that, in self-defense, he pulled too far to the right, and lost more friends than he won.

"I know he has been in a tight spot," says one friend. "A congressman has to be elected; he has to think about survival. But he didn't have to seem so defensive about Gardner's charges. He didn't have to become a right-winger."

Galifianakis later redeemed himself somewhat with this group by voting to continue the anti-poverty program. And now it appears that Gardner will run for governor rather than for Congress.

Looking back on the anti-poverty controversy, Galifianakis says his chief regret is that it took so much time and energy. "There is so much I've needed to do and learn," he says, "but we've had this distraction."

Through it all, however, he has been building a reputation here as a legislator who does his homework and handles himself unusually well for a freshman. He has introduced bills to provide federal penalties for misuse of credit cards, to provide assistance for local police training and to improve the nation's airports—to name a few.

A freshman's legislation has, of course, almost no chance of passing in a seniority-minded House. But when it is well drawn and sensible, it impresses the elders and thus can help a new man in the future.

One man says of Galifianakis' credit-card bill: "A lot of guys spend years here without introducing something as timely, and necessary and well conceived as that." (Hearings may be held on the bill next year.)

WELL PREPARED

Galifianakis came here with many of the skills he needed. During three terms in the N.C. General Assembly, he learned how the legislative process works, how the necessary art of compromise is practiced and how one disagrees without being disagreeable.

He had also learned to tolerate the seniority system and be patient—qualities that helped sustain him when he became, as the junior member of Rep. Wright Patman's House Banking and Currency Committee, the last man to speak or to be spoken to.

More important, though, Galifianakis knows how to "get along" in Washington, partly from his instinctive friendliness and partly from his knowledge of how the system works. Both admirers and detractors concede that "he certainly knows a lot of people."

The name helps, of course, just as it did in his campaign. So does his sense of humor. But Galifianakis also has a knack for making himself known where it counts.

A Capitol Hill staffer who has been here several sessions remembers attending a reception last January, a few weeks after Galifianakis arrived:

"Everybody in the room seemed to know Congressman Nick. . . . They hadn't quite mastered the whole name then. . . . But they all knew him, from the senators to the kitchen help. They were even asking him about his mother's Greek pastries. I'll have to admit I didn't know half as many of those people."

GOOD CONNECTIONS

Galifianakis has demonstrated on several occasions that he has good connections for a freshman.

When racial trouble erupted in Durham last summer, he arranged for Mayor Wense Grabarek to discuss problems here with Vice President Humphrey, Sargent Shriver and a room full of various agency officials. For weeks afterwards, officials were making special trips to Durham. Rarely does a freshman congressman get this kind of service.

But Galifianakis, young and eager, has the earmarks of a comer here, and has found many willing to help him. Sen. Sam J. Ervin, for one, has taken a liking to Galifianakis and has invited him to work jointly on some projects—including the bill on federal employes' privacy rights, which Galifianakis will manage in the House.

To take advantage of all this, however, he will have to weather another year and win re-election in a new district. That may not be easy.

Now that Gardner is apparently out of the congressional picture, Galifianakis may find he has primary opposition—perhaps from someone championing the liberals and moderates Congressman Nick has disappointed. Beyond that lies a tough battle with the Republicans, in a presidential year, probably against Fred Steele of Durham (his surprisingly strong opponent in 1968).

Despite his frustrations, Galifianakis seems eager to run again and to defend his record. "I think I can be an effective member here," he says, "and I think I'm ready. I want to get into the arena now."

EQUAL TELEVISION TIME FOR POLITICAL ACTIVITIES COVERAGE

Mr. MOSS. Mr. President, as a member of the Subcommittee on Communications of the Committee on Commerce, I noted with particular interest a recent plea from the major television networks that the equal time provisions of their coverage of political activities be waived in this election year.

I support this position and call upon the Federal Communications Commission to do just that.

My main reason for calling for this action is because I feel it would result in a return to basic issues as the main theme of political debate instead of the present theme—conflicting personalities.

I doubt if any period in political history can match the dramatic happenings which have occurred in this Nation during the past several weeks.

Beginning with the withdrawal of Gov. George Romney from the Republican presidential campaign, followed by the surprise showing of Senator EUGENE McCARTHY, the refusal to run by Gov. Nelson Rockefeller, the entry of Senator ROBERT KENNEDY, and finally the Sunday evening statement by President Johnson, this has truly been a banner year for political surprises.

Because no man could have predicted these events, and because no man can say there will not be more equally surprising events yet to occur, I feel it is important that we take steps now to clear the political smoke from the national scene.

Whether we like it or not, many of the events which I have mentioned have been the result of personality clashes rather than the result of careful examination of the political issues and positions of those involved. Nearly all of the campaign oratory so far has centered on personalities. Little has dealt with the important issues that face us as a nation.

The single act which has done more to alter the political picture this year was the personal sacrifice made by President Johnson. His withdrawal, I believe, was sincerely aimed at avoiding the divisive, bitter personality debates which had been the order of the day.

Now that he has done this, the additional step by the Federal Communications Commission to waive their equal time provisions for the two major political parties is necessary so that the major television networks can provide time for meaningful debate by the major candidates on the important issues.

This I feel will do a great deal to keep personalities out of the campaign, both within political parties and between political parties.

I would also hope that convention delegates in nonprimary States would maintain an open mind and wait for some of this debate before choosing sides on the basis of the personality contests which have so far marked the campaign. I have no doubt that other candidates will now be entering both party races, and they should be heard.

The American voter deserves to hear this debate on the issues. He deserves the right to know where a man stands and what he is for, not merely what he is against. The voter has the right to compare the positions of the candidates and then make a meaningful choice based on the candidate's position on the issues before him.

I strongly believe that every candidate would welcome such a move so as to be able to tell the American voters why he feels he deserves their support.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

TAX ADJUSTMENT ACT OF 1968

Mr. LONG of Louisiana. Mr. President, I move that the unfinished business be laid before the Senate.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. Calendar No. 995, H.R. 15414, an act to continue the existing excise tax rates on communication services and on automobiles and to apply more generally the provisions relating to payments of estimated tax by corporation.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Louisiana.

The motion was agreed to, and the Senate resumed the consideration of the bill.

Mr. LONG of Louisiana. Mr. President, I send to the desk an amendment to the proposed amendment in the nature of a substitute.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT LEGISLATIVE CLERK. The Senator from Louisiana [Mr. LONG] proposes an amendment as follows:

At the appropriate place in the substitute insert the following new section:

"SEC. —. Section 201(g) of the Social Security Amendments of 1967 is amended by adding at the end thereof the following new paragraph:

"'(3) If a statute of a State prevents it from complying with the requirements of clause (i) of section 402(a)(15)(B) of the Social Security Act, insofar as such clause (i) relates to family planning services for purposes of implementing clause (ii) of section 402(a)(15)(A) of such Act, on July 1, 1968, such clause (i) relating to such services for such purposes shall with respect to such State be effective on the first day of the fourth month beginning after the adjournment of such State's first regular legislative session which begins after April 1, 1968.'"

Mr. LONG of Louisiana. I yield myself 5 minutes.

Mr. President, when the Congress enacted the Social Security Amendments of 1967, we included a requirement that "in all appropriate cases family planning services are offered" to recipients of aid to families with dependent children. This requirement was one element in the attack on increasing illegitimacy which was central to last year's welfare amendments.

We did not realize at the time, Mr. President, that State laws in at least two States prevent these States from offering family planning services to assistance recipients. The amendment I am offering now would allow these States one additional legislative session to revise their laws so that they could meet the family planning requirements of the Social Security Amendments of 1967.

This amendment is requested by the Department of Health, Education, and Welfare to help meet this problem. I know of no objection to it. Inasmuch as we have amendments seeking to modify the social security and welfare laws in this bill already, I see no reason why there should be any objection to this amendment. It has been discussed with the Senator from Delaware [Mr. WILLIAMS], and as I understand, he has no objection, and I know of no one else who has any objection.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. CARLSON. Mr. President, reserving the right to object, I do not know that I shall object, but I should like to know whether this amendment applies to only two States.

Mr. LONG of Louisiana. That is correct.

Mr. CARLSON. And is it correct that this is to correct a fault of our own in writing the legislation last year, in that we did not give those States enough time?

Mr. LONG of Louisiana. Neither the Senator from Kansas, the Senator from Delaware, nor the Senator from Louisiana is an expert on the laws of Massachusetts and Wisconsin. That being the case, we did the best we could with the information available to us. Now we are advised that those two States need more time in order to comply with the law we passed.

As far as I am concerned, there would be no objection, and I do not think the Senator from Kansas will have any objection to it.

The PRESIDING OFFICER. Is all time yielded back?

Mr. LONG of Louisiana. I yield back the remainder of my time.

Mr. WILLIAMS of Delaware. I yield back my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment of the Senator from Louisiana.

The amendment was agreed to.

Mr. LONG of Louisiana. Mr. President, I move that the amendment be added to the bill, as an amendment to the bill itself.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Louisiana.

The motion was agreed to.

Mr. WILLIAMS of Delaware. Mr. President, I send to the desk an amendment to the proposed amendment in the nature of a substitute, and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk proceeded to state the amendment.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and the amendment will be printed in the RECORD.

The amendment, ordered to be printed in the RECORD, reads as follows:

On page 22, line 12, strike out all through line 14 and insert in lieu thereof the following:

"(f) EFFECTIVE DATE.—

"(1) The amendments made by this section shall apply with respect to taxable years beginning after December 31, 1967.

"(2) Special rule for payment of estimated tax by corporation due on April 15, 1968.—Notwithstanding any provision of the Internal Revenue Code of 1954, if and to the extent any payment of estimated tax required of any corporation on April 15, 1968 (without regard to the application of this provision), is attributable to the enactment of this Act, such payment shall be due, and for all purposes of such Internal Revenue Code shall be deemed to be due, at such time not later than 30 days after such date as the Secretary of the Treasury or his delegate shall prescribe."

Mr. WILLIAMS of Delaware. Mr. President, my amendment is offered to the package bill at the request of the Treasury Department.

Under the bill corporations are to be required to take into account, in making their April 15 estimated income-tax payment, the increase in the amount of the payment due as a result of the enactment of this bill. The amendment provides that, to the extent of any increase in the amount of the estimated tax payment required of corporations, the Secretary of the Treasury may prescribe a date not later than 30 days after April 15, for the corporation to make the payment. This additional time period gives the Treasury Department time to send out deposit forms and instruction booklets advising corporations how to compute the increase in the estimated tax payment required by enactment of provisions in the pending bill.

The Treasury Department requested this provision because it did not think it would have quite enough time, since April 15 is so close.

I understand that there is no objection to the amendment.

Mr. LONG of Louisiana. Mr. President, I have no objection to the amendment at all. It would seem to me that at some particular point we ought to make some effort to obtain the presence of more Senators on the floor.

With the understanding that I will support the amendment of the Senator from Delaware, I would like to use my time to suggest the absence of a quorum.

Mr. WILLIAMS of Delaware. I have no objection.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk called the roll and the following Senators answered to their names:

[No. 95 Leg.]

Aiken
Allott
Anderson
Bartlett
Boggs
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Carlson
Church
Cooper
Cotton
Dirksen
Ellender
Gore
Griffin
Hansen
Harris
Hatfield
Hickenlooper
Inouye
Javits
Jordan, Idaho
Kuchel
Long, La.
Magnuson
Mansfield
McGee
Mondale
Monroney
Montoya
Morse
Morton
Moss
Muskie
Nelson
Pearson
Percy
Prouty
Proxmire
Ribicoff
Scott
Spong
Talmadge
Williams, Del.
Young, Ohio

Mr. BYRD of West Virginia. I announce that the Senator from Pennsylvania [Mr. CLARK], the Senator from Alaska [Mr. GRUENING], the Senator from Missouri [Mr. LONG], and the Senator from Texas [Mr. YARBOROUGH] are absent on official business.

I also announce that the Senator from North Carolina [Mr. JORDAN], the Senator from New York [Mr. KENNEDY], the Senator from Ohio [Mr. LAUSCHE], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Rhode Island [Mr. PASTORE], and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

Mr. KUCHEL. I announce that the Senator from Tennessee [Mr. BAKER] and the Senator from Utah [Mr. BENNETT] are necessarily absent.

The PRESIDING OFFICER (Mr. BREWSTER in the chair). A quorum is not present.

Mr. LONG of Louisiana. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Louisiana.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay, the following Senators entered the Chamber and answered to their names:

Bayh
Bible
Brooke
Cannon
Case
Curtis
Dodd
Dominick
Eastland
Ervin
Fannin
Fong
Fulbright
Hart
Hartke
Hayden
Hill
Holland
Hollings
Hruska
Jackson
Kennedy, Mass.
McClellan
McGovern
McIntyre
Metcalf
Miller
Mundt
Murphy
Pell
Randolph
Russell
Smathers
Smith
Stennis
Symington
Thurmond
Tower
Tydings
Williams, N.J.
Young, N. Dak.

The PRESIDING OFFICER. A quorum is present.

Mr. LONG of Louisiana. Mr. President, will the Senator from Delaware yield me 1 minute? My time has expired.

Mr. WILLIAMS of Delaware. I yield 1 minute to the Senator from Louisiana.

The PRESIDING OFFICER. The Senator from Louisiana is recognized for 1 minute.

Mr. LONG of Louisiana. Mr. President, at the moment we are talking about a perfecting amendment offered by the Senator from Delaware.

There is no opposition to the amendment, and I would urge its adoption.

I yield back the remainder of my time.

Mr. WILLIAMS of Delaware. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time has now been yielded back on the amendment.

The question is on agreeing to the amendment of the Senator from Delaware.

The amendment was agreed to.

Mr. LONG of Louisiana. Mr. President, it was agreed that there would be one-half hour available to the Senator from Wisconsin [Mr. PROXMIRE]. I therefore ask unanimous consent that the Senator from Wisconsin be recognized for one-half hour, with the time to be charged equally to both sides.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

THE SMATHERS-WILLIAMS SUBSTITUTE SHOULD BE DEFEATED

Mr. PROXMIRE. Mr. President, we are about to vote on the most significant and far-reaching economic legislation of 1968.

This is the Smathers-Williams amendment.

This proposal can and I am convinced will throw hundreds of thousands of Americans out of work.

It can and will slow this Nation's economic growth to a slow motion crawl.

It can and will worsen our balance of payments and increase our gold outflow.

It could lead to a recession.

It could start a worldwide economic slowdown that would enfeeble all the countries of the free world.

And it will accomplish none of its aims.

It will not significantly slow inflation.

The principal cause of the present inflation is excessive cost, especially a rise in wage costs that greatly exceeds productivity.

This proposal will aggravate that increase in cost pressure against prices, because taxes are a cost.

Advocates of the amendment contend that the proposal will slow inflation by reducing demand, and indeed it will. But demand for most products in this Nation is deficient right now. The further reduction in demand accomplished by this bill will not reduce food prices or rents or automobile prices. Demand is not pulling prices up. Costs are pushing them up and this bill will increase those cost pressures.

But advocates say—well you have to be responsible. They say—you have to increase taxes to increase revenues so we can reduce the deficit.

But this proposal will not reduce the deficit significantly, for the very reason the 1964 tax cut, I repeat tax cut, that is tax reduction, did in fact increase revenues. That tax cut increased revenues by stimulating the economy, increasing the number of persons working, so that even with lower rates, revenues increased.

But this amendment will do just exactly the reverse, it will reduce jobs—and that is not simply my assertion, it is agreed to by the former chairman of the Council of Economic Advisers Don Ackley who has indicated that it would eliminate 300,000 jobs and, if combined with spending reductions, would eliminate over half a million jobs according to the estimates, which estimates I think are very conservative.

It will diminish income—as I will show. And in doing so the tax will raise little or no revenue. It may in fact actually lose revenue. So it is not the responsible amendment that those who argue for it assert.

Now, Mr. President, whether or not these sad predictions come true depends of course on our analysis of the economy.

In a booming, bursting, zooming economy a tax increase is the right medicine to stop inflationary pressures.

If supporters of this amendment can show that we have a booming, zooming economy, they should have their amendment.

In a sagging economy that finds its resources idle and unused, that same tax increase will slow it down further, and very possibly diminish revenues.

Now, I do not argue that this economy is sagging or lagging, not now it is not. But pass this amendment. And it will be.

What kind of economy do we face for the rest of this year?

It is mixed. Prices are rising. But our factories are 15 percent idle.

DEFENSE EXPENDITURES OF MANAGEABLE PROPORTION WITHOUT SURCHARGE

We cannot undo by a surtax the inflationary pressures that were initiated by a bulge in defense spending begun almost 3 years ago. On the other hand, we can foresee no letup in defense expenditures and indeed some further moderate buildup is projected. The tremendous buildup in defense expenditures which began in mid-1965 and lasted until mid-1967 generated inflationary pressures which are still reverberating throughout the economy. However, the recent pace of the buildup is far more moderate and can be accommodated by a careful reordering of our priorities in Government spending, and a reduction in the total level of Government expenditures.

The March issue of the Defense Department's "Selected Economic Indicators" shows February military prime contracts to be lower than in December of 1967 and more than 10 percent below the level of February 1967. Manpower resources used by the Defense Department have been relatively stable during the last year, at approximately 3.4 million men in the military, and 1.3 million civilians. This contrasts sharply with the period from the first quarter of 1966 to the first quarter of 1967 when military strength increased by 400,000 men or roughly 10 percent.

The Federal budget shows that expenditures on national defense increased 15 percent from fiscal 1965 to fiscal 1966; 23 percent from 1966 to 1967; but then decelerated to a rise of 9 percent for 1968 and to an estimated 4.3 percent in fiscal 1969.

The inflationary consequences of the rapid expansion in defense spending from mid-1965 to mid-1967 are still very evident. The consumer price index for February was 0.3 percent above January, and 3.7 percent above the level in February 1967. The wholesale price index also advanced in February to a level 0.7 percent above January and 1.9 percent above February 1967. Preliminary data for March point to a further advance of 0.3 percent in wholesale prices.

On the other hand, the economy is operating with substantial excess capacity. Capacity utilization in manufacturing is less than 85 percent, and the average weekly hours of work in manufacturing is substantially less than in 1965 and 1966. The latest survey of anticipated expenditures for plant and equipment indicates that businessmen are scheduling only moderate increases in outlays in both halves of 1968. If these anticipations materialize, current dollar outlays for the full year will be 6 percent higher than in 1967 and constant dollar outlays will be up only slightly.

The recent inflation, then, stems from the bulge in defense spending which has leveled off, from a reasonable but not excessive level of aggregate demand and from anticipatory expectations about the future. Thus, it seems clear first that there is no overall excessive demand at the present time, and second, that the deficit in the Federal budget is too high, and is generating inflationary expectations and creating difficulties in financial markets. I believe that a sufficient reduction in Government expenditures can be attained through the elimination of nonessential Government spending and the postponement of certain types of Government expenditures. These reductions in expenditures will necessitate a careful assessment of our national priorities. It seems apparent to me that expenditures for the development of human resources, particularly in the present context, should have a higher priority than expenditures in such areas as space, the supersonic transport, and public works projects.

I ask unanimous consent that the March "Selected Economic Indicators," issued by the Department of Defense and a Wall Street Journal article be printed at this point in the RECORD.

There being no objection, the items

were ordered to be printed in the Record, as follows:

Listed below are some comparatively recent developments in major leading economic indicators from *Business Cycle Developments.* The numbered items match the numbered series on pages 33–37 of that document:

1. **Average workweek:** up half an hour in February to 40.7 hours—the same as in December 1967 and below the 1965–66 levels.

6. Value of manufacturers' new orders, durable goods industries: up slightly in February compared to January, but below the December level.

10. Contracts and orders for plant and equipment: down slightly from January to February and the lowest since May 1967.

29. Index of new private housing units authorized by local building permits: very large rise of more than 20 percent from January to February, after faltering in January.

31. Change in book value of manufacturing and trade inventories, total: accumulation at an annual rate of $10.4 billion in January—a somewhat lower rate than for November and December, but far above the February-October period in 1967.

23. Index of industrial materials prices (sensitive commodity prices): up 0.6 percent from February to March. This index declined during the early and middle part of 1967 until October, and then increased by 2.5 percent from October to March.

19. Index of stock prices, 500 common stocks: declined in March to the lowest level since February 1967.

16. Corporate profits after taxes, fourth quarter: up sharply from the 3rd quarter and slightly higher than the previous peak achieved in the 3rd quarter of 1966.

17. Ratio, price to unit labor cost index, manufacturing: down more than 1 percent from January to February and the lowest level in recent years.

113. Net changes in consumer installment debt: the increases from November through January were higher than those occurring throughout the earlier part of 1967.

February Factory Orders Rose 0.2 Percent From January's—Failure To Offset 4.1 Percent Plunge in Prior Month's Bookings Disappoints U.S. Officials—Lag in Durable Goods Noted

Washington.—New factory orders in February recovered only fractionally from the sharp drop of the previous month, the Commerce Department said, causing further worry among Government officials who earlier had forecast strong first half output.

At a seasonally adjusted $7,714,000,000, new orders in February edged up 0.2% from an upward-revised $47,628,000,000 in January, when the orders inflow had plummeted 4.1%. "There's nothing very exciting" about the latest report, a Government analyst gloomily observed.

To a large extent February new orders were held down by a less-than-expected rise in durable goods orders. A mid-March Government estimate put the rise in February durables orders at 1.5%, but yesterday's report showed only a 0.2% increase, to an adjusted $24,817,000,000 from January's $24,771,000,000. "Significant increases in bookings for steel-mill products and electrical machinery more than offset a substantial decrease in nonelectrical machinery and the moderate decreases in other durable goods industries," the department said.

Orders for steel-mill products advanced $262,000,000 in February to an adjusted $2,584,000,000 as users prepared for a feared steel strike. Electrical-machinery ordering rose $195,000,000 to $3,530,000,000. Orders for nonelectrical machinery skidded $233,000,000 to $3,574,000,000 in February.

Bookings of the "defense-oriented" group, which dropped $642,000,000 in January, rose $406,000,000 in February to $3,737,000,000. This category includes both civilian and military business of aerospace, communications and ordnance companies, but omits military work by other businesses.

New orders for nondurable goods also edged up 0.2% in February to an adjusted $22,897,000,000.

The backlog of orders rose $234,000,000 to an adjusted $82,602,000,000. Inventories also advanced, and manufacturers' shipments fell sharply. As a result, stocks equaled a seasonally adjusted 1.75 months' sales in February, up from January's 1.72 months but trailing the 1.81 months of February 1967.

"Moderate declines" in deliveries of most major industry groups contributed substantially to the 2.2% decrease in durable goods shipments to an adjusted $24,667,000,000, the department said. Deliveries of nondurable goods slipped 0.4% to $22,812,000,000.

The total backlog at all factories on Feb. 28 rose to $82,862,000,000 from $82,571,000,000 a month earlier, reflecting gains in most durable-goods industries.

Here is the Census Bureau's monthly tabulation of manufacturers' shipments, inventories, new orders and unfilled orders (in millions of dollars):

SHIPMENTS

	Unadjusted		Seasonally adjusted		
	February 1968 [1]	January 1968 [2]	February 1968 [1]	January 1968 [2]	February 1967
All manufacturing	44,598	44,977	48,283	48,133	47,479
Durable goods	23,062	23,335	25,068	25,227	24,667
Nondurable goods	21,536	21,642	23,197	22,906	22,812

INVENTORIES

	Unadjusted		Seasonally adjusted		
	February 1968 [1]	January 1968 [2]	February 1968 [1]	January 1968 [2]	February 1967
All manufacturing	79,523	82,543	83,302	82,571	82,862
Durable goods	51,274	53,527	54,280	53,742	54,070
Nondurable goods	28,249	29,016	29,022	28,829	28,792

NEW ORDERS

	Unadjusted		Seasonally adjusted		
	February 1968 [1]	January 1968 [2]	February 1968 [1]	January 1968 [2]	February 1967
All manufacturing	44,595	45,757	48,902	47,628	47,714
Durable goods	23,317	24,107	25,583	24,771	24,817
Nondurable goods	21,278	21,650	23,319	22,857	22,897

UNFILLED ORDERS

	Unadjusted		Seasonally adjusted		
	February 1968 [1]	January 1968 [2]	February 1968 [1]	January 1968 [2]	February 1967
All manufacturing	78,600	82,405	83,026	82,368	82,602
Durable goods	75,536	79,265	79,763	79,141	79,291
Nondurable goods	3,064	3,140	3,263	3,227	3,311

[1] Preliminary.

[2] Revised.

Mr. PROXMIRE. Mr. President, I call attention to the latest economic indicators from Business Cycle Developments. These statistics have been found most reliable in forecasting economic conditions. I shall read several of them.

The average workweek: up half an hour in February to 40.7 hours—the same as in December 1967, and below the 1965–66 levels. It indicates that we are heading for less economic activity in the immediate future.

Value of manufacturers' new orders were up very slightly in February compared to January, and were a serious disappointment for Government officials.

The Wall Street Journal reported that the failure to offset 4.1 percent plunges in prior months' bookings in factory orders disappoints Government officials. This, of course, indicates lessened economic activity.

Contracts and orders for plant and equipment: down slightly from January to February and the lowest since May 1967. This, too, is depressing.

Index of new private housing starts has gone up.

Change in book value of manufacturing and trade inventories is far below a year ago, which is depressing.

The index of industrial materials prices was up.

The index of stock prices. Yesterday was a big day for the market, but in spite of that, the overall index measured over the past few months is depressing.

The ratio of price to unit labor cost index is discouraging, because prices are down significantly in relation to labor costs. This is depressing.

Net changes in consumer installment debt is expansionary.

My point is that the signals are mixed. Prospects are very hard to predict, but on the basis of everything we heard in our committee, based on weeks of hearings, the last half of this year is likely to indicate a significant economic slowdown.

We know that the gross national product grew rapidly in the first 3 months of this year, but we also know there is every indication that it is going to slow down from now on, especially starting July 1, when the tax increase hits.

Mr. President, I cannot vote for this amendment because after studying the President's Economic Report, after listening for weeks to the administration's expert witnesses on the economy, after hearing the outstanding academic and business and labor economists in the Nation, I am convinced that a vote for this amendment is not a vote for responsibility, it is a vote for unemployment. It is a vote to stop America moving. It is a vote to aggravate the problem in our cities. It is a vote to worsen our balance of payments and our gold crisis.

Now all of this may startle Senators who are so used to hearing and reading the exact opposite. The administration has been telling themselves and telling the Congress and telling the international financial leaders and telling the press and telling the business leaders that what we need is a tax increase to solve all of our problems. It has been telling that story so long and so steadily that they have indeed created a climate—an atmosphere in which this measure is viewed as responsible, moral, a matter of courage and rectitude.

Republican as well as Democratic Senators have come to me and said "BILL, your statistics are impressive, your arguments are sound, but the business community is now convinced that the Nation's only responsible action is to increase taxes. They may be wrong but they have bought that notion and that belief has become a hard, tough piece of reality. There comes a time," they say, "when you have to pay more attention to psychology, to attitude, to human belief than to the statistics."

This is the informal argument and, frankly, if you analyze the formal economic arguments on this floor, such as they are for this measure, they come to the same things: "Forget the facts, take it on faith."

Well, Mr. President, as chairman of the Congressional Joint Economic Committee—if I have no other function—I have the responsibility of telling my colleagues in this body what I think are the actual not the fanciful, not the psychological but the actual consequences of voting for this Smathers-Williams proposal.

Mr. President, here they are:

The purpose of the Smathers-Williams substitute amendment is to slow inflation, bring the budget closer to balance, improve our balance of payments and restore confidence in the dollar. It will not do a single one of these things. Not one.

I have made it clear to the Senate that I very strongly approve of the part of the Smathers-Williams amendment which would reduce the President's proposed spending for the coming year. I think that is sound economically and it makes sense in terms of improving the efficiency of Federal operations.

At the same time, Mr. President, if we add, on top of the reduction in spending included in the Smathers-Williams amendment, the 10-percent surtax on individuals and corporations, the entire package will be too much.

The risk that it might slow down the economy to the point of recession and the certainty that it will sharply increase unemployment makes this package unsound economically.

Furthermore, Mr. President, I have established in my previous argument on the floor that the surtax will directly and clearly worsen our balance of payments and aggravate the gold outflow. It will do so by sharply diminishing the profitability of American investment. The increase in taxes on American corporations will dissuade investors from investing in American corporations and persuade them to invest their money in European, Japanese, and other corporations throughout the world.

This is not speculation. It is sure and definite. This is a 10-percent decrease in the profitability of American corporations, and it is sure to have that effect.

Mr. President, I understand why Senators are extremely hesitant to accept a generalized economic analysis that contends that this Smathers-Williams package of sharp spending reduction and increased taxes may depress the economy.

Senators, as well as other Americans, have read little in the papers in recent months about our economy except that it is so buoyant, growing so rapidly, that the principal danger is that we may break into very serious inflation.

And the recent gold crisis aggravated these fears so sharply that papers as prominent and thoughtful as the New York Times and the Milwaukee Journal withdrew their past opposition to the surtax and came out in recent days in favor of imposing the surtax.

I am sure that many Senators reacted similarly and that this is the reason for the strong vote in favor of the surtax earlier this week when I introduced my amendment to eliminate the surtax proposal from the Smathers-Williams package.

Now, Mr. President, I hope that before Senators decide to cast their vote for this package they will consider thoughtfully the very serious adverse consequences that might very well develop if this package is put into effect.

I am convinced that the effect of this combination of spending reduction and sharply increased taxes on the economy may sharply increase unemployment and significantly slow down economic growth.

I do not ask my colleagues to accept my judgment on this. I ask them to consider the words of what is an outstanding spokesman for business, Fortune magazine, in the Business Roundup section of the April 1968 issue just published.

Here is what Fortune has written in advance of the recent Senate action to reduce spending and increase taxes:

> The economy, which has been headed for some weakness in the second half anyway, will be weaker still. That will be true if the U.S. puts up a vigorous new defense of the dollar; it will also be true if the post-war exchange system breaks down. The economic consequences of these outcomes would differ in important respects. But it is clear that the new clouds over the domestic business outlook will not be lifted soon by changes in international financial arrangements.

Mr. President, Fortune has pinpointed the specific reasons why they expect the economy to slow down in the second half of the year. These reasons should be carefully considered when the Congress is about to vote on measures that will slow down the economy even more rapidly.

In the first place, Fortune recognizes that because of the balance of payments situation it will be necessary—oh, how we wish it were not—for the Federal Reserve Board to tighten credit in this country so that interest rates will rise here and keep American capital invested here at home, indeed, if possible, attract foreign capital to invest in this country.

Here is the way Fortune puts it:

> A tightening of credit would presumably accompany fiscal restraint. The tightening would of course work to attract some foreign funds to the U.S. Indeed, a monetary program potentially could do more good than taxes toward bringing our international payments into balance, at least on the official settlements accounting (which is what counts for the gold problem). Any such course might plausibly involve another rise of half a percentage point or more in the discount rate, on top of the one that was voted by the Federal Reserve on March 14. This would mean acceptance of unprecedented new highs in the entire spectrum of interest rates, which were already almost back to their past 1966–67 highs.
>
> Any such heavy doses of monetary restraint would have quite serious implications for the housing industry, which has still not recovered from the 1966 credit crunch, and which faced trouble getting mortgage financing even before the gold crisis. Whether any such strong medicine, combined with higher taxes for a controversial war, can be administered in a presidential election year is a question of fearful complexity.

A part of the answer to that, of course, was given on Sunday night when the President announced he would not run. The fact is, however, Mr. President, that this increase in interest rates, which is a logical and understandable though very regrettable response to the international gold outflow and to restoring confidence in the dollar, is going to depress the economy further. We not only have a $16 billion fiscal package, with a lot of drive and potency; we also have a monetary policy designed to slow the economy down.

Mr. President, I am sure a prime reason why many Senators will vote for this Smathers-Williams package is because they are convinced that it is the only way to stop inflation.

All of us are aware of the fact that just Thursday the Bureau of Labor Statistics announced that consumer prices rose once again three-tenths of 1 percent, or at an annual rate of 3.6 percent.

There is not a Senator here who does not realize that this rate of inflation is unacceptable and we must do whatever we can to slow it down.

Now let us consider what is likely to happen to prices even without the Smathers-Williams package. Here is Fortune's observation on the prospects of inflation:

> In a grim month, a small hope is perhaps worth mentioning. If the U.S. can somehow get past the present gold crisis, then before long there may be grounds for returning world confidence in regard to U.S. prices. The rate of price increases has probably just passed its peak, for several reasons.

Frankly, Mr. President, the principal reason why I intend to vote against this Smathers-Williams package, although I enthusiastically favor the reduction in spending, is because it will increase unemployment by literally hundreds of thousands. The loss in production is something that this country can never recover. The waste in men and idleness will be a real tragedy for the Nation and for the hundreds of thousands of people involved.

Once again, Mr. President, I do not ask Senators to accept the word of one Democratic Senator. I ask them to consider the cold, clear judgment of the Nation's great spokesman for American business, Fortune magazine. Here is what Fortune magazine says about the employment outlook:

> The labor market is not as tight as it looks, and it should become looser in the months ahead.

This, as I say, is without any notion that a surtax will be passed, and that we will adopt the kind of spending reduction we are on our way to adopting.

Even a decision to increase the forces in Viet Nam in a year by 206,000—

Which decision most of us are now convinced will not take place—

the highest number discussed recently, would still leave the U.S. labor market no tighter than it is now. The more appropriate concern for the coming year might be unemployment.

Again, this is Fortune speaking.

There are several reasons for viewing the recent unemployment rates as deceptive. The number of unfilled jobs has been pretty steady for a year now, at a level one-fifth below that of the September 1966 peak. The average work week in the private nonfarm economy has been falling for over a year. In 1967 it was down nearly 2 percent in manufacturing; for the entire private economy it was down approximately 1 percent.

More important, the recent rates of productivity growth have been unduly low. Productivity is now turning up, and there is reason to expect that it will continue to ease labor-market pressures.

Of course, when productivity turns up, it means that each man is producing more, and therefore you need fewer employees.

The productivity gains should help to slow down the extraordinary growth of employment. The number of nonfarm jobs, which was two million higher in 1967 than 1966, was up 1,600,000 just between last summer and this February; in February alone, it was up 550,000. Some of the employment gains seem unsustainable. The number of government employees has been growing furiously, and rose by 750,000 to 11,600,000 in 1967.

And here is the important point:

But over half of that increase was accounted for by teachers, and demand for them will slow down abruptly for two reasons. The recent rapid growth of federal aid to education will end in the next year. So will the rapid rise of the college-age population; the babies born in 1946, the first year of the great baby boom, are old enough to be graduating from college this June.

Demand for several other kinds of employees will also be falling off. There are now 14 million service workers of various kinds, and they have been increasing by 600,000 a year. But those required by the medicare and medicaid programs, for example, have been pretty much recruited by now. The federal minimum wage increase (from $1.40 to $1.60 an hour), which went into effect February 1, will inevitably depress the growth of demand for workers in services generally and also in trade. Finally, demand for industrial workers, which hit a new high recently, will ease in coming months when inventories taper off.

Adjusting for all these depressants on demand, how many additional employees will be required in the 1968 economy? Real G.N.P. has been rising at a rate of at least 4 percent a year lately. With productivity now rising, 4 percent growth should create demand for not more than 1,300,000 nonfarm jobs in the next year. Roundup anticipates that real G.N.P. growth will slow down to 2 percent or less, and new demand will be limited to some 700,000, most in government.

Supplying even the higher number of employees in 1968 should represent no problem. In the past three years the labor force has grown by an annual average of 1,400,000; it is expected to do so again this year. Most of the gains will be in the prime age group, i.e., men and women in their twenties who tend to be full-time employees vs. the rapid labor-force growth a few years back of teenagers, often part-timers.

Aside from these prospective additions to labor-force supply, it now seems clear that we have been unaware of the size of what might be called "Hidden unemployment reserves"—the group, mostly women, teenagers, and elderly people, who move in and out of the labor force. A recent study by two close students of the subject, N. J. Simler and Alfred Tella, suggests that there were two million such people earlier in the 1960's, representing on the average some 2.5 percent of the total labor force. At the turn of the year, with unemployment much lower, this reserve was 0.7 percent but still had over 500,000 people in it.

There are several reasons for this massive shift in the labor force. Government programs, involving one million trainees now, are in effect turning out "extra workers." The sharp decline in the birth rate has left more women free to work. And some students have been drafted, technically moving them into the total labor force.

The armed forces grew by over 500,000 in 1966, but not much in the past year. A major buildup now, from the present 3,500,000 total, would obviously cause some disruptions, with many of the jobs being vacated by young men, some of them highly skilled.

I think all of us recognize that in the light of the most recent developments, such a major growth is most unlikely.

But on balance—

Fortune says—

it is hard to foresee any circumstances in which labor shortages will be a problem this year.

Even on the Administration's economic forecast, which looks for real G.N.P. growth of over 4 percent for 1968, the unemployment rate is likely to be higher by the end of the year. On Roundup's January projection of 2 percent, the rate could be higher in the next year by over 0.5 percent. And it could rise by over 1 percent should really drastic measures be taken in defense of the dollar.

There is no question but that, if we pass this package, and the Federal Reserve Board follows the policy it must follow, in view of the international financial crisis, we will not grow anything like 4 percent, and that unemployment is sure to increase.

Mr. President, there are many other arguments given by Fortune magazine as to why they believe the economy will slow down in the second half of 1968, and I ask unanimous consent that the entire "Business Roundup" section of the April 1968 issue of Fortune magazine be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BUSINESS ROUNDUP

BUGGED BY GOLD

The gold problem finally caught up with the U.S. last month, in a historic sequence of events that will be haunting the economic outlook for many months to come. U.S. economic activity is going to be adversely affected in one way or another. Only the extent of the difficulties is unclear. The economy, which had been headed for some weakness in the second half anyway, will be weaker still. That will be true if the U.S. puts up a vigorous new defense of the dollar; it will also be true if the postwar exchange system breaks down. The economic consequences of these outcomes would differ in important respects. But it is clear that the new clouds over the domestic business outlook will not be lifted soon by changes in international financial arrangements.

Last month's decision by the gold-pool nations to stop supplying gold to the free markets was essentially an interim measure. The world gold fever would not wait for a real solution; the fever became critical in the week of March 11, when the $12-billion U.S. gold reserve began declining at two and then three times last December's rate of $1 billion a month. The new system itself may give way under the pressure of increasing dollar claims on gold by foreign central banks. The pressure could be relieved by devaluing and diminishing the role of the dollar—i.e., by raising the price of gold. An eventual increase is certainly possible, but the U.S. and other nations wish to avoid that. To avoid it would require a full solution to the nagging U.S. balance-of-payments problem. Even to reduce the dimensions of the problem will require some new and painful programs.

Last year the deficit ran to about $3.5 billion on both the liquidity and official-settlement bases. The program the President announced at year-end was designed to reduce this year's deficit by $3 billion—actually, somewhat less after qualifications and exemptions (e.g., allowing capital to flow to Canada). But even the remaining benefit of the program was being heavily offset, around the time of the announcement, by a sharp narrowing of the U.S. balance-of-trade surplus, from over $4 billion a year ago to less than $2 billion currently (see the February Roundup). The deterioration was highlighted by a shocking 20 percent rise in three months in merchandise imports, from the $26.5-billion rate (seasonally adjusted) that prevailed over the first ten months of 1967 to $31.8 billion in January. By then it was clear that on commercial account, after deducting exports financed by government grants and loans (e.g. wheat for India), the U.S. was running a deficit in its foreign trade. Thus the dollar was in immediate new trouble, which was evident everywhere but for which no redress has even yet been announced.

Despite the balance-of-payments program, then, we confront the prospect of another large U.S. deficit for 1968; this year's deficit, in fact, is less amenable to government edict—e.g., direct controls on overseas bank loans—because it is deeply rooted in our trade balance. We may hope that the balance will improve once business and demand in Europe recover and Kennedy Round tariff cuts take effect there (on July 1). We cannot, however, repair our trade by taking refuge in the protectionism now widely advocated; other nations could and would retaliate. Nor would we gain enough from the 10 percent income-tax surcharge; by itself it might benefit the trade balance to the extent of only $1 billion or so per year. Secretary Fowler testified last month that he "would welcome it" if Congress decided to go further, even to double the increase implied in the surcharge. Besides its direct effect on the balance itself, a tax rise is widely viewed as the "magic" necessary to restore world confidence in the dollar; higher taxes would be an earnest willingness of the U.S. to take whatever unpleasant medicine it has to in order to restore the health of the dollar and the exchange system.

Thus prospects for passage of some form of the President's tax increase seem improved. To get it from Congress, he will evidently agree to deep cuts in non-Vietnam appropriations. A figure of $9 billion has been reported, which might mean $4 billion for spending i.e., in fiscal 1969 (bringing spending estimates back to Roundup's January projections). Meanwhile, more troops for Vietnam means the war's costs will be revised upward, perhaps by comparable amounts. The upshot of all these revised expectations is that the basic deficit in the federal budget, which had been and was expected to continue running this year at a rate of some $14 billion (in the national income accounting), will theoretically be wiped out by the spring of 1969.

A tightening of credit would presumably accompany fiscal restraint. The tightening would of course work to attract some foreign funds to the U.S. Indeed, a monetary program potentially could do more good than taxes toward bringing our international payments into balance, at least on the official settlements accounting (which is what counts for the gold problem). Any such course might plausibly involve another rise of half a percentage point or more in the discount rate, on top of the one that was voted by the Federal Reserve on March 14. This would mean acceptance of unprecedented new highs in the entire spectrum of interest rates, which were already almost back to their past 1966–67 highs.

The Fed's program might involve a major credit crunch, a juggling of various interest rates on savings, and acceptance of selective credit controls—for example, on consumer installment buying. Of course, the Fed has already moved sharply this year toward a slowdown of credit expansion, working the commercial banks into a position where they had $309 million of borrowed reserves, the largest since the autumn of 1966, vs. $250 million of free reserves as recently as last November, just before the British devaluation of the pound. Growth of the money supply has also been sharply slowed.

Any such heavy doses of monetary restraint would have quite serious implications for the housing industry, which has still not recovered from the 1966 credit crunch, and which faced trouble getting mortgage financing even before the gold crisis. Whether any such strong medicine, combined with higher taxes for a controversial war, can be administered in a presidential election year is a question of fearful complexity. The odds on deflationary action to defend the dollar after the elections were surely good enough; but, before the gold crisis, the chances of a 1968 program were remote. Now policy on the dollar—as on Vietnam and managing the urban crisis—has entered that peculiarly cloudy area in which the interplay of logic and sentiment makes the techniques of ordinary prophecy seem futile.

It is clear, however, that if new tax and credit curbs are somehow placed upon the economy, they will considerably reinforce the tendencies toward softness that Roundup has already noted—tendencies suggesting a slowdown in G.N.P. growth and an actual decline in industrial production during the second half of the year. The FRB index for February held about even with the January level, both figures being down about half a percent from the index high of 162 in December.

Retail sales of general merchandise strengthened notably in February, after some months of lag, but new-car sales have slowed down. Business plans suggest a 6 percent rise in spending during 1968 (and for all 1968 over 1967), according to SEC-Commerce data. This is, however, higher than Roundup's expectation, which is for level spending; some recent data, notably the leveling in machinery shipments, orders, output, and the actual decline in manufacturers' capital appropriations, have confirmed this expectation. The data certainly contradict the SEC-Commerce finding that there was a $2-billion rise last quarter in the rate of manufacturers' outlays.

In a grim month, a small hope is perhaps worth mentioning. If the U.S. can somehow get past the present gold crisis, then before long there may be grounds for returning world confidence in regard to U.S. prices. The rate of price increases has probably just passed its peak, for several reasons.

PLENTY OF WORKERS

The labor market is not as tight as it looks, and it should become looser in the months ahead. Fears of a labor shortage have been widespread among businessmen, mainly because of the vagaries of the unemployment rate. It fell sharply from 4.3 percent last October to 3.5 percent in January, the lowest level in fourteen years. In February it was still 3.7 percent, which happens also to have been the level in the fall of 1966—when many businessmen were in fact having trouble filling jobs. Labor-shortage worries have been reinforced by the prospect of a sizable new buildup of U.S. forces in Vietnam. But the worries are misplaced: even a decision to increase the forces in Vietnam in a year by 206,000, the highest number discussed recently, would still leave the U.S. labor market no tighter than it is now. The more appropriate concern for the coming year might be unemployment.

There are several reasons for viewing the recent unemployment rates as deceptive. The number of unfilled jobs has been pretty steady for a year now, at a level one-fifth below that of the September, 1966, peak. The average work week in the private nonfarm economy has been falling for over a year. In 1967 it was down nearly 2 percent in manufacturing; for the entire private economy it was down approximately 1 percent.

More important, the recent rates of productivity growth have been unduly low. Productivity is now turning up, and there is reason to expect that it will continue to ease labor-market pressures. Private nonfarm productivity rose rapidly in 1961–64, by 3.6 percent a year on the average; then the gains fell to an average of 2.6 percent in 1965–66; and fell further, to less than 1 percent, in 1967. The 1961–64 gains were related mainly to rapidly rising utilization rates in industry. The 1965–66 fall-off was related to the staffing and start-up problems associated with all the new plant and equipment coming on stream in those years. In 1967 businessmen had to deal with both lower utilization rates and continuing rapid installation of new facilities—the worst of all possible worlds for productivity. Roundup's analysis has shown that changes in utilization rates and installations provide good clues to productivity performance; the changes due in 1968 suggest that the worst is now over, and productivity is turning up. It should grow in 1968 by almost 2.7 percent—the figure that happens to be the average for the last twenty years. Productivity growth in the first quarter was lower—by about half a percentage point—than Roundup's new econometric calculations would suggest; but the "loss" should be made up during the rest of the year.

WHY DEMAND WILL FALL

The productivity gains should help to slow down the extraordinary growth of employment. The number of nonfarm jobs, which was two million higher in 1967 than 1966, was up 1,600,000 just between last summer and this February; in February alone, it was up 550,000. Some of the employment gains seem unsustainable. The number of government employees has been growing furiously, and rose by 750,000, to 11,600,000, in 1967. But over half of that increase was accounted for by teachers, and demand for them will slow down abruptly for two reasons. The recent rapid growth of federal aid to education will end in the next year. So will the rapid rise of the college-age population; the babies born in 1946, the first year of the great baby boom, are old enough to be graduating from college this June.

Demand for several other kinds of employees will also be falling off. There are now 14 million service workers of various kinds, and they have been increasing by 600,000 a year. But those required by the medicare and medicaid programs, for example, have been pretty much recruited by now. The federal minimum wage increase (from $1.40 to $1.60 an hour), which went into effect February 1, will inevitably depress the growth of demand for workers in services generally and also in trade. Finally, demand for industrial workers, which hit a new high recently, will ease in coming months when inventories taper off.

Adjusting for all these depressants on demand, how many additional employees will be required in the 1968 economy? Real G.N.P. has been rising at a rate of at least 4 percent a year lately. With productivity now rising, 4 percent growth should create demand for not more than 1,300,000 nonfarm jobs in the next year. Roundup anticipates that real G.N.P. growth will slow down to 2 percent or less, and new demand will be limited to some 700,000, most in government.

Supplying even the higher number of employees in 1968 should represent no problem. In the past three years the labor force has grown by an annual average of 1,400,000; it is expected to do so again this year. Most of the gains will be in the prime age group, i.e., men and women in their twenties who tend to be full-time employees vs. the rapid labor-force growth a few years back of teenagers, often part-timers.

Aside from these prospective additions to labor-force supply, it now seems clear that we have been unaware of the size of what might be called "hidden unemployment reserves"—the group, mostly women, teenagers, and elderly people, who move in and out of the labor force. A recent study by two close students of the subject, N. J. Simler and Alfred Tella, suggests that there were two million such people earlier in the 1960's, representing on the average some 2.5 percent of the total labor force. At the turn of the year, with unemployment much lower, this reserve was 0.7 percent but still had over 500,000 people in it.

There are several reasons for this massive shift in the labor force. Government programs, involving one million trainees now, are in effect turning out "extra workers." The sharp decline in the birth rate has left more women free to work. And some students have been drafted, technically moving them into the total labor force.

The armed forces grew by over 500,000 in 1966, but not much in the past year. A major buildup now, from the present 3,500,000 total, would obviously cause some disruptions, with many of the jobs being vacated by young men, some of them highly skilled. But on balance, it is hard to foresee any circumstances in which labor shortages will be a problem this year.

Even on the Administration's economic forecast, which looks for real G.N.P. growth of over 4 percent for 1968, the unemployment rate is likely to be higher by the end of the year. On Roundup's January projection of 2 percent, the rate could be higher in the next year by over 0.5 percent. And it could rise by over 1 percent should really drastic measures be taken in defense of the dollar.

HOUSING AT RISK

The question about housing this year is to what extent, and how soon, last year's gains will be undone. Private nonfarm housing starts last year recovered sharply from the effects of the money crunch of 1966, rising from a rate of only 900,000 at the end of the year to one more than 500,000 higher at the end of 1967. But starts have fluctuated wildly in recent months: they were up to 1,567,000 in November, down to 1,235,000 in December, and back up to 1,528,000 in February. On the average the rate has recently been close to the 1,467,000 level of 1965.

After two years of subnormal building activity and falling vacancy rates, it is clear that lack of demand for housing is not a problem but that the availability of mortgage financing is becoming one. Funds available for mortgages have been declining; this fact in itself would ensure a fall in starts around midyear or even sooner.

Before the gold crisis last month, the lowest projections for late 1968 had starts at a rate of around 1,200,000 then. Roundup in January expected the rate would level out around 1,400,000—and then begin to rise in 1969—on the assumption that funds for housing would loosen up after a downturn in inventory buying. But the new world crises since January—in Vietnam and the gold markets of Europe—will probably reduce the funds available for building later in the year, and so reduce the rate of starts.

The main immediate problem is the renewed squeeze at the thrift institutions. S. and L. savings growth last year hit $11 billion. The rate of inflow since last summer has dropped to about half that much. It had been expected to stay there, but now the gold crisis has made it likely that inflows will diminish.

S. and L.'s, however, used some of their 1967 inflows to build up their liquidity, putting some $4 billion into government securities or repayments of advances from the Federal Home Loan Banks. This year, however, they will do some reborrowing and selling to supplement the funds available for mortgage lending: any funds that *are* available can be lent. Indeed, the S. and L.'s will probably borrow very heavily from the home-loan banks if their own savings inflows come to a halt. For the time being, they may not have to cut mortgage lending very far. The mutual savings banks, similarly, could sell off some of the corporate bonds they accumulated last year, and so maintain their mortgage lending.

Other traditional mortgage lenders, meanwhile, are beginning to find that alternative investments are more attractive. With credit tightening and long-term interest rates higher than they have been in a century, a further diminution may be expected in mortgage investments by individuals, commercial banks, and insurance companies.

Government help for the mortgage market, which was rushed to the rescue in the 1966 credit crunch, may be called upon again in 1968. Although the Federal National Mortgage Association has about used up some special assistance funds appropriated for it by Congress in 1966, it still is conducting its larger secondary-market operations. The President has proposed to make these completely private—which would facilitate Fanny May's own borrowing in order to buy mortgages. The President also proposes to provide flexible interest-rate ceilings on FHA- and VA-guaranteed mortgages, making them more attractive to lenders; and with the same general idea in mind, several eastern states are reconsidering old usury laws that limit rates on mortgages and have, accordingly, made them unsalable recently.

One-third of the builders reporting to Fortune's semi-annual survey of the industry expected money to get still tighter, and an even larger proportion (though not a majority) said that availability of funds is already affecting their ability to construct new units this year. A good many acknowledge that they did better in 1967 than they had expected to, partly because mortgage availabilities exceeded expectations. But the builders now seem to be too optimistic, for their present plans would indicate a total of nearly 1,500,000 starts for this year—i.e., slightly higher than recently, both for apartments and for single-family homes.

ADDING TO THE MARKET

One possible casualty of world events will be the President's new housing program, parts of which will be delayed. The program called for 175,000 private and 75,000 public housing starts in fiscal 1969 (and for rehabilitation of 50,000 units). Almost half these new units are already planned for under existing legislation. However, there are apt to be delays in the rest, partly because of the new fiscal pressures. Actually, even aside from these, the proposed legislation is so complicated, and it will take so long for Congress to consider and for the programs involving private builders to be implemented, that some delays beyond original expectations were likely anyway. But if Congress goes along with the President, all this could conceivably add as much as a quarter million starts to the building rate by, say, 1970. Most of these units might be viewed as housing that would be unbuilt under today's market conditions. The additions are in low- and middle-income groups barely able to afford new housing when interest rates are low—and kept out of the market when rates are at their present high levels.

The rising costs of money, land, and construction are now all limiting the demand for housing; so is the call-up of men by the armed forces, which inhibits household formation. Actual demand exceeded new units built in 1967, i.e., the stock of unoccupied rental units and unsold homes was reduced, by some 100,000. In 1968, even with the expected decline later in the year, total construction will top last year's figure by about 100,000 units and may be close to meeting the kind of demand that will be encountered under this year's conditions. Under normal conditions, Fortune estimates, population pressures would be pushing the market demand toward a level of two million units.

Mr. PROXMIRE. Now, Mr. President, as chairman of the Joint Economic Committee, I feel I have a duty to warn Senators about what I believe to be the consequences of their vote on what is likely to be the most far-reaching and significant economic legislation before the Congress this year.

I fully understand the desire of all Members of the Senate to balance the budget, to stop inflation, to restore confidence in the dollar and I share their determination enthusiastically.

Mr. President, it is not enough simply to have an emotional feeling about matters that have such a deep and profound impact on so many millions of Americans and have such a vast effect on the growth of this economy.

Certainly the vote of this body to reduce expenditures indicates its preponderant determination to do exactly that this year, regardless of how we act on the Smathers-Williams amendment today. As I say, I wholeheartedly approve of reducing expenses, and that determination will go into effect regardless of how we act on the Williams-Smathers amendment today.

But for the Senate to impose a fiscal policy on this Nation that is sure to increase unemployment by as much as 1 million persons within the coming year is an economic blunder that would be most foolish and it would be based very largely, not on a careful calculation of what our economy needs, but on the emotional reaction to a crisis which can be met far more effectively if we are prudent and careful about our fiscal policy.

I am convinced that the Smathers-Williams package will increase unemployment without reducing the deficit. I say this because if the economy is depressed, if income is reduced, if jobs are eliminated, revenue will drop even though tax rates are higher.

I say this because, as Fortune magazine expresses it so well, it is very possible that the inflationary forces at work in the economy are already beginning to diminish and that with both manpower and factory capacity already exceeding demand, there is no reason why we cannot produce all that our economy needs and more without inflation, provided we have appropriate wage-price policies that are entirely aside and apart from the Smathers-Williams package.

Mr. President, I ask unanimous consent to have printed at this point in the Record an analysis of the most recent statistics we have received from the Defense Department.

There being no objection, the statistics were ordered to be printed in the Record, as follows:

Selected Economic Indicators From the Department of Defense

(Note.—The attached table shows selected financial and employment data related to the impact of Defense programs on the economy. The data reflected in the table cover seven major subject areas, beginning with the first quarter of calendar year 1966 and continuing through the latest month for which information is available. The chart covers three areas—obligations, expenditures and contracts—by quarter year. Explanations of the terms used are also attached.)

EXPLANATIONS OF THE TERMS USED

I. *Military Prime Contract Award.* A legally binding instrument executed by a military department or Department of Defense Agency (DOD component) to obtain equipment, supplies, research and development, services or construction. Both new instruments and modifications or cancellations of instruments are included; however, modifications of less than $10,000 each are not included.

The series includes awards made by DOD components on behalf of other Federal agencies (e.g., National Aeronautics and Space Administration), and on behalf of foreign governments under both military assistance grant aid and sales arrangements. It also includes orders written by DOD components requesting a non-Defense Federal agency to furnish supplies or services from its stocks (e.g., General Services Administration stores depots), from in-house manufacturing facilities (e.g., Atomic Energy Commission), or from contracts executed by that federal agency.

The series does not include awards paid from post exchange or similar non-appropriated funds, nor does it include contracts for civil functions, such as flood control or river and harbors work performed by the Army Corps of Engineers. Project orders issued to Defense owned-and-operated establishments, such as shipyards and arsenals, are not included, but contracts executed by such establishments are.

The distribution by broad commodity group includes only contracts which are to be performed within the United States or its possessions. Each commodity group includes not only the indicated end item, but also associated components and spare parts, research and development, and maintenance or rebuild work. Electronics and Communications includes only such equipment and supplies as are separately procured by DOD components. Electronics procured by an aircraft prime contractor is reported as Aircraft. Other Hard Goods contains tank-automotive, transportation, production, medical and dental, photographic, materials handling, and miscellaneous equipment and supplies. Soft Goods includes fuels, subsistence, textiles and clothing. All Other contains services (e.g., transportation) and all new contracts or purchase orders of less than $10,000 each. Commodity identification is not available for these small purchases.

Work done outside the United States refers to the location where the work will be physically performed. About 55–60% of this work is awarded to U.S. business firms, but a lesser percentage of the contract dollars in this category directly impacts on the U.S. economy.

II. *Gross Obligations Incurred.* Total amounts recorded in official accounting records of the military departments and Defense Agencies from source documents such as signed contracts or any instrument which legally binds the government to payment of funds. Present coverage extends only to general fund accounts; obligations incurred in revolving funds are excluded. Included, and double-counted, are obligations which are recorded first when an order is placed by one appropriation upon another appropriation, and second when the latter appropriation executes an obligation for material or services with a private supplier. This duplication averages about 8% of gross obligations.

a. *Operations*. The Military Personnel appropriation and Operation and Maintenance appropriation of the Department of Defense.

b. *Procurement*. The Procurement appropriation.

c. *Other*. The RDT&E, Military Construction, Family Housing, Civil Defense, and Military Assistance appropriations.

III. *Gross Unpaid Obligations Outstanding*. Obligations incurred by the Department of Defense for which it has not yet expended funds. Present coverage extends only to general fund accounts; obligations in revolving funds are excluded.

IV. *Net Expenditures*. Gross payments less collections by the military departments and Defense Agencies, including revolving funds and Military Assistance. Payments represent checks issued.

V. *DOD Personal Compensation*. Wages and salaries earned by personnel employed by the Department of Defense. Military compensation represents pay and allowances to active duty personnel; reserve pay and retired pay are excluded. Civilian compensation represents gross pay and includes lump sum payments for final annual leave. Both figures are inclusive of individual contributions to retirement and social insurance funds, but are exclusive of any employer contributions to these funds.

VI. *Outstanding Payments*. Payments to contractors by the military departments and Defense Agencies made before the goods or services contracted for are completed and delivered.

a. *Advanced Payments*. Payments to contractors in advance of performance of a contract.

b. *Progress Payments*. Payments to contractors as work progresses on a contract. These payments serve to reimburse the contractor for a major portion of the costs incurred to date.

VII. *Strength*. The number of persons on active duty with the Department of Defense at the end of the period.

a. *Military*. Men and women on continuous or extended active duty. Excludes reserves on temporary active duty for reserve training.

b. *Civilian*. Direct hire personnel.

SELECTED DEFENSE DEPARTMENT ECONOMIC INDICATORS

[Dollars in millions. Manpower in thousands. Quarters by calendar year]

	1966				1967							1968	
	I	II	III	IV	I	II	III	October	November	December	IV	January	February
I. Military prime contract awards:													
Aircraft	$1,945	$2,989	$2,696	$2,262	$2,102	$3,049	$2,513	$1,249	$578	$805	$2,632	$442	[1] $478
Missile and space systems	1,040	987	1,314	861	1,230	1,166	1,580	323	429	316	1,068	348	[1] 475
Ships	355	491	876	239	679	407	417	153	147	110	410	109	[1] 122
Weapons and ammunition	555	1,486	692	940	818	1,769	1,104	454	451	439	1,344	226	[1] 373
Electronic and communications equipment	918	1,574	666	915	971	1,848	816	272	247	305	824	359	[1] 220
Other hard goods	843	1,842	660	1,029	915	1,564	785	252	153	248	653	246	[1] 351
Soft goods	709	922	1,078	989	638	652	1,056	175	118	198	491	437	[1] 137
Construction	207	392	198	150	232	626	232	56	44	113	213	61	[1] 63
All other	1,406	1,963	2,356	1,639	1,605	1,987	2,335	522	486	649	1,657	457	[1] 551
Total (excluding work outside the United States)	7,978	12,646	10,536	9,024	9,190	13,068	10,838	3,456	2,653	3,183	9,292	2,685	[1] 2,770
Total, seasonally adjusted	8,703	10,144	10,716	10,149	10,171	10,667	10,961	[2] 3,626	[2] 3,308	[2] 3,479	[2] 10,413	[2] 2,887	[1] 3,445
Work outside the United States	521	1,195	856	672	453	834	891	193	117	145	455	288	[1] 139
II. Gross obligations incurred:													
Operations	8,326	9,604	10,426	9,702	10,229	11,435	11,224	3,776	3,374	3,663	10,812	3,798	(*)
Procurement	4,374	8,539	5,368	5,276	5,113	8,948	6,154	2,699	1,717	1,876	6,292	1,784	(*)
Other	2,429	3,470	3,453	2,230	2,519	3,510	3,420	860	665	669	2,194	863	(*)
Total	15,129	21,613	19,247	17,208	17,861	23,893	20,798	7,335	5,755	6,208	19,298	6,445	(*)
III. Gross unpaid obligations outstanding:													
Operations	3,828	3,777	4,792	5,024	4,644	4,513	5,267	5,270	5,050	5,150	5,150	5,127	(*)
Procurement	18,023	22,119	22,736	23,173	22,780	25,248	24,925	25,423	24,982	24,856	24,856	24,197	(*)
Other [3]	5,625	5,942	8,026	7,253	6,996	7,506	7,978	7,854	7,609	7,360	7,360	7,329	(*)
Total [3]	27,476	31,838	35,554	35,450	34,420	37,267	38,170	38,547	37,641	37,366	37,366	36,653	(*)
IV. Net expenditures:													
Operations	7,689	9,076	8,968	9,087	10,002	10,731	10,001	3,641	3,456	3,397	10,494	3,550	(*)
Procurement	3,651	3,886	4,392	4,264	5,074	5,282	6,060	2,005	1,890	1,704	5,598	2,274	(*)
Other	2,757	2,647	2,484	3,092	3,160	2,001	3,047	790	847	724	2,363	1,153	(*)
Total	14,097	15,609	15,844	16,443	18,236	18,014	19,108	6,436	6,194	5,825	18,455	6,977	(*)
V. DOD personal compensation:													
Military	3,181	3,249	3,551	3,606	3,624	3,646	3,842	1,264	1,297	1,411	3,972	1,338	(*)
Civilian	1,937	2,015	2,105	2,135	1,270	2,248	2,271	773	772	787	2,332	828	[1] 770
Total	5,118	5,264	5,656	5,741	5,794	5,894	6,113	2,037	2,069	2,198	6,304	2,166	(*)
VI. Outstanding payments:													
Advance payments	66	79	90	83	92	80	110	(*)	(*)	(*)	134	(*)	(*)
Progress payments	4,402	4,346	4,750	5,461	5,981	6,765	7,179	(*)	(*)	(*)	7,491	(*)	(*)
Total	4,468	4,425	4,840	5,544	6,073	6,845	7,289	(*)	(*)	(*)	7,625	(*)	(*)
VII. Strength (manpower):													
Military	2,969	3,094	3,229	3,334	3,371	3,377	3,412	3,416	3,412	3,398	3,398	[1] 3,427	(*)
Civilian	1,088	1,138	1,184	1,230	1,268	1,303	1,274	1,277	1,277	1,271	1,271	1,267	[1] 1,265

[1] Preliminary.

[2] Revised.

[3] Entire series adjusted to exclude revolving funds.

Note: Asterisks for indicators other than No. VI indicate information not available at time of publication. Indicator No. VI information available only on a quarterly basis. Totals may not add due to rounding.

Mr. PROXMIRE. Mr. President, when I became chairman of the Joint Economic Committee, I recognized that we had not gotten the kind of information from the Defense Department that we needed if we were to judge the impact of military spending on the economy. We had not received information that is crucial to a reasonable understanding of what is going to happen to our economy in the future.

We have gotten those crucial military spending statistics since last July. We now know how the actions of the Defense Department in procurement and personnel policies are going to affect the economy.

To summarize very briefly what the statistics show, they indicate that the big buildup that we have had in the past has leveled off. They show that the stimulation experienced from the Vietnam war has ended and that unless there is a vast escalation in Vietnam, it will not have a significant effect on expanding the economy.

That is one more argument, and a most convincing argument, that we must not pass the Smathers-Williams package which includes not only a spending cut—which is so wise and necessary—but also a surtax which combination will result in my view in a heavy increase in unemployment.

Mr. President, I yield the floor.

Mr. SMATHERS. Mr. President, I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator from Florida is recognized for 10 minutes.

Mr. SMATHERS. Mr. President, first, congratulate the distinguished Senator from Wisconsin for his remarks outlining how he believes we should approach the problem that confronts us with respect to our economy.

Everyone should recognize that we can hunt through the business magazines and come across some article that agree with the theories that appeal particularly to us.

As I listened to my distinguished colleague, the Senator from Wisconsin, I could not help noting the part of his speech in which he said that our problems are such that we would not need the kind of medicine proposed in the Williams-Smathers package if we have appropriate wage-price policies. We apparently do not have appropriate wage-price policies, and this is one of the reasons we find ourselves in a period of inflation—which is evident from the economic indicators that we have before us today.

Moreover, one of the reasons for the package which the distinguished Senator from Delaware and I offer is to prevent the need for wage and price controls. It is evident that if we do nothing about our problem, have no self-discipline, take no action to increase taxes, and take no action to cut expenses, we will have to have wage-price controls.

It is evident that if we escalate the war further—which we hope will not be necessary, but cannot rule out because we do not know what the response of Hanoi will be to the offer of the President—we will have to have ways and means to finance that effort, and we may have to have wage and price controls.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. SMATHERS. I yield.

Mr. PROXMIRE. Mr. President, I do not advocate wage and price controls. I never have, and I do not now.

I referred to the wage and price guidelines policy in effect from 1951 to 1955. They worked very well. A figure was specified—which was modest and acceptable—to which wages could rise, and then a moderate raise in prices was recommended by a board of experts appearing before our committee.

Mr. SMATHERS. I thank the Senator. The wage and price guidelines we had then have long been inoperative. We now have no meaningful wage and price policy, in my opinion.

What interests me most about the argument of the distinguished Senator from Wisconsin and other Senators who adhere to his views—and I have respect for those views—is that they believe we should do something. They do believe that we should exercise expenditure control. In other words, they want to cut the amount of money which the Government is spending, but they are fearful that a tax increase will lead to unemployment. A number of economists would argue, however, that if the budget cuts were large enough, we could also have unemployment. This is the sort of economic argument on which we can find so-called experts going both ways.

I think we ought to acknowledge the fact that we do have a rather serious condition of inflation. All we have to do is to ask any housewife how much she can get for a $20 bill in a grocery store compared to what she could get for that same bill just 2 years ago. The prices of articles on shelves everywhere in America are going up and nothing is going down. So, to argue that we do not have a rather serious type of inflation in this country is to ignore the facts that exist before our eyes everywhere we go.

To give some figures from the Department of Commerce and the Bureau of Labor Statistics, let us look at the total personal income of the United States of America. It has gone from $650.9 billion in January to $658.4 billion in February of this year. That is a very substantial increase in personal income for a single month.

The unemployment rate has gone down from September of last year, when it was 4.1 percent, to 3.7 percent in February. This reduction in unemployment means that there has been an increase in production. It is a fact that we now need greater production, but how and where will we get it if we do not have enough people to fill the jobs?

I have looked recently in my State at advertisements in the papers, and I read advertisements for all kinds of people. It is my impression that employers are asking whether people are willing to come to work for much higher rates of pay than were paid before. The same situation is true all over the United States.

I will not read all of the statistics, but I would like to point out just a few more. With relation to private housing starts, there were 1,445,000 in September, at seasonally adjusted annual rates. There were 1,566,000 in February.

The President said in his speech the other night that defense spending will have to be increased by about $2.5 billion over the amount which we had previously anticipated in both fiscal 1968 and 1969. That much more money will be spent for defense goods and less goods will be available to the civilian side of our economy, which is a classic inflationary condition.

Also, consumer spending in January and February was such that the experts expect the increase in the first quarter of 1968 over the last quarter of 1967 to be $13 billion at annual rates, more than twice the increase in the previous quarter. This is the estimate of the Federal Reserve Board staff.

Mr. President, I ask unanimous consent that a table of selected economic indicators be printed at this point in the RECORD.

There being no objection, the chart was ordered to be printed in the RECORD, as follows:

IMPORTANT MEASURES OF ECONOMIC ACTIVITY

Monthly series	February	January	December	November	October	September
Personal income (billions)	$658.4	$650.9	$649.3	$642.4	$635.9	$634.4
Unemployment rate (percent)	3.7	3.5	3.7	3.9	4.3	4.1
Weekly hours of work (average hours per week)	40.7	40.2	40.7	40.8	40.7	40.8
Industrial production (percent)	161.3	161.2	162.0	159.5	156.9	156.8
Retail sales (billions)	$27.4	$27.0	$26.5	$26.4	$26.1	$26.7
Housing starts (thousands)	$1,566	$1,453	$1,250	$1,590	$1,496	$1,445
New construction (billions)		$80.0	$77.9	$77.8	$76.9	$76.3
Inventories (billions)		$141.6	$140.7	$139.3	$138.6	$138.1
Durable goods (billions):						
New orders	$25.0	$24.6	$26.5	$23.8	$23.4	$23.4
Shipments	$24.5	$25.2	$25.3	$23.6	$22.3	$22.9
Unfilled orders	$79.5	$79.0	$79.6	$78.5	$78.3	$77.3
Prices (percent):						
Consumer		118.6	118.2	117.8	117.5	117.1
Wholesale	107.8	107.2	106.8	106.2	106.1	106.2

Quarterly series	1967 (billions)				1966 IV (billions)
	IV	III	II	I	
Gross national product	$807.3	$791.2	$775.1	$766.3	$807.6
Personal consumption	501.8	495.3	489.7	480.2	501.4
Corporate profits	83.0	79.2	78.3	78.1	84.6

Mr. SMATHERS. Mr. President, we are experiencing inflation which is eroding the value of the dollar and reducing the real income of everyone who lives on a pension, a wage or other type of fixed income. The value of their fixed incomes is depreciating, and we want to stop the slide.

This situation also affects the Federal Government, which paid $12½ billion of interest on the debt in the fiscal year 1967 and is expected to have to pay $14.4 billion in fiscal 1969.

We seek to bring the balance-of-payments deficit under control. We have taken some significant steps to reduce the flow of funds overseas. But we need to do something at home.

In my opinion, the President of the United States made a particularly appealing speech the other night on television and radio. Of course, we were all stunned and shocked by the announcement he made with respect to his personal plans for the future, and it may have caused us to overlook what he said about our domestic economy. I should like to quote from his speech. He said:

> The tentative estimate of those additional expenditures is $2.5 billion in this fiscal year and $2.6 billion in the next fiscal year.
>
> These projected increases in expenditures for our national security will bring into sharper focus the Nation's need for immediate action, action to protect the prosperity of the American people and to protect the strength and the stability of our American dollar.

The President continued:

> On many occasions I have pointed out that without a tax bill or decreased expenditures, next year's deficit would again be around $20-billion. I have emphasized the need to set strict priorities in our spending. I have stressed that failure to act—and to act promptly and decisively—would raise very strong doubts throughout the world about America's willingness to keep its financial house in order.
>
> Yet Congress has not acted. And tonight we face the sharpest financial threat in the postwar era—a threat to the dollar's role as the keystone of international trade and finance in the world.

I skip a portion and continue:

> But to make this system work, the United States just must bring its balance of payments to—or very close to—equilibrium. We

> must have a responsible fiscal policy in this country.
>
> The passage of a tax bill now, together with expenditure control—

That is exactly what we have in the Williams-Smathers package—

> that the Congress may desire and dictate, is absolutely necessary to protect this nation's security and to continue our prosperity, and to meet the needs of our people.

Many times people have said to me, "Is the President supporting your proposal?"

I replied, "I don't know if he supports this exact package, but I think he supports the principle behind the proposal."

If anyone is in doubt about whether or not the President supports the proposal, all they need do is remember what he said last Sunday evening.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. SMATHERS. I yield myself 5 additional minutes.

The President continued:

> We must therefore now do everything we can to move from debate to action, from talking to voting, and there is, I believe—I hope there is—in both Houses of the Congress a growing sense of urgency that this situation just must be acted upon and must be corrected.

I skip a portion and continue:

> But in these budgetary matters, the President does not decide alone. The Congress has the power, and the duty, to determine appropriations and taxes.

And that is what we are trying to do in the package which is before the Senate at this time.

> The Congress is now considering our proposals, and they are considering reductions in the budget that we submitted.
>
> As part of a program of fiscal restraint that includes the tax surcharge, I shall approve appropriate reductions in the January budget when and if Congress so decides that that should be done.

It seems to me, Mr. President, that he put the matter squarely where it belongs. He called on Congress to act. We—the distinguished Senator from Delaware and I—have put these two items into a package, in an effort to impose greater fiscal and financial order on our Government.

Mr. President, if we do not do what has been proposed by the distinguished Senator from Delaware and myself, we will then have a deficit of some $20 to $22 billion. The Federal Government, in order to finance its operations, will have to go out into the private market and borrow enough money to meet its debts. When it does that, it will take money out of some sectors of the civilian economy and there will be less money available for private business. Then what will happen? Interest rates will begin to rise. Activity in the construction industry will slow down, even stop. There will not be money available for some small businesses to expand. We may eventually experience the very deflation and the depression which the distinguished Senator from Wisconsin has said he wants to avoid.

If we do not act, we know that the Chairman of the Federal Reserve Board and the members of the Federal Reserve Board have said that they will have no alternatives but to tighten up. In order to keep this country from completely destroying the value of its dollar, they will have to push the prime interest rate up; and when they do that, it will mean higher interest rates for all loans, and that will mean a decidedly less exhuberant economy.

So we must do what the Senator from Delaware and I recommend. We must have expenditure control to cut $6 billion from proposed expenditures in fiscal 1969, and at the same time we must have a tax increase, a 10-percent surcharge of the type which has been recommended by the administration. Not only would that save the $6 billion on the one hand, but also it would result in an increase in receipts of almost $10 billion, which would help us more adequately meet the necessities of our time.

In this morning's issue of the Wall Street Journal, I read with great interest the various comments that members of the financial community have made with respect to what we in Congress should do.

In the first column on the left of the front page, the first man asks:

> Is he a lame duck President or isn't he? Will Congress cooperate with him out of patriotism, or will it not because of politics? Who will be the candidates? None of the major problems have been obviated by all this. If Congress mulls a tax increase too long, I am afraid we'll have gold speculation abroad again before very long.

Then Fred Lange, research chief at Blair & Co., agrees that worries about the balance-of-payments deficit and the international standing of the dollar will reemerge before long and pose problems for the market.

> "Tight money will stay relatively tight" because of the payments problem, he says, and "any change there depends on fiscal (tax and spending) action by Congress."

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. SMATHERS. I yield myself 3 additional minutes.

John Lazar, research director at Thomson & McKinnon, says flatly:

> I think a tax increase will be voted. That would mean no tight money, and that would be good for the market.

Robert S. Waill, research chief of Van Strum & Towne, an investment counseling firm, says that he fears that if Congress does stall a tax boost further, the Federal Reserve Board may impose tight credit restraints that would hurt stock prices. Meanwhile, however, he looks for an important rally.

All these people came to the same conclusion, which is that if we are to maintain our financial standing, we must show people throughout the world—and prove to ourselves—that we have enough gumption and enough courage to impose a tax increase on ourselves and at the same time reduce the expenditures of the Government.

Mr. President, I close by reminding Senators that between the fiscal year 1961 and 1968, the U.S. Government will spend almost $55 billion more than it will collect in taxes.

We have spent abroad $16 billion more than we have received from overseas. The average pay per hour has risen by one-third. The cost of living has gone up almost one-fifth since 1960. Interest rates, as we know, have risen to a level which is the highest in over 100 years; and we cannot permit them to go higher. At the same time, our U.S. gold reserves have dropped by $7.3 billion; and the claims of foreigners have risen by about $11.5 billion. However, there are actually $34 billion overseas ready to be presented against our gold if we do not demonstrate that we at home are willing to make that dollar as sound as it should be so that the central bankers will not be so nervous that they will rush to us and say, "We want gold in exchange for those dollars." The time has come for us to act.

Mr. President, I ask unanimous consent to have printed in the RECORD a statement by the Secretary of the Treasury when he was at Stockholm, and a communique issued by him.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATEMENT BY THE HONORABLE HENRY H. FOWLER, SECRETARY OF THE TREASURY OF THE UNITED STATES AND CHIEF OF U.S. DELEGATION TO THE GROUP OF 10 MEETINGS, STOCKHOLM, MARCH, 30, 1968

I wish to make a reaffirmation, on the part of the United States, of our own internal responsibilities in connection with our responsibilities to the governments which have taken this action today and to other governments of the Free World which are not represented at this meeting:

The ability of the United States to sustain strong, stable and non-inflationary growth is now being severely challenged and tested by events at home and abroad—and the outcome is watched closely by the rest of the world.

And for good reason.

The manner in which we respond to this test will determine not only our own economic future but that of the entire Free World as well. The strength of the world economy and the continuance of a viable international monetary system depend to a large extent on the level of economic activity in the United States and the maintenance of a stable dollar—stable in terms of prices and exchange rates.

The United States has now entered the eighth year of economic expansion—the longest and strongest period of economic growth in our history. Over the past 20 years, fueled by a strong U.S. economy and a strong dollar as the principal reserve and transaction currency, the Free World has made the greatest strides in trade and development in recorded history.

But a continuation of this progress is menaced by twin deficits—in our international Federal budget and in our international balance of payments. And there is an overwhelming conviction that this year—now—the United States should direct its economic and financial policy toward reversing decisively the trend toward sharp increases in these deficits in 1968.

That is not just the view of the Secretary of the Treasury. It is shared by the President, the Federal Reserve Board, the Council of Economic Advisors, and the vast preponderance of economic and financial authorities, private and public.

But, as yet, that sentiment has not been translated into the legislative action that is necessary.

To meet the challenge before us President Johnson has called on the nation to act firmly, promptly, and with the highest degree of responsibility. He has urged "a program of national austerity to insure that our economy will prosper and that our fiscal position will be sound."

In his New Year's Day Message on the Balance of Payments, in his State of the Union Message, and in his Budget Message, the President stressed that failure to take decisive fiscal action—to enact the tax increase—would raise strong doubts throughout the world about America's willingness to keep its financial house in order.

In their recent communique on March 17, the Central Bank Governors noted that an underlying premise for the measures taken was their belief that it was "the determined policy of the United States Government to defend the value of the dollar through appropriate fiscal and monetary measures and that substantial improvement of the United States balance of payments is a high priority objective."

This was but a realistic recognition of the fact that, without the restoration of stability to the dollar as a reserve currency, all efforts to preserve, maintain and improve the international monetary system are endangered.

Fortunately, I am able to report to you that there is a rising tide of feeling in the Congress that the time for decisive action on the fiscal front is approaching. There is a growing sense of urgency that our financial situation must be corrected if representative Government is to perform its function in meeting the necessities of the people rather than satisfying wishful thinking.

The direct measures announced by the President to achieve a $3 billion reduction in our balance of payments deficit this year—the restrictions upon outflows of funds for direct investments abroad by business, a reduction in foreign lending by our banks and other financial institutions, actions to reduce our foreign travel expenditure deficit, to reduce or neutralize the foreign exchange costs of our government expenditures abroad, and to increase foreign tourism and investment in the United States—are all necessary and important. Yet by themselves they cannot do what must be done. We also must have the tax increase and other internal measures that will keep our economy on an even keel.

The compelling fact is that all our efforts—direct and indirect, short- and long-term—to improve our balance of payments position, run the risk of failure unless we reduce a highly stimulative budget deficit and prevent the kind of excessive growth and inflationary pressures that reduce our trade surplus and destroy confidence in the dollar. In short, unless we take the course of financial responsibility, all other efforts may be in vain.

While the success of the Action Program to deal with our balance of payments deficit will depend largely on the support of the American people, it will also rest, to a considerable degree, on the cooperation we seek from other nations.

We are asking the United States' trading partners, and principally the countries of Western Europe whose large balance of payments surpluses are the counterpart of our deficits, to accept much of the burden of adjustment resulting from the U.S. program.

The recent historic growth in international cooperation is evidenced also by the progress that has been made in creating Special Drawing Rights in the International Monetary Fund to serve as a supplement to gold and the reserve currencies.

I am hopeful that the amendment to be submitted shortly to the 107-member governments of the IMF will be ratified promptly by the requisite majorities.

As a result of the decision taken in Stockholm today, the new IMF facility will supply additional liquidity to the world in amounts needed to accommodate an increasing volume of trade and capital movements.

The adjustments we are asking other nations to make under our balance of payments program—and their continued cooperation in strengthening the international monetary system—will be more easily obtained if they know that the United States is acting in a fiscally responsible manner at home.

We must demonstrate to them—through deeds rather than words—the sincerity of our expressions of determination to hold our economy to steady, stable non-inflationary growth, and in this way maintain and increase the strength of the dollar.

COMMUNIQUE OF THE MINISTERIAL MEETING OF THE GROUP OF 10 ON MARCH 29–30, 1968, IN STOCKHOLM

1. The Ministers and central bank Governors of the ten countries participating in the General Arrangements to Borrow met in Stockholm on 29-30th March, 1968, under the chairmanship of Mr. Krister Wickman, Minister for Economic Affairs of Sweden. Mr. Pierre-Paul Schweitzer, Managing Director of the International Monetary Fund, took part in the meeting, which was also attended by the President of the Swiss National Bank, the Secretary-General of the O.E.C.D. and the General Manager of the B.I.S.

2. Ministers and Governors first discussed the international monetary situation and, second, they considered a report by the Chairman of their Deputies on a Proposed Amendment to the Articles of Agreement of the I.M.F. which has been drawn up in accordance with the Resolution of the Board of Governors of the I.M.F. adopted at the annual meeting of the Fund in Rio de Janeiro last September. This Amendment relates to the scheme for special drawing rights in the Fund, the Outline of which was approved at that meeting, and to improvements in the present rules and practices of the Fund.

3. The Ministers and Governors expressed great satisfaction with the action taken by the United Kingdom which is designed to achieve a substantial overall surplus in the United Kingdom's balance of payments by 1969. They also took note with equal satisfaction of the declaration made by the Secretary of the Treasury of the United States stressing how much the United States is conscious that early action is necessary, through appropriate fiscal and monetary measures, to improve substantially its balance of payments and that this objective is given the highest priority by the President of the United States in the interests not only of the United States economy but also of the general stability of the international monetary system.

4. The Ministers and Governors reaffirmed their determination to co-operate in the maintenance of exchange stability and orderly exchange arrangements in the world, based on the present official price of gold.

They consider that, while the scheme to establish special drawing rights in the I.M.F. referred to in paragraph 7 on which they have now agreed will not provide a solution to all international monetary problems, it will make a very substantial contribution to strengthening the monetary system.

6. Moreover, they intend to strengthen the close co-operation between governments as well as between central banks to stabilise world monetary conditions.

7. As regards the Amendment to the Articles of the I.M.F., the Ministers and Governors noted with appreciation the performance of the Executive Directors of the I.M.F. in carrying out the task entrusted to them and agreed to give the necessary authority to the Executive Directors of their countries so that, in co-operation with those of other countries, they will be able to complete the final draft of the proposed Amendment.

In approving the changes in the rules and practices of the existing structure of the I.M.F., the Ministers and Governors agreed to co-operate with each other and the other members of the Fund to avoid their application in any unduly restrictive manner.

They took note that this proposed Amendment will be attached to a Resolution which will be transmitted to the Board of Governors of the I.M.F. with an explanatory Report and that Governors will be requested to vote by correspondence as is the usual practice of the Fund.

The Ministers and Governors noted that the Managing Director of the Fund was confident that the Executive Directors would be able to transmit these documents to the Board of Governors within a brief period.

8. One delegation did not associate itself with paragraphs 2, 4, 5 and 7 above, in view of the differences which it has found between the Outline adopted at the meetings in London and Rio de Janeiro and the draft text now submitted by the Fund and because the problems which it considers fundamental have not been examined.

Consequently, this delegation fully reserves its position and will wait until it is in possession of the final texts before reporting to its government.

Mr. SMATHERS. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from remarks by the Secretary of the Treasury, Mr. Fowler, before the Philadelphia Industrial Payroll Savings Committee, in Philadelphia, Pa., on March 26, 1968.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

EXCERPT OF REMARKS BY SECRETARY OF THE TREASURY ON MARCH 26, 1968

The United States has now entered the eighth year of economic expansion—the longest and strongest period of economic growth in our history. Over the past 20 years, fueled by a strong U.S. economy and a strong dollar as the principal reserve and transaction currency, the Free World has made the greatest strides in trade and development in recorded history.

But a continuation of this progress is menaced by twin deficits—in our Federal budget and in our international balance of payments. And there is an overwhelming conviction that this year—now—the United States should direct its economic and financial policy toward reversing decisively the trend toward sharp increases in these deficits in 1968.

To continue to accept these deficits under current circumstances is to forsake prudence, take intolerable risks, and refuse to exercise the fiscal and monetary discipline required for the preservation of a balanced prosperity—without which we cannot hope to achieve our goals of peace and progress abroad and domestic tranquility at home born of shared opportunities and benefits.

That is not just the view of the Secretary of the Treasury. It is shared by the President, the Federal Reserve Board, the Council of Economic Advisers, and the vast preponderance of economic and financial authorities, private and public, here and in other lands.

Indeed it is a view shared by many members of Congress of both parties.

But, as yet, that sentiment has not been translated into the legislative action that is necessary to protect the economic security of the American people and the strength of the dollar, to preserve the international monetary system for which the United States, because of the role of the dollar as a reserve currency, has a special responsibility and trust.

To meet the challenge before us, President Johnson has called on the nation to act firmly, promptly, and with the highest degree of responsibility. He has urged "a program of national austerity to insure that our economy will prosper and that our fiscal position will be sound."

Mr. PROXMIRE. Mr. President, I understand I have 2 minutes remaining from the 30 minutes which was yielded to me by the Senator from Louisiana.

The PRESIDING OFFICER (Mr. BURDICK in the chair). Who yields time?

Mr. WILLIAMS of Delaware. I yield 2 minutes to the Senator.

Mr. PROXMIRE. I thank the Senator. I wish to reply briefly to the Senator from Florida and point out that he has emphasized over and over again that the tax increase means no tight money; and that if we have a tax increase, the Federal Reserve Board will reduce interest.

Mr. President, the fact is that the Federal Reserve Board is in the position where it has to maintain high interest rates because of the international situation, the balance of payments, and the outflow of gold.

Under these circumstances, as Fortune magazine pointed out, a monetary policy is more effective than the much slower working higher tax policy. No matter how we act on this bill, we will have to have high interest rates.

The Senator from Florida argued that without a tax increase we would have a deficit of $20 to $22 billion. But this would depend entirely on the economic analysis. If the tax increase, together with spending cuts and high interest rates, reduces employment we will have a higher deficit with this amendment and not a lower deficit.

The Senator from Florida said that we could not have 3.2 percent wage-price guidelines. No one has asked for 3.2 percent guidelines. I am asking for 4.5 to 5 percent wage guidelines, which would be practical if the administration called for them and used them.

The Senator from Florida said we are suffering from inflation, but he said when the housewife goes to the grocery store she knows that prices are going up. This tax increase would not decrease the grocery bill. It could not possibly reduce the price for food because it cannot reduce the demand for food. Government programs will be, as they have been, primarily responsible for the price of food.

Mr. President, I conclude by pointing out that the Senator from Florida said that we do not have enough people to fill jobs. Unemployment has been at about the same level for the last 2 years. The only analysis of the effort of this surtax on employment that we have had in debate in this body is the ones I just provided from Fortune magazine which shows that unemployment is going to increase in the coming months even without the surtax, and that with the surtax we could seriously worsen the situation.

OIL DEPLETION ALLOWANCE SHOULD BE SHARPLY SLASHED

Mr. President, the most unfair and inequitable deficiency in our income tax program is the oil depletion allowance privilege. As we know, the oil industry is permitted to set aside the enormous percentage of 27½ percent of gross income tax free each year in determining its taxes.

The concept of percentage depletion based on income rather than cost was first devised 40 years ago, when tax rates were a fraction of today's levels. But the tax loss today has zoomed to billions of dollars a year. This allowance, moreover, is permitted in perpetuity so long as there is any flow of oil or gas from the well. There are wells in existence for which depletion allowances have been granted every year since 1926. As corporation income taxes have risen from 14 percent to the present 52 percent, it is obvious that the depletion privilege has expanded enormously in profitability. Moreover, it has given rise to a whole train of similar deductions on virtually everything we extract from the earth.

I want to place the Senate on notice that I intend to introduce an amendment to tax legislation on this floor in the near future which would moderately reduce this loophole. The amendment, which is the same as that offered in the past by our former colleague, Paul Douglas, would reduce the allowance on oil and gas from the present 27½ percent to 15 percent in every case where gross income from oil and gas in any 1 year exceeds $5 million. This would include income from at home and abroad.

In cases where the taxpayer's income from oil and gas was less than $5 million but more than $1 million, the allowance would be reduced to 21 percent. The existing 27½ percent allowance would remain for all those whose gross income from oil and gas amounts to less than $1 million a year. Thus, the small independents and wildcatters would be exempt from the deduction.

I am sure that many of my colleagues join me in opposing any surtax such as that recommended by the administration so long as our tax system remains full of loopholes. It is grossly unfair to increase the burdens on the wage and salary earners of this country while the "fat cats" are untouched. To the administration, I would say that the time for reform is not in the remote future. The time for reform is now. My amendment in itself would increase revenues by perhaps as much as $1 billion. But there are many other reforms which we should also consider. In the aggregate, these would amount to far more than the take of the proposed surtax, and they would do so, not at the expense of the already overburdened wage and salary earners, but at the expense of the privileged and wealthy groups who are now the beneficiaries of our loopholes.

Mr. President, I yield back whatever time I have remaining; and I yield the floor.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, informed the Senate that pursuant to the provisions of section 1002, Public Law 90–226, the Speaker had appointed Mr. WHITENER, of North Carolina, and Mr. HARSHA, of Ohio, as members of the Commission on Revision of the Criminal Laws of the District of Columbia, on the part of the House.

The message also announced that the House had passed the following bills in which it requested the concurrence of the Senate:

H.R. 203. An act to amend section 2734a of title 10, United States Code, to provide for settlement, under international agreements, of certain claims incident to the noncombat activities of Armed Forces, and for other purposes;

H.R. 2792. An act to amend sections 281 and 344 of the Immigration and Nationality Act to eliminate the statutory prescription of fees, and for other purposes;

H.R. 6347. An act to amend the act of June 28, 1948, as amended, relating to the acquisition of property for the Independence National Historical Park;

H.R. 13176. An act to amend the acts of February 1, 1826, and February 20, 1833, to authorize the State of Ohio to use the proceeds from the sale of certain lands for educational purposes;

H.R. 13781. An act to amend title II of the Marine Resources and Engineering Development Act of 1966;

H.R. 15216. An act to authorize the Bureau of Prisons to assist State and local governments in the improvement of their correctional systems; and

H.R. 15972. An act to permit black and white or color reproductions of United States and foreign postage stamps under certain circumstances, and for other purposes.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred, as indicated:

H.R. 203. An act to amend section 2734a of title 10, United States Code, to provide for settlement, under international agreements, of certain claims incident to the noncombat activities of Armed Forces, and for other purposes;

H.R. 2792. An act to amend sections 281 and 344 of the Immigration and Nationality Act to eliminate the statutory prescription of fees, and for other purposes;

H.R. 15216. An act to authorize the Bureau of Prisons to assist State and local governments in the improvement of their correctional systems; and

H.R. 15972. An act to permit black and white or color reproductions of United States and foreign postage stamps under certain circumstances, and for other purposes; to the Committee on the Judiciary.

H.R. 6347. An act to amend the act of June 28, 1948, as amended, relating to the acquisition of property for the Independence National Historical Park; to the Committee on Interior and Insular Affairs.

H.R. 13176. An act to amend the acts of February 1, 1826, and February 20, 1833, to authorized the State of Ohio to use the proceeds from the sale of certain lands for educational purposes; to the Committee on Labor and Public Welfare.

H.R. 13781. An act to amend title II of the Marine Resources and Engineering Development Act of 1966; to the Committee on Commerce.

TAX ADJUSTMENT ACT OF 1968

The Senate resumed the consideration of the bill (H.R. 15414) to continue the existing excise tax rates on communication services and on automobiles, and to apply more generally the provisions relating to payments of estimated tax by corporations.

THE SURTAX

Mr. NELSON. Mr. President, I am voting against the pending bill to increase individual income taxes through a surtax.

If passed, it will pile a tax on top of a tax on those who are least able to pay.

It will make increasing demands on their cost of living, and necessitate renewed pressure for added wages to maintain even their present standard of living.

I did vote for and continue to support a move to impose an excess profits tax or war tax on corporations now profiting substantially by the demands on industry because of the Vietnam war.

This is the best solution to the fiscal problems we face; the problems of increasing demands leading to inflation and to the raising of money needed to reduce the deficit.

There should be no profit in war for anybody.

If we insist that we must deprive our young men of their lives and their liberty, then surely we can deny the financial profits of war to the makers of armaments and war supplies.

A corporation war profits tax such as we had in World War II would bring in substantially more money than a surtax on individual income taxes, and it is more equitable. It will represent less sacrifice than that which we ask of our young men.

Corporations are earning and retaining $10 billion to $12 billion in extra profits because of the war.

At the same time other segments of the economy are earning less than before—especially farmers and small businessmen.

One contract alone for the manufacture of M-16 rifles earned a 1,400-percent net profit for a single company.

During World War II we had such a tax, netting $10 billion in 1944 alone. A new excess profits tax on war profits is in order again.

Mr. WILLIAMS of Delaware. Mr. President, the Senator from New York [Mr. JAVITS] desires to make a few remarks.

I suggest the absence of a quorum and I ask unanimous consent that the time not be charged to either side.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SMATHERS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Who yields time?

Mr. HARTKE. Mr. President, I ask unanimous consent that the Senator from Florida yield to me.

Mr. SMATHERS. How much time does the Senator need? I would have to yield time on behalf of the Senator from Louisiana.

Mr. HARTKE. I would like to proceed for 15 minutes.

Mr. SMATHERS. I am happy to yield to the Senator from Indiana on behalf of the chairman of the committee for 15 minutes.

Mr. HARTKE. I thank the Senator. My remarks will be in opposition to the bill and to the substitute.

Mr. SMATHERS. I understand.

FALLACIES IN CURRENT TAX POLICY

Mr. HARTKE. Mr. President, I wish to speak on the fallacies in the current tax policy.

I am opposed to the continuation of automobile and telephone excise taxes as set forth in the bill before us. They should instead lapse according to the present law rather than being extended further.

I am opposed not just to this change—which is the 12th extension in the decade-long history of this "temporary" wartime tax, whose life is even greater than the wartime "temporary" office structures which until so recently blighted the views of the Mall toward the Lincoln Memorial. Rather, I am opposed to the entire fallacious theory of taxation upon which it is grounded. This proposal is part and parcel of the effort to impose on the American people a remedy for the enormous deficits caused by Vietnam. It is economically the opposite of what is needed. The theory of the tax increase approach assumes that our economy is now expanding at an excessive rate. This is plain not the truth. Our economy is stagnated and barely holding its own.

Together with the surtax proposal, the proposed travel restrictions, the cutback in existing programs for the good of Americans in a host of needy situations, the speedup of tax collections included in this bill and previously, and the other ingenious devices such as participation sales which are continually offered us, this is only one more move toward an increasingly austere regimen whose sterility and ineffectualness the experience of Britain only proves.

In short, viewed both in its narrower confines as dealing only with telephone and auto excises, and in the broader perspective of total economic policy, the bill before us would be far better should the Senate, and the Congress, strike from it section 2 in its entirety. But in order to deal with the bill in its larger setting, I turn first to the analysis of the economic picture which dictates against the excise tax and the surtax, and second, to the reasons for concluding that tax increases at this time tend more toward killing than curing the patient.

THE ECONOMY IS NOT "ROARING DOWN THE ROAD" OF RAMPANT INFLATION

The U.S. economy, Secretary Fowler told us on March 12 at the opening of the Finance Committee hearings on this bill:

> Is a mighty engine of production and distribution—is roaring down the road. It is entering the eighth year of a record-breaking advance . . . But the ride is neither smooth nor safe.

That is the same tone and theme used by the President and amplified in his statement on Sunday night when he announced that he would not be a candidate for President in 1968.

At least according to most of the press comment, and in a variety of statements made by the President and other officials, the need for tax increases, for the surtax, and for the other belt-tightening proposals, the great impelling rationale for more taxes, is as a means to fight inflation. President Johnson put it this way in the state of the Union address on January 17:

> I warn the Congress and the nation tonight that failure to act on the tax bill will sweep us into an accelerating spiral of price increases; a slump in home building; and a continued erosion of the American dollar . . .

In the January 1 message on balance of payments, President Johnson likewise had referred, and in even stronger terms, to inflation as the prime reason for the tax proposals he has made:

> No business before the returning Congress will be more urgent than this: To enact the anti-inflation tax which I have sought for almost a year . . . (which) will help to stem the inflationary pressures which now threaten our economy prosperity and our trade surplus.

VIETNAM IS THE CULPRIT

Secretary Fowler quoted these words, but his reference to inflation was much subordinated to reasoning we have not too often had candidly admitted by the administration. Rather, he repeatedly stressed that our need for these measures develops from the prospect that otherwise "we would have a deficit of about $22.8 billion in fiscal year 1968 and $20.9 billion in fiscal year 1969."

Indeed, he made it clear that the real culprit is these enormous prospective deficits which, "back to back," in his words, "would incur intolerable risks." But he went further and repeatedly acknowledged:

> It is not the rise in regular budget outlays which requires a tax increase but the cost of Vietnam . . . We cannot mistake the connection between the tax increase proposals and the costs of our efforts in Vietnam . . . (the "holddown" budget assures) that the tax increase . . . can and will be removed when hostilities in Vietnam come to an end.

That is exactly what I have been saying for more than 3 years.

Our problems do not arise from traditional demand-supply inflation, but from Vietnam—the problems of our faltering domestic programs, of our balance of payments, of our gold crisis, of a stock market at its lowest ebb in many months—all come from the situation which is 9,000 miles away from home.

Therefore the cure that we, and an increasing number of Americans, believe is the appropriate one is not a tax increase to finance the deficits of Vietnam, but cutting off the bleeding of our tax structure at its source: So I say, cut off, as soon as possible, by every effort at meaningful negotiations, that tragic and inordinately costly conflict.

Recently I came across a word of valuable advice in this circumstance. The writer was not a contemporary, although his timeless words make them completely appropriate today. He was, in fact, one of our foremost Founding Fathers, the author of the Declaration of Independence and third President of the United States. Thomas Jefferson wrote:

> I consider the fortunes of our republic as depending on the extinguishment of the public debt before we engage in any war. If the debt should once more be swelled to a formidable size, its entire discharge will be despaired of, and we shall be committed to a career of debt, corruption, and rottenness, closing with revolution.

"Before we engage in any war," he said. We have not counted the cost in advance, and while our tax policy is being pushed around by Vietnam that war is controlling us and we are not controlling our own destinies. It is a hard taskmaster, a top sergeant telling the Commander in Chief how he must run his business, the tail wagging our fiscal dog. The real "extinguishment of the public debt," not the nostrums and palliatives of austere tax measures whose side effects go with the dangerous drugs, is perforce waiting upon the conclusion of that sorry misadventure in Asia.

THE STATE OF THE ECONOMY

What is, in fact, the state of the economy? Is it indeed, as the President has said, "the most urgent business" of Congress to enact "the anti-inflation tax"—the surtax which I have from the start opposed—and all its little brothers, including the excise tax adjustment here proposed?

For an answer, let us take a look at some of the judgments of the Joint Economic Committee on the January 1968 Economic Report of the President. That document is dated only last week, March 19, and was issued under the distinguished chairmanship of our colleague, the senior Senator from Wisconsin [Mr. PROXMIRE], whose words should be listened to by this body.

The joint committee finds several expansionary elements: a growth rate up to 4½ percent in the last half of 1967; the same back-to-back budget deficits noted by Secretary Fowler—$22.8 billion for fiscal 1968, $20.9 billion for 1969, without taking account of a tax increase; a "stepped up" level of prices and wages; the danger of a new "credit crunch"; worsening balance-of-payments difficulties since British devaluation.

But then it goes on to say:

> But there are impressive negative factors that raise serious questions about the boom that is predicted by the administration. Neither the President's report nor that of the Council of Economic Advisers gives adequate heed to these points:

There follows then a list of factors to which Senator PROXMIRE and others, including myself, have time and again reverted in public statements and in the CONGRESSIONAL RECORD. I think they are important.

They include these facts:

First. Manufacturing production is utilizing only 85 percent of capacity;

Second. The 1968 capital spending intentions hardly exceed last year's levels;

Third. Consumer savings continue high, consumer expenditures moderate;

Fourth. The 3.3 million unemployed are looking for jobs, 2.1 million are under-employed on part time, many others are not seeking work because they feel there are no jobs for them:

Fifth. Agriculture had 1967 setbacks and is able to fulfill a substantial rise in demand—that is, it is underutilized;

Sixth. The growth rate may well decline in the second half of 1968.

For a substantiating view, there is the consensus of 12 leading economists, in a National Industrial Conference Board forum reported in the New York Times on January 2. Among them were such notables as Walter E. Hoadley, senior vice president and chief economist of the Bank of America; Louis J. Paradise, Associate Director of the Commerce Department's Office of Business Economics; and James W. Knowles, Research Director for the Joint Economic Committee.

Their conclusions for the calendar year of 1968, now just ending its first quarter, include belief that—

First. Industrial production, at 159.5 on the index—1959 equals 100—in November—their latest checkpoint at the time—"would spurt six points during the first half of 1968 and then add only two more points in the second half." Latest figures, in the current issue of Economic Indicators—prepared by the Council of Economic Advisers—show that the index went up to 161.8 in December, then dropped to 161.2 in January. The November 1967 figure of 159.5, incidentally, was the highest to that point since the same index figure was reached almost a year earlier, in December, 1966.

Second. They predicted that the wholesale price index, up 3 percent in 1967, would rise only three-quarters as much in 1968, by 2.3 percent. With the wholesale price index considered a more reliable barometer than the Consumer Price Index, this is hardly galloping inflation requiring drastic measures. Nor is the predicted Consumer Price Index rise for 1968 of only six-tenths of 1 percent, from a 2.8-percent increase in 1967 to a 3.4-percent increase this year.

Third. These distinguished economists held that the unemployment rate would go up. The rate in 1967 was 3.9 percent late in the year; the predicted 4.1 percent unemployment in the second quarter, rising to 4.3 percent by the end of 1968. And this is in spite of the demands of the war, with so many hundreds of thousands of normal-time workers serving in the Armed Forces.

Again, what are the latest facts?

The March issue of the Labor Department's publication, Labor Trends, shows the latest reclassifications of the 150 major labor areas as to unemployment in six classifications—A, B, C, D, E, and F—from extremely low unemployment in A to a rate above 12.5 percent in F. Not one category shifted any of its unemployed to an earlier letter; that is, to lessened unemployment—no C areas moved up to B, no D to C, and so on. Quite the contrary. In every category except one, the shift was to a lower letter; that is, to higher unemployment; the one exception was no movement from D to E—but the one area previously labeled E, somewhere below 12.5 percent, moved down to F, which is more unemployment.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HARTKE. Mr. President, I ask unanimous consent to have 5 additional minutes.

Mr. SMATHERS. Mr. President, we yield the Senator 5 minutes.

Mr. HARTKE. According to the Wall Street Journal of March 13, Commissioner of Labor Statistics Arthur Ross reported that the Nation's unemployment rate, which after a previous 3 consecutive months of decline, rose from 3.5 to 3.7 percent in mid-February, making a rate identical to February 1967. In the same 1-month change, the unemployment rate among teenagers jumped from 11.3 percent to 12.6 percent—and this at a time when the administration is beginning to mount a major effort to find jobs for 200,000 youths next summer. Then, it is predicted, there will be 1,400,000 more of them looking for employment than found it last summer. The rise, said Mr. Ross, was "more than seasonally expected" in the overall unemployment rate.

Does this sound like a booming economy, whose mighty engine of production and distribution is roaring down the road? Or does it sound like an economy giving us warning signals that we need no foot on the brake pedal, but rather a touch to the accelerator? I contend that it is the latter, that the medicine we need is not more taxes.

Fourth. The Industrial Conference Board group listed additionally "at least half a dozen economic trouble spots" which its chief economist, Martin R. Gainsbrugh, summed up as "worrisome, uneasy prosperity." These included a widespread shortage of skilled manpower; acute unemployment among young people, especially among minorities—a worry I have just noted is becoming a reality; a possible worsening of balance-of-payments troubles; costlier money and tighter credit; and growing pressure on corporate profit margins.

On the latter point, the economic indicators of the CEA shows a steady decline, quarter by quarter, in the manufacturing sector. Corporate profits before taxes, together with inventory valuation adjustment, stood at $43.1 billion for calendar 1966. Then came a steady decline in the first three quarters of 1967, when the same figure stood successively at annual rates of $39.6 billion, down from $44.4 billion in the fourth quarter of 1966; then on down to $38.9 billion, and in the third quarter of 1967 to $38.2 billion. Figures are not yet out for the fourth quarter.

There are other items which should be noted as further confirmation of the uneasy health of the economy, as contrasted with the claim that we are headed for an inflationary period which must be fought with tax increases. The following are additional facts revealed in the economic indicators which are not mentioned by either the joint committee report or the judgments of the NICB economists:

First. Imports are increasing. The annual rates, by the latest figures for recent months, show successive rises from $2,202,000,000 in October to $2,376,000,000 in November to $2,525,000,000 in December, all on a seasonally adjusted basis. Our gross merchandise trade surplus, also seasonally adjusted, dropped from $434,000,000 in September 1967 to $316,000,000 in November and $79 million in December, latest available month.

Second. The seasonally adjusted total value of construction contracts shows a drop in the index from 171 in October to 168 in November and 166 in December. By contrast, in 1966—a year earlier—the same figure rose by three points between November and December; the table does not show the October index in that year.

Third. As confirmation of the unemployment trend, insured unemployment payments have gone to more and more recipients each month from October through January. In October there were 953,000 unemployed drawing compensation; in November there were 1,068,000; in December, 1,338,000; and in January the weekly average receiving unemployment benefits went on up to 1,719,000.

Fourth. Consumers have been slowing down in the percentage of income they spend, and are saving more. In the last three quarters of 1967 the per capita disposable personal income rose from $2,716 to $2,749 to $2,789. But they spent a small proportion of those totals—savings went up in those same quarters from 6.7 percent to 7 percent to 7.5 percent.

Fifth. The stock price index, as every informed person knows, has been on a recent nosedive. The Dow-Jones industrials have gone from well over 900 in early January to 826.05 at the close of business last Friday.

In all of the above, I have enumerated no less than 16 areas of apparent recent economic weakness and decline. Admittedly, I have been selective, and there are some items on the other side of the coin. But, unless you accept the opposite approach and look only at the optimistic side as it is used by the administration to provide an economic scare justifying a claim that more taxes are needed because of prospective inflation, the conclusion is inescapable: The economy is not at present an unqualified booming success story. With the most pro-tax viewpoint, the facts make it inescapable that such medicine—surtax, travel tax, excise alterations—is not needed as an economic brake. There is rather too much economic slowdown right now, the prospects for any massive upturn are extremely dim, and the additional slowing of economic activity by added taxation may well push us over the brink into a recession which will halt these past unparalleled years of a steady economic growth.

The **PRESIDING OFFICER**. The time of the Senator has expired.

Mr. **HARTKE**. Mr. President, I ask unanimous consent to have 4 additional minutes.

Mr. **LONG** of Louisiana. Mr. President, I yield the Senator 4 additional minutes.

THE DANGERS OF AUSTERITY

Mr. **HARTKE**. So far I have mainly been appraising the state of the economy to show that the budget is the real reason we must—so we are told—raise taxes and at the same time cut back by many billions on our already suffering domestic programs; not to mention forgoing the funds to combat the plight of the cities and heed the recommendations of the 250,000-word report of the National Advisory Commission on Civil Disorders. But behind the budget-caused deficit problems, of an enormity beyond anything we have ever experienced except, I suspect, for World War II, lies the suppurating abscess of Vietnam. This, rather than what is proposed, ought to be the focus of our efforts as the utmost primary claim for fiscal and economic reasons as well as for all those others of a political and moral nature.

But suppose we grant, for the moment, that we must absolutely do something to whittle down those deficits as severely as we possibly can. Where will the policies proposed by the administration lead us in that case? They are policies which, we are told, will deal with the balance-of-payments problem helpfully; which will restore confidence in the dollar; which will bring in more billions to the Treasury, which will stem a cost-push inflation. In short, we are asked to use the same austerity programs we have seen so painfully and fruitlessly take place in Britain.

Let me quote to you verbatim from the official text of Prime Minister Harold Wilson's statement in the House of Commons on July 20, 1966, in which he set forth some remedies which have a familiar ring. But first, let me go back more than a year earlier, to Mr. Wilson's address at the New York Economic Club on April 15, 1965, following the budget slashing and initial austerity measures to forestall devaluation.

Mr. Wilson said then that they were about to undertake "the fight against inflation" in part by cutting expansion of Government expenditures from an 8.9-percent increase in the fiscal year just then beginning—their fiscal year 1966—to a 1969–70 rate which would be only a 4¼-percent annual rise. He said, and I note that we are asked to do much the same thing:

> A whole series of tax changes . . . will help to redress this balance (i.e., with other countries) and have an increasingly beneficial effect on the balance of payments.

Later he noted, and again the parallel is obvious:

> The culminating point in the battle against inflation was last week's Budget. . . . a determined attempt to keep our expanding economy in a state of balance. . . . And the net increase in taxation and associated charges . . . adds up to practically £600 million a year.

What followed is history. I believed at the time that British retrenchment of the budget and increased taxation could only result, as I say now it will do for this Nation, in greater unemployment, a dangerous slowing of the economy, only a temporary improvement in the balance of payments, and no permanent relief from pressures on the pound. Incidentally, it might be worthy of note in passing that our balance-of-payments restraints, when seen from the viewpoint of one of our foremost world trading partners, takes on a different aspect:

> Action taken by the United States authorities to strengthen the American balance of payments has led to an acute shortage of dollars and Euro-dollars in world trade and this has led to a progressive rise in interest rates in most financial centers and to the selling of sterling to replenish dollar balances.

In other words, just as in physics for every action there is an equal and opposite reaction, so in international finance one nation's balance-of-payments benefit is another's drain—at least if the international medium of exchange is the dollar.

Now, let me read you some of the efforts made in July 1966 by Mr. Wilson's government to cope with a situation for which our own is not without parallel. Does it sound familiar? I quote from the official text of the statement to Commons:

> Action is needed for the purpose of making a direct impact on our payments balance . . . (and) needed equally to deal with the problem of internal demand, public and private, and to redeploy resources . . . and check inflation. . . . This redeployment can be achieved only by cuts in the present inflated level of demand, both in the private and public sectors.

Our own proposed redeployment likewise will cut back in the public sector.

Further in that speech Mr. Wilson said:

> The Treasury has today made an order the effect of which is to put a surcharge of 10 percent on (certain duties) and on Purchase Tax. . . . Thus for goods now chargeable at 10 per cent the new effective charge will be 11 per cent. . . .

We are asked for a 10-percent surcharge on income tax, since we do not have a national sales tax; but the effect is the same, except for the less regressive nature of an income tax. Again, Mr. Wilson:

> The investment programs in the public sector have been reviewed and the Government is introducing a number of deferment measures which will reduce demands on resources . . . While this will involve forgoing for the present a number of desirable projects they will be concentrated on those activities which are not vital . . .

Does this sound familiar? We are continually, nowadays, cutting back "desirable projects." Some Members may recall that one of these in last year's appropriations which greatly concerned me was mental health facilities construction funds. We voted in the Senate to accept my amendment adding $10 million of the additional $15 million already authorized, but in conference committee it was slashed to $3 million.

Another proposal of Prime Minister Wilson was this:

> Private overseas expenditures must also make its contribution. Expenditure on holiday travel outside the Sterling Area has been rising rapidly. . . . From today up to October 31, the amount of foreign exchange which may be bought for journeys . . . will normally be limited to £50 per person.

We have a parallel in the regulations which limit dollar values of purchases to be made abroad—and for the same balance-of-payments purposes. Now there is also before the Congress a "travel tax" proposal, considered only yesterday by the Ways and Means Committee. Listen once more to Mr. Wilson:

> It is not our intention to introduce elaborate statutory controls over incomes and prices. This is a situation in which the Government looks with confidence to everyone concerned with these matters to act in accordance with the public interest.

Here, too, is familiar ground—the system of voluntary restraints promoted by the administration to avoid the necessity for coming to the Congress for legislation, a system which has had rather indifferent success after the initial compliance of the more responsible members of the business community.

Now I continue. The time and the conditions have changed. Britain has, 2 months earlier on November 18, 1967, devalued the pound. The austerity measures failed of their objective. Now, in January 16, 1968, Prime Minister Wilson is telling Commons about the next step:

> Now I turn to civil public expenditure. . . . In almost every major area of expenditure economies have been made in the rising programmes which we had before us. Within each major area we have of course been highly selective in the cuts we have made . . .

These are words which might almost have crept into the President's budget message to the Congress without change. Mr. Wilson continues to detail some of the explicit areas of cutback. Do any of them sound familiar?

> Next education, one of the biggest and most rapidly expanding expenditure programmes. . . . Here again it is a question of priorities. We have decided (to defer) the raising of the school leaving age, a postponement of two years. This decision will mean a saving of about £33 million in 1968–69 . . .

> We propose to cease to provide milk free in secondary schools from September of this year . . . [Previous budget]
>
> The capitation grants to direct grant schools will be reduced.
>
> Some new capital projects in the Universities, Colleges of Further Education and elsewhere will be held back during 1968–69. [We are doing the same.]
>
> I turn next to health and welfare. . . . The Government (will) re-introduce a system of charges for prescriptions. . . . The maximum charge for dental treatment which has not been changed since 1952 will be increased. . . . (There will be) some reductions in the planned growth of local health and welfare capital expenditures . . .
>
> The Government has decided to reduce planned approvals of new houses by 15,000 . . . saving in terms of public expenditure £27 million in 1968–69 . . . [Our housing program inadequate but suffering.]
>
> Next, Roads . . . Overall, expenditures on roads will be reduced so as to produce savings of £53 million . . . Assistance to public passenger transport, provided for in the Transport Bill, is being limited to £10 million . . . [Federal highway funds have been slashed as to allocations.]
>
> Special measures must be taken to arrest the growth of the number of people employed in Public Service. Government Departments will plan their staffing so that . . . there is no further net increase in the number of civil servants as a whole . . . [Parallel here also.]
>
> In addition there are other reductions totalling £28 million . . . mainly from environmental services . . .

Britain's experience is a sad one. I do not say that the United States, by following similar policies, will necessarily achieve similar disastrous results. But I believe it is incontrovertible that the remedy applied; namely, the contraction of the economy by design through tightened budget and increased taxation, is a medicine which may well be worse than the disease. What we need in a faltering economy is stimulation, not contraction.

LOWER TAXES, NOT RAISE THEM

There is a strange paradox in the action of taxes. One would think, and this is the traditional economic view, that the best way to increase revenue is to lay on more taxes. But today the wisdom of experience has shown that the more recent view, shared by a majority of modern economists, questions the tradition. In fact, the new economics has now been successfully tested in our own economy. It was not until President Kennedy heeded the advice of the new economic theories that he undertook espousal of a tax cut as a means of both increasing prosperity and increasing Federal revenues. There lies the paradox—that it is possible to increase Federal revenues by decreasing the tax rate.

Perhaps for anyone who follows economics at all, the reasons are well known. But many have not received an education on this point. The process, of course, depends heavily on the multiplier effect of money spent by the consumer.

Suppose I pay $500 for a color television set. My payment goes beyond the retail dealer—part to the wholesaler, and a part to the retail dealer's taxes on his new profit by the sale. The wholesaler's portion also winds up with some of it in the tax till. Back of him is the manufacturer, who pays taxes also. The manufacturer's suppliers of parts, like the others, puts some of his portion into taxes, other portions into payments to employees, and so on. The result in the end is something like a 20-times rollover of the original $500, and each time it is redistributed two things happen: an increasingly growing chunk gets back to the Federal Government, but even more importantly, the process of manufacturing and distributing color television sets—the health of the color TV industry—is improved. One more sale of a set, multiplied by thousands, improves prosperity.

Now, what happens if the consumer is hit by more taxes? The answer, of course, is that he has less to spend. He may then find it impossible to buy his color TV and the multiplication of that effect slows down sales, competition cuts profit margins, and all along the line there is an adverse effect. By the same token, more money in the consumer's pocket through a tax cut results in its getting for the most part into the economic bloodstream. The medicine works, and the listless economy feels better.

I have referred to the proof of the theories in our tax cuts of 1964. In questioning before the Senate Finance Committee in March 1967, on restoration of investment credit, Chairman William McChesney Martin of the Federal Reserve Board confirmed my contentions, and those of many who believe likewise, that a tax cut does in fact result in a greater increase in Federal revenues even as it gives more money to the consumer—a paradox which the economically unsophisticated find most difficult to accept. I fear that the managers of our tax policy, operating on opposing false premises, are showing some lack of economic sophistication. Here is the pertinent portion of the colloquy between myself and Chairman Martin. The full record, including more than this highly selective portion, may be found in last year's hearings on H.R. 6950 before the Finance Committee:

> Mr. MARTIN. Well, the basis for my supporting this bill today (i.e., restoration of investment credits, which is equivalent to a tax cut in its action) is that the economy is slowing down and the medicine which was applied by suspending the tax credit is no longer necessary to help the patient. . . . I supported the proposals in 1962 for a tax reduction.
>
> Senator HARTKE. Did you support the reduction of rates as enacted in 1964?
>
> Mr. MARTIN. I did.
>
> Senator HARTKE. Did you support the reduction of the excise taxes as enacted in 1965?
>
> Mr. MARTIN. I did. . . . There was an upswing in the first quarter of 1965 that a good many of us thought was unsustainable. We had an increase in gross national product for the quarter that was . . . $16 or $17 billion. It was enormous.
>
> Senator HARTKE. That is right. Wasn't this partly a result of fiscal measures taken by Congress in 1962, and particularly an $11 billion tax cut in 1964, and an additional tax cut in 1965 of excise taxes of about $2 billion?
>
> Mr. MARTIN. It most certainly was . . .

Then on the next page, page 79, there is this:

> Senator HARTKE. Do you disagree with me completely that by reducing tax rates you increase tax revenue?
>
> Mr. MARTIN. No; no. . . . At certain points, as we did in 1962, a decrease in taxes did stimulate the economy.
>
> Senator HARTKE. In 1962 it did, correct?
>
> Mr. MARTIN. And in 1964. . . .
>
> Senator HARTKE. And in 1965 it did.
>
> Mr. MARTIN. To some extent, yes.
>
> Senator HARTKE. Didn't it in 1955, too?
>
> Mr. MARTIN. It did also.
>
> Senator HARTKE. Yes. All we have in the history of the last 15 years is that by decreasing taxes you increase the revenue in the Treasury. Isn't that true?
>
> Mr. MARTIN. Generally——
>
> Senator HARTKE. Is that true or isn't it true?
>
> Mr. MARTIN. Yes . . .
>
> Senator HARTKE. Will you tell me a time within the recent period of this country when a reduction in taxes has not resulted in an increase in revenue? . . . there is none, is there?
>
> Mr. MARTIN. I don't know that there is any.
>
> Senator HARTKE. Now we are faced with a situation in which there is another slowdown in the economy, is that correct?
>
> Mr. MARTIN. The economy is slowing down at the moment, right.

Here, then, Mr. President, is admission by a member of the quadriad that history in our own economy shows that tax reduction has consistently resulted in increased tax revenue when we are in a period of slowdown. Of course, the picture alters when we are in a period of full employment and high economic activity. But, as I have demonstrated by the economic indicators at some length, this is not the case today.

The conclusion is inescapable: This is not the time for tax increase. The results will be the converse of a tax reduction, which means that instead of stimulation of the economy there will be slowdown—perhaps fit medicine for inflationary attack, but not when the inflation is as illusionary as it is today.

It is out of these convictions that I have offered earlier in this Congress a bill to increase the individual income tax exemption from $600 to $1,000. That extra money, pumped into the spending stream, would undoubtedly move us a long step upward from the present 85 percent of plant utilization in our factories, and from the developing unemployment I have noted. At the same time—as the previous cuts have done, and we have Mr. Martin's testimony for that—a tax cut would achieve the goal which the present bill seeks but cannot truly achieve except in part, a significant upswing in GNP and tax revenue. The depressant effect of the surtax proposal I have previously discussed—CONGRESSIONAL RECORD, August 4, 1967. On the basis of estimates by well-informed economists, I stated there that the 10-percent surtax, if enacted, would result in its first year in a decrease of GNP of "no less than $23.3 billion." Such a decrease in turn, by the Treasury rule of thumb that 20 percent of Gross National Product increase winds up in the Federal coffers, would result in a revenue loss of at least $4 billion, perhaps closer to $5 billion. The result, if nothing else, is to take that enormous amount out of the tax receipts expected from the tax increase.

EXCISE TAX CONTINUATION SHOULD BE CUT FROM THE BILL

Now, what about the excise tax on automobiles and telephones? I believe that all the economic evidence points to the desirability of leaving it alone rather than once more indulging in the persistent habit of promising cuts and then failing to fulfill the promises.

The administration is fond of saying that we "honor our commitments," even if it means the killing of American servicemen 10,000 miles from home. We made a commitment to the American people on these taxes, and on January 1, 1966, we kept it—we reduced the auto excises from 7 to 6 percent, and the telephone excise from 10 to 3 percent. But then, at the urgent request of the administration, we restored those taxes in early 1966, and set up a new schedule which promised that reductions would be restored on April 1 of this year. Now we are reneging on that promised schedule for the American people. By failing to keep our word, we fail the American people.

In hearings before the House Ways and Means Committee in June 1964, a presentation on criteria for evaluating the excise tax system was given by Prof. John F. Due, of the University of Illinois.

Taxes—

He said—

> should not induce the cost-push type of inflationary pressure, causing price increases in excess of the amount of the tax, or leading to wage increases.

He further said that excises provide an incentive to spend less and save more, which is a disadvantage in periods when economic growth lags behind its possible levels because of aggregate demand. Consequently:

> Reduction in excise taxes may have greater effect in stimulating economic growth than reduction in income taxes.

Professor Due also noted:

> Excises imposed at the manufacturing level tend to pyramid on the way to the final consumer, thus raising prices by more than the amount of the tax.

This, he said, is particularly true of business expense, which can so readily be passed on to the consumer in the end. In the case of autos, it is estimated that a fifth of all production of passenger cars is for business use. Hence, the auto excise is a good example of the kind of adverse action through stimulating cost-push inflation.

COST-PUSH INFLATION

Mr. President, one of the fundamental bases for my contentions on tax policy lies in the fact that we do not have in the economy today, insofar as inflation is a factor—and I do not deny that there is inflation—we do not have, I say, the classic demand-pull inflation. There is a vital difference between them and the difference is relevant to tax policy.

As I have said repeatedly, and several times in yesterday's debate, we do not have today the classic case of prices rising rapidly because there are too few goods sought by too many buyers who consequently bid the price up. Today every show window is full. You name it, and it is available in the market price—and available at competitive prices.

As an example, look at the major big-ticket item in the economy today so far as consumers are concerned, that bane and blessing of modern life no one can seem to do without, the motor car. Anyone who hears the radio and television commercials in Washington—and the rest of the country is in the same situation—knows that new car dealers are advertising hundreds of dollars off list prices in order to make sales. Their inventory of new cars is very high; they can give you right off the showroom floor or the storage lot almost anything you want in model, style, and color, whether sports convertible, hardtop, station wagon, four-door sedan, or anything else.

Then what is it that is pushing up the prices? What is causing the other type of inflation, which is the kind we have, cost-push inflation?

It is precisely the kind of policies for tax increase that we are talking about, whether excise, travel tax, surtax, or others. These policies and programs are fallaciously based on a diagnosis of the wrong kind of virus. We know the disease is there, and the disease is inflation. But its cause is not too much demand, but too little. The remedy is no to add more taxes, thus cutting ability to pay and further lessening demand. It is not to stem this lagging economy—and I have demonstrated the lag earlier by no less than 16 indicators. It is to help the economy live up to its true potential, not operate at 84 percent of capacity. That 84 percent, which appears in the current Business Week as the latest ratio of manufacturing output to capacity, is a full percentage point down from the 85 percent referred to in the joint committee report on the report of the Council of Economic Advisers. Does this sound like a demand-pull inflationary situation?

No, the inflationary pressure is coming from additions in the cost of doing business: higher wages, increased overhead, higher prices in materials purchased for the business, and now the suggested cure is to add also higher taxes. All of these things are costs which are passed along to the consumer in order to maintain an adequate profit for the business. As Professor Due said in the passage I quoted:

Taxes—

And note that increased taxes are an increased cost of business—

> should not induce the cost-push type of inflationary pressure, causing price increases in excess of the amount of the tax, or leading to wage increases.

Mr. President, this is my case against higher taxes as being a medicine fashioned for the wrong kind of disease. They assume what the statistics will not sustain, that we need to cut back on demand. The result will be to make the patient sicker rather than increasing his health, and it is the health of the economy of this Nation which concerns me in our tax policies.

Without this kind of reverse help—a medicine which makes the economy sicker—we stand a better chance of improvement than with it. If we really want the right medicine, however, let us gear it to the proper diagnosis, which is a degree of weakness that will only be aggravated by stimulating the very inflation—that is, the cost-push inflation—which it is intended to cure, since the diagnosis of demand-pull inflation is faulty.

I have been challenged in this body, Mr. President, to explain my economic rationale for the position I take on tax increases. I have been told by a respected colleague in this body and on the Finance Committee with me, that were I his student in economics my grades would stand at F and I would flunk the course.

But the world does change. There were those who in their traditional wisdom long denied the truth of Galileo's assertion that the earth moves around the sun rather than the opposite. I am with the growing number of modern economists who see in the theories of such as my hypothetical professor the diametrical opposite of economic truth as discovered in the past 30 years or so. Adam Smith is no longer good enough, if he ever was, as an economist. And the proof of the views I espouse is the action of the economy in response to tax measures, a proof which I have shown is accepted by no less an authority than Chairman William McChesney Martin of the Federal Reserve Board.

To summarize, Mr. President, very simply, it is hard for me to see why anyone cannot understand that if you add additional taxes, what you are going to do, with an economy which has already an excessive supply for the available demand, is cut back on demand, cut back on corporate profit, and cut back on employment.

In addition to that, you are going to add to the cost. When you add to the cost, the people involved in setting the price will have to pass the cost along. When they pass the cost along, that means we will have still further price increases. Thus we are proposing this for America: more unemployment, higher taxes, less profits, and an increase in the prices in the marketplace.

I am not in favor of that result; and therefore I shall vote against the Smathers-Williams amendment, and I shall also vote against the surtax in any form in which it is presented, and against the extension of the excise tax.

Mr. WILLIAMS of Delaware. Mr. President, I yield 15 minutes to the Senator from New York [Mr. JAVITS].

Mr. JAVITS. Mr. President, I have risen to speak upon this measure precisely because I am considered to be a strong advocate of affirmative measures to deal with the crisis of the cities. I am considered to be a friend of manpower programs and welfare programs, and I have fought here many battles for labor, and am generally identified with that thinking which identifies the national interest with the fate and future of the rank and file of our people.

Mr. President, it is understandable that men who have their hearts deeply in that direction would also believe that to raise taxes or to cut expenditures represents a detriment to these elements in the community which need the help of the U.S. Government the most. It is because, Mr. President, this is an hour in which exactly the contrary is true, that I have risen to speak upon it in the close of this critically important debate.

The debate is critically important, Mr. President, for this reason: We are all adult men. We are men of great experience, or we would not be here. We know that the House of Representatives considers it an article of faith to originate revenue measures and tax measures, and we know that in conference, it may very well be that as these excise taxes have already gone by the board as of yesterday, this bill may be stripped of everything that is in it.

But, Mr. President, if we pass, as I believe we should, the Williams-Smathers package, we will not be acting in vain. Not at all, Mr. President. I confidently predict that within 30 days after the Senate acts affirmatively today, in substance, both the tax and the expenditure packages will become law, or be in operative effect. The reason is, Mr. President, that the Senate, which is a very representative body, will have manifested its will and committed its political fate—those of us who vote "yea"—to the people on this subject.

Mr. President, that will signal the state of mind of the Nation. In my judgment the other body, no matter how we love and respect any individual in it who may have stood against what many of us think needed to be done all these weeks and months, will, in my judgment, yield to what is the manifest national will as expressed in the Senate.

And so, Mr. President, while understanding that it may not be on this particular bill number, but in some other place, that this will become effective, let us remember that we cast a critically important vote today that will take effect, in my opinion, without question.

So much for the procedure and for the seriousness of the decision. Now for my reason for saying, Mr. President, why it is critically important to the millions of Americans of relatively moderate means to do what we must do today.

Nothing in legislation, Mr. President, as we all know, is black and white. I should have preferred, and I tried to develop in this legislation, a set of priorities which the administration has not developed. I think it is a great demerit against it—much as I appreciate the attitude of respect and even of awe in which we stand today, in view of the President's spirit of sacrifice—not to have wrestled with and not to have grasped the nettle of priorities in the country. I would much prefer that this $6 billion in expenditure cuts, or whatever figure we may decide upon, should be based upon basic priorities. In acting as we are, we are compelled to do so by the Vietnam war, with its expenditure, direct, of almost $26 billion in fiscal year 1969, and with its enormous indirect effect upon the fiscal and monetary situation in the United States.

On March 20 I proposed an amendment to this bill which would have, along with setting certain priorities, would have provided for a 10-percent surcharge and a $4-billion cut in spending. This was based on the approach suggested on March 6 by a group of House Republicans under the leadership of Representative CHARLES GOODELL. This approach is also carried out, interestingly enough, by the Smathers-Williams substitute although in a different way. The Goodell group called for specified cuts of $6.5 billion in the budget and reallocation of $2.5 billion of this amount for essential domestic urban oriented programs through a human renewal fund. Should the Smathers-Williams substitute pass the Senate, I assure the Senate that as a member of the Appropriations Committee I will do all I can to reallocate the necessary funds for programs which are so essential to deal with the problems of our poorer citizens in our urban centers and in rural areas.

But, Mr. President, we cannot have it all our way, and so I must take this substitute or leave it, on a yea-and-nay vote as to whether it does or does not have the priority.

Mr. President, I am confident, on the negative side, that we simply cannot, in facing the present crisis that we do in the cities, cut with a cutlass rather than a scalpel with respect to that crisis. So the priorities, much as they should be imposed, will have to be self-imposed, because there is no other way. And we have already demonstrated, Mr. President, in the argument, that there is plenty of room to amend the $6 billion in cuts out of matters which can be cut. Let me emphasize upon that, Mr. President, our action with respect to public works. It is supposed in some quarters, superficially, that by striking out what we did on public works, we insured public works against cuts. Nothing could be farther from the truth. What we did with respect to public works was to put it with everything else, and to say that there shall not be automatic cuts. But public works can be cut, like space, or the supersonic plane, or any other subject upon which there seems to be general agreement that there ought to be some kind of a cut.

Mr. President, the person of modest means is facing not only an erosion of the purchasing power of his dollar in an undue inflation, but he is facing inordinately high interest rates, which are reflected in every penny he borrows, including installment credit, which is an enormous factor to the people of modest income in the United States.

He faces the grave danger of an erosion of the value of the dollar abroad through further deterioration in our balance-of-payments situation, thereby seriously impairing America's ability to export and sell in the export markets of the world. And, remembering that this represents something like $30 billion a year in hard production, this is not an inconsiderable item, either.

Mr. President, what is the worst of all is that he invites another day, because we have not paid the price of the restraint, curtailment, and reduction in expenditures and in credit available within the country today. This would really cause massive unemployment. We are talking about the possibility of doubling the rate of unemployment from the present roughly 3.5 or 4 percent to a rate of 6 percent and 8 percent. We have seen that happen in our country.

These are the dangers which people in our country need to be protected against. And the superficial argument that a particular program—which is so important to the rank and file of our people—will be curtailed does not begin to hold a candle to the destruction and havoc which can be heaped upon him if we stain our hands because we have not the courage or the wisdom to do what the times demand we should do.

The fact is that we are engaged in war, and the cost involves not only the casualties, but also the expenditures and the total indirect effects upon the economy which multiply the amount of those expenditures by a ratio of 3 to 1 in terms of their inflationary impact.

Mr. President, to sum up the arguments for the pending measure. It is the one opportunity which the Senate has to demonstrate its fidelity to this proposition.

First. The Vietnam war must be paid for. If we do not pay for it directly in taxation, we will pay for it in privation and depression in the United States and in the world.

Second. We must make room within the budget for essential domestic expenditures, and whatever quarrels I may have as to priorities, the fact is that if the overall budget will not make room for these expenditures, it is even worse not having the right priorities. At least, we are getting something out of model cities and other programs which are essential to meet the crisis existing in the cities. And whether we get as much as we should, and in the right place, the fact is that we are getting something and are not left with nothing, in which case we would be in even graver danger than we are now.

Mr. President, may I have a little order. I can hardly hear myself.

The PRESIDING OFFICER. Let there be order in the Senate.

The Senator may proceed.

Mr. JAVITS. Mr. President, third, it is very important to avoid a credit squeeze, which would occur if we rely solely on a tight money policy to reduce inflation. In the short space of 3 years heavy demands on the capital markets to finance the Federal deficit accounted for an increase in prices and inflation of a total of about 10 percent, which is absolutely unheard of in modern times in this country.

Fourth. The fiscal year budget deficit of $20 billion is just unacceptable to the world in terms of the confidence in the American dollar. Strengthening confidence in the American dollar is absolutely essential both to our export and import trade and to the raw materials which we must purchase in the world, without which the American industrial machine would grind to a halt. And if we have to overpay in dollars for those raw materials, that puts us even further out of competition in the export markets of the world and worsens our balance of payments.

The PRESIDING OFFICER. Let there be order in the Senate.

The Senator will proceed.

Mr. JAVITS. Fifth. We have undertaken, and quite properly, an implied commitment both at Basel and Stockholm and in the other countries which hold dollar surpluses in their international payments—whereas we have been running substantial payments deficits—that we would bring our fiscal situation under control. We asked that other countries and those other central bankers to hold our hands. The clear implication—and I am not privy to those secrets, and perhaps it was really very solemnly expressed—at Basel and Stockholm was that within a measurable time lag, Congress would take action to put America's financial house in order. This amendment represents such action.

Sixth. We must reduce our budget deficit to meet the growth of American economy to continue to grow with the minimum of inflation. We have been growing at the rate of approximately 60 percent of what we ought to grow—3.3 percent, and not 5 percent.

Finally, it is most illuminating to all of us that in political season and out, and though late—and it is late and the administration should be sharply condemned for that—nonetheless the President has consistently called upon the country, when he was thought to be a candidate and when he said he was not going to be a candidate, for this measure as the basic rock on which to build in physical and economic terms the country.

I think the case is ironclad. I think it is as strong as it can be.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. WILLIAMS of Delaware. Mr. President, I yield 1 additional minute to the Senator from New York.

The PRESIDING OFFICER. The Senator from New York is recognized for 1 minute.

Mr. JAVITS. Mr. President, it is not too late now, but it will be too late if the Senate does not see its duty and act today to give leadership to the country, the leadership for which the country and the world is waiting. We can assure the world that the United States will remain steadfast in its economic leadership of the free world.

That is what is at stake in today's vote. However the Senate votes, I could be right or I could be wrong—let the Senate realize how serious the implication of its vote today is.

Mr. BIBLE. Mr. President, will the Senator yield me 2 minutes?

Mr. LONG of Louisiana. Mr. President, I yield 2 minutes to the Senator from Nevada.

The PRESIDING OFFICER. The Senator from Nevada is recognized for 2 minutes.

Mr. BIBLE. Mr. President, as a member of the Appropriations Committee, I voice my opposition to the substitute.

Mr. President, although this material may have already been printed in the CONGRESSIONAL RECORD, I ask unanimous consent that a reprint from the CONGRESSIONAL RECORD of December 15, 1967, be printed at this point in the RECORD.

There being no objection, the reprint was ordered to be printed in the RECORD, as follows:

SUMMARY OF ACTION ON BUDGET ESTIMATES OF "APPROPRIATIONS" IN APPROPRIATION BILLS, 90TH CONG., 1ST SESS., AS OF DEC. 15, 1967

[Does not include any "back door" type appropriations, or permanent appropriations [1] under previous legislation. Does include indefinite appropriations carried in annual appropriation bills]

	Budget estimates considered by House	Passed House	Budget estimates considered by Senate	Passed Senate	Enacted	Latest action compared to budget (+) or (−)
Bills for fiscal 1968:						
Treasury-Post Office	$7,613,787,000	$7,499,230,000	$7,615,148,000	$7,555,167,000	$7,545,641,000	−$69,507,000
District of Columbia:						
Federal payments	63,499,000	59,499,000	73,499,000	71,499,000	67,478,200	−6,020,800
Federal loan appropriation	49,600,000	48,100,000	89,700,000	79,200,000	79,200,000	−10,500,000
Interior	1,443,793,000	1,365,310,150	1,458,218,000	1,399,359,550	1,382,848,350	−75,369,650
Loan and contract authorizations	(30,700,000)	(16,200,000)	(30,700,000)	(16,200,000)	(16,200,000)	(−14,500,000)
Independent offices—HUD	[2] [3] 10,804,642,700	[2] [3] 10,013,178,792	[2] [3] 10,820,513,700	[2] [3] 10,514,830,900	[2] [3] 10,139,473,900	−681,039,800
Contract authorization (rent supplements)	(40,000,000)		(40,000,000)	(40,000,000)	(10,000,000)	(−30,000,000)
Labor-HEW	[3] 13,322,603,000	[3] 13,137,488,000	[3] 13,424,146,000	13,421,660,000	[3] 13,255,356,000	−168,790,000
State, Justice, Commerce, and Judiciary	[3] 2,342,942,000	[3] 2,194,026,500	[3] 2,437,803,195	[3] 2,186,105,500	[3] 2,169,012,500	−178,790,695
Legislative	231,311,132	228,089,952	726,005,210	275,885,204	275,699,135	−306,175
Agriculture	[3] 5,021,097,400	[3] 4,770,580,950	[3] 5,021,097,400	[3] 6,782,529,789	[3] 4,952,945,700	−68,151,700
Loan authorization	(859,600,000)	(859,600,000)	(859,600,000)	(909,000,000)	(859,600,000)	
Defense	71,584,000,000	70,295,200,000	71,584,000,000	70,132,320,000	69,936,620,000	−1,647,380,000
Transportation	[4] 1,718,618,772	[4] 1,530,198,372	[4] 1,718,618,772	[4] 1,651,407,272	[4] 1,581,905,772	−136,713,000
Public works	4,867,813,000	4,622,922,000	4,867,813,000	4,776,064,000	4,689,938,000	−177,875,000
NASA	5,100,000,000	4,523,400,000	5,100,000,000	4,678,900,000	4,588,900,000	−511,100,000
Military construction	2,937,000,000	2,142,693,000	2,937,000,000	2,099,350,000	2,093,362,000	−843,638,000
Foreign assistance	3,818,736,000	2,775,011,000	3,818,736,000	3,313,345,000	2,876,591,000	−942,145,000
Supplemental (poverty, Appalachia, etc.)	[5] 2,120,785,000	1,679,436,500	[5] 2,120,785,000	2,077,510,309	1,842,923,790	−277,861,210
Subtotal, 1968 bills	133,040,228,004	126,944,364,206	133,273,083,277	131,015,134,124	127,477,895,247	−5,795,188,030
Bills for fiscal 1967:						
Defense supplemental (Vietnam)	12,275,870,000	12,196,520,000	12,275,870,000	12,196,520,000	12,196,520,000	−79,350,000
2d supplemental	2,134,932,833	2,041,826,133	2,257,604,652	2,260,246,933	2,197,931,417	−59,673,235
Subtotal, 1967 bills	14,410,802,833	14,238,346,133	14,533,474,652	14,456,766,933	14,394,451,417	−139,023,235
Cumulative "appropriation" totals for the session:						
House (17 bills)	147,451,030,837	141,182,710,339				[6] −6,268,320,498
Senate (17 bills)			147,806,557,929	145,471,901,057		−2,334,656,872
Enacted (17 bills)			147,806,557,929		141,872,346,664	−5,934,211,265

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[1] Permanent "appropriations" were tentatively estimated in January budget at about $15,212,066,000 for fiscal year 1968. (All forms of permanent "new obligational authority" for 1968 were tentatively estimated in the January budget at $17,452,299,000.)

[2] Includes advance funding for fiscal 1969 for urban renewal and mass transit grants (budget, $980,000,000; House bill, $925,000,000; Senate bill, $955,000,000; enacted, $925,000,000).

[3] And participation sales authorizations as follows: Independent offices-HUD, $3,235,000,000 in budget estimates, $861,000,000 in House bill, $3,235,000,000 in Senate bill, and $3,235,000,000 enacted; Labor-HEW, $115,000,000 in budget estimates, House bill, and enacted; State, Justice, Commerce, and Judiciary, $150,000,000 in budget estimates, House bill, Senate bill, and enacted; Agriculture, $800,000,000 in budget estimates and House bill, $700,000,000, in Senate bill and $750,000,000 enacted. Total authorizations requested in budget, $4,300,000,000; total in House bills, $1,946,000,000; total in Senate bills, $4,085,000,000; total enacted, $4,250,000,000.

[4] Includes advance funding for fiscal 1969 for grants-in-aid for airports (budget, $75,000,000; House bill, $65,000,000; Senate bill, $75,000,000; enacted, $70,000,000).

[5] Excludes $136,797,000, budget estimates not considered in any appropriation bill.

[6] If the $136,797,000 of estimates not considered were also counted, these figures would be that much greater.

Mr. BIBLE. Mr. President, the tabulation shows that with respect to all fiscal 1968 bills reported by the Appropriations Committees, there was a decrease of $5,795,188,030.

I think that is where these cuts should be made, in the regular way and after full hearings.

I think that the Appropriations Committee worked its will responsibly in the last session of the Congress. I was privileged last year, and I am this year, to be chairman of the Military Construction Subcommittee of the Appropriations Committee. On that particular committee we had a budget request of $2,937,000,000. We reported the bill from the Senate side in an amount far less than that. We went even below that as a result of the conference, and in our final action, the bill was $843,638,000 less than the budget request. So, I think that the Appropriations Committees have been responsible. I think they have acted on the basis of the national interest and certainly they made many cuts. I am sure that they are prepared to do it again this year. This is the way the cuts should be handled.

In addition, I cannot vote for a 10-percent surcharge on income taxes. This tax proposal is a controversial, highly sensitive issue, and hits those who are least able to pay. It demands separate, careful treatment and properly must originate in the House.

Mr. BYRD of West Virginia. Mr. President, as I have said before, the Federal Government needs to put its financial house in order. Before any new tax burden, however, is placed upon the American taxpayer, the executive branch and the legislative branch should reduce, and eliminate where possible, all nonessential expenditures.

The amendment in the nature of a substitute provides for certain reductions in Federal spending, but these do not go in the right direction. In the first place, such reductions, in my opinion, should more properly be made on a selective basis so that wasteful or unnecessary programs could be reduced or delayed or eliminated without disturbing, penalizing, or interfering with essential programs and activities.

For example, the fiscal year 1969 budget, as presented to Congress by the President, contains $2,176,000,000 in new obligational authority for the Office of Economic Opportunity. I have repeatedly criticized some of the so-called antipoverty programs because of the moneys that are wasted through improper administration and because of the fact that some poverty employees have utilized the program to foment unrest and generate demonstrations in various parts of the country. All too often, the people who have benefited have not been the poor people. I have repeatedly referred to the Office of Economic Opportunity the complaints contained in correspondence from my constituents, and it has been to no avail thus far.

Some of the antipoverty programs have been worthwhile, undoubtedly, but I believe that the taxpayers of the country would be well served if at least a billion dollars were cut from the budget request of the Office of Economic Opportunity.

Mr. President, I have also been critical of Government expenditures for a moonshot program during this bad period of economic turbulence. New obligational authority of $4.4 billion is recommended for the National Aeronautics and Space Agency in 1969. Of this amount, $2,362,000,000 is for a manned lunar landing and $463,000,000 is for extended manned flight.

It would seem to me that this is a program which should properly be stretched out and delayed until better days are upon us, and it would appear that a very sizable cut could be made in the NASA budget.

Additionally, approximately $1.5 billion is being spent in connection with our troops and dependents stationed in Western Europe. When we subtract military sales from this figure, there remains a balance, at least, in excess of $700 million in cost to us. As I have stated recently on this floor, Western European nations are enjoying an unprecedented level of high prosperity, in great measure due to the aid which they have received in past years from the United States. I maintain, therefore, that it is time these nations take upon themselves a share of the financial and military burden of defending Western Europe. I do not see why the United States should continue to maintain in Western Europe the equivalent of six divisions, and dependents, numbering about 350,000 and 248,000 respectively, making a total of approximately 600,000 persons. Let the United States withdraw some of these divisions and dependents and reduce the dollar drain upon our own Treasury.

It would also appear reasonable to suggest that other savings could be instituted in the military budget, which roughly approximates $80 billion in fiscal year 1969. Surely the Defense Department could find some fat in this budget, and even a small percent reduction in a budget of such gigantic proportions would constitute a good savings at a time when our country needs to cut back on its spending. The Appropriations Committee of the Senate can only do so much, and it simply does not have the staff manpower to do the kind of job on this budget which could be done by the Defense Department with its thousands of staff personnel.

Moreover, the United States has expended, in grants and soft loans, in the neighborhood of $100 billion over the past several years in its various foreign aid programs. If we want to see just how many friends we have, it may be well to take a look at South Vietnam. The number of countries that have placed fighting men shoulder to shoulder with our fighting men can be counted on the fingers and thumb of one hand. Why should we continue to funnel out our hard-earned tax dollars to aid countries which do not help us when we are fighting to maintain their freedom? I maintain that there is enough money in the pipeline, resulting from appropriations in former years, to allow us to cut out the foreign aid appropriations entirely in fiscal year 1969. It might be a good time to take a new look at this area of spending anyway, inasmuch as we cannot hope to continue making large outlays for foreign aid year after year and decade after decade. There are a few countries which we should perhaps help, in our own national interest, but the foreign aid request for fiscal year 1969, which approximates $3 billion, can be greatly reduced if not entirely eliminated. Of course, the State Department would not agree with this, nor would the budget planners in the executive department. Many Members of Congress would also disagree.

Mr. President, I would vote for an increased tax on individual incomes were I convinced of its absolute necessity at this moment and were I convinced that the budget reflected true austerity in dealing with nonessential items. I do believe that there is a clear necessity to put our financial house in order, but until there is a genuine effort made to reduce expenditures for nonessential programs and programs the merit of which can be seriously questioned, I find it hard to join in placing an additional burden upon the taxpayer. The proposal upon which we are about to vote puts the cart before the horse. In other words, why should I vote for an increase in taxes to pay for the very programs which I believe to be unnecessary at this time, wasteful, poorly administered and misguided, antiquated, or productive of unrest or disorder? I shall vote against a surtax at this time.

Mr. President, I ask unanimous consent to insert in the RECORD certain tables on the fiscal year 1969 Federal budget requests for space research and technology and for the Office of Economic Opportunity.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

OFFICE OF ECONOMIC OPPORTUNITY

[In thousands of dollars]

	1967 enacted	1968 estimate	1969 estimate	Increase or decrease (−)	Explanation
FEDERAL FUNDS					
General and special funds: Economic opportunity program:					
New obligational authority	1,663,960	1,748,500	[1] 2,176,500	428,000	Estimate will enable major expansion of the comprehensive employment program, and will provide increases for rural community action, Head Start Follow Through, and emergency food programs.
Expenditures	1,483,042	1,851,702	1,996,006	144,304	
Public enterprise funds: Economic opportunity loan fund:					
Loan authority	21,500	14,500	3,500	−11,000	Lower estimate together with collections on outstanding loans will continue the total dollar level of outstanding loans at about the 1968 level. Approximately 7,500 loans for farm improvements or small nonfarm businesses and 250 loans to rural cooperatives will be made.
Expenditures	978	1,400	905	−495	
Net lending	24,389	16,898	3,089	−13,809	
Subtotal, Federal funds:					
New obligational authority	1,663,960	1,748,500	2,176,500	428,000	
Loan authority	21,500	14,500	3,500	−11,000	
Expenditures	1,484,020	1,853,102	1,996,911	143,809	
Net lending	24,389	16,898	3,089	−13,809	
TRUST FUNDS					
Gifts and contributions (permanent):					
New obligational authority	2	2	2	....	These funds are used to help support the war on poverty.
Expenditures	187	14	2	−12	
ADJUSTMENTS					
Applicable receipts from the public:					
New obligational authority	−131	−131	−131	....	
Expenditure					
Total, Office of Economic Opportunity:					
New obligational authority	1,663,831	1,748,371	2,176,371	428,000	
Loan authority	21,500	14,500	3,500	−11,000	
Expenditures	1,484,076	1,852,985	1,996,782	143,797	
Net lending	24,389	16,898	3,089	−13,809	

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[1] Appropriation requested for 1969.

SPACE RESEARCH AND TECHNOLOGY

New obligational authority of $4.4 billion is recommended for the National Aeronautics and Space Administration in 1969, a decrease of $218 million. This is 5% less than the current year and $597 million less than 1967. Expenditures for 1969 are estimated to be $4.6 billion, a $230 million decrease from the current year.

SPACE RESEARCH AND TECHNOLOGY

[Fiscal years, in millions]

	Expenditures			Recommended NOA for 1969[1]
	1967 actual	1968 estimate	1969 estimate	
Manned space flight:				
Manned lunar landing	$3,587	$3,028	$2,571	$2,362
Extended manned flight	62	138	422	463
Space sciences	674	563	498	479
Space applications	122	135	147	148
Space technology	440	420	425	410
Aircraft technology	89	113	120	131
Supporting activities[2]	452	411	394	378
Applicable receipts from the public (−)	−2	−4	−3	−3
Total	5,423	4,803	4,573	4,369

[1] Compares with new obligational authority (NOA) for 1967 and 1968, as follows: 1967, $4,966,000,000; 1968, $4,587,000,000.

[2] Includes both Federal funds and trust funds.

Mr. LONG of Louisiana. Mr. President, if other Senators desire time in opposition to the amendment, I shall be glad to yield.

How much time do I have remaining?

The **PRESIDING OFFICER** (Mr. BYRD of Virginia in the chair). The Senator from Louisiana has 7 minutes remaining.

Mr. LONG of Louisiana. Otherwise, I will use approximately 2 minutes of that time and permit the sponsors of the amendment to close.

Mr. President, in a nutshell, my objection to the amendment is that, first, it would impose a major tax increase that properly should originate in the House of Representatives. I have seen no indication that the House is any less patriotic or responsible than the Senate; and if the House believes that we should have a major tax increase, the House will send one to the Senate.

Second, the substitute proposes a major cutback in Federal personnel. It would exempt the Department of Defense and the Post Office Department from the cutback, but would require a cut in personnel in other departments which the administration and those who would have to administer it find completely unworkable and impractical. It has not been studied by the Committee on Post Office and Civil Service or by any other committee to see how it could work. The administration cannot perceive how such a goal could be achieved, although the executive branch of the Government certainly would like to cooperate in reducing the number of Federal employees.

Third, this amendment proposes a $6 billion cut in expenditures; and at this time no one is in a position to know how it would apply. No one knows what he would be voting to eliminate or to retain. It would simply be a matter of shooting in the dark.

If we were to wait until the Committee on Appropriations has had an opportunity to act on the appropriations recommendations, we would be in a much better position to know what to eliminate and what not to eliminate. Simply to vote to cut spending by $6 billion at this point is shooting in the dark, not knowing where the bullet will hit. That is not a wise manner in which to cut expenditures.

So, Mr. President, in my opinion, the amendment should not be agreed to.

When Senators vote on the substitute—and the President's message might have impressed them with the fact that is the way they should vote, although the President did not comment on this particular package one way or the other—then I trust they will vote in accordance with their conscience and conviction in this matter. I ask no one to vote the way I shall vote in this matter. I ask no one to base his vote on any reason other than his assessment on the merits of the proposal. I shall not vote for the amendment, because I do not believe this is the way to achieve the result sought by its sponsors.

Mr. MORSE. Will the Senator yield time to me in opposition to the amendment?

Mr. LONG of Louisiana. How much time does the Senator desire?

Mr. MORSE. I do not wish to interfere with the Senator. I should like all the time used.

Mr. LONG of Louisiana. Mr. President, how much time do I have remaining?

The **PRESIDING OFFICER.** The Senator from Louisiana has 4 minutes remaining.

Mr. LONG of Louisiana. I yield 4 minutes to the Senator from Oregon.

Mr. MORSE. Mr. President, for reasons I have expressed in the Senate from time to time in the days since H.R. 15414 has been under consideration, I am opposed to the Williams-Smathers amendment. I am not in favor of sacrificing the welfare and the tax money of the American people in order that we may see to the welfare of Southeast Asia and save Europeans from paying for their own defense, or to pour millions of dollars into a defense program in Africa, Latin America, and elsewhere in the world.

But I should like to call attention to one area of domestic construction that should be spared from the $6 billion cut in domestic spending called for in the amendment. This is the construction of forest roads and trails. Many people think they are excluded, they are not.

The national forests operated by the Forest Service in the Department of Agriculture are expected to bring receipts of $189 million into the Treasury in fiscal 1969. But the realization of those receipts will depend upon the accessibility of the timber. There is no fund into which receipts from timber sales go, to be spent exclusively for timber management, though under existing law 10 percent may be plowed back into roads. Nonetheless, there is a clear relationship between the construction of roads and the timber harvest.

The fiscal 1969 budget called for $92 million for forest roads, compared to $170 million authorized by Congress. The fiscal year 1968 appropriation of $120 was already low, and this was cut back in January by $15 million.

There is no saving made by such cuts. They merely reduce the income from timber sales.

My State has a lumber economy, and the Federal Government owns well over 50 percent of the land in the entire State. In my State, we must pay very close attention to programs such as those imbedded in the Williams-Smathers amendment. It would do irreparable damage to my State, and I do not sit here to liquidate the economy of my State.

Furthermore, I agree with the Senator from Nevada [Mr. BIBLE] in the point he just made. I believe it is an unanswerable argument. This matter should go through the Committee on Appropriations, in the regular order.

I agree with the position of the Senator from Wisconsin [Mr. PROXMIRE] in his opposition to the bill.

I have on my desk a series of amendments, which the acting majority leader knows I have agreed not to offer, because I believe that the Senate is ready to vote, and it would not make any difference, because Senators are either for or against the amendment in its present form.

Let me summarize quickly. I shall not support the bill, because it proposes to increase taxes on people who already pay taxes, and that is not the group that should have a tax increase. Many people in this country are able to escape taxes, and that is why we should fill the tax loopholes and make them pay the taxes, rather than have it done through this bill. I shall vote against the bill.

Mr. WILLIAMS of Delaware. Mr. President, I yield 3 minutes to the distinguished Senator from South Carolina [Mr. THURMOND].

Mr. THURMOND. Mr. President, my support today of the Williams-Smathers tax amendment is not given without reservation.

It has been my position not to support an increase in taxes unless there was a significant reduction in domestic expenditures and a tax increase still appeared necessary in order to support our fighting men in Vietnam or to balance the budget.

However, this amendment includes a $6 billion reduction in Federal spending, and, if the administration is not going to meet its obligation to cut expenditures, then Congress must act on its own. I could not support this amendment were it not for this sizable budget reduction.

I would much rather see a reduction in spending of $8 billion as originally discussed, but it appears the $6 billion cut is all the Senate will accept at this time. This $6 billion will certainly help, but it is not sufficient in view of the pending $22 billion deficit for the current fiscal year and the forecast of a $28 billion deficit for the 1969 fiscal year.

Still, Congress must do something to restore fiscal responsibility, or the results will be far more disastrous than it is possible to imagine. The leaders of our banking industry and our economists have advised us it is critical for the fiscal safety of the Nation that we reduce the size of the deficit.

Fortunately, it has been possible for Congress to reduce taxes since 1962 in the amount of about $25 billion. But today we are in a war in Vietnam, and, additionally, we are beset with countless pressures resulting from deficit spending and fiscal irresponsibility in past years.

Once again I call upon this administration to put its own house in order and halt this reckless and wasteful spending in domestic programs. Congress is trying to meet its obligation, but this is a two-way street, and, unless the President takes quick and affirmative action, the tide toward fiscal disaster will continue unabated.

I would much prefer to withhold action on approval of a tax increase until the President takes definitive steps in implementing his austerity program. The $6 billion reduction in spending contained in this amendment will be a step toward sensible financing, but it will be a futile one if the administration does not share this obligation which it has largely created.

Mr. WILLIAMS of Delaware. Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER. The Senator from Delaware is recognized for 2 minutes.

Mr. WILLIAMS of Delaware. Mr. President, I ask for the yeas and nays on the Williams-Smathers amendment in the nature of a substitute.

The yeas and nays were ordered.

Mr. WILLIAMS of Delaware. Mr. President, I hope that the Senate will agree to the Williams-Smathers package. I think it is the very least we can do under the present circumstances.

The suggestion has been made that the Senate should wait until after Congress acts on the appropriation bills or until after the House of Representatives has acted. I remind Senators that we have been waiting for 15 months to take this appropriate step, and nothing has been done in connection with either the suggestion of an expenditure reduction or increasing taxes. I do not think we can afford to wait further.

At the end of this fiscal year, assuming we take no action, we will be faced with a deficit of $20 billion. We are confronted with a deficit of $28.3 billion for fiscal 1969. Those estimates are based on the premise that we do not increase taxes or reduce spending. Therefore, we would have a deficit of $48 billion in 2 years or a deficit of approximately $2 billion a month.

Mr. President, we cannot tolerate such a deficit without national bankruptcy. I think we are all familiar with the threat to the American dollar. Let us face the facts. The devaluation of the currency of any country is international recognition of national bankruptcy, and we should not let that happen in America.

I hope that Members on both sides of the aisle will join in agreeing to this package. It represents the minimum action we should take at this time to preserve the security of our dollar and prevent runaway inflation, which could eat up the purchasing power of the American dollar and thereby pauperize the aged people and those people who live on pensions and retirement income. I hope the proposal will be agreed to.

I am ready to yield back the remainder of my time.

Mr. LONG of Louisiana. Mr. President, I am informed that the Senator from Oklahoma [Mr. MONRONEY] wishes to speak in connection with this matter for 3 minutes.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. MONRONEY. Mr. President, I must regretfully vote against the Smathers-Williams amendment. In doing so I am not voting against an increase in revenues because I think one is necessary. I believe I am voting in a realistic manner in that any revenue bill we agree to, including the Smathers-Williams amendment, will be thrown out instantly by the Ways and Means Committee of the House of Representatives because they have sent over to us a simple extension of excise taxes. We know the custom and the prestige of the House of Representatives in this field. That is one of the reasons I refuse to go along on something that I know will be a nullity as far as legislation is concerned.

The second reason I am against a straight 10-percent surtax is that I think it would fall unjustifiably heavy upon those people in the lower income tax brackets who are least able to pay, who are today facing increases in the cost of living, in everything they buy, and who would, in addition be charged a flat 10-percent surtax on their income taxes.

I proposed a 4.5-percent income tax increase. I think that would be modest enough to be met by the average taxpayer, even those taxpayers in the low income bracket. The difference to arrive at almost the same amount of revenue could be made up by a luxury tax.

We have always had a luxury tax in time of war. I think it is only proper that we tax those items we could avoid buying, if necessary. The tax would be on items which are injurious to the health, such as cigarettes, and in addition, might help to keep people from smoking. A tax of 2 cents on a package of cigarettes would bring in a great deal of revenue and perhaps prolong life.

I believe that a tax on alcoholic beverages of $1 a fifth would be justified. People who are from Tennessee and Kentucky say that it is worth every dollar they have to pay because it is one of their great products. I think a similar tax should be on cosmetics. Other matters that I brought up earlier I hope are being looked into by the Ways and Means Committee.

I would suggest to the Committee on Finance that this would be a better method of raising the same amount of money but in a less painful manner. The luxury tax would be one tax that the American people would not have to pay unless they wanted to enjoy these luxuries that have always been taxed in time of war.

I thank the Senator for yielding to me.

Mr. TOWER. Mr. President, the present economic position of the United States is approaching what I believe to be crisis proportions, unless decisive action is taken immediately. I will thus vote for the Williams-Smathers substitute. It is quite apparent, Mr. President, that we must substantially reduce the financial deficit in both our domestic and foreign accounts.

The entire monetary system of the free world is in jeopardy unless the United States acts in the days ahead, not weeks, not months, but days, to regain the confidence once merited by the dollar. Confidence cannot be established by continuing to follow what I believe to be a policy of fiscal irresponsibility.

As was brought out in the recent debate on the gold reserve bill, this country has lost over $2 billion—$12.6–10.4—in gold in the past 5 months. The stabilization fund has relinquished nearly $3 billion in gold bullion in an effort to shore up the stability of the dollar.

As we all know, our domestic economy is in dire straits. We are in the midst of a fiscal year that could produce a deficit of some $20 to $25 billion. The 1969 fiscal budget projections of red ink spending may well be $30 billion unless we act forcefully.

Other problems, such as inflationary pressures presently eroding the purchasing power of the dollar at the rate of some 4 percent, can be expected to worsen in the fourth quarter of 1968.

I do not believe, Mr. President, that we can possibly regain the confidence of the financial community of the world by our present fiscal course. Our dollar acts as the cornerstone of the global monetary system, and as we have seen, has withstood a series of very serious attacks in recent month. We cannot continue to withstand such attacks unless we cut expenditures.

As I have noted, we recently voted to free the remaining $11 billion in gold this Nation holds. We must of course further demonstrate this Nation's preparedness to meet its financial commitments and obligations, but we can only do this through the responsible action of reducing expenditures.

During the course of the debate on the gold cover matter, it was clear that virtually all of us favored meaningful action to bring this Nation's monetary policies into line and thus restore confidence in the dollar. A tax increase is not the prime answer, Mr. President; a substantial reduction in Federal expenditures is.

The United States has recently been engaged in a most important meeting in Stockholm for the express purpose of creating a new kind of monetary asset. This Nation conducted these negotiations with hat in hand. Our representatives were again forced to present a list of promises instead of a proven record of successes. The picture is not good: deficits for the current year and for the 1969 fiscal year could conceivably total $50 billion; the deficit in our foreign accounts for 1968 can be expected to be around $5 billion; we face an inflationary rate at 4 percent that seems destined to become much worse in the final quarter of 1968 and the first half of 1969.

Mr. President, for the special drawing rights proposal to meet with success and the ultimate adoption by the members of the International Montary Fund, the United States must demonstrate a determination to put its fiscal house in order. Unless the United States make a substantial reduction in its spending programs as outlined in the Williams-Smathers proposal, the crisis facing the dollar will worsen to perhaps disastrous proportions. Reduction in spending coupled with a tax increase will demonstrate to the financial communities both at home and abroad that the United States is seriously and honestly committed to the protection and stability of the dollar, and this at a period when the global monetary system faces perhaps its most serious threat in over three decades.

Mr. WILLIAMS of Delaware. Mr. President, I am ready to yield back the remainder of my time.

Mr. PROXMIRE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment in the nature of a substitute offered by the Senator from Delaware [Mr. WILLIAMS] and the Senator from Florida [Mr. SMATHERS].

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Alaska [Mr. GRUENING], the Senator from Missouri [Mr. LONG], and the Senator from Texas [Mr. YARBOROUGH], are absent on official business.

I also announce that the Senator from Idaho [Mr. CHURCH], the Senator from North Carolina [Mr. JORDAN], the Senator from New York [Mr. KENNEDY], the Senator from Ohio [Mr. LAUSCHE], the Senator from Minnesota [Mr. McCARTHY], the Senator from Rhode Island [Mr. PASTORE], and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

I further announce that, if present and voting, the Senator from Idaho [Mr. CHURCH], and the Senator from Texas [Mr. YARBOROUGH] would each vote "nay."

On this vote, the Senator from Rhode Island [Mr. PASTORE] is paired with the Senator from New York [Mr. KENNEDY]. If present and voting, the Senator from Rhode Island, would vote "yea" and the Senator from New York would vote "nay."

On this vote, the Senator from Ohio [Mr. LAUSCHE] is paired with the Senator from Alaska [Mr. GRUENING]. If present and voting the Senator from Ohio would vote "yea" and the Senator from Alaska would vote "nay."

Mr. KUCHEL. I announce that the Senator from Tennessee [Mr. BAKER] and the Senator from Utah [Mr. BENNETT] are necessarily absent.

If present and voting, the Senator from Tennessee [Mr. BAKER] and the Senator from Utah [Mr. BENNETT] would each vote "yea."

The result was announced—yeas 53, nays 35, as follows:

[No. 96 Leg.]

YEAS—53

Aiken
Allott
Boggs
Brooke
Byrd, Va.
Carlson
Case
Cooper
Curtis
Dirksen
Dodd
Dominick
Eastland
Ervin
Fannin
Fong
Gore
Griffin
Hansen
Hickenlooper
Holland
Hruska
Inouye
Jackson
Javits
Jordan, Idaho
Kuchel
Mansfield
McClellan
McIntyre
Miller
Montoya
Morton
Moss
Mundt
Murphy
Muskie
Pearson
Pell
Percy
Prouty
Randolph
Russell
Scott
Smathers
Smith
Spong
Stennis
Symington
Thurmond
Tower
Tydings
Williams, Del.

NAYS—35

Anderson
Bartlett
Bayh
Bible
Brewster
Burdick
Byrd, W. Va.
Cannon
Clark
Cotton
Ellender
Fulbright
Harris
Hart
Hartke
Hatfield
Hayden
Hill
Hollings
Kennedy, Mass.
Long, La.
Magnuson
McGee
McGovern
Metcalf
Mondale
Monroney
Morse
Nelson
Proxmire
Ribicoff
Talmadge
Williams, N.J.
Young, N. Dak.
Young, Ohio

NOT VOTING—12

Baker
Bennett
Church
Gruening
Jordan, N.C.
Kennedy, N.Y.
Lausche
Long, Mo.
McCarthy
Pastore
Sparkman
Yarborough

So the Williams-Smathers amendment, in the nature of a substitute, was agreed to.

Mr. SMATHERS. Mr. President, I move to reconsider the vote by which the amendment was adopted.

Mr. WILLIAMS of Delaware. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

EXPLANATION OF VOTE

Mr. CLARK. Mr. President, I was necessarily absent during the debate on the substitute amendment and returned to Washington just in time to vote, but I would like to take a few minutes to explain my vote.

I voted against the amendment; first, because I could not in good conscience vote for cuts in the budget which I understood will come out of the welfare and educational programs, that I strongly support. I supported the Javits amendment to make it possible to make these cuts elsewhere. I proposed an amendment of my own to have these cuts taken out of the military program, the space program, and the supersonic transport program.

Second, I would have preferred an excess profits tax.

Third, I would have preferred closing the tax loopholes.

Fourth, I do not believe the Senate should undertake to legislate on so important and complex a matter by floor action without having had adequate consideration in committee as to how these amendments should be done.

Fifth, I believe, in due course, in conference this Christmas tree legislation will be knocked out and the House will pass its own bill. I am prepared to take another hard look at a tax increase and also a cut in expenditures.

In my opinion, we have taken the wrong method, at the wrong time, in the wrong way; therefore I voted against the amendment.

The yeas and nays were ordered.

PAYING THE PRICE FOR VIETNAM

Mr. TYDINGS. Mr. President, it is with a heavy heart that I must cast this vote in favor of increasing taxes to pay for the war in Vietnam. Coupled as it is with a major slash of $6 billion in Federal spending and a freeze of Federal employment at its present level, this tax increase means that we will have to pay more, but get less at home, so that we can pay for the war in Vietnam.

NO WAY TO AVOID TAX INCREASE

I oppose that war. I have opposed taxing the American people to pay for it. I have opposed increasing taxes without first making meaningful tax reforms. But we have no choice. The cost of the Vietnam war is so great that it threatens us with economic ruin if we do not take stringent action now to pay for the war.

Although I have hoped and argued and worked for an end to the war, I recognize that there is little hope of its being ended before our economy is deeply damaged by its cost, unless we take action now to increase taxes and cut our Federal budget. So I must reluctantly vote for this tax increase and, with it, a realistic expenditure ceiling. The preservation of our economy simply cannot wait for tax reform or an end to the war.

VIETNAM IS SOLE REASON FOR TAX INCREASE

Let there be no mistake that the war in Vietnam, not domestic expenditures, is the sole reason for this tax increase.

The war has so far cost an admitted $52 billion and will cost an admitted $78 billion by the end of the next fiscal year. The actual cost of the war, taking into account such items as veterans benefits for a generation and interest on the war-created national debt, is probably closer to $100 billion so far.

All this has been paid for thus far by shortchanging domestic needs. But there is no way to cut our domestic programs enough to pay for the $30 billion-plus annual cost of the war. We could not pay for the war even if we eliminated every dime we will spend this year for: Federal aid to education; all health programs, hospital construction, and medical research; all housing and aid to cities; all aid to depressed areas; all foreign aid and the Peace Corps; the war on poverty; and practically the entire cost of our domestic Government, including the Congress, the Federal courts, and the Departments of Labor, Justice, Post Office, Interior, Commerce, Housing and Urban Renewal, and Health, Education, and Welfare.

So we must increase taxes to pay for the war.

THE ECONOMIC DAMAGE VIETNAM WAR HAS CAUSED

We cannot go on financing the Vietnam war with deficit spending. The facts are these:

First, Vietnam war-caused deficits already total more than $31 billion for the last 3 years. We and our children will be paying interest on this staggering debt for countless years to come. We must have a tax increase to prevent further massive war-caused additions to the national debt.

Second, the $30 billion a year spent for Vietnam war material is competing with civilian dollars for available goods and is driving prices up. After the war began to escalate in 1966, inflation jumped from the 1.2 percent annual rate of the previous 5 years to an annual rate of about 3.5 percent since then—triple the pre-war inflation. Only by ending the war purchases or reducing consumer demand through higher taxes can this inflation be stemmed. Even this 1-percent tax increase is painful, but a 3.5 percent annual rate of inflation is much worse.

Third, as long as the war is financed by borowing, the Government is competing with private industry and consumers for banks' and investors' funds. Money, just like consumer goods, gets more expensive as competition for the available supply becomes more intense. When the Government has to borrow $18 billion, as it will this year, to help pay for the war, interest rates—the cost of money—are driven higher and higher, just like any other prices when demand exceeds supply. That means that home buyers, car buyers, State and local governments, school districts, and private industry all must pay more for their loans and mortgages.

Industry must pass these increased borrowing costs on to consumers in the form of higher prices. Government must pass them on as higher taxes. And the consumer must pay more, and sometimes do without.

As the war borrowing has driven interest rates up, money for home mortgages has practically disappeared in some parts of the country. Throughout the country, home buyers have had to pay higher downpayments and interest costs and home sellers have had to pay more "points," because the war borrowing has absorbed much of the money which would otherwise be available for home mortgages.

Interest rates stand today at record levels. Industry is frequently paying the highest interest rates on loans since the Civil War. State after State has had to amend its usury laws and raise permissible interest rates as the war borrowing has driven rates through existing interest ceilings, leaving no money to be lent at the old, lower rates. This skyrocketing credit chaos will not be arrested and interest rates will not come down, until the war is ended, or taxes are raised to pay a larger part of the war cost and to reduce the amount of Government borrowing to pay for the war.

Fourth, and perhaps most dangerous of all, the combination of inflation, high interest rates and enormous deficits the war has caused has led foreign people and governments to doubt our ability to maintain the value of the dollar. The U.S. dollar used to be "as good as gold." That explains how all free nations came to accept it as the keystone of international commerce. Thanks to the Vietnam war cost, this is no longer true. As a result, foreign individuals, institutions, and governments, who have more than $32 billion in their hands, have begun a rush to cash those dollars for U.S. gold, because we have only about $10.5 billion left in gold to redeem them. This gold rush, although temporarily stemmed by drastic action 2 weeks ago, will begin again unless these foreign holders of dollars become convinced that we are going to end the war-caused borrowing, inflation, and international payments deficits either by ending the war itself or by beginning to pay for it with higher taxes.

HOW THIS TAX INCREASE WILL AFFECT THE AVERAGE TAXPAYER

The President has sought a 10-percent surtax to help pay for the war. This terminology has led many people to believe that he is talking about a 10-percent increase in tax rates, when in fact what he is talking about is an increase of 10 percent in a taxpayer's total tax bill, only about a 1 to 2 percent increase in his tax rates. The tax increase we are considering today is less than the President requested. This bill would impose a surcharge of 7.5 percent on income earned after April 1 this year. The surcharge would drop to 5 percent next year.

Personal income taxes stand today at their lowest levels since before World War II. To reach Korean war or World War II rates, average personal tax rates would have to be increased by about 50 percent. In fact, this tax proposal we are voting on today would restore only a part of the tax cut enacted by Congress in 1964, and still leave personal taxes lower than at any time during the 20 years prior to 1964.

This tax increase will pay for less than a third of the annual war cost. Much of the rest of that cost will still take the form of additions to the national debt through deficit spending. But this tax increase will help keep the war-caused inflation from getting even further out of hand, will reduce the war deficit, and will help preserve our economy and save the value of our dollar.

THE COST OF THE WAR

This tax increase is also going to bring the war cost home to every American. Except for those whose loved ones or who themselves have served in Vietnam, this has been a distant war seeming to cost nothing. Now it is becoming clear how much this war actually is costing in lives approaching the Korean war total, in inflation of 3.5 percent a year, in international payments deficits of billions, in prestige as we sink deeper into the Asian quagmire, and now in new taxation. I think we will see increased reevaluation of the war by more and more citizens who will be asking "Is Vietnam worth the price?"

I hope that the President's new initiatives for peace will lead to deescalation and an end to our loss of life in Vietnam. I hope that that war, and this tax increase to pay for it, can both be promptly terminated.

EXPLANATION OF FAILURE TO VOTE

Mr. CHURCH. Mr. President, for some reason that I cannot explain, the bells failed to ring in my office, as a result of which I was unable to reach the Chamber in time to cast my vote. I would like, since this is a matter of considerable importance, first, to explain that I was present and the reason why I failed to vote; and, second, to ask that on final passage there may be the yeas and nays, so I may be recorded on this legislation.

Mr. President, we are about to vote on a bill to increase, by 10 percent, all individual and corporate income tax rates—an added tax which, when all the rhetoric is stripped away, is simply a war tax. The need for it, everyone now admits, is occasioned by the skyrocketing costs of our involvement in Vietnam.

It is urged upon us that this new tax must be enacted to protect the integrity of the dollar, to reduce the mounting deficit, and to curb inflation. We are told that, painful as it is, we must raise more money to pay for the war.

Mr. President, it is true that the dollar faces a strain greater than ever before. The recent decision of Congress to remove the gold cover testifies to that fact. However, the pressures on the dollar will be only indirectly affected by increasing taxes here at home. This problem can be effectively dealt with only through substantial retrenchment in our foreign spending.

Regarding the other reasons for increasing Federal revenues, I have no argument. Without new taxes, it is obvious that we will face a huge deficit this year. Cutting nonmilitary spending may reduce the size of this deficit, but it cannot possibly overcome it. Furthermore, it is true that deficit spending keeps inflation creeping upward. The purchasing power of the dollar keeps shrinking.

Yet, although these arguments clearly point up the need for increased taxes, they do not justify the means proposed, an additional levy of 10 percent on every individual and corporate taxpayer. The root cause for needing more revenue is the war in Vietnam. Without the war, we would not be faced today with a gold crisis, a towering deficit, or a new round of inflation. Logically, then, we should seek to raise additional revenue from those taxpayers who have profited most from the war itself, or generally, from those who are best able to pay.

During the past week I have voted consistently to reduce expenditures. I have supported the proposal to cut back on civilian spending by $6 billion. At the same time, I have recognized that such a reduction, though very substantial indeed, cannot alone do the job. New revenue must be found if we are to reduce adequately the anticipated deficit.

To this end, I proposed last week that the Senate enact an excess war profits tax, rather than increase income tax rates for all taxpayers. The excess war profits tax would apply only to those corporate earnings which exceed normal levels and are related to increased business resulting from the war in Vietnam.

Unfortunately, the Senate voted down the excess war profits tax proposal, even though it was closely patterned after the tax in effect during World War II and the Korean war. Such an excess war profits tax would not only have produced more revenue than the administration's 10 percent surtax, but it would have spared those taxpayers, like the farmer, wage earner, and small businessman, who can least afford the burden of higher income tax payments.

Following the Senate's refusal to adopt an excess war profits tax, I supported an effort to raise additional revenue by restoring wartime excise taxes on liquor, tobacco, cosmetics and certain luxury merchandise. Again, the Senate rejected the proposal, even though it would have substantially reduced—from 10 to 4½ percent—the increase in income tax rates. For a second time, the Senate refused to apportion higher taxes in a way that would minimize their impact on all taxpayers, many of whom are already overburdened.

So we are now faced with a bill which has been amended to include a 10-percent increase in income tax rates. Last October, I informed my constituents of my opposition to raising the income tax. My views have not changed in the intervening months. Accordingly, I shall vote against the pending bill.

If we must have new taxes, we should collect them from those best able to pay. No more suitable source exists than the big earnings which are directly related to the war itself. Our situation calls for the enactment of an excess war profits tax. If we were to take the profit out of the war in Vietnam, perhaps there would be fewer pressures in the future propelling us into new misadventures on distant foreign shores.

The **PRESIDING OFFICER**. The bill having been read the third time, the question is, Shall it pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

Mr. **BYRD** of West Virginia. I announce that the Senator from Alaska [Mr. GRUENING], the Senator from Missouri [Mr. LONG], and the Senator from Texas [Mr. YARBOROUGH], are absent on official business.

I also announce that the Senator from North Carolina [Mr. JORDAN], the Senator from New York [Mr. KENNEDY], the Senator from Ohio [Mr. LAUSCHE], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Rhode Island [Mr. PASTORE], and the Senator from Alabama [Mr. SPARKMAN], are necessarily absent.

I further announce that, if present and voting, the Senator from Texas [Mr. YARBOROUGH], would vote "yea."

On this vote, the Senator from Ohio [Mr. LAUSCHE] is paired with the Senator from Alaska [Mr. GRUENING]. If present and voting, the Senator from Ohio would vote "yea" and the Senator from Alaska would vote "nay."

On this vote, the Senator from Rhode Island [Mr. PASTORE] is paired with the Senator from New York [Mr. KENNEDY]. If present and voting, the Senator from Rhode Island would vote "yea" and the Senator from New York would vote "nay."

Mr. **KUCHEL**. I announce that the Senator from Tennessee [Mr. BAKER] and the Senator from Utah [Mr. BENNETT] are necessarily absent.

The Senator from Kentucky [Mr. MORTON] is detained on official business.

If present and voting, the Senator from Tennessee [Mr. BAKER], the Senator from Utah [Mr. BENNETT], and the Senator from Kentucky [Mr. MORTON] would each vote "yea."

The result was announced—yeas 57, nays 31, as follows:

[No. 97 Leg.]

YEAS—57

Aiken
Allott
Anderson
Boggs
Brooke
Byrd, Va.
Carlson
Case
Cooper
Curtis
Dirksen
Dodd
Dominick
Eastland
Ervin
Fannin
Fong
Gore
Griffin
Hansen
Hayden
Hickenlooper
Holland
Hruska
Inouye
Jackson
Javits
Jordan, Idaho
Kuchel
Magnuson
Mansfield
McClellan
McIntyre
Miller
Monroney
Montoya
Moss
Mundt
Murphy
Muskie
Pearson
Pell
Percy
Prouty
Randolph
Russell
Scott
Smathers
Smith
Spong
Stennis
Symington
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.

NAYS—31

Bartlett
Bayh
Bible
Brewster
Burdick
Byrd, W. Va.
Cannon
Church
Clark
Cotton
Ellender
Fulbright
Harris
Hart
Hartke
Hatfield
Hill
Hollings
Kennedy, Mass.
Long, La.
McGee
McGovern
Metcalf
Mondale
Morse
Nelson
Proxmire
Ribicoff
Talmadge
Young, N. Dak.
Young, Ohio

NOT VOTING—12

Baker
Bennett
Gruening
Jordan, N.C.
Kennedy, N.Y.
Lausche
Long, Mo.
McCarthy
Morton
Pastore
Sparkman
Yarborough

So the bill (H.R. 15414) was passed.

Mr. **LONG** of Louisiana. Mr. President, it will be necessary to amend the actual title.

I ask unanimous consent that the title be amended, so as to read: "An act to continue the existing excise tax rates on communication services and on automobiles, to apply more generally the provisions relating to payments of estimated tax by corporations, to amend the Social Security Act, to impose import quotas on certain items, to increase income taxes, to limit expenditures, and for other purposes."

The **PRESIDING OFFICER** (Mr. HOLLAND in the chair). Without objection, it is so ordered.

Mr. **LONG** of Louisiana. Mr. President, I move that the Senate insist on its amendments to the bill (H.R. 15414) and ask for a conference with the House thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to, and the Presiding Officer appointed Mr. LONG of Louisiana, Mr. SMATHERS, Mr. ANDERSON, Mr. WILLIAMS of Delaware, and Mr. CARLSON conferees on the part of the Senate.

Mr. **LONG** of Louisiana. Mr. President, I ask unanimous consent that the bill (H.R. 15414) be printed with the amendments of the Senate numbered; and that in the engrossment of the amendment of the Senate to the bill the Secretary of the Senate be authorized to make all necessary technical and clerical changes and corrections, including corrections in section, subsection, and so forth, designations, and cross-references thereto.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Mr. **MANSFIELD**. Mr. President, the passage of this measure brings us a great deal closer to the enactment of the long-awaited income tax surcharge that is considered so vital to our economic stability. Of course this proposal contains a good deal more than a tax surcharge; it includes provisions calling for substantial budget reductions, modifications in our welfare program, provisions for the removal of the tax-free status of industrial development bonds, and the continuance of the excise tax rates at present levels.

These and the other provisions of the measure were highly important and most complex. But the splendid manner in which the bill was handled assured its efficient disposition with reasonable dispatch. I refer specifically to the fine work of the Senator from Louisiana [Mr. LONG], the able and distinguished chairman of the Committee on Finance. His quick grasp of the issues, his clear and concise explanations and his broad knowledge of our financial structure served immensely to assure such efficiency. Over the years Senator LONG has worked tirelessly and with deep and abiding devotion in the service of the Nation. His many outstanding achievements bear witness to the exemplary record he has compiled in this Chamber. The manner in which he handled this proposal adds to that already abundant record.

Joining Senator LONG in leading and maintaining such a high-level discussion during the consideration of this measure was the Senator from Florida [Mr. SMATHERS]. He too has consistently demonstrated a deep knowledge of our financial structure and a great ability to articulate it clearly. We appreciate his participation in this discussion and his fine contribution. The senior Senator from Delaware [Mr. WILLIAMS] is similarly to be commended. As the ranking minority member of the committee he has always exhibited a strong and sincere interest in fiscal matters. His efforts on this measure were no exception.

Other Senators also joined to assure the thoughtful and constructive consideration of this measure. The distinguished Senator from Connecticut [Mr. RIBICOFF], the distinguished Senator from Nebraska [Mr. CURTIS], and the distinguished Senator from Arkansas [Mr. FULBRIGHT] certainly deserve our thanks, as do the distinguished Senator from Wisconsin [Mr. PROXMIRE], the distinguished Senator from South Carolina [Mr. HOLLINGS], and the distinguished Senator from Indiana [Mr. HARTKE].

Again, I wish to express my appreciation and the appreciation of the Senate to Senator LONG and to the entire committee for the fine manner in which this proposal was handled. It stands as a credit to the entire Senate.

Mr. SPONG. Mr. President, the Senate today passed the Tax Adjustment Act of 1968 by a vote of 57 to 31. This legislation includes provisions that will postpone drops in the excise taxes on automobiles and telephone services, but will provide for a reduction of these taxes over the next few years.

It also provides for the payment of corporate taxes on a basis more nearly the same as that of individuals and unincorporated businesses. However, the Senate version of the bill includes more liberal exemptions for small businessmen than did the House-passed measure.

The Senate adopted amendments to the bill which would provide for the elimination of the tax-exempt status of industrial development bonds, and the establishment of quotas on textile imports.

Most significantly, the Senate added an amendment which would provide a ceiling on Government spending for the 1969 fiscal year, representing a cut of $6 billion in the President's proposed budget, a $10 billion cut in the spending obligations the Federal Government can make in fiscal 1969 for the future, and a 10-percent surtax on individual and corporate income.

It is apparent to all that the United States is facing one of the most difficult times in its history. The war in Vietnam, the disorders in our cities, the crisis in the international monetary system and the accompanying attacks on the dollar have all imposed a heavy burden on the resources, both spiritual and material, of our Nation.

The strain on our economy has become obvious. Recent statistics have shown that prices rose more than 3 percent last year, will rise 4 percent-plus in 1968, and 5 percent or more in 1969.

It is estimated that without a tax increase, we will have a deficit of approximately $22.8 billion in fiscal 1968 and $20.9 billion in fiscal 1969. This of course does not take into account the expected supplemental request for additional appropriations for Vietnam.

It is likely that without cuts in spending and a tax increase the Government will have to borrow $20 to $22 billion in the private money market in 1968 and again in 1969 and that the pressures on the money market are likely to dry up much of the available credit for housing, State and local governments, and for small business.

The United States must act to meet the burdens imposed on us by our international obligations and our internal problems. The Congress as well as business, labor, and our individual citizens, must be willing to take the painful steps necessary to put our financial house in order.

Throughout my service in the Senate I have called for the establishment of rational priorities in the spending policies of the Federal Government, and I have supported selective and substantial cuts in the budget which represent my view of what our priorities must be. In the voting on this legislation I have supported the provisions which impose a ceiling of $6 billion on fiscal 1969 spending and $10 billion in obligational authority for the same year. This enables the Congress to put a limit on projected Federal spending, and allows the legislative process to determine where the cuts must come. While this is not the most satisfactory method of dealing with spending, in the face of our present difficulties I believe that this approach is necessary and will be effective.

Any increase in taxes is distasteful to those who must pay and to those who must vote to impose the increase. Throughout the past year my position has been that before I would support the imposition of new taxes on the American people I would have to be convinced that serious and effective cuts in Federal spending would be imposed, and that an increase in tax receipts was absolutely necessary to meet our burdens abroad and protect our economy at home.

In the face of the increased cost of Vietnam, the international monetary crisis and the threat of inflation, I have come to the conclusion that a tax increase is vital to the well-being of our Nation. Thus, I supported the amendment to the Tax Adjustment Act of 1968, which would impose a 10-percent surtax on individual and corporate income and I supported the legislation on final passage.

FISH PROTEIN CONCENTRATE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that Calendar No. 994, S. 3030, be laid before the Senate. I understand that it will take only a few minutes.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 3030) to amend section 3 of the act of November 2, 1966, relating to the development by the Secretary of the Interior of fish protein concentrate.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill.

Mr. COTTON. Mr. President, I shall only take the time of the Senate for a minute or so.

Mr. President, I made a reservation on this measure when it was reported by the Commerce Committee.

I am not going to oppose the bill or even vote against it. However, it was held up because of my reservation and I wanted to explain the situation to the Senate and to record a little unhappiness about the bill.

In 1966 our committee reported the measure that authorized the Secretary of the Interior to engage in the development and production of fish protein. I think the Senate will recall that the chairman of our committee, the distinguished Senator from Washington [Mr. MAGNUSON], and others from the west coast, were very active in promoting this measure, and that former Senator Saltonstall, of Massachusetts, and other Senators from New England were equally active in promoting it.

When the bill was finally reported, it was proposed that there be two pilot plants, experimental production plants, one on the west coast and one on the east coast. It was estimated that each such plant would cost $1 million.

It was decided in the discussion of the committee that in the interest of postponing the expenditures and not putting a $2-million burden on the budget in 1 year, the committee would authorize $1 million, which was understood to be expended for the plant on the west coast, and that the following year—in order words, 1967 or 1968—a second million dollars would be authorized and hopefully appropriated for a plant on the east coast.

What happened was first, that construction was delayed and construction costs had increased; and, second, I believe, that the Food and Drug Administration imposed some new requirements that would affect this matter, with the result that when the time came to pass the bill, the cost of the plant, which was to be limited to $1 million had increased in cost to $1.9 million, nearly $2 million, which sum was to be expended on the west coast.

I am rather unhappy that the matter should have been deferred so long. It seems to me that there was a good deal of neglect and that somebody was remiss in not being more accurate in their figures.

I am naturally unhappy that the original arrangement to establish a plant on the east coast as well as on the west coast is no longer in effect and that if the authorization is made today, the appropriations in the amount of almost $2 million will go to the plant on the west coast. No one knows when New England and the east coast fisheries, where the fishing industry is extremely vital to our future, is going to receive the attention that is proper and due.

The PRESIDING OFFICER. Let there be order in the Senate.

Mr. COTTON. Consequently, I do wish to express my regret and, to a certain extent, my dissatisfaction that this has been handled in this unfortunate manner. New England, and I am proud to include New Hampshire, has a long and intrepid seafaring history. Our area was supplying the Nation with fish well before a line or net was dropped on the west coast. I think we are entitled to better treatment than is proposed here, and when the present budgetary restrictions are eased, I will make it my business to see that we receive equal consideration. And, with that expression, I withdraw my objection to the passage of the bill.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (S. 3030) was passed as follows:

S. 3030

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 3 of the Act of November 2, 1966 (80 Stat. 1090; 16 U.S.C. 778f), is amended to read as follows: "There is authorized to be appropriated not to exceed $1,900,000 for the construction of one experiment and demonstration plant."

NEEDED CLARIFICATION ON THE EXTENT OF THE PRESENT CESSATION OF BOMBING IN NORTH VIETNAM

Mr. FULBRIGHT. Mr. President, I was very much impressed by the President's statement on Sunday night that he was stopping the bombing in Vietnam unilaterally.

The PRESIDING OFFICER. Let there be order in the Senate Chamber.

The Senator may proceed.

Mr. FULBRIGHT. Mr. President, I phoned the President. I congratulated him. I think everyone got the impression that he was making a major change in the existing policy and that it was to stop the bombing. This was in accord with suggestions made by such people as U.N. Secretary General U Thant, the Premier of Russia, and by the majority leader of the Senate, the distinguished Senator from Montana [Mr. MANSFIELD], three of the most important men I know of in this field.

It is true that the President's statement was qualified. I shall read the President's language. I think this language is so important that I am suggesting in the final analysis that it be clarified.

All I am doing is raising the question that there is confusion in my mind. I know that there is also confusion in the minds of some of the people with whom we should be moving toward an understanding. I have already talked with one ambassador of an important country of the Socialist bloc.

This is what the President said:

> I have ordered our aircraft and our naval vessels to make no attacks on North Vietnam except in the area north of the demilitarized zone where the continuing enemy build-up directly threatens allied forward positions and where the movement of their troops and supplies are clearly related to that threat.
>
> The area in which we are stopping our attacks includes almost 90 per cent of North Vietnam's population, and most of its territory. Thus there will be no attacks around the principal populated areas, or in the food-producing areas of North Vietnam.

My reaction to that statement of the President, and the reaction of everyone to whom I have talked, was that this was a major stopping of the bombing, the exception being that area very close to the DMZ that would possibly, for example, threaten Khesanh. That was my feeling about it. I believe that generally was the feeling. I believe the reaction was that we had stopped the bombing, with very little exceptions.

Today, the headlines in the Washington Post reads "U.S. Jets Hit Deep in North." I shall not read the entire story. I shall ask that it be printed in the RECORD.

I have had inquiry made as to what the administration meant by this statement. I was disturbed. It is a misunderstanding, at the very least. The chief of staff of the Foreign Relations Committee was informed that the explanation was that some of these roads—three, I believe—go very far up, as far as 250 miles, into North Vietnam, and that, under the interpretation of the military, at least, and one of the assistants to the President, this was what they have in mind by the language "just north of the DMZ."

Well, perhaps it is. If it is going to be interpreted in such a way that they are free to bomb within 25 or 40 miles of Hanoi, this is a very limited change in existing policy, and I submit that it is not calculated to bring a response from North Vietnam in the nature of an agreement to revive the Geneva Conference. If that is true, I deeply regret it.

The hopes at least of those who are disillusioned with existing policy have been raised; and all over the world, in my opinion, there was the belief that, coupled with the President's dramatic statement as to his personal intentions in the coming election year, there was a major change in the policy of bombing the north, which has for many months been considered the principal obstacle to moving toward a negotiated peace.

I do appeal to the President to clarify exactly what he meant by the language that I read—the language which leaves the impression that there is to be a cessation of bombing in the north.

The President stated in other parts of his speech that he hoped—he did not state any condition—that this bombing stop would elicit a response; that on their own, without any condition whatever, they would show some relevant response to this action.

Well, that in itself means that he was going to do something significant. To hope for a response just for refraining from bombing Hanoi does not seem to me to be any particular justification for any hope.

As we all know, the North Vietnamese believe—rightly or wrongly—that we attacked them without provocation. They do not accept the oftrepeated allegation that they are the aggressor. In fact, they believe that we are the aggressor. These are differences, I suppose, that always occur in every war, and I do not wish to argue the merits of that aspect. I believe that our hearings with respect to the Gulf of Tonkin had some bearing upon that question. But I do not wish to argue it.

What I wish to argue is that the President made a very important announcement that many people, including myself, interpreted to mean a significant change in the existing policy of bombing North Vietnam; and today, within 48 hours, it appears that it was not a significant change at all. I regret this very much.

I do not believe that we should allow this confusion to stand, and I appeal to the President to clarify exactly what he means by the stopping of the bombing in the north and why, if this is all he is doing, he expects any significant response. I wanted to make that clear.

This is a most serious matter. Many people in the world were waiting for just such a gesture. I was fairly certain that there would be a response, a significant response, and I have had a degree of confirmation—a very minor degree—not from the countries directly involved, but from some of their allies, that this confusion of what is meant by stopping the bombing is a most serious matter; and I consider it my duty to bring it to the attention of the Senate and of the President.

Mr. MANSFIELD. Mr. President, the distinguished Senator from Arkansas, the chairman of the Committee on Foreign Relations, has raised a most pertinent question. A number of Senators now in the Chamber have had conferences with the President over the last week. Speaking for myself, I spent 3 hours with the President last Wednesday evening, at which time we discussed a number of matters of mutual interest, including the speech he was going to deliver in the next day or two or three. As a matter of fact, the entire speech was read to me that evening, and I recall that in the speech a reference was made to a cessation of the bombing below the 20th parallel.

Mr. FULBRIGHT. Above?

Mr. MANSFIELD. The Senator is correct—above.

The President discussed at that time the cessation of bombing above the 20th parallel and the need below the 20th parallel to protect the marines and our troops stationed along the DMZ at places such as Khesanh, and Con Thien—in other words, to try to block the trails which were being used to carry men and materiel to be used along the DMZ against American areas, especially in the region of Khesanh.

If we go back to what the President said—the distinguished Senator from Arkansas read it correctly—I would like to add to what has been quoted—the paragraph preceding what the distinguished Senator from Arkansas has read to the Senate:

> We are prepared to move immediately toward peace through negotiations. So tonight in the hope that this action will lead to early talks, I am taking the first step to de-escalate the conflict. We are reducing—substantially reducing—the present level of hostilities, and we are doing so unilaterally and at once.

The President pointed out further—and this emphasizes what the chairman of the Committee on Foreign Relations has said—that 90 percent of North Vietnam's population would be excluded under this statement.

Furthermore, I find on investigation that 78 percent of the territory is also excluded. So what you have is a decrease from 100-percent territory to approximately 22 percent. And so far as the population is concerned, the breadbasket of North Vietnam, the Red River Delta, the cities of Hanoi and Haiphong, the docks at Haiphong, the Gio Linh airport, and other areas are excluded, and these attacks now are against areas, against trails, which are being used for shipping purposes. This particular attack took place somewhere 170 or 180 miles north of the DMZ, against a marshalling yard wherein trucks were being gathered for the purpose of transporting men and material south through the Mu Gia Pass, to be used against American positions at Khe Sanh and elsewhere along the 17th parallel.

I would say that while the inexact language in the speech could give rise to questions, the President did not lie. Technically he is correct. He wanted to put in his statement and into his speech the 20th parallel, which he used in discussion of this matter with various Members who are now in the Chamber. But he was dissuaded by his diplomatic colleagues, which I assume to be the State Department, not to put that in because it would, in effect, furnish a signal over which a safe area could be created.

I do want the Record to show that while there may be questions raised, and evidently there are, insofar as the President is concerned—and I can state this on my personal word—he is intent only on trying to stop these men and supplies from going down these trails along the western side of North Vietnam, the objective of which, the terminal point of which, is the DMZ where they will be used against Americans stationed along that area.

I am prepared to support every kind of protection which these men need because they are not there by choice but because they are carrying out their duties and obligations under the Constitution.

The Senate is aware of the fact that as far as I am concerned personally I would like to see an end to the bombing in all of North Vietnam, negotiations or not. But I do approve the President's formula which keeps away from the population centers, which absolves in effect, most of the territory of North Vietnam, but which does not preclude the trails carrying the men, supplies, and material of various kinds to be used in the demilitarized zone.

I wish that the language had been more clear because there is a good deal of validity to the argument raised by the Senator from Arkansas, in that a certain impression was created.

Mr. FULBRIGHT. Mr. President, will the Senator yield for a question for the record?

Mr. MANSFIELD. I am delighted to yield to the Senator from Arkansas.

Mr. FULBRIGHT. Today's Washington Post reports as follows:

> U.S. planes yesterday hit North Vietnamese targets 205 miles north of the Demilitarized Zone—about 80 miles south of Hanoi.

Then, in the Daily News of today there is the same thing.

I do not wish to nit-pick over whether it is 200 miles or 195 miles or whatever it may be.

The point is that the President made a very dramatic statement on Sunday night which took the country and the world by surprise; it made a great impression—and I know it made a great impression—all over the world.

Part of that impression, aside from the fact that he said he was not going to run, and he coupled that with the thought of disavowing any partisanship—and one of the reasons, I would gather from his speech that he was not going to run—was so he could devote his entire attention to bringing about peace. I got the impression that he thought it was more important for him to bring this war to a close than for all else. That was part of the speech.

A part also was to stop the bombing. I do not wish to argue with the Senator. I know he is quite right technically within the explanation he has given. I only submit there was a very important psychological impact from that speech arising from the combination of stopping the bombing plus his own statement disavowing an intention to run.

If he had said nothing about his own condition, his own purposes, he could have just said, "I am going to stop the bombing around Hanoi"—the administration has said this time and again—"or an area 10 miles around Hanoi—or an area 10 miles around Haiphong—for 36 hours, a week, and see what we get." We have gotten no response. That has been tried time and time again.

Perhaps it is my fault in assuming this was a significant statement. If it is, I apologize for my lack of understanding, but I have assured myself that most everyone I saw and talked to since that time thought this was a significant statement.

Surely, the New York Stock Exchange people, not that they are experts, thought the bombing cessation was significant. The market went up 20 points with 17 million shares traded. All of those hard-boiled businessmen in New York thought that the statement meant something.

If it does not mean anything of significance, if there is only a limited restriction in bombing, I think it is a great tragedy because I cannot imagine now how this President or hardly anyone else can ever say anything or do anything that would impress the Vietnamese or the enemy with our intentions hereafter to move in a significant way to bring the war to a close.

In other words, it looks as though if we miss this opportunity there is nothing left to do but to go the limit and to do it in an all-out nuclear war.

Mr. MANSFIELD. Mr. President, I wish to say that I do not see the situation in such dark terms as does the distinguished Senator from Arkansas.

I would point out that as far as the bombing is concerned there has been a significant droppage from 100 to 10 percent, as far as the population is concerned. As far as the land area is concerned only 22 percent is involved, much of it uninhabited.

I would point out that Hanoi, Haiphong, the docks, the Red River Delta, and other remaining targets of significance have also been absolved on the basis of this order.

I would point out further that the men we have along the 17th parallel, and they number in the tens of thousands around Khe Sanh, are entitled to as much protection as we can give them. I thought that was made very clear, whether it concerned the Cooper formula or any other formula.

The point is that what is being hit now are trails carrying men and material down south for the purpose of coming into contact and conflict with U.S. forces along the parallel. Whether or not they should be there is another matter, but as far as their protection is concerned, they should be given every possible protection.

I was a little surprised the raids were so far north but I do not doubt the veracity of the President. I recall in conversation and conferences with him the 20th parallel was used as a marking point. It was hoped not to say it publicly. I am indeed sorry that whoever it was in the State Department, or whoever comes under the title of "Diplomatic Associate," advised the President not to use the term because on that basis all this confusion has risen. I think the Record should be made clear. I think it has been.

I hope that a little in the way of tolerance will be extended to the President because, if you read the remarks of last Sunday night, his actions are consistent with that speech; and he is only carrying on activity at a considerable distance north of the 17th parallel for the purpose of keeping men, materials, and supplies of the North Vietnamese from reaching the demilitarized zone for contact and conflict with U.S. troops.

Several Senators addressed the Chair.

Mr. MANSFIELD. Mr. President, I yield to the Senator from Georgia.

Mr. RUSSELL. I do not know exactly where this target of Than Hoa is located with respect to the parallel.

Mr. MANSFIELD. It is just under the 20th parallel.

Mr. RUSSELL. The President honored me by discussing with me some parts of the speech. It must have been changed before it was delivered. I do not claim I was privy to the startling announcement that he would not be a candidate. He did not tell me that was in the speech. He did, however, discuss with me the military aspects of the speech at one time. There was a specific statement that there would be no more bombing above the 20th parallel. I do not know why it was taken out. I was not aware of the fact that it was not used until this controversy arose, because he did mention the 20th parallel in his conversation with me. The speech, of course, was revised, I assume, a number of times after our discussion. Not only that, Mr. President—I do not recall what day it was, early last week or the latter part of the week before—he indicated he was thinking of giving his speech on Wednesday night of last week. Subsequently the date was changed.

On Saturday, Secretary of Defense Clifford and General Wheeler conferred with several members of the Senate Armed Services Committee with respect to some aspects of the situation in Vietnam and the callup of some Reserves. The Senator from Mississippi [Mr. Stennis] was present, I believe; the Senator from Maine [Mrs. Smith] was present. The Senator from Missouri [Mr. Symington] was there, as was the Senator from Washintgon [Mr. Jackson]. There may have been one or two others.

In the course of Secretary Clifford's statement, he used the term that we are going to stop bombing above the 20th parallel several times. He outlined that this would eliminate the greatest portion of the population and such industry as there is left in North Vietnam, the port of Haiphong, and the city of Hanoi, as well as the rice basket in the Red River Valley.

I do not know how many times the President used that expression. He certainly said he was going to stop the bombing above the 20th parallel.

I may say, in passing, Mr. President, that I do not attach the importance to this statement that some of my colleagues do, because I do not believe that the North Vietnamese will respond favorably to our offer even if we had a complete cessation of bombing.

I am certain, however, it will strengthen our position internationally to give this evidence of good faith. I expressed that same opinion to the President and the Secretary of Defense.

It is unfortunate that this matter was not more definitely clarified. It appears now that the President would have been better advised to have mentioned the 20th parallel specifically in the speech where everyone could have understood it.

But there was no doubt in my mind that he had ordered the bombing halt except in the area north of the border, the demilitarized zone, where a continuous enemy buildup threatens allied forward positions and where the movements of enemy troops and supplies are calculated and related to that threat. He reserved the right to undertake to stop the concentration and transshipment of materiel of war as well as the movements of bodies of troops into the DMZ and into South Vietnam where they might attack American soldiers.

It is unfortunate, I say, that it was not clearer. There is no question that the President spoke with the utmost good faith. In using this language, it was in his mind, at least, that the 20th parallel would be the limit on air and sea attacks on North Vietnam.

Mr. MANSFIELD. Before I yield to the distinguished Senator from Florida [Mr. Holland], let me say that I can state without fear of contradiction that there is no Member of this body who would not wish to see every possible protection afforded our men stationed along the DMZ, especially in the area of Khe Sanh.

The marshaling yard which was attacked some 200 miles north did have a large concentration of trucks, manpower, and materiel. It did have, according to the information I could get, its terminal point in the DMZ.

Now I am happy to yield to the Senator from Florida.

Mr. HOLLAND. Mr. President, I thank the Senator from Montana for yielding to me.

I thank the Senator from Montana and the Senator from Georgia for their clear and, I think, sound remarks on this situation.

So far as I am concerned, I think that the President was well advised not to fix a straight line and say that anything behind it would be safe. I think it would have, in effect, been regarded as setting up a sanctuary for the establishment of staging areas, marshaling areas and other activities that were directly connected with the reinforcement of the North Vietnamese and Vietcong in the northern part of the nation in and near the DMZ, in and near the attacking area around Khe Sanh.

My own feeling is strongly to the effect that the President's speech which, in some respects, I did not approve, made it very clear that he had no intention whatever of letting down our men in those exposed areas in the northern part of South Vietnam, and that there was not intended to be a cessation of bombing in any areas that were directly connected with the marshaling of forces to aid the North Vietnamese and the Vietcong in that area.

So far as I am concerned, I think that if he had set down a fixed line, such as the 20th parallel, that would have been a mistake.

Instead, we would have had a fury arise from one end of the Nation to the other to the effect that the President would have set up a sanctuary in that area for the marshaling of forces hostile to our men.

My own feeling is that the Senator from Montana and the Senator from Georgia very accurately, carefully, and sufficiently explained this matter.

So far as I am concerned, I am well satisfied that the course the President took was the sounder of the two courses.

Mr. STENNIS. Mr. President, I want to mention two points.

One has been fully covered. There should be no mistake about what we were told and what was said, in another and different conversation, from the one the Senator from Georgia has related, I was told directly that the plan was to leave off bombing the area of Haiphong and Hanoi and not bombing above the 20th parallel. I was told that we could still be free to punish any movement of troops, supplies, and ammunition into the DMZ. So there is no question about these facts. Such are the facts of life. That is what was said. And I am referring to conversation in addition to the one the Senator from Georgia related.

Of course, we are going to and must exercise surveillance, anywhere, I hope, where there is a collection of war supplies, materiel, or ammunition, to be taken into the battle zone, as heretofore, has been the case, every time we have had the bombing pauses—and we have the pictures to show it—to be used directly on the battlefield to kill our men.

I ask now for a continued surveillance to determine in every known way the extent that this massing and movement of supplies and men may occur. It must not be allowed to accumulate again, as it has in the past, and thus kill and wound our men in battle that would otherwise be saved by our protective bombings.

Mr. FULBRIGHT. Mr. President, I think this exchange has been very clear. I confess that I thought the statement was intended to create the impression, and I thought it was, a commitment that would, in a significant way, stop the bombing with the hope that there would be a conference to stop the war through the revived Geneva Conference and based upon those premises.

It is perfectly evident from those who participated prior to the speech—the leading Members of the Senate who really control the Senate and who have spoken here today—that there was no such purpose. There was no such purpose in asking for a conference with Hanoi because, obviously, what has been said here is no inducement to have a conference based upon Geneva.

I was completely mistaken as to the real objective of the reference to the stopping of the bombing. They talk about saving and protecting the American soldiers in Vietnam. In my opinion, a conference based upon the Geneva accords, in which we participated, and would certainly, I would hope, be followed very soon with a cease-fire, as it was in Geneva, would be far more protection to the lives of our 500,000 men than any little picking out of the routes of infiltration is going to be. We have been bombing those and have lost over 20,000 in combat, plus 3,500 in noncombat deaths, nearly 24,000 deaths, and they will continue.

As a matter of fact, someone has just handed me the ticker tape report of the Associated Press. Apparently, the violence of the bombing has increased. I read from that report:

> U.S. warplanes stepped up their attacks on the southern part of North Vietnam Monday and Hanoi radio said they staged new raids today. A broadcast said without confirmation in Saigon that one plane was shot down.
>
> The increased attacks followed President Johnson's ban on bombing of the Hanoi-Haiphong industrial heartland and extended 210 miles northwest of the demilitarized zone between North and South Vietnam.
>
> U.S. bombers flew more than 100 missions against the North Monday, nearly double the average number before Johnson's curtailment order.

Mr. President, I ask unanimous consent that the entire report be printed in the Record at this point, as I do the article from today's Washington Daily News and the article from today's Washington Post to which I referred.

There being no objection, the news report and articles were ordered to be printed in the Record, as follows:

> U.S. warplanes stepped up their attacks on the southern part of North Vietnam Monday and Hanoi Radio said they staged new raids today. A broadcast said, without confirmation in Saigon, that one plane was shot down.
>
> The increased attacks followed President Johnson's ban on bombing of the Hanoi-Haiphong industrial heartland and extended 210 miles northwest of the demilitarized zone between North and South Vietnam.
>
> U.S. bombers flew more than 100 missions against the north Monday, nearly double the average number before Johnson's curtailment order. The number of air missions over the southern part of North Vietnam has averaged about 60 a day, with an average of 40 to 50 missions daily against targets around Hanoi, Haiphong and north to the Chinese border.
>
> Hanoi Radio said U.S. fighter-bombers today repeatedly attacked Thanh Hoa Province. It said defense units shot down a F4 fighter, but made no mention of the crew.
>
> This is the same area attacked Monday, a bombing raid on a supply base a mile south of the coastal city of Thanh Hoa about 210 miles northwest of the demilitarized zone and 80 miles south of Hanoi. A U.S. military spokesman said this raid was in the area allowed under Johnson's orders.

Flights Can Go 250 Miles Above DMZ: Bomb Limitation Expands

> Saigon, April 2 (UPI).—American spokesmen today revealed U.S. planes still can strike targets 45 miles from Hanoi and 30 miles from Haiphong under terms of President Johnson's bombing pause. The bombers already have struck far deeper into North Vietnam than had been expected here following the pause order.
>
> The spokesmen said the limits, not previously defined in public, still allow bomb-

ing of all military targets in a 250-mile stretch running north of the North-South Vietnam border.

U.S. jets launched raids four hours after Mr. Johnson's pause order yesterday and struck supply centers around Thanh Hoa, 205 miles north of the border and 81 miles below Hanoi.

JOHNSON'S WORDS

In his speech announcing the pause, Mr. Johnson said he ordered a bombing halt "except in the area north of the (border) Demilitarized Zone where the continuing enemy build-up threatens allied forward positions and where the movements of their troops and supplies are clearly related to that threat."

American military sources here said that at first it was expected the limit would be about 90 miles north of the DMZ, near the southern panhandle port of Vinh. But the spokesmen said it runs all the way up the panhandle.

U.S. spokesmen said American pilots flew 105 missions against North Vietnam yesterday. They had been averaging less than 100 missions a day the past two months. But the number of missions is not an accurate measure of bombing intensity. A mission may involve any number of aircraft.

In other developments:

President Nguyen Van Thieu told a news conference South Vietnam's mobilization should be strong enough by year's end to permit the start of "gradual withdrawal" of U.S. troops from South Vietnam.

American spokesmen said that in operation Scotland, the Marine battle in defense of the surrounded Leatherneck fort of Khe Sanh just below North Vietnam, a total of 204 Marines have been killed and 1622 wounded since the communist siege began Jan. 21. Scotland was closed. Another Marine operation was started against the 16,000 North Vietnamese which Allied intelligence reported around Khe Sanh.

Guerrilla rocket teams today shelled the Tan Son Nhut air and war base on Saigon's west side and He Nha Be fuel depot, one of the Allies' largest, just to the south. "Light" damage and no casualties were suffered at the base. Two tanks of fuel blew up at Nha Be.

U.S. JETS HIT DEEP IN NORTH: BOMB TARGETS 205 MILES ABOVE DMZ

U.S. planes yesterday hit North Vietnamese targets 205 miles north of the Demilitarized Zone—about 80 miles south of Hanoi. Pentagon officials later described the raids as "within the framework" of President Johnson's new restrictions on the bombing of the North.

The raids took place at least four hours after Mr. Johnson had declared:

"I have ordered our aircraft and our naval vessels to make no attacks on North Vietnam, except in the area north of the Demilitarized Zone where the continuing enemy buildup directly threatens Allied forward positions and where the movements of their troops and supplies are clearly related to that threat.

"The area in which we are stopping our attacks includes almost 90 per cent of North Vietnam's population, and most of its territory. Thus there will be no attacks around the principal populated areas, or in the food-producing areas of North Vietnam."

IMPRESSION CREATED

The President's statement had left a widespread impression, both at home and abroad, that the bombing would be limited to an area closer to the DMZ, which straddles the 17th Parallel.

A Pentagon spokesman said last night, "Any raids that have been conducted since the President's speech are obviously within the framework of the President's speech."

Both Radio Hanoi and U.S. military spokesmen in Saigon agreed on the site of the raids—supply and transshipment facilities a mile south of the coastal city of Thanhhoa, capital of Thanhhoa Province. This is just south of the 20th Parallel.

RADIO HANOI CLAIM

Radio Hanoi claimed the planes dropped more than 20 tons of bombs on Tingia, a populated district of Thanhhoa. Hanoi said one of the attacking planes was shot down. There was no confirmation of this from the U.S. Command in Saigon.

In addition to Thanhhoa, carrier-based planes also struck three radar sites 36 miles north of Vinh, which is 161 miles north of the DMZ.

U.S. military sources in Saigon said bombing attacks may continue at least as far north as Thanhhoa City, under the bombing curtailment ordered by President Johnson.

In Washington, officials familiar with the bombing described the raids as "tactical," rather than "strategic" bombing. They said the raids were directly related to efforts to halt the flow of men and supplies to the battlefield area just south of the DMZ.

The officials said last night that trucks had been moving south "bumper to bumper, with lights on at night." One official commented:

"We've never seen a greater volume in their supply movement, and we can't quite figure out what they are up to."

These Administration officials said that the President, in describing his new limitation on bombing of the North, had consciously avoided giving any specific geographic cut-off line. They said that the tactical bombing was designed to break up convoys of men and equipment en route south to the various mountain passes connecting with the Ho Minh Trail leading to South Vietnam.

U.S. planes are expected to continue, and probably step up, their bombing of the Ho Chi Minh Trail where it winds through Laos and enters South Vietnam's northern provinces.

Officials in Washington conceded last night that the President's announcement of a cutback in the bombing may have given the impression that the bombing would be limited to areas immediately north of the DMZ.

Mr. Johnson had justified the continuation of limited bombing on the ground that it was necessary in order to protect Allied troops just south of the DMZ.

Diplomatic observers in Washington pointed out that bombing 205 miles north of the DMZ, nearly to the 20th Parallel, went far beyond the impression first created by the President's announcement of the bombing limitation.

The fact that U.S. airstrikes will still be free to penetrate as deeply into North Vietnam as the raids on Thanhhoa, those observers said, can be expected to raise additional suspicion of American overtures, so far as North Vietnam's leaders are concerned.

But even before yesterday's raids, Hanoi had refused to come to peace talks for anything less than an unconditional halt to all American bombing of North Vietnam.

The area of the new raids recalled that former Defense Secretary Robert S. McNamara in the past had proposed within the Administration that the bombing could constructively be limited to targets below the 20th Parallel. There was some speculation that the new bombing restrictions followed the lines of McNamara's proposal, although military and Administration officials refuse to define them.

These other developments were reported by news agencies from Saigon:

U.S. sources said that no major Allied offensives will be launched in South Vietnam while the bombing limitations are in effect. One member of the U.S. Mission said that it would not be considered "a sign of good faith" if the United States escalated the ground war.

B–52s flew six missions against North Vietnamese positions around Khesanh and near Hue Monday night and Tuesday, the U.S. Command announced.

Near the former imperial capital of Hue, two American women captured when the Communists overran the city in the Tet offensive, were released after more than a month of captivity.

A U.S. Embassy spokesman said Dr. Marjorie Nelson, 29, a physician, and Sandra Johnson, 25, a teacher, were freed by the North Vietnamese and were picked up by U.S. troops. He said the women were undergoing medical checkups.

Four South Vietnamese political figures held in "protective custody" in Saigon for the past month, Monday started a hunger strike to protest their detention.

The four are Truong Dinh Dzu, a lawyer who placed second in last year's presidential elections, former Economics Minister Au Truong Thanh, Tran Thuc Linh, a jurist, and Ho Thong Minh, an engineer and former defense minister under the late President Ngo Dinh Diem.

Mr. FULBRIGHT. Mr. President, it is clarified. I am glad I brought it up. I am extremely sorry the clarification is as it is, which means the stopping of the bombing is of no consequence, and especially no inducement to the North to go to conference. In other words, we have done again what we have done before—refrained from bombing Hanoi, Haiphong, and the docks. I submit this is not going to be a significant inducement to bring about a cease-fire and a conference. I deeply regret it. I can only say most of the people of this country had a different impression after hearing the President Sunday night.

Mr. RUSSELL and Mr. COOPER addressed the Chair.

Mr. MANSFIELD. Mr. President, I yield first to the Senator from Georgia. Then I shall yield to the Senator from Kentucky.

Mr. RUSSELL. Mr. President, I do not know whether the Senator from Arkansas honored me by including me in his charge of writing the speech——

Mr. FULBRIGHT. Not writing; consulting.

Mr. RUSSELL. It was discussed with me. I advised against any cessation of the bombing unless there was some indication of reciprocity on the part of the North Vietnamese. As has often been the case in the past, the President did not take my advice or suggestions. I have urged for 2 years that we blockade the coast of North Vietnam to stop the massive deliveries which have made it one of the best equipped nations militarily on earth.

I think we made a mistake by not following that policy. Of course, no one can tell, but I think we could have brought the war to a conclusion. We have been about 2 years behind what we should have been doing in fighting the war ever since it started.

We have refrained from using our naval power to close the ports of North Vietnam. We have not used all the airpower available to us to make it impossible to bring in the significant quantities of supplies from China. We have more or less let the enemy dictate how the war should be fought.

I am not happy with the way it has been fought. I was opposed to our involvement in the first place, but after we got into it, I thought we should have fought it differently. Unless we change our methods or succeed in a conference to stop the fighting it could continue for 15 or 20 years.

I think the President went a long way in his speech. If anything was needed to bear testimony to his sincerity, I think his closing statement that he would not be a candidate for reelection would certainly eliminate any question as to his high purpose or sincerity in seeking peace. I know there are those who will say it did not mean anything, because he would have been defeated. That is a question that will never be answered, because he took himself out of the race.

Personally, I think the American people are looking around for a candidate for the Presidency and their interest in finding one has been greatly heightened by the fact that the President has taken himself out of the political contest. He made a great sacrifice, in my opinion, in an effort to really bring peace in Asia.

He has certainly been urged strongly over the last 3 years to take more military steps than he has taken. He has shown great restraint in the face of repeated rebuffs to offers to negotiate. Time and again there have been cessations of the bombing. I think some of them were entirely too long. I think American boys are dead today who would have been alive if the bombing had not ceased, for, I believe, as long as almost 40 days at one time.

I want to be absolved of having anything to do with the part of the speech that had to do with the cessation or stopping of the bombing. I do not think it is going to bear any fruit at the present time. I hope I am wrong. I hope developments of the next hour will prove I am completely wrong and the poorest prophet that has ever lived. I hope Mr. Ho Chi Minh will meet with the two men designated and they will get together with representatives of England and Russia and bring in the South Vietnamese and the Liberation Front and that they will negotiate peace. Nothing has happened up to this time of meeting the supplications of the President for negotiations that gives me any reason to believe that we are going to have any fruitful conference. I say that notwithstanding the fact that the distinguished Senator from Arkansas has the word of someone from the Soviet Union bloc that he thought they might have some hope that was destroyed by the bombing. I hope we can arrive at peace but, frankly, I have grave doubts in my mind that we will have. I say, with equal frankness, I have no solution of my own to bring the war to a successful conclusion without considerable escalation.

Mr. MANSFIELD. Mr. President, before I yield to the Senator from Kentucky, may I say that I do not share the forboding of the distinguished Senator from Georgia, nor do I advocate that we use the methods that have been used up to this time. Neither do I share the cynicism expressed in some quarters as to motives of the President of the United States, and I refer to no Senator, because we are all aware of the significance of the speech made by the President Sunday night coupled with his announcement that he will not be a candidate for reelection. I think the least each can do is to take him at face value. I think he was telling the truth. I think he wants to find a way to the negotiating table.

I think any doubts we have we ought to resolve in his favor, because, we must remember, he will be the President of this country until mid-day, January 20, 1969. His is the final responsibility, and what happens to us may be largely determined by him.

When you cut down bombing by 90 percent as far as the population is concerned, when you cut down bombing by 78 percent as far as the geographic area is concerned, and when you confine your activity to trails which are carrying men and materiel to be used against Americans in Khesahn and elsewhere along the DMZ, it is my belief that in that instance you are taking the only precaution which you can.

I believe in an absolute stop to the bombing, but not at the expense of American lives; and I believe the bombing should be stopped, under the proper circumstances, with or without negotiations.

But I would hope that in this hour of crisis and sorrow—and danger—we will do what we can to hold up the hand of the President, and give him the kind of support he must have if we are ever to find our way to the negotiating table, to the end that an honorable truce may be achieved.

I yield to the Senator from Kentucky.

Mr. COOPER. Mr. President, I join the majority leader in a plea that we not attempt categorically to determine the President's course of action until clarification has been made. I make this statement as one who has joined with the majority leader and others, but particularly with the majority leader, in urging for 2 years that the President order unconditionally a cessation of the bombing of North Vietnam, except at those places where supplies and men are entering South Vietnam. I have also supported him in his efforts to bring this matter before an international tribunal, the United Nations or the Geneva Conference.

When the President spoke, I was moved, as I know all of us were, together with millions throughout this country and throughout the world, and felt that he was offering to North Vietnam and to its supporters, Russia and Communist China, an opportunity for negotiations and a political settlement of the war. His definition of the area of North Vietnam which would not be subject to bombardment was not precise, but the burden of his speech, in the circumstances in which it was delivered, joining with it as he did his statement that he would not become a candidate for the presidency again, seemed to me, in earnest of his purpose to enter into negotiations and seek a peaceful, political settlement. I must say that I considered it, under the circumstances, as an order for an unconditional cessation of bombing except in the area contiguous and adjacent to the demilitarized zone, where supplies and forces from North Vietnam enter.

I believe that must have been the impression in this country and throughout the world.

In my past statements, supporting a cessation of bombing of North Vietnam I have never said categorically that a cessation of bombing would be followed by negotiations, because no one could. But it would be an alternative to the military course of war. It would be an effort toward peace. The cessation of bombing is not a strategic operation of war; it is a political measure to test negotiations and toward peace.

I would hope, now, that as the initiative has been taken by the President of the United States—if his statement about the cessation of bombing is not precisely at this time, what I thought was intended, or what others thought was intended; and in view of the news reports of today it was far from it—nevertheless, as he has made an offer of negotiations and political settlement, using the word "unilateral" and the words "as a first step," and in the circumstances entailing a personal decision on his own part to unify the country, I hope that we will give the President the opportunity to clarify his statement and purposes. I hope that it would lead to an unconditional cessation of bombing of North Vietnam, and to prove whether negotiations and a peaceful political settlement can be achieved.

But I believe that to attempt today, even though the facts appear to justify, to categorize his statements and his intentions—which only he can know—would lessen this chance which he has, in his great moment of decision, to move forward toward the end he seeks—a political settlement of the war. So I support the majority leader in his plea. I hope that it will be heeded and followed by a clarification and by taking the necessary step—the unconditional cessation of bombing to determine if a political settlement may follow.

I make the appeal particularly because of those men who are fighting in Vietnam. We have no idea of the sacrifices they are undergoing. Those of us who have served in other wars, perhaps with the exception of the Senator who sits in front of me, Senator INOUYE, cannot have a full conception of their sacrifice.

Let us give to the President, at this moment, the opportunity without prejudgments to make his position clear, and let us hope that it will lead toward the political settlement and the peace that he said all of us desire.

Several Senators addressed the Chair.

Mr. MANSFIELD. Mr. President, before I yield to the distinguished Senator from South Carolina, and then to the Senator from Oregon, I remind Senators that the President's veracity should not be questioned, especially at a time like this; if it is done, the more we weaken his hand and our position in trying to reach a negotiated settlement to the barbaric conflict in which we are engaged; because, no matter how this is undertaken, he will have to represent us. That is why I have stated previously his is the final responsibility, and will be for some months to come.

I yield to the Senator from South Carolina.

Mr. THURMOND. I thank the distinguished majority leader.

Mr. President, while we are on this

subject of a bombing pause, and as our leadership takes the United States down the path to the negotiating table with the North Vietnamese, I should like to call the attention of my colleagues to some important considerations.

Mr. MANSFIELD. Mr. President, how much time does the Senator require?

Mr. THURMOND. About 4 minutes.

Mr. MANSFIELD. Then I prefer to yield to the Senator from Oregon. Let us keep this colloquy going.

Mr. THURMOND. Does the Senator yield the floor to me?

Mr. MANSFIELD. When I get through with this colloquy.

Mr. THURMOND. I am speaking on the same subject.

Mr. MANSFIELD. The Senator is speaking on the same subject? Very well.

Mr. THURMOND. First, it is a mistake to deescalate unilaterally as the President indicated. This will release thousands of North Vietnamese to reinforce enemy activity against our forces in the South. During the Senate Preparedness Investigating Subcommittee hearings on the air war against North Vietnam last summer, military leaders warned against cessation of bombing. Gen. Harold Johnson, Chief of Staff of the Army, said on August 28, 1967:

> The air campaign is making it more difficult for the North Vietnamese to support enemy forces in the South. They have had to divert an estimated 500,000 to 600,000 personnel to full and part time war-related tasks to counteract the effects of the air campaign.

He added that this represented a work effort that might otherwise be directed in support of activities in the South.

In other words, it is quite possible that the President's cutback on bombing may cause increased American casualties.

Second, our fighting men in Vietnam should understand that the Government and the American people are fully behind them and support them. The morale of our troops, who will have to continue fighting while truce talks are underway, should be a primary consideration. Furthermore, for their benefit, as well as for the benefit of relatives and friends here at home, it is necessary for everyone to understand that peace overtures do not necessarily bring an end to fighting.

History has shown that the Communists regard negotiations as an extension of fighting. This was documented during the Korean war, and the same basic philosophy has been reiterated by North Vietnamese leaders. During the Korean war, allied forces lost almost as many men during the 2 years of negotiations as they did before peace talks began.

Negotiations began on July 10, 1951, and the war ended July 23, 1953. Before the negotiations began, total U.S. casualties—killed, wounded, missing in action, and captured—were 79,412; during the peace talks, U.S. casualties were 60,594.

After our representatives sat down with North Korean negotiators for the first time, the general mission of U.N. forces in Korea became one of holding a stable line of demarcation—a defensive operation that was militarily weak and bad for the morale of our fighting men. The initiative was defaulted to the Communists, who continued to attack allied forces all along the line of contact. The great battle of Pork Chop Hill occurred in July 1953, just before the war ended.

The prospects of truce negotiations should bring to mind the warning of Vice Adm. C. Turner Joy, chief negotiator for the U.N. Command, who stated in 1952:

> In debating with the Communists there is no substitute for the imperative logic of military pressure . . . In the end, might is essential to right, not because you or I would have it that way, but because, unless we have armed might in dealing with the Communists, we cannot win our point and, in fact, we may not survive to argue our point.

That the North Vietnamese might follow the example of the North Koreans in fighting while negotiating is indicated in captured enemy documents. Some enemy papers acquired in early 1967 reveal that the North Vietnamese anticipate this development. Their general, Nguyen Van Vinh, put it this way:

> A situation where fighting and negotiations are conducted simultaneously may emerge. In fighting while negotiating, the side which fights more strongly will compel the adversary to accept its conditions.

Accordingly, Mr. President, I urge my colleagues to support steps to put the United States in a position of being able to negotiate from a position of strength. In that regard, we should remove the arbitrary restrictions that have been placed on our military leaders as well as the sanctuaries granted the enemy in fighting the Vietnam War. This action has prevented the United States from waging an all-out effort and hampered our military operations. If our negotiations bog down, we should press on to win the war, or the sacrifices and loss of life in Vietnam will have been in vain.

Mr. MANSFIELD. Mr. President, before I yield to the distinguished Senator from Colorado [Mr. ALLOTT], may I say that I do not agree with the remarks just made by the distinguished Senator from South Carolina.

As far as sanctuaries are concerned, I would assume he means that we ought to go into Cambodia, Laos, and perhaps North Vietnam; and as far as following another policy than that which we are following, I assume he means that we ought to step up not only our ground forces but also our air forces and take out all remaining targets which, to my knowledge, number less than a score today, and that would take hundreds of thousands more men than we are utilizing at the present time. It would cost a great deal more than the cost is at the moment. And it would, in my opinion, effectively demonstrate once again that the objectives which the air war was supposed to achieve in North Vietnam have, in reality, not been achieved.

Mr. THURMOND. Mr. President, in reply, I would like to say that in speaking of sanctuaries, I referred to places like Haiphong, where 85 percent of the enemy supplies have been coming in, according to former Secretary McNamara and the military experts.

Mr. MANSFIELD. Mr. President, I misunderstood the Senator.

Mr. THURMOND. We cannot bomb within 3 miles of Haiphong.

I also referred to Hanoi, and we cannot bomb within 5 miles of there unless we have special permission.

There are other places where there are sanctuaries, as the Senator well knows, where we have not bombed. And there are other targets that we have bombed, but have not been allowed to return and bomb again.

Another place of importance is the North Vietnamese area just south of the Chinese border where a large number of supplies come in. That place has been a sanctuary and the lines of communications there should be bombed.

I have long advocated that we use our full airpower and our full seapower to win this war.

It is my opinion that it would not be necessary to send more men to Vietnam if the military leaders were permitted to use to the fullest our airpower and seapower. They have not done this because of the restrictions and sanctuaries that I mentioned.

Mr. MANSFIELD. Mr. President, I was in error as to what the Senator meant by sanctuaries. I am delighted to know that he does not mean places like Cambodia, Laos, and other areas.

Mr. President, I yield to the distinguished Senator from Colorado.

Mr. ALLOTT. Mr. President, I appreciate the Senator's yielding to me. I do not have a lot of territory that I want to cover in these brief remarks.

I think that essentially one aspect that will come up as a result of the remarks made earlier by the Senator from Arkansas [Mr. FULBRIGHT] will be allegations about the credibility of the President's statement with regard to his intentions concerning the cessation of bombing in North Vietnam. And no one has felt more concerned about the credibility gap than I in the last few years since we have become involved in Vietnam.

I read now from the speech as it was printed in the CONGRESSIONAL RECORD yesterday having to do with this announcement:

> Tonight I have ordered our aircraft and our naval vessels to make no attacks on North Vietnam except in the area north of the demilitarized zone where the continuing enemy build-up directly threatens allied forward positions and where the movement of their troops and supplies are clearly related to that threat.

I understand these words. They are plain English. I do not see any French or Arabic or any other language here. When I listened to these words over the television on Sunday night, a red warning signal flashed in my mind because I knew immediately that the interpretation of distance was going to come into play in someone's mind.

I do not see how anyone could have failed to realize that a supply column may be 5 miles, 20 miles, 50 miles, or 70 miles long. It may be as long as necessary to bring in troops and materiel to be used against our men.

I think this statement clearly encompasses and includes this reality. I do not think this should raise any question of credibility because the words, to me, are particularly specific and plain. And anyone who stops to ponder on them must certainly catch the implication, although we might not have realized—and I say I did not realize—that it might extend up to 170 miles. It certainly did bring to my mind, however, the fact that there would be dispute as to just how far the President meant.

The thing that I do draw and conclude from the remarks of the President on Sunday night—and I am not going to inquire into his motivation because it was his decision—is that I do not believe that his decision to withdraw from the Presidential race coupled with the announcement of the cessation of bombing—even if the bombing cessation had been much more limited than it was—would have tended to bring Hanoi to the peace table. As a matter of fact, while I would hope I am wrong, it would seem to me that the two coming together mean that there certainly will be no real negotiations for many months to come.

I see that the Senator from Georgia has left the Chamber, and I am sorry. However, I agree completely with his previous remarks.

Unfortunately, most Senators are not privy to these White House councils. We are not privy to the inside situation of the war. Although, as a member of the Subcommittee on Defense for Appropriations, I am supposed to know these things, and the people of Colorado expect me to know them, the fact is that it is only about once a year, in the springtime, when the Secretary of Defense appears before us, that I have any opportunity to really question or inquire about the situation in Vietnam in any great detail.

One of the most significant features in this respect is that the first remark I heard on Monday morning after the President's announcement was by a pilot, who said, "It is too bad that we do not have the targets opened to us that we should have opened up to us." I do not know what that pilot was referring to, but I do know what he said is the same thing that many of the most knowledgeable Members of the Senate have been saying for a long time.

So I would say that while I would agree with the Senator from Georgia, I did not interpret, I never dreamed, at the time I voted for the Gulf of Tonkin resolution, that it would be taken for what it has come to be. Yet, having committed ourselves to it, as the Senator from Georgia has said, we have done everything there 2 years too late. We have done everything there too little and too late to accomplish the purposes we intended, because this is not a football game, and you do not play it by rules.

In my opinion, we will only negotiate eventually at the conference table that which has already been secured on the battlefield, the matter having gone as far as it has.

So, while we may find plenty in the President's remarks and in his announcement that is worthy of merit and for which to applaud him, I do not belive we find any personal characteristics here, which will cause the North Vietnamese to applaud him or to accord him any greater access to the conference table than they have up to this point.

I would hope that we could get this matter down to a reasonable basis where we talk about what we have to do for our country; and in that respect I believe the entire Senate must have an opportunity to be privy to more information, to have more access to information as to what is actually going on day by day, than we have.

This is not just a credibility gap. The fact is that the machinery and the manner in which the Senate is organized are such that even those of us who are on rather sensitive committees do not have the opportunity to have the information we should have and to get it constantly, on a continuing basis.

I thank the Senator for yielding.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. JAVITS. I thank the Senator from Oregon for yielding to me. I shall be very brief.

Mr. President, I should like to join those who say, "Give it a chance to work." I am not privy to these secrets, either, though, like the Senator from Colorado, I am a member of Appropriations and other important committees.

I hope very much that the administration is pursuing diplomatically with the Kremlin, its opportunity to play the role of peacemaker, as it did at Tashkent, the Soviet Union certainly earned the world's respect and gratitude for its statesmanship on that occasion. An infinitely greater opportunity now presents itself with regard to the Vietnam war. If the Soviet Union joins publicly with Britain in reconvening the Geneva Conference, I do not believe that Hanoi could refuse to participate.

I wish to identify myself with the views of the Senator from Kentucky and the views expressed by the majority leader. The President's initiative must be given a chance to work.

Mr. MORSE. Will the Senator from Montana yield to me at this time?

Mr. MANSFIELD. I shall yield in a moment.

Mr. President, I believe we have placed a great deal of emphasis on what the Soviet Union can or might or could do for us. So far, I believe they have been found wanting, because they have been talking about the game of peace in Vietnam. They have been telling us what should be done to achieve it. But when the showdown comes, for some reason or other they are not to be found. I refer to their opposition to the reconvening of the Geneva Conference, even though they advocate it as a means to finding a settlement. I refer to their position in the UN, which they do not seem to want as a forum in which to discuss and perhaps find a solution to this problem.

I believe that what the Soviet Union is in effect doing is using us and it is contributing very little—though it could do a great deal—to the cause of peace. One thing it could do, if it believes its words, is to join with the United Kingdom and bring about a reconvening of the Geneva Conference for the express purpose of considering the situation of Vietnam.

I yield to the distinguished Senator from Oregon.

Mr. MORSE. Mr. President, I wish to express appreciation to Senator FULBRIGHT, the chairman of the Committee on Foreign Relations, for making the points he has made in his remarks this afternoon. I have reached an interpretation or an understanding of his remarks quite different from some that have been expressed on the floor of the Senate.

I listened very attentively to the Senator from Arkansas. I did not hear him say anything about or raise a question as to the President's veracity. In fact, I believe the statement of the Senator from Arkansas is subject to only one interpretation—that he seeks to strengthen the position of the President of the United States by calling for a clarification of the meaning of the speech. In view of the public reaction to it, in view of the evidence that he read in connection with the speech, some clarification is needed about the bombing in which we are presently participating.

Much of what has been said has been a debate within the framework of semantics rather than basic differences in meaning, so far as the substantive issues that are involved.

Mr. President, I am not one of those who believe that the final decision that the President made at the end of his speech Sunday night was a fortunate one or a good one. Not only was I stunned by it, I am saddened by it as well. I believe that the speech of the President, up to the point when he announced that he would not seek renomination, was one of his great speeches. It was laying the foundation for accomplishing what he was pleading for—greater unity in this country. We have been divided. There are those who have wanted an all-out war. There are those who have wanted a deescalation. There are those who have been pleading for multilateral negotiations rather than bilateral negotiations, determined in large measure by the United States. I believe that the speech, until the concluding portion of it, was a masterpiece, in that the President was bringing together all sides in a search for an end to the warfare.

Mr. President (Mr. HARTKE in the chair), the RECORD is perfectly clear. I have never questioned my President's sincerity or his motivations in all of my complaints in connection with foreign policy, and I have supported him at least 95 percent on all other issues.

Mr. President, you have heard me say over and over again that I was never going to give up hope with regard to the President's final position on foreign policy. I was going to continue to hope that he was going to modify his policy prior to the Democratic Convention so that we could join with him.

When I was listening to the speech, I was elated. I thought at long last the beginning of the shift was being made that would result in unity in the Republic, for the President called for a deescalation; and he called for multilateral negotiations, really, when he called upon Great Britain and Russia to proceed through the Geneva Conference to see what could be done to get the parties together.

That is not the only avenue for multilateral negotiations. By a vote of 82 to 0 we decided that ourselves not so long ago in the Senate when we passed a sense-of-the-Senate resolution calling upon the President to give consideration to submit a new resolution to the Security Council, to be passed on to the General Assembly.

I think this was a great opening on the part of the President to bring the two sides together in regard to the war. I think it is most unfortunate that he decided, after he made this great plea, that he would then remove himself from any consideration to continue his Presidency.

I have always thought that the President, particularly if he made some modification in his foreign policy, was unbeatable as far as the Democratic nomination was concerned. That is the position I wanted him to put himself in. I think it was very important that we continue our party control under his leadership, if he could change his position on foreign policy in order to work out what I think is so sorely needed to accomplish his purpose, which is peace. I have never questioned the President's desire for peace, but only the modus operandi by which he pursued it.

This afternoon we overlook what is going on by way of bombing in Vietnam, and what it is going to produce today in the world. Mr. President, can you not hear Hanoi? We have looked at it only from the standpoint of our intention and our objectives. Do you think for a moment, with all of the sorties which the Senator from Arkansas read to the RECORD with regard to what is happening with regard to the bombing a short time after the President's speech, this bombing is going to be accepted as any demonstration of good faith on our part to deescalate the war? Why, of course, you do not expect that of the Communists. They are going to play it up.

Moscow will not think of what we are doing to escalate the war in the south as being consistent with our profession that we want to deescalate, or that we want to negotiate on a multilateral basis, when we proceed on a course of action that is going to make that moot. I do not think the Prime Minister of Great Britain could possibly take a position in support of what we are doing at the present time in any hope of getting the Russians to join him.

I agree with the majority leader, and I heard nothing from the Senator from Arkansas to indicate he wanted to risk lives of our men who are in outward posts, which are posts of escalation. These men are escalating the war under orders. They are brave men and we have put them there. They do not put themselves there. They are carrying out orders.

The fact is that they are out in positions of escalation. You can leave them there and say you are going to keep them there and do what must be done to protect them. That means we are going to bomb 170 miles—some ticker tapes show 200 to 250 miles—north of the area in which it was believed we were going to do our escalating.

We are not paying enough attention on the floor of the Senate this afternoon to world reaction to our position. Therefore, I think that although the President made a great speech as far as he went on Sunday night with regard to what our military position would be, there should be some further military orders to carry out that speech. We should be withdrawing those men. I do not know why we are leaving them in Khe Sanh. I have not heard, and I have listened to the witnesses, that there is any military advantage of our running the risk of the massacre of those men in case the enemy does overrun Khe Sanh. Our deescalation should call for getting our men back out of a military position of escalation and into a military posture of defense where we can hold the line and save their lives and put up lines of defense such as General Gavin, General Ridgway, General Shoup, and other experts, have been advising should be our strategy and our course of action in Vietnam.

I had great hope that this speech of the President on Sunday night could lead to that kind of negotiation and adjustment, and away from the position that we are going to leave them in these positions of escalation and, then, if there is any attempt on the part of the enemy to stop their escalation, we are going to bomb.

I do not think the Senate is taking into account where these men are. These men are not in defensive positions; they are in positions of escalation. You can say all you want that we expect Hanoi to sit down and negotiate, but we still intend to continue that action around Khesanh, and if there is any interference with them we are going to bomb. That challenges reality. It is too bad that we are following this course of action because there is nothing to stop the President from bringing those men back to lines of defense rather than holding them out there as an inducement for the enemy to attack, which in turn calls upon us to bomb further north to protect them. That is why I think it would strengthen the President's hands to recall them. It was wise to raise the points which the Senator from Arkansas raised this afternoon.

Last, I want to say I am so sad and disappointed that the President has put himself in a position where again it will be interpreted outside of our country, and to some extent inside of our country, but particularly outside of our country by those with whom we have to deal, that he is not going to be the one, in all probability, who will be making the final determination.

There have been some stories in the past that President Truman made a somewhat similar decision in 1952. I hope no one will refer to that as support and precedent because after President Truman took that position in 1952 he ceased to be effective in trying to get the Korean war settled. The North Koreans apparently decided immediately that they were going to make the settlement with the person that was going to be President after that election.

What I am worried about is that my President may find himself in a position where his chances of negotiating in international negotiation may be weakened by his announcement of the other day. I happen to think he could have been nominated, particularly with the kind of speech and policy he started to make on Sunday night. I do not think that anything could have stopped him in his election, and that would have been better for American history than the decision he made.

As far as I am concerned I wish to express approval to the Senator from Arkansas for the position he has taken this afternoon because I do not make the interpretations that have been made of it. I am greatly concerned about the reaction in the Thieu-Ky government, where we are going to continue now to kill these American boys, support of the junta regime. There is a story in the press these days that Ky is making a derogatory attack upon his own government, saying that as the United States pursues the war there for reasons of its own self-interest, that we have spawned a corrupt and useless regime in Saigon. Of course, he is part of it.

Mr. President, we are killing American boys to support that kind of "two-bit" tyrant and his associates. He says South Vietnam need a revolution. But that is what we think we are there to prevent.

I am not going to vote to kill American boys to support that kind of regime.

I close by saying that the Senator from Arkansas [Mr. FULBRIGHT] very properly, as a friend of the President—and that is what we are who seek a change in his policy—is trying to do for the President what will be in his own best interests in the long run.

There needs to be clarification. I hope—and there are ways that it can be brought about—that there will be reconsideration on the part of the President. Perhaps he cannot himself see it, so far as withdrawing himself as a potential candidate for the Presidency of the United States is concerned.

Mr. MANSFIELD. Mr. President, I yield to the Senator from Arkansas.

Mr. FULBRIGHT. Mr. President, I want to thank the Senator from Oregon. He interpreted my purpose and what I said quite clearly. I was not raising the question of veracity. What I was trying to do was to seek clarification because, perhaps, I myself had misunderstood the significance of the President's speech on Sunday. I was very much encouraged. I had exactly the same reaction that the Senator from Oregon did. I thought it was a remarkable speech and that it indicated a change in direction on the part of the President. I myself have been seeking, as has the Senator from Oregon, to persuade the President to change the direction of his policy, which was to seek a political solution to the war in Vietnam.

I also appreciate what the Senator from Oregon said about protecting the lives of our American boys. After all, the idea that what the Senator from Oregon and I and others who seek an end to the war advocate is not protecting the lives of our boys is absurd. What we advocate is, really, the only effective way to protect their lives; namely, to stop the war.

I think that the idea of knocking out

a few trucks here and there is most shortsighted. It is only temporary in effect, if it has any effect, because the war continues.

The facts show that the higher the escalation of the bombing, the more intense the bombing of the north, the higher the casualties of Americans have been in the south. That is a matter of record over the last several years. As we have increased the number of men, increased the intensity of our bombing missions in the north, and increased the whole intensity of the war, it is obvious that the number of deaths and casualties has increased. That is a matter of record and not a matter of opinion.

Certainly, the last thing I want to do is to raise the question of veracity, or that the President was misleading anyone. Of course I do not believe that he had any such intention. I was only saying that I was misled as to the significance of his speech on Sunday. I thought it meant a real, significant, cessation of the bombing in the North.

In order to complete the RECORD I think the following expresses my views:

I refer to an article published in today's Washington Evening Star headlined "Planes Strike Deep Into North Vietnam." I read the first paragraph:

> American spokesmen today said U.S. planes still can strike targets 45 miles from Hanoi and 30 miles from Haiphong under terms of President Johnson's bombing limitations. The bombers already have struck far deeper into North Vietnam than had been expected here following the order.

Mr. President, that is exactly my reaction. In other words, the sooner this situation is clarified the better because there are a great many countries and a great many people with a profound interest in this whole affair. If there is a misunderstanding about what the President meant, it should be clarified at the earliest opportunity.

Mr. President, I ask unanimous consent to have the article printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PLANES STRIKE DEEP INTO NORTH VIETNAM

SAIGON.—American spokesmen today said U.S. planes still can strike targets 45 miles from Hanoi and 30 miles from Haiphong under terms of President Johnson's bombing limitations. The bombers already have struck far deeper into North Vietnam than had been expected here following the order.

The spokesman said the limits, not previously defined in public, still allow bombing of all military targets in a 250-mile stretch running north of the North-South Vietnam border.

U.S. jets launched raids yesterday four hours after Johnson's order and struck supply centers around Thanh Hoa, 205 miles north of the border and 81 miles below Hanoi.

Hanoi Radio claimed "the U.S. bandits repeatedly sent planes to bomb and strafe populated areas in Thanh Hoa Province" again today. The broadcast claimed one American plane was shot down.

In his speech, Johnson said he ordered a bombing halt "except in the area north of the (border) demilitarized zone (DMZ) where the continuing enemy build-up threatens allied forward positions and where the movements of their troops and supplies are clearly related to that threat."

American military sources here said that at first it was expected the limit would be about 90 miles north of the DMZ, taking in the southern panhandle. But the spokesman said it runs all the way up the panhandle.

Most of North Vietnam's population is in the northern regions near Hanoi and Haiphong and about 90 percent of the populace would be spared the bombing under the Johnson edict.

U.S. spokesmen said American pilots flew 105 missions against North Vietnam yesterday. They had been averaging less than 100 missions a day the past two months. But the number of missions is not an accurate measure of bombing intensity. A mission may involve any number of aircraft.

Navy A6 Intruder jets hit a supply shipment center and three river crossing points near Thanh Hoa, 205 miles above the DMZ. They also struck radar sites a little to the south, near the city of Vinh.

Air Force Jets struck further down the panhandle. Most of their raids hit just north of the DMZ and near the Mu Gia pass entrance to the Communists' Ho Chi Minh supply trail to the south.

Maj. Gen. William R. Peers, recently promoted to command the II Corps (central highlands) regions, said today he was watching very closely a Communist buildup "just south of the Dak To area and west of Kontum." Peers, whose forces heavily defeated the Communists at Dak To in November, said a similar situation may be shaping up.

NEW KHE SANH OPERATION

American spokesmen said that in Operation Scotland, the Marine battle in defense of the surrounded Marine fort of Khe Sanh just below North Vietnam, a total of 204 Marines have been killed and 1,622 wounded since the Communist siege began Jan. 21. Scotland was closed. Another Marine operation was started against the 16,000 North Vietnamese which allied intelligence reported around Khe Sanh.

Guerrilla rocket teams today shelled the Tan Son Nhut air and war base on Saigon's west side and the Nha Be fuel depot, one of the allies' largest, just to the south. "Light" damage and no casualties were suffered at the base. Two tanks of fuel blew up at Nha Be.

U.S. Air Force B52 Stratofortresses flew nine missions in South Vietnam late yesterday and early today. They struck seven Communist positions near Khe Sanh. The other raids hit Communists near Hue, 400 miles above Saigon.

Mr. FULBRIGHT. Mr. President, I think this discussion has made a contribution to clarification. I only regret that the clarification made here means that the cessation of the bombing is of a very limited nature. I do not believe it is likely to induce a conference, which I should very much like to see.

Mr. MANSFIELD. Mr. President, I think that this debate this afternoon has been most worth while because it indicates that there is a question of interpretation in some of the language in the President's message, which is clear.

May I express the hope that next time a speech of this significance is written, that someone, some kind of word artist, will be used who can write English as it should be written, and who will not write sentences which can be understood in a number of different ways. Perhaps it would be better if the term "20th parallel" had been used instead of the term "northward above the DMZ." But that is past. I hope that the world will not get the idea that the President was not sincere and earnest in his desire to reach the negotiating table.

I would term this a substantial cessation in the bombing, not as much as I would like at the appropriate time, but a great deal of good, an earnest of intent, and a means whereby it should be possible, despite all the gloom which seems to permeate this Chamber, for some of the combatants, directly or indirectly, to come to the negotiating table to the end that an honorable settlement can be achieved in this barbaric and dirty struggle in which we are engaged.

THE UNLAWFUL SEIZURE OF FISHING VESSELS

Mr. HRUSKA. Mr. President——

The PRESIDING OFFICER. The Senator from Nebraska is recognized.

Mr. HRUSKA. Mr. President, I yield to the Senator from California [Mr. KUCHEL].

Mr. MANSFIELD. Mr. President, I ask unanimous consent that S. 2269 be laid down and made the pending business.

Mr. LAUSCHE. Mr. President, will the Senator from Montana yield for a question? Reserving the right to object——

Mr. MANSFIELD. Mr. President, I withdraw my request.

Let me say to the Senator from Ohio that I was asking unanimous consent to lay down a bill for consideration tomorrow. It is the fishing bill. I was just laying it before the Senate for tomorrow.

Mr. HRUSKA. Mr. President, I yield to the Senator from California.

The PRESIDING OFFICER. Does the Senator from Montana withdraw his request?

Mr. MANSFIELD. Yes, indeed, Mr. President.

Mr. KUCHEL. Mr. President, I am surprised that the Senator from Ohio would object to the request of the Senator from Montana. I would hope that the Senator from Montana would give consideration to making a motion. It was made public earlier that the bill was going to be set down for hearings at the conclusion of the tax bill that we have just adopted.

Mr. LAUSCHE. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr LAUSCHE. I am doubly surprised about the position taken by the Senator from California expressing his surprise about the position which I have taken. This bill should not be brought up. It is a special relief bill. It is a special interest bill. There is no justification of any character whatsoever in bringing it up.

Mr. KUCHEL. That is the opinion of one Senator. I wish that the distinguished majority leader would proceed to set it down for a hearing.

Mr. LAUSCHE. Mr. President, in the seizure of the *Pueblo*——

Mr. KUCHEL. Mr. President, I do not yield to the Senator from Ohio. I do not yield for that purpose.

Mr. HRUSKA. Mr. President, does not the Senator from Nebraska have the floor?

The PRESIDING OFFICER. The Senator from Nebraska has the floor.

Mr. HRUSKA. Mr. President, it was

my impression that the Senator from California wanted to engage in 2 or 3 minutes of remarks. I find now that he wants to bring up a bill——

Mr. KUCHEL. Will the Senator from Nebraska yield to me?

Mr. HRUSKA. Surely. I yield.

Mr. LAUSCHE. Mr. President, I thought that the floor was yielded to me by the Senator from Montana.

The PRESIDING OFFICER. The Senator from Nebraska has yielded to the Senator from California.

Mr. LAUSCHE. Mr. President, will the Senator allow me to answer the challenge he made to my position?

Mr. HRUSKA. Mr. President, we are on somebody else's time.

Mr. LAUSCHE. The Senator from California wants greater privilege given fishermen than we are giving——

The PRESIDING OFFICER. The Senator from California has the floor.

THE PRESIDENT'S RECENT ADDRESS TO THE AMERICAN PEOPLE

Mr. KUCHEL. Mr. President, I agree with the majority leader in his praise of President Johnson's address to the American people, and to the people of the world last Sunday. I think it was an earnest attempt by the leader of the American people to demonstrate a complete credibility—free from domestic political consideration—in the decisions which he announced in the hope that they might lead to a peaceful negotiation of the tragic, bloody conflict in Southeast Asia.

I disagree with the Senator from Oregon [Mr. MORSE]. The position of the allies at Con Thien or Khe Sanh are not positions of escalation. Where are those areas? They are within the jurisdiction of the Republic of South Vietnam. That is where they are. They are not positions of escalation. They are indeed positions of defense. They are there to defend the soil of the south, and that is what they are doing.

I want to say, simply as a citizen, I am one of those who earnestly pray that what the President laid down as his prescription for an honorable peace will be accepted by Ho Chi Minh. I agree with the Senator from Montana that the cessation of the bombing is of an order of magnitude of about 80 percent of North Vietnam, and perhaps larger.

It would have been a tragic mistake for the President to have included in his bombing cessation any area which he deemed to be necessary for the protection of American soldiers, in particular those men who still occupy defenses immediately south of the DMZ and within the sovereign jurisdiction of the Republic of South Vietnam.

I ask unanimous consent that a table which I was given last fall, October 3, 1967, by the Marine Corps, indicating how the buildup of incoming mortar, artillery, and rocket fire followed past cessations of bombing, be inserted in the RECORD, together with some of the colloquy in which I engaged at that time.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

INCOMING MORTAR, ARTILLERY, AND ROCKET SHELLS

		Mortar	Artillery	Rocket
1966	July	1,135		
	August	647		
	September	859		
	October	510		
	November	498		
	December	1,425		
1967	January	690		
	February	1,177		51
	March	6,268	150	219
	April	3,848	850	40
	May	5,140	1,346	353
	June	1,906	1,950	153
	July	3,641	3,134	190
	August	3,095	2,406	75
	Total	30,839	9,836	1,081

Mr. MORTON. Mr. President, will the Senator yield?

Mr. KUCHEL. I yield.

Mr. MORTON. Mr. President, first I commend the Senator from California for his diligence in making a trip which must have been physically and emotionally very tiring and a great strain. I think he has made a great contribution.

I think he has been most eloquent today and, may I say, most patient in answering the questions of his colleagues.

The junior Senator from Massachusetts [Mr. BROOKE] has covered many of the points I had in mind.

I merely want to clarify one thing: Obviously, I am one of those to whom the Senator referred—and I say this in all kindness—when he said that he read statements which were somewhat disturbing to him while he was on the scene in Vietnam.

On page 10 of the prepared statement of the Senator from California, he mentions Con Thien, as follows:

"On September 22, I saw Con Thien and Gio Linh. I talked with the men of the Third Marine Division at Dong Ha. In the course of that trip, I observed a B–52 raid on entrenched artillery positions of the enemy in the Demilitarized Zone. The men of the Third Marines live with a daily rain of incoming shells. I cannot understand how any fair-minded approach to honorable negotiations would deny them their principal means of defense through air power while they are under attack."

I concur. I certainly did not mean to imply by my suggestions that we were not going to give air support to our troops wherever they might be.

Mr. KUCHEL. That is most important. I think the Senator knows of my high respect for him. That is most important from the standpoint of clarification of what we are talking about.

Mr. MORTON. I am sure that the colloquy which developed in the Chamber on yesterday, as a result of the speech made by my senior colleague, in which most of us engaged—and I am sure I speak for him as well as for myself on this—did not mean to imply otherwise.

What I suggested was a two-way thing: reappraisal of the bombing, one; and, two, withdrawal to that 20 percent of the land where 80 percent of the people live. In other words, to abandon the hunt-and-destroy method and again take up the offensive which has been very costly.

I sometimes question why we have this enclave in the desolate and unpopulated northern area at Conthien, but I know that there are probably good military and strategic reasons for it.

I did want to make that point, because the questions I intended to pursue were most eloquently developed by the junior Senator from Massachusetts.

I appreciate this opportunity to respond to the Senator from California.

Mr. MANSFIELD. Mr. President, will the Senator from California yield?

Mr. KUCHEL. I am happy to yield to the Senator from Montana.

Mr. MANSFIELD. I am delighted that the distinguished Senator from Kentucky [Mr. MORTON] raised the question he did. I am happy to note that now, at least so far as the record is concerned, the situation relative to a cessation of the bombing is clarified, period.

The distinguished Senator from California has made an excellent speech. I commend him for it. He recognizes that there is room for disagreement. Disagreement is one of the strengths of a democracy. If a person disagrees with a certain policy, what has that to do with aiding the enemy?

If we are all to be robots, we might as well abolish the Congress of the United States, because when we are sent to Congress, we are sent here to express the opinions we hold, in accordance with our conscience.

That is exactly what the distinguished Senator from California has done, and I commend him and congratulate him for it. What he has done is to make a worthwhile trip to Vietnam and then return with an honest appraisal. He has made his report to the Senate on his views. There were no ifs, ands or buts in it. He laid them out. That is as we all should do.

Getting back to what the Senator from Kentucky [Mr. MORTON] said, he did clarify something which I am sure has been bothering the distinguished Senator from California and, as he seemed to indicate, some of the men fighting in places like Con Thien.

The Senator from California stated earlier during the course of this debate that he wished, when the matter of bombing was discussed, when it came to the 17th parallel, particularly Con Thien, that this situation could have been "excised out."

I think the formula of concentration and consolidation which the distinguished Senator from Kentucky [Mr. COOPER] has advocated is a cessation of the bombing in North Vietnam, but not along the 17th parallel, or along the Ho Chi Minh trails extending into Laos, so that our men—and that is what the other Senator from Kentucky [Mr. MORTON] has said—would be reinforced with the aerial protection necessary. It would be given them no matter where they might be in South Vietnam. To the best of my knowledge, the only area in which Americans are fighting on the ground in Vietnam is in South Vietnam at the present time.

Thus, I am delighted that this part has been straightened out so that the viewpoints of the two distinguished Senators from Kentucky can be made a part of the RECORD and so that our men at Con Thien and elsewhere in the 1st Corps will be aware of the fact that so far as some of the suggestions are concerned, they do not mean in any way, shape, or form, insofar as I am aware, that they will be denied this valuable support when they are under attack or when they are subject to attack.

The distinguished Senator from California has made a most worthwhile contribution in giving us—as soon as he returned—the benefit of his honest views.

I commend him for a fine report to the Senate.

Mr. KUCHEL. Mr. President, we want this war to end, but it ought to be clear to every reasonable human being all around the globe that the next move is up to Ho Chi Minh and the Communist north. There is a bombing pause, on our part. What will their answer be? Will there be any indication of deescalation on their part? They now can demonstrate whether they have any desire, in good faith, to negotiate, in good faith, a peaceful settlement, or whether their so-called prescription for talks is only a sham and a mockery.

Mr. HRUSKA. Mr. President, I yield 3 minutes to the Senator from Ohio [Mr. LAUSCHE].

Mr. LAUSCHE. Mr. President, I had been away for 3 days, and came in about 4 o'clock, to be shocked beyond the shock I suffered Sunday night when I heard the President's declaration not to be a candidate again.

I was shocked on the floor this afternoon to find out that condemnation of the President has been expressed on this floor far earlier than any answer being given by Ho Chi Minh, the archenemy of the United States in Southeast Asia.

The President Sunday night declared that he would not seek nor accept the nomination. He stated that position because he did not feel he could engage in politics and at the same time fulfill the responsibilities of the President of the United States in leading our people into a course that would secure the life of our country.

It took great courage. It took courage because, in addition to renouncing his purpose to run, he yielded to the attacks that have been made upon him on this floor during the last 4 years. The attacks have been cutting. They blame him for all that has happened. The United States was charged with being an aggressor, demanding an unconditional surrender, making it impossible for Ho Chi Minh to go to the negotiating table, wanting to impose colonial domination upon South Vietnam, making prostitutes out of the women of South Vietnam, and with a plan and design to perpetrate atrocities upon those people.

The charges were against the United States, but, in fact, they were against President Johnson. He was attacked in New Hampshire and attacked in Wisconsin. The speakers presenting the views of his Government were stopped from making their presentation by demonstrations that bordered on riots. The President bowed out. He did so with the purpose of wanting to be in the position of talking to the American people and telling them what he believes should be done, without charges being made against him that he was politically motivated.

He has been driven out of the candidacy. But that is not enough. Today, on the floor of the Senate, he is again attacked. There has been no waiting to have Ho Chi Minh answer. The attack is upon the President, on this floor.

How do you ever expect Ho Chi Minh to give an affirmative answer to a deescalation program if, on this floor, supposedly the principal speaker for the United States, outside of the President, the Senator from Arkansas begins a denunciation of what our Government is doing? There has been no waiting to find out what the answer would be from Ho Chi Minh, but there has been a galloping speed to attack the President.

How can you ever expect to have the enemy take your word when your friends and your public officials denounce the Government before the enemy has ever had a chance to answer? It simply cannot happen.

In conclusion, I ask, has there been one word spoken today condemning Ho Chi Minh? Has there been one charge made on this floor against our enemy? The answer is manifestly no. The attacks are against our country, and the praise for our enemy.

Mr. President, I am not willing to accept this sort of sanctimonious word about the purpose of aiding our Nation, when it is thoroughly apparent that the only result can be harm, and possibly the ultimate destruction of our country.

I have heard words spoken today expressing the hope that the President will reconsider. How can he reconsider? He has withdrawn; and there is no contentment in the fact that he has withdrawn. The purpose of his critics seems to be to continue hitting him on the head with the biggest clubs to be found in the arsenal.

I do not know how the man in the White House feels about it. What do we expect him to do? How can he escape attacks from the Senate? Where shall he flee? I suppose there is no refuge; there is no sanctuary. Wherever he may go, attacks will still be made upon him. It was a tragic and a black day for our country Sunday, when he announced that he would not be a candidate. It was a great and glorious day for Ho Chi Minh.

But it was not the President's will to make it a great and glorious day for Ho Chi Minh. That came from the floor of the Senate, and from the public platform, in denunciations of what he was doing.

AMENDMENT OF THE FEDERAL FIREARMS LAWS

Mr. HRUSKA. Mr. President, there has been introduced in the Senate a bill (S. 1853) which has for its purpose the amendment of the Federal Firearms Act of 1938. I ask unanimous consent that, at its next printing, the names of the following Senators be added as cosponsors: the Senator from Iowa [Mr. HICKENLOOPER], the Senator from Ohio [Mr. LAUSCHE], the Senator from Oregon [Mr. HATFIELD], the Senator from Idaho [Mr. JORDAN], and the Senator from South Carolina [Mr. THURMOND].

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HRUSKA. Mr. President, earlier today the Senator from Utah [Mr. MOSS] made some remarks concerning this bill. It will be my purpose to enlarge on those remarks, and to discuss the merits, impact, and meaning of the proposed legislation.

Mr. President, it had been my intention to discuss this legislation much earlier, but matters of a high order of importance intervened. A number of my fellow Senators have indicated to me their desire to participate in colloquy on this subject, because in the near future this body may be called upon to consider legislation in this field.

Mr. President, I commend the Senator from Utah for the fine statement that he made on S. 1853. He also commented upon S. 1854, which has for its purpose the amendment of the National Firearms Act of 1934. The latter bill deals with destructive devices. It deals with sawed-off shotguns, bazookas, rockets, mortars, and the like.

May I say at this time, Mr. President, that neither of these acts has been significantly amended, since their original passage. So we know that for 30 years, in one instance, and for 34 years in the other, little has been done to update them.

There is a need for additional firearms control legislation on the Federal level. There can be no doubt as to the necessity and desirability of passage of Federal legislation to regulate commerce in sporting firearms, as well as in destructive devices. But certain features are essential if such legislation is to be effective in achieving its declared objectives. The objective is to keep guns out of the hands of the wrong people.

The features that should be embodied in any such measure certainly should include these:

First. It should be workable and enforceable.

Second. Its principal thrust should be to enable State and local authorities to have available means by which they can enforce their laws. This can be done by strong provisions directed at shipment of guns in interstate commerce. Such shipments and sales must be within the requirements of the Federal law, and also in strict compliance with State and local law.

Third. Such legislation should not inflict undue burdens nor interfere with the rights of millions of law-abiding Americans who put firearms to uses that are beneficial, wholesome, and in many cases highly essential.

S. 1853 meets these requirements, Mr. President. It is a strict bill. It is a proper bill. It is workable. It is capable of effective enforcement. It goes as far as any such measure can go without ceasing to be realistic, and without unduly burdening or interfering with law-abiding owners and users of firearms.

This is a dynamic and a positive measure. It includes the following principal features:

First. It requires that no manufacturer or dealer may ship, in interstate commerce, any firearm to any person in violation of State law.

Second. It provides that no person may transport into his State of residence, any firearm acquired by him outside the State, if the acquisition or possession of such firearm is unlawful in the place of his residence.

Third. It requires that no carrier may deliver any handgun to a person under 21 years of age.

Fourth. It requires that the purchaser of a handgun in interstate commerce make an affidavit of eligibility to purchase, which he shall send to the dealer who shall send a copy thereof to the purchaser's local law-enforcement agency. Further, the seller shall wait at least 1 week from receipt of notice from the local law-enforcement agency before shipping the handgun to the purchaser. If objection to such sale is made by the law-enforcement agency on grounds that the proposed sale would violate the law, then the dealer must desist from shipment and sale.

The second bill (S. 1854) is intended

to amend the National Firearms Act of 1934. It has for its purpose the strict regulation of destructive devices, such as bazookas and mortars in the same manner as sawed-off shotguns, machineguns, and other gangster-type weapons are presently regulated under the national act.

Mr. President, it is because the handgun is the real offender that we subject it to special controls. It is because it is used overwhelmingly in the commission of crimes of violence and that it lends itself to that purpose, that these special provisions are made.

At this point I wish to observe that this legislation is not partisan legislation. The bipartisan cosponsors and supporters of this legislation definitely demonstrate that fact.

Included in the major features of S. 1853 is that the burden of enforcement will be placed on local and State authorities. That is where it should be. The problem is of such a nature that much detailed policing will be required, and it can only be done effectively in the States, localities, and political subdivisions of a State.

Earlier today, the Senator from Utah referred to the lack of enforcement of existing Federal firearms statutes. I shall not go into great detail on this point, but testimony in the hearings indicates that there has been a lack of enforcement on the part of Federal authorities in this area, and that a better job could be done. However, by the very nature of things, this kind of regulation of firearms should be assigned and delegated to local and State police officers.

ENFORCEMENT OF EXISTING FEDERAL FIREARMS LAWS

Mr. President, the press recently carried accounts of an indictment handed down by a Federal grand jury of the Southern District of New York against a gun dealer for violation of section 2(c) of the Federal Firearms Act of 1938. According to the accounts this was the first Federal prosecution in the 34-year history of the act of a dealer for interstate shipment of firearms.

For those of us who are seriously concerned with the problems associated with misuse of firearms by the lawless, this was most welcome news. Much hard evidence has been presented to the Senate Juvenile Delinquency Subcommittee and other investigating groups that interstate shipments of guns were being made in violation of existing Federal law. But until now, there seemed to be little enthusiasm on the part of our Federal law enforcement officials to crack down on violators.

In 1965 the subcommittee heard the testimony of police officials from the States of Missouri and Massachusetts, among others, States which have State licensing or permit laws. Evidence was presented to the subcommittee that some of the weapons were obtained from out-of-State mail-order dealers. Yet, apparently no attempt has been made during the intervening time to prosecute dealers who were responsible for these sales.

It should be noted that several States, including Illinois and New Jersey, have recently enacted State laws requiring licenses for the purchase of firearms. Here is an additional opportunity for crackdown on dealers who flaunt the law and sell firearms to out-of-State residents from States which require permits without complying with those State laws.

The applicable provision of the existing law now reads:

> It shall be unlawful for any licensed manufacturer or dealer to transport or ship any firearm in interstate or foreign commerce to any person other than a licensed manufacturer or dealer in any State the laws of which require that a license be obtained for the purchase of such firearms, unless such license is exhibited to such manufacturer or dealer by the prospective purchaser.

Under the bill which I have introduced, S. 1853, this provision would be broadened and strengthened considerably. Incidentally, I might point out that there is no comparable provision in either S. 1 or amendment No. 90 to S. 1. The provision in section 2 of my bill which would add a new section 2(c) to the act reads:

> It shall be unlawful for any licensed manufacturer or licensed dealer to ship or transport, or cause to be shipped or transported, any firearm in interstate or foreign commerce, to any person in any State where the receipt or possession by such person of such firearm would be in violation of any statute of such State unless the licensed manufacturer or licensed dealer establishes that he was unable to ascertain with reasonable effort that such receipt or possession would be in violation of such State law.

This change would not only broaden the scope of the existing provision, but would also make enforcement easier.

Another aspect of the enforcement of existing Federal laws has to do with the adequacy of the enforcement activity personnel assigned to administer Federal and National Firearms Acts. During the 1965 hearings of the House Ways and Means Committee, it developed that the Alcohol and Tobacco Tax Division of the Department of the Treasury—the agency assigned with the responsibility for enforcement—had a total of about one enforcement officer per State to do the job. The figure included central office administrative personnel. Congressman CURTIS, of Missouri, explored this matter quite thoroughly with the Director of the Internal Revenue Service at that time.

During the 1967 Senate hearings, I asked questions of the Director again. This time, on page 73, it was indicated about the equivalent of 113 man-years were devoted to that purpose. However, in supplementary information supplied to the Senate subcommittee on page 75, it was indicated that prior to October of 1965 no statistics were maintained with respect to inspection of premises of persons licensed under the Federal Firearms Act. The information supplied by the Treasury Department also reveals that the number of investigators in the Division declined from a high of 1,000 in 1963 to a low of 937 in 1966. Although that figure has increased to 964 in 1967, still this trend leaves much to be desired.

Recently, in the President's special message on crime, a request was made for additional assistant U.S. attorneys, FBI agents, and narcotics agents, but no mention was made of alcohol and tobacco agents. There was a renewed request for the administration's controversial gun-control bill, however.

These are the reasons, Mr. President, that many of us who are concerned with the problem of firearms control feel that the essential first step is strict and vigorous enforcement of the laws which are already on the books.

TOUGH BILLS

Contrary to the misinformation that has been circulated repeatedly by proponents of the Johnson-Dodd bill, there are several provisions in S. 1853 and S. 1854 which not only considerably strengthens existing Federal firearms legislation, but which are tough if properly enforced.

First, it must be pointed out that both bills increase the maximum penalties for violation of the Federal laws to 10 years imprisonment and a $10,000 fine. This change speaks for itself.

Second, section 2(n) of S. 1853 makes it an unlawful act subject to the penalties above for any person in connection with the acquisition of any firearm—including rifles and shotguns as well as handguns—from any federally licensed dealer to make false statements or to furnish bogus identification with the intent to deceive a dealer. This applies to all sales of all firearms from federally licensed dealers. The provision reads as follows:

> It shall be unlawful for any person in connection with the acquisition or attempted acquisition of a firearm from a licensed manufacturer or licensed dealer to—
>
> knowingly make any false or fictitious statement, written or oral; or
>
> knowingly furnish or exhibit any false, fictitious, or misrepresented identification with the intention to deceive such manufacturer or dealer with respect to any fact material to the lawfulness of the sale or other disposition of a firearm by a licensed manufacturer or licensed dealer under the provisions of this section.

Section 2(o) of S. 1853 makes it a violation of the Federal law for any person to transport or receive in his State of residence any firearms, including longguns, purchased or obtained by him outside of his State of residence if it would be unlawful for him to purchase or possess such firearms in his own State or political subdivision thereof. This provision is designed to prevent circumvention of State law and local ordinance. If enforced, it could be very effective in assisting the States to enforce their own gun-control laws. The section reads as follows:

> It shall be unlawful for any person to transport or receive in the State where he resides a firearm purchased or otherwise obtained by him outside the State where he resides if it would be unlawful for him to purchase or possess such firearm in the State (or political subdivision thereof) where he resides.

Fourth, as was noted earlier, 2(c) of S. 1853 would broaden considerably section 2(c) of the existing Federal Firearms Act by making it a federally prohibited act for any licensed manufacturer or dealer to ship any firearms—including long-guns—in interstate commerce to any person where the receipt by such person would be in violation of any State statute, not just permit laws as the present provision requires. Again, this provision would be extremely effective if properly enforced.

There are numerous other provisions that could be cited which serve to strengthen and tighten existing law, but these are given only to illustrate the point that the bills which I have introduced contain numerous tough provisions.

Mr. President, in an earlier discussion with respect to control, I made a statement which called for firearms legislation. In that statement there was a recital of statistics and figures from the Federal Bureau of Investigation Uniform Crime Reports and other sources. I ask unanimous consent to have printed in the RECORD at this point the material contained in that report, as updated with the most recent figures available for the items which are covered in each instance.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

BACKGROUND AND CONTEXT FOR CONSIDERATION OF FIREARMS LEGISLATION

Mr. HRUSKA. Mr. President, there is far more to the efforts to legislate in this field than the declared objectives of the various pending bills indicate.

Each of these measures directs its impact to an area of American history, activity, and human conduct which is as far flung in our Republic as are the 50 States themselves. The factors involved are deep rooted.

They embrace customs and practices which were born of necessity in the beginnings of our country. They still exist in that context today, though some of the needs are different now than formerly.

But this can be said with confidence: taken in the entire context and on balance, the place and role of privately owned and used firearms are still beneficial, necessary and wholesome in this modern day. They should be protected.

This is true notwithstanding unlawful use of firearms when they get into the hands of the wrong persons—the lawless and the demented. Those instances, while deeply deplored and of grave concern, are relatively few. Efforts to deal with these few should be made to concentrate upon them, in order to be effective, and in order to prevent and avoid a harmful interference and encroachment on the vast preponderance of lawful and beneficial uses and purposes of firearms.

Mr. President, here are some of the many factors which present difficulties and obstacles to the development of fair, balanced, and effective legislative effort on this subject.

The first factor is the very large number of privately owned guns in the United States. While estimates run from 50 to 200 million, the estimate most often used is 100 million privately owned firearms within the United States. Of course, they are widely scattered throughout the 50 States.

The most commonly used total for active users of guns for lawful, proper, and beneficial purposes is 20 million.

Twenty million of our citizens are included in this category. In this figure are included about 15 million holders of paid hunting licenses; additional hunters legally entitled to hunt but without licenses such as landowners, persons over or under paid license age, veterans, and senior citizens. Members of organizations for skeet, rock, target and competitive shooting; gun collectors, and organizations of that type are also included. Not included are the millions of homes where firearms have a proper place, for self-protection.

With such a vast reservoir of available firearms, and the millions of active users in lawful fashion, it is imperative that a highly effective method of getting at the core of the problem must be devised. This necessity becomes even more urgent when we consider the statistics on unlawful use of firearms. They also dramatically show small number of offenses committed with firearms. They also dramatically show the vast preponderance of lawful, legitimate use over unlawful use of the firearm.

The Federal Bureau of Investigation Uniform Crime Reports show that the number of serious crimes reported in the United States for 1966 came to a total of approximately 3,243,370.

In crimes of violence, statistics showing use of firearms in their commission are available in only three classes; willful killings, aggravated assaults, and robbery. The total of crimes of these 3 classes in 1966 was 396,140.

At that point it becomes very pertinent to inquire how many of those 396,000 crimes of violence were committed with firearms. The answer for the uninitiated is rather spectacular—only one in every four. Firearms were used in about 109,000 of this number. This means about a 27-percent use of firearms in these crimes of violence.

Mr. President, I ask unanimous consent that a table on relationship of firearms to other weapons used in the commission of certain crimes of violence be printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

"TABLE 1.—RELATIONSHIP OF FIREARMS [1] TO OTHER WEAPONS USED IN THE COMMISSION OF SERIOUS CRIMES, 1966

	Percent of weapons used	Total crimes committed	Crimes in which firearms were used
Homicide		10,920	
Firearms	59.3		6,476
Knives or cutting instruments	22.3		
Personal weapon (hands, feet, etc.)	9.4		
Blunt objects	5.4		
Miscellaneous	3.6		
Aggravated assault		231,800	
Knives or cutting instruments	33.6		
Blunt objects	22.3		
Personal weapon (hands, feet, etc.)	25.3		
Firearms	18.8		43,578
Robbery		153,420	
Armed with—			
Firearms	38.9		59,680
Other weapons	19.4		
Strong arm (muggings)	41.7		
Forcible rape		25,330	
Burglary		1,370,300	
Larceny ($50 and over)		894,600	
Auto theft		557,000	
Total	[1] 3.4	3,243,370	109,734

"[1] Firearms including the so-called gangster weapons as so classified under the National Firearms Act of 1934, "zip" guns, toy guns, alleged guns, pistols and revolvers, and rifles and shotguns.

"Source: FBI Uniform Crime Report, 1966, pp. 4, 9, 15, and 107 and supplemental letters from the Director of the FBI."

THE HANDGUN IS THE REAL OFFENDER

Mr. HRUSKA. By its very nature, the handgun is the most troublesome and difficult factor in unlawfully used firearms. Its size, weight, and compactness make it easy to carry, to conceal, to store, to transport, or dispose of. All these features and others make it a very effective weapon in commission of crime and violence. It is difficult to observe, control, and to police.

Its status as the most formidable and most frequently used tool of the criminal is well recognized and established by first, the existence in many States of laws controlling the handgun; and second, by statistics on its unlawful and criminal use in crimes of violence.

STATE CONTROLS OF HANDGUNS

These controls are of two classes—the positive and the negative.

As to the States with positive gun controls:

Twenty-three States require a license to sell at retail.

Twenty-nine States require a license to carry a handgun on or about the person.

Eight States require a permit or its equivalent to purchase a handgun.

Ten States prescribe a waiting period between purchase and delivery of a handgun.

Eighteen States require a license to carry a handgun in a vehicle.

As to States with negative controls:

Twenty-one States prohibit the carrying of a handgun concealed on the person.

Four States require registration of handguns.

Twenty-two States prohibit carrying a loaded handgun—and in some instances other firearms—in a vehicle.

In addition, many municipalities have ordinances of various kinds on this subject.

Of course, here we get into the matter of assisting the States. The States are the best judges of those conditions that they wish to impose on people within their bodies in connection with the use of handguns.

STATISTICS ON FIREARMS USED IN CRIMES

There is a second reason why we can readily perceive the handgun as the offender, and that is by a review of the statistics on firearms used in crimes.

The 1966 FBI uniform crime reports state that 59 percent of the willful killings during that year were committed with firearms. This means a total of 6,476 willful killings with firearms out of a total of 10,920.

In a letter dated July 27, 1966, addressed to this Senator, Director J. Edgar Hoover of the FBI wrote:

"Based on the submission of police reports under the uniform crime reporting program, 70 percent of the murders by gun in this country is committed with a handgun, 20 percent by the use of a shotgun and 10 percent with a rifle or other firearm. This will supplement the data available to you in uniform crime reports—1965."

Mr. HRUSKA. Mr. President, the States and cities would have affirmative and positive control under this proposed legislation. The enactment of statutes or ordinances dealing with permits, license requirements, and other prerequisites to delivery or importation of a gun, is available to any State or any city. Such a procedure would activate, section 2(1) of the present statute, and also as revised in S. 1853. That section would make it illegal to put a gun into a State without disclosing the permit, the license number, the date, and the place of issuance of the permit if so required by local law.

This would enable the local authorities

to search the files of existent permits and licenses. If the required permit has not been issued this fact would be quickly communicated to the prospective seller and the sale and shipment of that gun would be prevented.

Now a good deal has been made from time to time, Mr. President, of the idea that prohibition of all mail order sales, after all, is not objectionable.

The representation has been made, and the argument has been advanced, that it would entail only a mere inconvenience to the prospective buyer if all interstate mail-order sales of firearms were prohibited.

I would respectfully disagree with the conclusion. It is not a matter of a little inconvenience. We should bear in mind that tens of thousands of lawful users of guns buy them by mail. They have been doing so for more than 100 years. The mail-order business is legal and a proper way to do business. Many persons do business by mail to reduce the cost of firearms they seek to buy. There are more areas with sparse populations in existence in America today than there were 50 years ago. The rural areas of the Nation are being drained of their populations in favor of metropolitan areas, as we all know.

The general stores or the crossroads gas station carry a limited stock of the most popular firearms at best, and more often than not, only a stock of shells and ammunition as a convenience for regular customers. Access to mail-order purchases by rural citizens is an absolute necessity under these circumstances.

Under the bill proposed by the administration, which provides a total prohibition of interstate mail-order sales, there is a real question as to whether the sale and shipment of a gun from a dealer to an individual between two points within the same State would be allowed.

This is because S. 1—amendment No. 90 place severe burdens upon licensed dealers selling intrastate through the mails or over the counter. In fact, those burdens are so great that many individuals will be arbitrarily denied the purchase of a gun. The dealer will not want to take a chance and vouch for the purchaser as he is called upon to do by those proposals. The misuse of a gun by a purchaser at a later time might cause great penalties to be inflicted upon the dealer. There is no sense to any such harsh requirement when more workable and more acceptable methods can be used to achieve the same results of the intended legislation.

The dealer has no police pre-sale notification procedure upon which to rely. He must ascertain the bonafides of a transaction at his peril.

Section 922(b) of amendment 90 indicates the great burdens placed upon dealers.

I ask unanimous consent that those pertinent sections of S. 1 be printed in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

(b) It shall be unlawful for any licensed importer, licensed manufacturer, or licensed dealer to sell or deliver—

(1) any firearm to any individual who the licensee knows or has reasonable cause to believe is less than twenty-one years of age, if the firearm is other than a shotgun or rifle; or to any individual who the licensee knows or has reasonable cause to believe is less than eighteen years of age, if the firearm is a shotgun or rifle.

(2) any firearm to any person who the licensee knows or has reasonable cause to believe is not lawfully entitled to receive or possess such firearm by reason of any State or local law, regulation, or ordinance applicable at the place of sale, delivery, or other disposition of the firearm.

(3) any firearm to any person who the licensee knows or has reasonable cause to believe does not reside in (or if the person is a corporation or other business entity, does not maintain a place of business in) the State in which the licensee's place of business is located; except that this paragraph shall not apply in the case of a shotgun or rifle.

(4) to any person any destructive device, machine gun (as defined in section 5848 of the Internal Revenue Code of 1954), short-barreled shotgun, or short-barreled rifle, unless he has in his possession a sworn statement executed by the principal law enforcement officer of the locality wherein the purchaser or person to whom it is otherwise disposed of resides, attesting that there is no provision of law, regulation, or ordinance which would be violated by such person's receipt or possession thereof, and that he is satisfied that it is intended by such person for lawful purposes; and such sworn statement shall be retained by the licensee as a part of the records required to be kept under the provisions of this chapter.

(5) any firearm to any person unless the licensee notes in his records required to be kept pursuant to section 923 of this chapter, the name, age, and place of residence of such person if the person is an individual, or the identity and principal and local places of business of such person if the person is a corporation or other business entity.

Mr. HRUSKA. The number of licensed hunters who use rifles and shotguns in America today approximates 20 million citizens.

In the State of Michigan alone there are more than a million hunting licenses issued annually.

It seems to me, and I am sure it will appear to others, that the picture should be balanced. Every workable and acceptable effort should be made to keep guns out of the hands of the wrong people by law but, by the same token, the rifle and the shotgun are weapons used for sporting purposes, which are legitimate, wholesome, and beneficial. In many instances, such uses are essential. The rights and prerogatives of the law-abiding citizen should not be unduly interfered with or unduly burdened.

Mr. President, I conclude by restating my original proposition; namely, that S. 1853 is a workable bill. It is enforceable. It is a strict bill. It goes as far as any such measure can go without ceasing to be realistic and without placing undue burdens upon or interfering with law-abiding citizens who are owners and users of firearms.

Mr. HANSEN. Mr. President, will the Senator yield?

Mr. HRUSKA. I yield.

Mr. HANSEN. Mr. President, I compliment the distinguished and able Senator from Nebraska for contributing most significantly to the type of wise, sane, and reasonable legislation that I think is indicated to come to grips with the problem that concerns all of us. We are all concerned with the increasing rise in crime throughout the country. We are deeply disturbed as we see firearms and other destructive devices in the hands of people being put to wrong uses. Yet, I think all of us in this country, ever since the adoption of the Constitution nearly 200 years ago, have cherished certain of the privileges that were conveyed by that document. And certainly one is the right to own and bear arms. That is a very real one in the minds of a great many people.

Because there has been such great expression of concern from many people, and particularly people in the West, I would like to ask the distinguished Senator what S. 1853 will mean for the average sportsman when he sets out to buy a rifle or a shotgun. Will it impose additional burdens?

Mr. HRUSKA. Mr. President, S. 1853 will have no effect on the legitimate purchaser or user of a shotgun or rifle. However, if the shipment of a rifle or a shotgun from one State into another State would be in violation of the law of that second State, then there would be a Federal prohibition against it.

Mr. HANSEN. Would it not be fair to say then, if the Senator will yield further, that all the bill would do in this instance would be to reinforce State law? It would not prohibit something that is perfectly legal insofar as State law is concerned, but it would not give official Federal sanction to the doing of those things which would be prohibited by State law.

Mr. HRUSKA. The Senator is correct. The main thrust of the bill is to enable the States and localities to enforce their own laws.

In the course of the firearms hearings, we had many witnesses representing law-enforcement agencies of cities and States. They were asked why they did not enforce the laws within their own States. The answer invariably was, "We can handle matters within the borders of the State, but we cannot handle shipments across State lines into our State or cities."

So, by reason of this bill, which would cover the interstate shipment of guns, the States, and local authorities would be able to enforce their laws.

Mr. HANSEN. Mr. President, what about one who wishes to buy a pistol for sporting purposes or self-protection? How will he be affected? I am sure that a lot of people would like to know how this proposed law would affect them in this instance.

Mr. HRUSKA. If someone wants to purchase a handgun from outside his State, by mail, he would be required to fill out an affidavit. The affidavit would set forth his name, address, age, and other pertinent information necessary to qualify him as a purchaser of a handgun within his own State.

Also, if his State requires a permit or license to buy and accept delivery of a handgun, he must attach a true copy of the permit or license. Then he mails that affidavit to the out-of-State dealer. He must also specify, in the affidavit, the name of the law-enforcement officer of the city or State who has jurisdiction over the sale.

One copy of the affidavit would be mailed to the law-enforcement officer named. The law-enforcement officer would be given 7 days from the time the return receipt for that mail was received by the seller to determine whether or not the prospective purchaser is qualified under the law to purchase a gun and accept delivery.

If there is a negative finding, the seller would immediately receive word from the law-enforcement officer, "Do not sell this man the gun." That would be enough to stop the sale unless the dealer were willing to violate the Federal law.

In the event of an over-the-counter sale, where the purchaser crosses a State line for the purpose of buying a handgun, the same affidavit procedure would have to be followed.

The Director of the Federal Bureau of Investigation, Mr. J. Edgar Hoover, has indicated, and I have correspondence from him to that effect, that about 70 percent of the major crimes which are committed by firearms are perpetrated by the use of handguns.

The thrust of the bill, therefore, would be directed against the main offender of the illegal, improper, and unlawful use of firearms.

Mr. HANSEN. Mr. President, it has been asserted that the bills of the Senator represent a first step toward national registration of firearms. Is that so?

Mr. HRUSKA. No. It is not so. It is not so intended.

It is intended to forestall indefinitely any demand for registration of sporting firearms. Of course, machineguns and other gangster weapons are now required to be registered under the National Firearms Act.

Mr. HANSEN. What additional information about firearms ownership will be made available to the Federal Government if S. 1853 is adopted?

Mr. HRUSKA. Nothing not already required by the Federal Firearms Act.

Mr. HANSEN. How do the proposals of the Senator differ from the administration proposal—amendment No. 90 to S. 1—in this regard?

Mr. HRUSKA. The principal difference in the provisions is that the administration bill calls for a complete prohibition of all interstate mail-order sales to individuals of all firearms—an unthinkable concept.

America has had bad luck with prohibition statutes, very bad luck. They are difficult to enforce. There would be added expense to the millions of lawful users of firearms if a prohibition type of statute is passed. I have previously pointed out other problems in this connection.

Mr. HANSEN. How will S. 1853 aid local law enforcement officers?

Mr. HRUSKA. They will have advance notice of any intended interstate purchase of a handgun through the mails or over the counter.

The bill will enable such officers to enforce their laws better, because there is an express provision in S. 1853 which makes it unlawful to bring into the State any gun which the gun owner would be forbidden by law to possess or to own within that State. So the infraction of any law—State or local—by a user or an owner of a gun would become a Federal offense.

Mr. HANSEN. Unlike the administration's proposals, S. 1853 and S. 1854 deal separately with ordinary personal firearms and with destructive devices. Does the Senator believe we need much stricter regulation of destructive devices, especially under the threat of violence in our cities? I refer to the bazooka, the machinegun, the Claymore mine, the grenade. All these items, in my judgment, have no place at all in anyone's home. I take it that these are all weapons of destruction to which any sportsman, anyone concerned only with his own protection, would never resort.

Mr. HRUSKA. The Senator is correct, they should be treated separately. S. 1853 deals only with sporting weapons—the rifle, the shotgun, the revolver, and the pistol.

The National Firearms Act of 1934 was passed in the days of gang warfare. It previously takes care of the sawed-off shotgun, the automatic weapons, the machinegun, and so forth. However, since that time new weapons of the same character—also used in gang warfare and its equivalent—have been developed.

The purpose of S. 1854 is to deal with destructive weapons. The sportsmen of the Nation have every right to deeply resent being equated with users of destructive weapons. They are not hoodlums. They—by the millions—are not unlawful users of firearms. They have no interest in destructive devices. Such devices should be dealt with in the National Firearms Act of 1934.

One of the principal faults of the administration bill is that firearms and destructive devices are all wrapped up in one bill. They should not be. Destructive devices should be dealt with in one bill, and sporting arms should be considered in another bill.

Mr. HANSEN. I am certain that the Senator will be interested and pleased to know that all the mail I have received from my State of Wyoming, as a cosponsor of the Senator's bills, which I consider to be very excellent, has been favorable. Those organizations, which include sportsman's groups, hunter's, rifle associations, and others, have been critical of S. 1, and they have been most complimentary of S. 1853 and S. 1854.

I believe it is noteworthy that people who have a genuine concern and reason to be interested in this type of legislation because of their activities, their full-time activity, or because of their interest in the ownership of these guns so far as sportsmanship is concerned, as reflected by my mail, are in accord with the Senator's position.

I have one further question: How will S. 1854, in particular, be affected by the recent Supreme Court decision in Haynes against United States?

Mr. HRUSKA. The effect of the opinion in Haynes against United States was anticipated in one particular by the language in section 4 of S. 1854, so that only one other point need be covered by an amendment to the present language of S. 1854.

I have been in touch with the general counsel of the Treasury Department. The Treasury Department has written an opinion and has provided me with information with respect to the requirements of the Haynes opinion upon the National Firearms Act.

At this point, Mr. President, I ask unanimous consent to have printed in the RECORD the letter of February 14, 1968, signed by the Acting General Counsel of the Treasury Department, Roy T. Englert, which bears on this subject.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE GENERAL COUNSEL OF
THE TREASURY,
Washington, D.C., February 14, 1968.
Hon. ROMAN L. HRUSKA,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HRUSKA: Your letter of February 7, 1968, to the Secretary of the Treasury requested his view of the impact of the *Marchetti, Grosso* and *Haynes* opinions on certain enforcement activities of the Department. Your inquiry was referred to me for reply.

On January 29, 1968, the Supreme Court handed down decisions in *Marchetti, Grosso* and *Haynes*. Each case was concerned with the application of the constitutional privilege against self-incrimination by reason of government required information (occupational tax returns, excise tax returns and registration). Premised on the regulatory requirements in the wagering and firearms areas, the holding of the Court in each case was that one charged with any of the violations under consideration had the right to assert the Fifth Amendment privilege which would provide a bar to prosecution. The Court did not hold any of the statutes involved to be unconstitutional. It is also significant that in each of these cases the Court very carefully observed that the regulatory system involved was directed to groups "inherently suspect of criminal activities."

It is obvious that these cases will have a significant impact on the enforcement activities of the Department. At this time, we can only speculate as to the extent of the impact on the National Firearms Act and in the area of federal taxes on wagering. However, the many problems involved are receiving extensive study. We anticipate that recommendations for effectively coping with the problems will come from those studies.

As to the National Firearms Act, in the *Haynes* case, the Court held "that a proper claim of the constitutional privilege against self-incrimination provides a full defense to prosecutions either for failure to register a firearm under 5841 or for possession of an unregistered firearm under 5851." The incrimination aspects of this case go to federal law—the National Firearms Act (26 U.S.C. 5801–5862)—rather than incrimination under state statutes. However, the Court observed that a registrant "might be confronted by hazards of prosecution under state law, and that these hazards might support a proper claim of privilege." (n. 13, p. 14, Slip Opinion.)

As pertinent to the National Firearms Act, *Grosso* held that the privilege could be premised on a substantial hazard of incrimination under state law and *Marchetti* concluded that hazards of incrimination could, under the circumstances of that case, be premised on prospective acts noting that "insubstantial claims of privilege as to entirely prospective acts may certainly be asserted, but such claims are not here, and they need only be considered when a litigant has the temerity to pursue them." (p. 15, Slip Opinion.)

As you know, section 5851 generally makes it unlawful to receive or possess a firearm which has at any time been made or transferred in violation of the Act, as well as declaring it unlawful to possess a firearm which has not been registered as required by section 5841.

We believe that the violations of possession of a firearm illegally made or illegally transferred may be distinguished from the violations involved in *Haynes, Grosso* and *Marchetti*. Briefly, the basis of the distinction is: (1) There is no substantial risk of self-incrimination under federal law through compliance with the transfer and making tax provisions of the Act; (2) Only a few states have laws prohibiting the possession of National Act weapons and, therefore, compliance with the making and transfer provisions of the Act would not present a substantial risk of self-incrimination under the laws of every state; (3) A charge of possessing a firearm that was illegally made or illegally transferred by persons other than the accused can be made and such would preclude the accused from relying on the privilege; and (4) Compliance with the making and transfer provisions of the Act would, at best, show prospective violations of a state law and the application of the prospective rule followed by the Court in *Marchetti* may be distinguished in the firearms area.

You may be interested in the fact that the United States Court of Appeals for the Second Circuit rendered an opinion on January 19, 1968, in the Case of *United States* v. *Arthur Della Rocca* involving charges of possessing a firearm illegally transferred. The Court affirmed the conviction of the appellant in the District Court. We understand that he has filed a petition for certiorari with the Supreme Court. Possibly, a judicial determination of the validity of a charge of receiving or possessing a firearm illegally transferred will be made in this case. It is also interesting that possible incrimination under state law through compliance with the transfer provisions of the National Act has been raised in this case.

You recognize, of course, that the most effective tool in the enforcement of the National Firearms Act had been the charge of possessing a firearm which had not been registered. The loss of this tool will make it more difficult and time consuming to make cases charging illegal possessions under the Act. At this time, we are considering recommendations for legislation to assist in coping with this problem.

In the special (occupational) tax area under the National Firearms Act, we do not believe that the problem is as acute as is the case with this type of tax under the wagering statutes. This conclusion is based on the fact that one can engage in the business of dealing, manufacturing, or importing the types of firearms covered by the Act in most, if not all, states without violating state law. This is not the case with engaging in the business of accepting wagers.

Insofar as your proposals to amend the the National Firearms Act through S. 1854, now pending in Congress, we shall limit ourselves to broad observations. In *Haynes*, the Court found that registration provisions of section 5841 were directed to persons who possessed a gun in violation of the Act except in the uncommon occurrence of one finding a firearm. Your proposed amendments would not go to this problem.

Your bill includes several provisions that would disclose information to state authorities. Each of the three cases found this procedure objectionable in that it could disclose violations under state law.

There are, of course, other proposals in your bill which must be carefully considered in the light of these decisions.

In the area of federal taxes on wagering, we believe that the immediate effect of the *Marchetti* and *Grosso* cases has been to bring federal wagering tax criminal enforcement to a virtual standstill unless and until new legislation is enacted. At the present time, the Department is intensively exploring proposals to attempt to cope with the problems presented by these cases.

We recognize that our reply to your inquiry is speculative and in general terms. However, under the circumstances, we are constrained to follow this approach. In the near future, we hope that our position will be more definitive.

Very truly yours,

ROY T. ENGLERT,
Acting General Counsel.

Mr. HANSEN. I thank the Senator.

Mr. HRUSKA. Mr. President, I yield to the distinguished Senator from South Carolina.

Mr. THURMOND. Mr. President, I commend the distinguished and able Senator from Nebraska for the magnificent address he has delivered on the subject of gun legislation, and also for the outstanding leadership he has provided for Congress in this field.

Mr. President, this Nation is in the midst of a serious crime wave. This terrible increase in crime is occurring on three fronts: First, an increase in individual criminal acts—rape, murder, assault and battery, breaking and entering, and the like—second, a tremendous increase in mob violence—to wit, the tragic events in Watts, Detroit, Newark, and many other American cities, the latest of which is Memphis; third, an increase in organized crime.

This increase in crime is partially responsible, in my judgment, for the recent pressure to enact highly punitive legislation restricting the sales of firearms. For this reason it is imperative that we examine the causes of this wave of violence to see if, in reality, the adoption of such legislation would be wise.

Undoubtedly, many factors are involved; but, in my judgment, the single greatest factor is that the opinion leaders of this Nation have encouraged an attitude of moral relativism and permissiveness—an attitude which allows each individual to decide for himself which laws he will obey and which he will disobey. This permissive attitude is further reflected in the curious opinion held by many influential people that criminal actions should be excused, because the individuals involved might not be as financially well off as other citizens.

The result of this moral relativism has been to divorce many young people from a code of conduct which includes respect for the laws and for the community. The lines between legitimate protest and criminal action have become blurred in the minds of many, and our opinion leaders often treat crime as if it were legitimate protest. This has only served to increase a tendency toward crime, as moral restraint against such actions has been weakened or removed.

This attitude has been reflected in recent decisions of the Supreme Court which have shown such great concern for the criminal at the expense of law and order. Supreme Court policy on confessions has seriously handicapped law enforcement agencies in their attempts to bring criminal offenders to justice.

Where do guns fit into this picture? Some people apparently believe that firearms themselves are to blame. We must never forget that firearms do not commit crimes, people with criminal intent commit crimes. A gun can be used for good or ill, depending upon the disposition of the individual involved. The aim of this body should be to prevent the use of firearms for criminal purposes not to merely restrict the use of firearms.

One legitimate use of firearms which should not be forgotten is self-defense. Individuals bent upon violent crimes are not deterred from their actions if they have the knowledge that their intended victims are unarmed. With the growing crime rate in this Nation, let us not take action which may disarm the innocent citizen, but does not effectively disarm the criminal. Let us remember that criminals will strive to circumvent any law we pass. Restrictive legislation will not serve as an equal deterrent to ownership of firearms on the law-abiding and criminal alike, as the criminal is always able to obtain firearms.

Another consideration is the legitimate use of firearms for sport. Hundreds of thousands of persons in this country participate in sports—both in hunting and in marksmanship—which involve the use of firearms. Properly conducted, this use of firearms should not be inhibited by the Congress.

Marksmanship serves another important purpose as well: that of training persons for national defense purposes. This can be seen from the very successful program of the National Board for the Promotion of Rifle Practice. This program of civilian marksmanship has been important to the Nation's defense effort. As of January 1 of this year, 418,000 persons were enrolled in the civilian marksmanship program. Forty-five percent of these were young people between the ages of 12 and 18. This is important for two reasons: First, many of these are draft eligibles. It should be obvious to all that training in the use of firearms is important in our defense effort. This program not only trains young people, but also make available for the use of our Armed Forces a group of highly trained civilian marksmanship instructors in the event of the national mobilization of our Armed Forces as did happen in World War II. The second reason why this program is important is one which is particularly important in view of the increase in juvenile delinquency in this country. This program has 200,000 young people in disciplined, purposeful recreational activity. This is one of the finest youth programs in the Nation. It is a splendid example of character building—something far too many of our young people lack.

Our country needs more fine youth programs like the civilian marksmanship program of the Department of the Army. I must say I regret that the President has deemed it necessary to decrease the appropriation for this program, but our economy is a bit strained in this time of war and I do not now wish to question that decision. However, I certainly hope that the recommended appropriation will be retained and I intend to work toward that goal. The President has recommended the modest sum of $52,750 for the operation of the National Board for the Promotion of Rifle

Practice and $84,000 for the ammunition needed for the civilian marksmanship program.

The program can survive if further cuts are not made. This program deserves the continued support of the Congress. I am not advocating the free and unfettered accessibility of firearms. I wish only to urge that the importance of the civilian marksmanship program to the Nation be kept in mind in the consideration of any firearms legislation.

Mr. President, it has long been my view that congressional action can be taken which will be helpful in preventing easy access to firearms by those with criminal intentions, and yet not interfere with the legitimate use of firearms. Congress can make it unlawful to ship firearms in interstate commerce unless the sale is consistent with the law of the State to which the weapon is shipped. My views on this issue have been a matter of public record long before the present push for unreasonable congressional control of firearms. In my report to the people of June 14, 1965, I called for just this type of legislation. On August 16, 1966, I entered this newsletter in the Congressional Record. On June 18, 1967, I again discussed this subject in my weekly newsletter entitled "The Right To Bear Arms." Mr. President, I ask unanimous consent that this newsletter be printed in the Congressional Record at the conclusion of my remarks.

There being no objection, the newsletter was ordered to be printed in the Record, as follows:

The Right To Bear Arms

(Weekly Newsletter by Senator Strom Thurmond, June 18, 1967)

The tempo of the demands for some type of gun legislation has been increasing this year. Rising crime rates have led to more heated argument about the need for gun control by the authorities, State or Federal. The debate today is whether the Federal government should provide assistance for State laws on the subject, or set up substantive legislation of its own.

I believe, as I have indicated many times in the past, that Congress has no authority to prevent people from buying and owning firearms. The Second Amendment to the Constitution provides that "the right of the people to keep and bear Arms, shall not be infringed." These prohibitions are directed against the National Government, but not against the States. The people of each State, therefore, can regulate the sale of firearms without running afoul of the Constitution.

Most of the States have laws designed to prevent firearms from being sold to juveniles, insane persons and people with criminal records. The State laws vary in strictness and enforcement, according to the needs of each State. The New York law, for instance, requires that a person apply for and be granted a permit from the State as a prerequisite to purchasing or possessing a hand gun. In most States, however, control over gun sales is exercised by licensing the merchants who sell firearms, and by requiring the sellers to adhere to the law in order to keep their licenses.

In recent years, State laws governing the sale of firearms have been increasingly circumvented by mail order sales of weapons. Dealers in weapons located outside State boundaries often do not comply with State laws restricting sales. Guns have been sold through the mail to children, persons of unsound mind, and people with long criminal records. Some irresponsible mail order merchants sell with impunity to anyone who has the price, since they do not have to obtain a license in the State where the purchaser lives, and are beyond the reach of criminal laws of the State to which the gun is shipped.

The problem is easily solved without overstepping the safeguards of the Second Amendment. Congress has the power to regulate interstate commerce. Therefore, Congress can make it unlawful to ship firearms in interstate commerce unless the sale is consistent with the law of the State to which the weapon is shipped.

Congress should require the gun seller to obtain from the would-be purchaser a sworn statement that the buyer is not prevented by the law of his home State from purchasing the weapon. This should be coupled with a requirement that the seller, prior to shipping the weapon, send a copy of the sworn statement by registered mail to the chief law enforcement officer of the area in which the would-be purchaser lives. Failure to comply would be a Federal criminal offense.

Legislation of this type would protect the rights of the States and the rights of the people, without working an undue hardship on seller or buyer. In most States, the people feel strongly that law-abiding, sane adults should be permitted to own firearms. If the National Government prohibited the sales of firearms, law-abiding citizens would not obtain firearms, but law-breakers would. Criminals do not hesitate to obtain firearms illegally. Moreover, they would know that a gun would provide them with a bigger advantage over a citizenry disarmed by law.

Congress should enact legislation to support the laws which the people of each State have passed according to their varying requirements. It is just as important, however, for Congress to obey the Constitutional mandate that protects the right of the people to keep and bear arms.

Mr. THURMOND. Mr. President, in closing I again wish to commend the distinguished Senator from Nebraska for the great service he is rendering our country in the lead he is taking in trying to provide sound gun control legislation for the Nation.

Mr. HRUSKA. Mr. President, I am grateful to the distinguished Senator from South Carolina for his kind remarks and his valuable contributions to this legislation.

Mr. HICKENLOOPER. Mr. President, various firearms bills have been offered in this Congress in the hope that they might solve the problem of the misuse of firearms in crime. We are all aware that the misuse of firearms in crime is a problem. It is a problem which we must make efforts to solve. But before we can find a proper solution to a problem, we must know something about its magnitude and its character. Only then does it become possible to determine if proposed solutions will be not only effective, but reasonable and fair to all concerned.

It is not going too far to say that proponents of restrictive firearms legislation have gone out of their way to convince the public that the misuse of firearms accounts for a large part of our crime problem. Such is not the case. We now have available a new study which explores in a scientific manner the extent and character of the misuse of firearms in crime. This study shows that firearms are only involved in about 3 percent of our serious crimes, and in perhaps one-half of 1 percent of our total crime picture. The study shows further that homemade zip guns and toy guns are involved in an appreciable part of those crimes which are attributed to firearms in crime statistics. Also counted in the figures on firearms crime are the common hand-in-the-pocket type holdups where the actual presence of a firearm is uncertain.

No one denies that crimes committed with firearms are serious. The study points out that it is important to have laws prohibiting the possession of firearms by convicted felons, adjudged delinquents, drug addicts, and other undesirables. But it concludes that restrictive firearms legislation is not the solution to the crime problem, if for no other reason than the fact that firearms are not involved in the overwhelming majority of criminal offenses.

This study gives us an accurate perspective as regards the misuse of firearms in crime. It can help us to evaluate the proposed firearms legislation now before the Congress.

I ask unanimous consent that the study be printed in the Record.

There being no objection, the study was ordered to be printed in the Record, as follows:

The Misuse of Firearms in Crime—Extent of the Problem, February 26, 1968

(By Alan S. Krug*)

INTRODUCTION

The need to prevent abuses in interstate firearms sales through realistic federal legislation has been recognized by the overwhelming majority of American sportsmen and other law-abiding firearms owners in the United States. All the major organizations representing these interests have endorsed proposals which are now pending before the Congress. Other groups have proposed measures which law-abiding firearms owners believe are overly restrictive and ineffective. It is generally agreed that enactment of any new firearms legislation will be realized only through mutual understanding between all interested parties. However, positive action is being blocked by the anti-gun faction's dissemination of false and misleading statistics on the subject of the misuse of firearms in crime. The use of such "doctored" material serves only to alienate those sportsmen who are familiar with the facts. By misleading much of the general public with manufactured material, the anti-gun faction contributes nothing to the constructive dialogue over firearms control. Rather, it drives the two positions farther apart.

FACTS AND FANCY

One very misleading statistic that has been used in a number of emotionally charged antifirearm newspaper editorials and magazine articles is that, in 1965, 17,000 Americans were "killed by guns." While these 17,000 deaths were represented to be murders committed with firearms, the actual number of criminal homicides involving firearms in that year was 5,634. The remainder of the 17,000 people who were "killed by guns" died through suicide (8,989) (21) and firearms accidents (2,200) (18).

Another statistic of antifirearms writers is that "750,000 Americans have died since 1900 by means of firearms." Here again, the implication is that all of these people were murdered with guns. However, upon closer inspection, it is seen that this figure too includes deaths due to criminal homicide, firearms accidents and suicide. This particular statistic was originally manufactured by a New York City press agent to help sell an extremist anti-gun book. There are no reliable data available from any private or public source to substantiate it. J. Edgar Hoover, Director of the FBI, said in reference to the 750,000 "deaths" that "This Bureau does not have any reliable figures or estimates on the total number of Americans killed by firearms since 1900. We began compiling data on this subject in 1961, . . . (8)."

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*Alan S. Krug has been conducting research on the socio-economics of firearms since 1958. Formerly an economist on the staff of The Pennsylvania State University, he is the author of more than 20 published technical and semi-technical papers in the fields of natural resources management, economics, and firearms legislation. He is presently assistant to the director of the National Shooting Sports Foundation, Inc.

Data on the number of homicides in the United States involving firearms and explosives are available from the U.S. Department of Health, Education, and Welfare, Public Health Service, for the years 1933 to 1966. Some data are available for the period 1910 to 1932, but only for "Death-registration States," and not for the entire United States. Data for homicides by type of weapon used are not available for any years prior to 1910 (11). In no case are the data disaggregated into deaths by firearms and deaths by explosives. A second deficiency in the data is that the homicides are not broken down into criminal homicides and justifiable homicides.

Unfortunately, such fabricated, misleading statistics influence not only the general public but individuals who are seriously interested in the question of the misuse of firearms in crime. This is well demonstrated by the recent testimony of Attorney General Ramsey Clark before a subcommittee of the U.S. House of Representatives. Both the 17,000 and the 750,000 figures were used by Attorney General Clark (5), who testified in favor of the enactment of H.R. 5384, the House version of Amendment 90 to S. 1, the current "Dodd bill." He made the amazing statements in regard to the 17,000 statistic that "Actually, we are unable to make a specific breakdown (as to those deaths which were the result of criminal activity and those that were due to accidents and suicide—ed.)," and "It may be that most of them (the 17,000 deaths—ed.) are the result of criminal acts."

These statements were made in spite of the fact that the number of criminal homicides involving firearms in 1965 was published by the Federal Bureau of Investigation, an agency of the U.S. Department of Justice, which Attorney General Clark heads (24). Both the number of accidental deaths and suicides involving firearms were available from the U.S. Public Health Service, U.S. Department of Health, Education and Welfare. In 1965, criminal homicides involving firearms totaled 5,634 (24), hardly "most of them."

When asked for a breakdown of the 750,000 figure, the attorney general said "I would assume that accidental death would be among the highest," (5, page 255). Actually, the number of accidental deaths by firearm is the lowest of the three categories of firearms deaths as mentioned above for each of the years for which data are available.

Thus, it can be seen that it is all too easy for statistics that have "popped up" in some popular article to be taken for scientific fact, when in truth they constitute little more than "gossip." Such situations as this represent a real threat to any attempt to present the problem of the misuse of firearms in a scientific light. The result can only be confusion, consternation and resentment on the part of those who are attempting to judge proposed firearms legislation.

FIREARM HOMICIDE 1910–67

From 1910 until the present time, the firearm homicide rate in the United States has shown a decidedly downward trend. This is depicted in the graph of Figure 1 [Not printed in the RECORD], which is a time series of the national firearm homicide rate.[1] The trend line,[2] which was fitted to the date of the time series by the method of least squares,[3] indicates that the magnitude of the problem of the misuse of firearms in homicides has been decreasing, not increasing, over the entire period for which data are available.

During this 57-year period in which the firearms homicide rate has shown this downward trend, the extent of firearms ownership in the United States has trended upward.[4] These data are not at all consistent with a contention that firearms are a causative factor in homicides, but rather tend to refute such a view. Nor do the data suggest that the problem of the misuse of firearms in homicide is a new one which has suddenly appeared on the sociological horizon. Perhaps the increasingly efficient communications media of today are partly responsible for much of the public having this impression. While efforts must be made to solve the problem of the misuse of firearms in crime, the extent of the problem and its present status should be judged in terms of the entire period for which data are available. Only then can the problem be seen in its proper perspective and subjected to meaningful analysis.

FIREARMS IN CRIME: 1966

Firearms were misused in 3.4 percent of the 3,243,370 serious crimes that were committed in the United States in 1966.[5][6] Table 1 shows the relationship of firearms to other weapons used in the commission of serious crimes in that year.

Unfortunately, data breaking down this 3.4 per cent into (1) gangster weapons as classified under the National Firearms Act of 1934, (2) "zip guns," (3) toy guns, (4) alleged guns,[7] (5) pistols and revolvers, and (6) rifles and shotguns are not available (10). Therefore, just what the role of each is in the total picture of the misuse of firearms in crime can only be estimated. It is possible to say that the percentage of serious crimes in which non-gangster type firearms are involved is less than the 3.4 per cent figure, and that handguns, including zip guns, are the most frequently misused type of firearm.

It is known, for example, that in 1966, pistols and revolvers, including zip guns, were involved in 72.7 per cent of all *firearm* homicides, rifles in 11.4 per cent, and shotguns in 15.9 per cent (6).[8] The latter two categories, of course, include an unknown number of gangster-type weapons, i.e. "sawed-off" rifles and shotguns and machine guns.

TABLE 1.—RELATIONSHIP OF FIREARMS[1] TO OTHER WEAPONS USED IN THE COMMISSION OF SERIOUS CRIMES, 1966

	Percent of weapons used	Total crimes committed	Crimes in which firearms were used
Homicide		10,920	
Firearms	59.3		6,476
Knives or cutting instruments	22.3		
Personal weapon (hands, feet, etc.)	9.4		
Blunt objects	5.4		
Miscellaneous	3.6		
Aggravated assault		231,800	
Knives or cutting instruments	33.6		
Blunt objects	22.3		
Personal weapon (hands, feet, etc.)	25.3		
Firearms	18.8		43,578
Robbery		153,420	
Armed with—			
Firearms	38.9		59,680
Other weapons	19.4		
Strong arm (muggings)	41.7		
Forcible rape		25,330	
Burglary		1,370,300	
Larceny ($50 and over)		894,600	
Auto theft		557,000	
Total	[1] 3.4	3,243,370	109,734

[1] Firearms including the so-called gangster weapons as so classified under the National Firearms Act of 1934, zip guns, toy guns, alleged guns, pistols and revolvers, and rifles and shotguns.

Source: FBI Uniform Crime Report, 1966, pp. 4, 9, 15, and 107 and supplemental letter from the director of the FBI.

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[1] Series of successive observations of the same phenomenon over a period of time are called time series. In this case, the phenomenon is the annual firearm homicide rate in the United States.

[2] The secular trend is that characteristic of a time series which extends consistently throughout the entire period of time under consideration, and is represented by the trend line.

[3] For a simplified explanation of the "method of least squares," used for determining the trend line, see *Introduction to Probability and Statistics* (1) or *Introduction to Statistical Analysis* (7).

[4] At the end of 1966, it is estimated that between 40 and 50 million persons in the United States owned some 200 million firearms of all types. For a treatise on the socio-economics of firearms in the United States, see *The Socio-economic Impact of Firarms in the Field of Conservation and Natural Resources Management* (17).

[5] Total serious crime as defined by the FBI in the Uniform Crime Reports is (1) murder and non-negligent manslaughter; (2) forcible rape; (3) robbery; (4) aggravated assault; (5) burglary; (6) larceny ($50 and over); and (7) auto theft (23, page 4). Murder and non-negligent manslaughter, aggravated assault and robbery are the three specific crime categories in which firearms are sometimes misused.

[6] FBI crime data for 1966 are the latest available (23).

[7] If, for example, a man holds up a store by keeping his hand in his coat pocket in such a way as to indicate he has a gun, the robbery will be recorded as involving a firearm, even if no gun is ever actually seen by any of the persons involved in the holdup. The number of such cases is apparently significant. In 1966, 10.1 per cent of all robberies in New York City which involved firearms were committed with toy or alleged guns. By comparison, rifles, shotguns and machine guns were involved in only 2.3 per cent (13).

[8] Although the 1966 FBI Uniform Crime Report erroneously reported "firearms used to commit more than 6,500 murders" in 1966 (23, page 1), firearms were involved in 6,476 criminal homicides, or 59.3 per cent of the total number committed (23, page 107). This 59.3 per cent figure was incorrectly rounded to 60 per cent (23, page 6). The error was apparently the result of a second incorrectly rounded figure of 44 per cent for the per cent of murders committed with handguns (23, page 7). The latter was actually 43.1 and should have been rounded to 43.

According to Prosecuting Attorney William L. Cahalan's testimony before the Senate Subcommittee To Investigate Juvenile Delinquency in July of 1967, Detroit Police Department statistics indicate that 95 per cent of all gun armed robberies in that city are with handguns (4). In all probability, this figure is similar to those encountered in other cities, as by and large holdups are committed with concealable weapons.

FBI and New York City Police Department Statistics show that there were 23,539 robberies in the city of New York in 1966. Handguns were used in 23.4 per cent of these robberies and rifles, shotguns and machine guns in 0.6 per cent. Of the total number of robberies committed with all types of firearms, those committed with rifles, shotguns and machine guns constituted 2.3 per cent, less than the five per cent figure reported for Detroit (13).

These data indicate that of all the serious crimes which occurred in the United States in 1966, less than one half of one per cent (0.005) involved rifles and shotguns.

In addition to the 3,243,370 serious crimes known to have been committed in 1966, there were nearly six million arrests[9] for assaults, embezzlement and fraud, forgery and counterfeiting, arson, violation of narcotic drug laws, vandalism, vice and other crimes excluding traffic violations (23, page 114). With the number of such crimes amounting to more than four times the number of arrests made (23, page 102), the total number of crimes committed in the United States in 1966 was apparently no less than a staggering 31 million (excluding traffic offenses).[10][11] Thus, serious crimes committed with firearms of all types constituted no more than 35/100 of one per cent (0.0035) of all the crime in the United States in 1966. Such crimes committed with rifles and shotguns were probably no more than 5/100 of one percent (0.0005) of the total!

CONCLUSION

In 1966, there were 3,243,370 serious crimes committed in the United States. Firearms of all types, including zip guns, gangster weapons, and alleged guns, were involved in 109,734, or 3.4% of these serious crimes. Rifles and shotguns were involved in less than one-half of one per cent (0.005).

The grand total of all crime, excluding traffic offenses, in the United States in 1966 was apparently in excess of 31 million. Serious crimes involving firearms constituted about 35/100 of one per cent (0.0035) of this total. Such crimes involving rifles and shotguns accounted for approximately 5/100 of one per cent (0.0005).

What this means in practical terms is that if firearms were to be completely eliminated from society, (granted, an impossibility) and no criminal substituted any other type weapon for a firearm, the United States would still have 96.6% of its serious crime, and 99.6% of its total crime. If all rifles and shotguns were to be eliminated from society, and no criminal substituted any other type of weapon for them, the United States would still have at least 99.5% of its serious crime and at least 99.9% of all of its crime. The fact that criminals do substitute other weapons for commercially-manufactured firearms is obvious, and has been well documented (2, 15, 19, 20, 25, 27). For example, the use of homemade zip guns exceeded the misuse of rifles and shotguns in murders, robberies and assaults in New York state in 1966 (12).[12]

Measuring the extent of the misuse of firearms in crime is a necessary prerequisite to evaluating the possible effect which firearms legislation might be expected to have on the crime rate. Data presented in this study show that crimes involving the misuse of firearms account for a minimal part of the total crime picture. Firearms legislation would be correspondingly limited in its effectiveness.

Previous studies have shown that the availability of firearms is not a causative, but only an incidental, factor in the 3.4% of total serious crimes in which firearms of all types are involved (14, 25, 27). Studies have also shown that there is no statistically significant difference in crime rates between those states having firearms licensing laws and those which do not (15, 26).

It is axiomatic that it is desirable to have laws prohibiting convicted felons, adjudged delinquents, mental incompetents, drug addicts, adjudged habitual drunkards and fugitives from justice from purchasing or possessing firearms (16). But many of those who espouse firearms legislation as a means of reducing crime rates in the United States are doing the public a disservice by leading people to believe that such legislation will successfully solve the crime problem, or for that matter, even a significant part of it, when the facts dictate that it will not. Misleading the public in this way tends to reduce the public's justifiable concern over our alarming crime rate and delays positive action aimed at the real causes of crime, which, as many studies have shown, are socio-economic in nature (3, 24, page VII).

With 40 to 50 million Americans owning firearms for lawful purposes, the burden should be on those advocating restrictive firearms legislation to show that the legislation they propose is an effective means of preventing crime and reducing crime rates. Proof in the way of scientific evidence, duly treated by proper statistical methods, should be required. Emotional arguments based on personal opinion or political expediency should be rejected. Benefits, if any, to be gained from firearms legislation should be judged both in terms of the financial cost to the community and in terms of the subsequent loss of personal freedom and individual civil rights.

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[9] Arrests, not crimes known to have been committed. The total number of crimes committed has not been reported, and must be imputed from the arrest figures. In 1966, the FBI received reports of 4,144,445 arrests for such crimes from 4,042 agencies representing a population of 137,986,000. For the entire population of 195,857,000, a total arrest figure of 5,880,967 can be imputed.

[10] The percent of offenses cleared by arrests in 1966 was 24.3 for serious crimes, and 21.1 for other crimes, excluding traffic offenses. A clearance of 21.1% for 27,871,800 crimes would account for 5,880,967 arrests as noted above. With 3,243,370 serious crimes having been committed, the grand total for all crimes, excluding traffic offenses, would be 31.115,170. This, of course, does not account for any unreported crime.

[11] Crime reports measure the number of crimes, not the number of criminals. The number of criminals is substantially less than the number of crimes committed.

[12] The Joint Legislative Committee on Crime, Its Causes, Control, and Effect on Society of the New York state legislature reported that in 1966, murders, robberies and assaults with rifles and shotguns in New York state totaled 705, while zip guns were involved in 976 such incidents (12).

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APPENDIX TABLE 1.—*Firearms homicide rates in the United States: 1910–66* [1]

Year:	Rate
1910	2. 5
1911	3. 2
1912	3. 2
1913	3. 6
1914	3. 9
1915	3. 6
Average	3. 5
1916	4. 0
1917	4. 6
1918	4. 4
1919	5. 1
1920	4. 8
Average	4. 6
1921	5. 9
1922	5. 8
1923	5. 6
1924	5. 8
1925	5. 8
Average	5. 8
1926	5. 8
1927	5. 6
1928	5. 9
1929	5. 5
1930	6. 0
Average	5. 8
1931	6. 2
1932	6. 1
1933	6. 3
1934	6. 1
1935	5. 1
Average	6. 0
1936	4. 7
1937	4. 4
1938	3. 9
1939	3. 7
1940	3. 5
Average	4. 0
1941	3. 4
1942	3. 1
1943	2. 5
1944	2. 5
1945	2. 9
Average	2. 9
1946	3. 5
1947	3. 4
1948	3. 3
1949	2. 8
1950	2. 8
Average	3. 2
1951	2. 5
1952	2. 7
1953	2. 5
1954	2. 5
1955	2. 3
Average	2. 5
1956	2. 4
1957	2. 3
1958	2. 4
1959	2. 5
1960	2. 6
Average	2. 4
1961	2. 5
1962	2. 4
1963	2. 5
1964	2. 6
1965	2. 9
Average	2. 6
1966	3. 3

[1] Data for 1910–32 are for "Death-registration States" only; data for 1933–66 are for the entire United States (11).

SOURCE: Public Health Service, U.S. Department of Health, Education, and Welfare (1910–60); Federal Bureau of Investigation, U.S. Department of Justice (1961–66).

THE LEGITIMATE NEED AND USE OF FIREARMS IN THE UNITED STATES TODAY

Mr. HICKENLOOPER. Mr. President, in all the hue and cry over the criminal misuse of firearms in America these days, some people, by design or accident, are mounting a massive campaign which implys that there is no longer any need for firearms in a modern, civilized society. These persons, no doubt, are motivated by an inherent fear of violence, particularly that involving shot and shell, and their ideals of a peaceful utopia undoubtedly are sincere. But in their zeal, they seem to give the impression that the only legitimate need for or use of firearms in our society should be reserved for the police and the Nation's military forces. All other uses, in their professed opinion, are suspect, dangerous, and unnecessary to the health, happiness, and welfare of the American people.

Such thinking, unfortunately, is completely unrealistic, impractical, and wishful. For there are, whether or not they can believe it, many entirely legitimate uses for firearms in our society—uses which are completely honorable and necessary to our survival in a troubled world.

Hunting, for example, has been and continues to be one of America's finest traditions. Approximately 17 percent of all adult Americans participate in the sport of hunting. In 1964 the number of Americans taking to our fields and forests in quest of game and healthy outdoor sport approached the 20 million mark. In rural areas, 28 percent of our population participates in the sport of hunting; in cities, 10 percent—and there is every indication that more of our city dwellers would like to enjoy this sport if given the opportunity to do so. Projections for the future indicate that, between now and 1975, there will be a 30-percent increase in the number of individual hunters; between now and the year 2000, there will be an 83-percent increase.

Firearms are also used extensively, and legitimately, in target shooting. Although exact figures on the total number of target shooters in the United States have not been completely compiled, some 150,000 of the National Rifle Association's 950,000 members in 1967 held classification cards for competitive shooting. These shooters participated in more than 2,200 registered and approved tournaments. In that same year, more than 400,000 men, women, and children participated in NRA marksmanship qualification courses; and since 1926 more than 6 million Americans have been qualified by this organization, the largest of its kind in the world.

In the shotgun sports, more than 23,000 persons are represented by the National Trapshooting Association, and another 12,000 persons belong to the National Skeetshooting Association. Reliable estimates, however, place the number of people who regularly compete in these fine sports at over 100,000 trapshooters and more than 200,000 skeetshooters.

Millions of other persons enjoy shooting in activities which range from turkey shoots to plinking at tin cans. Collecting firearms of historic value is another form of ownership and use which attracts increasing numbers of our citizens. Many of these persons belong to one of more than 75 gun collectors' associations; thousands more enjoy this interesting hobby on a personal, unorganized basis.

Finally, there is one other legitimate use of and need for private ownership of firearms in the United States today. This is the right to protect one's life, family, home, or business. Millions of guns are kept by homeowners as protection from criminals; millions of firearms are also legitimately kept in banks, business offices, stores, and other places of business for the same reason. Despite the wishful thinking of some naive "do-gooders," there is today, and always will be, a need for American citizens to protect themselves against the midnight prowler, the rapist, and the mentally deranged criminal who will not wait for the police to arrive before he commits mayhem or murder. It is completely unrealistic and impractical for us to believe that we can create a police force large enough or efficient enough so that every home and every place of business in America could be constantly patrolled. Certainly, the right of American citizens to defend their lives and property must be recognized, for without this privilege our right to life, liberty, and the pursuit of happiness would be seriously jeopardized.

In all, there are at least 200 million firearms in private ownership in the United States—firearms that are owned and used in a variety of legitimate ways by decent, law-abiding persons. It is patently unfair and untrue to classify these citizens in the same category as criminals or others who accidentally or intentionally misuse firearms for any purpose whatsoever. The vast majority of Americans who own and use firearms do so safely, legally, and as a means of enjoying a healthy, beneficial sport.

Through the sporting use of firearms in hunting or competitive shooting, this Nation has maintained a tradition that since its inception in Revolutionary War days has carried the country through every test of its strength and valor in every armed conflict which we have fought throughout our history. It would be a dark day, indeed, if these legitimate uses of firearms should ever be denied the American people.

Most of us are interested in improving existing law to regulate the distribution of firearms. On a number of occasions on the Senate floor it has been made clear that proponents of different methods of accomplishing this are separated more by emotional claims about the relation between commerce in firearms and crime than by the actual differences in the various pending bills. As the chairman of the Commerce Committee made clear some time ago, that committee will have to be satisfied as to the methods and justification of any new regulations of domestic or foreign commerce.

It is perfectly obvious that mail order sales should be further regulated to discourage anonymous buying by potential troublemakers. It is equally obvious that gangster-type weapons and odd pieces of military ordnance not usable for sporting purposes should not be commercially available to the general public. The bills diligently worked out over the last several years by Senator HRUSKA accomplishes these objectives. Senator HRUSKA's bill appears to have successfully zeroed in on the target without becoming a catchall for additional restrictions which are hard to explain and justify and which have generated unnecessary oppositions and the recent stalemate.

To illustrate the need for sober review of the proposals of the Judiciary Subcommittee, its amended S. 1 would give authority to the Secretary of the Treasury to embargo imports in his discretion. Whether or not intended, this invites discrimination, without regard to either the sportsman's or the criminal's choice of firearms, between foreign and domestic origin, between manufacture for military and nonmilitary specifications. If the Federal Government is going to tell Americans what they can and cannot buy, there must be a solid justification. If certain types of firearms are peculiarly susceptible to criminal use, rather than sporting use, then they should be clearly defined and removed from commerce. There is no need for a double standard applicable to firearms of domestic and foreign origin.

In this connection, I am happy to note that efforts in the Senate to confine this legislation to justifiable regulations of commerce has its counterpart in the other House, where the Judiciary Committee is understood to have eliminated the import section and appears to be progressing toward a more effective and realistic bill along the lines proposed by Senator HRUSKA.

Mr. CANNON. Mr. President, the differences between the administration approach to firearms controls, as manifested in S. 1 with amendment No. 90, the Dodd bill, and the Hruska approach as set forth in S. 1853, are differences not only of degree but also of substance. The philosophy and orientation of the administration bill is one of restriction and prohibition of the law-abiding citizen to acquire, possess and use firearms for legitimate purposes. Proposed controls of S. 1 are both direct and indirect and reflect an approach alien to the American ethos.

Veritable mountains of testimony have been presented both for and against the administration proposal to regulate firearms in commerce. But, Mr. President, I have seen nothing in all the oral and written presentations to justify a policy of prohibition—the kind of policy exemplified clearly and directly in S. 1.

We are constantly being told by the proponents of the administration measure that the American public wants this kind of bill; that not only public officials of various kinds but also the private citizen throughout the United States have raised their voices loudly and unmistakably for highly restrictive controls. If this be true, then I am unaware of this clamor. I say this both as a Member of this august body of lawmakers and as a private citizen. In fact, everything that I have seen, heard and experienced has convinced me that, rather than urging the passage of the administration gun bill, a highly significant portion of the electorate has opposed the enactment of such a measure. Why is this? The reason is that S. 1 is virtually all-inclusive and susceptible to arbitrary action.

There is a proposal, Mr. Chairman, which fulfills the requirements for proper Federal control, on the one hand, and for noninfringement of the regulatory rights of the States, on the other. This bill would not only maintain in proper perspective and balance the Federal-State fields of operation but also by implication recognize the basic right of the individual to acquire, possess and use firearms for legitimate purposes, free from unnecessary and undesirable bureaucratic interference. S. 1853, by Mr. HRUSKA, of Nebraska, is this proposal; and I commend it to you for your consideration and approval.

S. 1853 would apply only to handguns—the firearm used in over 70 percent of armed crime—and would provide a certified statement system for the shipment or receipt by a private person of a handgun in interstate commerce. This bill regulates; it does not prohibit. It controls with temperance, soundness and reasonableness an area which is recognized by all in need of additional regulation.

STATEMENT IN SUPPORT OF S. 1853 AND S. 1854, BILLS TO REGULATE THE SALE OF FIREARMS AND CERTAIN OTHER DESTRUCTIVE DEVICES

Mr. ERVIN. Mr. President, without dispute, the greatest domestic problem now confronting this country is a soaring crime rate. Responsible citizens now recognize that the crime problem has reached such proportions that immediate action is required to control or prevent behavior that threatens the public order and security of this Nation.

Mr. President, consider if you will, that in 1967 there was a forcible rape every 23 minutes, a robbery every 4½ minutes, an assault every 2½ minutes, a car theft every minute, and a burglary every 27 seconds. The resulting monetary loss is authoritatively estimated to be at least $27 billion. Of course, there is no way of adequately measuring the pain, misery, fear, and suffering inflicted upon the innocent victims of crime.

The problem and its complexity in our modern industrial-technological society are obvious. Equally obvious is the necessity for prompt and efficient action now to afford adequate protection for our lives and property. With this in mind, careful consideration is being given by the Congress to several bills now under consideration to accomplish through legislation increased Federal assistance in such critical areas as narcotics and drug abuse, police organization, judicial administration, State detention and correctional agencies, organized crime, research in the prevention and control of crime, and firearms control.

It is to this final topic, firearms control, which has generated much debate and emotion, that I direct my remarks.

During recent years, the increasing crime rate, the assassination of a President, and the rioting in our cities have caused the Congress to take another look at the possession and use of firearms to determine if increased regulation would be in the national interest. The legislation which has thus far been proposed has fallen generally into two categories: First, the greatly restrictive type of legislation such as S. 1, as reported to the Judiciary Committee—amendment No. 90—and H.R. 5384; and, second, the more moderate bills which have been introduced by several Members of the House of Representatives, and S. 1853 and S. 1854 introduced by Senator HRUSKA.

S. 1 as amended and H.R. 5384 provide express restrictions on the shipment of any firearms, including shotguns and rifles, in interstate commerce. They prohibit the interstate mail-order sale, except between federally licensed dealers, of all firearms including handguns, shotguns, and rifles, and military surplus weapons. They prohibit the over-the-counter sale of handguns to nonresidents. Also, the bills contain elaborate licensing procedures and increased fees for firearms dealers, manufacturers and importers.

Senator HRUSKA's measure, S. 1853, provides for an affidavit procedure for mailorder and nonresident over-the-counter sales of handguns, because it is felt that handguns are the principal tools of criminals. Included in the bill is an absolute prohibition on the sale of such guns to those under 21 years. The Hruska bill does not, however, impose Federal restrictions on the sale of rifles and shotguns so long as such sales are not in violation of State law.

After careful consideration of the various bills and of available crime statistics, and after weighing the utility of the proposed controls against the threatened infringement upon individual and constitutional rights, the conclusion is inescapable that comprehensive Federal controls on the availability of all firearms is unwarranted and unnecessary. I therefore support the less restrictive provisions of S. 1853.

As I see it, apart from the constitutional question, there are two policy considerations which must be balanced in the study of any firearms legislation, and they are: First, the problem of increasing crime in our country, and how it will be affected by legislation restricting the purchase of firearms; and, second, the lawful use and enjoyment of firearms by the 40 million citizens who own them, and the effect such legislation would have on such lawful use of firearms as recreational shooting, including hunting, and personal protection.

I strongly believe that firearms should be kept from those who would misuse them; however, we have a recent example of how difficult it is to keep weapons from the hands of those who would break the law: A substantial number of guns that were used during the riots which have swept our large cities were stolen, not purchased, from local sporting goods stores and pawnshops.

If I felt that extreme legislation such as S. 1, as amended, and H.R. 5384 would prevent the commission of serious crimes, I would have to support it; but commonsense tells us that a criminal who sets out to commit a serious assault will not be deterred by a law which says he cannot have a gun in his possession. The fact is that guns are used in only a small percentage of serious crimes. A Federal Bureau of Investigation survey shows that in 1966 only 3.4 percent of the 3,243,000 serious crimes committed in the United States were committed with firearms. These FBI figures show that guns of all types were used in only 19 percent of aggravated assaults, while knives and razors were used in approximately 34 percent of the total, blunt instruments accounted for 22 percent, and miscellaneous and personal weapons completed the total. Also, a report by a Wisconsin State agency indicates that the murder rate in those States that regulate firearms is no lower than the rate in those States that have no such regulation. And so it seems that the regulation of firearms could solve only a small part of the crime problem.

I must concede, however, that even though guns are used in a small percentage of serious crimes, the argument for gun legislation would be meritorious if gun legislation would, in fact, keep guns from criminals and save lives. While I feel that hardened criminals and potential criminals with no records would still be able to obtain a large percentage of their firearms needs no matter how stringent our legislation might be, I have decided that the benefits to be derived from legislation designed to restrict the sale of handguns are significant enough to warrant the expense, the restriction and the interference which would be imposed by such legislation upon the lawful users of these firearms. There is little doubt that handguns are the principal tools of criminals. For example, during 1966, 60 percent of the willful killings in the United States were committed with firearms and 70 percent of these gun murders resulted from handguns. Of the 19 percent of aggravated assaults referred to in the previous paragraph which were committed with firearms, it has been estimated by the FBI that at least two-thirds of these were committed with handguns. Additionally, by far the largest percentage of armed robberies are committed with handguns. And so it appears to me that the firearms problem is primarily reduced to one of adequately controlling the misuse of handguns.

It also appears quite logical to me that rifles and shotguns belong in a separate category, exempt from the controls placed on handguns. The handgun, because of its physical characteristics, its easy concealability, is the weapon most often utilized by the criminal element. On the other hand, rifles and shotguns, both by custom and heritage, are the firearms of the sportsman. Subjecting both categories of firearms to the same requirement seems no more logical to me than placing identical controls on ships and automobiles.

For this reason, and with the firm resolve that the substantial segment of our society that lives in rural and semirural areas should not be denied the opportunity to purchase firearms for recreational use or personal protection, or be subjected to exorbitant taxes and extra costs connected with such purchases, I favor S. 1853 which exempts rifles and shotguns from the affidavit and notification requirement which it imposes upon the mail-order and nonresident over-the-counter sales of handguns.

Mr. President, I should like to emphasize that the forward-looking, positive program embodied in S. 1853, specifically would include the following features:

First. It would require that no manufacturer or dealer may ship any firearm in interstate commerce to any person in violation of State or appropriate local law.

Second. It would provide that no person may transport or receive in his place of residence a firearm acquired by him outside the State if such acquisition or possession is unlawful in the place of his residence.

Third. It would require that no carrier may deliver any handgun to a person under 21 years of age.

Fourth. It would require that the purchaser of a handgun in interstate commerce make an affidavit of eligibility which is filed with the purchaser's local law enforcement agency, and that the seller wait at least 1 week before shipping the handgun to the purchaser.

S. 1853 has received the full support of not only hunters and sportsmen but also a substantial part of the American public, including the approval of all of the major gun and wildlife organizations, such as the National Rifle Association, the National Shooting Sports Foundation, the Sporting Arms Manufacturing Institute, the National Wildlife Federation, and the Wildlife Management Institute, and others.

I have no doubt of the constitutional power of the Congress to enact S. 1853. Much misinformation has been distributed in recent years by opponents of firearms legislation to the effect that the "right to bear arms" guaranteed by the second amendment is personal and absolute and protected against any restrictive Federal legislation. This argument is without support in the language or history of the second amendment. The amendment provides:

> A well regulated militia, being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed.

There is disagreement among modern legal commentators as to whether the pairing in the amendment of the two concepts of the militia and the right to bear arms means that an individual has a right to bear arms solely in his function as a member of the militia. Some argue that the terms "militia" and "people" were intended to be separate in nature and to preserve two distinct rights and that, as a consequence, the amendment guarantees an individual right to bear arms for personal purposes. Others contend that the right runs only to the people collectively, organized as the militia, and relates only to matters of common defense.

Neither the language of the amendment, the history of its adoption, nor the court decisions construing it supply a basis for a definitive answer to the question. The relevant point, however, is that the right to bear arms, whether it be an individual right or a collective right, is certainly not an absolute right. The cases are clear that, notwithstanding the second amendment and comparable provisions of State constitutions, the possession and use of firearms are subject to reasonable regulation. Under the police power of the States, the courts have upheld the reasonable regulation or even prohibition of carrying concealed weapons, the possession of enumerated deadly weapons or weapons not ordinarily used for defense or warfare, the firing of guns in populous areas, or the use of weapons in connection with the formation of military organizations other than the organized militia. Pursuant to this recognized power, every State has enacted some form of statute regulating either the possession, carrying, purchase, or sale of firearms.

Although the Federal Government has no police power and can impose controls over firearms only through its power to regulate interstate commerce, its power to tax and its jurisdiction over the mails, the Supreme Court and other Federal courts have upheld Federal firearms legislation under these powers. The National Firearms Act of 1934, which levies a heavy tax on transfers of machineguns, sawed-off shotguns, silencers, and other gangster-type weapons, was upheld by the Court in *United States* v. *Miller*, 307 U.S. 174 (1939). The Federal Firearms Act of 1938, which regulates the movement in interstate commerce of all firearms and ammunition larger than .22 caliber, licenses all dealers, and prohibits shipments to or receipt by criminals or the movement of stolen weapons, was upheld in *Cases* v. *United States*, 131 F. 2d 916 (1st Cir. 1942), and *United States* v. *Tot*, 131 F. 2d 261 (3d Cir. 1942), both of which were considered and left undisturbed by the Supreme Court.

There is no question, then, that there is nothing in the meaning, scope, or application of the second amendment to impede passage of Federal legislation, such as S. 1853, imposing reasonable restrictions on interstate traffic in firearms and setting reasonable licensing requirements for firearms dealers, manufacturers, and importers. The purpose and effect of the bill is to prohibit the interstate sale of handguns, which are particularly susceptible to misuse by criminals, and to prohibit interstate firearms transactions in violation of Federal, State, or local law, thus facilitating the enforcement by the States of their own firearms laws. The bill constitutes, in my judgment, a proper exercise of the interstate commerce power, the taxing power and the power over the mails, and does not infringe upon any right to bear arms protected by the second amendment or any other provision of the Constitution.

Mr. President, at this time, I would also like to express my strong support for the bill, S. 1854, to amend the National Firearms Act to strictly regulate the making or transfer of so-called destructive devices such as bazookas, mortars, bombs, grenades, rockets, and field ordnance. The bill would place these devices under the same restrictions and requirements that apply to machineguns, sawed-off shotguns and sawed-off rifles under the National Firearms Act—often known as the Machine Gun Act. It is generally conceded that "destructive devices" have no legitimate sporting purpose and ought to be strictly regulated. Because of the effectiveness of the National Firearms Act in strictly controlling machine guns and sawed-off rifles and shotguns since 1934, the placing of "destructive devices" under the controls of this law would appear to be sound and appropriate. S. 1854, by doing this, provides a very appropriate complement to S. 1853.

In reaching my conclusions on this important matter, I have given a great deal of consideration to the question of the degree of control that should be exerted by the Federal Government to help control the misuse of firearms. I fully recognize that the Federal Government is empowered to exercise its control over interstate commerce. I do not question this authority. However, bills such as S. 1, as amended, and H.R. 5384, would prohibit all mail-order sales of all firearms except sales between federally licensed dealers. I feel this extreme approach is unsatisfactory because it detracts from the traditional police powers of the States in this area.

I contend that the most just and reasonable approach to the question is for the Federal Government to exercise its control over interstate commerce by requiring first, a sworn statement that the applicant is not prohibited by state laws from purchasing a firearm; and, second, notification of local police, prior to the interstate or mail-order purchase of a pistol or revolver. In this manner, a control, with responsibility for enforcement shared by the Federal and State and local authorities, would be placed upon the purchase of those firearms being misused most frequently, while permitting the purchase of rifles and shotguns, weapons obviously most used and enjoyed by the sportsman, free of prior Federal restraint but still subject to whatever requirements for possession, transportation or use the State and local governments think necessary.

In conclusion, it is my hope that the Senate will act this year to pass S. 1853 and S. 1854 as a part of our total legislative involvement in the war on crime.

Mr. PERCY. Mr. President, I am pleased to add my comments today on the important subject of firearms legislation. I am sure all Senators will welcome an informative exchange on this subject, which has been the center of controversy for several years in Congress. I have been impressed with the mail and other communications I have received on the subject, both from the point of view of the volume of the mail, and the variance in the viewpoints expressed in the letters. I might add that on few subjects have I been treated to as strong assorted views and comments as I have received on the subject of the coverage and operation of a Federal firearms control law.

That congressional action on the matter has been slow is very clear. In charity, this can be attributed in large measure to the constitutional mandate that police jurisdiction rests essentially with the several States. There is a considerably valid point of view that the States have not acted, and the Federal Government should therefore move apace to fill the void and provide control wherewith to check and reverse the growing incidence of crimes committed with firearms.

From the point of view of my own State of Illinois, this is decidedly not the case. And in the hope the Illinois example will prove instructive, I should like to outline the present actions that have recently been taken there to meet this problem.

During its 1967 session, the Illinois State Legislature enacted noteworthy legislation to assist in the control of firearms. Predicated principally on the premise that it is the misuse and misusers of firearms that must be controlled, the Illinois law requires that all persons who purchase or possess any firearm, pellet gun, or ammunition must have an identification card issued by the department of public safety to do so.

So long as certain clearly stated and reasonable requirements concerning age, criminal record, mental competency, and freedom from narcotics addiction or habitual drunkenness are satisfied, an ID card must be issued within 30 days of application. The card is valid for all future purchases or acquisitions.

The provision regarding mandatory issuance was expressly included so as to answer complaints arising under similar laws now in effect elsewhere that do not have such a requirement. In the absence of a mandatory requirement, exercise of arbitrary or bureaucratic authority by the licensing officials—usually in the form of interminable delays and unnecessary redtape—has proven to be a primary and justified source of criticism.

The Illinois State Legislature adopted for the State the concept of registering the owner rather than the gun itself as a feasible means of controlling the misuse of firearms rather than establishing a central registration file of all firearms whose utility is open to question.

On the other hand, the City Council of Chicago felt that additional controls were needed. This year, the council passed an ordinance requiring the registration of all firearms. The carrying of firearms on or about the person or in a vehicle is prohibited unless the firearms were not accessible and in a nonfunctioning state. These restrictions are in addition to, and supplement, the State requirement.

The principal reason I bring this to the attention of the Senate is that, with the proper Federal controls on interstate commerce in firearms, Illinois should have workable and effective firearms control. Moreover, the sequence of events in Illinois provide an excellent example of the proper functioning of State and local government in the firearms control area. Each governing authority has acted quite properly in exercising its police power: the framework of controls deemed appropriate and desirable by the State legislature for the State as a whole has been enlarged upon and supplemented by Chicago to satisfy particular and unique local needs.

Now Mr. President, from this very brief outline—and taking Illinois as a specific example—an essential requirement of the proper regulatory agencies of government is clear: Illinois cannot control the interstate aspects of firearms procurement and traffic. Thus the need for a complementing—rather than a preemptive—Federal law is clear.

The hearings held last year in the Subcommittee to Investigate Juvenile Delinquency of the Senate Committee on Judiciary were greatly enhanced by the testimony of the president pro tempore and the majority leader of the Illinois Senate, the distinguished Senator W. Russell Arrington. In outlining the new Illinois law, he indicated his support for S. 1853 the bill sponsored by the distinguished Senator from Nebraska [Mr. HRUSKA] and illustrated its complemented effect. With the enactment of the Chicago ordinance, the merits of the Hruska approach are even more clear.

Under S. 1853, jurisdiction to establish suitable legislation to control firearms within its borders is retained by the States, while Federal law operates to complement and extend the effect of whatever restrictions are imposed by them. The bill would prohibit any dealer from shipping any firearm in violation of the State law. It would require a sworn statement and notification to local authorities before receiving a concealable firearm through the mail, enabling assurance that local requirements were complied with.

Thus the requirements of differing jurisdictions can be met, and the wishes of the citizens therein given maximum effect, free from the diluting effects of the weaker laws of other jurisdictions.

Mr. President, the able Senator from Nebraska [Mr. HRUSKA] and other members of the committee have outlined the regulatory approach proposed by S. 1853 and S. 1854. In my view, this is a balanced and comprehensive approach to the firearms regulation problem. It will, by its terms, encourage the States to act. The fact of its passage alone will eliminate the cloud that hangs over many State proposals, where action is suspended until the Federal Government—in this case the Congress—indicates the form of the action it will take. Accordingly, I commend this approach to my colleagues, and I add the hope that the Senate will act favorably on it during this session of this Congress.

I commend the Senator from Nebraska for his leadership in this matter, and for thinking through a very complex problem. I approve and endorse the approach he has taken.

Mr. HRUSKA. Mr. President, I am grateful to the Senator from Illinois for the contribution he has made to this legislation.

Mr. LAUSCHE. Mr. President, will the Senator from Nebraska yield?

Mr. HRUSKA. I yield.

Mr. LAUSCHE. How does the Senator from Nebraska propose to control the purchase and the acquisition of guns by those who are outside the field of using them for legitimate purposes, as contemplated by the Constitution and laws?

Mr. HRUSKA. S. 1853 would seek to control that by controlling the interstate shipment of guns. When the gun comes into a State and is subject to the jurisdiction of that State, then it is for that State to take care of the situation and govern. The Sullivan law has been on the statute books of New York State for over 50 years. The city of Philadelphia has a registration law. Illinois and the city of Chicago have permit and license laws. This bill would enable the local law-enforcement officers to obtain information on interstate shipments in timely fashion so that they would be in a position to enforce the laws of the State or municipality.

Mr. LAUSCHE. In other words, if a vendor sells a gun and ships it across State lines, he has to give information to the duly constituted law officials of the fact that the gun will be incoming to that State by interstate commerce?

Mr. HRUSKA. That is right; as applied to handguns, there is a presale investigation. The law-enforcement officers of the place of residence of the would-be purchaser are given notice. Then the law-enforcement officer has 7 days to notify the would-be seller that the intended purchaser is not eligible to own a gun under the laws of that municipality or State. That enables the local law-enforcement officials to enforce the local law.

Mr. LAUSCHE. What would be ineligibility to own a gun?

Mr. HRUSKA. If a person is a convicted felon, if he is not of the proper age, if he does not possess the qualifications imposed on him by the city ordinance or State law of his residence, he will not be eligible.

Mr. LAUSCHE. What is the argument that is made against the proposal of the Senator from Nebraska and the committee?

Mr. HRUSKA. The argument is that it would be ineffective. The critics of S. 1853 have no faith in the integrity, competence, or ability of State or city law-enforcement officers to enforce the laws in their jurisdictions.

I would have confidence in the competence and integrity of the State, county, or city police officials who had advance information that so-and-so, at such-and-such an address, wrongfully claims he has a permit issued to him to own a gun. The officials have 7 days in which to notify the seller that the sale should not be made.

I have every confidence that this type of enforcement will take place with integrity, expedition and willingness, because it will be heading off trouble.

Mr. LAUSCHE. How does the Senator from Nebraska answer the argument that this bill is intended to give preferential consideration to the manufacturers of guns in selling them indiscriminately to different citizens in different areas of the country?

Mr. HRUSKA. It could not be done under S. 1853 if the shipment were made in interstate commerce. Such a shipment would be illegal, and that dealer would have rendered himself liable to Federal criminal prosecution under the bill.

Mr. LAUSCHE. The bill proposed by the Senator from Nebraska states that whenever it is proposed that a gun be sold by a seller across State lines, the Government officials in the State or community of the recipient of the sale will be notified?

Mr. HRUSKA. That the order had been placed.

Mr. LAUSCHE. Yes.

Mr. HRUSKA. The law-enforcement officer would have 7 days after the receipt of the information to state that the man intending to purchase was not eligible and the sale should not be consummated.

Mr. LAUSCHE. I regret to confess this innocence or ignorance, but what is the real issue? What is the opposition to the proposal to have the Federal Government step in and the advancement of the argument that the Federal Government should step in?

Mr. HRUSKA. The proposers of S. 1—amendment 90 say they seek to keep guns out of the hands of the wrong people. They say their bill will accomplish this by prohibiting all interstate mail-order sales to individuals; that the sales will be to individuals only over the counter of a licensed dealer. They say this will solve the problem.

In the first place, it would do no such thing. In the second place, it would be difficult to enforce, because it would have to be done by Federal officials. The number of officials necessary for that type of enforcement would be very large and expensive. Most of all, however, it would not be effective if past experience is any indication of future willingness.

The approach of S. 1853 is this: Let us create a situation where interstate sales in guns will be governed by Federal law. When the gun gets into the State where the prospective purchaser lives, the laws of that State will take effect, and the enforcement will be on a local level.

Obviously, the Sullivan law in New York is different from the law with respect to ownership of guns in Idaho or Nebraska or Ohio—necessarily so, because the conditions are different, but that is something for each State to ascertain for itself.

Mr. LAUSCHE. Would the bill urged by the Senator from Nebraska make mandatory the giving of the information to the recipient's government officials of the fact that X is buying a gun?

Mr. HRUSKA. Yes, if he does it by mail order and it pertains to a handgun. However, there is an express prohibition against requiring the disclosure of the serial number of that gun, because that could lead to registration of sporting firearms. That is a very objectionable concept, and not even the administration bill contains that. It is very objectionable because the history of autocratic and dictatorial governments is filled with that sort of thing. If the potential dictator knows where the guns are and can pick them up, he has it "made," because the citizenry of the country would be deprived of guns with which to defend themselves.

Mr. LAUSCHE. What is the Senator's position with respect to the ability of the people of the United States to protect themselves against death and damage that come from riots, in the open purchasing of guns?

Mr. HRUSKA. By "open purchasing of guns," I take it the Senator means legal purchasing of guns. The right of self-defense is still available to citizens, and it is necessary in many parts of the country.

Mr. LAUSCHE. The Senator proposes to protect against unlawful and dangerous use of guns by supplying a State with the information that, for example, "X contemplates buying a gun; this is his name; this is his background; if your law prohibits him from buying, stop him."

Mr. HRUSKA. The language would read somewhat as follows:

> If your law prohibits him from buying, notify us and we will not sell it to him.

Mr. LAUSCHE. I thank the Senator.

Mr. HRUSKA. I thank the Senator from Ohio for his contribution and his questions.

Mr. President, I yield the floor.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unaimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, informed the Senate that, pursuant to the provisions of section 202 (b), Public Law 90–259, the Speaker had appointed Mr. MILLER, of California, and Mr. PETTIS, of Californa, as advisory members of the National Commission on Fire Prevention and Control, on the part of the House.

The message announced that the House had passed, without amendment, the following bills of the Senate:

S. 172. An act for the relief of Mrs. Daisy G. Merritt; and

S. 1580. An act for the relief of John W. Rogers.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 13042) to amend the act of June

20, 1906, and the District of Columbia election law to provide for the election of members of the Board of Education of the District of Columbia.

ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move that the Senate adjourn until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 40 minutes p.m.) the Senate adjourned until tomorrow, April 3, 1968, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate April 2, 1968:

DIPLOMATIC AND FOREIGN SERVICE

George C. McGhee, of Texas, to be Ambassador at Large.

Henry Cabot Lodge, of Massachusetts, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Federal Republic of Germany.

CONFIRMATION

Executive nominations confirmed by the Senate April 2, 1968:

HEMISFAIR 1968

Edward Clark, of Texas, to be commissioner for the Federal exhibit at HemisFair 1968.

HOUSE OF REPRESENTATIVES—*Tuesday, April 2, 1968*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Unto Thee, O Lord, do I lift up my soul.—Psalm 25: 1.

O God, our Father, to whom we belong and with whom we live, we come to Thee in this our morning prayer seeking a fresh consciousness of the reality of Thy presence. Help us to know that Thou art with us and that Thou art always with us seeking to guide us along the ways of righteousness, justice, and peace. If some of us have been disturbed by doubt, hurt by hate, or maligned by malice until life has been drained of its worth—restore to us such a vision of Thee and of the truth about life that we may believe triumphantly once again.

For our Nation we pray that it may not miss the true and right path amid the world's confusion. Bless all efforts to create and maintain an ordered and a peaceful human family on this planet. Particularly do Thou bless the effort now put forth to bring peace in Vietnam. We pray for our President, our Speaker, and the Members of this House of Representatives. In all truth and in all good will steady Thou their faith that life for them may not be a drifting raft but a ship with a course.

In the Master's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills and concurrent resolutions of the House of the following titles:

H.R. 7325. An act to authorize the Secretary of the Interior to exchange certain Federal lands for certain lands owned by Mr. Robert S. Latham, Albany, Oreg.;

H.R. 10599. An act relating to the Tiwa Indians of Texas;

H.R. 11254. An act for the relief of Jack L. Good;

H. Con. Res. 657. Concurrent resolution providing for ceremonies in the rotunda of the Capitol in connection with the unveiling of the bust of Constantino Brumidi; and

H. Con. Res. 658. Concurrent resolution providing for the printing of the proceedings in connection with the unveiling of the bust of Constantino Brumidi.

The message also announced that the Senate had passed bills and joint resolutions and concurrent resolutions of the following titles, in which the concurrence of the House is requested:

S. 1000. An act for the relief of Jack Nam Yee;

S. 1069. An act for the relief of Dr. Chung Chick Nahm;

S. 1749. An act for the relief of Dr. Enrique Jose Catasus Soto;

S. 1960. An act for the relief of Dr. Alfredo Aucar;

S. 2165. An act for the relief of Rene E. Montero;

S. 2250. An act for the relief of Dr. Hugo Vicente Cartaya;

S. 2311. An act for the relief of Dr. Evelio Francisco Diaz;

S. 2371. An act for the relief of Dr. Herman J. Lohmann;

S. 2378. An act for the relief of Dr. Julio P. Amable;

S. 2383. An act for the relief of Dr. Francisco J. Menedez;

S. 2469. An act for the relief of Dr. Carlos Hernandez;

S. 2491. An act for the relief of Dr. Antonio Pinera;

S. 2501. An act for the relief of Dr. Fernando Rafael Boudet-Esteban;

S. 2504. An act for the relief of Dr. Martiniano L. Orta;

S. 2506. An act for the relief of Dr. Julio Epifanio Morera;

S. 2581. An act for the relief of Dr. Edmee Serantes;

S. 2585. An act for the relief of Kap Rai Kim and Young Nam Kim;

S. 2720. An act for the relief of Heng Liong Thung;

S. 2745. An act to provide for the observance of the centennial of the signing of the 1868 Treaty of Peace between the Navajo Indian Tribe and the United States;

S. J. Res. 131. Joint resolution to designate May 20, 1968, as "Charlotte, N.C., Day";

S. J. Res. 142. Joint resolution to provide for the reappointment of Dr. Crawford H. Greenewalt as Citizen Regent of the Board of Regents of the Smithsonian Institution;

S.J. Res. 143. Joint resolution to provide for the reappointment of Dr. Caryl P. Haskins as Citizen Regent of the Board of Regents of the Smithsonian Institution;

S.J. Res. 144. Joint resolution to provide for the reappointment of Dr. William A. M. Burden as Citizen Regent of the Board of Regents of the Smithsonian Institution;

S. Con. Res. 64. Concurrent resolution authorizing the printing of additional copies of Senate hearings on the establishment of a Commission on Balanced Economic Development and the creation of a Northwest Regional Services Corporation;

S. Con. Res. 66. Concurrent resolution to print, for the use of the Senate Special Committee on Aging, additional copies of its hearings on long-range program and research needs in aging; and

S. Con. Res. 67. Concurrent resolution requesting the President to take action to insure the United States will derive maximum benefits from an expanded and intensified effort to increase the accuracy and extend the time range of weather predictions.

The message also announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 109. An act to control unfair trade practices affecting producers of agricultural products and associations of such producers, and for other purposes.

The message also announced that the Presiding Officer of the Senate, pursuant to Public Law 115, 78th Congress, entitled "An act to provide for the disposal of certain records of the U.S. Government," appointed Mr. MONRONEY and Mr. CARLSON members of the Joint Select Committee on the part of the Senate for the Disposition of Executive Papers referred to in the report of the Archivist of the United States numbered 68–11.

APPOINTMENT AS ADVISORY MEMBERS OF NATIONAL COMMISSION ON FIRE PREVENTION AND CONTROL

The SPEAKER. Pursuant to the provisions of section 202(b), Public Law 90–259, the Chair appoints as advisory members of the National Commission on Fire Prevention and Control the following Members on the part of the House: Mr. MILLER of California, and Mr. PETTIS of California.

THE LATE HONORABLE D. LANE POWERS

Mr. THOMPSON of New Jersey. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. THOMPSON of New Jersey. Mr. Speaker, it is with deep regret that I announce the death of the Honorable D. Lane Powers, who represented the Fourth District of New Jersey in this House. Those who served with Lane Powers in the 73d and the six succeeding Congresses will recall him as a dedicated Member who worked tirelessly for his constituents. I came to know him as a warm friend who, although not of my party, was always generous with his counsel.

Lane came to our city of Trenton in 1919 fresh upon his discharge from the U.S. Army. He had compiled a distinguished record in World War I, enlisting as a private in the ranks. Later, he was commissioned a second lieutenant and was elevated to the rank of first lieutenant. Lane served as battalion adjutant in the 807th Pioneer Infantry both here and abroad. Lane entered the business world in Trenton and prospered. He made a host of friends and, as might be expected, was soon proposed for public office. Prior to his election to the Congress, he served three terms in our State legislature as a member of the general assembly. Possibly the best gage of his popularity as an officeholder was the retention of his seat in the Congress during the Roosevelt administrations.

For the last 22 years of his life, Lane served as a member of our State board of public utility commissioners, a position in which he served with honor. Although not trained in the law—he held a degree in civil engineering from the Pennsylvania Military College—Lane presided over utility commission hearings with great skill and scrupulous fairness. We shall miss Lane Powers in New Jersey. He was a distinguished public servant and a truly fine human being.

Mr. HALLECK. Mr. Speaker, I want to join with others among my colleagues who were privileged to serve with David Lane Powers in paying my respects to his memory.

Although it has been a number of years since he resigned from this body to return to the service of his State, I remember him well as an able, fine person who was held in highest regard by Members on both sides of the aisle.

Certainly he was always my good friend, as I would hope I was his.

To the bereaved members of David Lane Powers' family I offer my deepest sympathy.

AWARD OF DEFENSE CONTRACTS TO CANADIAN CONCERNS

Mr. VANIK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. VANIK. Mr. Speaker, several weeks ago, I learned through Cleveland labor officials that two defense contracts for the production of 81 millimeter mortar shell cases currently being produced by the Weatherhead Co., in Cleveland, were recently awarded to Canadian concerns. The termination of this work at Weatherhead could also terminate jobs for over 400 workers who are currently involved in this production.

Today the Department of the Army advised me that the production contracts were awarded to the Prestolite Co., of Sarnia, Canada, the Ingersoll Machine & Tool Co., Ingersoll, Ontario, and the Hayes International Co., of Birmingham, Ala.

The Department of the Army advised me today:

> It is Department of Defense policy to seek the best possible coordination of the materiel programs of Canada and the United States to assure Canada a fair opportunity to share in the production of military equipment and materiel involving programs of mutual interest to both. Under this criteria, privately owned Canadian firms are considered on the same basis as United States firms when evaluating bids prior to award, pursuant to current procurement regulations.

Under these rules, the Department of Defense completely overlooks the lower wage differential prevailing in Canada which favors Canadian industry. Furthermore, American defense production in Canada is exempt from the Renegotiation Act and excess profits claims which can be made against an American producer.

It is ridiculous to expect the taxpayers of America to support American defense production in Canada under rules which discriminate against American labor and industry and compound the balance-of-payments problem with defense dollars.

WITHDRAWING TROOPS FROM EUROPE FOR ASSIGNMENT TO VIETNAM

Mr. HENDERSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. HENDERSON. Mr. Speaker, I have today written Defense Secretary Clifford to urge that he give strong consideration to the immediate withdrawal of at least one full Army division from Western Europe for assignment to Vietnam.

This would serve the dual purpose of providing needed manpower for our effort in Vietnam without increasing the draft of Reserve callup, while simultaneously reducing our balance-of-payments deficit and gold outflow. With the assignment of this division to Vietnam and the return to this country of their dependents and associated civilians, the American dollars now being spent in Europe would be significantly cut.

No doubt our NATO allies would protest such a move. However, it is only fair to point out that we are the only nation which has ever met its full commitment in men and materials to NATO and that that NATO nations have just as vital a stake as we have in Southeast Asia. Since they are not supporting the allied effort there, they should at least be willing to take up any slack which might be left in Europe by such a withdrawal.

WITHDRAWAL OF U.S. TROOPS FROM EUROPE FOR ASSIGNMENT TO VIETNAM

Mrs. KELLY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mrs. KELLY. Mr. Speaker, it is with a little bit of irony that I seem to follow the remarks of the gentleman from North Carolina. I hate to admit the possibility that what he suggested might have to take place. However, Mr. Speaker, I am deeply disturbed by the military situation in Europe and the attitudes of our allies.

This morning we received testimony from Gen. Lyman Lemnitzer, the supreme allied commander in Europe.

His testimony was given in an executive session and I cannot discuss details of it until the record of this morning's hearings will be released by the Foreign Affairs Committee.

I can say this, however. There was nothing in General Lemnitzer's testimony which gave me reason to feel cheerful or reassured.

Two facts stand out. During the past 12 months, the military strength of the Warsaw Pact countries has continued to increase.

They have improved their land forces.

They have increased their naval capability.

And the Soviets have moved into the eastern Mediterranean in considerable strength.

The second fact is that our NATO allies, by and large, have not responded to this increased threat.

This is extremely disappointing.

I have said for some time that the day is at hand when the United States—pressed by demands at home and abroad—has to reduce at least the level of our conventional commitment in Western Europe.

We simply cannot continue shouldering all of those burdens.

We either have to cut our forces in Europe, or get more substantial help from our allies in paying for the cost of those troops.

And here, credit alone is not enough. Our allies have to face the facts and either determine to pay their fair share of our common security, or accept the consequences.

I hope that as we move to review the world situation—and our ability to deal with it—that new approaches will be made to our allies in Europe.

They have to fish—or cut bait.

MY CANDIDACY FOR PRESIDENT

Mr. HAYS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HAYS. Mr. Speaker, a couple of weeks ago I said if the President did not run for reelection, I would be a candidate for that office. However, I never thought I would be called upon, as the distinguished gentlewoman from New York [Mrs. KELLY] said, to fish or cut bait. But in the interval, the last 24 hours, it seems to me that the Democrats who are not yippies or hippies or cop-outs or dropouts do not have any candidate left unless I stay in the race. So it looks like I am going to stay in.

Mr. Speaker, I do not have any money with which to buy delegates or even to pay the expense of their hotel rooms. I am going to truly be the poor man's candidate. I at one time thought that Senator MCCARTHY was a poor man's candidate, but he does not have a chance against me on that score.

Mr. Speaker, I do want to say that I talked to a reporter today, a reporter not from Washington, D.C., but a reporter from outside this area who has covered the States of Kansas and Wisconsin in the last few days, and he said that the only time audiences responded to either of the candidates and to the statements which they made, and the only time during which they had any rapport with the audiences, was when they said either directly or indirectly that they were going to do away with the draft.

In other words, Mr. Speaker, a lot of these young folk who are now out working for the candidacies of these candidates will not fight for their own country if they can help it. They have used the war in Vietnam as their excuse. But, I do not need their help because it is my opinion that 95 percent of the Democratic Party is made up of other kind of people.

SOME PARALLELS OF THE PAST WHICH MIGHT APPLY TO THE ANNOUNCEMENT OF PRESIDENT JOHNSON NOT TO RUN FOR REELECTION

Mr. HANNA. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HANNA. Mr. Speaker, it is remarkable how the pattern of men's thoughts weave a web to trap and hold a singular approach to certain aspects of life. The President in a single and uncomplicated sentence sacrificed for a cause he felt was worth it all—the future his political career might yet have held. With crystal clarity, classic simplicity, and utter sincerity he said:

> I will not seek nor will I accept the nomination.

Although no further explanation should have been required, when pursued by the press following his pronouncement he said the decision was "irrevocable."

In spite of all this, no sooner had the event become public when Johnson detractors and those political pundits with psychological hangups were seeing all kinds of innuendo, subtle overtones, and dark intrigues. One is reminded of the curious politics involved during the era when France was being threatened by a militaristic Prussia. Talleyrand of France was viewing with alarm and reacting with suspicion to the menace of every Prussian move. So engrossed and totally involved did that great politician become in reading menace into each Prussian report that when his lieutenants brought him news of the death of the Prussian Prince, Talleyrand was said to have exclaimed:

> Now, what could be his motive in that?

That mentality is very alive in many of the detractors reacting today to the announced political retirement of the President.

PERMISSION FOR THE SUBCOMMITTEE ON ROADS, COMMITTEE ON PUBLIC WORKS, TO SIT DURING GENERAL DEBATE TODAY

Mr. KLUCZYNSKI. Mr. Speaker, I ask unanimous consent that the Subcommittee on Roads of the Committee on Public Works may sit this afternoon during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

COL. FRANCIS J. KELLY

Mr. WOLFF. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WOLFF. Mr. Speaker, recently, because of my position as commander of the Congressional Squadron of the Civil Air Patrol, I had the opportunity to meet Col. Francis J. Kelly, USA, Armor. Subsequently, I was able to introduce Colonel Kelly to Speaker McCORMACK, and because of the colonel's special service to his country and his experience in Vietnam the Speaker suggested that Colonel Kelly be asked to speak to the Members.

I am pleased that Colonel Kelly, former commander of the 5th Special Forces Group, Airborne, in Vietnam, will be here today and that he will speak to the Members at 3 p.m. in the Speaker's dining room. We have a unique opportunity to learn from an experienced and able gentleman certain of the conditions regarding our struggle for freedom in Vietnam.

Colonel Kelly is present today with the kind and thoughtful consent of his commanding officer, Lt. Gen. Harry W. O. Kinnard. The colonel is currently commander of the Special Welfare Agency, Combat Developments Command, at Fort Bragg, N.C. Assisting in making it possible for the colonel to be with us was Maj. Raymond Frankenberg, USAF. I have the privilege of knowing the very capable Major Frankenberg, and wish to thank him for his assistance.

So that the Members will know of the colonel's excellent qualifications I should like to include some of his biographical background:

Colonel Kelly entered the service as an enlisted man in 1941. After attaining officer status he served in the European Theater during World War II. He then held a series of important posts in Korea, at the Pentagon, and on Okinawa before taking command of the 5th Special Forces Group, Abn, in Vietnam in 1966. In Vietnam he distinguished himself on both the military and civilian aspects of the battle. Colonel Kelly is responsible for protecting scores of American and Vietnamese lives and he recognizes the need for civil action as a necessary complement to our military action.

Colonel Kelly's decorations include the Silver Star, the Legion of Merit with oak leaf cluster, the Bronze Star for Valor with oak leaf cluster, the Air Medal with four oak leaf clusters, the Purple Heart, and Army Commendation Medal. His foreign decorations include the Republic of Vietnam's Cross of Gallantry With Palm, and the Medal of Honor, and the Republic of Korea's Order of Military Merit.

With these decorations I imagine the day is not far away when Colonel Kelly will take off his present insignia and don a star.

THE PRESIDENT'S SINCERE DESIRE FOR PEACE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, President Johnson has taken bold and courageous steps to deescalate a war that nobody wants but the leaders in Hanoi. He has made an unprecedented personal sacrifice to prove his sincerity.

The President's announcement that the United States will halt the bombing of North Vietnam is a clear indication of our willingness to do everything possible to prove America's sincere desire for peace.

The President could do no more than what he has done. The American people will support him completely. The onus for peace now rests squarely in Hanoi. It is up to the leaders there to take steps of their own to move still further toward a major deescalation of the conflict.

President Johnson has acted with a generosity and compassion that all Americans will applaud. He has borne the brunt of this war for nearly $4\frac{1}{2}$ years. It was the understatement of the year when he said:

> I have lived—daily—with the cost of this war. I know the pain it has inflicted and the misgivings it has aroused.

History will show that President Johnson has never been found wanting for either courage or wisdom. I am proud to stand with him in his efforts to bring an honorable peace to the people of South Vietnam.

Mrs. KELLY. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield.

Mrs. KELLY. Mr. Speaker, I agree with the remarks of the distinguished majority leader.

I want to add, Mr. Speaker, that I feel in the excitement of the past 36 hours, one vital element of President Johnson's speech of Sunday evening has received less attention than it really deserves.

I refer, of course, to President Johnson's announcement that he has ordered a stop to the bombing of most of North Vietnam, reiterated our willingness to negotiate in good faith, and appointed Ambassador Harriman to act as his personal representative in the discussions which we hope will commence soon with Hanoi.

All of these steps are fully consistent with President Johnson's earlier efforts to achieve peace in Vietnam.

Mr. Speaker, the offer to sheath the

swords and to commence negotiations has been made once more.

The bombs are not falling on the vast areas of North Vietnam in which 90 percent of the population of that country lives.

The next step is up to Hanoi.

President Johnson, speaking on behalf of the American Nation, has done all he can. The responsibility for what happens next rests squarely with those who have started the conflict in Vietnam.

I hope and pray that our offer will result in positive steps toward peace. But I also think we ought to state clearly, here and now, that we cannot wait forever while the other side continues to fight.

It takes two to make peace.

We are waiting for Hanoi's move.

Mr. BOGGS. Mr. Speaker, on Sunday night President Johnson spoke for all Americans in expressing the prayerful hope that America's deescalation of the Vietnam war will be followed by a similar gesture by Hanoi. And by his selfless actions he has given the Presidency one of its finest hours.

I think the Nation will strongly support these efforts toward peace made by President Johnson. For all of us share a common hope that a terrible and costly war can end quickly and honorably at the negotiating table.

I commend the President. I strongly support his efforts to encourage negotiation by placing on standby alert two of this country's most distinguished diplomats—Ambassadors Harriman and Thompson.

We know that unilateral deescalation is no substitute for mutual deescalation. But the world knows that it was the United States that demonstrated its commitment for peace in Vietnam. And all Americans will join with President Johnson in the prayerful hope that Hanoi will not reject America's generous and sincere desire for peace.

The SPEAKER. The time of the gentleman from Oklahoma [Mr. Albert] has expired.

VICE PRESIDENT HUBERT H. HUMPHREY DESERVES A FAIR SHAKE IN THE PRESIDENTIAL "SPECULATION SWEEPSTAKES"

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PUCINSKI. Mr. Speaker, political pundits all over America are engaged in a huge debate as to who is going to be the successor to President Johnson as the Democratic candidate.

I would suggest that they not omit from their speculation the very active and highly respected Vice President of the United States, Hubert Humphrey.

Hubert Humphrey was a liberal long before many Johnny-come-lately's got into the picture. He has been more closely associated with the spectacular program of achievement on which the Democratic Party will run in 1968 than any man in Congress, and certainly he is one who has to be reckoned with and has to be recognized.

I would suggest to those who would like to write him off because of the quiet dignity with which he has conducted himself in office and the silence that he has assumed at this particularly critical time not be misinterpreted as any lack of qualification for consideration by the Democratic Convention.

In my judgment, as we look over the impressive field of potential candidates that the Democratic Party has to consider, certainly you cannot omit or ignore the spectacular record of achievement of Vice President Hubert Humphrey. His conduct as Vice President has been beyond reproach.

He is among those that all of America could rally around if the Democratic Convention decides to give him the nomination.

Hubert Humphrey cannot be omitted from the current Presidential "speculation sweepstakes." I have no idea whom the convention will nominate and I intend to support whomever the convention selects. All I suggest here today is that Vice President Humphrey be given a fair shake in the "speculation sweepstakes."

It appears to me that many of the pundits would write him off before the Vice President even has had a chance to say whether or not he wants to run. I would suggest to the pundits that on the basis of their tremendously bad record of predictions to date, they cannot afford to omit Hubert Humphrey from their speculations.

THE PRESIDENT SEEKS NATIONAL UNITY

Mr. MURPHY of New York. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MURPHY of New York. Mr. Speaker, the President's decision not to accept his party's nomination for the Presidency was an act of patriotism and statesmanship unequaled in our Nation's history. It was made with the realization that the problems facing this Nation are too grave to be tossed about in the stormy seas of 1968 partisan politics—that they will only be solved through the actions of a nation united in a common purpose. The President's decision has given strength and leadership to this common purpose.

There is little question that many problems divide this Nation; in spite of partisan attacks, however, these problems are neither Democratic nor Republican, but American. The Nation is divided by racial strife, and yet the President has done more to alleviate the causes of that strife than any American in history. The Nation is divided by war, and yet the President has done more to seek an honorable peace than any other world leader.

By placing national duty above partisan politics the President has taken a strong step toward achieving the national unity so necessary to solve this Nation's problems, and he deserves the praise and support of all Americans. To paraphrase another great American President, Mr. Johnson asked not what his country could do for him, but what he could do for his country.

All Americans should ask themselves this same question. In spite of our many differences, the large majority of Americans desire peace in Vietnam and racial justice here at home. We should stress our similarities rather than our differences on these important national issues, because as a nation united we have the power to solve any problem. President Johnson has shown us the way; let us now follow his leadership.

PRIVATE CALENDAR

The SPEAKER pro tempore (Mr. Albert). This is Private Calendar day. The Clerk will call the first individual bill on the Private Calendar.

VISITACION ENRIQUEZ MAYPA

The Clerk called the bill (H.R. 4386) for the relief of Visitacion Enriquez Maypa.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

ARTHUR JEROME OLINGER, A MINOR

The Clerk called the bill (S. 155) for the relief of Arthur Jerome Olinger, a minor, by his next friend, his father, George Henry Olinger, and George Henry Olinger, individually.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

CHESTER E. DAVIS

The Clerk called the bill (S. 233) for the relief of Chester E. Davis.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

JOHN W. ROGERS

The Clerk called the bill (S. 1580) for the relief of John W. Rogers.

There being no objection, the Clerk read the bill, as follows:

S. 1580

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That John W. Rogers, of Louisville, Kentucky, is hereby relieved of all liability for repayment to the

United States of the sum of $700.80, representing overpayments of salary which he received as an employee of the Department of Labor (1) for the period from November 24, 1963, through January 20, 1964, incident to his erroneous within grade step-increase from grade GS–14, step 6 to GS–14, step 7, and (2) for the period from January 21, 1964, through December 19, 1964, incident to the erroneous determination of his salary rate when he was changed from grade GS–14 to grade GS–12, due to a reorganization downgrading his position, such overpayments having occurred as a result of administrative error. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said John W. Rogers the sum of any amounts received or withheld from him on account of the overpayments referred to in the first section of this Act. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DWAYNE C. COX AND WILLIAM D. MARTIN

The Clerk called the bill (H.R. 2281) for the relief of Dwayne C. Cox and William D. Martin.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

E. L. TOWNLEY

The Clerk called the bill (H.R. 11381) for the relief of E. L. Townley.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

JOSEPH M. HEPWORTH

The Clerk called the bill (H.R. 12119) for the relief of Joseph M. Hepworth.

There being no objection, the Clerk read the bill, as follows:

H.R. 12119

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Joseph M. Hepworth, Chief Personnel Man, United States Navy (retired), of La Mesa, California, is hereby relieved of liability to the United States in the amount of $1,823.45, representing overpayments of disability retired pay made to him by the United States through administrative error from February 1, 1954, through June 30, 1964. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for amounts for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Joseph M. Hepworth, an amount equal to the aggregate of the amounts paid by him, or withheld from sums otherwise due him, in complete or partial satisfaction of the liability to the United States specified in the first section of this Act. No part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delievered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

On page 2, lines 8 and 9, strike "in excess of 10 per centum thereof".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JE–IL BRICK CO.

The Clerk called the bill (H.R. 4058) for the relief of the JE–IL Brick Co.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

CERTAIN EMPLOYEES OF THE DEPARTMENT OF THE NAVY

The Clerk called the bill (S. 1040) for the relief of certain employees of the Department of the Navy.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

JOSEPH W. HARRIS

The Clerk called the resolution (H. Res. 991) to refer the bill (H.R. 14109) entitled "A bill for the relief of Joseph W. Harris," to the Chief Commissioner of the Court of Claims pursuant to sections 1492 and 2509 of title 28, United States Code, as amended.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this resolution be passed over without prejudice.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

CERTAIN EMPLOYEES OF THE NAVAL WEAPONS CENTER, CONCORD, CALIF.

The Clerk called the bill (H.R. 2282) for the relief of certain employees of the Naval Weapons Center, Concord, Calif.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

INDIVIDUALS EMPLOYED BY THE DEPARTMENT OF THE ARMY AT FORT SAM HOUSTON, TEX.

The Clerk called the bill (H.R. 10327) for the relief of Louis J. Falardeau, Irva G. Franger, Betty Klemcke, Wineta L. Welburn, and Emma L. McNeil, all individuals employed by the Department of the Army at Fort Sam Houston, Tex.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

PEDRO ANTONIO JULIO SANCHEZ

The Clerk called the bill (S. 126) for the relief of Pedro Antonio Julio Sanchez.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The **SPEAKER** pre tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

PAUL L., MARGARET, AND JOSEPHINE KIRSTEATTER

The Clerk called the bill (S. 909) for the relief of Paul L., Margaret, and Josephine Kirsteatter.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The **SPEAKER** pre tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

MRS. DAISY G. MERRITT

The Clerk called the bill (S. 172) for the relief of Mrs. Daisy G. Merritt.

There being no objection, the Clerk read the bill, as follows:

S. 172

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Mrs. Daisy G. Merritt, of Rockledge, Florida, is hereby relieved of all liability for repayment to the United States of the sum of $552.90, representing overpayments of salary which she received as an employee of the United States Army Engineer District, Cape Canaveral, Florida, for the period from May 26, 1963, through July 16, 1966, incident to the erroneous determination of her salary rate upon her promotion from grade GS–5 to grade GS–6, effective May 26, 1963, the said Mrs. Daisy G. Merritt having been promoted to step 6 of grade GS–6, instead of step 5 of such grade, as a result of administrative error. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Mrs. Daisy G. Merritt the sum of any amounts received or withheld from her on account of the overpayments referred to in the first section of this Act. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. **EDMONDSON**. Mr. Speaker, I ask unanimous consent to dispense with the further call of the Private Calendar.

The **SPEAKER** pre tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PFC. JOHN PATRICK COLLOPY, US51615166

Mr. **FEIGHAN**. Mr. Speaker, I ask unanimous consent for the immediate consideration of Private Calendar No. 381, the bill (H.R. 15591) for the relief of Pfc. John Patrick Collopy, US51615166.

The Clerk read the title of the bill.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Ohio?

There being no objection, the Clerk read the bill, as follows:

H.R. 15591

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Private First Class John Patrick Collopy, a native of Ireland, who served honorably in the United States Army from April 25, 1966, until his death on July 15, 1967, shall be held and considered to have been a citizen of the United States at the time of his death.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CALL OF THE HOUSE

Mr. **MONTGOMERY**. Mr. Speaker, I make the point of order that a quorum is not present.

The **SPEAKER** pro tempore. Evidently a quorum is not present.

Mr. **MILLS**. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 80]

Abbitt
Ashley
Brock
Button
Conyers
Corman
Dent
Dowdy
Gardner
Gibbons
Green, Pa.
Gurney
Hardy
Hawkins
Herlong
Karsten
King, Calif.
Lukens
Matsunaga
Mize
Morris, N. Mex.
Nichols
Nix
Pucinski
Resnick
Roth
Selden
Teague, Calif.
Teague, Tex.
Whalley
Zablocki

The **SPEAKER** pro tempore. On this rollcall 401 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Geisler, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On March 21, 1968:

H.R. 2901. An act to designate the Oahe Reservoir on the Missouri River in the States of North Dakota and South Dakota as Lake Oahe.

On March 28, 1968:

H.R. 12555. An act to amend title 38 of the United States Code to liberalize the provisions relating to payment of pension, and for other purposes.

On March 30, 1968:

H.R. 536. An act to convey certain Chilocco Indian School lands at Chilocco, Okla., to the Cherokee Nation.

DISTRICT OF COLUMBIA ELECTED BOARD OF EDUCATION ACT—CONFERENCE REPORT

Mr. **McMILLAN**. Mr. Speaker, I call up the conference report on the bill (H.R. 13042) to amend the act of June 20, 1906, and the District of Columbia election law to provide for the election of members of the Board of Education of the District of Columbia, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 1232)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 13042) to amend the act of June 20, 1906, and the District of Columbia election law to provide for the election of members of the Board of Education of the District of Columbia, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

"SHORT TITLE

"SECTION 1. This Act may be cited as the 'District of Columbia Elected Board of Education Act.'

"FINDINGS AND DECLARATION OF PURPOSE

"SEC. 2. The Congress hereby finds and declares that the school is a focal point of neighborhood and community activity; that the merit of its schools and educational system is a primary index to the merit of the community; and that the education of their children is a municipal matter of primary and personal concern to the citizens of a community. It is therefore the purpose of this Act to give the citizens of the Nation's Capital a direct voice in the development and conduct of the public educational system of the District of Columbia; to provide organizational arrangements whereby educational programs may be improved and coordinated with other municipal programs; and to make District schools centers of neighborhood and community life.

"AMENDMENTS TO DISTRICT OF COLUMBIA BOARD OF EDUCATION LAW

"SEC. 3. (a) Section 2 of the Act entitled 'An Act to fix and regulate the salaries of teachers, school officers, and other employees of the board of education of the District of Columbia', approved June 20, 1906 (D.C. Code, sec. 31–101), is amended by striking out the first paragraph of subsection (a) and inserting in lieu thereof the following:

" 'SEC. 2. (a) The control of the public schools of the District of Columbia is vested in a Board of Education to consist of eleven elected members, three of whom are to be elected at large, and one to be elected from each of the eight school election wards established under the District of Columbia Election Act. The election of the members of the Board of Education shall be conducted on a nonpartisan basis and in accordance with such Act.

" '(b)(1) Except as provided in paragraph (2) of this subsection and section 10(e) of the District of Columbia Election Act, the term of office of a member of the Board of Education shall be four years.

" '(2) Of the members of the Board of Education first elected after the date of the enactment of this paragraph, three members elected from wards and two members elected at large shall serve for terms ending January 26, 1970, and the other six members shall serve for terms ending January 24, 1972. The members who shall serve for terms ending January 26, 1970, shall be determined by lots cast before the Board of Elections of the District of Columbia upon a date set and pursuant to regulation issued by the Board of Elections.

" '(3) The term of office of a member of the Board of Education elected at a general election shall begin at noon on the fourth Monday in January next following such election. A member may serve more than one term.

" '(4) The members may receive compensation at a rate fixed by the District of Columbia Council, which shall not exceed $1,200 per annum.

" '(c)(1) Each member of the Board of Education elected from a ward shall at the time of his nomination (A) be a qualified elector (as that term is defined in section 2 of the District of Columbia Election Act) in the school election ward from which he seeks election, (B) have, for the one-year period immediately preceding his nomination, resided in the school election ward from which he is nominated, (C) have, during the three years next preceding his nomination, been an actual resident of the District of Columbia and have during such period claimed residence nowhere else, and (D) hold no elective office other than delegate or alternate delegate to a convention of a political party nominating candidates for President and Vice President of the United States. A member shall forfeit his office upon failure to maintain the qualifications required by this paragraph.

" '(2) Each member of the Board of Education elected at large shall at the time of his nomination (A) be a qualified elector (as that term is defined in section 2 of the District of Columbia Election Act) in the District of Columbia, (B) have, during the three-year period next preceding his nomination, been an actual resident of the District of Columbia and have during such period claimed residence nowhere else, and (C) hold no elective office other than delegate or alternate delegate to a convention of a political party nominating candidates for President and Vice President of the United States. A member shall forfeit his office upon failure to maintain the qualifications required by this paragraph.

"'(3) No individual may hold the office of member of the Board of Education and also be an officer or employee of the District of Columbia government or of the Board of Education. A member will forfeit his office upon failure to maintain the qualification required by this paragraph.

"'(d) Whenever, before the end of his term, a member of the Board of Education dies, resigns, or becomes unable to serve or a member-elect of the Board of Education fails to take office, such vacancy shall be filled as provided in section 10(e) of the District of Columbia Election Act.

"'(e) The Board of Education shall select a President from among its members at the first meeting of the Board of Education held on or after the date (prescribed in paragraph (3) of subsection (b) of this section) on which members are to take office after each general election. The Board of Education may appoint a secretary, who shall not be a member of the Board of Education. The Board of Education shall hold stated meetings at least once a month during the school year and such additional meetings as it may from time to time provide for. Meetings of the Board of Education shall be open to the public; except that the Board of Education (1) may close to the public any meeting (or part thereof) dealing with the appointment, promotion, transfer, or termination of employment of, or any other related matter involving, any employee of the Board of Education, and (2) may close to the public any meeting (or part thereof) dealing with any other matter but no final policy decision on such other matter may be made by the Board of Education in a meeting (or part thereof) closed to the public.'

"(b) The second, third, fourth, and fifth paragraphs of such section 2(a) are redesignated as subsection (f), (g), (h), and (i), respectively.

"(c) Subsection (b) of such section 2 is repealed.

"(d)(1) The provisions of the Act of June 20, 1906, listed in paragraph (2) of this subsection, are amended by striking out the terms 'board of education' and 'board' each place they appear in such provisions and inserting in lieu thereof 'Board of Education' and 'Board', respectively.

"(2) The provisions of the Act of June 20, 1906, amended by paragraph (1) of this subsection are as follows:

"(A) Subsections (f), (g), (h), and (i) of section 2 of such Act (as so redesignated by subsection (b) of this section) (D.C. Code, secs. 31–102, 31–103, 31–104, 31–101).

"(B) Section 3 of such Act (D.C. Code, secs. 31–105, 31–108, 31–110, 31–111).

"(C) The first paragraph of section 5 of such Act (D.C. Code, sec. 31–112).

"(D) Section 12 of such Act (D.C. Code, sec. 31–117).

"AMENDMENTS TO DISTRICT OF COLUMBIA ELECTION LAW

"SEC. 4. The Act entitled 'An Act to regulate the election in the District of Columbia of electors of President and Vice President of the United States and of delegates representing the District of Columbia to national political conventions, and for other purposes', approved August 12, 1955 (D.C. Code, sec. 1–1101 et seq.), is amended as follows:

"(1) The first section of such Act (D.C. Code, sec. 1–1101) is amended by inserting immediately after 'Vice President of the United States' the following: ', the members of the Board of Education,'.

"(2) Section 2 of such Act (D.C. Code, sec. 1–1102) is amended by adding at the end thereof the following new paragraphs:

"'(4) The term "ward" means a school election ward established by the Board under section 5(a)(4) of this Act.

"'(5) The term "Board of Education" means the Board of Education of the District.'

"(3) Paragraph (4) of section 5(a) of such Act (D.C. Code, sec. 1–1105(a)(4)) is amended by inserting immediately before the semicolon the following: '; divide the District into eight compact and contiguous school election wards which shall include such numbers of precincts as will provide approximately equal population within each ward; and reapportion the wards accordingly after each decennial census'.

"(4) Section 7 of such Act (D.C. Code, sec. 1–1107) is amended—

"(A) by striking out in subsection (a) 'he registers in the District during the year in which such election is to be held.' and inserting in lieu thereof 'he is duly registered in the District on the date of such election. A person shall be considered duly registered in the District if he registers under this Act after January 1, 1968, and if after the date he registers no four-year period elapses during which he fails to vote in an election held under this Act.';

"(B) by amending subsection (d) to read as follows:

"'(d)(1) The registry shall be open during reasonable hours, except that the registry shall not be open (A) during the thirty-day period ending on the first Tuesday following the first Monday in November of each odd-numbered calendar year and of each presidential election year, (B) during the thirty-day period ending on the first Tuesday in May in each presidential election year, and (C) during such other period as the Board may provide in the case of a special election.

"'(2) The Board may close the registry on Saturdays, Sundays, and holidays. While the registry is open, any person may apply for registration or change his registration.'; and

"(C) by striking out in subsection (e) 'Municipal Court for the District of Columbia' and inserting in lieu thereof 'District of Columbia Court of General Sessions'.

"(5) Section 8 of such Act (D.C. Code, sec. 1–1108) is amended—(A) by striking out in subsection (a)(1) 'thirty days' and inserting in lieu thereof 'forty-five days'; and

"(B) by adding the following new subsections at the end thereof:

"'(h)(1) Except in the case of the three members of the Board of Education elected at large, the members of the Board of Education shall be elected by the qualified electors of the respective wards of the District from which the members have been nominated.

"'(2) In the case of the three members of the Board of Education elected at large, each such member shall be elected by the qualified electors of the District.

"'(i) Each candidate in a general election for member of the Board of Education shall be nominated for such office by a petition (A) filed with the Board not later than forty-five days before the date of such general election; (B) signed by at least two hundred and fifty persons who are duly registered under section 7 in the ward from which the candidate seeks election, or in the case of a candidate running at large, signed by at least one hundred and twenty-five persons in each ward of the District who are duly registered in such ward; and (C) accompanied by a filing fee of $100. Such fee may be refunded only in the event that the candidate withdraws his nomination by writing received by the Board not later than three days after the date on which nominations are closed. A nominating petition for a candidate in a general election for member of the Board of Education may not be circulated for signatures before the ninety-ninth day preceding the date of such election and may not be filed with the Board before the seventieth day preceding such date. The Board may prescribe rules with respect to the preparation and presentation of nominating petitions and the posting and disposition of filing fees. In a general election for members of the Board of Education, the Board shall arrange the ballots in each ward to enable a voter registered in that ward to vote for any one candidate duly nominated to be elected to such office from such ward, and to vote for as many candidates duly nominated for election at large to such office as there are Board of Education members to be elected at large in such election.

"'(j)(1) The Board is authorized to accept any nominating petition for a candidate for any office as bona fide with respect to the qualifications of the signatories thereto if the original or fascimile thereof has been posted in a suitable public place for the ten-day period beginning on the forty-second day before the date of the election for such office. Any qualified elector may within such ten-day period challenge the validity of any petition by a written statement duly signed by the challenger and filed with the Board and specifying concisely the alleged defects in such petition. Copy of such challenge shall be sent by the Board promptly to the person designated for the purpose in the nominating petition.

"'(2) The Board shall receive evidence in support of and in opposition to the challenge and shall determine the validity of the challenged nominating petition not more than eight days after the challenge has been filed. Within three days after announcement of the determination of the Board with respect to the validity of the nominating petition, either the challenger or any person named in the challenged petition as a nominee may apply to the District of Columbia Court of Appeals for a review of the reasonableness of such determination. The court shall expedite consideration of the matter and the decision of such court shall be final and not appealable.

"'(k) In any election, the order in which the names of the candidates for office appear on the ballot shall be determined by lot, upon a date or dates and under regulations prescribed by the Board.'

"(6) Section 9 of such Act (D.C. Code, sec. 1–1109) is amended—

"(A) by striking out 'for electors of President and Vice President' in the second sentence of subsection (b); and

"(B) by striking out 'Municipal Court for the District of Columbia' in subsection (e) and inserting 'District of Columbia Court of General Sessions'.

"(7) Section 10 of such Act (D.C. Code, sec. 1–1110) is amended—

"(A) by striking out the second and third sentences of paragraph (1) of subsection (a) and the second sentence of paragraph (2) of such subsection;

"(B) by adding at the end of subsection (a) the following new paragraphs:

"'(3) The first general election for members of the Board of Education shall be held on November 5, 1968, and thereafter on the Tuesday next after the first Monday in November of each odd-numbered calendar year.

"'(4) (A) If in a general election for members of the Board of Education no candidate for the office of member from a ward, or no candidate for the office of member elected at large (where only one at-large position is being filled at such election), receives a majority of the votes validly cast for such office, a runoff election shall be held on the twenty-first day next following such election. The candidate receiving the highest number of votes in such runoff election shall be declared elected.

"'(B) When more than one office of member elected at large is being filled at such a general election, the candidates for such offices who receive the highest number of votes shall be declared elected, except that no candidate shall be declared elected who does not receive a majority of the number of all votes cast for candidates for election at large in such election divided by the number of at-large offices to be filled in such election. Where one or more of the at-large positions remains unfilled, a runoff election shall be held as provided in subparagraph (A) of this paragraph, and the candidate or candidates receiving the highest number of votes in such runoff election shall be declared elected.

" '(C) Where a vacancy in an unexpired term for an at-large position is being filled at the same general election as one or more full term at-large positions, the successful candidate or candidates with the highest number of votes in the general election, or in the runoff election if a runoff election is necessary, shall be declared elected to the full term position or positions, provided that any candidate declared elected at the general election shall for this purpose be deemed to have received a higher number of votes than any candidate elected in the runoff election.

" '(D) The Board may resolve any tie vote occurring in an election governed by this paragraph by requiring the candidates receiving the tie vote to cast lots at such time and in such manner as the Board may prescribe.

" '(5) In the case of a runoff election for the office of member of the Board of Education elected at large, the candidates in such runoff election shall be those unsuccessful candidates, in number not more than one more than the number of such offices to be filled, who in the general election next preceding such runoff election received the highest number of votes less than a majority. In the case of a runoff election for the office of member of the Board of Education from a ward, the runoff election shall be held in such ward, and the two candidates who in the general election next preceding such runoff election received respectively the highest number and the second highest number of votes validly cast in such ward or who tied in receiving the highest number of such votes shall run in such runoff election. If in any case (other than the one described in the preceding sentence) a tie vote must be resolved to determine the candidates to run in any runoff election, the Board may resolve such tie vote by requiring the candidates receiving the tie vote to cast lots at such time and in such manner as the Board may prescribe.

" '(6) If any candidate withdraws (in accordance with such rules and time limits as the Board shall prescribe) from a runoff election held to select a member of the Board of Education or dies before the date of such election, the candidate who received the same number of votes in the general election next preceding such runoff election as a candidate in such runoff election or who received a number of votes in such general election, which is next highest to the number of votes in such general election received by a candidate in the runoff election and who is not a candidate in such runoff election shall be a candidate in such runoff election. The resolution of any tie necessary to determine the candidate to fill the vacancy caused by such withdrawal or death shall be resolved by the Board in the same manner as ties are resolved under paragraph (5).'

"(C) by amending subsection (b) to read as follows:

" '(b) All elections prescribed by this Act shall be conducted by the Board in conformity with the provisions of this Act. In all elections held pursuant to this Act the polls shall be open from 8 o'clock antemeridan to 8 o'clock postmeridian. Candidates receiving the highest number of votes in elections held pursuant to this Act, other than general elections for members of the Board of Education, shall be declared the winners.';

" '(D) by inserting after 'In the case of a tie' in subsection (c) the following: 'vote in any election other than an election for members of the Board of Education,';

"(E) by inserting after 'official' in subsection (d) the following: ', other than a member of the Board of Education,'; and

"(F) by adding at the end thereof the following new subsection:

" '(e) Whenever a vacancy occurs in the office of member of the Board of Education, such vacancy shall be filled at the next general election for members of the Board of Education which occurs more than ninety-nine days after such vacancy occurs. However, the Board of Education shall appoint a person to fill such vacancy until the unexpired term of the vacant office ends or until the fourth Monday in January next following the date of the election of a person to serve the remainder of such unexpired term, whichever occurs first. A person elected to fill a vacancy shall hold office for the duration of the unexpired term of office to which he was elected. Any person appointed under this subsection shall have the same qualifications for holding such office as were required of his immediate predecessor.'

"(8) The first sentence of section 11(b) of such Act (D.C. Code, sec. 1–1111(b)) is amended by striking out 'the United States District Court for the District of Columbia' and inserting in lieu thereof 'the District of Columbia Court of Appeals'.

"(9) The following new sections shall be added at the end of such Act:

" 'SEC. 15. No person shall be a candidate for more than one office on the Board of Education in any election for members of the Board of Education. If a person is nominated for more than one such office, he shall, within three days after the Board has sent him notice that he has been so nominated, designate in writing the office for which he wishes to run, in which case he will be deemed to have withdrawn all other nominations. In the event that such person fails within such three-day period to file such a designation with the Board, all such nominations of such person shall be deemed withdrawn.

" 'SEC. 16. This Act may be cited as the "District of Columbia Election Act".'

"COORDINATION WITH THE DISTRICT OF COLUMBIA GOVERNMENT

"SEC. 5. (a) The Board of Education and the Commissioner of the District of Columbia shall jointly develop procedures to assure the maximum coordination of educational and other municipal programs and services in achieving the most effective educational system and utilization of educational facilities and services to serve broad community needs. Such procedures shall cover such matters as—

"(1) design and construction of educational facilities to accommodate civic and community activities such as recreation, adult and vocational education and training, and other community purposes;

"(2) full utilization of educational facilities during nonschool hours for community purposes;

"(3) utilization of municipal services such as police, sanitation, recreational, maintenance services to enhance the effectiveness and stature of the school in the community;

"(4) arrangements for cost-sharing and reimbursements on school and community programs involving utilization of educational facilities and services; and

"(5) other matters of mutual interest and concern.

"(b) The Board of Education may invite the Commissioner of the District of Columbia or his designee to attend and participate in meetings of the Board on matters pertaining to coordination of educational and other municipal programs and services and on such other matters as may be of mutual interest.

"EFFECTIVE DATE AND TERMINATION OF OFFICE

"SEC. 6. (a) The amendments made by this Act shall take effect on May 15, 1968, except that—

"(1) the Board of Education of the District of Columbia, appointed under the Act of June 20, 1906 (as in effect on the date of the enactment of this Act), shall continue to exercise the powers, functions, duties vested in it under such Act (as in effect on such date);

"(2) vacancies in such Board shall be filled by appointment in accordance with such Act (as in effect on such date); and

"(3) the members of such Board appointed under such Act (as in effect on such date) shall continue in office; until such time as at least six of the members first elected to the Board of Education (under such Act as amended by this Act) take office."

And the Senate agree to the same.

John L. McMillan,
John Dowdy,
Donald Fraser,
Bernie Sisk,
Ancher Nelsen,
Joel T. Broyhill,
John M. Zwach,
Sam Steiger,
Managers on the Part of the House.

Wayne Morse,
Robert Kennedy,
Winston Prouty,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 13042) to amend the act of June 20, 1906, and the District of Columbia election law to provide for the election of members of the Board of Education of the District of Columbia, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate struck out all the House bill after the enacting clause and inserted a substitute amendment. The committee of conference has agreed to a substitute for both the House bill and the Senate amendment. Except for technical, clarifying, and conforming changes, the following statement explains the differences between the House bill and the substitute agreed to in conference.

FINDINGS AND DECLARATION OF PURPOSE

The conference substitute contains a provision, not in the House bill, stating certain findings relating to the function of schools in a community and declaring as the purpose of the Act to facilitate the participation of the citizens of the District of Columbia in the development and conduct of their schools through the election of a Board of Education, and to provide for the coordination of educational and other municipal programs.

COMPENSATION OF MEMBERS OF THE BOARD OF EDUCATION

Under the House bill members of the Board of Education could be reimbursed for expenses actually incurred in the performance of services as members of the Board. Reimbursement was not to exceed $100 in any month. The conference substitute provides that members of the Board will be compensated at a rate, not to exceed $1,200 per annum, set by the District of Columbia Council.

BOARD MEETINGS

The Board of Education law relating to the holding of meetings was not changed in the House bill. The conference substitute provides with certain exceptions that all meetings of the Board shall be open to the public. The Board is given authority to close to the public any meeting (or part thereof) which relates to matters involving employees of the Board. The Board is also given the authority to discuss any other matter in a closed session, but it is required to make its final policy decision on such other matter in an open session.

ELECTIONS

Date of first election.—The House bill provided that the first election for the members of the Board of Education would take place on April 16, 1968. The conference substitute provides that such first election shall take place on Tuesday, November 5, 1968.

Date of succeeding election.—The conference substitute provides that suceeding elections shall be held in November of each odd-numbered calendar year.

Qualifications for Office.—Under the House bill an individual could not qualify to run for or hold the office of member of the Board of Education if he held any other elected office. The conference substitute permits individuals who have been elected to serve as delegates or alternate delegates to Presidential nominating conventions to be nominated for and hold the office of member of the Board of Education.

Hours Registry to be Open.—Under the House bill the registry was to be open during normal business hours. The conference substitute provides that the registry shall be open during reasonable hours.

Nominating Petitions: Filing Date.—The House bill amended the District of Columbia Election Act to require that nominating petitions for any election be filed no later than 56 days prior to the date of election. The conference substitute provides that such petitions shall be filed no later than 45 days prior to the date of election.

Nominating Petitions: Number of Signatures Required.—In the case of ward candidates, the House bill required in the first election that the ward candidate's nominating petition be signed by 50 voters registered in his ward; and required in each election thereafter that such petition be signed by at least 250 voters registered in his ward. The conference substitute requires the signatures of 250 registered voters in each election.

In the case of elections for candidates for election at large, the House bill required in the first election that such candidates' petitions be signed by at least 50 registered voters in each of the eight wards (for a total of 400 signatures); and required in each election thereafter that such petitions be signed by at least 200 registered voters in each of the eight wards plus an additional 400 registered voters (for a total of 2,000 signatures). The conference substitute requires that in each election petitions for candidates for election at large be signed by at least 125 registered voters in each of the eight wards (for a total of 1,000 signatures).

Election of At-Large Candidates.—Under the House bill a candidate for an at-large office had to receive at least a majority of the votes validly cast for such office before being elected.

Under the conference substitute, the majority vote requirement for election to an at-large office was clarified. When only one at-large office is to be filled in an election, the candidate for such office receiving the highest number of votes in excess of a majority of the votes validly cast for such office shall be elected. When more than one at-large office is being filled at a general election, the candidates for such offices who receive the highest number of votes shall be elected if they receive at least a majority of the number of all votes cast for candidates for election at large in such election divided by the number of at-large offices to be filled in such election.

Election of members to fill a vacancy in an at-large office.—The conference substitute contains a provision, not in the House bill, which provides that if a vacancy in an at-large office is to be filled at an election in which the full term of another at-large office is to be filled, the successful candidate who receives the lowest number of votes shall be elected to the vacant at-large office.

Restriction on running for more than one office.—The House bill amended the District of Columbia Election Act to provide that no person could be a candidate for more than one office in any election held under that Act and that if a person were nominated for more than one office he had to designate the office for which he would run. The conference substitute provides that no person may be a candidate for more than one office of member of the Board of Education and contains a provision identical to the House bill requiring persons nominated for more than one office of member of the Board of Education to designate the office for which they will run.

COORDINATING OF ACTIVITIES OF THE BOARD OF EDUCATION AND THE DISTRICT OF COLUMBIA GOVERNMENT

The conference substitute contains a provision, not in the House bill, which requires the Board of Education and the District of Columbia Commissioner to develop procedures to assure maximum coordination of educational and other municipal services. The procedures shall cover such matters as design, construction, and utilization of educational facilities to accommodate community activities and utilization of municipal services to enhance the effectiveness and stature of the school in the community.

EFFECTIVE DATE

The House bill provides that the terms of office of members of the Board of Education appointed under the Act of June 20, 1906, before the date of enactment of the bill, will terminate when a majority of the members first elected to such Board take office. The conference substitute provides that the amendments made to the Board of Education law and the District of Columbia Election Act will take effect on May 15, 1968. However, it is further provided that, until such time as a majority of the elected Board take office, the appointed Board of Education will continue to exercise all of its powers, functions, and duties and vacancies in the appointed Board will continue to be filled by appointment. It is also specified that the terms of office of the appointed members of the Board of Education would terminate when a majority of the elected Board first takes office. Thus, only those provisions of the Board of Education law which are required for the election of members of the Board of Education will take effect on May 15, 1968. Accordingly, such new provisions of such law as those relating to the size of the Board, compensation, and meetings will not take effect until a majority of the members first elected to the Board take office.

John L. McMillan,
John Dowdy,
Donald Fraser,
Bernie Sisk,
Ancher Nelsen,
Joel T. Broyhill,
John M. Zwach,
Sam Steiger,
Managers on the Part of the House.

Mr. GROSS (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the statement of the managers be dispensed with.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. McMILLAN. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

HOUSE RESOLUTION 1101—TO DISAPPROVE REORGANIZATION PLAN NO. 1

Mr. BLATNIK. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of House Resolution 1101, to disapprove Reorganization Plan No. 1; and pending that motion, Mr. Speaker, I ask unanimous consent that debate on the resolution may continue not to exceed 4 hours, the time to be equally divided and controlled by the gentleman from Illinois [Mr. Erlenborn] and myself.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota [Mr. Blatnik]?

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota [Mr. Blatnik].

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of House Resolution 1101, with Mr. Hungate in the chair.

The Clerk read the title of the resolution.

By unanimous consent, the first reading of the resolution was dispensed with.

The CHAIRMAN. Under the unanimous-consent agreement, the gentleman from Minnesota [Mr. Blatnik] will be recognized for 2 hours, and the gentleman from Illinois [Mr. Erlenborn] will be recognized for 2 hours.

The Chair recognizes the gentleman from Minnesota [Mr. Blatnik].

Mr. BLATNIK. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, my initial statement will be essentially a summary review or summary presentation of what is before us in Reorganization Plan No. 1 of 1968, and the resolution (H. Res. 1101) filed by three of our colleagues to disapprove of the President's Reorganization Plan No. 1.

In essence, Reorganization Plan No. 1 would combine or bring together the Bureau of Narcotics, which now and for over 30 years has been in the Treasury Department, and the relatively new Bureau of Drug Abuse Control now in the Department of Health, Education, and Welfare. These two combined would form a new bureau entitled the "Bureau of Narcotics and Dangerous Drugs," with a Director at its head, and this new Bureau would be moved over and placed in the Justice Department.

Under the rule, both the plan and the disapproval resolution were referred to our Committee on Government Operations for study. The Subcommittee on Executive and Legislative Reorganization, which is our subcommittee, reviewed this plan in depth. We held 3 days of hearings, and I think the feeling in the committee was unanimous that ample opportunity was given for all points of view to be expressed by opponents, proponents, and others, plus other aspects that should be called to the attention of the Congress.

Our conclusion is that the reorganization plan is a good one. It will promote, within the limitations of authority already vested in these two bureaus by acts of Congress, more effective administration and more effective and efficient enforcement. The subcommittee and the full committee felt that this reorganization plan should be permitted to go into effect, and therefore we recommend that the resolution of disapproval be defeated.

Now for a short discussion of the background. The Bureau of Narcotics in the Treasury Department has for many years—perhaps for over a third of a century—enforced the narcotics laws which relate to hard addictive drugs, such as heroin, opium, cocaine and, more recently, marihuana.

Our drug abuse laws more recently enacted in 1965 deal with the hallucinogens, such as LSD, and other stimulants, depressants, and other drugs that, when taken in sufficient dosage, result in abnormal mental, emotional, and physiological responses. While these drugs are designated as dangerous, they are generally considered to be nonaddictive.

I am not going into detail on this, which is simple in one sense but complicated in another, for while it may be nonaddictive in terms of physical symptoms, withdrawal symptoms, it can be addictive in the sense that there is a psychological addiction or psychological need for the supporting mechanism which this drug induces. At any rate, I am sure we all can see a rather close relationship between dangerous drugs and narcotics, the laws that Congress has enacted to control their use, and the governmental agencies that have been created to carry out these policies. There is widespread agreement that these agencies should be combined.

The areas of disagreement seem to be on where the new agency should be put and the emphasis that such location may place on the overall governmental attack on the narcotic and drug abuse problems.

We are faced with a most serious condition in our country today. Tremendous social distress and criminal consequences have resulted from the increasing use of narcotics and dangerous drugs. More and more people and, particularly, our youth in schools and colleges and on the streets, are being caught up by the attractiveness of the escape these drugs appear to provide—little realizing, of course, the price that must be paid and what must be done to meet the price. Many of these drugs are described as psychotoxic; that is, they poison the mind—inevitably leading to abnormal behavior and often to crime and delinquency.

In spite of the programs now being carried on, the problem is expanding. The number of narcotic addicts has increased 15,000 in the past 7 years and a large percentage of the new addicts are youths. The quantities of marihuana seized annually by the authorities have increased seven or eightfold in the past 4 years, suggesting how wide is its illegal use. As reported in our hearings Federal agents, in the past 18 months, "have seized over 600 million dosage units of controlled depressant and stimulant drugs, including over 2½ million dosage units of LSD and other hallucinogens."

In the 2 years of operation of the Bureau of Drug Abuse Control, 2,200 criminal investigations and 1,100 accountability investigations were made. Over 1,300 persons were arrested and out of 464 defendants, 458 or 98.7 percent were convicted and sentenced.

During 1966, 680 narcotics violators and 243 marihuana violators were convicted in the Federal courts. During the same year, 279 narcotic violators and 138 marihuana violators were convicted in State courts.

It is obvious from these figures that our enforcement program has produced results in terms of convictions. But looking at the increase in the use and abuse of drugs and narcotics—and our common knowledge confirms this even though statistics may be lacking—we certainly cannot say that our overall governmental effort has been a success. Improvement on a variety of fronts is called for. We need to know a great deal more about the sociological and psychological forces which make people prone to the use of these drugs. How can the weakness of body and will which produces abusers and addicts be avoided? What are the deeper motivations involved here and can they be controlled? The scientists and medical authorities in the Public Health Service and its Institute of Mental Health and in the Food and Drug Administration are all searching for answers to these vexing problems—through research being conducted in their own facilities and by research grants and contracts to our great universities, hospitals, and other institutions. This vital work, which will not be affected by this reorganization, will continue and we hope be productive of solutions.

These same divisions of the Department of Health, Education, and Welfare also have in being extensive public education and preventive programs which are essential to any successful attack on the abuse of dangerous drugs and narcotics. They provide materials and scientific information to schools and colleges and other institutions and organizations through which young people can be reached. This, too, will continue and not be affected by the reorganization plan.

Possibly, one of the most frustrating factors in this equation is finding an effective treatment and possible cure for those who get "hooked" on the hard narcotics and for those others who step on the dangerous drug escalator and move from one "thrill" to another more intense excitement until they lose touch with reality. Our success in this field has been extremely limited. Work is going on, of course, at the treatment centers at Lexington, Ky., and Fort Worth, Tex. We are well aware that much more needs to be done—possibly a crash program such as has been effective in some other diseases. The reorganization will have little effect on what is being done except, we hope, give a greater sense of urgency to finding some remedy for the thousands of tragedies that move before our eyes but seem to be hopeless cases.

Now let us examine a bit closer the reorganization plan itself:

First. The plan transfers from the Treasury Department to Justice all functions of the Secretary of the Treasury now carried out by the Bureau of Narcotics. Other functions and duties of the Secretary with respect to the narcotics laws such as those of collecting taxes and duties will remain in Treasury and be carried out by the Customs Bureau and the Internal Revenue Service as at present. Justice, therefore, will not get in the tax collecting business through this plan. As I said at the beginning of my remarks, the entire Bureau of Narcotics and its personnel will be shifted to Justice. Appeals from decisions of the Bureau of Narcotics and the approval of narcotics regulations will likewise shift from the Secretary of the Treasury to the Attorney General. Laboratory services now performed by the Treasury Department with respect to the enforcement of the narcotics laws will go over to Justice. This is important because instant laboratory service must be available for the analysis of suspected narcotic substances. I think it is fair to say that with respect to the enforcement of the narcotics laws—except for tax and duty collection—the transfer is complete.

Second. The plan transfers from the Department of Health, Education, and Welfare all functions under the Drug Abuse Control Amendments of 1965, except the regulation of the counterfeiting of noncontrolled drugs. The Bureau of Drug Abuse Control and all of its agents and personnel will be transferred. Other incidental functions of the Secretary necessary to the administration of the Bureau such as approval of its regulations, and so forth, will be given to the Attorney General. BDAC does not have its own laboratories and uses those of the Food and Drug Administration for its analyses. This service will be continued under a firm agreement between the two departments until the new Bureau has sufficient laboratory service of its own. The text of a draft agreement relating to all services to be rendered the new Bureau by HEW is contained in our report.

Third. A new Bureau of Narcotics and Dangerous Drugs will be established in Justice which will absorb and carry out the duties of both the Bureau of Narcotics and the Bureau of Dangerous Drugs. This new Bureau will be on a level with other similar bureaus in Justice and will have a status commensurate with its important responsibilities. The Director of the new Bureau will report directly to the Attorney General.

Fourth. The Director of the Bureau of the Budget will administer the transfer of the property and funds to Justice.

Why should this plan be adopted?

First of all, because it makes a great deal of sense to put these two agencies together. When an agent looking for narcotics also finds illegal drugs he should be in a position to act against them. Today, he cannot. Our hearings showed that where illegal drugs are found, narcotics are often there and vice versa. This broadened authority for the agents will be bad news for the dopesters. The merger of these two bureaus will produce a better organization to carry out our Government's responsibility.

Organized crime is heavily involved in both narcotic and illicit drugs. The Justice Department is the major crime-fighting agency of the Government. The emphasis in enforcement will be against the pusher, the big-timer, the syndicate, the large illegal manufacturers. The Attorney General told us this:

> Drugs and narcotics are a very major part of crime in the United States. Organized crime handles billions, illegally, annually. One of the chief sources of its income, one of the major three, is trafficking in drugs and narcotics. Of the people arrested not only by the Federal agencies, but by State and local agencies in narcotics activities, a very substantial proportion are involved in lives of crime. They are criminals. Crime control requires the control of drugs and narcotics. It is a major national problem. And the responsibility for control of narcotics and dangerous drugs should be vested in the official in government who has the greatest concern with the control of crime. Not the person that is involved in education, or in welfare and health. Not the person that is involved in financing, in balance of payments, in taxes and in fiscal matters. Illegal drug traffic is a crime problem. It is a major crime problem. It cries for control. And I think the Department of Justice provides the best opportunities for the full realization of the Federal potential in that area.

There is no doubt in my mind, Mr. Chairman, that the attack on organized crime can be more effectively pursued by the Department of Justice.

The soundness of placing this Bureau in Justice was foreseen by both the Hoover Commission many years ago and by the President's Advisory Commission on Narcotic and Drug Abuse in its 1963 report. The Commission, headed by Chief Judge Barrett Prettyman, of the U.S. Court of Appeals, recommended—with the exception of regulatory functions—that the functions of the Bureau of Narcotics relating to the investigation of the illicit manufacture, sale, other distribution or possession of narcotic drugs and marihuana be transferred from the Department of the Treasury to the Department of Justice.

The Commission said:

> Police work to stem the illicit traffic in drugs is a major criminal problem. And it requires a peculiar training and experience not normally possessed by officials chosen for expertise in the complexities of governmental finance, however earnest and dedicated they may be.
>
> However, there is in the federal government a top line of command professionally chosen and trained for law enforcement. It is in the Department of Justice, whose principal concern is the investigation and prosecution of criminal violations of federal law.

This distinguished group made its recommendation before BDAC was set up but I believe its reasoning would inevitably have incorporated this agency in its proposal.

The adoption of this plan will eliminate a great deal of duplication in the work of these agencies and reduce the number of visits, audits, paperwork, and inspections that our pharmacies and other small businesses must contend with.

This plan is not being presented as an economy measure and there will not be a reduction of expenditures because the President has requested a substantial increase in the budgets of both bureaus for fiscal year 1969. Bringing together these related functions will produce greater efficiency of operations and substantial savings. For example, headquarters and field offices of the separate agencies will be brought together and administrative overhead will be cut down. Agents will be trained and made responsible for the control of both narcotics and dangerous drugs.

We listened carefully to the arguments of the opponents of this reorganization. They were not persuasive with us and I do not believe they will be persuasive with you. This is an important step in bringing our governmental mechanism in line with the requriements of an important social need.

I urge the Members to vote "nay" on the resolution.

Mr. ERLENBORN. Mr. Chairman, I yield 15 minutes to the gentleman from Alabama [Mr. EDWARDS].

Mr. EDWARDS of Alabama. Mr. Chairman, I believe it is fair to say that nobody on the committee and probably nobody in this Chamber today is opposed to the merger of the law enforcement duties and responsibilities of the Bureau of Narcotics and of the Bureau of Drug Abuse Control. So let us make no mistake about it: our argument does not go to the question of merger. Our argument goes as to where that operation, once merged, should come to rest; and, second, how much of the present operations of the Bureau of Narcotics and of the Bureau of Drug Abuse Control should be transferred into a single agency, wherever it should be lodged?

Evidence was presented at the hearing, and it was a very complete hearing. I say here that the chairman and the majority were very generous and courteous as to the time they gave us in trying to get at the facts of this reorganization plan.

The evidence was clear that witness after witness who came before our committee was in favor of the merger, but when it came down to the question of "Why the Justice Department?" when it came down to the question of what the Justice Department would do that could not be done somewhere else or was not being done, then the witnesses got awfully vague. As a matter of fact, there is very little evidence in the record which supports the lodging of the merged entity in the Justice Department.

The report which has come to the floor with this bill is very short on supporting evidence as to "Why the Justice Department?"

Let us look at the plan for just a minute. The Bureau of Drug Abuse Control, which is commonly referred to as BDAC, is to be transferred to the Justice Department, except the function of regulating the counterfeiting of those drugs which are not controlled "depressant or stimulant" drugs. In other words, all the activities of BDAC, with this minor exception, are to be transferred into the Justice Department.

The Bureau of Narcotics is to be transferred into the Justice Department.

On its face we are told, then, that there will be a new Bureau of Narcotics and Dangerous Drugs in the Justice Department. We do not know who will head it. We do not know what his philosophy will be. We do not know how the new agency will be controlled or handled.

One thing that is clear from the reorganization plan is this: There is given to the Attorney General of the United States, once this transfer is made, a blank check to do with the new agency as he will. There is nothing in the reorganization plan to prohibit the Attorney General if and when it suits his fancy to merge them in with the FBI, for example, so that the BDAC and BON conceivably could eventually come within the jurisdiction of the FBI.

We are told that the main reason for this proposal is that it will coordinate the activities of law enforcement in this field. The Legal and Monetary Affairs Subcommittee of the Committee on Government Operations has been holding hearings for almost a year now on the subject of coordination in the Federal Government in the field of organized crime. We have had witness after witness come to testify in these hearings that the coordination is good; that the Department of Justice with its Organized Crime Section has done an excellent job of coordinating the law enforcement activities of all of the Federal agencies involved with organized crime. It was likened to a wheel, with the Department of Justice sitting at the center and with the spokes going out to all of the other Federal agencies involved in the field of organized crime.

In my opinion, we found that there was good coordination, so the question naturally arises as to what better coordination will there be if this is put into the Department of Justice. Also the question comes to mind that if the transfer is made to the Department of Justice, then what will this do in effect to the coordination that presently exists within the other agencies? First, then, we might look at the Department of the Treasury where the Bureau of Narcotics is presently lodged. In the Treasury Department you will find the Bureau of Customs. The Bureau of Narcotics and the Bureau of Customs have worked side by side for many years. They have had to work closely together. The Bureau of Narcotics is involved in the field of hard narcotics, such as heroin and others of that type. Most of these narcotics actually comes from overseas. Therefore, the BON and the Bureau of Customs have worked closely together so that foreign agents of the BON have tracked down suppliers in foreign countries. You have frequently read in the paper where the Bureau of Customs will stop somebody at the airport as they come in from some foreign country and take the narcotics from them. That has occurred for only one reason, namely, because the Bureau of Narcotics in some overseas country has followed this suspect for months and worked meticulously to track him down so that they can tell the Bureau of Customs, "Here is the man you want to catch when he gets off that plane at New York's International Airport." This is a very close relationship.

The Bureau of Narcotics also comes under the tax laws of the United States. Obviously, in the Department of the Treasury, where you have the Internal Revenue Service, there is a very close and delicate relationship between the Internal Revenue Service people and the Bureau of Narcotics as they proceed to track down the criminals that deal in this field. The evidence has been clear that the Bureau of Narcotics and the Internal Revenue Service have one of the best records in the country of all Federal law agencies of convictions of criminals in the organized crime field when it comes to crime of a Federal nature. You also have in the Treasury Department the Secret Service and the Alcohol and Tobacco Tax Unit, which deals with the criminal element which is closely coordinated in the overall aspects of the work done in the Treasury Department, and the Bureau of Narcotics is a vital part of that department.

Now let us look over at the Department of Health, Education, and Welfare for a moment where there is lodged the Bureau of Drug Abuse Control. BDAC is a part of the Food and Drug Administration. Of course, this is a part of the Department of Health, Education, and Welfare. I would just like to read briefly from the minority views in the committee report to point out to you very clearly how the coordination which presently exists within the Department of Health, Education, and Welfare has been established.

Mr. Chairman, I am now quoting:

> BDAC is located within the Food and Drug Administration (FDA) of HEW. As such it regularly draws upon the medical and scientific expertise of this agency. In fact BDAC presently assigns a number of its personnel to the Bureaus of Medicine and Science within FDA. BDAC also works closely with the Public Health Service and, especially, the National Institute of Mental Health (NIMH). Those within HEW, charged with the responsibility of alleviating the drug menace, are so cognizant of the need for effective coordination between BDAC and the scientific resources of the Public Health Service that they have created a Division of Drug Studies and Statistics within BDAC which is directed by an individual who holds a joint appointment between BDAC and NIMH. In addtion, HEW has only recently put through a reorganization which places one individual in supervision over the Public Health Service, NIMH, and FDA in order to improve the needed coordination that is so necessary between these agencies.
>
> Coordination is also required and exists between BDAC and (1) the drug hospitals managed by the Public Health Service at Lexington and Fort Worth; (2) the Office of Education in youth and drug education programs; and (3) the Advisory Committee on Stimulant and Depressant Drugs which is charged with determining which drugs should be controlled under the law.
>
> If BDAC were transferred to Justice, we are extremely doubtful that as effective coordination can be continued—thereby resulting in severely impeding effective drug enforcement.

So, Mr. Chairman, there is very close coordination presently existing within the Department of Health, Education, and Welfare, of which BDAC is a part. To remove this agency from that department obviously, then, is going to lessen the coordination within that particular agency.

Now, Mr. Chairman, there are other procedures of coordination which presently exist but which will be concerned and affected by this proposed transfer.

For instance, presently, there is a very, very delicate balance set between the Bureau of Drug Abuse Control and the Bureau of Narcotics and the State officials who are involved in the enforcement of these provisions.

Mr. Chairman, I need not tell the Members of the Committee of the Whole House on the State of the Union that over the years there have been a great deal of hearings held and a great deal of work has gone into this relationship with State officials. The State officials like it. They work well with the Bureau. They have established certain procedures that have worked effectively. I am not convinced—and the hearings which were held upon this matter did not convince me—that if this is transferred to the Department of Justice, this satisfactory relationship which now exists will continue. I fear that if once the Department of Justice is granted control over this field of operation, we will find a great number of States which will be somewhat reluctant to involve themselves to the extent that they have involved themselves with the operations of the present Bureau.

Now, Mr. Chairman, let us look at the foreign situation. Presently, the Bureau of Narcotics has some 23 agents located and operating in foreign countries. If the Federal-State situation is delicate, then the foreign situation is even more delicate, because it has taken a long time and many years of hard work to build up this relationship between this agency and the representatives of foreign governments which are involved as well as the official representatives of these foreign governments.

Mr. Chairman, I am greatly concerned that if this agency should go into the sphere of the Department of Justice wherein is lodged the Federal Bureau of Investigation, we will find existing in certain foreign countries problems which do not presently exist. We are aware of what is going on in the world. We know that our Embassies and our libraries are stoned, we know that ink is thrown upon them, and that much of this is aimed at the authoritative power of the Federal Government.

Mr. Chairman, if we substitute the Department of Justice for the Department of the Treasury, I am concerned about what is going to be the reception upon the part of foreign countries under this type of relationship.

So, Mr. Chairman, it is my opinion that to transfer these agencies into the Department of Justice would amount to upsetting a very delicate arrangement between our country and other countries, as well as the Department of the Treasury.

We are told that this will bring about a better coordination of law enforcement, and I wonder where it will stop, then, if this transfer goes through, and will we later get a reorganization plan calling for the law enforcement section of the Securities and Exchange Commission to come into the Department of Justice, or the Post Office Inspectors, will they come into the Department of Justice?

The Labor Department has many investigators in the field of organized crime, and otherwise. The Federal Trade Commission has them, and there are many agencies involved in the Federal Government that, once this transfer takes place, would then be prime prospects for other transfers.

So we come to the question of whether it is desirable to open the door to the creation of a superagency in the Justice Department—is there an unhealthy concentration of power within the Justice Department?

These are things that concern me as I look at this proposal.

What little justification we have heard for placing these agencies in the Justice Department has been based on the organized crime problem. We inquired in the hearings how organized crime was involved in the drug and narcotics field. It is clear that organized crime is heavily involved in the hard narcotics—heroin, cocaine, those sorts of things, most of which again are brought in from overseas.

It is also clear that organized crime is not involved in marihuana——

The CHAIRMAN. The time of the gentleman has expired.

Mr. ERLENBORN. Mr. Chairman, I yield 5 additional minutes to the gentleman from Alabama.

Mr. EDWARDS of Alabama. Mr. Chairman, I thank the gentleman for the additional time.

As I stated, it is also clear from the hearings that organized crime is involved, if it is involved at all, only to a limited extent in the question of pills and dangerous drugs that are controlled by the Bureau of Drug Abuse Control. So then organized crime is only a part and can only be a part of the justification for a transfer into the Justice Department based on the knowledge that we have today. But I want to talk to my colleagues about the subject that greatly concerns me in this transfer. We have to get down to the young people, the college kids, the high school kids and the junior high school kids, and who knows how much further down the grade level this thing progresses: We have to get down to them and convince them that drugs, narcotics, marihuana, LSD and all of these things are not for them. We have to conduct a good, effective, ongoing educational program. How are we going to do that?

If you transfer these two agencies into the Department of Justice, then you have got the Department of Justice people going to the schools, talking to them about narcotics, and I am convinced that the best way to get to the young people of this country and convince the young people that they ought not to be tangling themselves up with drugs is to be able to go in and talk with them from a medical standpoint, from a health standpoint, not that "if you take drugs you are going to jail, but if you take drugs, if you get mixed up with them, you are going to ruin your health and your life." That is the area that greatly concerns me when we talk about putting these agencies into the Department of Justice.

Mr. WYMAN. Mr. Chairman, will the gentleman yield?

Mr. EWARDS of Alabama. Mr. Chairman, I yield to the gentleman from New Hampshire.

Mr. WYMAN. I thank the gentleman for yielding.

Does the gentleman believe that the agency that has the prosecuting responsibility ought to be the same agency that goes into the schools and seeks to persuade our young men and women that they ought not to do this for health reasons? Is this the type of thing that the gentleman is objecting to by this resolution?

Mr. EDWARDS of Alabama. I believe it would be a tragic thing to have the Justice Department go in and talk to these young people about this subject from their particular slant.

Whatever angle they may put on it—when they are talking, they are representing the prosecuting division of the Federal Government. They are there representing the police end of the Federal Government. To me, it would be a tragic thing to carry on this fight on this basis.

Mr. WYMAN. If the prosecutor makes up his mind to prosecute, then he ought not be influenced thereafter by health factors affecting a defendant who is being prosecuted, should he? This is the judicial function, is it not?

Mr. EDWARDS of Alabama. I think you are right.

Mr. WYMAN. And if this measure, as it is proposed here, goes through, these inconsistent and incompatible functions will be mixed up in a single Government agency, the Department of Justice, is that not correct?

Mr. EDWARDS of Alabama. Surely, it will.

I might say, since the gentleman has been attorney general in his State, he knows what he is talking about in this field.

Mr. CAHILL. Mr. Chairman, will the gentleman yield?

Mr. EDWARDS of Alabama. I yield to the gentleman.

Mr. CAHILL. First of all I want to compliment the gentleman not only for his statement here on the floor at this time but also to compliment him on the views expressed in the minority report, which I think are most illustrative. But I have some questions in my mind as perhaps some of our colleagues have and I wonder if the gentleman could answer a few questions.

Mr. EDWARDS of Alabama. I will do my best to answer the gentleman's questions.

Mr. CAHILL. First, there is a unanimity of opinion that there should be a merger; is that correct?

Mr. EDWARDS of Alabama. I think that is correct.

Mr. CAHILL. Where does the gentleman think—or what department of the Government does the gentleman think should have the jurisdiction?

Mr. EDWARDS of Alabama. I may say to the gentleman that my own personal opinion is that the merged entity ought to be in the Treasury Department. I would say further that I would not merge as much in the Treasury Department as is proposed to be merged into the Justice Department.

Mr. CAHILL. If there is to be a merger then is it the gentleman's opinion it should be in the Treasury Department?

Mr. EDWARDS of Alabama. That is my own personal opinion. And that has no bearing on this partciular plan, however.

Mr. CAHILL. Has the Treasury Department through its officials expressed any opinion as to whether or not they would be agreeable to the merger and accepting the jurisdiction of the entire field of narcotics?

Mr. EDWARDS of Alabama. The Under Secretary of the Treasury for Enforcement testified at the hearings. Obviously he was not there asking that it be put in the Treasury Department because he was speaking for the administration position. Upon questioning, he said that if it were put in the Treasury Department that it could be well coordinated and mesh in well with the Treasury function.

The **CHAIRMAN.** The time of the gentleman from Alabama has expired.

Mr. ERLENBORN. Mr. Chairman, I yield 5 additional minutes to the gentleman from Alabama.

Mr. BLATNIK. Mr. Chairman, will the gentleman yield so that I may respond to the question that has just been asked?

Mr. EDWARDS of Alabama. I yield to the gentleman.

Mr. BLATNIK. In further response to the gentleman may I read from a statement by Mr. Henry Giordano, the very able and respected Commissioner of Narcotics who is in charge of the Bureau of Narcotics in the Department of the Treasury.

In his testimony in response to that same question he responded as follows:

> In recent weeks, I have been working very closely with the Attorney General and members of his staff concerning the proposed transfer of our Bureau. I wish to assure you that I look forward to this transfer with great anticipation for I sincerely believe that it is in the best interests of the people of our country.

Mr. CAHILL. If the gentleman will yield further, it has been said here that the Treasury Department and the Department of Health, Education, and Welfare have done an outstanding job so far as narcotics are concerned. If that is true, can the gentleman explain why there has been an increase rather than a decrease in the availability of drugs and in the trafficking in drugs and in the use of drugs?

Mr. EDWARDS of Alabama. I think the answer goes into many psychological reasons and philosophical reasons that are far apart from the question of crime itself. I am not knowledgeable enough to give the gentleman an effective answer. But I would say it is the general attitude in the country—in many parts of the country—which general attitude lends itself to this idea—"Let's try this once" type of thing. And this is why, if I may say to the gentleman—this is why we suggest that the way to talk to these young people to stop this thing is not to talk to them from the standpoint of—"If you do this you are going to go to jail"—but rather, we should be saying to them that "it is for your own well-being and your own health—that you should not get yourself involved."

Mr. CAHILL. I understand, and I think the gentleman makes an excellent point. But I think that one of the things that bothers me is that we have to stop the source of supply and we have to shut the drugs off at their source. I wonder if the gentleman feels that there could be an improvement from that standpoint?

Mr. EDWARDS of Alabama. Certainly there could be an improvement. That is why again I say the minority on the committee agree that there ought to be a merger. The question, however, is where it should go and how much should be merged into the agency.

Mr. CAHILL. What the gentleman then is saying is that he and the committee agree that commonsense dictates that there should be a merging of these two groups, that there is duplication, and that the cost is doubled. Both agencies have field offices, as I understand it, in various parts of the country. I further understand that sometimes they are investigating the very same case without knowing it, and many of the drug manufacturers are being asked the same questions on more than one occasion.

Mr. EDWARDS of Alabama. This is all correct.

Mr. CAHILL. So that actually something must be done. What the gentleman is saying is that he does not feel at this time there has been a sufficient case made out to transfer the responsibility to Justice.

Mr. EDWARDS of Alabama. Yes. What I am suggesting is that if you take the 300-odd agents we have spoken about in BDAC and the 300-odd agents in the Bureau of Narcotics and put them together, we have 600 agents, who, working together, can do a more effective job. The President himself has proposed an increase in the Federal budget for both of these agencies. I see the gentleman on the Appropriations Committee present. He may wish to talk further on this subject.

Surely this can be done. Surely you can cut out duplication in field offices where an agent is working side-by-side with an agent of a different bureau. Frequently one man could do the work of both.

Mr. CAHILL. Mr. Chairman, will the gentleman yield for a last question on this subject?

Mr. EDWARDS of Alabama. I yield to the gentleman from New Jersey.

Mr. CAHILL. One of the things that concerns me is the question of organized crime. In the past we in the Congress have been critical of the Attorney General. If we are not going to give him jurisdiction over one of the great sources that contributes to organized crime, narcotics, how can we then really hold him responsible if the job is not done as well as we feel it should be done in relation to organized crime? This is the thing that concerns me. If the chief law-enforcement officer of our country says it is necessary for him to combat organized crime to have jurisdiction over narcotics, and we deny him that jurisdiction, are we not then really saying that he is relieved of the responsibility as far as narcotics are concerned and their contribution to organized crime?

Mr. EDWARDS of Alabama. May I say to the gentleman that in effect he does have jurisdiction. He does in effect have jurisdiction in that he, first of all, is the coordinator, not only of this particular one field in organized crime, but of all fields in organized crime.

Second, he is the prosecutor. He does take the cases to court. He does make the cases based upon the investigations of the Bureau of Narcotics, and he is intimately involved in it as chief prosecutor for the Federal Government. It is his proper field, and he has the perspective for it.

Mr. CAHILL. I thank the gentleman.

Mr. CONTE. Mr. Chairman, will the gentleman yield?

Mr. EDWARDS of Alabama. I yield to the gentleman from Massachusetts.

Mr. CONTE. The gentleman from New Jersey brought forth some questions here that should be answered. First, why can there not be a better job of preventing narcotics from coming into the United States? The small band of agents has done a fantastic job in the last 5 years. They have stopped almost a billion dollars worth of narcotics from coming into the United States. Furthermore, I might add, last year they went to the Bureau of the Budget and asked for 20 more agents. They have only 23 agents overseas, and that is where all the narcotics come from. They originate in Southeast Asia and Turkey, make a loop through Beirut and Sicily to Marseilles, France, where they are processed into heroin. Last year they asked for 20 additional agents, and the Bureau of the Budget cut out the appropriation for those agents. The Budget Bureau is the arm of the administration that is now so vitally interested in stamping out narcotics peddlers in the United States.

In answer to the gentleman's question as to whether Treasury feels we could move the responsibility for controlling dangerous drug addiction over to Treasury or whether it would work as well, Mr. Edwards of Alabama asked the following question or made the following statement at the hearing:

> Mr. Edwards. I'm not trying to pull out of you where in fact it should be. I'm saying if it were in the Treasury Department, in your opinion could it be coordinated properly and effectively with Narcotics?

Mr. Hendrick, who is in charge of this agency as Assistant Secretary of the Treasury said:

> I would have to answer that question honestly in the affirmative.

So there is no difficulty here. Furthermore, I assume we all want to cooperate with the Attorney General. Some of us have been somewhat impatient that the Department of Justice has not moved fast enough, the Attorney General could coordinate all these agencies in an effort to stamp out crime at the present time.

They are the ones who go in and prosecute these cases, and they will continue to do so if Narcotics is left in Treasury. I think they have the laws and facilities to stamp out crime if they want to roll up their sleeves and get busy doing something about it.

Mr. EDWARDS of Alabama. Mr. Chairman, I thank the gentleman for their contributions.

I will hit just one more point and then I will finish. That point is, what is going to happen in the event of transfer to Justice as far as business and manufacturers and wholesalers and retailers and pharmacists and druggists and physicians are concerned? All of these people now are being checked as far as their records are concerned—all those who deal in the drug field. Ninety-five percent of all drugs in this country, the pill-type drugs, are produced in legitimate laboratories. I suggest that it would be a terrible thing to have the Justice Department officials then calling on those private people, those private enterprise establishments, those small business people, those physicians. Just the fact that the Justice Department calls on them leaves me cold, when again in over 95 percent of the cases everything is legitimate and it is purely a regulatory investigation.

Mr. CAHILL. Mr. Chairman, will the gentleman yield?

Mr. EDWARDS of Alabama. I yield to the gentleman from New Jersey.

Mr. CAHILL. Mr. Chairman, I know the Bureau of Drug Abuse Control Act was passed in 1965. Can the gentleman ascribe any reason why that was not assigned to Treasury at that time instead of to HEW? Had that been done in 1965, we would not be faced with this problem today. I wonder if there is an explanation why it was not assigned to Treasury at that time?

Mr. EDWARDS of Alabama. Mr. Chairman, I wonder if I might yield to the gentleman from Virginia [Mr. Poff] on that.

Mr. POFF. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I believe the question the gentleman asked was rhetorical. There is, of course, a difference between the functions of the Bureau of Drug Abuse Control in the Department of Health, Education, and Welfare, and the function of the Bureau of Narcotics in the Treasury Department. In the latter case, the principal function is law enforcement in nature. In the former case, the principal function is regulatory in nature.

The drugs with which the BDAC deals are described as the dangerous drugs, and those with which the Bureau of Narcotics deals are narcotics' addictive drugs. I think that is probably the reason the distinction was made when the act was passed in 1965.

Mr. CAHILL. Mr. Chairman, will the gentleman yield?

Mr. EDWARDS of Alabama. I yield to the gentleman from New Jersey.

Mr. CAHILL. Mr. Chairman, I wonder if I may ask the gentleman from Virginia, then, Does the gentleman believe that these agencies should remain separate and apart now, as they were in 1965?

Mr. POFF. Mr. Chairman, I believe strongly that all law enforcement functions in the narcotics field should be merged. I believe strongly that all regulatory functions in the narcotics field should be merged. I feel strongly that both should not be consolidated under the same roof.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. EDWARDS of Alabama. I yield to the distinguished Speaker of the House.

Mr. McCORMACK. Mr. Chairman, is it true that the Hoover Commission recommended this in 1949?

Mr. EDWARDS of Alabama. I will say to the Speaker, it is true, but I will also say there was no such thing as BDAC at that time. What the Hoover Commission did recommend was the Bureau of Narcotics be moved to the Justice Department.

Mr. McCORMACK. Mr. Chairman, as I understand my friend, he finds the two agencies should be merged someplace.

Mr. EDWARDS of Alabama. That is correct.

Mr. McCORMACK. But the gentleman does not know where to go now?

Mr. EDWARDS of Alabama. My personal feeling is they ought to be in Treasury.

Mr. McCORMACK. I know. But the report is that there is no determination where they should go. Your own personal impression is to Treasury?

Mr. EDWARDS of Alabama. I have introduced a bill to that effect; yes, sir.

Mr. McCORMACK. Mr. Chairman, this is vitally important to have them merged together, because I think the gentleman will agree this is one field where the organized racketeer and underworld operate. Is that correct?

Mr. EDWARDS of Alabama. In a good portion of this field, yes.

Mr. McCORMACK. The gentleman talks about the user, and we can sympathize with the unfortunate person who uses these substances. When I read about the young men, whether in or out of college, or young ladies being arrested for the use of drugs, I feel very sorry for them, looking into the future in terms of their own lives and their journey through life and also in terms of their loved ones.

It is vitally important that we get at the organized crime, at these evil-minded individuals who have no regard for morals, who have absolutely no regard for the dignity of the individual, who have no regard for anything other than a corrupt intent to make money and to do it in violation of the law and under any conditions.

Does the gentleman think, in the light of this, it is vitally important that we have these two agencies merged in order that there can be coordination and effective prosecution of those whom we want to have prosecuted?

Mr. EDWARDS of Alabama. There is no argument over that.

Mr. McCORMACK. Furthermore, I agree with my friend about the education. I have thought of that a lot. We are only human beings. A youngster today is under tremendous pressure. The world has changed a lot. We must appreciate that. We must be broad and tolerant and understanding. I agree with my friend about education and doing everything possible, but that would be done anyway.

The important thing is to get at that group, which exists in many fields, of those who are making money at any expense under any conditions, that despicable type of organized racketeer who is in many fields of operation, and particularly operates and flourishes in the field of narcotics and drugs and similar activities.

Does the gentleman agree with that?

Mr. EDWARDS of Alabama. I agree with that.

May I say, also, of course the problem is, with respect to a reorganization plan, we either take it or leave it. I did not object to this reorganization plan until I had introduced my own bill proposing affirmative action.

Lest anybody misunderstand my position in this thing, I believe that those who deal in narcotics ought to be put under the jail. I introduced a bill to stiffen the penalties in this field before the administration bill was even considered for introduction.

I do not want to come here and suggest to anyone that I am not just as strong as the Speaker, as to trying to find the answer with respect to hardened criminals in this field. I am suggesting to the Speaker that the President's proposal has flaws, and there is a very simple way to correct those flaws. It is by acting on legislation in this body—and it can be done quickly—to correct these flaws, and bring a bill to the floor. I am sure it will have overwhelming support.

Mr. McCORMACK. None of my questions even remotely intimated, nor did I have in mind any thought, other than the high motives of the gentleman from Alabama.

Mr. EDWARDS of Alabama. I am sure of that, Mr. Speaker.

Mr. McCORMACK. The thought in my mind was as to the importance. This has been recommended by the President. This is a very important action in connection with the fight against organized crime. It would seem to me we ought to let this reorganization plan go through. Then we can take up the gentleman's bill.

The thing to do is to act quickly and to have this centralized somewhere, where there can be vigorous prosecution of the underworld and of the racketeers who have risen to tremendous power in this country and who use their illicit profits, as we know, to enter into legitimate business, but carry on their intents and purposes.

It would seem to me the logical thing to do—and I am talking to my friend because I know his fairmindedness—is to let this reorganization plan go through and then let us take up the other question. By the reorganization plan going through we will have it in an agency where there will be complete coordination in getting at the underworld and the organized racketeers.

Mr. EDWARDS of Alabama. I thank the Speaker for his comments.

Mr. RUMSFELD. Mr. Chairman, will the gentleman yield?

Mr. EDWARDS of Alabama. I gladly yield to the gentleman.

Mr. RUMSFELD. I certainly want to join with the gentleman from Alabama in the statements he has made. As a member of the Committee on Government Operations, I recognize his leadership in this area. It seems to me that his position is the correct one. These agencies should be merged, but they should not be merged in the Department of Justice.

To the extent that quick action is required, and indeed this is a very serious subject, I believe the urgency should be recognized by the committees of the House that have jurisdiction over the legislation introduced by the gentleman from Alabama. As he properly pointed out, the Reorganization Act is simply a technique of legislating. It is a procedure whereby we either vote the administration's proposal up or down. Certainly the Reorganization Act and this particular bill do not preclude in any way the Congress of the United States or in this instance the House of Representatives from dealing with this matter on our own and using our judgment as to how we can best deal with this very serious problem.

I do feel that the gentleman has made a very important statement, and I am pleased to associate myself with his remarks.

Mr. EDWARDS of Alabama. Mr. Chairman, I want to commend the President—and I do not ordinarily run around saying this—for bringing this proposal to the attention of the House. I think he has done a good job in stimulating thought on our part bringing it to us, but I very strongly feel that what he has proposed can be improved upon and the way to do this is to have the committee act on it.

Mr. CONTE. Mr. Chairman, will the gentleman yield?

Mr. EDWARDS of Alabama. I am glad to yield to the gentleman from Massachusetts.

Mr. CONTE. I want to make sure that the record is absolutely clear. We agree wholeheartedly with what the honorable Speaker has said and none of us here who oppose this reorganization plan condone the despicable individuals who prey on our youth in this country in regard to the problem of narcotics and narcotic peddling.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ERLENBORN. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. CONTE. Will the gentleman yield further?

Mr. EDWARDS of Alabama. I yield to the gentleman.

Mr. CONTE. However, I want the record to be completely clear that I have heard no one—no one at all—criticize the job that the Bureau of Narcotics has done under that great Commissioner Anslinger, and more books have been written about him and his leadership, and now the present Commissioner Giordano. Everyone has praised these people for the job that they have done. I was very critical when the administration came up before our committee and the Narcotic Bureau asked for 20 more agents to help stamp out these peddlers in the United States to stop them from bringing in narcotics from oversea countries. They were denied these 20 extra agents. All of a sudden they have become alarmed about this problem which has been with us for many years.

Let me tell you what Mr. Anslinger said when he was before our committee. He said:

> Do you want to help stamp out narcotics? If you do, get judges to mete out tougher sentences, because they do not do it now in New York City, which has 50 percent of the addicts. We did it in Massachusetts. We got tougher laws with mandatory jail sentences. In the States that have done it, narcotics peddling has gone down. Massachusetts is one of these States. I was the author of one of the laws there. This is what we need. We need tougher laws and tougher judges to mete out tougher sentences.

Mr. EDWARDS of Alabama. Mr. Chairman, I would like to finish with one or two comments, and then I will be glad to yield to whoever would like to have the floor.

I want to point out one additional thing. Presently the determination of what is a dangerous drug is made by the Department of Health, Education, and Welfare and by medical people and those who know what is in the drug and what makes it dangerous. Under the proposal that has been presently sent up, where this agency will go to the Department of Justice, this determination of what is a dangerous drug will be made by the Attorney General of the United States. Obviously he will make that determination based on medical evaluation, but in a proper analysis under the plan the determination of what is a dangerous drug will be made by a lawyer rather than a doctor. I think this is a material fault in the transfer plan as it is set up. I think we need strict enforcement. We are getting it now, and it can be helped by merging certain functions of these two agencies, but I think we need to have the Congress act on it in order to correct the flaws in the present proposal and bring an early bill to the floor in order to do what we have suggested here today.

Mr. CAHILL. Mr. Chairman, will the gentleman yield for just one question?

Mr. EDWARDS of Alabama. I shall be glad to yield to the distinguished gentleman from New Jersey, if I have any more time.

Mr. CAHILL. I thank the gentleman.

My question is this: In view of the fact that two separate committees of the Congress have jurisdiction over these matters, can we really merge these operations by a single act of legislation that comes out of a single committee?

Mr. EDWARDS of Alabama. I would suggest to the distinguished gentleman from New Jersey [Mr. CAHILL] that the Speaker routed my bill to the Committee on Interstate and Foreign Commerce wherein it is presently lodged, a bill which was drawn to merge the two agencies.

The CHAIRMAN. The time of the gentleman from Alabama has again expired.

Mr. BLATNIK. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. EDWARDS of Alabama. I thank the gentleman from Minnesota.

Mr. BLATNIK. Now, Mr. Chairman, will the gentleman yield to me at this point?

Mr. EDWARDS of Alabama. I yield to the distinguished gentleman from Minnesota.

Mr. BLATNIK. Mr. Chairman, I am addressing myself and my remarks to the point made by the distinguished gentleman from Alabama wherein the Attorney General would have the authority to determine which drug is dangerous; that statement, essentially, is true. However, in its full context it does not work that way. In connection with that statement I would like to quote from the hearings which were held upon this resolution and this reorganization plan, on the procedure in arriving at a determination as to whether or not a drug is dangerous. All of us must admit that this decision is extremely complicated and delicate. Therefore, I wish to read from the testimony of Mr. Finlator, Director of the Bureau of Drug Abuse Control, Food and Drug Administration, Department of Health, Education, and Welfare, wherein he states as follows:

> A thorough knowledge of these dangerous drugs and what they do, coupled with an understanding of the drug abuser and why he abuses drugs, is essential to BDAC's mission.
>
> We have an Advisory Committee on Stimulant and Depressant Drugs composed of eight nationally known scientists who report administratively to me. This Committee studies and advises us on any drug before it is placed under control. The Committee and its functions will be transferred to the Department of Justice with this Bureau.

Further, he stated as follows:

> In order for the Committee to consider a drug for control, a large amount of information must be gathered. One of the sources of such information, especially for stimulants and depressants, is the Investigational New Drug Forms (IND's) and the New Drug Applications (NDA's) which are submitted by the pharmaceutical industry to the Bureau of Medicine of FDA.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. ERLENBORN. Mr. Chairman, I yield such time as he may consume to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Chairman, I am proud to associate myself with the views so capably and patiently expressed by the distinguished gentleman from Alabama, my colleague on the Government Operations Committee [Mr. EDWARDS], with whom I have joined in introducing this resolution of disapproval of the President's Reorganization Plan No. 1 to merge the Bureau of Narcotics—now in Treasury—and the Bureau of Drug Abuse Control—now in Health, Education, and Welfare—and transfer them to the Department of Justice.

As with the gentleman from Alabama [Mr. EDWARDS], my opposition to the reorganization plan does not arise from a disagreement with the merger idea. That opposition springs primarily from the proposed location of the merged bureaus in the Justice Department under the control of the Attorney General.

While "organized crime" certainly is a factor in the traffic in narcotics, it is less a factor at present in traffic in dangerous drugs. The narcotics trade has been a threat to our people and has been a factor in organized crime for some years. An outstanding job in the control of this traffic by the Bureau of Narcotics within the Treasury Department has been done and there has been full cooperation with the Justice Department where organized crime has been involved.

As a matter of fact, one need only note recent figures to discover that a majority of cases instituted against the organized underworld have originated in agencies outside the Department of Justice. In addition to the Post Office Department, the Securities Exchange Commission, the Federal Trade Commission, and many others—the Internal Revenue Service, the Bureau of Customs, and the Alcohol and Tobacco Tax Division of Treasury have joined with the Bureau of Narcotics to be among the most aggressive agencies in our Government in referring cases against organized crime to the Justice Department.

The Bureau of Drug Abuse Control, a recently created agency, has also joined this list.

There was little evidence submitted in the hearings before the Committee on Government Operations, Subcommittee on Executive and Legislative Reorganization, to indicate that the Department of Justice, in general, or the Attorney General, in particular, had any special expertise with regard to narcotics or dangerous drugs, or even organized crime, that is not matched or surpassed by the Treasury Department or the Department of Health, Education, and Welfare. The Justice Department simply does not have the relationships with either the nations from which narcotics originate or the industry which does the research and development on potentially dangerous drugs to do as effective a job as is now done by Treasury and Health, Education, and Welfare. There is even a severe question in my mind as to whether the relationships with State and local governments by Justice Department personnel is as effective as the relationships enjoyed by Treasury and HEW with their enforcement counterparts at the local and State level.

To suggest that crime can only successfully be tackled by a monolithic administrative structure is essentially naive. The danger from the threat of corruption or maladministration within the enforcement structure compounds with centralization. Two or three agencies tackling organized crime from different vantagepoints would seem to be more than two or three times as effective on the strength of the evidence we now have.

The Justice Department does not enjoy the delicate relationship with drug manufacturers which it is important for the Bureau of Drug Abuse Control to have. It does not enjoy the delicate relationship with foreign countries which it is important for the Bureau of Narcotics to have. Some of the present assignments of Justice—in the field of antitrust activities, for instance—are not designed to encourage full cooperation by private firms with that Department in BDAC matters; and the reputation of Justice as a primarily domestic agency involved in the anti-Communist battle may not be an image that would help maintain its agents in foreign countries where they must tackle the narcotics problem at the source.

Nor again, does the inexperience of the Department of Justice in the technical area of medical science and research encourage me to feel that Justice is the best repository for either of these agencies.

I am not impressed by the administration's sudden concern with the threat from organized crime. The Justice Department has been aware of this threat for years and the problem has grown worse. And other departments of the Federal Government have done as well or better in the enforcement area than has Justice.

Neither is the administration's sudden concern with the danger to our Nation from narcotics and drug abuse very impressive. As late as 6 months ago, a public conflict between the head of the Food and Drug Administration and the head of the Bureau of Narcotics indicated an unfortunate ambivalence within the administration on this delicate problem. To resolve this administrative conflict between two experts by the expedient of throwing the "soft line" versus "hard line" argument into Justice would appear to me to be an administrative folly. I am personally not ready to resolve this conflict in governmental approach by throwing both approaches into an inexpert "enforcement" agency.

However, again, with my colleague, Mr. EDWARDS of Alabama, I have introduced legislation to combine BDAC and the Bureau of Narcotics in a coordinate relationship within the Treasury Department. The purpose of this substantive legislation is to bring about hearings so that the appropriate committees in the Congress can make a final and logical determination as to how the combination of these two exemplary agencies can best be accomplished without having an adverse effect on the work of either one and under what administrative cabinet leadership the two can be best represented.

As the gentleman from Alabama [Mr. EDWARDS] has noted, our legislation has been referred to the Committee on Interstate and Foreign Commerce on which I serve, the committee of jurisdiction over the Food and Drug Administration.

This legislation will be subject to subcommittee and full committee analysis and amendment, as well as analysis and amendment by all the Members of the House. In this regard, the substantive legislation is a vast improvement over the President's "take it or leave it" Reorganization Plan No. 1.

As I have pointed out on many previous occasions, the reorganization plan is a reverse legislative process, always questionable at best, specifically designed to bring about efficiency and economy in Government from the standpoint of organizational factors only. The reorganization plan procedure should not be used as a substitute for substantive legislation or to frustrate the congressional prerogative of full hearings and amendments in order to make policy changes within the executive branch of Government. Certainly in the increasingly complicated area of narcotics traffic and drug abuse, full consideration ought to be given to what Government policy should be. Also, most assuredly, a reorganization plan recommended almost 20 years ago would no longer seem to be the appropriate justification for the specific plan we are debating today—particularly when one agency involved in the plan was not even in existence then and many of the drugs which that agency is designed to control were not even dreamed of.

I would suggest to my colleagues that the way for the Congress to tackle the serious problems presented by drug abuse and narcotics control would be to defeat this "frozen" unamendable plan of the President's and take up through the normal committee procedure immediately, the substantive legislation the gentleman from Alabama [Mr. EDWARDS] and I have introduced so that it can be considered in committee, amended, and perfected.

Surely, such an approach, if the leadership within the Congress will encourage prompt action by the appropriate Members of the Congress, will not unduly delay our arrival at a prompt and best solution to this threat from narcotics and dangerous drugs—at least it will delay it no more than the administration's recent refusal to permit the addition of 20 agents of the Bureau of Narcotics.

I urge you to cast an "aye" vote today in favor of the resolution of disapproval in order to defeat this proposed reorganization plan so that the Congress can give full study to this matter.

Mr. BLATNIK. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Wisconsin [Mr. REUSS], a member of the subcommittee as well as a member of the full committee.

Mr. REUSS. Mr. Chairman, I rise in support of the President's reorganization plan.

I have just listened to the very responsible and cogent presentation of the distinguished gentleman from Alabama [Mr. EDWARDS]. I am glad that the gentleman has narrowed the argument and the dialog by endorsing the idea of putting together in one department the Bureau of Narcotics and the Bureau of Drug Abuse Control.

So the only thing before us in the Committee this afternoon is where is the best place to put them? I believe the President, on balance, has done the right thing in directing under the plan that they be centralized in the Department of Justice. The gentleman from Alabama [Mr. EDWARDS] feels that the Treasury Department would be a better place.

Well, the men we pick nowadays for our Secretaries of the Treasury tend to be more experienced in finance, in taxation, in the dollar, in gold, and they are not likely to have much experience or learning either in the problem of drugs or in the problem of the enforcement of drug control legislation.

Equally, the men we call to the office of the Secretary of Health, Education, and Welfare, are likely to be long on the social sciences, and are not likely to be full of expertness in the field of law enforcement.

The reason the President has selected the Department of Justice as the central focus for these tough problems is because the primary task is to coordinate our criminal law enforcement activities, and the crime prevention program of the Federal Government.

Equally, it is important to preserve the congressional intent that the State law enforcement programs and the local law enforcement programs be afforded the finest training in law enforcement and crime prevention that the Federal Government can extend.

By consolidating these two bureaus in the Department of Justice as a new bureau, equal in stature to the FBI, the President has indicated his deep concern with the drug problem. Law enforcement simply is not a primary responsibility of the Treasury, nor is it a primary responsibility of HEW, which are the two loci of the programs today.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. REUSS. I yield to our distinguished Speaker.

Mr. McCORMACK. As a matter of fact, ultimately where there is any prosecution it comes to the Department of Justice; does it not?

Mr. REUSS. That has been true, and of course it would continue.

Mr. McCORMACK. Let us see the journey it has to take before it gets to the Department of Justice now.

Here is the Health, Education, and Welfare Department, and here is the Bureau of Drug Abuse Control, which is under the Food and Drug Administration. It has to go from there to the Administrator of the Food and Drug Administration; then it goes right across to the same Department, to the Assistant Secretary of Health, Education, and Welfare. From him it goes to the Secretary. From there it goes to the Department of Justice. There are four moves before it gets to the Department of Justice.

Let us take the Treasury Department. Here is the Bureau of Narcotics. The Bureau of Narcotics has to go through the Special Assistant to the Secretary, then from him up to the Secretary, before it gets over to the Department of Justice. There are three moves involved there.

Now it is proposed to merge this activity in one division under the Department of Justice, and on the same level as the FBI, the Bureau of Prisons, Immigration and Naturalization, Community Relations Service, and the U.S. attorneys. So it goes from there directly up to the Attorney General, the same as the other agencies on the same level.

So by this action of merger you have direct action, the other way it has to go through several routes before it ultimately gets to the Department of Justice.

Furthermore, when one agency now finds out that they come across some activity which belongs to another agency, like the Department of Health, Education, and Welfare finds it belongs to the Treasury Department, or vice versa, they practically cease their investigation, and they have to turn it over to the other agency, whereas under this merger, recommended by the Hoover Commission years ago, there would be direct action. And in the bill introduced by the gentleman from Alabama nobody knows how long that will take. It may take months, if at all. And in the meanwhile in the enactment of this reorganization plan we are directly attacking the organized criminal.

Mr. REUSS. The Speaker of the House has made an important point. As he has just suggested, under the present arrangement, narcotics matters, before they get to the Department of Justice for law enforcement, have to thread a bureaucratic maze, which inevitably means that law enforcement cannot be as efficient as it can be under the proposed plan.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. REUSS. I yield to the gentleman.

Mr. HOLIFIELD. Is it not true, also, that a Narcotics Bureau agent apprehending and arresting a man who has heroin in his pocket and also has LSD material and "speed" material and marihuana—that agent can only arrest him for possession of heroin. As to the other elements, he has no authority to arrest him for those other elements.

On the same cross basis, the Drug Control Abuse agent is looking for marihuana and LSD and "speed" and these other types of hallucinatory or hallucinogenic drugs, and if he finds heroin, he cannot arrest the person for having possession of heroin and make a criminal case against him.

But under the consolidation of the 300 agents in the Drug Control Abuse and the 300 agents in the Bureau of Narcotics there will be in the new Bureau authority for every agent to arrest for all purposes, both heroin and the drugs that I have mentioned; is that not true?

Mr. REUSS. Yes, that is true.

Mr. HOLIFIELD. And at the present time—and this just illustrates the divided fight on crime—everyone knows and the testimony shows that many of these young people who get hooked on marihuana and "speed" and LSD eventually go to the stronger drug, heroin, and many of these pushers who push marihuana and LSD graduate into heroin selling and become opiate pushers. So you have a concentration on the part of organized crime to make money out of the illegal use of narcotics and drugs and on the other hand you have diversity and a split operation on the part of the Government in attacking the organized crime syndicate.

Mr. REUSS. The gentleman from California has indicated a real absurdity, if I may say so, in the present structure—in that a Bureau of Narcotics agent may frisk a dope pusher and find heroin on him and then, because there is also an LSD aspect to the case, it then trickles up through the bureaucratic maze within the Department of the Treasury, as the Speaker of the House has described, and then goes through a Secretary of the Treasury who is concerned with the London gold market, let us say, and then it goes over to the Department of Health, Education, and Welfare, going through a Secretary who is primarily concerned with broad social issues rather than with law enforcement, and finally it gets down to the Bureau of Drug Abuse and Control agent who then—theoretically—can participate in the law enforcement. It is to this difficult problem and the absurdity of that sort of thing that the reorganization plan is directed.

Mr. HOLIFIELD. And furthermore the narcotics agent has no right to confiscate the marihuana or the LSD material and thereby loses that phase of the prosecution which would be involved in securing the evidence.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. REUSS. I yield to the distinguished Speaker of the House.

Mr. McCORMACK. And in the meanwhile the organized criminal is operating.

Mr. REUSS. Yes. That is the point that

we need to address ourselves to, I think. Because while, of course, there are social and health aspects of a most important nature in the drug problem, what we are here concerned with is the enforcement of drug control laws, and that is why it makes such sense to centralize them in the Department of Justice.

If one looks at some of the agencies in the Department of the Treasury, they almost all have a functional relationship to Treasury business. The Secret Service, for example, protects the currency, and that is Treasury business. The Internal Revenue Department collects taxes, and that is Treasury business.

The Customs Service collects the import duties, and that is Treasury business. But narcotics has no more to do with the Treasury than almost any other function of the Department of Justice, and its presence in the Treasury in the first place is nothing but a historic anomaly.

This reorganization plan will unify and better direct the efforts of the two presently existing bureaus, and increase coherence among Federal, State, and local law-enforcement agencies in their fight against the traffic in drugs.

Presently, both enforcing units hold training schools and seminars for local and State law enforcement officials. Except for the differences in the drugs involved, each organization teaches advanced investigative methods and the legal ramifications involved in conducting criminal investigations. These schools have a twofold value. In addition to gaining information concerning drugs, the attending law enforcement officers are sharpening their skills and updating their knowledge in the area of general criminal law.

Combining these two educational programs will avoid duplication of training in law enforcement and will substantially increase the scope and the number of individuals who receive this training.

These two bureaus will now be joined and as part of the Department of Justice can attack to get at the drug problem and the racketeering syndicates. The Attorney General plans to continue and to expand the cooperative educational program with State and local enforcement agencies. Educational and enforcement cooperation will now have the benefit of being under the direct supervision of the one Cabinet officer who maintains daily contact with law enforcement offices throughout the Nation.

I commend the President's action, and urge that the disapproval resolution be defeated.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from Missouri.

Mr. HALL. Does the gentleman believe that the U.S. Coast Guard in peacetime should, by the same logic, not be an arm of the Department of the Treasury?, and/or now the Department of Transportation?

Mr. REUSS. Yes; I happen to believe that that is a burden on a finance-oriented Secretary of the Treasury that it is well we freed him of. That is not before us this afternoon.

Mr. HALL. I would like to say that this was handled by the Joint Committee on the Reorganization of the Congress insofar as the assignment of surveillance, oversight, review, and jurisdiction is concerned; before the resolution passed overwhelmingly by the other body was emasculated here by various techniques.

Mr. BLATNIK. Mr. Chairman, I yield 5 minutes to the gentleman from Florida [Mr. ROGERS].

Mr. ROGERS of Florida. Mr. Chairman, I rise in opposition to House Resolution 1101 and I support the proposed Reorganization Plan No. 1, which would place the Federal Bureau of Narcotics and the Bureau of Drug Abuse Control in the Department of Justice in a single, consolidated Bureau of Narcotics and Dangerous Drugs.

I feel that we do need a single unified effort to meet the increasing illegal traffic in marihuana, the hard narcotics, LSD, and other hallucinogens, stimulants, and depressant drugs, such as the amphetamines and barbiturates.

Of course, this subject has been discussed. There are about 300 enforcement agents in the Bureau of Narcotics and 300 enforcement agents in the Bureau of Drug Abuse Control, and presently each group, for the most part, works independently of the other, and thus there is lacking a concentrated effort which is needed to curb the increasing drug abuse.

By consolidating the Bureau of Narcotics and the Bureau of Drug Abuse Control into a single bureau, the Bureau of Narcotics and Dangerous Drugs, we are in effect doubling the effective manpower which can be deployed to meet this problem. The Department of Justice is responsible for coordinating the general Federal law-enforcement efforts, because both the Bureau of Narcotics and the Bureau of Drug Abuse Control are also essentially and mainly devoted to law-enforcement, and they can be easily assimilated into the unified effort envisioned in Reorganization Plan No. 1.

Moreover, this consolidation would mean better contact with State and local agencies concerned with illegal drug traffic and abuse.

I have expressed some concern about this reorganization plan and I have felt that it might be attempting too much because of the clinical and pharmacological determination of what drugs should be controlled would be taken away from the Department of Health, Education, and Welfare and placed in the Department of Justice.

However, in discussion this question with the officials of the Department of Health, Education, and Welfare, they do feel that this determination should be placed within the Department of Justice because they feel that when the enforcement people and the people in the field who are involved with the finding that certain drugs or combination of drugs are being used, they feel they can more quickly meet the problem if we center in the one agency the determination of what drugs should be curbed and placed on the dangerous drug list.

I have discussed this with the chairman of the committee concerned with this particular reorganization plan—and I might ask him to respond to this—to the effect that if we feel the scientific determination on what drugs should be on the list to be enforced should remain in HEW, in the scientific community, as was pointed out by the gentleman from Alabama, then this can be done by a simple amendment to one of the bills put out by the legislative committee. It is my understanding that the gentleman who is now chairman, the gentleman from Minnesota [Mr. BLATNIK], would give sympathetic support to this approach, if this was determined to be a better determination at that time, even though HEW now feels it should go to the Department of Justice.

Mr. BLATNIK. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Florida. I yield to the gentleman from Minnesota.

Mr. BLATNIK. Mr. Chairman, the gentleman raises a very valid point. I am not only sympathetic, but rather supportive of the fact that a committee of Congress ought to give this a good hard second look, and I hope perhaps hold hearings, and see whether or not a better mechanism can be set up, if necessary to handle this very important and responsible and difficult matter of determining just what drugs are dangerous, and why, and how to respond.

We are getting not only dangerous drugs, but synthetics, and users are using them not only singly, but in combination, and they are getting complex side effects and other reactions, physical as well as psychological and emotional. It is a complicated problem.

There are other areas also. I hope we make this clear, while we do want to make the enforcement area more efficient, by having a single office rather than dual offices and dual regional offices and dual local offices and dual sets of officers going to pharmaceutical companies, one going through the narcotics ledger, and another at another time going through the drug roster and inventory.

We admit—and not only admit, but we want to call attention of Congress to this—that there is an enormous amount of work to be done. We hope the legislative committees will hold hearings not only in the area referred to by the gentleman, but in other areas, such as medical, sociological, psychological, and other functions now being carried on by HEW, through the Bureau of Medicine and through FDA, through Public Health and the Institute of Mental Health, and by other agencies. We feel that many of these should be upgraded and supported by further funds and further authority. I commend the gentleman from Florida for his fine statement.

Mr. ROGERS of Florida. Mr. Chairman, I appreciate the gentleman making that very clear.

With that reservation, I heartily support this, because I do think enforcement should be placed in the Department of Justice and should be combined. I do not think this should be delayed because of the immense problem we have. The appropriate legislative committee should later consider the question of what department can best determine which drugs should be controlled.

Mr. ERLENBORN. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Florida. I yield to the gentleman from Illinois.

Mr. ERLENBORN. Mr. Chairman, I am happy the gentleman raised the point he made, and I am interested in the answer of the chairman of our subcommittee, inherent in which there is an admission that there may be some difficulties in the President's plan. This is exactly the point we who introduced the resolution of disapproval referred to. A committee of Congress can do better on this, rather than just accepting this merger without having further attention given to some of the other functions. There are regulatory functions as well, which probably ought not to go to Justice.

Mr. ROGERS of Florida. Mr. Chairman, if the gentleman will permit,, I understand that, and I am trying to make this clear. We all have this concern. But this does not stand in my mind as a barrier—and I have been working for some time on this. This should not be a barrier to going ahead and doing something about the enforcement. It is a critical and growing problem, and we ought to get on with the business of combining this and doubling the enforcement part to do something about this.

These other problems do not have the same urgency.

There is a list now of the drugs with respect to which there should be enforcement, on illegal use, to try to get at the "pushers." This is an immediate problem we can meet.

Later this year we can go into the problems of how to determine what other drugs should go under control or what other educational programs we should go into.

This will not stop any educational program, because that is being carried on by the National Institute of Mental Health, as I am sure the gentleman knows, and by the Food and Drug Administration itself. This is to be continued.

I would hope the gentlemen would review their position and support this plan, to go ahead and let us start enforcing the provisions of the law against the illegal use of drugs. Then we will have plenty of time to go into determining what specific drugs may need to be added to the dangerous drug classification.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Florida. I am delighted to yield to the distinguished Speaker.

Mr. McCORMACK. It seems we are so close together. It seems unfortunate that still we should be wide apart.

I have listened to the debate. It would seem to me vitally important to get the enforcement operating as quickly as possible, to get at that group of sinister-minded individuals we all despise, the organized racketeers who operate in this field and who prey upon the weakness of poor human beings.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. BLATNIK. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. ROGERS of Florida. I would urge that who—I know in all sincerity—have brought these points up, to reconsider. It is good to have had these points brought to our attention on the floor, but I would hope the Members would reconsider their position, with the understanding that we are going to look into this business of the determination of drugs in the future, and educational programs.

Certainly we should go on and adopt this, and get on with the job of enforcement, trying to prohibit this illegal traffic in drugs.

Mr. KYL. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Florida. I am glad to yield to the gentleman from Iowa.

Mr. KYL. I have heard a complete discussion of drugs, but I believe we have missed the most important factor involved. I believe it is incontrovertible, in terms of cost to our society on drug abuse, that what is most costly is the result of the use of alcohol. Where do we put that?

Mr. ROGERS of Florida. I might tell the gentleman that we have before us a bill in our committee, on which we have conducted hearings, that will help try to meet the problem of alcoholism.

I am sure the gentleman also knows it is now the procedure—in fact, the problem is in the courts and the courts have already held—that a person cannot be penalized criminally for alcoholism, but it must be treated as a disease. So we are in this country now undergoing a new look at this whole problem, and we are going to try to treat alcoholism as a disease. I am sure the gentleman will be interested when this legislation is brought to the floor to meet that problem.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Florida. I am glad to yield to the distinguished Speaker.

Mr. McCORMACK. I listened to the observation of my friend from Iowa [Mr. KYL] with reference to alcohol. We all have a deep feeling of sympathy for those who have become addicted to alcohol, when they cannot exercise their willpower to regulate its use.

I sympathize very much with those who cannot control themselves. I admire the one who went down into the gutter, so to speak, and through his willpower fought his way back. I have seen several of my friends do it.

Might I make the observation that alcohol, as a problem of organized crime, was prevalent during the prohibition days but it is not now. We are trying to attack as quickly as possible the organized criminals, the underworld, who are engaging in this field of activity, which means so much to the youth of America.

Mr. ERLENBORN. Mr. Chairman, I yield 10 minutes to the gentleman from Massachusetts [Mr. CONTE].

Mr. CONTE. Mr. Chairman as the ranking minority member of the Treasury-Post Office Appropriations Subcommittee, I have followed closely and with great interest the activities of the Bureau of Narcotics which annually appears before our subcommittee concerning its budget requests.

I have been deeply impressed by its operations and it has proven to be, I believe, one of the finest agencies in the Government with an excellent record of achievement and accomplishment.

For example, during the last 5 years more than $615 million in narcotics has been seized in international cases alone, including some $140 million seized in narcotics last year. This action has involved close cooperation with foreign authorities and agents, a status which the Bureau has been very successful in establishing.

The Bureau also has established close and valuable working relationships with various State and local authorities who deal with the drug abuse problem at their own levels.

I do not believe that anyone is really questioning the level of success of the Bureau in its present status under the Treasury Department.

Rather, the main question appears to be whether greater accomplishments could be achieved by a combination of the efforts of all the agencies presently combating drug abuse under the auspices of the Justice Department.

My belief that the future successful operation of the Bureau of Narcotics in the fight against drug abuse could be more endangered than assisted by any transfer to the Justice Department leads me to oppose the reorganization being considered here today. I would like to note that my objections to the reorganization are not founded with respect to any combining of efforts by the Bureau of Narcotics and the Bureau of Drug Abuse Control. They are rather founded in the removal of narcotics from Treasury and its transfer to the Justice Department.

The Bureau of Narcotics has been a part of the Treasury Department since it was first formed on June 14, 1930, for the purpose of administering the controls of narcotic drugs on the Federal level.

During its 37 years of existence, the primary mission of the Bureau of Narcotics has been a specialized one. Its role has been to deal with the highly complex and difficult task of containing and eliminating narcotics at the source of supply level.

Since just about all of the narcotic drugs originate outside of the United States, this has meant that a very large part of the Bureau's operation must be focused upon the interdiction of narcotics prior to its internal distribution throughout the United States. Further responsibilities of course deal with interstate trafficking in drugs and in some cases the Bureau will become involved in significant intrastate violations.

This specialized mission of the Bureau in dealing with narcotic drugs at the source level necessitates and has resulted in close cooperation and coordination with the Customs Bureau, whose jurisdiction includes the smuggling of narcotics into this country.

The existing and necessary close interrelationship between these two sister agencies of the Treasury Department could very well be seriously jeopardized by the removal of the Bureau of Narcotics from the Treasury Department.

As a simple practical matter, existing coordination among sister agencies of one Department is going to be impaired by the removal of one of those agencies from the Department.

Thus, what I am saying here in effect is that whereas a main argument being made for the transfer of the Bureau of Narcotics to Justice is that it will result in greater overall coordination, in fact, the transfer is very likely to lead to less coordination concerning the responsibilities of the Bureau of Narcotics, and especially its vital and primary mission of cutting off illicit drugs at the source level.

As I said earlier, my objections are not only to the removal of Narcotics from Treasury, but also to its transfer to Justice.

The attempt to bring the fight against drugs within the framework of the Justice Department raises the specter of our possibly taking a step too close to a national law-enforcement concept.

A gathering up of various Federal law-enforcement agencies presently operating throughout the Federal Government and placing them under one roof at the Justice Department will not necessarily lead to overemphasis on a national approach to the crime problem.

But it is important to realize that this could be the result. It is a result which I believe could be harmful and which therefore should be carefully avoided.

For the reasons I have stated, I am in opposition to the reorganization as it has been proposed by the President. I hope that the House will reject the reorganization being considered here today.

Mr. Chairman, the point I was trying to make in my colloquy with the distinguished Speaker of the House is brought out in our committee hearing of last year.

Mr. Chairman, on page 472 of last year's hearings which were held by the subcommittee of the Committee on Appropriations, the subcommittee which held hearings on the Departments of the Treasury and Post Office and Executive Office of the President, and I was leading up to this, Mr. Giordano was the witness when the question was propounded to him by the gentleman from California [Mr. COHELAN]:

> Would it be useful to compare it with sentencing in other areas?
>
> Really, to make a judgment, one would have to know how we sentence in California, for example, and in Massachusetts and wherever else the problem exists.

Thereupon, I interposed and stated:

> Let us take Massachusetts, in view of the fact I am asking the question, will you draw such a comparison?
>
> Mr. GIORDANO. I think you will find in Massachusetts the courts apply the penalties quite severely, and as a result they have a lesser problem. I think the prime example in this area is the State of Ohio, where they passed a law which provided for very heavy penalties, and the courts applied it. The law was initiated as a result of a citizens' group that the former Attorney General at that time selected. The group then, after the law was passed, was maintained a sufficient period of time to make sure that the courts applied the penalties in accordance with the wishes of the people. The problem dropped 85 percent in Ohio. It has never gone back up.

Then, Mr. Chairman, Mr. Gaffney interposed with the following statement:

> One addict told me in New York, who had come from Ohio, that the day that law was enacted you could not get train reservations out of Cleveland.

Then I made the following statement:

> You mentioned there is a mandatory jail sentence on a felony in New York. Is that what you said?
>
> Mr. GIORDANO. No. I said under the Federal law. If they are brought in under the State law, there is no mandatory jail sentence.

Then, Mr. Chairman we continued this colloquy.

However, I went on to say that in the State of New York, where they do not have a stricter law, that State had a higher percentage of addicts, a much more higher percentage to the extent of about 50 percent than all of the Nation's addicts put together.

Mr. ROGERS of Florida. Mr. Chairman, will the gentleman yield?

Mr. CONTE. Of course I yield to the gentleman from Florida.

Mr. ROGERS of Florida. Mr. Chairman, it is my opinion that we can all agree upon the fact that strict enforcement of the law on the part of the courts of the various jurisdictions will certainly help stop traffic in this field.

Mr. Chairman, this is not just a newly thought about idea. I state this because I am sure that the distinguished gentleman knows that the Hoover Commission in 1949 also recommended to combine these agencies into the Department of Justice.

So, Mr. Chairman, it is my opinion that if we can plan to beef up the number of the law enforcement personnel in this area, along with some public spotlight focused upon the courts' enforcement activities, it is my opinion that this will help to solve the problem.

Mr. CONTE. I agree with the distinguished gentleman from Florida. However, I am trying to make a record. It is my opinion in making this record that the Bureau of Narcotics has done a fantastic job. Further, I would go so far as to say that the Bureau of Narcotics can do a better job than can be done by the Department of Justice in the field of trying to stamp out illegal peddling of narcotics and let us place the responsibility where it belongs in Treasury.

And, Mr. Chairman, I am not directing my remarks to the distinguished gentleman from Florida, because I know the gentleman has long been interested in this subject matter.

But of the many who have taken the floor today who are so upset about organized crime—as I am—not one joined me last year in trying to get back the 20 agents that the administration cut out of the budget of the Bureau of Narcotics.

Mr. ROGERS of Florida. Let me say this: That I believe that they have done a very competent job in the Bureau of Narcotics. I do not believe they have done a tremendous job, because I do not believe they have had the manpower. The very fact that drug abuse has grown so in this country, along with the spread of marihuana, particularly, which is fantastic, shows that they have not done the job that we gave them because I believe mainly there has not been suffient manpower supplied for them.

Now we are trying to correct this problem with this plan.

If anyone says "we have stopped drugs in this country," I am sure the gentleman knows that that is not the case, because it has grown, it has just grown the opposite way because we have not had the enforcement people to stop it in sufficient numbers.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. ERLENBORN. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. REID].

Mr. REID of New York. Mr. Chairman, I thank the gentleman for yielding, and I believe the debate to date has been very useful, and I commend the gentleman from Alabama [Mr. EDWARDS] for the clarity of his presentation.

I believe there is no question as to the unanimity of the committee in support of the merits of the proposed merger of the Bureau of Narcotics and the Bureau of Drug Abuse Control. I suspect there is equal concurrence in the need for additional agents in both the fields of narcotics and dangerous drugs.

There are three points that I believe are central to our considerations of the reorganization plan.

First is the field of effective law enforcement. Second is the question of education, medical research, and prevention and the third deals with regulation of the drug industry.

On the first point, I believe the evidence is relatively clear that the proposed merger involves to a considerable degree the field of law enforcement. Of 475 employees in the Federal Bureau of Narcotics, 304 are enforcement agents. In the case of the Bureau of Drug Abuse Control, 300 of its 460 employees are agents.

I believe that the relationship between organized crime and illicit traffic in narcotics and dangerous drugs is quite well established. For example, the Federal Bureau of Narcotics estimates that 85 percent of the heroin and 50 percent of the marihuana brought illegally into the United States is introduced by criminal organizations. According to the Department of Justice, trafficking in narcotics and dangerous drugs is one of the three principal sources of income for organized crime. Even where the distribution of drugs does not involve organized crime in its traditional sense, the Department of Justice has observed that it does involve networks of criminals who form organizations to manufacture or divert and distribute drugs illegally.

For instance, BDAC has detected and prosecuted 47 illegal laboratory complexes manufacturing hallucinogens and other dangerous drugs. Many of these complexes had organized their own distribution systems. The Department of Justice has related that in one case a drug manufacturer and wholesaler who had gained alleged notoriety in illicit trade channels was recently arrested by BDAC agents. He and four other associates were reportedly apprehended in his fully equipped, clandestine chemical laboratory while in possession of pure LSD and STP, aggregating about 800,000 dosage units, having an estimated value of about $4 million in illicit drug traffic.

Therefore, I think that the preponderance of material before the committee has made it abundantly clear that organized crime is deeply involved with narcotics, and to some degree with dangerous drugs, and to the extent it is not organized crime per se, it does involve criminal elements.

In addition, while BDAC and the Federal Bureau of Narcotics, each works well in its own area, the agents of one have no statutory power to arrest for violation if the other's drug laws. Drug violators do not observe these neat jurisdictional lines. Ninety percent of all LSD raids uncover marihuana respecting which no seizure or arrest is made.

Therefore I think the facts do dictate in favor of a merger of these two entities and the establishment of a clear relationship between them and the department that is particularly concerned with organized crime—the Department of Justice.

The second point, however, is not as clear—and that is on the question of education and prevention.

The Acting Secretary of the Department of Health, Education, and Welfare, Wilbur Cohen, who presently supervises BDAC wrote me the following on February 26:

> I wholeheartedly support the President's recommendations because I believe it is more appropriate for the Bureau to be in the Department of Justice along with the Federal Bureau of Narcotics so that law-enforcement aspects of these two programs can be coordinated. As you know, the Prettyman Commission on Narcotics and Drug abuse recommended this in 1963, as did the Hoover Commission on Executive Reorganization a number of years ago.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. EDWARDS of Alabama. Mr. Chairman, I yield 5 additional minutes to the gentleman from New York.

Mr. Chairman, would the gentleman yield at this point?

Mr. REID of New York. I am happy to yield to the gentleman.

Mr. EDWARDS of Alabama. Concerning the Prettyman report, the Prettyman report contemplated the establishment of BDAC. But the Prettyman report also, while proposing that the law-enforcement part of the narcotics problem go to the Justice Department, also proposed that the regulatory functions go to the Department of Health, Education, and Welfare. So the Prettyman report did not contemplate what the President has proposed here.

Mr. REID of New York. The gentleman is correct. I was going to deal with that when I got on the subject of the regulatory aspects. But I think it should be put in the RECORD at this point, and I will read from the Prettyman report.

Specifically the report said:

> The Commission recommends that the functions of the Bureau of Narcotics relating to regulation of the legitimate importation, exportation, manufacture, sale, and other transfer of narcotics, drugs, and marihuana be transferred from the Department of the Treasury to the Department of HEW. Narcotic drugs would be regulated under the power to regulate interstate and foreign commerce, not under the tax power; and the importation, production, sale, or other transfer of marihuana would be prohibited except where expressly licensed for legitimate scientific purposes or for the emergency production of hemp.

And it also recommended:

> The Commission recommends that a unit be established within the Department of Health, Education, and Welfare to determine the safety and efficacy of and to regulate all narcotic and dangerous drugs capable of producing severe psychotoxic effects which can lead to criminal or lawless behavior when abused. This unit would also regulate the legitimate importation, exportation, manufacture, sale and other transfer of narcotic and dangerous drugs.

So the gentleman from Alabama is absolutely correct. The Prettyman report as regards this aspect of regulation is clearly for this being placed in the Department of Health, Education, and Welfare.

The Attorney General in his testimony before the committee, however, urged that control and regulation should be in the Department of Justice as they are an integral part of the enforcement problem.

For myself I have reservations about regulation being in the Justice Department, and I think there is considerable merit in this being placed in HEW. On the other hand, this might involve a fragmentation of BDAC or of the contemplated merged entity.

To return finally to the question of education.

The Acting Secretary said:

> It is our firm intention to maintain the Department's efforts in both education and scientific investigation. We are already engaged in developing with the Attorney General a mechanism which will continue the same effective coordination and operation between HEW and the Department of Justice which now exists between the various agencies within HEW.

I might add that there is a budget of some $10 million, according to the fiscal year 1968 appropriation, for the National Institute of Mental Health and for the Food and Drug Administration which was allocated to education and research activities in this area.

The Department of Justice has also observed that the reorganization plan will not affect in any way the research and educational programs now conducted by the National Institute of Mental Health, the Bureau of Medicine, the Bureau of Science, and the National Institutes of Health.

I think, however, in fairness to the Members in considering this matter today that it is clear that insufficient emphasis has been placed on the importance of clearly spelling out where the education and health roles should be placed. The committee report observes that the Justice Department would now do the following: "Plan and carry out intensive and varied target audience programs to prevent drug abuse and to create an attitude of respect for dangerous drugs."

Finally, I am particularly concerned with the fact that certain regulatory aspects of the drug problem would be moved to the Justice Department. I am happy, however, to place in the RECORD the Secretary's assurance.

I think we have to keep in mind on the should be combated by a unified enment and for strong action against organized crime. But equally I think it is very important that we recognize that narcotics and, particularly, dangerous drugs are a medical, a human, and an educational problem involving not enforcement so much as education in many respects including guidance counseling in our schools and colleges, and therefore I think that has to be weighed very carefully.

Mr. BLATNIK. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. CORMAN].

Mr. CORMAN. Mr. Chairman, Reorganization Plan No. 1 of 1968 calls for the consolidation of the Bureau of Drug Abuse Control and the Bureau of Narcotics within the Department of Justice. Both the Treasury Department and the Department of Health, Education, and Welfare which presently house these two bureaus have done fine work in developing their separate law enforcement programs. However, a study of the problem of drug abuse shows vast areas of interrelationship and overlapping between narcotics and dangerous drugs investigations. The total criminal drug problem should be combated by a unified enforcement agency within the Federal Government. I am convinced that that agency should be the Department of Justice.

We cannot and should not assume that the solution to this complex and troublesome problem lies in enforcement alone. We will never completely solve the drug problem until we know why people abuse drugs, and until we learn how to educate them to avoid such abuse. I am informed that the responsibility for research into the root causes of drug abuse is centralized in HEW, which spends much larger amounts on such research and related educational programs than these two bureaus have to spend on enforcement. That is as it should be, and I understand that these responsibilities are unaffected by the plan. At the same time, until such research develops solutions, and until knowledge of these basic drug problems increases, we must relentlessly pursue the sources of illicit traffic in narcotics and dangerous drugs.

The plan will improve our ability to cut down on the availability of narcotics and dangerous drugs to our youth and other victims of this curse. A single, more effective, coordinated bureau can best achieve this law enforcement objective.

If we direct our attention a moment to the specifics of the drug problem, we recognize that a necessary adjunct to Federal law enforcement is effective State and local law enforcement agencies which are trained to recognize, identify, and combat specific drug crimes. It has never been and, I am certain, never will be the desire of the Federal Government to create a national police force. The reorganization plan does not create one. It merely establishes a single central focal point within the Government for Federal drug enforcement knowledge. After the reorganization, State and local officers will be able to direct all inquiries concerning drug enforcement problems to this central source within the Department of Justice. Obviously, it eases Federal and State relationships to have a centralized Federal enforcement office furnishing training instruction with respect to narcotics and dangerous drugs. State and local law enforcement officers will not be required, as they are now, to send their specialized agents to the Bureau of Drug Abuse Control School to learn about dangerous drugs, and then get the narcotics half of the drug picture by sending their agents to a school conducted by the Bureau of Narcotics. The existing method is expensive and inefficient in that it denies the smaller State and local law enforcement agencies the ability to have their men trained in both areas of drug control due to conflicting time schedules and additional expense. This the new Bureau will rectify in a comprehensive coordinated single training course covering all illicit drugs.

The reorganization is an important step in the right direction and I support it wholeheartedly.

Mr. BLATNIK. Mr. Chairman, I yield 10 minutes to the gentleman from North Carolina [Mr. FOUNTAIN], chairman of the Subcommittee on Intergovernmental Relations.

Mr. FOUNTAIN. Mr. Chairman, I rise in opposition to the disapproval resolution and in support of Reorganization Plan No. 1 of 1968. For several years the Intergovernmental Relations Subcommittee of the Committee on Government Operations, of which I have the honor to be chairman, has been studying the drug safety activities of the Food and Drug Administration, including that agency's implementation of its responsibilities under the Drug Abuse Control Act of 1965.

More recently, the subcommittee looked into problems relating to the control of marihuana and at the relationship between FDA's Bureau of Drug Abuse Control and the Treasury Department's Bureau of Narcotics. From these studies it was quite apparent to me that there are problems of cooperation and coordination resulting not only from the organizational division of responsibility but also from inconsistencies in the laws under which these two agencies operate.

During our subcommittee's hearings, it was disclosed that in perhaps as many as 90 percent of the cases in which persons are apprehended by one of these agencies, they also have in their possession a drug subject to control by the other agency. Although agreements exist to promote cooperation and coordination between the two agencies, there is no question that this organizational and and jurisdictional division is uneconomical; that it makes the task of each agency more difficult; and that it is a barrier to the development of a unified effort to combat the rapidly increasing traffic in illicit drugs.

I am delighted to see that the President is recommending action on a broad front—too long delayed—to deal with the problem of narcotics and drug abuse and the illicit traffic in these drugs and to fit these activities into an overall war against crime and lawlessness. The reorganization plan under consideration is an important part of that program.

The idea of creating a single agency within the Justice Department to enforce the laws against illicit traffic in narcotics and other dangerous drugs as has already been pointed out today, is not completely new. As long ago as 1949 the First Hoover Commission recommended that the Bureau of Narcotics be transferred to the Justice Department. And in 1963 President Kennedy's Advisory Commission on Narcotics and Drug Abuse recommended that the enforcement responsibilities of both the Narcotics Bureau and those of FDA relating to illicit traffic in dangerous drugs be transferred to Justice.

The proposed reorganization offers a number of advantages. Combining the Bureau of Narcotics and the Bureau of Drug Abuse Control—and there seems to be little, if any argument against this combination—will result in increased efficiency and economy by cutting down on administrative overhead, eliminating duplication of effort in investigation and enforcement work, and eliminating duplicate field installations, public educational programs, and training programs for State and local law enforcement officers. The reorganization should foster improved intergovernmental relations by giving State and local enforcement agencies a single locus in the Federal Government with which to coordinate and from which to seek advice and assistance. It should also result in benefits to regulated parties such as drug manufacturers, wholesalers, and retail pharmacists by eliminating duplicate paper work now required by two different agencies and cutting down on the number of Federal inspectors visiting their premises to review records.

Placing the new combined agency in the Department of Justice will make the resources of the Federal Government's top enforcement agency more readily available to Narcotics and BDAC agents and should contribute to the Federal Government's fight against organized crime since the Department of Justice is the principal agency for coordinating these efforts.

Perhaps because the advantages of combining the Bureau of Narcotics and the Bureau of Drug Abuse Control are so obvious, opposition to the plan has thus far centered almost entirely on the location of the new agency in the Department of Justice. It has been argued, for example, that investigation and prosecuting functions should not be located in the same department. However, I believe this criticism ignores the fact that the Department of Justice already embraces both of these functions, in that the Department prosecutes cases for its own investigating arm, the Federal Bureau of Investigation. Moreover, the investigative and prosecuting functions will be separated within the Department.

It has also been argued that the new agency will be dominated by the FBI if it is located within the Department of Justice, although I do not believe I have heard that this afternoon. It should be pointed out, however, that the new Bureau will be coequal in rank with the FBI and will report directly to the Attorney General's office rather than through the FBI.

Fear has also been expressed that the agents of the new Bureau may use their access to records of regulated parties to gather evidence for antitrust or other type cases. Since these agents will have access only to those records which are designated by the law and regulations as being pertinent to their responsibilities, they will not be in a position to go on fishing expeditions—which I am sure none of us would approve. However, if agents, in reviewing records to which they have legitimate access, should discover evidence of antitrust or other violations of law, it would appear that it would be their responsibility to bring such evidence to the attention of other appropriate authorities.

There have been some other reservations about the proposed reorganization which I believe are based largely on misunderstanding of either the reorganization plan or the present division of responsibilities in this area. For example, some fear has been expressed that the reorganization plan will transfer responsibility for making medical decisions to a law-enforcement agency. In this connection, I would like to point out that the law provides for a committee of outside medical experts to evaluate a given drug's dangers and capability for abuse and to advise the enforcement agency whether or not it should be brought under control. This committee of experts is a representative group outside of Government. It will be transferred to the new agency. After the committee's recommendation is made, the remaining procedures are, for the most part, of a legal nature. The final determination by the Attorney General will be made on the basis of the same evidence that it is now made by the Secretary of Health, Education, and Welfare and will be just as much a formality. Moreover, since neither the present Secretary of Health, Education, and Welfare nor any of his predecessors have been physicians, there is no reason to believe that the Attorney General will be less qualified to make this formal determination.

Similarly, fear has been expressed that the reorganization will transfer responsibility for research on the causes and prevention of drug abuse and for the treatment and rehabilitation of addicts from a health agency to a law enforcement agency. I think this criticism is also based on misunderstanding. As I understand, both the research and the treatment and rehabilitation responsibilities presently rest with the National Institute of Mental Health, and neither of these functions is transferred to the new agency by the reorganization plan. They will remain within the NIMH, and I understand that preliminary arrangements for cooperation and coordination between NIMH and the new bureau have been worked out. The Bureau of Drug Abuse Control does not itself conduct research. It has the authority and funds to contract with universities and other organizations for such research, and it will continue to do so in the new bureau.

It has also been charged that the transfer of the Bureau of Drug Abuse Control and the Narcotics Bureau will result in less effective coordination with related agencies and functions which will remain in HEW and Treasury. This is mere conjecture. We never really know how any organization is going to work until it is put into effect, but because of the past close relationships with these agencies and functions, it seems more likely that cooperation and coordination will be better than it might otherwise.

Moreover, preliminary arrangements for such cooperation and coordination, I understand, have been worked out in advance. In fact, some of the strongest testimony in support of this action was given by Mr. Giordano, Commissioner of Narcotics, who made a very strong statement not only for consolidation of these two bureaus but also for transfer of the consolidated agency to the Department of Justice.

In addition, it should be noted that the functions of the two agencies which are being merged are much more closely related to one another than they are to the functions which are being left behind. For example, preventing illicit traffic in controlled drugs represents a relatively small proportion of the responsibilities of the Customs Bureau, but it is the major responsibility of both BDAC and the Narcotics Bureau.

In conclusion, Mr. Chairman, may I say that I too am gravely concerned about our rapidly increasing crime rate and about the widespread disrespect and disregard for law and order which we have witnessed in recent years. I believe that the illicit drug problem is a substantial factor in the overall situation in that an ever increasing number of people, and particularly young people, are being enticed into a drug subculture which operates on the wrong side of the law and also furnishes a steady and lucrative source of income for organized crime.

It is my hope that the proposed reorganization plan, along with some of the other measures proposed by the President in his message on crime, will help to turn the tide, and for this reason I am happy to support it.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. FOUNTAIN. I am glad to yield to the gentleman from California.

Mr. HOLIFIELD. The gentleman has made a most comprehensive statement today, and I wish to compliment him. He has answered many of the fears others have expressed, and some they have not expressed.

The gentleman is not a member of the Reorganization Subcommittee, although he is a member of the full committee. He is the chairman of the Intergovernmental Relations Subcommittee, which has to do with the relationship between the Federal Government and the local States and cities and so forth. In this particular field, of course, he is thinking about the correlation of information and the interchange of information between the local and Federal levels.

I believe the gentleman's statement is most valuable, in that he has covered so completely this area with which he is so familiar and on which he has held hearings for many, many years, on the principle of intergovernmental relations.

Mr. FOUNTAIN. I thank the gentleman from California.

Mr. WHITENER. Mr. Chairman, will the gentleman yield?

Mr. FOUNTAIN. I yield to my distinguished colleague from North Carolina [Mr. Whitener].

Mr. WHITENER. Mr. Chairman, I compliment the gentleman on the very fine and comprehensive statement he has made. I concur in the conclusions he has reached.

It was my privilege for 11 years to work very closely with the Narcotics Bureau in law enforcement. I say that it is a magnificent organization. I would not for 1 minute do anything I thought would in any way lessen the effectiveness of that great organization.

I have been assured and reassured by the statement of the gentleman that the consolidation of this activity which would take HEW drug division into the Department of Justice would bring about economy in the operation of our Government and would also increase the effectiveness of our programs to stem the tide of the growing drug traffic. I commend my friend from North Carolina and thank him for his very, very splendid statement.

Mr. FOUNTAIN. I thank my colleague from North Carolina for his statement. Not only is he one of North Carolina's leading attorneys, but he is familiar with problems of law enforcement in the areas under discussion, having served so distinguishedly as a district prosecuting attorney in North Carolina for many years before coming to the Congress.

Mr. BLATNIK. Mr. Chairman, will the gentleman yield?

Mr. FOUNTAIN. I yield to the gentleman from Minnesota.

Mr. BLATNIK. I am tremendously impressed by this obviously well reasoned and effective point-by-point, logical, and comprehensive rebuttal of the many points on which there was serious misunderstanding. I compliment the gentleman and congratulate him for one of the most impressive presentations made this afternoon.

Mr. FOUNTAIN. Mr. Chairman, I have one further observation which is to some extent repetitious. Probably only a few other agencies in the Federal Government have more direct contact with State and local government levels than does the Office of the Attorney General.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BLATNIK. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. FOUNTAIN. As the President indicated, and I believe, as most of us here in the Congress want, law enforcement is primarily the responsibility of local and State governments, but when it comes to narcotics and the criminal use of certain types of drugs, even where the Federal Government has a major responsibility all levels of government must work together in a cooperative spirit. Where you have an agency which already has so many contacts and which coordinates and cooperates with State and local governments in so many ways, including education and training, this is a natural, it seems to me—especially from the standpoint of better Federal, State, and local relations, and improved enforcement of laws against the illicit traffic in drugs.

Mr. ERLENBORN. Mr. Chairman, I yield 5 minutes to the gentleman from Missouri [Mr. Curtis].

Mr. CURTIS. Mr. Chairman, I rise in support of the resolution and wish to point out that, the Committee on Ways and Means has jurisdiction over sizable portions of the legislation dealing with narcotics. Of course, a great deal of the regulation and enforcement of these laws comes under the Committee on Ways and Means. I certainly want to commend the committee and certainly the Republican members for this thorough study. I have been impressed with the minority views, the Republican views, which urge that this reorganization plan be voted down and at the same time that the Congress proceed forthwith with developing the proper kind of legislation to bring about a consolidation of these agencies which everyone seems agreed upon are needed, but which would eliminate some of the errors which are in the President's plan. As I have listened to the debate, errors in the President's plan are admitted to exist by those who are supporting it.

The argument of the Speaker in behalf of this reorganization was that we had to move, and I would interpolate, in haste. I think we have done too much of this hasty legislation. We need to consider these things in depth. This problem of narcotics enforcement has been with us for decades and it will probably be with us for decades. So let us take the time that is necessary to do a thorough job. This House, I might say, has been doing precious little this year in the way of legislation. Here we are now going into the fourth month. To argue that we have to move in haste, recognizing that there are legitimate reasons why this reorganization plan should be modified to me is not wise. I think that the committee would do well to vote this down and proceed to establish a congressional reorganization plan that meets the objections of everybody. Then we could be in accord, as the Speaker said, because we do not seem to be too far apart. We could be in accord.

The key error in the President's plan which bothers me very much is combining prosecution with regulation. I was interested that in the statement of the gentleman from North Carolina [Mr. Fountain], for whom I have a high regard, he did not seem to distinguish this main point that has been stressed in the minority views.

It is most unwise to combine regulation functions with the functions of prosecution. They are two different functions. And, when one does combine regulation with prosecution, one tends to deteriorate both functions.

Then Mr. Chairman, my final remarks are these: For years I have felt that we ought to repeal the Reorganization Act. It places the Congress in the position of vetoing rather than legislating. This act deprives this body of the right to amend and therefore, it deprives it of the right to legislate.

And Mr. Chairman, this kind of legislating, wherein the President brings up a plan conceived behind closed doors wherein all the Congress can do is to either accept or reject that plan, is not conducive to enacting good laws.

This particular piece of legislation that is now pending before the Committee of the Whole House demonstrates most clearly how wise the writers of the Constitution were in giving to the Congress of the United States the power to legislate and in giving to the executive branch of the Government the right to veto. Let us turn this around and let Congress legislate and the executive accept or veto.

Mr. KYL. Mr. Chairman, will the gentleman yield?

Mr. CURTIS. Of course I yield to the gentleman from Iowa.

Mr. KYL. Mr. Chairman, the gentleman in the well, the distinguished gentleman from Missouri [Mr. CURTIS], has spoken about the necessity for regulation and enforcement. A short time ago during the general debate upon this issue I brought up the matter of alcohol as representing a dangerous drug and pointed to the period of time when we had prohibition. We had, as I recall, a central control enforcement agency.

Mr. CURTIS. Yes.

Mr. KYL. What kind of a job did we do in preventing crime and in reducing the incidence of the use of alcohol?

Mr. CURTIS. I would say that it was a very sad record, so much so that we were compelled to repeal the law itself.

Mr. KYL. And, Mr. Chairman, if the gentleman from Missouri will yield further, in this situation we have an essence which is so important here when we talk about certain drugs and other matters which bring about a physical dependence, a psychological disturbance, a disturbance that would be different if taken care of through the procedure of prevention and cure, which procedure is difficult in both cases. It is not primarily a matter of enforcement which exists in these fragile areas.

Mr. CURTIS. I thank the distinguished gentleman from Iowa for his making that telling point.

Of course, as the distinguished gentleman knows, the Committee on Ways and Means has jurisdiction over the enforcement against bootlegging because——

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. ERLENBORN. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. CURTIS. Because it is through imposing the $10.50 tax per gallon on liquor that we essentially enforce the laws against bootlegging.

I recall that the distinguished Speaker of the House of Representatives said that this was not, today, a base of financing national crime. However, permit me to say to the distinguished Speaker that, regrettably, bootlegging is still one of the main sources of financing national crime. It represents about a $2 billion-a-year business. There is that much bootlegging going on today.

The CHAIRMAN. The time of the gentleman from Missouri has again expired.

Mr. ERLENBORN. Mr. Chairman, at this time I yield 15 minutes to the distinguished gentleman from Virginia [Mr. POFF].

Mr. GROSS. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. Thirty-three Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 81]

Abbitt
Anderson, Tenn.
Ashley
Conyers
Corman
Denney
Dent
Dorn
Dowdy
Green, Pa.
Gurney
Hansen, Idaho
Harsha
Holland
Karsten
King, Calif.
Long, La.
Lukens
Matsunaga
Mize
Nix
Resnick
Roth
Selden
Teague, Tex.
Whalley
Zablocki

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. HUNGATE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration House Resolution 1101, and finding itself without a quorum, he had directed the roll to be called, when 404 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The Chair recognizes the gentleman from Virginia [Mr. POFF] for 15 minutes.

Mr. POFF. Mr. Chairman, as the distinguished chairman of the subcommittee which has the legislation in charge said so well, this, indeed, is not a partisan matter. By every yardstick it is bipartisan in the concern that has been expressed on both sides of the aisle, a concern which is prompted, I am confident, by a genuine desire to do the right thing in this critical area. This is a question upon which reasonable men can reasonably disagree.

And, Mr. Chairman, I am glad, too, that our distinguished Speaker said as he did: "We are not really too far apart." Essentially we agree. This should be made crystal clear.

Mr. Chairman, I favor the merger of law enforcement functions in the field of narcotics control. I favor the merger of regulatory functions. I do not favor consolidation of the two. Notwithstanding certain claims to the contrary, it is clear that the reorganization plan intends just such a consolidation. Beginning on page 15 of the committee report appears an 11-page catalog of functions within the Treasury Department and the Food and Drug Administration which would be transferred. Even a cursory examination reveals that many of these deal with auditing, registration, licensing, and inspection of books, records, statements, and papers. Such functions can only fairly be classified as regulatory. While the combination of such regulatory functions with law-enforcement functions might arguably make the prosecutor's job more convenient, most people will agree as a matter of policy that the same man ought not be both prosecutor and regulator.

Favoring merger of law-enforcement functions as I do, I must confess that I am not yet prepared to decide where in the governmental structure the new agency should be located. There is not enough evidence at hand. The committee hearings lasted approximately 10 hours in the course of 3 days. Significantly, the transcript of the hearings does not disclose testimony by any witnesses representing the medical community, the legitimate drug industry or State and local law enforcement agencies. The advice such witnesses could bring to bear upon the question would be most helpful in deciding whether the new agency belongs in Treasury, in HEW, in Justice, or in some independent category. A respectable case can be made for each. Under such circumstances, merger should be postponed until a proper study can be completed.

I would gladly put my concern about mixing regulatory and law-enforcement functions aside and support this reorganization plan if I were convinced that it would enhance the cause of prevention, investigation, apprehension, prosecution, and conviction of narcotics criminals. I am compelled to the conclusion that with the wholesale uprooting of functions, dislocation of coordination and transfers of men and missions which this particular plan would involve would be counterproductive in the fight against narcotics crimes and drug abuse. I reach this conclusion for five reasons:

First, effective narcotics control must focus first upon the source of supply. That source is and always has been predominantly foreign. Since it was first established in 1930, the Bureau of Narcotics in the Treasury Department has patiently fashioned an elaborate international apparatus of informants and undercover agents. That apparatus monitors the channels of narcotics commerce from the poppy fields in East Turkey to American ports of entry. Only recently, BON has reached an informal understanding with France increasing the French staff investigating heroin refineries in Marseilles. Transfer of personnel from Treasury to Justice could scramble these delicately balanced enforcement mechanisms.

Second, effective narcotics control at the Federal level requires careful coordination among participating agencies. Under narcotics statutes, the principal participating agencies are the Bureau of Customs, which has a special responsibility with respect to illegal imports, and the Internal Revenue Service, whose responsibility arises from the tax features of the narcotics law. Both of these agencies and the Bureau of Narcotics are in the Treasury Department. Transfer inevitably would shortcircuit the coordination network which now functions so efficiently.

Third, effective narcotics control requires careful Federal coordination with State and local law-enforcement authorities. Here again BON over the years has developed close working relationships. This is partly because the Treasury Department operates a full-time law enforcement school with permanent, professional faculty, the most modern facilities, and the most advanced curriculums. That school already had graduated and returned to their home precincts some 3,200 State and local law-enforcement officers. Particularly in the field of narcotics control, these local officers are trained to cooperate with BON. This school, it should be noted, cannot be transferred bodily under the reorganization plan. This is because the curricula is broader than narcotics control. This means that a new school would have to be established in the new agency.

Fourth, effective narcotics control requires sophisticated laboratory facilities. Currently, the Treasury Department operates three systems of laboratories throughout the Nation. One is in the Secret Service; one is in the Bureau of Customs; and one is in the Alcohol and Tax unit. The latter serves the Bureau of Narcotics. Treasury laboratory facilities have only recently been reorganized. Transfer would mean, not abandonment of the old laboratories, but the creation of new ones. This would involve a needless proliferation and expense.

Fifth, and perhaps most important, effective narcotics control requires the most versatile investigative techniques. Unlike other law-enforcement agencies which rely principally upon informants, Bureau of Narcotics employs the undercover agent technique. Both at home and abroad, its agents have successfully penetrated and infiltrated the ranks of organized crime. It would take a long time for a new agency to establish the contacts necessary to perfect such a system. Finally, BON has, over the years, assembled an impressive library of information and evidence through electronic surveillance, a technique which the Attorney General has outlawed and which he is unwilling to embrace even with the constitutional safeguards defined in the most recent Supreme Court decision. The success of these investigative methods is reflected in the record BON has written. Approximately 96 percent of the cases which BON has brought to court have resulted in convictions, and in the last 5 years BON has seized some $615 million worth of illegal narcotics.

Opponents of the reorganization plan seek to console us with the argument that not only the facilities but the people in the BON will be transferred en masse when the new agency is created. The testimony of some of the witnesses raises doubts as to when personnel transfers will occur and whether all personnel or only some will, in fact, be transferred. More significantly, nowhere in the hearings or elsewhere can one find any assurances as to who will be the head of the new agency. Under present law, the Commissioner of Narcotics is appointed by the President with the advice and consent of the Senate. The head of the new agency will be appointed by the Attorney General, and his appointment will not be subject to Senate confirmation. Moreover, the reorganization plan specifically vests the Attorney General with absolute discretion to appoint four new positions in the competitive service and to fix the title and duties of each. We are left to wonder who these people will be and whether they will strengthen or weaken enforcement of the narcotics criminal law.

While I will welcome merger legislation, treated in the normal legislative process, prudence compels me to vote against Reorganization Plan No. 1 by voting aye on the resolution of disapproval.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. POFF. I yield to the gentleman from Iowa.

Mr. GROSS. It has been mentioned several times this afternoon that the Hoover Commission suggested a reorganization. Is it not strange indeed that 20 years have elapsed since 1949 when that recommendation was made, and nothing has been done by Democrat-controlled Congresses in all but 2 years since 1949?

Mr. POFF. Of course, the gentleman makes a most poignant point. The recommendations of the Hoover Commission have certainly not been under lock and key for 20 years. If this is a matter of some urgency, then it was a matter of some urgency last year, the year before that, and the year before that. I think the Hoover Commission recommendation, valid as it was 20 years ago, was made 16 years before BDAC was born, and is therefore largely irrelevant to this debate.

Mr. GROSS. Mr. Chairman, will the gentleman yield further?

Mr. POFF. I yield to the gentleman from Iowa.

Mr. GROSS. It has also been stated this afternoon that the President supports this bill. It occurs to me that it might be well to know how the junior Senator from New York, who has served as Attorney General, feels about this measure. I say that because I understand that in the near future there is to be a summit conference between the President and the junior Senator from New York. Of course, I am in no position this afternoon to know what will be undertaken at that momentous conference when it takes place. It just could be that the President will at that time surrender the sword to the junior Senator from New York.

Mr. POFF. I am afraid that I am not possessed of sufficient information to make a responsive reply.

Mr. CAHILL. Mr. Chairman, will the gentleman yield?

Mr. POFF. I yield to the distinguished gentleman from New Jersey.

Mr. CAHILL. The gentleman has indicated he does favor a merger of the regulatory functions with relation to narcotics. Will the gentleman inform the House in what branch of the Government he feels that should be vested?

Mr. POFF. I am frank and candid to tell the gentleman that I have not reached a conclusion. It is significant that in the hearings that were held before the committee—and they were most fairly conducted, I might add—there was no testimony by witnesses representing the medical community or the State and local law-enforcement agencies or the legitimate drug industry. I think the advice these witnesses could bring to bear upon the question would add much that would help me to make up my mind whether it belongs in the Department of Justice, the Treasury Department, the Department of Health, Education, and Welfare, or perhaps in some more independent category. I really cannot say.

Mr. CAHILL. Does the gentleman think that the regulatory function should be in a different department than the prosecuting function?

Mr. POFF. I most certainly do.

Mr. CAHILL. Does the gentleman have any thoughts as to what department should handle the regulatory function?

Mr. POFF. I migh respond further by saying that the regulatory functions are such as require a continuing practice in order to develop a particular expertise. The Department of Health, Education, and Welfare, operating through BDAC, has developed such an expertise. It has established appropriate liaison with all other agencies within the Department of Health, Education, and Welfare. I do believe that further administrative improvements can be made. But I am not prepared to say that HEW is not the proper place for the regulatory function.

Mr. CAHILL. Am I correct in my understanding that if there is a merger, the personnel that presently is operating within regulatory functions under HEW would be assigned to the Department of Justice so the expertise would, in effect, be transferred from HEW to the Department of Justice?

Mr. POFF. I am not certain that I can agree with the gentleman. On the contrary, while it has been said that personnel and missions would be transferred en masse, I find nothing in the language of the reorganization plan or in the hearings which would guarantee this. On the contrary, I find in the language of the reorganization plan an authorization for the Attorney General to appoint a new head of a new agency.

Mr. CAHILL. I thank the gentleman. Just one last question——

Mr. POFF. I have not quite concluded. As Members of the House well know, the Commissioner of Narcotics presently is appointed by the President, subject to the advice and consent of the Senate. Under the reorganization plan the new head of this agency would not be subject to Senate confirmation. More than that, under the reorganization plan the Attorney General would be empowered to name in the competitive service 4 additional positions, to fix their titles, and to prescribe their duties.

Mr. CAHILL. A last question, if I may: It has been represented here that the drugs which naturally find their way into this country in a large measure are controlled by organized crime. Does the gentleman agree that that is a correct statement?

Mr. POFF. With respect to narcotics, I agree that it is altogether correct, that it can be documented, and it can be documented in court records by chapter and verse and by name and address.

I must say parenthetically, however, that it cannot be shown quite so clearly that organized crime is directly involved in the illicit traffic in the other drugs. Obviously criminal combinations are involved, but the evidence available tends to show that the Cosa Nostra is involved only indirectly.

Mr. BLATNIK. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Chairman, I have the highest regard for the gentleman who just addressed the House, but I am in emphatic disagreement with him.

Both Bureaus are law enforcement agencies working on crime control, a major national problem. They belong in Justice because Justice is the agency responsible for coordination of general Federal law enforcement efforts.

Justice leads the efforts against organized crime—both the traditional Mafia type and other criminal networks which form organizations to conduct criminal activities systematically—85 percent of the heroin and 50 percent of the marihuana in illegal channels originates with organized criminal elements. Criminal cases currently before the courts show that criminal organizations are operating also in the dangerous drug area. Profits from narcotics and dangerous drugs are one of the three principal sources of income for organized crime.

Both Bureaus are essentially devoted to law enforcement and maintain the same kind of close contact with State and local agencies concerned with drugs as Justice maintains for general law enforcement. The plan permits better coordination of these relationships.

While FBN and BDAC each works well in its own area the agents of one have no statutory power to arrest for violation of the other's drug laws. Drug violators do not observe these neat jurisdictional lines, and all drugs are increasingly found together. Ninety percent of LSD raids by BDAC agents uncover marihuana, respecting which no seizure or arrest is made.

That should be a complete answer to the argument made by the distinguished gentleman from Virginia.

Mr. POFF. Mr. Chairman, will the distinguished chairman yield?

Mr. CELLER. I yield to the gentleman from Virginia.

Mr. POFF. Mr. Chairman, respectfully I say it is not an answer. On the contrary, I agree with what the gentleman has said about the need to merge law enforcement functions in both agencies. I have never disagreed with that. Never have I disagreed that regulatory functions should be merged. I simply disagree with my chairman that regulatory functions and law enforcement functions should be merged.

Mr. CELLER. Mr. Chairman, I have studied the President's Reorganization Plan No. 1 of 1968 very carefully and have come to a conclusion that, on balance, it is a necessary and well-thought-out move in combating the ever-increasing spread of organized crime throughout our society. As the Department of Justice is the principal Federal repository for law enforcement activities, it naturally is the logical place in which to consolidate the Federal Bureau of Narcotics and the Bureau of Drug Abuse Control. At the hearings, the statements made by the representatives of the Department of Health, Education, and Welfare regarding the Bureau of Drug Abuse Control, and the high esteem in which that Bureau is regarded, speak well for the Bureau of Drug Abuse Control's efforts in combating the dangerous drug problem. The hearings pointed out the fine record established by the Bureau of Drug Abuse Control in its year and a half of active operation, pointing out the various law enforcement programs that Bureau has taken in fighting the ever-spreading "drug culture" engulfing large segments of our young people. But most important of all, the hearings clearly indicated what, to my mind, is an anomaly; that is, the existence of a law enforcement bureau, operating as a law enforcement bureau, within the Department of Health, Education, and Welfare, which is predominantly concerned with health and social problems from a nonenforcement viewpoint.

Whatever the original reasons were for having a Bureau of Drug Abuse Control within the Department of Health, Education, and Welfare, those reasons no longer seem applicable in the present changing complexion of the dangerous drug area. A combined Bureau of Narcotics and Dangerous Drugs within the Department of Justice will, to my mind, be better able to combat the drug problem than would be possible in the Department of Health, Education, and Welfare.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. HOLIFIELD. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. CELLER. Mr. Chairman, I am sure that nobody will view my remarks to mean that the Department of Health, Education, and Welfare does not have a continued ongoing role in combating the drug syndrome presently facing this Nation. That Department does have an important role and, to my mind, an expanding role in educating the public on the dangers of these drugs and in conducting basic research into the effects that these drugs have on human beings. While the new Bureau of Narcotics and Dangerous Drugs in the Justice Department must be attuned to such developments, the predominant educational and scientific approaches to the problem should still be carried on by the Department of Health, Education, and Welfare. The plan, which puts enforcement in Justice and leaves these other programs in HEW, properly apportions functions in the fight against drug abuse.

Finally, I think this reorganization plan is a good one and should be strongly supported by every Member of the Congress. Before we can adequately and effectively wage a war on crime in the drug area, we must insure that our organizational structure is designed to meet this challenge with the greatest possible efficiency.

This plan is an important step toward bringing such order to our law-enforcement efforts.

Mr. ERLENBORN. Mr. Chairman, I yield 10 minutes to the gentleman from New Jersey [Mr. HUNT].

Mr. HUNT. Mr. Chairman, I have been sitting here most of the afternoon listening to the dialog and the arguments which have prevailed on the floor. I could not let this opportunity pass without adding my slight or minute contribution to the discussion.

I am not going to speak today from book knowledge, but I am going to speak from actual experience. For a number of years I was the supervisor of a narcotics squad of the New Jersey State Police, and formulated, organized, and conducted many raids. I have lived with narcotics and the people who are engaged in the illegal traffic of and the suppression of this narcotics traffic.

It was my very good fortune to have been able to cooperate with and work with the Federal Bureau of Narcotics. I want to state that I have the highest regard for that Bureau. It is one of the divisions in our Government that actually have been unsung heroes.

To work in narcotics and to talk about narcotics from book knowledge or from selected witnesses before a committee are two separate things altogether.

I should like to take this opportunity to commend my distinguished colleague, the gentleman from Virginia [Mr. POFF] for his very explicit description of the division which exists and should always exist as between regulatory and prosecution powers. He quite eminently, in a very qualified manner, explained the differences.

I am amazed, from time to time, that we have gentlemen of his caliber, who spend so much time trying to bring before the body of the House needed information.

We talk about the narcotics field. Actually, many people talk about narcotics, but very few really understand, except those who have been in the field.

Today I heard the term marihuana used as an addictive drug. Actually, marihuana is not an addictive drug, it is a habit-forming drug, a part of the hashish family.

You have heard people speak today about heroin. Heroin again was not explained. No one told you it is the most highly addictive drug that anyone has ever known, a derivative of opium, with a morphine base, and a very complex drug. No one discussed this. We have been discussing matters here which are very important. We should be discussing matters of the utmost importance insofar as law enforcement is concerned as to just what we are trying to do in the field of law enforcement with relation to the field of narcotics and who it is we are trying to protect and how we can go about this.

Very little mention has been made of the work done on the local law-enforcement level. This is not generally referred to, but in every major city and in every State constabulary unit there are established and there have been for a number of years enforcement units which deal with narcotics specifically, who have been in the habit of cooperating with the Federal Bureau of Narcotics. It is my pleasure to have been associated with Commissioner Anslinger for a number of years. It was also my pleasure to work with Commissioner Giordano. It has been my great privilege to have organized one of the largest single narcotics raids ever made in the United States, in 1958, which was completed after a 3-year investigation.

So I speak to you today from experience. I say to you do not pass any legislation that will confuse the regulatory situation with the prosecution functions. This is a sad mistake. We will only come to grief by doing it.

I believe most strongly, as the author of some bills in the New Jersey Senate dealing with this subject, that we should have strong mandatory laws and strong mandatory sentences for those pushers who sell to minors of the age of 18 and under. In that way we might stop this nefarious traffic at its root. This is the group that they attack. In the galleries today surrounding this Chamber you see what we have in this country. These are the very flower of our youth. They are the people whom we seek to protect. I was in the State senate when I had some bills that passed both houses but which were vetoed by two Governors that would have imposed a mandatory sentence on those who sold drugs to youths under the age of 18. My bill said, in effect, in the last paragraph, that no judge shall have the power to suspend the sentence. That is the way we must go if we are going to do something about this. Let us stop fiddling around and let us do what is right and get down to the basic fundamentals of enforcing the law.

How in the world can you expect an agency like the Bureau of Narcotics to stagger along for years with 240 men and then later with 280 trained personnel and now with only 304 in the entire Nation and expect them to suppress the dealings in narcotics? It is true that they work very closely with local people and it is true that we are borrowing from one another, but this business is a specialized one and it should not be determined otherwise. The men in this field are specially selected. They are selected for their vocabulary, for their linguistic ability, and for their courage. They work under cover. If you really want to do something to help a narcotics agent, then, for goodness sake pass a bill which will make it a Federal crime to murder an undercover agent, which we have never done up to now. Suddenly today this great burden falls on us and we are going to try to rectify in 15 minutes what we have not done in 15 years.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield to me?

Mr. HUNT. I am glad to yield to the gentleman from California.

Mr. HOLIFIELD. Mr. Chairman, I appreciate the personal background and experience of the gentleman. Does he mean an undercover agent in a foreign nation or one here?

Mr. HUNT. No. An undercover agent in a foreign nation cannot be covered by U.S. law.

Mr. HOLIFIELD. Of course, there is a law against the murder of anyone in our jurisdiction, but when men go overseas, of course, and particularly when they are nationals of other countries, we could not pass a law that would punish those who murder an undercover agent who is a national of another country, as the gentleman knows.

Mr. HUNT. I recognize that. I do say this to you, though: If you care to apprise yourself of it, the Federal Bureau of Narcotics has a dossier prepared in which there are about 40 photographs, the most lurid that you shall ever see, of agents who have been murdered in this country who are undercover men.

Now these were men who were not actually, per se, the agents but they were the undercover informers of the Bureau who were the agents acting on behalf of law and order as that action distinguished between the criminal elements.

Mr. HOLIFIELD. Mr. Chairman, if the gentleman will yield further, would not the laws of the United States apply against the people who do that? In other words, you do not need an additional law for that purpose?

Mr. HUNT. Yes, you do.

Mr. HOLIFIELD. Then if we do, I shall vote for it.

Mr. HUNT. We have laws which are designed and drawn and adopted for the protection of people in this field. The undercover agent engaged in the informer field is a man for which there can be no return if he is discovered. As such there can never be agreement between the pusher and the agent. There can never be a tie ball game between the law-enforcement officer and the pusher of the drug. There can never be a replacement of some of the laws. But, still we know, that this problem must be faced.

I thank, however, the gentleman from California for his contribution.

Mr. KYL. Mr. Chairman, will the gentleman yield?

Mr. HUNT. I yield to the gentleman from Iowa.

Mr. KYL. Mr. Chairman, I thank the distinguished gentleman for the very fine statement which he has made. I do not feel, however, that we should let this occasion pass without speaking again of the necessity to educate not only the youngsters, but adults as well who are not aware of the dangers that exist in the use of these drugs. We do not yet appreciate the dangers. That is the plain fact of the matter. I have had the experience of viewing this situation, not from an enforcement angle, but from the social standpoint which is involved. Most of the youngsters who use drugs have not listened to the information which has been furnished to them with reference to the destructive effects of the use of these particular drugs. Most of them have no knowledge with reference to the effects of the use of the drugs and most of their parents have no knowledge as to their effect.

Mr. Chairman, we will take, for example, the case of a youngster in the District of Columbia whose father complains to the police that they have no jurisdiction in this matter, that they have no reason to "poke their nose" in a private affair. The man said, "My boy has a high intellect; his use of LSD is simply a matter of intellectual curiosity." The officer pointed out that 60 trips in 5 months covered a lot of intellectual curiosity.

Mr. Chairman, when we have 400 or 500 people in this area, in the District of Columbia, not deprived people, not people deprived because of lack of intelligence, using LSD and marihuana, we have a serious lack of education.

Mr. Chairman, it is my opinion that the gentleman makes a very valid point.

Mr. HUNT. I thank the distinguished gentleman from Iowa, who has spoken the absolute truth of the matter. Education and the protection of our youth are paramount, but I wish to go to the basic concept of the matter now pending before us.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ERLENBORN. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. HUNT. Mr. Chairman, I wish to go back to the basic concept, and that is whether we should merge the prosecuting and regulatory agencies, or whether or not we will vest the sole jurisdiction in the Federal Bureau of Investigation.

I simply say to you that if you do that—pass this bill—removing this jurisdiction from the finest organization we have ever known in the field of narcotics, the Federal Bureau of Narcotics, you will insult the intelligence of the American people in doing so.

Mr. Chairman, all of us must remember that if the American Congress gave to this bureau the necessary money, as well as the necessary responsibility in court, narcotics suppression would take on a new look. To take this away from this bureau by transfer and merger we will set them back for the period of at least 20 years.

Mr. Chairman, we need not change the basic operation of this program or undertake to change the Bureau of Narcotics. We simply need to invest it with more power, more men, more money, better tools with which to do the job, and faith in their work. I thank the members of the committee.

Mr. HOLIFIELD. Mr. Chairman, I yield 2 minutes to the gentleman from Louisiana [Mr. BOGGS].

Mr. BOGGS. I thank the gentleman from California for yielding to me this time. However, I doubt if I shall consume the 10 minutes allocated to me. Mr. Chairman, I hope that this reorganization plan will be adopted.

For a good many years, now, I have been very much interested in the whole subject of narcotics and dangerous drugs. As a matter of fact, for several years I headed a subcommittee of the Committee on Ways and Means which looked into the whole subject of narcotic addiction. We went all about the country holding hearings. We went to the Public Health Service hospital in Lexington, Ky. We went to many of the State hospitals and other institutions in our country, and we recognized the tremendous difficulty of rehabilitating people, whether young or old, but particularly young people who had once become addicted to narcotics. We found that there was a progression that the young person would begin with the amphetamines and barbiturates, the various chemical compounds—and this was prior to the development and the establishment and perfection of these hallucinogenic drugs such as LSD, speed, and the others that are now very common and widespread—and we found that they progressed from one to another. Marihuana cigarettes quite frequently led to heroin, and the other so-called heavy narcotics. Once this had transpired, the chance of rehabilitation was very, very limited.

The number of patients treated, for instance, at the Public Health Service hospital in Lexington, Ky., is quite large, but the sad thing about it is that so many of these people and, as I said a moment ago so many young people, continue to come back time and time and time again. In many ways this is a type of slow murder or slow suicide. And as all of you know, and I am sure it has been said here today, of the methods employed by people to satisfy this addiction, this craving, the most common method, of course, gets to be criminality of one kind or another, starting with the most common kinds such as theft and then on to selling narcotics in order to obtain funds to satisfy the craving and the addiction.

In the case of women, they turn to prostitution. The amount of money involved is quite large.

The question is not only one of enforcement, of course, as everybody has pointed out here, but the question of community relations, of efforts to provide proper hospitalization, proper care after the addicts have gone to places like Lexington, and so on.

I am very proud of the Bureau of Narcotics. I believe that Commissioner Giordano has done a very fine job, but there has been a separation of authority here which has been quite bad.

The Department of Health, Education, and Welfare has had jurisdiction over drugs other than the narcotic drugs. And we have discovered, as I said a moment ago, that these so-called chemical derivatives today in many cases are doing just as much damage, if not more, than the so-called heavy narcotics. As a matter of fact, LSD is so much more easily obtainable than heroin that those who would engage in the heavy traffic have moved over into the hallucinogenics. And there is a reason for that.

The Congress, as a result of our work on the subcommittee, enacted very stiff penalties for people engaged in the narcotics traffic. We removed, over the objections of many members of the Federal judiciary, the discretionary power of judges in the cases of second offenders, and we made the penalty tremendously heavy in cases involving selling to juveniles.

These lesser penalties for selling have encouraged criminals to move over into the sale of other types of drugs, such as LSD, that I just mentioned.

I am sure from what has been recounted here today about the impact of these drugs, there is no doubt about it that in some cases they promote suicide. In other cases, they promote murder and homocidal tendencies. In other cases they promote a sense of the unreal. People have been known to think that they are able to fly through the air and so on, and many of them actually have been killed in that fashion. These drugs have contributed immeasurably to violent death on the highways in automobile accidents and other kinds of accidents.

Now the House is considering in the appropriate committee amendments to laws that we passed here a few years ago. I might say that before my subcommittee worked on this matter there was practically no legislation having to do with barbiturates and amphetamines. Under the direction of the former chairman of the Committee on Interstate and Foreign Commerce, Congressman Harris, we passed the first act in that field several years ago, and it has been most helpful.

Now there are a number of bills pending before the same committee having to do with LSD and these other drugs.

The point I am making is that these are all related functions and they need to be combined under one jurisdiction, under one administration, so that the various facets of enforcement, and the necessity for community action particularly at the local level can be coordinated.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. BOGGS. I am happy to yield to the gentleman.

Mr. HOLIFIELD. There has been a great deal said today about mixing the regulatory and enforcement together. At the present time in the Bureau of Drug Control and Abuse the regulatory and enforcement is combined. It is only when criminal prosecution occurs that it is referred to the Department of Justice.

Mr. BOGGS. That is exactly so.

Mr. HOLIFIELD. And the same is true as to the Bureau of Narcotics.

Mr. BOGGS. The gentleman is right.

Mr. HOLIFIELD. The regulation of narcotics sales and the enforcement of illegal diversions go together in the same agency, in the Bureau of Narcotics. But then when a criminal prosecution comes about it is referred to the Department of Justice and the Criminal Division takes care of that.

Now you have those same functions of the Bureau of Drug Control and Abuse and the Bureau of Narcotics put together in one separate agency—not in the FBI—but a separate agency—but of the same national prestige line as the FBI. And when they once perform their function, the same people are performing the function that perform it today—it will be turned over to the Criminal Division of the Department of Justice to prosecute in the courts. So I say that argument fails completely because they are doing practically the same thing now that we will be doing then.

Mr. BOGGS. Except that you will bring together the various enforcement agencies.

Mr. HOLIFIELD. That is right. When we do bring the 600 agents together and give them cross-jurisdiction, when an agent arrests any possessor, or finds LSD on him, he can prosecute him on both issues—but he cannot do it now.

Mr. BOGGS. The distinguished chairman of the subcommittee has most effectively made my next point; namely, the way it is set up now if you have a violator involving heroin, for instance, then the Bureau of Narcotics handles it. And a different set of agents presently handle cases involving LSD and other dangerous drugs.

I would hope that Commissioner Giordano heads the reorganized agency because he is an extremely able man.

Mr. HOLIFIELD. I might say that he testified in favor of this plan and I have every reasonable expectation that he will be the head of this new agency.

Mr. BOGGS. I hope so. I might say that he worked for the subcommittee that I mentioned just a moment ago and did an outstanding job. He is a dedicated person.

On the other hand, to follow through on my point—this control of these other drugs such as LSD, is in Health, Education, and Welfare.

Now if the Committee on Interstate and Foreign Commerce is to amend these acts and increase the penalties where required and provide for the necessary community services, which are also required, it would seem to me, it makes good sense to take one agency which is now in the Treasury Department—and the only reason the Narcotics Bureau got into the Treasury Department was because originally the Harrison Act, which was the first act in this field dealt with it as a revenue matter—as a matter of taxation of these narcotics that are being brought into the country. That is the reason why it got into the Treasury.

I think the Treasury Department has done a good job. I am not a bit critical. But the idea of the Treasury Department being the enforcement agency for narcotics laws—any more so than the Department of Health, Education, and Welfare should be in the case of dangerous drugs, is in my judgment, not good administrative procedure. The normal agency for the enforcement of the laws of the Nation is the Department of Justice, and what we are talking about here today is law enforcement.

I would hope that the House in its good judgment would recognize the basic issue involved here and would put aside extraneous considerations that certainly have no bearing on the issue and would vote to support the committee and support this reorganization plan.

The problem of narcotic and drug abuse is one of the most serious and distressing problems facing our country today. Our young people in particular, seeking justification for their existence in today's complex society are turning in greater and greater numbers to chemical crutches. To counter this mass exodus from reality, we must take firm measures that will meet this crisis head on. The initial step in this direction is combining, for greater efficacy, those agencies of the Federal Government which deal in this area. The joining of the Bureau of Drug Abuse Control with the Narcotic Bureau under the auspices of the Justice Department will be a great stride forward organizationally in combating this problem. The coordination of existing facilities and personnel will enable a better focusing of effort and assure greater accomplishments. The joining of these fine agencies will permit easier and more efficient relationships with private industry and those professions that come under their control instead of dealing with multiple agencies and conflicting regulations, the drug industry will be in contact with only one agency enabling even greater understanding of individual problems and cooperation toward the various goals sought.

Centralization will enable this new agency to achieve greater coordination and most important, permit the formulation of new and meaningful regulations. The existing ties will be strengthened and new ones acquired. Information will be channeled through one source permitting quicker dissemination and compliance. Regulations and procedures will eventually be standardized permitting greater efficiency both in industry and government.

May I conclude by saying this centralization of drug law enforcement will result in smoother relationships with industry and the professions and a stronger weapon against those engaged in the illicit trafficking of these dangerous drugs and narcotics.

Mr. ERLENBORN. Mr. Chairman, at this time I yield 10 minutes to the gentleman from Maryland [Mr. MATHIAS].

Mr. MATHIAS of Maryland. Mr. Chairman, I agree with a number of those who have spoken that Reorganization Plan No. 1 shares the infirmities of most reorganization plans. I think there is much to be said for the position of the gentleman from Missouri [Mr. CURTIS], who spoke earlier today, that the Reorganization Act does rob the Congress of much of its initiative.

And yet I think we all must, on occasion, give the devil his due, and I think personally that his is a case where action under the reorganization plan is appropriate.

It was said earlier today that it was irrelevant that the Hoover Commission first brought the question of the organization of our fight against narcotics to the public attention in 1949. I think it is very relevant to the question of whether or not we are proceeding in the best practical way today, because it is not the reorganization plan that has robbed Congress of its initiative in this case; it is 19 years of inaction on the part of the Congress that has lost us the initiative here.

It was in 1949—19 full years ago—that the Hoover Commission commented that the Bureau of Narcotics was misplaced in the Treasury Department. We have had that recommendation before us for 19 full years.

Then 5 years ago, in 1963, the President's Advisory Commission on Narcotics and Dangerous Drugs reminded us of this earlier recommendation of the Hoover Commission and gave us a more specific proposal, which I think should have demanded our action long before today.

Thus we see that for 19 years Congress has not acted on a recognized problem, and that even after a sharp reminder 5 years ago.

If ever the Reorganization Act seems appropriate, if only by reason of our own default, this is the time.

On the merits of this question, there seems to be very broad and general agreement among parties on all sides of this question who have spoken here today, and who have commented on this problem at other times and in other places, that the continued division of responsibility for the control of the illicit traffic in drugs among the Department of Justice, the Treasury Department, and the Department of Health, Education, and Welfare is not in the public interest. So at least we start this debate with that kind of general understanding among ourselves.

There seems to be less agreement on where these functions should go. The Prettyman report, which I think is an outstanding contribution to this subject, recommends a new mix of authority between the Justice Department and Health, Education, and Welfare. I would recommend to all who have not read the Prettyman report that Members should review at least the italicized recommendations of the Prettyman Commission, which I think are extremely helpful in reviewing and discussing the reorganization plan.

Mr. POFF. Mr. Chairman, will the gentleman yield?

Mr. MATHIAS of Maryland. Mr. Chairman, I will be delighted to yield, but the committee has said my time has to be curtailed, and if I can just complete my statement, I will yield to the gentleman from Virginia first, if there is an opportunity to do so.

Under the plan, the Justice Department will take over the enforcement and investigation and regulation when—and I would like to emphasize this point—when drugs and narcotics are out of the legal channels. This is the point at which the Justice Department is triggered to act including, of course, sufficient monitoring to determine the existence and extent of illegal activity. It is at the same time my clear understanding that HEW will retain authority for research in the field of drugs and narcotics and for educational activities in the area of drugs and narcotics. On this question of regulation which has been talked about so much today, HEW will, of course, retain the regulatory authority over the manufacture, sale, distribution, and fixing standards of purity which will apply to drugs and narcotics which move in legal channels. That is not going to be disturbed by Reorganization Plan No. 1.

I see headshaking, but I think that a review of this plan will indicate that is correct.

It seems to me that whatever differences we have as to any single point in the plan, the most pertinent overall consideration for the House is that this plan is probably going to be more successful in combating the abuse of drugs and narcotics in illicit hands than the present system has been or is likely to be.

That is what is pertinent today, the fact that with whatever infirmities the plan may have it is going to be better than what we have today.

The gentleman from New Jersey commented that we need more men in the fight against the abuse of drugs and narcotics, that we need more than 300 men. Of course, we need more than 300 men. We will in this plan put together two units of 300 men, and we shall add another 300, and we shall have 900 men working in this field, which I think is the minimum that is required.

Mr. Chairman, I have been very critical of the Department of Justice in recent years. I have been critical specifically of the manner in which it has conducted the fight against organized crime. I have been critical of the effort it has made, and I have been critical of the results. I find it difficult to deny today to the Attorney General the additional powers to do the better job that I have for so long thought it was necessary to do.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. MATHIAS of Maryland. I promised I would yield to the gentleman from Virginia, because my time is somewhat limited.

I find it difficult to deny to the Attorney General the additional powers to do the job which I believe is necessary to do. If this will be a new weapon in the fight against organized crime, I do not believe we in this House can withhold it.

I would say at this point to the Attorney General and to his associates in the Department of Justice, however, that with this new authority goes new responsibility that exceeds and transcends the mechanical reshuffling of duties.

The drug traffic is a principal activity of the "mob." This is a new commission to escalate this particular war across the entire front. Less than this kind of response to the action of the House in approving the reorganization plan will disappoint our hopes and our confidence.

Reorganization Plan No. 1, I am sure, is not perfect. Acceptance of the plan does not crystalize the law or render it immutable. The laws of the Medes and the Persians do not run in the United States.

I believe congressional oversight should be vigilant and our responsibility sharpened by our long period of inactivity in this field.

Let the plan be approved. Let the resolution be voted down. Then, in the months and years ahead, let the Congress act as we should have acted in the past, and the law be amended if, as, and when necessary. But today let us take the logical step which the crime rate and the statistics on the drug traffic demand, which is to vote down the resolution and to approve the plan.

Mr. POFF. Mr. Chairman, will the gentleman yield?

Mr. MATHIAS of Maryland. I am glad to yield to the gentleman from Virginia.

Mr. POFF. I thank the gentleman for yielding.

I assure the gentleman that I have read the italicized and other portions of the Prettyman report. I know the gentleman will agree with me that the thrust of the report is substantially in accord with the position I took during the course of the debate; namely, that while the functions should be consolidated the regulatory functions should be preserved to the present agency.

Mr. MATHIAS of Maryland. I believe the gentleman will find that the legal drug traffic will still be regulated by HEW. It is the illicit drug traffic which comes under the purview of the Justice Department under Reorganization Plan 1.

Mr. POFF. If the gentleman will read again the language of the reorganization plan he will find the functions are transferred. I direct specific attention to pages 24 and 25 of the committee report, which deal specifically with education programs, training programs and research programs now conducted by BDAC.

Mr. MATHIAS of Maryland. I am familiar with the language of the report to which the gentleman refers. This relates that some activities in research and education can take place in the Department of Justice. Indeed, I would think an intelligent application of the law would require that they do. This does not prevent the activities from going forward in HEW, nor does it refer to the regulation of the manufacture, sale, or distribution, or fixing standards of parity for legal drugs.

Mr. POFF. The gentleman will find those items so delineated on pages 24 and 25.

Mr. MATHIAS of Maryland. I would not read the language on those pages as the gentleman has done.

Mr. BLATNIK. Mr. Chairman, I ask unanimous consent that the gentleman from New York [Mr. ROSENTHAL] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. ROSENTHAL. Mr. Chairman, I am pleased to give my full endorsement to the President's Reorganization Plan No. 1 of 1968. There is no question in my mind that placing the Bureau of Drug Abuse Control and the Bureau of Narcotics in the Department of Justice under the direction of the Attorney General will greatly strengthen the law enforcement effort in the area of drug control. The recent attention given this major social and law-enforcement problem is warranted. One of the principal methods used in combating this problem is, of course, strict enforcement to control and, hopefully, to eliminate the sources of supply of these illicit drugs. At the same time, it must be recognized that there are psychological and social aspects of the drug abuse problem which are equally important. Recent studies concerning the alienation of the youth of this country, together with analysis into the so-called drug culture, indicate that there is a need for continued scientific, medical, and psychological examination of the problem.

The reorganization plan recognizes this need and wisely leaves the major scientific, medical, and educational aspects of this program in the Department of Health, Education, and Welfare. The sociological-medical problems can best be handled by the segments of the Government whose traditional mission is the development of medical information, the understanding of psychological problems, and the education of the citizens to what is as much a health problem as an enforcement one.

The Bureau of Drug Abuse Control, of course, will take a small contingent of scientifically and sociologically trained personnel, not including physicians, with it to the Department of Justice to aid in the necessary scientific and educational aspects in the enforcement effort. These people will act as liaison for the proposed new Bureau in its dealings with the scientific and academic communities regarding health and educative efforts in combating growing drug abuse. It is those communities that will initiate and control the bulk of the experimental efforts in science, medicine, and education in the drug area.

An examination of the budget indicates that the Bureau of Drug Abuse Control has a budget for fiscal year 1969 of approximately $10,700,000. The functions associated with this budget would be transferred to the Department of Justice. At the same time, the National Institute of Mental Health of the Department of Health, Education, and Welfare will allocate approximately $30,500,000 for fiscal year 1969 for programs to study the medical, pharmacological, and sociological problems of drug abuse, and additional funds have been budgeted within HEW's functions concerning education for studies on youth problems which have obvious relation to the root causes of drug abuse.

I fully favor the proposed reorganization and feel that the division of functions between HEW and Justice are logical and warranted.

Mr. BLATNIK. Mr. Chairman, I ask unanimous consent that the gentleman from New Jersey [Mr. DANIELS] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. DANIELS. Mr. Chairman, I rise in opposition to the pending disapproval resolution and I urge all my colleagues to join with me in voting it down.

As a Representative of an urban constituency in the Greater New York area, drug addicton has become our most serious problem. Fortunately local law-enforcement officials are doing an outstanding job. Sheriff George Bonelli, of Hudson County, to name just one official of our area, has been a most effective fighter against the evils of drug addiction. He has been a dedicated crusader against narcotic addiction, particularly among young people. Our hard-pressed local officials need all the help they can get. It is for this reason that I urge support for the President's Reorganization Plan No. 1, which would combine drug abuse control under the auspices of the Department of Justice.

Under President Johnson's proposal a Bureau of Narcotics and Dangerous Drugs would be created in the Department of Justice. This new agency would combine the functions now exercised by the Bureau of Drug Abuse Control of the Department of Health, Education, and Welfare and the Treasury Department's Bureau of Narcotics.

Mr. Chairman, I cannot overemphasize the serious problems posed by drug addiction. Let me cite just a few figures:

The Bureau of Narcotics, reports that in 1960 there were 45,000 active narcotics addicts; by 1967 this total had risen to a staggering 62,000. I might point out here the fact that 2.12 percent of the new addicts were under 21 years of age. It is in this area that we must take action.

Sheriff Bonelli has pointed out time and time again to civic groups in northern New Jersey that it is among young people that this particular problem is most severe and it is to protect the young that we need vigorous law enforcement.

Mr. Chairman, I think it is time we declare war on drug addiction. The reorganization is not a panacea or a cure-all, but it is an important step in mobilizing our efforts to stamp out drug addiction in that agency of Government best equipped to handle this growing problem.

The administration proposal is far reaching and deserves the support of every Member of this House. Therefore, I ask all of my colleagues to vote against the pending disapproval resolution.

Mr. BLATNIK. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. HOLIFIELD].

Mr. HOLIFIELD. Mr. Chairman, I have been requested by the gentleman from Arkansas [Mr. MILLS] to place his statement in the RECORD. He planned to be present to give it. He is in favor of Reorganization Plan No. 1. He was suddenly called downtown.

Mr. Chairman, I ask unanimous consent that the gentleman from Arkansas [Mr. MILLS] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. MILLS. Mr. Chairman, I want to express my wholehearted support of Reorganization Plan No. 1, which transfers Treasury's Bureau of Narcotics and HEW's Bureau of Drug Abuse Control to the Department of Justice. The plan is a simple but vital step in the fight to suppress the illegal traffic in narcotics and dangerous drugs.

Each of these Bureaus has been doing a fine job, within its own statutory jurisdiction. But there is needless waste of personnel by needless duplication of effort and services which result from the fact that the agents of one Bureau have no statutory power to deal with the drugs which are the responsibility of the other Bureau. They are policing separate sides of the same street.

This situation simply cries for better coordination—for more effective law enforcement—for better use of the valuable time of the hard-working agents of both Bureaus. Bringing these law-enforcement Bureaus together in the agency which has overall Federal responsibility for general law enforcement will permit such coordination and better use of personnel. Combining them in one agency will facilitate the exchange of information about the criminals who traffic in drugs—and criminals peddling their illicit wares do not respect the jurisdictional lines that now separate BDAC and the Bureau of Narcotics.

There need be no apprehension that this plan will either change our tested methods of enforcing laws against drug abuse, or take away from this vital work any of the personnel of both Bureaus who have been doing such a fine job. The plan provides that all of the current operations and personnel of both Bureaus will be transferred in toto to the Department of Justice. I have the assurance of the Attorney General that he expects both Bureaus to continue using the same enforcement methods that they are now using so effectively, strengthened by additional personnel and combining the resources of the two Bureaus. As everyone knows, the fine record of convictions obtained by U.S. attorneys of the Justice Department is on the basis of evidence furnished them by investigators of both Bureaus.

I am convinced that this is a good move, and the time for it is now. There are many problems in the area of drugs that require much further study. No further study is required, however, to know that it make sense to take these law enforcement agencies from Treasury and HEW—to bring them together at last in the Federal department primarily charged with law enforcement—which is where the Hoover Commission would have placed these enforcement functions almost 20 years ago.

This plan of reorganization is an important step in the fight against organized crime. I urge every Member to vote nay on the pending resolution so that this useful measure may quickly go into effect.

Mr. ERLENBORN. Mr. Chairman, I yield such time as she may require to the gentlewoman from New Jersey [Mrs. Dwyer].

Mrs. DWYER. Mr. Chairman, for a number of reasons, I believe the most prudent vote on the pending reorganization plan would be a negative one—that is, a vote for the resolution of disapproval.

I recommend this course only very reluctantly. For some time, I have been convinced that much closer coordination between the Bureau of Narcotics and the Bureau of Drug Abuse Control was most desirable. This conviction was reinforced last fall as a result of the testimony before our Subcommittee on Intergovernmental Relations, testimony which disclosed an important area of duplication in the activities of the two agencies, a serious gap in the regulatory pattern in the area of narcotics and drug abuse control, and, perhaps most significant, a major inconsistency in the regulatory and law enforcement philosophies of the two Bureaus.

More recently, hearings before the Executive and Legislative Reorganizations Subcommittee also showed the need for closer cooperation and coordination—perhaps even a merger of the two Bureaus.

The more closely I have studied the question, however, and pondered the alternatives, the more it appears that we simply do not have adequate evidence today on which to base a compelling argument for merger of the two agencies in the Department of Justice. Neither am I convinced that a merger would be justified which placed both agencies either within the Treasury Department or the Department of Health, Education, and Welfare. There are nagging and unsettled questions relating to all three alternatives, and until these doubts can be resolved, I believe we would be wise to disapprove the pending plan.

I would add two other observations as a result of this experience, Mr. Chairman:

In questions of this kind, Congress should be encouraged to explore alternative solutions to any reorganization proposal. We should not arbitrarily be limited to consideration of a single plan. For example, it may well be that further study would show that a separate kind of coordinating device would be the proper solution to the present issue—a coordinating committee or council which could establish basic policy for the two agencies but allow each to develop patterns of regulation and enforcement best suited to their individual needs.

Second, I strongly suggest that our experience with Reorganization Plan No. 1 once again demonstrates the limitations of approaching governmental reorganization on a piecemeal basis and, conversely, the need to adopt a broader, more comprehensive view of the structure of the executive branch as a basis for reforming and reorganizing it. It is true that every solution creates new problems, but we can minimize this greatly by examining in greater depth the possible consequences of any specific plan.

This goal cannot be achieved on an inhouse basis. It requires the objectivity of outside experts as well as officials within the Government. In brief, the time has long since arrived when we need another independent commission to study and recommend improvements in the organization of the executive branch. We have put this off too long already. Federal programs are multiplying and creating administrative chaos, often defeating the purpose for which they were devised.

If we are truly serious about economy and efficiency in the Federal Government, if we really want results from the money we spend, we will start at the beginning with a thorough restructuring of the departments and agencies.

Mr. ERLENBORN. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. McCloskey].

Mr. McCLOSKEY. Mr. Chairman, I rise in opposition to the reorganization plan because of a point which I do not think has been previously brought out. I think this point transcends the arguments of efficiency and economy which are ordinarily associated with reorganizations of the executive branch. This principle is that of the historic separation between the office of the prosecutor and other governmental functions. The prosecutor has traditionally held the awesome responsibility of determining which violations of the law should be prosecuted and which should not. Ordinarily when a violation of the law is brought to the attention of the prosecutor, prosecution is a necessity, so that no complaint can be made that the law is enforced differently as among individuals of different class or station. In the present instance I would have to disagree with the statement made by the gentleman from Maryland [Mr. Mathias]. On page 25 of the report, listing the functions transferred by the Food and Drug Administration to the Department of Justice under this reorganization plan, there are listed science programs, education programs, and public information. Now, it has been my experience in the State of California for many years that we have sought to attack the drug problem through punitive law enforcement actions. In more recent years we have attempted to attack the problem of marihuana use through a program of education of the young. Now, this is the situation at the present time. We have found in California that it is wholly impossible for the prosecuting agencies, such as the attorney general and the district attorney's offices, to communicate with the youth in the high schools and grammar schools who are accustomed to having marihuana available to them. The punitive functions and the law enforcement functions in the State of California have not been as effective in stopping the use of drugs as has been the program of education. In my county of San Mateo, Calif., we have made many attempts to reach kids in the schools. This function was finally recommended to be turned over to the department of health and to the department of education of the county, because those departments were able to reach the kids and to talk to them and convince them against the use of these drugs. If this job of education of the kids is put under the Department of Justice, I submit that very probably it will be difficult for the representatives of the Department of Justice to carry out convincingly with the Nation's youth these programs of education, public information, science, and research. This is so because when they attempt to do so, they represent the same authority that prosecutes the law. If, in their communications with these young people, they are apprised of violations of the law, then under the obligation and responsibility resting with the Attorney General generally, those violations will have to be enforced.

We have had, traditionally, in the history of our country a separation between the office of the prosecutor and other functions of government. It will blur that separation if these functions of education are transferred to the office of the prosecutor. More than blurring this function, I think, it will make it extremely difficult to carry out that function of education of the Nation's youth which today is proving to be most effective in stamping out the use of drugs.

Mr. ERLENBORN. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, it is quite clear from the debate which has taken place here this afternoon that all of the Members of the Committee of the Whole House on the State of the Union support a merger of the Bureau of Narcotics and the Bureau of Drug Abuse Control. Many of the arguments which have been made by the supporters of the President's reorganization plan have gone into the question as to whether we should have a division of these two functions and state that it is much better to have BDAC operate under the same bureau as the Bureau of Narcotics. Obviously, the answer is that this is desirable.

So, let us not be confused with reference to the question of whether we should support or reject the reorganization plan, based upon the question of merger. Does this merger represent an improvement in placing the newly merged agencies in the Department of Justice? Mr. Chairman, I would say that just about everyone supporting this plan used the argument that this transfer will aid the fight against organized crime. Their assumption is that we will have better law enforcement directed against organized crime in the Department of Justice.

I submit that this is not necessarily true.

Mr. Chairman, historically, the Bureau of Narcotics has used undercover agents. Also, historically, the Department of Justice has used paid informers. They function differently. And, I wonder if the Bureau of Narcotics, with its excellent record of investigations and arrests, will have as good a record if merged into the Department of Justice, when the methods of the Department of Justice are used rather than the methods used in the past by the Bureau of Narcotics.

Mr. Chairman, there comes into question the recent rulings of the Supreme Court about the use of wiretapping. It is interesting to note that in our hearings when Attorney General Ramsey Clark was testifying, he was asked the question as to whether or not legal wiretapping would be used by the Department of Justice if they controlled this newly merged agency. And, Mr. Chairman, I would like to read to the Members of the Committee of the Whole House on the State of the Union his answer.

In substance, he said, "No," and that even the legal use of wiretapping would not be countenanced by the Department of Justice. Further, he said, and I quote:

> All the Supreme Court in its most recent decisions has indicated is that where judicial authority, analagous to the authority to grant a warrant to search, has been sought, where there is probable cause to believe a crime has or is about to be committed, that under judicial authorization, a wiretapping can be placed on domestic crime for a very limited period of time.

In other words, legal wiretapping.

Then, Mr. Chairman, the gentleman from Alabama [Mr. EDWARDS] asked this question:

> Does this put the Justice Department's philosophy then at odds with the Supreme Court decision? In other words, are you tougher on this point than the Supreme Court?

Mr. Clark answered as follows:

> I would say we are tougher than the Supreme Court. But the mere fact that you can do something under the Constitution doesn't mean that as a matter of policy you do it. We have found that we have been very effective without its use.

In other words, Mr. Chairman, he is telling us that he does not intend to use all of the weapons that are legally available to him with which to combat organized crime.

Mr. Chairman, how can we expect better law enforcement and a better record against organized crime if all of the sophisticated weapons of the investigatory field are not used?

Many Members in debate have discussed "law enforcement" as a single function. Two functions are in fact involved. One is the investigation and arrest and the other is the prosecution.

Historically, in most jurisdictions, these functions have been separated. In most States you have the police department or the sheriff's department to perform the function of investigation and arrest. You have the office of the prosecutor which performs the function of prosecution.

Mr. Chairman, I submit that there is inherent in this separation, checks and balances that are desirable. The same is true with reference to this proposed reorganization plan. In many of our Federal bureaus and departments there is the power of investigation and arrest. The power of prosecution is already in the Department of Justice.

And, Mr. Chairman, I submit it is desirable to maintain this separation and not to put arrest, investigation, and prosecution all together in the Department of Justice and thereby lose the historical system of checks and balances.

Mr. Chairman, the other part of this proposed reorganization plan that bothers me is the merger of the power to regulate with the power to investigate and prosecute. What this, in effect, means, is that the Department of Justice, with the powers they have, will have the right to go into the drug manufacturers' books and records. It is my opinion that the businessman is not going to be particularly happy to have this power vested in the Department of Justice.

The Department of Justice investigators will have the authority to go into the back room of the local pharmacy, to go into the books and records of the physician to check on his use of dangerous drugs and narcotics. I believe that this combination of the right to prosecute and the right to regulate is very undesirable.

Lastly, I believe that the right to conduct research to determine what are dangerous drugs, and to conduct the educational programs to try to convince the youth of our Nation not to fall victim to the use of dangerous drugs and narcotics, does not belong in the Office of the Attorney General. This point has been well made by many of those who have spoken here this afternoon. The cop approach, the club approach, is not the right approach. We have to hold out the hand of friendship and helpfulness to the youth of this Nation in convincing them that they should not fall victim to the use of dangerous drugs and narcotics. I believe it will be setting us back many years to combine the prosecution and the education and research functions.

For these reasons I am opposing the President's Reorganization Plan No. 1, and support the resolution of disapproval. The Speaker [Mr. MCCORMACK] told us here this afternoon how strongly he feels about the necessity of merger. I believe we can be well assured that, should this plan be defeated, the Speaker will do all within his power to see that the bills now pending in the committees of jurisdiction that would accomplish a merger after a careful congressional investigation will be considered promptly. And I am sure that the Speaker, in view of the indication he made today, will see that this is done promptly. He will urge the committee of jurisdiction to hold hearings promptly so that we can in a proper, orderly, legislative fashion, accomplish the merger. We will do away with the duplicative functions we now have in the Bureau of Narcotics and BDAC, and will accomplish the merger that we all desire, and yet not give us these other bad results that other Members of the House and I see as a result of the President's plan.

Mr. Chairman, I reserve the balance of my time.

Mr. BLATNIK. Mr. Chairman, may I inquire how much time we have remaining on our side?

The CHAIRMAN. The gentleman from Minnesota has 49 minutes remaining. The gentleman from Illinois has 8 minutes remaining.

Mr. BLATNIK. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. HOLIFIELD].

Mr. HOLIFIELD. Mr. Chairman, I am sorry that the members of the committee have for the most part been speaking to each other today, and that there has not been a great deal of attendance on the floor. However, in order to save time, I have discouraged calling a quorum call. We have had one quorum call today, and I guess that is about enough.

I want to comment upon the opposition of the minority as set forth in the minority report. But in that minority report they also make three admissions in favor of the plan.

First, they agree in paragraph 1 that the Bureau of Narcotics now in the Treasury, and the Bureau of Drug Abuse Control in HEW, should be merged. Second, they state that the present arrangement of separation of function and facilities is undesirable, and I will quote from the minority report:

> In the course of their work, they engage in duplication and overlap in the use of manpower, laboratory facilities, education, and training programs, et cetera.

And I quote again from the minority report:

> The merger of the two bureaus will eliminate unneeded waste and inefficiency and make enforcement of these laws more effective.

These three admissions of the minority are in accord with the testimony of the Government witnesses. The Attorney General of the United States, our chief law enforcement officer; the Bureau of the Budget witness, Mr. Hughes; the Health, Education, and Welfare witness, Mr. Lee; the Commissioner of Narcotics, Mr. Giordano; the Director of the Bureau of Drug Abuse, Mr. Finlator; and the Special Assistant of the Secretary of the Treasury of the Law Enforcement Section, Mr. Hendrick.

Mr. Chairman, these witnesses represent five top law-enforcement agencies of the Federal Government. They are the experts in criminal law enforcement. They are charged with the apprehension and legal prosecution of criminals, imprisonment, and punishment. Under our laws they have the responsibility for the war on crime. We look to them for the protection of our people from the evils of narcotics addiction. We look to them for the protection of young people against the growing trend in the use of hallucinogenic drugs, marihuana, LSD, speed, and other illegally produced and distributed nonnarcotic but evil, mind- and body-destroying chemicals.

These experts in criminal law enforcement without reservation or qualification ask for the acceptance of Reorganization Plan No. 1. And I think this is important. I think it is important that the five men who are responsible for the Federal law enforcement all came before our committee and advocated the adoption of Reorganization Plan No. 1.

Are they unmindful of their responsibilities? Are they doing this idly or are they doing this foolishly? Or are they doing it in consonance with their oath of office which places upon them the duty and responsibility of exerting their best efforts in law enforcement? Well, I do not think even the opponents of the plan would say that these men who are at the top of these five departments would prostitute their honor and integrity by coming before our committee and asking our committee to adopt this plan if they do not think the plan is good, and if they do not think the plan would help them in the enforcement of the Federal laws against the evil doer.

Now, keep this fact in mind. The Department of Justice at the present time prosecutes in the Federal court all criminal indictments in the narcotics and drug abuse field. They are doing that now. It acts as the prosecuting arm for the Bureau of Narcotics and the Bureau of Drug Control and Abuse.

What then is the essential change that is authorized by this plan? It coordinates two separate facilities including the 600 law-enforcement personnel, in one bureau—a new bureau in the Department of Justice.

Why? Well, I quote again the minority's admission in their own report.

> The merger of the two bureaus will eliminate unneeded waste and inefficiency and make law enforcement of these laws more effective.

Second, the 600 agents charged with law enforcement in the narcotic and drug abuse field—and there are about 300 in each one of the separate agencies and separate departments—that are now separated and they are in two different departments of the Federal Government with separate and limited areas of jurisdiction over narcotics and hallucinogenic drugs—both will be placed in the new bureau in the Department of Justice. Each and every one of those 600 officers will be given across-the-board duties in both narcotics and dangerous drugs. No longer will the possessor of heroin go free when searched by a drug abuse control officer. No longer will the possessor of marihuana go free when searched by a narcotics agent.

The new bureau will be raised to a more important level in the organizational structure of the Government. It will be raised to the same level as the Federal Bureau of Investigation, the Bureau of Prisons, Immigration and Naturalization Service, Community Relations Service, and the U.S. attorneys section.

All of these bureaus report directly to the Attorney General of the United States today, and a new Bureau, as you can see by the chart, will go straight to the Attorney General for the disposition of criminal indictments and for prosecution in the courts of Federal law violators in this field. This prestige that will be in the new Bureau, this direct access to the Attorney General, has given us the most efficient law-enforcement process in the world.

Organized crime fears the FBI because they know they are coordinated, simply directed, and supported by the Attorney General's criminal trial attorneys. Organized crime will fear the same arrangement in the illegal drug field.

Mr. SCOTT. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. Yes, I am happy to yield to the gentleman from Virginia.

Mr. SCOTT. Mr. Chairman, the gentleman commented at the opening of his remarks that he observed only members of the committee present. Certainly I am not a member of the committee, and there are a number of Members of the House who are present here on the floor who are not members of the committee.

Mr. HOLIFIELD. I shall ask to correct that in the RECORD. I thought I said "mostly." But there have been others here. I recognize that the gentleman has been on the floor.

Mr. SCOTT. I share the gentleman's concern that there is not a larger attendance.

The question has been brought up by the gentleman from Virginia [Mr. POFF] and others, that the question of regulation and prosecution would be in the same agency. My concern is just the reverse of this. Perhaps there would not be adequate regulation; there would not be adequate prosecution. It has both an affirmative and a negative tenor, in my opinion. I would say to the gentleman I am going to vote for the resolution of disapproval.

Mr. HOLIFIELD. I thank the gentleman for his contribution, but I would say that the regulation and the enforcement arm today in the Drug Control Abuse Section is in one entity, and I would say that the drug control or the narcotics enforcement, apprehension, detection, arresting, criminal indictment, and so forth is in the Narcotics Bureau. But when it comes to prosecution in the courts, of course, the Department of Justice handles that as it does for the FBI.

The gentleman will observe the chart in the well of the House. He will see that the Federal Bureau of Investigation, the Bureau of Prisons, the Immigration and Naturalization Service, Community Relations Service, and U.S. Attorneys Office are all on the same level that this new Bureau will be in, and at the present time the prosecution of their cases is in the hands of the Attorney General. It is a long and well proven process, and I do not see why the gentleman objects to it.

Mr. SCOTT. If the gentleman will yield for a moment further——

Mr. HOLIFIELD. I yield to the gentleman from Virginia.

Mr. SCOTT. I would say that I am fully familiar with the Department of Justice, having been an employee of the Department for 21 years.

Mr. HOLIFIELD. I am glad the gentleman knows that what I have said is the truth, because that is their organization chart.

Why does the minority oppose this reorganization plan? Let me quote from the conclusion of their views:

> We are not yet completely decided as to where the Bureau of Narcotics and the Bureau of . Drug Abuse Control should be located.

That is a fair statement. They are not completely decided. Every witness charged with the responsibility of law enforcement is completely decided in favor of the plan. But the members of the minority are not completely decided yet.

The minority in the conclusion of their views say:

> We certainly support a merger of these two bureaus.

But they say further, and I again quote:

> We are convinced that their transfer to Justice would cause more harm than good.

They are entitled to that opinion. It is an opinion that flies in the face of all the law-enforcement officers that have the job to do, to enforce Federal laws against criminal violators. They say:

> We do not have sufficient information or knowledge at this time to make a recommendation.

Maybe they do not have sufficient information. I feel sorry for them if they do not have sufficient information. The Attorney General had plenty of information. The head of the Department of Health, Education, and Welfare had plenty of information. The head man in the Narcotics Bureau, Mr. Giordano, had plenty of information, and that is his job, and he works at it 24 hours a day. He had plenty of information to make the decision on, and so on down the line.

I say to my friends that are not "completely decided" to resolve their decision.

Mr. COHELAN. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from California.

Mr. COHELAN. Mr. Chairman, does the gentleman assert that the Commissioner for Narcotics, Mr. Giordano, favors this reorganization?

Mr. HOLIFIELD. Yes.

Mr. COHELAN. I thank the gentleman.

Mr. HOLIFIELD. Mr. Giordano testified in favor of it, as did the Attorney General, as did the representative from Health, Education, and Welfare, and as did representatives from other agencies involved.

Mr. COHELAN. Mr. Chairman, I thank the gentleman.

Mr. HOLIFIELD. So, I say to my friends that are not "completely decided" they should resolve their incompleteness of decision on the basis of the unanimous testimony of every witness responsible for the grave task of fighting organized crime in the illegal drug field.

The FBI Crime Report of 1966 indicates 3¼ million serious crimes were committed in 1966—an 11-percent increase over 1965.

The arrest of juveniles increased in 1966 over 1960 by 54 percent.

The arrest of narcotic drug violators for the same period increased 82 percent.

There are 57,000 opiate addicts listed in the Narcotics Bureau's files.

We do not have a total figure for the young people who are using marihuana, LSD, speed, and other hallucinogenic drugs, but we know that the use of these drugs has had an alarming increase.

The Attorney General in his testimony before our committee stated that there are three major sources of income for organized crime in the United States—gambling, loan sharking, and narcotics.

The Department of Justice estimates

that the gross heroin trade alone is $350 million annually.

The Attorney General says that "most of this profit goes to organized crime."

The Bureau of Drug Abuse says that dangerous drugs are trafficked in by organized criminal elements.

This plan attacks one of the three principal crime areas in the United States, narcotics and dangerous drugs.

The plan is supported by every Federal witness that appeared before the committee.

There was no personal appearance of any dissenting witnesses, although one member filed a statement against the plan and two members filed statements in favor of the plan.

I ask my friends on the minority to try to "reassess" their possession—that seems to be a good word nowadays. I know they are as much against crime and narcotics as I am—and nothing I say would indicate otherwise.

But, I respectfully say that they have argued themselves into a position of opposing a more efficient attack on one of the most vicious areas of organized crime, that is, narcotics and drug abuse.

If they have fears and are not completely decided as to where this new Bureau should go, I ask them to submerge their fears and make their decision on the side of the recommendation of every Government witness who advocates this reorganization plan.

I will say to the ladies and gentlemen of the Congress that a vote of "no" is a vote in support of the President's plan. A vote of "yes" is a vote against the President's plan. This comes about because we have a disapproving resolution. A vote of "no" is requested by the majority of the committee.

Mr. BLATNIK. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Minnesota.

Mr. BLATNIK. Mr. Chairman, I think it would be entirely fitting and entirely justified to compliment the gentleman from California who has given such splendid leadership not only to the subcommittee but to the full Committee on Government Operations, and particularly to the Subcommittee on Executive and Legislative Reorganization. I know I speak in behalf of the full committee in congratulating the gentleman on one of the finest and most earnest and certainly persuasive and sincere contributions to one of the most important problems that affects and afflicts our society, particularly the youngsters, in this field of drugs and narcotics.

Mr. HOLIFIELD. Mr. Chairman, I thank the gentleman.

Mr. BLATNIK. Mr. Chairman, I thank the gentleman for his continuous attendance over a period of days, not only in committee work, but in staff work and in sessions and in consultation with his own colleagues, and with the House leadership, and in consultation with the minority.

I, as chairman of the subcommittee, am personally indebted to the gentleman. I express my personal commendation, and I know that of all of the Members. We are proud of you, CHET HOLIFIELD.

Mr. HOLIFIELD. I thank the gentleman very much.

Mr. BLATNIK. Mr. Chairman, I include the following statement by Dr. Dale G. Friend as part of my remarks for the information of the Members:

BOSTON, MASS.,
March 18, 1968.

Congressman JOHN A. BLATNIK,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN BLATNIK: As a result of discussing the proposed legislation with Dr. Robert Stolar whereby the Justice Department will take over the enforcement or the legal aspects of the problem of harmful drugs and any legislation that may be enacted for their control, and other problems concerned with their abuse, we agreed that it might be helpful to the Committee to have comments from various professional people with knowledge in the field. In consequence of this decision, I am writing to acquaint you with such thinking as I have in regard to this new proposed legislation.

I would like to say at the outset that a physician with the training and background such as myself sees a fair number of patients who are abusers of drugs during a year's time. These range from narcotic addicts to patients habituated to barbiturates, amphetamines and other drugs which would fall into the category under consideration by the Congress.

As a result of approximately 30 years of the practice of Medicine in which time, I have engaged in investigative work, teaching and clinical practice, there has been developed some concrete thoughts in regard to the problem of drug abuse.

First, I am in complete agreement that any possible legislation that can be devised to enforce control and the prevention of the wide dissemination and indiscriminate use of harmful drugs is all to the good. House Rules 2 which was passed, I thought, was a very good step forward and only wish that it could be made applicable to all prescription drugs since there continues to be widespread abuse in regard to the continual renewal and poor control of many drugs, some of which have harmful properties other than that associated with addiction or with habituation; for example, certain drugs have inherent toxic properties which at the present time is not controlled by any restrictive provisions in the law.

Secondly, I am firmly of the belief that individuals who deal in traffic in the dissemination of harmful drugs to our citizens should be punished, and I am in agreement with the legislation that now exists in this regard.

Third, however, as for the victims themselves of drug abuse, these individuals are sick people. They have long since lost all willpower. They become rather pathetic, weak, easily persuaded and totally incapable of making sensible decisions as regards drugs and their effect on them. In other words, these people are incapable of protecting themselves and must be considered mentally and physically ill. I think little is gained by imprisoning or punishing patients who are incapable of protecting themselves through a lack of the mental and moral capacity to do so. These helpless victims of drugs abuse need expert medical attention, physical and mental rehabilitation and finally assistance in adjusting to society and developing economic and social competence. There are available Federal Institutions for the treatment of narcotic addicts at Lexington and Fort Worth.

These programs are excellent, but unfortunately, once the patient is released from these institutions, he returns to his own community where all care breaks down, and almost invariably, at least 70% of these individuals very quickly become addicts again and become a social and economic loss to the community as well as victims of the drug trafficteers. It is indeed unfortunate that this situation has been tolerated as long as it has. What those of us who have observed this situation feel is needed is an opportunity for these people to return to their own state where they are immediately taken into an extensive rehabilitation program which reorients their entire life. For example, some of us have proposed for a long time that institutions such as the old Civilian Conservation Camp Organization be established to handle problems of this type whereby victims of drug abuse could be brought together under a semi-protective environment, be taught a trade and gradually under protective care reestablished in communities away from any possible contact with their previous environment. If this were possible, we undoubtedly would begin to reduce the number of severe addicts and problem people that we have at the present time as a result of drug abuse. In the long run, I feel that we would not only salvage individuals, but we would remove victims from the drug traffic, and in the end, find actually that it is much less expensive to handle sick patients this way than to put them into penal institutions where all effective treatment would stop.

In conclusion, I would like to point out the more we learn about addictive drugs, the more we realize there is alteration in the cellular structure of tissues. For example, isolated cells grown in tissue culture can be made addictive to certain narcotic drugs so that they are unable to even survive in the test tube unless the drug is available for them. Therefore, this should give great pause to those who feel that drug addicts are just moral outcasts who lack any willpower or have inclinations toward criminal behavior. That is definitely not the case. Something has happened to their cells which make them incapable of resisting the drug or resisting the temptation to use the drug. In other words, we are dealing with a diseased person rather than a criminal, and our program should certainly take this into consideration in any new legislation that may be proposed for the management of drug abuse and its victims.

Sincerely yours,
DALE G. FRIEND, M.D.

Mr. ERLENBORN. Mr. Chairman, I wish to associate myself with the remarks of our subcommittee chairman about the gentleman from California. He certainly has been extremely diligent and hardworking on this and any other legislative matters on which I have had a common interest with him.

All I can add is I am sorry he is so misguided on this particular point.

Mr. EDWARDS of Alabama. Mr. Chairman, if the gentleman will yield me 30 seconds, I wish to make doubly sure, because this is an unusual procedure, the Members understand. I should like to again point out to the Members of the House that a "yea" vote is for the disapproval resolution and against the President's Reorganization Plan, and a "nay" vote is against the disapproval resolution and for the President's reorganization plan.

Mr. HALPERN. Mr. Chairman, I rise in opposition to House Resolution 1101, to disapprove Reorganization Plan No. 1, 1968. This plan would unite the drive against narcotic abuses under a new Bureau of Narcotics and Dangerous Drugs.

There is no question but that a concerted effort must be made to expand and improve our actions to curb the dangerous drug abuses that are plaguing our Nation, and particularly our young people. The image of youngsters being pulled into the morass of drug addiction, with its accompanying manifestations of lawlessness and despair, is horrifying enough. More distasteful yet, however, is the realization that this toll of human desperation is, to those involved in organized crime, merely a byproduct of an extremely profitable commercial enterprise.

It seems quite clear that an improvement in the efficiency with which we combat the narcotic racket would be obtained by combining the efforts of the present Narcotics Bureau and the Bureau of Drug Abuse Control. The major question at issue is to which Federal agency the jurisdiction over these activities should fall. I firmly believe, that, given the generally recognized nature of the perpetrators of these abuses, the Justice Department would indeed be best equipped to take on the responsibilities of the newly combined Bureau of Narcotics and Dangerous Drugs.

A fight against the illicit drug problem is largely a fight against organized crime, and the Justice Department, with established facilities to conduct this fight, is in the best position to make the greatest progress on this front. Whereas the Treasury Department and the Department of Health, Education, and Welfare may well be better placed to handle certain facets of the drug problem, the root of the issue is big-time crime, and no efforts to attack peripheral facets of the problem can succeed if the activities of organized crime are not recognized and combatted.

With these factors in mind, Mr. Chairman, and in view of my long-standing advocacy of the fight against drug abuses, I introduced H.R. 16182, which would accomplish in legislative form objectives similar to those contained in the President's reorganization plan. I am delighted that the President's plan proposes to accomplish these goals, and I feel it would be a travesty if it were rejected, which would occur if House Resolution 1101 were passed. Hence, I urge overwhelming disapproval of this resolution, in order that this coordinated effort to combat drug abuses may be achieved.

Mr. FASCELL. Mr. Chairman, I rise in support of Reorganization Plan No. 1 and urge that the disapproval resolution be defeated.

Although there are many aspects to the problems of drug abuse and narcotics use in this country, I consider one of the major problems to be that of the infiltration of organized crime. There is no question but that the increasing supply of narcotics is made available to the public through a highly organized network which reaps millions of dollars through this illegal operation. It is also true that many of the drugs which are being abused are supplied to the public through the channels of organized crime.

Through the Subcommittee on Legal and Monetary Affairs, of which I have the honor to be chairman, we have made and are continuing to make a detailed study of the Federal effort against organized crime. We have held hearings which have included a consideration of the problems of narcotics and of dangerous drugs. We have not as yet prepared our report and made our recommendations, but I think I can safely say that the information we have collected and the tentative conclusions we have drawn would verify the wisdom of putting this new Bureau of Narcotics and Dangerous Drugs in the Justice Department. One of the major difficulties has been divided jurisdiction and responsibility. Consolidated enforcement would be a major step forward.

I hope there are none here today who have any illusions about the scope and extent of the operations of syndicates and organizations in the underworld. They are in this business for profit and they have no hesitation in corrupting our youth and in feeding on the weaknesses of mind and body. A far greater effort must be made by our Federal, State, and local authorities if we are ever to succeed in reducing or shutting off the sources of illegal supply of narcotics and dangerous drugs. The Attorney General and the Justice Department are our principal vehicles for this effort. Let us take this step which will give a powerful impetus to this fight. Let us permit this plan to go into effect by voting down the disapproval resolution.

The Bureau of Narcotics and the Bureau of Drug Abuse Control are law enforcement agencies. Reorganization Plan No. 1 would combine them into one Bureau of Narcotics and Dangerous Drugs, which would report directly to the Attorney General in the Department of Justice.

The Bureau of Narcotics controls marihuana and hard narcotics such as heroin. It has 475 employees, of which 304 are enforcement agents. These agents spend 80 percent of their time in street investigation and undercover work. The remaining 20 percent of their time is devoted to inspecting legitimate drug manufacturing and distribution facilities in order to prevent diversions of narcotics from these facilities into illicit channels. The remaining 175 employees are administrative personnel.

The Bureau of Drug Abuse Control—BDAC—controls hallucinogens and also stimulant and depressant drugs, such as amphetamines and barbiturates. It has 460 employees, of whom 300 are enforcement agents. These agents spend about 60 percent of their time in street investigations or undercover activity. The remaining 40 percent of their time is devoted to inspecting legitimate drug manufacturing and distribution facilities in order to detect diversion of dangerous drugs from these facilities into illicit channels.

BDAC also has a Division of Drug Studies and Statistics containing 200 employees, including pharmacologists and psychologists but no M.D.'s. It has 11 employees providing case assistance and 11 more whose mission is to provide programs for training the agents of BDAC and local law enforcement agents.

The problem of illegal drug distribution cannot be separated from the problem of organized crime. The two must be attacked together. This can be accomplished best within the Department of Justice, which is the Government agency primarily responsible for law enforcement activities directed at organized crime.

The relationship between organized crime and the illicit narcotics and drug industry is well established. For example, the Federal Bureau of Narcotics estimates that 85 percent of the heroin and 50 percent of the marihuana introduced into illicit traffic in the United States is introduced by criminal organizations. Profits from trafficking in narcotics and dangerous drugs is one of the three principal sources of income for organized crime.

Even where the distribution of drugs does not involve organized crime in its traditional sense, it nevertheless involves networks of criminals who form organizations to manufacture or divert and distribute drugs illegally. For instance, BDAC has detected and prosecuted 47 illegal laboratory complexes manufacturing hallucinogens or other dangerous drugs. Many of these complexes had organized their own distribution systems.

The dangerous drugs controlled by BDAC are either produced illegally or diverted from the legitimate drug industry. LSD and most of the hallucinogens produced in the United States are produced illegally. On the other hand, approximately 95 percent of the other dangerous drugs which BDAC has seized from illicit channels were legally produced but diverted from the legitimate drug industry. Such diversion can occur at the manufacturing, wholesale, jobber, retailer, or dispenser level. It is BDAC's job to track down the illegal diversions and provide the Department of Justice with evidence for prosecution of the diverters.

The basic job of both the Bureau of Narcotics and the Bureau of Drug Abuse Control is to stop illicit supplies of narcotics and dangerous drugs from reaching the streets. They aim at the traffickers in these drugs, rather than at their users.

It is important to distinguish between this law enforcement mission and the vast sociological and scientific problems of the causes and cures of drug addiction or abuse. The latter call for major research and educational programs which are properly the mission of the Department of Health, Education, and Welfare. Nothing in Reorganization Plan No. 1 will affect these programs, which are already being conducted by the National Institute of Mental Health, the Bureau of Medicine, the Bureau of Science, and the National Institute of Health. The Bureau of Narcotics and Dangerous Drugs, like the present Bureau of Narcotics and Drug Abuse Control, will continue in close liaison with each of these organizations.

The new Bureau will also maintain close liaison with the Bureau of Customs, the Internal Revenue Service, and the Secret Service. Such cooperation should be no more difficult than the present excellent cooperation that exists between the Bureau of Customs in Treasury and the Immigration and Naturalization Service in the Department of Justice.

The Department of Justice, through its Criminal Division and its U.S. attorneys, has prosecuted cases for both the Bureau of Narcotics and the Bureau of Drug Abuse Control. Through its Bureau of Prisons, the Department of Justice also participates in the administration of the Narcotic Addict Rehabilitation Act of 1966, with prison hospitals which it operates along with the Public Health Service in Lexington and Fort Worth.

For the Bureau of Narcotics and Dangerous Drugs to be placed in the Department of Justice is as logical and desirable as for the FBI to be placed in the Department. It is infinitely more logical than transferring BDAC to the Department of the Treasury. Nor is there any logical justification for lodging law enforcement agencies in the Department of Health, Education, and Welfare.

The Hoover Commission in 1949 called for the transfer of the Bureau of Narcotics from the Department of the Treasury to the Department of Justice. The Prettyman Commission in 1963 suggested abolishing the Bureau and dividing its functions between Justice and HEW.

The testimony at the hearings on Reorganization Plan No. 1 made it clear that in today's rapidly evolving drug spectrum the determination of what drugs should be controlled and the detection of diversion from legitimate channels must be handled by the agency charged with enforcement of the laws. In determining what drugs should be controlled, the advisory committee of scientists who presently advise the Secretary of Health, Education, and Welfare, through BDAC will provide such advice to the Attorney General through the Bureau of Narcotics and Dangerous Drugs under the reorganization plan.

An additional advantage of placing the new Bureau in the Department of Justice is the close ties of that Department with State and local law enforcement agencies, including those charged with enforcing State drug laws. Most of those arrested for narcotic activities are involved in lives of crime. Drug addiction is itself a leading cause of crime.

As the Attorney General has stated:

> Crime control requires the control of drugs and narcotics. It is a major national problem. And the responsibility should be vested in the official in government who has the greatest concern with the control of crime. Not the person that is involved in education, in welfare, and health, not the person that is involved in financing, in balance of payments, in taxes and things like that. It is a crime problem. It is a major crime problem. It cries for control. And I think the Department of Justice provides the best opportunities for the full realization of the Federal potential in that area.

Mr. ADDABBO. Mr. Chairman, I oppose Reorganization Plan No. 1, 1968.

As a member of the Subcommittee on Post Office and Treasury of the Committee on Appropriations, under which comes the Bureau of Narcotics, I have sat through extensive hearings on the work of this Bureau. There has been much evidence and testimony on the concentrated efforts of this agency to stop the illegal importation of narcotic drugs and the dissemination of same within the United States.

The Bureau of Narcotics, a branch of the Treasury Department, must work very closely with the Bureau of Customs which is also a part of the Treasury Department. I believe that, if the Bureau of Narcotics of the Treasury Department is meregd under the proposed reorganization it would become enmeshed in the problems of the so-called glamour drugs such as LSD, barbiturates, and so forth, which, although dangerous, are not as serious as heroin and other narcotic drugs. This is a particular problem which needs particular and concentrated attention, especially in the field of stopping it at the source in foreign countries and ports of entry.

The present Bureau of Narcotics has been and is doing an outstanding job and should not be disturbed. It can, has, and will work in cooperation with the Drug Abuse Agency. This problem is so serious that I do not think that the contemplated change will help it but may very well hinder it.

Mr. BLATNIK. Mr. Chairman, I understand there are no further requests for time.

The CHAIRMAN. The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 1101

Resolved, That the House of Representatives does not favor the Reorganization Plan Numbered 1 transmitted to the Congress by the President on February 7, 1968.

Mr. BLATNIK. Mr. Chairman, I move that the Committee do now rise and report the resolution back to the House with the recommendation that the resolution be not agreed to.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. HUNGATE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration House Resolution 1101, to disapprove Reorganization Plan No. 1, had directed him to report the resolution back to the House with the recommendation that the resolution be not agreed to.

The Clerk reported the resolution.

The SPEAKER. The question is on the resolution.

The question was taken; and the Speaker announced that the noes appeared to have it.

Mr. ERLENBORN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 190, nays 200, answered "present" 2, not voting 41, as follows:

[Roll No. 82]

YEAS—190

Adair
Addabbo
Andrews, Ala.
Andrews, N. Dak.
Arends
Ashbrook
Ayres
Baring
Bates
Battin
Belcher
Bell
Berry
Betts
Bevill
Biester
Blackburn
Bolton
Bow
Bray
Brinkley
Brock
Brotzman
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, Va.
Buchanan
Burke, Fla.
Burton, Utah
Bush
Button
Byrnes, Wis.
Carter
Cederberg
Chamberlain
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Cohelan
Collier
Conable
Conte
Cowger
Cramer
Cunningham
Curtis
Davis, Wis.
Derwinski
Devine
Dickinson
Dingell
Dole
Dow
Duncan
Dwyer
Edwards, Ala.
Erlenborn
Esch
Eshleman
Findley
Fino
Flynt
Ford, Gerald R.
Frelinghuysen
Fulton, Pa.
Gardner
Goodell
Goodling
Gross
Grover
Gubser
Gude
Haley
Hall
Halleck
Hammerschmidt
Hansen, Idaho
Harrison
Harsha
Harvey
Heckler, Mass.
Henderson
Horton
Hosmer
Hunt
Hutchinson
Johnson, Pa.
Jonas
Jones, Mo.
Keith
King, N.Y.
Kleppe
Kuykendall
Kyl
Laird
Latta
Lennon
Lipscomb
Lloyd
McClory
McCloskey
McClure
McDade
McDonald, Mich.
McEwen
MacGregor
Mailliard
Martin
Mathias, Calif.
May
Mayne
Meskill
Michel
Miller, Ohio
Mink
Minshall
Montgomery
Moore
Morse, Mass.
Morton
Mosher
Myers
Nelsen
Passman
Pelly
Pettis
Pirnie
Poage
Poff
Pollock
Pool
Price, Tex.
Quie
Quillen
Railsback
Rarick
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Rhodes, Ariz.
Riegle
Robison
Roudebush
Rumsfeld
Ruppe
Ryan
Sandman
Saylor
Schadeberg
Scherle
Schneebeli
Schweiker
Scott
Shriver
Skubitz
Smith, Calif.
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Taft
Talcott
Teague, Calif.
Thompson, Ga.
Thomson, Wis.
Utt
Vander Jagt
Waggonner
Wampler
Watkins
Watson
Whalen
Whitten
Widnall
Wilson, Bob
Winn
Wyatt
Wydler
Wylie
Wyman
Zion
Zwach

NAYS—200

Abbitt
Abernethy
Adams
Albert
Anderson, Tenn.
Annunzio
Ashmore
Aspinall
Barrett
Bennett
Bingham
Blanton
Blatnik
Boggs
Boland
Bolling
Brademas
Brasco
Brooks
Broyhill, N.C.
Burke, Mass.
Burleson
Byrne, Pa.
Cabell
Cahill
Carey
Casey
Celler
Colmer
Corbett
Corman
Culver
Daniels
Davis, Ga.
Dawson
de la Garza
Delaney
Donohue
Dorn
Downing
Dulski
Eckhardt
Edmondson
Edwards, Calif.
Edwards, La.
Eilberg
Evans, Colo.
Everett
Fallon
Fascell
Feighan
Fisher
Flood
Foley
Ford, William D.
Fountain
Fraser
Friedel
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Garmatz
Gathings
Gettys
Giaimo
Gibbons
Gilbert
Gonzalez
Gray
Green, Oreg.
Griffin
Griffiths
Halpern
Hamilton
Hanley
Hanna
Hansen, Wash.
Hardy
Hathaway
Hawkins
Hays
Hechler, W. Va.
Hicks
Holifield
Howard
Hull
Hungate
Ichord
Irwin
Jacobs
Jarman
Joelson
Johnson, Calif.
Jones, Ala.
Jones, N.C.
Karth
Kastenmeier
Kazen
Kee
Kelly
Kirwan
Kluczynski
Kornegay
Kupferman
Kyros
Landrum
Leggett
Long, Md.
McCarthy
McFall
McMillan
Machen
Madden
Mahon
Marsh
Mathias, Md.
Meeds
Miller, Calif.
Mills
Minish
Monagan
Moorhead
Morgan
Morris, N. Mex.
Moss
Murphy, Ill.
Natcher
Nedzi
Nichols
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Patman
Patten
Pepper
Perkins
Philbin
Pickle
Pike
Price, Ill.
Pryor
Pucinski
Purcell
Randall
Rees
Reuss
Rhodes, Pa.
Rivers
Roberts
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Roybal
St Germain
St. Onge
Satterfield
Scheuer
Shipley
Sikes
Sisk
Slack
Smith, Iowa
Staggers
Stephens

Stratton
Stubblefield
Stuckey
Sullivan
Taylor
Tenzer
Thompson, N.J.
Tiernan
Tuck
Tunney
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Waldie
Walker
Watts
White
Whitener
Wiggins
Willis
Wilson, Charles H.
Wolff
Young

ANSWERED "PRESENT"—2

Hébert
Yates

NOT VOTING—41

Anderson, Ill.
Ashley
Broomfield
Burton, Calif.
Clark
Conyers
Daddario
Dellenback
Denney
Dent
Diggs
Dowdy
Evins, Tenn.
Farbstein
Green, Pa.
Gurney
Hagan
Helstoski
Herlong
Holland
Karsten
King, Calif.
Langen
Long, La.
Lukens
McCulloch
Macdonald, Mass.
Matsunaga
Mize
Murphy, N.Y.
Nix
Podell
Resnick
Roth
Schwengel
Selden
Teague, Tex.
Whalley
Williams, Pa.
Wright
Zablocki

So the resolution was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert for, with Mr. Karsten against.

Mr. Yates for, with Mr. Dent against.

Mr. Denney for, with Mr. Resnick against.

Mr. Langen for, with Mr. King of California against.

Mr. Broomfield for, with Mr. Evins of Tennessee against.

Mr. Williams of Pennsylvania for, with Mr. Podell against.

Mr. Gurney for, with Mr. Farbstein against.

Mr. Dellenback for, with Mr. Zablocki against.

Mr. Anderson of Illinois for, with Mr. Daddario against.

Mr. Long of Louisiana for, with Mr. Matsunaga against.

Mr. Selden for, with Mr. Green of Pennsylvania against.

Until further notice:

Mr. Ashley with Mr. McCulloch.

Mr. Murphy of New York with Mr. Mize.

Mr. Clark with Mr. Schwengel.

Mr. Teague of Texas with Mr. Lukens.

Mr. Macdonald of Massachusetts with Mr. Whalley.

Mr. Dowdy with Mr. Hagan.

Mr. Helstoski with Mr. Nix.

Mr. Diggs with Mr. Holland.

Mr. Burton of California with Mr. Wright.

Mr. RIVERS changed his vote from "yea" to "nay."

Mr. YATES. Mr. Speaker, I have a live pair with the gentleman from Pennsylvania [Mr. DENT]. If he had been present, he would have voted "nay." I voted "yea." I withdraw my vote and vote "present."

Mr. HÉBERT. Mr. Speaker, I have a live pair with the gentleman from Missouri [Mr. KARSTEN]. If he had been present, he would have voted "nay." I have voted "yea." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

The doors were opened.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate has passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 15414. An act to continue the existing excise tax rates on communication services and on automobiles, and to apply more generally the provisions relating to payments of estimated tax by corporations.

The message also announced that the Senate insists upon its amendments to the bill H.R. 15414, entitled "An act to continue the existing excise tax rates on communication services and on automobiles, and to apply more generally the provisions relating to payments of estimated tax by corporations," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. LONG of Louisiana, Mr. SMATHERS, Mr. ANDERSON, Mr. WILLIAMS of Delaware, and Mr. CARLSON to be the conferees on the part of the Senate.

GENERAL LEAVE

Mr. BLATNIK. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous matter on the resolution just rejected.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

APPOINTMENT OF CONFEREES ON H.R. 15414, TAX ADJUSTMENT ACT OF 1968

Mr. MILLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill, H.R. 15414, to continue the existing excise tax rates on communication services and on automobiles, and to apply more generally the provisions relating to payments of estimated tax by corporations, with Senate amendments thereto, disagree to the Senate amendments and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. WAGGONNER. Mr. Speaker, reserving the right to object, I appreciate the concern of the gentleman from Arkansas to move this bill on toward final enactment, but in view of the action which was proposed on the civil rights bill, containing the infamous open housing section, would it not be more proper to take this bill from the Speaker's desk and concur in the Senate amendments and pass it?

Mr. MILLS. I would admonish my friend, if he will yield to me, not to try to be consistent on the treatment of all bills.

Mr. WAGGONNER. The gentleman has made the point I wanted to make.

Mr. Speaker, I withdraw my reservation.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas? The Chair hears none, and appoints the following conferees: Messrs. MILLS, KING of California, BOGGS, BYRNES of Wisconsin, and CURTIS.

INSIDE THE INSANE ASYLUM

Mr. HULL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HULL. Mr. Speaker, efforts being made at State Hospital No. 2 in St. Joseph, Mo., in my congressional district, to help the mentally ill characterize the great new strides being made in mental hospitals throughout the Nation.

What is happening at St. Joseph and elsewhere is described in an excellent article by Harold H. Martin appearing in the April 6 issue of the Saturday Evening Post and under leave to extend, I include this article:

INSIDE THE INSANE ASYLUM

(By Harold H. Martin)

A late sun filtered through the decorative iron bars on the Gothic windows, Dr. Liam O'Brien, a short, dark Irishman with a tongue like an adder and a soft spot in his heart for all people who are mentally ill, sat at his desk in the stately old administration building of State Hospital No. 2 in St. Joseph, Mo. Just outside the doctor's office a grand staircase with a red carpet and a fine carved-wood banister led down to an entrance hall floored in colored tile. In one corner a grandfather clock ticked away the generations. Here, in the past, anguished families would bring one of their poor deranged kinsmen and, reassured by the beauty and quiet of the entrance-way, leave him forever, content that he would be cared for gently and with compassion.

"And if he proved unruly, they tranquilized him with this," said Dr. O'Brien, slapping a leather harness strap into his palm. "And here was his medication." He picked up a dusty ledger dated 1929, ran his finger down a column:

"'Two ounces of whiskey every four hours,'" he read. "Prescribed for everything from melancholia to myocarditis."

He tossed aside the ledger and the strap. "Relics," he said, "but not of so long ago. It has been only about six years since my predecessor here felt the community had advanced in its thinking far enough so that he could free the patients who were chained to the walls."

He rose. "Come on," he said, and led the way along the corridors of his hospital until we reached a large room crammed with beds. They were placed head to foot, three rows deep, along each side, with only a knee's width between one row and the next. Down the narrow center passage, about 100 women, ranging in age from 16 to 80, sat in chairs or shuffled aimlessly about. There were old paretics, chronic schizophrenics, regressed psychotics, the demented senile: the whole sad spectrum of mental illness. Some seemed little more than vegetables, but if one paused to listen to their babble, one might sense a great awareness, and a hurt. "Tell my momma tell my papa come get me . . ." a dark-haired girl repeated over and over in a toneless singsong.

"Here are our worst," said Dr. O'Brien, standing in the midst of them. A young girl, sucking both thumbs, came up and nuzzled her head against his chest. He held her gently. "I get white faced with anger every time I come in here. These are our failures of the past. And what is there left to salvage here so late? God knows. But we are going to try."

Six months later the results of his efforts were spectacularly visible. The ward was empty. The women had been moved out to nursing homes, to foster homes, to better quarters that opened up on other wards as St. Joseph's bed-patient population, under the impact of a psychiatric staff increase from three to 16 doctors, began to drop from 2,000 to 1,450.

Dr. O'Brien's determination that the forgotten patients on his back wards shall become human beings again is a manifestation of a new spirit of confidence, a new approach to the ancient problem of the mentally ill that now prevails in a majority of the country's mental hospitals.

Until only a very few years ago the attitude of most hospital staffs toward a mental patient was that of the jailer toward a prisoner. The sick person was to be fed, clothed, disciplined—with straitjackets, handcuffs, chains and clubs if necessary—and kept until he died.

This was the situation when the *Post*, in a classic series of articles by John Bartlow Martin [INSIDE THE ASYLUM, October 6–November 10, 1956] exposed these dreadful facts of life as they affected the 750,000 men, women and children who were then hospitalized in the U.S. for mental illness. After months of research, Martin chose Columbus State Hospital in Ohio as a typical—and by no means the worst—example of the way rich, compassionate, generous-hearted America treated those of her mentally ill who could not afford the luxury of private care. There, in one of the country's wealthiest states, he found 2,700 patients served by 18 doctors, only 10 of whom (none a fully trained psychiatrist) gave daily psychiatric care on the wards. Some patients had been there for more than 60 years. On a daily budget allowance of $2.60 per patient per day, only about 400 were receiving any sort of therapy. The 2,300 others were merely there, in custody, helplessly awaiting death.

Martin's series stirred the conscience of the nation, but it was not until 1961 that a Joint Commission on Mental Illness and Health, appointed by the Congress, confirmed on a national scale what Martin had uncovered in microcosm at Columbus. Its recommendations became the basis for President Kennedy's plea to Congress for a national mental-health program—"a wholly new emphasis and approach" to a problem that at one time or another will afflict one of every three American families. The legislators responded by passing the Mental Health Act of 1963. This authorized federal grants for the construction of a nationwide network of community mental-health centers, each to serve a population of roughly 200,000 people, and to provide a wide range of services, from around-the-clock emergency care for the person suddenly gone out of control to outpatient clinics, halfway houses, and follow-up support by social workers and psychiatric nurses. Of the $150 million provided, $60 million has now been awarded for the construction and staffing of 128 centers in 42 states, Puerto Rico and the District of Columbia. Construction, though, is the quick and easy part. The problem lies in finding trained professionals to staff these centers. The National Committee Against Mental Illness, Inc. estimates the country needs at least 10,000 more psychiatrists than the 18,750 now in practice (private practice, mainly), and psychologists, psychiatric nurses and psychiatric social workers are in equally short supply.

The National Institute of Mental Health says that despite these shortages 175 of the new mental-health centers will open their doors in 1968, and by 1970, some 500 will be serving their communities.

For the next few years, however, the old state hospital will remain the last refuge for those who cannot afford private hospital care, with its cost of about $35 a day, or the care of private psychiatrists, with fees ranging from $25 to $50 an hour. What, then, awaits the patient who still must turn to the public hospital for help?

The picture, formerly one of unrelieved darkness, is now one of mingled light and shadow. There are still areas—in the country as a whole and within individual hospitals, including the better ones—where the gloom is as deep as ever. But more and more the asylum is emerging from its apathy and despair. Traditionally a place of custody, it now is becoming a place of healing.

In the 10 years following World War II, according to the National Committee Against Mental Illness, the number of bed patients in mental hospitals increased at the rate of 13,000 a year. But in the next 10 years the number dropped by an average of 8,300 patients a year. Today the bed population in the nation's 302 public mental hospitals has fallen to an estimated 426,000, a new low.

The reduction in hospital population does not mean that the incidence of mental illness is dropping. The pressures and frustrations of life are no less abrasive than in the past, and the "social breakdown syndrome," manifested in a retreat from reality to a world of fantasy, is no less common. In consequence more people are entering mental hospitals today than ever before. Between 1955 and 1965, while the population of the U.S. was increasing by 17 percent, the number of admissions to public mental hospitals each year increased by 76 percent, to 314,500 in 1965, the last year for which complete figures are available. In this same period, however, the number of patients discharged each year more than doubled, reaching 287,000 in 1965—an increase of 127 percent.

Thus, more people are going into mental hospitals than ever before, but they no longer inevitably follow the dreary route of the past—from violent madness, to grim withdrawal, to the hopeless gray oblivion of the back wards. Instead, a new emphasis on getting the patient into the hospital early, and then getting him out again as quickly as possible, has resulted in a considerable reduction in length of stay. Today, between 85 and 90 percent of patients entering a mental hospital for the first time can expect to be discharged within a year. In most cases they are strong enough to face once more the terrors that sent them there, although frequently they regress and have to come back again—and perhaps yet again. Of the 314,500 persons admitted in 1965, some 115,500—more than one third—were returnees. But the important thing, nearly every expert agrees, is that those who enter need no longer abandon all hope.

No one factor can account for this dramatic change; rather, a combination of many factors is responsible. First, giving impetus to all the others, is a new tolerance of the mentally ill on the part of the community, a willingness to accept a discharged mental patient as just another sick person who has been to the hospital and has come home again. The community has begun to recognize what certain psychiatrists—the brothers Menninger, for example—long have recognized: The madness that destroys the personality is a madness that afflicts us all, only expressed in greater degree. And the fragmented personality is capable of being restored to some degree of dignity and pride.

Public awareness that this can be done—and must be done in a society that calls itself civilized and compassionate—has recently been reflected in the greater generosity of state legislatures in support of their state hospitals. In the U.S. as a whole the average daily expenditure per patient in a mental hospital, while still grossly inadequate, has more than doubled since 1955. As a direct result, so has the ratio of full-time hospital employees to patients—although there are still crippling shortages in the critical professional fields. Nearly a third of the country's state hospitals have less than five staff psychiatrists, and 21 have none.

But the single most important factor in the battle against mental illness, most doctors believe, has been the development of tranquilizers and the other psychiatric drugs. It has long since been proved that the drugs do have the power to soothe the anxiety-ridden, calm the manic, stimulate the depressed and, for a moment at least, call the hallucinating mind back to the world of reality. It is equally clear that, in most cases, the drugs can only control symptoms, not cure the deeper illness. But by temporarily suppressing the symptoms of the basic illness, they do permit the doctor to get through to a patient, so that more lasting forms of therapy can be applied. These may range from a simple word of kindness, through work and play regimes, to the most deeply searching forms of psychotherapy. In many cases almost any positive action helps, when applied with love and understanding, which is why equally significant results are being achieved at hospitals experimenting with widely different techniques. They are simply different aspects of this quiet revolution.

Nowhere is that revolution more dramatically manifest than at Boston State Hospital. Behind a high iron fence, the sprawling hospital looks as it has for more than half a century. The huge brick-and-stucco buildings are shabby and run-down. But the patient population, which less than a decade ago stood at nearly 2,800, was down to 1,330 at the end of 1967—proof of Dr. William Menninger's assertion that it is brains, not bricks, that make a mental hospital a place of healing.

Ever since Charles Dickens visited Boston State in 1842 and found it "admirably conducted on enlightened principles," the ancient institution has enjoyed a reputation for zeal and skill in the treatment of the mentally ill. Its most rapid progress, however, began when Dr. Walter Earl Barton, superintendent from 1945 to 1963, took the bold step of throwing open the big iron gates that for more than 100 years had separated the hospital's patients from the world. Dr. Barton, who left Boston to become medical director of the American Psychiatric Association, was succeeded by Dr. Milton Greenblatt, a slender, tense, fiercely dedicated psychiatrist with the look of an intelligent, somewhat worried cockatoo. For three years, until he, too, moved on to higher things as commissioner of mental health for the Commonwealth of Massachusetts, Dr. Greenblatt sat like a nesting bird in a cluttered office in the red-brick administration building, hatching one scheme after another to convert Boston State into his vision of the mental hospital of the future—"a hospital without walls, no longer isolated from the community it serves, but an integral part of the community, drawing strength from the normal community patterns, and using its own special knowledge to keep those patterns healthy."

Beyond this community function, Dr. Greenblatt also visualized Boston State as a great laboratory for the study of all aberrations of the human psyche, a place not primarily custodial, but mainly concerned with developing new treatment techniques that could be applied in any mental hospital in the United States.

It was natural therefore that when Commissioner Greenblatt handpicked his successor at Boston State he chose a man highly distinguished in the fields of research and training. He was Dr. Jonathan Cole, rotund, balding and amiable chief of the psychopharmacology research branch at the National Institute of Mental Health in Bethesda, Md. Dr. Cole, who masks an energy as fierce as Dr. Greenblatt's behind a facade of Buddha-like tranquillity, also shares his obsession that the main goal of the mental hospital today is to heal the patient and return him as soon as possible into a community educated to accept him.

One measure of a hospital's urge to heal is the number of different programs by which it seeks to create a therapeutic community both within and beyond the hospital walls. At Boston State there is such a variety of them that nearly every patient is involved in some sort of hopeful experiment. Moreover, treatment routines were greatly modified after a preliminary study showed that what often disturbed a patient and caused him to become unruly were small annoyances nobody had thought about. Meal hours and bath hours, the use of certain forms of treatment, and restrictions on the patients' movements were planned for the staff's convenience, not the welfare of the patient.

"Seclusion of the disturbed patient once was routine," Dr. Cole says. "When he began acting up, the attendant didn't waste any time on him. He slammed him into a cell and locked him up and left him there. Finally we began to realize that most frequently the patient's agitation was not due to his basic illness, but to a breakdown of relations between him and staff. Behind nearly every episode of seclusion we found staff errors and staff weakness—ignorance, anger, intra-staff feuds, a jailhouse psychology. Knowing this, we reduced seclusion to the vanishing point."

The study of staff-and-patient relationships soon made it obvious that many staff members experienced stresses as severe as those that tortured the patients. Attendants suffered particularly: They stood at the bottom of the hospital pecking order—poorly paid, poorly trained and subject to social discrimination if not outright abuse from other staff members.

The attendant spent hours with the patients every day, yet the doctors never consulted him about his knowledge of a patient's progress or regression. The doctors even felt that it would be a violation of medical ethics to let him know specifically what was wrong with a patient. And, though it was his duty to protect the ward nurse from violence, he was strictly forbidden to have any social contact with her outside the hospital.

In recent years the attendant has been taught that his attitude toward the patients is as much a part of the healing process as the work of the doctor or the nurse. His opinion of his patient's progress or regression is sought at staff conferences. And if he wants to date a nurse after hours, that's up to him—and, of course, to the nurse.

When it dawns on the attendant that he is looked on not just as a custodian but as an important member of the treatment team, his morale soars and his effectiveness increases. Some attendants jump at opportunities to work longer and harder with the patients. Some supervise evening activities in their spare time; others volunteer as guides and drivers, taking patients to ball games, beaches and historic sites. Some have even invited patients home to dinner to meet and socialize with their families, the doctors report.

Whenever the doctors at Boston State describe the ideal hospital employee—a man with a healing touch that transcends all medical or psychiatric knowledge, they recall with nostalgia the genius of John Moskovites. Moskovites, a roly-poly young Greek with an amiably irascible manner, was a male nurse at Boston until last year, when the Army Medical Corps commissioned him a lieutenant and sent him out to Tokyo, to practice his healing art in the military hospitals where American troops are being treated for psychiatric trauma suffered in Vietnam.

Moskovites, a doctor recalled, would go almost wild with joy when a patient with whom he had been working got well enough to be sent home. He would roll up the patient's mattress and throw it out the window. He would then tear down the iron bed and throw it after the mattress—a symbol that the patient would (he fervently hoped) never need the hospital any more.

Shortly before Moskovites left Boston for the Army, he drove me on a tour of the part of the hospital that lies to the east of Morton Street, the broad highway that divides the 200-acre grounds in half. Piled high against one building—mute tribute to John Moskovites' zeal—was a rusting tangle of old iron beds. He parked his little sports car beside a grassy square surrounded by ancient three-story buildings with iron-barred windows.

"They've been empty for months now," said Moskovites, nodding toward the two largest. "But on hot days you can still smell 'em." I remarked that the place was as quiet as a country churchyard. "It is quiet now," said Moskovites, smiling, "but just a few years ago it was bedlam—a wild confusion of people yelling and shouting and running around naked.

"A whole lot of things brought about the change. Drugs, in the first place. But mainly, I think, a lot of tender loving care. That's trite, I know. But I went over to Harvard and Radcliffe and Tufts and Northeastern and did some talking, and managed to get a lot of good kids to come in here and help us as volunteers. When I was out at Menninger's working with the disturbed children, Dr. Karl used to tell us, 'Love cures people—both the ones who give it and the ones who receive it.' I think that's what happened here."

The college-volunteer program was started in 1954, at Metropolitan State Hospital in Waltham, Mass., by a Harvard student, Larry Dohan. Today student volunteers work as attendants in more than 100 hospitals and halfway houses around the country. Nearly everywhere such volunteer aid has helped make the difference between success and failure, and Moskovites gave his eager young helpers full credit. In less than five years the population in the old chronic wards under his supervision dropped from 2,000 to less than 200, as the volunteers prepared them to go out to foster homes, nursing homes, or even to their own homes.

"We did it just by giving every patient something to do that he *could* do," Moskovites explained. "No matter how simple the task might be—even if it was just buttoning his own shirt—the fact that he could do it bolstered his ego. And we led them along that way, step by step. Not all of them responded, of course. But we didn't give up on anybody. We kept on trying. Come on."

We climbed the stairs of a half-empty building to the locked third floor. Here in a big dayroom women in various stages of undress sat staring blankly at the walls. Two nurses, watching television in the room, got up uneasily, as we came in.

"These people are just beginning to make a little progress," he said. "They are learning to dress themselves, to make their own beds. You see there are mirrors on the walls, and ashtrays, and vases of flowers. It means they're learning not to throw things. This used to be what is called a 'drag ward.' You had to drag 'em everywhere. Now they'll usually do what you tell them."

He stopped in the doorway of the long ward where the beds were lined up. Suddenly he shouted and began to run. In a corner of the ward a woman lay huddled between the beds. Moskovites ran to her, knelt down beside her, grabbed her arms and began to lift, yelling, "Up! Up! Up!" Her face began to crumple, contorting into the weird grimace of a woman weeping without tears. "Please," she begged. "Please! Please!" Moskovites tugged at her, almost manic in his anger—not at the whimpering woman, but at the attendants who had failed to notice her. "Get her up," he shouted, and they lifted her to her feet. Beneath her lay a crumpled dress. She had been on her way to the little ironing room in the corner of the ward to iron a dress—the simple task she had been assigned. The nameless horror that besets the schizophrenic had seized her and, unnoticed, she had lain down between the beds, curling into the fetal position, trying to retreat from the terrifying world into the silence and the darkness of the womb.

The nurses, taking her by the arms, led her gently to the ironing board. As they stood beside her, she straightened, looked about and calmly took up the iron. Moskovites smiled and patted her on the shoulder.

"Cruel?" he said, as we left. "No. The cruel thing would have been to let her lie there, which is what we'd have done in the past. Now I'll show you a room full of women who were once just as helpless and frightened as she is."

We drove to an old building where 34 women—all of them chronic schizophrenics, all of them once absolutely useless to themselves or to society—were busy sewing precut blouses on industrial sewing machines. Here, on a project called PROP (for Patient Rehabilitation Occupational Program), they were earning money while learning a skill. In a few months the more responsive of them would go to a home in the outside world.

Nellie, 43, gray-haired, brown-eyed, was a young and pretty woman when she came to the hospital 15 years ago. (This is not her real name; fictitious names are used for all patients mentioned in this article.) When Moskovites began his program of remotivating the chronic schizophrenics, she was foul, filthy and withdrawn. Now she lives outside in a foster home and comes back by day to work in the sheltered workshop. Neither she nor her companions could hold a job except in a "sheltered" situation. Here, though their sewing must meet a certain standard of quality, they can work at their own pace—which is about a third that of the normal outside worker. Nellie, in a week, will spend about 34 hours at her machine, and her piecework pay will average 98 cents an hour. The state supports her in the foster home. With her earnings she buys her clothes, cosmetics, cigarettes and other personal items. She goes and comes to the hospital on the bus, by herself. She is not "cured." There is no known "cure" for schizophrenia. But under mild sedation and in a protected environment, she can cope with the routine patterns of normal living. She is a useful person again. She will not die a howling lunatic on the back wards.

Katherine, white-haired at 51, with a smooth, placid face, came to the hospital when she was 22. Now she, too, was almost ready to leave, but whenever her departure was mentioned she would tremble and begin to whimper.

"She's still a little afraid," said John Moskovites. "It is a big step." He put his arm around Katherine, hugged her and patted her cheek. "She has been going out already, buying the little things she will need when she goes to a foster home," he said. "She went out the other day with Nellie and a staff volunteer. She bought a blue washrag. Nellie bought a pink one. Katherine came right back afterward, because the crowds scared her. But that's all right. Now she knows that after she goes out to live, if she gets scared she can always come back."

At Boston, with its open gates, there is a constant going and coming of patients. Some go out to work by day and come back to the refuge of the hospital by night. Others sleep in foster homes at night and come to the day hospital in the morning. In the concept of the therapeutic community, the day hospital is as important as the 24-hour custodial institution. The very fact that it does not provide bed care is one of its great advantages, many doctors believe, for the bed is an invitation to the regressed and frightened patient to withdraw still further into his world of fantasy. There are also patients who are best served by not being brought to the hospital at all. Treatment teams from the hospital—a doctor, a nurse and a social worker—go to the patients' homes for periodic calls.

These house calls by the psychiatric team were begun under Dr. Greenblatt, on the theory that the visits would give the treatment team an invaluable insight into the problems the patient faces, the forces that are destroying him. Under Dr. Cole's administration, a young social worker, Dr. David Kantor, has pushed the theory one step further. He assigns medical students to live in the home with a discharged patient and his family, thus exposing themselves to the family pressures that the patient himself endures.

Even when patients are too sick to live at home, this need not mean the severing of all family ties. Visitors are sometimes startled to see a psychotic mother with her tiny baby in her arms—a form of therapy Dr. Greenblatt introduced at Boston State after seeing it tried successfully at the Massachusetts Mental Health Center. "This was a tough decision," Dr. Greenblatt says. "It is difficult to accept the idea of allowing babies to live in wards with seriously ill adults, whose actions might be unpredictable—particularly when the disturbed mother may have hostile feelings toward the child and to her marriage. There were other dangers, too. For instance, would patients get jealous of the baby for receiving so much attention and try to hurt it?"

He opened a brown-backed folder. "Let's take a look at a case and see what happened." He read:

"Mrs. P., twenty-two years of age, gave birth to a son the day before she received a college degree. This was a bitter disappointment to her because she had wanted to go on to graduate school. It meant that her husband, also a student, and with whom she was fiercely competitive, would continue his studies without her. She rapidly became inadequate as a housewife and mother, lost vitality and became depressed and suicidal, and was hospitalized. After two months of therapy she indicated her desire to have the baby with her, and the child was accordingly admitted at age eighteen months.

"At first, caring for the child was drudgery, for it was the coming of the child which had caused all this anger and frustration. Once she burst out screaming, 'I hate it! I hat it!' Gradually, however, she discovered that she actually enjoyed being a mother, and she was rewarded repeatedly for her growing confidence in caring for the child. After six months both mother and baby were discharged, with follow-up in the aftercare clinic."

The experiment confirmed what other doctors had discovered—that the presence of the baby on the ward tended to bring out the best in the other patients. Most of them welcomed it; others took its presence as a matter of course. Those who had aggressive feelings stayed away from it. Now it is not unusual to see babies, cheerful and contented, on the wards. Their presence, Greenblatt feels, adds warmth and gentleness to the surroundings.

Many patients, less fortunate than Mrs. P., have been in the hospital so long that they have no family left outside, no home to go to. Others cannot go back to their families, for it was the abrasions of family life that sent them to the hospital. Yet they cannot live alone. The answer, as Boston State Hospital has worked it out, is a highly effective system of family care, in foster homes chosen by the hospital for their friendly, homelike atmosphere.

In Massachusetts, as in other states, the change in hospital population has followed a curious and somewhat disturbing pattern. While the older patients are moving out, admission records show, more and more young people are coming to the hospital. For example, bed patients 35 to 44 years old—the age group in which most of the schizophrenics are found—have been decreasing by three percent a year, but at the same time patients under 15 have increased by 16 percent a year, and 15-to-24-year-olds by six percent.

Recognizing this new trend, Boston State now lays particular stress on the treatment of the mentally ill adolescent. Under the direction of Dr. Anton O. Kris, some 40 to 50 disturbed youngsters 15 to 18 years old are now enrolled in the adolescent program. They live on the wards with adults—"If you put all your adolescents on the same ward they'll tear your hospital to pieces," Dr. Kris says—but they spend their days together, in a program of intensive treatment. Two old buildings left empty by the decrease in adult patients have been renovated with the help of the youngsters themselves into a community house with playrooms, work shops, a lounge and a place to dance. Classes are conducted by teachers from the Boston Public School System, and there is an active program of sports for the young patients.

"The main thing we do here," says Dr. Kris, "is to go deeply into the background of every disturbed child that comes to us. Many of our kids come from impoverished or broken homes. When we have finished our study, we know the pressures and distractions a youngster has had to endure and, by understanding him, we are able to teach him to understand himself. For instance, if a boy knows why he has strange angry moods of rebellion, he can begin to control them, and he will not let them wreck his life."

Teen-agers are among the most difficult mental patients to handle, and the professional attendants are not always as gentle and understanding with them as Dr. Kris would like. Dick Sullivan, a stocky, amiable student from Northeastern University, recently described his experiences with a schizophrenic 17-year-old named Betty:

"One thing about Betty was that she was a terribly strong girl. She got hold of some glass one day and cut up a few of the attendants. She also broke a chair over someone's head. They tried to tie her down in the ward, but she got loose and ran outside. They finally caught her in the reception building where I was and asked me to help bring her back. I tried to explain to her that everything would be OK, but that she had to be good and not try to run away. She was pretty scared, but did what I asked. I found out that if you could calm her down, she was really a sweet kid—but no one would take the time with her. When I finally got her back to the ward, they immediately put her in seclusion, in an empty room with a single window. I remember one of the attendants yelled at me from down the hall, 'Don't leave that damn girl in here—we don't want her.'

"Some of the attendants really care about the patients. Others . . ." he shrugged. "It's definitely not all good here by a long shot."

This of course is true. Despite its effort to recruit humane attendants and enlist the aid of volunteers with the dedication of a Dick Sullivan, Boston State, like every other mental hospital, is still desperately short-handed. Frequently on the wards at night one young and perhaps very frightened attendant will be looking after 100 patients.

Not only because of the multiplicity of its programs but also because Boston State is an open-door hospital, it needs a high staff-to-patient ratio. Many patients who behave very well when they go out in a small group under the supervision of an attendant get in trouble when they go out alone. One patient traveled across town by taxicab to punch her mother in the nose, and then asked her mother to pay for the cab. Another, who was in the hospital for shooting her mother, went home and took a potshot at her father. Men patients, after visiting the nearby taverns, sometimes come back and take a swing at an attendant. Dr. Cole, however, has no intention of locking the gates that his predecessors opened, because he is convinced that the difficulties are more than offset by the good it does a patient to know that he is not imprisoned, that he is free to come and go. There are, of course, a few patients on every ward—roughly 200 in the whole hospital—who cannot be allowed to go out. As soon as additional help becomes available, Dr. Cole will bring these patients together in a special security unit where they will receive intensive treatment even though their freedom is restricted.

Boston is not unique in what Dr. Cole calls its drive to "jazz things up, to let a thousand things happen and to try to stimulate new ideas." All across the country the same ferment is taking place. New York, Connecticut, California and Massachusetts still lead the nation in the quality of the psychiatric care they provide, but with the help of a great increase in research grants, even the worst states are now showing considerable progress.

There are still some bad hospitals, and some bad wards in good hospitals. Across the country, though, the old snakepits are vanishing, as public compassion and concern have their effect on state legislatures. But there are still horrors a plenty, and by a tragic paradox one of the foulest of these, despite desperate efforts to improve, is located in the American city that was once the most humane and progressive in its treatment of the mentally ill. In Philadelphia in the 1790's, Dr. Benjamin Rush raised the treatment and study of mental illness to the level of a science for the first time in the United States.

The American Psychiatric Association was founded here in 1844, and the city today is the site of five of the leading psychiatric hospitals in the country. But they are for those who can pay for treatment. The remainder must look to the state hospital, known as Byberry, which over the years has been allowed to regress almost to the status of another Bedlam (the original Bedlam was St. Mary's of Bethlehem, a London asylum of the 16th century). After generations of neglect by a rural-dominated legislature, Byberry only recently has started to become again a place of healing, under the vigorous administration of a new superintendent. Dr. Daniel Blain, one of the country's outstanding psychiatrists.

Dr. Blain came to the hospital as the result of a survey conducted two years ago by the National Institute of Mental Health at the request of the Pennsylvania Welfare Department. The 12 distinguished psychiatrists and hospital administrators on the survey team looked into every aspect of Byberry, denounced it as medieval, and recommended as a first step that a top-flight psychiatrist and hospital administrator be appointed.

At first glance Byberry looks little like the pesthouse described in the confidential report. Located in an industrial section in the northeast corner of Philadelphia, with its 110 red brick buildings scattered over 1,100 acres of trees, shrubs and well-tended lawns, it could be the campus of a somewhat shabby New England prep school. At the time of the NIMH survey, however, 6,100 patients were crowded into quarters built for 4,200. They were tended by 1,800 employees, giving the hospital the lowest staff-to-patient ratio in the state. Of the professional staff, moreover, only 50 were doctors, and only six of these were psychiatrists certified by the American Board of Psychiatry and Neurology. Ten others had some training in psychiatry, and there were 85 registered nurses, though this number had decreased to 69 by the time Dr. Blain arrived.

As superintendent, Dr. Blain, a tweedy, quiet-spoken, vigorous man of 69, still faces an uphill battle. Byberry's inadequacies have been fully publicized—most recently an assault of a woman employee, a suicide, and an accidental death in the hospital, all of which might have been avoided if there had been more staff supervision, attracted wide attention. But the legislature at Harrisburg has been frugal in its support. When Dr. Blain took over in October of 1966, he made an immediate survey of the hospital's needs. He asked for 1,759 additional people—psychiatrists, psychologists, nurses, therapists, social workers and attendants—all of whom he needed desperately. He got 400 attendants. He asked for an operating budget of $25 million. He got $19.7 million. He asked for $33 million in capital funds to build new buildings and to remodel old structures that were falling apart after 18 years of neglect. He got nothing.

The shortages in professional staff still exist. Dr. Blain needs 150 psychiatrists. He has 20 doctors working in psychiatry. Only six of them are certified by the American Board of Psychiatry and Neurology, and three of these six are administrators who give no therapy. He has 7 clinical psychologists but needs 40. He has 70 registered nurses but needs 300.

These shortages still exist in spite of the criticisms in the NIMH survey report, which said, in effect, that Byberry was a throwback to the snake-pit era.

Once the door slammed shut behind a patient, he was stripped, bathed, deloused, given a series of shots, issued drab hospital clothing and assigned to a ward where he might remain with only a modicum of treatment until he died. Most wards, the report noted, were so shorthanded that patients were often kept quiet by heavy doses of tranquilizers and by electric shock. There was little effort at group therapy and none at individual therapy. Due to the shortage of staff, seclusion was used extensively to control agitated patients, and it still is, though under Dr. Blain its use has been much reduced.

It is in the detention areas that the lay visitor feels the full impact of what it means to be a patient in a mental hospital. Here there is no furniture—just the oilcloth-covered mattress lying on the floor, the naked light bulb high out of reach in the ceiling. Only the eyes of the patient can be seen, at the little glass- or wire-covered peephole in the door of the tiny seclusion cell, and his voice comes through the locked door as a shrill scream or a mindless babble. When a nurse opened one of these doors, a gray-haired woman was standing there completely nude. The nurse covered her with a blanket.

"How long have you been in the hospital, Mary?" she asked the woman.

"Six weeks," the woman said.

"She has been here ten years," the nurse said, closing the door. "She could go home if she had anyone to take her. Knowing that her family won't take her back sets her raving. For her own safety, we have to put her here."

No help was sought from, or offered by, the community, which in most other cities provides some small amenities for the patients in their nearby mental hospitals. In every ward at Byberry the surroundings were bleak. The dayrooms were cattle pens where blank-eyed men or women sat and stared into space.

A *Post* researcher, on a visit to the hospital a few days after Dr. Blain's arrival there, gave his description of a geriatrics ward:

"The thing that shook me was the noise. I somehow hadn't expected this wild babbling, jabbering, shouting, chattering and mindless moaning. For the first time I understood what the word 'bedlam' meant.

"All around us as we stood in the middle of the room were the old men, bony, withered of body, their skin yellow as parchment. Over the whole place the strong smell of urine hung like a cloud. The noise, the smell, the horrible sight of two old men, stark naked huddled in their wheelchairs, stunned me. Involuntarily my mind shut out the dreadful scene, I turned desperately to a nurse. All I could think to ask was, 'How much do they pay you to work in this place?'

"She thought for a moment. 'We got a raise not long ago,' she said. 'Now I get one hundred and twenty-four dollars every two weeks.'

"As I was leaving the ward, a doctor asked if I had seen the old man who huddled in a corner with a sheet over his head. I hadn't. But I had seen the crippled man who came sidling toward me on his hands and knees with a hideous crablike motion, his hands slipping in the filth of the floor, his voice a strange gobbling sound.

The old-women's ward was even more hideous, for it was their lunchtime and they sat about, some of them stark naked, dipping the soupy food—it looked like beans, rice, meatballs and ice cream—from their trays with their hands. A few could feed themselves with a spoon. Two attendants, harassed, impatient, their uniforms smeared with spilled food, were feeding others who spat and struck at the spoon like children.

"A doctor told me that many of these people should never have been sent here at all. They could have made it very well in the protected surroundings of a nursing home. Here they have gotten worse instead of better.

" 'There are two thousand geriatrics cases here out of six thousand,' the doctor said. 'It's a case of everybody's grandma being sent up to the Funny Farm to die. They don't belong here but in Riverview, the county home for the aged. But when Riverview fills up, some Philadelphia doctor writes on their charts: Chronic brain syndrome with psychosis. When he adds, *with psychosis*, we have to take them.' "

The tragedy of Byberry is that, with a little money and a little help, many of these living vegetables might long ago have been transformed into human beings again, able to live under sheltered conditions outside. A small rehabilitation unit, functioning under a federal grant, carries on within the hospital itself a program of intensive treatment which in eight years has returned some 800 patients to the community, where 550 of them have managed to remain for three years or more. But, with a hospital population of nearly 5,000, an average of 100 discharges a year is not much to shout about. Byberry's routine therapy is now doing about as well.

By working his staff people almost beyond their endurance, Dr. Blain in the past 18 months has reduced Byberry's bed population from 6,100 to 4,850. He expects to move out another 1,000 to 1,500 in 1968 if federally supported social workers in Philadelphia find places for them in nursing homes, foster homes and geriatrics centers. By concentrating on new patients, the hospital has been able to send them out in three months, on the average, a creditable record.

"We have begun to function as a treatment center, not a warehouse," Dr. Blain said. "But I very much doubt that we can keep up this pace much longer without an increase in staff. The people we have are working twenty percent beyond their capacity.

"Also, the patients we have sent out were the easiest ones. We are getting down to the permafrost now, where it's like chipping ice with a spoon. Every tiny advance, from here on, will come only with tremendous detailed effort."

Shortchanging its mental hospitals is the poorest sort of false economy a state can practice, Dr. Blain feels.

"If we had been able to spend thirty-three million dollars to remodel this place, and if we had twenty-five million dollars a year to operate on for two years in a row, we could reduce Byberry's bed population to three thousand patients or less. When we reached this figure, the budget would begin to decrease. In fact, I would guarantee that I could reduce the budget ten percent a year for five years."

A custodial hospital obviously can be run more cheaply on a day-to-day basis than a treatment hospital, but in the long term it is vastly more expensive. "It's as simple as this," Dr. Blain says. "Spend twelve to fourteen dollars a day and get 'em out. Or spend five dollars a day and keep them forever." Since Dr. Blain's arrival, Byberry's per diem has risen from $5.15 to $8.20—still far from adequate.

Unless the legislature comes through in the next few years with a strong transfusion of new money, Dr. Blain thinks, it is hardly likely that Byberry can improve much further. There is, however, one bright hope for the future. Philadelphia, working mainly with federal funds, has done what he considers the best job in the country of setting up community mental-health centers. Ten are planned, with six in operation now, and they inevitably will take some of the pressure off Byberry. Plans are under way to tie Byberry in with each of these centers. By special arrangement among city, state and federal governments, the centers will pay Byberry for handling patients from their "catchment areas" who need intensive care, and the centers in turn will provide aftercare for the patients Byberry treats and sends out.

Dr. Blain does not foresee that under such an arrangement Byberry will revert to its old custodial role. It will in time become a 2,000-bed hospital, he said—1,000 for patients in intensive care, 1,000 for patients taking part in an elaborate program of rehabilitation and vocational training. There is the strong possibility that, for all its unhappy history, Philadelphia will, through its mental-health centers, become once again a model for the nation in its treatment of the mentally ill.

The variations in the amounts different states spend on their mentally ill are fantastic. At the top is Alaska, which last year spent $32.37 per patient per day (with a total mental-hospital population of less than 250); at the bottom is Mississippi, spending $3.99. Kansas, the District of Columbia, Colorado, Utah, Iowa and California all spent more than $15. Alabama and West Virginia, along with Mississippi, each provided less than $5. The national average in 1967 was $8.84.

This is not to say that West Virginians, for example, are naturally less compassionate than Kansans. In nearly every case politics and a shortsighted view of economy are to blame. Moreover, a state's concern for its mentally ill is a cyclic thing. The pattern is always the same. A new governor comes into office and he calls for a crash program of hospital reform. The legislature catches fire and money is provided, the old superintendent is fired and a new one is hired. He builds up a top-flight professional staff, and all goes well for a few years. The bed population drops, and the papers are full of praise for the new programs. Then a new economy-minded administration comes in. The hospital budget is slashed, and the administrator is forced to cut back on his therapeutic programs. Staff morale is shattered. The administrator and the top people he brought with him scatter like frightened birds—to states where a new cycle is beginning.

It is not a bad system for the nation as a whole. Top professional talent in the field of mental health is in extremely short supply, and the recurring cycles help to diffuse it throughout the country. For the states that lose their good people, however, it can be a long-term tragedy. When John Bartlow Martin wrote his series on Columbus State Hospital in 1956, Ohio was just beginning a period of hospital reform. But then in 1963 Gov. James Rhodes, taking over a nearly bankrupt state, announced that he was going to fire all hospital personnel hired by his predecessor after a certain date. He quickly rescinded the order, but the damage had been done. At the first hint of a political pogrom, many experts left Ohio.

Early in his term Gov. Ronald Reagan of California spooked many of his top people by announcing that about 3,400 mental-health personnel would be cut from the payroll. Immediately every hospital administrator in the country, including Dr. Hulusi Tuatay, then superintendent at Columbus State, got on the telephone to California.

Dr. Tuatay, a soft-voiced, smiling, deceptively self-effacing man, had been at Columbus State for nearly 10 years before he was made superintendent; and he served only 2½ years in that capacity before he was promoted to the staff of the state department of mental hygiene as assistant commissioner in charge of research and training.

In his years at the hospital, he was responsible for introducing many of the therapeutic programs that were lacking when John Bartlow Martin visited the hospital in 1956. The bed population stood at 2,700 then. It is down to 1,819 today. The huge main hospital building is still rundown and shabby, and a doctor making his rounds will walk two miles from his office to the farthest ward and back again. But the per diem allowance is up from $2.60 ten years ago to $6.80—still not enough, but an improvement. Fifty doctors, 30 of whom are psychiatrists (though only four are Board-certified), are on the staff now, compared with 18—including three psychiatrists—12 years ago, and all new patients and half of the long-term chronics are now receiving some form of active therapy. There is also an effective program of aftercare.

All across the country brilliant and dedicated doctors are using the new developments of the past 10 years—the new drugs, the new therapies, the new understanding of the needs of the mentally ill—in a massive assault on the old concepts of how a mental patient should be treated and a mental hospital should be run. These methods, though aimed at the same goals, are often surprisingly dissimilar. At Boston State the attitude is one of solicitude and gentle encouragement, a technique that works well with schizophrenics. At St. Joseph, Mo., Dr. Liam O'Brien uses methods much less tender to rouse depressed patients from their apathy. He admits that these methods may seem callous, even brutal, to an outsider, but he holds that nearly anything can be done to, or for, a mental patient if the patient recognizes that it is being done in a spirit of love and compassion.

"A depressed patient has a deep sense of guilt," Dr. O'Brien explains. "It may be real or imagined, but at any rate, it's there. And how do you expiate guilt? By penance, of course. You make up for your wrongdoing by accepting punishment. Thus, when the depressed person says to her best friend, "I am worthless, I'm a no-good,' and the friend says, 'Now, now, that is not true. You aren't a no-good at all. You are a fine, sweet person, and we all love you,' the friend actually makes the person feel worse, not better."

When a patient says to Dr. O'Brien, "I am no good, I don't deserve sympathy," he says, "Very well. Take this brush and start scrubbing the floors." But, he points out, you must do this in a loving, not a sadistic, way.

"Depressed people," he says, "are also very dependent people—they go mooning about the house, one side of them saying, 'I'm no good,' the other demanding of all those about them, 'Gratify me—gratify me!'

"We help them get rid of their sense of guilt by putting them to scrubbing floors, and we gratify them by praising them for what they have done. But there is one more step—though we praise them as they deserve it, we are never quite satisfied, we keep pushing—'There's a bit of dirt there in the corner, there's a heel mark here'—until they begin to show signs of resentment. Then we set them to work at another task, more in keeping with their background than scrubbing floors. As we push, we watch for the first hopeful signs of hostility, because justified anger is healthy anger."

A young Cuban doctor, using Dr. O'Brien's "push 'em until they push back" theory, came to Dr. O'Brien's office looking puzzled. He was not sure he was making progress with a patient, he said. The patient had called him a name, but his English was not good, and he was not sure that this was a manifestation of healthy hostility.

"What did he call you?" asked Dr. O'Brien.

"He called me a horse's ess."

Dr. O'Brien suppressed a smile. "You are making good progress, doctor," he said. "Please continue."

A thousand miles to the south, at Central State Hospital in Milledgeville, Georiga, a blunt-spoken young psychologist, Dr. Robert Francis Heap, ex-paratrooper and Ranger, is experimenting with even more brusque and demanding techniques for remotivating old schizophrenics.

"It is the job of the psychologist," says Dr. Heap, "to assess and modify human behavior, and all human beings—even those who have been judged insane—willingly will modify their behavior in ways that pay off for them."

To test this idea, he set up, in an old ward of Milledgeville, what is in effect a small socio-economic community. On Dr. O'Brien's remotivation wards, when the patient learns to scrub a floor properly, the doctor praises him and immediately sets him a higher task. At Milledgeville, Dr. Heap not only praises him, he pays him. Originally Heap used little wooden tokens sawed from broom handles. Metal slugs have now replaced the wooden currency. With these tokens the patient is required to pay for his bed, food and recreation—everything but medicine.

The first 45 "citizens" of Dr. Heap's experimental community were chosen at random from 90 dull-eyed, foul and unresponsive men living on one of Milledgeville's most regressed back wards.

The remaining 45 served as a control group. They were sent back to a typical chronic ward, there to receive only the routine custodial treatment that is all this desperately shorthanded institution can normally provide. The 45 chosen for the experiment were moved into a special ward, physically as dull and drab as any other, but operated independently of the rest of the hospital. Here they were under the close supervision of a treatment team made up of the psychologist, a medical doctor, a psychiatric nurse, a social worker, a chaplain, and aides specializing in occupational, musical, recreational and vocational therapy.

"In the past," said Dr. Heap, "most of the care and handling of the mental-hospital patient has unwittingly ecouraged passive, dependent, abnormal behavior. Our job is to stimulate him, to stir him out of his apathetic acceptance, to make him adaptive, independent, appropriately aggressive in the pursuit of worthwhile goals." One of Dr. Heap's patients immediately proved to be "adaptive, independent and aggressive in the pursuit of worthwhile goals." He got a broom handle and started counterfeiting tokens at such a rate that inflation threatened to wreck the whole project.

When the patient first comes to one of Dr. Heap's token wards—there are now five such wards—he is issued enough tokens to pay for his meals, his bed and his other needs for two days. After these are gone he must work to earn the tokens to pay for every service he receives. "The patient is taught that he must take full responsibility for his own behavior," Dr. Heap explained. "If he gets up in the morning, makes his own bed, shaves, participates in the morning exercises and shows up for breakfast, clean, neat and calm, he has automatically earned enough tokens to pay for his breakfast. If he doesn't do these things, then it is assumed that he does not want to eat. The choice is his. We don't say, 'If you don't work, you don't eat.' We tell him, 'If you want to eat, you must work.'"

Thus the patient must make a decision, and this, in Dr. Heap's theory, is the beginning of healing, for when the patient starts making decisions, he begins to make contact again with the world of reality. So far, Dr. Heap can recall no patient who has chosen to miss more than two meals in a row.

To a lay visitor, what Dr. Heap has accomplished in 18 months is impressive. To reach the T (for token) wards, the visitor must pass through a typical, old-time asylum dayroom where in the traditional moan and mutter and odor of madness, men sit like vegetables, numbed by drugs, or gabble, laugh and dance as their illness seizes them. On the other side of the locked door, in their clean, quiet, well-kept wards, Dr. Heap's patients move about busily at a dozen tasks as they work to earn their tokens. They have at least curbed the symptoms of their illness, and by controlling their conduct, they come nearer to the day when they can walk out of the hospital door. "No man," says Dr. Heap, "can help *being* crazy. He can help *acting* crazy."

Dr. Heap does not claim his patients are cured when they leave the hospital. No doctor who works with mental patients will use the word "cure" in the absolute sense. But his patients do show a remarkable capacity for keeping themselves under control, for adjusting to life in the world outside. The ward records tell a dramatic story: to date, 251 patients have been treated in the T-wards. Of these, 74 percent improved enough to be sent home, and only 19 percent of those discharged have come back. For the hospital as a whole, the relapse rate is 52 percent.

Techniques developed by Drs. O'Brien, Kris, Heap, by Mr. Moskovites and others experimenting with new approaches, will in time alter the pattern of patient population. Schizophrenics, with their withdrawal from reality, their inner fantasties, their delusions, hallucinations and bizarre posturings, now make up 20 percent of all the new admissions to mental hospitals and 30 percent of the readmissions. They are usually young—their average age is 34—and comparatively healthy. As a result, their death rate is low, and they tend to accumulate. Today, therefore, while half the beds in all U.S. hospitals are occupied by mental patients, half the beds in mental hospitals are occupied by schizophrenics.

The next largest segment of mental-hospital admissions is composed of patients suffering from such ailments as cerebral arteriosclerosis and senile brain disease. Their death rate is high, but their release rate is so low that they, too, tend to accumulate. They account for nearly one fifth of the present mental-hospital population.

Many of these patients should never have been sent to a mental hospital in the first place, for there is little that the psychiatrist or the psychologist can do for them. They need a medical doctor, a nurse and, above all, a friend. At huge Colorado State Hospital on the edge of the arid plain outside Pueblo, the senile patient may find all three of these in the person of one man. Dr. Augustus Davison is a short, tweedy, pipe-smoking man with steel-gray hair and sharp blue eyes, a harsh-voiced sentimentalist with a brusque manner, and a special talent for handling the troublesome and cantankerous oldster. Dr. Davison is an M.D., not a psychiatrist or psychologist—he pretends not even to understand their language.

"What do you mean by 'psychiatric treatment'?" he asks. "I don't know—unless it's a patient under the influence of Sodium Pentothal, lying on a couch dredging up memories of his childhood while a doctor listens and a tape recorder takes it all down. So, let us take a look at one of our geriatrics patients. He's an old man, nearly deaf, with swollen feet, a failing heart and an inability to control his bladder—plus, perhaps, a schizophrenic reaction of forty years' duration. What can a psychiatrist do for him? Nothing. The psychiatrist wants to treat a person perfect in health except for a touch of schizophrenia. He takes one look at my old guy and surrenders.

"Ten, fifteen years ago," Dr. Davison says, "I felt that way myself. I had the feeling that a geriatrics patient was hardly worth fooling with—no mind, no hope, no future, and a feeble body that was really no challenge to the doctor.

"Then, for some reason—maybe as I, myself, grew older—I began to understand that a day in an old man's life is as important as a day in the life of a child, and that there must be depth and breadth to life, as well as length of days. So, the challenge *was* there—to the doctor and the nurse and to everybody who had anything to do with the senile old—to bring some beauty, some joy, some usefulness back into the lives of these people who have, in effect, simply been stowed away to die."

Dr. Davison starts by trying to make his patients physically comfortable. "Some of them come in here as bedfast patients," he says, "complete with bedsores and catheters. I say to a man like that, 'Mr. Johnson, wouldn't you like this damned catheter pulled out of you so you can get up and try a walker, or a wheelchair, or get some strength back in your legs and arms? Wouldn't you like to try to put your own clothes on, and wouldn't you feel better getting up and going to the table with the others?' We let him know by our words and actions that we think he can do these things. And he does try. So, out of three hundred and ninety patients in our geriatrics division—and they range in age from sixty-five to one hundred and five years old—only six are bedfast. There is not a catheter in a single patient. I take a very dim view of any institution which resorts to this scurvy trick to keep the sheets dry."

Once his patients are made comfortable with the drugs and medicines that will alleviate their physical ailments, Dr. Davison tries to find whatever hidden reserves of strength they may have left. "We lay out programs for them in group therapy, in occupational therapy of various kinds," he says. "We keep them busy doing something that we hope they like to do. Every night there's something—church, movies, a party, a dance. We let them cook and serve their own meals.

"I know of no patient who cannot, if he tries, do something useful for himself, or for those about him," he explains. "The aged patients come in here with a great feeling of uselessness. They have a great wish to isolate themselves; they hope they'll soon be dead. We explain to them that it is natural and normal for people who have been busy all their lives to find it difficult to adjust when their working days are over. But we let them know that we think elderly people *ought* to be able to take things a little easier, to withdraw from responsibility, from crowds and rush and hurry. They have a right to a gentle disengagement from life.

"Then we try to create in them the feeling that they are still needed, are useful to somebody, that they are entitled to dignity and respect. And when they are cast in the role of a needed, useful, respected person, they rise to the occasion."

In 1961, when Colorado State formed its Geriatrics Release Program, there were 2,400 patients at the hospital who were past the age of 65. By the end of 1967 there were 390. Dr. Davison, who came to Colorado State in 1965, modestly says that his only contribution was fighting to bring medical care "to a level good enough for my relative or yours."

Pueblo, Milledgeville, St. Joseph, Boston—all are relics of the past insofar as physical plant is concerned, although using modern techniques. North of Pueblo, in Denver, lies Fort Logan, a shining new prototype of the mental hospital of the future. Only its spacious tree-shaded lawns bring to mind the classic asylums of the past. New one-story buildings of glass and steel, with no bars at the windows, are scattered in clusters of "family units" around courtyards bright with flowers. In these separate cottages the mentally ill of all ages and both sexes live on wards separated only by a common dayroom.

With a staff of 720 employees and 1,336 patients—only 198 of whom are on 24-hour care—Fort Logan is one of the most heavily staffed state hospitals in the country. Even so, it makes much use of the patients themselves, and it allows them to know what illness afflicts their fellows. When the day patients arrive to join in the day's routine of therapy with those on 24-hour care, the nurse in charge of the resident patient reads aloud how each of them has passed the night—giving special attention to those who showed signs of anxiety and hostility. These briefings give the day patients a clue to how they should conduct themselves in the presence of the disturbed patients.

Trusted patients are used to guide those still needing help to the various therapy areas. The older people, particularly, help each other; it is a common and touching sight to see them walking together—old men, old women or old couples—hand in hand like children. A conversation I recently overheard between an older woman, very nearly ready to graduate to day-hospital care, and a younger woman, bovine and withdrawn and still hallucinating, reveals how one patient may help another.

Older Woman: My voices are gone. I don't hear them any more. Do you?

Younger Woman: Yes. And I am glad.

Older Woman: Why?

Younger Woman: Because I like them. They keep me company.

Older Woman: Yes, but you are much better, for you don't scream back at them any more.

At Fort Logan, built and organized in 1961 in keeping with recommendations of the Joint Commission on Mental Health, there is a wide range of facilities for therapy—everything from basket weaving and basketball to the soul-searching agony of the psychodrama, in which the patient is induced to re-create, in dramatic form, the situations that drove him mad. There are no restraints other than the sedative effect of drugs, and these are administered sparingly. The treatment team may consist of as many as 21 people, including a psychiatrist, a psychologist, two social workers, nurses, and occupational and recreational therapists. Each team will be responsible for approximately 100 patients, about half of whom the team will see and work with every day.

There are some patients whom Fort Logan, as an "open-door" hospital, does not take—for example, those committed under criminal charges. And in the beginning it would not take persons in crisis, though it now has a Crisis Intervention Service on duty around the clock which responds to calls for psychiatric assistance. The patient in crisis is treated with great gentleness. Some months ago, as I was being shown through the immaculate wards and corridors, I heard a thin, wild screeching like the cry of some tropical bird, coming from behind the closed door of an office. A tiny, wild-eyed, toothless little woman, her black hair flying, was struggling in the arms of a woman doctor, screaming in the toneless voice of the deaf: Hel-l-l-p Murdah! You are a thief. You want my money." She clawed with long fingernails at the doctor's eyes. A nurse came to help, and the two of them led her away, still screaming.

Her story, when it came out, revealed her as typical of the lonely old. Her husband, a successful businessman, had died years before, leaving her fairly well off. For a while she had lived well and pleasantly in her own apartment, then in a boardinghouse of the better class. As time passed however, she became more and more convinced that her money would not last, that she would die a pauper. Though this was not true, she began a series of moves, from one cheap boardinghouse to another one cheaper still. When the police finally brought her to the hospital, she had been living in a tiny room in a Denver slum, going out at night to ransack garbage cans for her food.

Later that same day I saw her again. She was clean and quiet, under sedation. Her hair had been combed, and there was a ribbon in it. She was sitting in a chair with a restraining table, which prevented her from getting up, though she was free to move her legs and arms. Her eyes were glassy and unfocusing, but contact had been made. The woman doctor she had fought that morning stood beside her. When the doctor started to move away, a bird-claw hand reached out. "Don't leave me," the woman croaked.

Two days later, still in the chair, but under less heavy sedation, she took part in a group-therapy session in which the therapists were seeking to bring a mixed group of patients back to contact with their surroundings by passing around objects of various shapes and textures. For the women, there were bits of cloth—a bright print, a rough grained corduroy, a lush, soft piece of crimson velvet. As they put the velvet on the old woman's lap, her hands, all blue veins and bone, reached down to touch it. Her fingers caressed its softness, and in the drug-dimmed eyes there seemed to flicker a gleam of light.

"Maria likes the pretty velvet," the therapist said. The group sat silent, watching or dozing or staring blankly at something else. The toothless lips moved, and the neck muscles jerked with the effort of speech. The voice came harsh as a parrot's squawk—"I . . . had . . . dress . . . like . . . this. . . ."

A psychiatrist, watching, smiled. The old woman, wild with terror a few days before, was coming back to contact with reality. Her prognosis: pretty good. Within a few weeks she would probably be communicating as well as her deafness allowed. In time she would go out to a nursing home.

Would she return to the hospital? Would the old fears come back, that people were trying to rob her, that she would die a pauper? Perhaps. That is the risk an open-door hospital must take—that it may send some patient out before he is ready.

"Every time we let one go out, we know we are taking a gamble," said Don Snapp, administrative assistant to Fort Logan's director. "It really shakes up a team when it judges wrong and sends smebody out too soon. You see them leave, full of hope, strength and confidence—and you feel there's no job in the world as rewarding as this. And the you see them come back in, filthy, screaming and cursing, or dull-eyed, wooden, withdrawn. It breaks your heart. But you have to give them their chance, even if nearly a third of them do come back. There's no stigma attached to readmission."

The effort to get people out of the hospital and into the community is now being matched, in some areas, by a determination not to admit them in the first place unless they clearly require the special facilities of a mental hospital. For four years—until his recent assignment to other judicial duties—Judge Joseph Karesh of the San Francisco Superior Court stood as a watchdog between the patient and the mental hospital. A chunky, owlish, soft-spoken ex-South Carolinian with a crew cut, Judge Karesh was appointed Judge of the Psychiatric Court in 1963.

"At that time," he says, "the judge held his hearings in the ward at the county hospital. The poor sick people stood there in their pajamas while the doctor read the record to the judge. Whatever the doctor recommended, the judge so ordered, and nearly every time the order was a commitment to the asylum. The people being sent away didn't have any idea what was happening to them. Sometimes they didn't even know where they were, or who I was, or why I was asking all those questions. The first hearing I held, a patient socked me in the jaw."

Once during a visit by Judge Karesh's father, a rabbi from Charleston, the judge took him along to watch the commitment process.

"One of the patients to come before me was an old, old man," the judge says. "I remember now how pitiful he looked standing there, barefoot, in that old, blue-denim robe. After the hearing, my father didn't say much. But not long after that, he had to go to a hospital himself, for an operation. He was 83, and when I went to see him there, he called me to his bed. When I bent over him, he whispered, 'Son, what happened to that old man?'

"I realized then what a dreadful thing we were doing. I refused to go on the wards any more. I had a courtroom set up in the hospital, though the doctors didn't like that at all. And I said that when a patient was brought to me he was to be dressed. He was to have with him any witnesses he wanted, and a lawyer if he wanted one. I wanted him to know that, crazy or not, he was entitled to his day in court.

"I remember a guy they picked up downtown raising hell, and his record showed he had 'been in Napa' (site of a big state hospital) and that he was 'under the delusion' that he was the manager of a prosperous business.

"Well, a little questioning showed he had 'been in Napa,' but not in the hospital. He lived there. And he managed a prosperous business there. He wasn't crazy, just drunk, but he came within an inch of being committed."

There is no danger that patients who get their day in a court like Judge Karesh's will be committed by accident. The judge listens to the doctor and then, with great sympathy and patience, questions the person brought before him.

"You need to understand what's going on," he says. "You'll find a woman trying to get her husband committed just to get rid of him, and vice versa. You'll find parents trying to get the courts to put away an unruly child. And you'll find children trying to turn the state into a baby-sitter for their aged and dependent parents.

"You don't have to be a psychiatrist to understand people," said the judge. "I know I take a terrific gamble sometimes, when I refuse to commit. I'll tell you this, though: If a man says he's afraid he's going to hurt somebody, I take his word, not the doctor's."

On the "bench" in his little improvised courtroom at the hospital the judge's manner was infinitely gentle.

A little black-haired woman, neatly dressed, came in on the arm of her father, a short, red-faced, well-groomed man who walked with dignity, as if he were giving a bride away. She seemed to be in her late or middle 30's, but there was something childlike about her. The record showed that she had been picked up late at night, barefooted, banging on the doors of St. Cecilia's church. She realized she needed help, her father said, and wanted to be committed voluntarily—meaning that she could leave the hospital after seven days, whether or not the hospital felt she was ready to go.

"I wonder," the judge said musingly, almost to himself, "if she has the capacity to make that decision."

"I have every capacity," she said. "You want me to tell you where I first met you? You were on the corner dispatching cabs. I know everybody. I know all the saints by name, all the fallen angels, all the good angels."

The judge glanced down at the paper in front of him. "Your name is Barbara," he said. "Barbara means 'Blessed.' "

"Yes," the little woman said. "It also means 'strange.' " She grabbed her father's hand and kissed it. "I am a strange, blessed child. I want to go home now, to my mother."

"Her mother is dead, Judge," her father said quietly.

"You go out in the hall and talk to your father for a minute," the judge said. She went out with the little man, leaning on his arm.

The judge shook his head. "I'll have to commit her," he said sadly.

One after the other, the pitiful parade passed before Judge Karesh, 14 in all. Two patients were too ill to be brought into court. The judge went to them on the ward. One, an old woman with white hair turned stiff and yellow, was trying to draw a ragged stocking over a swollen, blue-veined foot. "I'll get ready, I'll get ready," she kept saying.

"Keep her a few days," Judge Karesh said to the nurse. "She doesn't need a hospital. She needs a nursing home."

Then the judge went out. "The pitiful thing," he said, "is their helplessness, their utter helplessness. . . ."

Americans have not always shown this deep concern for the "utter helplessness" of the mentally ill. Colonial America brought from Europe the false belief that insanity is incurable except by bleeding, beating, blistering and purging the patient to make the evil spirit that possessed him so uncomfortable it would go away. There was no attempt at gentler therapy. The wealthy insane were kept locked up in barns or attics by their families; the poor were left to roam the roads, harried from town to town like dangerous beasts, or were shut away in almshouses, or simply put in jail.

This attitude began to change in the early days of the Republic, again following the lead of Europe. In 1792 Dr. Phillipe Pinel unchained the madmen in the asylums of Paris. In England four years later William Tuke founded a Quaker hospital called York Retreat, where insane patients were housed in a family environment and treated as guests. No harsh treatment of any kind was permitted, except the occasional use of a straitjacket or seclusion, to control a manic patient.

America for a time adopted and improved upon these humane methods, but the era of loving-kindness did not last long. A fiercely competitive industrial America soon forgot what a pastoral and rural America had discovered. Recognition of the madman as a human being had led to the building of the huge old asylums that still stand by the score all across the country. Their original purpose was to restore the mentally ill to health by compassionate and understanding treatment, but under the pressures of an increasingly complex and materialistic society, this goal was abandoned. The asylums became vast warehouses where the insane, the senile, the brain-damaged and the retarded were hidden away together and forgotten.

In the past decade or so we have started to realize again that the mentally ill person is a human being, and that—but for the grace of God—he might be any one of us. This realization, coupled with new therapeutic techniques, has brought a long-absent hope to those so afflicted—not everywhere, by any means, and not in every case, but more and more widely, more and more often.

Today hospital people estimate that one third of the nation's mentally ill, including nearly all those admitted to the hospital for the first time, are receiving good-to-excellent care. Of the remainder—the older, more difficult cases—about a third are getting moderately good care. The others, nearly half of the total, are still getting nothing much except token therapy and perhaps a somewhat more compassionate form of custodial care.

We have come a long way in the years since John Bartlow Martin wrote his classic INSIDE THE ASYLUM. There is still a long way to go. In 1956, when a doctor walked through the wards and a patient grabbed his arm, and, pleading, asked, "Doctor, when can I go home?" the doctor automatically answered, "Tomorrow," knowing that it was a lie. Today he can truthfully say it to thousands of patients, for, in the words of Dr. Charles E. Meredith at Pueblo, "Tomorrow comes more often now." But until we can hold out that hope to all those still hidden away in all the mental hospitals of the nation, the job is not finished. Until it is, each of us must bear in shame a share of the guilt.

THE NEED TO INCREASE TAXES

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, it is essential that this Congress pay more attention to the dangers of inflation which threaten our economy. The Congress must take the necessary steps to prevent the damaging blows of inflation. And obviously, the quickest and the most effective solution is an increase in taxes.

Certainly, higher taxes are something most people want to avoid. But this is really a case of accepting something bad before something worse is forced on us. And certainly, ruinous inflation would be much worse for the country than an increase in taxes.

SIPHON OFF EXCESS PURCHASING POWER

We do have the economic means and the knowledge to stop inflation. It has been proven beyond a doubt that excess purchasing power can be effectively siphoned off through an increase in taxes. And by this process of siphoning off excessive purchasing power, we can prevent the onslaught of high prices and inflation. We should act now to start this siphoning off process in motion.

TOO MANY DOLLARS CHASING TOO FEW GOODS CAUSE INFLATION

Mr. Speaker, the word "inflation" is often misused and undoubtedly this fact has created much confusion around the country. But to simplify the question, I think that we should define inflation as too many dollars chasing too few goods. This is a thumbnail and simplified definition but it is descriptive of the situation which we may be facing in a very, very short time.

As I mentioned earlier this week, the tax increase as proposed by President Johnson is not excessive. It is a reasonable request and one which will not impose an onerous burden on any single taxpayer. We had a substantial tax reduction a few months after President Johnson took office and the increase that is proposed now will actually restore only about two-thirds of that reduction.

TAX INCREASE SHOULD BE ON FULLY GUARANTEED BASIS

As we restore the taxes which we previously removed, I hope the Congress will act in a manner which will protect the low-income family. The tax increase should be imposed in such a manner as to be fully in keeping with the principle of graduated income taxes. When we talk about siphoning off purchasing power, we do not mean to siphon off more of the already limited funds of the low-income wage earner. So, I hope that the tax writers in both Houses will take extreme care to impose this tax increase on a fully graduated basis.

Mr. Speaker, the tax increase is basically needed to prevent inflation, but it is also required so that we may finance our domestic programs and the war in Vietnam without huge deficits. These programs—both at home and abroad—are necessary to the future of this Nation and I am convinced that the people are willing to pay for their continuance.

TAX INCREASE NOW COULD STOP FIXING PRICE AND WAGE CONTROLS

A tax increase is also needed if we are to prevent an economic situation which would call for the imposition of wage and price controls. Wage and price controls should be imposed only as the last resort. I had much experience with wage and price control legislation during World War II and let me assure my colleagues that a tax increase is much more preferable than the heavy difficult burden that would fall on everyone from wage and price controls. We would, in effect, be attempting to set 10 million different prices and wages if such legislation had to be considered by the Congress.

Mr. Speaker, effective wage and price control is extremely difficult if not impossible to administer. Wage and price controls would undoubtedly bring on a massive black-market operation in this country which would be run by the hoodlum elements. It would be impossible to effectively police wage and price controls and, as a result, the black market would flourish to the detriment of everyone. The profiteers would have a field day under such a system.

A tax increase, effectively applied now, will prevent such a situation from developing in this country. It will help protect against an economic situation which would encourage the black markets and the profiteers.

Mr. Speaker, I hope that this Congress—before too many weeks pass—will heed President Johnson's repeated warnings about the need for a tax increase. Conditions are proving that President Johnson has been right all along on this tax issue. It is time the Congress acted.

U.S.-FLAG MERCHANT FLEET

Mr. DOWNING. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. DOWNING. Mr. Speaker, I have just introduced a bill which hopefully would provide a new financial approach to the problem of renewing and enlarging the active U.S.-flag merchant fleet to meet evident national needs. Everyone agrees that our country should have a first-rate maritime fleet, but the problem of funding such a project is always with us.

The plan is known as "FIRST," meaning "fleet in readiness status today." I would hope that the various Federal agencies would study this unique proposition and render their reports to the House Committee on Merchant Marine and Fisheries as soon as possible.

There is growing recognition that:

First. The present reserve fleet is old and unsatisfactory; the military services require flexible new ships available in emergencies, with trained crews aboard;

Second. The construction program for the subsidized lines is inadequate to build a fleet sufficient for defense needs, as the Vietnam crisis proves;

Third. Unsubsidized U.S.-flag lines have no economical way to replace their fleets, which are reaching the end of their useful lives;

Fourth. The costs per ship of construction and operation under present subsidy programs are far too high;

Fifth. The U.S.-flag fleet is insufficient to carry even a minor share of our foreign commerce, thus contributing to the balance-of-payments crisis.

The FIRST plan would begin with the building of at least 100 vessels—at least 50 liner-type—over the next 5 years by private unsubsidized operators. These ships would be privately owned and financed. They would be leased to the Government on 20-year Government bareboat charters, at a hire sufficient to pay off principal cost of the ships and interest over the 20 years.

These 100 or more ships, privately owned but Government-chartered, would be the Active National Reserve Fleet. They would be kept active in regular commercial service by immediately subchartering them back to the private unsubsidized operators for private operation on an incentive profitsharing arrangement. The Government's profit share would, of course, reduce the cost of the program, and the Government's share could be used to fund a continuing fleet expansion.

The FIRST plan has a number of immediate and future practical advantages. Most important, it would add at least 100 newly built active ships to the merchant marine, to be kept fully manned, operating and earning in peacetime. In a military emergency these ships would be instantly available. This is a far better arrangement than depending on a rusting laid-up fleet with no trained crews available in war because the men were not employed in peacetime.

The addition of 100 active and earning ships to the American merchant marine would have a substantial favorable effect on our balance of payments.

Because the plan would spread the Government's share of the cost of ships over 20 years, there is an immediate budget advantage. For 50 liner-type ships the net cost to the Government would be only $30,000,000 a year, and in the first year of the program, when only a fifth of the fleet is built, the initial group of liners would cost only $6,000,000. In contrast, construction subsidy under the 1936 Act is all paid at once, at the beginning of a ship's life, which presents a major budget problem.

The FIRST plan is a supplement to, not a substitute for, subsidized operations under the 1936 act. Over the life of the ships, the FIRST plan would cost 30 to 40 percent less per ship than the total of operating and construction subsidies under the 1936 act. The plan allows presently unsubsidized U.S.-flag operators to continue in existence with modern ships to operate, at a substantial total saving to the Government.

Existing investments of both unsubsidized and subsidized lines would be protected. While the FIRST plan encourages the survival of unsubsidized companies, it is completely fair to the presently subsidized lines. The opportunity would be open to the subsidized lines to bareboat charter their ships to the Active Reserve Fleet, and charter them back for unsubsidized operation if they prefer the opportunities and risks of business without Government supervision. Not the least benefit of the FIRST plan would be the opportunity to compare the results of the two types of operation.

SUSPENSION OF EQUAL-TIME REQUIREMENT

Mr. VAN DEERLIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. VAN DEERLIN. Mr. Speaker, I am today introducing legislation to suspend the so-called equal-time requirement from the Communications Act for the duration of the upcoming presidential election campaign.

I believe the withdrawal of President Johnson from the presidential race has made this action desirable.

If we now permit the equal-time rule to remain in effect, we will be needlessly handcuffing broadcasters and denying the public an opportunity to see and hear a free exchange of views by the candidates for the highest offices in our Nation.

Understandably, an incumbent President would be most reluctant to elevate his opponent by engaging in a televised debate with him. But nonincumbent candidates should have nothing to lose by participation in such discussions—and the voters everything to gain.

I think we all recall how enlightening the Nixon-Kennedy debates were during the 1960 campaign. Both candidates were willing to subject themselves to the scrutiny of many millions of their fellow citizens. In so doing, they generated an enormous amount of public interest in the race.

These great debates could not have taken place, of course, if the equal time provision had applied to the 1960 campaign. If the requirement had remained in force, the networks would have had to provide similar forums for all other presidential candidates, regardless of how trivial the parties they represented might have been.

In 1964, the situation was entirely changed. An incumbent President was seeking reelection. Sharing a platform with his principal rival could not be seriously considered.

But this year is different, and the principal candidates should be given the opportunity to test their mettle in direct confrontations with each other.

As a member of the Communications

Subcommittee, I would like to urge the support of all my colleagues on both sides of the aisle for the legislation I am offering today. Since time is now of the essence, I shall work to obtain early hearings by my subcommittee on this proposal.

My bill follows:

H.R. 16406

A bill to suspend the requirements of section 315(a) of the Communications Act of 1934 for the period of the 1968 presidential and vice presidential campaigns

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) that part of section 315(a) of the Communications Act of 1934, as amended, which requires any licensee of a broadcast station who permits any person who is a legally qualified candidate for any public office to use a broadcasting station to afford equal opportunities to all other such candidates for that office in the use of such broadcasting station, is suspended for the period of the 1968 presidential and vice presidential campaigns with respect to nominees for the offices of President and Vice President of the United States. Nothing in the foregoing shall be construed as relieving broadcasters from the obligation imposed upon them under this Act to operate in the public interest.

(b) The Federal Communications Commission shall make a report to the Congress, not later than March 1, 1969, with respect to the effect of the provisions of this Act and any recommendations the Commission may have for amendments to the Communications Act of 1934 as a result of experience under the provisions of this Act.

HOUSE OF REPRESENTATIVES MUST SHARE IN TREATY RATIFICATION PROCESS

Mr. COLLIER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. COLLIER. Mr. Speaker, I have today introduced a House joint resolution which, if adopted by both the House and the other body, would give the States an opportunity to amend the Constitution of the United States so as to give this body a share in the treaty ratification process. I am firmly convinced that this reform is long overdue.

Our present system of government came into being in 1789, when the Constitution went into effect. Among the provisions of that great document is the one that gives the Senate the sole responsibility for advising and consenting whenever the executive branch of the Government negotiates a treaty with another nation or nations. The Senate may, of course, withhold its consent. In fact, the fundamental law makes it difficult to obtain such consent, as it requires a two-thirds majority of the Senators present to make ratification possible.

Two-thirds of the Members of the Senate, or 67 of the 100 Members of the other body if all are present, sounds like a large order. I was rather surprised when I looked at some figures and learned that a two-thirds majority of the Senate can represent a good deal less than two-thirds of the population of our Nation.

The first census of population was taken in 1790, 1 year after the establishment of our present political setup. It showed a total population for the 13 Original States of 3,843,789. Eighteen Senators from nine States with a total population of 1,683,360 could have ratified a treaty—less than 44 percent of the population of the United States. On the other hand, the Senators from the five smallest States, with a total population of 536,493, or less than 14 percent of the population of the United States, could have blocked ratification.

The following table illustrates these facts:

Virginia	[1] 821, 287
Massachusetts	[2] 475, 327
Pennsylvania	434, 373
North Carolina	[3] 429, 442
New York	340, 120
Maryland	319, 728
South Carolina	249, 073
Connecticut	237, 946
New Jersey	184, 139
New Hampshire	141, 885
Georgia	82, 548
Rhode Island	68, 825
Delaware	59, 096
Total	3, 843, 789

[1] Includes Kentucky, 73,677

[2] Includes Maine, 96,540

[3] Includes Tennessee, 35,691

New York, Maryland, South Carolina, New Jersey, New Hampshire, Georgia, Rhode Island, and Delaware had a total of 1,683,360 inhabitants or 44 percent.

New Jersey, New Hampshire, Georgia, Rhode Island, and Delaware had 536,493 or 14 percent.

I am sure that these figures will astound many of my colleagues. Let me now point out something that is even more astounding and certainly of greater importance, as it concerns a condition existing not in the distant past but right now.

The last census of population was taken in 1960. It showed a total population of 178,559,219 for the 50 States that make up the United States of America. Sixty-seven of the 68 Senators that represent 34 States with a total population of 55,982,691—31 percent—can ratify a treaty. At the same time, the 34 Senators who represent the 17 smallest States, with a total population of 11,956,189, or less than 7 percent can block ratification.

The following table illustrates these facts:

Alaska	226, 167
Nevada	285, 278
Wyoming	330, 066
Vermont	389, 881
Delaware	446, 292
New Hampshire	606, 921
North Dakota	632, 446
Hawaii	632, 772
Idaho	667, 191
Montana	674, 767
South Dakota	680, 514
Rhode Island	859, 488
Utah	890, 627
New Mexico	951, 023
Maine	969, 265
Arizona	1, 302, 161
Nebraska	1, 411, 330
Total (7 percent)	11, 956, 189
Colorado	1, 753, 947
Oregon	1, 768, 687
Arkansas	1, 786, 272
West Virginia	1, 860, 421
Mississippi	2, 178, 141
Kansas	2, 178, 611
Oklahoma	2, 328, 284
South Carolina	2, 382, 594
Connecticut	2, 535, 234
Iowa	2, 757, 537
Washington	2, 853, 214
Kentucky	3, 038, 156
Maryland	3, 100, 689
Louisiana	3, 257, 022
Alabama	3, 266, 740
Minnesota	3, 413, 864
Tennessee	3, 567, 089
Total (31 percent)	55, 982, 691

Mr. Speaker, it is obvious that even though it takes two-thirds of the Senate to ratify a treaty, in compliance with the Constitution, minority rule is still possible. It appears to me that a two-thirds majority ought to mean, not a group of Senators who may represent less than one-third of the population, but a group that represents two-thirds or more of the population.

It would obviously not be practicable to require that a treaty could not be ratified unless the ratifying Senators represented two-thirds of the people, when we bear in mind that the 100 Members of the other body represent States of greatly varying populations, ranging from Alaska's 226,167 to New York's 16,782,304. The only really fair method of voting would be a weighted vote system, which would be unacceptable, both because of its unwieldiness and because it would conflict with the constitutional provisions that "each Senator shall have one vote" and "no State, without its consent, shall be deprived of its equal suffrage in the Senate."

How, then, can the system of ratification of treaties be made more equitable, while maintaining the two-thirds requirement?

During the past few years we have heard a great deal about the principle of "one man, one vote." The redistricting of such of our States as are entitled to more than the minimum one Representative in this body has led to congressional districts that are much closer to an equitable balance than was the case before the Supreme Court of the United States intruded in this area.

Perfection has not been achieved, but even if each district in a particular State were equal in population to every other district in the same State, there would be some disparities. For example, Mississippi and West Virginia are each entitled to five Representatives, although the former State had 317,720 more inhabitants than its sister State. Delaware has just short of twice the population of Alaska, 446.292 as compared with 226,167, yet each State has one Member in this body.

Despite the disparities I have referred to, I believe two-thirds of the Members of the House of Representatives would come closer to truly representing two-thirds of the American people than would two-thirds of the Members of the other body.

Mr. Speaker, as I am a firm believer in our bicameral system of government, I am not proposing that we deprive the Senate of its power of treaty ratification. I am merely proposing that the House of Representatives be given an equal share in this power.

There are some who will say that the Founding Fathers settled this question during the proceedings of the Convention of 1787. While the Constitution that they wrote is certainly the greatest human document ever penned, it is by no means perfect; in fact, the very first Congress submitted the Bill of Rights to the States for ratification and they were added to the original Constitution in 1791. Since then the Constitution has been amended no less than 15 times.

In No. 64 of the Federalist Papers John Jay said:

> The power of making treaties is an important one, especially as it relates to war, peace, and commerce.

War, peace, and commerce covered everything during the days in which Jay lived, but today we have treaties that cover not only the surface of the earth and the seas but the ocean floor, the air through which we fly, and the realm of outer space through which our gallant astronauts have traveled. I doubt very much that Jay and his contemporaries would want Senators representing 31 percent of the population to have the power to ratify treaties that deal with such far-ranging areas.

Let me now quote what Jay and Alexander Hamilton said in opposition to giving the House of Representatives coequal power with the Senate in the field of treaty ratification, after which I will attempt to answer their objections. While Jay and Hamilton, along with James Madison, wrote the various essays that make up the Federalist Papers, they were all signed "Publius."

Jay made the following comments in No. 64 of the papers:

> They who wish to commit the power under consideration to a popular assembly composed of members constantly coming and going in quick succession seem not to recollect that such a body must necessarily be inadequate to the attainment of those great objects which require to be steadily contemplated in all their relations and circumstances, and which can only be approached and achieved by measures which not only talents, but also exact information, and often much time, are necessary to concert and to execute. It was wise, therefore, in the convention, to provide not only that the power of making treaties should be committed to able and honest men, but also that they should continue in place a sufficient time to become perfectly acquainted with our national concerns, and to form and introduce a system for the management of them. The duration prescribed is such as will give them an opportunity of greatly extending their political informations, and of rendering their accumulating experience more and more beneficial to their country. Nor has the convention discovered less prudence in providing for the frequent elections of senators in such a way as to obviate the inconvenience of periodically transferring those great affairs entirely to new men; for by leaving a considerable residue of the old ones in place, uniformity and order, as well as a constant succession of official information, will be preserved.
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> * * * * *
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> It seldom happens in the negotiation of treaties, of whatever nature, but that perfect *secrecy* and immediate *dispatch* are sometimes requisite. There are cases where the most useful intelligence may be obtained, if the persons possessing it can be relieved from apprehensions of discovery. Those apprehensions will operate on those persons whether they are actuated by mercenary or friendly motives; and there doubtless are many of both descriptions who would rely on the secrecy of the President, but who would not confide in that of the Senate, and still less in that of a large popular assembly. The convention have done well, therefore, in so disposing of the power of making treaties that although the President must, in forming them, act by the advice and consent of the Senate, yet he will be able to manage the business of intelligence in such manner as prudence may suggest.

The following observations by Hamilton are from No. 75 of the Papers:

> The fluctuating and, taking its future increase into the account, the multitudinous composition of that body, forbid us to expect in [the House of Representatives] those qualities which are essential to the proper execution of such a trust. Accurate and comprehensive knowledge of foreign politics; a steady and systematic adherence to the same views; a nice and uniform sensibility to national character; decision, *secrecy*, and dispatch, are incompatible with the genius of a body so variable and so numerous. The very complication of the business, by introducing a necessity of the concurrence of so many different bodies, would of itself afford a solid objection. The greater frequency of the calls upon the House of Representatives, and the greater length of time which it would often be necessary to keep them together when convened to obtain their sanction in the progressive stages of a treaty would be a source of so great inconvenience and expense as alone ought to condemn the project.
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> * * * * *
>
> When we . . . look forward to the probable augmentation of the Senate, by the erection of new States, we shall not only perceive ample ground of confidence in the sufficiency of the numbers to whose agency that power will be intrusted, but we shall probably be led to conclude that a body more numerous than the Senate would be likely to become, would be very little fit for the proper discharge of the trust.

Mr. Speaker, is this great body really "composed of Members constantly coming and going in quick succession" as John Jay described it? Let us examine this proposition.

The 100 Members of the U.S. Senate have served an average of 12 years, while the 435 Members of the House of Representatives have served an average of 9½ years. The latter figure is but half a year short of the average for all Members of Congress, which is 10 years. If we eliminate the 71 Members of the House who have served only 1 year, the average for the House will be raised to 11 years, just 1 year short of the average for the other body. This is not much of a difference.

The following table shows that neither body is composed of Members constantly coming and going in quick succession:

Senate:	*Years*
Hayden	41
Russell	35
Ellender	31
Hill	30
Aiken	27
Eastland	25
McClellan	25
Magnuson	23
Fulbright	23
Hickenlooper	23
Morse	23
Young of North Dakota	23
Holland	21
Sparkman	21
Williams of Delaware	21
Stennis	20
House:	
Celler	45
McCormack	39
Patman	39
Colmer	35
Arends	33
Mahon	33
Halleck	33
Kirwan	31
Poage	31
Gathings	29
McMillan	29
Mills	29
Bolton	28
Hébert	27
Rivers	27
Whitten	26
King of California	25
Abernethy	25
Dawson	25
Feighan	25
Fisher	25
Holifield	25
Madden	25
O'Konski	25
Philbin	25
Andrews of Alabama	24
Rooney of New York	23
Byrnes of Wisconsin	23
Corbett	23
Fallon	23
Fulton of Pennsylvania	23
Miller of California	23
Morgan	23
Price of Illinois	23
Sikes	23
Teague of Texas	21
Albert	21
Blatnik	21
Boggs	21
Burleson	21
Donohue	21
Evins	21
Hardy	21
Karsten	21
Passman	21
Jones of Alabama	21
Garmatz	20
McCulloch	20
Abbitt	20

If the House of Representatives were to be given an equal share in the treaty ratification process with the Senate, the Committee on Foreign Affairs would have to consider the treaties before they were sent to the floor of the House for ratification or rejection, just as the Committee on Foreign Relations of the Senate now gives them consideration before the full Senate acts upon them.

The following table shows that neither of these two important committees is composed of members constantly coming and going in quick succession:

Senate:	*Years*
Aiken	27
Fulbright	23
Hickenlooper	23
Morse	23
Sparkman	21
Williams of Delaware	21
Mundt	19
Carlson	17
Gore	15
Mansfield	15
Symington	15
Case	13
Cooper	11
Church	11

Senate—Continued	Years
Clark	11
Lausche	11
Dodd	8
McCarthy	8
Pell	7
House:	
Bolton	28
Fulton of Pennsylvania	23
Morgan	23
Burleson	21
Gross	19
Hays	19
Zablocki	19
Kelly	18
Adair	17
Berry	17
O'Hara of Illinois	15
Fountain	15
Frelinghuysen	15
Mailliard	15
Selden	15
Diggs	13
Fascell	13
Broomfield	11
Farbstein	11
Nix	10
Derwinski	9
Gallagher	9
Monagan	9
Murphy of Illinois	9
Whaley	7
Thomson of Wisconsin	7
Findley	7
Morse	7
Rosenthal	6
Fraser	5
Roybal	5
Buchanan	3
Culver	3
Hamilton	3
Tunney	3
Taft	1

The average service for the Senate committee is 16 years, while the average for the House committee is 12 years. The latter figure is only a year short of the average for all members of both committees, which is 13 years.

John Jay spoke of the necessity for "perfect secrecy and immediate dispatch," while his collaborator, Alexander Hamilton, declared that "decision, secrecy, and dispatch are incompatible with the genius of a body so variable and so numerous" as the House of Representatives.

As to secrecy, I believe the House will be just as trustworthy as the other body, should it ever receive a share in the treatymaking process. It was only recently that the Committee on Foreign Relations of the Senate discussed important issues relating to the war in Vietnam while television made it possible for millions throughout the United States to view its proceedings and listen to the interrogations and responses as the Secretary of State testified before the committee. I am sure that our distinguished Speaker would follow the example of his eminent predecessor and forbid the telecasting of such proceedings by committees of the House and I am equally confident that the able chairman of the Committee on Foreign Affairs of this body would not permit such telecasting.

As to dispatch, let me say that once a treaty reached the floor of the House of Representatives, the House could work its will promptly, certainly with greater promptness than is often displayed by the other body. There are times when delay would be the greater virtue and I make no criticism of the rules of the Senate which encourage delay rather than dispatch. Should speed be necessary, however, the House could be relied upon to do its duty once a report on the treaty had been issued by the Committee on Foreign Affairs; no individual Member could frustrate the proceedings with endless and irrelevant verbosity.

The two political progenitors from whom I have quoted also wrote regarding the necessity for knowledge and experience in the field of foreign affairs. Many of the Members of this body have expertise in this important field, having visited foreign nations on every continent, either as Members of the House of Representatives, as members of the Armed Forces, or as representatives of the business, industrial, and labor communities of our society.

While the Senate presently has sole jurisdiction over treaties, Members of this body have had the responsibility for frequent consideration of such matters as the implementation of the treaties negotiated by the executive branch and ratified by the other body. They have also dealt with the multitude of foreign aid programs that have been enacted by the Congress since the end of World War II. They have dealt with matters that have inevitably arisen because of wars such as the Korean war and the war in Southeast Asia—such matters as the dispatch of troops, the furnishing of ammunition and other supplies, and the authorization and appropriation of funds to carry on the conflicts to victory.

Not only the members of the Committee on Foreign Affairs, but the members of the Committee on Appropriations, the Committee on Armed Services, the Committee on Interstate and Foreign Commerce, and the Committee on Ways and Means have of necessity become experts in varying degrees on foreign affairs as they have struggled with the problems associated with war, peace, and commerce. I am sure that if Madison, Hamilton, and Jay, the erudite authors of the Federalist Papers, were here today that they would concede that the Members of this body are possessed of sufficient patriotism, knowledge, experience, and honesty and that they are endowed with an adequate sense of responsibility, thus making them worthy of an equal share with the Senate in considering and ratifying or rejecting treaties with foreign nations.

Article VI of the Constitution declares:

> This Constitution and the laws of the United States which shall be made in pursuance thereof and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land, and the judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.

Mr. Speaker, if the treaties to which our Nation is a party are that important, surely the branch of Congress that represents the people, and whose Members are responsible to them every 2 years, should have a voice in ratifying or rejecting such treaties.

The House of Representatives has had an equal part with the Senate in the writing of every law that has been passed by the Congress from 1789 to this present hour. It has also had an equal share with the other body in the drafting of every constitutional amendment that has been submitted to the States.

If the House, a coequal branch of the National Legislature, has an equal share in the making, amending, and repealing of laws and an equal share in the submission of amendments to the Constitution, it seems only logical that it should have an equal share in the treaty ratification process. The joint resolution which I have introduced today is the initial step toward securing such coequal power for the House.

REPORT OF X-RADIATION FROM COLOR TELEVISION SETS

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to include extraneous material.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, the National Center for Radiological Health conducted a survey of color television sets earlier this year to determine how many emitted X-radiation.

The results of that test survey were announced on March 14, but the report did not include the names of the manufacturers of the sets. Dr. James G. Terrill, Director of the Center, said that the survey was a random sample and was not necessarily valid for the Nation.

However, it did appear that the public should be given the information from the survey, including the brand names, since Dr. Terrill qualified the conditions under which the survey was made.

I would also like to commend the Washington Post for exercising its right of information in seeking the names of the companies.

The survey points out that 6 percent of the sets tested were emitting radiation in excess of the recommended level. It is also important to note that Dr. Terrill estimated that between 5 and 10 percent of the 14 million color television sets in the Nation might be emitting radiation in excess of the recommended level.

The House passed H.R. 10790, which I introduced, so as to protect the American public against the potential dangers of excess radiation. I hope the Senate will take like action, as the problem is a national one which has great potential unless checked.

At this time I would like to include the story in today's Post and the release issued by the National Center for Radiological Health on the survey:

FOUR BRANDS BLAMED IN TV RAY HAZARD

The director of the National Center for Radiological Health estimated yesterday that as many as 1.4 million color television sets in this country emit excess radiation.

James G. Terrill, who made the estimate, said surveys indicate that between 5 and 10 percent of the 14 million color TV sets in the United States give off more than .5 of a milliroentgen per hour of X-rays—the safe limit set by the National Council on Radiation Protection and Measurement.

Terrill also made public the brand names of sets found in a survey in the Washington area to emit excessive amounts of X-rays.

The survey showed that 6 percent—or 66—of the 1124 sets tested gave off excessive radiation.

Four brands were responsible for 86 percent of the excess radiation found in the Washington-area survey he said at a news conference. The brands are RCA, Zenith, Magnavox and Setchell-Carlson, a Chicago-based firm that sells mainly in the Middle West.

General Electric, the company that sparked special interest in excessive radiation from color TV last May when it called back 90,000 sets, came through this survey with no sets leaking more X-rays than they should. Terrill cautioned that findings in the Washington-area survey with regard to brand names do not necessarily indicate a similar situation in the rest of the Nation. He said the survey here did not include enough sets of all manufacturers for a mathematically accurate sampling.

He also said that parts made by other manufacturers could be responsible for excessive radiation in some brands.

The National Center refused to make public the brand names when it gave out results of the survey March 12. It gave them out when The Washington Post made an official request for the names under the Federal Freedom Law.

Excess radiation can cause long-term genetic damage and is believed to be responsible for some tumors.

Terrill said that most of the 700,000 to 1.4 million American homes which have color TV sets that leak excessive radiation will never find out about it.

He said there are not enough trained technicians or special Geiger counters to test all the sets in the Nation. Rather than start a testing program, he said, the Center is working with manufacturers to make sure that all sets now being sold meet minimum standards.

At the same time, he said, the Center is checking leads developed by surveys such as the one taken here.

He advised owners of color TV sets to make sure the high voltage on their sets is no greater than it should be and to sit about ten feet away.

News Release of National Center for Radiological Health

(Note.—The following statement was made today by James G. Terrill, Jr., Director, National Center for Radiological Health, Public Health Service, with respect to issuance of additional data on the survey of 1,124 color television receivers in the Washington area for X-ray emissions.)

Results of the Washington, D.C. Metropolitan area survey of color television receivers were initially made public March 14, 1968, in the report titled "A Survey of X-radiation from Color Television Sets in the Washington, D.C. Metropolitan Area." The report stated that X-radiation was detectable in 268 of 1,124 sets surveyed and that, in 66 of the 268 sets, the observed X-radiation was above the 0.5 milliroentgen per hour limit of the National Council on Radiation Protection and Measurements.

The National Center for Radiological Health did not include the names of makes and models in the initial report because the survey was not designed to provide clear information on this point for either the receivers or the components. Representatives of various news media subsequently asked for such identification. A consideration of these requests by legal and public information experts resulted in the conclusion that the Center should make such information available as well as other pertinent data even though the survey was not designed with that objective in mind. Accordingly, the raw data on the 1,124 sets, and copies of the data available on the 66 sets are now being made available. This includes data on possible sources of X-radiation; identification of sets by makes, models, and/or distributor/retailer; identification of line voltage and receiver operating high voltage; identification of set components as possible sources of X-radiation by manufacturer.

In view of the request from news media, all of the tabulations are being made available for review. It should be noted that the term "manufacturer" in the table of data may refer to the actual manufacturer or to the distributor. In some cases a distributor may handle sets made by one or more manufacturers. It should also be noted that set components refer to the shunt regulator or high voltage rectifier tubes and the picture tube and that the manufacturer of a component is not necessarily the manufacturer or distributor whose name is associated with the receiver.

It is important to remember that set owners may not assume that a given model or make of color television receiver is or is not an emitter of X-radiation elsewhere in the United States because a similar make or model was or was not found to be emitting X-radiation in the Washington, D.C., area survey. The Washington, D.C., survey was not designed to produce such conclusions. In the case of some makes, the survey included too few sets to make possible a mathematically accurate nationwide extrapolation of the observations made in the survey. Although the Washington, D.C., Metropolitan area survey might possibly be representative of all color television sets in the Washington, D.C., area, the survey cannot be considered as representative of the estimated more than 14 million color television sets in use in the United States.

The sets selected for the Washington area survey were picked for logistic reasons from among sets of Public Health Service employees in the area after the Surgeon General asked PHS employees to volunteer their sets for a survey. On the basis of a relatively small number of sets as compared to the total number, it was possible to reach the relatively limited objective in the survey, which was to determine whether X-radiation from color television sets might be an industry-wide problem. It was determined that this was so on the basis of the Washington area survey.

For a make or brand name survey to be meaningful, the population of sets selected would have to be statistically representative of the entire industry, both in terms of numbers as a portion of all sets in use and geographical distribution. Furthermore, within the total set population the sample of each brand name to be surveyed would have to be sufficiently large to represent the brand adequately, including specific models and types which could be expected to be significantly different from the standpoint of X-radiation production. Other factors that would need to be considered include the interchange of components by the manufacturer, and interchange of components by servicing personnel.

STUDENT UNREST

Mr. MORTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. MORTON. Mr. Speaker, the majority of the people of this country, and certainly every Member of this great legislative body, should be disturbed by the pattern of behavior being established by many students in colleges throughout the land.

The action by the student group at Bowie State College over the weekend is tantamount to a strike and goes far beyond the liberty of students to participate in responsible dissent. Unfortunately, this type of thing is becoming a fad. We have now had instances at Bowie, Morgan State, Howard, Virginia State College, Tuskegee, Carolina State College, and Central State College in Ohio. This form of behavior in defiance of not only school authorities, but in defiance of State authorities as well, cannot be, and should not be condoned.

In general, no one argues the point, that taxes should be used for education at all levels, including the institutions of higher learning. We have recognized from the beginning in this country, that education is a public trust. With each generation we have endeavored to improve it, to broaden the opportunities for the individual, and to provide a system in which no one, because of circumstance, is denied the right to pursue his own excellence. But with the right to be educated go certain responsibilities. One of these responsibilities is to accept the discipline of the institution. Discipline itself is as important to the development of character, which is part and parcel of the development of the mind, as is science, the arts, or the universal search for truth.

When we see our universities paralyzed by student revolt, we see in fact, the retrogression of education itself. If the many who seek new horizons in learning are penalized by the few who seek power through rebellion, we have indeed lost some courage. Our institutions which knuckle under to the demands of the radical leadership of militant students have themselves violated the tradition that has led to academic freedom. The courage to expel the rulebreaker who, through revolt and civil disobedience, interferes with the orderly function of a college or university, must be a part of the very existence of the institution itself.

EAST-WEST TRADE IN DEEPFREEZE

Mr. MONAGAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MONAGAN. Mr. Speaker, East-West trade has probably been relegated to the deepfreeze by the war in Vietnam, and the hardening of the Russian line and the concurrent flexing of Muscovite muscles.

Perhaps it was inevitable that the cautious advances made by the United States and countries beyond the curtain should have become a casualty of the Southeast Asian war on the grounds that such trade would assist nations who were helping to kill American boys in Vietnam.

Admittedly this is not an easy point to counter and it is one that is full of emotional content.

At the same time, one cannot help but point out that were it not for the war in Vietnam, the provision of trade opportunities in the West would now be of great assistance to the new Czech regime who wish to relax and liberalize and who find their trade relations with the U.S.S.R. a restraining and constricting influence.

To the extent that the Czechs could find economic connections in the West, it is now clear that they would move in that direction and away from the Russians. To the extent that this is not possible, they will be forced to remain allied with the Russians.

Politically the atmosphere in this country is not favorable for an increase of trade with Eastern Europe. It is not conceivable that legislative action will be taken in this direction, even though Western European countries are moving in this direction.

Nevertheless it is instructive to realize the impetus and stimulus which such trade might provide and to understand the basis of argument of those who advocated such trade on the grounds that it would encourage and support those elements in Communist countries who favored closer relations with the West and whose increased influence would greatly lessen East-West rivalry and accordingly advance the cause of world peace.

COMMUNICATIONS SATELLITE ACT OF 1962—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 295)

The **SPEAKER** laid before the House the following message from the President of the United States, which was read and, together with the accompanying papers, referred to the Committee on Interstate and Foreign Commerce and ordered to be printed:

To the Congress of the United States:

The Communications Satellite Act of 1962 requires that the President transmit to the Congress an annual report on the activities and accomplishments of the past year.

This is the fifth annual report under this landmark legislation. It reflects, as did the others, steady progress toward the ultimate goal of providing mankind with new capabilities for worldwide communication.

In the brief span of five years, satellite technology has grown dynamically. The possibilities envisioned in 1962 have been greatly exceeded.

Indeed, the rapid tempo of progress in telecommunications has created challenging problems in the proper use and orderly expansion of this vital national resource. Last August 14, in a report to the Congress on our communications policies, I announced the creation of a task force to examine the course we should follow in the future.

We know that we must provide the environment in which telecommunication can play its increasingly crucial role in the affairs of our nation, and provide bridges of understanding among all nations.

The role of communications is not limited to commercial use. It must also provide a "network for knowledge" so that all peoples can share the scientific, educational, and cultural advances of this planet.

Failure to reach these goals can only contribute to apathy, ignorance, poverty and despair in a very large part of the world. Success in our telecommunications policies can be a critical link in our search for the understanding and tolerance from which peace springs.

Communication by satellite is a tool—one of the most promising which mankind has had thus far—to attain this end.

We must use it wisely and well.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *April 2, 1968.*

SECOND ANNUAL REPORT OF THE APPALACHIAN REGIONAL COMMISSION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 294)

The **SPEAKER** laid before the House the following message from the President of the United States, which was read and, together with the accompanying papers, referred to the Committee on Public Works and ordered to be printed with illustrations:

To the Congress of the United States:

I am pleased to transmit to the Congress the Second Annual Report of the Appalachian Regional Commission, for fiscal year 1967.

This report marks the end of the second year of the Federal-State effort to lift the 18 million people in Appalachia up to economic parity with the rest of America.

The Congress has already expressed its confidence in the program by revising and extending it for another two years. More than $300 million have been obligated for programs which will help the people of Appalachia on their way to self-sufficiency.

The framework of the program is commendable in itself. Federal, State, and local authorities have been working together, recognizing that need does not respect State lines, and poverty does not stop at the boundaries which separate communities.

This report shows proof, I believe, that such a partnership—seeking common solutions to common problems—can work to rebuild a segment of America, to provide its citizens with a chance to share in America's plenty.

Our ultimate goal is to assist Appalachia to attract and hold public and private investments—the cornerstones on which economic well-being is built.

We have not yet achieved that goal, but in two years we have made a strong beginning.

One of our first aims was to unify Appalachia internally—and to make it accessible to the affluent nation outside. Had it remained an enclave of poverty, it would have withered and died.

As the report testifies, we made substantial progress in Fiscal 1967 on the Appalachian Development Highway System.

Highways that today are lines on the planner's map will tomorrow be asphalt bonds to the rest of America. We are providing access to opportunity.

For a region to survive, its people must be healthy, its children educated, and its land productive.

Among the programs approved for construction in Fiscal 1967 were:

—100 facilities for vocational and higher education

—75 for health care

—27 libraries

—37 facilities to combat water pollution

—And 20 projects to restore ravaged mine areas.

On December 28, I signed an executive order which will increase the strength and efficiency of our partnership for regional economic development.

Under this order, the Secretary of Commerce will provide effective liaison between the Federal Government and our six regional commissions.

He will also become the chairman of a Federal Advisory Council on Regional Economic Development. This council will help him coordinate the activities of the Federal Government in the six regions.

By placing this authority in the hands of the Secretary of Commerce, I intend to encourage the private and business resources of our country to take a hand in these regional ventures.

Our work has just begun. I am confident that future reports will justify the faith we have placed in this program.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *April 2, 1968.*

GONZALEZ URGES INVOLUNTARY LOAN SURCHARGE TO COMBAT INFLATION

The **SPEAKER** pro tempore (Mr. ST. ONGE). Under previous order of the House the gentleman from Texas [Mr. GONZALEZ] is recognized for 10 minutes.

Mr. GONZALEZ. Mr. Speaker, the Sunday edition of the Washington Post carried an article by Hobart Rowan under the headline "Businessmen Fearful of Return to New Wage and Price Controls." Mr. Rowan reports that when asked about the prospect for wage and price controls, Arthur M. Okun of the President's Council of Economic Advisers replied:

> I can honestly say that I haven't spent ten minutes on that all of the time I have been in Washington.

Nevertheless, Mr. Rowan reports, businessmen remain very uneasy, in the face of congressional reluctance to pass a tax bill to pay for Vietnam.

I can personally attest to the inability of Congress to acknowledge, or at least to act on, the fact that Vietnam spending has seriously affected our economy. It has greatly restricted the flow of funds to the home construction industry, suggestively known as the "soft underbelly of the economy." I have learned of the general desire to escape from the complications of our Vietnam commitments during my uphill fight to strengthen the Renegotiation Board to deal with the high level of military contract awards and prevent war profiteering.

But even if the 10-percent surtax is quickly approved by Congress, Mr. Rowan notes, Government officials as well as businessmen concede that the vigorous upward trend of prices and wages cannot be reversed in 1968.

This echoes the remarks of Chairman Wilbur Mills on February 29 in connection with the Tax Adjustment Act. His comments bear repeating. He quoted administration spokesmen that even with passage of the entire tax package, including the 10-percent surtax, that inflation of at least 3 percent could be expected. Then Chairman Mills went on to say:

> Then they said that if we did not enact the measure, we could expect a slightly higher figure, although they never said how much. Nobody knows that we would have just 3 percent or some approximation of that figure. Bear this in mind—and this is what I think we overlook completely—we had more inflation than that in the time of World War II and more inflation in the time of the Korean war, when we had price and wage controls. We did everything we could do in those days, and we enacted a tax bill at least every 12 months. But we still had inflation. Nobody can tell you and nobody can tell me that the passage of a tax bill, when we are spending at these levels, and we have a cost-push situation such as we do now, will necessarily reduce the inflationary rate to any appreciable extent.

The 10-percent surtax is designed to offset much of the deficit due to the Vietnam war, thereby improving our balance-of-payments position and also helping combat inflation. However, it has become increasingly evident that inflation would continue to be a danger to the economy.

To further combat inflation, I reiterate my involuntary loan proposal with flexible repayment provisions. I propose a 5- to 10-percent tax surcharge on individual and corporate income. To compensate for the forced nature of these personal loans to the Government, the surcharge could possibly accumulate interest in the same manner as a series E savings bond.

The surcharge would be repayable to the taxpayer within 5 years. But the exact timing of the repayment should be at the discretion of the President, perhaps with the consent of the Congress, and would therefore be an effective fiscal tool to boost the economy when conditions so warrant.

Under this repayable tax plan, the surcharge could be put aside in a trust fund, like that for social security, to be given back to the taxpayer when the inflation danger has passed. The trust fund could be held in the Treasury as an asset to offset the liability. This would safeguard repayment and discourage increased Government spending that might otherwise be prompted by the inflow of funds.

This anti-inflation device proposal has been advocated by several responsible economists; I refer anyone interested to my remarks in the Record of September 20 and October 4, 1967.

Mr. Speaker, I believe that the involuntary loan surcharge deserves careful consideration as an anti-inflation device.

ANOTHER STEP TOWARD MONETARY REFORM

The SPEAKER pro tempore. Under previous order of the House the gentleman from New York [Mr. Halpern] is recognized for 5 minutes.

Mr. HALPERN. Mr. Speaker, I rise to applaud the action of the nine major industrial nations in reaching final agreement on an acceptable plan to supplement the world's supply of international liquidity, a plan which I have long advocated and given my strongest support. The refusal of France to go along with the decisions of the remainder of the group of 10 on monetary reform is regrettable; nonetheless, the unanimity displayed by the other nine nations on the structure of the desired international monetary reform bodes well for its ultimate acceptance and efficacy.

The new plan, calling for the deliberate creation of international credit by the International Monetary Fund, constitutes a valuable step by the free world trading nations away from an irrational dependence on arbitrary supplies of gold. Far from reflecting a tendency toward financial irresponsibility, as the French allege, this new credit system will be developed and employed according to the rational discipline of well-managed international monetary policy.

Events have thus far proven the great benefits for international economic progress to be derived from cooperation among national monetary authorities. The results of these joint efforts have been limited, however, by the constricting effect of our reliance on gold. International cooperation within the more flexible framework of the new IMF special drawing rights system of credit creation is bound to have an even more salutary and expansive effect on mutual economic development.

No plan for international monetary reform will relieve the United States of the burden of correcting its own balance-of-payments deficits. However, the acceptance of the IMF plan by the free world nations will allow all nations to develop and trade in a manner dictated by economic needs and forces, not by the restrictions of an obsolete metal standard. It is to be hoped that, as the constructive results of this monetary reform become evident, France will rejoin the community of Western nations in its progress toward a more stable system of international economic relations.

Once again, Mr. Speaker, I applaud the actions taken by nine of the Group of 10 nations this weekend in Stockholm, and I look forward to the acceptance of the new monetary reform plan by the entire membership of the International Monetary Fund.

BOSTON NEGRO GROUP GETS $1 MILLION FOR HOUSING

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record, and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts.

There was no objection.

Mr. McCORMACK. Mr. Speaker, in Boston recently a noteworthy event took place when the Department of Housing and Urban Development signed a million-dollar housing commitment with an all-Negro business group, headed by Boston Celtics basketball star Tom Sanders, to rehabilitate homes in the Roxbury-Dorchester area. This represented the first time in the Nation that a Negro business group of fine Americans has been involved in an undertaking of this magnitude.

The event was marked by a number of press reports, including articles in the Boston Herald Traveler, the Boston Globe, the Record American, and the Bay State Banner. There were also editorials in the Bay State Banner and the Boston Herald.

In my remarks, I include the articles and editorials that appeared in the above mentioned newspapers.

[From the Boston (Mass.) Herald Traveler, Mar. 21, 1968]

BOSTON NEGRO GROUP GETS $1 MILLION FOR HOUSING

(By Tom Murray)

A million dollar federal rehabilitation housing commitment in the North Dorchester-Roxbury area was granted to a group of Negro businessmen yesterday—the first such move in the nation.

The Federal Housing Administration granted 40 year mortgages in the move to rehabilitate 83 dwelling units in seven buildings.

The commitment was signed at a press conference yesterday by Massachusetts FHA director John W. Flynn who said no other signature gave him "greater satisfaction." Also at the meeting was Executive FHA Commr. Edwin Callahan.

Callahan said the occasion indicated "Boston is entering a new phase of urban rebirth and renewal."

The group is headed by Boston Celtics basketball star Tom (Satch) Sanders. Members are Samuel L. McCoy, Roxbury realtor and insurance broker; Jack E. Robinson, businessman, 5 Burton Ave., and Lester Clemente, president, Clemente Construction Corp., 227 Roxbury St. The group will be known as Thomas Sanders Associates of 101 Warren St., Roxbury.

In another unique move, four banks will join to provide the construction loans. They are the First National Bank of Boston, the National Shawmut Bank, State Street Bank and Trust Co., and the New England Merchants Bank.

The buildings are located at 25 Nazing St., 60 Seaver St., 11 Brinton St., 102 to 112 Talbot Ave., 312, 562 to 563 and 572–572A Warren St., 48–50 Brunswick St., and 1–3 Intervale St.

The rents will range from $100 monthly for one bedroom apartments; $133 for two bedrooms; $124 for three bedrooms; $129 for four bedrooms and $134 for five bedrooms with all utilities supplied except telephone.

Rehabilitation work is scheduled to begin April 15, with Jan. 15, 1969, as the completion date. McCoy and Robinson own or have options to buy the property, and the rehabilitation will be done by Clemente. Sanders is providing working capital as an investor.

Eastern Gas and Fuel Associates, parent company of Boston Gas Co., is giving some assistance in the beginning stages of the program.

"Our group was organized in response to our belief that the local businessman should participate in the government's housing program for the ghetto areas," Sanders said.

He called the project "an important beginning step" in bringing together community business, big business and the federal mortgage assistance programs in helping to solve the critical housing shortage.

He said present tenants would receive first preference in renting the renovated apartments. Twelve of the units already have been leased by the Boston Housing Authority.

As many Negro construction workers as possible will be used on the project and it is hoped that they also will be able to begin a training program for unskilled Negro workers.

[From the Boston Herald, Mar. 25, 1968]

EYES ON ROXBURY

There are so many significant aspects to the million-dollar housing rehabilitation program announced Wednesday for the Roxbury-North Dorchester area that it is difficult to single out the most important.

Obviously the improvement of 83 dwelling units will be a step toward meeting the need for better low- and moderate-cost housing in Boston. But the project also stands to provide additional employment that the Negro community must have. The firm undertaking it, Thomas Sanders Associates, is made up of Negro businessmen, and they have pledged to use black labor as much as possible, and to try to incorporate a training program for some who heretofore have been unemployable.

In addition, the project has an encouraging involvement of the private sector. It is under the auspices of the national government, with mortgages guaranteed by the Federal Housing Administration, but four banks are providing construction loans and Eastern Gas and Fuel Associates is assisting in early stages of the program.

Finally, and perhaps most important, the undertaking is unique because of this blending of effort by Negro businessmen, by other representatives of the business community, and by the government. It will be watched from all across the nation. Therefore, the pressure is great on all those concerned to make it a success.

[From the Boston Globe, Mar. 21, 1968]

NEGRO FIRM GRANTED $996,000 TO FIX ROXBURY APARTMENTS

(By Alan Lupo)

An attempt to begin answering one of the American Negro's biggest complaints was made Wednesday in Boston with a $996,000 housing rehabilitation commitment to a new Roxbury business firm.

The complaint, heard not only in Roxbury but in every black ghetto in the nation, is that Federal housing programs are too often carried out by white firms with white labor and that the profits do not remain in the Negro community.

On Wednesday, however, the Dept. of Housing and Urban Development (HUD) awarded a black firm headed by Celtics star Tom Sanders almost $1 million to rehabilitate 83 apartments in the Roxbury-North Dorchester area.

The $996,000 mortgage insurance backs up a 3 percent, 40-year loan to provide low and moderate income housing. The 83 units will be added to some 2700 units now undergoing rehabilitation in the same area. All are sponsored by the Federal Housing Administration office of HUD.

The firm, Thomas Sanders Associates of 1010 Warren st., was organized late last year with the help of Eastern Gas and Fuel Associates, which is participating in some of the other rehabilitation in the area.

Four banks, the First National Bank of Boston, National Shawmut Bank, State Street Bank and Trust and the New England Merchants National Bank, will provide construction loans.

A spokesman for Eastern Gas, which is the parent of the Boston Gas Company, said the company is participating because "it is important to help black businessmen develop the competence in real estate construction and finance that will enable them to take their full place in the economic mainstream of this country.

"Also from a standpoint of enlightened self interest, a utility company cannot stand by while an important segment of its franchise territory deteriorates. We believe it makes business sense to make an effort to supply a significant portion of the fuel requirements of this area."

FROM $100 TO $134

The spokesman said businesses in other cities were watching the new program.

The refurbished apartments will rent from $100 for a one-bedroom unit to $134, including utilities, for five bedrooms.

The Sanders firm said it would try to get a rent supplement program and lease some of the units to the Boston Housing Authority. Both measures would enable low-income families to move into the new apartments.

Construction is scheduled to begin Apr. 15 and to be completed Jan. 15, 1969.

The firm promised to "use as much qualified black labor as possible." One partner, Lester Clemente, president of the Clemente Construction Corp., of 227 Roxbury st., said he hoped to train some hard-core unemployed men.

Spokesmen for both HUD and the Sanders firm said Wednesday they had not surveyed the area and did not know the exact number of persons to be relocated.

"We've visited each tenant involved," said Jack E. Robinson, a realtor and partner in the firm, "and explained it to them."

The Boston Redevelopment Authority will help relocate tenants. Some tenants have suffered hardship under the larger rehabilitation program.

The apartments to be renovated include 31 one-bedroom, 31 two-bedroom, 12 three-bedroom, seven four-bedroom, and two five-bedroom units.

Sanders is providing the working capital as an investor; Robinson and another realtor, Samuel L. McCoy, own or have options to buy the properties, and the Clemente firm will do the renovation.

Sanders called the program a small but significant first step.

McCoy predicted it would "open another door in similarly sponsored ventures throughout the country."

[From the Boston Record American, Mar. 21, 1968]

CELTICS' STAR HEADS PLAN FOR $1 MILLION HOMES RENEWAL

A group of Roxbury businessmen, headed by Boston Celtics' star Thomas "Satch" Sanders, yesterday received a Federal Housing Administration commitment for $1 million to rehabilitate 83 units of housing in seven buildings in the Roxbury-Dorchester area.

Sanders is providing the working capital in the project. His associates, all Roxbury residents, include: Samuel L. McCoy, a realtor; Jack E. Robinson, a businessman, and Lester Clemente, a contractor.

Four Boston banks joined in aiding the financing of the efforts, including the First National, National Shawmut, New England Merchants and State Street Bank and Trust. This is the first time four banks have jointly cooperated in a housing project in Boston.

The buildings to be renovated are located at 25 Nazing st., 60 Seaver st., 11 Brinton st., 102-112 Talbot ave., 562-568 Warren st., 572 Warren st., 48-50 Brunswick st. and 1-3 Intervale st.

Work will start on April 15 and plans call for the project to be finished by Jan. 15, 1969. All present tenants will be given preference in the new apartments. The rehabilitation will consist of new kitchens, plumbing, lighting, heat, windows, floors and walls where necessary, as well as complete outside renovation.

The rents will be $100 a month for a one bedroom apartment, $113 for a two-bedroom apartment, and $124 for three bedrooms. Six of the buildings will be three-story dwellings and one will be a four-story dwelling.

Peter N. Brownstein, assistant secretary of the Department of Housing and Urban Development, and it was "gratifying to work with community people "interested in renewing their own neighborhood."

He met with the Sanders group at the J. F. Kennedy Federal Building in Boston.

Sanders, famed Celtics' cornerman and defensive expert, and his group (the Thomas Sanders Associates) was formed "in response to our belief that local businessmen should participate in the government's housing program for ghetto areas. We hope it will be an example that can be used in other cities. When the project is completed, the tenants will be well housed in clean, efficient apartments with thoroughly modern appliances."

The government participation is a "mortgage insurance comitment."

[From the Bay State Banner, Mar. 21, 1968]

BUSINESSMEN GET MILLION TO REHAB HOUSING

BOSTON.—A group of Roxbury Businessmen headed by Thomas E. Sanders, Boston Celtics basketball star, received on Wednesday a Federal Housing Administration commitment of over $1 million to carry out a housing rehabilitation project in the Roxbury-Dorchester area.

This is the first assignment to an all-black business group of federal funds on this scale for housing rehabilitation.

The FHA commitment totals $1,032,000 in guaranteed mortgages to rehabilitate 83 dwelling units in seven buildings which are now in sub-standard condition but which can be renovated and brought up to FHA and local building code standards.

Members of the limited partnership in addition to Sanders, a Roxbury resident, are Samuel L. McCoy, realtor and insurance broker, with offices at 100 Warren Street, Roxbury; Jack E. Robinson, businessman, of 5 Burton Avenue, Roxbury; and Lester Clemente, president of Clemente Construction Corp., 227 Roxbury St., Roxbury.

Sanders is providing the working capital as an investor in the enterprise; Messrs. McCoy and Robinson own or have options to buy the properties to be rehabilitated, and the renovation work will be carried out by the Clemente Construction Corp.

The group was formed in response to the need for developing within the Roxbury community the real estate and construction skills essential to increasing and improving the housing here.

"Roxbury is my home now," said Sanders. "I bought a house here and I plan to stay. This real estate project gives me the opportunity to do something good for my community and it's also a good investment."

Clemente, whose family has been in the construction business for several decades in the Caribbean, stands to gain a lot from the project. "This is about the biggest deal I've ever had. It required a bond of a little more than half a million dollars. I'm the first Afro-American in the state to get a bond of this size. Now I can bid on jobs involving up to a $1 million bond."

With this new contract Clemente expects to add another fifteen or twenty men to his crew. If we can maintain business at this high level, we hope to keep the men on and improve somewhat the employment conditions in the area," he said.

"Cooperation" is the major breakthrough of the project, according to Jack Robinson. "Black businessmen have always had the handicap of not associating together. Each wants to be a prima donna and operate alone. Here we have worked together and in six weeks have gained approval of a 221D3 project. This is a record. Normally a project takes 2 years for final approval," Robinson asserted.

Sam McCoy is regarded as the elder statesman of the group. He has been in the real estate and insurance business in Roxbury since 1953. His father opened the insurance business in Boston in 1907. "This is the biggest deal I've been a part of and it is an encouraging breakthrough. We hope that our success will make it easier for the younger fellows to get ahead."

Assistance in the initial stages has been provided by Eastern Gas & Fuel Associates, Boston, which is participating in an earlier rehabilitation program now underway. Counsel for the group is provided by the firm and Tucker.

The Sanders group expects to start rehabilitation work by April 15 and to complete the last unit by January 15, 1969. Work will start on vacant apartments in the buildings. Tenants of the occupied apartments have been notified of the work to be done and will be given preference as tenants for the rehabilitated apartments. The apartments will get new kitchens, new plumbing, lighting, heating, windows, floors, and walls as necessary, as well as exterior renovation.

Construction loans for the Sanders project will be provided by four Boston banks—the National Shawmut Bank, the First National Bank, N.E. Merchants National Bank, and State Street Bank and Trust Company. This is the first time that these four banks have joined together to finance a real estate project.

[From the Bay State Banner, Mar. 21, 1968]

THE NEW PIONEERS

A group of Roxbury businessmen have taken the initiative to associate together and rehabilitate housing units in the ghetto.

For Thomas Sanders it is his first real estate venture. For Lester Clemente, the contractor, it is the largest single project of his career. For Jack Robinson and Sam McCoy, real estate operators, it is by far their largest business deal.

With the assistance of Eastern Gas and Fuel Associates, and with the cooperation of Boston's four largest banks, National Shawmut, State Street Bank & Trust, New England Merchants and First National, the entrepreneurs were able to obtain a $1 million FHA-insured mortgage. Though never associated in any project before, they were able to come together, form a limited partnership, and obtain approval of the mortgage and the loan money in the record time of 6 weeks.

Much hard work lies ahead for these men. They are pioneers, crucial to the development of a productive community. The Banner salutes their efforts.

EDWARD D. RE, AN EXCELLENT JOHNSON CHOICE

Mr. ANNUNZIO. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, in 1961, soon after his appointment by President Kennedy as Chairman of the Foreign Claims Settlement Commission, there appeared in the CONGRESSIONAL RECORD several articles praising the selection under remarks, entitled "Prof. Edward D. Re, an Excellent Kennedy Choice." Those of us who have followed Dr. Re's career with interest and admiration were delighted by President Johnson's recent appointment of Dr. Re to become Assistant Secretary of State for Educational and Cultural Affairs.

News of the appointment on January 12, 1968, has prompted a stream of articles which have appeared in leading publications from New York to Rome. All have congratulated President Johnson for recognizing the eminent qualifications of a dedicated member of his administration to serve his country in a new and important post.

Dr. Re is a widely known scholar and writer in American jurisprudence, and has written several authoritative textbooks used in leading law schools of the country. He has published many articles on law, diplomacy and legal education. Only recently, he addressed the American Council on Education on the subject of "Public Service and Higher Education."

Members of Congress are especially aware of his outstanding administration of the Foreign Claims Settlement Commission. During the 7 years he served as Chairman, the Commission commenced and completed the largest claims program of its history—the general war claims program—which resulted in awards of $340,000,000. During his chairmanship the Commission also adjudicated thousands of nationalization claims involving Czechoslovakia, Poland, Red China, Cuba, and Yugoslavia, and administered special programs involving Canada and the Philippines.

Both President Kennedy and President Johnson recognized the competence and administrative abilities of Dr. Re by reappointing him as Chairman of the Commission for 3-year terms in 1963 and 1966, respectively. As Assistant Secretary of State, Dr. Re will be responsible for the educational and cultural programs administered by the Department of State, including the Fulbright Scholarships and U.S. Government activities relating to UNESCO.

President Johnson's selection of Dr. Re to head the Bureau of Educational and Cultural Affairs of the Department of State is also "an excellent choice." A summa cum laude graduate of St. John's Law School in New York, he had been a professor at the law school for 14 years before coming to Washington in 1961. Awarded a doctoral degree in juridical science from New York University in 1950, he has also served as a member of the Board of Higher Education of the City of New York since 1958. The board has jurisdiction over the 16 colleges which comprise the University of the City of New York. Having served in the Air Force from 1943–47, he is currently a colonel in the Judge Advocate General's Department of the USAF Reserve. Recently he completed two terms as chairman of the section of international and comparative law of the American Bar Association.

In a major news story, Il Tempo, a leading newspaper in Italy, observed that the appointment "conferred prestige on the entire community of Americans of Italian heritage." Italian-American newspapers and other publications in this country have hailed Dr. Re's appointment as another example of the equal opportunities afforded all who live in our American democracy.

Perhaps the article that best catches the spirit of the appointment is one which appeared in the Tablet, the Catholic weekly in the Diocese of Brooklyn where Dr. Re resides. The articles, under the byline E. H. Wall, and entitled "From the Bottom to the Top," follows:

FROM THE BOTTOM TO THE TOP

(By E. H. Wall)

The nomination by President Lyndon Johnson of Dr. Edward D. Re to be Assistant Secretary of State for Educational and Cultural Affairs is a splendid example of truly discerning executive statesmanship.

We are grateful to the President for securing for the nation the services in this demanding post of so eminently well-qualified a scholar, teacher, jurist, and civil servant as Dr. Re. Rarely, indeed, have the demands of a position and the qualifications of the nominee been so well matched.

We are also grateful to President Johnson for the honor that he does Brooklyn by this appointment. Dr. Re has long been one of the truly outstanding laymen of this Diocese. He is one of us, and when he is thus honored by the President, we too feel a natural pride because he is one of us.

This is the second time that Dr. Re has been honored by a President of the United States with an appointment to a position of national importance. The late President Kennedy thought so highly of Dr. Re's abilities that he called him from his post as professor of law at St. John's University and asked him to come to Washington to serve as chairman of the Foreign Claims Settlement Commission. From this position with its demand of extraordinary juridical knowledge, President Johnson has now called Dr. Re to a post in which his broad, rich cultural and educational background can be placed in the service of the nation.

Surely, then, this is an occasion for gladness. Surely too, however, it is also an occasion for serious contemplation of what we might call "The Promise of America."

Dr. Re, you see, was not born to wealth and high position. He came to these shores from Italy in 1928 as a young, immigrant boy. By dint of hard work, intensive study, and unflagging courage he rose to become one of the most noted jurists of our day, an internationally renowned scholar, and a civic leader and public official whose record has been consistently acclaimed and honored.

America offers a promise to every man, but it lies behind a locked door. To open that door, each man must find within himself the metal to forge the key to success. It is an alloy of rare human qualities; hard work, study, courage, integrity, a willingness to give of oneself without asking "What's in it for me?"

Dr. Re has shown these qualities in lustrous brilliance. As a member of the Board of Higher Education, his tenacious refusal to compromise with principle has testified to his total integrity. His willingness to give of himself—whether it was to the service of the Air Force, of the Department of Justice or of the State Attorney General's Office—has been amply demonstrated.

Surely, this man is a model for all our young people: An immigrant boy who rose to become an Assistant Secretary of State because he carried the key to America's Promise within him.

BANKERS BONUS BILL WOULD COST TAXPAYERS MILLIONS OF DOLLARS

Mr. ANNUNZIO. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, this morning the chairman of the House

Banking and Currency Committee, the gentleman from Texas [Mr. PATMAN], testified before the Subcommittee on Education of the Senate Committee on Labor and Welfare on S. 3098, the Higher Education Act of 1968. Basically, this legislation is designed to provide loans to students to complete their higher education and, as such, the bill is an extremely worthwhile proposition.

However, there is one "trick" section of the bill that would pay a huge bonus to commercial banks because they have made profitbearing loans to students.

This section of the bill would pay financial institutions up to $35 for each loan that they make and include a retroactive feature on the payments to June of 1967. Several weeks ago, Chairman PATMAN testified on the House version of the Senate legislation and pointed out that at that time, these bankers' bonuses amounted to more than $13 million. In today's testimony, Chairman PATMAN pointed out that the payments have now increased to nearly $15 million and continue to grow.

One of the most recurring themes during the 89th Congress, has been that of cutting Government spending. Hundreds of speeches have been given on the floor of this House on that subject. Yet, at the same time Government spending is being lambasted, there is legislation before this Congress that would provide a multi-million-dollar bankers' bonus. I do not feel that we can sit by and criticize Government spending if at the same time we allow this bankers' bonus bill to be enacted.

The student guarantee loan program under the Higher Education Act is well on its way to reaching the goals that were set for it. As Chairman PATMAN pointed out this morning, more loans have been made during the first half of the current fiscal year than were made during the entire last fiscal year. And, during the next fiscal year, it is estimated that some three-quarters of a million loans will be made. All of these impressive figures have been achieved without the aid of bankers' bonus provision.

Chairman PATMAN is to be commended for bringing this bankers' bonus situation to the attention of Congress and I sincerely hope that when this legislation is brought to the floor, the bankers' bonus provision will not be included in an otherwise extremely worthwhile measure.

I am including in my remarks a copy of Chairman PATMAN's testimony before the Senate Committee on Education so that all Members can fully acquaint themselves with the bankers' bonus plan:

STATEMENT OF REPRESENTATIVE WRIGHT PATMAN BEFORE THE SUBCOMMITTEE ON EDUCATION OF THE COMMITTEE ON LABOR AND PUBLIC WELFARE ON S. 3098, U.S. SENATE, APRIL 2, 1968

Mr. Chairman and Members of the Subcommittee, I appreciate the honor and privilege of appearing before you to discuss S. 3098, the Higher Education Act of 1968.

Since your Subcommittee is made up of experts on educational legislation and has a far vaster knowledge of what is needed in educational fields than I do, I would like to limit my testimony this morning solely to the question of the placement fee payments of the guarantee student loan program contained in S. 3098.

Last August when the House had the Amendments to the Higher Education Act under consideration, there was a great deal of pressure to quickly enact the conversion fee section into law. It was suggested by witnesses that unless the conversion fee section was immediately put into effect and even made retroactive to July 1, the whole student loan program would fold and thousands of college students would not be able to return to school. This was only a baseless emotional appeal and the dire consequences predicted by those who were crying "wolf" never happened. Not only did the student guarantee loan program not fold but rather it prospered and now shows every sign of reaching the heights originally predicted for the venture.

During the last fiscal year, ending June 30, there were 328,943 loans made under the program. As of February 29, 1968, the current fiscal year, there were 404,469 loans made. Thus, in only a little more than one-half year, the program has passed its entire output during the previous year and there are indications that in the current fiscal year beginning June 30, 1968, 750,000 loans will be made. Thus, it can easily be seen by even the most casual observer that the program is not on its last legs but rather is doing a brisk business. The gains, of course, have been made without the necessity of paying bonuses in the form of conversion fees to financial institutions.

I feel that one of the problems of the program in its formative stage was that it was being judged solely on the basis of how many loans were made as compared to the number of loans that had been predicted would be made. It was said that the program was in trouble solely because it had not reached the number of projected loans. Even so, by June of 1967, the program was operating at slightly more than 60 percent of its projected level.

But projections, unfortunately, are not totally reliable, particularly when a new program is born. If newspaper stories had reported that by the end of June 1967, more than 357,000 loans had been made to college students under the student guarantee loan program, this fact would have been widely hailed. It would have been pointed out that more than one-third of a million students were being helped and that the program was doing a wonderful job. But instead, the program had a projected figure of more than one-half a million loans hanging over its head and the only way it could be credited with doing an outstanding job was to exceed the projected figure.

I feel that the student loan program has performed an excellent service from the very beginning and its record of achievement is constantly increasing. Perhaps the projection was unrealistic or not enough information was plugged into the decisions that lead to the projection or, perhaps, as is too often the case, there were too many, variables.

New programs must experience growing periods. There has to be adequate time for the word about the program to reach all corners of our country and for students and their parents not only to become acquainted with the program, but to have faith in it. I feel that the experience during this fiscal year shows that the program is now ready to stand on its own two feet.

From the beginning, I have felt strongly that the placement fee, whether it be $35 or $25 or whatever the figure, should not be allowed. I feel even more strongly at this time that the conversion fee feature of the legislation should not be adopted.

First, let us look at the amount of money it would cost the government if the conversion fee were adopted. If, as predicted, there are 750,000 loans made during the next fiscal year and a $35 conversion fee is enacted, it would mean that the cost of paying the conversion fee on that amount of loans would be more than $26 million. And, if the government were also required to pay 6 percent interest on each of these loans, it would mean an additional $56 million outlay. But since the 6 percent interest would be paid whether or not the conversion fee is adopted, let us drop that figure and consider only the conversion fee payments amounting to $26 million. If, for example, we take an average one-year college loan as being $1,000, we could send 26,000 deserving students to college for one year, instead of handing the money to the banks.

If the government set up its own loan revolving fund, it would save the 6 percent a year, plus the conversion fee payment or a total of $82 million. Of course, the cost of obtaining the lending funds would have to be deducted from that amount but there would still be a multi-million dollar savings.

If instead of operating the student loan program as a basis for further subsidizing the banks, the government set up its own loan fund, the savings obtained by not paying the bank subsidies each year would equal the initial loan fund investment in ten years. Eventually, the repayments into the fund would make the program virtually self-sustaining on a monetary basis.

Of course, it would require additional funding to get the program in operation. To accomplish this, one alternative might be a new type of government bond to be issued and sold directly to the public as savings bonds are now sold. The sale of these bonds would be a one or two time affair at the most, since once the program had adequate initial funds, it could operate on a revolving basis. These bonds would carry a yield slightly in excess of existing savings bonds, but would have longer maturities so that they would not compete with savings bonds. In addition, the bonds which we, perhaps, could call U.S. Educational Bonds, would be sold only to individuals who hold a specified number of savings bonds. Thus, the educational bond not only would not compete with our regular savings bond program, but, in effect, would stimulate the sales of the savings bond. Under such an arrangement, the student lending program would not require an appropriation and as the program progresses, I believe that the 6 percent interest rate could be reduced because of the revolving fund nature of the setup. And, because defaults on student loans are so small, less than 1 percent I believe, there would be little chance of money being lost in the program. Based on this, I feel that a direct government lending program would be far more in the public interest than the bank subsidy program being recommended by the American Bankers Association and Under Secretary of the Treasury Barr.

One of the great disappointments of this program to me has been the role played by Under Secretary of the Treasury Barr. He has joined the American Bankers Association in the fight to gain the $35 placement fee. The American Bankers Association is, indeed, fortunate in having such an outstanding individual as Mr. Barr helping, whether intended or not, in its lobbying campaign. But, I am afraid that Mr. Barr is doing a great disservice to our country, to millions of college students, and to thousands of banks across the country.

During Mr. Barr's appearance before the House Special Subcommittee on Education in mid-February, it was pointed out by Congressman Hathaway that he had been told by a number of banks in his district that they did not want the extra money but felt that the guaranteed loans should be made as part of the bank's public service program. I have experienced a similar situation in that a number of bankers have written to me expressing opposition to the placement fee payments. These bankers have pointed out that they would rather see a cutback in the amount of paper work connected with the loans rather than an increase in the fees paid to the banks. Almost every one of the letters I have received in this regard has touched on the belief that the college loans should be made on a public service basis.

Why then is the American Bankers Association and Under Secretary of the Treasury Barr fighting so hard for the extra payments, if, in general, banks do not want the money? Perhaps the answer is contained in the February 23rd issue of the American Banker. In discussing the possibilities of the placement fee's adoption, the paper, in part, reports:

"It also made some American Bankers Association staff members nervous because some banks were enticed into the program with the expectation that the loan fee would be approved by Congress . . ."

Although there is no mention of who the American Bankers Association staff members might be, I am sure the article refers to the bank lobby's hired Ebenezer Scrooge, Dr. Charls Walker, who last summer, told bankers to start making the college loans because the $35 placement fee would be retroactive to July 1, 1967.

Of course Dr. Walker had no basis for such a statement and he later admitted that he had, indeed, crawled out on a limb in making the statement. It would appear now that Mr. Barr is leading the effort to get Dr. Walker off the limb before it is sawed out from under him. Certainly such a motive should not be the driving force behind any type of legislation, particularly if it affects the future of thousands or even millions of college students.

But there is, perhaps, a hidden reason why Dr. Walker and Mr. Barr are fighting so hard for the placement and conversion fee section of this legislation. Section 426 of the legislation provides that the payment of the $35 fee shall be retroactive to June 1, 1967. At first blush, this language seems fairly innocuous but upon closer study, it develops that this section of the bill is a hidden bankers' bonus that will cost the taxpayers, in addition to other charges, nearly $15 million in placement fees.

A check with the Department of Health, Education, and Welfare reveals that from June 1, 1967 through the end of February 1968, there were 427,848 loans made that would be eligible for the $35 placement fee if this legislation were passed. That means that the taxpayers are going to have to come up with $14,974,680 to hand over to the banks. And, additional money will have to be obtained to pay the banks for the loans they have made from the end of February 1968 until the bill is enacted.

In light of this hidden bonus I think it is clear why the American Bankers Association is pushing so hard for the legislation.

I sincerely wonder, in view of the needs of our boys in Vietnam, if we can justify turning nearly $15 million over to the banks.

The American Bankers Association is one of the local leaders seeking cuts in government spending but while the American Bankers Association wants other areas of government spending reduced, they want to make certain that nothing is done to touch the bank subsidies and that every effort is made to see that new subsidies are uncovered for the banks.

The action by the American Bankers Association and Dr. Walker, in advising member banks to make college loans because the fee would be retroactive, is not only a bold attempt by the bankers to run Congress, but at the same time completely negates an attempt to assess the early effectiveness of the guaranteed loan program. Because Dr. Walker has preempted the rights of Congress, we do not know whether or not the 6 percent rate is enough to attract money into the program or whether banks are making the loans solely because Dr. Walker has promised them that he would lobby the $35 placement fee through Congress. Thus, Dr. Walker's bold statement has completely ruined an attempt to gauge the effectiveness of this program and is a shocking display of how the banker's lobby will place their own fortunes ahead of the needs of the people of this country.

A great deal has been said regarding the cost to the banks in making these student loans. Secretary Barr and Dr. Walker have presented figures that purport to show the cost to the banks. Both Dr. Walker and Secretary Barr, in obtaining their figures, completely ignored the fact that banks obtain roughly one-half of their funds at no cost, as in the form of demand deposits. Nor does Dr. Walker or Secretary Barr mention the millions of dollars that banks receive every year interest free in the form of Federal, State and local government deposits. Nor do they mention any of the other subsidies that banks receive.

Recently, the General Accounting Office completed a study concerning the bank profit margin on the student loans. The General Accounting Office, which has no ax to grind nor any members to pacify, reported that rather than losing money on the loans, as contended by Dr. Walker and Mr. Barr, banks were making a tidy profit on these loans. Of course, the ABA contends that the GAO figures are naive and unrealistic, but after seeing Dr. Walker's performance in the student loan matter, perhaps it is he that is unrealistic. I think this Subcommittee would be interested in hearing from the GAO auditors who examined the American Bankers Association's figures. Dr. Walker would have you believe that the ABA's figures were obtained through a carefully conducted study of member banks. However, when the GAO auditors interviewed ABA officials, they found out that the figures for the study were obtained in a slipshod manner consisting mainly of quick phone calls to a few banks. The GAO investigators said they had a great deal of difficulty obtaining any worthwhile information from the ABA.

I was highly interested in the rebuttal of my statement that Dr. Walker has filed with your committee. I think it is extremely interesting to note that out of a 10-page statement, Dr. Walker attempts to rebut only one small point and tries to accomplish that rebuttal through the typical ABA tactic of sleight of hand semantics. Not once does Dr. Walker deny that the banks will receive a huge windfall from passage of this legislation. Nor does he deny that he is on the hook with his members for advising them to make the loans because a retroactive feature would be contained in the legislation. Not only does Dr. Walker fail to support his position with his rebuttal, but he also shows that while he is employed by the banking industry, his knowledge of banking is faulty. He contends, for instance, that banks can make more money on business loans than they can on installment loans. In short, Dr. Walker is saying that a bank can make more money by making a business loan at 6 percent simple interest than it can at making an installment loan at 12 percent. And, of course, a business loan is normally a term affair with no principal payments made until the end of the loan. On an installment loan, the principal is being partially repaid each month so that the bank's exposure is not as great as it would be on term loan.

Also, I cannot understand if banks are making loans that are classified as costing the banks more, why the profit picture of the banks does not reflect these losses. In 1966, bank earnings topped the three billion dollar mark for the first time in history and indications are that in 1967, bank profits increased by 8 percent over the previous year. Perhaps Dr. Walker or Mr. Barr would be willing to explain to your Subcommittee why bank profits have soared if they are making so many loss loans.

Mr. Barr's lack of candor is in keeping with the philosophy of some Treasury officials.

During the 89th Congress, the Banking and Currency Committee attempted to obtain some information from the Treasury Department concerning interest rates on various types of debt and savings instruments. It was information the Treasury was reluctant to supply. After much delay, the Committee was finally given what appeared to be the requested information. By mistake, however, the persons submitting the information had overprinted an inter-office memo onto the Committee's copy that clearly was not meant for our eyes. The inter-office memo read:

"Attached is a review of developments in the certificates of deposit market which may temporarily answer the question raised by the Patman Committee as to the influence of certificates of deposit on our Treasury bill rates. As you note, we have purposefully not answered the question except in a very indirect way."

It would appear the Treasury is continuing its indirect answering methods in its testimony before this Subcommittee.

I am certain you will recall last summer that Dr. Walker and Mr. Barr testified in the House that the banks were losing money on student loans and a rather loose set of figures that purportedly justified the American Bankers Association's position was presented to the Committee. I suggested that these figures were perhaps not on the up-and-up but rather were obtained to prove a specific point rather than to lay the full truth before your Committee. According to my calculations at the time, the banks were not losing money as claimed by the American Bankers Association but rather were making money on these loans. I am, indeed, gratified that the General Accounting Office study strongly questions the accuracy of the American Bankers Association's figures and makes it clear that the banks are making a tidy profit on these loans.

In closing, let me point out that Commissioner on Education, Harold Howe, has suggested that consideration should be given to using pension funds as a student loan pool. I personally favor such an idea and feel that if these funds were offered an earning asset of 5 percent a year, they would jump at the opportunity to provide money for the loans. Or as an alternative, as I suggested earlier, consideration should be given to an educational bond that could be sold to the general public with an attractive interest rate. These bonds could carry a longer maturity so that they would not compete with savings bonds. Not only would this make millions, if not billions, of dollars available for student loans, but would greatly aid this country's banking industry so that it would not have to continue making loss loans.

Mr. Chairman, I sincerely hope that when your Committee has worked its final will on this legislation that it will drop the placement fee section and give the student loan program an opportunity to function in an atmosphere free of panic button pushers. In short, the program is just beginning to reach its potential. Let us not take any hasty action while this program is in a period of forward movement. We need a much stronger experience factor before making any drastic alterations.

In closing, I would like to point out that if the placement fee of $35 is adopted, and a year or six months from now the American Bankers Association decides that it is not enough money for its banks, it will be a simple task for that Association to instruct its members not to make additional loans until the fee is raised. Then we can look for Dr. Walker to put on his mask and strap on his gun and hold up Congress again in the name of higher education. Can we afford to treat our students in this manner?

Thank you very much.

ALTON AREA FINANCES OWN BEAUTIFICATION PROGRAM

Mr. PRICE of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE of Illinois. Mr. Speaker, a truly remarkable community improvement organization known as Pride, Inc., has been developed in the Alton Lake area of Madison County, Ill. Led by Alton physician Dr. Gordon F. Moore, and armed with an eight-point beautification program, Pride is seeking to stimulate beautification efforts in 16 communities, and is focusing in particular on reviving the memorial area dedicated to the free press martyr, Elijah Parrish Lovejoy, who died a brutal death at the hands of a mob because he would not be intimidated from his courageous antislavery stand.

It was my pleasure to meet recently with officers and members of the board of directors of the 1-year-old organization. Because I was so impressed by their dedication and sincerity, I want to share with my colleagues the following brief outline about Pride:

Pride, Incorporated, of Alton, Ill.—People Working for Themselves To Help Their Communities in Beautification

Community improvement through the involvement of its citizens, businesses, industries, clubs, organizations and the communities to work together in making the Alton Lake Area in Illinois a nicer place in which to live and work is the positive approach of Pride, Incorporated. Pride, a non-profit organization dedicated to beautification, came about after several imaginative people realized that our problem of helter-skelter development and untidy habits have been the product of many years of neglect. Pride raises its own funds and does not use tax money.

With this idea in mind, the thinking and actions have now turned toward the positive approach to the improvement of the Pride area. This area includes the communities of Grafton, Elsah, Godfrey, Alton, Brighton, Fosterburg, East Alton, Cottage Hills, Bethalto, Moro, Wood River, Roxana, Rosewood Heights, South Roxana, Hartford and Edwardsville.

Although Pride has been in operation a little over a year, its main eight-point program of beautification stimulation in this area has received outstanding acceptance and the impact continues to grow each day.

The eight-point program approach to aid in the beautification of this area includes:

Home Owners and Renters—the mobilization of every block in the sixteen Pride communities into a block captain system which stresses the message of keeping homes and yards in neat, attractive condition. This includes the giving of Home Beautification Awards to those who have done good jobs on their property.

Commerce and Industry—to encourage the businesses and industries of the Pride area to develop beautification plans around their property to help improve their environment.

Education—to motivate and encourage the school children into becoming more alert against the reckless littering of the school yards and public thoroughfares and to participate in special beautification programs geared to them.

Great River Road—to preserve and protect the natural beautv of this 13-mile stretch of road from the city limits of Alton to Grafton and also to encourage beautification by various industries, businesses and institutions along the way.

Highway Beautification—to stimulate the State of Illinois Highway Department to beautify existing highways and to mobilize private resources to aid in the beautification of highways between our communities.

Lovejoy Area.—Citizens and newspapermen are reviving the memory of Elijah Parrish Lovejoy, America's martyr to freedom of the press, with a campaign to establish an International Journalism Hall of Fame here in Alton at his grave.

Lovejoy's murder at the hands of a mob in Alton November 7, 1837, was protested because of his courageous stand against slavery in his newspaper, the Alton Observer. His fourth printing press was smashed to pieces and thrown in the nearby Mississippi River by the mob. The body of the free press martyr was carried out of the warehouse where Lovejoy was mobbed and shot, and buried by his friends under a roadway in a secret spot.

In 1864, Lovejoy was reinterred in Alton City Cemetery with a simple scroll marking the site. In 1897, the State of Illinois and people of Alton erected a 90-foot tall monument to his memory. The Lovejoy Memorial Association of Alton kept the memory alive with scholarships and annual pilgrimages to the gravesite. Classes of school children visited the grave.

But gradually the community and state let the Lovejoy site fade from prominence. Weeds began to grow around the monument entrance and the fence sagged. Monument Street, the main tourist entrance leading upward to the monument on a hilltop, grew wild with trees, hiding the site.

Supported by Pride, Incorporated, the Alton area's new beautification action organization, the city, citizens and newspapermen are reviving the spirit of Lovejoy with the promotion of a facelifting in the monument neighborhood and cemetery. Short-term projects include refurbishing and lighting. The long-range goal of the citizen-newspapermen's project is an International Journalism Hall of Fame.

Service Organizations—To encourage and enlist the support of the various service organizations in our communities in developing beautification plans for public grounds in our respective communities in order to improve the appearance of their communities.

Alton Lake—to encourage, through an educational program, the discouraging of the litter of the water by the users of the lake. The Alton Lake, a 26-mile long body of water, was created by the building of Lock and Dam #26 across the Mississippi River at Alton. This lake, which is also the Mississippi River, is one of the most heavily used bodies of water in use today. The program is developed to work with the thousands of boat owners and many marinas in attacking the problem of littering of public waterways.

These are the main programs of Pride but there are many more now in operation that are doing a great deal in stimulating the people of the area into an allout positive approach to beautification and the improvement of our environment.

U.S. MILITARY CREDIT UNIONS IN GERMANY CONTINUE FANTASTIC GROWTH

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, each month for the past several months I have addressed the House concerning the operation of U.S. military credit unions in the Republic of West Germany.

These credit unions, which were set up to provide U.S. military personnel with a low cost, highly reliable source of credit, have been met with great enthusiasm by our troops in Germany and as each of the six credit unions scattered throughout Europe opens its doors, it achieves almost instantaneous success.

Every Member of the House of Representatives can take pride in the outstanding job that is being done by these credit unions, particularly the members of the Domestic Finance Subcommittee of the House Banking and Currency Committee, both of which I am privileged to chair.

It was much through the work of the members of the Domestic Finance Subcommittee that these credit unions were established. The members of the subcommittee are: Joseph G. Minish, Democrat, of New Jersey; Richard T. Hanna, Democrat, of California; Tom S. Gettys, Democrat, of South Carolina; Frank Annunzio, Democrat, of Illinois; Thomas M. Rees, Democrat, of California; Nick Galifianakis, Democrat, of North Carolina; William B. Widnall, Republican, of New Jersey; W. E. (Bill) Brock, Republican, of Tennessee; J. William Stanton, Republican, of Ohio; Sherman P. Lloyd, Republican, of Utah; Benjamin B. Blackburn, Republican, of Georgia.

I am including in my remarks the latest report on the operation of the U.S. credit unions in Germany. I am particularly pleased with the excellent job that these credit unions are doing in being of financial assistance to our lower grade enlisted men. These men have long been without adequate sources of credit but now that problem is being solved by the credit unions.

Defense Credit Union Council,
Washington, D.C., March 18, 1968.

Hon. Wright Patman,
Chairman, Committee on Banking and Currency, House of Representatives, Washington, D.C.

Dear Mr. Chairman: The following progress report concerning the operation of credit union sub-offices in Germany is submitted for your information.

Ft. Belvoir Federal Credit Union located at Fort Belvoir, Virginia opened its sub-office at Wurzburg, Germany on 1 February. During the month of February 1968 this credit union signed 119 members and disbursed 92 loans. The amount of loans outstanding as of February 29 was $46,306.49. Shares equaled $5,455.54.

Andrews Federal Credit Union located at Andrews Air Force Base, Washington, D.C., did not begin operations until 11 March 1968. A report concerning their operations will not be available until April.

Pease AFB Federal Credit Union located at Pease Air Force Base, New Hampshire began operations at Ramstein, Germany, on 15 January 1968. During the month of February this credit union acquired 762 new members and loaned $402,447.92.

To date this suboffice has signed up 1,230 members, loaned $546,265.31. Share deposits to date total $84,613.54. Loans were made to pay grades as follows:

E-2	2
E-3	97
E-4	206
E-5	128
E-6	73
E-7	18
E-8	1
E-9	4
O-1	8
O-2	10
O-3	9
O-4	4
O-5	6

Finance Center Federal Credit Union located at Fort Benjamin Harrison, Indiana began operations at Furth, Germany on 15 February. During the month of February this sub-office acquired 68 new members and loaned $24,929.90. Shares amounted to $2,471.75. Loans were made to pay grades as follows:

E-4	6
E-5	11
E-6	6
E-7	1
O-1	4
O-2	1
O-4	1
W-1	1
GS-5	1
GS-12	1

Lackland Federal Credit Union located at Lackland Air Force Base, Texas began operations in West Berlin, Germany on 26 December. During the month of February this sub-office acquired 157 new members and loaned $102,484.00. Shares totaled $17,227.81. Accumulative loans in this sub-office to date amount to $205,491.37 and share deposits amount to $26,059.62. Loans were made to pay grades as follows:

E-3	11
E-4	22
E-5	50
E-6	36
E-7	8
E-8	1
W-O	1
O-1	3
O-2	2
O-3	1
GS-12	1

Redstone Federal Credit Union located at Redstone Arsenal, Alabama, began operations on 15 February. During the month of February this sub-office acquired 120 new members, loaned $41,554.04 and received share deposits in the amount of $9,508.23. Loans were made to pay grades as follows:

E-3	2
E-4	18
E-5	26
E-6	14
E-7	12
E-8	8
O-1	8
O-2	2
O-3	2
O-4	2

As of 29 February the sub-offices in Germany have loaned $864,547.11 and have received share deposits in the amount of $128,108.68. Loans made in the month of February totaled $617,722.35.

Respectfully,

EVERT S. THOMAS, Jr.,

Brigadier General, U.S.A., (Ret.), Executive Secretary.

INCOME AND ASSETS OF TAX-EXEMPT FOUNDATIONS SOAR

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, I have recently transmitted to Subcommittee No. 1 of the House Small Business Committee the sixth installment of the impact of tax-exempt foundations and charitable trusts on the Nation's economy.

This report covers, among other things, the receipts and disbursements of 596 foundations during the 2-year period, 1965 through 1966, as well as their assets, accumulation of income, liabilities, and net worth at the close of 1966. Our earlier studies deal with the years 1951–64.

In 1965 and 1966, the total receipts of the 596 foundations were $1.4 billion and $1.3 billion respectively, which as a measure of growth compares significantly to the total receipts of $559.7 million recorded by the foundations during the first accounting period for which they submitted data to the subcommittee—usually 1951.

The assets of the 596 foundations were valued at $15.1 billion at the close of 1966 compared with $10.2 billion at the end of 1960, a 50-percent increase in 6 years.

A thought-provoking editorial on this subject which appeared in the Washington Post of March 29, 1968, follows:

TAX-EXEMPT FOUNDATIONS

Rep. Wright Patman, the most indefatigable of the populist gadflies on Capitol Hill, isn't likely to go far with his recommendation that the larger tax-exempt foundations turn over their annual income, now estimated at $1.3 billion, to the Treasury for the duration of the Vietnam War. But to write off a policy proposal as implausible is not to deny that Mr. Patman and the Small Business Subcommittee staff pointed up some very real problems in their sixth report on the economic impact of tax-exempt foundations.

Two of the arguments against self-perpetuating, tax-exempt foundations are perfectly straightforward, touching upon questions of equity and competition. Foundations permit the avoidance or deferral of income and estate taxes, and in some instances become "the playthings of rich men" rather than vehicles of philanthropy. Foundations are also used to circumvent the antitrust laws by permitting family or other interest groups to hold controlling interests in a number of corporate enterprises. As a consequence of the foregoing abuses, the morale of ordinary taxpayers, those not sheltered by foundations, is undermined and competition is weakened.

The abuses uncovered by Mr. Patman's staff are widely condemned, but a totally uncritical view is taken of the large, tax-exempt foundations that are engaged in genuine philanthropy. When their resources are used to finance medical and other research in the physical sciences, there can be few quarrels about the wisdom of exempting them from taxation. But problems arise when the tax-exempt incomes are used to finance research and other activities that impinge upon issues of current public policy. If the foundation is "liberal" in orientation, "conservatives" are in effect being taxed, compelled to pay more taxes than they otherwise would in order to finance the dissemination of ideas they abhor. A similarly unfair tax is leveled on the liberal who supports the conservative foundation. Problems are also created when pressures are exerted by foundations that make grants to universities, the principal thrust of which appears to be a denial of support for ideas or doctrines that are not in the mainstream of what is deemed proper by the conventional standards of the ruling establishments.

In 1960, the 596 foundations investigated by the Small Business Subcommittee valued their assets at $10.2 billion, in 1966 at $15.1 billion. That is a large aggregation of wealth, and wealth is power. If Congress continues to confer the privilege of tax exemption, it should subject the foundations to far greater scrutiny.

CIVIL RIGHTS BILL SHOULD BE APPROVED

Mr. CELLER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Speaker, under leave to extend my remarks in the RECORD, I am pleased to include my statements before the Committee on Rules on March 28 and April 2, urging approval of House Resolution 1100 so that the Members of the House may approve the pending civil rights bill, H.R. 2516, as amended by the Senate. My statements follow:

REMARKS OF HON. EMANUEL CELLER ON MARCH 28, 1968, BEFORE THE COMMITTEE ON RULES

Mr. Chairman, I appear this morning to urge the Committee on Rules to report favorably House Resolution 1100 so that the House may work its will and adopt H.R. 2516, together with the Senate amendment thereto.

The House approved the bill, H.R. 2516, on August 16 of last year. The bill adopted and sent to the Senate specified certain kinds of rights to be protected by Federal law and provided criminal penalties for the forcible interference with the exercise of those rights. The Committee will recall that the bill was overwhelmingly approved by a vote of 326 yeas to 93 nays.

In the Senate, H.R. 2516 was considered in public hearings before the Senate Judiciary Committee and was reported favorably to the Senate floor on November 7, 1967. It was the subject of seven weeks of extensive debate in the other body and was amended by the adoption of an amendment in the nature of a substitute which contained many provisions not contained in the bill which the House adopted. In my statement this morning, I wish to outline in general terms the meaning and intent of the Senate amendment in order to promote an understanding of this Committee and to help assure prompt and favorable action.

Before turning to the bill, however, I believe the words of President Johnson two years ago describing the challenge which we confront are more pertinent today. The President said:

"The task is to give 20 million Negroes the same chance as every other American to learn and grow, to work and share in society, to develop their abilities—physical, mental, and spiritual—and to pursue their individual happiness."

I believe that H.R. 2516, as amended by the Senate, meets that challenge. I am convinced it would significantly promote the causes of social, political and economic progress through the rule of law to which this nation is firmly committed.

In the first place, in general terms, the provisions of sections 101 through 103 of Title I parallel the coverage of H.R. 2516, as passed by the House. The Senate amendment sets forth provisions designed to protect against violent interference with the exercise of a variety of benefits and activities. Each area of protected activity is specifically described. They include: voting, public accommodations, public education, public services and facilities, employment, jury service, use of common carriers and travel in interstate commerce, and participation in federally-assisted programs. The proposed statute would also protect citizens who lawfully aid or encourage participation in these activities as well as those who engage in speech or peaceful assembly opposing denial of the opportunity to participate in such activities. Persons who have duties to perform with respect to the protected activities—such as public school officials, restaurant owners and employers—would also be covered. The bill prescribes penalties graduated in accordance with the seriousness of those results of violations, ranging from misdemeanor penalties to life imprisonment.

The bill, as amended by the Senate, does differ, however, in the following three respects: *First*, to assure that dual State-Federal jurisdiction is carefully exercised by the Federal Government, the bill requires *advance certification* of prosecutorial authority by the Attorney General or the Deputy Attorney General; *Second*, the Senate bill exempts proprietors of "Mrs. Murphy" public accommodations from the prohibitions of the Act; and *Third*, the bill expressly states that police shall not be considered in violation of the new law for lawfully carrying out the duties of their office or for enforcing Federal or State law.

Title I also establishes penalties for incitement to riot. These provisions penalize interstate travel or the use of interstate facilities, including the mail, to incite, organize, or promote a riot. Violations of the Act are punishable by a fine of not more than $10,000 or imprisonment of not more than five years, or both. To commit a punishable offense under this section, one must not only use interstate facilities with the intent to incite a riot but must also commit an overt act in furtherance of that intent.

"Riot" is defined as acts or threats of violence by one or more persons in an assembly of three or more resulting in or damage to or greatly endangering the person or property of others. Actions which are the mere expression of ideas or beliefs are specifically exempted from the definition of riot. The statute makes clear that State and local law enforcement is not to be preempted by the new Federal law. A judgment of conviction or acquittal on the merits under the law of any State would operate as a bar to any Federal prosecution for the same act or acts.

These provisions closely parallel the provisions of H.R. 421, the so-called Anti-Riot Bill, which was favorably reported by the Committee on the Judiciary and adopted by the House on July 19, 1967.

Mr. CHAIRMAN. Titles II through VII of the Senate amendment to H. R. 2516 concern protecting the rights of American Indians. In general terms, these titles establish a bill of rights for American Indians and provides for assumption by States of civil and criminal jurisdiction over Indian country with the consent of the Indian tribes affected.

Title II creates a "bill of rights" for Indians in relation to their tribes similar to the Bill of Rights in the Constitution that applies to other citizens' relation to their government. Among other features, the title retains the present maximum penalty of a $500 fine or imprisonment for a term of six months which may be imposed by an Indian tribe, and assures a person in criminal proceedings of the assistance of counsel for defense at his own expense. The title also provides that the writ of habeas corpus shall be available in any United States Court to test the legality of detention by order of a tribal court. The provisions of Title II would go into effect one year following the date of enactment in order to facilitate compliance with its terms by Indian tribes.

Title III authorizes and directs the Secretary of the Interior to draft a Model Code to govern the Courts of Indian Offenses, to assure due process in the administration of justice by such courts and to implement the rights specified in Title II. It is anticipated that this Model Code would supplement the present code of offenses and procedures regulating the administration of justice now contained in Title 25, Code of Federal Regulations, which was established more than thirty years ago. In preparing this code, the Secretary of the Interior is directed to consult with Indians, Indian tribes and interested agencies of the United States.

Title IV amends Public Law 83-280 (67 Stat. 588) which conferred to certain States (California, Minnesota, Nebraska, Oregon, and Wisconsin) civil and criminal jurisdiction over Indian country. Title IV provides for United States consent to the assumption by any State of criminal and civil jurisdiction over Indian tribes, with the consent of the tribes affected. Thus, Public Law 280 is modified by requiring tribal consent as a precondition to a State's assumption of jurisdiction.

Title V amends the "Major Crimes Act" (18 U.S.C. 1153) by adding "assault resulting in serious bodily injury" to the list of Federal offenses. At present, Federal courts have jurisdiction over the crimes of murder, manslaughter, rape, incest, assault with intent to kill, assault with a dangerous weapon, assault with intent to commit rape, carnal knowledge, arson, burglary, robbery, embezzlement, and larceny committed by an Indian against another Indian or another person. This amendment will make possible Federal prosecution for such aggravated assault committed in Indian country.

Title VI establishes a new rule governing approval by the Secretary of the Interior or the Commissioner of Indian Affairs for the employment of legal counsel for Indian tribes and other Indian groups. It provides that applications relating to the employment of legal counsel made by Indian tribes or Indian groups shall be deem approved if neither approved nor denied within ninety days from the date of filing such application with the Secretary or the Commissioner.

Title VII authorizes and directs the Secretary of the Interior to revise, compile and republish materials relating to Indian constitutional rights and Indian laws and treaties.

Title VIII, entitled "fair housing", is designed to assure all persons an equal opportunity to buy or rent housing without discrimination because of race, color, religion, or national origin. The goal of "a decent home and a suitable living environment for every American family" proclaimed in the National Housing Act of 1949 has not been achieved. The late President Kennedy, in November 1962, issued Executive Order No. 11063, which established a Committee on Equal Housing Opportunity and forbade discrimination in recent FHA or VA insured housing. In recent years there has been considerable State and municipal reaction against discrimination in housing and today some 22 States, the District of Columbia, Puerto Rico, the Virgin Islands, and a large number of municipalities have enacted fair housing laws prohibiting discrimination in private housing transactions, but nevertheless it is plain that the combined efforts of State and local laws, executive orders, as well as actions by private volunteer groups is just not enough. Court decisions are not enough. Federal legislation to eliminate the blight of segregated housing and the pale of the ghetto is demanded.

While discrimination in housing is a fact which needs no proof, the consequences for both the individual and his community are not always so apparent. Segregated housing isolates racial minorities from the public life of the community. It means inferior public education, recreation, health, sanitation and transportation services and facilities, and often means denial of access to training and employment and business opportunities. Too often it prevents the ghetto inhabitants of liberating themselves. It is deeply corrosive both for the individual and for his community. Much of the urban crises that we witness today is a product of Negro segregation in the city ghettos and the flight of whites from the Negro and from these ghettos. To the extent that residential segregation prevents States and municipalities from carrying out their obligations to promote equal access and equal opportunity in all public aspects of community life, the Fourteenth Amendment authorizes the removal of this blight.

Title VIII bans discrimination on grounds of race, color, religion or national origin in the rental, sale or financing of residential housing subject to certain specific limited exceptions. I shall briefly outline the coverage of these provisions:

1. *Upon enactment*, the bill would cover by statute the types of housing now subject to prohibition on discrimination under Executive Order No. 11063. This includes (i) housing owned or operated by the Federal Government; (ii) provided in whole or in part with the aid of loans, advances, grants, or contributions made by the Federal Government; (iii) provided in whole or in part by loans insured or guaranteed by the Federal Government, and (iv) urban renewal redevelopment housing receiving Federal financial assistance. (Among other types of housing these provisions cover housing provided with FHA or VA mortgage insurance or guarantees, housing in urban renewal areas, senior citizens' housing, and low rent public housing.)

2. *After December 31, 1968*, the bill would cover other housing subject, however, to three exemptions:

(a) any single family house sold or rented by a private owner who owns no more than three such single family houses; (in the case of the sale of a single family house by an owner who is not the resident nor the most recent resident therein, this exemption applies only with respect to one such sale within a 24 month period).

(b) rooms or units in dwellings of four or fewer family units where the owner actually occupies one of the units as his living quarters;

(c) housing, operated for other than commercial purposes, furnished to members of religious organizations, associations, or societies or members of private clubs.

3. *After December 31, 1969*, the single-family house sale or rental exemption would continue *only* if the sale or rental is made without the use of the facilities of a real estate broker or other person in the business of selling or renting dwellings, and, without the publication or posting of any notice or advertisement indicating an intention to discriminate. Thus, the bill prohibits the use of a professional real estate dealer or similar person to help accomplish the owner's discriminatory purpose. The bill assumes that when an individual uses the public mechanisms of the real estate industry to effect a sale he should not be permitted to require that industry to carry out his discriminatory purpose. Such sales are to be regarded as "public" offerings.

Mr. Chairman. The bill, H.R. 14765, the Civil Rights Act of 1966, which passed the House on August 9, 1966, prohibited almost the exact same type of conduct with respect to housing discrimination as would be prohibited by H.R. 2516, as amended by the Senate. One difference is that the 1966 bill banned discrimination by real estate brokers and other persons in the business of selling or renting dwellings, while H.R. 2516 applies to prohibitions, with certain exceptions, to sales by any person. However, since the definition of a "person in the business of building, developing, selling, renting or leasing dwellings" contained in the 1966 bill was broad, the difference in the reach of the prohibitions of the two bills is more apparent than real. Multiple sale or multiple rental transactions were covered by the 1966 bill and would also be covered by H.R. 2516. H.R. 2516 achieves essentially the same results as the 1966 bill by prohibiting discrimination in the sale of most types of housing *whether or not* the seller is "in the business", but at the same time exempts sales or rentals by single-family home owners.

Enforcement. H.R. 2516 provides three methods of obtaining compliance: administration conciliation, private suits, and suits by the Attorney General for a pattern or practice of discrimination.

Administrative conciliation. The Department of Housing and Urban Development would have conciliation authority to resolve complaints alleging discriminatory housing practices. A person aggrieved files his complaint within 180 days after the alleged acts of discrimination. The Secretary of HUD would have 30 days after filing of the complaint to investigate the matter and give notice to the person aggrieved whether he intended to resolve it. If the Secretary decides to resolve a complaint, he would engage in informal conference and conciliation with the person alleged to have committed the discriminatory housing practice, and attempt to bring an end to such practice by that means. If conciliation failed, or if the Secretary declined to resolve the charge or otherwise did not act within the 30 day period, the aggrieved person would have 30 days in which to file a civil action in either a State or Federal court.

If the complaint alleges acts constituting a violation of State or local law, and that law provides rights and remedies substantially equivalent to the rights and remedies provided in the bill, the Secretary would be required to refer the matter to the appropriate State or local agency, who would have at least 30 days to act on the matter before the Secretary could begin conciliation proceedings. In States with substantially equivalent rights and remedies any suit filed following failure of conciliation efforts would have to be brought in the State or local court.

Both the Secretary and the party charged have power to subpoena records, documents, individuals and other evidence or possible sources of evidence.

In addition to his conciliation function, the Secretary would be required to make studies and to publish reports with respect to the nature and extent of discriminatory housing practices in the United States. He would also be directed to cooperate with and to render technical assistance to Federal, State, local and private agencies which were carrying on programs to prevent or eliminate discriminatory housing practices, and to administer HUD programs and activities in a matter affirmatively to further the policies of the bill.

Private civil actions. In addition to administrative remedies, the bill authorizes immediate civil suits by private persons within 180 days after the alleged discriminatory housing practice occurred in any appropriate United States district court or appropriate State or local court of general jurisdiction. The bill further provides that any sale, encumbrance, or rental consummated prior to a court order issued under this Act and involving a bona fide purchaser, encumbrance, or tenant, shall not be affected. In such circumstances as the court deems just, the bill authorizes the appointment of an attorney for the plaintiff and the commencement of a civil action without the payment of fees, costs, or security. The court is authorized to issue a permanent or temporary injunction, or other appropriate orders and may award actual damages and not more than $1,000 in punitive damages, together with court costs and reasonable attorney fees.

Suits by the Attorney General. The third enforcement method under H.R. 2516 authorizes the Attorney General to institute civil actions for preventive relief whenever he has reasonable cause to believe that any person or group of persons is engaged in a pattern or practice of resistance to the full enjoyment of any of the rights granted by this bill, or whenever he has reasonable cause to believe that any group of persons has been denied such rights in a case of general public importance.

Finally, Title VIII specifically provides that it shall not be construed to invalidate or limit any State or local law that grants or protects the same rights. The Secretary of HUD is authorized to cooperate with State and local fair housing agencies and, with their consent, can utilize the services of such agencies.

Title IX (prevention of intimidation in fair housing cases). Title IX, using language similar to that found in Title I of the bill, protects persons from forcible interference or injury because of race, color, religion, or national origin, and because they were seeking to sell or acquire housing, to finance or occupy a dwelling, or to exercise other rights connected with housing. The title also prohibits forcible interference with those who would aid or encourage others to exercise these rights or lawfully speak or assemble to protest denials of these rights. The criminal offenses described and the graduated penalties provided in Title IX are similar to those stated in Title I of the bill.

Title X establishes three new Federal offenses and provides a penalty of a fine of $10,000, imprisonment up to five years, or both. The three new offenses are:

1. teaching or demonstrating the use or making of any firearm or explosive or incendiary device, knowing or having reason to know, or intending that it will be unlawfully employed for use in or in furtherance of a civil disorder which may in any way or degree obstruct, delay or adversely affect commerce, or the conduct or performance of any federally-protected function;

2. transporting or manufacturing for transportation in commerce a firearm or explosive or incendiary device, knowing or having reason to know, or intending that it will be used unlawfully in furtherance of a civil disorder;

3. committing or attempting to commit any act to obstruct, impede, or interfere with any firearm or law enforcement officer lawfully engaged in the lawful performance of his duties incident to and during the commission of a civil disorder which in any way or degree obstructs, delays, or adversely affects commerce for the conduct or performance of any federally-protected function. "Civil disorder" is defined as "any public disturbance involving acts of violence by assemblages of three or more persons, which causes an immediate danger of or results in damage or injury to the property or person of any other individual."

CONCLUSION

Mr. Chairman. Let me emphasize with all the strength that I can command that this bill embodies essential and fundamental first principles—principles basic to the human rights and dignity of every American.

As I stated at the outset, residential segregation of Negroes in this country is a fact which needs no proof. The objective dimensions of urban American ghettos include over-crowded and deteriorated housing, crime, disease, and alarmingly high infant mortality. The subjective dimensions are no less alarming. They include resentment, hostility, despair, apathy, and self-depreciation.

While studies exist that show that desegregated housing does not depress real estate values, many in the real estate and building business fear to take a chance. They feel trapped by custom and the possibility of competitive disadvantage. The fact is, however, that their policies and their practices perpetuate segregated housing. The analogy of this bill to the Civil Rights Act of 1964, particularly the public accommodations title, is plain. There, hotel and motel owners and restaurateurs, for example, also fear to set out independently to serve all customers without discrimination. Those of us who supported that legislation urged that by enacting a rule of fair treatment, a universal law against discrimination, all would be in a position to serve without discriminating. None would be doing so at his economic peril.

Experience under Title II of the 1964 Civil Rights Act has proved the correctness of that contention. Nondiscrimination in hotels, in motels and restaurants has been accomplished without disrupting business. Indeed, it has improved business. And so, too, will the open housing title of this bill *promote* expansion in the housing industry. I believe it a mistake to consider the sanctions contained in Title VIII as the most significant aspect of a Federal fair housing law. What is more significant is that this law can be used as a *shield* to protect those in the housing business when they do what is right. Of course, the same protection will be afforded the individual home owner who wants to do right.

Mr. Chairman, the time is long overdue for us to make good the promise of the National Housing Act of 1949: "a decent home and a suitable living environment for every American family."

I urge the Committee to favorably report House Resolution 1100 so that the House can work its will on this historic legislation.

Additional Remarks of Hon. Emanuel Celler on April 2, 1968, Before the Committee on Rules

Mr. Chairman. I have had time to reflect on the testimony which I submitted to this Committee on Thursday urging prompt approval of House Resolution 1100 and I believe that I may not have made my observations concerning the scope and effect of Title VIII, the open occupancy title of H.R. 2516, entirely clear. Accordingly, Mr. Chairman, with your permission and the indulgence of the Committee, I wish to amplify my remarks and compare the essential features of the open occupancy title of H.R. 2516 with the bill approved by the House in 1966.

First, the 1966 bill prohibited almost the identical conduct that will be prohibited by H.R. 2516, except that the 1966 bill focused its ban on discriminatory practices by *real estate brokers and others in the business* of selling or renting dwellings. H.R. 2516 applies its prohibitions, with certain exceptions, to sales by any person. Now, let me make clear what are the exemptions from coverage from the ban on housing discrimination in the present bill.

First (a) *Religious and private club exemption*. Both the 1966 bill and H.R. 2516 exempt religious and charitable institutions and bona fide private clubs, and do so in substantially the same terms.

Second (b) *"Mrs. Murphy" exemptions*. Both the 1966 bill and H.R. 2516 contain "Mrs. Murphy's boarding house" exemptions, and again the language is quite similar.

One difference is that the 1966 bill contained two clauses stating such exemptions: One applied to *"portions of buildings . . . containing living quarters . . . intended to be occupied by no more than four families"* if the owner *actually occupied* a part of the building as his residence. A second exemption in the 1966 bill stated that nothing in the bill should be construed "to prohibit or affect the right of an owner to refuse to rent a room or rooms in his home for any reason."

In H.R. 2516, as amended by the Senate, these two provisions have been combined into one so that *rooms or units in an owner-occupied dwellings are exempted from coverage* where the dwelling is occupied by *no more than four families*.

Third (c) *Exemption of single-family houses sold by owner*. The 1966 bill permitted real estate brokers, agents, or salesmen to discriminate with respect to the sale, rental, or lease of a dwelling whenever *instructions in writing* were received from the owner of such a dwelling specifying that the broker, agent, or salesman do so.

In contrast, the present bill *expressly exempts* single-family houses *sold or rented by a private owner*, if such person is the owner of three or fewer dwellings. Such an owner is not covered by the prohibitions against discrimination (a) as to the sale or rental of *his own home*, or (b) as to the sale or rental of *other single-family homes owned by him* (in which he is not the resident, nor the most recent resident therein), *provided* that he sells not more than one of such homes in any two year period. In 1970, the single-family home exemption remains effective *only where the home is sold or rented without the assistance of a broker or a person in the business of selling or renting dwellings.*

(d) *Effect of the single-family house exemption in H.R. 2516.* The exemption of single-family houses in H.R. 2516 preserves to the individual home owner a significant amount of discretion to discriminate, if he chooses, in selling or renting his personal dwelling. However, by restricting the exemption to individuals, and by prohibiting discrimination by brokers in all cases except the "Mrs. Murphy" situation, several real advantages are obtained.

First, I believe the proposed statute will be *more easily enforced* since the lines between exempt housing and covered housing are made more clear. In our 1966 bill, discrimination might or might not be "authorized" by a seller, so that even in the case of sales by real estate agents a potential buyer or lessee could not know whether or not a refusal to deal with him was covered by the statute.

Second, H.R. 2516 "authorizes" no discrimination; all it does, is *exempt* certain types of dwellings. In this respect it resembles State fair housing statutes *far more* than did the 1966 bill. This bill prohibits discrimination by real estate dealers in 1970 in virtually all cases because it is believed that when an individual uses the real estate industry to effect a sale, the transaction has assumed a "public" character.

Third, the 1966 bill might have had the effect of encouraging real estate dealers to continue discriminating and to seek "authorization" to discriminate from their clients. Although the 1966 bill did prohibit soliciting such written authorizations, there can be no doubt that covert communication, for example, a "raised eyebrow" and other indirect means, would be *encouraged* by such a provision. In other words, the 1966 bill created a loophole.

Mr. CHAIRMAN. In speaking about open occupancy on Thursday last, perhaps I did not make it entirely clear that this measure would benefit *all* segments of our nation. Of course, its enactment would:

(1) Help more than 20 million American Negroes and other minorities with the same freedom of opportunity to choose a home in which they wish to live as is available to any other American;

(2) Make available to Negroes and other minorities the only major commodity which today is not available to all Americans on the basis of ability to pay;

(3) Enormously simplify housing relocation processes in all Federal and local government programs by making more sale and rental housing available (this has been and continues to be a severe problem among the families of our military personnel).

But, additionally, the enactment of a Federal open housing law will help to—

Stabilize our neighborhoods and eliminate panic selling;

Free builders, investors, lending institutions, real estate brokers and agents of the fear of economic loss if they are the first to support open occupancy in their own localities, and

Open a new housing market for the urban, non-white middle class which, in increasing numbers, has the income needed to pay for good housing.

Mr. Chairman, I understand that the Committee has heard testimony concerning criticism of Title X of H.R. 2516 and suggesting that it may be violative of rights protected by the Second Amendment to the Constitution. I should like at this time to amplify my earlier remarks and describe in somewhat greater detail the provisions of Title X.

This Title prescribes a fine of not more than $10,000 or imprisonment of not more than five years, or both, for whoever teaches or demonstrates to another person the use, application, or making of any firearm or explosive or incendiary device capable of causing injury or death, knowing that the same will be unlawfully used in furtherance of civil disorders which may adversely affect commerce or the conduct of any federally-protected function, such as the United States mails.

Similar penalties are prescribed with respect to transportation in commerce of firearms or incendiary devices knowing that they will be used unlawfully in furtherance of civil disorder. The term "civil disorder" is defined as "any public disturbance involving acts of violence by assemblages which cause an immediate danger of or results in damage or injury to the property or person of any other individual."

In proposing this Title, Senator Long of Louisiana stated he was desirous of avoiding the problems of proof attendant upon establishing the intent of persons who crossed State lines. He illustrated his point with the anti-riot legislation before the Congress. As a result of his concern, Title X is drafted so that the offender need not cross States lines at all to violate its prohibitions. If he teaches or demonstrates the use or making of a firearm, explosive, incendiary device or technique capable of causing injury or death, he will be in violation of the prohibition if he knows or intends that the weapon or technique will be unlawfully used in a riot which would adversely affect commerce or the conduct of a federally-protected function.

Mr. Chairman, this Title should in no way be considered as a substitute for essential gun legislation for the following reasons:

1. It is limited to riot situations;
2. It operates after fact rather than before;
3. It in no way deals with the every day, general distribution of guns either by mail order or over the counter;
4. It does not afford the Treasury Department necessary discretion in licensing manufacturers, dealers or importers of firearms; and
5. It does not protect the integrity of the borders of the States so that the States may enact and enforce their own firearms laws as they deem appropriate.

Mr. Chairman. I further understand that it has been charged that Title X is incompatible with the Second Amendment to the Constitution. The Second Amendment provides:

"A well regulated militia, being necessary to the security of a free State, the right of the people to keep and bear arms, shall not be infringed."

I believe that an examination of the relevant Federal and State cases, commentaries on constitutional law, as well as the legislative history of existing Federal firearms enactments, emphatically establish the inapplicability of the Second Amendment to this legislation. I do not intend to take the Committee's time to explore this matter in great detail, however, the citation of one historic decision will make this conclusion clear.

The Supreme Court has held (*United States* v. *Miller*, 307 U.S. 174 (1939)) that the purpose of the Second Amendment was to assure the continuation and render possible the effectiveness of the militia subject to call and organization by Congress under Article 1, section 8, clauses 15 and 16 of the Constitution. The Court recognized that at the time the Constitution was drafted the militia was considered to be a "Body of citizens enrolled for military discipline" and that "ordinarily when called for service these men were expected to appear bearing arms supplied by themselves and of the kind in common use at the time." The Supreme Court upheld the conviction of two men who transported in interstate commerce a shotgun which came within the definition of a firearm under the National Firearms Act and was not registered in accordance with that Act. The Court found that *the Second Amendment did not guarantee the right to keep and bear any weapon not having a "reasonable relationship to the preservation or efficiency of a well regulated militia."*

Mr. CHAIRMAN. The modern tendency among judges and legal scholars is to regard the right to bear arms as existing in narrowly limited circumstances. The present state of the law concedes *at the most that the Second Amendment only forbids Congress so to disarm citizens as to prevent them from functioning as State militiamen.* If this statement accurately reflects the prevailing law, it follows that any Act of Congress which does not in fact prevent an eligible citizen from functioning as a State militiaman is not proscribed by the Second Amendment.

Manifestly, Mr. Chairman, nothing in the Constitution prevents the enactment of Title X.

Mr. CHAIRMAN. I hope that the discussion by members of the Judiciary Committee of H.R. 2516, as amended by the Senate, has been helpful to this Committee. One of the merits of H.R. 2516 is that it meets national, rather than regional or sectional, needs. I am hopeful that the Committee on Rules will favorably report House Resolution 1100 so that the Members of the House may work their will and approve this landmark legislation.

UNIFORM EMERGENCY TELEPHONE NUMBER

Mr. ROUSH. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ROUSH. Mr. Speaker, as many of the Members of the House know I have been endeavoring to encourage the adoption nationwide of the single, emergency number "911."

My own hometown of Huntington, Ind., took the necessary preliminary steps 1 month ago and now we can dial quickly, easily—without resort to phone books—a number that will respond rapidly, knowing it is an emergency.

A.T. & T. has indicated that they are willing to analyze and advise cities all over the United States on the fastest and most efficient way in which they, too, can adopt this improved emergency telephone facility.

Yet there are many Americans who know nothing about "911"; some who believe such improvement would be too costly and difficult.

I believe it is my responsibility, and I hope you will join me in this, to alert the American people to the importance of the "911"; to the urgency of its adoption.

Accordingly I have written the Governors of all the States in the United States, asking that they inform their cities and communities on this matter. I would like to include herein some of the answers I have received:

STATE OF CONNECTICUT,
Hartford, March 13, 1968.
Hon. J. EDWARD ROUSH,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN ROUSH: This will acknowledge your letter of February 23 in which you discuss a uniform emergency telephone number of expedite citizen contacts with police.

Our Connecticut State Police, in cooperation with the telephone company, have been exploring such a system here. In Connecticut, there are 169 towns and thirty-nine telephone exchanges.

The telephone exchange boundaries, however, do not follow town boundaries. This, plus overlapping jurisdictions and number of local police departments, not to mention State Police areas, make a system using one common number a very difficult matter to work out.

I am advised, however, that the telephone company is studying the problem and we hope that they may, in the near future, devise some workable system which is economically feasible.

I thank you for your interest in bringing this matter to my attention.

Sincerely,
JOHN DEMPSEY,
Governor.

STATE OF IOWA,
Des Moines, March 4, 1968.
Hon. J. EDWARD ROUSH,
Rayburn House Office Building,
Washington, D.C.

DEAR CONGRESSMAN ROUSH: This will acknowledge receipt of your February 28, 1968, correspondence concerning the uniform nationwide emergency phone number.

I appreciate your bringing this information to my attention. I will take steps to see when the emergency number program can be implemented in Iowa.

Very truly yours,
HAROLD E. HUGHES.

STATE OF NEW JERSEY,
Trenton, March 14, 1968.
Hon. J. EDWARD ROUSH,
House of Representatives,
Rayburn House Office Building,
Washington, D.C.

MY DEAR CONGRESSMAN ROUSH: Thank you for your letter of February 23rd concerning the proposed uniform, nationwide emergency telephone number.

I have been assured by Attorney General Arthur J. Sills that he will work diligently with public safety and communication agencies in this State to devise the best possible communications arrangements including the adoption, where practical, of the proposed single, emergency number.

Sincerely,
RICHARD J. HUGHES, *Governor.*

COMMONWEALTH OF PENNSYLVANIA,
Harrisburg, March 19, 1968.
Hon. J. EDWARD ROUSH,
House of Representatives,
Rayburn House Office Building,
Washington, D.C.

DEAR CONGRESSMAN ROUSH: Thank you for your recent letter concerning the need for urgent action on telephone number "911" as a single, uniform nationwide emergency police number.

Pennsylvania shares your deep concern for wide-spread implementation of this emergency number project. As early as June of 1967, Attorney General William C. Sennett was negotiating with the Bell Telephone Company of Pennsylvania concerning establishing an emergency number here in Pennsylvania.

You may be assured that we will give the message to local communities throughout Pennsylvania urging the adoption of the national emergency number "911".

Thank you for your interest and enthusiasm in this worthy cause.

Sincerely,
RAYMOND P. SHAFER.

OFFICE OF THE GOVERNOR,
Phoenix, Ariz., March 5, 1968.
Hon. J. EDWARD ROUSH,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN ROUSH: Many thanks for your letter of February 23 relating to the three digit telephone number "911" which has been proposed as a single, uniform, nationwide emergency number for use by citizens in need of police or other emergency help.

Such a facility strikes me as being a step in the right direction not only with respect to the fight against crime but also as a means of speeding up emergency service in other areas such as fires and accidents.

I am advised that some of the municipalities in Arizona are presently looking into the plan. I am hopeful that it may eventually be adopted by all communities in the state and I shall recommend that it be given every consideration by the officials directly involved.

Sincerely yours,
JACK WILLIAMS.

STATE OF NEW HAMPSHIRE,
Concord, March 21, 1968.
Hon. J. EDWARD ROUSH,
Rayburn House Office Building,
Washington, D.C.

DEAR CONGRESSMAN ROUSH: Thank you for your letter of February 23, 1968 relative to the program providing for a single emergency telephone number.

I am advised by our Public Utilities Commission that facilities to inaugurate this program can be made available in New Hampshire very soon in certain exchanges, depending on equipment adaptability; and later in other areas as necessary modification of equipment can be effected.

As the facilities become available, we certainly will urge that the program be adopted.

Sincerely,
JOHN W. KING.

EXECUTIVE DEPARTMENT,
Baltimore, Md., March 18, 1968.
Hon. J. EDWARD ROUSH,
House of Representatives,
Washington, D.C.

DEAR MR. ROUSH: Governor Agnew has requested me to acknowledge your recent letter wherein you advised that officials of the American Telephone and Telegraph announced that they would be able to provide the three digit number "911" as a single, uniform, nationwide emergency number beginning in 1969.

Please be advised that the Maryland Governor's Commission on Law Enforcement and the Administration of Justice is investigating the possibility of obtaining a special emergency number as suggested both by you and the President's Commission.

Your courtesy in bringing your observations to the attention of the Governor is most appreciated.

Sincerely,
EDWARD J. MCCABE,
Program Executive.

STATE OF WASHINGTON,
OFFICE OF THE GOVERNOR,
Olympia, March 18, 1968.
Hon. J. EDWARD ROUSH,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN ROUSH: The State of Washington is indeed interested in the "911" program, and steps have already been taken toward its implementation.

I have discussed this with Chief Will Bachofner, of the Washington State Patrol, and am advised that representatives of that organization and the Pacific Northwest Bell Telephone Company have already had a preliminary meeting. Plans are in the offing to appoint a coordinator and/or a committee on the state level to work closely with members of the telephone company.

Your support and interest in this worthwhile project is very much appreciated. I am pleased to give the backing of this office to help establish "911" as the single uniform telephone number to be called in the State of Washington for the report of emergencies.

Sincerely,
DANIEL J. EVANS,
Governor.

STATE OF INDIANA,
OFFICE OF THE GOVERNOR,
Indianapolis, March 4, 1968.
Hon. J. EDWARD ROUSH,
New House Office Building,
Washington, D.C.

DEAR ED: I thank you for the information about the uniform, nationwide emergency telephone number and its inauguration on March 1 at Huntington.

The "911" number, I am certain, will enable the public to report more adequately and quickly its needs for emergency police and fire department assistance. It should help our law enforcement authorities do a more effective job in combating crime and in enforcing the public safety.

The telephone industry, I can see, will have a long-range job to do in converting its equipment and advising local governments about their requirements in organizing central staffs to receive such calls. I am sure the industry will move toward this objective as quickly as it can.

I compliment you on this achievement. The recognition contained in the report of the President's Crime Commission also should be a cause for pride. Indiana is organizing a Law Enforcement Training Academy and its courses will help local police improve their communications techniques, no doubt including the use of the uniform emergency telephone number.

Sincerely,
ROGER D. BRANIGIN,
Governor of Indiana.

STATE OF MINNESOTA,
OFFICE OF THE ATTORNEY GENERAL,
St. Paul, Minn., March 18, 1968.
Hon. J. EDWARD ROUSH,
Rayburn House Office Building,
Washngton, D.C.

DEAR CONGRESSMAN ROUSH: Governor LeVander has referred to us your letter of February 23, 1968. Our Governor's Crime Commission has already had extensive contact with the people from the Bell Telephone System relative to the feasibility of early initiation of the "911" number in the Twin City Metropolitan Area. The preliminary report of the Law Enforcement Task Force of the Commission, the recommendations of which are contained in the attached blue material, covers this important subject in Number 37. The Advisory Committee to work with the Bell people on this program will be formed shortly, and it is our hope that progress can be made swiftly towards the implementation of this excellent plan.

Governor LeVander and Attorney General Head are pleased with your interest in this most important matter, and particularly appreciate your taking time from your very busy schedule to contact the Governor in this regard.

Very truly yours,

Arne Schoeller,
Assistant Attorney General.

State of Illinois,
Department of Public Safety,
March 25, 1968.

Hon. J. Edward Roush,
House of Representatives,
Washington, D.C.

Dear Congressman Roush: The Honorable Otto Kerner, Governor of the State of Illinois, has asked this office to acknowledge, with his thanks, receipt of your letter posted in Washington on 23 February 1968.

We are delighted to learn of your interest in and support of the universal adoption of a simple uniform emergency telephone number that could be utilized by anyone needing emergency assistance. Before this facet of the current anti-crime program received publicity nationwide by the American Telephone and Telegraph Company, a representative of the Illinois Bell Telephone Company made a number of contacts with officials in this State and announced the nationwide emergency number "911."

Governor Otto Kerner, the Illinois Department of Public Safety, and I am sure everyone is in favor of this single three digit emergency number which, when implemented, would evoke immediate response to any emergency. We believe, as you do, that this is a great step forward in the improvement of law enforcement.

Governor Otto Kerner appreciates hearing from you and having your expression of support.

Sincerely,

Arthur V. Huffman,
State Criminologist.

State of Idaho,
Office of the Governor,
Boise, March 27, 1968.

Hon. J. Edward Roush,
Rayburn House Office Building,
Washington, D.C.

Dear Congressman Roush: Your letter of February 23, 1968, has stimulated a great deal of interest within my staff.

I consider that a nationwide emergency number as suggested in your letter warrants detailed consideration. Because of this, I have directed the Administrator of the Division of Communications to make a study of costs, feasibility of implementation, and statewide cooperation in such a project.

This study is to be presented to me in the near future and I will then be in a position to give you a detailed answer concerning Idaho's participation in this system for emergency telephoning.

Sincerely,

Don Samuelson,
Governor.

State of Oklahoma,
Office of the Governor,
Oklahoma City, March 11, 1968.

Hon. J. Edward Roush,
Rayburn House Office Building,
Washington, D.C.

Dear Congressman Roush: I have received your letter of February 23 concerning your suggestions for the use of a single, uniform, nationwide emergency number. I will give every consideration to our local law enforcement and other public agencies in their implementation of the plan to provide the three-digit number "911" as an emergency number.

I appreciate very much your calling this to my attention.

Sincerely,

Dewey F. Bartlett,
Governor.

Wyoming Executive Department,
Cheyenne, March 8, 1968.

Hon. J. Edward Roush,
Rayburn House Office Building,
Washington, D.C.

Dear Congressman Roush: I appreciated very much receiving your letter relative to the adoption of telephone number 911 as a single, uniform, nationwide emergency number beginning in 1969. I think this is an excellent idea and I salute you in your effort.

You may be assured that we will do everything possible to see that the State of Wyoming adopts the uniform number.

Sincerely yours,

Stanley K. Hathaway,
Governor.

State of Rhode Island,
Providence Plantations,
Providence, March 13, 1968.

Hon. J. Edward Roush,
Rayburn House Office Building,
Washington, D.C.

Dear Congressman Roush: Thank you very much for your letter regarding the use of one telephone number for emergency assistance.

I have discussed this arrangement with officials of the New England Telephone Company who now are working with Lieutenant Governor Joseph H. O'Donnell, Jr. Lieutenant Governor O'Donnell has been designated as this administration's liaison person who is working with local communities and he and the telephone company officials hope to work out, at least on an experimental basis, the "911" system in this state.

Again, thank you for taking the time and effort to write. I am glad to know of the interest of the State of Indiana in this field.

Sincerely yours,

John H. Chaffee,
Governor.

State of North Carolina,
Governor's Committee on
Law and Order,
Raleigh, March 11, 1968.

Hon. J. Edward Roush,
U.S. House of Representatives,
Rayburn House Office Building,
Washington, D.C.

Dear Mr. Roush: Governor Dan Moore has requested that I reply to your letter of February 23, concerning the uniform, nationwide emergency telephone number that has been proposed by American Telephone and Telegraph Company.

I have discussed the matter with the officials of Southern Bell Telephone Company here in North Carolina and have been informed that similar plans are underway in our State. At the suggestion of the Governor, I am writing to the Director of the North Carolina Independent Telephone Association to determine what progress, if any, is being made by them in this regard.

Thanking you for your interest in law enforcement, I remain.

Very truly yours,

Charles E. Clement,
Executive Director.

WORTHINGTON, MASS., 200TH ANNIVERSARY

Mr. CONTE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. CONTE. Mr. Speaker, it is a rare occasion when we are able to honor a community for 200 years of service to its citizens and to the Nation.

The town of Worthington, Mass., is such a community. In its long history it has continued to grow and prosper while supporting its Nation's effort in six different wars.

Very few towns in America can claim such a record.

In this light I would like to mention the celebration which will take place in Worthington from June 30 to July 7. This weeklong bicentennial is the culmination of the collective efforts of many people in the community who have been working for many months to make the occasion worthy of its cause.

It is with great pride that I ask my colleagues to join me in extending congratulations to the people of Worthington in this time of celebration.

The chairmen of the Worthington Bicentennial Historical Committee, Carl S. Joslyn and Mrs. Lois Ashe Brown, have provided us with an interesting background on the history of the community and have presented a splendid insight into the historical events which have helped to develop the character of Worthington.

In this connection, Mr. Speaker, I insert in the Record the historical sketch written by Mr. Joslyn and Mrs. Brown:

A Short History of Worthington

(By Lois Ashe Brown and Carl S. Joslyn)

The land that now comprises the Town of Worthington was originally known as Plantation Number 3 and was purchased from the Massachusetts Bay Province by Aaron Willard, Jr. of Lancaster at a public auction held in Boston on June 2, 1762. The purchase price was 1860 pounds. Toward this amount, Willard paid in earnest money at the time of sale and, for the balance, gave bonds to the treasurer of the Province signed by Josiah Dwight of Springfield, John Worthington of Springfield, Timothy Dwight, Jr., of Northampton, Salah Barnard of Deerfield, and himself. These five men were the original proprietors of Worthington and it was from them that the first settlers in the township bought their land. It was also from one of them—Colonel John Worthington of Springfield—that the town derived its name.

One condition of the sale of Plantation Number 3 was that, within five years, not less than sixty settlers must have established their residence in the township by building houses at least twenty-four by eighteen feet in size, surrounded by seven acres of land, cleared and fenced. Each settler was to be responsible for a proportionate share, depending on his holdings, of the cost of building a meeting house and getting a minister.

The settlement of the township must have proceeded apace inasmuch as on October 16, 1765 the proprietors sent a petition to the General Court asking "that the inhabitants of the said new plantation may be by act of assembly incorporated into a town." It appears that the General Court took its time in acting on the petition since it was not until nearly three years later, on June 30, 1768, that the act of incorporation was passed and the Town of Worthington began its corporate career.

PHYSICAL FEATURES

The township of Worthington, situated at the western border of Hampshire County in Massachusetts, comprises an area of thirty-three and one half square miles criss-crossed by sixty-five miles of maintained roads and numerous small streams. Considered one of the 'hill towns,' it is a region of mountain ranges and valleys. Its center is characterized by a high plateau area approximately 1500 feet above sea level. The town is about half wooded hills and half broad cultivated fields bordered with stone walls and hedgerows.

Bordered on the north by Cummington, Worthington is adjoined on the east by Chesterfield, while the Huntington town line meets Worthington on the southeast corner, with Chester forming the southern boundary; the middle branch of the Westfield River forms the boundary on the southwest, with the Berkshire County line separating Worthington from Peru to the northwest.

Bashan Hill rises 2,033 feet in the northwest corner of town as Worthington's highest point. A mile to the southeast Knoll's Hill stands nearly 2,011 feet. The lowest points in town average about one thousand feet above sea level and are located along parts of the Bronson Brook and the middle branch of the Westfield River. Magnificent views are to be enjoyed from many locations in Worthington. Parts of five states may be seen from either Bashan or Knoll's hills.

Bronson Brook and Steven's Brook join along Capen Street to form the west branch of the Westfield River, just above Stevensville. Watt's Stream and Ward's Stream rise from springs in the Worthington State Forest and flow more or less parallel through town to join at Ringville and become Little River. The Kinne Brook rises in the hills in the southwestern part of town and flows on through Chester and into the middle branch of the Westfield River at Dayville.

At nearly opposite ends of Worthington are spectacular waterfalls. West Worthington Falls, located in the middle branch of the Westfield River, falls about 50 feet into a rocky gorge near River Road. Bradley Falls, in the Little River just below the bridge in South Worthington, follows a rocky path for about 500 feet, cascading into a right angle drop to a rock-bound gorge 50 feet below.

CHURCH HISTORY

The church has been an important factor in the lives of its people from the time of Worthington's founding. All were assessed for a proportionate share of the expenses of raising and maintaining a meeting house and hiring a minister. Nearly, if not all, of the early settlers in Worthington were descendants of the English families who had settled around Massachusetts Bay seeking religious freedom for themselves and for those who shared their beliefs—in many cases to the exclusion of all others.

Only two denominations have built churches in Worthington: Congregational and Methodist. The first Congregational Society was organized in 1771 and for nearly a century continued to be the "established" church in the town. Its expenses were met out of taxes, its business was transacted under a town warrant, and its services were held in the same "meeting house" where the citizens assembled for town meetings. Not until 1865, when the parish was organized as a distinct entity, did church and state become separate in Worthington.

The first meeting house was erected in 1769 near the corner of West Street and Sam Hill Road, with a cemetery adjoining. It was a primative sort of building, inside and out, and could not have been too comfortable as a place of worship for the thirty original church members. Near-by, the first Congregational minister, the Reverend Jonathan Huntington, built his own parsonage which still stands on West Street. This early meeting house was used by the church for some twenty years until the growth of membership and an eastward shift in the town's population rendered it obsolete.

On May 23, 1888, the present Congregational Church was dedicated with the appropriate exercises under the leadership of the Rev. Frederick Sargent Huntington, pastor at the time. The new building was copied from an English church by architect Walter Owen of Albany.

Today the Congregational Church has a membership of 177. At a special meeting in April 1961, the members voted approval to unite with the United Church of Christ. Under the leadership of Rev. Jerome H. Wood the church continues to play an important role in the life of the town.

About two dozen families comprise the Roman Catholic congregation in Worthington. Their numbers swell with the summer colony. Mass has been said in town during the summer months since 1932 by a priest from St. Thomas' Church in Huntington. Services were first held in Lyceum Hall, and, since 1952, have been held in the Town Hall.

Directly opposite the Congregational Church stands the Town Hall, built in 1885, and a few rods to the north is the Russell H. Conwell School, built in 1941 to replace eleven district schools. These three buildings together make an attractive group and constitute the center of the town's religious, civic, educational, and social activities.

SCHOOLS

For nearly two hundred years, provisions for education have comprised the major item of Worthington's annual budget, and since 1962 the figure exceeded $60,000. Earliest records of school expenses in Worthington date from March 18, 1771, when the town voted to raise £10 silver money for the support of the common schools. In 1772 the town was split into five districts with the £10 appropriation split accordingly. The first schoolhouse was built in 1773 about a mile south of Worthington Center, near the junction of Route 112 and Radiker Road.

The town's rapid growth in the early years made redistricting necessary. By 1833 eleven school districts were formed and in 1837 a student enrollment of 326 pupils was recorded. During the next century, the population steadily declined and one by one the district schools were closed. When Russell H. Conwell School was opened at Worthington Center in 1941, it replaced the two-room school in the Lyceum Building at Worthington Corners, the one-room school at West Worthington, and the one-room school at South Worthington.

Russell H. Conwell School was built at a cost of approximately $23,000. It accommodated grades one through eight in three well-lighted and ventilated classrooms with a central heating system. A kitchen and lunchroom were equipped in the basement in 1946. An addition which provided a fourth classroom, a large recreation room and generally expanded facilities, was completed in 1954 at the cost of nearly $44,000.

Prior to 1963, Worthington high school pupils attended schools in neighboring towns and cities and the town paid both the tuition and transportation costs. In earlier times, high school classes were held in the Town Hall, in Lyceum Hall, and in private homes.

Mountain Seminary was established on the common at Worthington Corners in 1837 and flourished for several years, supported by tuition fees from an enrollment of 143 students drawn from this and surrounding towns. When this was beset by economic difficulties, it closed and the building was moved to Cummington where it stands today on main street as a private home.

Dr. Russell H. Conwell, Worthington's most famous son, founder of Baptist Temple, Temple University, and Temple University Hospital in Philadelphia, opened Conwell Academy in 1894 in South Worthington. It continued for three or four years for the benefit of those studying on the secondary level, and then closed for economic reasons.

Educational facilities for Worthington pupils are today finer than ever. With the opening of the Gateway Regional School in 1963, of which Worthington is part-owner, and the subsequent removal of the seventh and eighth grades from the local to the new school, the future seems promising.

MILITARY HISTORY

Worthington has contributed its full share of men, money, and supplies to the nation's wars. It was one of the earliest towns in Western Massachusetts to answer the call to service during the Revolutionary War. Only a few days after the Battle of Lexington, 71 men from Worthington and Ashfield marched to Cambridge headed by Captain Ebenezer Webber of Worthington. From that time until the end of the war, the records show a steady flow of men and resources from the war's battlefields. Each man enlisting for six months received a bounty of £200 from the town, in addition to his army pay of £3 a month. Payment of bounties on this scale to the 40-odd men who served in the war must have been a serious drain on the town's meager resources.

Sentiment in Worthington strongly opposed the War of 1812. On July 7 of that year, it was voted in town meeting "that we consider the late act of Congress declaring war to exist between this country and the United Kingdoms of Great Britain and Ireland in the present situation of our country to be in expedient and unnecessary." In view of this sentiment, it is not surprising that Worthington's participation in the war was limited to sending 24 men to the defense of Boston.

Upon the outbreak of the Civil War in 1861, the bounty system of enducing enlistments was revived. Early in the war, the amount paid was $50 per volunteer, but this was later increased to $125. In addition to the bounties, aid granted was $8,860, of which $4,398 was later refunded by the State. These were generous provisions by any standard since the number of men from Worthington who served in the Civil War was certainly not more than 102 and may have been as low as 86. Of the men who served, 21 either died or were killed in action.

The names of the Worthington men who served in the two World Wars are listed on a bronze plaque mounted on a native boulder which was placed on the town common in 1946. On this honor roll appear the names of 26 men who served in World War I and 55 who served in World War II. At the foot of the boulder, four white crosses have been erected in memory of the men who lost their lives in these two wars: William J. Coffey, Norman C. Eddy, Donald W. Mollinson, and Russell B. Shaw.

MEDICAL HISTORY

From the time of its founding until the middle of the twentieth century, Worthington's medical needs were taken care of by resident physicians. Getting a doctor to serve the town presented no great problem. The population was large enough to support a full-time physician and the supply of general practitioners adequate.

It was not until 1948, when Dr. Mary P. Snook discontinued her Worthington practice, that the townspeople came to realize how small the number of general practitioners had become and how much smaller was the number of those willing to take up practice in a rural community. For a time, the expedient was tried of having young doctors in training at Northampton's Cooley Dickinson Hospital come to town for a few hours each week. This makeshift arrangement was far from satisfactory. The doctors lacked adequate facilities, their terms of service was limited to one year, and they were not able to give the people full-time medical coverage. It became clear that something more substantial would have to be done to induce a doctor to take up practice in Worthington.

Two alternatives presented themselves: Government action or private enterprise. The easier way would have been for the town to subsidize the doctor's practice by paying an annual salary and providing him with free housing. This was rejected for various reasons, principal among them being that the kind of doctor the town wanted would not be attracted by such a proposal. Thus the hard way of private enterprise was chosen.

In February of 1950, following adjournment of town meeting, a citizens' meeting was held to consider the problem. At this meeting Mrs. Harry (Florence) Bates, a registered nurse who had long served the town, asked for volunteers to serve with her on a committee to investigate the ways and means of securing adequate medical service. Six persons responded: two farmers, two businessmen, a retired college professor, and a housewife. It was the work done by this committee, investigating what had been done elsewhere, getting the services of a physician, and raising the necessary money, that made possible the inauguration of the Worthington Health Center on December 10, 1950.

The people using the facilities of the Health Center are drawn from Worthington, Cummington, Chesterfield, Ashfield, Peru, Plainfield, and Huntington. Financial support is provided by the annual dues paid by its members and by the gifts of friends. No salaries are paid to the doctors, their income is derived from fees paid by their patients. Each doctor has complete freedom in the conduct of his practice. His relationship to the organization that runs the Health Center, the Worthington Health Association, Inc., is that of lessee rather than employee. The town of Worthington, as such, makes no contribution to the support of the Health Center and plays no part in the management of its affairs. It is strictly a private enterprise.

ECONOMIC HISTORY

When the first settlers came in 1762 to Worthington, a virgin land from which Indians had but recently taken their leave, every man among them was essentially a farmer. Those who preached the gospel, taught school, kept stores and taverns, and those who operated shops and mills were farmers as well. This held true for more than a century, and long after the overtures of the industrial revolution were felt in the hill towns.

People were attracted to the Worthington township from towns in eastern Massachusetts and Connecticut with promises of fertile farm land, rich grazing lands, plenty of water power, virgin forests, plus untold opportunities for hunting, fishing and trapping. Their numbers increased steadily from the time of first settlement in 1762 until the census reached a peak of 1,395 in 1810. Westward migrations and moves to near-by urban communities reduced the population through the years until, in 1962, the census showed approximately 600 citizens—about the same population as nearly two centuries earlier when the town was ten years old.

In spite of the great number of small farms in town, dairy farming was not emphasized until about 1900, when farmers began to increase their herds to supply a growing urban market. Even so, there were no large farms by today's standards. In the mid-1800's, large flocks of merino sheep were pastured in Worthington to supply the needs of the booming woolen mills. Sheep farming dwindled in time as a low tariff on imported wool created unfavorable competition for domestic wool. Dairy farming as well on the wane prior to World War II and has since faded until in 1962 there are but four farms in town with milking herds, and four with beef animals.

However, while dairy farming has decreased in Worthington, potato growers have reclaimed run-out farm land and today approximately 1,000 acres are producing record crops of potatoes and giving employment to thirty or more local people plus many migrant workers. There are also four large acreages of cultivated blueberries; which offer seasonal employment.

The whole township was laid out in small farms by 1810 and even folks in the villages held farms. There were also sawmills, gristmills, tanneries, basket shops, blacksmith shops, tin shops, brickyards and general stores doing business in every part of town. Lack of fast transportation prohibited residing in Worthington and earning a living elsewhere; this was unthinkable for another hundred years.

At various times through the nineteenth century, numerous small factories and mills were operating in Worthington. These were a boon to the economy and afforded much local employment aside from the farm. There was hope that the town would eventually be served directly by railroad and efforts were exerted in that direction but to no avail. Meanwhile, raw and finished goods were hauled by team to and from the railroad in Williamsburg and Huntington.

In addition to lumber and grist, products included baskets, children's sleds; and carriages, window shades, bedsteads, tool handles, whipsockets, cider, essential oils, cheese and butter, leather, room fixtures and factory supplies, harnesses, penholders, emery stones, and hoops for banjos, drums, tambourines, and embroidery.

Maple sugaring is an important crop in Worthington and offers seasonal employment to thirty or more persons. There were six major sugar camps active in 1962 with some of them producing as many as 600 gallons of syrup a season, in addition to lesser amounts of maple sugar.

Whereas Worthington business directory a century ago showed every wage-earner to be earning his living in town, an economic survey conducted in 1962 showed that 135 out of a total 198 local wage-earners were working out of town and commuting each day. Of the 135, 114 were working for others, and 21 in business for themselves. There were 31 persons self-employed in town and 32 employed by others in Worthington. A total of 119 retired wage-earners were counted. Of the approximately 600 Worthington residents in 1962, the balance may be accounted for by those under eighteen, nonworking wives, and elderly women. This survey reflects the changing times.

DISCLOSURE OF EXPENSE FUNDS

Mr. BUSH. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BUSH. Mr. Speaker, I want to commend the members of the Committee on Standards of Official Conduct for the fine work they did in reporting a code of ethics and disclosure to the House of Representatives. I was particularly pleased to note that the committee did not regard its recommendations as completing its task.

I have more than a passing interest in this issue. When I first came to the House last year, I introduced a bill requesting the establishment of a Committee on Standards of Official Conduct. I believe that the work done by the committee is an excellent start in the right direction. It is important that we erase any doubt that exists about our financial conduct.

There is one important area, considered by the committee—but in which the committee made no recommendation—namely the use of outside funds to cover a Congressman's travel in excess of his granted allowance, the cost of staff travel, the cost of newsletter expense and other miscellaneous expenses.

This is a controversial area. My own view is that there is absolutely nothing wrong with raising such funds, so long as they are not diverted in any way to a Congressman's personal use.

The Senate, in reviewing its own ethics code, came to grips with this issue when it overwhelmingly passed on a rollcall vote the following:

> Nothing in this Rule shall preclude the use of contributions to defray expenses for travel to and from each Senator's home State, for printing and other expenses in connection with the mailing of speeches, newsletters and reports to a Senator's constituents; for expenses of radio, television and news media methods of reporting to a Senator's constituents; and for telephone, telegraph, postage and stationery expenses in excess of allowance, newspaper subscriptions from his home State.

I do not believe that Members of this body should have to pay from their pockets expenses necessary to do the best job they know how. I believe that an integral part of my job as the Representative of the Seventh District of Texas is knowing what my constituents are thinking and how they feel about the issues upon which I will be asked to vote and I want to keep them informed of my votes. I want to know what their gripes are and how I can help them. This requires constant contact with them. Last year I made 24 trips to my district. Members of my staff made 12 trips. I also put out several newsletters and a comprehensive questionnaire. This all takes money.

There are various ways in which these extraordinary expenses can be covered. In my case a close friend of mine sent out one letter of solicitation to people who had already helped in my campaign. The fund is administered by a businessman in Houston. I cannot issue checks on the fund, all expenses are vouchered, and an annual report of expenditures is available for each donor. We are having an independent audit of the fund.

There is no provision under the law for reporting such funds—I am not required under any law on standard to report such a fund. The Senate has made it clear by a large majority that there is, in the opinion of that body, good, and legitimate reason to have such resources available to Members; nevertheless, this is an area of confusion and question and I think it is altogether proper that my constituents be informed of my views on this matter.

Last year the total amount donated was $20,280.

There were also reimbursements for travel expenses of $754.11.

I checked with one of the major accounting firms in the United States and they advised me that since no funds went to my personal use, these moneys should not be taken through my personal books as personal income with offsetting expenditures:

1966 campaign deficit	$3, 491. 10
Travel by Congressman and staff between date of election and date sworn in	1, 578. 37
Travel by Congressman and staff between Washington and Houston after date sworn in	4, 351. 53
Staff salary	650. 00
Newsletter	4, 172. 56
Office supplies and postage	207. 00
Public relations—Houston	230. 90
Repay overdraft in district office account—this checking account was established to receive and disburse the allowance for my district office paid by the House of Representatives	300. 00

Replenish district office account	500.00
Total disbursements	15,481.46
Balance year end	5,552.65

Early last year, after introducing my own ethics bill, I elected to make full disclosure of my own assets and liabilities. I was not happy about this, but it seemed to me that disclosure is a good thing—it is in keeping with the "let the people decide" philosophy that this country believes in.

In the same spirit, I will publicize annually the receipts and expenditures of this supplementary expense fund. Neither the proposed House rules nor the Senate ethics bill require this reporting.

My basic view is that a Congressman should not be expected to dig into his own pocket for the type of expenses I have outlined above. The question then comes—"Well should not the Government pay for them so that no special interest can buy an inside track to a Congressman's office by supporting his campaign or by making other donations?"

I see many advantages in higher allowances for the running of one's office and for the type of expenses outlined above; but this is no time for the Congress to appropriate more moneys for its own operations, in my opinion.

I also am opposed to the Federal Government financing campaigns. I recognize the shortcoming of the existing system; but I keep coming back to the fact that disclosure is the key. Disclosure does not make everything all right, but it does lay the facts on the table, so the people can see them and interpret them.

I am very lucky in that I can afford the excessive expenses of the office of Congressman. It is no understatement to say that I must spend each year a good deal of my own personal income above my salary as Congressman.

If our budgetary problems were not so acute I would want to immediately consider a real revision of the system to correct this situation—not for myself, because, as stated above, I am lucky enough to be able to absorb some of these extra expenses out of other income and to be able to raise funds for others of these expenses; but the country is not well served by imposing excessive financial obligations on Members of Congress.

In conclusion, I hope the Committee on Standards of Official Conduct will, in the light of the Senate action on special funds, now take this matter up. The Senate was right in sanctioning outside help for the type of expense discussed above, but they stopped short by not calling for disclosure.

I hope the House committee will take affirmative action by officially sanctioning the use of funds as the Senate did, but by calling for some form of disclosure. The matter should be clearly defined so all Members of Congress will have some clearly defined guidelines on how to handle this subject, which has always been sensitive, and which if left undiscussed and undisclosed will always be a source of possible misunderstanding and political liability.

In discussing my own use of outside money to help defray certain expenses directly related to my job, I recognize that there are political risks, but if this helps remove the cloud of confusion and criticism that hangs over this controversial subject, then the risk will be worth it.

SETTLEMENT OF THE COPPER STRIKE

Mr. LLOYD. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. LLOYD. Mr. Speaker, the strike in the copper industry has ended after more than 8 months. In recent weeks, the negotiations have been taking place in the Executive Offices adjacent to the White House, at the personal request of President Johnson.

On March 30, President Johnson characterized the economic settlement as excessive and inflationary.

Arthur M. Okun, new Chairman of the Council of Economic Advisers has stated:

> The unions received larger wage increases than the public interest justified.

He further stated:

> Price increases already announced by one company go far beyond the added costs of the wage increases.

Here is a picture of the damage wrought by this labor-management warfare in Utah and the Nation:

As of Friday, March 29, impact of the strike on Utah's economy was estimated at $96.6 million.

Wages lost by each striking employee in Utah averaged $5,091. Based on the proposed settlement of 54 cents per hour in wages, it will take the average worker at Kennecott a little more than 8 years to make up the loss.

Kennecott estimates its own copper loss during the strike at 390,000 tons. Overall production loss by the entire industry is estimated between 960,000 and 980,000 tons. Based on prestrike price of 38 cents per pound, the loss to the Nation's economy totals between $750 and $800 million, not counting losses in production of byproduct metals.

Effects of the strike on our balance-of-payments deficit have been estimated by the Department of Commerce at a net of nearly $400 million caused by the necessity to import copper during the 8½-month-old strike.

This strike illustrates again our incredible lack of public means with which to protect the public interest when labor-management negotiations break down.

We do have the Taft-Hartley law. In my opinion, the President should have invoked this established law of the land on January 1, when he sent to the Congress his message on balance of payments in which he pleaded for action to correct our balance-of-payments deficits. Taft-Hartley can be invoked only when the national health or safety is sufficiently adversely affected.

The balance-of-payments deficit, the fact that our Nation is at war, and the fact that even with greatly accelerated imports we were forced to draw down upon our strategic stockpile, appear to me to be ample evidence that the national safety was deeply involved, and this argument does not even take into consideration the grievous damage which our economy—local, State, and National—suffered.

Labor unions were against the invocation of Taft-Hartley. I believe this is a major reason that this established law was not invoked. I think it is wrong if organized labor did have this type of influence on our pevailing majority party to prevent this law from being invoked when the national interest was so seriously impaired in time of national crisis. Furthermore, a fair reading of Taft-Hartley does not support the contention that it is antilabor. It calls for continuing negotiations during a cooling-off period. It calls for a factfinding body to report to the public. It provides for secret ballot by the striking workers on the final offer of management at the end of the cooling-off period, but then it does not demand settlement. Was it this chance at a secret ballot by the striking workers to which the unions objected?

This law may not be adequate, but at least it is something. Aside from our emergency economic crisis, I believe the greatest domestic challenge which Members of the Congress of the United States have is to make progress through this jungle of darkness into which prolonged labor-management disputes lead us, to the great detriment of the worker, of management, and that forgotten man, the innocent citizen bystander.

HON. RICHARD G. LUGAR, MAYOR OF INDIANAPOLIS, SHOWS HOW TO SOLVE URBAN PROBLEMS

Mr. BRAY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. BRAY. Mr. Speaker, Hon. Richard G. Lugar, mayor of Indianapolis, has initiated a bold and ambitious program for his city that shows great promise in not only preventing the violence and racial turmoil that have marked so many cities of the United States, but also in being a model of what can be done when all a city's resources are mobilized behind vigorous, active, and capable leadership.

Mayor Lugar earlier this year had attended three conferences in Washington for mayors of major U.S. cities and met with officials who, like him, carried heavy responsibilities and duties in administering urban areas. Mayor Lugar and his fellow officials were told flatly by no less a person than the Vice President of the United States that there were, and I quote from Mayor Lugar's remarks, "no fresh sources of Federal funds available to cities in the near future."

A few mayors of large cities—all of which, incidentally, have suffered racial violence—went on nationwide television to bemoan their plight and plead for more money, even though they had just been told there was none to be had.

Mayor Lugar went home to Indianapolis and addressed his city on television, giving them the hard, cold facts of the situation and proposing a new program called the volunteer adviser corps. Under this plan, 2,000 active citizens were asked to volunteer to serve. Each one who responded would be given the name of someone who needed help finding a job. The volunteers would be given all possible assistance in placing this jobless individual.

Mayor Lugar said:

> Beginning now on March 1, we can move rapidly toward a full employment economy, a rapid reduction in unemployment compensation payments and welfare payments, a rapid acceleration in citizen participation in strengthening the economic and social health of this community and a good start on the most useful year of education, employment and recreation which we have ever enjoyed. Indianapolis will be stronger because we simply were determined to do all of the things which our consciences dictated and to do them now because we love this city and because each one of us has a genuine feeling of compassion for his fellow man.

Mayor Lugar got no nationwide television coverage. Mayor Lugar's remarks did not get front-page treatment in the Nation's newspapers. But let us ask ourselves: Which mayors of which cities will face the coming summer with foreboding as they wring their hands for the money that is not available? And which mayor in which city will know his city, his people, are moving ahead to build a better life for all the city's inhabitants?

Following is Mayor Richard G. Lugar's speech of March 1, 1968, and a series of stories and editorials from the Indianapolis Star and News that describe what has been done. Mayor Lugar and the many hard-working, public-spirited citizens and organizations who have joined with him not only deserve the thanks of the country for showing how to do it, but also the nationwide recognition that is so rightfully theirs.

The material referred to follows:

A REPORT TO INDIANAPOLIS BY RICHARD G. LUGAR, MAYOR, MARCH 1, 1968

Ladies and gentlemen, during the first two months of this year, I have been privileged to attend three conferences in our nation's capital and to meet with officials bearing heavy responsibility at Federal, State, and local levels of government. A common theme has emerged from each session. In many ways and with many voices, the theme of crisis in the cities is discussed with a mixture of hope and despair. The President of the United States and the Vice-President recognize that the problems of great American cities rank neck and neck with warfare abroad as issues which pre-occupy the American voter. Equally evident is the oft-stated hope that large city mayors will be adequate to the tasks immediately before them.

After many reports of crisis and potential difficulty, it was refreshing to hear the Vice-President of the United States tell me that when he was Mayor of Minneapolis twenty years ago, no one summoned him to Washington for the purpose of offering counsel or money. Hubert Humphrey stated simply that he was on his own, in the field, making do with what he had in Minneapolis and that he lighted the playgrounds, joined hands with the youth of the community, and got on with the job of making Minneapolis a first-class city. In short, Federal officials would feel more comfortable if so much did not depend upon local leadership but they have come to recognize that each city will rise and fall essentially on its own merits and that cities with unimaginative and indecisive leadership are unlikely to do very well. Furthermore, the Vice-President has informed us that no fresh sources of Federal funds will be available to cities in the near future although an enormous number of proposals have been made to the Congress for spending in the future.

If there be those individuals in our community who are certain that substantial Federal resources lie in Washington waiting for the asking, I would say simply that such pools of cash do not exist and the present mood of Congress given a large Federal budget deficit is unlikely to create them regardless of Presidential reports or pleadings. Vice-President Humphrey has told us that we will have to look to our own community resources to cure our own community problems with the Federal government as a willing and helpful ally on occasion.

Long before these Washington conferences, I had reported to you the current Federal financial plight. Likewise, we have discussed before, the unfortunate position which our city suffers without the local home rule which only the Indiana Legislature can give to us. We are ready to do a great job in building Indianapolis but we need the authority to use much of our own money which is now being bled from us not only by Federal taxation but by very unfair Indiana taxation distributions.

And yet with all of our problems, we are a fortunate city. We live in the middle of a seven-county metropolitan area which has a work force of 450,000 people. 9,800 are currently unemployed. There is new life and new bounce in the economy of our city which is reflected in new investment and new jobs. Even more important, there is a new sense of recognition that our economy must grow rapidly to employ many newcomers and to employ those who have remained unemployed for long periods of time. We are a city with a healthy degree of dissatisfaction with things as they are. We are dissatisfied with the thought that any man who wants to work should be unemployed. We are dissatisfied with the thought that any family which wants decent housing should be unable to find it. We are dissatisfied with the thought that many of our youth are not able to read well and are not preparing themselves for good jobs of the present or the future. We are dissatisfied that racial discrimination should still remain such an insidious force in our community which saps strength and vitality at a time when we need more unity and understanding.

Some cities apparently take the view that conditions are rather hopeless and that startling change is simply not in the cards. When such a sense of hopelessness is coupled with genuine racial fear, various self-styled leaders in those communities talk about a long-hot summer and alternately hope for trouble and then fear its consequences without having any good idea of what will come from a hot or cool summer except more hopelessness and dead-center thinking and the same racial fear.

This type of lazy and sloppy thinking is of absolutely no value and I am weary of listening to a lot of sheer rubbish from persons of national repute who ought to know better. The summer is not an isolated sector of life. Men and women and children in our community can be as miserable in winter as in summer. A summer riot is no better or worse than a winter riot and no more productive. Each community which has suffered burning, pillaging, and death in the past four years is simply a great deal poorer and less competitive than cities which have retained some semblance of common sense. Psychologists have long probed the depths of thinking in America and come to the conclusion that we are, on the basis of past record, a more violent people than the English, but somewhat less addicted to shooting each other than our Latin American allies. At least 144 citizens have been killed in rioting during the past four years in America, a horrible human toll, but this is a tiny percentage of the number of murders and accidental shootings reported annually for all sorts of reasons and only a small fraction of the number of persons killed in only one of our countries' worst episodes, a New York riot in 1863 which erupted during the attempts of many to evade military service in the Civil War.

In perspective, I think we need to recognize that several individuals in our own community might wish to cause harm to others on almost any given day of the year and that still others might take advantage of the turmoil to steal or to even up a few old scores. Some persons might choose to romanticize murder and arson and looting and contend that such activities change community attitudes in the sense that self-respect is nurtured, a so-called power structure is weakened and that jobs, houses, and educational opportunities and a greater degree of mutual respect result after the fire while a community is weak and on its knees. If my conversations with officials in Newark and Detroit are an indication, I can report that despite well-meaning flurries of activity on the surface, a more solid core of hard-hearted repression resulted from the spectacular riots of 1967. Now much of the nation is gripped by an obsession with law and order which freely translated in some cities often means a strategy of arming to the teeth ready to fight a civil war.

Unlike other cities, we are not going to prepare for the purchase and deployment of tanks and machine guns. It is regrettable that we do have some folks in our city who thoroughly enjoy the thought of conflict and work diligently to frighten each other with talk of black power take-overs or vigilante retaliation. Some folks in our community simply do not like each other and some never will, but I am not prepared to allow all of their personal problems to be acted out in pitched battle. Men and women who are not able to live without trying to harm others will be arrested and tried according to due process of law. We are doing our best to train our police officers to be more skillful and more humane in doing a thorough job of law enforcement.

Much of my time in the past two months has been spent learning all that I could about law enforcement and court procedures, in making certain that our progress toward equal justice for all is closer to becoming a reality each day. I have found that many of our best citizens seem to take pride in their attempts to fix traffic tickets or to obstruct justice on behalf of friends or clients while at the same time they trumpet the call for law and order when it pertains to others. This will not do.

Some of our citizens claim racial discrimination after each vice arrest or parking ticket. This becomes a tired refrain and this attitude is not very helpful to obtaining equality of justice.

Police Chief Churchill and Deputy Chief for Investigations Davenport have been asked to investigate every complaint which indicates any degree of racial discrimination or harassment. We will deal with each and every offense swiftly and fairly. I want to make clear in deeds as well as words that Indianapolis means to end any undercurrents of disunity between law enforcement officers and minority groups in our city.

I have concluded after watching criminal activity in this city and elsewhere during the past two months that we are witnessing something which is much less a problem of race than of age. Crime is more and more a social sickness growing out of neglect and corruption of certain of the youth of our city ages 16–24 who account for a staggering number of crimes against property and persons. When I say youth, I mean white and black youth alike, a very unhappy bi-racial problem.

Several factors could have helped us in the past and could help us in the present. First of all, many children were born in this community unwanted by parents who have abandoned, mistreated, or neglected them. Our community must offer assistance in family planning to all who volunteer for such assistance. I have seen far too much cruelty and suffering involving children to remain silent on this issue.

Secondly, a great number of our families have come partially unstuck by the demands placed upon mothers who have taken second jobs in order to finance family material needs seen as more important than the needs of children for supervision and attention.

Thirdly, we are sorely deficient in the provision of day care centers for mothers and fathers who must work or ought to work of necessity to support families and must have proper care for children during working hours.

A fourth and equally insidious problem in our city is the fact that we have discriminated against many Negro men for so long that they not only have given up hope of employment for themselves, but abandoned their families in order not to jeopardize welfare payments for mothers and children and failed to give any model of success to their children. Some of our children have never known an employed adult who was very successful by any standard. Good motivation needs a good model.

Our churches have moved into these dilemmas with considerable vigor, but too many of us are still operating on the basis that our ministers should stick to comforting our troubled spirits each Sunday morning and leave the poor and the discouraged to those in political life on Monday morning. The poor and discouraged have frequently lost sight of the church altogether and church attendance by the youth of our community is low.

Let me say something which is at the heart of the matter of our present discomfort. We are a society which is willing to spend billions upon drugs and alcoholic beverages to dull sensitivity, but we are now going to be called to give something far more precious to obtain peace of mind. We are going to have to give billions of hours of our own time. To become involved in the lives of others is a risky experience because it means potential hurt and disappointment and misunderstanding, particularly if the "others" are very different in background and not immediately friendly or appreciative.

We are reminded that Jesus of Nazareth wandered up and down the dusty roads of Judea becoming involved in the lives of others. He was loved by some, spat upon by others, misunderstood, worshipped, and finally crucified by a large majority vote after only three years of active ministry. Some of us believe that His was the perfect life but none of us can really feel the grit of the dusty streets, the thirst of summer, the jeers of our neighbors, or the pain of betrayal by our closest friends without knowing that even the perfect life is filled with heartbreak among the deep satisfactions.

I am proceeding on the assumption, tonight, that each of us really wants to do the right thing at the right time in this city but that most of us really do not know how to get our teeth into the problem. Worse still, those who have proceeded to perform good works are often unaware of what others are doing and we do not have the manpower or the money in this city to duplicate effort.

In order to establish a strong base of operations, I have invited to the Mayor's office a large number of community leaders for immediate action to bridge some glaring gaps of misunderstanding.

First of all, let us recognize the good things we have going for us. Whatever might be said about the criminal tendencies of a few youth, the overwhelming majority of our youth are more talented, more tolerant, and more optimistic than any youth who have preceded them. On May 7 and May 8, the Indianapolis Chamber of Commerce will work with all secondary schools in our community to afford interviews for high school seniors who wish to obtain permanent jobs in our economy. We want to make certain that each senior who does not have college plans at present is given an excellent opportunity to find stable employment.

Prior to this, our Chamber of Commerce plans to visit neighborhoods in Indianapolis which may have a number of unemployed men and women, black and white, who need employment. For example, in mid-March, representatives of over 20 companies will be prepared to interview men and women of all ages who are seeking employment in the Martindale Avenue neighborhood. The dates and precise location will be announced soon but the principle is an important one. Many employers are eager to come directly to neighborhood facilities to make the interviewing process easier. We do not want transportation problems or fear of a potential closed door policy to stand in the way of someone seeking a job.

Youth who are not seeking permanent employment but only summer work should indicate this now by visiting the Youth Employment Service office on the 6th floor of 145 West Washington Street. Please do not wait until June. Please register now. This morning, I met with the top officers of our 25 largest employers in Indianapolis and have explained our needs for summer and permanent employment in Indianapolis.

I am pleased to report that Mr. Alfred Stokely, President of Stokely-Van Camp Company, has assumed chairmanship of the Indianapolis Business Alliance which will work with Mr. Henry Ford and the National Business Alliance to provide thousands of new jobs for the hard-core unemployed. I am deeply grateful to Mr. Stokely for his willingness to perform a dedicated and resourceful service for Indianapolis.

Enthusiastic support has been pledged, but we need to know as soon as possible how many jobs are needed and to begin matching applicants with jobs. Last summer, representatives of the Urban League made a heroic last-minute effort to aid youth in this community, but our common sense should tell us that now is the time to explore all sectors of our community for job potential.

Adults seeking permanent employment should continue to contact the Indiana Employment Security Division Office at 145 West Washington to indicate availability for employment.

I want to emphasize a new program which is an exciting and important step in our community, the Volunteer Adviser Corps. A great many of you who want to serve this community have a remarkable opportunity available now. We need 2,000 capable active citizens to serve as a Volunteer Adviser Corps. Each of you who responds to this request for his service will receive an assignment. Each of you will be given the name of a man or woman who needs your help in finding a job. You will be given every assistance in interviewing techniques, in mastering job application forms, in overcoming barriers of employer resistance, but you will succeed by working with another citizen until he or she is permanently employed and settled in that employment.

Each of you who has ever asked the question, "What can I do now to make Indianapolis a better community in which to live and work" can answer that question immediately and with a great degree of satisfaction by calling or writing the Volunteer Adviser Corps, 320 North Meridian Street, Telephone 635–6423 and enlisting in one of the most important endeavors our city has ever attempted. On a trial basis, over 200 citizens have already been assisted to find jobs by the Corps and over 93% of these new applicants held their jobs three months after placement. We know that the concept is sound because it is a man-to-man relationship of practical common sense with a generous dose of good will.

Correspondingly, all clergymen, social workers, teachers, counsellors, and other concerned citizens should refer men and women who want job assistance to the Volunteer Adviser Corps, 320 North Meridan, Telephone 635–6423 at the earliest in order that we may get on with the vital task of moving as closely as possible to full employment in our community.

Sometimes, the task of the Volunteer Corps member is difficult. It may mean tens of calls to potential employers, provision of transportation to interviews, assistance in filling out difficult application forms and a great measure of assurance and patience. But each of you who succeeds in finding employment for another citizen will never forget the satisfaction of really doing something which may be the turning point in a life of a human being and a significant turning point in the total life of this city.

Meanwhile, my office will do all in its power to point out to employers legislation introduced by Representative Robert Jones in the 1967 General Assembly. This legislation provides tax credit incentives for industry to hire and train unemployed persons.

Nor have we forgotten that many jobs stand open in Indianapolis at this moment because potential job holders need more training to fill them. Flanner House at 333 West 16th Street and its four neighborhood centers stand prepared to interview and train as many as 2,000 citizens of all ages at no cost to those involved and to work closely with local industry to place successfully the trainees.

The Indianapolis Public Schools are geared to accept all students this summer who can be encouraged to enroll in courses which will bridge reading deficiencies or other basic skill difficulties or lead to enrichment programs and better college potentialities. Teachers and parents and fellow students must do all in their power to encourage summer school enrollment. We have some glaring educational weaknesses in Indianapolis which can be bridged only in the summer. We need to forge ahead of other cities and offer to competing industry a more skilled population which is ready to fill more technical and higher paying jobs. The Mallory Technical Center offers a great array of vocational courses which make possible immediate job placement in a host of opportunities. Adult high school completion courses during the day are now available at Mallory and should be taken by hundreds of our youth who want and need high school diplomas.

Currently, one of our Indianapolis Board of Works members, Mr. Wendell Vandiver of the Carpenters Union is available each day on the 3rd floor of Mallory Technical Center to enroll qualified youth who wish to earn pay during a six-week preliminary apprenticeship program and after passing reasonable tests are then guaranteed $3.60 per hour on construction jobs during the completion of their course. Progress is being made at Mallory Technical Center with the bricklayers union and I am confident that we will report more successes in this field of building trades.

I have advised adults who wish to serve our community to enlist immediately in the volunteer Adviser Corps. I wish to ask college students who can afford to give voluntarily of their time this summer to enlist as superintendents of elementary school playgrounds on a full-time basis. We need to open all of our school playgrounds and maintain full-time supervision by qualified personnel who will be given proper training by the Park Department. We need volunteers who will not only supervise a good program of recreation but who will do much to advise and counsel youth who need models for success and good solid friends to rely upon. I will be indebted to each college student who can give of his time in this important role and I ask each to call the Mayor's Office, 633–3714 to volunteer.

During the coming months, the Mayor's office will survey our community to determine the most important projects of civic beauty which will require employment of youth dedicated to the improvement of Indianapolis and we will search for the funds required to employ youth and complete some badly needed civic projects.

Beginning now on March 1, we can move rapidly toward a full employment economy, a rapid reduction in unemployment compensation payments and welfare payments, a rapid acceleration in citizen participation in strengthening the economic and social health of this community and a good start on the most useful year of education, employment, and recreation which we have ever enjoyed. Indianapolis will be stronger because we simply were determined to do all of the things which our consciences dictated and to do them now because we love this city and because each one of us has a genuine feeling of compassion for his fellow men.

In the meanwhile, we are going to have to progress rapidly on some other fronts. Our housing shortage is severe, and I am working on a great number of projects to try to bring together our need for houses with the needs of citizens to be employed in building houses or rehabilitating and improving existing structures.

We need to have more businesses owned and operated by Negroes in this community. This is not racial prejudice in reverse. This is just straightforward economic thought, and I am pleased to report that substantial progress is being made by our banks in providing loans to Negro owned businesses which should expand and employ more persons immediately.

All of these quests involve risks and expenses, but I have outlined no program which will not bring rich returns on the time and funds invested, and I have outlined nothing which cannot be done by citizens in Indianapolis using their own time and money.

I appreciate the fact that we have those among us who have no faith in this community or in any individual leaders, for that matter, to fight for justice. From the beginning of my administration, I have heard from citizens who were certain that the idealism I expressed would wear off, who were certain that "sinister" advisers would control my actions, or who were alarmed at the rapid pace of our administration and certain that we would collapse from sheer exhaustion after a relatively brief flurry of excitement and promise. The doubters and the prophets of gloom are less numerous these days, and I am pleased that the press pays so little attention to them.

City government is a perpetually frantic business. My staff works 60-hour weeks not because I have asked for sacrifice but because they know we are on the threshold of some great breakthroughs in this city and no one wants to miss out on any part of the action.

I shall always be grateful to the people of Indianapolis for giving me this opportunity to serve as Mayor at this particular time. Surely no man has ever had so many wonderful surprises as citizens stepped forward each day to accept responsibilities because they loved Indianapolis and all that life in this city can become if we really set our sights high enough.

Less than 100 days ago, many were certain that the open dumps would not be closed. Even more were certain that a 13-inch snowfall could not be cleared to permit normal traffic flow. Still more were certain that governmental services would be disrupted by a change of administrations and that many months would be required to appoint new boards, new officials, and obtain efficiency of operation. The pessimists were wrong.

And now as we attack the problems of employment, we need visible successes and we need them promptly. The same could be said for housing and for human relations in Indianapolis.

But while we are doing all of these important tasks and from time to time have a moment of mild discouragement, let us remember that those of us who are privileged to enjoy these moments in the sun in Indianapolis do so while thousands of our young men are engaged in a grim struggle abroad. Death knows no color barrier in Viet Nam and if any citizen in Indianapolis feels that he is being asked to do too much for his city now, his sense of values needs sizable adjustment. Those young men who return from military service deserve a better city than the one they left behind. They deserve cleaner air, safer streets, a chance to work productively, the privilege of buying property, goods, and services whenever and wherever they wish to buy, and a government which is constructive and strong in its encouragement of compassion and justice.

This is a time when patriotism can be best expressed by helping another man to find and hold a job, by giving a helping hand to a teen-ager who needs more school, employment, recreation, and some one who really cares about his individual needs, by supporting the action of good law enforcement officers who can be effective only in a society which truly believes in equal justice for all men and special privileges for no men.

I believe in the ideas I have presented to you tonight. I believe in them with such strength that I plan to devote all of my energy to making these dreams for Indianapolis come true. I know that many of you will want to do the same. And many years from now, we will look back upon this night and upon this year and be very grateful that sincere and dedicated action made all the difference.

[From the Indianapolis (Ind.) Star, Mar. 2, 1968]

Lugar Seeks 2,000 Volunteers To Solve Unemployment Issues

(By Michael J. Quinn)

Mayor Richard G. Lugar last night issued a call for 2,000 Indianapolis residents to serve as volunteers in a major effort to solve unemployment problems.

Citizens wishing personally to take part in fighting the problems of the chronically unemployed should join the Voluntary Adviser Corps, Lugar said.

The mayor in a 30-minute televised speech said the new program is "exciting and important in our community."

Lugar declared, "A great many of you who want to serve this community have a remarkable opportunity available now."

He explained:

"Each person who responds will be given the name of a man or woman who needs help in finding a job. It would be the volunteer's responsibility to work with the unemployed person until he is employed and settled in his job."

He added, "Each of you who has ever asked the question, 'What can I do now to make Indianapolis a better community in which to live and work?' can answer that question with a great degree of satisfaction by contacting the Adviser Corps."

The Committee for Employment Opportunities' Voluntary Adviser Corps is a project of the Indianapolis Chamber of Commerce and will be the co-ordinating agency for the Mayor's job program.

Lugar said persons wishing to volunteer should telephone 635–6423.

He revealed that Vice-President Hubert H. Humphrey recently told him at Washington, D.C., that despite promises of increased Federal money for programs to halt civil unrest "no fresh sources of Federal funds would be available to cities in the near future."

Lugar said he was informed by Humphrey that:

"We (in Indianapolis) will have to look to our own community resources to cure our own community problems, with the Federal government as a willing and helpful ally on occasion."

Lugar asserted Indianapolis is not burdened with civil unrest but has "healthy dissatisfaction."

Lugar said that on May 7 and 8 Indianapolis Chamber of Commerce representatives will be at all high schools conducting interviews among high school seniors seeking permanent jobs.

"We want to make certain that each senior who does not have college plans at present is given an excellent opportunity to find stable employment," Lugar said.

Another job-placement project will be underway in about two weeks when representatives of 20 major firms will interview job-seeking men and women of all ages in the Martindale Avenue neighborhood. The dates and locations of these interviews will be announced soon, the Mayor said.

The project will be co-ordinated by Martindale Area Citizens Service Inc. (MACS).

Lugar stressed that his program is not only for summer jobs, but for year-round employment.

He also discussed problems in the areas of family planning, welfare payments, and the need for Negro-owned businesses.

"Our community must offer assistance in family planning to all who volunteer for such assistance," Lugar said. "I have seen far too much cruelty and suffering involving children to remain silent on this issue."

He added that "an insidious problem" in our city results from the fact we have discriminated against many Negro men for so long "they not only have given up hope of employment for themselves but have abandoned their families in order not to jeopardize welfare payments for mothers and children."

These men, he said, "have failed to give any model of success to their children."

Lugar said he disagreed with those who contend ministers "should stick to comforting our troubled spirits each Sunday morning and leave the poor and discouraged to those in political life on Monday morning.

"The poor and the discouraged have frequently lost sight of the church altogether," he added. "And church attendance by the youth of our community is low."

Lugar said there is a need for more businesses to be owned and operated by Negroes. He added, "This is not racial prejudice in reverse . . . just straightforward economic thought."

The mayor yesterday morning met with representatives of the community's largest 25 industries.

Most of the executives voiced enthusiasm for the Mayor's job program and expressed a willingness to help.

The Voluntary Adviser Corps last year had about 465 volunteers working with 695 "unemployables." It is headed by Sylvester Rowe.

Lugar has been working with executives of major industries for the last two weeks to complete the plans for the total job program.

[From the Indianapolis (Ind.) News, Mar. 2, 1968]

No Pools of Cash: Lugar Asks War on Race Injustice, Unemployment

A "useful year" program calling on residents of Indianapolis to wage their own war against the city's problems of racial inequalities and unemployment was outlined last night by Mayor Richard G. Lugar.

Bluntly, Lugar said, "There are no fresh sources for funds available. Pools of cash do not exist and Congress is not likely to create them."

He then threw the hope for a quiet summer in the laps of the people.

Lugar challenged Indianapolis to learn how to get its "teeth into the problems" and asked for 2,000 volunteers to find jobs for the city's youth and the unemployed.

Making his appeal on television, he asked residents to join the Volunteer Adviser Corps.

JOB PLACEMENT TECHNIQUE OFFERED

"We need people who will give up their time and spend it trying to locate another person in a job. If you are interested in helping, we will provide you with all the techniques of job placement, give you an assignment in placing one of your fellow residents in work opportunity."

Lugar's outline for finding employment and employes:

1. All youths interested in finding summer jobs and permanent employment, contact the Youth Employment Center, 145 W. Washington.
2. All adults interested in permanent employment, contact the Employment Center, 145 W. Washington.
3. Employers interested in hiring youth for summer work or permanent employes, contact Employer Headquarters, Flanner House, 333 W. 16th.
4. Persons wishing to help an unemployed person or youth with job placement, contact Volunteer Adviser Corps, 320 N. Meridian, Indianapolis Chamber of Commerce project.
5. College students wishing to help with playground supervision and city schools this summer should call the mayor's office.
6. Indianapolis public schools will accept all pupils who desire further education this summer and urge everyone to encourage dropouts to return to school.
7. High school seniors not planning on attending college, but seeking permanent jobs, should attend job interviews May 7 and 8 at Indianapolis high schools.

Lugar this week returned from Washington, where he met with mayors of large American cities and attended a briefing on the Kerner civil disorders report.

He said he was convinced Indianapolis could solve its problems and become a stronger community.

TROUBLEMAKERS GET STERN WARNING

"My administration, and I hope all Indianapolis, is determined to do all things our conscience dictates in making this a stronger city."

Lugar also warned the small minority that feeds on crime and disorder.

"Self-styled leaders have talked about a long, hot summer. This is dead center thinking, lazy and sloppy thinking, and I'm tired of listening to it.

"They would like to cause harm at any time of year while others wait, ready to take advantage of the breakdown of law and order. Others would like to romanticize about the downfall of the power structure and how the community is down on its knees."

He told how the nation is presently obsessed with law and order in its arming itself to the teeth.

"But there will be no tanks or machine guns in Indianapolis. These people who are intent on causing trouble and like it, simply do not like other persons and probably never will."

STOKELY WILL COORDINATE PLAN

He predicted swift arrest and trial according to due process of law for troublemakers.

Lugar said Alfred Stokely of Stokely-Van Camp will coordinate the local program in conjunction with a national plan headed by Henry Ford.

The mayor was accompanied to the television studio by his wife for the live broadcast. A receptionist at the studio, 10 minutes after the 9:30 to 10 p.m. broadcast, said at least four people called to compliment the mayor on his "Report to the People."

[From the Indianapolis (Ind.) News, Mar. 5, 1968]

LUGAR NAMES JOBFINDING TASK FORCE

Mayor Richard G. Lugar yesterday announced the formation of a Greater Indianapolis Progress Committee task force to direct his war against unemployment.

Juan C. Solomon, a personnel representative for Eli Lilly & Co., has been loaned to the GIPC to serve as chairman of the new job-finding group, Lugar said at a press conference.

Others named by Lugar to the special committee are:

Alfred Stokely, president of Stokely-Van-Camp Inc.

Dr. Harold Wisely, vice-president of industrial relations for the Lilly firms.

Jack Reich, president of the GIPC.

H. Prentice Browning, president of the Indianapolis Chamber of Commerce.

Ron Johnson, associate director of the Indianapolis Urban League.

The mayor also said Stokely will serve as director of the Indianapolis Metropolitan Alliance of Business, a local group formed as part of a national plan to urge businesses to make more jobs available.

Lugar announced details of his plan to aid the hard-core unemployed and appealed for citizen support and assistance in a speech Friday night.

As a result of his appeal for volunteers to help people find jobs, several hundred persons have offered their services in calls to the Indianapolis Chamber of Commerce office, according to a representative of the Chamber.

In other action Lugar accepted a distinguished achievement award won by the city in the 1967 National Cleanup contest. The plaque was presented to the mayor by Mrs. Alex Clark, chairman of the Indianapolis Yard Parks Beautification Committee.

Lugar also announced that he will hold his second citizens day Thursday between 4 and 6 p.m. to give Indianapolis residents a chance to bring their problems directly to the mayor.

[From the Indianapolis (Ind.) Star, Mar. 5, 1968]

JOBLESS AID PLEA BRINGS BIG VOLUNTEER RESPONSE

"Overwhelming response" to Mayor Richard G. Lugar's call for volunteers to assist unemployed persons was reported yesterday.

Sylvester E. Rowe, director of the Voluntary Advisers Corps, said he received about 250 inquiries concerning the program yesterday.

Sixty-five persons made additional pledges of assistance and countless others have expressed keen interest, Rowe said.

Business firms, civic organizations and individuals have responded "in a gratifying fashion," Rowe added.

The Notre Dame Club of Indianapolis is considering VAC as a club project, Rowe said, adding that several businesses are soliciting membership in VAC among employes.

Rowe said several church groups told him they planned to include the job program as part of their civic work.

Friday, Mayor Lugar issued a plea for citizen assistance in dealing with hard-core unemployed persons—those who have difficulty in finding and keeping a job.

Lugar suggested persons interested in aiding their community should join the VAC and work with unemployed persons.

The corps, a project of the Indianapolis Chamber of Commerce, assigns volunteers—men and women—to unemployed persons who are called candidates.

In 1967, VAC received 695 candidates and placed 359 in jobs.

Persons needing jobs or wishing to volunteer or firms who want to hire persons referred to VAC may notify the corps, 320 North Meridian Street, or telephone 635-6423.

"Now that we have the workers we need to hear from those who need the jobs," Rowe said.

Rowe said he also has had offers of volunteer office help in the corps offices in response to Lugar's plea.

Employment information also may be obtained at the Employment Center, 145 West Washington Street.

In other job news yesterday, Mayor Lugar named Juan C. Solomon, a personnel representative for Eli Lilly & Co., chairman of a newly formed unemployment task force of the Greater Indianapolis Progress Committee.

Others named to the new task force include: Alfred J. Stokely, president of Stokely-Van Camp Inc.; Dr. Harold M. Wisely, vice-president of industrial relations for the Lilly firm; Jack E. Reich, president of the GIPC; H. Prentice Browning, president of the Indianapolis Chamber of Commerce, and Ronald E. Johnson, associate director of the Indianapolis Urban League.

[From the Indianapolis (Ind.) Star, Mar. 6, 1968]

WHO'S THAT HOOSIER?

Mayor Richard G. Lugar will surely be chastised or worse the next time he gets together with his fellow United States mayors at one of those posh municipal conventions.

Last week, while many executives of major U.S. urban centers were begging Congress for more Federal money to help solve burgeoning urban-racial problems, Mayor Lugar was proposing a "let's do it ourselves" program.

Blasphemy! Sacrilege! Whoever heard of solving unemployment, housing, transportation and other problems without advice and money from the land of the Great White Father?

No one can end racial discrimination except the Washington bureaucrats!

Lugar really should know better. Even the National Advisory Commission on Civil Disorders calls for the delivery of freight cars filled with money to the cities or else we will become two nations—one black and one white.

Now comes the relatively inexperienced mayor from Hoosierland saying that while the cities are waiting for the fairy godmother of money in Washington to wave her magic wand, they should be doing something themselves to aid the victims of blight and intolerant ignorance.

Lugar's plea for citizen participation in easing local unemployment problems was almost simultaneous with the hopelessness-weighted pleas of the six so-called big-city mayors.

They are probably mumbling right now in Washington, "Who is this dumb Hoosier in Indianapolis who dares to contradict such successful mayors as John V. Lindsay of New York City; Hugh Addonizio of Newark, N.J., and Jerome P. Cavanagh of Detroit?"

[From the Indianapolis (Ind.) News, Mar. 15, 1968]

JOBS-FOR-ALL CAMPAIGN IS PUSHED

(By Skip Hess)

The eight-county metropolitan Indianapolis area is dotted with 13,100 unemployed persons and the Indiana Employment Service lists slightly more than 1,000 available job openings, but the situation is not as critical as it might appear.

The IES is quick to explain that two-thirds of the unemployed are looking for unskilled and service-type jobs, and, that there is a projection of 6,000 new jobs this year with the greatest need in the fields of clerical and sales.

This, of course, leaves a need for 7,000 more jobs, but the IES explains further that jobless construction workers are "coming into their work season" and that a small amount of the unemployed will be picking up pay checks in landscaping and outside work.

And, the IES says there is only 3 per cent unemployment in the metropolitan area.

Add to the strong, diversified economy of Indianapolis, the new trend in employer hiring, and Mayor Richard G. Lugar possibly may be well on his way to cooling a long, hot summer in 1968.

In his March 1 speech to Indianapolis, Lugar said the "hot summer" views of some cities are "lazy and sloppy thinking" and of no "absolute value." He also stated he is "weary of listening to a lot of sheer rubbish from persons of national repute who ought to know better."

The mayor vowed to "help another man to find and hold a job by giving a helping hand" and began to plan projects virtually to eliminate unemployment for persons wanting to work.

He appointed Juan C. Soloman as chairman of the Mayor's Employment Task Force, and set a goal of "unifying and co-ordinating existing services carried out by business, community and governmental agencies toward the training and employment of the economically deprived."

Yesterday, representatives of 20 companies took the first big step toward the "new hiring trend" by interviewing men and women of all ages who are seeking employment in the Martindale Avenue neighborhood.

Lugar said "Many employers are eager to come directly to neighborhood facilities to make the interviewing process easier. We do not want transportation problems or fear of a potential closed door policy to stand in the way of someone seeking a job."

Employers also are considering a change in methods of hiring unskilled persons. Instead of requiring a worker to have a high school or college education, for example, the employer will test the applicant and evaluate the man's skills.

Should the man qualify for a job, he need not worry about being passed over because of not having experience or education requirements, which have been demanded in the past.

The employer, therefore, is taking a realistic look at hiring unskilled labor.

[From the Indianapolis (Ind.) News, Mar. 23, 1968]

VAC MAY HAVE TO HIRE HELP

(By Skip Hess)

The Voluntary Adviser Corps has worked itself into a position where it may have to hire jobless persons to carry out its program.

Requests by the VAC for unemployed persons to contact its office have resulted in an overwhelming response by job seekers. The staff of five for the Chamber of Commerce program admits the response is more than it can handle at this time.

Co-ordinators are working from 12 to 16 hours a day, but insists that even a 25-hour work day wouldn't solve their immediate problem.

And the problem is that the number of persons seeking jobs is more than double the volunteers available to meet the "one-volunteer-for-one-job seeker" program.

Lawrence Carroll, associate director of the Committee for Employment Opportunity, which directs the VAC, said yesterday about 400 persons has requested assistance in finding, and keeping jobs, but that the VAC is at a standstill until more volunteers can be found and trained.

MAIN REQUIREMENT IS RESPONSIBILITY

Carroll stressed "a volunteer can be anybody who sincerely wants to help. I don't think a lot of people understand that we aren't looking for persons only in executive positions. We simply want responsible people."

Sylvester E. Rowe, a director at the VAC said anyone interested in becoming a volunteer should contact the office at 320 N. Meridian (635–6423).

According to VAC, said ideal volunteers are "persons who are willing to assist job seekers who may be discouraged or slow in learning and persons who are willing to guide job seekers through the steps leading to steady employment."

The duties of a volunteer are:

1. Interview a candidate at his home.
2. Uncover his employment problems.
3. Refer him, through the VAC, to professionals who solve these problems.
4. Train a candidate to take job interviews.
5. Help him adjust to his new job.

The VAC offers individual volunteers a two-session training course conducted by members of the corps' professional staff. The voluntary adviser then spends an average of two hours per week for six to eight weeks helping the candidate.

[From the Indianapolis (Ind.) News, Mar. 27, 1968]

LUGAR ASKS HELP OF SUBURBAN TOWNS IN JOB WAR

Indianapolis Mayor Richard G. Lugar's war on unemployment, aimed largely at the city's disadvantaged youths and hard core unemployed, reached into the suburbs.

Lugar played host to the mayors of four suburban cities and a town board president and explained the metropolitan aspects of the unemployment war, the fingers of which soon will be touching counties adjacent to Marion County.

Lugar said some of the agencies seeking out employers to pledge jobs for the hard core unemployed will in the near future begin making forays into the surrounding counties.

The suburban chief executives who spoke indicated they did not have any hard core unemployment problems, but pledged co-operation in any way possible in a metropolitan program.

Lugar asked them to keep their fingers on the employment picture in their cities and to co-operate in providing information on when and where jobs open that might be filled by hard core unemployed persons.

The term hard core unemployed is applied to persons 16 to 24 years old or over 45 who are school dropouts, members of minority groups or handicapped, and for numerous reasons ranging from illiteracy to criminal records, have histories of not being able to hold jobs.

The suburban officials who attended included: Mayor Joe Butler, Noblesville; Mayor Ralph VanNatta, Shelbyville; Mayor Berry S. Hurley, Greenfield; Mayor James D. Gardner, Martinsville; Walter Land, Danville Town Board president.

The immediate goal of 20 agencies involved in the unemployment war is to have 600 hard core unemployed persons on the job by June, 1969, and to provide 2,500 jobs this summer for disadvantaged youths who may need employment to be able to remain in school.

It is believed the bulk of the estimated 3,000 to 5,000 hard core unemployed live in Center Township. Lugar pointed out no one yet knows exactly how many of these people there are because many of them do not seek help.

Many of them, however, can be found on the welfare rolls.

The idea said Jaun C. Solomon, an Eli Lilly & Co. executive on loan to the city as co-chairman of the employment task force, is to make these people "taxpaying instead of tax eating citizens."

Yesterday's session was held at the behest also of Alfred J. Stokely, who is metropolitan chairman for the National Alliance of Businessmen. The formation of a national NAB committee to combat unemployment in the nation was announced recently by President Johnson.

Indianapolis is one of the NAB's 50 target cities.

Stokely promised the suburban mayors they would be kept abreast of all the activities in the metropolitan area. He is a co-chairman of the task force.

Other groups involved in the unemployment war, which was begun here early this month, include: The Volunteer Advisers Corps of the Indianapolis Chamber of Commerce; the On The Job Training Center of Community Action Against Poverty, Inc.; the Indianapolis Board For Fundamental Education.

WARNER-SWASEY CO.—A PRIVATE ENTERPRISE PLAN TO PROVIDE LOW-COST HOUSING

Mr. FASCELL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FASCELL. Mr. Speaker, recently, President Johnson sent a special message to the Congress outlining the dramatic need for a new and expanded housing program in the Nation's cities. In addition, the report issued recently by the President's Advisory Commission on Civil Disorders underlined the need for expanded efforts to provide decent housing to all our citizens. As the primary sponsor of the bill which established the Department of Housing and Urban Development, I, too, have long been interested in the housing problem.

The housing problem affects all citizens. In larger cities, employees of business and industry are no longer able to live near the stores or industrial plants where they work. The inner cities, once the neighborhoods of responsible middle-class workers, have today deteriorated into slums. Men and women, because of the high increase of crime, are increasingly reluctant to live or work in these areas. The cost of plant security is going up, and welfare costs of the cities are going up. All of these things have a direct impact on inner city industry and on employment opportunities for those who live in the inner city.

Much has already been said about the need for business involvement in the problems of our cities, particularly with reference to the problem of adequate and decent housing. Many imaginative proposals have been introduced in both Houses of Congress to promote and encourage such participation.

One of the first firm commitments, on a large scale, of such help from industry and business is by the Warner Swasey Co. of Cleveland, Ohio. This company deliberately involved itself in the problems of the slum area immediately adjacent to one of the company's factories. The benefits both to the company and to the surrounding community have been very substantial. Warner Swasey's achievements can well serve as a model for other companies anxious to contribute to the solutions of the problems of their own cities.

The Warner Swasey Co. has had a long

record of stressing the need for private enterprise to take a stand in matters that affect our national well-being. Through advertisements and other means, the company has made clear its belief, which I share, that private business cannot completely abandon to Government the responsibility for healthy communities.

Warner Swasey management studied the problem and found that Cleveland's slum problem centers around Hough, an inner city area of neglected and dilapidated buildings, many vacant and vandalized. It is an area of staggering social problems—poverty, illiteracy, unemployment, overpopulation, and racial tension. It is a large area spreading slowly into the rest of prosperous, booming Cleveland. Hough is an area riddled with landlord neglect and tenant abuse. Urban renewal, so far, has had only limited success in solving Hough's housing problem. Warner Swasey's main plant and general offices are on the edge of Hough.

Warner Swasey's president is a strong and outspoken believer in the free enterprise system as well as a member of several civic committees. He decided that the time had come for industry to participate directly in Cleveland's housing problem, for the corporate citizen to shoulder the responsibilities of citizenship.

With this objective in mind, a representative of Warner Swasey went into the Hough area in search of an apartment building. The company planned to renovate this building and to make it a profitable, useful part of the community. This building was to be an experimental project designed to prove that rehabilitation could be done at reasonable costs when done under business management; and that this renovation could be accomplished in less time than those projects undertaken directly by the Government. If this project proved successful, it would act as a yardstick for other interested companies and encourage them to begin their own projects to solve some of the cities' problems.

The project of Warner Swasey had a formula:

First. The financing would be company funds, not those of the Government.

Second. Renovation would be suited to FHA specifications.

Third. The project would be accomplished, from start to finish, as though Warner Swasey were a nonprofit organization applying for a loan. This was done to enable the apartment to be taken over by a nonprofit organization upon completion of the project.

Although dilapidated apartment buildings were plentiful, selecting and buying one was another matter. First, the company decided that the building should be located on a street or a block which offered the renovated building some chance of success, where there were enough responsible citizens to offer effective support. Second, the building had to be acquired at a low per-unit price that would leave maximum funds for rehabilitation.

As the first step in launching the project, Warner Swasey asked for and obtained the assistance and cooperation of Negro leaders in the area. Together they found a building which seemed to meet all requirements. It was a structurally sound, 18-unit, four-floor brick building over 40 years old. It was badly abused, clothed in filth and decay, with scores of code violations against it. It was, by anyone's standards, not fit for human habitation.

The building was in a declared urban renewal area. Across the street, the city owned the vacant land where garden apartments and townhouses would someday be built. A block away was a metropolitan housing project; a few short blocks to the south, the site of the city's planned multipurpose center for recreation, health, and social services. The company believed that this area provided the opportunity to prove that a neighborhood could be brought back to a healthy, useful status through cooperation between local government, private industry, and the citizens of the area.

The building was obtained by direct purchase without options, go-betweens, or Government writedown.

After the building was acquired, Warner Swasey sat down with several Negro leaders, outlined their plans, and requested the leaders' support. The company proposed restoration of the building to its original 13 apartments. In this way, each apartment would have three bedrooms to take care of larger families. The building would be renovated by sections in order that the tenants might remain and not add to the relocation problem. For those required to move, the company relocated them in the immediate neighborhood.

All of the tenants originally residing in the building were given priority in obtaining suites in the renovated building, providing, of course, that the size of their families was right for the three-bedroom suites.

The next step was to establish "believeability." There was and still is a set pattern in Hough, as in many other cities, generated by past experience with urban renewal. Point the finger of urban renewal at a specific building and the tenants depart. Almost overnight, vandals move in to leave the building an empty shell. There are buildings in the area without a light fixture, plumbing fixtures, radiators or boiler. Electrical wiring and sewer piping have been ripped out to be sold as junk metal. This fate was avoided by the Warner Swasey Co. because of the cooperation of the Negro leaders.

By spreading the word of the company's intentions to tenants and close neighbors before the project was announced publically in the newspapers, the needed "believability" was established. No tenant left and no vandalism occurred.

The company deliberately selected a Negro contractor. There are no large Negro contractors in Cleveland and, therefore, the one chosen was a small one. He had no experience in rehabilitation previously, nor did he have a trained staff. Consequently, organization of the work, planning, scheduling, and supervision suffered and the job took longer than initially planned. The Warner Swasey Co. feels that this situation will be eliminated with its next project.

Overall, the costs, as recorded with the FHA last December 15, were $114,000 plus $15,000 acquisition for a total of $129,000. These costs are recoverable.

It is fallacious to compare rehabilitation projects on a unit basis, that is, a one-bedroom unit compared with a three-bedroom unit. Units in the Warner Swasey project were three-bedroom with over 1,000 square feet each. It seems preferable to compare this housing on a per livable room basis. The total cost on this basis breaks down as:

Number units	13
Number rooms	71.5
Cost per room rehabilitation	$1,605
Total cost per room	$1,800

It should be noted that some rehabilitation projects have run as high as $2,500 per room. The Warner Swasey project costs were reasonably low due mainly to the added factor of effective and efficient business management techniques.

Another challenge to the sponsor of a rehabilitation project is maintenance. Often the people living in renovated apartments are not accustomed or acclimated to urban living at the level that standard modern living units require. Without some form of guidance and counseling, these buildings have soon deteriorated again into substandard housing.

Recognizing this problem, Warner Swasey took steps to avoid it. The company turned over the completed building immediately to those persons who could handle the maintenance problem. The new owner was the St. John-St. James Housing Corp., a nonprofit corporation formed by two of the largest AME churches in Cleveland. This gave the housing project the unique status of being Negro-owned, Negro-operated, and Negro-occupied. Working in conjunction with this organization was the Urban League of Cleveland which agreed to support the project by providing counseling and training service to the tenants. The result to date—the first tenants having moved in the last of June—has been the very satisfactory maintenance of the building.

It must be noted that rent subsidy was the key to the feasibility of the Warner Swasey project. The nonprofit corporation now operating this building also has rent subsidy and by this medium is able to provide housing for the low-income group. Incidentally, the occupants of the building have a rather wide range of rents. There are people who are paying full economic rent for the building, currently $133, as well as those who pay only $65.

The Warner Swasey project has been so successful that they are now engaged in planning and developing a new project, the rehabilitation of single family dwellings for resale to low-income purchasers. This will be under FHA's 221(h) program and will be aimed at making taxpaying, homeowning citizens out of tenants, to give them added incentive and pride in building and maintaining a good neighborhood.

A second area of involvement by the company is the Cleveland Revolving Fund, Inc. formed by Warner Swasey jobless construction workers are "coming into their work season" and that a small amount of the unemployed will be picking up pay checks in landscaping and outside work.

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(By Skip Hess)

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Number units	13
Number rooms	71.5
Cost per room rehabilitation	$1,605
Total cost per room	$1,800

It should be noted that some rehabilitation projects have run as high as $2,500 per room. The Warner Swasey project costs were reasonably low due mainly to the added factor of effective and efficient business management techniques.

Another challenge to the sponsor of a rehabilitation project is maintenance. Often the people living in renovated apartments are not accustomed or acclimated to urban living at the level that standard modern living units require. Without some form of guidance and counseling, these buildings have soon deteriorated again into substandard housing.

Recognizing this problem, Warner Swasey took steps to avoid it. The company turned over the completed building immediately to those persons who could handle the maintenance problem. The new owner was the St. John-St. James Housing Corp., a nonprofit corporation formed by two of the largest AME churches in Cleveland. This gave the housing project the unique status of being Negro-owned, Negro-operated, and Negro-occupied. Working in conjunction with this organization was the Urban League of Cleveland which agreed to support the project by providing counseling and training service to the tenants. The result to date—the first tenants having moved in the last of June—has been the very satisfactory maintenance of the building.

It must be noted that rent subsidy was the key to the feasibility of the Warner Swasey project. The nonprofit corporation now operating this building also has rent subsidy and by this medium is able to provide housing for the low-income group. Incidentally, the occupants of the building have a rather wide range of rents. There are people who are paying full economic rent for the building, currently $133, as well as those who pay only $65.

The Warner Swasey project has been so successful that they are now engaged in planning and developing a new project, the rehabilitation of single family dwellings for resale to low-income purchasers. This will be under FHA's 221(h) program and will be aimed at making taxpaying, homeowning citizens out of tenants, to give them added incentive and pride in building and maintaining a good neighborhood.

A second area of involvement by the company is the Cleveland Revolving Fund, Inc. formed by Warner Swasey and five other concerned companies: Clevite Corp., E. F. Hauserman Co., Midland-Ross Corp., Republic Steel Corp., and the East Ohio Gas Co. This plan is aimed at the Mount Pleasant area of Cleveland.

Mount Pleasant is a good residential area on the decline. It is not a slum, as is Hough, but it soon will be if preventive measures are not taken. It has not yet been declared an urban renewal area, and, therefore, many forms of Government assistance are not yet available.

The revolving fund serves as a focal point for knowledgeable businessmen to bring their strength, talent and know-how to bear on city problems. The venture is financed through a fund provided by a $25,000 commitment per company. The revolving fund is not a contribution. The funds will be recovered when the need for them is reasonably past. Control is exercised by a board made up of one representative from each participating company. The fund assists in financing projects which might otherwise be delayed; making advances to small nonprofit organizations seeking FHA loans; guaranteeing loans for low-income borrowers; and supporting the formation of nonprofit cooperatives or condominiums.

While some 19 projects are underway or completed, maximum use of the fund's capabilities has not been made. Nonetheless, it has been reported that the Cleveland revolving fund has made more progress in the housing field in its brief existence than any other local organization.

Realizing that the Mount Pleasant program will be a slow process, dependent upon community participation and community leadership, neither of which contributes to rapid action, the board has sought other plans for actively assisting in the housing problem. A proposal is now being studied to expand the Cleveland revolving fund into a development corporation through which business and industry, with the assistance of Government-insured loans, can undertake large-scale neighborhood renewal. This could well be a major contribution toward reviving the inner city as a healthy and worthwhile community.

The housing problems of the inner city are tremendous. They will not be solved by miracles. In Cleveland alone, the problem is so great that there are simply not enough contractors or enough skilled workers to do the job. This should not stop business and industry from participating in the solving of city problems. To get on with the job, however, Warner Swasey felt that many major roadblocks must be removed:

First. Both business and Government must come to grips with the practical realities of housing problems.

Second. There is an urgent need for local and State tax abatement for low-income housing projects.

Third. The construction industry must develop new techniques and better coordination among subcontractors; advantage must be taken more fully of prefabrication and preassembly and newly available materials; and provisions for crossing trade lines in rehabilitation work must be made.

Fourth. The FHA should overhaul its requirements and come up with realistic ones for rehabilitation, not insisting initially upon strict adherence to new house standards. The fundamental requirement should be that rehabilitated units be clean, sanitary, decent, and in keeping with their level of housing.

Fifth. The FHA should heed the advice of its Commissioner who said that the FHA should go looking for applications, should eliminate the negativism and the tortuous slowness of its processing of multifamily applications.

A healthy surrounding community is the best safeguard a business can have to insure its own long-range success. The investment in time and money made by the Warner Swasey Co. of Cleveland, Ohio, was not merely an exercise in social reform, it was an investment in community preservation. I salute the fine work of the Warner Swasey Co. I offer their achievements as an example well deserving of recognition and imitation by business and industry in all cities of America. I am hopeful that this champion of industry and social reform will be able to lead other segments of private enterprise into the crusade for suitable and pleasant housing for all our citizens.

Warney Swasey has shown that it can be done. The company's achievement is remarkable and substantial. I am urging industry and civic groups in my congressional district to use this project as a basis for action in our community.

I am sure my colleagues in the House are equally interested. A nationwide program could have phenomenal impact and benefit.

CIVIL RIGHTS

Mr. BARRETT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include an editorial.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BARRETT. Mr. Speaker, I would like to call to the attention of our colleagues a recent editorial in the Philadelphia Evening Bulletin concerning the civil rights bill, which I include at the conclusion of my remarks.

Mr. Speaker, I agree wholeheartedly with the editorial's position that "national politics as well as national need militate for a strong bill" and the Senate-passed bill must be accepted by the House and sent to the President as soon as possible. While the Senate-passed bill does not go as far as some of us would like to see, nonetheless, it is a great step forward in protecting civil rights and in making housing more readily available to all of our citizens regardless of race, color or creed. We cannot risk having the bill returned to conference and be threatened with another filibuster in the other body. Mr. Speaker, it is imperative next week that the Rules Committee act to permit the Senate-passed bill to be taken up on the House floor and sent to the President without change.

The editorial follows:

CIVIL RIGHTS FLAMENCO

The footwork in the House of Representatives around the civil rights bill would put a Spanish flamenco troupe to shame. But it is time now for the dancing to end and action to begin.

Briefly, what has happened is that the Rules Committee, by an 8–7 vote, acted to hold up until April 9 a House vote on the civil rights package passed by the Senate. The dangerous bind here is that the House begins a ten-day Easter recess two days later and may not have time to vote before leaving.

There seems in the Rules Committee action, then, a strong measure of calculated intent to do in the bill. It might be noted that all five Republican members joined three Democrats to form the majority of eight.

On top of that, Minority Leader Gerald Ford has been urging that the majority circumvent the Rules Committee and send the measure to a conference committee with senators to work something out. The clear intent, which he expressed in the recent past, is to water down the fair housing section, which in the Senate version would bar discrimination in sales and rentals of 80% of the nation's housing.

Mr. Ford has said that if the conferees couldn't reach agreement in ten days, he would go for the full-strength bill. The footwork, however, is too heavy in the heels. If Mr. Ford is genuinely agreeable to a housing bill up to Senate strength, all he has to do is "unleash" one or two GOP members of the Rules Committee and let it come on for a vote.

The most hopeful sign at the moment is the pressure being brought to bear on him and other House Republicans by men like Richard Nixon and Nelson Rockefeller.

National politics as well as national need militate for a strong bill and this may yet result in the equivalent of a "Dirksen flip-flop" in the House.

KUPFERMAN AND CHRISTMAN ON SAVING THE CITIES

Mr. KUPFERMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KUPFERMAN. Mr. Speaker, the Wall Street Journal is not merely a barometer of business finance. Among many other things, it is concerned with the hard headed facts of municipal budgets and urban decay and the need for meeting the problems of our cities in the 20th century.

Because of our similar interest, Henry Christman, director of the New York City Record in Mayor John V. Lindsay's cabinet, and I presented to the Wall Street Journal a viable program for the future in aid of metropolitan taxpayers.

Our article appears in the Journal of Monday, April 1, 1968, together with their editorial comment.

I know my colleagues will be interested.

TO THE AID OF METROPOLITAN TAXPAYERS

(By THEODORE R. KUPFERMAN and Henry M. Christman [1])

Will taxes destroy America's metropolitan civilization?

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[1] Mr. Kupferman, a Republican Congressman, represents New York's 17th Congressional district. Mr. Christman is director of the City Record of New York and a member of Mayor Lindsay's cabinet. Their article describes several tax reform bills being introduced by Rep. Kupferman. An editorial on this subject appears on this page today.

The question is posed in all seriousness. The metropolitan middle class, the backbone of urban culture, is proportionally the most heavily taxed segment of American society. And it is not simply the welfare and future of the metropolitan middle class that is at stake, but also the very nature and future of American life and culture itself.

The problem has been vastly accelerated by inflation, urban decay, increasing costs of government at all levels and, most especially, overseas military commitments. Suddenly, almost without knowing it, we are at the crossroads.

It would be some consolation, at least, if the crushing tax burdens carried by the metropolitan middle classes were serving to revitalize their own metropolitan areas; not only would there be the moral satisfaction of resolving the problems of their underprivileged fellow citizens, but also the resulting economic prosperity that would be of eventual direct benefit to the middle-class taxpayer.

TEMPORARY PALLIATIVE

Tragically, such is not the case. The small proportion of Federal tax revenue presently allocated to urban problems is ridiculously inadequate; this relative pittance is only a temporary palliative that perpetuates basic problems, not solves them.

The needs of the urban underprivileged can be met, and must be met. But the needs of the urban and suburban middle class also must be met, so that they may have the means to play their historic and vital role in American society. These goals are not contradictory; indeed, they must go hand in hand.

New York City presents the most extreme and most desperate case study. The U.S. Department of Labor recently released statistics indicating that, as of fall 1967, a minimum income of $10,195 was required to provide a basic, "moderate" standard of living for a family of four in New York City. Other statistics reveal that, in only a decade, the cost of living in New York City has almost doubled. What this means, of course, is that any real increases in middle-class income have been virtually wiped out.

Recent studies have shown that it is the individual taxpayer in the $10,000 to $20,000 bracket who is proportionally the most heavily taxed American. It is the metropolitan American in this tax bracket, living in cities and suburbs, who is carrying the heaviest tax burden. It is, in short, the very American upon whom public causes and the arts must depend for their support, indeed their very existence.

One of the major inequities of the present tax structure is that it takes no account whatever of the great variance in the cost of living in different sections of the nation. A metropolitan citizen may have to earn up to several times as much money as a citizen in a rural area simply to have a comparable standard of living. And that metropolitan citizen will pay many times the amount of Federal income tax of his comparable country cousin, plus all his local metropolitan taxes. So it is the metropolitan taxpayer who carries the real burden of national taxes.

The answer is "Metro-Aid."

CREDITING LOCAL TAXES

Present tax regulations provide that, if a taxpayer itemizes his personal deductions on his Federal income tax return, he is permitted to deduct local taxes from his gross income. Under "Metro-Aid," every taxpayer, whether or not he itemizes, would be permitted to credit all his local taxes directly against the Federal income tax itself, up to 25% of the Federal income tax.

The implications of such a tax reform are sweeping. For instance, the consequence for the heavily taxed residents of New York City would be an immediate tax cut of almost $3 billion annually. For the New York City metropolitan area, the annual total tax cut would amount to perhaps $5 billion.

California also would be a major beneficiary; the Los Angeles metropolitan area alone would receive several billion dollars annually. The Chicago metropolitan area, the Philadelphia metropolitan area and the Detroit metropolitan area would receive perhaps $1 billion apiece every year, with corresponding amounts for other metropolitan areas across the nation.

To say that such a tax cut would greatly assist America's hard-pressed major cities and their adjacent suburbs is an understatement; it would bring them new prosperity immediately.

And the long-range implications are even more important. This reform would mean that America's major cities would be able to retain at home the money needed to meet urgent urban problems, rather than have this much-needed money drained off to Washington. It would eliminate the need for cities to beg Washington and their respective state capitols for essential funds. It would eliminate the costly overhead of present Federal urban and antipoverty programs. And the metropolitan taxpayer would at last carry only a fair tax load, rather than a disproportionately high Federal income tax plus growing local taxes.

Of course, there will be opposition from the fiscal agencies of the Federal Executive, which almost automatically resist and reject any proposal, no matter how worthy, that would decrease Federal revenue.

But a meaningful alternative must be found immediately to the present situation, in which local governments basically have only two ways in which to raise additional operating funds—either increase local taxes or beg the Federal and state governments for more aid. To tell how well this present system works, one need only take a look at the condition of the cities across the nation.

Several other reforms go hand-in-hand with "Metro-Aid."

Tax laws concerning education, culture and the professions must be reformed. Our national policy is supposed to be to encourage everyone to secure as much education as possible. But this encouragement certainly does not extend to present tax laws, which permit the cost of education to be deducted only if it pertains directly to the occupation of the taxpayer. All educational costs and expenses incurred in conjunction with study at any accredited educational institution should be completely tax-deductible.

Again, national policy is supposed to be to encourage creative cultural activities. Many other nations give special tax incentives to creative persons who are devoting their lives to the arts and letters. Our present tax policy, however, does not encourage authors and artists; on the contrary, it discriminates against them. For example, an inventor of some gadget of strictly commercial value receives favorable capital gains tax rates, while the creator of a cultural product, such as an author or artist, whose product may have limited commercial appeal, must pay at much higher income-tax rates.

Professionals and businessmen must be encouraged not only to stay in metropolitan areas, but also to take a direct, pioneering role in local community development. Businessmen should hire and train disadvantaged youths, and the Federal Government should encourage them to do so by offering attractive tax credits. And professionals such as physicians, dentists and attorneys should be given tax write-off privileges for donations of their services.

No survey of present tax inequities would be complete without reference to the problems of the Social Security recipient and of the single taxpayer. And frequently, these are one and the same person. Not all of our senior citizens are in metropolitan areas; but a very high proportion of them are, and that proportion is rapidly increasing. These urban and suburban senior citizens face the additional problem of higher living expenses in metropolitan areas, and therefore deserve special attention.

NOT A CHARITY

Under current laws, a Social Security recipient can receive unlimited amounts of unearned income and still receive Social Security, while if the recipient earns more than a purely nominal amount, his Social Security payments are suspended. Consequently, many middle class citizens are compelled to forego Social Security altogether and continue to work fulltime. Moreover, these persons of moderate means are being denied their own contributions to the Social Security System over the years—for, after all, Social Security is a right toward which they have contributed, not a charity.

Present income restrictions on Social Security recipients should be removed. Moreover, head-of-household tax benefits should be extended to all widows, widowers, legally separated or single individuals 35 years of age or older.

Taken together, the various tax proposals in this article point the way in which American metropolitan areas can be given the means to cope with their overwhelming financial problems. Moreover, this approach does not sacrifice the interests of any group of citizens, urban or suburban, underprivileged or middle class.

Only a few weeks ago, the Advisory Commission on Intergovernmental Relations of the Federal Government released a report that graphically outlines the problems facing American metropolitan areas. Characterizing the deterioration in American urban life as the greatest Federal crisis since the Civil War, the commission charged that the historic American system of local government is in danger of imminent social and economic collapse.

The time for action is now.

The Wall Street Journal editorial follows:

SAVING THE CITIES

It's no news to anyone that the trouble of America's cities are getting no better fast. The proposed approach to this problem outlined elsewhere on this page is thoughtful—but quite unrealistic.

Rep. Kupferman and Mr. Christman are well aware that Federal fiscal authorities will oppose the idea of allowing taxpayers to credit their local tax payments directly against their Federal income tax. The revenue loss would be enormous; the authors put it at $5 billion a year for the New York metropolitan area alone.

If the revenue loss were at least partly offset by elimination of present Federal urban-aid programs, expected to cost $12 billion in the next fiscal year, the result might be manageable. While Messrs. Kupferman and Christman do indicate that they have such a cutback in mind, it's highly unlikely that it could be made quickly enough to cover the fall of revenue.

Yet if the Federal Government did not sharply cut spending somewhere it might well face a huge rise in its inflationary budget deficit thus tending to raise the costs of cities (along with everything else) without providing for an increase in governmental services. Or else Washington would have to raise taxes, perhaps entirely offsetting any savings that taxpayers gained from the local-tax credit.

At the local level there would be problems too. The assumption is that the tax credit would make it possible for local governments to raise taxes without putting new burdens on the taxpayers. Higher local taxes, however, would mean bigger Federal tax credits, greater revenue loss, and possibly higher Federal levies. The outlook for individual taxpayers, middleclass or otherwise, would not be especially bright.

In any case, the solution to the cities' problems calls for a great deal more than money. By themselves, the glaring failures of urban renewal should be sufficient proof of that; too often it has merely substituted new slums for old with little regard for the welfare of displaced inhabitants.

In such deteriorating conditions, one virtue of the Kupferman-Christman approach is that, unlike many "revenue-sharing" schemes, it implies that a large part of the fiscal responsibility must rest on local governments.

Many local governments, unfortunately, have been so enmeshed in politics and waste that they have made little effort to grapple with accumulating problems like the heavy in-migration of rural poor. They prefer to pass the buck to the states and, particularly, the Federal Government.

The first requisite, then, is a thorough overhaul of local governments; this has begun in some cities but it needs to go much farther. If conscientiously carried out, it would provide the cities with a good deal of the revenue they claim they need.

Second, there should be a careful reappraisal and reallocation of governmental responsibilities among local, state and Federal governments. The reallocation should not be based on any state or local-rights ideology but strictly on hard decisions as to which level of government can handle each job most efficiently.

Finally, the governmental entity that is to handle the job should be charged with raising the needed revenue. Local and state officials are as human as anyone else; they will inevitably be much more responsible in spending the public's money if they must themselves extract it from the public through taxation.

Though it may be too much to expect sweeping governmental reform any time soon, at least the proposal offers some hope of solving many problems. That's more than can be said, we're afraid, for the Kupferman-Christman tax credit plan.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. MATSUNAGA (at the request of Mr. BOGGS), for April 2 and 3, 1968, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. HALPERN (at the request of Mr. BIESTER), for 5 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. GONZALEZ, for 10 minutes, today.

EXTENSIONS OF REMARKS

By unanimous consent, permission to extend remarks was granted to:

Mr. DORN in two instances and to include extraneous matter.

Mr. BOGGS to follow the remarks of Mr. ALBERT.

Mr. EDMONDSON and to include an address delivered yesterday to the National Association of Broadcasters by the President of the United States.

Mr. MONAGAN.

Mr. KYL to revise and extend his remarks made in Committee of the Whole today.

(The following Members (at the request of Mr. BIESTER) and to include extraneous matter:)

Mr. SCHWENGEL.
Mr. ERLENBORN.
Mr. SCHERLE.
Mr. SCHWEIKER in two instances.
Mr. FINO.
Mr. KLEPPE.
Mr. BURKE of Florida.
Mr. STEIGER of Arizona.
Mr. ASHBROOK in two instances.
Mr. DERWINSKI in three instances.
Mr. ANDREWS of North Dakota.
Mr. WYMAN in three instances.
Mr. GERALD R. FORD.
Mr. BRAY in two instances.
Mr. BOB WILSON in four instances.
Mr. MCCLURE in two instances.
Mr. BETTS.
Mr. SNYDER in two instances.

(The following Members (at the request of Mr. GONZALEZ) and to include extraneous matter:)

Mr. PODELL.
Mr. RESNICK in two instances.
Mr. FRASER.
Mr. LONG of Maryland.
Mr. WILLIS in two instances.
Mr. O'HARA of Michigan in two instances.
Mr. JONES of North Carolina in two instances.
Mr. FASCELL in two instances.
Mr. JACOBS.
Mr. MINISH.
Mr. HAWKINS.
Mr. JOELSON.
Mr. TEAGUE of Texas in two instances.
Mr. RARICK in six instances.
Mr. DINGELL in four instances.
Mrs. GRIFFITHS.
Mr. BINGHAM in two instances.
Mr. CHARLES H. WILSON.
Mr. ROSENTHAL in two instances.
Mr. GALLAGHER.
Mr. POAGE.
Mr. HANLEY.
Mr. FOUNTAIN in two instances.
Mr. MONAGAN in two instances.
Mr. WHITENER.
Mr. GONZALEZ in three instances.
Mr. MOORHEAD in two instances.
Mr. PICKLE in two instances.

SENATE BILLS, JOINT RESOLUTIONS, AND CONCURRENT RESOLUTIONS REFERRED

Bills, joint resolutions, and concurrent resolutions of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1000. An act for the relief of Jack Nam Yee; to the Committee on the Judiciary.

S. 1069. An act for the relief of Dr. Chung Chick Nahm; to the Committee on the Judiciary.

S. 1749. An act for the relief of Dr. Enrique Jose Catasus Soto; to the Committee on the Judiciary.

S. 1960. An act for the relief of Dr. Alfredo Aucar; to the Committee on the Judiciary.

S. 2165. An act for the relief of Rene E. Montero; to the Committee on the Judiciary.

S. 2250. An act for the relief of Dr. Hugo Vincente Cartaya; to the Committee on the Judiciary.

S. 2311. An act for the relief of Dr. Evelio Francisco Diaz; to the Committee on the Judiciary.

S. 2371. An act for the relief of Dr. Herman J. Lohman; to the Committee on the Judiciary.

S. 2378. An act for the relief of Dr. Julio P. Amable; to the Committee on the Judiciary.

S. 2383. An act for the relief of Dr. Francisco J. Menendez; to the Committee on the Judiciary.

S. 2469. An act for the relief of Dr. Carlos Hernandez; to the Committee on the Judiciary.

S. 2491. An act for the relief of Dr. Antonio Pinera; to the Committee on the Judiciary.

S. 2501. An act for the relief of Dr. Fernando Rafael Boudet-Esteban; to the Committee on the Judiciary.

S. 2504. An act for the relief of Dr. Martiniano L. Orta; to the Committee on the Judiciary.

S. 2506. An act for the relief of Dr. Julio Epifanio Morera; to the Committee on the Judiciary.

S. 2581. An act for the relief of Dr. Edmee Serantes; to the Committee on the Judiciary.

S. 2585. An act for the relief of Kap Rai Kim and Young Nam Kim; to the Committee on the Judiciary.

S. 2720. An act for the relief of Heng Liong Thung; to the Committee on the Judiciary.

S. 2745. An act to provide for the observance of the centennial of the signing of the 1868 Treaty of Peace between the Navajo Indian Tribe and the United States; to the Committee on the Judiciary.

S.J. Res. 131. Joint resolution to designate May 20, 1968, as "Charlotte, N.C., Day"; to the Committee on the Judiciary

S.J. Res. 142. Joint resolution to provide for the reappointment of Dr. Crawford H. Greenewalt as Citizen Regent of the Board of Regents of the Smithsonian Institution; to the Committee on House Administration.

S.J. Res. 143. Joint resolution to provide for the reappointment of Dr. Caryl P. Haskins as Citizen Regent of the Board of Regents of the Smithsonian Institution; to the Committee on House Administration

S.J. Res. 144. Joint resolution to provide for the reappointment of Dr. William A. M. Burden as Citizen Regent of the Board of Regents of the Smithsonian Institution; to the Committee on House Administration.

S. Con. Res. 64. Concurrent resolution authorizing the printing of additional copies of Senate hearings on the establishment of a Commission on Balanced Economic Development and the creation of a Northwest Regional Services Corporation; to the Committee on House Administration.

S. Con. Res. 66. Concurrent resolution to print, for the use of the Senate Special Committee on Aging, additional copies of its hearings on long-range program and research needs in aging; to the Committee on House Administration.

S. Con. Res. 67. Concurrent resolution requesting the President to take action to insure the United States will derive maximum benefits from an expanded and intensified effort to increase the accuracy and extend the time range of weather predictions; to the Committee on Interstate and Foreign Commerce.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 7325. An act to authorize the Secretary of the Interior to exchange certain Federal lands for certain lands owned by Mr. Robert S. Latham, Albany, Oreg.;

H.R. 10599. An act relating to the Tiwa Indians of Texas; and

H.R. 11254. An act for the relief of Jack L. Good.

ADJOURNMENT

Mr. GONZALEZ. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 8 minutes p.m.), the

House adjourned until tomorrow, Wednesday, April 3, 1968, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1711. A letter from the Secretary of Defense, transmitting the President's determination with respect to nuclear powered guided-missile frigates, pursuant to the provisions of Public Law 90–22; to the Committee on Armed Services.

1712. A letter from the Secretary of Defense, transmitting a draft of proposed legislation to authorize the President to reappoint as Chairman of the Joint Chiefs of Staff, for an additional term of 1 year, the officer serving in that position on April 1, 1968; to the Committee on Armed Services.

1713. A letter from the Acting Secretary of State, transmitting a report on United Nations peacekeeping, pursuant to the provisions of section 304 of the Foreign Assistance Act of 1961, as amended (Public Law 90–137); to the Committee on Foreign Affairs.

1714. A letter from the Comptroller General of the United States, transmitting a report of the followup review of causes of erroneous payments of military pay and allowances, Department of Defense; to the Committee on Government Operations.

1715. A letter from the Chairman, Federal Power Commission, transmitting the Commission's annual report for the fiscal year July 1, 1966, to June 30, 1967; to the Committee on Interstate and Foreign Commerce.

1716. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions approved, according certain beneficiaries third preference and sixth preference classification, pursuant to the provisions of section 204(d) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

1717. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of the orders entered in certain cases of aliens who have been found admissable to the United States, pursuant to the provisions of section 212(a)(28)(I)(ii) of the Immigration and Nationality Act; to the Committee on the Judiciary.

1718. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in cases in which the authority contained in section 212(d)(3) of the Immigration and Nationality Act was exercised in behalf of such aliens, pursuant to the provisions of section 212(d)(6) of the act; to the Committee on the Judiciary.

1719. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation, together with a list of the persons involved, pursuant to the provisions of section 244(a)(1) of the Immigration and Nationality Act of 1952, as amended; to the Committee on the Judiciary.

1720. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation, together with a list of the persons involved, pursuant to the provisions of section 244(a)(2) of the Immigration and Nationality Act of 1952, as amended; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HOLIFIELD: Joint Committee on Atomic Energy. H.R. 16324. A bill to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes (Rept. No. 1266). Referred to the Committee of the Whole House on the state of the Union.

Mr. DAWSON: Committee on Government Operations. 24th report on unshackling local government (Rept. No. 1270). Referred to the Committee of the Whole House on the state of the Union.

Mr. FARBSTEIN: Committee on Foreign Affairs. Report entitled "The Involvement of U.S. Private Enterprise in Developing Countries" (Rept. No. 1271). Referred to the Committee of the Whole House on the state of the Union.

Mr. DULSKI: Committee on Post Office and Civil Service. H. Con. Res. 705. Concurrent resolution to assist veterans of the Armed Forces of the United States who have served in Vietnam or elsewhere in obtaining suitable employment (Rept. No. 1272). Referred to the House Calendar.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H. Con. Res. 723. Concurrent resolution requesting the President to take action to insure the United States will derive maximum benefits from an expanded and intensified effort to increase the accuracy and extend the time range of weather predictions (Rept. No. 1273). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. TENZER: Committee on the Judiciary. H.R. 10417. A bill for the relief of Remco Industries, Incorporated; with amendment (Rept. No. 1265). Referred to the Committee of the Whole House.

Mr. MOORE: Committee on the Judiciary. H.R. 8241. A bill for the relief of Victorino Severo Blanco (Rept. No. 1267). Referred to the Committee of the Whole House.

Mr. RODINO: Committee on the Judiciary. H.R. 12115. A bill for the relief of Dr. Orlando L. Fernandez (Rept. No. 1268). Referred to the Committee of the Whole House.

Mr. MacGREGOR: Committee on the Judiciary. H.R. 15462. A bill for the relief of Lennart Gordon Langhorne; with amendment (Rept. No. 1269). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CLEVELAND:

H.R. 16390. A bill to provide for an equitable sharing of the U.S. market by electronic articles of domestic and of foreign origin; to the Committee on Ways and Means.

By Mr. CORMAN:

H.R. 16391. A bill to authorize the U.S. Customs Court to maintain an office at the city of Los Angeles; to the Committee on the Judiciary.

By Mrs. GREEN of Oregon:

H.R. 16392. A bill to authorize the Army Corps of Engineers to initiate a 3-year appraisal report of our national tidal and Great Lakes shoreline; to the Committee on Public Works.

By Mr. GUBSER:

H.R. 16393. A bill to provide for improved employee-management relations in the Federal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HELSTOSKI:

H.R. 16394. A bill to amend the Immigration and Nationality Act with respect to the application of the labor certification requirement of section 212(a)(14), and for other purposes; to the Committee on the Judiciary.

By Mr. KYROS:

H.R. 16395. A bill to provide that Flag Day shall be a legal public holiday; to the Committee on the Judiciary.

By Mr. PODELL:

H.R. 16396. A bill to authorize participation by the United States in the construction of a dual-purpose electrical power generation and desalting plant in Israel; to the Committee on Foreign Affairs.

H.R. 16397. A bill to amend section 301(c) of the Foreign Assistance Act of 1961, as amended, which relates to assistance to Arab refugees in the Near East through contributions to the United Nations Relief and Works Agency; to the Committee on Foreign Affairs.

By Mr. ROYBAL:

H.R. 16398. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

H.R. 16399. A bill to amend the Internal Revenue Code of 1954 to provide that any unmarried person who maintains his or her own home shall be entitled to be taxed at the rate provided for the head of a household; to the Committee on Ways and Means.

By Mr. DENT:

H.R. 16400. A bill to amend title 38 of the United States Code to provide increased pensions, disability compensation rates, to liberalize income limitations, and for other purposes; to the Committee on Veterans Affairs.

By Mr. DOWNING:

H.R. 16401. A bill to amend the Merchant Marine Act, 1936; to create a U.S.-Flag Active National Reserve Fleet; to establish an Active National Reserve Fleet Revolving Fund; to promote the construction of U.S.-flag vessels; and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. EDMONDSON:

H.R. 16402. A bill to provide for the disposition of funds appropriated to pay a judgment in favor of the Delaware Nation of Indians in Indian Claims Commission docket No. 337, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HELSTOSKI:

H.R. 16403. A bill to provide for the issuance of a commemorative stamp marking the centennial of American college football; to the Committee on Post Office and Civil Service.

By Mr. PODELL:

H.R. 16404. A bill to amend the Export Control Act of 1949; to the Committee on Banking and Currency.

By Mr. QUILLEN:

H.R. 16405. A bill to amend section 220(b) of the Interstate Commerce Act to permit motor carriers to file annual reports on the basis of a 13-period accounting year; to the Committee on Interstate and Foreign Commerce.

By Mr. VAN DEERLIN:

H.R. 16406. A bill to suspend the requirements of section 315(a) of the Communications Act of 1934 for the period of the 1968 presidential and vice-presidential campaigns; to the Committee on Interstate and Foreign Commerce.

By Mr. WILLIS:

H.R. 16407. A bill to modify the comprehensive plan for flood control and improvement of the lower Mississippi River; to the Committee on Public Works.

By Mr. ASHBROOK:

H.R. 16408. A bill to promote the foreign policy of the United States by strengthening and improving the Foreign Service personnel system of the Department of State and of the U.S. Information Agency; through establishment of a Foreign Service Information Officer Corps; through the extension of the Veterans Preference Act of 1944 to the Foreign Service Officer Corps, the Foreign Service Information Officer Corps, and the Foreign Service Staff Officer Corps; and through the establishment of an appeals procedure for Foreign Service officers and Foreign Service information officers; to the Committee on Foreign Affairs.

By Mr. BROYHILL of Virginia (for himself, Mr. Diggs, Mr. Adams, Mr. Jacobs, Mr. Walker, Mr. O'Konski, Mr. Harsha, Mr. Mathias of Maryland, Mr. Horton, Mr. Gude, Mr. Zwach, and Mr. Steiger of Arizona):

H.R. 16409. A bill to amend the District of Columbia Teacher's Salary Act of 1955 to provide salary increases for teachers and school officers in the District of Columbia public schools, and for other purposes; to the Committee on the District of Columbia.

By Mr. FULTON of Pennsylvania:

H.R. 16410. A bill to provide that Flag Day shall be a legal public holiday; to the Committee on the Judiciary.

By Mr. HALPERN:

H.R. 16411. A bill to amend the Federal Employees Health Benefits Act of 1959 to provide that the entire cost of health benefits under such act shall be paid by the Government; to the Committee on Post Office and Civil Service.

H.R. 16412. A bill to provide a comprehensive national manpower policy, to improve the Manpower Development and Training Act of 1962, to authorize a community service employment program, and for other purposes; to the Committee on Ways and Means.

By Mr. HAMILTON:

H.R. 16413. A bill to provide for the establishment and administration of the Ohio River National Parkway in the State of Indiana; to the Committee on Interior and Insular Affairs.

By Mr. HATHAWAY:

H.R. 16414. A bill to provide for the authority for passenger vessels to operate as trade-fair exhibition ships; to the Committee on Merchant Marine and Fisheries.

By Mrs. HECKLER of Massachusetts:

H.R. 16415. A bill to amend section 101(a)(27)(D) of the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. HERLONG (for himself and Mr. Rogers of Florida):

H.R. 16416. A bill to provide for orderly trade in fresh fruits and vegetables, and for other purposes; to the Committee on Ways and Means.

By Mr. PODELL:

H.R. 16417. A bill to authorize the sale of military equipment by the United States to Israel; to the Committee on Foreign Affairs.

By Mr. RUPPE (for himself and Mr. Esch):

H.R. 16418. A bill to amend the college library assistance provisions of the Higher Education Act of 1965 with respect to the application of such provisions to branch colleges; to the Committee on Education and Labor.

By Mr. SCOTT:

H.R. 16419. A bill to authorize the Secretary of the Interior to designate the Washington County National Parkway, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. STEIGER of Arizona (for himself, Mr. Nelsen, Mr. Harsha, Mr. Broyhill of Virginia, Mr. Winn, Mr. Gude, Mr. Jacobs, Mr. Zwach, Mr. Adams, and Mr. Fraser):

H.R. 16420. A bill to authorize the Commissioner of the District of Columbia to utilize volunteers for active police duty; to the Committee on the District of Columbia.

By Mr. TEAGUE of California:

H.R. 16421. A bill to prohibit mineral exploration and development in certain Outer Continental Shelf lands lying off the coast of California; to the Committee on Interior and Insular Affairs.

By Mr. TIERNAN:

H.R. 16422. A bill to amend section 212(a)(14) of the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. OTTINGER:

H.R. 16423. A bill to amend the Internal Revenue Code of 1954 to increase, by providing an additional $600 exemption, the personal income tax exemptions allowable with respect to certain dependents and to disabled taxpayers or spouses; to the Committee on Ways and Means.

By Mr. WYMAN:

H.R. 16424. A bill to amend title 39, United States Code, to provide for the mailing of mail matters by relatives to members of the Armed Forces overseas at no cost to such relatives; to the Committee on Post Office and Civil Service.

By Mr. WIDNALL:

H.R. 16425. A bill to amend title II of the Social Security Act to provide that payment of monthly benefits thereunder for any month shall be made no later than the first day of the following month; to the Committee on Ways and Means.

By Mr. COLLIER:

H.J. Res. 1214. Joint resolution proposing an amendment to the Constitution of the United States relating to the ratification of treaties; to the Committee on the Judiciary.

By Mrs. GREEN of Oregon:

H.J. Res. 1215. Joint resolution to provide for the designation of the second week of May of each year as National School Safety Patrol Week; to the Committee on the Judiciary.

By Mr. VIGORITO:

H.J. Res. 1216. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. SCOTT:

H.J. Res. 1217. Joint resolution proposing an amendment to the Constitution of the United States relating to the participation in nondenominational prayers in any building which is supported in whole or in part through the expenditure of public funds; to the Committee on the Judiciary.

By Mr. BELL:

H. Con. Res. 751. Concurrent resolution requiring appropriate committees of the Congress to consider and report whether further congressional action is desirable in respect to U.S. policies in Southeast Asia; to the Committee on Rules.

By Mrs. HECKLER of Massachusetts:

H. Con. Res. 752. Concurrent resolution to require France to pay its World War I debt; to the Committee on Ways and Means.

By Mr. PODELL:

H. Con. Res. 753. Concurrent resolution expressing the sense of the Congress with respect to the recognition of Jerusalem as the capital of the State of Israel; to the Committee on Foreign Affairs.

H. Res. 1120. Resolution expressing the sense of the House of Representatives with respect to the right of all nations to free passage through certain international waterways; to the Committee on Foreign Affairs.

H. Res. 1121. Resolution expressing the sense of the House of Representatives with respect to the establishment of peace in the Middle East; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

327. By the SPEAKER: Memorial of the Legislature of the State of Kansas, relative to advance participation payments under the Federal agricultural program; to the Committee on Agriculture.

328. Also, memorial of the Legislature of the State of Kansas, relative to delegating power to the U.S. Secretary of Transportation to develop highway safety program standards; to the Committee on Public Works.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 16426. A bill for the relief of Osvaldo Falanga; to the Committee on the Judiciary.

H.R. 16427. A bill for the relief of Ignzio LoPiparo; to the Committee on the Judiciary.

H.R. 16428. A bill for the relief of Guiseppe Visone; to the Committee on the Judiciary.

By Mr. ASPINALL:

H.R. 16429. A bill to provide for the conveyance by the Secretary of the Interior of certain lands and interests in lands in Grand and Clear Creek Counties, Colo., in exchange for certain lands within the national forests of Colorado, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BRADEMAS:

H.R. 16430. A bill for the relief of Liza Youhanna, Jouliet Youhanna, Diana Youhanna and Janet Youhanna; to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 16431. A bill for the relief of Norman Fitz-Herbert Moses; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 16432. A bill for the relief of Maria Cazzaro; to the Committee on the Judiciary.

H.R. 16433. A bill for the relief of Vincenzo Galella; to the Committee on the Judiciary.

H.R. 16434. A bill for the relief of Cosimo Marchesano; to the Committee on the Judiciary.

H.R. 16435. A bill for the relief of Nunzio Occhipinti; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 16436. A bill for the relief of Salvatore, Giovanna and Mary Lou Calandra; to the Committee on the Judiciary.

By Mr. JOELSON:

H.R. 16437. A bill for the relief of Emilie Abbochian; to the Committee on the Judiciary.

By Mr. MATHIAS of Maryland:

H.R. 16438. A bill for the relief of Dr. Chhabi Bhushan; to the Committee on the Judiciary.

H.R. 16439. A bill for the relief of Mrs. Tami Futazuka Haulsee; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 16440. A bill for the relief of Maria Salome daCunha; to the Committee on the Judiciary.

H.R. 16441. A bill for the relief of Maria Pereira de Medeiros; to the Committee on the Judiciary.

By Mr. RHODES of Pennsylvania:

H.R. 16442. A bill for the relief of Pietro Commodaro and his wife, Vittorio Commodaro; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 16443. A bill for the relief of Carmela Lina Buttice; to the Committee on the Judiciary.

H.R. 16444. A bill for the relief of Nandlal Om Kumar; to the Committee on the Judiciary.

By Mr. TENZER:

H.R. 16445. A bill for the relief of Rosa Bassolino; to the Committee on the Judiciary.

By Mr. WALKER:

H.R. 16446. A bill for the relief of Lenora Sams; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Statement of Martin L. Schnider, President, Northern Virginia Savings & Loan Association, on S. 3001

HON. CARL HAYDEN

OF ARIZONA

IN THE SENATE OF THE UNITED STATES

Tuesday, April 2, 1968

Mr. HAYDEN. Mr. President, the Subcommittee on Financial Institutions currently is conducting hearings on S. 3001, a bill to provide security measures for banks and other financial institutions. This is an important piece of legislation and deserves the interest and attention of all Senators.

There are many pros and cons on the bill, and new areas of difficulty are being revealed by the hearings. Typical of the thought-provoking testimony being received on this bill is the statement made on April 2, 1968, by Martin L. Schnider, president of the Northern Virginia Savings & Loan Association and member of the Board of State Governors of the National League of Insured Savings Associations.

Mr. Schnider's remarks illustrate some of the problems faced by the Nation's financial institutions. He also clearly states how these problems could be much greater were it not for the excellent work of the Federal Bureau of Investigation in combating crimes against banking institutions. I ask unanimous consent that Mr. Schnider's statement be printed in the Extensions of Remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY MARTIN L. SCHNIDER, MEMBER, BOARD OF STATE GOVERNORS OF THE NATIONAL LEAGUE OF INSURED SAVINGS ASSOCIATION, ON BEHALF OF THE NATIONAL LEAGUE OF INSURED SAVINGS ASSOCIATIONS, BEFORE THE SUBCOMMITTEE ON FINANCIAL INSTITUTIONS OF THE SENATE COMMITTEE ON BANKING AND CURRENCY, APRIL 2, 1968.

Mr. Chairman and Members of the Subcommittee, my name is Martin L. Schnider and I am President and a member of the Board of Directors of Northern Virginia Savings and Loan Association of Arlington, Virginia. I am also a member of the Board of State Governors of the National League of Insured Savings Associations, a nationwide trade association serving the savings and loan industry. I appear before you today to testify on S. 3001, the Bank Protection Act of 1968, on behalf of the National League of Insured Savings Associations.

The National League supports S. 3001 and urges its early enactment by the Congress.

As it directly affects savings and loan associations, the bill would instruct the Federal Home Loan Bank Board to issue rules establishing minimum standards with respect to installation, maintenance and operation of security devices and procedures to discourage robberies, burglaries and larcenies involving savings and loan associations within the Board's jurisdiction and to aid in identification and apprehension of those who commit such acts. The savings and loan associations directly subject to those rules would be Federal savings and loan associations and institutions that have savings accounts insured by the Federal Savings and Loan Insurance Corporation. The rules would be issued within six months after passage of the Act. They would fix a time limit within which affected savings and loan associations would be required to comply with the minimum standards the rules prescribe. The rules would also require periodic reports by the institutions subject to them.

Similar authority with respect to security measures at banks would be conferred by the bill on the Federal Reserve Board, the Comptroller of the Currency and the Federal Deposit Insurance Corporation.

Each Federal Savings and Loan Insurance Corporation-insured institution is already required by Federal Home Loan Bank Board regulation to carry fidelity bond coverage (Section 563.19). Some have found it difficult to have the carrier keep the required coverage in force following the occurrence of robbery, burglary or larceny at the institution.

It is suggested that the passage of this bill should prompt the Federal Home Loan Bank Board to review its fidelity bond regulation. Adoption of the security measures to be prescribed by the Board under the bill should permit it to require less complete coverage by fidelity bonds. We urge, however, that a formula be designed by the various supervisory authorities involved and the appropriate representatives of the insurance industry concerning the premium rate giving effect to the differences between savings and loans and banks as to cash loss exposure, as well as a previous and future loss experience so as to provide for maintenance of a lower premium to savings and loans and accord recognition to those who exceed the minimum standards promulgated.

We do not think it will be an easy task to devise minimum standards in this area, but it is a surmountable one. The various techniques involved are costly—cameras, hold-up alarms, burglar alarms, time clocks. The installation costs, service costs and equipment costs impose a burden of great expense upon the narrow profit margin available to savings and loans.

There is, furthermore, no assurance that once a savings and loan or bank has complied with the minimum standards, it will be insurable without additional burdens being imposed by the insurance carrier in the form of exorbitant and escalating rates, co-insurance in the form of a large deductible amount to be applied against each loss, armed guard service or armored car service, or indeed even if these extra-super precautions are taken that any savings and loan or bank will be granted insurance coverage.

We foresee the need for an assigned risk provision so that a financial institution complying with the minimum standards established will not then be exposed to unreasonable, harsh and costly requirements above those established under this Act and will then find itself in violation of its requirement to possess a bond, as a savings and loan under Section 563.19 of the Insurance Corporation regulations, because no insurance company will offer the coverage.

As an added suggestion, we recommend that the Board be granted authority to serve as re-insuror of fidelity bonds in return for an appropriate premium in cases where savings and loan associations have difficulty in locating fidelity bond coverage at usual rates.

We think the penalty provided in Section 4 of the bill is somewhat harsh, assuming an association acts in good faith and especially considering the above probabilities. A showing of reasonableness and good faith in compliance should provide for extension of the time involved prior to enforcement of a penalty.

It is hoped that in issuing regulations regarding minimum security standards the Federal Home Loan Bank Board will bear in mind that the bill speaks in terms of mandatory compliance only as to minimum standards for security, not maximum standards. It is further hoped that the Board will take into due consideration such factors as the cost involved for the institutions subjecting to those standards, the adaptation of standards according to the urban, suburban or rural location and size of the institutions involved, the nature of the community neighborhood in which the institution is situated and the differences in standards warranted due to the time of day or night.

In conclusion, we would be remiss if we did not avail ourselves of this opportunity to compliment before the Subcommittee the Federal Bureau of Investigation for their splendid cooperation and effectiveness. They have generously and without hesitation provided instructive materials and lecturers to our staffs, our state and our National Leagues on the matters which are the subject of this bill. Their response in our emergencies has been swift and thorough, leading to arrest and convictions under practically clueless circumstances and, from my own first-hand experience, have demonstrated a degree of competence and professionalism that is deserving of high praise and that is most comforting. Indeed, the rate of capture of suspects photographed committing a hold-up stands at an average of no longer than three days after the offense—an outstanding accomplishment.

I wish to think this Subcommittee for its courtesies and this opportunity to present my views and those of the League.

Report to Constituents

HON. MARK ANDREWS

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. ANDREWS of North Dakota. Mr. Speaker, it is my custom to send to my constituents periodic reports on my activities in Congress, along with my views and comments. I am mailing such a report today and under unanimous consent I place this report in the RECORD at this point:

MARCH 29, 1968.

So far, we are seeing every indication that the House of Representatives will be very economy minded in 1968. Only the specifics of where the budget cuts will be made and how big they will be remain to be worked out. The Congress will not refuse to vote necessary funds to support the troops this Administration has committed to fight in Vietnam, however, and it is apparent that these costs will continue to rise even above the current level which is estimated at $2.5 billion per month. But domestic spending is rising even faster.

Meanwhile, the international gold crisis has highlighted the need for restoring credibility and confidence in the fiscal practices of our government. American people can't buy gold. We can only watch in frustration while foreigners sap our government's dwindling supply. Now that the "gold cover" has been lifted, there's no stopping foreign gold speculators from buying the very last ounce left at Fort Knox.

The "run", however, is actually not on our gold or on the dollar, but on America's fiscal integrity.

Those of us who have resisted the tax increase proposed by the President recognize that increased taxes will not do anything to stabilize our economy or control inflation if the money is merely pumped back into the world through massive Great Society spending programs which are increasing faster than military spending. Certainly, we are not going to regain confidence in our nation's fiscal policies by enacting a tax increase and still end the fiscal year with a $20 billion deficit. First must come a realistic cut in the domestic side of the budget.

A new House Committee on Standards of Official Conduct was appointed a year ago and was given the job of recommending a code of ethics for Members and employees of the House of Representatives. They held hearings, seeking suggestions as to what this code should include, and it was my privilege to testify in favor of—among other things—full disclosure of all financial holdings by Representatives.

The people a Congressman represents should be able to have confidence that he is working and voting in their interest and in the interest of the nation as a whole, and this is nearly always the case. However, in the event a Representative's private financial interests may conflict with his duty and responsibility to the people he serves, then his constituents have a right to know.

The Committee has now made its recommendations to the House, including provisions for financial disclosure and use of campaign funds, as well as restrictions on acceptance of gifts and honorariums. I will continue to press vigorously for adoption of these recommendations by the entire House because I believe people must be able to have confidence in the integrity of their Representatives if our form of government is to survive.

The U.S. Public Health Service has completed a survey on happiness which certainly must be a classic example of the type of Federal spending that the taxpayers can do without. The study, conducted as part of a $249,000 package of Public Health Service projects in Puerto Rico, involved interviews with 1,500 people to see "what made them happy." Here is some of the "startling" information they came up with:

People who think positively are happier than negative thinkers!

People who make more money are happier than people who make less!

Young people are happier than older people!

Healthy people are happier than people who are ill!

I think we would all be much happier if our government would quit wasting money on this kind of foolishness.

On April 15, a new law goes into effect which provides citizens with a way to take effective and enforceable action against peddlers of pornography who invade their homes via the U.S. mail. Your postmaster has the details, or you can write to me for specifics regarding this new law.

Future Course of Program of Language and Area Studies

HON. WAYNE MORSE

OF OREGON

IN THE SENATE OF THE UNITED STATES

Tuesday, April 2, 1968

Mr. MORSE. Mr. President, I have noticed recently that many of the institutions of higher education which have been recipients of Federal funds under title VI of the National Defense Education Act programs of language and area studies have been expressing concern to me about the future course of this program.

Because I feel sure that many senatorial offices are receiving similar mail from institutions in their States, it occurred to me that an article published in the March 1968 issue of American Education, and entitled "Federal Funds," describing the program and including a table of recipients, could be most useful.

I therefore ask unanimous consent that the article and table be printed in the Extensions of Remarks.

There being no objection, the article and table were ordered to be printed in the RECORD, as follows:

FEDERAL FUNDS

To help American colleges and universities develop educational resources in foreign language and area studies and to support their efforts to produce the experts needed in education, government, and business, Congress, under the National Defense Education Act (NDEA), authorized Federal support for the establishment and operation of language and area centers and fellowships. One hundred and six centers (88 graduate and 18 undergraduate) located at 63 institutions are being supported during the current academic year, and more than 2,550 fellowships were awarded to undergraduate, graduate, and postdoctoral students for study during the summer of 1967 and/or the 1967–68 academic year.

The language and area centers focus on a specific geographic region and offer instruction in its major languages and cultures. The areas of specialization of the centers include almost every major geographic region, but special emphasis has been placed on those languages and cultures in which instruction in the United States has been most inadequate. For a number of critical languages, NDEA centers have most of the course enrollments in the United States; 25 languages are taught only at NDEA centers. Grants totaling approximately $5,830,000 will be made to these centers for the support of instruction and research, lectures and conferences, and library facilities and staff during the 1968–69 academic year and to individual and groups of cooperating centers offering 21 intensive language programs during the summer of 1968.

Fifty-five institutions offering language and area programs received a total allocation of 2,405 undergraduate (summer), and graduate fellowships for the 1968–69 academic year and summer of 1968. One thousand and thirty-two fellowships will be held for the study of Asian languages and cultures, 433 for Russian and East European, 355 for Latin American, 399 for Middle Eastern, 205 for African, and 26 for Western European. The fellowships include tuition and fees, maintenance, travel, and dependency allowances and cost on the average of $4,100 for the academic year and $900 for the summer. Approximately 30 awards will be available to college and university faculty for special training in language and area studies.

INSTITUTIONS RECEIVING SUPPORT FOR LANGUAGE AND AREA PROGRAMS, ACADEMIC YEAR 1968-69

Institution and center(s) supported	Fellowship(s) to center(s) [1]	Fellowship(s) to non-NDEA supported programs [1]
American University: South and Southeast Asian.	2	
Antioch College: Latin American		
University of Arizona: Oriental	5	2 Latin America.
Boston College: Slavic and East European.		
Brandeis University		4 Middle East.
Brown University: East Asian	1	3 Eastern Europe.
Bucknell University: Japanese		
University of California:		
Berkeley:		
East European	10	24 East Asia.
Near Eastern	36	9 Latin America.
South Asian	26 (+37 summer)	7 West Europe.
Davis		1 East Asia.
Los Angeles:		
African	27 (+30 summer)	3 East Asia.
Latin American	14	6 East Europe.
Near Eastern	20 (+65 summer)	
University of Chicago:		
Far Eastern	21	3 Latin America.
South Asian	22	10 Middle East.
Slavic and Balkan	15	6 Western Europe.
University of Colorado:		
Slavic and East European	4	
East Asian		
Columbia University:		
African	13	15 Middle East.
East Asian	54 (+95 summer)	4 South Asia.
Latin American	24	
Soviet and East European	32	
Uralic		
Cornell University:		
East Asian	8	3 Eastern Europe
Latin American	15 (+15 summer)	
South Asian	6	
Southeast Asian	15 (+25 summer)	
Dartmouth College: East Asian		
Dropsie College		3 Middle East.
Duke University: South Asian	9	2 Eastern Europe.
Duquesne University: African	9 (+40 summer)	
Earlham College: East Asian		
University of Florida:		
African		
Latin American	23	
Fordham University: Russian	3	
George Washington University: Sino-Soviet.	3	
Georgetown University: Middle Eastern	3	2 East Asia 1 Latin America.
Harvard University:		
East Asian	57 (+30 summer)	
Middle Eastern	21	
Slavic	25	
University of Hawaii: Asian	8 (+30 summer)	
Hebrew Union College		3 Middle East.
Howard University: African	13	
University of Illinois:		
Far Eastern	8	15 Areal linguistics (summer).
Russian	9	
Latin American	13	
Indiana University:		
African	14	13 Latin America 8 East Asia.
Slavic	25 (+50 summer)	
Uralic and Altaic	15	
State University of Iowa: Far Eastern	3	
Johns Hopkins University: Middle Eastern.	3	
Kansas State University: South Asian		
University of Kansas:		
East Asian	4	5 Latin America.
Slavic and East European	6 (+45 summer)	
Lincoln University: African		
Louisiana State University: Russian		
Manhattanville College: East Asian		

See footnote at end of table.

INSTITUTIONS RECEIVING SUPPORT FOR LANGUAGE AND AREA PROGRAMS, ACADEMIC YEAR 1968-69—Continued

Institution and center(s) supported	Fellowship(s) to center(s) [1]	Fellowship(s) to non-NDEA supported programs [1]
MIT		1 East Aasia.
University of Miami: Latin American		
University of Michigan:		
Far Eastern	31 (+75 summer)	
Near and Middle Eastern	24	
Russian and East European	17 (+80 summer)	
South and Southeast Asian	17	
Michigan State University:		
African	12	
South Asian	5 (+45 summer)	
Middlebury College		20 East Asia (summer).
University of Minnesota:		
Northwest European	6	3 East Asia.
South Asian	5	
University of Missouri: South Asian	3	
University of New Mexico: Latin American	10	
New York University:		
Ibero-American	5	
Middle Eastern	8 (+65 summer)	
University of North Carolina		2 Eastern Europe, 2 Latin America.
Northwestern University: Sub-Saharan African	20	
Oakland University: East Asian		
Oberlin College: East Asian		
Ohio State University: Slavic and East European.	9	
Ohio University: African		
University of Pennsylvania:		
Middle Eastern	7	4 East Asia.
Slavic	6	
South Asian	23 (+38 summer)	
Pennsylvania State University: Slavic and Soviet.	5	
University of Pittsburgh: East Asian	4	2 Eastern Europe, 3 Latin America.
Portland State College:		
Central European		
Middle Eastern		
Princeton University:		
East Asian	12	
Near Eastern	12	
Russian	9	
University of Rochester:		
South Asian		
East Asian		
University of Southern California: East Asian.	4	
Seton Hall University		1 East Asia.
Stanford University:		
Latin American	14 (+20 summer)	8 Eastern Europe.
Chinese-Japanese	21 (+55 summer)	
African	5	
Syracuse University		3 Africa, 4 Eastern Europe, 1 South Asia.
University of Texas:		
Middle Eastern	11	2 Africa.
Latin American	22 (+35 summer)	2 Western Europe.
Asian	10 (+45 summer)	
Texas Southern University: African		
Tulane University: Latin American	16	
University of Utah: Middle Eastern	4	
Vanderbilt, University: Slavio	3	4 Latin America.
University of Virginia:		
Latin American		1 South Asia.
East European		
University of Washington: Far Eastern and Russian.	39 (+15 summer)	3 Africa, 2 Middle East, 2 Western Europe, 2 South Asia, 1 Southeast Asia.
Washington University (Missouri): Chinese and Japanese.	3	5 Latin America.
University of Wisconsin (Madison):		
African	14	6 East Asia.
Latin American	27 (+45 summer)	12 East Europe.
South Asian	17	8 Middle East, 3 Southeast Asia, 3 Western Europe.
University of Wisconsin (Milwaukee): Latin American.		
Yale University:		
East Asian	21	14 Eastern Europe.
Latin American	10	
Southeast Asian	14	

[1] Graduate and undergraduate awards.

Wheaton, Progress Comes on Strong in a Conservative Stronghold

HON. JOHN N. ERLENBORN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. ERLENBORN. Mr. Speaker, the National Municipal League and Look magazine annually sponsor the All-American Cities Awards, a selection of 11 outstanding communities throughout the United States.

One of those chosen in the competition just finished is Wheaton, Ill. If the judges were not bound by geographic considerations, I am sure they could find 10 other communities in the 14th District of Illinois which are worthy of the prize.

Wheaton is the selection this year, however, and it is a worthy recipient of the honors. Here is the Wheaton story, as told in the April 16 issue of Look:

The doubling of a city's population in ten years' time with no corresponding growth in facilities and services is always a surefire incentive-provoker. Under this kind of provocation, Wheaton citizens, with local governmental backing, have brought their community up to date. New facilities include three grade schools, a junior high, a high school, junior college, library and 113-bed hospital. The influence of Wheaton's citizens spread beyond the city borders when, last year, their newly created Human Relations Commission was active in putting through the state's first effective Fair Housing Ordinance.

After slumbering as peacefully as Rip Van Winkle for its first hundred years, Wheaton woke up to the 60's with a cultural shock. Its lifeline—the commuter rails connecting Wheaton with Chicago, 55 minutes away—carried vital infusions of money west to the suburb, while screening out many of the disturbing ingredients of urban life. Big Chicago was seething and jumping, while Wheaton remained sober, square, insulated.

Change came slowly, hesitantly at first, as might be expected in a town that prides itself accurately on being "churchgoing, conservative and dry." Wheaton is still under the lingering, rectifying influence of Wheaton College, a fundamentalist institution that produced Billy Graham and still forbids its students to dance or see a movie. Politically, the town is conservative enough to call a 2–1 margin for Goldwater in '64 a Democratic upset. And the liquor laws forbid even the local delivery of out-of-town booze (though strong drink of undisclosed origin is served in the best homes).

An early, small step was symbolic: the four-foot-high curbs, which had allowed shoppers to alight gracefully from their carriages a half-century ago, were finally eliminated from the business district in 1965. The horse-and-buggy days in Wheaton were over.

Progress is revving up Wheaton, powered by a professional, full-time city government under an experienced city manager, Robert Eppley. The town's first city planner, Tom Murphy, describes the action: "We're changing over city government to be a publicly owned service business."

Swinging with the change, the Wheaton City Council leaned far over to the liberal side to write a strong open-housing law that applies even to single-family homes. The effect of the law is limited from the start, however, by property values so high that few Negroes will be able to buy a ticket for the promised land.

Conservative Wheaton has waded knee-deep into the mainstream. Now, it faces a choice: Either dive into the swim or get back out of the water. Because so much of the power all over America now sleeps in suburbs much like Wheaton, the outcome matters.

"International Economic Policy: Time for Some Giant Steps"—By Richard N. Gardner

HON. JACOB K. JAVITS

OF NEW YORK

IN THE SENATE OF THE UNITED STATES

Tuesday, April 2, 1968

Mr. JAVITS. Mr. President, I invite the attention of the Senate to an address made by Richard N. Gardner, Henry L. Moses professor of law and international organization at Columbia University, during the recent conference on the future of American foreign policy that was held under the auspices of the Foreign Policy Association. Mr. Gardner, as the Senate may remember, is former Deputy Assistant Secretary of State for International Organization Affairs, was Vice Chairman of the U.S. delegation at the U.N. Conference on Trade and Development held in Geneva in 1964, and is the author of a new book, entitled "The Global Partnership: International Agencies and Economic Development."

His address, entitled "International Economic Policy: Time for Some Giant Steps," is particularly important at this time as we are reaching a watershed in the field of international economic policy. I particularly invite the attention of the Senate to his recommendation that the industrialized nations of the non-Communist world form an industrial free trade area through the gradual elimination of tariff and nontariff barriers over the next 20 years. For the past few years I have called for a careful exploration of ideas like this one in speeches in the Senate and in London, and I am pleased to note the growing interest in this idea in the United States, Canada, and the United Kingdom.

I ask unanimous consent that Professor Gardner's address be printed in the Extensions of Remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

INTERNATIONAL ECONOMIC POLICY: TIME FOR SOME GIANT STEPS

(By Richard N. Gardner)

The time has come for some giant steps forward in international economic policy by the United States and its principal economic partners. A special effort of will and imagination is called for in three main areas:

1. TRADE

The industrialized countries of the non-Communist world should form a free trade area in manufactured goods, implemented through the gradual elimination of tariff and non-tariff barriers within a period of 20 years. Although politically impossible in 1968, such a policy should be our objective at the earliest opportunity in the 1970's. The industrial free trade area should have the widest possible membership among the free world industrial countries—including the Common Market if possible, excluding it if necessary. If the Common Market is unwilling to join, the members of the free trade area, bargaining from a position of strength, should seek the maximum reductions of barriers with the Common Market on the basis of mutual advantage.

The members of the industrial free trade area should follow a one-way free trade policy toward the less developed countries. They should eliminate their barriers on the manufactured exports of the less developed countries on a specially accelerated timetable—within ten years, for example—thus giving these countries temporary tariff preferences. The industrialized countries should also commit themselves to a timetable for the gradual elimination of all measures discouraging the exports of primary products by the developing countries.

2. AID

The heads of state of the non-Communist industrialized countries should meet at the earliest opportunity to chart a program of steady escalation of their foreign aid efforts. The objective should be achievement by 1975 of national aid levels equal to at least 1 percent of gross national product. This would mean a doubling of the total foreign aid efforts of the United States and other countries, taking into account present rates of economic growth.

So far as possible this increased assistance should be made available through multilateral institutions or pursuant to multilateral arrangements such as the World Bank consortia. There is an urgent need to find additional money for the International Development Association, which makes loans of up to 50-year maturity at nominal rates of interest. Steady progress toward the 1 percent target should take the form mainly of further increases in IDA operations and a substantial expansion in the activities of the regional development banks operating in Asia, Africa, and Latin America.

As Cold War tensions diminish, increasing efforts should be made to involve the Soviet Union and Eastern Europe in sharing the burden of economic aid. So far as possible, development should be a cooperative, not a competitive enterprise. This objective may not be realizable immediately in all parts of the world. But we can move toward it on a case-by-case basis. As a beginning, we might ask the Soviet Union to associate itself with the work of the World Bank consortium for India.

A high level panel of distinguished experts should be convened by the developed countries to recommend an aid strategy for the 1970's, and the heads of states and foreign ministers of the developed countries should meet to translate these proposals into policy. Moreover, a network of private citizens' organizations should be formed to build public support in developed and less developed countries on behalf of increased development efforts.

Of course, some of the greatest obstacles to dealing effectively with the problems of the less developed countries lie within these countries themselves. Many less developed countries have overvalued foreign exchange rates or severe inflation or inefficient state industries which make it impossible to export successfully, whatever trade policies are followed by the industrialized countries. Many are stifling their economic growth as well as their export capacity by excessive restrictions on private investment and by import barriers which are driving up domestic production costs. Many are increasingly dependent on large imports of food because of failure to deal with the twin problems of food production and population growth. Many seem unable to tax their privileged classes or undertake meaningful programs of land reform. And many are diverting to armaments resources urgently needed for economic development.

It is becoming more than ever apparent that what is required for development is not just dollars—whether earned through trade or received through aid—but the attitudes, practices, and institutions that make dollars productive. And this means the transformation of those feudal political, economic, and social structures that serve to frustrate rapid and broadly shared economic growth regardless of what changes are made in international trade and arrangements.

New aid commitments by the rich should be matched by new commitments to self-help by the poor. And improved international machinery should be created for the multilateral surveillance of the development policies of the aid-receiving countries.

3. INTERNATIONAL MONETARY REFORM

The major increases in trade and aid needed to attack poverty on a world scale cannot be undertaken without fundamental improvements in the world's monetary system. For a decade now, the United States has been incurring substantial balance of payments deficits which have been financed through reductions in its gold stock and increases in foreign dollar holdings.

The U.S. payments deficit is not the result of U.S. inflation or an inability of the U.S. to pay its way in world trade—on the contrary, the U.S. has had less inflation over the last decade than most developed countries and has run a surplus of $4 or $5 billion a year on goods and services account. It is mainly the result of the disproportionate burdens the U.S. is bearing in financing the growth and defense of the non-Communist world. It may be some time before the problem can be cured by getting the European countries to pay a larger share for their own defense and to finance an increasing share of their new investment for their own capital markets.

Meanwhile, the world should be reducing the U.S. payments deficit by lengthening the short leg (payments to the U.S.) rather than by shortening the long leg (U.S. payments to others). We should be thinking particularly of inducements to tourism and investment in the U.S. and encouragements to U.S. exports.

A rational international monetary system would provide us the time to do these things. Unfortunately, the present system is based on gold, and the world stock of gold is growing much more slowly than the growth in world trade. Indeed, the world's monetary gold stock grew hardly at all during 1965–1967 due to reduced production and hoarding. To make matters worse, there have been large conversions of dollar balances into gold, further aggravating our payments problem.

To a very large extent the U.S. deficit reflects a process of financial intermediation, by which American industry has been making long-term investments in the rest of the world, with the rest of the world accumulating short-term dollar claims in return. There is nothing fundamentally wrong with this process if the rest of the world, and particularly Europe, would let it work. The dollars are secure interest-bearing assets and the American investment has made available capital, technology, and management skills vital to the world's economic growth.

Unfortunately, this financial process is now being interrupted. The measures announced by the United States on January 1 were forced upon it by France and by conservative European financial opinion which have delayed and complicated the creation of new international liquidity, which have encouraged the speculative run from sterling and dollars into gold, which have resisted mutually beneficial adjustments by the surplus countries, and which have placed the main burden of adjustment on the United States.

The United States has chosen the measures least harmful to itself and the rest of the world, but their restrictive character testifies to a failure of international cooperation. The controls on foreign investment and tourism and the further limitations on aid will hurt both developed and less developed countries. The poor countries in particular will be condemned to perpetual poverty unless France and other European countries alter their policies to permit the expansion rather than the restriction of trade, aid, capital flows and economic growth.

The recent agreement to create a system of Special Drawing Rights in the International Monetary Fund represents a step in the right direction. But no decision has yet been taken on when these drawing rights will be made available and how much new money will be created. It cannot be emphasized too strongly that early activation of this plan in sufficiently large amounts (perhaps as much as $2 billion a year) is a sina qua non of expanding aid and trade.

The plan should be activated now, before the U.S. deficit is closed, not after it has been reduced by restrictions harmful to the economies of both developed and less developed countries. Without liberal injections of new liquidity it is doubtful that the United States and Britain, not to mention other countries, will feel financially secure enough to increase their obligations on behalf of the poor. Of course, new liquidity cannot and should not relieve the key currency countries from the obligation to maintain relative price stability and sound internal economies. How the United States handles its domestic economic problems in 1968 will vitally affect the prospects for international economic cooperation.

Four Statements From the Republican Task Force on Crime

HON. GERALD R. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. GERALD R. FORD. Mr. Speaker, our Republican task force on crime has recently issued four statements. Under leave to extend my remarks I include its

assessment of the President's crime message released on February 8, 1968; a statement of February 15 entitled, "New Evidence Supports GOP-Authored Loan Shark Amendment"; a statement of March 25 about "Sky-Jacking"; and a statement of April 1 on "Reorganization Plan No. 1" relative to the transfer of the Bureau of Narcotics and the Bureau of Drug Abuse Control to the Justice Department.

GOP Crime Task Force Assesses President's Crime Message

Insofar as the President's crime message is an indication that he not only is concerned about crime but that he finally means to do something about it, we welcome it. Up until now his Administration has relied principally upon oration and outrage; the legislative measures they have proposed have been altogether too few, too narrow and too slow in coming. It is apparent that there has now been a change in climate and with it a new recognition that what has been offered so far has been inappropriate and inadequate to meet the challenge.

At this time, we do not undertake to endorse or oppose the President's specific proposals. Some are good, no doubt, but others may be otherwise. Few are new. There is time enough later for critical analysis and, where necessary, constructive alternatives. What we do mean to say now is that the sense of urgency conveyed by the entire message cannot help but produce priority treatment of crime matters in the Congress. This is all to the good. Whatever the motive behind the new Presidential posture, the end result will benefit all Americans. By embracing some Republican ideas, he has at the very least set the stage for meaningful dialogue on an issue that troubles us all, regardless of party.

That the President has embraced Republican ideas is nowhere more clearly shown than in the anti-riot proposal. The House has already passed a bill in this field, despite Administration non-support. It was authored by Rep. William Cramer (R.-Fla.) and was endorsed by the Republican Task Force on Crime. Since the President has now come around to our way of thinking on this matter, we pause only to wonder what took so long. If his bill is an improvement, the time to have offered it was when the Cramer bill was first being studied in the House last year.

Perhaps the most encouraging feature of the crime message lies in the President's new concern with organized crime. Again, we cannot endorse all he has proposed. Nor can we refrain from pointing out that at least two of his proposals are distinctly Republican in origin. The point to be made is simply that, whereas less than a year ago his Attorney General described organized crime as a "tiny" problem, the time has now come when the President, at least, recognizes that it is not tiny at all.

Trafficking in narcotics and dangerous drugs are, of course, organized crime activities. It can hardly be questioned that additional investigators and prosecutors are needed to push the fight against this trade. The most disappointing aspect of the President's message then, is found in his still persisting unwillingness to face up to the realities of law enforcement, not only in the narcotics field but in the field of organized crime at large. Prosecutors can't prosecute without evidence, and investigators can't investigate without the means to get the evidence. Whatever the merits of his narcotics proposals then, they will still be far from adequate to meet the needs unless and until law enforcement officers are given better and sharper tools to gather evidence to be used in Court. Republicans have made their proposal in this regard; we invite the President to submit a reasonable alternative if he will not support ours.

New Evidence Supports GOP-Authored Loan Shark Amendment

Washington.—Rep. Richard H. Poff (R.-Va.) Thursday said "new evidence" shows that Organized Crime is infiltrating Wall Street, and "this gives added weight to my loan-shark amendment", added to the Truth-in-Lending Bill by the House, he declared

The Chairman of the House GOP Task Force on Crime described the "modern Wall Street Loan Shark" as shooting for high stakes by exploiting the services of borrowers who cannot meet repayment timetables. "The Loan Shark forces the borrower, typically a lower echelon clerk in a brokerage house who needs 'fast' money to invest in a 'hot' stock tip, to 'fence' stolen securities, in order to earn more time to repay the loan," Poff explained.

"The money from the 'fenced' securities and the loan all end up in Organized Crime's giant coffers," Rep. Poff told his House colleagues.

"The Wall Street Loan Shark is only one of the targets of the GOP authored amendment to the Truth-in-Lending Bill. Other techniques are employed by other loan sharks in the Organized Crime complex. Nearly all are involved in or have an impact upon interstate commerce.

"State and local governments need the investigative tools of the Federal Government," Poff noted. "The loan-shark amendment would give them those tools."

Congress Should Move Against "Sky-Jacking" GOP Crime Group Says

Washington.—The House Republican Task Force on Crime today called on Congress for "prompt consideration" of federal legislation designed to make it more difficult to hijack airplanes.

The GOP Crime Group noted that Congressman Louis C. Wyman (R.-N.H.), a Task Force member, had introduced a bill (H.R. 1469) in January, 1967, which would protect the cockpit and crew by requiring structural changes within the aircraft and would require declaration and permission before carrying firearms or explosives aboard any airplane.

"The bill lays the groundwork for Congressional action," the Task Force continued. "It ought to be brought up for hearings as soon as possible."

In commenting on the legislation, Congressman Richard H. Poff (R.-Va.), Chairman of the Task Force said, "Hijacking of commercial aircraft is of growing concern to all air travelers. As far as Congress can do so, it should help restrict this type of activity. Action now is urgently necessary if the public interest is to be protected."

"The fact that the crime of sky-jacking is a capital offense has not deterred five sky-jackings of commercial planes in the last few weeks. For this reason our Crime Task Force believes a greater measure of protection is advisable for pilots and crew of commercial passenger-carrying aircraft."

"The legislation proposed would require bullet-proof construction for the door separating the pilot and passenger compartments; visibility of the passenger compartment from the cockpit; an improved warning system; and would prohibit the carrying of firearms or explosives aboard aircraft unless they are first declared."

Comprehensive Review of Entire Federal Law-Enforcement System Necessary Prior to Reorganization, GOP Crime Group Declares

Washington.—The House Republican Task Force on Crime Tuesday called for a detailed study of the entire Federal law enforcement system before "ill-conceived and premature" reorganization plans are approved by Congress. While endorsing the concept of consolidation of similar functions in selective areas of law enforcement, the Crime Task Force expressed reservations concerning the Administration's proposed transfer of the Bureau of Narcotics, presently in the Treasury Department, and the Bureau of Drug Abuse Control, presently in HEW, to the Justice Department.

Rep. Richard H. Poff (R.-Va.), Task Force Chairman, urged that "top priority be given to careful examination and restructuring of the entire Federal law enforcement system rather than merely one small part of it." He noted that 25 to 35 Federal agencies now share investigative and law enforcement responsibilities.

The GOP Crime Group charged that Congress has been asked to approve this reorganization on faith alone. Insufficient study has been given to the question of where a combined drug enforcement agency should be located, they warned, and "too little attention has been paid to the effects such a specific transfer would have upon overall Federal law enforcement. A total of no more than ten hours of hearings have been devoted to the whole subject, they said .

"Congress was presented with the Reorganization Plan on an 'all or nothing' basis," the GOP lawmakers noted. "As a result, it may neither alter nor modify the proposal in the slightest way. Unless disapproved by either House of Congress by April 8, 1968, the proposal takes effect automatically," they explained.

"We also believe that it is ill-conceived to reorganize the Federal drug enforcement agencies while the National Commission on Revision of the Federal Criminal Laws is, under the direction of the President, proposing revisions of the narcotics and drug abuse laws. Without knowing what will be the eventual direction and scope of the enforcement authority, it is impossible to determine intelligently where an agency should be located.

"It is essential that Congress, as well as the Administration, initiate a study of the entire structure of Federal law enforcement", and that any reorganization plans come about only as a result of that study, they concluded.

Task Force Statement—Reorganization Plan No. 1

The House Republican Task Force on Crime opposes Reorganization Plan No. 1 which transfers the Bureau of Narcotics and the Bureau of Drug Abuse Control to the Justice Department.

Republicans have regularly called attention to fragmentation in Federal law enforcement and have repeatedly urged that top priority be given to carefully examining and restructuring the system which has 25 to 35 federal agencies involved in investigative and law enforcement responsibilities.

The proposed reorganization of Federal narcotic and drug abuse enforcement efforts is welcomed to the extent that it may indicate that the Administration is, at last, devoting some attention to the crime problem. We believe, moreover, that combining the narcotic and drug abuse bureaus has some merit. But, we also believe that insufficient study has been done to determine where a combined drug enforcement agency should be located and that too little attention has been paid to the effects such a specific transfer would have upon overall Federal law enforcement.

The Administration's failure to conduct a broadscale study of Federal responsibilities in law enforcement is a prime cause of this neglect. Added to this, however, is the manner in which the drug merger was proposed.

Congress was presented the Reorganization Plan on an "all or nothing" basis. As a result, it may neither alter nor modify the proposal in the slightest way and, unless disapproved by either House of Congress by April 8th, it will take effect automatically. The fragmented state of Federal law enforcement and the presently unforeseen consequences of the pending merger clearly make this procedure unsuitable in this case.

The Bureau of Narcotics (BON), located in the Treasury Department, is charged with enforcing the narcotic and marijuana laws. In exercising its enforcement functions, BON is materially assisted by the Customs Bureau (also located in Treasury) and Post Office inspectors. In the area of organized crime law enforcement, BON is also assisted by the Internal Revenue Service—itself a Treasury Department agency.

The Bureau of Drug Abuse Control (BDAC), located in the Department of Health, Education and Welfare, is charged with enforcing the drug abuse laws—those concerning stimulants (amphetamines), depressants (barbiturates) and hallucinogens (LSD, for example).

In exercising their respective responsibilities, agents of BON or BDAC may not take action against persons caught illegally handling drugs falling within the other bureau's jurisdiction. This disparity has the effect of impeding effective enforcement and of wasting valuable manpower. Duplication in laboratory and training facilities also may constitute waste and inefficiency. From this standpoint, then, combining the two bureaus has a good deal of merit.

On the other hand, both BON and BDAC are heavily engaged in regulatory functions whereby the records, facilities, materials and operations of legitimate drug manufacturers, wholesalers and pharmacists are supervised. This regulatory function is particularly essential to effective law enforcement by BDAC since almost all depressant and stimulant drugs entering illicit channels are legally manufactured.

The Justice Department is a prosecutive and law enforcement agency. It is not, in our opinion, organized for or experienced in assuming regulatory responsibilities. Nor, do we feel that it is necessarily wise to confer additional authority in the Justice Department over business and industry.

Effective administration of the drug laws—especially stimulants and depressants under BDAC's jurisdiction—requires careful consideration of medical, health and educational as well as law enforcement aspects. This is so because such drugs are legally used by millions of persons and their potential for misuse is closely interwoven with the whole fabric and structure of our society.

Transferral of the two drug bureaus to the Justice Department—and particularly BDAC which works in close cooperation with the medical, scientific and educational resources of HEW—may seriously disrupt this multifaceted coordination.

With respect to investigation and enforcement of criminal laws, we have many reservations as to whether BON and BDAC should be located in Justice. Many agencies besides the Justice Department have important enforcement responsibilities. To pull an agency out of one department, as is presently proposed for BON, and transfer it to another could undermine effective intra-departmental coordination. As indicated above, Customs and IRS and BON—all located in Treasury—have developed such effective coordination and have produced an excellent record in the fight against organized crime. What would happen to this coordination or to coordination between Treasury and other departments is unknown at present, but this lack of knowledge is sufficient reason to withhold action until a broadscale study of criminal law enforcement is conducted. Fragmentation of enforcement is bad enough, but hastily conceived reorganizations which splinter whatever effective coordination that exists is far worse. This may be particularly so if the reorganization would also have the effect of concentrating too much authority and discretion under one Federal official—a "Mr. Big" who could thereby forge an all-powerful national police force.

We also believe that it is ill-conceived and premature to reorganize the Federal drug enforcement agencies while the National Commission on Revision of the Federal Criminal Laws is under the direction of the President to propose revisions of the laws pertaining to narcotic and drug abuse. Without knowing what will be the eventual direction and scope of the enforcement authority, it is impossible to determine intelligently where an agency should be located.

These are only the more obvious reasons why the Task Force opposes Reorganization Plan No. 1. Much more detailed and wide-ranging study of the entire Federal criminal law enforcement structure and operations must be made before particular reorganizations can be attempted.

At the present, members of the Task Force are not in a position to decide where BON and BDAC should be located. Without exhaustive study, we doubt that anyone is. We note that Congressmen Jack Edwards (R.-Ala.) and Clarence J. Brown, Jr. (R.-Ohio) have introduced legislation to transfer BDAC to Treasury. This may have merit. Others have suggested that drug enforcement should be concentrated within HEW in order to preserve a multilateral approach—medical, health, science, education and law enforcement—to the problem. Others have suggested the creation of a wholly independent agency. Still others believe that the best approach may be to consolidate the regulatory functions in one agency and the enforcement functions in another.

Only after a careful, broadscale study and investigation will Congress and the Administration be in a position to intelligently decide this and similar matters. Important reorganizations, including the one now under discussion, cannot be undertaken without careful consideration and detailed knowledge. It is essential, then, that Congress, as well as the Administration, initiate a study of the entire structure of Federal law enforcement and that whatever reorganizations are undertaken in this area come about only as a result of the exercise of the traditional functions of the legislative process.

Clatsop Community College Offers New Service

HON. WAYNE MORSE

OF OREGON

IN THE SENATE OF THE UNITED STATES

Tuesday, April 2, 1968

Mr. MORSE. Mr. President, Clatsop Community College, which is located in Astoria, Oreg., is engaged in an interesting and challenging endeavor.

For the past 3 years, it has sought to find an answer to the general questions "Can a community college provide educational services designed to enhance the employability of the welfare recipient?" and "Is it possible to offer the required range of educational opportunities and other services necessary for these persons who are economically and educationally disadvantaged?"

In the March 1968, issue of Junior College Journal, a publication of the American Association of Junior Colleges, Mr. Dan J. Donham, in an article entitled "We Can Serve Welfare Recipients," details the success that the program has had.

Because this is a new dimension in community college service, the article, in my judgment, deserves careful attention by those who seek to break the trail in the scope of community offerings by the 2-year institution. I therefore ask unanimous consent that the article be printed in the Extensions of Remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

We Can Serve Welfare Recipients

(By Dan J. Donham)

Can a community college provide educational services designed to enhance the employability of the welfare recipient?

Is it possible to offer the required range of educational opportunities and other services necessary for those persons who are economically and educationally disadvantaged?

The answer to these questions is given in the report of a three-year demonstration project at Clatsop Community College in Oregon. Day care, transportation, tuition, books and supplies, medical examinations, and medical service are but a few of the factors in providing education for the welfare recipient. The project, which is codirected by the state public welfare office, receives funds under title 1115 of the Social Security Act (Bureau of Family Services).

The project is a result of the interest of personnel from various agencies, including the public health office, mental health clinic, employment service office, and public welfare office. These people recognized the type of help required to aid welfare recipients in acquiring employable skills which must include individual counseling and interagency cooperation in addition to basic education.

The community college obtained the services of a counselor trained in working with the disadvantaged and the county and state public welfare office provided an experienced caseworker.

Welfare recipients were referred to the project caseworker by the county public welfare office. Following the initial referral, the usual procedure included a home visit by a counselor and/or caseworker. Testing and initial vocational assessment were completed in preparation for college entrance. Some recipients were referred to other agencies. (Manpower Development and Training Act, Division of Vocational Rehabilitation, Non-Disabled Vocational Rehabilitation, Job Corps, etc.) Others were found to be inappropriate referrals to the project. Some could not take training because of the shortage of adequate day care for children.

The testing included the college placement battery (School and College Abilities Test, Engineering and Physical Science Aptitude Test, Nelson-Denny Reading Test) as well as tests selected by the project to aid in vocational assessment and research. (Minnesota Multiphasic Personality Inventory, Sequential Test of Educational Progress. Strong Vocational Interest Blank, Henmon-Nelson Test of Mental Ability, Edwards Personnel Preference Schedule.

The majority of students were able to function adequately in the established college curriculum. In some instances, tutoring was provided in the basic subjects (tool skills in reading, writing, English, spelling, and math). Freedom was given to select coursework without respect to established curriculum patterns if the student could be better served in a more flexible curriculum. In some cases, the welfare recipient took remedial course-work in conjunction with a vocational program (reading, English fundamentals, typing, business machines, and office procedures).

TABLE I.—GRADE POINT AVERAGES

Term	Grade point average
Winter term 1965	2.50
Spring term 1965	2.68
Summer term 1965	3.00
Fall term 1965	2.28

The project caseworker continued to fulfill the role required by agency policy, but also established the necessary day care plans for dependent children, transportation arrangements, clothing allowances, and the many other details that required attention.

The role of the caseworker changed as he became involved in an intensive relationship with the recipient. The office within the college setting assured almost daily contact with the welfare recipient. In turn, the recipient saw the caseworker in a different light—as a helping figure anxious to meet the needs of the recipient.

Group counseling sessions developed out of the caseworker's interest in group sessions with ADC mothers. The weekly group sessions were used to disseminate information relative to welfare regulations and college requirements. In addition, the group sessions were aimed at promoting a therapeutic atmosphere providing emotional support to the recipients who were encouraged to share problems with others.

Individual counseling continued to be the essential tool in maintaining the caseworker-counselor-recipient relationship. Intensive service was provided by the staff as attempts were made to enlarge the horizon of opportunity for the welfare recipient in the training program. As the recipient became involved in the training program the self-image shifted from one of dependency to one of having the potential for employment and self-support.

The process of a change in the self-image should not be accepted as a simple process, nor should one feel that this was the only process in action during participation in the project, but it is a useful concept to consider.

The project made demands on the college staff that included extra help for the welfare recipient in academic preparation as well as informal counseling of a supportive nature. In some subject areas the instructor was called upon to read examinations and quiz the student orally when the reading and writing skills of the student did not provide an adequate method of displaying knowledge. In spite of the many handicaps, the student did achieve in the junior college setting. Of the first 112 referred to the project fifty-three are no longer receiving public assistance. The successes are employed in a wide range of occupations.

As community colleges develop throughout the United States, it is reasonable to assume that these publicly supported institutions will be called upon to play an ever-increasing role in providing resources for the disadvantaged. In Astoria we have had the opportunity to compare our project with a large urban Job Corps center. The comparison has been difficult as we have utilized existing community agencies and a budget of $65,000 whereas the Job Corps has established agencies of its own at a cost of several million dollars.

This project has made every effort to serve welfare recipients within the community and to that end the recipient is continually facing reality. As the services of a community college become more comprehensive, we should look forward to assuming much more of the burden that Job Corps centers now face.

TABLE II.—IDENTIFYING DATA—REFERRALS

	All referrals	Successes
Type of assistance:		
Aid to dependent children (ADC)	52	22
Aid to dependent children (unemployed father) (ADC-UN)	14	12
Aid to disabled (AD)	12	1
Foster care (FC)	9	3
Aid to dependent children (ADC children)	10	7
Aid to blind (AB)	1	------------
General assistance (GA)	10	6
Other	4	2
Females	68	31
Males	44	22
Average age	31.6	30.5
Marital status:		
Married	30	18
Divorced	24	9
Single	36	15
Separated	17	6
Other	5	5
Average number of years of gainful employment	7+	6.5
Average number of years of formal education	10.3	10.2
Average number of months on assistance	33.6	31.7
Average amount of assistance	$124.20	$120.63

North Dakota's Second District Residents Asked for Views on Current Questions

HON. THOMAS S. KLEPPE

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. KLEPPE. Mr. Speaker, I am asking the people of North Dakota's Second Congressional District to give me their views on current questions and issues. The questionnaire cover these 11 items:

WHAT DO YOU THINK?

1. These courses of future action seem to be open to the United States in Vietnam. Please check *the one* which most closely reflects your choice of alternatives: (a) Go all out to win now, even if this involves massive bombing of North Vietnam, including Hanoi and Haiphong Harbor, a naval blockade, increased U.S. troop commitments and invasion of the North ☐. (b) Continue U.S. land, sea and air operations pretty much along present lines ☐. (c) Discontinue bombing of North Vietnam in the hope this will lead to a negotiated peace ☐. (d) Withdraw all U.S. military forces from Vietnam ☐. (e) Undecided ☐.

2. Richard M. Nixon is the only major announced candidate for the Republican Presidential nomination. President Johnson's withdrawal leaves Sens. Robert F. Kennedy and Eugene J. McCarthy as contenders for the Democratic nomination. There is speculation that Vice President Hubert M. Humphrey may enter the race. Former Gov. George Wallace of Alabama is a Third Party candidate. If the Presidential election were being held today, check how you would vote in *each* of these groupings:

Nixon ☐	McCarthy ☐	Humphrey ☐
Kennedy ☐	Nixon ☐	Nixon ☐
Wallace ☐	Wallace ☐	Wallace ☐
Undecided ☐	Undecided ☐	Undecided ☐

3. If Federal spending were reduced by several billions of dollars a year, would you favor the proposed 10% income tax surcharge as a means of reducing what otherwise may be a budget deficit of more than $20 billion?

Yes ☐. No ☐. Undecided ☐.

4. Do you favor a Federal income tax credit to private business for training "hard core" unemployed for jobs?

Yes ☐. No ☐. Undecided ☐.

5. I have introduced a strategic grain reserve bill which would lock up in the hands of farmers, rather than in CCC inventory, 300 million bushels of wheat, 500 million bushels of feed grains and 75 million bushels of soybeans, which would not come back into the market at less than 100% of parity. Do you favor this?

Yes ☐. No ☐. Undecided ☐.

6. Do you favor continuing price supports and wheat certificate payments in future farm programs?

Yes ☐. No ☐. Undecided ☐.

(So that I can further analyze replies to the two previous questions, would you please check here if you are a farmer? ☐)

7. Do you favor changing the present Draft Board induction process to a lottery system?

Yes ☐. No ☐. Undecided ☐.

8. Should law enforcement officials and the courts be less lenient in dealing with criminals, including rioters?

Yes ☐. No ☐. Undecided ☐.

9. Do you favor Federal controls over sale and use of firearms?

Yes ☐. No ☐. Undecided ☐.

10. Do you feel you are receiving accurate reports from the Administration on the war in Vietnam?

Yes ☐. No ☐. Undecided ☐.

11. If Federal spending is to be reduced, list *in order of preference* (1, 2, 3, etc.) the programs you would like to see cut most heavily: Poverty War ☐. Aid to Cities ☐. Highway Beautification ☐. Space Exploration ☐. Foreign Aid ☐. Defense ☐. Agriculture ☐. Federal Civilian Jobs ☐.

Amputees on the Ski Slopes of Colorado

HON. GORDON ALLOTT

OF COLORADO

IN THE SENATE OF THE UNITED STATES

Tuesday, April 2, 1968

Mr. ALLOTT. Mr. President, most everyone is aware that Colorado is known as the ski capital of the Nation, yes, even of the world. Yet few are aware of a unique program, developed in Colorado, which is training amputees and other disabled persons to become expert skiers. Therefore, I ask unanimous consent that a penetrating article entitled "Amputees Leave Their Disability on the Ski Slopes," published in Medical World News of March 22, 1968, be printed in the Extensions of Remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

AMPUTEES LEAVE THEIR DISABILITY ON THE SKI SLOPES

In Colorado, it's how well you ski that counts. And at the Arapahoe Ski Basin, a group of hospitalized Vietnam war veterans and some outpatients from Children's Hospital in Denver are proving that, when it comes to schussing the slopes, amputee skiers can keep up with the best.

The amputee skiers—many of them single-limb amputees who use one regular ski and two outriggers that resemble crutches mounted on small skis—are 18 children from eight to 17 years of age and 20 wounded soldiers from Fitzsimons General Hospital, a U.S. Army facility in Denver. Every Wednesday, they gather at Willy Schaeffler's ski school. Some even return to Arapahoe on the weekend with members of their family or with dates.

Dr. William F. Stanek, director of the amputee clinic at Children's Hospital, and Col. Paul W. Brown, chief of the orthopedic service at Fitzsimons, has been working independently to incorporate skiing into their rehabilitation programs. Skiing, they found, is good physical therapy, and the training given to amputees is good conditioning for the sport.

When the two physicians, who are old friends, discovered that they were traveling parallel roads, they decided that both the soldiers and the children would benefit from a combined program. With the enthusiastic help of Olympic athlete Schaeffler, who worked out special techniques for the amputees, they put the patients on skis last January.

"It's impossible to overestimate the tremendous psychological and physical value of skiing for these patients," says Dr. Stanek. "The children look up to the G.I.s, and the soldiers have to work hard to keep up with the kids. When they're skiing, they're developing a skill where they are not 'disabled.' Isn't that what rehabilitation is all about?"

With the help of the instructors at the ski school, the amputees started right out by learning advanced techniques, since the majority of them have only one ski to manipulate. After only two lessons, the children were working out on the slalom run, the difficult zigzag course between flags that only accomplished athletes try. Some of the amputees had difficulty at first in getting on and off the ski lifts, but once on the slopes, they were at no physical disadvantage.

IDEA IMPORTED FROM EUROPE

Some of the below-the-knee amputees at Fitzsimons have been fitted with prostheses and can use two regular skis. But most of the soldiers in the group are above-the-knee amputees and use the three-track method. The Denver surgeons got the idea for three-track skiing from Austrian amputees who took to the Alps after World War II on skis attached to their crutches.

Equipment is being improved steadily. The first amputee ski group in America, the Flying Outrigger Ski Club in Portland, Ore., invented a hinge for the outrigger that gives the skiers better balance. And the Fitzsimons cast and brace shop found a way to get traction on level ground or when going uphill.

"We designed a small retractable spike that passes through the outrigger ski and bites into the snow," says Colonel Brown. "The spike is pulled up for downhill travel." Most of the special equipment was built and donated by the Head Ski Company as soon as it heard about the program.

"We are now trying to extend our program to amputees who have lost both legs above the knees," says the Fitzsimons orthopedist. "They may be able to use a Ski-Bob, which looks like a bicycle with Skis rather than wheels. One of our bilateral amputees is even taking to the slopes in an inner tube pulled by a skier."

Other programs for amputees are getting under way in California and in some Eastern ski areas. So far, the Denver program is the only one to include children. Special ski instruction is offered by the National Amputee Skiers Association, a local club in Soda Springs, Calif. And ski schools at the Big Boulder Ski Area near Harmony Lake, Pa., and Pine Hill Ski Mountain in New Jersey have started programs for amputees from the U.S. Naval Hospital in Philadelphia.

"When we get these amputees from Vietnam, many of them are nervous and afraid of the future," says Colonel Brown. "If we can teach these men to do something well that many nonamputees cannot do at all, it builds up their egos. And who has time to worry about a missing leg when he's speeding down a steep ski slope?"

Lives of Four New Jersey Visitors to Florida Snuffed Out in Senseless Accident

HON. J. HERBERT BURKE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. BURKE of Florida. Mr. Speaker, in an editorial, which was a winning entry in the annual American Trucking Association safety writing contest, Mr. Jack Gore, editor of the Fort Lauderdale News, highlights one of the far too many tragic, senseless traffic accidents occurring on our roads each year.

Mr. Gore is an outstanding editor and I call his editorial and cogent ideas to the attention of my colleagues and the public. The time has come when we must accelerate responsible action to insure safer driving for all of us and to put the brakes on the skyrocketing toll of traffic deaths.

The editorial referred to follows:

LIVES OF FOUR NEW JERSEY VISITORS SNUFFED OUT IN SENSELESS ACCIDENT

(By Jack Gore)

One minute it was a gay, New Jersey family enjoying the final hours of a holiday vacation here in Ft. Lauderdale.

The next minute, the father and his 12-year-old twin sons were battered into eternity; the mother was fatally injured and a 15-year-old daughter was lying unconscious on the roadside.

What did they do to deserve such a terrible and such a quick ending to their holiday in the sun? Nothing outside of being on the highway in their rented car at just the exact time and the exact place for a speed-happy youth to come blistering down the road and pile into them so quickly that they probably never even knew death was upon them before it struck them down.

Thus, four more names were added to our ghastly highway accident toll. Thus, another family was virtually wiped out with only the seriously injured 15-year-old girl and her older sister, who stayed at home in New Jersey, left to pick up the pieces.

The pity of it is that it was all so unnecessary and all so stupid. Yet, that can be said of an ungodly high percentage of the highway accidents that happen each day and which continue to send Americans to the cemeteries and the hospitals at a constantly increasing rate.

What is there, we might ask, about modern automobiles which causes so many drivers to forsake all common sense and all concern for their own safety and that of others when they get behind the wheel? Is it a sense of power that some people can't enjoy in any other way? Is it a kind of derring-do and enjoyable sense of recklessness which inhibits the mind and causes people to completely forget the deadly nature of the vehicle they are driving?

The psychiatrists can probably answer such questions better than we can, but one must still wonder just what possessed the 21-year-old youth who was responsible for snuffing out four lives this past Wednesday night to drive his car in the fashion he apparently did.

According to the police reports, the youth was engaged in a drag race with another car and was traveling somewhere between 65 and 90 miles an hour in a 35-mile-per-hour residential zone when he lost control of his vehicle.

Police also reported they found three traffic tickets in the youth's car, the most recent of which was dated this past Dec. 28. It was learned further he was scheduled to appear before a Dade County traffic court on Jan. 18 on charges of careless driving by speeding and two other violations.

Obviously, as a result of Wednesday night's accident, other and far more serious charges may be lodged against him, but no penalties the law may mete out can restore four people to life, nor can such penalties equal the mental punishment this youth will undergo the rest of his life knowing what his moments of recklessness cost this unfortunate New Jersey family.

We know such tragedies as this are too quickly forgotten, but surely something as horrible and as avoidable as this accident was should impress upon all of us here in Broward County the urgent necessity for adopting safer and saner driving habits.

When one considers that over 1,800 people were killed on Florida highways during 1966, and that our state was but one of 17 which set new fatality records during the past 12 months, it becomes rather obvious that our present methods of combatting this highway slaughter are not working too well.

We need, for instance, stricter laws dealing with highrisk drivers. When licenses are withdrawn because of too many infractions of the law, real stiff penalties should be applied against those who keep on driving after their licenses have been lifted or who use fraudulently obtained licenses.

Our courts, also, can well afford to get tougher with reckless drivers and those who flagrantly violate speed laws. A fine means little or nothing to some drivers, but a few stiff jail sentences meted out to repeated offenders might cause many of them to think twice the next time they are inclined to jam down on the accelerator.

Greater thought also needs to be given to the idea of requiring all drivers to undergo periodic inspections as a condition to having their licenses renewed. There are thousands of drivers on our roads today whose reflexes and abilities have been impaired to the point they constitute a menace not only to themselves but to all others on the road.

Above all, we need to look upon the modern automobile as something far more than just a convenient transportation medium. In reckless or unqualified hands it is far more dangerous than a loaded gun, and until we treat it as such, we will continue to witness the same tragic type of accidents we had here Wednesday night.

Lt. Gen. Lewis B. Hershey: A Cool General

HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Tuesday, April 2, 1968

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent to have printed in the Extensions of Remarks an editorial entitled "A Cool General," published in the Northern Virginia Sun of March 27, 1968.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A COOL GENERAL

We talked with a number of the teenagers who listened to Lt. Gen. Lewis B. Hershey at Wakefield High School last week and were not too much surprised to hear the daddy of the draft really wowed them.

"He's cool," said one of the youngsters, one who might have been expected to be among the group most loudly protesting the draft these days.

"Heck," the kids exclaimed, "Only a handful of the kids hate the draft." They explained that most all of the group in that age bracket disliked the idea of going into military service—but no more than their daddys did before them.

They seemed to be showing a promise for the youth of today that is somewhat obscured in the publicity given to the hippies and the drinkers and those who take dope and those who drop out. From what we could gather, not that we were too surprised, these kids are a lot more ready to face the world than most people give them credit for.

They were tickled silly at the ease with which the aging general "put down" the few hecklers in the group. But they remembered he's had lots of practice answering questions about his favorite subject.

Some of the kids seemed particularly irked at the young hippies who insisted on addressing him as "Mister" instead of "General."

A wag once said that Gen. Hershey has but one speech. Sometimes he starts in the front and goes to the end, sometimes he starts at the end and works backward and at other times he starts in the middle and works in both directions.

At Wakefield he did it differently—he opened the subject with but a few sentences and then told the audience to ask questions. It would be difficult to think of a question about the draft he hasn't been asked in the past.

At a press club briefing some days ago he was asked how he got into the Army. His reply was great—he said he'd started as a private "because there weren't any vacancies in the other grades."

When he left Wakefield we got the idea that most of his audience recognized that they, too, would start as privates—like so many millions of Americans before them who were fulfilling their obligations of citizenship.

Pfc. Bernd Bachleda, U.S. Army

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. FINO. Mr. Speaker, in these days when so much is being said by so many about the war in Vietnam, there are some words that have a quality which set them apart.

Recently, a young man from the Bronx, N.Y.—Pfc. Bernd Bachleda—was killed outside of Khesanh, Vietnam, on the very day of his 21st birthday, March 12, 1968.

Pfc. Bachleda's father is an army sergeant major and no doubt he helped instill in his son a sense of duty and country; that same sense which shows so clearly in some of the words of Pfc. Bachleda's last letter to his parents:

> All I do now is dream of that day in December when I walk into our home and can say to you "Mom and Dad, I'm home."
>
> Just think, I'll be wearing a Combat Infantry Badge just like dad on my chest, and with that on my chest, along with my wings, there's no one who can say that I haven't done my job for the great country we live in.

No, Pfc. Bachleda's commitment to duty—and supreme sacrifice in fulfilling that commitment—cannot be doubted at all; how many of those persons whose headlines fill our newspapers will live and die so proudly?

An article concerning this young man follows:

WOODLAWN GI DIES AT KHE SANH

Pfc. Bernd Bachleda, son of Sgt. Major and Mrs. Anton Bachleda of 435 E. 240th St., Woodlawn, was killed near Khe Sanh, Vietnam on his 21st birthday, March 12, his family revealed yesterday.

The private had been in Vietnam since Dec. 16. He was a machine gunner with the 101st Airborne Division, and is the 22nd local area soldier to die in Vietnam.

Pfc. Bachleda was born in Germany, attended Mark Twain Junior High School, and was graduated in 1966 from East Hampton (Conn.) High School. He was a member of the New England all-star soccer team.

In his last letter, he told his parents:

"All I do now is dream of that day in December when I walk into our home and can say to you, 'Mom and dad, I'm home.'

"Just think, I'll be wearing a C.I.B. (Combat Infantry Badge) just like dad on my chest, and with that on my chest, along with my wings, there's no one who can say that I haven't done my job for the great country we live in."

The soldier, who died of bullet wounds, will be buried in East Hampton.

Adlai E. Stevenson Memorial Fellowship Program

HON. EDWARD W. BROOKE

OF MASSACHUSETTS

IN THE SENATE OF THE UNITED STATES

Tuesday, April 2, 1968

Mr. BROOKE. Mr. President, earlier today it was my pleasure to address an outstanding group of international businessmen, teachers, and Government officials—the 1967–68 Stevenson fellows.

The Stevenson memorial fellowships were established by the U.S. Government, operating through the United Nations Institute for Training and Research, to enable a select group of men and women to improve their competence for service to their countries through furthering their understanding of the role of international organizations. Having met and talked with the young people who are this year's Stevenson fellows, I can attest that the fellowships are serving their purpose well.

Mr. President, I ask unanimous consent that a description of the Adlai E. Stevenson memorial fellowship program, and a list of this year's participants, be printed in the Extensions of Remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

UNITAR ADLAI E. STEVENSON MEMORIAL FELLOWSHIPS

ESTABLISHMENT OF THE FELLOWSHIPS AND THEIR PURPOSE

The UNITAR Adlai E. Stevenson Memorial Fellowships were established with an initial grant of funds from the United States Government to the United Nations Institute for Training and Research.

The fellowships serve as a memorial to the Honorable Adlai E. Stevenson, late United States Ambassador to the United Nations, and enable a select group of young men and women who have the interest to do so to improve their competence for service in furthering the understanding and the role of international organizations.

Nine fellowships were awarded for the year 1967, and eight for 1968. Each fellowship covers a period of ten months and carry a stipend of $8,000 plus travel and other authorized expenses.

QUALIFICATIONS FOR THE FELLOWSHIPS

To qualify for the fellowship, an applicant must be in the 25–35 age group. He must be a graduate of a college or university of recognized standing; he must have a proficiency in English or French; and he must have at least two years of experience in international affairs either with a government, an international organization, a university, or a private organization. He must also be in good physical and mental health.

SELECTION PROCEDURE

Applications are screened by a Selection Committee appointed by the Executive Director of UNITAR. The Committee is composed of seven members, including senior officials of the United Nations Secretariat as well as other individuals of distinction. The Committee is responsible for recommending to the Executive Director individuals for the fellowships and may invite applicants for personal interviews. Selection is made primarily on the basis of the qualifications of the applicant and the likelihood that he will be engaged in work of an international character after completing his fellowship.

The offices of the UNDP Resident Representatives and UNIC Directors, in addition to giving publicity and information about the fellowships and acting as channels of communication, conduct preliminary interviews with the outstanding applicants of their areas and forward the interview reports, along with the applications, to UNITAR for review and consideration by the Selection Committee.

PROGRAM ACTIVITIES

Each participant has his own program planned and oriented with regard to his background and professional goals and designed to add a new dimension to his experience and education. Special attention is given in the programs to the major areas of United Nations activity such as the maintenance of international peace and security, economic and social development, international law, human rights, international organization and administration, and other aspects of international cooperative activity. In some cases, the participants carry out studies, or assist in a UNITAR research project, and take part in a tutorial capacity in UNITAR training programs. In other cases, arrangements are made for participation in the work of the United Nations Secretariat or related bodies. There are also opportunities for participants to join seminars arranged by UNITAR or other institutions at which outstanding scholars and senior officials of the United Nations will exchange ideas and experiences.

The pursuit of formal academic studies is outside the purview of the fellowships.

AWARD OF CERTIFICATE

Participants who satisfactorily complete their programs receive a certificate designating them UNITAR Adlai E. Stevenson Fellows.

LIST OF 1967–68 FELLOWS

Names of 1967–68 fellows, followed by employment and field of special interest at UNITAR:

Abdul Nasser-Ziayee, Kabul, Afghanistan; Ministry of Foreign Affairs Kabul, Afghanistan; comprehensive review and appraisal of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

Miss Thelma Ocon Solorzano, Managua, Nicaragua; Ministry of Foreign Affairs, New York City (Perm. Mission Nicaragua to U.N.); impact of regionalism upon the making and application of International Law with particular reference to problems relating to the Sea-Bed.

Kazuomi Ouchi, Fukuoka City, Japan; Seinan Gakuin University (Assoc. Prof. of Intl. Law) Fukuoka City, Japan; same as Ocon above.

Ousman Sallah, Bathurst, the Gambia; the Gambia Government, Bathurst (Asst. Secy., Prime Minister's Office; Asst. Comm., Western Division); Economic Problems of Small States.

Mustapha Tlili, Feriana, Tunisia; Journalist (Political Correspondent); investigation of OAU's competence in the domain of maintaining peace and internal security.

Jorge A. Vargas Silva, Liverpool, Mexico; Ministry of Foreign Affairs, Mexico; U.N. programme of assistance in the teaching, study, dessemination and wider application of International Law.

Herbert H. Werlin, Houston, Texas; State University of New York, Stony Brook, New York (Asst. Prof. Political Science); problems of urban administration in developing countries.

Mario D. Zamora, Quezon City, Philippines; University of Philippines, Dilman, Rizal (P.I.) (Chairman, Dept. of Anthropology); the Chinese in the Philippines and patterns and processes of discrimination and guided reform in a planned society.

Representative Moss Raps FCC for Nonregulation

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. DINGELL. Mr. Speaker, my good friend and colleague, Congressman JOHN MOSS, of California, has publicly and appropriately charged that the Federal Communications Commission "is not fulfilling its responsibility" to either the Congress or to the public.

At the fifth annual Hollywood Festival of World Television in Los Angeles, the gentleman from California [Mr. MOSS] criticized the Commission for nonregulation in the allocation of space within the radio spectrum; for refusing to regulate the commercial networks; for lack of concern about program balance and for an equal apathy about public broadcasting; for waiving of administrative rules; and for failure to harness communications technology.

Our colleague offers proposals for correcting the faults of the Commission. I concur in his proposals and commend the full text of his speech, entitled "Nonregulation by the FCC: A So-Called Regulatory Agency," to my colleagues at this point in the RECORD:

NONREGULATION BY THE FCC: A SO-CALLED REGULATORY AGENCY

(Speech of Hon. JOHN E. MOSS, Democrat of California, at the Fifth Hollywood Festival of World Television, March 23, 1968, University of California, Los Angeles)

When Mr. Preiss extended his invitation to me to speak before this group, I was honored and have looked forward with pleasure to this luncheon. Since I spend a lot of my time dealing with Congressional oversight of government regulation of broadcasting, he has suggested the broad spectrum topic of "Television and Regulation".

There is no one in this room who has to be reminded that broadcasting—radio, and particularly television—is today the most important single medium we Americans have for communicating with each other.

Why, how, and to what extent broadcasting is a matter of governmental interest is a topic which could consume days, if not months, of our time. To abbreviate that chore, I will embark on today's topic with the following four assumptions:

One: Broadcasting is a matter of governmental concern because the air waves which carry the sounds and sights of the broadcaster are public property. They belong to no one person or group of persons; they belong to all people of our country. They are a public natural resource. Congress recognized this and articulated it as early as 1927 when it enacted the first laws relating to the broadcasting industry, the Federal Radio Act. This undebatable premise has been carried forward into the Federal Communications Act of 1934. Section 301 of that Act states: "It is the purpose of this Act, among other things, to maintain control of the United States over all the channels of . . . radio transmission; and to provide for the use of such channels, but not the ownership thereof . . ."

Two: Ours is a free enterprise economy. Most Americans, myself included, are dedicated to the proposition that it is undesirable to stick the Government's nose into the everyday affairs of the citizens or of the economy, unless the public interest requires Government supervision, regulation or Governmental action. When it is public property that private industry deals with, there is a bona fide need for the Government to be concerned with, to supervise and to regulate industry's use of the national domain in order to insure that the public interest be served as well as the private interest. For this reason, the Federal Communications Commission was created by Congress. The constitution delegates to the Congress the power, when necessary, to regulate commerce. A long time ago, Congress acknowledged that it could not presume to possess all the expert knowledge which proper regulation of commerce requires. Therefore, Congress has created agencies, the so-called independent regulatory agencies, sometimes denoted by friends, as well as critics, as the "Headless Fourth Branch of the Government." I will come back to that term shortly. The Federal Communications Commission is one such agency created by the Congress and responsible to the Congress to regulate, on behalf of the Congress, this immensely important aspect of the nation's commerce, in the public interest.

Do not think that Congress is the country's leading scofflaw. It has not delegated its authority and then sought shelter from its responsibilities. The Legislative Reorganization Act of 1946 directs the Congressional committee of which I am a member to oversee, supervise and generally regulate the regulator. My committee, and particularly the Special Subcommitee on Investigations of the committee of which I am the ranking majority member, was charged by the Legislative Reorganization Act to "exercise continuous watchfulness" of the execution of the laws by the administrative agencies within the jurisdiction of the Commerce Committee, to investigate and study "the administration and enforcement by departments and agencies of the Government of provisions of law relating to subjects which are within the jurisdiction" of the committee.

So it is that the second of our premises must be that because the commercial broadcasting industry has been enfranchised by the national Government to use in the regular course of its business a portion of the public domain, the activities of the industry must be regulated so that the public interest is served. The body whose responsibility it is to regulate this industry is the Congress. The Congress has delegated its work, but not its responsibility, to the Federal Communications Commission. Now, all of this must be qualified. That brings me to my third premise.

Three. It is not, nor should it ever be, the role of the Government to dictate what opinions, what views, what philosophies and what political principles can be expounded upon by those persons who are enfranchised to use the public air waves. In this respect, it is the role of the Government to insure that the public interest is served by preventing the abuse by partisans, of any dogma or thought, of monopolizing or abusing public property for their own interest.

Four: My fourth point is fairly simple: The exploding advance in communications technology must be harnessed, and directed into channels which serve the public interest. In any month—often in any week—the press and the broadcast medium bring us word of new developments, new innovations, new inventions which significantly affect the technology of communications. Uncontrolled, unfettered and undirected, these developments could have a calamitous effect on the public interest. Studied, refined, and directed into proper channels, these developments could bring with them panaceas for some of the problems with which you in the communications industry grapple every day.

To sum up, my four premises: (1) The air waves are public property and no private use of them should be permitted unless that private use also serves the public interest. (2) It is the Congress, through its delegate, the FCC, which is responsible to the American people for seeing to it that the air waves are used in the public interest. (3) Neither the Congress, its delegate or any branch or vehicle of the Federal Government should dictate the content of the thoughts which are communicated by the broadcast medium. Finally, (4) The explosion in technological development occurring in this second half of the 20th century must be examined and harnessed in the public interest.

Now, what word do I bring to you from Washington? To what extent is that agency of the Congress fulfilling its responsibilities to the Congress and to me and to you, the citizens of this nation?

After years of service on the Commerce Committee and the Special Subcommittee whose job it is to know, study and evaluate the activities of the Federal Communications Commission, I must tell you in all candor that the Commission is not fulfilling its responsibility to either the Congress or to you and me, the citizens of this nation.

In fact, as one colleague of mine has expressed himself in private, it is one of the true wonders of the world that the American communications industry has survived despite this so-called regulatory agency.

I mentioned to you the name that critics and friends of the independent agencies have applied to them: the so-called "Headless Fourth Branch of Government." In the case of most of these agencies the term is used in its figurative sense. In the case of the Federal Communications Commission, there is little stretching of the fact to apply the term in its literal as well as its figurative sense.

The Commission started as a bright light on the horizon in 1934—an opportunity for the will of the people to be expressed and the public interest to be served, a hope for the rational supervision and guidance of communication media for the general benefit of the nation. Today it is a graveyard of good intentions and good ideas.

Frankly, one hardly knows where to begin in describing this governmental quagmire.

Travel with me for the next several months on a short journey through this labyrinth of non-regulation. Those of you in this room who are associated with the writing and production of dramatic fiction will rightly conclude that the record I put before you today demonstrates that after all, the irrational humorous satire of Lewis Carroll can be combined with the irrational tragic caricatures of Franz Kafka—all within the four walls of one governmental body. Please remember the common denominator—irrational! I have not used that term lightly.

Now—how does this Agency, imbued with some of the finest professional talent in the Federal Government, possessed of a professional staff including persons who are among the most informed experts in its field, exercise its statutory charge to regulate the public air waves ". . . as public convenience, interest or necessity requires"?

The Commissars of Eastern Europe and China can teach the leadership of this agency nothing of the art and practice of publishing mountains of material—full of sound and rubric—signifying nothing. These commissioners are acknowledged throughout the bureaucracy as the foremost practitioners of "now you see it—now you don't" so-called regulation.

Let us start with what may be the most urgent, pressing problem facing this Commission for the past several years. The allocation of space within the radio spectrum and the use of the space so allocated is a problem that touches not merely those of you who are associated with commercial broadcasting.

It touches every American. Every public safety organization within the country (local police, fire departments, emergency services, and disaster services) depend largely upon an adequate, efficient system of instant communication. For the most part, the most important link in the chain of public safety communications is so-called "land mobile" services. These are the systems of communication from a fixed station to units cruising and patrolling in moving vehicles.

For more than a dozen years, the FCC itself has acknowledged that the pressing demands by public authorities and private industry for land mobile spectrum space far exceed the amount of spectrum space the Commission has allocated to this group of users. The Commission has characterized the problem as: "acute," "critical," "extreme." In 1966 in its Annual Report the Commission stated, "into this very limited space are packed over 2¼ million transmitters, with applications for new ones pouring in at the rate of 15,000 per month."

The last spectrum allocation made by the Commission was in 1952. The result of that allocation was to allocate 4.7% of the radio spectrum to land mobile use. At that time, there were approximately 200,000 land mobile transmitters in use. It is now estimated that by 1970 there will be 3,500,000 and by 1975 5,200,000.

In typical fashion, the FCC, unable or unwilling to own up to a problem clearly within its purview of expertise and responsibility, farmed the problem out to a so-called "advisory group." The Commission charged that group with the task of solving the problem—but it enjoined the advisory group to make its recommendations on the premise that the spectrum space for land mobile would remain exactly what it has been since 1952. The Commission instructed the advisory group not to recommend any reallocation of spectrum space which would increase land mobile's use. When you realize that 85% of all TV space is allocated to UHF stations and that only a small portion of that space is in use and that UHF occupies over ten times the total amount of spectrum space provided for land mobile space on the spectrum and when you further realize that one repeated complaint by law enforcement agencies called on to quell disturbances throughout the country last summer was that they were often paralyzed because distress calls and calls for assistance could not be broadcast because the air waves were too crowded, you must ask the question: Is this rational?

I am not advocating taking commercially useful space from other broadcasters. I am suggesting that it is a matter of public record that a great deal of spectrum space—totaling many times the total now available for land mobile—is unused and may remain unused for the indefinite future. It makes sense to me that one aspect of any study would include a study of the use that might be made of that space by police and disaster units in time of peril and crises. But the Commission, like Nero, fiddles while Rome burns.

One of the classic gems of Commission non-regulation is that although the Commission has jurisdiction over every broadcast station licensed by the Commission, it has no jurisdiction over the networks which control the content of most stations' prime time. The same group of seven Commissioners who insist that they have jurisdiction over all forms of CATV because CATV has an effect upon conventional over-the-air broadcasting, insists that it has no jurisdiction over network broadcasting because the word "network" is not included in the Act of 1934.

I am not here to argue either that the Commission does or does not have jurisdiction over CATV (please remember Commission jurisdiction has absolutely nothing to do with copyright liability of CATV). I am merely reporting the facts of Commission logic.

In this connection, we have recently witnessed the position of one major network in reference to the equal time provision of section 315 of the Communications Act. This is the section of the Act which requires that every broadcaster permitting one candidate for public office to use the station must afford equal opportunity to all other candidates for the same office. I strongly feel that this section safeguards and protects the democratic process and is of unquestionable value. It prohibits a broadcaster from exercising his caprice, his preferences or his bias by excluding from the political marketplace every available position held by every announced candidate for an office.

The Special Subcommitee heard the president of one of the leading networks only last week reiterate his position that section 315 is "nothing more than a mechanical formula that precludes broadcasters both from exercising their judgment and from carrying out their responsibility." To me this reflects an ill-considered and ill-advised position since it ignores the benefits that come to a democratic society when the commercial media carry the views of all opposing candidates for office to the electorate.

Here is a legitimate difference of political philosophy. Dr. Stanton and I both believe our respective positons are in the public interest. I am not here to argue whether I am right or he is right. This legitimate difference of opinion reflects the many differences of opinion between owners and operators of commercial networks and others as to how the public interest can best be served by the private use of public air waves. My point to you is that for better or for worse, the commercial networks in this country control the broadcasting medium. It is both irresponsible and irrational for the governmental agency which is by statute the final arbiter of how the public interest can best be served by broadcasting to refuse to attempt to assert its regulatory jurisdiction over the persons who in reality control the medium. This outlook is akin to nations regulating the size of navies by treaties which limit the number of rowboats but not the number of battleships and carriers.

This non-regulation perverts the statutory assumption that the medium must be controlled by expert governmental regulation of the medium. It assumes that the non-regulated control of the medium will better serve the public interest. It ignores the basic premise which I referred to earlier that the private use of public property demands that the public be guaranteed that its interest will be served through fair governmental regulation. Remember, it is the public air waves we are talking about.

And what about program balance? How many of you know that within the past year the Commission granted a license to a radio broadcaster who avowed that 33 out of every 60 minutes his station would broadcast commercials? Does anyone in this room seriously believe that this fulfills the Commission's responsibility to regulate in the public interest?

The Commission's concern for public broadcasting, for educational type programming, for non-conventional program content, has been so insignificant that it has taken an Act of Congress, creating the Corporation for Public Broadcasting, to treat the problem.

Its approach to administrative practice has acquired a peculiar and unique characteristic. In many important areas—when the heat is on, from the public or from the Congress—the Commission announces the adoption of rules and regulations such as those concerning CATV and limitations on transfers of broadcast licenses. The rules may be good, bad, or indifferent—at least they are rules and the public and the industry are led to believe they will be uniformly enforced. But there is always a gimmick—a twist. The Commission nearly always writes a provision into the Rules that they may be "waived" under what we are led to believe may be very special circumstances. However, the waiver is exercised by the Commission with indiscriminate and wholesale abandon. The rules are honored more in the breach—the waiver—than in their enforcement. As a result, no one in the industry subject to the application of these rules can dare rely upon the fair, uniform application of the rules. Administration disintegrates into a case-by-case, personality-by-personality basis.

Predictability—the touchstone of what is revered in American and Anglo-Saxon law—is out the window and the industry suffers from the erratic and inconsistent application of conflicting precedents. The recent Overmyer decision—about which you may have recently read and of which you will hear much more shortly, since it is under study by the Special Subcommittee of the House Commerce Committee—is a perfect example. Several years ago, the Commission adopted rules prohibiting the acquisition of more than three UHF-TV licenses within the top 50 markets by any one owner. The rules carried the usual "waiver" provision—that the rule may be waived in an individual case where extreme conditions and the public interest require. Last December, one day before the Congress was scheduled for Christmas adjournment, the rule was waived to permit the transfer of no less than six UHF stations—all within the top 25 markets—to a single purchaser. The dissenting Commissioners eloquently observed that the decision made a shambles of the rules against group transfers. The Subcommittee is now investigating this transaction and, I believe our study will shed some light on this crass disregard for the public interest.

You may be more aware than I of the fantastic advances which are being made almost daily in the technology of broadcasting. Improvement in satellite techniques, combination of over-the-air and wire carriage, are only two examples of a long, impressive list. You can safely assume these matters are not the subject of any unified study or program in the agency of the United States Government charged with their study and understanding. I believe it is safe to predict that when the problems become overwhelming and the need becomes critical, then a study group will be created—with clear or implicit instructions not to upset the boat and not to do anything rash such as propose an innovation which might solve the problem.

But I am not here merely to recount a list of transgressions by this non-regulator.

I said at the outset the Congress is responsible for correcting the transgressions of its delegates. In the last few minutes of this presentation, I have several proposals which in lieu of abolishing the Commission in totality—and don't think this has not been seriously proposed and considered on Capitol Hill—may provide a basis for bringing reason back to communications regulation and may result in some form of true regulation in the public interest.

One: It is time to recognize that a Commission headed by seven individual Commissioners is an antiquity. No more than three persons should serve as Commissioners. Reducing responsibility for policy-making and decision-making to that number should result in a significantly more consistent administrative decision-making process.

Several of the best persons who have served on the Commission in recent times, including Newton Minow and William Henry, have observed that the Commissioners are saddled with an insurmountable paper load; their time is consumed and they are often exhausted by a multitude of matters which are of little consequence, which should be handled and completed far down the administrative ladder. This condition must be corrected. The Commissioners must be free to cope with the momentous problems of policy, adjudication, and administration—there will be no lack of work to be done. The best talents of the Commission must be free to delve into those important questions of policy thoroughly and completely.

Two: The adjudicatory machinery within the Commission should be completely separated from the rule-making machinery. In the field of law, this would be equivalent to forbidding the same persons to sit as judges as well as prosecutors. One person should head up the administrative functions of the agency. He would have the final say in administrative decisions. Similarly, he alone would be answerable for inconsistent application of the rules and regulations of the Agency.

Three: The jurisdiction of the agency should be expanded to include responsibility for regulating broadcast networks as well as individually-licensed stations. Thus, network practices which are so important to the field of communications today would clearly be within the area of Commission control and regulation.

Four: It is time to introduce a more responsible form of license renewal procedures. Today, license renewals are nearly as perfunctory as library card renewals. It is time to make every single broadcast license renewal application subject to a public proceeding within the city or region where the station is located. All interested parties should be heard. Any individual or group who believes the licensee has not done his job responsibly or has not served the public interest should have an opportunity to be heard. After all, a keystone of the Communications Act was to make local stations responsive and representative of their local areas. Let's make sure they are by reaffirming that simple principle. This suggestion should be welcomed by all responsible licensees—it will probably be attacked by those operators who feel vulnerable.

Five: All sales of broadcast licenses today are subject to FCC approval. Under the present law, only the holder of the license and his customer may be parties to the approval proceeding; no other party interested in applying for that license has the right to contend for the license—even if he is clearly more qualified. This should be changed. I am a staunch believer in the competitive system. It has produced much for our nation.

Opening every proceeding for approval to transfer a license to every party interested in securing the license should result in competition which will sift out and eliminate mediocrity and promote quality and excellence within the industry.

This last point should be the note for me to conclude on.

If I have painted a picture of almost unbelievable ineptitude and irresponsibility as the Commission's present posture, I do not apologize. I do not believe I have to apologize. I have reported the facts as I know them to exist. I assume we no longer practice the ancient custom of cutting off the head of the messenger who brings with him unhappy news.

I am not pessimistic about our national ability to solve our problems—once we recognize them—even in this agency which has serious, almost mortal, problems. They can be solved. But we must all contribute if those solutions are to be achieved—you, by enforcing your right to be regulated by responsible, rational application of the legislative mandate, and I, by exercising my responsibility in the the Congress to attempt to see to it that the agency charged with the Congressional mandate is rationally restructured.

Last but not least, each administration has its responsibility to put forth as members of this Commission the most outstanding talent available—men who are willing to stand against the pressures which are ever-increasing, men who will regulate and act only in the public interest. We must have these men because inexorably tied to that public interest is the economic health and stability of the entire industry.

Dooley Foundation Orphanages in Vietnam

HON. JACOB K. JAVITS

OF NEW YORK

IN THE SENATE OF THE UNITED STATES

Tuesday, April 2, 1968

Mr. JAVITS. Mr. President, an article published in the Northern Virginia Daily of March 4, 1968, tells the story of a fine young American who devotes her off-hours to the welfare of orphans in Vietnam. Her name is Betty Moul, and I have a special pride in her and her work—she is my New York secretary. I ask unanimous consent that the article, entitled "Betty Moul Works Hard in Dooley Orphanages," be printed in the Extensions of Remarks, so that a wider audience can become aware of the really outstanding humanitarian work of Betty Moul and the work of the Dooley Foundation in supporting orphanages in Vietnam.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BETTY MOUL WORKS HARD IN DOOLEY ORPHANAGES

(By Rosalie Carper)

Betty Moul, better known as Co Ngoan (Miss Sweet) to hundreds of children at An Lac Orphanage in Saigon, has covered many miles and done many things since she was in Winchester on Nov. 4, 1967. On that date she presented a slide lecture at Shenandoah College for the benefit of the Dr. Tom Dooley Foundation.

When she takes a vacation from her job as secretary to Senator Javits of New York, Betty finds working in the Dooley orphanages, hospitals and clinics much more rewarding than taking a world cruise or wasting time sunning at a beach resort. An Lac has become her favorite because of the children and their struggle to survive in a war-torn country.

On Dec. 21, 1967, this tiny, vivacious young woman returned to An Lac to work a 12-hour day, helping to feed, wash and change the 45 infants and to teach English to the older children. On her arrival, Betty found the situation more desperate than before, so many children and so little to do with. In a letter, she said, "The money I brought to Madam Ngai, brought her back to the land of the living—things were so bad." Madam Ngai is the 62-year-old woman who has been trying to maintain orphanages for refugee children since 1954.

On Jan. 10, a tape was received from Miss Moul and she told of the problems they were having. The babies had been on rice water for sometime—milk cannot be bought there. Some of the GI's contributed several cases of canned milk, but that would last only a short time. There was an urgent request for powdered milk and on Jan. 18, the Dooley workers with the help of other citizens shipped 70 lbs of milk plus a check to an Army doctor who purchased some canned milk from a post exchange.

In a very soft voice, Madam Ngai speaks on the tape to the people of Winchester and Strasburg. In very good English, she sends thanks for all the help she has received. She said "Everyday I receive more babies—sick babies. With some of the money I bought more baby beds." To make room for the increasing number of little ones, hammocks made from material are strung between the beds.

On Jan. 17, 1968, just five days before she returned to the states, Betty wrote from Saigon: "I just got your letter and I'm thrilled about the milk. The Army doctor here is another Tom Dooley. . . . I have certainly been blessed in my lifetime to know such humanitarians. He brought us rolled oats and that mixed with some of the milk will help to feed the toddlers—the rest will go to the infants. The other day the doctor and I took two little dying babies (three pounds each) to the 3rd Field Hospital. In a jeep we raced through the streets of Saigon with the babies wrapped in flour sacks—they accepted Mo and Mai when we got back . . . . lo and behold, there were two more babies, it was almost like they grew there. Madam Ngai cannot say no to an abandoned child."

After working for three years as representative for the New York Chapter, I am still awed by the spontaneous generosity of the people in this area and as far away as Chevy Chase, Md. There we have a 20-year-old pre-med student who is helping to support the children of An Lac. This young woman works as a legal secretary during the day and attends school at night. Someday she hopes to follow in the footsteps of the late Dr. Tom Dooley.

In the past year with the help of the Teen-Age Club of Winchester and Frederick County and other organizations, a total of $480 was donated to the orphanage and the Dooley hospitals. In the spring of 1967, the girls of the Teen-Age Club packed four drums of Dooley kits and used clothing for the Marines Civic Action in DaNang. Smith's Transfer Corporation of Staunton, Va. transported these drums to San Diego. The outstanding service of this transfer company has been the strongest link in the chain of shipping that keeps moving between New York and Winchester, and ultimately to Southeast Asia.

At the Nov. 4, 1967 meeting in Winchester an award was presented to Smith's Transfer on behalf of the New York Chapter of the Dooley Foundation, Rep. John O. Marsh Jr. of Strasburg made the presentation which was accepted on behalf of the trucking firm by Richard Rhodes of Winchester. The award was in the form of a bronze replica of the Congressional Medal which was awarded posthumously to Dr. Dooley in 1961.

A very kind and generous Army doctor, Lt.-Col. Patrick Tisdale, of the 1st. Medical Battalion spends what spare time he has treating the babies at An Lac. A letter was received from him on Feb. 21 . . . it reads: "The prosthetic eye arrived recently, but it may be several weeks before the hospitals settle down to where I can have the work done on the child. The milk was delivered. I get some skim milk (non-fat) for the older children sometimes from the stocks set aside by the army for support of the civic action, but not whole milk. Your sending whole milk products suitable for preparing infant formula therefore is invaluable."

The artificial eye was donated by a contact lens agency in Washington and will be used for a three-year-old boy who has been wearing a button in his left orbit.

The three-year-old who is to receive the artificial eye has been dubbed "Little Du" by the Dooley Workers in honor of William Dubois of Washington, who donated it.

Mrs. Graham Conner Jr. of Strasburg has been a Dooley worker for sometime. She made an appeal for powdered milk in the Strasburg and Woodstock areas and as a result, on Feb. 20, another shipment of 50 pounds was sent to An Lac.

In March there will be transportation for

100 pounds of whole milk for the infants. It is vital that these shipments be continued . . . the rice water causes the stomachs to swell and although they look like they are eating, they are actually starving.

President Johnson Addresses National Association of Broadcasters

HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. EDMONDSON. Mr. Speaker, one of the most thoughtful and constructive addresses of the year was delivered yesterday by the President of the United States, before the National Association of Broadcasters in Chicago.

The President's observations on the responsibility of great power, both in Government and in the enormously influential communications industry, are both timely and significant.

The national interest increasingly demands recognition of that responsibility in our society.

The text of the President's message should be read by every man and woman serving in Government and in the various media—television, radio, newspapers, and magazines—which play such a powerful role in the shaping of public opinion and in the lives of all Americans.

The text, as reported in today's Washington Post, follows:

L. B. J.: "I PRAY THE MESSAGE OF PEACE WILL BE ACCEPTED"

Once again we are entering the period of national festivity which Henry Adams called "the dance of democracy." At its best, that can be a time of debate and enlightenment. At its worst, it can be a period of frenzy. But always it is a time when emotion threatens to substitute for reason. Yet the basic hope of a democracy is that somehow—amid all the frenzy and all the emotion—in the end, reason will prevail. Reason just must prevail . . . if democracy itself is to survive.

As I said last evening, there are very deep and emotional divisions in this land that we love today—domestic divisions, divisions over the war in Vietnam. With all of my heart, I just wish this were not so. My entire career in public life—some 37 years of it—has been devoted to the art of finding an area of agreement because generally speaking, I have observed that there are so many more things to unite us Americans than there are to divide us.

But somehow or other, we have a facility sometimes of emphasizing the divisions and the things that divide us instead of discussing the things that unite us. Sometimes I have been called a seeker of "consensus," more often that has been criticism of my actions instead of praise of them.

But I have never denied it. Because to heal and to build support, to hold people together, is something I think is worthy and I believe it is a noble task. It is certainly a challenge for all history in this land and this world where there is restlessness and uncertainty and danger . . .

Yet along the way I learned somewhere that no leader can pursue public tranquility as his first and only goal. For a President to buy public popularity at the sacrifice of his better judgment is too dear a price to pay. This Nation cannot afford such a price, and this Nation cannot long afford such a leader.

So, the things that divide our country this morning will be discussed throughout the land. I am certain that the very great majority of informed Americans will act, as they have always acted, to do what is best for their country and what serves the national interest.

But the real problem of informing the people is still with us. I think I can speak with some authority about the problem of communication. I understand, far better than some of my severe and perhaps intolerant critics would admit, my own shortcomings as a communicator.

How does a public leader find just the right word or the right way to say no more or no less than he means to say—bearing in mind that anything he says may topple governments and may involve the lives of innocent men?

How does that leader speak the right phrase, in the right way, under the right conditions, to suit the accuracies and contingencies of the moment when he is discussing questions of policy, so that he does not stir a thousand misinterpretations and leave the wrong connotation or impression? . . .

You men and women—who are masters of the broadcast media—surely must know what I am talking about. It was a long time ago when a President once said: "The printing press is the most powerful weapon with which man has ever armed himself." In our age, the electronic media have added immeasurably to man's power. You have within your hands the means to make our Nation as intimate and informed as a New England town meeting.

Yet the use of broadcasting has not cleared away all of the problems that we still have of communications. In some ways, I think, sometimes it has complicated them. Because it tends to put the leader in a time capsule: It requires him often to abbreviate what he has to say. Too often, it may catch a random phrase from his rather lengthy discourse and project it as the whole story . . .

There is no denying it: you of the broadcast industry have enormous power in your hands. You have the power to clarify and you have the power to confuse. Men in public life cannot remotely rival your opportunity—day after day, night after night, hour after hour and the half hour, sometimes—you shape the Nation's dialogue.

The words that you choose, hopefully, always accurate and hopefully always choice, are the words that are carried out for all of the people to hear.

The commentary that you provide can give the real meaning to the issues of the day or it can distort them beyond all meaning. By your standards of what is news, you can cultivate wisdom—or you can nurture misguided passion.

Your commentary carries an added element of uncertainty. Unlike the printed media, television writes on the wind. There is no accumulated record which the historian can examine later with a 20-20 vision of hindsight, asking these questions: "How fair was he tonight? How impartial was he today? How honest was he all along? . . .

I think that we all owe it to history to complete the record.

But I did not come here this morning to sermonize. In matters of fairness and judgment, no law or no set of regulations and no words of mine can improve you or dictate your daily responsibility.

All I mean to do, and what I am trying to do, is to remind you where there is great power, there must also be a great responsibility. This is true for broadcasters just as it is true for Presidents—and seekers for the Presidency . . .

I took a little of your prime time last night. I would not have done that except for a very prime purpose.

I reported on the prospects for peace in Vietnam. I announced that the United States is taking a very important unilateral act of deescalation—which could—and I fervently pray will—lead to mutual moves to reduce the level of violence and deescalate the war.

As I said in my office last evening, waiting to speak, I thought of the many times each week when television brings the war into the American home.

No one can say exactly what effect those vivid scenes have on American opinion. Historians must only guess at the effect that television would have had during earlier conflicts on the future of this nation:

During the Korean War, for example, at that time when our forces were pushed back there to Pusan.

Or World War II, the Battle of the Bulge, or when our men were slugging it out in Europe or when most of our Air Force was shot down that day in June of 1942 off Australia.

But last night television was being used to carry a different message. It was a message of peace. It occurred to me that the medium may be somewhat better suited to conveying the actions of conflict than to dramatizing the words that the leaders use in trying and hoping to end the conflict.

Certainly, it is more "dramatic" to show policemen and rioters locked in combat—than to show men trying to cooperate with one another.

The face of hatred and of bigotry comes through much more clearly—no matter what its color. The face of tolerance, I seem to find, is rarely "newsworthy." . . .

Peace, in the news sense, is a "condition." War is an "event."

Part of your responsibility is simply to understand the consequences of that fact—the consequences of your own acts and part of that responsibility, I think, is to try—as very best we all can—to draw the attention of our people to the real business of society in our system; finding and securing peace in the world—at home and abroad. For all that you have done and what you are doing and that you will do to this end, I thank you and I commend you.

I pray that the message of peace that I tried so hard to convey last night will be accepted in good faith by the leaders of North Vietnam.

I pray that one time soon, the evening news show will have—not another battle in the scarred hills of Vietnam—but will show men entering a room to talk about peace.

That is the event that I think the American people are urging and longing to see.

President Thieu of Vietnam and his government are now engaged in very urgent political and economic tasks which I referred to last night—and which we regard as very constructive and hopeful. We hope the Government of South Vietnam makes great progress in the days ahead.

But some time in the weeks ahead—immediately, I hope—President Thieu will be in a position to accept my invitation to visit the United States so he can come here and see our people too, and together we can strengthen and improve our plans to advance the days of peace.

I pray that you and that every American will take to heart my plea that we guard against divisiveness. We have won too much, we have come too far, and we have opened too many doors of opportunity, for these things now to be lost in a divided country where brother is separated from brother.

For the time that is allotted me, I shall do everything in one man's power to hasten the day when the world is at peace and Americans of all races—and all creeds—of all convictions—can live together—without fear or without suspicion or without distrust—in unity, and in common purpose.

United we are strong; divided we are in great danger.

Speaking as I did to the Nation last night, I was moved by the very deep convictions that I entertain by the nature of the office that is my present privilege to hold. The office of the Presidency is the only office in this land of all the people. Whatever may be the personal wishes or preferences of any man who holds it, a President of all the people can afford no thought of self.

At no time and in no way and for no reason can a President allow the integrity of or the responsibility or the freedom of the office ever to be compromised or diluted or destroyed because when you destroy it, you destroy yourselves.

I hope and I pray that by not allowing the presidency to be involved in divisive and deep partisanship, I shall be able to pass on to my successor a stronger office—strong enough to guard and defend all the people against all the strain that the future may bring us.

You men and women who have come here to this great progressive city of Chicago, led by this dynamic and great public servant, Dick Daley, you yourselves are charged with a peculiar responsibility. You are yourselves trustees, legally accepted trustees and legally selected trustees of a great institution on which the freedom of our land utterly depends.

The security, the success of our country, what happens to us tomorrow—rests squarely upon the media which disseminates the truth on which the decisions of democracy are made.

An informed mind—and we get a great deal of our information from you—is the guardian genius of democracy.

So, you are the keepers of a trust. You must be just. You must guard and you must defend your media against the spirit of faction, against the works of divisiveness and bigotry, against the corrupting evils of partisanship in any guise.

For America's press, as for the American presidency, the integrity and responsibility and the freedom, the freedom to know the truth and let the truth make us free, must never be compromised or diluted.

The defense of our media is your responsibility. Government cannot and must not and never will—as long as I have anything to do about it—intervene in that role.

But I do want to leave this thought with you as I leave you this morning: I hope that you will give this trust your closest care, acting as I know you can, to guard not only against the obvious, but to watch for the hidden.

It is sometimes unintentional. We often base instructions upon the integrity of the information upon which Americans decide. Men and women of the airways fully—as much as men and women of public service—have a public trust and if liberty is to survive and to succeed, that solemn trust must be faithfully kept.

I don't want—and I don't think you want—to wake up some morning and find America changed because we slept when we should have been awake, because we remained silent when we should have spoken out, because we went along with what was popular and fashionable, and "in" rather than what was necessary or was right.

Being faithful to our trust ought to be the prime test of any public trustee in office or on the airways.

In any society, all of the students of history know that a time of division is a time of danger. In these times now we must never forget that eternal vigilance is the price of liberty.

Last Letters From a Marine

HON. JOHN G. TOWER

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Tuesday, April 2, 1968

Mr. TOWER. Mr. President, I ask unanimous consent to have printed in the Extensions of Remarks an article entitled "Last Letters Tell Marine's Belief," published in the Dallas Morning News of February 8, 1968.

It would be superfluous for me to add to this fine young American's explanation of how he felt about his Nation's Vietnam commitment; Marine Corps Pfc. Carl W. Dorries said it too well for me to add anything to it. I hope many will find the opportunity to read the article.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LAST LETTERS TELL MARINE'S BELIEF

(By Marc Powe)

A young Dallas Marine, in letters his parents have just received, explains his commitment to the Vietnam War in this way:

"If we fail here, if we forsake Vietnam, we fail ourselves and, in fact, forsake the world."

Pfc. Carl W. Dorries, 21, of 1308 Springlake, a veteran of nine months service in northernmost South Vietnam and twice wounded, wrote often of the deeply personal feelings that he and his fellow Leathernecks felt about their part in the war.

"The people here are striving to attain freedom from a tyrant that threatens them today, the world tomorrow," he wrote.

Dorries, who was graduated from Irving High School and attended North Texas State University for two years before enlisting in the Marine Corps in 1966, was part of the Marines' Combined Action Program, a plan which places small Marine units in individual villages where they can help the people defend themselves.

The closeness to the people developed a great compassion in Dorries for their troubled lot. And the mutual danger brought him close to the villagers he was there to help defend.

But Dorries, who had volunteered to go to the war zone giving up the opportunity of attending Officer Candidate School, has never expressed any regret about what he was doing, his parents said Wednesday.

"Victory in Vietnam today will mean less fighting in the smaller, less powerful countries of tomorrow," he wrote.

The thing that concerned him, he wrote his parents, Mr. and Mrs. Carl Dorries, was the attitude of the American people. On one occasion he wrote that he wished he had a couple of draft card burners to carry ammunition for him. "I know they wouldn't fight, but at least they could pack a little ammo."

In the most recent letters, the young Marine asked that his dad, who is a mechanic for Freeman Oldsmobile Co., try to get parts of his correspondence published.

"I would like for a certain group of individuals to read these views on Vietnam," Dorries wrote. He was, his father said, concerned about those who cannot or will not understand the urgency of the U.S. stand in Vietnam.

Dorries felt some anxiety about his exposed position—he was in Thua Thien near the Demilitarized Zone—and wrote in December about a massive buildup by the "Viet-Cong. He asked his folks to pray for him.

The word that Pfc. Carl Wayne Dorries' parents feared most came Sunday.

He was killed in action Jan. 31, a victim of the massive Viet Cong onslaught against all the populated areas of South Vietnam. The Marine officer who told the family of their son's death could only report that he died of fragmentation wounds, and that his entire platoon—normally 30 or more men—had been wiped out.

Wednesday, the elder Dorries, a Navy veteran of World War II, could only shake his head. The letters that came in Monday's mail helped a lot, he said.

And, he went on, he hoped that the three packages of supplies he mailed his son Saturday would be kept by the Marines who received them and be put to good use.

"He lived and died for what he believed," the elder Dorries said, "I always told my boys (the couple have one other son) to live what they believe and practice it."

Education and Integration

HON. L. H. FOUNTAIN

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. FOUNTAIN. Mr. Speaker, the New York Times magazine of March 24, 1968, carries an article dealing with education and integration, written by Prof. John Finley Scott of the University of Washington State and his wife, Lois Heyman Scott, which I feel should be read by everyone who is interested in securing the best education possible for the children of the less-privileged members of our society.

I think it goes far to put in proper perspective the subjects of education and integration. The authors of the article are natives of California and were both educated on the west coast. If they have any personal racial prejudices, it is certainly not apparent.

Prof. John Finley Scott, who is in the department of sociology at the University of Washington, was born in Stockton, Calif., in 1934. He went to preparatory school in Stockton, Calif., and graduated from Reed College in Oregon, majoring in philosophy. He received his master's degree in sociology from Stanford University and his Ph. D. in sociology from the University of California at Berkeley.

Professor Scott's wife, Prof. Lois Heyman Scott, is working on her doctorate at the University of Washington in urban planning. She was born in Oakland, Calif., and attended a predominantly Negro high school in Oakland. She received her bachelor's degree and later her master's degree in business administration, both from the University of California at Berkeley.

I believe this article may well become a landmark in present-day literature on the important subject of school integration and equal educational opportunity for the underprivileged.

The article, entitled "The White Parents of America Are Waging a Class Struggle—They Are Not So Much Anti-Negro as Promiddle Class," follows:

THE WHITE PARENTS OF AMERICA ARE WAGING A CLASS STRUGGLE—THEY ARE NOT SO MUCH ANTI-NEGRO AS PROMIDDLE CLASS

(By John Finley Scott and Lois Heyman Scott)

(NOTE.—John Finley Scott, a professor of sociology at the University of Washington, is at work on a book, "The Prospect of College," to be published next year. His wife, Lois Heyman Scott, teaches in the department of urban planning at the university.)

The record of programs for social reform shows, alas, frequent unintended and undesired results. Reformers are usually quite clear about the nature of the evil they want to end, much less clear about how to end it. One reason for this is the premise that an evil is always caused by another evil, never by anything good. But analysis usually shows that an evil condition is more complex than such a purely moral perspective implies. And this suggests that a simple cure will be unlikely and raises the further question of whether any cure will be worth its cost. Analaysis of such social "evils" as illegitimacy, crime or social inequality shows each to be linked to other conditions, both good and evil.

In the 13 years since racial segregation *de jure* was outlawed by the Supreme Court, the problem of segregation *de facto* has proved stubborn and complex. Millions have been spent to integrate American schools, but the results so far are discouraging. Militant advocates now call for redoubled effort, and they are joined by the President's National Advisory Commission on Civil Disorders with its recent recommendations for "sharply increased efforts to eliminate *de facto* segregation in our schools." Yet in the present situation, plans to integrate schools are likely to fail in proportion to the resources marshaled behind them, and to cause more segregation and worse education for subordinated racial groups than would otherwise occur.

The problem is that the evil of *de facto* segregation is sustained by a number of factors, at least one of which—parents' concern for what they judge to be the welfare of their children—is conventionally regarded as an important social good. Because programs for integration are part of a highly moral crusade, the implication of this parental concern is overlooked. But when it is analyzed in connection with other factors, it appears that the drive for rapid integration will fail, and that the relation in this country rests more securely on the fact that American racism is qualified and limited. Americans who are racists in some areas will support racial equality in others. A man who opposes "open housing" legislation because he fears for his neighborhood may still support antidiscrimination measures in voting or employment. White voters have recently helped elect Chinese Senators and black mayors.

Most racial antipathy in America is not "pure" racism but derives from the disdain of higher classes for those below them. The tragedy of race in this country (and many others) is that visible genetic differences, superficial in themselves, have become generally reliable clues to a person's means for improving education for black Americans within the context of *de facto* segregation deserve more attention. They deserve it not because they are more just, but because they are more likely to succeed.

Americans are racists. They persistently and invidiously distinguish among groups on the basis of genetic traits that evidently have nothing to recommend them except ready observability. American racism is, to be sure, relatively mild (especially compared to what it was in 1900) and highly variable within the society. But it is a widespread attitude and one that Americans share with most of the world's technologically advanced societies—including many that did not share in the Western European conquest of various nonwhite populations. No program for improving the lot of subordinated racial groups in America will succeed if it depends on the notion that racism is not a popular attitude but only the prejudice of a small and conspiratorial minority made up of Southern Senators, suburban school boards and metropolitan policemen. For the Senators voice the virulent racism of several million Southern whites, the school boards represent millions of white parents who fear that integration will compromise their children's education, and the policemen nicely express the sentiments of the strongly rooted urban groups from which they are usually recruited.

The hope for more egalitarian race class position—his education, his income, his manners. The present low position of black Americans is a legacy of centuries living under a most extreme and brutal form of slavery and of strenuous efforts since legal emancipation to contain them socially as a subordinated caste. Events of the last 20 years have done much to modify the legal and political aspects of this subordination, but the more general social effects of the past remain: black Americans are disadvantaged and poor, and their culture—so much a "culture of poverty"—is offensive to more affluent classes.

Advocates of integration frequently note that interracial contacts in housing and schools are less strained when both racial groups are reasonably well educated and "middle class," and they suggest that this provides the key to successful integration. But the number of middle-class blacks, though growing, remains small, and as Christopher Jencks, of the Institute for Policy Studies in Washington, has pointed out, there just aren't enough of them to go round. Since the majority of whites today are broadly in the middle class, this means that most programs for quick integration by race must also involve integration by class. And the long-run problems of achieving genuine educational integration by class are vastly greater than those of genuine integration by race.

It is possible today to marshal evidence that racial attitudes are changing rapidly. But these are highly imperfect measures of behavior. It is the concrete action of white parents that will cause school-integration campaigns to succeed or fail, not what they say about the abstract rights of black Americans when their own interests are not at stake. People learn fashionable circumlocutions far faster than they change their habits. New York mothers exist who recite liberal platitudes in one breath and in the next declare that "New York City schools are simply impossible," which is why they are moving to Scarsdale. They remain tactfully vague about why the schools are impossible. In some respects racist sentiments may have hardened. Open-housing legislation, which not long ago had widespread support, is today something that few local candidates for public office can afford to endorse. Although the Senate has now included open-housing provisions in the new civil-rights bill, they are largely ineffectual or unenforceable for most housing, and the final legislation as it ultimately clears Congress probably will accomplish even less.

In the long run, American racism is probably waning. But the impatience of antiracists with ancient injustice, the penchant for provocative and dramatic confrontations—in education and elsewhere—may ironically give the old myths of racism a new lease on life.

The special difficulty in programs for school integration is that they affect members of the dominant white group in a most sensitive part of their lives; that is, they affect the family, especially in its universal function of defining the social position of children. In Western societies all members of a family are commonly judged to occupy the same social class, regardless of age or sex. Parents desire to pass on to their children a status at least as good as their own. This makes the family the most conservative of all social institutions, the slowest to change in an otherwise rapidly changing society. In America today we may have parents who are liberals, yet a "liberal parent" is almost a contradiction in terms.

The behavior of professors as parents illustrates this well. Often strong advocates of equality, in the case of their own children they want what Everett Hughes, the Brandeis University sociologist, has called "equality—plus." They generally do what they can to give their children an élite education of the kind their own occupation requires, and this proves difficult in class-heterogeneous schools. Academic parents become distressed when sons learn hot-rod culture and neglect physics and English composition and when daughters threaten to marry angry young men who show no interest in college. The ideal is a small, homogeneous and "sophisticated" school, where liberal values are taught in the abstract, with exemplary but token integration of students and not enough real heterogeneity to interfere with the learning of skills essential to an educational élite.

American society, like all industrial societies, is rapidly changing, so that new opportunities for social advancement are constantly created and old élites deposed. Social change is the greatest enemy of familial inheritance and increases the burden of parental responsibility. Thus families concentrate on providing their offspring with training that will give them an advantage in the otherwise relatively open competition for valued positions in society. This is why the class position of a child's family is such a good predictor of his score on any standard test of "educational achievement," as a recent United States Office of Education report by James Coleman entitled "Equality of Educational Opportunity," showed on a very large scale.

As competition for valued positions becomes more and more open, the selection of environments and schools that will aid in establishing status becomes more and more important. The middle-class white parent's fear of the impact of interracial contacts on his children's training does not depend simply on an unlettered racist belief that black children are "inherently" stupid or immoral, although this may play some part. He is fearful mainly because society is stratified, because parents are anxious to pass on their stratified status, and because most black children are poor.

One good place to learn about the behavior of Americans (rather than their verbal professions) in regard to integrated education is in the housing market. When we study attitudes we often end up recording platitudes. But in the housing market money does the talking. Money is very sincere, and a visit to a real-estate broker's office can be highly informative.

In the broker's office the walls are usually covered with maps. These show city streets, land-use zoning and school districts. Though many are colorful and expensively printed, they are not there because they are decorative. They are there because they provide needed information. The builder of speculative apartments, for example, wants to know where the zoning law permits their construction; the parents of school-age children want to know the boundaries of "good" school districts.

Because such parents constitute the large majority of all buyers of single-family residences, the character of the school that serves a given residence becomes an important part of its value. This becomes quite clear after the most cursory interviews with real-estate brokers and a comparison of prices. As one broker we interviewed put it, "You don't just buy the house, you buy the school district." In cities with a Catholic school system, the broker will need two sets of school-district maps, public and parochial, for each map serves a different market. Houses that cannot be sold to Protestants because the public school has "too many" black students can still be sold to Catholics, who will send their children to the parochial schools. It is true that the church welcomes black Catholic children to its schools, and in some cases non-Catholic black children as well, but in most places there are very few of them to welcome.

Two cases illustrate the effect of school districts on white housing demand. In Seattle, residential districts are remarkably heterogeneous, mainly because of a complex geography that provides many lakefront and scenic sites. Some prime locations are in largely black school districts; others in white ones. Two areas belonging to a largely black school district contain well-sited middle-class houses, but prices for these are substantially lower than the prices of similarly sited houses in a third area where the lots are smaller and upwind from a garbage dump. The difference is that the third area belongs to a lily-white school district with (in the words of a district mother) "lots of children of professional people for our kids to associate with."

A recent proposal in Berkeley, Calif., to transport black children from "flat" to "hill" schools not only sparked a school-board recall campaign but noticeably softened the demand for residential property in the "Berkeley hills"—the home of the most of the conspicuously liberal faculty of the University of California. Across the municipal (and school district) border in El Cerrito, in similar locations, there was no softening of demand. El Cerrito has the advantage for anxious white parents of being "all hill" and "no flat." Most of its homes are priced beyond the financial capacity of black parents.

The amount that white buyers will discount otherwise attractive houses in "polluted" public school districts tends to be limited by the cost of alternate private-school tuition for their children. This pattern is well-established in neighborhoods of expensive older homes in Eastern cities and is very clear in New York City's tight housing market. In Seattle one of the highest-income residential areas is near the most integrated public high school, but its affluent parents send their children to conveniently situated (and thriving) private schools.

Residential segregation is linked to school segregation through the "neighborhood school." Before educational policy became preoccupied with integration, the system of neighborhood schools eliminated the problem of transportation. With schools widely dispersed, children could get to them by walking short distances. It was, and is, a practical arrangement, economical for schools and popular with parents, quite apart from the fact that neighborhood schools reinforce the class system.

Because of its key role in *de facto* segregation, militant integrationists have attacked the neighborhood-school concept and have discovered that it commands widespread social support. For one thing, integrationists have tended to assume that segregated neighborhoods produce segregated schools. But in view of the strong white demand for status-reinforcing schools, it is also true that segregated schools produce segregated neighborhoods, not because black families are simply barred by covenants from buying in certain neighborhoods (although they certainly were barred in many cases until 1948, when the Supreme Court nullified racially restrictive covenants to property titles), but because demand by the vastly more affluent whites bids up prices in many areas beyond what all but a tiny minority of blacks can pay. Insofar as white parents have made substantial investments in property partly because they presumed their children would attend a particular school, they are disposed to defend existing arrangements with political craft and power.

Changing the distribution of students among schools has proved to be difficult enough within individual school districts and municipal jurisdictions. It is much harder when whole school districts become the units of segregation, as they are indeed becoming in many metropolitan areas composed of white suburbs and a largely black central city.

Often the suburbs are Balkanized into a patchwork of small municipal governments, each jealous of its petty sovereignty, proud of its middle-class residential character, resistant to involvement in problems affecting the metropolitan area as a whole. This resistance is widely regarded as a major problem of American government, and if those who recommend interdistrict integration are to succeed, they will have to overcome it where many far less controversial programs have failed. Where concrete proposals for merging metropolitan and suburban school districts or for busing more than token numbers of black children have been presented to the suburbs—in St. Louis and elsewhere—they have been resoundingly rejected.

Most advocates of integration have recognized the difficulty of getting effective governmental support at the local level, and they now place more hope in national programs. These are often administered by persons committed to integration, and their discretion in granting Federal funds constitutes a potentially powerful sanction. But so far Federal agencies are long on plans, "pilot studies," "demonstration projects" and speeches that will inspire disheartened integrationists to further effort—and short on tangible results. Why has so little been done?

One reason is that Federal agencies are accountable to elected officials, who, in turn, are accountable to the electorate, and the electorate is not particularly keen on school integration. An instructive case was the attempt in 1965 by Francis Keppel, then United States Commissioner of Education, to enforce Title VI of the Civil Rights Act of 1964, prohibiting disbursement of Federal funds where state and local agencies practiced discrimination in their use. Funds were withheld from the Chicago schools after a redrawing of school district lines increased segregation. In response, Benjamin Willis, the Chicago superintendent of schools, decried Keppel's move as an attack on the "neighborhood school" and local control of education. Meanwhile, the engines of political influence began to turn, and Chicago got its money about two months later. The combination of factors that operated in the Chicago case may not be present elsewhere. But it is understandable if Federal administrators grow cautious after a few episodes of this nature. Much of their apparent discretion in the exercise of Federal sanctions really resides with the people who appoint them or vote them funds, and these people in turn must stand periodically for election. Many Congressmen from Chicago came strongly to Willis' defense in 1965.

Most arguments for large-scale school integration presume that white parents can be outmaneuvered by paired schools, "educational parks" and squadrons of school buses. But this presumption is unrealistic, for it is the parents rather than the schools that have the greater strategic flexibility. Whatever strategy of integration confronts white parents, they will calculate an effective defense against it—a defense that may not be carried out (because their racism is not unlimited, and because any defense strategy will have manifold costs and effects), but that many of them have the means to implement whenever they judge integration to constitute a sufficient peril for the welfare of their children.

The whites' main defense against integration is to move, and the general movement is to the suburbs. The desire to avoid racial integration is not the only motive for suburban living. A desire for newer houses or for "rural life" (at least till the next subdivision is built) doubtless plays a part. In America the rich have been abandoning the central city to poor newcomers for generations, and the current flight to the suburbs, powerfully stimulated by Federal subsidies to housing and highways, merely continues an old trend. But the racial integration of schools does seem to produce short-run accelerations. In the last 15 years more than 215,000 whites have left Washington, D.C. But 40 percent of them left in the three years following the desegregation of Washington's public schools in 1954, and today 91 per cent of the city's public-school students are black.

Most people who move from a given central city to its suburbs are members of a family with school-age children, while the whites who remain in or move back to the city are disproportionately single, childless or old. By selecting among the wide range of suburbs available, the prospective buyer can find a neighborhood at the limit of his ability to pay, suitable to his aspirations and remarkably free from contaminating heterogeneity.

Because suburbs are so well adapted to the maintenance of class distinctions, they are ill-adapted to many other activities (which accounts for the continued attraction of central cities for the childless), and they are usually expensive. Commuting costs, in money and time, are dear. Property taxes are high (no contaminating industry to bear the bulk of the tax load), but these go mainly to support a school system equal to parents' expectations. The popularity of suburbs with parents shows that they are generally willing to pay the costs involved.

Many of the people who remain in the city do so because they are too involved to leave. They include those who work for municipal agencies (which often require local residence), those enmeshed in a web of neighborhood kinship, those with incomes so low or families so large that they cannot raise the cash for a newer house in the suburbs, and those with strong roots in an ethnic community or parish. All these qualifications apply well to urban Catholics. Recent events in Boston, Milwaukee and Chicago suggest that they are the most vocal (and sometimes violent) opponents of neighborhood and school integration, but this is not necessarily because their racist sentiments are stronger than those of Protestants and Jews who leave the city. The latter tactfully bury their racism in a multiplicity of "other reasons" for moving; only the immobile Catholics are left to stand and fight.

In a study of the political supporters of Louise Day Hicks, the Boston School Committee's champion of the neighborhood school and *de facto* segregation, it was noted that those most likely to support integration are also least likely to expose their own families to it. The authors of the study observed that Mrs. Hicks had been roundly denounced by white liberals in the Boston area, but these critics lived in the suburbs and could not vote against her. Here lies the problem in trying to assess public support by verbal professions. The Boston liberals have given their most sincere judgment by the residential location of their own families: they have voted with their feet. White parents who eloquently profess liberal opinions in the abstract live in Boston's suburban Newton, in El Cerrito and Mercer Island, but, in the case of one's own children, who says parenthood says conservatism.

More than anything else, the response of large numbers of white parents who are anxious for their children is likely to confound attempts to integrate schools. Families can move across school-district and municipal boundaries far faster than integration plans can. Fathers can commute longer distances than school children can be bused. Sites for new schools can be "strategically chosen" (although sometimes so much controversy attends site selection that school districts simply stop building new schools), but by the time the school is built, the white exodus is well under way, and shortly after it opens the new school is as segregated as the one it was built to replace. Much the same is likely to prove true of the attempt to outflank parents with large-scale "educational parks." To keep up with the volatile white families, the buildings of the grand new park would have to be a fleet of house trailers.

When white parents withdraw their children from the central city, more is lost than students alone. With them go a significant source of tax revenue and, most important, community leadership in programs for good public education. The parents who typically provide this leadership campaign for bond issues, support good teachers and new programs, and generally exercise their influence in ways that will benefit all children in the schools. But they do this because they live in the community and because their children will benefit, too. American public education, with its exceptional degree of local control, offers as much as it does to the lower classes (when it offers them very much of anything) not because of a passion for equality among professional educators—whose "life adjustment" curriculum is perfectly compatible with a caste system—but because community elites with a vision of education as an agent of social improvement have sought to apply their own standards to communities as a whole. When these groups finally decide that community schools are "past redemption" and withdraw their support, they produce a situation that is well and truly past redemption.

There is more than a loss of leadership. All over the nation, communities that for decades have passed every proposed school bond issue are now defeating them, and new dissatisfactions triggered by integration campaigns are probably partly responsible. It is not always possible to remedy this situation by raising taxes on industry. Modern factories put as little as possible into unrecoverable investments in land and buildings in order to be free to move where over-all costs are lowest—which is not likely to be a central city with many poor school children and no middle class.

At this point integrationists again resort to the Federal Government. We hear that "Federal bread will feed the urban schools." Will it? Federal grants usually come as programs to which local agencies apply for funds. The Federal guidelines are complex, and preparing applications to comply with them becomes a specialized skill of its own. Just as rich universities hire the best specialists for this purpose, so do rich suburban school districts. An even greater advantage falls to rich districts through the common Federal practice of supplying "matching funds." In short, as more Federal money is allocated to education, there is good reason to predict that affluent white school districts will continue to get their share and a little more besides.

The Office of Education could attempt to counter this by special dispensations for "integrated" schools (which is coming to serve as a euphemism for "black") thus regression to a racist criterion. But no Congress elected in the next decade or so is likely to pass effective legislation and funds for such a program. The sociologist Thomas Pettigrew, generally an advocate of school integration, has recently reviewed the provisions of the Federal Elementary and Secondary Schools Act and warned his fellow partisans that it contains little that can be used to further integration. Indeed, whatever the legislation, Federal and local education agencies must act within a narrow range of nice distinctions, because many programs to improve the education of black children involve the unequal allocation of resources to students on the basis of their race—the very policy that moved the Supreme Court to its historic decision in 1954.

Even if, against all odds, some strategy for integration of the public schools is devised from which whites cannot escape, there remains the alternative of parochial and other private schools. Apart from differences due to over-all regional prosperity, American public education is by most measures worst where community élites have forsaken public schooling for their own children and sent them to private schools instead; best where most élite children attend public schools and private schools are uncommon. Anything that motivates prosperous white parents to withdraw support from public education and to transfer it to private agencies weakens education as a force for social mobility and thus favors a more rigid class system, the very system integrationists oppose.

All of these arguments depend, of course, on probabilities and debatable interpretations, and their conclusions are not inevitable. The racism of American whites may change, parents may lose interest in maintaining status, competition among urban governments may disappear, Congress may demand that the United States Office of Education and the Attorney General apply stronger sanctions for integration, white fathers may tire of commuting, public education may be Federalized and private schools outlawed. But it seems more realistic for those who hope to improve the educational opportunities of black children to abandon the premise that integration must come before all else.

The effort to redress racial wrongs can be applied in principle to many different areas of social life; in practice it has concentrated on public-school integration. As Oscar Handlin, the Harvard historian, has remarked "Because segregation enforced by law was long an instrument to oppress the Negro, integration became the primary objective of Americans concerned with equality." But this objective is a poor choice. So much energy has been put into the difficult pursuit of school integration that little remains to plan for more practical improvements within the framework of *de facto* segregation, which is likely to persist anyway.

The assumption is widespread that the only way to help black children is to put them in the same schools as whites. But cannot at least some of the presumed advantages of white schools be transferred—probably much faster than through militant integration? The President's Commission on Civil Disorders recommends this also in its call to "improve greatly the quality of ghetto education." Today many black slum schools are understaffed simply because teachers refuse regular assignments to them (often preferring the wider choice of schools available to substitutes). Premium pay for hazardous and extreme duty (which involves first admitting that it is hazardous and extreme duty) might help here. More use might be made of citywide schools with an elite curriculum and admission open competitively to all.

Although a metropolitan school district may have less money per student than suburban or private schools, it still has more in total, and some of its funds might be used to buy facilities and recruit personnel to attract white students. Special elite programs might be housed in ghetto schools. Some small degree of integration would result, with the white students attending the schools a few hours a week, and the programs would also be readily available to black students. High-school scholarships for the disadvantaged might induce some potential dropouts to stay in school who now have (at least in the short run) every economic reason to leave. Large cash prizes for the demonstration of reading ability in high school would be cheap compared with the later social costs of adult illiteracy.

The advocates of integration often appeal to impending crisis. We are told that the damage done to black children through segregation is so terrible and costly that any means of eliminating it is justified, and that rapid integration alone affords relief. But there has always been much in social life that is terrible and tragic. Rational social action must derive not simply from moral outrage but also from possible means of redress. One might claim with equal fervor that the damage done to the minds and souls of middle-aged women because they have grown sexually unattractive to men is so terrible and costly that any means of eliminating it is justified; and that a redefinition by Federal fiat of nubile appeal alone affords relief. After all, notions of sexual attractiveness, like notions of racism, are mere cultural artifacts.

The facts are that short of truly dictatorial authority over the education of white children, we lack the means to produce widespread school integration so long as white parents do not favor it. This is not to deny that integration benefits black children, but to argue that a concentration on integration programs risks losing many of the more general benefits that public education—even segregated education—can provide for them. It is to be wished that more black children could be exposed to the opportunities of the middle-class world, but the more immediate and prior goal is that many more of them learn to read. Pressing on with integration against all odds may simply eviscerate the public schools and produce more illiterates among the urban poor.

It is still hard to argue against integration. For one thing, it put one in the bad company of traditional racists. Most of integration's critics have been conservative but highly literate Southerners, who use a graceful homiletic style filled with obsolete references to "human nature" and parochial appeals to common sense. The integrationists thus have their reply cut out for them: they refute the tired old saws of prescientific racism with fresh new facts from modern social science. It thus becomes difficult to criticize integration without appearing to be unfashionably prescientific.

This essay must risk that appearance. Its object is not to profess what it is currently fashionable to profess, but to explain what moral men only want to condemn, and to predict what will happen as a result of what they propose to do now.

Joint Recommendations on Higher Education by the National Association of State Universities and Land Grant Colleges and the American Association of State Colleges and Universities

HON. WAYNE MORSE

OF OREGON

IN THE SENATE OF THE UNITED STATES

Tuesday, April 2, 1968

Mr. MORSE. Mr. President, I was much pleased to receive from Dr. James H. Jensen, president of Oregon State University, recently, a copy of the joint statement prepared by the National Association of State Universities and Land-Grant Colleges and the American Association of State Colleges and Universities, containing the recommendations of these organizations for national action affecting higher education.

In view of the widespread interest in the position of these spokesmen for a significant group of institutions of higher education, and because I know that Senators would wish to give most careful consideration to the recommendations, I ask unanimous consent that the statement be printed in the Extensions of Remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

RECOMMENDATIONS FOR NATIONAL ACTION AFFECTING HIGHER EDUCATION

(A joint statement by the American Association of State Colleges and Universities and the National Association of State Universities and Land-Grant Colleges)

(NOTE.—This statement of policy positions was jointly adopted by the National Association of State Universities and Land-Grant Colleges and the American Association of State Colleges and Universities in sessions held November 12 to 15, 1967, in Columbus, Ohio.

(The National Association of State Universities and Land-Grant Colleges consists of 99 state and land-grant universities and colleges located in each of the 50 states and Puerto Rico. Together, these institutions grant more than one-fourth of all baccalaureate degrees and almost three-fifths of all the doctoral degrees awarded by American institutions of higher education. Founded in 1887, the Association is the oldest organization of institutions of higher education in this country. It is a completely independent organization that determines its own policies and procedures by action of delegates representing all member institutions in annual convention.

(The American Association of State Colleges and Universities consists of 235 institutions and eight statewide systems of state colleges located in 44 states, the District of Columbia, and the Island of Guam. Approximately 1.3 million students—or one out of five college students in the United States—attend the type of institution represented by the Association. These institutions are the fastest growing degree-granting institutions in the nation. The membership includes comprehensive institutions which have developed from single-purpose teachers colleges, newly-established state colleges and universities, technological institutions, and former municipal and junior colleges which have become state institutions.)

I. NEEDED: A MAJOR ADVANCE IN AMERICAN HIGHER EDUCATION THROUGH SUPPORT OF COLLEGES AND UNIVERSITIES AS INSTITUTIONS

At no time in modern history have the opportunity and need for a major American advance through higher education been as great as they are now.

There have been great improvements in primary and secondary education, both in the percentage of young people finishing high school and the quality of their preparation for further education.

It is clear, however, that the American ideal of equality of opportunity for all depends for its realization on making post-high-school educational opportunity a reality for the culturally and economically disadvantaged, who constitute both the greatest untapped human potential of our society and its greatest problem.

Our social and technological development has steadily reduced the necessity for expending human resources on routine work and created an almost unlimited demand for trained intelligence and disciplined, inquiring minds.

The potential of the university as a resource in solving the problems of our society has been dramatically proven. Federally supported university research and extension work in agriculture provide a great example to America and the world of what the marriage of the advancement of knowledge and its application in the lives of the people can do. Similar advances can be cited in other areas. Demands for speeding cultural and industrial advance and for solving the problems of our cities and of the distressed and disposed whose manual skills are no longer needed in our rural areas are clear and insistent.

Calls for the college and university to help our society find solutions for its multiple problems and to exercise the leadership for which their staffs are uniquely qualified have multiplied.

These, and the need to accommodate increasing numbers of qualified young people seeking higher education, have increased far faster than have the resources available to respond.

Federal aid designed to help the economically deprived gain access to college has, ironically as it may seem, actually reduced the capacity of our colleges and universities to educate these same young people by drawing resources from their instructional budgets to administer and match Federal student-aid programs. Programs in support of research, productive and essential as they have been and are, have, because of their project and mission orientation and cost-participation requirements, served to some extent to draw resources and emphasis away from undergraduate education, rather than to complement and strengthen it as they should.

Measures designed to conserve the operating resources of colleges and universities and to enable them to hold down their charges to students while continuing to provide quality education for greater numbers—such as the academic facilities grant and loan programs and the college housing program—are inadequately funded or have excessive matching requirements, or both.

All Federal programs relevant to higher education have suffered during the past year because of the exigencies of a wartime budget, inflationary pressures, and the urgent needs of other high-priority national programs.

Despite the expansion of Federal assistance in education in various areas, it is upon the states and their tax resources that the major costs have fallen of expanding the wide variety of needed public programs in education at all levels and in other fields. The potential for expansion of support from this source is already limited in many states. Public institutions, which have carried the major initiative for expansion to keep opportunity open, find this responsibility an increasingly difficult one to discharge with distinction. To maintain quality, they have raised student charges substantially, turned away qualified students, limited enrollments, and refused requests for urgently needed public service. Even the strongest private colleges and universities, with already high student charges, report they are faced with the certainty of mounting deficits if present trends continue.

Some see the solution to the problem of financing higher education in shifting more and more of the cost of higher education to the student and his family. But the student, in economic terms, is already paying three-fourths of the cost of his education through various types of required charges and foregone earnings. For the most affluent society in history to deny responsibility for even a minor fraction of the cost of the higher education of its future leaders seems preposterous.

The major advance needed at this point in our history calls for Federal aid in such forms and in such variety as to strengthen all colleges and universities from the weakest to the most prestigious.

The path to great achievement in cultural, social, and economic advance is well established. It is the education of all Americans to their highest potential and the fullest use of the special resources of our higher institutions in research and public service.

It involves continuation and expansion of most programs already under way, particularly in the areas of research, extension and public service, facilities aid, and special aid for both economically deprived individuals and institutions.

But more than that, it requires broad Federal support on an institutional basis: support which will encourage expansion while reducing pressures on student charges; support which will maintain quality in the face of rising costs; support which will recognize that qualitative differences among institutions must be cured by "levelling up" rather than levelling down and that quality lies in the excellence of performance of their different functions by a wide variety of institutions, each according to its own purposes.

There are legitimate grounds for differences of opinion and judgment as to the merits of various plans and formulae for broad institutional support. The century-old experience of the land-grant institutions and the the more recent use of the principle of general operating support in certain of the health fields have, however, demonstrated both that acceptable formulae can be found and that broad Federal institutional support, always supplementary and complementary to other established sources, is entirely compatible with the academic integrity and institutional autonomy of our colleges and universities.

The National Association of State Universities and Land-Grant Colleges and the American Association of State Colleges and Universities believe that the field of science offers the best opportunity at present for the initiation of a new program of institutional support, which can, if experience warrants, be broadened to include other fields. By "science," we mean the broad use of the term to include the social sciences, natural sciences, engineering and applied sciences, and mathematics (as they are already defined by the National Science Foundation).

There is now a long-standing precedent of Federal support of scientific research and of institutes for the improvement of instruction in the sciences. The heavy emphasis on mission-oriented and project support in the sciences and the relative concentration of support in the major universities which are staffed to conduct this type of basic and applied research have created widespread public interest in the procedures and processes by which research support is allocated.

These programs have been of great national value and should be continued and expanded. At the same time, we believe broad institutional support is needed, and that its initiation will strengthen support for concurrent expansion of existing programs. The community college, the primarily undergraduate college, and the university would all be strengthened by support in the sciences that could be used to improve instruction, initiate research, and strengthen the preparation of elementary and secondary teachers in the natural and social sciences.

We are mindful of the need for increased support in the humanities and of objections that may be raised to a program initially limited to the natural and social sciences. Nevertheless, we feel that new and comprehensive institutional support may best be initiated in the natural and social sciences, where there is long experience with and wide acceptance of Federal participation and a substantial and experienced Federal administrative staff in being in the National Science Foundation.

Meanwhile, we urge rapid expansion of the National Foundation for the Arts and Humanities and believe that inclusion of these areas on formula support on an institutional basis can best be considered after there has been some body of substantial experience with the sciences.

The National Institutional Grants program proposed by these Associations provides broad support for all types of institutions of higher education to complement, and not to supplant or diminish, present programs, and is based on a three-part formula:

(1) One-third of the funds appropriated would be distributed to the institutions as a graduated percentage of the total amount of project awards received by them from the National Science Foundation, the National Institutes of Health, and the U.S. Office of Education. We suggest that the formula be so designed that all institutions receive 100 per cent of the first $30,000 of this base and that no institution receive more than $300,000 in any one year.

(2) One-third of the funds would first be divided among the several states in proportion to the relative number of high-school graduates in the states and then re-allocated

by the responsible Federal agency among the colleges and universities within a single state in proportion to the number of undergraduate semester credit-hours taught by each in accredited programs of instruction in the physical, biological (including agricultural) and social sciences, engineering, and mathematics.

(3) Finally, one-third would be allocated to the institutions in proportion to the number of advanced degrees (both masters and doctoral) awarded by each institution during the immediately previous three years in the physical, biological, social sciences, engineering, and mathematics, including degrees in education which qualify recipients to teach in these fields.

Institutions may be required to report on their use of the funds. They would be encouraged to anticipate future funding in order to design long-range plans for the development of research and educational programs in the sciences emphasizing the achievement of national goals and objectives such as the expansion of educational opportunities and improvement in the quality of the programs offered.

The first part of this program provides institutions engaged in Federally sponsored research with funds for broadly discretionary use to correct imbalances in present research programs and between instruction and research. It gives some recognition to qualitative judgments made over the years by a wide variety of experts in the separate disciplines. The graduated matching schedule and the $300,000 limitation on this part recognizes the special needs of institutions whose research programs are in the developmental stage.

The second part provides substantial funds for all institutions but, by funding introductory courses equally with advanced undergraduate courses, gives favored treatment in relation to costs to institutions with a large volume of introductory courses, such as community colleges and degree-granting institutions emphasizing broad undergraduate, rather than highly specialized, instruction.

The last part, based on the number of advanced degrees awarded, gives special emphasis to institutions not now participating substantially in existing Federal fellowship and trainee programs by weighting intermediate degrees equally with the doctorate and by including degrees involving teacher preparation in the formula.

While each individual segment of the three-part formula may be criticized separately as being inequitable to various types of institutions, we believe that the proposal taken as a whole and in connection with existing programs in the sciences, presents a balanced, equitable approach and would constitute a major breakthrough toward meeting the problem of strengthening and upgrading all higher education.

Together with other programs discussed below, this program would go far toward making it possible for all of America's colleges and universities to keep the doors of higher education open without sacrificing quality and to free resources needed for response to the many demands for assistance in solving the urgent problems of our time.

II. AID FOR FACILITIES, HOUSING

In addition to the initiation of a new program of general operating support described above, substantial expansion and modification of existing Federal programs designed to keep educational opportunity open by keeping charges to students down are needed. We regret that during the past year these programs have been sharply curtailed either by appropriations or administrative actions.

(A) Aid for academic facilities

In the first session of the 90th Congress, authorizations for grants for undergraduate and graduate facilities aid programs were substantially expanded, but funding was—unfortunately—cut below previous levels.

We recommend:

(1) That the Federal proportion of matching grants for both undergraduate and graduate facilities be increased to up to 75 per cent of the cost of such facilities.

(2) Special attention should be given the need for graduate facilities in the light of substantially increasing enrollments and the clear national interest in advanced education and research.

(3) With respect to undergraduate facilities grants:

(a) While the primary justification for the program continues to be to assist in the substantial expansion of enrollment capacity, special attention should also be given to the need for removal of modernization of obsolete facilities.

(b) Federal law should be modified to permit allocation of funds within each state according to demonstration needs.

(4) The undergraduate facilities loan program legislation should be amended, and the program expanded, along lines suggested for the College Housing Loan Program (see below), in order that adequate loan funds be made available without excessive pressures on the Federal budget.

(B) College housing loan program

Since its initiation in 1950, the College Housing Loan Program has been tremendously successful in helping provide living accommodations for a rapidly expanding college population at reasonable charges to students.

Since early in 1966, however, it has been virtually "frozen" by administrative action, despite the existence of a combination of the revolving fund and new lending authority totalling several hundreds of millions of dollars.

A study sponsored by the American Council on Education contains minimum estimates of a Federal program loan need of approximately $1 billion a year for the next 10 years. We accept and support these estimates.

We reiterate our recommendation that present legislation be amended in such a way as to assist higher education in generating a capital funding source of not less than one billion dollars each year for the next 10 years for single and married student housing at an interest cost of not more than 3 per cent and for debt terms of not more than 50 years.

Several alternative methods are available to assist in provision of such a capital source.

Legislation to implement one of these methods was introduced in the 90th Congress by Representative Mink in the House and Senators Javits and Proxmire in the Senate and has been approved by the Senate Banking and Currency Committee. It provides for continuance of the direct Federal lending program and its augmentation through the private capital market at minimum Federal cost through an interest subsidy. This proposal minimizes budgetary pressures and the need for new Treasury borrowing by generating a substantial portion of the new capital needed through the private market. For this reason, the Associations have supported and continue to support its enactment by the 90th Congress.

In the same financial framework suggested above for single, married, and graduate students, the Associations also recommend:

(1) That specific provisions be made for assistance in the rehabilitation of existing college housing.

(2) That specific provision be made to provide for housing of those staff members of medical centers whose services are needed on an "on-call" basis.

(3) That assistance in the provision of student-center facilities be continued.

The Associations recommend that the policies, practices, and regulations of the Department of Housing and Urban Development applicable to the College Housing program be reviewed and revised, particularly with respect to debt-service and maintenance reserve requirements.

III. DIRECT SUPPORT OF GRADUATE EDUCATION AND RESEARCH

(A) Graduate fellowships and traineeships

1. Doctoral Programs

The graduate programs of the National Defense Education Act and those administered by the National Science Foundation and other Federal agencies have done much to remove economic barriers to graduate programs and to help keep our country supplied with its scarcest and most valuable manpower resource. The 1964 amendments to N.D.E.A. also make it possible to assure that present resources in existing graduate schools of high quality are fully used. These Associations strongly urge the restoration of N.D.E.A. Title IV fellowships to the authorized 1967–68 level and the funding of a continuing expansion of this and other Federally supported fellowship programs in keeping with the fundamental nature of their contribution to the continued progress of our Nation.

2. Master's and Intermediate-Level Programs

There is also need for the support of fellowships and traineeships at the master's and intermediate-degree levels to meet the heavy and increasing demand for college teachers within the broad spectrum of institutions of higher education. The junior and community colleges in particular have critical staffing needs. Passage in the 90th Congress of the Education Professions Development Act provides the necessary statutory authority for the establishment of significant programs to meet these and other needs. The U.S. Office of Education is urged to develop plans for the program flexible and broad enough to permit graduate schools to design a wide range of proposals to meet the varying needs for faculty members in post-high-school institutions.

(B) Federal support of research and education in the sciences

1. Institutional Support in the Sciences

The greatest unmet need in the Federal support of science in this country today is an institutional support program through which flexible, predictable funds can be made available to the institutions of higher education on a continuing basis. To meet this need, these Associations have designed and are supporting the National Institutional Grants Program outlined in the first section of this report. Our Associations commend Representative George P. Miller and others for their sponsorship of this proposal (as H.R. 875 and similar bills) and strongly urge its enactment during the 90th Congress.

2. Support of Basic Research

Basic research uniquely provides the building blocks upon which social and economic progress is erected. The need for the expansion of man's knowledge of himself and the world in which he lives accelerates as he himself becomes increasingly responsible for his own environment, creating along the way difficult and complex problems such as those related to air and water pollution, urban congestion, over-population, and actual physical survival in an age in which man has the ability to destroy himself absolutely. The need for basic information cannot be met on a crash basis when a crisis arises, but can only be met through the continued, dedicated support of those equipped through training to explore the unknown. Because this is true, the fiscal demands of the war effort must not be permitted to disrupt support programs in this area. We urge upon the Congress and the Executive Branch of the government expansion of support for basic research consistent with its fundamental role in the continued progress of our country. We urge this especially in connection with the funding of the programs of the National Science Foundation and the National Institutes of Health, which have primary responsibilities for the support of the unique capability of institutions of higher education for the conduct of basic research.

3. Indirect Costs of Federally Sponsored Activities

The Associations commend the Congress for its recognition that the indirect costs of research are real costs that, unless fully reimbursed, constitute a serious drain on the resources of the university—resources that are required for carrying out their primary instructional function and for conducting research in areas where Federal support is limited or lacking. Because this is true, the Associations strenuously object to the mandatory cost-sharing concept introduced in recent Federal legislation. Simple equity dictates that institutions making available their physical and human resources to assist in the attainment of national objectives receive the full costs for doing so, especially when the cost sharing reduces their ability to contribute to the attainment of other, and equally important, national objectives. The Associations consequently urge the Congress to eliminate the cost-sharing requirement and provide additional funding to implement the policy of full reimbursement of indirect costs to make it possible for Federal agencies to fully apply the principles of Bureau of the Budget Circular A–21 in the research relationships between the Federal government and institutions of higher education.

IV. FEDERAL ACTION FOR OTHER EDUCATIONAL PURPOSES

(*A*) *Education in health-related fields*

The Associations commend the 90th Congress for its recognition of the need for substantial programs of support for education, extension activities, and library services in health-related fields through the enactment of the Health Professions Educational Assistance Act, the Allied Health Professions Educational Assistance Act, the Regional Medical Programs Act, and significant expansions of existing legislation. Legislation providing aid for the operation of instructional programs, for library services, for scholarship support, for expansion of educational facilities, and for regional efforts for continuing education and the dissemination of the most advanced medical knowledge will make substantial contributions toward the expansion of professional education in these areas.

Because of its demonstrated effectiveness in increasing the supply of badly needed nurses and in improving the quality of nursing education, the Associations recommend the continuation of the Nurses Training Act of 1964 and urge, additionally, that scholarship assistance be made available for undergraduate students in collegiate schools of nursing and that direct operational support be authorized and made available to schools of nursing conducting collegiate programs for increasing enrollments.

We are gratified that schools of pharmacy and veterinary medicine are now eligible, under the Health Professions Educational Assistance Act, for aid in the construction of educational facilities. We urge that both authorizations and appropriations for construction assistance be increased substantially to cover adequately the needs in the newly eligible fields. Further, we note with concern that eligibility for assistance for the schools of pharmacy and veterinary science is limited to construction aid. We urge corrective legislation to end this discrimination to major health-related fields, especially as concerns eligibility for basic and special improvement grants for support of the instructional function at schools of pharmacy and veterinary science.

(*B*) *Increased support for the humanities and arts*

We thank the 90th Congress for their increased support of the programs included in the National Foundation for the Arts and Humanities. The need to correct the imbalance between Federal support in these important areas with those for science and related fields calls for sharp expansion of funding of these Foundations in the years ahead. We reiterate our belief that, while maintaining active programs of individual and project grants, the new foundation should give major emphasis to the support of institutional programs.

(*C*) *ROTC programs and facilities*

The Reserve Officers' Training Corps programs conducted by the Armed Services, in cooperation with our colleges and universities, have long been the chief source of officer personnel. No other method of officer procurement approaches these in terms of low cost to the Federal government and of the high quality of officers furnished to the Armed Services. In view of the fact that the colleges and universities are making a very significant contribution to the national security through the ROTC programs, the Department of Defense is urged to give further consideration to a provision for reimbursement of some part of the total costs for operating programs that have, as their primary objective, the production of military personnel. Further, these Associations support the Army and Air Force in their efforts to maintain efficient ROTC programs and to discontinue those that are clearly inefficient. The effect of present Selective Service deferment policies on ROTC enrollments is a matter of serious concern.

(*D*) *Educational research and development program*

The relatively modest Federal expenditures for educational research and development have produced useful results despite some lack of clarity in the Federal structures for their administration. Consultation with knowledgeable persons outside the Federal government, coordination of overlapping programs of Federal support, and continuity of program objectives and planning would all improve Federally assisted educational research. An important missing ingredient may be supplied by the Education Professions Development Act for the support of programs to meet the critical shortage of qualified researchers in the field of education.

Federal support of research and development centers, regional laboratories, and other research and development efforts have made possible significant contributions to the advancement of knowledge concerning the education of children and youth. To date, however, there has been no comprehensive assessment of these activities, nor has there been a definitive statement by the profession of reasonable goals and priorities for educational research and development in the national interest. These Associations therefore recommend that extensive discussions and deliberations involving appropriate representatives of these and other national educational associations be initiated to 1) identify the categories of educational research and development needed to meet the educational requirements of the nation; 2) establish goals and priorities within these categories that should be reached within the next decade; 3) make an inventory of the research and development currently underway within these categories; and 4) estimate the commitments in personnel and other resources that must be made to attain the established goals.

(*E*) *The Education Professions Development Act*

All levels of education—from pre-school through graduate school and including vocational and adult education—need a greatly expanded supply of teachers and other professionals. The Education Professions Development Act passed by the 90th Congress should help our colleges and universities meet this critical need. It should also permit identification of those areas most in need of support and provide that support without the imposition of specific categorical legislation to fund it. New, improved, or markedly expanded programs of pre-service and inservice teacher education should be supported at both undergraduate and graduate levels. Congress is urged to fund the Act at the authorized level for fiscal years 1969 and 1970.

Adequate provision for consultation and advice with a broad base of school and university personnel will be an important factor in the effectiveness of the program. Since the member institutions of these Associations prepare about half of all elementary and secondary school teachers certified each year, it is urged that their central role be recognized through appropriate representation on the advisory bodies concerned with the implementation of the programs under the Act.

(*F*) *Research and extension in agriculture and related fields*

The cooperative programs of research and extension in agriculture and related fields between the Federal government and land-grant institutions has been conspicuously successful both in its results and in the absence from the relationship of many of the problems that characterize government-university relationships in other areas, where the emphasis is on project rather than university orientation. However, Federal support for the programs has in recent years lagged substantially behind rising costs, requiring the states to carry an increasing proportion of the cost of maintaining the programs and restricting needed expansion. There is strong evidence of a changing public attitude toward agricultural research and extension, as the public becomes aware that our situation is no longer one of a surplus problem but one of inadequate supplies of many agricultural products to meet both domestic needs and urgent international commitments. Rising prices have brought greater public understanding of the fact that the chief beneficiaries of efficient agricultural production are the consuming public, now heavily concentrated in large urban areas.

A major long-range cooperative study of agricultural research needs by the Department of Agriculture and the National Association of State Universities and Land-Grant Colleges furnishes, we believe, a sound basis for the needed substantial expansion for agricultural research. A similar cooperative study of agricultural extension is now being made and will, we believe, provide an equally sound basis for future support in this vital companion program.

(*G*) *Aid to developing colleges*

The Associations strongly support and urge the continuance of the program of aid to developing colleges, which is of special importance in the strengthening of colleges now predominantly attended by Negro students. A high percentage of Negro students enrolled in such colleges attend the public colleges and universities represented in the membership of these Associations. The experience with the limited funds available for this program thus far indicates that the yield on the investment is high indeed and merits continuing support.

(*H*) *Computer facilities and programs*

It has become clear that computational facilities and services are rapidly becoming an educational and research tool as basic to adequate higher education as the library. We agree with the Panel on Computers in Higher Education which last year reported to the President's Science Advisory Committee "both the individual's opportunities and progress and the progress, well-being, and stature of our society can be increased by adequate computing facilities for our colleges and universities." We are gratified at the importance given this matter by the President and the prompt response of the National Science Foundation within the limited resources at its command. It is clear, however, that institutions will not be able to provide adequate budgets for facilities and programs of research and instruction in this area without greatly increased assistance from Federal sources. We therefore urge that existing support programs in this area be continued and strengthened and that they be supplemented through the establishment of a broad program of assistance to all institutions of higher education for the acquisition and maintenance of adequate computer facilities and services to provide the basic educational experiences today required of all young men and women for productive careers, whatever their chosen fields. Legislation for this purpose should be broad enough to permit cooperative arrangements among institutions where it is not feasible to maintain this type of capacity on a single-institution basis.

(*I*) *Establishment of new Federal degree-granting authority and institutions*

In recent years, many efforts have been made, some successfully, to authorize the granting of advanced academic degrees by Federal agencies or establishments. We believe these efforts arise from basic confusion as to the nature of a university, the significance and meaning of the academic degree, and the resources of the non-Federal academic establishment.

The basic characteristic of the university as a center for the advancement of knowledge is one of free inquiry, free exchange of the results of research with other scholars in the field, and free criticism. Another characteristic is the opportunity offered for educating young men and women in the processes and methods of research. The advanced academic degree is a recognition of educational attainment and research accomplishment under conditions of free inquiry, exchange, and criticism. Its use by agencies or institutions which are not and cannot become universities in this sense of the term is a misuse which is both undesirable and unnecessary. A more comprehensive statement of this position is available on request.

(*J*) *Proposal for research centers independent of universities*

While our Associations recognize that the problems of research in an extremely limited number of areas may require the establishment of research centers away from the site of a university, we believe that such action by Federal or state governments should be taken only when its necessity is unequivocally established. We believe graduate education of high quality is inseparable from basic research, that basic research flourishes best in the atmosphere of an academic institution, and that any national policy of encouraging the establishment of new basic research institutes that are not university-related would be seriously detrimental to both basic research and graduate education.

(*K*) *Land-grant teaching funds, Morrill-Nelson Act*

In the 11 years since the last revision and expansion of the authorization for annual grants for further endowment of instruction in the Land-Grant institutions, there has been continued inflation and substantial population growth. The net result is that the purchasing power represented by these funds has decreased while demands have increased. The Associations support the expansion of the authorization under this legislation to take account of inflation and population growth over the past decade.

V. INTERGOVERNMENTAL COOPERATION: UNIQUE CHARACTER OF HIGHER EDUCATION

The Associations strongly support activities designed to improve cooperation between the Federal government and state and local governments and to increase the capacity of state and local governments to provide the quality and variety of public services needed in our complex society.

They emphatically call attention, however, to the unique character of higher education as an instrumentality of society. All the states have, by constitutional or legislative action, placed responsibility for governance of public universities and colleges under the control and direction of governing boards separated from direct channels of state administrative and political control. Private institutions have historically enjoyed this status.

In recent years, national legislative proposals have been made which would have the effect of authorizing the administrative branch of the Federal government to require that staffs of both public and private universities and colleges engaged in Federally assisted programs be placed under state merit systems, channeling Federal funds for higher education through state administrative agencies having no jurisdiction under state constitutions or law, by-passing state legislative authority, and assigning planning responsibility for higher education within the states to agencies created for entirely different purposes.

Since inadvertance or lack of awareness of the issues and relationships involved apparently have been responsible for violation in proposed legislation of this sound principle, the Associations respectfully call it to the attention of Congressional committees and Federal agencies dealing with educational legislation and of the Advisory Committee on Intergovernmental Relations.

VI. IMPROVING THE CONDITIONS OF URBAN LIFE

The traditional role of member institutions of these Associations—the role of concern for and action related to the conditions of the citizenry—is now intensified and expanded by the tremendous urban problems facing our nation. Member institutions of these Associations are heavily involved in research, educational, and public service programs designed to improve the conditions of urban life. As indicated elsewhere, a chief limitation on their ability to respond to urgent requests for expert assitance is lack of resources for this purpose. The Federal government, through the Demonstration Cities and other programs, is engaged in a major effort to assist in rebuilding slums and blighted areas, and provide public facilities and services essential to solving the problems of the people in our cities. The Associations recommend that adequate provision be made, through amendment of present legislation and in future legislation, for continuing grants for the support of research, demonstration, and educational programs in colleges and universities in professional and subject-matter areas related to the objectives of the legislation. This might be accomplished, for example, by setting aside a percentage of appropriations for this purpose, as is done in Federally aided highway and other legislation.

VII. AID TO INDIVIDUALS IN OBTAINING A COLLEGE EDUCATION

The most effective and most urgently needed form of aid to individuals in obtaining a college education is a program of support for educational institutions to enable them to keep charges to students low. Much of the present demand and need for individual assistance in financing college costs stems from failure to recognize and act on this fact. The Associations, however, recognizing the necessity of dealing with situations as they exist while working toward more fundamental solutions, have supported expanding access to student loans at reasonable carrying charges, expansion of the work-study program, and provision of economic opportunity grants specifically designed to help the most needy gain access to higher education.

The characteristic of programs designed to help individuals meet the rising costs of college, however, is that they result in pyramiding budgetary costs and administrative complexities without getting at the root of the problem. If student charges are permitted to continue to rise more rapidly than the level of income—which they have done steadily in recent years—more and more students will need special aid and more and more programs must be devised to assist them unless educational opportunity is to be denied. For this reason, our Associations believe that first priority in new programs needs to be given to those which will help keep down the costs of higher education to the students. These are discussed elsewhere. The following comments concern student-aid programs:

(*A*) *NDEA student loan program*

The National Defense Education Act Student Loan program was established to insure access to low-interest loans to enable students particulraly in need of financial assistance to attend college. It is essential that the integrity and identity of this program be maintained. Within this context, the Associations support experimental approaches to the problem of providing the full amount of funds needed while reducing the burden on the Federal administrative budget and on the capital resources of colleges and universities involved in the 1/9 matching requirement.

(*B*) *Guaranteed student loan program*

The Guaranteed Student Loan program was adopted in recognition of the fact that the rising level of student charges in our colleges and universities has caused undue financial burdens on many families in the middle-income level. This program and its purposes should not be confused with those of the NDEA loan program. Under present credit conditions, the Guaranteed Loan program has been less successful than anticipated because of the lack of availability both of loan guarantee funds and of loans.

We continue to support the central purpose of this program, but observation of the program by our member institutions strongly indicates need for changes in the law. Therefore, we recommend that the law be amended to provide (1) that any Federally guaranteed loan and any loan requiring Federal funds to subsidize interest cost be made only after lenders have secured pertinent information about the borrower from the educational institution involved; (2) that the interest subsidy be terminated one year after the student borrower has completed his formal education; and (3) that an appropriate fee be established and paid to lenders to cover administrative costs of such loans until money-market conditions are such that an administrative fee is unwarranted.

(*C*) *Work study*

These Associations, which for many years urged adoption of an experimental work-study program, have previously expressed their continued support of this legislation as an important element in a flexible program of helping worthy students meet college costs. We note, however, that, in this as in many other programs designed to help more students attend college, the institutional matching requirement tends to be counter-productive. That is, in order to get matching funds, institutions must charge students more, increasing the need for additional student aid. We commend the Congress for its emergency action in holding the Federal level of contributions at 85 per cent and recommend that it be restored to at least 90 per cent.

(*D*) *Opportunity grants, Federal scholarships, veterans education*

The Associations continue to support the educational opportunity grants program as one specifically designed to make college attendance possible for needy students who could not otherwise attend. In connection with other Federal programs (such as Upward Bound), it has become a major means of providing genuine access to higher education for the economically and educationally disadvantaged. The Associations continue to oppose a general Federal scholarship program in the absence of evidence that it would in fact assure college attendance for a substantial number of the highly talented who cannot now attend under existing public and private programs and in view of higher-priority needs for other forms of Federal aid to education.

We express appreciation to the 90th Congress for amending the Veterans Educational Program law to provide for payment of a portion of the cost for special record-keeping, reporting, and counseling services required for veteran, as contrasted to non-veteran, students.

(*E*) *Tax-credit and student loan indenture proposals*

Proposals for a direct deduction from income taxes owed the Federal government because of tuition and required fees paid colleges and universities have attracted substantial support because of several assumptions, all incorrect. More recently, widespread publicity has been given a proposal to solve the fiscal problems of higher education by a sharp increase in charges to students coupled with the privilege of borrowing from the Federal government the increasingly substantial sums required, with repayment by the borrower in the form of a special added income tax over 30 to 40 years. Both these proposals are unsound from the standpoint of public policy, educational policy, and fiscal policy. They are discussed separately below.

1. Tax Credit for Tuition and Fees

Three assumptions, the first two contradictory and the third untrue, are made in advancing such proposals:

The first is that they will provide relief to hard-pressed parents. A second is that they provide a way around the problems related to direct Federal aid to non-public institutions and would therefore provide for a substantial flow of Federal tax dollars to these and other institutions. A third is that they are so devised as sharply to limit or eliminate aid to the most affluent and give the greatest aid to those in lower income brackets (though admittedly none at all to those who pay no income tax). The first two assumptions are obviously contradictory. If institutions raise fees to collect tax dollars, parents will get no relief. If parents get substantial relief, institutions will not be aided. The third asumption is untrue. Despite limitations on benefits in terms of gross taxable income, the chief bill advanced to date before Congress allows families with taxable incomes in excess of $50,000 to receive some benefits, those with capital-gains incomes well in excess of that amount to receive some benefits, and those with incomes chiefly from tax-exempt sources to benefit without limitation as to total, as compared to taxable, income.

Although percentage benefits are higher for lower-income families, dollar benefits are clearly higher as incomes rise up to $25,000, while benefits to those with lower incomes steadily decrease to the vanishing point. The Associations have consistently recognized the desirability of participation in various types of Federally-aided programs by both nonpublic and public institutions. They view the tax-credit proposal as inequitable from every standpoint and unsound from the standpoints of fiscal policy, educational policy, and national policy in general. The Treasury Department has ably stated the objections from the standpoint of national fiscal policy. Proponents of this legislation have made it clear that its essential purpose is to give tax support to educational institutions proportional, to some extent at least, to the fees charged students. Since the fees would have to be raised to provide the additional income desired, the benefit would flow to the college, not the taxpayer. To the exent that fees are raised, students from low-income families would find their educational costs increased rather than decreased. Institutions with low tuition charges would be placed under pressure to increase them in order to collect Federal aid by this route. Institutions which wish to engage in discriminatory practices and still enjoy Federal support would be encouraged to do so.

These Associations take the position that, to the extent that Congress finds it in the national interest to provide either general specific-purpose support from public funds for institutions of higher education, ways can and should be found for doing this which retain the principles of public accountability for the expenditure of public funds, which are fiscally and educationally sound, and which do not in their operation discriminate against large groups of students and institutions. The tax-credit approach does not meet these standards.

2. Student Loan Indenture Proposal (Educational Opportunity Bank)

The proposal described by its proponents as an "Educational Opportunity Bank" can in fact be more accurately described as one through which the student is asked to enter into a special Federal income-tax indenture for most of his working life in order to permit colleges and universities to recapture approximately the full cost of educational services provided through sharp increases in required charges. Its most glaring defect from the standpoint of public policy is that it proposes to shift to the student virtually all the cost, at an escalating rate, of higher education. Whatever the allocation between the individual and society of the benefits of higher education, it is clear that the primary benefit is to society and that the student is already paying a disproportionately large share, regardless of the type of institution attended or the level of its charges. The argument that the privilege of borrowing large sums with deferred repayment will somehow increase educational opportunity for the economically and educationally disadvantaged will not bear analysis for several reasons; rather, it would, under the name of equality of opportunity, enable a low-income student to start life with a heavy added Federal claim on his income, while freeing the more affluent from any responsibility.

The policy of escalating student charges in all types of institutions would raise economic barriers against low-income and educationally disadvantaged students in institutions which will now admit them and which they can attend at relatively low cost. It would not, however, permit them to attend high-prestige and highly selective institutions, which are neither prepared to relax their admissions standards nor to expand their enrollments in any substantial degree. The highly qualified student from a low-income family can, in general, already attend college through a variety of scholarship programs for the talented. The problem of the educationally disadvantaged student involves a variety of factors. High admissions standards, reluctance to borrow, need of his family for income, and lack of motivation are all elements in his disproportionately low participation in post-high-school education. These problems will not be solved by extending the privilege of borrowing to theoretically enable the student to shop around for a college which will grant admission, in competition with other students with fewer academic and other handicaps.

The Educational Opportunity Bank proposal poses many other major questions, to which answers have not been forthcoming. Its fiscal solvency is clearly dependent on attracting an equal balance between those whose future incomes will be high and those entering low-income professions to permit continued lending to those whose repayments will be less than their loans. Yet, to be fiscally attractive to those entering high-income occupations or with family resources which assure high incomes, terms must be such that a large fiscal outlay by the Federal government seems a pre-requisite. If the charges of all colleges are escalated sharply, present ability of the vast majority of students to finance their own education through family aid and earnings will disappear, and heavy borrowing will become for increasing numbers the only avenue of access to higher education. The Educational Opportunity Bank particularly belies its title with respect to young women seeking higher education. To keep the proposal on a sound fiscal basis, proponents point out, women would have to pay back a much higher percentage of income than men, because their incomes are lower. Marriage would involve a substantial reverse dowry. No solutions are suggested in the proposal for either of these problems.

Higher education in the United States has been the means of providing genuine equality of opportunity for increasing numbers of young men and women, because the American people have recognized that education is primarily a social responsibility. They have supported our colleges and universities both directly through public channels and indirectly through voluntary support encouraged by special tax treatment, thus keeping down the financial barriers to education. The philosophy that financing education is primarily the responsibility of the student is directly contrary to this great and sound tradition.

VIII. DISCRIMINATION IN THE USE OF PUBLIC FUNDS FOR EDUCATIONAL PURPOSES

Member institutions of the Associations believe that public policies against discrimination in the use of public funds for educational purposes should apply equally in their use by all types of educational institutions, public and private. They note with regret that the Civil Rights Act of 1964 does not uniformly apply this standard because of the failure to include a provision against discrimination because of religion in Title VI of this Act, which applies to non-public as well as public colleges and universities. They also note that Title IV of the Act, which requires a survey of the extent of discrimination in education to be made by the U.S. Commissioner of Education, applies only to public institutions at all levels and not to discrimination in the use of public funds by other institutions receiving them.

It is, therefore, our position that the Civil Rights Act should be amended to ban the use of public funds by institutions which discriminate in the admission of students or employment of staff because of religion, and that, pending such amendment or new educational legislation, the use of tax funds should be barred to institutions which discriminate because of religion. If there is reasonable ground for exception to this rule, such as might be involved in programs of a public welfare rather than of an essentially educational character—such as the school lunch program—such exceptions should be made by explicit exemption from the general rule.

IX. "DISCLAIMER" AFFIDAVITS

Member institutions of the Associations have consistently opposed the requirement of negative "disclaimer" affidavits, or certificates of non-subversion as a requirement for individuals taking part in non-sensitive Federal programs. Such requirements should not be confused, as they often are, with affirmative statements of loyalty to the United States and its institutions, which may be properly required of those entering posts of public trust. The Associations welcome the relaxation or elimination of such negative requirements. Experience has shown that, while they involve extensive paperwork and record keeping and are a constant source of friction and controversy, they have no affirmative value.

X. EXTENDING THE RESOURCES OF HIGHER EDUCATION BEYOND THE CAMPUS

The Congress has recognized the great need for Federal aid to make available beyond the confines of the campus the resources of our colleges and universities toward the solution of problems of national and international concern. This is exemplified in such legislation as Title I of the Higher Education Act of 1965, the State Technical Services Act, the Regional Medical Programs Act, legislation affecting the Department of Housing and Urban Affairs, the Law Enforcement Assistance Act, and the Smith-Lever Act establishing the Cooperative Extension Service, which has furnished the example inspiring many of the more recent programs. Through the implementation of programs of continuing education and extension, authorized by these and later acts, the Congress enables universities to bring their unique resources to bear on the needs of communities and individuals for assistance in solving the multiple problems associated with rapid urbanization, technological change, social change, and the needs of the professions, agriculture, labor, business, industry, and the Federal government.

We call attention to the need for:

(A) Full funding of Title I of the Higher Education Act of 1965 in order to fulfill the Congressional intent to provide comprehensive, coordinated, state-wide programs of continuing education and community service. We support steps to make available a portion of the funds for interstate and regional projects.

(B) Extension of the State Technical Services Act indefinitely, if possible, and certainly for a minimum of five years; for substantial increases in authorizations over present funding levels; and for recognition in the regulations for administering the Act to permit assistance to business and industry in the science of management, as well as in technology.

(C) Early funding of the Public Broadcasting Act of 1967 in order that the long-recognized educational potential of telecommunications be fully realized.

(D) Maximum effective funding of other established programs, and for continuity of funding in order that the national needs for continuing education, clearly identified by Congress, may begin to be met.

(E) Increased support for problem-oriented research as related to the development of the full potential of extension and public-service programs.

The experience and special competence of the institutions represented in these Associations in the administration of problem-oriented, off-campus programs should be recognized in the allocation of responsibility for administering Federally-aided programs in these areas.

XI. COLLEGES AND UNIVERSITIES AND VOCATIONAL-TECHNICAL EDUCATION

State colleges and universities make important contributions to vocational-technical education in two ways:

(1) *Through Occupational Education.* Many of these institutions prepare individuals for a variety of technical occupations requiring less than a baccalaureate degree. State and landgrant institutions, for example, conduct some of the nation's most successful associate-degree programs in such fields as engineering, agriculture, the allied health professions, and industrial technology. Those with strong technical-education departments provide training in a manner difficult to duplicate in other types of institutions.

(2) *Through the Training of Teachers.* Collegiate programs for the preparation of teachers of vocational, technical, and industrial subjects in junior colleges, vocational schools, and technical institutions should be greatly expanded. One of the most pressing needs today is effective teaching of the technical content and skills required for entrance into and advancement in occupations in which manpower is in critically short supply. Technological advancements make it imperative that greatly expanded in-service training opportunities be provided for those currently teaching vocational, industrial, and technical subjects. Shortage of adequately prepared teachers is hampering development and expansion of vocational-technical education.

These Associations therefore, support:

(A) Necessary amendments to and increase in authorizations for the Vocational Education Act of 1963 to permit colleges and universities, including junior colleges and 4-year colleges, to participate more adequately in vocational and technical education programs.

(B) In-service training programs, fellowships for prospective and experienced vocational-education instructors and administrators, and adequate financing of teacher education programs in vocational and technical education.

XII. HUMANE TREATMENT OF EXPERIMENTAL ANIMALS

During the past decade, much progress has been made by all scientific personnel in providing adequate care of experimental animals. Federal legislation has now been passed to regulate the sale and transportation of research animals and to insure humane treatment for such animals during transportation, sale, and non-experimental periods at research laboratories. We continue to believe this legislation was unnecessary but hope it will prove to be helpful in correcting the isolated difficulties that may exist at research installations and pledge the support of our Associations toward this end. We believe it would be unwise and unnecessary to consider additional legislation regarding the care and handling of laboratory animals.

XIII. NATURAL RESOURCES AND ENVIRONMENT

(*A*) *Water resource research*

The Associations have been gratified by the authorization and appropriation to implement Title II of the Water Resource Research Act that make it possible to enlist the competencies of academic and non-academic scientists in seeking solutions of pressing national water problems and to provide for the establishment of the Water Science Information service. We urge, however, that appropriations for the funding of both Title I and Title II programs be increased to the full authorized level.

(*B*) *Sea-grant colleges*

These Associations welcome the Sea Grant Colleges and Program Act to provide for the systematic exploration of the marine environment. We urge continuing appropriations for the program consistent with the importance of vastly expanded knowledge of this up-to-now largely neglected area. Further, we urge continuing emphasis in the administration of the program on the importance of broad, flexible institutional awards, in keeping with the basic Federal government-university relationship underlying the outstanding success of the land-grant programs for argicultural research and extension.

(*C*) *Air and water pollution*

We commend the national recognition of the importance of our natural environment through programs that have been established in the Department of the Interior, the Public Health Service, and the Environmental Sciences Service Administration aimed at the understanding and abatement of air and water pollution. We urge that greater emphasis be given in these programs to arrangements that make it possible to enlist the unique competencies of the universities and their faculty members in this national effort.

XIV. INTERNATIONAL PROGRAMS

The Associations regret that the constructive legislative steps taken by the 89th Congress to expand and improve both educational and technical assistance programs in the international field have not been subsequently implemented. These include Section 211(d) of the Foreign Assistance Act and the International Education Act. Also, no action has been taken on proposals to provide for Federal assistance, through publicly identified channels, in the participation of American voluntary organizations in international activities.

The Associations are concerned not only with failure to implement the new initiatives authorized, but also with the substantial reductions in support of ongoing international educational and technical assistance programs made by the first session, 90th Congress, at a time when their substantial expansion is clearly called for. Because of this concern, establishment of a Task Force to study and make recommendations particularly with reference to international technical and developmental assistance programs—in cooperation with other educational organizations—has been authorized.

The following actions are clearly needed:

(A) Funding for international technical assistance, educational and cultural exchange, and related activities should be substantially increased beyond the levels provided for fiscal 1969.

(B) Funds to support the planning activities required by law under the International Education Act should be provided at the earliest possible opportunity; and, for its substantive implementation as authorized, funds must be provided for the 1969 fiscal year.

(C) Since the total authorization of $10 million under Section 211(d) of the Foreign Assistance Act is small in proportion to the need and reductions in technical-assistance appropriations have made even this modest funding impossible, the authorization should be expanded substantially and fully funded.

(D) Authority to conduct technical assistance programs should be extended to at least a five-year period to reduce the uncertainty which has from the beginning hampered the effectiveness in this area.

(E) Provision of funds should be made to colleges and universities to help meet the special costs of giving foreign students an appropriate educational experience in this country, commensurate with the emphasis placed on such efforts as a matter of public policy.

(F) Without specifically endorsing the provisions of any particular legislation pending at this time, these Associations encourage members of the Congress to continue their search for more effective and adequate means for this country to assist in the solution of the world's food problem.

NOTE.—The term "Federal aid" is commonly used, and is used in this document, as a general term covering all the multiplicity of purposes for which Federal funds flow to institutions of higher education or those attending them. The reader should keep in mind, however, that the term "Federal aid" is inaccurate and misleading as applied to many of these programs. Where the Federal Government, in fulfillment of a clearly defined and asserted national responsibility, uses the services, facilities and personnel of colleges and universities to accomplish this purpose, the term "Federal aid" is not applicable. Indeed when the payment for this use is inadequate to cover its cost, as it frequently is, colleges and universities are supplying fiscal aid to the national government rather than the reverse. Colleges and universities have a responsibility for the national welfare which exceeds that of most other institutions in our society, and on which they are uniquely able to discharge. Willingness to give whole-hearted cooperation in programs of national importance should not, however, obscure the fact that the flow of "aid," both in terms of accomplishment and in fiscal terms, is a two-way flow. Cooperation in the national interest is a better word for it.

Kennedy's Viet Defeatism Contradicts Facts of War

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. BOB WILSON. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

[From the Washington (D.C.) Post, Mar. 27, 1968]

KENNEDY'S VIET DEFEATISM CONTRADICTS FACTS OF WAR

SAIGON.—Gen. Westmoreland has been replaced at a moment when a shameful, humiliating and quite irrational defeatism prevails at home, typified by Sen. Robert F. Kennedy's talk of a war without end.

Yet the facts—above all, the facts concerning the enemy's Tet offensive—point in just the opposite direction.

To begin with, after touching every useful base, this reporter can state unequivocally that no seriously informed person in Saigon doubts that the Tet offensive was a play from weakness rather than from strength. Hanoi concluded that Gen. William C. Westmoreland was winning his "war of attrition." Hanoi therefore decided to go all out for short-range success.

The "general offensive" not only failed to produce the expected "general uprising." Its cost to the enemy, if calculated in American terms (as it must to be comprehensible), was almost too terrible to contemplate.

Including the VC-controlled areas in the South, Hanoi's population base is about one-tenth of ours. With this population base, in the seven weeks from Jan. 28 to March 16, the enemy lost over 55,000 men, not to mention more than 20,500 weapons.

In human terms, this is exactly equivalent to the loss of more than half a million Americans in seven short weeks. The slow task of interrogating the many, many hundreds of prisoners of war has also progressed, by now, to the point where one can say with certainty that a heavy majority of the losses came from the groups most valuable to the enemy.

The story has been put about that the enemy made heavy use of untrained men and press-ganged children; and these groups, least well able to take care of themselves, are obviously overrepresented in the POW samples. Yet two-thirds or more of the large samples already collected are composed of trained soldiers of the normal military.

Any desperate surprise attack, conducted with such ruthless indifference to human life, is bound to do much damage. Much damage accordingly was done. The worst was the setback to the Allied effort in the countryside. But as each day passes, it becomes clearer and clearer that any Allied setback was a fleabite compared to the disaster for the enemy.

The question therefore quite insistently arises, why the enemy made so terrible a miscalculation. There are several reasons. To begin with, as Gen. Westmoreland has put it, he "sacrificed execution to security." In other words, only a single man in each battalion, generally the commander or political officer, was told the full plan; and he was usually killed in the first clash of arms, leaving his unit effectively headless.

To go on with, there was the religious factor, as it can only be called. For the doctrinaire Communists in Hanoi *not* to believe the masses eagerly support their cause would be much like the College of Cardinals being converted to atheism. In addition, of course, the Hanoi leaders had been lied to by the members of the VC apparatus charged with mobilizing the urban population.

Some of the consequences were pure black comedy. In Nhatrang, for instance, the 18-B Regiment of the Fifth North Vietnamese Division had the follow-on mission, after the local VC forces had hurled themselves into the town. The regiment marched into Nhatrang in perfect drill formation, with colors flying, obviously expecting a delirious popular welcome, only to be worse than decimated by Nhatrang's defenders.

Those defenders are the rest of the answer. Somewhat acidly, Gen. Westmoreland had remarked that "the Hanoi leaders must now suppose we have been subsidizing half the U.S. press to join in a huge deception plan." Here he was referring to the common and grossly unfair press denigration of the South Vietnamese army. Mainly for this reason, the Hanoi war planners demonstrably expected much of the ARVN to defect or come apart at the seams. Instead, although most units were gravely understrength because of leaves for Tet, just about every ARVN unit acquitted itself admirably. So the disaster occurred which, Sen. Kennedy to the contrary, means that this is not a war without end.

Recommendations of American Association of School Administrators on Educational Legislation

HON. WAYNE MORSE

OF OREGON

IN THE SENATE OF THE UNITED STATES

Tuesday, April 2, 1968

Mr. MORSE. Mr. President, Mr. Forrest E. Conner, executive secretary of the American Association of School Administrators, by a letter dated March 6, 1968, has brought to my attention the recommendations which were adopted at the annual conference of the American Association of School Administrators on various aspects of the administration of educational legislation and the policies of the association with regard to various pieces of educational legislation.

I have a high regard for the thought and care that has been taken in formulating the policy position set forth. I know that the matter is one which is of great interest to Senators. I therefore ask unanimous consent that the recommendations of the American Association of School Administrators be printed in the Extensions of Remarks.

There being no objection, the recommendations were ordered to be printed in the RECORD, as follows:

FEDERAL LEGISLATIVE RECOMMENDATIONS FOR 1968

(By the Committee on Federal Policy and Legislation and the executive committee of the American Association of School Administrators, Washington, D.C., February 16, 1968)

The Committee on Federal Policy and Legislation and the Executive Committee of the American Association of School Administrators, after careful consideration of a rather comprehensive list of items relating to federal policy and legislation, developments in the administration of various federally related school programs, and the needs and problems reported from school systems throughout the country, make the following recommendations for legislative action in 1968:

1. TIMING OF FEDERAL APPROPRIATIONS

AASA commends the Congress for its 1967 amendments to the Elementary and Secondary Education Act authorizing funds to be appropriated one year in advance of the year in which they will be obligated.

We urge strongly that this authorization be fully implemented in Fiscal 1969 and that there be a further amendment to the Act providing for a minimum of a three-year authorization.

2. GENERAL FEDERAL SUPPORT OF PUBLIC EDUCATION

We recommend that federal participation in the financing of public education be primarily through substantial general support based on an equitable equalization formula and with minimum limitations on its use.

We will support categorical aid programs where necessary for the national welfare and to meet unique specific national problems, especially those designed to help solve the problems of education in the large cities and in those areas with high concentration of disadvantaged children and severe poverty areas. All of the funds for these programs should be channeled through state departments of education.

3. SCHOOL CONSTRUCTION

We believe that the primary responsibility for the construction of public school facilities lies with the state and local school districts; however, since school construction needs in many parts of the country exceed available financial resources, we recommend that federal funds be authorized and appropriated for capital expenditures for public school buildings with the stipulation that the location of physical facilities remain a state and local decision.

We urge that additional Title I funds be allocated for capital expenditures now, rather than wait for some later massive effort in this area.

The shortage of local funds for building needed physical facilities is a significant deterrent to the effective implementation of the various federal acts because space for these projects is lacking.

4. EDUCATION PROFESSIONS DEVELOPMENT ACT

We commend the Congress and the Office of Education for consolidating the various programs for improving teacher preparation into the Education Professions Development Act.

We urge strongly that adequate funding of this Act be provided, beginning in Fiscal 1969, commensurate with a critical manpower shortage and the need to improve the quality of education.

5. DEPARTMENT OF EDUCATION AND MANPOWER

In view of the ever expanding importance of the role of education and the proliferation of departments and agencies within the federal government that now support and conduct education and related programs, we recommend that there be established a Department of Education and Manpower responsible for all programs in the areas of education and manpower training.

6. VOCATIONAL-TECHNICAL EDUCATION

Until such time as general federal support can be fully implemented, it is recognized that some categorical grant programs must continue because of the need of the federal government to maintain educational programs which contribute to important national goals. One of these is vocational and technical education.

Recognizing the urgent need for expansion of this program, AASA recommends substantially increased funding for vocational and technical education and, in the interest of gaining maximum effectiveness from this program, that existing legislation in this area—the VEA Act of 1963, MDTA, Smith Hughes Act, George Barden Act, NYC, Work Study and EOA Job Corps—be consolidated and that the resulting program be administered by the U.S. Office of Education.

7. LARGE CITY EDUCATIONAL PLANNING

We recommend that substantial earmarked funds be provided through Title V of the

ESEA, or some other appropriate channel, to the state educational agencies for comprehensive planning for the provision of quality education in metropolitan areas.

8. REGIONAL OFFICES OF THE U.S. OFFICE OF EDUCATION

AASA supports a strong Office of Education, centrally housed and administered, as necessary to the discharge of the leadership and service responsibilities of the federal government in the field of education. We are also firm in our belief that all elementary and secondary education programs should be channeled through state departments of education. Accordingly, we very strongly oppose the establishment, expansion or maintenance of regional offices of the Office of Education as they pertain to elementary and secondary education.

9. JUDICIAL REVIEW

We urge the Congress to enact legislation which will provide for effective procedures for the enforcement of the establishment and free exercise clauses of the First Amendment to the Constitution.

Second Annual International Exposition of Flight and General Aviation Conference, Las Vegas, Nev., May 20

HON. ALAN BIBLE

OF NEVADA

IN THE SENATE OF THE UNITED STATES

Tuesday, April 2, 1968

Mr. BIBLE. Mr. President, the second annual International Exposition of Flight and General Aviation Conference, scheduled to begin May 20 in Las Vegas, promises to be even more successful than the initial event. From what authoritative aviation people tell me, it is well on its way to establishing itself as the premier U.S. counterpart of the Paris Air Show.

It has long been my view that the United States, as the real world center of aviation activity, should be the site of a truly international flight exposition. For this reason, I have been an active supporter of the International Exposition of Flight, and I think the Federal Government also should be an active supporter in helping promote the exposition worldwide. I am not talking about financial subsidies but about participation through the many Federal programs directed at benefiting aviation, world trade, and travel to the United States.

To a welcome degree, I have secured the promise of this participation. As I see it, this participation could not come at a better time. The Department of Defense has already announced its withdrawal from the Paris Air Show. And our Government is actively engaged in promoting more travel to the United States and in boosting our industrial exports as a part of the drive to rebalance our balance of payments. These goals and the goals of the International Exposition of Flight are certainly in harmony.

There has been growing support from industry as well as the Federal Government, Mr. President. And more and more recognized aviation leaders are endorsing the International Exposition of Flight. A letter I received recently from the executive director of the National Aeronautics Association is a case in point. I ask consent that it be printed in the Extensions of Remarks.

Mr. President, this is but one example not only of the need for the International Exposition of Flight but of the growing recognition of that need. I am confident this year's exposition will make another stride toward filling that need.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NATIONAL AERONAUTICS ASSOCIATION,
Washington, D.C., February 28, 1968.

Hon. ALAN BIBLE,
Old Senate Office Building,
Washington, D.C.

MY DEAR SENATOR BIBLE: News concerning your unqualified support of the International Exposition of Flight and General Aviation Conference was received with great pleasure. With you spearheading this event, serving as a rallying point for other Congressional leaders, the success of this worldwide event is greatly enhanced. Complete success will of course require support from all interested federal agencies.

The aviation communities here and abroad should be made aware of the International Exposition of Flight, its programs and objectives. It's high time we align ourselves with a project wherein our own outstanding industry may receive the type of exposure it deserves. It seems incongruous to me that millions of dollars are spent abroad both by government and industry for the promotion of our products while at the same time we are not taking advantage of the greatest showcase in the world for our products, the United States of America.

An outstanding display of military hardware and commercial aircraft and components for all visiting international dignitaries would seem to me to be most advantageous. This is particularly indicated for those from Central and South America who have recently been subjected to the "hard sell" from European countries attempting to capture these markets.

The General Aviation Conference portion of this United States Air Show is also most worthwhile. As you know, last year at the first meeting of this group these sessions, particularly in the area of airport development, were highly informative. Great enthusiasm was generated not only among members of the aviation industry who attended, but the state and federal authorities as well. With the General Aviation Conference serving as a gathering place for the "planners and thinkers" the staggering problems facing our airports and airways system can be explored and solutions offered.

May I salute you and your colleagues for your farsightedness. I assure you of my full support in your efforts to establish a United States aviation event on a permanent basis.

Sincerely,

BROOKE E. ALLEN,
Major General, U.S. Air Force (Retired).

The "Pueblo": How Long, Mr. President?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. SCHERLE. Mr. Speaker, this is the 71st day the U.S.S. *Pueblo* and her crew have been in North Korean hands.

Jewish Anniversaries Recognized

HON. ROBERT P. GRIFFIN

OF MICHIGAN

IN THE SENATE OF THE UNITED STATES

Tuesday, April 2, 1968

Mr. GRIFFIN. Mr. President, recently the Legislature of the State of Michigan and a number of local governmental bodies adopted resolutions extending greetings to the Jewish community as they observe several important anniversaries during 1968. I ask unanimous consent that an article published in the Detroit Jewish News of March 22, 1968, be printed in the Extensions of Remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LEGISLATURE, COMMON COUNCIL, SOUTHFIELD MAYOR GREET ANNIVERSARIES

Resolutions greeting the State of Israel on its 20th anniversary and the Zionist movement and its affiliates on various anniversaries now being observed here, were adopted by the Detroit Common Council, the Michigan State Legislature and Mayor James Clarkson of Southfield.

Sponsored by Council President Ed Carey, the Common Council resolution, co-signed by Councilmen Nicholas Hood, Louis C. Miriani, Mary Beck, Mel Ravitz, William Rogell and Philip Van Antwerp; and by City Treasurer Charles Williams (just prior to his death), City Clerk Thomas Leadbetter and Mayor Jerome Cavanagh, reads:

"Whereas The Jewish Community of the metropolitan Detroit area is observing many significant milestones pertinent to Jewish history and tradition with a special celebration at the Zionist Cultural Center on March 25, 1968 when Congressman William Broomfield will be the guest speaker, and

"Whereas This is the twentieth anniversary year of the United Nations decision for the establishment of a Jewish State, a decision for Palestine's partition out of which has emerged the State of Israel, and

"Whereas This is the fiftieth anniversary year of the Balfour Declaration, a letter from Arthur James Balfour to Lord Rothschild expressing support for the establishment in Palestine of a national home for the Jewish people, and

"Whereas Nineteen sixty-eight marks the fiftieth anniversary of the Jewish National Fund Council, the fiftieth anniversary of the founding of Young Judea and the seventieth anniversary of the Zionist Organization of America,

"Now, therefore, be it resolved that the members of the Common Council, on behalf of the people of Detroit, express best wishes to the people of the Jewish Community as they commemorate a series of important events that have enriched Jewish culture."

The Michigan State Legislature's resolution was sponsored by Rep. Daniel S. Cooper. Taking note of the World Zionist and American Zionist anniversaries, the anniversary of the founding of the Jewish National Fund Council and of the Young Judea movement in Detroit, the resolution offered by Representative Cooper, declare:

"A resolution for the 1967–68 anniversaries for the Zionist Movement and for The State of Israel.

"Whereas, The six months ending 1967 and beginning 1968 encompass anniversaries of significance to worldwide Jewry; the Zionist Movement, founded in 1897 and its American counterpart, realized its initial goal on May 14, 1948 with proclamation of The State of Israel as an independent nation. Zionism celebrates its Seventieth Anniversary and Israel, her Twentieth Anniversary; and the fifty-one years intervening represent an epic in mankind's search for civilization; and

"Whereas, The Hebrew kingdom, established in 1000 B.C., as a single monarchy, was later split into the two kingdoms of Israel and Judah; and the heroic saga of Israel's millenniary captivities and renascence, her thousands of generations who have kept alive the flame of the union, have incalculably influenced western civilization as well and compels the admiration of rational people; and

"Whereas, The 1967–1968 celebrations of organizations and events supporting Israel's rebirth include: The Fiftieth Anniversary of the Balfour Declaration issued November 2, 1917; the Fiftieth Anniversary of the Jewish National Fund Council of Detroit, founded in May of 1918; the Fiftieth Anniversary of Young Judaea, a Zionist youth movement; the Seventieth Anniversary of the Zionist Organization of America, of which the Detroit chapter is one of the most active; and the Thirty-fifth Anniversary of the Annual Balfour Concerts of the Zionist Organization of Detroit; now therefore be it

"Resolved by the House of Representatives, That by these presents The Michigan Legislature recognize the several 1967–1968 anniversaries of Jewish achievements of profound significance in the ancient and unconquerable struggle for identity and independence—a factual history whose elements were tried and proven in the great social laboratory perdurably demonstrating the indomitable strength of the human spirit; that history is herefore a beacon of hope and a relentless tutelage for the union of brotherhood joined in mankind's highest concept of God's sovereignty; and be it further

"Resolved, That copies of this tribute be presented to the several organizations herein cited through the offices of Mr. Philip Slomovitz, founder and first chairman of the Jewish National Fund Council of Detroit and founder of Young Judaea, for presentation at the public celebration March 25, 1968 in Detroit, that this testimony of esteem be there recorded for the Michigan Legislature."

Southfield Mayor James Clarkson proclaimed "Zionist Organization Day" and stated:

"Whereas, the State of Israel emerged as a result of the liberatarian efforts of the Zionist movement, twenty years ago; and

"Whereas, the Zionist headquarters are in the City of Southfield; and

"Whereas, a celebration of the following events will take place under the auspices of the Zionist Organization at the Zionist Cultural Center, on March 25, 1968; 35th anniversary of the Annual Balfour Concerts; 50th anniversary of the Balfour Declaration; 50th anniversary of the Jewish National Fund Council; 50th anniversary of Young Judaea, the Zionist youth movement; 70th anniversary of the Zionist organization in America.

"Now, therefore, be it resolved, that I, James Clarkson, Mayor of the City of Southfield, County of Oakland, State of Michigan, do hereby proclaim Monday, March 25, 1968 as Zionist Organization Day in the City of Southfield; and

"Be it further resolved, that this Mayor requests that the citizens of our community be aware of the importance of the aforementioned anniversaries and the organizations being paid tribute to, on this auspicious occasion.

"In witness whereof, I have set my hand and caused the official Seal of the City of Southfield to be affixed hereto on this 18th day of March in the year of our Lord, Nineteen Hundred and Sixty-eight."

First Pennsylvania Banking & Trust Co., of Philadelphia, Honored for Leadership in Loans to Negro Businessmen

HON. RICHARD S. SCHWEIKER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. SCHWEIKER. Mr. Speaker, one of Philadelphia's major banks, the First Pennsylvania Banking & Trust Co., has taken a lead in promoting equal economic opportunity in the field of small business.

Last month the bank was honored by the Small Business Administration for its record in extending small business loans to Negro businessmen. It was the first time that any bank had received the SBA Administrator's award.

First Pennsylvania has made 95 such loans totaling $917,000. In 50 of the loans, the SBA stood behind the loans with a 100-percent guarantee, through the SBA's economic opportunity loan program.

In the past, the Negro entrepreneur has all too often been unable to obtain the bank loans he has needed to set up or expand his small business. First Pennsylvania, cooperating with SBA, is proving that a major bank can take the lead, and in the process do much to assist the growth of business opportunities for Negroes.

The small business has in the past been one of the principal upward routes for poor immigrant families in the United States. We are all aware that in recent years there has been a powerful trend toward larger business units in manufacturing, wholesaling, and retailing, making the small firm increasingly less able to compete. Nevertheless, there is still a significant place in our economy for the small business firm. It is vital that Negro businessmen and businessmen of other nonwhite minorities be given the fullest access to the opportunities of small business. First Pennsylvania, Mr. Speaker, is pointing the way by helping make these opportunities equal for all. I commend this forward-looking company for its outstanding work.

I wish to insert in the RECORD an article from the Philadelphia Evening Bulletin, of March 14, 1968, reporting on the SBA award to First Pennsylvania:

[From the Philadelphia Evening Bulletin, Mar. 14, 1968]

FIRST PENNSYLVANIA HONORED BY U.S. AGENCY

First Pennsylvania Banking and Trust Co. yesterday received the Administrator's Award from the U.S. Small Business Administration.

The award honored the bank for making loans to non-white small businessmen. The annual award never had been presented to a bank.

First Pennsylvania has made 95 loans to such businessmen in the amount of $917,000. SBA participated in 50 of the loans.

The Economic Opportunity Loan Program of the SBA, in which First Pennsylvania participates, provides assistance up to $25,000 for the potential small businessman with experience whose income is more than marginal but who has been handicapped in starting a small business.

The agency also provides up to $15,000 for the man already in business whose income is marginal.

Robert C. Moot, administrator of SBA, presented the award to William B. Walker, president of First Pennsylvania.

Moot said First Pennsylvania is "leading the way in the formation of new attitudes for the entire banking community in this nation.

"It's time to admit there have been discriminatory elements in our institutions. The man of ambition and character with little capital has found it difficult to get a loan, especially if he belongs to a minority."

Moot said his agency has had difficulty getting banks to participate in the program, "though SBA will guarantee loans made by banks 100 percent.

"The Negro businessman," Moot said, "has had little precedence in entrepreneurship; we are working to change that."

Walker noted that "much of the success of this program thus far has been due to the efforts of independent, aggressive and farsighted Negroes."

Nuclear Power Versus Fisheries—Address by R. F. Poston

HON. WAYNE MORSE

OF OREGON

IN THE SENATE OF THE UNITED STATES

Tuesday, April 2, 1968

Mr. MORSE. Mr. President, I recently addressed the Portland, Oreg., chapter of the Izaak Walton League. Joining me at that session was R. F. Poston, Regional Director for the U.S. Water Pollution Control Administration. In an extraordinarily perceptive and forceful address, Mr. Poston warned his audience to move quickly to head off the problem of water and air pollution that shadows the development of thermal nuclear powerplants in the Pacific Northwest.

Some 15 such plants are projected for construction in the Northwest region alone over the next 20 years. Mr. Poston, and a growing number of conservation-minded individuals and organizations, see the issue of nuclear power development as "the greatest single threat to the environment and to the fisheries of the Pacific Northwest" that looms in the immediate future.

Mr. President, the entire issue of peacetime nuclear power development in this country is one that demands urgent study and discussion by the Congress and the people. The distinguished Senator from Kentucky [Mr. MORTON] contributed a brilliant analysis of the general problem when he addressed this Chamber on February 28, and his commentary deserves serious attention by the entire Congress.

The issue of water pollution is just one aspect of this kaleidoscopic issue, but it is an aspect that assumes horrendous proportions for the abundant fresh water resources of the Pacific Northwest. Of specific concern is the use of the region's inland waters as cooling agents for the stream-based nuclear powerplants.

The problem can be stated briefly. Thermal nuclear powerplants generate intense heat, and water provides an effective coolant. But the used water threatens the delicate ecological balance if it is returned to the streams and rivers without adequate cooling and pollution treatment.

It is this area to which conservationists and pollution control officials address their immediate concern. It would seem that there is no question but that effective planning and sound management between the Government, the citizenry, and the power industry can meet and avert the threat of thermal waste before damage occurs.

To date, a number of alarmed individuals and organizations both in and out of Government, have publicly stated their concern. The response from the power industry has been only slightly encouraging and the problems are by no means solved. Quite rightly, the citizens and public interest groups at work on this issue will not relax in their efforts to lock the Pandora's box of thermal waste before it can be opened.

I respectfully invite the attention of my congressional colleagues to Mr. Poston's propitious remarks and to several news items from the Oregon and Washington press, demonstrating both official and private concern over the thermal pollution problem.

I ask unanimous consent that these items be printed in the Extensions of Remarks.

There being no objection, the items were ordered to be printed in the Record, as follows:

NUCLEAR POWER VERSUS FISHERIES

(Presented by R. F. Poston, Regional Director, Northwest Region, Federal Water Pollution Control Administration, U.S. Department of the Interior, at the winter director's meeting, the Izaak Walton League of America, Oregon division, Portland, Oreg., February 17, 1968)

I appreciate your asking me to meet with you today to discuss the topic "nuclear power versus fisheries." My first reaction to the topic was that it could have been more amicably entitled, "How to have *both* nuclear power and fisheries." Being a peace-loving man who dislikes controversy, I would have preferred it that way. Insuring both power and fish is a challenge to us all—a challenge which can be met.

Your topic is in some ways appropriate, for the facts are sad but true: Nuclear power development presents the greatest single threat to the fisheries—and to the environment—that we face in the Pacific Northwest in the next few years.

The title of "greatest potential polluter" falls to the power industry through default. The cities and other industries of the Northwest have, or are in the process of planning and installing, measures to control their wastes. The nuclear power industry will soon face the necessity of disposing of tremendous quantities of waste *heat*. From what we hear, it seems they expect to discharge that heat into our cold-water streams, at least in the beginning.

The Pacific Northwest's abundant quantities of water *can* be put to beneficial use in cooling nuclear power plants. But the industry would like to avoid paying for that use by returning the hot water directly to the stream in once-through cooling systems. Plainly, the industry would prefer to skim off the cream of nuclear energy as electricity for a ready market and unload the large amount of unsalable waste heat on the public in the form of air and water pollution.

The Federal Water Pollution Control Act was enacted to prevent pollution of the Nation's streams, including thermal pollution. That legislation was based on the recognition that we need not forgo the uses and pleasures of high-quality water for the sake of industrial development. Our advanced technology and affluence save us from having to sacrifice our fisheries, drinking water supplies, industrial water supplies, and a beautiful environment on the altar of economic brutality. The Secretary of the Interior emphasized this point when he spoke just two weeks ago in Chicago:

"Thermal pollution from plants planned but not yet constructed . . . can be serious. Here is an opportunity for a dose of effective and crucial preventive environmental medicine. We didn't have this opportunity with other pollutants; we must not miss our chance on this one. We must halt thermal pollution with affirmative, coordinated action before it occurs."

This should not evoke visions of a program to hinder economic growth. To the contrary, we simply must use our intelligence, available techniques, and dollars to enhance and perpetuate the quality of life, along with economic growth, through prudent use of our limited natural resources. In other words, electric energy is not a "sacred cow" to be worshipped over all other aspects of the economy and American life.

This is not a new concept, but it is less easily understood than the simple facts of "we need electricity." Therefore, I meet with you today to emphasize that environmental degradation by thermal electric plants is not necessary. And the Federal Water Pollution Control Administration and its sister State agencies are charged with the responsibility to protect the public interests by preventing such occurrences. We not only welcome the support of the Izaak Walton League and other conservationists, but we must have that support to be successful.

The title of your meeting rightly recognizes that the fishery is the most critical water use endangered by the prospect of dumping hot water into the region's streams. Since the effects of high water temperatures on fish have been thoroughly discussed today, I need not elaborate further. But I do wish to emphasize that, as valuable as the fisheries are, we don't set their water quality needs as our goal for the sake of the fisheries alone. Excessive water temperatures also damage other uses, which would be protected by meeting the fisheries' needs. In short, the phrase, "cool, clear water," is not an accidental choice of words. Cooler waters are generally of higher over-all quality and utility.

My purpose here today is to describe the policies and programs generated by the Federal Water Pollution Control Act, which received almost unanimous Congressional approval and the strong commitment of the President. Briefly stated, the established National policy calls for enhancement of the quality and value of our water resources through prevention, control, and abatement of water pollution. *No one* has the right to pollute public waters. The thrust of pollution control programs is to protect and enhance water uses—all water uses—by applying known pollution control measures and by developing new ones.

Each of the States of the Pacific Northwest has adopted similar pollution control policies. And the State-Federal program efforts are guided toward mutual goals through the most important single program we share: *water quality standards,* which were required by the Water Quality Act of 1965. The Act required the standards to include: (1) the water uses to be made of particular streams, (2) the water quality criteria necessary to allow those uses, and (3) a plan of implementation and enforcement of treatment and control measures.

In the standards-setting process last year—after many public hearings—the Pacific Northwest States sharing the Columbia River uniformly established the anadromous fishery as the water use to be protected wherever it is, or could be maintained. And they set criteria, including artificial heat criteria, to protect the fishery. It is true, and a great point has been made in some quarters, that there are inconsistencies between the heat criteria adopted by Washington and Oregon for the Columbia River. But this inconsistency is a minor point and is expected to be reconciled upon completion of studies now under way. In any event, this slight difference in criteria is academic in light of the narrative portion of the standards.

This narrative or—more properly—the plan of implementation and enforcement of treatment and control measures for both Oregon and Washington requires that all wastes receive the highest and best practicable degree of treatment. Thus, the standards cannot be construed as allowing degradation of higher quality water to the levels enumerated in the criteria. These sound requirements are consistent between the States and with the Department of the Interior policy established by Secretary Udall. Since this fact has been so often overlooked, I would like to elaborate and quote from the policy established by Secretary Udall:

"Waters whose existing quality is better than the established standards as of the date on which such standards become effective will be maintained at their existing high quality. These and other waters . . . will not be lowered in quality unless and until it has been affirmatively demonstrated to the State water pollution control agency and the Department of the Interior that such change is justifiable as a result of necessary economic or social development and will not interfere with or become injurious to any assigned uses made of, or presently possible in, such waters. This will require that any industrial, public or private project or development which would constitute a new source of pollution or an increased source of pollution to high quality water will be required, . . . to provide the highest and best degree of waste treatment available under existing technology. . . ."

It seems abundantly clear that, if existing water quality is higher than the enumerated criteria, existing water quality is really the prevailing standard to be complied with. The temperature quality of the Columbia River shall not be degraded to either the Oregon or Washington criteria if the new waste—such as heat from nuclear power plants—is amendable to treatment. The critical factor here is that thermal wastes which are amendable to treatment—such as the nuclear plant effluents—shall receive the highest and best degree of treatment under existing technology. Effective treatment and control methods do exist. For those interested, I suggest reading the recent Bulletin of the Sport Fishing Institute dated January 1968.

In addition, if high water quality prevails in a stream and some desired and beneficial use is envisioned which must degrade that high quality or be foregone as a use, two very important and stringent conditions must be met before such degradation would be permissible under the standards:

(1) It must be affirmatively demonstrated to the State and Federal pollution control agencies that such degradation is "justifiable as a result of necessary economic or social development." In other words, if operation of a nuclear power plant would necessarily lower existing water quality, then either the plant must be located elsewhere, or the industry must prove that the costs of treating its waste discharges are so excessive that the needed power production must otherwise be foregone. It seems extremely doubtful that such a circumstance would prevail, in view of the low percentage increases in power costs which would be necessary to treat waste heat from thermal power plants. The crucial case which must be made before building the nuclear power plant is that the costs of treatment would unquestionably preclude the

development of electrical energy. This seems a wholly unlikely possibility, since so many such plants elsewhere in the United States are already producing power efficiently and controlling the waste heat.

(2) However, assume for a moment that such a case could be made. Even then, the industry would have to prove that the resultant degradation of water quality would not damage any water uses to which the receiving waters are presently put. Here we have the topic of your meeting; for the industry would have to satisfactorily prove that it would not damage the fisheries, or any other use, in its manipulation of the temperature environment. This does not mean the impact of just one plant must be studied, for that would not be realistic. What is important and what must be proved is that the entire future Pacific Northwest power development—involving many nuclear power plants over a *long range of time*—will not raise water temperatures in a manner which interferes with or damages the viable cold-water fishery which we now have.

In short, the burden is upon the industry to prove: first, that nuclear power development in the Pacific Northwest cannot unfold through the coming years without attendant degradation of our water quality; and second, that any such unavoidable degradation will not interfere with any bona fide water uses, including sustaining our Pacific salmon fishery. At this point, it seems clear that the power industry's desired use of the region's cold-water streams must be consistent with maintaining the existing water quality.

What, then, must the power industry do to comply with standards? Frankly, although the answer lies in the policies which sharpen the meaning of the standards, the solutions to the problems involved have not yet been hammered out by the power industry or anyone else. But the crossroads will be reached when a discharge permit is sought by the industry. At that time, the power industry must present waste treatment plans which assure no degradation of water quality. And the sooner the pollution control agencies—both Federal and State—are brought into this matter formally, the less likely will be costly and time-consuming delays and site changes.

This approach will require a change of attitude by the thermal power industry. I think Charles F. Luce stated this point well when he was Under Secretary of the Interior:

"For what a paradox it is that [the electric utility industry], which makes our daily living more pleasant in so many ways, should shroud our skies with smoke and befoul the air we breathe, should heat up our rivers and make them unfit for fish or fowl. To resolve such a paradox, *the industry must adopt new standards, perform in new ways, show new concern for the quality of the environment, and be an even better citizen in the communities it serves.*"

Interestingly, Mr. Luce spoke with the knowledge growing out of his experience as head of the Bonneville Power Administration.

Mr. Luce rightly points out that we must think in terms of the total environment, not just water pollution. We recognize that, in some areas, discharge of waste heat as water vapor into the atmosphere could create an air pollution problem. For example, depending on how waste heat is disposed of, it appears that the Willamette Valley might be the poorest location in the Pacific Northwest for nuclear power plant development. This problem area—obvious to all of us—emphasizes the fact that one of the most effective ways to protect the environment is through proper site selection; that is, selecting the sites which allow the production of needed electricity and full protection of all aspects of the environment at the least total economic and social cost.

This method has not been adopted in Pacific Northwest power planning—as evidenced in the announced selection of a thermal nuclear power plant site with the potential capacity of four million kilowatts to be located near Goble, Oregon—where the lower Columbia River is not only strategic to anadromous fish passage, but is also subject to tidal effects which make the river stand still at times. And within the last two weeks another one-million-kilowatt nuclear power plant site selection was announced for location just six miles upstream from the Goble sites—still within the "slosh zone" of tidal effects. It appears that site selection was on the basis of minimizing power transmission costs, and with only superficial consideration of avoiding affronts to the environment.

We recognize that the power industry must make several immediate choices of plant sites to meet the power needs of the 1970's. Thus, we suggest immediate and thorough involvement of all interests in checking out the environmental conditions and risks, and in outlining vital measures essential to protection of the environment. We should join in more formalized comprehensive and intensive consideration of all economic, social, and environmental conditions surrounding the coming of the thermal nuclear power age to the Pacific Northwest. Fortunately, there are faint glimmerings that this will be done.

We recall the promises and optimistic projections of the power industry with the advent of hydropower dams in recent years. Based on the knowledge *then* available, the dams were built with ladders for fish passage, with the assurance that the fishery would be protected. An appraisal of many of these facilities in the Deschutes, Willamette, and Middle Snake Rivers and other areas after hydropower development shows that their efforts have been far less than wholly successful. Therefore, we cannot, and will not, allow further manipulation of the environment by permitting the erection of other hazards in the form of artificially elevated water temperatures.

In closing, let me reaffirm my position that thermal pollution in the Northwest is not a necessary end result of fulfilling our need for electric energy; and further, that thermal pollution is now prohibited by State and Federal water quality standards in the Pacific Northwest. Once-through cooling on cold water streams supporting anadromous fisheries will not be possible for new nuclear power plants. We hold the firm conviction that both the environment and the power needs can be served if open and complete cooperation is begun *now*. Nuclear power development can, and must, accommodate to the laws and policies of the pollution control agencies which reflect the needs and desires of the people of the Pacific Northwest to maintain the quality environment at least at the present level. This is the only way we will have both fish and power in the Pacific Northwest.

[From the Oregonian, Mar. 7, 1968]

FISH BOARD BACKS POLICY—HEAT DISPERSAL NEED STRESSED

Oregon Fish Commission has pledged full support to the Oregon State Sanitary Authority's policy to require adequate treatment of waste heat at all thermal electric power plants constructed on Oregon's inland waters, according to Edward G. Huffschmidt, fish commission chairman.

A policy statement by the sanitary authority last week said cooling facilities will be required if thermal plants are to be operated within the limits prescribed by Oregon's new water quality standards, which call for the highest and best practical treatment and control of wastes.

State and federal fisheries agencies have expressed concern about the potential damages to aquatic life that could occur as a result of discharging large quantities of heated water from thermal power plants into Oregon's rivers, Huffschmidt pointed out.

The fish commission chairman said the commission was greatly encouraged by the sanitary authority's positive approach to enforcing thermal pollution laws.

He said enforcement of Oregon's water quality standards will assure orderly development of both electric power and fishing industries.

The Fish Commission has postponed a joint public hearing with the Washington Department of Fisheries on Columbia River shad fishing regulations from March 13 to March 27.

[From the Portland, Oreg., Journal, Mar. 5, 1968]

SAFEGUARD OF RIVERS UNIFIED

Washington State will go along with other Pacific Northwest pollution control agencies in preventing thermal pollution of the area's rivers, Washington State Pollution Control Commission Director Roy Harris said Tuesday.

Washington will join the Oregon State Sanitary Authority and the Federal Water Pollution Control Agency in requiring that all thermo-nuclear power plants to cool their water discharges before returning water to rivers, Harris said.

"The same policy requiring treatment of water before it is put back in streams is written into our water standards. We are not going to let anyone, not even the first plant built, put thermal pollution into the rivers," Harris told The Journal.

Harris said that the same situation exists in Washington as in Oregon. Power companies have announced plans for thermal nuclear plants, but nobody has asked the pollution control agency for a permit to discharge heated water to the rivers.

In Oregon, Portland General Electric originally announced plans to build a thermal nuclear plant on the Trojan site near Rainier, Ore. These original plans did not include cooling towers, and the company intended to dump water heated 16 degrees above river temperature back into the Columbia River.

Following protests from fish biologists, conservation groups and reports of adverse effects of heated water on salmon, and on the rivers, pollution control groups announced that both state and federal standards requiring treatment and cooling of discharges would be enforced.

STATE SANITARY AUTHORITY TO DEMAND HIGHEST STANDARDS IN NUCLEAR POWERPLANTS

The State Sanitary Authority Thursday threw its muscle into the nuclear power plant controversy and promised to demand "the highest possible water temperature standards" before granting waste water disposal permits to power companies.

The authority made it clear that a new interpretation of the water quality standards could require power companies to build expensive cooling towers along with the construction of nuclear power plants.

The policy statement, issued Thursday by Sanitary Authority Chairman John Mosser, could affect economically plans by Portland General Electric Co. to build a nuclear power plant at the Trojan site on the Columbia River near Rainier.

A cooling tower utilizes evaporation, like a water bag, for cooling. The water is circulated over a large surface exposed to the atmosphere, and evaporation of part of the water cools the remainder. Only enough water is taken from the river or other source to replace that lost by evaporation, and none is returned.

Mosser said it was the authority's role to "make the temperature standards on our rivers as rigid as possible to stop the possible degradation of our water quality by the fast approaching nuclear age."

Citing Oregon's water pollution regulations, Mosser said, "It is our job to keep the river temperature at the lowest possible level and it is up to the power companies to do everything that is possible to comply."

"It seems to me that the Oregon water quality standard statute talks about water quality at the highest possible level and water temperature at the lowest possible level," Mosser said. "It says nothing about 68 degrees maximum temperature in the Columbia River or about permitting a two-degree heating of the river," Mosser said.

Mosser said that "doing everything possible" to keep the Columbia at its lowest possible temperature level means "forcing the power companies to build cooling towers as they build their plants."

STATEMENT ISSUED

He said if the economics of building a cooling tower (estimated to cost $8 to $9 million with a $2 million annual cost of operation) makes the building of a power plant at a specified site impractical, "then the power companies will have to find alternative sites."

In putting its weight behind the recent policy statements of the Federal Water Pollution Control Administration, the Pacific Northwest Pollution Control Council and Secretary of Interior Stuart Udall, the sanitary authority issued a policy statement of its own that would make future nuclear power plant site selections applicable to the authority's water quality standards regulations, as cited by Mosser Thursday.

Mosser said the authority would apply its water quality and temperature interpretation to the Willamette River system immediately and would seek to apply it to the Columbia River, "If we can get the full cooperation of Washington water pollution control agencies."

[From the Spokane (Wash.) Spokesman Review, Feb. 27, 1968]

RIVER POLLUTION DANGER IS FEARED

The Pacific Northwest Pollution Control Council voiced "grave concern" Monday regarding water pollution that may result from 15 thermal nuclear power plants planned for the region.

And the council urged that a task force on environmental quality control be formed immediately to develop guidelines to be used in locating nuclear power plants in the area.

Roy M. Harris, director of the Washington State Water Pollution Control Commission and chairman of the council that met here, said the power plants are being projected for location in the Pacific Northwest in the next 20 years.

PROTECTION NOT PROVIDED

Council members from four northwest states and British Columbia observed that regionwide studies of thermal nuclear power plant site plans and proposed handling of cooling water discharges have been based almost solely on the desire to keep to an absolute minimum the total cost of the resulting integrated hydro-thermal power system proposed for the area.

"Studies made on that basis," said Harris, "cannot provide full protection to the environment."

The council also noted that selections of two specific sites on the lower Columbia River were announced without benefit of adequate discussion with or clearance by the appropriate state and federal pollution control agencies.

GUIDELINES SUGGESTED

Guidelines favored by the council in formation of a site selection task force included:

1—Thermal nuclear power plants should provide the highest and best practicable treatment of wastes to prevent any degradation of existing water quality, as required by the water quality standards adopted by the states and approved by the secretary of the interior.

2—From the outset, thermal nuclear power plants located on inland waters should provide facilities for complete off-stream cooling.

3—First consideration should be given to locating thermal nuclear power plants along open coastlines where waste heat can be dissipated into the ocean with minimum effects on the environment.

Council members attending the informal session here included Vaughn Anderson, Boise, Idaho Department of Health; Claybourne Brinck, Helena, Montana Pollution Control Commission; E. Jack Weathersbee, Portland, Oregon State Sanitary Authority; R. F. Poston, Portland, regional director, Federal Water Pollution Control Administration, and Stanley Copp, Vancouver, B.C., Canadian Department of Health.

District of Columbia Police Reserve Bill

HON. SAM STEIGER

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. STEIGER of Arizona. Mr. Speaker, we have a manpower problem in the District of Columbia police force that must be solved. A partial solution is proposed in the bill which I, with the support of other Members, am introducing today.

The purpose of the bill is to authorize the District government to select, organize, train, and equip reserve police officers for duty in connection with the policing of the District of Columbia.

The objective of the bill is to permit trained volunteers to assume certain active police duties with the Metropolitan Police Department, thereby freeing regular police officers for more comprehensive protection of the District.

The regular District of Columbia force is budgeted for 3,100 men. Present strength is 2,877, with 217 vacancies. Seven hundred carefully and thoroughly trained, experienced reserve officers would do much to release regular police officers for other needed law enforcement assignments.

Bear in mind the reserve will merely supplement the force. Reserve officers will not be used for patrol duty in the high crime areas; assigned to riot duty; permitted to make any search or seizure; or utilized for any police duty requiring a high level of qualified police performance.

Rather, they will free regular members from the performance of routine police duties.

Mr. Speaker, this bill will provide added protection to the District while entailing little expense to the taxpayer.

This bill is recommended by Mayor Washington and conforms to a recommendation of the President's District of Columbia Crime Commission of 1966. Former Commissioner Tobriner urged the creation of such a reserve, as did Mr. Harney, the District Committee's Consultant on Police Matters. Many cities of the Nation currently maintain active trained reserve units.

Furthermore, the President in his message to Congress on the District—March 13, 1968—included a recommendation on the reserve, to wit:

> I recommend legislation authorizing the Mayor to organize, train and equip a force of 700 reserve police officers. This reserve force would release regular policemen for needed law enforcement assignments. It would widen and strengthen citizen participation in crime control in their neighborhoods, thereby strengthening police-community relations.

It is estimated the cost of establishing a reserve would be $224,000 for the first year and $70,000 annually, thereafter. The benefits to be derived would greatly exceed this cost. I urge the District of Columbia police reserve bill's immediate passage.

College Park, Md., Airport, World's Oldest Operating Airport

HON. DANIEL B. BREWSTER

OF MARYLAND

IN THE SENATE OF THE UNITED STATES

Tuesday, April 2, 1968

Mr. BREWSTER. Mr. President, during the past session of Maryland's General Assembly, a resolution was passed commending the city of College Park for its efforts to preserve the world's oldest operating airport.

The College Park Airport, located only minutes from the Capital, became the Nation's first military airfield in 1909 when the Army started pilot instruction under Wilbur Wright. In 1912, the first experiments on aerial machinegun was fired from an airplane here, the first experiments on aerial photography and bombdropping were performed and the world's altitude record of 6,450 feet was set. Six years later, in 1918, the first airmail service was started from College Park Airport.

The resolution passed by the general assembly recognizes the historic significance of this airport to the Nation, as well as to College Park and the State of Maryland.

I ask unanimous consent that the resolution be printed in the Extensions of Remarks.

There being no objection the resolution was ordered to be printed in the RECORD, as follows:

H. RES. 89

(By Delegates Dorman, Menes, and Mothershead)

House Resolution honoring the city of College Park for their efforts to preserve the world's oldest operating airport and offering the moral support of the State of Maryland, in their endeavor

Whereas, There is within the City of College Park, Maryland, the World's Oldest Operating Airport, namely the College Park Airport; and

Whereas, Many historical firsts were accomplished at this self same airport, including, but not limited to the following: 1907, Earliest Aeronautical Experiments; 1909, First Military Aviation Training Field in the World; 1910–1916, Location of early flights of many aviation pioneers—Smith, Christmas, Janus, Beachy, Arnold, Milling, Lahm, Orme, Fox, et al; 1911–1912, Pioneer experiments with bombs and machine guns;

1912, Hap Arnold set altitude record, 6,450 feet; 1918, Washington Terminus of First Regular Airmail Run; 1920–1924, Site of early Helicopter experiments by Emile and Henry Berliner, father and son; and

Whereas, The City of College Park, Maryland, is attempting to preserve this historic site of aviation for the public, and to that end, has appointed an Airport Authority to work toward this most desirable goal; and

Whereas, The City of College Park, Maryland, needs the support and cooperation of all interested persons; now, therefore, be it

Resolved by the General Assembly of Maryland, That the City of College Park is to be commended for its attempts to preserve the College Park Airport, and the General Assembly of Maryland does request the cooperation of all interested persons in the State and Nation in this effort to preserve the College Park Airport, and further that those appropriate official agencies of the State are requested to assist where possible in this preservation effort; and be it further

Resolved, That copies of this Resolution be sent to the City of College Park in College Park, Maryland.

Read and adopted by the House of Delegates, March 6, 1968.

By order,

JAMES P. MAUSE,
Chief Clerk.
MARVIN MANDEL,
Speaker of the House.

Frontier Nursing Service

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. CARTER. Mr. Speaker, the Frontier Nursing Service has been a force of inestimable good in caring for the sick and injured in the mountains of eastern Kentucky.

In our State, we have great admiration and appreciation for the work of the brave women who have ministered to the needs of the mountain people. I should like to make available to my colleagues information about the plans for future development of the FNS in Leslie County, Ky., and for this reason am placing in the RECORD a brochure recently published by the service:

FRONTIER NURSING SERVICE

FOREWORD

The Frontier Nursing Service was begun in 1925 by Mrs. Mary Breckinridge who remained the active director of the Service until her death, at the age of 84, in May 1965. Mrs. Breckinridge had taken her nurses' training at St. Luke's Hospital in New York City. After the death of her own two children, she decided to devote the rest of her life to the medical and nursing care of children in remote areas. While working as a volunteer with the American Committee for Devastated France after World War I, she was introduced to the nurse who was also a midwife and realized that this was the person best equipped for work in a rural area. After completing the midwifery training at the British Hospital for Mothers and Babies in London, Mrs. Breckinridge went to Scotland to study the work of the Highlands and Islands Medical and Nursing Service before returning to Kentucky to organize the Kentucky Committee for Mothers and Babies which, after three years, became the Frontier Nursing Service.

Mrs. Breckinridge chose the Kentucky mountains for her demonstration because of their inaccessibility. She felt that if the work she had in mind could be done here, it could be duplicated anywhere else in the United States. Although Mrs. Breckinridge had been born in Tennessee, her family had been Kentuckians for generations and she knew that she would have the support of many friends and kinsmen in her venture.

Of the area she had chosen, and of her ideas about rural health care, Mrs. Breckinridge herself wrote:

"In 1925 the territory in the Kentucky mountains, where Frontier Nursing Service began its field of operations, was a vast forested area inhabited by some ten thousand people. There was no motor road within sixty miles in any direction. Horseback and mule team were the only modes of travel. Brought-on supplies came from distant railroad points and took from two to five days to haul in. U.S. mail sacks travelled in little carts or slung across the backs of horses and mules. There was not in this whole area a single state-licensed physician--not one.

"To meet the needs of the frontiersman's child, you must begin before he is born and carry him through the hazards of childbirth. This means that the nurses who serve him must be qualified as midwives. They must be nurse-midwives. Thus reasoning, the Frontier Nursing Service became the first organization in America to use nurses qualified as midwives.

"Even after his birth the young child is not an isolated individual. His care not only means the care of his mother before, during, and after his birth, but the care of his whole family as well. Bedside nursing of the sick in their homes is as essential in rural areas as in the Visiting Nurse Associations of cities. It means including the whole family, because the young child is a part of his family. Health teaching must also be on a family basis—in the homes.

"In remotely rural areas the envrionment of the young child must be taken into consideration if he is to have a normal growth. His drinking water, unlike that of the city child, does not come from a common source safeguarded by sanitary engineers. It comes from a thousand separated wells and springs, many of them contaminated. His family sewage is not carried off and disposed of by sanitary engineers. It contaminates his environment.

"It will now be seen that when a group of people take as their point of departure the young rural child, and cherish the wish of serving him, they will be led by degrees into a full public health program on his behalf. But even this is not the end of the challenge he brings to us. It is no service to the young child to let his father die of appendicitis. From the beginning we needed a rural hospital and, within three years we had it—with a medical director."

Mrs. Breckinridge often said that in pioneer work it was wise to make a small beginning and take root—so that growth, when it came, would be unforced and spontaneous. With iron determination and compassion, with driving will and humor, Mrs. Breckinridge set out to prove that good medical and nursing care could be given to the citizens of a remotely rural area. From a small house and a staff of three, the Frontier Nursing Service has spread like "the banian tree of the forest, yielding shade and fruit to wide neighborhoods of men".

Our work could not have made a beginning without the backing of responsible people. Those who founded the FNS in May 1925 arranged for its incorporation as a non-profit philanthropy in November of the same year. Most, but not all, of the incorporators were Kentuckians. Within a short time the interest in what we had set out to do had become so widespread that other groups of people in other states formed committees to further this demonstration for remotely rural children.

The voting membership of the Frontier Nursing Service, under its articles of incorporation, is composed of those groups of men and women who comprise its committees, both in the field of work in the Kentucky mountains and beyond the mountains. Ballots are not mailed to members—but each member who attends the Annual Meeting votes for the election of the Board of Governors and the Trustees for the ensuing fiscal year. The Board of Governors elects its own officers and is responsible for the direction of the affairs of the corporation. The Director of the Service is appointed by the Board and is responsible for the general work of the corporation. The resident Medical Director is also appointed by the Board. The Trustees act as an advisory group to the corporation. In addition, the Service has two professional advisory groups, its National Medical Council and its National Nursing Council. Those members of the Medical Council who live in Lexington, Kentucky, are the Medical Advisory Committee and it is this Committee which authorizes the Medical Routines—the standing orders under which the nurses and nurse-midwives work—and acts as consultants to the Medical Director.

ADMINISTRATION

In order to cover a territory where travel is difficult and time-consuming, the work has been organized on a decentralized basis with Wendover as administrative headquarters. The entire staff works under the guidance of the Director of the Service, a British nurse-midwife who has had many years of experience in all aspects of Frontier Nursing Service.

Since the administrative headquarters of the Service are in the field of work, and administration is an integral part of the work itself, the expense of renting outside offices is saved. The responsibility for construction, repairs, upkeep, insurance, and supplies is carried in the office of the Executive Secretary.

No organization should ask for public support unless it keeps an accurate accounting of its affairs. The Bookkeeping Department meets the high standards required by our treasurer and auditors. The Record Department is responsible for the tabulating of all nursing records and for the preparation of figures needed for the annual report of the nursing work. Other administrative assistants handle the donor files, take care of correspondence from all over the world, and serve as clerk in the Wendover post office.

MEDICAL DIRECTOR

The Medical Director, with an assistant physician, is in charge of all patients admitted to the Hyden Hospital and attended in its outpatient clinics. Their work includes general medicine and pediatrics as well as obstetrics and emergency surgery. The physicians hold special clinics at the outpost centers and, under the doctors' orders and their Medical Routines, the district nurses and nurse-midwives care for patients in the homes and in the center clinics. The physicians evaluate the obstetrical patients and are on call for abnormal cases referred by the nurse-midwives. Twice weekly the doctor lectures the students in the Frontier Graduate School of Midwifery.

HYDEN HOSPITAL AND HEALTH CENTER

Hyden Hospital is a general hospital of twenty-seven beds and twelve bassinets taking in all cases except those with chronic, mental, or (except in rare cases) communicable disease. It is the only hospital in Leslie County and within the FNS territory. Its facilities are inadequate for the present day needs of the area and plans are underway for the construction of a new hospital at Hyden.

The Hospital Superintendent, a registered nurse, is responsible for the over-all supervision of the hospital and the direction of its nursing staff. The nurses care for patients in the general wards and in the busy outpatient department and help with the x-ray and laboratory work. The nurse-midwives care for the maternity patients in the wards and in the midwifery clinics. These nurse-midwives also supervise the work of the students in the Frontier Graduate School of Midwifery.

Throughout the year the Medical Director refers patients to specialists who offer their services for special clinics. Residents in pediatrics at the Children's Hospital in Cincinnati come to the mountains several times a year to hold special clinics for children and conduct seminars for the nurses. An orthopedic surgeon holds a monthly clinic for adults and an otolaryngologist conducts a yearly tonsil clinic for children.

NURSING ASSIGNMENTS

Registered nurses who have not had a recognized course in midwifery, and who have had no public health experience, are given an initial assignment as a general duty nurse in the Hyden Hospital and the attached outpatient clinics. During her first six months on the staff, a nurse has the opportunity to observe the work of the nurse-midwives and to spend her off-duty at one of the outpost centers. Thus she can get a good overall picture of the program of Frontier Nursing Service. If she continues to be interested in rural nursing, she may be assigned to an outpost, as an assistant to the nurse-midwife in charge, or she may decide to apply for a scholarship in the Frontier Graduate School of Midwifery to qualify for employment as a nurse-midwife. Full scholarships in the School, provided by the National Society of the Daughters of Colonial Wars, are available to members of the nursing staff.

Experienced public health nurses may be assigned directly to an outpost center. Nurse-midwives may be assigned to the maternity department of Hyden Hospital or to an outpost center.

DISTRICT NURSING AND MIDWIFERY

District nursing and midwifery is carried on from all seven stations of the Frontier Nursing Service by both British and American nurses. At Hyden the students in the Frontier Graduate School of Midwifery with their supervisors, care for the midwifery patients. At Wendover there is one resident district nurse-midwife. There are two nurses stationed at each outpost center. Sometimes both these nurses are certified midwives, and sometimes one is a nurse-midwife and the other a public health nurse. At each center the nurses hold clinics two or three times a week, and subsidiary clinics are held in outlying areas of their districts. However, most of the work is done in the homes of the people.

Ours is a generalized program and each nurse is responsible for the health of the patients in her district. The first fundamental of the work is bedside care—bedside care of the sick, of the woman in labor, of the young baby and his mother. Only in chronic cases does the nurse leave the actual nursing care in less skilled hands—and then only after a sufficient number of demonstrations have been given to convince her that the home care will be adequate. After that the nurse makes follow-up visits to assure herself that all is well. Having demonstrated her value in bedside care, the nurse goes on to include a broad public health program: inoculations, worm treatments, and instructions regarding sanitary privies, a pure water supply and a diet as nearly adequate as possible.

State roads pass through Hyden, connecting it with Harlan, Hazard, and Manchester, and the outpost centers are easily accessible by jeep and often by car. Each district nurse is provided with her own jeep for visiting her patients and, in cases of need, for transporting patients to Hyden Hospital. Although a few horses are still kept at Wendover for recreational purposes, they are rarely used any more by the district nurse on her rounds.

The district nurse works under the supervision of the Medical Director at Hyden and of the administrative staff at Wendover. The director, the field supervisor, the executive secretary, the social worker, the record and accounting departments, and the director of couriers, all act as her advisors in their various departments. The hospital superintendent supplies her with drugs and supplies. A new member of the district staff may be asked to act as a relief nurse, going where the need is greatest, or she may be given a district of her own, depending on the positions available at the time.

FRONTIER GRADUATE SCHOOL OF MIDWIFERY

In November 1939, the Frontier Nursing Service started the Frontier Graduate School of Midwifery at Hyden. This School gives graduate nurses a thorough training in midwifery and in rural technique. The course is of six months' duration and the School is equipped to take seven students at a time. The living quarters are at Mardi Cottage, an attractive building on the Hospital grounds, and the classroom is in annex of the Hospital.

The students are taught to give total care to the normal childbearing woman and her newborn baby; to recognize the abnormal for which the physician is called; and to institute emergency measures should it be necessary before arrival of the physician. Class instruction by the Dean of the School, and lectures by the Medical Director are given; demonstration and practice on a manikin, actual prenatal and postpartum work in the hospital, clinic and home, and deliveries are included in the course. Tests and discussions are frequent. The work of the students is supervised by the Dean and the staff nurse-midwives in the School and in the Hospital. The Medical Director and the nurse-midwives conduct a family planning program which is well accepted by the community and shows excellent results. "The pill" and IUD's are used successfully, resulting in a lowered birth rate in a county which, up until very recently, had one of the highest birth rates in the country. The parents of today are happily learning to space their children.

The final examinations for the Frontier Graduate School of Midwifery—written and oral—are given by physicians from the Department of Health of the Commonwealth of Kentucky. When the student nurse-midwife has passed the examinations, she is given the diploma of the School and is awarded a certificate from the State Department of Health which entitles her to practice midwifery in Kentucky, and authorizes her to use the letters C.M. (certified midwife) after her name. This certificate is recognized by several of the states in the U.S. where nurses are working as midwives, by the U.S. Government, by the World Health Organizations, and by a number of overseas countries. The Central Midwives Board of Great Britain has granted us reciprocity for Part I of their Midwifery Training. The Frontier Graduate School of Midwifery catalogue will be sent upon request.

SOCIAL SERVICE

The Social Service Department is in charge of an assistant director of the Service who has her headquarters at Wendover but functions throughout our territory. Her salary is paid by a monthly grant from the Alpha Omicron Pi Sorority which, years ago, adopted this department in the Frontier Nursing Service as its national project. The Social Service Secretary visits families reported to her by the Medical Director and the district nurses, and provides direct aid to families where there is financial stress. She is responsible for arranging and sometimes providing transportation for patients to hospitals outside our territory—a vital service in a rural area. Children are transported to the Commission for Handicapped Children in Lexington, to Children's Hospital in Cincinnati, and to schools for the deaf and blind. She helps families on public welfare with their budgets and cooperates with the community services in the area. She is responsible for the children which the Service places in special schools and provides scholarships for a number of young people who wish to continue their education. With the women of the Hospital Auxiliary, she unpacks and distributes the clothing and supplies sent us by friends from all over the country.

COURIER SERVICE

The courier service is an active and valuable part of the Frontier Nursing Service and is composed entirely of volunteers—interested young women eighteen years of age or older, who are unmarried and who have completed their secondary education. A prospective courier must be an expert driver of a "stick shift" car, as much of her work necessitates jeep travel over rough roads in all kinds of weather, and one of her duties is to introduce new staff to the jeep. Horses, although seldom used for district work, are still kept at Wendover, and the couriers are responsible for their care and exercise. Horseback riding is one of the few recreational activities available to our staff.

A courier's work is varied. She may be asked to do the shopping, or run errands to the hospital or an outpost center. She may take the jeeps to the garage for servicing or repairs, or stay at an outpost center to help the busy nurse with painting or other odd jobs. Sometimes she may accompany the district nurse on her daily calls. Occasionally she may be asked to help out at our small hospital. Couriers often act as escorts to some of the many guests who visit the Service, especially during the summer months. There is a director of couriers at Wendover throughout most of the year to give continuity to this vital service.

In cities where we have a Frontier Nursing Service Committee, the courier chairman interviews applicants before they come to us. The two summer periods—from June 15 through September 15—are reserved for college girls who can only come at that time and are open only to those who have completed at least one year of college. We have such a long waiting list for these months that it is advisable to apply at least a year in advance. We are often short of couriers during the remainder of the year, and welcome applications from girls who are available for the fall, winter, and spring months.

LIVING AND WORKING CONDITIONS OF THE STAFF

At each of its seven stations the Frontier Nursing Service owns the land and buildings. Hyden, Wendover, and all the outpost centers have electricity, running water, bathrooms and telephones. Except for three of Wendover's older buildings (heated by open fires), all have central heating with open fires in the living rooms.

At Hyden, where we have 35 acres, the Hospital and Margaret Voorhies Haggin Quarters for Nurses and the St. Christopher's Chapel are built of stone. The Chapel, built by local craftsmen in 1960, houses the beautiful and unique 15th Century stained glass window which was given Mrs. Breckinridge many years ago. Also on the Hospital grounds are Bolton House and Joy House, both completely furnished for the use of the medical staff, and Mardi Cottage which accommodates the seven students in the Frontier Graduate School of Midwifery.

Wendover lies in a 320 acre boundary of steep mountain land. Its buildings are scattered about in a forest overlooking the river and houses the offices of the administrative staff, the clinic and waiting room for the district-nurse midwife, a U.S. Post Office, and living quarters for those staff members who headquarter there.

The five outpost nursing centers are well-built, well-equipped houses. Two rooms are set aside for clinic and waiting room and the others serve as a home for the nurses. All the centers have barns, chicken houses, and acreage for pasture and gardens.

Although salaries in the Frontier Nursing Service are lower than those prevalent outside the Kentucky mountains, living expenses for the staff are kept correspondingly lower. It is the policy of the FNS to stabilize the cost of living for its staff. At Hyden and Wendover everyone pays a fixed rate for board and laundry. At the outpost centers the nurses make their own housekeeping arrangements, but the Service provides furnished living quarters, keeps them in repair, and makes other adjustments to keep down the living expenses for the staff.

RESEARCH

Medical and nursing records have been preserved from the time the work began and are a valuable source of information for those interested in research in matters pertaining to health. Studies have been made in the field of helminthology, nutrition, and dietary deficiencies. A summary of our first 10,000 confinements was prepared by the Metropolitan Life Insurance Company of New York. In the fall of 1966 we completed 5,000 confinements of our second series of 10,000.

Two studies are underway today. One is being conducted under the auspices of the American Cancer Society which is endeavoring to determine the incidence of breast cancer among a group of FNS patients who have breast-fed their babies. The second is a study of the work of the nurse-midwife in a family planning program.

OUR FINANCIAL BASIS

The Frontier Nursing Service is financed by the contributions of over four thousand yearly subscribers; by special donations; by endowment income; by returns from benefits held through its Commmittees,; by payments for patient care; by grants from the National Society of the Daughters of Colonial Wars and from the Alpha Omicron Pi Sorority; by revenue from the Wendover Post Office; by royalties from *Wide Neighborhoods;* by sales of articles given for the Service to the Bargain Box, a thrift shop in New York City. These are the main sources of income that meets its annual budget.

A audit by certified public accountants has been made annually for the Frontier Nursing Service since the end of its first year.

Anyone may become a contributor to the Frontier Nursing Service by subscribing a minimum of $2.00. Donations should be sent to the Treasurer, Frontier Nursing Service, Security Trust Building, 271 West Short Street, Lexington, Kentucky 40507.

One dollar of each contribution is prorated to *The Quarterly Bulletin* and pays the costs of its publication. Gifts are deductible from Income Tax under section 501(c)(3) and 170(b)(1)(A)(iii) of the Internal Revenue Code of 1954.

PUBLICATIONS

Frontier Nursing Service Quarterly Bulletin is edited by the Director and published by the Service at the end of each quarter. Its subscribers include people from all parts of the world who are interested in remotely rural work. The first-hand stories, photographs, drawings and cartoons are contributed chiefly by workers, volunteers, and guests of the Service. The names of our officers and trustees, and members of the medical and nursing councils, are printed in each issue. The summer issue, Number One of each Volume, carries our annual report. For a sample free copy, write Frontier Nursing Service, Wendover, Kentucky 41775.

Wide Neighborhoods, an autobiography by Mary Breckinridge, published by Harper & Row, now in its eighth printing, tells the dramatic story of Frontier Nursing Service. At all bookstores. Price, $4.95.

FIRM FOUNDATIONS FOR THE FUTURE

Our plans for the future are exciting and challenging. But before one can plan for the future, one must evaluate the past. Has the Frontier Nursing Service fulfilled its purpose?

From its earliest beginnings it was a part of the plan of the Frontier Nursing Service to offer its demonstration area for observance and study to people of like interests. During the last few years our professional guests have come to study our program from some forty countries on every continent. They seek something that will be of help to them in their own rural planning. Sometimes the help we can give them lies in our system of organization; sometimes in our frontier techniques. We are represented in foreign countries even more directly by the nurses who have stayed two or more years with us—for the experience we could give them—and by those who have passed through the Frontier Graduate School of Midwifery and have gone out to work under the agencies which sent them to us. Such nurses are now working not only in many American states, including Alaska, but also in Canada, New Zealand, New Guinea, the Middle East, and many parts of Asia, Africa, and South America. Through the people who have studied our system and our techniques, we are reaching hundreds of thousands of children whose names we shall never know, and to whom we, too, are unknown.

In our own field of work here in the Kentucky mountains, we reach with direct and intensive care some 5,000 children and their families annually. At the end of our forty-first fiscal year, in April 1966, the Frontier Nursing Service had delivered 14,913 registered maternity cases of which 9,022 were delivered in the homes of the patients. During this period there were 11 maternal deaths, nine from puerperal causes. At the end of our first 10,000 deliveries (1925–1955) the FNS had a puerperal death rate of 9.1 per ten thousand live births. Among white women in the United States in this same period, the puerperal mortality rate averaged 34.0 per ten thousand live births. There has been no maternal death in the past fifteen years. According to a report prepared by a senior medical student at the University of Kentucky in 1965, during the period 1952–1963, the Frontier Nursing Service had a maternal mortality rate of 0.0 and a perinatal mortality rate of 17.3. For this same period, the state of Kentucky had a maternal mortality rate of 4.4 and a perinatal mortality rate of 31.3. Over the years we have provided hospital care for some 28,000 people and we have given nearly 250,000 inoculations. When we cannot provide the medical services needed by our patients, we endeavor to refer them to other medical facilities where they can get the proper care. We have never lost sight of the fact that care of the patient is our primary goal, the very reason for our existence. The Frontier Nursing Service has been a part of this community for over forty years. Our patients are our neighbors and our friends and we have an obligation to them to help them in their efforts to find a better way of life for small section of Appalachia.

We feel that the past has earned for the Frontier Nursing Service a place in the future, and we are therefore proceeding with our plans. We have long recognized the need for an addition to the Hyden Hospital and Health Center. The people of the FNS area have been educated to seek medical care, and have responded to this teaching, and now our physical facilities are not adequate, either for outpatients or for inpatients, to meet the needs of the area we serve. For many years we saw an average of 10,000 patients a year in the Hyden Clinic. For the last three years we have seen over 18,000. Every available inch of the present hospital at Hyden is crammed with patients, staff, and equipment, and there is no room for expansion. Indeed, there is little room to turn around. Plans are underway for the construction of The Mary Breckinridge Hospital which will fill a desperate need of the area and will be a fitting memorial to Mrs. Breckinridge's life and work.

When we have our new hospital and the joy of more space in which to work and teach, it will be possible for us to carry out our tremendously exciting plan to broaden our educational field to include a program of instruction in comprehensive family care among rural people. Our future plans include a companion school to our Frontier Graduate School of Midwifery in which we would offer a training program for rural district nursing. With such a school we will have taken one step further towards fulfilling our goal as stated in the Articles of Incorporation:

"To safeguard the lives and health of mothers and children by providing and preparing trained nurse-midwives for rural areas in Kentucky and elsewhere, where there is inadequate medical service; to give skilled care to women in childbirth; to give nursing care to the sick of both sexes and all ages; to establish, own, maintain and operate hospitals, clinics, nursing centers, and midwifery training schools for graduate nurses; to educate the rural population in the laws of health, and parents in baby hygiene and child care; to provide expert social service, to obtain medical, dental and surgical services for those who need them at a price they can afford to pay; to ameliorate economic conditions inimical to health and growth, and to conduct research towards that end; to do any and all other things in any way incident to, or connected with, these objects, and, in pursuit of them, to coöperate with individuals and with organizations, whether private, state or federal; and through the fulfillment of these aims to advance the cause of health, social welfare and economic independence in rural districts with the help of their own leading citizens" (Articles of Incorporation of the Frontier Nursing Service, Article III).

Disturbing Reports About Developments in Poland

HON. WAYNE MORSE

OF OREGON

IN THE SENATE OF THE UNITED STATES

Tuesday, April 2, 1968

Mr. MORSE. Mr. President, for the past few weeks we have been reading disturbing reports about developments in Poland. While it would be inappropriate for an American Senator to get involved in the internal affairs of a country like Poland insofar as the general student unrest is concerned, it would be even more inappropriate to remain silent about the unmistakable signs of ugly anti-Semitism which have surfaced during this period. Had the world not been so silent 30 years ago, we might have saved the millions of Jews who were destroyed in the Nazi terror.

The American Jewish Committee, one of the oldest and most respected human relations agencies in the country, has just put together a most useful memorandum on these disturbing developments. It helps put the entire issue in perspective and provides much useful information about the recent events. I ask unanimous consent that the memorandum, entitled "Poland and Jews: A Reappraisal," be printed in the Extensions of Remarks.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

POLAND AND JEWS: A REAPPRAISAL

(By the American Jewish Committee, foreign affairs department, New York, N.Y.)

As the world knows, the student and mass demonstrations in Warsaw and other cities, calling for greater cultural and political liberalism, which erupted on Friday, March 8, gave rise to open anti-Semitic propaganda on the part of the ruling United Workers' (Communist) Party. It was an attempt to explain the "causes" of the outbreaks, which had assumed proportions reminiscent of riots and disturbances in 1956 and 1957, and to label them the work of "Zionist instigators" and of "Polish citizens of Jewish origin." The anti-Semitic attacks were first expressed by blaming Jews and "Zionists" for being among the instigators. Then, Jewish names in the list of persons blamed for the demonstrations were emphasized.

Trybuna Ludu, the official party organ, and *Slowo Powszechne,* the leftist Catholic publication presented the anti-Semitic thesis during the first days of the demonstrations.

The party daily stated that among the demonstrators there were many Jews. It labeled the "wire pullers" of the student revolt as the same people who had maintained connections with Zionist circles and are in contact with elements in the Federal German Republic in order to reverse Gomulka's foreign policy. It also blamed University authorities and professors for the student revolt, because they did not put enough stress on discipline and proper education of the youth.

According to the official publication, there were among the leaders of the student demonstrations children of high party and government functionaries, in office or who formerly occupied high positions. Among those mentioned by name were Adam Michnik, son of the editor of the publishing house "Ksiazaka Wiedza", which had been issuing propaganda publications for the Communist Party; and Henry Szlaifer, the son of a censor of the Central Press Control. Michnik and Szlaifer are Jewish.

In addition, the names of the following demonstrators were mentioned: Ewa Zarzycka, daughter of the former Deputy Defense Minister and Mayor of Warsaw; Janusz Zarzycki, of Warsaw; Katarzyna Werfel, daughter of Roman Werfel, who formerly played a leading role within the Polish Communist Party; Antoni Zambrowski, former member of the Political Bureau of the Communist Party, who was removed in 1963; Marta Pietrusewitch, daughter of a professor of the Scientific Academy; Irena Lasota, daughter of a colonel; Irene Grudszinska, daughter of the Minister of Forestry; and Aleksander Smolar, the son of Herch Smolar, editor of the pro-Communist, Yiddish *Folks Shtimme.*

Slowo Powszechne, the newspaper of Pax, the pro-Communist Catholic lay movement insisted that "Zionists" were behind the outbreaks. (The Communist official who heads the movement, Boleslaw Piasecki, was a chief of the pre-World War II semi-legal, conspiritorial, and fascist nationalist movement. Piasecki found it expedient to switch allegiances after the war, and with state help he built up the Pax movement into an organization with considerable influence.)

Developing a theme that was to be used by other newspapers, and by communist functionaries, the paper said that Israel, together with the Federal German Republic, had attempted to undermine the political leadership of the present regime in Poland. Primarily, the "partners" had challenged the authority of the party leader, Wladyslaw Gomulka, "who is the incarnation of the only correct international policy." "Zionists" were supposed to have acted "on behalf of the political aims of the Federal German Republic."

Attacks on student demonstrators became attacks on the fathers. A March 11 *Trybuna Ludu* editorial warned that "Amazement is bound to arise . . . that those taking part in these brawls were the children of parents often occuping responsible state and social posts. The question naturally arises as to whether these parents feel responsible for an upbringing that permits their children to take part in excesses directed against the university authorities and public order . . ." A short five-line communique in the Polish official news agency, *PAP,* indicated one answer the next day: three government officials whose children were reportedly involved in the manifestations had been fired, the agency dispatch said. And, the same day, the newspaper *Kurier Polski,* listed a number of prominent Jews and non-Jewish Polish intellectuals as being "enemies of people's Poland."

Thereafter, Polish government leadership became heavily engaged in a campaign to stir up popular anti-Semitism, for political purposes, while protesting to the world that it is not anti-Semitic.

Blunt warnings came in resolutions from workers' committees, party activist groups and veterans' associations under hard-line party control. Warsaw radio reported "a wave of protests" against Zionist instigators, and called for punishment of those "profiting from the leniency shown them." One of the sharpest attacks came from a veterans' organization, *Zbowid,* headed by General Mieczyslaw Moczar, Polish Minister of the Interior. Its resolution tied the Warsaw demonstrators to "international Zionism," to imperialist revisionist centers "in the United States and Germany," and to "an opposition of all hostile elements" known many years ago "for their national nihilism,"—a Communist euphemism for Jews.

So strong, though, was the order of official anti-Semitism, that some Communists in Western Europe had to react.

"Inexplicable," asserted *Unita,* organ of the large Italian Communist party. In Paris, the Communist Jewish Veterans Association lodged a vigorous denunciation with the Polish Embassy, claiming that "No motive whatsoever" can justify anti-Semitism in Poland. The largest Jewish Communist organization in the West, the French Jewish Union of Resistance and Self Help, plaintively but formally issued a statement "protesting that various official declarations, resolutions, and press comments in Poland, in connection with the student manifestations, have a strong anti-Jewish coloration," and expressing the "wish that these immediately should be stopped."

The Yiddish Communist newspaper in Paris, *Naje Presse,* on March 13, condemned the anti-Semitic statements in the official Polish press. A front-page story explained that it was "necessary to express our disquietude and protest with regard to the fact that some of the resolutions and comments published in the newspaper *Slowo Powszechne* have anti-Jewish coloration and dare to write about 'a German Zionist conspiracy.' Similarly, the emphasis on Jewish names among the arrested students can only play into the hands of anti-Semites."

For the rest, reaction in Europe has ranged from disgust and scorn to expressions of fear that there is a "Nazi ring in the threat to Polish Jews."

The first issue of *Folks Shtimme* after the manifestations, on March 12, contained not one single word about the demonstrations or the anti-Semitic statements.

AN ONGOING OFFENSIVE

The recent propaganda offensive was really not new. Since June, 1967, "anti-Zionism" had become the major lever for introducing other themes. The anti-Zionist theses common to Communist propaganda against Israel have been well reflected in Poland. However, Polish officials went even further, as indicated by the speech of the Minister of Culture, Kazimiers Rusinek. On June 17, he spoke of the "presence of a thousand Nazi experts in the ranks of the Israeli army." Imputations of double loyalty were constantly launched against Jews. In the face of what was known to be a considerable public pro-Israel sentiment, warnings were issued by leading figures, such as Marshal Marion Spychalski, Minister of National Defense, that a pro-Israel attitude would be considered "anti-Socialist and anti-Party and never can be tolerated."

Given understandable Polish hatred for Germans, stemming from World War II, there had been a determined attempt to link Jews with Germans. This theme was used in internal propaganda as well as spread abroad. In a booklet by Tadeus Walichnowski entitled, "The German Federal Republic and Israel," distributed months ago in London, and given wide circulation inside Poland, Bonn and Tel Aviv are represented as imperialist accomplices, bent on German revenge, with Jews having sold out to Germany in order to get restitution and indemnification. Walichnowski is in the Polish Ministry of Interior, in charge of a group established some years ago to combat Zionism. As noted, this attempt to link Germany and Jews was one of the first and major government themes in the recent response to student riots.

Zionists and Jews are presented as engaged in a constant campaign to blacken Poland's name. This thesis, too, found ample expression in anti-Jewish propaganda. For example, Radio Warsaw, in its press review program of March 11, quoted the Polish journal *For People and Freedom* that "No one could believe that 20 years after the (German) occupation Israeli journalists would be writing against Poland in the German press, and that the Zionist press of the whole world would make us guilty of the extermination of the Jewish population . . . The anti-Polish campaign is not the Zionist press alone, but it is there that it gets stronger year after year . . . The strategists of Zionist propaganda know how to lie, to lie ceaselessly, as Goebbels taught, to lie about anything that has a link with our homeland."

In an effort to rewrite history, there has been a move to play down the martyrdom of Jews who died in the Nazi holocaust. During the commemoration of the Auschwitz dead, last year, Polish officials simply did not mention that those murdered were Jews. The only Jewish part of the ceremony was improvised.

Since then, in an article in the magazine *Polityka,* Polish authorities have gone further. Minister Rusinek criticized the Great General Encyclopedia issued in Poland for its treatment of the "Hitler Concentration Camps," on the grounds that it devoted most of its attention to the extermination of European Jews, and because it acknowledged the fact that they were killed only because they were Jews. To ascribe Jewish nationality to Poles of Jewish origin, Rusinek wrote, "is indistinguishable from the use of racialist criteria" and, he went on, "first and foremost is politically harmful." Leading officials in the anti-Semitic camp seized upon this article to claim that the Polish nation had been insulted. Jerzy Gumkowski, author of the article and former director of the Main Commission of Inquiry into Hitlerite Crimes in Poland, was dismissed, as were a number of others in the publishing house. Foreign visitors to Auschwitz are often told by guides that there has been too much emphasis on the Jewish victims, and not enough on the others.

Finally, underground anti-Semitic literature has reportedly received wide circulation in Poland, including the *Protocols of the Elders of Zion*. This could hardly have taken place without some official complicity. Significantly enough, even before the recent student unrest notices posted on the Warsaw University bulletin boards by the Socialist Youth Union and by the Peasants Youth Union affirmed that student leaders and lecturers were receiving anonymous, provocative, anti-Semitic texts. A Communist party secretary in the Polish Polytechnic, the largest of the Warsaw faculties, sought to put the blame for the spread of such anti-Semitic material on the Jewish students, charging them with an attempt to prove that anti-Semitism was thus spreading by this means!

ANTI-SEMITISM AND THE PARTY

Reactions to the student riots, and efforts to blame Zionism, Jews, intellectuals and "political bankrupts," are not isolated phenomenons. Rather, they must be understood in terms of a long-range effort by various elements in Polish Communist leadership to use anti-Semitism as one tactic to gain and maintain political dominance.

After the riots of the Polish workers in Poznan in July 1956, and the Polish confrontation with Khrushchev in October, the Gomulka regime came to power. It was with a promise not only of greater independence from the Soviet Union but, also, of greater internal liberalism and tolerance.

That promise, however, never came to fruition. From the very beginning, two major elements struggled for dominance. One seeking to fulfill the liberal promise, the other holding it to be an error. Shortly after Khrushchev's departure his Polish supporters among the "hard liners" sought to foment a campaign of anti-Semitism. Their purpose was to deliberately make Jews the scapegoat for the ills then besetting Poland, because of the years of Russian-controlled rule. Jews, they argued, had been behind the "excessive democratization" that had led to the Poznan riots and the disruption of Communist order. At that time, however, the hard-line, anti-Semitic elements were beaten off and the more liberal supporters of Gomulka seemed to have the upper hand.

Current expressions of anti-Semitism in the party could stem from pre-war class antagonism, when the predominantly Jewish middle class became a scapegoat for both the extremely poor peasantry and the wealthy aristocracy. In a country where the economy is faltering and life is still harsh, the small Jewish population is a convenient target.

Prior to June 1967, latent anti-Semitism had also been exacerbated by the ongoing internal party struggle to downgrade "intellectuals" and elevate "workers." This erupted in 1964 with the appearance of an undercover pamphlet denouncing party First Secretary Wladislaw Gomulka for leading the country on "the road of bourgeois development." The anonymous author was Kazimierz Mijal, a former Central Committee member, who called for vigorous action to strengthen the worker-peasant authority in the party, and urged the elimination of Jews, intellectuals, and former right wing Socialists who, he implied, had helped the bourgeois grow strong.

The widely circulated pamphlet reflected the ideology of the so-called "Natolin Group," (named for a Warsaw suburb), a small clandestine party faction created more than a decade ago. One of this militant pro-Stalinist group's major themes was that "intellectuals" and "Jews" were responsible for the regime's errors and failures.

The so-called "partisan" or nationalistic faction contains mostly younger men who hope to replace older party officials. They demanded that choice jobs be filled by persons "with Polish names," an obvious slur against the few remaining Jewish officials. They continued to press for harsher measures against "restless intellectuals," blaming them for Poland's economic difficulties. This campaign produced increased anti-Jewish sentiment in some party circles, and official harassment of writers and journalists.

With the years the "hard-line elements" have been gaining strength. Seen in terms of its once-liberal promise, the Gomulka regime has failed to deliver and has unleashed, as the Times of London wrote on March 12, ". . . emotions older and deeper than anti-Semitism . . . There is the demand for greater freedom, for a share in the process of government and decision-making, and for the administration of justice free from political interference." And this, of course, is what the student riots have been all about.

But this, also, is what the hard-line elements in the party and the government are determined to prevent. They have turned on Jews, quietly over the past few years and now most openly, as symbols of the intellectuals' demands for liberalism, hoping to besmirch this demand by an appeal to traditional Polish anti-Semitic sentiments and by charging Jews with having outside loyalties.

IMPACT ON THE JEWISH COMMUNITY

After centuries as a large and creative entity, numbering nearly 3,500,000 by World War II, the Polish Jewish community now contains about 20–25,000 persons out of a total population of 33,000,000. Although emigration was permitted after the war, many remained because they had friends or a personal stake in Poland or because they wanted to keep a trace of Jewish life and history alive in their ancestral homeland. Communal life is dominated by the Communist-endorsed Cultural and Social Union of Polish Jews which has several youth and adult affiliates, including the student-oriented Babel Club.

This club was singled out by the newspaper *Kurier Polski* for primary responsibility in the recent riots and has its heaviest concentraton among the Jewish students at Warsaw University. The Polish-language supplement to the Yiddish newspaper *Folks Shtimme, Nasz Glos,* was published primarily for the Club. In the past, members have been accused of "nihilism" and of being flippant towards authority, as well as Jewish life. The latter criticism, of course, came from Union leaders.

The name of the group was taken from the Tower of Babel, as a means of idealizing confusion and chaos. This same sense of satire and cynicism has been carried through in other activities, including satirical skits at dances.

Many of the founders of the Babel Club were members of the Crooked Circle, a group organized after the 1956 "thaw" which contained Jewish and non-Jewish members, After it became a center of nonconformity, the Circle was suppressed.

The Union fosters Yiddish culture and the study of Jewish history, a state-subsidized Ester Kaminska Theatre which recently received a new home in Warsaw, and a network of Yiddish schools.

The Jewish community supports a varied publication program, especially the Yiddish language *Folks Shtimme,* and *Nasz Glos.* These journals publish local and world Jewish news, but usually avoid subjects such as protests about Soviet Jews, or political developments in Israel. For years, Jewish education has encountered serious difficulties, because of a growing lack of interest among Jewish youth.

Another community problem is the steady decline in religious life, which has become increasingly serious since World War II. Although the Union of Jewish Religious Congregations has 20 affiliated congregations, it is unable to attract candidates for the rabbinate or other religious leadership. There are only a few religious schools for the young, and in many cases classes are small. Until this year, most Jews were firmly integrated into the economy, especially in the theatre, journalism, the universities, the professions, and the retail trades. Jewish influence in Polish political life was confined to a few individuals, most of whom had no ties to communal life.

In recent months, however, it was reported that hundreds of senior officials, scholars and others have been dismissed, because they are Jews. Only the most outstanding cases have received international attention. Thus, for example, Leon Kasman, a member of the Central Committee of the United Workers Party was removed last December from his post as editor in chief of the party paper, *Trybuna Ludu*. Kasman was known as "one of the greatest figures of Polish Communism." Ousted, too, were old-time Communists like Victor Borowski, associate editor of the paper, and Leopold Unger, one of the principal editors of the other leading Warsaw journal, *Zycie Warszawy*. There is no little irony and much personal tragedy, including some cases of suicide, in this casting of Communist veterans, very few of whom had ever identified themselves with any aspect of Jewish life. A few found themselves unable to swallow the party line as regards the June war, in the Middle East.

Dismissals, or the shifting of Jews from important to minor posts, preceded last June, though it increased afterwards. Such moves particularly were noted in the Polish foreign office and in trade missions, one apparent object being to remove any Jew from a post that would take him outside Poland. Furthermore, attempts were made to pin acts of fraud or financial irregularity on those who had served in trade missions. Similarly, the quiet elimination of Jews from the army, as well as officers married to Jews, went on steadily over the years. This reached a climax last August when, in a wholesale purge, a number of generals and ranking officers were either dismissed or resigned because of their Jewish origin, or because they refused to communicate anti-Israel propaganda to the forces under their command.

The government also banned outside aid to the Jewish community, and closed the Joint Distribution Committee and ORT offices. The very composition of the Polish Jewish remnant today provides the best indication of why such help was sorely needed. Less than 8% of the Jewish population of Poland are in the 25–39 years-of-age span, the prime working and reproductive period. The 15–24 population group, represents about one-third of the total. In the five years from 1962–67, Polish Jewish demographers reported, the percentage over 60 doubled; the number of those in their 50s rose one and a half times; and the number of children under 14 dropped by two-thirds. In the city of Cracow, for example, the 1,400 Jewish inhabitants included more than 1,000 over 50 years, with only three younger than 10. Polish Jewry is old and rapidly-aging. Some aid is permitted to trickle in from friends and relatives outside the country, on an individual basis, hardly a substitute for the kind of welfare assistance needed.

The livelihood of the common Jewish worker has also been threatened. A major source of employment has been a group of cooperatives established with Joint Distribution Committee help. Although taken over by the Polish government, they still employ a sizeable proportion of Jews. A number of workers apparently lost their jobs because they expressed joy at Israel's victory. When, moreover, the Jewish communal body in Poland was slow to condemn Israel, the authorities threatened to shut down the cooperatives employing Jews in Lower Silesia, where the bulk of the Jewish population in Poland now lives. This hangs as a threat over the working population, especially since a fair number of the Jews who work in these cooperatives are invalids who would have a difficult time in finding other work.

Since July, emigration of Jews from Poland clearly has become more difficult. While this continues in token numbers, just about enough so that one cannot say that movement has ceased, it is known a few thousand would like to go. The rate of departure to Israel, about 30 per month, is lower than that of previous years. The rate of permitted emigration to the West, about 200 per year, for the last half of 1967 was about half the normal. Only one Jew is known to have come in January, and none in February of this year. One consideration, of course, has been the fact that the Polish government raised the passport fees from a few hundred zloty to 5,000 zloty. It has also insisted that families who leave use two or more passports. This is a substantial sum in terms of Polish income. Government blockage, rather than expense, however, seems to be the prime factor.

SUMMARY AND CONCLUSIONS

Seen in the light of developments over the last few years, the more recent and dramatic anti-Jewish manifestations merely bring into sharper focus anti-Semitic attitudes whose effects are now being felt by all Polish Jews, including many whose communal ties had been non-existent.

On June 14, 1967, in the wake of the Six Day War in the Middle East, communist party chief Wladyslaw Gomulka, taking his lead from an anti-Jewish propaganda offensive launched in the Soviet Union, threatened Polish Jews and intellectuals with reprisals if they showed any signs of support for Israel. This marked a pronounced reversal of previously liberal, pro-Jewish policies.

There is evidence that Gomulka's own attitude was fundamentally anti-Zionist, rather than anti-Semitic. While anxious to adhere to the Moscow line on Israel, he also wanted to prevent this from finding any anti-Semitic outlets. It was even reported that some of his supporters contacted Roman Catholic circles, last July, to help combat anti-Semitic propaganda.

Whatever the original intentions, Gomulka's speech apparently encouraged the party's hard-line anti-Semitic faction, led by interior Minister Mieczyslaw Moczar, to execute policies for which it had prepared long before the Six-Day War. Their continuing struggle to dominate the party and the government has been aided by a deteriorating social, economic and political situation, especially widespread disappointment at the failure to fulfill promises granted after the October, 1956 uprisings. This has been aggravated by increasing unemployment for, with an annual population increase of about 500,000, Poland has been unable to organize its economy so as to provide work for new workers.

As of this date, the anti-Semitic campaign continues without any significant sign of receding. In mid March, Loga-Sowinski, the president of the Trade Union Council and a member of the party's politburo, insisted that all Jews who are not "fully assimilated" in Poland should "leave Poland for Israel" and that "international Zionism" had long been an enemy to "people's Poland and to Socialism."

It was reported, on March 18, that Roman Zambrowski had been removed as vice chairman of the state's Control Commission, reflecting the continuing purge of Jews. The son of a rabbi, who spent the war in the Soviet Union, Zambrowski served on the party's politburo from 1948 to 1963, when he was removed. Ironically, Zambrowski has been labeled an instigator of the current unrest when, in truth, he has had strong ideological differences with "reformist" elements.

Another major target has emerged in the person of Adam Schaff, a philosophy professor at the University of Warsaw. In the past, Schaff has quarreled with Zambrowski on ideological grounds, and is probably the only one among the leading Jewish personalities who could be considered an intellectual instigator of liberal tendencies. He has also railed against Polish anti-Semitism.

The general purges, which were accelerated in March, have affected primarily those Jews who had positions in the mass media. This may be due to their reluctance to adhere to the strict party thesis on Israel. Nor do most observers believe that the emphasis on Jews, or "Zionism" as it is called, is accidental. Every public demonstration aimed at halting student riots called for the punishment of Zionists; banners seemed to have been prepared even before student meetings took place.

Many believe that students were encouraged to demand changes as a result of recent events in Czechoslovakia, as well as the greater independence from Moscow shown by Yugoslavia and Roumania. Reports of intellectual unrest in the Soviet Union had also stimulated intellectuals and writers to take a bolder stand against a stagnating cultural life. It was, in fact, the closing of a classical 19th century play, heralded as anti-Czarist and therefore anti-Russian, as well as the arrests of some writers, which drove students into university courtyards and the streets.

Finally, the events of June 1967 played some part. In Poland, perhaps more than in other East European countries, a great deal of pro-Israel sympathy was generated, reflecting satisfaction with the apparent failure of Soviet interventionism and international relations. Poland's fear of Germany, according to some observers, has encouraged the regime to rigidly follow Moscow's foreign policy, a practice considered unpopular in many sectors of Polish society. The more articulate members undoubtedly chose the Six-Day War to resist, a move which might have been the pretext for utilizing student unrest to eliminate Jews, or pro-Israel intellectuals, from any positions of influence.

For the moment, there is little to indicate that the turmoil in Poland has ceased, or that the internal struggles are over, or that Jews will no longer be purged. Students and intellectuals have thus far not managed to rally popular support, while hard-line elements are busy rallying workers and the entire government apparatus in support of their position, using Jews as scapegoats.

The mounting internal pressures could force Gomulka to accede to reformist demands, lest he share the fate of Czechoslovakia's Antonin Novotny. However, if the hard-liners have truly come into dominance, Gomulka might feel compelled to lean completely on Moscow to maintain power, as is the case in East Germany.

It is therefore difficult to assess the impact of Gomulka's speech to Warsaw party workers on March 19. It has been conceded by many observers that his remarks repudiated much of the hard-line propaganda proclaiming, as it did, that "It would be a misunderstanding if we saw in Zionism a danger for socialism in Poland, for its social-political system." Perhaps, Gomulka felt that the anti-Jewish campaign had gotten out of hand and wanted to assuage the mounting fears of Poland's Jews, and quiet the purges.

It is quite possible that these issues will be considered at the next congress of the communist party, in the fall. In any event, the fate of Poland's Jews will remain linked to the resolution of the clashes within the communist party and the government, as well as to the placating of general student unrest. Until this occurs the future of the Jewish community will be uncerain, and the day-to-day economic and social existence of individual Jews will remain threatened.

Ten Days in April

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. ASHBROOK. Mr. Speaker, in his testimony before a House Appropriations Subcommittee in February of last year, Director J. Edgar Hoover of the FBI described the Students for a Democratic Society—SDS—a so-called new left organization which "works constantly in furtherance of the aims and objectives of the Communist Party throughout the Nation." In its national convention in June 1965, practically every subversive organization in the United States had delegates in attendance. Delegates from the Young Socialist Alliance, Communist Party USA, Progressive Labor Party, and the Spartacist group, were among some of the subversive elements which were interested enough in SDS activities to send representatives to the convention.

SDS is of particular interest because of its involvement with the youth of our Nation. Its purpose is to cause disruption and strife among our young citizens, particularly on university campuses. On March 11, 1968, Barron's, the national business and financial weekly, ran a highly informative article on the present activities of SDS by the nationally syndicated columnist, Alice Widener who is an authority on the so-called Left, Old and New.

I place the article, "Ten Days in April," in the RECORD at this point:

TEN DAYS IN APRIL

(A report on a subcellar meeting at New York University)

(NOTE.—The accompanying article is an excerpt from the March 1 issue of U.S.A., a biweekly published by Alice Widener, nationally syndicated columnist and authority on the so-called Left, Old, and New.)

At New York University, over the weekend of February 10–11, Students for a Democratic Society (Barron's, November 15, 1965) held a regional conference to help plan a program for 10 days of violence and disruption in U.S. communities on April 21–30. Similar regional conferences were held at other universities pursuant to decisions reached last December by the SDS National Council at a meeting in Bloomington, Ind.

Formal notice of the February conference was published in Firebomb, the SDS daily newsletter, which stated: "An organization like ours takes a major step forward when it finally comes to understand that it is involved in a struggle against an enemy and takes major steps toward confronting that enemy head-on. A serious organization consciously seeking to develop a revolutionary practice creates a life-or-death dynamic within the society it is trying to destroy and recreate. When SDS decides at its National Council meeting that it can begin a coordinated national program to expose and attack the imperialist nature of our society, the organization puts its existence on the line. . . ."

The Firebomb editorial went on to say that the "ten days in April" program gives SDS members "a vehicle for pulling organization together as a real political force in America." It declared that lack of unity has caused SDS members to fall victim to "repression," and cited as examples: "In Iowa City the entire leadership of a vital SDS chapter has been given sentences ranging up to five years for conspiracy. In Berkeley, seven of our brothers from the Stop the Draft Week steering committee have been indicted for conspiracy with possible sentences ranging up to 10 years."

Undeterred by such setbacks, the New York SDS went on to say in Firebomb: "We've got from now until April to organize the hell out of this city. Then we open up and confront the power structure and the people, and if we survive the confrontation we organize some more. At the same time, our brothers and sisters will be pulling themselves together all over the country."

To what end? The answer is: To carry out a program described by members as "Ten Days to Shake the Empire." By "empire" SDS members mean "the United States." Their slogan is taken from John Reed's description of the Bolshevik Revolution in Russia as "Ten Days That Shook the World."

It is stupid for news analysts and commentators to assert that the extremist elements among students in the "New Left" are much more pro-Peking than pro-Moscow. Nearly every word uttered at the SDS meeting in a subcellar games room at Weinstein Residence Hall, New York University, on Saturday afternoon, February 10, was Moscow-oriented and predicated historically on the Bolshevik Revolution.

An overall theme of SDS today is that 1968 can be "the 1905" of the American revolution. What the radical students mean is that they know they cannot overthrow the U.S. government at the present time, but they expect that their violent revolutionary activities, even though put down this year, will compel police to use force against students and thus create resentment against government in the same manner as the unsuccessful Marxist-inspired Russian revolution of 1905 did against the czarist regime.

It is absurd for news analysts and TV commentators to pin their discussion of radical Marxist organizations, such as Students for a Democratic Society, on the terms "New Left" and "Old Left." The so-called "New Left" has been shaped and indoctrinated by the "Old Left," just as young Communist Bettina Aptheker was fathered by aging Communist Herbert Aptheker. Naturally, many present day circumstances are different from those of a generation and more ago, but the basic ideology and revolutionary tactics used by Bolsheviks, terrorists and anarchists in Europe and the U.S. more than 60 years ago are exactly like those used today by radicals, youthful Leftist terrorists and anarchists in this country and abroad.

Any law-abiding, patriotic American who doubts the similarity ought to study the facts about Students for a Democratic Society in the New York area. It is impossible to report verbatim on most of what was said at the SDS meeting on Saturday afternoon in the steamheated, poorly ventilated subcellar of Weinstein Hall. The language was as foul as the stench of the 200 students there, many of whom were physically filthy. Outdoors the weather was bitter cold. Indoors, the students took off coats and heavy sweaters, leaving them piled on the floor in heaps that stank like the tons of uncollected garbage piled high on city streets.

At the NYU conference, a position paper—"Toward a Political Resistance"—was distributed. Among the statements contained therein are the following: "In the last year or so, the movement has come from dissent to resistance. We have organized in local communities and on campus, and we have engaged in ever more militant demonstrations. Instead of marching around in a circle behind police barricades, we have moved to direct confrontations with the war machine and the cops.

"Clearly, such militant tactics are a great advance over impotent dissent . . . What we need is a new dimension in the movement, which will enable us to confront the power structure in a political way and which can tie together our various actions and projects in a more effective political text. . . .

"The movement in California has already won an incredible victory in this direction. Spearheaded by the same activists who organized the Oakland Induction Center confrontation, the Peace and Freedom Party has organized over 105,000 people across the state into local clubs. Most of these are new people, entering politics for the first time. . . . The recent PFP demonstration against Rusk in San Francisco was met by police clubs. In Oakland the PFP is working closely with the Black Panther Party in a campaign to save Black Panther leader Huey Newton, who is in jail on a murder rap for allegedly shooting a cop."

In the subcellar at Weinstein Hall, the SDS plenary session was addressed by Jerry Tenney, who, a year earlier, was a main organizer of the SDS Radical Education Project regional conference at Princeton University. At NYU as at Princeton, Tenney urged SDS members to work for "control over the universities."

On both occasions he told students, "If as radicals we place the question of control as the most important thing, the thing we have to ask for all the time is control."

On Saturday afternoon, at the New York University conference, a young woman declared she was protesting to educational authorities her dismissal "last week" from her teaching job at a Brooklyn college. "I was merely furnishing drugs to those of my students who wanted them," she declared, and then called for a "cadre" of SDS volunteers to meet with her and Harlem Black Power leader Florence Kennedy, "to help educate some of my students."

No sooner had she finished her remarks than copies of "Spark"—a monthly publication issued by SDS at Long Island University—were distributed in the subcellar. To make clear the origin of the name, there was scribbled in chalked Cyrillic alphabet letters on the subcellar walls and floors the Russian word for "spark," which, pronounced phonetically in English, is "eeskrah." That was the name of the Bolshevik publication edited by Lenin during his years of exile.

In "Spark," two full-page ads are sponsored by the "Old Left" Monthly Review Press; the publication is pro-Communist from first page to last.

Also handed out at the SDS meeting was a "research paper" by the North American Congress for Latin America (NACLA), an organization which seeks to impair U.S. relations with its Good Neighbors to the South. NACLA is doing a smear job on every big U.S. corporation with investments in Latin America and on our diplomatic missions to the area. There is reason to believe that NACLA members are carrying out pro-Communist intelligence work in Latin America and are in contact with Communist guerrilla leaders there. The SDS newsletter Firebomb announced at the conference that "a paper on intelligence work prepared by NACLA will be distributed." But when the conference opened, SDS leaders at registration headquarters said, "It was decided to withhold the NACLA paper because it gives away too much."

SDS members generally are not shy about disclosing their schemes. For example, Steve Halliwell of Columbia University SDS, presented a written proposal for a "Financial District Festival" in New York City, to "cap" the SDS April program. This amazing document runs as follows:

"The Financial District Festival gives us the opportunity to have an action whose anti-war significance cannot be lost on those who are not yet committed to—or even aware of—a radical analysis while providing us with many targets appropriate to our own mode of action. The large number of corporate offices, shipping companies, banking institutions in addition to the Stock Exchange means that chapters can take actions against targets of special significance for their own local situations and still be part of a city-wide demonstration. Columbia could burn Grayson Kirk in effigy in front of Socony Mobil (or IBM or Chase Manhattan, for that matter), NYU could go to First National City Bank or any other target they find appropriate, and other chapters could pick from some of the other choice fruits that grow from the interlocking vines that creep throughout Lower Manhattan. Artists and writers would have no problem finding their own targets in the nerve center of imperialism, the South African people could do their thing at Chase Manhattan. . . ."

The "Financial District Festival" went on to discuss possible objections to the program as follows. "The logistics of the financial district are those of Stop the Draft Week—people can be easily contained by the Blues. Response: Our aim is not to close down one entrance to one building, but rather to occupy the area and exploit its many wonders. The intricate little criss-crossed streets of lower Manhattan can work for us in that context, not against (viz. Paris workers during the last three republics).

"Fighting the cops is not our aim, and that will probably happen. Response: Probably there will be some fighting, and we will have to be prepared to deal with that. But a highly mobile demonstration with more than enough ugliness to attack need not attempt to hold its ground in any particular spot.

"Wall Street is an Old Left target and our analysis is lost on an action there. Reponse: No demonstration can communicate the true and complete content of the analysis of some of its most advanced participants—that is not in the nature of a demonstration. This demonstration will probably be talked about outside SDS chapters as a demonstration at the Stock Exchange, and many people will come just for that. But planned actions at a diversified set of targets has an educational effect on the people who come just for the Stock Exchange as well as on the paper-reading, TV-gazing masses.

"The important thing about the Financial District Festival is that it brings people together on the initiative of SDS; on-going projects to raise consciousness around the draft, university, imperialism, etc., can arise out of that involvement."

Doubtless several important members of financial institutions mentioned in the foregoing proposal for a violence-provoking "Festival" in the financial district either are on the NYU board of trustees or handle NYU's investments. Are these trustees willing for university administrators to wash their hands of all supervision over student groups and to shirk all responsibility for what takes place on campus or in subcellars?

Was any such representative present at the SDS subcellar meeting? To find out, I inquired at the office of Chancellor Allan M. Cartter of New York University, and was referred to Mr. Robert Terte, of the NYU News Bureau, who stated, "It is not university practice to supervise meetings sponsored by duly constituted student groups."

The reply, in turn, raises the question of whether university trustees, directors and administrators should tolerate Students for a Democratic Society as a "duly constituted" student group. Officially, SDS has moved from a policy of dissent to one of "resistance." The kind of resistance advocated by SDS is illegal activity designed to destroy the existing university system and the U.S. government. If university authorities are willing to tolerate violent revolutionary groups on campus, then their policy of no supervision over student political and activist groups ought to be changed. I believe that university authorities are abdicating their clear responsibility to parents and to the community at large by remaining in total ignorance of what is said and planned at such meetings.

If members of Students for a Democratic Society are permitted to carry out their planned 10-day program of violent resistance in April, with accompanying bloodshed, then an outraged and angry American public will fix the blame where it belongs: on university administrators and trustees.

The recent SDS regional conference at New York University was a disgrace to that institution and an outrage against the citizenry. From coast to coast, Americans should demand that university administrators get control over their own institutions or get out. Otherwise, student subversion, abetted in some instances by faculty members, will eventually achieve its aim.

Support for Report of National Advisory Commission on Civil Disorders

HON. FRED R. HARRIS

OF OKLAHOMA

IN THE SENATE OF THE UNITED STATES

Tuesday, April 2, 1968

Mr. HARRIS. Mr. President, some of the strongest support for and some of the most intelligent responses to the report of the National Advisory Commission on Civil Disorders have been expressed by precisely those government leaders who serve on the urban frontline—the mayors of cities threatened or actually struck by disorders. On March 3, in a joint appearance on the NBC interview program, "Meet the Press," six of the best-known mayors in the country—Maier of Milwaukee, Cavanagh of Detroit, Stokes of Cleveland, Addonizio of Newark, Yorty of Los Angeles, and Allen of Atlanta—unanimously praised the findings and recommendations of the Commission.

Much more important, these six mayors were especially concerned—as I am and as I believe the country is—about the absolutely critical necessity of implementing the Commission's recommendations.

Mayor Allen, for example, said:

> The time has come when we should do something about [our obligations], and it is a matter of first priority that we do what this Commission reports and that it be accomplished within a reasonable length of time.

Mayor Addonizio asserted:

> Unless the Federal Government and State government step in and help our community, I doubt very much whether there is much of a future for the city of Newark.

Mayor Stokes believed that the Nation "has the resources to support a guns-and-butter economy," but that if he had to choose between foreign and domestic commitments, "I'd have to put my priorities at home. You have to take care of home first."

Mayor Yorty argued that in order to pay for the Commission's recommendations:

> People must be willing to accept taxation, or this hangup between Viet Nam and spending at home cannot be solved.

Mr. President, I ask unanimous consent that two newspaper articles which describe the panel discussion among the six mayors be printed in the Extensions of Remarks.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Evening Star, Mar. 4, 1968]

MAYORS OF SIX CITIES HIT BY RIOTS BACK COMMISSION REPORT

Mayors of six American cities that have been torn by racial violence have endorsed a presidential commission's finding that white racism was the cause—and that a costly national effort should be the cure.

But they indicated yesterday on NBC that most of the financial muscle must come from the federal and state governments.

The mayors agreed that the urban crisis, as outlined Saturday by the National Advisory Commission on Civil Disorders, must be given the highest priority. There also was general agreement that the campaign could be waged without a reduction of the Vietnam war effort if the people will it.

The mayors are Jerome P. Cavanagh of Detroit, Hugh Addonizio of Newark, Carl B. Stokes of Cleveland, Ivan Allen Jr. of Atlanta, Henry W. Maier of Milwaukee, and Samuel W. Yorty of Los Angeles.

"Unless the federal government and state government step in and help our community, I doubt very much whether there is much of a future for the city of Newark," Addonizio said, recounting a host of financial problems he said are plaguing the city.

"MUST BE MASSIVE SPENDING"

Addonizio did not answer directly when asked what would happen if federal money were not forthcoming.

"There must be massive spending on the part of the federal government and the state government," he said. "Society must make up its mind. . . ."

Cavanagh said that state governments and city suburbs have not done enough for big cities trying to deal with burgeoning slums and diminishing tax bases.

"The state is largely a silent spectator and yet they're one of the few agencies of government that have the responsibility to respond," he said.

Stokes, the first Negro to be elected mayor of a major city in this century, seconded Addonizio's view.

"Why run to the federal government? Because that's were the money is," the Cleveland mayor said.

NEED FOR COORDINATION

Milwaukee's Maier, while applauding the commission's report, said it failed to tackle the problem of coordinating the efforts of federal, state, and local agencies attempting to deal with the central city problems. The mayors themselves, he said, are virtually powerless to achieve that coordination.

Allen speaking of "white racism," said that "We are responsible for the condition that the Negro citizen is in today. . . . We have been the leadership group in this country. We have failed to live up to our obligations in the past.

"The time has come when we should do something about it, and it is a matter of first priority that we do what this commission reports and that it be accomplished within a reasonable length of time."

Three members of the riot commission also were interviewed yesterday, and while none advocated abandoning the Vietnam war in favor of implementing the commission's recommendations, all agreed the urban crisis must have the highest priority.

"I would rather be safer on the streets of New York than make a trip to the moon," said Roy Wilkins of the National Association for the Advancement of Colored People.

"FOOLISHNESS IN SENATE"

Wilkins, Sen. Fred Harris, D-Okla., and the commission chairman, Gov. Otto Kerner of Illinois, agreed on ABC that steps can be taken to alleviate city tensions before next summer.

Referring to the continuing delay in Senate consideration of the administration's open-housing proposal, Wilkins said these steps "include ending this foolishness in the Senate."

Asked about the potential high costs of meeting the panel's recommendations, Kerner said, "Negroes resent very much being treated differently than whites. If you just treat people as people . . . this will not cost one cent, and I think will remove a lot of the anger and frustration and hatred that exist."

In another interview on CBS Mayor John Lindsay of New York, the commission's vice chairman, said the price tag on the commission's program will be high, but "the cost of inaction will far outstrip the cost of taking positive, realistic action."

[From the Chicago (Ill.) Tribune, Mar. 4, 1968]

SIX MAYORS INDORSE RIOT FINDINGS—CALL ON THE UNITED STATES AND THE STATES TO FINANCE PROGRAM—AGREE SPENDING FOR WAR NO OBSTACLE

WASHINGTON, March 3.—The mayors of six American cities torn by racial violence in the 1960s indorsed the findings of the President's riot study commission today, but they said the money to carry out the recommendations would have to come from federal and state governments.

The mayors agreed that the urban crisis, as outlined yesterday by the National Advisory Commission on Civil Disorders, must be given the highest priority. There was general agreement also that the campaign could be waged without a reduction of the Viet Nam war effort.

The mayors were interviewed on NBC's television-radio program Meet the Press.

The mayors are Jerome P. Cavanagh of Detroit, Carl B. Stokes of Cleveland, Henry W. Maier of Milwaukee, Ivan Allen Jr. of Atlanta, Hugh Addonizio of Newark, and Samuel W. Yorty of Los Angeles.

MAIER CITES DRAWBACK

Maier, tho applauding the report, said it failed to tackle the problem of coordinating the efforts of federal, state, and local agencies attempting to deal with the central city problems.

Maier said he would finance the commission's reforms by taking "some from the space program, perhaps from agriculture, if possible from the military."

WHERE THE MONEY IS

Stokes, first Negro elected mayor of the major city, complained that Congress consistently used Viet Nam war spending as an excuse for doing too little for urban slum dwellers.

"But whenever we come up with something that is sexy and dramatic," he said, "they are able to come up with the money."

"Why run to the federal government? Because that's where the money is," the Cleveland mayor said. He added that, altho he believes the United States "has the resources to support a guns-and-butter economy," if he had to choose between the Viet Nam war and the cities crisis, "I'd have to put my priorities at home. You have to take care of home first."

Cavanagh asserted that state government and city suburbs have not done enough for big cities attempting to deal with growing slums and diminishing tax bases.

A SILENT SPECTATOR

"The state is largely a silent spectator and yet they're one of the few agencies of government that have the responsibility to respond," he said.

Too many white collar workers, he said, benefit from the city without contributing taxes to support it. After work, he said, they return to their "nice, safe enclaves" in the suburbs.

The commission's 250,000-word report on its seven-month study called for "compassionate, massive, and sustained" national action to prevent America from becoming "two societies, one black, one white, separate and unequal."

BLAMES "WHITE RACISM"

It blamed "white racism" for the problems and sought creation of 550,000 jobs and 600,000 housing units this year, a guaranteed income for every American family, full-year schooling for slum children, and an overhaul of a welfare system that makes recipients feel "untrustworthy, promiscuous, and lazy."

The question of what the recommendations would cost and where the money could be found dominated the discussions.

"Everyone is sympathetic," said Addonizio of Newark, where 26 persons were killed in last summer's rioting. "But no one does anything, and they haven't done anything since the riots."

"Unless the federal government and state government step in and help our community, I doubt very much whether there is much of a future for the city of Newark, Addonizio said, recounting a host of financial problems in his city.

He did not answer directly when asked what would happen if federal money were not forthcoming. "There must be massive spending on the part of the federal government and the state government," he said. "Society must make up its mind. . . ."

Yorty favored increasing taxes. "People must be willing to accept taxation," he said, "or this hangup between Viet Nam and spending at home cannot be solved."

Allen backed the commission's call for a guaranteed income for all families as a substitute for welfare.

"I think that we are coming directly to a guaranteed income of some type," he said. "It may be on a minimum scale but obviously we are going to have to find a better way than the present method of welfare payments to take care of the poor and impoverished in this country."

Why Requests for Federal Aid Are Rejected

HON. WAYNE MORSE

OF OREGON

IN THE SENATE OF THE UNITED STATES

Tuesday, April 2, 1968

Mr. MORSE. Mr. President, the March 1968 issue of the Junior College Journal contains two articles which I believe will be of interest to Senators and to many in the academic community. I refer to an article entitled "New Directions in Community Services," written by Ervin L. Harlacher, and to a provocative article entitled "Why Requests for Federal Aid Are Rejected," written by Calvin B. T. Lee.

I ask unanimous consent that both articles be printed in the Extensions of Remarks.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

NEW DIRECTIONS IN COMMUNITY SERVICES: "WHAT'S PAST IS PROLOGUE"[1]

(By Ervin L. Harlacher)

The community college is fast becoming a dynamic force which affects the thought processes, habits, economic status, and social interaction of people from every walk of life, in every part of the country. More and more, it is becoming the most important element of this nation's educational structure.

The community college in implementing its full community dimension is breaking, once and for all, the lock-step of tradition, i.e., college is four walls; college is semester-length courses; college is credit; college is culturally and educationally elite.

It seems inevitable that the community college will place even greater emphasis on its community dimension in the decade ahead. The community college will demonstrate, to an extent even greater than it has to date, that college is where the people are, and that community services are designed to take the college program out into the community as well as bring the community to the college.

In its most significant role, the program of community services constitutes what might be called "Operation Outreach." Peter S. Mousolite has suggested that, "We emulate the English minstrel, the French jongleur, the Spanish trovador, the Chautauqua enterprise so popular not so many years ago," and through the use of mobile units move out into the community and create the program there.[2]

THE NEXT GREAT THRUST

While the full potential of the program of community services has not yet been realized by all institutions, there is reason to believe that the next great thrust of the community college development will be in the direction of community services. The American Association of Junior Colleges therefore authorized the present study.

In conducting this study the author during the summer and fall of 1967 visited thirty-seven community college districts in thirteen states, representing the small and the large the rich and the poor, and the urban and the rural community college. He also corresponded with administrators of twenty-eight additional college districts in twelve states, with trustees and presidents of newly organized community college districts, and with officials of state agencies concerned with the governance of community colleges. The sixty-five community college districts participating in this study operate 104 college campuses in nineteen different states.

The community college is dedicated to the proposition that, important as are formalized curriculums offered for youth and adults within its classrooms, informal education provided on a continuous basis throughout the community for all of the rest of the people is of equal importance in building the character of the citizens who make up the state.

The program of the community college may be conceptualized in two dimensions—formal education and informal education. Through its formal dimension, sometimes characterized as schooling, the community college provides transfer, occupational, general education, and guidance and counseling programs for youth and adults enrolled in regularly scheduled day and evening classes on the campus.

But it is through its community dimension that the junior college truly becomes a community college. Chancellor Samuel B. Gould of the State University of New York, has underscored the importance of this dimension of informal education:

It is my conviction that a college, in addition to its more readily accepted intellectual dimension, should have the dimension of community that offers a place for the general life enrichment of all who live nearby; young and old, artisan and farmer and member of profession, college graduate and comparatively unskilled. Thus many of the gaps or weaknesses that the new pressures of numbers are bound to create in formal education can be filled or strengthened as a college opens its doors and its resources to all in a friendly and informal fashion, without thought of credits or degrees or anything more than to assist the burgeoning of understanding in the individual as a member of a personal, physical, political, economic, artistic and spiritual world.[3]

The philosophy that the community college campus encompasses the length and breadth of the college district, and that the total population of the district is its student body, makes it possible for the community college, in a massive and untraditional way, to broaden the base for higher education. This philosophy also makes it possible to ease the problems of access to higher education by taking the college to the people. Furthermore, it offers freedom from the traditional image of the American college and university which sees college primarily, if not entirely, as an institution concerned with educating youth.

While the addition of community services has revolutionized the role of the community college, actually the community services concept is as old as Socrates—possibly older. Socrates first exemplified it by taking his wisdom into the streets and the market place and there created a student community representative of the people and actively concerned with the social and moral issues of the time.

By the eighteenth century, however, the idea of providing higher education for all the people had been abandoned, and the universities became storehouses for factual knowledge and retreats for the idle rich or select few.

The first step toward providing community services in this country was taken in 1826 by Josiah Holbrook when he established the American Lyceum. In later years, after the lyceum died out, chautauqua, initiated in 1874, carried forward the lyceum "spirit" and became a symbol of education and culture until its peak year in 1924.[4]

MORRILL ACT

Another step in the development of community services was the establishment of agricultural extension as a function of American universities under the Morrill and Smith-Lever Acts. The philosophy of agricultural extension focused on "helping people to help themselves."

The community services function as defined in this study, i.e., educational, cultural and recreational services above and beyond regularly scheduled day and evening classes, is completely foreign to the traditional idea of college education but it is the manifestation of what the community college was created for. The community college recognizes that by definition it has an obligation to: (1) become a center of community life by encouraging the use of college facilities and services by community groups when such use does not interfere with the college's regularly scheduled day and evening programs; (2) provide educational services for all age groups which utilize the special skills and knowledge of the college staff and other experts and are designed to meet the needs of community groups and the college district at large; (3) provide the community with the leadership and coordination capabilities of the college, assist the community in long-range planning, and join with individuals and groups in attacking unsolved problems; and (4) contribute to and promote the cultural, intellectual, and social life of the college district community and the development of skills for the profitable use of leisure time.

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[1] Condensed from chapter IV, "What's Past is Prologue." Harlacher, Ervin L. *The Community Dimension of the Community College, Report to the American Association of Junior Colleges*, November, 1967.

[2] Mousolite, Peter S. *The Edge of the Chair*, remarks presented to National Conference on Vocational and Technical Education. Chicago: May 16, 1967.

[3] Gould, Samuel B. "Whose Goals for Higher Education," remarks prepared for delivery before 50th Annual Meeting, American Council on Education, Washington, D.C., October 12, 1967.

[4] Jones, Bertis L. *The History of Community Development in American Universities With Particular Reference to Four Selected Institutions*, Unpublished Ed. D. dissertation, University of California, Los Angeles, 1961, p. 329–332.

A COMMUNITY SERVICE AGENCY

The original idea of the community college was one that involved a "grass roots" approach. In theory, at least, everyone connected with such an institution would look around, find educational gaps, and help fill the gaps. The community college faculty and staff—teachers and doers in the broadest possible sense—would undertake to solve human problems in the community around them or point out the needs to other educational groups in the community to care for.

Rooted in the soil of the district community it serves and drawing its students and strength from that community, the community college is particularly suited as a community service agency:

1. The community college is a community-centered institution with the primary purpose of providing service to the people of its community. Its offerings and programs are planned to meet the needs of the community and are developed with the active participation of citizens.

2. The community college claims community service as one of its major functions and, according to Thornton, ". . . the scope and adequacy of these services determine whether or not the college merits the title of community junior college . . ."[5]

3. Since the community college is usually a creature of citizens of the local community or area, and since it is most frequently governed by a board of local citizens, the community college is readily capable of responding to changing community needs.

4. Most community colleges are operated by a local district which encompasses several separate and distinct communities. The ideal locale for a program of community services is one "in which there are numerous communities and subcommunities with natural and compelling interrelationship. . . ."[6] The program of community services welds these separate communities and groups together.

5. The community college is an institution of higher education, and as such can draw upon the advanced resources of its staff in assisting in the solution of the problems of an increasingly complex society.

6. The community college, as a relatively new segment of American education, is "unencrusted with tradition, not hidebound by a rigid history, and in many cases, new and eager for adventure." Thus, it is able, without duplicating existing services in the community, to tailor its program to meet local needs and conditions.

At least seven directions which this major emphasis on the community dimension will take, seem safe to predict at this point:

I. The community college will develop aggressive multiservice outreach programs designed to truly extend its campus throughout the entire college district.

Through the use of extension centers, empty stores, portable units located on vacant land, mobile units, churches, schools, libraries, museums, art galleries, places of business and other community facilities, the community college will establish communications links with all segments of the college district community, encouraging a free exchange of ideas and resources. The community college, stable yet unfettered by the permanence of buildings, will move in physical location in response to shifting needs.

Extension centers: Pasadena City College in California offers short courses, lectures, and forums in sixty-five different sites in every part of the six unified districts which compose the college district, which includes a unique course for wives of prisoners. And 600 students are enrolled in college credit courses offered by Miami-Dade Junior College, Florida, in a variety of community locations, including public agencies, hotels, airlines, the Miami Beach Center, and a local Air Force base.

In-plant training: Perhaps the most extensive in-plant training program in the country is operated by New York City Community College, resulting in pretraining or in-service training for 180 newly appointed building inspectors, 300 building inspectors, 320 dietary aides from eighteen hospitals, 1,000 nurses aides, and 700 municipal employees. Top management training courses conducted by El Centro College in Texas for a Dallas hospital, including basic management, work simplification, problem solving and goal setting, reportedly saved the hospital $750,000 operating costs during the first year. And the in-service training program developed for federal employees by Cuyahoga Community College in Cleveland, Ohio, is expected to attract some 500 initially, with the federal government paying tuition.

Mobile and portable units: Hudson Valley Community College in New York last summer utilized effectively an "Opportunity Van" in two disadvantaged Albany neighborhoods, recruiting students for its urban center. Another excellent example is the community science outreach program being developed by Oakland Community College in Michigan, in cooperation with a local institute of science, and featuring mobile exhibits and demonstrations, traveling museums and short courses.

II. The community college will place increased emphasis on community education for all age levels and all age groups.

Increasingly, community education services are not limited to youth just out of high school or to adults of the community, but are provided for citizens of all ages—including elementary and secondary school youngsters—with varying interests and points of view, and are provided at all social and economic levels. More and more these educational services embrace the whole gamut of community life with the objective of preparing citizens to cope with rapid and sweeping social, political, and technological change.

Short courses: The Center for Community Educational Services, established by the State University of New York Agricultural and Technical College at Farmingdale, offered 720 workshops, seminars, institutes and conferences last year, accommodating 32,000 persons. Since 1940 Abraham Baldwin Agricultural College in Georgia has offered 743 short courses for 98,699 farmers, stressing the latest techniques in farming and related fields.

In-service training: Suffolk County Community College in New York has developed, in cooperation with Civil Training Council, twenty-two country-financed in-service training courses for county employees, offered during the working day at seven different locations.

Baltimore Junior College in Maryland, under its new careers program, trained some 300 disadvantaged persons, twenty-two and up with job problems as psychology aides, home visitation aides, government service aides, data processing aides, etc. Some 1,100 disadvantaged adults and young adults are enrolled in the East Bay Skill Center, funded under MDTA and operated by Laney College in California. Big Bend Community College in Washington provides, on a contractual basis, training programs in licensed practical nursing, nurses aide, and mechanics, i.e., riveting, for a local Women's Job Corps Center. And Oakland Community College's project SERVE, funded under Title I of the Higher Education Act, stimulates active participation of senior citizens in community affairs through a three-part program: free counseling and placement service for those needing additional income; a volunteer placement bureau; and carefully tailored short courses.

Meeting community needs: "The Destroyers," a forum on the illegal drug traffic, sponsored by Cerritos College in California in cooperation with fourteen local school districts, resulted in a change in the curriculum for the fifth and sixth grades.

III. The community college will utilize a greater diversification of media in meeting community needs and interests.

No longer can it be said that the community college fulfills its community responsibility by merely offering a new course "anytime ten or more citizens want it, if teachers, space, funds, and equipment are available." Increasingly, the class is only one of a plethora of media utilized in the program of community service: telecommunications; seminars and symposiums; performing groups; self-instructional packages; educational and cultural tours; workshops and conferences; counseling and consultative services; research and planning, recreational activities; science experiments and exhibitions, facility usage; leadership, coordination, and advisory assistance; public lectures, and fine arts events.

Short courses: Even short courses offered under the program of community service take on a different format. Especially designed as in-service training for personnel of paleontology laboratories located in the area, the biostratigraphy seminar, sponsored by Bakersfield College in California, is now in its sixth year and continues to fill a need for the petroleum industry.

Telecommunications: Chicago City College's TV College on the air approximately twenty-six hours per week, since 1956 has permitted 100,000 persons to take seventy different credit and noncredit courses in their homes, generating 170,000 enrollments. Using FM radio, Long Beach City College in California serves 100,000 kindergarten through twelfth grade students of the Long Beach Unified School District. In order to provide educational opportunities in five outlying areas of its 2,600 square mile district, Los Rios Junior College District in California is developing the concept of the Little Red Electronic Schoolhouse, equipping the one-room facilities with thirty carrels for audio-tutorial study.

Tours and field trips: During August of 1967, a week-long nature study field trip into the Minarets area of the Sierra Nevada was organized by Foothill College in California for thirty-six members of the community. And an imaginative program of field studies in Mexico and South America has been developed by the College of San Mateo in California including "pre-Columbian civilization" in Mexico City; and "Mayan civilization" centering on the Yucatan peninsula and Guatemala; and a people-to-people exploration of Central and South America.

Community performing groups: The Music Makers of the Foothill Junior College District in California encompass three community performing groups; a 140-voice community symphonic choir, the Schola Cantorum; a select chamber ensemble, the Master Symphonia; and a ninety-piece symphony, the Nova Vista Orchestra.

Consulting services: A program of technical assistance to industry, including bulletins, newsletters, and general consultative services, is being developed by New York City Community College in the areas of optics, data processing, and numerical control.

Community counseling: Cuyahoga Community College's project SEARCH for the culturally disadvantaged of the Hought section of Cleveland features a counseling center to help individuals identify realistic educational and vocational goals for themselves. North Florida Junior College provided the leadership for the development of an area guidance center, where twenty counselors serve elementary schools, high schools, and junior colleges in six rural counties by providing 115 hours of guidance time daily.

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[5] Thornton, James W., *The Community Junior College*. New York: John Wiley and Sons, 1960, p. 66.

[6] Seay, Maurice F. and Crawford, Ferris N. *The Community School and Community Self-Improvement*. Lansing, Michigan: Clair L. Taylor, Superintendent to Public Instruction, 1954 p. 144.

IV. The community college will increasingly utilize its catalytic capabilities to assist its community in the solution of basic educational, economic, political, and social problems.

In the process of becoming an educational resource center, the community college is dynamically relating its programs to the existing and emerging needs of its district community. Through action programs aimed at closing ravines now dividing the inner city from the outer community; baseline data from community studies; the leadership and advisory assistance of college personnel in the mobilization of community resources; long-range planning; workshops, institutes and conferences; and the organization of community coordinating councils and other needed groups, the community college is becoming an agency for social change.

Programs for the disadvantaged: During the past year, 192 disadvantaged students have participated in the Neighborhood Youth Corps program at Westark Junior College in Arkansas, spending approximately half of their time in remedial reading, writing and arithmetic, and the other half in automobile mechanics, automobile body and welding programs. Baltimore Junior College has developed two programs to motivate youngsters from culturally disadvantaged sections of Baltimore to stay in school and seek college goals: (1) an Upward Bound program for promising tenth and eleventh grade students; and (2) Operation: College Horizons for junior and senior high school students and their parents. The Peralta Colleges in California are developing an extensive program for the culturally disadvantaged who remain in the inner city, which features a student service corps, community development centers offering educational and counseling services, a cultural enrichment program, and a scholarship assistance program.

Community leadership: In order to give maximum service to its community, Abraham Baldwin College initiated project SURGE (Systematic Utilization of Resources for Growth and Efficiency) for Tifton and Tiff County in 1964, utilizing fourteen committees, representing every aspect of community life and an annual "town hall" type meeting.

Workshops, institutes, and conferences: An extensive program of community workshops and seminars to provide information and education about local government, planning renewal, community organization, etc., has been developed by Essex Community College in Maryland.

Organization of community groups: New York City Community College has proposed the establishment of an economic training institute to be designed by a task force in response to problems identified by the South Brooklyn Community Progress Center's clientele as well as its professional staff.

V. The community college will be increasingly concerned about the cultural growth of its community and state.

That this trend is already taking shape has been evident in many communities for some time. A survey of development in California four years ago, for example resulted in this conclusion: "California communities from the Sierra to the sea, and the Siskyous to the Mexican border are experiencing a cultural, social, and intellectual renaissance. And much of the credit for the community rebirth is due California's seventy-one public junior colleges and their programs of community services."[7]

Cultural centers: Flint Junior College in Michigan has developed a cultural center which includes an intimate theater, auditorium, an art center, planetarium, museum, and a public library. Del Mar College in Texas has become a cultural center for the entire college district through its extensive cultural program which includes community performing groups—a chamber orchestra, a chorale, choral ensemble, and a full symphony orchestra; and festivals and series presentations. Rockland Community College in New York has taken a number of steps to join forces with community groups in creating a cultural center for the community which would feature an on-campus museum, a theater and/or auditorium, and a planetarium. A most ambitious and extensive composite of performing arts activities was initiated in the spring of 1967 by Bucks County Community College, Pennsylvania, when it undertook a multifaceted program of experimental theater, children's theater, elementary and secondary school visitations, an art festival, and a college-sponsored professional repertory company.

Arts councils: Delta College in Michigan was instrumental in the formation of a forty-member arts council which is housed on the college campus and publishes an annual calendar, functions as a "clearinghouse" for the scheduling of events, operates a central arts information office, and promoted the area arts activity over the college-owned educational television station.

VI. The community college will place greater emphasis on interaction with its community.

Increasingly, it is being recognized that the effective program of community services is built upon (1) a solid foundation of citizen participation and college-community interactions and (2) a thorough understanding of the community. Citizens actually participate in the planning, maintenance, and evaluation of the program; and the college, recognizing that it must be of the community and not just in it, participates in community life. In such a way, mutual interaction is achieved.

Institutional synergism: This term has been defined as simultaneous action of separate agencies, which together have a greater total effect than the sum of their individual efforts. Illustrative of this term is the concept of the "Health and Education Campus" being developed by Essex Community College in Maryland, the Franklin Square Hospital, and the Baltimore County Health Department, and featuring the sharing of physical facilities and human resources, the joint development of paramedical curriculum, and development of continuing education programs for patients and the community through television. Rockland Community College is developing a college library as a strong community-serving central reference and research library to complement existing library services in the county, and a media center capable of sending programs to all schools in the county. Approximately one hundred paintings of Chautauqua County Society artists are constantly on display in hallways and offices throughout the campus of Jamestown Community College in New York, making the entire campus an art gallery. And thirty-three companies cooperate with Rock Valley College in Illinois in the promotion of and recruitment for its unique Career Advancement Program which is permitted 174 company-employed students to work half-time and spend half-time in class.

Advisory committees: Cerritos College in California is aided in the planning and implementation of its program of community services by a citizens' advisory council and nine advisory committees, including adult education, business, civic responsibilities, community research and development, community volunteer services, fine arts, professions, recreation and youth.

Community councils: Vincennes University Junior College in Indiana has organized a council of top managers of industry in the area which plans educational programs for the welfare of industry.

Community-college sponsorship: Joining forces with a community organization, North Florida Junior College has created the North Florida Junior College-Madison Artist Series Association for the purpose of planning and financing high-level artist series programs for the college and the community.

VII. The community college will increasingly recognize the need for cooperation with other community and regional agencies.

In order to avoid unnnecessary duplication of services, a greater effort is being made by community college personnel to coordinate the community college program of community services with programs of other community and regional agencies, i.e., public schools, recreation districts, governmental agencies, museums, art galleries, libraries, and four-year colleges and universities.

Community college cooperation: The San Mateo and Foothill Junior College Districts in California have entered into a special training program, cosponsored by the Junior League of Palo Alto, for the purpose of training unpaid volunteers for the public schools. And seventeen junior colleges of Los Angeles County, California, are cooperating in the offering of a two-unit health education course over a local commercial television channel.

Cooperation with four-year colleges: The College of the Redwoods and Humboldt State College in California are cooperating in the extension of concerts and lecture series programs to local communities in northern California. The Community College of Philadelphia and thirty-six other two and four-year colleges are participating in a consortium, the College Bound Corporation, to provide admission counseling for community high schools. Big Bend Community College is coordinating with four other colleges and a public school district in a nine-county area in the state of Washington, a unique program designed to upgrade Japanese migrants to a fifth grade reading level and offering prevocational and vocational programs.

Cooperation with public schools: Oakland Community College during the past year offered some eighty credit and noncredit courses in twenty-nine different centers in the college district, in cooperation with local public schools.

Regional cooperation: Approximately eighty colleges in California, including a few four-year colleges as well as community colleges, have organized the College Association for Public Events and Services for the purpose of block-booking lectures, artists, and exchanging package programs and experiences. CAPES organizations have also been organized in Arizona and Michigan.

CONCLUSION

Through imaginative programs of community services, community colleges are beginning to assume their natural role as a catalytic force—providing the leadership, coordination, and cooperation necessary to stimulate action programs by appropriate individuals and groups with the community. The reciprocal relationship between the community and the community college is such that the community college both reflects and effects changes in the structure of its community, and the life patterns of its residents.

More and more, the community college is inserting into the life stream of its people forces that can change, revise, unify, and stimulate the individual, the organization, and ultimately, the tone of mind of the entire community.

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[7] Harlacher, Ervin L. "California's Community Renaissance," *Junior College Journal*, XXXIV (May, 1966).

Why Requests for Federal Aid Are Rejected—A Government Official Suggests How Proposals Requesting Federal Funds Should Be Prepared

(By Calvin B. T. Lee)

Grantsmanship, as I see it, should not be considered a special art or a profession or subprofession. Grantsmanship is simply the ability of the applicant to communicate, within the context of the legislation, the needs of the institution, and how they relate to specific congressional legislation.

It is important in writing any proposal that the applicant understands the approach of the federal government to higher education. Without this background, it is difficult to write a proposal which does not simply look like a request for a handout.

Historically the approach of the federal government has been to meet specific needs and goals rather than permanent relationships. Until recently there were only three basic approaches of federal involvement in higher education:

1. Direct establishment and operation of institutions such as the academies for the Army, Navy, and Air Force.

2. Direct endowment of lands and funds to aid state or local institutions as envisioned by the Morrill Act.

3. Indirect support of advanced learning by contracts for goods and services, evidenced by a multitude of relationships of over thirty federal agencies and hundreds of universities and colleges in sponsored research and related activities.

These three basic approaches affected the junior colleges only minimally.

THE CONTEXT FOR BEGINNING

The common element in these three approaches has been an effort to meet a specific national or governmental need. None of them assumed a permanent obligation by the federal government. A fourth approach has been evolving in recent years, that of support of institutions indirectly through student loans and scholarships, and directly through facility grants and loans. This approach, also, is congruent with the three historical approaches. It starts from the premise that federal aid to education should take place only to meet the national need. But, in recent times, there has been growing recognition that higher education is an essential ingredient for the social welfare and the national interest, that the gross national product is affected by the educational achievement of its people, that automation will strip meaning out of human lives unless people can be educated and trained to utilize it and reap its benefits, that racial and economic inequality is, at bottom, an educational problem. Only as we recognized these relationships and moved into this phase of funding higher education, have the junior colleges started to really benefit from the federal role. That is the context from which you begin your proposal.

Let me list some of the common weaknesses of proposals. First, there is lack of understanding of the purpose of the federal program. Applications for funding projects and equipment, not covered by law and regulations are all too common. (Perhaps this is basically a problem of ambiguities in the wording of legislation and regulations.) The important point is that a good proposal is written with an understanding of the context from which the legislation came: What is the legislation trying to achieve? How does your institution relate to regional and local needs which reflect national educational priorities? Why should your institution be given priority?

The second major problem with some proposals is fragmentation. We receive a "Christmas" list—a long list of desires, things that would be wonderful to have but without a defense of why they are needed, why they are crucial and how they relate to the basic educational mission of the institution. We get random lists of disconnected odds and ends of programs that someone jotted down. It appears from some proposals that people on the campus have not been able to agree or have not attempted to find coherence in their programs. The college president has not attempted to discourage inappropriate ideas for funding. Instead of asserting academic leadership he asks the people in Washington to do that job for him.

Thirdly, we don't get sufficient defense of the programs. The relationship between the proposed budget and the proposed program is often not clear. Sometimes it seems as if the business manager wrote the budget and the program person wrote the program without ever getting together.

Finally, there is the problem of incompleteness, sloppiness, and just plain poor, ungrammatical writing. Is the proposal devoted to the main objectives of the institution? Has sufficient data been provided for a decision by someone who has never been on your campus? A proposal should be given as much attention as a basic curriculum report on a basic evaluation of a faculty development program. These documents must provide sufficient insights into the problem of your institution and how federal funding would assist you in reaching specific institutional goals.

EVALUATION PROCESS

We now move to the evaluation process. The first step is the eligibility of the applicant institution. Has the institution provided the information necessary to show that it complies with all regulatory and legislative requirements?

In determining priority, the government must first concern itself with returns. What will the return be from the federal investment in terms of local, regional, or national needs in higher education. The decision maker in Washington must look beyond 1969 and toward '72, '75, and '78. What is the payoff? What changes will take place as a result of the federal investment requested?

Finally, we get to program evaluation and the following questions are asked of consultant panels:

1. Whether the institution has clearly identified its strengths and weaknesses and has presented a plan for improvement which is adequately addressed to its basic needs.

2. Whether the faculty with the assistance proposed, guarantees the objective.

3. Whether the program is essential and whether it can be achieved during the grant period.

4. Whether there is definite evidence that the institution can significantly improve and maintain the improved level of performance in the proposed program.

5. Whether there is a clearly described course of action which provides good promise of attaining the proposed objective.

6. Whether adequate and specific plans have been presented for drawing on the resources of a cooperating institution or agency.

7. Whether the cooperative arrangement, bilateral or multilateral, is one in which institutional improvement and academic quality will result in more than a temporary resolution of present problems.

8. Whether the proposed program provides a foundation for future change and improvement.

OTHER CONCERNS

There is a final step in the decision process which is more nebulous and somewhat out of the control of the applicant. That is the overview of the total federal program. Program officers in Washington must be concerned about some of the following points of impact of their program:

1. The geographical and regional impact. Where are we investing our money? Where should we be investing federal money?

2. Impact in terms of time: What kind of balance should there be between the short-term and long-term payoff?

3. What about the ripple effect and impact in terms of ideas and innovations for new methods?

4. Diversity of approaches to basic problems: Have we invested in enough different kinds of approaches to assure ourselves of being able to stimulate some new approaches to basic problems in education?

We in Washington are engaged in the educational enterprise together with you on the campuses. It is a joint venture between the institutional leaders and those of us who have the responsibility of administering federal programs. The programs can be only as good as the proposals and plans submitted. Together we may be able to demonstrate to all concerned—the academic community, the public, and its representatives in Congress—that the junior colleges have a significant and vital contribution to make for the welfare of this nation.

The Nonshooting War in Latin America

HON. JOHN S. MONAGAN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. MONAGAN. Mr. Speaker, with our attention focused on the battle zones of Southeast Asia, the borders of the Near East, the capitals of Eastern Europe, and the money markets of Western Europe, it is quite possible to overlook vital issues of concern much closer to home.

Our struggle in Latin America for meaningful social change and the economic integration of the hemisphere may be a less dramatic effort, but it is no less important than our involvements elsewhere in the world. "The Nonshooting War in Latin America" is the title of a speech given by the U.S. representative to the Organization of American States before the Commonwealth Club of California on March 22. In this speech Ambassador Sol Linowitz explains in careful and compassionate terms the challenge which we face in Latin America, and the possible consequences which either success or failure in that commitment might bring.

This is a speech worthy of our attention and consideration, and I commend it to my colleagues, as follows:

The Nonshooting War in Latin America

(Address by Ambassador Sol M. Linowitz, U.S. Representative, Organization of American States)

I want to talk to you today about our policy in Latin America at a time when Viet-Nam urgently compels our attention and our energies. I do so believing that our stake in Latin America is vital to our future; and that what happens there is directly related to the overriding challenge of our day—the attainment of a lasting peace with justice everywhere.

As a point of departure, I can think of no better way of summarizing our Latin American policy than to read to you the Charter of the OAS. Its goals, its hopes for the present, its aspirations for the future express fully all that we strive for today in the Americas—a hemisphere in which all people respect their neighbors and share in the blessing of plenty that is the heritage of the New World.

Obviously the OAS will not, in and of itself, guarantee such a future for the hemisphere. But it does point the way. And because it does, the United States' commitment to it is deep and irrevocable. It is a commitment consistent with our over-all international aim, one that bespeaks our belief in international cooperation—peaceful cooperation and change—among all men and nations, no matter what their hemisphere.

The OAS is the instrument of this international aim in the Western Hemisphere; and as such, our membership in it well serves our national interest regionally even as our membership in the United Nations serves our national interest universally—an interest best served by the international rule of law and order.

We have recently elected a new Secretary General of the OAS, a distinguished international statesman and civil servant who brings to one of the most important posts in all international organizations a staunchly independent spirit and belief in the future of the Americas. The experience in the election has made unmistakably clear that no monolith gives the orders in this hemisphere, and that diversity—freely expressed—will give us our greatest impetus as we now move ahead with the tasks and challenges before us. Meeting them together becomes our prime concern—one that extends to every aspect of our hemispheric life.

I know, of course, there is skepticism about the OAS, but I believe it stems primarily from a lack of information about the work it has done and the work it is even now doing—work that is deeply interwoven in the fabric of America.

It is work that does not stop with the defense of the Americas and the efforts to strengthen the peace. It is work that advances the economic and social well-being of its members—work that runs the gamut from industrial planning to farming, from education to public health, from child welfare to Indian affairs, from culture to human rights, from science and technology to jurisprudence.

Twenty-two members of the OAS are today cooperating to build a better hemisphere. One country is not. We cannot ignore that one country; its threat is too real. Neither can we permit it to divert us from the basic job at hand—the work of peace and social justice that will be remembered long after Castro has been forgotten.

But even Castro must realize by now that extremism is not the way of the future for the rest of the hemisphere. The plain fact is—as he well knows—the people of Latin America have not responded to the strident call for violence, and those who advocate such a sterile course have failed—failed to capture the imagination or support of the people, failed to achieve any political power outside of Cuba, failed to stop the steady forward movement of the Alliance for Progress, failed—above all—to identify with the real, the legitimate aspirations of the Latin American people.

It would, therefore, be a grave mistake for us to focus on the Cuban problem to the exclusion of all others in Latin America—or to equate the main challenge of Latin America with that of stopping Castro. Our main job in Latin America is to stop poverty, to stop inequality, to stop hunger, to stop disease, to stop illiteracy—to stop all conditions that create a climate of despair in which a Castro or a Batista can flourish—in which a despotism of the right can provide the foundation and impetus for a dictatorship of the left.

Our main job in Latin America—indeed, our policy in Latin America—is a constructive one, a job of building, a job of hope, one that does not believe in the force of arms but in the force of mutual cooperation. The Alliance gives voice and form to that policy. It is not aimed against any people or regime, but it reaches out to all the people of the Americas. It seeks not to dominate, but to share; and the willingness to share is its only qualification.

We hope the Cuban people will yet share in it too; for the progress of the hemisphere is a vast program in which every nation has its own part to play, the Cuban nation along with all the others.

Subversion is not the business of the hemisphere. Progress is, and that should be the overriding concern of all of us—progress that will meet the just yearnings of the great mass of people in Latin America.

It is in these yearnings for economic and social justice that the Alliance has its roots, and in the final analysis our policy in Latin America will be judged by how closely and successfully we identify ourselves with them. For these are the yearnings of democracy—of a people learning to live in freedom and in dignity.

Yet there is precious little dignity to life if a man can't have enough food to eat, if he can't educate his children, if he can't be healthy, if he can't provide the bare element of self-respect in his every-day life.

In short, democracy cannot be true to itself and to its heritage of advancing the best interests of its citizens if the population cannot rise to the minimum level of a dignified existence.

So while we of the United States are naturally concerned about democracy in Latin America, and are convinced that democracy means a safer world and a better world for us and for everyone everywhere, we are also convinced that we do not serve it well if we limit our concern to its bare political framework. An occasional election in a country is not in itself a sure sign that freedom has a firm ally—especially when only a minority gets to vote.

Indeed, I would say the contrary is true if the people are exploited, if power remains in the hands of a small economic oligarchy, if social change is not the breath of their freedom. For whether it be Latin America, or the United States, or anywhere—the growth and strength of democracy must be related to basic social and economic factors.

We do not wish Latin America to become a carbon copy of what we find in the United States. The fact remains, however, that there is a distinct parallel to some of the problems facing both of us—problems we can see clearly enough here in America merely by looking at our cities. For the problem faced by New York, Chicago, Boston and Los Angeles differ perhaps in degree only from those confronting the large cities of Latin America in housing, public services, educational facilities—to mention a few of the more obvious.

It is a fact of steadily growing dimensions and importance—one emphasizing that poverty knows no political frontier—that many of the associated crises within this continent depend for their solutions upon what we can learn from each other. And in finding these, we are no longer businessmen, lawyers, engineers, economists, doctors, professors, writers and the like. We are developers all, engaged in what is in essence still a grand improvisation.

The United States, for example, has reached a high level of industrialization, and there is much we have learned here over the years that will be of value to the countries of Latin America in their effort to build a firm and diversified industrial base. At the same time, Latin America is one region of the world in which people have the blessed ability to look each other in the face and see not a color but another man. So we in the United States can learn much about race relations from our neighbors in Latin America. What I am saying, in short, is that the welfare of this continent is a continental problem in which we all have equal responsibilities and none a claim to superiority.

But the cry of John Donne, "Send not to ask for whom the bell tolls," echoes even deeper into our consciousness when we see in our own cities those desperate citizens who have bypassed the democratic processes as they seek other avenues to bring their plight to public attention and action.

The great lesson here is that time is not on our side—that while desperate acts demand a firm response in upholding the law, they demand equally firm measures to correct the causative ills. For if we want to see democracy fulfill its destiny, then we have a responsibility to see to it that conditions are created that will allow it to flower. We have a responsibility to see to it that the vicious circle of poverty, prejudice, lack of job opportunity, sickness, school drop-outs and back to poverty again is broken once and for all in our American society.

The struggle of our neighbors in Latin America to bring about social justice and create viable democratic regimes sensitive to the needs of the people is readily understandable if we view it in this framework. Even as all too many of our citizens live outside the mainstream of our society, masses of Latin American people are really not part of their nations' lives, and, therefore, they play no part in the democratic process.

They are, in all too many numbers, illiterate—books, after all, are not edible—and they find it impossible to obtain adequate employment. Democracy, moreover, has for too long and in too many cases meant the participation of only a small minority of more affluent citizens. And all too often, those who are most desperate to improve their lot in life frequently are not even aware an election is being held.

In assessing the progress made by the Alliance, we must understand, therefore, that the average citizen—the man who will ultimately decide the future of the Alliance and of the continent—will not become an ardent supporter of democracy because of any statistics of monthly car loadings or rising figures on a graph. What he wants to see is improvement in his life and in his neighborhood.

He will not be won over by a Common Market with its modernized economies and increased business opportunities unless he feels he will somehow share in the gains they make possible.

He will not be won over by shiny new farm equipment and modern agricultural methods unless he has a stake in the land they till.

He will not be won over by the most efficient factory if it justifies spreading industrial slums.

He will not be won over by modern schools or efforts to wipe out illiteracy unless his education permits him to live in a society in which ability is the criterion for advancement.

He will not be won over by new tax systems unless they are truly based on ability to pay, with no preference to the rich and penalties to the poor.

He will not be won over by economic growth if it serves only a fraction of the people.

In short, economic progress alone cannot be the key to the future of Latin America. Economic progress may be the body and muscle of the Alliance, but social progress must be the heart and soul of its democracy.

Simon Bolivar once said that the goal of the Americas was to be the greatest region on earth, "greatest not so much by virtue of her area or her wealth, as by her freedom and her glory." That "freedom and glory" must be made possible in a hemisphere of social justice and equity. And just as we cannot escape the responsibility for bettering the lives of our own citizens, neither can we escape the responsibility that is peculiarly ours in this hemisphere because of our great power and wealth.

We have a right, of course, to be impatient with the vast job ahead. More important, the people of Latin America have a right to be impatient—and they are. But impatience—ours and theirs—must feed our mutual determination to get on with what is, in truth, one of history's great social experiments, a peaceful revolution to transform a continent, to telescope years of development and create worthwhile lives for people whose hopes and aspirations merit every assistance we are capable of rendering.

There is no question that the Alliance has a long way to go before it accomplishes its goal. Potential for violent revolution still exists in every sordid slum in Latin America, in every backward village where the heritage of centuries of neglect remains greater than the effort to overcome it. It is this effort that the Alliance must now inspire with increasing urgency.

If it does not, then the democratic process may be short-circuited in Latin America, as it has been so frequently in this century. The record shows that in the past 38 years there have been some 108 illegal and unscheduled changes of government, testimony both to the instability of life and the searching of people to find themselves. And we will see the increased violence of guerrilla movements occurring in direct ratio to the number of frustrated lives and lost opportunities—to the extent the disease of poverty goads desperate men to desperate acts.

We have already seen the tragedy that can ensue when terrorists seize upon social issues as the excuse for wanton acts, as they did in Guatemala in recent weeks. We owe it to the innocent—we owe it to all who believe, even as we do, that economic freedom and social justice are the firm foundation upon which political democracy can, and should, rest—we owe it to peace—to help the people of Latin America eliminate any such excuse for violence and upheaval in their lives. We owe it to the future of the hemisphere to associate ourselves with them in their effort to achieve these objectives.

The success of this effort, freely undertaken by the people of Latin America, will be the true test of democracy on their continent. It is an effort that demands, as I say, searching social and economic changes—changes that may create temporary dislocations in Latin America. We must learn not only to live with this type of change—peaceful change—but more, to encourage it to its fullest expression. Only as its tempo increases will the potential for violence decrease.

In saying this, let me also voice a word of caution. Latin America is not our home. We cannot and must not undertake to do the job or to usurp the prerogative that belongs to the people of Latin America to decide for themselves what and how they should do the job. We can but help, constructively, compassionately and with the full recognition of its urgency in the over-all panorama of our foreign policy priorities.

We have learned, of course, that often time and tide move slowly in Latin America. But this is no ground for pessimism or any lessening of our will. The Alliance is moving towards its goals. It has already countless achievements to its credit. It has demonstrated that it has the potential to enlist to its cause the minds and the hearts of the people.

All in all, I believe that the progress made this past year by the Republics of the American Hemisphere bodes well for the future. We know more about each other and understand each other's inter-continental problems far better than we ever did before—a knowledge and an understanding we gained by standing shoulder to shoulder in working together to advance the Alliance and to find common solutions to our common problems.

Moreover, the Western Hemisphere is now in the midst of an exciting and far-reaching experiment in the effective application of multilateral diplomacy. A Common Market . . . road and harbor and telecommunications projects . . . regional programs in education, science and technology . . . a Latin American educational television network . . . new approaches to old population problems . . . pioneering agricultural programs . . . all these and more are now the manifestation of multilateralism in hemisphere affairs.

This development is certainly one of the most exciting and promising in the whole area of internationalism since the establishment of the United Nations. It spans the political, the economic and the social spheres . . . in short, it encompasses every area of our hemisphere life, and used judiciously, it can chart the way to the future in building and strengthening the forces of freedom and democracy throughout the hemisphere.

The Charter of the Alliance for Progress states that it is established "on the basic principle that free men working through the institution of representative democracy can best satisfy man's aspirations." It is not going too far to say that the future of the Alliance will, to a large extent, therefore, depend on the capacity of progressive democratic governments and their leaders to realize the full potential of multilateral cooperation.

In sum, then, this is our policy: To walk a careful line between assertion of principle and intervention in the affairs of sovereign countries; remembering nonetheless that we have both the responsibility and the commitment to encourage the growth of representative government, and to act always so we make clear where we stand on the secure future of political democracy in the hemisphere. In the words of the President, "we shall have . . . and deserve . . . the respect of the people of other countries only as they know what side we are on." Clarity, like charity, must begin at home.

The road ahead remains difficult. How successfully we negotiate it will depend entirely upon the ability of all the Americas—North and South—to overlook the petty grievances and keep our eyes focused on the goal that must be our mutual hope—a hemisphere in which economic and political freedom is not a promise of the future but a reality of the present.

President Kennedy was reported as having said that the struggle for democracy and freedom "is going to be won or lost right here in Latin America."

What he meant, I think, is that if we cannot, through the Alliance for Progress, win the battle for men's hearts and minds, in the countries of this hemisphere where we share common ties of history, geography and tradition, then it is unlikely that democracy can fare better in other parts of the world.

But all the indications are that we can win, and that we will win. If we reject the recipes offered by the cynics and do-nothings—and the know-nothings—if our actions are guided by your faith in democracy and in the power of international cooperation—then I am confident that we can move forward toward a brighter tomorrow in a hemisphere and in a world free from war and free from want.

Electric Power Reliability—Address by Hon. Lee C. White, Chairman, Federal Power Commission

HON. FRANK E. MOSS

OF UTAH

IN THE SENATE OF THE UNITED STATES

Tuesday, April 2, 1968

Mr. MOSS. Mr. President, pending before the Committee on Commerce are a number of bills that deal with the question of electric power reliability. Beginning this month, hearings will be held in various cities of the United States to receive testimony concerning this problem and upon bills that are under consideration.

Recently the distinguished Chairman of the Federal Power Commission, Hon. Lee C. White, delivered an address before the Southeastern Electric Exchange, at Boca Raton, Fla. In his address, the Chairman discusses the problem and sets forth his views on the need for legislation in this field. I ask unanimous consent that his speech be printed in the Extensions of Remarks. I believe that it is informative and should be read by all Members of the Senate.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY LEE C. WHITE, CHAIRMAN, FEDERAL POWER COMMISSION, BEFORE THE SOUTHEASTERN ELECTRIC EXCHANGE, BOCA RATON, FLA., MARCH 26, 1968

We are meeting today in a time of change. The quickening pace of technological advance is rapidly compressing the time cycle in which earlier eras measured progress. It was more than 5,000 years from the invention of the wheel to the invention of the automobile, but only 50 years from the invention of the airplane to the first manned spaceflight. And in those 50 years we have learned and invented more than in all the previous years of humanity. Advances which are now being made in the communication media, in computer technology, in electronics and the application of the laser, are creating fundamental changes in the nature of the community and the family and reorienting our ethics, customs and values.

Change, however, is not limited to that associated with technology. Political expression in our democratic way of life is taking on a new dimension—protest and direct action a new respectability. Socially, there is a rising level of expectation among all of our people, not just for consumable items, but for those intangible qualities of life which our increasing level of sophistication encourages and our material well-being makes possible. No longer are we willing to tolerate the noxious by-products of progress which seem to be threatening our very way of life. As the increasing din of our cities, dirty air and filth-infested lakes and rivers appear to be overwhelming us, our cultural and natural heritages have taken on a new-found importance.

A key characteristic of change in our society is the interaction and interdependence which it motivates among our traditional institutions and disciplines. The vast resources which must be marshalled to undertake some tasks, such as communication satellites, or the relative unprofitability of some socially desirable endeavors, such as the promotion of public educational television, has required the supplementation of traditional forms of business operation with cooperative private-public undertakings. In the field of welfare, the sheer enormity of the task has required that private charity be supplemented by public support so that now security in sickness, old age, or time of distress has become a joint responsibility of the individual, private institutions and all levels of government. The concern of labor is no longer simply for adequate wages but now includes participation in profits and policymaking. The emergence of new fields of knowledge and the needs for specialized skills require that schooling no longer be just the concern of educators but a joint effort of all segments of our society. Thus, in order to meet these emerging challenges, we have had to alter the traditional relationships and means of communicating between the various segments of society by developing new concepts and new ways to measure the attainment of our goals.

Illustrations of business's growing recognition of the broader role it can and should be playing in our society can be found in many fields. For example, in the life insurance industry, we see a growing willingness to replace or at least supplement traditional investment policies with those designed to help solve the problems of our society. Private funds are being made available to finance low-cost housing and one insurance company is financing the creation of Columbia, a "new town" community in Maryland. Foundations, too, are reorienting their policies to devote more of their resources to the resolution of current problems, especially those of the inner cities. Some industries have undertaken to sponsor job-corps camps or to assist in the training of unemployables. While many of these business-sponsored programs are directed at improving the lot of the nation's underprivileged, others seek to enrich the lives of those already sharing fully in our high standard of living.

At the same time the government has taken the initiative in solving some problems where because of their nature or reluctance on the part of the private sector needs are going unmet. Thus the government has assumed responsibility for assuring that only pure and wholesome meat is sold to the American housewife, for truth in packaging and for automobile safety.

All of these programs demonstrate the ability and willingness of our society to respond to the emerging challenges. As I indicated, many of these problems have been solved by business on its own, but often now through joint business-government undertaking. Where necessary, government has undertaken the job on its own. What is important is that the problems are being identified and attacked, perhaps not as expeditiously as all would desire or as satisfactorily as all might wish, but nevertheless, they are not being ignored.

As representatives of one major segment of the American business community these events are not external to you, for, as you well know, business is a part of the fabric of American society. Your industry supplies the force which moves the entire nation. The largest among our industrial giants in terms of its investment in our society, the electric power industry employs nearly one-half million persons in a range of disciplines as broad as any industry in the country. You have a very real presence in virtually every home, factory and office in the nation. It is natural, therefore, that our changing society would be mirrored in a significant way in the electric power industry. Society's problems are your challenges; its expectations are your demands and satisfaction of these demands is your reward. The growing quest for a healthful environment, for clean air and water, for a skyline unmarred by unsightly physical structures, for recreation and for the enjoyment and comfort of a safe and uninterrupted source of power—these are the problems and expectations confronting you. Your challenge is to apply your talents and resources to respond to these demands. Your reward will be a better America in which to live and raise our children.

Perhaps the one aspect of this problem which today dominates all others in its complexity is that of assuring reliability of power supply. Like many of the problems I have mentioned, it is not particularly a new one. Your industry has been grappling with it since Pearl Street days and your efforts have met with a very large degree of success. In years past, when most of the electric power systems were isolated, reliability was primarily a matter of local concern. Each system bore the entire burden of assuring its own reliability. Interruptions of service on one system had little effect outside its own operating area, but conversely, because there were few interconnections, interruptions could not be avoided by getting help from a neighboring system.

Today, things have changed. The isolated system is now the exception and the great majority of the nation's power systems are interconnected in a single network. This has unquestionably improved reliability over what it was in those earlier years. Unfortunately, all too few people are aware of the numerous—virtually daily—instances where interconnections assist in preventing interruptions of service. The Southeast Region, for example, reported a total of 57 incidents between January 1, 1964 and June 30, 1966, involving equipment outages totalling 12,397,000 kilowatts, or an average of 218,000 kilowatts per outage. Seven outages of about 500,000 kilowatts were reported. In only one of these incidents was curtailment of load required. Certainly this record is one of which this group can well be proud.

It should not detract from the overall good service record of the electric power industry to note, however, that the nation's interconnected transmission network is not strong enough at many points to assure adequate support in the event of emergency. Take these cases for example:

A relay device is overloaded in Canada and in a New York City skyscraper elevators come to a halt between floors. Thirty million people in the industrial heart of the United States are without power for up to 13 hours.

An overloaded transmission line sags in Pennsylvania and causes a flashover to a distribution line. Fifteen thousand square miles in a four-state area are without power for up to 10 hours and in the Nation's Capital customers are asked to cut back their use of electricity.

Condensates accumulate in a generating station's gas supply line and a half million people in Texas and Mexico are without power for up to 2 hours.

An airplane accident in Arizona, a brush fire in Washington, prankster in Alaska, or a nesting bird in Kentucky—any of these incidents can and have interrupted service in large portions of interconnected networks. In the first six months of 1967 alone, more than 13½ million customers were without service at one time or another according to reports submitted to the FPC.

Reliability, of course, remains a primary responsibility of each individual utility, but these outages suggest that assuring adequate and continuous service reliability throughout the nation's complex interconnected networks may well transcend the competence or responsibility of the individual systems. We are forced to reexamine whether our organizational mechanisms and institutions for assuring reliability have kept pace with our zeal for the benefits which interconnection affords.

The Northeast Power Failure marked the dramatic advent of the public's concern for power reliability. That event which interrupted the life of the nation's largest city and an entire region of the country, illustrated not only the growing problem of assuring reliability in a complex, interconnected power system, but the level of public expectation of virtually perfect reliability. It articulated more clearly than any words that could be written the public interest in an adequate and reliable power supply system.

The 2½ years since November 1965 have witnessed many efforts to enhance reliability. When at the request of the President the FPC began its investigations into the Northeast incident and the subsequent interruptions in other parts of the country, the industry responded and gave its complete and willing support to our studies. As a result of this close cooperation the Commission was able to publish a report which comprehensively analyzed the problem of power supply reliability on a national scale for the first time. I should add that the fine cooperation which the Commission has received from the industry was not limited to those initial studies, nor did it have its genesis there. When in the early 1960's the Commission was seeking to undertake the National Power Survey it was the encouragement, support and offers of help received from many forward-looking industry leaders which convinced the Commission that such an enormous task could be successfully undertaken. That spirit continues right up to the present time and many of you here today are presently assisting in the updating of the Survey. The Commission is fortunate to be able to call upon such dedicated and resourceful men to assist in our tasks.

Many events in the industry subsequent to the Northeast failure indicate a growing desire to respond to the challenge of reliability. Right here in the Southeast, for example, within the last year reliability agreements have been entered into involving the Southern System, CARVA, Florida Power Corporation, the Middle South Companies and TVA. The purpose of these agreements is to augment reliability of each party's bulk power supply through coordination and planning of generation and bulk power transmission facilities. The recent strengthening of the Florida grid and transmission lines planned for construction between now and 1970 will further enhance this region's ability to minimize the possibility of widespread interruptions of service. Should such an incident occur, however, equipment which is now being installed on some of these systems is designed to disconnect approximately 30 percent of system load in the event of severe low-frequency operation. Combined with underfrequency relay controls designed to automatically start idle units at 59.7 cycles which are also being installed, the ability to restore normal operations within a relatively brief time is greatly strengthened.

I also understand that many systems in the Southeast have been engaged recently in accumulating detailed data concerning generator characteristics for use in sophisticated planning studies. These comprehensive studies will enable a detailed analysis of dynamic responses and a more thorough investigation of system performance and reliability under contingency situations.

Encouraging as the undertakings in the Southeast and those in other parts of the country are, however, it does not appear that we have solved some of the fundamental problems of reliability or, in some cases, have not done so in the most effective manner. Commission studies indicate that we are still faced with some extremely urgent problems. For example, our investigations of last summer's PJM failure revealed that some of the deficiencies that became apparent in the earlier Northeast failure still existed on the PJM interconnection and on other systems. Monitoring equipment and procedures failed to alert operators to impending disaster. Performance of equipment during the disturbance was not sufficient to prevent damage to some generating units. Transmission facilities and system interties were not able to cope with the burdens imposed upon them by the disturbance. Very little automatic load-shedding equipment was available and system frequency declined sharply as power sources were successively interrupted.

On another front, one of the major needs articulated in the Commission's reliability report was the need for effective regional coordinating mechanisms throughout the country. While most regions have begun to take some steps in this direction some of the organizations which have been set up do not have sufficient authority to deal adequately with the problem and others have denied entry to some of the bulk power suppliers in the region or have put unduly restrictive conditions on entry. Moreover, the Commission's efforts to become informed of the decisions being made and to participate in regional organizations have been rebuffed in some quarters. Failure to give the public and interested federal, state and local agencies sufficient notice of projected plans also continues to result in undue delay once the plans are announced.

I mention some of these problems for the purpose of underscoring the Commission's concern over the fact that some of the major reliability problems still remain with us. Reliability is an elusive target and when one considers that between now and 1980 the demands on this industry will more than double, it becomes apparent that one must run pretty fast just to stand still so far as reliability is concerned. I do not mean to paint this picture of the present state of reliability all in dark colors, however. As I have indicated, significant advances have been and are being made, but I will be frank in telling you that I think the present pace needs to be stepped up and that more needs to be done.

There are at the present time bills pending in Congress which have as their purpose the enhancement of reliability. The Commission's proposal with which you are probably all familiar is reflected in S. 1934 (Muskie) and H.R. 10727 (Staggers) and H.R. 10721 (Macdonald). Other bills pending before the Congress which are variations of the Commission's proposal include the Moss version (H.R. 12322) and the Kennedy-Ottinger version (S. 2889 and H.R. 14971).

Before submitting our reliability proposal to Congress the Commission considered many alternatives ranging from doing nothing to recommending radical restructuring of the industry. Both extremes were ultimately rejected since, though the need for legislation had been clearly demonstrated, we had no reason to believe that the objectives could not be accomplished within the present institutional framework of the industry. Instead, the bill which we submitted to Congress sought to build upon existing mechanisms and institutions within the industry and to supplement them only where necessary to achieve improved reliability. Of course, implicit in our bill is the belief that reliability has changed from a matter of exclusive concern of isolated systems to a problem common to the utilities that comprise interconnected systems serving large areas of the Nation. It is, in my view, a matter of public concern and one in which the public interest requires some mechanism whereby the public cannot only know what is contemplated, but also make a contribution in arriving at decisions so central to the Nation's growth and development. Anyone is free to disagree with this premise, but I believe it is the clear lesson of recent history. Thus the solution which the Commission has recommended recognizes that reliability, like so many of the problems confronting our society, requires the cooperative efforts of business and government.

Since this legislation was introduced, there has been a growing dialogue within the industry and its various segments and among the industry, the Commission and the Congress on the best solution to this problem. Some of this dialogue has been directed at whether there is a need for any legislation at all, while some has been directed at the desirability of specific provisions of the various bills. Most of this dialogue has been constructive and has, I believe, already served to further the cause of reliability. To those who would oppose any legislation at all, I would suggest that they bear a heavy burden to convince the nation that their alternative will be adequate and this will be accomplished not with words but through performance—through the expeditious resolution of some of the problems I have been mentioning. To those who believe the nature of the problem requires some legislative resolution, I would suggest that the Commission's bill provides a workable solution. At the same time, however, the members of the Commission and, I am sure, the responsible Congressional Committees, have an open mind to consider any other alternatives which might be recommended.

I have talked today about some of the changes taking place in our society and tried to present some of my ideas on the role of American business in general and particularly the electric power industry in our modern society. Considering the escalating pace of advancing technology and the rapid changes in the social, economic and political characteristics of our society, one would be foolish indeed to try to predict what further changes the next 50 years will bring. We can be certain, however, that society will become even more complex and its components more interdependent. The need to develop new and more effective mechanisms for communication and cooperation among all segments of society will become more urgent. No longer will utility successes be measured exclusively by the balance sheet, but, additionally, in terms of responsiveness to the broader needs of society. Social consciousness will be the true measure of the electric utility industry's contribution to the greatness of our nation. Surely, the past record of accomplishment of the electric power industry and the high calibre of its leadership give us reason to believe it will be equal to the challenge.

Army Captain From Norristown, Pa., Goes Back to War Zone for a Fourth Time

HON. RICHARD S. SCHWEIKER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. SCHWEIKER. Mr. Speaker, last month Army Capt. Kenneth F. Kubasik, of Norristown, Pa., in my congressional district, returned to Vietnam duty after home leave. He is now on his fourth tour of duty in a Southeast Asian war zone, serving first in Laos in 1961 and on two other occasions since then in Vietnam.

Captain Kubasik has a fine 14-year service record in the Army, with the last 8 years of it in the Special Forces. He is one of the career fighting men of our Armed Forces of whom the Nation can be proud, particularly when our Armed Forces have been facing such arduous tests in Vietnam and elsewhere in Southeast Asia. I commend his courage and dedication.

Before Captain Kubasik returned to Vietnam last month, reporter Michael Pesta of the Norristown Times-Herald wrote the following article about Captain Kubasik and his firsthand impressions of the war in Vietnam. I include the story in the RECORD for the benefit of my colleagues who may be interested:

RETURNS TO SOUTH VIETNAM FOR FOURTH TOUR IN WAR ZONE—AREA VETERAN HAS SEEN COUNTRY FROM BATTLEFRONT AND PACIFICATION AREAS

Three times since 1961 a Norristown serviceman has winged his way to Southeast Asia, the world's hottest spot.

The first journey was to Laos. The next two were to South Vietnam. Each of these trips were made with a pretty good idea of what was ahead.

One week ago, Capt. Kenneth F. Kubasik said his goodbyes to friends, and prepared to bid his wife, Joan, goodbye again. A call to Washington, however, resulted in another six-days leave on the advice of officials there.

The added time off seemed to be a pretty good indication that what lies ahead this time is less clear.

A 14-YEAR CAREER

An Army veteran of 14 years service behind him, all in the Special Forces branch with the exception of the early days of his career, Capt. Kubasik spent his last year on detached service from the Army, serving as a civilian adviser in the pacification program.

That's the job he returned to Monday. As he put it: "in a couple of days I'll be sitting on a hillside overlooking the Cambodian border, I think."

When the Viet Cong and North Vietnamese troops pushed off their Tet offensive Jan. 30, against 35 major South Vietnamese population centers, Kubasik was located in Song Be, Phuoc Long Province, near the Cambodian border.

DROVE TO SAIGON

He knew he would be leaving Vietnam within two weeks. On Feb. 11, he drove alone from Bien Hoa to Saigon, experiencing no trouble along the road. His flight home went off without a hitch.

During the time home, he spent little of that reading newspapers or watching news about the Vietnam battles. Kubasik disagrees with most of what is written and what is shown to the American public, claiming only a handful of news correspondents in Vietnam exert any effort to provide the true picture of what this country is doing. He won't elaborate.

In other matters, Kubasik had this to say:

SLOW PROCESS

Pacification—A slow, tedious program. Easy to bring it about in villages and hamlets, since the natives desire to improve their conditions. Each hamlet, village, province is a different entity. What may work in one place is useless in another. Bring together 10 advisers and you could have 10 different ideas of what has to be done. Basically, he feels it is improving the countryside, but in his opinion, pacification can only be considered complete when a native can move from his hamlet or village to a market without the fear of Viet Cong or North Vietnamese attack.

South Vietnamese troops provide security for the areas undergoing pacification. But in many cases their forces are insufficient to do the job properly. This is no reflection on the troops doing this, but they need more manpower.

The Viet Cong and North Vietnamese wait until a village or hamlet is pacified, and the advisers move on. Then they move in, disrupt and destroy what was done. Until a proper security program can be put into force, this likely will continue.

CORRUPTION

Corruption—No denying it exists, but it also exists in many, many other countries. Down through the years, the people outside the major centers of population have seen lies and corruption with many feeling each ensuing government is no better than the one before. The people are detached from their central government, and until they see a strong central government that can provide adequate forces and protection for the countryside, their attitude likely will not change.

As Kubasik said, put yourself in the place of a villager and ask yourself how would you react in a situation that can change overnight. Suppose your village is improved, and living conditions bettered, but the government forces move out and the Viet Cong move in. The level of life in the villages is far different from anything an American can visualize, but the human instinct to live is the same no matter where you are.

TRAINING

Troop Training—While serving as an executive officer in Ben Cat in 1964, Kubasik cited the fighting ability of South Vietnamese troops in that area. They were properly trained and fought well.

Reports of poorly trained South Vietnamese forces elsewhere should not be blamed on the troops. The blame, Kubasik said, should be placed on those who were to train the men. If it was given under American officers, then "we should look at ourselves" for the lack of training.

POLITICAL VISITS

Visits by political figures—Can't understand how a person who spends one week or two, can give a broad opinion of what should or should not be done. Each of the 40 provinces provides a different situation. To obtain an opinion, you have to take in the location, type of people, the number of South Vietnamese forces, American troops, enemy forces, and many other factors before you could come up with what is actually happening.

These officials come in, spend a short time, suddenly become experts and leave. They return to the States and have the answers.

"I would like some of those people that continually criticize everything that is being done, without having any answer, to stop and think when they go to bed at night how many American lives may have been lost by what they said that day," Kubasik said.

PROLONG FIGHT

"Remarks made by many persons in America, in responsible positions, could do much to prolong the fighting. I do not say they should be silent on everything, but I do say if these responsible people have anything to criticize, do it behind a closed door, and present a unified front in public.

"Someone back home shoots off that the Americans are losing, they should get out, our programs are wrong. The next day, the Viet Cong propaganda hands this out, it appears in North Vietnam and this causes the enemy forces to fight harder and longer. You seldom hear a front line soldier complaining, except to say some of the people back home are selling them out," Kubasik said.

Diversified opinions, dissension, political and private statements, all of this exerts a tremendous pressure on the way the Vietnam fight is conducted, he said.

On the question of America being in Vietnam, Kubasik said he wouldn't be returning if he didn't feel we should be there.

ENTERED SERVICE IN 1954

Capt. Kubasik entered the service in 1954, and after basic training at Camp Pickett, Va., Fort Dix, N.J., and airborne training at Fort Campbell, Ky., he was assigned to the 111th Airborne.

In 1957 he was sent to Germany, remaining there through 1959. On returning to the States, Kubasik was assigned to duty at the Worcester Missile Site. After a short tour here he transferred to the Special Forces in 1960.

The following year he went overseas to Laos, as a sergeant in charge of communications and also as an adviser. He was on duty in Vientiane, along the Mekong river, near the Thailand border.

During this tour, Kubasik saw how North Vietnam sent supplies through a "neutral country" into South Vietnam.

On his return to this country, Kubasik went through Officers Training School, and on receiving his commission at the Special Forces school in Fort Bragg, North Carolina, was sent overseas to Ben Cat, South Vietnam.

Two weeks after his arrival the unit he was with had a skirmish with the Viet Cong, losing two American non-commissioned officers and 90 South Vietnamese soldiers.

After eight months of duty at Ben Cat, he was sent to An Lac, 20 miles away, where for the next four months Kubasik said he never heard a "shot fired in anger."

This is one of the complex problems of South Vietnam, he points out. There are 40 provinces, and they have 40 different local government units (province chiefs), some with difference in languages, customs, etc.

On returning to this country, Kubasik was sent to Fort Gordon, Ga., where he served as a company commander, and established a counter-insurgency program.

Then in July 1967, it was back to Vietnam with reassignment as a civilian adviser in the province of Phuoc Long, near the Cambodian border. He left Saigon Feb. 11, and returned to South Vietnam Monday.

Importance of Public Participation in Public School System

HON. WAYNE MORSE

OF OREGON

IN THE SENATE OF THE UNITED STATES

Tuesday, April 2, 1968

Mr. MORSE. Mr. President, my good friend Andy Biemiller, director of the department of legislation of the AFL–CIO, recently brought to my attention the comprehensive statement issued by that organization on current problems and needs in the field of education.

I was particularly pleased to note in the statement the paragraph which reads:

> Particularly in the field of higher education there is need for going far beyond the Administration recommendations. The proposed cut of more than $500 million in funds for construction of new facilities for higher education will mean that thousands of young people who stand ready for higher education will be denied it by simple lack of space. Student aid programs will be of little help if there is no room for the students in the nation's colleges and universities. The AFL–CIO believes that the proposed cuts in construction funds should be restored in addition to an increased student aid program.

In view of the widespread interest of Senators in educational needs, and in order to assure myself that the position of this great public interest organization receives the attention it deserves, I ask unanimous consent that the statement be printed in the Extensions of Remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY THE AFL–CIO EXECUTIVE COUNCIL ON EDUCATION

Few achievements of the Kennedy and Johnson Administrations have been as important or long lasting in their effect as the broad range of educational legislation enacted by the Congress. The entire span of educational services from pre-school programs to college and adult education programs have been strengthened by the federal government's new commitment to share in the financial support of education. President Johnson quite properly described the 89th Congress as one that would go down in history as the "Educational Congress."

In his education message to the 90th Congress, on February 5, 1968, the President expressed his belief that the mid-1960's "will be remembered as a time of unprecedented achievement in American education." The AFL–CIO shares this view, even as it recognizes that staggering problems still remain and that what has been accomplished must be regarded only as a beginning.

In many regards, however, the AFL–CIO would go further than the President's proposals. We urge Congress to take the message as the starting point for a legislative program rather than as the outer limits of one.

Particularly in the field of higher education there is need for going far beyond the Administration recommendations. The proposed cut of more than $500 million in funds for construction of new facilities for higher education will mean that thousands of young people who stand ready for higher education will be denied it by simple lack of space. Student aid programs will be of little help if there is no room for the students in the nation's colleges and universities. The AFL–CIO believes that the proposed cuts in construction funds should be restored in addition to an increased student aid program.

The Administration proposed to increase available student loans through the method of subsidized and guaranteed private loans. So far this method has been tried and the results have not been promising. Banks have been reluctant to lend money at reasonable rates. To encourage them, the Administration proposes to make the loans more attractive by giving the lender a service fee of up to $35 for each loan. Rather than making student loans more profitable to the banks, Congress should, in the view of the AFL–CIO, return to the principle of government loans such as have been available on a limited basis through the National Defense Education Act. Government loans are surer to get to the student who needs them, and they are less expensive in the long run than the guaranteed private loan plan.

The Administration proposes a $40 million increase in Headstart funds, but most of this is for follow up programs. Headstart is still much too limited. It needs to be expanded and placed on a year around basis. To do this will require far more federal support than is envisioned at the federal level.

The AFL–CIO welcomes the changes recommended by the President in vocational education. More than one-half of the young men and women who graduate from high school every year do not go to college. In addition, three out of every ten students fail to complete high school.

Three-fourths of the graduating class of 1965 found employment by the fall of 1965 but less than one-half of those who dropped out of school during the school year 1964-65 were able to get jobs. It is obvious that education and training are essential factors that increase the earning power of the individual and thus, his purchasing power—the principal bridge to full employment.

Vocational education must prepare every boy and girl who does not go to college with the necessary skills to obtain and hold a job.

The Vocational Education Act of 1963 has provided our schools with new and modern tools to relate training and vocational education to the realistic needs of the labor market. A National Advisory Council on Vocational Education, established by the Act and appointed by the Secretary of Health, Education and Welfare, just completed an evaluation of the status of vocational education. The Council came to the conclusion that "the promise of the Act has not been realized." We in the AFL–CIO concur with that evaluation.

We believe that innovative programs, separately funded, must be encouraged to carry out the purpose of the Vocational Education Act of 1963. Work-study programs that combine education, training, work experience as well as income opportunities must become an integrated part of our overall vocational education system. In addition, residential schools should be constructed and operated to provide training opportunities away from an unfavorable home environment. Specific funds must be earmarked for the vocational education of persons with educational, social and economic handicaps.

The AFL–CIO strongly supports greater flexibility in federal matching grants to the states. Innovative projects, work-study programs and residential schools and programs for the socially and economically disabled require the federal government to assume a much larger portion of the costs than presently provided by the 50-50 matching base in the law. To carry out the programs that are urgently needed now requires a much higher appropriation of funds than is presently authorized in the Vocational Education Act of 1963.

No sounder investment can be made by the citizens of the United States than an investment in their own children's economic future. In his message, the President reminded us that "many of our urgent educational programs which directly affect the young people of America cannot be deferred." He concluded that "the cost—the human cost—of delay is intolerable."

The adult programs described in the President's message, like those for younger students, move in the right direction but at far too slow a pace. Considering the fact that there are 23 million adults who have not completed the eighth grade, a program which reached only 330,000 of them last year is hardly a cause for rejoicing. Expanded programs, adequately funded and administered by the states are clearly needed.

Organized labor has long recited the need for a federally supported university labor extension program. Those extension services which are now in existence make a great contribution to labor education. They need to be greatly expanded to meet the needs of unions. This expansion will not come about without federal support.

The AFL-CIO believes that federal funds should be provided for training and education of union members, stewards and officers in the same way as federal grants are made available to farmers and business.

Universities across the nation have manifested a genuine interest in servicing the needs of labor through the expansion of meaningful labor education programs. We, therefore, urge the Congress to give affirmative consideration to supplementary aid in this area.

In assessing our national priorities, we need to maintain a keen awareness that everywhere across the nation the urban crisis continues to be America's greatest domestic problem. In responding to that crisis there is no more essential tool than quality education at every level for all. Much of the unrest in our cities can be related to the hopelessness manifested by those who cannot see any substantive improvement in the quality of education in our inner city schools. In our view, the rate of improvement is still too slow and fails to meet the urgency of our times.

Where progress has been made, quite often it has been obscured by rapid movement from rural areas to the inner city. Attention to the quality of education in the rural areas therefore should be stepped up in the light of these developments.

To effectively address ourselves to this total problem, high priority should be given to the expansion of programs which compensate for the years of decay, discrimination and apathy experienced by those who dwell in the ghettos of our cities. We believe that meaningful efforts in this direction will ultimately give rise to new hope to those who have long since given up.

Role of National Educational Organizations in Changing Politics of Education

HON. WAYNE MORSE

OF OREGON

IN THE SENATE OF THE UNITED STATES

Tuesday, April 2, 1968

Mr. MORSE. Mr. President, my attention has been called to an article published in the February issue of Phi Delta Kappan, under the byline of Mr. Russell I. Thackrey, who is executive director of the National Association of State Universities and Land-Grant Colleges.

Mr. Thackrey's article concerns the role of national educational organizations in the changing politics of education. I know of no one better qualified to speak authoritatively in the area than Mr. Thackrey. I say this in the light of my appreciation to him over the years for the service he has rendered the Subcommittee on Education in bringing to it both personally and through the witnesses he has help us to obtain the position of a substantial segment of the higher education community.

I also commend to others who are working in the area, the wisdom contained in the paragraph which concludes the article, particularly his statement in speaking of the nongovernmental organizations in education:

> Each knows from long experience that it must through the process of consultation and compromise reach agreement with other major national groups in higher education as a precondition of successful action. And each is able to draw on the talents of able individuals, who must, through the nature of the process of consultation and agreement, look at the problems of the college and the university, and of all higher education, as a whole.

Mr. President, I ask unanimous consent that the article be printed in the Extensions of Remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NATIONAL EDUCATIONAL ORGANIZATIONS AND THE CHANGING POLITICS OF EDUCATION

(By Russell I. Thackrey)

The role and influence of national educational organizations in relationship to the decision-making process in Washington—both administrative and legislative—has changed substantially in recent years as the participation of the federal government in support of education and related research and public service activities has increased greatly both in range and depth.

The term "educational establishment," while still used by writers and speakers to describe the "established" major national nongovernmental organizations, no longer makes sense—if it ever did. Today a wide variety of educational "establishments," subestablishments, interest groups, individuals, and institutions are involved in the "politics of education"—a term here used loosely, and most emphatically not disparagingly, to cover the various processes by which national policies relating to education are established and administered.

These "influence factors" are in some cases governmental, in others nongovernmental, and in many cases are closely interwoven.

Prior to World War II, most nongovernmental educational relationships with government were those of organizations either representing schools, colleges, or universities or broad professional groupings such as the teaching profession or school administrators. There were a few exceptions (vocational education, some areas of agricultural research and education), but not many. Major federal involvement in education at all levels was the subject of studies and proposals, but the "action programs" developed during the depression (public works, NYA) ended as the economy picked up in the late Thirties.

The immediate postwar involvement was largely with veterans' education—fiscal relationships, housing, facilities, counseling, and other services for returning GI's.

World War II also found university personnel heavily involved in research and technology related to national defense. Centers of concentration of scientific talent were created or greatly expanded. It also became clear that in basic research, wellspring of all later practical application, the United States lagged badly, and was heavily dependent on the research and talent of European universities. World War II also spotlighted the fact that hundreds of thousands of our young men were physically unfit for military service.

The early postwar period saw the establishment of the National Science Foundation, the beginnings of a vast expansion in support of health-related research and—when it was clear that rapid expansion in college enrollment was much more than a "veterans" phenomenon—the beginning of the college housing loan program.

The launching of Sputnik I by the Russians again focused attention on education—particularly as it related to science and technology—and the many programs of the National Defense Education Act were initiated.

Around all these new programs large new administrative structures grew up within the federal government, and outside the government new program-related organizations and interest groups were formed.

In the U.S. Office of Education, for example, a new "bureau" structure was established, and the Bureau of Higher Education was organized along strictly programmatic lines, with both research and responsibility for the gathering and analysis of educational statistics at all levels placed elsewhere. Office of Education units concerned with problems of higher education as a whole, or with broad professional areas, disappeared from the scene, and the individuals who manned them left for other jobs, retired, or were reassigned to new programmatic duties.

Financial aid officers, graduate deans, language and area specialists, educational researchers, facilities experts, and directors of various types of institutes assumed new roles in planning, advising, and active legislative support. New state bureaucracies created by the Higher Education Facilities Act, or old bureaucracies given new financial support by it, found themselves meeting periodically at federal expense, given "planning" and "coordinating" responsibilities undreamed of when the act was passed.

On the broader scene, university business officers, law deans, educators in the health professions, registrars, librarians, student personnel specialists, organizations in the international field, and many others found the establishment of Washington headquarters or offices, and activity on the legislative-administrative scene, desirable if not essential.

Commercial interests with a big stake in an expanded market for new educational materials and media, usually working closely with users in educational institutions, began to play a major and occasionally decisive role in enactment of categorical legislation.

These are only a few of the factors of major change in the politics of education. There are many others.

Among them are the major foundations, with their long devotion to the advancement of education. One or more of their staff members have served on virtually every major educational task force, from the first one appointed by President Kennedy following the 1960 election down to the present. Foundation staff members, grantees, and former staff members serve the government in major roles, including at least two cabinet department heads, and as management and program consultants. New major ventures in educational publication, in international education, in interstate cooperation in the formulation of educational policy, and in many other areas spring out of studies financed from foundation sources.

Major new legislation, such as the Public Television Act, came directly from the excellent study and report by a foundation-selected and financed commission, and no one doubts that the impact of higher education studies now under way will be great. This activity has on the whole been highly beneficent—but it is certainly a major factor in the shifting centers of gravity of educational decision making. One debatable influence is that foundations traditionally—and for good reasons—like to be innovative rather than supportive, to start new programs with the understanding that if they are successful costs will thereafter be picked up by government or other private sources. While the "national interest" unquestionably calls for government to play a major role in innovation, it is questionable how long government can continue to make program support and innovation (both requiring substantial investments of nonfederal funds), the almost exclusive thrust of its major programs.

Government-supported innovation and expansion of the numbers of students going to college without simultaneous government support of the institutions involved can only be carried so far. One is sometimes reminded of the song about the cow that died in the spring despite the pleas of her master to "consider" how she could continue to adapt herself to lack of hay and grain. The point—if anyone missed it—is that government has a responsibility to support institutions.

The influence of noneducational cabinet departments and of the executive office of the President on educational policy making has also increased sharply in recent years. U.S. Treasury officials increasingly make pronouncements or suggest "new ideas" in educational finance, and are more and more centrally involved in final decisions. The Bureau of the Budget, that mysterious and to the public largely anonymous bureaucracy which "speaks for the President" in Administration policy, can and does approve or disapprove proposals originated in the departments, and also makes studies and initiates proposals on its own. Major governmental task forces are usually staffed by experts in the Bureau of the Budget, not by the departments and agencies with formal responsibility for the programs being studied.

And of course individuals and institutions having the ear of, and access to, high government officials and members of Congress, are highly influential in the politics of education. Their influence is by no means limited to the field of their distinction or competence. Thus distinguished military or naval figures, scientists, bankers, businessmen, labor leaders, all may win powerful support for proposals to which no educational group—or representative task force on education—would give serious consideration. Old school ties, religious ties, social ties, ties of regional origin, etc., may be the "open sesame" of educational politics, as in other forms of politics. The president of a minor college in the hinterlands may get short shrift in Washington. But let him be introduced by a congressman holding a powerful committee position or shift to the presidency of a major university and the same views will be listened to with great attention.

Still another factor in educational organization influence is the relationships of the Administration to the Congress. An administration at the height of popularity and influence, with substantial majorities in Congress sympathetic with its views and programs, more or less calls the tune for new educational legislation. It may undergo some modifications—or even on rare occasions be defeated by representations on Capitol Hill. The point, however, is that under such circumstances the Administration sets the agenda for educational legislation; items it doesn't want are rarely considered.

With this background, let us look at the changing role of national educational organizations in the politics of education.

There has been a great multiplication of organizations active on the scene, paralleled by substantial staff expansion by those which have maintained permanent national staffs for some years. Institutional-membership organizations have tended to concentrate more on central and "vital" areas of interests and leave others—highly important in themselves—to the specialized groups (though working with them) or to governmental staffs and their many advisory groups, formal and informal.

Higher education in its various manifestations is much more heavily involved in a broad range of consultations, advice, and representation, and by a wider range of technical competence, than in the past.

At the same time, the direct influence of the major educational organizations on federal actions and policies, has diminished relatively. Staff expansion has not kept pace with the expansion of federal programs in which education is involved, as they have mutliplied through a wide range of cabinet departments and independent agencies.

At the same time, the multiplication of programs within departments—such as HEW—has made the top officials of those departments much less accessible to nongovernmental groups than was formerly the case.

Group meetings of educational organization representatives with the Secretary and his top staff—frequent in the days of Secretaries Folsom and Flemming, are virtually nonexistent. At the U.S. Office of Education level the Commissioner, who once was able to take part regularly in monthly meetings with higher education representatives, now can attend only intermittently and usually briefly. Delegation of responsibility is the rule of the day.

Assistant secretaries, bureau chiefs, and division and branch heads keep in touch with nongovernmental organizations, and reflect their views to the higher echelons of administration, just as in the complex university of today, vice-presidents and deans represent the president in many areas of faculty-student-public relationships. Direct contact with the highest administrative echelons by individuals is much more likely to be had by individuals who work on task forces and study committees (governmental and nongovernmental), or through the office of the Assistant to the President for Education, or in other ways sketched above.

To the extent that such individuals are active in educational organizations, their positions may be reflected through them.

The American Council on Education, the "comprehensive" organization in higher education, has greatly increased its staff in recent years—particularly in the federal relations area, through a combination of membership and foundation support. At the same time it has divested itself of operating responsibility for several programs formerly handled under contract with government agencies. Other major organizations work with and through the ACE on the many policy matters in which there is a consensus, or in various technical matters. Regular meetings of the executives of major organizations facilitate this cooperation.

The Association of American Colleges, the Association of American Universities, and the National Association of State Universities and Land-Grant Colleges, all long on the Washington scene and the last a unification of three formerly overlapping (and thus confusing to the public) organizations, have expanded their staffs. The American Association of State Colleges and Universities is a relatively new but vigorous voice on the national scene for the rapidly developing multipurpose state institutions. All work closely with each other and with the American Council on Education on most matters, but also have their own special emphases and interests, and find it desirable to maintain a clear identity in order to speak out when these are particularly involved. The American Association of Junior Colleges, long established in Washington, has greatly expanded its staff through membership and foundation support. It works with other organizations on a wide variety of problems, but concentrates its special and highly organized representational efforts on the particular problems and needs of the community college, in highly effective fashion.

The American Association of University Professors has a strong interest in national legislative and other policies, with particular reference to issues involving academic freedom, but is necessarily more concerned with influencing on-campus situations, through gaining widespread acceptance of broad policy statements, than with specific national legislation. As in the case of the National Education Association, militant competition from professional organizations affiliated with organized labor have to some extent forced it to a position of greater militancy on some issues. The NEA-affiliated American Association for Higher Education, once heavily involved in national legislative matters, has become less so in recent years, with increased stress on study and pronouncement on broad professional and academic issues. An individual membership organization without campus "chapters," as in the case of the AAUP and the American Federation of Teachers, with administrators as well as professors included in its membership, AAHE is searching for and evolving toward an identity on the national scene which is not yet fully clear.

Further specific mention of national organizations would involve an enumeration to which there is no logical stopping point and commentary for which I am not equipped. Higher education speaks with many voices because it represents many interests. Congressmen and federal officials frequently complain that it does not more often speak with a unified voice. Yet the general trend of administrative recommendations and organization and legislative enactment has been to create more special and hence to some degree competitive interests, greater problems of consultation, coordination, unity of effort, and focus on major issues, rather than specialized parts of the whole.

Major national nongovernmental organizations are increasingly aware of this and are working toward agreement on measures and policies which will reflect broad institutional needs. To the extent that they are successful in the future, the nongovernmental voice of higher education will approach the unity and power so often called for.

Whatever their failings, and they are many, broadly based nongovernmental organizations in education have these virtues: Each represents within itself a wide range of institutions and problems. "Each knows from long experience that it must through the process of consultation and compromise reach agreement with other major national groups in higher education as a precondition of successful action. And each is able to draw on the talents of able individuals, who must, through the nature of the process of consultation and agreement, look at the problems of the college and the university, and of all higher education, as a whole."

Arnheiter Case

HON. JOSEPH Y. RESNICK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. RESNICK. Mr. Speaker, if it were not for the work of energetic newspaper-

men, the whole sad story of Lt. Comdr. Marc Arnheiter's relief from command would be buried in the archives of the Navy Department. Under unanimous consent, I insert in the RECORD the following article which James Kilpatrick has written for the March 26 edition of the National Review.

I am rarely in agreement with the columns which grace the pages of the National Review, but this moving article by Mr. Kilpatrick is a notable exception. I hope that his prodigious research and his moral outrage will lead to the court of inquiry which Arnheiter has asked for, which Capt. Richard Alexander has sacrificed his career for, and which justice demands.

The article follows:

HE MIGHT HAVE BEEN ANOTHER HALSEY

(By James Jackson Kilpatrick)

Marcus Aurelius Arnheiter, lieutenant commander, USN, assumed command of U.S.S. *Vance* at Pearl Harbor on 22 December, 1965. His ship was an aging destroyer, commissioned at Houston in 1943, mothballed after World War II, then recommissioned in 1956 for radar picket patrol in the Aleutians; she was named for a young American lieutenant who died at his battle station aboard the Australian *Canberra*, sunk at Coral Sea. Now, just before Christmas, 1965, she had returned from one patrol off Vietnam and was about to go out on another. Her skipper was forty. This was his first command.

It was also Arnheiter's last command. On 31 March, 1966, when *Vance* was at Subic Bay to take on stores, Arnheiter was summarily relieved. He was restricted overnight to his cabin, under guard. Then he was beached. He had served in command for precisely 99 days.

All this was two years ago. Those 99 days, and the ordeal that followed thereafter, make up "The Arnheiter Case." The affair has provoked blazing controversy within the Navy; it has divided admirals against admirals; it has destroyed not only Arnheiter's career but also the career of Captain Richard G. Alexander, a brilliant officer, destined for flag rank, who had been assigned to the battleship *New Jersey*. In certain of its aspects, the Arnheiter case offers an absorbing parallel to Herman Wouk's *The Caine Mutiny*. It has overtones of Kafka's *The Trial*. Boiled down, it is the story of one man, utterly devoted to the Navy, who was stripped of command as a consequence of his own hard-driving temperament and the covert actions of other men.

For Marc Arnheiter and Richard Alexander, the story has ended. No conceivable action, whether by congressional investigation or by a belated Court of Inquiry, could restore their broken careers. Yet the story bears telling if only as a reminder of the importance that ought to be attached to the fate of the occasional one man, non-conforming, whose sin is to try too hard. And there is always the thought that one day another such case will come along; if the Navy profits from its blunders in the Arnheiter case, next time the Navy may do better. Perhaps the next Arnheiter will profit, too.

DREAMS OF GLORY

The file on Marc Arnheiter now amounts to hundreds of pages of findings, petitions, reviews and correspondence. From these, the character of the man emerges with poignant clarity. Born in New Jersey in 1925, he learned to sail and shoot as a boy at his family's summer home in Maine. He was military all the way. His one ambition was to find a career in arms. As a plebe at the Naval Academy in 1948, young Arnheiter found his greatest inspiration in Elbert Hubbard's *A Message to Garcia*. It became his favorite work; for the next fifteen years, he would draw incessantly, almost obsessively, upon the example of the young lieutenant who let no obstacle deter him from the path of duty. Arnheiter had other heroes, too—Nelson, Farragut, John Paul Jones, Douglas MacArthur. He used to lie on his bunk at Annapolis, dreaming a boy's dreams of danger, combat, glory. He was impatient with classmates who failed to measure up to the purity of his own ideal.

Perhaps he dreamed too much. Arnheiter was graduated from the Academy in 1952 in the top third of his class, but with no remarkable honors. As an earnest young ensign, handsome, serious, he went off to duty aboard the battleship *Iowa*, engaged in shore bombardment in the Korean War. Tours of duty followed in the North Atlantic and the Mediterranean. He served as gunnery officer on the destroyers *Fiske* and *Coolbaugh*, then as operations officer on the destroyer *Abbot*. In 1960 he came to Washington for three years of shore duty in the office of the Chief of Naval Operations. Then back to sea on the guided missile frigate *Worden*, and from there to the destroyer *Ingersoll*. And so, three days before Christmas of 1965, to *Vance*.

These years of preparation had their ups and downs. Arnheiter has an essentially Prussian sense of discipline. Even as an ensign, he established a reputation as a spit-and-polish officer who demanded smartness of his men. There were times, it is said, when he seemed to be obsessed with the angle of a sailor's cap. He demanded perfection, which made it all the more embarrassing when he delivered something less than that himself. He once lost his way in the Charleston harbor, took a wrong channel, and came within a mile of running a destroyer into Sumter. He took a royal ribbing for it.

An Arnheiter legend began to develop. He fell into serious personality conflict with a senior commander at the time he was serving on *Fiske*, and wound up with such an unsatisfactory fitness report that he was passed over for promotion to lieutenant. During his period of Pentagon duty, he exasperated some of the carrier admirals with his strong opinions on their shortcomings in anti-submarine warfare. He got in trouble with articles he wrote for defense publications. He even put his hand to a novel, published by Doubleday under the nom de plume of Alexander Zhdanov, in which he made his criticisms sharper.

If he accumulated some liabilities in these years, he built up some assets too. He took a master's degree in personnel administration from George Washington University. While in the South China Sea, he wrote a tenth edition of the *Watch Officer's Guide*, an authoritative manual published under the prestigious auspices of the U.S. Naval Institute. He made staunch friends among senior officers who shared his view on the role of surface combat ships. He won promotion to lieutenant, then to lieutenant-commander. And as executive officer of *Ingersoll*, he achieved a superlative record.

THE NEW BROOM

Arnheiter's eighteen months on *Ingersoll* merit special mention, for it was here, in the period immediately preceding his abortive command of *Vance*, that he conceived certain programs that were to bring his downfall later. He saw the ship's sailors as a sloppy lot and viewed his junior officers as something less than fledgling Farraguts. As the ship's exec, he set out to shape them up, by relentless inspections, patriotic exhortations, demanding drills. He formed a rifle team. He cracked down hard on infractions in dress and demeanor. After a period of resentment, the officers and crew came around, they came to understand and to respect Arnheiter's passionate pride in the naval service. Their glowing testimonials to Arnheiter, volunteered many months later, are among the most persuasive exhibits in the Arnheiter file. Demonstrably, he could lead men, and inspire them to better service. It was his top-flight performance on *Ingersoll* that won him command of *Vance*.

You can hear two accounts, diametrically opposed, of the ship that he inherited that Christmas at Pearl Harbor. On the record, there is evidence that *Vance* was in good condition; she had won an "E" for excellence in engineering; her crew had led the squadron in September gunnery trials; she had been nominated by the commander of Destroyer Squadron Five for unit commendation by the Secretary of the Navy.

A wholly different impression emerges from other sources. Second Class Petty Officer B. D. Mathews, for example, says that the ship "was infested with roaches, and the crew wore sloppy, torn and dirty uniforms." Signalman First Class Wilbert Boson concurs: "The ship was full of cockroaches befort Lt. Cdr. Arnheiter took over. During the nine months before he assumed command, the ship was not the kind of ship you normally think of when you think of destroyers. In other words, it was lax." A former photographer's mate says that in the pre-Arnheiter period, "there was no discipline on board. Seamen would tell their superior officers to get lost if they didn't like an order. They used foul language to do it too." Other enlisted men have testified to brutal fights below decks.

Arnheiter's own recollection is vivid: "The ship was literally crawling. Cockroaches were everywhere, in the food, in the bunks, in the wardroom. The ship was coffee-stained and generally filthy. Berthing, messing and working spaces were untidy. Damage control procedures were deficient. I was told the crew had been put through general quarters battle readiness drills only six to eight times in the preceding nine months. Hooliganism was rampant among the men. Petty officers could not maintain authority. The junior officers were lax and easy-going. There was an air of boredom and indifference."

Two days after assuming command, Arnheiter talked with Rear Admiral Henry S. Persons, commandant of the Pearl Harbor Naval District. Persons warned him of the crew's poor reputation. The warning was so much fuel for Arnheiter's boilers. At the first opportunity, he summoned his startled sailors to the fantail and let them know a new day had arrived. In her most recent cruise, *Vance* had stayed well out to sea; he proposed to take her where the action was. He promised danger, fun, excitement. Chief petty officers would have his support, but he would expect top performance from them. Inspections would be frequent and tough. The Plan of the Day would be strictly adhered to. Military courtesy and custom would be observed throughout the ship. He wanted a taut ship, and he wanted it fast.

On 28 December, the *Vance* left Pearl Harbor, bound first for Guam and then for Vietnam.

Several incidents occurred in these few days that were to bulk large later on. On Christmas Eve, *Vance* was quietly moored to her pier. Stuck aboard on duty was Lieutenant William Thomas Generous, whose pregnant wife was with him. Arnheiter was struck by the thought that he and his wife Janice ought to go aboard to commiserate with them. She brought along a milk bottle filled with eggnog. The four of them each had a cup.

A day or so after Christmas, Marc and Janice Arnheiter were on the beach at Waikiki. Ensign Luis Anthony Belmonte, *Vance's* gunnery officer, was with them. The Arnheiters clambered aboard one of the outrigger canoes that ply the surf. Arnheiter had a camera with him. He asked Belmonte to take their picture. Belmonte, kicking off his loafers, waded into ankle-deep water, took the camera, and made the picture.

Prior to the change of command ceremony on 22 December, in accordance with Navy custom, announcements were mailed to prospective guests. Lieutenant (j.g.) K. D. Hamaker, as postal officer, asked Arnheiter to pay the $11.50 postage on them. In some irritation, Arnheiter said he never had heard of a new C. O. paying such a bill; he told Hamaker to find an alternative way. The matter languished.

At one of his first wardroom luncheons before leaving Pearl Harbor, Arnheiter proposed that the ship's welfare and recreation fund be tapped for $950 to buy a speedboat equipped for water skiing. Ten of the thirteen officers were present. No one objected. The boat was purchased and put aboard.

MOVING TOO FAST

Meanwhile, Arnheiter threw his furious energies into getting *Vance* cleaned up and cockroach-free. His principal agent in this work was his executive officer, Lieutenant Ray Stirling Hardy. He had long talks with Hardy, in which he sought to inspire him to new concepts of executive authority. Hardy was to jack up the junior officers, keep them smart, see that inspections took on new meaning. Hardy was to make certain the junior officers were properly dressed and shaven. Naval regulations require officers to have dress swords; would he see that the regulation was enforced. The ship's new motto would be "Seek Out, Engage, Destroy." And spread the word that the captain meant it.

Hardy reacted with some unease to these new-broom instructions. When *Vance* had been cruising under her former C.O., Lt. Cdr. Ross Wallace Wright, no such discipline had been enforced. (There was a coffee cup aboard, in fact, decorated on the bottom with a photograph of Wright, bearing the caption of "McHale.") The record indicates that Hardy thought there would be trouble and resentment in the wardroom, and the presumption is strong that he warned Arnheiter against trying to accomplish too much too fast. Arnheiter responded to these negative attitudes by telling Hardy the story of Lieutenant Rowan and the Message to Garcia.

Several events would figure in the case. Using his initiative at Pearl Harbor, Arnheiter had acquired fifteen extra Garand rifles for the *Vance*. With the enthusiastic cooperation of his weapons officer, he set up a special fire team. At Guam he scrounged some empty oil drums for targets. Later it would be alleged that he had violated procurement regulations; and several of the junior officers would complain that the target practice "made too much noise."

Arnheiter saw possibilities in the little speedboat. He had it mounted with a .30-calibre machine gun and painted the boat's prow with red eyes and shark's teeth. The charge would be that he should not have used a recreation boat for prosecuting the war.

Arnheiter yearned for a proper wardroom, composed of officers who were not only officers but gentlemen also. He wanted spotless uniforms, good manners, fine food. His efforts to achieve these amenities led Belmonte to remark, in disgust, that it was like living on an eighteenth-century ship of the line. There was probably much truth in this, for Arnheiter is filled with the tradition from which Horatio Hornblower was contrived. Alas, he looked about his wardroom on *Vance* and saw Belmonte unshaven, and young Michael McWhirter rumpled, and someone else with ketchup on his shirt. Some of the juniors crammed whole slices of bread in their mouths. It was more than Arnheiter's disciplined nature could endure.

As one corrective measure, he decreed a formal Navy Mess Night. "It was my intention," he has said, "to get the wardroom officers to realize that under my command, they were no longer in 'McHale's Navy,' but were beginning a tour where the best in naval tradition would be observed." The party was set up for the night of 12 January at the Officers' Club in Guam. There was some grumbling that the affair would add to the officers' mess bill, but this could be adjusted against an unusually low bill for December. In the end, the dinner came off superbly.

Too superbly. Early in the evening, Arnheiter inquired of the club manager if any silver candelabra and demi-tasses might be available for purchase; he wanted to buy them for the wardroom. The manager regretted that he had none to spare. About midnight, after many toasts had been drunk, a couple of the junior officers were seized with the happy thought of making off with some of the club's candelabra. Amidst great hilarity, they staggered into the night. The following morning, an embarrassed Arnheiter brought the candelabra back. The headwaiter cheerfully told him to think nothing of it, but the incident would not be forgotten.

The Mess Night had another unfortunate aspect. When *Vance* arrived at Guam on 6 January, it became apparent that drastic repairs would have to be made to her starboard engine. The ship accordingly was put in "cold iron" condition. A six-by-twenty foot hole was cut in her side for removal of the ailing shaft. Generators were shut down. Under these circumstances, Arnheiter saw nothing wrong in leaving only a single officer in charge on the night of the party. The officer was trained in damage control; one-third of the crew was aboard. It seemed a reasonable arrangement; but it would become a "dereliction."

AS THE TWIG IS BENT

In these first few days of command, Arnheiter's primary concern was to inspire the crew with some of his own zeal for the naval service. Half of his sailors were youngsters, "fresh-caught and impressionable lads away from home who were on their way to a combat zone." Arnheiter's thought was to indoctrinate them not only with "a sense of patriotic purpose," but also with "an awareness of that part of our national heritage which has caused Congress to mint coins with the inscription, 'In God We Trust.' "

Toward this end, he instituted a series of "all hands" assemblies on the fantail. The first was on Sunday, 2 January; the second two weeks later, on the 16th; the third on Sunday the 23rd. Subsequent programs were held on Mondays through February and March. They followed the same "pattern throughout—opening and closing prayers from the Naval Institute's manual; the singing of "America the Beautiful," "God Of Our Fathers," "My Country 'Tis of Thee," the "Battle Hymn of the Republic," the Navy Hymn, and the National Anthem; a fifteen-minute talk on God and country, or patriots of the past, or the customs of Vietnam. The topics varied. Arnheiter insists the themes were "rigidly nonsectarian." Senior Navy chaplains who have reviewed the programs have found nothing objectionable in them.

But Lieutenant Generous did. He is a key figure in the Arnheiter case. In the limited parallel that is drawn with *The Caine Mutiny*, he would be cast in the role of the literate Lieutenant Keefer. He is tall, thin-faced, bespectacled. In 1964, prior to his tour on *Vance*, he had suffered an emotional breakdown brought on by his first destroyer service. He emerges from the record as a dominant personality, argumentative, sophisticated. Arnheiter has described him as "personally sociable, chronically dissenting, voluble, and extremely articulate." The two clashed at once. Before *Vance* left Pearl Harbor, Arnheiter recalls, Generous wanted "to see how far he could oppose me and get away with it."

Generous had made no secret of his strong objection to the "all hands" evolutions. Early on the morning of the 16th, prior to the second program, he composed a stiff message for Arnheiter:

"Subject: Meeting on Sunday, compulsory attendance at.

"Ref: (a) Constitution of the United States, Article I in amendment thereof.

"1. Your attention is respectfully directed to reference (a), which as interpreted by several recent significant court opinions, prohibits enforced attendance at religious services, however euphemistically disguised they may be.

"2. Please accept this letter as a statement of my desire and intent to preserve this constitutional right.

"W. T. GENEROUS, Jr."

At the bottom of this message, Generous had thoughtfully typed a few lines for Arnheiter's signature: "Returned, receipt acknowledged. You are hereby ordered to present yourself on the fantail this morning at 1025 to hear an address by the executive officer, in accordance with the Plan of the Day."

The message never reached Arnheiter. Pursuant to channels, Generous gave it first to Hardy, as executive officer, for forwarding. The unhappy Hardy held it up. He gave Generous confidential advice instead. A week later, after the program of 23 January, Generous went below. Unknown to Arnheiter, he was writing a letter to a friend—a Catholic chaplain at Pearl Harbor, Lieutenant Richard L. Osterman:

"DEAR FATHER OSTERMAN: Alas, we're back in Market Time. I wish I could spend some time in passing generalities . . ., but my rage forces me to use my limited time particularly.

"The enclosed mimeos should speak for themselves. Three times now the crew has been ordered aft . . . for these euphemistic church calls. The first one I missed by virtue of having the Deck, and the second, thanks to the good taste of the Executive Officer, was innocuous. But today's gem was no more nor less than a Protestant service. Ltjg Ward's address was secular . . . but the rest was flat religion, led and directed by the commanding officer.

"I have complained previously, both to the CO orally, and in a letter to the CO which was held up by the XO, who advised me 'not to jeopardize myself, but to seek outside help anonymously.' I do have the courage of my convictions, and I would refuse the order to lay aft on the basis of its unconstitutionality were it not for my responsibility to my wife and child-to-be.

"The Nurnberg trials settled for all time the loyalty a military man must show his superior. I cannot be openly disloyal to him, but I cannot accept illegality and infringement of my constitutional rights. I ask relief from this burden, but I do so anonymously, once again for the sake of my family. Is there something that you could do?

"Very respectfully,

"TOM."

The events of 16 and 23 January, seen in retrospect, served to trigger the Arnheiter case. By failing to forward Generous's formal protest of the 16th, Lieutenant Hardy made alliance with him; he put himself from that moment in the untenable position of an exec who acts behind his captain's back. By seeking help "anonymously," through Father Osterman, Generous set in motion the forces that two months later would bring Arnheiter's ruin. It was at this same time that Ensign Belmonte contributed his bit to the anti-Arnheiter conspiracy by starting "Marcus's Mad Log" as a record of the skipper's bizarre behavior. The ship was now in a war zone. On 20 January, *Vance* had relieved the destroyer *Finch* on station in Market Time Area No. 3. Arnheiter had been in command for barely one month.

Arnheiter arrived off Vietnam just at the time of the Tet truce. He saw it as an opportunity for a close look at the shoreline. He wanted to see "where the enemy positions were, where the bunkers were, where the coastal contraband runners were believed to be based." On Saturday the 22nd, accompanied by a U.S. adviser on junk operations, he took the *Vance* within 1,500 yards of the beach and a thousand yards of shoal waters. The weather was excellent, the sea calm; and though no hostile action was expected, Arnheiter ordered the guns manned. Nothing happened, except that Lieutenant Generous, who earlier had scoffed at the ship's new motto as "too flowery," now complained that Arnheiter was getting "too involved in the war." In time, the incident would reappear as an allegation that Arnheiter had needlessly exposed his ship to danger.

For the next several weeks, Arnheiter was in his own seventh heaven, and those who loved action were in that heaven with him. The *Vance* prowled her sector searching for contraband and Vietcong. He put the ship's whaleboat into operation. He sent the smaller speedboat into shallows where the whaleboat couldn't go. He worked on suspicious Vietnamese with a psychological questionnaire. On the 27th, he engaged in an exceptionally bold foray. The incident brought the *Vance* a message from Rear Admiral N. C. Ward, operational commander:

"Your alert and aggressive action in detecting and investigating suspected infiltration attempt 27 Jan is a refreshing example of individual initiative. Well done."

On 28 January, while patrolling the northern sector, Arnheiter saw a chance to assist the destroyer *Mason* in a direct fire mission. He sent a message, begging for a target assignment. His opportunity came the next day, in support of the First Cavalry, when guns of the *Vance* landed seventeen "highly accurate" rounds from 1,200 yards. On the 30th, while chasing junks south of Qui Nhon in the company of the destroyer *Bache*, Arnheiter and others on the bridge observed hostile fire directed at *Vance* from a hillside. He returned fire from a thousand-yard range. A third firing occasion arose on 1 February, off Kim Bong, when an airborne spotter asked *Vance* for direct fire support of the cavalry. She provided it with gusto.

Most of the patrol was devoted to stopping and searching sampans. The activity went on round the clock. Arnheiter is a crack marksman. He kept a loaded rifle secured on the bridge. When a junk failed to stop on command, he often fired a shot over its bow. Sometimes Arnheiter would have two junks tied up fore and two aft, while the small boats were working still others. A sailor has recalled that the *Vance* checked more junks on a single day under Arnheiter than it had checked in the entire preceding cruise. "Something was always going on. The captain was a man who believed in getting things done."

On the night of 4 February, the *Vance* went in hot pursuit of three enemy junks that scuttled for shore. Ensign McWhirter, a first-class fighting man, roared after them. Unhappily, a South Vietnamese liaison officer, assigned to an accompanying armed junk, panicked and refused to join the risky operation. Arnheiter pleaded with him to do his duty. A watching signalman later would testify that "everyone on the bridge realized that the liaison officer was yellow." Arnheiter's importunities failed; the Vietnamese officer fled ashore to complain of this demanding American captain. Arnheiter furiously messaged his squadron commander, reporting the officer's cowardice. Two months later, the incident would be used as evidence of Arnheiter's failure to manifest "the finest sense of discretion and tact in contact with the Vietnamese." All that happened at the time was that the operations officer from the Task Force came aboard at Qui Nhon, grinned at the speedboat, and put a friendly elbow in Arnheiter's ribs. "You have too much adrenalin," he said.

They were busy days and nights. Once the *Vance* sought to interrogate a Russian ship; Arnheiter cheerfully kept his peace when the Soviets signaled "Go to hell." Again, the *Vance* stopped three junks filled with refugees, mostly ragged women and hungry children. Arnheiter has five children of his own. He gazed at the pitiful bellies and ordered his supply officer to break out some candy. Told that Navy regulations did not permit such disposal of government property, Arnheiter snapped instructions to "survey some candy," i.e., to declare it unfit, and tossed chocolate bars down to the children. This too would be used against him.

BUSY DAYS

Several other incidents have a place in the record. On one blazing morning, Arnheiter sent a sailor to the ship's store to buy a pair of dark sunglasses for him. "Tell them I'll pay for them later," Arnheiter said. He paid up that same afternoon.

On a couple of occasions, Arnheiter towed the whaleboat and speedboat, fully manned, in order to have them more immediately available for action. On the night of 2 February, at the request of the South Vietnamese Junk Division 23, Arnheiter anchored *Vance* in the outer harbor of a shallow bay where a night attack by Vietcong was feared. Then he sent the whaleboat, bearing his special rifle team, on an armed reconnaissance. The sea was calm; the men were helmeted and life-jacketed; they had submachine guns and automatic rifles in addition to their carbines. About midnight, three heavily loaded junks attempted to slip past the ship. Arnheiter radioed the whaleboat that he intended to give chase. "The word from the boat was that they were fine. The Junk Base adviser said all was quiet." Arnheiter up-anchored, went in pursuit, captured the junks, put them in tow, and returned to pick up the whaleboat two hours later.

During this same period of intensive patrol, the Coastal Surveillance Center (CSC) at Qui Nhon kept demanding position reports every two hours from *Vance* and other U.S. ships in the area. Such reports were no part of Arnheiter's orders. His orders were to report his position to Commander Task Force 115. The CSC was insistent. Arnheiter was exasperated. "I did just what *Finch* had done," he has said. "I directed that localized rather than pinpoint reports be sent to the CSC on the two occasions when the ship was involved in heavy operations. This kept me from becoming unduly immersed in arbitrary, time-consuming and unnecessary position reports, improperly imposed on the ship as an additional and burdensome requirement not specified by my operational commander, or by any commander in the Seventh Fleet."

There were dull days when *Vance* did little but provide underway replenishment for smaller craft. On an exceptionally dull day late in March, when the crew had been a month at sea, he cracked out the speedboat and authorized off-duty sailors to go water-skiing about the ship as it replenished a Coast Guard cutter. Mostly the days were spent in patrolling the coast. On 20 February, the *Vance* put in to Bangkok for four days of liberty. Then she relieved *Conquest* off An Thoi and worked a new sector. The Vietnamese provided a less sensitive liaison officer; Arnheiter got along fine with him.

Midway in the cruise, on an active morning, Arnheiter was stopped by his engineering officer, Lieutenant Edward G. Fuehrer, on his way to the bridge. Fuehrer was waving a message. "Captain," he said, "they're after our connecting rods." It was an order to supply an inventory of spare Diesel parts. "Tell them what we can spare," Arnheiter said; and initialed the message.

Meanwhile, things were going a little better in the wardroom. As part of his campaign to build spirit among the officers, Arnheiter instituted a plan of brief, impromptu after-dinner talks on topics that were written out on slips of paper beneath an officer's plate. Lieutenant Generous made one such talk, seizing a chance to contrast the colorful Halsey with the prudent Spruance: his point was that Halseys have small place in modern naval warfare. The point was wholly lost on Arnheiter, who holds Halsey in a special niche.

Arnheiter also instituted a "boners box." Officers who came sloppily dressed to mess, or left a knife in the peanut butter jar, were fined for each offense. Even Lieutenant Generous agrees that the system was instituted "in a very light-hearted frame of mind." Proceeds of the box went to buy cigars for the wardroom mess. At first, Belmonte and McWhirter paid most of the fines. Then they responded to the teasing goad, and revenues fell off to nothing.

In the course of the 99 days, Arnheiter came to admire the two ensigns. One of his last acts, late in March, was to recommend Bronze Stars for both of them—to McWhirter "because he bravely attempted to carry out my orders at the time of the hot pursuit incident," and to Belmonte for "extraordinary personal bravery and audacity" on other occasions.

He could do nothing with Generous. In mid-January, against his own better judgment, he had accepted Hardy's recommendation that Generous be promoted to lieutenant, because the operations billet provided for an officer of that rank. The two remained at loggerheads. Toward the end of February, an incident arose that made matters worse. After the ship left Bangkok, Arnheiter decided to call on Generous for a daily operations plan, to be sent to the C.O. by 5 o'clock on the afternoon before. One afternoon Arnheiter waited, and waited, but no plan appeared. At 9 o'clock, he summoned Hardy to ask the reason why. Hardy was miserable. Generous didn't intend to work up the plan. And why not? "Captain, Sir," said the sad exec, "he just doesn't *like* you." Arnheiter's explosive answer was to summon Generous for a lecture that must have scorched the woodwork. One more offense, he said, and he would seek Generous' immediate transfer.

THE "DANDO REPORT"

The 28th of February, which was the day of the blessing-out, also marked the arrival aboard *Vance* of a circuit-riding Navy chaplain, Lieutenant George W. Dando. After all these months, he remains a curiously obscure and faceless figure. He had been in the Navy for only five months. Apparently he spent much of his time aboard *Vance* listening to complaints from Generous, Belmonte, and others, though he communicated none of this to the captain. Dando did not complain of Arnheiter's Monday guidance services, but he refused to agree to the singing of the Navy Hymn at one of them. Dando remained aboard until 12 March, when he departed with a farewell word to Arnheiter that morale was "extremely low." Ten days later he filed a six-page report with his superiors of what had been told him.

Arnheiter was not to see this "Dando Report" for another five months. It was carefully excluded from the record of his subsequent hearing, yet it floated about in a Navy limbo of "attachments" and "references." If there was a single key document in Arnheiter's destruction, it was this chaplain's report. When Arnheiter at last caught up with a text, it is not to be wondered that Arnheiter exploded. This was Dando's report—backed by his prestige as a Man of God—on Arnheiter's efforts to improve his officers:

"One way was to fine each officer $25 each time he failed to live up to his standard. No one seems to know what he did with the money, except that the executive officer has it in a box."

The boner-box fine was not 25 dollars. It was 25 cents. Everyone knew that the proceeds—which amounted to less than $30 in the entire cruise—went to buy wardroom cigars. The Rev. Mr. Dando's margin of error, or of reckless falsehood, was precisely one hundred times. Was the lie ever put straight? Arnheiter never could know. Did Dando ever attempt to rectify the ruinous damage his report had achieved? Arnheiter cannot say.

Arnheiter was stunned by Dando's comment on low morale. He himself had believed that, at least among the crew, morale was improving steadily. He thought he had turned the corner from hostility to acceptance. Considerable evidence from enlisted men—obtained too late to figure in Arnheiter's dismissal from command—tends to confirm that view. There had been no concellations of liberty in Guam, Bangkok, or Manila. There had been no courts martial and only two mast periods for minor punishments. The ship records reflected good results in rate-advancement. Arnheiter could not make it out. In any event, *Vance's* cruise was coming to an end. On 23 March, she was relieved by the destroyer *Brister*. A Lieutenant (j.g.) Uldis Kortrons, from the staff of the escort squadron, came aboard to hitch a ride to Manila. On the 26th, *Vance* arrived at Subic Bay for two weeks of restocking and upkeep.

The sequence of events in the next few days remains obscure. Arnheiter charges that, unknown to him, Lieutenant Kortrons delivered to Commander D. F. Milligan at Subic a report of complaints written by Hardy in collaboration with Generous. Waive the point. Plainly, Milligan had received the earlier report of Lieutenant Dando, with its melange of truths, half-truths, distortions, and plain lies. This stew of allegations and hearsay statements found its way to Rear Admiral T. S. King Jr., whose flotilla was soon to relieve that of Rear Admiral D. G. Irvine. Various communications followed between King and Irvine and the Navy's Bureau of Personnel. To this day, it remains incomprehensible that officers of the experience of King and Irvine should have acted as they did without once communicationg with Arnheiter. He was only fifteen minutes away. They never summoned him. He knew nothing of what was going on.

The thunderbolt fell on 31 March. Arnheiter, busy at his tasks aboard *Vance*, received message orders from the Chief of Naval Personnel, detaching him immediately from command. That same evening, Commander Milligan came aboard and summarily relieved him. On the following day, Arnheiter gathered his crew on the fantail to bid them farewell. Bewildered, he reported to the destroyer tender *Dixie*. Meanwhile, Milligan informed all hands that he was prepared to hear "any personnel who were desirous of shedding any light on the irregularities which were occurring on *Vance*."

That was on 2 April. On 4 April, Captain Ward W. Witter, who had been assigned by King to the case as a one-man investigating board, showed Arnheiter a stack of allegations but declined to say which of them he regarded as important. The "trial" of Marcus Arnheiter—*all the trial he ever has had*—commenced on the following day. It concluded on 11 April. The so-called Witter findings followed a few weeks later.

A word of naval procedures is in order. It may be true, as the Navy insists, that in "emergency" situations the letter of the Navy's law authorizes the summary procedures used in the Arnheiter case. (Seven months later, a reviewing officer would remark with cold incisiveness that no "emergency" of any sort existed; but waive the point.) It is manifest that the spirit of naval law was trampled underfoot. In cases such as this, senior officers are to assure themselves that a difficulty is not "reasonably susceptible to correction." No such assurance was sought in the Arnheiter case. Regulations require that factual allegations of misconduct must be adequately verified by formal or informal investigations before action is taken. No such verification was obtained before Arnheiter was removed. Still another regulation requires that before drastic action is approved, "it is of *the utmost importance* that strong command guidance and counseling be given the officer concerned, and that there is no reasonable alternative to the action requested." No such guidance and counseling were given to Arnheiter. The regulation that was of "the utmost importance" was simply ignored.

These are among the inexplicable aspects of the Arnheiter case. The Navy says that the procedures invoked by Captain Witter "are closely comparable to but not as formal as those prescribed in the manual for a Court of Inquiry." This is a sophistry unworthy of the officers who have advanced it. The difference is night and day. It is the difference between a probable cause hearing before a U.S. commissioner and a full-fledged trial after grand jury indictment. No person possessed of even the most rudimentary acquaintances with the law will buy the Navy's statement that Arnheiter has had his "day in court." He has not.

ADVERSARY PROCEEDING

Surely he never received his "day in court" before Captain Witter. The purported "fact-finding investigation" turned instantly into an adversary proceeding, in which Arnheiter was the sole defendant party. As such, he should have been entitled to a presumption of innocence, but no such presumption appears from the record. He was entitled to a reasonable period in which to prepare his defense; he was given 24 hours. He was entitled to counsel, and did in fact obtain counsel, but his counsel had served only four months in the Navy and never had served on shipboard. He was entitled to written, specific charges; no charges were ever drawn. He was entitled to the summoning of witnesses in his own behalf; but at least four witnesses were denied him. At a Court of Inquiry, Arnheiter might have developed the whole story—the condition of *Vance*, the conduct of the junior officers—but this was denied him also.

The 418 pages of transcript in the Witter hearing produced 41 "findings." It is from these, with various leaks, distortions, and innuendoes, that Arnheiter's asserted "derelictions" have been fashioned. Thus, in a version quoted by the Trenton *Times*, the Christmas eggnog has turned into a nightly pitcher of martinis. Arnheiter's request to Belmonte on the beach at Waikiki has become a direct order that caused the ensign "undue humiliation." The announcement postage bill, which Arnheiter paid in March, has become a tinkering with postal accounts. It is said that the rifles were obtained illegally. (They were not.) He violated regulations in acquiring the empty oil drums at Guam. (He did not.) You hear the rumor that Arnheiter "conspired in the theft of certain candelabra." He is accused of falsifying supply records as to $17.28 in candy. It is said that he violated the rule that credit shall not be extended by a ship's store. (This was the sunglasses bit.) He is accused of frivolously permitting members of the crew to water-ski in a war zone. And so on, and so on, and so on.

The outside observer is struck with the pattern of malice that runs like a dark thread through the record. Wherever an impression of misconduct could be conveyed, such an impression was conveyed. The business of the inventory of spare Diesel parts is entirely typical. Arnheiter did what one assumes every prudent ship commander would have done: he reported as surplus only those parts he reasonably felt could be spared. So, too, with the matter of leaving his ship "inadequately manned" at Guam. The book-requirement is that at least one-third of a ship's company be aboard at all times, in case an emergency requires the ship to put to sea. But the *Vance*, at the time in question, could not possibly have put to sea. The most widely repeated charge against Arnheiter is that he filed false position reports in order to take his ship on dangerous and vainglorious direct fire missions. This is simply untrue. Arnheiter's required posits were meticulously accurate; his ship engaged in three fire missions only, lasting a total of one hour and sixteen minutes. Yes, he worked *Vance* close to shore. Was this a crime?

"I was confident of my own shiphandling and navigational expertise," Arnheiter says, "and also the navigational proficiency of the executive officer. As for enemy shell fire or mortar fire? When all ships of the U.S. Navy hedge in operations because of possible danger from enemy action, then we may as well toss in the sponge and forget the inspiration of men like John Paul Jones and David Glasgow Farragut!"

Captain Witter's findings, and his adverse recommendation, were committed to writing in late April 1966. A copy went to the Pentagon. Another copy went to Rear Admiral (now Vice Admiral) Walter H. Baumberger, commander of cruisers and destroyers in the Pacific. Bombo, as he is known, went over the record with a sense of mounting incredulity. On August 30, he recommended that the whole regrettable business be wiped out, *and that Arnheiter be restored to a command.*

JUDICIAL PROPERTIES DISDAINED

Manifestly, this was not the recommendation the Pentagon expected or wanted from Bombo. Unknown to the Admiral (and to Arnheiter), a final decision already had been reached, in the form of a finding that Arnheiter's dismissal was "for cause." On September 9, Vice Admiral B. J. Semmes, chief of naval personnel, signed a memorandum to that effect; this memorandum went directly into Arnheiter's selection board jacket, which went directly to the Line Selection Board for Commander which was then in session. Not surprisingly, Arnheiter was passed over for promotion.

In the light of Semmes' death-sentence action, what followed is baffling to the layman. The top brass sent a message back to Baumberger, asking him to provide a second review and recommendation, this time in greater detail. Bombo got the word but failed to understand it. He summoned his top legal officer, Captain Larry H. Benrubi. They went over the whole record, line by line. On 1 November, Baumberger filed his second and more definitive report. He began with the conduct of Captain Witter:

> "It is evident that from the inception of this investigation, the investigating officer changed the purpose for which the investigation was convened—that of determining the factual validity of allegations made against the commanding officer which had occasioned his summary relief—to one of whether he is the type of officer who deserves command at sea."

This was none of Witter's business. Even more reprehensible, in Baumberger's view, was Witter's ignorance or disdain of judicial proprieties. Witter had engaged in long off-the-record "discussions" with Arnheiter. He injected himself personally into the role of psychologist "rather than impersonal finder of fact." Witter had accused Arnheiter of engaging in "vicious exchanges" and speaking in "incredulous tones." Such remarks on Witter's part, said Baumberger, "were completely improper and indicate a lack of objectivity." Still further, "the record is replete with instances in which the investigating officer either neglected or refused to pursue available evidence concerning specific allegations of misconduct. His findings of fact are for the most part based upon unsubstantiated opinions of witnesses inimical to Lieutenant Commander Arnheiter."

Point by point, Baumberger demolished the flimsy structure. Evidence as to dangerous towing of the whaleboat was insufficient. Arnheiter's leaving the whaleboat for two hours was "not improper." A charge that the speedboat once was used to draw enemy fire "is completely without credible foundation." As for the "false position reports," Baumberger found that Qui Nhon "was at all times aware of the general area in which *Vance* operated." There was a charge that Arnheiter had arranged the Mess Night merely to gain a windfall of $1.85 on his mess bill: "It does not appear that the commanding officer was so motivated." One especially scurrilous charge was that Arnheiter had attempted to coerce Hardy into recommending him for a Silver Star. Baumberger found "no credible evidence" to support the accusation.

In the end, Baumberger boiled the 41 findings down to three. The Christmas Eve eggnog was a violation of regulations and not to be condoned. Arnheiter's failure to keep one-third of his officers aboard at Guam also was a violation of regulations and not to be condoned, but "the nature of *Vance's* employment on that occasion and the otherwise normal manning of in-port watches tend to mitigate the violation." The misleading report on spare parts "was censurable conduct. However, since the extent of the misrepresentation is unknown, the degree of dereliction cannot be determined."

Baumberger did not hold Arnheiter otherwise blameless. He had exhibited "a lack of tact and good judgment in his attempt to achieve commendable goals." Even so, there was not sufficient proof of misconduct to justify relief for cause. Baumberger recommended, *for the second time*, that Arnheiter be "reassigned to command a destroyer escort in this force to provide an opportunity for reassessment of his abilities."

Baumberger's exhaustive review was an exercise in futility. On 20 January 1967, his superior, Admiral Roy L. Johnson, commander of the entire Pacific Fleet, officially closed the file. In a final order, Johnson first defended Captain Witter's conduct; then he upheld Baumberger's critical review of Witter's findings; then he reversed Baumberger's recommendation for a new command. For all practical purposes, that was the end of the Arnheiter case. Arnheiter was transferred to San Francisco. There he began searching for help in his plea for still further review, vindication, and redress.

One suspects that Johnson was uncomfortable. Just one week before his order of the 20th, Johnson sent a puzzling letter to his fleet commanders. The subject was: complaints against commanding officers. Though he did not say so, the Arnheiter case plainly was weighing on his mind. The implication is clear that he believed the case "had not been handled in a wholly satisfactory manner." He reminded his top officers that "it is essential," in such complaints, "that careful inquiry" be made and that pertinent facts be established. Appropriate regulations should be "scrupulously followed." Johnson wanted each of his fleet commanders personally to ensure "that there is a full understanding of this and careful compliance with required procedures."

What is one to make of Johnson's letter? The only reasonable inference is that he felt the Arnheiter case had not been handled carefully, that the facts had not been proved, that procedures had not been scrupulously followed, and that Arnheiter in fact had been treated unfairly. If this was Johnson's meaning (and the letter speaks revealingly for iself), why did he not sustain Baumberger's recommendation or at least provide for a *de novo* Court of Inquiry?

The answer that is given by Arnheiter's supporters—among them retired Admirals Thomas Settle, Lorenzo Sabin, and Dan Gallery—is that it then was too late. The vindication of Arnheiter, at this point, would have created gross embarrassment all down the line. Admirals King and Irvine had erred. Captain Witter had conduced a wretched investigation. Commander Milligan had acted precipitately. Others at Subic were involved. And back in Washington, Vice Admiral Semmes long ago had decreed Arnheiter's "detachment for cause."

Admiral Gallery states his opinion bluntly: "Its the old story of big-shot professionals covering up each other's mistakes." Admiral Sabin has denounced the "smoke screen." Admiral Settle, after reviewing the whole record, has raised a rhetorical question: "Is the Navy no longer big enough, does it no longer have enough guts, to admit a mistake and redress it?"

The answer to Admiral Settle's question is no. In the Navy's view, there has been no mistake. The official position is that Arnheiter "commited many derelictions, knowingly and deliberately." Arnheiter revealed "a gross lack of judgment and an inability to command and lead people." The record further reveals "that the conduct and performance of the officers, other than the commanding officer, of *Vance* were entirely satisfactory." Attention is directed to Captain Witter's finding that Hardy, Belmonte and Generous "served the commanding officer to the best of their ability under the circumstances, and that no person on *Vance*, other than Lieutenant Commander Arnheiter, is deserving of any adverse action based on the facts disclosed as a result of the investigation."

This is the whitewash treatment. It has continued for the past year, despite Arnheiter's discovery in the spring of 1967 of some evidence wholly unknown to him at the time of the Witter hearing. This evidence, known as the "bogus familygram," is a purported letter from Arnheiter to the families of enlisted men. Mimeographed on ship's stationery, it is dated 15 March 1966, Somewhere in the War Zone.

"Dear Mom and Dad or Wife (as the case may be):

"My name is Marcus Aurelius Arnheiter, and I am the commanding officer of the USS VANCE (DER-387). I am the senior officer on board, and I have the sole authority for everything about the ship. It is my ship and I am THE BOSS.

"Let me tell you something about myself and VANCE. I am the son of my parents who in turn were the children of theirs. My grandfather was Baron Louis von Arnheiter, an early pioneer in manned flight (with somebody else in the plane). He married my grandmother who was Baroness Bungus von Buttbrusher, and I have their marriage license to prove it. As you can see that I come from such an outstanding line of really fine and famous people, you will really appreciate that I am the CAPTAIN OF THE VANCE. I am the Boss, and what I say on this ship is the law.

"Arnheiter!"

The forged letter continues with a statement that "we think of our loved ones back home, you, the ones we love and pray for in massed forced worship."

"We will be heroes, those of us who live through this carnage, and those of your loved ones who fell here and rot in this foreign place will be remembered by the bemedaled ones who, by the merest chance, should survive. But if anyone gets through, I will, and you can bet your . . . I'll remember VANCE.

"I am a great man, and I will try to impart some of that greatness to your doltish loved ones. As you think of VANCE, think of me, for I am the most important man aboard. If you would like an autographed picture of the ship with my face superimposed, just send $1 apiece to cover the cost of handling . . .

"Marc.

Who could have written such a letter? To whom was it distributed? Arnheiter's copy came to him anonymously from Pearl Harbor. If this contemptuous ridicule was the work of one of the dissenting officers, the fact would go far toward establishing Arnheiter's basic defense, that he was the victim of a mutinous conspiracy in the wardroom. A full-dress Court of Inquiry could explore the matter.

NOTABLE ALLIES

What of Belmonte's "mad log"? He has described it as "just a few scribbles." He has denied showing it to others. But the few scribbles turned into 38 pages of testimony before Captain Witter, Lieutenant Fuehrer knew of the "mad log." So did McWhirter. So did an enlisted man named Steven Joy. Did Belmonte once say that he hoped to see Arnheiter hanged? A sailor named Farnum said so, under oath. A Court of Inquiry could explore these matters, too. This is all that Arnheiter has asked; he has even brought suit in a U.S. District Court in California, seeking a court order to compel the Secretary of the Navy to set such a procedure in motion.

In his fight for vindication, Arnheiter has enlisted some notable allies. Admirals Settle, Sabin and Gallery have rallied to his side. Rear Admiral A. S. Goodfellow finds Arnheiter's record, on the whole, "exemplary." Vice Admiral Lot Ensey has said that Arnheiter "deserves commendation." Vice Admiral Ruthven Libby sums up the story in a sentence: "A couple of beatnik junior officers succeeded in cutting the throat of their commanding officer from behind his back and got away with it."

None of the support for Arnheiter has commanded the national attention that was drawn by Captain Richard Alexander's self-sacrificing action of 7 November 1967. Alexander had not always been in Arnheiter's corner. In March of 1967, before the evidence of the bogus familygram turned up, Alexander had concluded that Arnheiter's "zeal was excessive and [his] judgment faulty." He urged Arnheiter to face the fact "that you were, in the majority opinion, including my own, brought down by your own actions and not by faulty procedures or disloyal subordinates."

But Alexander changed his mind altogether. It was not the familygram alone. It was rather, he has said, a total reconsideration of the 99 days of Arnheiter's command. The longer he studied the case, and the more he examined his own conscience, the more he was driven to the conviction that while his March withdrawal from Arnheiter was prudent, "to turn against him was pusillanimous." He conveyed his altered view to Secretary of the Navy Paul Ignatius, and because of Alexander's prestigious position as prospective commander of *New Jersey*, Ignatius on 7 November sent a plane to bring Alexander to his office.

They conferred for an hour. Then Alexander departed, leaving behind him a 26-page statement that assuredly will find its place in naval history. His review of the Arnheiter case is brilliant, incisive, overwhelming.

"Where did strength and where did weakness lie in that ship? Who stood for duty, honor, country, and who was disloyal? Whose standards would you commend to a young officer today? Those of Hardy, Generous, and Belmonte? Whose efforts were deserving of command support and who should have been censured?"

Alexander vividly recalled the events of 31 March, when Arnheiter received message orders announcing his summary relief:

"Within twelve hours he was under guard in his cabin, having been relieved by another Escort Squadron Commander who gave no explanation. After a night under guard he was kicked off his ship. Four days later he was confronted in an investigation with an amazing chain of damning, ruinous allegations that were bewildering in scope and viciousness. Mr. Secretary, what all of your officers will demand to know is just how in hell this could happen in the United States Navy!"

It seems unlikely, but it is possible, that Alexander's passionate protest might have moved the Secretary if his statement had stopped there. Unfortunately, Alexander was swept away by his conviction that only a public explosion would blow the top off the Arnheiter case. He distributed his statement to the press and to members of Congress. Regrettably, in a fatal breach of protocol, he failed to leave even a courtesy copy for Admiral Thomas Moorer, Chief of Naval Operations. Moorer, a distinguished and greatly respected officer, had been installed only two months earlier; he knew little of the Arnheiter case. He was understandably outraged to read about it in the papers. He summoned Alexander to his office, told him he had lost confidence in him, and wanted his resignation as commanding officer of *New Jersey*. Three weeks later, Alexander was shipped to an ignominious desk job in the Boston Navy Yard, his career at an end.

Alexander does not regret his support of Arnheiter. In his view, "Arnheiter has the spark of naval genius. He might have been another Halsey. God knows the Navy has need of such men."

There it stands. Secretary Ignatius has flatly refused to reopen the case. Such congressmen as Joseph Y. Resnick and Herbert Tenser of New York have urged a congressional investigation, but the House Armed Services Committee has shown no disposition to take up their resolution. Arnheiter's suit against Secretary Ignatius may not survive the government's first motion to dismiss. Meanwhile, Arnheiter himself has been sued by Generous and Belmonte for invasion of privacy and defamation of character, but such a proceeding scarcely would produce the official inquiry Arnheiter has demanded. At the Pentagon, a form letter has been prepared in which the Navy earnestly cites its multiple reviews of the case.

BACK TO THE OLD WAYS

The key figures are scattered. Arnheiter is stranded at headquarters of the Western Sea Frontier on Treasure Island; his personal struggle for vindication absorbs his waking hours. Hardy, promoted to lieutenant commander, is stationed at Key West; he is "fed up" with Arnheiter, and believes his detachment was "richly deserved." Belmonte, 27, is out of the Navy, and working in the financial district of San Francisco. Generous, 28, who is taking graduate studies at Stanford University, also is out; he resigned his commission in November of 1966 in a highly-charged letter, speaking of Arnheiter as "we who called him criminal."

In June of 1967, long after Arnheiter was effectively beached, a former commissaryman third class on *Vance*, Ronald D. Fournier, wrote a letter of recollection:

"When Lieutenant Commander Arnheiter came aboard, he tried to get the ship running the way it should have been running but was not. The trouble was that people had been too used to being lazy and didn't want to change, didn't want to make the effort. When Mr. Arnheiter was C.O., he changed the status of the petty officers by giving them authority, and I think they appreciated it. But as soon as he left the ship, things went back to the way they were before: A seaman could talk back to a first class petty officer and get away with it. . . . *Now, everything's back the way it used to be before he came.*"

"God, What Have We Done?" Letter Asks

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. BOB WILSON. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

[From the San Diego (Calif.) Union, Mar. 26, 1968]

"GOD, WHAT HAVE WE DONE?" LETTER ASKS

EDITOR, THE UNION: On Jan. 23, 1968, the *Pueblo* and her crew disappeared into the hands of the North Koreans. Tension and a spark of the "old" Americanism reigned for a few days.

The days of inaction increased, the tension lessened and the spark was fallen in the ashes of tired Americanism.

I, like many Americans, followed the above course of behavior and feeling. This morning I woke as usual and, for some strange reason, thought about the stolen crew.

Good God, what have we done?

Aboard the *Pueblo* were men risking and dedicating their lives for our safety. They were part of a team, the U.S. Navy, which has defended freedom with blood.

Are we so ungrateful, so un-American that we will let the days keep passing while the crew of the *Pueblo* remains at the whims of an enemy so small?

What would we be asking at this moment if we were a *Pueblo* crewman?

"Where is my Navy, of which I am a part?

"Where is my country, of which I am a citizen?

"Where are the defenders of freedom, of which I am one?

"Where are my countrymen?"

I am a member of the United States Navy and I wonder how to answer these questions myself. If we meet someone from the *Pueblo* some day, what are we going to say?

DENNIS E. JOHNSON,
HN, HCS Staff, U.S. Naval Hospital, San Diego.

Lives of Great Americans—A Collection of Book Reviews by Hon. Edwin E. Willis, of Louisiana

HON. EDWIN E. WILLIS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. WILLIS. Mr. Speaker, the study of history has always been a mark of Western civilization and democracy. It is a bulwark against totalitarianism and is a primary source of understanding and inspiration. But to understand history one must know the lives of the individuals who made that history, since it is people that make decisions and decisions are the product of the character and philosophy of those people.

As chairman of the Committee on Un-American Activities it has fallen to my lot to devote much of my time and energies to combating communism and other forms of totalitarianism. I believe that if we impart to our young people a knowledge of the lives of great Americans we shall be doing a great deal to combat those forces of subversion.

With the view of fostering in the minds of my young nieces and nephews that love of American heroes and institutions that I have experienced since childhood, I wrote for them the following informal, brief reviews and digests of the lives of selected individuals who have contributed so much to American greatness. I have been urged to make them available to schoolchildren throughout the United States.

It must be said that the initial limited purpose of these reviews was not to present definitive scholarly papers with complete documentation. That would have defeated their purpose. The biographies selected for me by the Legislative Reference Service of the Library of Congress are one-volume popular works. In some instances brief quotations from the volume reviewed are included, but while the digests are based on the volume reviewed, the style is my own. The length of the quotations is within the limitations normally allowed by publishers.

The purpose of writing these book reviews of the lives of great Americans was to make them available to others. Accordingly, it is my wish that the first reader will pass this on to another and that the next shall do the same thing so that as many people as possible will have the benefit of reading the synopsis of the lives of some of the people who played such a prominent part in shaping the history and the course and the destiny of the Nation.

From my high school days to the present time the study of history has always had a great appeal to me. As a matter of fact, I have long had a cherished desire to write about the life of St. Paul. For that purpose I have read and reread the "Acts of the Apostles" many times which in great part outlines the actions of the great Apostle Paul. In writing the life of St. Paul I would like especially to review his famous trials before Felix, Festus, and Agrippa as well as his trials in Rome after his famous appeal to Caesar. I have always felt that some of the defenses urged by St. Paul in these trials formed the very basis of our Bill of Rights. For instance at one time he said, as if invoking the very provisions of the fifth amendment to the Constitution. "It is not according to the law of Rome that a person should be denied the right to confront and cross examine his accusers."

The above-mentioned material follows:

MARQUIS DE LAFAYETTE [1]

This week I am catching up with my reading habits. I read a book on the life of General Lafayette, and one on the life of Chief Justice John Marshall.

I have before me one on the life of Patrick Henry, and I have ordered one on the life of Justice Oliver Wendell Holmes. I have enjoyed resuming my reading habits tremendously, and I do hope I can keep it up as it would be a very good and appropriate pastime.

For example, reading the life of Chief Justice Marshall was like going back to law school. Marshall was the greatest Chief Justice ever to preside over our highest court, and the book reviews some of his cases interpreting the Constitution, which we all had to read while going to law school and have to know while practicing law.

On the other hand reading the life of General Lafayette brought back several things that I had forgotten. According to the author, Lafayette's income—not his net worth but his income—per year amounted to what would be between $2 and $3 million in current American dollars. So you see even today he would be considered certainly one of the richest men in the United States if not the world.

Another thing I had forgotten was the fact that when Lafayette came to America to play such an important part with Washington in our Revolutionary War he did not hire but bought a sailing vessel to make the trip. A man by the name of Beau Marche was the one who found the sailing vessel from seafaring merchants for Lafayette.

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[1] The People's General: The Personal Story of Lafayette, by David G. Loth, Charles Scribner's Sons, New York, 1951.

The third point I had completely forgotten about was that after engaging in the Revolutionary War, Lafayette went back to France and had the idea of returning to America and with Washington engaging in warfare to conquer England. A man by the name of Broglie was to be head of the American Government after the war with England. So you see the best of us are not above schemes.

A fourth point I wish to make on the life of the Marquis de Lafayette is this. One of the 13 original States, Maryland I believe, made him and his heirs citizens of the United States. Actually, in my opinion, this is not constitutional because the Constitution says that a person born or naturalized in the United States shall be a citizen of the United States and of the State where he resides. Now since neither the Marquis de Lafayette nor his heirs were born or naturalized in the United States, neither the General nor his heirs can be considered under the Constitution as citizens of the United States; so for that reason I say the act of the legislature of Maryland making Lafayette and his heirs citizens of the United States is probably unconstitutional.

This issue came up during my time in Congress when we thought of making Churchill a citizen of the United States but the best we could do was to authorize the President of the United States to issue a proclamation making Churchill an honorary citizen of the United States.

I had a most interesting experience in Paris about 10 years ago in this connection. While stopping at the Crillon Hotel in Paris, I met a person called Count de Lafayette and his charming wife, the Countess de Lafayette. They mentioned the fact that Lafayette was something like the great, great, great, great, great, great grandson of General, the Marquis de Lafayette, as I recall. The Count and Countess considered themselves without any question whatever to be citizens of the United States and I had the displeasure of having to caution them that I doubted that they were citizens in light of my experience in making Churchill only an honorary citizen by proclamation as mentioned above.

PATRICK HENRY[2]

Last night I finished reading the life of Patrick Henry. He was truly a self-made man and a self-educated man. I can't help but feel that John Adams and Thomas Jefferson who later became Presidents of the United States, and who had the benefit of a splendid education and developed high traits of culture and social standing, sort of looked down on Patrick Henry as being a backwoods parvenu. Yet with all his disadvantages, Patrick Henry became truly one of the greatest men of our Nation. He was the first Governor of Virginia and was reelected twice after that. He was the author of the so-called Virginia Resolutions which the legislature of Virginia adopted before our Declaration of Independence. He was certainly one of the most accomplished orators of the age, and his famous speech wound up with the following words:

"Caesar had his Brutus, Charles the First his Cromwell, and George the Third—the then King of England, can well profit by their example."

Of course, this was a very ugly remark to make of a King who was our own sovereign at the time. When he reached that passage friends of the King in the legislature cried out "Treason, Treason." Like a flash Patrick Henry responded, "If this be treason, make the most of it."

And by the way, he was a very good lawyer particularly in his argument before a jury whom he could sway with his fiery oratory. The book I read reviews a very interesting case of his. At the time we really did not have freedom of religion in America and the English Episcopalian was the only one practiced. The parsons or ministers were paid in tobacco because tobacco had more stable value than the paper currency at the time. The legislature of Virginia passed a bill which reduced their pay—something up to one-third of their regular pay in tobacco. The parsons, who were very influential, appealed to the King and the King suspended the law, so that the ministers did not even receive the one-third of the salaries provided by the act of the legislature of Virginia. They brought suit for their pay. The judge determined that they were entitled to their money and instructed the jury that the only thing they had to decide was the amount that should be paid to the parsons. At this time famous lawyers representing the congregation who had been sued told them that they had no case and that under the instructions of the judge and the action of the King of course, they were to pay the parsons. At this point the congregation engaged Patrick Henry. He made a fiery and violent speech before the jury. He said that the King had no right to suspend the act of the legislature of Virginia. He was nothing but a tyrant. He further said that the law as written was the law to be obeyed; that the parsons were supposed to be the leaders of the community and that he argued to the jury that instead of giving a verdict to the parsons as a supposed salary, they should punish them for being in violation of the law. This was a very unusual way to handle the case but he won.

HENRY CLAY[3]

Just as there is in nature an antidote for every poison so in the history of our country there has always been a leader for every crisis. I reviewed books dealing with the lives of some of our early leaders before, and today I want to talk about Henry Clay.

Before Clay appeared on our American scene he was preceded by such men as Franklin, Washington, Hamilton, Patrick Henry, Jefferson, John Marshall and others. During Clay's active life in American history some of the other then current leaders included such men as Calhoun, of South Carolina; Webster, of Massachusetts; and President Andrew (Old Hickory) Jackson of Tennessee. Clay was followed by such political leaders as Seward who became Secretary of State, Jefferson Davis who became President of the Confederacy and Lincoln who became President of the United States, as well as such military leaders as Robert E. Lee, Ulysses S. Grant, Stonewall Jackson, Jeb Stuart, Tecumseh Sherman, and others.

While Clay was born in Virginia, he moved to Kentucky at the age of 9 or 10 when his mother remarried a man by the name of Hal Watson. At that tender age one day he witnessed something that was to influence his whole adult life. While in the woods, he met a runaway slave by the name of Pompey. At that time the penalty for running away was to hang the slave and someone befriending him could also be in very serious trouble. Nevertheless, Clay made a habit of feeding the slave Pompey in the woods and otherwise befriended him. This incident caused him to be against slavery as an institution all of his life.

Clay's first job was in Richmond, Va., as clerk in a grocery store. While in Richmond still during his teenage he "read" law with a lawyer by the name of Wythe, one of whose pupils many years before was a freckled-faced redheaded boy by the name of Thomas Jefferson.

While the rough lines of the two major political parties were drawn many years ago, even during the time of Hamilton, Patrick Henry, and Thomas Jefferson, both the Republican and Democratic Parties as we know them today were born during the lifetime of Clay. The Democratic Party as we know it today was founded by Jackson in 1830, and the Republican Party as we know it today was founded by Lincoln during or about 1860.

Henry Clay accomplished the impossible during his first term as a Congressman.

He became Speaker of the House of Representatives in the first session, and he set a record as a Speaker in point of service until I lived to see Sam Rayburn beat it more than twice since I have been a Member.

Clay was a pretty tough Speaker. There was a man by the name of John Randolph, a rather spoiled and pompous gentleman from Virginia, who had the habit of bringing his hunting dog in the House of Representatives with him. Clay put an immediate stop to this and to many of the other untoward habits of the Members of the House at the time.

While I am not sure that the dog incident was the reason for it, many, many years after Clay had Randolph put his dogs out of the House Chamber, Clay and Randolph had a duel. For the action, Randolph wore a fancy topcoat which flapped in a gust of wind just at the count of "fire." Clay pierced Randolph's overcoat. Randolph said that under the circumstances since he had been in a way "crippled," he insisted upon shooting it out again and they had a second shooting bout. In the second round Clay again pierced the overcoat but the rules of duel must not have required a repetition because they did not have a third duel.

As you may recall Aaron Burr was elected Vice President under Thomas Jefferson. Among the things for which Burr is known is the fact that he killed Hamilton in a duel, and that he was ambitious to become the Emperor of Mexico and a large part of the Louisiana Territory that Jefferson bought from Napoleon west of the Mississippi River.

For some unaccountable reason, Henry Clay was "taken in" by Aaron Burr. As a matter of fact he defended Burr as a lawyer in a treason trial in Kentucky.

Clay somehow admired Aaron Burr so much that he could not believe his ears when some people told him when he arrived at the Capitol that President Madison had a warrant out for him. Burr was tried in Richmond, Va., and in this trial Chief Justice Marshall got off the bench and acted as a trial judge in Richmond. Marshall's charge to the jury is a classic lecture on the crime of treason. Anyway, for lack of sufficiently specific evidence the jury acquitted Burr twice in Richmond but that does not mean that he was not guilty of an attempt to split this country in two and become Emperor of over one half of it. During the early years of Henry Clay in Washington, we had a war with England that very few people wanted, namely the War of 1812. Clay immediately became what is now known as a war hawk; he was all for the fight with England. After the war, he was sent to England to negotiate a peace treaty which became known as the Treaty of Ghent. In the negotiations, the English people were very tough; however, Clay saw through this and advised his colleagues not to fall for this act because there was an intrepid individual called Andrew Jackson who was to take part in what became known as the Battle of New Orleans. Somehow, however, this early admiration faded out and in later years Clay and Jackson hated one another with passion. In fact, Clay ran twice against Jackson and was always beaten by him. Later on he ran at least twice more for President but never succeeded in achieving that high office. It was during one of these campaigns that Henry Clay used his famous remark, "I would rather be right than be President."

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[2] Patrick Henry, by Moses Coit Tyler, Great Seal Books Division of Cornell University Press, Ithaca (Reprint of revised edition published by Houghton Mifflin & Co., 1898).

[3] Henry Clay, by Barbara Mayo, Farrar Rinehart, Inc., New York, 1943.

Anyway, Clay and Jackson were at each others throats a number of times and Jackson always got the best of him. For example, there is a chapter in the book on Henry Clay's life entitled "Andrew Jackson and the Devil." The last sentence in that chapter is very significant, and I quote it, "Jackson and the Devil had won."

Henry Clay devoted all of his political life to developing what he called the great American internal improvement system. To him that meant a system of Federal highways and internal canals and waterways.

Once in the early 1830's while he was going back to Kentucky by horse-drawn coach, he marveled at the fact that it traveled 200 miles pretty well on a Federal Government dirt road. With reference to roads, we will be completing a system of 41,000 miles of interstate highways connecting every State in the Union in the mid-1970's. In connection with the internal highways, we have the great intracoastal canal running from St. Augustine, Fla. to Brownsville, Tex. The intracoastal canal connects the Mississippi River to the Gulf of Mexico and thence with the seven seas of the world. In turn, as the canal traverses the Mississippi River, through the tributaries of that river such as the Red, the Tennessee, the Missouri, the Ohio, it forms a network of internal waterways crisscrossing the whole of our country. The intracoastal canal carries more freight than the Kiel Canal in Germany or the Panama Canal. It is second only to the Suez Canal. So you see Clay was about 140 years ahead of his time in his dream of the great American internal improvement system.

Clay was known as the great compromiser. In the early 1800's when Missouri was admitted as a State of the Union, she wanted to come in as a "slave" State. Clay argued that it should have the right to do what it wanted to do, and this became known as the great Missouri compromise. Some 40 years later when California was admitted into the State of the Union, it wanted to come in as an "antislave" State, and for the same reasons Clay had used in the Missouri compromise, in reverse, California was admitted as an antislave State.

The issue that distinguished the Democratic Party from the Republican Party from the beginning and until the early 1900's was a question of the tariff. The Republicans were for a high protective tariff to protect its factories in the North, and the Democrats were for "free trade" because its agricultural products, particularly cotton, were exported and did not come into manufacturing competition with the textile mills of England. Probably for these reasons, the Northern States by and large have been Republican States while the South on the whole have been Democratic.

Anyway, in the mid-1800's a high protective tariff was imposed by Congress, South Carolina took the position that since it did not like the tariff it did not have to obey the Federal law, and threatened to secede from the Union. In his usual rough and tumble way, Andrew Jackson announced he would send military forces into South Carolina to enforce compliance. On his part, Clay sought and again succeeded in putting over another of his great compromises. He got together with Senator Calhoun and succeeded in having the tariff reduced in such a way as to satisfy South Carolina and other Southern States and at the same time to avoid Jackson sending troops into the South.

This compromise was probably responsible for the Civil War being postponed until 1860 instead of taking place at an earlier date.

So you see Henry Clay in different times could be a rank Federalist (for a strong central government) or a stanch States Righter. But to him what was important was not being on the winning side, but being on the side that was "right."

DANIEL WEBSTER [4]

Since my last letter I finished reading the life of Daniel Webster. He was born of very poor parents his father having been a common farmer or tiller of the soil. Beginning with about 1808 and continuing for a long time thereafter Webster argued more cases before the Supreme Court than five or more ordinary lawyers and still is considered to be one of the greatest lawyers and certainly the greatest orator in the history of our country. He argued so many notable cases before the Supreme Court while John Marshall was Chief Justice that it is very hard for me to decide which of his orations appeals the most to me. On reflection, however, I think that his most famous oration had to do with the so-called right of "nullification" then claimed by some of the States. For example, in the early 1800's South Carolina and some other States claimed the right to decide for themselves that certain laws of Congress were null and did not have to be obeyed. In the Senate Webster made a stirring speech expressing the view that no State had the right to call an act of Congress null and void and thus escape complying with it. And in the name of the preservation of our country for generations yet unborn, he wound up with the following stirring, eloquent climax:

"Union and liberty, one and inseparable, now and forever!"

Many years later we had a Civil War to decide whether any State had the right to secede from the Union and to operate on its own. Strangely enough South Carolina was the first to claim that right which in effect was a second assertion of a nullification. If I had been living at that time I know that I would have sympathized with the cause of the South just as some of our finest and most patriotic men did, such as Robert E. Lee and others. On careful reflection, however, it seems to me that it was best for the preservation of this country as a Union of States for the issue to have been decided against the right of any particular State to secede and claim full sovereignty as if it were a separate nation.

So you see, since the early 1800's some States have claimed and now some people are claiming the right to obey or not to obey the laws of the Federal Government. I know it is popular and right to be for State's rights up to a certain point but this theory can be abused very much. For example, not only is Martin Luther King claiming that a particular State has a right to obey or disobey a particular law but that any one individual can decide for himself what law he should or should not obey. And although I am a lawyer and have deep and reverent respect for our Federal institutions including the Supreme Court, I sometimes think that the Supreme Court is stretching the law too much in favor of individuals and against the general public; and sometimes I even feel that the Supreme Court is placing the shackles on the policemen instead of the criminal.

ABRAHAM LINCOLN [5]

Abraham Lincoln, the son of Thomas Lincoln and Nancy Hanks, was born on February 12, 1809. One of Lincoln's boyhood teachers was a Catholic by the name of Father Riney, yet Lincoln had not over 1 year of schooling.

At the age of 19, Lincoln was 6 foot 4 inches and made a trip by flat boat on the Mississippi River to New Orleans. In 1830, old Tom Lincoln moved his family to Illinois where Lincoln had to split posts on his little farm. The people then were just about like those of today because tens of thousands of them were curious to see some of the rails split at the Republican Convention which nominated Lincoln for the first time. In 1831 Lincoln took part in what was called the Hawk Indian War and was made captain of the Illinois regiment. He engaged in a skirmish, which could hardly be dignified by calling it a battle of Bad Axe.

Yet later on as Commander in Chief in the Civil War, he was to see the blood of young American men that flowed almost like water. For example, I give below the comparative estimated casualties in the Civil War, the First World War, and the Second World War:

Civil War.—Estimated killed in action, 214,914.

World War I.—Killed and wounded in action, 257,404.

World War II.—Killed and wounded in action, 962,403.

As a matter of fact, if all of the facts were completely known I think it would be accurate to say that there were relatively more people wounded and killed during the Civil War than in World War I and World War II put together. In any event, the Civil War was by far the bloodiest war we went through throughout our entire history, including the Revolutionary War, the War of 1812, the Spanish-American War, World War I and World War II.

About this time just before this Hawk warfare Lincoln had taken a job as a store clerk, and also operated a flour mill.

In 1834 he ran for the Illinois legislature but was defeated. Yet his political aspirations were not without success even then for he was appointed postmaster at New Salem, Ill., at about this time. In 1836 he ran again for the legislature of Illinois and this time was successful, and in 1838 and 1840 he was reelected to the same office.

On November 4, 1842, Lincoln married Miss Mary Todd.

He ran for Congress and took his seat in the 30th Congress on December 6, 1847. His congressional record throughout was that of a Whig, the party later to be renamed the Republican Party. His votes on leading national subjects were invariably with those of Henry Clay and Daniel Webster. Lincoln was one of those who believed that the administration had not properly managed its affairs with Mexico during the war with that country, and he refused to be forced into an unqualified endorsement of its course in this affair from beginning to end.

"He retired once more to private life renewing the professional practice which had been temporarily interrupted by his public service. The duties of his responsible position had been discharged with fearless adherence to his convictions of right, under whatever circumstances."

"In 1856 he took an active part in the formation of the Republican Party, and sustained the nomination of Fremont against Buchanan." The campaign of 1858 was next ushered in. The Republicans nominated Lincoln for U.S. Senator in the place of Judge Stephen Douglas. It was in the first speech of this Senate race that Mr. Lincoln used his immortal expression: "I believe this Government cannot endure, permanently, half slave and half free." Douglas nevertheless said, "Mr. Lincoln advocates boldly and clearly a war of sections, a war of the North against the South, of the free States against the slave States—a war of extermination—to be continued relentlessly until the one or the other should be subdued, and all the States shall either become free or become slave." But Mr. Lincoln replied, "I did not say that I was in favor of sectional war. I only said what I expected would take place. I made a prediction only—it may have been a foolish one perhaps. I did not even say that I desired that slavery should be put in course of ultimate extinction. I do say so now, however, so there need be no longer any difficulty about that."

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[4] Candidate for Truth; The Story of Daniel Webster, by Sybil Norton and John Cournos, Henry Holt & Co., New York, 1953.

[5] The Life of Abraham Lincoln, by Abott A. Abott, T. R. Dawley, New York, 1864.

Douglas won the race as a Democrat but "there was a general presentiment that a juster verdict was yet to be had, and that Mr. Lincoln and his cause would be ultimately vindicated before the people. That time was to come, even sooner, perhaps than his friends, in their momentary despondency, had expected."

Upon the assembling of the Republican National Convention in Chicago on May 16, 1860, it soon became apparent that the contest was to be narrowed down to two names: William H. Seward of New York and Abraham Lincoln of Illinois, and as we all know Lincoln ultimately received the nomination. He addressed the following letter to the President or Chairman of the Republican National Convention:

"I accept the nomination tendered me by the convention over which you presided, and of which I am formally apprised in the letter of yourself and others, acting as a committee of the convention for that purpose.

"The declaration of principles and sentiments which accompanies your letter meets my approval; and it shall be my care not to violate, nor disregard it, in any part.

"Imploring the assistance of Divine Providence, and with due regard to the views and feelings of all who were represented in the convention; to the rights of all the States, and Territories; and the people of the Nation; to the inviolability of the Constitution, and to the perpetual union, harmony and prosperity of all. I am most happy to cooperate for the practical success of the principles declared by the convention.

"Your obliged friend and fellow citizen.

"ABRAHAM LINCOLN."

Upon his election the war broke out and he called for 75,000 volunteers. "Lincoln felt as did all other thinking people that the war was going to be a mere bagatelle and would soon be over. The 75,000 troops were expected to awe the South into an attitude of reason, without even striking a blow." Radical elements began to hit him with undisguised animosity. "They denounced him in Congress and attacked him in the partisan press which they established, at the head of which was the 'New Nation,' published by General Fremont in New York. All radicals were in arms against him. At the same time he was exposed to the attacks of the Peace Party or the Democracy, and had his hands full with the war, the Government, and the copperheads, or secessionists. But all these assaults proved futile. Mr. Lincoln was not to be swayed, either by book or bell. He kept on the even tenor of his way, with but one object in view—Union—all else being subservient to this one great idea."

"When the time came to nominate a successor to the office he had filled with so much ability and integrity for over 3 years, Mr. Lincoln was again almost unanimously chosen by the convention, this time assembled at Baltimore," Md. General Fremont having "withdrawn from the presidential contest, the struggle rested solely between Abraham Lincoln, Republican, and General McClellan, Democrat. The vote was taken throughout the States and resulted in the reelection of Lincoln for the second time." In his second inaugural address, Lincoln said:

"Fondly do we hope, fervently do we pray, that this mighty scourage of war may speedily pass away. Yet, if God wills that it continue until all the wealth piled by the bondman's 250 years of unrequited toil shall be sunk, and until every drop of blood drawn with the lash shall be paid by another drawn with the sword, as was said 3,000 years ago; so, still it must be said, that the judgments of the Lord are true and righteous altogether.

"With malice towards none, with charity for all, with firmness in the right, as God gives us to see right, let us finish the work we are in, to bind up the Nation's wounds, to care for him who shall have borne the battle and for his widow and his orphans, to do all which may achieve and cherish a just and a lasting peace among ourselves and with all nations."

On April 14, 1865, while attending a performance at the Ford Theatre in Washington, Lincoln was shot to death. He died at 22 minutes past 7 on the morning of April 15, 1865.

"Abraham Lincoln combined within him the firmness of 'Old Hickory' with the nobleness of George Washington. The first President of the United States fought to create the Union, Jackson swore it should be maintained and Lincoln was murdered because he was determined to perpetuate it."

Someone, I think it was Seward, Secretary of State, said during this deep mourning of the whole Nation, "and now he belongs to the ages."

JEFFERSON DAVIS [6]

Jefferson Davis was born on June 3, 1808. His father was a veteran of the Revolutionary War. President Monroe appointed Davis as a cadet at West Point in 1824. Strangely enough, two of his classmates were Robert E. Lee and Albert Sidney Johnston, who were to serve as eminent generals under Davis as Commander in Chief of the Confederacy.

"The prominence of Davis, with his extreme ardor in behalf of what he deemed the rights and interests of his section, brought him constantly into conflict with the most eminent leaders of both the political parties who had agreed to ignore all minor issues, and unite in the paramount purpose of saving the Union." One of Davis' chief supporters was Senator Calhoun of South Carolina, and one of his chief opponents was Henry Clay of Kentucky. While Davis was a Senator, his father-in-law, General Zachary Taylor, was a candidate for the Presidency in 1848, but Davis on proslavery grounds declined to support him. It was not a secret that Zachary Taylor, his father-in-law, did not get along very well with him. Davis was elected to another 6-year full term as Senator from Mississippi on March 4, 1857. "He remained in the Senate until January 21, 1861, when he withdrew, having been officially notified that Mississippi had seceded from the Union on January 9, 1861."

The provisional Congress at Montgomery, Ala., elected Davis as President of the Confederacy on February 9, 1861. In his inaugural address on February 18, 1861, President Davis said: "Necessity, not choice, has led to the secession of the Southern States." Soon after his inauguration Davis appointed commissioners to try to cement friendly relations between the Federal Government and the Confederacy. But Mr. Seward, Lincoln's Secretary of State, said that he would recognize Davis' representatives as citizens of the United States but not as representatives of an independent power. He further said that the alleged secession and confederation of the seven Southern States could not be recognized by the Federal Government as valid. In November 1861, an election was held in the Confederate States and Davis was chosen President for 6 more years without opposition.

The South had a taste of victory at the Battle of Manassas but there followed in quick succession a series of defeats. For example, there was the surrender of Fort Donelson on February 16, 1861, and the occupation of Nashville on February 24, 1861; other defeats followed in the East and West, particularly Rich Mountain in the State of Virginia.

But despite these setbacks, President Davis remained ever confident and, addressing a joint session of the Congress of the Confederacy, he said:

"Although the contest is not ended and the tide for the moment is against us, the final result in our favor is not doubtful. The period is near at hand when our foes must sink under the immense load of debt which they incurred."

"With the fall of Vicksburg in 1862, the entire Mississippi Valley was opened to the Federal forces and at no later date was the Confederacy able to undertake any serious enterprise for its recovery. The disasters at Gettysburg and Vicksburg were immediately followed in the South by a marked abatement of that unwavering confidence in the ultimate result which had previously stimulated the energy of the Confederates. These disasters were also attended by a fatal derangement of the already failing Confederacy system of finance. The depreciated currency of the Confederacy had rarely improved in seasons of military success, but it always grew rapidly worse with each disaster."

In other words, the currency had become worthless and its depreciation was rapid and uninterrupted.

In 1879, a lady by the name of Mrs. Dorsey, gave her estate at Beauvoir, Miss., to former President Davis and he lived in that house quietly and peacefully until his death on December 6, 1889, at the ripe old age of 81. I think it is appropriate to give a résumé of comments made by prominent individuals throughout the country and elsewhere, and of the press accounts in both North and South, and also in Europe, at the time of his death:

"NEW ORLEANS, LA., December 6, 1889.—The death of Jefferson Davis occurred at a quarter to 1 this morning * * * Mrs. Davis who has been in constant attendance upon her husband, scarcely leaving him for a moment since he was taken ill, sat at his bedside holding his hand in hers."

Senator Reagan said:

"I served with Mr. Davis in the Cabinet of the Confederacy from the beginning to the end, as his Postmaster General. What were his characteristics? He was a man of great labor, of great learning, of great integrity, of great purity. What, from your knowledge and acquaintance with the man, was the principle motive, which actuated him in going into the rebellion? To secure a government that should be friendly to the people. He was an intense believer in the doctrine that the States should control absolutely their domestic affairs, and that the General Government had no power or authority to act outside of the matters specially delegated to it."

Postmaster General Wanamaker said:

"The passing away of Jefferson Davis shuts from view the last great landmark of the terrible war. If it could end all divisions and strifes and bury in a deep grave the differences of sections, a new day of peace and prosperity would dawn upon the land. Yes, I knew Mr. Davis quite well, as I was near him almost daily, from Montgomery, Ala., to Richmond, during the whole time of the War Between the States, and I regarded him as a man of fine attainments, polished and accomplished, brave and courageous and true to his principles, and I believe the Confederacy came as near succeeding under his Presidency as it would have done under that of any other man. As to the place history will give him, that is a most difficult question to answer at any time and as to any man, but I believe, when his whole life and character are considered and analyzed in an unclouded atmosphere by cool, dispassionate people, he will hold a very high place in history."

Roger A. Pryor, a Confederate general and well-known lawyer said:

"I first met Davis in 1855, when I was editor of the Washington Union. He was then in the Senate. I knew him better as Secretary of War, and from that time until the end of the war we were thrown much together. Right here I wish to say it is a mistake to suppose that Davis was a secessionist. On the contrary, he was originally opposed to secession. Graduate of West Point and Secretary of War as he was, it was to his interest and disposition to maintain the Union. He even made a speech at Portland, Maine, when Secretary of War, in which his devotion to the Union is expressed in strong language. The ultraparty in his own State drove him to secession against his better judgment. I say this in justice to him."

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[6] Life and Death of Jefferson Davis, edited by A. C. Bancroft, J. S. Ogilvie, New York, 1889.

Mr. James Campbell was Postmaster General when Mr. Davis was Secretary of War in the administration of President Pierce. "The two men, alike in only that they were Democrats, but differing in all else, became intimate friends, soon to be separated and to become foes, the one to lead the fight under the banner of secession and the other to stand by the old flag of the Union."

Campbell said on the news of Jefferson Davis' death:

"Yes, I knew Jefferson Davis well. I may say I was intimately associated with him from 1853 to 1857, during the administration of President Pierce, when we were both in the Cabinet together, he as Secretary of War and I as Postmaster General. But I had not seen him for years before his death, and all my recollections of him date back to a time before you were born."

Another prominent citizen said:

"Jefferson Davis was one of the best educated men whom I ever came in contact with. His requirements were broad and often surprised us."

The flags were down at half-mast over the statehouses of all the Southern States, but the War Department, over which Jefferson Davis presided under President Pierce from 1853 to 1857, did not take official notice of the death of the Confederate leader. When asked whether the flag would be at half-mast on the day of the funeral, Secretary Proctor said:

"I had not considered that question, but it will be safe to say that the flag will not be placed at half-mast upon that occasion."

It took the South over 25 years to reconstruct its affairs and to get back on its feet. When we think that after World War II America through the Marshall plan poured billions of dollars in Europe to restore the condition of that harassed part of the world, it is remarkable that some small-bore bureaucratic minds and small caliber minds in the Congress of the United States insisted upon heaping scorn and vengeance on the South for so long a time.

One newspaper editorial of the times said:

"In the nature of things Mr. Davis could never be recognized as a national hero. While he was a man of unordinary mold he was but a contest of failure. The press in London was most kind to the memory of Jefferson Davis. But reading the editorials in this book review following the death of Jefferson Davis, there is a thread of thought in all the news and editorial accounts of the times and that is that although Jefferson Davis discharged his duties with dignity, with pride and tenacity, he would hardly ever be recognized as a national hero."

Yet, Gen. Robert E. Lee too was only the head of the Army of the Confederacy but still he has always been and is now recognized universally not only as a national hero but one of the most talented military figures, including Napoleon, who ever lived.

I cannot resist the thought that if Lincoln had been President of the Confederacy instead of President of the United States, and even if he had not been assassinated, Lincoln somehow like Lee, would have been recognized as a national figure. In short, I cannot resist the thought that crowds my mind that Lee and Lincoln were made of different cloth than Jefferson Davis, and in saying this I do not intend to be in the least unkind to the memory of the gracious, courageous President of the Southern Confederacy, Jefferson Davis.

ULYSSES S. GRANT[7]

Ulysses Simpson Grant was born in a little town of about 15 families at a place called Point Pleasant, Ohio, on April 27, 1822. His father was a tanner or leathermaker. When he was 10 years old, his father Jesse Grant moved to Georgetown, Ohio, 50 miles from Cincinnati. Grant was a short, freckled-faced, round shouldered youngster at that time. Grant moved to Ripley, Ohio, when he was still a youngster, when his father told him, "I believe you are going to get that appointment." "What appointment?" the boy inquired in surprise. "Why, 'to West Point," replied his father. "I applied to Senator Morris for one, and I reckon you'll get it." "To West Point," repeated Ulysses, still a bit dazed by the news, "why, I don't want to go there." "But I want you to," his father said. "I reckon you'll go if I say so." "Well, if you say so, I suppose I'll have to go," said the boy slowly. "But I don't want to—I know that." So Grant entered West Point in 1839. At that time he was a plump, fair-faced, almost undersized little fellow, barely over 5 feet. There was nothing about his West Point life out of the common, he was just an average, ordinary cadet, learning obedience, attention, order, health, good manners, and simple living.

Grant graduated from West Point in 1843 and was made a second lieutenant of infantry. Not long after came the war with Mexico which endured from 1846 to 1848. Forty years after, Grant wrote in his memoirs that he regarded that war as one of the most unjust waged by a strong nation against a weak one, and he tells us in his memoirs that as a young soldier, he was bitterly against it.

With his little Army of 3,000 men, Gen. Zachary Taylor, whom the people were to later call "'Old Rough and Ready', invaded Mexico and young 2d Lt. U.S. Grant marched over the border and engaged in actual war * * * the first taste of real war that he had, was in the little scrimmage known as the Battle of Palo Alto—that is, the battle of the high trees—or high woods." They marched on, and the next day fought another battle known as the Palm Grove.

At that time, he was ordered to Mexico, and since there was no Panama Canal, this was considered to be a tremendously long trip. He and his men had to take a boat in New York and pass south of the South American Continent in order to reach the Pacific and then California. Actually, Grant and his men stopped on the Isthmus of Panama for a while on their way to California. "The dreadful disease cholera—that plague of hot countries--broke out in the camp. Lieutenant Grant had sickness and death to struggle with in addition to his other worries. For cholera in July in the Isthmus of Panama with sultry, rainy weather and insufficient shelter meant death." Grant sent his last company of soldiers and doctors on, by foot, to Panama itself. "Then he took entire charge of the cholera camp—for a week, he fought the plague desperately and unflinchingly. He cared for the sick, buried the dead, kept one eye on the half-hostile Indians, tried in every way to arrange for some kind of transportation to Panama and kept on doing things as briskly and cheerfully as he could, stubbornly resolved not to give in. For a whole week, he did not take off his clothes and scarcely allowed himself any rest, working, nursing, striving in the midst of the plague that brought weakness and death from the forest and the swamps.

"Of 150 men, women, and children in that cholera-stricken camp on the Chagres River, fully one-third died before that week of terror came to an end, but Grant never gave up." By this time Second Lieutenant Grant had been made first lieutenant and now he was made a captain.

Mrs. Grant's father had given her part of a farm comprising 60 acres, and on this, Captain Grant decided to build a home and go into farming. All he could do was put up a log cabin. He was his own mason and carpenter, except when it came to "raising" and at this time the neighbors helped. He named his place "Hardscrabble," because he said he was certain to find life there "a hard scrabble."

Suddenly, there came a call to duty that proved to be his making. * * * "political troubles ended in actual conflict, Americans were in arms against Americans, Fort Sumter was fired upon; the Civil War had begun and President Lincoln called for volunteers to defend the Union." And then things began to happen because "soldiers sprang to arms all over the country and the whole broad land became one mighty camp." "There were meetings in practically every city and town for soldiers. One such meeting was held at the courthouse in Galena, Ill., where Grant lived. Not a hundred people in Galena knew who this Captain Grant was, and when a medium-sized, stooped-necked, serious-looking man in blue army overcoat rose in his place, the crowded courtroom looked at him curiously." Someone said, "Get up on the platform! go up, Cap'n."

Grant said:

"Fellow citizens, this meeting is called to organize a company of volunteers to serve the State of Illinois in the defense of the Union. Before calling upon you to become volunteers, I wish to state just what will be required of you. First of all, unquestioning obedience you will have to give to your superior officers. The Army is not a picnicking party nor is it an excursion. You will have hard marches in rain and snow. If you put your name down here, it shall be in full understanding what the act means * * *"

Then "there came a telegram from the Governor of Illinois asking if Grant would accept the command of the 21st Illinois Regiment and so Captain Grant became Colonel Grant." He arrived at Camp Yates and was introduced to the audience by a Congressman named Logan who simply said, "Illinoisans! allow me now to present to you your new colonel, U. S. Grant." Of course, the soldiers cheered * * * from an unruly, careless and disobedient set of men, the 21st Illinois Regiment developed into an orderly, well-trained soldierly regiment.

Grant always knew what he wanted and how to get it. "He was strict, but never ugly, firm, yet always friendly; determined, yet never tyrannical." Grant was now made brigadier general and was sent to take charge of a large district south of St. Louis and all of southern Illinois. He made his headquarters at Cairo, Ill. He immediately sailed down the river to Paducah with his soldiers and occupied the town and the Union forces had secured a footing in Kentucky.

Taking 3,000 men with him, Grant started to break up a camp of Confederates at a place called Belmont on the Mississippi, 20 or 30 miles from Cairo. A fierce battle followed, and it was Grant's first battle in the Civil War.

The Confederates on the river were reinforced by more troops. They turned, spread out their lines and swooping down on the Union troops fairly surrounded them. At this, Grant's officers were greatly alarmed. They supposed, of course, that they were captured. One said, "What shall we do, we are surrounded." "Well," said Grant, "We cut our way in, we've got to cut our way out." * * * and they did.

"The battle of Belmont was fought on November 7, 1861. It was the first step toward breaking into the Confederate lines. At once, General Grant decided to make a still greater step and clear the Confederates away from the two forts they had built on the Tennessee and Cumberland Rivers in northern Tennessee." With 17,000 men and seven gunboats to help him, Grant moved at once on Fort Henry on the Tennessee. Grant received instruction, "hold Fort Henry at all hazards," but he was not ordered not to take Fort Donelson, so he set out to do it.

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[7] The True Story of U. S. Grant, by Elbridge S. Brooks, Lothrop, Lee & Shepard, Boston and New York, 1939.

"So, with 15,000 men, he marched against Fort Donelson and confronted an army of 21,000 men, protected by strong fortifications. In a while, he had the southern forces in retreat and Grant gave orders to charge the Confederate fortifications. They did this gallantly, and they captured them; and that night the Union soldiers slept at Fort Donelson."

"Grant at once advocated another advance. He had broken into the rebel lines at Belmont. He had cleared the rivers by the capture of Fort Henry and Fort Donelson. Now he wished to go a step further and attack the Confederate base of railroad communications at Corinth in northern Mississippi. If he succeeded in this, he would break through their second line of defense." Grant was encamped at Pittsburg Landing on the Tennessee River when "Albert Sydney Johnston, the Confederate general, and a gallant leader, determined, like Grant, not to wait to be attacked, but to attack. So, on the sixth of April, Johnston with an army of 40,000 men, fell upon Grant's force of 25,000, striking it at Shiloh church 3 miles from Pittsburg Landing. There a terrible battle was fought. It was as Grant said, 'a case of southern dash against northern endurance'."

Shiloh turned out to be a Union victory and "so the second line of Confederate defense was broken and Grant pushed onward for a third move." This was by "starting at its main center of communication, the city of Vicksburg on the Mississippi. If that were captured the Mississippi would be freed and the Confederate cut off from its western base. Step by step he worked toward his objective point. Battles were fought, advances made, territory occupied, and finally with 25,000 men under his command and a clear field before him he moved against Vicksburg, called from its importance and its strength, the Gibraltar of the Mississippi."

"The Confederacy awoke to its danger and tried to stop him. But it was of no use. Grant could not be stopped."

"On the third day, a white flag appeared on the works at Vicksburg and General Grant received a letter from the southern commander, General Pemberton, asking for terms of surrender."

"To this request, Grant returned his customary answer: 'The unconditional surrender of the city and garrison. I have no terms other than these'." It was about this time that the people caught on to Grant's initials U.S. and began to call him Unconditional Surrender Grant.

With the surrender of Vicksburg, the Mississippi River was free from the lakes of Minnesota to the Gulf of Mexico. The tanner's son had thus become a great and successful general because at this time, he was made a major general and received the following letter from President Lincoln:

"MY DEAR GENERAL: I do not remember that you and I ever met personally. I write this now as a grateful acknowledgment for the almost inestimable service you have done the country. I wish to say a word further. When you first reached the vicinity of Vicksburg, I thought you should do what you finally did—march the troops across the neck, run the batteries with the transports, and thus go below; and I never had any faith, except a general hope that you knew better than I, that the Yazoo Pass expedition and the like could succeed. When you got below and took Port Gibson, Grand Gulf and vicinity, I thought you should go down the river and join General Banks; and when you turned northward, east of the Big Black, I feared it was a mistake. I now wish to make a personal acknowledgment that you were right and I was wrong.

"Yours very truly,

A. LINCOLN."

"Congress, too, sent a vote of thanks to this modest victor, and the legislatures of some of the Northern States followed suit." Lincoln further wrote at this time, "the Father of Waters again goes unvexed to the sea; the tide of war has turned indeed and America has discovered her greatest soldier."

Grant had done it all; his brain had thought out, his hand had worked out all this plan of victory, from Shiloh to Chattanooga. Yet, when he was leaving the West for the East to take his greatest command, he wrote to his best and most beloved assistant, General Sherman, who was to make that remarkable "march to the sea," a letter in which he gave Sherman thanks and credit for the help he had been to Grant in his western campaign. "There are many officers to whom these remarks are applicable to a greater or less degree, but what I want is to express my thanks to you and McPherson, as the men to whom, above all others, I feel indebted for whatever I have had of success."

For the first time since his cadet days, Grant was now in the City of Washington, and for the first time in his life, he met Abraham Lincoln. On March 9, 1864, Abe Lincoln handed Grant the paper which made him Lieutenant-General of the Armies of the United States.

"General Grant," said the President, handing the soldier his commission, "the Nation's appreciation of what you have done and its reliance upon you for what still remains to be accomplished in the existing great struggle, are now presented with this commission, constituting you Lieutenant-General in the Army of the United States." This order placed him in command and leadership of a mighty army of 700,000 men.

"So to make all parts of the army, East and West, work together, his plan was to hurl his armies against the Confederate armies; to keep hurling them; to give the enemy no rest; to give him no chance to draw away troops from one part to reinforce another, and, as he declared, 'to take no backward step.' That was one thing Grant never did—go backward."

"It took a year for Grant to carry out his plans, but he kept steadily at work. He had quite another piece of work on hand than he had yet attempted—the conquest of General Lee, the greatest general of the Confederacy. In Lee, he knew that he was matched against a leader who was bold as well as cautious, determined as well as patient, masterly as well as wily, and, in every way as the old saying goes 'a foeman worthy of his steel'."

"Give the enemy no rest, strike him and keep striking him. The war must be ended, and we must end it now."

At last, the weary President Lincoln at Washington, with a great sigh of relief knew that he had, at last, a general at the head of his army upon whom he could rely to the end.

In April, "just 13 months after the President had handed to General Grant at the White House his commission as head of the Army, the end came." "Sherman had made a path for his army through Georgia and marching to the sea had cut the Confederacy in two; Sheridan, at the head of a wonderful body of cavalry had ridden around Lee's entire army and kept it from running away and from getting any more supplies of food or ammunition; Thomas, at Nashville, held back the western armies of the Confederacy and defeated them so that they could not go to the aid of Lee; Meade, the hero of Gettysburg, marking as Grant's right hand man at the head of the Army of the Potomac, executed all the orders of his chief with determination, precision, and dispatch; and, at the center of all stood Grant—firm, unyielding, aggressive, imperative; saying a thing and doing it, too; striking, striking, striking—until at last, in the apple orchard at Appomattox the last stand was made, the last gun fired, the white flag fluttered out and Lee, serene even in defeat, in the little McLean farmhouse met the triumphant general of the Union and surrendered himself and his entire army prisoners of war.

"Dressed simply, in a soldier's blouse, without a sword, his general's shoulder straps the only mark of his rank, General Grant met General Lee in McLean's farmhouse and arranged the terms of surrender.

"Before Grant's day a surrender meant a disgrace, a punishment or a terror. Leaders in rebellion were imprisoned, hung or shot; soldiers were penned up like criminals, homes devastated, lands laid waste. Surrender meant savagery.

"Now it meant release, relief, friendship." Read what Grant wrote to General Lee at Appomattox Courthouse, Va., on the ninth of April, 1865:

"In accordance with the substance of my letter to you of the 8th instant, I propose to receive the surrender of the Army of Northern Virginia, on the following terms, to wit:

"Rolls of all the officers and men to be made in duplicate, one copy to be given to an officer designated by me, the other to be detained by such officers as you may designate.

"The officers to give their individual paroles not to take arms against the United States until properly exchanged, and each company or regimental commander to sign a like parole for the men of their commands.

"The arms, artillery, and public property to be parked and stacked, and turned over to the officers appointed by me to receive them. This will not embrace the side-arms of the officers, nor their private horses or baggage." * * *

"I will instruct my paroling officers that all the enlisted men of your cavalry and artillery who own horses are to retain them, just as the officers do theirs. They will need them for their spring ploughing and farm work."

"General," said Lee earnestly, "there is nothing you could have done to accomplish more good either for them or for the Government."

"Then General Lee mounted his horse; he and Grant saluted each other like gentlemen and soldiers; the Confederate chieftain rode back to his army, and the long conflict was over."

ROBERT E. LEE [5]

In the book reviews I made on the lives of General Marquis de Lafayette, Chief Justice John Marshall and Patrick Henry, I touched on the period during the Revolutionary War; in the book reviews I made on the lives of Henry Clay and Daniel Webster, I touched on the period during the War of 1812; in the book review I made on Teddy Roosevelt, I touched a bit on the Spanish-American War of 1898 and a bit on the First World War; and finally, the book review on the life of Franklin Delano Roosevelt, I touched on the period of World War I and World War II. I have decided that it would be appropriate at this time to review a few biographies covering the period during the Civil War, and for that purpose I cannot imagine a more appropriate review than the biography of Robert E. Lee.

The first Lee in America was Richard Lee, sixth generation ancestor of Robert E. Lee. In other words, Richard was the great, great, great, great, great, great grandfather of Robert E. Lee. When Richard, the first Lee in America died in 1664, he owned some 25 square miles of rich Virginia soil.

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[5] Robert E. Lee, by Guy Emery, Julian Messner, Inc., New York, 1951.

Richard's descendants prospered through the following century until by the time of the revolution there were no more illustrious names in the annals of the new republic than the Lees, except that of Washington himself. Such Lees as Richard, Henry, Arthur, Thomas, William, Francis, and Lightfoot were men of station, ability, wealth, and integrity. Two were signers of the Declaration of Independence. "The list of Members of Congress, Governors of Virginia and other holders of public office was endless. Young Robert E. Lee grew up in the midst of this tradition."

Robert E. Lee decided on a military career at a very early age. In fact, as a young boy he decided he would go to West Point. He finally ended up there when he was 18 in 1825. When he entered West Point he had brown hair, a dark complexion, grey eyes, he was 5′ 10″ and weighed 180 pounds. Robert E. Lee was the son of Henry (Light Horse Harry) Lee of Revolutionary War renown. It was he who coined the patriotic phrase with reference to Washington: "First in war, first in peace, first in the hearts of his countrymen." For all his renown in the military, Light Horse Harry led a rather profligate life. He spent two fortunes. He spent one he inherited from his own parents and then he spent the fortune from his second wife, Ann Carter. Ann Carter's father had to set up a trust for the four children of Light Horse Harry Lee and Ann Carter to keep Light Horse from spending every single nickel he left to his daughter.

Robert E. Lee was the son of Light Horse Harry Lee by second marriage so Lee had a number of half-brothers and sisters. Light Horse Harry Lee was an inveterate gambler and he gambled everything he could lay his hands on. When the war between England and the United States broke out in 1812, Light Horse Harry was against going to war with England. As a matter of fact he took a boat and sailed to the British Colony of Barbados. He joined Alexander Hamilton and other noted Federalists in a publication of an antiwar editorial in a newspaper in Baltimore called the Baltimore Federal Republican. As a result of this editorial, the editor of the paper, Alexander Hanson, and a number of other people were killed and eight others were left on the ground for dead including Light Horse Harry Lee. The mob jabbed Harry "with knives and poured hot candle grease in his eyes." "One tried to cut off his nose with a penknife." It was only Light Horse Harry's stamina that kept him alive and pulled him through. Much later, "half blind, crippled and disfigured, they brought him home an invalid for life." So as a child of only 5 or 6 years of age, Robert E. Lee knew his father as an invalid and in the eyes of many people as a ne'er-do-well despite his glorious accomplishments in the military field.

Anyway, as I have said, Robert E. Lee entered West Point in 1825. The motto then was as it is today: "Duty, Honor, and Country," and Robert E. Lee lived and breathed this motto throughout his life

Lee was once asked what trait of character one should teach or inculcate in a young boy and his answer was teach him self-denial. Lee practiced this trait of character throughout his studies at West Point and in fact throughout his long military life.

At West Point his roomate or, rather, his tentmate, was a young man from Georgia by the name of Jack Mackay. The demerit system at West Point was instituted by a young man named Thayer. Under the system, demerits were imposed for "infraction of regulations no matter how slight." The demerit system involved a range of 10 points upwards for tardiness in class or for a speck of dust on a shelf. Nothing more serious than a daily failure of keeping one's room neat meant a "discharge for deficiency of conduct." Nevertheless "Robert E. Lee went through all 4 years of the corps without a single demerit." Paragraph 21 of the Demerit Regulations said, "Cadets will not engage in fisticuffs. Violation of this regulation would be punishable by 5 demerits and 10 * * *." Once Jack Mackay came in with a blackened eye and Lee asked him what the matter was. "I have never been in a fight and you know it—and I wouldn't have been in one this time except for you." Lee got up and said, "For me! Why?" "They call you Marble Model." "Marble Model?" asked Lee, "Why?" Jack Mackay said because "you are better than they are and they know it and are jealous of you." When graduation time came along Lee was ranked No. 2 in a class of 45 who survived the 4 years at West Point. "Standing so high, he was permitted to select his branch of service. He chose the Corps of Engineers, the elite of the Army." So you see Lee had a degree in engineering. His first assignment was on an island at the mouth of the Savannah River in Georgia. This was not very far from the plantation home of Jack Mackay, who had two beautiful sisters, and they spent many a weekend together as bosom friends.

The wife of George Washington, Martha, was married twice. The first time to a man whose last name was Custis. She had a grandson named George Washington Parke Custis. George Washington adopted him as his legal heir, and this was something very serious because George Washington was reputed to be the wealthiest man in Virginia. Now George Washington Parke Custis, Martha's grandson and George Washington's adopted grandson, had a daughter named Mary Ann Randolph Custis. Robert E. Lee married Mary Ann on June 30, 1831. So you see Lee was married to the great granddaughter of Martha Washington and the great granddaughter of George Washington. Part of the inheritance Lee received was a huge plantation known as Arlington. Part of the Arlington Plantation is now within the city limits of Washington, D.C., where the National (Arlington) Cemetery is and where soldiers from every American war from the Revolutionary War up to the Vietnam war are buried, and the Custis home which Lee and Ann occupied during their married life is one of the favorite sights to see in Washington even to this day along with the Lincoln Memorial, the Tomb of Thomas Jefferson, the Washington Monument.

Lee's first child, a boy, was born in September 1832, and was named appropriately George Washington Custis Lee, after his parents, Robert E. Lee and Mary Ann Randolph Custis and his great grandparents, Martha and George Washington. In due time Lee and Mary Ann had six more children, two boys and four girls. Lee's second assignment was on the upper Mississippi River and his engineering problem was simple enough: Mainly "the construction of dikes and breakwaters which would force the stream back to its old channel. The currents themselves would then take care of cleaning out the obstructing silt." That he made a huge success was testified to by the people of St. Louis whose mayor said: "By his rich gift of genius and scientific knowledge, Lee brought the Father of Waters under control. * * * One of the most gifted and cultivated minds I have ever met with, he was as scrupulously conscientious and faithful in the discharge of his duties as he was modest and unpretending. He had none of that coddling and petty puerile planning and scheming which men of little minds and small intellectual caliber use to make and take care of their fame. The labors of Robert E. Lee can speak for themselves."

Lee spent his 31st to 34th years on the Mississippi River to which he devoted himself fully. At that time there was what was known as a commission to carry out the examinations at West Point in lieu of what used to be called the Board of Visitors. The Chief of the Commission was Maj. Gen. Winfield Scott, hero of the War of 1812 and the new commanding general of the Army. At this time, his 34th year, Lee was made captain, and was appointed as one of the officers to attend the final examinations at West Point. Thus Lee became under the direct jurisdiction of the commanding general of the Army, Major General Scott, and saw an opportunity for great advancement. He did not muff the opportunity and "the good opinion Scott had of him was afterwards a powerful influence in shaping Lee's career."

In the story of Lee's life, we are now in the spring of 1846 when "the Mexican Government again refused to receive the American Minister, Slidell" of Louisiana. In May 1846 a dispatch came from General Taylor that his forces had clashed with the Mexicans near the Rio Grande, and we soon found ourselves at war with Mexico.

At this time Lee was still regarded as the handsomest man in the Army. One described him as follows: "He was as fine a looking man as one would wish to see, of perfect figure and strikingly handsome. Quiet and dignified of manner, always pleasant and considerate, he seemed to me to be the perfect type of gentleman." Lee seemed even handsomer and larger on horseback which he mounted with straight back and shoulders. Lee's favorite horse was named "Traveller." Lee had never known a day of illness.

At this time Lee was assigned to San Antonio, Tex., where he had to report to General Wool. As a matter of fact, this was Zachary Taylor's army, fresh from successful battle against the Mexicans. In time Zachary Taylor became President of the United States and the father-in-law of Jefferson Davis, who became President of the Confederacy.

Lee's first taste of cannon shot was on board a small ship called the "*Petrita.*" An attempt was made of bombardment of the Mexican fortress. As a matter of fact the fortress' guns were better than those of the small ship and someone said to General Scott, who was then also on board the ship and in command over Lee and the entire Army, "Let's try to pierce the wall of the fortress with artillery shells" and Scott said, "You know fully well the water is too shallow to bring you within range of the fortress." But the man said, "I am not talking about shooting from the ship, I have in mind landing our guns on shore." "Can you get your heavy guns ashore?" Scott asked. "My men can take their guns anywhere." Scott said, "Bring them in. Captain Lee will prepare emplacements for every gun you can set on dry land." It was at this time Lee showed his skill as an engineer because he dug into the sand, set up embankments with sandbags which made the bombardment most effective and on the third day the Mexicans capitulated.

By this time Captain Lee had become Lieutenant Colonel Lee and the Department of the Army sent him back to pile driving and concrete pouring for seacoast fortifications, this time in Maryland. He stayed 4 years, from 1848 to 1852. He stayed close to Baltimore where he and his wife found a house and he was at last with his family for a while.

In 1852 Colonel Lee was made commanding officer at West Point.

At this time Jefferson Davis was Secretary of War and in 1855 succeeded in obtaining funds from Congress to expand the Army. It authorized four new regiments, two infantry and two cavalry. Albert Sidney Johnston, one of Lee's classmates, was named commander of the 2d Cavalry and Lee was named second in command. Lee retired from the Corps of Engineers and joined his new cavalry regiment at Louisville, Ky., and from there he went to Texas where the regiment had moved. "It was a country good only for snakes, wolves, and Commanches, blood brothers to both." In his new place of assignment he had to deal with the chief of the Commanches, a redskin with six wives.

In the meantime, slavery was becoming a burning question. Thinking southerners had recognized slavery as an evil since the time of Thomas Jefferson, and Lee had been among those. He set many of his slaves free and permitted some to go to Liberia, which had been created as a haven of refuge for free slaves.

One day an urgent message was announced to him. The message said, "Lieutenant Stuart, J. E. B., Sir. Colonel Drinkard's compliments, and he requests that you report to the Secretary of War at once." This was to be the Jeb Stuart who played such a prominent part in the Civil War and failed to report on time with his cavalry to win the Battle of Gettysburg. Actually what Jeb Stuart had to say to Lee was that there was "a slave insurrection taking shape at Harper's Ferry," under the command of a noted abolitionist from Kansas called John Brown. It fell to Lee's lot to order the storming of the place occupied by John Brown and in the affair four men were killed and a few were wounded.

And then the word secession spread like wildfire. There was a split in the Democratic ranks and Lincoln was elected President of the United States. In 4 days South Carolina assembled a convention on secession and Lee said in agony, "The whole South seems to be in convulsion." This was a soul-searching occasion on the part of officers of southern blood who had graduated from West Point and who were part of the Federal Army. "While I wish to do what is right, I am unwilling to do what is wrong," Lee said.

General Twiggs was cashiered for his surrender in Texas during the war in Mexico, and Sumner was promoted to fill the vacancy, leaving the 1st Cavalry without a colonel. Lee was promoted to full colonel as General Scott had promised.

Such was the state of the situation as late as April 7, when his old associate of Mexican days, Beauregard, opened fire on Fort Sumter. "The first shot had been fired and Lincoln called for 75,000 volunteers." About this time Lee was called in to see Mr. Blair, Lincoln's new Postmaster General. Blair told Lee, "General Scott is also one of your sincere admirers. An admiration which is all but idolatrous. In fact I understand it was the general's suggestion that the Government insure your life for $5 million. A high price on any man's head." Lee said, "I have always appreciated the general's regard." As a matter of fact, General Winfield "Old Fuss and Feathers" Scott once said, "God had to spit in his hands when he made Robert E. Lee." There followed a serious discussion that the Army of the Union would amount to 100,000 men and Blair told Lee, "The President has authorized me to offer you the field command of that force." Lee said, "I am sorry, Mr. Blair, I am and I have always been an opponent of secession. I can think of nothing worse for the country than that this should lead to war. Yet I could not—I cannot—take any part in an invasion of the South." Later on Lee called on the General of the Army, General "Old Fuss and Feathers" Scott, who told him, "Lee, you have made the greatest mistake of your life." Lee told him, "My soldier's mind tells me that, yet my heart knows that I could not do otherwise." On April 20, 1861, Lee resigned his commission to Mr. Simon Cameron, the then Secretary of War.

"He was a professional student of war, as profound as any alive. He knew that the North's 23 millions against the South's 9 did not, by themselves, constitute unbeatable odds. But the potential might of the industrial North in the vital matters of equipment and supply which are the lifeblood of armies, as opposed to the agricultural economy of the South, was beyond comparison."

Lee was next called in by Governor Letcher of Virginia who told him, "I have sent a messenger to offer you the command of the Virginia forces, Colonel Lee, with the rank of major-general. I suppose you passed him on the way. The convention created the post, and the advisory council recommended you to occupy it. Will you take it?" "I should consider it an honor, sir," Lee replied. Governor Letcher told him, "there are two things I can assure you—you won't get advice and you won't get political appointments. Applications of officers, former officers, would-be officers—they're piling up on my desk like snow. You pick the ones you want."

Lee found that his new assignment involved men who were rough and undisciplined, but under the ministrations of Stonewall Jackson they became the finest infantry the world had ever seen. Yet Lee's problem in the spring of 1861 was not men. Many of them had to be sent home for the very lack of food to keep them alive. A newspaper article published at the time said:

"We believe we inform the public with considerable accuracy on this point when we declare that the State's means of resistance are simply nil. Virginia has a few serviceable arms and scarcely any powder. The whole amount on hand is 200 kegs and 240 more are ordered."

And such was the situation throughout the war. Such ammunition as Lee needed he had to capture from the North.

The battle was joined at last and on July 21, 1861, came the battle of Manassas. Jefferson Davis, the Confederate President, could not resist overemphasis on the victory. As a matter of fact, however, at about the same time there was disaster in the West and so Lee had to make a trip to the West to inspect the situation of his forces and found a disaster had happened in West Virginia at a place called Rich Mountain. While he was gone he received a message from Jefferson Davis, "If circumstances will, in your judgment, warrant your leaving, I wish to see you with the least delay."

Upon arriving in Richmond, Lee found that the Confederate Congress did not share Jeff Davis' own appraisal of his own military genius, and a resolution had been made to nominate Lee to head all of the armed forces. Yet Lee insisted and Jefferson Davis agreed that this was a violation and "infringment of his prerogative under the Confederate Constitution," so he vetoed the bill and at the same time ordered Lee "to duty at the seat of the government," and made him responsible "under the direction of the President," for the conduct of all military operations.

Then came the 7-day struggle to defend Richmond with General McClellan only 3 miles away with more than 100,000 men threatening the capital of Richmond. McClellan's forces amounted to over 105,000 men while Lee's amounted to something like 85,000 men. But though outnumbered, Lee won. When the struggle began, "the Union army was 3 miles from Richmond. At the week's end, they had been harried clear to the James, penned up at the foot of the peninsula at Harrison's Landing waiting for the Navy to come take them off. They had met the flower of the Northern Army—the cream of its commanders. They had the men in gray outnumbered and outgunned. Yet they had lost, without quite understanding how." "The shock to the morale of the men in blue was staggering, but they had their own qualities of determination and valor to draw upon." "The terrible legend of the army of northern Virginia was born on the peninsula. Fathered by the genius of its commander, it sprang from the sheer, naked courage of the Confederate infantry." In years to come, the grandsons in World War I, and their great-grandsons in World War II of those men might be as great; none ever were better.

Lee had learned when he dug into the sand and had the protection of the earth embankment at Vera Cruz, when dealing with untrained, or half-trained, troops, "a man who had the physical protection and moral comfort of well-constructed earthworks was worth two in the open. Two years later, in front of Petersburg, the war was going to be prolonged through a dismal winter because of that one principle." So trench warfare was born. As a matter of fact Lee developed this technique to such perfection that his methods were adopted 100 percent by both the Germans and the allies throughout World War I.

In the 7 days' defense of Richmond, "Lee mounted a big gun on a railway flatcar and ran it up and down the line, thus outgunning and outdisplacing the Union artillery, he did not think of it as the invention of railway artillery, but merely as the logical conjunction of two useful pieces of apparatus." Here again was developed the art of railway artillery which was used many times during the Civil War.

It was in this famous 7 days of battle that a high "eerie, strange fox hunter's call swelling from thousands of throats was heard. Lee and the Federals had heard their first rebel yell."

"But there were other things to hamper and harass him as the North sent invading army after army across the Potomac, each under a new commanding general. The army of northern Virginia knocked them down, one after the other, like tenpins, yet decisive victory forever eluded it."

"The reason was always the same—poverty. Poverty in everything that makes an Army, save brain and heart alone. The brain was Lee's; the heart was in the collective breasts of all the hungry, ragged footmen who went where he sent them and did what he asked without question or complaint."

"The faint hearts—the fair-weather patriots and the young dandies who didn't find the iron in their souls when they looked again—were gone. Those remaining were the men who could not die. They were also the men who had somehow learned to live without eating."

"Lee had to go to Maryland and fight at Sharpsburg and Fredericksburg so that his men could eat. The battlefields of northern Virginia—the whole country between Gordonsville and the Potomac—had been stripped clean. Northern cavalry burned it out, to make sure that Lee couldn't support an Army there." "There was no doubt, now, in the minds of the Southern people as to where—and where alone—their hopes rested. Before it was over, they would demand that the Government turn over the complete direction of the war, both political and military, to Lee. But a man who would not face Jeff Davis with his fist on the table to save his men from starving was not cut to the pattern of a dictator." Things might have been different if Lee had accepted the offer.

"He believed throughout that the lone hope of the Confederacy lay in a military victory so crushing and complete that it would weaken the North's will to continue." "But something always happened" to elude victory for him. "At Chancellorsville he came close to victory." "At midnight, while Stonewall Jackson was making his preparations for the dawn attack which would mean the final destruction of the Army of the Potomac, a nervous youngster in a Confederate outpost saw a group of horsemen approaching. Taking them for Blue Cavalry, he fired a startled shot into their midst. Stonewall Jackson fell from his saddle mortally wounded," killed by one of his own men. But still it was a victory at Chancellorsville, and talk once more came from abroad that England and France might join the Southerners in the contest against the North. So confident that aid would come from abroad, a man called "Alexander Stephens went to Maryland to meet Union peace commissioners. Lee led the Army of northern Virginia—hungry as ever but strong and battle-tested—north into Pennsylvania to give point to Stephen's arguments."

"His objective was Harrisburg and the Susquehanna bridges, which joined the two halves of the North together. But Jeb Stuart went riding into Maryland and forgot for 3 expensive days that his cavalry was the eyes of the Army. Without him Lee was left groping blindly—guessing at the whereabouts of the Army of the Potomac and its new general, Meade."

Gettysburg was Lee's greatest battle and again a subordinate had failed him. Of all people that subordinate was the famous Jeb Stuart, commander of the Cavalry and eyes of the Army. Yet Lee said and believed, "It was all my fault." Of Longstreet, long afterward, he said, "General Longstreet was brilliant once in the fight, but the hardest man to move I ever had." And, again, "If I had had Stonewall Jackson with me, so far as man can see, I should have won the battle of Gettysburg."

In the spring, however, one of Lee's scouts came back from Washington with important news. "The scout—or—spy reported that he had taken his dinner at the Willard Hotel, evening before last. While he was eating, a stocky, brown-bearded man in the uniform of a Union general had been ushered to a seat at a neighboring table. Coming through the crowded room, the officer had had an odd, rolling gait—tilted forward as if he were about to lose his balance at each step. He might have been drunk; but it wasn't that, the spy said, which had set all the diners to whispering. They were telling one another that this was Mr. Lincoln's new general, just arrived from the West. His name was Grant." And finally, the scout or spy told Lee, "Marse Lee, they also told me that that man Grant don't scare worth a damn."

One of Lee's staff members said, "Mr. Grant, Mr. Lincoln has had to go far down into the barrel, this time. They forced Grant to resign from the Army for drunkenness. And he could not even remain sober the day he reported for duty!"

"No, Sir," the scout said, "he wasn't drunk. In fact the officer he was with tried to pour him some wine. I saw Grant hold his hand over the glass, and heard him say, 'No, when I start, I don't stop. So I don't start'."

"Despite the opinions of the juniors on his staff, Lee well knew that he and his Army were about to meet the ultimate test. This was to be the struggle of the giants."

Lee's men "died by the thousands—in the wilderness, at Spottsylvania Courthouse, at the Bloody Angle—for their blind belief in Lee. Throughout those frightful days Lee gave his military successors lasting lessons in tactical skill, in moving troops, and in sheer genius of improvisation. Still it was not enough. The odds were too pathetically great." So the road led to Appomattox.

"Grant scribbled out the terms of surrender. They were very fair and Lee signed them with a courteous word of thanks as he read the lines allowing his men to keep their horses and side arms. They shook hands and Lee took the first step toward the door and oblivion. Then he hesitated and turned back, in visible unease. The old, familiar words rose to his lips." "Would it be possible, General Grant, for your quartermaster to issue my men some rations?" So at long last Lee's men had a good meal due to the generosity of the Union force under the command of Grant.

It is said that Lee never once bawled out a soldier or subordinate during the entire Civil War. When one compares that with General Patton who slapped a whining soldier who was a patient in a hospital during World War II, we can understand the tremendous patience Lee had. He never lost his patience or his head. His principle of self-denial and self-discipline had paid off because he had lived up to the spirit and very letter of the code of West Point: "Duty, Honor and Country."

THEODORE ROOSEVELT [9]

Bringing the lives of famous men more up to date, I have finished reading the life of Theodore (Teddy) Roosevelt. Although he was born a well-to-do aristocrat, and although he served two terms as a Republican President, there never was a more Democratic individual in the true sense of the term; nor did any more active and vigorous man ever live in the White House. Yet Teddy was a very sickly boy. As a child he suffered with asthma, and his body was so weak that he could not attend public schools and had to receive his elementary education through private tutors. By force of his courage and determination he turned weakness into strength, health, and vigor. He took up boxing at Harvard and even as President he used to practice jujitsu and wrestling in the White House. When he was in his early 20's he bought a ranch in North Dakota and spent 6 years raising cattle and writing books. Although his adventure was a net loss he made up the loss with the sale of some of his books dealing with outdoor life. There never was a more forceful and dedicated man to occupy the high office both as Governor of New York and President of the United States. Some of the positions he occupied and some of his exploits and accomplishments include the following:

In 1889 President Harrison appointed Teddy Roosevelt to the National Civil Service Commission. Although theoretically the law was intended to establish a so-called merit system, the system was unenforceable. As a matter of fact since the time of Andrew Jackson in 1830 the country continued to operate on the basis "to the victor belongs the spoils." Teddy instituted a system of honest written competitive examination. When he took the job with the Civil Service Commission there were only a handful of employees in the system but when he left the job he put over 100,000 on the merit system through written competitive nonpolitical examination.

When Grover Cleveland, a Democrat, became President of the United States in 1892, some of his political supporters urged him to remove Roosevelt from the Commission. Cleveland is reported to have said:

"You do not know Theodore Roosevelt. I do, and I tell you that he is one of the ablest politicians either party ever had and the ablest Republican politician in this generation. The country will find this out in time.

"If I keep him where he is, he can't do us any harm; if I remove him and make a martyr of him, he has political ability enough to do us serious damage. I shan't remove him."

President McKinley appointed Roosevelt Assistant Secretary of the Navy in 1897. "Teddy's first task with the Secretary of the Navy was to build up the Navy so that it would be something worthy of the name. For many years after the Civil War there was simply no Navy at all." About the time Teddy was appointed Assistant Secretary the policy was to build about one ship per year, but through Teddy's forceful determination to build up the Navy the number of ships built amounted to many times the former number per year under the old policy.

As you know Cuba had been a Spanish Colony for a long, long time. The way the Spaniards treated Cuba was perfectly outrageous and in February 1898 the Spanish made the mistake of blowing up the United States vessel called, "The Maine," and the slogan at that time was "Remember the Maine." Congress declared war on Spain in April 1898, and passed a law providing for the raising of three regiments of volunteer cavalry and from this authorization Teddy achieved one of his greatest exploits. He decided to recruit the regiment to fight the war in Cuba. The composition of this regiment was an odd lot. They were well-born and low-born people, white people, full-blooded Indians and half-breeds, high boys and low boys, cowboys and city slickers. But the important thing was they all worshipped the rough rider, Teddy Roosevelt. All were dedicated to Americanism and to beating Spain.

Teddy made good use of his boxing practice at Harvard while on his ranch in North Dakota. As everyone knows he was very nearsighted and had to wear thick glass lens. Once while in a saloon some roughian made the mistake of calling him "four-eyes" because of the shape of his glasses. Teddy gave him an uppercut, disarmed him and walked out of the saloon.

While Governor of New York, Teddy Roosevelt laid the foundation for his great efforts in the field of development and preservation of natural resources. In fact some of his policies while he was President are still followed today. For example, the policy that farmers and certain small municipalities have first call on electrical energy developed at Government hydroelectric dams was made and practiced by Teddy while President in 1903 and is still the policy today.

On April 21, 1901, when President McKinley was assassinated, and Teddy Roosevelt succeeded to the Presidency, he was only 42 years old and he was the youngest man ever to become President including Jack Kennedy.

The Venezuelan incident.

In 1902 Venezuela became indebted to Germany in the sum of $9.5 million which was a huge sum of money at the time. The Kaiser seized the custom houses in Venezuela in order to collect the debt and sent a fleet of cruisers to Venezuelan waters.

Teddy informed the German Ambassador to the United States that unless Germany withdrew her warlike activities and arbitrated he would send the United States fleet under Admiral Dewey to Venezuelan waters to protect Venezuelan interest and to prevent the acquisition of territory in the Western Hemisphere in violation of the Monroe Doctrine. Upon being informed that Germany was not interested in arbitration of the matter, Roosevelt told him, "Okay, then I will send Dewey a day earlier with the ships unless you arbitrate." Finally the Kaiser did agree to arbitrate the matter and even offered Roosevelt the job of arbitrator.

Roosevelt did not want to bother with this matter of being an arbitrator, but as a result of his policy of talking softly but carrying a big stick, the trouble between Germany and Venezuela finally disappeared.

Teddy Roosevelt and the Panama Canal.

As we all know President Roosevelt spark plugged the construction of the Panama Canal and in 1911 he had this to say about the Panama Canal:

"I am interested in the Panama Canal because I started it. If I had followed traditional conservative methods I should have submitted a state paper of probably two hundred pages to the Congress and the debate would have been going on yet, but I took the Canal Zone and let Congress debate and while the debate goes on the canal does also."

Arbitration of the war between Russia and Japan.

In the early 1900's Russia went to war with Japan. After the war had lasted 16 months and the belligerents had practically exhausted their resources, Roosevelt in May, 1905, began negotiations to bring the Russo-Japanese war to an end. First he "communicated with the German Kaiser urging him to bring pressure on the Czar of Russia and then he used England to bring pressure on Japan for the purpose of bringing the matter to the peace table." The parties could not agree where to hold the peace talks but finally agreed to commence them on the Presidential yacht, the Mayflower at Oyster Bay, New York. From there the negotiations were transferred to the Navy Yard at Portsmouth, New Hampshire. On August 10 the negotiations began and on the 5th of September a treaty was signed bringing peace with Russia and Japan as a result of the arbitration of Teddy Roosevelt.

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[9] Theodore Roosevelt and the Great Adventure, by Charles F. Clarke, Garner Publishing Co., Des Moines, 1959.

The battle fleet around the world.

In the latter part of 1907 President Roosevelt sent the United States battle fleet around the world. Nothing like that had ever been done before. As previously indicated by this time he had pressured Congress to authorize four battleships instead of one as prevailed in the old policy. He argued that a strong Navy was our best protector for maintaining the peace. He assembled 16 ships of our battle fleet together and on his own impulse sent them around the globe. It is noted that he had a spark of genius to making a good decision under pressure or as an impulse. In any event, nothing contributed more to making our country a world power than Roosevelt's handling of the Panama Canal, the settlement of the Russo-Japanese War and the sending of the battle fleet around the world.

Monopolies and combinations in restraint of trade.

President Roosevelt talked a great deal of the malefactors of wealth. Prior to his time the practice was that the barons of wealth monopolized a particular element of our economic life. For example, there was the sugar trust meaning that one company had control and ownership of practically the entire sugar output, marketing and transporting in America. There was the railroad trust meaning that moguls got together and monopolized the running of the railroads in America. Two of the biggest trusts were the sugar trust and the oil trust. For example, the Standard Oil Company at one time owned, operated and transported something like 90 percent of all the oil, gasoline and crude oil products in the United States.

Rebates and favored rates to favored shippers.

One of the methods used by the trusts to get control of business and to force competitors out of business was by the device of giving and acceptance of rate rebates. It became customary for shippers, particularly the Standard Oil Company, to pay for shipments of oil the amounts charged as shown by the published rate. Thus after shipment the railroads would pay back to the shipper a certain amount paid according to the agreement the shipper had with the railroad company. These return payments or rebates were made in secret and the shipper who received the rebates could thus undersell its competitors and practically force them out of business. Sometimes lower rates were given by simply charging one shipper less than that charged a competing shipper without going through the formality of giving rebates. Of course, the railroad company that favored one shipper as against its competitor got a greater volume of business than the company that made no discriminations. Roosevelt caused the Interstate Commerce law to be amended in order to stop this practice of monopoly and restraint of trade and rebates to certain shippers.

Literally dozens of law suits were pending at all times by the Department of Justice under the pressure of Roosevelt to stop the monopolies' restraint of trade in America. In one case a Federal judge who was called Judge Landis, and who later became the Czar of baseball, assessed a fine of something like $30 million against the Standard Oil Company for violating this law.

To Teddy Roosevelt as the Governor of New York, as Colonel of the Rough Riders in the Spanish-American War, as President and otherwise throughout his life, life itself was a great adventure and always a great challenge.

The biography of Teddy Roosevelt called "Theodore Roosevelt and the Great Adventure" written by Charles F. Clark, is a book that you don't feel like putting down to go to bed because it is written in such a fine and entertaining fashion. In short, if I had to paraphrase Clark's presentation of Roosevelt's life, I would like to say this: Teddy Roosevelt was a Republican in fact, but intensely Democratic by nature; he was a politician but was completely honest and incorruptible; he was a worldly man but he was always an American to the very marrow of his bones. As a politician, as a man, as a hunter of bison and buffalo in Western United States, of elk and moose in Canada and Alaska, lions and tigers in Africa, as well as in carrying out his foreign and domestic policies, as a great President, he could always walk lightly but he always carried a big stick.

The last three chapters of this book are entitled: Chapter 16, The Joy of Life and the Duty of Life; Chapter 17, The Vigor of Life; and Chapter 18, The African Expedition. I am suggesting to Burt Willis, Jr. and Bert Delahoussaye that they read these chapters in full because I think as boys they would like to read an interesting description of what hunting big game in Africa was like during the days of Teddy Roosevelt, when one of his boys accompanied him on the trip.

When Teddy Roosevelt was President he permitted his four boys to romp in the White House at will and to ride horseback on the White House lawn. This was a part of the joy and vigor of life as he saw it. As a matter of fact I had an experience with Archibald Roosevelt, Teddy's son, some years ago. While in New York presiding over hearings of the House Committee on Un-American Activities, a bunch of conglomerate and mixed-up left wingers, pinko's and Communists picketed the front of the street of the hotel as a protest to the hearings. In a matter of hours Teddy's son, Archibald, called in all of the veteran organizations in New York, the VFW, the American Legion, the DAV, AMVETS and so on, and he picketed the picketers in defense of my committee on the other side of the street, and it was thrilling to see Americanism in action against un-Americanism.

Oliver Wendell Holmes[10]

I finished reading the life of Justice Oliver Wendell Holmes over the weekend and I enjoyed it very much.

He was severely wounded twice in the battle of Chancellorsville and Antietam. He bore the scars and pains of his wounds throughout his long life of 90 years.

He had an experience first with President Teddy Roosevelt, a Republican, in 1902 and with President Franklin Roosevelt, a Democrat, in 1933.

You see the Republicans remained in power from the time of Lincoln in 1860 until quite sometime after 1900, and they thought they had a special claim on the country, the courts and the Congress. Teddy Roosevelt seriously but, I think, honestly thought a Supreme Court Judge should hand down decisions and vote in accordance with Teddy Roosevelt's policy. When the time came to consider the appointment of Holmes in 1902, he was told that he had better watch out because Holmes was a highly independently minded individual. It happened, however, that Holmes made two speeches as the then Chief Justice of the Massachusetts Supreme Court which were very pleasing to the country. Based on those two speeches Teddy Roosevelt sent his name for confirmation by the Senate which came in due course.

Shortly thereafter a case came up before the Supreme Court known as the Northern Security case. This case involved an attempt by J. P. Morgan, and his financial robber barons, to merge practically all of the railroads of the country. Teddy Roosevelt had been elected as a strong believer of the antitrust laws and he was proud to be referred to as a trust buster. It happened, however, that Holmes wrote a highly intelligent dissenting opinion saying that the proposed merger was not against the antitrust laws. At this point, Teddy Roosevelt blew a fuse and it was only because of Holmes' outstanding record as a jurist that Teddy finally got used to him.

Then came the incident under Franklin Roosevelt in 1933. On the day of his inauguration before coming on the steps of the Capitol to be sworn in, he decided to call on Holmes who was over 90 years of age. Roosevelt said, Mr. Justice Holmes, as you know we have had a crash in the stock market in 1929 and ever since that time people who lost fortunes have been committing suicide, banks have been closing right and left and the country is in an awful mess. What would you advise me to do. Holmes straightened out his lanky old frame of a body, looked at Roosevelt squarely in the eye and said, "Mr. President, form your battalions and fight." It was thought that this was the inspiration which caused Roosevelt to press for such far-reaching legislation during the first 100 days of his administration.

Appropriately enough in my opinion the last chapter of the life of Holmes is entitled, "John Marshall and Oliver Wendell Holmes." The chapter is devoted to the high quality of service rendered by these two intellectuals and as the two most prominent Justices ever to serve on the bench.

During his long stay on the Supreme Court, Holmes surrounded himself with a nucleus of members of the Court which became known as the "liberal side." Outstanding among this Court was Justice Brandeis who had been appointed by Wilson, and who was, I think, the first Jew ever to serve on the Supreme Court. Anyway hardly a term of court would go by without Holmes and Brandeis dissenting in certain cases, and both of them became known as the "great dissenters."

In the last few months I have made it a point to read the lives of outstanding Americans who lived during the Revolutionary War including Washington, John Adams, Jefferson, Madison and Patrick Henry, as well as that outstanding Frenchman, Marquis de Lafayette. I think this has enlightened me a great deal on the history of our country prior to and for some years after the Revolutionary War.

Now having read the life of Holmes, who was a Yankee soldier during the Civil War, I intend to read the lives of outstanding Americans during the period of history of our great country. I have in mind such men as Robert E. Lee, Stonewall Jackson, Jeb Stuart, Lincoln, President of the Union, Jefferson Davis, President of the Confederacy, and probably others.

Franklin Delano Roosevelt[11]

It gives me personal pleasure to write this book review of the biography of Franklin Delano Roosevelt, popularly called F.D.R., entitled **FDR**: Architect of An Era, by Rexford G. Tugwell, who with Rosenman, Louis Howe and Harry Hopkins surrounded President Roosevelt throughout his career and were known as the "Brain Trust" of F.D.R.'s Administration.

Although F.D.R. and Teddy Roosevelt were respectively a Democrat and Republican, their public careers ran in parallel lines in remarkable respect. For example, both served in the New York State Legislature; they both became Governor of New York; they both served as Assistant Secretary of the Navy, Teddy as a Republican and F.D.R. as a Democrat under President Woodrow Wilson; they both ran for Vice President, Teddy being elected as such with President McKinley and F.D.R. defeated as Vice President on the ticket of James Cox in 1920. However, while Teddy became President as a result of the assassination of McKinley, F.D.R. did not succeed to the Presidency from an assassin's bullet but from the direct vote of the people. So closely parallel did the lives of these two men run that F.D.R. even rented Teddy's apartment in Washington from 1913 when he became Assistant Secretary of the Navy and for a long time thereafter.

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[10] Justice Oliver Wendell Holmes, by Silas Bent, Garden City Publishing Co., New York, 1932.

[11] FDR: Architect of An Era, by Rexford G. Tugwell, The Macmillan Company, New York, 1967.

As a child Teddy Roosevelt was very sickly, while as a grown man F.D.R. suffered an attack of polio which left his legs completely useless until he died in 1945.

Both Teddy and F.D.R. as Assistant Secretaries of the Navy were for large naval expansion. As a matter of fact, I am afraid F.D.R. made himself sort of a nuisance to his superiors including President Wilson and William Jennings Bryan, Wilson's Secretary of State. F.D.R. seemed to be interminably pressing for a quicker declaration of war against Germany in World War I. With reference to his efforts for a greater naval expansion and his criticisms of Bryan, F.D.R. once said: "I started in alone to get things ready and prepare plans for what ought to be done by the navy * * * These dear good people like W.J.B. (William Jennings Bryan) and J.D. (Josephus Daniels) have as much conception of what a general European war means as Elliott has of higher mathematics (Elliott was his small son)."

In the Democratic National Convention of 1920, F.D.R. nominated Al Smith, of New York, as Vice President, but at the last minute F.D.R. was nominated to run with James F. Cox, Governor of Ohio, as Democratic Vice President.

In 1928 F.D.R. again nominated Al Smith for Democratic President and referred to him as the "Happy Warrior." Throughout the 1928 campaign Al Smith was referred to as the "Happy Warrior in the Brown Derby" because he wore a brown derby. A vicious campaign against Al Smith was conducted because he was a Catholic and as we all know he was defeated and it was not until John F. Kennedy that a Catholic succeeded in finally becoming President of the United States. For a long time after the termination of World War I and during all this time the Presidents were Republicans; namely, Harding, Coolidge, and Hoover, and then came the great depression of 1929 which struck the country like lightning from the blue. Speculators who thought themselves rich one day would find themselves penniless the next, and stockbrokers were committing suicide because of lost fortunes. The farmers were on their backs, one bank after another closed and the economy in the United States in general was in an awful mess. Since the Republicans had bragged about their regime during the good times prior to the depression, the Democrats saw to it they got the blame for and after the depression. The depression was so bad that 13 millions of Americans were without jobs. And you must remember that the population was much less then than it is now.

You will remember in my review of the life of Justice Holmes, I pointed out that before his inaugural address F.D.R. called on the Supreme Court Justice who advised him "Form your battalions and fight." In his inauguration address in 1933 F.D.R. electrified the Nation with his slogan, "The only thing we have to fear is fear itself," and "when he reminded the people of this fact they looked at one another and said how true it was; and they all began to feel a little better." When Roosevelt took office action came about thick and fast. He proclaimed a bank holiday and closed all the banks to give the RFC (Reconstruction Finance Corporation) an opportunity to reopen those who were solvent and the worst of the crisis was weathered. Solvent banks began to open, the farmers and the general economy began to get on their feet again.

"The first weeks of the Roosevelt administration are often spoken of as the 'One Hundred Days.' The accomplishments during this time were so astounding that it was often compared to Napoleon's hundred days, his return to Paris from Elba." His hundred days campaign caught on because while Napoleon's 100 days failed, F.D.R. won his. "It became a perfect honeymoon. The whole country responded" to F.D.R.'s charm.

Throughout Roosevelt's campaign he was a delight to the newspaper fraternity as a newsmaker. He made the widest possible use of radio, then comparatively new, to address the people in what became known as "fireside chats." In these talks he was able to reduce great economic problems to simple terms that people could understand. For example, in July 1933, he said the following in one of his fireside chats:

"If all of our people have work and fair wages and fair profits, they can buy the products of their neighbors and business is good. But if you take away the profits of half of them, business is only half as good. It does not help much if the fortunate *half* is *very* prosperous; the best way is for *everybody* to be *reasonably* prosperous."

Now it is an American truism that after a President serves his first 2 years, he always loses his congressional support 2 years after his inauguration. But it was different with F.D.R. He was renominated in 1936 and carried with him even greater numbers of the House and Senate and this seemed to be a decisive endorsement of his policies. By the way, Presidents have used a trite slogan as a general policy symbol since the time of Teddy Roosevelt. Teddy Roosevelt called his policy the "Square Deal"; F.D.R.'s slogan was the "New Deal"; Harry Truman's slogan was the "Fair Deal"; Kennedy's slogan the "New Frontier" and now Johnson's slogan is the "Great Society." Anyway the people in general were just charmed with F.D.R.'s New Deal, and then trouble began and hit him from every direction. Some of his stanchest admirers could not go along with him. For example, Nance Garner, his first Vice President, dropped him. Al Smith dropped him. Jim Farley his greatest political brain quit going along with him, and many Southerners including Pat Harrison, of Mississippi, and Senator Walter George, of Georgia, turned against him. This was particularly true when he tried to pack the Supreme Court. He caused a bill to be introduced which provided for an added number of Justices whenever a member of the Court reached the age of 70 and did not retire. This would give him an opportunity to appoint his own men, and that is exactly what he was after. The Congress rebelled against him including his Senate majority leader, Alben Barkley, of Kentucky. As a matter of fact the Republican Members formed a coalition with southern Members which dominated Congress. In fairness to him, it should be noted that the reason why he wanted to pack the Supreme Court and called the members evil old men was that the Court struck down quite a number of his proposals. For example, they declared the Agricultural Adjustment Act to be unconstitutional, the National Recovery Act (NRA) to be unconstitutional, they declared the TVA to be unconstitutional. Incidentally, the Tennessee Valley Authority, called the TVA, is a scheme which is now an accepted thing because the popular thing these days is to harness the river currents and the water falls to generate electricity to provide energy for REA and for many municipalities. As a matter of fact, although the Town of St. Martinville owns its own electric light and water plant, they get a special lower rate resulting from the TVA electric rate price, and this is so of innumerable towns in my area.

Anyway, the southerners and the Republicans gave F.D.R. a hard time and when he decided to run for a third term in 1940 they were particularly anxious to beat him. There was a hue and cry to stop him. There was a strong prejudice against any President trying to run for a third term. The tradition of not running had been respected since the time of George Washington. But when he was nominated for a third term F.D.R. went on campaigning almost as if 1940, his third try, was just another election year and, of course, he won. As a matter of fact I lived to see the time when he ran and won for a fourth term in 1944 before he died in 1945 and was succeeded by Harry Truman.

There was another force that came into being after F.D.R. was elected and that is totalitarianism and the threats of Hitler, Mussolini, and Tojo, which resulted in World War II. F.D.R. kept on hammering that the democratic way was the right way and that dictatorship and totalitarianism was the wrong way. But it was a hard struggle to condition the American public to accepting his expressed apprehension about the dangers of totalitarianism and dictatorship.

The Neutrality Act passed during the days of World War I had been intended to make certain that the United States did not become involved again; and isolationists hated to give up neutrality as a firm American policy; but F.D.R. won the hard fight to have it repealed and this cleared the way to helping the allies more openly.

In November 1940 Roosevelt while on a cruise at sea received a message from Churchill, which Churchill afterward said was the most important paper he had ever written. The message told F.D.R. simply but eloquently that the situation of the British was now desperate and if the United States did not come to the rescue, invasion and occupation was inevitable. Roosevelt had witnessed the time when during World War I France and other allies had borrowed money from the United States and had failed to pay it back; so he decided in his own way that the thing to do was not to lend money to England but to lend tools of war, and he called this country "the Arsenal of Democracy." It was about this time he called for the production of 50,000 airplanes which at that time seemed to be a fantastic and impossible number, but I lived to see the time when we built that many and thousands more a year. What he was after was to put into effect what was to become known as "lend-lease." In other words instead of lending money we would lease naval ships and other equipments of war at a nominal rental and make everything available to fight totalitarianism and fight for Americanism on this side of the ocean. Here is the way he put it in one of his fireside chats as to how lend-lease would operate:

"Suppose my neighbor's home catches fire, and I have a length of garden hose four or five hundred feet away. If he can take my hose and connect it up with his hydrant, I may help him to put out his fire. Now what do I do? I don't say to him before that operation. Neighbor, my garden hose cost me $15; you have to pay me $15 for it." . . . I don't want $15; I want my garden hose back after the fire is over. If it goes through the fire intact, he gives it back to me and thanks me for the use of it. But suppose it gets smashed up—gets holes in it—during the fire; we don't have to have too much formality about it, but I say to him. 'I was glad to lend you that hose; I see I can't use it any more . . .' He says, 'All right, I will replace it.' Now, if I get a nice garden hose back, I am in pretty good shape."

Finally, Hitler broke his treaty with Russia and opened up the second front war. This was against military advisers but Hitler's inflated ego would no longer tolerate any limit of his ambition. Of course, there was resistance in America in aiding Russia at the time and resuming diplomatic relations with Russia, but when we realized that a huge country like Russia promised so much in military and physical assistance to the United States, and when I realize now that even Churchill, under stress and strain of the war, was in favor of aiding Russia, it now seems that Roosevelt's actions in these respects was not as horrible as they seemed to me over the years. Anyway, by the time Hitler had learned the hopelessness of conquering

Russia, F.D.R. knew that America would come to the aid of the British Allies. It was about this time that Churchill and F.D.R. met in a ship somewhere in the Atlantic and issued their famous communique called the charter of the four freedoms to prevail over the world:

1. Freedom of speech and expression.
2. Freedom of every person to worship God in his own way.
3. Freedom from want.
4. Freedom from fear.

Roosevelt and Churchill knew that one of these days some incident would happen to bring America into active conflict. That incident happened on December 7, 1941 (I remember this because Estelle and I were in a picture show when it was flashed on the screen) when the Japanese bombed Pearl Harbor. The day after the attack Roosevelt addressed a Joint Session of Congress asking for a declaration of war, and in his joint address he called December 7, 1941, "a Day of Infamy"—thus emphasizing the treachery of the attack and the country agreed to a man. Soon after we joined the Allies in World War II, F.D.R. and Churchill proclaimed that at the termination of the war we would ask for an unconditional surrender and that is exactly what happened.

F.D.R. planned the ceremony of his passing (which occurred in 1945) and the kind of markers to be put on his grave. He avoided any kind of pretention and willed that the funeral was to be on a low key, the stone was to be plain and the inscription spare. Here is the way F.D.R. once put America's progress:

"Ours has been a story of vigorous challenges which have been accepted and overcome—challenges of uncharted seas, of wild forests and desert plains, of raging floods and withering droughts, of foreign tyrants and domestic strife, of staggering problems—social, economic, and physical; and we have come out of them the most powerful Nation—and the freest—in all history."

As I have said I distinctly remember all the events reviewed in this biography of F.D.R. by one of his brain trusts, Tugwell. Although he had a shattered body (completely unable to walk) he had a giant intellect. He not only had faith in but lived the very slogan he electrified the people with in his first inaugural address in 1933: "The only thing we have to fear is fear itself."

Top Editorial Award for Hawk-Eye

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. SCHWENGEL. Mr. Speaker, the American Trucking Association annually sponsors a Newspaper Safety Writing Contest. This year the First District is honored that one of its newspaper editors has been awarded the top award.

John McCormally, editor of the Burlington Hawk-Eye, received the first prize for a column in his paper on February 14, 1967. It was a report on the funeral of a teenage accident victim.

A news story in the Burlington Hawk-Eye on March 19, 1968, tells of the award and the article which won the competition:

TOP EDITORIAL AWARD FOR HAWK-EYE

WASHINGTON, D.C.—John McCormally, editor of The Burlington Hawk-Eye, has won the top award in the 13th annual Newspaper Safety Writing competition sponsored by the American Trucking Assns.

McCormally will be awarded $1,000 in first prize money for his entry in the editorial category of the competition, which is designed to recognize the nation's newspaper and wire service writers for their outstanding service in promotion of highway safety.

Entitled "Memo From Mac," McCormally's editorial was published in The Hawk-Eye Feb. 14, 1967. It was a report on the funeral of a teenage accident victim. "Outside, as the casket slid smoothly into the black hearse, the flag in front of the school whipped audibly in the wind; the sun sparkled . . . on the river ice and the bell in the high tower tolled mournfully," McCormally wrote.

The column added that "a parent, standing at the rear of the church looking at his son, and his son's friends, so uncharacteristically sad and silent, could only breathe, in sympathy for Doug's family: 'There but for the Grace of God . . .' and could only hope that this would be a lecture, better than any he could give about the dangers of driving."

The column was written about the funeral of Douglas X. Schroder, a junior at Notre Dame High in Burlington, son of Mr. and Mrs. Erwin Schroder, 302 South Garfield. Douglas, 16, was killed in an automobile accident on US 61 north of Burlington.

Formal presentation of the award to McCormally will be made during ceremonies in Washington April 4.

In addition to the cash award, he will receive a certificate, and The Burlington Hawk-Eye will be given a commemorative plaque.

Immigration and Nationality: Current Concerns

HON. MICHAEL A. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. FEIGHAN. Mr. Speaker, on Friday, March 29, it was my privilege to address the American Immigration and Citizenship Conference at its annual meeting held at the Hotel Waldorf-Astoria in New York City. By leave granted, I insert in the RECORD my address on "Immigration and Nationality: Current Concerns":

Mr. Toastmaster, Justice Ken Keating, my very able and distinguished former colleague on the Immigration Subcommittee, members of the Clergy, honored guests and friends, the Chairman of the Subcommittee of the Judiciary which has jurisdiction over immigration and naturalization matters has a constituency in addition to those in the Congressional district in his own state whom he represents in Congress. I am here this morning to report on my activities and my plans to that constituency, the membership of the American Immigration and Citizenship Conference.

The work of the Subcommittee can be subdivided and analyzed in any number of ways but I propose to cover the subject under three main headings: immigration; temporary admissions to the United States; and citizenship.

When the Congress passed the Act of October 3, 1965, it was understood that this law abolishing the National Origins Quota System did not bring to an end the tasks of the Subcommittee in this area. However, the variety and extent of the issues which would spur off from that law were not fully appreciated by anyone.

In another ninety days the Act of October 3, 1965 will become fully operative. The patterns which have governed immigration for the less than fifty percent of the immigrants from the Eastern Hemisphere under the "pool" provisions of that law will thereafter control all immigration from that area. The specially reserved numbers for immigration from Northern and Western European countries will no longer be in force and effect and the new trend in immigration, by class and national groupings, indicated in shadowy outline during the past two and a half years, will more clearly emerge. Already, rumblings of discontent and disenchantment with the prospects are beginning to be heard, much of it from those whose support was so strongly felt and so necessary to enact the law in the first place. Some steps may be necessary to restore a greater balance to the immigration mix but the prospects of any return to a most-favored-nation concept is out of the question.

The passage of the Act did result in the immediate removal of all backlogs which were then in existence with the single exception of the Italian fifth preference. This was exactly what we had proposed would happen. We knew in advance that the twenty-thousand national ceiling would continue the oversubscription of that class for many years. As you are aware other Members have joined me in sponsoring legislation to remove that oversubscription, at least through October 3, 1965.

However, we are now faced with new backlogs, created since 1965. Fifth preferences are being filed with the Immigration and Naturalization Service at a greater rate than fifth preference visas are being issued by the Consular Service. The new third preference for professionals and the sixth preference for skilled and unskilled employees of petitioning employers are both oversubscribed and are going to continue to be oversubscribed, unless some changes are made in the law. Next Wednesday, my Subcommittee will hold the first of the executive session hearings with representatives of the State, Justice, and Labor Departments. The purpose of these hearings is to explore with these officials problem areas which have developed in their administration of the Act of October 3, 1965 and to hear proposals of legislative or administrative changes, the better to achieve our objectives. At the conclusion of these hearings, I expect to schedule open hearings on the various bills which have been introduced to amend and supplement the 1965 Act, notably the bills (H.R. 13453 and S. 2524) sponsored by Mr. Celler and me in the House and by Senator Kennedy of Massachusetts in the other body.

Among the subjects we intend to canvass during this study are the following:

1. Possible revisions of the percentage assignments to the various preference classes.

2. Possible revision of the preference definitions, particularly the sixth preference, by the removal of the unskilled from that definition.

3. Possible revision of the language of the Labor Clearance procedures (section 212–a–14) to make it clear that it is solely an exclusionary item, and to separate it from the consultative features of the third and sixth preferences.

4. A proposed requirement that no person be issued a certification unless he has had a minimum period of actual working experience in the occupation for which he is seeking certification.

5. A number of proposals to require the continuation in approved employment of a third preference or sixth preference immigrant for some appreciable period of time, possibly under penalty of a presumption of intended fraud should the immigrant transfer to another occupation during the period.

6. Administration of the refugee provisions and the continued limitations placed on the geographic areas in which section 203(a)(7) applications may be received.

7. A reappraisal of the provisions barring Western Hemisphere natives from adjustment of status to immigrant within the

United States in the light of the July 1st Western Hemisphere ceiling of 120,000 annual immigrants.

8. Possible enlargement of the scope of special inquiry officer responsibilities beyond the conduct of exclusion and deportation hearings.

9. Proposals by the Select Commission on Western Hemisphere Immigration proposing individual country ceilings and exempting Cuban refugees from the 120,000 total.

These are merely some of the subjects which will be raised during our hearings. We anticipate productive sessions. We welcome the advice and assistance not only of your central organization, but your constituent societies. We have made much progress, with your help. Continued advancement without your assistance is impossible.

Turning from the problems of the immigrant, there are two other major concerns of the Congress. The first of these involves the nonimmigrant, particularly the visitor.

On February 23, 1968, President Johnson submitted his proposals for a simplified visa-waived-tourist-encouraging procedure. Subcommittee #1 of the House heard testimony from Under Secretary of State Katzenbach, Commissioner of Immigration and Naturalization Farrell, and Director of the U.S. Travel Service Black on March 21, 1968.

The Congress is awaiting the submission of additional proposals to improve our laws relating to nonimmigrants which the President indicated the Secretary of State would shortly be sending to the Congress. Hopefully, they will include Administration proposals to cope with the ever-increasing problems involved in the immigration aspects of our Exchange Programs.

It is in the field of citizenship that the greatest activity has occurred in the current Congress.

Last year the Committee on the Judiciary reported my bill, H.R. 555, to exempt certain persons from the English language requirements for naturalization and to correct an age gap in the derivative citizenship eligibility of certain children. This legislation passed the House and is now pending in the Senate.

So far this year the Committee has reported my bill, H.R. 10135, to provide for the immediate naturalization of the surviving spouse of a U.S. citizen who dies while serving in an active duty status in the Armed Forces. H.R. 15147 to add veterans of the Vietnam hostilities to the list of alien veterans eligible for immediate naturalization was reported on the same day. Both bills have passed the House and are now pending in the Senate.

In view of this activity in citizenship legislation, I doubt that there is a need for the creation of a special group to study naturalization and citizenship as I had proposed initially in my bill. The Subcommittee is still considering some of the problems inherent in the dual citizenship concept and we note that the Senate is currently holding hearings on legislation which could affect the passport laws and section 215 of the Immigration and Nationality Act with respect to a citizen's right to travel to or through certain prescribed areas.

In my remarks here today I have not sought to champion any particular approach or to advocate any specific legislation. I have tried to highlight, within the time available and within the bounds of the subject on which I had been invited to speak, broad areas of general concern to the Congress and particularly to those Members who are responsible for considering immigration and citizenship legislation. As Chairman of Subcommittee No. 1 of the Committee on the Judiciary, I have the honor and the distinct pleasure of working with one of the most dedicated and able groups of Members in the House, supported by a most competent and hard-working staff. I cannot let this opportunity slip by and fail to express publicly my appreciation to my distinguished Chairman of the full Judiciary Committee, Mr. Celler, for his cooperation and support which has been all and even more than any Subcommittee could ask for.

Our relationships with our "public", so broadly represented here today, yields to no Committee or Subcommittee of either House in its spirit of cooperation and harmony. Basically we are as one in our objectives. The differences that we have had is usually in method or procedure. This is true because we are, all of us, specialists in this complex field. Our main job is now and has been in the past to sell our concerns to the general public, so that support for necessary, worthwhile changes can be obtained. Only by such general support is any legislation achieved under a democratic process. That your salesmanship is unrivaled you demonstrated in 1965 when you marshaled the support which pushed the abolition of the National Origins Quota System, and resulted in the Act of October 3, 1965. Please do not abandon your selling job. Without it our task is impossible. Thank you.

When People Work

HON. JAMES H. (JIMMY) QUILLEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. QUILLEN. Mr. Speaker, the Chamber of Commerce of the United States recently announced a new idea for solving many of the problems facing our Nation today.

"Forward America" is the chamber's program by which the resources of private enterprise are brought to bear on urban problems.

The following editorial from the Johnson City, Tenn., Press-Chronicle describes this new approach, and I think it will be of interest to my colleagues and the readers of the RECORD:

WHEN PEOPLE WORK

The citizen who looks around him can find problems threatening the future of his community.

Problems that cover the entire range of human activity: substandard housing, hardcore unemployment, inferior schools, inadequate mass transportation systems, rising crime rates and many others.

These are realities especially afflicting large cities—and those people who live there.

A vigorous marshaling of American business ingenuity to attack and solve these problems is under way.

"Forward America," an effort recently announced by the Chamber of Commerce of the United States and developed through experience gained over the past eight years, is one such attempt to bring private enterprise resourcefulness to bear on urban problems. "Forward America" calls upon businessmen to join other responsible community groups and work together in eliminating their area's problems. The combined community forces, "Forward America" emphasizes should include representatives from civil rights, labor, ethnic, religious, women's, youth, government, education and other important interest groups.

"Forward America" offers guidelines on how such coordinated action can be organized.

Working together, this combined talent can analyze a particular area's most pressing needs, select priorities and then move in concert against identified problems. Substantial public participation is a most vital ingredient in this process and should come from open forums involving all cooperating groups and citizens at large. If people do not undertake to work out their own destinies, who is going to do it for them? Government cannot do everything.

"Forward America" is no ironclad assurance against trouble. In and of itself, it isn't a panacea. But the community spirit that has been achieved by this process in cities, such as Hartford, Conn., Tampa, Fla., Seattle, Wash., York, Pa., Rochester, Minn., and others indicates the tremendous strength that lies with people when they take joint, mutual action.

This is the approach that helped make this country great. Can't this process, the National Chamber asks, work now?

We think it can.

Tubman Entertains Soviets in Washington

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. RARICK. Mr. Speaker, the old African Nationalist, U. S. Tubman, President of Liberia, was at the U.S. taxpayers' trough here in Washington, D.C., recently.

After a reception grand enough for any king he turned on the black power extremist line and struck hatefully out at Rhodesia, South-West Africa, and the Portuguese colonies. But not one word was muttered about the Nigerian genocide against the Ibo tribesmen, the progressive pockets of cannibalism in the Congo, nor the race riots in Kenya and Ghana. Tubman did not even plead for the life and safety of his former friend, Moise Tshombe, still a Communist prisoner in Algeria.

Of course, the progress which he praised had to do with Communist terrorist action against "obstinate" anti-Communist nations.

Many students marvel at Tubman's 24-year reign without political opposition. The explanation appears quite simple—go along with the black extremist movement and cooperate with the Bolshevik conspiracy. A democracy in words only—his people never have anyone to vote for or against.

And look who Tubman entertained in our Nation's Capital—Soviet Ambassador Dobrynin. Little wonder he expressed no criticism of such pockets of tyranny and oppression as Russia, Red China, and North Vietnam.

Tubman was well paid for his social visit in U.S. tax dollars. His liquor cellar needs refilling to entertain the Russians in Liberia in the manner to which they have become accustomed in the United States.

I place articles from the New York Times and the Washington, D.C., Evening Star describing Tubman's visit, and the AP release for March 24 concerning Nigeria's Ibo tribesmen following my remarks:

[From the New York Times, Mar. 29, 1968]

TUBMAN, IN CAPITAL TALK, SCORES WHITE RULE IN AFRICA

WASHINGTON, March 28.—President William V. S. Tubman of Liberia said today "no

African can remain indifferent to the indignities and inhumanities" he said were being perpetrated by white minority rulers in parts of Africa.

Speaking at the National Press Club on the second day of his visit here, the 73-year-old leader said that while Africa had made considerable progress "along the path of freedom and independence, there still remain obstinate pockets of tyranny and suppression."

He listed "the southern portion of Africa, including Southern Rhodesia, South-West Africa and the Portuguese colonies."

[From the society page of the Washington (D.C.) Evening Star, Mar. 29, 1968]

President Tubman, 72, whose reputation for staying up later, dancing longer and holding his liquor better than any ordinary man is as legendary as his 24-year leadership in Liberia, gave a reception yesterday.

He and his wife entertained the diplomatic corps and several hundred Washingtonians in the Regency Room of the Shoreham Hotel where a white cupola flanked with brilliant bouquets in Liberia's colors spanned the center of the lavish buffet table.

Soviet Ambassador Dobrynin was there and said he hoped his wife would be here in a month. She will have been away a whole year.

[From the New Orleans Times-Picayune, Mar. 24, 1968]

FEDERAL TROOPS CAPTURE KEY NIGERIA RIVER PORT—AFRICAN NATION STILL FIGHTS CIVIL WAR

ONITSHA, NIGERIA.—Federal troops beat back two Biafran counterattacks and conducted a building-to-building, no-prisoner-taken mopping up in freshly-seized Onitsha Saturday.

The capture Thursday of the key Niger River port, second largest town in breakaway former Eastern Nigeria, is stiffening the Nigerian military's determination to end the civil war with a military victory over the predominantly Ibo tribe secessionists.

"We want unconditional surrender," said Lt. Col. Godwin Ally, commander of the 7th Brigade which helped take the market town with a pre-war population of 163,000.

"If the Ibos want to commit suicide we will help them," he said.

MARRIED TO DANE

Ally, 27, is a Northerner married to a Dane. He spent a year training with the U.S. Army at Fort Eustis, Va.

The 7th Brigade mopped up and pumped mortar and 105mm howitzer shells into the south end of the town, where Biafran resistance continued.

The 6th Brigade, under another Northerner, Lt. Col. I. Yardua, beat back an attack on its headquarters in the eastern part of town, which was hazy with smoke from brush fire started by shells and from a blazing fuel dump near the ruined Niger Bridge.

Five battalions took the town Thursday morning after a 10-hour artillery barrage.

TROOPS FLEE

Ally said remnants of three Biafran battalions fled towards Nnewi 10 miles southeast, birthplace of the Biafran leader, Lt. Col. C. Odumegwu Ojukwu, and nearest point to a two-mile runway the Biafrans have built.

Four companies of the Nigerian 72nd Battalion sprayed the Onitsha waterside with automatic weapons fire which was occasionally answered by sporadic fire from Biafran snipers or stragglers.

The Nigerians took about 100 dead in the last few days, according to unofficial sources. At least 400 civilians, including women, were mown down Thursday in crossfire in a battle for a traffic circle which was the last escape route from the city.

Crisis in Credibility

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. DERWINSKI. Mr. Speaker, even after the President's dramatic announcement Sunday, the credibility gap that has developed over the last 7 years continues to display itself on the national scene. Therefore, a book review by the distinguished Chicagoan, Robert Cromie, which covers the very timely work by Bruce Ladd, administrative assistant to Congressman DON RUMSFELD, of Illinois, is a very welcome and wholesome contribution to an understanding of Washington politics. The book review follows:

[From the Chicago (Ill.) Tribune, Mar. 28, 1968]

BOOK PROBES SECRECY, DECEIT IN GOVERNMENT

The sub-title of "Crisis in Credibility," by Bruce Ladd [New American Library, $5.50], is a surprisingly frank announcement of what the book is about: "An Investigation into Secrecy and Deceit in the United States Government." The problem, Ladd believes, is no minor one. As he says in the opening paragraph to his chapter on "Closing the Gap:"

"Sooner or later the American people will have to face the fact that the ever-growing authority of the executive branch of the federal government will have to be checked, if the democratic dialogue is to be preserved."

A case in point is the chapter on the Dominican crisis. In this, Ladd, former aid to Charles Percy during the latter's gubernatorial campaign and now special assistant to Rep. Donald Rumsfeld [R., Ill.], declares:

". . . As more and more facts have come to light concerning the Dominican uprising, it has become indelibly clear that the United States government perpetuated three basic lies in the defense of its intervention."

These, Ladd says, were (1) that troops were sent in solely to protect the lives of American citizens; (2), that the United States remained neutral during the rebel-loyalist fight and, (3), that the revolution was "part of a Communist plot to gain control of the Dominican government."

Speaking of President Johnson's estimate of the situation, Ladd says: "When newsmen in the Dominican Republic heard Johnson's description . . . they thought he was talking about another conflict, maybe Viet Nam . . ."

Ladd deals with deception in many fields, including the war in Viet Nam, the Bay of Pigs incident, the U-2 affair, and the loss of the atom bomb near Palomares, Spain—a loss which the United States tried to hide for 44 days, and which led to the following ludicrous exchange during one press conference:

"REPORTER: 'Can you tell me whether you've located the missing bomb?' "

"BRIEFING OFFICER: 'I don't know of any missing bomb, but we have not positively identified what I think you think we are looking for.' "

The former Illinois newspaperman [Ladd was editor of various small town papers] is especially concerned about Johnson's relations with the press, and concludes his long chapter on the subject:

"Until such time as Lyndon Johnson recognizes that being President of the United States demands honesty, candor, and a certain amount of grace, his hopes for America will be unfulfilled. The President's credibility can be restored only by the President himself."

This is a shocking book, which should be read by all concerned citizens. It documents to an alarming degree the growing "credibility gap," the arrogance of many elected officials [and the military] toward the press, and the open attempts in Viet Nam to persuade war correspondents to "get on the team" in order to try to stop unfavorable stories there.

The daily 5 o'clock briefings in Saigon, Ladd declares, are known among newsmen attending as "the five o'clock follies," and are not depended upon by many of the more conscientious reporters.

The book, however, ends on a faintly optimistic note:

"In the last analysis, the solution for correcting the ills of democracy is more democracy. Those who say nothing can be done are clearly wrong."

What Did Judge Wright Really Find?

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. FRASER. Mr. Speaker, there have been a great many misunderstandings about the implications of the Hobson against Hansen decision by Judge Skelly Wright affecting the District of Columbia school system. A local organization, District of Columbia Citizens for Better Public Education, has now published answers to the most frequently asked questions about the decision.

The explanations are clear and precise, and I insert them in the RECORD to eliminate the misunderstandings that have arisen out of Judge Wright's decision:

WHAT DID JUDGE WRIGHT REALLY FIND?

Judge Skelly Wright's opinion in *Hobson* v. *Hansen*, decided last June 19, has been a source of continuing controversy and misunderstanding in the District of Columbia. D.C. Citizens for Better Public Education has found that many residents of Washington—including some school administration officials—are not aware of the factual findings in the suit, and do not understand fully the remedies ordered by Judge Wright.

As a public service, CBPE is publishing several frequently asked questions about the decision, along with answers provided by our legal consultants. These answers have been unofficially reviewed and cleared by the District of Columbia Corporation Counsel.

1. Who were the plaintiffs and defendants in the Wright Decision?

The plaintiffs in the case were Julius Hobson, suing on behalf of his children as Negro pupils in the District of Columbia public schools. The defendants were Dr. Carl Hansen, Superintendent of Schools and the Board of Education of the District of Columbia.

2. What generally was the claim made by Julius Hobson against Dr. Hansen and the School Board?

The suit was attacking de facto segregation and unequal treatment of disadvantaged and most Negro pupils in the District of Columbia public schools.

3. What specific claims were made by Julius Hobson to back up his claim that the disadvantaged and Negro children attended segregated schools inferior to those of the white and more affluent children?

The plaintiffs maintained that the policy of having children attend schools in their own neighborhood, with substantially segregated housing in the city, resulted in a school system where most of the white children (making up only 10% of the total number) went to school with other white students rather than with Negroes; that the optional pupil transfer zones had been used in a calculated way as a means of escape for white children who did not want to attend school with poor Negroes; that the track system extended segregation of the disadvantaged and froze children into categories from which it was almost impossible to be reassigned because of the prejudicial manner and infrequency of testing; that the school system maintained teacher segregation in the Washington public schools.

4. Did Judge Wright accept the factual claims made by the plaintiffs?

Yes. Among the conclusions respecting the comparative inferiority of the predominantly Negro schools, the court found that "the school system's most ancient and dilapidated buildings can be found in the low income areas . . . the Negro ghettos." "The predominantly Negro schools suffer from drastic student overcrowding . . ., even while the 85–100% white schools flourish with empty seats and classrooms." The Negro schools were found to be at 115% capacity, while the white schools were 77% capacity. ". . . (T)he teachers at the predominantly white schools are a clear class above prominantly Negro school faculties in quality." ". . . (M)edian per pupil expenditure in the predominantly Negro elementary schools has been a clear $100 below the figure for predominantly white schools . . ." "Every student within the boundaries of predominantly white schools gets a chance to attend kindergarten in his neighborhood school; the comparable opportunity is available in the predominantly Negro neighborhood only if classroom space is available—and often it is not." "The predominantly Negro schools, thus, are at severe comparative disadvantage in major respects."

5. Did Judge Wright find that the disparities between Negro and white schools were a result of deliberate policies and actions on the part of the defendants?

Yes and No. The court stated: "The causes of the inequalities are relatively objective and personal . . . (I)n the face of these inequalities they (school officials) have shown little concern." Near the beginning of the opinion, Judge Wright wrote: ". . . (T)he court is forced to the conclusion that the school administration's response to the fact and dilemma of segregation has been primarily characterized—at its best—by indifference and inaction."

6. Did Judge Wright find that *de facto* segregation was illegal in the District of Columbia public schools at this time?

No. Although the court was convinced that *de facto* segregation works to the disadvantage of Negro students and prevents the alleviation of racial prejudices, it did not declare it unconstitutional. Nor did the court order that there must be integration of all schools in Washington. Judge Wright did, however, order that there should be no racial and economic discrimination in the District public school system, and ordered that the defendants "file for approval by the court a plan for pupil assignment eliminating the racial and economic discrimination found to exist." Superintendent Manning submitted the school administration's plans to the court on January 2, 1968.

7. What orders were made by Judge Wright to be carried out immediately in the running of Washington's public schools?

(a) Abolition of the track system;

(b) Abolition of the optional zones;

(c) Transportation for volunteering children in overcrowded elementary schools east of Rock Creek Park to underpopulated schools west of the Park; and

(d) "Substantial" integration of the faculty of each school beginning with the school year 1967–68.

8. Why did Judge Wright abolish the track system in the Washington public schools?

The court found that the testing procedures used to divide children into tracks did not reflect the ability of the young student. Written tests developed for students from completely different backgrounds do not test educational potential so much as they indicate prior opportunities in the home and community. Testing as practiced was therefore found to be an inappropriate measure of ability for the majority of pupils. The court also found that the compensatory and remedial education supposedly given those in lower tracks was inadequate, the result being that children placed in lower tracks at an early stage of their education had very little chance of moving up to higher tracks.

Because of these factors, the school system could not justify placing and retaining children in lower tracks on the supposition that they could do no better, given the opportunity to do so.

9. Did Judge Wright abolish all ability grouping in the District of Columbia public schools?

No. The court said that ". . . it should be made clear that what is at issue here is not whether defendants are entitled to provide different kinds of students with different kinds of education." There is no mention of eliminating all groupings, but only those where there is such a great chance of error as existed in the track system. To provide special education for the mentally retarded separate from other pupils is thus *not illegal* under the Wright opinion. What *was* abolished was the track system as it then existed.

10. Did the Wright opinion order that the neighborhood school policy be eliminated in the District, or that the boundaries for schools be changed?

No. The opinion made the following findings and orders: "The use by the defendants of the neighborhood school policy . . . is the primary cause of the pupil assignment discrimination. Because of the 10 to one ratio of Negro to white children in the public schools of Washington and because the neighborhood policy is accepted and is in general use throughout the United States, the court is not barring its use here at this time."

However, the court did refer to its order that the school administration submit a plan to alleviate pupil segregation, saying that "it is not inappropriate to suggest that in the course of its inquiry the (School) Board should reinvestigate the alterations of the Wilson-Coolidge (high school) and the Paul-Deal (junior high) zones recommended by the Urban League" (in 1964). Under the alterations proposed in 1964, 200–250 Negro high school students living in the area of the Bancroft elementary school east of the Park would have been sent to Deal and Wilson. 300 white children from the Lafayette elementary school area west of the Park and north of Military Road would have been sent to Paul and Coolidge.

The Court therefore did not *order* that boundaries be changed immediately, but it did express concern with the existing situation, and certainly suggested that the assignment plan developed by the School Board would be scrutinized by the court with a view of achieving a maximum of student integration where feasible.

11. Did the court order that there should be bussing of Negro and white students throughout the school system to achieve racial integration?

No. The only bussing that the court ordered for the school year of 1967–68 was that of volunteering Negro and white students from overcrowded elementary schools to undercapacity schools west of Rock Creek Park, with expenses paid by the school administration.

At the same time the court expressed itself in favor of maximum possible integration within the school system, and reserved its right to make further orders until the School Board had devised its own plans in compliance with the findings of the court. It is not clear exactly what the court would require if it were not satisfied with the plans submitted by the School Board, but it did require "that the defendants consider the advisability of establishing educational parks, particularly at the junior and senior high levels, school pairing, Princeton and other approaches toward maximum effective integration."

12. What findings did the court make about teacher assignments in the Washington public schools?

The court found that teachers were allowed for the most part to select their own assignments, and that this had led to substantial segregation among the faculties of the schools. ". . . (I)ntentional teacher segregation in the District still goes on, not only in separating white from Negro teachers but assigning them respectively to schools with predominantly white and Negro student bodies . . . (T)his persistent segregation is plainly defective, constitutionally."

13. What did Judge Wright demand that the school system do about the teacher segregation which it found?

". . . (F)irst, that an injunction should be directed against every possibility of willful segregation in the teacher assignment process . . .

"Next, assignment of incoming teachers must proceed on a color-conscious basis to insure substantial and rapid teacher integration in every school. And finally, to the extent that these two measures are unable quickly to achieve sufficient faculty integration in the schools, this court . . . has no doubt that a substantial reassignment of the present teachers, including tenured staff, will be mandatory.

"(Because the parties did not argue this question), and considering the limitations of time, for the 1967–68 school year the court is content to order 'substantial' teacher integration in those schools where complete segregation or token integration of faculty has heretofore existed."

14. Considering the Negro-white pupil ratio in the District of Columbia schools, is it possible to comply with Judge Wright's decree?

Yes. The opinion recognizes the preponderance of Negro students, and requires maximum integration to the extent feasible. The opinion also requires the elimination of economic discrimination, and if equal educational opportunities were made available, even in a predominantly or all Negro school, there would be compliance with the decree.

SPEAKERS BUREAU

Does your organization need a speaker for a meeting? CBPE has established a Speakers Bureau in order to broaden its role as a "bridge" between the education experts and the ordinary citizen.

Members of the Bureau will be happy to talk to any group—large or small, formal or informal—about education in the District, the Passow study, and the procedure for making citizens' needs known to the school administration.

The newly organized group will include people who can participate in panel discussions as well as solo speakers who can also answer questions from the audience.

If you are interested in working with the Speakers Bureau, or if your organization needs a speaker, please call the CBPE offices at 296–1364.

HELP WANTED

Volunteer office aides to get out the Bulletin Board.

Time: 5 hours on the last Wednesday of the month.

Job: Collate, staple, fold 1,000 Bulletin Boards.

People: 5 or 6 needed regularly.

Fringe Benefits: Lunch and car parking paid by DCCBPE. Congenial company.

WRITE A LETTER TO CONGRESS

The House District Committee is working on two bills of vital interest to all of us:

1. *The teachers' pay raise bill.* The Senate District Committee has passed a bill providing for a $7,000 beginning salary, retroactive to October 1, 1967. The House Committee is considering several bills, including one similar to the Senate bill.

2. *A new revenue plan for the District.* The Administration bill provides for new income taxes and a Federal payment which would be set as 25% of local taxes. Thus the District could plan with a better estimate of its expected revenue and would not have to go to Congress annually for the Federal payment. For 1969, the 25% formula would provide a Federal payment of about $80 million, compared to the current authorization of $70 million.

Letters to the following members of the House and Senate would indicate the interest of District citizens:

Congressman John L. McMillan, Chairman, House District Committee, 2208 House Office Building, Washington, D.C. 20515.

Senator Alan Bible, Chairman, Senate District Committee, 145 Senate Office Building, Washington, D.C. 20510.

Congressman Ancher Nelson, House District Committee, 1526 House Office Building, Washington, D.C. 20515.

1969 Budget.—The House Subcommittee on D.C. Appropriations held public hearings this week on the 1969 District budget. Your letter to Congressman Natcher, chairman of the subcommittee, supporting the full school budget will be helpful.

Congressman William H. Natcher, Chairman, House Subcommittee on District Appropriations, 2333 House Office Building, Washington, D.C. 20515

COMMUNITY EVENTS CALENDAR

CBPE.—The annual membership meeting will be held in May . . . full details in the next issue of the Bulletin Board . . . but . . . have you paid your dues for this year? This is your last chance to do so if you wish to vote for new officers and members of the Board of Directors.

Board of Education.—All meetings begin at 7:30 p.m.

April 3—Coolidge High School, 5th and Tuckerman Sts, NW.

April 17—District Building.

May 1—Anacostia High School, 16th and R Sts, SE.

May 15—District Building.

June 5—Dunbar High School, 1st & N Sts, NW.

June 19—District Building.

Other.—Tuesday, May 14—Day Care Day luncheon. Speaker: Dr. Lois B. Murphy, Director of Developmental Research at the Menninger Foundation, Topeka, Kansas. For further information contact National Capital Area Child Day Care Assn., 1020 3rd St, NW,—Mrs. Priscilla Grayson.

Resolution of the Michigan Association of Chiefs of Police

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. DINGELL. Mr. Speaker, the Michigan Association of Chiefs of Police recently adopted a resolution urging the Congress and the Federal Communications Commission to take steps to provide for the control of manufacture and trade in mechanisms capable of receiving public safety frequencies.

So that my colleagues may have the benefit of the association's views on this matter, I am inserting the text of the group's resolution at this point in the RECORD:

Whereas, persons engaged in unlawful activity during riots, burglaries, and organized criminal activity are known by the police to have been monitoring frequencies assigned to the public safety services; and

Whereas, the tremendous advances made in communications technology have made receivers capable of monitoring the public safety frequencies available at very low prices; and

Whereas, such receivers, both fixed and mobile, are available without restriction to any person on payment of the price; and

Whereas, the discovery of clandestine monitors, even where statutory regulation makes their use unlawful without permission, is practically impossible under constitutional safeguards against unreasonable search and seizures; and

Whereas, the acquisition of equipment which is capable of scrambling or otherwise providing security for law enforcement communications being used for operations and surveillance is prohibitively expensive, and therefore outside of the means of most law enforcement agencies,

Now, therefore be it resolved, that the Michigan Association of Chiefs of Police urges the Federal Communications Commission and legislators concerned with crime control to use every effort to provide for the control of the manufacture, sale, distribution, and/or use of any mechanism capable of receiving public safety frequencies.

Detroit Newspaper Strike

HON. MARTHA W. GRIFFITHS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mrs. GRIFFITHS. Mr. Speaker, Detroit is having its biennial newspaper strike. My sympathy goes out to the Detroit public denied newspapers since November. Before the strike began, it was whispered in Detroit that the strike would start in November and continue until after Easter. In my judgment, there is something really wrong when union leaders can pass out this information in advance. Recently, Lee Hills, executive editor and publisher of the Detroit Free Press, testified before a subcommittee of the Michigan Senate. For the benefit of those who are interested in the labor problems of newspapers, I spread his testimony on the RECORD:

TRANSCRIPT OF LEE HILLS' TESTIMONY BEFORE SPECIAL SUBCOMMITTEE OF THE MICHIGAN SENATE

Mr. Chairman, and Members of the Committee: I am glad to accept your invitation to come here today and make clear the position of the Free Press in the labor dispute which has left Detroit without its newspapers for 131 days.

Chairman Huber indicated it would be appropriate for me to make an opening statement. I will then be happy to answer your questions.

Let me make it clear that the Free Press has bargained successfully and in good faith with newspaper unions for more than 100 years. Perhaps more than any newspaper in the country, we know the value of collective bargaining and appreciate the products of honest and forthright negotiations.

It is our earnest hope that we can continue to do business with the newspaper unions whose members share equally in our future.

There is a painfully simple explanation for the long shutdown of the newspapers in the nation's fifth largest city.

The Detroit newspapers, their employes and the public are once again the unfortunate victims of whipsaw tactics which cannot be justified and cannot succeed.

If a dozen or more unions were bargaining with and whipsawing the producers of automobiles, steel and other basic products, the United States would probably be a backward nation, a foreign aid client of some other country, instead of the great industrial success that it is.

Let us not have any confusion about the exact nature of events which closed the Detroit newspapers. The trouble started with a strike at the News by the Teamsters. The Teamsters set up picket lines at the News. Members of other newspaper unions, who have joint agreements with the News and the Free Press, refused to cross the Teamster picket lines at the News. This was a violation of the contracts they had signed with both papers. Because of these violations, we suspended publication.

Couldn't the Free Press have published anyway? Of course we could have. But had we done so, we would have conceded that any one of the 14 unions we bargain with could arbitrarily decide which newspaper would publish and which would not.

As a reader, you would have no choice of which paper to buy—there would be only one. As an advertiser, you would be forced to advertise in the one paper the unions picked for you.

The situation, gentlemen, would be this: The newspaper which the unions allowed to publish would prosper at the expense of the newspaper which the unions closed—the competitive advantage would obviously be enormous.

The struck newspaper would be forced to agree to whatever the unions demanded or not publish at all.

The moment that the struck newspaper agreed to these demands, the unions could walk down the street to the other newspaper and raise the ante. So it would go, back and forth, with any one of 14 unions capable of closing either paper at the union's whim. This is not collective bargaining, gentlemen, and it is certainly not justice, either economic or moral.

These are classic whipsaw strike tactics which, if unchecked, could ruthlessly destroy our business. This is exactly what has happened in other cities and we do not intend to see it happen in Detroit. We have exactly the same instinct for survival that all of you have.

What should be emphasized is that the Federal courts and the NLRB have ruled repeatedly that such a shutdown or lockout is just as right, legal and necessary under the circumstances as is the right of a union to strike.

Let me read directly from the decision handed down by the United States Court of Appeals in a recent Detroit newspaper case. The court said—(and I quote the following four sentences. Quote.)—The unions could not "with impunity conduct a whipsaw strike against one of the publishers and that the other would be powerless to exercise its economic weapon of a lockout.

"The unstruck employer in such a situation might need the economic weapon in order to prevent its business from being ruthlessly destroyed.

"This is particularly true in the newspaper industry where the commodity, news, is perishable, competition with other media is keen, and the employer is compelled to deal with a multitude of unions." (I'm still quoting the court.)

The court concluded: "In our judgment, where the lockout is to support an employer's legitimate bargaining position, he could no more be deprived of its use than the right to strike could be taken away from the employes." (End of quote from the Sixth Circuit Court of Appeals.)

This fundamental right of the employer has been upheld by the Federal courts in Detroit, in Buffalo, in New York, in Baltimore, in the American Shipbuilding case and in others.

Gentlemen, the Free Press action in this case is morally right, it's legally proper, and it's economically sound as the only way to guarantee that Detroit continues to have some of the best newspapers in America.

Many of the most talented men and women in America have committed themselves to journalism in Detroit, only to find that it has been a seasonal thing like picking grapes. Detroit's newspapers have been shut down for nearly 9 months out of the last 3½ years. Nobody has gained anything. The community, the employes and the newspapers have all suffered heavily.

The tragedy of a newspaper strike goes far beyond these economic losses.

The real tragedy is that it shuts down and blacks out vital community institutions which contribute importantly to the welfare, knowledge and local pride of the people they serve.

In troubled times when our city needs this contribution more than ever, the shutdown removes from the scene a voice and even a conscience that speaks out on issues, controversies and public problems in a way that no one else can do. Even more important, it muffles the voices of leaders who should be heard at a time like this.

Yet, at a time of great crisis in Detroit, the acts of a few men can suspend one of our democratic freedoms. Judge Medina said—(and again I quote)—"Of all our constitutional rights, the freedoms of speech and assembly are the most perishable, yet the most vital, to the preservation of American democracy." (End of quote.)

We see here just how perishable that freedom is.

A newspaper is a unique enterprise, and vulnerable if interrupted. You can't stockpile news. You can't build up back demands and orders like you can with automobiles. Every day you don't print is down the drain, yet your overhead goes on.

Even so, some people have tried to make an issue of the suspension insurance which newspapers carry.

There is a shabby implication that we somehow like a strike, for financial reasons. This is obviously nonsense. We are a proud and responsible business, the only private enterprise in our society which the founding fathers saw fit to endow with constitutional recognition.

It is difficult to respond to a vague accusation that tries to put these great newspapers in the same category with some second-hand dealer who burns down his place for the insurance.

Of course we carry insurance. Put yourself in our place. If you had the experience that your house is almost burned down every 2-3 years against your will, you would take out all the insurance you can get.

It is like the defense funds—or *strike insurance* if you will—which most unions build up to pay benefits to members when they hit the bricks. We do not criticize unions for building up these funds and certainly some of our unions understand why we must do the same. As Mr. Croteau, the head of our printers local union said on TV recently, and I quote, the newspapers "are entitled to it. I have no objection to it whatsoever." (End of quote.)

As to our insurance, the Free Press had only $10,000 a day for 50 days which offsets only a very small part of our losses. Every day of the strike has been very costly to both newspapers. Insurance has never been an incentive for the newspapers to hold out even one more day for a better settlement. And the point I'd like to make clear on this because of all the inferences that have gone on over the months is this—it is impossible to make a profit through insurance or otherwise in any kind of work stoppage. Insurance does no more than slightly reduce the amount of our losses.

Look at it this way: Have you ever had a loss that is supposed to be covered by insurance—your home or business burning down, a car wreck, a long illness, the death of a loved one? Did you ever profit from that insurance? Of course not. You were merely thankful that you weren't bankrupt, or your family didn't have to go to the poorhouse.

We deplore the need for insurance. We'd rather not have to buy it. We'd like to publish our newspapers. We wish that all of our people and all the people involved in this would recognize that a newspaper's life, and their jobs, depend on continuity of publication.

To sum up, gentlemen, the key point is this:

A newspaper cannot be, as Porgy says of love in George Gershwin's opera—it cannot be "a sometime thing."

As I have said, the Free Press believes strongly in free collective bargaining, and we have been practicing it for more than a century.

We have hundreds of proud and loyal employes who have spent their working lives on the Free Press—25, 30, 40 and some even 50 years—skilled craftsmen, professionals, men and women in all departments. I think they are as sad and frustrated by this situation as we are.

Unhappily, we have witnessed some shameful deterioration in the collective bargaining process. Other witnesses have already pointed this out to the committee. In fact, some union officials have told you that they were dismayed and surprised at the abrupt way this strike was called when negotiations were proceeding normally.

Another complicating factor is that our own productivity is shackled by artificial restrictions that make it impossible for us to make the best use of the great improvements in technology which are now available to our industry. Union bargaining committees are fond of pointing to the UAW's automotive contracts. But they do not talk about the freedom guaranteed to the auto companies in these contracts—the freedom to take advantage of new processes and thereby greatly increase the productivity of each employe. This freedom to improve and move ahead makes America the world's most envied nation. This same attitude about progress is urgently needed in our industry. The goal should be to provide more and more good jobs in an expanding industry.

Newspapers suffer by comparison with productivity gains achieved in most other industries, where the gains have been running 3% annually since 1945.

These other industries have been able to absorb wage costs through increased productivity per man hour. The nature of our daily product, our union contracts, and past practice restrictions have seriously hampered efforts to improve newspaper production efficiency. In all manufacturing, unit labor costs actually decreased 1.6% from 1960 to 1965. Conversely, our costs have gone up.

This lack of significant productivity gain seems to be a key problem in the metropolitan newspaper's economic dilemma and therefore, of course, it's a problem with the unions. Yet hundreds of American newspapers today which are not held back by such restrictions are using new methods and technology to serve the public better than ever. That is why the newspaper industry generally is healthy, strong and growing.

The biggest need, as I see it, is to somehow re-establish fair collective bargaining procedures that encourage continued publication while disputes are being settled.

In closing, I think this committee is to be commended for the forthright way it has begun exploration of this incredibly complex problem which concerns us all so deeply.

What I would really like to see is an independent national study to develop some mutually advantageous collective bargaining objectives aimed at increasing productivity. The resulting gains will benefit the public, the employes and the enterprises that create the jobs. This trend certainly is coming. I would like to see it come through mutual effort.

Thank you.

Testimony on the Jobs-in-Housing Bill

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. BINGHAM. Mr. Speaker, the chairman of a group which I had the pleasure of working with on the jobs-in-housing bill testified in support of the bill (H.R. 16266) last week at a hearing of the Housing Subcommittee.

The testimony by James Haughton is an eloquent plea for a program which, as Mr. Haughton said, promises to "reach the angry black man in the slums" and get him thinking in terms of legislation. The chairman stated clearly the beliefs and aspirations of his group, the National Committee for a Confrontation With Congress. He said:

> We do not believe in civil disobedience or in breaking the law in any manner or form. We do believe that the Congress of the United States holds the key to resolving the racial mess this country has gotten itself into.
>
> CWC believes that if the black man who lives in America's slums will get himself organized and make a specific demand on the Congress, this demand, if it is reasonable, will be met.

For the benefit of my colleagues who did not have an opportunity to hear this compelling argument for action within the framework of our democratic system, I insert Mr. Haughton's testimony herewith:

STATEMENT OF JAMES HAUGHTON, CHAIRMAN, NATIONAL COMMITTEE FOR A CONFRONTATION WITH CONGRESS, BEFORE THE HOUSING SUBCOMMITTEE OF THE BANKING AND CURRENCY COMMITTEE, U.S. HOUSE OF REPRESENTATIVES, MARCH 29, 1968

Mr. Chairman and members of the Housing Subcommittee, I am James Haughton, Chairman of the National Committee for a Confrontation With Congress. I appreciate the opportunity to appear before you today to speak on behalf of H.R. 16266, a bill that has been submitted by Congressman Bingham of this Committee. This bill calls for approximately a ten-fold increase in existing public housing programs and a total of 3.1 million federally subsidized housing units over the next four years. At this rate, in approximately 12 years all of America's slums and dilapidated housing would be abolished. We estimate that passage of this bill would create between 400,000 and 500,000 new top-dollar construction jobs. Before speaking on behalf of H.R. 16266 let me first say a word about our organization. We have been called the "Poor Peoples' Lobby" and we are proud of this designation.

Many Congressmen, as well as others, have urged us not to use the word "Confrontation" as part of our official name. We believe, however, that this term is absolutely essential if we are going to reach the angry black man in the slums and get him thinking legislatively. The old organizations with their more gentle names have not and cannot reach this man.

At this moment, we are a relatively small but rapidly growing organization of approximately two thousand black American men who live in the slums of this nation. We also have the support of a number of men and women of all ethnic backgrounds and from all walks of life.

We do not believe in civil disobedience or in breaking the law in any manner or form. We do believe that the Congress of the United States holds the key to resolving the racial mess this country has gotten itself into.

CWC believes that if the black man who lives in America's slums will get himself organized and make a specific demand on the Congress of the United States that this demand, if it is reasonable, will be met. We hold to this belief because we are confident that a large number of Congressmen are deeply concerned about the racial crisis, and that if it continues to worsen the very fabric of our society will be destroyed.

The Riot Commission report speaks of the possibility of two different nations. Any white person who thinks that he will be better off should such a day come to pass, just doesn't understand the nature of tyranny and apartheid. A nation in which tanks and troops move through the streets is a nation in which no one sleeps very well at night.

CWC is convinced that there is no single solution to the racial crisis. We are equally convinced, however, that important steps can be taken to ease the present situation; to bring hope to the slums; to channel anger into constructive action and to get black Americans headed down the road to progress that seemed so promising just a few years back. H.R. 16266 is, we believe, an extremely important first step toward this goal. This one bill tackles two major problems at once—jobs and housing and because of the nature of the federal housing laws much work and housing is generated at a relatively small cost to the tax-payer.

At first glance, this bill which deals only with greatly expanding *existing* federal housing programs may seem a simplistic and even naive proposal, but let me assure you that it is the result of considerable thought and many long discussions about possible alternatives to tackling the job that must be done.

Let me review briefly the history of our thinking. Thousands of black men in America's slums desire to work but have little education to get the kind of top-dollar jobs that will break them out of the welfare syndrome once and for all. Furthermore, after the slum school systems get through with these men, they have little inclination or patience to go back into school rooms regardless of what the rewards might seem to be. Thus we asked ourselves, is there any kind of employment left in educationally-oriented America that provides a decent wage but does not demand high educational attainment.

Leaving aside the entertainment field, there is only one such area of employment left—namely construction work.

For a hundred years, right up to this day, whites who could not even speak English and have often been deprived of any education at all in their home country have come to this country and have earned top dollar in the construction trades. Many of these workers and their children have gone on to become contractors and even the heads of major corporations.

Aside from the economic and educational factors, construction work is ideally suited for many black men in America's slums for other reasons as well. These men have respect for such work and when a man puts on a hard helmet and gets out with other men on a construction site, the sociologist's worry about problems of manhood and matriarchical societies all but vanish into thin air.

Granted the value of construction work we then asked, what shall the black man construct? Here, of course, there was no need to dream up make-work programs. In this fantastically rich country where so many people live so very well, our life-destroying slums are a national disgrace. H.R. 16266, continued over a twelve year period, would let all Americans know, and would let the world know, that finally a commitment for a slumless America had been made. Equally important tens of thousands of black and other poverty stricken Americans would, at last, be given a meaningful job assignment as important—if not more important—as that given the legion of Americans gainfully employed with federal money building rockets to the moon and super-jets to London and Paris.

Specific figures on the number of construction jobs that H.R. 16266 would create are obviously not easy to project. However, with the help of the Bureau of Labor Statistics and keeping in mind the existing unemployment rate in the building trades, we estimate that between 400,000 and 500,000 new construction jobs would be created by this bill.

As our thinking evolved we were quickly made aware of the problem of the construction trade unions. Bigotry and prejudice do exist in these unions—let me make this very clear at the outset. However, as a long-time battler in this field I am now of the conviction that these unions can be forced to mend their ways if a massive housing construction program is undertaken and a severe job shortage is thereby created. H.R. 16266 virtually promises every existing white construction worker a guaranteed annual wage for years to come. The black man and other poverty-stricken Americans want and intend to get the new jobs that H.R. 16266 would create. If everyone is nice to one another everyone will benefit. If there has to be a fight with the unions, then passage of H.R. 16266 will at least make the fight worthwhile. There are more than enough laws on the books now to support us in this fight—what has been missing have been the jobs.

Let me outline briefly what I think would happen if H.R. 16266 were passed and funded. First and foremost, hope would replace anger and despair. There is not a black man in this country who does not realize what it would mean to him if a twelve year timetable were established for tearing down all of the slums and jobs were created to put him to work rebuilding decent housing for his family and his neighbors. Wives and mothers would finally have some hope of an honest to God family life. Anti-poverty and manpower agencies could begin at once to undertake the massive recruiting and training operation that would be necessary to prepare the black man for construction work. This training could begin this summer with the full assurance that at the end of the road there would be good paying jobs for those who completed the program—the missing assurance in all existing training programs.

Housing authorities and planning agencies, as well as non-profit sponsors, could begin making really big plans. The traditional slow pace of the housing bureaucracies would have to gear up immediately to war-like situation in which red-tape is cut to a minimum and a "can-do" philosophy becomes the order of the day. Plans that are already on the books could be speeded up and the challenge of relocation, design, open space, etc., could become the concentrated concern of blacks and whites; bureaucrats and businessmen.

Our dying cities, once again, would begin to thrive. Finally we could begin to reverse the trend of all of the crushing "pathology" budgets—all that wasted money that is spent on welfare and prisons and social services that never has, and never will be able to do any real good for anybody.

I am not suggesting that H.R. 16266 will solve all of our problems, but I am absolutely convinced that it will go a long way towards reversing current trends that can only lead to a national disaster. The angry black man in the ghetto is not only rioting because life is bad, but because he sees no chance of it getting any better. He is very cynical about all of the "special" programs because somehow they never quite reach him in any meaningful way. As complicated as it is, he understands H.R. 16266—a lot of money in existing programs to provide a lot of top dollar construction jobs to tear down the slums. I hope that you will give this bill very careful consideration and I thank you for allowing me to appear here today.

Edward J. Dorsey

HON. EMILIO Q. DADDARIO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. DADDARIO. Mr. Speaker, I should like to pay tribute to a newspaperman and close friend of mine, Ed Dorsey, who died recently in Hartford, Conn. I had known him for many years, and he had been one of a group of active and enthusiastic journalists who represented newspapering at its best.

He was a photographer in his early days, a constant companion of reporters such as Harold Ogden and others whom I know well. John Cleary, in a memorable column on Ed, recalls that "there was no assignment too dangerous, no technique too reckless for him." Sent once to photograph some steeplejacks working on the top of the tallest building in the city, Ed astounded his copy desk when the developed film was delivered to show the decorative structure from the top down, with Ed having climbed on top to shoot back.

Yet John notes:

> For all his ready combativeness, he was a kind and gentle man. When he was young, he loved a good fight, not because of any ill will against anyone but for its virile joyousness.

The Hartford Times, which celebrated its 150th anniversary earlier this year, took note of the passing of one of its finest with this editorial, which I offer for the RECORD:

EDWARD J. DORSEY

When Ed Dorsey was sent to cover a fire or write the story of how the police department routed an armed man from his hiding place, it was easy to find him. He was where the action was.

The son of a Hartford policeman, Mr. Dorsey enjoyed his years as a police reporter more than any other part of his career. And policemen knew that in him they could find a sympathetic listener who understood how it was to wear a blue uniform and keep peace in the streets.

Mr. Dorsey was one of those fortunate people who make acquaintances everywhere and whose acquaintances think of themselves as friends. Certainly everybody who ever worked with him, either as colleagues on The Times or in contact with him on his various beats, counted himself a friend of Ed Dorsey.

The flavor of Hartford journalism from the days of Prohibition to our own time had a special tang because he worked here. We mourn him and we offer our sympathy to his mother and sister.

Race Riot Verdict Convicts Human Race

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. RARICK. Mr. Speaker, the so-called Civil Disorder Commission has created a new credibility gap.

What competent, impartial factfinding commission could hear a mere 130 witnesses in nonadversary proceedings and bring in a judgment convicting 190 million fellow Americans, and expect any thinking American to accept such a verdict?

Here is some of the nonsense millions of noninvolved American people are expected to swallow:

First, that in scores of cities where dedicated firemen were pinned down by strategically located snipers and prevented from extinguishing destructive fires—the incident was spontaneous.

Second, that despite the testimony of police officials and some mayors that their cities were turned into a battleground because of the agitation and organization of black power extremists—there was no organized conspiracy against law and order.

Third, that where the violence was created by trained riflemen and terrorists with costly weapons, and even where the loot was carried away in Cadillac autos—poverty was to blame.

Finally, after 190 years, the underlying cause was white racism.

If all civil disorders must be blamed on white racism—what is racism? Is it the result of race mixing? The natural revulsion to race homogenization?

In the 100 years before Brown against Topeka when separate but equal was the law of the land and separation of the races accepted as law, no such violence and wanton destruction ever plagued our cities. Why would there be more racism today, under forced integration, than in yesteryear under separate development?

If undefined racism is to be a cause of the problem and not the effect of a cause—why was the report silent on how the racism came about or was promoted?

America's cities have never before in the history of our Nation been in such a revolting condition. Who but the starry-eyed egalitarians with their experimental forced social legislation caused the poor white citizens to flee to the suburbs thus, creating the vacuum which sucked the less fortunate and nonproductive into the politically expedient slums.

The American people must not overlook the political motives and managed philosophy of the members of the Civil Disorder Commission. If the members philosophy of white hate preexisted the so-called hearings, then they prejudged the facts and short-changed the testimony, and the believability of all or any of the report is at most argumentative—not worthy of factual consideration.

A prejudiced man's opinion is just that and no more—and certainly no cornerstone to rebuild a country or civilization upon.

If the Commission members entered the case with minds prejudiced against the American society of individual liberty and free enterprise their findings reflect nothing more than their personal whims and warped feelings.

In either case, the American people must decide, "Was the report based on facts and evidence or rather the theatrical use of a big-name investigation to advance a proclaimed goal of 'a true union—a single society and a single American identity?' "

Obviously, the authors' desired result of the civil disorders report is to encourage more take-aways in tax dollars from the working productive taxpayers to be used to promote socialized housing, and complete nationalization of all police and other State and local agencies under the one command post in Washington, D.C.

Sought after is urban renewal with its destruction of individuality and local self-government. By strange coincidence the recommendation for open housing was timed perfectly, just before the House vote.

Brainwashing is a terrifying term. But to think that the American taxpayer is taxed to pay a commission for a report to mentally whip the poor taxpayer into submission for a tax raise to destroy his own property and city—and in the process to be smeared as a racist responsible for every revolutionary riot and destructive act attached to race—is unbelievable.

Noteworthy the civil disorder report flatly repudiates recent holdings of the U.S. Supreme Court; namely, the absence of segregation and racism in the North. For the great majority of the riots considered were in northern cities—and the Commission report, if accepted, in blaming racism, has overruled the Supreme Court decisions. What a liberal irony.

Educated men have announced a fear that the United States is dividing into two races—black and white. In that sense when was the country ever not divided? The United States has always been divided in more ways than black and white—such is the action of men so long as they are free.

If the division of races is responsible for the verdict of guilt, should not the cause be freedom rather than racism?

Could there not also be a finding of division in our country between those who enjoy the party and those who pay for the party.

But the actions of foolish men, with classroom formulas and statistics blatantly attempting to refute God's act of segregation can only aggravate the problem undertaken because the Commission was not qualified beyond their passions to search for and recognize the cause of the problem. People are people, and as long as people are human and not robots they will act as humans.

The civil disorder report has set race relations, law and order, and public confidence back another 100 years because the Commission's self-serving goal—creation of a true union, a single society and a single American identity—is impossible under any theory of free society.

Using the civil disorder report for a definition, we can best determine the true intent and meaning of the administration's anticrime legislation.

If criminals are no longer murderers, rapists, muggers and robbers, then the new definition of a criminal must be a racist and the No. 1 crime is segregation or being a free man.

Mr. Speaker, another study of the city riots was prepared by Gary Allen, president of the Foundation of Economic and Social Progress, and widely sought lecturer. I place his report "War on Poverty" along with other comments at this point in my remarks:

WAR ON POVERTY: BILLIONS TO FINANCE REVOLUTION

(NOTE.—Gary Allen, a graduate of Stanford University and one of the nation's top authorities on civil turmoil and the New Left, is author of "Communist Revolution in the Streets"—a highly praised and definitive new volume on revolutionary tactics and strategies, published by Western Islands. Mr. Allen is active in anti-Communist and other humanitarian causes and is President of the Foundation for Economic and Social Progress. A film writer and journalist, he is a Contributing Editor to *American Opinion*. Gary Allen lectures widely.)

During the long hot summer of 1967 a total of 110 American cities were subjected to severe rioting, looting, and civil insurrection. Within the last three years, such guerrilla warfare in American cities has killed 130, and injured 1,897; there have been 16,389 arrested at the scene of these holocausts, and the damage to property now approaches one *billion* dollars.

Many reasons have been given for this continuing guerrilla warfare in our cities. Commissions have been convened, savants have pontificated, and politicians have speculated. We are now being asked to believe that what happened in Watts and Newark, Detroit and Chicago and Milwaukee and Kansas City, Nashville and Boston—and in more than a hundred other American cities last year—was a product of the terrible poverty in America.

Many of us wonder. We note that our country is now enjoying a boom market for labor, with employment at an all-time high. We note too that no such repeated and massive riots have ever before occurred in our country—even at the depths of the Great Depression. Our President tells us that the American economy has never been more productive; and we look around and see that it is so. Where *is* the unprecedented poverty to produce these unprecedented civil disorders?

We have been well aware of Communist involvement in these riots, of course, having reported and documented it consistently and in detail since the insurrections began. What has puzzled us has been the matter of finance and national coordination. We remembered the hundreds of law enforcement personnel we have interviewed from Watts to Newark, and their consistent assurance that the riots in their cities were *not* spontaneous, that they were about as impromptu as a launching from Cape Kennedy. And we continued to put the pieces together.

As we assembled more and more information, we began to notice something very strange; we noticed that the massive civil disturbances began at precisely the time that the people of the United States permitted our President to establish what he called a national War on Poverty—a multi-billion dollar effort to drag paradise from the heavens and deposit it in urban America. And we began to wonder how much the War on Poverty was related to the growing number and intensity of the insurrections. It seemed incredible, but there it was. Someone was clearly financing and coordinating these riots on a national level. Someone or something with vast power and influence and inordinate wealth. We wanted to know who or what, and we set out to find the answer.

I

On assignment for American Opinion I have just finished an extensive nationwide tour to interview law enforcement officers, civil officials, Negro leaders, riot victims, and concerned citizens. Curiously, their story was substantially the same from Watts to Milwaukee, Detroit to Newark. The trail led always to the federal Office of Economic Opportunity (O.E.O.), the general staff and paymaster for the War on Poverty. As O.E.O. Director R. Sargent Shriver put it in the *Los Angeles Times* of May 26, 1965: "You are in the midst of a revolution." From all that we can learn, it is Shriver's O.E.O. which is being used to finance that revolution.

Under a bevy of agency titles the War on Poverty is providing the chauffeur-driven vehicle for agitating the nation's black communities and creating the atmosphere and psychological pre-conditioning for riot. Of course, riots require agitators, and the O.E.O. provides them too. The role of these federally subsidized poverty warriors has been to spread gasoline through the streets, dispense matches to an inflamed populace, and then hide until the holocaust is over while Communist revolutionaries provide leadership and direction for looting, incendiarism, and murder. As the smoke clears, the O.E.O. boys emerge in blinking innocence to proclaim their purity of motive and declare that the riots were caused by discrimination, "ghetto" conditions, centuries of deprivation, poverty, lack of jobs, rats, frustration, and the fact that *they* didn't have enough money to spend on "the poor." Their claims are, of course, regularly sustained by the Johnson Administration, to whose political advantage our bounty is being rained on the urban indolent in ever expanding subsidy. The theme is a simple one: Riot and ye shall receive.

The startling similarity of reports collected on our fact-finding tour led us to even further and more extensive research to try to establish whether there is also evidence to support the O.E.O. pattern of involvement in those riot-torn cities not on our tour. Since no thorough investigation has yet been conducted by Congress to establish the role of the O.E.O. in the riots, what information is available has been turned up primarily on a local basis by diligent and anxious citizens, a few concerned Congressmen, and Congressional Committees investigating other subjects.

We find that there have been literally tens of thousands of complaints from irate citizens about O.E.O.-financed political activities, the disappearance of large sums of O.E.O. money, use of federal funds for the most radical sort of unionizing, organization of boycotts, rent strikes, and demonstrations by O.E.O. workers. And, brawling, drinking, knifing, killing, sexual assaults, rioting, use of narcotics, and extortion by Job Corps trainees have become so routine as to be slightly less newsworthy than the annual announcements by Harold Stassen that he is still a candidate for the Presidency.

Nonetheless, the financial and moral scandals which infest the War on Poverty, although certainly important, are beyond the purpose of this survey. We are interested in presenting what evidence is available, from the public record, to substantiate allegations recently made by Congressmen, Chiefs of Police, Mayors, and City Councilmen that the War on Poverty has become the weapon through which chaos and destruction are being fulminated in our cities at the taxpayer's expense. Certainly such charges, backed as they are by the mountain of evidence we are about to present, require a full-fledged Congressional investigation to clear the O.E.O.—or eliminate it.

Revolutionaries and "new" radicals are now more active than ever before in our nation's history. In the cities, on college campuses, among Negroes in the North and South, they talk revolution. According to *U.S. News & World Report* for January 31, 1966, their goal is to "latch onto the poverty war funds and use the money to stir trouble." Such radicals have found unprecedented opportunities in the War on Poverty. As Communist Party spokesman Henry Winston noted shortly after returning from a briefing in Moscow:

> *Today the Economic Opportunity Act has already become the basis for organizing in the slums and ghetto communities and it offers the point of departure for helping to rally the rank and file millions to a mass movement.*[1]

So arrogantly confident are the revolutionaries that they will be protected by their friends running the War on Poverty that they now even gloat publicly about the fact that it is O.E.O. which is supporting them. At the Third Annual Conference of Socialist Scholars held on September ninth and tenth, 1967, Mr. Stanley Aronowitz, Chairman of the radical West Side Committee for Independent Political Action (C.I.P.A.), criticized the poverty program for not spending enough billions, but admitted: "It has given employment to the organizers." The audience burst into laughter, applause, and cheers. "That's right, man," called someone from the floor, "it gave our organizers some bread [money]."

Michael Harrington, the Trotskyite Communist whose book, *The Other America*, supplied the basis for the War on Poverty, had in his Conference speech argued for "evolutionary Marxism," but after Aronowitz' address demanding a Marxist revolution, he declared: "O.K. If you think that will work, I'm all for it." Harrington is a top-level "advisor" to Sargent Shriver.

II

Beyond any doubt the Watts Rebellion served as the prototype for the subsequent insurrections in America's urban centers. Volumes of sociological doubletalk have been written to try to explain away those tragic days in August, 1965. The most famous is the report by the McCone Commission, headed by former C.I.A. chief John McCone—a "Liberal" and close personal friend of Senator Robert Kennedy, brother-in-law of Sargent Shriver. The role of the O.E.O. in fulminating the Rebellion was given less attention than might be afforded a furnace salesman in Hell.

Yet, four days prior to the eruption of the Watts holocaust, "Hearings" were held in Watts by Far Left Congressmen Augustus Hawkins, Ed Roybal, and James Roosevelt, ostensibly to determine whether government officials or the poor should run the local programs of the War on Poverty. This proved to be a mere cover for what amounted to a pep-rally for riot. Authors Patty Newman and Joyce Wenger, who attended the phony "Hearings," describe what they saw:

> *A tape recording was made of the entire proceedings, but no tape recording could possibly convey to you the atmosphere that was created . . . the tone that was generated by the manner in which information was presented and questions were asked.*
>
> *We ourselves were almost mesmerized by the revival-like rhythm created by over 1,000 Negroes swaying and nodding their agreement with the speakers.*[2]

The two authors described their disgust at witnessing "duly elected Congressmen behaving in such a manner while supposedly conducting a 'hearing' for the Congress of the United States of America."

The crowd was quite naturally impressed by the presence of three Congressmen, and seemed to feel that if such important men as these were pushing for revolutionary street action it must be the right thing to do. The phrases of revolution flew like swallows returned to Capistrano: phrases like "you are being used," and "you must organize and fight for your rights," and "you must not let 'them' continue to take advantage of you," and "demand what is rightfully yours."

The meeting grew angrier.

Congressman Hawkins[3] asked questions of the crowd at large and encouraged answers of "Nooooo" or "Yesssss" in rhythmic chanting accompanied by cheers, applause, and stamping of feet, as he presented the Communists' standard revolutionary line. He urged immediate action and called for agitation in the streets against City Hall, exclaiming: "I will not only participate in a march on City Hall, but will personally lead it myself."[4] Newman and Wenger reported that "the air was hot and tense."

Four days after the "War on Poverty meeting" conducted by these Congressmen, the area in which it was held was ablaze with fire and hatred, the center of one of the ugliest examples of wanton civil destruction imaginable. A Westcoast Congressman, who requested that his name not be used, was quoted by columnist Ruth Montgomery in the *Los Angeles Herald Examiner* of September 6, 1965, as saying: "(I have) little doubt but that the hearing is what triggered the riots in Watts . . . giving those people the idea that they were being mistreated was the spark that set off the blast."

Of course, once the spark had been lit and the wick was smoldering, Communist and Black Nationalist guerrillas saw to it that the explosion was memorable. As a report from the *Chicago Tribune* News Service noted in November of 1967:

> *The Communist Party in Southern California caused trouble before, during and after the riots in the Watts area of Los Angeles in August 1965, a House subcommittee was told Wednesday. Detective James Harris of the Los Angeles Police Department told a subcommittee of the House Committee on Un-American Activities about the forming of*

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[1] *U.S. News & World Report*, January 31, 1966.

[2] Newman and Wenger, *Pass the Poverty Please*, Constructive Action, Inc., Whittier, California, Pp. 134–135.

[3] Augustus Hawkins (D-California) serves on the House Committee on Education and Labor, which controls the War on Poverty's purse strings. He has been an official sponsor of the Young Communist League, an instructor at two schools sponsored by the Communist Party, and has served on the fund-raising committee for *People's World*, an official organ of the Communist Party. (See *Report of the Joint Factfinding Committee on Un-American Activities*, California Senate, 1947 and 1948, Pages 70, 78, 96, and 170.) Hawkins has been a member of thirteen organizations cited by the government as Communist Fronts, and the Joint Factfinding Committee to the Fifty-seventh California Legislature (of which Augustus Hawkins was a member) reported: "Hawkins has consistently followed the Communist Party line." There is not the slightest doubt about *that*.

[4] See *People's World*, September 14, 1965

> *a number of trouble-making groups in the area by the local Communist Party.*

Following the riots, Marxist revolutionaries worked in conjunction with the Westminster Neighborhood Association, recipient of a million-dollar poverty grant, to picket the Los Angeles Police Department alleging "police brutality" and continuing to agitate the residents of the area. James Wheeler, an investigator for the House Committee on Un-American Activities, testified that these O.E.O.-supported demonstrations at the downtown police headquarters, "protesting police brutality in Watts," were a Communist project.

Revolutionary activity in Northern California followed much the same pattern. A hot-bed of Marxist agitation, the San Francisco-Oakland Bay area provides enough instances of the use of federal poverty funds for financing revolutionary activity to fill a book. For example, John Ross of the Communist Progressive Labor Party served on the anti-poverty boards in San Francisco, and Howard Harawitz, a former President of the Communist Berkeley Du-Bois Club, serves on the similar antipoverty board in Berkeley. When *Baron's* dared to challenge the wisdom of permitting such Communist involvement, the O.E.O. was furious, declaring: "This is a classic example of brutal charactor assassination."[5]

What was the character assassination? Were these gentlemen not associated with the war on poverty? Well, O.E.O. said that they were serving on its policy-making boards all right, but as "volunteers" working for love not money. And the Office of Economic Opportunity did not even attempt to deny the participation of members of its boards in the Maoist Progressive Labor Party and the Communist DuBois Clubs. Its only defense was that "neither of the above organizations, despite the radical beliefs expressed by some [*sic*] of their members, is included on the attorney general's list of subversive organizations." You see, just because one is an avowed Chinese Communist doesn't make him subversive or disqualify him from the poverty program. Labor columnist Victor Riesel claims that the poverty offices are absolutely riddled with such revolutionaries:

> *. . . the Office of Economic Opportunity (OEO) and thousands of its tiny—sometimes store-front—headquarters are loaded with literature and promoters of street action. Some of the latter are of the New Left, the independent Maoists, the Trotskyites, the pro-Peking Progressive Labor Party "youth," and even Muscovite Communist Party activists. . . . And it is the fashion to hire these young revolutionaries. They zero in on the poor who have been told to organize themselves and run the poverty program. The poor don't know that their districts have been colonized by the militant factions such as the Maoist and revolutionary actionists of the Progressive Labor Party.*[6]

Roberta Alexander is typical of those about whom Riesel wrote. A member of the Communist DuBois Clubs, arrested at demonstrations in Berkeley's Sproul Hall, and daughter of an identified Communist in Los Angeles, she was paid with federal poverty funds for "community organizing" in Oakland as part of a project handled by the Criminology Department at the University of California. After completing her stint with the War on Poverty, she worked vigorously on behalf of Ho chi Minh, and went to Spain where she organized anti-American demonstrations at the University of Madrid. The narrow-minded Spaniards packed her back to Berkeley in nothing flat. Imagine! They thought she was a Communist.

Or note the case of Bobby Seale. At the same time he helped lead forty-one other members of a Black Panther guerilla force in an armed invasion of the California State Legislature last May second. Seale was a $422-a-month family counselor at the North Oakland Poverty Center. Another of the leaders of that group of guerrillas was Mark Comfort, who worked for the O.E.O.'s Neighborhood Youth Corps. *People's World*, the Westcoast Communist newspaper, has been promoting and publicizing Comfort (who married the Caucasian daughter of two identified Communists) since he was a teenager. Often jailed for his revolutionary activities, Comfort's most recent misunderstanding with law enforcement authorities came when he was arrested for running guns in Alabama.

One of the most important of the poverty warriors being subsidized in California by the O.E.O. is old-time Trotskyite Communist Paul Jacobs of the University of California and the Ford Foundation's notorious Center for the Study of Democratic [read: Marxist] Institutions at Santa Barbara, California—the *alma mater* of the New Politics movement. Jacobs, author of a laudatory book on the Marxist New Left and a participant in the Communist-led demonstrations at Berkeley, has been described by the Press in Los Angeles as "the architect of Shriver's job corps in California."[7]

The participation of poverty workers in agitation and demonstrations on behalf of the Vietcong is a story in itself. One example of the use of federal funds for this purpose occurred on July 19, 1966, when a group of Black Power actvists held a "peace" rally on the steps of San Francisco's City Hall to attack the War in Vietnam and to describe city officials as "enemies of the poor." A mass mailing from the Sutter Street headquarters of the War on Poverty urged attendance at the rally. That Sutter Street office is operated by Wilfred Ussery, a revolutionary Black Nationalist who draws down $12,000 a year fighting poverty, capitalism, and "Whitey." Signs displayed at the rally, which featured such speakers as Marxists Vincent Hallinan and Robert Scheer, proclaimed: "Black Power now," and "We Will Not Kill Asians for White ——," and totally unprintable references to the draft.

It was quite a show.

And, as the O.E.O. gadflies are engrossed "organizing the masses" in large urban centers, their comrades in rural areas are enmeshed in "unionization of farm workers." The headquarters of this movement is in California's San Joaquin Valley where Cesar Chavez, an ardent and self-proclaimed revolutionary, heads the United Farm Workers of America. Chavez' goal is redistribution of the land *a la* Mao Tse-tung, and he is obtaining considerable support from an assortment of War on Poverty programs.

In the fall of 1966, fifty pickets appeared in Fresno, California, carrying signs declaring: "Black Power Says, 'Strike, Baby, Strike'." It was revealed that sixteen of the pickets had come up from an O.E.O. training center in Watts to join the Chavez Marxists as part of their poverty program. *Nation's Business* of March 1967 quoted a spokesman for the California Center of Community Development (a beneficiary of $228,000 in federal poverty funds) as explaining that the federally-financed Fresno picketing was part of instructing the "poor" in "nonviolent means to make economic gains." The California Self-Help Service Corps, another War on Poverty operation, has also used federal funds for the training of radical labor organizers.

We have located an informant inside the New Left who is willing to testify under oath before a Congressional Committee in executive session that a San Joaquin Valley poverty program is the conduit for financing virtually the entire operation of the Marxist Student Nonviolent Coordinating Committee in California, including the subsidizing of S.N.C.C.'s newspaper, *The Movement*, through revolutionaries added to the Poverty payroll at $2.67 an hour.[8] S.N.C.C. works closely with Cesar Chavez and managed to turn what was fraudulently termed a "strike" among the grape pickers into a Communist-style "war of national liberation" for Mexican-Americans.

Chavez is the hub of the War on Poverty in Central California. A government official close to the situation both in the Valley and in Washington describes it this way:

> *There is a direct overlapping between all poverty funds and Cesar Chavez. It is very difficult to separate the ends to which the millions in poverty money are being spent and the ends towards which Chavez is working. Just coincidentally the persons who usually get helped by O.E.O. funds are friends of Chavez and he takes a great deal of credit for the poverty money that comes into the area. Although he is not in name a director in any of these agencies, he is the director in fact and the guiding influence of the War on Poverty in the San Joaquin Valley. He has a direct pipeline to Sargent Shriver, Walter Reuther, Willard Wirtz, and Bobby Kennedy.*

Just as the federal Office of Economic Opportunity financed the avowed Chavez revolutionaries, it is also deeply involved with the Mexican-American revolutionaries in New Mexico headed by Castroite Reies Lopez Tijerina, who calls himself the "King Tiger." (See American Opinion, October, 1967.) The story in a nutshell is that the "King Tiger" is by his own admission fighting a Castro-style "war of national liberation" against the United States, making preposterous claims based on the idea that the entire Southwest does not belong to the United States or to Americans, but was stolen from early Spanish settlers. By the merest coincidence, all of the members of Tijerina's organization, the Alianza, become *ipso facto* descendants of those early settlers.

On June 5, 1967, Tijerina and a band of armed *pistoleros* began their revolution by attacking and capturing the Courthouse in rural Rio Arriba County. During the assault they gunned down two police officers (who were lucky to survive) and severely beat an Under-sheriff while holding twenty persons as hostage. Earlier they had taken over a portion of the Kit Carson National Forest, "arresting" U.S. forest rangers as "enemy aliens" and "trying" them by order of a People's Republic.

Following the calling out of the National Guard, which tracked the insurrectionists for five days, the Robin Hood of Carson National Forest and his band of guerrillas were apprehended and charged by local officials with kidnapping and assault to commit murder. During the man-hunt, "Reverend" Robert Garcia, who scrimps by on $10,500 a year as head of the O.E.O. program in New Mexico, was reported to have contacted members of the Tijerina band. As Rio Arriba's District Attorney later noted:

> *I called [Garcia] and asked him for the name of the person they had gotten in contact with. He refused to tell me and I read [to him] the statute that makes it a felony for a person to harbor or aid a fleeing felon.*

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[5] See *Congressional Record*, vol. 113, pt. 22, p. 29778.

[6] *Human Events*, August 5, 1967.

[7] See *Human Events*, September 4, 1965.

[8] When in June, 1966, S.N.C.C. leaders began proclaiming in public what they had long been saying in private, and officially abandoned the mask of non-violence, many wondered how S.N.C.C. would replace the funds which would be driven away by their new violent postures. The Marxists' Student Nonviolent Coordinating Committee had admittedly been financed by the white "Liberals" its leaders were now denouncing in the most scathing terms. It is apparent that while "Liberal" contributions to S.N.C.C. have dropped off significantly, its staff is now being supported on the payroll of the War on Poverty even as they continue to organize for revolution.

Garcia, unimpressed with legalities, refused to divulge the whereabouts of the Castroite guerrillas. He too is involved in a holy war, and he knows where the political influence lies.

O.E.O. Director Garcia moved quickly to try to dissuade New Mexico's Governor David Cargo, whose wife was a member of Tijerina's Alianza, from sending the National Guard after "King Tiger" and his marauders. But even a "Liberal" like Governor Cargo cannot permit guerrillas to operate in his state with total impunity—what would the voters think? Still, even after the capture, O.E.O. executive Garcia went so far as to maintain that Tijerina and his troops had fired blanks in their bloody raid on the Courthouse. Which certainly is curious in view of those real bullets which entered the head and chest of the Rio Arriba policemen (self-inflicted, perhaps?); and the forty bullet holes in the police car parked outside were no doubt the work of a super-healthy woodpecker.

Other O.E.O. worthies have joined Garcia in support of the guerrillas. Several days after the raid on the Courthouse, Governor Cargo told newsmen that anti-poverty "riot experts" had advised him to drop all charges against the Castroites. And, it turns out that when the King Tiger was ensnared he was being chauffeured by Uvaldo Valasquez, an employee of the federal O.E.O.'s Home Education Livelihood Program (H.E.L.P.). Others in H.E.L.P. (appropriation $250,161) also joined the Tijerina game, providing legal aid for the revolutionaries. The *New York Times* quoted state H.E.L.P. Director Alex Mercure as telling newsmen: "some of our people are obviously members" of Tijerina's group. Mercure then guardedly announced that he could himself sympathize with this Castroite cause and he predicted that armed revolutionaries might spread across the entire Southwest.

Moving north to Denver we find that the King Tiger's chief assistant, a revolutionary Marxist named Rudolpho "Corky" Gonzales, has been subsidized in his activities to the tune of $10,000 a year as Director of the O.E.O.'s Neighborhood Youth Program. Upon his election as Chairman of Denver's War on Poverty, Inc., the Marxist Gonzales proclaimed: "I am an agitator and a trouble maker. That's my reputation and that is what I am going to be."

III

The Great Northwest has not yet experienced the cultural advantages which accrue to an area destroyed in the flames of civil riots or improved by O.E.O.-financed guerrilla bands, but the War on Poverty people are trying. A recent issue of the newspaper published by the O.E.O.'s Seattle offspring, Central Area Motivation Program (that's C.A.M.P., baby), contains a number of highly inflammatory articles including a thing called "Violence in the Ghetto," by that well known humanitarian Bayard Rustin—former Organizer for the Young Communist League, avowed Marxist, and convicted sex pervert. Rustin, formerly advisor to Martin Luther King and the gayest thing since spring, told the O.E.O.'s readers:

> *From the revolutionist point of view, the question is not whether steps could be taken to strengthen organization among the lumpenproletariat, but whether that group could be a central agent of social transformation.*

The term *lumpenproletariat* was invented by Karl Marx to describe the slum proletariat as separate from the "working class," and Rustin's reference to "social transformation" is the Marxist euphemism for *revolution*.

One of the C.A.M.P. employees is a "Construction and Rehabilitation Specialist" known as "Skip" Ware. Subsidized as he was by O.E.O., "Skip" recently ran for the City Council in Seattle with the support of the Marxist S.N.C.C. organization and the Freedom Socialist Party. His election flyer declared:

> *I support the Black Liberation Fighters in Newark and Detroit. . . . They are waging a social rebellion. . . . The Oppressed have nots of America must be politically represented. The Ghetto Revolt Asserts the Urgent Need for Revolutionary Change.*

In his "freedom program," Ware says he wants "Black Power. . . . a revolutionary political party . . . Workers Power. Promote class solidarity. . . . The rules for the distribution of resources are set by society. We can change these rules. . . . Socially owned industries under workers control. . . ." Remember, America was subsidizing this revolutionary through the federal Office of Economic Opportunity. No doubt Seattle is now on the list of targets for torching.

Moving South again, this time to Texas, one learns that the O.E.O. was knee deep in the recent troubled waters of Houston. Senator John McClellan's Permanent Investigations Subcommittee has heard testimony that Black Power revolutionaries seized control of a $600,000 War on Poverty project in that city and that, last summer, top O.E.O. officials in Washington had "informally advised" the project to "actively involve the dissenters, the agitators, the troublemakers and the militants" in its activities. Samuel Price, Acting Director of Personnel in the Houston Community Action project, admitted that because O.E.O.'s advice was followed S.N.C.C.-style Marxists took control.

The Houston Community Action project grew out of a wild melee on the campus of Texas Southern University during which students fired on police, killing an officer. Price testified he had been informed that some of the militants involved said they were promised by the Atlantic headquarters of the Marxist S.N.C.C. organization that all the guns they needed would be flown in. He also testified that he had personally seen one room full of guns belonging to the black revolutionaries. Of the five persons indicted on charges growing out of the disorders at the school, Price noted, two were employees of the War on Poverty.

The summer also produced another bizarre incident in Houston when the Harris County Community Action Committee, yet another O.E.O. fundee, ordered a supply of telescopic rifle sights. The employee whose name appeared on the requisition for the seven $111 high-powered sniper scopes had a lapse of memory when first questioned, but after hard evidence was produced his memory improved substantially.

It seems that on July 10, 1967, an order was sent from H.C.C.A.C. to the O.E.O. in Washington for seven twenty-two-inch rifle scopes equipped with standard range settings "that can be attached to any rifle." Not surprisingly, the O.E.O. approved the order and routed it through the Office of General Services Administration in Fort Worth, who forwarded it to the Air Force Base at San Antonio for delivery.

In San Antonio a civilian employee named Lester Washington said he ignored the O.E.O. written approval and stopped the order because, "I did not think it a suitable item for this type of organization." When this information was made public the usual smokescreen was laid down by officials of the War on Poverty. Washington O.E.O. officials hinted darkly that it was a hoax. When it was pointed out that the order was on the proper form and approved by the Office of Economic Opportunity they tried to shrug off the whole affair maintaining that "no requisition was honored." Which, if you will permit us to avoid the use of salving euphemisms, was a lie.

Meanwhile, the head of the O.E.O. office in Houston suggested that the intention of the local poverty warriors must have been to remove the lenses from the scopes and use them for microscopes. (Honest!) Why the poverteers didn't order microscopes in the first place was discussed, but optical experts quickly established that there is no way a telescopic sight can be converted into a microscope. Still, Washington thought it had a plausible rationalization to peddle to the gullible public and explained that the scopes had deteriorated to such a point they no longer could be used for rifle sights. "Not so," contradicted San Antonio officials, the scopes were "in very good condition."

Texas' Senator Ralph Yarborough attempted to drown the issue by attacking the motives of those who objected to equipping revolutionaries with military equipment in the name of fighting poverty. He told the *Houston Tribune* on August 17, 1967: "Too many people are playing party politicians with the 'War on Poverty' in an attempt to subvert it and destroy it." It was all really a matter of politics, you see.

It should be mentioned, also, that the H.C.C.A.C. has now acquired a quantity of walkie-talkie radios for monitoring police calls. Walkie-talkie monitoring devices and sniper scopes do seem peculiar materiel for a battle against poverty, but we are sure Sargent Shriver has a plausible excuse for their purchase: Perhaps the local Marxist revolutionaries are preparing to Support their Local Police.

Of course, O.E.O. is fighting poverty up in Chicago too. There it hires the leaders of various teenage "gangs" around the city as Assistant Directors, with the incredible explanation that they will call in their toughs and reform them. Last year in Chicago I got a good look at some of those gangs, carrying placards with drawings of machine-guns, marching in military formation, and chanting: "Black Power, White Blood!" As one community leader in Chicago told me, "You can't solve the Negro gang problem by putting their leaders on the federal payroll to train other gang members. All the government is doing is giving these gang leaders new prestige, increasing their influence, and admitting that crime pays." With the Communist Revolutionary Action Movement (R.A.M.) now in control of a number of the city's teenage gangs, a whole lot more than crime is involved. And, according to columnists Allen and Scott, it is paying off to the tune of a $927,000 grant to put the leaders of Chicago's big South Side Negro gangs on the federal payroll as organizers and trainers at salaries of from $5,000 to $7,000 per year.

Down South again, the normally quiet and peaceful city of Nashville underwent a riot during the spring of 1967 which Nashville Police Captain John Sorace told a Senate Investigating Committee was fomented by the violent revolutionaries of S.N.C.C.—again subsidized by the ubiquitous Office of Economic Opportunity.

The Captain testified that the War on Poverty was supporting a S.N.C.C. "Liberation School" (presenting the Communists' old "nation within a nation" and "war of national liberation" pitches) which was teaching Negro children "pure, unadulterated hatred." The school's Director, Fred Brooks, was also the Nashville Chairman of S.N.C.C. Brooks made *his* appearance at the scene of the violence in Nashville in style—driving a white 1967 Ford stationwagon paid for by the War on Poverty.

Sorace testified that "A number of S.N.C.C. leaders who were arrested during the April riots were taught at the School" and that Marxist S.N.C.C. leaders had organized what they called "Operation Nashville," in which they taught young Negroes hatred of the white man, judo tactics, and how to manufacture Molotov cocktails. In a raid on the Nashville S.N.C.C. headquarters, police found booklets telling "how to cripple a city" and also confiscated Molotov cocktails, one of which had on it the fingerprints of a former teacher at the War on Poverty's "Freedom School." The *New York Times* of August 4, 1967, revealed that another teacher at the O.E.O.-financed "Freedom School" was arrested during the Nashville insurrection for teaching rioters how to make gasoline bombs.

Of course, the promoters of the War on Poverty were not about to take such an exposure lying down, and "Reverend" J. Paschal Davis, the major-domo of the Nashville poverty agency, was immediately summoned to Washington, D.C. Senator Edward "Ted" Kennedy played the role of guardian angel for "Reverend" Davis as he faced a Senate Investigating Committee, put his hand on the *Bible* and swore to tell the truth—then testified that the "Liberation School" was pure as the driven snow. After returning to Nashville, however, the "Reverend" apparently suffered an upset conscience over bearing false witness; either that or he considered the penalties for perjury. For, "Reverend" Davis soon sent a lengthy telegram to the Senate Committee admitting that his testimony on the "Liberation School" was "not exactly correct."

It seems the minister now remembered that the poverty agency *had* provided the "Liberation School" with certain equipment; and it *had* provided Brooks with that nice new stationwagon. He also remembered that the poverty agency was paying the rent for four women working at the School, one of whom was a member of S.N.C.C. And he even recalled that $7,700 from O.E.O. had been authorized for the guerrilla "Freedom School" *since* the riots. Brooks, the "Reverend" also remembered, was scheduled to go on the local poverty payroll to the tune of $300 a month. At least that's what the *New York Times* reported on August 9, 1967.

IV

We must not forget Appalachia! How our "Liberal" politicians love the very sound of it rolling off their tongues. Think, for instance, of all those unregistered voters.

Barrels of poverty money have been poured into Appalachia—one million dollars, for instance, going to Appalachian Volunteers, a group with two functions: "organizing" poor whites; and training recruits for the domestic Peace Corps, called V.I.S.T.A. (Volunteers In Service To America).

On August 12, 1967, a midnight raid on the home of three poverty workers produced some most interesting results. Commonwealth's Attorney Thomas Ratliff revealed that material seized included what he called a "communistic library out of this world." He also reported confiscating a "white paper" on how to "take over Pike County from the power structure and put it in the hands of the poor." The paper also included a narrative on ways to get into the government's anti-poverty programs and "take advantage of the money available through the programs." "Works by and about Lenin, Marx, Mao Tse-tung, Castro and other Communist leaders were among the books seized," Ratliff said, "along with instructions on how to use weapons and how to fight guerrilla war." [9]

When the three poverty warriers were indicted for sedition, their bond was posted by no less a personage than Carl Braden of the Southern Conference Educational Fund (S.C.E.F.), cited by Committees of both branches of Congress as the primary Communist Front in the American South. F.B.I. undercover operative Alberta Ahearn identified Braden and his wife Anne in sworn testimony as Communist Party Organizers in the South, and there is simply no question that it is a fact.

Two of the poverty workers arrested, Al and Margaret McSurley, are also staff representatives of the Communist S.C.E.F. The third person charged with sedition, Joe Mulloy, is a field representative for Appalachian Volunteers—which received ninety percent of its funds from the federal government and the balance from such sources as the National Council of Churches, the Marshall Field Foundation, and the New World Foundation. The Mulloy and McSurley home was used as a training school for V.I.S.T.A. recruits.

Of course, a federal court soon ruled that the three subversives were home free because of the Warren Court's ruling that state sedition laws are void, and they were released to continue their activities.

The Bradens have their fingers in a number of War on Poverty pies, as revealed by U.S. Representative Gene Snyder (R.-Kentucky). For example, on September 11, 1965, the West End Community Council of Louisville received a $28,000 War on Poverty grant. Congressman Snyder presented Congress with a photostat of the Articles of Incorporation of that organization, and among those named as an incorporator is Communist Party Organizer Anne Braden. So cocksure are these Communists of the sympathy of the leadership of the War on Poverty that they do not even attempt to hide their participation. The address listed in the incorporation papers for the West End Community Council is 4403 Virginia Avenue, Louisville—the same address carried in the Louisville telephone directory for Communists Carl and Anne Braden and the Communist S.C.E.F.

Now, the Bradens are the two most widely known and notorious Communists in the South. Yet when Congressman Snyder inquired of an official of the Community Action Commission, the group in charge of dispersing $3.4 million in federal funds, whether he knew of Anne Braden's participation, the reply was: "Yes. I do know. She is active . . . very active." [10]

Of course, Shriver Claus has visited bayou country too, and a recent report by the Louisiana Committee on Un-American Activities presented considerable evidence that the jolly elf spread lots of goodies to local revolutionaries. An undercover agent surfaced at the Committee's recent Hearings revealed that one of those being subsidized by O.E.O. is a Communist named Virginia Y. Collins, who received $4,200 a year as a community worker in the Louisiana War on Poverty. Mrs. Collins had also served as a special assistant to James A. Dombrowski, an identified Communist who until recently headed the Communist S.C.E.F. Negro detective Joseph Henry testified that Mrs. Collins was a Marxist-Leninist who tried to recruit him into the Spartacist League, a Trotskyite Communist organization.[11]

In its Report, *Aspect of the Poverty Program in Louisiana*, the Louisiana Committee on Un-American Activities concluded:

> *The U.S. government will no. subsidize Communist organizations directly, but it will subsidize or can be induced to subsidize so-called "civil rights workers" and their organizations. The solution for the Communists is to get their organizers and "fronts" identified as "civil rights workers" and "civil rights organizations" and carry out their Communist activities at the expense of the taxpayers!*

The Southwest Alabama Farmers Cooperative Association of Selma, Alabama, which recently received a $400,000 blessing dispensed by the Sargent from whom all blessings flow, includes among its associates John Zippert and Shirley Mesher. The Louisiana Joint Legislative Committee on Un-American Activities recently documented Zippert's association with revolutionary causes, including the Moscow-financed World Youth Festival. According to the Alabama Legislative Commission to Preserve the Peace, Miss Mesher, a former coordinator for S.N.C.C., is "a prime participant in the Black Panther Movement designed to overthrow the government. . . ." [12]

V

Right in General Shriver's own backyard, Washington, D.C., or, as it is now called, Fort Poverty—there is also a number of revolutionary Redmen being fed by the white eyes. The most famous is the Sitting Bull of the Sixties, Hubert Gerold Brown, a savage who calls for many white scalps. The name doesn't ring a bell? Try his assumed name, H. "Rap" Brown. "Rap" won his first feathers as a federal poverty warrior with the United Planning Organization (U.P.O.) until quitting his job to succeed Stokely Carmichael as the most militant Marxist revolutionary in the nation.[13] Needless to say, the Press doesn't spend much time dwelling on the matter of "Rap's" last employer. Neither does the Office of Economic Opportunity.

At the top of U.P.O. is Deputy Director ($21,000 a year) Hal Witt, son of a member of the Communist Party named Nat Witt. Young Hal is on the Executive Board of SANE, a regular sponsor of Far Left "peace" demonstrations, and a regular supporter of the Washington American Forum—successor to the Communist Progressive Party. He is on the Washington Area Committee to Abolish the House Un-American Activities Committee, another Communist Front. His name is on the mailing list of the Communist Fair Play for Cuba Committee. His police record reveals that when charged with disorderly conduct in 1960 he chose as his attorney Joseph Forer, the leading attorney for the Communist Party who is described by a member of the National Committee of the Communist Party as one of the most important Communists in the District of Columbia. According to the *Congressional Record* of November 14, 1967, the F.B.I. has information that Mr. Witt is in close and frequent contact with many members of the Communist Party as well as top financial backers of the Party.

The *Daily Worker* of January 10, 1965, advertised a meeting to honor the fortieth anniversary of the Communist publishing firm, International Publishers. Listed as a featured speaker was Marion Barry, now a $1,000 per month consultant at the War on Poverty's U.P.O. Until June of 1965 Barry was head of S.N.C.C.'s New York office. He became somewhat infamous in the District in 1966 by kicking a door of a paddy wagon while being arrested, and he led a march on the Capitol under the label of "Assembly of Unrepresented Peoples." *Barron's* of July 31, 1967 quotes O.E.O. executive Barry as declaring: "Riot power and rebellion power might make people listen now."

Following that July article in *Barron's*, the O.E.O. came back with this blistering defense: "Barry has taken an active role . . . to fight the blight and decay—both spiritual and physical—of Washington slums. Because of Mr. Barry's demonstrated ability to effectively organize young people and channel their energies in constructive channels, he has been employed by the United Planning Organization. . . ." [14] Of course Adolph Hitler was a pretty fair organizer of youth, too. If he were alive and in Washington he would probably be working for the O.E.O. After all, he was a revolutionary socialist too.

Barry's "assistant" at U.P.O. is one Rufus Mayfield, age twenty-one, who has spent most of the past eight years in prison. The young poverty warrior was present when a TV set went through a window; when the Washington Redskins' band had to leave a ballgame under police protection; when a fire broke out in a dime store; when trouble developed at the Coliseum and looting followed; when poverty guerrillas marched on the White House. In spite of a concerted effort by the Washington Press to portray his activities in a favorable light, he is constantly present at the scene of serious racial trouble—though, thanks to O.E.O., hundreds of Washington teenagers now acknowledge him as their leader.

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[9] See *Louisville Courier Journal*, August 13, 1967.

[10] See daily *Congressional Record, February* 8, 1967, page A544.

[11] Also entered in the Committee's 1967 Report was a photostatic reproduction of a letter from then-Attorney General Robert Kennedy to Communist Dombrowski requesting his aid in establishing "a national service corps." Kennedy wrote: "In view of your organization's experience, you are in a position to offer needed advice. We would welcome and appreciate your immediate response. . . ." (daily *Congressional Record*, March 1, 1967, Page A1259)

[12] See *Barron's*, July 31, 1967.

[13] See *Congressional Record*, vol. 113, pt. 14, p. 3243.

[14] See *Congressional Record*, vol. 113, pt. 22, p. 29778.

The O.E.O. defends itself on the matter of Mayfield by maintaining that his cheque for serving as an assistant to Barry comes from the Labor Department, not the U.P.O., and declares that this Black Muslim "has been operating what is regarded nationally as an extremely successful anti-poverty effort, hiring more than 1,000 poverty-stricken youths. . . ." Elijah Mahammad must be ecstatic.

Gaston Thomas Neil, another Washington U.P.O. worker subsidized by the War on Poverty, runs something called the New School of Afro Thought. He has been incarcerated in St. Elizabeth's Hospital after being found not-guilty by reason of insanity on a number of narcotics charges, and there are other unresolved charges still pending against him. In August, according to the *Congressional Record* of October 24, 1967, Neil and a companion bought two Russian-type carbines in Alexandria, Virginia—for what purpose we can only guess.

Also flitting around the Washington scene is Black Power advocate James Farmer, the former chief of C.O.R.E. who now runs the National Center for Community Action Education (which took its first gasp of life when it received an $860,000 "preliminary grant" from the Shriverites). Assisting Farmer is Marxist revolutionary John Lewis, who before turning over the Chairmanship of S.N.C.C. to Stokely Carmichael helped author that organization's infamous call for draft evasion. The War on Poverty, however, is apparently one draft that Lewis does not care to dodge.

VI

Over in upstate New York, the O.E.O. presented the Syracuse Community Action Training Center with a $314,329 grant for a project in organizing the poor. The Center spent $10,000 of this money to import Saul Alinsky, a self-styled "professional radical," to conduct a community organizing school.

Alinsky says his theory is, "You find a target; you hold it; you don't let it get away." His book, *Rules for Revolution*, begins: "Machiavelli wrote *The Prince* to tell the 'haves' how to keep it; this is a book to tell the 'have nots' how to take it away." Prince Alinsky, who according to Peter Bart of the *New York Times* is no pauper himself, considers his book to be the most important revolutionary tract since Marx. Whatever his talents as propagandist for revolution, *U.S. News & World Report* of August 23, 1965 quotes Syracuse Mayor William F. Walsh as saying that the main purpose of Alinsky's O.E.O. financed Center was to "train agitators" and that it was "teaching Marxist doctrines of class conflict."

In July of 1967, the third anniversary of its 1964 riots, Rochester, New York, was once again victimized by criminal revolutionaries. At the time, City Manager Seymour Scheer revealed that the local anti-poverty agency, Action for a Better Community, had been working "to inflame rather than to calm" the racial disorders which led to two deaths. According to the *New York Times* of July 27, 1967, Scheer accused the anti-poverty officials of "deciding to add to the confusion."

The summer of 1967 also brought chaos to Buffalo, New York, where City Councilman Raymond Lewandowski reported that, as the riot tensions grew, O.E.O.-subsidized anti-poverty workers, including two V.I.S.T.A. activists, "threatened" him with a race riot if he did not agree to their demands. When the promised riot developed, one of the V.I.S.T.A. revolutionaries was among those the police were forced to arrest. He claimed he was "advising people of their civil rights."

Following the riots in Buffalo, Councilman Lewandowski reported, V.I.S.T.A. workers are "holding weekly meetings at which more than several hundred angry militant Negroes are in attendance." He declared that seven of the nine City Councilmen want "all federal anti-poverty activity removed from Buffalo because of the agitation and disruptive action on the part of anti-poverty workers in local affairs." Nationally syndicated columnist Robert S. Allen quotes Lewandowski as saying that "The War on Poverty programs are a well organized conspiracy in which Buffalo's elected representatives are being subjected to threats of riot and intimidation by anti-poverty workers."

VII

The granddaddy of all War on Poverty Programs is Haryou-ACT (*Har-You* meaning Harlem Youth), with an army of highly paid administrators who have tiptoed through more than $100 million tax dollars in the first two years of the program's existence.

It was the federally subsidized Haryou that spawned a friendly little group known as the "Five Percenters," which maintains that eighty-five percent of Negroes are "cattle" or "Toms"; ten percent are "sympathizers" with the Black Nationalist revolution, but are not leaders; leaving the Five Percenters to provide insurrectionary leadership. The Five Percenters are expertly trained in judo and karate and have apparently terrorized large segments of the community. "Continue to pour money into us through Haryou," they say in effect, "or we will bring bloody revolution to New York."

Even the militant Director of Haryou, Livingston Wingate (a former aide to Adam Clayton Powell) seems frightened by his guerrilla proteges. The *Los Angeles Times* of October 20, 1965 quotes Director Wingate as saying: "I've talked to the police. They're scared, they know the facts. If I tell too much, I'll be the late Wingate."

However, according to the *Dallas Morning News* of August 10, 1967, New York's fearless Mayor John Lindsay gets along just fine with the Five Percenters. On August 5, 1967, the Mayor personally escorted eighty-six of these trained revolutionaries on a one-hour sightseeing flight over New York by turbo-prop jet. When their leader—a creature calling himself Allah—came to the airport to see the flight off, Lindsay remarked: "Allah is working with me. He's teaching me Muslim philosophy."

Another of Haryou's triumphs in inciting domestic guerrilla warfare is its establishment of the Black Arts Repertory Theater (B.A.R.T.)—with a grant of $40,000 in federal funds. According to the Associated Press of December 1, 1965:

"Each night in a makeshift Harlem theater a group of young Negroes give vent to their hatred of "Whitey," . . . Chalk-faced Negroes perform roles of whites, frequently portrayed as homosexuals."

B.A.R.T. is the illegitimate offspring of Negro playwright LeRoi Jones, proud author of an uplifting drama called *The Toilet*, who (according to the *Los Angeles Times* of December 1, 1965) justified his psychotic anti-white diatribes at the taxpayers' expense by deadpanning: "I don't see anything wrong with hating white people."

This sample of poison dispensed by Jones' O.E.O.-subsidized theater school is from a B.A.R.T production:

"The white man cannot deny when we met him he was living in a cave, walking around on his hands and knees, and eating raw meat. He could hardly use his vocal cords. It was the white man who was civilized by the black man. We are the most intelligent, wisest people on the planet." [15]

Calling for revolution in terms strong enough to assuage the guilt complex of the most teary-eyed of "Liberals," Jones maintains that white men are "devils, beasts, and liars," who should be killed.[16] The creator of *The Toilet*, flushed with hatred, rants: "The force we want is 20 million spooks storming America with furious cries and unstoppable weapons. We want actual explosions and actual brutality." [17]

LeRoi says he gets what he wants.

Jones follows the thirty-year-old Communist line that American Negroes are a captured nation, a nation within a nation, which must be liberated by Red revolution. The *New York Times* of May 8, 1966, quotes poverty warrior Jones as follows:

In Harlem . . . as director of the Black Arts Repertory Theater School, I have issued a call for a Black Nation. In Harlem, where 600,000 Black People reside, the first act must be the nationalization of all properties and resources belonging to white people, within the boundaries of the Black Nation.

Jones, who in the *Los Angeles Herald Examiner* of November 1, 1965 described the white man as "a loathsome beast," had his pet poverty project closed down by the police on March 16, 1966, after they discovered that the theater's basement was full of guns and ammunition. Well, that's show biz. And the generals of the War on Poverty were not the least embarrassed by the disclosure of another of their regular "mistakes." According to the *Los Angeles Times* of December 1, 1965, James Kelleher, Deputy Director of Publicity for the Office of Economic Opportunity, declared: "We'd rather have these kids fussing on the stage than on the streets . . . Haryou-ACT wanted Jones in the program. . . . We knew about it when we granted the money and we have no apologies." Later, in Newark as the city burned, Jones was involved in far more than "fussing on the stage."

Another dauntless soldier in the Sargent's War on Poverty is Jesse Gray, cited by J. Edgar Hoover as Communist Party Organizer for Harlem. Gray led the Harlem rent strike in 1963, and was a leader in the bloody Harlem riots of 1964. During that riot in 1964 he harangued a mob of Negro militants, asking them to help organize 50,000 black guerrillas in Harlem for war against Whitey.[18]

On August 7, 1967, Jesse Gray took two busloads of Negroes from Harlem and Brooklyn and invaded the spectators' galleries of the U.S. House of Representatives, chanting "rats cause riots" (the House had rejected an L.B.J. request for $40 million to kill rats). Many of the demonstrators were poverty warriors subsidized by the O.E.O. According to a United Press report of August 8, 1967, the co-leader of Communist Organizer Gray's little group of Poor Corps guerrillas was James Harrell, employed by an anti-poverty agency called Harlem Back Street Youth, whose most recent O.E.O. grant—given in July 1967—amounted to $16,000. Communist Organizer Gray is, of course, himself subsidized by the War on Poverty at the rate of $1,000 a month—a figure in excess of that earned by most taxpayers footing the bill.

When Capitol police tried to evict the kindly anti-rat demonstrators, a brief but ugly riot ensued. One protestor even pulled a razor to slash a police officer. Nine days later Gray returned with another load of poverty warriors for a second peaceful demonstration; but, this time, trouble was averted when several Congressmen met privately with the Communist Organizer. New

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[15] Los Angeles *Herald Examiner*, November 1, 1965.

[16] See *Human Events* for October 23, 1965 and February 5, 1966.

[17] Associated Press, December 13, 1965.

[18] See *New York Times*, July 20, 1964.

York Congressmen Frank Brasco and Ogden Reid assured Gray the rat-control request would get prompt action. Senator Jacob Javits sent word that he would offer a rat-control rider to a housing bill.[19] One month later the House reversed itself and by a vote of 227-173 added a $40 million rat-control rider to a billion-dollar health bill.

Haryou's partner in sowing dissension among the "poor" in New York City is M.F.Y.—Mobilization for Youth—which struggled along on a mere $10 million during its first two years. The *New York Daily News* conducted an investigation of M.F.Y. and among sundry other tawdry matters uncovered the fact that more than thirty-seven of its employees had subversive or Communist backgrounds. According to the *New York Times* of August 24, 1964, both a state agency and the F.B.I. later confirmed these allegations.

As per usual with such matters, the O.E.O. has denied that its M.F.Y. ever employed Reds. O.E.O., of course, lies whenever it is expedient. But, the Marchi Committee, set up by the New York Legislature, published a Report which *named* the subversives and radical Leftists hired by the M.F.Y. organization. One of those on the payroll was Mrs. Constance Bart, who was simultaneously serving on the New York State Committee of the Communist Party. In the midst of the Hearings, she missed a subpoena because she and her husband had flown to Moscow to be honored guests of the Soviet Union. No doubt they talked about the War on Poverty while they were there.

Other Communists active with the federally-subsidized M.F.Y. include: Mrs. Esther Gollobin, an identified Communist and member of the M.F.Y. Board of Directors; Calvin Hicks, identified Communist; Marc Schleiffer, editor of Communist Robert F. Williams' inflammatory book, *Negroes With Guns*, and associated with the Maoist Progressive Labor Party; and, Leroy McRae, a member of the Trotskyite Communist Socialist Workers Party.

According to the *New York Times* of August 19, 1964, it was M.F.Y. which promoted those rent strikes led by Communist Organizer Jesse Gray, who served the agency as a "Rent Strike Consultant." Other M.F.Y. projects include the promotion of school boycotts (perhaps on the ground that enhancing one's ignorance better prepares one for life in the Great Society), and even recruiting demonstrators and school children for the activities of Bayard Rustin, the previously mentioned pervert and Marxist.

The latest of the War on Poverty's capers in Gotham City has produced the revelation that an identified Communist, Robert Schrank, is Director of the city's Neighborhood Youth Corps. Mayor Lindsay not only admitted that such was the case, but bragged about it. As the *New York Daily News* noted: "Robert Laird [Mayor Lindsay's] press assistant, said he understood that while Schrank had been a member of the Communist Party for fifteen years, he gave up his membership prior to his Mobilization For Youth appointment three or four years ago."

Isn't *that* nice?

The Mayor went on to call this identified Communist[20] a "distinguished public servant" and promoted him to *Assistant Commissioner* of the New York City War on Poverty, a post in which he earns a mere $20,500 a year. And, you can bet your last L.B.J. peanut-butter-sandwich quarter that if tomorrow Gus Hall finds it expedient to claim that he has dropped out of the Communist Party to go to work for the War on Poverty, "Liberals" like Mayor Lindsay will welcome him with open arms and call him a "distinguished public servant." Even so, for all his fatuity, Lindsay has been appointed by Mr. Johnson to serve on the President's special advisory body to study the causes of our nation's repeated riots. There are those who would suggest that the Mayor might begin by purchasing a mirror and taking a long look.

VIII

Perhaps the most interesting example of major violence precipitated by the revolutionary agitators of the War on Poverty is to be found in the records of the bloody Battle of Newark during July of 1967. Some six weeks before the eruption of that rebellion, Police Commissioner Dominick Spina, a tough-minded former Colonel of paratroops, sent a frantic telegram to O.E.O. Director Shriver, stating:

> *I strongly protest the use of resources and manpower from the United Community Corporation, an agency of the Office of Economic Opportunity for the purpose of fomenting and agitating against the organized and democratic government and agencies of the City of Newark . . . this kind of practice by this antipoverty agency will undoubtedly lead to riots and anarchy in our city. I request an immediate response.*[21]

It took the millionaire anti-poverty chief nineteen days to reply to Director Spina's charges.

Three weeks later the city exploded and the bloodletting began.

What had Spina been so upset about? It seems the poverty warriors had been conducting a vicious campaign among the city's Negroes, inflaming them to hatred of whites, renting sound trucks with federal funds and driving through Negro districts blaring the old Communist canard about "police brutality." Inflammatory leaflets run off mimeograph machines in the offices of Newark's anti-poverty agencies told how to make Molotov cocktails and how to organize for "black unity." Among the extraordinary fulminations hurled by these warriors a few days before the outbreak of the rebellion was this charming declaration: "There is going to be blood running in the streets of Newark like there has never been anywhere else in America. . . ."

Soon there was.

Late Wednesday night, July 12, 1967 two Newark policemen stopped a Negro cab driver who, when they tried to give him a citation, assaulted them. Area Board No. 2 of the O.E.O.'s United Community Corporation organized a protest rally which brought an angry mob to the precinct station the next day. A false rumor was circulated that the cab driver had been beaten to death by the police. Newark Detective Junius Hedgespeth described what happened next:

> *He [the anti-poverty agency official] told them that the black man was in a position to seize power in Newark. The crowd responded with yells, "We came here to fight." Whereupon, someone in the crowd threw a bottle that hit the wall of the precinct station, and almost instantly was followed by other bottles.*

The riot was on!

During the holocaust Charles McCray, an accountant for the U.C.C., was arrested for firing a rifle from a car window. Willie Wright a high-ranking official with the anti-poverty agency, and a leader of the Community Black Patrol, told a crowd to buy guns and keep them until the rioting began again. According to the *Chicago Tribune* of August 10, 1967, the O.E.O.'s Wright declared: "Complete chaos will have to prevail in the streets of American cities and blood will have to flow like water before the black man will become an accepted citizen!" Expanding on his brotherhood theme, Wright added: "Just a six-shooter won't be enough. Get yourself a machine-gun, cause you're gonna need it. Every black man should buy a tank and put it in his backyard." Perhaps such implement along with sniper scopes, will be supplied by the O.E.O. on the ground that Negro revolutionaries have been deprived of these necessities for over four hundred years.

As to retaining Willie Wright on the federal payroll, Sargent Shriver explained in the Newark Star Ledger of August 9, 1967, that the War on Poverty is essentially a local program. Anti-poverty workers are, he said, "chosen in Newark, fired in Newark, supervised in Newark and investigated in Newark." And, naturally, the Newark anti-poverty leaders refused to fire Wright. Of course Shriver had yodeled quite a different tune in Look magazine of July 27, 1965, when he boasted that he exercises tight control over the poverty war and will not grant tax money unless the kind of people are hired whom he wants hired. On which occasion was he lying?

In the midst of a major conflagration like that in Newark, the O.E.O. has now arranged it so that rioters and looters no longer even have to provide their own attorneys when they are so injudicious as to get caught. Any humanitarian idealist will tell you that looters "just can't help themselves," and only a cold-hearted and callous brute with no "social conscience" would object to depriving his own family to pay taxes for their legal defense. Yes, virtue triumphed in Newark as it now does in all our riot-torn cities. Oliver Lofton, a Negro attorney and administrator of the Newark Legal Services Project, funded by the War on Poverty, was ready and waiting at the jail with his staff of fourteen lawyers to defend whatever revolutionaries got caught.

Following the riot, Officer Leonard Kowalewski, President of the Newark Policemen's Fraternal Order, testified under oath as an expert witness before the Senate Judiciary Committee. He emphasized once more that poverty workers had helped instigate the riot by conducting an organized hate campaign against the police, calling them "Gestapo agents and murderers who got satisfaction from brutalizing members of a minority group." One of the leaders in the anti-police attack was Robert Curvin, a Director of the Newark poverty agency.

Kowalewski's testimony was made difficult by the constant harassment from Senator Edward "Ted" Kennedy, who has had the good fortune to overcome poverty, if not bad breeding. Kennedy went so far as to challenge Kowalewski's honesty, but the police officer is a gentleman and refrained from reminding the Massachusetts Senator just which one of them had been expelled from Harvard for cheating on examinations.

The Mayor of Newark also testified before the Senate Judiciary Committee that poverty workers "made significant contributions" to the riots, that the Marxist Students for a Democratic Society (S.D.S.) controls two of the city's eight War on Poverty areas, and that another Leftist group, the Newark Community Union, controls yet another. The Newark S.D.S. project was of course headed by Thomas ("We are all Vietcong") Hayden, who carried a written pass to show to police in case he was detained while the riot was still raging.

Mayor Thomas Whelan of Jersey City testified before the Senate Committee, that while the O.E.O. employee H. "Rap" Brown was invited by Roy Kennix, a chap on the poverty payroll of nearby Jersey City, to speak on a program sponsored by the Council of Churches—a program with an O.E.O. grant of $142,000. Poverty war alumnus Brown told the audience, "You built the city; go out and burn it down." But, the effort to incite devastation in Jersey City failed when Mayor Whelan announced that Jersey City Police would move instantly with maximum force and that the city government would have no mercy on the lawless.

In presenting his evidence to the Senate Committee, Mayor Whelan said of the poverty program in his city: "I would say, this one program in Jersey City is funding and fueling and feeding people who, in my opinion, want Jersey City to erupt into a riot."

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[19] Associated Press, August 17, 1967.

[20] See *Congressional Record*, vol. 113, pt. 14, p. 32343.

[21] *Congressional Record*, vol. 113, pt. 14, p. 19296.

To date no Congressional Committee has systematically investigated to ascertain the *extent* to which tax money is being used to support revolution and revolutionaries across America, nor even the extent to which it has become a political pawn. But, as Congressman James C. Gardner (R.-North Carolina) has warned, "the Office of Economic Opportunity could very easily control the political destiny of America."[22] As we have seen, Shriver and his general staff will go to any extreme to hide their revolutionary activities with sweet talk, doubletalk, and outright obfuscation and prevarication. The stakes are very high indeed.

IX

If you resent the fact that your tax money is being used to finance attacks on the security of the United States, you are precisely the sort of American for whom this article was written. And you are no doubt already asking yourself: What can be done to stop the use of our own treasure to subsidize our national destruction?

You realize, of course, that a number of politicians have offered all kinds of answers designed to attract the votes of the economy-minded who are conscious only of the financial irresponsibility of O.E.O. But, stopping there is the equivalent of taking an aspirin to cure appendicitis. In the case of the War on Poverty, only surgery will do the trick. A major investigation by Congress *would* provide an encyclopedia of information on Communist and Black Nationalist participation in the War on Poverty; but even here the result would be that some of the most blatant Communists, Marxists, and revolutionary radicals would be discharged or transferred only to be replaced by others of the same philosophy.

The fact is that none of the strange examples chronicled here makes sense unless one begins with the realization that the War on Poverty is intended, and was intended from its beginning, to provide a financial bulwark for revolution. There is no way to clean up the War on Poverty: It is what it is because of the very nature of the people like Trotskyite Michael Harrington who conceived it, and the people like Sargent Shriver who run it. Changing the cast of characters will serve only to deceive the American public.

In the matter of the O.E.O., the words of the French philosopher Frederic Bastiat are today more appropriate than ever:

> *When the people are encouraged to turn to government to settle all of their problems for them, the basis for all revolutions is thereby established. For then the people expect the government to provide them with all of the material things they want. And when these things are not forthcoming, they resort to violence to get them. And why not—since the government itself has told them that these responsibilities belong to government rather than to them? I am convinced that a revolution would not be possible if the only relationship between government and the people was to guarantee them their liberty and security.*

That is it exactly. The billions being wasted on the War on Poverty do *not* benefit the poor, but serve instead to promote rebellion out of the frustration engendered when the government's wild promises of federally guaranteed paradise cannot be fulfilled. The indigent will hardly be permitted to realize that the federal monies are going primarily for salaries to Marxists and Black Nationalists who, in turn, tell the frustrated poor that violent revolution is the only solution.

The War on Poverty is really a war on property, based on forcibly extracting money from citizens who earned it, and giving it to those who have not earned it. It is as simple as that—no matter how extensively the socialists attempt to dress such theft in terms of charitable or humanitarian ideals. Any government predicated upon robbing its industrious citizens to support the indolent and corrupt *must* ultimately collapse as the producers are eventually engulfed by the parasites. And when conspiratorial revolutionaries are involved, the process is speeded a hundred fold.

Still, there *is* a war on poverty that works. It is called "capitalism." The reason America has fewer poor than any other nation in the world is that we have, or had, more capitalism. Today, in every major American city there is a labor shortage. That labor shortage would be greatly multiplied if the $50 billion[23] per year being extracted from taxpaying producers for the welfare programs supporting revolutionaries in our streets could be spent on consumer goods, privately rebuilding cities, private education, medicine, and investment. The one and only resort open to moral and productive Americans is to cut the malignant revolutionaries from the body politic by taking away from them the sustenance upon which they thrive—our tax money!

Conspirators in our government are using the War on Poverty for two important purposes—one short-range, and one long-range. They are seeking at once to strengthen their political base among the indolent and parasitic, and to finance the development of highly skilled professional revolutionaries of the sort Lenin used to establish Communism in the Soviet Union. We must stop them—we must stop federal subsidy of revolution—or this Republic will not survive another generation as a free nation.

[From Human Events, Mar. 30, 1968]

HAVE WHITE LIBERALS REALLY CAUSED RIOTS?

(By Gen. Thomas A. Lane)

Our young priest was giving an eloquent sermon on the evils of racism. He condemned in no uncertain terms those who hate their neighbor because of his race.

I looked about the congregation (we have a circular church). I felt confident that not an adult in that assembly had ever harbored hatred for people of other races.

This was a typical middle-class congregation. The people were proud of their German, Irish, English and Polish ancestry. They had been raised to a Christian sense of mission. They had supported the Negro and Indian missions in this country and the foreign mission societies. They felt only charity for the people of other races and a desire to help those who languished in poverty.

I wondered what had led our young priest to preach such a sermon. Was he so out of touch with the congregation that he did not understand its basic character and commitment? Had he been reading the Marxist caricatures of American history which depict the poor Negro as a victim of white exploitation?

I learned from the religious press that some of our bishops had given approval to the Kerner Commission's finding that white racism caused the riots in American cities in 1967. It astonished me to find our bishops taking their moral judgments from Gov. Kerner, Mayor Lindsay and other politicians. I had examined the evidence closely and had concluded that the judgments of these politicians were both political and immoral.

The charge of white racism is character assassination of the American people. It is the language of the Marxist militants and a perversion of the truth. In the past century of Negro freedom, white charity has provided education, medical care and financial assistance for the advancement of the American Negro. In no other country of the world has a racial minority had such opportunity and achieved so much.

The basic Marxist lie is that the workers of the world are exploited by the owners of industry in free countries. In the United States, they apply this thesis to disparities of wealth to derive a charge that the white majority is practicing racial oppression of the blacks.

Black Marxists spreading these false charges are the source of racism in the United States. They stir envy and hatred among the poor Negroes. They depict the poorest Negroes as representative of the race in America.

But the Negro on relief is not typical of Negro Americans. The race is strongly represented in the professions. It has an impressive quota of millionaires for a people who were emancipated from slavery a century ago. The general status of the Negro in America belies the charge of racial oppression.

What racism is revealed in the condition of poor whites who outnumber the Negro poor by three to one? None at all. Poverty is the product of many factors including personal capacity, changing industry and lack of mobility.

The ordinary preference of people for their own race and culture is a natural and healthy phenomenon of all human societies. It is not incompatible with charity for other races and cultures. The ordinary striving within a competitive society brings setbacks and disappointments to those who do not achieve their heart's desire, but this factor operates for whites and blacks. Men who distort and misrepresent the operation of these healthy forces as evidence of racism are speaking the language of the Communist class warfare.

The greatest triumph of the Communist party in America has been its exploitation of racial conflict to seduce white liberals into false appraisals of social phenomena.

It has perverted the history of race relations in America, created a mythology of racial oppression and strife and enlisted white liberals in an assault on the laws of the land. It has enlisted the Democratic party and large sectors of the clergy in the subversion of law and order.

It is the array of white power on the side of the black racists which sparks the class warfare in our cities. The federal government has through the poverty program financed the Marxist leadership of the Negro poor and frozen out moderate black leaders. Substitute "white liberal" for "white racist" in the Riot Commission Report and you will be close to the truth.

[From the Pompano Beach (Fla.) Sun-Sentinel, Mar. 5, 1968]

THE RACE RIOT REPORT: AN INVITATION TO VIOLENCE

It required 250,000 words for President Johnson's anti-riot commission to say what in a few words would be: Blame "Whitey" and demand more welfarism.

This is the essence of the seven-month study of 24 riot incidents in 23 cities which envisions the United States dividing itself into White and Negro communities, blaming that separation on "White racism"; which calls for $32 billion in new socialism, including guaranteed minimum wages, and which virtually invites new rioting this summer to prove the commission's point.

The basic conclusion of the report is that the White Establishment is all at fault, and the Negro has a right to hate and to react accordingly.

We say this is one of the greatest disservices any federally sponsored agency could do to the citizens of the United States, irrespective of ethnic origin.

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[22] Shriver may well be working to assure the election of his brother-in-law, Robert F. Kennedy, in 1968 or 1972. See *New Politics*, AMERICAN OPINION, November, 1967, and *Underground Press*, AMERICAN OPINION, December, 1967.

[23] Over $50 billion is spent on welfare at federal, state, county, and city levels. (*Congressional Record*, July 21, 1967, Page 16891.)

Even if the White Establishment were entirely to blame for the plight of a large segment of the Negro-American community, which it is not, this is no license for rioting, burning, looting, assault and murder.

The history of our nation is larded with prejudice, suppression, ghetto-living and poverty, dating back to the first waves of immigrants. These ugly conditions can be found in the history of German, Italian, Irish, Polish, Jewish families, to mention a few.

But their rejection and their envy did not constitute a license to tear apart cities; to loot, maim and murder as methods for demanding handouts and protection money, as the anti-riot commission indicates is the preventative against another "long, hot summer."

This is but one of the numerous inconsistencies and incongruities in the report.

Another of these is the accusation that Whites are fleeing to the suburbs. This is all wrong. It's a natural result of endeavored self-improvement, and it predates the civil rights strife by years. The movement began before World War II and it accelerated with the expansion of cities during and after the war, with rent controls and housing shortages, with the rise of personal affluence, with the increases in city taxes, and, of course, with the desire to flee city deterioration and crime.

Discrimination is not the sole motivation behind this phenomenon, as the commission would have Americans believe.

The commission somehow overlooks that there are Negro suburbs and suburban Negroes and that they, too, seek to escape the shortcomings of city life, just as its members also ignore a back-to-the-city movement among older suburbanites in the metropolitan areas in the effort to blame Whites for "racism."

Another premise established in the report is that urban rioting stems from poverty in the ghetto and massive unemployment among Negroes.

Yet post-riot surveys disclosed that a large portion of the persons involved in the rioting were not ghetto residents, as such; were, in fact, employed and living in an equal opportunity atmosphere.

During the Newark riot, for example, Mayor Hugh Addonizio himself blamed the root cause on Negro opposition to locating a medical school in a predominantly Negro neighborhood. But now the mayor subscribes to the riot commission report and envisions anarchy if its recommendations are not met.

In Detroit, much of the riot damage was incurred in an integrated, middle class Negro section, and was not confined to the ghetto, as the commission would have as the locale for all riots.

The report also envisions added police activity and its presence in the ghetto as spooking restive Negroes into violence.

Again, the commission ignores a survey showing that residents in a Negro community want more, not less, police protection. Nor have we found any reference to benefits of Chief Walter Headley's beefed-up anticrime program in Miami's Negro neighborhoods.

Perhaps the commission's findings are influenced by its membership being weighted with out-and-out liberals or civil rightists. But that does not justify what amounts to the worst ill-founded mass indictment of a single ethnic group, the Whites, and the most blatant invitation to anarchy since Adolph Hitler launched his bloodbath against the Jews.

OPEN HOUSING IS A FALSE LABEL

WASHINGTON.—It is a sign of the shallow quality of our political intellect that vital issues are settled by semantics rather than reason. When the Thurmond anti-riot amendment to the Dirksen civil rights amendment was being voted in the Senate, a liberal senator is reported to have said to a colleague, "This is the most cowardly vote of my career but I am up for reelection and I cannot vote against this measure."

The senator realized that to vote against the anti-riot bill would put him in the position of being for riots, and that no amount of explanation could clarify his position.

Similarly, the Dirksen amendment was nominally for "open housing." To oppose it might imply that you were for "closed housing," for housing segregation.

The Thurmond amendment was accurately described as an anti-riot measure. That was its purpose and effect.

The Dirksen amendment was not properly titled. It was a measure to give the federal bureaucracy control of private sale and rental contracts which had never been subject to such federal authority. It restricted the right of free association which is a cornerstone of our liberties. It asserted a federal power which is clearly denied to Congress by the Constitution. It created a new legal basis for stirring racial strife and for wielding federal power against innocent citizens. It did all these things under a claim of necessity which was without foundation.

The Dirksen amendment would create a federal capacity to force integration on our American communities. As the Kerner Report showed, this is the aim of those sociologists who regard themselves as God and the people as putty in their hands. With this measure and the use of rent supplements, the federal bureaucracy would be empowered to force black activists into the presently peaceful communities of this country. If it were properly titled, the Dirksen amendment would be called the "forced integration" bill.

There is no need of this legislation, as public hearings on this feature of the Civil Rights Bill of 1966, which the 89th Congress rejected, clearly demonstrated. In that voluminous testimony, Secretary Weaver and a host of other witnesses indorsed the measure but failed to show any necessity for it.

The plain fact is that the federal government now controls through existing law more than enough federally financed housing to meet all negro requirements. All negroes in this country are able to get housing commensurate with their ability and willingness to pay.

The genesis of the "open housing" drive lies not in the need of negroes for housing nor in the desire of responsible citizens for racial harmony but in the communist initiatives of the class warfare. The Communist Party is opening new avenues which its activists can exploit in stirring racial conflict, and the "open housing" gambit admirably serves this purpose. Black militants could then pressure the federal bureaucracy into a program of forced integration which would split the country wide open.

White liberals play the marxist game in presenting "open housing" as a measure of negro liberation. Their slick propaganda urging the bill as a simple act of justice conceals the true significance of the proposed law. They have misled concerned citizens, negro and white.

In 1966, the Senate rejected a civil rights bill with a similar housing provision. In that summer of discontent the people of Illinois had been so aroused by Dr. King's marches for open housing in Chicago that Senator Dirksen dared not support the measure. He found the measure to be unconstitutional.

In 1968, when he is up for reelection, Senator Dirksen is confident that the people of Illinois have forgotten how the power of the federal bureaucracy was committed in support of the riots fomented by Dr. King. Perhaps they have not forgotten. In the voting booth in November, they may remember the rubber conscience of Senator Dirksen.

[From the Dan Smoot Report, Apr. 1, 1968]

LEGISLATIVE BY EXTORTION

After 7 months of effort and an expenditure of 1 million, 600 thousand tax dollars, President Johnson's National Advisory Commission on Civil Disorders (Riot Commission) released a report which blamed Negro violence on the "racism" of American whites, and not on Negroes who commit violence. The Commission said:

"Segregation and poverty have created in the racial ghetto a destructive environment totally unknown to most white Americans. . . . White society is deeply implicated in the ghetto. White institutions created it, white institutions maintain it, and white society condones it."

Ghetto is an Italian word used in the middle ages to indicate parts of cities where Jews were required to live. By extension, the word means a section of any city where a particular racial group is *forced* to stay. There are no such ghettoes in the United States, as the Riot Commission itself inadvertently admitted when predicting that ghettoes ***will develop*** unless Negro demands upon whites are quickly satisfied. The Commission said the U.S. "could quite conceivably" develop "a kind of urban apartheid with semimartial law in many major cities, enforced residence of Negroes in segregated areas, and a drastic reduction in personal freedom for all Americans, particular Negroes."

The Riot Commission used the word *ghetto* to mean *Negro slums*.

Slums are created by people who live in them—white, Negro, or otherwise. Many of the worst Negro slums today were fine residential areas a few years ago. The Bedford-Stuyvesant section of Brooklyn is a case in point. Not long ago, Bedford-Stuyvesant was an elite neighborhood for prosperous whites—clean, tranquil, with a minimum of crime. Today it is almost 100% non-white—cluttered and filthy; subway stations reeking of urine; prostitutes and narcotics pushers working the streets; liquor stores and sleazy bars everywhere; 80% of the teenagers high-school dropouts; one of the highest homicide rates in the country.

The big wave of Negro immigrants who drove whites out of Bedford-Stuyvesant and started changing it into a pesthole came during World War II. They were not oppressed, jobless people with no place else to go. They were making big salaries in the Brooklyn Navy Yard and in other war industries which were only a few minutes away from the heart of Bedford-Stuyvesant.

Appalled by the "spectacle of screaming mobs running through the streets, looting stores, burning buildings and cars, and killing innocent citizens," Senator Robert C. Byrd (West Virginia Democrat) spoke to the Senate on July 18, 1967, saying:

"We hear the usual excuses for the riots. The ghettos are blamed; yet, people of all races have lived in ghettos in the past but they have not rioted.

"Poverty is blamed for the riots; yet poverty-stricken whites outnumber poverty-sticken Negroes in America, but they are not rioting. . . .

"Discrimination, we hear, is back of the riots; yet, millions of lowly immigrants have come to this country, immigrants who could not even speak the English language and who were thus placed at an additional great disadvantage . . . but they did not react with violence in the streets. They also lived in ghettos but they kept their ghettos clean. Their ghettos did not become slums. . . . These immigrants did not believe that they had a right to plunder or to burn or to destroy or to kill.

"Eradicate the slums, we are told, and this will prevent riots. Yet, Watts was not a slum. Slums . . . develop as a result of the careless living of people—people who throw their trash in the hallways and on the stairways, into the yards, and onto the streets. If people are irresponsible and dirty in their way of living, and have no desire to put forth the effort to improve their surroundings, then we will have slums with slovenly people residing in them. . . .

"**Men** will not deserve or enjoy the respect . . . of their fellows except by earning it."

Senator Robert C. Byrd is a liberal who has supported most of Johnson's outrageous Great Society programs.

Trying to deal with the questions raised by Senator Byrd and many others, the Riot Commission posed the question: "Why have so many Negroes, unlike the European immigrants, been unable to escape from the ghetto and from poverty?" The Commission said that when European immigrants arrived they gained an economic foothold by providing the unskilled labor our growing economy needed. Now, the Commission asserted, our economy has "matured," and unskilled Negroes migrating to our cities cannot find jobs.

The truth is that there is today a greater abundance of jobs available for unskilled workers than were available for European immigrants in the past. Thousands of Negroes living on welfare will not work. They (like members of the Riot Commission and most other liberals) scorn the idea of Negroes accepting the kind of employment which gave white European immigrants an economic foothold and enabled them to climb out of the slums.

The Riot Commission excused Negroes for not accepting the kind of employment that saved white European immigrants, saying:

"Coming from societies with a low standard of living and at a time when job aspirations were low, the immigrants sensed little deprivation in being forced to take less desirable and poorly paid jobs. . . . Their vision of the future—one that led to a life outside of the ghetto—provided the incentive necessary to endure the present."

Beginning at the bottom and working up became a proud tradition of white Americans. Negroes are entitled to dislike the tradition; but are they entitled to plunder whites (by violence and intimidation, or through the medium of government taxation) in order to get for nothing what whites worked to achieve?

If poor whites can have a "vision of the future" that provides "incentive necessary to endure the present," why not Negroes? They can, of course, and do—in large numbers. The Riot Commission virtually ignored this fact, just as it expressed little sympathy for whites who fail to climb out of the slums.

The Riot Commission said that poor white immigrants were able to improve their lot through political action, because they became powerful voting blocs in large cities, but that poor Negroes have no such political influence. The truth is that Negro voting blocs in large northern cities have been more pampered, catered to, and bribed with tax money by politicians at all levels—local, state, and federal—than any other voting bloc in American political history.

After explaining why poor whites managed to escape from slums more quickly than Negroes, the Riot Commission contradicted itself by asserting that whites did not manage a quick escape after all. The Commission said:

"Today, whites tend to exaggerate how well and quickly they escaped from poverty. Those who came from rural backgrounds, as many Negroes do, are only now, after three generations, finally beginning to move into the middle class.

"By contrast, Negroes began concentrating in the city less than two generations ago. . . . although some Negroes have escaped poverty, few have been able to escape the urban ghetto."

Whites are accused of vicious racism and brutal oppression of Negroes because they do not *give* Negroes instantly what whites struggled for 3 generations to achieve for themselves!

The Riot Commission said the economic gap between the white middle class and the Negro poor is a major cause of Negro unrest and violence; but poor whites are not rioting because of the economic gap between them and the Negro well-to-do. Moreover, the Negro middle class (as prosperous as the white middle class, and growing faster) produces the agitators, mostly college trained (Rap Brown, Martin Luther King, Whitney Young, Jr., Roy Wilkins, Stokely Carmichael, Louis Lomax, et al.), who have fanned the fires of race hatred.

The Riot Commission said unemployment causes Negro unrest and violence; but jobs which Negroes could fill go begging—even jobs created by Johnson's antipoverty programs and funded by Congress with tax money.

The Commission blames Negro violence on "underemployment" (Negroes not making enough money because they cannot get jobs as good as those available to whites). Yet, large numbers of high-level positions are held by Negroes (in government, entertainment, athletics, education, big industry, small business, religious work). In fact, there is much discrimination *in favor of Negroes*, and against whites, in employment.

Many big businesses (threatened with boycotts, violent demonstrations, and government persecution) make strenuous efforts to hire and promote Negroes to good jobs. Negroes are sometimes given "prestige" positions, merely because they are Negroes.

The percentage of Negroes in government jobs is higher than the percentage of Negroes in the population. Government agencies promote Negroes to superior positions when there are available whites with more seniority and qualifications for the jobs.

The Riot Commission holds that Negroes are neglected and therefore resentful because their districts, where the incidence of crime is disproportionately high, get no more (or get less) police attention than white districts where the incidence of crime is relatively low. Yet, the Commission implies that police needlessly insult Negroes by assigning more patrol cars to Negro districts than to white.

The Riot Commission holds that Negroes grievance is that police do not give Negro districts as much protection from crime as white districts get; but most major Negro riots have been precipitated by Negro attacks on police (both Negro and white) for trying to enforce law in Negro districts.

The Riot Commission says Negro violence occurs because there are too few Negro policemen; but qualified Negroes do not want to work as policemen. The mayor of Jersey City says it is difficult to hire Negro policemen, because any Negro qualified to be a policeman can get a much better job in private industry than a white man with the same qualifications can get. In Dallas, there are about 15 Negroes on a police force of more than 1400, although the police department has been trying for years to hire Negro policemen (who get the same pay and treatment as whites). In 1967, the Dallas chief of police launched a special Negro recruiting drive. In March, 1968, he said he had had a "number of Negro applicants," but had not hired any, because none had passed the civil service test. In Dallas, as in Jersey City, "just about any Negro who could qualify for the police department could qualify for a helluva lot better job [elsewhere]."

The Riot Commission holds that Negro misery and unrest are caused by white discrimination which prohibits Negroes from working and living as human beings without regard to their race. Yet, the Commission holds that non-discriminatory job-qualification standards, applied equally to whites and Negroes, are "artificial barriers" which whites throw up to keep Negroes out of good jobs.

In other words, the Riot Commission members are "racists," just as dishonest as Martin Luther King and all other racist civil righters and agitators, when they say they want to eliminate racial discrimination. They want *more* racial discrimination—all of it in favor of Negroes.

The Riot Commission report was issued on February 29, 1968—4 months ahead of schedule. Why the hurry? The administration's civil rights bill (whose main provisions are open housing and protection of civil rights workers) was in trouble in the Senate. The Riot Commission's report predicted utter ruin for our nation if Congress does not, among other things, enact an open housing law. In less than 2 weeks after the report was released, the Senate passed the civil rights bill.

Is this not legislation by extortion?

The House passed the civil rights bill in 1967, without an open-housing provision. As this goes to press, House and Senate have not yet reconciled differences in the bills passed. Hence, the Civil Rights Act of 1968 has not yet been finally approved by Congress.

Your U.S. Representative should hear from you immediately.

No Experience Necessary

HON. JAMES A. McCLURE

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. McCLURE. Mr. Speaker, despite what many in the news media would have us believe, not all of today's youth are made in the "hippie" mold.

Furthermore, I often get the impression that some of those who claim to have dropped out of society are merely putting the rest of us on. Recently we have seen how some of them were even willing to get haircuts in order to present a more acceptable image to the public while campaigning for a presidential aspirant in the other party.

It goes without saying that today's youth are tomorrow's leaders. So, perhaps it is time for us to remind the young people today that we do have faith in them and that they, in turn, must have faith in their country's future.

The Weiser, Idaho, American expressed this thought extremely well a couple of weeks ago in an editorial entitled "No Experience Necessary." I place it at this point in the RECORD:

NO EXPERIENCE NECESSARY

He must have a clean face, clean habits and a clean heart. Need not know how to roll a cigarette or how beer tastes and if he is not up to date on all the smutty jokes in the pool room, his ignorance will be overlooked.

He must be a boy who treats his mother and sister—and every other boy's mother and sister—with respect and does not refer to his father as the "old man."

He need not be especially brilliant at school, but he must be studious and persevering until he has mastered it.

He must be truthful, prompt, obedient and industrious. He must make his employer's interest his interest and never be afraid of earning more than his wages.

He is wanted to respond at once to any number. Merchants want him to sweep out the store for a few years and ultimately to take charge of it.

Newspapers want him to commence at the bottom and work to the roomy space on top.

He is wanted everywhere—in the law, in medical practice, in the counting room and to run great public works. The people who pay big salaries are looking for him.

The people want him for judge in the court, members of congress, senator and for president, and the nicest girl in the world wants him for her husband.

A Local Credit Bureau

HON. CORNELIUS E. GALLAGHER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. GALLAGHER. Mr. Speaker, the Special Subcommittee on Invasion of Privacy held hearings into credit bureaus during the week of March 11, 1968. At that time, we took testimony from two of the largest credit organizations in the country. Our hearings revealed the potential for abuse, as well as many examples of current practices, which exist in large metropolitan area bureaus. However, small credit bureaus in cities around the country have the same problems of insuring the privacy and the accuracy of their files.

Mr. Harry Levins, city editor of the Rutland Daily Herald in Rutland, Vt. has written a very fine series of articles on this topic. Mr. Levins describes the conscientious manner in which the Credit Bureau of Rutland is now administered and he gives an excellent account of typical industry procedures. Perhaps more important, he clearly spells out the highly personal nature of the information and the very real possibility of unauthorized access and wide disclosure of data citizens thought they had divulged in confidence.

Mr. Speaker, I am pleased to insert Mr. Levins' valuable contribution to the understanding of credit bureaus into the RECORD at this point:

[From the Rutland (Vt.) Daily Herald, Mar. 4, 1968]

NINE PEOPLE KNOW YOUR SECRETS

(By Harry Levins)

Nine people in an office in Rutland know a lot about you. Chances are that they know your military record, whether you've ever been in trouble in court, how well you live, and how well you pay your bills. With a little effort, they can find out how much money you make and how much you have in the bank.

They work in a clean, modern, brightly lit office at 156 West St., on the second floor above the U.S. Army and U.S. Air Force recruiters.

With military precision, they gather, record, and file facts about you and more than 60,000 of your neighbors in the Rutland area. And when they're asked about you, they dig out your files and tell what they know.

The office isn't a secret operation. A sign outside spells out in large letters the office's name and function. But chances are that you never paid much attention to The Credit Bureau of Rutland Inc.

No matter. It pays attention to you.

The Credit Bureau's job is mainly to tell its members about your credit record. Its manager, L. Arthur Doty, stresses that the Credit Bureau doesn't give out "credit ratings," but instead gives out a credit record and lets the member make his own decision. If your record at the Credit Bureau looks good, the member will probably give you credit. If it doesn't look good, he probably won't.

"We try to help the public to obtain credit by maintaining an accurate record of people's performance, based on information supplied to the bureau by merchants and lending institutions, together with data from newspaper items and public records," Doty says.

Doty maintains that the bureau protects the honest consumer by protecting the merchant from people who don't pay their bills. "When people don't pay their bills, the merchant's cost of doing business goes up," he says. "If his cost of business goes up, his prices are going to go up."

To help keep costs down, a merchant can join the Credit Bureau for $40 a year.

Doty's bureau has about 200 subscribers, 90 per cent of them in the Rutland area. They include almost all retailers, big and small alike, who sell on credit; all local banks; and some in Glen Falls, N.Y., Albany, N.Y., Boston, Connecticut, and New Hampshire; loan companies, most utilities, landlords, one lawyer. ("But we try to discourage lawyers from joining"), and even the federal government, through its Veterans Administration and Farmers Home Administration, which work through the Rutland bureau via Credit Bureau Reports Inc., a national firm which channels requests into Rutland.

Doty says that no agency of the city government is a member "at this time." He does not elaborate. He says the State Social Welfare Department is a client of the Montpelier Bureau, which is linked to Rutland.

Unlike many communities, Rutland has no doctors, dentists, or other medical personnel in its clientele. Rutland Hospital is not a member.

Prospective clients are approached by Doty's salesman. "But they must have a need for the service for credit purposes. We won't sell our service if the need isn't demonstrated," Doty says.

He also says that the service is on a full-year basis. No one-shot inquiries are accepted.

"We help the person who wants and deserves credit to get credit," Doty says.

And it's as simple as that—or is it?

On the one hand are 70,000 files (about 60,000 on individuals and 10,000 on businesses and organizations) chock-full of information which many people think is none of the Credit Bureau's business.

On the other hand is the fact that the very existence of a Credit Bureau is caused by people's desire to have things before they can pay for them. Where credit exists, credit bureaus are bound to follow.

Rutland's bureau is a minor cog in a nation-wide chain of bureaus linked in the Associated Credit Bureaus of America. (ACBA), a 2,200-member organization which exchanges information from its total of 110 million files.

Those 110 million files didn't spring into existence because the credit bureaus wanted to snoop into people's lives. They came about because 110 million people wanted to buy things on credit.

It wasn't always that way. Life used to be simpler, and folks paid cash on the barrelhead for their goods in the general store or raised their own staples on the farm.

But the growth of cities contributed to the downfall of self-reliance. Cash for goods was replaced by the notion of promising to pay future income for goods. That's credit—"A qualified trust," as Doty defines it.

In smaller cities such as Rutland, credit bureaus were slow in taking root. "For a long time, Rutland was a static place," Doty says. "Everybody knew everybody. A merchant not only knew almost every one of his customers, but knew who he married, where he worked, and how many kids he had. In the off-chance that he didn't know, he could ask another merchant who was sure to know."

But the population grew and neighbors became strangers. Merchants became increasingly wary of each other. The pattern of granting credit changed. The old method of looking a customer in the eye and relying on the knowledge of him that only a small-town atmosphere can provide vanished.

In Rutland, it died in 1937. That was the year a group of merchants decided to band together and pool their credit information into a central repository—The Credit Bureau of Rutland Inc.

"Most credit bureaus were started by merchants' groups," Doty says. "In fact, most of the big-city bureaus are owned by corporations which are owned in turn by merchants' groups."

It isn't so in Rutland. Doty and his wife own the bureau. It employs seven other people. They purchased it in 1963 from Ralph Locke of Manchester, N.H., who is now president of the ACBA.

Doty is a native of Lynn, Mass. After finishing his Army hitch in 1961, he founded a collection agency in Middlebury. Then he came to Rutland when the Credit Bureau was put up for sale.

And although the local credit bureau is small in comparison to metropolitan bureaus, it has a $36 million responsibility.

"Retail sales in Rutland last year were about $60 million," Doty says. "People in Rutland, like people everywhere, buy from 50 to 60 per cent of their goods on credit. This means that from $30 to $36 million was spent on credit in Rutland last year. That's a lot of money."

Doty says that credit is necessary to keep the city's economy rolling. "Without credit, the city's economy would be strangled," he says. Almost all economists agree with him.

Doty is quick to point out his belief in the credit system of doing business. "It allows people to have a higher standard of living than they could otherwise have—and it gives jobs to the people who are manufacturing the goods which consumers buy on credit."

He chuckles when speaking about people who scorn credit as sinful. "Unless they have a pay telephone in their house, they're making a purchase on credit every time they make a phone call. Every time they turn on a light or run the water, they're buying on credit. They're promised to pay at the end of the month for things they're purchased during the month."

Does the credit system work? "About 96 per cent of the people in this country pay their bills on time," he says. "I'd say the figure is even higher in Rutland."

But like everything else, credit has its price. That price includes more than the interest payments people make on credit purchases.

It includes a social cost which can't be measured in dollars and cents—the loss of your privacy. For in order to determine whether you have the privilege of credit (and Doty insists that credit, like a driver's license, is a privilege, not a right), the Credit Bureau must gather a lot of information about you. And you may consider that some of that information isn't any of the bureau's business.

The bureau answers by saying that you have asked for credit—have asked a merchant to gamble on you—and that the bureau is only balancing the odds (and, it adds, helping you to get credit).

[From the Rutland (Vt.) Herald, Mar. 5, 1968]

HOW CREDIT BUREAU CHECKS ON YOU

(By Harry Levins)

Eight olive-drab filing cabinets with nine drawers apiece line the east wall of the Rutland Credit Bureau Inc. Those drawers hold 70,000 four-by-six-inch brown manila envelopes. And those manila envelopes hold information on people, information which the Credit Bureau gives to its members when people apply for credit.

What's in the envelopes?

L. Arthur Doty, the bureau manager, tackled the question directly. He wheeled around in his swivel chair, buzzed on his telephone, and said.

"Barbara, would you please bring in our file on Harry Levins."

It didn't look like much—a small envelope with my name and address on it. In one corner was the notation 12-6-65, the date it was opened. The address was wrong, so Doty corrected it. He also added my wife's name (he calls it "integrating the file").

He spilled the envelope's contents onto his desk. In it were

1. A clipping from the Herald, carefully cut and pasted onto a three-by-five-inch card. It noted that I had been named city editor of The Herald and contained a brief biography.

2. A second clipping from The Herald, also pasted onto a card, which gave the account of my wedding.

3. A three-by-five-inch card with the handwritten notation that I had financed the purchase of a telephoto lens through the Rutland County Bank (now the Howard National Bank), the date of purchase, and how much it cost.

It didn't look like much. But from that information, Doty said he could find out how well I pay my rent, how well I've paid my debts, what kind of neighborhood I lived in, my educational background, my military record, where I work, how long I've worked there, how much money I earn—even my religion ("It says here you went to MSJ and were in the Newman Club at UVM, so I'd say you're a Catholic.")

With a little more digging, he could discover how much money I have in my checking account and my savings account, how well I did in school, whether I've ever been in trouble with the police, and whether I have lawsuits pending against me.

And what he knows about me, he also knows or could find out about many of the more than 60,000 individuals and 10,000 businesses and organizations in his files.

How does he and the people who work for him get this information? Surprisingly, most of it comes from sources available to anyone.

The local credit bureau subscribes to five newspapers—The Herald, The Burlington Free Press, The Bennington Banner, The Addison Independent, and the Woodstock Standard. These papers give overlapping coverage of the bureau's geographic area, which extends from Middlebury to Manchester and from the New York State Line to Woodstock.

Most files begin with a clipping from one of the papers. "We usually start with a clipping about your military service," Doty says. "That's the age when most people start looking for credit. Also, service notes are handy as locaters."

Engagement notices are duly clipped and filed. "It's an indication that the credit status of both people is about to change," Doty says. "When the couple is married, we integrate their files into one," he says.

Job promotions from the papers' business columns are clipped. So are awards. And so are some appearances in court—even, in at least one case, for failure to register a dog.

Even obituaries are clipped and filed. "We do that to prevent a newcomer from fraudulently using the name of a dead person to get credit and then skip town with a carload of purchases," Doty says.

The records of county courts are open to public inspection, and Doty's researchers use them. In addition to taking note of debt suits and some negligence suits, they file notice of divorce suits. "Some wives have tried to stick the husband with a lot of bills after filing for divorce," Doty says. "It's happened here in Rutland quite a few times."

Also open are the records in the office of City Clerk John Barrett. There are listed all births, (children change credit status) deaths, marriages, real estate transfers, and most personal property transactions. Doty's researchers note all of them "except for the illegitimate births," he says.

City Hall is where they found out about my telephoto lens, which was registered under what is now known as the Uniform Commercial Code. Automobile sales, washing machine sales, television sales—most of them are there. Doty pays correspondents in surrounding towns to note similar records in their town clerk's office.

The Burlington Credit Bureau sends a researcher to the state capitol to get a list of all bankruptcies filed in the state. This information is then passed on to Doty's bureaus and the others in the state.

The records of small claims court and Rutland District Court are also researched and noted.

Also very handy is an up-to-date copy of the city directory. It lists names, addresses, marital status, home ownership status, and even telephone numbers.

Used in conjunction with the address is a color coded map of the city on Doty's office wall. All streets are marked in one of four colors—green, purple, black, and red. It doesn't take much more more than a general knowledge of Rutland to realize that the streets marked in green represent the well-to-do neighborhoods, while those marked in red are the poorest neighborhoods. Purple means relatively well-to-do, while black is between poor and middle class.

From these open sources of information, the credit bureau can draw a generalized but usually reliable picture of a person's economic and social status.

If more specific information is needed, the bureau has other sources. One of the best ones is you.

When you apply for credit, you are almost always asked to fill out a lengthy form, a form which gets very specific. Although the forms vary somewhat, they are generally the same as the standard forms Doty keeps on hand and supplies on request to members. It asks, among other things, your employer's name, how much he pays you, whether you own or rent your home, the name of your bank, what kind of accounts you have, what kind of car you drive, how much you owe on it, and how much you owe on other credit accounts.

That information goes on file with the merchant. It also is available to the credit bureau. In fact, one of the bureau's main jobs is to confirm that what you have written on that statement is indeed the truth.

Consider the bank account. Most people think that the size of their bank account is a secret between themselves and the bank. It isn't. The credit bureau can find out—within general terms—its size. It can do this by calling the bank and properly identifying itself by code (to prevent outsiders from using the credit bureau's name) and asking the size of your account, if indeed you have one.

The bank will reply that your savings or checking account is in "the middle threes" (from $333 to $666), "upper twos" ($67 to $99), or whatever. More questioning can pin the figure down to within $5. Doty says.

If you ever took out a loan from the bank or co-signed on a loan, the bank will tell the credit bureau what you said about yourself on the loan application. Loan companies will do the same.

If the bureau wants to confirm the size of your salary, its work is easy if your employer is a member of the bureau. "The members go along with us," Doty says. ("Is The Herald a member?" "Yes." "Would they tell you my salary?" "Yes.")

Members will also cooperate by letting the credit bureau know when you slip up on your credit payments. They do so by means of small pink slips which the bureau supplies. These slips are placed in your file.

Even non-members will almost always cooperate with the bureau, Doty says. "The local industries usually go along with us," he says. He can also determine from employers an employe's length of service, his position in the firm, and occasionally, his work performance. But Doty stresses that his job is "to confirm information on the individual, not collect it. The individual has already put it down on the application for credit."

His other sources include contacts in unnamed government agencies, schools ("They'll supply a transcript—sometimes for a fee, but they'll supply it"), police records, and even Rutland Hospital ("for financial matters only—we can't see medical records").

It's all there—in those eight olive-drab filing cabinets or at the turn of telephone dial. Your secrets.

[From the Rutland (Vt.) Daily Herald, Mar. 6, 1968]

WHO LOOKS AT YOUR CREDIT FILE?

(By Harry Levins)

L. Arthur Doty, manager of the Credit Bureau of Rutland Inc., holds the key to the bureau's file of facts about you, more than 60,000 of your neighbors, and about 10,000 organizations and businesses in the Rutland area. He's very careful about who's around when he turns the key.

Not that the files themselves are locked. But Doty has a group of clerks between the public and the files. And he insists that information which leaves his files goes only to people who should know it and only in the amount which they need to know.

Who can see your file?

"Obviously, our members can," Doty says. But they don't see the actual file. In most cases, he says, they are given verbal extracts from the file.

If you apply for credit in a member store and aren't asked to fill out a credit application form, the store will call the bureau and identify itself by code number. The bureau will then tell the member what it knows about your credit record.

"We don't give out a 'credit rating' on anyone," Doty says. "We give out your record of credit and let the merchant make his own decision based on that record."

If you are asked in the store to fill out a detailed credit application, the bureau will check what you wrote to determine if it's true. It does this by checking its files and contacting its sources.

Doty insists that information is given out only on a need-to-know basis. "A member whose daughter got engaged called us once and asked for a rundown on his prospective son-in-law," Doty says. "We wouldn't tell him."

Items in your file which don't have any bearing on the question at hand aren't released, Doty says. He also says that files are combed periodically and all items—derogatory or otherwise—more than five years old are weeded out and discarded. "A teenager who defaulted on a payment when he was 18 may be a mature young man at age 23," Doty says. (In fact, your entire file is discarded if nothing has gone in or out of it in five years, he says. It is started again if necessary. It's discarded two years after your death.)

So that's the picture—a tightly guarded system of releasing verbally only that information which is needed and only to the bureau's 200 members.

Not quite.

Whatever is available in the Rutland files is available to the 2,200 members of the Associated Credit Bureaus of America (ACBA). When you move, you unwittingly carry your file with you by listing Rutland as your former address on credit applications. The credit bureau in your new place of residence then contacts Rutland, again through a coded system, and requests information on you.

The Rutland Bureau then transcribes what it knows about you onto ACBA Standard Form 100, a highly detailed summary of your economic and social status. The form is then forwarded to the requesting bureau, and your old file is discarded.

Form 100 is sometimes released to members. The Veterans Administration and the Farmers Home Administration insist on written reports. They get Form 100. It's marked confidential, and the receiving member is warned in writing that it is liable for any damages resulting from unauthorized disclosure of its contents. Doty says that no local retailer has ever asked for a Form 100. "But we would give them one if they asked for it," he says.

His files are often opened because of requests from Credit Bureau Reports Inc. (CBR), a nationwide firm which channels cross-country requests for information to local bureaus. For example, area motorists who apply for a gasoline credit card at a Rutland gas station will have their application forwarded to the oil company's headquarters, which will in turn forward it to CBR, which will send it to the Credit Bureau of Rutland Inc. The local credit bureau will make a report and start it back through the channels in reverse.

The ACBA and CBR also come into the picture when a Rutland resident asks for out-of-town credit.

But the ACBA and CBR are concerned only with credit. Does anyone else get a look at the files?

The Federal Bureau of Investigation often looks at them, Doty says. "We give the FBI full cooperation," Doty says. He adds that, as in most cases, the FBI doesn't look at the file itself but instead channels questions through Doty.

The armed services have access to the information in the files. For example, when a Rutland soldier wants an assignment to the Army Security Agency (ASA), a highly secret electronic spying agency, an ASA investigator will include information from the Credit Bureau of Rutland Inc. in the report he makes.

The police on state and local levels have access to information in the files, Doty says. He says that no state or federal tax agency has ever asked to look at his files, "but I would cooperate if they did." No subpoenas are needed by the FBI, the military, or the police.

Doty's employes have access to the files. "We try to be very careful about whom we hire," he says.

Information is also made available through one of Doty's allied sidelines, personnel reporting. When a firm is considering a person for employment, it can turn to Doty for a background report on the person. For a fee, Doty will supply the information, part of which comes from the credit bureau files. (His other sideline is collecting bill payments for creditors. He says the collecting aspect of his work is kept separate from the credit reporting aspect.)

And, finally, you can see your own file. Although Doty insists that the Rutland bureau isn't unusual in that it allows people to see their own files. The Wall Street Journal published an article on Feb. 5 which said that it is almost impossible for an individual to see his own file in most credit bureaus.

"If a person comes in here wishing to see his own file, and if I am satisfied that the person is indeed who he says he is, I'll show him his complete file and discuss it with him, free of charge. In fact, I do it about two or three times a month," Doty says.

An individual might have a very good reason for wanting to see his file, if indeed he knows of its existence. Once in a while, the information in a file is incorrect. More often, it's incomplete.

For example, the bureau doesn't note the customer's side of a credit squabble with a merchant. The customer may insist that he got stuck with a piece of junk and refuses to pay for it. But all the bureau knows is that the customer didn't make his payments. That's what it tells members who ask.

The bureau will note a customer's side of a story if the customer complains. The bureau will change the notation on the merchant's report of default from "collection account" to "disputed account." But Doty agrees that most people with credit squabbles aren't aware that the bureau has only the merchant's side of the story—or, in fact, that the bureau even exists.

In another example, the bureau doesn't record the disposition of lawsuits. Many lawsuits are settled out of court when it becomes obvious that the person entering the suit doesn't have a chance of collecting. Yet, all the bureau knows is that a lawsuit was entered against an individual for non-payment. That's what it has in its file on the individual, and that's what it tells its members.

Doty adds that the bureau always informs its members who ask about individuals with lawsuits pending that the bureau has no information on the outcome of the suit and that the member should make no judgment on the fact that a lawsuit was entered.

"But I'd be lying if I told you that they don't make a judgment," he says. "They do."

[From the Rutland (Vt.) Daily Herald, Mar. 7, 1968]

CREDIT BUREAU: SOME IMPLICATIONS

(By Harry Levins)

L. Arthur Doty knows a lot of information about you. He's the manager of the Credit Bureau of Rutland Inc., which has files chock-full of information about you, more than 60,000 of your neighbors, and 10,000 organizations and businesses.

Doty guards his information and gives it out warily. He gives information on your credit record to the 200 businesses which subscribe to his service. When asked about your credit record by national credit organizations, he supplies the information. And he'll show you your own file.

Other than that, his files are almost closed. Doty is proud of his security measures. He considers his job a responsible one and he's aware of the amount of trust needed to run a credit bureau without hurting innocent people. He strives to maintain that trust.

But he's aware of the potential for misuse of information in his files. It's an awesome potential. The credit bureau knows or can find out your complete economic and social standing in the community. This information is supposed to be used only for credit purposes.

In most cases, it is. But the potential for misuse of all that information is present. In some instances, there is misuse.

For example, the FBI, the military services, and the police can all look at your files without obtaining a subpoena. Doty says he cooperates fully with the authorities when they ask for information from his files. But they don't have to show cause for looking. They can use the information however they wish.

In addition, Doty himself can and does use your file for other than credit purposes. When a firm is considering a person for employment, it can turn to Doty for a confidential personnel report, since he does personnel reporting as a sideline to his credit bureau business. Part of his report is based on information from the credit bureau files.

In theory, anyone with enough money to pay the fee for a personnel report could obtain the information in an individual's file. Doty says he's careful about to whom he makes these reports. But the potential is there.

Another one of Doty's sidelines is bill collecting. He says he keeps the credit bureau business separated—physicially and professionally—from the bill-collecting business. But the potential that files on your economic status could be used by people trying to collect cash from you exists.

Doty's employes can look at the files. He says, "We're very careful about who we hire," but the potential that a non-trustworthy person will be hired exists.

The potential for employe misuse of the files will increase when the Associated Credit Bureaus of America (ACBA), a 2,200-member affiliation of credit bureaus which includes Rutland, centralizes its files through a computer system. Some 14,000 employes will then have push-button access to 110 million files.

The credit bureau's 200 members also have access to much of the information. A few of them ask for it in written form and get a very specific report on ACBA Standard Form 100. Although the form is marked confidential and reminds recipients that they will be held liable for damages resulting from unauthorized release of information on it, the potential for misuse exists.

Doty says that most of the potential is negated by the very nature of business. "Look, a merchant has more to do than sit down and call the credit bureau for information on somebody just for the —— of it," he says.

He also points to his eloborate system of coded checks to insure that information goes out only to people who are supposed to get it. But he admits that his system, like any system, can be broken.

He says:

"When you come right down to it, you've got to trust people. After all, people make up the system."

But it's precisely because people don't trust people that credit bureaus exist. Because four per cent of the people who buy things on credit don't pay their bills, credit bureaus keep files on 100 per cent of the people.

To many people, the fact that a private organization keeps files on individual citizens is unnerving. To them, it's an uncomfortable reminder that society never stops watching its members.

Doty doesn't agree with the conclusion that these people draw—that the credit bureau is snooping into other people's business.

"Look, the most personal form of snooping there is is an X-ray. The people who take the X-ray are going to show it to other doctors and specialists. But if by looking at it, these people can help a sick person, then I don't consider that snooping.

"It's the same way with credit," he says. "we can help a person who wants and deserves credit to get it. Maybe some people call that snooping—but I don't look at it that way."

Doty also sees the computerized future as a safeguard to privacy, rather than a spiller of secrets.

"In the first place, files will be by number and not by name," he says. "We'll begin it as soon as we get a common numbering system. The government already has one—the Social Security number. Right now, the government considers Social Security numbers as government property, but they'll release them. Then a file clerk won't know whose file is being typed out by a computer. It'll just be a number.

"In the second place, a lot of the stuff in our manual files will be discarded, because a computer only accepts the lowest common denominator," he says. "Obviously, a computer won't take a picture from a newspaper clipping," he says.

Doty admits that there are Orwellian implications inherent in such a computerized system. But he says they don't bother him.

"A lot of business is transacted by number rather than name right now, and it's good, because it avoids errors," he says. "When you sign your name on a check, it doesn't mean anything. Your real signature is those funny-looking numbers on the bottom of the check. You could sign it 'Charlie Brown' and the check will still go through the bank's computer.

"In the credit bureau business, this is good. There are about 1.3 million people in the U.S. named Smith. There are about 80,000 couples named John and Mary Smith. But there's only one 009-26-0646. Instead of being one of 80,000 John Smiths, you're the only 009-26-0646 in the country."

Doty thinks that the computerized future, like the credit bureau's files of the present, is a social cost of living in the 20th Century.

He can prove this point easily by pointing out that credit bureaus wouldn't exist if people didn't want credit—and if the world wasn't an impersonal place where people didn't trust each other.

And so people who want credit pay the price—the loss of some of their privacy.

Perhaps it's inevitable in a society such as that of 20th Century America that privacy will be eroded. We have gained prosperity and security. But we have lost many things, privacy among them.

Perhaps the loss of privacy is as inevitable as the loss of self-reliance, the loss of clean air and clean rivers, the loss of scenic beauty, and the loss of the courtesy with which people used to treat each other.

But beneath the loss of privacy is the potential for harm inherent in any system of data collection. Although Doty has pride in his elaborate security system, the system is too big across the nation to guarantee that the security measures will work 100 per cent.

And finally, there's the uneasy feeling that somebody is keeping a file on all of us, methodically clipping and noting the public footprints we leave behind us.

All those facts go into those 70,000 four-by-six-inch envelopes in The Credit Bureau of Rutland Inc. That's part of the price you pay for credit.

Is it worth the price?

Think about it the next time you fill out a credit application.

Joey Belge, Poster Boy for the National Association for Retarded Children

HON. JAMES M. HANLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. HANLEY. Mr. Speaker, there are few organizations in the United States which deserve our appreciation and support more than the National Association for Retarded Children. These thousands of men and women dedicate themselves tirelessly to the care and training of mentally retarded boys and girls. Their selfless attitude serves as a reminder to all of us that we have a special obligation to those children.

I am particularly proud of the fine work the Syracuse chapter of the NARC is doing.

Mr. Speaker, today I had the special privilege of welcoming to the Nation's Capitol young Joey Belge, the National Poster Boy for Mental Retardation for 1968. Joey, who is 8 years old, is one of eight children of Mr. and Mrs. Robert R. Belge of Syracuse, N.Y. Mr. and Mrs. Belge accompanied young Joey to Washington today to meet with Mrs. Lyndon Johnson and Mrs. Hubert Humphrey at the White House.

Until recently, Joey was enrolled in the Syracuse chapter's activities center. Mr. Charles Jorgensen, the executive director of the chapter and Mr. Alfred Cappuccilli, the president, informed me that Joey has been progressing so well that last year they were able to get him into a special education class in the Syracuse school system. This stands as testimony to the fact that progress is being made, that there is hope, that with courage and medical breakthroughs, we can make significant advances against this dread problem. With the dedication of such fine people as Mr. Cappuccilli and Mr. Jorgensen and their colleagues, and the courage of people such as the Belges, we can overcome the hurdles.

I urge each and every one of my colleagues to support the retardation chapters located in their respective districts and call upon all Americans to join in the battle.

U.S. Middle East Policy: Why Should Israel Be the Fall Guy?

HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. CHARLES H. WILSON. Mr. Speaker, last October I made a speech on the floor of the House calling for a "reappraisal" of our Middle East policy, a policy which I then described as two-headed and counterproductive. Unfortunately, the events of recent months have only reaffirmed this pessimistic conclusion.

I refer specifically to the recent announcement of the United States' very generous sale of arms to Jordan. This action has been taken without apparent regard for the lesson of the past when our substantial aid to Jordan spurred her on to declare war against Israel and suspend diplomatic relations with the United States.

I had hoped that, after witnessing this misfiring of our efforts in the Middle East, we would no longer countenance continuation of aid programs so inimical to our national interests. But this hope has been dashed with the State Department's announcement of the sale to Jordan of 100 M-47 Patton tanks and 16 to 18 F-104 supersonic Starfighter jets.

At the same time that we sell some $35 million worth of arms to Jordan, we persist in restricting arms sales to Israel—our only true friend in the Middle East. It would seem that the U.S. trade policy favors blackmailing nations like Jordan, that is, if Uncle Sam does not come across, then Russia will. But nations cannot be bought off so easily. With both East and West vying for her hand, a cunning nation may well make the best of a happy situation by accepting the favors of both suitors and waltzing down the aisle with neither.

Our aid to Jordan will not necessarily prevent that nation from accepting aid from Russia. Even if it did, the danger in the Middle East lies not in international communism. Rather it is in aggressive, unbounded nationalism characterized by terrorism, in this case that of the Arabs toward the Israelis. And, with both the Soviet Union and the United States supplying the planes, tanks, and other equipment, the Arab states are craftily playing both ends against the middle in their quest for domination in the Middle East.

And what then of Israel? Just because this nation has, in the past, proved herself a friend of the United States in the Middle East, can we afford to take her loyalty for granted? And how far can we test her loyalty before we find our so-called friendship flung back in our face? The arms sale to Jordan brings us perilously close to such a setback.

It is profitable to look at a parallel experience in our foreign aid history: our assistance to Egypt when we hoped to divert Nasser from his aggressive Pan-Arabism and to resist Communist penetration in the Middle East. These objectives were never realized. Nasser exploited our assistance by waging an anti-American campaign throughout Africa, Latin America, and the Arab States, constantly and cagily playing us off against the Soviets. Even while our aid was continuing, Nasser offered cotton to Russia as a mortgage on Communist armaments. And did our successful effort to dislodge British, French, and Israel forces from Sinai curtail Nasser's expansionist dreams? Not at all.

At present the United States, through the United Nations, is working to prevent Israel's reprisal attacks on Jordan. But, with Arab terrorist infiltration across Israeli borders on the rise, can we realistically expect Israel to turn the other cheek? How can we have the gall to ask Israel to abide by our conditions while we ignore her bidding in the world arms auction?

Yosef Tekoah, Israel's chief delegate to the U.N., has stated that, while Israel desires to "work toward peace," it cannot remain passive as long as Jordan continues to train and arm terrorist campaigns against Israel. And, although Israel is amenable to direct negotiations with the Arab States, she has been continually rebuffed in her efforts in this direction. The United States, by selling arms to Jordan and limiting arms sold to Israel, seems to be doing some of the repulsing.

The State Department has justified the arms sale to Jordan by stating that it is necessary to back up King Hussein, a monarch friendly toward the United States. Foggy Bottom reasons that, if Hussein should fall, his successor may prove partisan to Russia. Well, in the words of Candide, anything is possible in this best of all possible worlds. But the question is: is it probable? Hedging your bet may be advisable in some situations, but it hardly makes a wise, long-range diplomatic policy.

U.S. prestige in the Middle East has obviously not been enhanced by our willingness to engage in economic blackmail. If anything, our influence has deteriorated. Let us recognize this harsh truth and give our help where it is needed and appreciated—in Israel. Let us challenge Jordan to go begging of Russia. Even if Jordan should take up this challenge—as well she might—it would not really threaten our position in the Middle East. In fact, it would restore Israel's waning faith in the United States. She is our friend—an important one. We must work to keep that friendship, and let the chips fall as they may.

Maurice Cohen and Marcus Koenigheim

HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. GONZALEZ. Mr. Speaker, I wish to call the attention of my colleagues to the presence in San Antonio of a great civic and business leader, as well as a great humanitarian. I am speaking of Maurice Cohen of San Antonio.

Mr. Cohen is one of the most successful cattle, ranch, and livestock entrepreneurs in our country. He is a great San Antonian who has contributed richly to the progress and well-being of our community and State and country.

Mr. Cohen has literally grown up with San Antonio's great and formidable modern progress. He has been an integral part of this progress and a prime cause of it.

But with good reason. He is a descendant of great stock. One of his forebears, Marcus Koenigheim, was a pioneer in the last century in southeast Texas.

A most interesting and absorbing account of this extraordinary man has been published recently in the San Antonio Express-News, in a feature story entitled "The Landlord of the Wasteland." Mr. Speaker, I offer it at this point:

THE LANDLORD OF THE WASTELAND

(NOTE.—Less than 100 years ago a land speculator walked into a store on the east side of Main Plaza and talked himself into an unsecured loan of $1,500. Thus began an unfortunate transaction that left the lender stuck with a nearly worthless tract of West Texas land. That it later became downtown San Angelo and that the new owner became the founder of a clan prominent in ranching, the theater and the fight against leprosy illustrate the vagaries of history. That it ends in a tingling murder mystery only proves that truth is often stranger than fiction. This is the story of Marcus Koenigheim, self-styled Herr fon Viest (Landlord of the Wasteland in Yiddish) as written by Ralph Chase of San Angelo and presented by him before the Tom Green County Historical Society.)

(By Ralph Chase)

We are not here to present an embellished recitation of heroic accomplishments, but rather to offer a simple tribute to human fallibility. In spite of having learned better, Marcus Koenigheim agreed to underwrite a scheme ominous with the uncertainty of speculation. Koenigheim had been taught that were he and other Jews to survive in commerce they had to be firm and objective, not to be distracted by emotions. Yet, because he failed to practice this principle, at least on one occasion, Marcus Koenigheim has a place in our celebration of the one-hundredth birthday of San Angelo. He alluded to himself as a "sheenie" and was referred to by Bart DeWitt, the man whose promotion he financed, as "Shylock."

Deprecating as were these characterizations by himself and by his contemporary, Marcus Koenigheim was considered a successful merchant by the businessmen of San Antonio and was honored by his family as its patriarch. The accomplishments of Koenigheim's descendents today direct additional attention toward the man who in San Angelo named Koenigheim Street in honor of his family, Abe Street to acknowledge his younger son, David Street for his older son and Sam Street (now Kenwood) for his brother.

Marcus Koenigheim's grandson, Maurice Cohen, is the son of Harriet Koenigheim and Abraham Cohen and today lives in San Antonio. His friends include the President of the United States, the governor of Texas, men prominent in finance, petroleum, publishing and other branches of commerce in Texas, Mexican laborers, cooks, dishwashers and cockfighters. By these advocates Maurice, as he insists upon being addressed, is considered one of the most knowledgeable men in the cattle industry. An objective analysis would accord Maurice the distinction of having been the man who set the pace for individual cattle buyers for the years 1940 through 1960, his activities have been curtailed recently by voluntary deceleration in deference to his health. It was he who introduced into southern Texas the practice of buying large groups of cattle, mixed though the lots might be in breed, weight, sex or age, and collecting the livestock from many consignors in shipping pens where the animals were separated into uniform categories to comply with the specifications of the feeders and packers to whom they were shipped.

Maurice's reputation has been one of fair dealing; most transactions have been ratified by an agreement reached in personal or telephone conversation. In 1948 his reputation was tested when he contracted to buy about 50,000 head of cattle at a price the market could not support, for national market values began to fall precipitously before delivery of the stock could be effected. Maurice stood to lose hundreds of thousands of dollars. Many persons advised him to pay the forfeit penalty, a percentage of the contracted price, and take less than the complete loss. With the support of D. & A. Oppenheimer, Bankers, he ignored this advice and chose to meet his full obligation. Even though some of the producers, cunningly hoping to rid themselves of stock in a depressed market, delivered more cattle to Maurice than their individual agreement specified, he bought them all, losing more money than he could afford but maintaining his reputation.

This established integrity, nine years later, no doubt influenced Raymond Bell to sell some 13,000 head of cattle from his ranch in Durango, Mexico to Maurice, the agreed price of purchase—in contrast to the debacle of 1948—having been less than the market price at the time of delivery. The caprices of the market had turned to Maurice's advantage.

Marcus Koenigheim's granddaughter, Queenie Smith who is the daughter of Emma Koenigheim and Charles Smith of New York City, is the directress of the Melodyland Theater in Anaheim, the Carousel Theater in the San Gabrielle Valley and the Circle Star Theater on the San Carlos Peninsula, all in California. She took her early training in ballet and became the solo danseuse at the Metropolitan Opera House," appearing first at age 18, as a deputy for Rosina Galli; later she was featured in "Le Coq d'Or" and, "Petrouchka." From that beginning Miss Smith embarked upon a theatrical career, though still managing to complete her academic studies and receive a master's degree from Barnard College. While she met first success as a dancer, she is perhaps best known for her roles as a musical comedy star and also as a principal in straight plays. Throughout the 1920s she was in great demand.

Following active work as a motion picture actress, she became the talent liaison for the New York Theater Guild which in turn led to her present position.

Yet of the descendants of the Koenigheim family, perhaps the most widely known was a member of Mrs. Marcus Koenigheim's family, the Levysons. Her grand-nephew, Sidney Maurice Levyson, became famous as Stanley Stein, the name he assumed to protect his family and friends from the stigma of their having been associated with a person with leprosy.

For Sidney Levyson had been infected with Hansen's bacillus when he and his family lived in Boerne. In 1931 Levyson was confined in the leprosarium at Carville, La., dying there on Dec. 18, 1967.

His obituary read: "Died Stanley Stein, 68, crusader for public understanding of leprosy; of kidney failure; in Carville, La. Blinded by Leprosy (and unable to guide himself by the sense of touch , so important to the adjustment of the sightless, for his fingers had been eroded away by the disease) and confined to the U.S. Public Health Hospital at Carville, Stein founded in 1941 a bi-monthly magazine. The Star (cir. 25,000) to explain that leprosy is an arrestable and rarely contagious disease, and because of his efforts, Carville's patients now may vote (ride public transportation) and take a month's leave each year. Perhaps most important, he convinced the U.S. government to abolish the dread word leper and use the term Hansen's disease." To him was written on Aug. 30, 1961:

"DEAR MR. STEIN: I want to extend my congratulations to The Star and to you as its editor for immeasurably adding to the world's understanding of the facts about Hansen's disease. By constantly focusing the light of fact on the ancient disease, The Star has been instrumental in dispelling much of the darkness, supersitition and fear of Hansen's disease that for centuries had stood in the way of constructive efforts to deal realistically with this affliction. The Star has helped not only those afflicted by Hansen's disease; it has contributed to the total progress and well-being of mankind.

"With every best wish.

"Sincerely,

"JOHN F. KENNEDY,
"President of the United States."

But what of Marcus Koenigheim himself? The exact date of his birth is not recorded, the time having been assumed as sometime between 1828 and 1833. Nor is the place of birth known, only that he was a resident of the province of Westphalia in Germany. When not yet 20 years of age, he came to the United States with his brother Simon and went more or less directly to San Antonio. However, he left that city during the War between the States to live in Philadelphia, his port of entry.

He married Elizabeth Levyson in 1864 to live in that Pennsylvania city. Lizzie, as Mrs. Koenigheim was affectionately called by the members of her family, bore her husband eight children, Fanny, Jennie, David, Harriet and Emma who were born in Philadelphia in the years before the end of 1869 and Hannah. Abe and Grace who were delivered in San Antonio, the youngest child, Grace, having been born in 1881. The children's care was largely in the hands of Lizzie's maiden sister, Tante Sophie Levyson.

Marcus had returned to San Antonio after the Civil War to open a mercantile business like Daniel and Anton Oppenheimer who about the same time had established their business that was to grown into the privately owned bank, D. & A. Oppenheimer, Bankers. Koenigheim chose for his place of business a store on the east side of the Main Plaza where he sold general merchandise and jewelry, acted as a broker in the buying and selling of farms, accepted money for safekeeping and made loans.

It was this establishment of Marcus Koenigheim that Bart J. DeWitt entered in 1870 in his search for money. DeWitt, who was also from Philadelphia, hoped to buy a piece of land known as the John Brauns Survey, Number 323 in District 11, in the horseshoe bend of the North Concho River in western Texas, there to establish a city. When Bart presented his proposition to

Marcus, the latter probably surmised that the petitioner had gone to more established money lenders in the community and that he had been refused a loan. But still Koenigheim was interested enough to listen to a man like DeWitt who was well known in the army society of the city and whose wife, lately deceased, Carolina Angela de la Garza came from one of the oldest families in the state, they having settled in Texas when it was yet a colony of Spain.

Certainly, DeWitt must have seemed more to be trusted than the usual adventurer for he was accepting the responsibility of caring for his five children after his wife's demise. Whatever the justification arrived at in Marcus' mind to disregard his judgment and follow his intuition to finance an unsecured plan, he agreed to lend the promoter some $1,500. This amount of money would have purchased about 300 head of range cattle. To purchase the same number of cattle today would require about $45,000. Thus the $1,500 loan then would be equivalent to about 30 times that amount in our currency in 1968.

With his money, DeWitt bought his land, presumably from Granville Sherwood, and laid out his city, St. Angela named in honor of his wife, on the northern bank of the North Concho River; to this community of bars, gambling places and bordellos he hoped to attract the troopers from Fort Concho on the southern bank of that river.

In San Antonio, as in other cities and towns in the West, the number of Jews was small, but by supporting a feeling of community among themselves, each individual did not feel so much alone. Having no temple in which to worship, the people gathered in private homes, with the man most learned in Hebrew reciting the prayers of the faith, for the closest rabbi until the latter part of the 19th Century was in New Orleans. This deficiency was not a pressing one, for the traditions of Jerusalem were not then, and are not today, preserved primarily in the synagogue but rather are they nourished in the individual homes to be passed on to the children.

On the frontier the relatively small number of Jewish women of marriagable age was more seriously threatening the perpetuation of the religion than was the lack of rabbis, who were primarily teachers. Many Jewish men became Christians because they married gentiles, there being no Jewish women available. As did other families who wished to support Judaism, the Koenigheims would sponsor the passage of young women from their homes in Europe to come to the United States; these young ladies were permitted to live wtih the Koenigheims until they could find finances. In 1874 the Reformed Synagogue, Temple Beth El, was organized in San Antonio; among the charter members of that congregation were Marcus and Simon Koenigheim.

Meanwhile in western Texas the prospect of the growth of St. Angela and an increase in the value of the lands on which DeWitt had laid out his lots seemed particularly pleasing by 1874 when it was proposed that Bexar County be reduced in size by forming from its western reaches a new county to be named for the Confederate hero, Gen. Thomas Green.

Bart DeWitt expected that St. Angela, the largest community in the area, would become the site of the courthouse for the new county. But he did not reckon with Francis Corbett Taylor at Concho Mail Station, some five miles south on the South Concho River. On the day of the election in 1875 to decide the site of the county seat, Taylor imported on his stage enough persons up and down the line from San Antonio to El Paso to outvote the complacent and none-too-public-spirited inhabitants of St. Angela. Benficklin as the mail station came to be called in honor of Maj. Ben Ficklin, the founder of the Pony Express, had won.

As the courthouse was being built there, the land values in St. Angela, already low, fell still lower. When Koenigheim asked Bart J. DeWitt for the money that he owed, a principal of $1,428.74 with interest of 1 per cent a month, DeWitt could not comply. Finally because Bart had nothing else of value, Marcus reluctantly accepted the unsold land in the John Brauns Survey, all of the 372 acres outside of the town plot and all but a few lots in the 28 acres inside the town plot itself. DeWitt's debt was canceled.

Koenigheim was hardly pleased, although the property he now owned comprised almost the entire downtown area of the present city of San Angelo; the plot lay south of a northeast-southwest line along present-day College Street from Main Street on the east to the North Concho River on the west and south. Bart DeWitt's town became Marcus Koenigheim's town, a village more fitting as a home for livestock than for humans. Marcus attempted to trade the property to Joe Levy of Lapowski Brothers Store on Concho Street, saying he would give up all he owned for a wagonload of whiskey. Joe declined, stating that whiskey was a very valuable commodity, not so the property of St. Angela.

From his home in San Antonio Marcus Koenigheim attempted to encourage the growth of St. Angela, or San Angela as the name of the village had come to be pronounced, by giving certain property to individual churches; following the example of Bart DeWitt who had deeded the block bounded by Chadbourne, Beauregard, Harris and Oakes Streets to the Catholic Church, Koenigheim transferred a lot on East Beauregard to the Methodist Church and another lot on the same street to the Baptist Church. He hoped that with the construction of churches more people would choose the town for their home, thereby raising the value of the real estate.

While this gesture of giving land to the churches may have been somewhat effective, vastly more effective was a caprice of nature, for the county seat, Benficklin, was washed away in a flood of the South Concho River in August, 1882. Shortly thereafter, San Angela became the county seat with consequent raising of the value of the property there. After the flood in one deal alone, the sale of a lot on Magdalen for the construction of a school, Koenigheim realized $1,800, more than the amount of his loan to Bart DeWitt. Another lot on the corner of College and Irving Streets, he sold to the Southern Presbyterians for $500.

With the future of the town apparently brighter, new businesses were started. As the manager of the San Angela branch of the mercantile establishment, D. & A. Oppenheimer, Alexander Koenigheim, the brother of Marcus, moved into town with his wife, Rosa, and son, Lee, to become one of more prominent members of the community. As the Koenigheim family was associated with the Oppenheimer family in the 1880s, so today is the arrangement maintained, for Maurice Cohen, the surviving grandson has his business underwritten by D. & A. Oppenheimer, Bankers of San Antonio.

But affairs for the Koenigheim brothers were not altogether smooth-running. In litigation with Jonathan Miles, Marcus lost a case in district court in which Miles had contested the northern boundary of the Koenigheim property, saying it lay somewhat south of the College Street line; however, in the Supreme Court of Texas on Dec. 10, 1886, the decision was reversed and the northern limit of the property fixed at present day College Street.

In San Antonio as in San Angela Marcus Koenigheim had prospered so that he was able to build on the corner of South Flores and Durango Streets, where the present M.K.T. Depot stands, an imposing two-storied house with front and rear galleries and an "L" shaped wing for the servants. There, where German or Yiddish was the common language, lived: Marcus, Lizzie, Grace—the youngest daughter, Abe Koenigheim and his wife Maggie Rensler Koenigheim, Simon—Marcus' brother, the unmarried brother of Henry Hirsch who had married Hannah Koenigheim and Sophie Levyson—the maiden aunt. The home was furnished with objects of local manufacture but most of the pieces came from Philadelphia and some from Europe. Each of the children was required to learn to play a musical instrument, and some, for example Emma, were encouraged to study and practice theatrical parts.

The home was one of the centers for Jewish social activity where likely the other prominent members of the community, the Zarks, the Halffs, the Mayers, the Efrons, visited. But affairs were not quite so settled in San Angela, for by the year 1889 with the inactivation of Fort Concho all but accomplished D. & A. Oppenheimer had closed its branch while Alexander Koenigheim had sold his home on Koenigheim and Twohig Streets to move away. In 1891 Marcus made out his will leaving his estate to his wife. Because of an enfeebling illness, he had retired from all active business by 1893.

In a Ferrel and Herring safe in the family home Marcus kept currency, jewelry, legal papers and family heirlooms. Standing in the left hand corner of the front hall as one entered from the front door, the safe had two heavy metal doors which were opened with a big brass key, kept in his trousers' pocket by Koenigheim. A burglar had entered the home in September of 1893 but evidently had not been able to open the safe.

On the night of Monday, Oct. 9 of that year, Mr. and Mrs. Koenigheim had visited in the home of their friends, Mr. and Mrs. I. Efron, having returned home in their black buggy driven by their servant Buddy at about 11 p.m. As was his custom in the summer and early fall, Marcus climbed the stairs to the front gallery of the home where he slept on a cot in the breezes that crossed the open expanse of the porch. He undressed, taking his trousers and vest and rolling them into a pillow for his head. He fell asleep.

The next morning he was found dead by his wife and daughter-in-law, the body lying at the foot of the stairs. Death had apparently come violently for there was an impressive wound, as if from a large caliber bullet, on the left side of his head. The safe's doors were standing open, presumably having been opened by the big brass key. On a small table in front of the safe were bundles of Confederate bills—kept as a curiosity by Mr. Koenigheim, several cheap watches, a check book, private papers and two heavy gold bracelets. The value of the items taken from the safe was estimated at from $3,000 to $25,000 not including the jewelry.

As had been done two weeks earlier it appeared that a robber had forced his way into the home, this time by sawing through the shutter on the window on the north side of the dining room; footprints were found in the soil outside that window by Detective Tom Hughes who investigated the case.

Post mortem examination of the body conducted by Justice Griff Jones, who acted both as coroner and as a private undertaker, disclosed that a .44 caliber projectile had entered the left side of the skull, passed through the brain and embedded itself beneath the scalp on right temple. Powder burns were found on the skin of his left hand. The investigating officers concluded that death had resulted from murder, the assailant having robbed his victim as well.

But many questions were, and still are, unanswered. How did the robber extract the key from the trousers on which Koenigheim was sleeping? Why did no one hear the report of a pistol or rifle, the discharge of a .44 caliber weapon at that, in a high-ceilinged echo chamber such as the front hall of a Victorian mansion? All of the family members, except Abe the son who was spending the night at the family ranch, were present, and Hirsch's room was on the first floor and opened on the hall. They heard nothing, yet neighbors reported that they had heard a shot or shots in the early morning of Oct. 10 about the time the death was supposed to have occurred. Was it suicide? Classically, the presence of powder burns on the skin of a person's hand is supposed to indicate that he held a pistol which was fired.

In reconstructing the crime it would seem that in descending the stairs to investigate a noise, as was presumed, Koenigheim's left side would have been facing the wall so that it would have been impossible for a weapon to have been fired by someone on that side with the bullet entering the left side of his skull. The insurance companies, the Pacific Mutual Co. and The Fidelity and Casualty Co., who had policies in the amount of $30,000 to be paid in the event of accidental death, called for further investigation. No new facts were discovered.

So died Marcus Koenigheim, as coroner's reports perfunctorily state, "by the hand of person or persons unknown." Koenigheim had hoped to attain the success promised to immigrants to the United States by working diligently and managing his business in a conservative, circumspect manner. Yet he is remembered because he did not always follow those fundamentals. He financed a speculative scheme whose unfortunate outcome left him the owner of a town, unwanted as St. Angela but accepted as San Angela to be commended as San Angelo.

If strength of purpose but occasional weakness in execution is to help to make this man remembered some 100 years after his active career, it seems possible that each of us today who is no less inclined to blunder may 100 years hence be the subject of a biography such as this one which is now concluded.

Resolution Reaffirming the Purposes of the International Order of DeMolay and Condemning Disrespect for Law and Order

HON. W. R. POAGE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. POAGE. Mr. Speaker, not all of the younger generation is following the long-haired pipers of running like rats into the sea. The members of the Order of DeMolay have exhibited a splendid degree of responsibility and leadership through the resolutions adopted this morning at their International Conference here in Washington. I am pleased to include these resolutions in my remarks and commend them to our people both young and old:

RESOLUTION REAFFIRMING THE PURPOSES OF THE INTERNATIONAL ORDER OF DEMOLAY AND CONDEMNING DISRESPECT FOR LAW AND ORDER

Whereas, one year ago the members of the International Conference of State, Provincial, and Jurisdictional Master Councilors reaffirmed the DeMolay ideals of clean living, clean thinking, and clean speaking, and

Whereas, it is the purpose of the Order of DeMolay to help all young men to live clean, manly, upright, and patriotic lives, and

Whereas, we deplore the situation wherever riotous demonstrations, unlawful protests, or other manifestations of disrespect for law and order have occurred, and

Whereas, while we respect the rights of lawful and intelligent dissent, designed to strengthen the opportunity of all peoples to make their beliefs and opinions known, the continuing spread of disrespect for law and order weakens the moral fiber of our several nations and dissipates the strength of the free world,

So, Therefore, Be it Resolved, that this meeting of the International Conference of State, Provincial, and Jurisdictional Master Councilors reaffirms the foregoing, and rededicates ourselves to the DeMolay precepts of loyalty to God, home, and country, subscribed to by free thinking men,

Be It Further Resolved, that a copy of this resolution be presented to the heads of government of our respective countries.

Unanimously adopted in Washington, D.C. on the second day of April, 1968.

The Teacher-Citizen

HON. JACKSON E. BETTS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. BETTS. Mr. Speaker, encouraging good citizenship by our young people is an important function of teachers. Full citizenship in the United States, I have always believed, begins with active participation in politics, particularly political parties, candidates, and campaigns, and countinues long after the ballots are counted on election day. Elected leaders need the views of all citizens as they conduct their important and varied duties. Teachers, as spokesmen for good citizenship, should try to exercise their full participation in the democratic process.

The National Education Association has planned an excellent weekend to emphasize the important role of teachers in the community, State, and Nation. Teachers-in-Politics, as the event has been named, will take place in Ohio as well as across the country, on April 5–7, 1968. This program has been endorsed by the two national party chairmen and elected officials at every level. I know many teachers in my district practice full participation in government and politics for their letters and visits with me illustrate an informed, thoughtful concern for elected officials and their responsibilities.

Public awareness of the importance of this election year 1968 is high even at this early date. If the teachers of America would do no more than activate students and their parents to the importance of voter registration and involvement in primary and general election campaigns, they would be giving yeoman service to the Nation. Many teachers do much more, of course, and this contribution in time, talent, and money to the candidates and parties of their choice will be meaningful on election day.

I especially wish the teachers of the Eighth Congressional District and others participating with the Ohio Education Association a succcessful Teachers-in-Politics weekend.

Not Enough Jobs

HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. O'HARA of Michigan. Mr. Speaker, as the summer approaches, the question of what is being done to meet the problem of unemployment in our cities again looms especially large before us. That this is one of the most important matters we face in this Congress is obvious. Yet despite widespread awareness of the awful consequences of joblessness in our core cities, time passes, and it is all too clear that present programs are not accomplishing all that needs to be done.

One of the difficulties, I am afraid, is that we suffer under the illusion that the problem of hard-core unemployed can be effectively attacked by present programs—especially those that rely primarily on the creation of jobs by private industry. The truth of the matter is that these programs, while they are well intentioned and may indeed prove useful in time, have not begun to make a significant dent in the problem.

This situation is nowhere more clear than in the case of Detroit, where leaders in government and business have done as much, if not more, than those of any other city to deal with the problem. Despite the enlightened efforts of these leaders, few new jobs have been created. In fact, according to a recent article in the New York Times, unemployment in Detroit has actually increased since last year. The difficulty, in brief, is that such programs as those underway in Detroit are not actually creating new jobs. Those positions that are being opened are resulting mainly from the expansion of the economy and from employee turnover.

I wish to be perfectly clear that I am not placing any sort of blame on the business community for this situation. I fix responsibility very differently—here in Washington where we have failed to create an imaginative new program that is really adequate to meet the problem. But this Congress could take a very large step toward a solution by passing H.R. 12280, the Guaranteed Employment Act, which would provide immediately a million new jobs in public service occupations.

I recommend the following article from the New York Times to my colleagues as an accurate assessment of the situation in Detroit. In many other cities there can be little doubt that the problem is even more acute. The responsibility for action is ours. We can meet this problem if we will. In the long run, the people of this country will know who is to blame if we fail.

The article follows:

INDUSTRY DRIVE IN DETROIT SHOWS SMALL GAINS IN CREATION OF JOBS

(By Anthony Ripley)

DETROIT, March 23.—The tall young man with the Afro hairdo, gold chains around his neck and bulging biceps is called Tojo among the informal street-corner gangs on Detroit's lower East Side.

He is 22 years old, has a prison record

and—since last December—a job at the Chevrolet gear and axle plant of the General Motors Corporation at about $3.40 an hour.

He got his job through the Young Men's Christian Association and the company's effort to hire the hard-core unemployed in the slums after Detroit's bloody riot last July.

Tojo is part of what is called the "private sector involvement" in the plight of the American cities. He stands as a reality in what many businessmen in Detroit and nationally are beginning to see as an illusion—job creation by private industry.

Although the Johnson Administration and many in Congress have put heavy emphasis on job creation by business, and although the National Advisory Commission on Civil Disorder recommends a million new jobs in both the private and public sectors over the next three years, the Detroit experience since last summer has been more symbolic than significant, according to observers here.

Several points have emerged:

"Job creation" by private industry amounts to filling vacancies caused by business growth and employe turnover.

Efforts at hiring the unemployed from inner city slums have been successful but small, with little effect on the chronically unemployed.

Though there were 28,000 more people at work in Detroit in February than a year ago, this reflects "normal growth" in the economy. At the same time, workers have been attracted to the city from other states and unemployment has climbed by 1,000 since a year ago.

Businessmen are increasingly afraid that government, by concentrating on private sector involvement and shifting programs there, will blame business if rioting breaks out again.

DOESN'T DIG THE CHECKING

Tojo, and 400 like him who have been placed in entry level jobs in industry by the Y.M.C.A., is an ironic figure. His personal assessment is that the program that got him a job is a failure. But he stands as one of its successes thus far. His prime complaint is that he feels like a guinea pig in an experiment.

"I've been there since December," he said at a recent Y.M.C.A. meeting. "Yet and still, I'm the only one in the plant they're checking. This checking me, checking me all the time—I don't dig it."

A companion with a prison record and one year of college said he had the best job he ever held making $3.42 an hour in a Chrysler Corporation plant.

But he (like those around him who are regular employes) does not like his job. The money is fine but he would like easier work—as a telephone switchboard operator. His goal, he said, is to be a high school mathematics teacher but he is sure he will not make it.

GROUP FORMED AFTER RIOT

Through efforts of the New Detroit Committee, formed after the riot, a number of private employers in the Detroit area have been revising their standards for new employes. Some are accepting men with public records, high school dropouts and those who have trouble with written tests.

Malcolm R. Lovell Jr., director of the Michigan Employment Security Commission, said that most of the hirings in Detroit had come from normal job growth and not from job creation.

The Detroit slum employment program has generally been regarded as one of the most outstanding in the nation.

Malcolm A. Lovell Jr., director of the Michigan Employment Security Commission, said that the efforts so far were just a beginning and that most additional jobs had come from outside the central city. He said that most of the hirings in the Detroit metropolitan area had come from "normal job growth" and not from "job creation."

What is happening, he said, is that "as the line-up comes to the employment office window, they are now taking more people from the back of the line."

But the numbers have not been great and companies are also continuing to hire those who walk in off the street, he said.

A spokesman for the Ford Motor Company said that in November, December and January the company hired 9,000 new employes. Of this total, 2,030 were from the inner city.

The turnover rate for inner city employes was 22 per cent, he said, compared with 27 per cent among regular hirings. Roughly similar turnover rates were reported by G. M. and Chrysler.

Mr. Lovell said he felt industry was becoming far more alert and sensitive to the slum problem but that little dent had been made in the city's chronically unemployed, which he estimated at about 20,000.

It barely touches the chronically unemployed, he said, adding that 75 per cent of this group was made up of inexperienced, middle-age Negro women and inexperienced young Negro men.

"They're the lowest rung," he said. "The unemployment rate among Negro married men is well under 2 per cent and is no problem.

"You also have a cadre which sociologists call hard core—those with 5 or 6 debilitating characteristics in each person."

AVERAGE AGE IS 28

The Ford spokesman said that, of the first 1,200 hired by the company from the inner city, the average age was about 28.

Francis Kornegay, director of the Detroit Urban League, said his latest figures indicated that nonwhite employment was 3.25 times that of white unemployment. Unemployment in Detroit as of Feb. 29 was estimated at 3.7 per cent, or 60,000.

"Everyone's talking about creating jobs—creating them out of what?—and from where?" Mr. Kornegay asked.

He said he did not think industry was planning to hire men they could not use. It was a sentiment reflected by spokesmen for the three automobile companies. All agreed that job creation would be primarily tied to a general growth in the economy.

One businessman said: "If in fact we are supposed to be creating jobs which are not available jobs in the open market, then the guys hired will be the first to go. Right now we're filling jobs that are down at the bottom of the labor market. But if something happens to the economy we'll be right back where we were.

RETHINKING IS URGED

Ernest Brown, manager of Urban affairs at the Michigan Consolidated Gas Company, commented: "I think it is possible to create jobs through investment into areas where finance is not presently available."

He suggested that large-scale investments could be made by "getting into maybe the housing market with full recognition of the high risk involved and the necessity of job creation that comes with it."

He suggested that the private sector could "rethink our use of manpower on a number of jobs."

"When we have committed ourselves to a national cause such as we did in World War II, we took skills like tool and die making and broke them down into their component parts and we produced," he said. We have to look to this kind of boldness."

A Detroit Negro businessman said, "I don't see it as a hard-core problem but one of persons who are under-employed. The way hiring is going now, they are just placing more black people in occupational groupings where they already held 70 to 75 per cent of the available jobs. Now they're going up to 90 per cent."

He said that a lack of advancement was another key problem.

"When a Negro gets up to a $10,000 job, he isn't moved any farther. We have to move them into middle management and so on. But this means a changing of a way of life.

Detroit is a progressive city and there are a lot of Negroes here making good money. But you couldn't count 10 Negroes on salaried payrolls in private industry in Detroit making over $25,000 a year."

There is also a sudden and growing proliferation of business groups involved in job creation. This is causing concern among many businessmen.

ACTIVE ROLE FOR FORD

Immediately after the Detroit riots, the Urban Coalition was formed by Urban America, Inc., and a group of big-city mayors in Washington. The coalition, now headed by John W. Gardner, former Secretary of Health, Education and Welfare, has a strong business representation, along with education, labor and religion. Henry Ford 2d has been active in its business group.

Mr. Ford is also chairman of the National Alliance of Businessmen, formed early this year, and has been asked by President Johnson to start a nationwide drive to find jobs for 500,000 hard-core unemployed in 50 cities by 1971.

One high-ranking official of a national business organization said, "Things are really getting confused. You keep seeing the same faces on the same boards. Some of the guys feel they're getting used."

"What scares me is that there will be a retrenchment on the part of business just when they were really getting involved," he said.

Right Attitude

HON. FRANK T. BOW

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. BOW. Mr. Speaker, Congress has been at the receiving end of so much criticism lately that it is refreshing when one of our Members wins universal praise in his constituency, as has my colleague, BILL MINSHALL, of Ohio.

BILL MINSHALL and I have the same concept of a Representative's duty. We are Republicans and we run for office on the Republican ticket, but once we are elected we are the representatives of all of the people in our districts, be they Republican or Democrat or completely disinterested in politics. Politics ends when the votes are counted.

I am glad to note that Edward B. Spielman, who is the editor of the Maple Heights Press, one of Ohio's excellent suburban newspapers, approves of this attitude and endorses it in the following editorial about our colleague's work:

RIGHT ATTITUDE

Although agreement is not universal as to who is responsible for Maple Heights' receiving of a planning grant from the federal government, there is universal praise for Congressman William E. Minshall, who assisted the city through Washington channels.

Minshall, a Republican in a district with a Democratic majority, has never played party politics. He has helped the people and governmental bodies of the 23rd District many times. His attitude is a credit to the man and the people who elected him.

For Peace in the Middle East

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. PODELL. Mr. Speaker, 20 years have passed since the United Nations recognized the rights of the Jewish people to a homeland and established the conditions for the creation and existence of the State of Israel.

To this day, no other action taken by the United Nations has contributed more significantly to the role of the United Nations as the final arbiter for the resolution of international conflict without resort to war. By the same token no other arena of international conflict is so fraught with hazards of international nuclear war, nor so clearly threatens the very existence of the United Nations, the ultimate hope of humanity for international peace and security.

For two decades, as a result of Arab intransigence, the Middle East has been a tinderbox, ready to explode into world conflict. As recently as last June, the United States and the Soviet Union came perilously close to becoming embroiled in conflict.

Thus the hazards are no longer remote, nor have they vanished in the 9 months since the war in the Middle East. If anything, they have become intensified and more volatile, as we witnessed during the past several days.

There is an urgent need for America to attempt to dispel the clouds of war which have hung over the Middle East for so long. It is an urgency born of our desire for peace, our self-interest, our long involvement in the affairs of the region, and our commitment to the people of Israel.

For 20 years the people of Israel—returned to their ancient homeland after millenia of exile, and indescribable oppression—have been denied their most cherished desire, the opportunity to live in peace. Surrounded by hostile neighbors who are pledged to its destruction and supported by one of the great powers, the State of Israel has been forced to defend its very existence three times in the past two decades. It has sacrificed the lives of many of its youth and diverted resources necessary for the development of the country in order to protect its independence.

In flagrant violation of the United Nations Charter and international agreements the Arab States have supported and encouraged terrorist raids, murder, and sabotage. They have proclaimed a unilateral state of war and use that belligerence as an excuse to deny Israel's right to free passage through international waterways. They have attempted to isolate the Jewish State and strangle her economy by imposing a boycott on firms doing business with Israel. And last May the Arabs massed armies on Israel's borders in a bold attempt to destroy that state and "hurl the Jews into the sea."

During these 20 years the world community of nations has remained amazingly silent in the face of Arab fouting of world law and order. The United Nations has been paralyzed by the Soviet refusal to allow even the mildest criticism of Arab actions. It has, instead, condemned the victim and ignored the aggressor; censured Israel's response to Arab provocation, but dismissed the cause.

American policy has also left much to be desired. We have hesitated to challenge the Arabs for fear that they would move closer to the Soviet orbit. In a vain attempt to protect our influence and investments we have submitted to threats and blackmail.

Yet we have remained steadfast in our friendship to Israel and have generously aided its development. And we have, in the days following the June war, insisted that now is the time to achieve a just and lasting peace in the Middle East.

But our policy must continue to be vital and positive. For this reason I have, today, introduced a seven-point program for the Middle East and hope that my colleagues will give it their serious consideration.

President Johnson declared, on June 19, 1967, "clearly the parties to the conflict must be the parties to the peace." Peace can only be achieved if the Arabs and Israelis sit down and discuss their differences. The first point of my program, therefore, is a call for such negotiations as a precondition to the withdrawal of Israeli troops from the territory they occupied in June. Through negotiations we can also achieve recognized and secure borders for all the states of the region.

However, so long as the Arabs are not convinced that Israel can and will resist any aggression, they will not be willing to talk peace. I, therefore, call upon the administration to sell Israel whatever arms and planes are necessary to provide it with a deterrent force capable of preventing such aggression.

Third, I urge the administration to work through the United Nations and with other maritime nations to reaffirm Israel's right to free passage through the Suez Canal and the Straits of Tiran.

Fourth, we must make it clear to the Arabs that Israel is here to stay. We have delayed too long in recognizing the age-old bond between the people of Israel and the city of Jerusalem. I urge that our Government recognize Jerusalem as the capitol of Israel and move our Embassy to that city.

Fifth, we cannot continue to support and contribute to the welfare of Arab refugees training to engage in terrorist activities. We must hinge our contributions to the United Nations Relief and Works Agency on the resettlement of the refugees in the lands where they reside, on the purging of UNRWA rolls and on the elimination of any teaching of hatred and discrimination by UNRWA officials.

Sixth, the Arab boycott presents American businessmen with a choice of acquiescing to discriminition or, possibly, suffering economic hardship. A mandatory law prohibiting all businessmen from complying with Arab request for boycott information would protect our citizens. It should be enacted.

Finally, Israel has accomplishd wonders by reclaiming deserts and wasteland. It has resettled over 1 million refugees. Even more could be accomplished if it had the water which is vital to further development. I, therefore, propose that we fund the construction of a desalting plant in the Negev which would not only help Israel economically but also provide a model for the entire area.

With this program, Mr. Speaker, I believe we can advance the cause of peace in the Middle East, assist its peoples to raise their standard of living, and allow the region, once again, to take its place as the cradle of civilization. The problems of the Middle East are in microcosm the problems of the world. If we lack the will or courage to resolve them, all of humanity will face consequences from which the mind recalls with horror. Permanent peace in the Middle East will give light and meaning to man's eternal hope for peace and security.

The Greek Spirit Lives On

HON. JOHN S. MONAGAN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. MONAGAN. Mr. Speaker, it was my pleasure and honor to be the recipient of the American Hellenic Educational Progressive Association's award for "steadfast pursuit of legislative excellence" at their annual congressional banquet held recently in Washington.

The Order of AHEPA is exemplary as a fraternal organization dedicated to the appreciation of Greece's cultural heritage, and it was most gratifying to be honored for my legislative work by the descendants of the nation which first developed government by democracy.

The Order of AHEPA, chapter 48, and the Holy Trinity Greek Orthodox Church of Waterbury, Conn., recently presented a program of ethnic patriotic events, to which my attention has been called.

On March 24, the Holy Trinity community held a program of patriotic poems, ethnic songs, and Greek drama, and on March 25 more than 250 people of the community participated in a colorful Greek flag-raising ceremony at the Waterbury city hall.

Participants in the ethnic celebration included: Mr. George Frantzis of the University of Connecticut, the featured speaker; Rev. James S. Diavatis, presbyter of the Holy Trinity Church; Mr. E. H. Calmar, president of the parish council; Mrs. Mary Anastos, president of the Philoptos Society; Mr. John Rodete, president of the Bristol Community; Mr. C. Charles Chekas, president of Waterbury chapter No. 48, Order of AHEPA; Mrs. C. Charles Chekas, president of Deucalion chapter, Daughters of Penelope; and Mr. Steve Gagas, president of the Pan-Macedonian Society.

At the flag-raising ceremonies at city hall, opening remarks were made by Acting Mayor George Harlamon, and Rev. James Diavatis read the opening prayers.

Mr. Paul N. Fotos was general chairman of the 2-day festivities.

It was for me a pleasure to receive the Order of AHEPA award, and is a privilege to relate to my colleagues the activities of this organization.

Governor Reagan's Welfare Proposals Protested

HON. AUGUSTUS F. HAWKINS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. HAWKINS. Mr. Speaker, Gov. Ronald Reagan in his message to the California Legislature, as reported March 22, 1968, in the press, called for a $275 ceiling on aid to families with dependent children payments in our State.

I strongly disagree with this action which I deem to be both irresponsible and shortsighted. I concur in the views of the Los Angeles Area Chapter of the National Association of Social Workers as expressed in the following statement:

Governor Reagan's proposals for change in California's welfare laws are inhumane, short-sighted, and represent a return to medievalism, according to George Nishinaka, president of the Los Angeles Area Chapter of the National Association of Social Workers.

While the President's Commission on Civil Disorders is urging that breaches in society be healed, Reagan's proposals were little more than incitement to further revolt of the poor. The Commission recommended that public assistance be increased to raise families above the poverty level, but the State is attempting to depress the condition of the poor by reducing already inadequate allowances.

Placing a ceiling of $275 a month will affect families with four or more children. In Los Angeles County a spokesman of the Department of Public Social Services estimates this includes 32% of families receiving assistance.

At present a family with four children might receive up to $297.25 a month which is supposed to include the following for each individual on the average:

Food	$22.07
Clothing	7.71
Personal needs	1.39
Recreation	.67
Transportation	1.00

For the family as a whole, the maximums are:

Household operations	$13.65
Education and incidentals	3.00
Utilities	11.05
Housing	67.00
Intermittent needs	5.50

Nishinaka commented that not many families with four children actually receive this amount because most counties already have ceilings because of existing restrictions in state law. In Los Angeles about 65% of the families on assistance receive less than they need to support health and decency.

The sharply increased emphasis on requiring everyone to work was also criticized by NASW officers as a political gimmick since the state administration knows that many people receiving assistance are not readily employable. First, they are poorly prepared for work and had either irregular or little work experience of any kind. There are no jobs available for marginal workmen; in fact, the unemployment rate among this group is rising steadily and the Joint Economic Committee of Congress reports it is likely to continue to do so.

The second major problem with employment is that many of the adult recipients were mothers of young children. It is questionable public policy to force mothers to leave young children since the children are likely to suffer long-term damage. But even if it were desirable, it would not be possible unless the mothers had more education and job training and unless they also had back-up services like costs of transportation and day care.

In effect the new proposals favor the non-poor citizens over the poor citizens, said the social workers, and are grossly unfair. A non-poor family with four children could have $500 a month without giving up anything in the form of state tax or contribution to the state government. The poor family, on the other hand, would be giving up $22.25 a month, or $267 a year in reduced benefits.

Certain categories of the poor, Nishinaka pointed out, are favored over other categories. The system is particularly unfair to children. He said the evidence is clear when monthly averages of assistance per person in adult categories are compared with those for children:

Aid to the blind	$132.90
Aid to the permanently and total disabled	115.40
Old age assistance	101.45
Aid to the families with dependent children	44.00

NASW agreed with the Governor that reforms were necessary in the welfare system and proposed the following be implemented immediately:

(1) that financial assistance be sufficient to raise the income of recipients above poverty levels;

(2) that there be a uniform standard of aid for all assistance categories—both child and adult—so that children could not be discriminated against;

(3) that opportunities for training and employment serve as incentives by being available to citizens without discrimination;

(4) that day care be available to enrich and protect the lives of children;

(5) that housing allowances be increased sufficiently for the poor to be able to purchase decent accommodations;

(6) that access to decent housing be equally available to people of all races and ethnic backgrounds;

(7) that staffing of the State Department of Social Welfare be restored to former levels to control administrative waste;

(8) that metropolitan counties administer their own public welfare programs but that the state administer public welfare in non-metropolitan counties;

(9) and that welfare experts be appointed to the State Board of Social Welfare.

In conclusion, Nishinaka said, Reagan seems to ignore the fact that welfare as we know it today is a result of the weaknesses of society. The policies of the present administration have contributed to these problems. Staff of the State Department of Social Welfare was cut two-thirds, work and training legislation was vetoed, tuition for higher education is being urged, and there is now a threat to local schools as well. Unless this inhuman trend is reversed, Californians are faced with a human holocaust.

Support of Israel

HON. JOSEPH G. MINISH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. MINISH. Mr. Speaker, I offer my congratulations and firm support to the people of Israel for their determination to protect themselves against further brutal and bloody attacks by Jordanian terrorists. The action by the U.N. Security Council censuring Israel is deplorable. Its one-sided attitude is evident in the omission from the statement of even any mention of the Arab terrorists whose constant attacks clearly provoked the Israel response.

Arguments aside as to the culpability of Hussein, the Council's resolution censuring Israel clearly reveals that U.N. Middle East policies are bankrupt and have always been so.

Banks and Privacy

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. ROSENTHAL. Mr. Speaker, we all share a common concern about the potential corrosive effects of government agencies on privacy. This is a healthy concern, but I am just as concerned about violations of our privacy by non-governmental institutions.

Our banks, for example, have so perfected their data-storing capabilities that real threats to privacy are now readily apparent. Recent hearings before the House Special Subcommittee on the Invasion of Privacy serve to confirm a growing impression that threats to privacy from such private data collectors might well exceed the more obvious threats from the government.

An article in the December 1967 issue of Data Systems News gives further evidence of the risks we face if we fail to seek ways of regulating the informational resources of banks and other private data collectors. The article, written by Bernard Goldstein, and titled "J'Accuse," follows:

J'ACCUSE

(By Bernard Goldstein)

Any New York-domiciled John Doe who cares to risk a dollar or more can now step into his nearest bank and buy a ticket for the New York State lottery. If he is one of the lucky winners, John Doe may return to the bank and buy some life insurance, or some shares in a mutual fund, or perhaps arrange bookings for a second honeymoon. And if he doesn't spend all of his money in Hawaii and invests it instead in his own business, Mr. Doe may be persuaded to purchase some time on the bank's computers. And in the future, it could be that he will return for some engineering services, or a bit of legal advice.

There is a fun element to this, but widespread banking intrusion is no tongue-in-cheek matter, particularly to the people involved in the data processing service industry.

In a recent article, Phil Zenner of the Mosler Safe Co. predicted that as early as 1977 major banking institutions will be offering as many as 37 new services, including business brokerage, agricultural management, operations research consultation, tax advice, and credit advisory services.

Much of this frenzied activity on the part of certain banks was encouraged and then vigorously defended by the former Comptroller of the Currency, James J. Saxon, once an assistant general counsel in the Washington office of the American Bankers Association. Completely eliminating the least suggestion of personal veniality, it can be said that by any standard, Mr. Saxon served the special interests of the banking industry well. And any reader having reservations about the preceding statement should carefully study the printed testimony before the Subcommittee on Bank Supervision and Insurance during the second session of the 89th Congress.

Fortunately for the public interest, certain members of Congress, including the distinguished Chairman of the House Banking and Currency Committee, Texas Democrat Wright Patman, have been much disturbed by banking intrusion; however, in spite of this welcome interest, it must be conceded that the Multer Bill (HR 948) will remain bottled up in committee. The lesson here is that it is a serious mistake to underestimate the effectiveness of bankers in legislative contexts. Even so, the situation is far from black, and many well-informed persons hold high hopes for the new hearing on banking intrusion recently scheduled by Rep. Patman.

Frustrated in the effort to initiate appropriate legislative action, ADAPSO (Association of Data Processing Service Organizations) and Data Systems Inc., both of St. Paul, Minn., have instituted suit against the American National Bank and Trust Co. of that city. As might be expected by veteran bank-watchers, the American Bankers Association has petitioned the court to allow it to enter the case as amicus on behalf of American National, and the Comptroller of the Currency. This is the first time that the ABA has exposed itself on this issue, and you may be sure that such vigorous action is more significant than the felt need to defend a member selling off a dash of excess capacity.

The too often repeated argument by bankers that they are merely using up excess capacity on computers installed to take care of internal processing requirements, doesn't cut the mustard. It is known that certain banks are installing multiple versions of the same computers as well as—inserting instances—setting up separate installations and managements for the purpose of providing external data processing services. Banks in some cities are marketing these services under separate corporate names. Milwaukee is a case in point. These actions make it only too clear that certain banks are wading around neck-deep in the market place, and are somewhat casual about charters that call for banking services and not data processing services. The extent of this activity is supported by the complaints of bank officers that internal data processing operations often must take a back seat to the expansionist thrust of the merchandisers.

While the ADAPSO case against American National centers on claims that the bank is engaged in a business not incidental to banking, other factors are very much involved. There is, for instance, some question as to whether an attempt is being made to attract large sustaining balances on accounts that otherwise would go into short term certificates of deposit, or commercial paper. And since it is the practice of many banks to price data processing services on a variable scale, keyed to the average sustaining balance, it might be said that they are, in effect, paying interest on demand deposits.

This column will deal with banking intrusion again in the near future. One of the subjects we will explore in depth is whether bank management is adversely affecting the interests of stockholders and depositors because of their intrusive activities. Another matter requiring fuller treatment is the role of the American Bankers Association.

According to my best understanding, banks are granted charters for limited purposes precisely because they are monopolies, or quasi-monopolies within their communities. There is no data center which is able to draw money out of the Federal Reserve System, and it is nothing short of scandalous when raw money-power is improperly used to threaten the orderly growth—and even the continuous existence—of a young, reliable industry like data processing service.

Before anyone so inclined waves the bloody shirt of free enterprise, let me state that I, too, believe in it; but I also believe that free enterprise, if it is to continue its logical development, must emphasize considerations of the public interest rather than pretend that they do not exist.

Smithsonian Hosts Rite of Spring

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. JACOBS. Mr. Speaker, this past weekend the Smithsonian Institution observed what has become one of Washington's newest and most delightful traditions.

For the second year, the Mall was transformed into a joyous carnival of sights and sounds, aptly termed the Rite of Spring.

This year's festivities included balloon ascensions, antique cars, judo demonstrations, exhibitions of aircraft and space hardware, young people making posters and constructing collages, puppet shows to see, and a carousel to ride.

All these activities and many more took place out in the brilliant spring sunshine and under the leafing trees, inviting people to stroll and observe and participate.

Thousands of visitors to the Mall also heard a stimulating, happy mixture of musical sounds, including classical chamber music, rock and roll, band organs, bagpipes, and even a drum and bugle corps.

In addition, there was developed throughout the 2-day festival a genuine sense of community, a thriving sense of involvement in the heart of this great city.

The huge crowd was friendly and polite, reflecting an attitude which comes from sharing common pleasures. There were no incidents. Instead, there was an air of pleasantness and wholesome enjoyment about the whole affair.

This remarkable experience did not just happen by itself, of course. It was inspired by the leadership of S. Dillion Ripley, Secretary of the Smithsonian, and executed by the creative imagination of the Smithsonian's director of the Division of Performing Arts, James R. Morris.

This past weekend on the Mall reflects Dr. Ripley's genius in moving away from the Smithsonian's image as "the Nation's attic" to a real concern for the people who live in and visit the Nation's Capital.

The Smithsonian continues to grow as a great cultural center, renowned for its scholarship. But, the Institution also seems to understand that culture is a total way of life of a people, not merely a treasure house for academicians or a plaything for the elite.

The Rite of Spring is just one way in which the Mall outside the Smithsonian's famous museums is used for a wide range of entertaining and educational activities, such as symphony and jazz concerts, puppet theater, programs of ballet and modern dance, special exhibitions and the Festival of American Folklife.

One now hears of a program called Summer in the Parks which is being developed by the National Park Service in conjunction with the Smithsonian and proposes to extend festivals like the Rite of Spring to other parks throughout the city.

Here we see a bold effort to bring enjoyment and creative experiences to bear upon the many problems which plague our urban environment.

There is, in these efforts by the Smithsonian, an emphasis upon the quality of life which represents in my opinion a very substantial contribution to the life of Washington.

And, the example being set by the Smithsonian, under Dr. Ripley's leadership, is a most worthwhile model for other cities throughout the Nation to follow.

Career Marine Dies in Vietnam War

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. LONG of Maryland. Mr. Speaker, M. Sgt. Paul E. Mayer, a career marine from Maryland, was killed recently in Vietnam. I wish to commend his courage and honor his memory by including the following article in the RECORD:

CAREER MARINE DIES IN VIET WAR—LEXINGTON PARK SERGEANT KILLED BY RED MISSILE

LEXINGTON PARK, MD., March 29. A career marine sergeant from this St. Mary's county community has been killed in action in Vietnam, the Defense Department said today.

He was M. Sgt. Paul E. Mayer, 42, husband of Mrs. Cecile Mayer, of the 300 block Yorktown road.

His sister-in-law, Mrs. Robert S. Mayer, also of Lexington Park, said today that Sergeant Mayer was killed by multiple fragmentation wounds received when an enemy missile went off as he was fighting in Quang Tri province, the northernmost area of South Vietnam.

GREW UP IN PENNSYLVANIA

Sergeant Mayer grew up in the Beaver Valley area of Pennsylvania and was living with his family in New Brighton, Pa., when he decided to enlist in the Marine Corps in 1942.

He was in combat in the South Pacific during World War II and in Korea during the war there and retired from the Marine Corps in June, 1963, after 22 years' service.

But he reenlisted in August, 1966, and was sent directly to Vietnam, where he fought with a helicopter unit of the 1st Marine Air Wing.

VOLUNTEERED FOR VIET DUTY

He would have been 43 Sunday, and he was due to come home in about six weeks.

His sister-in-law said today he reenlisted and volunteered for duty in Vietnam "because he felt that there was a job to be done and he was proud to do it."

Survivors, besides his wife, include a son, Ronald, 8; a brother, Marine Lt. Robert S. Mayer, and his parents, Mr. and Mrs. Robert S. Mayer, Sr., of North Little Rock, Ark.

Moving Tributes to a Great Political Leader

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. MOORHEAD. Mr. Speaker, on Saturday, March 9, Point Park College, in my home city of Pittsburgh, dedicated its newest building to the late Gov. David Leo Lawrence, of Pennsylvania.

At the dedication ceremonies for the David L. Lawrence Memorial Hall, the Governor's son, Gerald, and his great friend and political associate, Gov. Richard J. Hughes, of New Jersey, gave stirring tributes to his memory.

Gerald Lawrence recalled his father's "determination to open doors of opportunity through education to everyone with capacity and interest, because he understood the relationship of education to greatness and fulfillment, both for individuals and society."

Governor Hughes recalled that Governor Lawrence "was, first and foremost, a politician in the truest and best sense of the word."

He was also—

The Governor said—

a humanitarian, for he possessed one of the rarest and most highly valued characteristics a man can have, an abiding concern for the well-being of his fellow men and a deep conviction in the value of every single individual.

It was my privilege to know and to love the David L. Lawrence of whom these words were spoken, and I know the truth of what his son and one of his many friends said of him at the dedication of the hall named for him.

Accordingly, I insert the remarks of Gerald Lawrence and the Honorable Richard J. Hughes at this point in the RECORD and commend them to my colleagues as fitting tributes to a man who, as a politician, was among the noblest in our noble profession:

REMARKS OF GERALD LAWRENCE, AT THE DEDICATION OF DAVID L. LAWRENCE HALL, POINT PARK COLLEGE, PITTSBURGH, PA., MARCH 9, 1968

Those of us of Governor Lawrence's family are grateful, not only for the thoughtfulness of the officers and board of Point Park College, which today's ceremonies manifest, but also for the appropriateness of this first memorial to be dedicated in the city of his birth and life.

He was, as you know, a trustee of the College—a position he considered a challenge and responsibility rather than a courteous recognition and honor for a full and productive life. He saw in Point Park an opportunity to open doors for young people whose circumstances otherwise might have denied them the higher education of their want and need.

It is obvious today that concept had validity and, more important still, that it has become reality.

Different people have different views of the character, accomplishments, and goals of the man whose name this building—which has had many names—now bears. Some consider the mastering of politics, if indeed such an achievement is possible, to have been his outstanding attribute. Others might point to the city's skyline and see it is a result of his capacity to merge differing points of view into a spirited and coordinated movement to recast a community's face. There are those who see him, primarily, as an energetic and forceful leader, while still others would emphasize his ability to counsel and conciliate.

Men and women of labor knew him as their friend and advocate, dating back to his teen-age work in the office of Pittsburgh's leading labor attorney and maintained with zeal to his very last day. On the other hand, businessmen came to have in him a confidence and respect which seldom comes to a liberal Democrat from that quarter.

It is true that he loved his Party and his City with staunch loyalty, even with what some might have considered an almost narrow devotion.

It is correct also, as he proudly would proclaim, that he toiled in labor's vineyard through long and arduous years, just as he found a capacity to work with business giants, of an opposite political persuasion, to help advance the city's good and that of the Commonwealth and Nation.

Yet he also had another love, acquired at an early age and retained throughout his life, and that was for education.

The fact that he himself had not been able to go to college made him all the more conscious of the value of higher education and the need to help others have an opportunity which had not been his to have.

While he was not learned, in an academician's eyes, he was always learning, and although he had not the certification of a teacher, he was always teaching—which, after all, is an essential element of political leadership.

Few people, I suspect, would list Pennsylvania's teacher tenure law as one of his great achievements, but it is a fact that he was instrumental in its enactment during the Earle Administration, and proud of it.

In his own term as Governor, he sought, as his principal goal, to be an education governor and succeeded to a degree which most, I suspect again, tend to forget. From the beginning of the programs for community colleges and the State scholarships, to the formulation of State-related university concept, school district reorganization, vitalization of the State's own system of colleges, allocation of the total sales tax revenue to education, to the educational blueprint formulated by the Governor's Commission of his appointment, it was an education administration and he, for one, was proud of it.

It is because of this concern and this contribution, because of the determination he had to open doors of opportunity through education to everyone with capacity and interest, because he understood the relationship of education to greatness and fulfillment, both for individuals and society—it is for all these reasons that I spoke gratitude for the appropriateness of the honor you do him today, at this College he served and in this City he loved.

For while he was many things—labor's champion, civil rights advocate, friend of business, builder of parks and highways, shaper of skylines, political leader, Mayor, Governor, and Presidential Assistant—he was also, and proud of it, an educational zealot. I like to think all of us are the better because he was.

REMARKS BY GOV. RICHARD J. HUGHES AT DEDICATION CEREMONIES FOR THE GOV. DAVID L. LAWRENCE POINT PARK COLLEGE, PITTSBURGH, PA., MARCH 9, 1968

From time to time through the history of men there have appeared on this earth those special and wonderful kinds of individuals whose unique attributes have set them apart from—and above—other men. Such persons have been gifted with infinite compassion for their fellows, with the wisdom and understanding and courage which leads others to turn to them for leadership, with the strength of character, the ability and the dedication which enables them to truly change the world. One of the rarest joys and greatest privileges of life is to have known such an individual. I am greatly fortunate in that the honor of knowing such a man was granted to me, and so it is that with pride and affection I join with all of you today in dedicating this Hall to his memory.

Throughout his long and highly productive time on this earth, David L. Lawrence touched the lives of many, many people. His name lives on in many minds and his spirit in many hearts today. I remember David Lawrence fondly and vividly, and for the last few weeks since I eagerly accepted the opportunity of taking part in these ceremonies, I have been struggling to put my memories and my feelings into words which can convey their full meaning to his family, his friends and all who knew him or whose lives were made better in some way because of him. It is at times like these that we must finally recognize the limitations of language, the inadequacies of our vocabularies to reproduce the full depth of our feelings. I have tackled many tasks in my life, but rarely have I found an endeavor more difficult than the one I now attempt—to describe in words this great man for whom I felt, and still feel, such affection, such gratitude and, above all, such admiration.

David L. Lawrence was, first and foremost, a politician in the truest and best sense of the word. I believe it was President John F. Kennedy who once remarked that politics is the noblest profession. There is no doubt in my mind that Governor Lawrence was among the most noble of politicians. His political career began earlier than most, indeed, when he was little more than a child, when he left school at the age of 14 and went to work in the law office of William J. Brennan who was then the Democratic leader of Allegheny County—a position Governor Lawrence himself assumed less than 20 years later.

Perhaps David Lawrence's real baptism in politics came in 1912 when, at the age of 23, he served as a page boy at the Democratic National Convention in Baltimore for another great man, a wise President and my distinguished predecessor as Governor of New Jersey, Woodrow Wilson. In 1934, David Lawrence assumed leadership of the Democratic Party for the entire Commonwealth of Pennsylvania and in that role he was largely responsible for the election of George H. Earle, the first Democratic Governor to serve Pennsylvania in 40 years. Governor Lawrence served with distinction as Mayor of Pittsburgh, the city in which he was born and which he loved throughout the 77 years of his life. He was, of course, also a wise and dedicated Governor of Pennsylvania. And he was much more than that. He was a maker of Presidents—his support, for example, was invaluable to the nomination and election of John F. Kennedy and he helped to nominate such men as Franklin Roosevelt, Adlai Stevenson and Lyndon B. Johnson. And he was a highly trusted and valued advisor of Presidents—most recently Presidents Kennedy and Johnson.

David L. Lawrence was also a humanitarian, for he possessed one of the rarest and most highly valued characteristics a man can have, an abiding concern for the wellbeing of his fellow men and a deep conviction in the value of every single individual. These qualities were recognized by President Kennedy when he appointed Governor Lawrence Chairman of the President's Committee on Equal Opportunity in Housing in 1963, a post he held until his death.

David Lawrence recognized, long before it was recognized by many of us, the "sad and tragic price for us all, everywhere in this land, who (permit) hatred and injustice to fester and flourish." But he was not content merely to speak, however strongly, of inequities, he preferred to act and inspire others to act to right the wrongs of our society. He felt, and rightly so, that "a crucial test of action and of performance is upon us," and he said that meeting that test means that we, as individuals and as a nation must strive to attain something "productive and glorious."

In his words:

"That means not only assuring the right to vote but making certain the right is utilized freely and without fear or coercion from any source—everywhere in this land. It means the right to education, good education, not only in unsegregated schools but in good schools—everywhere in this land. It means the opportunity to work, to advance, to move ahead, offended and obstructed neither by discrimination nor by a sluggish, stagnant economy which creates and condones joblessness for those who can and will and must work—everywhere in this land. It means an opportunity for a decent home and suitable living environment for every American family . . . And let no one assume that a ghetto—even a gilded ghetto—can meet the standard of a suitable neighborhood—so we must seek the dissolution of the ghetto everywhere in this land."

David Lawrence believed in these things and he fought hard for their attainment. Although he could not boast of a comprehensive education, he labored diligently and unceasingly so that others could have the opportunity to learn. And so the dedication and the naming of this building at the college he loved in the city that was his home is a fitting monument. If I may, I would like to suggest an equally appropriate monument to his life and to his work. The Congress of the United States is presently deliberating legislation which would bar discrimination in the sale or rental of 75 per cent of the nation's housing. The enactment of such a federal fair housing law, which today can be accomplished, would be, indeed, a highly significant memorial to Governor Lawrence. He began in the summer of 1963, by virtue of the responsibilities on furthering equal opportunity in housing assigned to him by President Kennedy and later by President Johnson, to push for a broader federal fair housing instrument than the Executive Order issued in 1962. This advocacy culminated in the introduction by the Administration of the legislation now before the Congress, and enactment of this law would truly be a final great achievement for his memory as well as a progressive step in the direction which he foresaw that this nation must take.

David L. Lawrence was my friend and his abiding faith in me, his unceasing support, his immeasurable guidance were among the most precious of gifts I have been blessed to receive. I will never forget my first grueling campaign for the Governorship of New Jersey—as you can imagine, a trying time made somewhat more bearable, by the devoted encouragement and advice I received from Governor Lawrence. It was he among just a few others who first urged me to run for the high office which it is my privilege to fill today and it was he who sustained me through the trials of the campaign and the challenges I encountered in my early days of office. I feel for David Lawrence a debt of gratitude that can never be repaid—although perhaps one of Governor Lawrence's most wonderful characteristics was that he was never mean nor insistent upon thanks, much less a return of a favor freely given.

David Lawrence was a man of numerous and varied interests and activities. His efforts and achievements are so numerous and so far-reaching that it is impossible to catalogue them here. He was a man of always youthful perception, and this quality together with his disciplined mind and keen judgment enabled him to move not only with his times but ahead of them. He could always determine the most important things, the things that counted most in the long run and it was to these things that he directed his boundless energies. He was a man of persistence, of intelligence, of determination, a man who completed—and completed well—every task which he began. He was a man of judgment, a man of principle and practicality. Above all, David Lawrence was a man with a deep sense of loyalty, loyalty to Party, to people, and to ideas and ideals. He never shied from controversy, but he was never content to merely condemn people or policies without offering constructive remedies. He said of himself "I, for one, have no apprehension about controversy or even about provocation, as long as it is designed for a constructive purpose and has its base in conviction, and recognizes there is no monopoly on rectitude and no single spokesman for a worthwhile cause." He was a man who was elected to high public positions and chosen for office by three Presidents, Roosevelt, Kennedy and Johnson, and he was proud, as well he should have been, of these attainments. But his fondest wish was that he be remembered for the politician and the man that he was rather than the offices which he held.

It would be foolish to suggest that all David Lawrence's efforts were wise or all his deeds worthwhile—no man's could be. But I do not believe that there can be any doubt in the hearts of those who knew him that he was a great and good man. Nor can I believe that there can be anyone here in Pittsburgh, in Pennsylvania, in the United States or even in the world who has not been touched in some way by his record of achievement which was truly unique in its scope, its diversity and its significance to the present and the future story of mankind. Those of us who knew him will never forget him, and I believe that those who will come after us for generations hence will also remember him. The generations of students who walk through these academic halls where we stand today will, I hope, remember more than his name. I hope that they will also feel a debt of gratitude for the heritage he built and left behind him and which touches their lives in a meaningful way. And, like them, I hope that the generations of Americans who will come along after our time on this earth has ended will know that their lives are richer because of the achievements of this man.

David Lawrence lived a long and productive and happy life and in his later years he gained the wisdom which can only come from age. But he never lost the spirit of his youth. His body grew tired and has been laid to rest, but his was a spirit that can never die. David Lawrence lives on in my heart and in yours. For that reason, today is not an occasion for sad memories. It is, rather, a time for joyful remembrance coupled with a renewal of dedication to a better future. It is fitting that we dedicate this building to his name, but it is even more fitting that you and I and all good men endeavor to fulfill the potential which David Lawrence saw in our society. That will be the honor which he would have appreciated most.

Happy Bus Takes Passengers From Frowns to Smiles

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. DERWINSKI. Mr. Speaker, one of the reasons for the general feeling of frustration sweeping the country is the tendency of news reports to dramatize problems and disruptive activities of the day, infrequently balancing the scale with heartwarming and progressive news.

Therefore, I felt that the article in the Monday Chicago Tribune telling of the stimulating and happy personality of a Chicago Transit Authority busdriver is a type of article which should receive more attention. The article was written by Robert Cross of the Tribune news staff:

HAPPY BUS TAKES PASSENGERS FROM FROWNS TO SMILES

(By Robert Cross)

The morning rush hour was picking up. A cluster of people stood at the Melrose avenue bus stop on Sheridan road. They were stamping their feet against a bitter wind, or just standing there cursing the cold. Along came the No. 156, Wilson-La Salle. "Welcome aboard! Welcome aboard," the driver said. "Ride with us! This is the ha-a-a-a-py bus!"

This guy has got to be kidding, right?

"Ride with the In group! Ride the C. T. A. Surf! Surf! Change for Diversey at Surf! Some people leave us here for beautiful St. Joseph hospital, where a lot of good people get a lot of good care! . . . Here comes Webster street. On this grand and glorious day, let's see who's going our way! Here comes one of God's wonderful creations. Good morning! Welcome aboard!"

By this time, people were talking to each other, smiling, and generally acting nice. Which is why Cleven Wardlow, probably the nicest bus driver in transportation history, is not kidding at all.

The bus approached the stretch drive, down La Salle street into the financial district. Wardlow could no longer say, "A few choice seats are left," but none of the standees were complaining. A woman near the fare box said to Wardlow, "I guess a smile is the most valuable thing there is these days." Wardlow kept his own big smile as he said, "It sure goes a long way. A smile chases the woe away."

Wardlow is a serious man. The spiel, the good mornings, the hellos are not in his natural tone of voice. He is a quiet man after he puts the bus back in the garage on North Clark street. At 44, he is a father of eight children, three of them married now. His wife, Margaret, is a fine cook, and that shows on Wardlow's beltline, and in the soft outlines of his dark brown face. But his good cheer comes from something besides a happy home life on Hastings street. Wardlow is a church-going man. "People are hungry for good treatment, and I try to give it to them. If you're being a Christian and trying to live by God's words, it polishes your life."

When Wardlow started working for the Chicago Transit Authority 16 years ago [the foundry where he had been working imposed too many seasonal layoffs], the streetcar driver who was training him predicted that Wardlow's cheerful outlook would last approximately 15 minutes. After that, the onrush of nasty passengers, the noise, the traffic snarls, would make him grumpy.

"I wish I could find that man and have him see me now," Wardlow says. "Would he be surprised."

At the end of his La Salle run, Wardlow changed his route sign to read 158, and he drove toward North Western station. "The station people—their problems are a little bit different than the route people's, I think." The commuters who disembark after a trip from the suburbs are noted bus stop scrappers, which is probably why they can afford big houses on the edge of town—they are winning the rat race.

"This is it! This is the happy bus! Welcome aboard, all of God's fine creations!" The passengers were beaming, many using muscles that usually do not come into play until the cocktail hour. When one bemused man forgot to pay, Wardlow smiled and said, "Sir? Sir, I forget to collect your fare. I'm sorry . . . Thank you, sir."

After two more trips around the Loop, Wardlow drove back to the C. T. A. garage on Clark street. Later in the day, he would return with another happy bus and take the office workers home again. "It's sort of a duke's mixture kind of schedule," Wardlow says. "I don't know what that means, exactly, but I always think of a duke's mixture as having a lot of everything." Duke's Mixture, as it happens, is a roll-your-own tobacco, one of many things that Wardlow doesn't smoke.

The schedule mixture changes frequently, but at the moment Wardlow drives his route on Wednesdays, Thursdays, and Fridays. On Saturday and Sunday he spends the wee morning hours driving on Halsted street, getting off work in plenty of time to attend the morning services at Roberts Temple Church of God in Christ.

Every year, the C. T. A. proclaims a New Year's resolution. In 1964, officials vowed that all 12,000 employes would strive to be more courteous. Cleven Wardlow received a lot of publicity at the time, because he had received more letters of praise than anyone else. Yet the cynics among us might suspect that the jaunty smile faded once the TV lights and flashbulbs were removed. It is four years later, and the letters still are coming in. An advertising man wrote recently, "He transforms a dozen or so strangers into a convivial group." A commuter who was late to work took time to jot down Wardlow's badge number—1972. "I'm going to write," the man said. "You're the best."

When this sort of thing happens, Wardlow simply grins and whoops, "Well, this is my lucky day!"

How long can something like this last? Wardlow concedes that bus driving is probably not the most pleasurable occupation in the world. He enjoys singing in the church choir more, or piling all the kids into his ancient Cadillac limousine for a between-shifts shopping trip.

"I can't say how long I'll be staying on this job," Wardlow says quietly. "I feel the good Lord put me here in this special position. I'm an undercover worker for the Lord. . . . We get a good turnover here. . . I don't know where the good Lord will send me next"

Only in America

HON. CHARLES S. JOELSON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. JOELSON. Mr. Speaker, on April 6, 1968, more than 1,000 of my constituents will gather to honor Lou Trella of Clifton, N.J., for his many years of dedicated service.

Lou Trella, like myself, is the son of immigrant parents and his accomplishments demonstrate the unbounded opportunity which this country offers. He is a leading contractor and restaurant owner, but has found time to participate in public life. He is chairman of the Passaic Valley Water Commission and is city leader of a political party in Clifton. I must admit with some chagrin that it happens to be the Republican Party but the important thing is that Lou has been willing to give his time and energy to the political affairs of his city and his country.

Lou Trella's firm belief in and commitment to the youth of today is evidenced by his sponsorship of many Little League and Babe Ruth League ball teams and his work with the various sport teams and athletes of Clifton High School. He is also a member of American Legion Post 347 and the Athenia Veterans Post of Clifton, and has a high regard for all servicemen of this country while being most cognizant and proud of the patriotism they show for America. Lou is a member of St. John Kanty R.C. Church of Clifton, the Clifton Elks Club, a past member of the Moose and has given of his time to help locally with Red Cross drives.

River pollution is a serious offender in the Passaic County area and Mr. Trella in his position on the Passaic Valley Water Commission is leading the battle for cleaner waterways. It is evident that Lou has a deep and ingrained pride in his country and his fellow countrymen, so it is both fitting and proper that he should be so honored.

Hudson Valley Apple Day

HON. JOSEPH Y. RESNICK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. RESNICK. Mr. Speaker, last Tuesday, in celebration of the third annual Hudson Valley Apple Day, samples of our delicious apples were sent to the President, the Vice President, Cabinet Officers, Members of Congress, and a number of key Government agency officials throughout Washington.

One of the nicest thank you's we have received is this one from Mrs. Velma L. Ogg, a career employee at the Department of Justice. It is her special recipe for apple pudding made from Hudson Valley apples, and I can attest to the fact that it is truly delicious.

I insert Mrs. Ogg's recipe in the RECORD at this point.

½ cup shortening
2 cups sugar
2 cups flour
2 eggs
½ teaspoon salt
2 teaspoons soda
2 teaspoons nutmeg
2 teaspoons cinnamon
4 cups chopped or grated apples

Beat eggs, shortening and 1 cup of flour to which has been added sifted soda, salt, nutmeg and cinnamon. Add apples and mix remaining cup of flour. Bake at 350° for 50 to 60 minutes. Grease pyrex or other pan and put mixture in, patting top smooth. May be served warm or cold. Can be placed in freezer until needed. Serve with ice cream, whipped cream or sauce.

Sauce:

1 cup sugar
½ cup butter
½ cup cream

Boil 2 minutes, adding pinch of salt and 1 teaspoon vanilla.

Analyst Says Our Prestige at Record Low

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. DERWINSKI. Mr. Speaker, news analysts are frantically evaluating President Johnson's decision not to seek reelection and additional prominence is being given to the junior Senator from New York.

A very interesting analysis of the foreign policy collapse under the Kennedy-Johnson administration appeared in the Joliet Herald News on March 28, written by the Copley News Service correspondent Dumitru Danielopol:

ANALYST SAYS OUR PRESTIGE AT RECORD LOW

(By Dumitru Danielopol)

WASHINGTON.—What happened to the Johnson administration?

President Johnson, who won the election in a landslide in 1964, is now in nothing but trouble.

With a war which he doesn't know how to end on his hands, with a mounting budget deficit, with a drain on the gold and a flight from the dollar, with civil disorders at home and antiwar demonstrations both at home and abroad, the American prestige is at an all-time low.

President Johnson would have had his hands full winning reelection without the disintegration of his own party. Now that prospect also confronts him.

With Sen. Eugene McCarthy, D-Minn., and Sen. Robert Kennedy, D-N.Y., openly challenging the President for the nomination and with George Wallace, another Democrat, running on an independent ticket, Mr. Johnson's ship of state looks like a ship in the midst of mutiny.

What caused this incredible change?

What went wrong?

One answer lies in the collapse of American foreign policy.

The collapse can be traced to misunderstanding and miscalculations as to the nature of the enemy we are fighting, both in Asia and in Europe.

It would be unfair to blame President Johnson for all these ills. He inherited many from his predecessor.

It was John F. Kennedy who inaugurated the policy of "detente," "peaceful co-existence" and closer collaboration with the Communists.

It was President Kennedy who bungled the Bay of Pigs operation and betrayed signs of indecision at the Vienna conference that encouraged Khrushchev to build the Berlin Wall and to place missiles in Cuba.

Sen. Robert Kennedy cannot sweep aside the fact that President Johnson has operated with President Kennedy's top foreign policy advisers—Dean Rusk, Robert McNamara, Walt Rostow, McGeorge Bundy, etc.

Since 1960 American policy has been to pamper, appease and plead with the Red regimes in Europe.

Under the Kennedy-Johnson administrations budgets for the U.S.I.A. programs in Western Europe have been constantly reduced.

Help for the anti-Communist exile groups in Western Europe has been practically stopped. Exile groups in the United States are no longer allowed to preach resistance to their peoples behind the Iron Curtain.

President Johnson went even further. He adopted a policy of "building bridges" and of "peaceful engagement" with the Red regime in Europe at a time when they are the principal supporters of Hanoi.

These moves have been made despite new signs of unrest in the Soviet Union and Eastern Europe.

In catering to Communist regimes in Europe, once again we backed the wrong horse.

In Asia, the President inherited a situation which dates back to World War II and Korea. The failure to deal a crushing blow to Red China during the Korean War, as advocated by General Douglas MacArthur, gave the Communists an impression of weakness, and encouraged them to try again in Vietnam, Laos and Cambodia.

Mr. Johnson's "no win" policy—which he is now changing, at least in speeches—his gradual escalation, his failure to allow the military to set tactics, his failure to stop the flow of armaments and supplies to the enemy and his repeated offers to negotiate "at any time, in any place," have added to the impression of American weakness and lack of determination.

How long would it have taken the United States to end the war in Vietnam if it had been fought with the determination of World War II?

Not long.

The policies advocated by Mr. Johnson's two Democratic challengers do not enhance U.S. chances, unless their pressure pushes the President to more decisive actions.

Teachers-in-Politics Weekend

HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. JONES of North Carolina. Mr. Speaker, it has come to my attention that the weekend of April 5 has been designated as "Teachers-in-Politics Weekend." I can think of no group who are in a better position to instill in our young people a wholesome and inquisitive interest in the political affairs of this Nation and the world.

With the growing unrest in our colleges and secondary schools over the problems of today, we need qualified, informed, and unbiased teachers to provide our students with a clear outlook on the world and national situation. With the danger of un-American groups infiltrating our schools, it is imperative that our easily impressed youth be guided by knowledgeable and loyal persons. Our teachers must constantly strive to keep abreast of, and unprejudiced over, national events and must pass on to their students a working knowledge of politics and its role in our society.

Finally, I would urge the teachers themselves to enter the political arena for I know of no group that is more dependent on the State legislatures and the U.S. Congress for improvements and better conditions, than are our public school teachers.

In conclusion, may I convey my personal appreciation for the dedicated job performed by the overwhelming majority of the teachers of this Nation.

Railroad Transportation Crises

HON. JOHN E. MOSS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. MOSS. Mr. Speaker, tomorrow the Interstate Commerce Commission will conduct hearings in Sacramento, Calif., on the proposed discontinuance of the California Zephyr and the City of San Francisco passenger trains. Over 200,000 persons annually make use of these trains which service 21 cities within the State of California. It is entirely possible these hearings may become the final trial for all long-distance passenger trains still operating in this country since the ICC has seen fit to allow discontinuance of 756 trains during the past 10 years.

We have reached a position of crises in the operations of our nationwide passenger rail system. The Congress should act, without further hesitation, to deal with the severity of the transportation crises.

Mr. Speaker, at this point I include in the RECORD a sampling of resolutions on this subject which I have received. The following examples are from the States of North Dakota, Maryland, New Mexico, Wyoming, Virginia, and the National Association of Regulatory Utility Commissioners:

PUBLIC SERVICE COMMISSION, STATE OF NORTH DAKOTA—RESOLUTION

By the Commission: Whereas, the Interstate Commerce Commission, acting under Section 13a of the Interstate Commerce Act (49 U.S.C. Sec. 13a), has permitted the discontinuance of hundreds of passenger trains in the past several years with the result that rail passenger service is at best sparse throughout the Nation and in some areas has ceased to exist; and

Whereas, the rising tide of passenger train discontinuances has been intensified by the policy of the United States Post Office Department regarding the removal of the mail from passenger trains; and

Whereas, this Commission and its sister State regulatory agencies within the National Association of Regulatory Utility Commissioners (NARUC) are vitally concerned with the development of a sound and adequate rail passenger service which will be responsive to the needs of a growing America; and

Whereas, we believe that the decline in the use of rail passenger service is merely a temporary episode in the Nation's transportation history because our crowded airways and clogged highways will not be equal to tomorrow's transportation tasks; and

Whereas, the preservation of safe, dependable, all-weather mass rail passenger service is essential not only to the traveling public, but also to the national defense; and

Whereas, Japan's Tokaido Line and the European railroads prove the feasibility and desirability of modern rail passenger systems; and

Whereas, it is crucial to the future welfare of America that the Congress now take prompt action to conserve a nucleus of rail passenger service to provide the foundation for expanding to meet tomorrow's transportation needs, otherwise an enormous expenditure of government funds will be required in the future to restore essential passenger service; now, therefore, be it

Resolved, that the North Dakota Public Service Commission hereby strongly urges the Congress of the United States to promptly enact legislation imposing a moratorium on rail passenger service discontinuances pending the completion of a study, and the submission of recommendations thereon, by the Department of Transportation, the Interstate Commerce Commission, and the National Association of Regulatory Utility Commissioners, relative to practical means for preserving essential rail passenger service, and the role best suited for rail passenger service in joining with other modes to meet America's growing transportation needs; and be it further

Resolved, that this Commission hereby strongly urges the Congress to promptly amend Section 13a of the Interstate Commerce Act as proposed by S. 1685 (introduced by Senator Case of New Jersey on May 4, 1967) and as further proposed by the NARUC in testimony before the Committee on Commerce of the Senate and the Committee on Interstate and Foreign Commerce of the House of Representatives relative to multi-State passenger train discontinuance petitions being first heard and determined by State joint boards with aggrieved parties having right of appeal to the ICC for correction of errors of law; and be it further

Resolved, that copies of this Resolution be furnished to the Governor and to the members of the Congressional delegation of this State and to the members of the Committee on Commerce of the Senate and of the Committee on Interstate and Foreign Commerce of the House of Representatives.

Adopted March 21, 1968.

ELMER OLSON,
Secretary.

PUBLIC SERVICE COMMISSION OF MARYLAND—RESOLUTION

Whereas, this Commission has been made aware of the alarm and concern of the citizens of this state by reason of the discontinuance of many passenger trains in recent months; and

Whereas, pending applications before the Interstate Commerce Commission and recent actions by that body indicated the possibility and probability of a further reduction in passenger train service; and

Whereas, the Public Service Commission of Maryland along with similar bodies of other states has participated in past hearings for the purpose of assuring that municipalities, citizens and communities will not be deprived of passenger train service which is essential to the general welfare, health, safety and progress of this and other states, but without a desired degree of success; and

Whereas, the loss of revenue to the railroads of the nation as a result of newly adopted post office procedures has among other factors resulted in the stoppage of some passenger trains and has apparently contributed to an unprecedented endeavor to further curtail this service;

Now, therefore, be it resolved that the Public Service Commission of Maryland join its sister states in appealing to the Congress to exercise its emergency powers and immediately declare a moratorium on all train discontinuances and to investigate and determine the effect of such discontinuances on the general welfare of the people, the safety of the nation, the national defense of the country and the convenience and necessity of the public as well as the preservation of the established policy of the Congress to keep and maintain a sound and efficient system of transportation.

Resolved, that copies of this Resolution be furnished to the Governor and to the members of the Congressional delegation of this State, and to the members of the Committee on Commerce of the Senate and of the Commmittee on Interstate and Foreign Commerce of the House of Representatives.

This Resolution adopted by the Commission this 20th day of March, 1968.

SOLOMAN LISS,
Chairman.
CHARLES E. EDMONDSON,
Commissioner.
H. REESE SHOEMAKER, Jr.,
Commissioner.

Attest:

CHARLES C. CONSTANTINE,
Secretary.

NEW MEXICO STATE CORPORATION COMMISSION—RESOLUTION

By the Commission: Whereas, there have been numerous passenger train discontinuances during recent years; and

Whereas, numerous applications for discontinuance of passenger trains have been filed, prosecuted and allowed or arbitrarily and peremptorily discontinued pursuant to the provisions of Sec. 13a of the Interstate Commerce Act until few such trains remain; and

Whereas, the recent action of the Post Office Department, Railway Express Agency and/or the railroads themselves has materially reduced passenger revenue; and

Whereas, the welfare and safety of this country is being materially injured by such discontinuances; and

Whereas, the New Mexico State Corporation Commission knows of its own knowledge acquired from several such applications before it and the participation in such hearings before the Interstate Commerce Commission that such facts are true;

Now therefore be it resolved, that the New Mexico State Corporation Commission joins its sister states in appealing to Congress to call an immediate moratorium on all passenger train discontinuances and to investigate and determine the impact these discontinuances are having on the welfare and safety of our country including its national defense.

This Resolution adopted by the Commission this 23rd day of February, 1968.

COLUMBUS FERGUSON,
Chairman.
FLOYD CROSS,
Commissioner.
MURRAY E. MORGAN,
Commissioner.
L. C. CYPERT,
Director, Traffic and Rate Division.

RESOLUTION CALLING FOR CONGRESSIONAL ACTION TO PRESERVE ESSENTIAL PASSENGER TRAIN SERVICE

Whereas, The Interstate Commerce Commission, acting under Section 13a of the Interstate Commerce Act (49 U.S.C., Sec. 13a), has permitted the discontinuance of hundreds of passenger trains in the past several years with the result that rail passenger service is at best sparse throughout the Nation and in some areas has ceased to exist; and

Whereas, The rising tide of passenger train discontinuances has been intensified by the policy of the United States Post Offie Department regarding the removal of the mail from passenger trains; and

Whereas, The Public Service Commission of Wyoming and its sister State regulatory agencies within the National Association of Regulatory Utility Commissioners (NARUC) are vitally concerned with the development of a sound and adequate rail passenger service which will be responsive to the needs of a growing America; and

Whereas, The preservation of safe, dependable, all-weather mass rail passenger service is essential not only to the traveling public, but also to the national defense; and

Whereas, Japan's Tokaido Line and the European railroads prove the feasibility and desirability of modern rail passenger systems; and

Whereas, It is crucial to the future welfare of America that the Congress now take prompt action to conserve a nucleus of rail passenger service to provide the foundation for expanding to meet tomorrow's transportation needs, otherwise an enormous expenditure of government funds will be required in the future to restore essential passenger service; now, therefore, be it

Resolved, That the Public Service Commission of Wyoming hereby strongly urges the Congress of the United States to promptly enact legislation imposing a moratorium of one year on rail passenger service discontinuances pending the completion of a study, and the submission of recommendations thereon, by the Department of Transportation, the Interstate Commerce Commission, and the National Association of Regulatory Utility Commissioners, relative to practical means for preserving essential rail passenger service, and the role best suited for rail passenger service in joining with other modes to meet America's growing transportation needs; and be it further

Resolved, That this Commission hereby strongly urges the Congress to promptly amend Section 13a of the Interstate Commerce Act as proposed by S. 1685 (introduced by Senator Case of New Jersey on May 4, 1967) and as further proposed by the NARUC in testimony before the Committee on Commerce of the Senate and the Committee on Interstate and Foreign Commerce of the House of Representatives relative to multi-State passenger train discontinuance petitions being first heard and determined by State joint boards with aggrieved parties having right of appeal to the ICC for correction of errors of law; and be it further

Resolved, That copies of this Resolution be furnished to Governor Hathaway and to the members of the Wyoming Congressional delegation, and to the members of the Committee on Commerce of the Senate and of the Committee on Interstate and Foreign Commerce of the House of Representatives.

Dated at Cheyenne, Wyoming, this 21st day of March, 1968.

PUBLIC SERVICE COMMISSION OF WYOMING,
RICHARD J. LUMAN,
Chairman.
WALTER W. HUDSON,
Commissioner.
ZAN LEWIS,
Commissioner.

Attest:

ALEX J. ELIOPULOS,
Secretary.

RESOLUTION CALLING FOR CONGRESSIONAL ACTION TO PRESERVE ESSENTIAL PASSENGER TRAIN SERVICE

Whereas, The Interstate Commerce Commission, acting under Section 13a of the Interstate Commerce Act (49 U.S.C., Sec. 13a), has permitted the discontinuance of hundreds of passenger trains in the past several years with the result that rail passenger service is at best sparse throughout the Nation and in some areas has ceased to exist; and

Whereas, The rising tide of passenger train discontinuances has been intensified by the policy of the United States Post Office Department regarding the removal of the mail from passenger trains; and

Whereas, This Commission and its sister State regulatory agencies within the National Association of Regulatory Utility Commissioners (NARUC) are vitally concerned with the development of a sound and adequate rail passenger service which will be responsive to the needs of a growing America; and

Whereas, We believe that the decline in the use of rail passenger service is merely a temporary episode in the Nation's transportation history because our crowded airways and clogged highways will not be equal to tomorrow's transportation tasks; and

Whereas, The preservation of safe, dependable, all-weather mass rail passenger service is essential not only to the traveling public, but also to the national defense; and

Whereas, Japan's Tokaido Line and the European railroads prove the feasibility and desirability of modern rail passenger systems; and

Whereas, It is crucial to the future welfare of America that the Congress now take prompt action to conserve a nucleus of rail passenger service to provide the foundation for expanding to meet tomorrow's transportation needs, otherwise an enormous expenditure of government funds will be required in the future to restore essential passenger service; now, therefore, be it

Resolved, That the State Corporation Commission of Virginia hereby strongly urges the Congress of the United States to promptly enact legislation imposing a moratorium on rail passenger service discontinuances pending the completion of a study, and the submission of recommendations thereon, by the Department of Transportation, the Interstate Commerce Commission, and the National Association of Regulatory Utility Commissioners, relative to practical means for preserving essential rail passenger service, and the role best suited for rail passenger service in joining with other modes to meet America's growing transportation needs; and be it further

Resolved, That this Commission hereby strongly urges the Congress to promptly amend Section 13a of the Interstate Commerce Act as proposed by S 1685 (introduced by Senator Case of New Jersey on May 4, 1967) and as further proposed by the NARUC in testimony before the Committee on Commerce of the Senate and the Committee on Interstate and Foreign Commerce of the House of Representatives relative to multi-State passenger train discontinuance petitions being first heard and determined by State joint boards with aggrieved parties having right of appeal to the ICC for correction of errors of law; and be it further

Resolved, That copies of this Resolution be furnished to the Governor and to the members of the Congressional delegation of this State, and to the members of the Committee on Commerce of the Senate and of the Committee on Interstate and Foreign Commerce of the House of Representatives.

NARUC RESOLUTION CALLING FOR CONGRESSIONAL ACTION TO PRESERVE ESSENTIAL PASSENGER TRAIN SERVICE

Whereas, The Interstate Commerce Commission, acting under section 13a of the Interstate Commerce Act (49 U.S.C., Sec. 13a), has permitted the discontinuance of hundreds of passenger trains in the past several years with the result that rail passenger service is at best sparse throughout the Nation and in some areas has ceased to exist; and

Whereas, The rising tide of passenger train discontinuances has been intensified by the policy of the United States Post Office Department regarding the removal of the mail from passenger trains; and

Whereas, The National Association of Regulatory Utility Commissioners (NARUC) is vitally concerned with the development of a sound and adequate rail passenger service which will be responsive to the needs of a growing America; and

Whereas, We believe that the decline in the use of rail passenger service is merely a temporary episode in the Nation's transportation history because our crowded airways and clogged highways will not be equal to tomorrow's transportation tasks; and

Whereas, The preservation of safe, dependable, all-weather mass rail passenger service is essential not only to the traveling public, but also to the national defense; and

Whereas, Japan's Tokaido Line and the European railroads prove the feasibility and desirability of modern rail passenger systems; and

Whereas, It is *crucial* to the future welfare of America that the Congress now take prompt action to conserve a nucleus of rail passenger service to provide the foundation for expanding to meet tomorrow's transportation needs, otherwise an enormous expenditure of government funds will be required in the future to restore essential passenger service; now, therefore, be it

Resolved, That the Executive Committee of the National Association of Regulatory Utility Commissioners hereby strongly urges the Congress of the United States to promptly enact legislation imposing a moratorium on rail passenger service discontinuances pending the completion of a study and the submission of recommendations thereon, by the Department of Transportation, the Interstate Commerce Commission, and the National Association of Regulatory Utility Commissioners, relative to practical means for preserving essential rail passenger service, and the role best suited for rail passenger service in joining with other modes to meet America's growing transportation needs; and be it further

Resolved, That the Executive Committee of this Association hereby strongly urges the Congress to promptly amend section 13a of the Interstate Commerce Act as proposed by S. 1685 (introduced by Senator Case of New Jersey on May 4, 1967) and as further proposed by this Association in testimony before the Committee on Commerce of the Senate and the Committee on Interstate and Foreign Commerce of the House of Representatives relative to multi-State passenger train discontinuance petitions being first heard and determined by State joint boards with aggrieved parties having right of appeal to the ICC for correction of errors of law; and be it further

Resolved, That copies of this Resolution be furnished to the members of the Committee on Commerce of the Senate and of the Committee on Interstate and Foreign Commerce of the House of Representatives.

South Africa Donates Medicines to South Vietnam

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. RARICK. Mr. Speaker, because of great suffering and injuries in South Vietnam following the recent Communist assassinations and murders by the Vietcong, the South African Government has donated $14,000 worth of medical supplies.

Strange that none of the members of the Organization of African Unity, Martin Luther King's menagerie, or the peace movements have conducted any drives or offered to help the injured and homeless in South Vietnam. But then, they tend to love the enemy more than their friends.

The account from the News From South Africa follow:

MEDICAL SUPPLIES DONATED TO SOUTH VIETNAM

CAPE TOWN.—The South African Government has decided to donate medical supplies to the value of $14,000 to South Vietnam, it was announced by the Department of Foreign Affairs. The announcement said the donation followed an urgent appeal received from the Government of South Vietnam.

"The appeal indicated that great suffering had, as a result of recent events in South Vietnam, been inflicted on the civil population—much of it due to terrorist activity—and that there was urgent need of assistance to the refugee victims," the announcement said.

Letter From a Constituent

HON. BASIL L. WHITENER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. WHITENER. Mr. Speaker, the Nation is confronted with many problems which are of grave concern to our people. Every day Members of Congress receive numerous letters from their constituents offering recommendations and suggestions as to how the Congress can approach the economic, social, and military problems affecting the destiny of the Nation.

I received a letter dated March 29, 1968, from a constituent outlining recommendations which I feel will be of interest to every Member of the Congress. I commend my constituent for his foresight and judgment. I know my colleagues will agree with the soundness of his remarks.

Without the use of his name, I insert his letter in the RECORD:

MARCH 29, 1968.

Hon. BASIL L. WHITENER,
House of Representatives,
Washington, D.C.

DEAR MR. WHITENER: I have your questionnaire with reference to some of the critical matters facing our country at the present time. I would like to comment on some of these, if I may presume upon your time.

NORTH VIETNAM

The whole conduct of operations in this area hangs like a pall over the entire people. The administration has failed miserably in the matter of communication. It has assumed that the people are too stupid to arrive at definite conclusions on the prosecution of the war based upon facts. The glowing reports do not jibe with the realities. The people wouldn't believe the administration now if the releases were sworn to on a stack of Bibles.

Any person with any degree of military experience knows that a war cannot be fought with local ground rules which favor the opposition. The gradualistic approach is foolish on its face. It resembles very much the boxer who telegraphs his punches.

The principles of war have been violated at every turn. I refer to the principles of mass, fire power, surprise, etc. When the administration decided to make this an American effort, action should have been prompt and severe. Our moves should have been made quickly and decisively. Port facilities, rails, bridges, power production facilities, etc. should have been destroyed. Economic sanctions should have been applied to all communist nations at once, as well as to nations of the free world shipping critical materials to them. Critical materials are now being sold to the communist nations of eastern Europe and Russia as well. Don't think for one moment these materials are not being processed and trans-shipped. Did you know that IBM computer systems are now being supplied to Russia?

It is indeed unfortunate that some people in the policy making positions of our State Department think there is a difference between Russian and Asiatic communists. This is foolish. Though these two groupings may have their ideological differences, you may rest assured they will cling together in common cause against the United States.

We cannot afford a war of attrition. We simply do not have the manpower. The time has come for the State Department to let the Defense Department run the war.

The immorality of this whole mess lies in the draft. As a Chaplain in the U.S. Army Reserve, I have been called upon by the Army to conduct military rites for boys killed in action in Vietnam. These kids have had a minimum of training. Just recently a young man from Conover died as a result of the explosion of blasting caps he was handling. He was inducted August 16, 1967. He was shipped to Vietnam in January 1968. He is now dead and buried. An experienced soldier would have known to handle blasting caps with extreme caution. It takes at least one year to really train a man for combat operations.

The administration must bear the blame for the above. Mr. Johnson campaigned in 1964 as a "peace candidate." Recalling the repercussions of Mr. Kennedy's action in calling up reserves for Berlin, he just couldn't bring himself to run the political risk, now could he? But Mr. Whitener, if Vietnam was so important to the defense of this nation and our national interests, he should have told the American people the facts. He could have called up reserves and guardsmen without fear.

At the present time, we have no mobile strategic reserve in this country! Did you know that? There are two armored divisions available, one mechanized infantry division, and an under-strength airborne division. When Mr. McNamara crammed the reorganization of the reserves and the National Guard down everyone's throat a few months ago, he ruined us. Most of these organizations are in process of reorganization, and it will take a year for most of them to find out who they are and where they are. The administration is hung up on its own "politics" with reference to the war. It'll be more of the same, with more and more "raw draftees" getting it.

There is a solution. Return the bulk of our European troops. Either use them to cadre new divisions or mix them with Guard troops. Then use them to get this thing over with. By the way this would help the balance of payments problem, too. There will be objections to this solution, but the time has come for the "free" European nations to assume their own defense burden. If they want to remain free, they must be willing to fight for it themselves. We cannot guarantee the freedom of every nation under the sun. These people have been sucking our blood for twenty-two years. It is time for them to be weaned. Let us not destroy ourselves economically for them. We are doing exactly what Lenin said we would be forced to do, "spend ourselves to death." The people are tired of pulling someone's chestnuts out of the fire at great expense, only to have these very people kick us in the teeth.

Fight the war with every weapon, economic, military, and psychological to win it, or else get out. This is the way the people feel about it.

The Congress should review every facet of our foreign policy. It should examine every agreement made or implied by letters of intent. As representatives of the people, you should tell the Executive branch they may propose, but the Congress will dispose by control of the purse. This is your power, use it! We don't elect representatives to be rubber stamps for any branch of the executive, we elect them to represent us. Too much power has been allowed to the executive through the default of the Congress.

BALANCE OF PAYMENTS

Our balance of payments problem rests primarily with foreign aid and the imports of cheaply made foreign goods which compete with our domestic production.

Our labor force, through continued pressures for higher and higher wages, has almost priced out of the market with competitive foreign manufacturers.

I am a firm believer in trade and being on friendly terms with certain nations, but not at the expense of our own industry. Raise import duties on these critical items from abroad. The American product can then meet the competition and sell. Less money will be going out of the country. Did you know that our watch industry has been crippled by cheap imports? Many people are wearing Russian watches, but don't know it!

Cut foreign aid out altogether! Offer technical assistance only. We've fed India for years, only to receive "guff" from them.

As far as France is concerned, I think we have more than repaid the assistance she gave us in winning the Revolutionary war. Let us show De Gaulle two can play the economic game! Demand payment of the World War I indebtedness! Raise import duties on wines, etc. They will be cooled off in a hurry!

TAXES

There are 72,000,000 wage earners in the U.S. They are being called upon to support the balance of our 200,000,000 population, plus forty-two foreign countries. The average wage earner is being squeezed to death. He is caught between the upper and the nether mill stones of rising taxes and inflation.

Inflation is not due to unprecedented spending among the people, but to the careless fiscal policies of the Federal Government. Our national debt is a disgrace. We've mortgaged the economic future of a least five generations of American citizens yet unborn.

There is enough fat in the Federal Budget to cut out and save not a paltry six billions, but thirty billions, if you people have the fortitude to just do it. Of course the "fever" gets everyone up there just before election, doesn't it?

Just raise taxes and you will have not just race riots on your hands, but a taxpayer's rebellion. The people are tired of having their hard earned money wasted by bureaucrats!

WAR ON POVERTY

A giant boondoggle. HEW has found ways and means to circumvent the intent of Congress in the administration of funds by local governments.

Educate these people! Get private industry to cooperate in the operation of area trade schools. Provide tax incentives for them to do so.

The unemployed and the unskilled will then be told to go to the school and prepare yourself to be productive, or else you come off the welfare rolls.

Did you know that case workers are instructed to tell these people they can make more money by being on welfare than they can by working?

We've created three generations of national "moochers".

CRIME

When the Federal Government encouraged demonstrations and curbed local law enforcement officials in their attempts to handle such, Pandora's Box was opened and we were stricken with a thousand diseases less one.

The judiciary hasn't helped matters either. A firm statement of intent from the administration through the attorney-general's office with reference to federal action in rioting, etc. would help.

The attorney-general has all the laws he needs to prosecute syndicated crime, if he will just get off of his rump and go after it.

Our judiciary must be strengthened. This can only be done by eliminating judgeships from the patronage. Rigid standards for Federal judges should be established. No man could be appointed if he does not meet these legal standards. Judges should receive their offices on the basis of legal experience, not as a political reward.

WAGE AND PRICE CONTROLS

They should be imposed NOW! They should have been imposed three years ago when the decision was reached to escalate the conflict in Vietnam!

Thank you Congressman Whitener for listening. These things have been on my chest for a long time.

Sincerely yours,

——— ———.

H.R. 14816

HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. O'HARA of Michigan. Mr. Speaker, the Select Subcommittee on Labor, of which I am a member, has been holding extensive hearings on H.R. 14816, a bill to promote occupational safety and health conditions in American industry. Throughout the hearings, we have taken testimony from employers' organizations, who have, with remarkable consistency, assured us that industry is doing a splendid job on safety and health, and that, anyway, accidents are mostly the fault of the workers.

They have told us:

> Make the workers more safety conscious and the problem is licked.

Such an argument is not entirely without appeal, Mr. Speaker. I am perfectly willing to admit that many accidents are caused by the inattention or carelessness of workers, and I am certainly willing to concede that employees ought to be more safety conscious.

But being safety conscious can also be an occupational hazard. An NLRB trial examiner has recently found, in the case of Lee Frazier, a machinist in Missoula, Mont., that Mr. Frazier's employer fired him for complaining to the Montana Industrial Safety Board about unsafe working conditions. The trial examiner found this an unfair labor practice, and recommended that Frazier be returned to his job.

So I would like to suggest to those who argue that accidents are the fault of the workers and that the workers must become more interested in safety, that they persuade their fellow employers to remove the one occupational hazard that an interest in safety can create instead of alleviate— the hazard of getting fired for pointing out the other hazards on the job.

Mr. Speaker, under unanimous consent I include a story from the March 21 edition of the Machinist, telling about Lee Frazier and the "benefits" he received from being safety conscious at this point in the RECORD:

SAFETY COMPLAINT RULED NO GROUND FOR FIRING

Management cannot fire a worker for trying to correct unsafe shop conditions, a Labor Board trial examiner has ruled.

He recommended that Lee Frazier, a member of IAM Local 1434, Missoula, Mont. be returned to his job at the Westmont Tractor Co. with full back pay, plus 6 per cent interest.

James C. Jakobson, Local 1434 president, reports that Frazier had been fired more than a year ago after complaining to the Montana Industrial Safety Board and asking for correction of unsafe conditions. Local 1434 filed an unfair-practice charge with the Labor Board.

The trial examiner, Howard Myers, held that Frazier's request is a "protected activity" of a worker who acts in behalf of himself and his fellow employees.

Frazier went to work for Westmont in Kalispell, Mont., in 1959. He moved to Missoulo two years later, when the company bought a plant there. In the new shop Frazier found a number of dangerous things. A powerful vertical press sometimes threw out bits of metal hard enough to leave a bruise. A fork lift with a bad clutch would sometimes jump four feet forward. There was a lack of safety guards.

Frazier and his fellow workers discussed the dangers with a plant foreman, but without result. The letter to the Safety Board followed.

Frazier was off duty on the day a state inspector turned up. After looking the plant over, the inspector decided that conditions were safe, although the power press wasn't in operation when he was there.

Frazier told the plant owner that it was he who had complained and that he was still not satisfied with conditions. The owner assured Frazier that no action would be taken against him, but less than a month later, in January, 1967, he was fired. The reason given was that his work was unsatisfactory.

At the hearing the company defended its action on the ground that Frazier's work was "slow." He did not "act in concert with his fellow workers, but took it upon himself to file the claim with the Industrial Accident Board," the company said. It claimed that his action, therefore, was not a protected activity under the Labor Act.

Examiner Myers ruled otherwise. He held that the record clearly showed "that from time to time Frazier discussed with his fellow workers the hazardous conditions which existed in the welding shop and they agreed with him that the Industrial Accident Board should be called upon to inspect the shop."

He ruled that the company had committed an unfair labor act in firing him.

Michigan Association of Police Chiefs Support Broader Frequency Allocation

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. DINGELL. Mr. Speaker, for a considerable period of time I have been urging the Federal Communications Commission to take action aimed at substantially broadening the allocation of the radio spectrum which is reserved for land mobile users, including police, firemen, and other public safety services.

The FCC has made some modest concessions with regard to public safety services. However, much more needs to be done.

Therefore, I am pleased to insert at this point in the CONGRESSIONAL RECORD a resolution recently adopted by the Michigan Association of Chiefs of Police which supports broader allocation of the frequency spectrum to public safety services. The text of the resolution follows:

RESOLUTION

Whereas, in the past 17 years the number of radio transmitters operating in the segment of the radio spectrum assigned to public safety has grown from 78,000 to 2,250,000; and

Whereas, in 1978 it is estimated that there will be 5,000,000 transmitters operating in this sector of the spectrum; and

Whereas, the public safety interests find it impossible to compete with other interests in affecting legislation and regulations which provide for assignment of air space; and

Whereas, the communications needs of the public safety services are increasing beyond our ability to cope with them.

Now therefore be it resolved, that the Michigan Association of Chiefs of Police urges the appropriate agencies to support the efforts of those concerned with the problems of public safety communications to broaden the allocation of the frequency spectrum which is assigned to the public safety services.

One Hundred Sixteen Years of Life

HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. GONZALEZ. Mr. Speaker, yesterday in my native city of San Antonio, Tex., was laid to rest an unusual and intrepid Texan, who lived way beyond the Biblical span of life, to the age of 116 years.

This distinguished—yet most humble—constituent was named Antonia Nino. She was born in old Mexico but was brought to what is now Texas while an infant. She grew up in the community in the vicinity of San Antonio, known as Lytle, Tex.

She worked hard with her family and later with her husband toward the enrichment of the Lytle community. It has been persons like Antonia Nino who have built up the great Southwest. It has been their toil, and their muscle, and their sweat that has made it possible for Southwest Texas to be the great land that it is.

Mr. Speaker, yesterday at her funeral there were more than 250 grandchildren. Dozens of citizens were present to render tribute to this great lady who was granted 116 rich years of a rewarding and noble life by our Supreme Maker.

Mr. Speaker, it is with a deep sense of reverence and respect that I bring to the attention of my colleagues the story of this humble, noble, and self-sacrificing lady—Antonia Nino.

Howard Thompson Retires as Legislative Correspondent

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. ASHBROOK. Mr. Speaker, Ohio has lost a very able reporter during this past week when the veteran Columbus Dispatch legislative correspondent, Howard R. Thompson, wrote his last column. Known to his friends as Sam, he has graced the statehouse in Columbus for most of his 44 years of news reporting and analysis.

Some months ago I facetiously chided the Washington legislative correspondents for their inattention to some newsworthy matters and their predilection with other stories. I noted that Diogenes came to the Washington press corps looking for an honest man and 20 minutes later he was looking for his lamp. Not so with Howard Thompson, and I include at this point an article by Howard Huntzinger, also of the Columbus Dispatch, regarding the retirement of his colleague:

NOTHIN'S JUST THE SAM!: VETERAN REPORTER ENDS CAREER

(By Howard Huntzinger)

Sam is gone, and many places just won't be the same.

These include The Dispatch newsroom, the Statehouse pressroom, the offices and corridors of the Capitol and undoubtedly his home.

Howard R. (Sam) Thompson retired Friday, two days after his 65th birthday. And everyone should be so young at 65.

The good natured veteran of the typewriter may have acquired his wry humor from a rye whisky.

As he recalls, the nickname became a permanent part of his name in the third grade. It seems that "Sam Thompson" was a popular rye whiskey in those days. That must have been a swinging third grade.

A native of Marietta, Sam graduated from the local high school and attended Marietta College three years before transferring to Ohio State University.

He had worked for the Marietta Times and the Marietta Journal before arriving in Columbus. It was in 1924 that he went to work for the old Ohio State Journal. Starting as an office boy, his first writing job was obituaries.

Subsequently, he handled such beats as the police station, Federal, Courthouse, City Hall and Statehouse.

For the past quarter century, he has covered the statehouse, first for the old Journal and then The Dispatch. He joined The Dispatch in 1959 following the merger of the Citizen and Journal.

Sam likes people and people like him.

His puns—old and new—have been recited daily to fellow newsmen, officials and to anyone else who would listen.

Greetings of "morning glory" will be missed by the secretaries in the various offices he checked. He always followed up the salutation with, "think it will rain dear (reindeer)?"

And no one chuckled any more than Sam as he waited a retort.

Normally, without looking up, a secretary recognized the greeting and called out, "morning Sam."

One cannot forget his cornball humor at the time legislators considered placing a tax on soft drinks. Sam took up the battle for the youngsters and coined the slogan: "You can tax my daddy, but don't tax my pop." Yikes!

And when a state development department was first created, Sam insisted that officials seek to locate a box company in Pandora, Ohio.

Recently, when drive-in funeral homes were discussed, who saw the possibility of driving in for a "cold bier"? Our boy Sam.

But life had its serious moments with Sam. As a reporter, he was accurate and thorough. He was the unofficial parliamentarian for fellow newsmen and many lawmakers.

The Ohio House of Representatives and Senate paid him tribute when his retirement was announced.

House Speaker Charles F. Kurfess paid him the supreme compliment by asking him to address the House from the rostrum, the first time this honor ever was accorded a newsman.

Sam was a confident to governors, mayors, legislators and scores of young politicians and officeholders. He frequently was approached for advice.

A confidence to Sam always was a sacred trust.

Sam and Norma, his bride of 42 years, plan to leave for Florida Sunday for a vacation and then visit their two sons.

Roger is a Lutheran minister while Robert is an aeronautical engineer, residing in Indiana and Connecticut respectively.

The Thompsons call 3116 Vanderberg Ave. home and their garden is the envy of the neighborhood. Norma is chief gardener and plans to retain that title since Sam intends "to get some kind of work to keep me busy."

To the champion punster we would like to bring out that even in his gardening hobby he will be able to call a spade a spade.

And without the ole boy, things around the office just won't be the "Sam as usual."

A good example of the high level news reporting of Howard Thompson is his final column which appeared last Sunday in the Columbus Dispatch. Sam has a way of writing which combines a crisp and hard-hitting factual presentation with the news analyst's insight and wisdom. Plugging for good government to the end, the now retired respected journalist calls for better voter participation in politics. I include his article at this point and wish Howard R. Thompson the very best in his retirement years:

SCRIBE MAKES FINAL PITCH FOR BIGGER VOTER TURNOUT

(By Howard Thompson)

This is it.

A swan song can get too sentimental.

After covering politics—county, city, state and some national—for more than 40 years, there are many memories, too many to put into a short space such as this.

So, rather than get nostalgic, it is more appropriate to harp on a pet peeve of these many years.

It is the apathy with which far too many Ohioans have approached one of their most valuable rights—the right to vote and pick the officials to run the government that touches their every day life.

The lackadaisical attitude they have shown over the years toward this privilege, particularly in party primaries and non-presidential elections has been amazing.

Too often, one hears, voters, who go to the polls only at general election, complain about the candidate from which they must make a final choice.

They usually are the ones who refuse to participate in a party primary where these nominees are chosen.
strength of around 6 million, has a record of less than 25 per cent of its residents 21 years of age or older going to the polls in primaries.

In 1966, a non-presidential year when state officials were elected, only 1.4 million cast ballots in the primaries and less than half of the voting strength went to the polls in the general election.

In the last presidential election year, 1964, less than 1.8 million took the time to vote in the primaries.

As in most presidential years, Ohioans turned out in larger numbers—4 million—to vote in November of that year. However, it was some 200,000 less than in 1960, the previous comparable year.

Too often, too many lean on the threadbare excuse that they don't vote in a primary because they don't want to disclose their party preference. Political parties are the backbone of a republic.

Also, they plead that they vote only for delegates who will select their party's nominees for president and vice president in a presidential year primary.

It must be remembered that nominees for Ohio Supreme Court judges, congressmen, state legislature and county officials and, sometimes, for U.S. senator, are selected then.

Yes, as a parting shot, it's rewarding to know that you have taken a part in your government although your choice may not have won.

Loss of Face: The "Pueblo" Legacy

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. BOB WILSON. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

[From Washington Report, Mar. 18, 1968]

LOSS OF FACE: THE "PUEBLO" LEGACY

"When the Dragon is stranded in shallow waters it is easily teased by a swarm of shrimp."—(Old Chinese Proverb)

When the USS "Pueblo" was surrounded, boarded and captured by four North Korean Communist gunboats on January 23, the United States of America lost far more than 83 men and the sophisticated, electronically-equipped intelligence-gathering patrol vessel.

It demonstrated our military weakness, Washington's seeming inability to cope with a crisis requiring immediate and effective response, and our government's utterly naive and pitiful assumption of Communist reasonableness.

Coming as it did after years of miscalculation, vacillation and outright blundering, the "Pueblo" incident resulted in such a loss of face abroad and lost confidence at home that many astute analysts of world affairs fear America may have forfeited on that fateful January day, any valid further claim to world leadership and respect. What might be called the spin-off of the puerile U.S. stance in the wake of the "Pueblo" piracy is only now surfacing to a point where its impact may be weighed with real and convincing accuracy.

As a leading Asian diplomat in Washington told us privately the day after the "Pueblo's" seizure: "A nation as great and powerful as the United States, with world-wide responsibility for leading the resistance to Communist aggression and tyranny, may be able to afford the loss of a small naval
They usually are the ones who refuse to
craft and its crew. But it absolutely cannot afford to 'lose face'."

At the time, such an appraisal was shrugged off as "much too exaggerated" by those on Capitol Hill and in the U.S. State Department who preached calm and judicious restraint on the announced White House theory that quiet—even secret—diplomacy would resolve the entire affair.

Senator Gale McGee (D-Wyoming) told a radio network news audience that, in the face of such incidents, America "must keep its cool" and not be unduly upset.

A high-ranking British Commonwealth air officer who had served with our forces in the Korean War, commented drily: "The 'coolest' thing you could have done was to issue an ultimatum that unless the Pueblo, and its crew, unharmed, was released within X hours, the port of Wonsan where North Korean took the captured vessel would be put out of commission."

Instead of following such a course, however, we let everyone know that we were going to be highly polite and civilized about the whole nasty show. We promptly dispatched our diplomats in Russia to the Kremlin to enlist Moscow's aid as an intermediary—an appeal which was just as promptly snubbed. It had long been clear to our intelligence agencies that somehow, someday, the Russians were going to try to get their hands on the very super-secret coding and sounding equipment that so-called "spy" vessels like the Pueblo were known to carry.

Then, of course, came a series of pronouncements from our own government officials about just where the Pueblo was in relation to North Korea's land perimeter. Out of the resulting assertions, denials and contradictions, our government in effect accepted for the first time the Communist claim to jurisdiction up to twelve miles from shore.

The U.S. has never claimed anything more than a three-mile authority around its own shores and Communist "spy" ships—a veritable armada throughout the world, especially of rigged fishing trawlers and coastal freighters—have taken full advantage of our modest territorial limitations.

When it was later reported that sources in the Pentagon and State Department had leaked the story that the Pueblo was operating between seven and nine miles off North Korea in the vicinity of Wonsan, the question of whether or not we should have made a test of the Red's arbitrary twelve-mile limit jurisdiction was already academic.

When it was also disclosed that a Soviet cargo plane took off from North Korea with a load of equipment presumably from the Pueblo within 24 hours of its impounding at Wonsan, the same U.S. officials who had so confidently turned to Moscow for help at the outset could only express shock and dismay.

For the free world's leaders, already confused and disillusioned by mighty America's seeming inability to cope with the Communist aggression in Vietnam, and undone by U.S. willingness to jeopardize NATO and the Western alliance by promoting friendship and tolerance of Communist bloc countries through trade, nuclear treaties, consuls and cultural ties, the loss of face in the Pueblo affair was obviously the breaking point.

For many it marked the last straw of hope and conviction that the United States could be counted upon to effectively meet the challenge Communism poses on every continent. For others it indicated that either the U.S. was unwilling or incapable militarily, thanks to Vietnam, to react as powerful nations are supposed to react when taunted to do so by an open confrontation.

In early March, for example, President Juan Carlos Ongania of Argentina told some 200 top Argentine government officials that the time has come for Latin America to prepare its own defenses and security without further reliance upon the United States and without further expectation that in the event of Communist aggression in the Western Hemisphere the U.S. will be willing or able to act. He noted that the United States, and he never mentioned our name except by repeated reference to the "leader of the free world," had failed to come to grips with the Red penetration of Cuba and had only narrowly averted a repeat performance in the Dominican Republic. He did not have to add that his own go-it-alone conclusion was at least partly triggered by America's failure on adopt a "win" policy in Vietnam and such face-slappings as the "Pueblo" affair.

An Indonesian government official who was instrumental in helping to resist the intended Communist take-over of his country and who assisted in the overthrow of Leftist dictator Sukarno, told this writer a week after the "Pueblo" piracy: "No single event has done more to shatter your country's reputation as the principal defender of the free world or as master of the high seas than your failure to massively and convincingly retaliate when the "Pueblo" was captured." "By the same token," he added, "nothing that has occurred—not even the successful prolongation of the war in Vietnam by the Communists—has done so much to enhance Communism's status in the eyes of millions of Asians."

A chorus of criticism reflecting, in varying degree but with appropriate restraint, distrust, disgust and outright fear has emerged on the editorial pages of leading newspapers in Japan, the Philippines, Taiwan and South Korea.

With little prodding from Communist propaganda, sarcasm, satire and snickering at America's expense have dominated headlines and comment in the major capitals of Europe, Africa, the Middle East and Latin America.

Yet two items of news, largely unpublicized in this country, do more than anything else to demonstrate the shattered image America now has in the eyes of its closest friends.

One was the sudden arrival in Seoul of two guests invited by the understandably worried and irritated South Korean government after it became clear the U.S. was indeed a "dragon stranded" in the Pueblo incident. These visitors were top anti-guerrilla experts from Israel and South Korean spokesmen made no secret of the fact that Israel's ability to cope with Arab trouble-making was somewhat more impressive than Washington's desperation in countering Communist nose-tweaking in the "Pueblo" case.

The other item was insistence by Nationalist Chinese officials that immediate steps be taken to prepare for handling any eventuality—even a Commmunist Chinese invasion of the off-shore islands of Quemoy (Kinmen) and the Matsus or Taiwan proper—without dependence upon the United States. The Chinese view was couched in the most diplomatic language and was made known to Washington only through a careful translation of discussions and debates in the Republic of China's Legislative Yuan in Taipei.

In a special plenary session of that body, Foreign Minister Wei Tao-ming assured legislators, who were demanding a course of action independent of the United States in the Far East, that: "With our armed forces and the strategic position we are holding we have our own missions to perform in this area and *we also have our own way* in doing things." (emphasis added)

The "Pueblo" incident, if viewed as an isolated case, cannot be held responsible for the free world's disenchantment with America's will or strength. The point is that the "Pueblo" merely capped a series of political and military setbacks, reverses, embarrassments and harassing (see Washington Report 68–6 of February 12) scored by Communist-inspired tail-twisting, nose-tweaking satellites and militants bent on making a mockery of America's might in the relentless effort to discredit and ultimately "bury" us.

The non-Communist world has not forgotten that in 1962, the U.S. stood firm in the face of the Cuban missile crisis only to reward a Kremlin back-down by guaranteeing Communist Cuba's immunity from any further threat of liberation stemming from Cuban exiles given asylum on our shores.

The non-Communist world has found it unnerving, to say the least, to watch a U.S.A. engage in a life-and-death struggle with Communism in Vietnam while Washington signs nuclear armaments treaties and liberalizes trade with Communist-bloc countries, enabling the Reds to finance and arm North Vietnam's aggression.

The non-Communist world is hardly convinced that Washington understands the real threat to peace when we show such public concern for Red China's nuclear developments, obviously embryonic, and go out of our way to avoid any irritation of Peking under the misapprehension that Mao Tse-tung's brand of Communism is dangerously aggressive while the Soviet Union's brand is moderating and mellowing.

The non-Communist world must be alarmed and the Communist world has a right to be amazed when the United States adheres to a policy of allowing the Soviet Union to achieve so-called "parity" with the U.S. in nuclear missile strength and in naval and air power. (See study "The Changing Strategic Military Balance—U.S.A. vs. U.S.S.R." by National Strategy Committee, American Security Council.)

It is because of this background that the "Pueblo" seizure is an incident of such magnitude in terms of America's image and prestige in th eyes of the world.

Just eight years ago this summer, a major compaign issue was the charge that the U.S. was suffering a loss in popularity in some parts of the Globe—that its image was tarnished, its prestige declining. Today, our nation's image and prestige have reached such a low estate, and loss of face so great, that this year's political candidates may find the shame of it almost too agonizing to exploit.

Yet it is an issue of such vital importance that it must be aired in this year's political debates if only because the decline of America's posture cannot be tolerated any longer if freedom's cause is to survive.

At the Chinese proverb quoted as the outset suggests, "When the Dragon (that Oriental symbol of power and leadership) is stranded in shallow water" it is no longer a Dragon worth its name.

JOHN F. LEWIS,
Associate Editor.

Unions To Be Run by Federal Judges

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1968

Mr. RARICK. Mr. Speaker, under the recent Federal court decision in New Orleans, union seniority now becomes a matter of discretion with a Federal judge.

Do not ask where the judges find such guidelines and cobwebbed thought—but his decision will shortly be used to attack every union hall, job, and collective bargaining contract in the United States.

Discrimination. I wonder what these Federal judges think age, experience, ability, and seniority are, if not intended for discrimination. Historically, that was the reason one worker was selected over another and received top wages—because he could do the job.

An interesting innovation--the unions are being asked to destroy Negro union halls and integrate into one union. But if the men comply then they lose their seniority and cannot even protect their bargained contract by a strike unless the Negro members agree. Minority control.

How long will it be before the organized working men wake up to the socialized attack to reduce labor to one mob of equal workmen and all on one wage scale?

Accounts from the Bogalusa News for March 24 and 27 follow:

[From the Bogalusa (La.) Daily News, Mar. 27, 1968]

JUDGE ORDERS MILL SENIORITY SYSTEM AT CROWN—TO REPLACE "A PLUS B" IN 10 DAYS—HEARING APRIL 30 ON OTHER ISSUES

NEW ORLEANS.—U.S. Dist. Judge Frederick Heebe late Tuesday ordered a "mill seniority" system placed into effect at the Crown Zellerbach paper mill in Bogalusa, unless the company can come up with a system that is better.

Heebe also issued an injunction, preventing United Papermakers and Paperworkers, Local 189 from striking the mill in protest of the system.

The federal judge said the court-ordered system would go into effect within 10 days and that an Office of Federal Contract Compliance "A plus B" program would remain in effect in the meantime.

The judge scheduled another hearing for April 30 to determine if his court-ordered system should be modified.

Counsel for the union last Friday announced plans to appeal the ruling if it went against them. It was not known today whether the appeal would be filed immediately, or would be delayed until after the April 30 hearing. The appeal would go to the U.S. Fifth Circuit Court of Appeals.

INJUNCTION ISSUED

Heebe enjoined Crown Zellerbach and the white union from "discriminating against the Negro employes" at the huge paper mill.

"In the circumstances of this case, the seniority and recall system which defendant unions and defendant Crown maintained in effect at the Crown, Bogalusa, Louisiana paper mill prior to Feb. 1, 1968, perpetuates the consequences of past discrimination," Heebe ruled.

Heebe said job seniority "is certainly not inherently prejudicial to Negroes; there is nothing about job seniority systems themselves to make them necessarily offensive."

But he said "the continuous discrimination practiced by the defendants within the framework of that system requires that the system be abolished in this case."

TWO ISSUES

Heebe said he decided the case only on two issues:

1. Whether the job seniority system which was in effect at the mill prior to Feb. 1, 1968, was unlawful.

2. If the answer to the above question was affirmative, what is the necessary or appropriate standard or guideline which should be set for seniority at the plant?

"Should an acceptable system other than mill seniority be proposed by an interested party, nothing herein would prohibit the union from bargaining for it or Crown from implementing it, subject of course, to the approval of the court," Heebe said in his 11-page decision.

SYSTEM OUTLINED

Here is the "mill seniority" system the judge ordered into effect within 10 days:

Total mill seniority alone shall determine who the senior bidder or employee is for purposes of permanent or thirty-day promotions, or for purposes of demotion in all circumstances in which one or more of the competing employes is a Negro employe hired prior to Jan. 16, 1966.

For jobs which operate only one shift per day, promotions to fill casual or vacation vacancies will be made on the same basis as permanent and thirty-day promotions.

For jobs which operate more than one shift per day, promotions because of casual or vacation vacancies will be awarded to the senior qualified man on the shift and-or machine where the vacancy exists.

Promotions and demotions above shall not affect persons who have formal written waivers in effect at that time. Persons promoted shall go around a waived position in any job slot, and persons demoted shall likewise go around such a position on the way down.

Qualified employes shall be selected for training on the same basis as for promotion described above.

[From the Bogalusa (La.) Sunday News, Mar. 24, 1968]

LATENT POWER TO SPARK UPHEAVAL—JUDGE HAS A-PLUS-B IN HIS LAP

(By G. Michael Harmon)

NEW ORLEANS.—A U.S. District Judge today began consideration of a federal proposal with the latent power to spark the biggest upheaval in Southern industrial circles since Sherman's march to the sea.

The seed of disruption is contained in a suit launched by the U.S. government against Local 189 of the United Papermakers and Paperworkers Union, AFL–CIO, representing white workers at the huge Bogalusa, La. Crown-Zellerbach paper mill.

Dist. Judge Fred Heebe Friday heard final arguments on the "merits" of the suit, a request for a permanent injunction to prevent the segregated union from striking against the implementation of a radically new seniority system.

The plan would substitute total plant seniority for job seniority as a prerequisite for promotion.

U.S. Atty. David Rose told United Press International a ruling for the government would greatly enhance the chances of a federal campaign to launch similar suits throughout the entire south.

A successful campaign would force basic reorganization in every unionized plant in the south. Just the initiation of the campaign would bring into contention the basic rights of unions in the highly emotional area of collective bargaining and contract negotiation.

The Crown-Zellerbach suit arose after Local 189 threatened to strike in an effort to block the Office of Federal Contract Compliance (OFCC) ordered seniority system.

He said the effect of the current system was "to isolate a whole generation of Negroes" in inferior jobs.

Rose argued that A plus B was a step in the right direction but held out for a plan that would count only total plant seniority.

In testimony Thursday, a defense "expert" witness, Dr. Herbert Northrop, said the A plus B system "upset the whole idea that a man who has been in the job the longest is the best qualified for promotion."

He said that placing unqualified Negroes in jobs they were not familiar with would be dangerous.

Rose countered Friday, however, that the new plan would not prevent the plant from denying jobs to those unqualified.

"We are not suggesting that unqualified persons be given jobs they cannot hold," he said. "Everybody recognizes that a person cannot hold a job unless he is qualified. What we are talking about here is a yardstick to be used for equally qualified persons."

Attorneys for Crown challenged the suit on grounds that their pact with the OFCC precluded the government action.

"Crown is under a continuing obligation to stop discrimination regardless of any agreement with the OFCC," Rose said. "Public rights are involved here. The law is that the rights of the public cannot be foreclosed because of the conduct of federal officials."

Richard Sobol, an attorney for the all-Negro union, told Heebe Friday the case involved only "one basic legal issue."

"Should Negroes be trained for jobs on an equal basis with whites where they are equally qualified?" he asked.

Attorneys for Local 189 and the United Papermakers and Paperworkers International said the new system would establish retroactive punishment against the union in violation of the Civil Rights Act.

"You are obligated not to just consider the statutory rights of the class allegedly discriminated against, but also the rights of those that would be disadvantaged by correction of the alleged discrimination."

Sobol, however, told the judge Negroes at that plant "were not asking the correction of past discrimination.

"We are asking them not to install present discriminatory standards," Sobol said.

The attorneys for 189 also charged that the A plus B and the newer government plan would effectively destroy the rights accrued through years of collective bargaining.

"Under the present system more than 250 Negroes will advance. Under A plus B, little more than 300 would advance. The difference is not so great as to justify the intervention of this court. The cause is not valid enough to disrupt the collective bargaining system," the union attorneys said.

"A plus B creates movement for the sake of movement."

Sobol countered that "unions can't hide behind collective bargaining to protect discrimination."

The union attorneys argued every government point, but in their final statement took into account the possibility of defeat.

"If your honor finds the present system unlawful, we respectfully ask that you lay out the broadest of guidelines and not be as specific as the government decree requests," they said.

The OFCC, a watchdog agency invented to insure that companies with government contracts follow federal non-discriminatory practices, charged that lines of progression for promotion at the Louisiana plant denied Negroes their equal employment opportunities.

Prior to 1964, all lines of progression at Crown were segregated. Negroes competed only with Negroes for jobs that could be held only by Negroes. And advancement was considerably limited.

Following the enactment of the 1964 Civil Rights Act, however, Crown was forced to integrate all job classifications. But promotion, as in every other large company in the country, continued to be based on job seniority, the amount of time a person had worked in a particular job.

The effect of the merger of the previously segregated lines of progression was to place all Negroes at the bottom of each progression list, irrespective of how long they had worked at the plant, government attorneys say, and Negroes who had been employed at Crown all their working lives found themselves below junior white men with whom they felt equally or superiorly qualified.

OFCC contended that the effect of the merger was in clear violation of Title 7 of the Civil Rights Act, and ordered that promotion be based on the time a man had worked in a particular job plus the total time he had worked at the plant.

The plan became known, both affectionately and disparingly, as the A plus B system.

Crown accepted the plan late last year and ordered it installed Feb. 1. Local 189 threatened to go on strike, and was stopped by Heebe with a temporary restraining order only a day before the walkout was to begin.

Rose said a ruling in favor of the revised government plan would establish an "important" precedent.

In his closing arguments Friday, Rose said in nine of 11 merged Crown progression lines the senior Negro was placed below the junior white worker.

"The effect is clearly discriminatory," Rose said. "It denies Negroes the right to bid for jobs with whites of comparable seniority."

Current Problems and Needs in the Field of Education

HON. WAYNE MORSE

OF OREGON

IN THE SENATE OF THE UNITED STATES

Tuesday, April 2, 1968

Mr. MORSE. Mr. President, the National Committee for Support of the Public Schools from time to time publishes articles and monographs which are most helpful to those of us who are charged with the responsibility of considering educational legislation.

The commission and its distinguished chairman, Mrs. Agnes E. Meyer, a writer and educator of distinction in her own right, recently published in a special report an essay by William A. Harrison, Jr., entitled "The Public and the Public Schools: The Need To Build a New Sense of Community."

In it, the author describes the importance of public participation if we are to rescue our public school system from contingencies that many would deplore. It is his view that there are three primary tasks to be done: First, to break up the bureaucracies and involve the local communities; second, to bring enough sympathetic and competently trained people into the classrooms; and third, marshall all the talents we have to the problems at hand. Although what Mr. Harrison has to say may not receive complete assent of all in the educational community it would be fair, I think, to say that his points are well worth considering with care.

I ask unanimous consent that the essay be printed in the Extensions of Remarks.

There being no objection, the essay was ordered to be printed in the RECORD, as follows:

THE PUBLIC AND THE PUBLIC SCHOOLS: THE NEED TO BUILD A NEW SENSE OF COMMUNITY

(By William A. Harrison, Jr.)

As Americans ponder the deepening public disaffection with their public schools, it will be tempting for many to explain away the troubles in terms of venal motives by the parties at variance with current school practices. Many will find it easiest to blame the ineptitude of elected and appointed policymakers. And many will conveniently focus their frustration on blundering bureaucracies of willful power structures.

But this kind of reasoning will not rescue the system. The causes are more complex, and the depth of discontent compels consideration of the painful prospect that something in our system is changed and something in the way we are doing things is awry. The search for solutions must begin with facing one over-riding question: Does the trouble lie with school policy or with flaws in the institutions which produce it?

THE ROOTS OF DISCONTENT

Highly centralized and bureaucratic, insulated from the public, growing in lower-class and non-white population, and unable to adjust their programs and institutions to changing needs, many of our big city school districts could hardly have worse relations with the communities they serve. It is difficult to exaggerate the urgency of the problems or their significance, not only for the cities but for other places as well. The failing relations between schools and their communities are occurring in a context of three major elements.

URBAN UNFULFILLMENT

First, public school policies have given little recognition to the changing nature of the American population. From the immediate post-war concern with providing more classrooms and teachers for the same style of education, a reform spirit gradually shaped a new emphasis on "excellence," on improving the quality of school offerings. Recently the concern for quality extended to equality of opportunity. Put another way, the concern at the forefront changed from "democracy" (uniform public education for all), to "excellence" (quality education), to "opportunity" (equality of opportunity in education). Each of these movements assumed a type of school population little changed from the era before.

Yet the environment in which Americans live has changed most drastically and with profound importance for the schools. This nation of immigrants has undergone a tremendous internal migration. In 1910, less than half the population lived in urban areas of 2,500 people or more. Today 80 per cent of Americans live in the great city complexes. In 1910, 81 per cent of all black Americans lived in the rural areas of the South; in 1960, 73 per cent lived in the cities, mostly in the North. Black people made up 17 per cent of the population in the core cities of the North in 1960, and two-thirds of the adults in this group had been born in the South. The population movement continues, and even if poverty and discrimination were not involved, it would by itself raise tremendous problems.

Unfortunately, poverty and discrimination are not apart from the rush to the cities. The new city-dwellers seeking to grasp the American dream find few urban institutions to help them. And too often, finding themselves alone, lacking the education, training, job habits, and other social skills for urban life, they separate themselves from the American dream and drop out of the mainstream patterns we associate with "American life." It now appears that the 1960 census missed—simply failed to find—some 5,700,000 persons who did not live in the manner customarily recognized by census takers. Denied participation in the American dream, they moved hopelessly and permanently away from aspirations of self-fulfillment and into what James N. Gavin and Arthur Hadley have termed the underculture of poverty. Overwhelmingly, those who make it into the mainstream of urban life are white, and those who fail are black.[1]

FRICTION IN THE TECHNOLOGICAL REVOLUTION

Second, the population movements in the cities are only part of a broader change to what Zbigniew Brzezinski has called the technetronic age. Unlike other revolutionary eras which experienced alterations in the distribution of power and property within society, ours experiences the impact of science and technology in ways which affect the essence of individual and social existence.

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[1] See the Report of the National Advisory Commission on Urban Disorders, paperbound, Bantam.

We live in a system which is undergoing fundamental and very rapid change. It is an age of intense communication, of transition to an extraordinarily interconnected society, and of growing capacity to assert social and political control. Also it is a time of unprecedented need for education and fierce demands to meet that need. We really know very little about it. Science and technology enable us to alter the very environment in which we live. But when we alter the environment, we alter total system in ways we do not understand and therefore do not anticipate. Well intended actions defy us with unanticipated consequences, teasing us into crash actions to correct the unforeseen problems, which then spiral into successions of further problems and crash reactions.

In order to manage the spiral of crisis, we put a premium on planning, on information, and on centralized decision-making—activities which tend to exclude all but a small elite from decision-making. And thus we exclude the ghetto dweller even further from any personal choice of goals and therefore from a sense of personal involvement in the society. At one, we risk both excessive control and social fragmentation. For the poor, the disparity between our rhetoric and our action makes the whole society seem a fraud.

BUREAUCRATIC RIGOR MORTIS

Third, where the needs for education are most crucial—in the big cities—the schools are least equipped to provide what is needed. The ills of the big-city schools are various, but almost invariably they involve a rigid school bureaucracy which fails to raise and use resources in a manner responsive to the needs and aspirations of the community.

Indicators of how well schools serve the needs of their communities do not stand out in bold type in school budgets, and only rarely can they be found in the usual statistics on the progress of school programs. But they are unmistakeable to the first-hand observer: in a teacher's condescending manner, in the all white or all black color of the student population, in the inappropriateness of books and curriculum, in the silence of the classroom and the chaos of the corridors, in the drafts from cracks and broken windows, in the long wait for audience with a reluctant administrator. The communities' verdict on their schools is devastatingly clear in such expressions as broken windows and the organization of protest.

What causes the bureaucratic rigor mortis which afflicts so many of our big-city schools? The classic explanation is that it usually occurs when adherence to the rules of the organization, usually conceived as a means, becomes transformed into an end-in-itself. The goals of the organization become displaced. "Discipline, readily interpreted as conformance with regulations, whatever the situation, is seen not as a measure designed for specific purposes but becomes an immediate value in the life-organization of the bureaucrat."[2] In terms of the big-city schools, this usually means that rules and organization developed for one set of pupils needs remain unchanged even though the types of pupils and their needs do change.

Bureaucratic hardening of the arteries also occurs when—through ignorance or through the desire for central control and bureaucratic security—inadequate performance measures are used to evaluate teachers and administrators. A large city district which bases advancement on longevity and written test scores penalizes innovation and rewards ability to take written tests—hardly the qualities needed to be effective in reaching the students. When school personnel have to pride themselves on their ability to beat the system in order to serve their students—which is the case in many central-city schools—the conditions cannot be conducive to serving the needs of the communities.

Bigness alone does not produce bureaucratization, but it does appear that size of the city is an important determinant in the degree to which internal bureaucratic control is sought and the influence of the public and public officials avoided. Such bureaucratic goals usually come at the expense of communications, initiative, and problem-solving ability in the organization. Therefore they come ultimately at the expense of such educational goals as equal educational opportunity and quality education.

New York City illustrates the type of bureaucratic rigidity and weak school board control that can be found in many of our big cities. There, many separate practices have conspired to help the school bureaucracy maintain tight control, including a screening process for selecting school board members, a lack of staff and therefore independent expertise for school board members, a general absence of organized clientele of the schools, and sketchy newspaper inquiry into local school operations. "One could accurately describe the situation in New York City over the past two decades." Marilyn Gittell has written, "as the abandonment of public education by key forces of potential power within the city. . . . The end result is narrow or closed participation in large areas of nonvisible decisionmaking, in which effective influence is restricted to an inside core of top supervisory personnel in the headquarters staff of the Board of Education."[3]

POLITICAL OBSTACLES TO EDUCATIONAL SOLUTIONS

If the current troubles in the schools were the product of a single person or even a small group, the solution would be relatively simple. It would be either to persuade the policy-makers to change their minds or to dismiss them.

But it is not so simple. Authority for school policy is greatly fragmented among diverse governing bodies and insulated and overlapping layers of school bureaucracy. Budgetary formulas and administrative restrictions hem in the would-be innovator. Credential requirements, contract stipulations, and the prescriptions of professional organizations trip up the reformer. The frustrations of many well-meaning and resourceful school board members are mirrored in Martin Mayer's reflections on serving on a community school board in New York City: "So far as I am concerned, the battle is over, and I lost. Five years on a school board is, of course, enough. You get to know too much, especially about what 'can't be done,' and you come to 'understand' too well the problems of the staff."[4]

Attempts to solve our present troubles also run afoul of the dashed hopes of our past failures. Man's growing ability to alter his environment gives us all increasing confidence that we can have a hand in determining our own fate. The aspirations of people who have suffered oppression especially soar when they begin to see the chance for a better life, only to turn sour when our institutions change at the same old glacial speed.

It is time we faced the fact that no fundamental changes in the school systems of most of our big cities have been made to meet the vast changes in the city populations. Nor do they appear likely under current arrangements. Our institutions for public school government may not be equal to the size of their tasks. We usually think of decentralized policy-making as a way to avoid the inflexibilities of centralized government and forget that local governments also can suffer from bureaucracy. We also tend to forget the sheer magnitude of some of our so-called local entities—that the population of New York, for instance, is the same size as that of Sweden or Chile, that Chicago's matches Norway's, that Los Angeles contains as many people as New Zealand.

In the past, when political controversy flared around the public schools most commonly in matters such as textbook selection or teacher morals, schoolmen tended either to ignore political issues or to consider that they concerned schools alone. Now we cannot afford to take this view. The problems of education in the cities are intimately mixed up with most of our other social problems. To begin solving them, we must recognize this fact, and also the fact that they are not likely to be solved without examination and cooperative effort across many fields of private and public service.

PUBLIC PARTICIPATION

The essential tasks in rescuing our city schools require knowing that the kind of action we take can effect solutions and then taking that action in sufficiently massive amounts to solve the problems. The tasks are to (1) break up the bureaucracies and involve the local communities, (2) bring enough sympathetic and competently trained people into the classrooms, and (3) marshal all the talents we have to the problems at hand.

Of these, the first task is by far the most crucial, because with adequate governmental and community response to local needs we can marshall our resources of talent to school problems and obtain the means to put more adequately prepared personnel into the schools.

How do we get better public participation to make the schools more responsive? First, we have to face a fact that we have known for a long time—we have never had much public participation in public school policy-making. Turnout in school board and school bond elections is notoriously low in this country, and the electoral process is about the only extent of any real public participation. What participation we have had on school boards has come, as George S. Counts pointed out some forty years ago, from one type of person: from the predominantly middle-class, White-Anglo-Saxon-protestant, business-oriented strata of the community.[5] Such homogeneous boards may serve the needs more adequately where the population and schoolmen are of a kind. But it is a myth that the city schools have a unitary set of interests (which such homogeneous school boards serve), as new interests (Negroes, the poor, middle-class intellectuals, and teachers) are now making evident through their political protests.

Second, we must recognize the costs and benefits of public participation in influencing either the public decisions directly or the officials who make them. Participation takes time, money, and effort—resources in terrifically short supply in the problem areas of our cities. The only way to begin relieving the problems of the schools is to make more of these resources available to the inhabitants of the ghettoes.

The people most familiar with conditions in the big-city schools are those who live in the communities they serve. To insure that the policymaking process involves the best knowledge, talent, and judgment available, their ideas are essential. They should formulate their needs as they see them and in their own terms. They should draw up the specifications for the professionals to translate into programs and then help mobilize community support to make the programs go. The developing of such common goals is the beginning of community development. They must have access to leadership positions and offices of legitimate authority in which to pursue the goals. The skills of political communication and constructive governance come best through experience. When successful they are self-reinforcing. But they become meaningful involvement only when they can be directed toward personal and visible choice of goals.

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[2] Robert K. Merton, *Social Theory and Social Structure,* 2d ed., (Glencoe, Ill.: The Free Press, 1957), p. 199.

[3] Marilyn Gittell, *Participants and Participation; A study of School Policy in New York City,* (New York: Center for Urban Education, 1967), p. 46.

[4] Martin Mayer, "What's Wrong With Our Big-City school. "*Saturday Evening Post,* Sept. 9, 1967, p. 68

[5] George S. Counts, "The Social Composition of Boards of Education: A study in the Social Control of Public Education," *Supplementary. Educational Mono-Graphs* Vol. XXX (July, 1927), p. 83.

Experience in local communities has taught us that it does not take long for participatory skills to develop when people have the opportunity to try. Incentives for local participation can come from the local, state, and federal levels. Participation can be channeled through public agencies or private. But the essential involvement of the poor and minorities must come where they can participate most easily and most effectively—at the local level and in affairs of direct relevance to the environment in which they live.

Third, we must recognize that new school interests not served by the policy-making process are already participating politically to change the schools (mostly outside the conventional policy processes, of necessity). They will continue to do so as long as they feel their needs are not met. And the forms of protest currently happening in the cities we can expect to take place wherever aspirations are raised without appropriate response.

Modes of public participation can be precise or blunt. The vote, in the aggregate, is powerful but conveys little information, and as an individual act it is blunt and weak. So where persons who have been oppressed see little or no effect from their efforts, they are likely to turn to more precise targets for their demands. The protestors among the poor and minorities of our big cities are specific about their demands: Feeling their educational needs unmet, and unlikely ever to be met, they now vie for complete control of their own schools. Institutional means must be available to resolve these conflicts, or else they will spill out into virtual destruction of the public school system.

Fourth, we must recognize the obstacles and incentives to participation by minorities and the urban poor. The proposals most frequently advanced for channeling public participation are to decentralize big city school systems and to establish community schools. One is aimed at involving residents of the community in the governing structure of the schools; the other, to involve them in the schools themselves. These programs are good ones, but it should be realized that they are means—not necessarily the only ones possible—to more important ends. The essential goal is excellence in education, and it requires divesting authority from those with vested interests in the status quo and putting into those hands which will be knowledgeable and responsive to the needs and aspirations of the communities. Power will have to be marshaled by members of the conventional city power structures and by the new interests themselves to persuade those who customarily vie for the representation in school governing bodies to give up their monopoly.

The big stumbling block to building a new sense of community in our great cities is our failure to insure that the services of the city match the diverse and urgent needs of its citizens. Alliances of concerned persons from all parts of society can, if they are willing to exert the effort and absorb the criticism, build such participant communities and a culture worthy of the American dream. But if we choose not to work with the new interests in the cities in transforming their protests into programs, even at the expense of some control, we can only expect increasing numbers of persons to decide that the empty promises of our troubled society are not for them.

HOUSE OF REPRESENTATIVES—*Wednesday, April, 3, 1968*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

All the paths of the Lord are mercy and truth unto such as keep His covenant and His testimonies.—Psalm 25: 10.

Eternal God, our Father, who art the creator and the sustainer of life, without whose benediction all our labor is in vain, we pray that our lives and the life of our Nation may be built upon the rock of eternal truth and everlasting love so we would dedicate ourselves anew to Thee in body, in mind, and in spirit. Satisfy us with nothing but the best in thought and life and keep us restless until we find our rest in Thee.

We thank Thee for our country, for our glorious heritage, for this challenging day, and for the faith with which we greet the coming day. Lay Thou Thy hand in blessing upon all our leaders and all our people. Teach us to look unto Thee as the fountain of all wisdom and the source of all strength. May Thy mighty spirit surge through us and our people translating our lofty principles into living practices and our good words into good works.

All this we ask in the name of Him whose words were life and whose life was altogether worthy. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Jones, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 11527. An act to direct the Secretary of Agriculture to release on behalf of the United States conditions in a deed conveying certain lands to the University of Maine and to provide for conveyance of certain interests in such lands so as to permit such university, subject to certain conditions, to sell, lease, or otherwise dispose of such lands.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 2448. An act for the relief of Dr. Gilberto Hedesa de la Campa; and

S. 3030. An act to amend section 3 of the act of November 2, 1966, relating to the development by the Secretary of the Interior of fish protein concentrate.

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 15399

Mr. MAHON. Mr. Speaker, I ask unanimous consent that the managers on the part of the House have until midnight tonight to file a conference report on H.R. 15399, the urgent supplemental appropriation bill for the fiscal year 1968.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

There was no objection.

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO FILE A CERTAIN REPORT

Mr. STEED. Mr. Speaker, the Committee on Appropriations plans to report the Treasury, Post Office, and executive office appropriation bill for this session of the Congress. I ask unanimous consent that the committee have until midnight tomorrow, April 4, to file a report on that bill.

Mr. CONTE reserved all points of order on the bill.

The **SPEAKER.** Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

GOOD DEMOCRATS MUST SUPPORT THE PARTY'S NOMINEE

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, President Johnson's decision not to seek reelection has saddened many of us in the Democratic Party.

But I hope that the initial discouragement created by the President's announcement will not leave lasting wounds in the Democratic Party. Despite the loss of the President, good Democrats everywhere must work toward a victory in November.

Following the President's announcement, I asked that he reconsider and reassess his decision. I still stand behind that statement, and I remain hopeful that the President will see fit to again be the Democratic nominee.

However, should the President's decision be irrevocable, Democrats in Texas and throughout the country must stand by the eventual nominee of our party. In Texas, there is a movement to have Gov. John Connally as a "favorite son" candidate. This is a decision that the Democrats in Texas must make, but I hope that no action is taken which might alienate the Texas Democratic Party from the national Democratic Party. We must do nothing now in Texas which would make our job harder in November.

No doubt, the Republicans are delighted to see the internal battle within the Democratic Party. Many of them are engaging in wishful thinking, hoping that the Democrats will not get together in time to win in November.

Mr. Speaker, I hate to disappoint my Republican colleagues, but I assure them that the Democratic Party—as it has in the past—will get back together and fully and vigorously support whoever the nominee might be. And I assure you that the State of Texas will give the Democratic nominee a clear majority in November.

PEACE FEELERS

Mr. **SIKES**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. **SIKES**. Mr. Speaker, the action of Hanoi in indicating interest in going to the conference table can mean much or nothing. Only time will tell. It does open a door which hitherto was closed and provides a hope for peace. However, it must be kept in mind that Communists negotiate as a means to win victories otherwise denied to them. They can be expected to pry every possible concession from every stage of the discussions. They will talk only for their own purposes, and the fighting will continue.

Consequently, we also must maintain constant pressure at the fighting front to implement the efforts of our diplomats. Otherwise, we will lose our shirts at the conference table while our troops are being stalemated in the field. Communists are never more dangerous than when they are negotiating.

The President must be applauded for his courageous bid for peace but we cannot afford to become overoptimistic or lessen our military efforts until the Communists have shown proof of good intentions.

TEACHERS ARE POLITICAL CITIZENS TOO

Mr. **ANDERSON** of Tennessee. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER**. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. **ANDERSON** of Tennessee. Mr. Speaker, the CONGRESSIONAL RECORDS of this decade will attest to the recognition by Congress of the enormous importance of teachers. We have turned to education as an investment in our human capital and as a major element in the solution of many of our most pressing social and economic problems. Thus, we have invested more Federal funds in education than the total appropriated in the previous 176 years. In our understanding that there can be scant organized education without teachers we have appropriated very substantial funds to stimulate the growth and improvement of the teaching profession.

Except for the small percentage employed in privately funded schools, teachers as a group are largely at the mercy of governments, State and local, and public laws—all normally determined in the democratic political processes. Their salaries, hours, working conditions, and often their methods are matters crucially influenced by the continuing political decisions of their communities. In short, teachers have a very great deal at stake in the political sector, and their participation is both justified and helpful. The National Education Association is conducting a nationwide program this week to stimulate effective teacher participation in political affairs. It is a very commendable effort from which every community should benefit.

PERMISSION FOR SUBCOMMITTEE ON HOUSING, COMMITTEE ON BANKING AND CURRENCY, TO SIT DURING GENERAL DEBATE TODAY

Mr. **ALBERT**. Mr. Speaker, I ask unanimous consent that the Subcommittee on Housing of the Committee on Banking and Currency may sit during general debate today.

The **SPEAKER**. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

HANOI'S MOVE TOWARD NEGOTIATIONS IS RESPONSIVE

Mr. **PELLY**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. **PELLY**. Mr. Speaker, today's announcement that Hanoi has agreed to send representatives to discuss the possibility of peace talks in Vietnam, is to me an encouraging development and responsive to President Johnson's announced partial bombing pause.

I have long advocated and I was a supporter of a bombing pause for just such a purpose; to establish the sincerity of the North Vietnam regime toward negotiations, and now, I believe it is up to North Vietnam to demonstrate their good faith by ceasing hostilities, in exchange for a total bombing pause, to open the way for honest and meaningful negotiations by both sides.

Mr. Speaker, I would further trust that there would be no hostilities during negotiations. I remember the extended, on-again, off-again negotiations in Korea, during which time many American lives were lost, and I sincerely hope that negotiations in Vietnam could be conducted in an atmosphere of peace and trust.

The deescalation of the war, I hope, will result in an escalation of peace talks.

But, Mr. Speaker, if Ho Chi Minh continues a military buildup in South Vietnam and his forces make any massive attack on United States or South Vietnamese troops, then I would want it made clear that we would retaliate in an all-out effort to bring this war to a conclusion by military victory.

REV. JOHN WINTERBOURNE

Mr. **UTT**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. **UTT**. Mr. Speaker, I take this opportunity to pay honor and respect to a great and good American, who has just passed away at the age of 97. The Reverend John Winterbourne arrived with his family in Tustin, Orange County, Calif., some 45 years ago.

Reverend Winterbourne had retired from ministries in Colorado and Iowa. Although Reverend Winterbourne was a Methodist, he became associated with the Community Presbyterian Church and was an active and regular attendant. At that time there was no Methodist Church in Tustin.

Reverend Winterbourne's real work still lay ahead, and he founded the Goodwill Industries in Orange County, which at that time had less than 100,000 population, but has since grown to a 1½ million population.

There were lean and hungry days for Goodwill Industries during the depression, but Reverend Winterbourne did not falter, and continued to serve the people of Orange County by furnishing work to the handicapped and to the needy, and making the products of their hands available to the public at a low price.

To his children and his grandchildren, I express my deepest sympathy, and know that they will feel rewarded for the fine work established and conducted by their father and grandfather.

TAX LEGISLATION

Mr. **COLLIER**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER**. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. **COLLIER**. Mr. Speaker, the Senate tax bill with a half-dozen extraneous riders was passed yesterday and leaves the excise tax proposal and tax collection speedup provisions of the House measure in what could become a state of limbo. Regardless of the merits or demerits of the Senate-added provisions, and some of them are certainly commendable, we find the other body acting contrary to the basic concept of the constitutional responsibility and prerogatives of the House of Representatives to institute revenue laws. While technically the other body has the right to amend tax legislation, it certainly should be clear to every Member of both legislative bodies that this type of procedure defeats the fundamental intent and purpose of section 7 of article I of the Constitution which states:

> All bills for raising revenue shall originate in the House of Representatives.

It should be remembered that those Members of this body who would prefer to support the broad Senate-passed bill need only exercise their right to place this bill with a discharge petition on the desk of the Speaker and secure 218 signatures to bring it to the floor in which event it could then be acted upon by the House and subsequently moved to conference in a manner which would be in keeping with the provision of the Constitution I have just cited.

PAYMENT FOR COSTS OF DEMONSTRATIONS

Mr. DEVINE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. DEVINE. Mr. Speaker, 5 months ago today, on November 3, 1967, I introduced H.R. 13869, which I believe is probably more appropriate today than it was 5 months ago, because this is a bill which would require an applicant for a permit to hold a demonstration, parade, march, or vigil on Federal property or in the District of Columbia to post a bond to cover certain costs of such demonstration.

This would require anybody such as Martin King, who has announced that he is going to disrupt the operation of our Government by having what he calls a "poor people's demonstration" in the District of Columbia, when he requests a permit to hold such a demonstration, march, or vigil, first, to post a bond in an amount that would cover the estimated cost of additional police forces, including military personnel needed to maintain law and order during such demonstration; and second, to post a bond that would cover the cost of cleaning up, repairing, or otherwise restoring the condition that immediately preceded such demonstration.

Mr. Speaker, this matter has been pending before the Committee on Public Works for 5 months, and it seems to me this is a most appropriate time for hearings to be conducted on this bill in order that legislation of this nature can be enacted prior to King coming and trying to take over the Nation's Capital.

It is high time the American taxpayer be indemnified against subsidizing irresponsible conduct. If King and his followers want to dance, let them pay the fiddlers.

ADDITIONAL LEGISLATIVE PROGRAM FOR THE WEEK OF APRIL 1

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER**. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, I take this time for the purpose of inquiring of the distinguished majority leader if he can kindly advise us of the program for the balance of the day and the following days of the week.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield to the majority leader.

Mr. ALBERT. In response to the inquiry of the distinguished gentleman from Illinois, we will proceed with the program for today as announced, House Resolution 1099 dealing with ethics. Tomorrow we will add to the program H.R. 16324 to authorize an appropriation for the Atomic Energy Commission on which a rule was granted today. Also we will go on with the previously announced bill, H.R. 16241, to extend the tax on transportation, on which the Rules Committee granted a rule today. This was listed as being subject to a rule. I will advise Members also that we may have tomorrow, I am told by the distinguished gentleman from Texas, the conference report on the emergency appropriation bill.

Mr. ARENDS. I thank the gentleman for this additional information.

PERMISSION TO RECOMMIT H.R. 6655 TO COMMITTEE ON THE JUDICIARY

Mr. HUNGATE. Mr. Speaker, I ask unanimous consent that H.R. 6655, for the relief of Mary Jane Orloski, No. 394 on the Private Calendar, be recommitted to the Committee on the Judiciary.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

CLARIFICATION OF LEGISLATIVE PROGRAM

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, I make this request in order to clarify my answer to the distinguished gentleman from Illinois [Mr. ARENDS]. I did mean to state that we had already removed, which I thought was already well known, the NASA authorization bill from the program for this week, at the request of the distinguished gentleman from California [Mr. MILLER]—H.R. 15856, which is the authorization bill for the National Aeronautics and Space Administration.

Mr. GERALD R. FORD. Mr. Speaker, will the distinguished majority leader yield?

Mr. ALBERT. I yield to the gentleman from Michigan.

Mr. GERALD R. FORD. I understand from the colloquy which was held between the gentleman from Oklahoma and the gentleman from Illinois, it was indicated that the authorization for the Atomic Energy Commission was coming up tomorrow. Does that mean also that we will have H.R. 16241 considered as well?

Mr. ALBERT. We hope we can consider both and we hope we can do it tomorrow.

As I indicated earlier, we may also have the emergency appropriation bill. We may have to go into Friday.

Mr. GERALD R. FORD. There is a possibility of our meeting on Friday?

Mr. ALBERT. There is that possibility.

Mr. HOLIFIELD. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman from California.

Mr. HOLIFIELD. I would say, after consulting with the gentleman from California [Mr. HOSMER], we believe, while we have asked for 2 hours time for general debate, we do not believe it will be necessary. We are interested in cooperating with the leadership in getting this bill through. It is noncontroversial. We have cut close to 23 percent of the nonmilitary funds of the Atomic Energy Commission. This is a remarkable cut. We have cut 10 percent of the overall budget-approved AEC request, notwithstanding the fact that we had to raise the military section $305 million in order to take care of antiballistic missile research and development and the Poseidon weapon development.

So we have absorbed the $300 million, and we made a 10-percent overall cut, and made a 23-percent cut in the peacetime avocations and the other nonmilitary programs. We believe we have a remarkably sound bill to bring before the House, and we do not believe there will be much controversy. We have asked for 2 hours, but I do not believe it should take over an hour or 45 minutes.

Of course, the will of the House is the will of the House.

The SPEAKER. The time of the gentleman from Oklahoma has expired.

FOOD FOR FREEDOM—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 296)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Agriculture and ordered to be printed with illustrations:

To the Congress of the United States:

I am pleased to transmit to the Congress the 1967 report on the Food for Freedom program.

The bounty of America's farms have long given hope to the human family.

For the pioneers, who first plowed our fertile fields, their harvest brought liberation from the age-old bondage of hunger and want.

For the victims of two world wars, our food nourished the strength to rebuild with purpose and dignity.

For millions in the developing nations, our food continues to rescue the lives of the starving and revive the spirit of the hopeless.

We share our bounty because it is right. But we know too that the hungry child and the desperate parent are easy prey to tyranny. We know that a grain of wheat is a potent weapon in the arsenal of freedom.

Compassion and wisdom thus guided the Congress when it enacted Public Law 480 in 1954. Since then, the productivity of the American farmer and the generosity of the American people have combined to write an epic chapter in the annals of man's humanity to man.

In 1966, I recommended that Congress alter Public Law 480 to reflect new conditions both at home and abroad. The

Congress accepted my major recommendations, and added provisions of its own to strengthen the Act. I am proud to report that in 1967 we successfully fulfilled the letter and spirit of these new provisions.

Congress directed that the Food for Freedom program should encourage international trade.

—In 1967 world trade in agricultural products reached an all-time high of $33.9 billion, nearly 20 percent higher than in 1966.

Congress directed that the Food for Freedom program should encourage an expansion of export markets for our own agricultural commodities.

—In the past two years, this nation has enjoyed unparalleled prosperity in agricultural exports. Since 1960 our agricultural exports have grown from $3.2 billion to $5.2 billion—a gain of 62 percent.

Congress directed that we should continue to use our abundance to wage an unrelenting war on hunger and malnutrition.

—During 1967 we dispatched more than 15 million metric tons of food to wage the war on hunger—the equivalent of 10 pounds of food for every member of the human race.

Congress determined that our Food for Freedom program should encourage general economic progress in the developing countries.

—Our food aid has helped Israel, Taiwan, the Philippines, and Korea build a solid record of economic achievement. With our help, these nations have now moved into the commercial market, just as Japan, Italy, Spain and others before them.

Congress determined that our food aid should help first and foremost those countries that help themselves.

—Every one of our 39 food aid agreements in 1967 committed the receiving country to a far-reaching program of agricultural self-help. Many of these programs are already bringing record results.

Congress directed that we should move as rapidly as possible from sales for foreign currency to sales for dollars.

—Of the 22 countries participating in the Food for Freedom program in 1967, only four had no dollar payment provision. Last year, six countries moved to payments in dollars or convertible local currencies.

Congress directed that we should use Food for Freedom to promote the foreign policy of the United States.

Statistics alone cannot measure how Food for Freedom has furthered America's goals in the world. Its real victories lie in the minds of millions who now know that America cares. Hope is alive. Food for Freedom gives men an alternative to despair.

Last year was a record year in world farm output. With reasonable weather, 1968 can be even better. New agricultural technology is spreading rapidly in the developed countries. New cereal varieties are bringing unexpectedly high yields in the developing lands. An agricultural revolution is in the making.

This report shows clearly how much we have contributed to that revolution in the past year. But the breakthrough is only beginning. The pride in accomplishments today will seem small beside the progress we can make tomorrow.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *April 3, 1968.*

CALL OF THE HOUSE

Mr. ASHBROOK. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 83]

Adams
Ashley
Cabell
Conyers
Dent
Dowdy
Eckhardt
Evins, Tenn.
Ford,
  William D.
Gurney
Hagan
Hansen, Idaho
Harrison
Hathaway
Holland
King, Calif.
Matsunaga
Minshall
Pike
Poage
Pool
Resnick
Roth
Schweiker
Selden
Stuckey
Taft
Teague, Calif.
Teague, Tex.
Tunney
Vigorito

The SPEAKER pro tempore (Mr. ALBERT). On this rollcall 400 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PERMISSION FOR COMMITTEE ON RULES TO HAVE UNTIL MIDNIGHT TONIGHT TO FILE CERTAIN REPORTS

Mr. BOLLING. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain reports.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

STANDARDS OF OFFICIAL CONDUCT

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 1119 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1119

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the resolution (H. Res. 1099) amending H. Res. 418, Ninetieth Congress, to continue the Committee on Standards of Official Conduct as a permanent standing committee of the House of Representatives, and for other purposes. After general debate, which shall be confined to the resolution and continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Standards of Official Conduct, the resolution shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the resolution for amendment, the Committee shall rise and report the resolution to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the resolution and amendments thereto.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from California [Mr. SMITH] and, pending that, I yield myself such time as I may consume.

Mr. Speaker, the resolution before us makes it possible for there to be 2 full hours of general debate on the resolution referred to the Committee on Rules reported from the so-called Committee on Ethics.

The committee requested 2 hours, and requested an open rule, and that is what is provided. I believe that procedure allows plenty of time for discussion and amendment. What I would like to do is urge the adoption of our rule, and commend the chairman and ranking minority member of the Committee on Standards of Official Conduct, and all of the members of that committee, for doing a most difficult job in a most useful way.

The fact that that committee has reported it unanimously is as important to me as the fact that it reported, because it means that they have discussed all of the onerous problems that confronted them to a conclusion. We have proposed here a permanent committee which can function, and I hope it will be supported, as was the resolution establishing the temporary committee, by all the Members of the House.

My support of this resolution is unqualified, and if it means anything I will oppose any amendment to it except one already agreed upon on the ground that if we amend it we break up a unanimous report of a group that includes every shade of opinion and party in the House of Representatives, and I believe that would be a mistake.

Furthermore, Mr. Speaker, I would like to conclude by saying flatly and dogmatically that this resolution could not have been before us, and the House of Representatives could not be taking this step, had it not been for the work of the gentleman from California, Mr. H. ALLEN SMITH. He played a major role in the establishment of the first committee. I very seldom take the floor to distribute compliments, especially to members of the same committee on which I serve, but I believe it important that the RECORD show that he was a very important element in the step which I believe the House will take today—I hope unanimously—which represents the first major change in this field since the very bad ruling made many years ago by a distinguished Speaker of the House named Blaine.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, may I first express to the distinguished gentleman from Missouri [Mr. BOLLING], my deep gratitude for his very kind remarks. Mr. BOLLING was with me every minute as we worked on this whole situation for the Committee on Rules. I sincerely appreciate the kind remarks made by the distinguished gentleman from Missouri [Mr. BOLLING], and commend him for the outstanding contribution he has made to this subject.

Mr. Speaker, on April 13, 1967, the House passed House Resolution 418, as approved by the Rules Committee, to create a bipartisan committee to "recommend as soon as practicable to the

House of Representatives, such changes in laws, rules and regulations as the committee deems necessary to establish and enforce standards of official conduct for Members, officers, and employees of the House."

I think the committee did a good job. It was a difficult job to do. It heard all Members who desired to be heard, received statements from others, held public hearings, reviewed standards of conduct in force in other nations, States, and cities, and studied available material. On March 14, 1968, it approved and submitted to the House a 44-page report of its findings and conclusions. House Resolution 1099, to accomplish their suggestions, was introduced and referred to the Rules Committee. It is before us here today.

The resolution will create a permanent Committee on Standards of Official Conduct with powers to investigate, submit proposed changes, and refer any alleged violations to the appropriate authority. A code of official conduct for Members, officers and employees will be established. It contains eight standards which are set forth in the resolution.

To implement and carry out this code, House Members, officers, and key staff personnel would be required to publicly report annually:

Ownership of interests worth more than $5,000 in companies "doing a substantial business with the Federal Government or subject to Federal regulation." Reporting would also be required where income from such firms amounts to $1,000 a year or more. The names of law firms and any other professional groups producing income of $1,000 a year or more. Other sources of income exceeding $5,000, including capital gains. Reimbursement of any expenditures of more than $1,000 a year would also have to be listed. The annual reports would also be required in instances where relatives or close business associates hold the money.

Certain of the above information will be made available for public inspection. Some of it will be kept sealed by the committee and opened only if complaints are received whereby a majority of the committee members believe the information should be inspected. This is in an effort to avoid last minute smear campaigns from persons who might deliberately use the information in a misleading manner through political ads, and yet stay within the law.

The parliamentary situation today is this: As I mentioned, the Rules Committee reported House Resolution 418 creating the committee. The Committee on Standards of Official Conduct reported to the Rules Committee, which retained original jurisdiction. The Committee on Standards of Official Conduct reported the resolution which is before us, H.R. 1099, which will continue the committee and establish a code of ethics for the House. The resolution could have come to the floor of the House without a rule, which would have limited debate to 1 hour, 30 minutes on each side, and a vote would then be taken up or down on the resolution.

But the Rules Committee felt the members of the committee should have an opportunity to be heard, with the result that we have reported a separate resolution providing for 2 hours of general debate, 1 hour on each side, and the resolution will be open for amendment. Had we just reported the resolution, it would be tantamount to a closed rule under which amendments could not be offered. The Rules Committee does not like to report closed rules as a general practice, and does so only in a few instances, usually on tax bills.

Amendments will probably be offered. I read some of them this morning. As far as I am concerned, I believe the committee did a good job. I am going to stay with the committee. I caution Members: on amendments being offered, if you have not read and studied this entire matter consider carefully before supporting any amendments, for you may create a bad situation and ruin the tremendous efforts of this committee.

I realize, as well as all of you do, that we cannot legislate honesty or morality. But a good code has been set out here. I would like to recommend it to newspaper people and everyone else. I would like to see everyone else follow the code that is set forth in the resolution. I commend the committee. I urge adoption of the rule, and I urge the approval of House Resolution 1099 as amended by the Rules Committee.

Mr. Speaker, I might explain the amendment briefly. On the question of releasing the information required to be reported under part A, it was felt that the committee should have the name, identity, and so forth, of the person asking to see the report. The Rules Committee, with the approval of the chairman of the Committee on Standards of Official Conduct and the gentleman from Indiana, agreed to that amendment. Then we found out that we would create two classes of persons required to report because there are provisions in the resolution requiring that a Member be notified if anyone asked to see his report. We had not required notification so far as key staff personnel were concerned. That has been added so that everybody will be treated equally, and in turn the language of the amendment will provide that if an inquiry is made concerning key staff personnel, it is required that the employing Member should also be notified so that at least he will have some idea of what is going on and can talk to his key staff personnel.

I think the resolution has been very well written, Mr. Speaker, and I support it as reported by the Rules Committee. I urge adoption of the rule.

I will say to the gentleman from Missouri, I do not have any requests for time.

GENERAL LEAVE

Mr. BOLLING. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks and include pertinent material during general debate on House Resolution 1099.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. BOLLING. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. PRICE of Illinois. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of House Resolution 1099, amending House Resolution 418, 90th Congress, to continue the Committee on Standards of Official Conduct as a permanent standing committee of the House of Representatives, and for other purposes.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of House Resolution 1099, with Mr. HOLIFIELD in the chair.

The Clerk read the title of the resolution.

By unanimous consent, the first reading of the resolution was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Illinois [Mr. PRICE] will be recognized for 1 hour, and the gentleman from Indiana [Mr. HALLECK] will be recognized for 1 hour.

The Chair recognizes the gentleman from Illinois [Mr. PRICE].

Mr. PRICE of Illinois. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, a little less than a year ago this body created a Committee on Standards of Official Conduct and instructed it to return with recommendations for changes in laws, rules, and regulations that would establish and enforce standards of official conduct for Members, officers, and employees of the House. It was my honor to have been chosen to chair that committee, and it has been a gratifying experience to serve with the distinguished gentleman from Indiana [Mr. HALLECK], vice chairman, and the other colleagues, OLIN E. TEAGUE, of Texas; JOE L. EVINS, of Tennessee; WATKINS M. ABBITT, of Virginia; WAYNE N. ASPINALL, of Colorado; EDNA F. KELLY, of New York; LESLIE C. ARENDS, of Illinois; JACKSON E. BETTS, of Ohio; ROBERT T. STAFFORD, of Vermont; JAMES H. QUILLEN, of Tennessee; LAWRENCE G. WILLIAMS, of Pennsylvania who accepted assignment to the committee.

Last March 14 the committee responded with its report. At the same time I introduced House Resolution 1099, the subject of this debate, which would implement the principal recommendations of the report.

It will be recalled that the committee was constituted equally balanced as to political partisanship. And, Mr. Chairman, I want to take this opportunity to assure the House of Representatives that the committee functioned not only to the letter of its mandate but to the very inner spirit of it as well. Every Member of this body must know of the extreme sensitivity of our assignment. One of the genuine rewards of this experience has been to observe the manner in which members of the committee on both sides of the political aisle shunned every tendency toward partisan debate and considered only what they honestly felt was in the best interest of this durable institution.

But, Mr. Chairman, I hasten to add that we have not deluded ourselves into believing that there do not exist broad areas of disagreement over the methods needed to attain the objectives which we all pretty well agree upon. Essentially those objectives are an ideal legislative process in which the citizen's interest is expressed by his Representative just as though the constituent were present to vote on the issue himself. But even if some objectives are practically unattainable, they nevertheless are goals toward which we may worthily strive.

The resolution before you should be viewed as a means of advancing toward ideal legislative processes even if we, as mere mortals, must admit to the unlikelihood of complete attainment. It is a sincere effort—an effort with which, I hope, each Member can comfortably accommodate as a means of working to prevent, or deal with, any impropriety that might discredit the House.

Mr. Chairman, because of the nature of the subject I should like to go into some detail about the content of the resolution.

The resolution before you would amend House Resolution 418.

The reason for amending that original resolution, as opposed to offering a completely new resolution, is that the committee felt it would be advantageous—from the standpoints of continuity and orderliness—to extend the life of the existing committee rather than constitute a new committee.

Our report makes seven specific recommendations, only four of which are covered in the implementing resolution before you. The additional recommendations are general in scope and are designed to complement those contained in the resolution.

I shall discuss the salient points in sequence.

The first section would amend the rules of the House to make the Committee on Standards of Official Conduct a permanent standing committee, not just a committee of this 90th Congress.

There does not now exist any permanent standing committee charged with the overall responsibility of overseeing the conduct of Members and employees of the House. The committee felt that ready machinery should be available to deal with matters of official conduct as they arise, rather than consign such matters to the cumbersomely slow methods of the past—methods that historically have permitted abuses to develop into serious losses of prestige before being dealt with.

Additionally, such a committee would be needed to establish the facts in situations that could be expected to arise under the recommended code of official conduct and the proposal for financial disclosure. In spelling out these provisions, the committee found need for flexible language in many instances. The facts in a particular case would have to be tested, and it seems both logical and practicable to have such tests made by a continuing committee charged with responsibility in the overall area of conduct.

Section 2 of the resolution would spell out in the Rules of the House, rather than in the rules of the committee, the powers that would be vested in the committee and the limitations on the committee's powers.

The committee would be given legislative jurisdiction over the code of official conduct and the provisions for financial disclosure, the unique new areas of legislative jurisdiction that would be created.

The resolution would permit the committee to retain the authority given it in the original resolution to make recommendation in the general area of standards and conduct. It also would provide the committee with certain additional powers. One would be general investigative authority subject to specified limitations. Another would be the power to report to appropriate Federal or State authorities, with the approval of the House, substantial evidence of law violations. The committee further would be authorized to render advisory opinions, on request, to Members, officers, and employees of the House with respect to current or proposed conduct. All of the proposed powers are directed toward making the House the judge of its own membership in fact as well as in theory.

The limitations on the committee's authority are stated in detail.

They are:

First. That no substantive action could be taken without an affirmative vote of at least seven members of the committee. This means that at least one member of the committee would have to cross the political median strip and that the bipartisan character of any committee action thus would be retained.

Second. That complaints could be received by the committee only under specified conditions. Except for investigations undertaken on its own initiative, the committee could take investigative action only upon receipt of a complaint in writing and under oath made by or submitted to a Member of the House and transmitted to the committee by such Member. This is only the first of a number of steps the committee would take to ensure that wild and reckless charges would not be dignified by a formal investigation. An alternative route is provided for investigation of a complaint from the outside in the event that at least three Members of the House refused to transmit the complaint. This is simply to provide assurance that an investigation may not be avoided by an internal process.

Third. That no investigation could be undertaken of any alleged violation of a law, rule, regulation, or standard that was not in effect at the time of the alleged violation. Another limitation would prevent a member of the committee from participating as a member of the committee in any proceeding relating to his own conduct. In such a situation, the Speaker would appoint a member of the same political party to act in the stead of the ineligible Member.

Section 3 of the resolution calls for incorporation in the Rules of the House of an eight-point code of official conduct as follows:

1. A Member, officer, or employee of the House of Representatives shall conduct himself at all times in a manner which shall reflect creditably on the House of Representatives.

The committee endeavored to draft a code that would have a deterrent effect against improper conduct and at the same time be capable of enforcement if violated. Initially the committee considered making violations of law simultaneous violations of the code, but such a direct tie-in eventually was ruled out for the reason that it might open the door to stampedes for investigation of every minor complaint or purely personal accusation made against a Member. At the same time, there was need for retaining the ability to deal with any given act or accumulation of acts which, in the judgment of the committee, are severe enough to reflect discredit on the Congress. Stated purposefully in subjective language, this standard provides both assurances.

2. A Member, officer, or employee of the House of Representatives shall adhere to the spirit and the letter of the Rules of the House and to the rules of duly constituted committees thereof.

This standard was drafted also in general terms rather than attempting to deal more specifically with such things as unfair and dilatory legislative tactics. It did not appear practicable to the committee to attempt to regulate these areas more closely. This standard should provide the House the means to deal with infractions that rise to trouble it without burdening it with defining specific charges that would be difficult to state with precision.

3. A Member, officer, or employee of the House of Representatives shall receive no compensation nor shall he permit any compensation to accrue to his beneficial interest from any source, the receipt of which would occur by virtue of influence improperly exerted from his position in the Congress.

This standard is aimed at conflicts of interest. To state the prohibition is far easier than defining conflicts of interest before the fact. Clearly, judgments set against the facts in each particular case would have to be rendered. If a set of facts were measured by the standard and an unmistakable violation were disclosed, the House would need methods for dealing promptly with such a violation.

4. A Member, officer, or employee of the House of Representatives shall accept no gift of substantial value, directly or indirectly, from any person, organization or corporation having a direct interest in legislation before the Congress.

This standard is certain to raise the question of what is "substantial value." Another question will be "Do not all people have legislative interests?" The answers again must be found in the facts in a given case. Answers to such questions as: Who gave? who received? how much? at what time? under what circumstances? and so forth, will be needed. Given these facts, a determination should not be difficult to reach. It just is not reasonable to try to establish dollar limits on what is substantial value.

5. A Member, officer, or employee of the House of Representatives shall accept no honorarium for a speech, writing for publication, or other activity, from any person, organization or corporation in excess of the usual and customary value for such services.

This standard also is largely subjective. The flexible question here is, of course, "customary value for such services." The committee felt that however the determination of "customary value" is made, whether in application to the donor or the recipient, or both, if the honorarium is found to be within such limits, no imputation of impropriety would attach to its acceptance.

> 6. A Member of the House of Representatives shall keep his campaign funds separate from his personal funds. He shall convert no campaign funds to personal use in excess of reimbursement for legitimate and verifiable prior campaign expenditures. He shall expend no funds from his campaign account not attributable to bona fide campaign purposes.

There is a very substantial need for a better definition of legitimate campaign expenditures. There is also a need for recognizing that the political process is not one that takes place in a selected period of time but is rather a continuing thing. As this standard is stated, the definition of what are "bona fide campaign purposes" is, at it has been in the past, left largely up to the Member and the Internal Revenue Service. Properly, this subject should be covered by the Federal Corrupt Practices Act, but that statute, as it stands, does not take present-day practices into account. Pending the modernization of the Corrupt Practices Act, as is recommended in this committee's report, this standard of the proposed code should provide needed guidelines for better accounting of political versus personal moneys.

Mr. LATTA. Mr. Chairman, will the gentleman yield to me at this point?

Mr. PRICE of Illinois. I shall be glad to yield to the gentleman from Ohio.

Mr. LATTA. I notice 1, 2, 3, 4, 5 items of the code of official conduct apply to a Member, officer, or employee of the House of Representatives. Now, as we get into item 6 the gentleman will find that this applies only to a Member of the House of Representatives keeping his campaign funds separate from his personal funds. I called the attention of the House just recently to an officer or employee of this House raising campaign funds even before he announced as a candidate and he indicated that he did not know whether he was going to become a candidate. However, funds were being collected.

My question is whether or not you should not further amend item 6 to include an officer or employee of the House in keeping campaign funds separate from his personal funds, and so forth.

Would the gentleman from Illinois like to comment upon that question?

Mr. PRICE of Illinois. I might say that the committee dealt with this insofar as it affected Members of Congress who were candidates for reelection or candidates for other offices. We dealt in this instance only with the Members of the House because under the House rules, by House resolution, we could not deal with any other candidates who are not Members of the House of Representatives.

Mr. LATTA. May I comment upon that further? As I pointed out, in items 1, 2, 3, 4, and 5 we are dealing with Members, officers, and employees of the House of Representatives.

Mr. PRICE of Illinois. That is correct. This refers to conduct rather than to financing a campaign.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. PRICE of Illinois. I yield to the gentleman from Indiana.

Mr. HALLECK. I believe the gentleman from Illinois has answered the question, but certainly if an employee of the House of Representatives wanted to run for Congress, that is his right.

Now, perhaps he ought to resign his job before he starts that, but if he wanted to raise a campaign fund, that would be his privilege. And if we were going by what the gentleman suggested, I do not know whether you could deal with it through the code of ethics, and I do not believe you even ought to attempt to deal with it through the code of ethics.

Mr. PRICE of Illinois. The gentleman is correct.

Mr. HALLECK. That properly, it would seem to me, would be something to be handled through the rules of the House on the conduct of employees, or the Corrupt Practices Act.

Mr. PRICE of Illinois. I believe the gentleman from Indiana is correct.

I might say that we do in our recommendations suggest that the Corrupt Practices Act be updated, and I certainly believe that in the event it is, that a matter like that could be treated.

Mr. LATTA. If the gentleman will yield further, the gentleman is saying this is a matter that should be taken up under the Corrupt Practices Act rather than through the ethics procedure?

Mr. PRICE of Illinois. The Corrupt Practices Act goes further, and does deal with candidates for office, and it is a statute, but we are here dealing with the rules of the House of Representatives, and we have no jurisdiction to go outside of the Members and the employees of the House of Representatives.

In the case to which the gentleman refers, I believe that is a matter that will be considered as involving a candidate for office, and we felt we did not have the jurisdiction on that.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. PRICE of Illinois. I yield to the gentleman from Oklahoma.

Mr. ALBERT. I appreciate the gentleman yielding, and I would not ask the gentleman to yield unless this colloquy had developed, because I know that the gentleman wants to finish his speech.

But I would like to say to the gentleman from Illinois that I believe his great committee—and it has been a great committee—has met the mandate of the House of Representatives of a year ago, when we created the committee. The gentleman's committee is made up of such outstanding Members of the House of Representatives as the gentleman from Illinois [Mr. PRICE] and the gentleman from Indiana [Mr. HALLECK] and others, who are held in the highest esteem because of their character and their judgment throughout the House of Representatives.

I do not suppose that this recommendation in every particular will please everybody, even including the members of the committee, but I must say, in discussing this matter with the members of the committee, including the gentleman from Illinois [Mr. PRICE], the gentleman from Indiana [Mr. HALLECK], and others, that they have been able to answer every question which I personally have raised.

I believe the committee has done a job which will add luster to the House of Representatives—which those of us who serve in it believe to be the finest governmental organization in the world. I congratulate the members of the committee on their work and, as far as I personally am concerned, I intend to follow them, to keep this report in balance, because I believe it would be easy to throw it out of balance on the one side or the other. I sincerely suggest that all my colleagues do likewise.

Mr. PRICE of Illinois. I thank the gentleman from Oklahoma.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. PRICE of Illinois. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Chairman, on page 4, lines 14 through 16, it is provided that:

> (3) No investigation shall be undertaken of any alleged violation of a law, rule, regulation, or standard of conduct not in effect at the time of the alleged violation.

I would ask the gentleman from Illinois as to precisely the meaning of this language?

Mr. PRICE of Illinois. This in effect means that this resolution is not retroactive through the creation and adoption of the resolution in the House.

Mr. GROSS. So that it is all prospective. Is it being provided that an investigation cannot go back on any Member who may have been here 20 years or 30 years; consider the past conduct of a Member if that Member should run afoul of this committee in the future?

Mr. HALLECK. We cannot have an ex post facto law.

Mr. GROSS. This refers only to the future, and not prior to the time when the rule or the regulations were in existence?

Mr. HALLECK. If the gentleman will yield further, it seems to me it is inherent in the very essence of the law of our country that an ex post facto law is not proper; that you cannot today say that something was wrong last year, because no person could be on notice.

But, obviously, any conduct that was in violation of any law prior to this time would be subject to such criminal action or other action that might be desirable, or expected and supported. But I think we have got to have that in. We cannot adopt this resolution today, as I am sure it will be adopted, and then in respect of this code say that someone who took a gift maybe that he should not have taken last year should be charged with wrongdoing because of the adoption of this code.

Mr. PRICE of Illinois. The gentleman from Indiana is correct. There may be laws already in existence. There may be some rules already in existence. There may be some legislation already in existence. But this code has not been in existence and will not be in existence until the House adopts this resolution this afternoon. I do not think the committee should go back into charges of violations of a law that was not in existence prior to the passage of this resolution.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. PRICE of Illinois. I yield to the gentleman from Iowa.

Mr. GROSS. This is the first time I have become aware that the House of Representatives was mandated by the statute of limitations. I do not know of a committee in Congress that operates with regard to the statute of limitations or applies judicial proceedings to their investigations. Let me point out to the gentleman that in a recent, prominent case in the other body, the search for evidence went back to 1950.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. PRICE of Illinois. I yield to the gentleman from Oklahoma.

Mr. ALBERT. What the gentleman from Iowa has said is not relevant to the issue before us. Of course, the House can go back and investigate into the activities, criminal or otherwise, of any Member. The question is, Should we, in contravention of the spirit of the Constitution, which prohibits ex post facto laws, take it upon ourselves today to investigate Members retroactively under this resolution?

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. PRICE of Illinois. I yield to the gentleman from Iowa.

Mr. GROSS. All I am calling attention to is the restriction in this resolution which I say ought not to be there.

Mr. PRICE of Illinois. I would say to the gentleman the committee does not regard this as any great restriction, because we still have plenty of investigative authority.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. PRICE of Illinois. I yield to the gentleman from Oklahoma.

Mr. ALBERT. There is no restriction in the resolution with respect to laws or rules that are now in effect.

Mr. BELCHER. Mr. Chairman, will the gentleman yield?

Mr. PRICE of Illinois. I yield to the gentleman from Oklahoma.

Mr. BELCHER. The expression "ex post facto" may not ring a bell with every Member of the House. Apparently it does not with the gentleman from Iowa. What the term means is that, if it were ex post facto, you could make a charge under this code of ethics before it was adopted by the House. That is all in the world it means. It means that a Member who has violated any rule of the House, any law, or any standard of official conduct or anything else which the House of Representatives could investigate, this resolution would not have anything in the world to do with it. But if you are going to make this code apply to what has been done in the past 10 years, then it would not be fair to go back and say, "Last year you violated the code we passed this year." The gentleman certainly does not call that a restriction, does he?

Mr. GROSS. Yes.

Mr. BELCHER. Then I cannot explain it to you.

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentleman yield?

Mr. PRICE of Illinois. I yield to the gentleman from New Jersey.

Mr FRELINGHUYSEN. Mr. Chairman, I was going to ask the gentleman if he planned to discuss in the time available the financial disclosure provisions, the language of the resolution and its rationalization, because I have several questions I would like to ask the gentleman on that subject.

Mr. PRICE of Illinois. We have had an extended discussion and we are getting to the end of the time allotted on this side. The Clerk will read the resolution, and under the 5-minute rule we will then have plenty of opportunity to discuss that question. I should like to get to the remainder of the proposed code. Point 7 of the code is as follows:

> 7. A Member of the House of Representatives shall treat as campaign contributions all proceeds from testimonial dinners or other fund-raising events if the sponsors of such affairs do not give clear notice in advance to the donors or participants that the proceeds are intended for other purposes.

The committee felt that this standard similarly was needed pending the updating of the Corrupt Practices Act. There is a need, as we see it, for a precept that will guide Members in the management of proceeds from testimonial dinners and other fundraising methods and thereby eliminate murky areas.

> 8. A Member of the House of Representatives shall retain no one from his clerk hire allowance who does not perform duties commensurate with the compensation he receives.

This standard is essentially self-explanatory. Nowhere has there been stated, other than in the 1958 code of ethics, the need for meeting this most elementary requirement. Making this standard a rule of the House would provide a means of enforcing this simply stated requirement.

The other main provision of the resolution is a proposed rule of the House to require certain financial reports by Members, officers, and employees of the House.

This subject brought forth the most positive opinions of any that came before the committee. The overwhelming majority of the testimony favored some form of disclosure.

The legitimate objectives of financial disclosure, in the committee's view, are, first, to serve as a deterrent reminder to the person filing and, second, to acquaint a Member's constituents with the areas in which it is possible for a conflict of interest to occur. Only such information as serves those objectives can be validly required, the committee concluded.

The method of financial disclosure proposed in this resolution seeks to accomplish those objectives. It would be a two-part system. One part, aimed primarily at the deterrent objective, would be sealed and not made public except under unusual conditions. This portion would contain specific items of valuation and income—information which is not essential for prevention of a conflict-of-interest objective.

The other part, which would be made public, would identify certain assets, business or professional affiliations, and the sources of outside income, any of which might be persuasive of the judgment of a Member in his legislative role. After a careful analysis of factors capable of doing this, the committee concluded that only the identity of certain financial interests is essential to the objectives earlier stated.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. PRICE of Illinois. I yield to the gentleman from Ohio.

Mr. HAYS. Mr. Chairman, does the section the gentleman refers to mean the wife of the Member may own property through inheritance or other means and does that have to be listed?

Mr. PRICE of Illinois. I think the disclosure provision is so written that we mean if the Member constructively controls or has a constructive interest in the spouse's interest.

Mr. HAYS. What does the gentleman mean by "constructive interest"?

Mr. PRICE of Illinois. It would be more or less control and be able to profit by the investment.

Mr. HAYS. Is the answer "Yes" or "No"?

Mr. PRICE of Illinois. The answer is "Yes."

Mr. HAYS. All right. That is what I wanted to find out.

Mrs. KELLY. Mr. Chairman, will the gentleman yield?

Mr. PRICE of Illinois. I yield to the gentlewoman from New York.

Mrs. KELLY. Mr. Chairman, I think it would be worthwhile to bring up this point. The discussion that has been had, I believe, indicates that if a Member holds in trust in any way the money of a minor child, he must also account for that. Is that not correct?

Mr. PRICE of Illinois. If he has a constructive control, yes.

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentleman yield further on this point?

Mr. PRICE of Illinois. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Mr. Chairman, I fail to understand just what is necessary to report. Do I understand that any income of a child, a minor child, would have to be included if it exceeded the $5,000 limit?

Mr. PRICE of Illinois. A minor child?

Mr. FRELINGHUYSEN. A minor or an adult child. I would start with a minor child.

Mr. PRICE of Illinois. If it is controlled by the parent, yes; by the Member.

Mr. FRELINGHUYSEN. Is a minor child considered under the control of the parent?

Mr. PRICE of Illinois. I think that is a pretty good legal question.

Mr. FRELINGHUYSEN. It is a pretty obvious question. I do not know what the answer is.

Mr. PRICE of Illinois. The answer is that if it is constructively controlled by the Member, it must be reported.

I would feel that "constructive control" means that the person reporting possesses such control that improper action from his legislative position could permit income to accrue to him either directly or indirectly.

Mr. FRELINGHUYSEN. Mr. Chairman, I regret to say I do not know what constructive control means. Is the parent assumed to have constructive control over his child's assets?

Mr. PRICE of Illinois. I would say, if a Member had control.

Mr. FRELINGHUYSEN. I do not get an answer on that question. I hope perhaps the gentleman from Indiana can clarify it.

If a Member is a trustee of a trust, and the beneficiary is not at trial at all, he is in constructive control over those assets. Are those assets to be reported in this statement?

Mr. PRICE of Illinois. Yes, they are.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. PRICE of Illinois. I yield to the gentleman from Indiana.

Mr. HALLECK. May I say to my chairman, I do not quite agree with that.

Let me answer, if I can, the gentleman from New Jersey, as to constructive control. The Internal Revenue Service has certain definitions of that. The inheritance tax operations have certain definitions of that.

I would say to the gentleman very frankly, if I were a member of the committee and he were a trustee of an irrevocable trust for a minor child, he would not need to report here, because the benefit which might derive from that could never come to him.

Mr. PRICE of Illinois. I would agree with that statement on the part of the gentleman from Indiana, on an irrevocable trust.

Mr. FRELINGHUYSEN. Is there a question of the remainder interest that might fall to a beneficiary, because the irrevocable trust might depend upon the child's life and might revert at such a time?

Mr. HALLECK. All I can say is it is my understanding, as a lawyer I used to be, if one has that sort of interest and one dies with that sort of situation existing, the inheritance tax people would charge it as a part of the estate.

Let me say one thing further, Mr. Chairman. I realize, of course, that in connection with any of this language questions can arise. But one thing we did, I say to the gentleman from New Jersey, was to provide for an advisory opinion from this committee. It would seem to me if any question arises then the committee could be asked. I would hope we would be able—whoever is a member of the committee, with a proper staff—to advise the Member, so he would know.

Absolutely we cannot avoid some gray area in anything as complex as this.

Mr. PRICE of Illinois. Mr. Chairman, I should like to emphasize that our committee was not swayed by any hue and cry in arriving at this recommendation. It did not reach for compromise. It reached for a totally legitimate and defensible means of monitoring conflicts of interest. The report states:

> It can be argued with considerable merit that point 3 of the Code of Official Conduct, along with the enforcement authority recommended, is sufficient to monitor conflicts of interest, thus obviating any need for financial disclosure. The Committee did not overlook this alternative. It concluded that even if both approaches became duplicative in effect rather than complementary, the better judgment was to err on the side of duplication.

Mr. Chairman, I repeat that the committee did not seek a compromise in any area of its concern. It sought what it considers a totally legitimate and defensible set of recommendations. It is to be expected that recommendations such as these will meet with divergent reactions, but this committee feels that not too much must be yielded from any point of view to find justification for the position taken.

Mr. Chairman, the committee report concludes, as I will, and I quote:

> This committee boasts of no superior wisdom or special insight, but it does assure the House of Representatives that it has, with some experience, sincere humility, genuine reverence for the institution itself, and, above all, true respect for each individual Member, considered the contents of this report and deems adoption of its recommendations in the best interest of all.

Mr. HALLECK. Mr. Chairman, I yield myself 15 minutes.

I might say, I do not know whether I can get this over with in 15 minutes, but I will try to, because there are other fine members of our committee who have something to say here, and I want them to have adequate time.

Mr. SCOTT. Mr. Chairman, will the gentleman yield before he starts his discussion?

Mr. HALLECK. I yield to the gentleman from Virginia.

Mr. SCOTT. I have read the entire report and certainly am in substantial accord with it. I had no real question until the discussion just a few minutes ago.

Mr. HALLECK. I do not yield for that purpose, Mr. Chairman.

Let me conclude my statement, and if I have any time remaining I shall be glad to discuss that further. I do not want to yield for that purpose at this time, because I have a few things I want to say, and I want to get that done first.

I should like to say, as the chairman said, along with others, I am glad to have served on this committee. I have had some thankless jobs around this place. This was just another one of them, in my 34 years here. I did not ask to serve, but I am glad I did serve, because we have had fine people on this committee and all sorts of different ideas as to what this code ought to be.

We put out word for witnesses to come in. One would have thought, from the clamor about it, that everybody would want to come in to tell the committee what we should do to improve our ethical standards. I can tell the Members, as I said before the Rules Committee, it would have taken a 20-mule team to get some of the people in here who have been most critical of the Congress and the conduct of Members, and especially the conduct of individual Members.

We had a great many Members come in to testify, and I am glad they did, but, generally, a lot of them had press releases for what they were going to tell us.

We are past that now. We listened to all of that and we considered all of the testimony carefully. This is not the time for heroics or trying to make hay by criticizing Members of Congress or this body as a whole. Let us get down to it and adopt this code, because I think it is good.

This code, we all knew, had to be effective, but at the same time it has to be enforceable. We have Corrupt Practices Acts, and we have all sort of things that are honored in their breach. Nobody pays much attention to them. Why, I have had a Democrat running against me every time in November, and not one of them for years has ever filed that 10-day report.

I know some Members have amendments. Some of them have been sent around. I do not know now much attention they pay to the Corrupt Practices Act, but that is not the issue here before us. Some people have said, "Well, CHARLEY, you are quitting, so you are just going to write this real rough." Well, folks, that has not made a bit of difference to me. One reason I went on this committee is that I knew that we have been subject to criticism as individuals, and there has been a lot of that criticism, by some people who would like to destroy the Congress of the United States as an equal coordinate branch of the Government. I resented it, and I still do. So I said, "Well, we will go out there and do the best we can." Why did I feel that way? Folks, this Congress and this House of Representatives, as Mr. Sam Rayburn, our great Speaker, used to say of his career, has been my life for half of my 68 years while I have served here in this body. I am sure the people of this country have as good a Congress at any given time as they deserve to have.

Once in a while we are asked, "What can you do to improve the Congress?" Well, I said one time facetiously in a debate that there is nothing the matter with this Congress that a good election would not cure. You understand that borders on the partisan. But there was no partisanship in this committee. Look. I have been here, and, why, nobody has been convicted for bribery in this body for almost longer than any one of us can remember. I happen to believe that the people who serve here are good, honest, decent people of integrity and character. That is one reason I am glad to have been here.

In my opinion, the Congress of the United States has been a balance wheel of constitutional government many, many times even in my short career here. People say, "Congress is no good." Well, we had a fellow by the name of Gilpatrick who worked for Brookings Institute who came to talk to us about this matter. He said, "You know, a strange thing is, we did an exhaustive study and we asked parents, 'Would you like to have your son or daughter go to Congress?' Almost overwhelmingly they said, 'Sure.' "

I am quitting. Well, do you know how many candidates are trying to come here in my place? Twenty. It cannot be such a bad place. It is a great honor to be here. We have even had some newspaper people who once in a while criticize us. God knows I do not want to quarrel with the press, because I have enough trouble already, but our chairman is a newspaperman. We have some newspaper people over here and we have them on both sides, and I am really glad they are here. But I must say to you, folks, there is no closed season on us, as Members of Congress, is there? If you think there is, you just get picked up as a guest for hunting doves over a baited field, and you will get your name on every front page in the United States in boxcar-sized letters. But when the judge acquits you in a court of law, it is in little, itty-bitty fine print in the classified section.

We had one witness who came in and said just flatly—it was not a press release, but he said flatly—that the people of the country have lost confidence in the Congress of the United States and in the legislative process. That kind of torched me up, and I said so. Well, it was revised to maybe a measure of confidence, but I got a lot of mean letters. They said, "Why, you skunk, while you are down there in that outfit, you are taxing us too much. You have us in a war. You are spending too much money. You are setting standards for violence." Oh, maybe some of those happened, but that should not be charged to me. And so it goes.

There is one thing I want to point out in connection with this whole thing—these people who criticize the Congress as a whole—and I have had some of these letters—but they say, "Our own fellow—he is all right." If we are all all right to the people who sent us here—and you have to stand up every 2 years—and I am telling you it is a tough job to come here and tougher to stay—you know you are going to be up against that buzz saw every 2 years—and I cannot think of anything better as a code of ethics than that.

There is another thing I want to talk about.

We have not dealt in this with violations of the law.

I wanted some language in here that would simply say that any violation of the law in respect to your duty and responsibility here was unethical per se. Some of the smarter lawyers than I am over at the legislative branch of the Library said that that would get it all fouled up with the Justice Department—I do not think so. At any rate that is not in here.

But I think everybody realizes that is true—we cannot rewrite the criminal code. By the same token we have to give to the House Committee on Administration their rights and their responsibility to deal with the Corrupt Practices Act.

I think 50 percent of the testimony that we had dealt with the Corrupt Practices Act. We could not get into that.

There is conduct that is unlawful under the Lobbying Act—we did not get into that—that is part of the law of the land.

First of all we called for a standing committee.

May I say in that connection—I concluded that you did not have to write this code so specifically, if you had a committee that would be riding herd on us, as we might say out in Indiana—all the time—checking, checking expenses and getting complaints—and people asking for advisory opinions. So I am glad that we are going to have the committee. I do not know if I were going to be back here next year whether I would want to serve on it because I have always been a kind of a live-and-let-live guy. But I guess maybe I would serve on it if I were going to come back.

But in any event we are going to have that committee and with a 6-to-6 division, you cannot have, as I have already pointed out, a completely political operation. That committee can recommend changes. I think that is all right and that is as it should be.

When you get down to the code itself here is where you really begin to get into the tough going. Maybe it is not too much to say that a Member, officer, or employee of the House should conduct himself at all times in a manner which shall reflect creditably on the House.

I think that everybody can understand—and maybe it is a restatement of something that we ought to know anyway and take for granted—but it is in there as a sort of warning to all of us that:

> The Members and employees shall adhere to the spirit and letter of the rules of the House of Representatives.

Now, that is not earth shaking, I will grant that. But I think it ought to mean something to everyone of us.

And the resolution also reads:

> 3. A Member, officer, or employee of the House of Representatives shall receive no compensation nor shall he permit any compensation to accrue to his beneficial interest from any source, the receipt of which would occur by virtue of influence improperly exerted from his position in the Congress.

I think that is understandable.

You can get up here and ask me about this circumstance or that circumstance and I might be a little hard pressed to answer. But in the first instance, the Member is the judge. And he can ask for advisory opinions if he wants to.

The resolution also reads:

> 4. A Member, officer, or employee of the House of Representatives shall accept no gift of substantial value, . . .

I have heard people say, "I would not take anything worth more than $2.50." Why, you cannot even go to a dinner down here for that. You cannot draw that kind of a line. So we say, "substantial."

In other words, we say that "A Member, officer, or employee of the House of Representatives shall accept no gift of substantial value directly or indirectly, from any person, organization, or corporation having a direct interest in legislation before the Congress."

Now, if they have an interest in legislation then you get into this field of conflict of interest. And after all, in my opinion the only matters with which this code should deal are those that give rise to conflicts of interest. And I think that is spelled out so everyone of us can follow it. Then the resolution also provides that:

> 5. A Member, officer, or employee of the House of Representatives shall accept no honorarium for a speech, writing for publication, or other similar activity, from any person, organization, or corporation in excess of the usual and customary value for such services.

Now, some time ago I used to make a little money like that, and it is a reputable and decent way to do so. We go out here, and some newspaper or radio fellow makes 500 bucks, and they want us to come for nothing. So I quit that a long time ago. I do not get asked much any more.

This may be my swan song here, and I might as well spell out how I feel. At one time I thought we were going to be tough and so we were going to say that you could not make any speech or say anything with respect to legislation, and maybe you could not make a speech anywhere, I do not know. Because you take these big organizations, say, like the NAM and the CIO, you name it. They have some sort of an interest in practically everything. So we say do not get paid with a lot of money, more money than it is worth. Just take what is customary. And I believe that is all right.

Now, the sixth item: Keep your campaign funds separate. I assume most of us do do that. Of course, there again when you come to draw that line between what you spend campaigning and what may be for something else, it is a little tough to draw. But I believe there the matter has to be handled with discretion. Because, there is another thing, you know, and some of you young people who are here just remember the only way you can come back here is to start running the day after election. And that means spending a lot of money and doing a lot of things, feeding your constituents and making the county fairs, and buying prize calves, and all the other sort of things you have to do. You have to work at it. I believe we have allowed for all of that.

Then, the seventh item:

> 7. A Member of the House of Representatives shall treat as campaign contributions all proceeds from testimonial dinners or other fund raising events if the sponsors of such affairs do not give clear notice in advance to the donors or participants that the proceeds are intended for other purposes.

Now, we did not accomplish the complete outlawing of testimonial dinners—I wish that you people had some for me.

I have received a shotgun, and some nice antique vases—a few things like that, and I know there are people who have received other things, but it is in a spirit of giving, a spirit of appreciation. That does not refer to a conflict of interest. So we went along, and it is understood that that is it.

Then item No. 8: Do not hire anybody who does not do a job. Do not pay him out of your clerk hire allowance.

There are a lot of people who would outlaw all nepotism. I never hired a relative to work on my payroll in my life, but I do not object to other people doing it so long as the person is competent and does the work, that is enough.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HALLECK. Mr. Chairman, I yield myself 1 additional minute.

Then we come to the subject of financial disclosure.

Now, I understand—and I am sure the Members understand that this is when you really get down into the meat of the coconut.

A lot of people wanted this to consist of making our income taxes public. Some of them wanted disclosure tough. Well, it occurs to me that, if you have nothing that looks bad, does it not? And if you have a lot, then maybe some will say "he doesn't need the job." A demagog could really take you apart. I know the word "demagog" is not parliamentary language, but I am not referring to anyone in particular.

I will tell you what I wanted in here to start with, with respect to financial disclosure—and I will say another thing: When I started out I really was not for financial disclosure at all. To begin with, I did not believe it was anybody's business, but we went around and around for days, and about 196 of the Members here offered some sort of bill providing for it. So we decided we ought to have some disclosure, and I became convinced that if you are going to disclose, it has to be public.

Putting it into some sealed envelope cannot help anyone. What I wanted to have was a provision that you ought to reveal publicly the sources of any income that might reasonably be presumed to influence or control your judgment and action on matters coming before the House of Representatives.

Well, my colleagues thought that that provision ought to be spelled out. And so I think it has been spelled out here. You have to list publicly if you have more than $5,000 from a corporation or a business doing a substantial amount of business with the Government. There, again, I raise the question. Procter and Gamble sells soap, I suppose, to the Government. If I had $5,000 income from stock of that company, I would file it. I own a farm. If I was receiving income under the farm program, I might not have to file that amount, but I would do so anyway. It does not make any difference. But if you have income, it is the source that counts and not amounts. The amounts are provided in the confidential report that could be only opened by the action of the majority of the committee.

In my opinion that is a reasonable degree of disclosure. It is going to hurt some people. I know that. It will make some people unhappy. But I do not believe we could have done any less in view of what I think is perhaps the prevailing attitude in the country.

So with that, ladies and gentlemen, let us not try to rewrite this resolution on the floor. Twelve of us have worked our hearts out day after day after day, passing it back and forth, listening to everyone, and if we start putting something else in the resolution, the first thing you know it will really be something that will be honored in its breach.

Mr. Chairman, I do not think the resolution goes too far. I think it goes far enough. I thank you for listening.

Mr. PRICE of Illinois. Mr. Chairman, I yield 10 minutes to the gentlewoman from New York [Mrs. Kelly].

Mrs. KELLY. Mr. Chairman, I feel brave at this time following my colleague, the gentleman from Indiana, Charlie Halleck. I feel that we should vote at this time. I think he fully discussed House Resolution 1099. I believe that he said eloquently those things that many of us would like to have been able to say.

Mr. Chairman, I do want to take the time to compliment our chairman, the gentleman from Illinois. He was patient, kind, considerate, and determined. Our chairman, Mr. Price of Illinois, was certainly determined to bring a report to you at the earliest date possible, and one which would be, we hoped, unanimously accepted by the House. I do want to thank the Members of the House for assigning me to this committee, and also the Speaker for placing his trust and faith in me. It was not an easy task, and I know that every member of this committee assumed the responsibility assigned to him.

Furthermore, I take this time to point out that a great deal of credit should be given to the staff of our committee because they were most efficient, most helpful, and worked diligently in order that we might bring this report to you today.

Mr. Chairman, I rise to add my voice in support of House Resolution 1099. The Committee on Standards of Official Conduct has, in my opinion, made a giant step toward the strengthening of our form of government and adding character, prestige, and dignity to this, the greatest representative body in the world.

I might add that I was extremely proud to have been chosen for membership on the committee, and I am very happy, and I hope that in some manner I contributed much to the report.

It is my belief that the committee report, if adopted, and the House resolution, if adopted, will go far toward allaying much of the unjustified and unwarranted criticism of the conduct of the House and of its Members. It will, by its very nature, tend at the same time to lay to rest such criticism and to serve as a deterrent to any Member who might be tempted to stray into courses of conduct which might even give rise to a suspicion of impropriety. It is a job well done.

While we all know that the integrity has been a matter of concern to the overwhelming majority of our national legislators since the founding of the Republic, the time seems to have arrived—in fact, it arrived some years ago—for an institutional means of keeping our house in order.

I believe the recommendations of our committee offer just such a vehicle—a vehicle that will serve not only to deal with the departures from rectitude as they occur, but also as a preventive and a protective device.

The committee is convinced that the very existence of a continuing Committee on Standards of Conduct, armed with the enforcement powers which we recommend, will serve as a deterrent to abuses of official positions or misconduct of any kind.

I would like to make note of two particular areas, however, which merit more detailed comment. In the first place, I think that the provisions with respect to the financial disclosure will be an admirable middleway. In the second place, however, I do think that the committee should have gone further in requiring disclosure from those of us who either themselves or whose partners practice before the Federal agencies.

As many of the Members are aware, I have constantly opposed any broad scale requirement for public disclosure of private finances on the grounds that such a requirement for broad scale and indiscriminate disclosure is an unfair and discriminatory invasion of private matter. However, the committee has chosen a wise solution, by requiring certain forms of public disclosure while keeping sealed and private—unless required for public purposes—the intimate details of Members' private and financial affairs.

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentlewoman yield on that first point?

Mrs. KELLY. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. I thank the gentlewoman.

This question of financial disclosure is one of concern to a great many of us. The gentlewoman has indicated her feeling that there should not be public disclosure, yet she seems to be endorsing the particular disclosure now being recommended.

As I understand it, and as I read the committee report, because no one on the committee has yet justified this proposal—and I am quoting from page 23 of the report—this is why there should be this disclosure:

> Some financial disclosure is necessary to equip the voters with enough information to make a proper judgment at the polls.

Just what is meant by that? In what way are voters going to be able to weigh the information that will be made available with respect to an individual Member of Congress? Does the gentlewoman feel the disclosure of assets required under this section will be of any value to the voters?

Mrs. KELLY. In answer to that, I frankly feel that it will not, for the simple reason that I feel that a Representative coming from any district must represent that district. If he comes from an agricultural district, he is going to represent the agricultural interests. From whatever district he represents, he is going to represent that particular district—or he will not be a Representative for long.

However, as I interpret it, my feeling on this particular instance is the disclosure which he is required to make public is only going to mention those interests, the particular financial interests of the Member, which might affect his legislative judgment and that which will be secret will be the actual dollar amount of such interests and will not be opened except under the procedures recommended. The gentleman from New Jersey is correct in saying that I was not in favor of public disclosure for reasons which I will discuss next.

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentlewoman yield further?

Mrs. KELLY. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. The gentleman from Indiana has said the amounts of assets would not be revealed, merely the sources.

Mrs. KELLY. That is correct.

Mr. FRELINGHUYSEN. What value would it be to reveal the sources of assets by a Member without revealing the amounts, if a Member is assumed to be influenced in his vote by what he happens to own? Does it not perhaps depend on the amount he owns, rather than the fact that he owns a variety of equities?

Mrs. KELLY. I believe that the gentleman's deduction is correct.

Mr. FRELINGHUYSEN. Does the gentlewoman have any way of enlightening us about the meaning of the language "any business entity doing a substantial business with the Federal Government?" Is there any standard we can apply to an individual equity investment so that we know whether a particular enterprise is doing a substantial business or is not? Or is this question simply left up to each individual to decide for himself?

Mrs. KELLY. I believe it is left up to the individual to decide for himself. The only official way the judgment of the Member filing can be questioned is through the investigative procedures of the committee. Of course, in doubtful cases an advisory opinion from this committee can always be requested in advance of filing.

Mr. ASPINALL. Mr. Chairman, will the gentlewoman yield?

Mrs. KELLY. I yield to the gentleman from Colorado.

Mr. ASPINALL. As was developed during the consideration of this legislation, the gentlewoman from New York and I were often on the same side. The gentlewoman did not mean, and I do not wish to be confined to those who do mean and do suggest that every person has his price and all we have to do is get to a certain amount and he is ready to sell out.

I consider that the Members of this body are not subject to selling their influence for any price. I have proceeded along that line with all my consideration having to do with standards of conduct.

The question of what is a "substantial amount" was, of course, explained very thoroughly by our colleague, the gentleman from Indiana [Mr. HALLECK], who made one of the finest talks I have heard on this floor for a long time. There just is no way of tying it down, and we have to realize this.

The CHAIRMAN. The time of the gentlewoman from New York has expired.

Mr. PRICE of Illinois. Mr. Chairman, I yield the gentlewoman 5 additional minutes.

Mr. ASPINALL. There is no way of tying down anybody who is going to try to sell out his own self or sell out his colleagues or sell out his constituents. He will find a way to do it.

What we have to get here is a consensus. That is what we have arrived at so far as the report of the committee to the House is concerned.

Mrs. KELLY. Mr. Chairman, may I continue my statement, and then I will yield further.

My second area of concern is that the committee has perhaps not given adequate coverage to the problems arising from a Member or the partners of a Member practicing law before, or dealing with, the Federal agencies.

Subparagraph 2 of part A of recommendation IV merely requires that a Member report the name and address and type of practice of any professional organization from which he receives income of $1,000 or more. Subparagraph 2 of part B of recommendation IV requires that he disclose the amount of income received from such an organization. These requirements, however, do not address the problem arising where a Member is in partnership with a group of partners and where the same partners through a different partnership conduct an extensive business or practice with the Federal Government. The Member, of course, may not be a partner in this second partnership but his compensation in the first partnership may be directly related to the activities of the second partnership. Such a situation should not be permitted if a Member is in fact deriving economic benefit from practices before the Federal agencies of this sort.

I am not about to suggest that no partners of a Member should practice before the Federal Government, but only that this is one area where detailed disclosure—including financial disclosure—should be made. Such a relationship is not, per se, improper. Its concealment, however, would be.

I urge that the House take favorable action on the report.

Mr. Chairman, for a moment I should like to ask each Member to obtain a copy of the report, because I feel that in the report the highlights of the recommendations are expressed in the first two recommendations: Members should first conduct themselves at all times in a manner which shall reflect creditably on the House; and, second, adhere to the spirit and letter of the rules of the House and to the rules of duly constituted committee thereof. As far as I am concerned I would have rested there. I feel that they are like the two commandments, the first two commandments are the most important.

However, I believe your committee has been responsive both to the letter and the spirit of your assignment.

There was, as I said previously, a demand for action. As I have said, the task was difficult—and I agree with the gentleman from Indiana—we sought various sources for recommendations, but my shock is that the invitations extended to so many were declined or completely ignored.

I feel that the committee has performed admirably, and I believe it is a beginning. I am sure that revisions and recommended changes will be made.

I do want to make one further observation, and I believe that I am correct, in answering the gentleman from New Jersey when he raised the question—of what is involved in the reporting of a minor's income—he questioned what is "constructive control." As I understood "constructive control," I understood it to mean that any person reporting must possess such control that improper action from his legislative position could permit income to accrue to him or to that account either directly or indirectly.

Mr. HALLECK. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. ARENDS].

Mr. ARENDS. Mr. Chairman, there is little that need be added to what is embodied in the committee report and to what our able chairman, the gentleman from Illinois [Mr. PRICE], and our ranking minority member, the gentleman from Indiana [Mr. HALLECK], have said with respect to the pending resolution recommended by the Committee on Standards of Official Conduct. I shall confine myself to a few general observations.

First of all, I should like to acknowledge the debt we all owe to the gentleman from Illinois [Mr. PRICE] and the gentleman from Indiana [Mr. HALLECK] for the contribution they made, individually and jointly, to what our committee now recommends. We were indeed fortunate to have had at the head of our committee two gentlemen with long and distinguished service in the House, both of whom are knowledgeable in the many problems that confront those who serve here and endowed with that rare capacity to evaluate and arrive at wholly objective conclusions.

We all knew at the outset that to draw up a set of standards for official conduct of Members of Congress and their employees, and to devise a self-governing enforcement procedure, would not be an easy job. While honored to be selected as one of the 12 to undertake this difficult, delicate job, I would be less than honest not to say that I did not particularly relish assignment. In retrospect I consider it a privilege to have been on the committee.

No committee could have worked more diligently and with more painstaking care. As the printed hearings and our report disclose, every suggestion was considered. To make certain that nothing would be overlooked, a large number of invitations were sent to individuals in practically every field of endeavor, to testify or submit their recommendations. What we now present to you is our composite judgment. Our report is unanimous.

This is not to say that the committee's recommendations are precisely as each of us on the committee might offer in some one particular or other. For that matter the Constitution of the United States was not precisely as each delegate to the Philadelphia Convention wished it to read. But it has proven to be a living document, with sufficient rigidity to be meaningful and sufficient flexibility to be adaptable to any situation or circumstances. Our committee believes that our recommendation for self-government has these qualities. It is at the very least a foundation upon which to build as experience dictates.

We recognize that our recommendation will not be satisfactory to everyone in every respect. Some will say we went too far. Others will say we did not go far enough. But we do sincerely believe that we have presented to you a recommendation that is basically sound and fair.

In establishing standards of conduct for Members of Congress two fundamentals must be kept in mind. One is that the individual elected to the Congress is the choice of the people of his district. He speaks and acts for them. He is accountable to them. Every 2 years he submits himself to their scrutiny.

Great care must be exercised that a restriction placed on a Member does not transgress on self-government. The constitutional right of the Congress to pass on the qualifications of its own Members must necessarily have its limitations.

The second fundamental to be recognized is that the Congress has the constitutional right to determine its own rules. And this right, too, has its limitations. The rules are applicable only in connection with the operation of the Congress itself. Somehow a line must be drawn as between what is personal conduct and what is official conduct.

No such hard and fast line can be drawn. Our committee spent many hours discussing the various situations, that could arise where such a distinction would have to be made. We spent many hours discussing the meaning or possible interpretation of a single word.

I mention this simply to emphasize that what we are recommending constitutes our very best judgment arrived at only with this most painstaking care. The mere fact that there are some who will say we did not go far enough and others who will say we went too far bespeaks the balance which our committee sought to accomplish between a Member of Congress being accountable to his people and, at the same time, accountable to the House for his acts.

I believe our committee did a creditable job, and I hope the House will in full accept our recommendation as submitted to you.

Mr. SCOTT. Mr. Chairman, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman from Virginia.

Mr. SCOTT. I have two short questions, Mr. Chairman. One has to do with the meaning, under financial disclosure, of "principal assistants of Members."

Does this mean only one person in each Member's office, or just what does that mean?

Mr. ARENDS. This would be the highest salaried person in your office.

Mr. SCOTT. The expression "principal assistants" just applies to one person?

Mr. ARENDS. Yes, as I understand it.

Mr. SCOTT. Suppose we have further questions, to whom should we go in order to get the answers to those questions?

Mr. ARENDS. We talked about and debated that in the committee, but in such event one might wish to submit a letter to the committee asking for guidance in the particular case involved.

Mr. SCOTT. A letter to the chairman of the committee?

Mr. ARENDS. That is right.

Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. BETTS].

Mr. BETTS. Mr. Chairman, I question whether anything more need be said after the explanation of the bill which has been given by our distinguished chairman, and by the ranking minority Member, the gentleman from Indiana [Mr. HALLECK]. I certainly want to join with the other members of the committee who have paid tribute to them. I believe I would be remiss if I did not add to that the fact that I feel a sense of pride and satisfaction in being asked or permitted to serve on this committee, because I believe that this is truly an historic occasion.

I do believe that a couple of general observations ought to be made.

The significance of this code is that over months of deliberation we considered every possible provision that could have been written into it.

If each member of the committee were to write a code of ethics there would probably be 12 different codes.

On the contrary, this one represents not only the combined thinking of the entire committee but also represents some significant contribution by each individual member.

Also it represents the command of the House by a unanimous vote to produce a code. No one could sit on this committee and feel that we would have met that responsibility by producing a code that would have been useless or ineffective. On the other hand we felt that we could not come forth with a set of rules that would have been so harsh that it would have been rejected. In other words, the committee felt obligated to write a code that would be moderate and acceptable to the greatest number. There may be some arguments that this is not the proper approach. But after long hours of deliberation, we felt this was the only sensible approach and I hope the House will agree. Furthermore, this need not be the final product. After a period of time during which it has been put to the test, it certainly can be changed if it is found wanting in any respect. But if there is to be a beginning there is every reason why we should begin with this code intact.

Finally, it is a bipartisan product. Not the slightest trace of partisanship entered into the formulation of it. After it was drafted, it was presented to the leadership of both parties—not separately, but together with ranking members of the committee and the leadership approved it.

For these reasons, I feel it represents a product which deserves acceptance by the House. While we recognize the propriety of considering amendments and have, I think, rightly requested an open rule, we are prepared to defend it in its entirety and ask that it be adopted without amendment.

Mr. BUSH. Mr. Chairman, will the gentleman yield?

Mr. BETTS. I yield to the gentleman from Texas [Mr. BUSH].

Mr. BUSH. I thank the gentleman for yielding.

I would like to commend my distinguished colleague for his comments, and the chairman of the committee, and the ranking minority member of the committee, and I would like to agree with the gentleman from Ohio that I hope that the discussion before the House will be open.

Mr. Chairman, no one likes the embarrassment of disclosing his personal finances. No one likes the discussion and publicity attached to such a disclosure. But let us be realistic—there is a distrust of public officials among some of the voters—in some very few cases this distrust has been merited, but one thing I am convinced of is the total integrity of the vast majority of Members of Congress. The only way to disprove this lack of faith where it exists is to keep the public as fully informed as possible. Though the bill I introduced went further, I strongly support the committee's provisions on disclosures.

Is not what we are really worried about the effect these disclosures will have on our reputations and our political futures? Last year I disclosed my personal finances and I intend to do so again this year. What has the reaction been?

On the whole it has been most favorable. The disclosure of my personal finances was treated with headlines by the press and while this may not have been ideal for me personally, it certainly accomplished the objective in that the people of my district know what my financial condition is and where the money comes from. They know if there is a conflict of interest or not. I believe my constituents want to know this and I believe they have a right to know. The mail I have received has been understanding and complimentary to me personally. I believe it has enhanced my credibility in my district.

As to the revelation I made yesterday on funds used on office expenses, while it is too early to get a public reaction, the reaction of the press in Houston has been extremely good. The reason for this is I believe my insistence and the insistence of those maintaining the fund that these moneys be separate and distinct from my personal control and use. This distinction is imperative in any code adopted for the use of such funds by this House.

A real problem with these funds is that someone who has something to gain by causing embarrassment to an elected official will come across a letter of solicitation and will proceed to make a mountain out of a molehill. There is nothing wrong with these funds if the existence is known and if a ceiling is placed on the amounts allowed to be contributed by one individual.

As I stated yesterday I think that the Committee on Standards of Official Conduct should consider these funds and should come up with some recommendations for their disclosure. Frankly, I considered offering an amendment calling for disclosure, I would vote for one presented from the floor, but I think the best approach would be for the committee to hold hearings and give the matter the benefit of its members' discussion. If this happens, I am convinced we will be asked later to vote on disclosure of such funds.

I want to commend the Committee on Standards of Official Conduct for the excellent job they did. They had a most controversial area in which to work and they came out with good recommendations, which while not exactly as I would have wished, are effective and a beginning in the right direction.

Mr. BETTS. I would like to say to the gentleman that I am sure that he and the other Members who are, I believe, associated with him as freshman Members, trying to formulate some rules of ethics, made a great contribution, and I am sure the committee is indebted to them.

Mr. BUSH. I thank the gentleman.

Mr. CONABLE. Mr. Chairman, will the gentleman yield?

Mr. BETTS. I yield to the gentleman from New York.

Mr. CONABLE. I commend the committee as well, but I think as a standard of disclosure this resolution is something that needs a little further spelling out. I would like to ask the gentleman if it is possible for a Member to own a stock listed on the New York Stock Exchange without having to disclose it. It seems that all such companies large enough to be so listed do a substantial business with the Government, or they are subject to regulation by a Federal agency. Therefore, as a protection to myself, as one of the many Members who have invested savings in common stocks in the past, I would like to know what the standard is. Must we disclose ownership of all shares listed on the New York Stock Exchange, the shares of companies large enough to be so listed?

Mr. BETTS. In answer to the gentleman's question, let me say that all of this is in a gray area. It is neither black nor white. We have debated this subject for hours and hours in the committee. This is the nearest I can answer that question: Practically every investment you make which is listed on the stock exchange would necessarily have to be listed here.

Mr. CONABLE. In other words, any equity ownership of stock listed on the New York Stock Exchange must be listed; however, as I read the resolution, it would not require the listing of the ownership of municipal bonds. These are not subject to disclosure because they are fixed-income securities. Is that correct?

Mr. BETTS. Well, the difference, of course, is whether or not the company is subject to regulation by the Government or whether it does business with the Government.

Mr. CONABLE. Any municipality does business with the Government.

Mr. BETTS. Let me further answer the gentleman by saying I do not think any member of the committee is prepared, or even a member of the staff is prepared categorically to answer specifically every question that is put to it.

For that reason I wish to repeat what I think the ranking Member on our side and the gentleman from Illinois [Mr. ARENDS] said. That is the reason we have provided for the right of any Member to ask for an opinion of the committee. I have answered generally what I think is true, what I personally think; after the permanent committee is set up, if the gentleman has any question about it, he can send a letter to the committee and, hopefully—I am sure the permanent committee will be glad to consider the question from every angle and render an opinion thereon for the guidance of the Member.

Mr. CONABLE. Would it be fair to say that at this point the committee has no real standard for disclosure of common stock ownership?

Mr. BETTS. At this point it has not.

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentleman yield?

Mr. BETTS. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. I would still like to know from any member of the committee what is the rationalization for public disclosure. Will the gentleman describe briefly what is to be accomplished by the disclosure?

Mr. BETTS. I think probably every member of the committee has a different idea, but I will try to explain as best I can what I think is the reason that the committee placed this provision in the code.

First, there was a command on the part of the House for a code of ethics. I believe that all presentations of proposed codes of ethics included some form of disclosure. The letters that were sent to the members of the committee and the Members of the House dwelt upon disclosure. The press dwelt upon the necessity for disclosure. The demand was so great I believe the committee had to take some consideration of it.

I think, as a result, in considering the effects of harsh rules or effective rules, we tried to come up with a moderate rule, which is right down the center, and that is the explanation of this provision in the resolution.

Mr. FRELINGHUYSEN. Mr. Chairman, if the gentleman will yield further, I might say in 16 years as a Member of this House, no individual Member has ever asked me what my particular assets were, on the basis particularly that they needed this information before deciding whether they would vote for me or against me, and I have had no request to submit such a list to anyone.

Mr. BETTS. I would be glad to talk with the gentleman on that at any time.

Mr. ARENDS. Mr. Chairman, I yield 5 minutes to the gentleman from Vermont [Mr. STAFFORD].

Mr. STAFFORD. Mr. Chairman, today I hope to witness the successful culmination of more than 3 years of effort to have the House of Representatives adopt meaningful guidelines as to how its Members and employees shall conduct themselves.

When I first introduced legislation in January of 1965 to establish a code of ethics for the House of Representatives, I did so because of the pride I have in this great legislative body and the meaning I attach to being chosen by the people of my State to be a Member of this body. Each of you feels the same way.

My pride in the House of Representatives and sense of responsibility to those I represent is no less today.

Having served on both the Select Committee on Standards and Conduct in the 89th Congress and the present Committee on Standards of Official Conduct, which brings this resolution to you today, I am deeply impressed by the high standards of my colleagues in their conduct of duty with respect to the affairs of this Nation.

But our own self-adulation is not relevant today.

When one case of human frailty evidences itself in a single member, it is no longer relevant to satisfy ourselves that the rest of us are honorable.

What is relevant is the need for this legislative body as a whole to have the full trust and confidence of the American electorate.

Our people—and especially our young people—cry out for an outlet where they can place this trust and confidence.

I hope, for all our sakes, that they can find this outlet in the U.S. Government—their Government—and what better place to start than that body which is closest to the will of the people—the House of Representatives.

I am not so naive as to presume what we recommend here today will insure the credibility of all our actions—either as a body or as individuals.

I am relatively sure, however, that if we fail to adopt meaningful standards for official conduct, together with the mechanism for enforcing these standards, we will add measurably to the mistrust, the lack of confidence, the cynicism which already prevails to too great a degree in our land today.

I am reasonably sure, also—as sure certainly as I have been about anything during the last few weeks—that what is being recommended to you today is a meaningful, workable, practical, and enforceable code of standards for members and employees of the House of Representatives.

As has been stated, it is not a full and final answer.

It is, however, a responsible work of compromise—a responsible beginning.

It is my strong belief that we, as Members of the House, are entitled to official guidelines as to our conduct. As the committee report of March 14 stressed, one of the most valuable functions a permanent committee could perform is to counsel Members, officers, or employees with respect to the general propriety of any current or proposed conduct.

But, Mr. Chairman, let me emphasize again in closing, to help insure the confidence of the American people in the integrity of the Congress—this is our purpose, for without the confidence of its collective constituency, the House of Representatives will not be able to carry out its constitutional responsibilities—and our system of government will fall.

We must act to preserve this confidence—this system of government. Let us do so now.

Mr. Chairman, it has been a great pleasure to serve on this completely bipartisan committee. I believe that with advisory opinions which the committee can furnish to Members, with the commonsense which I believe the committee will possess in administering this code of conduct, with the body of precedents which can be established as we go forward to make sure that this code does work on a realistic basis, we will have a workable code to help guide us and to enlighten the public. No doubt we may find that in the future some changes in it are necessary, but it is a sound code to serve as a point of beginning.

Mr. Chairman, I urgently hope that this House will adopt the code as we have recommended it.

Mr. HORTON. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. I yield to the gentleman from New York.

Mr. HORTON. Mr. Chairman, I thank the gentleman for yielding.

I take this opportunity to commend the gentleman from Vermont [Mr. STAFFORD] and the gentleman from Indiana [Mr. HALLECK] and the gentleman from Illinois [Mr. PRICE] and the other members of the committee for the outstanding job they have done to bring before the committee this report and this proposal.

As the gentleman from Vermont knows, I testified before the committee. Even though the proposal does not include all the suggestions I made in the testimony before the committee, I feel it is a worthwhile, effective, and meaningful proposal and I intend to support it.

Mr. Chairman, this is a historic day for the House of Representatives. After we created the Committee on Standards of Official Conduct only last year, this responsible group has drawn up a creditable set of rules of conduct and procedure for Members of the House and their staffs.

As an early sponsor of the resolution which set up this committee, and as one who testified at length before it last year, I am proud to support the result of its work. The code of conduct and requirements for financial disclosure included in House Resolution 1099 are both firm and fair. They afford a necessary public window on the conduct and financial dealings of Members of Congress and key staff members, and they protect those aspects of our financial and political lives which are rightfully personal or private.

Mr. Chairman, if the 12 members of this committee can be viewed as examples for future membership on this important panel, then the public and the House of Representatives can be assured of fair and effective enforcement of the principles and requirements contained in the code of official conduct before us today.

I want to take the opportunity at this point, Mr. Chairman, to set out briefly the highlights of this code:

Establishment of the present Committee on Standards of Official Conduct as a permanent standing committee of the House with powers to enforce standards of conduct hereinafter proposed.

Public disclosure of certain assets, income gifts, and so forth; private filing of more detailed information which could be made public in event of an investigation.

Modernization of the Federal Corrupt Practices Act to bring about stricter management of political finances.

Clearer guidelines for use of so-called counterpart funds and reporting of expenditures thereof.

Adoption of the following code of official conduct—the language in this presentation is condensed for the sake of brevity:

Members, officers, and employees of the House of Representatives shall—

1. Conduct themselves at all times in a manner which shall reflect creditably on the House.
2. Adhere to the spirit and the letter of the Rules of the House and to the rules of duly constituted committees thereof.
3. Receive no compensation nor permit any to accrue to their beneficial interest, the receipt of which would occur by virtue of influence improperly exerted from their positions in the Congress.
4. Accept no gifts of substantial value from any person, organization, or corporation having a direct interest in legislation before the Congress.
5. Accept no honorarium for a speech, writing for publication, or other similar activity, from any person, organization, or corporation in excess of the usual and customary value for such services.
6. Keep campaign funds separate from personal funds. No campaign funds shall be converted to personal use in excess of reimbursement for legitimate and verifiable prior campaign expenditures.
7. Treat as campaign contributions all proceeds from testimonial or other fundraising event if the sponsors of such affairs do not give clear notice in advance to the donors or participants that the proceeds are intended for other purposes.
8. Retain no one from their clerk-hire allowance who does not perform duties commensurate with the compensation he receives.

Mr. Chairman, I pledge that both the letter and spirit of this code will be followed daily, by myself and members of my staff, as we continue to serve the 36th District of New York.

The adoption of rules and guidelines for the House is long overdue, and I am proud to have a part in it.

Mr. STAFFORD. I appreciate the remarks by the gentleman from New York.

Mr. HALLECK. Mr. Chairman, I yield 5 minutes to the gentleman from Tennessee [Mr. QUILLEN].

Mr. QUILLEN. Mr. Chairman, first I wish to pay tribute to the members of the committee who worked so hard and long in their deliberations on the matter before them, and for the final end result.

Mr. Chairman, it is a pleasure for me to rise in support of House Resolution 1099, for it is the culmination of many, many months of deliberation by the Committee on Standards of Official Conduct, of which I am a member.

I have long advocated a code of ethics for Members, officers, and employees of the House of Representatives, and it has been my privilege to have a part in the development of the legislation we are considering today.

Back in the 89th Congress, I actively supported such legislation, and I was a member of the subcommittee of the House Rules Committee, which prepared a committee substitute for the resolution originally introduced by the distinguished gentleman from Florida [Mr. BENNETT].

Early in the first session of the 90th Congress, I introduced House Resolution 133 to establish a Select Committee on Standards and Conduct, and again I was active in support of the measure in the Rules Committee.

When the Committee on Standards of Official Conduct was created on April 13, 1967, I was honored to be selected as one of its 12 members.

The following 11 months were busy ones indeed, as we on the committee attempted to develop a practical code of conduct, and on March 14, 1968, our recommendations were made public.

I am sure that the Members of the House recognized that the task of the Committee on Standards of Official Conduct has not been an easy one, but I believe we have come up with a set of recommendations which, if accepted, will provide a means of keeping our House in order.

I believe these proposals will serve not only to deal with infractions but also as a preventive and protective device. I am convinced that the very existence of a continuing Committee on Standards of Conduct will act as a deterrent to abuses of official positions or misconduct of any kind. I believe our eight-point code of official conduct provides the flexibility to deal with almost any situation that could arise to trouble the House.

I am not going to burden you with a mass of detail concerning our recommendations, but I should like to call particular attention to the committee's proposed advisory authority. Under this provision, the committee would be empowered to advise Members, officers, and employees, at their request, concerning current or contemplated acts. I believe this kind of advisory service could become one of the committee's most valuable functions, that it would arm the House with a valuable weapon for prevention of questionable conduct. It would amount to an early warning system.

The resolution spells out specific limitations on the committee's authority. These limitations would provide adequate safeguards, I feel, against "witch hunts," reckless investigations, the serving of ulterior motives, and other possible abuses.

The committee's recommended code of official conduct, which would be written into the rules of the House, is designed to combat conflicts of interest and prevent abuses in other areas, such as in the acceptance of gifts and honoraria, handling of campaign funds and proceeds from testimonial affairs, use of clerk-hire allowances, and so on.

The proposal for financial disclosure is separate and apart from the code proper. I believe that the system of financial disclosure upon which we eventually settled will provide all of the essential information needed for any appraisal of possible conflicts of interest.

Of course, no set of standards or principles can be made fully effective without enforcement machinery. So the committee is recommending that it be armed with such machinery. Enforcement, however, is a poor substitute for prevention or deterrence, and for that reason I called attention earlier to the provision under which a Member, officer, or employee could seek the committee's advice in a given situation.

With respect to the recommendation for making this committee a permanent committee of the House, I believe this would be definitely advantageous for the purposes of continuity and orderliness.

As one who was privileged to serve with such notable colleagues on this truly nonpartisan effort, I can say that the recommendations were made in the firm conviction that they would provide for standards that would be workable, standards with which the House could live, and standards that will bring esteem to the House of Representatives.

Our committee does not pretend that its recommendations wear any cloak of perfection. We are well aware that our proposals may require revision as experience points the way. But I feel very strongly that adoption of our recommendations will forge a sound beginning toward the orderly establishment and maintenance of high standards of conduct and performance.

In summary, the committee would have legislative, advisory, investigative and enforcement powers, all confined to the realm of the pending resolution. None of the proposed powers would be gained at the expense of any other committee, and all are aimed at making the House the true judge of its own membership.

I respectfully urge my colleagues to support this measure without amendments.

Mr. PRICE of Illinois. Mr. Chairman, I yield such time as he may require to the gentleman from Texas [Mr. Brooks].

Mr. BROOKS. Mr. Chairman, I take this opportunity to remind my colleagues that what we have before us today, the proposed code of ethics for our body, is an important step, but only one step, toward a more effective internal organization for the House of Representatives.

I have had a long and intimate interest in congressional ethics. As early as 1965, I placed in the Congressional Record a detailed record of the current statutes and regulations applicable to the behavior of Members of Congress. On the Joint Committee on the Organization of the Congress, I recommended that the House form a Committee on Ethics. I endorsed the creation of the Committee on Standards of Official Conduct, and I will now support its recommendations.

But I want it clearly understood that in giving my support to this resolution, I do not for a moment subscribe to the notion that Congress is lacking in integrity or wallowing in immorality. It is not. It has not during my service here. It is my fervent hope that our concern with the conduct and responsibilities of Members of Congress will not be misunderstood by the American people or misinterpreted by the American press.

I support this code of ethics, and I applaud the Senate for adopting one of its own, because I want the public to have complete confidence in the integrity of the legislative process. I will support every step that contributes to the building of that confidence.

That is why I want to point out to my colleagues that congressional ethics, while it commands a great deal of public attention, is no more important to the integrity of our legislature than a host of other reforms embodied in the pending Legislative Reorganization Act. That act passed the Senate last March. Since that date, it has been languishing in the Committee on Rules.

Mr. Chairman, I urge the leadership and the Members of this great body to exert every effort to have the Committee on Rules report a meaningful version of that act to this House for action.

I repeat, the measure has been in this House a full year. Everyone has had the opportunity to study it. At various times, the staff of the joint committee, under the direction of our dedicated cochairman, the distinguished gentleman from Indiana [Mr. Madden], utilizing the resources of the Legislative Reference Service and experts in the Office of the Legislative Counsel, have redrafted, reanalyzed, synthesized, and refashioned the bill in an effort to meet legitimate objections to it. We, on the joint committee, have done our best to provide full understanding of its provisions.

There is absolutely no excuse for any further delay in bringing to this body a full and formal consideration of the Reorganization Act. By adopting a code of ethics, we will be carrying out only a small part of the larger task. I support this code. I urge you to support that larger task, the completion of our efforts to bring meaningful reform to the legislative process.

Mr. PRICE of Illinois. Mr. Chairman, I yield such time as he may require to the gentleman from Illinois [Mr. Annunzio].

Mr. ANNUNZIO. Mr. Chairman, we are now at "the moment of truth." We have been presented with an excellent set of recommendations respecting standards of official conduct for Members of this body. We owe an immense debt of gratitude to the diligent members of the Committee on Standards of Official Conduct, and in particular to the chairman of that committee, the Honorable Melvin Price. After holding public hearings last fall and deliberating for several months on the exact nature of a code of conduct for Members of the House, the committee issued its report on March 14, 1968. We are now called upon to debate and vote on House Resolution 1099, which will implement the recommendations contained in the committee's report.

We are a body of 435 legislators with differing philosophical and party persuasions. It is inevitable that there will be differing opinions regarding the appropriateness, the thoroughness, the fairness, and the rectitude of the several recommendations made by the committee. For myself, I could not be happier with the committee's product. It is judicious and reflects the prudence of those who shaped it. I commend the chairman and other committee members for this contribution. And I would remind my colleagues that the recommendations contained in House Resolution 1099 have earned plaudits from the press and have been compared most favorably with the recommendations adopted in the other Chamber.

Mr. Chairman, on one recommendation there should be no dissent. That recommendation empowers the Committee on Standards of Official Conduct to sit as a permanent committee of the House. There are compelling reasons why this should be so.

First, the committee is composed of six members of the majority party and six members of the minority party. In that respect it is unique in this House. This equality of party representation on the committee guarantees that any investigations, opinions, recommendations, or reports which issue from the committee will not reflect the prejudice or bias of the majority party in the House. At least one member of either the majority or the minority party must join with six members of either the majority or the minority party before any action can be taken by the committee. This safeguard against domination by one party on the committee a fortiori recommends empowering it to sit as a permanent committee.

Second, the members of the committee have spent the past year considering and constructing the standards contained in House Resolution 1099. They are thoroughly familiar with the complexities of ethical problems which confront Members of the House. Accordingly, they are best qualified to judge and to implement a set of standards adopted now and to make further recommendations in the future. It would be the sheerest nonsense to disband this committee.

Third, the American public will be reassured by continuation of the committee and deeply perplexed if the House were to disband it. Surely the last thing we want to do is weaken public confidence in the Congress.

Fourth, it is imperative that some committee be charged with oversight and investigative duties in respect to any set of standards adopted by the House. The three reasons I have already stated lead to no other conclusion than to empower the present committee with these functions. I must stress, and I am sure that the whole House concurs in this, that it would be preposterous to adopt standards of conduct unless an enforcing body is also created to investigate behavior contravening those standards.

Mr. Chairman, it is not my purpose in speaking today to comment at length on the various standards contained in House Resolution 1099. These have been ably explained and defended by my friend and colleague from Illinois, Melvin Price. I am prepared to vote for their adoption.

I would say only this in conclusion: There is nothing in these standards which we have to fear. They do not reflect adversely on any Member's character nor unnecessarily intrude upon our privacy. When a person seeks public office, he must pay a price. Those who elect him expect faithful and good service. The adoption of the standards in House Resolution 1099 will permit our constituencies to judge us concerning possible conflict of interest. There is no reason why they should be prohibited from this or from knowledge which enables them to make such judgments.

Mr. Chairman, the adoption of these standards—and the establishment of a permanent, bipartisan Committee on Standards of Official Conduct—will serve us and our House well.

Mr. PRICE of Illinois. Mr. Chairman, I yield such time as he may require to the gentleman from Tennessee [Mr. Evins].

Mr. EVINS of Tennessee. Mr. Chairman, I want to associate myself with the remarks and statement of the chairman of the Select Committee on Standards of Official Conduct, the gentleman from Illinois [Mr. Price], who has made an outstanding summary and report of the work of our committee.

I want to commend the gentleman from Illinois and the gentleman from Indiana [Mr. Halleck], the cochairman of the Committee on Standards of Official Conduct, and the committee members for their dedication and perseverance in the task of preparing a code of ethics to guide and direct the conduct of Members of the House.

The gentleman from Illinois has presented the facts with his discussion of the genesis and development of the work of the committee. He has outlined the history of the committee—its accomplishments—its recommendations—its goals and objectives.

Every member of the committee participated in the drafting of this recommended code of ethics. Every member drew upon his knowledge and experience to make a meaningful contribution to this necessary and essential work. This code is a product of much thought, deliberation, and discussion. This code has been refined in the crucible of debate and searching examination and study.

Certainly this code is worthy of adoption and, as our report indicates, we recommend that a permanent Committee on Standards of Official Conduct be established for the House. Certainly this recommended code does not represent the final, complete, and perfect solution to problems confronting the House, but it is a meaningful step in the right direction. This code will serve as a guide for the conduct of the Members and an index for the people to measure the conduct of their Representatives.

This code of ethics will also serve as a symbol of the integrity of the Congress. It will provide a uniform standard for our Members and prevent the tearing down of the institution of Congress.

The stature, integrity, and prestige of the legislative branch of Government must be maintained, and I urge adoption of the pending resolution.

Mr. PRICE of Illinois. Mr. Chairman, I yield 2 minutes to the gentleman from Colorado [Mr. ASPINALL].

Mr. ASPINALL. Mr. Chairman, I wish to commend all of the other members of the Committee on Standards of Official Conduct, or Committee on Ethics, as it is commonly known, for the fine work that they have done, and especialy do I commend the gentleman from Illinois, the chairman of the committee [Mr. PRICE] and the gentleman from Indiana, the ranking minority member [Mr. HALLECK].

Mr. Chairman, I do not intend to go into the technicalities of the legislation, because I think that has been pretty well covered. I do wish to say that I wholeheartedly support the present resolution that is before us. I realize full well that many brains may come up with some new information and new suggestions that would be worthwhile. I take no exception to anyone endeavoring to do that. But I think we have fully well covered the entire field as far as the welfare of the House and its Members are concerned.

Mr. Chairman, a Member of Congress answers, first, to his own conscience—we cannot legislate on that; second, he answers to his constituents, and that is pretty well taken care of in general law; third, he answers to his duly chosen colleagues—here, of course, is the reason why we have this particular resolution before us at this time; fourth, he answers all too often to an ambitious and uninformed news media. I suppose more than anything else this is the reason why this legislation is before us now. This House has during my tenure here pretty well taken care of its in-house duties. They have done it very well—and they have done it during this session.

Mr. Chairman, oftentimes I was in the minority in the discussion and in the consideration of the principles and policies that were discussed during the activities of the present committee.

The CHAIRMAN. The time of the gentleman from Colorado has expired.

Mr. PRICE of Illinois. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. ASPINALL. The resolution now before us, of course, is a conscientious compromise of many honest and differing opinions and it must be accepted and rejected largely on that basis.

No Member can put himself in the pattern and within the cloth of another Member. The best we can do is to gather on common ground. This legislation is not going to make an honest Member more honest. It is not going to make a dishonest Member, if there be any amongst us, honest. But it does establish an honest set of standards by which we can all be knowingly protected and guided, and a standard by which we can knowingly advise our constituents. Let it be known now that this does not prohibit any Member from publicizing any additional information that he may wish to publicize before his own constituency for any legal purposes whatsoever. If he wants to be considered, perhaps, more open and above board than he feels some of his fellow Members are, he can do it. This resolution does not prohibit that procedure. However it is a common ground upon which we can all meet.

As I said at the start if my remarks, I support the legislation.

Mr. HALLECK. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Massachusetts [Mrs. HECKLER].

Mrs. HECKLER of Massachusetts. Mr. Chairman, as a new Member, I was impressed with the urgent need for the formulation of a code of ethics. I commend the committee for their performance of this important duty.

Mr. HALLECK. Mr. Chairman, I yield such time as he may consume to the gentleman from Ohio [Mr. WYLIE].

Mr. WYLIE. Mr. Chairman, I rise in support of this resolution.

On April 13, 1967, the House adopted House Resolution 418 to establish a bipartisan committee of 12 members, six Democrats and six Republicans, "to recommend as soon as practicable to the House of Representatives such changes in laws, rules, and regulations as the committee deems necessary to establish and enforce standards of official conduct for Members, officers, and employees of the House."

The Committee on Standards of Official Conduct, thus established, has presented a resolution for adoption by this House.

Basically, it establishes rules of conduct for Members of Congress as follows:

First. Conduct themselves at all times in a manner which shall reflect creditably on the House.

Second. Adhere to the spirit and the letter of the Rules of the House and to the rules of duly constituted committees thereof.

Third. Receive no compensation nor permit any to accrue to their beneficial interest, the receipt of which would occur by virtue of influence improperly exerted from their positions in the Congress.

Fourth. Accept no gifts of substantial value from any person, organization, or corporation having a direct interest in legislation before the Congress.

Fifth. Accept no honorarium for a speech, writing for publication, or other similar activity, from any person, organization, or corporation in excess of the usual and customary value for such services.

Sixth. Keep campaign funds separate from personal funds. No campaign funds shall be converted to personal use in excess of reimbursement for legitimate and verifiable prior campaign expenditures.

Seventh. Treat as campaign contributions all proceeds from testimonial or other fundraising events if the sponsors of such affairs do not give clear notice in advance to the donors or participants that the proceeds are intended for other purposes.

Eighth. Retain no one from their clerk-hire allowance who does not perform duties commensurate with the compensation he receives.

It seems to me that the committee has done an excellent job in response to the resolution which clearly demonstrated a need for concern. The 90th Congress had a responsibility to establish guidelines for the conduct of Members of Congress and to set up a procedure for carrying out a code of official conduct.

The resolution establishes a permanent standing committee of 12 members which will have powers to establish and enforce standards of conduct for Members of the House of Representatives.

My interest in such legislation started when I was a member of the Ohio House of Representatives, where I sponsored a bill which would have established a code of ethics for the Ohio General Assembly. It seems to me highly desirable that a code of ethics can be established for Members of the Congress so that all will know the standards required and the consequences of violating these standards. Such action will be well received by the public and will make the public have more confidence in Congress.

Mr. HALLECK. Mr. Chairman, I yield such time as he may consume to the gentleman from Ohio [Mr. CLANCY].

Mr. CLANCY. Mr. Chairman, I would like to take this opportunity to commend the fine and diligent efforts of the members of the Committee of Standards of Official Conduct and to offer my wholehearted support of House Resolution 1099, being considered today. This resolution proposes to make that body a permanent, standing committee of the House and to adopt a code of official conduct.

The work product of the committee is notable. It has produced a set of rules which is both a constructive step toward the deterrence and elimination of conflicts of interest; as well as a guide to ethical practices, responsive to the needs and functioning of elected officials in a representative form of government.

There is a particular need for establishing such standards in these times when events are uncertain and solutions difficult. The public should be able to feel confident that its representatives are guided by and responsive to those needs which are best for the Nation, not for any person's advantage. Correspondingly, there is a need to avoid action which would unnecessarily repress Representatives in Congress who are the extended voice of their constituents.

To combine these considerations and to meet these needs is no easy task. The committee has proceeded in a fashion so as to take advantage of the best of applicable standards available and has molded them to apply in a unique setting. The workability of what has evolved remains to be tested. I am hopeful that this step will make it possible to eliminate conflict of interest as far as Members of Congress are concerned and in legislation that is considered.

Only by both adopting this code and by making the Committee on Official Standards a permanent and standing committee of the House can proper and meaningful initial steps be taken to assure continued public confidence in this system as it attempts to solve the problems confronting the Nation.

Mr. HALLECK. Mr. Chairman, I yield such time as he may consume to the gentleman from Kansas [Mr. SHRIVER].

Mr. SHRIVER. Mr. Chairman, last year I sponsored a resolution calling for establishment of the 12-member Committee on Standards and Conduct which has submitted for consideration today this legislation to make this a permanent committee. The adoption of this resolution will enable the House to make important strides toward the creation of a code of ethics and conduct.

The report of the committee, which represents a year of thorough study, recommends establishment of the present Committee on Standards of Official Conduct as a permanent standing committee of the House with powers to enforce standards of conduct. Recommendations also provide for public disclosure by Members of the House and their top employees of certain financial interests and the sources of certain outside income; and provisions also are outlined for handling and use of campaign funds. Of equal importance, the committee has recommended adoption of an eight-point code of official conduct.

In general, the recommendations represent an important step in the right direction. They will contribute to improving the conduct of public business in the Congress.

Mr. Chairman, I commend the committee for the meaningful progress which it has made on this important matter and I join in supporting this resolution.

Mr. HALLECK. Mr. Chairman, I yield such time as he may consume to the gentleman from Ohio [Mr. ASHBROOK].

Mr. ASHBROOK. Mr. Chairman, I thank the gentleman from Indiana for yielding. There is no doubt in my mind that there is a definite need for this legislation. Anyone who is halfway tuned in on what the public is thinking knows full well that the public has a strong contempt for elected officials in general. In my opinion, it comes very close to cynicism. This is dangerous. The public must trust the Government for if it does not, lack of respect for law and order commences and apathy adds to the difficulties in self-government.

Some of this cynicism comes from the lack of credibility in our administration leaders. The public is told there will be no bombings and large troop commitments to Vietnam and then we have them. The public is told that the draft quota will be lowered and then it is raised. There is a definite credibility gap.

The Bobby Bakers, the testimonial dinner perversions, and the other shenanigans in high places have led many Americans to be cynical about the honesty of their public servants. This legislation will be some step in the right direction in correcting these past abuses and I heartily support it. I brought many of the questionable practices of Adam Clayton Powell to the attention of this House 5 years ago. In some small way, this helped move us in the direction of the action we are taking today.

I am well aware that in doing this we subject ourselves to standards which should not be necessary. I have never felt it necessary for anyone to prove his honesty. You find out about it sooner or later. This is a small price to pay, however, for the privilege of being a Member of Congress. I am reminded of the professor who wrote me last fall and urged my support of full financial disclosure and so forth. I answered that I would go half way with him. My three daughters are going to college in the near future. He was concerned how his representative voted and whether there was any conflict of interest. I answered that I would be equally interested in knowing whether or not my daughters would, when they become college students, have professors who were LSD devotees, hippies, and imbued with questionable political principles. I would like to be just as sure when I entrust my children to his care as he wants to be when he entrusts the great duties of our office to people such as myself.

The answer is simple. You cannot legislate morality. I can never be sure of how my daughters will be educated and he can never really be sure of what processes go on in the legislative arena. This bill, for our part anyway, would at least put up a few guideposts to help along the way. Now, if they would work up a code for colleges—and, Mr. Chairman, I think we all agree they have a very sacred trust, too—I would feel as safe as he should be able to feel when this measure is adopted.

Mr. HALLECK. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. WILLIAMS].

Mr. WILLIAMS of Pennsylvania. Mr. Chairman, it has been a very real pleasure for me to have had the privilege of serving on the Committee on Standards of Official Conduct. This committee was given a most difficult assignment and it soon became apparent that the committee members, under the most able direction of Chairman MELVIN PRICE and the ranking minority member, Mr. CHARLES HALLECK, were determined to fully carry out the assignment which was given to them in House Resolution 418, which was passed by the House on April 13, 1967. Every member of the committee did an outstanding job and working with them was a rewarding experience.

I strongly urge the adoption of House Resolution 1099 which will put into effect the recommendations of the Committee on Standards of Official Conduct. The recommendations and the rules of official conduct recommended by the committee are meaningful and provide a code for the guidance of all Members. In addition, the provisions of House Resolution 1099 will adequately protect individual Members and the House from embarrassment over inadvertent or willful wrongdoing on the part of any Member.

The provisions of this resolution will also give protection to Members who are falsely accused of wrongdoing. A prompt investigation of false accusations by the committee will result in these accusations being proven to be false and, thereby, exonerating the Member from the stigma of false charges.

The recommendation that the Committee on Standards of Official Conduct be made a permanent standing committee of the House will pinpoint the responsibility for taking action against any Member who is doing something wrong. Had this responsibility been so pinpointed in the past, more prompt action would have been taken against Members whose wrongdoing had been widely publicized and whose actions were a reflection on all members of the House.

The procedures recommended by the committee for bringing charges against any Member requires that the charges must be made under oath. Thus, anyone bringing false charges against a Member is libel to prosecution. It is further provided that the committee may undertake investigations on its own initiative so that obvious violations of the code or the rules of the House can be dealt with by the standing committee.

The committee labored long and hard over the provisions calling for financial disclosure. I believe the committee recommendation which calls for limited public financial disclosure, with more complete private, confidential disclosure, gives the Members the greatest protection without subjecting them to the role of second-class citizens or, in effect, placing them in a goldfish bowl.

As stated in the committee report, the committee does not regard its recommendations as the final word on this subject. However, it does represent an excellent starting point and the code can be changed anytime that experience shows that a change is desirable.

I urge your support of House Resolution 1099.

Mr. HALLECK. Mr. Chairman, I yield 5 minutes to the gentleman from New Jersey [Mr. FRELINGHUYSEN].

Mr. FRELINGHUYSEN. Mr. Chairman, I would like to begin by paying tribute to the members of this committee for their efforts in producing a code of conduct. I would like to say that I am very much in favor of the establishment of a permanent committee with responsibilities in this area. I am very much in favor of appropriate rules to insure the proper conduct of Members of the Congress.

However, I would like to add that I

plan to vote against this resolution. I shall do so because I am very much opposed to the proposed partial financial disclosure provisions of this bill. Quite frankly, I am appalled at the fact that we have been discussing this very significant proposal for over an hour and a half with no discussion, and no legislative record, as to just what is meant by the language which we are incorporating into the rules of the House.

As an example, I have been trying over a period of an hour and a half to find out just what would be required of a Member if he should submit to the necessity of providing this kind of information:

> The interest of a spouse or any other party, if constructively controlled by the person reporting, shall be considered to be the same as the interest of the person reporting.

What, may I ask—and I ask this of any member of the committee—is meant by that? Is it necessary for the interest of a child, minor or adult, to be included among the assets to be reported by a Member? Is it necessary to include trust assets that a Member might have in trust for someone, either a member of his immediate family, or a nephew or a niece, or someone outside the family?

No record has been established on this point at all. The least we should do is to give indication of what is meant by what has been described by the chairman of this committee as "admittedly flexible language."

Furthermore, what does the language mean with respect to the kind of disclosure that must be made? "Any business entity"? What does that mean? Does that mean that a farm owned by a Member must be included if it produces an income of over $5,000 a year?

What does "doing a substantial business with the Federal Government" mean?

Is there any reasonable test by which we could tell whether a company that sells stock is doing substantial business? Is it going to be the responsibility of the permanent committee, to set up a list identifying which companies must be listed, and which need not?

Further, what entity is subject to Federal regulatory agencies? Would that automatically include any company listed on the stock exchange?

All these questions need to be answered.

Let me ask an even more fundamental question:

What is the purpose to be served by the public disclosure? Let me say that I would tomorrow, if my return were ready, be glad to submit my income tax return to any Member of this body if he felt it would be of advantage in determining whether or not I had some kind of conflict of interest, or have in some way not voted properly. However, I see nothing to be gained by the proposed public indication of where a Member's financial interests lie.

It is stated in the report that disclosure is presumably to prevent some kind of conflict of interest. This would, it is argued, give the voters an opportunity to know whether such a conflict of interest exists, and if one did exist, perhaps they would not vote to put a Member back into office.

Let me ask, for example, if a Representative from Oklahoma or Texas had an interest in an oil company, would he be prevented from voting on a question involving oil because it might be a conflict of interest? Or would it in fact be necessary for him to vote, regardless of his holding, because of the nature of his congressional district?

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman from Oklahoma, the majority leader. I was hoping that a member of the committee would answer some of these questions which I consider fundamental.

Mr. ALBERT. The gentleman mentioned Oklahoma. The largest oil company in the country, I believe, is the Standard Oil Co. of New Jersey, and perhaps some Member from New Jersey would own stock in that company.

Mr. FRELINGHUYSEN. I agree with the gentleman. It strikes me that a disclosure that an individual owns at least $5,000 in any of a number of companies would give no clue as to whether or not such ownership might influence his vote. I, myself, feel it insulting to suggest, because I might happen to have ownership in a certain company, it would influence my vote. Presumably it does not. Perhaps it is being argued that by voting there could be some influence on the market value of an equity investment, but I suggest that that would be an impossibility for the average investor.

I regret that my time has expired.

Mr. HALLECK. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. Kyl].

Mr. KYL. Mr. Chairman, yesterday on the floor of the House we were concerned with crime, particularly organized crime. Today we are talking about ethics. I would like to talk for a few minutes, not about the problem that could happen, but a problem that does occur today on the campus of the Capitol, and one which deserves immediate attention.

For about a year investigation has been underway checking into an illegal, well-organized activity here on "the Hill," one which involves the numbers racket, sports pools, and similar gambling. I can assure you, Mr. Chairman, that this is a matter of sufficient size to be of very grave concern. Investigation has been extensive.

I have been closely associated with this investigation. I am personally satisfied that no Member of this body and no official of this body is involved. But unless curbed, the subject will reflect with injury to all Members and all the officials of this body.

A very large number of people are involved. These people are employees of the House. These employees work in almost every department of the House.

I hope that under this act the Ethics Committee can make available to itself trained investigators who can look into such matters. At the present time, if we are to get a trained investigator from the Federal Bureau of Investigation or the Metropolitan Police Department, we must do so through an arrangement with the Capitol Police Board or the investigation is not to proceed. When we get investigators of this kind, they are marked almost immediately by the practitioners of the trade.

I can tell you that no wiretaps or similar devices were used in this investigation. I can tell you that no rules of the House were violated. I can also tell you that I think on this day every officer of this House should advise every employee under his jurisdiction that that employee will be summarily dismissed if he buys or sells numbers or engages in other illegal activity and, insofar as I am concerned, the individual should not be reinstated.

When sports lists and numbers can be purchased in every building on this campus every day, the situation cannot be ignored.

I do not intend to say any more on this matter. If reporters of the public media desire further information, may I suggest with some basic knowledge that there are members of their corps who can give them sufficient practical basic knowledge of the subject so they can proceed on their own to complete an investigation.

Mr. OLSEN. Mr. Chairman, I have read with great interest the report submitted to you by the Committee on Standards of Official Conduct. I enthusiastically ascribe to the recommendations in this report and hope that the House will see fit to adopt the recommended resolution. However, I feel the committee did not go far enough because it should have included the requirement that complete details of campaign financing be filed by each Member. In Montana we have been required to do this for years and I feel this is a healthy thing. I am sure the great majority of my distinguished colleagues would welcome the opportunity to disclose their campaign financing.

Mr. Chairman, I hope that we will amend the proposed resolution before passage to include campaign financing disclosure.

Mr. HALLECK. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. Pirnie].

Mr. PIRNIE. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I take this opportunity of expressing my commendation to the chairman of this committee and to the ranking minority member and the other members of the committee.

I joined in the introduction of this resolution and strongly support it but I share this feeling which I know is in the hearts and minds of all Members of this body: That, after all, the objective we are seeking cannot be completely gained by any language in this or any other resolution, but has to be found in our full understanding of our obligation to our constituents, our country, and our own conscience.

But this resolution represents a proper start. I am sure that through the continuing study and supervision of the permanent committee we can be assured that all appropriate action necessary to protect the integrity and dignity of this body will be taken.

Mrs. MAY. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Mrs. MAY. Mr. Chairman, I rise in enthusiastic support of House Resolution 1099, to continue the Committee on Standards of Official Conduct as a permanent committee of the House of Representatives.

On the opening day of Congress last year I joined a large number of my colleagues in introducing resolutions to create a special Committee on Standards of Official Conduct in the House of Representatives. Three months afterward this bipartisan committee was created, and has recently submitted what I consider to be an excellent report and recommendations, including a new eight-point code of official conduct for Members, officers, and employees of the House of Representatives.

In addition to the recommended code of official conduct, the committee has, among other recommendations, proposed the establishment of the Committee on Standards of Official Conduct as a permanent standing committee of the House with powers to enforce the standards of conduct it has proposed.

I believe all of the proposals of the special Committee on Standards of Official Conduct should be welcomed by the Members of the House of Representatives as well as by all Americans interested in good government. Adoption of these recommendations, and adherence to them by Members of Congress, should help increase confidence in the ethical behavior of the Congress which has been threatened by the actions of a few.

Mr. PRICE of Illinois. Mr. Chairman, I yield 5 minutes to the gentleman from Florida [Mr. BENNETT].

Mr. BENNETT. Mr. Chairman, I am pleased to support the recommendations of the Committee on Standards of Official Conduct. The committee has produced a unanimous report which deserves the approval of the House of Representatives.

I believe the report represents a substantial thrust forward in the field of government standards. The Congress should set the example in the conduct of official business for the rest of government at all levels. This has not always been so, but I think the Ethics Committee by its recommendations has made available to us the greatest advancement in congressional ethics in the 179-year history of Congress.

The committee has conducted a long and thorough investigation in this sensitive field. The problems have received good study and attention, with an opportunity for all Members of the House and outside witnesses to express their views.

Careful deliberation by all the members of the committee and staff has eliminated the impractical ideas and outlined the necessary rules by which the House of Representatives can raise the standards of the body. The legislation speaks eloquently of the duty performed by every member of the committee, which has gone about its work in an unassuming, thoughtful manner, despite its not altogether pleasant responsibility.

It was my privilege to serve as chairman of the first House Ethics Committee, and as the committee's report points out, our tenure was "short lived." I do believe, as the report suggests, we did do some important "spadework."

For example, the Select Committee on Standards and Conduct in the 89th Congress, recommended that the committee be continued in the 90th Congress, and that it have the power to receive and investigate complaints against Members and recommend appropriate disciplinary action. I am pleased these points are included in the committee's report.

The establishment of the committee as a permanent standing committee of the House with clear-cut powers to enforce standards and public disclosure of certain assets, income, and gifts are two important suggestions that should be applauded by the House and approved, just as the other recommendations of the committee.

This report is the outgrowth not only of the splendid work of the committee, but of the interest of many Members of the House. Over 100 resolutions calling for the creation of the Ethics Committee in the 90th Congress were introduced and the Rules Committee held long and careful hearings on these resolutions.

The main purpose of the report is to help improve the standards of the U.S. House of Representatives and also the public confidence therein. Sixty percent of those answering a Gallup poll in 1967 said they believed the misuse of Government funds by Congressmen was fairly common. Of course, we know that such abuses are in fact not common but we have seen a number of such damaging polls showing the people's lack of faith in the integrity of Congress.

A permanent House Ethics Committee is the vehicle to achieve and maintain the highest possible standards by statute and enforcement.

Some months ago, I conducted a nationwide survey on what the individual States had done in the way of codes of ethics or conflict-of-interest laws relating to executive and legislative officials. Some 23 States have statutes in this field.

For example, New York was the first State to enact a conflict-of-interest law in 1954; California now has a strong law for its legislators, who make annual salaries of $16,000; Missouri adopted the same code of ethics for government service which was approved by Congress in 1958 for Federal employees, and my own State of Florida has a set of standards for its State representatives and senators. Most of the States and many major cities of the United States are acting for strong government ethics committees and laws on the books. The first official act by the new mayor of Jacksonville, Fla., my hometown, the Honorable Hans Tanzler, Jr., was the proposal for a code of ethics for city employees and officials. This was also patterned after the code of ethics for government service passed in 1958.

From a practical standpoint the measure before us today is reasonable, not extreme, and is a constructive thrust forward for better government. The Committee on Standards of Official Conduct has done a good job. Its report deserves to be approved by the House of Representatives. This legislation is long overdue. I am hopeful it will be enacted without delay.

Mr. HALLECK. Mr. Chairman, I yield to the gentlewoman from New Jersey [Mrs. DWYER] such time as she may consume.

Mrs. DWYER. Mr. Chairman, as one who has been deeply concerned and actively involved for several years in the area of congressional ethics, I have found myself approaching the pending resolution and the report upon which it is based from two points of view:

First, a feeling of gratitude that the House finally has before it a concrete and potentially effective proposal for establishing and enforcing a code of official conduct for the Members, officers, and employees of this body; and

Second, a lingering regret that the Committee on Standards of Official Conduct did not more fully utilize this opportunity to bring to the House a more comprehensive, less ambiguous, code of ethics.

On balance, however, it is apparent that the committee has made an encouraging start and has established an ethical structure which can be elaborated and improved as changing needs and experience suggest. In light of the sharp divisions within the House on questions of ethical standards, and in view of the considerably less effective series of rules adopted by the other body, the committee's achievement is a notable one.

In three particular respects, Mr. Chairman, the committee resolution is most significant:

First, it would establish the committee on a permanent basis and equip it with the power to investigate, to recommend disciplinary action for violations, to report evidence of such violations to appropriate law enforcement agencies, to recommend changes in the proposed code of official conduct, and to render advisory opinions on ethical questions—powers which, properly used, can make the committee an effective instrument by which public confidence in the Congress can be restored;

Second, it would establish for the first time of a specific and enforceable Code of Official Conduct which, despite its gaps and ambiguities, sets the important precedent of specifying certain principles which those who hold the high office of U.S. Representative will be expected to honor; and

Third, it would establish, again for the first time, the principle that Members of Congress are subject to requirements of responsibility and accountability—including the disclosure of their assets and income—that go beyond those which are binding upon private citizens.

In brief, the resolution once and for all recognizes that persons elected to public office are the beneficiaries of a sensitive public trust which we cannot allow to be sullied. Public office is a privilege. Those of us who hold public office do so because we sought it; it was not imposed upon us. We have, consequently, accepted the obligations, the limitations, the inconveniences that accompany public life. In effect, the committee resolution simply formalizes these responsibilities and makes them binding.

To the extent that the committee resolution is inadequate, Mr. Chairman, much of the reason rests with the committee's decision to limit its resolution to those recommendations which would not require statutory changes and therefore would not involve the acquiescence of the Senate. I feel certain there were sound reasons for such a decision at this time, but I would urge members of the committee to turn their attention more directly to the need to improve specific laws—as opposed to House rules—which affect the conduct of Members and staff. In my own testimony and that of others before the committee, specific recommendations were directed to this objective.

I would also hope that the committee will shortly consider improving the proposed rules changes in at least two respects: First, by defining more meaningfully the governing language in the Code of Official Conduct—for example, in paragraph 4, what constitutes a "gift of substantial value"?—and by otherwise relating the code more immediately to the realities of conduct in public office; and, second, by at least some tightening up of such broad provisions in the financial disclosure rule as that which exempts from disclosure amounts of income and capital gains of less than $5,000—a figure which seems unnecessarily high.

I am led to believe that the committee will, in fact, deal with these problems or omissions. In its report, the committee included the following paragraph:

> The committee emphasizes that it regards its proposals not as the full answer to the maintenance of ethical standards of conduct but as a meaningful beginning. The committee contemplates that the proposed code of standards, if adopted, will be subject to revision and refinement as experience and developments indicate. The provisions recommended herein for the disclosure of certain financial details may prove in practice not as workable as they do in the hypothetical. These, too, may need modification as experience dictates.

Potentially, at least, the committee's expressed intention to develop a series of precedents through published decisions in the form of advisory opinions on the propriety of current or proposed conduct may become—in the committee's own words—"its most valuable function." If such precedents can be systematically developed in each of the major problem areas, published with reasonable expedition, and expressed with realistic precision, then the deterrent effect of the code may well exceed in importance the code's enforcement provisions. If I understand the committee's position, however, this goal will require the cooperation of Members in submitting appropriate requests for advisory opinions.

Specific and authoritative opinions rendered by the committee on specific behavior as described in its fullest context can be the best kind of preventive medicine and a most effective means of convincing Congress, its employees, and the American people that conduct of a questionable or unethical character will no longer be tolerated.

Mr. Chairman, rather than delay the House further, I include herewith, as a part of my remarks, the text of my statement on September 14, 1967, before the Committee on Standards of Official Conduct and the text of House Resolution 392 which contain, taken together, the details of my own proposals in this field.

The statement and resolution follow:

STATEMENT OF REPRESENTATIVE FLORENCE P. DWYER BEFORE THE HOUSE COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT IN SUPPORT OF EFFECTIVE LEGISLATION IN THE AREA OF CONGRESSIONAL ETHICS, SEPTEMBER 14, 1967

Mr. Chairman, and members of the Committee, it is a source of considerable gratitude to me and, I am sure, to millions of Americans, that your Committee is actively pursuing the question of establishing standards of official conduct for Members of the House of Representatives.

No issue before the Congress, in my judgment, is more important than the need to reestablish and strengthen the public confidence in the integrity of the Legislative Branch of the Government. We all know—for the public opinion polls, among other evidence, have told us—how seriously popular regard for Congress has declined in recent years. At a time when most of us are increasingly concerned about the growing imbalance of power between the Executive and Legislative Branches, about the apparent looseness of public morals, and about the disregard for law and order, we have a special responsibility to establish and enforce the highest standards of conduct for this, the highest institution of representative government in the Nation. It seems obvious that we cannot expect others, in or out of public life, to conform to ethical standards which we are unwilling to establish for ourselves.

Already, Congress has lagged much too far behind other institutions and organizations, in adopting effective ethical standards. Bar associations, medical associations, local and State governing bodies, and the Executive Branch of the Federal Government have established codes of ethics and conflict-of-interest regulations which go far beyond anything the Congress has done. Within the past week, for example, two more communities in my own Congressional District have approved detailed and demanding codes for their local governing bodies. In one case, the local ordinance established an independent committee of private citizens to supervise and enforce the implementation of the regulations, completely detached from the local government.

All this activity, I believe, can be traced to the demands of the general public for full information about what their elected representatives are doing and for assurance that the conduct of public officials will be above reproach. Certainly, the people have a right to ask this of us and a right to expect that we will respond affirmatively. Should we fail to respond, in an effective way, then we shall only be inviting further public cynicism about the Congress and suggesting to the people that we have something to hide.

My faith in this institution and my respect for my colleagues is too great to permit this to happen. Consequently, I believe that the proposals for ethics legislation which so many of us have made should be understood not as an implication that Congressional behavior is somehow less satisfactory than the norm but as an opportunity to demonstrate our good faith and our respect for the people's right to know. In the same sense, these proposals should be seen not as an onerous burden on Members of Congress or a distasteful invasion of our privacy but as part and parcel of the public responsibilities we agreed to undertake when we sought election to public office.

We pride ourselves, as politicians, on our sense of realism. I suggest, then, that reality, backed up by experience, tells us that public officials are no less subject to temptation or no less immune from carelessness than others who occupy positions of authority or influence or power. If this is so, we should act accordingly and establish standards and procedures which will help protect us and the people we represent from avoidable human weaknesses and their unfortunate consequences.

Since the beginning of the year, I have conducted an intensive restudy of this entire field—reviewing the existing inadequate statutes, analyzing past proposals for reform, and contrasting the conflict-of-interest regulations and standards of ethical conduct which govern officials of the executive branch with the virtual absence of effective standards and regulations governing the Congress.

As a result of these reviews, I am more convinced than ever that any ethics program which the House might adopt will be deficient unless it includes three main features:

First, it must provide for full disclosure, so that Congress and the people will have access to the facts of what is being done and how its money is being used.

Second, it must establish specific standards of behavior and prohibit the violation of these standards.

And third, it must be enforceable, on a regular, continuing and systematic basis.

Each of these features, Mr. Chairman, will reinforce the others. Without any one of them, the whole will be inadequate. Disclosure alone, for example, may lead nowhere unless there are standards against which to measure the facts which are disclosed. Likewise, standards by themselves can be meaningless unless we have the capacity to determine when they are being abused. And, finally, unless there is assurance that punitive action of some kind will follow from proven violations, then the restraining influence of both standards and disclosure will be gravely weakened.

Acting on these assumptions, I have prepared an ethics program which I believe will go a long way toward establishing the procedures, standards, and conditions under which the House can exercise effective supervision of the behavior of its own Members—a responsibility which it cannot delegate to others and which it must not refuse.

The principal elements in my program which I have introduced as legislation, include the following:

First. Public disclosure of all income, including identification of sources, gifts of more than nominal value, assets, liabilities, and transactions in real and personal property and commodities by all Members of the House and Senate, candidates for the House and Senate, top congressional staff employees and higher-ranking officials of the executive branch, in annual reports filed with the Comptroller General which shall be available to the public and the press.

Second. Public disclosure, as part of the published record of each case, of all communications or contacts with administrative agencies by Members of Congress or others outside the agency in connection with contract awards, licenses, grants of authority, et cetera.

Third. Public disclosure, through audits conducted by the Comptroller General under the supervision of the Committee on House Administration, of all spending of appropriated funds by Members, committees, and officers of the House from all accounts maintained by the House including those for salaries, expenses, travel, clerk-hire, et cetera.

Fourth. Adoption of an interim code of ethics for the guidance of Members, officers and employees of the House pending approval of a more comprehensive code. Such an interim code has been spelled out in some detail in legislation introduced by several of our colleagues, including my own House Resolution 392 where the interim code appears in Section 7.

Fifth. Establishment of a Committee on Standards and Conduct which shall have authority to (a) investigate allegations of improper conduct, (b) recommend disciplinary action to the House, (c) report violations of law to appropriate Federal and State authorities, (d) recommend to the House changes or additions to its rules and regulations with respect to standards of conduct, (e) render advisory opinions on ethical questions upon request, (f) conduct a thorough study of existing conflict-of-interest statutes applicable to the legislative branch and determine how they should be strengthened, and (g) recommend a comprehensive, specific, and enforceable code of ethics. Since your own Committee lacks authority in certain of these respects, I would earnestly suggest that you request such authority from the House.

Sixth. Provision of stricter controls over expenditures by Members of Congress or employees traveling outside the United States.

Seventh. Prohibition of the use of contributions to Members of Congress for personal purposes.

Eighth. Prohibition of the employment of relatives on congressional payrolls and the requirement that all employees regularly attend and perform the duties for which they were employed.

Ninth. Provisions of appropriate penalties for violation of the above.

I recognize, Mr. Chairman, that not all our colleagues will agree that all the provisions I have mentioned are necessary. There will be disagreement about the ways and means of accomplishing what I hope is the common objective of all of us, the revival of confidence in the Congress. I for one shall welcome such debate—so long as we can be assured effective action will follow.

We cannot go on much longer as though we were oblivious to the mounting criticism of Congress, to the loss of prestige, to the periodic scandals that reach out and touch all of us, and to the demands from every side that we put this House in order.

I am amazed that our people have been so patient, Mr. Chairman. They are, after all, the ones to whom we must account, the source of our funds and our authority. The Congress has given them too many reasons to wonder and doubt; we have stretched their patience to the breaking point.

This Committee has an unprecedented opportunity to help preserve and enhance the role of Congress as a free and representative assembly. I know how seriously you have taken on this responsibility, and I have every confidence that the results of your work will reflect credit upon us all.

H. Res. 392

Resolved,

ESTABLISHMENT OF SELECT COMMITTEE ON STANDARDS AND CONDUCT

Section 1. (a) There is hereby established a select committee of the House to be known as the Select Committee on Standards and Conduct (referred to hereinafter as the "select committee") consisting of ten Members of the House, of whom five shall be selected from members of the majority party and five shall be selected from members of the minority party. Members thereof shall be appointed by the Speaker of the House. The select committee shall select a chairman and a vice chairman from among its members.

(b) Vacancies in the membership of the select committee shall not affect the authority of the remaining members to execute the functions of the committee, and shall be filled in the same manner as original appointments thereto are made.

(c) A majority of the members of the select committee shall constitute a quorum for the transaction of business, except that the select committee may fix a lesser number as a quorum for the purpose of taking sworn testimony. The select committee shall adopt rules of procedure not inconsistent with the rules of the House governing standing committees of the House.

POLICY AND PURPOSE

Sec. 2. (a) One of the most vital concerns of a free and representative government is the maintenance of moral and ethical standards for their representatives which are above cause for reproach and warrant the confidence of the people. The people are entitled to expect from their elected Representatives in the Federal Government and the employees of the legislative branch a standard above that of the marketplace, for these public servants are entrusted with the welfare of the Nation. Yet these standards must be practical and should be fairly representative of the people who elect their representatives. Some conflicts of interest are clearly wrong and should be proscribed by sanctions in the criminal law; however, many are composed of such diverse circumstances, events, and intangible and indirect concerns that only the individual conscience can serve as a practical guide. But there are many possibilities of conflict in that shadowland of conduct for which guidance would be useful and healthy, but for which the criminal law is neither suited nor suitable. Therefore, the House finds that a code of ethics is desirable for the guidance and protection of its Members and the officers and employees of the House, by establishing the standards of conduct reasonably to be expected of them.

(b) It is also the purpose of this resolution to provide for a thorough study and investigation to determine necessary and desirable changes in existing conflicts-of-interest statutes applying to Members of the House and to officers and employees of the House, and to develop a comprehensive code of ethics for the guidance of such Members, officers, and employees, by which the purposes of this resolution may be more fully realized in the conduct of the public business in the House.

Sec. 3. (a) It shall be the duty of the select committee to—

(1) receive complaints and investigate, on its own initiative as well as upon request, allegations of improper conduct which may reflect upon the House, violations of law, and violations of rules, regulations, and any code of ethics of the House, relating to the conduct of individuals in the performance of their duties as Members of the House, or as officers or employees of the House, and to make appropriate findings of fact and conclusions with respect thereto;

(2) recommend to the House by report or resolution by a majority vote of the full committee disciplinary action to be taken with respect to such violations which the select committee shall determine, after according to the individuals concerned due notice and opportunity for hearing, to have occurred;

(3) recommend to the House, by report or resolution, such changes in or additions to the rules or regulations of the House as the select committee shall determine to be necessary or desirable to insure proper standards of conduct by Members of the House, and by officers or employees of the House, in the performance of their duties and the discharge of their responsibilities;

(4) report violations by a majority vote of the full committee of any law to the proper Federal and State authorities; and

(5) render advisory opinions upon questions of ethics arising under the rules of the House or any code of ethics of the House when so requested by the Members of the House or officers or employees of the House.

(b) The select committee from time to time shall transmit to the House its recommendation as to any legislative measures which it may consider to be necessary for the effective discharge of its duties.

Sec. 4. (a) The select committee is authorized to (1) make such expenditures; (2) hold such hearings; (3) sit and act at such times and places during the sessions, recesses, and adjournment periods of the House; (4) require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents; (5) administer such oaths; (6) take such testimony orally or by deposition; and (7) employ and fix the compensation of such technical, clerical, and other assistants and consultants as it deems advisable.

(b) Upon request made by the members of the select committee selected from the minority party, the committee shall appoint one assistant or consultant designated by such members. No assistant or consultant appointed by the select committee may receive compensation at an annual gross rate which exceeds by more than $1,600 the annual gross rate of compensation of any individual so designated by the members of the committee who are members of the minority party.

(c) With the prior consent of the department or agency concerned, the select committee may (1) utilize the services, information, and facilities of the General Accounting Office or any department or agency in the executive branch of the Government, and (2) employ on a reimbursable basis or otherwise the services of such personnel of any such department or agency as it deems advisable. With the consent of any other committee of the House, or any subcommittee thereof, the select committee may utilize the facilities and the services of the staff of such other committee or subcommittee whenever the chairman of the select committee determines that such action is necessary and appropriate.

(d) Subpenas may be issued by the select committee over the signature of the chairman or any other member designated by him, and may be served by any person designated by such chairman or member. The chairman of the select committee or any member thereof may administer oaths to witnesses.

Sec. 5. (a) As used in this resolution, the term "Members of the House" includes any Delegate to the House or Resident Commissioner in the House.

(b) As used in this resolution, the term "officer or employee of the House" means—

(1) an elected officer of the House who is not a Member of the House;

(2) an employee of the House, of any committee or subcommittee of the House, of any Members of the House, or of any Delegate to the House or Resident Commissioner in the House;

(3) the Legislative Counsel of the House or any employee of his office;

(4) an Official Reporter of Debates of the House and any person employed by the Official Reporters of Debates of the House in connection with the performance of their official duties;

(5) a member of the Capitol Police force whose compensation is disbursed by the Clerk of the House; and

(6) an employee of a joint committee of the Congress whose compensation is disbursed by the Clerk of the House.

POWERS AND DUTIES

Sec. 6. (a) It shall be the duty of the select committee to undertake a thorough study and investigation of the ways and means by which the policy objectives set forth in section 2 of this resolution can further be assured. In the conduct of such study and investigation the select committee shall, among other things, determine to what extent existing conflict-of-interest laws or regulations applicable to the legislative branch should be strengthened, and it shall recommend a comprehensive, specific, and enforcible code of ethics in the formulation of which it shall have considered the following subjects:

(1) Outside employment or professional or business activity by Members of the House or officers or employees of the House;

(2) Disclosure by Members of the House or officers or employees of the House of confidential information acquired in the course of official duties or the use thereof for personal advantage;

(3) Use of their official position by Members of the House or officers or employees of the legislative branch to secure unwarranted privileges, benefits, or exemptions for themselves or others;

(4) Dealing by Members of the House or officers or employees of the House in their official capacities with matters in which they have a substantial pecuniary interest;

(5) Conduct by Members of the House or officers or employees of the House which gives reasonable cause for public suspicion of violation of public trust; and

(6) Other matters concerning official propriety and the integrity of the public service as it relates to Members of the House, or officers or employees of the House.

(b) The select committee shall recommend to the House, by report or resolution, such additional rules or regulations of the House as the select committee shall determine to be necessary or desirable to insure proper standards of conduct by Members of the House and officers or employees of the House in the performance of their duties and the discharge of their responsibilities. The select committee shall also report to the House the result of its investigations together with such recommendations for the establishment of a House code of ethics as it may deem advisable. Such report shall be submitted no later than August 31, 1967.

INTERIM CODE OF ETHICS

SEC. 7. For the purposes of guidance for Members of the House and officers and employees of the House during the period during which the select committee is considering the provisions of an appropriate House code of ethics, the Congress hereby adopts the following standards as a guide to such Members, officers, or employees:

(a) No Member of the House or officer or employee of the House should have any interest, financial or otherwise, direct or indirect, or engage in any business transaction, or professional activity or incur any obligation of any nature whether financial or moral, which is in substantial conflict with the proper discharge of his duties in the public interest; nor should any Member of the House, officer or employee of the House give substantial and reasonable cause to the public to believe that he is acting in breach of his public trust.

(b) In addition to the general rule set forth in paragraph (a), the following standards are applied to certain specified transactions:

(1) No Member of the House or officer or employee of the House should accept other employment which will tend to impair his independence of judgment in the exercise of his official duties.

(2) No Member of the House or officer or employee of the House should accept employment or engage in any business or professional activity which will tend to involve his disclosure or use of confidential information which he has gained by reason of his official position or authority.

(3) No Member of the House or officer or employee of the House should disclose confidential information acquired by him in the course of his official duties or use such information for other than official purposes.

(4) No Member of the House or officer or employee of the House should use or attempt to use his official position to secure unwarranted privileges, benefits, or exemptions for himself or others.

(5) A Member of the House or officer or employee of the House should not by his conduct give reasonable cause for belief that any person can improperly influence him or unduly enjoy his favor in the performance of his official duties, or that he is affected by the kinship, rank, position, or influence of any person or political party.

(6) A Member of the House or officer or employee of the House should endeavor to pursue a course of conduct which will not give reasonable cause for belief that he is likely to violate his trust.

(7) Any Member of the House who has any direct or indirect pecuniary interest in the passage or defeat of any legislative measure should declare the nature and extent of such pecuniary interest before casting any vote with respect thereto upon the floor of the House or in any committee or subcommittee of the House.

(8) Any officer or employee of the House who has any direct or indirect pecuniary interest in the passage or defeat of any legislative measure, before engaging in the rendition of any service with respect to that measure for or on behalf of any Member of the House or any committee or subcommittee of the House, should declare to such Member, committee, or subcommittee the nature and extent of such pecuniary interest.

(9) No Member of the House, and no officer or employee of the House, should solicit or accept any substantial loan, gift, favor, entertainment, or any other thing of more than nominal value which is not generally available to persons not holding public office from any other person who has or may have any substantial direct or indirect pecuniary interest in the passage or defeat of any legislative measure upon which such Member has or may have occasion to cast his vote as a Member of the House, or with respect to which such officer or employee has or may have occasion to render any service as an officer or employee of the House.

Mr. PRICE of Illinois. Mr. Chairman, I yield such time as he may consume to the gentleman from Florida [Mr. GIBBONS].

Mr. GIBBONS. Mr. Chairman, I rise in support of House Resolution 1099 and urge its adoption. I think the committee that prepared this resolution has done a very commendable job in preparing a workable set of rules and regulations to help set standards of official conduct for Members of the House of Representatives.

This resolution, when adopted, will be a good beginning in an area that is largely uncharted. The laws and rules that we have been operating under in the past have not been effective and there has been no practical machinery by which standards of conduct could be properly judged.

I think that this code, and the machinery it establishes, will help restore a greater confidence in the legislative process. Again, I commend the committee members for their fine work.

Mr. HALPERN. Mr. Chairman, I am firmly convinced of the need to continue the Committee on Standards of Official Conduct as a permanent organ of this House, and to establish a solid, detailed, hard-hitting code of conduct for Members, officers, and employees.

The need is just as critical today as it has ever been. There is still a nagging suspicion in the minds of many citizens that up here on Capitol Hill, the loyalty of Congress to the public interest is being compromised by special interests.

Let me make it perfectly clear that I do not for an instant suggest that there is any substantial foundation for such charges. But the public's suspicion persists. I say it is up to us to dispel the public's doubts about our integrity. Confidence in this House must be restored.

Mr. Chairman, there is only one way to do it. We can steer only one course that will reestablish the confidence of our people and leave fewer festering uncertainties. And that course is full disclosure.

By that I mean full disclosure of every act of any Member which can possibly, in any way, affect his position as a representative of the people, or his integrity as a public servant.

Last year, I was deeply gratified to see the unanimous House action which resulted in the establishment of an ethics committee. I had introduced one of the bills in the House calling for such action, and through the years, in past sessions, I had introduced similar legislation.

That committee has now come forth with valuable recommendations, and I urge the House to accept these, at the very least, as a minimum code. However, I fervently call for a broadening of the code to include complete disclosure provisions, something I have long advocated, and for which I sponsored two bills in this session. It is my deep hope that the House will expeditiously implement these proposals.

I wish to stress the fact that a code of ethics, including complete disclosure, is the only way that Congress can affirm to the people our absolute conviction that we sincerely desire to comport ourselves in a manner most beneficial to the people we serve.

There can be no other way of affirming this intention, and the sooner it is done, the sooner we will lay to rest the speculations and innuendoes which have done so much to weaken the Nation's faith in its representatives.

Mr. FASCELL. Mr. Chairman, the bill under consideration today is the result of the genuine concern shared by all Members that the integrity and reputation of the Congress be insured. The Select Committee on Standards of Official Conduct has worked long and hard and I commend the Members for the outstanding job they have done with the difficult and complex task of recommending to the House of Representatives the regulations and standards by which it will judge itself and be judged.

The long-term security and welfare of this Nation depend, more than anything else, upon having a government with the highest standards of honesty and integrity. It is the responsibility of the Congress to insure that kind of government for the people of the United States. And it is our responsibility to insure that we observe those same high standards of conduct in making the rules for the rest of the Government.

For these reasons, in the 89th Congress I joined my good friend and colleague, the gentleman from Florida, Congressman BENNETT, as one of the first sponsors of the resolution to first establish the select committee. On the opening day of the 90th Congress I introduced a resolution to make the committee the permanent integral part of the House of Representatives which it now is. The approval of this legislation was itself a landmark in the history of the House.

After the establishment of the committee, it moved quickly to hold hearings and determine the nature of the standards and regulations needed by the House. I had the privilege of appearing before the committee during those hearings to testify in support of a code of ethics, and to urge that a workable framework be established within which that code could be enforced.

In my testimony I made a number of recommendations to the committee. They included the following:

A prohibition against receipt of any gifts or remuneration of any kind which might create a conflict of interest;

A prohibition against using an official position to secure special privileges;

A prohibition against the use of information secured during official action for personal gain;

A ban on any substantial participation in any private business which does business with the Federal Government;

A requirement that any possible conflict be made public and that a Member disqualify himself from any action in which he has a clear conflict of interest;

A ban on business relationships with any registered lobbyist; and

A prohibition against congressional interference in the judicial or quasi-judicial action of any Federal regulatory agency.

It was also my suggestion that each Member's public disclosure statement be examined by the committee, the Department of Justice, or the Comptroller General of the United States in order to determine if any conflict existed and the Member and the public advised accordingly.

After hearing testimony from 40 witnesses, including 30 Members of Congress, and after holding 39 executive sessions, the committee released its recommendations to the House of Representatives and to the public. As I have stated, with the enormous and difficult task with which it was charged, the committee responded admirably.

By recommending that the committee be made a permanent, standing committee of the House, and authorizing it to conduct investigations and supply advisory opinions on ethical questions, it has taken an important step toward assuring the American public that their affairs are being conducted with propriety, in an honest and forthright manner.

The code of ethics proposed by the committee and included in the legislation before us today, if adopted would greatly clarify the standards by which we and our employees should conduct the business of the House of Representatives. I was pleased to see that a number of the recommendations which I presented to the committee were included in its final proposal.

I commend the committee, too, for recommending its financial disclosure provision, requiring disclosure of major outside sources of income or investments by Members and officers of the House, their employees, and professional committee staff members.

While there will be those who urge the adoption of a broader code of ethics, and those who urge a less stringent one, I urge that the recommendations of the committee which has worked so hard and studied all possibilities, be accepted as a substantial first step.

Mr. MACHEN. Mr. Chairman, it is a distinct pleasure for me to rise today and give my firm and wholehearted support to House Resolution 1099. As reported by the Committee on Standards of Official Conduct, House Resolution 1099 would amend the House rules to first, establish a code of official conduct; second, require disclosure of certain outside income and investments; and third, make the Committee on Standards of Official Conduct a standing committee with investigative and enforcement powers. I concur completely with these objectives.

When the committee held hearings as a part of its effort to draft a meaningful code of conduct for House Members, I was one of 54 Congressmen who submitted statements or testified in person. At that time, I said that I personally favored the strongest workable code which could be developed. I believe that the code which has been put before us by the committee in House Resolution 1099 is realistic, specific, and enforceable. We expected and should accept nothing less.

I am fully aware that the record of the Congress over the years is by and large one of unparalleled excellence, in spite of rare departures from rectitude. The maintenance of ideals has been proven time and again to be of the utmost importance to us as legislators. Therefore, I urge all my colleagues to join with me in supporting House Resolution 1099. The recommendations that are set forth in the report will not restrain any of us from exercising our proper role as legislators and as the alter ego of our constituents. We need the code of official conduct. We need the provisions of House Resolution 1099 which provide for the disclosure of certain outside income and investments and we need to make the Committee on Standards of Official Conduct a standing committee with investigative and enforcement powers.

The long hours which the committee spent drafting its report and House Resolution 1099 deserve to be recognized and praised.

Mr. DELLENBACK. Mr. Chairman, about a year ago some 46 of the new Republican Members of this body joined together in urging the creation of a Committee on Standards and Ethics. A number of us spoke to this effect on this floor. A number of us testified to this effect before the Rules Committee of this House. I had the privilege of being one of such new Republican Members to do both.

When we created this new committee and charged it with the responsibility of producing our first meaningful code of standards and ethics, I was one of those who had reservations as to what the committee would be able to accomplish. I was concerned that the resultant recommendation of the committee would be to create of papier maché tiger. The committee has done far more than that. It has taken a significant step, and I personally join both in commending and in thanking each member of the committee for what he or she has accomplished.

This measure is by no means perfect, nor is it final. Each of us realize that. It is a beginning, and in my opinion, a good one. I urge its adoption. And after it has been adopted, I urge further that each of us make it his or her concern first, that it work effectively; and second, that, as its weaknesses and shortcomings and imperfections show up—as they will—we stand ready to recognize them and to make the necessary modifications.

Mr. CLEVELAND. Mr. Chairman, I rise in support of this resolution. I feel that the Committee on Standards of Official Conduct has done a good job on a very difficult problem. In the light of recent public demand, some action is clearly needed in this area.

I want to point out to my colleagues that the Joint Committee on the Organization of Congress recommended that the House of Representatives create a committee to be concerned with the standards and conduct of Members of the House. This recommendation, appearing on page 48 of the final report of the joint committee read as follows:

> ETHICS
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> The House of Representatives shall create a Committee on Standards and Conduct.
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> The joint committee heard considerable testimony with respect to the problem of the ethical conduct of Members of Congress. It is the opinion of the joint committee that the House of Representatives should create a committee to be concerned with the standards and conduct of Members of the House. The Senate has already created a committee to examine problems in this area and the House might explore profitably the organization and procedures of the Senate Committee prior to implementing this recommendation.

I would also like to call to the attention of the Members a very fine chapter on this subject by our colleague Bob Wilson, which appeared in the book "We Propose: A Modern Congress." As chairman of the Republican task force on congressional reform and committee staffing, which wrote "We Propose," I included this chapter in the hearings of the Committee on Standards of Official Conduct. For any Member who has not yet had the opportunity, I highly recommend they take the time to read this chapter.

Mr. MORTON. Mr. Chairman, first I commend the work of the chairman, the gentleman from Illinois [Mr. Price], the gentleman from Indiana [Mr. Halleck], and the members of the Select Committee on Standards of Official Conduct for the tireless hours they have spent in bringing this resolution before the House. But, Mr. Chairman, I must hasten to add that the consideration of this resolution marks, from my view, a sad milestone in the history of this great legislative body.

Compared to some, it has been my privilege to serve in the Congress only a relatively short time. But in these 5½ years I have come to know the men and women who here represent the heart and soul of America. I have seen clearly the reflection of American integrity and a profile of American purpose.

Among the realities of human life, and scattered sparsely through the story of service in the House of Representatives, there are—as there are in every other sector of our society—incidents of failure, of conflict in interest, and of deviation from noble purpose. In my opinion, these incidents would have occurred notwithstanding the existence of a Committee on Standards of Official Conduct, or a code of ethics, or the disclosures required by this resolution.

It is with heavy heart and deep reluctance that I bring myself to the point of voting "aye" for this resolution. A code of ethics and a standard of behavior is set out for a Member of Congress not so well in this resolution as it is in the oath of office which we all take at the beginning of each new Congress.

The ownership of securities or the size of a man's income is not relevant to his character. All the codes, all the sealed envelopes, all the disclosures cannot be related to the purpose with which a Member of Congress serves his constituents and, in a greater sense, his country. If we have those who would deviate or let their judgment be deflected by economic pressure, this deviation or deflection will occur with or without the adoption of the measure before us today.

If this resolution is designed to cover a broad spectrum of conflict in interest, it falls far short. For example, in the disclosure of assets, we deal only with corporate equity interests. Real estate or municipal indebtedness, agricultural interests, and many other areas where conflict could develop are all omitted from the disclosure requirements.

I understand fully the public pressures which have developed and which have resulted in bringing this resolution before the House, and with the same understanding, I am confident that at best it can only respond to that pressure. But if there are those among us who decide to use the power of their office for economic gain beyond their prescribed compensation, they will develop the ways and means.

In all candor, Mr. Chairman, I must say to my colleagues that, in my judgment, we are here creating a facade which can give the public a false impression that our house, from its foundation to its rooftop, is in order. The fact is that the men and women of this House of Representatives are truly representative of their constituents, endowed with the strength and burdened with the weaknesses of the people themselves.

Let us not permit this resolution to become a screen separating us from the realities of human life and of human behavior. Let us not lead anyone into believing this proposed code of ethics and its disclosures in any way will change the fabrication of the character of the 435 whose responsibility is to serve the people of this great Nation in the establishment of a government of laws, and not of men.

Mr. MILLER of Ohio. Mr. Chairman, I am very pleased with the proposals of the Ethics Committee, and I think their proposals deserve careful attention and strong support by all Congressmen. The American people have the right to expect high standards of conduct and integrity from all its public officials.

The recommendation of such standards of conduct should not be construed in any way as a reflection of past or present misconduct on the part of House Members or public officials in general. The fact is that standards of behavior followed by publicly elected officials are probably as high as that of any other group of people by virtue of the fact that they live in a goldfish bowl and their every action is subject to public view and public scrutiny, as it should be.

I have often expressed publicly my support for such a code of ethics. No public official should be afraid to tell the public what they, as taxpayers and voting citizens have every right to know. I think the committee's recommendations achieve this, and their proposals have my full support.

Mr. MONAGAN. Mr. Chairman, I support House Resolution 1099 and I compliment the committee on the work which it has done in bringing this resolution to the floor.

It is probable that many will find defects in it. Some will think it goes too far and others will feel that it does not go far enough.

I have long supported the proposal to enact a code of ethical conduct for the guidance of Members of the House and I also supported the resolution which created the select committee which has brought forth the resolution which we are considering today. Although the rules which are proposed to us in the present resolution leave much to be desired in the way of definition, as has been demonstrated in the course of debate, nevertheless, I believe that this action represents a substantial step in the promulgation of a code which will permit us to put our institutional house in order and provide a guide for our own assistance in this uncharted and difficult ethical area.

Mr. VAN DEERLIN. Mr. Chairman, I am supporting the ethics legislation before the House today, but with some reservations.

The bill giving permanent status to the Committee on Standards of Official Conduct represents a promising start. It will let the Nation know that the House does care about the public deportment of its Members, a fact that is attested to by the thoughtful report which the Committee on Official Standards has just presented to us.

I must say, however, that I wish the committee had recommended more stringent financial disclosure regulations.

As I understand the report, Members, officers, and some employees will be required to publicly identify only certain sources of income, not the amounts of money involved.

In addition, a citizen would be able to obtain such information as was available only through direct personal contact with the committee itself. Someone living far from Washington would not, apparently, be given this data in response to a letter. Instead, the inquiring citizen or his representative would have to appear in the committee offices and thoroughly identify himself as conditions for gaining access to the supposedly "public" information.

Now I am well aware of some of the very forceful arguments against total and public financial disclosure, including the theory that the mandatory setting forth of all the financial facts of a Congressman's life could constitute an unwarranted invasion of his privacy. Unfortunately, we who serve in the House are most emphatically public men, answerable to our constituents for every aspect of our official performance. Under the circumstances, it is difficult to see how the "public" and "private" sources of our personal income can be legitimately differentiated in any sound disclosure procedure.

Mr. MATHIAS, of Maryland. Mr. Chairman, the longest journey begins with the first step. The resolution before us today may be only a modest achievement, but it is a first step.

The Committee on Standards of Official Conduct has performed a great public service by shaping he first realistic, enforceable rules of conduct and disclosure for Members of this body. The committee has acted with great prudence and care in drafting recommendations which respond to the many complex questions of ethics which we face, and which strike a balance between the public interest and legitimate concerns for individual privacy. While exposure is valuable, the glare should not be so bright that it discourages public service.

At the same time, we should recognize that the measure before us today may not be adequate or appropriate for all time.

I, for one, would be glad to support stronger and more far-reaching disclosure provisions, and hope that the House will consider the question again after a year or two of experience with the new rules. Having taken this first step, we should not hesitate to move further in the future. Meanwhile, our approval of this resolution today give us the means to combat situations which might raise ethical questions, and thus to bolster the people's confidence in the integrity of their elected representatives.

Mr. STEIGER of Wisconsin. Mr. Chairman, I rise today in support of the adoption of House Resolution 1099. I want to join in paying tribute to the Committee on Standards of Official Conduct for their work in drafting this measure for action by the House.

The job the committee undertook was difficult but I believe they have done well in their effort.

I recognize fully that House Resolution 297, which I joined in introducing with a number of my freshmen colleagues, provides for more detailed disclosure of financial interests as does title III of H.R. 6185, which provides for the disclosure of gifts, assets, liabilities, and certain compensation. Nonetheless, I am proud of the resolution now before us because it represents a major step forward. It is a significant achievement in setting a clear standard.

I have said before that public office is a public trust. But the public—our constituents—cannot effectively measure how well we in the Congress are fulfilling that trust unless a meaningful standard exists. Thus the committee report embodies a standard which I support but I am well aware that it is impossible to write a code or standard which covers all actions which concern the conduct of office.

A code to the public who reads it in the press which prints it is almost meaningless as an instrument to judge our performance as public officials unless our records are like an open book, open to the full light of public scrutiny. This is done through disclosure.

The code we adopt here today is not a magic answer. It is through the disclosure provisions, limited as they are, which will give the public the factual basis for determining if we are carrying out the spirit and letter of the standard. It will make it far more difficult for the questionable actions of a few to reflect on all.

During my testimony before the Committee on Standards of Official Conduct I said:

> To many disclosure may seem to be an invasion of our privacy or independence. The "fish bowl" in which we live as public officials is already very clear and open. But I believe it is important to assume the responsibility of disclosure as a part of the awesome obligation of public office.

The disclosure provisions of House Resolution 1099 will do much to help insure that the standards of conduct will have meaning.

In my appearance before the distinguished committee which has presented its work to us today I outlined nine points which, in my judgment, provided the foundation for what was needed. House Resolution 1099 reflects to a large degree my own thinking on how best to meet the challenge of public confidence and I am pleased to see labor of the committee so fruitful and to support its recommendations this afternoon.

An open book policy for Members of the House does not put us in the position of relying on what someone else may say—it quite simply states who we are, from whom we have received compensation and with whom we have had dealings. Our public record as officeholders already is widely known and discussed, whether by the news media or our opponents. It it not better to have the record more fully available so that our judges—those who elect us—can see for themselves how well we have borne our trust as public officials?

I believe it is and for these reasons I shall vote to adopt this report. It will do much to maintain a high level of confidence in this institution, the House of Representatives, and nothing less should be expected.

Mr. O'HARA of Illinois. Mr. Chairman, we in Illinois are very proud of the gentleman from Illinois, MEL PRICE, whom we place among the legislative giants from our State who have given luster to this historic Chamber, and we hold in admiration and affection the peerless statesman from the adjoining State of Indiana, CHARLIE HALLECK. Add to these the gracious, beautiful, and brilliant gentlelady from New York, EDNA KELLY; the great and towering Texan, "TIGER" TEAGUE; the unquenchable and unsinkable Republican whip and Illinoisan, LES ARENDS. Then for good measure add two great sons of Tennessee, the Democrat, JOE EVINS; and the Republican, JIMMY QUILLEN; a former Governor of Vermont, BOB STAFFORD; a former speaker of the house in Ohio, JACKSON BETTS; and a former speaker of the house in Colorado, WAYNE ASPINALL; a veteran of the Army Corps in World War II and distinguished public servitor of the Commonwealth of Pennsylvania, LAWRENCE WILLIAMS; and, not the least, the great Virginian from Appomattox, WATKINS ABBITT.

What could come from this mixture of brains, dedication, understanding, and experience other than an outstanding committee? I know I express the thought of all the membership of the House that the Committee on Ethics headed by MEL PRICE, with CHARLIE HALLECK, the ranking minority member, in legislative quality would rank among the all-time great committees. All of us have a sense of good fortune that the deliberations and determinations on the difficult subject of ethics were in such able and dedicated hands.

It was my privilege and pleasure to appear before this committee on September 14, 1967. Among the recommendations I made was one which I hope the committee in its wisdom will adopt at a later date. It follows:

COMMITTEE STATEMENT BY MR. O'HARA OF ILLINOIS

> The number of quorum calls is increasing every year. In 1965 we had less than 200. In 1966 we had much more than 200. It is increasing, and why—because Members feel that they can remain away from the floor, and it doesn't hurt them politically at home because nobody pays any attention to it largely because the people at home do not know. We have a rule now that after each rollcall the list of absentees is printed, but that doesn't mean anything—that is one day and there might be many good reasons for absence on that one day. But if you print the number of absences at the end of every legislative session, and at the end of every month, the matter of numerous and unexplainable absences is going to come to the attention of the constituents at home, and we won't have these absentees.
>
> Now, what does it mean to us? As a matter of fact—and I want to guard my words now, because I made the rule since I have been here never to say any unkind words about colleagues of mine. In the final analysis every man has to answer for his own conduct.
>
> When somebody is absent from the floor and could be there and it results in a quorum call the absent Member is doing a grievance to his colleagues. A call of the roll takes about 25 minutes and, mind you, almost a month of every session is unnecessarily taken from us because of the absentees who made necessary these quorum calls.
>
> When there is a quorum call, and I am forced idly to remain there 25 minutes or more for the calling of the roll to establish that quorum, I feel to an extent, and maybe it is without intention on his part, that the Member who is absent is unfair with his colleagues. He ran for Congress and when elected should abide by the rules and the practices. He should not be a part-time Congressman.
>
> He is making my work day longer and hard simply because he doesn't answer the quorum calls or doesn't remain on the floor so that there would be no need of a quorum call.
>
> Yes, this is a hard and demanding job. I think we will all agree there is no harder job in the world. We never have any time, and yet nobody forces us here, nobody comes to us with a gun and says, "Now you have got to run for reelection."
>
> We come here voluntarily, and when we come here I think we should pay the price. Now, one of the prices is attendance. Oh, don't tell me we have so much work to do in our offices that we can't spend these 4, 5, or 6 hours a day on the floor. Of course we have got the time. We are liberally provided with an allowance to hire help, and to say we haven't time to be on the floor is all nonsense.
>
> Now, if we were on the floor tending to the legislative duties as we should, we would be out of here at least two months earlier every year, and we would do more work and I think we would do it better.
>
> Now, what I would suggest to this committee to do is simple. It can recommend—it is a simple thing—it can recommend that the rules be changed to provide that every month the Clerk of the House shall present for publication in the Congressional Record a complete list of all of the Members with the percentage of attendance, how many times a Member has been absent on rollcalls, either quorum calls or record rollcalls, and that that should definitely be printed at the end of the session.
>
> Now, the old-timers will remember that some years ago that was done, and the result was that Members generally felt that to maintain an attendance record of around 90 percent was acceptable and anything less needed to be explained to constituents.
>
> As a result, there were not so many quorum calls, there were not so many absentees. But then that was discontinued. Then many of the new Members come in and say, "Why, it is foolish to answer these quorum calls, only these old-timers, these old fogies, answer quorum calls, and if you are so smart you don't have to answer."
>
> Now, I suggest that this committee could very properly make that recommendation, and that could be made immediately effective, and it would increase attendance.

Mr. BOLAND. Mr. Chairman, I rise in support of House Resolution 1099, which would amend the House rules to create a Standing Committee on Standards of Official Conduct with investigative and enforcement powers; establish a code of official conduct for Members, officers, and employees of the House; and establish a partial financial disclosure requirement for Members of the House, officers of the House, and by their principal assistants and professional staff members of committees of the House.

As one of the sponsors of a resolution—House Resolution 271—which led to the creation last year of the House Select Committee on Standards of Official Conduct, I believe that the House today should strongly support these recommendations of the select committee and thereby maintain the reputation and integrity of the U.S. House of Representatives and the confidence of the American people in their elected representatives.

Mr. Chairman, we are all aware of the fact that this House of Representatives is the greatest, freely elected, deliberative, parliamentary body in the world today; but for more than a score of years the House has been sharply criticized by the press and public for failing to police itself. As I said last April 13 when the resolution to establish the select committee was before the House, this criticism was pertinent and justified because there is no other arm of the Federal Government to oversee the activities and behavior of the Members of this House.

The courts have wisely held that they have no power to intervene in the decisions reached by Congress concerning the conduct of its Members. This leaves the matter squarely up to each House. The House must adopt these recommendations today or lose public confidence. The reputation and integrity of the House is at stake here.

Mr. Chairman, the code of conduct recommended in this resolution by the select committee provides that Members shall keep campaign funds separate from personal funds; and no campaign funds shall be converted to personal use in excess of reimbursement for legitimate and verifiable prior campaign expenditures.

I am pleased that this provision is included because much of the criticism of the past dealt with the handling of campaign contributions. Over the last few years there have been countless numbers of critical articles in newspapers and magazines concerning campaign contributions and political fundraising methods. The Wall Street Journal ran a series of articles last spring on this subject. The author, Jerry Landauer, in his article of June 28, 1967, dealing with contributions from the congressional campaign committees entitled "Political Fund-Raising: A Murky World," noted:

> Representative Edward Boland of Massachusetts, who also ran unopposed politely returned his $250.

Mr. Landauer was referring to the 1966 congressional election. I had no opposition in the primary and the election, but contributions approximating some $3,500 were offered for my campaign, and politely returned to the donors after no political opposition entered, including the $250 from the House campaign committee to which the Wall Street Journal referred.

Mr. Chairman, the gentleman from Illinois [Mr. Price], the able chairman, and ranking minority member, the gentleman from Indiana [Mr. Halleck], and all members of the select committee deserve the congratulations of the Members of the House and of the Nation at large for the exemplary way in which they have carried out a sensitive, difficult but necessary task in drafting these recommendations.

The select committee's report, I feel, stands as a landmark in the history of this House of Representatives. For the first time in that history the House has before it a comprehensive code of ethics made as clear and as explicit as possible. Every word in the report, and this is no exaggeration, reflects the months of arduous and conscientious study that went into its drafting.

Perhaps the most remarkable achievement in this report is the way in which it strikes an equitable balance between the public's right to safeguards against unethical conduct on the part of their Representatives and the right of those Representatives to safeguards against irresponsible attacks. The fear that Members would be left vulnerable to such attacks, it seems to me, has played a major role in delaying a code of ethics.

In House Resolution 1099 we are presented with a sensible and workable approach to that problem. The resolution calls for conversion of the Committee on Standards of Official Conduct into a permanent committee of the House—a committee that would have jurisdiction over official conduct and authority to investigate any alleged violations of the code. At the same time, the resolution carefully limits the authority of the committee in its investigations and provides for procedures that would protect the rights of Representatives, officers, and employees.

I note with satisfaction the committee's statement that it proceeded "on the premise that enforcement is a poor substitute for prevention or deterrence." Clearly that approach pervades the committee's recommendations and clearly that approach is the most desirable one.

The limits of what is deemed "acceptable behavior" are now vague and muddled, leading to conduct that may be open to criticism if not actually inviting such conduct. The code proposed in House Resolution 1099 would go far toward eliminating this problem by defining those limits more sharply. And the authority of the committee to give advisory opinions "with respect to the general propriety of any current or proposed conduct" of any Member, officer, or employee, and to publish such advisory opinions for the guidance of others, would provide the most useful kind of precedents.

House Resolution 1099's proposals for financial disclosure would also help deter any conduct that might be judged objectionable. Full disclosure of a Member's major financial interests would make it very difficult, if not close to impossible, to engage in any conduct that even approaches conflict of interest.

The resolution, in short, would establish a system that would provide for both the prevention and the prosecution of unethical conduct.

I strongly urge its adoption.

Mr. TEAGUE of Texas. Mr. Chairman, one of the main objectives of the Committee on Standards of Official Conduct was to develop a set of standards of conduct for Members, officers, and employees of the House which would provide guidelines in gray areas in which there are no clear-cut answers, and no easy solutions, as to what is and is not ethical conduct. Another objective was to implement those standards by recommending a permanent committee of the House with the tools necessary to enforce them.

The task of establishing guidelines in inherently ambiguous areas is an extremely difficult and delicate one. The committee tried to achieve a balance between, on the one hand, a realistic and practical code with enough flexibility to be adaptable and enough rigidity to be meaningful, without, on the other hand, hindering the representative function and the well-tried mechanics of the legislative process, or encroaching on each individuals' inalienable right to privacy.

I believe that the committee has succeeded in that task and I support its efforts. While future experience will no doubt dictate further revisions and refinements, we have made an important beginning.

The merits of the recommendations contained in House Resolution 1099 have been sufficiently brought out and discussed. I would like to make only a few additional remarks regarding some aspects of the code of official conduct and the financial disclosure requirement for the benefit of those who think that it does not go far enough.

Standards I, II, commanding a Member, officer, or employee to conduct himself at all times in a manner which will reflect creditably on the House of Representatives and to adhere to the spirit and letter of the Rules of the House, are in a sense the most important maxims in the code in that they reflect the essential intent of the other standards combined.

The language of these two standards of conduct is deliberately general because their meaning can best be conveyed in subjective terms. There are some evils which all men recognize but which do not lend themselves to expression in precise and concrete terms or to enforcement by law. A good example of this kind of moral precept is, Thou shalt not covet thy neighbor's goods. However appropriate this precept may be as a moral law, it would be inappropriate for a secular government to enact and impossible for it to enforce.

The courts recognize the inherent ambiguity of some laws, as, for instance, in the case of negligence. It is theoretically undesirable and practically impossible to write a law contemplating all of the diverse and unique circumstances in which a man might be judged negligent. And even when all of the facts of a particular case are known, to decide whether a man's conduct was negligent, you must still ask the question, How would a reasonable and prudent man have acted under those exact circumstances? The final test is a decision by a judge and jury who must apply an inexpressible, yet recognizable rule of reason.

Standards III, IV, and V of the code, prohibiting compensation for improperly exerted influence, gifts of substantial value from any source having a direct interest in legislation and honoraria beyond the usual and customary value for the service rendered, are meant to deal with areas of potential conflicts of interest.

While some conflicts of interest are clearly wrong and are accordingly proscribed in the Criminal Code as well as in other rules and regulations, there are others which are not susceptible to such treatment. Standards III, IV, and V of the code fall into this category. The "usual and customary value" for a speech, for example, varies according to the particular situation. Whether a gift is of "substantial value" depends on its worth to the recipient and cannot be decided on the basis of dollar value alone. One hundred dollars may mean a great deal to one man and nothing to the next. Moreover, one cannot fix exact criteria for "direct interest" or decide when "influence is improperly exerted" without taking into account the particular circumstances.

By laying down rules that are too specific, we run the risk of giving our blessing, by implication, to the receipt of anything that falls outside of those rules. As Lord Sumner said in the case of Levene against Inland Revenue Commissioners:

> They incur no legal penalties and, strictly speaking, no moral censure if, having considered the lines drawn by the legislature, they make it their business to walk outside them. (A.C. 217, 227.)

The same thought is echoed in a comment by Howard Brubaker:

> J. P. Morgan ridicules Congress for being too dumb to lay down an air-tight revenue law. Most of us pay what we are told, and one man's tax is another man's loophole (13 New Yorker, June 19, 1937, p. 30).

Having considered the lines drawn, if a Member, officer, or employee chooses to walk outside them, what legal penalties or moral ceasure can he, strictly speaking, incur? A standard drawn too precisely might inadvertently seem to sanction conduct which, in the absence of such a standard, would be considered unethical.

The purpose of requiring financial disclosure is twofold: public disclosure of sources of income above a specified amount is designed to equip the voter with information so that he may properly assess whether the representative function is being compromised for personal gain; the private listing of amounts of income and assets above a specified amount would have a deterrent effect by serving as a reminder that conflicts of interest could arise.

While a Member's constitutents may be entitled to and usually do have an accurate picture of his financial holdings and professional involvements, it is important to keep in mind that no conclusions whatever can be derived from the mere fact that he has such holdings or associations. A Member's private interests and overall concern are usually inseparable from those of his constituency. It would be a mistake to infer, when his personal and public interests happen to coincide, that the former was the motivating factor in a vote cast or a service rendered. Here again, to determine whether a conflict of interest exists, the total context of relevant factors must be considered. Even then, it generally comes down to a question of intent, and only the individual can know his own motives.

For these reasons and many others, one can easily argue that the benefits of financial disclosure are negligible; that no matter how extensive the disclosure, it cannot provide the public with an adequate or realistic basis on which to evaluate conflicts of interest. It has been said that a little knowledge is a dangerous thing. If a man is going to be deliberately dishonest, and there have been few in the history of this body, he can always find loopholes. So that besides leaving the honest Member vulnerable to reckless and unwarranted allegations, disclosure could instead provide a smokescreen for the unscrupulous by giving the illusion of virtue. This is simply to point out that while guidelines are helpful, codes of ethics ultimately bind only the ethical.

The people have a right to integrity in their Congress. If it is true, as often charged, that the image of the Congress as a whole has been seriously tarnished by a few, and they have been few indeed, who have abused the power of their congressional offices, then we have a responsibility to restore the people's faith in the legislative process. I would like to say, however, that I, for one, believe that any lack of confidence is totally unjustified. During 22 years of observing the actions of this body, I have seen little except the most fundamental level of honesty and dedication.

Any lack of confidence that does exist is due mainly to the distortions of those critics who need only one case of an infraction of the public trust every decade—even the suggestion of a case will suffice—to imply that this is the rule rather than the exception. They are committing the obvious fallacy of attributing to the whole what may be true of only a fraction of the part.

The news media in particular have an obligation to report the facts accurately and avoid irresponsible contributions to the undermining of the people's trust in their Government. While it would not be considered newsworthy, a valuable contribution to confidence in the Congress could be made if the public were made aware of the unending hours of sincere and dedicated effort that goes into the legislative process, rather than hearing and reading only of the rare isolated instances of questionable conduct and dishonesty.

Mr. DORN. Mr. Chairman, may I congratulate and commend each member of the House Committee on Standards of Official Conduct. They have done, and are doing, an outstanding job. I want to commend the chairman, the gentleman from Illinois [Mr. PRICE], for so ably presiding over this committee.

I personally appeared before the committee on August 23 and made the following statement:

STATEMENT OF HON. W. J. BRYAN DORN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF SOUTH CAROLINA

Mr. DORN. Mr. Chairman and ladies and gentleman of the committee, it has been my privilege in hundreds of addresses throughout this Nation to defend the integrity, morality and ethics of the Congress. The conduct and ethical standards of Congress, as a whole, will compare favorably with any parliamentary body in the world or in the history of the world. No legislative body in the world or Government officials anywhere are more generally respected or have higher moral and ethical standards than the U.S. Congress and the U.S. officials here in Washington. The only Government officials and legislative bodies approaching the United States in moral and ethical conduct are those countries associated with England and the nations of northern Europe.

The Congress has had an illustrious history. The history of Congress began with the Continental Congress. That Congress unanimously elected George Washington Commander in Chief and we eventually won our independence. Had it made any other decision, I do not believe this Nation would have won its independence. That Congress created an army, a navy and a marine corps. Congress called for a Constitutional Convention out of which emanated the greatest document in world history. Congress called for a Bill of Rights which was adopted.

The Congress has made mistakes. The Congress has been both justly and unjustly criticized throughout the years, but it has remained the people's institution, directly responsible to the people, reflecting their hopes and aspirations. Congress has developed, both branches, into the greatest deliberative bodies in all the history of the world.

Recently Congress has come under severe attack largely because of the misconduct of a few of its members. This is an age of advertising and public relations when modern news media make news available almost instantly to almost every individual citizen throughout the country; therefore, a comparatively few and spectacular incidents have created for Congress an improper image. Reliable polls indicate that a majority of the American people believe the Members of the Congress are lacking in ethical standards and that a large percentage of the American people believe that Members of Congress are dishonest.

The United States is the leader of the free world. Should its Congress lose prestige—fairly or unfairly—it will affect the cause of freedom throughout the world. We are operating in a glass arena, with the world looking on.

Frankly, our image is not good. By the same means this bad image was created, we can create a good image, reassure the American people and reassure those who believe in parliamentary representation the world over. We can no longer delay reform.

The House of Representatives, elected every 2 years, is the most direct representation the American people have. Members of the House of Representatives are quite often the only real contact the sovereign American citizen has with the agencies and departments of the Federal Government. We have an obligation to represent those people "to the best of our ability." In order to best represent them and keep their confidence, the time has come for us to formulate and enforce high ethical standards for our own membership. Congress is already disciplined. We have many rules and regulations in existence now covering the conduct and activities of Members of the Congress, but we need to discipline ourselves still further and adopt a code of ethics and conduct for both members and candidates.

I recommend that the committee very seriously consider the creation of a permanent Committee on Ethics similar to those of the American Bar Association. This committee could receive any complaint, under oath, of any American citizen or group of citizens against any Member of Congress or any employee. This is nothing radically new. Wild public charges can be made against Members of Congress now. This would merely be an orderly and regulated way to bring complaints against the Members. Already under the Constitution any citizen has the right to petition Congress on any grievance. I believe the time has now arrived when we should create a permanent standing Committee on Ethics to perform this duty.

All Members of Congress should be required to file a detailed financial statement annually with the Committee on Ethics. This statement should show all assets and liabilities of both the Member and his wife and should include all outside income, gifts and honorariums in excess of $100, including automobiles and receipts from testimonial dinners. It should also include payments from the Federal Government such as soil bank payments, price supports, office rent, and reserve pay, et cetera.

I would urge the committee to recommend that the same standards of conduct and ethics apply to candidates for the House as for Members of the House. A candidate for the House, who is not an incumbent, should be required to file with the Clerk of the House a complete financial statement for himself, his spouse, and dependent children. This financial statement should include assets and liabilities, including all income, gifts, honorariums, et cetera, together with the names and addresses of the source, whether an individual or organization, for the 1-year period prior to his becoming a candidate for the House.

We should consider regulations which would prohibit nepotism. I would recommend that the committee carefully consider legislation that would prohibit any public official from employing or recommending for employment any member of his immediate family or any close relative for employment in the Government in any department in which he is serving or over which he exercises jurisdiction or control. I make this recommendation realizing fully that some immediate members of the family have performed magnificently and rendered a great service to our country. I can think of Mrs. John Nance Garner and Mrs. Harry S. Truman as examples of devoted, dedicated public servants. However, we have had Members of the House who have flagrantly violated this privilege and employed members of their family who did not even reside in the United States and who did no work.

I have every confidence in the membership of this committee. I commend and thank you for serving on this committee in addition to your other committees and countless duties. The American people are grateful to you. Each of you in both parties is a warm personal friend with whom I have served for many years. It has been a privilege to serve with most of you for 19 years. I know you cherish, love, and respect this House. I know that your only concern is to see this House preserved and its image protected. I commend you and pledge you my complete cooperation in restoring the image of this House as the people's very own institution.

I further pledge you my cooperation and support in your efforts to create a code of ethics and a standard of conduct for the membership of the House.

Mr. Chairman, I do recommend that a complete financial disclosure be made by each Member annually to the Clerk of the House. I agree with General Eisenhower when he said:

> All elected officials, particularly Members of Congress, should be required to make annual, certified accounting of their financial holdings.
>
> If a man has nothing to conceal, why should he object? If better laws, vigorously enforced with pitiless publicity, are needed—and surely they are—we must still remember the wise old axiom that government can be no better than the men who govern. As citizens with the priceless right of franchise, we must insist upon the highest code of honor in public life.

Mr. PRICE of Illinois. Mr. Chairman, I yield the balance of my time to the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Chairman, I use this brief time to ask some questions of the distinguished chairman of the committee.

I should like to find out whether, on page 9, line 6, when the words "instrument of ownership" are used, that means common and preferred stock.

Mr. PRICE of Illinois. I am sorry; I did not hear the question.

Mr. CELLER. Do the words "instrument of ownership" on page 9, line 6, mean common and preferred stock?

Mr. PRICE of Illinois. Yes, that does.

Mr. CELLER. Do the words "debt instrument" on page 9, line 13, embrace a debenture or mortgage?

Mr. PRICE of Illinois. Yes.

Mr. CELLER. But a convertible debenture would have to be listed?

Mr. PRICE of Illinois. That is correct.

Mr. CELLER. If I have stock in, let us say, General Motors, General Electric, or A.T. & T., which do substantial business with the Government, and the cost of that stock is over $5,000, I would have to list it?

Mr. PRICE of Illinois. The gentleman is correct—if the fair market value still is over $5,000.

Mr. CELLER. If the income from that stock on dividends is more than $1,000, I have to list it?

Mr. PRICE of Illinois. That is correct.

Mr. CELLER. To list the stock?

Mr. PRICE of Illinois. That is correct.

Mr. CELLER. As to part A.

Mr. PRICE of Illinois. Yes.

Mr. CELLER. If the value is less than $5,000 and the income is less than $1,000 I do not have to list it?

Mr. PRICE of Illinois. That is correct.

Mr. CELLER. When there is used the term "professional organization" on line 16, I take it, it means in a law firm, among other things?

Mr. PRICE of Illinois. The gentleman is correct. We mean a law firm or any other professional interest in that category.

Mr. CELLER. When the term is used on lines 22 and 23, "any income for services rendered exceeding $5,000," that would mean any business, would it not?

Mr. PRICE of Illinois. The gentleman is correct.

Mr. CELLER. Would it mean the income of a trustee of a trust fund?

Mr. PRICE of Illinois. Yes, it would.

Mr. CELLER. Would it mean the income of an executor of an estate?

Mr. PRICE of Illinois. Yes.

Mr. CELLER. In addition thereto, a person is a director of a mutual fund and he receives director's fees of $2,400 a year. Would he have to name the mutual fund?

Mr. PRICE of Illinois. If the components of the particular mutual fund do substantial business with the Government; yes, he would have to.

Mr. CELLER. But the fund itself does not directly do business with the Government, but does possess or own large chunks or blocks of stock of corporations that do business with the Government.

Mr. PRICE of Illinois. If the emphasis was on stock in companies doing substantial business it would be covered. If the greatest emphasis was on the stock of companies doing substantial business with the Government, yes.

Mr. CELLER. But a mutual fund itself does no business with the Government.

Mr. PRICE of Illinois. That is correct.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Indiana.

Mr. HALLECK. We had quite a discussion about just straight ownership in mutual funds. The person who owns in a mutual fund has nothing to do with running the fund, but a director would have. The director of a mutual fund, as I understand it, could direct certain funds to go into certain operations that might be in connection with the Government.

Mr. CELLER. No. A director of a mutual fund arranges for the buying and selling of stocks of corporations which in turn may do business with the Government, but the mutual fund itself does not do business with the Government.

Mr. HALLECK. That is correct, but the stocks owned by the mutual fund and the ones acquired by the mutual fund are determined by the directors.

Mr. CELLER. Wait a minute, now. Be very careful on that. Suppose I am an owner of a mutual fund stock. Would I have to list my mutual fund stock?

Mr. HALLECK. No.

Mr. CELLER. Why should a director, then?

Mr. HALLECK. Because the owner has no control of it. The director does have.

Mr. CELLER. He has no control of the corporations that do business with the Government.

That is very important, and ought to be clarified. I think, however, a director of a mutual fund who receives in directors fees more than $1,000 a year may have to list the name of the fund under part A, line 15 through 19, page 9, regardless of any other provisions of the bill and list the income and name of the fund under part B.

The CHAIRMAN. The time of the gentleman from New York has expired.

All time of the gentleman from Illinois has expired.

The gentleman from Indiana has 3 minutes remaining.

Mr. LONG of Maryland. Mr. Chairman, will the gentleman yield to me?

Mr. HALLECK. Mr. Chairman, I yield myself 1 minute, and I yield to the gentleman from Maryland.

Mr. LONG of Maryland. I wish to ask a question to clear the meaning of "substantial business with the Government." As an example, the IBM Corp. is a very large corporation, but its business with the Government, I believe, is only about 3 percent of its entire business. Which would control the meaning of "substantial," the actual sum of money involved in IBM's deals with the Government, or the percentage?

Would the fact that IBM only deals to the extent of 3 percent of its business with the Federal Government mean that it is not substantial?

Mr. HALLECK. Just expressing my own opinion, as I said here, I have said time and again that when you start to spell this all out, you get into a lot of difficulty. First of all, you are going to have to determine that if you own some IBM stock, but you could say if I have more than $5,000, I will list it. However, if you concluded that it was not substantial, I do not think anybody would put you in jail or throw you out of here if you made a misjudgment about it. Personally, I do not think that 3 percent would be controlling.

Mr. HOSMER. Mr. Chairman, will the gentleman yield?

Mr. HALLECK. I yield to the gentleman.

Mr. HOSMER. I had to step off the floor a moment ago and I wanted to get an answer as to the status of a trustee of a testamentary trust. Say a Member is a trustee of such a trust. Is he required to disclose in his disclosure the trust assets?

Mr. HALLECK. If it was an irrevocable trust, in my opinion, no conflict of interest could arise from it and he would not be expected to report it.

Mr. HOSMER. Let me ask you this: Suppose the terms of the trust creates a successive series of lifetime beneficiaries. It is a family testamentary trust and irrevocable. The first beneficiary is the surviving spouse of the trustor, and the second a son who is also the trustee and a Member of this House, and the third and last beneficiaries are his children.

Mr. HALLECK. Are you the beneficiary of the trust or the trustee?

Mr. HOSMER. The Member who is the trustee would be the beneficiary of the second life estate, entitled to its income, but to none of its corpus.

Mr. HALLECK. Then, he would have an interest in it.

Mr. HOSMER. Until the time his parent dies and he comes into that or when he is acting as trustee of this testamentary trust?

Mr. HALLECK. I would say to him until it came to him he would have no interest in it at all except to find it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HALLECK. Mr. Chairman, I yield myself 1 additional minute.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. HALLECK. I yield to the gentleman from New York.

Mr. CELLER. If there is a complaint filed, under what circumstances would the envelope that is sealed by the Member be opened? Must the complaint be bona fide, and who determines the bona fides of the complaint?

Mr. HALLECK. It is provided in this resolution that no complaint will be considered except that it be filed by a Member of the House of Representatives and in failing that it must have been refused by three Members of the House of Representatives before it will be considered by the committee.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

All time has expired.

The Clerk will read.

The Clerk read as follows:

Resolved, That House Resolution 418, Ninetieth Congress, is amended to read as follows:

"That clause 1 of rule X of the Rules of the House of Representatives is amended—

"(1) by redesignating paragraphs (r), (s), and (t) as paragraphs (s), (t), and (u), respectively; and

"(2) by inserting immediately after paragraph (q) the following new paragraph:

"'(r) Committee on Standards of Official Conduct, to consist of twelve Members as follows: Six members of the majority party and six members of the minority party.'

"SEC. 2. Rule XI of the Rules of the House of Representatives is amended—

"(1) by redesignating clauses 18 through 30 as clauses 19 through 31, respectively;

"(2) by inserting immediately after clause 17 the following new clause:

"'18. Committee on Standards of Official Conduct.

"'(a) Measures relating to the Code of Official Conduct.

"'(b) Measures relating to financial disclosure by Members, officers, and employees of the House of Representatives.

"'(c) The committee is authorized—

"'(1) to recommend to the House of Representatives, from time to time, such legislative or administrative actions as the committee may deem appropriate to establish or enforce standards of official conduct for Members, officers, and employees of the House of Representatives;

"'(2) to investigate, subject to paragraph (d) of this clause, any alleged violation, by a Member, officer, or employee of the House of Representatives, of the Code of Official Conduct or of any law, rule, regulation, or other standard of conduct applicable to the conduct of such Member, officer, or employee in the performance of his duties or the discharge of his responsibilities and, after notice and a hearing, shall recommend to the House of Representatives, by resolution or otherwise, such action as the committee may deem appropriate in the circumstances;

"(3) to report to the appropriate Federal or State authorities, with approval of the House of Representatives, any substantial evidence of a violation, by a Member, officer, or employee of the House of Representatives, of any law applicable to the performance of his duties or the discharge of his responsibilities, which may have been disclosed in a committee investigation; and

"(4) to give consideration to the request of a Member, officer, or employee of the House of Representatives, for an advisory opinion with respect to the general propriety of any current or proposed conduct of such Member, officer, or employee and, with appropriate deletions to assure the privacy of the individual concerned, to publish such opinion for the guidance of other Members, officers, and employees of the House of Representatives.

"'(d)(1) No resolution, report, recommendation, or advisory opinion relating to the official conduct of a Member, officer, or employee of the House of Representatives shall be made, and no investigation of such conduct shall be undertaken, unless approved by the affirmative vote of not less than seven members of the committee.

"'(2) Except in the case of an investigation undertaken by the committee on its own initiative, the committee may undertake an investigation relating to the official conduct of an individual Member, officer, or employee of the House of Representatives only (A) upon receipt of a complaint, in writing and under oath, made by or submitted to a Member of the House of Representatives and transmitted to the committee by such Member, or (B) upon receipt of a complaint, in writing and under oath, directly from an individual not a Member of the House of Representatives if the committee finds that such complaint has been submitted by such individual to not less than three Members of the House of Representatives who have refused, in writing, to transmit such complaint to the committee.

"'(3) No investigation shall be undertaken of any alleged violation of a law, rule, regulation, or standard of conduct not in effect at the time of the alleged violation.

"'(4) A member of the committee shall be ineligible to participate, as a member of the committee, in any committee proceeding relating to his official conduct. In any case in which a member of the committee is ineligible to act as a member of the committee under the preceding sentence, the Speaker of the House of Representatives shall designate a Member of the House of Representatives from the same political party as the ineligible member of the committee to act as a member of the committee in any committee proceeding relating to the official conduct of such ineligible member.

"'(e) For the purpose of carrying out the foregoing provisions of this clause, the committee, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.';

"(3) by inserting immediately before 'the Committee on Veterans' Affairs' where it appears in clause 22, as so redesignated by paragraph (1) of this section, the following: 'the Committee on Standards of Official Conduct—on resolutions recommending action by the House of Representatives with respect to an individual Member, officer, or employee of the House of Representatives as a result of any investigation by the committee relating to the official conduct of such Member, officer, or employee of the House of Representatives;';

"(4) by striking out 'paragraph 26' in clause 27(j), as so redesignated by paragraph (1) of this section, and inserting in lieu thereof 'clause 27'; and

"(5) by inserting immediately after 'Rules,' where it appears in clause 31, as so redesignated by paragraph (1) of this section, the following: 'on Standards of Official Conduct,'.

"SEC. 3. Clause 2 of Rule XIII of the Rules of the House of Representatives is amended by striking out 'clause 21' and inserting in lieu thereof 'clause 22'.

"SEC. 4. (a) The Rules of the House of Representatives are amended by adding at the end thereof the following new rules:

"'RULE XLIII

"'CODE OF OFFICIAL CONDUCT

"'There is hereby established by and for the House of Representatives the following code of conduct, to be known as the "Code of Official Conduct":

"'1. A Member, officer, or employee of the House of Representatives shall conduct himself at all times in a manner which shall reflect creditably on the House of Representatives.

"'2. A Member, officer, or employee of the House of Representatives shall adhere to the spirit and the letter of the Rules of the House of Representatives and to the rules of duly constituted committees thereof.

"'3. A Member, officer, or employee of the House of Representatives shall receive no compensation nor shall he permit any compensation to accrue to his beneficial interest from any source, the receipt of which would occur by virtue of influence improperly exerted from his position in the Congress.

"'4. A Member, officer, or employee of the House of Representatives shall accept no gift of substantial value, directly or indirectly, from any person, organization, or corporation having a direct interest in legislation before the Congress.

"'5. A Member, officer, or employee of the House of Representatives shall accept no honorarium for a speech, writing for publication, or other similar activity, from any person, organization, or corporation in excess of the usual and customary value for such services.

"'6. A Member of the House of Representatives shall keep his campaign funds separate from his personal funds. He shall convert no campaign funds to personal use in excess of reimbursement for legitimate and verifiable prior campaign expenditures. He shall expend no funds from his campaign account not attributable to bona fide campaign purposes.

"'7. A Member of the House of Representatives shall treat as campaign contributions all proceeds from testimonial dinners or other fund raising events if the sponsors of such affairs do not give clear notice in advance to the donors or participants that the proceeds are intended for other purposes.

"'8. A Member of the House of Representatives shall retain no one from his clerk hire allowance who does not perform duties commensurate with the compensation he receives.

"'As used in this Code of Official Conduct of the House of Representatives—

"'(a) the terms "Member" and "Member of the House of Representatives" include the Resident Commissioner from Puerto Rico; and

"'(b) the term "officer or employee of the

House of Representatives" means any individual whose compensation is disbursed by the Clerk of the House of Representatives.

" 'RULE XLIV

" 'FINANCIAL DISCLOSURE

" 'Members, officers, principal assistants of Members and officers, and professional staff members of committees shall, not later than April 30, 1969, and by April 30 of each year thereafter, file with the Committee on Standards of Official Conduct a report disclosing certain financial interests as provided in this rule. The interest of a spouse or any other party, if constructively controlled by the person reporting, shall be considered to be the same as the interest of the person reporting. The report shall be in two parts as follows:

" 'Part A

" '1. List the name, instrument of ownership, and any position of management held in any business entity doing a substantial business with the Federal Government or subject to Federal regulatory agencies, in which the ownership is in excess of $5,000 fair market value as of the date of filing or from which income of $1,000 or more was derived during the preceding calendar year. Do not list any time or demand deposit in a financial institution, or any debt instrument having a fixed yield unless it is convertible to an equity instrument.

" '2. List the name, address, and type of practice of any professional organization in which the person reporting, or his spouse, is an officer, director, or partner, or serves in any advisory capacity, from which income of $1,000 or more was derived during the preceding calendar year.

" '3. List the source of each of the following items received during the preceding calendar year:

" '(a) Any income for services rendered (other than from the United States Government) exceeding $5,000.

" '(b) Any capital gain from a single source exceeding $5,000, other than from the sale of a residence occupied by the person reporting.

" '(c) Reimbursement for expenditures (other than from the United States Government) exceeding $1,000 in each instance.

Campaign receipts shall not be included in this report.

" 'Information filed under part A shall be maintained by the Committee on Standards of Official Conduct and made available at reasonable hours to responsible public inquiry, subject to such regulations as the committee may prescribe including, but not limited to, regulations requiring identification by name, occupation, address, and telephone number of each person examining information filed under part A and regulations requiring the committee promptly to notify each Member of the House of Representatives of each instance of an examination of information filed under part A by such Member.

" 'Part B

" '1. List the fair market value (as of the date of filing) of each item listed under paragraph 1 of part A and the income derived therefrom during the preceding calendar year.

" '2. List the amount of income derived from each item listed under paragraphs 2 and 3 of part A.

" 'The information filed under this Part B shall be sealed by the person filing and shall remain sealed unless the Committee on Standards of Official Conduct, pursuant to its investigative authority, determines by a vote of not less than seven members of the committee that the examination of such information is essential in an official investigation by the committee and promptly notifies the Member concerned of any such determination. The committee may, by a vote of not less than seven members of the committee, make public any portion of the information unsealed by the committee under the preceding sentence and which the committee deems to be in the public interest.

" 'Any person required to file a report under this rule who has no interests covered by any of the provisions of this rule shall file a report so stating.

" 'In any case in which a person required to file a sealed report under part B of this rule is no longer required to file such a report, the committee shall return to such person, or his legal representative, all sealed reports filed by such person under part B and remaining in the possession of the committee.

" 'As used in this rule—

" '(1) the term "Members" includes the Resident Commissioner from Puerto Rico; and

" '(2) the term "committees" includes any committee or subcommittee of the House of Representatives and any joint committee of Congress, the expenses of which are paid from the contingent fund of the House of Representatives.'

"(b) Paragraph (a) of clause 16 of Rule XI of the Rules of the House of Representatives is amended by striking out 'rules, joint rules' and inserting in lieu thereof 'rules and joint rules (other than rules or joint rules relating to the Code of Official Conduct or relating to financial disclosure by a Member, officer, or employee of the House of Representatives)'."

Mr. PRICE of Illinois (during the reading). Mr. Chairman, I ask unanimous consent that the resolution be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. Sixty-three Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 84]

Ashley
Conyers
Dent
Devine
Diggs
Dowdy
Everett
Green, Oreg.
Gurney
Hagan
Hansen, Idaho
Holland
King, Calif.
Matsunaga
Moore
Patman
Poage
Resnick
Rosenthal
Roth
Scheuer
Selden
Sisk
Stubblefield
Teague, Tex.
Tunney

Accordingly the Committee rose; and the Speaker having resumed the Chair, Mr. HOLIFIELD, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration House Resolution 1099, and finding itself without a quorum, he had directed the roll to be called, when 406 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

COMMITTEE AMENDMENT

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

On page 10, strike lines 8 through 18 and insert in lieu thereof the following:

"Information filed under part A shall be maintained by the Committee on Standards of Official Conduct and made available at reasonable hours to responsible public inquiry, subject to such regulations as the committee may prescribe including, but not limited to, regulations requiring identification by name, occupation, address, and telephone number of each person examining information filed under part A, and the reason for each such inquiry.

"The committee shall promptly notify each person required to file a report under this rule of each instance of an examination of his report. The committee shall also promptly notify a Member of each examination of the reports filed by his principal assistants and of each examination of the reports of professional staff members of committees who are responsible to such Member."

The committee amendment was agreed to.

Mr. JACOBS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I want to commend the committee for its work on the report that it has brought in and point out to the House and to the Committee of the Whole that in law there are two main areas, one being substantive law and the other being procedure.

Substantive law means "thou shalt not do a thing and, if you do, you will receive the following maximum penalty." I think that the committee has done a good job in saying what "thou shalt not do." Perhaps it has not done the full job in stating what the maximum penalties will be, so that a Member of Congress can view with certainty what liability he might incur if he did a certain act.

The second phase of the law, procedure, outlines the method by which we determine if a person does the sort of thing prohibited. In this area, I think that there remains work to be done. Mankind has a lot of history behind it to tell him about the administration of equal justice under law. We ought to know by now that only by agreeing on the rules before the identity of the accused is known can we be sure that the rules will not be tailored on the spot for the purpose of favoring or oppressing the accused, depending on his popularity at the time of his trial.

This is true with respect to all citizens, including government officials. Government officials should neither be above nor below this basic law of our society.

Therefore, I have suggested to the ethics committee that the House adopt specific rules spelling out what conduct will result in what maximum punishment on the part of and to Members and Members-elect.

To be sure, sufficient experience and demonstrated need have already occurred for this committee to act in such substantive areas as conflicts in interests, public disclosures, and certain criminal convictions. But those rules must be enacted before the House can ever be said to have dealt entirely fairly with any respondent Member in the matter of discipline.

The alternative is the make-it-up-as-you-go-along curse of rule by man rather than by law when dealing with an accused Member or Member-elect.

Finally, with respect to procedure, once substantive proscription has been achieved with reference to a given activity concerning House service, the manner in which a Member can be accused and tried, and by whom, should be spelled out in advance.

In the absence of standing procedures, it is difficult to avoid the ridiculous inconsistency of granting to one respondent Member of Congress the right of cross-examination and denying that right to another.

I believe action of discipline or expulsion should be commenced against a Member or Member-elect of Congress only by affidavit filed with the Clerk, specifically and with certainty charging the Member with violation of a specific and certain House rule of official behavior.

I believe the complaining witness or witnesses should be required to face the accused and his cross-examination before an investigating committee—and I believe that the committee as in the case of a grand jury or as in the case of any prosecuting authority should first determine the efficacy and probable cause of that affidavit before proceedings are taken pursuant to it.

I believe both the committee and accused should be empowered to subpena witnesses and records; to cross-examine and to be represented by counsel.

And I believe the respondent Member should be accorded the other traditional elements of due process, both during the proceedings of the investigating committee and during trial by the House upon the filing of the committee's report.

Though I am not sure what form the rule might take, I believe you should look into the possibility of providing for disqualification, for cause, of nonrespondent House Members who otherwise might sit in judgment.

Mr. PETTIS. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. PETTIS. Mr. Chairman, I rise in support of House Resolution 1099 which is being considered by the Committee today. I believe the committee, after lengthy and considered hearings and study, has produced a worthwhile legislative recommendation. I trust it will receive the overwhelming approval of this body.

AMENDMENT OFFERED BY MR. HAYS

Mr. HAYS. Mr. Chairman, I offer an mendment.

The Clerk read as follows:

Amendment offered by Mr. HAYS: On page 8, after line 9, add the following:

"The provisions of this rule and rule XLIV of the Rules of the House of Representatives shall apply with respect to employers of individuals admitted to the various Press Galleries of the House of Representatives (under regulations prescribed by the Speaker of the House of Representatives pursuant to rule XXXIV) in the same manner and to the same extent as they apply to officers and employees of the House of Representatives."

Mr. PRICE of Illinois. Mr. Chairman, I make a point of order against the amendment, but will reserve the point of order.

The CHAIRMAN. The gentleman from Illinois [Mr. PRICE] reserves a point of order against the amendment.

The gentleman from Ohio [Mr. HAYS] is recognized to speak on his amendment.

Mr. HAYS. I thank the gentleman from Illinois for the point of order. I will make my pitch and then speak to the point of order later, if he really pushes it.

Mr. Chairman, this is a very simple amendment. All it does is to apply the same rules of disclosure—not to the gentlemen in the Press Gallery but to the employers of individuals in the Press Gallery. I think it is eminently fair and just.

I believe it is particularly fair that this should apply to those who have a great deal more power to influence people than the individual Members of the House of Representatives. It might be interesting to know what their assets are, where their stock holdings are, and why they print certain things that they do, and why they write certain editorials.

It just seems to me if we are going to sanitize this body that we ought not have any germs falling down upon us from upstairs.

I do not believe any of the fine correspondents up there have any diseases that they might pass, but some of them could be carriers from their employers.

So, Mr. Chairman, I would like to see this amendment adopted. I believe it is a good amendment to the rules of the House, and I hope the gentleman will not press his point of order. I believe the House would like to adopt this amendment unanimously.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. HAYS. I yield to the gentleman from Iowa.

Mr. GROSS. I am pleased to note the solicitude of the gentleman from Ohio for the Members of the House who will be here next year. The gentleman from Ohio is on his way to other places, as I understand it.

Mr. HAYS. The gentleman is frequently a good prognosticator, and I sincerely hope that his prognostication is correct in this instance.

Let me say further that although the House is not a home, that if I go down to the building at the other end of the street, that I will always have a warm spot in my heart for not only the House, but the Members of the House. And I will make it a campaign pledge right now that my Cabinet will not contain any Members of the other body, but it may contain some from this body.

Mr. JOELSON. Mr. Chairman, will the gentleman yield?

Mr. HAYS. I yield.

Mr. JOELSON. I know it is not customary for anybody to seek the Vice-Presidency, but if the gentleman is looking for a running mate from the East, I might be available.

Mr. HAYS. I will have to assess my position with all the minority groups, and the gentleman may very well be in the running—I cannot tell.

Mr. PRICE of Illinois. Mr. Chairman, may I be heard on my point of order?

The CHAIRMAN. The gentleman from Illinois will be heard on his point of order.

Mr. PRICE of Illinois. Mr. Chairman, I make the point of order, based upon the fact that under House Resolution 418 the jurisdiction of this committee was spelled out. Section 2 of that resolution reads:

> The jurisdiction of the committee shall be to recommend as soon as practicable to the House of Representatives such changes in laws, rules and regulations as the committee deems necessary to establish and enforce standards of official conduct for Members, officers, and employees of the House.

That is the limit of the jurisdiction of this committee, and I insist on my point of order.

The CHAIRMAN. Does the gentleman from Ohio desire to be heard on the point of order?

Mr. HAYS. Mr. Chairman, I submit that what the gentleman from Illinois says is true, and that this committee was set up to report to the House changes in laws and rules of the House of Representatives, and I would say further that nobody can be accredited to the Press Gallery unless they are accredited under the rules of the House, which rules delegate such accreditation, as I understand, to the Speaker of the House of Representatives, and therefore certainly this is one of the rules of the House, and the House would certainly have jurisdiction over their own rules.

The CHAIRMAN (Mr. HOLIFIELD). The Chair is ready to rule.

The resolution under consideration applies specifically to the Members of the House of Representatives and officers and employees of the House.

The amendment offered by the gentleman from Ohio [Mr. HAYS] applies to individuals who are not under the employ of the House of Representatives, and therefore is not germane to this resolution.

The Chair sustains the point of order raised by the gentleman from Illinois [Mr. PRICE].

AMENDMENT OFFERED BY MR. OTTINGER

Mr. OTTINGER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. OTTINGER:

"RULE XLIII

"CODE OF OFFICIAL CONDUCT

"There is hereby established by and for the House of Representatives the following code of conduct, to be known as the 'Code of Official Conduct':

"1. A Member, officer, or employee of the House of Representatives shall conduct himself at all times in a manner which shall reflect creditably on the House of Representatives.

"2. A Member, officer, or employee of the House of Representatives shall adhere to the spirit and the letter of the Rules of the House of Representatives and to the Rules of duly constituted committees thereof.

"3. No Member of the House of Representatives or any officer or employee of the House of Representatives may be an officer, director, or partner, or hold a controlling interest or any managerial position in any business or financial venture, enterprise or combination which is—

"(a) engaged in any lobbying activity;

"(b) engaged for compensation in the practice of rendering advisory or public relations services relating to the securing of contracts with the United States or any department, agency, or instrumentality thereof;

"(c) engaged in, or seeking to become engaged in, the performance of any construction, manufacturing, research, development, or service contract with the United States or any department, agency, or instrumentality thereof.

"(4) No Member of the House of Representatives or any officer or employee of the House of Representatives may accept—

"(a) at any time from any individual, entity, or enterprise which is engaged in lobbying activity any gift of money, property, entertainment, travel, or any other valuable consideration in an amount or having a value in excess of $100; or

"(b) within any calendar year from any such individual, entity, or enterprise such gifts in an aggregate amount or having an aggregate value in excess of $100.

"5. No officer or employee of the House of Representatives shall engage in any business, financial or professional activity or employment for compensation or gain unless—

"(a) such activity or employment is not inconsistent with the conscientious performance of his official duties; and

"(b) express permission has been granted by the Member of the House of Representatives charged with supervision of such officer or employee by this rule.

"6. A Member, officer, or employee of the House of Representatives shall accept no honorarium for a speech, writing for publication, or other similar activity, from any person, organization, or corporation in excess of the usual and customary value for such services.

"7. A Member of the House of Representatives shall keep his campaign funds separate from his personal funds. He shall convert no campaign funds to personal use in excess of reimbursement for legitimate and verifiable prior campaign expenditures. He shall expend no funds from his campaign account not attributable to bona fide campaign purposes.

"8. A Member of the House of Representatives shall treat as campaign contributions all proceeds from testimonial dinners or other fund-raising events if the sponsors of such affairs do not give clear notice in advance to the donors or participants that the proceeds are intended for other purposes.

"9. A Member of the House of Representatives or person who has declared or otherwise made known his intention to seek nomination or election, or who has filed papers or petitions for nomination or election, or on whose behalf a declaration or nominating paper or petition has been made or filed, or who has otherwise, directly or indirectly, manifested his intention to seek nomination or election, pursuant to State law, to the office of Representative in Congress may accept a contribution from—

"(a) a fundraising event organized and held primarily in his behalf, provided—

"(1) he has expressly given his approval of the fundraising event to the sponsors before any funds were raised; and

"(2) he receives a complete and accurate accounting of the source, amounts and disposition of the funds raised; or

"(b) an individual or an organization, provided the Member makes a complete and accurate accounting to the clerk of the House of the source, amount, and disposition of the funds received; or

"(c) his political party when such contributions were from a fund-raising event sponsored by his party, without giving his express approval for such fund-raising event when such fund-raising event is for the purpose of providing contributions for candidates of his party and such contributions are reported by the Member or candidate for Member of the House of Representatives as provided in paragraph (b).

"(d) The Member may use the contribution only to influence his nomination for election, or his election, and shall not use, directly or indirectly, any part of any contribution for any other purpose.

"10. A Member of the House of Representatives shall retain no one from his clerk hire allowance who does not perform duties commensurate with the compensation he receives.

"As used in this Code of Official Conduct of the House of Representatives—

"(a) the terms 'Member' and 'Member of the House of Representatives' include the Resident Commissioner from Puerto Rico;

"(b) the term 'officer or employee of the House of Representatives' means any individual whose compensation is disbursed by the Clerk of the House of Representatives; and

"(c) the term 'lobbying activity' means any activity undertaken for consideration by any person other than a Member of the Congress to influence directly or indirectly the introduction, passage, defeat, amendment, or modification of any legislative measure in either House of the Congress.

"For the purposes of this Code of Official Conduct of the House of Representatives—

"(a) each Member of the House of Representatives shall be charged with the supervision of each of his employees;

"(b) each Member of the House of Representatives who is chairman or co-chairman of a House or joint committee or subcommittee shall be charged with the supervision of each employee of such committee or subcommittee;

"(c) the Majority Leader shall be charged with the supervision of each officer and employee of the Majority, and the Minority Leader shall be charged with the supervision of each officer and employee of the Minority;

"(d) The Speaker of the House shall be charged with the supervision of each of his employees.

"RULE XLIV

"DISCLOSURE OF FINANCIAL INTERESTS

"1. Each individual who at any time during any calendar year serves as a Member of the House of Representatives, or as an officer or employee of the House of Representatives compensated at a gross rate in excess of $10,000 per annum, shall file with the Committee on Standards of Official Conduct for that calendar year a written report containing the following information:

"(a) The fair market value of each asset having a fair market value of $5,000 or more held by him, or by his spouse, or by him and his spouse jointly, exclusive of any dwelling occupied as a residence by him or by members of his immediate family, at the end of that calendar year;

"(b) The amount of each liability in excess of $5,000 owed by him or by his spouse, or by him and his spouse jointly at the end of that calendar year;

"(c) The total amount of all capital gains realized, and the source and amount of each capital gain realized in any amount exceeding $5,000, during that calendar year by him or by his spouse, by him and his spouse jointly, or by any person acting on behalf or pursuant to the direction of him or his spouse, or him and his spouse jointly, as a result of any transaction or series of related transactions in securities or commodities, or any purchase or sale of real property or any interest therein other than a dwelling occupied as a residence by him or by members of his immediate family;

"(d) The source and amount of each item of income, each item of reimbursement for any expenditure, and each gift or aggregate of gifts from one source (other than gifts received from any relative or his spouse) received by or accruing to him, his spouse, or from him and his spouse jointly from any source other than the United States during that calendar year, which exceeds $100 in amount or value; including any fee or other honorarium received by him for or in connection with the preparation or delivery of any speech or address, attendance at any convention or other assembly of individuals, or the preparation of any article or other composition for publication, and the monetary value of subsistence, entertainment, travel, or other facilities received by him in kind;

"(e) The name and address of any professional firm which engages in practice before any department, agency or instrumentality of the United States in which he has a financial interest; and the name, address, and a brief description of the principal business of any client of such firm for whom any services involving representation before any department, agency or instrumentality of the United States which were performed during that calendar year, together with a brief description of the services performed, and the total fees received or receivable by the firm as compensation for such services;

"(f) The name, address, and nature of the principal business or activity of each business or financial entity or enterprise with which he was associated at any time during that calendar year as an officer, director, or partner, or in any other managerial capacity.

"2. Each asset consisting of an interest in a business or financial entity or enterprise which is subject to disclosure under clause 1 shall be identified in each report made pursuant to that clause by a statement of the name of such entity or enterprise, the location of its principal office, and the nature of the business or activity in which it is principally engaged or with which it is principally concerned, except that an asset which is a security traded on any securities exchange subject to supervision by the Securities and Exchange Commission of the United States may be identified by a full and complete description of the security and the name of the issuer thereof. Each liability which is subject to disclosure under clause 1 shall be identified in each report made pursuant to that clause by a statement of the name and the address of the creditor to whom the obligation of such liability is owed.

"3. Except as otherwise hereinafter provided, each individual who is required by clause 1 to file a report for any calendar year shall file such report with the Committee on Standards of Official Conduct not later than January 31 of the next following calendar year. No such report shall be required to be made for any calendar year beginning before January 1, 1967. The requirements of this rule shall apply only with respect to individuals who are Members of the House of Representatives or officers or employees of the House of Representatives on or after the date of adoption of this rule. An individual who ceases to serve as a Member of the House of Representatives or as an officer or employee of the House of Representatives, before the close of any calendar year shall file such report on the last day of such service, or on such date not more than three months thereafter as the Committee on Standards of Official Conduct may prescribe, and the report so made shall be made for that portion of that calendar year during which such individual so served. Whenever there is on file with the Committee on Standards of Official Conduct a report made by any individual in compliance with clause 1 for any calendar year, the Committee may accept from that individual for any succeeding calendar year, in lieu of the report required by clause 1, a certificate containing an accurate recitation of the changes in such report which are required for compliance with the provisions of clause 1 for that succeeding calendar year, or a statement to the effect that no change in such report is required for compliance with the provisions of clause 1 for that succeeding calendar year.

"4. Reports and certificates filed under this rule shall be made upon forms which shall be prepared and provided by the Committee on Standards of Official Conduct, and shall be made in such manner and detail as it shall prescribe. The Committee may provide for the grouping within such reports and certificates of items which are required by clause 1 to be disclosed whenever it determines that separate itemization thereof is not feasible or is not required for accurate disclosure with respect to such items. Reports and certificates filed under this rule shall be retained by the Committee as public records for not less than six years after the close of the calendar year for which they are made, and while so retained shall be available for inspection by members of the public under such reasonable regulations as the Committee shall prescribe.

"As used in this rule—

"(a) The term 'asset' includes any beneficial interest held or possessed directly or indirectly in any business or financial entity or enterprise, or in any security or evidence of indebtedness, but does not include any interest in any organization described in section 501(c)(3) of the Internal Revenue Code of 1954 which is exempt from taxation under section 501(a) of such Code;

"(b) The term 'liability' includes any liability of any trust in which a beneficial interest is held or possessed directly or indirectly;

"(c) The term 'income' means gross income as defined by section 61 of the Internal Revenue Code of 1954;

"(d) The term 'security' means any security as defined by section 2 of the Securities Act of 1933, as amended (15 U.S.C. 77b).

"(e) The term 'commodity' means any commodity as defined by section 2 of the Commodity Exchange Act, as amended (7 U.S.C. 2).

"(f) The term 'dealing in securities or commodities' means any acquisition, transfer, disposition, or other transaction involving any security or commodity;

"(g) The term 'Member of the House of Representatives' includes the Resident Commissioner from Puerto Rico;

"(h) The term 'officer or employee of the House of Representatives' means (1) an elected officer of the House of Representatives who is not a Member of the House of Representatives, (2) an employee of the House of Representatives or of any committee or subcommittee of the House of Representatives, (3) the Legislative Counsel of the House of Representatives and employees of his office, (4) an Official Reporter of Debates of the House of Representatives and any person employed by the Official Reporters of Debates of the House of Representatives in connection with the performance of their official duties, (5) a member of the Capitol Police force whose compensation is disbursed by the Clerk, (6) the Coordinator of Information and employees in his office, (7) employees in the Office of Official Reporters to House Committees, (8) an employee of a Member of the House of Representatives if such employee's compensation is disbursed by the Clerk, (9) an employee of a joint committee of the Congress whose compensation is disbursed by the Clerk, and (10) any other person whose salary for official duties is disbursed by the Clerk."

Mr. OTTINGER (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

Mr. HAYS. I object. I would like to know what the amendment is.

The CHAIRMAN. Objection is heard.

The Clerk proceeded to read the amendment.

Mr. HALLECK (during the reading). Mr. Chairman, I ask unanimous consent that further reading of the amendment be dispensed with.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The CHAIRMAN. The gentleman from New York is recognized for 5 minutes in support of his amendment.

Mr. OTTINGER. Mr. Chairman, I first want to commend the Committee on Standards of Official Conduct for the good start it has made resolving complex problems of establishing standards of official conduct under trying circumstances. The resolution the committee has brought before us today represents progress in establishing ethical standards of official conduct that will increase public confidence in the House of Representatives as an institution and provide better guidelines for its Members.

The amendment I offer today is not in any way intended as criticism of the committee, its resolution, or any Member's conduct. Rather, it is an attempt to build on the committee's work. Its proposals are contained in bills I introduced in the 89th and 90th Congresses. Its provisions are similar to those made in the other body on a bipartisan basis by Senators HART, CLARK, COOPER, CASE, JAVITS, and others.

My amendment retains most of the code of official conduct as set forth in the committee resolution. It retains its basic methods of operation and protections of Members against unfair harassment. It adds specifics to the code of conduct for better guidance to the Members, and it extends the financial disclosure requirements. It proposes four new sections to the bill, sections 3, 4, 5, and 9, and adopts the rest of the committee resolution intact.

Sections 1 and 2 are identical to sections 1 and 2 of the committee resolution.

Sections 3, 4, and 5 deal with conflicts of interest, imposing specific standards.

Section 3 would prohibit Members of Congress, officers, and employees of the House from occupying positions of major influence with organizations or firms engaged in lobbying activities or doing business with the Government. This replaces the more general provisions of section 3 of the committee resolution.

Section 4 would prohibit members, officers, and employees of the House from accepting any gift in excess of $100 from a lobbyist. It replaces section 4 of the committee resolution which relates to gifts of "substantial value" instead of specifying the amount.

Section 5 limits the outside business and professional activities of officers and employees of the House to those consistent with their official duties and requires the express approval of the Member or appropriate supervisor.

Sections 6, 7, and 8 are identical to section 5, 6, and 7 of the committee resolution.

Section 9 makes clear the responsibility of a Member or a candidate for Congress, for funds raised in behalf of his campaign. It also restricts the use of campaign funds to campaign purposes.

Section 10 is identical to section 8 of the committee resolution.

My amendment also includes a provision for full financial disclosure more complete than the committee resolution. It is similar to the amendment sponsored in the other body by Senators CLARK and CASE—an amendment which was defeated by only four votes. It is a provision I introduced in the form of a bill in the 89th Congress and reintroduced in the 90th Congress as H.R. 5468.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. OTTINGER. Mr. Chairman, I ask unanimous consent that I may be allowed to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. HALLECK. Mr. Chairman, what was the request?

The CHAIRMAN. The gentleman from New York asks unanimous consent to proceed for 2 additional minutes.

Mr. HALLECK. Mr. Chairman, reserving the right to object, I am not going to object to these 2 minutes. We have all had copies of this amendment. It is not going anywhere. I am not going to object to this, but I am going to object to any more extensions.

Mr. ROBERTS. Mr. Chairman, I reserve the right to object in order to ask a question.

The CHAIRMAN. The gentleman from Texas reserves the right to object.

Mr. ROBERTS. Mr. Chairman, under the gentleman's amendment, if the gentleman went back and campaigned and came back to the Congress, would the gentleman be allowed to be a Member of this House. Would he be under the limit of expenditures?

Mr. OTTINGER. Mr. Chairman, I reported all of my expenditures. But the question is irrelevant. Neither the bill nor my amendment pertains to reporting of campaign receipts or expenditures or any limits on them. The gentleman knows this, I am sure, and his innuendo is unnecessary if not improper.

Mr. ROBERTS. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there further objection to the request of the gentleman from New York?

If not, the gentleman will proceed for an additional 2 minutes.

There was no objection.

Mr. OTTINGER. Mr. Chairman, briefly, this provision applies to each Member and each officer of the House or congressional staff member earning $10,000 a year or more. It requires annual disclosure of all assets and liabilities of the Member and his spouse having a fair market value of $5,000 or more, including capital gains, not just holdings in firms doing substantial business with the Government; the source and amount of each item of income; the identity of any professional association with a law firm or other professional firm practicing before any department or agency of the Federal Government; and the identity of each business enterprise with which he is associated in any managerial capacity. These disclosure reports would be filed with the Committee on Standards of Official Conduct as provided in the committee resolution. All this information would be available to the public, however, eliminating the sealed submission provisions of the committee resolution. While revelation of this information may seem an undue invasion of privacy to some, I feel a public official loses his right to such a claim of privacy. If a Representative has financial interests that might conflict with his official duties, the public has a right to know those interests and their extent. One of the burdens of public trust is loss of the right to keep confidential such information. And full disclosure is the Member's best protection against accusations of improper conduct. Ever since I was elected, I have voluntarily filed such a statement with the Clerk of the House.

These disclosure requirements are still nowhere as stringent conflict-of-interest provisions as Congress has applied to the Executive. I am sure all of you remember the great financial sacrifices which were required of Charles Wilson and Robert McNamara as conditions of their undertaking the job of Secretary of Defense. No such divestment is required here—merely, full disclosure. I think this is reasonable.

I offer this amendment to provide more precise guidelines for official conduct. It is intended to be helpful to all Members of Congress, not as criticism of their conduct. I believe it adds to the fine work of the committee. I urge its adoption.

Mr. PRICE of Illinois. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this amendment would strike out all language from line 14, page 6 through line 21 on page 12. It is a broad amendment, and it has not been offered previously to the committee for consideration. No one has had an opportunity to give previous study to it. I think it would be rather risky business for the House to adopt the amendment. I, therefore, urge defeat of the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. OTTINGER].

The amendment was rejected.

Mr. BINGHAM. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I, too, would like to compliment the members of the committee and the chairman for an outstanding piece of work.

I was one of those who testified before the committee. I made a number of proposals which would have gone considerably further than the committee has gone. However, I recognize the realities of the situation and I recognize that probably the Members are not prepared to accept the more extensive recommendations which I made to the committee.

I believe the committee report has gone about as far as this House is prepared to go.

I have asked for the floor, Mr. Chairman, to ask the chairman of the committee if he could clarify one or two points which seem to me somewhat ambiguous in the bill.

First, on the top of page 9, where there is reference to the interest of a spouse, would it be correct to say that the phrase "if constructively controlled by the person reporting" applies to the word "spouse" as well as to the words "any other party"?

I yield to the chairman of the committee.

Mr. PRICE of Illinois. The purpose of the language is to cover the situation where the person reporting, a Member reporting or an officer or an employee, could have an opportunity, by improper action, through the influence of his office, to permit income to accrue to his own personal use.

Mr. BINGHAM. I believe I understand the purpose, but I am not quite clear. Would the interest of the spouse be automatically included in this provision, or only when that interest is constructively controlled by the person reporting?

Mr. PRICE of Illinois. I would say not automatically, only in the instance the gentleman stated.

Mr. BINGHAM. I thank the gentleman.

I have a further question as to line 7 of the same page, with reference to "business entity" and "subject to Federal regulatory agencies." Would that include, for example, a State bank, whose deposits are regulated by the FDIC?

Mr. PRICE of Illinois. Yes, it would.

Mr. BINGHAM. I thank the gentleman.

I have a further question with regard to paragraph 3 on page 7. I am a little puzzled by the use of the word "improperly" on line 8, for the reason I assume that the committee is not suggesting the opposite.

This is section 3 on page 7, which reads:

> A Member, officer, or employee of the House of Representatives shall receive no compensation nor shall he permit any compensation to accrue to his beneficial interest from any source, the receipt of which would occur by virtue of influence improperly exerted from his position in the Congress.

My question here is as to the significance of the word "improperly." I presume the committee is not suggesting it is all right for a Member to obtain compensation for influence which is properly exerted; in other words, let us say, to be paid for a speech to be made on the floor of the House, which is a proper exercise of his influence, for which he should not be paid.

Mr. PRICE of Illinois. Of course not. I do not believe we could go so far as to say that, on the "improperly." We could visualize instances where income could accrue to a Member as a result of proper business activities. If he used his political influence, the influence of his position as a Member, to make pecuniary gains, I believe that would be improperly done. Also we had to be careful not to prohibit a Member from drawing his proper congressional salary and allowances.

Mr. BINGHAM. I am still a little puzzled by the use of the word, because it seems to me unnecessary, but I do not want to offer an amendment to delete it.

Mr. PRICE of Illinois. It may have been a poor choice of words; I do not know; but it was to make it clear it was possible for him to receive a salary.

Let me read the paragraph:

> A Member, officer, or employee of the House of Representatives shall receive no compensation nor shall he permit any compensation to accrue to his beneficial interest from any source, the receipt of which would occur by virtue of influence improperly exerted from his position in the Congress.

And of course he would still be able to receive his compensation as a Member.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. BINGHAM. Mr. Chairman, I ask unanimous consent to be allowed to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. HALLECK. Mr. Chairman, I object.

Mr. BUCHANAN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, before debate ends on this legislation, I would like to say a word about the present state of ethics in this body. This may constitute what the attorneys would call a self-serving declaration, but in my judgment it does reflect the truth, the whole truth, and nothing but the truth about the Members of the House.

Having been a minister for 17 years and having served as a church pastor for almost a decade prior to my own election, I have never been a part of a more honorable, a more ethical or a more responsible body than the U.S. House of Representatives. We are a representative body and hence reflect nothing more or less than what the people of America are. We reflect their virtues and their weaknesses, their pragmatism, and their idealism.

Our friends of the press, and the public as well, might well be reminded that whatever measure of hypocrisy or demagoguery or chicanery may be found here, one can also find, and in full measure, the bedrock integrity of the American people made evident in the lives of their elected Representatives. In the Members of this House there are reflected the faith, the character, the courage, and the patriotism of the American people. In these troubled times, as through all the years, this remains the hope and the strength of a great Republic.

AMENDMENTS OFFERED BY MR. REID OF NEW YORK

Mr. REID of New York. Mr. Chairman, I offer two amendments and ask unanimous consent that they be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read as follows:

> Amendments offered by Mr. REID of New York: On page 8, line 1, after "7.", strike out everything from line 1 through line 5 and insert the following in lieu thereof:
>
> "A Member of the House of Representatives shall not permit a testimonial dinner to be held for the purpose of obtaining contributions to his campaign or for the purpose of raising funds for his personal use or for any other purpose, nor shall he accept the proceeds of any such dinner held with or without his consent."
>
> Page 8, line 20, strike out everything after "Rule XLIV" through page 12, line 4, and insert in lieu thereof the following:
>
> "DISCLOSURE OF GIFTS, INCOME AND CERTAIN FINANCIAL INTERESTS OF MEMBERS OF THE HOUSE OF REPRESENTATIVES
>
> "1. Each Member of the House of Representatives (including the Resident Commissioner), and each officer and employee of the House who is compensated at a rate in excess of $15,000 per annum shall file annually with the Committee on Standards of Official Conduct (the "Committee") a report

containing a full and complete statement of—

"(a) the amount and source of each item of income, each item of reimbursement for any expenditure, and each gift or aggregate of gifts from one source (other than gifts received from any relative or his spouse) received by him or by him and his spouse jointly during the preceding calendar year which exceeds $100 in amount or value;

"(b) the value of each asset held by him, or by him and his spouse jointly, and the amount of each liability owed by him, or by him and his spouse jointly, as of the close of the preceding calendar year;

"(c) all transactions in securities or commodities by him, or by him and his spouse jointly, or by any person acting on his behalf or pursuant to his direction during the preceding calendar year;

"(d) all purchases and sales of real property or any interest therein, other than a personal residence, by him, or by him and his spouse jointly, or by any person acting on his behalf or pursuant to his direction, during the preceding calendar year; and

"(e) the names of all corporations, firms, partnerships or other business enterprises and all foundations or other institutions with which he or his spouse is affiliated as an employee, officer, director, trustee, partner or consultant.

"2. For purposes of section 1—

"(a) the items reported pursuant to subparagraph (a) thereof need not include alimony and separate maintenance payments;

"(b) the items reported pursuant to subparagraph (b) thereof under the heading of 'assets' need not include his personal residence or any asset with a fair market value of less than $2,500; and

"(c) the items reported pursuant to subparagraph (b) under the heading of 'liabilities' need not include liabilities incurred by reason of a mortgage on property occupied as his personal residence, by reason of the purchase of an automobile employed for his personal use or by reason of a loan or loans for current and ordinary household and living expenses not in excess of $1,000 in the aggregate.

"3. Reports required by section 1 shall be in such form and detail as the Committee may prescribe and shall be filed not later than April 30 of each year.

"4. All reports filed under section 1 shall be maintained by the Committee as public records which, under such reasonable regulations as the Committee shall prescribe, shall be available for inspection by members of the public.

"5. Whenever a Representative, or an officer or employee of the House of Representatives, violates any provision of this Rule, the Committee shall recommend to the House of Representatives such disciplinary or punitive measures as it may deem necessary or appropriate and such measures shall become effective against such Representative or officer or employee upon a two-thirds vote of the members of the House of Representatives present and voting."

Mr. REID of New York (during the reading). Mr. Chairman, I ask unanimous consent that the further reading of the amendments be dispensed with and that they be printed in the Record.

The **CHAIRMAN**. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REID of New York. Mr. Chairman, first I would like to say as sincerely as I can how much I, as one Member, have valued the opportunity of appearing before the Committee on Rules and before the Committee on Standards of Official Conduct. I know how difficult a task this was. I know how sensitive a job it is. I would like to say that I think the members of the committee have approached this with thoughtfulness and with courage. I know that there are many who feel that the committee report did not go far enough and some have felt and do feel that it went too far.

I would like to say in particular with reference to the distinguished gentleman from Indiana [Mr. Halleck] it is my opinion that the gentleman has worked especially hard in this endeavor and has given it a great deal of thought. And, Charlie, I, as one Member, want to say how deeply I shall miss you in the days ahead and how much we have valued your judgment and your service to this Nation at all times.

Very simply, Mr. Chairman, my amendment would ban testimonial dinners held for the purpose of raising campaign contributions or personal funds or any other funds for a Member. This prohibition on testimonial dinners goes beyond the committee's recommendation in the proposed code of official conduct that the proceeds from such dinners are to be treated as campaign contributions, if the dinner's sponsors do not clearly state another purpose in advance.

Mr. Chairman, it is my opinion that the day of the testimonial dinner should be over; that it can involve favor-seeking lobbyists upon occasion. And, no matter what the best intent of the individual or Member involved is, it can have the aspect of favor seeking. In my opinion this noxious practice belongs to the politics of the past and not to the new politics and public service of our Nation in the future.

I know, as do all Members, that congressional election and service can be expensive to the individual and his family. Importantly, I hope we will have election law reform and revision, on the Federal and State levels, to insure that no man or woman is denied service in this body for lack of financial means.

But the issue before us in this amendment is simply whether needed financial assistance should be acquired through testimonial dinners. I believe that the paramount public interest urges and requires that this not be the case. It is my opinion that there are broader and better ways that are not subject to potential abuse and I hope, in addition, that we will in due course raise the allowances and salaries of Members.

Lastly, Mr. Chairman, my second amendment, a copy of which is on each desk, calls for full public disclosure of all items of income, gifts, and reimbursed expenses in excess of $100; each asset worth more than $2,500 other than a personal residence; all debts with certain exceptions regarding personal obligations; all transactions in securities and commodities; all purchases and sales of real property; and all business affiliations.

Clearly, the committee sought in its concern over the question of conflict of interest to balance the need for public disclosure in the public interest with the invasion of one's privacy. Further, the committee noted the difference between other governmental entities and the legislative—namely, that the latter regularly submits itself to the electorate.

Proposed rule XLIV establishes the principle of disclosure and is a step forward. However, I do not believe it goes far enough. I would urge consideration of full public disclosure, saving only certain clearly private matters such as mortgage payments on a personal residence or payments for a loan for household expenses, such as consolidation of medical bills, and alimony, and separate maintenance payments in those limited cases where this applied. I believe, aside from purely personal matters, that there is more merit in public disclosure than in partial or mini-disclosure. I believe public disclosure would be a basic protection for Members and would enhance beyond question public confidence and respect.

Mr. MINISH. Mr. Chairman, will the gentleman yield?

Mr. REID of New York. I yield to the gentleman.

Mr. MINISH. If I understand the gentleman's amendment correctly, does it mean that a Member could not run a dinner or that a committee working in his behalf could not run a dinner in order to raise money for his campaign?

Mr. REID of New York. He would not be able to have a testimonial dinner. And, as I read the present rule of this committee, it is possible to have a testimonial dinner if explicitly announced in advance to donors and participants for campaign purposes or for raising funds for personal expenses. I know there is a difference of opinion on this. I happen to think that there are better and broader ways of raising money for a Member, not subject to abuse or the appearance thereof.

Mr. MINISH. Mr. Chairman, would the gentleman yield further?

The **CHAIRMAN**. The time of the gentleman has expired.

Mr. HALLECK. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I want to say at the outset that I deeply appreciate the nice words that were said of me by the gentleman from New York. He and I have been friends for many, many years, even before he ever came here, and I have appreciated that friendship. He has been my friend, and I have been his friend, but I must say that on this occasion I cannot agree with him.

The report in regard to testimonial dinners recognizes that testimonial dinners have become a part, a very fundamental part of the campaign-raising procedure not only of individual candidates, but of the great parties themselves. I can see no justification for outlawing them completely. I believe it is a legitimate way to raise campaign funds.

Believing that, I believe our committee went as far as it ought to go in that matter. The big complaint that there has been about testimonial dinners is that they are held for campaign purposes, and then the funds raised are diverted to personal use.

Mr. Chairman, I should have said when I spoke earlier in the day that sometimes it does not take very many bad apples to just spoil the whole barrel, and that is the kind of shape we are in. So I am against such a provision.

Now, beyond that——

Mr. LONG of Maryland. Mr. Chairman, will the gentleman yield?

Mr. HALLECK. Let me continue for a moment, and then I will yield.

Now, beyond that, I think this provision about testimonial dinners must be read in conjunction with point 4, which reads:

> A Member, officer, or employee of the House of Representatives shall accept no gift of substantial value, directly or indirectly, from any person, organization, or corporation having a direct interest in legislation before the Congress.

Now, if a great number of people put in $25, whether or not that would come within the purview of this "substantial" or not, I do not know. I believe everybody would have to kind of figure that out for himself.

But if it is tickets by people who have no direct interest in legislation pending before the House of Representatives and the matter is personal, what difference could it make? What is the difference between buying a ticket to a dinner for political purposes or writing you a check for $25 for your campaign fund? I do not believe there is any.

So, Mr. Chairman, I believe the committee in this regard has gone far enough.

Second——

Mr. LONG of Maryland. Mr. Chairman, will the gentleman yield on that point?

Mr. HALLECK. Yes, on that point.

Mr. LONG of Maryland. Is not the sense of the amendment offered by the gentleman from New York that it is much better to raise money under the table than over it?

Mr. HALLECK. Well, I do not know. I am not going to put that interpretation on it because I do not know.

I might say I never had a testimonial dinner in my life for campaign purposes or for personal purposes. As I said earlier in my speech here in the general debate, I have always kind of been hoping. So you might pass the word around in the right places.

But in any event, here is a provision for disclosure, and we have already been subjected to many questions about the extent of the disclosure that is provided for in the committee resolution.

Well, the gentleman from New York would go much further than that.

And I believe, Ogden, you would agree with that, that you feel that way about it, and I know other Members here do also. All I can say to you: You recognize, and I believe others do, who have introduced bills for complete disclosure, that, after all, we want to hit—well—sort of a medium ground between trying to make everybody here a second-class citizen, subjecting them to all sorts of pressures which would be unfair, and at the same time reaching those matters that deal, I would say in some degree, with conflict of interest, because otherwise what you have is nobody's business but your own.

I shall insist on that as long as I have a breath left. That is a private matter with me. But if I have an interest that might control my actions here, then I do not object to letting my people back home know about it, and that is all that is involved.

Mr. BELCHER. Mr. Chairman, will the gentleman yield?

Mr. HALLECK. I yield to the gentleman from Oklahoma.

Mr. BELCHER. I just hope to see the time that I am able to raise enough campaign funds to defray all the expenses of my campaign, and then I will sincerely worry about some of them for my own use. And I think that is true of about 90 percent of the Members of this House.

Mr. PRICE of Illinois. Mr. Chairman, I rise in opposition to the amendments.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. PRICE of Illinois. I yield to the gentleman from Ohio.

Mr. HAYS. Mr. Chairman, I would like to point out that in the gentleman's amendment he does not permit a Member of the House to hold a dinner for the purpose of raising funds, but your opponent can go ahead and hold all he likes, apparently.

I have been a friend of the gentleman from New York [Mr. Reid] a long time. I envy him a little bit. He is in the fortunate position really, of not having to raise any campaign funds. He can finance it himself. The fact is, I heard the other day that he wrote a check and the bank returned the check marked "Insufficient funds—not yours, ours."

So in a situation like that you do not need to have any dinners. Frankly, if I were in that situation, my campaign for the office downtown would be going a lot better. I would be out in Indiana campaigning today. But I have to be around here getting money by nickels and dimes, and it is not easy. This body—you know, they like one of their own, but they do not like to spring too much. About the only way you are going to get it is by a testimonial dinner. But on the face of it, could anyone vote for an amendment which would prohibit a Member from raising campaign funds while opening the door wide open to his opposition? I do not think so.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. PRICE of Illinois. I yield to the gentleman from Indiana.

Mr. HALLECK. I would like to make one comment. There has been some question raised with respect to campaign expenditures. When I talked here in the general debate I pointed out that this business of being in Congress is a continuing operation. If you are smart, you start campaigning the day after you are elected. You ought, every one of you who are going to run this time, go right back to your district and thank everybody personally for supporting you if you win and come back. So that takes money.

I would just like to say for the record, Mr. Chairman, so there will be no question about it, that we recognize, the committee report recognizes, that campaign contributions are a continuing matter and, as I said earlier, it is hard to draw a hard-and-fast line between what is personal expense and campaign expense. So far as I am concerned, I would err a little bit on the side of campaign expense.

Mr. PRICE of Illinois. Mr. Chairman, I agree completely with the remarks of the gentleman from Indiana. I would like to point out that there are occasional abuses in the practice of testimonial dinners, but I think there are adequate ways to deal with them. This committee made a thorough study of this subject. I do not see any sufficient reason to remove a broad base of participation of people in a campaign of a man running for membership in the Congress of the United States.

Many Members have advocated credit on income tax payments in order to encourage citizens to participate in helping candidates for political office. I think that if we would eliminate the broad base of contribution received from the fundraising dinner approach, we would be going contrary to what most of us have been trying to do, that is, to broaden the base of contributions in order to lessen the influence of the larger contributors.

Under an updated Corrupt Practices Act, as recommended in the committee report, full disclosure of campaign finances would serve adequately to expose possible conflicts of interest and do so without elimination of a fundraising device that many of us find necessary in running for office.

Also, no prohibition against testimonial dinners can be imposed on a nonincumbent candidate by the rules of the House, and thus an incumbent would be subjected to an unfair burden.

All in all, the occasional abuses that have arisen from this practice are dealt with adequately by the other measures recommended, and no sufficient reason has been demonstrated to remove a broad-based fundraising technique from those of us who need to raise such funds.

I also respectfully urge the House to reject that portion of the amendment offered by the gentleman on additional financial disclosure.

Mr. Chairman, in the report of the committee and, again, in the statement that I just completed to the House, it was stressed that only so much financial disclosure as serves legitimate objectives of disclosure could, with any validity, be required. The objectives of disclosure are: first, to serve as a deterrent reminder to the person filing; and second, to acquaint a Member's constituents with the areas in which it is possible for a conflict of interest to occur.

The committee membership represented the entire spectrum of thinking on this very delicate matter. That it was able to have reported such a recommendation clearly means that every aspect of what could serve the objectives and what did not serve the objectives was thoroughly explored.

Mr. Chairman, it is regrettable that the term "financial disclosure" has become such a slogan of so many who use it without thinking in terms of what it seeks to accomplish.

I repeat that the committee considered the full gamut, and strongly believes it has arrived at a position from which yielding in either direction is not the course this body should take.

Just as firmly as I would have urged rejection of any measure providing for less financial disclosure, I respectfully urge the House to reject this amendment.

I am opposed to this amendment in toto and hope that the Committee will vote down the amendment.

Mr. MINISH. Mr. Chairman, I rise in opposition to the amendment and move to strike the requisite number of words.

I would like to say to the gentleman from New York that what his amendment really does would be to restrict the membership in this House to millionaires. Now, I am a Member of this House, and I have no other profession or income. I do not think the salaries we are paid could finance my campaign. In fact, I have a primary in a month or two.

The gentleman may be so fortunate as to have no financial problems but that is not true of all of us. I think what the amendment of the gentleman would do—and I want to say this again—is restrict the membership in this House to a select few, and this is not the way our Founding Fathers described the Congress.

Mr. REID of New York. Mr. Chairman, will the gentleman yield?

Mr. MINISH. I yield to the gentleman from New York.

Mr. REID of New York. Mr. Chairman, I think there are other ways of raising funds from a broader base than a testimonial dinner.

Mr. MINISH. Tell me.

Mr. REID of New York. I hope some day we will revise our election laws so that there can be much broader support, so that any man or woman can serve in this great body irrespective of his or her finances.

Mr. MINISH. Will the gentleman please tell me how? I am going to need it in the next 35 days.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. MINISH. I yield to the gentleman from Ohio.

Mr. HAYS. Mr. Chairman, I think the gentleman has probably made the most succinct point of the afternoon. Just let me say the gentleman from New York talks about, in the future, he is going to try to see that there are better ways, but, as the gentleman from New Jersey says, he needs it in the next 35 days, and we have an election coming up now. I am not so sure the utopian scheme of the gentleman from New York, to have the taxpayers or somebody pay for it, ever is going to get passed. So all I hope is we beat the amendment of the gentleman and get on with the code of ethics.

Mr. FULTON of Pennsylvania. Mr. Chairman, I move to strike the last word.

Mr. Chairman, my question is one of legislative intent. Could I ask the chairman of the committee these questions? Of course, when this resolution passes that means there is no ex post facto activity involved. It is only from the time of passage on, that the jurisdiction of this committee covers?

Second, the question comes up on the jurisdiction of this Ethics Committee as against an election contest committee. Do each of these committees have the same jurisdiction, so that each and both of them are acting at the same time on a previous election?

The next question is, This is not a continuing body as the other body, but it completes its work at the end of a 2-year term, and an entire new body—and a new committee—is then elected. Is this committee then to operate by the congressional sessions; that is, for example, the 90th Congress, or shall it then continue as a continuing committee and carry over from previous Congresses? This is all in the future, not in the past. Will it carry over anything that might have been from previous Congresses without limit? In the ordinary case of libel or slander, it is 1 to 2 years; or, in the case of contracts it might be a 6-year period of limitation. Is there a period of limitation in here for the future? I am not speaking of the past. Could I have the legislative intent given?

Mr. PRICE of Illinois. Mr. Chairman, if the gentleman will yield, there is no period of limitation except the natural limitation of any Congress, which can amend the rules at any time.

Mr. FULTON of Pennsylvania. So that when this particular session is over, then that finishes the work of this committee for the 90th Congress?

Mr. PRICE of Illinois. Not if we adopt this resolution, unless the rules are amended in the 91st Congress.

Mr. FULTON of Pennsylvania. So, the rules of the 91st Congress would have to be amended to go back to the 90th to give this committee authority?

Mr. PRICE of Illinois. No. This committee exists as a standing committee of the 90th Congress under Resolution 418. Today we are seeking to amend this Resolution 418 to make this a permanent standing committee, and we will include it in the rules of the House as a permanent standing committee, and in the future it would be dealt with as all other committees. They are usually included in a blanket form on the first day of each new Congress.

Mr. FULTON of Pennsylvania. So, each new Congress then establishes a new ethics committee? Then my question is, What jurisdiction does that new ethics committee have, for example, in the 91st Congress?

Mr. PRICE of Illinois. The jurisdiction and limitations of the committee are spelled out in the resolution we are working on this afternoon.

Mr. FULTON of Pennsylvania. What jurisdiction does that Ethics Committee of the 91st Congress have for an election that took place for the membership to be elected to the 91st Congress?

Mr. PRICE of Illinois. I think when the gentleman is talking about anything that might occur in the way of campaign finances, and problems or anything, he is talking about two different situations.

The gentleman is talking about the Corrupt Practices Act and could also be talking about that committee we establish every 2 years, in each session of Congress, the Special Committee on Elections.

Mr. FULTON of Pennsylvania. Then this Ethics Committee has no jurisdiction over election contests or anything taking place in an election?

Mr. PRICE of Illinois. That is correct.

Mr. FULTON of Pennsylvania. Second. This Ethics Committee expires at the end of each Congress, and a new Ethics Committee is then set up under new rules of the next Congress?

Mr. PRICE of Illinois. No.

Mr. ALBERT. Mr. Chairman, will the gentleman yield? The gentleman is misstating the rule.

Mr. FULTON of Pennsylvania. I believe it should be set straight.

Mr. PRICE of Illinois. If we adopt the resolution today, this would be a permanent, standing committee of the Congress, and it would require subsequent action to take it from that category.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. FULTON of Pennsylvania. I yield to the majority leader.

Mr. ALBERT. The truth of the matter is that this would become a part of the rules structure of the House, and on the opening of each session we readopt the rules structure. It applies to this committee and to the gentleman's Committee on Science and Astronautics, and every other committee in the House.

Mr. FULTON of Pennsylvania. So then a new Ethics Committee is set up?

Mr. ALBERT. No more than we would have a new Committee on Agriculture, Committee on Ways and Means, or committee on anything else. We reestablish by resolution, the rules of the House and the committees of the House every time we start a new Congress.

Mr. FULTON of Pennsylvania. I have one more question.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. FULTON of Pennsylvania. Mr. Chairman, I ask unanimous consent to proceed for 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

Mr. HALLECK. Mr. Chairman, reserving the right to object, I might say I have been objecting to the requests. I believe the gentleman's question has been answered.

Mr. FULTON of Pennsylvania. The question as to what is the jurisdiction of the committee when it begins and when it ends, on activities, has not been answered.

Mr. HALLECK. Under my reservation, then, I will answer the question, and then I will object. I believe I know what the gentleman is talking about.

Mr. FULTON of Pennsylvania. Yes.

Mr. HALLECK. No. 1, we specifically provide that the creation of this committee shall create ex post facto no responsibility on anyone.

Mr. FULTON of Pennsylvania. That is good.

Mr. HALLECK. No. 2, this is a standing committee. If the rules are adopted in the next Congress, it will still be a standing committee. New members could be selected for that committee. The code having been adopted, and a transgression of the code having occurred in this Congress, and a complaint made about it in the next Congress, we say, first, it could be entertained. Unless it were timely I would say, if I were a member of the committee, I would not pay any attention to it.

Mr. FULTON of Pennsylvania. This is what I believe should be made clear.

The CHAIRMAN. Is there objection

to the request of the gentleman from Pennsylvania?

Mr. HALLECK. Mr. Chairman, I object.

Mr. COLLIER. Mr. Chairman, I move to strike the requisite number of words.

I will not take 5 minutes, but I do wish to clarify a point which I have heard discussed on this side of the aisle and one which I believe necessitates clarification. I do this also for the purpose of making legislative history.

In this regard I offer a hypothetical case.

If at the end of a campaign, a Member's campaign committee has, let us say, $300 left in the fund, or receives contributions in excess of what the campaign expenditures were, would the committee be permitted to provide this money for a Member's newsletter, or for a plane ticket for his return to speak at a political rally or a meeting of any nature? Or would this not be considered a legitimate or bona fide campaign expenditure?

Mr. PRICE of Illinois. I would say that whatever is left over could be used for any bona fide campaign purpose.

Mr. HALLECK. May I say for myself, I concur in that. A Member might have personal funds left in his campaign fund.

As I have said time and again here, this campaigning is not 60 days or 30 days before an election. That is a popular misunderstanding in the country. The fact of the matter is that one has to be at it all the time.

As to the example to which the gentleman referred, in my opinion, of legitimate campaign expenditures, if I were running again and had a little money left over—which I never did have, but if I did—I would spend it getting ready to go the next time.

Mr. COLLIER. I thank the gentleman. I assumed that was a proper interpretation, but I wanted to make it a matter of record.

Mr. CELLER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise to ask a question and also to make legislative history.

I would like to know from the chairman of the committee how long will these records be kept that are in an envelope sealed by a Member and deposited with the committee.

Mr. PRICE of Illinois. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Illinois.

Mr. PRICE of Illinois. The records would be kept as long as a Member remains in office.

Mr. CELLER. A Member may remain in office for 20 years.

Mr. PRICE of Illinois. Of course, he files a new statement in each Congress, each April 30.

Mr. CELLER. Suppose I filled my return next year in 1969. How long will that record be kept?

Mr. PRICE of Illinois. As long as you are a Member of the House.

Mr. CELLER. The records filed for election purposes are not held indefinitely in that way. As I understand it, after a period of time they are destroyed.

Mr. PRICE of Illinois. We are not talking about election records here.

Mr. CELLER. Do you mean to tell me, for example, if we had this Act and I went to Congress for the first time and filed a return, you would hold these records of mine for 46 years?

Mr. PRICE of Illinois. We have not reached that point. There will probably be a lot of changes, I will say to the Members. The longer this committee is in existence, the more there will be some changes in housekeeping rules. But the present disposition is at least to hold them while a Member is in office.

Mr. CELLER. I think what should be done, if I may be so bold to suggest it, is that a good deal of these matters can be clarified by your regulations which must ensue. It could be done probably by regulation, and some sort of statute of limitations could be prescribed so we will know where we are at. I do not think it is fair to hold these records indefinitely.

Mr. PRICE of Illinois. I will say that the gentleman is correct about that, because there is no reason to hold them indefinitely. The Member has to bring them up to date annually.

Mr. HAYS. Mr. Chairman, will the gentleman yield to me?

Mr. CELLER. I yield to the gentleman from Ohio.

Mr. HAYS. That is an interesting point which we ought to clarify. If you file a record this year, then next year you have to file a record again. The old record will be returned, or when you update it, do you keep the whole series of them?

Mr. PRICE of Illinois. You keep the whole series, at least under the present rules.

Mr. CELLER. Would you keep the record I filed next year and if I am defeated thereafter, would you keep it after my defeat?

Mr. PRICE of Illinois. No. We covered this in the resolution. It says there as follows:

> In any case in which a person required to file a sealed report under part B of this rule is no longer required to file such a report, the committee shall return to such person, or his legal representative, all sealed reports filed by such person under part B and remaining in the possession of the committee.

Mr. CELLER. Why should it not work both ways, whether a Member is defeated or reelected?

Mr. PRICE of Illinois. This is something that the committee can consider at the appropriate time.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Indiana.

Mr. HALLECK. I just checked with members of the committee on this side and again I do not have any specific recollection of, nor can I discover, any consideration of that particular point, but speaking for myself, Mr. Chairman, I would say that each time you filed that sealed envelope it would supplant the previous one. I do not see anything to be gained by any continuing custody of those reports that might show that a man was doing a little better. He bought a few stocks that maybe turned out pretty well. As far as I am concerned, I think when the Congress is over and he files a new report, we should sent it back. This can be taken care of by regulation, as the gentleman suggests.

Mr. PRICE of Illinois. As I stated, this is something that the committee can give consideration to, and I fully expect that subsequent rules of the committee will be shown which will satisfactorily cover all the questions of the gentleman from New York and the gentleman from Pennsylvania.

Mr. CELLER. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendments offered by the gentleman from New York [Mr. REID].

The amendments were rejected.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. ALBERT) having assumed the chair, Mr. HOLIFIELD, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration House Resolution 1099, amending House Resolution 418, 90th Congress, to continue the Committee on Standards of Official Conduct as a permanent standing committee of the House of Representatives, and for other purposes, pursuant to House Resolution 1119, he reported the resolution back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the resolution.

Mr. PRICE of Illinois. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 406, nays 1, not voting 26, as follows:

[Roll No. 85]

YEAS—406

Abbitt
Abernethy
Adair
Adams
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Arends
Ashbrook
Ashley
Ashmore
Aspinall
Ayres
Baring
Barrett
Bates
Battin
Belcher
Bell
Bennett
Berry
Betts
Bevill
Biester
Bingham
Blackburn
Blanton
Boggs
Boland
Bolling
Bolton
Bow
Brademas
Brasco
Bray
Brinkley
Brock
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass
Burleson
Burton, Calif.
Burton, Utah
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Carey
Carter
Casey
Cederberg
Celler
Chamberlain
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Cohelan
Collier
Colmer
Conable
Conte
Corbett
Corman
Cowger
Cramer
Culver
Cunningham
Curtis
Daniels
Davis, Ga.
Davis, Wis.
Dawson
de la Garza
Delaney
Dellenback
Denney
Derwinski
Dickinson
Diggs
Dingell
Dole
Donohue
Dorn
Dow
Downing
Dulski
Duncan
Dwyer
Edmondson
Edwards, Ala.
Edwards, Calif.
Edwards, La.
Ellberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Farbstein
Fascell
Feighan
Findley
Fino
Fisher
Flood
Flynt
Foley
Ford, Gerald R.

Ford, William D.
Fountain
Fraser
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Gardner
Garmatz
Gathings
Gettys
Giaimo
Gibbons
Gilbert
Gonzalez
Goodell
Goodling
Gray
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Gross
Grover
Gubser
Gude
Hagan
Haley
Hall
Halleck
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Wash.
Hardy
Harrison
Harsha
Harvey
Hathaway
Hawkins
Hays
Hébert
Hechler, W. Va.
Heckler, Mass.
Helstoski
Henderson
Herlong
Hicks
Holifield
Horton
Hosmer
Howard
Hull
Hungate
Hunt
Hutchinson
Ichord
Irwin
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Jones, N.C.
Karsten
Karth
Kastenmeier
Kazen
Kee
Keith
Kelly
King, N.Y.
Kirwan
Kleppe
Kluczynski
Kornegay
Kupferman
Kuykendall
Kyl
Kyros
Laird
Landrum
Langen
Latta
Leggett
Lennon
Lipscomb
Lloyd
Long, La.
Long, Md.
Lukens
McCarthy
McClory
McCloskey
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
McMillan
MacGregor
Machen
Mahon
Mailliard
Marsh
Martin
Mathias, Calif.
Mathias, Md.
May
Mayne
Meeds
Meskill
Michel
Miller, Calif.
Miller, Ohio
Mills
Minish
Mink
Minshall
Mize
Monagan
Montgomery
Moorhead
Morgan
Morris, N. Mex.
Morse, Mass.
Morton
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nedzi
Nelsen
Nichols
Nix
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Passman
Patten
Pelly
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Podell
Poff
Pollock
Pool
Price, Ill.
Price, Tex.
Pryor
Pucinski
Purcell
Quie
Quillen
Railsback
Randall
Rarick
Rees
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riegle
Rivers
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Roudebush
Roush
Roybal
Rumsfeld
Ruppe
Ryan
St Germain
St. Onge
Sandman
Satterfield
Saylor
Schadeberg
Scherle
Schneebeli
Schweiker
Schwengel
Scott
Shipley
Shriver
Sikes
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stratton
Stubblefield
Stuckey
Sullivan
Taft
Talcott
Taylor
Teague, Calif.
Tenzer
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tiernan
Tuck
Udall
Ullman
Utt
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waggonner
Waldie
Walker
Wampler
Watkins
Watson
Watts
Whalen
Whalley
White
Whitener
Whitten
Widnall
Wiggins
Williams, Pa.
Willis
Wilson, Bob
Wilson, Charles H.
Winn
Wolff
Wright
Wyatt
Wydler
Wylie
Wyman
Yates
Young
Zablocki
Zion
Zwach

NAYS—1

Frelinghuysen

NOT VOTING—26

Blatnik
Conyers
Daddario
Dent
Devine
Dowdy
Eckhardt
Gurney
Hansen, Idaho
Holland
King, Calif.
Macdonald, Mass.
Madden
Matsunaga
Moore
Patman
Pettis
Poage
Resnick
Rostenkowski
Roth
Scheuer
Selden
Sisk
Teague, Tex.
Tunney

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

RESIGNATION FROM COMMITTEE

The SPEAKER pro tempore (Mr. ALBERT) laid before the House the following resignation from a committee:

HOUSE OF REPRESENTATIVES,
Washington, D.C., April 3, 1968.

Hon. JOHN W. MCCORMACK,
The Speaker, House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: I hereby resign from the Committee on Science and Astronautics to accept placement on the Banking and Currency Committee.

I have enjoyed my service on the Committee on Science and Astronautics under the able leadership of Chairman Miller.

Sincerely yours,

LESTER L. WOLFF.

The SPEAKER pro tempore. Without objection, the resignation will be accepted.

There was no objection.

ELECTION TO COMMITTEES

Mr. MILLS. Mr. Speaker, I offer a privileged resolution (H. Res. 1126) and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 1126

Resolved, That the following-named Members be, and they are hereby, elected to the following standing committees of the House of Representatives:

Committee on Banking and Currency: Lester L. Wolff, New York; Charles H. Griffin, Mississippi.

Committee on the District of Columbia: Peter N. Kyros, Maine.

Committee on Merchant Marine and Fisheries: Robert L. Leggett, California.

Committee on Science and Astronautics: Bertram L. Podell, New York.

The resolution was agreed to.

A motion to reconsider was laid on the table.

FURTHER LEGISLATIVE PROGRAM

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, may I advise the Members that we are adding to the list of the bills already programed for this week S. 2912, the saline water bill, which the gentleman from Colorado [Mr. ASPINALL] advises will be brought up under a unanimous-consent request.

HOUR OF MEETING TOMORROW

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock a.m. tomorrow.

The SPEAKER pro tempore (Mr. PRICE of Illinois). Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

ON SEEING A SON OFF TO VIETNAM

Mr. HENDERSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. HENDERSON. Mr. Speaker, some Members of this body have sons fighting in Vietnam, but I am sure the percentage is relatively small, and while others of us have draft-age sons or grandsons or other close relatives who are in a position where they might eventually be sent to Vietnam, it is not quite the same.

The President said goodby to his son-in-law this week, but of all of the expressions from parents I have heard or read, none describes the situation better than an editorial published this week in the Mount Olive Tribune, Mount Olive, N.C.

The writer of the editorial was one of those young men drafted at the very beginning of World War II and saw 4 years of difficult duty, much of it in combat, but he did not come home bitter and he did not raise his sons to be cowardly, unpatriotic or too sophisticated to understand why Communist aggression needs to be stopped wherever it occurs.

Elmer Brock sent his son away to war and then, editorially, expressed what he felt as he did so. I want to share his thoughts with my colleagues:

ON SEEING A SON OFF TO VIETNAM

There must be few people who are so far removed from the war in Vietnam that they have not run the gamut of thoughts relative to it. These cover the mistakes in dealing with the communists from the end of World War II, to today, which in hindsight could probably have been handled better by the least knowledgeable of us. One can be the most aggressive hawk or the most submissive dove, or in between, or at times a little of both—and any or all bring on the background thoughts and feelings about the much-disputed war which are so much a part of all our lives in 1968. These are shared by everybody, but when it comes time to see a son off to South Vietnam, there's another set of thoughts and feelings which are yours alone and don't reach beyond the family.

The pre-departure leave drags so slowly but ends so quickly, if such a thing is possible. The last few days are the most intimate, when the duffel bag for overseas is packed and re-packed with silly little planning by every member of the family. The last couple of days might as well be travel time, as the impending departure dominates thought and activity. On the morning of "the" day, he is ready far ahead of time, as are the rest of us, and on the drive to the airport on a bright spring day, thoughts and conversation are still on the individual circumstances and not on the war as a whole.

The few minutes of waiting at the airport are at least outwardly calm, spent in small conversation and too much interest in other planes landing and taking off. It almost seems to be an anticlimax. Then, at boarding time, a handshake here and a kiss there gets him the words said thousands of times: "Good luck" and "Write to us." Not very original, but tried and tested through the years for sincerity and concern. Then he walks to the plane, on his way from us, without hesitation, even jauntily. Then the last sight of him, a wave from a seat far back in the plane, and we try to signal him to move forward toward the wing where the ride will be smoother, as if it really were important at the moment. Quickly the big plane is closed and it wheels off and up, leaving us watching until it can no longer be seen.

Thus ends another one of more than 500,000 experiences in seeing sons off to Vietnam, each one similar except for minor variations, but each one a private and personal event. Most of those left behind had it made easier, as for us, with no indication on the part of the soldier, marine, airman or sailor that he hated to go or dreaded it. Having been on the leaving side a generation ago, and now on the other, this seems a little more momentous somehow.

Most of the half million like him who are over there must feel that the war is necessary, that the communists must be stopped somewhere. We share that with him and them, and only criticize it from the standpoint of dragging it out on a half-way basis. While seeing him off to Vietnam was not a happy thing, it left no scars like those which he could have caused by burning his draft card, cursing his country, and parading with those who seek to escape from reality and responsibility.

Thank God, he seemed to understand something of why we have to fight there, reasons far beyond the freedom of one small country, and the thought never occurred to him to dishonor the memory of Pfc. Joseph Grantham or Sgt. Phillip Pigford, and twenty thousand others, who went before him and didn't come back.—EB.

INTRODUCTION OF MEEDS-PUCINSKI AMENDMENTS TO THE VOCATIONAL EDUCATION ACT OF 1963

Mr. MEEDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. MEEDS. Mr. Speaker, the gentleman from Illinois [Mr. Pucinski] and I, joined by almost 40 of our colleagues in the House, are today introducing a comprehensive vocational education bill. We, firmly believe this bill puts vocational education in the proper perspective for America in 1969.

Our bill will help to right a longstanding disparity in education funds. Since 1957 we have been allotting about 75 percent of our education funds to about 25 percent of school enrollees. Particularly since sputnik, we have emphasized academic training at the expense of teaching job skills to the 75 percent of our young people who do not finish college.

Today we are witnessing the results of over a decade of this type of policy.

Our economy is plagued with a shortage of skilled labor. We have the people, but they are untrained for the available positions. Business and industry have had to provide the training in order to fill their own requirements.

The increasing number of 16- to 21-year-olds who are dropping out of school is also a reflection of our existing education policy. All in all, these students today have only two alternatives open to them: First, to continue a program they are not suited for because it fails to motivate them and which they, therefore, find irrelevent; or second, to drop out of school in the hope of finding themselves a place in society. If they take the latter course, statistics show they will likely become society dropouts too; that is, instead of contributing to society they will become a social expense.

Indirectly, the failures of our current education policy also contribute to crime and violence in this country. School dropouts are a major factor in our zooming crime rate. Statistics show men and women unable to hold jobs are more prone to turn to crime to earn a living.

The ill-trained, frustrated, and with much idle time on their hands, are frequent participators in many of the demonstrations rocking the country and in the violence that results.

The problems caused by the undereducation of 75 percent of our youth will continue to undermine American life unless we do something now. The time has come when nearly all workers need special training for a successful working life. The primary source of income and wealth in the world's most advanced and complex economy is no longer the ownership of real property as it was in this Nation's first century, nor native wit and brawn as it was through most of the second. In the few years since the Second World War, a profound change has taken place, making formally developed individual talent and skills an almost indispensable requirement for successful participation in the labor market. Yet today, less than one-half of our noncollege youth are getting this specialized training.

We in America have an excellent school system, comparable to any in the world. There is no reason why this condition should exist. It exists only out of the shortsightedness of our national education goals and through a misapportionment of our national resources.

This is a most serious problem. What are we going to do about it?

The first comprehensive national legislation since 1917 designed to rectify this situation was the Vocational Education Act of 1963.

Importantly, the bill was passed at the initiative of Congress, not at the initiative of the administration. President Kennedy's Council on Vocational Education had recommended an immediate, comprehensive, and innovative vocational education program to teach job skills in our education system. The President essentially ignored his Council's recommendations in his 1963 legislation program.

Congress, however, saw a greater urgency and, based on the Council's recommendations, passed a 5-year vocational education program.

Parts of the 1963 act lapse this June, and, as Congress drafts legislation to reauthorize the program, we find ourselves in the same situation as in 1963.

Another National Advisory Council on Vocational Education has again recommended to the President that existing vocational education programs be expanded, that new programs be implemented and that those programs authorized by Congress, but never funded be given adequate appropriations.

Again disregarding the Council's recommendations, the present administration continues to limit the potential of vocational education. It has asked for no more new programs to meet new situations and better understood problems. It has ignored the popular work-study program and bypassed the need for residential vocational education schools on a trial basis. It has overlooked the necessity for attracting qualified instructors and training them. Most important of all, it has neglected the cooperative work-study program, which promises to become one of the most effective instruments to reducing unemployment caused by lack of skills.

The administration's bill, in my view, falls far short of meeting the problem or employing the sense of urgency we must have to solve it.

Therefore, we have introduced a bill which I believe provides a comprehensive and a tight program to bring about a realinement of our education goals and help solve our most serious domestic problems.

Like the administration's bill, ours would continue all existing programs funded under the general 1963 Vocational Education Act. Like the administration's bill, ours would provide for advance funding of programs so administrators would have the proper time to plan the use of funds. Both our plans would allow statewide matching of Federal funds and eliminate matching by separate categories.

But our bill would go much further. It would increase the general authorization for vocational education programs by $100 million to $325 million for fiscal 1969.

It would also provide $200 million for fiscal year 1969 which would go—on a 90–10 matching basis—into high dropout and unemployment areas of the country. This is a direct response to the critical need in our city ghettos and pockets of rural poverty. These funds will be utilized in areas where the unemployment rate reaches as high as 60 percent among young people 16 to 21. Hopefully, they will help to provide an alternative to idle hands, idle minds, and idle time.

The cooperative work program, as I have already mentioned, is completely neglected by the administration's bill. I see it as one of the most fertile areas for effective vocational education programs. This program would divide vocational education between classroom instruction and on-the-job training. This has the dual advantage of exposing students to the practical demands of jobs and making the classroom exercises more valuable. Educators say apprentices who learn skills on the job are likely to learn faster, retain what they learn longer, and become leaders. According to the President's own National Advisory Board on Vocational Education, related work-study programs are the most effective under the Vocational Education Act. Participants consistently maintain high placement records, high employment stability and high job satisfaction. Because this program is so popular, usually many more students apply than can be accepted. This leads to rejection of the students who need it most. If anything, this program should be expanded. Our vocational education bill would provide $50 million for this program for the next fiscal year.

This bill would provide $50 million next year to fund exemplary programs designed to familiarize elementary and secondary school students with a broad range of occupations and the requisites for entrance into those occupations.

The bill would also extend the popular work-study program. This program, which provides jobs for disadvantaged students in public nonprofit institutions while they attend schools, has been well received by students and teachers alike.

A third program I consider vital to the success of vocational education which is lacking in the administration's bill is the attracting of qualified instructors for vocational education courses. In the last analysis the effectiveness of the whole program depends on the quality of instruction. This bill will authorize $25 million for fiscal year 1969 for fellowships and another $20 million for the same period for exchange programs, summer institutes, and inservice education.

Another program, authorized in 1963 but never funded and which the administration has never included, is a concept to provide disadvantaged youth with vocational education residential centers. Many experts believe the only way to effectively teach some disadvantaged children is to improve their whole environment; that is, voluntarily remove them from their previous environment so they can be properly fed and housed in order that they can devote time to study.

Let me emphasize that the vocational educational residential center concept is an experimental project, as many vocational education projects necessarily are. A national effort in vocational education is something that has never been tried before in this country and so we must try many approaches. Because vocational education is a relatively new program, because vocational education is a new way to attack old problems that are getting bigger and more threatening and more disgraceful every year, we must determine early what will work best. Any money spent on innovative new programs now will save money later. This is one area of vocational education in which we must certainly expand our efforts. Many educators think residential vocational schools are the answer and that these centers could eventually take over the functions of the Job Corps. I think it deserves a try.

There exists no widely distributed texts for vocational education courses. Therefore, this bill provides $5 million this year for staffing libraries to meet this critical need.

In still another aspect, our bill would authorize $50 million for the home economics program aid, whereas the administration would have us provide only $15 million. Home economics is one of the senior vocational education programs. We have sought to make it more vocational-minded, by orienting its instruction more toward future employment.

Our bill will also make it mandatory for each State to have a State advisory council on vocational education. Now it is only recommended that they do so. By our bill these boards will have specific powers and a definite composition. Representatives from schools heavily populated with disadvantaged youth must be represented for the first time. In effect, this will place a completely new emphasis of vocational education in most areas of the country. Rural poverty pockets and ghetto schools will be more the recipient of such programs and have more of a voice in their implementation.

Our bill would also extend the benefits of vocational education to include the physically disadvantaged, as well as the academically, socially, economically, and culturally disadvantaged.

The cosponsors of this bill and I are not unaware of the financial squeeze the United States is in at this time. We are seeking to expand the authorizations for the vocational education programs only after long deliberation. Where we seek to expand them, we do so only insofar as it is prudent.

We see it as a matter of priorities. We see the vocational education program as of the utmost importance to American life, as among the most vital legislation before Congress this decade. I cannot shirk my responsibility as a Representative to Congress and as a member of the Education and Labor Committee by standing by as this program is downgraded. There are other programs that can be reduced or postponed without causing serious damage to American life.

Vocational education has come a long way in the last 4 years. I for one would hate to see us lose the momentum and good that has been gained.

I feel sure that the Nation and my colleagues will agree with me when they study this bill.

This bill is the product of years of the best work of many dedicated people in and out of government. I look forward to its passage this session.

The bill follows:

H.R. 16461

A bill to amend the Vocational Education Act of 1963, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Vocational Educational Amendments of 1968".

Sec. 2. The purpose of this Act is to consolidate, expand, strengthen, and maintain existing vocational and technical education programs; to encourage further the development and establishment of vocational and technical education programs at the secondary, postsecondary, and adult levels; to promote the development and establishment of new and exemplary programs and methods in vocational education, including exploratory occupational education programs; to provide special vocational education programs for disadvantaged persons, including evening and summer programs, and to reduce youth unemployment by supporting such vocational programs in areas of high youth unemployment; to establish new occupational training programs through cooperative work-study, and to extend the existing work-study programs for vocational education students; to provide for residential facilities for vocational education programs; to develop and establish a program of education for home and family living for youth and adults who need to increase their employability through preparation for the dual role of homemaker-wage earner; to provide opportunities for vocational educators to up-date their occupational competencies through various means including the creation of a program of leadership development awards; to encourage the development of vocational education curriculum materials and the acquisition of library resources and instructional materials and equipment to support programs of vocational and technical education; and to make certain other amendments which will improve such programs and increase flexibility in their administration.

TITLE I—CONSOLIDATION AND IMPROVEMENT OF EXISTING VOCATIONAL EDUCATION PROGRAMS

Sec. 101. Except as otherwise hereinafter provided, the amendments made by this title shall be effective on July 1, 1968.

Sec. 102. (a) Part A of the Act of December 18, 1963, 77 Stat. 403 (Public Law 88-210), which part is known as the Vocational Education Act of 1963, is amended by inserting "TITLE I—VOCATIONAL EDUCATION" immediately above the heading of such part A, and by changing the heading of such part A to read "PART A—GRANTS FOR COMPREHENSIVE PROGRAMS".

(b) Parts B and C of such Act of December 18, 1963, relating to laws other than vocational education laws, are redesignated as titles II and III of such Act; and sections 21 through 28 and 31 through 33 of such Act are, respectively, redesignated as sections 201 through 208 and 301 through 303.

Sec. 103. (a) Section 2 of the Vocational Education Act of 1963 is amended to read as follows:

"AUTHORIZATION OF APPROPRIATIONS

"Sec. 2. There are hereby authorized to be appropriated for the fiscal year ending June 30, 1969, $325,000,000; for the fiscal year ending June 30, 1970, $400,000,000; for the fiscal year ending June 30, 1971, $500,000,000; and for the fiscal year ending June 30, 1972, and each fiscal year thereafter, $600,000,000, for the purpose of making grants to States as provided in this part."

(b) Section 15 of the Vocational Education Act of 1963 is amended to read as follows:

"AUTHORIZATION FOR SECTION 13

"Sec. 15. There is authorized to be appropriated for the purpose of carrying out the provisions of section 13, $30,000,000 for each of the fiscal years ending June 30, 1969, and 1970; and $55,000,000 for the fiscal year ending June 30, 1971, and each succeeding fiscal year."

INCREASED FLEXIBILITY IN REALLOTMENTS

Sec. 104. Section 3(c) of the Vocational Education Act of 1963 is amended to read as follows:

"(c) The amount of any State's allotment under subsection (a) for any fiscal year which the Commissioner determines will not be required for such fiscal year for carrying out the State's plan approved under section 5 shall be available for reallotment from time to time, on such dates during such year as the Commissioner may fix, and on the basis of such factors as he determines to be equitable and reasonable, to other States which, as determined by the Commissioner, are able to use without delay any amounts so reallotted for the uses set forth in section 4(a). Any amount reallotted to a State under this subsection during such year shall be deemed part of its allotment under subsection (a) for such year."

INCLUSION OF TRUST TERRITORY OF THE PACIFIC ISLANDS

Sec. 105. (a) Paragraphs (1), (2), and (3) of section 3(d) of the Vocational Education

Act of 1963 are amended by striking out the words "and the Virgin Islands" each time they occur and by inserting in lieu thereof "the Virgin Islands, and the Trust Territory of the Pacific Islands".

(b) Paragraph (6) of section 8 of the Vocational Education Act of 1963 is amended by striking out "and American Samoa" and by inserting in lieu thereof "American Samoa, and the Trust Territory of the Pacific Islands".

ELIMINATION OF MATCHING BY SEPARATE CATEGORIES; SPECIAL MATCHING PROVISION FOR TRUST TERRITORY AND AMERICAN SAMOA

Sec. 106. (a) Section 6 of the Vocational Education Act of 1963 is amended by deleting subsections (a), (b), and (c).

(b) That part of section 4(a) of the Vocational Education Act of 1963 which precedes the colon is amended to read as follows:

"Sec. 4. (a) Except as otherwise provided in subsections (b) and (c), allotments to States under section 3 may be used, in accordance with approved State plans, for paying 100 per centum of the expenditures of the Trust Territory of the Pacific Islands and American Samoa, and not to exceed 50 per centum of the expenditures of other States, for any or all of the following purposes".

REQUIRED USE OF STATE ALLOTMENTS

Sec. 107. (a) Subsection (b) of section 4 of the Vocational Education Act of 1963 is repealed effective with respect to appropriations for the fiscal year ending June 30, 1969, and there is inserted in lieu of such subsection, effective with respect to appropriations for fiscal years beginning after July 1, 1968, the following new subsection:

"(b) At least 25 per centum of that portion of each State's allotment under section 3 for any fiscal year beginning after June 30, 1968, which is in excess of its allotment under that section for the fiscal year ending June 30, 1968, shall be used only for the purposes set forth in paragraph (4) of subsection (a)."

(b) Paragraph (4) of section 4(a) of the Vocational Education Act of 1963 is amended to read as follows:

"(4) Vocational education for persons who have academic, socioeconomic, physical, or other handicaps that prevent them or will be likely to prevent them from being readily employable;".

ALLOWING CONTRACTING AND DISSEMINATION OF INFORMATION UNDER SECTION 4(C)

Sec. 108. Section 4(c) of the Vocational Education Act of 1963 is amended to read as follows:

"(c) Ten per centum of the sums appropriated for the purposes listed in subsection (a) shall be used by the Commissioner for the following purposes:

"(1) For grants or contracts to colleges and universities and other public or private agencies, organizations, and institutions to pay the cost of research and for dissemination of research results in vocational and technical education.

"(2) For grants or contracts, approved by the bureau administering vocational education, to pay the costs of evaluation, demonstration, and experimental programs in vocational and technical education and for dissemination of results.

"(3) For grants to State boards for the costs of State research coordination units, research, evaluation, demonstration, and experimental programs in vocational and technical education and dissemination of results."

STATE ADVISORY COUNCIL

Sec. 109. (a)(1) Section 5 of the Vocational Education Act of 1963 is amended by striking the words "this part" in each case where they appear and inserting in lieu thereof the words "this title".

(2) Paragraph (1) of subsection 5(a) is amended by striking out everything after the first semicolon.

(b) Section 5 of the Vocational Education Act of 1963 is further amended by redesignating subsections (b), (c), and (d) and references thereto as subsections (e), (f), and (g), respectively, and by inserting immediately after subsection (a) the following new subsections:

"(b)(1) A State which desires to receive its allotments of Federal funds under this title for any fiscal year shall—

"(A) establish a State advisory council (hereinafter referred to as 'State advisory council') which meets the requirements set forth in paragraph (2); and

"(B) submit through its State board to the Commissioner a State plan for each fiscal year which meets the requirements of subsection (a).

"(2) The State advisory council, established pursuant to paragraph (1), shall—

"(A) include as members (i) persons familiar with the vocational education needs and problems of management and labor in the State, (ii) persons representative of junior colleges, technical institutes, or other institutions of higher and postsecondary education which provide programs of technical or vocational education and training, (iii) persons representative of secondary and area vocational schools, trade and technical high schools, or other institutions of secondary education which provide programs of technical or vocational education and training, (iv) persons familiar with the administration of State and local vocational education programs, (v) other persons with special knowledge, experience, or qualifications with respect to vocational education, (vi) persons representing manpower and vocational education agencies in the State, (vii) persons representing school systems with large concentrations of academically, socially, economically, and culturally disadvantaged students, and (viii) persons representative of the general public, who are not qualified for membership under clauses (i) through (vi), who shall constitute not less than one-half of the total membership;

"(B) advise the State board on the development, and policy matters arising in the administration of the State plan, including the preparation of long-range and annual program plans pursuant to paragraphs (10) and (11) of subsection (a), review annual program evaluations prepared by State boards, and advise the State board on the allocation of Federal funds among the various uses set forth in section 4(a) and sections 21 through 31 of this title and to local educational agencies pursuant to paragraph (4) of subsection (b);

"(C) prepare and submit through the State board to the Commissioner and to the National Advisory Council on Vocational Education established by section 33 of this title an annual evaluation report, accompanied by such additional comments of the State board as the State board deems appropriate, which (i) evaluates the effectiveness of vocational education programs, services, and activities carried out in the year under review in meeting the program objectives set forth in the long-range program plan provided for in paragraph (11) of section 5(a) and the annual program plan provided for in paragraph (10) of section 5(a), and (ii) recommends such changes in such programs, services, and activities as may be warranted by the evaluations.

"(c) Federal funds made available under this part will not be allocated to local educational agencies in a manner, such as the matching of local expenditures at a percentage ratio uniform throughout the State, which fails to take into consideration the criteria set forth in section 5(a), and particularly in paragraphs (2) and (8) of said section."

Sec. 110. Section 5(a)(2) of the Vocational Education Act of 1963 is amended—

(a) by inserting after "opportunities" the following: ", particularly new and emerging needs and opportunities on the local, State, and national levels"; and

(b) by striking the words "needs of all groups in all communities in the State," and inserting in lieu thereof "needs of all population groups in all geographic areas and communities in the State, particularly persons with academic, socioeconomic, or other handicaps that prevent them or will likely prevent them from being readily employable,".

Sec. 111. Section 5(a) of the Vocational Education Act of 1963 is amended by striking out "and" at the end of paragraph (6), by striking out the period at the end of paragraph (7) and inserting a semicolon in lieu thereof, and by adding the following new subparagraphs:

"(8) provides that due consideration will be given to the relative ability of particular local educational agencies within the State, particularly those in economically depressed areas or with high rates of unemployment, to provide the financial and other resources necessary to meet the vocational education needs in the areas or communities served by such agencies;

"(9) provides assurances that copies of the State plan and all statements of general policies, rules, regulations, and procedures issued by the State board in its administration of such plan will be made reasonably available to the public;

"(10) sets forth an annual program plan, which (A) has been prepared by the State board in consultation with the State advisory council, (B) describes the content of, and allocations of funds to, programs, services, and activities to be carried out under the State plan during the following year (whether or not supported with Federal funds under this title); (C) indicates how, and to what extent, such programs, services, and activities will carry out the program objectives for the year covered by the annual plan set forth in the long-range program plan provided for in paragraph (A); (D) indicates how, and to what extent, allocations of Federal funds allotted to a State will take into consideration the criteria set forth in the State plan pursuant to paragraph (2); and (E) indicates the extent to which consideration was given to the findings and recommendations of the State advisory council in its most recent evaluation report submitted pursuant to paragraph (2)(B) of subsection (b); and

"(11) sets forth a long-range program plan for vocational education, or a supplement to or revision of such a program plan previously submitted as part of an approved State plan, which (A) has been prepared by the State board in consultation with the State advisory council, (B) extends over such period of time (but not more than five years), beginning with the fiscal year for which the State plan is submitted, as the Commissioner deems necessary and appropriate for the purposes of this part, (C) describes the present and projected vocational education needs of the State in terms of the purposes of this part set forth in section 1, and the purposes set forth in part B, and (D) sets forth a program of vocational education objectives which affords satisfactory assurance of substantial progress toward meeting the vocational education needs of the State."

Sec. 112. Section 5 of the Vocational Education Act of 1963 is further amended by—

(a) striking the words "subsection (a)," where they appear in the redesignated sections 5 (e) and (f) and inserting in lieu thereof the words "subsections (a), (b), (c), and (d),";

(b) changing the letter "(b)" to "(e)" in the redesignated subsection 5 (f) and (g) and the letter "(c)" to "(f)" in said subsection 5(g).

COOPERATIVE ARRANGEMENTS WITH OTHER AGENCIES

Sec. 113. Section 5(a)(4) of the Vocational Education Act of 1963 is amended by inserting before the semicolon at the end thereof the following: "and further provides that in the development of vocational education programs, services and activities under this title there may be, in addition to the cooperative arrangements with other agencies, organizations and institutions concerned with manpower needs and job opportunities, such cooperative arrangements with others, such as institutions of higher education, model city, and community action organizations".

SEC. 114. (a) Section 8 of the Vocational Education Act of 1963 is amended by striking out "part" and inserting in lieu thereof "title".

(b) Section 8(1) is amended by striking "or", which appears in the first sentence immediately prior to the words "as requiring a baccalaureate or higher degree", and inserting in lieu thereof "and".

SEC. 115. Section 10(c) of the Vocational Education Act of 1963 is amended by changing the period at the end of subparagraph (2) to a semicolon; by inserting thereafter the word "and", and by adding the following new subparagraph:

"(3) less than one-third of any amounts so allotted (or apportioned) need be applied to part-time schools or classes for workers who have entered upon employment."

SEC. 116. Section 6 of the Vocational Education Act of 1963 is further amended by striking subsection (d) and inserting in lieu thereof the following:

"(a) Payments of Federal funds under this title to any State board, local educational agency, or other agency, organization, or institution, may be made in installments, and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

"(b) In determining the non-Federal contribution to a program or project, where applicable under this title, the Commissioner may include the reasonable value (as determined by him) of any goods or services provided from non-Federal sources."

TITLE II—NEW AND EXPANDED PROGRAMS AND PROJECTS IN VOCATIONAL EDUCATION

SEC. 201. The Vocational Education Act of 1963 is amended by inserting after section 17 the following:

"PART B—EDUCATION FOR A TECHNOLOGICAL SOCIETY

"FINDINGS AND PURPOSE

"SEC. 21. The Congress finds that it is necessary to reduce the continuing seriously high level of youth unemployment by developing means for giving attention to the job preparation needs of the two out of three young persons who now end their education at or before completion of the secondary level, too many of whom face long and bitter months of job hunting or marginal work after leaving school. The purposes of this part, therefore, are to stimulate, through Federal financial support, new ways to create a bridge between school and earning a living for young people who are still in school, who have left school either by graduation or by dropping out, or who are in postsecondary programs of vocational preparation; to aid professional development of teachers, administrators, and other personnel in vocational education programs; and to promote cooperation among public education, manpower agencies, and private business and industry.

"EXEMPLARY AND INNOVATIVE PROGRAMS AND PROJECTS IN VOCATIONAL EDUCATION

"SEC. 22. (a) There are authorized to be appropriated $50,000,000 for the fiscal year ending June 30, 1969; for the fiscal year ending June 30, 1970, $100,000,000; for the fiscal year ending June 30, 1971, $150,000,000; and for the fiscal years ending June 30, 1972 and 1973, $200,000,000, to be used by the Commissioner for making grants to or contracts with State boards, or with local educational agencies for the purpose of stimulating and assisting, through programs or projects referred to in subsection (c), the development, establishment, and operation of exemplary and innovative occupational education programs or projects designed to serve as models for use in vocational education programs. The Commissioner also may make grants to other public or nonprofit private agencies, organizations, or institutions, or contracts with public or private agencies, organizations, or institutions, including business and industrial concerns.

"(b)(1) From the sums appropriated pursuant to this section for each fiscal year, the Commissioner shall—

"(A) reserve such amount, but not in excess of 2 per centum thereof, as he may determine and shall apportion such amount among Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands, according to their respective needs for assistance under this section;

"(B) reserve up to 10 per centum for use at his discretion to initiate programs pursuant to this section, including those under grant or contract which he determines are consistent with the purposes and objectives of subsection (a) and which he determines will have beneficial applications or be directed to innovations which are both regional or national in their implications and would not be practicable to be undertaken by any one State.

"(2) From the remainder of such sums the Commissioner shall allocate $200,000 to each State, and he shall in addition allocate to each State an amount which bears the same ratio to any residue of such remainder as the population aged fifteen to nineteen, both inclusive, in the State bears to the population of such ages in all the States.

"(3) The amount of any State's allotment under this section for any fiscal year which the Commissioner determines will not be required for such fiscal year for carrying out the purposes of this section shall be available for reallotment from time to time, on such dates during such year as the Commissioner may fix, and on the basis of such factors as he determines to be equitable and reasonable, to other States which are determined by the Commissioner are able to use without delay any amounts so reallotted for the purposes of this section. Any amount reallotted to a State under this paragraph during such year shall be deemed part of its allotment for such year.

"(4) Notwithstanding any other provision of law, unless hereafter enacted expressly in limitation of the provisions of this paragraph, funds appropriated for innovative and exemplary programs or projects in vocational education pursuant to this section which are reserved by the Commissioner for any projects or activities assisted under such programs or projects and undertaken in connection with an approved State plan shall remain available until expended.

"(5) For the purposes of paragraphs (2) and (3) of this subsection, the term 'State' does not include Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands.

"(6) The population of particular age groups of a State or of all the States shall be determined by the Commissioner on the basis of the latest available estimates furnished by the Department of Commerce.

"(7) The amount appropriated under this section for each fiscal year shall be available for obligation for grants or contracts pursuant to applications approved during that year and the succeeding fiscal year.

"(c) Grants or contracts pursuant to this section may be made by the Commissioner, upon such terms and conditions consistent with the provisions of this section as he determines will most effectively carry out the purposes of subsection (a), to pay the cost of—

"(1) planning and developing exemplary and innovative programs or projects such as those described in subparagraph (2); or

"(2) establishing, operating, and evaluating exemplary and innovative vocational education programs or projects designed to carry out the purposes set forth in subsection (a), and to broaden occupational aspirations and opportunities for youths, with special emphasis given to youths who have academic, socioeconomic, or other handicaps, which programs or projects may, among others, include—

"(A) those designed to familiarize elementary and secondary students with the broad range of occupations for which special skills are required and the requisites for careers in such occupations;

"(B) programs or projects for students providing educational experiences through work during the school year or in the summer;

"(C) programs or projects for intensive occupational guidance and counseling during the last years of school and for initial placement;

"(D) programs or projects designed to broaden or improve vocational education curricula;

"(E) exchanges of personnel between schools and other agencies, institutions, or organizations participating in activities to achieve the purposes of this subsection, including manpower agencies and industry; or

"(F) programs or projects for young workers released from their jobs on a part-time basis for the purpose of increasing their educational attainment.

"(d) Financial assistance may not be given under this section to any program or project for a period exceeding three years.

"(e) In administering the provisions of this section, the Commissioner shall consult with other Federal departments and agencies administering programs which may be coordinated effectively with the program carried out pursuant to this section, and to the extent practicable shall—

"(1) coordinate programs on the Federal level with the programs being administered by such other departments and agencies;

"(2) require that effective procedures be adopted by grantees and contractors to coordinate the development and operation of programs and projects carried out under grants or contracts pursuant to this section with the appropriate State plan and with other public and private programs having the same or similar purposes; and

"(3) require that to the extent consistent with the number of students enrolled in nonprofit private schools in the area to be served whose educational needs are of the type which the program or project involved is to meet, provision has been made for the participation of such students.

"(f) For the purpose of this section, the definition of 'vocational education', as that term is defined in paragraph (1) of section 8, is amended by inserting '(individually or through group instruction)' immediately after 'counseling', and by inserting, 'or for the purpose of facilitating occupational choice' immediately after the word 'training' the first time such word appears in that sentence.

"SPECIAL VOCATIONAL PROGRAMS TO AID THE ACADEMICALLY, SOCIALLY, ECONOMICALLY, AND CULTURALLY DISADVANTAGED

"SEC. 23. (a) In recognition of the special vocational education needs of youths and adults who are academically, socially, economically, or culturally disadvantaged and the impact that concentrations of such disadvantaged students have on the ability of local vocational education agencies to support adequate vocational education and training programs, the Congress hereby declares it to be the policy of the United States to provide financial assistance (as set forth in subsection (b)) to local educational agencies serving areas with concentrations of disadvantaged students to develop and operate by various means new and expanded vocational education programs and services specifically designed for persons and students (including adults and other postsecondary school students) who have academic, social, economic, cultural, or other handicaps.

"(b) There are hereby authorized to be appropriated $200,000,000 for the fiscal year ending June 30, 1969; for the fiscal year ending June 30, 1970, $250,000,000; for the fiscal year ending June 30, 1971, $350,000,000; and for the fiscal year ending June 30, 1972, and for each succeeding fiscal year, $400,000,000 to be used by the Commissioner for making grants to or contracts with State boards, and through such boards to local educational agencies, for the purpose of stimulating and assisting, through programs or projects referred to in subsection (d), the development, establishment, operation, and expansion of vocational educational programs and services, including remodeling and additions to an existing facility and equipping of the facility, specifically designed for those persons who can benefit from programs of vocational education, and who have academic, social, economic, cultural, or other disadvantages or handicaps, and reside in areas with concentrations of persons so disadvantaged, such areas to be broadly defined by regulation of the Commissioner. Funds may also be used by State boards to make grants to, or contracts with, other public, private, or nonprofit agencies, organizations, or institutions, including business and industrial concerns, for such programs or projects.

"(c)(1) From the sums appropriated pursuant to this section for each fiscal year, the Commissioner shall—

"(A) reserve such amount, but not in excess of 3 per centum thereof, as he may determine and shall apportion such amount among Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands, according to their respective needs for assistance under this section;

"(B) reserve 2 per centum for the development, establishment, and operation of a pilot program to be known as the 'Learning Corps' which will have as its purpose to provide improved learning experience for disadvantaged youth, with special emphasis placed on inner city youth, through the provision of opportunities for such youth to live in homes outside the inner city, selected and approved by local welfare or social service agencies, in rural, small city, suburban, and other communities and to enroll in the local schools where vocational education and skill development for employment would be a part of their educational program;

"(C) reserve 10 per centum to encourage and assist the boards and agencies referred to in subsection (b) to expand their programs and services for secondary and postsecondary students by offering late afternoon, evening, and summer vocational programs.

"(2) From the remainder of such sums the Commissioner shall allocate $200,000 to each State, and he shall in addition allocate to each State an amount which bears the same ratio to any residue of such remainder as the population aged fifteen to nineteen, both inclusive, in the State bears to the population of such ages in all the States.

"(3) For purposes of this section the State plan provided for in section 5 shall include a formula for the allocation of funds within the State which will give assurance that assistance under this section will only be used to serve areas in which there are substantial concentrations of disadvantaged students and will be allocated among such areas according to the degree of such concentrations as evidenced by high dropout rates and high youth unemployment.

"(4) The amount of any State's allotment under this section for fiscal year which the Commissioner determines will not be required for such fiscal year for carrying out the purposes of this section shall be available for reallotment from time to time, on such dates during such year as the Commissioner may fix, and on the basis of such factors as he determines to be equitable and reasonable, to other States which are determined by the Commissioner are able to use without delay any amounts so reallotted for the purposes of this section. Any amount reallotted to a State under this paragraph during such year shall be deemed part of its allotment for such year.

"(5) Notwithstanding any other provision of law, unless hereafter enacted expressly in limitation of the provisions of this paragraph, funds appropriated for such special vocational programs for the disadvantaged pursuant to this subsection which are reserved by the Commissioner for any projects or activities assisted under such programs or projects and undertaken in connection with an approved State plan shall remain available until expended.

"(6) For the purposes of paragraphs (1), (2), and (3) of this subsection, the term 'State' does not include Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands.

"(7) The population of particular age groups of a State or of all the States shall be determined by the Commissioner on the basis of the latest available estimates furnished by the Department of Commerce.

"(8) The amount appropriated under this section for each fiscal year shall be available for obligation for grants or contracts pursuant to applications approved during that year and the succeeding fiscal year.

"(d) Grants or contracts pursuant to this section may be made by the Commissioner, upon terms and conditions consistent with the provisions of this section as he determines will most effectively carry out the purposes of this section, and to pay the cost of planning, developing, establishing, operating, and evaluating new or expanded programs or projects specifically designed for disadvantaged persons. Such special programs and projects may encompass any and all of the uses and purposes described in section 4(a) of this Act.

"(e) In providing this special vocational program assistance to local agencies which serve areas of concentrations of disadvantaged students, it is the intent of the Congress that there be the maximum possible utilization of the most appropriate, economical, and effective community resources. To this end, in addition to the contracting authority conferred by the last sentence of subsection (b), local boards and education agencies may, pursuant to programs and projects authorized by this section, enter into leasing or combined lease-purchasing arrangements for equipment and facilities and may enter into contracts for the provision of any necessary and related services including personnel and personal services such as, but not limited to, physical, emotional, and mental health, food, clothing, and transportation.

"(f) For the purposes of this section, the Federal share of the cost of planning, developing, establishing, operating, and evaluating such special programs or projects shall not exceed 90 per centum.

"COOPERATIVE VOCATIONAL EDUCATION PROGRAMS

"SEC. 24. (a) The Congress finds that cooperative work-study programs offer many advantages in preparing young people for employment. Through such programs, a meaningful work experience is combined with formal education enabling students to acquire knowledge, skills, and appropriate attitudes. Such programs remove the artificial barriers which separate work and education and, by involving educators with employers, create interaction whereby the needs and problems of both are made known. Such interaction makes it possible for occupational curricula to be revised to reflect current needs in various occupations.

"It is the purpose of this section to assist the State to expand cooperative work-study programs by providing financial assistance for personnel to coordinate such programs, and to provide instruction related to the work experience; to reimburse employers when necessary for certain added costs incurred in providing on-the-job training through work experience; to pay costs for certain services, such as transportation of students or other unusual costs that the individual students may not reasonably be expected to assume while pursuing a cooperative work-study program.

"(b) There is authorized to be appropriated for the fiscal year ending June 30, 1969, $50,000,000; for the fiscal year ending June 30, 1970, $100,000,000; for the fiscal year ending June 3, 1971, $150,000,000; and for the fiscal years ending June 30, 1972 and 1973, $250,000,000 for making grants to the States for programs of vocational education designed to prepare students for employment through cooperative work-study arrangements.

"(c)(1) From the sums appropriated pursuant to this section for each fiscal year, the Commissioner shall reserve such amount, but not in excess of 2 per centum thereof, as he may determine and shall apportion such amount among Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands, according to their respective needs for assistance under this section. From the remainder of such sums the Commissioner shall allocate $200,000 to each State, and he shall in addition allocate to each State an amount which bears the same ratio to any residue of such remainder as the population aged fifteen to nineteen, both inclusive, in the State bears to the population of such ages in all the States.

"(2) The amount of any State's allotment under this section for any fiscal year which the Commissioner determines will not be required for such fiscal year for carrying out the State's plan approved under subsection (d) shall be available for reallotment from time to time, on such dates during such years as the Commissioner may fix, and on the basis of such factors as he determines to be equitable and reasonable, to other States which as determined by the Commissioner are able to use without delay any amounts so reallotted for the purposes set forth in subsection (d). Any amount reallotted to a State under this paragraph during such year shall be deemed part of its allotment for such year.

"(3) The population of particular age groups of a State or of all the States shall be determined by the Commissioner on the basis of the latest available estimates furnished by the Department of Commerce.

"(d)(1) For purposes of this section the State plan shall set forth policies and procedures to be used by the State in establishing through local educational agencies and public and private employers cooperative work-study programs. Such policies and procedures must give assurance that—

"(A) funds will be used only for developing and operating cooperative work-study programs as defined in subsection (f) which provide training opportunities that may not otherwise be available and which are designed to serve persons who can benefit from such programs;

"(B) necessary procedures are established for cooperating with employment agencies, labor groups, employers, and other community agencies in identifying suitable jobs for persons who enroll in cooperative work-study programs;

"(C) provision is made for reimbursement of added costs to employers for on-the-job training of students enrolled in cooperative programs, provided such on-the-job training is related to existing career opportunities susceptible of promotion and advancement and does not displace other workers who might ordinarily be hired to perform such work;

"(D) ancillary services and activities to assure quality in cooperative work-study programs are provided for, such as preservice and in-service training for teacher coordinators, supervision, curriculum materials, and evaluation; and

"(E) priority for funding cooperative work-study programs through local educational agencies, be given to areas that have high rates of school dropouts and youth unemployment.

"(e) Funds allocated under this section for cooperative work-study programs shall be available for paying not more than 90 per centum of the State's expenditures under its State plan for any fiscal year.

"(f) For purposes of this section, the term 'cooperative work-study program' means a program of vocational education for persons who, through a cooperative arrangement between the school and employers, receive part-time instruction, including required academic courses and related vocational instruction, in the school and on-the-job training through part-time employment. Such programs should provide for alternation of study in school with a job in any occupational field, but these two experiences must be planned and supervised by school and employer so that each contributes to the student's education and to his employability. Work periods and school attendance may be on alternate half-days, days, weeks, or other periods of time, but the number of hours of work shall equal the hours spent in school during the period that the individual would normally attend classes during the regular school term.

"RESIDENTIAL VOCATIONAL EDUCATION FACILITIES

"SEC. 25. (a)(1) There are hereby authorized to be appropriated $10,000,000 for the fiscal year ending June 30, 1969; for the fiscal year ending June 30, 1970, $300,000,000; for the fiscal year ending June 30, 1971, $175,000,000; and for the fiscal years ending June 30, 1972 and 1973, $175,000,000 for grants to the States to provide residential vocational education facilities.

"(2) From the sums appropriated under paragraph (1), the Commissioner shall allot to each State an amount which bears the same ratio to such sums as the population of each State bears to the population of all the States.

"(3) For purposes of this section—

"(A) the term 'State' does not include Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands;

"(B) the amount allotted under this subsection to any State for the fiscal year ending June 30, 1969, shall be available for payments to applicants with approved applications in that State during that year and the next fiscal year; and

"(C) the amount of any State's allotment under subsection (a)(2) for any fiscal year which the Commissioner determines will not be required for such fiscal year for carrying out the State's plan approved under subsection (b) shall be available for reallotment from time to time, on such dates during such year as the Commissioner may fix, and on the basis of such factors as he determines to be equitable and reasonable, to other States which as determined by the Commissioner are able to use without delay any amounts so realloted for the purposes set forth in subsection (b). Any amount reallotted to a State under this paragraph during such year shall be deemed part of its allotment for such year.

"(b)(1) Funds allotted to the States under subsection (a) shall be used by the State, or, with the approval of the State boards, by public educational agencies, organizations, or institutions within such State, to pay the Federal share of the cost of planning, constructing, and operating residential vocational education facilities to provide vocational education (including room, board, and other necessities) for youths, at least age fourteen but who have not attained age twenty-one at the time of admission to the training program, who need full-time study on a residential basis and who can profit from vocational education instruction. In the administration of the program conducted under this section, special consideration shall be given to needs in geographical areas having substantial or disproportionate numbers of youths who have dropped out of school or are unemployed, and to serving persons from such areas.

"(2) For purposes of this section, the Federal share of the cost of planning, constructing, and operating residential vocational education facilities shall not exceed 90 per centum of the costs incurred in any fiscal year.

"(c) For purposes of this section the State plan shall set forth the policies and procedures to be used by the State in determining the size and location of such residential vocational facilities, taking into account the use of existing vocational education facilities. Such policies and procedures must give assurance that—

"(1) adequate provision will be made for the appropriate selection without regard to sex, race, color, religion, national origin or place of residence within the State of students needing education and training at such school;

"(2) the residential school facility will be operated and maintained for the purpose of conducting a residential vocational education school program;

"(3) vocational course offerings at such school will include fields for which labor market analyses indicate a present or continuing need for trained manpower, and that the courses offered will be appropriately designed to prepare enrollees for entry into employment or advancement in such fields; and

"(4) no fees, tuition, or other charges will be required of students who occupy the residential vocational education facility.

"(d) For purposes of this section—

"(1) the term 'residential school facility' means a school facility (as defined in section 8(3)) used for residential vocational education purposes. Such term also includes dormitory, cafeteria, and recreational facilities, and such other facilities as the Commissioner determines are appropriate for a residential vocational education school.

"(2) the term 'operation' means maintenance and operation, and includes the cost of salaries, equipment, supplies, and materials, and may include but is not limited to other reasonable costs of services and supplies needed by residential students, such as clothing and transportation.

"VOCATIONAL EDUCATION FOR HOME AND FAMILY LIVING

"SEC. 26. (a)(1) There are hereby authorized to be appropriated for the fiscal year ending June 30, 1969, $50,000,000; for the fiscal year ending June 30, 1970, $50,000,000; for the fiscal year ending June 30, 1971, $75,000,000; and for the fiscal year ending June 30, 1972, and each fiscal year thereafter, $75,000,000 for the purposes of this section. From the sums appropriated pursuant to this paragraph for each fiscal year, the Commissioner shall allot to each State an amount which shall be computed in the same manner as allotments to States under section 3 except that, for the purposes of this section, there shall be no reservation of 10 per centum of such sums for research and training programs and 100 per centum of the amount appropriated pursuant to this section shall be allotted among the States.

"(2) The amount of any State's allotment under paragraph (1) for any fiscal year which the Commissioner determines will not be required for such fiscal year for carrying out the State's plan approved under subsection (b) shall be available for reallotment from time to time, on such dates during such year as the Commissioner may fix, and on the basis of such factors as he determines to be equitable and reasonable, to other States which, as determined by the Commissioner, are able to use without delay any amounts so reallotted for the purposes set forth in subsection (b). Any amount reallotted to a State under this paragraph during such year shall be deemed part of its allotment for such year.

"(b) For purposes of this section the State plan shall set forth a program under which Federal funds paid to a State from its allotment under subsection (a) will be expended solely for (A) educational programs designed for youths and adults through preparation for the role of homemaker, or to contribute to the employability of such youths and adults through preparation for the dual role of homemaker and wage earner, and are designed for persons who have entered, or are preparing to enter, the work of the home, and (B) ancillary services, activities and other means of assuring quality in all homemaking education programs, such as teacher training and supervision, research, program and evaluation, special demonstration and experimental programs, development of instructional materials, provision of equipment, and State administration and leadership.

"(c) From a State's allotment under this section for the fiscal year ending June 30, 1969, and for each fiscal year thereafter, the Commissioner shall pay to such State an amount equal to 50 per centum of the amount expended for the purposes set forth in subsection (b). No State shall receive payments under this section for any fiscal year in excess of its allotment under subsection (a) for such fiscal year.

"(d) Such payments (adjusted on account of overpayments or underpayments previously made) shall be made by the Commissioner in advance on the basis of such estimates, in such installments, and at such time, as may be reasonably required for expenditures by the States of the funds allotted under subsection (a).

"VOCATIONAL EDUCATION LEADERSHIP AND PROFESSIONAL DEVELOPMENT

"SEC. 27. (a) It is the purpose of this section to provide opportunities for experienced vocational educators to spend full-time in advanced study of vocational-technical education for a period not to exceed three years in length; to provide opportunities to update the occupational competencies of vocational-technical education teachers through exchanges of personnel between vocational-technical education programs and commercial, industrial, or other public or private employment related to the subject matter of vocational-technical education; to provide programs of in-service teacher education and short-term institutes for vocational-technical education personnel; and for other purposes.

"(b) There are authorized to be appropriated to carry out the vocational education leadership development awards program established by this section, $25,000,000 for the fiscal year ending June 30, 1969; for the fiscal year ending June 30, 1970, $25,000,000; for the fiscal years ending June 30, 1971, 1972, and 1973, $50,000,000. No individual may receive a leadership development award for a period in excess of three years.

"(c)(1) In order to meet the needs for qualified vocational education personnel such as administrators, supervisors, teacher educators, researchers, and instructors in vocational education programs in all the States, the Commissioner shall make available leadership development awards only upon his determination that—

"(A) persons selected for awards shall have had not less than two years of experience in vocational education or in industrial training, or military technical training; or, in the case of researchers, experience in social science research which is applicable to vocational education;

"(B) persons receiving such awards are currently employed or are reasonably assured of employment in vocational education and have successfully completed, as a minimum, a baccalaureate degree program; or

"(C) persons selected are recommended by their employer, or others, as having leadership potential in the field of vocational education and are eligible for admission as a graduate student to a program of higher education approved by the Commissioner under subsection (c).

"(2) Persons selected for leadership development awards made under this section shall be entitled to receive $6,500 a year, plus $400 for each dependent for each such year.

"(d)(1) The Commissioner shall approve the vocational education leadership development program of an institution of higher education upon application by the institution only upon finding that—

"(A) the institution offers a comprehensive program in vocational education with adequate supporting services and disciplines such as education administration, guidance and counseling, research, and curriculum development.

"(B) such program is designed to further substantially the objective of improving vocational education through providing opportunities for graduate training of vocational education teachers, supervisors, and administrators, and of university level vocational education teacher educators and researchers;

"(C) such programs are conducted by a school of graduate study in the institution of higher education and lead to an advanced degree; and

"(D) such program is also approved by the State board for vocational education in the State where the institution is located.

"(2) In addition to amounts paid to persons pursuant to subsection (b)(2), the Commissioner shall pay to the institution of higher education at which such person is pursuing his course of study an annual amount equivalent to $3,000 less any amount charged for tuition. Such funds shall be used for improving the quality of education provided to those receiving leadership awards under this section.

"(e) In order to meet the needs for qualified vocational education personnel such as teachers, administrators, supervisors, and teacher educators, in vocational education programs in all the States, the Commissioner in carrying out this section shall apportion leadership development awards equitably among the States, taking into account such factors as the State's vocational education enrollments, and the incidence of youth unemployment and school dropouts in the State. Leadership awards apportioned to a State may be awarded by State boards only to residents of such State, but a person to whom an award is made may study at an institution with an approved program in any State. In making such awards, State boards must give due consideration to persons in all occupational areas in vocational education and to those in areas of service to vocational education such as administration, supervision, research, guidance and counseling, and curriculum development.

"(f) Persons receiving leadership awards under the provisions of this section shall continue to receive the payments provided in subsection (b) only during such periods as the Commissioner finds that they are maintaining satisfactory proficiency in, and devoting essentially full-time to, study or research in the field of vocational education in an institution of higher education, and are not engaging in gainful employment, other than part-time employment by such institution in teaching, research, or similar activities, approved by the Commissioner.

"EXCHANGE PROGRAMS, INSTITUTES, AND IN-SERVICE EDUCATION FOR VOCATIONAL-TECHNICAL EDUCATION TEACHERS, SUPERVISORS, COORDINATORS, AND ADMINISTRATORS

"SEC. 28. (a) There are authorized to be appropriated $20,000,000 for the fiscal year ending June 30, 1969; $30,000,000 for the fiscal year ending June 30, 1970; and $40,000,000 for the fiscal year ending June 30, 1971, and for each of the two succeeding fiscal years to carry out programs established under this section.

"(b)(1) The Commissioner is authorized to make grants to State boards to pay the cost of carrying out cooperative arrangements for the training or retraining of experienced vocational education personnel such as teachers, teacher educators, administrators, supervisors, and coordinators, and other personnel, in order to strengthen education programs supported by this title and the administration of schools offering vocational education. Such cooperative arrangements may be between schools offering vocational education and private business or industry, commercial enterprises, or with other educational institutions (including those for the handicapped and delinquent). Grants under this section may be used for projects and activities such as—

"(A) exchange of vocational education teachers and other staff members with skilled technicians or supervisors in industry (including mutual arrangements for preserving employment and retirement status, and other employment benefits during the period of exchange), and the development and operation of cooperative programs involving periods of teaching in schools providing vocational education and of experience in commercial, industrial or other public or private employment related to the subject matter taught in such school;

"(B) in-service training programs for vocational education teachers and other staff members to improve the quality of instruction, supervision, and administration of vocational education programs; and

"(C) the operation of short-term or academic year institutes for the provision of training to improve the qualifications of persons engaged in or preparing to engage in activities such as teaching (including services of paraprofessional personnel such as teacher aids), research, vocational aspects of guidance and counseling, supervising, or administering vocational education programs. Each individual who attends an institute operated under the provisions of this subparagraph, shall be eligible for the period of his attendance at such institute (after application and acceptance therefor) to receive a stipend (including an allowance for subsistence and other expenses for such person and his dependents) at a rate determined by the Commissioner to be consistent with prevailing practices under comparable federally supported programs.

"(2) A grant may be made under this subsection only upon application to the Commissioner at such time or times and containing such information as he deems necessary. The Commissioner shall not approve an application unless it—

"(A) sets forth a program for carrying out one or more projects or activities which meet the requirements of paragraph (1), and provides for such methods of administration as are necessary for the proper and efficient operation of the program;

"(B) sets forth policies and procedures which assure that Federal funds made available under this section for any fiscal year will be so used as to supplement and, to the extent practicable, increase the level of funds that would, in the absence of such Federal funds, be made available for purposes which meet the requirements of paragraph (1), and in no case supplant such funds;

"(C) provides for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant under this section; and

"(D) provides for making such reports, in such form and containing such information, as the Commissioner may require to carry out his functions under this section, and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

"CURRICULUM DEVELOPMENT IN VOCATIONAL-TECHNICAL EDUCATION

"SEC. 29. (a) Congress finds that curriculum development in vocational education is complicated by the diversity of occupational objectives; variations due to geography; differences in educational levels and types of programs; and by the wide range of occupations which includes, but is not limited to, agriculture, trades and industry, distribution and marketing, technical, public service, health services, business and office, and homemaking occupations.

"It is therefore the purpose of this section to provide funds and authority to the Commissioner enabling him to promote the development of curriculums for new and changing occupations, and to coordinate improvements in, and dissemination of, existing curriculum materials.

"(b) There are authorized to be appropriated $7,000,000 for the fiscal year ending June 30, 1969; $10,000,000 for the fiscal year ending June 30, 1970; $25,000,000 for the fiscal year ending June 30, 1971, and for the two succeeding fiscal years, to be used for grants and contracts by the bureau or division administering programs of vocational education within the Office of Education, for the purposes set forth in subsection (c).

"(c) Sums appropriated pursuant to this section shall be used to make grants or contracts with colleges or universities, and other public or nonprofit private agencies and institutions, or contracts with public or private agencies, organizations, or institutions—

"(1) to promote the development and dissemination of vocational education curriculum materials for use in teaching occupational subjects, including curriculums for new and changing occupational fields;

"(2) to develop standards for curriculum development in all occupational fields;

"(3) to coordinate efforts of the States in the preparation of curriculum materials and prepare current lists of curriculum materials available in all occupational fields;

"(4) to survey curriculum materials produced by other agencies of government, including the Department of Defense;

"(5) to evaluate vocational-technical education curriculum materials and their uses;

"(6) to train personnel in curriculum development; and

"(7) to develop curriculums which combine academic and vocational courses of study.

"(d) For purposes of this section, 'curriculum materials' means materials consisting of a series of courses to cover instruction in any occupational field in vocational education and are designed to prepare persons for employment at the entry level or to upgrade occupational competence of those previously or presently employed in any occupational field.

"LIBRARY RESOURCES, INSTRUCTIONAL MATERIALS AND EQUIPMENT, AND SERVICES

"SEC. 30. (a)(1) There are hereby authorized to be appropriated $5,000,000 for the fiscal year ending June 30, 1969; for the fiscal year ending June 30, 1970, $25,000,000; for the fiscal year ending June 30, 1971, $50,-

000,000; and for the fiscal years ending June 30, 1972 and 1973, $75,000,000 for making grants for the acquisition of vocational library resources, instructional material and equipment, and services, as defined in subsection (c).

"(2) There are hereby authorized to be appropriated $50,000,000 for the fiscal year ending June 30, 1970, and for each of the three succeeding fiscal years for making grants for the construction or major remodeling of facilities to develop or expand library media centers in vocational education schools and programs, and for minor remodeling of library media centers for the use of students and teachers in vocational education schools and programs.

"(3) There are hereby authorized to be appropriated $5,000,000 for the fiscal year ending June 30, 1970, and for each of the three succeeding fiscal years to enable the Commissioner to arrange through grants or contracts with colleges and universities for the operation by them of short term or regular session institutes for advanced study, including study in the use of new instructional materials, for media specialists, including school librarians and audiovisual specialists employed in or preparing to be employed in vocational education schools and programs. Each individual who attends an institute operated under the provisions of this section shall be eligible to receive a stipend at the rate of $75 per week for the period of attendance at such institute and each such individual with one or more dependents shall receive an additional stipend at the rate of $15 per week for each such dependent for the period of such attendance.

"(b) From the respective sums appropriated pursuant to subsection (a) for each fiscal year the Commissioner shall—

"(1) reserve such amounts respectively, but not in excess of 3 per centum thereof, as he may determine and shall allocate such amounts among Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands, according to their respective needs for assistance under this section;

"(2) from the remainder of such sums the Commissioner shall allocate 1 per centum each, respectively, to each State, and he shall in addition make respective allocations to each State in an amount which bears the same ratio to any residue of such remainder as the population aged fifteen to nineteen, both inclusive, in the State bears to the population of such ages in all the States;

"(3) any amount allocated to a State under this subsection for any fiscal year which the Commissioner determines will not be required for grants or contracts for programs or projects in that State during the period for which such allocation is available shall be available for reallocation by him from time to time to other States in accordance with their respective needs;

"(4) for the purposes of paragraphs (1) and (2) of this subsection, the term 'State' does not include Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands;

"(5) the population of particular age groups of a State of all the States shall be determined by the Commissioner on the basis of the latest available estimates furnished by the Department of Commerce; and

"(6) the amount appropriated under this section for the fiscal year ending June 30, 1969, shall be available for obligation for grants or contracts pursuant to applications approved during that year and the succeeding fiscal year.

"(c) For the purposes of this section—

"(1) 'library resources' means items such as books; periodicals; documents; guidance, counseling and audiovisual materials; other printed and published instructional materials, suitable for use in programs of vocational education; other related library materials; and

"(2) 'instructional materials and equipment' means items such as audio-visual equipment; projectors, recorders, screens; record and transcription players; television receivers; closed-circuit television equipment; similar items and necessary accessories suitable for use in programs of vocational education; other related equipment necessary for their storage and use, including library shelving; and minor remodeling of library media centers, classroom or other space used for such equipment for the use of students and teachers in vocational education schools and programs.

"ATTRACTING QUALIFIED PERSONS IN THE FIELD OF VOCATIONAL EDUCATION

"Sec. 31. (a) The Commissioner is authorized to make grants to, or contracts with, State or local educational agencies, organizations, or institutions, and he is authorized to enter into contracts with private agencies, institutions, or organizations, for the purpose of—

"(1) identifying youth and adults who may be interested in careers in vocational education and encouraging them to pursue appropriate preparation for such careers;

"(2) developing information services to inform potential students, parents, and the general public about opportunities that are available; and

"(3) encouraging artists, craftsmen, artisans, homemakers, scientists, engineers, and persons from other professions and vocations to undertake teaching or related assignments in vocational and technical education programs on a part-time basis or for temporary periods.

"(b) There is authorized to be appropriated to carry out this section the sum of $3,500,000 for the fiscal year ending June 30, 1969; for the fiscal year ending June 30, 1970, $4,000,000; for the fiscal year ending June 30, 1971, $4,500,000; and for the fiscal years ending June 30, 1972 and 1973, $5,000,000.

"NATIONAL ADVISORY COUNCIL ON VOCATIONAL EDUCATION

"Sec. 32. (a) There is hereby created a National Advisory Council on Vocational Education (hereinafter referred to as the 'Council') consisting of fifteen members appointed by the President for three-year terms and without regard to the civil service laws: *Provided*, That with respect to the initial appointments, five of the Council members shall be appointed for one-year terms, and five shall be appointed for two-year terms. The Council shall include not more than five regular full time Federal or State employees. The President shall designate a Chairman from among the nongovernment Council members. To the extent possible, the Council shall include persons familiar with the vocational education needs and problems of management and labor and persons familiar with manpower problems and administration of manpower programs, persons knowledgeable about the administration of State and local vocational education programs, other persons with special knowledge, experience, or qualification with respect to vocational education, and not less than five persons representative of the general public. The Council shall meet at the call of the Chairman, but not less often than four times a year.

"(b) The Council shall advise the Commissioner in the preparation of general regulations and with respect to policy matters arising in the administration of this title, including policies and procedures governing the approval of State plans under section 5 and the approval of programs and projects under section 4(c) of part A and under part B of this title.

"(c) The Council shall review the administration and operation of vocational education programs under this title, make recommendations with respect thereto, and make annual reports of its findings and recommendations (including recommendations for changes in the provisions of this title) to the Secretary.

"(d) Members of the Council who are not regular full-time employees of the United States shall, while serving on business of the Council, be entitled to receive compensation at rates fixed by the Secretary, but not exceeding the rate specified at the time of such service for grade GS–18 in section 5332 of title 5, United States Code, including traveltime; and while so serving away from their home or regular places of business, members of the Council may be allowed travel expenses, including a per diem allowance as authorized in section 5703 of title 5, United States Code, for persons in Government service employed intermittently.

"(e) The Council is authorized, without regard to the civil service laws, to engage such technical assistance as may be required to carry out its functions, and to this end there are hereby authorized to be appropriated for the fiscal year ending June 30, 1969, $100,000; for the fiscal year ending June 30, 1970, $150,000; for the fiscal year ending June 30, 1971, $150,000; and for the fiscal year ending June 30, 1972, and each fiscal year thereafter, $200,000.

"Part C—Bureau of Vocational Education

"Sec. 40. The Commissioner shall establish at the earliest practicable date, not later than July 1, 1969, and maintain within the Office of Education a bureau solely for vocational education which shall be the principal agency in the Office of Education for administering and carrying out programs and projects relating to vocational education. There are hereby authorized to be appropriated for the administration of this bureau $5,000,000 for fiscal 1970, $5,500,000 for fiscal 1971, and for each succeeding fiscal year."

ADEQUATE LEADTIME AND PLANNING AND EVALUATION

Sec. 202. Section 401 of the Elementary and Secondary Education Amendments of 1967 (Public Law 90–247, 81 Stat. 814) is amended by inserting "the Vocational Education Act of 1963," immediately after "the Elementary and Secondary Education Act of 1965,".

A MEANINGFUL PLAN TO UPGRADE VOCATIONAL EDUCATION AND GIVE EVERY AMERICAN YOUNGSTER A MARKETABLE SKILL

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PUCINSKI. Mr. Speaker, today I intend to introduce, with Congressman Lloyd Meeds, a bill which will propose major amendments to the Vocational Education Act of 1963. In this effort we are being joined by 30 fellow Congressmen as cosponsors. These include: Mr. Frank Thompson, Mrs. Green of Oregon, Messrs. Dent, Holland, Carey, Scheuer, Gibbons, Price of Illinois, Farbstein, Matsunaga, Van Deerlin, Annunzio, Sisk, Blatnik, Ronan, Olsen, Daniels, Hawkins, Bell, William D. Ford, Hathaway, Mrs. Mink, Messrs. Schweiker, Vanik, Adams, Hicks, Kupferman, Fraser, Moorhead, Foley, Kastenmeier, and Tunney.

You may recall that the administration has already offered a bill, H.R. 15066—which, incidentally, I introduced—to amend the Vocational Education Act. However, in the course of 11 days of hearings held by the General Subcommittee on Education—of which I am chairman—it became apparent that the bill did not adequately meet the vast needs for improved vocational education in our Nation.

Therefore, Congressman MEEDS and I prepared this new bill which we and other Members of the House believe represents a more realistic response to the complex problems of preparing youth for employment.

Throughout the United States several million high school graduates will enter the labor market this June, woefully unprepared to obtain meaningful employment. Of those who do go on to college, more than 50 percent will not graduate. And they, too, will face the dismal prospect of looking for jobs without adequate qualifications.

We face a major crisis today in the area of unemployment. And the highest single group of unemployed persons consists of our Nation's young people. Of white males between the ages of 16 and 19, 23 percent are presently unemployed. Among nonwhite males in the same age bracket, the rate is 33 percent. And among nonwhite females between 16 and 19, the rate is a staggering 49 percent.

We have treated vocational education as a stepchild for too long. In the past we have erroneously assumed that only college preparation merited rewards. As a result, we invested our major financial resources in academic subjects while shortchanging the teachers and pupils devoting their efforts to vocational education.

The vocational programs which now exists are in need of immediate updating. A recent national study of high school graduates conducted by the American Institute for Research revealed that less than 50 percent were following occupations for which they had been trained. Moreover, we are not training our young people for the world of work—the habits, attitudes, and basic skills of reading and expression which are vital for success in any job.

The provisions of the present bill will insure that these oversights are at last corrected. The new bill will enable local communities to develop comprehensive vocational education programs that will serve the needs of all our students. In this way, we will at last be able to guarantee that every student who graduates from high school will be equipped with a marketable skill.

Our bill is based on the recommendations of the National Advisory Council on Vocational Education, which was created under the 1963 Vocational Education Act. The first recommendation which we have incorporated is that the State grant provision be raised from its present authorization level of $225 million. We have increased this provision to $325 million for fiscal 1969 and to $400 million for fiscal 1970.

This increased authorization would be used to maintain and expand existing vocational education programs.

Twenty-five percent of the new money would be earmarked for programs for the disadvantaged.

We have also included a separate provision to fund special programs for the disadvantaged.

The reason that we are placing increased emphasis on the disadvantaged in the existing programs and also initiating new programs for the disadvantaged is that we believe that vocational education offers the best long-range remedy for the problems of the ghetto and or rural poverty.

We believe that unless disadvantaged children are educated for employability, the poverty cycle will never be broken. Yet testimony before our subcommittee has shown that only 1 percent of the funds under the 1963 act are being used for programs for the disadvantaged.

Our bill provides that earmarked funds must go to the urban and rural areas where there are concentrations of dropouts and high rates of youth unemployment.

Our bill also provides for two work-study programs.

The first program which is already in operation but which will lapse this June 30 unless reauthorized, has proven to be tremendous success.

In fiscal year 1966 with an appropriation of $25 million the work-study program provided support for 70,139 needy students.

In 1967 and 1968 with an appropriation of $10 million, approximately 35,000 students each year benefited from the work-study programs. If this provision is not reauthorized there will be no program giving part-time jobs to these 35,000 needy students. The administration has not requested any reauthorization.

The second work-study provision is for cooperative education.

In that program the students will spend approximately as much time learning on a job as they will in the classroom. We believe that this type of program offers an opportunity for greater cooperation between business and the schools and avoids the expense of the schools duplicating work facilities already in existence.

Priority in this program must be given to disadvantaged students.

Our bill also provides for residential vocational education schools. These schools will expand the vocational education opportunities and create new environments for those who cannot profit from instruction under existing conditions. They will provide an opportunity for ghetto youths to improve their environments and equip themselves with a marketable skill.

Our bill adopts the administration's proposal on exemplary programs and increases its authorization. Through this provision we hope to fund such programs as those which will acquaint elementary and secondary students with a broad range of occupations and the requisites for careers in such occupations.

In fiscal 1969 the administration is budgeting $290 million for vocational education. We are proposing an increase of $495 million for 1969 and another $590 for fiscal 1970.

We realize that this is an unfavorable year for new programs, but we believe that vocational education is of greatest importance. The youth of our country must be educated for employability and our country cannot afford to delay.

A breakdown of the Pucinski-Meeds bill and an analysis of the bill follow:

[In millions]

	1969	1970	1971	1972
1. Existing programs	$325	$400	$500	$600
2. Work-study	30	30	55	55
3. Exemplary programs	50	100	150	200
4. Disadvantaged	200	250	350	400
5. Cooperative education	50	100	150	250
6. Residential schools	10	300	175	175
7. Home economics	50	50	75	75
8. Teacher training	45	55	90	90
9. Curriculum	7	10	25	25
10. Libraries	5	80	105	130
11. Information services	3.5	4	4.5	5
12. National Advisory Council	1	1	1	1
Total	785.6	1,379.1	1,679.6	2,005.1

PROPOSED AMENDMENTS TO THE VOCATIONAL EDUCATION ACT OF 1963

A. CONSOLIDATION AND IMPROVEMENT OF EXISTING VOCATIONAL EDUCATION PROGRAMS (EFFECTIVE JULY 1, 1968)

1. *Authorization.*—Increases authorization to $325 million for fiscal 1969, $400 million for fiscal 1970, $500 million for fiscal 1971, $600 million for fiscal 1972 and for each subsequent fiscal year for the purpose of making grants to the states. The present authorization is $225 million.

2. *Work-Study.*—Reauthorizes the work-study provision which lapses June 30, 1968; Thirty million dollars for fiscal 1969 and fiscal 1970, and $55 million for fiscal 1971 and for each subsequent fiscal year. The work-study provision of the 1963 Act is directed towards the full-time student who needs money to stay in school.

3. *Matching.*—Allows state-wide matching of federal funds and eliminates matching by separate categories.

4. *Disadvantaged.*—Requires that 25% of the new money under the state grant provision must be used by the states for programs for the academically, socially, economically, physically and culturally disadvantaged. These funds would be concentrated primarily in the large cities and the poor rural areas.

5. *Research Funds.*—10% of the sums appropriated may be used by the Commissioner of Education for grants or contracts with universities and private and public agencies, also for grants or contracts approved by the bureau administering the vocational program, and for grants or contracts to the state research units.

6. *State Advisory Councils.*—States must create state advisory councils which are to evaluate the state programs and advise the state boards of vocational education on the formulation of the state plans.

7. *State Plans.*—States must submit to the Commissioner of Education annual and five-year state plans showing the projected development of vocational education within the states.

B. NEW PROGRAMS

1. *Exemplary Programs.*—This authorization would be used to fund programs such as those designed to familiarize elementary and secondary school students with a broad range of occupations and the requisites for entrance into those occupations. $50 million for fiscal 1969, $100 million for fiscal 1970, $150 million for fiscal 1971, $200 million for fiscal 1972 and 1973.

2. *Disadvantaged.*—Special vocational education programs to aid the academically, socially, economically, physically and culturally disadvantaged. The states must give assurances that these funds will go to areas of concentrations of drop-outs and youth unemployment which would be primarily large cities and poor rural areas. 90–10

matching of federal funds. These funds would be channeled through the state boards of vocational education. $200 million for fiscal 1969, $250 million for 1970, $350 million for fiscal 1971, $400 million for each succeeding fiscal year.

3. *Cooperative Study.*—Cooperative education, a program where the number of hours spent in school equals the number of hours spent on the job, is directed towards giving students both on the job training and classroom instruction. Priority in assistance must be given to disadvantaged students: $50 million for fiscal 1969, $100 million for fiscal 1970, $150 million for fiscal 1971, $250 million for 1972 and 1973, 90–10 matching of federal funds. Funds would be channeled through the state boards of vocational education.

4. *Residential Vocational Education Schools.*—These residential schools (at least one in each state) would expand vocational education opportunities and create new environments for those who cannot profit from instruction under existing conditions. $10 million for fiscal 1969, $300 million for fiscal 1970, $175 million for fiscal 1971, $175 million for 1972 and 1973. 90–10 matching of federal funds. Funds would be channeled through the state boards of vocational education.

5. *Home-economics.*—$50 million for fiscal 1969 and 1970, $75 million for each succeeding fiscal year.

6. *Teach Training.*—

a. leadership development fellowships—these fellowships would be awarded to administrators, teachers and researchers for study at institutions of higher education. $25 million for fiscal 1969 and 1970, $50 million for fiscal 1971, 1972 and 1973.

b. exchange programs and training institutes—this authorization would be used for exchange programs, institutes, and in-service education for vocational education teachers and administrators. $20 million for fiscal 1969, $30 million for fiscal 1970, and $40 million for fiscal 1971, 1972, and 1973.

7. *Curriculum.*—Grants or contracts would be made for such purposes as evaluating vocational education curriculums and developing curriculums which combine vocational education and academic courses of study. $7 million for fiscal 1969, $10 million for fiscal 1970, and $25 million for fiscal 1971, 1972, and 1973.

8. *Libraries.*—

a. materials and equipment—grants for the acquisition of vocational library resources, instructional material and equipment, and services, $5 million for fiscal 1969, $25 million for fiscal 1970, $50 million for fiscal 1971 and $75 million for fiscal 1972 and 1973.

b. construction and remodeling of libraries in vocational education schools—$50 million for fiscal 1970 and for each of three succeeding years.

c. institutes for study in use of library materials; $5 million for fiscal 1970 and for each of three succeeding years.

9. *Information Services.*—Grants or contracts to encourage youths and adults to enter careers in vocational education. $3.5 million for fiscal 1969, $4 million for fiscal 1970, $4.5 million for fiscal 1971 and $5 million for 1972 and 1973.

10. *National Advisory Council.*—Creation of a Permanent National Advisory Council on Vocational Education with a separate authorization for its operating expenses. The Council would review administration and preparation of vocational education programs and make annual reports of its findings.

11. *Bureau of Vocational Education.*—Creation of a separate Bureau of Vocational Education within the Office of Education and an authorization for its operating expenses.

12. *Advance Funding.*—Allows advance funding of vocational education programs.

THE PRESIDENT'S PERSONAL SACRIFICE FOR PEACE IN THE WORLD SUGGESTS THAT DR. KING CAN DO NO LESS HERE AT HOME

Mr. KORNEGAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. KORNEGAY. Mr. Speaker, as we hopefully and prayerfully await further explanation of reports emanating from Hanoi that preliminary Vietnam peace talks may be forthcoming, we are also awaiting reports from a self-styled domestic minister of peace and tranquility.

I refer to the nonviolent Martin Luther King, who we are informed by press reports is back in Memphis today. He is, the press says, returning to the city which was partially turned to shambles last week as a result of his appearance there. Dr. King, as we saw on television and read in the news accounts, was then faithful to his preachments of nonviolence. When the predictable disturbance erupted, Dr. King hastily demonstrated his own dictum of nonviolence by scrambling into a car to be speedily removed from the scene of violence to an alley hideaway.

In city after city, in place after place, the Nation has witnessed a scene as familiar as a late TV movie. Dr. King plans a march or a demonstration and attracts considerable publicity—as well as funds—concerning such event. On the assigned day, Dr. King arrives, delivers a few well-chosen words designed to arouse passions and emotions. He marches a few blocks, maybe, and leaves the scene for another target. The usual scenario is one of violence.

As we saw in Memphis last week and may see again there this week, Dr. King left strewn in his path of nonviolent improvement for his fellow man only death and destruction.

Now, we in the Nation's Capital city, await similar treatment. We await the ordained minister of the Gospel to come to Washington to promote the plight of the poor. We await his exhortations which in my opinion can lead to nothing but a recurrence of past disorders, destruction, and death.

While we await and pray for steps toward peace in Southeast Asia, we await a war between Americans here in the shadows of the shrines of liberty.

We are aware, all of us here, that it will not take much of a spark to touch off a holocaust here in Washington. The elements are right. Just last night, in a downtown drugstore, a few young punks touched off a near riot—simply because they were looking for trouble. I submit that Dr. King's planned march in Washington later this month will attract those who are bent on violence. Dr. King admitted publicly that he could not control the young hoodlums who precipitated the Memphis riot. Why does he think he can control them here?

I now strongly urge Dr. King and his followers to abandon the so-called Poor People's Campaign scheduled to be held here this month and turn their energies and efforts to plans and programs that will unite all Americans, rather than divide, build rather than destroy, and heal rather than wound.

As our President makes a personal sacrifice for peace in the world, I suggest that Dr. King and others can do no less in the search for peace here at home.

CENSUS OF BUSINESS

Mr. JONAS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. JONAS. Mr. Speaker, I have received a letter from a businessman constituent pointing out the hardship imposed on him and other owners of small businesses by the Census Bureau requirement that a voluminous set of forms be filled out and returned just 15 days after these businessmen have finished making out their income tax returns.

The information asked for is required by the Bureau for the Economic and Business Census.

The huge packet of forms received by my constituent quite understandably discouraged and frightened him by its weight alone—3 pounds and 10 ounces.

He is further frightened and intimidated by the notice that he is "required by law (title 13, U.S. Code)" to complete and return the forms not later than April 30. Title 13, section 224, of the United States Code sets a maximum penalty of $500 or 60 days imprisonment, or both for failure to complete and return the forms on time. This section further provides that if he "willfully gives a false answer" to any of the questions, he can be fined a maximum of $10,000 or imprisoned not more than 1 year, or both.

My constituent points out that these forms require the submission of information based on a fiscal year which contains at least 10 months of the previous calendar year. He points out that since he operates his business on a fiscal year basis, it is impossible to keep records for a period containing 10 months of any one calendar year. In addition, it would cost him untold man-hours by high salaried personnel to fill out these forms by hand, since he has no way of utilizing the bookkeeping machines which he normally uses.

He has been advised by his accountants that they could not even produce reasonable estimates of the figures for the periods requested by the Census Bureau, even if he had the personnel available.

I do not question the usefulness of the economic and business census, but I cannot believe that all this finely detailed information is really needed.

The Census Bureau should take it upon itself to streamline these forms and reduce the unreasonable demands on businessmen; but if the Bureau will not do this, I call for an investigation of this matter by the appropriate committees of the House and for corrective action to take this burden off the backs of businessmen who are already hard pressed by the recordkeeping requirements of the Federal Government.

After studying these forms and requirements in their present state, I certainly cannot blame businessmen for being irritated and discouraged by this constantly increasing harassment by agencies of the Federal Government.

IMPOSING A SPENDING LIMITATION

Mr. BOW. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BOW. Mr. Speaker, the vote for the Williams expenditure limitation in the other body yesterday is a significant shift of policy and a vindication of the position taken by this House in four separate votes last year.

You will recall that my amendment to impose a spending ceiling $5 billion below the President's estimate for the current year was endorsed in four record votes in the House in October of 1967. But the Senate conferees were adamant in their opposition to a spending limitation and eventually we compromised on the 2-and-10 formula embodied in Public Law 90–218.

It is gratifying to see that the other body now endorses the principle of a spending limitation.

This is a significant victory for fiscal responsibility and for the taxpayers of the United States.

The House should proceed at once to the consideration of House Joint Resolution 1150 which I introduced on March 5 and which would provide a spending limitation $8 billion below the spending estimates in the President's budget. Senator WILLIAMS offered the same limitation, and the Senate eventually compromised on a $6 billion saving.

It seems clear that if the House now adopted House Joint Resolution 1150, we could go to conference in a much better atmosphere than prevailed last fall and we could impose a spending limit of $8 billion or $6 billion below the budget.

It is significant to me that the President, in his dramatic speech of Sunday night, indicated that his attitude toward a spending limit has changed. If the Congress should vote for such a limit, I am confident he would submit to us an adjusted budget with new priorities to conform to the will of Congress.

Mr. Speaker, I am firmly convinced that an absolute ceiling on all controllable spending is the only answer to our financial dilemma.

Adopted now, such a ceiling would give our Appropriations Committee the guidance we need as we consider and report the various appropriation bills. It would mean, in effect, that the Congress has given us a piece of cloth from which we must somehow cut the garment, and if the pants are tight or the sleeves are short, I remind you that we are in a war and there is a crisis in confidence in the dollar that threatens dire financial trouble all over the world.

I call upon my chairman, the gentleman from Texas, to schedule House Joint Resolution 1150 for immediate consideration in our committee

VIETNAM PEACE NEGOTIATIONS

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOLIFIELD. Mr. Speaker, it is my understanding that the news has come through on the ticker that the Hanoi government has agreed, under as yet I do not know what conditions, to negotiate. There is one thing that I do want to call to the attention of the Members of the House. The Korean war officially proceeded from June 25, 1950, to July 13, 1951. During that period of time we had 20,929 deaths and 53,784 wounded. After the armistice negotiations started from July 13, 1951, to July 27, 1953, we had 12,700 additional deaths and 49,501 wounded. So we had 20,929 deaths before the armistice negotiations and 12,700 deaths afterward.

In Vietnam from January 1, 1961, to January 20, 1968, the record of casualties are as follows: 16,677 killed and 100,000 wounded. I understand that unofficial figures to date have run the death list up to approximately 20,000, including the months of 1968, and noncombat deaths are listed at around 3,500.

Mr. Speaker, I bring this information to the attention of the Members of the House because I want to emphasize the fact that unless we go to the negotiating table and unless we agree to conditions that will stop the killing, we might very well go through the same experience that we went through in 1951 when we went to the armistice negotiation table and still lost 13,000 more boys.

Now, I hope that the negotiations are real negotiations. I hope they are not phony. I hope that the continuation of death after we go to the negotiating table does not occur as it did in the Korean episode.

Mr. BOLLING. Mr. Speaker, will the gentleman yield for one point of clarification?

Mr. HOLIFIELD. I yield to the distinguished gentleman from Missouri.

Mr. BOLLING. I think that the gentleman makes an enormously important point, one which I have tried to make to my own constituents. But I would question the use of one word, and that is that we had achieved an armistice when we started negotiations. My impression is that everything the gentleman has said is correct, except the use of the word "armistice." We had these casualties during negotiations. We did not actually achieve a truce until a later date.

Mr. HOLIFIELD. The gentleman's point is technically correct.

Mr. BOLLING. I am not questioning the gentleman's point. I wholly agree with the point.

Mr. HOLIFIELD. I am glad that we have clarified that point. What I am talking about is the same thing. If these negotiations are going to be real let us have a stop to the killing during that period of time. If they are not going to be real, in my opinion we will be making a mistake.

And, I will say this further: I hope the negotiations do not lead to the inclusions of certain elements of the Communist—the avowed Communist Vietcong National Liberation Front, with the intent to permit them to participate in the Government of South Vietnam.

In other words, Mr. Speaker, in a situation like that where you have a weak nation, a conspiratorial few can override an unorganized nonconspiratorial group in any kind of society. I have seen this happen in the labor unions when the Communists took over the labor unions out in California back a number of years ago. I have seen a few conspirators among Young Democrats take over the whole Young Democratic group of California in the 1930's and we had to go to the Supreme Court of California to try to seek redress in that situation, and I will say the same thing will happen in South Vietnam if we let the Communist conspirators to participate in the Government of South Vietnam that you are asking, in essence, for a surrender of everything for which we have fought.

ATTORNEY GENERAL VIOLATES HIS TRUST

Mr. RARICK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. RARICK. Mr. Speaker, time was in the history of our Nation when the U.S. Attorney General was a respected and honored position held by a learned appointee duty bound to his oath of office to preserve and defend the Constitution and laws of the United States.

Yesterday, Attorney General Ramsey Clark went before the Supreme Court for the first time in office. Not to defend the laws of the United States, not to prosecute criminals, draft dodgers, or flag burners, not to urge against more soft-on-communism rulings, but for the express purpose of attacking private ownership of property—to destroy age-old laws and precedents.

The U.S. Attorney General in a suit not even involving the U.S. Government entered the case as a friend of the court to throw the weight of his office behind a revolutionary concept of law which favors open housing.

Since Clark will do nothing to stop crime on the streets or prosecute enemies of the U.S. people, we can but concede that the only enemy recognized by Mr. Clark is the segregationist and private property owner.

A most unique position for a U.S. Attorney General who talks of democracy and one man, one vote, yet by his actions shows he does not trust democracy or believe in the vote because there is a chance democracy may not want his system and the people will vote against his socialized theories.

The Attorney General is fully aware that the notorious open housing bill is pending before Congress. Can it be he seeks to intimidate the upcoming vote of the entire House of Representatives with an attitude of "I don't care what Congress does—we bureaucrats will not wait on Congress. We'll take the law in our own hands"?

Under any existing rule of law or ethics, Ramsey Clark's appearance aforesaid has violated his oath of office and his appearance is a misuse of taxpayers' funds. He was under no duty or obligation, and his action must at most be evaluated as expressing his personal convictions or political commitments.

I call on Ramsey Clark to vacate his appearance amicus curae in the Supreme Court as a representative of the American citizens and U.S. Attorney General. And that he apologize to the Members of the U.S. House of Representatives for such high-handed action.

Mr. Speaker, I place the Bullen report from the Washington, D.C., Evening Star at this point in the Record:

Clark Asks Suburban Home Bias Ban

(By Dana Bullen)

Atty. Gen. Ramsey Clark has called on the Supreme Court to rule out racial discrimination in home sales by large suburban real estate developers.

"It is the experience of this decade that of all the forms of discrimination the most harmful . . . is segregation in our living," he told the justices during an oral argument yesterday.

Clark said that discrimination in housing "makes it almost impossible" to obtain fulfillment of the right to schooling, employment and other things.

"The pattern of segregation created in these subdivisions will have exactly the same effect as would segregation created by a legislature or a city council," the attorney general said.

APPEAL BACKED

Clark, whose appearance marked his first argument in the Supreme Court as attorney general, supported an appeal by an interracial couple who were denied a home in a new North St. Louis County, Mo., subdivision.

The government entered the case as a friend of the court because of "very great concern that the rights involved be fully secured and fulfilled for all our people," Clark said.

Observers considered the attorney general's personal appearance in the case significant, especially in light of President Johnson's recent statements accusing the House of "fiddling and piddling" rather than enacting Senate-passed open housing legislation.

Clark urged the justices to hold that the developer of a large subdivision acts so much like a municipality that he comes within the 14th Amendment's ban on discriminatory "state action."

AN 1866 LAW CITED

On a second point, the attorney general contended that a century-old 1866 federal law supporting the right of all citizens to buy and sell property bars discrimination in home sales.

The Reconstruction Era statute has not been enforced in a racial context in 60 years, but Clark maintained that the fact that the law has been rarely invoked did not lessen its validity.

In the case before the tribunal, Mr. and Mrs. Joseph Lee Jones, are appealing from lower federal court rulings that upheld a developer's refusal on racial grounds to sell them a home.

The Jones's lawyer, Samuel H. Liberman of St. Louis, joined the attorney general in urging the Supreme Court to rule that either the 14th Amendment or the 1866 statute prohibits such acts of discrimination.

Under questioning by the justices, both Clark and Liberman indicated that the century-old law, if given new vitality by the high court, might serve to prohibit discrimination in home sales by individuals as well.

The Senate-passed housing bill would bar discrimination in house sales by brokers, but it would not rule out discrimination in individual sales by a homeowner himself.

CITES LAW'S HISTORY

The opposing lawyer, Israel Treiman, of St. Louis, argued today for the subdivision developer, Alfred H. Mayer Co., and affiliated firms that neither the 1866 statute nor the 14th Amendment barred the developer's action.

Treiman maintained that the Reconstruction Era law was intended only to prohibit state legislative restrictions in post-Civil War Black Codes on Negro rights rather than private discrimination.

The debate in Congress at the time and other materials, the lawyer said, "overwhelmingly proved that the bill was never intended to be directed at anything but laws, legislations."

On the second point, Treiman asserted that it was "fallacious to argue that private suburban development takes on the obligations of a government unit."

The lawyer maintained that in view of current congressional deliberations it would be "gravely inappropriate" for the Supreme Court to attempt to deal with the same questions in the St. Louis case.

THE INDOMITABLE WILL OF MAN

The SPEAKER pro tempore (Mr. Price of Illinois). Under previous order of the House the gentleman from New Jersey [Mr. Patten] is recognized for 60 minutes.

Mr. PATTEN. Mr. Speaker, today more than ever we are reminded of the indomitable will of man to remain free despite the controls of totalitarian society and government. The events in Prague and Warsaw in recent weeks just as much as the glorious but tragic Hungarian fight for freedom in 1956 and Rumania's attempts to escape economic tutelage of the Soviet Union, provide proof that human rights and national independence form indelible values in the minds of the peoples of Eastern Europe.

We hear of the "revolt of the students and intellectuals," which extends over and beyond the countries of Eastern Europe into Soviet-controlled Ukraine itself, we hear of the hopes and aspirations of the peoples for higher living standards, and more political freedom. We hear of the universal dislike and hatred of the police regimes still in existence in these countries and the rejection of Marxist-Leninist ideology even on the part of the youth and the workers.

Despite these hopeful signs it is obvious that Russian military power still controls the fortunes of these peoples despite their feeling that they should not be curtailed in their right of national self-determination and political independence. We have the brutal control of the Soviet military and political apparatus and their local agents in these countries despite the struggling national spirit in these states which includes even some who are nominally Communist.

Under these circumstances it is up to us to expose the real nature of Soviet Communist rule, to denounce the colonial-like controls maintained by the U.S.S.R. in the form of military occupation or subservience through the Warsaw pact, the economic strangulation of the region by the CEMA and bilateral treaties with Moscow, and the pressure brought to bear upon elements who want to improve, no matter how slightly, the political and economic conditions in these respective countries.

It behooves us in this moment especially, not only in order that the freedom-loving elements in these countries do not feel that we have abandoned them, but also because the Soviet Union in the United Nations and elsewhere attacks the United States for upholding the rights of small nations to remain free in the face of external force and internal subversion. Let us remind the world where the real aggressors are, and what real aggression has meant for 110 million East Europeans and 55 million Ukrainians and Byelorussians and who this aggressor has been: Soviet communism.

Therefore, today I call upon the President in the form of the concurrent resolution, to have Ambassador Goldberg to raise the issue of the withdrawal of Soviet military forces from Eastern Europe in the General Assembly of the United Nations when that body meets again in the Year of Human Rights next fall. Let us not believe that peace can be won while the conditions of strife remain present and the cry of oppressed continues to be heard in large sections of the world.

Mr. McCORMACK. Mr. Speaker, World War II brought about startling and shocking changes in many parts of Europe. Some of these changes, such as serious setbacks in the economies of nearly all countries and disruptions in governmental structures, could be called inevitable consequences of the war. But one change, the division of Europe into two opposing camps, might have been avoided had the victorious allies been willing to carry out in unison their solemn pledges. As it was, the Soviet Government deliberately and cynically failed to carry out its wartime pledges, because it had designs to dominate as much of Europe as it could. It succeeded to the extent of bringing about the enslavement of more than 100,000,000 innocent people.

The fate of these people was seriously and sadly involved in the war. They all fought valiantly against the common enemy and made immense sacrifices, both materially and in human losses. They endured abominable hardships and untold miseries, and they all hoped that at the end of the war they would regain their freedom and live in peace. Unfortunately, however, by the end of the war the Red army was in actual occupation of their homelands, and they were prisoners of the Kremlin. Thus, by mid-1945, Europe was cut in two parts; those countries under Soviet occupation, or in the Soviet sphere of influence, were east of a line from Stettin on the Baltic Sea to Trieste on the Adriatic, including Estonia, Latvia, and Lithuania in the north; Poland, part of Germany, Czechoslovakia, Austria, and Hungary in Central Europe; and nearly all the Balkans—except Greece—in the south. With some slight change that situation continues to this day, and the people in all these lands suffer under Soviet-imposed Communist totalitarian tyranny. During this period of more than two decades only Austria was fortunate in securing its freedom; and the Yugoslavs succeeded in shaking off Moscow's hold over them, but remained a Communist dictatorship; while peoples in all other parts of Central and Eastern Europe still are held down by the minions of the Kremlin.

This mischievous and inhuman act of the Soviet Government has been under constant attack by the leaders of the free world. On innumerable occasions these leaders have pleaded the just and righteous cause of these peoples and have asked the Soviet Government to show some willingness to allow certain freedoms to peoples in these lands. But such efforts have consistently failed to bring about the desired result, and the Soviets have never been disposed to yield to any reasonable approach to this human problem. Except where they seem forced to come to terms with stern realities, such as the defiant challenge to the Kremlin's once unquestioned dictation, as shown in the present behavior of Rumania's leaders, or even the most defiant stand of Yugoslavia's Tito almost two decades ago, the masters of the Kremlin have never been willing to loosen their hold over their satellites in Europe.

The peoples in these parts of Europe have not been reconciled with their unhappy lot, and some have done their utmost to free themselves from the clutches of Communist tyranny. The open uprising of workers in Poland in 1956, the disturbances in East Berlin, and specially the valiant rebellion of the Hungarian people in 1956, were clear demonstrations that these sturdy and stouthearted people had not relinquished their right to freedom, and had been keeping their spirit of freedom very much alive.

Even though these uprisings and revolts have not been successful, yet in the end these peoples did gain a modicum of freedom, and this in turn has encouraged them to seek more economic, cultural and even political freedoms in the fervent hope that soon they will be rewarded with full freedom and independence. Fortunately, Soviet leaders, who were once so cruelly confident in their firm hold of these peoples, today find themselves in an embarrassing position, and are compelled to loosen their tight hold over their satellite allies in Europe, allowing them relatively more freedom. However, these peoples cannot be bribed with such piecemeal concessions and they are clamoring for more freedoms. Recent disturbances in Czechoslovakia and Poland reinforce such a view, while Rumania's open defiance of Moscow and its freedom to deal with the free world on its own terms is a most encouraging sign of the slowly "withering away" of the monolithic Kremlin domination over these peoples. Let us all hope and pray that with patience and fortitude these peoples will carry on their struggle for freedom, in the firm belief that soon they all will attain their goal; full freedom and independence.

Mr. BUCHANAN. Mr. Speaker, I rise to speak in support of the gentleman's resolution of which I am a cosponsor. The key to respect for human rights is self-determination. This is as true in the case of a nation as it is in the case of an individual. A nation deprived of its right to shape its own destiny is a nation greatly wronged and a nation enslaved. The freedom-loving people of Hungary and other East-Central European nations have a right to freedom and self-determination. They have been denied that right. In this enlightened year of 1968 the denial of free elections and the suppression of free speech, free press, and free assembly constitute the rule rather than the exception of the Communist regimes in East-Central Europe where the rights of 100 million people are held in contempt.

On December 10, 1948—almost 20 years ago—the General Assembly of the United Nations passed the Universal Declaration of Human Rights defining said rights relating to citizens of all member states which was accepted by both the United States and the U.S.S.R.

But despite resolutions by the United Nations and our own Congress, Soviet occupation troops are still maintained in Hungary and their removal has not been discussed since 1962.

If self-determinism is denied, no other right is secure. It seems incongruous that the Soviets would insist upon our withdrawal from Southeast Asia while they remain in East-Central Europe. There is one significant difference: our troops are in Southeast Asia to aid South Vietnam in her struggle for self-determination. Soviet troops are in East-Central Europe to see that self-determination is denied. It is fitting, then, that this resolution be passed today as one of the instruments to press the Soviet Union and the Communist regimes of East-Central Europe to restore to the peoples of these countries the full enjoyment of their rights and freedoms.

Mr. SCHADEBERG. Mr. Speaker, I am proud to participate today with my distinguished colleagues in saluting the stalwart peoples of the countries behind the Iron Curtain, in repeating our pledge to these peoples of our continuing support of their yearnings for the freedoms which we in the United States enjoy, and in urging the United Nations to take cognizance of the plight of these peoples.

During my years in this Congress I have repeatedly called for a formal expression by this House of its dedication to these freedoms for all the peoples of the world and particularly for those who are now denied them. Last year I sponsored House Concurrent Resolution 215 which would authorize and request the President to instruct our Ambassador to the United Nations to demand that the United Nations enforce its charter provisions which guarantee self-determination to all peoples, by placing on the agenda of the General Assembly at its next regular session any measure which would guarantee internationally supervised free elections by secret ballot for the peoples held captive by the world Communist movement and by pressing for early approval of such measure.

To paraphrase Abraham Lincoln, the world cannot exist half slave, half free. There is a direct threat to our freedom as long as the Communists deny freedom to any peoples of the world.

Mr. BATES. Mr. Speaker, I am pleased to have this opportunity to join the gentleman from New Jersey [Mr. PATTEN] and other Members of this House in support of the resolution introduced today to call upon the United Nations to renew its efforts toward obtaining the principles of self-determination and freedom for the still subjugated peoples of the world.

We are here particularly concerned with the continued failure of the Soviet Union to comply with its acceptance of the Universal Declaration of Human Rights with respect to the Hungarian, Polish, Czech, Slovak, Carpatho-Ruthenian, Latvian, Lithuanian, Estonian, East German, Rumanian, Bulgarian, Albanian, Ukrainian, and White Ruthenian peoples. They remain enslaved by their Russian overlords despite the provisions of that declaration as adopted by the United Nations in 1948. Moreover, Russian troops still occupy Hungary despite U.N. General Assembly resolutions calling for their removal.

I think it is appropriate here to emphasize that the resolution now being presented before the Congress states:

> It is vital to the national security of the United States and to the perpetuation of free civilization that the nations of the world act in concert through the forum of the United Nations in demanding national self-determination and political independence for the peoples enslaved by Communist governments.

It is my hope that early hearings will be held on this resolution so that the Congress can formally register its desire to see the Soviet Union abide by the obligations of its United Nations membership concerning colonialism and the sovereignty of other nations, as well as the U.N. Charter provisions affecting the rights of self-determination and freedom for all peoples.

Mr. ASHBROOK. Mr. Speaker, it is indeed encouraging that the issue of self-determination for the peoples held captive by the tyranny of communism is being given consideration by the House here today. For too many years the plight of these millions of subjugated peoples has been forgotten in international circles. It is certainly tragic that their cause has received only lipservice in the United Nations while this international body receives into its membership nations founded within recent years. The free world is deeply indebted to the captive nations for the many contributions they have provided during the course of their long histories.

I heartily endorse the proposal that the United States through its U.N. Ambassador seek to have the U.N. consider the issue of self-determination for these peoples. In the 89th Congress and again in the present Congress I have introduced legislation which would have this Nation take the initiative in bringing this issue up before the U.N. After introducing House Concurrent Resolution 367 in 1965, I asked for a report from the State Department concerning the merits of this proposal. Unfortunately, State did not agree with this measure. Here is an excerpt from the letter which I received on House Concurrent Resolution 367:

> The Department of State believes that in the United Nations Soviet imperialism is most effectively exposed by timely and pertinent statements that relate Soviet imperialistic activities to a concrete issue being discussed before a major United Nations forum.

The letter went on to say:

> United States representatives have delivered forceful and detailed attacks on Soviet imperialism during debates on the general question of colonialism. On numerous occasions they have also called attention to Soviet imperial practice by linking a specific Soviet act or policy of repression with an individual item being discussed before a United Nations body.

Finally, State said "no" in these words:

> The essential problem facing the United States is to adapt existing capabilities most realistically and effectively to serve the interest of the United States in opposing and combatting Soviet imperialism. The proposed resolution, in the judgment of the Department of State, would not further this objective.

I think the position taken by the State Department as stated above is a prime example of why the forces of communism have made such unparalleled advances in the last 50 years. The forces of the free world, the United States included, have not taken the moral initiative through existing channels to extend the areas of freedom throughout the world. As in the case of the above-quoted letter, we have been content to just talk while refusing to take steps to place this issue on the agenda of the United Nations for consideration. If one recalls how often the issue of Red China has been on the U.N. agenda in recent years, it can be seen why the free world is losing.

The issue of self-determination for the captive peoples is a just, peaceful and necessary step which must be brought before the United Nations if the forces of freedom are to take the moral offensive in this struggle with this international tyranny.

Mr. DULSKI. Mr. Speaker, I am happy to join today in sponsoring a concurrent resolution inviting renewed attention to the plight of oppressed peoples everywhere.

Consideration of this matter by the United Nations is long overdue and the resolution calls upon the President to seek action this year toward helping these peoples to achieve self-determination and political independence.

Adoption of this resolution will serve to highlight the continuing injustices and also will exert a certain pressure upon the Soviet leaders to grant an increasing measure of freedom to these subjugated peoples.

Mr. ST. ONGE. Mr. Speaker, at the present time millions of citizens in the Eastern and Central European bloc of countries are showing increasing signs of restiveness under the monolithic domination of communism. Such behavior tends to substantiate what I have publicly stated at numerous times in the past, to the effect that no Western people will indefinitely tolerate the denial of their self-determination. This belief applies with particular relevance to the presently subject ethnic groups of Eastern Europe who can point with pride to a thousand years of continuous cultural and political existence. Until these people are granted their right to self-determination and political independence the entire peace and stability of Europe will continue to be in jeopardy.

One of the founding principles of our country was the guarantee of self-determination for all, and this has become a basic tenet of our foreign policy. The Charter of the United Nations sets forth that one of the reasons for its existence is the belief in the freedom and sovereign equality of every nation. The United States and the rest of the membership of the United Nations are pledged to the universality of these principles and the extension of their benefits to all people. In addition, the General Assembly of the United Nations passed the Universal Declaration of Human Rights which was accepted by both the United States and the U.S.S.R., defining these rights as relating to the citizens of all member states.

In view of the foregoing, I am cosponsoring a concurrent resolution to the effect that the President of the United States is hereby authorized and requested to instruct the U.S. Ambassador to the United Nations to request, at the 1968 session, that: First, the United Nations insist upon the fulfillment of its charter provisions based upon self-determination of all peoples in the form of the sovereign equality of states and condemnation of colonial rule; and second, the Soviet Union be asked to abide by its United Nations membership obligations concerning colonialism and interference with the sovereignty of other nations through the withdrawal of all Soviet Russian troops and agents from other nations now under Communist rule, and through returning to their respective homelands all political prisoners now in prison and labor camps.

Mr. Speaker, I strongly urge the passage of this resolution as evidence of our continuing dedication to the principles of freedom and self-determination. In so doing we shall help to preserve the hope for eventual sovereignty for millions of East Europeans who are currently living under Soviet imperio-colonialism. I firmly believe that when the Soviet Union recognizes the rights of the ethnic minorities which it now seeks to dominate its own security will be enhanced, and the cause of permanent peace enormously advanced.

Mr. HELSTOSKI. Mr. Speaker, I am pleased to join with other Members of the House in sponsoring a resolution which appeals to the United Nations to consider the plight of the peoples of the Eastern European countries in their determination to obtain political independence and obtain guarantees that they will be given the opportunity to decide upon their government leaders.

I am pleased that this resolution is being introduced in the House today to express our interest in this matter. As Members of Congress, we have debated the civil rights of our American citizens with respect to their electoral voice in our governmental process. Our concern is perhaps justified, but what of the right of the Eastern Europeans for representation through their vote?

Why are these voices stilled on their right to self-determination and in their fight for their independence?

I think it is well to comment on the captive nations and their rights, just as we debate upon the rights of the minorities in our own United States.

The World Federation of Hungarian Freedom Fighters, with headquarters in New Jersey, points out that there is a minority of something like 98 percent of the Hungarian people who do not have the basic human rights of self-government, freedom of speech, equal justice under the law, freedom of religion, freedom of travel, freedom to grow in a competitive economy and freedom in the control of foreign troops.

The world today is witnessing a massive commitment by the United States to maintain the integrity of non-Communist countries, but what of the world of Eastern Europe that has no wish to be Communist?

In the United States, popular dissatisfaction with the administration, or a Member of Congress, or any official on the State, county, of local level, leads to the ouster of the offending party or person through a rejection by means of the ballot box. If the same were true in Eastern Europe, there would not be a Communist government in any of the captive nations. In not any one nation is there popular support for such alien governments, but there is military support—from the Soviet Union.

The people do not govern in a Communist country. The political perpetuity in Eastern Europe and other Communist satellites are not political, but military.

The only way the United States can bring about some easing of the burden of the captive peoples of Eastern Europe is to demand hard concessions from the Communist governments.

It is my hope that through the resolution that is being introduced today obtains the desired effect to bring about the right of self-determination and political independence to these captive European nations.

Mr. HALPERN. Mr. Speaker, I am proud to join in sponsoring this concurrent resolution to urge that pressure be brought through the United Nations to restore complete independence to the enslaved nations of Eastern Europe. It goes without saying that any Soviet adherence to the concept of Eastern European sovereignty demands, at the very least, that the Soviet Union remove its troops now occupying these nations, and repatriate all political prisoners, now being held in Soviet prison camps, to their respective homelands.

The plight of Eastern Europe is a tragedy well known to us all. The Soviet

Union's oppression of these countries, and its maintenance of a colonial hold over them, stands as a monstrous example of national slavery contrary to the U.N. charter provisions for self-determination of all peoples.

We must, therefore, make every diligent effort possible through the United Nations to bring an end to Soviet imperialism, and restore these captive nations to their centuries-old tradition of independence.

It is my sincere hope that the House will give this measure its overwhelming support.

Mrs. KELLY. Mr. Speaker, I am delighted to join with my colleagues in once again reaffirming our firm belief that the peoples of Eastern Europe should have the right to self-determination.

As the author of House Concurrent Resolution 709, whose text I shall include in the Record at a later point, and as the chairman of the Subcommittee on Europe of the Committee on Foreign Affairs, I have tried over the years to call to the attention of our country and of the world at large the fact that millions of people in that area of the world continue to be denied the right to freely determine their own destiny.

Mr. Speaker, during the past 10 years we have witnessed some encouraging developments in Eastern Europe.

We have seen the most repressive tactics of the Stalinist period abandoned.

We have seen some of the governments of that area adopt more liberal policies in allowing the people of such countries as Poland, Hungary, and Yugoslavia more freedom to travel within their own country and to have contacts with people in the West.

We have also seen the liberalization of some economic policies away from central domination of every aspect of the economic life of those nations.

Nevertheless this progress has been spotty and uneven. In some instances brief periods of moderation were followed by the revival of repressive measures directed against the people.

One of the most interesting and perhaps far-reaching developments is taking place today in Czechoslovakia. If we are to judge on the basis of the reports coming from that country, the era of a hard-line, oppressive rule may be coming to an end in Czechoslovakia.

The articles being printed in the Czechoslovakian newspapers; the reports being broadcast by the Czechoslovakian radio, the demonstrations by students, intellectuals, and other groups, all attest to the fact that a change for the better may be taking place in that country.

All of us would certainly welcome such a change in Czechoslovakia and in the other Eastern European countries, particularly if the net effect of these developments will be to allow the people to play a freer and more substantial part in the affairs of their countries.

Mr. Speaker, we continue to look forward to the day when all of the people of Eastern Europe will have the opportunity to communicate freely with each other and with their friends in the West, to travel, to worship, and to decide the economic, social, and political policies of their countries.

The text of my House Concurrent Resolution 709 follows:

H. Con. Res. 709

Whereas the United States of America was founded upon and long cherished the principles of self-determination and freedom; and

Whereas these principles, expressed in the sovereign equality of nations, are the very reason for the existence of the United Nations, as set forth in the charter of that world organization; and

Whereas the United States and all other members of the United Nations have solemnly pledged themselves to make these principles universal and to extend their benefits to all peoples; and

Whereas on December 10, 1948, the General Assembly of the United Nations passed the Universal Declaration of Human Rights which was accepted both by the United States and the U.S.S.R., defining said rights as relating to citizens of all member states; and

Whereas since 1918 Soviet communism has, through the most brutal aggression and force, deprived millions of formerly free peoples of their rights to self-determination; and

Whereas the Congress of the United States has unanimously expressed in Public Law 86-90, approved July 17, 1959, its revulsion at the continued enslavement of the peoples of Eastern and East Central Europe who were described by the said Public Law as captive nations; and

Whereas the Hungarian, Polish, Czech, Slovak, Carpatho-Ruthenian, Latvian, Lithuanian, Estonian, East German, Rumanian, Bulgarian, Albanian, Ukrainian, and White Ruthenian peoples may only look to the United States and the United Nations for the restoration of their national self-determination and political independence; and

Whereas the member nations of the United Nations have failed to bring before the General Assembly for successful discussion the problem of self-determination and political independence of the peoples of Eastern Europe; and

Whereas, despite the numerous resolutions passed by the United Nations General Assembly, Russian occupation troops are still maintained in Hungary and the issue of their removal has not come up for discussion in the Assembly since 1962; and

Whereas it is vital to the national security of the United States and to the perpetuation of free civilization that the nations of the world act in concert through the forum of the United Nations in demanding national self-determination and political independence for the peoples enslaved by Communist governments; and

Whereas the Constitution of the United States of America, in article II, section 2, vests in the President of the United States the power, by and with the advice of the Senate, to make treaties and to appoint ambassadors: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the President of the United States is hereby authorized and requested to instruct the United States Ambassador to the United Nations to request at the 1968 session that (1) the United Nations insist upon the fulfillment of its charter provisions based on self-determination of all peoples in the form of the sovereign equality of states and condemnation of colonial rule; and (2) the Soviet Union be asked to abide by its United Nations membership obligations concerning colonialism and interference with the sovereignty of other nations through the withdrawal of all Soviet Russian troops and agents from other nations now under Communist rule and through returning to their respective homelands all political prisoners now in prison and labor camps; be it further

Resolved, That the President of the United States is further authorized and requested to use all diplomatic, treatymaking, and appointive powers vested in him by the Constitution of the United States to augment and support actions taken by the United States Ambassador to the United Nations in the interest of self-determination and political independence of these nations.

Mr. MINISH. Mr. Speaker, I commend our distinguished colleague, the gentleman from New Jersey [Mr. Patten], for calling to the attention of the Congress the tragic plight of the captive nations and the need to keep before the world their inalienable right to self-determination and political independence.

These nations with a population just over 100 million extend from the Baltic to the Black Sea region. Nearly all of them had regained their freedom and independence after the First World War, and all of them had attained maturity during the two decades of the interwar years. Many of them had become valued members of the world community of free nations, but they were living, toward the end of the 1930's, in fear of losing their freedom. None of them, however, could have envisaged the cruel fate that was to be theirs during the war years, and especially since the end of the war.

Two decades have gone by since these nations were enslaved by Communist tyranny, and the leaders of the free world have been unsuccessful in their attempts to free them. But we have not given up our hope for their freedom. Their cause has remained fresh in the hearts of not only the millions of American citizens of East and Central European descent, who have been so stanch and faithful to their tragic brethren, but to all people who cherish human rights and national independence.

Adoption of the pending resolution would reflect our Nation's commitment to the charter provisions of the United Nations based on self-determination of all peoples in the form of the sovereign equality of states and condemnation of colonial rule. I urge its speedy passage.

GENERAL LEAVE

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 days in which to extend their remarks on the subject of my special order, and to include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

HUMAN RENEWAL FUND

The **SPEAKER** pro tempore. Under previous order of the House the gentleman from New York [Mr. Goodell] is recognized for 10 minutes.

Mr. GOODELL. Mr. Speaker, on Wednesday, March 6, eight Republican Members of the House of Representatives announced a plan to establish a "human renewal fund" which would reorder our national priorities through immediately deferring the nonessential expenditure of more than $6.6 billion and plowing back $2.5 billion into urgent human and urban programs. An overall saving of at least $4.1 billion would accrue from this reordering of our national priorities. As a member of the group which developed the idea, I am pleased that over 60 Republican House Members have endorsed the "human renewal fund." Significantly, another large group of Republicans have endorsed the concept of priority spending as outlined in the "human renewal fund."

Since the announcement of the "human renewal fund," the urban affairs task force, led by Congressman WILLIAM COWGER, of Kentucky, has conducted hearings on how the "human renewal fund" might be implemented. Testifying before the urban affairs task force have been a group of New York investment bankers interested in human and urban renewal; Mr. Pat Healy, executive director of the National League of Cities; Mr. Bobby Mitchell of the Washington Redskins, who represents a voluntary organization designed to assist Negro small businesses; and New York Mayor John V. Lindsay. Among others scheduled to testify later are the president of the Urban Coalition, John W. Gardner, and Senator EDWARD W. BROOKE.

As a part of the "human renewal fund" followthrough, an imaginative manpower bill, H.R. 16303, cosponsored by over 70 House Republicans, has also been introduced. This bill, to be followed by other legislative recommendations in other areas, would provide meaningful job opportunities and job training programs in the private sector through appropriate governmental assistance.

On behalf of those who have sponsored and endorsed the "human renewal fund," I am very pleased to insert at this point in the RECORD a complete outline of the "human renewal fund":

HUMAN RENEWAL FUND

(Joint statement by Representatives CHARLES E. GOODELL, Republican, of New York; W. E. "BILL" BROCK, Republican, of Tennessee; ALBERT H. QUIE, Republican, of Minnesota; HOWARD W. ROBISON, Republican, of New York; DONALD RUMSFELD, Republican, of Illinois; WILLIAM O. COWGER, Republican, of Kentucky; GEORGE BUSH, Republican, of Texas, and WILLIAM A. STEIGER, Republican, of Wisconsin)

We urge immediate creation of a $2.5 billion Human Renewal Fund for fiscal year 1969 to meet urgent human needs and the urban crisis in our nation. Creation of the fund would be coupled with a $6.6 billion cutback in Federal expenditures in line with necessary wartime priorities.

By firmly cutting $6.5 billion from the President's budget, we can responsibly plow back $2.5 billion into urgent human needs.

This Administration has consistently refused to exercise the political integrity required to establish positive national spending priorities. Bowing to political pressures of the moment, it has allowed its attention to drift from our most pressing human and urban needs. Congress cannot allow this drift to continue. We propose a new set of priorities, one which recognizes the enormous financial and economic difficulties facing us, but one which also recognizes the terrible human waste which is resulting from past and current inattention.

$500 million would be allocated to mobilize private industry to provide meaningful jobs and training for the hard core unemployed and underemployed. To provide jobs with dignity, we urge immediate enactment of the Republican Human Investment Act and full funding of realistic manpower training programs. The Riot Commission recently endorsed this Republican initiative that we've urged for years. Our proposal also doubles the money for vocational education and technical training.

Upon the same assumptions used in the President's budget, an additional $250 Million of expenditures for housing in fiscal year 1969 would expand the successful Republican rent certificates program, fully fund the Percy-Widnall approach to stimulate private enterprise construction and expand the low income construction and rehabilitation incentive programs to produce an estimated total of 325,000 housing units.

We would allocate $250 Million more for air and water pollution control, and would expand the monies available to cope with the causes, prevention and control of crime.

The rural problem of today is the urban problem of tomorrow. $100 Million would be provided for a model tax credit approach to induce industry to expand in rural areas. Rural revitalization and growth must go hand in hand with programs to meet the human needs of the cities.

It is long overdue for the Federal Government to demonstrate in its own front yard how to cope with pressing urban problems. The District of Columbia, as our nation's capital, is of concern to all the people of the country. We propose an additional $50 Million Federal expenditure so that Washington, D.C., can become a model for the nation's cities.

We propose deferrals totaling more than $6.5 Billion in public works, public buildings, nonmilitary research, highway beautification, supersonic transport and other low priority progams such as government public relations. A limitation of agriculture subsidies to a maximum of $10,000 per farmer is long overdue. Until the Foreign Aid Program is reorganized, we propose no increase above present levels of expenditure. Congress itself must economize by deferring major construction of new facilities on Capitol Hill.

A cut-back of military personnel in Europe of about 200,000 leaves an ample force to maintain our treaty commitments in Europe. The President's request for 45,000 additional civilian personnel should be denied. We propose an average 3% reduction in civilian government employment, well below the normal annual attrition rate, so that no employees would lose their jobs involuntarily. Federal civilian employment has increased by 561,000 in the past seven years.

These programs total $1.5 Billion leaving an additional $1 Billion to spend in other critical areas. Our proposal has been referred to the Republican Urban Affairs Task Force to seek the advice of America's foremost urban experts. The Task Force will conduct extensive hearings to determine the true priorities.

Federal tax money alone will not solve these domestic problems. We must avoid promising any of our people an instant tomorrow that is impossible of attainment. It is imperative that we put first things first. While we are spending $30 Billion a year on Viet Nam, desirable but low priority programs must be deferred. Only tough priorities will meet long neglected critical needs of our people.

Immediate budget deferrals

60-percent reduction of military personnel in Europe	$2,080,000,000
Supersonic transport (except R. & D.)	222,000,000
Defense-supported arms sales abroad	200,000,000
Civilian space program	400,000,000
Highway beautification	85,000,000
Longworth House Office Building renovation	6,058,000
Madison Library	2,500,000
Government Printing Office Building (site acquisition and design)	2.500,000
USDA ($10,000 maximum subsidy limit per farm)	$410,000,000
Freeze on moderate- to high-income apartment programs	400,000,000
Foreign aid	700,000,000
Forest roads construction (50 percent new)	45,790,000
Arts and Humanities Foundation	9,800,000
Public buildings (site acquisition and planning)	5,497,000
Public information	100,000,000
Post office buildings (50 percent unobligated NOA)	26,121,000
Freeze on Government civilian employment at 97 percent	961,000,000
National Science Foundation	250,000,000
Forest highways (50-percent new construction)	15,000,000
Earth description and mapping (50 percent NOA)	6,750,000
President's contingency reserve (1968 level)	400,000,000
Public works (20-percent stretchout)	200,000,000
Appalachia (1968 level)	86,900,000
Total	6,614,916,500

Program allocations—categories

[Amounts in millions]

Jobs	$500
Human investment	300
Job opportunity board	25
Equal Employment Opportunity Commission	2
Manpower Development and Training Act	103
Industry Youth Corps	70
Education (vocational education and technical education for the future)	250
Housing	250
Rent certificates	50
Low-income construction incentive program (revolving)	[1] 100
Rehabilitation incentive (revolving)	[1] 100
Pollution (air and water pollution control)	$250
Crime (causes, prevention, and control)	100
Rural revitalization (rural growth tax credit)	100
District of Columbia	50
Total	1,500
Urban reserve fund	1,000
Grand total	2,500

[1] Including Percy-Widnall program.

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TWO DAYS

The **SPEAKER** pro tempore (Mr. PRICE of Illinois). Under a previous order of the House, the gentleman from West Virginia [Mr. STAGGERS] is recognized for 15 minutes.

Mr. STAGGERS. Mr. Speaker, in the deep gloom of a November evening, Lyndon Baines Johnson stood on the landing field of a Washington airport and solemnly pledged his dedication to an ideal. The plane from which he had just alighted bore the mangled body of the dead leader with whom he had been associated in the supreme Legislative Assembly of this Nation, and at whose insistence he had been placed in a position where he must pick up the mantle of the fallen President.

The traumatic shock of that November day will be etched in history through many generations to come. Without the ghost of a warning, one President had passed, and his successor had bowed his neck to the burden. The world listened in disbelieving suspense.

The dead President had kindled the expectant imagination of a nation, of six continents. His personal magnetism, his vivid sense of destiny, and his almost naive faith in the underlying goodwill of all men had combined to produce a figure unique in our annals. At his inaugural he had drawn in bold outline his guiding purpose. It was to fashion a world better suited to the aspirations of mortal men—"a new world of law, where the strong are just and the weak secure and the peace preserved." And that was the task which Mr. Johnson assumed on November 22, 1963.

Then there came another evening when a few were listening and the many were pursuing their customary employments and pleasures. President Johnson was presenting the details of his program for the immediate future. Again with the suddenness and force of a nuclear reaction came another revelation. It involved the personal plans of the President himself. And once more the Nation is shocked into awareness of what it means when one head of Government must be replaced by another.

The President's words, interpreted both literally and by implication, reassert what contemplative men have known in their hearts through many ages. It might be abstracted thus: The establishment of a reign of law and order and justice is a worthy ideal—the only tenable ideal possible for a world of creatures bearing the stamp of the divine. The ideal can be approached only through a long series of painful steps taken under the lash of experience and suffering. Yet man is by nature impatient. The last half century has been characterized by unprecedented frustration. The bright promises of the early years of the century have been clouded by two super-wars and dozens of minor ones, by a world-enveloping depression, and by an all-pervading human restlessness stemming from a complex of causes. An age of instant and constant communication brings to public attention every incident associated with every development. All the disappointments of all elements of society tend to concentrate themselves on the individual who is necessarily at the center of things. In order to further the attainment of the ideal of a better world, it may be necessary for that individual to withdraw from the white-hot core of visibility.

The President's speech on March 31, 1968, was an affirmation of the pledge given on November 22, 1963. The affirmation is validated by the performance registered during the intervening days.

History will record how well the President has kept the faith. Already we are beginning to measure the advance which has been made in the period. The days have been hot and laden with burdens. But when we turn for a backward look at November 22, 1963, it seems far in the distance. The progress of man toward his goal in any field you may care to consider has been phenomenal.

May I quote a few of the lines of a challenging popular song?

"To dream the impossible dream,
To fight the unbeatable foe,
To right the unrightable wrong,
To try when your arms are too weary
To reach the unreachable star!

And the world will be better for this,
That one man, scorned and covered with scars,
Still strove with his last ounce of courage,
To reach the unreachable stars.

—JOE DARION in *"The Man of La Mancha."*

TRIBUTE TO THE TOKYO RAIDERS AT THEIR REUNION IN FLORIDA

Mr. SIKES. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, the Tokyo Raiders annual reunion, which is to be held this year in Niceville-Valparaiso on April 18–20, will be an exciting homecoming. Citizens of the playground area and northwest Florida, where the Doolittle Raiders trained, will host these heroes with fitting ceremonies. A memorial service for their departed comrades will be held by the surviving members at the Doolittle Memorial in Niceville-Valparaiso, where the last operational B–25 in the Air Force inventory stands proudly as a permanent monument to the Raiders. On the gulf waters, off Fort Walton Beach, a B–25 will take off from the Navy carrier, *Lexington*, of the Pensacola Naval Air Station.

Most of us remember the exciting event which so dramatically established a permanent claim to fame by this distinguished group. On April 18, 1942, one of the most dramatic operations of any war took place—a selected group of dedicated American airmen struck a hitherto new blow for freedom—the first American retaliatory air strike against a powerful aggressor, avenging partially the insidious surprise attack on Pearl Harbor.

This was the day that American morale took its first turn upward in the Pacific. For, then, Lt. Col. Jimmy Doolittle led a most improbable, nonpredictable, but daringly well-planned raid on the Japanese homeland. Sixteen Army Air Force B–25 Mitchell bombers actually made successful takeoffs from the deck of the Navy carrier *Hornet*, and bombed Tokyo and other Japanese cities. Eighty dedicated patriots participated in the raid. Eight lost their lives by crashing, death in Japanese prison, or by execution.

Inherently such a mission was fraught with danger, and the situation was further aggravated when an unexpected encounter took place with a Japanese fishing boat. Because of fear that news of the presence of an American aircraft carrier in Japanese waters would be communicated prematurely to Japan, the bombers were forced to take off farther out at sea than had been planned. Now the mission was critically dangerous.

At the time of takeoff, Col. Jimmy Doolittle told his handpicked crew:

> If we bomb Japan and make it to Chungking, I'll throw you the biggest party you ever saw.

History records the success of the mission. It caused the enemy to recall men and war equipment to "protect the homeland," thus relieving some of the pressure on our troops trying so desperately to hold and gain ground in the Pacific. This could be called the turning point in the American fortunes in the Pacific.

The fortunes of war saw the surviving raiders scattered over Japanese-held China. The reunion had to wait until 1947 when General Jimmy and his beloved Tokyo Raiders had their party in Miami. Now, the Tokyo Raiders annual reunions are sponsored by eagerly bidding communities, and the theme is American pride in our heroic fighting men.

The Raiders started training for their mission at Eglin Air Force Base, Fla., shortly after Pearl Harbor. Fort Walton Beach, Niceville, and Valparaiso are the towns where these determined men stayed and worked together.

In this troubled time in which we now find ourselves, it is good to pause and reaffirm our faith in the indomitable American spirit which has overcome adversity so many times and which is epitomized by the Tokyo Raiders. We can be proud that we have had such men in our armed services in the past and that we have them today. I ask you to join with me in a salute to all of the remaining Tokyo Raiders, to the families, and to the families of the departed heroes of that stalwart group.

ORVILLE FREEMAN DESERVES BETTER

Mr. ANDERSON of Tennessee. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. ANDERSON of Tennessee. Mr. Speaker, I believe in the right of responsible dissension, but one of the sorriest spectacles in some time—in this day of unbelievable spectacles—occurred 2 weeks ago when students at the University of Wisconsin heckled, jeered, and booed U.S. Secretary of Agriculture Orville L. Freeman. The result was that Mr. Freeman was unable to finish his address.

Their behavior was childish and outrageous.

Orville Freeman is an outstanding American citizen who certainly deserves better treatment. I know of no harder working nor more dedicated member of the Cabinet. He has served the Nation well under both Presidents Kennedy and Johnson.

Secretary Freeman has had a remarkable career—one which these students will find hard to match.

As an undergraduate at the University of Minnesota, Freeman was a quarterback on Bernie Bierman's Golden Gopher football teams when they were national champions.

During World War II, Freeman was seriously wounded at Guadalcanal and still bears the scars. Interestingly enough, he was engaged in defending and preserving the liberties of this Nation which permit the right to dissent. I might add that many whom he addressed seem disinclined to fight to maintain that same right.

It is too bad they did not let Secretary Freeman finish his speech. They might have learned something.

NEED FOR INTENSIVE RESEARCH AND STUDY INTO HAZARDS OF ATOMIC POWERPLANTS

Mr. BRAY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. BRAY. Mr. Speaker, there is a very important and pressing problem in the U.S. fuel industry today. There is great pressure to push and promote the construction of atomic powerplants all over the country, but many matters and questions connected with these plants and still questionable, to say the least.

The seeming haste to put these plants into operation is by no means dictated by U.S. fuel needs. Coal is available for fuel purposes for years to come, and under the circumstances continued Government subsidization of atomic powerplants, when there is still much more work to be done on the safety factors connected with such plants, is questionable at best. The following editorial from the March 15, 1968, United Mine Workers Journal discusses the matter:

DISTRICT 50'S EXPULSION AND THE FIGHT ON DANGEROUS ATOM PLANTS

The expulsion by the *International Union, United Mine Workers of America*, of its "District 50" organization probably came as a shock to American and Canadian coal miners. It came as no shock to officials and staff members of the International Union, including the *Editors* of the *Journal*.

Ever since "District 50" became an autonomous union, with its own officers and Constitution in 1962 there have been rumblings and undercurrents of conflict over basic policy matters.

The all-out endorsement by "District 50" of atomic power plants, in direct opposition to the policy of the International Union, was, so to speak, "the last straw."

The fight of the International Union against hazardous nuclear energy plants is a difficult and complicated but correct fight.

For more than ten years the International Union, through editorials in the *Journal* and various public statements and with the support of various Congressmen such as Rep. John P. Saylor (R., Pa.), have been warning against the hazards of atomic power plants.

When we spoke of dangers, the cynics replied: Selfish interests.

PRESIDENT BOYLE WARNED OF DANGERS

When we warned of radioactive poisons being spewed about the countryside, polluting the atmosphere, the water and the air, endangering the "public safety and health of all Americans" as UMWA International President W. A. Boyle said last Labor day, we were accused of: "Selfish interests."

When the UMWA intervened in the Denver, Colo., atomic power plant case to protest the building of an experimental nuclear power plant 30 miles from Denver, we were accused of: "Selfish interests."

Now let's get one thing straight, once and for all: The International Union, United Mine Workers of America, does have a selfish interest in protecting the jobs of coal miners. We have never denied this. The coal industry has a selfish interest in preserving its markets.

Our selfish interests in this matter are what got us involved in this fight in the first place.

But this whole fight is much more important to the American people than the selfish interests of America's coal miners and America's coal industry, as important as these interests are. This International Union is now convinced that the unrestricted construction of atomic energy power plants is a threat to the safety—now and in the future—of the whole American people.

Scientists, who know, have been warning of the dangers. Other unions have been warning of the dangers. Health officials have been warning of the dangers. This International Union, because of its prestige position and its membership scattered through 25 states, has been warning of the dangers, and getting results. President Boyle, because he is a fighter and because he leads an important and respected Union, has been warning of the dangers and getting results.

And some of the results have been that there has been an increasing amount of publicity throughout publications in this country and elsewhere of the UMWA's fight against atomic power plants.

This is all to the good. But some of the cynics and some of the ill-informed, including the leadership of District 50 have not bothered to find out the real reasons why the UMWA is so serious about this matter.

We still hear phrases such as: "You can't fight progress." We read stupid editorials in the Wall Street Journal and the Scripps-Howard newspapers and others charging that the UMWA is against "progress."

Well, this International Union, the United Mine Workers of America, has a clear record on the question of progress.

THE UMWA STANDS FOR REAL PROGRESS

For the 79 years of its existence the UMWA has always stood for progress. This great International Union has not only permitted, it has also encouraged the mechanization of the American coal industry. It has lost membership as a result of this policy. But it saved the American coal industry and it has still been able to negotiate excellent wage agreements as a result of its policy which held that this Union was in favor of increased productivity of coal.

This Union, and the coal industry, have twice gone to the Atomic Energy Commission and said, in effect, if atomic power plants are commercially feasible and safe, stop subsidizing them and let them compete on their own.

The Atomic Energy Commission has twice told us that the atomic energy industry is not yet ready to stand on its own feet. But the AEC, because it was directed by the Congress of the United States to do so, continues to build—with public funds—a new and dangerous energy industry in the United States.

We have 1,000 years of coal reserves in this nation. Coal represents 80 percent of the total fossil fuel (coal, oil and natural gas) reserves of the nation. And yet the AEC is permitted by the Congress to pour billions of dollars of the taxpayers' money into a dangerous and uneconomic experiment. The AEC continues to promote the construction of atomic power plants in large population areas, such as Pittsburgh, Chicago, Detroit, Philadelphia and Denver. It continues to put these plants up in areas where there are ample supplies of fossil fuels, particularly coal.

Most importantly, it continues to ignore the warnings of the scientists of the dangers of such plants. It scoffs at the idea that such plants are hazardous. And yet the biggest of these plants, the Enrico Fermi nuclear power plant near Detroit, has been shut down for nearly two years because it had a nuclear meltdown that came close to causing a major atomic disaster in the highly-populated Detroit-Toledo area. If this $300 million plant had had a runaway atomic accident, an estimated 133,000 persons would have died.

The Oyster Creek atomic power plant in New Jersey has had its construction halted because there are unexplained leaks in pressure vessels.

Another atomic power plant in Ohio has been shut down because of the hazards.

A nuclear plant in France was shut down recently because of dangers.

Need we bore you with a repetition of these matters.

Yes, we need to!

Perhaps if we keep repeating the facts on these accidents and potential accidents and breakdowns, someplace along the line there will begin to be some understanding of what we are talking about.

This Union is not against progress. It never has been.

But progress does not consist of a bunch of bureaucrats in the Atomic Energy Commission doling out billions of dollars to electric utility company executives to build hazardous nuclear plants.

The time may come in the distant future when we shall need to use atomic energy to create electric power in the United States.

That time has not yet come.

Such nuclear power is not more economical than coal-fired power. If it were the government could, as it should, withdraw its subsidization of atomic power plants.

Such nuclear power is dangerous to the people of the nation. It has, luckily, not yet blown up and spewed radioactive wastes in a highly populated area. But all such plants have been and are constant sources of hazards. Such plants are still in the experimental stage. Such plants should not be built in or near big cities.

Even if there were not the definite possibility of major accidents from such plants, there is always the question of what will be done with atomic wastes. They cannot be used to build road beds for example (something that can be done with coal ashes). The wastes must be buried deep in the ground, in steel and concrete casks—which may last 50 years—and they must be constantly cooled to prevent the release of radioactive gasses.

Dr. Clyde Cowan, the nuclear physicist from Catholic University, who was the UMWA's principal expert witness in the recent hearing on the Denver atomic power plant case, told us that the only ultimate solution he could see to getting rid of atomic wastes from such plants would be to shoot it to the sun.

Shoot it to the sun, he said!

And Dr. Cowan, as an expert in atomic energy who has been in on the growth of the atom from the start, says we shall arrive at the time when there won't be any place to bury radioactive wastes and we shall have to shoot it to the sun—where, it can be hoped, it will be destroyed in the intense heat of our nearest star.

This is the kind of problem we are working on. This is the kind of issue that is at stake in the UMWA's fight against the wholesale building of atomic power plants. That's one reason why the UMWA is against, what to us, has become the completely "mad" push by the AEC bureaucrats to get such plants built before the Congress finds out what is going on and puts a stop to it.

Meanwhile, this Union intends to keep up the battle

There is an old coal miner's song entitled, "*Which Side Are You On?*" We would ask that question of "District 50" and the other ill informed and superficial advocates of atomic power plants.

—JUSTIN MCCARTHY.

APPRAISAL OF CZECH ECONOMIC REFORM AND ITS POLITICAL SIGNIFICANCE

Mr. MIZE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. MIZE. Mr. Speaker, nearly a year and a half ago four members of the Subcommittee on International Trade of the House Committee on Banking and Currency, one of which was myself, visited Eastern Europe and the Soviet Union in an effort to become better acquainted with the so-called Communist economic reforms and other matters of pertinence to the legislative jurisdiction of our committee.

Many will recall that during this period, United States-Czech relations were at an alltime low, largely as a result of the imprisonment of a U.S. citizen on charges growing out of an incident that had occurred many years before.

Nevertheless, upon our return, our group decided to report to the House our honest appraisal of the Czech economic reform and its political significance. Prior to that time, to the best of my knowledge, the only written analyses of the East European economic reforms were to be found in academic journals and other publications outside of government.

With regard to Czechoslovakia, our report of March 1, 1967, concluded with the sweeping statement that—

> Implementation of the reform almost certainly will bring with it serious problems for the maintenance of the primacy of the party.

In undertaking the reform, we further stated that—

> A large portion of Communist theory and practice thus has been jettisoned because experience has proven them irrelevant to the successful operation of a modern industrial society.

At another point in the report we said:

> A basic national issue—organization of the economy—has been made public property and publicly debated.

Finally we said:

> Now the command economy is being dismantled.

Mr. Speaker, everything we said and predicted with regard to Czechoslovakia in our report to the House on March 1, 1967, is as relevant today as it was the day our report was published. Recent events in Czechoslovakia point to two primary sources of agitation for the changes that have occurred, those being intellectual and economic.

The report follows:

CZECHOSLOVAK ECONOMIC REFORMS

The economic reforms instituted in Czechoslovakia on January 1, 1967, have two basic objectives. First, regeneration of public interest and stimulation of individual initiative. Second, reintroduction of the fundamental economic law of comparative advantage into Czechoslovak trade by using the international market to influence Czechoslovak production and investment. This may force a reduction in the number of products produced in Czechoslovakia and concentration on production of those which are competitive internationally, resulting in increased trade and improved "terms of trade." Since the contribution of trade to the Czechoslovak GNP is high—more than three times higher than the CEMA average—improved terms of trade have an immediate relevance to the Czechoslovak standard of living. In essence, this decision involves nothing less than the reintegration of the Czechoslovak economy with the world economy.

In the early years of Communist control in Czechoslovakia the command economy was introduced with certain features which helped disguise the exploitation of the economy by the Soviet Union in the interest of rebuilding the war-damaged economy of the Soviet Union and achieving other Communist objectives. This was done by shielding Czechoslovak production and investment decisions from the pressures of the international market through the simple device of isolating internal and foreign trade.

The mechanism was simple. The Foreign Trade Corporations (FTC) paid Czechoslovak producers the same crown wholesale price paid by domestic purchasers. The FTC set its foreign price in foreign currency at a level to make the product competitive. The state budget then paid deficits incurred when the FTC sold goods abroad at prices which, when converted to crowns at a fixed rate, turned out to be lower than the wholesale prices the FTC had paid to the manufacturer. However, the state budget also received profits from the domestic sale of imports. (Actually, the crown profits and losses were accepted by the state budget for both imports and exports.) The Ministry of Foreign Trade in turn gave guidance to the FTC designed to maintain adherence to bilateral trade agreements and to keep the balance of payments in equilibrium. The demise of cost accounting was furthered by domestic wholesale prices which were set by such general criteria as the social desirability of developing a particular industry because of the need to work for a "balanced economy."

The fundamental consequence of frustration of the law of comparative advantage was that limited resources were used inefficiently.

To buy raw materials at 10, process them, and sell at 12 (sometimes less) leaves little room for wage growth and modernization of plant and equipment. If we add to this an excessively wide range of production, forfeiting the gains of mass production and an excessive dispersal of research and development, for a country of 14 million inhabitants, the stage is set for progressive technological obsolescence of production and lower export prices. These factors, along with the sustained non-market-oriented investment pattern, completed the circle of descreasing effectiveness in all phases of economic activity. Such a system can be maintained, but only at the cost of real growth and a decreasing standard of living. Since the rest of the world was not standing still, the contrast became too great to be longer denied.

Now the command economy is being dismantled. The role of the central authorities in determining production has been reduced. Ministries will play a smaller role in day-to-day operations. Production will respond to the world market through the introduction of flexible prices and by the pressure of imports on domestic prices. Enterprises will produce to make a profit rather than to fulfill centrally determined targets. (Initially, some profits may be illusory because some raw material inputs are subsidized by the entire economy). This is entailing a rebirth of cost accounting.

New investment will be largely made from enterprise profits or from loans approved by the State Bank in coordination with the Central Planning Commission. Loans from the State Bank will bear interest rates, working from a prime rate of 6 percent, which will reflect the Bank's estimate of the soundness of the proposed investment. Should the Bank not be willing to make a loan, an enterprise may proceed from its own funds.

When enterprises cannot make a profit they must nevertheless pay workers a minimum wage. State subsidies to cover wage deficits, tax deficits and loan arrears will be on a selective basis for limited periods. Enterprises which cannot make a go of it must close and their resources (labor, capital, equipment) must be shifted to profitable use. This introduces the capitalist concept of "business failure" and "frictional unemployment" to the Communist world.

On January 2, 1967, a coal mine and two coke ovens in Bohemia were closed on grounds of unprofitability. Some of their workers are to be retrained and some absorbed into more efficient mines as part of a program which is designed to ease the frictions of shifting labor into more efficient uses. The official trade union movement has been given responsibility for being prepared to retain over 50,000 workers a year.

Although equalization of the conditions under which the enterprises will operate through uniform tax rates and interest rates is accepted in principle, the possibility for differentiated treatment exists. This may be used to thwart natural economic development or simply to cushion the dislocations resulting from the shift of economic resources. In general, loan availability, tax rates and interest rates will be used to guide the economy, if the reformers have it their way, with Keynesian moderation.

In the future bonuses and to some extent wages will depend upon enterprise profits rather than upon meeting centrally determined targets. The old system encouraged enterprises to strive for low targets and to exceed them by only modest amounts. It also encouraged production of shoddy goods, high-cost goods, and unwanted goods.

Differentiation of wages will be institutionalized. Mental work will be upgraded and superior work will receive superior pay. Rationing by means of price mechanism will give new incentives to increase earnings.

In theory, some change in the evaluation of political loyalty as well as ability will be accepted in determining advancement. The present system of giving top enterprise posts to individuas whose basic qualification is party position is essentially a retrogression to an aristocratic principle since it makes membership in an establishment the key to preference in all areas of community life. As a system, it is out of step with the mainstream of social development and is a burden to any society where it is practiced. The local party functionaries are being instructed to keep their hands off local enterprises.

Any one of a number of factors may work to impede the progress of the reform program. Possibly supplies and near-future earnings of hard currency will be insufficient to finance the imports needed to make the new system work. High-level political support for the reforms tends to waiver whenever the pressure is off. There may be a growth of grassroots opposition to the dislocations resulting from plant shutdowns as resources are shifted. Long-term trade agreements and arrangements for the procurement of raw materials limit flexibility in adapting trade to purely commercial pressures. Many rank and file officials in ministries, party and enterprises are benefiting from the present system and are bitterly opposed to innovation.

Despite the uncertain outcome of the reforms, their adoption is in itself highly significant A basic national issue—organization of the economy—has been made public property and publicly debated. It is now possible to trace the evolution of thinking on the part of leading Czechoslovak officials.

In 1964 some 72 percent of Czechoslovak trade was with Communist countries. Czechoslovak statements have proclaimed that this trade will stabilize at about 68 percent. This seems unlikely. If the reform is implemented, the possibility exists for a significant decrease in the percentage of Czechoslovak trade with Communist countries.

The possibility of importing raw materials from non-Communist countries, made possible by increased earnings of hard currency from these countries, could allow Czechoslovak economic policy decision to be made in an atmosphere of greater independence.

Domestically, there could be growth and dispersal of initiative, the creation of other roads to privilege than party patronage, and a retreat of the heavy hand of the party from involvement in many areas of daily life.

The reform is being implemented and it may be far reaching. The tendency of recent years has been to cope with problems pragmatically rather than rely on ideological guides, although orthodox phrases often embroider the operating paragraphs. As far as the reformers are concerned, the only thing they are not prepared to touch is the collective ownership of the means of production. A large portion of Communist theory and practice thus has been jettisoned because experience has proven them irrelevant to the successful operation of a modern industrial society.

Implementation of the reform almost certainly will bring with it serious problems for the maintenance of the primacy of the party. The party, however, will be alert to cope with these problems and this in turn will likely mean that the final result will be somewhat different than either the reformers or party expect.

Nevertheless, the insights which have been developed during the Czechoslovak economic debate on the self-defeating character of the command economy make it impossible for that system to be again accepted by Czechoslovak Marxist economists.

THE AMERICAN LEGION'S FIRING LINE

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, for many years the National Americanism Commission of the American Legion has published a monthly newsletter, the American Legion Firing Line, which has brought to the attention of Legionnaires and other interested readers matters of interest concerning current events and national security. In its March issue, for instance, the newsletter refers to the danger stemming from U.S. Supreme Court decisions concerning various aspects of the domestic Communist threat. As a remedy, the Legion offers the proposal which was passed at its national convention in August 1967; namely, Resolution 28: to "Petition Congress To Reestablish the Constitutional Role of the U.S. Supreme Court." Specifically, the resolution proposes:

> The American Legion calls on Congress to restore the constitutional balance of power by initiating through the appropriate committees of the Congress of the United States corrective legislation after public hearings to ascertain the feasibility of legislation limiting or preempting the authority of the Supreme Court of the United States in one or more of the above specific areas.

In the same issue, the Firing Line comes to grips with an adversary of long standing, the American Civil Liberties Union. The issue of contention is the legislation which seeks to discourage and punish the desecration of the American flag, legislation which the ALCU opposed.

It will be remembered that this legislation gathered dust in committee for many months until pictures appeared in many newspapers of the burning of the flag in Central Park in New York City on April 15 of last year. In view of past ACLU interpretations of constitutional rights, it was not surprising that they testified in opposition to the legislation. It seems that no excess is too extreme if the ACLU can conjure up some imagined "civil right" to justify it.

I include the two above-mentioned articles from the American Firing Line of March 1968, in the RECORD at this point:

COMMANDING THOUGHTS: THE U.S. SUPREME COURT

The American Legion from its inception has been unalterably and unequivocally opposed to the perpetration of any ideology which is not compatible with its concept of Americanism. Ever since the threat of Communism became imminent, it has been consistent and constant in its opposition; it has championed those who have attempted to thwart its growth and infiltration into all phases of American life and it has condemned those who seek the triumph of Communism either by violence or subversion.

The National Executive Committee of The American Legion at its January 13–14, 1928 meeting adopted the first resolution condemning Communism. In the interim years from 1928 until the present time, there have been innumerable mandates of both the National Executive Committee and the National Conventions of The American Legion on this subject: some have concerned Communism, some have called for Congressional investigations of organizations which The American Legion deemed subversive, some have sought to outlaw the Communist Party, and some have commended those governmental agencies assigned to protect the United States against subversion from within or without. Recently, resolutions have been adopted seeking remedial legislation to fill the void caused by decisions of the United States Supreme Court which have strengthened the position of the Communists and weakened our laws which control them.

These decisions—the nullification of the Federal law which bars Communist Party members from serving as union officers, the issuance of passports to known Communists to travel to Communist countries, the ruling declaring the 1962 law restricting mail delivery of "Communist Political Propaganda" from abroad unconstitutional, the unanimous decision of the Supreme Court declaring the membership registration provision of the McCarren Law unconstitutional, abolishing the loyalty oath provisions and the latest, permitting Communists to work in defense plants—have made it virtually impossible to combat the forces of subversion. And, adding insult to injury, there is a Supreme Court decision banning prayer and Bible reading in the public schools of the United States.

These vicarious decisions and the usurpation of the role of Congress and the Executive branch by the Unite States Supreme Court caused The American Legion to adopt the following resolution:

"RESOLUTION 28

"Subject: Petition Congress to Re-establish the Constitutional Role of the United States Supreme Court

"Whereas, Security laws and other statutes relating to control of the Communist conspiracy and criminal law enforcement are vital to the security of the Nation; and

"Whereas, The Supreme Court of the United States has rendered decisions that weaken or emasculate these vital laws in such areas as the Internal Security Act of 1950 and the procedures followed by law enforcement agencies in their pursuit of crime and criminals; and

"Whereas, The Supreme Court in certain of its decisions has usurped the role of the Congress, the Executive branch and the sovereignty of the several states rather than confine its functions to its proper sphere of jurisdiction as the judicial interpreter of the law; now, therefore, be it

"Resolved, By The American Legion in National Convention assembled in Boston, Massachusetts, August 29, 30, 31, 1967, that it call on Congress to restore the constitutional balance of power by initiating through the appropriate committees of the Congress of the United States corrective legislation after public hearings to ascertain the feasibility of legislation limiting or preempting the authority of the Supreme Court of the United States in one or more of the above specific areas; and be it further

"Resolved, That if a constitutional amendment is deemed necessary to reassert the supremacy of Congress in legislative matters, then let such amendment be submitted to the states for ratification, couched in terms that cannot be misconstrued or ignored."

AMERICAN CIVIL LIBERTIES UNION

Quite a furor arose as a result of remarks by National Commander William E. Galbraith and National Americanism Director Maurice T. Webb recently in Nashville, Tennessee, concerning the American Civil Liberties Union.

Addressing the Mid-Winter Conference of

The American Legion, Department of Tennessee, in Nashville, Director Webb said:

"You know, The American Legion has for many years had a resolution mandate calling for a Congressional investigation of the American Civil Liberties Union. Some of you may wonder just why The American Legion calls upon the House Committee on Un-American Activities to investigate the American Civil Liberties Union, its funds and its purposes.

"One good reason I can cite to you here today is that the American Civil Liberties Union had the audacity to send the Director of the Washington office of that organization, Lawrence Speiser, to testify against legislation which would make it a crime to desecrate the Flag of the United States of America. Yes, I was present when Mr. Speiser made his lengthy statement to Subcommittee 4 of the House Judiciary Committee. He admonished the members of the Subcommittee, stating that to have a law which would make it a crime to desecrate the Flag would be in direct conflict with the First Amendment of the Constitution commonly known as the Free Speech Amendment.

"Can anyone here today explain to me the relationship between desecrating the Flag of the United States and the Free Speech Amendment of our Constitution?

"Is it any wonder that The American Legion calls for the investigation of an organization which, besides opposing legislation which would make it a crime to desecrate the Flag, has rushed to the defense of known Communists, pornographic book peddlers and others of a like ilk? We do not have to apologize to anyone for our position concerning the American Civil Liberties Union. I mention this fact here today only to point up to you that, when The American Legion takes a position through a resolution which mandates our organization in a certain area, that position is not arrived at lightly but is arrived at after careful and due consideration is given to the subject matter of said resolution.

"In his testimony Mr. Speiser stated: 'The very concept of defiance to a bit of cloth is difficult for the mind to conjure.' Someone should refresh the memories of Mr. Speiser, the members of the American Civil Liberties Union, and others who espouse this same line, concerning what President Woodrow Wilson said in describing what our Flag is and what it stands for:

" 'The things that the Flag stands for were created by the experience of a great people. Everything it stands for was written by their lives. The Flag is the embodiment, not of sentiment, but of history. It represents the experiences made by men and women, the experiences of those who do and live under that Flag.' "

Later, in an interview with a reporter for the Nashville Tennesseean, Commander Galbraith said, "we would also like to know where the ACLU gets its funds. Our books are completely open. Where do ACLU funds come from?"

Director Webb was questioned about Communists in the American Civil Liberties Union and he stated: "We do not know if there are Communists in the ACLU. If we knew there were Communists, we would go to the Justice Department."

In a rebuttal, Leroy J. Ellis, III, a member of the Board of Directors of the Tennessee chapter of the ACLU said that The American Legion did not have legal or constitutional grounds to call for a Congressional investigation. He continued to say that the sole purpose of "our activities is to protect and further the legal and constitutional rights of the individual. Our patriotism is every bit as great as that of The American Legion." In taking exception to the matter of an investigation, he said that, if the purpose of such an investigation were to prevent the ACLU from defending an individual's constitutional rights, then the investigation would not be legal. In reference to Commander Galbraith's remarks, he said the financial records of the ACLU are audited by a certified public accountant every year and made available to the public. "The funds of the ACLU come from the donations of the over 100,000 members of the ACLU," said Ellis. He added, however, that, while the membership records are not immediately available, they are open if the member authorizes the release, or if the Board of Directors chooses to reveal them.

CAPITAL GAINS TREATMENT FOR TRANSFERS OF RIGHTS TO COPYRIGHTS AND LITERARY, MUSICAL, AND ARTISTIC COMPOSITIONS

Mr. KUPFERMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KUPFERMAN. Mr. Speaker, I am reintroducing a bill today, which I originally sponsored in 1966, to amend the Internal Revenue Code of 1954 to provide that a transfer—other than by gift, inheritance, or devise—of property consisting of substantial rights to a copyright or a literary, musical, or artistic composition, by any holder of the copyright or composition, shall be considered the sale or exchange of a capital asset held for more than 6 months.

In his message to Congress accompanying the first annual report of the National Endowment for the Arts, President Johnson stated:

> What the arts endowment has sought to do, in its final year, is to improve the climate in which creative talent works and to extend and inform its audience.[1]

The President praised the program noting:

> It created new opportunities for novelists, poets, painters, sculptors, and students in the arts—

In its attempt to sponsor—

> a great variety of projects to assist the arts in assuming their deserved place in American life.

The legislation I am introducing today is a necessary concomitant to the programs already established by the Congress to further creative activities throughout the country.

Even an elementary knowledge of our income tax laws is sufficient to make one realize the substantial advantage of treating income as a long-term capital gain rather than as ordinary income.

Under my bill, a transfer, would only be considered the sale or exchange of a capital asset if, at the time of such transfer, the composition or other property has been substantially completed. Additionally, this provision would only apply to one such transfer in each taxable year, as selected by the taxpayer.

My proposed bill is almost identical to H.R. 14903, which I introduced in 1966.[2] However, in that bill it was proposed that only transfers involving "all substantial rights" in a copyright or composition should be entitled to capital gains treatment. In reassessing the problem my attention was directed to the inequity that would result because of the term "all substantial rights."[3] Such terminology would preclude the application of the capital gains tax in cases involving movie rights and other important rights such as serialization. These rights, while not encompassing "all substantial rights" in the copyright or composition, nevertheless involve a specific and important area of the bundle of rights involved in a copyright. Consequently, in the measure I presented today I have eliminated the word "all" from the phrase "all substantial rights."

The annual report of the Register of Copyrights reveals that in fiscal year 1967, 474,226 articles were deposited with the Copyright Office. In that year 294,406 works were registered, including over 160,000 books and periodicals, more than 79,000 musical compositions and approximately 5,000 works of art.[4] American consumers spend over $10 billion each year to purchase or witness the productions of creative intelligence.[5]

From these figures we can readily see that artistic creations comprise an important part of our economic structure.

Mr. Speaker, I am privileged to represent a district which is, without question, the cultural and artistic center of the United States. Within the confines of New York's 17th District lies the heart of the entertainment industry. As its chosen Representative, I speak for all of New York's Broadway theaters and for many of its off-Broadway houses; for the music companies, broadcasting stations, publishing firms, and art galleries; and for the thousands of creative people who inhabit areas such as Manhattan East, Greenwich Village, Gramercy Park, Murray Hill, and Turtle Bay. Among my constituents are many of America's foremost authors, composers, publishers, artists, producers, directors and critics.

I am further privileged to have been associated with the field of copyright law for many years, having been chairman of the copyright committee of the Federal Bar Association of New York, New Jersey, and Connecticut, a charter member of the Copyright Society of the U.S.A., a professor of copyright law at New York Law School, and the editor of books on the subject.

It is my firm belief, Mr. Speaker, that an author should be accorded the benefits of capital gains treatment for his creations in the event of their sale. This is a benefit enjoyed by an inventor, and there is no reason to favor a patent over a copyright. The U.S. Constitution gives these two important areas equal treatment in the provision of article I, section 8, clause 8, which gives Congress the power "to promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries."

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[1] CONGRESSIONAL RECORD, vol. 113, pt. 3, p. 3324.

[2] See Congressional Record, 89th Congress, vol. 112, pt. 8, p. 9986.

[3] This change was discussed with Irwin Karp, Esq., an attorney and noted authority in the field of copyright law.

[4] Report of the Register of Copyrights, 1967.

[5] Baumol and Bowen, "Performing Arts—The Economic Dilemma," the 20th Century Fund, New York, 1966, pages 424–431.

Just as there are special provisions for the patent holder intended to stimulate inventive activity, I believe our laws should also stimulate like activity in the literary, musical, and artistic worlds.

Let us now take the concrete step of ending the economic discrimination against those authors and composers of literary, musical, and artistic compositions which exist under our present tax structure by eliminating their inequity.

PRESIDENT APPLAUDED FOR FIRST STEP TOWARD PEACE IN VIETNAM

Mr. OLSEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. OLSEN. Mr. Speaker, President Johnson is to be applauded for substantially reducing the level of hostilities in Vietnam as a positive step toward the peace we all seek.

In light of criticism from some quarters, it is important to be clear about what the President said—and did not say—in his address to the Nation.

He stated that he would stop the bombing of North Vietnam except where the continuing enemy building directly threatens allied forward positions and where the movements of the troops and supplies are clearly related to that threat.

On the other hand, he did not order a total bombing halt nor delineate the area to be bombed—for this is a first step to test Hanoi's sincerity.

Certainly we should continue to bomb the supply lines and infiltration routes which directly threaten our soldiers in the northern provinces—lines and routes which stretch far into North Vietnam.

Still, as the President said in his speech, almost 90 percent of North Vietnam's population will be spared from bombing—and most of its territory.

This is an act of good faith by America. If it is matched by deescalation by Hanoi further deescalation can be possible—including a complete bombing halt.

Already it appears that the enemy has turned a cold shoulder toward our peace overtures—yet some criticize the President, rather than Ho Chi Minh.

We can only hope that our offer to reduce the level of violence will be accepted in the spirit of peace in which it was offered.

PROPOSED AMENDMENTS TO THE VOCATIONAL EDUCATION ACT OF 1963

Mr. OLSEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. OLSEN. Mr. Speaker, it is my privilege today to be one of the sponsors of a bill to consolidate and improve existing vocational education programs, and to join the gentleman from Illinois [Mr. PUCINSKI], chairman of the General Education Subcommittee, many of its members, and others of my colleagues in urging support of this legislation. The bill will provide funds for vocational education programs for fiscal years 1969 through 1972.

There have been many studies made of why youngsters drop out of school and become another statistic in the ranks of the unemployed. More and more educators, business leaders, and those particularly concerned with the growing problem of unrest and juvenile crime in our country are coming to realize that a major effort must be made to keep these youngsters in school and provide them with a marketable skill. The vicious cycle of poverty in many areas, both urban and rural, will not be broken until we provide our young people with the tools they need to earn a living and become responsible and productive citizens.

Preparation for work through vocational education programs supported by Federal funds dramatically increased in fiscal years 1965 and 1966, the first full years of operation under the Vocational Education Act of 1963. In fiscal year 1967, nearly 7 million persons attended vocational education classes, 50 percent more than in 1964.

In my State of Montana, which has always been an educationally minded State, secondary school enrollment jumped from 7,061 in 1964 to 21,937 in 1966—more than triple—and enrollment in post-secondary and adult vocational educational programs showed like increases.

In spite of these increases in enrollment in vocational education programs, 23.6 percent of the young people in Montana entering school in 1962 failed to complete their high school education. While recognizing the impact of the 1963 act, it is clear that we must improve, expand, and update such education programs—make them more responsive to both the needs of these young people and the community—if we are to reduce or eliminate the incidence of school dropouts.

If our schools had been able to offer realistic vocational education in the past decade, or even two decades, if they had been able to offer education and training that would motivate our youngsters to stay in school and acquire the education and skills needed in today's complex society, we would not now be spending millions of dollars on compensatory education programs for young adults and on crash programs to train the hardcore unemployed for jobs.

It is my strong belief that high school vocational education must be expanded into a broad program encompassing the needs of all of our youth. It must also be realistically designed to meet the manpower needs of business and industry.

Mr. Speaker, I believe the legislation we are introducing today will go a long way toward bringing our vocational education system into step with the needs of our times.

This legislation is based on the findings and recommendations of the Advisory Council on Vocational Education, established under the 1963 act. Their recently published report of their national evaluation of vocational education, "The Bridge Between Man and His Work," is a compelling document, one which I would urge each of my colleagues to study carefully.

I fully realize that the mood of Congress concerning increased spending for domestic programs this year is unfavorable. But, if we are to meet the growing crisis of unemployment, particularly among young people, we can no longer delay approval of programs that will ultimately eliminate the root cause of that unemployment.

It has been estimated that we will need to spend $32 million to eliminate the causes of rioting in our streets. The cost of everincreasing juvenile crime is staggering.

Surely we can afford to spend less than $1 billion to train our young people for the world of work—the habits, attitudes, and basic skills of reading and expression, which are necessary for success in any field—as well as needed job skills.

Our economy has undergone great change in the past decade, and the complex demands of a technological era have brought great new challenge to our vocational educators. We must help those educators meet this challenge and help our schools become more realistic and responsive to the needs of our young people and to the needs and wishes of the communities in which they reside.

Mr. Speaker, it is my hope that all of my colleagues will study this legislation carefully and will come to agree with me and the other Members who are sponsoring it that it is worthy of consideration and support.

An outline of the bill follows:

PROPOSED AMENDMENTS TO THE VOCATIONAL EDUCATION ACT OF 1963

A. *Consolidation and Improvement of Existing Vocational Education Programs (effective July 1, 1968)*.

1. *Authorization*: Increases authorization to $325 million for fiscal 1969, $400 million for fiscal 1970, $500 million for fiscal 1971, $600 million for fiscal 1972 and for each subsequent fiscal year for the purpose of making grants to the states. The present authorization is $225 million.

2. *Work Study*: Reauthorizes the work-study provision which lapses June 30, 1968; $30 million for fiscal 1969 and fiscal 1970, and $55 million for fiscal 1971 and for each subsequent fiscal year. The work-study provision of the 1963 Act is directed towards the full-time student who needs money to stay in school.

3. *Matching*: Allows state-wide matching of federal funds and eliminates matching by separate categories.

4. *Disadvantaged*: Requires that 25% of the new money under the state grant provision must be used by the states for programs for the academically, socially, economically, physically and culturally disadvantaged. These funds would be concentrated primarily in the large cities and the poor rural areas.

5. *Research funds*: 10% of the sums appropriated may be used by the Commissioner of Education for grants or contracts with universities and private and public agencies, also for grants or contracts approved by the bureau administering the vocational program, and for grants or contracts to the state research units.

6. *State Advisory Councils*: States must

create state advisory councils which are to evaluate the state programs and advise the state boards of vocational education on the formulation of the state plans.

7. *State Plans*: States must submit to the Commissioner of Education annual and five year state plans showing the projected development of vocational education within the states.

B. *New Programs.*

1. *Exemplary Programs:* This authorization would be used to fund programs such as those designed to familiarize elementary and secondary school students with a broad range of occupations and the requisites for entrance into those occupations. $50 million for fiscal 1969, $100 million for fiscal 1970, $150 million for fiscal 1971, $200 million for fiscal 1972 and 1973.

2. *Disadvantaged:* Special vocational education programs to aid the academically, socially, economically, physically and culturally disadvantaged. The states must give assurances that these funds will go to areas of concentrations of drop-outs and youth unemployment which would be primarily large cities and poor rural areas. 90–10 matching of federal funds. These funds would be channeled through the state boards of vocational education. $200 million for fiscal 1969, $250 million for 1970, $350 million for fiscal 1971, $400 million for each succeeding fiscal year.

3. *Cooperative Study:* Cooperative education, a program where the number of hours spent in school equals the number of hours spent on the job, is directed towards giving students both on the job training and classroom instruction. Priority in assistance must be given to disadvantaged students: $50 million for fiscal 1969, $100 million for fiscal 1970, $150 million for fiscal 1971, $250 million for 1972 and 1973. 90–10 matching of federal funds. Funds would be channeled through the state boards of vocational education.

4. *Residential Vocational Education Schools:* These residential schools (at least one in each state) would expand vocational education opportunities and create new environments for those who cannot profit from instruction under existing conditions. $10 million for fiscal 1969, $300 million for fiscal 1970, $175 million for fiscal 1971, $175 million for 1972 and 1973. 90–10 matching of federal funds. Funds would be channeled through the state boards of vocational education.

5. *Home-economics:* $50 million for fiscal 1969 and 1970, $75 million for each succeeding fiscal year.

6. *Teacher Training:*

a. leadership development fellowships—these fellowships would be awarded to administrators, teachers and researchers for study at institutions of higher education. $25 million for fiscal 1969 and 1970, $50 million for fiscal 1971, 1972 and 1973.

b. exchange programs and training institutes—this authorization would be used for exchange programs, institutes, and in-service education for vocational education teachers and administrators. $20 million for fiscal 1969, $30 million for fiscal 1970, and $40 million for fiscal 1971, 1972, and 1973.

7. *Curriculum:* Grants or contracts would be made for such purposes as evaluating vocational education curriculums and developing curriculums which combine vocational education and academic courses of study. $7 million for fiscal 1969, $10 million for fiscal 1970, and $25 million for fiscal 1971, 1972, and 1973.

8. *Libraries:*

a. materials and equipment—grants for the acquisition of vocational library resources, instructional material and equipment, and services. $5 million for fiscal 1969, $25 million for fiscal 1970, $50 million for fiscal 1971 and $75 million for fiscal 1972 and 1973.

b. construction and remodeling of libraries in vocational education schools—$50 million for fiscal 1970 and for each of three succeeding years:

c. institutes for study in use of library materials; $5 million for fiscal 1970 and for each of three succeeding years.

9. *Information Services:* Grants or contracts to encourage youths and adults to enter careers in vocational education. $3.5 million for fiscal 1969, $4 million for fiscal 1970, $4.5 million for fiscal 1971 and $5 million for 1972 and 1973.

10. *National Advisory Council:* Creation of a Permanent National Advisory Council on Vocational Education with a separate authorization for its operating expenses. The Council would review administration and preparation of vocational education programs and make annual reports of its findings.

11. *Bureau of Vocational Education:* Creation of a separate Bureau of Vocational Education within the Office of Education and an authorization for its operating expenses.

12. *Advance funding:* Allows advance funding of vocational education programs.

PRESIDENT CALLS FOR UNITY BEFORE NATIONAL ASSOCIATION OF BROADCASTERS IN CHICAGO

Mr. ANNUNZIO. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, President Johnson's moving address to the National Association of Broadcasters, in Chicago, is further testimony of his belief for the need to have unity in America.

We are in the midst of revolutionary times—both at home and abroad—which have created deep and emotional divisions in our country.

Throughout his distinguished public service, President Johnson has sought to emphasize the things which unite, rather than divide our Nation, to bind people together, not split them into factions.

To heal the wounds caused by the Vietnam conflict, President Johnson acted to take Vietnam out of politics. To emphasize America's desire for peace he made it clear that his peace overtures were not politically inspired.

Thus, as President Johnson explained to the National Association of Broadcasters:

> By not allowing the Presidency to be involved in divisive and deep partisanship, I shall be able to pass on to my successor a stronger office.

In this time of trial for America we must be united of purpose. We must seek peace with the world—and find peace with ourselves.

President Johnson's call for unity to the National Association of Broadcasters Chicago must be heard round the country. Together we cannot fail.

I insert into the RECORD the President's speech to the National Association of Broadcasters in Chicago:

REMARKS OF THE PRESIDENT BEFORE THE NATIONAL ASSOCIATION OF BROADCASTERS, CHICAGO, ILL., APRIL 1, 1968

Mayor Daley, Mr. Wasilewski, ladies and gentlemen: Some of you might have thought from what I said last night that I had been taking elocution lessons from Lowell Thomas. One of my aides said this morning: "Things are really getting confused around Washington, Mr. President."

I said, "How is that?"

He said, "It looks to me like you are going to the wrong convention in Chicago."

I said, "Well, what you all forgot was that it is April Fool."

Once again we are entering the period of national festivity which Henry Adams called "the dance of democracy." At its best, that can be a time of debate and enlightenment. At its worst, it can be a period of frenzy. But always it is a time when emotion threatens to substitute for reason. Yet the basic hope of a democracy is that somehow—amid all the frenzy and all the emotion—in the end, reason will prevail. Reason just must prevail . . . if democracy itself is to survive.

As I said last evening, there are very deep and emotional divisions in this land that we love today—domestic divisions, divisions over the war in Vietnam. With all of my heart, I just wish this were not so. My entire career in public life—some 37 years of it—has been devoted to the art of finding an area of agreement because generally speaking, I have observed that there are so many more things to unite us Americans than there are to divide us.

But somehow or other, we have a facility sometimes of emphasizing the divisions and the things that divide us instead of discussing the things that unite us. Sometimes I have been called a seeker of "concensus", more often that has been criticism of my actions instead of praise of them. But I have never denied it. Because to heal and to build support, to hold people together, is something I think is worthy and I believe it is a noble task. It is certainly a challenge for all history in this land and this world where there is restlessness and uncertainty and danger. In my region of the country where I have spent my life, where brother was once divided against brother, my heritage has burned this lesson and it has burned it deep in my memory.

Yet along the way I learned somewhere that no leader can pursue public tranquillity as his first and only goal. For a President to buy public popularity at the sacrifice of his better judgment is too dear a price to pay. This nation cannot afford such a price, and this nation cannot long afford such a leader.

So, the things that divide our country this morning will be discussed throughout the land. I am certain that the very great majority of informed Americans will act, as they have always acted, to do what is best for their country and what serves the national interest.

But the real problem of informing the people is still with us. I think I can speak with some authority about the problem of communication. I understand, far better than some of my severe and perhaps intolerant critics would admit, my own shortcomings as a communicator.

How does a public leader find just the right word or the right way to say no more or no less than he means to say—bearing in mind that anything he says may topple governments and may involve the lives of innocent men?

How does that leader speak the right phrase, in the right way, under the right conditions, to suit the accuracies and contingencies of the moment when he is discussing questions of policy, so that he does not stir a thousand misinterpretations and leave the wrong connotation or impression?

How does he reach the immediate audience and how does he communicate with the millions of others who are out there listening from afar?

The President, who must call his people to meet their responsibilities as citizens in a hard and enduring war, often ponders these questions and searches for the right course.

You men and women—who are masters of the broadcast media—surely must know what I am talking about. It was a long time ago when a President once said: "The printing press is the most powerful weapon with which man has ever armed himself." In our age, the electronic media have added immeasurably to man's power. You have within your hands the means to make our nation as intimate and informed as a New England town meeting.

Yet the use of broadcasting has not cleared away all of the problems that we still have of communications. In some ways, I think, sometimes it has complicated them. Because it tends to put the leader in a time capsule: It requires him often to abbreviate what he has to say. Too often, it may catch a random phrase from his rather lengthy discourse and project it as the whole story.

Mayor Daley, I wonder how many men in public life have watched themselves on a TV newscast and then been tempted to exclaim: "Can that really be me?"

There is no denying it: you of the broadcast industry have enormous power in your hands. You have the power to clarify and you have the power to confuse. Men in public life cannot remotely rival your opportunity—day after day, night after night, hour after hour and the half hour, sometimes—you shape the nation's dialogue.

The words that you choose, hopefully, always accurate and hopefully always choice, are the words that are carried out for all of the people to hear.

The commentary that you provide can give the real meaning to the issues of the day or it can distort them beyond all meaning. By your standards of what is news, you can cultivate wisdom—or you can nurture misguided passion.

Your commentary carries an added element of uncertainty. Unlike the printed media, television writes on the wind. There is no accumulated record which the historian can examine later with a 20–20 vision of hindsight, asking these questions: "How fair was he tonight? How impartial was he today? How honest was he all along?

Well, I hope the National Association of Broadcasters, with whom I have had a pleasant association for many years, will point the way to all of us in developing this kind of a report because history is going to be asking very hard questions about our times and the period through which we are passing.

I think that we all owe it to history to complete the record.

But I did not come here this morning to sermonize. In matters of fairness and judgment, no law or no set of regulations and no words of mine can improve you or dictate your daily responsibility.

All I mean to do, and what I am trying to do, is to remind you where there is great power, there must also be a great responsibility. This is true for broadcasters just as it is true for Presidents—and seekers for the Presidency.

What we say and what we do now will shape the kind of a world that we pass along to our children and our grandchildren. I keep this thought constantly in my mind during the long days and somewhat longer nights when crisis comes at home and abroad.

I took a little of your prime time last night. I would not have done that except for a very prime purpose.

I reported on the prospects for peace in Vietnam. I announced that the United States is taking a very important unilateral act of de-escalation—which could—and I fervently pray will—lead to mutual moves to reduce the level of violence and de-escalate the war.

As I said in my office last evening, waiting to speak, I thought of the many times each week when television brings the war into the American home.

No one can say exactly what effect those vivid scenes have on American opinion. Historians must only guess at the effect that television would have had during earlier conflicts on the future of this nation:

During the Korean War, for example, at that time when our forces were pushed back there to Pusan;

Or World War II, the Battle of the Bulge, or when our men were slugging it out in Europe or when most of our Air Force was shot down that day in June of 1942 off Australia.

But last night television was being used to carry a different message. It was a message of peace. It occurred to me that the medium may be somewhat better suited to conveying the actions of conflict than to dramatizing the words that the leaders use in trying and hoping to end the conflict.

Certainly, it is more "dramatic" to show policemen and rioters locked in combat—than to show men trying to cooperate with one another.

The face of hatred and of bigotry comes through much more clearly—no matter what its color. The face of tolerance, I seem to find, is rarely "newsworthy."

Progress—whether it is a man being trained for a job or millions being trained or whether it is a child in Head Start learning to read or an older person of 72 in adult education or being cared for in Medicare—rarely makes the news, although more than 20 million of them are affected by it.

Perhaps this is because tolerance and progress are not dynamic events—such as riots and conflicts are events.

Peace, in the news sense, is a "condition". War is an "event".

Part of your responsibility is simply to understand the consequences of that fact—the consequences of your own acts and part of that responsibility, I think, is to try—as very best we all can—to draw the attention of our people to the real business of society in our system; finding and securing peace in the world—at home and abroad. For all that you have done and that you are doing and that you will do to this end, I thank you and I commend you.

I pray that the message of peace that I tried so hard to convey last night will be accepted in good faith by the leaders of North Vietnam.

I pray that one time soon, the evening news show will have—not another battle in the scarred hills of Vietnam—but will show men entering a room to talk about peace.

That is the event that I think the American people are urging and longing to see.

President Thieu of Vietnam and his government are now engaged in very urgent political and economic tasks which I referred to last night—and which we regard as very constructive and hopeful. We hope the Government of South Vietnam makes great progress in the days ahead.

But some time in the weeks ahead—immediately, I hope—President Thieu will be in a position to accept my invitation to visit the United States so he can come here and see our people too, and together we can strengthen and improve our plans to advance the days of peace.

I pray that you and that every American will take to heart my plea that we guard against divisiveness. We have won too much, we have come too far, and we have opened too many doors of opportunity, for these things now to be lost in a divided country where brother is separated from brother. For the time that is allotted me, I shall do everything in one man's power to hasten the day when the world is at peace and Americans of all races—and all creeds—of all convictions—can live together—without fear or without suspicion or without distrust—in unity, and in common purpose.

United we are strong; divided we are in great danger.

Speaking as I did to the nation last night, I was moved by the very deep convictions that I entertain by the nature of the office that is my present privilege to hold. The office of the Presidency is the only office in this land of all the people. Whatever may be the personal wishes or preferences of any man who holds it, a President of all the people can afford no thought of self.

At no time and in no way and for no reason can a President allow the integrity of or the responsibility or the freedom of the office ever to be compromised or diluted or destroyed because when you destroy it, you destroy yourselves.

I hope and I pray that by not allowing the Presidency to be involved in divisive and deep partisanship, I shall be able to pass on to my successor a stronger office—strong enough to guard and defend all the people against all the strain that the future may bring us.

You men and women who have come here to this great progressive city of Chicago, led by this dynamic and great public servant, Dick Daley, you yourselves are charged with a peculiar responsibility. You are yourselves trustees, legally accepted trustees and legally selected trustees of a great institution on which the freedom of our land utterly depends.

The security, the success of our country, what happens to us tomorrow—rests squarely upon the media which disseminates the truth on which the decisions of democracy are made.

An informed mind—and we get a great deal of our information from you—is the guardian genius of democracy.

So, you are the keepers of a trust. You must be just. You must guard and you must defend your media against the spirit of faction, against the works of divisiveness and bigotry, against the corrupting evils of partisanship in any guise.

For America's press, as for the American Presidency, the integrity and responsibility and the freedom, the freedom to know the truth and let the truth make us free, must never be compromised or diluted.

The defense of our media is your responsibility. Government cannot and must not and never will—as long as I have anything to do about it—intervene in that role.

But I do want to leave this thought with you as I leave you this morning: I hope that you will give this trust your closest care, acting as I know you can, to guard not only against the obvious, but to watch for the hidden.

It is sometimes unintentional. We often base instructions upon the integrity of the information upon which Americans decide. Men and women of the airways fully—as much as men and women of public service—have a public trust and if liberty is to survive and to succeed, that solemn trust must be faithfully kept. I don't want—and I don't think you want—to wake up some morning and find America changed because we slept when we should have been awake, because we remained silent when we should have spoken out, because we went along with what was popular and fashionable, and "in" rather than what was necessary or was right.

Being faithful to our trust ought to be the prime test of any public trustee in office or on the airways.

In any society, all of the students of history know that a time of division is a time of danger. In these times now we must never forget that eternal vigilance is the price of liberty.

Thank you for wanting me to come.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. SCHADEBERG (at the request of Mr. GERALD R. FORD), for the balance of this week, on account of official business officiating by request of Department of Navy at the graduation ceremonies of Naval OCS at Newport, R.I.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. PRICE of Texas) and to include extraneous matter:)

Mr. KUPFERMAN, for 15 minutes, on April 10, 1968.

Mr. GOODELL, for 10 minutes, today.

Mr. STAGGERS (at the request of Mr. PATMAN), for 15 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. GONZALEZ, for 15 minutes, tomorrow.

EXTENSIONS OF REMARKS

By unanimous consent, permission to extend remarks was granted to:

Mr. OLSEN to revise and extend his remarks following the remarks of Mr. KYL.

Mr. HALLECK's remarks in tribute to David Lane Powers, to appear in permanent RECORD following Mr. THOMPSON of New Jersey, April 2.

The following Members (at the request of Mr. PRICE of Texas) and to include extraneous matter:

Mr. FULTON of Pennsylvania in five instances.
Mr. ERLENBORN.
Mr. CURTIS in three instances.
Mr. UTT.
Mr. RUMSFELD.
Mrs. BOLTON.
Mr. SCHERLE.
Mr. REINECKE.
Mr. SHRIVER.
Mr. NELSEN in three instances.
Mr. WYMAN.
Mr. STEIGER of Wisconsin in four instances.
Mr. FINDLEY.
Mr. ASHBROOK in two instances.
Mr. DERWINSKI in three instances.
Mr. CARTER.
Mr. SAYLOR.
Mr. DOLE.
Mr. SCHWEIKER.
Mr. BLACKBURN.
Mr. DENNEY.
Mr. MILLER of Ohio.
Mr. HALLECK.

(The following Members (at the request of Mr. PATTEN) and to include extraneous matter:)

Mr. FRIEDEL.
Mr. EVINS of Tennessee in three instances.
Mr. EILBERG in three instances.
Mr. PHILBIN in three instances.
Mr. PODELL in two instances.
Mr. BROWN of California.
Mrs. GRIFFITHS in two instances.
Mr. RARICK in three instances.
Mr. POAGE in two instances.
Mr. DINGELL.
Mr. VANIK in three instances.
Mr. ROONEY of New York.
Mr. ROSENTHAL in two instances.
Mr. RHODES of Pennsylvania.
Mr. WRIGHT in two instances.
Mr. GONZALEZ in three instances.
Mr. ZABLOCKI in two instances.
Mr. MOORHEAD in three instances.
Mr. EDMONDSON.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 2448. An act for the relief of Dr. Gilberto Hedesa de la Campa; to the Committee on the Judiciary.

S. 3030. An act to amend section 3 of the act of November 2, 1966, relating to the development by the Secretary of the Interior of fish protein concentrate; to the Committee on Merchant Marine and Fisheries.

SENATE ENROLLED BILLS SIGNED

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 109. An act to prohibit unfair trade practices affecting producers of agricultural products, and for other purposes;

S. 172. An act for the relief of Mrs. Daisy G. Merritt; and

S. 1580. An act for the relief of John W. Rogers.

ADJOURNMENT

Mr. PATTEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 35 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, April 4, 1968, at 11 o'clock a.m.

EXECUTIVE COMMUNICATIONS, ETC.

1721. Under clause 2 of rule XXIV, a letter from the Comptroller General of the United States, transmitting a report of maintenance of automatic data processing equipment in the Federal Government, was taken from the Speaker's table and referred to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. THOMPSON of New Jersey: Committee on Education and Labor. H.R. 16014. A bill to amend the National Labor Relations Act, as amended, to amend the definition of "employee" to include certain agricultural employees, and to permit certain provisions in agreements between agricultural employers and employees (Rept. No. 1274). Referred to the Committee of the Whole House on the State of the Union.

Mr. DELANEY: Committee on Rules. House Resolution 1122. Resolution providing for the consideration of H.R. 15189, a bill to authorize appropriations for certain maritime programs of the Department of Commerce (Rept. No. 1275). Referred to the House Calendar.

Mr. COLMER: Committee on Rules. House Resolution 1123. Resolution providing for the consideration of H.R. 16241, a bill to extend the tax on the transportation of persons by air and to reduce the personal exemption from duty in the cases of returning residents (Rept. No. 1276). Referred to the House Calendar.

Mr. YOUNG: Committee on Rules. House Resolution 1124. Resolution providing for the consideration of H.R. 16314, a bill to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes (Rept. No. 1277). Referred to the House Calendar.

Mr. ANDERSON of Tennessee: Committee on Rules. House Resolution 1125. Resolution providing for the consideration of H. Con. Res. 705, concurrent resolution to assist veterans of the Armed Forces of the United States who have served in Vietnam or elsewhere in obtaining suitable employment (Rept. No. 1278). Referred to the House Calendar.

Mr. MAHON: Committee of conference. H.R. 15399. An act making supplemental appropriations for the fiscal year ending June 30, 1968, and for other purposes (Rept. No. 1279). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 16447. A bill to amend the Federal Employees Health Benefits Act of 1959 to provide that the entire cost of health benefits under such act shall be paid by the Government; to the Committee on Post Office and Civil Service.

By Mr. GUBSER:

H.R. 16448. A bill authorizing the Secretary of the Army to establish a national cemetery at Camp Parks, Calif., for northern California; to the Committee on Veterans' Affairs.

By Mr. HATHAWAY:

H.R. 16449. A bill to amend the tariff schedules of the United States to provide for the temporary free importation of certain motion picture films; to the Committee on Ways and Means.

By Mr. KUPFERMAN:

H.R. 16450. A bill relating to the tax treatment of transfers of rights to copyrights and literary, musical, and artistic compositions; to the Committee on Ways and Means.

By Mr. POAGE:

H.R. 16451. A bill to authorize the Secretary of Agriculture to cooperate with the several governments of Central America in the prevention, control, and eradication of foot-and-mouth disease or rinderpest; to the Committee on Agriculture.

By Mr. PODELL:

H.R. 16452. A bill for the relief of certain distressed aliens; to the Committee on the Judiciary.

By Mr. ROSTENKOWSKI:

H.R. 16453. A bill to amend the definition of "metal bearing ores" in the tariff schedules of the United States; to the Committee on Ways and Means.

By Mr. ROUSH:

H.R. 16454. A bill to amend the Uniform Time Act of 1966 in order to restrain the enforcement of certain provisions of such act in States situated in more than one standard time zone; to the Committee on Interstate and Foreign Commerce.

By Mr. TEAGUE of Texas:

H.R. 16455. A bill to enable honey producers to finance a nationally coordinated research and promotion program to improve their competitive position and expand their markets for honey; to the Committee on Agriculture.

By Mr. CHARLES H. WILSON:

H.R. 16456. A bill to amend the Civil Service Retirement Act to authorize the retirement of employees after 25 years of service without reduction in annuity; to the Committee on Post Office and Civil Service.

H.R. 16457. A bill to amend the Civil Service Retirement Act to provide increased annuities; to the Committee on Post Office and Civil Service.

By Mr. CUNNINGHAM (for himself and Mr. HALLECK):

H.R. 16458. A bill to amend subchapter III of chapter 83 of title 5, United States Code, relating to civil service retirement; to the Committee on Post Office and Civil Service.

By Mr. CURTIS (for himself, Mr. Widnall, Mr. Rumsfeld, and Mr. Brock):

H.R. 16459. A bill recommending establishment of a Commission on Federal Budget Priorities and Expenditure Policy; to the Committee on Government Operations.

By Mr. PUCINSKI (for himself, Mr. Thompson of New Jersey, Mr. Dent, Mr. Holland, Mr. Carey, Mr. Scheuer Mr. Gibbons, Mr. Farbstein, Mr. Matsunaga, Mr. Price of Illinois, Mr. Van Deerlin, Mr. Annunzio, Mr. Blatnik, Mr. Sisk, Mr. Ronan, and Mr. Olsen):

H.R. 16460. A bill to amend the Vocational Education Act of 1963, and for other purposes; to the Committee on Education and Labor.

By Mr. MEEDS (for himself, Mrs. Green of Oregon, Mr. Daniels, Mr. Brademas, Mr. Hawkins, Mr. William D. Ford, Mr. Hathaway, Mrs. Mink, Mr. Bell, Mr. Foley, Mr. Adams, Mr. Hicks, Mr. Vanik, Mr. Fraser, Mr. Moorhead, Mr. Kupferman, Mr. Schweiker, Mr. Kastenmeier, and Mr. Tunney):

H.R. 16461. A bill to amend the Vocational Education Act of 1963, and for other purposes; to the Committee on Education and Labor.

By Mr. HOLIFIELD (for himself and Mr. Hosmer):

H.R. 16462. A bill granting the consent of Congress to the western interstate nuclear compact, and related purposes; to the Committee on the Judiciary.

By Mr. PHILBIN:

H.R. 16463. A bill to authorize the acquisition and maintenance of the Goddard Rocket Launching Site in accordance with the act of August 25, 1916, as amended and supplemented; to the Committee on Interior and Insular Affairs.

By Mr. RYAN:

H.R. 16464. A bill to amend the Federal Employees Health Benefits Act of 1959 to provide that the entire cost of health benefits under such act shall be paid by the Government; to the Committee on Post Office and Civil Service.

By Mr. SCHWENGEL:

H.R. 16465. A bill to amend the Vocational Education Act of 1963, and for other purposes; to the Committee on Education and Labor.

H.R. 16466. A bill to establish a Department of Education and Manpower; to the Committee on Government Operations.

By Mr. FULTON of Pennsylvania:

H.J. Res. 1218. Joint resolution asking the President of the United States to designate the month of May 1968, as National Arthritis Month; to the Committee on the Judiciary.

By Mr. REINECKE:

H.J. Res. 1219. Joint resolution designating the second Saturday in May of each year as National Fire Service Recognition Day, and for other purposes; to the Committee on the Judiciary.

By Mr. GUBSER:

H. Con. Res. 754. Concurrent resolution to express the sense of the Congress that the Secretary General of the United Nations should deliver an annual message on the state of mankind; to the Committee on Foreign Affairs.

By Mr. MADDEN:

H. Con. Res. 755. Concurrent resolution relative to the independence of free peoples of the captive nations; to the Committee on Foreign Affairs.

By Mr. NELSEN:

H. Con. Res. 756. Concurrent resolution establishing the Joint Select Committee on Observance of the 50th Anniversary of Armistice Day; to the Committee on Rules.

By Mr. PATTEN (for himself, Mr. Addabbo, Mr. Bates, Mr. Bell, Mr. Buchanan, Mr. Daniels, Mr. Dulski, Mr. Fino, Mr. Halpern, Mr. Helstoski, Mr. Kupferman, Mr. Lipscomb, Mr. Lukens, Mr. Madden, Mr. O'Konski, Mr. Pucinski, Mr. Rodino, and Mr. St. Onge):

H. Con. Res. 757. A concurrent resolution requesting the President to take certain actions in regard to the fulfillment of the United Nations Charter with respect to captive nations; to the Committee on Foreign Affairs.

By Mr. O'HARA of Illinois:

H. Res. 1127. Resolution relative to the anniversary of the founding of the Pan American Union; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROTZMAN:

H.R. 16467. A bill to provide for the conveyance by the Secretary of the Interior of certain lands and interests in lands in Grand and Clear Creek Counties, Colo., in exchange for certain lands within the national forests of Colorado, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. O'KONSKI:

H.R. 16468. A bill for the relief of Catherine Pamela Beaudoin; to the Committee on the Judiciary.

By Mr. PODELL:

H.R. 16469. A bill for the relief of Mario Monaco; to the Committee on the Judiciary.

By Mr. ROSTENKOWSKI (by request):

H.R. 16470. A bill for the relief of Antoni Ramotowski; to the Committee on the Judiciary.

By Mr. UTT:

H.R. 16471. A bill for the relief of George Roger Ernest Williams, Marie Marguerite Cecile Jeannette Williams, Keith Albert Williams, Glynnis Marie Elizabeth Williams, Trevor Joseph Williams, Derek Arthur Williams, and Ruth Anne Williams; to the Committee on the Judiciary.

SENATE—*Wednesday, April 3, 1968*

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Lord and Master of us all, whate'er our name or sign, our fathers trusted in Thee and were not confounded. In Thee we trust. In Thee is our sure confidence that the way of the Republic is down no fatal slope, but up to the freer sun and air. Thou hast brought us to love truth and duty and goodness. May Thy truth make us free, free from pride and prejudice and from all the ugly sins of disposition that doth so easily beset us.

Lift us above the mud and scum of mere things to the holiness of Thy beauty, so that the common task and the trivial round, may be edged with crimson and gold.

Give us, O God, the strength to build
The city that hath stood
Too long a dream, whose laws are love,
Whose ways are brotherhood:
And where the sun that shineth is God's
grace for human good.

We ask it in the name of Him who is the light and the truth. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, April 2, 1968, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR HARTKE ON THURSDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of morning business on tomorrow, Thursday, the distinguished Senator from Indiana [Mr. Hartke] be allowed to proceed for not to exceed 2 hours.

The PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETING DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on Agriculture and Forestry be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. Byrd of West Virginia in the chair). Without objection, it is so ordered.

PRESIDENT JOHNSON SHOULD GRASP HANOI OFFER TO NEGOTIATE FOR UNCONDITIONAL HALT OF BOMBING NORTH VIETNAM AND FOR PEACE TALKS

Mr. YOUNG of Ohio. Mr. President, I just came to the Chamber from the Committee on Armed Services, where I was very pleased to learn that a Hanoi broadcast of this morning, as translated, stated as follows:

> During the past more than ten years the United States imperialism has brazenly violated the 1954 Geneva Agreement . . .

Passing up temporarily some of the other propaganda, the broadcast from Hanoi went on to state:

> It is clear that the United States Government has not correctly and fully responded to the just demand of the Democratic Republic of Vietnam of United States progressive opinion and world opinion. However—

This is the important part of the broadcast from Hanoi, as translated—

> on our part, the DRV—

The Democratic Republic of Vietnam—that is, the Hanoi government—

> declares its readiness to send its representatives to make contact with United States representatives to decide with the United States the unconditional cessation of bombing and all other war acts against the DRV so talks could begin.

This was broadcast in Vietnamese at 9:33 a.m., eastern standard time, radio Hanoi, according to the report I received outside the Armed Services Committee room.

Mr. President, I express the fervent hope that President Johnson will immediately seize upon this opportunity and at once dispatch that great negotiator and highly respected American patriot, Averell Harriman, and also Ambassador Llewellyn Thompson to pursue this offer. I hope our President will give immediate attention and consideration to this matter because it appears to offer some hope, even if it is a mere glimmer of hope, for peace and a cease-fire in Vietnam. We should seize this opportunity.

WE SHOULD REPUDIATE DEMANDS OF SAIGON MILITARY JUNTA

Mr. President, Tran Van Do, Foreign Minister of the puppet Thieu-Ky regime in Saigon apparently recently joined General Thieu and Marshal Ky in urging a land invasion of North Vietnam. He recently stated that the American strategy of limited war has failed and that "it is only logical" that the United States should look for new ways to end the war. He also indicated he does not believe further escalation of the kind practiced up to now by the Johnson administration can guarantee any turn in the war as Hanoi is capable of matching further U.S. troop buildups. Admitting that the initiative is now with the Vietcong, he stated that any review of U.S. policy would certainly include a consideration of extending the war into Laos or invading North Vietnam.

Tran Van Do also stated that his government cannot accept a cessation of the bombing of North Vietnam—consider the effrontery of this—without some reciprocal move by Hanoi. We have had that move this morning. Well, since President Thieu and his foreign minister favor continued bombing of North Vietnam, let Vice President Ky don his fancy air marshal costume and lead the attack. Let us hope any such attack would be by airplanes of the Saigon military regime and none of our warplanes. The foreign minister calls for Washington to look for new ways to end the war. Of course, he does not mention any participation by so-called friendly forces of South Vietnam. This is not really surprising for the fact is that this is now an American war in which the South Vietnamese Government and armed forces have become bystanders while Americans fight and die and while many thousands of Vietnamese civilians are killed and maimed. The Vietnam war is now the fourth bloodiest in our Nation's history, exceeded only by the Civil War and World Wars I and II.

It is interesting to note that, directly beside the article in the Washington Post last Friday reporting Tran Van Do's most recent statements, there was a rundown of the casualties for the previous week in the Vietnam war, which showed that, for the week ending March 23,. 2,314 Americans were killed and wounded, while only 940 Vietnamese were killed and wounded during the same period. The fact is that the South Vietnamese Army has withdrawn from active combat.

It is unconscionable for us to draft young Americans of 18, 19, and 20, after 4 months of training send them to fight in the jungles and swamps of Vietnam, while Vietnamese young men in the same age groups are not drafted but permitted to pay $800 for exemption from military service. Now South Vietnamese leaders declare they will adopt next fall the policy of drafting 18- and 19-year-old Vietnamese. Probably next fall. President Thieu will postpone this until next year if he is still head of the very shaky Saigon regime. Unfortunately, for several years now American draftees of 18 and 19 have been fighting and dying in Vietnam.

It is outrageous and inexcusable that our young men should be called to fight and die in the miserable civil war in Vietnam while the corrupt Saigon military regime refuses to mobilize the young men of that country and accepts money to grant deferments. Officers and men in South Vietnam now in the armed forces spend a 5-day week with a 3-hour siesta daily. They are friendly forces, so called; too friendly to fight. In Saigon a leader in the South Vietnam Assembly spoke out against drafting youngsters of ages 18 and 19. He said, "This is an American war. We should stay out of it."

It was recently disclosed that in the fighting at Hue during the Tet offensive, a thousand Vietnamese soldiers were in the city on Tet leave at the time. Instead of joining the fighting for their own city, they disguised themselves as refugees and stayed on the university grounds for 3 weeks. They were at all times behind U.S. lines and away from mortar shelling, yet they made no effort to rejoin their units or to join in the battle to save their own city. Among them was a colonel of the South Vietnamese army. With allies like these, we need friends.

Mr. President, we have paid a tremendously high price in blood and money—more than 24,000 men of our Armed Forces dead, killed in combat or died of injuries in the combat zone, and more than 110,000 wounded in combat and more than $115 billion in expenditures to try to maintain South Vietnam, a little sliver of a nation that has no conception of national identity, as a pro-American anti-Chinese Communist nation. It is absurd for us to continue to fight in a civil war in a little country 10,000 miles distant led by a military clique, where a "democratic" election means the runner-up lands in jail, or is placed in protective custody, so-called, where mandarin landlords scoff at promises of land reform, where corruption and graft is rampant and involve deals between the South Vietnamese and the Vietcong to provide the VC with American weapons and ammunition.

If Foreign Minister Tran Van Do is sincerely interested in bringing peace to Vietnam, then let him urge a coalition government that would give true representation to all the political parties and elements of South Vietnam. Instead, he suggests that American troops invade North Vietnam despite the fact that this sort of expansion and escalation of the war would probably require, at the very least, half a million American soldiers in addition to the more than half million marines, soldiers, and airmen we now have fighting in this ugly civil war. These in addition to 45,000 American fighting men in Thailand and 52,000 Republic of Korea fighting men in South Vietnam.

Our immediate task is to disengage and withdraw from the most unpopular war Americans have ever fought. President Johnson's subservience to the generals of the Joint Chiefs of Staff has resulted in bombing North Vietnam almost incessantly since 1964 and, as a result of this bombing of North Vietnam, the war expanded and accelerated, and before the bombing was commenced not one regular soldier from North Vietnam was fighting in South Vietnam. Following the bombing of the North, then regulars soldiers of the Hanoi government infiltrated south of the 17th parallel and have been fighting throughout that area since.

Several hours preceding President Johnson's statement announcing his calling a halt of bombing of most of North Vietnam and his announcement removing himself as a candidate for reelection, retired Gen. Maxwell V. Taylor, one of the warhawk advisers whose bad advice President Johnson has been following over the past few years, in a nationally televised interview made a shockingly stupid, insensitive, and untruthful statement. General Taylor said, "Yes, the recent Tet offensive of the Vietcong was a net victory for us." I cite this as an example of the mental lethargy and arrogance of the military and of what we charitably call the credibility gap. President Johnson would have been far better off had he kept in mind that President Eisenhower in his final statement to the American people warned us against the dangers of the military-industrial complex. In fact, President Johnson is in deep trouble for the reason he has been subservient to the will, wishes, and demands of the generals of our Joint Chiefs of Staff and of former Gen. Maxwell V. Taylor.

Mr. President, we must seek to neutralize Vietnam and end the bloodletting there. Otherwise, the future holds forth for us indefinite involvement in that wartorn land. Even more compelling is the fact that to continue our present tragic course is likely to lead to a third world war.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDING OFFICER laid before the Senate the following letters, which were referred as indicated:

Annual Report of Federal Power Commission

A letter from the Chairman, Federal Power Commission, transmitting, pursuant to law, its annual report for the fiscal year ended June 30, 1967 (with an accompanying report); to the Committee on Commerce.

Report of Board of Trustees of the Federal Supplementary Medical Insurance Trust Fund

A letter from the Board of Trustees of the Federal Supplementary Medical Insurance Trust Fund, transmitting, pursuant to law, the 1968 annual report of the Board (with an accompanying report); to the Committee on Finance.

Report on U.N. Peacekeeping

A letter from the Acting Secretary, Department of State, transmitting, pursuant to law, a report on U.N. Peacekeeping as of March 9, 1968 (with an accompanying report); to the Committee on Foreign Relations.

Admission Into the United States of Certain Defector Aliens

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting admission into the United States of certain defector aliens (with accompanying papers); to the Committee on the Judiciary.

PETITION

The PRESIDING OFFICER laid before the Senate a resolution adopted by the Pennsylvania Public Utility Commission, of the Commonwealth of Pennsylvania, praying for the enactment of legislation to call an immediate moratorium on all train discontinuances, which was referred to the Committee on Commerce.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting a nomination was communicated to the Senate by Mr. Jones, one of his secretaries.

REPORT ON THE FOOD FOR FREEDOM PROGRAM—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 296)

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Agriculture and Forestry:

To the Congress of the United States:

I am pleased to transmit to the Congress the 1967 report on the Food for Freedom program.

The bounty of America's farms have long given hope to the human family.

For the pioneers, who first plowed our fertile fields, their harvest brought liberation from the age-old bondage of hunger and want.

For the victims of two world wars, our food nourished the strength to rebuild with purpose and dignity.

For millions in the developing nations, our food continues to rescue the lives of the starving and revive the spirit of the hopeless.

We share our bounty because it is right. But we know too that the hungry child and the desperate parent are easy prey to tyranny. We know that a grain of wheat is a potent weapon in the arsenal of freedom.

Compassion and wisdom thus guided the Congress when it enacted Public Law 480 in 1954. Since then, the productivity of the American farmer and the generosity of the American people have combined to write an epic chapter in the annals of man's humanity to man.

In 1966, I recommended that Congress alter Public Law 480 to reflect new conditions both at home and abroad. The Congress accepted my major recommendations, and added provisions of its own to strengthen the Act. I am proud to report that in 1967 we successfully fulfilled the letter and spirit of these new provisions.

Congress directed that the Food for Freedom program should encourage international trade.

—In 1967 world trade in agricultural products reached an all-time high of $33.9 billion, nearly 20 percent higher than in 1966.

Congress directed that the Food for Freedom program should encourage an expansion of export markets for our own agricultural commodities.

—In the past two years, this nation has enjoyed unparalleled prosperity in agricultural exports. Since 1960 our agricultural exports have grown from $3.2 billion to $5.2 billion—a gain of 62 percent.

Congress directed that we should continue to use our abundance to wage an unrelenting war on hunger and malnutrition.

—During 1967 we dispatched more than 15 million metric tons of food to wage the war on hunger—the equivalent of 10 pounds of food for every member of the human race.

Congress determined that our Food for Freedom program should encourage general economic progress in the developing countries.

—Our food aid has helped Israel, Taiwan, the Philippines, and Korea build a solid record of economic achievement. With our help, these nations have now moved into the commercial market, just as Japan, Italy, Spain and others before them.

Congress determined that our food aid should help first and foremost those countries that help themselves.

—Every one of our 39 food aid agreements in 1967 committed the receiving country to a far-reaching program of agricultural self-help. Many of these programs are already bringing record results.

Congress directed that we should move as rapidly as possible from sales for foreign currency to sales for dollars.

—Of the 22 countries participating in the Food for Freedom program in 1967, only four had no dollar payment provision. Last year, six countries moved to payments in dollars or convertible local currencies.

Congress directed that we should use Food for Freedom to promote the foreign policy of the United States.

Statistics alone cannot measure how Food for Freedom has furthered America's goals in the world. Its real victories lie in the minds of millions who now know that America cares. Hope is alive. Food for Freedom gives men an alternative to despair.

Last year was a record year in world farm output. With reasonable weather, 1968 can be even better. New agricultural technology is spreading rapidly in the developed countries. New cereal varieties are bringing unexpectedly high yields in the developing lands. An agricultural revolution is in the making.

This report shows clearly how much we have contributed to that revolution in the past year. But the breakthrough is only beginning. The pride in accomplishments today will seem small beside the progress we can make tomorrow.

Lyndon B. Johnson.

The White House, *April 3, 1968.*

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 15414) to continue the existing excise tax rates on communication services and on automobiles, and to apply more generally the provisions relating to payments of estimated tax by corporations, agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. Mills, Mr. King of California, Mr. Boggs, Mr. Byrnes of Wisconsin, and Mr. Curtis were appointed managers on the part of the House at the conference.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 12119. An act for the relief of Joseph M. Hepworth;

H.R. 15591. An act for the relief of Pfc. John Patrick Collopy, US51615166; and

H.R. 15979. An act to amend the act of August 1, 1958, in order to prevent or minimize injury to fish and wildlife from the use of insecticides, herbicides, fungicides, and pesticides, and for other purposes.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 109. An act to prohibit unfair trade practices affecting producers of agricultural products, and for other purposes;

S. 172. An act for the relief of Mrs. Daisy G. Merritt;

S. 1580. An act for the relief of John W. Rogers;

H.R. 7325. An act to authorize the Secretary of the Interior to exchange certain Federal lands for certain lands owned by Mr. Robert S. Latham, Albany, Oreg.;

H.R. 10599. An act relating to the Tiwa Indians of Texas; and

H.R. 11254. An act for the relief of Jack L. Good.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H.R. 12119. An act for the relief of Joseph M. Hepworth; and

H.R. 15591. An act for the relief of Pfc. John Patrick Collopy, US51615166; to the Committee on the Judiciary.

H.R. 15979. An act to amend the act of August 1, 1958, in order to prevent or minimize injury to fish and wildlife from the use of insecticides, herbicides, fungicides, and pesticides, and for other purposes; to the Committee on Commerce.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ANDERSON, from the Joint Committee on Atomic Energy, without amendment.

S. 3262. A bill to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes (Rept. No. 1074).

By Mr. BIBLE, from the Committee on the District of Columbia, without amendment:

H.R. 5799. An act to amend the District of Columbia Uniform Gifts to Minors Act to provide that gifts to minors made under such act may be deposited in savings and loan associations and related institutions, and for other purposes (Rept. No. 1075).

By Mr. BIBLE, from the Committee on the District of Columbia, with an amendment:

S. 2015. A bill to amend section 11–1902, District of Columbia Code, relating to the duties of the coroner of the District of Columbia (Rept. No. 1076).

By Mr. BIBLE, from the Committee on the District of Columbia, with amendments:

S. 2496. A bill to authorize the Commissioner of the District of Columbia to enter into and renew reciprocal agreements for police mutual aid on behalf of the District of Columbia with the local governments in the Washington metropolitan area (Rept. No. 1077).

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary:

William C. Keady, of Mississippi, to be U.S. district judge for the northern district of Mississippi.

By Mr. MONRONEY, from the Committee on Post Office and Civil Service:

John H. Johnson, of Illinois, to be a member of the Advisory Board for the Post Office Department; and

Two hundred and twenty-nine postmaster nominations.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JACKSON (by request):

S. 3275. A bill to amend the act of February 14, 1931, relating to the acceptance of gifts for the benefit of Indians; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. JACKSON when he introduced the above bill, which appear under a separate hearing.)

By Mr. BREWSTER:

S. 3276. A bill to modernize certain provisions of the Civil Service Retirement Act, and for other purposes; to the Committee on Post Office and Civil Service.

S. 3277. A bill to strengthen the criminal penalties for the mailing, importing, or transporting of obscene matter, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. BREWSTER when he introduced the above bills, which appear under separate headings.)

By Mr. MAGNUSON (by request):

S. 3278. A bill to provide for the authority for passenger vessels to operate as trade-fair exhibition ships; to the Committee on Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bill, which appear under a separate heading.)

By Mr. RIBICOFF:

S. 3279. A bill for the relief of Col. Heinz Eisenberg, U.S. Army Reserve (retired); to the Committee on the Judiciary.

S. 3275—INTRODUCTION OF BILL RELATING TO THE ACCEPTANCE OF GIFTS FOR THE BENEFIT OF INDIANS

Mr. JACKSON. Mr. President, I introduce, for appropriate reference, a bill to amend the act of February 14, 1931, relating to the acceptance of gifts for the benefit of Indians.

The Department of the Interior, by letter of December 11, 1967, requested the introduction of this legislation. I ask unanimous consent that the letter from Assistant Secretary Harry R. Anderson explaining the need for the legislation be printed in the RECORD following my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 3275) to amend the act of February 14, 1931, relating to the acceptance of gifts for the benefit of Indians, introduced by Mr. JACKSON, by request, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

The letter, presented by Mr. JACKSON, is as follows:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., December 11, 1967.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed is a draft of a proposed bill "To amend the Act of February 14, 1931, relating to the acceptance of gifts for the benefit of Indians."

We recommend that the bill be referred to the appropriate committee for consideration, and we recommend that it be enacted.

The 1931 Act reads as follows:

"The Secretary of the Interior be, and he is hereby authorized in his discretion to accept contributions or donations of funds or other property, real, personal, or mixed, which may be tendered to, or for the benefit of, Federal Indian schools, hospitals, or other institutions conducted for the benefit of Indians, or for the advancement of the Indian race, and to apply or dispose of such donations for the use and benefit of such school, hospital, or other institution or for the benefit of individual Indians."

The Act permits the acceptance of donations for the benefit of Indian institutions or for the advancement of the Indian race. It permits the donations to be used only for the benefit of an Indian institution or for the benefit of individual Indians.

The requirement that the donations be used for the benefit of an Indian institution or individual Indians raises doubts about the use of the donations for such things as research on educational curriculum to meet the special needs of Indian children; research on the special social adjustment problems of Indian families and individuals; projects to develop Indian communities and community leadership; museums to preserve Indian culture and promote understanding of Indian people; and cooperative projects for housing improvement or resource development.

In order to clarify the Act and to permit the use of donations for any purpose that will contribute to the advancement of the Indian people within the framework of programs otherwise authorized by law, the Act should be rephrased. Our proposed bill would accomplish this result.

At the present time about $35,000 of donated funds is on hand.

It should be noted that the Department has in the past encouraged donations to be made to charitable organizations or to tribal governments when they were best able to administer the gift, and that practice will be continued. When the gift needs to be administered by the Secretary, however, he should have broader authority than is now contained in the 1931 Act.

The Bureau of the Budget has advised that there is no objection to the presentation of this draft bill from the standpoint of the Administration's program.

Sincerely yours,

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

S. 3275

A bill to amend the Act of February 14, 1931, relating to the acceptance of gifts for the benefit of Indians

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of February 14, 1931 (46 Stat. 1106, 25 U.S.C. 451), is amended to read as follows:

"The Secretary of the Interior may accept donations of funds or other property for the advancement of the Indian race, and he may use the donated property in accordance with the terms of the donation in furtherance of any program authorized by other provision of law for the benefit of Indians."

S. 3276—INTRODUCTION OF BILL TO MODERNIZE CERTAIN PROVISIONS OF THE CIVIL SERVICE RETIREMENT ACT

Mr. BREWSTER. Mr. President, each year various laws are enacted which benefit our Federal employees either through direct pay increases, or in improved and extended fringe benefits. Over the years, too, there have been a variety of bills introduced which would make liberal changes in the benefits affecting our Federal employees when they retire. However, these individual bills have stayed in committee without action and have been reintroduced session after session. I think our retirees, after serving their Government for nearly a lifetime, deserve better than this.

Individually, these bills affect only a

small part of the retirement system. Together, they form the basis for a significant overhaul and modernization of the regulations governing retirees.

First, the bill I introduce today will change the computation formula on annuities by providing that after an employee completes 10 years of service, all past and future service will be creditable at a 2-percent rate. Presently it is $1\frac{1}{2}$ percent for the first 5 years and $1\frac{3}{4}$ percent for the next 5. These figures would apply only to service of fewer than 10 years.

Second, a surviving spouse would receive 60 percent of the employee's earned annuity rather than the 55 percent provided for under today's regulations. This percentage has not been increased since 1962 and would, I feel, be completely justified in view of the rise in the cost of living in the past 6 years. It would also tend to equalize annuity payments with the adjustments made last year in the Social Security Act.

The automatic cost-of-living formula for the adjustment of annuities has been most recently attacked by retirees who claim that they do not receive as regular or as high an increase as the Federal workers do. The present formula provides that annuities will be automatically increased whenever the cost of living goes up as much as 3 percent and stays up for 3 months in a row. Such annuity increases equal the percentage rise in the cost of living. My bill would cut down on the time a retiree has to wait to receive an increase in annuities by making the automatic adjustment formula go into effect after the price index has risen by 2 percent for 2 consecutive months.

The definition of basic pay is changed by this bill to include in the computation of annuities overtime or premium pay earned by an employee. The employee certainly works for this extra pay, and I believe should have it credited to his account when he retires.

The present penalty for survivorship annuities works much too hard a burden on the retiree. I propose that the $2\frac{1}{2}$-percent reduction now applied only up to $3,600 be changed to apply up to $4,800. Then the 10-percent reduction would apply to annuities over $4,800 rather than all amounts over $3,600 as it now does.

My bill further raises survivorship benefits for children and provides for increased contributions by covered employees, with matching agency contributions, to guarantee the necessary funding for this liberalized program.

This bill has already been introduced in the House of Representatives by the Honorable THADDEUS J. DULSKI, chairman of the House Post Office and Civil Service Committee. I feel that with his able leadership and with support in the Senate committee for this long overdue legislation, we can soon realize a new, workable and certainly beneficial program for our retired Federal employees.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3276) to modernize certain provisions of the Civil Service Retirement Act, and for other purposes, introduced by Mr. BREWSTER, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

S. 3277—INTRODUCTION OF BILL RELATING TO CRIMINAL PENALTIES FOR MAILING, IMPORTING, OR TRANSPORTING OF OBSCENE MATTER

Mr. BREWSTER. Mr. President, I am sure that everyone of our distinguished colleagues has had the problem of pornography in the mails brought to his attention at one time or another by angered constituents, demanding that something be done by the Federal Government to have their names removed from the mailing lists of these peddlers of of filth. I know that the residents of Maryland find the receipt of unsolicited pornographic publications and similar smut an invasion of the privacy of their homes.

Personally, I find the situation deplorable and was proud to have had a part in supporting title III of last year's Postal Revenue and Federal Salary Act. In that measure, the President wisely enacted into law provisions which would make it possible for an addressee to judge a piece of mail and, in his sole discretion, render a decision as to its acceptability. If the addressee finds the mailing to be a pandering advertisement, offering for sale matter which he believes to be erotically arousing or sexually provocative, he may request that the Postmaster General issue an order directing the sender to refrain from further mailings of such material to his address. In the law, the Postmaster General and the district courts are granted authority to carry out this directive, including the issuance of orders imposing punishment for contempt of court if firms do not comply.

Now, at long last, we have a degree of control over what comes into our home through the mail. I propose, in the measure I introduce today, to take one step further in trying to restrain the flow of smut in this country. My bill would strengthen the criminal penalties for the mailing, importing, or transporting of obscene matter. It sets minimum fines and prison sentences for persons knowingly using the mails for the carriage of obscene materials and would, I hope, enable us to cut down the traffic in such mailings. We must do all we can to protect our citizenry and our children from having obscene mail matter thrust upon them unwillingly.

Mr. President, I commend this legislation to your attention and ask that our colleagues give it their utmost consideration.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3277) to strengthen the criminal penalties for the mailing, importing, or transporting of obscene matter, and for other purposes, introduced by Mr. BREWSTER, was received, read twice by its title, and referred to the Committee on the Judiciary.

S. 3278—INTRODUCTION OF BILL TO PROVIDE AUTHORITY FOR PASSENGER VESSELS TO OPERATE AS TRADE-FAIR EXHIBITION SHIPS

Mr. MAGNUSON. Mr. President, I introduce, at the request of American Export Isbrandtsen Lines, Inc., for appropriate reference, a bill to provide for the authority for passenger vessels to operate as trade-fair exhibition ships.

The present bill would authorize the Maritime Subsidy Board to permit a passenger vessel that is experiencing losses after subsidy to be freed from its contractual obligations to operate as a passenger vessel on a specific trade route and would allow it to operate as a passenger-exhibition ship to ports throughout the free world. Such alternative employment for the vessel would be consistent with our Trade Expansion Act.

In order to grant an application for a passenger vessel to operate as a passenger-exhibition ship, the bill would require that the Board find, first, that such operation would be consistent with the best interest of the United States in promoting export expansion, second, that the configuration of the vessel as a passenger-exhibition ship would not impair its national defense capabilities, and third, that the operation would be in accordance with the purpose of promoting the American Merchant Marine. The bill would further provide that the itineraries of the vessel would be subject to the approval of the Board and of the Office of Trade Fairs of the Department of Commerce.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3278) to provide for the authority for passenger vessels to operate as trade-fair exhibition ships, introduced by Mr. MAGNUSON (by request) was received, read twice by its title, and referred to the Committee on Commerce.

ADDITIONAL COSPONSORS OF BILL, JOINT RESOLUTION, AND CONCURRENT RESOLUTION

Mr. BYRD of West Virginia. Mr. President, at the request of the senior Senator from West Virginia [Mr. RANDOLPH], I ask unanimous consent that, at its next printing, the name of the senior Senator from Hawaii [Mr. FONG] be added as a cosponsor of the joint resolution (S.J. Res. 158) to authorize and request the President to designate the first full week in May of each year as "National Employ the Older Worker Week."

This is the joint resolution which Senator RANDOLPH introduced yesterday, April 2, with the cosponsorship of 11 other Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SPARKMAN. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from New Jersey [Mr. WILLIAMS], the Senator from Texas [Mr. TOWER], the Senator from Iowa [Mr. HICKENLOOPER], the Senator from Massachusetts [Mr. BROOKE], and the Senator from Illinois [Mr. PERCY] be added as cosponsors of the bill (S. 3218) to enable the Export-Import Bank of the United States to approve extension of certain loans, guarantees, and insurance in connection with exports from the United States in order to improve the balance of payments and foster the long-term commercial interests of the United States.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, at the request of the Senator from Wisconsin [Mr. Proxmire], I ask unanimous consent that, at its next printing, the name of the Senator from Maryland [Mr. Brewster] be added as a cosponsor of Senate Concurrent Resolution 53, expressing the sense of the Congress that the Secretary General of the United Nations should deliver an annual message on the state of mankind.

The PRESIDING OFFICER. Without objection, it is so ordered.

DISPOSAL OF MAGNESIUM FROM NATIONAL STOCKPILE—AMENDMENT

AMENDMENT NO. 694

Mr. WILLIAMS of Delaware submitted an amendment, intended to be proposed by him, to the bill (H.R. 5785) to authorize the disposal of magnesium from the national stockpile, which was ordered to lie on the table and to be printed.

DISPOSAL OF BERYL ORE FROM NATIONAL STOCKPILE—AMENDMENT

AMENDMENT NO. 695

Mr. WILLIAMS of Delaware submitted an amendment, intended to be proposed by him, to the bill (H.R. 14367) to authorize the disposal of beryl ore from the national stockpile and the supplemental stockpile, which was ordered to lie on the table and to be printed.

PRESIDENT'S GOAL IS PEACE AND UNITY

Mr. MAGNUSON. Mr. President, few Presidents have ever stood as tall as President Johnson did Sunday night.

It will be easy to lose sight of this fact.

In the days that follow there will be an examination and a reexamination of his decision. There will be conjecturing, criticizing, analyzing, speculating, and so on. Almost each and every one will have a theory of why he really did what he did.

But to me the simple truth is this: The President is deeply committed to the cause of world peace. In order to pursue that goal his words and deeds had to be interpreted in a broader context free of partisanship. Therefore he removed himself from candidacy for the job he has handled so well.

It is sad it had to be this way. Lyndon Johnson and I have been friends and associates for over 30 years. As well as any man alive, I know that he neither wished nor willed a collision course with any country. I know equally well that history's judgment will be kinder than that of his contemporaries.

President Johnson's act took courage and commitment. President Johnson's goal is peace and unity. He has set a high standard of ideal and conduct for all of us to follow.

I hope that we will be able to measure up as well as he has.

The news from Hanoi today opens up at least a faint possibility that there will be an opportunity for all of us to go to the negotiating table. If we do, then I believe that President Johnson's historic act last Sunday will be even more memorable in world history.

I hope that we can take advantage of these new events.

Mr. MANSFIELD. Mr. President, I wish to join the distinguished Senator from Washington in the remarks he has just made and also to express the hope, as he has, that the magnificent and historic address made by President Johnson on Sunday night is now in the process of being answered by Ho Chi Minh, the President of the Democratic People's Republic of North Vietnam.

As of now, the press reports are not so accurate or so valid as either one of us would like to see them, but at least they hold out a glimmer of hope that perhaps there will be a light at the end of the tunnel.

I am quite certain that on the basis of what the President said on Sunday night, if the reports as to what President Ho Chi Minh is supposed to have said are true, it will be given immediate, prompt, and serious consideration.

If it does come to pass, it will be because of the historic address made by the President last Sunday—I repeat, a historic address—and also because of the sacrifice he made at that time in announcing that he would not be a candidate for renomination.

Mr. MAGNUSON. I thank the Senator from Montana.

AMENDMENT OF TARIFF SCHEDULES REGARDING CLASSIFICATION OF CHINESE GOOSEBERRIES

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 489, H.R. 2155.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. A bill (H.R. 2155) to amend the tariff schedules of the United States with respect to the classification of Chinese gooseberries.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Finance with amendments, on page 1, line 8, after "Sec. 2." to insert "(a)"; on page 2, after line 2, to insert:

> (b)(1) The rate of duty in rate column numbered 1 of the Tariff Schedules of the United States for item 149.48 (as added by the first section of this Act) shall be treated as not having the status of a statutory provision enacted by the Congress, but as having been proclaimed by the President as being required or appropriate to carry out foreign trade agreements to which the United States is a party.
>
> (2) For purposes of section 351(b) of the Trade Expansion Act of 1962, the rate of duty in rate column numbered 2 of the Tariff Schedules of the United States for item 149.48 (as added by the first section of this Act) shall be treated as the rate of duty existing on July 1, 1934.

After line 15, to insert a new section, as follows:

> Sec. 3. Section 551 of the Tariff Act of 1930, as amended (19 U.S.C. 1551), is amended by adding at the end thereof the following new sentence: "A private carrier, upon application, may, in the discretion of the Secretary, be designated under the preceding sentence as a carrier of bonded merchandise, subject to such regulations and, in the case of each applicant, to such special terms and conditions as the Secretary may prescribe to safeguard the revenues of the United States with respect to the transportation of bonded merchandise by such applicant."

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the amendments be considered en bloc.

The PRESIDING OFFICER. Without objection, the amendments are considered and agreed to en bloc.

The bill is open to further amendment. If there be no further amendments to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act to amend the Tariff Schedules of the United States with respect to the classification of Chinese gooseberries, and for other purposes."

Mr. BYRD of West Virginia subsequently said: Mr. President, I ask unanimous consent that the action of the Senate in passing Calendar No. 489, H.R. 2155, be rescinded.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

JOSIAH K. LILLY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1027, S. 2409.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. A bill (S. 2409) for the relief of the estate of Josiah K. Lilly.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on the Judiciary with an amendment, in line 3, after the word "delivery" insert "within thirty days following the enactment of this Act"; so as to make the bill read:

S. 2409

> *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That upon delivery within thirty days following the enactment of this Act to the Smithsonian Institution by the Merchants National Bank and Trust Company of Indianapolis, as executor of the estate of Josiah K. Lilly, to the title to, ownership, and possession of the collection of gold coins left by the said Josiah K. Lilly and comprising approximately six thousand one hundred and twenty-five items, the said estate shall be entitled to a credit against its obligation for Federal estate tax, effective as of the date upon which the return was due to be filed, in the amount of $5,534,808.00.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1063), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

That upon delivery within 30 days following the date of enactment of this act to the Smithsonian Institution by the Merchants National Bank & Trust Co. of Indianapolis, as executor of the estate of Josiah K. Lilly, of the title to, ownership, and possession of the collection of gold coins left by the said Josiah K. Lilly and comprising approximately 6,125 items, the said estate shall be entitled to a credit against its obligation for Federal estate tax, effective as of the date upon which the return was due to be filed, in the amount of $5,534,808.

STATEMENT

Josiah K. Lilly died in May 1966 leaving a substantial estate. Included in his estate is a large and valuable collection of approximately 6,125 gold coins. These coins were described in the report of the Treasury Department to Senator Eastland, the chairman of the committee, in a letter dated September 29, 1967.

After Mr. Lilly's death his executor faced the question of how to dispose of the coin collection, which the executor considered to be worth several million dollars. Under the terms of the decedent's will, the executor does not have the power to donate the collection as a charitable contribution. The conclusion was reached that the only feasible method of disposition would be to sell the collection at public auction through a series of sessions spread over several years so as not to unduly depress the market at any time. In the interim, officials of the Smithsonian Institution expressed a keen interest in acquiring the collection as a whole.

The Smithsonian Institution and the estate have discussed various possible alternatives for the Smithsonian to acquire the collection and for the estate to receive fair market value for it. It was decided by the estate and the Smithsonian that private legislation should be sought to permit the Smithsonian to acquire the collection through a reduction of the estate's Federal estate tax liability in the amount of the fair market value of the collection.

The estate then secured the services of two expert appraisers and supplied them with instructions as to the valuation principles to be applied in arriving at a fair market value for the collection as a whole. The collection was eventually appraised at $5,534,808. This is the amount of the estate tax credit which is provided in S. 2409.

Althought the Internal Revenue Service has not attempted to verify the accuracy of the amount eventually arrived at by the appraisers, the Service has determined that the appraisers were qualified and that the valuation instructions given to the appraisers by the estate were in accordance with the principles prescribed by the Internal Revenue Service for determinations of fair market market value for estate tax purposes generally. The Smithsonian Institution is satisfied that the fair market value of the collection is $5,534,808.

The Department of the Treasury states in its report that enactment of the bill would result in a revenue loss of the amount involved in the bill, plus interest on that amount from the due date of the estate tax return to the date of delivery of the collection to the Smithsonian. In view of the fact that the revenue loss approximately equals the fair market value, as determined by the estate's expert appraisers and as agreed to by the Smithsonian, of the property which the U.S. Government will obtain through the acquisition of the coin collection by the Smithsonian Institution, the advisability of the bill depends upon the desirability of that acquisition. The Treasury Department has been informed by the Smithsonian Institution that the acquisition will be beneficial to the Government.

It is worthy to note that the curator of numismatics of the Smithsonian has stated that the acquisition of the Lilly coins would make the Smithsonian's collection second to none in the world. Professional numismatists are of the opinion that the Lilly collection could never be reassembled and that its dissolution would be most unfortunate.

In its report, the Treasury Department stated that a 30-day delivery date would seem essential in order to avoid the possibility of the estate's being able to retain the collection for a prolonged period and deliver it at some indefinite future date and still claim the credit.

The committee, after study of the facts in this matter, believes that the acquisition of this coin collection is one that should be accomplished. If this coin collection, as set forth, is second to none in the world, this acquisition by the Smithsonian Institution for display to the public is most desirable. Since the value of the coin collection is given as a tax credit to the estate of Mr. Lilly, the Government is in effect receiving the value of the coin collection in return for the tax credit, which means in dollars and cents that there is a loss in revenue, but at the same time, an acquisition by the United States in approximately the same amount. The committee, therefore, strongly recommends that the bill S. 2409 be considered favorably.

EXTENSION OF PUBLIC LAW 480

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1048, S. 2986.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 2986) to extend Public Law 480, 83d Congress, for 3 years, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Agriculture and Forestry with amendments, on page 1, line 6, after "December 31," strike out "1970" and insert "1971"; and on page 2, line 11, after the word "finance" insert "with not less than 2 per centum of the total sales proceeds received each year in each country"; so as to make the bill read:

S. 2986

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 409 of the Agricultural Trade Development and Assistance Act of 1954, as amended, is amended by striking out "December 31, 1968" and inserting in lieu thereof "December 31, 1971."

SEC. 2. (a) Section 104(h) of such Act is amended by inserting before the semicolon at the end thereof the following: ". Not less than 5 per centum of the total sales proceeds received each year shall, if requested by the foreign country, be used for voluntary programs to control population growth".

(b) Section 109(a) of such Act is amended by striking out the word "and" at the end of clauses (7) and (8), changing the period at the end of such subsection to a semicolon, and adding the following:

"(10) carrying out voluntary programs to control population growth."

SEC. 3. Section 104(b)(2) of such Act is amended to read as follows:

"(2) finance with not less than 2 per centum of the total sales proceeds received each year in each country activities to assist international education and cultural exchange and to provide for the strengthening of the resources of American schools, colleges, universities, and other public and nonprofit private educational agencies for international studies and research under the programs authorized by title VI of the National Defense Education Act, the Mutual Educational and Cultural Exchange Act of 1961, the International Education Act of 1966, the Higher Education Act of 1965, the Elementary and Secondary Education Act of 1965, the National Foundation on the Arts and the Humanities Act of 1965, and the Public Broadcasting Act of 1967;"

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the amendments be considered en bloc.

The PRESIDING OFFICER. Without objection, the amendments are considered and agreed to en bloc.

Mr. ELLENDER. Mr. President, this bill, with the committee amendments, would extend Public Law 480, 83d Congress, for 3 years, with added emphasis on family planning and educational exchange.

Public Law 480 was enacted July 10, 1954. Its purpose at that time was to dispose of surplus agricultural commodities and provide aid to foreign countries that needed our help. It was enacted on an experimental basis for 3 years. It has been extended from time to time, and in 1966 was substantially revised, the disposal of surplus agricultural commodities no longer being specified as a purpose.

The program has worked well and the committee received no objections to enactment of the pending bill. Hearings were held on March 13, 14, and 15, and the bill was reported by unanimous vote of the committee.

From July 10, 1954, when Public Law 480 was approved through December 31, 1967, agreements have been signed for the sale of commodities with a market value of $12.4 billion—$18 billion Commodity Credit Corporation cost. Sales proceeds are used for economic and other aid, loans, and other purposes. Dollar receipts by the United States totaled just under $1.7 billion through June 30, 1967.

Donations under title II through December 31, 1967, have totaled $5.7 billion, consisting of $3.1 billion through voluntary relief agencies and $2.6 billion on a government-to-government basis or through the world food program.

The United States has been very generous under this program; too generous. A greater effort should be made to get other nations to provide their fair share of aid to needy countries.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report

(No. 1066), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

COMMITTEE CONSIDERATION

The committee held hearings on March 13, 14, and 15 on all of the bills before it on this matter—S. 2891, S. 2986, and S. 3069; and heard all witnesses who desired to be heard. S. 2891 and S. 3069 were simple 3-year extensions of Public Law 480. S. 2986, as introduced, provided for a 2-year extension of Public Law 480 and contained provisions emphasizing the need for population control and mutual educational and cultural exchange activities. The hearings showed that the program has been successful and there was little sentiment for any substantial change in it. Suggested changes were minor and were fully considered by the committee.

In addition to matters raised at the hearings, the committee gave some consideration to the question of port charges on title II shipments. It was advised that in the case of food donated under title II of Public Law 480 for distribution to needy people abroad, through American voluntary agencies and directly to governments for emergency relief and child feeding programs, the United States pays the ocean shipping costs. The United States has been paying normal shipping billings in which certain port charges have been hidden in the billing. In some cases the recipient governments were obligated to pay these port charges but it has not been possible to identify these charges and they have not been paying them. The Agency for International Development now proposes to negotiate with the 16 major recipient countries a flat 10-percent payment of the total shipping charges which represents the average part of the ocean freight billing attributable to port charges. The committee felt that this proposal should be pursued assiduously.

Another matter brought to the committee's attention other than through the hearings was a suggestion by Senator Williams of Delaware for the inclusion of a provision somewhat similar to section 9 of S. 2902. This would provide for the sale of surplus foreign currencies to U.S. tourists at a discount. It would be available only if the tourist confined his travel to countries where the United States had surplus foreign currencies, plus the travel necessary to reach such countries. The purpose of this provision would be to alleviate the balance-of-payments problem without restricting our citizens' traditional right to travel freely. The committee felt that the administrators of the program should make every effort to achieve this objective. They have the authority now to do so, and no further authority is needed. The committee considered a mandatory direction to the administrators on this point, but realizing the difficulties involved in obtaining the host country's approval, possible effects on the host country's currency, and other problems involved in it, the committee decided not to make it a mandatory requirement. While not mandatory, it should be an objective of the program administrators.

GENERAL BACKGROUND

Public Law 480, 83d Congress, was enacted in 1954 as the Agricultural Trade Development and Assistance Act of 1954. Its purpose was to use agricultural commodities which were surplus to our needs to provide aid to friendly countries, promote trade, and advance our foreign policy interests. It has been amended and extended many times through the years. In 1966 it was substantially revised by the Food-for-Peace Act of 1966. At that time our stocks of agricultural commodities were greatly reduced, and it was recognized that the program was no longer being used as a means of disposing usefully of surplus commodities but was still needed as a means of helping other countries.

Public Law 480 consists of four titles.

Title I provides for the sale of agricultural commodities for foreign currencies or on credit for dollars. Foreign currencies derived from such sales are used for economic and other aid to the host country, U.S. costs in the host country, and other purposes agreed upon by the two countries. Where sales are for dollars on long-term credit, the purchaser is able to sell the commodities and use the money received for economic development within the country pending payment to the United States.

Title II provides for donations of agricultural commodities to meet urgent relief requirements, combat malnutrition, or promote economic development.

Title III provides for barter.

Title IV contains definitions and general provisions.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended, so as to read: "A bill to extend Public Law 480, 83d Congress, for 3 years, and for other purposes."

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, there is a nomination at the desk which was reported unanimously by the Committee on the Judiciary earlier today and which has been cleared on both sides. I ask unanimous consent that the Senate go into executive session to consider the nomination.

The PRESIDING OFFICER. Without objection, it is so ordered.

U.S. DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF MISSISSIPPI

The bill clerk read the nomination of William C. Keady, of Mississippi, to be U.S. district judge for the northern district of Mississippi.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. MANSFIELD. I ask that the President be immediately notified of the confirmation of this nomination.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE MESSAGE REFERRED

The PRESIDING OFFICER laid before the Senate a message from the President of the United States submitting the nomination of Bernard Norwood, of New Jersey, to be a member of the U.S. Tariff Commission, which was referred to the Committee on Finance.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate resume the consideration of legislative business.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRESIDENT JOHNSON ASKS NATION TO JOIN TOGETHER IN UNITED PURPOSE BEFORE NAB IN CHICAGO

Mr. SMATHERS. Mr. President, President Johnson asked the National Association of Broadcasters in Chicago to help him promote unity in America during a time of challenge.

America faces deep divisions over problems at home and over the war in Vietnam. We are daily told of the cleavage between rich and poor, black and white, hawk and dove.

But the problems we face as a nation are too complex, the challenges too great, the issues too important, for America to face them with a house divided.

President Johnson reminded the National Association of Broadcasters that they must use their enormous power to help this Nation face the challenges of the decade united. As the President told them:

> Where there is great power, there must also be a great responsibility. This is true for broadcasters just as it is true for Presidents.
>
> The mass media—which have the potential to tie our Nation together—must show the works of progress as well as the problems, stress our basic unity of purpose as well as the partisan divisions, explain our accomplishments as well as our challenges.

President Johnson has made the supreme sacrifice to end divisiveness at home by taking the office of President out of the political arena.

The broadcasting industry and the people of America must make an equally great effort to heal the wounds in our body politic.

On our efforts—and our success—rests the future well-being of our country.

I ask unanimous consent that the President's speech to the National Association of Broadcasters in Chicago be printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Remarks of the President Before the National Association of Broadcasters, Chicago, Ill., April 1, 1968

Mayor Daley, Mr. Wasilewski, ladies and gentlemen:

Some of you might have thought from what I said last night that I had been taking elocution lessons from Lowell Thomas. One of my aides said this morning: "Things are really getting confused around Washington, Mr. President."

I said, "How is that?"

He said, "It looks to me like you are going to the wrong convention in Chicago."

I said, "Well, what you all forgot was that it is April Fool."

Once again we are entering the period of national festivity which Henry Adams called "the dance of democracy." At its best, that can be a time of debate and enlightenment. At its worst, it can be a period of frenzy. But always it is a time when emotion threatens to substitute for reason. Yet the basic hope of a democracy is that somehow—amid all the frenzy and all the emotion—in the end, reason will prevail. Reason just must prevail . . . if democracy itself is to survive.

As I said last evening, there are very deep and emotional divisions in this land that we love today—domestic divisions, divisions over the war in Vietnam. With all of my heart, I just wish this were not so. My entire career in public life—some 37 years of it—has been devoted to the art of finding an area of agreement because generally speaking, I have observed that there are so many more things to unite us Americans than there are to divide us.

But somehow or other, we have a facility sometimes of emphasizing the divisions and the things that divide us instead of discussing the things that unite us. Sometimes I have been called a seeker of "concensus", more often that has been criticism of my actions instead of praise of them. But I have never denied it. Because to heal and to build support, to hold people together, is something I think is worthy and I believe it is a noble task. It is certainly a challenge for all history in this land and this world where there is restlessness and uncertainty and danger. In my region of the country where I have spent my life, where brother was once divided against brother, my heritage has burned this lesson and it has burned it deep in my memory.

Yet along the way I learned somewhere that no leader can pursue public tranquility as his first and only goal. For a President to buy public popularity at the sacrifice of his better judgment is too dear a price to pay. This nation cannot afford such a price, and this nation cannot long afford such a leader.

So, the things that divide our country this morning will be discussed throughout the land. I am certain that the very great majority of informed Americans will act, as they have always acted, to do what is best for their country and what serves the national interest.

But the real problem of informing the people is still with us. I think I can speak with some authority about the problem of communication. I understand, far better than some of my severe and perhaps intolerant critics would admit, my own shortcomings as a communicator.

How does a public leader find just the right word or the right way to say no more or no less than he means to say—bearing in mind that anything he says may topple governments and may involve the lives of innocent men?

How does that leader speak the right phrase, in the right way, under the right conditions, to suit the accuracies and contingencies of the moment when he is discussing questions of policy, so that he does not stir a thousand misinterpretations and leave the wrong connotation or impression?

How does he reach the immediate audience and how does he communicate with the millions of others who are out there listening from afar?

The President, who must call his people to meet their responsibilities as citizens in a hard and enduring war, often ponders these questions and searches for the right course.

You men and women—who are masters of the broadcast media—surely must know what I am talking about. It was a long time ago when a President once said: "The printing press is the most powerful weapon with which man has ever armed himself." In our age, the electronic media has added immeasurably to man's power. You have within your hands the means to make our nation as intimate and informed as a New England town meeting.

Yet the use of broadcasting has not cleared away all of the problems that we still have of communications. In some ways, I think, sometimes it has complicated them. Because it tends to put the leader in a time capsule: It requires him often to abbreviate what he has to say. Too often it may catch a random phrase from his rather lengthy discourse and project it as the whole story.

Mayor Daley, I wonder how many men in public life have watched themselves on a TV newscast and then been tempted to exclaim: "Can that really be me?"

There is no denying it: you of the broadcast industry have enormous power in your hands. You have the power to clarify and you have the power to confuse. Men in public life cannot remotely rival your opportunity—day after day, night after night, hour after hour and the half hour, sometimes—you shape the nation's dialogue.

The words that you choose, hopefully, always accurate and hopefully always choice, are the words that are carried out for all of the people to hear.

The commentary that you provide can give the real meaning to the issues of the day or it can distort them beyond all meaning. By your standards of what is news, you can cultivate wisdom—or you can nurture misguided passion.

Your commentary carries an added element of uncertainty. Unlike the printed media, television writes on the wind. There is no accumulated record which the historian can examine later with a 20–20 vision of hindsight, asking these questions: "How fair was he tonight? How impartial was he today? How honest was he all along?"

Well, I hope the National Association of Broadcasters, with whom I have had a pleasant association for many years, will point the way to all of us in developing this kind of a report because history is going to be asking very hard questions about our times and the period through which we are passing.

I think that we all owe it to history to complete the record.

But I did not come here this morning to sermonize. In matters of fairness and judgment, no law or no set of regulations and no words of mine can improve you or dictate your daily responsibility.

All I mean to do, and what I am trying to do, is to remind you where there is great power, there must also be a great responsibility. This is true for broadcasters just as it is true for Presidents—and seekers for the Presidency.

What we say and what we do now will shape the kind of a world that we pass along to our children and our grandchildren. I keep this thought constantly in my mind during the long days and somewhat longer nights when crisis comes at home and abroad.

I took a little of your prime time last night. I would not have done that except for a very prime purpose.

I reported on the prospects for peace in Vietnam. I announced that the United States is taking a very important unilateral act of de-escalation—which could—and I fervently pray will—lead to mutual moves to reduce the level of violence and de-escalate the war.

As I said in my office last evening, waiting to speak, I thought of the many times each week when television brings the war into the American home.

No one can say exactly what effect those vivid scenes have on American opinion. Historians must only guess at the effect that television would have had during earlier conflicts on the future of this nation—

During the Korean War, for example, at that time when our forces were pushed back there to Pusan;

Or World War II, the Battle of the Bulge, or when our men were slugging it out in Europe or when most of our Air Force was shot down that day in June of 1942 off Australia.

But last night television was being used to carry a different message. It was a message of peace. It occurred to me that the medium may be somewhat better suited to conveying the actions of conflict than to dramatizing the words that the leaders use in trying and hoping to end the conflict.

Certainly, it is more "dramatic" to show policemen and rioters locked in combat—than to show men trying to cooperate with one another.

The face of hatred and of bigotry comes through much more clearly—no matter what its color. The face of tolerance, I seem to find, is rarely "newsworthy."

Progress—whether it is a man being trained for a job or millions being trained or whether it is a child in Head Start learning to read or an older person of 72 in adult education or being cared for in Medicare—rarely makes the news, although more than 20 million of them are affected by it.

Perhaps this is because tolerance and progress are not dynamic events—such as riots and conflicts are events.

Peace, in the news sense, is a "condition". War is an "event".

Part of your responsibility is simply to understand the consequences of that fact—the consequences of your own acts and part of that responsibility, I think, is to try—as very best we all can—to draw the attention of our people to the real business of society in our system; finding and securing peace in the world—at home and abroad. For all that you have done and that you are doing and that you will do to this end, I thank you and I commend you.

I pray that the message of peace that I tried so hard to convey last night will be accepted in good faith by the leaders of North Vietnam.

I pray that one time soon, the evening news show will have—not another battle in the scarred hills of Vietnam—but will show men entering a room to talk about peace.

That is the event that I think the American people are urging and longing to see.

President Thieu of Vietnam and his government are now engaged in very urgent political and economic tasks which I referred to last night—and which we regard as very constructive and hopeful. We hope the Government of South Vietnam makes great progress in the days ahead.

But some time in the weeks ahead—immediately, I hope—President Thieu will be in a position to accept my invitation to visit the Unted States so he can come here and see our people too, and together we can strengthen and improve our plans to advance the days of peace.

I pray that you and that every American will take to heart my plea that we guard against divisiveness. We have won too much, we have come too far, and we have opened too many doors of opportunity, for these things now to be lost in a divided country where brother is separated from brother. For the time that is allotted me, I shall do everything in one man's power to hasten the day when the world is at peace and Americans of all races—and all creeds—of all convictions—can live together—without fear or without suspicion or without distrust—in unity, and in common purpose.

United we are strong; divided we are in great danger.

Speaking as I did to the nation last night, I was moved by the very deep convictions that I entertain by the nature of the office that is my present privilege to hold. The office of the Presidency is the only office in this land of all the people. Whatever may be the personal wishes or preferences of any man who holds it, a President of all the people can afford no thought of self.

At no time and in no way and for no reason can a President allow the integrity of or the responsibility or the freedom of the office ever to be compromised or diluted or destroyed because when you destroy it, you destroy yourselves.

I hope and I pray that by not allowing the Presidency to be involved in divisive and deep partisanship, I shall be able to pass on to my successor a stronger office—strong enough to guard and defend all the people against all the strain that the future may bring us.

You men and women who have come here to this great progressive city of Chicago, lead by this dynamic and great public servant, Dick Daley, you yourselves are charged with a peculiar responsibility. You are yourselves trustees, legally accepted trustees and legally selected trustees of a great institution on which the freedom of our land utterly depends.

The security, the success of our country, what happens to us tomorrow—rests squarely upon the media which disseminates the truth on which the decisions of democracy are made.

An informed mind—and we get a great deal of our information from you—is the guardian genius of democracy.

So, you are the keepers of a trust. You must be just. You must guard and you must defend your media against the spirit of faction, against the works of divisiveness and bigotry, against the corrupting evils of partisanship in any guise.

For America's press, as for the American Presidency, the integrity and responsibility and the freedom, the freedom to know the truth and let the truth make us free, must never be compromised or diluted.

The defense of our media is your responsibility. Government cannot and must not and never will—as long as I have anything to do about it—intervene in that role.

But I do want to leave this thought with you as I leave you this morning: I hope that you will give this trust your closest care, acting as I know you can, to guard not only against the obvious, but to watch for the hidden.

It is sometimes unintentional. We often base instructions upon the integrity of the information upon which Americans decide. Men and women of the airways fully—as much as men and women of public service—have a public trust and if liberty is to survive and to succeed, that solemn trust must be faithfully kept. I don't want—and I don't think you want—to wake up some morning and find America changed because we slept when we should have been awake, because we remained silent when we should have spoken out, because we went along with what was popular and fashionable, and "in" rather than what was necessary or was right.

Being faithful to our trust ought to be the prime test of any public trustee in office or on the airways.

In any society, all of the students of history know that a time of division is a time of danger. In these times now we must never forget that eternal vigilance is the price of liberty.

Thank you for wanting me to come.

RECLAMATION REPAYMENT

Mr. JACKSON. Mr. President, the Bureau of Reclamation has recently completed a summary of the repayment which has been made to the United States by the beneficiaries of the Bureau's water resource projects. The summary shows that by the end of fiscal year 1967, nearly a billion dollars had been repaid out of a total Federal investment of $5.5 billion since the program began in the early years of this century.

Because many of the largest reclamation projects are still under construction or have only recently been completed, the rate of repayment will increase rapidly in the years to come. Ultimately, out of the total program of $9 billion authorized to date, almost $8 billion will be repaid to the Treasury by the beneficiaries. These figures, of course, represent only a fraction of the wealth produced by the program.

Reclamation's 114 projects or units in the 17 Western States now irrigate 8 million acres of farmlands producing more than 150 different crops. The gross value of crops produced on these lands has topped a billion dollars a year for the past 8 years. Since the reclamation program began in 1903, approximately $25 billion worth of crops have been grown on lands irrigated by reclamation projects.

When a million dollars is spent building a reclamation project, some 65 man-years of employment are created at the construction site, and at least another 65 man-years of employment throughout the country where the material and equipment are manufactured. For each dollar spent at construction sites, another dollar goes to purchase those materials.

More than 3,000 water service and repayment contracts are in force totaling about $2.5 billion. Hydroelectric revenues from reclamation projects exceeded $112 million last year alone.

Mr. President, I ask unanimous consent that the information release of the Department of the Interior outlining the repayment summary be printed at this point in the RECORD.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

RECLAMATION REPAYMENTS NEAR $1 BILLION MARK

The Department of the Interior reported today that total repayments from Bureau of Reclamation water resource developments had reached nearly one billion dollars by the end of fiscal year 1967. The Department said the repayments came from beneficiaries of Reclamation projects representing expenditures of about $5.5 billion in plant, property, equipment, and corollary costs.

Commissioner of Reclamation Floyd E. Dominy expressed his satisfatcion at the growing rate of returns from Reclamation developments throughout the 17 Western States. "We are rapidly approaching the point where we will have received a dollar back for every five dollars spent on construction," Commissioner Dominy said. "And of course, that's just a beginning. Many of our biggest and most expensive projects are still under construction or in the early development stages, and have returned little or nothing as yet to the Federal treasury. In spite of this, the overall picture shows a steadily rising rate of return from the investment in all Reclamation projects. Eventually, from our total authorized construction program of $9 billion, just a shade under $8 billion will be returned to the Federal government by project beneficiaries."

Figures on actual construction costs of Reclamation projects over the last decade as compared to the amounts repaid by project beneficiaries are shown in the following table:

Fiscal year	Actual cost to date	Repaid	Percent of repayment
1957	$2,962,170,706	$355,514,171	12
1960	3,493,409,822	441,964,777	13
1964	4,725,303,711	671,832,593	14
1967	5,502,264,607	931,643,953	17

"These figures clearly show the rising rate of return on the Federal investment in the Reclamation program," Commissioner Dominy said. "Over the years the returns will continue to rise until 89 percent of our authorized construction costs have been returned to the Federal treasury."

"I want to point out that these figures reflect only direct cash returns," Commissioner Dominy said. "They represent only a small fraction of the actual value of the Reclamation program. When you consider such factors as the value of crops grown on lands irrigated by Reclamation projects, the phenomenal municipal and industrial growth made possible by Reclamation water supplies, and tax returns from Reclamation areas—when you consider all those indirect returns it is obvious that Bureau of Reclamation water resource developments create wealth many times over the Federal investment in the program."

COOPERATIVES FORGE PROUD RECORD IN WISCONSIN

Mr. PROXMIRE. Mr. President, dairying and cooperatives both are immensely important to Wisconsin and its agricultural industry. A recent report from the Farmer Cooperative Service, U.S. Department of Agriculture, spotlights again in the importance of both to my State.

This release shows Wisconsin to be No. 1 among dairy cooperatives in all States with its $507 million annual business.

The same set of statistics shows Wisconsin ranks second in another category, number of cooperatives, with 1,541 headquartered in the State. In addition, other regional cooperatives also have local members in Wisconsin.

The volume of business for dairy cooperatives for the latest annual report for 1965–66 was up 37 percent over a decade earlier. The total for all cooperatives in the State was over $808 million, up 50 percent over 10 years earlier.

Cooperatives have been closely interwoven with farming for nearly a half century in the State, although some trial and error attempts at cooperatives go back more than a century.

Farmers in Illinois and Wisconsin organized buying clubs to purchase production supplies as long ago as the 1850's. And in 1857 Wisconsin farmers formed the Dane County Farmers' Protective Union and built a grain elevator in Madison. This is one of the earliest formally organized co-ops on record in this country.

Coming down to recent times, Wisconsin has more than pioneering in which to take pride. Its cheese is world famous. And here again cooperatives can take their share of acclaim for turning out quality products known far and wide. As one example, Lake to Lake Dairy Cooperative, Manitowoc, Wis., in the early 1960's received the first authorization from the U.S. Department of Agriculture to label consumer packages of cheddar cheese with the U.S. grade AA shield.

Another Wisconsin dairy cooperative, Turtle Lake Cooperative Creamery Association, also received the very first authorization from the Department of Agriculture to label its dried skim milk as strictly grade A quality.

Just recently three Wisconsin cooperatives showed they were in tune with the computer age by joining together to own and operate a large computer in their new Cooperative Service Center at Baraboo. The three co-ops are Equity Cooperative Livestock Sales Association, Tri-State Breeders Cooperative; and Wisconsin Dairies Cooperative.

R. G. Hvam, general manager of Equity and president of the nine-man board representing all three co-ops in the service center, reports on this combined operation in an article in Farmer Cooperative Service's monthly magazine, News for Farmer Cooperatives. He says the center helps these organizations implement and improve many organizational and managerial services that each formerly had to maintain separately—and with better service at lower cost to members.

The center keeps books and maintains records for each of the three members. The computer will process about $60 million worth of their business annually. The livestock auctions and main office of Equity use the computer to maintain sales records, monthly operating reports, and other records. Tri-State uses it to keep sire records and technician's efficiency ratings, among other services. And Wisconsin Dairies gets its inventories, producer milk delivery records, cost analyses, and other needed operating information processed there.

The three cooperatives also work together in the center with joint storage, group orders for many items, and are planning joint mailing and duplicating a little later. They are also jointly housed in the Center.

The annual statistics of the Farmer Cooperative Service for the State show total cooperative marketing business of $647,497,000 and total purchasing cooperative business of $152,611,000, done with cooperatives headquartered in Wisconsin. Fruit and vegetable products amounted to $25,680,000; poultry products amounted to $22,397,000; and grain, $5,387,000. Feed business amounted to $45,808,000; seed, $4,626,000, and building materials, $3,716,000.

The report also shows Wisconsin with cooperative memberships of 389,170. Since members often belong to more than one cooperative, this figure represents some duplication.

But it again shows the high proportion of the State's farmers who are using the self-help principle so deeply imbedded in cooperatives to improve their incomes and their farming operations.

I would be remiss if I did not acknowledge the fine work of the Wisconsin State Department of Agriculture and the University of Wisconsin in their long and effective support of farmer cooperatives in the State. Their teamwork with farmers in building their own business enterprises is a fine accomplishment and is to be commended.

EDITORIAL OPINION OF SPEECH BY PRESIDENT JOHNSON

Mr. McGEE. Mr. President, it seems to me to be inconceivable that anyone could take issue with President Johnson's gesture for peace in Vietnam. But, sadly, it seems they have, though indications are at hand today that the critics may have spoken too soon.

We have already heard some criticism that the President did not go far enough in his announced bombing halt. I am led to believe that these critics would want the President to utterly disregard the welfare and safety of American troops now in the demilitarized zone.

The President made it clear Sunday evening that this bombing halt would include more than 90 percent of North Vietnam, with the exception of those areas known to be used by the North Vietnamese to resupply their forces around Khe Sanh and other strategic areas in the DMZ.

This is a responsible posture. Certainly, no one should expect the United States to greatly endanger the lives of their own forces in order to prove our sincerity. I think we have amply proved sincerity in this matter.

The record will show that it was the United States that unilaterally deescalated without word from Hanoi that such a move would be matched by the North Vietnamese. We have taken the initiative toward peace in a most dramatic and meaningful way. And today, of course, we have seen a response. I am not in a position now to assess its total significance, but it is a response—the most concrete response from Hanoi to date of an affirmative nature.

I completely reject the views of those who now say that President Johnson did not go far enough. For it seems to me he did far more Sunday evening than any world leader has ever done to prove his desire for peace. I note, Mr. President, that the American press agrees. I ask unanimous consent to have printed in the RECORD a sampling of editorial opinion concerning the President's address Sunday night.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Philadelphia Inquirer, Apr. 2, 1968]

A WIDE-RANGING BID FOR PEACE

President Johnson's new moves for peace in Vietnam, announced in his television address Sunday night, constitute the most comprehensive effort he has yet made to end the war on honorable terms.

It is a many-sided peace package, encompassing some proposals made previously, and combining them with fresh initiative to de-escalate the fighting and bring the Communists to a conference table.

A dramatic step in this direction was taken by the President, unilaterally, in his order for an immediate cessation of bombing missions to all parts of North Vietnam except areas adjacent to the Demilitarized Zone—where enemy activity is a direct threat to American and Allied forces across the border in South Vietnam.

Additionally, Mr. Johnson issued public appeals to Great Britain and the Soviet Union—in their capacities as co-chairmen of the Geneva conferences of 1954 and 1962 dealing with Southeast Asian problems—to make renewed peace efforts. He designated two of America's most distinguished diplomats, Averell Harriman and Llewellyn Thompson, to serve as his personal representatives to make arrangements for peace talks at Geneva or anywhere else that the Red regime in Hanoi considers a suitable location.

In planning to call up some reserve units, and to send approximately 13,500 additional American troops to Vietnam, while the South Vietnamese Government intensifies its own recruiting and mobilizing of military manpower, President Johnson has emphasized that he intends to negotiate peace terms from a position of strength, not weakness.

[From the New York Times, Apr. 3, 1968]

GESTURE FOR PEACE

President Johnson's suspension of virtually all bombing of North Vietnam, taken in conjunction with his announcement that he will not seek re-election, is a peace overture that Hanoi and its allies can refuse to recognize only at tragic cost to themselves and to the world.

Abandoning policies to which he has been personally and deeply committed, the President has now turned away from the futile doctrine of military escalation for victory in Vietnam and turned toward a search for a political solution in which "all the South Vietnamese"—a stipulation he emphatically repeated—will play a part, in accordance with the Geneva Accords. He has reaffirmed his Manila pledge to withdraw American forces from Vietnam as the violence subsides and repeated his Johns Hopkins promise to support a Mekong Valley development program in which the North Vietnamese could participate.

Above all, Mr. Johnson has taken the crucial first step of halting the bombing of North Vietnam as Hanoi has demanded and as many others have long urged. The importance of this gesture is not significantly diminished by the fact that bombing continues in the area just north of the demilitarized zone. It is unreasonable to expect any commander in chief to abandon vital tactical support so long as allied troops in northern outposts are subject to dangerous pressures from across the DMZ. The President indicated that when this pressure subsides, the bombing will subside also.

Hanoi and Moscow must realize that President Johnson has gone as far in this initial move toward peace as any American leader can be expected to go, now or later. Indeed, by removing himself from the political struggle, Mr. Johnson has acquired a creditability and a flexibility in negotiating that is greater than may be expected from the man who succeeds him next January, no matter who that man may be. If the President's peace initiative is rebuffed, the chances for the election of a candidate oriented toward peace next November will be diminished. The possibilities for a negotiated settlement, in short, will never be better than they are now.

[From the Baltimore Sun, Apr. 2, 1968]

VIETNAM POLICY

The high statesmanship of the President's revised policy on Vietnam has unquestionably given this country a fresh confidence in the judgment of the White House, and the feeling is reflected in reactions throughout the free world. Mr. Johnson, who had seemed to be caught in an inflexible, sterile pattern of military-diplomatic strategy that in fact became steadily more military and less diplomatic, now reveals that the reevaluation of which we have heard so much has been a genuine rethinking of the whole Vietnamese question. For all who hope for an end to war, and an honorable peace, the revelation is most welcome.

How does Hanoi see it? How does Peking? How does Moscow? Those are now the questions we need answers to. From Hanoi none seems likely at once (unless there has been some signal from Hanoi that the public is unaware of), since that is the kind of thing that needs thinking about. Nor is Peking apt to rush into any response. Moscow? Mr. Johnson appealed to Moscow directly, and named as one of his representatives in any discussions—along with Averell Harriman—our Ambassador to Russia. London also has appealed to Moscow. The leaders of the Soviet Union may have here an opportunity, if they will but seize it, to match the President's statesmanship with statesmanship of their own.

Meanwhile Mr. Johnson, on behalf of his country, has acted unilaterally to reduce the level of violence in the Vietnamese war. The bombing halt over most of North Vietnam differs from earlier pauses not only in its indefinite duration but in its context; in the changed atmosphere in which the decision was made. The troop reinforcement of little more than one tenth the numbers proposed by the military is a plain sign, for the American public and for the world, that the military is not in charge of the foreign policy of the United States.

As we await further developments, and watch their intricate workings-out, we can know at the very least that we have in the Presidency a man who, proud and ambitious though he is, places nation above self, and sees our affairs in a much soberer, clearer way than he has sometimes been given credit for.

[From the Philadelphia Bulletin, Apr. 1, 1968]

UNILATERALLY, AND AT ONCE

President Johnson's unilateral halt to the bombing of virtually all of North Vietnam very clearly represents a crucial test of the sincerity of Hanoi's often repeated desire for a negotiated peace.

It may, in fact, be a final test.

While Mr. Johnson characterized the halt in both air and sea attacks everywhere in North Vietnam except in the immediate area of the so-called demilitarized zone, it is more than a renewal of past offers. It is a major change in Administration policy, a massive yielding on the part of President Johnson.

There were no preconditions, no demand for a prior assurance from Hanoi that it would not take advantage of the halt to rush great numbers of men, great amounts of material to the south. Instead, Mr. Johnson said only that the United States would "assume" that the leaders of North Vietnam would not take military advantage of our "restraint."

Against the background of Mr. Johnson's dramatic announcement that he will not be a candidate for reelection, the halt in the bombing and naval activity against North Vietnam becomes a significant step by this country in the interest of world peace.

Mr. Johnson is well aware, of course, of the risk involved. This factor places, all the more, the responsibility for the next move directly upon the government of North Vietnam. If it is sincere in what it has told U Thant and the world, it will respond through a reciprocal deescalation and as Mr. Johnson asked, react favorably and positively to "reach across the battlefield toward an early peace."

There is, as Mr. Johnson took pains to point out, no assurance that Hanoi will respond favorably to this peace offer. The realities of the military situation in South Vietnam, the history of past offers, actually offer little hope in this regard.

Hanoi might well see the President's twin moves as an admission of the failure of United States policy, a surrender to antiwar sentiment at home. Hanoi, it must be remembered, feels that it agreed too quickly to the terms of the 1954 Geneva accord and that it erred in not making far more in the way of demands of France. And Ho Chi Minh's whole philosophy militates against any move toward negotiation from the position of strength he may feel is his.

Thus, Mr. Johnson was correct in letting Hanoi and the world know that the United States is not seeking an easy way out, not willing to accept a "fake solution." And he was correct, too, while listing the steps he had taken to receive any reciprocal action on the part of North Vietnam, to tell the government there that it must not miscalculate the pressures which sweep the United States in a presidential election year.

The people of the United States share Mr. Johnson's prayerful hope that the step he has taken will bring an end to the anguish that is Vietnam.

Last night was for Mr. Johnson a time of statesmanship, of nobility of purpose. On this issue of Vietnam the people can do no less than echo his determination to stand confident and vigilant in a quest for an honorable peace, but also ready to defend, whatever the burden, an honorable cause.

HOW STRONG IS THE FRANC?

Mr. SYMINGTON. Mr. President, in a recent article, Miss Sylvia Porter noted some interesting statistics about the French franc, including the fact that:

> Of 45 currencies surveyed by the First National City Bank of New York to show the comparative shrinkage in their value during the most recent 10-year span, the French franc comes out way down in 31st place. (The dollar is in fourth place.)

The poor record of the franc has resulted in extensive gold hoarding by the French people and the Government. Such gold holdings add fuel to General de Gaulle's efforts to topple the dollar in effort to raise the price of gold.

As the article concludes:

> None of this eases the challenge to our dollar. But it does . . . help put De Gaulle's franc where it belongs.

I ask unanimous consent that the article in question, "How Strong Is the Franc?" be inserted at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Evening Star, Mar. 28, 1968]

HOW STRONG IS THE FRANC?

(By Sylvia Porter)

The way French President Charles de Gaulle is continuing and actually stepping up his vicious attacks on the U.S. dollar in Stockholm today, you easily might conclude that he is leading from the strength of a powerful currency backed by a history of stable prices. He isn't, and below you'll find the facts to document this.

De Gaulle is obviously infuriated by the fact that the Free World's leading financial powers have reached agreement, without France, that in order to preserve the international monetary system, the dollar must be kept convertible into gold at the pledged price of $35 an ounce.

He is trying to start a new stampede into gold which will send the price of the metal soaring in the free markets and thereby reward the speculators and hoarders (notably the French Government and French peasants) who have dumped dollars and loaded up on gold.

Let's not delude ourselves for an instant that the dollar is out of danger. It will sink into even greater peril if the United States doesn't use the time bought by the nation's agreement to slash the deficits in our domestic budget and in our balance of payments.

But this brutal reality doesn't make the French franc superior. De Gaulle's arrogance does not give truth to his exaggerated claims for the franc. To be specific:

The French franc's record: France has the worst record of any major industrial nation over the last 10 years on controlling living costs and thereby limiting erosion in the buying power of her money. Of 45 currencies surveyed by the First National City Bank of New York to show the comparative shrinkage in their value during the most recent 10-year span, the French franc comes out way down in 31st place.

The annual rate of depreciation in the franc from 1956 to 1967 was 4.7 percent. No other major currency had a depreciation as severe as that of the French franc.

In contrast, the First National City Bank survey shows the dollar in fourth place with an anual rate of depreciation over the 10 years of 1.8 percent. The United States is behind only Guatemala, Venezuela and Honduras, scarcely financial-industrial powers in the same category as the United States.

Admittedly, our record is now deteriorating and that's basic to our problem. But the franc's record still remains dreadful.

The devaluation history: The 20th century record of the franc has been hideous. Since 1910, the currency has lost 99 percent of its value in terms of the U.S. dollar.

In 1910, the franc was worth 20 U.S. cents; in 1920, it was down to 9c; in 1930, to 4c; in 1940, to 2c; in 1950, to 3/10 of a U.S. cent; and by 1960, it had shriveled to 2/10c.

In 1960, France ordered 100 old francs to be turned in for one new franc, thereby erasing a couple of zeros and making the franc that was worth 2/10 of a cent worth 20c. That made the currency appear "harder" and France's record since 1960 has been without blemish but that doesn't alter the history.

Again in contrast, the U.S. dollar has been devalued only once in our 179-year history. That took place in 1934 when the United States raised the price of gold from $20.67 an ounce to $35, equivalent to a 41 percent devaluation. That was 34 years ago.

France's gold record: Because of the franc's awful history, the French people and the French government have been traditionally hoarders of gold. France never has used her gold as we have, and England has, to develop world trade, promote the prosperity of nations. Instead, De Gaulle has taken the dollars France has accumulated and turned them in for our gold; since 1958, he has built France's gold hoard from next to nothing to over $5¼ billion.

Of course, a reason France is trying to topple the dollar is the profit his government and the French people would make if the gold price soared. This goal ranks second only to De Gaulle's eagerness to see the downfall of the United States and the destruction of all who have trusted the U.S. dollar.

None of this eases the challenge to our dollar. But it does, I trust, help put De Gaulle's franc where it belongs.

THE MILWAUKEE JOURNAL ON SLUM LANDLORDS

Mr. PROXMIRE. Mr. President, I would like to take this opportunity to congratulate the Milwaukee Journal for one of the most perceptive and penetrating series of articles on slum landlords. The Journal assigned two crack reporters, Chris Lecos and Richard C. Vonier, to the task. They spent 6 months checking records on almost 36,000 pieces of slum property in Milwaukee. To quote from the article:

> The records showed not only present ownership, but the history of each property, including past owners, financing arrangements, sale dates and, many times, sale prices. This provided a comprehensive picture of how thousands of homes flowed through the hands of a myriad of real estate firms, investors and individual buyers.
>
> At the city health department, the reporters checked records of housing code violations and orders against rats, roaches and unsanitary garbage conditions in the core.
>
> Thousands of records and case histories of specific addresses, some dating back 10 years or more to provide a picture of frequency of code violations against many properties, were examined.
>
> A check of the county court's handling

of every housing violation case since 1963 followed.

Records at the secretary of state's office in Madison were used to obtain the identities of officers and board members of about 250 corporations that owned core property and lending agencies, partly to learn the connections between individuals.

All this was done just for this series of articles.

Although I plan to comment later on specific things they found, let me now just mention a few key findings.

They found that many of the slum properties were owned by a few individuals whose characteristics were described by one of the few as taking "knowledge, experience and a cast iron stomach." Another large slumowner described her many experiences in court on housing code violations by saying "When I go to court, I see all my cronies."

Obviously, many of the slumlords are transferring slum properties among themselves and, I would bet, are gaining great tax advantages by so doing. Secondly, the penalties meted out by the courts are not an effected deterrent. Even though the number of cases involving housing code violations which reach the courts are increasing and even though the penalties imposed by the courts are growing more severe, all too many properties still do not live up to the minimal standards prescribed by the Milwaukee housing code.

I think this clearly points to the need to pass my bill, S. 3234, which would disallow the depreciation deduction to landlords who have been convicted of violating the housing code. This would be a much greater inducement to landlords to maintain their properties than the penalties which can now be applied to them. This bill would also strike at those most capable of maintaining the property—the large professional landlord, the landlord who owns large numbers of slum properties as an investment. This is the individual who has the most to gain from the depreciation deduction and, under my bill, the most to lose unless he maintains his property.

JOHNSON STEPDOWN IS IN INTEREST OF NATIONAL UNITY AND PEACE

Mr. DODD. Mr. President, I know that all of us were deeply moved by President Johnson's announcement that he would not seek or accept the nomination of the Democratic Farty for a second term as President of the United States.

However much some of us may regret the President's decision, it was clearly prompted by patriotic motivation—a motivation unalloyed by any consideration of self.

The President has pursued a course in Vietnam which he is profoundly convinced is right. He has pursued this course in the face of mounting criticism at home and abroad, and in the face of frequently cruel and unjust abuse.

The abuse President Johnson could take. But what disturbed him most was the growing acerbity of the division within the Nation on the question of Vietnam. Nor could he derive much comfort from the fact that President Lincoln himself during the Civil War passed through a similar ordeal of abuse and lack of confidence and divisiveness.

Placing the unity of the Nation and the quest for peace above every other consideration, President Johnson has decided to make the supreme political sacrifice and step down at the close of his term.

I, for one, regret the President's decision. History will, I am certain, accord his administration very high marks. And I cannot help reflecting that the major source of the national disunity for which the President apparently now blames himself, is not so much the President as some of the more unrestrained critics of our Vietnam policy. In any case, the critics have now placed themselves in a position where they cannot escape responsibility for the future course of events.

Let us hope that the President's decision will help to bring about that greater unity of national purpose which eluded him.

Let us hope that his moving appeal to Ho Chi Minh will finally penetrate the hard crust of Communist obduracy and pave the way to a just settlement of the Vietnam conflict.

Let us hope for the best.

I think we need more information, however, before a clear assessment can be made of the significance of the statement put out by Hanoi this morning, in which it offered to discuss "the unconditional cessation of bombing and all other war acts against the North Vietnamese," but indicated no willingness to discuss the cessation of acts of war directed against the people of South Vietnam and the allied forces in South Vietnam.

Let us at least hope that Hanoi will move one step further and agree to make the discussions two-sided, because only such discussions can truly serve the cause of peace.

RETIREMENT OF MILTON RONSHEIM, EDITOR OF CADIZ, OHIO, REPUBLICAN

Mr. LAUSCHE. Mr. President, it is with regret that I have learned that my good friend, Mr. Milton Ronsheim, editor of the Cadiz Republican, a weekly newspaper published at Cadiz, Ohio, is about to retire from the active field of journalism. I further regret that my heavy schedule will not permit me to attend a testimonial dinner that will be held in his honor Wednesday evening, May 10, and that I, therefore, will be denied an opportunity to greet him personally and wish him well.

I became acquainted with Mr. Ronsheim in 1944, when I was visiting Harrison County in my campaign for Governor of Ohio. I found him to be an honest, courageous, and successful newspaper editor, highly respected by all. He confided in me his deep concern for the economic future of Harrison County because of the thousands of acres of rich farmland that were being ravaged by the strip mining of coal. He is a true conservationist, and I shall never forget the valuable assistance he gave me in my long fight to enact a law requiring strip miners to restore the ugly spoil banks left by their operations.

I say to you, Milt: I have long cherished your friendship. You have been an honest and fair newspaperman and a credit to your profession and your community. Best wishes for good health and happiness in your retirement.

AREAWIDE PLANNING

Mr. PEARSON. Mr. President, all local units of government are hard pressed to provide the financial support for needed public facilities. But the difficulty of providing public services of high quality as well as the total cost of those services is often considerably increased because of the fragmented nature of our local government structure—there are usually at least a dozen or more governmental units in a given metropolitan area and surrounding rural areas. Because of the separate, independent identity of each of these units there is oftentimes an unnecessary duplication of public facilities in a given area.

Experience has shown that many of these problems can be overcome by areawide comprehensive planning. Effective planning can result in better service to more people throughout the area and also reduce total costs because of the "economy of scale" principle.

When several localities join to provide needed public facilities—be it a library, a sewer system, or a hospital—they can do it more efficiently and at a lower cost. The resultant economies benefit each participating jurisdiction.

When economies are achieved, more scarce local money is released for the achievement of other community objectives.

The encouragement of comprehensive, areawide planning is not only economical; in the case of public facilities, it often results in better service—the difference between mediocrity and excellence in community life.

Local planning and local initiative is a prime goal if we are to achieve the kind of healthy, orderly growth that is the basis of national progress. The major responsibility for areawide planning rests with the local governments themselves. But particularly because the Federal Government provides considerable grant-in-aid assistance to individual local governments for the development of public facilities, it is proper that the Federal Government also take steps to encourage the local units to develop areawide planning programs.

PHILADELPHIA INQUIRER DECRIES AMERICAN ARMS CONTRACT WITH JORDAN

Mr. PROXMIRE. Mr. President, a recent editorial in the Philadelphia Inquirer raises serious and pertinent questions regarding this country's decision to provide military arms to Jordan. The editorial points out that we are on record in support of the U.N. cease-fire resolution calling for an end to the hostilities between Israel and her Arab neighbors, yet our decision to provide arms to Jordan may actually exacerbate tensions in the area. For these arms, if they are used at all, will be used against Israel.

In effect we are simply following in the footsteps of the Russians who are rearming Egypt for another Mideast confrontation. Far from contributing to peace in this volatile area we are fanning the flames of another conflagration by providing Jordan with hardware that can only be used to tear down what we together with many of our friends in the United Nations are attempting to build up.

I ask unanimous consent that the Inquirer editorial be included in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

U.S. ARMS FOR JORDAN

The signing by the U.S. State Department of a new arms contract with Jordan has not come at the most propitious time—in the midst of a fresh eruption of hostilities between Jordan and Israel.

The U.S. is on record in favor of a cease-fire resolution in the United Nations Security Council, which was intended to bring to an end the warfare that broke out last June and resulted in quick Arab defeat. The U.S. joined other Security Council members last week in condemning Israel for its reprisal raid against guerrilla bases in Jordan, and in deploring all violations of the cease-fire.

Yet the Administration apparently sees no incongruity in furnishing Jordan with the arms and the planes which it may use in continued violation of the cease-fire order. It has to be a very naive person indeed who would think that the dozen or more F–104 jets, the 100 tanks and the other arms furnished Jordan in the latest State Department deal will be employed against any target except Israel.

Soviet Russia is in the process of replacing for Nasser all the planes, tanks and guns lost by the Egyptians in the rout of last June. Is it Administration policy in Washington to have the U.S. join in a race with the Soviets to arm the Arabs for still another try at destroying Israel? The West Bank of the Jordan, and now the East Bank, too, are littered with the debris of Jordanian tanks and armored cars wrecked in the exchange of gunfire with the Israelis. Those tanks and cars were American-made. Are we to go on replenishing the Arab arsenal for further war on Israel?

GENERAL ELECTRIC AND MILWAUKEE

Mr. NELSON. Mr. President, the 1967 annual report of the General Electric Co., is more than a statement of earnings. It tells the reader more than just statistics, that GE's sales and earnings reached a new high in 1967, and that there was a 7-percent rise in earnings.

Mr. J. W. Nelson, Jr., general manager of the General Electric Co., in Milwaukee accurately described this report when he said:

All of us are interested . . . in improving the quality of life in our community and each of us is working in his own way to make a contribution toward that end. The enclosed 1967 Annual Report tells the story of more than 300,000 General Electric men and women—2,500 of them in Milwaukee—who in addition to personal and private action are engaged in producing goods and services to help solve human problems in cities and communities across the nation.

From the heartbeat of a small boy made possible by his Pacemaker made here in Milwaukee to the electric heartbeat of a mighty city supplied by an atomic power generation plant at Dresden, Illinois, General Electric apparatus and equipment serves the public. New ventures, such as information and communications systems for use in traffic control, education, medical surveillance and police work, speed communications in today's fast-paced world. GE rapid transit equipment helps people solve the problem of congested streets in heavily populated urban centers. Our homes have been made more comfortable through the use of many familiar GE products.

Milwaukee as well as all of Wisconsin is proud of the remarkable record achieved by General Electric. I have carefully looked at this annual report and highly recommend it to Senators. I would willingly supply copies to any Senator who would like to read the report.

RATIFICATION OF HUMAN RIGHTS CONVENTIONS WILL MOVE NATION ALONG LOGICAL STEPS TOWARD FREEDOM FOR ALL

Mr. PROXMIRE. Mr. President, our country is always manifesting its concern for the rights of man and our Declaration of Independence, penned 192 years ago, proclaimed that "all men are created equal, that they are endowed by their Creator with certain unalienable rights."

This Declaration was written by its authors for all men, not just in this country, but for men everywhere.

It was the 16th President, Abraham Lincoln, who stated that the Declaration gave liberty "not alone to the people of this country but the hope for all the world for all future time."

This did not mean, President Lincoln ventured, that the United States would attempt to bend other nations to its will.

It is my belief that in the handling of our policy with other nations we ought to be completely faithful to these great traditions embodied in the Declaration of Independence.

Our adherence to the ideals of liberty and equality on an international scale, I feel, is not an insubstantial factor in the affairs of the world.

The Senate ratification of the Human Rights Conventions on Forced Labor, Genocide, Freedom of Association, and the Political Rights of Women would be a logical endorsement of our Constitution and the Declaration.

These conventions are concerned with human life and rights and dignity.

It is time we face up to our responsibility and provide the support for these conventions for the continuing honor of our Nation and for its great destiny.

VIEWS OF ACTING SECRETARY OF HEALTH, EDUCATION, AND WELFARE ON REPORT ON CIVIL DISORDERS

Mr. HARRIS. Mr. President, on March 26, in a front-page story, the Washington Post reported that the Acting Secretary of Health, Education, and Welfare, Mr. Wilbur J. Cohen, had criticized the report of the President's National Advisory Commission on Civil Disorders during a press conference the previous day. The statements Acting Secretary Cohen was reported to have made seemed to me and to others to constitute a very serious undercutting of several of the most basic conclusions of that report. His reported remarks appeared all the more distressing in view of the fact that his Department itself administers a very large share of precisely those programs we must expand and redirect if we are to relieve the human suffering which fuels urban disorders.

I am very happy to report that Acting Secretary Cohen has twice urged me in private notes since that story appeared to set aside any doubts I may have had about the accounts of his press conference.

More important, he has also sent me copies of two speeches he made in recent days which express his general support for the Commission's report. For example, in a speech he made at Ann Arbor, Mich., last Friday, he said:

The National Advisory Commission on Civil Disorders recently reported that: "Our nation is moving toward two societies, one black, one white—separate and unequal. Reaction to last summer's disorders has quickened the movement and deepened the division." The Commission believes and I believe that this movement can be reversed if we continue to strengthen our commitment to human resources. There are many good recommendations in the Commission's Report which must be implemented.

An even stronger expression of support was voiced by Acting Secretary Cohen in a speech he made yesterday at American University. This address, which was accurately reported in a Washington Post story this morning, asserted that:

We need . . . to reverse the tide of cynicism and alienation and hostility.

This tide has founded its most tragic expression in the violence and destruction in the ghettos of American cities. The harsh and brutal facts of these disorders were comprehensively described and analyzed in the Report of the National Advisory Commission on Civil Disorders.

The Commission made a 500 page study of what happened during the riots, what caused them, and what can be done to prevent them in the future. Their Report is a valuable contribution to our thinking. It should be read and thoughtfully considered by everyone.

The Report pointed out that we are a Nation deeply divided. It put forward one blunt, troubling conclusion: "Our Nation is moving today toward two societies, one black, one white—separate but unequal."

The Report declared that racism exists in this country. It is at the root of discrimination and prejudice. Racism, of whatever form, must be eliminated before we can truly have an open and just society.

Mr. President, I ask unanimous consent that the two notes from Acting Secretary Cohen and a part of the first speech and the entire text of the second speech I have cited be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

THE SECRETARY OF HEALTH,
EDUCATION, AND WELFARE,
Washington, D.C., March 28, 1967.

Hon. FRED HARRIS.
U.S. Senate,
Washington, D.C.

DEAR FRED: The newspaper stories on my views on the Civil Disorders Report are grossly misleading as to my views and do not truly reflect my recommendations on implementing the Report.

I am speaking on Friday in Ann Arbor and I enclose my speech which contains a statement as to my views on pages 7 and 8.

Sincerely yours,

Wilbur J. Cohen,
Acting Secretary.

Excerpts From "The World of 1976" by Wilbur J. Cohen, Secretary of Health, Education, and Welfare

(Presented at the Honors Convocation, University of Michigan, Ann Arbor, Mich., Mar. 29, 1968)

CHALLENGES

This Nation can no longer afford the luxuries of non-involvement, escapism, and apathy on the part of any generation. There are grave difficulties which must be grappled with honestly and immediately.

There are deep divisions in our society—between the rich and the poor, the young and the old, and black and white.

The National Advisory Commission on Civil Disorders recently reported that: "Our nation is moving toward two societies, one black, one white—separate and unequal. Reaction to last summer's disorders has quickened the movement and deepened the division." The Commission believes and I believe that this movement can be reversed if we continue to strengthen our commitment to human resources. There are many good recommendations in the Commission's Report which must be implemented.

We must all make an effort to understand the other fellow's world and help break down the barriers of fear, misunderstanding, anger and despair. We must get at the root causes of the alienation and divisiveness in our society. We must eliminate any and all kinds of racism.

Learning about the worlds other than your own is part of your continuing education and part of your responsibility as an educated and involved citizen.

If you are white, try to understand how it feels to live and react like a Negro, or a Puerto Rican or a Mexican American. Spend some time in a ghetto or in a barrio.

If you are a scientist, spend some time understanding the business world.

If you plan on entering business, learn about the world of government. Spend some time in public service.

If you are going to make a career of public service, find out what the businessman and the taxpayer think is important.

Through the increased understanding and knowledge that you gain you will both be better able and more willing to attack the many problems that must become your responsibility.

Department of
Health, Education, and Welfare.

To: Hon. Fred Harris.

From: Wilbur J. Cohen, Acting Secretary.

My views on the Civil Disorders Report were not accurately nor fully reported in the papers. My attached speech therefore may be of interest to you.

Individual and Corporate Responsibility in Today's World[*]

(By Wilbur J. Cohen, Secretary of Health, Education, and Welfare)

I welcome the opportunity to participate in your conference. These conferences are useful to us in government. They help to clarify issues, to identify problems, to discuss differences and to find solutions. Conferences such as these help to minimize frictions and frustrations, to find ways of working together harmoniously.

The problems before us today are so huge and so complex that they demand the thoughtful attention of all groups. No one sector can provide the solutions—not government alone, nor business, nor labor, nor the professions. All of us are affected. All of us must be involved.

I am encouraged by the initial response of the business community to the complex social issues facing our Nation today. Many business leaders have shown a keen insight into the problems and a deep concern for community efforts to break through the barriers of paralysis and despair. They are coming up with new ideas—new ideas to create job opportunities, to reduce the blight of our cities, to help people who are entrapped by poverty, racial discrimination, and slum living.

We need these ideas to reverse the tide of cynicism and alienation and hostility.

This tide has found its most tragic expression in the violence and destruction in the ghettos of American cities. The harsh and brutal facts of these disorders were comprehensively described and analyzed in the Report of the National Advisory Commission on Civil Disorders.

The Commission made a 500 page study of what happened during the riots, what caused them, and what can be done to prevent them in the future. Their Report is a valuable contribution to our thinking. It should be read and thoughtfully considered by everyone.

The Report pointed out that we are a Nation deeply divided. It put forward one blunt, troubling conclusion: "Our Nation is moving today toward two societies, one black, one white—separate but unequal."

The Report declared that racism exists in this country. It is at the root of discrimination and prejudice. Racism, of whatever form, must be eliminated before we can truly have an open and just society.

But other obstacles must also be removed before our society can be all that we want it to be. Some of these are indifference, apathy, fear, misunderstanding, and above all, ignorance. Racism itself is the compound of several of these components. It is found in the black as well as the white community and serves to separate one from the other.

The trend toward separatism can be reversed if a national commitment to action is made, backed by every available resource and a new will of the American people.

This is the meaning of the Commission Report. It reaffirms our national goals and ideals at a time when our greatest single task is to heal the divisions in our society.

For some time now people in and outside of government have been engaged in the difficult and infinitely complex task of getting at the causes of poverty and discrimination. Programs and projects have been started which involve long-range and long-term commitments, where results are not immediately apparent. We are preparing tomorrow's generation with our current massive investment in education. A good start has been made. And the Commission Report provides a new focus and a new urgency for all of our efforts in fields relating to human well-being.

That is why I believe it is important that immediate efforts be directed to implementing as many of the recommendations as possible as promptly as possible.

It is also important to place these recommendations in proper perspective. They call for action not only by all three parts of the Federal Government—the executive, legislative, and judicial branches—but also by State and local governments, by people in the suburbs and in the central cities, by the newspapers, television, and radio, by the schools and churches and voluntary organizations, by the police, teachers, lawyers, and businessmen. No single organization is blamed for our present plight and no single, simple solution is advocated. The Report asks all of us to work together to find ways out of our difficulties.

Many of the recommendations in the Report involve the areas for which I have responsibility as head of the department concerned with health, education, and welfare. I have already instituted measures to carry out a number of the recommendations in the Report, and other recommendations are being pursued through Congressional and judicial action.

In the *welfare* area, I have recommended to the Congress a postponement of the "AFDC freeze" on Federal payments contained in the 1967 amendments. Legislation is pending on this matter. We have instituted changes in policies to establish, in the words of the Report, "clear and enforceable rights" to welfare.

The President has established a Commission on Income Maintenance Programs to overhaul the welfare system. Judicial review is underway on the "Man-in-the-house" and residence requirements which exclude bona fide needy persons and needy children from help.

In addition, we have recommended that the social security program be improved by increasing the minimum monthly benefits from $55 to $70 a month and from $82.50 to $105 for a couple. This would take about one million people out of poverty.

In the area of *education*, we are working on the recommendation to expand early childhood education. We will be expanding day care services for children of working mothers and providing these services with the involvement of parents and the community. We have requested additional funds for these programs.

We have requested that Congress expand the Teacher Corps—an imaginative way to bring more teachers to the urban and rural pockets of poverty.

We recently issued new guidelines under Title VI of the Civil Rights Act on eliminating segregation in schools, which will have special impact on schools in the northern cities.

We are proceeding with improving the quality of education in ghetto schools through Titles I, II, and III of the Elementary and Secondary Education Act of 1965.

The Office of Education has been encouraging better community-school relations and will step up its work in this area.

The Department's current budget for education also gives high priority to several key thrusts against poverty and educational disadvantage. We are seeking increases in funds for improved teacher training, particularly for teachers of the disadvantaged, for a new bilingual education program, for a new Stay-In-School program to prevent dropouts and for a continued attack on adult illiteracy.

With regard to new education legislation we are supporting measures now pending in Congress to expand vocational and technical training. We are also seeking legislation to authorize a new program of counseling and assistance for disadvantaged college students to help them make a success of their studies; and expanded student financial aid for the needy and disadvantaged.

In the *health* area, we are, in accordance with Congressional authorizations, expanding family planning services. We also plan to step up maternal and child health services in ghetto areas where many families do not have family physicians. We have recommended additional legislation in this field.

All of these steps are in the direction of implementing the Commission's Report. We must also secure open housing legislation, expand job opportunities, and develop special training programs for the disadvantaged. I hope to work constructively with former Secretary John Gardner in the Urban Coalition to bring government services into the central cities more efficiently and promptly.

And I believe that you in the business community can also contribute toward the effort that all of us must make in the cities.

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[*] Presented to the American University's Eighth Annual Washington Conference on Business-Government Relations, April 2, 1968, Washington, D.C., 2:30 p.m.

It is up to businessmen, of course, to provide jobs—jobs conveniently located, in places that are accessible to the disadvantaged. Many plants have been located without regard for transportation or housing, without regard for the man who wants and needs a job but who has no way to get to it. Government agencies must similarly review their policies and practices in this regard.

The business community is particularly well equipped to provide more job opportunities and job training. Discriminatory practices must be abolished in the hiring and promotion of employees. But just providing opportunities is not enough. We must also reach out to the disadvantaged groups, and provide encouragement and motivation. Supervisory personnel who are sympathetic and understanding can help many of the disadvantaged to adjust to the realities of the world of work.

The businessman should also look beyond the confines of his office or factory to the total needs of his community.

An urgent need in every community is better education. The Commission found that one of the major sources of discontent in our society has been the failure of the ghetto schools to provide the education which could overcome the effects of discrimination and deprivation.

Inner city schools fall far short of the quality that is needed. They often lack adequate financial support. Many times they lack good teachers and equipment. They may be rigidly segregated as the result of housing practices. Children are often racially isolated. They start behind when they enter school and they fall further behind each year. Ultimately, many of them drop out before their education is completed.

I think the business community can take a number of constructive actions to improve the quality of inner-city education. Here are just a few:

Set up training programs for school dropouts.

Cooperate in work-study programs for high school as well as college students.

Help the schools develop a curriculum that will be relevant to the needs of the labor market.

Institute in-plant adult education courses for low skilled workers.

Encourage top level management to participate in classroom activities—such as donating an hour or two a week to teaching the disadvantaged or serving as job and guidance counselors to the students.

Set up a speakers bureau within your company to go out to the schools and talk to the students about the realities of the job market.

Provide enriching day care centers for the pre-school age children of mothers who work for you.

Make sure that your community has first rate kindergartens and nursery schools as well as a community college.

Encourage the use of the school as a community center, open 12 months a year, 18 hours a day.

Eliminate de facto segregation wherever it exists.

As individuals you must also increase your support of the school through your taxes. You must be willing to pay for better schools. As a responsible citizen you will have to help the community find better ways of financing education. Sole reliance on the property tax is no longer an adequate or satisfactory way of financing the kind of education that our society requires.

I have barely touched on the many ways in which you as businessmen and as individuals can improve the quality of education. There are just as many things that you could do to improve housing conditions—encourage the development of new towns, the rehabilitation of slums, and most important, exert every possible pressure to insure open and decent housing for every individual in this Nation.

Let me mention one other aspect of the Report that has received much less attention than it deserves—individual participation. The Commission touched on this theme in the chapter entitled "Community Response"—how individual citizens can be encouraged to participate more deeply in the affairs of their community.

There are two major elements to this objective.

First, individual participation by people of the inner cities in plans and programs to improve their lot. At the heart of the problem is the feeling the individual has that he is trapped and without the personal or material resources to change his environment. We have to find ways to transfer rights and responsibilities to the people long denied them.

The second need is for increased participation by *all* citizens in the problems of the ghetto. It seems to me that, as we face the great urban crisis, we will have to tap the "helping spirit" in all Americans—the spirit that helped build the Peace Corps, VISTA, and the great voluntary movement in our country.

The problem—for business, local government, schools, HEW, the National Alliance of Businessmen, the Urban Coalition—is how to mobilize this effort, how to enlist people and get them to work together effectively in the areas where they can help the most. We in HEW are working very hard on this problem, and if I am to leave any message with you today it is this challenge; how do you tap the great spirit in America that wants to be tapped, that wants to become more deeply involved, that wants to contribute toward solving the urban crisis?

The urban crisis and the problem of poverty, discrimination and alienation that accompany it will not disappear overnight. They require massive and sustained indivdual, community, and corporate efforts. But time is running out. As de Tocqueville once said: "A grievance patiently endured so long as it seems beyond redress becomes intolerable once the possibility of remedy crosses men's minds."

And it is becoming intolerable for many American Negroes and other minority groups, and rightfully so, in a Nation where more and more people are enjoying the benefits of prosperity and where the disparity between those who have gained the most and those who have gained the least grows.

President Johnson reminded us last January: "Nothing can justify the continued denial of equal justice and opportunity to every American."

And he has reminded us often that the Nation has faced grave crises before. Open confrontation in the past has served to unify Americans. The Civil Disorders Commission Report has focused attention on and dramatized anew our most serious domestic problem.

It is up to all of us to respond. We can make that response if we have the determination and if we all work together constructively. We can reunite our people and at the same time elevate the quality of life for all Americans.

Let's get on with the job.

TRIBUTE TO MRS. PHILIP E. SPALDING, ART PATRON

Mr. FONG. Mr. President, it is with deep sorrow and sympathy that I pay this tribute on the passing of a beloved and illustrious patron of the arts in Hawaii, Mrs. Philip E. Spalding.

Mrs. Spalding passed away in Honolulu last Saturday, March 30, at the age of 80. Hers was a life noteworthy for her patronage of many of Hawaii's artists and for her valuable contributions of works of art.

She was born Alice Cooke, daughter of the late Charles Montague Cooke and Anna Charlotte Rice Cooke, on February 8, 1888. She was a member of a distinguished family which pioneered in the early development of the Hawaiian Islands and continues to make great contributions to the business, civic, and cultural growth of the islands.

A major lifelong interest was the Honolulu Academy of Arts, which she helped her mother to found. It was largely Mrs. Spalding's work and support which brought the academy to reality, and she was its mainstay during the academy's early years.

Mrs. Spalding contributed numerous works of art to the academy, and as recently as 1966 donated $10,000 toward purchase of an oil painting by Monet.

Her beautiful home at 2411 Makiki Heights Drive is famous for its Japanese garden, which took 13 years to create. It was the setting in 1965 for a pageant on the artistry of old Japan for the Garden Club of Honolulu. It was the scene of numerous receptions which drew admiring visitors from all over the world. Her home was always open to members of the art world.

Although failing in health in recent years, Mrs. Spalding retained a firm interest in local artists and sculptors.

Her passing is mourned by all Hawaii and especially by those in art circles who were inspired to greater efforts by her benefaction. As one of her grateful beneficiaries, now a successful artist, noted:

> Hawaii art gained immensely in prestige because of her influence and her purchase of paintings and sculptures by young artists. Her encouragement and patronage of young artists, and her interest in the highest quality, influenced generations of artists in Hawaii.

Mrs. Spalding's death has left a vast void on the cultural scene of the 50th State. She will be sorely missed but her lifelong dedication to the arts will remain an inspiration for future generations.

Mrs. Spalding is survived by her husband Philip E. Spalding, now a retired business executive, who was formerly president of C. Brewer & Co., one of Hawaii's largest corporations. Mr. Spalding was for many years chairman of the board of regents of the University of Hawaii who contributed greatly to the advancement and progress of that institution. He was also active and prominent as a leader of numerous economic, educational, civic, governmental, and political organizations.

Mrs. Fong and I join the people of Hawaii in extending our heartfelt condolences and sorrowful aloha to the family—her husband, their two sons, Philip E. Spalding, Jr., president of Hawaiian Western Steel, Lt., and Charles C. Spalding, president of the Hawaiian Insurance & Guaranty Co., and consul for Belgium in Hawaii; a brother, Theodore H. Cooke; eight grandchildren and a great-grandchild.

RECESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair. May I add that the Senate will very likely reassemble no later than 1:15 o'clock this afternoon, with the understanding that the recess will not last beyond 1:15 p.m. today.

The PRESIDING OFFICER. Without objection, it is so ordered.

(At 12 o'clock and 28 minutes p.m., the Senate took a recess subject to the call of the Chair.)

At 1:15 p.m. the Senate reassembled, when called to order by the Presiding Officer (Mr. Byrd of West Virginia in the chair).

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF THE INTERSTATE COMMERCE ACT

Mr. MANSFIELD. Mr. President, now that the most immediately interested participants are in the Chamber, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 560, S. 1314.

The PRESIDING OFFICER. The bill will be stated by title.

The Assistant Legislative Clerk. A bill (S. 1314) to amend section 303(b) of the Interstate Commerce Act to modernize certain restrictions upon the application and scope of the exemption provided therein.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. MANSFIELD. Mr. President, I made a mistake. I ask unanimous consent that the pending business be laid aside.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

Mr. LAUSCHE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Ohio will state it.

Mr. LAUSCHE. What business was set aside?

The PRESIDING OFFICER. The Chair will state to the Senator from Ohio that the bill just set aside is S. 1314.

Mr. LAUSCHE. Dealing with what?

Mr. MANSFIELD. A bill to amend section 303(b) of the Interstate Commerce Act to modernize certain restrictions upon the application and scope of the exemption provided therein, reported by the Senator from Ohio [Mr. Lausche]. (Laughter).

Mr. LAUSCHE. Wonderful. I thank the Senator.

The PRESIDING OFFICER. The Chair would ask the Senator from Montana whether it is his purpose to have S. 1314 returned to the calendar.

Mr. MANSFIELD. Yes, indeed, Mr. President, I make that unanimous-consent request.

The PRESIDING OFFICER. Without objection, it is so ordered, and S. 1314 is returned to the calendar.

UNLAWFUL SEIZURE OF U.S. FISHING VESSELS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 903, S. 2269.

The PRESIDING OFFICER. The bill will be stated by title.

The Assistant Legislative Clerk. Calendar No. 903 (S. 2269), to amend the act of August 27, 1954, relative to the unlawful seizure of fishing vessels of the United States by foreign countries.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, with amendments, on page 3, line 18, after the word "section.", insert "The amount fixed by the Secretary shall be predicated upon at least 33⅓ per centum of the contribution by the Government."; and on page 4, line 4, after the word "section", insert "in an amount not to exceed $150,000 annually."; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of August 27, 1954 (68 Stat. 883; 22 U.S.C. 1971–1976), is amended by adding at the end thereof a new section to read as follows:

"Sec. 7. (a) The Secretary upon receipt of an application filed with him at any time after the effective date of this section by the owner of any vessel of the United States which is documented or certified as a commercial fishing vessel, shall enter into an agreement with such owner subject to the provisions of this section and such other terms and conditions as the Secretary deems appropriate. Such agreement shall provide that, if said vessel is seized by a foreign country and detained under the conditions of section 2 of this Act, the Secretary shall guarantee—

"(1) the owner of such vessel for all actual costs, except those covered by section 3 of this Act, incurred by the owner during the seizure and detention period and as a direct result thereof, as determined by the Secretary, resulting from (A) any damage to, or destruction of, such vessel, or its fishing gear or other equipment, (B) from the loss or confiscation of such vessel, gear, or equipment, or (C) from dockage fees or utilities;

"(2) the owner of such vessel and its crew for the market value of fish caught before seizure of such vessel and confiscated or spoiled during the period of detention; and

"(3) the owner of such vessel and its crew for not to exceed 50 per centum of the gross income lost as a direct result of such seizure and detention, as determined by the Secretary of the Interior, based on the value of the average catch per day's fishing during the three most recent calendar years immediately preceding such seizure and detention of the vessel seized, or, if such experience is not available, then of all commercial fishing vessels of the United States engaged in the same fishery as that of the type and size of the seized vessel.

"(b) Payments made by the Secretary under paragraphs (2) and (3) of subsection (a) of this section shall be distributed by the Secretary in accordance with the usual practices and procedures of the particular segment of the United States commercial fishing industry to which the seized vessel belongs relative to the sale of fish caught and the distribution of the proceeds of such sale.

"(c) The Secretary shall from time to time establish by regulation fees which shall be paid by the owners of vessels entering into agreements under this section. Such fees shall be adequate (1) to recover the costs of administering this section, and (2) to cover a reasonable portion of any payments made by the Secretary under this section. The amount fixed by the Secretary shall be predicated upon at least 33⅓ per centum of the contribution by the Government. All fees collected by the Secretary shall be credited to a separate account established in the Treasury of the United States which shall remain available without fiscal year limitation to carry out the provisions of this section. All payments under this section shall be made first out of such fees so long as they are available, and thereafter out of funds which are hereby authorized to be appropriated to such account to carry out the provisions of this section in an amount not to exceed $150,000 annually.

"(d) All determinations made under this section shall be final. No payment under this section shall be made with respect to any losses covered by any policy of insurance or other provision of law.

"(e) The provisions of this section shall be effective for forty-eight consecutive months beginning one hundred and eighty days after the enactment of this section. The Secretary shall issue such regulations and take such other measures as he deems appropriate to implement the provisions of this section prior to such effective date.

"(f) For the purposes of this section—

"(1) the term 'Secretary' means the Secretary of the Interior.

"(2) the term 'owner' includes any charterer of a commercial fishing vessel."

Sec. 2. Section 3 of the Act of August 27, 1954 (68 Stat. 883; 22 U.S.C. 1973), is amended by inserting a comma after the word "fine" wherever it appears and the words "license fee, registration fee, or any other direct charge".

Sec. 3. The Act of August 27, 1954 (68 Stat. 883; 22 U.S.C. 1971–1976), as amended by this Act, may be cited as the "Fishermen's Protective Act of 1967".

The bill was subsequently reported adversely by the Committee on Foreign Relations, without amendment.

Mr. MAGNUSON. Mr. President, there is an amendment at the desk (No. 678) to S. 2269, the pending business, proposed by the Senator from California [Mr. Kuchel], the Senator from Alaska [Mr. Bartlett], and myself.

I ask unanimous consent that the name of the Senator from Oregon [Mr. Morse] be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MAGNUSON. Mr. President, the Senator from Alaska [Mr. Bartlett] is not at the moment in the Chamber but he is readily available. Thus, I shall proceed briefly on the bill. I am quite sure that the Senator from Alaska, who held hearings on this matter as chairman of the Subcommittee on Merchant Marine and Fisheries, will have more to say about it.

This bill is an amendment to the act of August 27, 1954, commonly known as the Fishermen's Protective Act, which now provides that in cases where a private vessel of the United States is seized by a foreign country on the basis of rights or claims in territorial waters or the high seas which are not recognized by the United States, and when there is no dispute of material facts as to the location or activity of such vessel at the time of seizure, fines paid in order to secure the prompt release of the vessel shall be reimbursed by the Secretary of the Treasury upon certification of the Secretary of State.

S. 2269 would provide as follows:

First. For all U.S. vessels, it would broaden the scope of reimbursement to be made by the Secretary of the Treasury—upon certification by the Secretary of State—to include license fees, registration fees, and any other direct charges in addition to fines.

Second. For U.S. commercial fishing vessels, it would add a new section which would empower the Secretary of the Interior to enter into agreements with vessel owners to guarantee payment to the owners of certain actual costs resulting from seizure and detention of a vessel, including damage, destruction, loss, or confiscation of the vessel, its fishing gear or other equipment, dockage and utility fees, payment to the owner and crew of the market value of fish confiscated or spoiled during the detention of the vessel, and payment to owners and crew of up to 50 percent of the estimated gross income lost as a result of the seizure or detention. The Secretary of the Interior would be authorized to establish fees to be paid by vessel owners entering into such agreements, the fees to be adequate to cover the cost of administration of the guarantee system and a reasonable portion of payments under this system. The amount fixed by the Secretary shall be predicated upon at least 33⅓ percent of the contribution by the Government. The establishment of the guarantee system would be limited to 4 years beginning 180 days after enactment.

That last line, Mr. President, is very important and I want briefly to discuss it. More discussion by the Senator from California [Mr. KUCHEL] and the Senator from Alaska [Mr. BARTLETT] will be made on the bill but because I have to go to an Appropriations Committee meeting at 2 o'clock I should like to say now that that line, "The establishment of the guaranty system will be limited to 4 years beginning 180 days after enactment," is very important because opposition to the bill has been based upon the fact that this might establish a precedent, that others might suffer loss by illegal seizure of their property.

I suppose they could. If they did, and Congress saw fit to do that, I say to the opponents of the bill, why not, if something is illegally seized, such as property? In this particular case, it is a lot different. That is why it was singled out. The reason why we put in the 4-year period was so that it will not be permanent, in the hope that the State Department and this Government can work out with the seven countries of Latin America; namely, Argentina, Chile, Ecuador, El Salvador, Nicaragua, Panama, and Peru—and three other countries, Costa Rica, Colombia, and Uruguay, who are considering similar jurisdictional claims, that is, up to 200 miles, in the hope that within the 4-year period we can work out a decent arrangement concerning territorial limits on the high seas.

During the last session, we passed a bill establishing the 12-mile limit. For a while we had the 3-mile limit which was sort of fuzzy and nebulous. Most of the nations of the world have established international territorial limits of 12 miles. And we followed suit.

We are hopeful that the other countries will do the same thing and that we can have a further international conference. We had one in Geneva, some time ago, in which we lost by one vote on the issue of the countries that wanted to establish a 12-mile limit. We hope to reestablish this international conference to work that out.

In the meantime, Ecuador and Peru, which are the main offenders, are claiming—and the other five countries and three more—the 200-mile limit, which is preposterous in view of the world conditions and in view of the great number of activities in international waters of many nations of the world in fisheries.

Mr. President, a good deal of debate and discussion has ensued on S. 2269, a measure which would provide some additional relief to American-flag tuna and shrimp vessels now subject to seizure in international waters off foreign shores since the Committee on Commerce first brought the matter to the floor during the first session.

Throughout this period the illegal seizure of American vessels has continued. They have been fined, subjected to licensing demands, and harassed in their peaceful pursuit of the marine resources. This regrettable activity has taken place in waters in which this Nation recognizes as a part of the high seas. Indeed, we are members of that historic convention adopted at the 1958 Geneva Conference on the Law of the Sea.

As I analyze the opposition raised to this needed legislation, it seems that two primary objections are presented. I sincerely question the validity of either.

First, it is indicated that S. 2269 establishes some kind of precedent.

In my judgment, if there is a precedent in the United States interceding on behalf of American-flag vessels fishing in internationally recognized high seas waters and compensating them for losses they may suffer, this was established in 1954 when the Congress passed the Fishermen's Protective Act.

S. 2269 is merely an extension of this long recognized compensation. It does not, in my mind, establish any new precedent. Under the 1954 act, this Government repays to the fishermen the amount of fines levied, but a very narrow interpretation of the law by our State Department has prevented the necessary compensation for other costs assessed—again, illegally—by foreign governments against American fishermen.

Actually, we might well say that S. 2269 merely plugs some loopholes in the act of 1954, for there is very little difference to these American fishermen whether their cost of operation is dramatically increased by fine, license, loss of fishing time, damage or loss of gear, spoilage or confiscation of their catches, or any other products of seizure and harassment.

In each of these cases, assuming the U.S. vessel is on the high seas—and the 1954 act requires that there is no doubt of position of any vessel before compensation is to be certified—the act is an illegal one.

The precedent then has been an integral part of our national policy for more than 13 years.

Second, some have claimed that S. 2269 provides a preference to American-flag fishing vessels above and beyond that provided other citizens.

It seems to me that we are talking about two different situations here, and if some choose to call this a preference, I would contend that it is totally justifiable.

Again, this so-called preference has been a part of our national policy for the past 13 years, and S. 2269 merely extends the degree of coverage; it does not establish such preference as a new concept.

To me there is a vast difference between an American citizen, corporate entity, or whatever, which might establish an enterprise on foreign soil. I would hope that this Nation would take all action to protect that citizen's rights, but guarantee of compensation for this situation where the risk is a calculated one is far different than the peaceful pursuit of high seas fishing or the rights of innocent passage of vessels.

There is another factor here which needs to be emphasized.

This Nation's present and future security is vitally dependent upon a narrow territorial sea throughout the world, thus assuring free passage for our naval vessels to regularly occurring trouble spots throughout the world. This recognized right can only be maintained by use, and the best example of defending this essential principle has been our American fisherman. They have carried this battle with considerable individual sacrifice, and although the 1954 Fishermen's Protective Act was of good assistance, there is an immediate need for the additional compensation provided in S. 2269.

Other objections have been raised at this Government's failure to recapture these illegal fines as the record shows that the State Department, despite strong protests at the actions of these countries on the high seas, have not returned a dime to the U.S. Treasury.

This problem is clearly resolved with the amendment to S. 2269 which is before you today.

I could speak at much greater length on the history and need in this critical situation. I know that others will wish to make expressions, and my primary goal today has been to clarify some of the objections as expressed here on the floor and in committee sessions.

Mr. GRIFFIN. Mr. President, will the Senator from Washington yield for one brief moment?

Mr. MAGNUSON. I yield.

Mr. GRIFFIN. The distinguished Senator made reference to the act passed last session extending territorial waters of the United States to 12 miles. I am sure he intended to make it clear that that act had to do only with fishing.

Mr. MAGNUSON. Yes. That is correct.

Mr. GRIFFIN. Fishing zones alone. In

other respects, we still recognize the 3-mile limit; is that not correct?

Mr MAGNUSON. Yes.

Mr. GRIFFIN. I thank the Senator.

Mr. MAGNUSON. Nine miles plus 3 miles for fisheries. I am glad to be corrected. I meant fisheries. But the 200-mile limit has been established by these countries, directed not only against fisheries but most anything they want to, apparently.

Mr. BARTLETT. Mr. President, will the Senator from Washington yield?

Mr. MAGNUSON. I yield.

Mr. BARTLETT. In fact, these countries have established a 200-mile territorial seas limit, have they not?

Mr. MAGNUSON. Yes. Now I have a strange anecdote to relate about the 200-mile limit. In Peru, I held talks with the highest officials of the government about the 200-mile limit. They looked me squarely in the eye and said, "We did not establish the 200 miles. You did"—meaning we, the United States.

I said, "How is that?" They pulled out a musty old order that had been in a drawer—I guess they kept it handy—issued during World War II by President Roosevelt, establishing a 200-mile neutrality zone around the western part of South America as protection. They picked that up and said it should be 200 miles off their coast for fishing and other territorial matters.

Our fishermen do not agree with that, and I do not think fishermen of other countries do. This is a rich fishing ground, where the warm currents from the north meet the cold currents from the south, and it is a feeding ground for fish. So our people have been harassed and thrown into jail and have had everything else happen to them when they have gone fishing there. Tuna fishermen from Maine, Oregon, California, and other States, have in the main gone down there. They have a legitimate right to compete with fishermen from other nations in fishing for tuna.

Every time they do, a destroyer shows up and fires a shot across the bow. Sometimes they are not accurate marksmen. I have kept my fingers crossed, because such inaccurate shots might lead to greater incidents and trouble with those countries.

As the Senator from Alaska knows, the irony of all this is that the destroyers that go out and pick up our fishermen are destroyers we gave those countries for their protection. They are being used to pick up our fishermen. One fisherman said to me, "You have never been in jail until you have been in a Peruvian jail or an Ecuadorian jail. There is no jail in the world like those jails."

Our fishermen are fined. They do not have the money to pay those fines. They go to our State Department representatives. We used to have a fund, very similar to a petty cash fund, from which the Embassy would lend those fishermen money so they could get out of jail and get their ships back.

This measure is an attempt, after 4 years, to put an end to this nonsense.

I know the Senator from Michigan has an amendment on the whole territorial limit question. We still adhere to the 3-mile limit, as the Senator said. That limit is legally fuzzy. During prohibition, we called it 12 miles Some coastal States have different versions. The Supreme Court of the State of Washington at one time ruled that the territorial waters of the State of Washington extended as far as man could row a boat. It did not say how big a boat or how strong a man.

The fixing of such a limit arises from the time when one looked and saw the horizon, which was 3 miles away. Well, times have changed and activities in the oceans have changed, and fishing should be put within reasonable restrictions. A limit of 200 miles is preposterous, because most of the commercial fishing in the world is done near the coastal areas, beyond where we have the 12-mile limit now.

Mr. President, I hope the bill will pass. We were very generous in the Commerce Committee. We said, "All right, this involves international matters, and we should let our very distinguished Foreign Relations Committee take a look at the bill." That committee took a look at the bill, among other things it is doing. The committee decided it might have some serious international aspects and consequences. The committee voted, 13 to 5, that it was not a very good bill. The Commerce Committee voted 16 to 1 that it was a good bill. So, between the two committees, a majority of Senators voted that the bill should be considered favorably.

I have said that we were very generous in giving the bill to the Foreign Relations Committee. I was hoping, if the Foreign Relations Committee thought this was not a very good bill, it would give us an alternative. I suppose the committee has been dealing with so many alternatives, it does not know which one to accept. We are willing to take an alternative, but we want the problem settled. The problem continues. Every 2 or 3 months an American boat is seized and somebody is put in jail. A limit of 200 miles is preposterous.

I hope the Senate will consider the bill favorably.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. MAGNUSON. I am glad to yield.

Mr. LAUSCHE. I would like to ask several questions concerning what may develop in the event the bill is passed.

First, is it not a fact that by this bill the Government of the United States will indemnify a fisherman whose ship, equipment, or catch is seized by a foreign government while it is in international waters?

Mr. MAGNUSON. Yes.

Mr. LAUSCHE. In other words, the U.S. Government says to the fisherman, "If you go into the high seas and your ship is seized, the Government will indemnify you for up to two-thirds of your losses; first, for the time lost in the use of the ship; second, for the fine you had to pay; third, for the loss of your catch or fish; fourth, for the loss of the use of your ships"; and some other grounds under which indemnity will be made.

Mr. MAGNUSON. Generally speaking, that is correct. The Senator from Alaska [Mr. BARTLETT] may go into more detail.

Mr. BARTLETT. Mr. President, if the Senator from Ohio will permit, we laid the groundwork or basis for this in 1954—

Mr. LAUSCHE. My question is, Is it not a fact that what the bill does is indemnify for losses?

Mr. BARTLETT. It indemnifies for losses. That is correct. Part of the indemnity comes from the Federal Government of the United States and part of it from the fishermen themselves. As spelled out in the bill, the fishermen have to pay one-third.

Let us be sure here that we understand this is not a vast bill opening the gates of the Treasury. The period during which it will be operative, under the terms of the bill, is 4 years. A limitation is written into the very language of the bill as reported by the Committee on Commerce last September, providing that the Federal Government, during any given year of those 4 years, shall not pay more than $150,000.

Mr. LAUSCHE. The answer to my question has been that this puts the U.S. Government into the field of guaranteeing to an American national that, if his equipment is seized on the high seas, the Government will indemnify him.

My next question is, What about the American national who establishes a business in a foreign country and his business is seized by the foreign country? Do we indemnify him for the losses which he sustains?

Mr. BARTLETT. The Committee on Commerce had no proper legislative jurisdiction relating to that problem. It was concerned only with the matter then before us, as spelled out in the bill, S. 2269, in the form it was originally introduced and as issued from the committee.

Mr. LAUSCHE. That is, for fishermen?

Mr. BARTLETT. We had no authority to go beyond that, and we did not.

Let me say to the Senator that in the 1954 act and the proposal here made have to do with a very basic, extremely important question it seemed to the committee, and that is: Are we going to recognize, tacitly or otherwise, the claim of a 200-mile territorial sea and a 200-mile fishing zone, and beyond that in some cases, made by several of these nations?

Mr. LAUSCHE. Mr. President my question has not been answered. Do we indemnify an American national whose property is seized by a foreign country?

Mr. KUCHEL. Mr. President, will the Senator yield to me to make an observation?

Mr. LAUSCHE. The question can be answered yes or no.

Mr. BARTLETT. Surely.

Mr. MAGNUSON. In some cases we do.

Mr. KUCHEL. Mr. President, will the Senator yield to me very briefly on that point?

Mr. LAUSCHE. Mr. President, why does not one Senator answer the question, instead of three standing up?

The PRESIDING OFFICER (Mr. WILLIAMS of New Jersey in the chair). The Senator from Washington has the floor.

Mr. KUCHEL. Will the Senator yield to me, just very briefly?

Mr. LAUSCHE. Will the Senator from Washington answer my question? Does the U.S. Government idemnify a U.S. national whose property is confiscated by a foreign government?

Mr. MAGNUSON. In some cases we have.

Mr. LAUSCHE. When?

Mr. MAGNUSON. In case of war we have.

Mr. LAUSCHE. We do it after we have been paid reparations.

Mr. MAGNUSON. Yes, that is right.

Mr. LAUSCHE. Did we indemnify the U.S. nationals in Cuba?

Mr. MAGNUSON. I do not know about that.

Mr. LAUSCHE. We did not.

Mr. MAGNUSON. We have indemnified people of Japanese ancestry who were run out of the Pacific coast. We have done it in some cases. But to answer the Senator's question, as a matter of law we do not.

Mr. LAUSCHE. That is right.

Mr. MAGNUSON. There have been a number of private bills passed by Congress, and many cases where there have been instances of such indemnification. Congress has seen fit to single those out. But the Senator is correct; as a matter of law we do not.

I must leave the floor in a moment, but the Senator asked one other question, as to what is the difference between this situation and that of the fishermen. My answer to that is that there seems to me to be a vast difference between a fishing vessel and an American citizen or corporate entity which might establish an enterprise on foreign soil. I would hope this Nation would take action to protect that citizen's rights; but to guarantee compensation for a situation where the risk of loss is a calculated one is far different than to guarantee it for the peaceful pursuit, on the high seas, of fishing, with the recognized right of innocent passage of vessels.

Mr. LAUSCHE. Will the Senator answer this question: Does he insist that it is the responsibility of the United States Government to shoot it out with Peru, or, if it is unwilling to shoot it out on the high seas, to indemnify these fishermen specially and in a manner different than we treat all other U.S. citizens? Should we shoot it out, and if we do not shoot it out shall we pay this privileged group of fishermen?

Mr. MAGNUSON. Mr. President, that is what we are trying to avoid. I am afraid some fishermen would have almost a just cause, sometimes, to justify their shooting it out. Then we would be in real trouble. That is what we are trying to avoid.

Mr. BARTLETT. Mr. President, will the Senator yield?

Mr. MAGNUSON. The Senator has the floor.

Mr. BARTLETT. Do I have the floor, Mr. President?

The **PRESIDING OFFICER.** The Senator from Alaska has the floor.

Mr. BARTLETT. There is no possibility of shooting it out with those people down there. We do not have anything on hand with which to shoot. I hold in my hand a copy of the Los Angeles Times for August 27, 1967, with two pictures and an article concerning the seizure by Peru of a U.S. tuna boat. Here is a picture of the Peruvian naval vessel, showing an officer holding a shotgun with which he had wounded the captain and navigator of the American tuna boat.

What is this Peruvian naval vessel? It turns out that it is a former Navy tug.

I yield to the Senator from California.

Mr. KUCHEL. I thank the Senator very much.

Mr. LAUSCHE. May I finish my question?

Mr. KUCHEL. Mr. President, did the Senator from Alaska yield to me?

Mr. BARTLETT. I yielded to the Senator from California.

Mr. LAUSCHE. Can I not get an answer to the question?

The **PRESIDING OFFICER.** The Senator from Alaska has the floor. To whom did he yield?

Mr. BARTLETT. Mr. President, I yielded to the Senator from California, who is eager, anxious, and able to give a precise answer to the Senator's question.

Mr. KUCHEL. Mr. President, I ask for order in the Chamber.

The **PRESIDING OFFICER.** The Senate will be in order. The Senator from Alaska has the floor, and he yielded to the senior Senator from California.

Mr. KUCHEL. I thank the Presiding Officer.

Mr. President, I want to try to remove a little of the confusion under which the distinguished Senator from Ohio is laboring.

The fact of the matter is that Congress passed legislation sponsored by the senior Senator from Iowa [Mr. HICKENLOOPER], which came out of the committee on which the distinguished Senator from Ohio serves, providing that, in event of expropriation of property by a foreign government owned by a citizen of the United States, there would be insurance to indemnity the American citizen.

Let me add to that something about these vessels that have been seized.

Mr. LAUSCHE. The Senator cannot tell me anything.

Mr. KUCHEL. We are a great maritime Nation. Dozens of American-flag fishing vessels have been seized on the open ocean. There have been some people who would advocate that we go to war with the countries that have seized them.

That is obviously ridiculous. When the Senator from Ohio uses the phrase "shoot it out," I think he is a little wide of the mark. Since 1954, the law of this land has provided for some compensation to the owner of a fishing vessel, if that fishing vessel is seized on the open ocean. The 1954 act provides for the reimbursement of fines. What we are trying to do here is give some incentive to the fishermen themselves to participate in an insurance fund. In a few moments, I shall offer an amendment to eliminate all foreign aid to a country which seizes an American-flag vessel on the open ocean. I hope my able friend the distinguished Senator from Ohio will support that amendment.

This would not be the first time the Senate has taken such action. In 1965 I offered an amendment to the Foreign Aid Act, providing for a mandatory aid cut off, when a South American country seizes an American vessel clipper on the open seas. The Senate overwhelmingly agreed to that amendment. It was the House of Representatives that weakened it so that, today, there is only a discretionary power on the part of the American Government to turn off aid.

The three of us who sponsor this legislation will offer an amendment to make it mandatory.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. KUCHEL. I do not have the floor.

Mr. BARTLETT. I yield to the Senator from New Hampshire.

Mr. COTTON. I am very glad to hear the statement of the distinguished Senator from California about the amendment which he intends to offer. When this bill was considered in our committee, I voiced some doubts about it, and I shared, to a certain extent, the feelings of the distinguished Senator from Ohio, although perhaps not quite as vehemently, because it seemed to me—and I remember saying so in an executive session of the committee—that while I had every sympathy for these American fishermen who were losing their property, I also recognized the fact that we should try to encourage, as far as we can, our maritime activities and our fishing industry, and to that extent the purpose of the bill was certainly meritorious.

I remember saying in executive session of the committee, and perhaps should not say it on the floor, that on occasion our State Department was spineless enough without contributing further to its spinelessness. We would indemnify Americans who had suffered unjustly at the hands of other countries so that they would be relieved of any pressure to assert themselves in dealing with any given situation. That was the feeling I entertained.

I also said that in view of the fact that the pending bill probably came about largely because of the existing situation with Peru, which claims rather ridiculously a territorial limit of 200 miles out into the ocean, and that we were furnishing aid to Peru, it seemed to me that we could handle this matter without establishing the precedent of indemnifying those Americans who lost their property in this manner.

This is not a total indemnity.

Mr. BARTLETT. It is $66\frac{2}{3}$ percent. And it is 50 percent for the loss.

Mr. COTTON. If the amendment of the distinguished senior Senator from California is agreed to and if the amendment, which I have not as yet had the opportunity to examine, is bombproof and ironclad enough so that it will raise a real barrier and really mean the withholding of foreign aid to a country that is as blatant in its dealings with our fishermen as this particular country is, it would satisfy me.

Mr. BARTLETT. Mr. President, I intend to yield in a moment to the distinguished Senator from California [Mr. KUCHEL] so that he may offer his amendment. However, before doing so, I want to say that I think there is a basic difference between the situation we are discussing today and the ordinary business investment in a foreign country, wherever it may be. And that difference is that we reject the contention that any nation has a right to a territorial sea of 200 miles. When these fishermen go down off the coast of South America, or when sport fishermen go wherever they may, they are in a measure defending the position of the United States in holding that no nation unilaterally can declare for itself a territorial sea 200 miles in breadth.

I yield to the Senator from California.

Mr. LAUSCHE. Mr. President, will the Senator allow me to ask a question of the Senator from California?

Mr. BARTLETT. I will leave that up to the Senator from California. I want to yield to him so that he may offer his amendment.

Mr. LAUSCHE. Mr. President, will the Senator from California allow me to ask a question pertaining to this matter?

Mr. KUCHEL. Mr. President, I would like to offer my amendment, if I may.

Mr. LAUSCHE. Mr. President, I tried to get some questions answered. It seems to me that I cannot get answers from the proponents of the measure.

Mr. BARTLETT. Clear-cut answers have been given to every question.

Mr. LAUSCHE. Mr. President, when we have a riot in the United States and the property of our citizens is torn down and destroyed by fire, does the Government indemnify the citizen for his loss?

Mr. BARTLETT. Unless I am greatly mistaken, no. However, I see no relation between the two events.

Mr. LAUSCHE. If a citizen of the United States is robbed while walking on a street in the District of Columbia, would we indemnify that citizen for his loss?

Mr. BARTLETT. The Senator refers to something that has no real connection with this measure.

Mr. LAUSCHE. Why should we indemnify the sacred fisherman?

Mr. BARTLETT. Because when he goes down and fishes 75 miles from the coast—or whatever the distance may be—of a country which claims this great territorial sea, he is upholding the foreign policy position of the United States. That is why we should do this, and we started this in 1954. We are seeking to enlarge upon it.

Mr. LAUSCHE. Mr. President, may I reply in answer to what the Senator has just said?

Mr. BARTLETT. I yield.

Mr. LAUSCHE. When a U.S. fisherman goes into waters which a foreign country has told him not to enter, is he in a better position to claim a right than is the American national who by invitation goes into a foreign country and establishes a business there that is later confiscated from him?

Mr. BARTLETT. We are dealing with a particular situation in a particular area.

Mr. President, I yield now to the Senator from California.

Mr. KUCHEL. Mr. President, I thank the Senator. I want to call up amendment No. 678, but I should like to ask whether the parliamentary situation requires consideration first of committee amendments?

The PRESIDING OFFICER. The Senator is correct.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the committee amendments be considered and agreed to en bloc.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the amendments are agreed to en bloc.

AMENDMENT NO. 678

Mr. KUCHEL. Mr. President, I send to the desk my amendment No. 678 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 5, between lines 2 and 3, insert the following:

SEC. 3. Section 5 of the Act of August 27, 1954 (68 Stat. 883, 22 U.S.C. 1975), is amended to read as follows:

"SEC. 5. (a) The Secretary of State shall take such action as he may deem appropriate to make and collect on claims against a foreign country for amounts expended by the United States under the provisions of this chapter (including payments made pursuant to section 7) because of the seizure of a United States vessel by such country. If, within one hundred and twenty days after receiving notice of any such claim of the United States, a country fails or refuses to make payment in full, the Secretary of State shall promptly report such failure or refusal to the President. The President shall thereupon suspend all assistance provided under the Foreign Assistance Act of 1961, as amended (22 U.S.C. 2151 et seq.), to the government of such country; and such suspension shall continue until the Secretary of State certifies to the President that such claim has been paid in full by such country.

"(b) From any funds programed for the current fiscal year for assistance to the government of a country to which assistance is suspended [as shown in materials concerning such fiscal year presented to the Congress in connection with its consideration of amendments to the Foreign Assistance Act], the Secretary of State shall withhold an amount equal to the total of all such unpaid claims of the United States, which amount shall be transferred to the separate account established in the Treasury of the United States pursuant to section 7(c) for the payment of vessel owners. The Secretary of State shall transmit to the Congress, at least once each fiscal year, a report of all suspensions of assistance and of amounts transferred pursuant to this subsection.

"(c) No provision of law shall be construed to authorize the President to waive the provisions of this section."

Mr. KUCHEL. Mr. President, I ask unanimous consent that the name of the distinguished senior Senator from New Hampshire [Mr. COTTON] be listed as a coauthor of amendment No. 678.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COTTON. Mr. President, on examination of the Senator's amendment, I feel very well satisfied with it. I was fearful that the amendment would simply provide that foreign aid would be suspended in a country where these claims were made and where this confiscation of our property had taken place, and that would not be worth the paper it was written on, as they would not withhold the entire foreign aid for a country because of a few fishing ships, any more than they would go to war about it.

As I understand the proposed amendment—the distinguished author of the amendment will correct me if I am wrong—it provides that when these claims are made, an amount equivalent to these claims shall be withheld and impounded from the foreign aid, to cover those particular amounts. Is my understanding correct?

Mr. KUCHEL. Not fully. May I explain it to the Senator?

Mr. COTTON. Yes.

Mr. KUCHEL. Mr. President, in this entire area of seizure on the open ocean of a vessel owned by another country, there are several important elements. One is the affront to the flag of the vessel which is seized. The United States has followed a theory of protecting its nationals wherever they may be, and I believe it should be generally conceded that the United States intends to see that its nationals are permitted to use the open oceans. That does not mean we are going to get into a conflict, a hot conflict, when that historic principle is denied to us.

But, who else is affronted? Obviously, the vessel involved, its owners, the captain and the crew, and the American fishing industry, which is important. So in 1954 a law was passed—it is still the law—which provides for some compensation from the Federal Government to an American-flag vessel which is seized.

When the Government compensates a vessel and its owner, it requests subrogation of the rights of the owner to the Government of the United States and then proceeds against the offending nation.

The bill before the Senate deals with an expansion of the types of damage which will be compensated, and provides for the first time a basis by which fishermen themselves may participate in what I believe can be accurately termed a revolving fund.

Several days ago we who are interested in the proposed legislation decided that it would be ludicrous for the United States to provide a means to reimburse our fellow Americans, whose rights to use the open seas have been violated, without proceeding against the country offending.

We took some feeble steps in that regard several weeks ago: I wish to pay a compliment to the Senator from Ohio. We have a law which provides that the Defense Department may loan naval craft to foreign governments. As the Senator from Washington has said, U.S. naval vessels which have been loaned to South American countries have themselves been used to seize American privately owned craft on the open oceans. I believe I am correct in saying that the Senator from Ohio successfully urged an amendment to that bill which provides that when the loan of an American naval vessel is renegotiated, the loan of it will not be continued if the country involved has seized American fishing vessels on the open ocean.

Mr. BARTLETT. Mr. President, will the Senator yield?

Mr. KUCHEL. I yield.

Mr. BARTLETT. I merely wish to join with the Senator from California in paying tribute to and complimenting the Senator from Ohio for that action.

Mr. LAUSCHE. I would be much happier if the Senator from California and the Senator from Alaska would answer my questions, which I cannot seem to get them to do.

The PRESIDING OFFICER (Mr. CANNON in the chair). The Senator from Alaska has the floor.

Mr. BARTLETT. I have yielded to the Senator from California.

Mr. KUCHEL. Mr. President, if I may continue, we decided—the three of us—that there was no reason for us to assist a country in this hemisphere, under any type of Alliance for Progress doctrine, if they ruthlessly deny American citizens the right to fish in the open seas. That is the reason for this amendment.

I should like to read the amendment, and I wish to interpolate, for the purpose of legislative history, what we believe is the intent behind it:

> The Secretary of State shall take such action as he may deem appropriate—

"Shall"—it is mandatory.

> to make and collect on claims against a foreign country for amounts expended by the United States under the provisions of this chapter (including payments made pursuant to section 7) because of the seizure of a United States vessel by such country.

In other words, it is a mandate to the Secretary of State to take all steps he may deem appropriate to be reimbursed:

> If, within one hundred and twenty days after receiving notice of any such claim of the United States, a country fails or refuses to make payment in full—

That is 4 months after the seizure has been made—

> the Secretary of State shall promptly report such failure or refusal to the President. The President shall—

Again, it is mandatory, I say to the Senator—

> thereupon suspend all assistance provided under the Foreign Assistance Act of 1961, as amended—

Then follow the citations—

> to the government of such country; and such suspension shall continue until the Secretary of State certifies to the President that such claim has been paid in full by such country.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. KUCHEL. I yield.

Mr. HICKENLOOPER. I wish to raise one question. What about the Export-Import Bank? That is not a loan to the country. That is a loan to people engaged in business in those countries.

Mr. KUCHEL. That is not covered. We are dealing in this situation with the denial by a South American country—not an individual citizen of that country, by the country—of an internationally respected right on the part of an American citizen.

While there is much merit in the senior Senator's suggestion, I would not want to amend the amendment.

Mr. HICKENLOOPER. I will admit to being senior in age but not in wisdom.

What about the World Bank? What about the International Bank? Why not really put the screws on these people, rather than go into a dollars-for-tribute every time a vessel is seized, and then take a chance on collecting it some other way?

Mr. KUCHEL. I believe that if the pending bill becomes law, it will have a very salutary effect upon the offending countries.

A number of years ago, when my able friend the Senator from Iowa offered the expropriation amendment, which I believe has had a salutary effect—and he will recall that I supported it—I followed with an amendment somewhat similar to this proposal, that amendment was agreed to in the Senate but when it reached the other body they watered it down.

Mr. HICKENLOOPER. I supported the Senator on that amendment, which I thought was sound. I question this measure very much. This is a payment of tribute. I do not think it is wise.

Mr. KUCHEL. I disagree with the Senator.

Mr. HICKENLOOPER. It is an open season on American fishing boats.

Mr. KUCHEL. I agree with my friend in that. That is why we need a mandate on the executive branch to turn off all foreign assistance if a country offends one of our fellow citizens.

Mr. HICKENLOOPER. I went along with the Senator on the other bill.

Mr. KUCHEL. That is what this measure would do.

Mr. HICKENLOOPER. It would not, the way I read it.

Mr. COTTON. Mr. President, will the Senator yield so that I may ask a question? I must leave the Chamber in a few minutes.

Mr. KUCHEL. I yield to the distinguished Senator from New Hampshire.

Mr. COTTON. Mr. President, I think I understand what the amendment purports to do, although I am not sure.

First, the amendment provides:

> The Secretary of State shall take such action as he may deem appropriate to make and collect on claims against a foreign country for amounts expended . . . because of the seizure of a United States vessel by such country.

Then, the amendment provides that if within a certain period of time a country fails or refuses to make payment in full, the Secretary shall promptly report such failure or refusal to the President. Then, it is provided:

> The President shall thereupon suspend all assistance provided under the Foreign Assistance Act of 1961, as amended, to the government of such country.

It is hard for me to be sure that a President of the United States, although he would intend to follow the laws, might not have to find reasons for withholding all foreign aid that flows to the country.

Mr. KUCHEL. He would violate this amendment.

Mr. COTTON. It has been done before by several Presidents of both parties. I shall not argue that point.

One question that troubles me is that the amendment refers to the seizure of American vessels. I may be wrong in my understanding because I am sure the Senator is thoroughly familiar with the practice and the problems of the fishing industry. This situation is largely confined, if not wholly confined, to Peru. It is my understanding that it is the custom to grab these fishing boats after they are full, when they have made their catch. It is then that they are pulled into the harbor.

In many cases, their refrigeration is such that if they are held up too long, they lose their catch.

Mr. KUCHEL. Yes.

Mr. COTTON. Then, they are blackmailed into paying money in order to get an immediate release.

Mr. KUCHEL. The Senator is correct.

Mr. COTTON. Will the Senator indicate to me, and this is all I want to know before I have to leave the Chamber, how this amendment would take care of that kind of situation? I was not satisfied with the bill and would not have supported it without this amendment.

The seizure about which I speak would be a momentary seizure for perhaps an hour. Perhaps the person in charge of the vessel would be told, "You are going to stay here until your fish are spoiled, unless you pay us so many thousands of dollars."

How would the amendment take care of that situation?

Mr. KUCHEL. The amendment now pending would not touch that situation. The bill to which we offer the amendment would. The bill, which was reported by the Senator's committee, would expand the provisions of the U.S. Fishermen's Protective Act of 1954, to include the loss of fish already caught.

Mr. COTTON. With reference to the element to which the Senator refers, according to my recollection, when we were considering the bill that situation was not taken care of; the matter was discussed in committee and the staff was instructed to revise it so that it would.

Mr. BARTLETT. To what does the Senator refer?

Mr. KUCHEL. The coverage of loss of fish. I think it is clear.

Mr. COTTON. There is no loss of fish involved in the question I asked.

Mr. KUCHEL. Then, the Senator is talking about a fine that is paid to the country.

Mr. COTTON. I am talking about the situation when they grab a boat after it is full of fish. We were told in committee that this was a common practice. They bring those ships in and they might hold them for 1 hour, 2 hours, or 5 hours. The fishermen know that if they are held the catch will be gone. They always waited until the boat was full. Then, they would say, "Upon the payment of so much money we will let you go back before the fish spoil."

In that situation there is no loss of fish nor loss of boat. There is a temporary seizure.

Mr. KUCHEL. An extortion.

Mr. COTTON. I do not see where that particular situation is plainly taken care of in the bill or the amendment.

Mr. BARTLETT. If I understand the Senator correctly, it is his view that compensation for market value of the fish was not included in the original consideration.

Mr. COTTON. The market value of the fish; if the fish were taken, or if he lost the fish. But in this case the fish are not lost, the fish are not taken, and the fish are not spoiled.

In this situation the fisherman would pay an extortion, a tribute. He greases somebody's palm, and it may not even be put through any formal court procedure. He greases the palm of some official in order to be released before he loses his cargo.

Mr. KUCHEL. The bill provides on page 2, line 10, as follows:

> The Secretary shall guarantee—
>
> (1) the owner of such vessel for all actual costs, except those covered by section 3 of this Act, incurred by the owner during the seizure and detention period and as a direct result thereof, as determined by the Secretary, resulting from (A) any damage to, or destruction of, such vessel, or its fishing gear or other equipment, (B) from the loss or confiscation of such vessel, gear, or equipment, or (C) from dockage fees or utilities;

Mr. BARTLETT. There is a limitation in the bill of up to 50 percent only.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. COTTON. I wish to finish this colloquy, first.

I refer to the situation where an official—and I am not casting reflections on the integrity of officials of Peru or any other country—seizes a vessel and holds it. He may not bring the vessel into port, but he might simply say, "You are fishing in our territorial waters." Then, the owner greases the palm of that official. Nobody has levied a fine nor has the matter gone through a court. However, by supplying a few hundred dollars or a few thousand dollars, the fisherman is released before the fish are spoiled.

I do not know how we would get at that situation.

Mr. BARTLETT. To the best of our knowledge, in every situation the case of the vessel, its crew and cargo are taken to court and a fine is levied.

Mr. COTTON. That was not so indicated in the discussion in the committee.

Mr. BARTLETT. This, of course, is not intended to cover that situation, and I am glad the Senator brought the matter up because we might as well have the legislative history on it now.

It was the intention of the committee—as reported in the bill and after hearing testimony given during its consideration—that when it becomes law the bill will be administered so that there will be compensation only when the owner of an American fishing boat is taken before a court of proper jurisdiction in the original country.

Mr. COTTON. I am extremely sorry to hear that statement made for this reason. When a country ridiculously claims its territorial waters extend 200 miles out into the sea because of the fact the late President Roosevelt, during the war, in stating a policy of protecting the shores of South America, said the American Navy would protect them and destroy an enemy which came within 200 miles, that statement, which had nothing to do with territorial waters, has been distorted and twisted by Peru, at least, if not by other governments that by that statement we authorized them to extend their territorial waters 200 miles. When a country makes that ridiculous claim, and when it stops an American fishing boat 100 miles out, or 75 miles out, obviously not in territorial waters when it detains that fishing boat, even if it detains it only 20 minutes, there is a seizure. If during those 30 minutes the owner of the fishing boat, or the captain, has to grease someone's palm in order to be allowed to leave so that his cargo will not spoil, it would be a very difficult matter ever to prove that that was done. No damage to the boat or to the fish could be shown. Yet that practice, according to members of the committee who listened to the evidence in executive session of the Commerce Committee, was shown to have taken place.

The very fact of detaining or taking possession of an American fishing boat, even for a brief time, even if not taken to port, makes it very important that there be written into the bill, upon proper action, that indemnification should be exacted because of the act itself.

It would serve to put an end to this sort of semipiracy. Frankly, with all due respect, I do not trust the Agency for International Development, nor the State Department, to stand up very stiffly and protect the rights of American fishermen to that extent.

Mr. HICKENLOOPER. Mr. President, will the Senator from New Hampshire yield?

Mr. COTTON. I yield.

Mr. HICKENLOOPER. I want to call the attention of the Senator to the fact that they did it in the case of Ceylon. We withdrew our foreign aid from Ceylon when they expropriated our property. So, in that case, they stood up for the law and obeyed the law. I want the RECORD to show that.

Mr. COTTON. All right. Perhaps I have been unjust. If so, I regret my statement. I hope they would stand up to it, but they have some law to stand up to.

Mr. BARTLETT. Let me say this, in response to the statement just made by the Senator from New Hampshire. It seems to me, when this bill becomes law, as it surely will——

Mr. LAUSCHE. Scandalously.

Mr. BARTLETT. Appropriately and justly, naturally, that it will be a clear guide to the American captain, his officers, and crew. We cannot, as I see it, at least, write into a piece of legislation a requirement that the U.S. Government in part—because a portion of the money will come from the fishermen themselves—pay out to the American skipper any amount which he may assert he took out of his safe and gave to the port.

Mr. COTTON. I am not even suggesting that. I am afraid I did not make myself clear.

Mr. BARTLETT. That is how I understood the Senator.

Mr. COTTON. I am suggesting that the bill clearly give power to withhold foreign aid if that sort of episode occurs. We can never prove that a bribe was given, but if they are going to stop and take possession of a vessel, even momentarily, 100 miles off the coast, I want to see some authority in the bill. We cannot make it mandatory. It has to be at the discretion of the administration, but there should be some authority to take that into consideration in giving foreign aid. I am not suggesting we reimburse anyone for an alleged bribe.

Mr. BARTLETT. In the first place, it seems to be clear that, when the bill becomes law, the American skipper will allow his vessel to be escorted into port without any question. He can do this. Tuna vessels carry refrigeration and a day or two is not going to ruin their catch. He will make a clear record so that he can get compensation.

Let me read from the 1954 act:

> SEC. 2. In any case where—
>
> (b) There is no dispute of material facts with respect to the location or activity of such vessel at the time of such seizure, the Secretary of State shall as soon as practicable take such action as he deems appropriate to attend to the welfare of such vessel and its crew while it is held by such country and to secure the release of such vessel and crew.

It seems to me obvious that we should allow the vessel to go into port and then into court.

Mr. COTTON. I will not prolong this discussion. I just want to say this to the Senator, when he spoke of vessels being refrigerated, that it would not do any harm for a day or two, it was my understanding that if a few days elapsed, great loss would result.

Mr. BARTLETT. It is entirely possible, if the fishing vessel were kept in port too long, as has been the case. However, I believe that I specifically said "a day or two."

Mr. COTTON. Well now, with that in mind, the Senator now says—and he knows a lot more about fishermen than I do, he is our authority in committee, and justly so—that the captain would certainly insist on being taken into port, that he would not pay this "hush" money to get away, and that he will be insisting that they take him into port so that he can clearly establish and make a record.

I am not so sure that an American captain with any sense would do that. One, he is only going to get either 50 percent or 66⅔ percent back under this bill and, two, the enforcement of his rights will depend on the action, one, of the Secretary of State, then the President of the United States, and then the administrators of foreign aid. Unless the Government action and Government redtape is a lot different, as in case after case after case in other matters, this captain, if he is young, would have a lot of gray hairs before he ever got his claim adjusted. I doubt very much, if by passing over a sum of money he can be on his way and save his catch, that he is going to place his confidence in the Secretary of State, the President, the Agency for International Development, the Congress, the law, or God and the 12 Apostles. I think he will try to get away. That is why I would like to see in the bill some authority, not mandatory, but some authority to withhold an appropriate amount of foreign aid whenever an American vessel has been stopped outside an actual realistic limit.

Mr. BARTLETT. I defer to the Senator from California who offered the amendment.

Mr. LAUSCHE. Mr. President, I call for the regular order. I had wanted to participate in this discussion. There seems to be a "locked-in" on who shall discuss this matter.

Mr. KUCHEL. Well now, will the Senator from Alaska yield to me so that I may respond to the Senator from New Hampshire?

The PRESIDING OFFICER. The Senator from Alaska has the floor and may yield only for a question.

Mr. BARLETT. That is my intention. There was no other purpose whatsoever and no intention whatsoever, let me say to the Senator from Ohio, to keep him from whatever discussion he desires to make concerning this legislation which I think will be quite extensive.

Mr. LAUSCHE. Mr. President, will the Senator from Alaska yield?

Mr. BARTLETT. No, I yield to the Senator from California.

Mr. KUCHEL. Let me answer the Senator's question, first, if I may.

Mr. BARTLETT. I yield to the Senator from California.

Mr. KUCHEL. It seems to me that we are on sound ground when we provide that where a vessel has been illegally seized and a fine or other kind of penalty has been imposed, it is sound public policy, under those circumstances, to say that all foreign aid to that country shall be turned off.

I suggest to my friend that if he wants consideration of some diminution of foreign aid when a vessel is not seized, but simply has its rights momentarily interfered with, it widens the area. It seems to me we would be better advised to adopt this kind of amendment on this occasion.

Mr. COTTON. I thank the Senator. I was simply trying to establish legislative history by bringing this point out.

Mr. LAUSCHE. Mr. President, will the Senator yield me time on his amendment?

Mr. BARTLETT. I yield to the Senator. I have the floor.

Mr. LAUSCHE. Do I understand that the amendment of the Senator from California would provide that whenever a foreign government seizes a fishing vessel flying a U.S. flag in international waters, payments of foreign aid shall be suspended until such time as that nation reimburses the U.S. Government in an amount equal to the indemnity paid out under the provisions of the bill?

Mr. KUCHEL. Yes.

Mr. LAUSCHE. Does not that in effect mean that the U.S. Government will say to the foreign country, "You pay us the amount we had to pay out because you unlawfully seized the ship, and if you do that, we will give you foreign aid"?

Mr. KUCHEL. I suggest the Senator is wrong. If he feels that way about it, let him vote against the amendment.

Mr. LAUSCHE. Is not that the fact?

Mr. KUCHEL. No, it is not the fact. I deny it.

Mr. LAUSCHE. How long would the suspension remain in effect?

Mr. KUCHEL. As long as the law remained on the statute books.

Mr. LAUSCHE. It would remain in effect until such time as the foreign country reimbursed our Government. Then our Government would say, "Well, now, we will give you more foreign aid." Is not that the fact?

Mr. KUCHEL. No.

Mr. LAUSCHE. What is it?

Mr. KUCHEL. Well, the fact is, I will say to the Senator, that the amendment is clear and speaks for itself and provides in part as follows: That when seizure is made by a foreign country on the open seas, or what we in America term the open seas, and a fine or other penalty is imposed against the American-flag vessel, the Secretary of State, through diplomacy, for a period of 4 months, is given the obligation, through such channels as he deems most appropriate, to obtain a reimbursement of the amounts of money taken, on our view that the amounts of money that were exacted cannot be supported in international law. At the end of the 4-month period, if his labors are unavailing, aid is suspended. Has the Senator read the amendment?

Mr. LAUSCHE. I heard the Senator's description of it very carefully, but his description of what it does would indicate he has not read it.

Mr. KUCHEL. In part it goes on to say, and I will read it——

Mr. LAUSCHE. The Senator started to say what the Secretary would do after he exhausted his diplomatic efforts. What does he do then?

Mr. KUCHEL. Starting on line 2, page 2 of the amendment, it goes on to state that under those circumstances—

> The Secretary of State shall promptly report such failure or refusal to the President. The President shall thereupon suspend all assistance provided under the Foreign Assistance Act of 1961, as amended [with the citation] to the government of such country; and such suspension shall continue until the Secretary of State certifies to the President that such claim has been paid in full by such country.

Mr. LAUSCHE. That is exactly what I said. After the Secretary has collected money constituting the amount of the reimbursement, he says, "Now we will give you foreign aid." That is the point I made, and that is the weakness of the bill.

Will the Senator from California accept an amendment to his proposal which would bar all aid from the United States to any country that practices seizure of American ships in international waters—an absolute bar, without any quibbling about "You give us reimbursement; then we will give you back what you reimbursed us with"—in other words, that any country which seizes our ships unlawfully in international waters shall be barred from all aid?

Mr. KUCHEL. Mr. President, if there is any question about the intention on the part of the authors of this amendment to prevent foreign assistance in such circumstances as we provide for here, suitable amendatory language will be accepted by us, but I doubt that it is needed. However, I think it is sound to provide for a 4-month period in which the Secretary of State may proceed diplomatically.

Mr. FULBRIGHT. Mr. President, will the Senator yield for a question?

Mr. BARTLETT. I yield.

Mr. FULBRIGHT. As the Senator knows, this bill came to the Foreign Relations Committee after it had been reported from the Committee on Commerce. I am puzzled by what appears to be a new principle of reimbursement to private individuals because they run into some difficulty with a foreign government. Is the principle of this bill going to lead to other measures to provide that, if a business is destroyed in a riot or other such difficulties, the Federal Government will provide reimbursement? In other words, is the Federal Government going to assume the burden of making whole those who suffer losses abroad—or at home—when they suffer losses while engaging in activities they consider lawful. It is very questionable practice for the Government to assume the risk of their venturing into troubled waters. In Chile and other countries of Latin America, there are great questions, for example, about fishing rights for U.S. vessels.

I think the right way to approach this problem is through diplomatic negotiations to try to reach a settlement. I do not agree with the assertion by Peru, Chile and Ecuador of a 200-mile limit. I think such a claim is absurd. I would do anything possible to help promote an agreement. But I believe that this approach of reimbursing individuals who venture into an obviously dangerous and disputed area is not the right way to go about it. It sets a precedent for Federal reimbursement of private citizens carrying great implications. I do not know how one could logically resist a similar demand by those who would say, for example, "My grocery store was broken into. It was illegal. I think I ought to be compensated."

I do not agree with such a principle of public responsibility for private losses.

We have insurance and other means for providing protection and where those are not satisfactory perhaps some changes in our domestic law are called for. In this case we ought to strengthen the international law through agreements or treaties with the countries concerned. I am for that.

We already have section 620(o) in the Foreign Aid Act, originally sponsored by the Senator from California. That deals with the question of cutting off aid. It is discretionary. It is as far as we ought to go. I was not even for that.

The Senator from Michigan has a proposal to make changes in the existing rules on our territorial limits.

I think our Government ought to pursue a solution to this complex problem in the regular diplomatic ways, seeking an international agreement on the subject. I am very sympathetic with the problem that concerns the Senator from Alaska and the Senator from California. I would like to do something about it, but I do not think this bill is the right way to do it.

Mr. BARTLETT. I am pleased to have the views of the Senator from Arkansas.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. BARTLETT. In just a moment. I should like first to reply to the Senator from Arkansas.

This whole question is of no personal interest to me. It does not concern the State of Alaska. So whatever attitudes I hold concerning the proposed legislation are objective.

It has been stated, not once but repeatedly during consideration of this matter, that it would create a precedent. Mr. President, that is not so. The precedent, if such it be—and I have not researched the history of years long since past—has been in effect for 13 years.

In 1954, Congress passed, and it was signed into law by the President, a bill providing that the Federal Government should compensate American fishermen in circumstances where boats were taken by nationals of other countries. Compensation would be confined solely to the fines which were paid.

Since 1954, tuna vessels to the number of 54 have been seized, and shrimp boats to the number of about 67. The fines have not amounted to a great deal of money. In all that time, the amount of fines paid out by the State Department for compensation to the fishermen has totaled only a little more than $457,000.

But we did not approach this problem with the thought that we were creating a precedent. I think the history of the prior legislation clearly shows we were not. As the Senator knows, the Committee on Commerce did not approve the bill with the amendment now suggested by the Senator from California—an amendment, by the way, of which I am a cosponsor.

As I tried to explain to the Senator from Ohio awhile ago—though quite unsuccessfully, I am sure; I hope I shall have better success with the Senator from Arkansas—the fact is that this is not to be compared with losses that might be incurred by a U.S. business located in a foreign country, nor losses that might be incurred in an American city where there were riots, for example—a subject brought up by the Senator from Ohio.

What we are trying to do here, under very strict limitations, is demonstrate to these countries which now have territorial limits of 200 miles or more, that the United States does not for one moment agree that such limits can be established unilaterally under international law.

Since the State Department and the Department of the Interior—the two departments of Government chiefly concerned—endorsed the bill reported by the committee, we have a right to assume, I suggest, that they would regard it as a calamity if American tuna boats were to stay outside the 200-mile limit. All our sessions in connection with territorial boundaries would be harmed to a certain extent if we simply ceased fishing within those waters.

If the State Department and the Department of the Interior—both of them having, as I say, a primary interest—had thought there was any doubt about the wisdom of the bill, of course, they would have submitted adverse reports. And I insist, no matter what the Comptroller General—who is not infallable—may have said in the report he made to the Committee on Commerce on this bill, that the precedent was established by the act of 1954, and we are simply building upon that.

Mr. FULBRIGHT. Will the Senator permit me, for the RECORD, to read what the Comptroller General did say on that point?

Mr. BARTLETT. I yield to the Senator for that purpose.

Mr. FULBRIGHT. This is from a letter of October 30, addressed to the chairman of the Committee on Commerce. I shall only quote a part of one paragraph:

> While we recognize that the proposed legislation is a matter of policy for the determination of the Congress, we believe that the legislation could establish a precedent for other citizens of the United States to request reimbursement, or an insurance program, from the Government for the value of properties that are seized by foreign countries in violation of treaties or international law. The provisions of proposed subsection 7(c) covering the establishment of fees to be paid by the owners of vessels entering into agreements under the program, allows the Secretary a considerable amount of latitude in determining what would be a reasonable portion of the cost of the program to be covered by such fees.

And so on. He obviously regards it as a precedent. I think it is an extension of the previous precedent; it seems to me very clear that it is. The fines which have been levied, as the Senator mentions, are certainly quite different from reimbursement for the total value of the ship, loss of the catch, and so on. It is certainly an extension which has grave implications, and I do not think we are justified in approaching the problem in this fashion. It ought to be resolved by diplomacy.

What the Senator says about the Secretary of State and others, I think, means they do not wish us to accept 200 miles as a territorial limit. I do not wish us to accept it, either.

This proposal as to foreign aid carries an assumption that these countries are entitled to foreign aid. I do not say that any of them are entitled to foreign aid. We make no agreement, in our foreign aid bills when we pass them, that Peru, Ecuador, or any other country is entitled to foreign aid.

There is an implication here that, "If you do not seize our ships, we will give you something; if you do, we will not."

This is, to me, a very questionable concept of foreign aid. As a matter of fact, foreign aid faces a very uncertain future this year and hereafter, and I would think, if we want a serious solution of this question, it should not be tied in with a bill so uncertain of enactment, amounts, and so on, as the foreign aid bill. Certainly, no foreign aid bill has ever specified what any country is entitled to.

Mr. BARTLETT. If I may respond briefly, I shall then yield with pleasure to my friend from Florida.

I cannot see for the life of me any reason why this principle was not established in 1954. And once a principle is in effect, it can be altered. It can be magnified, just as we seek to do now.

Let me say that primarily we are driven to means of this nature by legislative procedure because the State Department has repeatedly—and I do not know the number of times, but I imagine that the people in the State Department would have to look in their files to determine that question—tried to enter into negotiations with South American and Central American countries on this subject. They have not gotten anywhere.

What happens now? There will be a meeting among Chile, Ecuador, Peru, and the United States in Santiago on April 17. Our information is—and naturally I cannot declare it to be authoritative, but it comes through a mighty good source—that this conference, which is to be on this subject and on related subjects, was called because of the presence before the U.S. Senate of this very bill. Furthermore, the source says that if the pending bill is rejected or dropped, the conference may also be dropped.

Mr. President, I yield to the Senator from Florida.

Mr. HOLLAND. Mr. President, first I express my appreciation to the Senator from Alaska who is presenting this bill most ably and whose State, as he has already said, is not remotely affected directly by the pending bill for the reason that the waters between his State and the Asian mainland are covered by international agreements so that the pending bill does not apply to incidents arising there.

The bill, however, does apply in a very vital way to several important segments of the fishing industry. And I shall mention only two. They are the tuna fishing industry, which the Senator from California knows much more about than I do, and the shrimp industry, which I may know as much about as the Senator from California since my State has over 1,000 shrimp vessels engaged in that business.

I want to state my understanding about the pending bill. In 1954 we passed the existing legislation. It has been of great benefit. Most of the 67 shrimpboats that had been seized prior to the hearings on the bill—and there have been several seized since—were shrimpboats which came from the State which I represent in part, the State of Florida.

The settlements have been made by the State Department under the terms of that bill, and they have been helpful. They have not by any means covered the situation as well as it should be covered, however, and the pending bill is offered and is supported by the State Department and the Interior Department because it is meant to supplement the Act of 1954, the Fishermen's Protective Act, and to perfect it by adding certain paragraphs which make it much more effective.

One of those paragraphs will enable the pending bill to deal with the salaries of the captains and members of the crews in part, not to exceed 50 percent of their earning capacity, whether by way of salary or participation in the proceeds of the catch. No such factor as that was involved in the original 1954 bill.

Unfortunately, the shrimpboats, from my State at least, have been held up for long periods of time during which the personnel involved have lost their pay and there has been hardship on their part and on the part of their families and on the part of the communities, which are large shrimping communities.

Another of the provisions would require the participation of the fishing industry itself in the setting up of the insurance fund.

I note by the committee amendment that the original bill has been changed to prescribe that the amount of the Federal contribution shall be at least one-third, as I understand it, of the amount of the insurance fund.

Mr. BARTLETT. The contribution of the Federal Government is two-thirds, and the contribution of the fishermen is one-third.

Mr. HOLLAND. The bill has fixed a minimum to which the Federal Government will be bound.

This is no great departure. We have Federal crop insurance applicable to the producers of food which we eat daily, food that does not come from the sea. I have long been interested in that program. The Federal Government pays the administrative costs, and sometimes it has had to go beyond that, in seeing that the producers of our foods get a degree of protection. Just as the pending bill does not give full protection, so, too, the Federal crop insurance does not. It does not pretend to take care of profits. It does try to give a basis of protection so that the growers can get most of the cost of production in the event the crop is destroyed by hail, freeze, flood, drought, or pest, and they are enabled to get some protection and are not put entirely out of business.

That is the type of bill the pending bill is, and I call attention to the fact that we are dealing with some vital foods. I dare say that one cannot go into a first-rate eating place in the city of Washington that does not periodically or daily have shrimp upon the menu. I dare say that one cannot go to such an eating place that does not have regularly or periodically tunafish upon the menu.

Those foods are acceptable portions of the ordinary menu and of the ordinary market basket necessities of people of this Nation.

The effort here is to give something comparable to the insurance protection which we give or offer to give to the agricultural industries that produce food, to those who risk their lives, their fortunes, their working capacity, and working days and nights—because that is what it is, a day and night job—in the not easy matter of taking fish or shrimp from the seas.

I do not think this is the time to go into the troublesome questions of foreign aid. I may say to my distinguished friend, the Senator from California, that I am as harassed as he is. I am as frustrated as he is. However, I think we could not expect to have the continuing support of the State Department, as we have for the bill as it comes out of committee and probably the continued support of the Department of Interior or of the administration as a whole if this particular feature were included.

I call attention to the fact that we already have insurance systems that are set up under various features of foreign aid and foreign investments in other programs to encourage our people who have money to invest and know how to use it to go into foreign countries and make investments there.

This would become an insurance program if this measure were enacted. Insofar as I am concerned, I think it will be a vast improvement over the existing law.

I have no complaint to make of the State Department. The State Department has been highly diligent in protecting a good many dozens of shrimp boats from our State which have been seized anywhere from Mexico to the coast of South America and in the Caribbean, boats which come from our State.

The State Department has been diligent, but no matter how diligent it has been, I can see that my friend, the Senator from Ohio is troubled by this matter. The pending bill does not take care of some of the necessary items. One of them involves the matter of reimbursement in part for an ordinary lost catch of the individuals involved, the captain and the crew, of a little shrimp boat. And in the case of the boats from the Pacific coast, they are a good deal bigger. They have more personnel involved on each of their boats.

Mr. President, I think this is a very helpful bill.

I say to my friend, the Senator from Arkansas [Mr. FULBRIGHT], who has a very proper concern about the question of negotiations and that this is a question that has been negotiated ad nauseam. We had an international convention on the subject of the rights of the sea and the rights of property in the underlying bed of the sea a few years ago. We were able to get the necessary two-thirds vote on the question of the right to property interest that could be developed from the seabed.

I believe it requires a vote of more than two-thirds of the nations of the earth. I am not an expert on foreign matters and international law, but that is my recollection. It is also my recollection that we lacked just a vote or two in getting sufficient votes to agree on a limit well beyond our 3-mile limit.

Mr. FULBRIGHT. I believe it was just one vote.

Mr. HOLLAND. One vote. I am glad that the Senator has added that fact. My recollection is that they were over there months in the course of that negotiation.

So this is a question that has not been ignored and has not been neglected, but it is a question in which, as I see it, the production of foods that we like, foods which are necessary now as part of the menu of our Nation, depends upon some better structure than that which exists.

I congratulate the committee upon having worked out this bill, and I hope that the distinguished Senator from California will not think I am being critical, because I am just as frustrated as he is. I would like to put some penalties somewhere, but the State Department, in its report approving this bill, called attention to the fact that this is an international claim of our Nation against other nations, like other international claims, and must be followed up in the international way—that is, by diplomatic means.

I am afraid that if we added this amendment, we would be in trouble with respect to getting the bill approved. So I hope the Senator from California will reconsider the intention that he has announced to offer this amendment.

Mr. President, I am not an expert on this matter, but on numerous occasions I have attempted to work out these matters between the owners of shrimp boats in our State. As I have said, we have more than a thousand such shrimp boats operating in the waters which are affected, in the gulf and the Caribbean. I have been confronted with these troubles repeatedly, and the present law does not adequately take care of the situation. It does not require any participation by investment on the part of the boatowners. I believe that provision is good, as well as the holding of the compensation to 50 percent of their earnings, based upon their previous earnings for a certain period of time, because it certainly does not offer any inducement to anybody to disobey the law or to knowingly get into trouble with our neighboring nations.

I hope we can pass this bill just as it is presented. I believe a good job has been done on it. I again congratulate the Senator from Alaska. And again I say that I hope the distinguished Senator from California will be patient enough to let us see if the new law would more adequately take care of the situation, without trying to put a penalty into the law. I am sure that the enactment of his bill with the penalty provision would bring the bill into much greater question than it is now. We now have the written approval of the departments that would be directly affected—that is, the Department of State and the Department of the Interior.

Furthermore, the amendment on the one-third contribution by the fishermen and the two-thirds contribution by the Federal Government, which the committee has placed in the bill, is to meet, as I understand it, the criticism made by the General Accounting Office or by the Bureau of the Budget, one or the other. I have read the various reports and I believe the bill should meet that criticism, because it does fix reasonably the limitation which could be applied upon the Federal contribution.

I hope that we will enact this bill for the 4 years covered by it—it is a temporary measure—as a further experiment in this field, because it is based clearly upon the inadequacies of the present law which already have been developed.

I might add that I have talked repeatedly not only with the boatowners and the crews, but also with the personnel of our State Department. I have even talked with personnel representing some of our friendly nations in Latin America—that is, from Mexico down as far as El Salvador.

Mr. BARTLETT. Peru?

Mr. HOLLAND. No, because our contacts have been entirely in the gulf and in the Caribbean. I do not recall having any definite contacts with any officials of other nations except down as far as Nicaragua.

Mr. FULBRIGHT. Is that where they get the big ones?

Mr. HOLLAND. They get big ones off the coast of Florida, and they get big ones down there. I can tell by the remarks of my friend the Senator from Arkansas that he is somewhat of a gourmet when it comes to the consumption of shrimp. They are mighty good, and they are part of our necessary diet. I believe they have become the most valuable single item that we take from the sea. The Senator from Alaska can correct me in that respect, if I am wrong, but I have been told repeatedly that that has become the situation.

So I hope that this bill will be passed as reported by the committee.

Mr. BARTLETT. Mr. President, I thank the Senator from Florida for his very distinct contribution to this debate.

As the Senator from Florida has said, shrimp is the most important fish, by far, in terms of dollars, produced in the United States. Unhappily, despite this, we are forced to import some. But this helps our friends and neighbors.

not amounted to a great deal of money. In all that time, the amount of fines paid out by the State Department for compensation to the fishermen has totaled only a little more than $457,000.

But we did not approach this problem with the thought that we were creating a precedent. I think the history of the prior legislation clearly shows we were not. As the Senator knows, the Committee on Commerce did not approve the bill with the amendment now suggested by the Senator from California—an amendment, by the way, of which I am a cosponsor.

As I tried to explain to the Senator from Ohio awhile ago—though quite unsuccessfully, I am sure; I hope I shall have better success with the Senator from Arkansas—the fact is that this is not to be compared with losses that might be incurred by a U.S. business located in a foreign country, nor losses that might be incurred in an American city where there were riots, for example—a subject brought up by the Senator from Ohio.

What we are trying to do here, under very strict limitations, is demonstrate to these countries which now have territorial limits of 200 miles or more, that the United States does not for one moment agree that such limits can be established unilaterally under international law.

Since the State Department and the Department of the Interior—the two departments of Government chiefly concerned—endorsed the bill reported by the committee, we have a right to assume, I suggest, that they would regard it as a calamity if American tuna boats were to stay outside the 200-mile limit. All our sessions in connection with territorial boundaries would be harmed to a certain extent if we simply ceased fishing within those waters.

If the State Department and the Department of the Interior—both of them having, as I say, a primary interest—had thought there was any doubt about the wisdom of the bill, of course, they would have submitted adverse reports. And I insist, no matter what the Comptroller General—who is not infallable—may have said in the report he made to the Committee on Commerce on this bill, that the precedent was established by the act of 1954, and we are simply building upon that.

Mr. FULBRIGHT. Will the Senator permit me, for the RECORD, to read what the Comptroller General did say on that point?

Mr. BARTLETT. I yield to the Senator for that purpose.

Mr. FULBRIGHT. This is from a letter of October 30, addressed to the chairman of the Committee on Commerce. I shall only quote a part of one paragraph:

> While we recognize that the proposed legislation is a matter of policy for the determination of the Congress, we believe that the legislation could establish a precedent for other citizens of the United States to request reimbursement, or an insurance program, from the Government for the value of properties that are seized by foreign countries in violation of treaties or international law. The provisions of proposed subsection 7(c) covering the establishment of fees to be paid by the owners of vessels entering into agreements under the program, allows the Secretary a considerable amount of latitude in determining what would be a reasonable portion of the cost of the program to be covered by such fees.

And so on. He obviously regards it as a precedent. I think it is an extension of the previous precedent; it seems to me very clear that it is. The fines which have been levied, as the Senator mentions, are certainly quite different from reimbursement for the total value of the ship, loss of the catch, and so on. It is certainly an extension which has grave implications, and I do not think we are justified in approaching the problem in this fashion. It ought to be resolved by diplomacy.

What the Senator says about the Secretary of State and others, I think, means they do not wish us to accept 200 miles as a territorial limit. I do not wish us to accept it, either.

This proposal as to foreign aid carries an assumption that these countries are entitled to foreign aid. I do not say that any of them are entitled to foreign aid. We make no agreement, in our foreign aid bills when we pass them, that Peru, Ecuador, or any other country is entitled to foreign aid.

There is an implication here that, "If you do not seize our ships, we will give you something; if you do, we will not."

This is, to me, a very questionable concept of foreign aid. As a matter of fact, foreign aid faces a very uncertain future this year and hereafter, and I would think, if we want a serious solution of this question, it should not be tied in with a bill so uncertain of enactment, amounts, and so on, as the foreign aid bill. Certainly, no foreign aid bill has ever specified what any country is entitled to.

Mr. BARTLETT. If I may respond briefly, I shall then yield with pleasure to my friend from Florida.

I cannot see for the life of me any reason why this principle was not established in 1954. And once a principle is in effect, it can be altered. It can be magnified, just as we seek to do now.

Let me say that primarily we are driven to means of this nature by legislative procedure because the State Department has repeatedly—and I do not know the number of times, but I imagine that the people in the State Department would have to look in their files to determine that question—tried to enter into negotiations with South American and Central American countries on this subject. They have not gotten anywhere.

What happens now? There will be a meeting among Chile, Ecuador, Peru, and the United States in Santiago on April 17. Our information is—and naturally I cannot declare it to be authoritative, but it comes through a mighty good source—that this conference, which is to be on this subject and on related subjects, was called because of the presence before the U.S. Senate of this very bill. Furthermore, the source says that if the pending bill is rejected or dropped, the conference may also be dropped.

Mr. President, I yield to the Senator from Florida.

Mr. HOLLAND. Mr. President, first I express my appreciation to the Senator from Alaska who is presenting this bill most ably and whose State, as he has already said, is not remotely affected directly by the pending bill for the reason that the waters between his State and the Asian mainland are covered by international agreements so that the pending bill does not apply to incidents arising there.

The bill, however, does apply in a very vital way to several important segments of the fishing industry. And I shall mention only two. They are the tuna fishing industry, which the Senator from California knows much more about than I do, and the shrimp industry, which I may know as much about as the Senator from California since my State has over 1,000 shrimp vessels engaged in that business.

I want to state my understanding about the pending bill. In 1954 we passed the existing legislation. It has been of great benefit. Most of the 67 shrimpboats that had been seized prior to the hearings on the bill—and there have been several seized since—were shrimpboats which came from the State which I represent in part, the State of Florida.

The settlements have been made by the State Department under the terms of that bill, and they have been helpful. They have not by any means covered the situation as well as it should be covered, however, and the pending bill is offered and is supported by the State Department and the Interior Department because it is meant to supplement the Act of 1954, the Fishermen's Protective Act, and to perfect it by adding certain paragraphs which make it much more effective.

One of those paragraphs will enable the pending bill to deal with the salaries of the captains and members of the crews in part, not to exceed 50 percent of their earning capacity, whether by way of salary or participation in the proceeds of the catch. No such factor as that was involved in the original 1954 bill.

Unfortunately, the shrimpboats, from my State at least, have been held up for long periods of time during which the personnel involved have lost their pay and there has been hardship on their part and on the part of their families and on the part of the communities, which are large shrimping communities.

Another of the provisions would require the participation of the fishing industry itself in the setting up of the insurance fund.

I note by the committee amendment that the original bill has been changed to prescribe that the amount of the Federal contribution shall be at least one-third, as I understand it, of the amount of the insurance fund.

Mr. BARTLETT. The contribution of the Federal Government is two-thirds, and the contribution of the fishermen is one-third.

Mr. HOLLAND. The bill has fixed a minimum to which the Federal Government will be bound.

This is no great departure. We have Federal crop insurance applicable to the producers of food which we eat daily, food that does not come from the sea. I have long been interested in that program. The Federal Government pays the administrative costs, and sometimes it has had to go beyond that, in seeing that the producers of our foods get a degree of protection. Just as the pending bill does not give full protection, so, too, the Federal crop insurance does not. It does not pretend to take care of profits. It does try to give a basis of protection so that the growers can get most of the cost of production in the event the crop is destroyed by hail, freeze, flood, drought, or pest, and they are enabled to get some protection and are not put entirely out of business.

That is the type of bill the pending bill is, and I call attention to the fact that we are dealing with some vital foods. I dare say that one cannot go into a first-rate eating place in the city of Washington that does not periodically or daily have shrimp upon the menu. I dare say that one cannot go to such an eating place that does not have regularly or periodically tunafish upon the menu.

Those foods are acceptable portions of the ordinary menu and of the ordinary market basket necessities of people of this Nation.

The effort here is to give something comparable to the insurance protection which we give or offer to give to the agricultural industries that produce food, to those who risk their lives, their fortunes, their working capacity, and working days and nights—because that is what it is, a day and night job—in the not easy matter of taking fish or shrimp from the seas.

I do not think this is the time to go into the troublesome questions of foreign aid. I may say to my distinguished friend, the Senator from California, that I am as harassed as he is. I am as frustrated as he is. However, I think we could not expect to have the continuing support of the State Department, as we have for the bill as it comes out of committee and probably the continued support of the Department of Interior or of the administration as a whole if this particular feature were included.

I call attention to the fact that we already have insurance systems that are set up under various features of foreign aid and foreign investments in other programs to encourage our people who have money to invest and know how to use it to go into foreign countries and make investments there.

This would become an insurance program if this measure were enacted. Insofar as I am concerned, I think it will be a vast improvement over the existing law.

I have no complaint to make of the State Department. The State Department has been highly diligent in protecting a good many dozens of shrimp boats from our State which have been seized anywhere from Mexico to the coast of South America and in the Caribbean, boats which come from our State.

The State Department has been diligent, but no matter how diligent it has been, I can see that my friend, the Senator from Ohio is troubled by this matter. The pending bill does not take care of some of the necessary items. One of them involves the matter of reimbursement in part for an ordinary lost catch of the individuals involved, the captain and the crew, of a little shrimp boat. And in the case of the boats from the Pacific coast, they are a good deal bigger. They have more personnel involved on each of their boats.

Mr. President, I think this is a very helpful bill.

I say to my friend, the Senator from Arkansas [Mr. FULBRIGHT], who has a very proper concern about the question of negotiations and that this is a question that has been negotiated ad nauseam. We had an international convention on the subject of the rights of the sea and the rights of property in the underlying bed of the sea a few years ago. We were able to get the necessary two-thirds vote on the question of the right to property interest that could be developed from the seabed.

I believe it requires a vote of more than two-thirds of the nations of the earth. I am not an expert on foreign matters and international law, but that is my recollection. It is also my recollection that we lacked just a vote or two in getting sufficient votes to agree on a limit well beyond our 3-mile limit.

Mr. FULBRIGHT. I believe it was just one vote.

Mr. HOLLAND. One vote. I am glad that the Senator has added that fact. My recollection is that they were over there months in the course of that negotiation.

So this is a question that has not been ignored and has not been neglected, but it is a question in which, as I see it, the production of foods that we like, foods which are necessary now as part of the menu of our Nation, depends upon some better structure than that which exists.

I congratulate the committee upon having worked out this bill, and I hope that the distinguished Senator from California will not think I am being critical, because I am just as frustrated as he is. I would like to put some penalties somewhere, but the State Department, in its report approving this bill, called attention to the fact that this is an international claim of our Nation against other nations, like other international claims, and must be followed up in the international way—that is, by diplomatic means.

I am afraid that if we added this amendment, we would be in trouble with respect to getting the bill approved. So I hope the Senator from California will reconsider the intention that he has announced to offer this amendment.

Mr. President, I am not an expert on this matter, but on numerous occasions I have attempted to work out these matters between the owners of shrimp boats in our State. As I have said, we have more than a thousand such shrimp boats operating in the waters which are affected, in the gulf and the Caribbean. I have been confronted with these troubles repeatedly, and the present law does not adequately take care of the situation. It does not require any participation by investment on the part of the boatowners. I believe that provision is good, as well as the holding of the compensation to 50 percent of their earnings, based upon their previous earnings for a certain period of time, because it certainly does not offer any inducement to anybody to disobey the law or to knowingly get into trouble with our neighboring nations.

I hope we can pass this bill just as it is presented. I believe a good job has been done on it. I again congratulate the Senator from Alaska. And again I say that I hope the distinguished Senator from California will be patient enough to let us see if the new law would more adequately take care of the situation, without trying to put a penalty into the law. I am sure that the enactment of his bill with the penalty provision would bring the bill into much greater question than it is now. We now have the written approval of the departments that would be directly affected—that is, the Department of State and the Department of the Interior.

Furthermore, the amendment on the one-third contribution by the fishermen and the two-thirds contribution by the Federal Government, which the committee has placed in the bill, is to meet, as I understand it, the criticism made by the General Accounting Office or by the Bureau of the Budget, one or the other. I have read the various reports and I believe the bill should meet that criticism, because it does fix reasonably the limitation which could be applied upon the Federal contribution.

I hope that we will enact this bill for the 4 years covered by it—it is a temporary measure—as a further experiment in this field, because it is based clearly upon the inadequacies of the present law which already have been developed.

I might add that I have talked repeatedly not only with the boatowners and the crews, but also with the personnel of our State Department. I have even talked with personnel representing some of our friendly nations in Latin America—that is, from Mexico down as far as El Salvador.

Mr. BARTLETT. Peru?

Mr. HOLLAND. No, because our contacts have been entirely in the gulf and in the Caribbean. I do not recall having any definite contacts with any officials of other nations except down as far as Nicaragua.

Mr. FULBRIGHT. Is that where they get the big ones?

Mr. HOLLAND. They get big ones off the coast of Florida, and they get big ones down there. I can tell by the remarks of my friend the Senator from Arkansas that he is somewhat of a gourmet when it comes to the consumption of shrimp. They are mighty good, and they are part of our necessary diet. I believe they have become the most valuable single item that we take from the sea. The Senator from Alaska can correct me in that respect, if I am wrong, but I have been told repeatedly that that has become the situation.

So I hope that this bill will be passed as reported by the committee.

Mr. BARTLETT. Mr. President, I thank the Senator from Florida for his very distinct contribution to this debate.

As the Senator from Florida has said, shrimp is the most important fish, by far, in terms of dollars, produced in the United States. Unhappily, despite this, we are forced to import some. But this helps our friends and neighbors.

I wish to reiterate one fact, so that it will be clear to Senators who may have entered the Chamber after this discussion commenced. Under the terms of this bill, we are not proposing an unlimited Federal appropriation. By no means are we proposing any such thing. The measure, as the Senator from Florida and others have pointed out, is temporary in nature, extending only 4 years; and the Federal participation, by the terms of the amendment offered by the committee and agreed to on the floor earlier this afternoon, is limited to $150,000 a year.

I take a view contrary to that held by the Senator from Arkansas and the Senator from Ohio. I do not believe they are correct when they say that in this bill we are adopting an entirely new principle. I believe the principle was established in 1954. What is sought by this bill is merely to give the fishermen needed additional protection.

Mr. FULBRIGHT. Mr. President, will the Senator yield for a question?

Mr. BARTLETT. I yield.

Mr. FULBRIGHT. I do not wish to prolong the matter, but how does the Senator distinguish between fishermen who suffer from what we consider illegal acts and any other businessman? Suppose a man goes to Mexico or Ecuador and he is mistreated by the local authorities through excessive taxes or some other way, and loses his business. How are we going to turn him down if a bill comes in to reimburse him for all his losses? In other words, why are fishermen picked out for this very special treatment?

The guarantee program that the Senator from Florida mentioned a moment ago does not pick out a special kind of businessman and say, "If you do follow a particular area, we are going to give you this subsidy." This bill picks out fishermen. This is very special legislation. Why is it not made to cover everybody who does business and runs into trouble with a foreign country?

I am raising these questions because it is a very difficult problem—it is a difficult area. The precedent here strikes me as a little dangerous.

These matters ought to be settled by diplomatic means. I cannot deny what the Senator from Florida said about shrimp. We do subsidize the producers of certain domestic agricultural activities. There is no doubt about that. However, there is a distinction establishing the principle of subsidization abroad. We are going to give special treatment to this group because they run afoul of the laws of a foreign country. I am bothered by the effect of this legislation.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. BARTLETT. The Senator from Florida is ready to respond, and so am I. I yield first to the Senator from Florida. Then, I shall respond.

Mr. HOLLAND. I thank the Senator for yielding and paying that much courtesy to my gray hairs. I appreciate that.

I wish to point out to my friend that there is a very great difference between the two situations.

If I, as an American citizen, go into a foreign country to invest my time and money I know I am subjecting myself to the laws of that country and their enforcement.

If I am fishing on the high seas, as contended by us and as contended by the great majority of nations of the earth, the question there is, do we cease to have any interest in our citizens who are not within a foreign country, but to the contrary, are in a jurisdiction we claim is international. We claim that strongly. They are still within the protection of our flag and they are still within the protection of our philosophy. What constitutes international waters? The two cases are not similar at all.

Any objection that the Senator from Arkansas might have is really directed at laws presently existing on the books since 1954, because this proposed law would simply correct the deficiencies already found to exist, particularly with reference to the protection of the personnel, who, I think the Senator will agree with me, are as richly entitled to be protected by their home country as the owner of the boat and the equipment.

It also establishes a pretty good American principle, the one of self-help, by making this insurance program a mutual insurance program between our Nation, in protecting rights we defend, and the individuals who are in the business in subserving rights which they have. I think there is a great difference.

I yield to my youthful friend from Alaska. I thank him for having yielded to me.

Mr. BARTLETT. I accept the burden gladly.

Really, there is not much to add to that which has been said by the Senator from Florida. There is an essential difference, of course.

Let us say an American businessman goes to a South American country and establishes a business. He does so in conformity with all existing laws and regulations of that particular country. I do not know if it ever happened in this particular area of the world, but let us suppose has happened elsewhere, his property is expropriated. An ordinary business venture based upon such a situation, it does not seem to me, can be compared with what the American fisherman is confronted when he fishes in waters which are held by the U.S. Government to be international in character and held by the country, off of whose coast the waters lie, to be part of its territorial sea.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. BARTLETT. I yield.

Mr. FULBRIGHT. This matter is important. I do not see the distinction where he is conforming to the law as we believe it to be, and when his business is expropriated.

I have some cases in mind where in connection with public utilities they are refused a request to allow them to adjust their rates, and they are forced to sell at a sacrifice. I cannot see any difference where they mistreat a businessman and where they mistreat a fisherman. I like fishermen, and I like shrimp.

However, as a matter of principle, why does the fisherman have preference over a fellow who invested in an electronic plant and they take his plant?

Mr. BARTLETT. Mr. President, I feel that the thinking of the distinguished Senator from Arkansas does not meet with the thinking of the Senator from Florida or the Senator from Alaska in this instance.

I think the answer might be found in a statement made by Ambassador McKernan, of the State Department, in testimony before the Committee on Commerce on this subject, when he said:

> It seems to me, Mr. Chairman, that the fisherman is protecting the rights of Americans on the high seas, and it is unfortunate that he has been made to carry such a heavy burden and disproportionate load.

I yield to the Senator from California.

Mr. KUCHEL. I thank the Senator for yielding. I shall speak only briefly.

I believe the Senator from Florida made a superb contribution to the record. He has helped to educate me on the basic need for the bill.

I do wish to say that, as the Senator knows, we have had a series of seizures, up until the last one occurred just a matter of weeks ago.

I rather think it would have a salutary effect if we provided for economic sanctions against our neighbors. I think that some people have gone so far as to suggest that we run part of our Navy down there and say, "Do not interfere with our vessels." That is not the way to get along with our neighbors. I do think we should say, "We are not going to let you make a monkey out of Uncle Sam." Therefore, I am hopeful that the amendment which the Senator from Alaska, the Senator from Washington, and I jointly sponsor, will be agreed to.

Mr. President, I ask unanimous consent that the name of my distinguished colleague [Mr. MURPHY] be added as a cosponsor of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KUCHEL. I hope that my able friend from Florida would feel that the ends of justice and equity would be served by adopting this kind of amendment. However, I do not want to prolong the argument.

Mr. HOLLAND. I appreciate the tone of the Senator from California. We are interested in exactly the same objectives. He has spoken of providing assistance and of sending the Navy down. The trouble is that we have already sent the Navy down, and have even given elements of the Navy to countries which are our friends, and they are operating those ships to seize our vessels. That happened in two of the countries about which I know. The seizures were accomplished by small naval vessels given freely by our country to those Central American countries which are our very close friends in many respects—one of them, I think, our closest friend in the hemisphere. That has added greatly to the feeling of frustration and sometimes to the hostility that prevails in that fishing group.

Mr. President, I see no objection at all to improving and making more perfect a law already on the books, particularly when it is done in a way that brings in participation by the industry itself. It will have to contribute its own money to come under the law, which is not now the case, and particularly, also, for the first time, it will assure the continuance of some income to the poor devils who are seized and thrown into jail and kept from making a living for periods of days, sometimes periods of weeks.

Those two improvements—and they are a part of the amendment—are what most appeal to me. I strongly favor this perfection—that is how I regard it—of the law now on the books.

I thank the Senator for yielding.

Mr. KUCHEL. Mr. President, I move the adoption of the amendment.

Mr. MURPHY. Mr. President, in supporting S. 2269, and Senator KUCHEL's amendment thereto, I renew my call for increased protection for American fishermen.

During the past 7 years, Ecuador and Peru alone have seized 57 U.S. fishing vessels operating in international waters.

How can we prohibit similar incidents in the future? There is only one way which I can see. The United States must bring Ecuador, Peru, and the other nations claiming fisheries jurisdictions of 200 miles to the conference table and reach an accord as to the outer boundaries of the territorial sea and fisheries jurisdiction.

While international law does not specify the exact breadth of the territorial sea, in 1957, the International Law Commission determined that in no case should the outer limits of the territorial sea exceed a distance of 12 miles from the shore.

Then in 1958 and 1960 United Nations Conferences on the Law of the Sea were held at Geneva. While no definite limits were set, a U.S. compromise—authorizing a 6-mile territorial sea and a 6-mile fisheries jurisdiction, subject only to historic rights, failed by only one vote to receive the support of the necessary two-thirds of the 87 participating nations.

That far more than a majority of the countries favored the U.S. proposal is indicative, Mr. President, of the sentiment in the world community for a territorial sea and fisheries jurisdiction not to exceed 12 miles. It is indicative as well of the hope of other nations to resolve the discrepant claims which exist.

With this in mind, it is inconceivable to me that Ecuador, Chile, Peru, Argentina, Nicaragua, Panama, and El Salvador should claim a 200-mile limit.

Reconciliation of our differences, Mr. President, can only come through mediation at a conference where good faith negotiations are employed. I have called for such a conference in the past, and I am taking this opportunity to do so again.

Yet we know that the chances of such a conference are slight. There has been no indication of the willingness of all the nations to meet, nor have Chile, Ecuador, or Peru made any efforts to resolve the problem in a four-nation conference with the United States. To the contrary, they have aggravated it with flagrant and frequent violations.

On March 13, a shocking incident occurred. After the *City of Tacoma* had been seized 45 miles off the cost of Peru, the armed guards who boarded the vessel opened fire from the U.S. ship against an Ecuadorian vessel and thereby invited retaliation which would have jeopardized the lives of the entire U.S. crew.

This incident came only a few months after another episode which demonstrated vividly the adamant attitude which Ecuador and Peru have maintained concerning this issue.

This incident occurred when former Ambassador McKernan, now Assistant Secretary of State for Fish and Wildlife Service, attempted to initiate a conference between the United States, Ecuador, and Peru to attempt to settle the differences between these countries regarding their sea claims.

After receiving assurances from Ecuador and Peru that they were willing to negotiate, the U.S. vessel *Puritan* was seized as McKernan boarded his plane back to this country.

While I continue to stress the necessity of good-faith meetings between these countries and the United States, my hopes of it taking place obviously are not great. Therefore, I support S. 2269 and Senator KUCHEL's amendment which, I believe, offer temporary protection to fishing vessel owners and their crews whose financial and physical well-being have been so often jeopardized by these acts of piracy on the part of our Latin American neighbors.

At present, vessel owners are only reimbursed under the Fisherman's Protection Act for the fines they pay. S. 2269 will broaden the coverage of reimbursements to include all direct charges to the boatowner—not only fines, but costly registration and license fees, as well.

Furthermore, it establishes a guarantee program requiring compensation for damage to the vessel, 50 percent of the estimated gross income lost as a result of the seizure, and the market value of the fish spoiled during confinement.

However, this alone is not enough. It serves to mitigate the damage done to the boatowner, but it will not prevent further occurrences. The amendment introduced by Senator KUCHEL will.

In 1965, Mr. President, the Congress amended the Foreign Aid Assistance Act of 1954, so as to permit the President to withhold foreign aid payments to any country which seized or imposed fines or penalties on any of our fishing boats operating in international waters.

Originally, we had intended to require such a cutoff of funds; however, the Congress saw fit to leave the prerogative with the President. Now, 3 years later, I must wonder why? The President has never invoked this power. His actions are long overdue, yet I doubt they will be forthcoming with any future seizures.

Consequently, Senator KUCHEL has seen fit to require the Secretary of State to take any necessary action to collect amounts expended by the United States to reimburse fishing vessel owners for the fines, license fees, registration fees, and other direct charges and losses incurred as a result of the seizure and confinement of their vessels; and then, if the Secretary fails to receive reimbursement, for the President to suspend assistance payments to that country making the seizure.

Mr. President, until the various claims as to fisheries jurisdictions are resolved by the International Court of Justice—to whom the United States has tried to submit the case, but to whom the other nations have refused to let it be taken—or by an international conference, we must provide for the losses sustained by our fishermen and we must curtail foreign aid to those nations who do not immediately cease their piracies.

Mr. LAUSCHE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CHURCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

A TRIBUTE TO LYNDON JOHNSON

Mr. CHURCH. Mr. President, Sunday night, following the President's remarkable address to the Nation, I said:

> This is Lyndon Johnson's finest hour. He is taking those steps best suited to bringing an end to the war in Vietnam, and he is making the supreme political sacrifice to further strengthen his search for peace. Every American tonight should honor the President of the United States.

Today's response from Hanoi, indicating a willingness to initiate preliminary discussions, is the first hopeful development to come out of Vietnam in years.

At long last, I can now see a glimmer of light at the end of the tunnel, even though the path ahead is still highly uncertain.

President Johnson deserves much praise for the forthright action he has taken. No one, at home or abroad, can any longer doubt his sincerity of purpose.

In his new undertaking to end the war in Vietnam, the President is entitled to the united support of the American people.

TODAY'S OFFER TO NEGOTIATE FROM HANOI

Mr. JAVITS. Mr. President, I, too, would like to make a brief statement on the reports coming out of Hanoi this morning.

Hanoi's offer to talk about how to begin peace talks should be accepted. The important thing is to get talks started and to build a momentum for substantive negotiations. Hanoi's statement is ambiguous and disappointing in its rigidity; but there is room in the "bombing restraint" announced by the President for further implementation, and the way to resume is—as I said long ago—to resume.

In February 1967, I called for an unconditional bombing cessation which would "expect"—I used that word at that time—that Hanoi would not use the cessation to further its own military buildup. This would not have required Hanoi's prior agreement to negotiate. I was perhaps the first Senator to say so—subsequently the President took the same position.

In my judgment, the administration missed the boat in February 1967—I spoke then in Buffalo, N.Y., at a great Lincoln Day celebration—by not ordering an unconditional cessation, because there was then an auspicious international framework for negotiations.

Nonetheless, it is never too late to do what is right.

Mr. President, it is time to mark a "beginning of the end" of the Vietnam engagement. That is what our people and the world want and what the situation requires. It may come if we now agree to talk with Hanoi's representatives—as I strongly urge the President that we should.

THE BUSINESS OF BANKING

Mr. HOLLAND. Mr. President, on March 22, 1968, the Comptroller of the Currency, Hon. William B. Camp, spoke before the Florida Bankers Association at Bal Harbour, Fla.

We heard a great deal about our economy and fiscal policies during the course of the debate on H.R. 15414. I feel that Mr. Camp's remarks, in which he discusses the role the banking system of our country plays as a critical component of our industry, commerce, and economy of the Nation, are most appropriate, and I ask unanimous consent that they be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

THE BUSINESS OF BANKING

(Remarks of William B. Camp, Comptroller of the Currency, before the Florida Bankers Association, Bal Harbour, Fla.)

I am always pleased to have the opportunity to come to the Sunshine State of Florida. I have been here several times on both business and pleasure, sometimes to attend conferences, sometimes to relax and fish and enjoy your splendid climate and scenery. But on every visit, I have been most impressed by the warmth of your hospitality and by the considerate treatment you accord to all your visitors.

For a number of reasons, I do not plan to spend April in Paris. The opportunity to spend even a short part of March in Florida is more than adequate compensation. And the opportunity to meet again with my many friends of the Florida Bankers Association is doubly welcome.

I do not travel as much as some of my Texas friends, but I feel about the same as a fellow Texan I know who walked up to an airline ticket counter and said, "Give me a ticket."

"Where to, sir?" the girl behind the ticket counter asked.

"It doesn't make any difference," the Texan replied. "I've got business everywhere."

Since becoming Comptroller I have found that I, too, have business almost everywhere, even though it doesn't always take me to such pleasant surroundings as these. Wherever I do go, I am impressed again and again with the evidence I see of the strength and soundness of our National Banking System—and indeed with the healthy growth and steady progress of the commercial banking system as a whole.

While in the process of preparing my remarks to you today, I quite fortunately received a publication entitled "Freedom of Choice" sponsored by The Magazine Publishers Association, an association of 365 leading United States magazines. While thumbing through this publication, a caption on one of the pages immediately caught my eye. In bold print at the top of the page it stated, "Don't throw the baby out with the bathwater." I was quite impressed by the contents of this particular page, as it sets forth the basic theme of my talk to you today. With your indulgence I would like to read it to you:

"There's a funny thing about the American economy. Ask any two economists what makes it tick and you've started a debate.

"Because, the simple, ingenuous truth of the matter is this: nobody really knows or agrees on all the influences that combine to give it muscle. Or, where all its weaknesses may lie.

"All you'll get agreement on is that it seems to work. It has produced the broadest and most abundant prosperity in all the histories of man . . . the highest standard of living for the greatest number of people.

"The heart of this restless, surging, vital economy is and always has been: free competition. That's what has distinguished it from the managed economies of the Old World . . . economies managed either by government or by cartel.

"Competition has been the sharp spur that has produced the incredible variety of products and services we have today. It has produced the endless innovations that have made life easier to live. More enjoyable. More rewarding.

"It has encouraged manufacturers to build more things . . . and build them better . . . and at lower prices. They have to build more and better . . . and the prices have to be right . . . or the consumer stops buying. Because, the other side of free competition is *your free choice in the marketplace*.

"This is the astonishing power of the American consumer. He can make or break the largest businesses with a nod or a shake of the head. He has the choice. He has the ballot of the dollar.

"That's why it is disturbing to find people of influence in America today who would like to make both free competition and free choice a little less free. They may concede that the system has produced some great results but they'd like to 'fix it a little.' There are too many kinds of olives, they say. Let's standardize. Company 'A' spends more on advertising than Company 'B', and that's unfair competition, they plead. Let's regulate.

"Yet, our system was built on exactly the opposite kind of thinking. Regulation doesn't stimulate competition. It tends to make all products the same.

"How much can you interfere with the competitive economy, which has brought us so many benefits, without damaging it? The truth is, nobody knows. The 'Little' fixes may someday add up to quite a lot.

"Of course, any economy needs some regulation—*but let's be sure that we don't throw out the baby with the bath water.*"

One of the most precious freedoms we enjoy in our country is the liberty of the individual to choose a career and to pursue it at the point of his choice. In the world of industry and commerce, this principle finds expression in the latitude to enter any field of production or distribution and to serve any class of consumers. The phenomenal achievements of our economy are thought by many to rest more on the great national markets we have opened to all forms of enterprise than upon any other single factor. The advances in communication and transportation we have experienced, have made this, more than ever, a reality.

Under the influence of this freedom, we have developed the arts of specialization more highly than any other Nation. You who live in the State of Florida have seen the fruits of these developments. Your wonderful year-round climate has come increasingly within the reach of the growing numbers of our citizens who can afford the pursuits of leisure and the comforts of retirement—and this has enabled you to exploit these advantages to a high degree. The technological advances which have been made possible by the strength of our economy have enabled us to explore beyond the boundaries of Earth—and Florida, as a result of its strategic location, has stood in the forefront of these pioneering endeavors which hold untold promise for the future.

We are witnessing today comparable efforts on the part of the banking industry—throughout the Nation—to realize more fully its highly-specialized capacity to perform a broader range of financial functions so essential to the further progress of our economy. These responses to long-neglected opportunities have spurred the introduction of many new banking services and facilities—and have provoked some to question the appropriate role of the banking system in our society. What, exactly, it is being asked, is the proper scope of the business of banking?

One aspect of the banking business—branch banking—has been drawing increased attention in recent years. Understandably, this attention has been centered in those States which impose the most severe limitations on branching. In many of these States, there has been a growing movement in recent years to liberalize the laws relating to branch banking. This movement has, so far, met with varied success—but it has been gaining force. It would be worthwhile to examine the reasons for this support, and the merits of this policy.

Branch banking is not a new issue in our country—even though in other industrialized countries this form of bank expansion has had general acceptance for many years. Much of the discussion of branch banking in recent years has been clouded by questions of existing law, by the divided authority over banks, and by the varied interests of competing banks and their non-bank rivals. But there is a genuine issue of public policy here which must be faced if we are to resolve this question properly.

The success with which we improve the mobility of our financial resources will vitally affect our future capacity to advance the well-being of our citizens. Because human and material resources are not always as mobile, it is especially important that financial resources should move quickly and sensitively to the points at which they may be used to best advantage. This places a particular responsibility upon the local banker and his capacities—for it is upon his capabilities, his alertness, his judgment, and his initiative that the pace of enterprise in his community will be highly dependent. For this reason, there is broad public concern to see that the banking system throughout the Nation operates at the highest level of efficiency.

Traditionally, we have relied upon the forces of individual initiative and private enterprise to search out the most effective and most efficient means of utilizing our productive capacity in serving consumer needs. But in banking, this freedom does not exist. The structure of banking is under public control—no bank may be formed, branch, or merge without the approval of a public authority.

This places upon the banking authorities the responsibility for determining the best combinations of the various means of bank expansion in particular banking markets—according to the growing and changing needs for banking services and facilities in those markets, and bearing in mind the fact that the initiative for expansion still remains with the individual bank. Branching represents but one of the means for providing an expansion of banking facilities and services—and it is in this light that branching policy should be viewed. If this method is foreclosed, the pressure of demand may force the use of other—and in some instances less efficient—means of expanding available financial services. The growth of affiliate and satellite banking, holding companies, and many of our non-bank financial institutions, reflects in some degree the limitations which have been placed upon bank expansion through branching.

Much of the discussion of branch banking has been diverted from the basic issues of economy and efficiency because of the fear by many smaller banks that more liberal branching would lead to their extinction, and because of the differences in branching laws among the various States.

Nothing in our experience, however, would confirm the fears of smaller banks. Indeed, the record shows that the restriction of branching, where there are market deficiencies, encourages the chartering of new banks, the formation of branching substitutes, and the growth of non-bank financial institutions.

Bankers have long been accustomed to giving advice. But, lately, they have been getting a lot of advice on how to run their own business—not so much from the regulatory authorities who are also accustomed to giving advice, but from their competitors. Strangely enough, some of these same competitors have been striving mightily to become more like bankers—a form of flattery that I am sure we all appreciate.

A generation of bankers whose experience embraced the unsettling years of the Great Depression and the restrictive banking legislation of that period, were taught to view the conduct of banking operations with extreme caution—almost with a sense of guilt for the reverses of the early thirties which more accurately could have been ascribed to the deficiencies of monetary policy and the lack of a system of deposit insurance. Under the influence of this constricting counsel—and during a period in which the Nation experienced its most rapid rate of technological advance and economic growth—the banking industry responded slowly, and only spasmodically, to the revolutionary changes that were taking place.

The non-bank financial institutions were not so reserved in taking advantage of the opportunities which appeared. They grew more rapidly than commercial banks in this period, and they took many new forms designed to meet emerging consumer demands.

Today, a new generation of bankers is appearing on the horizon—a generation with only a dim recollection of past fears, highly-trained in modern-day skills, alive to the opportunities for the expansion and modernization of banking services, and insistent upon exploring these opportunities. In the regulatory agencies, we have sought to reshape the pattern of public controls so that all new avenues for the performance of financial services that banks may safely pursue are held open.

Not unnaturally, this new force in the banking industry has met opposition from competitors although, interestingly, not from the consumers of banking services. The banking industry has a great un-utilized potential, and it represents a formidable latent factor in all financial markets. The question we face is: How far should the extension of banking functions be limited, and by what standards?

The paramount issue is to determine the public interest. It is repugnant to the most basic principles of our private enterprise economy to restrict entry or competition in any market, unless that competition is destructive of the very freedom of initiative that we seek to sustain.

There is a great deal of confusion—or at least of pretense—on this point. Entry into banking and bank expansion are restricted, and we closely supervise the conduct of banking operations. But these controls are designed solely to safeguard the solvency and liquidity of the banking system. It is of the most critical importance, in the dynamic economy that our banking industry serves, to make certain that, within these limits, banking initiative is fully preserved.

It is an extremely delicate task to regulate an industry without destroying or seriously impairing its will to explore and experiment. And it is easy enough for both the regulator and the regulated to fall into the comfortable habit of imposing and accepting rigid rules of conduct under the illusion that the industry can be insulated from the inexorable tests of the market place. But where an industry fails to adapt to the times—and particularly where a regulated industry faces competition from unregulated rivals, as is true of banking—the consequences are likely to be crippling.

During the past three decades, we have witnessed dramatic changes in our society, in our economy, and in our relationships with the World around us. There have been profound effects upon the demand for financial services, and the banking industry is only now in the process of catching up with these events.

The demand for financial services—which lies at the base of the business of banking—is dependent upon the income and tastes of individuals, the state of technology, and the capital needs of industry and commerce. These are self-generating processes, and they are constantly undergoing change.

As incomes rise, a Nation is able to devote more of its resources to capital-intensive means of production, to undertake more research devoted to the advance of technology, and to spend more on the training of its citizens. As a consequence, incomes tend to rise further, and the process is repeated. In the course of these events, tastes change, new products and new industries emerge, and the economy becomes more highly industrialized and more highly specialized.

More significantly for our purpose, the demands for financial services constantly grow and change. Individuals with rising incomes save more, invest more, purchase more durable goods (which often involves borrowing in anticipation of higher incomes) and set aside more for the education of their children and for sickness, retirement and old age. The financing requirements of industry and commerce also rise as new technology is developed and put to work, new industries emerge, new products are introduced, and new markets are penetrated and explored. Modern production and distribution methods require ever more highly-trained personnel and more expensive instrumentation.

The response of financial markets has been to develop a host of new instruments and institutions to bring together more effectively those who have resources to lend or invest and those who manage or utilize these resources. It is to this environment that the banking industry of our country has had to adapt, in the face of rising competition for the resources they dispense and the services they offer—a competition that is, on the whole, less restrained by regulatory barriers. The recent resurgence of banking initiative in vastly broadening the range of its services reflects the efforts of the banking industry to meet the challenge of today's world of finance—to employ the most expert personnel and advanced technology feasible, and to react more sensitively and more quickly to changing consumer needs and competitive pressures.

A few illustrations may serve to indicate the manner in which the banking industry—now alive to its potential—has moved to improve its effectiveness and its efficiency. In order to compete more forcefully for the funds which constitute the raw material of their operations, many banks have introduced and expanded the use of certificates of deposit, issued preferred stock, capital debentures, and promissory notes, and expended greater efforts to attract savings accounts. They have entered more vigorously the long-neglected consumer loan and mortgage markets, and they have inaugurated credit card and overdraft facilities in order to make their services available more conveniently to a broader range of consumers. To accommodate the growing number of our citizens who travel, either for business or pleasure, there has been a notable expansion of travel check and related travel facilities. Mobile services have been undertaken in order to make banking facilities more readily available. And collective investment of managing agency accounts has brought the expertise of banks within the reach of many small investors.

To serve the growing and changing financial requirements of the world of industry and commerce, banks have entered the fields of leasing and factoring, and they have participated more actively in the financing of our foreign trade. As they have applied computer technology to their own operations, they have offered these services to others in order to make the most efficient use of these facilities. Comparable extensions have been made of the services of the increasing number of expert and specialized personnel on the staffs of banks, and payroll and accounting functions have been performed for many more customers. And to assist more effectively in meeting the pressing financial needs of local governmental instrumentalities at minimum costs, banks have underwritten revenue bonds and participated in community development loans.

This list of expanded banking services could be greatly enlarged, and it will grow if banks are allowed to shape their operations in response to the demands of today's more sophisticated financial managers, both individual and corporate. Commercial banks are best equipped, among our financial institutions, to perform the wide variety of financial services which our growing and dynamic economy requires. Their greater awareness of these opportunities, and their alert and energetic response to these prospects, is the dominant characteristic of recent banking history. It is eloquent testimony to the foresight and enterprise of the new generation of bankers who have made their influence felt throughout the financial community, a development that should be commended and encouraged.

This is a time of testing for democratic societies—a testing of whether we shall be able to achieve the goals we have set while preserving the liberty of the individual. At home, we face growing aspirations by many of our less fortunate citizens who find it difficult to earn a place in the age of technology. Abroad, our national interests and the principles which are vital to our survival are undergoing severe challenge. We need, as never before, to harness fully our great productive potential. Every means of improving these endeavors should be fostered and supported.

The banking system of our country is a critical component of our industry and commerce. We cannot afford the luxury of allowing this pervasive instrumentality—which reaches into the daily lives of all our citizens, and affects the efficiency and pace of enterprise throughout the economy—to be hampered in the full and prudent exercise of its productive capacity. All of us have a stake in this goal to search out every opportunity for the banking industry to extend and improve its service to the community and the Nation.

Mr. BARTLETT. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

A BROADER VIEW OF THE ASIA TRAGEDY

Mr. KUCHEL. Mr. President, some of the critics of America's role in Southeast Asia treat the subject almost as if there is no risk to our withdrawal from the scene. Indeed, the full dimension of this tragedy is shown by the inability of the antagonists in this debate to see clearly what is at stake for Asia, for America, and for the world.

Our allies in Asia have repeatedly

pointed out their deep concern over the implications of a Communist victory. This morning's Washington Post correctly emphasizes the acute need to see the tragedy of Southeast Asia in its fullest context.

It reads in part:

> Prime Minister Tunku Abdul Rahman last week told visiting Australian and New Zealand journalists that a North Vietnamese takeover would spell doom for Southeast Asia. He said: "If the Americans for some reason decided to give up this war in Vietnam and the North decided to take over the South, then it will be the end of us all."

There is need for support from our allies and, more importantly, there is need for us to see just what precisely is at stake. I ask unanimous consent that the excellent editorial from the Washington Post be placed in the Record at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the Reord, as follows:

A Malaysian View

A cry of anguish from Malaysia surely will jolt thoughtful Americans who have a parochial and insular preoccupation with South Vietnam as a situation apart from the rest of that region of the world.

Prime Minister Tunku Abdul Rahman last week told visiting Australian and New Zealand journalists that a North Vietnamese takeover would spell doom for Southeast Asia. He said: "If the Americans for some reason decided to give up this war in Vietnam and the North decided to take over the South, then it will be the end of us all."

Not many in the United States are talking about just "giving up" in South Vietnam and fewer are advocating openly a Communist North Vietnam takeover. But whether the Premier's fears are justified or not, they make it clear that we are dealing with a crisis that will affect and influence the fate of most of the countries of Southeast Asia, and perhaps of all South Asia.

The Premier, in case of American withdrawal, foresees trouble in Malaysia and in Thailand. And he grimly conceives of the war as arraying the Soviet Union and China against the United States and the West. This may be putting the Vietnam crisis in its most apocalyptic frame, but it is a Southeast Asian view that cannot be lightly dismissed.

Neither can anyone lightly dismiss the Premier's thoughtful conclusion that a Communist-non Communist South Vietnam government will not work. He has had as much experience with Asian communism as any statesman in the region and his credentials as an interpreter of both Asian communism and the reactions of Asians to it are pretty good.

If South Vietnam does indeed have the larger significance that the Tunku gives it, two broad conclusions logically derive from his views. One is that the resistance to a North Vietnamese takeover deserves a lot more support from the rest of South Asia than it has had. The second is that the ultimate solution probably lies outside the immediate theater of conflict in Vietnam in a broader world-wide or regional Asian accommodation.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LAUSCHE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNLAWFUL SEIZURE OF U.S. FISHING VESSELS

The Senate resumed the consideration of the bill (S. 2269) to amend the act of August 27, 1954, relative to the unlawful seizure of fishing vessels of the United States by foreign countries.

Mr. LAUSCHE. Mr. President, I shall later offer an amendment in the nature of a substitute for the amendment offered by the Senator from California, the Senator from Alaska, and others to the bill now pending before this body.

The amendment of the Senator from California provides that if and when a foreign country seizes a fishing vessel owned and operated by a national of the United States, foreign aid to that country shall be suspended until such time as the particular country reimburses the United States for whatever indemnity the United States has been required to pay to the vessel owner, under the provisions of the pending bill, if it is enacted.

My amendment, instead of suspending the granting of foreign aid, will absolutely disqualify the seizing country from obtaining foreign aid from the U.S. Government, until such time as it has given assurance to the United States of its purpose to discontinue the practice of harassing American vessels on the high seas.

The difference between the amendment of the Senator from California and my amendment is that mine would provide for an absolute bar against any foreign country receiving foreign aid from the United States if and when it seizes American vessels on the high seas or in international waters, and would not merely suspend the payment until the country reimburses the United States for the indemnity which our country has had to pay.

With due respect to the Senator from California, his proposal says, in effect, to the foreign country, "We will suspend foreign aid until you pay us an amount equal to the indemnity which we have had to pay to the American vessel owner." That is a rather novel way of doing business: "You pay us what we have paid out, and we will again give you foreign aid."

All they will do is keep asking for foreign aid, and continue to seize U.S. ships.

I shall at a later time send my amendment to the desk, but now I should like to discuss the pending bill itself.

Mr. President, S. 229 was sent to the Committee on Foreign Relations at my suggestion, after it had been favorably reported by the Committee on Commerce. I am a member of the Committee on Foreign Relations, and I fought against approval of the bill by that committee. The members of the Committee on Foreign Relations, after hearing testimony, voted 13 to 5 to report the bill unfavorably.

The members of the committee are well aware of the difficulties American fishing vessels have encountered while operating in South American waters. They believe that the rights such vessels assert should be supported vigorously by the full diplomatic resources of our Government. But two important principles which are involved here caused the committee to reject the bill.

Those important principles are as follows:

First. The bill would give preferential treatment to fishermen whose rights are violated by foreign governments. It would give to the fishermen treatment of a nature that is not accorded to other citizens of the United States whose rights are violated by foreign governments. The Senate is asked to provide a special privilege for the fishermen of our country. We are asking to provide that special privilege while similar privileges are not accorded to other U.S. citizens.

Second. The bill would establish a precedent that the U.S. Government will indemnify its citizens if and when they suffer damage by violence, either internationally or domestically, through violations of law.

I need not mention the fact, since it is generally known, but we have had riots around the country. Those riots occurred because government was not able to maintain law and order. Dwellings were burned down. Businesses were looted. Business houses were destroyed. This all occurred through the failure of either the local, the State, or the Federal Government to maintain law and order.

If we provide special treatment for the fishermen, on what theory can we say that the victim of a riot ought not to be indemnified by Government?

The citizen in the District of Columbia who walks the streets and is assaulted and robbed suffers damage because of the failure of the government to protect him. Is it proposed that we shall indemnify those victims for the damages which they suffer? Of course, it is not.

American investments are made in foreign countries. Those investments are seized by a foreign government. It happened in Cuba. It happened in Ceylon. It happened in South American countries. Does the Government of the United States reimburse that American national who has suffered the confiscation of his property? It does not.

Governments in Europe have seized bank deposits of American citizens. That has been especially true in Yugoslavia. Does the Government reimburse a citizen for the loss which he sustained through such an unlawful seizure? It does not.

Yet, it is proposed by the pending bill that one special segment of our economy shall be given special consideration and special privileges. The Committee on Foreign Relations does not believe that fishing vessel owners should be singled out for preferential treatment over that treatment afforded other Americans who have suffered loss at the hands of a foreign government while they are engaged in activities which our Government considers to be lawful, but which a foreign government says is illegal.

To do so would discriminate against many other Americans with claims against foreign governments for the infringement of rights which our Government considers to be valid.

The adoption of the pending bill would create a precedent which would indirectly obligate Congress to approve similar measures for compensating other claimants against foreign governments.

The rights of U.S. citizens to engage in activities abroad which are lawful in the eyes of our Government should not be divided into preferential and nonpreferential categories.

On the basis of good conscience, morality, and the belief that principles should apply in the adoption of laws, how can we give to one group of citizens a privilege that we do not give to another group? There are lawyers present in the Chamber at this moment, and I make an appeal to them especially.

Throughout my whole public career, I have learned that, unless we operate on the basis of principle applicable to all equally, we are headed for trouble. There may be lawyers present in the Chamber who have been on the bench. A judge does not decide matters on an ad hoc basis. He decides them on the basis of principles of law.

There is now a group of fishermen in Florida, Washington, California, and Oregon who want special treatment. Over the doorway of the Supreme Court is written the precept, "Equal justice to all."

These fishermen want preferential treatment, and they advocate the idea that justice shall be unequal. I cannot give my assent to that type of approach to legal matters by the Senate of the United States.

The issues of preference and precedent which concerned the Committee on Foreign Relations were stressed by the General Accounting Office's comments on the bill. In a letter to the chairman of the Committee on Commerce under date of October 30, 1967, Frank H. Weitzel, Assistant Comptroller General, stated:

> While we recognize that the proposed legislation is a matter of policy for the determination of the Congress, we believe that the legislation could establish a precedent for other citizens of the United States to request reimbursement or to request an insurance program from the government for the value of properties that are seized by foreign countries in violation of treaties and international laws.

The letter report on S. 2269 from the Department of State also recognized the preferential nature of the pending bill. In the letter of September 6, 1967, it is stated:

> As a matter of principle, the items for which this bill would provide compensation out of public funds are, in reality, claims against foreign governments.

On what theory and on what principle does the Government of the United States say: "Citizen, you have a claim against a foreign government, but we will pay you for that claim?" I cannot understand it.

The basic question posed by the pending bill involves in what cases, if any, is the public interest served by Government subsidization of losses incurred by U.S. citizens in asserting their rights under international law against foreign governments.

May I have order, please.

This bill is not the way to go about answering that question. The problem of fishing vessel owners should be considered in this larger context and not treated as an isolated problem, as this bill would do. This problem should not be treated on an ad hoc basis. It must be treated on the basis of general principles, and that is not being done under the provisions of the bill.

It may be that there should be some type of indemnification program for U.S. claimants against foreign governments, but that can be determined only after extensive study by the executive branch and by Congress.

The Senate should be aware that a meeting preparatory to a conference among the United States, Peru, Ecuador, and Chile on the fishing rights problems will convene in Santiago, Chile, on April 17. This meeting was announced only Wednesday. Passage of this bill now would quite likely seal the fate of the conference in advance.

The timing could not be more unfortunate. Only an agreement among the nations concerned can solve this problem. This bill will not do it. The Senate should not do anything that would lessen the likelihood of making the coming meeting a success.

A final point, Mr. President: A bill quite similar to this was defeated by the House of Representatives, by a vote of 147 to 175 on September 18 of last year. I mention this not to suggest that the Senate be guided by the House action, but to make the point that, in addition to the Committee on Foreign Relations, the House has found this bill badly wanting.

Now I should like to return to the point at which we were 2 hours ago. I tried to get the Senator from California, the Senator from Alaska, and the Senator from Washington to answer questions dealing with how we treat other citizens who have suffered damage through violation of law. I could not get them to answer. I assume that no answers were given because they could not be justified.

I wish to repeat now what I said earlier: If we compensate the fisherman, how can we avoid compensating other American nationals whose properties are confiscated by foreign governments? If we compensate the fisherman, how can we deny compensation to American citizens who suffer damage through riots? If we compensate these fishermen, how can we avoid compensating every other American who suffers damage through violence? It cannot be avoided.

In my judgment, this bill is nothing but an indefensible handout of American taxpayers' money. It is indefensible because it is putting the Government into a new role of subsidies. Subsidies will be expanded if the citizens of Detroit who suffered destruction of their property come to the Senator from Michigan and say:

> We want you to present a bill that will require the Government of the United States to pay us for the damage which we suffered. You supported a bill to compensate fishermen.

What is there about the fishermen of tuna and shrimp that gives them a position greater than should be occupied by the humble citizen of Detroit whose house was burned down?

The humble citizen of Detroit obviously does not have the power that the fishermen have. And how the fishermen got their power, I do not understand.

Efforts have been made to pass this bill for the past 8 years, but it has been stopped. Suddenly, a strength has developed. Why, I cannot answer. I do know this: that the lobbyist of the fishing industry came to me and sort of laid down the rule that I had better get in back of this bill. I saw him for 15 minutes. He came back a second and a third time, and I would not see him again.

I repeat: Can this august body, the U.S. Senate, begin approaching problems on the weak basis contained in the environment of this bill? How can the Senate do it? How can the Senate justifiably pick out fishermen and forget everybody else?

Mention has been made of an insurance program passed by Congress in which an American citizen wanting to establish a business in a foreign country buys insurance and pays a premium, and the Government establishes a reserve fund with that premium. If he suffers loss, he is paid for that loss. This bill is professed and claimed to be insurance, but it is nothing of the kind. The bill provides that the Government shall pay two-thirds of the loss suffered by the fisherman when his property is taken from him. He bears one-third of the loss.

In the investment guarantee program, each year the foreign investor must pay a premium, and that premium builds up into a reserve fund to carry it.

Mr. ALLOTT. Mr. President (Mr. PELL in the chair), will the Senator yield?

Mr. LAUSCHE. I yield.

Mr. ALLOTT. Mr. President, I am very much impressed by the arguments of the distinguished Senator from Ohio. But he mentioned a moment ago that the shipowner would pay one-third of the cost. I call his attention to a sentence on page 3 of the bill:

> The amount fixed by the Secretary shall be predicated upon at least 33⅓ per centum of the contribution by the Government.

So there is no limitation of one-third. There is a minimum guideline.

Mr. LAUSCHE. I did not remember that.

Mr. ALLOTT. Actually, it is in excess of the limitation referred to by the Senator.

Mr. LAUSCHE. It is in excess of it. They shall pay at least 33⅓ percent; yes.

Mr. ALLOTT. While I have interrupted the Senator's discourse, I should like to ask him a question. This does not necessarily reflect the view of the Senator from Colorado; but I have found, in talking with some Senators that for some reason they are able in their own minds to distinguish between fishing vessels which are apprehended on the high seas and those persons who are doing business in foreign countries. It is difficult for me to accept this logic.

I wish to ask the distinguished Senator, who has spent a lifetime as a lawyer, a judge, a governor, and a Senator, not upon his experience as a Senator or governor, but in his experience as a lawyer and judge, whether he can draw any logical distinction between the treatment to be accorded the fishermen in this case and a company, for example, which had its oil wells, or its minerals, or its farm or ranch production, or its bank accounts expropriated in another country.

Can the Senator from Ohio see any valid legal basis, even though it might be a fine one, upon which there could be a distinction drawn between the ships on the high seas and those expropriations that occur within a country where a company is doing business?

Mr. LAUSCHE. If there is any distinction, the strength of the decision lies with those who go into a foreign country by invitation, and their property is taken from them—for which our Government ought to compensate but does not.

We have no international law fixing international waters. These fishermen know that those governments have made claims of international waters beyond the 12-mile limit. Therefore, I say that their position is different than the position of the American investor who goes into a country by invitation.

Mr. President, the *Pueblo* was seized in North Korea. American men are prisoners in North Korea. Has anybody suggested that they be compensated? Allegedly they were seized in international waters. Are any tears being shed for them? The crying is for the fishermen.

Mr. ALLOTT. I thank the Senator.

Mr. LAUSCHE. Now, Mr. President, I do not know whether this measure can be stopped. Supposedly there is not much involved except principle, and that should bear down on our judgment much more than the money involved.

If this group of Senators is going to take the position that principle means nothing in the running of our Government, God help our Nation.

Mr. President, I say to the Senator from Washington [Mr. MAGNUSON], you may get this bill passed, but I predict that you will suffer remorse after you do it because it is going to plague you in future days. Efforts have been made for 6 or 8 years to get the bill passed. I know that special relief bills were filed. One special relief bill was filed that I blocked 6 years ago; and then, through some subterranean channel, special relief was granted in the sum of $150,000, which I did not know about.

Mr. President, I yield the floor.

Mr. MAGNUSON. Mr. President, I do not like to get into an argument with the Senator from Ohio. I have great respect for his viewpoint, and I expect the same respect from him for my viewpoint.

The Senator talks about allocation of principle in the Senate. I think maybe we are going a little bit too far. I have principles. The sponsors of the bill have as much principle as anybody else. If a Senator looks at the bill in a different way than another Senator, that is his opinion and his opinion should be respected. No one has a monopoly on principle in this Chamber.

The principle here is a great deal different than the Senator from Ohio suggested. In the first place, this is a much different situation than the Senator talked about with respect to crime in the streets.

If the Senator wishes to talk about principle, the Senator from Ohio read a part of the State Department report on the bill. I shall read the remainder of the report in which they highly support the bill, because it is a different situation.

When a person goes into a country he knows what the laws are and he abides by the laws. We have always said these were not the laws of the high seas. That is the difference.

I shall read what the State Department stated in a long letter written to me in September of 1967. The State Department has some principle about it. They state, in one paragraph, as follows:

> It may be pointed out that cases here involving fishing vessels are no different, for example, than claims arising out of taking property and other international claims. Such claims have not been paid out of public funds.

The Senator from Ohio did not tell this to the Senate. They further state:

> But in this particular case—that of fishing vessels wrongfully seized on the high seas—Congress has passed the act of August 27, 1954, for the purpose of assisting the owners of seized vessels to obtain the prompt release of their vessels and crews. Its goal is to give our fishing fleet some protection in addition to that provided by diplomacy.
>
> The act of August 27, 1954, has been of some assistance to the American fishing industry in maintaining and exercising its rights under international law, despite the harassment of seizures which the United States considers illegal. However, the act is not fully effective in its purpose of obtaining the prompt release of vessel and crew. In order to obtain prompt release, owners of vessels are often required not only to pay a fine, but to purchase a fishing license and a temporary registration and sometimes to pay other fees.

This paragraph also should be read to the Senate:

> The Department believes that under the circumstances it would be appropriate to establish a temporary program whereby U.S. fishermen who are willing to share in the costs can be provided some additional assistance while negotiation efforts continue and that such an approach will not undermine the principle against public compensation for private claims against foreign governments.
>
> Accordingly, the Department recommends amendment of the act of August 27, 1954, as provided in S. 2269.

Does that not make a different situation?

Of course it is a different case. There is no one in this body who does not pray that we will get our men back on the *Pueblo*. Of course they will be compensated. They were at war.

Mr. LAUSCHE. They are entitled to it more than fishermen.

Mr. MAGNUSON. Yes; and we are going to do whatever we can. I shall try to do everything I can. But that has nothing to do with the bill whatsoever. The State Department has opposed the bill for a long time. We acceded to the changes they wanted in the 1954 act. They were opposed to the 1954 act at the time. Now, because they admit that they have not been able to do anything with these countries, and they mentioned it in their letter, it would therefore be appropriate for Congress to do it. They suggest that we make it temporary to give them time for another chance to go down and see what they can do.

The best way to settle it would be through diplomatic channels. So we acceded, and placed a time limitation on it. So that this is an entirely different thing. There is nothing in it about principle.

The Senator talks about lobbyists for the fishing industry. I do not know many lobbyists for the fishing industry. There are some tuna packers who have lobbyists here, but the fishermen are pretty well unrepresented.

They are men who go out in small boats on the high seas and hope to make a living from the harvest of the seas, in fierce competition with other countries. Usually it is a cooperative effort. Most of the time it is a family working together—father and son, with one or two deckhands, and someone who doubles in brass as the cook. Fishermen have not been able to get any particular preference in Washington. As a matter of fact, if I had my way, they would get much more.

The Senators from the State of Washington do not have many tuna fishermen. If we were talking about salmon today I would be much more violent on this subject.

Mr. BARTLETT. Mr. President, will the Senator from Washington yield there?

Mr. MAGNUSON. I yield.

Mr. BARTLETT. Actually, for the benefit of our own States, Washington and Alaska, in principle maybe we should be against the bill because the tuna caught by American fishermen necessarily means less salmon consumed. However, we feel as we do because we have inquired into this matter very carefully and have held hearings in the subcommittee. Thus, we happen to know quite a little bit about it.

Mr. MAGNUSON. This is the only way we know to correct the situation. The Senator says we have been trying to do something for 8 years. That is correct. We have waited and waited and waited. We have acceded, and hoped, but it has not been the fault of the State Department because they tried. Now they find they cannot do anything about it, so that the only way I know is to adopt the Senator's amendment.

The Senator from Michigan mentioned foreign aid in his individual views, that they have been getting away with it and laughing up their sleeves at us about it.

When we go into a country to do business, we know the territorial limits of that country and we know its laws, and we therefore take a calculated risk in anything that we do on foreign soil. But we are of the firm belief, as is the State Department, the Department of the Interior, and everyone I know of involved in this matter, that the territorial limits should not extend to 200 miles. That is why this is different. That is not in the same category at all with someone who goes from one State to another State establishing businesses. He knows that he is subject to the laws of those States.

Mr. MORSE. Mr. President, will the Senator from Washington yield?

Mr. MAGNUSON. I yield.

Mr. MORSE. I want to join the Senator from Washington in the argument he is making, in regard to the fact that the bill is really an aid to the State Department by way of helping it through legislation in a diplomatic posture with certain Latin American countries.

Mr. MAGNUSON. That is exactly what they say.

Mr. MORSE. The Senator points out that such time limitation on it leaves it up to the parties concerned whether they want to negotiate a diplomatic settlement with the United States which the State Department has been urging for some time.

Without naming the country or going into specifics, let me say that I have been in consultation in regard to another matter which is related not too indirectly to this one, where we have some concern about a policy we have been following in making available to some of the Latin American countries certain naval vessels on a loan basis. We have done that. An unfortunate event developed. One of the ships was used to seize an American fishing ship. That created quite a problem, as the Senator from Washington recognizes.

Of course, what some would want to do in regard to this question is, of course, to take back the ship, when what we need to do is, first, to realize that someone in their navy made an unfortunate judgment. It is easy to take an activist position and to strike back by saying, "We reclaim our ship."

But that will not help relations between our country and that country. My position in the consultations which took place was to let the waters calm for a while. Let us wait and see. After all, they have recognized that it was a mistake. The ship they seized was forthwith released but that does not change the fact that there is a strong feeling among some in this country that our rights were violated. They were.

So, what should we do? Should we calm down in this situation, as I am recommending, and try to handle it diplomatically?

Obviously, I think that is what we should do. What we are doing here in the bill, as the Senator from Washington is pointing out, is to come to the assistance of the State Department, in strong support of our diplomatic arm, by going ahead with the bill which provides for an equitable solution to the problem involved, and the loss involved, which I think will be an inducement to the countries concerned to enter at a much earlier date into satisfactory diplomatic arrangements with the United States.

Mr. MAGNUSON. I have no objection to what the Senator from Ohio said. I think maybe we should have some procedures to protect people who go into other countries, say insurance, or something of that kind. That is perfectly all right with me.

But in the meantime, we are faced with this one problem. We have waited and waited and waited. The State Department says, "Look, do this in the interim. We are still trying to do what we can." That is what they have said. They have said it in no uncertain terms. It is not that these people are big corporations or something. Sometimes our fishermen do not make anything but expenses.

If this were some group making large profits, perhaps we should make the contribution 80 percent. But the limit on the bill is $150,000. That is as far as we can go. That is all.

These incidents have been getting more numerous and frequent as the years go by. If we talk about international principle, if we yield without protesting and doing something, whether directly or indirectly, as we are doing here, in the case of limitation, if each country wants to claim 200 miles, talk about regretting something, the world will be in chaos.

We would have to ask Morocco permission to go through the Strait of Gibraltar. De Gaulle would claim the English Channel. I do not know why he has not already done it.

We have got to look at this question internationally, frown, but do what we can about it.

We are talking about $150,000. Perhaps, after the debate on the floor today, those countries may slow up. I hope they will, and we will not have to spend a nickel.

The bill involves decent principles of protecting people who are on the high seas, whether they are there fishing, mining, or pleasure boating. It happens that those countries have been seizing fishermen. It could be one of our merchant marine ships. Those ships are threatened on some occasions. They are asked to pay lighthouse fees and charges of that kind. Some countries have demanded such fees if ships come within 200 miles of their shores. They will continue to do it unless we are adamant. They think they can stop a merchant ship 200 miles from their shores. Many of the ships that go up and down the coast have to come within 200 miles of the shore and they are subject to those restrictions.

Yes, it is an exceptional bill. Those of us who have been working with this problem a long time do not know of any other way to do it, but it is high time that we do something.

AMENDMENT

Mr. LAUSCHE. Mr. President, I send to the desk my amendment in the nature of a substitute for the amendment of the Senator from California.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. In lieu of the language proposed to be inserted by the amendment of the Senator from California, it is proposed to insert the following:

> SEC. 3. Subsection 820(o) of the Foreign Assistance Act of 1961, as amended, is amended to read as follows: No assistance shall be furnished under this Act to any country which hereafter seizes, or imposes any penalty or sanction against any United States fishing vessel on account of its fishing activities in international waters. Assistance to any such country shall not be resumed until the President determines, and reports his determination to the Speaker of the House and the Senate Committee on Foreign Relations, that assurances have been received from the government of the country involved that such harassment of United States fishing vessels has ceased. The provisions of this subsection shall not be applicable in any case governed by international agreement to which the United States is a party.

Mr. LAUSCHE. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. LAUSCHE. Mr. President, for the benefit of Senators who were not on the floor when I previously discussed the amendment, I wish to give this explanation. The amendment of the Senator from California provides that whenever a foreign government unlawfully seizes an American ship, the granting of foreign aid shall be suspended until the seizing government reimburses the United States for whatever moneys the U.S. Government had to pay under the provisions of the bill.

My substitute provides that foreign aid shall be absolutely discontinued—not suspended; discontinued—until the seizing foreign government assures the United States that its practice of seizing has stopped and has been ended. Mine is an absolute prohibition. The amendment of the Senator from California provides for a suspension. I think there ought to be an absolute prohibition of the granting of aid to any government that seizes our ships on the high seas.

Mr. KUCHEL. Mr. President, I rise to oppose the substitute. First of all, let the RECORD be clear, the pending bill would expire in 4 years. So it is unnecessary to talk about the policy of the Congress of the United States or the U.S. Government with respect to foreign assistance for more than that period. The amendment which the distinguished Senators from Washington and Alaska and I have offered provides a means for the Department of State to employ diplomacy for 4 months after an offensive, illegal seizure takes place on the open oceans. Thereafter, we provide that the aid shall be suspended unless and until the amounts of money which have been extracted by the offending countries have been returned to the United States.

The Senator from Ohio, in his amendment at the desk, which none of us has seen, because we have no copies of it, provides that aid shall be prohibited—I do not have the exact language—until certain assurances are given. I raise the question: What better assurance could be given than the assurance by the offensive country of returning the fines and the other moneys which it may have extracted when it accomplished the seizure in the first place?

I want to say this, and then I shall be through, and we can vote on the amendment. Something ought to be done. There is no question about that. I congratulate the Senator from Ohio for feeling that something ought to be done. That was not the position he took when I offered an amendment several years ago, on Monday, June 14, 1965, which reads as follows:

> No assistance shall be furnished to any country which hereafter extends its jurisdiction for fishing purposes over an area of the high seas beyond that recognized by the United States.

My distinguished friend from Ohio on that occasion voted "no." I congratulate him now on feeling that aid ought to be withheld. I truly believe that our amendment is a better approach than his, and ask that his amendment be defeated.

Mr. BARTLETT. Mr. President, I rise merely to say I agree entirely with the Senator from California, and I express the same hope that the substitute offered by the Senator from Ohio will be defeated and the amendment offered by the Senator from California will be accepted.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the substitute amendment offered by the Senator from Ohio.

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Alaska [Mr. GRUENING], the Senator from Oklahoma [Mr. HARRIS], the Senator from Arizona [Mr. HAYDEN], the Senator from Hawaii [Mr. INOUYE], the Senator from Missouri [Mr. LONG], the Senator from New Mexico [Mr. MONTOYA], the Senator from West Virginia [Mr. RANDOLPH], and the Senator from Virginia [Mr. SPONG] are absent on official business.

I also announce that the Senator from Maryland [Mr. BREWSTER], the Senator from Virginia [Mr. BYRD], the Senator from North Carolina [Mr. ERVIN], the Senator from Tennessee [Mr. GORE], the Senator from North Carolina [Mr. JORDAN], the Senator from Massachusetts [Mr. KENNEDY], the Senator from New York [Mr. KENNEDY], the Senator from Minnesota [Mr. MCCARTHY], the Senator from New Hampshire [Mr. MCINTYRE], the Senator from Rhode Island [Mr. PASTORE], and the Senator from Maryland [Mr. TYDINGS], are necessarily absent.

I further announce that, if present and voting, the Senator from Maryland [Mr. BREWSTER], the Senator from Alaska [Mr. GRUENING], the Senator from Oklahoma [Mr. HARRIS], the Senator from Massachusetts [Mr. KENNEDY], the Senator from New York [Mr. KENNEDY], and the Senator from Rhode Island [Mr. PASTORE] would each vote "nay."

On this vote, the Senator from Virginia [Mr. BYRD] is paired with the Senator from West Virginia [Mr. RANDOLPH]. If present and voting, the Senator from Virginia would vote "yea," and the Senator from West Virginia would vote "nay."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. BENNETT], the Senator from Delaware [Mr. BOGGS], and the Senators from Illinois [Mr. DIRKSEN and Mr. PERCY] are necessarily absent.

On this vote, the Senator from Utah [Mr. BENNETT] is paired with the Senator from Illinois [Mr. PERCY]. If present and voting, the Senator from Utah would vote "yea," and the Senator from Illinois would vote "nay."

On this vote, the Senator from Delaware [Mr. BOGGS] is paired with the Senator from Illinois [Mr. DIRKSEN]. If present and voting, the Senator from Delaware would vote "yea," and the Senator from Illinois would vote "nay."

The result was announced—yeas 27, nays 50, as follows:

[No. 98 Leg.]

YEAS—27

Allott
Cannon
Cotton
Curtis
Dodd
Dominick
Eastland
Ellender
Fannin
Griffin
Hansen
Hickenlooper
Hollings
Hruska
Jordan, Idaho
Lausche
McClellan
Miller
Mundt
Pearson
Russell
Smathers
Stennis
Symington
Thurmond
Williams, Del.
Young, Ohio

NAYS—50

Aiken
Anderson
Baker
Bartlett
Bayh
Bible
Brooke
Burdick
Byrd, W. Va.
Carlson
Case
Church
Clark
Cooper
Fong
Fulbright
Hart
Hartke
Hatfield
Hill
Holland
Jackson
Javits
Kuchel
Long, La.
Magnuson
Mansfield
McGee
McGovern
Metcalf
Mondale
Monroney
Morse
Morton
Moss
Murphy
Muskie
Nelson
Pell
Prouty
Proxmire
Ribicoff
Scott
Smith
Sparkman
Talmadge
Tower
Williams, N.J.
Yarborough
Young, N. Dak.

NOT VOTING—23

Bennett
Boggs
Brewster
Byrd, Va.
Dirksen
Ervin
Gore
Gruening
Harris
Hayden
Inouye
Jordan, N.C.
Kennedy, Mass.
Kennedy, N.Y.
Long, Mo.
McCarthy
McIntyre
Montoya
Pastore
Percy
Randolph
Spong
Tydings

So Mr. LAUSCHE's substitute amendment was rejected.

Mr. BARTLETT. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. HOLLAND. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The question now recurs on agreeing to the amendment of the Senator from California.

Mr. BYRD of West Virginia. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from California. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Alaska [Mr. GRUENING], the Senator from Arizona [Mr. HAYDEN], the Senator from Missouri [Mr. LONG], the Senator from New Mexico [Mr. MONTOYA] the Senator from West Virginia [Mr. RANDOLPH], and the Senator from Virginia [Mr. SPONG] are absent on official business.

I also announce that the Senator from Maryland [Mr. BREWSTER], the Senator from Virginia [Mr. BYRD], the Senator from North Carolina [Mr. ERVIN], the Senator from Tennessee [Mr. GORE], the Senator from North Carolina [Mr. JORDAN], the Senator from Massachusetts [Mr. KENNEDY], the Senator from New York [Mr. KENNEDY], the Senator from Minnesota [Mr. MCCARTHY], the Senator from New Hampshire [Mr. MCINTYRE], the Senator from Rhode Island [Mr. PASTORE], the Senator from Georgia [Mr. RUSSELL], and the Senator from Maryland [Mr. TYDINGS] are necessarily absent.

I further announce that, if present and voting, the Senator from Maryland [Mr. BREWSTER], the Senator from Virginia [Mr. BYRD], the Senator from Alaska [Mr. GRUENING], the Senator from Massachusetts [Mr. KENNEDY], the Senator from New York [Mr. KENNEDY], the Senator from Rhode Island [Mr. PASTORE], and the Senator from West Virginia [Mr. RANDOLPH] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. BENNETT], the Senator from Delaware [Mr. BOGGS], and the Senators from Illinois [Mr. DIRKSEN and Mr. PERCY] are necessarily absent.

If present and voting, the Senator from Delaware [Mr. BOGGS] and the Senator from Illinois [Mr. DIRKSEN] would each vote "yea."

On this vote, the Senator from Utah [Mr. BENNETT] is paired with the Senator from Illinois [Mr. PERCY]. If present and voting, the Senator from Utah would vote "yea," and the Senator from Illinois would vote "nay."

The result was announced—yeas 69, nays 9, as follows:

[No. 99 Leg.]

YEAS—69

Allott
Anderson
Baker
Bartlett
Bayh
Bible
Burdick
Byrd, W. Va.
Cannon
Carlson
Church
Clark
Cotton
Curtis
Dodd
Dominick
Eastland
Ellender
Fannin
Fong
Griffin
Hansen
Harris
Hart
Hartke
Hatfield
Hickenlooper
Hill
Hollings
Hruska
Inouye
Jackson
Jordan, Idaho
Kuchel
Lausche
Long, La.
Magnuson
McClellan
McGee
McGovern
Miller
Mondale
Monroney
Morse
Morton
Moss
Mundt
Murphy
Muskie
Nelson
Pearson
Pell
Prouty
Proxmire
Ribicoff
Scott
Smathers
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Tower
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—9

Aiken
Brooke
Case
Cooper
Fulbright
Holland
Javits
Mansfield
Metcalf

NOT VOTING—22

Bennett
Boggs
Brewster
Byrd, Va.
Dirksen
Ervin
Gore
Gruening
Hayden
Jordan, N.C.
Kennedy, Mass.
Kennedy, N.Y.
Long, Mo.
McCarthy
McIntyre
Montoya
Pastore
Percy
Randolph
Russell
Spong
Tydings

So Mr. KUCHEL's amendment (No. 678) was agreed to.

Mr. BARTLETT. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. MAGNUSON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BARTLETT. Mr. President, I yield the floor.

AMENDMENT NO. 677

Mr. GRIFFIN. Mr. President, I call up my amendment No. 677 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

> At the end of the bill insert a new section as follows:
>
> "SEC. 4. (a) The territorial sea of the United States is hereby established as extending three nautical miles from the coastline of the United States: *Provided*, That in the case of any coastal country (including ships and nationals thereof) which claims a territorial sea extending more than three

nautical miles from its coastline, the territorial sea of the United States shall be equal in distance to that claimed by such other country, but not to exceed twelve nautical miles. Any extension of the territorial sea beyond three nautical miles pursuant to this subsection shall not result in any extension of the fisheries zone established pursuant to the Act entitled 'An Act to establish contiguous fishery zone beyond the territorial sea of the United States', approved October 14, 1966 (80 Stat. 908).

"(b) If the President of the United States determines that any portion of the territorial sea as extended by this Act conflicts with the territorial sea of another country he may make such modifications in the seaward boundary of such portion as may be necessary.

"(c) It is the sense of the Congress that the President of the United States consider taking appropriate initiative through his representative at the United Nations, or through other means, to convene an international conference for the purpose of establishing a universally recognized seaward boundary for the territorial seas of all coastal countries."

Mr. GRIFFIN. Mr. President, more than 2 months have elapsed since the *Pueblo* and its crew were seized off the shore of North Korea.

More than 3 years have passed since the *Maddox* and the *Turner Joy* were attacked in the Gulf of Tonkin.

As recently as March 20, 1968, an American-owned tuna boat, the *Taramount*, was seized while navigating 46 miles off the coast of Ecuador.

In each of those cases the issue arose as to whether U.S. vessels had operated in international waters or had penetrated the territorial waters of another nation.

Each of those situations also suggests a fundamental question as to whether the existing policy of the United States regarding our territorial sea makes sense in this last third of the 20th century.

Earlier this year, I introduced Senate Joint Resolution 136, which has been cosponsored by 31 Senators and 85 Representatives.

The amendment I offer now to the pending bill, S. 2269, would accomplish the objectives set forth in my earlier resolution. In brief, it provides that our traditional 3-mile limit will continue in effect as to those nations which claim a 3-mile limit with respect to their shores.

However, foreign countries which claim and require us to respect a wider jurisdiction with respect to their shores, will henceforth be required to recognize a corresponding territorial limit with respect to our coastline, but not to exceed 12 miles.

The amendment would also express the sense of Congress that the President consider taking necessary steps to convene a new international conference with a view toward establishing a universally recognized seaward boundary.

Mr. President, I believe that the time has come for the United States to adopt a more realistic policy with respect to our territorial sea—a policy based on the principle of mutuality.

It makes no sense to adhere rigidly to a self-imposed limitation which no longer serves our national interests—which no longer accords with international practice.

Of course, it goes without saying that this amendment will not secure the release of the *Pueblo* and its crew. It will not turn back the clock on the Gulf of Tonkin affair. And it will not necessarily remove all risks to which U.S. naval and commercial ships are being subjected.

However, this measure will make certain that potential enemies shall not enjoy special privileges which are denied by them to our own fleet.

A 1966 survey, updated by the Department of State, indicates that a majority of coastal nations now claim a territorial sea of more than 3 miles.

And yet, Mr. President, the State Department seems to suggest that the 3-mile limit represents international law. If it does represent international law—which it does not—why do we require our ships to remain at least 12 miles off the coastline of such countries as North Korea?

In defense of our 3-mile limit, State Department officials usually contend that any further extension of jurisdiction on our part would threaten freedom of the seas.

But they overlook the fact that while the United States has been holding the line on the 3-mile limit, most of the maritime nations of the world have long since abandoned this as a standard—and insist upon a wider territorial claim.

To pretend that our stubborn, rigid, adherence to the 3-mile limit is presenting a proliferation of seaward claims on the part of other countries is not in keeping with the facts of history. Moreover, the definite trend is toward a 12-mile limit.

The strategy of clinging to the 3-mile limit has failed, both with respect to preserving freedom of the seas and in regard to achieving commonly recognized standards.

It should be recognized that the United States already exercises certain limited rights beyond its 3-mile limit. In 1966, Congress enacted legislation establishing a 12-mile fishing zone. The Coast Guard enforces domestic immigration and customs laws beyond the 3-mile limit.

Of course, those who first formulated our 3-mile-limit policy did not contemplate the modern-day intelligence-gathering technology.

Spy ships represent a new reality which cannot be ignored.

I understand that the Russians maintain over 30 spy ships, known in the trade as AGI's. They are stationed continuously in the vicinity of our Polaris submarine bases. Capable of navigating for up to 40 days without replenishing, AGI's also patrol world trouble spots and tail U.S. naval task forces.

A description of Soviet AGI activity was included in my speech to the Senate on January 31, 1968.

I understand that Soviet AGI trawlers normally operate between 3 and 5 miles from U.S. ports. Such close penetration gives the Soviet ships a decided advantage over American vessels—which are instructed to remain at least 12 miles from the shores of the Soviet Union and of most other Communist countries.

While intelligence ships are mainly engaged in electronic surveillance, the visual and photographic observation of port activity and amphibious operations is also important. Such observation, of course, is more effective as a ship goes closer and closer to shore.

Mr. President, there is no reason why the United States should continue to hand Communist nations a significant intelligence advantage. Under the present arrangement, the Communists have everything to gain and nothing to lose if we just go on adhering to our self-imposed 3-mile limit. Our unwavering commitment to the 3-mile limit only makes it possible for the Soviets to "have their cake and eat it, too."

The amendment now before the Senate would make it possible for the United States to deal with other countries on a "tit for tat" basis.

Mr. President, there is a myth which should be unmasked; it is the assumption that our 3-mile limit, when first proclaimed in the days of Thomas Jefferson, was intended as a declaration of policy, binding upon future generations.

In truth, when Secretary of State Thomas Jefferson first undertook to communicate our Government's initial views on this subject to France and Great Britain, he took pains to explain that the newly proclaimed 3-mile rule was minimal and tentative in nature.

Diplomatic manuscripts reveal that Jefferson was reluctant to commit the young Nation to the 3-mile limit; in fact, he did so provisionally only because of the outbreak of war between France and Great Britain in 1793, which threatened American neutrality.

Later on, in 1805, John Quincy Adams records in his memoirs that Jefferson, then the President, reserved the right to claim a wider territorial limit whenever new conditions might warrant it.

Interestingly, there is no law on our statute books which explicitly proclaims the breadth of our territorial sea. Rather, the present policy is based only on custom and tradition.

Mr. President, the origins of the American 3-mile limit are rooted in the political expediency and diplomatic liturgy of a previous age.

The time has come to adopt a new approach consistent with the facts and realities of a new age.

The time has come to shed old myths, and to pursue a new course. I believe that a new policy predicated upon mutuality would encourage the negotiation and acceptance of a uniform standard with respect to territorial waters.

I believe the policy indicated in my amendment would provide the impetus, the incentive which could lead to meaningful agreements, not only as to seaward boundaries but also as to the right of innocent passage through international straits, legitimate American rights, and toward the establishment of a more meaningful international law of the sea.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. GRIFFIN. I yield to the Senator from Arkansas.

Mr. FULBRIGHT. Mr. President, I think this proposal has a great deal of merit. It is a matter in which the Committee on Foreign Relations is deeply interested.

I recall that a number of years ago

we made a very strong effort to reach agreement among all principal nations and that we came within one vote of achieving agreement on provisions with regard to the territorial seas. But we failed.

The Senator's resolution has been submitted to the department for comment. It is possible that another conference may be called which would be the proper way to solve the problem the Senator is talking about and the problem posed by the bill now before the Senate. I strongly favor an approach through an international conference. It is the regular approach. I think the Senator's proposal has much merit, although I have not had an opportunity to study it closely. I hope that he will not press unilateral action in the Senate while there are still prospects for reaching an international agreement. To be effective we have to get an agreement among the maritime nations on this subject. It is getting more and more complicated, as the Senator rightly points out.

Mr. GRIFFIN. I appreciate very much the comments of the distinguished chairman of the Foreign Relations Committee. Let me respond by saying that I quite agree it is most desirable for the nations of the world to reach an agreement on a universally recognized limit. However, the fact is that several conferences have been held and they have failed. In the meantime, there is, in effect, no international law.

I quite agree that the State Department has a very deep interest and concern in this matter. However, I should like to suggest that the Senate, and particularly the Committee on Foreign Relations, should also have a deep interest in this subject. I would hope that the committee would not merely await some action on the part of the State Department. I should like to suggest and urge that the Committee on Foreign Relations, should undertake to reexamine and reevaluate the existing policy of the United States, which has been in effect so long and which now is of questionable validity.

I wonder whether the distinguished chairman of the committee could give the junior Senator from Michigan any assurance that the Committee on Foreign Relations will look into this policy question and examine it.

Mr. FULBRIGHT. Yes. I will say that the committee is in the process of doing so. I have a response from the general counsel of the Department of Defense in a letter of April 2, 1968. The committee is looking into it. Both the Department of State and the Department of Defense are very interested in this problem because it involves matters of great importance. There are some 100 international waterways, more or less. One of the most critical straits recently played a part in the controversy in the Middle East, as the Senator knows.

This matter has to be straightened out. The committee is interested in finding a solution, as I have said. If the Senator has not seen the letter from the Department of Defense, he is perfectly welcome to read it. They are pushing to try to get a settlement. I can assure the Senator that the Committee on Foreign Relations will follow through and keep after the departments to try to work it out. The conference I mentioned a moment ago,which came within one vote of reaching agreement, was only about 7 or 8 years ago. In the intervening time, we have had the war in Vietnam and other things which have distracted us and made it almost impossible to make any headway in a conference of that kind.

Mr. GRIFFIN. If the chairman of the committee and other members of his committee would carefully examine the resolution which I have introduced, and if there were hearings held on the resolution and other related proposals, I believe they would come to the same conclusion that I have; namely, that the resolution in no way interferes with the effort underway to achieve an international agreement.

In fact, it is my firm opinion that the adoption of such a resolution would encourage, stimulate, and help us to achieve such an agreement. I am hoping that the committee will do more than just communicate with the State Department, that perhaps some hearings will be held on the subject, hearings which would at least include consideration of the resolution which I have introduced.

Mr. FULBRIGHT. I can convey to the Senator, I believe, without any reservation whatever, that we will have hearings on the resolution and we will consider what he has said. I must say that the departments do not believe that the exception here in which we seem to abandon a multilateral approach to get general agreement, but only the unilateral—in other words, it is just between us and any one country with which we are able to make an agreement—they believe would mitigate against an agreement. I have no basis on which I can prove that.

Mr. GRIFFIN. I am aware of the position which they are taking but I believe it is subject to challenge and argument. I would hope that the committee would examine the arguments on both sides and try to help in arriving at a judgment.

Mr. FULBRIGHT. I can assure the Senator that we will do that.

Mr. GRIFFIN. I appreciate those assurances from the chairman.

Mr. LONG of Louisiana. Mr. President, will the Senator from Michigan yield?

Mr. GRIFFIN. I am happy to yield to the distinguished majority whip.

Mr. LONG of Louisiana. Mr. President, I am glad the Senator from Michigan raised that issue. I attended the conference which missed agreement by only one vote. Frankly, having had the opportunity to observe those negotiations, I am convinced that any nation on this earth that wants to maintain that its territorial limit is 12 miles can do so and make it stick—and as a matter of fact, has actually done so.

Does the Senator from Michigan have in his list what the Communist powers claim as their territorial limits?

Mr. GRIFFIN. Yes, and with few exceptions it is a 12-mile limit which we scrupulously respect.

Mr. LONG of Louisiana. That is the amusing thing about it. The United States proposed to say that we do not recognize their 3-mile limit. Well, I notice that we claim the *Pueblo* was more than 12 miles away from North Korea, the nearest island nearest the land in North Korea when the *Pueblo* was taken. While we say we do not recognize it, we actually do. We do not dare go even that close.

Furthermore, Mexico adjoins us. Does the Senator know what Mexico claims, and what we have recognized and respect?

Mr. GRIFFIN. I am not sure. I have it in some material here. I believe it is about 9 miles.

Mr. LONG of Louisiana. My recollection is, the last time I looked, it was three leagues, which is about 10½ miles. Perhaps it is 12 miles now. However, I believe they have done so on the other side, as well.

Does the Senator know what Canada claims? We have to contend with Canada in fishing rights.

Mr. GRIFFIN. I have a list of the coastal nations and their claims as to territorial waters which I will insert in the RECORD at the conclusion of my remarks.

Mr. LONG of Louisiana. Well, the point is——

Mr. GRIFFIN. A majority of nations are claiming and enforcing a territorial limit in excess of 3 miles; in many cases the claim is 6 miles; and the largest number of countries claim 12 miles. Some Latin American countries, as has already been stated, claim 200 miles.

Mr. LONG of Louisiana. We have had fishermen arrested time and again 10 or 12 miles off Mexico. Our State Department takes a considerable period of time to get the men released. If they do get them released it always seems to take time. We make the request that they please release the seamen. Eventually, they let the seamen out of jail when damages or compensation have been paid, because, to all intents and purposes, we recognize that Mexico has a boundary beyond the 3-mile limit—at least 3 leagues—10½ miles or more.

I believe we will find that Cuba claims at least approximately 12 miles. Any country that wants to claim 12 miles simply arrests our fishermen and our seamen, and then we seek to get them released. The basis upon which we seek to get them released is that they have violated the territorial integrity of a foreign country. We have to recognize that in order to get them released peaceably.

It was the United States which sought to maintain the 3-mile limit—the United States and Israel. We have sought to maintain that 3-mile limit and use all our influence and every bit of pressure we could bring to bear upon other countries to stay with the 3-mile limit. Does the Senator know why we were doing that?

Mr. GRIFFIN. I should like to hear the views of the Senator from Louisiana.

Mr. LONG of Louisiana. The reason is

our Navy. It wants to be in a position to bring its ships up as close as possible, to make a show of strength, or in order to collect information, such as the *Pueblo* was trying to do. The Navy wants as much sea as it can obtain to operate efficiently. Of course, today, Russia is becoming a real challenger.

The one who is in a position to be a great maritime power, with a great fighting fleet on the ocean, naturally feels that the area closest to someone else's shore is more important than being farther out, and the closer the navy can move up there with immunity, the better it is for that nation. The smaller countries do not feel that way, because they are on the opposite side of the coin, and they feel it is better for them if those navies stay away. Israel feels differently because of the Gulf of Aqaba. They do not want the Arabs to close that gulf to them, because it is important to Israel. All the Arab nations want to go beyond the 3-mile limit so they can close the Gulf of Aqaba.

There is no question that any country that wants to claim 12 miles can make it stick. They can seize our ships and seamen and can make us respect it, just as Korea made us respect it. Moscow can make us respect it, and so can anybody else. Indeed, the American proposal to that conference was that there would be a 12-mile limit, but they turned us down. We could not get the two-thirds majority.

So it is really very unfair to American fishermen to continue to argue the Navy's position, which we cannot sell to anybody. Everybody claims 12 miles and we let them fish between 9 and 12 miles and let them own everything out there. On the other hand, the United States tries to stick to the 3-mile limit, but everybody else claims 12 miles, claims under international law——

Mr. GRIFFIN. Mr. President, in view of the experience of the Senator from Louisiana in relation to this subject, and his attendance at the conference, would he agree that the resolution which I have introduced, and which 31 Senators have cosponsored, should be seriously considered by the Foreign Relations Committee?

Mr. LONG of Louisiana. I think so. It was once my honor to serve on that great committee. I believe it is an outrage to American fishermen that we do not claim 12 miles, at least for fishing, because the others do and make it stick.

Mr. GRIFFIN. The United States has established a 12-mile zone for purposes of fishing. That was done by statute in 1966.

Mr. BARTLETT. Mr. President——

Mr. GRIFFIN. Does the Senator from Alaska wish me to yield to him?

Mr. BARTLETT. Yes. I merely want to say that I agree with the Senator from Michigan that the time has come not only to extend our claim to the limit of territorial seas, but to do it.

For the sake of the RECORD and for the benefit of those who may read the RECORD, I ask unanimous consent to have incorporated at this point in the RECORD a letter dated April 2, 1968, to Chairman FULBRIGHT from the acting general counsel of the Department of Defense. I think that will give us some understanding of the problem.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE,
Washington, D.C., April 2, 1968.
Hon. J. WILLIAM FULBRIGHT,
Chairman, Committee on Foreign Relations,
Washington, D.C.

DEAR MR. CHAIRMAN: It has come to the attention of the Department of Defense that the substance of Senate Joint Resolution 136 may be considered on the floor of the Senate in the near future in connection with S. 2269. The Department of Defense subscribes in full to the comments of the Department of State in its letter of March 29, 1968, to the Chairman of the Committee on Foreign Relations. We want, however, to take this opportunity to emphasize the adverse effect that passage of a Resolution of this type would have on the overall security interests of the United States.

Section 1 of the Resolution establishes the territorial sea of the United States at three miles, but further provides for application of the principle of mutuality with respect to those countries claiming a territorial sea in excess of three miles, except that in no case shall the territorial sea of the United States be in excess of twelve miles. Section 2 provides authority for the President to resolve resulting conflicts with the territorial seas of other countries.

There can be no doubt that United States assertion unilaterally of a territorial sea broader than three miles, even if based on mutuality, would be considered by the international community as an implicit recognition of unilateral claims by other countries to more than three miles of territorial sea.

Adoption of a twelve-mile territorial sea would bring over 100 straits and narrows under the sovereignty of coastal states. There is at present no generally accepted right of military aircraft to overfly (even in innocent passage) waters which comprise territorial seas, even when they include international straits.

While the right of innocent passage of vessels through international straits may not be suspended, there are disputes regarding the application of this right to warships and regarding the application of the criteria for identifying international straits. Moreover, once a twelve-mile territorial sea is conceded, differences in interpretation of the right of innocent passage become extremely critical. For example, some states have claimed a unilateral right to determine what kinds of passage are innocent even when, by objective standards, passage is clearly not prejudicial to peace, good order, or security within the coastal state or its territorial sea. Straits comprised of territorial seas by a twelve-mile rule could then be closed to transit by possibly capricious interpretations of the right of innocent passage.

Many states which claim limits wider than three miles, particularly those with 200-mile claims, advance the dangerous proposition that every state can unilaterally determine the seaward extent of its territorial sea. Any unilateral extension of the territorial sea by the United States, however circumscribed, could be relied upon to support this argument and effectively defeat any international attempt to introduce uniformity into the breadth of the territorial sea.

It is our view that exaggerated territorial sea claims have arisen not from genuine security concerns but largely as a result of a desire to prevent foreign states from depleting the economic resources of coastal waters. It is doubtful that the proliferation of such claims can be prevented in the absence of some accommodation of the economic interests of coastal states. This could only be accomplished through international agreement. A unilateral action by the United States could well jeopardize any attempts in this area as well.

As the world's leading maritime state, the United States has a major interest in achieving universal agreement on the breadth of the territorial sea in a manner which preserves vital navigational rights. Passage of this Resolution seems likely to carry us further away from that goal and indeed would not provide us with even minimal assurances regarding transit of straits by warships and military aircraft.

The fact that foreign countries may conduct passive intelligence activities up to three miles from our shores does not justify any departure from the three-mile claim which the United States has consistently maintained since 1793. As discussed above, any unilateral departure at this time from our historic claim could involve fundamental and far-reaching consequences adversely affecting security and commercial interests of the United States.

Accordingly, the Department of Defense must oppose the unilateral extension of the territorial sea on the basis of mutuality as provided in section 1 of the Resolution. The Department of Defense joins the Department of State in not opposing section 3 of the Resolution regarding an international conference to fix the breadth of the territorial sea, believing that this is the most desirable means for achieving a satisfactory solution of the problem. Such a conference, however, could only take place after careful, painstaking preparation and its projected results would have to be in accord with the vital security interests discussed in this letter.

The Bureau of the Budget advises that, from the standpoint of the Administration's program, there is no objection to the presentation of his report for the consideration of the Committee.

Sincerely,

L. NIEDERLEHNER,
Acting General Counsel.

Mr. GRIFFIN. I thank the Senator for his contribution.

Mr. BARTLETT. I want to say one more thing. This is not authoritative, but my understanding is that our Government is moving much faster than ever before toward instigating an international conference dealing with this very subject. I think we will take the lead in doing so. I do not doubt at all that this is partly because the Senator from Michigan offered the resolution to which reference has been made.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. GRIFFIN. I yield.

Mr. MAGNUSON. As I recall the last Geneva Conference on the subject, they did not adjourn the Conference sine die, but under their procedures they can reconvene. At that time, we tried to do what the Senator from Michigan is suggesting. We lost by one vote. I hope they will read about this downtown and give serious consideration to it.

Mr. GRIFFIN. I appreciate the contribution of the Senator from Washington.

Mr. President, I ask unanimous consent to have printed in the RECORD a chart which indicates the territorial seas and the fishing limits of the countries shown.

There being no objection, the chart was ordered to be printed in the RECORD, as follows:

Country	Territorial sea	Fishing limits	Other
AFRICA			
Algeria	12 miles	12 miles	
Biaira (eastern Nigeria) (June 8, 1967).	12 miles, all purposes.		
Botswana	No coast		
Burundi	do		
Cameroon	18 miles	18 miles	
Central African Republic	No coast		
Chad	do		
Congo (Brazzaville)	Not Available		
Congo (Kinshasa)	do		
Dahomey	3 miles	12 miles	May also apply to territorial sea.
Ethiopia	12 miles	do	
Gabon	12 miles	12 miles	
Ghana	do	do	Undefined protective areas may be proclaimed seaward of territorial sea, and up to 100 miles seaward of territorial sea may be proclaimed fishing conservation zone.
Guinea	130 miles	130 miles	
Ivory Coast	6 miles	12 miles	
Kenya	3 miles	3 miles	
Lesotho	No coast		
Liberia	12 miles	12 miles	
Libya	12 miles	12 miles	
Malagasy Republic	do	do	
Malawi	No coast		
Mali	do		
Mauritania	12 miles	12 miles	
Morocco	3 miles	do	Exception, 6 miles for Strait of Gibraltar.
Niger	No coast		
Nigeria	12 miles	12 miles	
Rwanda	No coast		
Senegal	6 miles	6 miles	Plus 6 miles contiguous zone.
Sierre Leone	12 miles	12 miles	
Somali Republic	do	do	
South Africa	6 miles	do	
Sudan	12 miles	do	
Tanzania	do	do	
The Gambia	3 miles	3 miles	
Togo	12 miles	12 miles	
Tunisia	6 miles	do	Territorial sea follows the 50-meter isobath for part of the coast (maximum 65 miles).
Uganda	No coast		
United Arab Republic	12 miles	12 miles	
Upper Volta	No coast		
Zambia	do		
EAST ASIA AND PACIFIC			
Australia	3 miles	Decision announced for 12 miles fishery limits.	
Burma	12 miles	12 miles	
Cambodia	5 miles	do	Continental Shelf to 50 meters, including sovereignty over superjacent waters.
China	3 miles	2 miles	
Indonesia	12 miles	12 miles	Archipelago concept baselines.
Japan	3 miles	3 miles	
Korea	Not available	20 to 200 miles	Continental Shelf, including sovereignty over superjacent waters.
North Korea	12 miles		
Laos	No coast		
Malaysia	3 miles	3 miles	
Mongolia	No coast		
New Zealand	3 miles	12 miles	
Philippines			Waters within straight lines joining appropriate points of outermost islands of the archipelago are considered internal waters; waters between these baselines and the limits described in the Treaty of Paris, Dec. 10, 1898, the United States-Spain Treaty of Nov. 7, 1900, and United States-United Kingdom Treaty of Jan. 2, 1930, are considered to be the territorial sea.
Singapore	Not available		
Thailand	12 miles	12 miles	
Vietnam	Not available	20 kilometers (10.8 miles)	
EUROPE			
Albania	10 miles	12 miles	
Austria	No coast		
Belgium	3 miles	12 miles [1]	
Bulgaria	12 miles	do	
Byelorussian S.S.R	No coast		
Czechoslovakia	do		
EUROPE—Continued			
Denmark	3 miles	12 miles [1]	
Greenland		do	
Faroe Islands		do	
Federal Republic of Germany.	3 miles	(2)	
Finland	4 miles	4 miles	
France	3 miles	12 miles [1]	
Greece	6 miles	6 miles	
Holy See	No coast		
Hungary	do		
Iceland	Not available	12 miles	
Ireland	3 miles	do [1]	
Italy	6 miles	do [1]	
Luxembourg	No coast	(2)	
Malta	3 miles	3 miles	
Monaco	Not available		
Netherlands	3 miles	(2)	
Norway	4 miles	12 miles	
Poland	3 miles	3 miles	
Portugal	No claims	12 miles [1]	
Romania	12 miles	do	
Spain	6 miles	do [1]	
Sweden	4 miles	do [1]	
Switzerland	No coast		
Ukrainian S.S.R	12 miles	12 miles	
U.S.S.R	do	do	
United Kingdom	3 miles	do [1]	
Oversea areas	do	3 miles	
Yugoslavia	10 miles	10 miles	
NORTH AMERICA			
Canada	3 miles	12 miles	
United States	do	do	
SOUTH AND CENTRAL AMERICA AND CARIBBEAN			
Argentina (Dec. 29, 1966)	200 miles	200 miles	Continental Shelf, including sovereignty over superjacent waters.
Barbados	Not available		
Bolivia	No coast		
Brazil	6 miles	12 miles	
Chile	50 kilometers	200 miles	
Colombia	6 miles	12 miles	
Costa Rica	3 miles		"Specialized competence" over living resources to 200 miles.
Cuba	do	3 miles	
Dominican Republic	do	15 miles	
Ecuador	200 miles	200 miles	
El Salvador	do	do	
Guatemala	12 miles	12 miles	
Guyana	Not available		
Haiti	6 miles	6 miles	
Honduras	12 miles	12 miles	
Jamaica	3 miles. Decision announced for 12 miles territorial sea.		
Mexico	9 miles	12 miles	
Nicaragua	3 miles	200 miles	Continental Shelf, including sovereignty over superjacent waters.
Panama	200 miles	do	Do.
Paraguay	No coast		
Peru	200 miles	200 miles	
Trinidad and Tobago	3 miles	3 miles	
Uruguay	6 miles	12 miles	
Venezuela	12 miles	do	
SOUTH ASIA AND NEAR EAST			
Afghanistan	No coast		
Ceylon	6 miles	6 miles	Claims right to establish conservation zones within 100 nautical miles of the territorial sea.
Cyprus	12 miles	12 miles	
India	6 miles	100 miles	
Iran	12 miles	12 miles	
Iraq	do	do	
Israel	6 miles	6 miles	
Jordan	3 miles	3 miles	
Kuwait	12 miles	12 miles	
Lebanon	Not available	6 miles	
Maldive Islands	do	do	
Nepal	No coast		
Pakistan	12 miles	12 miles	Plus right to establish 100-mile conservation zones.
Saudi Arabia	do	do	
Syria	do	do	Plus 6 miles "necessary supervision zone."
Turkey	6 miles	do	
Yemen	12 miles	do	

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[1] Parties to the European Fisheries Convention which provides for the right to establish 3 miles exclusive fishing zone seaward of 3-mile territorial sea plus additional 6-mile fishing zone restricted to the convention nations.

[2] Signatories of the European Fisheries Convention.

Mr. **KUCHEL**. Mr. President, I associate myself with the comments made by the Senator from Michigan in the colloquy. I agree with him that the jurisdiction over the high seas constitutes a world problem, and an urgent one—one that deserves, in my opinion, high priority for inquiry by the Foreign Relations Committee. I, too, hope hearings may be held so that the whole broad issue can be ventilated and action taken together with other interested maritime nations.

Mr. **GRIFFIN**. I appreciate the statement of the Senator from California.

Mr. President, I realize full well that

this is a very complex subject and, in some respects, a delicate matter. I have no desire to force hasty action on such a fundamental question.

I quite understand and agree that this is the kind of a matter which should be thoroughly considered by the appropriate committee of Congress. I trust that it will be. In view of the assurances of the chairman of the Senate Foreign Relations Committee that this matter will be considered, and that such consideration will include the resolution which I have introduced, I ask unanimous consent that my amendment may be withdrawn.

The **PRESIDING OFFICER**. The Senator from Michigan does not need unanimous consent. He can merely withdraw his amendment.

Mr. GRIFFIN. I withdraw my amendment.

Mr. TOWER. Mr. President, I support S. 2269 and urge that the Senate give quick approval to the measure. The bill is designed to reimburse U.S. fishing vessel owners for equipment that is seized by foreign countries in waters which are recognized by the United States to be international. Some countries today claim that their national boundaries extend out some 200 miles from their shore and prohibit fishing within this area by American fishermen. The United States, on the other hand, recognizes a 3-mile limit and does not prohibit the vessels of any other nation from fishing outside of this 3-mile limit.

The great inequities incurred by these boundaries of 200 miles, which are not officially recognized by the United States, result in the loss to American fishermen of some of the richest fishing grounds in the world. When American vessels enter into these restricted areas, which we contend are international waters, they are generally confiscated and the owners heavily fined by the nations claiming these exaggerated borders, resulting in great loss to the owners and operators alike. Yet, if these boundaries were recognized and observed, the fishing industry would per force go into a great decline.

This measure would have the effect of providing compensation to documented and certified fishermen whose vessels and catch are so seized. For this reason we must favorably consider this legislation. This amendment, however, is no substitute for the longstanding policy of the United States of freedom of the seas which we must vigorously pursue. Nevertheless, it does give temporary relief to the tuna and shrimp industries which are so adversely affected. Without this measure, these two important industries are in grave danger.

I am pleased, therefore, to vote for this measure.

S. 2269 HELPS PROTECT THE TEXAS FISHING INDUSTRY

Mr. YARBOROUGH. Mr. President, this legislation to provide additional protection to owners of private fishing vessels seized by foreign countries will be of great benefit to the fishing industry of my home State of Texas, as well as to the Nation.

In my first year as a U.S. Senator, more than 10 years ago, I made an extensive effort to bring about more reasonable treatment for Texas shrimp boats fishing near the Mexican coast. I was privileged to chair my first field hearings for the U.S. Senate, held in Brownsville, Tex., and held conferences in Mexico City aimed at reducing interference with the Texas shrimp fleet. I feel this protection provided in this bill is essential for the security and growth of our fishing industry, especially the shrimp boat operators.

To illustrate the concern and interest of the Texas Shrimp Association, both the President, Mr. Jim Jackson, and the executive director, Mr. O. M. Longnecker, Jr., have been in contact with me by telegram in support of this legislation.

I feel this partnership affair with the domestic industry and the Government is warranted and should be enacted by this body.

Mr. LAUSCHE. Mr. President, I ask for the yeas and nays on passage.

The yeas and nays were ordered.

The **PRESIDING OFFICER**. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and to be read a third time.

The bill was read the third time.

Mr. FULBRIGHT. Mr. President, I only wish to make a very brief statement. The matter was considered in the Committee on Foreign Relations. I spoke earlier of why I think the precedent set by this what I consider special legislation is not good. I do not wish to reiterate that statement.

I ask unanimous consent that the report of the Committee on Foreign Relations be inserted in the RECORD as a part of my remarks.

Mr. MAGNUSON. Mr. President, I ask unanimous consent that following the printing of the report of the Committee on Foreign Relations, the report of the Committee on Commerce be inserted in the RECORD.

Mr. HOLLAND. Mr. President, I raise the point of order that neither of these requests is in order.

The **PRESIDING OFFICER**. The point is well taken, but excerpts can be printed.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that excerpts from the report may be printed in the RECORD at this point.

There being no objection, the excerpts from the report were ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The bill would amend the act of August 27, 1954 (68 Stat. 883), commonly known as the Fishermen's Protective Act. That act provides that the United States will reimburse the owner of a private vessel for fines paid in order to secure the vessel's prompt release when it is seized by a foreign country while operating in territorial waters or on the high seas claimed by that country but not recognized by the United States. This bill would amend that act as follows:

1. It would broaden the scope of reimbursement to include license fees, registration fees, and other direct charges in addition to fines.

2. It would authorize establishment of a guaranty program, administered by the Secretary of the Interior, to reimburse fishing vessel owners for certain specified losses suffered as a result of the seizure and detention of their vessel while operating in disputed international waters, including (*a*) damage or destruction of the vessel and its gear, (*b*) market value of the fish spoiled or confiscated, and (*c*) up to 50 percent of the estimated gross income lost as a result of the seizure.

3. The guaranty program would be financed through a fee system and appropriated funds. The fee to be paid by the vessel owner would be fixed to cover administrative costs and "a reasonable portion" of the reimbursements for losses. Vessel owners would be required to pay in fees at least one-third the costs of the program.

4. An appropriation of $150,000 annually is authorized for the guaranty program, and the life of the program is limited to 4 years.

COMMITTEE ACTION

S. 2269 was referred to the Committee on Foreign Relations by unanimous consent on November 30, with instructions to report back to the Senate by December 11, 1967. The Committee on Commerce had original jurisdiction over the bill.

The Committee on Foreign Relations held a hearing, in executive session, on the bill on December 7 and heard testimony from the following representatives of the executive branch: Mr. Donald L. McKernan, Special Assistant for Fisheries and Wildlife to the Secretary of State, and Mr. Carl F. Salans, Deputy Legal Adviser, Department of State. On December 8 the committee considered the bill further in executive session and by a vote of 13 to 5 decided to recommend to the Senate that the bill not be passed.

BACKGROUND

Seven countries in Latin America (Argentina, Chile, Ecuador, El Salvador, Nicaragua, Panama, and Peru) claim fishing rights or territorial jurisdiction of 200 miles to sea. At least three other countries, Costa Rica, Colombia, and Uruguay, are considering similar jurisdictional claims. The United States, by statute (Public Law 89–658), claims a 12-mile limit for fishing purposes. It does not recognize the legality for jurisdictional claims beyond 12 miles of other countries, in the absence of international agreement to the contrary. For a number of years, American fishing vessels have been harassed while fishing on the high seas adjacent to Latin American countries, particularly by Ecuador and Peru. According to the Department of State, in 1967 there have been nine seizures of tuna boats on the high seas by Ecuador and two by Peru. Sporadic efforts have been made to reach a diplomatic solution to the problem, thus far without any permanent success.

In 1965 Congress amended the Foreign Assistance Act to require that consideration be given to cutting off foreign assistance to any country which seized or imposed penalties on our fishing vessels while operating in international waters. But this provision has never been invoked. On December 1, 1967, the Senate passed H.R. 6167, which contained an amendment added by the Committee on Foreign Relations, to insure that U.S. warships on loan to foreign countries, whose loan would be extended by that bill, would be reclaimed if the borrowing country harassed our fishing vessels while in international waters. The committee added this restriction in order to insure that U.S.-owned warships on loan to foreign countries do not contribute, directly or indirectly, to the capacity of any country to harass our fishing vessels while they are engaged in operations which the U.S. Government considers to be legal under international law.

COMMITTEE VIEWS

The Committee on Foreign Relations is well aware of the difficulties American fishing vessels have encountered while operating in South American waters and the committee believes that the rights these vessels assert should be supported vigorously by the full diplomatic resources of our Government. But, two important principles are involved here which caused the committee to reject this bill—preference and precedent.

The committee does not believe that fishing vessel owners should be singled out for preferential treatment from other Americans who suffer losses at the hands of a foreign government while they are engaged in activities which our Government considers to be lawful. To do so would discriminate against many other Americans with claims against foreign governments and create a precedent which would indirectly obligate the Congress to provide similar treatment for compensation of other claimants against foreign governments. The rights of U.S. citizens to engage in activities abroad, which are lawful in the eyes of our Government, should not be divided into preferential and nonpreferential categories. This bill would have the Congress approve assumption of public responsibility for only one category of losses, thus making rights of fishing vessels owners entitled to more Government protection than the rights of other claimants. It is one thing for the Congress to pass legislation to indemnify all citizens for valid claims against a foreign government, due to its violation of a law or treaty, but it is quite another for the Congress to single out one group of claimants for reimbursement at public expense, as this bill seeks to do.

The issue which concerned the committee was stressed in the General Accounting Office's comments to the Committee on Commerce on S. 2269. In a letter to Senator Magnuson, chairman of the committee, dated October 30, 1967, Frank H. Weitzel, Assistant Comptroller General, stated:

"While we recognize that the proposed legislation is a matter of policy for the determination of the Congress, we believe that the legislation could establish a precedent for other citizens of the United States to request reimbursement or an insurance program, from the Government for the value of properties that are seized by foreign countries in violation of treaties or international law (S. Rept. 815, 90th Cong., first sess., p. 11)."

The letter report on S. 2269 from the Department of State also recognized the preferential nature of this bill. Assistant Secretary of State William B. Macomber, Jr., stated in a September 6, 1967, letter to Senator Magnuson:

> As a matter of principle, the items for which this bill would provide compensation out of public funds are in reality claims against foreign governments. They are but one type of a countless variety of claims by U.S. citizens against foreign governments throughout the world. All such claims are based on conduct of the foreign government claimed by the Government of the United States to have been improper or illegal under international law. It may be pointed out that cases here involving fishing vessels are no different, for example, than claims arising out of taking property and other international claims. Such claims have not been paid out of public funds. (S. Rept. 815, 90th Cong., first sess., p. 9.)

But the Department of State letter then brushes this problem aside by saying that the Congress created a precedent in passing the 1954 act which authorizes assistance, including reimbursements for fines paid, to fishermen whose vessels are seized. As a second mitigating factor, Mr. McKernan, in testimony before the Committee on Foreign Relations, repeated the point that the Department recognized the preferential character of the bill but then said:

"In order to avoid setting an undesirable precedent in this regard, the proposed legislation provides that the fishing vessel owners * * * will pay to the Government fees adequate to cover the cost of administering the guarantee program and equal to at least one-third of the Government's contribution."

The committee does not believe that the 1954 statute, providing for reimbursement of fines paid by vessel owners, should be considered in any way a precedent for making good, at public expense, general losses suffered by fishermen as a result of their seizure or detention. Payment by fishermen of one-third the cost of the indemnity program does not make this any less a preferential device to aid one category of claimants.

The program carries a built-in, mandatory subsidy with the Government required to pay up to two-thirds the total cost. If the program were to be completely self-supporting, the argument for special treatment would be more plausible, but losses under the indemnity program will be indemnified primarily out of public funds, not from owner fees. The mere fact that there will be some small degree of private financing does not remedy the basic defects of preference and precedent.

The committee has noted that there is no authority to reimburse fines paid to U.S. individuals arrested or detained by a foreign government while they were acting in accordance with what the United States considered to be their rights under international law. As a matter of public policy it is hard to justify reimbursement with public funds of commercial losses—the fines paid to get vessels released—without according similar treatment to U.S. citizens who are wrongfully imprisoned abroad. But such is the case under existing law. To expand the principle of public responsibility, incorporated in the 1954 statute, to cover general commercial losses incurred in the process of asserting rights under international law does further violence to the concept that all citizens should receive equal protection from their government of their rights.

Although the circumstances concerning the losses being suffered by tuna boat owners are somewhat unique, they are not so unique that the passage of this bill would not create precedents likely to plague the Congress in years ahead. The solution proposed in the bill does not provide the Congress with any reasonable guidelines in trying to meet similar demands in the future from U.S. citizens with claims against foreign countries.

A precedent could also be created for some degree of mandatory government subsidization of the investment guaranty program, where the basic authority is silent on the question of whether or not the program is to be self-supporting. It is highly unlikely that the Congress would continue the investment guaranty program, in the light of our current balance-of-payments problems and other considerations, if the Foreign Assistance Act required, as a matter of law, a high degree of Government subsidization of losses incurred by investors, as does the guaranty program to be authorized by S. 2269.

The point has been made that this is to be a temporary program of only 4 years, pending the conclusion of a satisfactory agreement on the problem through negotiations. The dispute over fishing rights in South American waters has existed for some 15 years. Negotiations seeking a solution were underway in 1954 when Congress passed the law which is being invoked as a precedent for special treatment for fishermen, and for passage of this bill. Temporary programs under our system have a habit of becoming quite permanent and the committee has serious doubts that it would be possible to rescind the authority for special preferences for fishermen even after a reasonable solution had been reached.

CONCLUSION

In what cases, if any, is the public interest served by Government subsidization of losses incurred by U.S. citizens in asserting their rights, under international law, against a foreign government? That is the basic issue posed by this bill. The committee believes that consideration of indemnification for fishing vessel owners should be considered by Congress in this larger context, and not as an isolated problem as assumed in this bill. This general problem should be given further study within the executive branch.

The committee is sympathetic to the problems faced by operators of fishing vessels who seek to exercise rights supported by the U.S. Government. But the committee is not persuaded that claims arising from exercise of these rights are any more deserving of support through public funds than the many other types of claims against foreign governments arising out of violations of treaties or international law. To single out losses of fishermen for reimbursement at public expense would put the Government in the position of singling out one class of claims for special treatment, thus making the protection of fishing rights a greater public good than the protection of other rights of American citizens, which are being infringed constantly by foreign governments.

The committee does not have a simple solution to this highly emotional problem. It can only urge that new and more vigorous efforts be made to reach a workable agreement through all diplomatic channels available. Witnesses from the executive branch told the committee that a conference on the problem with Chile, Ecuador, and Peru may be held sometime in early 1968. The committee expects that every effort will be made to bring about such a conference. The committee also expects that any approach for considering this problem within the Organization of American States, the United Nations, or the International Court of Justice will be pursued.

Mr. MAGNUSON. I also ask that excerpts from the reports to which I referred be printed in the RECORD.

There being no objection, excerpts from the reports were ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

This bill is an amendment to the act of August 27, 1954, commonly known as the Fishermen's Protective Act, which now provides that in cases where a private vessel of the United States is seized by a foreign country on the basis of rights or claims in territorial waters or the high seas which are not recognized by the United States, and when there is no dispute of material facts as to the location or activity of such vessel at the time of seizure, fines paid in order to secure the prompt release of the vessel shall be reimbursed by the Secretary of the Treasury upon certification of the Secretary of State.

S. 2269 would provide as follows:

1. For all U.S. vessels, it would broaden the scope of reimbursement to be made by the Secretary of the Treasury—upon certification by the Secretary of State—to include license fees, registration fees, and any other direct charges in addition to fines.

2. For U.S. commercial fishing vessels, it would add a new section which would empower the Secretary of the Interior to enter into agreements with vessel owners to guarantee payment to the owners of certain actual costs resulting from seizure and detention of a vessel, including damage, destruction, loss, or confiscation of the vessel, its fishing gear or other equipment, dockage and utility fees, payment to the owner and crew of the market value of fish confiscated or spoiled during the detention of the vessel, and payment to owners and crew of up to 50 percent of the estimated gross income lost as a result of the seizure or detention. The Secretary of the Interior would be authorized to establish fees to be paid by vessel owners entering into such agreements, the fees to be adequate to cover the cost of administration of the guarantee system and

a reasonable portion of payments under this system. The amount fixed by the Secretary shall be predicated upon at least 33⅓ percent of the contribution by the Government. The establishment of the guarantee system would be limited to 4 years beginning 180 days after enactment.

GENERAL STATEMENT

Your committee heard a number of witnesses on S. 2269, both Government and industry, and there is apparent unanimity as to need for such legislative amendments as outlined.

As Mr. Crowther, Director of the Bureau of Commercial Fisheries, Department of Interior, testified:

"We have consistently encouraged the U.S. commercial fishing industry to increase rapidly their exploitation of the fishery resources of the high seas; that is, beyond the territorial waters of foreign countries. In addition, the United States has constantly, over the years, asserted the doctrine of the freedom of the seas.

"Despite this policy, American fishing vessels continue to be harassed and unlawfully seized and detained while conducting fishing operations on the high seas. The illegal seizure and unlawful detention of U.S. fishing vessels is the result of certain nations extending their jurisdiction over extreme distances from their coasts, to as much as 200 miles, far beyond internationally accepted limits * * *"

Testimony before your committee has revealed that many of these countries not only assert fishery jurisdiction in these areas upwards of 200 miles, but claim complete sovereignty. In effect, then, the American fishing vessels are defending the U.S. policy of freedom of the seas, beyond the question of fishery jurisdiction. Despite the usefulness of the act of 1954, they are doing so at great individual loss, as the reimbursement of fines is often only a part of the cost involved in a vessel seizure.

Mr. August Felando, general manager of the American Tunaboat Association of San Diego, Calif., appeared before your committee. His organization represents some 25,000 tons of the total American carrying capacity of 38,000 tons in the tuna fleet.

Mr. Felando, in his statement, was careful to note that S. 2269 clearly provides that each claimant must prove that the U.S. rights with respect to freedom of navigation or freedom of fishing has been violated, as provided in section 2 (a) and (b) of the bill.

In his testimony, Mr. Felando cited a letter from Mr. Leonard C. Meeker, Legal Adviser of the U.S. Department of State, dated November 4, 1966, responding to questions rising from the present act of 1954. Mr. Meeker stated:

"Secretary Rusk has asked me to reply to your letter of October 10, 1966, in which you inquire in substance whether the Department would regard the provisions of 22 U.S.C. 1971–76 henceforth as applicable to the seizure of a vessel fishing within 12 miles of the coast of a country claiming a 12-mile territorial sea.

"By its terms the statute applies only in the case of a vessel seized by a foreign country on the basis of rights or claims in territorial waters or the high seas which are not recognized by the United States * * *. As you are aware, the United States now claims a contiguous fisheries zone extending 9 miles beyond the 3-mile territorial sea. The question is thus whether the United States is prepared to regard as illegal a seizure made by another country where the U.S. Government would take similar action in parallel circumstances.

"In view of the foregoing, it is the opinion of the Department of State that the provisions of 22 U.S.C. 1971–76 would not apply to a case in which a U.S. vessel had been seized while fishing within 12 miles of the coast of a country claiming a 12-mile territorial sea."

Your committee feels that the reimbursement provided in S. 2269 is equitable as it reduces the economic burden placed now upon the vessel owners, a burden that would not have come about if U.S. vessels were free from wrongful seizure on the high seas.

While diplomatic activities continue—particularly with South American countries—to resolve the present differences of opinion regarding the extent of fishery harvest, the most effective means of asserting the doctrine of freedom of the seas by the United States is to insure that U.S. fishing vessels actively participate in this harvest.

S. 2269 does not provide for total reimbursement of seizure and detention cost to U.S. fishermen. Rather, it establishes a plan for the Government and vessel owner to jointly finance an insurance program to reasonably reduce the present losses to vessels in the said areas now subject to wrongful seizure.

The problems associated with fishing off foreign coasts by U.S.-flag fishing vessels is not confined to the American tuna fleet.

William R. Neblett, executive director of the National Shrimp Congress, Inc., Key West, Fla., also appeared before your committee at hearings in support of S. 2269. The National Shrimp Congress, Inc., represents about 70 percent of the domestic shrimp industry, which is No. 1 in dollar value to the U.S. fisheries.

Mr. Neblett testified, in part:

"* * * We believe this is a fair piece of legislation as proposed. It is a partnership affair in which the domestic industry shares, as it is not one of the giveaway programs to which some of the public might be opposed.

"With regard to the specific legislation that is proposed here with respect to S. 2269, to provide additional protection for owners of private fishing vessels seized by foreign countries, the shrimp industry of the United States is very definitely in favor and urges the passage of this legislation. * * *"

PERIL OF LIFE ON THE HIGH SEAS

U.S.-flag fishing vessels—particularly those operating for tuna off South America—have additional factors of concern beyond reimbursements as provided in the Fishermen's Protective Act of 1954 and the proposals outlined in S. 2269.

Perhaps the best example presented in hearings before your committee was that of the tuna vessel *Mayflower*, which occurred on December 6, 1965. In this instance a Peruvian naval vessel intercepted and attempted to seize the vessel at a point some 75 miles off the coast of Peru. This matter was thoroughly investigated by the U.S. Coast Guard and your committee is satisfied as to the authenticity of the report. Actual photographs indicate the damaging and converting by the Peruvian Navy of an outboard vessel used by the *Mayflower* in her fishing operation. The photographs also showed the Peruvian naval officer armed with a shotgun just after spraying the bridge and pilot house of the American tuna vessel *Mayflower*. Fortunately, the master and navigator, the only members of the 13-man crew aboard who were hit, suffered only slight wounds from the shotgun pellets.

SUMMARY

These do not appear to your committee to be isolated or rare instances. Indeed, testimony at hearings indicates that between the period January 1961, through September 1967, more than 50 percent of the U.S. tuna fleet has been involved in either seizures, harassments, or unfortunate incidents.

Your committee does not feel that this is the ultimate answer to the problems faced by U.S.-flag fishing vessels off foreign coasts. The bill calls for a 4-year program. It will, however, assist these fleets in their defense of U.S. high-seas policy in the hope that the problems may be resolved more equitably and satisfactorily in the time allowed.

PURPOSE OF AMENDMENTS TO S. 2269

There are two amendments to S. 2269. The first one: "The amount fixed by the Secretary shall be predicated upon at least 33⅓ percent of the contribution by the Government" to assure that the owners of commercial fishing vessels will assume their fair share of the costs involved.

The second amendment: "in an amount not to exceed $150,000 annually" is for the purpose of placing an annual limitation for each of the 4 years on the amount authorized to be appropriated to carry out the provisions of the bill.

COST

The Interior Department, in testimony before your committee, estimates the cost of S. 2269, on an annual basis, for the specified period of 4 years, would be $142,500, with the cost to the participating vessel owners set at $87,500. The bill specifies that the annual authorization for the added section of this amendment shall not exceed $150,000.

AGENCY REPORTS

The reports of the agencies and departments follow:

U.S. DEPARTMENT
OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., August 29, 1967.

Hon. WARREN G. MAGNUSON,
Chairman, Committee on Commerce,
U.S. Senate, Washington, D.C.

DEAR SENATOR MAGNUSON: Your committee has requested this Department's views and recommendations on S. 2269, a bill to amend the act of August 27, 1954, relative to the unlawful seizure of fishing vessels of the United States by foreign countries.

We recommend the enactment of S. 2269 with the amendment suggested below.

The Fishermen's Protective Act directs the Secretary of State to attend to the welfare of the crew of any vessel of the United States seized by a foreign country on the basis of rights or claims not recognized by this country in territorial waters or on the high seas. The State Department is also directed to secure the release of the vessel and crew. In carrying out these functions, the Secretary must find that there is no dispute of material facts relative to the vessel's location and activities when seized. If the vessel owners must also pay a fine to secure release, then the act directs the Secretary of the Treasury to reimburse the owner in an amount that represents the fine.

The act does not apply to seizures made by a country at war with the United States or seizures made under a fishery convention or treaty to which the United States is a party. The Secretary of State is also directed to recover from the foreign country the amounts expended by the United States under this act. The act applies to fishing vessels and other vessels of the United States.

The Fish and Wildlife Act of 1956, as amended (16 U.S.C. 742a et seq.), declares "* * * that the fishing industry, in its several branches, can prosper and thus fulfill its proper function in national life only if certain fundamental needs are satisfied by means that are consistent with the public interest and in accord with constitutional functions of governments. Among these needs are:

* * * * *

"(2) Protection of opportunity—* * * to fish on the high seas in accordance with international law;".

In administering the 1956 act, this Department strives to stimulate the development of a strong, prosperous, and thriving commercial fishing industry. We have consistently encouraged the U.S. commercial fishing industry to increase rapidly their exploitation of the fishery resources of the high seas—that is, beyond the territorial waters of foreign countries.

In addition, the United States has constantly, over the years, asserted the doctrine of the freedom of the seas. In this regard, the Department of State in 1954 said:

"The traditional policy of the United States is to support the principle of the freedom of the seas, and it has consistently opposed the efforts of other countries to limit the freedom of the seas by excessive claims to territorial waters. It is the practice of the Department officially to protest claims to the territorial waters greater in breadth than 3 marine miles from the coast [and fisheries jurisdiction in excess of 12 miles] since it is the view of the Department that under international law it is not required to recognize such claims * * * In implementation of that policy every reasonable peaceful effort is being made by the Department to protect American nationals engaged in fishing or other occupations on the high seas." (See S. Rept. 2214, 83d Cong.)

Despite this policy, American fishing vessels continue to be harassed and unlawfully seized and detained while conducting fishing operations on the high seas. The illegal seizure and unlawful detention of U.S. fishing vessels is the result of certain nations extending their jurisdiction over extreme distances from their coasts, to as much as 200 miles, far beyond internationally accepted limits. In a recent case, seizure took place about 75 miles off the coast of the offending foreign country. The U.S. Government has firmly and consistently taken the position that such extension of jurisdiction has no basis in international law. On the occasion of each unlawful seizure, the U.S. Government has lodged strong protests against the responsible government and has devoted considerable efforts in seeking the release of the detained vessel as expeditiously as possible.

The illegal seizures and detentions of our fishing vessels continue and, in fact, appear to be increasing. With more countries unilaterally making similar unreasonable and unjustified claims, it is likely that such seizures may well increase.

Efforts to resolve the problem of fisheries jurisdiction by negotiation have been largely unproductive and, more importantly, have been extremely slow in the eyes of the affected fishermen and vessel owners who are exercising their rights under the "freedom of the seas" doctrine.

The principal purpose of the 1954 act is to provide a clear direction to the Secretary of State to take whatever steps may be necessary to insure the welfare of a seized vessel and its crew while it is unlawfully detained by a foreign country and to obtain the immediate release of the vessel and crew. In addition, the 1954 act provides that if a fine must be paid by the vessel owners to obtain the release of the vessel and crew, then such owners shall be reimbursed by the United States. The reimbursement directly relates to, and is in aid of, the primary purpose of the act—namely, the prompt release of the vessel and crew.

To this extent, the 1954 act has been successful and a decided aid to the commercial fishing industry in this country.

These seizures and subsequent detentions, however, represent a nuisance to the vessel owner, and, in some cases, a constant source of danger to themselves and their crews. Even more importantly, these seizures and detentions result in substantial economic losses to these U.S. citizens. The objective of S. 2269 is to give these fishing vessel owners and, indirectly, their crews, an opportunity to recoup some of these losses.

We agree that some additional assistance to U.S. fisheremen is needed while negotiations are continued with the foreign countries to resolve the problem of fisheries jurisdiction. S. 2269 will provide this assistance.

S. 2269 authorizes a 4-year program of guarantees to the vessel owners and their crews. Under the bill, the Secretary of the Interior will guarantee the vessel owners that he will reimburse them for costs incurred, less any depreciation, as a direct result of illegal seizure or detention, or both, for loss, etc., to their vessels, gear, or equipment, and for dockage fees, and utilities. In addition, the Secretary will pay such owners and their crews up to 50 percent of any income lost as a direct result of such illegal seizure or detention, or both. In making this latter payment, the Secretary will base his determination on the value of the average catch per day's fishing during the three most recent calendar years prior to the seizure of the seized vessel. If such experience is not available, then the Secretary may base his determination on the experience of all fishing vessels of the United States of the same type and size.

We believe it is important to limit the income loss provisions to 50 percent, although we recognize that it will not not compensate the vessels and their crews fully. The highly speculative nature of this feature in the bill leads us to the conclusion that the percentage should be so restricted.

While we firmly believe that this program is needed, we also believe that the United States should not bear its entire cost. Accordingly, the bill provides for the establishment of fees to be paid by the vessel owners to cover a reasonable portion of the costs of this added assistance program. We believe that these fees should be adequate to cover all of the program's administrative expenses and about 25 percent of any payments made under the guarantee. We recognize, however, that experience may show that it is unreasonable to expect to recover all of these costs to this extent. If this is the case, we will make appropriate adjustments in order to provide the needed assistance.

As we have indicated, we also believe that this program should be viewed as a temporary measure. S. 2269 limits it to 4 years. During this time, we hope to be able to enter into negotiations which will obviate the need for an extension of the program. In any event, we will review the program at the end of this period to determine what course of action should be taken.

Lastly, it has come to our attention that, in some cases, foreign countries have required fishing vessel owners to purchase fishing licenses or pay registration fees or other charges in lieu of fines to secure the release of their vessel and crew. While these charges are probably in reality equivalent to a fine, the 1954 act has been interpreted as not being available for making reimbursements for such charges. We believe that such charges should be reimbursed because they are a condition precedent to the prompt release of the vessel and crew, just as a fine is a condition precedent to this release. S. 2269 provides for such reimbursement. These charges would not be included in our estimation of the costs of the guarantee program for the purpose of establishing fees.

The Bureau of the Budget has advised that there is no objection to the presentation of this report from the standpoint of the administration's program, and that if the committee determines that enactment of S. 2269 is necessary, the Bureau of the Budget strongly believes that the program should be a temporary one, pending continued diplomatic efforts to achieve a lasting solution to the problem.

Sincerely yours,

STANLEY A. CAIN,
Assistant Secretary of the Interior.

DEPARTMENT OF STATE,
Washington, D.C. September 6, 1967.

Hon. WARREN G. MAGNUSON,
Chairman, Committee on Commerce,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: I refer to your letter of August 11 requesting a report on S. 2269, a bill to amend the act of August 27, 1954, relative to the unlawful seizure of fishing vessels of the United States by foreign countries.

The act of August 27, 1954 (68 Stat. 883; 22 U.S.C. 1971–1976), commonly known as the Fishermen's Protective Act, provides that when any private vessel documented or certified under the laws of the United States is seized by a foreign country on the basis of rights or claims in territorial waters or the high seas which are not recognized by the United States and there is no dispute of material facts as to the location or activity of the vessel at the time of such seizure, the Secretary of State shall as soon as practicable take appropriate action to attend to the welfare of the vessel and its crew and to secure their release. The act further provides that any fine paid by the owners to secure release of their vessel under these conditions shall be reimbursed by the Secretary of the Treasury upon certification by the Secretary of State. The act also directs the Secretary of State to take appropriate action to recover expenditures under this act from the foreign countries whose seizure of U.S. vessel occasioned such expenditures.

If enacted, S. 2269 would amend the act of August 27, 1954, in the following ways:

1. For all U.S. vessels, it would broaden the scope of reimbursements to be made by the Secretary of the Treasury upon certification by the Secretary of State to include license fees, registration fees, and any other direct charges in addition to fines.

2. For U.S. commercial fishing vessels, it would empower the Secretary of the Interior to enter into agreements with vessel owners to guarantee payment to the owners of certain actual costs resulting from seizure and detention of a vessel, including damage, destruction, loss, or confiscation of the vessel, its fishing gear, or other equipment, dockage and utility fees, payment to the owners and crew of the market value of fish confiscated or spoiled during detention of the vessel, and payment to owners and crew of up to 50 percent of estimated gross income lost as a result of the seizure and detention of the vessel. The Secretary of the Interior would be authorized to establish by regulation fees to be paid by vessel owners entering into such agreement, the fees to be adequate to cover the cost of administering the guarantee system and a reasonable portion of payments under the system. Payments would not be made for losses covered by insurance or by any other provision of law, and the effectiveness of the guarantee system would be limited to four years commencing 180 days after enactment.

It is the position of this Government to support the free operations of our fishing vessels outside national fisheries jurisdiction extending to a distance of not more than 12 miles from the coasts of all countries, subject only to international law and agreements. It is also the policy of this Government to support the development of the American fishing industry. Nevertheless, unless effective protection is afforded to American fishing vessels operating in zones of the high seas regarded by foreign governments as within their national jurisdiction on the basis of claims which we consider to be without foundation in international law, both the legal rights espoused by this Government and the continued development of the American fishing industry will suffer.

The Department of State is seeking a positive solution for the vexing problem of seizures of U.S. fishing vessels on the high seas by certain countries. We hope that negotiations for this purpose will take place during the present year and that they will result in a termination of the practice of seizures. Pending the completion of these negotiations there is always the risk of further seizures and further unfair and illegal impositions on our fishermen.

As a matter of principle, the items for

which this bill would provide compensation out of public funds are in reality claims against foreign governments. They are but one type of a countless variety of claims by U.S. citizens against foreign governments throughout the world. All such claims are based on conduct of the foreign government claimed by the Government of the United States to have been improper or illegal under international law. It may be pointed out that cases here involving fishing vessels are no different, for example, than claims arising out of taking property and other international claims. Such claims have not been paid out of public funds.

But in this particular case—that of fishing vessels wrongfully seized on the high seas—Congress has passed the act of August 27, 1954, for the purpose of assisting the owners of seized vessels to obtain the prompt release of their vessels and crews. Its goal is to give our fishing fleet some protection in addition to that provided by diplomacy.

The act of August 27, 1954, has been of some assistance to the American fishing industry in maintaining and exercising its rights under international law, despite the harassment of seizures which the United States considers illegal. However, the act is not fully effective in its purpose of obtaining the prompt release of vessel and crew. In order to obtain prompt release, owners of vessels are often required not only to pay a fine, but to purchase a fishing license and a temporary registration, and sometimes to pay other fees.

The Department believes that under the circumstances it would be appropriate to establish a temporary program whereby U.S. fishermen who are willing to share in the costs can be provided some additional assistance while negotiation efforts continue and that such an approach will not undermine the principle against public compensation for private claims against foreign governments.

Accordingly, the Department recommends amendment of the act of August 27, 1954, as provided in S. 2269.

The Department believes that these amendments would provide a substantial measure of relief to the American fishing industry without incentive for abuse and serve to support the positions of this Government both in developing our fishing industry and in maintaining our rights under international law.

The Bureau of the Budget advises that there is no objection from the standpoint of the administration's program to the submission of this report and that if the committee determines that enactment of S. 2269 is necessary the Bureau strongly believes that the guarantee program should be a temporary one, as provided in the bill, pending continued diplomatic efforts to achieve a lasting solution to the problem.

Sincerely yours,

William B. Macomber, Jr.,
Assistant Secretary for Congressional Relations.

The General Counsel
of the Treasury,
Washington, D.C., September 6, 1967.

Hon. Warren G. Magnuson,
Chairman, Committee on Commerce,
U.S. Senate, Washington, D.C.

Dear Mr. Chairman: Reference is made to your request for the views of this Department on S. 2269, to amend the act of August 27, 1954, relative to the unlawful seizure of fishing vessels of the United States by foreign countries.

The proposed legislation would add a new section 7 to the act of August 27, 1954 (68 Stat. 883; 22 U.S.C. 1971), relating to the seizure of vessels by foreign countries, to require the Secretary of the Interior to enter into agreements with owners of commercial fishing vessels to reimburse the owners of such vessels seized by foreign countries for certain losses and costs incurred as a result of such seizures.

The only provisions of the proposed legislation of primary interest to this Department are the provisions in the proposed new section 7(c) which would provide for the crediting of all fees collected by the Secretary of the Interior to a separate account established in the Treasury of the United States and would authorize appropriations to the account. These provisions are satisfactory from the standpoint of this Department.

The Department has been advised by the Bureau of the Budget that there is no objection from the standpoint of the administration's program to the submission of this report to your committee.

Sincerely yours,

Fred B. Smith,
General Counsel.

Comptroller General
of the United States,
Washington, D.C., October 30, 1967.

B-108007.

Hon. Warren G. Magnuson,
Chairman, Committee on Commerce,
U.S. Senate.

Dear Mr. Chairman: Your letter of August 11, 1967, invites our comments on S. 2269, a bill to amend the act of August 27, 1954 (68 Stat. 883; 22 U.S.C. 1971–1976), relative to the unlawful seizure of fishing vessels of the United States by foreign countries.

Under section 3 of the act of August 27, 1954, the owners of private vessels documented or certificated under the laws of the United States which are seized by a foreign country under the conditions enumerated in section 2 are to be reimbursed by the Secretary of the Treasury in the amount certified to him by the Secretary of State as being the amount of the fine actually paid in order to secure the prompt release of the vessel and crew. Section 2 of S. 2269 would amend said section 3 to authorize reimbursement for "license fee, registration fee, or any other direct charge" in addition to the fine actually paid in order to secure the release of the vessel and crew.

S. 2269 would also add a new section 7 under which the owners of vessels of the United States documented or certified as a commercial fishing vessel whose vessels are seized by foreign countries, upon entering into agreements with the Secretary of the Interior, would be indemnified for all actual costs, other than those covered by section 3 of the act, incurred by the owners of such vessels during periods of seizure and detention and as a direct result thereof, as determined by the Secretary, resulting from (A) any damage to, or destruction of, such vessel, or its fishing gear or other equipment (B) the loss or confiscation of such vessel, gear or equipment, or (C) dockage fees or utilities. The owners and the crews also would be indemnified for (1) the market value of fish caught before seizure of such vessels and confiscated or spoiled during the period of detention, and (2) not to exceed 50 percent of the gross income lost, on the basis of certain stated factors, by being unable to fish as a direct result of such seizure and detention. The bill further provides for the Secretary to establish by regulation fees to be paid by the owners of vessels entering into indemnification agreements, such fees to be adequate (1) to cover the cost of administering the program and (2) to cover a reasonable portion of any payments made by the Secretary under the program.

While we recognize that the proposed legislation is a matter of policy for the determination of the Congress, we believe that the legislation could establish a precedent for other citizens of the United States to request reimbursement, or an insurance program, from the Government for the value of properties that are seized by foreign countries in violation of treaties or international law. The provisions of proposed subsection 7(c) covering the establishment of fees to be paid by the owners of vessels entering into agreements under the program, allows the Secretary a considerable amount of latitude in determining what would be a reasonable portion of the cost of the program to be covered by such fees. It would appear, depending on circumstances, that the cost of the program to be borne by the Government could become substantial, particularly if on account of the program the vessel owners should become more daring in fishing in waters claimed by foreign countries.

For the foregoing reasons, we believe that if S. 2269 is to receive favorable consideration, the bill should be amended to clarify the respective financial responsibility of the Government and of vessel owners generally under the proposed indemnity program.

Sincerely yours,

Frank H. Weitzel,
Assistant Comptroller General of the United States.

Mr. LAUSCHE. Mr. President, I just want to make two points. The bill Senators are asked to vote upon is a special privilege bill. It creates a precedent that will haunt the Senate in the future. Preferential treatment is being given to fishermen of the United States. Countless other citizens who suffer damage because of the Government's failure to protect them are given no protection. Fishermen are given full protection.

I want to repeat two things: First, preferential treatment; second, the establishment of a precedent. I predict that 10 years from now Senators will be haunted by what this bill has established.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Alaska [Mr. Gruening], the Senator from Oklahoma [Mr. Harris], the Senator from Arizona [Mr. Hayden], the Senator from Missouri [Mr. Long], the Senator from New Mexico [Mr. Montoya], the Senator from Oregon [Mr. Morse], the Senator from West Virginia [Mr. Randolph], and the Senator from Virginia [Mr. Spong] are absent on official business.

I also announce that the Senator from Maryland [Mr. Brewster], the Senator from Pennsylvania [Mr. Clark], the Senator from Louisiana [Mr. Ellender], the Senator from North Carolina [Mr. Ervin], the Senator from Tennessee [Mr. Gore], the Senator from North Carolina [Mr. Jordan], the Senator from Massachusetts [Mr. Kennedy], the Senator from New York [Mr. Kennedy], the Senator from Minnesota [Mr. McCarthy], the Senator from New Hampshire [Mr. McIntyre], the Senator from Montana [Mr. Metcalf], the Senator from Rhode Island [Mr. Pastore], the Senator from Florida [Mr. Smathers], and the Senator from Maryland [Mr. Tydings] are necessarily absent.

I further announce that, if present and voting, the Senator from Maryland [Mr. Brewster], the Senator from Louisiana [Mr. Ellender], the Senator from Alaska [Mr. Gruening], the Senator from Oklahoma [Mr. HARRIS], the Senator from Massachusetts [Mr. KENNEDY], the Senator from New York [Mr. KENNEDY], the Senator from Oregon [Mr. MORSE], the Senator from Rhode Island [Mr. PASTORE], the Senator from West Virginia [Mr. RANDOLPH], and the Senator from Florida [Mr. SMATHERS] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. BENNETT], the Senator from Delaware [Mr. BOGGS], and the Senators from Illinois [Mr. DIRKSEN and Mr. PERCY] are necessarily absent.

The Senator from Kentucky [Mr. MORTON] is detained on official business.

On this vote, the Senator from Utah [Mr. BENNETT] is paired with the Senator from Illinois [Mr. PERCY]. If present and voting, the Senator from Utah would vote "yea," and the Senator from Illinois would vote "nay".

On this vote, the Senator from Kentucky [Mr. MORTON] is paired with the Senator from Delaware [Mr. BOGGS]. If present and voting, the Senator from Kentucky would vote "yea," and the Senator from Delaware would vote "nay".

The result was announced—yeas 49, nays 24, as follows:

[No. 100 Leg.]

YEAS—49

Anderson
Bartlett
Bayh
Bible
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Dodd
Eastland
Fannin
Fong
Hart
Hartke
Hatfield
Hill
Holland
Hollings
Inouye
Jackson
Kuchel
Long, La.
Magnuson
McGee
McGovern
Mondale
Monroney
Moss
Mundt
Murphy
Muskie
Nelson
Pearson
Pell
Prouty
Proxmire
Ribicoff
Russell
Scott
Smith
Sparkman
Stennis
Talmadge
Tower
Williams, N.J.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—24

Aiken
Allott
Baker
Carlson
Case
Church
Cooper
Cotton
Curtis
Dominick
Fulbright
Griffin
Hansen
Hickenlooper
Hruska
Javits
Jordan, Idaho
Lausche
Mansfield
McClellan
Miller
Symington
Thurmond
Williams, Del.

NOT VOTING—27

Bennett
Boggs
Brewster
Clark
Dirksen
Ellender
Ervin
Gore
Gruening
Harris
Hayden
Jordan, N.C.
Kennedy, Mass.
Kennedy, N.Y.
Long, Mo.
McCarthy
McIntyre
Metcalf
Montoya
Morse
Morton
Pastore
Percy
Randolph
Smathers
Spong
Tydings

So the bill (S. 2269) was passed, as follows:

S. 2269

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of August 27, 1954 (68 Stat. 883; 22 U.S.C. 1971–1976), is amended by adding at the end thereof a new section to read as follows:

"SEC. 7. (a) The Secretary, upon receipt of an application filed with him at any time after the effective date of this section by the owner of any vessel of the United States which is documented or certified as a commercial fishing vessel, shall enter into an agreement with such owner subject to the provisions of this section and such other terms and conditions as the Secretary deems appropriate. Such agreement shall provide that, if said vessel is seized by a foreign country and detained under the conditions of section 2 of this Act, the Secretary shall guarantee—

"(1) the owner of such vessel for all actual costs, except those covered by section 3 of this Act, incurred by the owner during the seizure and detention period and as a direct result thereof, as determined by the Secretary, resulting from (A) any damage to, or destruction of, such vessel, or its fishing gear or other equipment, (B) from the loss or confiscation of such vessel, gear, or equipment, or (C) from dockage fees or utilities;

"(2) the owner of such vessel and its crew for the market value of fish caught before seizure of such vessel and confiscated or spoiled during the period of detention; and

"(3) the owner of such vessel and its crew for not to exceed 50 per centum of the gross income lost as a direct result of such seizure and detention, as determined by the Secretary of the Interior, based on the value of the average catch per day's fishing during the three most recent calendar years immediately preceding such seizure and detention of the vessel seized, or, if such experience is not available, then of all commercial fishing vessels of the United States engaged in the same fishery as that if the type and size of the seized vessel.

"(b) Payments made by the Secretary under paragraphs (2) and (3) of subsection (a) of this section shall be distributed by the Secretary in accordance with the usual practices and procedures of the particular segment of the United States commercial fishing industry to which the seized vessel belongs relative to the sale of fish caught and the distribution of the proceeds of such sale.

"(c) The Secretary shall from time to time establish by regulation fees which shall be paid by the owners of vessels entering into agreements under this section. Such fees shall be adequate (1) to recover the costs of administering this section, and (2) to cover a reasonable portion of any payments made by the Secretary under this section. The amount fixed by the Secretary shall be predicated upon at least 33⅓ per centum of the contribution by the Government. All fees collected by the Secretary shall be credited to a separate account established in the Treasury of the United States which shall remain available without fiscal year limitation to carry out the provisions of this section. All payments under this section shall be made first out of such fees so long as they are available, and thereafter out of funds which are hereby authorized to be appropriated to such account to carry out the provisions of this section in an amount not to exceed $150,000 annually.

"(d) All determinations made under this section shall be final. No payment under this section shall be made with respect to any losses covered by any policy of insurance or other provision of law.

"(e) The provisions of this section shall be effective for forty-eight consecutive months beginning one hundred and eighty days after the enactment of this section. The Secretary shall issue such regulations and take such other measures as he deems appropriate to implement the provisions of this section prior to such effective date.

"(f) For the purposes of this section—

"(1) the term 'Secretary' means the Secretary of the Interior.

"(2) the term 'owner' includes any charterer of a commercial fishing vessel."

SEC. 2. Section 3 of the Act of August 27, 1954 (68 Stat. 883; 22 U.S.C. 1973), is amended by inserting a comma after the word "fine" wherever it appears and the words "license fee, registration fee, or any other direct charge".

SEC. 3. Section 5 of the Act of August 27, 1954 (68 Stat. 883, 22 U.S.C. 1975), is amended to read as follows:

"SEC. 5. (a) The Secretary of State shall take such action as he may deem appropriate to make and collect on claims against a foreign country for amounts expended by the United States under the provisions of this chapter (including payments made pursuant to section 7) because of the seizure of a United States vessel by such country. If, within one hundred and twenty days after receiving notice of any such claim of the United States, a country fails or refuses to make payment in full, the Secretary of State shall promptly report such failure or refusal to the President. The President shall thereupon suspend all assistance provided under the Foreign Assistance Act of 1961, as amended (22 U.S.C. 2151 et seq.), to the government of such country; and such suspension shall continue until the Secretary of State certifies to the President that such claim has been paid in full by such country.

"(b) From any funds programed for the current fiscal year for assistance to the government of a country to which assistance is suspended [as shown in materials concerning such fiscal year presented to the Congress in connection with its consideration of amendments to the Foreign Assistance Act], the Secretary of State shall withhold an amount equal to the total of all such unpaid claims of the United States, which amount shall be transferred to the separate account established in the Treasury of the United States pursuant to section 7(c) for the payment of vessel owners. The Secretary of State shall transmit to the Congress, at least once each fiscal year, a report of all suspensions of assistance and of amounts transferred pursuant to this subsection.

"(c) No provision of law shall be construed to authorize the President to waive the provisions of this section."

SEC. 4. The Act of August 27, 1954 (68 Stat. 883; 22 U.S.C. 1971–1976), as amended by this Act, may be cited as the "Fishermen's Protective Act of 1967".

Mr. BARTLETT. Mr. President, I ask unanimous consent that we reconsider the vote by which the bill was passed.

Mr. BYRD of West Virginia. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

BENEFITS FOR CERTAIN LOCAL LAW-ENFORCEMENT OFFICERS—CONFERENCE REPORT

Mr. McCLELLAN. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 11816) to provide certain benefits for law-enforcement officers not employed by the United States who are killed or injured while apprehending violators of Federal law. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The assistant legislative clerk read the report.

(For conference report, see House proceedings of Mar. 27, 1968, pp. 7904–7906, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. McCLELLAN. Mr. President, the report was signed by all conferees on the part of the Senate and House, and has been agreed to by the House by a record vote of 375 yeas. The report recommends that we agree to an amendment inserting language agreed to by the conferees in lieu of the matter inserted by the Senate in its amendment to the House bill.

Mr. President, I ask unanimous consent that the conference report be printed at this point in the RECORD.

There being no objection, the conference report was ordered to be printed in the RECORD, as follows:

CONFERENCE REPORT (H. REPT. NO. 1187)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 11816) to provide certain benefits for law enforcement officers not employed by the United States who are killed or injured while apprehending violators of Federal law, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"SECTION 1. (a) Chapter 81 of title 5 of the United States Code is amended by adding the following new subchapter at the end:

"'SUBCHAPTER III.—LAW ENFORCEMENT OFFICERS NOT EMPLOYED BY THE UNITED STATES

"'§ 8191. Determination of eligibility

"'The benefits of this subchapter are available as provided in this subchapter to eligible law enforcement officers (referred to in this subchapter as "eligible officers") and their survivors. For the purposes of this Act, an eligible officer is any person who is determined by the Secretary of Labor in his discretion to have been on any given occasion—

"'(1) a law enforcement officer and to have been engaged on that occasion in the apprehension or attempted apprehension of any person—

"'(A) for the commission of a crime against the United States, or

"'(B) who at that time was sought by a law enforcement authority of the United States for the commission of a crime against the United States, or

"'(C) who at that time was sought as a material witness in a criminal proceeding instituted by the United States; or

"'(2) a law enforcement officer and to have been engaged on that occasion in protecting or guarding a person held for the commission of a crime against the United States or as a material witness in connection with such a crime; or

"'(3) a law enforcement officer and to have been engaged on that occasion in the lawful prevention of, or lawful attempt to prevent, the commission of a crime against the United States;

and to have been on that occasion not an employee as defined in section 8101(1), and to have sustained on that occasion a personal injury for which the United States would be required under subchapter I of this chapter to pay compensation if he had been on that occasion such an employee engaged in the performance of his duty. No person otherwise eligible to receive a benefit under this subchapter because of the disability or death of an eligible officer shall be barred from the receipt of such benefit because the person apprehended or attempted to be apprehended by such officer was then sought for the commission of a crime against a sovereignty other than the United States.

"'§ 8192. Benefits

"'(a) BENEFITS IN EVENT OF INJURY.—The Secretary of Labor shall furnish to any eligible officer the benefits to which he would have been entitled under subchapter I of this chapter if, on the occasion giving rise to his eligibility, he had been an employee as defined in section 8101(1) engaged in the performance of his duty, reduced or adjusted as the Secretary of Labor in his discretion may deem appropriate to reflect comparable benefits, if any, received by the officer (or which he would have been entitled to receive but for this subchapter) by virtue of his actual employment on that occasion. When an enforcement officer has contributed to a disability compensation fund, the reduction of Federal benefits provided for in this subsection is to be limited to the amount of the State or local government benefits which bears the same proportion to the full amount of such benefits as the cost or contribution paid by the State or local government bears to the cost of disability coverage for the individual officer.

"'(b) BENEFITS IN EVENT OF DEATH.—The Secretary of Labor shall pay to any survivor of an eligible officer the difference, as determined by the Secretary in his discretion, between the benefits to which that survivor would be entitled if the officer had been an employee as defined in section 8101(1) engaged in the performance of his duty on the occasion giving rise to his eligibility, and the comparable benefits, if any, received by the survivor (or which that survivor would have been entitled to receive but for this subchapter) by virtue of the officer's actual employment on that occasion. When an enforcement officer has contributed to a survivor's benefit fund, the reduction of Federal benefits provided for in this subsection is to be limited to the amount of the State or local government benefits which bears the same proportion to the full amount of such benefits as the cost or contribution paid by the State or local government bears to the cost of survivor's benefits coverage for the individual officer.

"'§ 8193. Administration

"'(a) DEFINITIONS AND RULES OF CONSTRUCTION.—For the purpose of this subchapter—

"'(1) The term "Attorney General" includes any person to whom the Attorney General has delegated any function pursuant to subsection (b) of this section.

"'(2) The term "Secretary of Labor" includes any person to whom the Secretary of Labor has delegated any function pursuant to subsection (b) of this section.

"'(b) DELEGATION.—

"'(1) The Attorney General may delegate to any division, officer, or employee of the Department of Justice any function conferred upon the Attorney General by this subchapter.

"'(2) The Secretary of Labor may delegate to any bureau, officer, or employee of the Department of Labor any function conferred upon the Secretary of Labor by this subchapter.

"'(c) APPLICATIONS.—An application for any benefit under this subchapter may be made only—

"'(1) to the Secretary of Labor

"'(2) by

"'(A) any eligible officer or survivor of an eligible officer,

"'(B) any guardian, personal representative, or other person legally authorized to act on behalf of an eligible officer, his estate, or any of his survivors, or

"'(C) any association of law enforcement officers which is acting on behalf of an eligible officer or any of his survivors;

"'(3) within five years after the injury or death; and

"'(4) in such form as the Secretary of Labor may require.

"'(d) CONSULTATION WITH ATTORNEY GENERAL AND OTHER AGENCIES.—The Secretary of Labor may refer any application received by him pursuant to this subchapter to the Attorney General for his assistance, comments and advice as to any determination required to be made pursuant to paragraph (1), (2), or (3) of section 8191. To insure that all Federal assistance under this subchapter is carried out in a coordinated manner, the Secretary of Labor is authorized to request any Federal department or agency to supply any statistics, data, or any other materials he deems necessary to carry out his functions under this subchapter. Each such department or agency is authorized to cooperate with the Secretary of Labor and, to the extent permitted by law, to furnish such materials to him.

"'(e) COOPERATION WITH STATE AGENCIES.—The Secretary of Labor shall cooperate fully with the appropriate State and local officials, and shall take all other practicable measures, to assure that the benefits of this subchapter are made available to eligible officers and their survivors with a minimum of delay and difficulty.

"'(e) APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this subchapter.'"

(b) The table of sections at the beginning of chapter 81 of title 5 of the United States Code is amended by adding at the end:

"'SUBCHAPTER III.—LAW ENFORCEMENT OFFICERS NOT EMPLOYED BY THE UNITED STATES

"'Sec.
"'8191. Determination of eligibility.
"'8192. Benefits.
"'8193. Administration.'

"SEC. 2. The amendments made by section 1 of this Act are effective only with respect to personal injuries sustained on or after the date of enactment of this Act."

And the Senate agree to the same.

Amend the title so as to read: "An Act to provide compensation for law enforcement officers not employed by the United States killed or injured while apprehending persons suspected of committing Federal crimes, and for other purposes."

And the Senate agree to the same.

ROBERT T. ASHMORE,
WILLIAM L. HUNGATE,
HERBERT TENZER,
JOSHUA EILBERG,
HENRY P. SMITH III,
THOMAS J. MESKILL,
CHARLES W. SANDMAN, Jr.,
Managers on the Part of the House.
JOHN L. MCCLELLAN,
JAMES O. EASTLAND,
SAM J. ERVIN, Jr.,
PHILIP A. HART,
EDWARD M. KENNEDY,
ROMAN L. HRUSKA,
HUGH SCOTT,
STROM THURMOND,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11816) to provide certain benefits for law enforcement officers not employed by the United States who are killed or injured while apprehending violators of Federal law, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The conference report recommends that the House recede from its disagreement to the Senate amendment and agree to the same with an amendment. The amendment is to insert the language agreed to by the conferees in lieu of the matter inserted by the Senate in its amendment to the House bill.

The bill, H.R. 11816, passed the House substantially in the form set forth in the conference report, that is, the bill provided for the amendment of chapter 81 of title 5 of the United States Code by the addition of a homa [Mr. HARRIS], the Senator from Massachusetts [Mr. KENNEDY], the Senator from New York [Mr. KENNEDY], the Senator from Oregon [Mr. MORSE], the Senator from Rhode Island [Mr. PASTORE], the Senator from West Virginia [Mr. RANDOLPH], and the Senator from Florida [Mr. SMATHERS] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. BENNETT], the Senator from Delaware [Mr. BOGGS], and the Senators from Illinois [Mr. DIRKSEN and Mr. PERCY] are necessarily absent.

The Senator from Kentucky [Mr. MORTON] is detained on official business.

On this vote, the Senator from Utah [Mr. BENNETT] is paired with the Senator from Illinois [Mr. PERCY]. If present and voting, the Senator from Utah would vote "yea," and the Senator from Illinois would vote "nay".

On this vote, the Senator from Kentucky [Mr. MORTON] is paired with the Senator from Delaware [Mr. BOGGS]. If present and voting, the Senator from Kentucky would vote "yea," and the Senator from Delaware would vote "nay".

The result was announced—yeas 49, nays 24, as follows:

[No. 100 Leg.]

YEAS—49

Anderson
Bartlett
Bayh
Bible
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Dodd
Eastland
Fannin
Fong
Hart
Hartke
Hatfield
Hill
Holland
Hollings
Inouye
Jackson
Kuchel
Long, La.
Magnuson
McGee
McGovern
Mondale
Monroney
Moss
Mundt
Murphy
Muskie
Nelson
Pearson
Pell
Prouty
Proxmire
Ribicoff
Russell
Scott
Smith
Sparkman
Stennis
Talmadge
Tower
Williams, N.J.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—24

Aiken
Allott
Baker
Carlson
Case
Church
Cooper
Cotton
Curtis
Dominick
Fulbright
Griffin
Hansen
Hickenlooper
Hruska
Javits
Jordan, Idaho
Lausche
Mansfield
McClellan
Miller
Symington
Thurmond
Williams, Del.

NOT VOTING—27

Bennett
Boggs
Brewster
Clark
Dirksen
Ellender
Ervin
Gore
Gruening
Harris
Hayden
Jordan, N.C.
Kennedy, Mass.
Kennedy, N.Y.
Long, Mo.
McCarthy
McIntyre
Metcalf
Montoya
Morse
Morton
Pastore
Percy
Randolph
Smathers
Spong
Tydings

So the bill (S. 2269) was passed, as follows:

S. 2269

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of August 27, 1954 (68 Stat. 883; 22 U.S.C. 1971–1976), is amended by adding at the end thereof a new section to read as follows:

"SEC. 7. (a) The Secretary, upon receipt of an application filed with him at any time after the effective date of this section by the owner of any vessel of the United States which is documented or certified as a commercial fishing vessel, shall enter into an agreement with such owner subject to the provisions of this section and such other terms and conditions as the Secretary deems appropriate. Such agreement shall provide that, if said vessel is seized by a foreign country and detained under the conditions of section 2 of this Act, the Secretary shall guarantee—

"(1) the owner of such vessel for all actual costs, except those covered by section 3 of this Act, incurred by the owner during the seizure and detention period and as a direct result thereof, as determined by the Secretary, resulting from (A) any damage to, or destruction of, such vessel, or its fishing gear or other equipment, (B) from the loss or confiscation of such vessel, gear, or equipment, or (C) from dockage fees or utilities;

"(2) the owner of such vessel and its crew for the market value of fish caught before seizure of such vessel and confiscated or spoiled during the period of detention; and

"(3) the owner of such vessel and its crew for not to exceed 50 per centum of the gross income lost as a direct result of such seizure and detention, as determined by the Secretary of the Interior, based on the value of the average catch per day's fishing during the three most recent calendar years immediately preceding such seizure and detention of the vessel seized, or, if such experience is not available, then of all commercial fishing vessels of the United States engaged in the same fishery as that if the type and size of the seized vessel.

"(b) Payments made by the Secretary under paragraphs (2) and (3) of subsection (a) of this section shall be distributed by the Secretary in accordance with the usual practices and procedures of the particular segment of the United States commercial fishing industry to which the seized vessel belongs relative to the sale of fish caught and the distribution of the proceeds of such sale.

"(c) The Secretary shall from time to time establish by regulation fees which shall be paid by the owners of vessels entering into agreements under this section. Such fees shall be adequate (1) to recover the costs of administering this section, and (2) to cover a reasonable portion of any payments made by the Secretary under this section. The amount fixed by the Secretary shall be predicated upon at least 33⅓ per centum of the contribution by the Government. All fees collected by the Secretary shall be credited to a separate account established in the Treasury of the United States which shall remain available without fiscal year limitation to carry out the provisions of this section. All payments under this section shall be made first out of such fees so long as they are available, and thereafter out of funds which are hereby authorized to be appropriated to such account to carry out the provisions of this section in an amount not to exceed $150,000 annually.

"(d) All determinations made under this section shall be final. No payment under this section shall be made with respect to any losses covered by any policy of insurance or other provision of law.

"(e) The provisions of this section shall be effective for forty-eight consecutive months beginning one hundred and eighty days after the enactment of this section. The Secretary shall issue such regulations and take such other measures as he deems appropriate to implement the provisions of this section prior to such effective date.

"(f) For the purposes of this section—

"(1) the term 'Secretary' means the Secretary of the Interior.

"(2) the term 'owner' includes any charterer of a commercial fishing vessel."

SEC. 2. Section 3 of the Act of August 27, 1954 (68 Stat. 883; 22 U.S.C. 1973), is amended by inserting a comma after the word "fine" wherever it appears and the words "license fee, registration fee, or any other direct charge".

SEC. 3. Section 5 of the Act of August 27, 1954 (68 Stat. 883, 22 U.S.C. 1975), is amended to read as follows:

"SEC. 5. (a) The Secretary of State shall take such action as he may deem appropriate to make and collect on claims against a foreign country for amounts expended by the United States under the provisions of this chapter (including payments made pursuant to section 7) because of the seizure of a United States vessel by such country. If, within one hundred and twenty days after receiving notice of any such claim of the United States, a country fails or refuses to make payment in full, the Secretary of State shall promptly report such failure or refusal to the President. The President shall thereupon suspend all assistance provided under the Foreign Assistance Act of 1961, as amended (22 U.S.C. 2151 et seq.), to the government of such country; and such suspension shall continue until the Secretary of State certifies to the President that such claim has been paid in full by such country.

"(b) From any funds programed for the current fiscal year for assistance to the government of a country to which assistance is suspended [as shown in materials concerning such fiscal year presented to the Congress in connection with its consideration of amendments to the Foreign Assistance Act], the Secretary of State shall withhold an amount equal to the total of all such unpaid claims of the United States, which amount shall be transferred to the separate account established in the Treasury of the United States pursuant to section 7(c) for the payment of vessel owners. The Secretary of State shall transmit to the Congress, at least once each fiscal year, a report of all suspensions of assistance and of amounts transferred pursuant to this subsection.

"(c) No provision of law shall be construed to authorize the President to waive the provisions of this section."

SEC. 4. The Act of August 27, 1954 (68 Stat. 883; 22 U.S.C. 1971–1976), as amended by this Act, may be cited as the "Fishermen's Protective Act of 1967".

Mr. BARTLETT. Mr. President, I ask unanimous consent that we reconsider the vote by which the bill was passed.

Mr. BYRD of West Virginia. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

BENEFITS FOR CERTAIN LOCAL LAW-ENFORCEMENT OFFICERS—CONFERENCE REPORT

Mr. McCLELLAN. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 11816) to provide certain benefits for law-enforcement officers not employed by the United States who are killed or injured while apprehending violators of Federal law. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The assistant legislative clerk read the report.

(For conference report, see House proceedings of Mar. 27, 1968, pp. 7904–7906, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. McCLELLAN. Mr. President, the report was signed by all conferees on the part of the Senate and House, and has been agreed to by the House by a record vote of 375 yeas. The report recommends that we agree to an amendment inserting language agreed to by the conferees in lieu of the matter inserted by the Senate in its amendment to the House bill.

Mr. President, I ask unanimous consent that the conference report be printed at this point in the RECORD.

There being no objection, the conference report was ordered to be printed in the RECORD, as follows:

CONFERENCE REPORT (H. REPT. NO. 1187)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 11816) to provide certain benefits for law enforcement officers not employed by the United States who are killed or injured while apprehending violators of Federal law, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"SECTION 1. (a) Chapter 81 of title 5 of the United States Code is amended by adding the following new subchapter at the end:

"'SUBCHAPTER III.—LAW ENFORCEMENT OFFICERS NOT EMPLOYED BY THE UNITED STATES

"'§ 8191. Determination of eligibility

"'The benefits of this subchapter are available as provided in this subchapter to eligible law enforcement officers (referred to in this subchapter as "eligible officers") and their survivors. For the purposes of this Act, an eligible officer is any person who is determined by the Secretary of Labor in his discretion to have been on any given occasion—

"'(1) a law enforcement officer and to have been engaged on that occasion in the apprehension or attempted apprehension of any person—

"'(A) for the commission of a crime against the United States, or

"'(B) who at that time was sought by a law enforcement authority of the United States for the commission of a crime against the United States, or

"'(C) who at that time was sought as a material witness in a criminal proceeding instituted by the United States; or

"'(2) a law enforcement officer and to have been engaged on that occasion in protecting or guarding a person held for the commission of a crime against the United States or as a material witness in connection with such a crime; or

"'(3) a law enforcement officer and to have been engaged on that occasion in the lawful prevention of, or lawful attempt to prevent, the commission of a crime against the United States;

and to have been on that occasion not an employee as defined in section 8101(1), and to have sustained on that occasion a personal injury for which the United States would be required under subchapter I of this chapter to pay compensation if he had been on that occasion such an employee engaged in the performance of his duty. No person otherwise eligible to receive a benefit under this subchapter because of the disability or death of an eligible officer shall be barred from the receipt of such benefit because the person apprehended or attempted to be apprehended by such officer was then sought for the commission of a crime against a sovereignty other than the United States.

"'§ 8192. Benefits

"'(a) BENEFITS IN EVENT OF INJURY.—The Secretary of Labor shall furnish to any eligible officer the benefits to which he would have been entitled under subchapter I of this chapter if, on the occasion giving rise to his eligibility, he had been an employee as defined in section 8101(1) engaged in the performance of his duty, reduced or adjusted as the Secretary of Labor in his discretion may deem appropriate to reflect comparable benefits, if any, received by the officer (or which he would have been entitled to receive but for this subchapter) by virtue of his actual employment on that occasion. When an enforcement officer has contributed to a disability compensation fund, the reduction of Federal benefits provided for in this subsection is to be limited to the amount of the State or local government benefits which bears the same proportion to the full amount of such benefits as the cost or contribution paid by the State or local government bears to the cost of disability coverage for the individual officer.

"'(b) BENEFITS IN EVENT OF DEATH.—The Secretary of Labor shall pay to any survivor of an eligible officer the difference, as determined by the Secretary in his discretion, between the benefits to which that survivor would be entitled if the officer had been an employee as defined in section 8101(1) engaged in the performance of his duty on the occasion giving rise to his eligibility, and the comparable benefits, if any, received by the survivor (or which that survivor would have been entitled to receive but for this subchapter) by virtue of the officer's actual employment on that occasion. When an enforcement officer has contributed to a survivor's benefit fund, the reduction of Federal benefits provided for in this subsection is to be limited to the amount of the State or local government benefits which bears the same proportion to the full amount of such benefits as the cost or contribution paid by the State or local government bears to the cost of survivor's benefits coverage for the individual officer.

"'§ 8193. Administration

"'(a) DEFINITIONS AND RULES OF CONSTRUCTION.—For the purpose of this subchapter—

"'(1) The term "Attorney General" includes any person to whom the Attorney General has delegated any function pursuant to subsection (b) of this section.

"'(2) The term "Secretary of Labor" includes any person to whom the Secretary of Labor has delegated any function pursuant to subsection (b) of this section.

"'(b) DELEGATION.—

"'(1) The Attorney General may delegate to any division, officer, or employee of the Department of Justice any function conferred upon the Attorney General by this subchapter.

"'(2) The Secretary of Labor may delegate to any bureau, officer, or employee of the Department of Labor any function conferred upon the Secretary of Labor by this subchapter.

"'(c) APPLICATIONS.—An application for any benefit under this subchapter may be made only—

"'(1) to the Secretary of Labor

"'(2) by

"'(A) any eligible officer or survivor of an eligible officer,

"'(B) any guardian, personal representative, or other person legally authorized to act on behalf of an eligible officer, his estate, or any of his survivors, or

"'(C) any association of law enforcement officers which is acting on behalf of an eligible officer or any of his survivors;

"'(3) within five years after the injury or death; and

"'(4) in such form as the Secretary of Labor may require.

"'(d) CONSULTATION WITH ATTORNEY GENERAL AND OTHER AGENCIES.—The Secretary of Labor may refer any application received by him pursuant to this subchapter to the Attorney General for his assistance, comments and advice as to any determination required to be made pursuant to paragraph (1), (2), or (3) of section 8191. To insure that all Federal assistance under this subchapter is carried out in a coordinated manner, the Secretary of Labor is authorized to request any Federal department or agency to supply any statistics, data, or any other materials he deems necessary to carry out his functions under this subchapter. Each such department or agency is authorized to cooperate with the Secretary of Labor and, to the extent permitted by law, to furnish such materials to him.

"'(e) COOPERATION WITH STATE AGENCIES.—The Secretary of Labor shall cooperate fully with the appropriate State and local officials, and shall take all other practicable measures, to assure that the benefits of this subchapter are made available to eligible officers and their survivors with a minimum of delay and difficulty.

"'(e) APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this subchapter.'"

(b) The table of sections at the beginning of chapter 81 of title 5 of the United States Code is amended by adding at the end:

"'SUBCHAPTER III.—LAW ENFORCEMENT OFFICERS NOT EMPLOYED BY THE UNITED STATES

"'Sec.
"'8191. Determination of eligibility.
"'8192. Benefits.
"'8193. Administration.'

"SEC. 2. The amendments made by section 1 of this Act are effective only with respect to personal injuries sustained on or after the date of enactment of this Act."

And the Senate agree to the same.

Amend the title so as to read: "An Act to provide compensation for law enforcement officers not employed by the United States killed or injured while apprehending persons suspected of committing Federal crimes, and for other purposes."

And the Senate agree to the same.

ROBERT T. ASHMORE,
WILLIAM L. HUNGATE,
HERBERT TENZER,
JOSHUA EILBERG,
HENRY P. SMITH III,
THOMAS J. MESKILL,
CHARLES W. SANDMAN, Jr.,
Managers on the Part of the House.
JOHN L. MCCLELLAN,
JAMES O. EASTLAND,
SAM J. ERVIN, Jr.,
PHILIP A. HART,
EDWARD M. KENNEDY,
ROMAN L. HRUSKA,
HUGH SCOTT,
STROM THURMOND,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11816) to provide certain benefits for law enforcement officers not employed by the United States who are killed or injured while apprehending violators of Federal law, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The conference report recommends that the House recede from its disagreement to the Senate amendment and agree to the same with an amendment. The amendment is to insert the language agreed to by the conferees in lieu of the matter inserted by the Senate in its amendment to the House bill.

The bill, H.R. 11816, passed the House substantially in the form set forth in the conference report, that is, the bill provided for the amendment of chapter 81 of title 5 of the United States Code by the addition of a new subchapter III providing for benefits to law enforcement officers. Section 8191 of the new subchapter provides for the determination of eligibility. This section adopts the House language in providing that the benefits of the subchapter are to be available to eligible law enforcement officers and their survivors and these benefits are those defined in subchapter 1 of chapter 81 of title 5 of the United States Code, which provides for compensation for work injuries suffered by employees of the United States. The conference substitute provides that the Secretary of Labor is to make the determination of eligibility for benefits. At the time of injury the individual must have been a law enforcement officer engaged in the apprehension or attempted apprehension of any person (*a*) for a commission of a crime against the United States, or (*b*) at that time was sought by a law enforcement authority of the United States for a commission of a crime against the United States, or (*c*) who at that time was sought as a material witness in a criminal proceeding instituted by the United States. An eligible officer would also be an individual injured while protecting or guarding an individual held for the commission of a crime against the United States, or as a material witness in a criminal proceeding instituted by the United States. Similarly, an officer injured in the lawful prevention of or lawful attempt to prevent the commission of a crime against the United States will be entitled to the benefits authorized under the new subchapter. The balance of the provisions of section 8191 substantially retains the provisions originally approved by the House in that an eligible officer is one not an employee of the United States as defined in section 8101(1) of title 5 and shall be an individual who on the particular occasion referred to in the above categories shall have sustained a personal injury for which the United States would be required under subchapter 1 of chapter 81 of title 5 to pay compensation if he had been on that occasion an employee engaged in the performance of his duty. The effect of these provisions is that the standards and benefits of chapter 81 of title 5 will provide the basis for compensation for such law enforcement officers. This will assure that a common standard will be followed for benefits paid by the Federal Government to Federal officers and to State and local officers as is provided in the conference substitute.

Section 8192 in the conference substitute is identical to the section as originally approved by the House.

Section 8193 was modified by the deletion of a requirement that the Secretary of Labor refer any application to the Attorney General. This change was necessitated by the change to section 8191 which vests in the Secretary of Labor the responsibility of determining eligibility. The authority for consultation with the Attorney General is provided in a new subsection (d) which provides authority to the Secretary of Labor to consult with the Attorney General or to consult with any other affected Department concerning matters relevant to persons' compensation under the new subchapter.

The balance of the conference report retains the language of the House-passed bill with an amendment to the title of the bill revising the language of the title, and reflects the changes agreed to in conference.

The conference report in following the language of the House bill has the effect of incorporating definitions and standards fully set forth in the Federal employee compensation provisions of chapter 81 of title 5 of the United States Code. The Senate amendment included several definitions which are therefore not included in the language of the conference report since title 5 contains standard definitions of the same terms. As has been noted, the conference substitute refers to the law enforcement officers who would be eligible for benefits in the event of injury as law enforcement officers not employed by the United States. The intent is to cover law enforcement officers employed by various governmental subdivisions and to avoid an attempted enumeration of the particular subdivisions involved. The conferees felt that an attempted enumeration might result in an unintended limitation. In the course of the debate on the bill, H.R. 11816, on the floor of the House on September 11, 1967, this point was emphasized. For example, it is intended that the provisions will cover officers employed in the Commonwealth of Puerto Rico as well as those by States and by local jurisdictions.

ROBERT T. ASHMORE,
WILLIAM L. HUNGATE,
HERBERT TENZER,
JOSHUA EILBERG,
HENRY P. SMITH III,
THOMAS J. MESKILL,
CHARLES W. SANDMAN, Jr.,
Conferees on the Part of the House.

Mr. McCLELLAN. Mr. President, the purpose of the bill is to provide compensation for law-enforcement officers not employed by the United States who are killed or injured while apprehending or attempting to apprehend persons suspected of committing Federal crimes. The Senate version placed the administration of this program under the Attorney General. The conference substitute provides that the Secretary of Labor will make the determinations as to eligibility and pay compensation in accordance with the standards and benefits set forth in chapter 81, title 5, United States Code, which provides for the compensation for work injuries of persons employed by the United States. In making his determinations, the Secretary of Labor may consult with the Attorney General. This procedure will insure that the same standards will be followed and like benefits will be paid to Federal officers and to State and local officers injured in similar circumstances.

The purpose of this measure is commendable. We will be providing some compensation for injuries received while State or local officers are assisting Federal officers. The cost will be small, but it seems fitting that the Federal Government provide some compensation for the injuries resulting from their assistance in Federal work.

Mr. President, I move the adoption of the conference report.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. HRUSKA. Mr. President, I am very grateful for the submission of the conference report and the progress that has been made upon it.

As one of the members of the Judiciary Committee who attended the hearings, and as one of the conferees, I was able to witness what was done on the bill in its original form.

The concept was a little new. There were some problem areas that appeared not only in the policy field, but also in the matter of administration. Happily, they were solved, and I think in a solid way, by bringing into the picture the Department of Labor in the one instance and the attachment of the law to the civil service in a very beneficial way.

I commend the chairman of our subcommittee for his patience as well as for his very fine work in obtaining the final product.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

ORDER FOR RECOGNITION OF SENATOR FANNIN TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that immediately prior to the recognition of the Senator from Indiana [Mr. HARTKE], following the routine morning business tomorrow, the Senator from Arizona [Mr. FANNIN] be recognized for 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is or ordered.

MEXICO-UNITED STATES INTERPARLIAMENTARY CONFERENCE—APPOINTMENT BY THE VICE PRESIDENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to Public Law 86–420, appoints the Senator from Utah [Mr. MOSS] to attend the Mexico-United States Interparliamentary Conference to be held at Honolulu, Hawaii, on April 11 to 17, 1968, in place of the Senator from Tennessee [Mr. GORE].

ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move that the Senate adjourn until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 59 minutes p.m.) the Senate adjourned until tomorrow, Thursday, April 4, 1968, at 12 o'clock meridian.

NOMINATION

Executive nomination received by the Senate April 3, 1968:

U.S. TARIFF COMMISSION

Bernard Norwood, of New Jersey, to be a member of the U.S. Tariff Commission for the remainder of the term expiring June 16, 1969, vice Dan H. Fenn, Jr.

CONFIRMATION

Executive nomination confirmed by the Senate April 3, 1968:

DEPARTMENT OF JUSTICE

William C. Keady, of Mississippi, to be U.S. district judge for the northern district of Mississippi.

EXTENSIONS OF REMARKS

Cessna A-37 Passes Test in Vietnam

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1968

Mr. SHRIVER. Mr. Speaker, we in Kansas are justifiably proud of the contributions which our citizens have made to the defense and security of our Nation. Kansas' sons have been in the forefront in making up the manpower needs of our Armed Forces. The aviation industry of Kansas has been a leader in providing aircraft which has insured air superiority whenever it has been needed. Recently the Air Force looked to its basic T-37B jet trainer, produced by the Cessna Aircraft Co., for modification into a light strike fighter for use in Vietnam. Twenty-five A-37's recently completed a 120-day evaluation program in the Southeast Asia war zone. The results were successful and have been greeted with enthusiasm by U.S. military authorities.

As I stated, this airplane is manufactured by the Cessna Aircraft Co., which is in my congressional district at Wichita, Kans. We are proud of the company, its management and labor team, and the contributions which it has made to aviation progress of our great Nation.

Under the leave to extend my remarks in the RECORD, I include a recent article on the success of the A-37 South Vietnam tests from Aviation Week & Space Technology and a report carried by the Wichita Eagle. I know my colleagues in the House will find these articles of interest. The articles follow:

[From Aviation Week & Space Technology]

A-37 PROVES EFFECTIVE IN VIETNAM TESTS

WASHINGTON.—Cessna A-37A modification of the basic T-37B jet trainer has proved to be an effective light strike fighter in the permissive environment of South Vietnam against an enemy with few heavy anti-aircraft weapons and without air support of its own.

A provisional squadron of 25 aircraft recently completed a four-month evaluation of the aircraft in South Vietnam under carefully-controlled conditions so that raw performance data could be fed into an International Business Machines Corp. 1401 computer system for a final, detailed evaluation of its effectiveness.

The project, designated "Combat Dragon," was designed to test the A-37's ability to perform six basic missions:

Close air support.

Armed escort for Army troop-carrying helicopters flying into hostile areas.

Combat air patrol for truck convoys moving near the Cambodian border as a protection against Communist Viet Cong ambush.

Armed reconnaissance.

Airborne platform for forward air controllers (FACs) directing tactical aircraft to their targets on strike missions.

Night interdiction, primarily striking at North Vietnamese supply trucks operating within the so-called "demilitarized zone" that divides North and South Vietnam.

While final evaluation of the data is not yet complete, Col. Heath Bottomly, head of the "Combat Dragon" exercise, said the A-37 scored a "middle A" in its close-support assignment and a "middle or low B" as an FAC aircraft. Grades for the other missions, he said, were "scaled between" the close-support high and the FAC low.

"This aircraft can perform the tactical air mission without question in the permissive environment of South Vietnam," says Bottomly. He was commander of the Republic F-105 Combat Crew Training Wing at Nellis AFB, Nev., before his "Combat Dragon" assignment and soon is to take over command of the North American F-100 tactical fighter wing at Tuy Hoa air base in central South Vietnam.

Its major deficiency as an FAC aircraft, he adds, is its mid-mounted, long, flat wing that hampers downward visibility from the cockpit as the pilot searches for the Communist troops often concealed beneath a thick jungle canopy. Other areas where its capabilities are "modest," according to Bottomly, are in loiter time—about 5 min. with a minimum bomb load on a 250-naut.-mi.-radius mission, 30 min. for 100 naut.-mi.—and airborne response time, primarily because of its relatively-slow cruise speed of approximately 380 kt. with a full load on board.

Dive-bombing runs with conventional ordnance are made at a speed of 350 kt. Low-level drops, used when napalm is the ordinance load, generally are conducted at a speed of 400 kt.

Since there is no provision for power boost or the controls, Bottomly reports that deliveries made in these modes beyond these two-speed ranges results in "severe" stick pressures.

Advantages cited by the "Combat Dragon" commander is the use of the A-37 in a limited war, such as that in South Vietnam, include:

Good ground reaction times. In 300 such tests from air bases at Bien Hoa, virtually at sea level in the Delta region near Saigon, and at Pleiku in the central highlands, the average interval between the time an aircraft left its alert pad and reported "wheels up" was 8 min.

"Excellent, accurate" bombing capability because of its relatively low speed, permitting the pilot to attack from low altitude and still have sufficient time to line up on his target before ordnance delivery. During the evaluation, according to Bottomly, the A-37s delivered ordnance against Communist troops positioned on opposite sides of canals held by friendly forces with "surgical precision."

In this regard, its trainer-type high-lift wing also permits quick changes of direction. "When it [the A-37] changes attitude, it changes direction." The same capabilities permit the aircraft to operate in a close-support role in marginal weather conditions, ceilings of less than 1,000 ft. and visibilities of about 1 mi., that would restrict the employment of higher-performance fighters. For the squadron as a whole during the period of the evaluation, the circular error probability (CEP) for ordnance deliveries averaged approximately 15 meters. Of these missions, half of the drops had an average of less than 15 meters.

Good survivability against the light-arms anti-aircraft fire encountered. With such a "simple airplane," Bottomly says, the squadron expected "we'd probably be shot out of the sky in a couple of weeks." The squadron received 13 hits during the "Combat Dragon" test, all from either 30- or 50-cal. weapons, and no aircraft were lost. Bottomly credits the thin silhouette of the aircraft and its agility as major reasons why the A-37 was hit by ground fire so few times. This also could account for the fact that the fewest hits were taken where the ground environment was known to be severe, and the pilots were particularly alert, and the most where a minimum of enemy ground fire was expected.

Easy maintainability because of its "utter simplicity." Three-quarters of the missions were turned around within 3 hr. during normal operations. During a "surge" test period in which a maximum of missions were scheduled for 13 of the aircraft, 70% of the A-37s were turned around and ready for flight within 1 hr., virtually all within 3 hr.

Maintenance manhours per sortie during sustained normal operations averaged 7.8 per sortie and 3.9 for the so-called "surge" period. During the "bare-base" operation evaluation, where a minimum of facilities were available, maintenance manhours per sortie averaged 5.1. The variance in the turnaround and maintenance hour times, Bottomly believes, was due primarily to the fact that the ground crews paced themselves according to the requirements they were called upon to meet.

Good reliability. The aircraft averaged one write-up for every five missions, a respectable record for a combat environment such as that in Vietnam. High write-up rates included the landing gear, once every 10 missions, and the fire-control package, once every eight, primarily due to the jamming of the 7.62-mm. General Electric GAU-2 Minnigun that had been jury-rigged in the nose of the modified aircraft.

Repair times per unit ranged from an average high of 2.5 hr. for the hydraulic system to a low of about 30 min. to correct malfunctions in the lighting. Air Force officials say a major reason for the long time required for hydraulic repairs stems from the necessity to remove the right-hand seat to gain access to the system. Since the right seat is seldom occupied during combat missions, USAF may decide to remove it on a near-permanent basis from most of these aircraft which will continue to operate from Bien Hoa as an operational squadron.

Ability to meet planned schedules because of its maintenance and reliability rates. The squadron was forced to deviate from its programed schedule on only 2% of its missions. Bottomly says he has not seen "those sort of figures since World War 2. They're very exciting."

Sizable economies in relation to higher-performance aircraft. This, begins with a planned unit cost for A-37s turned off the production line as combat fighters of approximately $340,000 and includes its small break rate and low parts consumption—up to 200 landings on a single set of tires during the course of "Combat Dragon." Fuel requirements also are relatively low for the twin-engine aircraft, and a trained pilot can transition onto the A-37 and be combat ready within two weeks.

TOTAL OF 5,000 SORTIES

During the four months of "Combat Dragon," the squadron accumulated a total of 5,000 combat sorties after arriving at Bien Hoa last Aug. 15. It had trained earlier at England AFB, La., after the necessary pilots had been "collected almost at random" from other Air Force units, according to Bottomly. Aircraft they had formerly flown included the Lockheed C-141 jet transport, the Boeing B-52 strategic bomber, the Lockheed T-33 jet trainer, the North American F-100, the Republic F-105 and the aging Douglas C-47 twin-engine transport. The squadron personnel and their disassembled aircraft were flown on board C-141s from England AFB to Bien Hoa.

The squadron aircraft were all modified A-37A versions of the basic T-37B1 trainer. Major modifications included the substitution of the 2,400-lb.-thrust General Electric J85-17A turbine engine for the 1,025-lb.-

thrust Continental J69–T–25 on the standard T–37, the Minigun nose installation plus provision for 1,500 rounds of ammunition, a strengthened wing to carry the weapons stores, an integrated fire-control system and 100-gal. tip tanks.

FOUR WEAPONS PYLONS

Total of four weapons pylons is positioned beneath each wing. The two inboard normally were used in Vietnam to carry 750-lb. bombs, the two outboard for 500- and 250-lb. ordnance. Maximum aircraft gross weight enployed in Vietnam was about 14,000 lb. as compared with 6,000 lb. for the trainer version. Maximum ordnance weight per aircraft is 4,855 lb.

Total of 39 T–37s were modified to the A–37A configuration by Cessna. Also, the Air Force ordered 127 A–37B models to be produced as a weapons system from their start down the production line. Most of these are expected to go to the Vietnamese Air Force.

[From the Wichita (Kans.) Eagle, Jan. 17, 1968]

DRAGONFLY A FIGHTERS CESSNA A–37 PASSES TEST IN VIETNAM

WASHINGTON.—An Air Force colonel who directed evaluation of the new Cessna A–37 twinjet in Vietnam praised it Tuesday as inexpensive, agile, easily repairable and highly accurate in low-level bombing.

Col. Heath Bottomly told a Pentagon news conference the "utter simplicity" of the light attack bomber is one of its key features.

Twenty-five A–37s—beefed up versions of the famed Cessna T–37 "Tweety Bird" primary jet trainer—have just completed a 120-day combat evaluation program in the Southeast Asia war zone.

Cessna is under an Air Force contract to provide 166 A–37s—39 of which, including those tested in Vietnam, were modified T–37s. The remaining 127 are now being produced from scratch at the Cessna military-twin division.

Major differences in the A–37 and the T–37 are larger engines with more than twice the thrust, armament and pylons for bombs and external fuel tanks. The A–37 Dragonfly has more than twice the takeoff weight of the T–37.

Bottomly, roaming through an assortment of charts, said most malfunctions in the $340,000 A–37 could be fixed in an average of one hour with minimal number of small parts.

"You haven't seen those sort of figures since World War II," he said.

The A–37 carries up to 5,600 pounds of bombs and missiles and is fitted with a nose-mounted gun which fires up to 6,000 rounds of 7.62 mm ammunition per minute.

"Very exciting" was a phrase which Col. Bottomly used frequently in describing the A–37, particularly in describing its characteristic that he termed "agility."

For a "hot-rod" fan, the plane would be similar to a "hot" car with disk brakes on all four wheels.

He summarized the results of combat missions, during which 5,000 sorties were flown, briefly as follows:

The aircraft will perform without question on air missions in permissive locations. Such a location is where there is no enemy air opposition.

It has a very rapid turn-around time.

There are significant economies including low initial cost of $340,000 each.

It has a very low breaking rate.

It needs a short repair time.

Small parts consumption extremely low. None of the planes ever lost an engine.

The planes made 200 landing on one set of tires.

Ground maintenance crews need a low level of skills.

American pilots can be trained to combat readiness in two weeks.

Vietnamese air force officers can be brought to combat readiness in minimal time.

Minimal ground maintenance equipment needed and maintenance can be accomplished out-of-doors even during monsoon weather.

Expecting success with the small bomber in the permissive combat environment of Vietnam, the Pentagon has started training more than 100 South Vietnamese pilots to fly the A-37 at England Air Force Base, La.

Bottomly said the South Vietnamese are "sort of programmed to get the airplane some time in the future," but he didn't say when nor how many. It has been reported the South Vietnamese will be given three 24-plane squadrons of A-37s.

Bottomly said the A-37 was tested under all sorts of combat conditions for four months beginning last August. Final evaluation data will be fed into Air Force computers the next few weeks.

But Bottomly appeared to be giving the A-37 high passing marks already.

He said that in 5,000 sorties the A-37 made about 30,000 bombing passes and registered a "circular error probable" of about 45 feet. This means that of all the bombs dropped, half were within 45 feet of the target.

Also, he said, in all those flights the enemy scored only 13 hits, with none of the planes downed or badly damaged.

Bottomly said the A-37 apparently is difficult to hit because of its thin, flat-winged silhouette and quick turning maneuverability.

However, all was not praise for the plane. Bottomly said the position of the flaps did hinder visibility somewhat.

The plane has a short "loitering" time, but this was overcome by sending plane replacements.

Nazi War Criminals

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Wednesday, April 3, 1968

Mr. SCOTT. Mr. President, I have written a letter to President Johnson, asking that he urge the West German Government to eliminate or extend indefinitely the statute of limitations on Nazi war criminals, so that all who committed genocide and other crimes against humanity can be brought to justice.

I ask unanimous consent that my letter be printed in the Extensions of Remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

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I hope that the West German government will eliminate or extend indefinitely the statute of limitations so that authorities can complete the task of locating, identifying and prosecuting the Nazi war criminals who remain in hiding today.

Unless the statute is lifted no new investigations can be initiated after December 31, 1969. Anyone who ultimately may be identified as a Nazi war criminal would be free to live openly without fear of prosecution because the time statute against him has run out.

No known murderer has ever been aquitted by time in the United States because there is no statute of limitations on murder in this country. Why should it exist for mass crimes against humanity?

Since 1958 the West German Central Agency for the Uncovering of Nazi War Crimes found sufficient evidence for 796 criminal proceedings. However, Dr. Adalbert Rucherl who heads the Central Agency, estimated last spring that less than 10 percent of the known war criminals have been brought to trial. At that time some 2,000 cases were under investigation.

Many suspects are reported to be living in South America, South Africa and the United Arab Republic. The most noted are believed to be in Brazil and Paraguay where they have established protective fugitive communities.

Franz Stangl, who was commandant of two concentration camps in Poland, was arrested last year in Brazil. Last summer, the West German government filed a request with Brazil's Federal Supreme Court for the arrest of Martin Bormann, a Gestapo officer who became Deputy Fuhrer, and for Dr. Joseph Mengele, the Gestapo physician and surgeon who conducted medical experiments on the prisoners in Auschwitz. Montevideo police identified a man found dead in Uruguay as Herbert Cukurs, key figure in the massacre of 32,000 Jews in Latvia. Erich Karl Wiedwald, a former Nazi corporal, said that Heinrich Mueller runs a hardware store in a suburb of Natal, Brazil. Mueller is a former Gestapo chief who participated in the Wannsee Conference of 1942 at which the annihilation of six million Jews was deliberately planned.

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Some new cases will probably come to the attention of the Central Agency. Information—withheld mainly by the Iron Curtain countries—has left many blanks in the investigation of Nazi units which occupied Polish and Russian territory. Last August, the Soviet Union for the first time, announced that it would open its secret files concerning Nazi war crimes. At that time, Gustav Hinemann, West Germany's Minister of Justice, expressed hope that other European Communist governments would release similar information, and he asked the West German Federal Cabinet to lift the statute of limitations.

The General Assembly of the United Nations in its next (22nd) session will consider recommendations that no statutory limitation shall apply to war crimes and crimes against humanity.

Mr. President, I urge you to express the wishes of the United States to the United

Nations and to the West German government that the statute of limitations on Nazi wa criminals must be lifted so that all who committed genocide and other crimes against humanity can be brought to justice.

Do Not Rewrite Constitution, Justice Black Warns

HON. JAMES B. UTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1968

Mr. UTT. Mr. Speaker, no action by the Congress of the United States can be as dangerous to the welfare of the people of the Nation as is the manner in which the Supreme Court has become a government by the rule of men rather than by law. Justice Black recognizes this danger as reported by the following article by James J. Kilpatrick:

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(By James J. Kilpatrick)

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For his own part, said Black, he believes that judges "should always try faithfully to follow the true meaning of the Constitution as actually written." The key rule in construction is the intention of the framers. Judges ought to place themselves "as nearly as possible" in the condition of the men who framed the Constitution and its several amendments. Judges ought to follow "the literal meaning of words."

Harumph, said Fortas, speaking in Washington. The words of the Constitution are not "static symbols." They are "subject to the changes wrought by the passage of time." And who is to say what changes have been wrought? The courts are to say this—and more precisely, the high court.

Not so, said Black in New York. "The courts are given power to interpret the Constitution and other laws, which means to explain and expound, not to alter, amend or remake. Judges take an oath to support the Constitution as it is, not as they think it should be. I cannot subscribe to the doctrine that consistent with that oath a judge can arrogate to himself a power 'to adapt the Constitution to new times.'"

Black's three lectures ought to be required reading not only for judges but also for members of the Congress. They too are sworn to support the Constitution "as it is."

"I strongly believe," said Black, "that the basic purpose and plan of the Constitution is that the federal government should have no powers except those that are expressly or impliedly granted, and that no department of government—executive, legislative or judicial—has authority to add to or take from the powers granted it or the powers denied it by the Constitution.

"Our written Constitution means to me that where a power is not in terms granted, or not necessary and proper to exercise a power that is granted, no such power exists in any branch of the government. . . ."

This is what Southern conservatives for generations have termed "the sound doctrine." It is the doctrine of strict construction—the rule of the Tenth Amendment. It is not enough, Black declares, that judges or legislators should regard a particular end as desirable, or reasonable, or socially attractive. The first question that has to be asked is simply, "Is it constitutional?" Does the power exist?

If the people wish to change their Constitution, said Black, let them change it by the amendatory process. But let us be on guard against "the rewriting of the Constitution by judges under the guise of interpretation." The warning is as old as Washington, as old as Jefferson; it ought to be carved in stone at the high court itself; and it ought to be pounded into the heads of our life-appointed judges.

Seventh Anniversary of Alliance for Progress—Address by Vice President Humphrey

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OF ALABAMA

IN THE SENATE OF THE UNITED STATES

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Mr. SPARKMAN. Mr. President, the Vice President spoke recently on the occasion of the seventh anniversary of the Alliance for Progress. His speech is an excellent report on the progress which has been made. It is also a timely reminder of the long-range commitments we have made.

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What a rare privilege it is to be in your assembly today and to visit with you these few moments as we celebrate and commemorate the seventh anniversary of the Alliance for Progress.

Seven years ago tonight the late President of the United States, John F. Kennedy, stirred the people of our hemisphere by proclaiming a new "Alliance for Progress." President Kennedy was the first to admit he received his inspiration for this commitment—this broad program of action—from the Latin Americans themselves. The concept and idea of the Alliance for Progress was born in the Latin American countries.

The former President of Brazil, Doctor Kubitschek, enunciated what was known as "Operation: Panamerica." It was from this idea that President Kennedy formulated this expression of our commitment called the "Alliance for Progress." This Alliance is to us a treaty, a commitment. It is every bit as sacred, every bit as meaningful as any treaty we have ever signed.

It is "a vast cooperative effort, unparalleled in magnitude and nobility of purpose, to satisfy the basic needs of the American people for homes, work and land, health and schools." These are the words of President Kennedy, outlining for you and for all mankind the commitment of our peoples in this hemisphere for social and economic progress.

Later in 1961, our nations agreed at Punta del Este "to unite in a common effort to bring our people accelerated economic progress and broader social justice within the framework of personal dignity and personal liberty." Again, those are beautiful words of commitment, all within the democratic tradition; but they are more than words, they are a solemn obligation.

The declarations were brave ones. Our goals are bold and audacious, for we aimed, those seven years ago, toward the broad realization of human aspirations which had gone unmet for generations.

Now we look at where we stand seven years later. There are many who claim our declarations were empty, false promises, that our goals will remain forever beyond our reach. I call these people the perennial pessimists of history, and every generation has them. They are men of little faith upon whom no civilization could ever depend.

They point to a rising birth rate. They point to whole regions left isolated and backward. They see children growing up without adequate schooling or nourishment. They point, most of all, to what they believe to be unshakeable characteristics of man's nature—the meaner habits—which have led to oppression, to social and economic injustice, and to the exploitation of one man for the benefit of another.

These pessimists may be right. But I do not think so. There are many facts which show that the Alliance works.

The first is that we are determined that it will work. Since 1960, primary school enrollment increased by 50 per cent, and secondary school enrollment by more than 100 per cent. These are no small achievements.

There is increasing net agricultural production and, more important, net food production—food beyond the growth of population.

When the Alliance was conceived in 1961, the original plan was for a gross investment by Latin American participants of 80 per cent. However, that investment has been 89 per cent of the total.

And during this time, have kept our share of the bargain by providing a total of $7.7 billion. Thus, we are keeping our commitment in money but, more importantly, keeping our commitment in determination and in spirit.

There are many other facts announced here today—new roads, telecommunications, modern industry, and regional development. In implementing the Alliance for Progress we have converted the original concept of a cooperative effort into a concrete, multilateral, decision-making body; the Inter-American Committee on the Alliance for Progress.

Today the Alliance for Progress is the standard by which political leaders and governments are judged—even in those countries which do not fully adhere to the standard. And this is perhaps the most important fact of all in rebuttal to those who doubt our capacity for creating change. It is an attempt to create change at the same time you preserve order—to have order even as you encourage the creation of change. Our course for the future was clearly outlined last year when the Presidents of the republics of our hemisphere met in Punta del Este. At this meeting a historic decision was taken to give top priority to the economic integration of the hemisphere.

thrust Continental J69–T–25 on the standard T–37, the Minigun nose installation plus provision for 1,500 rounds of ammunition, a strengthened wing to carry the weapons stores, an integrated fire-control system and 100-gal. tip tanks.

FOUR WEAPONS PYLONS

Total of four weapons pylons is positioned beneath each wing. The two inboard normally were used in Vietnam to carry 750-lb. bombs, the two outboard for 500- and 250-lb. ordnance. Maximum aircraft gross weight enployed in Vietnam was about 14,000 lb. as compared with 6,000 lb. for the trainer version. Maximum ordnance weight per aircraft is 4,855 lb.

Total of 39 T–37s were modified to the A–37A configuration by Cessna. Also, the Air Force ordered 127 A–37B models to be produced as a weapons system from their start down the production line. Most of these are expected to go to the Vietnamese Air Force.

[From the Wichita (Kans.) Eagle, Jan. 17, 1968]

DRAGONFLY A FIGHTERS CESSNA A–37 PASSES TEST IN VIETNAM

WASHINGTON.—An Air Force colonel who directed evaluation of the new Cessna A–37 twinjet in Vietnam praised it Tuesday as inexpensive, agile, easily repairable and highly accurate in low-level bombing.

Col. Heath Bottomly told a Pentagon news conference the "utter simplicity" of the light attack bomber is one of its key features.

Twenty-five A–37s—beefed up versions of the famed Cessna T–37 "Tweety Bird" primary jet trainer—have just completed a 120-day combat evaluation program in the Southeast Asia war zone.

Cessna is under an Air Force contract to provide 166 A–37s—39 of which, including those tested in Vietnam, were modified T–37s. The remaining 127 are now being produced from scratch at the Cessna military-twin division.

Major differences in the A–37 and the T–37 are larger engines with more than twice the thrust, armament and pylons for bombs and external fuel tanks. The A–37 Dragonfly has more than twice the takeoff weight of the T–37.

Bottomly, roaming through an assortment of charts, said most malfunctions in the $340,000 A–37 could be fixed in an average of one hour with minimal number of small parts.

"You haven't seen those sort of figures since World War II," he said.

The A–37 carries up to 5,600 pounds of bombs and missiles and is fitted with a nose-mounted gun which fires up to 6,000 rounds of 7.62 mm ammunition per minute.

"Very exciting" was a phrase which Col. Bottomly used frequently in describing the A–37, particularly in describing its characteristic that he termed "agility."

For a "hot-rod" fan, the plane would be similar to a "hot" car with disk brakes on all four wheels.

He summarized the results of combat missions, during which 5,000 sorties were flown, briefly as follows:

The aircraft will perform without question on air missions in permissive locations. Such a location is where there is no enemy air opposition.

It has a very rapid turn-around time.

There are significant economies including low initial cost of $340,000 each.

It has a very low breaking rate.

It needs a short repair time.

Small parts consumption extremely low. None of the planes ever lost an engine.

The planes made 200 landing on one set of tires.

Ground maintenance crews need a low level of skills.

American pilots can be trained to combat readiness in two weeks.

Vietnamese air force officers can be brought to combat readiness in minimal time.

Minimal ground maintenance equipment needed and maintenance can be accomplished out-of-doors even during monsoon weather.

Expecting success with the small bomber in the permissive combat environment of Vietnam, the Pentagon has started training more than 100 South Vietnamese pilots to fly the A-37 at England Air Force Base, La.

Bottomly said the South Vietnamese are "sort of programmed to get the airplane some time in the future," but he didn't say when nor how many. It has been reported the South Vietnamese will be given three 24-plane squadrons of A-37s.

Bottomly said the A-37 was tested under all sorts of combat conditions for four months beginning last August. Final evaluation data will be fed into Air Force computers the next few weeks.

But Bottomly appeared to be giving the A-37 high passing marks already.

He said that in 5,000 sorties the A-37 made about 30,000 bombing passes and registered a "circular error probable" of about 45 feet. This means that of all the bombs dropped, half were within 45 feet of the target.

Also, he said, in all those flights the enemy scored only 13 hits, with none of the planes downed or badly damaged.

Bottomly said the A-37 apparently is difficult to hit because of its thin, flat-winged silhouette and quick turning maneuverability.

However, all was not praise for the plane. Bottomly said the position of the flaps did hinder visibility somewhat.

The plane has a short "loitering" time, but this was overcome by sending plane replacements.

Nazi War Criminals

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Wednesday, April 3, 1968

Mr. SCOTT. Mr. President, I have written a letter to President Johnson, asking that he urge the West German Government to eliminate or extend indefinitely the statute of limitations on Nazi war criminals, so that all who committed genocide and other crimes against humanity can be brought to justice.

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Seventh Anniversary of Alliance for Progress—Address by Vice President Humphrey

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President Lyndon Johnson reaffirmed the commitment of the United States to that cause, and he came back to our country and spoke of this as the decade of urgency, reminding the people that we must get on with this important work.

In addition, all of the Presidents of the hemisphere agreed on the urgency of opening up the inner frontiers of the South American continent. They agreed to consider the possibility of stimulating intra-regional trade through temporary preferential trading agreements. They agreed on the urgency of accelerating the modernization of agriculture and the rural areas. They agreed on the urgency of the dissemination of technology through the establishment of new regional institutes. They agreed on the necessity and the urgency to devote vastly increased resources to health and education in every land. And those agreements are now being carried out. That is our action program for tomorrow.

The question is: Will it and can it be successful? Ultimately success will not depend so much on our resources—we have the resources, or on plans and policies—we have the plans and the policies, or even on our tangible assets, as important as they are. Success will depend ultimately on our commitment, our will to achieve success.

Just how deep is our commitment to a just and peaceful revolution in this hemisphere? Just how deep is our belief that individual human freedom and dignity are worthy of our sacrifice?

If our commitment and our belief are deep enough, I have no doubt that we shall find the way to provide the other necessary things. If our belief and our commitment and will are not deep enough, no amount of tangible assets will accomplish our goal.

All of us—and I include my country—must be willing to sustain the effort and the vision—the vision we had laid before us seven years ago and reaffirmed only a year ago; the vision that will be necessary to build upon our beginnings.

In this troubled world, people everywhere are watching to see if we are capable of achieving our goals. For if we in our hemisphere, dedicated as we are to the rights of man, endowed as we are with the means to take the course of history in our hands, if we fail, what hope may others ever have?

Therefore a double duty is ours. First, the duty and responsibility of fulfilling our commitments to ourselves. And, secondly, the duty and necessity of fulfilling our commitments so that the rest of the world may take hope.

We have the chance—we have the obligation—to create the New World our forefathers talked of and sought—a world not new in its principalities and kingdoms, nor in the glory of its monuments and its armies, but a world new in this final achievable reality: That each child—and a child always represents God's faith in the future—that each child might enter human society with the right to health, with the right to education, with the right to hope, the right to free expression and the right to human opportunity because we of this generation willed that it be so.

I consider the Alliance for Progress our gift to those yet unborn, to people who will want, as we have wanted, to live in freedom. What we do now will determine what will happen to them in their time.

So I come to you today as the Representative of the United States to tell you that I am not one of the pessimists of history. I am a prudent optimist. We have the means, we have the capacity, we have the know-how, we have the assets required for the fulfillment of the Alliance for Progress. And I think we have the will. Let's resolve that we do.

Thank you.

The Unchecked Check

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1968

Mr. WYMAN. Mr. Speaker, the danger in application of the principle of beneficent despotism is, of course, that while this particular despot is beneficent, the next one might be a tyrant. No system is desirable that permits a despot in control of government.

Our assurance of protection against such a calamity was supposedly built into the American Constitution by its system of checks and balances, dividing powers between the executive, the legislative, and the judicial branches. Unfortunately, the final arbiter in respect to the limitation of these powers under this same Constitution is the U.S. Supreme Court, itself one of the checks and balances.

Given a runaway Court that deliberately decides to ignore or rewrite the Constitution in its own view and we are in a heck of a mess. This is because there is no appeal from the U.S. Supreme Court to anyone anywhere, and its members are appointed for life.

Warning of the dangerous trend of the present High Court is no less than one of the Court's own members who has often sided with the controversial, but now appears greatly concerned that the Court has gone too far—as it has.

I commend to the thoughtful consideration of all Members, the remarks of Mr. Justice Black appearing in James Kilpatrick's column in the Washington Star of April 2, 1968:

DO NOT REWRITE CONSTITUTION, JUSTICE BLACK WARNS

(By James J. Kilpatrick)

The sharpest criticism of the U.S. Supreme Court does not come, as you might imagine, from lawyers, editors, or Southern members of the Congress. At best they deliver small-arms fire. The most telling assaults come from members of the Court itself, thundering at each other in written dissents or on the scholarly stump.

Justice Hugo Black, dean of the Court, rolled out the big guns a couple of weeks ago in three lectures before the Columbia University Law School. His chief target was the permissive school of jurisprudence in which such professors as Earl Warren, William Brennan and Abe Fortas are leading philosophers. On the same evening that Black was blazing away in New York, Fortas was returning some fire from Washington.

Their eminences do not attack each other by name, of course. The rhetoric of in-house denunciation is high-toned stuff. But no one could doubt whom Black had in mind when he spoke at Columbia of his views on constitutional interpretation in contrast to the views of those who shall be nameless.

For his own part, said Black, he believes that judges "should always try faithfully to follow the true meaning of the Constitution as actually written." The key rule in construction is the intention of the framers. Judges ought to place themselves "as nearly as possible" in the condition of the men who framed the Constitution and its several amendments. Judges ought to follow "the literal meaning of words."

Harumph, said Fortas, speaking in Washington. The words of the Constitution are not "static symbols." They are "subject to the changes wrought by the passage of time." And who is to say what changes have been wrought? The courts are to say this—and more precisely, the high court.

Not so, said Black in New York. "The courts are given power to interpret the Constitution and other laws, which means to explain and expound, not to alter, amend or remake. Judges take an oath to support the Constitution as it is, not as they think it should be. I cannot subscribe to the doctrine that consistent with that oath a judge can arrogate to himself a power 'to adapt the Constitution to new times.'"

Black's three lectures ought to be required reading not only for judges but also for members of the Congress. They too are sworn to support the Constitution "as it is."

"I strongly believe," said Black, "that the basic purpose and plan of the Constitution is that the federal government should have no powers except those that are expressly or impliedly granted, and that no department of government—executive, legislative or judicial—has authority to add to or take from the powers granted it or the powers denied it by the Constitution.

"Our written Constitution means to me that where a power is not in terms granted, or not necessary and proper to exercise a power that is granted, no such power exists in any branch of the government. . . ."

This is what Southern conservatives for generations have termed "the sound doctrine." It is the doctrine of strict construction—the rule of the Tenth Amendment. It is not enough, Black declares, that judges or legislators should regard a particular end as desirable, or reasonable, or socially attractive. The first question that has to be asked is simply, "Is it constitutional?" Does the power exist?

If the people wish to change their Constitution, said Black, let them change it by the amendatory process. But let us be on guard against "the rewriting of the Constitution by judges under the guise of interpretation." The warning is as old as Washington, as old as Jefferson; it ought to be carved in stone at the high court itself; and it ought to be pounded into the heads of our life-appointed judges.

The President's Speech

HON. MIKE MANSFIELD

OF MONTANA

IN THE SENATE OF THE UNITED STATES

Wednesday, April 3, 1968

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Extensions of Remarks an excellent editorial entitled "The President's Speech," published in the Minneapolis Tribune of April 1, 1968.

The editorial analyzes the outstanding speech made by the President, in which he described his attempts to come to grips in a peaceful manner with the situation in Vietnam. It is a speech which contains a number of proposals that I believe are of significant interest.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE PRESIDENT'S SPEECH

President Johnson last night delivered what future historians may record as the greatest speech of his presidency, a speech that may prove to be the principal turning point in his administration. A stunned nation today will be appraising President Johnson's decision not to seek or accept renomination, and assessing the future impact of this decision upon the crucial political steps to be taken by both major parties later this year.

We believe the President's speech was statesmanship on a plane commensurate with the traditions and ideals associated with the nation's highest office. Mr . Johnson clearly placed the needs of the nation above partisan advantage to himself or to the party under whose political banner he has served in Washington for more than three decades.

His decision to cease the bombing of most of North Vietnam for an indeterminate period is a courageous one, both because of the political risks at home and because the shift implies recognition that his previous policy was not succeeding.

The President's decision to send only 13,500 troops to Vietnam to support the 11,000 sent recently reflects growing American opposition toward a further buildup of American forces in a stalemated land war in Asia. The South Vietnamese were warned last night that the war is principally theirs to prosecute, and that American fighting men cannot win for South Vietnam what its citizens are unwilling to do for themselves. Significantly, the President last night expressed the hope that "all the South Vietnamese," a description which presumably includes the Viet Cong, could chart their course free of outside interferences.

The President reminded the world that there is a useful role for other nations—he mentioned Britain and the Soviet Union, as co-chairmen of the Geneva conferences—to play in obtaining peace for Southeast Asia. The British have long indicated their willingness for such a role. We hope the Russians now will come forward also, even though there are reasons, including their relationships with China and North Vietnam, that such a role may be difficult for Russia.

The President again called upon the Congress to recognize and act upon its fiscal responsibilities. The Congress must increase taxes, unpopular though this may be in an election year, because such a step is needed to lessen the dangers of inflation at home and to restore confidence abroad in the American economy. The President spoke with realism and courage. We hope Congress responds in kind.

By removing himself from personal competition for the next four years of the presidency, President Johnson has, we believe, greatly improved the nation's opportunity to achieve those goals to which most Americans—including Vice-President Humphrey and Sens. McCarthy and Kennedy on one side, and former Vice-President Nixon and Gov. Rockefeller on the other—subscribe. We hope that the credibility gap that has dogged the Johnson administration will now be dissolved by the President's action of last night. Let the North Vietnamese reassess America's desire for peace with honor. Let other nations reassess their general belief that no real peace negotiations can take place before the November election. Let the American people reassess their own disunity.

President Johnson has made a generous offer toward peace in the world and toward unity in our land, and perhaps this offer will someday be measured as his greatest act.

The "Pueblo": How Long, Mr. President?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1968

Mr. SCHERLE. Mr. Speaker, this is the 72d day the U.S.S. *Pueblo* and her crew have been in North Korean hands.

The River War in Vietnam

HON. CARL HAYDEN

OF ARIZONA

IN THE SENATE OF THE UNITED STATES

Wednesday, April 3, 1968

Mr. HAYDEN. Mr. President, Mrs. June Iversen, a resident of Phoenix, Ariz., has sent me a copy of what her son, Arleigh C. Felch, signalman second class, on the U.S.S. *Hunterdon County,* U.S. Navy, sent to her about the river war in Vietnam.

I ask unanimous consent that it be printed in the Extensions of Remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE RIVER WAR IN VIETNAM

(By Arleigh C. Felch)

Another beautiful day in Vietnam is well under way as the USS Hunterdon County (LST-838) winds her way up the Ham Luong River in the war torn country of Vietnam.

Starting from her station at the mouth of the Ham Luong River, she steamed up the river to the town of Ben Tre where, after a hard morning of shelling the beaches just a few hundred yards off her sides, she settled down for a night's rest before continuing on to the city of My Tho about 35 or 40 miles farther up the river.

In certain designated areas, called Free Fire Zones, she continued to pour her withering fire from her 40-mm guns. The total amount of destruction to the enemy remains a mystery due to the dense, overhanging brush and the thick growths of palm trees.

The final destination of the Hunterdon County is still nothing more than conjecture to most of the crew but, as on all naval ships, the rumors fly fast and furious. Some say we're on our way to the DMZ. Others say it's to Da Nang. No one really knows for sure except the chosen few at the top.

The Hunterdon County is one of four rebuilt LST's, specially fitted for handling the small, versatile patrol boats that cruise up and down the river 24 hours a day, checking sampans and stopping the carrying of much-needed supplies to the Viet Cong.

Wherever the Hunterdon County goes on this river, her PBR's, as the small boats are known, will go with her. Many times the group resembles a large task force of the Navy in miniature.

The runs up and down the rivers are treacherous and many times the bottom of the river is only a few feet below the keel of the ship. Sometimes she even runs up on sand bars that block her way. But she was designed to run aground and pull off again so, with a few anxious moments, she backs off the high ground and continues on her way up the river towards her destination.

In the short time that these four ships have been operating in the rivers of Vietnam they have shown their versatility and importance many times over.

As a mobile base for the PBR's they are less vulnerable than a set shore station and can still give their boats the serving and maintenance they require to perform their job on the rivers.

They provide a home for the sailors that man the small boats and, although a little crowded, there are recreational facilities to help the crew through the long days they must spend out here without the company of other than the same men they see day in and day out.

It's a brand new type of sailor that runs this kind of war. He isn't the man sitting behind a big gun 5 or 10 miles out at sea trying to soften up the beach for the Marines.

He has to go in and meet the enemy on his own ground and in his own country. He has had to learn how to live in a way that is new and strange to him. When he gets into a fire fight it isn't the impersonal destruction of two mighty ships of war; it's a personal struggle for survival against a personal enemy who wants to destroy him and all he stands for.

At the same time he has to be a helping hand to the oppressed South Vietnamese people who are taxed and terrorized by the Viet Cong for supplies and men. He has to be a life saver for sampans that have overturned in the river and he has to be a doctor for the sick and the aged.

Every little bit of help he gives to the South Vietnamese furthers the cause for which he is fighting and endears him just a little more in the hearts of the people for whom he is fighting.

The men on the LST's are a new breed of sailor also, but in a different way.

They have had to learn to go for long periods on the rivers without the coveted privilege of liberty. He's lucky to even see a woman the whole time he's on station, and one of the few pleasures he does have is the boat that carries him to the junk bases, where he can indulge in a few lukewarm beers and play a game of volleyball or football.

The Hunterdon County has been out on the river for more than 60 days now and she has another 60 or more to go before she will see the sight of land where the men can mingle with people and see the sights of a city and enjoy them.

Many long hours are spent by him working on the PBR's and as often as not he has to be at general quarters, the Navy's battle quarters, for shore bombardment on the support of an outpost under attack by the VC.

It isn't an easy life for him, but he does it with pride and many of the men have extended to continue the war over here.

Once again the United States has shown that its versatility and its patriotic young men are still the backbone of one of the greatest countries ever to rise in the annals of history.

When you see these young men at home for a well-earned leave, take a close look and see how the pride of a job being done well gives him the bearing and stature of a proud and satisfied man.

Speaking for myself, as a sailor on the Hunterdon County, I'm proud to be a part of the group that is carrying the war against oppression to the oppressors. I have the utmost confidence in our men and equipment and in my heart I know that in the end we will emerge as we always have, victors.

Winning the People Is the Only Way in Vietnam

HON. JOHN N. ERLENBORN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1968

Mr. ERLENBORN. Mr. Speaker, one of the best short histories of our involvement in the war in Vietnam appeared recently in a column by Dennis D'Antonio in the Press Publications. These fine newspapers are published in one of the largest towns in the district which I represent. Mr. D'Antonio's column explains the importance of pacification in Vietnam:

WINNING THE PEOPLE IS THE ONLY WAY IN VIETNAM

(By Dennis D'Antonio)

The life or death of one person or a thousand or a hundred thousand is really not important.

This philosophy is shared by many high ranking, decision making, officials who have committed forces against South Vietnam and its Western allies. In the long-range plans for victory there, the loss of human lives in the war is unimportant to the enemy.

The recent Communist offensive against the cities of the South resulted in a major psychological victory for the Viet Cong—even though they lost thousands of men.

The offensive demonstrated that despite the years of U.S. involvement in the war, despite the billions of dollars poured into the effort, despite our vastly greater firepower, despite the sacrifices of 20,000 American lives and countless more Vietnamese, the Viet Cong can still do what they want when they want.

Why?

Two basic reasons appear—finally—to be getting through to the American public, which includes me.

One reason for the enemy's capability to raise havoc despite allied efforts is that he literally has manpower to burn and the will to do so to gain a victory such as we have just seen.

History books have recorded that the French killed nearly a million soldiers fighting with the Vietminh before losing to that bunch at Dien Bien Phu in 1954. The French threw in the towel because they could nowhere near afford to match the enemy's sacrifices. France lost more than 15,000 men at Dien Bien Phu and couldn't absorb the loss.

In the recent Tet offensive, the Viet Cong are reported to have suffered 30,000 casualties. And they scored a victory! Even our government has finally been forced to admit that the United States "suffered a severe setback" in the Tet offensive (quote Dean Rusk).

One lesson appears to be emerging: the United States cannot equate progress, let alone victory, in Vietnam by stacking up enemy bodies.

Let's go back in history a little way and see if it doesn't provide some clues as to where mistakes have been made and what we might do to realize our efforts at trying to keep South Vietnam and the rest of southeast Asia from falling into Communist hands.

The first Western contact with Vietnam was made in the 16th century by the Portuguese who began to trade there.

The Spanish, Dutch, English and French subsequently followed the Portuguese.

During the second half of the 19th century, hostilities broke out with France. The Vietnamese came out on the short end and were forced to submit to French colonization beginning in 1862. (Hence the beginning of bad public relations between West and the East in that area.)

The Japanese accomplished a military occupation of Vietnam during the fall of 1940 and succeeded in ousting the French from its administration of the country shortly before the end of World War II. The subsequent lack of any organized government threw the country into turmoil.

Some Vietnamese made efforts to restore order but were hindered by the Japanese. More conflict. (And about time for the Communists to start exploiting the situation.)

The League for the Independence of Vietnam was founded by dissident Vietnamese during World War II. The abbreviation for the League was Vietminh, meaning Vietnamese nationalists. It was Communist infiltrated. (By the time the U.S. jumped into the pot after Dien Bien Phu, the Communists had already gained a solid foothold; they were right in there pitching before average Americans ever heard of the country.)

The Vietminh did not make substantial progress in attempts to oust the Japanese despite the fact that many Vietnamese, who were led to believe they were fighting for independence, joined the ranks of the Vietminh.

Then World War II came to shattering end for Japan, and Ho Chi Minh was able to establish a government in Hanoi without resistance.

The French came back, of course, and the subsequent French Indochina War was inevitable.

Under the Geneva agreements, made after the French defeat, the country was divided into present North and South Vietnam. The North became Communist controlled and the Communists began their efforts to bring the Westernized half, the South, under their control also.

The United States saw this as a threat to free world security and greatly increased military aid to the South in 1961.

By this brief and, as far as I can tell, substantially accurate history, it can be seen that the Communists have capitalized on perpetuating a distrust of the West among the Vietnamese people. That was not so hard to do after more than 60 years of French administration in the country, during which time the Vietnamese were taken advantage of.

To oversimplify the situation, the Communists are telling the Vietnamese people that the United States wants to take over where the French left off. And many of the people, understandably, believe it.

Which finally brings us to the second reason why we have failed to make substantial progress in maintaining the integrity of South Vietnam. A lot of Vietnamese distrusted us before we ever went there because we are Western and they have had only bad relations with the West. It's not so hard then for the Vietnamese to believe the Communists when they say the United States is in Vietnam only for the purpose of robbing the people, like the French had done.

At best, the people in the South are sitting on the fence between the U.S. and the Communists.

Stacking up bodies won't win the war. We have to win the people's trust.

The 75th Anniversary of Sunkist Growers, Inc.

HON. GEORGE MURPHY

OF CALIFORNIA

IN THE SENATE OF THE UNITED STATES

Wednesday, April 3, 1968

Mr. MURPHY. Mr. President, this year the nonprofit organization which is the oldest and largest citrus cooperative in the world, Sunkist Growers, Inc., is celebrating its 75th anniversary.

This organization is composed of cooperating citrus growers in California and Arizona and its operations have been studied and copied throughout the world. As a result of the cooperative's research and development program, more than 400 uses have been found for fresh citrus, and new machinery has been developed for the harvesting and packing of citrus fruits. Through its worldwide distribution of fresh fruit and other citrus products, the organization has developed a global reputation for supplying quality items until today the name Sunkist is linked everywhere irrevocably with thoughts of good health, good taste, good living and good management.

In addition, the Sunkist organization stands today as a foremost example of what can be accomplished by dedicated, responsible men working freely with their own talents and resources under our private enterprise system.

In connection with Sunkist's anniversary observance, the State Senate of California passed a special resolution recognizing the organization for its three quarters of a century of successful citrus marketing.

The resolution, mounted and framed, was presented to Milton M. Teague, president of Sunkist Growers, by State Senator Howard Way.

I ask unanimous consent that the resolution be printed in the Extensions of Remarks.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

SENATE RESOLUTION RELATIVE TO CONGRATULATING SUNKIST GROWERS, INC.

Whereas, the California citrus industry has been a mainstay in the growth and development of The Golden State; and

Whereas, California citrus fruit production, processing and marketing provide employment and economic well-being for thousands of Californians; and

Whereas, the lemon, the orange, and the grapefruit and their products are vital to human health and are favorite foods throughout the world; and

Whereas, Sunkist Growers, Inc. has for three-quarters of a century led the California citrus industry from its earliest beginnings to its present status as a world leader in citrus production and marketing; and

Whereas, the continued success of Sunkist Growers, Inc., stands as a tribute to the principle of farmers working together for their mutual benefit through cooperative free enterprise; and

Whereas, Sunkist Growers, Inc. has brought fame and wealth to California through its innovations in marketing, pioneering in farmer service, and dedication to the highest standards of quality and consumer service; and

Whereas, this year of nineteen hundred and sixty-eight is the occasion of the Seventy-fifth Anniversary of the founding of Sunkist Growers, Inc.; now therefore be it

Resolved by the Senate of the State of California, That the Members congratulate the over 9,000 grower-members of Sunkist Growers, Inc., on the occasion of their association's Seventy-fifth Anniversary and commend them for the outstanding leadership they have provided to the citrus industry and for their distinguished service to California agriculture; and be it further

Resolved, That the Secretary of the Senate transmit a suitably prepared copy of this resolution to Sunkist Growers, Inc.

President's Magnificent Display of Patriotism Draws National Acclaim

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1968

Mr. EVINS of Tennessee. Mr. Speaker, the Nation was stunned and shocked by President Johnson's dramatic announcement that he would not be a candidate for reelection in order that he might devote himself to the cause of peace in Vietnam and to national unity at home.

There has been an almost universal acclaim of the President and his patriotic, unselfish act—his placing the interests of the Nation ahead of any personal considerations. In this connection excellent editorials have appeared in the Nashville Tennessean, the Nashville Banner, and the Washington Evening Star, all of which pay tribute to what columnist David Lawrence describes as President Johnson's "magnificent display of patriotism."

Because of the interest of my colleagues and the American people in this historic and dramatic event, I place herewith in the RECORD these editorials, as follows:

[From the Nashville (Tenn.) Banner, Apr. 1, 1968]

President Johnson Shocks the World—Renunciation Aims at National Unity

There is a nobility of man that rises above considerations of ambition, pomp and circumstance. And the American people saw it last night in their President; they heard it in the deeply moving utterance for that national unity he seeks—and in behalf of which he was removing himself from candidacy for reelection lest the office itself—by political involvement—be stultified in a time of national crisis.

More than that he could not have said in an announcement and explanation that rank with statesmanship's Great Papers.

"With America's sons in the field far away," he said, "With America's future under challenge here at home, with our hopes—and the world's hopes—for peace in the balance every day, I do not believe that I should devote an hour of my time to any personal partisan causes or to any duties other than the awesome duties of this office."

It was conscience speaking, with a sense of duty commanding selfless allegiance. It was a definition of the Presidency rarely vouchsafed, if indeed understood by many of those seeking it; awareness of the fact that it is the instrument of national service in moments of supreme need—not the pawn and prize of partisan conflict. It is to the nation's deterioration at any time it becomes the latter, the warning Mr. Johnson herewith has provided in more than words . . . and never more needed.

In his summary of policies reasserted there are points at issue that will thoughtfully examined, as they should be, in the campaign ahead; and some of them on the domestic front demanding the continuing realistic treatment of Congress in exercise of its own responsibility. The door is not closed on that. The President did not expect it to be.

The paramount phase of his message was in its concluding paragraphs—the decision to which he obviously has given his careful and prayerful study in arriving at it after long deliberation. It is, he added later, "irrevocable." The Banner believes he meant exactly what he said.

This newspaper has vigorously opposed many of the President's domestic policies. It repeatedly has pointed out the necessity for fiscal prudence and budgetary reform, for national survival. From the beginning it opposed our entrance into the Vietnam war during the Kennedy administration; but once committed by the overwhelming approval by Congress of the Tonkin Resolution, The Banner has supported the effort to bring the Vietnam conflict to an honorable and successful conclusion.

This is the least the men fighting and dying in that far-away land should expect.

The President presented a tearful, saddening picture of a hopelessly frustrated man, the proud architect of an expensive house of social and political dream-cards, collapsing onto his lap, before your unbelieving eyes.

He was the pitiful victim, not only of his certain faith in himself, in his course of domestic and inernational policy, but as well in his sometimes inordinate, personal pride, based upon a record of political success scarcely matched in the history of his party.

But above all, he was a casualty of the faulty judgment and decisions of advisors like Robert McNamara and others who projected him further into the costly mess in Vietnam, which he had inherited from his predecessor, the late John F. Kennedy, who was aided and abetted by the encouragement and advice of one of the candidates for the nomination renounced by the President.

Mr. Johnson's obdurate adherence to courses opposed not only by members of the House and Senate on both sides of the aisle, as well as by a rapidly growing majority of the electorate, contributed to his mounting difficulties.

On the world front, despite the handout of more than a hundred and fifty billion dollars of Uncle Sam's largesse since World War II, Mr. Johnson's global leadership had fallen to an all-time low.

While the nation's gross national product had climbed to a record high during his tenure, the drain on our gold and the strain on our dollar had become hazardous. The fantasy of enough substance for both guns and butter faded like a day that had become yesterday. The facts of life are inexorable. Eventually they must be faced and dealt with, unless disaster overtakes.

It is too soon to endeavor to assess the results of the President's decision, either on the basis of domestic politics or in world affairs.

But of one thing the American people may be sure: Lyndon Johnson has done what he honestly believes to be in the best interests of this nation and its people.

And in doing so, he proved that his love for his country transcends personal, political ambitions, shockingly mocked by the sneering, contemptous disloyalty of many members of his own party.

The tragic irony of it all is that millions of Americans who were the greatest beneficiaries of his lavish concern became the most vicious and vociferous among his detractors.

This is the age-old story of the benefactor.

The memory of man is short.

And ingratitude is the cardinal sin of the human race.

[From the Nashville Tennessean, Apr. 1, 1968]

Mr. Johnson Stands Aside To Let History Be Judge

President Lyndon Johnson's announcement that he will not seek or accept the nomination of his party has had its stunning impact on America and the world. It was clearly and definitely stated.

For the second time in modern history, a war in Asia has brought a Democratic President to make such an announcement. President Johnson's statement was reminiscent of that of President Harry Truman who, also after seven perilous years as leader of the world's greatest democracy, announced he would not be a candidate for re-election.

Both Mr. Johnson and Mr. Truman had taken over the presidency in time of crisis. Both had won re-election in their own right. Both had been involved in an Asian conflict in which there was division at home and which seemed unsolvable.

But if Mr. Truman's problems were great, President Johnson's have been greater. For seven years, the man from Texas has struggled, bending his utmost energies to do his best and to do what he considered was his duty.

His high office has brought him disappointment and great frustration. Perhaps his announcement that he will not seek the Presidency again will salvage in great part that which seemed impossible had he chose again to run.

Mr. Johnson's astonishing decision not to seek the Presidency will, it seems, have three major effects he might not have been able to achieve had he remained a candidate.

He has taken a bold step toward peace by announcing that he will curtail the bombing of North Vietnam and by asking Hanoi to make a move toward the conference table. It now cannot be argued that it was simply a political gambit, since it would gain him nothing if he is not to be a candidate.

He has given his major single legislative goal—a tax increase—a major boost in Congress. His appeal for it was straightforward and as an urgent need for the economic health of the country, and the preservation of faith in the dollar.

He has made once again the Democratic party a viable political institution, as he said, in the best interest of the party and the country.

In effect, Mr. Johnson has taken notice of his own political popularity; he has come to grips with the division brought on by war; with the political conflict impending and the course of peace ahead. At ths point in his long struggle, Mr. Johnson has decided to stand aside and let history be his judge.

Whatever that judgment about the war in Asia, it can be said that domestically he carried forward with great success the progressive policies inaugurated before him by the late President John F. Kennedy and those he initiated himself.

He has fought consistently for the economic advantage of all Americans and had it not been for the conflict in Vietnam, his record might have bene much greater. This record notwithstanding, Mr. Johnson had declined considerably in popularity among the voters.

Mr. Johnson has now stated clearly he will not seek the nomination. He has made the announcement in ample time for the Democratic party to look about and provide for new leadership.

In the intervening time, Mr. Johnson apparently—from his words—intends to devote himself fully to the duties and responsibilities of the Presidency and to trying to secure peaceful termination of the war in Asia. Perhaps he cannot, but Hanoi must surely weigh this development with great deliberation, since it comes from a leader who has said he relinquishes any political ambition.

[From the Evening Star, Washington, D.C., Apr. 2, 1968]

Magnificent Display of Patriotism

President Johnson has put principle above personal ambition. In a magnifient display of patriotism, he has asked the American people to unite behind a constructive policy to save not only Vietnam but the other nations of the world as well as the United States from the threats of Communist imperialism.

Whether the Hanoi government and its sponsors—the Soviet Union and Red China—accept right away Johnson's sincere proposals for a peace negotiation, the air at least has been cleared. The world knows that the United States genuinely wants an end to the war but also that it does not intend to seek "peace at any price."

By withdrawing from the presidential race, Johnson, in effect, puts the American people as well as all the candidates of both parties on the spot. The President's peace plan now will be considered on its merits and will be separated from the political campaign—a fortunate development at a critical time in American history.

Why did the President announce that he would not accept renomination? He probably was influenced by a variety of reasons. Five years and two months in the presidency is a long time for any man to bear the burdens of the White House nowadays, especially with his health record. Also, no matter how earnest he might have been in his campaigning, he would have been handicapped in discussing the Vietnam war. Much of what he would be saying would be discounted as having a political motivation.

If Bobby Kennedy had defeated Johnson for the nomination, it would have been humiliating for LBJ. If both Sen. McCarthy and Sen. Kennedy were deprived of the nomination after a bitter contest with the President, the disunity in the party would have hurt Lyndon Johnson's chances of reelection. If Vice President Humphrey becomes the presidential nominee and is elected, it will be a vindication for Lyndon Johnson. So, all in all, the President decided on a course of self-denial—and one which will give him a distinguished place in history.

There are people on Capitol Hill who are still skeptical. They think that the President—if he has a lucky break and the war in Vietnam is ended—will change his mind and accept a "draft" at the Democratic convention in August. But the chances are that LBJ, while flattered by such a development, would really prefer, after 37 years of public service, to retire.

Who will win at the two national conventions? Assuming that the Johnson proposals on Vietnam meet with public approval, it is likely that Vice President Humphrey will be the beneficiary, and he undoubtedly will have the support of the Johnson wing of the Democratic party.

As for the Republican nomination, former Vice President Nixon now will find himself moving more and more toward the Johnson position on the Vietnam question and will have to concentrate on domestic issues in order to win the election. Gov. Rockefeller could be "drafted." He, however, would also have to come up with programs on internal problems that are better than those of Nixon. For hereafter, so far as politics is concerned, the debate on international questions may become secondary.

The Hanoi government will seem for awhile to be negative about the President's proposals. But pressure from Great Britain and other countries will be exerted in a determined attempt to line up Moscow on the side of some kind of peace negotiation—perhaps like the parleys which ended the Korean war.

Meanwhile, America's policy in Vietnam will gradually be focused on strengthening the South Vietnamese army so that fewer and fewer American troops will be involved. If this is done and it begins to look like a prolonged conflict, North Vietnam may have second thoughts about ignoring the Johnson peace plan.

Certainly Johnson has made a wise move in centering world attention on ways of settling the Vietnam war. Peoples everywhere will soon learn that America is not presenting barriers to peace in Southeast Asia. It is the consequence of aggression that must be faced not only by the nations in Asia but by the other powers around the globe if progress is to be made toward world peace.

President Johnson's speech on Sunday night will be widely supported by world opinion. It could furnish the basis at least for a real negotiation between the adversaries in the Vietnam war.

Proposed Construction of Federal Hardwood Management Research Center Near Charleston, S.C.

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Wednesday, April 3, 1968

Mr. THURMOND. Mr. President, the forest industries make a tremendous contribution to the economy of South Carolina. Research in this vital area is essential to the continued growth of this important sector of the southern economy. Recognizing this, the South Carolina General Assembly has passed a concurrent resolution urging the construction of a center near Charleston, S.C., to study the management of hardwood species. This center would be concerned with hardwood species growing on approximately 20 million acres of wetlands in the coastal areas of South Carolina, North Carolina, and Georgia.

The center has been planned for construction by the Southeastern Forest Experiment Station of the U.S. Forest Service.

On behalf of the junior Senator from South Carolina and myself, I ask unanimous consent that Senate Concurrent Resolution 819 of the South Carolina General Assembly be printed in the Extensions of Remarks of the CONGRESSIONAL RECORD at the conclusion of my remarks.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

S. CON. RES. 819

Concurrent resolution memorializing the South Carolina Congressional Delegation to Support the Construction of a Federal Hardwood Management Research Center Near Charleston

Whereas, the Southeastern Forest Experiment Station of the United States Forest Service is planning a center near Charleston to study the management of hardwood species growing on approximately twenty million acres of wetlands in the coastal sections of South Carolina, North Carolina and Georgia; and

Whereas, knowledge of management techniques for hardwoods is severely lacking, and it is essential that wetlands in South Carolina be properly managed to yield greater volumes of quality trees for the growing forest industries, and the scheduled construction of this facility is still several years away but any effort which will help to accelerate construction of this research center will hasten the development of hardwood lands in South Carolina and growth of the forest economy in this State. Now, therefore,

Be it resolved by the Senate, the House of Representatives concurring:

That each member of the South Carolina Congressional Delegation is urged to support in every way possible the construction of a Federal Hardwood Management Research Center near Charleston.

Be it further resolved that copies of this resolution be forwarded to each member of the South Carolina Congressional Delegation.

Minnesota Editor Scores Economic Myths

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1968

Mr. NELSEN. Mr. Speaker, commenting on the plainly apparent shortcomings of the new economics, Don Brown, editor of the Waseca, Minn., Journal concludes:

> The new thoughts are long on theory but short on realities.

Many of us certainly agree, and I include Mr. Brown's enlightening editorial at this point in the RECORD:

TALK TO EACH OTHER

Perhaps one thing wrong with the country was expressed by a friend recently when he said that economists spend too much time talking to each other and too little time talking with other people.

Back in 1921 we took a LaSalle course in advertising and it pointed out that judging copy or design by your own likes or dislikes is one of the greatest mistakes an advertising man can make.

This is somewhat the position a teacher in economics gets into. His colleagues all are of one accord. His students hesitate to express their opinions because they look upon the teacher as one who knows. If the student has ability to think for himself he hesitates to disagree with the instructor for fear of not getting a passing grade. This, of course, is not true of teachers in general but it is true of some and the student cannot differentiate between them.

The grave danger is where this is leading us. How many teachers of economics have told their classes that socialism in Great Britain, particularly welfare programs, has gotten England into a position where even the other socialist ridden countries of western Europe would not bail her out with a loan unless she revised her spending? How much emphasis has been put on the fact that excessive spending (unbalanced budgets) is the root of the United States trouble with its gold reserves?

The economists have told us that public debt is a good thing. Is this true? They have told us we have no fear because we owe it to ourselves. Is this true? They have told us that we should spend more than we collect. Is this true?

Back in 1962 Yale graduates were addressed at commencement time by the late President John F. Kennedy. What must they think today in the face of world conditions as they are?

The late President told the graduates of the myths of the old economics and the wonders of the new. He talked on the old cliches of our forefathers and "the incantations of the forgotten past."

The myths are legion, he said, in matters of fiscal policy. On this he elaborated with the words: "The myth persists that federal deficits create inflation and budget surpluses prevent it . . . But honest assessment plainly requires a more sophisticated view . . ."

In the face of our present predicament it is now clear to see that the economists had sold the late President a bill of goods. Surely they were sincere in selling their ideas but were they right?

Was Benjamin Franklin and his idea of thrift necessarily a fuddy duddy? There was certainly less to be feared from his teachings than from the teachings of those who belittle him today. The new thoughts are long on theory but short on realities. The theory that governments would not try to profit by buying gold would have been pooh poohed by the economist 10 years ago. They could not conceive that France would do that very thing. We couldn't either, but she has and so have a lot of individuals.

The economist has looked upon what is right. Human nature is not always that honest and concerned about the welfare of all—even in socialistic nations.

The cliche most to be feared is that the economists have the minds and the machinery to avoid another depression. We agree that they may have but the people will not go along with them any more than they will today accept higher taxes coupled with a lot less spending to get our house in order.

The Farmer's Economic Plight in Cold, Blunt Terms

HON. ROMAN L. HRUSKA

OF NEBRASKA

IN THE SENATE OF THE UNITED STATES

Wednesday, April 3, 1968

Mr. HRUSKA. Mr. President, a letter to the editor published in the current issue of Fortune magazine puts the economic plight of the American farmer in cold, blunt terms which serve to clear away much of the reckless rhetoric of Secretary Freeman and other apologists for the failure of the Kennedy-Johnson farm policies.

The letter is written by J. V. G. Forbes, a member of the faculty in history at Blackburn College in Carlinville, Ill. It is in response to a Fortune editorial which was critical of the $3 billion a year in agricultural subsidies.

Mr. Forbes, with careful documentation, points out that the most recent figures indicate the value of agriculture's productive assets is roughly equal to half the current assets of all U.S. corporations.

Allowing a 5-percent return on capital investment, Mr. Forbes calculates that the return to the farmer for his management and labor was only 1.4 percent, or about $27.50 a week for each of the Nation's farmers.

Much attention has been paid in recent months, Mr. President, to the Government's parity ratio which now stands at 74. This figure is based on a complicated computation using the 1910-14 prices as a basis.

A parity ratio of 74 is bad enough, especially when it is recalled that during the Eisenhower years it averaged 84.5. But Mr. Forbes calculates that last year the true parity ratio was only 44.5, using 1948 to 1950 as the base of 100.

In summary, Mr. Forbes writes:

> We have debased the prime tenth of our wealth, the most vigorous generator of the Nation's income, the stablest part of our system. It is now to be supposed that there has been no hurt to the whole body?

I ask unanimous consent that Mr. Forbes excellent analysis be printed in the Extensions of Remarks.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

GLOOMY WORDS FROM THE BACK FORTY

TO THE EDITORS:

Your editorial, "Bigger Than the Presidential Hand" (February), stated that the President, in calling for, "of all things, a new plan to raise farm incomes and prices," made "no mention of the fact that agriculture is already receiving some $3 billion per year by way of payments . . ."

Even so. Yet the level of farm prices should not be slighted in the search to find what ails the national economy. The value of agriculture's productive assets (total farm assets minus total farm debt) in 1966 (data for 1967 are not complete) was $214.1 billion, equal to 48.7 percent of the total current assets of all U.S. corporations in 1966. Capital investment normally requires 5 percent return. Agriculture's realized gross income in 1966 was $49.7 billion. Production expenses were $33.3 billion and government payments were $2.7 billion, so the actual net return on the worth of the productive assets was $13.7 billion, or 6.4 percent. This means that return for the farmers' management and labor was 1.4 percent, or $2.997 billion. Or $27.52 per week for each of the 2,095,000 farmers who husbanded and worked the quarter-trillion-dollar plant in 1966.

In 1967 realized gross farm income was $600 million less than in 1966. Nor were 1966 and 1967 uniquely poor years. In 1951–67 the assisted net farm income averaged $13.2 billion per year. Or $300 million less than the amount of the assisted net farm income in year 1950.

It cuts no ice to answer: "But each year fewer men were farming." The total of farm income, not how many men are left to deploy its purchasing power and pay taxes on it, is the effective economic factor.

The failure of gross farm receipts since 1950 to keep pace with the increase in the costs of farm production has been so serious that in 1967 actual farm parity was at 44.5 on the scale 1948–50=100.

In 1967 the difference between the prices the farmers received and the prices they paid cost them $60 billion of gross income earned but not received. The shortage affected, of course, not only the farmers and their families and their neighbors in the rural towns (more than one-fourth of our population) but also each business house and factory that had a rural market.

Total farm income equals total farm production times farm prices. Our eighteen-year depression of farm prices has kept farm production no more than level with the increase in this nation's population; has cheapened the cash market in the countryside; has depleted each state's tax base.

We have debased the prime tenth of our wealth, the most vigorous generator of the nation's income, the stablest part of our system. Is it now to be supposed that there has been no hurt to the whole body?

Federally Protected Function: Antigun Law, H.R. 2516

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1968

Mr. RARICK. Mr. Speaker, the latest Federal slavery act, known also as the Civil Rights Act of 1968 to some, contains a chapter 12 captioned "Civil Disorders."

On the face, to the unwary, this section would appear to be an antiriot bill to discourage city burners and civil rights extremists by prohibiting firearms in civil disorders.

But let us look at the language of the law in consideration of recent court interpretation and probable application.

The bill reads:

> Whoever teaches or demonstrates to any other person the use, application or making of any firearm . . . or technique . . . knowing or having reason to know or intending that the same will be unlawfully employed for use in or furtherance of, a civil disorder which may in any way or degree obstruct, delay or adversely affect . . . the conduct or performance of any federally protected function.

The term "federally protected function" is defined as "means any function, operation or action carried out under the laws of the United States by any department, agency, or instrumentality of the United States or by any officer or employee thereof."

Federally protected function then means, among other things, under H.R. 2516:

> (A) voting or qualifying to vote, qualifying or campaigning as a candidate for elective office, or qualifying or acting as a poll watcher, or any legally authorized election official, in any primary, special, or general election;
>
> (B) participating in or enjoying any benefit, service, privilege, program, facility, or activity provided or administered by the United States;
>
> (C) applying for or enjoying employment, or any perquisite thereof, by any agency of the United States;
>
> (D) serving, or attending upon any court in connection with possible service, as a grand or petit juror in any court of the United States;
>
> (E) participating in or enjoying the benefits of any program or activity receiving Federal financial assistance; or
>
> * * * * *
>
> (A) enrolling in or attending any public school or public college;
>
> (B) participating in or enjoying any benefit, service, privilege, program, facility or activity provided or administered by any State or subdivision thereof;
>
> (C) applying for or enjoying employment, or any perquisite thereof, by any private employer or any agency of any State or subdivision thereof, or joining or using the services or advantages of any labor organization, hiring hall, or employment agency;
>
> (D) serving, or attending upon any court of any State in connection with possible service, as a grand or petit juror.
>
> (E) traveling in or using any facility of interstate commerce, or using any vehicle, terminal, or facility of any common carrier by motor, rail, water, or air;
>
> (F) enjoying the goods, services, facilities, privileges, advantages, or accommodations of any inn, hotel, motel, or other establishment which provides lodging to transient guests, or of any restaurant, cafeteria, lunchroom, lunch counter, soda fountain, or other facility which serves the public and which is principally engaged in selling food or beverages for consumption on the premises, or of any gasoline station, or of any motion picture house, theater, concert hall, sports arena, stadium, or any other place of exhibition or entertainment which serves the public, or of any other establishment which serves the public and (i) which is located within the premises of any of the aforesaid establishments or within the premises of which is physically located any of the aforesaid establishments, and (ii) which holds itself out as serving patrons of such establishments; or

Mr. Speaker, thus should anyone teach or demonstrate a firearm or technique "knowing or having reason to know" or intending the same will be used to obstruct, delay or adversely affect the conduct or performance of a federally protected function, he becomes a criminal subject to a fine of not more than $10,000 and imprisonment not more than 5 years or both.

The invented freedoms promised by some politicians to curry favor among the so-called depressed people in pursuit of their civil rights cannot be given unless first taken from other citizens. If there is a question as to who is wrong, is it not safe to assume under present court rulings that the taxpayer-property owner will be named the accused and made the criminal. Consider the recent race riot report, for example, that is, all civil disorders were caused by white racism.

The ambiguous language involved leaves the extent of interpretation to the Federal judges.

Are you ready to place a sign on your house or apartment. "No guns here"? Is not the verbiage intended to disarm as criminals the so-called counterrevolutionary? If you think not, consider. You are asked if you own a gun and if so, why? You reply "To teach my sons the proper way to handle and shoot a firearm like my father taught me—to hunt, and to have around the house for security and protection."

The words "security and protection" can well bring you into the "knowing or having reason to know or intending." You can be in violation for merely doing what Americans have done since our country was first founded—keeping and bearing arms.

Whoever heard of a Federal law so stringent that it exempted police officers if "acting lawfully"?

Can anyone imagine for one moment this law will be applied against civil rioters who will be exercising their "federally protected function."

The bill's obvious purpose is to take the offensive against defenders of what we once enjoyed as civil rights.

Noteworthy, the second paragraph of this bill outlaws "transport or manufacture for transport" but does not include "federally protected function." Why take a chance with the antigun legislation by a law that could seek control through intimidation? Nowhere is the use of a firearm outlawed. And could not the word "technique" mean that karate teaching and demonstration is illegal?

The private property "takeover" is but one portion of the bill. The underlying blueprint must be planned to abolish private ownership to bring about the initiation of ratio-mixing of communities to break down neighborhood patterns.

Should the property owner or private citizen protest the infringement on his rights or make any indication of his standing up for his rights by teaching, demonstrating, or technique with intent, he—not the motley herd that will be marching and demonstrating over our property and in our neighborhood communities—becomes the criminal.

This is an upside-down law where—under revolutionary use of words—the criminal becomes the protected and the property owner the victim of intimidation.

If this bill is passed, as is, there can no longer be any defense of what is considered by many of us to be our castle—the American home and community.

Remember that no country—regardless of the mediocracy or retrogressive policies of its leaders—has ever been overcome and conquered until the citiziens' guns were first taken.

Think it over.

I include title 12 of H.R. 2516 following my remarks:

CHAPTER 12.—CIVIL DISORDERS

Sec.
231. Civil disorders.
232. Definitions.
233. Preemption.

§ 231. Civil disorders

(a) (1) Whoever teaches or demonstrates to any other person the use, application, or making of any firearm or explosive or incendiary device, or technique capable of causing injury or death to persons, knowing or having reason to know or intending that the same will be unlawfully employed for use in, or in furtherance of, a civil disorder which may in any way or degree obstruct, delay, or adversely affect commerce or the movement of any article or commodity in commerce or the conduct or performance of any federally protected function; or

(2) Whoever transports or manufactures for transportation in commerce any firearm, or explosive or incendiary device, knowing or having reason to know or intending that the same will be used unlawfully in furtherance of a civil disorder; or

(3) Whoever commits or attempts to commit any act to obstruct, impede, or interfere with any fireman or law enforcement officer lawfully engaged in the lawful performance of his official duties incident to and during the commission of a civil disorder which in any way or degree obstructs, delays, or adversely affects commerce or the movement of any article or commodity in commerce or the conduct or performance of any federally protected function—

Shall be fined not more than $10,000 or imprisoned not more than five years, or both.

(b) Nothing contained in this section shall make unlawful any act of any law enforcement officer which is performed in the lawful performance of his official duties.

§ 232. Definitions

For purposes of this chapter:

(1) The term "civil disorder" means any public disturbance involving acts of violence by assemblages of three or more persons, which causes an immediate danger of or results in damage or injury to the property or person of any other individual.

(2) The term "commerce" means commerce (A) between any State or the District of Columbia and any place outside thereof; (B) between points within any State or the District of Columbia, but through any place outside thereof; or (C) wholly within the District of Columbia.

(3) The term "federally protected function" means any function, operation, or action carried out, under the laws of the United States, by any department, agency, or instrumentality of the United States or by an officer or employee thereof; and such term shall specifically include, but not be limited to, the collection and distribution of the United States mails.

(4) The term "firearm" means any weapon which is designed to or may readily be converted to expel any projectile by the action of an explosive; or the frame or receiver of any such weapon.

(5) The term "explosive or incendiary device" means (A) dynamite and all other forms of high explosives, (B) any explosive bomb, grenade, missile, or similar device, and (C) any incendiary bomb or grenade, fire bomb, or similar device, including any device which (i) consists of or includes a breakable container including a flammable liquid or compound, and a wick composed of any material which, when ignited, is capable of igniting such flammable liquid or compound, and (ii) can be carried or thrown by one individual acting alone.

(6) The term "fireman" means any member of a fire department (including a volunteer fire department) of any State, any political subdivision of a State, or the District of Columbia.

(7) The term "law enforcement officer" means any officer or employee of the United States, any State, any political subdivision of a State, or the District of Columbia, while engaged in the enforcement or prosecution of any of the criminal laws of the United States, a State, any political subdivision of a State, or the District of Columbia; and such term shall specifically include, but shall not be limited to, members of the National Guard, as defined in section 101(9) of title 10, United States Code, members of the organized militia of any State, or territory of the United States, the Commonwealth of Puerto Rico, or the District of Columbia, not included within the definition of National Guard as defined by such section 101(9), and members of the Armed Forces of the United States, while engaged in suppressing acts of violence or restoring law and order during a civil disorder.

§ 233. Preemption

Nothing contained in this chapter shall be construed as indicating an intent on the part of Congress to occupy the field in which any provisions of the chapter operate to the exclusion of State or local laws on the same subject matter, nor shall any provision of this chapter be construed to invalidate any provision of State law unless such provision is inconsistent with any of the purposes of this chapter or any provision thereof.

(b) The table of contents to "PART I.—CRIMES" of title 18, United States Code, is amended by inserting after

"11. Bribery and graft.................. 211"

a new chapter reference as follows:

"12. Civil disorders.................. 231".

Senator George McGovern: A Dove in the Dakotas

HON. GAYLORD NELSON

OF WISCONSIN

IN THE SENATE OF THE UNITED STATES

Wednesday, April 3, 1968

Mr. NELSON. Mr. President, my good friend the distinguished Senator from South Dakota [Mr. McGOVERN], has built a remarkable record in the U.S. Senate. For the past 6 years, many of his colleagues have listened with keen interest to his many constructive discussions.

Senator McGOVERN, while ably representing South Dakota, has also dedicated himself to speaking for all Americans. His fine work, prior to coming to the Senate, as special assistant to President Kennedy and serving as director of food for peace, illustrates this fact. His record as a Member of the House of Representatives further attests to his dedication as a public servant.

Courage combined with competence describes his career. I salute Senator GEORGE S. McGOVERN and am confident that the citizens of South Dakota again will exercise wise judgment and will return him to the Senate for a second term.

An interesting article by Bruce M. Stoner, published in the April issue of the Progressive magazine, describes the popularity of our able colleague. I commend it to the public and the Senate for close reading and therefore ask unanimous consent that it be printed in the Extensions of Remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A DOVE IN THE DAKOTAS: CAN McGOVERN BE REELECTED?

(By Bruce M. Stoner)

(NOTE.—Bruce M. Stoner is managing editor of the Mitchell, South Dakota, Daily Republic.)

South Dakota Republican leaders, driven by a fervent desire to reclaim the only major political office not now in their grasp, are mobilizing all their resources to defeat Senator George S. McGovern, the Democratic dove, this year. As one wag put it: "About all they haven't committed by now is a candidate. And when they do, you'll see the most expensive political campaign this state's ever had."

Senator McGovern, the only Democrat South Dakota has sent to the U.S. Senate since 1936 and one of the few in all the state's history, is fully aware the Republicans will be hunting for "dove," and he has long been planning and preparing to render their barrage harmless. It will take a lot of doing in this normally Republican state, but the Senator is confident that his record during two terms in the House of Representatives, two years as President John F. Kennedy's Food for Peace director, and a full term in the Senate has met the approval of the majority of his constituents. He has always acknowledged that his victories in the past required the support of liberal Republicans and independents as well as Democrats to beat the GOP machine candidates, "as it will this time."

One factor favorable to the Republicans in this year's campaign is that there is not likely to be any major Democratic threat for the two House seats or for any state constitutional office; this leaves the GOP organization free to mount a concentrated assault on McGovern.

Another plus for the GOP is the unpopularity of Lyndon B. Johnson. In 1964 President Johnson became the first Democrat in twenty years to win South Dakota's four electoral votes. Today almost any Republican likely to be nominated by the opposition could put South Dakota back in the Republican column, according to surveys of public opinion.

The presence of so weak a Democratic candidate at the top of the ticket could hurt McGovern; some observers place the potential loss to the Senator at 40,000 votes. But this factor may prove less an advantage to the Republicans than might ordinarily be the case because McGovern has been at odds with his President on two important issues—the war in Vietnam and the Administration's handling of agricultural problems—and the voters know this. In the absence of any drastic changes by election time, this could well turn out to be the decisive plus for McGovern.

The Republicans are expected to refrain from any primary contest for Senate nomination for fear that such a race would have a divisive effect. The actual "primary" is believed to be taking place right now, behind closed doors. Only two names have been mentioned: Governor Nils Boe, a Sioux Falls bachelor attorney now completing his second (and last by law) two-year term, and his immediate predecessor, Archie Gubbrud, Alcester farmer who also served two terms. Both have indicated interest in Senate candidacy, but neither has announced. The odds now are that it will be Governor Boe.

In the light of recent polls, the two potential GOP candidates have little to look forward to. Nearly everybody but McGovern's staff was surprised last December when the South Dakota Poll showed McGovern ahead of Boe by sixty per cent to thirty-two per cent, with eight per cent undecided, and ahead of Gubbrud sixty-six to twenty-nine, with five per cent undecided. A private professional sampling taken for McGovern at about the same time showed almost identical results.

Three months later, in late February this year, the outcome of the South Dakota Poll was even more discouraging for the Republicans. If the election had been held then, the Senator would have swamped either Gubbrud or Boe, according to these results in a strongly Republican state:

[In percent]

	McGovern	Boe	Undecided
Farm	79	15	6
Town	79	20	1
City	59	34	7
State	71	24	5

[In percent]

	McGovern	Gubbrud	Undecided
Farm	73	25	2
Town	82	17	1
City	60	33	7
State	70	27	3

These results reflect a remarkable advance for McGovern during the past year. A year ago the same poll showed him to be ahead, but by a substantially smaller margin. Then the poll showed McGovern with fifty-four per cent, Boe thirty-nine per cent, and seven per cent undecided. Against Gubbrud, McGovern had fifty-seven per cent, Gubbrud thirty-five, and eight per cent were undecided.

The poll is sponsored by three South Dakota daily newspapers—*The Watertown Public Opinion, Aberdeen American-News,* and *Sioux Falls Argus Leader*. It is conducted by a staff at Augustana College in Sioux Falls. It has missed on only two races in its fourteen years of operation.

McGovern's showing is in sharp contrast with President Johnson's. A current companion poll on the Presidency showed that of the five most-mentioned GOP possibilities, the President could win over only Governor Ronald Reagan of California at this point. Governor Nelson Rockefeller of New York ran strongest, fifty-six per cent, with nineteen per cent undecided. Richard Nixon and Governor George Romney of Michigan both polled fifty-one per cent to Johnson's thirty-four, with fifteen per cent undecided in each case. Senator Charles Percy of Illinois led the President forty to thirty-six per cent, with twenty-four per cent undecided. Reagan trailed Mr. Johnson forty to forty-three per cent, with seventeen per cent undecided. Little change was noted between the December and February polls.

What strategy South Dakota Republicans will develop in their determined effort to unseat McGovern is not yet apparent. Their original battle plan has failed to shake McGovern's strong position, if the polls are at all accurate. During the past five years, the opposition has twice attacked the Senator heavily on issues they thought would find him vulnerable. One of them was his role as one of the leading Senate critics of the war in Vietnam.

"Here," they said, "is a dove going against his own party's Administration. Going against a war being waged to halt the spread of Communism—a war supported by people in his own state with a solid background of anti-Communist feeling."

But they miscalculated.

As both the war and McGovern's criticism of Mr. Johnson's war policies escalated, State Republican Chairman Charles Howard, National Committeewoman Louise Humphrey, and Party Executive Secretary John Graff poured out a flood of press releases denouncing the Senator's views—some of them hinting at disloyalty, even downright treason. They were joined by Second District Congressman E. Y. Berry, the darling of the right-wing Americans for Constitutional Action. First District Congressman Ben Reifel and the senior South Dakota Senator, Karl E. Mundt, were less vocal than their Republican colleagues. Neither attacked McGovern directly; instead, they called for solidarity in support of our Asian intervention, questioning only whether the President's handling of it was as strong as it should be.

GOP leaders were not the only ones in South Dakota who felt McGovern had made a serious blunder in joining the vanguard of Vietnam critics. Republicans and Democrats alike wondered why a Democrat elected to the Senate in 1962 by the narrow margin of fewer than 600 votes in a normally Republican state would want to challenge the President of his own party. "Isn't he flirting with political suicide?" many asked.

It was not until the spring of 1967, more than three years after McGovern had launched his opposition on Vietnam, that a survey of his constituents' sentiment on the issue was made. By that time U.S. involvement in Vietnam had expanded greatly and the list of dissenting Senators had grown within both parties.

Results of that South Dakota Poll a year ago surprised just about everybody, McGovern included. Shortly before the straw vote was published, the Senator wrote in his monthly newsletter: "Since my recent speech warning that World War III may be the result of our deepening involvement in Vietnam, I have noted several critical reactions. I expected criticism, and I do not complain about it. . . . If I have a right to question the Johnson war policy, others have a right to defend it. But none of us has the right to question the patriotism of men who sincerely disagree with us. If a person believes his country is following a dangerously mistaken course, as I believe we are in Vietnam, he would be unpatriotic *not* to speak out. Silence in such a situation would be political and moral cowardice."

Not only did the 1967 South Dakota Poll results show that a whopping seventy-three per cent of voters in both parties felt McGovern should publicly voice his opposition to U.S. policies in Vietnam, but *nearly half* of them agreed with the Senator's position on the substantive issue.

On the questionnaire sent to those polled, it was explained that Senator McGovern had been critical of the Johnson Administration's policies on Vietnam. It was pointed out that the Senator had recently charged that the escalation of bombing in North Vietnam was wrong, and that he warned that stepping up the war had brought World War III closer.

Forty-seven per cent of those polled in that 1967 survey approved McGovern's position, fifty per cent said they disapproved, and three per cent had no opinion. Only sixteen per cent said they approved of the Administration's handling of the Vietnam War. Half wanted further escalation "in an attempt to force a decision," thirty-four per cent wanted to de-escalate "in an attempt to bring the matter to the conference table and reduce the American role in Vietnam."

As in this year's poll on the Senatorial race, McGovern's strongest support on his Vietnam position came from farmers, with sixty-six per cent approving, thirty-four per cent disapproving.

With this outcome, GOP spokesmen developed a reluctance to challenge McGovern on the Vietnam issue.

Two months later, however, another door seemed to have opened to the Republicans. McGovern reportedly was amassing a quarter-of-a-million-dollar "war chest" for the 1968 campaign. Worst of all, much of it was being raised by "Eastern liberals."

GOP headquarters in Pierre had spotted a story in the July 5 *Washington Post* reporting that "Eastern liberals in New York and elsewhere have quietly begun to raise money in behalf of 'dove' Senators whose seats are in jeopardy in 1968." McGovern was listed as one of the beneficiaries of this effort, along with Senators Frank Church, Idaho; J. William Fulbright, Arkansas; Gaylord A. Nelson, Wisconsin; Joseph S. Clark, Pennsylvania; Ernest Gruening, Alaska, and Wayne L. Morse, Oregon, all Democrats.

"Stanley Frankel, a New York business executive and friend of McGovern's," the *Post* article said, "claims to have raised $13,000 for the South Dakota freshman with a series of phone and letter campaigns culminating in a June 7 cocktail party at the home of Carol Haussaman, a prominent New York real estate woman and philanthropist. Arthur Schlesinger, Jr., and John Kenneth Galbraith both made appeals at the party."

Republican strategists Howard, Graff, and company seized on the story and issued press releases attacking McGovern for accepting Eastern liberal support "from money raised at cocktail parties." They charged that the Senator was raising a quarter of a million dollars to conduct his 1968 campaign, and had, in fact, already raised $100,000 of it. McGovern countered with an offer to pool his campaign funds with the campaign chest the Republicans were raising to oppose him, and to split it down the middle with his opponent. GOP Chairman Howard said the offer "is nothing but a smokescreen to hide McGovern's fund-raising activities."

"Let's be realistic," he said. "Those New Yorkers who are holding cocktail parties [for] McGovern . . . are not going to permit the sharing of their money with a Republican candidate for the Senator's seat."

As the editor of a South Dakota daily paper, I received numerous "letters to the editor" on this issue. All but one or two of them obviously originated in a GOP "letter mill" in Sioux Falls. All expressed indignation that the Senator was raising campaign funds at "cocktail parties." But public indignation against an Eastern invasion by cocktail-party types failed to materialize and GOP headquarters soon abandoned the issue.

Then, after a few months of comparative silence, GOP leader Howard tried a new approach. He initiated an attack on McGovern's Congressional record on agriculture. It is doubtful this new starategy will be any more effective than its predecessors. As the polls have consistently demonstrated, the Senator's strongest support is in rural South Dakota, and there is little in the new attack to shake that support.

The Republican chairman charged that McGovern has failed to "get his good friend Secretary of Agriculture Orville Freeman and his fellow Democrats in Congress to enact a workable farm bill." Moreover, he said, "McGovern is always introducing bills and resolutions but these never seem to accomplish much."

But McGovern can put the lie to this accusation. With barely a year of Senate experience behind him, President Johnson wrote of him that it was "a tribute both to his knowledge of agriculture and to his legislative skill that he was chosen, while still a freshman Senator, to guide the 1964 farm bill safely through the Senate." The bill included McGovern's voluntary wheat certificate proposal, a domestic payments plan which in 1965 was extended to other commodities.

In 1965 the Senate adopted the substance of McGovern's proposal to provide grants to help universities assist agricultural and economic development in other countries. In 1966 the Senate approved his International Food and Nutrition Act. And this year virtually every major farm organization has supported his proposed legislation to provide a strategic grain reserve.

In an editorial note in McGovern's new book in the American Heritage series, *Agricultural Thought in the Twentieth Century*, Alfred Young and Leonard W. Levy wrote that Senator McGovern has, in a decade of national political life, "established a unique reputation: as a spokesman for the once 'isolationist' Midwest who sees the interests of his farm constituents and nation served by a practical, humane internationalism; as an influential freshman Senator willing to be an independent to do battle for his principles; and as a scholar in politics."

This is as apt and concise an evaluation of McGovern as one can make. This is the reputation he has established in South Dakota.

George McGovern today appears to be in no grave danger of losing his bid for reelection. Of all the doves in the Senate, he may well be the strongest with the voters—and this is so despite the fact that he is a Democrat in a predominantly Republican state. It is his steadfast opposition to the Johnson Administration's policies that is working so strongly in his favor. Unless events beyond our imagining now disturb the course of the campaign, George McGovern will be reelected as a dove even as President Johnson loses South Dakota.

Resolution Honoring Wayne N. Aspinall, Chairman, Committee on Interior and Insular Affairs

HON. JOHN P. SAYLOR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1968

Mr. SAYLOR. Mr. Speaker, the members of the House Committee on Interior and Insular Affairs deeply appreciate the work of the gentleman from Colorado, the Honorable WAYNE N. ASPINALL, as chairman of the committee in many ways and especially in a recent difficult task, and they would like to share the resolution in which the committee expresses its appreciation.

The text of the resolution follows:

Whereas the Colorado River is one of the most important rivers in the development of the western United States; and

Whereas the importance of the Colorado River and its tributaries is borne out by the fact that it and its tributaries drain a vast area of approximately 242,000 square miles, or about one-twelfth of the area of the Continental United States; and

Whereas the controlled and managed use of the Colorado River and its tributaries vitally affects the economic life of the States of Arizona, California, Colorado, New Mexico, Nevada, Utah and Wyoming, and therefore of the whole United States; and

Whereas the water resources of the Colorado River basin have been a subject of controversy for at least five decades; and

Whereas this controversy is partially reflected in four major pieces of litigation before the Supreme Court of the United States; and

Whereas from this controversy have emerged three major treaties and compacts (the Colorado River Compact, the Mexican Water Treaty, the Upper Colorado River Basin Compact) and several major Acts of Congress (the Boulder Canyon Project Act, the Boulder Canyon Project Adjustment Act, and the Colorado River Storage Project Act); and

Whereas the Colorado River remains a river in controversy and, during the 89th and 90th Congresses, has been the subject of hearings and other legislative action and has involved many long hours of discussion and debate in the Committee on Interior and Insular Affairs of the United States House of Representatives; and

Whereas the particular and varied interests affected by such legislation caused the consideration of such legislation to be conducted at times in an atmosphere of tension and zealous debate; and

Whereas the resolution of these matters presented a most formidable and responsible task to the Honorable Wayne N. Aspinall, Chairman of the Committee on Interior and Insular Affairs of the United States House of Representatives; and

Whereas the conduct of such legislative hearings and discussion was highlighted by the courtesy, patience, fairness and understanding extended to all interests by the Chairman of the Committee; and

Whereas the Committee under the able leadership of its Chairman reported favorably H.R. 3300, "The Colorado River Basin Project Act," in an attempt to resolve the controversy of the Colorado River; and

Whereas the efforts of the Honorable Wayne N. Aspinall to resolve all the issues of the Colorado River in harmony and understanding are highly commendable, now therefore be it

Resolved by the Committee on Interior and Insular Affairs of the United States House of Representatives, That the Members of said Committee do hereby express their deep appreciation to the Honorable Wayne N. Aspinall for his patience and untiring efforts to bring forth a resolution of this long, difficult and debated controversy and commend him for his outstanding and excellent leadership as Chairman of the Committee on Interior and Insular Affairs of the United States House of Representatives.

Ordered done this 26th day of March, 1968 by unanimous vote of the Members of the Committee on Interior and Insular Affairs.

Attest:

NANCY J. ARNOLD,
Chief Clerk.
JAMES A. HALEY,
Ranking Majority Member.
JOHN P. SAYLOR,
Ranking Minority Member.

The Materials Testing Reactor in Idaho

HON. LEN B. JORDAN

OF IDAHO

IN THE SENATE OF THE UNITED STATES

Wednesday, April 3, 1968

Mr. JORDAN of Idaho. Mr. President, the National Reactor Testing Station in southern Idaho is currently faced with the possibility that its material testing reactor may be phased out by the Atomic Energy Commission by fiscal year 1970. Considering the economic impact that such a move would make, it is indeed essential that the research community, which would receive the heaviest blow in terms of depletion, take part in the decisionmaking process. If such a phase-out is imminent, it is my hope that Idaho will be allowed to take part in the decision with alternative approaches thoroughly considered.

It is my hope that Idaho and our neighboring States might develop a cooperative plan to take over this facility for the furtherance of nuclear science studies. To develop such a plan will require more time than is presently indicated. For this reason I hope that no precipitate action will be taken until alternate uses can be fully explored.

An editorial entitled "The MTR Question," published in the March 24, 1968, issue of the Idaho Falls Post-Register, provides an apt and lucid discussion of this problem. I ask unanimous consent that this stimulating commentary be reprinted in the Extensions of Remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE MTR QUESTION

The Idaho Nuclear Energy Commission demonstrated its inestimable value this week as it confronted the possible phase-out of the Materials Testing Reactor at the National Reactor Testing Station.

The commission has recommended to the AEC that it re-assess a projected phase-out of the MTR in the light of its value as an educational and training tool and because such a phase-out could seriously deplete the vital scientific corps at the Idaho station.

The Idaho Operations Office of the AEC had been looking at the possible eventual phase-out of the MTR, especially after the big new Advanced Test Reactor hoved into preliminary operation.

Characteristically, the Idaho AEC office had said nothing about any phase-out of the original test reactor at the Idaho site. It was apparently felt that it was too early to say anything because if such a phase-out did occur, it would not be until calendar 1969 or 1970.

But the point should be made that scientific personnel at the station were undoubtedly restive after the big new Advanced Test Reactor neared completion and after reports about the questionable future of the MTR became intensified. This newspaper had to learn about the fact that the AEC was considering an eventual phase-out of the MTR from such reports. And, although requested to do so, the AEC still has not confirmed that it was considering an MTR phase-out—but considering it the AEC was.

Originally, the AEC was tentatively projecting MTR operation past the 1970 fiscal year, but tight research funding policies as a result of the Vietnam war, have influenced the AEC to consider a 1970 fiscal year phase-out of the MTR.

The 1970 fiscal year begins a year from this July . . . and this means that MTR scientists, many of them pure researchers who may feel they have to get back into university work, have to begin thinking about new employment. It takes this sort of lead time, for example, for scientists to identify with a university faculty.

But to this date, the AEC has said nothing about its obvious discussions of the MTR—and in face of a specific request to do so, and in the face of a study by the state nuclear energy commission on the projected phase-out of the MTR.

This is not the kind of information that the AEC, in Idaho or in Washington, D.C., should hold to its bosom, but it is the kind of information which the AEC has traditionally kept secret in Idaho until a decision is all packaged up by the AEC in Washington, D.C. It is then presented as a sad-but-true ipso facto. If Idahoans will recall past cancellations at the Idaho site, they will remember that practically all of them have been with decision-in-hand before the area, the state or anyone else has had an opportunity to assess whether the decision is in the best interest of state and nation and whether alternatives have been thoroughly explored.

In its MTR evaluation, the state nuclear commission is saying, "Let's look at this with more penetration, because it could have serious debilitating impact on research in this area as well as the economy."

But what the commission is in effect saying, and which is almost as important for the future of the Idaho station is this:

You should let the off-site research community, the state and the area in on the process of decision—not just the decision itself.

The AEC has to make the decision itself. And it must be remembered that it is only considering the phase-out in what it feels is the best interest of the taxpayers as well as research. It costs money to operate the MTR, around $1.5 million a year, and if future usefulness is in question, a phase-out exploration is in order. But it will arrive at a more effective and comfortable decision, if it discards its manifesto approach of the past and consults openly and candidly with responsible Idaho leaders . . . and announces the obvious when it is considering any major changes at the site.

It is always true that the people to be affected at the site are aware that "something is in the wind" anyhow and consequently are made more unsettled and unstable by being rumor-victims. Information-by-leak is as unsavory as it is ineffective.

One of the alternatives, incidentally, as a new operator of the MTR is a complex of regional universities. This would be a new grouping of regional universities with nuclear research interests or a program advanced by the Associated Western Universities throughout the Rocky Mountain area. The universities, frankly, have not come forth with the kind of money needed to perform meaningful research and training at the Idaho station.

Will the prospective demise of the MTR, and its valued research potential, stir the universities to put money where their professions have been? It is amazing what duress can do—as Hanford, Wash., has amply demonstrated. But we need to buy more lead time on the question, regardless.

The AEC and Idaho simply cannot afford to lose the scientific elite represented in the MTR's staff. The value of the Idaho station is not just facilities. It is more the indispensable scientists who have associated with it. The Idaho station is so measured. One of the most important missions facing the AEC and Idaho is to determine what can be fruitfully done with the MTR.

Phaseouts are an occasional loadstone for any research program. Opposing them unrealistically is fruitless and money-wasting. But relating them to new opportunities, or merely easing the impact, is the mission of both the AEC and the region it serves.

The President: His Finest Hour

HON. GEORGE M. RHODES

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1968

Mr. RHODES of Pennsylvania. Mr. Speaker, a fitting and deserving tribute has been paid to President Johnson in an editorial in the Reading Times of April 2. I share the sentiments expressed in that excellent editorial.

It seems to me that President Johnson made an historic and courageous address, meaning every word when he told of his desire for unity, stability, and progress at home and peace in Southeast Asia and around the world. In that historic message to the Nation and to the world, President Johnson placed his country, its security and welfare ahead of his personal and political career.

To most people the President's decision came as a big surprise. But those who have been close to him felt that he was heavily burdened with problems that seemed insoluble. It was evident that he was deeply disturbed by disunity at home and saddened by the loss of American boys in Vietnam. Like many of my colleagues in Congress, I felt that no one could be more interested in a peaceful solution of that war than President Johnson.

With permission of the House, Mr. Speaker, I include the Times editorial which follows:

THE PRESIDENT—HIS FINEST HOUR

President Lyndon Baines Johnson, a proud Texan, never stood so proud and so tall an American as he did Sunday night.

He has shown that peace is his prime goal.

He did it with these words:

". . . I shall not seek and I will not accept the nomination of my party for President of the United States."

We have criticized the President's administration before and we'll do it again if we feel it is necessary. But we have never doubted the President's integrity or his courage—and we are not in the habit of using those words loosely.

The bombshell that President Johnson delivered at the very end of an address on the Vietnam conflict, stunned the political world.

Before that, he had announced a unilateral deescalation of the war in Vietnam, once again putting the onus on the Communists regarding taking the war to the conference table.

Now the Reds must reassess their position, for in withdrawing from the Presidential race, the President has removed personalities from the war issue.

It is true, of course, that some believe this may be political gimmickery on the President's part—that he hopes a ground swell of public opinion will make him reverse his decision.

But at this point, we must take his words at their face value, and at their face value, they are unequivocal.

Also, what the President has done has shifted the political campaign from a personal basis to the level of issues, particularly the Vietnam war. Suddenly, Sens. Eugene J. McCarthy and Robert F. Kennedy and former Vice President Richard M. Nixon have an issue to debate, not a personality to attack, and that is healthy.

The President has been faced with the increase of crime in the streets, civil-rights demonstrations, the gold drain, and, overshadowing them all, Vietnam. He has lived and slept with these problems. He has walked alone, so terribly alone, for the Presidency is, indeed, an awesome office. It is where the buck stops.

And, while demonstrators burned flags and draft cards and carried obscene signs vilifying him outside the White House, the President was pondering another agonizing decision in recent months—one that conceivably could cause history some day to drape the mantle of greatness about his tired shoulders.

President Johnson is a wealthy man. He can retire to his Texas ranch and live a comfortable life, away from the stress and strain of public life.

But President Johnson has said he is a public servant. He has served the American people for 37 years—as a congressman, senator, vice president and President, assuming the Presidency under the most difficult and tragic of circumstances, the assassination of a very popular President, the late John F. Kennedy.

The President has thrown down the gauntlet to the Communists by de-escalating the war and removing himself from a second term, thus leaving it up to the Reds to re-evaluate their position. If they fail to accept the President's offer, considering his electrifying decision not to seek reelection, then they stand indicted as being the wanton aggressors they are.

In a momentous decision, in a few words, the President has put all personal ambition aside to devote his energies toward working for peace, despite the personal cost.

If that peace comes, it will be his biggest monument.

Restoration of Pre-Revolutionary War Fort by New Hampshire Federation of Women's Clubs

HON. THOMAS J. McINTYRE

OF NEW HAMPSHIRE

IN THE SENATE OF THE UNITED STATES

Wednesday, April 3, 1968

Mr. McINTYRE. Mr. President, so much attention these days is paid to the conflict in Vietnam and to the gallantry and devotion of the men who fight there, that we sometimes forget feats of heroism and devotion that are parts of our heritage. Such an event occurred in New

Hampshire on April 7, 1747, when young Capt. Phinneas Stevens and 30 farmer-soldiers defended a small log fort from an attack by 700 Indians under command of the French.

The members of the New Hampshire Federation of Women's Clubs are raising funds to restore the fort to its original form. The entire story is told in a release from the New Hampshire Division of Economic Development. I ask unanimous consent that it be printed in the Extensions of Remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FEDERATED WOMEN'S CLUBS STAGE MAJOR DRIVE FOR OLD FORT NO. 4 PROJECT

CHARLESTOWN, N.H.—Two centuries, two decades and one year ago this coming (April 7) Sunday, a horde of 700 Indians, under command of the French, started a siege to wipe a tiny settlement here off the face of the earth.

It didn't bear the name of Charlestown then; rather the crude settlement, in the wilderness of that era, was designated simply as Number Four.

On April 7, 1747, the fears of youthful Capt. Phineas Stevens and 30 farmer-soldier defenders of the sturdy little log bastion, saw their fears realized as a horde of 700 Indians, under command of the French, launched a surprise, ferocious attack.

For three days and horror-filled nights, balls from muskets and arrows thudded into the stockade, its primary building, the Great Hall, and, to such of the 13 cabins as were exposed. The grass on the cutover land around the Fort and the logs were tinder dry from the warm spring breezes and a possible fire storm was as great a threat to the bastion as the enemy, unaware she was so thinly defended, ready to storm over or through a gap in the stockade in human waves.

Well water and bucket brigades saved the Fort from destruction by fire and, since the military "intelligence" of the foe was possibly non-existent, an attempt to overrun the bastion with sheer numbers was apparently never mounted. On the fourth day of the siege, licking his wounds, the enemy retreated quietly upriver—mission unaccomplished.

Had Captain Stevens, his 30 co-defenders, and the Fort at No. 4 itself failed, almost certainly the larger settlements to the south would have been subjected to grave peril. As for No. 4, it never again was assaulted in anything like comparable strength.

On the April 7–10 anniversary dates this year of the great 1747 battle, in fact one day early because the 7th falls on a Sunday, a host of members of the N.H. Federation of Women's Clubs will figuratively put on their war bonnets in a tag-days, money-raising bee on behalf of the major fund raising campaign they launched a year ago. Their campaign officially ends in mid-May when they have their annual meeting.

The principal exact replica structures already completed at the site here are the Great Hall with its watch tower, the Captain Stevens cabin and the 700-log stockade. A neighboring building houses artifacts and serves as an administration center. The project is open to the public, at modest fees, during the tourist season.

Ninety-year-old Mrs. Eva Speare, Plymouth historian, is the backbone and guiding light of the money raising effort. Her sights had been set pretty high but in any event the clubwomen are expected to come up with sufficient funds to erect at least two cabins and, Mrs. Speare said, are "hopeful we will find other means to do three more."

Should this goal be attained, it would be "all downhill" insofar as the remainder of the reconstruction program is concerned according to Donald Galbraith, President of the Old Fort No. 4 Associates, and his fellow Directors. Some of them have been living for a couple of decades with the dream that an exact replica of No. 4 might some day arise as an eternal memorial to Captain Stevens and his fellows; and a most worthwhile contribution to the rich heritage of this particular stretch of Connecticut River valleyland.

Distinguished patriots of Colonial days, who well knew and appreciated the strength of the bastion's walls, included Major Robert Rogers and Gen. John Stark. The original fort long since disappeared. Fine colonial houses and lush green lawns in the village of Charlestown proper grace the land on which it once stood. The new site meadowland runs down to the waters of the historic Connecticut River.

Noted Minnesota Educator To Assume New Job

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1968

Mr. NELSEN. Mr. Speaker, Dr. Edgar M. Carlson has been a tremendous asset to Gustavus Adolphus College in St. Peter, Minn. As its dedicated and resourceful president for many years, he has soundly advanced the college and in the process has acquired an outstanding reputation in the field of higher education. Dr. Carlson has recently announced his resignation in order to assume the position of executive director of the Minnesota Private College Council.

Those of us who have had the privilege of knowing Dr. Carlson greet news of his departure from St. Peter with real regret, but take great pride in the new responsibilities he will assume for the private colleges in Minnesota.

I include for the RECORD at this point, an editorial concerning Dr. Carlson which appeared March 30 in the Mankato, Minn., Free Press:

DR. CARLSON'S DECISION

The resignation of Dr. Edgar M. Carlson as president of Gustavus Adolphus College was presented to the board of trustees on Thursday. It was announced publicly Friday.

Dr. Carlson's decision was perhaps one of the best kept secrets in Minnesota higher education circles.

Few if any of the immediate members of his staff, board members and confidants privy to his innermost thoughts were aware of his pending resignation.

Not that Dr. Carlson employed secrecy in carrying out the manifold duties of his office for 24 years.

The tactic to the contrary is a testimonial of sorts to a man of quiet dynamism that he should reach what must have been a soul-searching decision in a manner so in keeping with his unassuming personality.

The noted educator-theologian will be leaving his post no later than Sept. 1 to fill the position of executive director of the Minnesota Private College Council. He will be charged with providing leadership and administrative services for the common interests and activities of the member colleges.

In short, Dr. Carlson will be emphasizing cooperation and teamwork.

This should not be a difficult assignment for Dr. Carlson, who in his nearly quarter of a century presidential service to Gustavus has made teamplay a focal point in the college's impressive academic, physical and enrollment gains.

Dr. Carlson's contributions can be measured in terms of thousands upon thousands of students . . . hundreds of faculty members . . . and millions of dollars spent in brick and mortar and the ingredients for a progressive, expanding curriculum.

They can be measured, too, by his honors and citations which number into the dozens—in this country and abroad. His books and published articles are read the world over. The Count Folke Bernadotte and Alfred Nobel memorial programs which he helped develop have had scholarly recognition and acclaim.

It is a rare and heady privilege to return as president of an institution from which one was graduated. It is not surprising that Dr. Carlson chose to interpret this call as an obligation more than an honor.

At 59, with a lifetime of dedicated service to man behind him and many productive years still ahead, Dr. Carlson gratefully is not so much changing his course as he is merely adjusting his sails.

Statement by Senator Strom Thurmond, Republican of South Carolina, on Senate Floor Regarding Concurrent Resolution S. 827 of the General Assembly of South Carolina—April 3, 1968

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Wednesday, April 3, 1968

Mr. THURMOND. Mr. President, the General Assembly of South Carolina adopted a concurrent resolution on March 27, 1968, requesting that the Justice Department make public its findings concerning recent events at Orangeburg, S.C.

The tragic events in Orangeburg concern all South Carolinians deeply. The citizens of South Carolina are anxious to know the answers to all questions concerning these events. The Federal Bureau of Investigation has been conducting an investigation into these incidents, and it is believed that the results of this inquiry could be informative. Accordingly, the general assembly, speaking for the citizens of South Carolina, has called upon the Attorney General and the Director of the Federal Bureau of Investigation to disclose their findings.

On behalf of the junior Senator from South Carolina [Mr. HOLLINGS] and myself, I ask unanimous consent that Senate Concurrent Resolution 827 of the General Assembly of South Carolina be printed in the Extensions of Remarks.

There being no objection, the concurrent resolution was ordered to be printed in the RECORD, as follows:

S. CON. RES. 827

Concurrent resolution requesting the Attorney General of the United States and the Director of the Federal Bureau of Investigation to immediately make public all available information relating to incidents of civil disobedience in and around the city of Orangeburg, South Carolina, during recent weeks

Whereas, numerous conflicting reports by the several news media have been made public relative to incidents of civil disobedience which occurred during recent weeks in and around the City of Orangeburg, South Carolina; and

Whereas, it is the sense of the General Assembly of the State of South Carolina that matters of such serious nature should be clarified immediately; and

Whereas, the General Assembly has been informed that these incidents have and are being investigated by the Federal Bureau of Investigation. Now, therefore,

Be it resolved by the Senate, the House of Representatives concurring:

That the Attorney General of the United States and the Director of the Federal Bureau of Investigation are respectfully requested to make available to the Governor, the General Assembly, and to the public of this State all information they have obtained relative to incidents of civil disobedience in and around the City of Orangeburg, South Carolina during recent weeks.

Be it further resolved that a copy of this resolution be immediately forwarded to the Attorney General of the United States, the Director of the Federal Bureau of Investigation, and to each member of the Congress representing the State of South Carolina.

Our Heartfelt Commendation to Kentucky's Salt Mine Firefighters

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1968

Mr. CARTER. Mr. Speaker, we still remember with grief in our hearts the tragedy that struck the families of the 21 miners who were asphyxiated after a fire destroyed the inside of a Cargill, Inc., salt mine located on Belle Isle, La., near the small village of Calumet.

I am sure the Nation shares the pride of Kentuckians in the fact that two mine-rescue teams from west Kentucky coal mines and a third team made up of U.S. Bureau of Mines personnel performed the rescue and recovery operation after the fire.

The coal-mining teams were sent by Island Creek Coal Co. and Pittsburg & Midway Coal Co. Eight UMWA members from three district 23 local unions participated in the arduous effort to rescue the 21 men. UMWA members who aided in the heroic attempt to save the lives of the 21 men were as follows:

From Local Union 1138, Pittsburg & Midway Coal Co., DeKoven No. 9 Mine: Jerry Simpson, team captain; Leslie Patterson; Tommy Steele; James Reynolds; and Welborn Vaughn.

From Local Union 1076, Fies Mine, Island Creek Coal Co.: Paul Lee and A. R. Blair.

From Local Union 7653, East Diamond Mine, Island Creek Coal Co.: Tom Dupree.

International President W. A. Boyle, who was deeply concerned about the fate of the 21 trapped men, sent the following letter to each member of the union who participated in the recovery operation, and district 22 President Louis Austin, in a verbal statement to the Journal, heaped praise upon the coal miners for their bravery in going to the aid of their fellow workers.

At this point, Mr. Speaker, I insert Mr. Boyle's letter and Mr. Austin's statement in the RECORD:

[From the United Mine Workers Journal, Mar. 15, 1968]

PRESIDENT BOYLE: "OUR HEARTFELT COMMENDATION"—KENTUCKY MINERS FOUGHT SALT MINE FIRE

"Vice President George J. Titler and Secretary-Treasurer John Owens join me in expressing our intense pride in the unselfishness and bravery displayed by you and our other members from District 23 who took part in the recent mine-rescue operation at the Cargill, Inc., salt mine near Morgan City, Louisiana.

"Your voluntary participation in this heroic effort epitomizes the selflessness and courage displayed by coal miners whenever a fellow miner may be in danger. Although the men you sought to aid had tragically perished, the fact that for several days in the face of constant peril you worked relentlessly and without sleep to reach them bespeaks an indomitable spirit in all of you which is typical of West Kentuckians and coal miners everywhere.

"Our entire membership shares our profound feeling of pride in your courageous and humanitarian work. With our heartfelt commendation and warm fraternal good wishes."

District 22 President Louis Austin, in a verbal statement to the Journal, praised the team members as "men who symbolize the historic concern coal miners have always had for their fellow workers."

Austin also said, "All of west Kentucky is proud of these brave men."

Many newspapers and radio and television stations across the United States joined in praising the mine rescue teams. Also joining in the adulation was the legislature of the state of Kentucky. It passed a resolution praising the teams and their bravery. Leading proponents were two House members from Western Kentucky, William Cox of Madisonville, and R. L. Richey of Bremen. In his speech in support of the resolution, Cox pointed out that a majority of the team members were members of the UMWA.

Supervisory personnel sent to Louisiana by the two companies included Pittsburg and Midway Coal Co. Safety Director William L. Meadows and Raymond W. Ashby, Safety Director, West Kentucky Division, Island Creek Coal Co. Others were Louis Henderson, assistant mine foreman at Island Creek's Fies Mine, Dilford Holmes, assistant mine foreman at Island Creek's East Diamond Mine, and Thomas E. Holeman, assistant mine foreman, P & M's DeKoven No. 9 Mine.

The mine rescue and recovery operation was under the supervision of the nation's top mine rescue expert, James Westfield, Assistant Director—Health and Safety, U.S. Bureau of Mines.

Bureau of Mines personnel who worked underground were U.S. Coal Mine Inspectors Clem Dovidas, Don Martin and Jim Harvey, and Safety Representatives Roy Capps, Louis Zaverl and Marlin Moore.

Working with Westfield above-ground were Harold Brown, Sub-District Manager for the U.S. Bureau of Mines at Dallas, Tex., Art Evans, a mining engineer in the Bureau's Dallas office, Walter Whittaker and Jim O'Connor.

Company personnel were coordinated by Cargill Vice President Clayton Tonnemaker. In speaking of the mine rescue teams, Tonnemaker said: "We can never repay these men for their courage and endurance."

The fire broke out early in the morning on March 6. Until March 8 hope was held that the 21 trapped miners would be found alive. But they were all found dead on that date after a two-and-a-half day search, apparently victims of suffocation. The dead were discovered on the sixth and seventh descents into the mine. The bodies were in two groups, 16 in one location and five in another.

The rescue and recovery operation was a laborious task described by Westfield as a "very difficult job." The rescue workers, all of whom were from the coal mining industry, had to make a special bucket to enter the mine which had only one vertical shaft. It took more than a half-hour to get into the mine and another half-hour to leave it on each recovery mission.

Westfield said that the major part of the support in the shaft had been burned out by the fire which necessitated the homemade bucket-elevator. The shaft itself was divided into two parts by a curtain wall. One side of the wall contained the return air passage and two hoisting skips. The other side carried intake air and one material skip and one man skip. All skips fell to the bottom of the shaft when their ropes burned through.

One fact that should be pointed out was the discovery by rescue workers of a diesel running, putting out carbon monoxide for more than two days after the fire started. This is one of many reasons the UMWA has historically opposed any introduction of diesel equipment into underground coal mines.

The non-union mine is located on Belle Isle, an island in the swampy bayou country of southeastern Louisiana. The nearest houses to Belle Isle are at a little hamlet called Calumet which does not appear on any map the Journal has access to. It is 13 miles from the mine. The closest city shown on the map to it is Morgan City, La., which sent its fire department to the mine when the fire was first reported.

The fact that the mine was on an island measurably increased the difficulty of the mine rescue workers. Westfield said the teams were usually transported to the mine by boat, but that at times helicopters and small airplanes were used.

Salt mines do not come under Federal regulation and until the Louisiana tragedy the industry's safety record had been good. According to U.S. Bureau of Mines records the last fatal salt mine fire—which took six lives—occurred in Louisiana in 1920.

However, the Bureau also revealed that the Belle Isle Mine had been inspected at the company's own request by A. M. Evans, mining engineer from the Bureau's Dallas office. His inspection was described by a Bureau spokesman as an "observation walkthrough." The Bureau had recommended to Cargill—recommendations without force of law—that the mine sink a second shaft as an escape route and for ventilation, and also to install various fire controls.

A spokesman for the company told the Journal that Evans had made 14 recommendations, 12 of which Cargill has already complied with. One of the others, which would have installed extensive fire control measures, had been budgeted for this year and the material already purchased. However, no actual work had been done nor had a second shaft been started.

Roof supports in salt mines and also shaft braces "have always been made of wood" because metal structures are quickly corroded by salt, according to a spokesman for Winston Brothers Co., the engineering concern that built many of the deep salt mines on the Louisiana coast including the Cargill Mine.

Westfield told the Journal that he would conduct an informal hearing into the causes of the disaster beginning March 19. Purpose would be to ascertain the cause of the fire and to write a report that would help the industry to prevent similar tragedies in the future.

Minnesota Leads in Number of Farmer Cooperatives and Number of Memberships

HON. WALTER F. MONDALE

OF MINNESOTA

IN THE SENATE OF THE UNITED STATES

Wednesday, April 3, 1968

Mr. MONDALE. Mr. President, a recent report from the Farmer Cooperative Service of the U.S. Department of Agriculture shows that my State of Minnesota is still leading all other States in the Nation in the number of farmer cooperatives and in number of memberships.

Co-ops headquartered in Minnesota are doing a total net business of more than $1 billion a year, which puts them second only to California in volume of business. That amount includes regional business by farmers in other States. Conversely, it does not include business which Minnesota farmers do with regional cooperatives headquartered in other States.

This billion-dollar figure is only one measure of cooperative activity in Minnesota.

Another measure is in terms of human endeavor. For these cooperatives represent the combined achievement of farmers working together through some 1,000 cooperatives to market their products, buy supplies, and provide other services for themselves.

All these co-ops have boards of directors which plan and guide operations of the cooperatives on behalf of the farmers they represent. These men are helping the farmer-member in Minnesota hold his own in a period of price squeeze which results from rising production costs.

Minnesota farmers have, however, made some inroads against the price squeeze. They, as the record shows, are the Nation's most active farmers in joining together to do all they can to improve their own conditions.

One cooperative provides a good example of the importance of farmer co-ops to the State's economy, Farmers Union Grain Terminal Association—GTA—headquartered at St. Paul. Its 1967 annual report points out that as a cooperative, GTA is owned—lock, stock, and barrel—by farmers. United this way, they say they stand ready to do grain business the world over—with brokers in Chicago and Cairo; with traders in Montreal and Tokyo; with shippers in New Orleans and Brussels; with mills in Buffalo and Minneapolis; with cooperatives in Rotterdam and Madrid.

This grain co-op owns over 200 line elevators across the United States, nine feed plants, and some of the Nation's largest and most efficient processing plants—including the largest soybean crushing plant, the largest flaxseed processing plant, and the largest malting barley plant. This growth in GTA's 30-year history stems from the continuing patronage of thousands of farmers.

About two-thirds of Minnesota's farm receipts are from sales of livestock and livestock products, and farmers market over $380 million worth of dairy products alone through their cooperatives.

All the dairy cooperatives supplying the Minneapolis-St. Paul market are jointly spending an estimated $315,000 this year to promote the sale of milk and dairy products in that market. This is a prime example of farmers joining together to exercise their own initiative in achieving results that no individual farmer could achieve on his own.

Among the dairy co-ops showing marked and continuing progress in Minnesota are Land O'Lakes in Minneapolis—a co-op whose sales increased $45 million in 1967—and the Twin City Milk Producers Association.

From the 50-year history of Twin City Milk Producers Association comes a story which parallels the struggles and progress of farmer cooperatives throughout Minnesota. This co-op has lived through disastrous prices, fought battles for clean and safe milk, and built plants to make profitable use of all milk left over after meeting needs for drinking. It helped the truck supersede the sleigh. In one sweep it installed farm tanks and abolished the milk can. It brought milk to consumers despite blizzards, droughts, floods, and tornadoes. Through their co-op, dairy farmers achieved better prices than they could ever have achieved as individuals.

With more than 1,000 farmer co-ops in Minnesota, I will not attempt to describe all the types of services they render—but I would be remiss in my account of co-op activities if I did not include farm supply services like those provided by Midland Cooperatives of Minneapolis and Farmers Union Central Exchange of St. Paul. The Central Exchange, for example, made available to members an additional benefit of more than $10 million, and the local co-op members also made added cash savings available to farmer members.

The cash receipts of Minnesota farmers reached $1.9 billion last year, and that kind of production takes a sizable amount of supplies and equipment. Minnesota farmers bought over $190 million worth through their own cooperatives.

The most impressive consideration in the billion-dollar farmer cooperative activity in Minnesota, however, is the dedicated drive of the several thousand farmers serving on co-op boards of directors. It is they who have earned our admiration for the service they are performing for their communities and their neighbors.

Appraisal of Current Trends in Business and Finance

HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1968

Mr. CURTIS. Mr. Speaker, an article in the Wall Street Journal of March 25 points out the rapidly growing rate of spending in the public sector. Last year Government expenditures were 22 percent of the gross national product, whereas in 1950 Government expenditures were 13 percent.

We should undoubtedly question the economic significance of this development and also ask ourselves when does the growth of the public sector impede growth in the private sector.

I ask unanimous consent that the March 25 article in the Wall Street Journal be placed in the RECORD at this point:

APPRAISAL OF CURRENT TRENDS IN BUSINESS AND FINANCE

(By John O'Riley)

Twenty-two of every hundred dollars spent in this country last year were spent by Federal, state or local government. As recently as 1950, the ratio was only thirteen out of every hundred. And thereby hangs a tale of momentous change in modern capitalist society. The public share of the spending grows larger, the private share relatively smaller. Some rejoice in the trend. Some lament it. The objective observer, leaving the "good or bad" debate to others, can hardly escape the conclusion that the outlook holds more of the same. Maybe a lot more.

Total government spending last year topped $176 billion. American readers, big-figure groggy, race across such numbers without pause. But a yardstick or two puts that $176 billion in perspective. It's nearly four times the $47 billion of 1967 net profit earned by all the nation's corporations combined. It's nearly eight times the $22.8 billion paid out in dividends. It's almost twelve times the $14.9 billion net income of all U.S. farms.

The table below relates government spending to spending of all kinds (gross national product), using 1929 for far-back perspective and picking up with 1950 for the post-World War II trend. Dollar figures in the first two columns are billions.

Year	GNP	Government spending	Government percent of GNP
1929	$103	$8.5	8
1950	284	37.9	13
1955	398	74.2	19
1960	503	99.6	20
1967	785	176.3	22

A big item in today's public outlays, of course, is defense spending. But, through hot and cold war, the nation has been spending heavily on defense since the start of World War II. A trend that persists through a third of a century is not transient. It's a way of life. It's not likely to go away soon.

Vietnam has bulged these outlays. And the passing of Vietnam would trim them. But the cost of that conflict is still the lesser part of a big picture. Defense spending budgeted at around $76 billion this year would still be some $52 billion—even without Vietnam.

Nobody knows when, if ever, the costly global defense apparatus can be appreciably pared. Nobody knows what unforeseen Vietnams are waiting in the yet unturned pages of tomorrow's chronicles. But realists don't bet heavily on escape from the military burden.

Thus there's the prospect that any expansion in non-defense public spending will be simply superimposed atop today's aggregate outlays. And, despite Vietnam, it is in this nonmilitary area that the money flow from public coffers has grown most in recent years.

Here's how defense spending and all public non-defense spending have increased since 1960, and since 1955, compared with growth in the overall economy (GNP) over the same years.

[In percent]

	Up since 1960	Up since 1955
Gross national product	56	97
Defense spending	61	88
Nondefense public spending	90	191

Much is happening at the local level. Public employes on state and local government payrolls have increased more than 50% just since 1960. That's more than three times the 14% increase in total civilian employment over the same period.

This is not to say these are make-work jobs. The people are doing things—teaching school kids, policing streets, collecting garbage, and so on. Their larger numbers reflect a larger demand for public services. But they have to be paid.

Nor is the growing number of these public employes the whole story. They are demanding fatter paychecks. And getting them. Strikes and threats of strikes by schoolteachers grow more commonplace all the time.

Organized effort to get more pay for public workers calls to mind the big gains scored by industrial workers in recent decades. Since industrial workers make things the public buys, and since government workers provide services the public must pay for through taxes, is there a valid comparison here? Can the public expect a comparable cost-impact on its pocketbook?

Not exactly. There is a difference. Much of the higher labor costs encountered by manufacturers has been counteracted by better plant machinery, more automation, more efficient production methods in general. Far more than is generally realized, prices on consumer goods have been held in check while individual worker paychecks have climbed. (Consumer durable goods prices today are only 6% above the level of ten years ago.) The potential for this brake on ultimate costs is almost wholly absent where service workers are concerned. If fatter public payroll costs lie ahead, as they evidently do, they will be passed largely intact to the ultimate payer—the taxpayer.

The more-public-spending outlook, of course, extends well beyond the mere prospect of more teachers and policemen. The nation's problem of what to do about the big city ghettos, and the people who inhabit them, is a massive one. Nobody knows just how it is to be solved. But one thing seems clear: Whatever the solution, there is going to be a lot of public money involved.

The rising river of public expenditure, of course, winds up in private hands. The great government spending contracts go to private firms—and their employes. People on government payrolls spend their money to buy goods and services supplied by private producers.

The maker of building materials, and the people on his payroll, get their money just the same whether his wares go into construction of a private building or a public one.

The auto dealer doesn't care whether his customer is a private office clerk or a public schoolteacher.

Still, things are not the same. Buying power starting out in an individual's hands can be spent either (1) as the individual chooses or (2) as society as a whole chooses—through taxes. And right now the pendulum swings toward choice-by-society. With public expenditure now 22% of the whole, will be future see it go to 25%? Or 30%? Or more?

Oil Imports

HON. WILLIAM PROXMIRE

OF WISCONSIN

IN THE SENATE OF THE UNITED STATES

Wednesday, April 3, 1968

Mr. PROXMIRE. Mr. President, I ask unanimous consent that an article from the Wichita Eagle be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Analysis: Proxmire Digs Into Imports

Washington.—A Wisconsin Democrat is bringing about much soul searching among domestic oil producers and processors who have always considered him as a traditional enemy of the industry.

According to one industry spokesman, Senator Proxmire has accomplished more in the interests of small domestic producers and refiners during the past two weeks than all of their own congressmen and various association officials have been able to dredge up in 10 years.

In blowing the whistle on the Standard Oil Co. (Ind.) petrochemical import allocation, Proxmire neatly excised 7,000 barrels daily from the mounting oil import flood.

In the words of one independent refiner, he did this by simply "exposing an import allocation mess so big that there is nothing left to do but start over again."

Proxmire has put out the word that he isn't through wtih the oil import problem.

"We have a hunch that a lot of inputs that were allowed as a basis for quotas last year and were disallowed this year, shouldn't have been allowed in the first place," a Proxmire staff man said.

He said that Proxmire would insist upon a revisal of the 1967-68 quotas, if this turns out to be true. It is thought possible that the General Accounting Office may make field checks to see if input figures certified on import applications are correct.

Secretary Udall, who revoked the Standard petrochemical quota on the basis of being "late," defended the Interior Oil Import Administration with the plea that the staff was not large enough to verify plant inputs claimed.

Proxmire agreed with this and told Udall he would press to have the current request for more funds approved.

Meanwhile, Proxmire's office has become an unofficial clearing house for complaints about the allocation system.

Proxmire's digging, industry observers say, has had the effect of cutting through political lines and putting each importing company and industry segment on record according to its private interest.

Since Proxmire has the label of a Democrat and a liberal, this has proved embarrassing to some who are beneficiaries of his spirited probe into the interior of Secretary Udall.

The reaction of independent producers cannot be gauged by the response of their associations. Their officials are silent in the face of an achievement in which they had no share. Individually, the producers are wishing more power to their erstwhile detractor.

Inland refiners, whose political affiliations are more astute, are said to be heartily in favor of Proxmire's exposure of the OIA's allocation hodgepodge.

They are joined by similarly aligned majors and some petrochemical companies who have failed to get allocations because they interpreted the rules literally or who, not expecting allocations, are nonetheless miffed to see rivals get them in a manner they believe unfair.

No one is under the illusion that Proxmire is "for" any particular segment of the oil industry as such, but as a perennial champion of small business he now stands squarely across the path of the large oil and petrochemical companies that have stretched the import program to a breaking point.

Need for Fiscal Action

HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1968

Mr. CURTIS. Mr. Speaker, the March issue of the Morgan Guaranty Survey questions the willingness of the United States to manage its economic and financial affairs prudently.

The article begins by pointing out that some stabilizing factors have entered the international financial equation in the past month. The termination of the gold pool's selling to private interests means that official gold reserves will not fall below present levels. And, the new British budget of March 19 shows that the British Government recognizes the severity of its problems and is moving vigorously to damp demand and to achieve a balance-of-payments surplus.

But there is no like assurance in the United States. The continued inaction on responsible fiscal action could lead to another boilup of unrest that could end disastrously. In the absence of fiscal action, monetary policy has had to move toward restraint. The discount rate has been increased twice in the past 4 months, reserve requirements have been increased and the reserve position of the banking system has moved from net free reserves to a net borrowed position.

Although the Federal Reserve is moving in the right direction, it is straining itself to a breaking point and even this is insufficient by a large degree in getting the job done. This article points out the need for responsible fiscal action by the Federal Government:

Business and Financial Conditions

The hectic events of the past month appear to have left most people with a healthy appreciation that caution in judgment and analysis has never been more appropriate. Basic conditions are still far from settled, and it may well be a long while before a true reading can be taken on the shocks and tremors that have reverberated through world financial markets or on the policy responses they have evoked. This is not to deny the emergence from the tumult and near chaos of some important pluses—highlighted by the very dramatic fiscal tightening which the British effected on March 19 and by the decision of the gold-pool nations to abandon their costly operations in feeding private gold appetites. But these pluses must be set against a number of significant residual uncertainties, of which the most important by far is the continuing issue of whether the government of the United States is really going to muster the will to manage this country's economic and financial affairs prudently.

In retrospect, perhaps the most remarkable thing about the gold-pool operations is that they ever were undertaken in the first place and that once begun they lasted so long. Trying to peg the price of gold in private markets—thus freeing speculators from capital risk—has always been a doubtful business, as noted, for instance, in the November 1960 and December 1960 issues of this publication. Some gold-pool members themselves had serious reservations about what they were doing almost from the very beginning. The Bank of Italy, for example, in its 1962 annual report observed that "it is an astonishingly illogical situation if, on the one hand, the central banks of the Federal Reserve System in particular do the best they can to limit conversions of dollars into gold, and if, on the other hand, their direct or indirect operations on the London gold market give practically limitless satisfaction to all the so-called nonlegitimate demand for gold."

The termination of the gold-pool arrangements is thus anything but a mere stratagem. Rather, it ends what clearly should be regarded as an aberration in gold policy and restores "free" markets to the unrigged status they held from the end of World War II until late 1961.

Since the former gold-pool nations [1] have agreed that they will not sell gold to other monetary authorities in any instance where a would-be buyer is known to be a participant in private markets, and since no monetary authority will have much financial incentive to sell gold to private parties if the amount sold cannot be replenished, the new arrangements—as is their objective—should assure that the amount of gold held collectively in official stocks will not fall below present levels. This assumes no significant volume of surreptitious sales, but this would seem a reasonable assumption if for no other reason than the fact that IMF members are under obligation to submit reports regularly on the composition of their reserves. With a conservation of present monetary gold stocks (in place of the pattern of significant erosion that has been in progress), the danger will sharply diminish that international liquidity will be inadequate at any time from now until the Special Drawing Rights that were agreed to in principle at Rio de Janeiro last autumn become available as a supplementary form of reserves. Whether the amount of gold in official stocks will rise above present levels is not yet clear. The former gold-pool nations have indicated that "they no longer feel it necessary to buy gold from the market," and in effect the IMF has urged all members to stay out of private markets. The chief uncertainty in trying to judge whether official stocks are likely to increase relates to the policies of gold-producing nations. It is anticipated that at least some of them may choose to funnel their newly mined output into the private markets, and it may well be that these markets will have a continuing capacity to absorb all such gold at a price of $35 an ounce or higher. But even if that is so, the outcome would still be better from an official standpoint than it has been recently when private markets have absorbed not only current output but a good deal more.

This move in the direction of conserving existing stocks of officially held gold is thus extremely important. It is true that it does nothing in and of itself to change the fundamentals of international payments disequilibrium. But it does provide an improved environment for getting on with the business of attacking the basic causes of monetary disturbances, simply because it ends the tunneling that was in progress beneath the structure of the world monetary system.

THE ADDITIONAL NECESSITIES

With the end of the gold pool, the crucial question immediately became whether effective follow-through actions would be taken to shore up both the pound and the dollar, whose individual weaknesses have progressively tended to accent one another. In the case of the pound, the new British budget that was presented on March 19 speaks rather emphatically. It indicates that British authorities unmistakably have perceived the imperatives of the situation and are moving in the direction of an appropriate general policy stance. Although the expenditure side of the new budget is not as tight as it conceivably might have been, the degree of restraint imposed on the private sector of the economy (assuming realization of official estimates) is significantly larger than had commonly been anticipated. Coupled with the proposed stiffening of British incomes policy, the new budget conveys a sense of determination with regard to the avoidance of excessive demand and the achievement of balance-of-payments surplus.

But while the British budget appears to represent a very constructive contribution to the restoration of order in the international monetary system, there still can be no definite assurance that a comparable firming-up of U.S. policy will materialize. And the blunt truth is that if U.S. fiscal responsibility does not emerge soon, this country will be running the risk of another boil-up of unrest that could end disastrously. The United States and other countries must count themselves extremely lucky that so far trade and business activity have been largely untouched by monetary turmoil, but with the history of the painful chain of events of the 1930's available as an object lesson, it is nothing short of incredible that those in positions of responsibility and authority seem willing to chance an extension of this element of luck.

Admittedly, there are some hints that President Johnson's offer to accept cuts in previously requested appropriations by an amount that would pare $4 billion to $5 billion from fiscal 1969 spending may end the eight-month old impasse between the Administration and Congress over the proposed 10% surtax. But these signs are not tangible or specific enough as yet to justify an unqualified inference that higher taxes will in fact be voted soon in the full amount requested by the President. And, significantly, 10% more in personal and corporate taxes—even assuming $4 billion to $5 billion of expenditure retrenchment—is beginning to look less and less impressive, particularly in view of the virtual certainty that at least "moderate" additional increases will be made in U.S. troop strength in Viet Nam. Depending on how things develop over the next several months, a midyear reassessment could very well point to the necessity of still greater fiscal restraint than is now being considered. This is especially likely to be so if at that point statistical indicators of total economic activity are performing as strongly as they have been recently, if price pressures are still pronounced, and if aggregate unemployment remains as low as it now is.

Meanwhile, the shift of monetary policy toward restraint has become unmistakable. In less than a four-month interval, the discount rate has been increased twice, reserve requirements have been increased, and the reserve position of the banking system has moved from net free reserves in the $200-million range to net borrowed reserves of more than $300 million. These moves have been accompanied by a lessened rate of expansion in the whole family of measures of credit and money. As one example, the money supply expanded at an annual rate of less than 3½% from November through February, compared with a rate of increase of almost 8% in the preceding eight months. Reflecting these developments, short-term interest rates generally are approaching the levels that triggered the massive shift of funds out of savings institutions to market investment in 1966.

While one might have hoped for an even more dramatic shift to monetary stringency on purely balance-of-payments grounds—and some sharp criticism was in fact directed at the March 14 half-point discount-rate increase as too small—a strong case can be made in defense of what actually has been done. Monetary policy simply cannot move aggressively ahead of fiscal policy without running serious risks of self-defeat. The specific risk in the current environment, of course, is that a highly dramatic monetary move would generate perverse effects in domestic financial markets that would far outweigh any marginal contribution it might make to international confidence in the dollar. The really important thing is that Federal Reserve policy is now moving in an orderly and systematic way to the posture that seems appropriate in view of the array of problems the nation faces. Significantly, expressions of determination on the part of Federal Reserve officials to move farther and farther along the path they have started down are not met with the same skepticism in either U.S. or world markets that is applied to vocalizations of fiscal responsibility. Because of this, monetary tightening of the kind now occurring probably is almost as effective as more precipitate, more dramatic action would be.

Nebraska State Society Honors Arjay Miller

HON. ROMAN L. HRUSKA

OF NEBRASKA

IN THE SENATE OF THE UNITED STATES

Wednesday, April 3, 1968

Mr. HRUSKA. Mr. President, each year the Nebraska State Society of Washington awards its Distinguished Nebraskan Award to a native son who has made a lasting and significant contribution to our State and to the Nation by his leadership in his profession.

This year the society's board of governors, with Mr. Paul F. Wagner as its president, voted unanimously to present the award to Mr. Arjay Miller, vice chairman of the board of the Ford Motor Co.

It was my privilege to make the presentation on behalf of the Nebraska Society.

In his remarks of acceptance, Mr. Miller paid special tribute to his native State and its people:

> In meeting this problem and in meeting the many other national and international problems which I don't need to detail here in Washington where they all start from, pass through, on end up—it seems to me that Nebraskans have a great deal to offer. If Nebraskans have a special orientation toward success—and once again I refer to my listeners as Exhibit A—there must be some good reason.
>
> I think it is because Nebraska is a place where you can stay right side up in a world that is spinning so fast many of us are in danger of losing our sense of balance. Nebraska is a place that is still close enough to the soil that you can keep your feet on the ground. Those are the qualities that are urgently needed in these times, and if I know

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[1] Belgium, Germany, Italy, the Netherlands, Switzerland, the United Kingdom, and the United States.

my Nebraskans, their best efforts will be forthcoming.

Mr. President, I ask unanimous consent to have printed in the RECORD my remarks on behalf of the Nebraska State Society in presenting the 1968 Distinguished Nebraskan Award to Mr. Arjay Miller, together with his eloquent response.

There being no objection, the addresses were ordered to be printed in the RECORD, as follows:

PRESENTATION OF DISTINGUISHED NEBRASKAN AWARD BY SENATOR HRUSKA

Mine is an especially pleasant assignment tonight in presenting the Sixth Annual Distinguished Nebraskan Award to Mr. Arjay Miller.

The man we salute this evening is indeed a distinguished Nebraskan, fully qualified to join his predecessors who have earned this tribute of the Nebraska State Society.

While the Distinguished Nebraskan Award may lack the ivy-covered tradition of many years, its recipients have brought to it a luster that more than compensates for its lack of age.

It was my privilege to serve as a member of the Society's Board of Governors in 1962 or '63 when Jim Barrett was our president and it was he who first suggested the Distinguished Nebraskan Award.

Our first honoree was Clair Roddewig, the president of the Association of Western Railways. The following year we paid tribute to a great humanitarian, Archbishop Gerald Bergan of Omaha. In 1965, we saluted two Nebraskans who had made their mark in the field of athletics, Bob Devaney, the winningest coach in college football, and Bob Gibson, the ace pitcher of the St. Louis Cardinals. Then the honor went to a great American soldier, our own General Al Gruenther and last year, the Board voted its award to V. J. Skutt, the able and talented president of Mutual of Omaha.

Our general theme has been to alternate the awards between those Nebraskans who by their distinguished careers have brought honor to our state outside its borders and those whose success has come within Nebraska.

So it was that this year the Board canvassed the field of a number of Nebraskans who, by their achievements outside the state, best exemplified those qualities which Nebraskans so highly prize, self-reliance, the overcoming of early disadvantages, and a deep sense of responsibility toward a social system which makes success and accomplishment an attainable goal for all.

And the Board voted unanimously that this year's award should go to Arjay Miller.

As you know from reading his biography in your programs, Mr. Miller has been similarly honored many times, especially by the academic community, including, Chancellor Hardin, the University of Nebraska.

Mr. Miller, when Paul Wagner asked me to undertake the assignment of presenting this award to you tonight, he gave me a copy of your biography. And it was most helpful, although as a reader of *Time Magazine* and *Fortune* and the *Wall Street Journal*, I was, of course, already familiar with your splendid career.

But none of this material filled what I considered a gap in the information I needed and that gap concerned what kind of youngster you had been back in Shelby, Nebraska.

Well, it happened that my schedule called for me to be in Nebraska last weekend where I helped to dedicate an impressive new manufacturing plant in Neligh, and then went on up to O'Neill, the Irish capital of our state, to ride in the St. Patrick's Day parade. I don't mind telling you the Czechs in Wilber and Clarkson would have been mighty surprised to know that the sign on the side of my convertible identified me as Roman O'Hruska.

But while I was in Nebraska I made some inquiries about your life there before you left to attend college at the University of California at Los Angeles.

And what I found did not surprise me very much. Mr. Miller's family were farmers living two miles east of Shelby. Indeed, his brother, Ogal, still manages the family farms and every so often Mr. Miller takes a sentimental journey back to Polk County to visit the old home place.

The folks around Shelby remember him as a quiet, studious and very industrious young man who took his schoolwork very seriously. He was the valedictorian of his high school graduating class in 1932. His days as a youngster began as they do on any farm with early-morning chores and ended with homework at the kitchen table and early bedtime because the next day began again with those early morning chores.

I suppose that today's youngsters might find that kind of life a bit dull. Indeed, Mr. Miller, I understand that when you were in high school you didn't even have a Mustang!

Perhaps you have wondered about that name, "Arjay." It is a combination of his father's initials. He was the youngest of eight children of Rawley John and Mary Gertrude Miller.

He lived on the farm until he was seven, when his father retired and moved into Shelby. Arjay, however, retained an intimate acquaintance with agriculture by helping his brother who took over the farm and, as I mentioned, is still a Shelby resident, along with Arjay's niece, Mrs. Robert Rafert and a number of his cousins. His mother, now 90 years old and living in Los Angeles, still owns the farm.

As a result of my research, I can tell you that the people of Shelby are understandably proud of you, as all Nebraskans are. But I also discovered that you have to share their pride.

It was pointed out to me that out of a population of 700, the little town of Shelby has produced not only an Arjay Miller but a John Dunning, the world-renowned nuclear physicist and a Terence Duren, one of the country's outstanding artists, and a Sam Yorty, the mayor of Los Angeles.

After Arjay graduated from Shelby High School—with a 96.7 average and particular aptitudes for Latin, geometry and history—the family moved to Long Beach, California, where he enrolled at Long Beach Junior College and then went to the University of California at Los Angeles to study banking and finance. He graduated from UCLA in 1937 with highest honors and did some teaching there as a graduate student. Another teaching assistant at the campus was the former Frances Fearing, now Mrs. Arjay Miller.

Perhaps to compensate for their absence from the classroom, the Millers have chosen to make their home in an academic community. They live with their two children, Kenneth and Ann, in Ann Arbor, Michigan, about 37 miles from Ford headquarters in Dearborn and the seat of the University of Michigan.

If World War II hadn't interfered, Mr. Miller might have become a college professor. At the time, he was studying for a doctorate at the University of California at Berkeley and nearly had it made.

In the Army Air Force, he moved up from private to corporal, and then was tapped for officer candidate school. After getting his commission, he was enrolled in the Air Force's statistical school at Harvard, where he fell in with a group of young officers who were to have a revolutionary influence on the Army's air arm and—eventually—on Ford Motor Company.

When this group joined the Office of Statistical Control, the Air Force's right arm was unlikely to know what its left foot was doing. The group built up an office which made every useful fact about planes and their use available practically on demand.

When peace came, ten young officers in the group decided to band together and try to sell their skills as a package. They were sure the techniques they had developed for the Air Force would be valuable to business and, somewhat brashly, these so-called "whiz kids" sent a wire to Henry Ford II proposing to discuss with him a matter "of management importance."

Mr. Ford, who was of the same age group as the young officers, had recently taken over the reins of Ford Motor Company from his grandfather and was looking for talent to help him rebuild the company. He told the ten young officers to come to Dearborn and, after listening to their pitch, hired them as a package. It turned out to be a bargain for Ford, eventually providing the company with six vice presidents of whom two—Mr. Miller and former Defense Secretary Robert S. McNamara—also have served as president.

While Mr. Miller was still rising in the executive ranks of Ford, one of his colleagues is reported to have told a newcomer:

"If you ever get a chance to sit in on a bull session with Arjay, don't miss it. The way that guy is organized you can learn more from him in an hour about what makes Ford tick than you could get in a month of research anywhere else."

A few years later, Henry Ford II had this to say about the Nebraskan who had by then become president of the Company:

"Arjay Miller knows more about more things than almost any man I know. He is insatiably curious about anything that catches his interest, and that is likely to be anything at all. When he digs into a new problem, he doesn't stop until he knows as much about it as the people whose specialty it is."

With this grasp of business and any social or economic condition that affects it, Mr. Miller now is vice chairman of the Board at Ford Motor Company, the world's second largest industrial corporation, and a leading spokesman for the industrial community.

Mr. Miller, it gives me great pleasure, on behalf of the Nebraska Society of Washington to present to you this plaque, symbolic of your selection as the recipient of the Sixth Annual Distinguished Nebraskan Award.

With it goes my congratulations and those of all of us here. You do us great honor by coming here tonight to accept.

REMARKS OF ARJAY MILLER, NEBRASKA SOCIETY BANQUET, WASHINGTON, D.C., MARCH 20, 1968

Thank you, Senator Hruska. I appreciate your kind remarks and the high honor the Nebraska Society has accorded me.

Actually, this award puts me on something of a spot—but let me add quickly that it is the most pleasant spot this side of Nebraska. My problem is in accepting such a heady tribute with the modesty and the unassuming air that is characteristic of a true Cornhusker. If my personal pride shows through too clearly, perhaps it is because I have been away from Nebraska's wholesome influence for awhile . . . or perhaps it is simply because *I am* very proud to be selected as a Distinguished Nebraskan.

I have only to look around this room to appreciate what a standard of recognition your award represents. At the same time, however, the excellent company I am keeping tonight is a very healthy thing for that modesty of mine which you have placed in such jeopardy. I can see how far I am from being the *Most* Distinguished Nebraskan.

Grateful as I am to this group, I am even more grateful to that other and larger Nebraskan society in which I spent my boyhood around Shelby. As I have said on other occasions, I believe growing up in a Nebraska farming community has been of immeasurable value to me in my business career. For one thing, it gave me an early and lasting appreciation of the free enterprise system. To a farm boy, there is nothing theoretical about simple economic principles like the direct relationship between effort and reward, or supply and market prices. He doesn't need an economist to teach him that productivity is the source of all wealth.

I don't mean to preach the virtues of the simple life. In Nebraska as elsewhere, life today must be lived within a framework of increasing industrialization, urbanization, sophistication and complexity. But what I do say is that the advantages most of us receive from a Nebraska background come so naturally that we often take them for granted. We may not appreciate what an edge we have been given until we begin to delve into the problems of people who have been thrust into less favorable environments—those restive millions who, through prejudice, lack of opportunity, lack of encouragement or their own lack of work skills, have never known anything but poverty. We shouldn't be surprised if their view of the world seems upside-down to us.

As you may know, at Ford's operations in the Detroit area, we are engaged in an experiment aimed at putting several thousand of these people on their feet. We have sent recruiters into the hard-core unemployment areas of Detroit's inner city—the scene of last summer's holocaust—to hire workers on the spot with a minimum of red tape. We have suspended the written tests we used to require all applicants to take and criminal records are not necessarily grounds for rejection. Essentially, all we are interested in is whether the applicants are willing and physically able to do the jobs we have available.

We started this program last October 30 when the strike was drawing to a close and we were anticipating a large number of unskilled job openings in our plants, largely as the result of workers finding jobs elsewhere during the long shutdown. The first interesting development was that the morning after the announcement of the program, our job centers were swamped with applicants—people who wanted to work but had been either too discouraged or too awed to apply through our normal employment channels and run the course of our normal employment procedures.

As of late February, we had interviewed more than 4,000 of these inner city residents and hired nearly 3,000 of them. Interesting development Number Two is that we have had a higher retention rate among these former hard core unemployed than we have had among our other new employes hired through our plant employment offices during that same period. And the third interesting development is that the hardnosed foremen who supervise these "disadvantaged" persons report that they are, on the whole, good workers. To be more exact, of those workers who were still with us in February, more than a third were rated above average and less than a fifth below average.

This is still a young experiment, of course, and it is too early to attempt final judgments on its success. But the results so far are highly encouraging and would certainly seem to indicate that the hard-core unemployed are neither unemployable nor unemployed by personal preference. They just lack the advantages the rest of us have been fortunate enough to enjoy.

Although last fall's strike created an unusual job situation to which we could apply this program, the few thousand disadvantaged persons Ford can put to work are barely a drop in the bucket, of course. The National Alliance of Businessmen, which Henry Ford II is heading up, has an assigned target of placing 100,000 hard-core unemployed in productive jobs in business and industry by July 1969, and 500,000 by the summer of 1971. In addition, the Alliance is seeking to find 200,000 meaningful jobs for disadvantaged young people this summer.

Even those goals are dwarfed by the recommendations of the President's National Advisory Commission on Civil Disorders. As you will recall, its recent report saw the need for two million new jobs over the next three years, half in the public and half in the private sector.

Whatever figures we use, it is obvious that we—government, business and everyone else—have a huge and challenging task ahead if we are to obliterate poverty and I, for one, am convinced that this is the most basic of all our social problems, including the racial crisis with which poverty is so strongly interwoven.

In meeting this problem—and in meeting the many other national and international problems which I don't need to detail here in Washington where they all start from, pass through or end up at—it seems to me that Nebraskans have a great deal to offer. If Nebraskans have a special orientation toward success—and once again I refer to my listeners as Exhibit A—there must be some good reason.

I think it is because Nebraska is a place where you can stay right side up in a world that is spinning so fast many of us are in danger of losing our sense of balance. Nebraska is a place that is still close enough to the soil that you can keep your feet on the ground. Those are qualities that are urgently needed in this country in these times, and if I know my Nebraskans, their best efforts will be forthcoming.

Thank you again for a memorable evening.

Philadelphia Board of Rabbis Ask Presidential Action in Middle East

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1968

Mr. EILBERG. Mr. Speaker, the Middle East situation is of concern to all of us in the Congress as the cauldron of terrorism and counterattack boils ominously, threatening to throw off sparks which could cause world war III.

Similar to a number of my colleagues and a vast number of concerned Americans, I found the action taken in the United Nations recently disappointing to say the least and quite likely to contribute to continued tensions and incidents.

Inasmuch as this is a problem with which the Congress must deal, I would like to share with my colleagues the views of the Board of Rabbis of my native city of Philadelphia, expressed in a letter to the President of the United States. Therefore, at this point, I would like to insert in the RECORD the following letter:

MARCH 26, 1968.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: We, the Board of Rabbis of Greater Philadelphia, comprising the religious leaders of this community of 330,000 Jews, express our grievous disappointment in the United Nations Security Council resolution which condemned the military action of Israel on the territory of Jordan and only "deplored all violent incidents in violation of the cease-fire" without even mentioning the key word "Arab."

To condemn the government of a nation which has acted out of the sheer necessity of self-defense, and only to slap the wrist of those who perpetrated murder on innocent civilians including children, is not an act of statesmanship or of justice. We fear it is not even a faltering step towards peace in the Middle East.

The resolution will not annul the moral responsibility of Israel to defend the lives of its citizens. Its condemnations of Israel will in fact encourage further terrorist attacks by El Fatah. If these assaults are repeated against a state and people which have declared time and again that they desire only peace with the Arabs, they must inevitably provoke from Israel further reprisals.

We are aware that the United States led in the effort to so word the resolution as to elicit unanimous support for it. But the price paid for unanimity may well have been too high and the results for peace may be nil or only minimal. The difference in emphasis between the "condemnation" of Israel on the one hand, and the mere "deploring" of anonymous terrorist acts of violence on the other, will not be lost upon the Arab states and the murderous gangs they unashamedly aid and abet.

Knowing full well the encouragement given to Israel by every administration of our country in the past, and recognizing your own administration's declared policy in support of Israel's integrity, we must still declare with sadness that those peoples which seek peace with justice, and especially those small nations like Israel which have a right to life, liberty and a chance for happiness, will find little that is constructive in the Security Council's Resolution. Evidence of this fact is the gravity, if not gloom, it has created among the democratic states, and the elation and gratification which it has aroused among Soviet Russia and its satellites in the Middle-East.

We would hope that our country, even if alone, would raise her voice in horror against the outrages of the Arab terrorists. For the first step to peace in the Middle East is the cessation of these outrages and world opinion should be galvanized and directed to this end.

It is our conviction that all people of goodwill in our country share these opinions. They are proffered in the tradition of American freedom of expression, and in the endeavor to influence for righteousness and peace, the awesome power and responsibility which God has placed in your hands.

Be assured, Mr. President, of our prayers that the Almighty guide you and your advisors in your pursuit of peace throughout the world.

Respectfully yours,
Rabbi HAROLD B. WAINTRUP,
President.
Rabbi REUBEN J. MAGIL,
Chairman, World Jewish Affairs Committee.

Study of Selective Service Act of 1967 by Legislative Reference Service, Library of Congress

HON. JOHN G. TOWER

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Wednesday, April 3, 1968

Mr. TOWER. Mr. President, the Legislative Reference Service of the Library of Congress has prepared in its usual efficient and objective fashion a thorough study of the Selective Service Act of 1967 detailing the act's basic provisions and implementation.

As a member of the Committee on Armed Services, which worked for many months on the basic legislation, and as one who travels throughout the Nation speaking particularly to student audiences, I am acutely aware of the desire of many Americans to have available a thoughtful but thorough analysis of draft provisions. I know, too, that this is a national student debate topic.

Therefore, I ask unanimous consent that the full LRS study, prepared by Mr. Albert C. Stillson, analyst in national defense of the LRS's Foreign Affairs Division, with the assistance of other LRS staffers, be printed in the Extensions of Remarks, so that it can be made widely available.

There being no objection, the study was ordered to be printed in the RECORD, as follows:

THE MILITARY SELECTIVE SERVICE ACT OF 1967: ITS BASIC PROVISIONS AND IMPLEMENTATION, BY EXECUTIVE ORDER NO. 11360

(By Albert C. Stillson)

Part I of this report incorporates, with certain editorial changes, an earlier (June 28, 1967) Legislative Reference Service study, "The Military Selective Service Act of 1967: An Outline of its Provisions."

Part II indicates those changes in the Selective Service Regulations that were effected through Executive Order 11360. This order was issued by the President on June 30, 1967, the same day that the Military Selective Service Act of 1967 was signed into law. U.S. Selective Service Regulations appear in the *Code of Federal Regulations;* in the January 1, 1967, revision of the Code they ran to over 100 pages. Given the extent of the Selective Service Regulations and the fact that amendments of them effected after January 1, 1967, will be reflected in the 1968 revision of the Code, our purpose in Part II is not to duplicate the 1968 revision of Chapter XVI (Selective Service System) of Title 32 (National Defense) of the *Code of Federal Regulations*, but simply to provide a convenient way of gauging the initial impact of the Military Selective Service Act of 1967 on the Selective Service Regulations.

Thus defined, our purpose in Part II does not include (except as noted below) an indication of the several amendments to the Selective Service Regulations made in 1967 other than by Executive Order 11360. Up-to-date information concerning these Regulations can be obtained from Government documents (such as the Regulations themselves and Local Board Memoranda) that are on sale by the Superintendent of Public Documents (U.S. Government Printing Office, Washington, D.C. 20402) or that may be consulted in Government Depository Libraries as well as in many other libraries located throughout the United States. The *Monthly Catalog, U.S. Government Publications*, which cites and prices Government documents sold by the Superintendent of Documents and which carries from time to time a "List of Depository Libraries," circulates widely to all types of libraries in the United States.

PART I—THE MILITARY SELECTIVE SERVICE ACT OF 1967

A. Introduction

On June 20, 1967, Congress passed the Military Selective Service Act of 1967 and sent the legislation to the President, who signed it on June 30, 1967 (P.L. 90–4, 90th Congress). The basic purpose of this legislation (Senate bill 1432) was to extend and amend the draft act (the Universal Military Training and Service Act) and related laws (such as the Dependents Assistance Act of 1950). The background of the Universal Military Training and Service Act and the major features of the selective service system established under it have been summarized as follows by the Senate and House Armed Services Committees:

1. Legislative History of the Universal Military Training and Service Act

Public Law 51 of the 82d Congress, which amended the Selective Service Act of 1948 and changed its name to the Universal Military Training and Service Act, was enacted on June 19, 1951. Approved during the Korean war, this act was intended to raise immediately the manpower necessary to build and maintain an armed force of the size determined by the Joint Chiefs of Staff to be our minimum security requirement and to provide for the maintenance of an adequate force of trained Reserves for the future security of the United States. Under section 17(c) of the act, no person is to be inducted after July 1, 1967, except deferred persons whose liability continues after this date.

The Selective Service Act of 1948 was approved after the President reported that the Armed Forces had been unable by voluntary recruitment to maintain the active-duty strength required by a deterioration in the international situation. Despite extensive recruiting efforts, the Armed Forces at that time numbered 1,384,000—considerably below the desired strength of slightly more than 2 million, but still the largest voluntary force in the history of the Nation. In the first 6 months after enactment of the 1948 act the Armed Forces recruited 200,000 more men than were recruited in a similar period before the act was approved. Because of this stimulating effect on enlistments only 30,129 men had to be inducted between enactment and June 30, 1950.

2. Major Features of the Old Draft Law

Training and service.—In brief, the Universal Military Training and Service Act provides that all male persons in the United States must register with their local boards at age 18; that those between the ages of 18½ and 26 are liable for training and service in the Armed Forces; that they may not be rejected for physical or mental reasons if they meet minimum standards (the President may modify these standards except in time of war or national emergency declared by the Congress); that each person inducted shall be given full and adequate military training for no less than 4 months; and that no inductee shall be assigned to duty outside the United States, its territories, and possessions until he has the equivalent of at least 4 months of basic training. The period of service for persons inducted is 24 months except that the Secretary of Defense has authority to provide for their earlier discharge or transfer to the Reserve. A registrant may enlist in the Regular Army for 2 years instead of being inducted and within quotas established for their local boards registrants between the ages of 18 and 26 may volunteer for induction. (A person over the age of 17 may volunteer for induction with the written consent of his parent or guardian.) Section 651(a) of title 10, United States Code, the provisions of which were formerly contained in the Universal Military Training and Service Act, requires that persons entering the Armed Forces after August 9, 1955, must serve on active duty and in a Reserve component for 6 years.

Deferments and exemptions.—Deferments may be authorized by the President for persons in any category of industry, agriculture, or other employment, or whose activity in study, research, medical, dental, scientific, and some additional endeavors is found to be "necessary to the maintenance of the national health, safety, or interest." The President cannot, however, defer all persons in any particular category; deferments must be made on the basis of individual status. A deferred person remains liable for induction until he is 35 years old.

Deferments are also authorized for persons with children or with dependents (other than wives alone, except in cases of extreme hardship), for college students to permit them to complete an academic year when they have been ordered to report for induction during that year, and for high school students until their graduation, reaching age 20, or until they stop satisfactory study, whichever first occurs. Certain Federal and State officials may be deferred, as well as persons who join National Guard units before reaching the age of 18½ if they continue to participate satisfactorily. Persons enrolled in the senior division of the ROTC program are also eligible for deferment.

Exemptions (as contrasted to deferments) are authorized for members of the Armed Forces on active duty, cadets and midshipmen at service academies, students in officer procurement programs in military colleges approved by the Secretary of Defense, ministers and students of the ministry, sole surviving sons, and veterans (as defined in the law).

Selection.—As soon as practical after registration each registrant must be classified to determine his availability for induction. The classification process is the key to the induction process. Classification must be accomplished in the spirit of the act, which is that "In a free society the obligations and privileges of serving in the Armed Forces and the Reserve components thereof should be shared generally in accordance with a system of selection which is fair and just and which is consistent with the maintenance of an effective national economy."

After registering at 18, the registrant is not liable for induction until reaching the age 18½. The registrant may be eligible for deferment or exemption when classified and thus not be immediately available when he reaches the age of 18½.

The President is authorized to select and induct persons by age group or groups and to select and induct physicians and dentists. Under such authority persons who are classified as available for service are selected and inducted in the following sequence:

(1) Men declared delinquent for failure to comply with the selective service law who have attained the age of 19 years in the order of their dates of birth with the oldest being selected first.

(2) Volunteers for induction who have not attained the age of 26 years in the sequence in which they have volunteered for induction.

(3) Nonvolunteers who have attained the age of 19 years and have not attained the age of 26 years and who (a) do not have a wife with whom they maintain a bona fide family relationship in their homes, in the order of their dates of birth with the oldest being selected first, or (b) have a wife whom they married after August 26, 1965, and with whom they maintain a bona fide family relationship in their homes, in the order of their dates of birth with the oldest being selected first.

(4) Nonvolunteers who have attained the age of 19 years and have not attained the age of 26 years and who have a wife whom they married on or before August 26, 1965, and with whom they maintain a bona fide family relationship in their homes, in the order of their dates of birth with the oldest being selected first.

(5) Nonvolunteers who have attained the age of 26 years in the order of their dates of birth with the youngest being selected first.

(6) Nonvolunteers who have attained the age of 18 years and 6 months and who have not attained the age of 19 years in the order of their dates of birth with the oldest being selected first.

In order to fill calls, local boards since December 1965 have been ordering for induction from the first four categories.

The calls of the Armed Forces are met by quotas established for each State, Territory, possession, and the District of Columbia on the basis of the number of men available for service in that particular State, Territory, possession or District of Columbia, with provisions for credit for registrants who are already members of the Armed Forces. Within States, Territories, possessions, and the District of Columbia the quotas are subdivided among the political subdivisions in accordance with the number of men available for service in each such subdivision. In practice, quotas are determined by applying a rejection rate, based on experience, against the number of men available for service in the age groups currently being inducted. Registrants serving on active duty affect the quotas of the political subdivision from which they entered service by reducing the number of available men and, hence, the quota for such subdivision.[1]

B. Provisions of S. 1432 [2]

S. 1432 was passed in different forms by the Senate on May 11, 1967, and by the House on May 25, 1967. These differences were resolved by a Senate-House conference committee, which issued a report to this effect on June 8, 1967. The Senate approved the conference report on June 14, 1967, as did the House on June 20, 1967. The bill, as passed.

1. *Changes the name of the Universal Military Training and Service Act to the Military Selective Service Act of 1967.*

2. *Extends authority from July 1, 1967, through July 1, 1971—*

a. To induct persons into the Armed Forces;

b. To issue selective service calls for physicians, dentists, and allied specialists;

c. To continue the suspension of permanent limitations on the active duty strength of the Armed Forces;

d. To pay a quarters allowance to all enlisted members of the Armed Forces who have dependents that are not furnished Government quarters;

e. To give special pay to physicians, dentists, and veterinarians who are drafted.

3. *Makes certain changes concerning the induction of registrants—*

a. By adding language to insure that a registrant who prolongs the litigation of his draft classification beyond his 26th birthday will still be liable to selection, if he is otherwise qualified.

b. By making permanent the existing temporary authority given the President to order to active duty those reservists who fail to discharge their reserve training obligations properly.

c. By permitting, up to the date of induction, enlistment in the Ready Reserve of any Reserve component of the Armed Forces, Army National Guard, or the Air National Guard, if the Governor in the case of the Guard or the President in the case of the Reserves has proclaimed that the strength of these components cannot be maintained by the enlistment of persons who have not been issued induction orders. Under the old law, enlistment in the Guard or Reserves, which gives a registrant a deferment so long as he meets the obligations of such service, was always impossible after receipt of an induction notice.

d. By stating that "the President in establishing the order of induction for registrants within the various age groups found qualified for induction shall not effect any change in the method of determining the relative order of induction for such registrants within such age groups as has heretofore been established and in effect on the date of enactment of this paragraph, unless authorized by law enacted after the date of enactment of the Military Selective Service Act of 1967." Thus any change in the *method* of selecting inductees, such as a lottery system, cannot be effected without an act of Congress, whereas under previous law the President had the authority to institute this kind of change. This new language in no way prevents the President from changing the priorities by which various age groups will be inducted—inducting the 19–20 year age group first, for example—but it requires that within designated age groups the oldest will be selected first.

4. *Makes certain changes concerning the Selective Service System and draft boards—*

a. By stating that "no member shall serve on any local board or appeal board for more than twenty-five years or after he has attained the age of seventy-five. No citizen shall be denied membership on any local board or appeal board on account of sex." These requirements, which are to be implemented and fully effective not later than January 1, 1968, were not contained in the old draft law.

b. By adding new language that designates an employee of a local board having supervisory duties as the "executive secretary," the term of whom "shall in no case exceed ten years except when reappointed."

c. By requiring the Director of Selective Service to submit a written report to Congress semiannually, rather than annually, and by imposing on the Director a broader obligation to supply Congress with information it may request.

5. *Makes certain changes concerning the counseling of registrants and litigation arising under the draft law—*

a. By clarifying existing law so that there will be no doubt that members in Reserve components of the Armed Forces can serve as counselors to registrants and as Government appeal agents (who have the power to appeal a classification to a State appeal board at any time before a registrant is ordered to report for induction).

b. By preventing judicial review of the classification or processing of registrants, except when defense against criminal prosecution instituted under the draft law is involved. This reemphasizes what the Senate Armed Services Committee called the original intent of selective service law that judicial review of classifications should not occur until after a registrant has exhausted administrative remedies open to him and presents himself for induction.[3]

c. By requiring the Federal Courts to give precedence to the trial and appeal of cases arising under the draft law. As the House Armed Services Committee explained, this new provision relates to the situation that while previous law had permitted the Attorney General to request that cases involving violations of the draft law be given precedence, it appeared that he had been reluctant to use this authority.[4]

d. By requiring the Department of Justice to prosecute all draft law cases recommended by the Director of Selective Service, or advise Congress of the reason for his failure to do so. The House Armed Services Committee expressed concern over an apparent failure of the Attorney General to prosecute many alleged violations of the draft law despite the Director of Selective Service's requests for such prosecution.[5] Subsequently, this new requirement was included in the Military Selective Service Act of 1967.

6. *Makes certain changes concerning deferments and exemptions—*

a. By stating that "the National Security Council shall periodically advise the Director of the Selective Service System and coordinate with him the work of such State and local volunteer advisory committees which the Director of Selective Service may establish, with respect to the identification, selection, and deferment of needed professional and scientific personnel and those engaged in, and preparing for, critical skills and other essential occupations. In the performance of its duties under this subsection the National Security Council shall consider the needs of both the Armed Forces and the civilian segments of the population." This new provision of law has the purpose of improving the development of occupational and student deferments. Presidential authority to establish criteria for occupational deferments is unchanged, but critical skills and essential activities that heretofore have been identified by the Departments of Commerce and Labor will now be formulated by the National Security Council. Thus authority for the granting of deferments to individuals in apprenticeship training and agricultural pursuits (as well as for other types of deferments such as hardship to dependents) remains unchanged.[6]

b. By authorizing the President to "recommend criteria for the classification of persons subject to induction . . . and to the extent that such action is determined by the President to be consistent with the national interest, recommend that such criteria be administered uniformly throughout the United States wherever practicable." This new language is part of a legislative compromise between, on the one hand, the House-passed version of S. 1432, which would have required the President, whenever practicable, to establish national criteria for the classification of registrants and have required uniform implementation of such criteria by local boards whenever the President found this to be in the national interest, and, on the other hand, the Senate conferees, who felt that the establishment of uniform national standards would practically eliminate the ability of local draft boards to exercise individual judgment in the classification of individuals and cause greater inequities in the classification process than existed under the old law.[7]

c. By subjecting to the draft, up to age 35 and on the same basis as doctors and dentists who are U.S. citizens, those alien doctors and dentists who enter the United States for permanent residence after reaching the age of 26.

d. By terminating the exemption of Public Health Service Officers on active duty who are assigned to the Peace Corps, the Food and Drug Administration, the Department of Agriculture, and the Office of Economic Opportunity. The exemptions of Officers so assigned prior to the enactment of the new law are not affected. However, under the discretionary authority of the President to provide occupational deferments, Officers so assigned can be deferred.[8]

e. By establishing college student deferments on a new basis. A registrant who requests such deferment and is provided with one under rules and regulations prescribed by the President, and who satisfactorily pursues a full-time course of instruction at a college, university, or similar institution, shall continue to be deferred until he completes the requirements for the baccalaureate degree or reaches the age of 24, whichever comes first. (If he reaches this age in his last academic year, he will be deferred to complete that year.) College student deferments "may be substantially restricted or terminated by the President only upon a finding by him that the needs of the Armed Forces require such action." However, no person who has received a student deferment shall thereafter be granted another deferment, except for extreme hardship to dependents (under regulations governing hardship deferments) or for graduate study, occupation, or employment necessary to the national health, safety, or interest. Thus the new law makes student testing and relative class standing unnecessary for determining whether a student deferment will continue; continuation of a college student deferment, once granted, depends on the meeting of the conditions outlined above—satisfactory pursuit of a full-time course of instruction before attainment of age 24. The provisions and legislative history of S. 1432 indicate that upon the termination of a college student deferment, the registrant will have the same exposure to possible induction as that which he would have experienced had he not been deferred. That is, he will be returned to the "prime age group" determined by the President. (The President will continue to have the authority to provide deferments for graduate study in medicine, dentistry, or other subjects deemed essential to the national health, safety or interest.)[9]

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[1] U.S. Congress. Senate. Amending and Extending the Draft Law, Report No. 209, May 4, 1967, 90th Cong., 1st Sess., p. 2–4. An identical summary is found in: U.S. Congress. House. Military Selective Service Act of 1967, Report No. 267, May 18, 1967. 90th Cong., 1st Sess., p. 16–18.

[2] The summary that follows is based primarily on: Senate Report No. 209 and House Report No. 267, *op. cit.*; U.S. Congress. House. Amending and Extending the Draft Act and Related Laws, Report No. 346 [Conference Report to accompany S. 1432] June 8, 1967, 90th Cong., 1st Sess.

[3] Senate Report No. 209, *op. cit.*, p. 10.

[4] House Report No. 267, *op cit.*, p. 30.

[5] *Ibid.*

[6] See *Congressional Record*, June 20, 1967, p. H7480.

[7] See House Report No. 346, *op. cit.*, p. 12.

[8] *Congressional Record*, June 20, 1967, p. H7484.

f. By eliminating from the old law: (1) the requirement for a hearing by the Department of Justice when a local board decision denying conscientious objector status to a registrant is appealed; (2) the definition of religious training and belief as meaning "an individual's belief in a relationship to a Supreme Being involving duties superior to those arising from any human relationship but does not include essentially political, sociological, or philosophical views, or a merely personal moral code."

PART II—EXECUTIVE ORDER 11360

A. General provisions of Executive Order 11360

|Stricken matter appears in black brackets, new matter in italic|

E.O. 11360, June 30, 1967, substituted "Military Selective Service Act of 1967" for "Universal Military Training and Service Act, as amended, " wherever the latter appeared in the Selective Service Regulations. It did the same with respect to the substitution of "Environmental Science Services Administration" for "Coast and Geodetic Survey."[10]

B. Specific provisions of Executive Order 11360[11]

1. Part 1604, Selective Service Officers

a. Section 1604.22, composition and appointment:

For each board area an appeal board, normally of five members, shall be appointed by the President, upon recommendation of the Governor. The members shall be [male] citizens of the United States who are not members of the armed forces or any reserve component thereof; they shall be residents of the area in which their board is appointed; and they shall be at least 30 years of age. *No member shall serve on an appeal board for more than twenty-five years, or after he has attained the age of seventy-five years.* The appeal board should be a composite board, representative of the activities of its area, and as such should include one member from labor, one member from industry, one physician, one lawyer, and, where applicable, one member from agriculture. If the number of appeals sent to the board becomes too great for the board to handle without undue delay, additional panels of five members similarly constituted shall be appointed to the board by the President, upon recommendation of the Governor. Each such panel shall have full authority to act on all cases assigned to it. The State Director of Selective Service shall coordinate the work of all the panels to effect an equitable distribution of the workload.

b. Section 1604.52, Composition and appointment:

(c) The members of the local boards shall be [male] citizens of the United States who shall be residents of a country in which their local board has jurisdiction and who shall also, if at all practical, be residents of the area in which their local board has jurisdiction. No member of a local board shall be a member of the armed forces or any reserve component thereof. Members of local boards shall be at least 30 years of age.

(d) *No member shall serve on any local board for more than twenty-five years, or after he has attained the age of seventy-five years.*

c. Section 1604.71, Appointment and duties:

(c) Each government appeal agent and associate government appeal agent shall [, whenever possible,] *be, whenever possible,* a person with legal training and experience. [and shall not be a member of the armed forces or any reserve component thereof.]

(e) *The State Director of Selective Service may authorize any duly appointed government appeal agent or associate government appeal agent to perform such duties for any local board within the state.*

2. Part 1611, Duty and responsibility to register

a. Section 1611.2, Persons not required to be registered:

(a) Under the provisions of section 6(a) of the Military Selective Service Act of 1967 the following persons are not required to be registered:

(1) Commissioned officers, warrant officers, pay clerks, enlisted men, and aviation cadets of the Regular Army, the Air Force, the Marine Corps, the Coast Guard, the Environmental Science Services Administration, and the Public Health Service;

(2) cadets, United States Military Academy;

(3) midshipmen, United States Navy;

[4) Cadets, United States Coast Guard Academy]

(4) *cadets, United States Air Force Academy;*

[(5) Midshipmen, Merchant Marine Reserve, United States Naval Reserve;]

(5) *cadets, United States Coast Guard Academy;*

[(6) Students enrolled in an officer procurement program at military colleges the curriculum of which is approved by the Secretary of Defense;]

(6) *midshipmen, Merchant Marine Reserve, United States Naval Reserve;*

[(7) Members of the reserve components of the Armed Forces, the Coast Guard, and the Public Health Service, while on active duty; and]

(7) *students enrolled in an officer procurement program at military colleges the curriculum of which is approved by the Secretary of Defense;*

[(8) Foreign diplomatic representatives, technical attaches of foreign embassies and legations, consuls general, vice consuls and other consular agents of foreign countries who are not citizens of the United States, and members of their families.]

(8) *members of the reserve components of the Armed Forces, the Coast Guard, and the Public Health Service, while on active duty, provided that such active duty in the Public Health Service that commences after the enactment of the Military Selective Service Act of 1967 is performed by members of the Reserve of the Public Health Service while assigned to staff any of the various offices and bureaus of the Public Health Service, including the National Institutes of Health, or while assigned to the Coast Guard, the Bureau of Prisons of the Department of Justice, or the Environmental Science Services Administration; and*

(9) *foreign diplomatic representatives, technical attaches of foreign embassies and legations, consuls general, consuls, vice consuls and other consular agents of foreign countries who are not citizens of the United States, and members of their families.*

b. Section 1611.5, Registration of certain persons entering the United States:

[(a) Every male citizen of the United States who would have been required to register on any day or days fixed for registration by Presidential proclamation had he been within the United States and who thereafter enters the United States shall present himself for and submit to registration before a local board within the period of five days following the date on which he enters the United States.]

[(b)] Every male person, other than a citizen of the United States and a person excepted from registration by section 1611.2, who enters the United States subsequent to the day or days fixed by Presidential proclamation for the registration of a person of his age shall present himself for and submit to registration before a local board within the period of six months following the date on which he enters the United States.

3. Part 1622, Classification Rules and Principles

a. Section 1622.1, General principles of classification:

[(a) The Universal Military Training and Service Act, as amended, provides that every male citizen of the United States, every male admitted to the United States for permanent residence, and every male alien who has remained in the United States in a status other than that of a permanent resident for a period exceeding one year, who is between the ages of 18 years and 6 months and 26 years, shall be liable for training and service in the Armed Forces of the United States, and that persons who on June 19, 1951, or thereafter were deferred under the provisions of section 6(c)(2)(A) of such Act that were in effect prior to September 3, 1963, shall remain liable for training and service until they attain the age of 28, and that persons who on June 19, 1951, were, or thereafter are, deferred under any other provision of section 6 of such Act shall remain liable for training and service until they attain the age of 35. Certain exemptions and deferments are specifically provided; others are authorized to be provided by regulations promulgated by the President.]

(a)(1) Primary liability for military training and service provided by the selective service law is placed on those persons in the following categories who are between the ages of 18 years and 6 months and 26 years:

(i) *Every male citizen of the United States;*

(ii) *Every male alien admitted to the United States for permanent residence; and*

(iii) *Every male alien who has remained in the United States in a status other than that of a permanent resident for a period or periods totaling one year.*

(2) *Persons who on June 19, 1951, or there-*

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[9] See *Congressional Record*, June 20, 1967, p. H7479–81.

[10] E.O. 11360, June 30, 1967, *Weekly Compilation of Presidential Documents*, July 3, 1967; also appears in the *Federal Register*, v. 32, no. 128.

[11] Language deleted from the Selective Service Regulations by E.O. 11360, as these Regulations appear in the January 1, 1967, revision of the *Code of Federal Regulations* (Title 32, Part 1600 to End) is placed in brackets; new language is underlined.

after were deferred under the provisions of section 6(c)(2)(A) of the Act that were in effect prior to September 3, 1963, remain liable for training and service until they attain age 28.

(3) *Persons whose liability for training and service is extended by the Act to age 35 are:*

(i) *persons in a medical, dental or allied specialist category, and*

(ii) *persons who on June 19, 1951, were, or thereafter are, deferred under any other provisions of section 6 of the Act.*[12]

(c) *Notwithstanding any other provision of law, any registrant who has failed or refused to report for induction shall continue to remian liable for induction, and when available shall be immediately inducted.*

b. Section 1622.11, Class I–A–O: conscientious objector available for noncombatant military service only:

[(a)] In Class I–A–O shall be placed every registrant who would have been classified in Class I–A but for the fact that he has been found, by reason of religious training and belief, to be conscientiously opposed to combatant training and service in the armed forces.

[(b) Section 6(j) of title I of the Universal Military Training and Service Act, as amended, provides in part as follows:

Religious training and belief in this connection means an individual's belief in a relation to a Supreme Being involving duties superior to those arising from any human relation, but does not include essentially political, sociological, or philosophical views or a merely personal moral code.]

c. Section 1622.12, Class I–C: member of the armed forces of the United States, the Environmental Science Services Administration, or the Public Health Service:

[(d) Every registrant who is a member of a reserve component of the armed forces or the Public Health Service and who is on active duty (exclusive of periods for training only).]

(d) *Exclusive of periods for training only, every registrant who is a member of a reserve component of the Armed Forces and is on active duty, and every member of the Reserve of the Public Health Service on duty prior to the enactment of the Military Selective Service Act of 1967 or who after such enactment is on active duty and assigned to staff the various offices and bureaus of the Public Health Service including the National Institutes of Health, or assigned to the Coast Guard, or the Bureau of Prisons of the Department of Justice, or the Environmental Science Services Administration.*

d. Section 1622.13, Class I–D: member of Reserve Component or student taking military training:

[(f) In Class I–D shall be placed any registrant, other than a registrant referred to in paragraph (b) or (g) of this section, who prior to attaining the age of 26 years and prior to the issuance of orders for him to report for induction, enlists or accepts appointment on or after September 3, 1963, in the Ready Reserve of any reserve component of the Armed Forces, the Army National Guard, or the Air National Guard. Such registrant shall remain eligible for Class I–D so long as he serves satisfactorily as a member of an organized unit or such Ready Reserve or National Guard, or satisfactorily performs such other Ready Reserve service as may be prescribed by the Secretary of Defense, or serves satisfactorily as a member of another reserve component, the Army National Guard, or the Air National Guard, as the case may be.]

(*f*) *In Class I–D shall be placed any registrant, other than a registrant referred to in paragraph* (*b*) *or* (*g*) *of this section, who—*

(*1*) *prior to the issuance of orders for him to report for induction; or*

(*2*) *prior to the date scheduled for his induction and pursuant to a proclamation by the Governor of a State to the effect that the authorized strength of any unit of the National Guard of that State cannot be maintained by the enlistment or appointment of persons who have not been issued orders to report for induction; or*

(*3*) *prior to the date scheduled for his induction and pursuant to a determination by the President that the strength of the Ready Reserve of the Army Reserve, Naval Reserve, Marine Corps Reserve, Air Force Reserve, or Coast Guard Reserve cannot be maintained by the enlistment or appointment of persons who have not been issued orders to report for induction; enlists or accepts appointment, before attaining the age of 26 years, in the Ready Reserve of any Reserve component of the Armed Forces, the Army National Guard, or the Air National Guard. Such registrant shall remain eligible for Class I–D so long as he serves satisfactorily as a member of an organized unit of such Ready Reserve or National Guard, or satisfactorily performs such other Ready Reserve service as may be prescribed by the Secretary of Defense, or serves satisfactorily as a member of the Ready Reserve of another reserve component, the Army National Guard or the air National Guard, as the case may be.*[13]

e. Section 1622.14, Class I–O: conscientious objector available for civilian work contributing to the maintenance of the national health, safety, or interest:

[(a)] In Class I–O shall be placed every registrant who would have been classified in Class I–A but for the fact that he has been found, by reason of religious training and belief, to be conscientiously opposed to participation in war in any form and to be conscientiously opposed to participation in war in any form and to be conscientiously opposed to participation in both combatant and noncombatant training and service in the armed forces.

[(b) Section 6(j) of title I of the Universal Military Training and Service Act, as amended, provides in part as follows:

Religious training and belief in this connection means an individual's belief in a relation to a Supreme Being involving duties superior to those arising from any human relation, but does not include political, sociological, or philosophical views or a merely personal moral code.]

f. Section 1622.15, Class I–S: students deferred by statute:

[(b) In Class I–S shall be placed any registrant who while satisfactorily pursuing a full-time course of instruction at a college, university, or similar institution of learning and during his academic year at such institution is ordered to report for induction, except that no registrant shall be placed in Class I–S under the provisions of this paragraph (1) who has previously been placed in Class I–S thereunder, or (2) who, prior to June 19, 1951, had his induction postponed under section 6(i) (2) of the Selective Service Act of 1948, as amended, or was deferred as a student under section 6(h) of such act. A registrant who is placed in Class I–S under the provisions of this paragraph shall be retained in Class I–S (1) until the end of his academic year, or (2) until he ceases satisfactorily to pursue such course of instruction, whichever is the earlier. The date of the classification in Class I–S and the date of termination shall be entered in the "Remarks" column of the Classification Record (SSS Form No. 102) and be identified on that record as Class I–S (c).]

(*b*) *In Class I–S shall be placed any registrant who while satisfactorily pursuing a full-time course of instruction at a college, university or similar institution of learning and during his academic year is ordered to report for induction, except that no registrant shall be placed in Class I–S under the provisions of this paragraph.*

(*1*) *who has previously been placed in Class I–S thereunder*

or

(*2*) *who has been deferred as a student in Class II–S and has received his baccalaureate degree. A registrant who is placed in Class I–S under the provisions of this paragraph shall be retained in Class I–S*

(*1*) *until the end of his academic year or*

(*2*) *until he ceases satisfactorily to pursue such course of instruction, whichever is earlier. The date of the classification in Class I–S and the date of its termination shall be entered in the "Remarks" column of the Classification Record* (*SSS Form 102*) *and be identified on that record as Class I–S* (*C*).

g. Section 1622.22, Class II–A: registrant deferred because of civilian occupation (except agriculture and activity in study):

(*b*) *In Class II–A shall be placed any registrant who is preparing for critical skills and other essential occupations as identified by the Director of Selective Service upon the advice of the National Security Council.*

h. Section 1622.23, Necessary employment defined:

[(c) The President may, from time to time (1) designate special categories of occupation, employment, or activity essential to the national health, safety, or interest; and (2) prescribe regulations governing the deferment of individual registrants engaged in such occupations, employments, or activities.]

(*c*) *The Director of Selective Service may from time to time, upon the advice of the National Security Council identify needed professional and scientific personnel and those engaged in and preparing for critical skills and other essential occupations.*[14]

i. Section 1622.24, Class II–C: registrant deferred because of agricultural occupation:

[(c) The existence of a shortage or a surplus of any agricultural commodity shall not be considered in determining the deferment of any individual on the grounds that his employment in agriculture is necessary to the maintenance of the national health, safety, or interest.]

j. Section 1622.25, Class II–S registrant deferred because of activity in study:

[(a) In Class II–S shall be placed any registrant whose activity in study is found to be necessary to the maintenance of the national health, safety, or interest.]

(*a*) *In Class II–S shall be placed any registrant who has requested such deferment and who is satisfactorily pursuing a full-time course of instruction at a college, university, or similar institution of learning, such deferment to continue until such registrant completes the requirement for his baccalaureate degree, fails to pursue satisfactorily a full-time course of instruction, or attains the twenty-fourth anniversary of the date of his birth, whichever occurs first.*

[(b) The Director of Selective Service, after consultation with such departments and other agencies of the executive branch of the

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[12] Section 6 deals with deferments and exemptions, and section 6(c), in particular, with reserve components exemptions.

[13] Paragraphs (b) and (g) refer to Class I–D deferments given to registrants in Reserve Officers' Training Corps programs and to registrants who are commissioned officers in the Ready Reserve.

[14] On February 14, 1968, the Director of Selective Service sent to the Directors of State Selective Service Systems a telegram that read, in part: "Under advice received today from the National Security Council with respect to occupational deferments, the lists of essential activities and critical occupations are suspended, leaving each local board with discretion to grant, in individual cases, occupational deferments based on a showing of essential community need." Quoted in *New York Times*, February 17, 1968, p. 10.

Government as may be appropriate, may promulgate criteria, which shall be advisory only, concerning the placing of registrants in Class II–S.]

(b) *A student shall be deemed to be "satisfactorily pursuing a full-time course of instruction" when, during his academic year, he has earned, as a minimum, credits toward his degree which, when added to any credits earned during prior academic years, represent a proportion of the total number required to earn his degree at least equal to the proportion which the number of academic years completed bears to the normal number of years established by the school to obtain such degree. For example, a student pursuing a four-year course should have earned 25 percent of the credits required for his baccalaureate degree at the end of his first academic year.*

(*d*) *It shall be the registrant's duty to provide the local board each year with evidence that he is satisfactorily pursuing a full-time course of instruction at a college, university, or similar institution of learning.*[15]

k. *Section 1622.26, Class II–S: registrant deferred because of activity in graduate study:*

(*a*) *In Class II–S shall be placed any registrant who is satisfactorily pursuing a course of graduate study in medicine, dentistry, veterinary medicine, osteopathy or optometry, or in such other subjects necessary to the maintenance of the national health, safety or interest as are identified by the Director of Selective Service upon the advice of the National Security Council.*

(*b*) *Any registrant who is entering his second or subsequent year of post-baccalaureate study without interruption on October 1, 1967, may be placed in Class II–S if his school certifies that he is satisfactorily pursuing a full-time course of instruction leading to his degree; but such registrant shall not be referred for a course of study leading to a master's degree or the equivalent for more than one additional year, or for a course of study leading to a doctoral or professional degree or the equivalent (or combination of master's and doctoral degrees) for more than a total of five years, inclusive of the years already used in such course of study, or for an additional year, whichever is greater. Any registrant enrolled for his first year of post-baccalaureate study in a graduate school or a professional school on October 1, 1967, or accepted for admission involving enrolled status on October 1, 1967, may be placed in Class II–S if he has entered the first class commencing after the date he completed the requirements for admission and shall be deferred for one academic year only, or until he ceases satisfactorily to pursue such course of instruction, whichever is the earlier.*[16]

l. Section 1622.30, Class III–A: registrant with a child or children; and registrant deferred by reason of extreme hardship to dependents:

(a) In Class III–A shall be placed any registrant who has a child or children with whom he maintains a bona fide family relationship in their home and who is not a physician, dentist, or veterinarian, or who is not in an allied specialist category which may be announced by the Director of Selective Service after being advised by the Secretary of Defense that a special requisition under authority of section 1631.4 of these regulations will be issued by the delivery of registrants in such category, *except that a registrant who is classified in Class II–S after the date of the enactment of the Military Selective Service Act of 1967 shall not be eligible for classification in Class III–A under the provisions of this paragraph.*

m. Section 1622.40, Class IV–A: registrant who has completed service; sole surviving son:

(a) (3) A registrant who has served on active duty for a period of not less than twenty-four months as a commissioned officer in the [Public Health Service or the Coast and Geodetic Survey] *Environmental Science Services Administration or in the Public Health Service, provided that such period of active duty in the Public Health Service as a commissioned officer commencing after the date of enactment of the Military Selective Service Act of 1967 shall have been performed by the registrant while assigned to staff any of the various offices and bureaus of the Public Health Service including the National Institutes of Health, or while assigned to the Coast Guard, or the Bureau of Prisons of the Department of Justice, or the Environmental Science Services Administration.*

(b) For the purpose of computation of period of active duty referred to in . . . this section, no credit shall be allowed for— . . .

(*6*) *Period of active duty of members of the Public Health Service commencing after the date of enactment of the Military Selective Service Act of 1967 other than when assigned to staff any of the various offices and bureaus of the Public Health Service, including the National Institutes of Health, or the Coast Guard or the Bureau of Prisons of the Department of Justice, or the Environmental Science Services Administration.*

n. Section 1622.42, Class IV–C: aliens:

(*d*) *In Class IV–C shall be placed an alien who has registered at a time when he was required by the selective service law to present himself for and submit to registration and thereafter has acquired status within one of the groups of persons exempt from registration.*

o. Section 1622.50, Class V–A: registrant over the age of liability for military service:

(a) In Class V–A shall be placed every registrant who has attained the twenty-sixth anniversary of the date of his birth except (1) those registrants who are in active military service in the armed forces and are in Class I–C, (2) those registrants who are performing civilian work contributing to the maintenance of the national health, safety, or interest in accordance with the order of the local board and are in Class I–W, (3) those registrants who have consented to induction, [and] (4) those registrants who on June 19, 1951, or at any time thereafter were deferred under the provisions of section 6 of [title I of the Universal Military Training and Service Act, as amended. Except as is otherwise provided in this paragraph, registrants who prior to attaining the twenty-sixth anniversary of the day of their birth have been classified in some other class shall as soon as practicable after attaining the twenty-sixth anniversary of the day of their birth, be reclassified into Class V–A.] *the Military Selective Service Act of 1967, and (5) registrants who are in a medical, dental, or allied specialist category.*

(b) In Class V–A shall be placed every registrant who has attained the twenty-eighth anniversary of the day of his birth except (1) those registrants who are in active military service in the Armed Forces and are in Class I–C, (2) those registrants who are performing civilian work contributing to the maintenance of the national health, safety, or interest in accordance with the order of the local board and are in Class I–W, (3) those registrants who have consented to induction, and (4) those registrants who on June 19, 1951, or at any time thereafter, were deferred under any provisions of section 6 of the [Universal Military Training and Service Act, as amended, other than the provisions of subsection (c) (2) (A) of such section which were in effect prior to September 3, 1963. Except as is otherwise provided in this paragraph, registrants who prior to attaining the twenty-eighth anniversary of the day of birth have been classified in some other class shall, as soon as practicable after attaining the twenty-eighth anniversary of the day of their birth, be reclassified into Class V–A.] *Military Selective Service Act of 1967 other than the provisions of subsection (c) (2) (A) of such section as were in effect prior to September 3, 1963, and (5) those registrants who are in a medical, dental, or allied specialist category.*

4. Part 1626, Appeal to Appeal Board

a. Section 1626.24, Review by Appeal Board:

(b) In reviewing the appeal and classifying the registrant, the appeal board shall not receive or consider any information other than the following:

(1) Information contained in the record received from the local board.

(2) General information concerning economic, industrial and social conditions.

[(3) Any advisory recommendation from the Department of Justice under section 1626.25.

(4) Any reply to the recommendation from the Department of Justice received from the registrant under section 1626.25.]

b. [Section 1626.25, Special provisions when appeal involves claim that registrant is a conscientious objector:

(a) If an appeal involves the question whether or not a registrant is entitled to be sustained in his claim that he is a conscientious objector, the appeal board shall take the following action:

(1) If the registrant claims that he is, by reason of religious training and belief, conscientiously opposed to participation in war in any form and by virtue thereof he is conscientiously opposed to combatant training and service in the armed forces, but is not conscientiously opposed to noncombatant training and service in the armed forces, the appeal board shall determine whether or not such registrant is eligible for classification in a class lower than Class I–A–O or in Class I–A–O. If the appeal board determines that such registrant is eligible for classification in a class lower than Class I–A–O or in Class I–A–O, it shall classify the registrant in the lowest class for which he is determined to be eligible.

(2) If the registrant claims that he is, by reason of religious training and belief, conscientiously opposed to participation in war in any form and by virtue thereof is conscientiously opposed to participation in both combatant and noncombatant training and service in the armed forces, the appeal board shall determine whether or not the registrant is eligible for classification in a class lower than Class I–O or in Class I–O. If the appeal board determines that such registrant is eligible for classification in a class lower than Class I–O or in Class I–O, it shall place him in the lowest class for which he is determined to be eligible.

(3) If the appeal board determines that a registrant who has claimed conscientious objection within the meaning of subparagraph (1) or subparagraph (2) hereof is not en-

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[15] Section 1622.25a, "Criteria concerning the placing of registrants in Class II–S," was rescinded by order of the Director of Selective Service, June 30, 1967. This rescinded section pertained to class standing and scores made in the Selective Service College Qualification Test as bases for the granting of II–S deferments.

[16] In the telegram cited in footnote 1, page LRS–22, the Director of Selective Service stated: "With respect to graduate school deferments, the National Security Council advises that it is not essential for the maintenance of the national health, safety and interest to provide student deferments for graduate study in fields other than medicine, dentistry and allied medical specialties; except that this recommendation does not affect existing regulations governing deferment for graduate students who entered their second or subsequent year of graduate study in the fall of 1967. It does affect students graduating from college this year, as well as those who entered the first year of graduate school last fall."

titled to classification in either the class he claimed or in a lower class, it shall transmit the entire file to the United States Attorney for the judicial district in which the office of the appeal board is located for the purpose of securing an advisory recommendation from the Department of Justice.

(b) No registrant's file shall be forwarded to the United States Attorney by any appeal board and any file so forwarded shall be returned, unless in the "Minutes of Action by Local Board and Appeal Board" on the Classification Questionnaire (SSS Form 100) the record shows and the letter of transmittal states that the appeal board reviewed the file and tentatively determined that registrant should not be classified in either Class I–A–O or Class I–O, whichever he claims.

(c) Whenever a registrant's file is forwarded to the United States Attorney in accordance with subparagraph (3) of paragraph (a) of this section, the Department of Justice shall thereupon make an inquiry and hold a hearing on the character and good faith of the conscientious objections of the registrant. The registrant shall be notified of the time and place of such hearing and shall have an opportunity to be heard. If the objections of the registrant are found to be sustained the Department of Justice shall recommend to the appeal board (1) that if the registrant is inducted into the armed forces, he shall be assigned to noncombatant service, or (2) that if the registrant is found to be conscientiously opposed to participation in such noncombatant service, he shall in lieu of induction be ordered by his local board to perform for a period of twenty-four consecutive months civilian work contributing to the maintenance of the national health, safety, or interest. If the Department of Justice finds that the objections of the registrant are not sustained, it shall recommend to the appeal board that such objections be not sustained.

(d) Upon receipt of the recommendation of the Department of Justice, the appeal board shall mail a copy thereof to the registrant together with a letter advising the registrant that, within thirty days after the date of such mailing, he may file with the appeal board a written reply concerning the recommendation of the Department of Justice. Upon receipt of the reply of the registrant or the expiration of the period afforded him to make such reply, whichever occurs first, the appeal board shall determine the classification of the registrant, and in its determination it shall give consideration to, but shall not be bound to follow, the recommendation of the Department of Justice. The appeal board also shall give consideration to any reply to such recommendation received from the registrant. The appeal board shall place in the Cover Sheet (SSS Form No. 101) of the registrant the recommendation of the Department of Justice, a copy of its letter transmitting a copy of such recommendation to the registrant, and any reply to such recommendation received from the registrant.] [17]

5. Part 1630, Volunteers

Section 1630.4, Classification of volunteers: When a man files an Application for Voluntary Induction (SSS Form No. 254) under the provisions of section 1630.1, he shall be classified as soon as possible and placed in a class available for military service unless:

(a) Disregarding all other grounds for deferment, he would be classified in Class II–A, Class II–C, *or* Class III–A. [, or Class IV–A.]

6. Part 1631, Quotas and Calls

a. Section 1631.4, Calls by the Secretary of Defense:

(a) The Secretary of Defense may from time to time place with the Director of Selective Service a call or requisition for a specified number of men required for induction into the Armed Forces. The Secretary of Defense may also from time to time place with the Director of Selective Service a call or requisition for a number of men in any medical, dental, or allied specialist category required for induction into the Armed Forces. [The Secretary of Defense shall present such calls or requisitions to the Director of Selective Service not less than 60 days prior to the period during which the delivery and induction of such men are to be accomplished.]

(b) *When future needs of the Armed Forces may require it, the Secretary of Defense also may from time to time place with the Director of Selective Service a call or requisition for a specified number of men for induction into the Armed Forces, designating the age group or groups from which such men shall be selected.*

(c) *All registrants born within any calendar year shall constitute an age group within the meaning of this section.*

(d) *The Secretary of Defense shall present such calls or requisition to the Director of Selective Service not less than 60 days prior to the period during which the delivery and induction of such men are to be accomplished.*

b. Section 1631.5, Calls by the Director of Selective Service:

(a) The Director of Selective Service shall, upon receipt of a call or requisition from the Secretary of Defense for a number of men to be inducted into the Armed Forces, allocate such call or requisition among the several States. [The Director of Selective Service in allocating such call may provide for the selection of persons by age group or groups whenever he deems such action is necessary in order that persons in older age groups shall, on a nation-wide basis, be selected and delivered for induction before persons in younger age groups.]

c. Section 1631.7, Action by local board upon receipt of notice of call:

(a) *When a call is placed without designation of age group or groups,* each local board, upon receiving a Notice of Call on Local Board (SSS Form No. 201) from the State Director of Selective Service (1) for a specified number of men to be delivered for induction, or (2) for a specified number of men in a medical, dental, or allied specialist category to be delivered for induction, shall select and order to report for induction the number of men required to fill the call from among its registrants who have been classified in Class I–A and Class I–A–O and have been found acceptable for service in the Armed Forces and to whom the local board has mailed a Statement of Acceptability (DD Form No. 62) at least 21 days before the date fixed for induction: *Provided,* That a registrant classified in Class I–A or Class I–A–O who is a delinquent may be selected and ordered to report for induction to fill an induction call notwithstanding the fact that he has not been found acceptable for service in the Armed Forces and has not been mailed a Statement of Acceptability (DD Form No. 62): *And provided further,* That a registrant classified in Class I–A or Class I–A–O who has volunteered for induction may [if an appeal is not pending in his case and the period during which an appeal may be taken has expired] be selected and ordered for induction notwithstanding the fact that he has not been found acceptable for service in the Armed Forces and regardless of whether or not a Statement of Acceptability (DD Form No. 62) has been mailed to him. Such registrants, including those in a medical, dental, or allied specialist category, shall be selected and ordered to report for induction in the following order:

(1) Delinquents who have attained the age of 19 years in the order of their dates of birth with the oldest being selected first.

(2) Volunteers who have not attained the age of 26 years in the sequence in which they have volunteered for induction.

(3) Nonvolunteers who have attained the age of 19 years and have not attained the age of 26 years and who (A) do not have a wife with whom they maintain a bona fide family relationship in their homes, in the order of their dates of birth with the oldest being selected first, or (B) have a wife whom they married after the effective date of this amended subparagraph and with whom they maintain a bona fide family relationship in their homes, in the order of their dates of birth with the oldest being selected first.

(4) Nonvolunteers who have attained the age of 19 years and have not attained the age of 26 years and who have a wife whom they married on or before the effective date of this amended subparagraph and with whom they maintain a bona fide family relationship in their homes, in the order of their dates of birth with the oldest being selected first.

(5) Nonvolunteers who have attained the age of 26 years in the order of their dates of birth with the youngest being selected first.

(6) Nonvolunteers who have attained the age of 18 years and 6 months and who have not attained the age of 19 years in the order of their dates of birth with the oldest being selected first. In selecting registrants in the order of their dates of birth, if two or more registrants have the same date of birth they shall, as among themselves, be selected in alphabetical order.

(b) *When a call is placed with designation of age group or groups, each local board, upon receiving a Notice of Call on Local Board (SSS Form 201) from the State Director of Selective Service for a specified number of men to be delivered for induction, shall select and order to report for induction the number of men required to fill the call from among its registrants who have been classified in Class I–A and Class I–A–O and who have been found acceptable for service in the Armed Forces and to whom the local board has mailed a Statement of Acceptability (DD Form 62) at least 21 days before the date fixed for induction; Provided, That a registrant classified in Class I–A or Class I–A–O who is a delinquent may be selected and ordered to report for induction to fill an induction call notwithstanding the fact that he has not been found acceptable for service in the Armed Forces and has not been mailed a Statement of Acceptability (DD Form 62); And provided further, That a registrant classified in Class I–A or Class I–A–O who has volunteered for induction may be selected and ordered to report for induction notwithstanding the fact that he has not been found acceptable for service in the Armed Forces and regardless of whether a Statement of Acceptability (DD Form 62) has been mailed to him. Such registrants shall be selected and ordered to report for induction in the following order:*

(1) Delinquents who have attained the age of 19 years in the order of their dates of birth with the oldest being selected first.

(2) Volunteers who have not attained the age of 26 years in the sequence in which they have volunteered for induction.

(3) Registrants in the designated age group; and registrants who previously have been deferred in Class I–S–C after attaining the age of 19 years, or who have requested and have been granted a deferment in Class II–S after the enactment of the Military Selective Service Act of 1967, and who are no longer so deferred, shall be considered as being within the age group called regardless of their actual age. These registrants shall be integrated and called according to the month and day of their birth, the oldest first. Registrants who have been deferred in Class I–S–C– or Class II–S and have been integrated with a prime age group under the provisions of this paragraph shall, for the purposes of selection and call, thereafter be considered a member of such age group.

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[17] The provisions of Section 1626.25 reproduced here are as they read after the amendment of this section by E.O. 11350, May 3, 1967.

(*c*) Whenever the number of postponements of induction materially reduces the number of men the local board can actually deliver in response to a call, the local board shall issue orders to report for induction to such numbers of additional men as may be necessary to meet the call, taking into account the number of men to be delivered following the expiration of postponements previously granted.

d. Section 1631.8, Registrants who shall be inducted without calls:

(*c*) *Notwithstanding any other provision of law, any registrant who has failed or refused to report for induction shall continue to remain liable for induction and when available shall be immediately inducted.*

7. Part 1632, Delivery and Induction

a. Section 1632.20, Records returned to local board:

(b) (3) For each registrant found not qualified for service in the Armed Forces, file the original Record of Induction (DD Form 47), the original Report of Medical Examination (Standard Form 88), the copy of the Report of Medical History (Standard Form 89), and any copy of the Application for Voluntary Induction (SSS Form 254) in the Cover Sheet (SSS Form 101) and forward to the State Director of Selective Service the copy of the Record of Induction (DD Form 47). [and the copy of the Report and Medical Examination (Standard Form 88).]

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8. Part 1642, Delinquents

a. Section 1642.10, Restriction on classification and induction of delinquents:

No delinquent registrant shall be placed in Class I-A or Class I-A-O under the provisions of section 1642.12 or shall be ordered to report for induction under the provisions of section 1642.13 or section 1631.7 of this chapter, *or, in the case of a conscientious objector opposed to noncombatant training and service, ordered to report for civilian work in lieu of induction,* unless the local board has declared him to be a delinquent in accordance with the provisions of section 1642.2 and thereafter has not removed him from such delinquency status.

b. Section 1642.12, Classification of delinquent registrant:

Any delinquent registrant between the ages of 18 years and 6 months and 26 years and any delinquent registrant between the ages of 26 and 28 who was deferred under the provisions of section 6(c) (2) (A) of the Military Selective Service Act of 1967 which were in effect prior to September 3, 1963, and any delinquent registrant between the ages of 26 and 35 who on June 19, 1951, was or thereafter has been or may be, deferred under any other provision of section 6 of such Act, including the provisions of subsection (c) (2) (A) in effect on and after September 3, 1963, may be classified in or reclassified into Class I-A, Class I-A-O or *Class I-O*, whichever is applicable, regardless of other circumstances: Provided, That a delinquent registrant who by reason of his service in the Armed Forces is eligible for classification into Class IV-A may not be classified into Class I-A, Class I-A-O *or Class I-O* under this Section unless such action is specifically authorized by the Director of Selective Service.

c. Section 1642.13, Certain delinquents to be ordered to report for induction *or for civilian work in lieu of induction:*

The local board shall order each delinquent registrant between the ages of 18 years and 6 months and 26 years and each delinquent registrant between the ages of 26 and 28 who was deferred under the provisions of section 6(c) (2) (A) of the Military Selective Service Act of 1967 which were in effect prior to September 3, 1963, and each delinquent registrant between the ages of 26 and 35 who on June 19, 1951, was, or thereafter has been or may be, deferred under any other provisions of section 6 of such Act, including the provisions of subsection 6(2) (A) in effect on and after September 3, 1963, who is classified in or reclassified into Class I-A or Class I-A-O to report for induction in the manner provided in section 1631.7 of this chapter, *or in the case of a delinquent registrant classified or reclassified into Class I-O, the local board shall determine the type of civilian work it is appropriate for him to perform and shall order him to perform such civilian work in lieu of induction in accordance with the provisions of Part 1660 of this chapter,* unless *in either case* (a) it has already [done so] *issued such order,* or (b) pursuant to a written request of the United States Attorney, the local board determines not to order such registrant to report for induction *or civilian work.*[18]

d. Section 1642.14, Personal appearance, reopening, and appeal:

(a) When a delinquent registrant is classified in or reclassified into Class I-A, [or] Class I-A-O, *or Class I-O* under the provisions of this part, a personal appearance may be requested and shall be granted under the same circumstances as in any other case.

(b) The classification of a delinquent registrant who is classified in or reclassified into Class I-A, [or] Class I-A-O, *or Class I-O* under the provisions of this part may be reopened at any time before induction *or before the date he is to report for civilian work* in the discretion of the local board without regard to the restrictions against reopening prescribed in section 1625.2 of this chapter.

(c) When a delinquent registrant is classified in or reclassified into Class I-A, [or] Class I-A-O, *or Class I-O* under the provisions of this part, an appeal may be taken under the same circumstances and by the same persons as in any other case.

e. Section 1642.15, Continuous duty of certain registrants to report for induction or civilian work in lieu of induction:

Regardless of the time when or the circumstances under which a registrant fails or has failed to report for induction pursuant to an Order [or] *to* Report for Induction (SSS Form 252) or pursuant to an Order for Transferred Man to Report for Induction (SSS Form 253), *or fails or has failed to report for civilian work in lieu of induction pursuant to an Order to Report for Civilian Work and Statement of Employer (SSS Form 153)*, it shall thereafter be his continuing duty from day to day to report for induction *or for civilian work in lieu of induction* to his own local board, and to each local board whose area he enters or in whose area he remains.

f. Section 1642.21, Procedure:

(*c*) *If a delinquent registrant who is in Class I-O reports to or is brought before a local board other than his own local board, the local board to which he reports or before which he is brought shall advise his own local board by telegram or other expeditious means that the delinquent has reported to or has been brought before such local board, and that he will be ordered under the provisions of Part 1660 to perform civilian work deemed appropriate by such local board for the registrant to perform in lieu of induction, if it is satisfactory to his own local board. The registrant's own local board shall reply by telegram or other expeditious means.*

(*d*) *If the registrant's own local board advises that the registrant is delinquent because he has failed to respond to an Order to Report for Civilian Work and Statement of Employer (SSS Form 153), the local board at which the registrant has appeared or was brought shall issue to him written instructions regarding the date and place he is to report for work and the type of work he is to perform. Whenever necessary, travel, meals and lodging may be furnished the registrant under the provisions of section 1660.21(b) of this chapter.*

[(c)] (*e*) If the registrant's own local board advises that no Order to Report for Induction (SSS Form 252) or Order for Transferred Man to Report for Induction (SSS Form 253) *or Order to Report for Civilian Work and Statement of Employer (SSS Form 153)* has been issued to such registrant or that the registrant is no longer a delinquent, it shall advise the local board before which the registrant has appeared or has been brought of the action to be taken with reference to such registrant.

Fear for Our Constitutional System

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1968

Mr. RARICK. Mr. Speaker, Associate Justice Hugo L. Black, regarded as a liberal on the Court, spoke out on his fears from misuse of the Supreme Court at Columbia University recently.

That Justice Black's comments may be available to all our colleagues, I place the report from the U.S. News & World Report for April 1 at this point in my remarks:

JUSTICE BLACK'S WARNING: "I FEAR FOR OUR CONSTITUTIONAL SYSTEM"

Justice Hugo Black, speaking from the lecture platform instead of the U.S. Supreme Court bench, has given in detail his views on the Constitution—and the role of judges in interpreting it.

In a series of lectures that could go down as landmarks in constitutional philosophy, the Justice has detailed his concern over the growing trend of the Supreme Court to "adapt the Constitution to new times."

Justice Black has been considered a powerful voice of "liberalism" on the Court for more than a quarter of a century. It was his view of the Constitution—often stated in concert with Justice William O. Douglas—that played a large part in shaping the law of the land in such vital fields as racial desegregation, federal and State relationships, free speech, freedom of religion and political equality.

In recent years, some observers of the Court have contended that Justice Black is leaning more toward the "conservative" side of constitutional thinking in criminal and protest cases.

In the Carpentier Lectures at Columbia University Law School, delivered March 20, 21 and 23, Justice Black spoke out on that subject and others of legal interest. From the lectures—

"I strongly believe that . . . the basic purpose and plan of the Constitution is that the Federal Government should have no powers except those that are expressly or impliedly granted, and that no department of Government—exceutive, legislative or judicial—has authority to add to or take from the powers granted it or the powers denied it by the Constitution. . . .

"It is language and history that are the crucial factors which influence me in interpreting the Constitution—not reasonableness or desirability as determined by Justices of the Supreme Court.

* * * * *

"I can find in the Constitution no language which either specifically or implicitly grants to all individuals a constitutional 'right of privacy.' . . . But, even though I like my privacy as well as the next person, I am nevertheless compelled to admit that the

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[18] Part 1660 is "Civilian Work in Lieu of Induction."

States have a right to invade it unless prohibited by some specific constitutional provision.

* * * * *

"I am well aware of the criticisms leveled against me that I try to follow the literal meanings of words and look too much to the history of the Constitution and the debates surrounding its adoption and the adoption of the Fourteenth Amendment. And I realize that, in following this procedure in many recent cases, I have reached results which many people believe to be undesirable. This has caused a new criticism to spring up that I have now changed my views.

"But I assure you that, in attempting to follow as best I can the Constitution as it appears to me to be written, and in attempting in all cases to resist reaching a result simply because I think it is desirable, I have been following a view of our Government held by me at least as long as I have been a lawyer.

"This view is based on my belief that the Founders wrote into our Constitution their unending fear of granting too much power to judges. . . . But there is a tendency now among some to look to the judiciary to make all the major policy decisions of our society under the guise of determining constitutionality.

* * * * *

"I would much prefer to put my faith in the people and their elected representatives to choose the proper policies for our Government to follow, leaving to the courts questions of constitutional interpretation and enforcement.

* * * * *

"Power corrupts, and unrestricted power will tempt Supreme Court Justices just as history tells us it has tempted other judges. For, unfortunately, judges have not been immune to the seductive influences of power, and, given absolute or near-absolute power, judges may exercise it to bring about changes that are inimical to freedom and good government.

* * * * *

"For the reasons that I have been discussing, I strongly believe that the public welfare demands that constitutional cases must be decided according to the terms of our Constitution itself and not according to the judges' views of fairness, reasonableness or justice.

* * * * *

"The courts are given power to interpret the Constitution and laws, which means to explain and expound, not to alter, amend or remake. Judges take an oath to support the Constitution as it is, not as they think it should be. I cannot subscribe to the doctrine that, consistent with that oath, a judge can arrogate to himself a power to 'adapt the Constitution to new times.'

"But adherence to the Constitution as written does not mean we are controlled by the dead. It means we are controlled by the Constitution, truly a living document. For it contains within itself a lasting recognition that it should be changed to meet new demands, new conditions, new times.

"It provides the means to achieve these changes through the amendment process in Article V.

* * * * *

"I do not believe that the First Amendment grants a constitutional right to engage in the conduct of picketing or demonstrating, whether on publicly-owned streets or on privately-owned property.

"The Constitution certainly does not require people on the streets, in their homes or anywhere else to listen against their will to speakers they do not want to hear. Marching back and forth, though utilized to communicate ideas, is not speech and therefore is not protected by the First Amendment.

* * * * *

"I deeply fear for our constitutional system of government when life-appointed judges can strike down a law passed by Congress or a State legislature with no more justification than that the judges believe the law is 'unreasonable.' "

Jake Pickle: An Effective Congressman

HON. W. R. POAGE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1968

Mr. POAGE. Mr. Speaker, today, I had the opportunity to meet with a fine group of good friends from the district just to our south. They were here to initiate nonstop air service between Austin and Washington. I salute our neighboring Congressman, the gentleman from Texas, the Honorable J. J. "Jake" Pickle. I only wish we could get a service even partly comparable to that he has secured for Austin. As part of the inaugural flight program over 50 officials of the State and local governments, of the University of Texas, and of the leading area businesses are now in Washington, and I believe it is fitting to reflect for a moment on the career of our colleague.

While it seems that Pickle's years have passed quickly, they are long, indeed, in terms of the experience he has gained. Jake has quickly become one of the seasoned veterans on Capitol Hill.

From his first days here, he was assigned to the House Interstate and Foreign Commerce Committee—the oldest and one of the most powerful committees now in existence. In addition to this, being an extraordinary appointment for a freshman lawmaker, he has worked hard and risen 10 places in important seniority so that today he ranks only eighth from the chairmanship on the majority side. As the only Texan on this committee, Jake has performed an outstanding feat in representing the many points of view coming out of our home State.

Largely because of his untiring work, Pickle has won the acclaim of much of the leadership in Congress. Speaker McCormack has called him one of the most enthusiastic Congressmen to come to Congress in years. Vice President Humphrey has called him a "man all Texas can be proud of." And, Governor Connally of Texas is quoted as referring to him as a man who has proved his mettle for "over a quarter of a century of service to Texas."

Mr. Speaker, to describe Mr. Pickle's absolute accomplishments, I would have to do little more than refer you to almost any constituent of his district. He has produced more positive programs of assistance for the benefit of all in the 10th District than can be imagined. He has worked in securing improved transportation services for Austin, and in obtaining schools, post offices, and other much-needed facilities. In representing one of the major educational centers in Texas, he is an effective advocate of improved education at all levels, and for all income groups. He served this last year as the president of the University of Texas Ex-Students Association, Washington, D.C., Chapter, and, incidentally, as president of the Texas State Society, as well.

As a member of the Subcommittee on Transportation and Aeronautics, he has become recognized as an expert on aviation problems and has participated in many conferences and technical meetings.

Mr. Pickle sponsored legislation last year which ultimately served as the pattern to settle the national railroad strike which paralyzed the country for 3 days. He has been the leading spokesman for a permanent law for handling emergency work stoppages in the transportation field, rather than use the piecemeal approach we have seen in the past. This is intended to save collective bargaining.

As the Representative of one of the finest and most diverse agricultural districts in the country, he has taken a sympathetic view of farmers and their problems. During the time I have served as the chairman of the House Agriculture Committee, I have seen him work swiftly and knowledgeably to protect the interest of the farmers he represents. He personally came to me to point out the danger of a measure which could possibly have worked to do away with the Texas rice farmers' historic producer-acreage allotment. As a result this legislation was laid aside.

In legislation providing for the transfer of peanut-acreage allotments, he worked to insure that the intracounty restriction was included so that processing and production facilities would not be abandoned.

And in the cotton program he has been alert to every move. He had a keen interest in the Agriculture Act of 1965, and suggested language that was incorporated in the bill concerning the sale and lease of cotton allotments. This law is generally recognized as one of the most successful and accepted pieces of farm legislation seen in years.

Also, Pickle is a watchdog in keeping surveillance of the rules and regulations put out by the Secretary, and worked to assure that the rules for the 1968 program would be the same as those under the 1967 program.

In short, Jake Pickle is a man who gets action. We in the Texas delegation marvel at his effectiveness, and the stock crack at the weekly delegation luncheon is "Well, Jake, what have you moved to Austin today?"

And while this remark seems to say that his interests are localized, this is certainly not the case. As Vice President Humphrey said, Pickle is a man for all of Texas to be proud of.

There is no office of Congressman-at-large, but Jake fits that role now. Anyone in the delegation will vouch for the fact that Jake will listen to any good cause; give good, commonsense advice; and most importantly, take the action needed to get the job done.

It has been a refreshing experience for me to serve with this fine man, and I wish to congratulate him on his accomplishments, and am glad today that I could join in the welcome of a large and distinguished group from Austin and central Texas to Washington in celebration of this nonstop Braniff flight from Austin to Washington.

The Right of Privacy and Federal-State Sharing of Income Tax Returns

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1968

Mr. FINDLEY. Mr. Speaker, the American public is about to find out that the right to privacy, so necessary for the existence of a democratic society, is again being infringed upon, this time by a seemingly innocuous set of Federal regulations which provide that the Internal Revenue Service may share Federal income tax returns with State and local governments.

The purpose of this system is to eliminate cheating on income tax declarations. In that sense the sharing idea may be beneficial. But it has a serious flaw—the information in income tax returns will run the risk of becoming public. And even worse, it can likely be misused by self-seeking public figures. Because of this, the information sharing idea is, on balance, obviously bad, and should be eliminated.

An editorial from the Shelby County Herald, Shelbyville, Mo., of March 20, 1968, amply explores and illustrates the explicit threat to the cherished American right to privacy which exists in the income tax information sharing regulations:

EDITOR'S OPINIONS

(NOTE.—The following editorials have been written, only in part, by the Herald staff, however, all editorials in this column are closely edited by the Herald publisher and are the opinions of the Herald editor.)

A MATTER OF DISCRETION

In Washington, the Internal Revenue Service has announced that, "Twenty-six states and the District of Columbia are participating in a Federal-State Tape Exchange Program with the Internal Revenue. The IRS said that furnishing states with income tax data in magnetic tape form is only the latest development in the Federal-State Cooperative Exchange Program that was authorized by Congress over 30 years ago. . . . Currently, the participants in this program are: Alabama, Alaska, Arkansas, California, Delaware, Georgia, Idaho, Indiana, Iowa, Kansas, Kentucky, Maryland, Massachusetts, Michigan, Missouri, Montana, Nebraska, New Mexico, New York, North Dakota, Oklahoma, Tennessee, Utah, West Virginia, Wisconsin and the District of Columbia."

Precisely what is involved in this "Cooperative Exchange Program" is revealed by an editorial released by the U.S. Press Association last December 12, in which it was reported that the Governor of Pennsylvania was offering a county tax collector in that state a copy of the federal income tax return of every taxpayer in the county for approximately $35,000.

Further, the Internal Revenue Service reports the following "other states having pacts with the IRS . . .": Arizona, Colorado, Florida, Hawaii, Illinois, Maine, Minnesota, Mississippi, New Hampshire, New Jersey, New Mexico, North Carolina, Ohio, Oregon, Pennsylvania, South Carolina, South Dakota, Virginia, Washington and Wyoming.

Note that the State of Pennsylvania falls in this second group. Thus, it would appear that any State having a "pact" with the IRS may avail itself of the "magnetic tape" service.

This means that the taxpayer residing in every one of the states named above must realize that a copy of his federal income tax return will be made available to the governor of his state, and that the governor, in turn, may make it available to local or county tax officials.

To quote the IRS again . . . "tapes are made available to the states on a reimbursable basis. IRS is required by law to charge the recipients for the costs incurred in compiling and preparing data. . . . Under the law, the states have authority to make the information available to their subdivisions."

"INSPECTION" OF YOUR TAX RETURN

In explanation of its program of making copies of personal income tax returns available to state governors, and through them to local and county subdivisions, the Internal Revenue Service cites one additional reference, Section 6103(b) of the Internal Revenue Code of 1954. That Section reads:

"(2) State Bodies Or Commissions—All income returns filed with respect to the taxes imposed by chapters 1, 2, 3, and 6 (or copies thereof, if so prescribed by regulations made under this subsection) shall be open to inspection by any official, body, or commission, lawfully charged with the administration of any State tax law, if the inspection is for the purpose of such administration or for the purpose of obtaining information to be furnished to local taxing authorities as provided in this paragraph. The inspection shall be permitted only upon written request of the governor of such State, designating the representative of such official, body or commission to make the inspection on behalf of such official, body or commission. The inspection shall be made in such manner, and at such times and places, as shall be prescribed by regulations made by the Secretary or his delegate. Any information thus secured by any official, body, or commission of any State may be used only for the administration of the tax laws of such State, except that upon written request of the governor of such State any such information may be furnished to any official, body, or commission of any political subdivision of such State, lawfully charged with the administration of the tax laws of such political subdivision, but may be furnished only for the purposes of, and may be used only for, the administration of such tax laws."

The key sentence in this section, it seems to us, is that which reads: "The inspection shall be made in such manner, and at such times and places, as shall be prescribed by regulations made by the Secretary or his delegate."

The fact is that the Secretary of the Treasury acting "within his discretion," has "prescribed by regulations" that the inspection of your personal tax return may be made by delivering to a state governor the tax return of every citizen in the State—whereupon the governor, in turn, may deliver it on to any subordinate official he wishes, right do to the local and county level.

Do you still think your tax return is confidential?

ON CONFIDENTIALITY OF TAX RETURNS

If you know a secret, and retain it, then only one person in the world knows. We may mark down that the knowledge is held by: 1.

If you share your secret with your wife, then we must make another entry. The composite now looks like this: 11.

But if you tell a friend, then a third entry is required. It now reads: 111.

That means that one-hundred-and-eleven people now know the secret. It is this very kind of progression that prevails when secrets are shared. And that is what is wrong with the practice of the Internal Revenue Service sharing our personal income tax returns with the states, and the states in turn sharing them with country or local tax collectors. All control has been lost.

The situation now is that a copy of your return goes to Washington; the governor of your state and the staff of the state tax office may be supplied a copy of the return; and the local or county tax office may have a copy of your return. In reality, probably more than 111 persons may share the secret. A recent employee in a state tax office was asked how many persons in his office, in actual practice, had access to a copy of a federal tax return supplied from Washington. His reply: "Anybody on the floor . . . several dozen people."

What possible protection is there against the possibility that someplace along the line there is an employee in financial straits more dire than your own, and subject to big-money temptation? What intimidation might you expect if the detail of your tax return fell into criminal hands?

For example: New York is one of the participating states. In upper New York there is a county with more than a million residents, including two large cities, which newspapermen will tell you is "owned" by the Mafia. In the words of one newsman, "The Mafia has a piece of everything in the county, right down to the collection plate in some of the churches." What would the Mafia pay an employee in that county's tax office for the tax returns of every resident?

The penalty is "not more than $1,000 or imprisonment for not more than one year, or both." Suppose a $100-a-week clerk were offered $100,000 for the returns? The Mafia would consider that a bargain.

The point is that the IRS has entered into an arrangement whereby it has no real control over the confidentiality of tax returns. Is it possible that the members of Congress are unaware of this practice?

IS IT LEGAL?

Is it legal for the Internal Revenue Service to "sell" copies of our personal income tax returns to the states, and for the state, in turn, to "resell" a copy to the local or county tax collector, or some other subdivision of the state?

Here is what the Internal Revenue Service says: "The availability of federal tax returns to state tax officials . . . is authorized in laws enacted by Congress . . . IRS does not deal directly with local subdivisions. It deals only with the state government and under the laws cannot tell the states how they should conduct their business, which is the established relationship between the federal government and the states. Under the law, the states have authority to make the information available to their subdivisions . . ."

Perhaps your reaction will be the same as was ours. Let's see the law!

First, the IRS cites Section 7515 of the Internal Revenue Code. Please read it:

"The Secretary or his delegate is authorized within his discretion, upon written request, to make special statistical studies and compilations involving data from any returns, declarations, statements, or other documents required by this title or by regulations or from any records established or maintained in connection with the administration and enforcement of this title, to engage in any such special study or compilation, upon the payment by the party or parties making the request, of the cost of the work or services performed for such party or parties."

Does that Section say anywhere that the Secretary of the Treasury may hand over a copy of your personal tax return to your governor, or county tax collector?

Then read Section 7809, which is the next reference cited by the IRS. It says:

"Except as provided in subsections (b) and (c) and in sections 4735, 4762, 7651, 7652, 7654 and 7810, the gross amount of all taxes and revenues received under the provisions of this title, and collections of whatever nature received or collected by authority of any internal revenue law, shall be paid daily into the Treasury of the United States under instructions of the Secretary or his delegate as internal revenue collections, by the officer or employee receiving or collecting the same, without any abatement or deduction on account of salary, compensation, fees, costs, charges, expenses, or claims of any description. A certificate of such payment, stating the name of the depositor and the specific amount on which the deposit was made, signed by the Treasurer of the United States, designated depositary, or proper officer of a deposit bank, shall be transmitted to the Secretary or his delegate."

Did you find any such right spelled out in that section?

WHAT DID CONGRESS INTEND?

Did Congress intend that the Secretary of the Treasury make it possible for the governor of a state, and any subordinate he wishes, to have a copy of your federal income tax return?

It is not necessary to plough through debates in committee and on the floor of the House and Senate to find the intent of Congress. As a matter of fact, the intent of the Congress is very clear in a paragraph of the Internal Revenue Code which the IRS cites, the Section 6103 which we have quoted. Here is what paragraph (d) of the Code says:

"The Secretary and any officer or employee of the Treasury Department, upon request from the Committee on Ways and Means of the House of Representatives, the Committee on Finance of the Senate, or a select committee of the Senate or House specially authorized to investigate returns by a resolution of the Senate or House, or a joint committee so authorized by concurrent resolution, shall furnish such committee sitting in executive session with any data of any character contained in or shown by any return."

Executive session means closed. It means secret.

Congress clearly was taking the most extreme precaution to protect the confidential nature of the taxpayer's tax return. No member of Congress, and no member of any standing or special committee of the Congress, could see a taxpayer's return except "sitting in executive session." The very imposition of the "executive session" restriction bespeaks the intent of Congress that the confidential nature of the tax return should be made inviolate.

But, the Secretary of the Treasury has, "within his discretion," made it possible for a governor, or any subordinate of the governor, right down to the local and county level, to have a copy of the return of any taxpayer in any county or city in the State. The Congressman elected from that Congressional district could not see that return, except in "executive session" of a Congressional Committee.

The secrecy of our personal, federal income tax return which we have always thought to be inviolate, has been violated. And it doesn't soothe any to realize that even our Congressman's income tax return is on those tapes being delivered to state and county officials.

Private Money for the Public Interest

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1968

Mr. MOORHEAD. Mr. Speaker, I think we could all agree that spending someone else's money should be a lot of fun. However, it is not all that simple.

McGeorge Bundy, president of the Ford Foundation—and formerly, Special Assistant to the President of the United States—discusses the role of foundations in today's society, pointing out some disadvantages and advantages, as a result of their special relationship with the Federal Government, in putting money to work.

Under unanimous consent I include, at this point in the RECORD, Mr. Bundy's fine remarks before the 18th annual conference of the Council on Foundations in Boston, titled "Government as Colleague and Petitioner":

GOVERNMENT AS COLLEAGUE AND PETITIONER

(By McGeorge Bundy)

Foundations are a remarkable invention. They are so remarkable and so varied, there are so many of them, and collectively, you all know so much more about them than I do that I have no intention of attempting a definition or a discussion of the task of the American foundation as such.

I thought instead that it might be appropriate, since I am only a little more than a year removed from Washington, if I were to talk about what I have come to believe is the necessary symbiosis between foundations and government—primarily the federal government, but other levels as well.

What is most remarkable about this question, in a way, is that both sides are so wary about it. The government, which often seems from foundations' side to be an inquisitor, an inspector, a potential monitor, and rule maker, approaches the American philanthropic foundation with great care, for it recognizes—how could it not—that this is a great and growing engine of activity in our society.

We are not growing, on the best statistics we have, quite as fast as colleges and universities as a group. Nor—and this is important because of its relation to the process of investment and ownership in American affairs—are we growing even one-third as rapidly as pension and retirement funds. We are growing, as I think you would all agree from your own experience, less quickly than the pressures of opportunity and obligation and need which fall upon us. And many parts of the government would hold that we are not growing nearly as fast as the government itself would like us to.

But we begin with the government as the agency whose laws, regulations, and processes define our ability to work effectively, by giving us a special relation to the tax rules of the nation.

It can be argued that we would not be in very great trouble if we were not tax-exempt, and paid taxes like other business organizations. The hypothesis is that we could easily contrive to conduct our business so that we had nothing to be taxed. This is quite often true, especially of organizations which are more prepared to spend their money upon studies or investigations than to make grants directly for other agencies' operations. By and large, we have not chosen to advertise that alternative. We do, in fact, accept and enjoy a kind of privilege which is—and has been through history—unusual in the societies of the world, which is accepted in the United States, and which places us in a special relation to the government of the United States.

THE OBLIGATION OF CANDOR

The first consequence of that relationship is, I think, that we must accept the privilege as one which has to be earned and justified. And the principal process by which we earn and justify it is not so much in all the good and kind and popular things that we do. We are, after all, supposed to be doing good. Our principal obligation is to have it *known* what we are doing. We get notice when we do conspicuous things or—as we should from time to time—unpopular things. But full disclosure has not always been the invariable or general practice among philanthropic foundations.

I emphasize this because I believe that the disarming effect of candor in our kind of activity is very difficult to overestimate, that a government which finds itself banging on an open door is at once startled and placed on the defensive. What stirs wariness and suspicion is a feeling that people don't quite know, perhaps, what these so-called, self-styled, charitable good-workers are doing.

The government, then, licenses a way of operating for all of us, and the corresponding obligation upon us, the fundamental one, is that what we do should be known. Now, in the formal sense, that means reporting to the government. But in the wider sense of public responsibility and of the processes of a democratic society, it means accountability to the society as a whole.

I don't think we should yield, insofar as we can avoid it, to the very natural temptation to do good quietly. That may be the right of the individual philanthropist; I think it is. But the corporate philanthropist has a corporate obligation. I do not think we serve ourselves or the public interest, or the long-range relationship between foundations and political authorities, if we are not prepared at all times to say as clearly, as straightforwardly as we can, what it is that we are doing.

The converse of that is, in my judgment and in my experience, that those who hide nothing—however unpopular—have much less to fear than those who have nothing to hide but do so anyway. Even if what was done was the topic of somebody's angry editorial or somebody else's annoying insertion in the *Congressional Record*, if you talk about it and explain it, the chances are overwhelming that there will be much more understanding and sympathy than suspicion and criticism.

Seventy-five per cent of the public misunderstanding of the processes of government arises from ignorance rather than from real and painful experience. This is equally true of the field of foundations—what they are about, and why they deserve to have and to keep various advantages which the law provides.

THE GOVERNMENT AS COLLEAGUE

The way to deal with the government is not to regard it as a distant, hooded, nameless adversary. It is, after all, a collection of human beings who, in varying ways, are discharging the obligations placed upon them by political authority which has been duly constituted and who will respond to reasonable communication.

But the licensers and watchmen are only one part of government. Around the corner and across town are other parts of government. Of these, right now, the largest is the government *as* a foundation, or rather a group of foundations. This is one with which we find ourselves dealing nearly every day.

In the Ford Foundation, for example, we find it necessary to maintain intensely continuous communications with people in government concerned with health, education, poverty, labor and manpower, overseas development, and other subjects of mutual interest. There are six or eight large, bureaucratically-managed organizations—no more and no less bureaucratic, I dare say, than our own—spending very much larger amounts of money, any one of them, in a month than we would spend in a year. All, in the main, are concerned with the process of handing these large sums to other people for use under the terms and conditions of this or that statute, or this or than internal guideline.

This is not so very different from the processes which we ourselves carry on under guidelines established either by the Trustees—analogous, in this case, with the Congress—or by the staff or senior officers of the Foundation—analogous in this sense to the senior men in the executive branch.

The difference is one of magnitude. On matters in which the Ford Foundation is active, the government spends something on the order of $20 billion a year, and we spend $200 million. It is, therefore, a rather rare case where we spend more, on the average, than something like 1 per cent of what government is spending. Even where we are large partners, the Foundation rarely spends more than 5 or 10 per cent of what government spends.

There are special situations. The Ford

Foundation spends more than the government in the fields of humanities and the arts. We have been unsuccessful so far in escaping from a situation in which we spend more than the government on certain kinds of work in the field of population. But these are imbalances which, as citizens, we seek to repair. There is no feeling on our part that there is any advantage in being larger than the government.

In fact, the adjectives we would like to use in our relations with the government are those which the little man traditionally thinks of when he looks at the big man. You know: he may be big, but I am bright; he may be heavy, but I am quick. And they are, indeed, the same advantages that other foundations sometimes have, and often claim, as against the Ford Foundation.

The government is going to be more a foundation, or series of foundations, before it is less. Its disadvantages of inflexibility and kind of supervision are balanced by advantages of mass and momentum. At its best its activities in this field have both more seniority and, overall, as good a batting average as any of us would wish to claim. The National Science Foundation, for example, is just as old as the Ford Foundation and much larger. In the field of scientific research, it is preeminent in the United States and it deserves its preeminence.

We have to look at government, therefore, not only as a licensing agency but also as a partner, a very large partner, and a very effective one. And I for one see no pain in that. The government has resources and responsibilities; the public society has a right to make judgments as a collectivity, just as it has a right—and, I think, is wise—to permit and to encourage the separate choices and judgments which private foundations make.

CONNECTING WITH THE GOVERNMENT

The government as foundations is important not just as a grant-making organization, but also as a source of information on questions of substance. It has information; it also needs information. Just as the exchange of information among foundations—which was slow to develop but is now rapidly growing, and of which this Council may be the principal exemplification—is reinforcing and encouraging to us, so the wider and more general process of exchange of information with government is reinforcing to us.

One can even say, I think, that to the extent that we have less restrictions upon us, fewer political obligations, and are able to move more rapidly and with a higher degree of flexibility, one of our roles in discharging our obligations and meeting our own purposes is precisely to be in communication with the government. It is also a good way of moving forward the concerns to which any of us may have a dedication.

Let me take again an example much in our minds at the Ford Foundation: the problem of understanding the forces which make for growth and restraint in human population, and of action on the basis of that understanding, by democratic concern and in accordance with the practices of each society in its turn. If it be true, as we think, that this problem is one of the three or four that belong at the head of the agenda, and if the costs which are implied—both in achieving understanding and in social action as agreed and consented to and wanted—are larger than the resources available outside government, then it seems entirely proper that we should state our views, privately as appropriate and publicly as need be, to the government. And we should be prepared to consult both professionally and in terms of social behavior and social policy to, with those to whom it is appropriate to direct these views. Indeed, it is almost a necessary result of our own concern and understanding.

Each of you, as you run across a current, modern social problem, will have the same problem of connection with the government. It makes no sense, in the last third of the twentieth century, to suppose an arbitrary division between what is done publicly and what is done privately. One of the responsibilities of the private organization, is, in fact, to concern itself with the relationship between the problem it is attacking and that part of the problem which, on honest assessment, it believes is also a part of the responsibility of political institutions and political forces.

Now, that leads to another point, one I think is very interesting. The government is changing very rapidly as it struggles to respond to the enormous and growing range of current problems—more rapidly in fact than the foundations. In some places, as I have hinted, it seems too slow. But in others, the very issues to which it is addressing itself are so imperfectly understood and the need for action so great that the action very often precedes any precise understanding of what it makes sense to do.

The government, in a word, gets confused and makes mistakes and finds itself wrestling with problems which it simply does not understand. The whole complex of problems which is the modern American city, may be the most striking single example.

We ought to have been quicker and more alert than we were, both in identifying the great problem which is the modern city and in seeking out a deeper, more effective perception of the elements of that problem and ways of dealing with it. But we did make a beginning, and we played a large role in helping to shape government response to it.

And here is another role for private citizens and foundation money working together: not simply as licensees or junior partners or consultants, but also as constructive critics of the government—sources of ideas about how it can do its business better.

The government is not without instruments of self-criticism, both within the executive branch and in the interplay between the executive and legislative branches. There are many other forces in our society, particularly in the political arena, from which we can expect critical comment as well. But analysis and understanding generally require something more than the winds of political debate, and for that I think there is a special responsibility upon those of us who have genuinely independent funds to put to work.

It is not a healthy thing for any of us to get so deeply involved working with government, or alongside government, on the poverty program, the foreign aid program, the needs of education—I pick three in which we happen to be deeply engaged at the Ford Foundation—that we cannot turn upon the government and tell it a few home truths. If we cannot claim certainty of judgment or righteousness, we can at least claim the right and the responsibility for independent comment. That is one of the justifications for our existence.

GRANTS FOR GOVERNMENT

There is yet another, curious and rapidly growing, relationship between foundations and the government, in which the government appears as a petitioner for funds. Mayors and remakers of the insides of cities, human resource administrators, skillful governors, and imaginative public education officials have learned, and it is right that they should have learned, that one way of meeting some of their problems is through help from foundations. Often the brighter governments are the most frequent petitioners, and the very men who have made reputations by their skill in extracting funds from the federal government are to be found engaged in what is essentially the same process at the doors of foundations.

We have to meet them there—on rules and conditions, to be sure, which certainly will vary from one foundation to another. But I doubt if it would make sense to have a general rule never to make grants to government agencies. We certainly have no such rule at the Ford Foundation, although we often wish we did. It would cut down on the volume of conversation which doesn't lead to results. Yet we don't really want to foreclose conversations that do lead to results, so we have that kind of relationship also.

The question always is, of course, when is a given plea the sort of thing which it makes sense for a foundation to do, and when is the man simply coming in because he cannot stand one more fight with his board of estimate, or council, or legislature, or because his man in charge of this or that has been imprudent in planning and stopgap funds are needed?

A special but persistent case, which affects the entire private sector, and not foundations alone, is the absence of any provision in most units of American government for the start-up costs of a new administration. In the federal government there was such a problem in the turn of the year 1960–61. It was mitigated by the fact that the Senator from Massachusetts who had been elected did have access to private resources, but that is not always going to be true. It is conspicuously not true in most state and city government transitions. Yet government's effectiveness in our society turns enormously on the speed with which a management can begin to assert itself. And the time set aside between election and inauguration in most of our constitutions and charters—a longer time than is allotted in most democratic societies—cannot be used effectively if there are not staff and resources to cope with the work which fills to overflowing the time of transition for those who are coming in.

That is a special case, but it illustrates a relationship with government which deserves a special state of mind on our part. It is quite distinctly different from our relationship to government as a licensing authority, as an active group of foundations itself, and as a fascinating topic for study and criticism.

I have said enough, I hope, to suggest to you that this relationship between foundations and government is not linear. It does not take place across a single no man's land, but rather exists through a number of different dimensions in which the human beings who happen to hold government office and the human beings who happen to be accountable for the work of foundations live together, but play quite different roles one to another at different times.

What I would affirm, but what I cannot possibly prove, is that on the whole, whether we are making ourselves accountable to them or they are being subjected to our criticism; whether we are passing most of a field of activity to them because their magnitude or the social urgency of the problems make it necessary, or we are giving them a hand at a particular moment of fiscal or inventive crisis; whether we are urging upon them the initiation or expansion of one kind of activity, or the cessation of another; the relations all exist within the premises of a plural and democratic society.

Government, no less than foundations, is composed of many kinds of men and women. They have many differing responsibilities, and they need the varied kinds of independence, cooperation, licensed candor, responsible assistance, independent judgment, mature self-respect, self-confidence, and readiness to act and take the consequences, which I think our society is coming to expect more and more of the American philanthropic foundation.

You don't have to be in the foundation business very long to know that it can and should be better than it is. You don't have to be in it very long to acquire a counterbalancing understanding of how hard it is really to do it well. You don't have to be in it any time at all to know the comforting values of company. We in the Ford Foundation are proud that we are part of a general national enterprise. We are delighted that there are so many others pursuing it. We have the same feeling about your growth that we have about the growth of government activities. We are spending a lot of our time now explaining what happens to be true—that we don't have as much money as people think, or as they could constructively use. You are in the same boat. This is the only place in the country where we can all understand together and sympathetically how very poor we are.

Philadelphia Inquirer Commends President's Action

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1968

Mr. EILBERG. Mr. Speaker, the Philadelphia Inquirer has extended its highest praise to President Johnson for his "noble gesture, undertaken with dignity and grace" to unite the country in its time of travail.

The cynical will search for ulterior political motives—but to no avail, for they do not exist.

President Johnson wanted to unite a divided nation and end an ugly and bitter war—even if he had to sacrifice his political life to accomplish them.

To bring about a national reconciliation, President Johnson has pierced the bubble of venom which would have followed him in a campaign. To secure unity of purpose, he has sacrificed personal considerations. To bring peace to Southeast Asia, he has taken Vietnam out of the political arena.

He will now—as has been his wish—be able to devote his full energy to the duties of the Presidency. Electioneering will not divert his attention from seeking peace in Asia and unity in America.

History will mark his actions as the true sign of greatness. As the Philadelphia Inquirer put it:

> History may still record that President Johnson's finest hour in office came as he was announcing his relinquishment of it.

I ask unanimous consent to insert into the RECORD the editorial from the Philadelphia Inquirer praising the President's actions:

WITH DIGNITY AND GRACE

In an election campaign that has been surfeited with the unexpected, President Johnson has provided a moment of high drama with his announcement that he will not run for another term.

The President had already, in the course of his speech, announced a radical change in U.S. policy in Vietnam, calling for the stoppage of the bombing in 90 percent of the territory of North Vietnam and inviting Hanoi to join in mutual moves toward peace.

It was his statement taking himself out of contention for the Presidency, however, that topped everything else in its importance as well as in dramatic effect.

The "why" of the Johnson decision was expressed in the simplest terms by the President himself: He wants to unite the country. He believes it is necessary for him to step aside if the country is to achieve that unity.

He wants an honorable peace in Vietnam. He knows there is a deep and growing divisiveness in America over his policies. To bring about reconciliation, he is willing to put aside personal partisan considerations.

His is a noble gesture, undertaken with dignity and grace. He is unwilling to take the time and effort required for electioneering that he thinks should be devoted completely to the duties of the Presidency in a period of travail.

There are few Americans, we are sure, who can be untouched by the President's act, and the spirit of patriotism and generosity that motivated it. A wave of sympathy and understanding has already enveloped him, and will, no doubt, help sustain him in difficult days ahead.

From the practical political standpoint, there were some harsh reasons for the Johnson decision: Senator McCarthy's showing in the New Hampshire primary and the visible signs of an impending McCarthy victory in Wisconsin on Tuesday; Senator Robert Kennedy's entry in the race for the nomination; growing evidence that the President would have to inject himself actively in the pre-Convention campaign if he wanted the nomination; and the mounting belief that, in the divided state of the country and of the Democratic Party, the nomination might in the end prove not worth winning.

Politically, all of the repercussions from the Johnson retirement are yet to become manifest. The edge has been pretty much taken off any McCarthy victory in Wisconsin, and both the Minnesota Senator and Kennedy have suddenly found themselves bereft of their main target. The candidate to whom Johnson will shift his support may or may not be Vice President Humphrey; it may even be McCarthy. Or—something that cannot be ruled out, particularly if there is a sudden change for the better in Vietnam—the President may yet be prevailed upon to change his mind.

Obviously, a great deal depends upon Hanoi's reaction to the President's latest effort to attain peaceful settlement. The political practicalities may induce the North Vietnamese to sit tight and await the outcome of the Presidential election in November, rejecting any and all efforts by a "lame-duck" President. On the other hand, outside pressures may force Hanoi, at last, to the negotiating table.

History may still record that President Johnson's finest hour in office came as he was announcing his relinquishment of it.

National Fire Service Recognition Day

HON. ED REINECKE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1968

Mr. REINECKE. Mr. Speaker, the brave firemen, who perform the hazardous duties that protect us all, would be appropriately honored by enactment of the resolution which I have introduced today.

By its terms, the President would be authorized to proclaim the second Saturday in May of each year "National Fire Service Recognition Day."

Our country's firemen deserve this honor for their devotion to duty under difficult and dangerous conditions. Men who brave the hazards of fire, occasionally need such formal praise to help bolster their stanch spirit; once a year will not be too often to acknowledge to them our gratitude for what they do at very great risk to their health, their safety, and their very lives.

The words which appeared on a commemorative stamp of 1948 honoring the 300th anniversary of volunteer firemen in America apply as well to our professional firefighters: "Unselfish Public Service—Courage—Duty."

Radical changes have come about in the techniques of firefighting. No longer are fire engines drawn by teams of galloping horses. Gone forever are such horses, along with the leather water buckets that once were part of the apparatus of firefighting. Efficiency and speed have been gained by our modern fire departments, even though some of the colorful aspects of the firefighting of the old days may have been lost.

Such technological improvements must continue. One of the major problems confronting fire departments is that firefighting has long been thought to be strictly a local responsibility; yet, local governments do not have the funds needed to finance needed technical innovations in firefighting equipment. A recent nationwide conference on fire-service administration, education, and research has called for consolidating small and outmoded departments into larger units and for seeking research help from the Federal Government. I favor such research with Federal assistance.

Until that assistance is forthcoming, the very least we can do for our firemen is to enact this resolution authorizing National Fire Service Recognition Day.

Out of Left Field

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1968

Mr. ROSENTHAL. Mr. Speaker, I am proud to count within my district one of New York City's unique contributions to American civilization, the New York Mets. As any New Yorker knows, the Mets are truly amazing; the team is certainly a source of constant bewilderment to me. This week, though, with the advent of both the spring baseball season, and a very special spring political season, I am not at all sure about which promises to be the more amazing.

Can the leader in the Grapefruit League take the pennant? Does the team need a new cleanup batter? What changes have rookies, off-season trades, and spring holdouts made in this year's pennant race? And what about that sore arm on our veteran pitcher? Yes; a new season is now with us, and we can now settle down to the spring pleasures of anticipation guesswork, and high hopes that accompany every new season. And this is true of baseball, too.

A recent article by Robert Lipsyte in the New York Times of March 25, 1968, tells us exactly how seductive the language of baseball can be for political commentators. As we prepare to play ball, I hope that the article, which follows, can give us some sign of what to expect.

The article follows:

OUT OF LEFT FIELD

(By Robert Lipsyte)

When George Romney withdrew from the race for the Republican Presidential nomination last month, an observer was quoted as saying: "Nixon never even had to lay a glove on him." Richard Nixon's comment was:

"Now, it's a new ball game." When Robert F. Kennedy recently declared himself a contender for the Democratic nomination, Governor Rockefeller said: "the ball's loose on the field." Senator Eugene McCarthy said last week that Kennedy "plays touch football, I play tackle. He plays softball, I play baseball. He skates in Rockefeller Center, I play hockey." And last year, as if foreseeing this kind of talk, President Johnson said: "If I decide to run, I'll win and I'll be here . . . just give me my runs, hits and errors."

According to most poorly regarded political sources, this year's campaigns are going to be the most hotly contested races since 1951 and 1962, when the Giants nipped the Dodgers in runoffs. The campaigns will be heightened, it is said, by the use of sports metaphors to give citizen-fans a greater sense of involvement and to obscure real meanings. An example often cited was the announcement by Senator Thruston B. Morton that he would not seek re-election. The Kentucky politician explained: "I suppose I'm just plain track sore."

DON'T GET PICKED OFF

Even now, in rusty lockers throughout the country, active minds are scooping up sports metaphors for every political eventuality. Should Mayor Lindsay of New York, often described by party coaches as a "real fine major league prospect," be brought up to the big team, his friends will applaud his "coming off the bench with the team down and hurting." Should Senator McCarthy withdraw suddenly in favor of Senator Kennedy, some people will say he "was running interference all along." Governor Rockefeller, who some people see as a "future draft choice," is waiting to "be called in the bottom of the ninth."

Political sports talk, with all its folksiness and vagueness, will be particularly handy for hurling invective this season. There is no percentage in charging that a man is soft on Communism when you say, with a grin, "He goes to his left pretty good." Why charge an opponent with ducking the big issues when you can say, especially in hockey expansion cities, "you can't ice the puck forever in this league." After an opponent has made a nasty attack, a politician could say, "His backhand is pretty good, but he can't keep his serve on the court." In other socio-economic areas, it might be better to say, "His spin is pretty good, but he can't keep his delivery out of the gutter."

In certain situations, especially if the politician is in his own ball park, he might say: "If he put any more spit on that ball, he'd drown us all."

TRIM SAIL AND HEAD HOME

As political sports talk proliferates, the contenders will have to let rookies "field the hot ones" while they, more sophisticated, "try not to get burned in the secondary." It will no longer do to "have my innings" when "there's another chukker to go." Any state Assembly hopeful can talk about "a team effort, we're all feeding the center," but the Man Who is the man who says, "One rower pulls a crab and the shell goes down." The greenest Congressional candidate can try not "to fumble the baton" but it takes a Most Valuable Player "to rate his horse in the stretch."

The course is laid with traps and hazards, naturally. The politician who "leaps out of the blocks and into the pivot" is a certain strike-out victim. Into the penalty box for any player who "tosses a haymaker over the centerfield wall."

But the run for daylight has comfort stations, too. Is President Johnson "goal-tending?" Are you afraid Governor Reagan will throw "a blind side tackle?" Will McCarthy, at fourth down, punt?" Is there a chance Romney will climb back into the ring? What about Hubert Humphrey, will he be a penalty killer all his life? The fronton will be fraught with political sports talk until the final moment of play when the one with the most heart and desire, the Best Man, learns that it doesn't matter how he covered his position as long as he got it up on the scoreboard.

Firearms Legislation

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1968

Mr. DINGELL. Mr. Speaker, I insert in the RECORD an excellent article appearing in Gun Week, published in Sidney, Ohio, on March 22, 1968, pointing out that officials of the Federal Government have at long last conceded that some of the doubtful statistics on the highly questionable firearms legislation now pending in the Congress, sponsored by the administration, are neither official nor accurate.

It would appear that legislation directed at depriving American citizenry of a legitimate privilege and right would be based upon the most exquisite care and upon the most appropriate and valid statistics.

Apparently neither circumstance is so in the case of the so-called Dodd bill, or the administration's firearms legislation.

Perhaps this provides the basis for further scrutiny of the poor handling of the firearms problem by the Department of Justice and the Department of the Treasury. Not only have their statistics been bad, but their handling of enforcement has been incredibly poor. Too few people have been utilized for adequate enforcement of existing law, while these agencies greedily strive to have more legislation with which to strike body blows at law-abiding sportsmen, homeowners who seek firearms for the defense of their homes, and at an industry which behaves with extreme care in its public and private activities.

The article follows:

OFFICIAL CONCEDES L. B. J.'S STATISTICS ON GUNS NOT OFFICIAL NOR ACCURATE—CREDIBILITY GAP CHARGES HURLED

A key Justice Department official has conceded that statistics used by President Johnson in support of his gun control bill are neither official nor accurate.

The acknowledgement has been cited as "astonishing evidence of the gun control 'credibility gap."

On February 9 President Johnson, in calling for passage of his gun bill as part of his crime program, told Congress "An estimated 750,000 Americans have died by this means (firearms) since 1900—far more than have died at the hands of all our enemies in all the wars we have fought."

The statement, which has frequently been used by advocates of the Administration bill, was challenged in a letter to President Johnson by Alan S. Krug, author of numerous articles and technical papers on firearms control while an economist at Penn State University. Krug was recently appointed assistant to the director of National Shooting Sports Foundation.

A reply to Krug's letter, written by Fred M. Vinson Jr., Assistant Attorney General and head of the Justice Department's Criminal Division, acknowledged that the "sources of the Administration's statistics relating to the incidence of death attributable to the use of firearms . . . (was) Carl Bakal's recent book "The Right to Bear Arms . . ."

"Concedingly," Vinson added, "it is extremely difficult to come up with an accurate and precise set of statistics reflecting the number of deaths which can be attributed to firearms . . . however, I think it unfortunate that there can be statistics, however accurate, which make it clear at least a high number of deaths have occurred. . . ."

Krug told Gun Week he was "amazed that such a key official would make an admission of using manufactured statistics 'however accurate' or however inaccurate, to promote their solution to the problem.

"I don't recall ever having seen such a bald-faced admission of the 'credibility gap' in action," Krug added.

Krug in his Feb. 13 letter to President Johnson quoted the President's "estimated 750,000" firearms deaths statement and said:

"The particular statistic which your speech writers chose in this instance is a very misleading one. It was originally manufactured by a New York City press agent to help sell an extremist anti-gun book. There are no reliable data available from any public or private source to substantiate it.

"J. Edgar Hoover, Director of the FBI, said in reference to this 750,000 figure that 'This Bureau does not have any reliable figures or estimates on the total number of Americans killed by firearms since 1900. We began compiling data on this subject in 1961. . . .' "

The quote from Hoover came from a Nov. 21, 1966 letter from the FBI Director to Gun Week.

Krug's letter continued: "The implication made is that all of these 750,000 people were 'murdered with guns.' Aside from the fact that the 750,000 statistic is in itself a fabrication, it is obvious that it includes deaths due to criminal homicides, accidents, and suicides, with the latter comprising by far the greatest part of the total.

"You also said '. . . handguns—the use of which has more and more characterized burglaries . . .' To the best of my knowledge, neither the FBI, the National Crime Commission or any other agency or organization has data on the number of burglaries which have involved handguns. As a researcher interested in this subject, I would certainly appreciate receiving any such data that you might have.

"On October 15, 1966, you told the Conference of State Committee on Criminal Administration that 'We will continue to fight for legal authority to end indiscriminate sale of firearms in the face of 17,000 Americans shot to death each year.'

"Here again, your speech writers made an unfortunate choice, representing the 17,000 deaths to be the annual number of murders committed with firearms. In 1965, the number of criminal homicides involving firearms was but 5,634. Suicides involving firearms totaled 9,898.

"The use of such misleading statistics makes it very difficult for interested parties to reach any agreement on the enactment of new firearms legislation. Sportsmen, while they have endorsed numerous firearms bills at the federal level, know the true facts about the extent of the misuse of firearms in crime. It is only through dissemination to the public of the true facts that compromise may be reached."

The text of Vinson's reply, dated March 1, 1968, states in full:

"President Johnson has asked me to thank you for your letter of February 13, 1968.

"As you may be aware, the sources of the Administration's statistics relating to the incidence of death attributable to the use of firearms and the death totals for American wars contained in recent public statements were Carl Bakal's recent book, "The Right to Bear Arms," and the Department of

Defense, respectively. I am attaching for your perusal a statement by Attorney General Clark in support of the adoption of the proposed State Firearms Control Assistance Act, which I trust will be of interest to you.

"Concedingly, it is extremely difficult to come up with an accurate and precise set of statistics reflecting the number of deaths which can be attributed to firearms.

"Just to add a personal note, however, I think it unfortunate that there can be statistics, however accurate, which make it clear that at least a high number of deaths have occurred due to the lack of Government action to prevent the indiscriminate availability of dangerous weapons to almost any individuals, however irresponsible.

"Your interest and concern in writing to the President are appreciated."

Signed, "Fred M. Vinson, Jr./Assistant Attorney General."

Krug commented that "Vinson's statement that 'a high number of deaths have occurred due to the lack of Government Action' is as unproven as are the President's statistics. Not one single scientific study has ever shown any gun control law to have been effective in reducing any crime rate."

Krug said he has just completed a new paper on firearms misuse in crime which explores the misuse of statistics "such as the '17,000' and '750,000' concocted by backers of gun control bills."

Sicilian Earthquake Victims

HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1968

Mr. ROONEY of New York. Mr. Speaker, on January 25, 1968, I introduced the bill, H.R. 14854, which would provide for the relief of certain distressed Italian aliens. In this connection, I am including herewith a copy of a letter I have today addressed to the Honorable Ramsey Clark, the Attorney General, Department of Justice, Washington, D.C., urging the Attorney General to grant a request made by my distinguished colleague, the dean of the House of Representatives, the Honorable Emanuel Celler, to exercise the discretion contained in section 212(a)(5) of the Immigration and Nationality Act by admitting to the United States 5,000 homeless victims of the recent Sicilian earthquake.

The letter follows:

APRIL 3, 1968.

Hon. Ramsey Clark,
Attorney General,
Department of Justice,
Washington, D.C.

Dear Ramsey: Congressman Emanuel Celler, Chairman of the House Judiciary Committee, advises me he recently addressed a letter to you, signed by himself and members of Subcommittee Number One, requesting you to exercise the discretion contained in Section 212(a)(5) of the Immigration and Nationality Act on behalf of 5,000 homeless victims of the January 1968 earthquake in Sicily.

I have been deeply concerned by this tragedy, and in late January introduced a bill to issue 5,000 special immigrant visas to the victims. I have great affection for the Sicilian people and have visited them many times in their homeland. There are also many relatives of these fine people in my constituency, and I am anxious to help them at this time of their great concern.

The purpose of this letter today is to urge you to comply with Congressman Celler's request on behalf of these 5,000 Italian nationals who were uprooted by the earthquake and are unable to return to their homes.

I think the use of the parole provisions of the law is the most expeditious way of assisting these unfortunate people. I hope you can find your way clear to grant this humane request by Congressman Celler, which has my complete support.

With kindest regards,

Sincerely,

JOHN.

Concurrent Resolution of the Kansas Legislature on Advance Payments Under the Federal Agriculture Program

HON. ROBERT DOLE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1968

Mr. DOLE. Mr. Speaker, on many occasions I have called for immediate action by both the Congress and the U.S. Department of Agriculture to alleviate the very serious farm income situation. Among the actions I have recommended is the matter of making advance payments to cooperators in the wheat and feed grain programs.

In view of the serious effects of the decline in farm income on the economy of my State, the Kansas Legislature has adopted a concurrent resolution calling for advance participation payments under the Federal agricultural program. I include this resolution in the Record at this point:

HOUSE CONCURRENT RESOLUTION 1060

Concurrent resolution concerning advance participation payments under the federal agricultural program

Whereas, While the well-being of the economy of Kansas is dependent in large measure on the agricultural sector, this sector has declined and continues to decline; and

Whereas, Several factors have contributed to this decline, among the most important of which have been depressed wheat, feed grain, and livestock prices; and

Whereas, Coupled with these factors have been the increasing cost of doing business, including the restrictive effects of current tight money policies and high interest rates; and

Whereas, There is a continuous reduction in the number of family-size farms, with those remaining experiencing difficulty in obtaining adequate operating capital at reasonable cost; and

Whereas, The average price received by Kansas farmers, for hogs in October, November and December of 1967 was 13.4% less than the same period one year earlier and in the same period the Kansas producer received 17.8% less for wheat, 19.5% less for his corn, 11.6% less for his soybeans and 37.5% less for his eggs; and

Whereas, The average market price received by farmers in October, November and December for wheat was 54% of parity; for grain sorghum, 66% of parity; for soybeans, 74% of parity; for hogs, 70% of parity; for beef cattle, 76% of parity; for butterfat, 77% of parity; and for eggs, 57% of parity; and

Whereas, the declines in grain and livestock prices and the increases in the cost of doing business have a direct and depressing effect on agricultural business, as well as on the other business activities in the Kansas communities, with a consequent decline in business activity in the smaller communities of the state which are more closely and directly dependent upon the agricultural economy; and

Whereas, There are present indications that the practice of making these advance payments will be discontinued, with all payments being made after the completion of the harvest: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: (1) That it is vitally necessary to stimulate the agricultural sector of the economy of Kansas; and

(2) That the discontinuance of advance participation payments from the United States department of agriculture would depress rather than stimulate the agricultural economy; and

(3) That the United States department of agriculture be requested to continue the present program of making advance payments under the federal agricultural program; and

Be it further resolved: That the secretary of state be directed to send enrolled copies of this resolution to the president of the United States senate, the speaker of the United States house of representatives, the secretary of the United States department of agriculture and to all members of the Kansas congressional delegation.

I hereby certify that the above concurrent resolution originated in the House, and was adopted by that body January 30, 1968.

John J. Conard,
Speaker of the House.
C. O. Hazen,
Chief Clerk of the House.

Adopted by the Senate March 8, 1968.

——— ———,
President of the Senate.
Ralph E. Zarker,
Secretary of the Senate.

Spending Priorities

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1968

Mr. STEIGER of Wisconsin. Mr. Speaker, continued interest has been shown in a recent proposal advanced by me in concert with seven of my colleagues. For the information of my House colleagues I include as part of my remarks two editorials on the proposal we presented to establish national spending priorities and create a human renewal fund for the urgent needs of the cities.

[From the Neenah-Menasha (Wis.) Twin City News-Record, Mar. 20, 1968]

WHERE GOP WOULD CUT SPENDING

A group of House Republicans has finally come through with definite proposals for cutting non-essential spending a demand the GOP has been making for years.

After ticking off sharp cutbacks in some sensitive areas that would save $6.5 billion in federal spending, the six House representatives, including Steiger of Oshkosh, call for spending $2.5 billion of the savings on a "human renewal" fund to meet pressing urban needs.

These are the spending priorities they have so often asked the Johnson administration to establish.

Though there probably is considerable political motivation behind the "human renewal" fund, some of the cost saving measures are bold and deserving of attention.

The six would save more than $2 billion by a 60 per cent reduction in troop commitments in Europe. This step would bring severe reverberations in NATO, especially West Germany. But our European allies have shown an increased willingness to go their own way, while refusing to take on a proportionate share of the responsibilities in other parts of the world. The time may have arrived for a major troop withdrawal.

The GOP proposal would also cut $222,000,000 from the supersonic transport program, $400,000,000 from the civilian space program, $400,000,000 by freezing moderate to high income apartment program, $700,000,000 by further slices in foreign aid, $961,000,000 by reducing federal government employment by three per cent, $85,000,000 from the highway beautification project and $200,000,000 from a deferral of public works projects.

One of the more dramatic thrusts is to put a $10,000 maximum limit on how much one farm can receive in subsidies. This would save $410,000,000 according to the six Republicans.

Some of these reductions no doubt will show up in the President's spending cutbacks that are being demanded by Congressman Mills before passage of a tax increase.

But at least the six Congressmen have put their names on the line, instead of just echoing the standard and very general GOP line about reduced spending. This time they have said where.

The other side of the program would involve increased spending in the areas vocational and technical education, low income housing incentives, air-land-water pollution, crime control, tax credits for industries moving to rural areas and District of Columbia education. These areas have higher spending priorities than the administration is giving them, according to the Republicans.

"It is imperative that we put first things first. While we are spending $30 billion a year on Vietnam, desirable but low priority programs must be deferred. Only tough priorities will meet the long neglected critical needs of our people," they state.

Tighter spending priorities are definitely needed, and the cuts ticked off by the six GOP representatives deserve a hard look by the administration.

[From the Appleton (Wis.) Post-Crescent, Mar. 22, 1968]

PRIORITIES FOR U.S. SPENDING

Wisconsin Rep. William Steiger is among a group of 47 House Republicans who have come forward with a proposal for a $2.5 billion human renewal fund to attack some of the problems of the urban crisis while at the same time listing $6.5 billion which could be cut from federal spending in other areas. This is the type of activity which should be taking place in Washington these days.

The nation is faced with a shifting of spending priorities because of the dollar crisis, the urgent problems of its cities, and the cost of the war in Vietnam which must be met regardless of the outcome of the debate over what our policy should be for Southeast Asia. Until the threat to the dollar from the gold crisis. President Johnson answered calls for spending reductions only with questions about which programs could be cut. He liked to phrase the question with reference to programs with political support, as highway aids and school milk.

The group of congressmen has illustrated that it is possible to do more than pose self-answering questions and still recognize the nation's most pressing problems. It has made these suggestions:

A $500 million program to promote jobs and job training in private industry, an idea similar to a proposal of the President's Commission on Civil Disorders. This proposal would double the money going to vocational and technical education.

A $250 million program for rent certificates to use existing housing and to finance the plan of Sen. Charles Percy for stimulating private industry to produce an estimated 325,000 new housing units.

Another $250 million to battle air and water pollution.

A $100 million model tax credit fund to encourage industry to expand plants in rural areas.

The congressmen propose that the places for spending $1 billion be determined by the results of hearings before a House Republican task force on urban problems.

And what about the tough nut of where to cut spending?

The Congressmen suggest that 200,000 men can be removed from our military forces in Europe. While such a redeployment must not be knee-jerk response to our involvement in Asia, a re-examination of military strategy for Europe is in order.

The House Republicans also list pork barrel public works, public buildings, nonmilitary research, the supersonic transport, and government publicity programs which now total $450 million a year as subjects which must have a priorities examination now because of more important spending pressures elsewhere.

In a tardy response to the gold crisis, the President now says $9 billion in spending should be cut and that the 10 per cent surtax must be enacted. If the President really is looking for help in reforming spending priorities, the White House should examine the proposal of the 47 congressmen to roll back the total budget while still meeting some of the pressing needs of the urban crisis.

A Great and Generous Proposal for Peace

HON. JIM WRIGHT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1968

Mr. WRIGHT. Mr. Speaker, President Johnson has eloquently summed up America's desire to find a peaceful and honorable end to the war in Vietnam.

The President did more than merely discuss America's hopes. He forcefully and dramatically proved our sincere desire for peace by halting the bombing of most of North Vietnam, without setting any preconditions or the requirement of any prior mutual actions by Hanoi. Thus, there can be no rational argument about whether this administration has gone far enough to demonstrate its strong and earnest hope for a peaceful settlement in Vietnam. President Johnson went as far as he possibly could go without placing American troops in jeopardy.

The aim of this major step toward de-escalation is to demonstrate to Hanoi that the United States seeks no military victory achieved by merely reducing the enemy to cinders. Our desire, from the first, has not been to annihilate the enemy, to ravage its cities or destroy its economy, or to change its government against its people's will, but to sit down at the negotiating table and honorably settle our differences.

An ancient Oriental proverb says that a journey of a thousand miles must begin with one step. President Johnson has taken that first step. The news today indicates that Hanoi is willing as a result to consider at least talking about peace.

History will record that Lyndon Johnson's personal sacrifice in the cause of peace was one of the most courageous and noble actions in memory. The President's goal must be the goal of all reasonable men—an end to the war and a beginning for a true and lasting peace in that troubled area of the world.

I commend the President for his generosity of spirit, his courageous determination and his wise and compassionate policies. This Nation will continue the fight for freedom in Vietnam until the leaders in Hanoi are willing to join with us in settling this matter in a peaceful and responsible way.

Discrimination Against Women

HON. MARTHA W. GRIFFITHS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1968

Mrs. GRIFFITHS. Mr. Speaker, on Friday night I spoke in Cleveland, Ohio, to a group of professional women. As a result, Mr. Alexander L. Ostrow, a public relations man, sent me a copy of a letter written by Martin J. Hughes, vice president of the Ohio AFL–CIO and assistant vice president of the Communications Workers of America, to George Karch, president of the Cleveland Trust Co. I applaud Mr. Hughes' good sense. The Cleveland Trust Co. would do well to follow his advice. I wish to spread the letter on the RECORD so that all may read it:

COMMUNICATIONS WORKERS OF AMERICA,
March 25, 1968.

Mr. GEORGE F. KARCH,
Chairman and President,
The Cleveland Trust Co.,
Cleveland, Ohio.

DEAR MR. KARCH: I note with regret that the Cleveland Trust Company has once again missed an opportunity to grant representation to broad segments of the public it serves on its Board of Directors.

It is my opinion that a huge bank such as the Cleveland Trust Company has such great importance and wields such vast economic power that every segment of the community should have a voice in the determination of its policy.

For example, members of my Union, the Communications Workers of America, are covered by a pension fund of more than $170,000,000, which is administered by the Cleveland Trust Company. Don't you think that this huge account, plus the fact that union members have additional millions of dollars deposited in the bank, should entitle organized labor to some representation on your Board of Directors?

Don't you think that we are more entitled to such representation than, let us say, the Republic Steel Corporation? I refer, of course, to the recent nomination of Harold C. Lumb, Vice President of Republic Steel Corporation, to replace Charles M. White, former President of the Company. It seems obvious that Mr. Lumb is replacing Mr. White as a representative of Republic Steel because your proxy statement reports that Mr. Lumb bought 25 shares of Cleveland Trust stock very recently in order to qualify himself to become a Director of the Bank.

Organized labor is not the only large group discriminated against in the selection of your Board of Directors.

It seems inconceivable that all 25 of your Directors should be men. It has been frequently reported that women own a majority of the stock in American industry. I am sure that there are many women well qualified to serve as Directors of the Cleveland Trust Company. I am sure that the bank's services to the community would be considerably enhanced if the viewpoint of women was represented on the Board of Directors.

Also notably absent from your list of Directors are such large groups as the Negro community, the academic world, and the clergy.

Wouldn't it be highly beneficial to the bank—as well as to the community—to have these important elements of the public represented on the Board?

It seems to me that the interests of all depositors, stockholders and customers of the bank would be served by broadening the representation on the Board of Directors to include spokesmen (and women) for the various major groups that comprise our community.

May I propose that this suggestion be presented to the Board of Directors, with a request that the Board adopt a statement of policy pledging itself to pursue such a course in the future?

As you know, there is legislation pending in Washington which would require the Cleveland Trust Company and other state chartered banks insured by the Federal Deposit Insurance Corporation to have mandatory cumulative voting for the election of members of the Board of Directors. In my opinion, this legislation is highly desirable, because it would make for greater corporate democracy.

However, a similar result could be obtained if the Cleveland Trust Company, without waiting for the forthcoming passage of this legislation by Congress, would voluntarily nominate representatives of organized labor, women, educators, the clergy and the Negro community to its Board.

I would greatly appreciate receiving your reaction and the reaction of the Board to this proposal.

I also request that this letter be read at the April 18, 1968, stockholder's meeting, and that the stockholders be given an opportunity to go on record as favoring a broadening of the representation on the Board of Directors.

Very truly yours,

MARTIN J. HUGHES.

President's Decision a Noble Act

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1968

Mr. BINGHAM. Mr. Speaker, in response to press inquiries yesterday for a comment on President Johnson's Sunday night address, I issued the following statement:

> The President's decision not to run for reelection is a noble act. It insulates the Presidency from any cloud of partisanship in the difficult days that lie ahead.
>
> I applaud his decision to take the calculated risk of a cessation of bombing of North Vietnam outside the area of the DMZ. He has regained the initiative in the quest for peace with honor.
>
> All Americans, regardless of political persuasion, are in the President's debt. He has justified the confidence so many of us have had in his goodwill and his love of country.

President Johnson, who has in so many respects been an outstanding President, has assured his place in history with this action which Senator ROBERT F. KENNEDY correctly called "truly magnanimous."

Muskogee Student Writes Outstanding Essay

HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1968

Mr. EDMONDSON. Mr. Speaker, Michael Erwin, a student at Central High School in Muskogee, is Oklahoma's "ability counts" contest winner for 1968. Michael has demonstrated a keen insight into the employment problems of the handicapped in his community. I join the people of the second district and the State of Oklahoma in congratulating Michael on his outstanding achievement.

I insert this excellent essay in the RECORD so that you may have an opportunity to see it, as follows:

THE CHALLENGE OF EMPLOYMENT BARRIERS TO THE HANDICAPPED—A COMMUNITY SURVEY

(By Michael Erwin)

From the beginning of time, one law of nature has prevailed—survival of the fittest. Man has been somewhat more tolerant of the weak and unfit than have the other animals of the world. For centuries, however, the feeble-minded have been hidden or shunned, the blind have been pitied, and the crippled have been relegated to doing woman's work. These customs formed the earliest and perhaps the strongest barrier ever to challenge the individual to whom we refer as "the handicapped."

Today, many of the laws of nature are being replaced by the laws of man. With the knowledge explosion has come the realization that there is hope for those who were once regarded as hopeless, and help for those once thought of as helpless.

In meeting the challenge of change, educators are striving to teach all people to think for themselves, to discover and develop their talents and aptitudes, to be able to give directions or to follow directions, and to find out what they need to know. In this process, many of the handicapped are developing knowledge and skills which are enabling them to challenge the age-old barrier of prejudice.

When asked how this community compared with the state and the nation, as far as employability of the handicapped is concerned, the manager of the local office of the United States Employment Service stated that the problems and the advantages are generally the same everywhere. "All over the country," he said, "there are employers who cannot hire the handicapped because they have work to be done which requires physical abilities the handicapped people do not possess. On the other side of the scale, there are the many employers who have learned that if a handicapped person can do a job, he is usually more steady and dependable."

He explained this by saying handicapped workers know that those jobs for which they can qualify are hard to find. Therefore, they make every effort to please their employers. They stay on the job after they are fully trained rather than move on to higher paying positions as able-bodied employees often do. These employed handicapped people are meeting the challenge of the employment barriers by proving to their employers that they are willing workers who will stay with the job. They are nullifying the uncertainty that employers may have as to whether they are gambling or "sticking their necks out" by hiring them.

One of the major concerns of any employer is overhead—the expense of operating a business. Too much overhead can wipe out his income and even his investment. In today's business world, insurance is a large item in overhead, and fear of increased insurance rates has been an employment barrier to the handicapped. A representative of a large insurance firm maintains that there is absolutely no increase in workmen's compensation rates for handicapped workers. "The handicapped person's disability is recognized; of course, the insurance will not cover a condition which already existed," he said.

The manager of an organization devoted entirely to training and hiring the handicapped also agreed that the insurance question has provided an employment barrier to the handicapped. He, too, stated that no employer can be held liable for a pre-existing condition. He was asked about the liability involved in the event of damage to another person due to a handicapped person's condition, with the questioner posing a hypothetical situation, such as: a handicapped employee is the operator of a machine which subsequently injures a bystander as a result of the operator's inability to see the danger to the bystander, or to react fast enough to prevent the accident. "We find handicapped people are actually more careful, in this respect, than the average nonhandicapped worker," he said. "This possibility is definitely an employment barrier," he added, "and we have tried to inform prospective employers of the facts. We have had meetings scheduled with members of the state insurance commission present for the purpose of explaining that employers need not worry about increased insurance expense. However, we have had difficulty getting good attendance at such meetings. We just don't reach them," he concluded.

Apathy, too, is an employment barrier to the handicapped. As a means of meeting this challenge, the handicapped in this community try to overcome the apathetic attitude of the public by striving to prove and improve themselves by being steady and dependable workers, by observing safety rules, and by providing for themselves through their own efforts whenever possible.

Thus the handicapped, as surveyed in this community, are slowly and steadily overcoming prejudice, uncertainty, fear, and apathy to meet the challenge of these employment barriers.

A Long Time Between Drinks

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1968

Mr. DERWINSKI. Mr. Speaker, since political developments now center on the Kennedy-Johnson feud which may replace the Hatfield-McCoy dispute in American history, it is important that the press take an objective view of the situation.

A very objective commentary was carried in this morning's Chicago Tribune which very properly speaks for itself:

A LONG TIME BETWEEN DRINKS

It should be a most interesting tete-a-tete when President Johnson receives Bobby Kennedy in the White House in response to the senator's request "to discuss how we might work together in the interest of national unity during the coming months." By way of understatement, we will say that we have the gravest doubts whether Mr. Johnson will jump onto the Kennedy bandwagon.

Even in the laudable interest of national unity it must be considered sheer effrontery when a junior senator, even one with the dimensions of papa's bankroll, suggests to the President of the United States that such unity is possible only thru his good offices. Has he got it locked away in his closet?

There is little in Bobby to endear him to Mr. Johnson. As we have remarked, ever since the death of John F. Kennedy the rest of the clan has acted as if Mr. Johnson were an interloper who had stolen what was rightfully the property of The Family—namely, the White House. A whole regiment of Kennedy secretaries, ghosts, and court historians has scribbled a series of memoirs holding Mr. Johnson up to opprobrium and projecting the late President Kennedy against a cardboard Camelot set.

We have never bought the legend, for, as Malcolm Muggeridge has written in his appraisal of the idolatrous tomes of Arthur Schlesinger Jr. and Theodore Sorenson, "Looking back on all the literature of obsequiousness, taking in even the Victorians and the poetasters of oriental courts, I find it difficult to match their two efforts in sheer fulsome idiocy. To a brief interlude in American history, to a rather exceptionally lightweight President, they accord long-winded and diffuse honors which a combination of Bismarck, Talleyrand, Metternich, Gladstone, Disraeli, Lincoln, and Cromwell would scarcely have deserved."

Nevertheless the myths live on, and Sen. Bobby is not averse to recruiting the same hordes of screaming bobby-soxers that thought his brother was "cute." Cradle-robbing must be a family trait.

Bobby's overture to declaring himself in as an appropriate tenant of the White House was to address an ultimatum to Mr. Johnson demanding that the President abdicate his functions and surrender the conduct of the war in Viet Nam to a commission to be handpicked by Bobby [of which, with unaccustomed modesty, he said he did not necessarily have to be chairman]. The commission then would "review" the matter and set Mr. Johnson straight.

When the President dismissed this incredible arrogance out-of-hand, Kennedy rushed off in a huff to set himself up as a rival candidate for the Democratic Presidental nomination, having held back until Sen. Eugene McCarthy had tested the temperature in New Hampshire.

The weasels by now having attained the chicken coop, Mr. Johnson undercut them by his surprising announcement Sunday night that, whatever Bobby's ambitions may be, the game wasn't worth the candle to him. But the implied rebuke is lost on a person who knows no shame. Meanwhile, Schlesinger and Sorenson are back in the Kennedy entourage, hoping to regain their old White House desks and start scribbling notes for the next plaster pyramid to a Kennedy. It doesn't make any difference to them which member of the dynasty is their patron and client.

We suppose some of this will be in Mr. Johnson's mind when he invites Bobby to take a chair, but, as the governor of North Carolina said to the governor of South Carolina, it will be a long time between drinks. We can imagine no more uncomfortable session since Edward VII, as prince of Wales, used to make his duty calls on Queen Victoria between sorties down the primrose path.

Schweiker Introduces National Career Education Act of 1968

HON. RICHARD S. SCHWEIKER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1968

Mr. SCHWEIKER. Mr. Speaker, today I am happy to join a bipartisan group of my colleagues who are sponsoring the National Career Education Act of 1968, a bill to consolidate and strengthen Federal aid to public vocational education.

The Federal effort to aid vocational training began in 1917 with the Smith-Hughes Act. It was widened in 1946 with the George-Barden Act and again in 1963 with the Vocational Education Act. But today it is plain that our existing legislation is not enough. A bold new initiative must be taken to ungrade all types of career education in public schools throughout our Nation. In particular, we need to concentrate our resources on the key areas of unemployment and unrest in our big cities—the ghettos.

The National Career Education Act comes at a time when six out of 10 high school students do not go on to college, and half of those who do enter college do not graduate. Thus eight out of 10 students in our high schools will be facing today's job market with less than a full college education. It is vital that these students all be made ready for jobs in today's highly advanced technology.

The problem is intensified in the urban ghettos, where school dropout rates and youth unemployment rates are well above the national average. Unfortunately, the existing Federal aid program for vocational education has used a scattershot approach around the Nation, without having the impact that it should on the hard-core problems of the ghettos.

Take, for example, the ghetto of North Philadelphia. According to Labor Department figures, one-third of the men there are either unemployed or underemployed. Yet, of some $14 million in Vocational Education Act funds allocated to Pennsylvania in 1966–67, only $769,687 went to Philadelphia, a city with nearly one-fifth of the State's people. No new vocational schools at new locations have been either planned or built in Philadelphia to combat the problem.

The National Advisory Council on Vocational Education, in its report earlier this year, found a similar tendency across the Nation for large city vocational education programs to be short changed. I am glad that this new bill puts new emphasis on the special needs of urban areas, and for this reason I am cosponsoring it.

It will raise the basic authorization for vocational education aid from $225 million to $325 million—and earmark one-fourth of this increase just for career education in areas of concentrated youth unemployment and excessive school dropout rates.

It will initiate an additional fund for special aid to these same areas—authorizing $200 million in fiscal 1969, rising to $400 million a year starting in fiscal 1972.

It will extend the funds for the work-study program, which lets disadvantaged high school students "earn while they learn" and thus remain in school until graduation.

It will begin a promising new program of "cooperative study," which will let a student spend half of the school year in school and the other half-year in a full-time job closely related to his studies. Incidentally, cooperative study will be one more example of how private industry can be a direct partner in the job-training effort.

The National Career Education Act, Mr. Speaker, is certainly a sound investment in the future of America. Currently we are mapping out and must enact aggressive new programs of job creation and job training. I am a sponsor of the Manpower Act of 1968, introduced last week, which would encourage 300,000 new jobs in private industry.

It would be far better, however, if our public schools had offered through the years the kind of vocational training that truly prepared young people for jobs and kept them from dropping out of school altogether. This is what I hope the National Career Education Act of 1968 can achieve.

Statement of Hon. Carl Albert

HON. LEONARD FARBSTEIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1968

Mr. FARBSTEIN. Mr. Speaker, on March 29, our distinguished majority leader, Congressman CARL ALBERT, was the principal speaker at a dinner in Staten Island, N.Y., held in honor of my good friend and colleague, Congressman JOHN M. MURPHY. Majority Leader ALBERT concluded his speech with the prediction that the Democratic Party will be victorious in November 1968, because it is the party of the people.

I concur and I submit the text of Mr. ALBERT's remarks for the RECORD:

STATEMENT OF HON. CARL ALBERT

Mr. Chairman, Ladies and Gentlemen: It is good to be here in the world's greatest and most dynamic city.

It is good to be here in the State that gave America Franklin Delano Roosevelt, Alfred Emmanuel Smith, Herbert Lehman, and Averill Harriman.

It is good to be here with two of the great Democratic leaders of New York City—Mr. Stanley Steingut of Brooklyn, and Mr. Robert G. Lindsay of Richmond.

It is good indeed to be here with my distinguished colleague, your fine Congressman, John Murphy.

I can assure you that I know what I am saying when I say John Murphy is the type of man who will go a long way in Congress if you keep him there.

He is held in the highest esteem by every member of the House from every section of the country, Democratic and Republican alike.

His service has demonstrated that he is devoted to the principle that government's most important function is to meet the needs of the people.

He is progressive without being radical, prudent without being reactionary.

He is a responsible, dedicated public servant who believes that this generation of Americans has the best opportunity in our history to create the kind of just, humane, and enlightened society that is the promise of America.

It is an honor to be here tonight with John Murphy's friends and neighbors, his constituents and supporters—good people all, interested in their government and in the future of our nation.

Ethnically our association may be an accident; politically it is a matter of deliberate choice.

For what matters is that, in terms of a national election, we stand at the hour of the greatest crisis of this century.

The crisis is political, the crisis is economic, and the crisis is military.

Above all we must never lose sight of the fact that all these crises have global repercussions.

All mankind is involved directly and immediately in what we do at the voting polls in this year of decision—this year of 1968.

In this prodigious struggle, under the American flag and on this soil, we have a dramatic confrontation.

It is a toe-to-toe and eyeball-to-eyeball confrontation between the Democratic Party and what it means and the Republican Party and what it means.

When the American voter makes his choice between these two parties he is playing for the highest stakes that affect the future of our country and of mankind.

We enter this campaign with leadership that has weathered many storms.

In our great President, who is beset from right and left, we have vast experience, knowledge in depth, genius for administration, and the capacity for command decision as tested through the fires of crisis after crisis under the most exacting and gruelling pressures.

This is to say nothing of the terrific burdens on this administration carried over and inherited from two and three previous presidencies.

The steady hand at the helm through an agonizing period of sudden and tragic transition, the dignity and calm, the power and the effectiveness from that moment to this, is an example in top-level leadership rarely equalled in our history.

I know President Johnson.

I have worked closely with him, as I worked closely with the late President Kennedy, for many years.

I concur in the views expressed by President Kennedy that Lyndon Johnson is superbly qualified to be President of the United States.

He is giving the nation and the free world rare leadership at a time when top-level leadership was seldom more vital than it is today.

That leadership is confronted with a blind and hysterical opposition that is often witless.

The hawks scream and the doves coo.

The voice of reasoned and reasonable dissent is too often lacking as cries of hysteria are rife in the land.

But for the strong, steady, firm, but calm voice from the White House, what devastatingly fateful decisions might have been made against the long-term interests of the United States.

When the debits and credits of this generation are balanced in the ledger of history it may well be that the most important fact of our time was that America had the courage and the patience to resist and defeat Communist aggression in a far-off corner of the world.

We Americans hate war.

We hated it in both World Wars, in Korea, and in Viet Nam today.

Your Congressman, John Murphy, a distinguished West Point graduate and a hero of the Korean War, well knows the terrible waste and destruction of war.

He despises war.

So does Lyndon Johnson.

So also do the Joint Chiefs of Staff.

But despising war is not enough.

The President cannot end a war he did not begin until and unless the aggressors are willing to cooperate.

Critics call on him to negotiate.

Why don't they call on Ho Chi Minh to negotiate?

President Johnson cannot negotiate with himself.

We hear every day that this is an unpopular war.

God forbid that any war should ever be popular!

But what is popular is not always what is right or necessary.

The obvious question is: would it be in the best interests of the United States for Viet Nam to fall to the Communists?

They say that Southeast Asia is outside the sphere of influence of the United States.

Yet here in our hemisphere Cuba is within the sphere of influence of the Kremlin and Red China, and had it not been for Lyndon Johnson the Dominican Republic would also be under Communist control.

We hear on the other hand rash talk about dropping the bomb, invading the North, or mining Haiphong harbor.

We hear cries for all-out escalation.

It is easy to talk that way if you are not charged with the cruel responsibility of not only insuring the nation's security but also its survival in a dangerous and violent world.

This country is trying to follow the best and most prudent course of action in Viet Nam—a course of action supported by the nation's highest and most authoritative military leaders of both political parties.

General Omar N. Bradley, the field General who helped lead our troops to victory in World War II, on returning from Viet Nam, said:

"After tramping throughout the length and width of South Vietnam—I am convinced this is a war at the right place, at the right time and with the right enemy."

Ex-President Eisenhower, who as an American General led all the allied forces in Europe in World War II, has told us that we were on the right course in Viet Nam, and very recently, he wrote:

"Certainly, we are fighting to defand ourselves and other free nations against the eventual domination of Communism."

In my opinion it would be grossly immoral not to resist a tyranny whose openly avowed purpose is to subjugate the earth—and particularly the United States of America.

We have made known our determination to continue to resist Communist aggression until our bid for peace talks succeeds.

We can do no more; we can be expected to do no less.

The American people know what is at stake in Viet Nam.

They support their government in its efforts to win an honorable and a lasting peace.

They know we are not going to be able to wish Communism or any other form of tyranny out of existence.

They know there are no easy answers or sugar-coated solutions.

Richard Nixon says he has the answer.

If he does then he ought to give it to us before another single American boy dies in Viet Nam.

This generation—perhaps more than any other, at home and abroad—is trying to live up to the promise of our democratic ideals.

We are trying to create a society that is just and free.

We are trying to extend the boundaries of opportunity to include every community and all of our people.

We are trying to pass on to our children better advantages than those we possessed.

We are trying, in the words of Pope Paul, "to create a world that is more humane by promoting the common good of all."

We are trying—and we are succeeding.

That is the message that the Democratic Party carries into the election this year—a party that has kept more than 90 percent of its campaign promises.

Never in the history of politics has so much been done for mankind as has been done during the Kennedy and Johnson administrations and the Democratic Congresses that worked with them.

We have blazed new trails, we have opened new frontiers in man's quest for opportunity and justice.

We have passed the first Federal Elementary and Secondary Education Act in history.

In doing so we accomplished what seemed to be the impossible.

For a generation, all efforts to provide federal financial assistance, other than on a very specialized basis, had been nullified by regional, racial, and religious controversy.

In 1965 we resolved the impassé of the previous thirty years.

We made the child, not the school, the beneficiary of Federal help.

Whether a child lives in the rural poverty of Appalachia or in the urban slums of our largest cities, whether his skin be white, black, red, yellow or brown, whether the child attends public or non-public schools, all are irrevelant.

In each and every child lies the hope for the future progress and domestic tranquility of the nation.

We have resolved that each child should and will receive the education that will make him a full fledged participant in the citizenship of America.

Think for a moment of the new Immigration law which the President appropriately signed two and one-half years ago at the foot of the Statue of Liberty—a law that provides equity, justice, and new opportunity for thousands who want to come to America.

This new law does not ask where a person was born, but rather what can he bring to America?

In speaking of Democratic Party promises fulfilled I include Medicare which provides health security and dignity for America's elderly.

I am speaking of bold new programs which tackle head-on the enormous task of rebuilding America's cities and making them liveable for millions of people who desperately need housing and jobs.

I am speaking of determined efforts which strengthen law enforcement and crime control in every community in the land.

I am speaking of the amelioration and eventual elimination of poverty in every section of our land; of legislation to aid the needy, to protect the rights of labor.

I am speaking of cleaning the air we breathe, the water we drink, and safeguards for the quality and condition of the meat served at our tables.

I am thinking of the great fight we have made for the universal benefit of our people of all races, creeds, and colors under the canopy of civil rights under the Constitution, the implementation of the principle of justice, liberty and equality for all.

I am thinking of the economic growth and prosperity of our country when we have more jobs and higher paid workers than any nation at any time in history; when we have a fantastic gross national product that now stands above 840 billion dollars per year.

I can tell you that these things did not just happen.

They happened because Democratic Congresses and Democratic Presidents in this decade responding to the needs and demands of the American people, determined that America would meet its obligations to all the people of our land.

I am not speaking of our Party's record, my friends.

I am speaking of its legacy to the American people.

The Democratic Party in this decade has done more for education, more for health, more for conservation, more for consumer protection, more for minorities than was ever done by any party in any epoch of our history.

The Democratic Party has converted the phrase "Government of the people, by the people, and for the people" from an abstract statement of an ideal into an accomplished reality whereby it has made great strides toward equality of citizenship, prosperity and happiness of the people of the Nation.

From Jefferson to Johnson the Democratic Party has been the party of action, the party of progress.

From the Bill of Rights to the latest amendments to the Social Security law the Democratic Party has been the party of compassion.

It has been the people's party and the people know it.

Because the Democratic Party is the party of the people and because the people know it the Democratic Party will again march to victory in November, 1968.

More on Monday Holidays

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1968

Mr. STEIGER of Wisconsin. Mr. Speaker, a proposal which I favor to shift some holidays occuring in midweek to Mondays continues to gain support.

For the information of my colleagues, I include, as part of my remarks, a recent editorial on this matter from the Oshkosh Daily Northwestern:

MORE ABOUT HOLIDAYS

Our editorial on Tuesday concerning the shifting of some holidays that occur midweek to Monday to provide a long weekend similar to that for Labor Day reported that Massachusetts has taken the step to institute the proposal in 1969.

Not everyone in the Bay State agrees, however, although the legislature passed and the governor signed a bill to have Washington's birthday (Feb. 22), Patriots Day (April 19) and Memorial Day (May 30) observed on the nearest Monday so as to provide three-day weekends.

One voice in dissent is that of The Christian Science Monitor, publishing in Boston. In an editorial, that newspaper said: ". . . the legislature and the governor at last gave in to the incessant urging of organized labor and business and industry." (Our contention is that both employer and employe benefit when the change is made and that their "urging" should be heard.)

The Monitor said further of the situation in Massachusetts that ". . . numerous patriotic and veterans groups are demanding a referendum to repeal this action. If they pursue this course, they should have little difficulty in getting the needed number of signatures. For public polls indicate a solid majority of Americans oppose holiday-juggling. Early this year the Harris Survey showed 64 per cent of those questioned objected to such changes, with only 31 per cent in favor. Reasons for opposition vary, but apparently most opponents say that such changes would only further weaken the special, intrinsic meaning which such holidays should have."

We find ourselves in disagreement with The Monitor's view. We can honor the "Father of Our Country" on another date than Feb. 22, particularly since that was not actually the date of his birth anyway. May 30 is not now observed as Memorial Day in all states of the Union. The closest Monday to that date might be one on which they could all agree so that we would all have a holiday together.

A point in which we are in agreement with the eastern newspaper is that ". . . at the very least, we believe that Americans everywhere should have the right to vote on such changes."

Our belief is that if the question came to a vote, the people would favor the uniform Monday holidays. We do.

For Aid to Polish Jewry

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1968

Mr. PODELL. Mr. Speaker, as the student revolt in Poland continues with unabated intensity, the fury of official fulminations of the Polish Government against its numerically insignificant Jewish population has risen to a shrieking crescendo. The latest official outburst by government spokesmen, and government controlled and inspired press has sunk to the preposterous level of seeking to defame the valor of the Jews who fought to the last against the Nazi hordes in defense of the Warsaw ghetto.

Nothing more sharply demonstrates the immorality and the bankruptcy of the Polish dictatorship than this nefarious attempt to denigrate the valiant defense by the Jewish people of their Polish homeland. The simple fact is that the defense of the Warsaw ghetto is the brightest achievement in Poland in stemming the tide of Nazi aggression.

Those who charge the handful of Jewish people with responsibility for the student revolt have seen the writing on the wall. Just as the students in Czechoslovakia succeeded in arousing public support for deposing President Novotny, so does Wladyslaw Gomulka foresee his own deposition as the hated dictator of Poland.

There is a contagion of freedom sweeping through the universities around the world, in Poland, as in Czechoslovakia, Rome, Tokyo, and including the United States. It is significant that the present crisis in Poland erupted as a direct result of the barbaric suppression by the Polish regime of "Dziady," a classic drama by Adam Mickiewicz, a giant in Polish literature, dealing with oppression, repression, and suppression by the Russian czarist regime. Suppression of the play's production was inevitable, when the Polish Government appropriately identified themselves with those in the drama who destroy freedom and deny human dignity.

Yet we must deal with the realities of another group of Jewish people, driven from their native lands as the result of prejudice and descrimination. Most of those who leave Poland will no doubt choose to emigrate to Israel. For those who would prefer to come to the United States, I have today introduced a bill which would admit such refugees from Poland to the United States, above existing immigration quotas. Enactment of this bill by the Congress, and its approval by the President of the United States, will demonstrate to the world, once again, that the United States will forever keep open its shores for refugees from government oppression and bigotry.

Supplies Sought for U.S. Men in Viet Hospitals

HON. FRANCES P. BOLTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1968

Mrs. BOLTON. Mr. Speaker, Operation Helpmate is the name of an American Red Cross project which provides recreational and comfort supplies to wounded American servicemen in hospitals in South Vietnam. An article which appeared in the Stars and Stripes—the National Tribune of March 28, 1968, points out that one individual who is playing a very important part in Operation Helpmate is N. R. Calvo, one of my 22d District constituents from Cleveland, Ohio. He has donated 25,000 razor blades and several gross of baseball games. A veteran of World War II and long active in veterans and civic affairs, Mr. Calvo is a member of the Soldiers' Relief Commission of Cuyahoga County, Cleveland, Ohio. He is also commander of American Legion Post No. 74 of Cleveland.

Believing my colleagues will be interested in this very worthy project, I include the article from the Stars and Stripes:

SUPPLIES SOUGHT FOR U.S. MEN IN VIET HOSPITALS

"Operation Helpmate" is the name of an American Red Cross project which provides recreational and comfort supplies to wounded American servicemen in a hospital in South Viet Nam.

The Red Cross is asking business firms, community organizations and individuals to support this worthwhile cause. Collection points in selected cities thruout the country have been established to accumulate the supplies for shipment to the Third Field Hospital in Tan Son Nhut, South Viet Nam.

The list of needed items for "Operation Helpmate" is as follows: ballpoint pens (inexpensive), nail clippers, plastic soap dishes, plastic bottles of aftershave lotion, foot powder, popcorn, hard candy, current records, sheet music, inexpensive birthday gifts, gift wrap sheets and ribbons, single edge razor blades, tery cloth wash cloths, lightweight canvas shower shoes, small packages of writing paper, small address books, plastic cigarette cases, individual packages of tissues, small plastic bags, small plastic snapshot holders, paperback books—adventure, mystery, western, science fiction—crossword puzzles, cards, and table games.

No liquids, combustibles, food or items which would melt or deteriorate in heat are to be sent. All items should be in an unused condition. It is hoped that bulk quantities rather than single units will be received in order to expedite delivery to ocean ports.

One individual lending a helping hand to "Operation Helpmate" is N. R. Calvo, of Cleveland, Ohio, who has donated 25,000 razor blades and several gross of baseball games. These items will be included in a shipment leaving Cleveland to be sent to South Viet Nam in time for Easter delivery to the servicemen.

Carver is a member of Soldiers Relief Commission of Cuyahoga County, Cleveland, Ohio.

Cleveland is one of the designated cities participating in the collection of needed items. He is also commander of American Legion Post No. 74 of Cleveland.

H.R. 16257

HON. BENJAMIN B. BLACKBURN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1968

Mr. BLACKBURN. Mr. Speaker, on March 29, 1968, I introduced H.R. 16257, a bill to amend the Federal Water Pollution Control Act, in order to authorize comprehensive pilot programs in lake pollution prevention and control. Basically, this measure provides that the Secretary of the Interior is to arrange grants or contracts with any local or State agencies to develop means for the prevention or removal of pollution in public-owned lakes.

The Secretary can provide up to 90 percent of the cost of any program authorized by him. Furthermore, the agency receiving the grant must guarantee that the program will be maintained at the maximum water purity level after the termination of payments from the Federal Government. An appropriation of $5,000,000 is authorized to carry out this act.

There are many reasons why I introduced this measure and I would like to share a few of them with my colleagues. A lake has very little flushing or water flowing in and out of it. Thus, the lake has less capacity to dilute or digest waste material which is introduced into it. The excessive influx of nutrients or waste of a manmade origin accelerates the normal aging process of lakes. Lake Erie is a very conspicuous example of accelerated fertilization.

We find that when this accelerated fertilization occurs, dying lake vegetation begins to choke our lakes. Soon because of a loss of oxygen, mass vegetation begins to rot, creating very bad odor problems and further lowering the oxygen level so that fish frequently die. This cycle finally leads to the placing of restrictions on fishing, boating, swimming, and other recreational activities.

The source of pollutants which are entering our lakes come from septic tanks of shoreline cottages, sewage from cities and towns situated on the watershed, pollution from livestock on farms, and drainage from fertilized farmlands.

We are witnessing today, a greatly accelerated rate of maturation of lakes caused by man's activities. Without man, this process might have taken thousands of years for some lakes to reach extinction.

Mr. Speaker, it is quite evident that we must act quickly to preserve our lakes. The Department of the Interior has favorably recommended a bill identical to this one, entered by Mr. BROWN, of Michigan, be enacted into law.

I hereby call upon the members of the House Committee on Public Works to report this bill to the floor, as soon as possible.

Loss of Face: The "Pueblo" Legacy

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1968

Mr. ASHBROOK. Mr. Speaker, Americans are still concerned over the fate of the U.S.S. *Pueblo* and the 83-man crew. They have good reason to be. But, the United States has suffered losses in addition to these which have not been fully identified. While the lives of these crewmen should be of primary concern, we must also consider the severe damage to whatever influence we had upon those who stood with us in the fight against the worldwide aggression of communism.

The question is not whether or not we have "lost face" in the eyes of the various nations of the free world which look to us for leadership, the question is how much.

Just as the so-called "gold rush of 1968" demonstrated that many nations lack confidence in the dollar, the *Pueblo* capture and subsequent action by free world nations has indicated that they no longer trust our determination to stand firm against aggression.

The factors involved in this "loss of face" have been brought together by John F. Lewis in a recent issue of the American Security Council's Washington Report newsletter. I submit it for the RECORD at this point:

[From Washington Report, Mar. 18, 1968]

LOSS OF FACE: THE "PUEBLO" LEGACY

"When the Dragon is stranded in shallow waters it is easily teased by a swarm of shrimp."—(Old Chinese Proverb)

When the USS "Pueblo" was surrounded, boarded and captured by four North Korean Communist gunboats on January 23, the United States of America lost far more than 83 men and the sophisticated, electronically-equipped intelligence-gathering patrol vessel.

It demonstrated our military weakness, Washington's seeming inability to cope with a crisis requiring immediate and effective response, and our government's utterly naive and pitiful assumption of Communist reasonableness.

Coming as it did after years of miscalculation, vacillation and outright blundering, the "Pueblo" incident resulted in such a loss of face abroad and lost confidence at home that many astute analysts of world affairs fear America may have forfeited, on that fateful January day, any valid further claim to world leadership and respect. What might be called the spin-off of the puerile U.S. stance in the wake of the "Pueblo" piracy is only now surfacing to a point where its impact may be weighed with real and convincing accuracy.

As a leading Asian diplomat in Washington told us privately the day after the "Pueblo's" seizure: "A nation as great and powerful as the United States, with worldwide responsibility for leading the resistance to Communist aggression and tyranny, may be able to afford the loss of a small naval craft and its crew. But it absolutely cannot afford to 'lose face'."

At the time, such an appraisal was shrugged off as "much too exaggerated" by those on Capitol Hill and in the U.S. State Department who preached calm and judicious restraint on the announced White House theory that quiet—even secret—diplomacy would resolve the entire affair.

A U.S. Senator told a radio network news audience that, in the fact of such incidents, America "must keep its cool" and not be unduly upset.

A high-ranking British Commonwealth air officer who had served with our forces in the Korean War, commented drily: "The 'coolest' thing you could have done was to issue an ultimatum that unless the Pueblo, and its crew, unharmed, was released within X hours, the port of Wonsan where North Korea took the captured vessel would be put out of commission."

Instead of following such a course, however, we let everyone know that we were going to be highly polite and civilized about the whole nasty show. We promptly dispatched our diplomats in Russia to the Kremlin to enlist Moscow's aid as an intermediary—an appeal which was just as promptly snubbed. It had long been clear to our intelligence agencies that somehow, someday, the Russians were going to try to get their hands on the very super-secret coding and sounding equipment that so-called "spy" vessels like the Pueblo were known to carry.

Then, of course, came a series of pronouncements from our own government officials about just where the Pueblo was in relation to North Korea's land perimeter. Out of the resulting assertions, denials and contradictions, our government in effect accepted for the first time the Communist claim to jurisdiction up to twelve miles from shore.

The U.S. has never claimed anything more than a three-mile authority around its own shores and Communist "spy" ships—a veritable armada throughout the world, especially of rigged fishing trawlers and coastal freighters—have taken full advantage of our modest territorial limitations.

When it was later reported that sources in the Pentagon and State Department had leaked the story that the Pueblo was operating between seven and nine miles off North Korea in the vicinity of Wonsan, the question of whether or not we should have made a test of the Red's arbitrary twelve-mile limit jurisdiction was already academic.

When it was also disclosed that a Soviet cargo plane took off from North Korea with a load of equipment presumably from the Pueblo within 24 hours of its impounding at Wonsan, the same U.S. officials who had so confidently turned to Moscow for help at the outset could only express shock and dismay.

For the free world's leaders, already confused and disillusioned by mighty America's seeming inability to cope with the Communist aggression in Vietnam, and undone by U.S. willingness to jeopardize NATO and the Western alliance by promoting friendship and tolerance of Communist bloc countries through trade, nuclear treaties, consuls and cultural ties, the loss of face in the Pueblo affair was obviously the breaking point.

For many it marked the last straw of hope and conviction that the United States could be counted upon to effectively meet the challenge Communism poses on every continent. For others it indicated that either the U.S. was unwilling or incapable militarily, thanks to Vietnam, to react as powerful nations are supposed to react when taunted to do so by an open confrontation.

In early March, for example, President Juan Carlos Ongania of Argentina told some 200 top Argentina government officials that the time has come for Latin America to prepare its own defenses and security without further reliance upon the United States and without further expectation that in the event of Communist aggression in the Western Hemisphere the U.S. will be willing or able to act. He noted that the United States, and he never mentioned our name except by repeated reference to the "leader of the free world," had failed to come to grips with the

Red penetration of Cuba and had only narrowly averted a repeat performance in the Dominican Republic. He did not have to add that his own go-it-alone conclusion was at least partly triggered by America's failure to adopt a "win" policy in Vietnam and such face-slappings as the "Pueblo" affair.

An Indonesian government official who was instrumental in helping to resist the intended Communist take-over of his country and who assisted in the overthrow of Leftist dictator Sukarno, told this writer a week after the "Pueblo" piracy: "No single event has done more to shatter your country's reputation as the principal defender of the free world or as master of the high seas than your failure to massively and convincingly retaliate when the 'Pueblo' was captured." "By the same token," he added, "nothing that has occurred—not even the successful prolongation of the war in Vietnam by the Communists—has done so much to enhance Communism's status in the eyes of millions of Asians."

A chorus of criticism reflecting, in varying degrees but with appropriate restraint, distrust, disgust and outright fear has emerged on the editorial pages of leading newspapers in Japan, the Philippines, Taiwan and South Korea.

With little prodding from Communist propagandists, sarcasm, satire and snickering at America's expense have dominated headlines and comment in the major capitals of Europe, Africa, the Middle East and Latin America.

Yet two items of news, largely unpublicized in this country, do more than anything else to demonstrate the shattered image America now has in the eyes of its closest friends.

One was the sudden arrival in Seoul of two guests invited by the understandably worried and irritated South Korean government after it became clear the U.S. was indeed a "dragon stranded" in the Pueblo incident. These visitors were top anti-guerrilla experts from Israel and South Korean spokesmen made no secret of the fact that Israel's ability to cope with Arab trouble-making was somewhat more impressive than Washington's desperation in countering Communist nose-tweaking in the "Pueblo" case.

The other item was insistence by Nationalist Chinese officials that immediate steps be taken to prepare for handling any eventuality—even a Communist Chinese invasion of the off-shore islands of Quemoy (Kinmen) and the Matsus or Taiwan proper—without dependence upon the United States. The Chinese view was couched in the most diplomatic language and was made known to Washington only through a careful translation of discussions and debates in the Republic of China's Legislative Yuan in Taipei.

In a special plenary session of that body, Foreign Minister Wei Tao-ming assured legislators, who were demanding a course of action independent of the United States in the Far East, that: "With our armed forces and the strategic position we are holding we have our own missions to perform in this area and *we also have our own way* in doing things." (emphasis added)

The "Pueblo" incident, if viewed as an isolated case, cannot be held responsible for the free world's disenchantment with America's will or strength. The point is that the "Pueblo" merely capped a series of political and military setbacks, reverses, embarrassments and harassing (see WASHINGTON REPORT 68–6 of February 12) scored by Communist-inspired tail-twisting, nose-tweaking satellites and militants bent on making a mockery of America's might in the relentless effort to discredit and ultimately "bury" us.

The non-Communist world has not forgotten that in 1962, the U.S. stood firm in the face of the Cuban missile crisis only to reward a Kremlin back-down by guaranteeing Communist Cuba's immunity from any further threat of liberation stemming from Cuban exiles given asylum on our shores.

The non-Communist world has found it unnerving, to say the least, to watch U.S.A. engage in a life-and-death struggle with Communism in Vietnam while Washington signs nuclear armaments treaties and liberalizes trade with Communist-bloc countries, enabling the Reds to finance and arm North Vietnam's aggression.

The non-Communist world is hardly convinced that Washington understands the real threat to peace when we show such public concern for Red China's nuclear developments, obviously embryonic, and go out of our way to avoid any irritation of Peking under the misapprehension that Mao Tse-tung's brand of Communism is dangerously aggressive while the Soviet Union's brand is moderating and mellowing.

The non-Communist world must be alarmed and the Communist world has a right to be amazed when the United States adheres to a policy of allowing the Soviet Union to achieve so-called "parity" with the U.S. in nuclear missile strength and in naval and air power (see study "The Changing Strategic Military Balance—U.S.A. vs. U.S.S.R." by National Strategy Committee, American Security Council).

It is because of this background that the "Pueblo" seizure is an incident of such magnitude in terms of America's image and prestige in the eyes of the world.

Just eight years ago this summer, a major campaign issue was the charge that the U.S. was suffering a loss in popularity in some parts of the Globe—that its image was tarnished, its prestige declining. Today, our nation's image and prestige have reached such a low estate, and loss of face so great, that this year's political candidates may find the shame of it almost too agonizing to exploit.

Yet it is an issue of such vital importance that it must be aired in this year's political debates if only because the decline of America's posture cannot be tolerated any longer if freedom's cause is to survive.

As the Chinese proverb quoted at the outset suggests, "When the Dragon (that Oriental symbol of power and leadership) is stranded in shallow water" it is no longer a Dragon worth its name.

JOHN F. LEWIS,
Associate Editor.

Proposed Travel Restrictions

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1968

Mr. ROYBAL. Mr. Speaker, as a Member of Congress from southern California, I naturally appreciate the value of tourism in stimulating a prosperous economy and providing jobs for many thousands of citizens engaged in tourist-related businesses.

So, when various proposals were offered this year to impose a series of taxes on international travel in an effort to reduce the so-called travel deficit, I have tended to favor what might be called a positive approach to this admittedly difficult problem.

Instead of trying an essentially negative approach of penalizing Americans who desire to travel abroad, I had hoped to see greater emphasis placed on taking advantage of our opportunities to promote an aggressive program to bring more foreign visitors here to see our own magnificent tourist attractions.

In this way, we could not only avoid imposing burdensome restrictions on America's traveling public, but we would also prevent the almost certain retaliation by foreign nations who would be adversely affected by any U.S. travel tax program.

At the same time, we would be making a real contribution toward bringing our travel deficit into balance in a healthy way—that would incidentally promote the additional objective of increasing national understanding and good will on an effective people-to-people basis.

Because I have always favored such a positive approach to solving our travel deficit, I was interested in the thoughtful comments I recently received from a representative of the American travel industry regarding H.R. 16241, the legislation scheduled to be considered tomorrow by the House to extend the tax on commercial air transportation abroad and to reduce the personal exemption from customs duties for residents traveling outside the country.

Since these comments reflect the position of the American Society of Travel Agents on H.R. 16241, as reported to the House, I believe they may be of general interest to my fellow colleagues in Congress, and I request unanimous permission to include them in the CONGRESSIONAL RECORD at this point.

The ASTA comments follow:

> The main features of House Resolution 16241, the bill reported by the House Ways and Means Committee which is scheduled for floor action this week, are the imposition of a 5 percent tax on international air transportation from the United States and the reduction of the duty-free allowance from $100 to $10. These two proposals were part of the overall package which was submitted by the Treasury Department to the House Committee on Ways and Means on February 5.
>
> ASTA opposed the entire package, and we are still opposed to the enactment of the remnants of it although, by far the most obnoxious part of the proposal, a tax on tourist expenditures, was rejected by the Committee.
>
> The 5 percent transportation tax has several objectionable features. First, it is inconsistent with the instructions which our government gave to its delegation attending the most recent International Civil Aviation Organization Conference. The instructions said, in part, "At a time when the airlines, states and ICAO are devoting considerable attention to principles of charging, cost identification and allocation, it would be an anachronism to endorse a charge that does not have an identifiable base."
>
> The Air Transport Association described the proposed 5 percent transportation ticket tax in its testimony before the Ways and Means Committee as ". . . unilateral action of the very character the United States has sought to discourage."
>
> In addition, since the tax would not be imposed on transportation by U.S. citizens originating outside the United States, U.S. citizens would be encouraged to go to Canada or Mexico to buy round trip tickets to points outside the Western Hemisphere, thus avoiding the tax, diverting business from U.S. travel agents and aggravating our balance

of payments deficit with respect to payments to non-U.S. carriers.

ASTA's basic objection to the reduction of the duty-free allowance to $10 is that the United States was a participant in the meeting of the OECD member countries at a council meeting on July 20, 1965 at which it was decided that the OECD should recommend to member governments that the minimum duty-free allowance should be a uniform $50. Many member countries of OECD have already complied with this recommendation, and it would be indeed unfortunate if the United States, with an opportunity to do so at this time, reduces its minimum to $10 rather than the $50 as we have agreed to.

Medical Miracles Need the Help of the Law

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1968

Mr. MOORHEAD. Mr. Speaker, the recent events in heart transplantation in Capetown, South Africa and in the United States have captured the admiration and imagination of all of us. However, since medical progress has outpaced the law in the field of medical transplants, it is apparent that lawmakers should move to adopt new safeguards for the protection of doctors, donors, and the community.

The president judge of the court of common pleas in Pittsburgh, Pa., the Honorable Henry Ellenbogen, delivered a fascinating paper on this subject at a joint meeting of the Medical Legal Society of Japan and the Pittsburgh Institute of Legal Medicine on April 2 in Tokyo, Japan, calling for new medicolegal cooperation in this endeavor, and for the establishment of donors consent banks and body parts banks in every metropolitan area.

I include at this point in the RECORD the text of Judge Ellenbogen's stirring address:

MEDICAL MIRACLES NEED THE HELP OF THE LAW

(By Hon. Henry Ellenbogen, president judge of the court of common pleas, Allegheny County, Pittsburgh, Pa.)

(NOTE.—An address prepared for delivery at a joint meeting of the Medical-Legal Society of Japan and The Pittsburgh Institute of Legal Medicine in the Keidanren Hall, Tokyo, Japan, at 11:30 A.M. Tuesday, April 2, 1968. President Judge Ellenbogen cites the need for legal safeguards in the rapidly expanding field of transplant surgery, and proposes the establishment of a unique system of central Donors' Consent Banks to be operated in conjunction with multiple Body Parts Banks in every metropolitan center.)

Through all ages and in every clime, man has looked to the stars and hoped for immortality.

Egyptian pharaohs as early as 4000 B.C. dreamed of immortality and hoped to achieve it with hieroglyphic appeals to their gods. Carved on the walls of their tombs we find this exhortation from the Book of the Dead: "Let Life Rise Out of Death". The wealth of the pharaohs, however, could not buy the priceless opportunity given many dying men today to extend their years through the gift of a new heart, a new kidney, or new blood.

The New Testament (I Corinthians, xv, 26) says the "last enemy to be destroyed is death". Modern scientific achievements give us hope that man may some day defeat that "last enemy". While applauding today's medical miracles, we who are concerned with the law would be remiss in our duties to society if we failed to point out that much of today's most promising achievements are occurring in an area where the legal guidelines are at best faint and indistinct.

The Hippocratic Oath—that a physician do everything in his power to save life, to restore health and to alleviate suffering—may be the surgeon's guiding star, but it is not adequate to enable him to find his way through the legal maze he has created by his own ingenuity.

THE GIFT OF LIFE ITSELF, A SURGICAL PEAK

The ultimate surgical procedure—the transplantation of a human heart—may prolong a useful life for months, or even years. But this breakthrough, a surgical achievement without parallel in all the annals of mankind, poses vastly important, difficult and serious medical, legal and moral questions that demand immediate answers.

Let us turn back the clock to December 3, 1967, and examine some of these questions which Dr. Christiaan Neethling Barnard answered so dramatically in his successful transplantation of a young woman's heart to replace that of a dying man in the Groote Schuur Hospital in Capetown, South Africa.

Dr. Barnard knew that Louis Washkansky had at best only a few months to live. His heart could not get enough blood through his closed and clogged coronary arteries. Since he knew he was dying, Washkansky eagerly agreed to the drastic surgery that would literally take away his heart.

The donor of a healthy heart, Denise Ann Darvall, 25, critically injured when struck by a speeding car, was barely alive when brought to the Groote Schuur Hospital. Her head and brain were almost completely destroyed. Because of this condition, her father signed the consent agreement for the transplant attempt. Dr. Barnard and his surgical team now had the opportunity they had so long awaited.

The fact that Louis Washkansky later succumbed does not detract from their accomplishment or their place in history for the first successful transplantation of a human heart. Double pneumonia took Mr. Washkansky's life 18 days after the historic operation, but there was no failure in the strong and steady beat of Denise Darvall's transplanted heart!

The eyes of the world are currently again focussed on Dr. Barnard. A Capetown dentist, Dr. Philip Blaiberg, now apparently gaining in health and again enjoying the comforts of his own home, was able to leave the Groote Schuur Hospital 74 days after Dr. Barnard had planted another man's heart in his breast.

SUCCESS RAISES PROBLEMS

Such dramatic progress, which is inspiring other surgical teams in other parts of the world to duplicate such operations, demands that our legal and medical leaders find some new answers to problems society never had to face before.

Of paramount importance is agreement on when exactly does death occur? Only rarely is this determination of judicial concern. The law's involvement with such questions is generally months or even years after life is extinct by any definition.

Doctors say there are two deaths: A clinical death when spontaneous respiration has ceased and the heart no longer beats; a biological death when the tissues no longer respond to stimulators, respirators, and other resuscitative devices.

The attending doctor must determine when clinical death occurs. Vital organs, if they are to be of any value as transplants, must be removed as soon after clinical death as possible . . . or as near biological death as possible.

DOCTORS' DECISIONS MAY LEAD TO LITIGATION

A wrong decision at this critical point may lay the doctor open to public criticism, censure by his colleagues, possible prosecution, the label of killer or euthanasist, and legal action by the patient's next of kin.

World Health Organization regulations define death as the permanent disappearance of life without the chance of resuscitation. But our doctors must be given legal criteria to utilize in making such decisions.

Black's Law Dictionary defines death as "the cessation of life; the ceasing to exist; defined by physicians as the total stoppage of the circulation of the blood, and a cessation of the animal and vital functions consequent thereon, such as respiration, pulsation, etc."

LEGAL GUIDELINES ARE INADEQUATE

Some legal authorities simply say that a patient is dead when the doctor says he is dead. Some of our state laws prescribe tests to determine whether death has occurred, but many still lack any legally defined criteria.

The fact remains that doctors have frequently revived some patients whose hearts and respiration have ceased. Other hearts, aided by machines, have been kept pumping for extended periods after recovery from brain damage is impossible.

Dr. Barnard told a nation-wide TV audience in the United States in January that he could have restarted donor Denise Darvall's heart, but that it would soon have stopped again because her brain was dead.

Under South African law, according to Dr. Barnard, a patient is dead when he has no reflexes, is no longer breathing, and his heart has stopped. Dr. Barnard said that his hospital team faithfully applied these criteria in the case of Denise Darvall (Time, Jan. 5, 1968).

HYPOXIC ORGANS ARE VALUELESS

Every day we read of surgical teams or first-aid squads resuscitating persons whose hearts have stopped. Some lack of oxygen causes deterioration or damage, a surgeon wants a donor's heart as fresh as possible for transplant—that is, within minutes of death. Other vital organs such as the kidneys and liver must not become hypoxic and hence useless by remaining in the body too long after death.

In many parts of the world doctors are certainly treading on shaky legal ground by any unilateral attempt to define death as cessation of brain activity. Since medical progress has outpaced the law in the field of medical transplants and the use of human organs and tissues, it is of the utmost importance that our lawmakers agree on a new and more precise definition of death and when it occurs.

Physicians, motivated by the highest ideals of service to mankind, must be protected by law. The ground rules for transplantations must be established. At the same time we must not deny the basic rights of humanity to the dying.

TIME IS VITAL FOR SUCCESS

A surgeon who tackles the transplanting of a human heart has at best only 30 minutes to take the first vital step—removal of the heart from the donor's body There is no time for consultations or debate over whether the heart donor is legally dead.

The odds are already tremendously against the success of such an operation. The surgical team must not only be trained and alert, but it must await the simultaneous arrival of two patients with compatible blood types.

The problem is further complicated in that one of these patients must be doomed to die of some disease that has not involved his heart. The second must be doomed to die of incurable and irreversible heart disease.

The moral and ethical questions raised by heart transplants are many and varied. Since ancient times the poet has ascribed mankind's noblest qualities and emotions to the heart. Today's science-orientated society is more inclined to consider the heart nothing more than a muscular pump without soul or personality.

VATICAN APPROVES HEART TRANSPLANTS

The Vatican newspaper, L'Oservatore Romano, supported this view with the observation that "the heart is a physiological organ and its function is purely mechanical". (Time, Dec. 15, 1967). Furthermore, Pope Paul VI personally told Dr. Barnard: "I bless your achievement, and I invite you to proceed along the same road, doing good, as you have up to now." (Time, Feb. 9, 1968).

Although the heart may be only a pump, it is more essential to life in the immediate temporal sense than any other organ, even the brain. To transplant a new heart in the chest of a dying man is the gift of life itself. This ethical and moral problem confronts the surgeon whenever he selects a person to be given a new chance at life.

This is no easy decision, for specialists estimate that 500,000 adults in the United States are dying each year of coronary disease. In addition, 6,000 to 7,000 children are dying of incurable heart defects (Time, Jan. 5, 1968).

WHO GETS THE CHANCE FOR A NEW LIFE?

With no prospect of more than a few thousand hearts becoming available, how do you select those who will get a new heart?

Most physicians say they would select the person most urgently in need of a new heart, whose physical condition offered the best chance for a successful transplantation, and who would be most useful to society should his life-span be extended.

Life is certainly not assured the proposed recipient. His heart must be cut out, which is tantamount to killing him. Consider, too, that while his life is ebbing away he still must be strong enough to endure the most drastic surgery yet devised by man. The surgical team, trying its best to give him a chance for a new and healthy life, will in effect have killed him if the transplant fails.

BURDEN OF DECISION NOT FOR OPERATING TEAM

The decisions concerning the donor and donee should be left to an independent group of medical experts none of whom are directly engaged in the transplant procedure. As disinterested judges, these doctors would examine the prospective heart donor and prospective recipient, taking this heavy burden of decision completely away from the operating team.

Surgeons now predict that successful lung transplants are a distinct possibility. A patient at the University of Mississippi Medical Center lived for 18 days after such an operation.

In other transplants, surgeons have been more successful. More than 1,200 kidney transplants have been reported since 1954, with 600 of them in the United States. So far about half of these patients have lived at least two years after the operation.

No one knows precisely how many persons die in the United States each year who might be saved by kidney transplants. Medical authorities estimates range all the way from 6,000 to 20,000. A more definite estimate is that no more than 450 patients received kidney transplants. A major factor here is that the donor and the donee have to be in the same hospital because it is impossible to keep a kidney more than four hours after it is removed from the donor.

DEAF PEOPLE MADE TO HEAR IN ISRAEL

In this fast-moving age of medical miracles, four Israeli doctors on March 21, 1968, announced another milestone in surgical progress—they said they had succeeded in making deaf people hear again by transplanting eardrums from dead bodies into their middle ears. They reported three such successful operations, the first being a transplant from the body of a 73-year-old man.

Such medical progress is indeed most promising but we must not overlook the fact that work in the field of organ transplants will be retarded until there is a satisfactory legal clarification of many matters. The rights of the donors, both live and cadaver, and those of the potential recipients, must be spelled out in detail. A widespread educational campaign is also necessary to encourage more people to give their bodies and their organs for the benefit of mankind. It is obvious that we no longer can afford the luxury of condemning to the grave vital organs which can preserve another person's life through a transplant operation.

NEW LAWS NEEDED TO PROTECT DOCTORS

I must point out that if state legislators do not adopt such ground rules and the increase in transplant operations continues at the present pace, there will be a proliferation of damage actions and claims of malpractice against physicians.

Most states prohibit under statutory or common law any act that deprives a person of a part of his body without his specific consent, unless the procedure is necessary for preserving his life or health.

Man's proprietary right to his body has been raised to an almost sacred level, with the result that any unauthorized touching of the body of another is an actionable wrong. Our laws in this regard require that a hospital or surgeon must obtain the informed consent of the patient or his legal guardian before any medical or surgical procedure can be performed. Any unauthorized extension of the procedure by the hospital's agents or the surgeon will subject both to an action for damages for the unauthorized act.

USE OF CADAVER PARTS POSES LEGAL PROBLEM

The law, both case and statutory, appears clearly established in the area of consent. I would say that a doctor who obtains the informed consent of the patient or his guardian to transplant the kidney from another person is protected from legal liability to the recipient.

Complex legal problems arise, however, from the continuing search to obtain donors of healthy kidneys to replace malfunctioning kidneys. The shortage of kidney donors has forced surgeons to develop techniques and procedures for transplanting kidneys from dead or cadaver donors. While this source of body organs is most desirable, it does force the doctors involved to consider the possible legal involvements that might arise from the use of any part of the body of the deceased donor.

A total of 40 states have passed laws that allow any individual to will his body or eyes to medical science. Other states still follow common law rules which do not recognize the dead human body as property which can be disposed of as merchandise. ("Cadaver nullius in bonis", no one can have a right of property in a corpse.)

Under common and statutory law, the surviving spouse or next of kin has a right to possession of a body for the purpose of burying it.[1] It must not be mutilated in any way between the time of death and the time it is turned over to the proper person for burial. This means that it is impossible for a man to dispose of his body after his death in any manner which will violate the right of his spouse or next of kin to bury the body. The American Medical Association's Law Division recommends that an executed document such as a will is necessary for the testamentary disposition of the body.

LAWS NEEDED TO CARRY OUT DONOR'S WISHES

What we actually need is a model law that would give any person or his kin the right to donate his body or any organs for medical use. It would protect doctors from lawsuits and other legal pressures. This law should even go so far as to permit qualified coroners performing necessary autopsies to remove organs needed for medical purposes but not for the autopsy. The law should also include an escape clause to permit a person to change his mind and revoke such a decision before death.

I might point out that the General Assembly of Pennsylvania enacted the "Eye Bank or Body Part Bank Law" which states:

"Whenever any person shall, in a will or other written instrument, direct that any part of his remains be given for the use of any non-profit eye bank or body part bank, the person or persons otherwise entitled to control the disposition of the remains of such decedent shall faithfully and promptly carry out the directions of the decedent, and, if such instructions are contained in a will, they shall be immediately carried out, regardless of the validity of the will in other respects or of the fact that the will may not be offered for or admitted to probate until a later date." (Act 1959, Nov. 30, P.L. 1617, Sec. 1; 35 P.S. Sec. 5001).

This Act recognizes the fact that prompt action must be taken to preserve body parts for any future use.

LAW MUST GROW WITH PROGRESS

Without going further into the fascinating field of transplant surgery or organ transplants, I want to urge you today to lend every effort to see that the law keeps pace with medical progress.

Justice Benjamin N. Cardozo recognized that the law must meet changing conditions in other fields when he said: "Existing rules and principles can give us our present location, our bearings, our latitude and longitude. The inn that shelters for the night is not the journey's end. The law, like the traveler, must be ready for the morrow. It must have the principle of growth." (Cardozo, Growth of the Law 20 (1924).)

To be "ready for the morrow" I urge prompt action by the legal and medical professions in evolving a practicable and workable procedure for transplant surgery within the framework of the law. As a first step, I propose that a blue-ribbon committee of our most knowledgeable legal and medical leaders be named by the bar associations and the medical societies in every metropolitan community.

This committee would draft new laws permitting persons so desiring to contribute their bodies after death to a central human organ, parts and tissue bank for the use of suffering humanity.

DEPOSIT OF CONSENT DECLARATIONS ENCOURAGED

Of utmost importance is a provision in the law to provide for the immediate use after clinical death and before biological death of the donor's body and vital organs. It is not practical to do this through a will. Several days ordinarily transpire after death before the executors read the will and move to carry out its provisions. In our society it is considered almost obscene to probe the contents of a will before the funeral.

I propose that we solve this problem by providing for some form of consent—a binding written declaration. This consent declaration would become effective upon clinical death. It would deny the next of kin any opportunity to circumvent the express wishes of the donor concerning the disposition of his body.

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[1] Pettigrew vs. Pettigrew, 207 Pa. Supreme Court 313 (1904). Leschey vs. Leschey, 374 Pa. Supreme Court 350 (1953).

The voluntary consent of the prospective donor must be properly obtained after he is carefully advised of all of the ramifications of the proposal. It is highly important that this written consent document be deposited where it is readily available to all the hospitals, medical institutions and qualified physicians in a particular community. I recommend this be done by establishing and operating a Donor's Consent Bank. This would be a central agency where documents of consent for the use of bodies or any parts of the body would be filed immediately upon execution and would be readily available to the entire medical community.

COMPUTERS TO SPEED TRANSPLANTS

Since time is of the essence, I suggest the use of a computer system where the names of donors, the parts of the body donated, and other pertinent information could be retrieved in a matter of milliseconds.

With the death of a prospective donor imminent, a surgeon awaiting the opportunity to use a strong, healthy heart, a kidney, etc., could dial a certain designated telephone number and get the information immediately. Various fail-safe provisions should be utilized to avoid any possibility of error. Since a man's Social Security number is his alone from the cradle to the grave, perhaps this number should be used for positive identification. The Internal Revenue Service finds it a fail-safe means of identifying taxpayers.

As part of the operation of the Consent Banks, I strongly urge discretion in any publicity involving transplant operations. The donor and his family might well be proud of his contribution to the bank, but any announcement should originate with them. Publicity regarding the donee, especially in any heart transplant, is another matter. Few would argue that it is wrong to announce that a dying man has been given a new heart, but it is debatable whether we should identify the donor. The bereaved family might be greatly disturbed by such identification. Such publicity also might discourage many prospective donors from signing consent agreements. Anonymity also would protect the surgeon from possible censure about the decisions he must make in such operations.

STATE AND FEDERAL AID PROPOSED

Because of their importance and the problems involved, both the Donors' Consent Banks and the Body Parts Banks should be centrally established and operated. Laws should lay down uniform standards and practices. Federal and State financial help should be made available in a matter so vital to the public health and welfare.

Establishing and operating such banks would accelerate the work of many medical centers in the field of transplantation. Already we are accustomed to hear of surgical success in transplanting the spleen, the pancreas and the duodenum. Blood transfusians, bone marrow implants, bone and skin grafts—which are all transplants—are accepted as routine. So are grafts of the corneas of the eyes and the dura, the envelope enclosing the brain. With science progressing at such a rate, as it is now, perhaps some day heart transplants will be viewed as more or less routine surgery.

A bill now in the United States Senate's Committee on Labor and Public Welfare proposes creating a National Commission of Transplantation and Artificial Organs. This is an attempt on a national level to solve some of the problems that I have outlined today. What I am suggesting is a grass-roots approach spear-headed by a task force of doctors and lawyers who can quickly marshal and utilize all the resources of our great professional organizations in a practicable and workable manner that will be beneficial immediately.

The sooner we safeguard the surgeon with proper laws and proceed with the establishment of central Donors' Consent Banks and multiple Body Parts Banks, the sooner mankind will benefit from today's medical miracles. The law must keep pace with modern science. That is our challenge. That should be our goal.

The eminent Chinese philosopher Chunag-tzu in 400 B.C. aptly summed up the crux of today's promise when he said:

> "Life follows upon death. Death is the beginning of life. Who knows when the end is reached?"

Renegotiation Board Continues To Save Taxpayer Money

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1968

Mr. VANIK. Mr. Speaker, at a time when the Ways and Means Committee is considering the future of the Renegotiation Board, it is particularly fitting to note the day-to-day successes of these "silent watchdogs of the Treasury." The Board, which was created in 1951 to prevent excess profits from accruing to defense, space, and atomic energy contractors, has in the last few weeks been upheld on three cases of excess profits in the U.S. Tax Court.

Most of the Board's work of saving the taxpayer's dollar is done silently, without cases going to court. Since its inception, the Board has made a total of 3,755 determinations of excess profits which have resulted in the return to the Treasury of $950 million; 89.9 percent of these determinations were accepted by the companies concerned without appeal. Even when the Board's determinations are contested in the Tax Court, the Board has a winning record. Of the 111 cases which have been disposed of as of July 1, 1967, the Board was upheld in 65 cases; the Board's findings were increased in 6 cases, and decreased—but not thrown out—in 40 cases. This is a clear indication of the Board's competence and excellence.

I have attached an article which appeared in the Cleveland Plain Dealer, April 3, 1968, describing these three most recent successes of the Renegotiation Board in its constant struggle to save the taxpayer's dollar:

THREE ORDERED TO REPAY $1.3 MILLION PROFITS

(By Sanford Watzman)

WASHINGTON.—The Renegotiation Board has been upheld on three cases of excess profits and a fourth appeal was filed at U.S. Tax Court in the last few weeks.

Ordered to repay $1 million to the federal treasury was the Hess Oil & Chemical Corp., formerly the Oliver Corp., a subcontractor on an Air Force procurement.

Tide-Bay, Inc., a piping contractor in Alaska, and Associated Testing Laboratories, Inc., which did missile work, were directed to rebate $150,000 each to the government.

The new appeal was filed by Transducer Patents Co. of Los Angeles, which the board has dunned for $770,000 for fiscal years 1957 through 1964.

In the first case the Oliver Corp. and a subsidiary received a subcontract to build fuselages for the Boeing Airplane Co., which itself has a record at the board for profiteering.

The board asserted that Oliver overstated its costs by $1 million in 1954, one reason being that it improperly charged off some advertising as an expense. Company profits reviewed by the board that year totaled $50.3 million.

The case of Associated Testing, which did work on the Pershing missile, dated from 1961. It realized a profit that year of $406,795, or 24.3%, the board charged.

Tide-Bay was said to have made a profit of $323,455 in 1954. Its major contracts were for piping and storage of oil at Eielson Air Force Base, Alaska.

Transducer was organized in 1952 to purchase five patents from the Curtiss-Wright Corp. for $135,000. It then licensed these patents to Statham Instruments Inc. and proceeded to collect royalties.

It was these payments, amounting to $2.1 million, that were challenged by the board, which asserted that Transducer reported total costs of $231 for the years at issue.

The board said:

> "The contractor (Transducer) had no employes, and the relatively small amount of administrative services required for the conduct of his business was performed by (Transducer's) general partner, Louis D. Statham, who was also president, chief executive officer and major stockholder of the related corp. (Statham Instruments)."

In its petition, Transducer denied that it made any excess profits, and it disputed some statements made by the board.

Toward a Stable Budget Policy

HON. DONALD RUMSFELD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1968

Mr. RUMSFELD. Mr. Speaker, it is past time for the administration to give serious attention to achieving a stable monetary policy.

The administration's policies to date have fostered inflation, high interest rates, serious balance-of-payments deficits, and a crisis in gold. We cannot afford to continue under such a program.

A thoughtful discussion of the U.S. economy was presented in February 1968 by Dr. Beryl W. Sprinkel, vice president of the Harris Trust & Savings Bank, of Chicago, Ill., in a speech presented to the Boston Economics Club. Entitled "The U.S. Economy in Disarray," the speech concentrates on the specific problem areas I have mentioned above.

I offer Dr. Sprinkel's speech at this point in the RECORD and commend it to my colleagues:

THE U.S. ECONOMY IN DISARRAY

(Speech by Dr. Beryl W. Sprinkel)

INTRODUCTION

February, 1968 marked the completion of seven years of continuous economic expansion of the U.S. economy. Never has the nation experienced a more productive era, a wider sharing of worldly goods nor greater concern about the underprivileged. Yet the mood of businessmen and economists in the U.S. is one of unrest, disappointment, and fear of the future. Never has it been more clear that serious economic problems can develop despite a high and rising GNP.

This paper will concentrate on three problem areas—inflation, high interest rates, gold and the balance of payments, as well as proposed remedies. It will be argued that application of "New Economics" principles is largely responsible for giving us the sorry spectacle of the mightiest economy in the history of the world in avoidable disarray. Not only are the theoretical underpinnings of the "New Economics" on shaky ground, but contrary to recent arguments of the Council of Economic Advisors their application has not been consistently in the right direction even though admittedly of inappropriate intensity. Obviously, unanimous agreement with these propositions is unobtainable but disenchantment with the "New Economics" does appear to be rapidly developing as serious problems abound in the midst of prosperity.

Before arguing the above positions, let me define what I mean by the "New Economics". The hallmark of the "New Economics" is that economic policy-makers now know enough to properly prescribe and frequently adjust economic policies so as to consistently add just the right amount of economic stimulus or restraint. Second, the "New Economics", utilizing the Keynesian analytical framework, places fiscal policy in the King Pin role while minimizing the stabilization role of monetary policy. Finally, from time to time the "New Economics" argues the imposition of wage-price guidelines and other direct controls and persuasion will lower the inflation threshold and contribute in a significant way to the attainment of economic stability.

BRIEF REVIEW 1961 TO MID-1965

Let us first review a recent period characterized by economic euphoria when the economy performed well and "fine-tuning" established its favorable, if undeserved, image.

Due largely to monetary-fiscal actions taken in 1960 and early 1961, the economy began recovery in March 1961 and for over four years maintained well balanced noninflationary growth. Economic policies were appropriately expansive since there was substantial underemployment of productive resources. The money supply grew at a moderate but adequate 3% annual rate in contrast to about 1% during the preceding eight years. The Federal budget was in a deficit position and a sizeable tax cut became effective in the spring of 1964.

The only pause in expansion occurred in the latter part of 1962 following a sharp though temporary decline in monetary growth. Despite fears the economy was headed into a fifth post-war recession, economic expansion resumed in early 1963 following a renewed rise in monetary growth.

Although the 1964 tax cut has received most of the plaudits for the economic expansion, this argument has little empirical base. Renewed expansion occurred more than a year before the 1964 tax cut and continued over 2½ years after the reduction. Furthermore, there is no evidence that activity accelerated shortly before, shortly after, or coincident with the tax reduction. There have been three post-war tax cuts of approximate equal size in relation to the size of the economy. Following the 1954 and 1964 tax reductions the economy expanded but following the 1948 tax cut the economy shortly went into a recession. Although this variation in performance is difficult to explain on fiscal grounds, it is readily explained by the accompanying monetary policy. An expansive monetary policy accompanied the 1954 and 1964 tax reductions but a reduction in monetary growth preceded and followed the 1948 tax reduction. Contrary to the tenets of the "New Economics" the evidence suggests monetary rather than fiscal changes are the most important determinant of subsequent income trends. Monetary and fiscal policies are questionable substitutes, as frequently asserted, but should be viewed as complementary.

Although 1961 to mid 1965 was the period when "fine-tuning" established its favorable image, this reputation was undeserved. This was a period of "gross tuning" at its best. Largely stable and expansive economic policies were pursued at a time when the economy was seriously under-utilized. Appropriately stable and expansive economic policies largely accounted for the excellent economic performance witnessed. The opportunity for "fine-tuning" began in mid-1965 when the economy achieved approximate full employment and the results have been unsatisfactory.

CURRENT PROBLEMS

Inflation

Who would have believed that in the midst of the most serious inflation since Korea, "New Economics" policy-makers would be pursuing the most expansionary set of monetary-fiscal policies since World War II? Not I! Current actions are obviously inconsistent with stated objectives of pursuing policies designed to stabilize economic activity. How then did this sorry state of affairs come to pass? Only by determining the cause of current mistakes can we hope to avoid a repeat. In my opinion, poor economic forecasting in combination with inaccurate economic theorizing explains current difficulties. The former is unfortunate but understandable in view of inherent difficulties. The latter regrettably reflects almost exclusive reliance upon Keynesian theory to the virtual exclusion of superior alternatives.

Most analysts, including Administration economicts, seriously underestimated the rising cost of the Vietnam war. Hence, there was an observable reluctance to either raise taxes or reduce non-war expenditures until well after inflation was rekindled. Large Federal deficits are unfortunately characteristic of war periods and the present is no exception. Although on theoretical grounds it should be possible to run large deficits emanating from rising Federal spending without serious inflation, as a practical matter, it has never worked out that way. It should be possible to retrench the private economy with a less expansionary monetary policy, but unfortunately monetary policy has recently added to the inflationary thrust of fiscal policy.

During the period from mid-1965 to spring 1966 both monetary and fiscal policies added increased impetus to the spending stream just as the economy attained near full employment and inflation accelerated. From the spring of 1966 until late fall, fiscal policy continued its expansionary stance but monetary policy shifted drastically from a 6% growth rate in the money supply to a 2% contraction rate. The results when combined with ceiling rates on financial institutions were: (1) a near monetary crisis as "disintermediation" became widespread and, (2) a subsequent slowup in the economy.

Late in 1966 monetary policy resumed an expansionary stance which continued up to recently. During 1967 the money supply grew 6½% while the money supply plus time deposits increased 12%. The principal reason for the shift from a tight money policy to an easy one was, in the first instance, an attempt by the Federal Reserve to cushion the weakening private sector of the economy. Such a move was indeed proper. But by spring it was clear that a recession had been averted. Yet both monetary and fiscal policies remained decisively expansive. Serious inflation was the inevitable result.

Now it is argued that private restraint must provide the appropriate inflation antidote. Restraint is to be induced by a modest tax increase plus exhortations to business to absorb rising costs without price increases and labor to refrain from making large wage requests. Unfortunately, when final demands are strong due to excessively expansive monetary-fiscal policies, there is little reason based on past performance to believe private restraint will be exercised. Economic incentives point in the opposite direction and moral suasion by public officials will not change them. The proposed tax increase also offers little hope of a quick containment of inflation both because the size proposed is modest in relation to the problem and also because it remains questionable whether Congress will permit even the modest increase. Some recommend a resort to direct controls on wages and prices but again the history of such an approach yields no grounds for optimism. As recently pointed out by the Council of Economic Advisers controls attack symptoms rather than causes, encourages uneconomic decisions while creating black markets and evasion, plus a vast bureaucracy required for enforcement. Unfortunately, once inflationary pressures and inflationary expectations are excited, there probably is no prompt way of restoring stability. A slow and modest reduction in monetary growth accompanied by fiscal restraint is probably the best hope, but the cure will not be prompt.

High interest rates

In early 1967 President Johnson assured the nation that he believed low interest rates were in the best interest of the nation and that all the powers of his office would be used to see that rates remained low. Yet interest rates rose each month and ended the year at the highest level since the Civil War. How can these facts be explained? Surely no one would contend that the office of the President of the United States has no power to influence interest rates nor is there doubt that the Administration prefers lower interest rates. But there is reason to believe that faulty analysis explains the disparity between objective and results. Conventional Keynesian analysis utilized by the "New Economists" argues that a rapid increase in the quantity of money places downward pressure on interest rates. In the very short-run this argument is undoubtedly correct. An increase in the supply of any commodity or service tends to reduce its price. But the Quantity Theory of Money argues that there is something unique about the quantity of money with respect to its effect upon the economy. With an appropriate and rather short lag a rapid increase in the quantity of money, similar to the pattern in 1967, stimulates spending on goods and services. If this stimulus occurs at a time when the economy is fully employed, as in 1967, it will shortly bring an acceleration in general price increases. As inflationary expectations are stimulated the demand for money also rises. Borrowers become more keenly aware that they will pay off their debts with cheaper dollars. Delay of expenditure projects will merely result in higher costs. Spenders become increasingly willing to borrow more, even at higher rates of interest. Lenders, aware that they will receive payment in cheaper dollars insist on a hedge against expected inflation by demanding higher interest rates. Hence, the surest way to get higher interest rates when the economy is fully employed is to pursue an easy monetary policy. Nor is United States' experience unique. Those countries around the world that have permitted the largest increase in the money supply also suffered the greatest inflation and the highest rates of interest. South American countries such as Brazil, Argentina and Chile are examples of the effect of serious inflation on interest rates while the United States was until recently the best example of a country with only a moderately expanding money supply, stable prices and low interest rates.

Balance of payments and gold

Throughout most of the post-war period the stated and actual stance of the U.S. Government has been to encourage a free flow of trade, capital and tourists between countries. This position was based on the proposition that all countries would benefit from international specialization of resources and that higher living standards would result for all participating countries. The immense improvement in economic well-being in most major trading nations is a testament to the validity of that approach.

But alas, U.S. actions are now leading the world in the opposite direction of withdrawal, restrictions, and retrenchment. The pattern began in 1963 when the interest equalization tax was passed in an attempt to discourage foreign capital issues in this country which were placing downward pressure on our gold supply as foreigners found the cost of capital raised in our noninflationary economy less than in their own. We were assured that the tax would be temporary and would be rescinded in 1965 as our balance of payments came into balance. We still have the tax and unfortunately many other similar direct control measures have subsequently been imposed. We have adopted a "Buy America" program whereby we supply goods and services to meet obligations abroad by purchase in the United States even though it is frequently cheaper to buy abroad. We insist upon "tied aid" whereby foreign countries receiving aid from the United States must spend their money in this country even though it might be more economically spent abroad. The United States instituted "voluntary" controls on bank lending and corporate investments made abroad. This program has now been made mandatory for corporations and a large bureaucracy is being assembled to enforce the program. Authority is available to make the bank program mandatory and permitted ceilings have again been lowered. A complicated tax on U.S. tourist expenditures has now been proposed. Serious consideration is being given to imposing a border tax on imports and a subsidy on exports.

In 1776 Adam Smith wrote a book entitled "The Wealth of Nations". Perhaps the fundamental contribution of that book was to convince the world that the wealth of a nation is determined by its ability to produce goods and services in quantity and quality. This proposition is still generally accepted but it was not always so. During Adam Smith's lifetime the prevailing doctrine was presented by the Mercantilists who argued that the wealth of a nation was determined by the amount of gold it possessed. Hence, many countries adopted Mercantilists' measures such as quotas on imports, tariffs, export subsidies, restriction on outward capital flows, etc. Mercantilists' doctrine and policies, even though wrong, had the virtue of consistency. Today we follow the same policies while contending free trade, capital flows and travel enrich the world. The name of the prevailing game today is "How can we conserve our gold supply regardless of costs?" and policies are consistent with that stance.

The U.S. gold problem is but another example of an attempt to impose an unrealistic price upon a commodity in worldwide demand. The current price is maintained only because seven nations including the U.S. are willing to sell gold on the London free gold market at approximately $35 an ounce. The U.S. provides 59% of gold supplied by the London gold pool. Due to widespread inflation around the world, there is currently an excess demand for gold at the prevailing $35 price. The present price can be maintained only so long as central banks are willing to supply sufficient gold. Unless basic demand conditions moderate substantially, either the price of gold will be permitted to find its free market price or it will be revalued upward and pegged at a higher price. The first alternative would be tantamount to a complete demonetization of gold whereas the latter would retain the present system but with a higher gold price.

The persistent U.S. balance of payments deficit is a related but different problem. Serious recent inflation brought on by overly expansive monetary fiscal policies has contributed to the deficit by encouraging higher imports while reducing the competitiveness of exports. But just as fundamental is a lack of an appropriate adjustment mechanism in the world monetary system fashioned at Bretton Woods which would exert discipline upon both deficit and surplus countries to eliminate imbalances in their balance of payments. There was such an adjustment mechanism in the old gold standards. Deficit countries were supposed (according to the "rules of the game") to adopt restrictive economic policies, thereby reducing incomes and prices, and hence resulting in lower imports, higher exports and inflows of foreign capital. Surplus nations were to adopt expansive policies which would expand incomes and prices and thereby eliminate the balance of payments surplus. But in the post-war period no major nation has been willing to accept this discipline since if a deficit existed, solution would entail widespread unemployment in conflict with worldwide full employment objectives.

Since few economists believe the gold standard adjustment is appropriate for today's world, many now favor greater flexibility in exchange rates. A developing deficit in the balance of payments would result in deterioration in exchange rates which would establish market incentives for limiting imports and stimulating exports. This incentive would develop without the necessity of forcing a depression on the nation concerned. Regardless of the type of international monetary mechanism developed there can be no substitute for domestic economic policies designed to establish price stability. The adjustment in international accounts must be made by a deficit country either in the form of direct controls such as those now being pursued, reduced exchange rate or deflation. It is because many feel restrictions or deflation are too costly that opinion is swinging toward exchange rate adjustments as a preferable solution.

The gold exchange standard of post-World War II has served the world well. The persistent recent trend toward restrictions, the real possibility of competitive retaliations, gold problems, and the threat of speculative runs on additional currencies strongly suggest our present system is in serious need of renovation. Although the proposed creation of SDR's, special drawing rights from the International Monetary Fund, would increase liquidity, this move would in no way improve the adjustment process. If the scheme worked it would probably merely hasten the trend toward worldwide inflation. The changes eventually adopted should permit a resumption of the former U.S. policy of encouraging the free flow of goods, services, capital and tourists while permitting individual nations to pursue a high employment policy. The present international monetary system is clearly no longer consistent with those objectives.

INHERENT LIMITATIONS OF THE "NEW ECONOMICS" APPROACH

Although events since mid-1965 clearly demonstrate the economy can get in serious trouble despite an attempt to apply stabilizing "fine tuning" policies, the question remains, was it bad luck or are there inherent weaknesses in the approach? Empirical data supports the latter hypothesis and not the former. First the record strongly suggests that monetary rather than fiscal change is the major variable influencing final spending and hence inflation. An attempt to subordinate monetary policy to the role of facilitating federal financing in an environment of easy money is a sure way of fostering inflation and high interest rates.

Second, aggressive application of "New Economics" principles requires a degree of perfection in economic forecasting of which mortal man is incapable. Despite a continued improvement in forecasting techniques as well as data collection, the lags in economic policy are frequently longer than the forecasting horizon. Hence frequent change in policy stimulus is apt to be more destabilizing than helpful.

Third, economists are not yet agreed on the proper concepts for measuring fiscal or monetary changes. For example, should fiscal change be measured by the change in the unified budget, cash budget, administrative budget, national income budget, or the full employment budget? Protagonists can be found in abundance for each concept and there is little empirical evidence to aid in ferreting out the best view. Nor does monetary policy avoid this difficulty. A large body of empirical evidence assembled by Quantity Theorists supports the view that monetary policy change should be measured by changes in the money supply or other variables closely related thereto such as bank reserves, total bank credit or the money supply plus time deposits. But another group of economists, largely Keynesian in orientation, prefer interest rates. Many financial observers emphasize free reserves. Unless authorities can agree on how to measure policy change, how can we believe that these policies can be frequently changed so as to promote economic stability? Frequent adjustment is more likely to limit confidence by changing "rules of the game" while destabilizing expectations and economic results.

Finally, there remain formidable lag impediments to the potential success of "fine tuning" even if we can believe the foregoing obstacles can be surmounted. There is the recognition lag which remains despite improvement in forecasting techniques. The execution lag can clearly be as long as two years when tax increases are proposed since Congress still possesses the power of disposal. Even after policy changes have been made, the length of the impact lag is largely unpredictable.

CONCLUSION

In summary, application of overly-expansive and activists' economic policies has fostered inflation, high interest rates, balance of payments deficits—an economy in serious disarray. Instead of offering restraint in Government monetary-fiscal policies, more controls on private decision-making are proposed and others are threatened. Controls attack symptoms and offer no hope for correction, but merely promise additional interference with the functioning of an efficient economy. The "New Economics" has hastened the arrival of the very state of economic instability it sought to avoid. There are good theoretical and political reasons why such an outcome was nearly inevitable. Until more is known about the lags and impacts of economic policies, the nation would be better served by relying more on the inherent stability of the economy while redoubling efforts to avoid highly variable and destabilizing policy actions.

A stable budget policy designed to achieve a balanced budget at noninflationary full employment and accompanied by moderate but stable monetary growth should receive serious consideration. Such a set of policies would almost certainly have achieved better results in recent years than the highly discretionary and variable set of policies actually pursued.

Is the Power To Tax Lodged in Congress or the Treasury Department?

HON. ROBERT V. DENNEY

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1968

Mr. DENNEY. Mr. Speaker, last Friday in a letter to all of my colleagues, I directed their attention to an attempt by the Treasury Department to usurp the exclusive power of Congress to tax. Athough interest on Industrial Development Act—IDA—bonds has been tax free for many years, on March 6, by administrative fiat, the Department decided they were subject to tax.

When the other body considered H.R. 15414, Senator Curtis was successful in amending that bill to provide that IDA bonds would be tax-exempt until further act of Congress. However, Senator Ribicoff tacked on another amendment which provides that the interest on these bonds would be subject to tax after January 1, 1969. In my opinion, the Ribicoff amendment is also unconstitutional, based on the reasoning set forth in my letter of March 29.

It is ironic indeed that many are pointing out the need for massive Federal spending to create new jobs to solve the problems of the ghetto and rural poverty, but still insist on destroying a proven technique to create those new jobs. Good examples of the benefits of this type of industrial revenue financing can be found in Georgia, Missouri, and Tennessee.

Georgia: Created 14,000 jobs; estimated annual payroll, $63,000,000.

Missouri: Created 16,300 jobs; estimated annual payroll, $101,000,000.

Tennessee: Created 61,000 jobs; estimated annual payroll, $317,000,000.

Certainly, it is better to create jobs through private industry than resorting to massive spending programs by the Federal Government.

One of the arguments that opponents of industrial revenue bond financing advance is that industrial revenue bonds constitute a tax dodge. Such a statement is unfounded. Although such financing may provide a lower rate of interest in today's tight money market, the belief that the Treasury would derive greater benefits if these undertakings were all financed with taxable corporate bonds is open to serious question. What many fail to recognize is that the taxable bond market is dominated by purchasers such as pension funds, foundations, life insurance companies, and mutual savings banks, which have themselves been granted full or partial tax exemption by the Federal Government. Of the $17 billion of corporate bond net issues for the year 1967, $13.2 billion went into nontaxable hands, representing 77.6 percent of the corporate issues.

If we assume first, that $1½ billion of tax-exempt industrial bonds issued in 1967 had been issued as taxable bonds and second, that the U.S. Treasury figure of the 1½-percent spread—from 4½ percent to 6 percent—were all issued as taxable bonds and third, that the same percent of the $1½ billion of industrial bonds—now taxable under the assumption—went into taxable and nontaxable hands at exactly the same percent as the $17 billion of corporate, the following would be the results: First, the corporations issuing these bonds would have as a deduction the additional 1½ percent needed to service the interest on these bonds and they would have additional deductions of $22.5 million. Assuming the normal tax bracket of 48 percent, they would then pay $10.8 million less in the income taxes to the Treasury. These same corporations on the $1½ billion of tax-exempt industrials which we have assumed for this presentation were all issued as corporate bonds will pay $90 million of interest rather than $67.5 million they pay as tax exempts at the rate of 4½ percent. The same percent of these bonds—22.4 percent would go into taxable hands—resulting in $20.16 million in taxable income assuming a 50-percent tax bracket for purchasers of these bonds, this would result in an additional income to the Treasury of $10.08 million.

Therefore, using the Treasury figure of 1½-percent spread between taxable bonds and industrial revenue bonds—tax-free bonds—the Treasury lost $10.08 million of taxes on the one hand but gained $10.8 million of taxes on the other resulting in a net gain to the Treasury of $720,000. One cannot help but contrast this minimal amount in tax revenues with the $383,600,000 expenditure by EDA to attract new industry which uses tax dollars rather than the IDA route which generates tax dollars.

Mr. Speaker, I can see no reason why States and their municipalities should be denied the right to attract new business via the industrial revenue bond route when the Federal Government, through its EDA and Appalachian programs, is attempting to do the same. In fact, the IDA bond route is preferable because it is done through private enterprise and does not require a massive bureaucracy to administer it.

Mr. Speaker, I recognize there may have been abuses in this funding technique. However, if we let the Ribicoff amendment stand, we have denied the States the benefit of a hearing. Therefore, it would be my hope from a constitutional standpoint as well as being fair to all concerned, that our conferees support the Curtis amendment and reject the Ribicoff amendment so that the House Ways and Means Committee may give the matter due consideration.

The Greek Premier: A Soldier Who Fought Fascists, Nazis, and Communists

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HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1968

Mr. DERWINSKI. Mr. Speaker, the Prime Minister of Greece, George Papadopoulos, has been the subject of an intensive barrage of criticism since he and his associates have held the reins of government in their country. Much of this criticism has been unwarranted, while a good deal has stemmed from visible leftist sources.

It is refreshing to note an objective biographic commentary on Prime Minister Papadopoulos in the Friday, January 19, edition of the Canadian Jewish News, a most reputable progressive publication. This item has just come to my attention and I feel its insertion in the Record will help project proper understanding of the background and character of Prime Minister Papadopoulos.

The biography follows:

G. PAPADOPOULOS—THE GREEK PREMIER: A SOLDIER WHO FOUGHT FASCISTS, NAZIS, AND COMMUNISTS

His Excellency George Papadopoulos, present Prime Minister of Greece, is a relatively young man so far as statesmen go. Yet in his forty-nine years he has been active in many areas, military and political. A colonel of the army until he became prime minister, Mr. Papadopoulos is known as a fighter. Twice he was awarded the Gold Medal of Valor and twice the War Cross.

The present Prime Minister of Greece is a man of the anti-German resistance during World War II. He fought the Nazi invaders valiantly as he had the Italian Fascist occupants before them. When the Communists tried to enslave Greece, he again was on the battlefield fighting for the true independence of his country.

Mr. Papadopoulos now has succeeded in stabilizing his free enterprise government which assures not only liberal international trade policies but also absolute religious freedom for all Greeks, Christians, and Jews.

He accomplished, in the words of an international correspondent, "the delicate task of moving the regime through its military phase" into the present political stage.

George Papadopoulos was born in Eleochorion, Achaia, in 1919. In August, 1940, he graduated from the War Academy as Second Lieutenant. Two months later the Greek-Italian war imposed by Mussolini broke out and he found himself in the frontline. He served on the Albanian front through the six-month war as a platoon leader and lieutenant.

When the Germans occupied Greece, he joined the national resistance units in the struggle against the Nazis.

Soon after the deliberation, Papadopoulos was appointed staff officer and subsequently moved into intelligence.

Again when the Communists launched the civil war, Papadopoulos joined the active defence forces serving for nineteen months as commander of an artillery battery.

During this period, fighting against foreign Communist invasion, George Papadopoulos was promoted to Captain; then, in 1949, to Major.

Throughout this period his record was described as "excellent" and more medals were added to the three he had been awarded during the Greek-Italian war. This time he received the Medal for Distinguished Conduct, the Silver Cross of the Royal Order of George I, with swords, and four war crosses. He graduated with top marks from both the artillery school (1945) and the training officers school in the Middle East (1946).

At the end of the war against Communist invasion he was again assigned to the artillery school as instructor. He attended at this time also the school of the army engineers corps, and was awarded another—the tenth—medal, the Gold Cross of the Royal Order of George I, with swords.

During the last five months of 1952 and up to September 1953, he served as artillery unit commander and, subsequently (up to January 2, 1954) he taught at the artillery school, for the last time, as instructor. From June to September 1953, he attended the American Methods Section of the artillery erately expanding money supply, stable prices and low interest rates.

Balance of payments and gold

Throughout most of the post-war period the stated and actual stance of the U.S. Government has been to encourage a free flow of trade, capital and tourists between countries. This position was based on the proposition that all countries would benefit from international specialization of resources and that higher living standards would result for all participating countries. The immense improvement in economic well-being in most major trading nations is a testament to the validity of that approach.

But alas, U.S. actions are now leading the world in the opposite direction of withdrawal, restrictions, and retrenchment. The pattern began in 1963 when the interest equalization tax was passed in an attempt to discourage foreign capital issues in this country which were placing downward pressure on our gold supply as foreigners found the cost of capital raised in our noninflationary economy less than in their own. We were assured that the tax would be temporary and would be rescinded in 1965 as our balance of payments came into balance. We still have the tax and unfortunately many other similar direct control measures have subsequently been imposed. We have adopted a "Buy America" program whereby we supply goods and services to meet obligations abroad by purchase in the United States even though it is frequently cheaper to buy abroad. We insist upon "tied aid" whereby foreign countries receiving aid from the United States must spend their money in this country even though it might be more economically spent abroad. The United States instituted "voluntary" controls on bank lending and corporate investments made abroad. This program has now been made mandatory for corporations and a large bureaucracy is being assembled to enforce the program. Authority is available to make the bank program mandatory and permitted ceilings have again been lowered. A complicated tax on U.S. tourist expenditures has now been proposed. Serious consideration is being given to imposing a border tax on imports and a subsidy on exports.

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Finally, there remain formidable lag impediments to the potential success of "fine tuning" even if we can believe the foregoing obstacles can be surmounted. There is the recognition lag which remains despite improvement in forecasting techniques. The execution lag can clearly be as long as two years when tax increases are proposed since Congress still possesses the power of disposal. Even after policy changes have been made, the length of the impact lag is largely unpredictable.

CONCLUSION

In summary, application of overly-expansive and activists' economic policies has fostered inflation, high interest rates, balance of payments deficits—an economy in serious disarray. Instead of offering restraint in Government monetary-fiscal policies, more controls on private decision-making are proposed and others are threatened. Controls attack symptoms and offer no hope for correction, but merely promise additional interference with the functioning of an efficient economy. The "New Economics" has hastened the arrival of the very state of economic instability it sought to avoid. There are good theoretical and political reasons why such an outcome was nearly inevitable. Until more is known about the lags and impacts of economic policies, the nation would be better served by relying more on the inherent stability of the economy while redoubling efforts to avoid highly variable and destabilizing policy actions.

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It is ironic indeed that many are pointing out the need for massive Federal spending to create new jobs to solve the problems of the ghetto and rural poverty, but still insist on destroying a proven technique to create those new jobs. Good examples of the benefits of this type of industrial revenue financing can be found in Georgia, Missouri, and Tennessee.

Georgia: Created 14,000 jobs; estimated annual payroll, $63,000,000.

Missouri: Created 16,300 jobs; estimated annual payroll, $101,000,000.

Tennessee: Created 61,000 jobs; estimated annual payroll, $317,000,000.

Certainly, it is better to create jobs through private industry than resorting to massive spending programs by the Federal Government.

One of the arguments that opponents of industrial revenue bond financing advance is that industrial revenue bonds constitute a tax dodge. Such a statement is unfounded. Although such financing may provide a lower rate of interest in today's tight money market, the belief that the Treasury would derive greater benefits if these undertakings were all financed with taxable corporate bonds is open to serious question. What many fail to recognize is that the taxable bond market is dominated by purchasers such as pension funds, foundations, life insurance companies, and mutual savings banks, which have themselves been granted full or partial tax exemption by the Federal Government. Of the $17 billion of corporate bond net issues for the year 1967, $13.2 billion went into nontaxable hands, representing 77.6 percent of the corporate issues.

If we assume first, that $1½ billion of tax-exempt industrial bonds issued in 1967 had been issued as taxable bonds and second, that the U.S. Treasury figure of the 1½-percent spread—from 4½ percent to 6 percent—were all issued as taxable bonds and third, that the same percent of the $1½ billion of industrial bonds—now taxable under the assumption—went into taxable and nontaxable hands at exactly the same percent as the $17 billion of corporate, the following would be the results: First, the corporations issuing these bonds would have as a deduction the additional 1½ percent needed to service the interest on these bonds and they would have additional deductions of $22.5 million. Assuming the normal tax bracket of 48 percent, they would then pay $10.8 million less in the income taxes to the Treasury. These same corporations on the $1½ billion of tax-exempt industrials which we have assumed for this presentation were all issued as corporate bonds will pay $90 million of interest rather than $67.5 million they pay as tax exempts at the rate of 4½ percent. The same percent of these bonds—22.4 percent would go into taxable hands—resulting in $20.16 million in taxable income assuming a 50-percent tax bracket for purchasers of these bonds, this would result in an additional income to the Treasury of $10.08 million.

Therefore, using the Treasury figure of 1½-percent spread between taxable bonds and industrial revenue bonds—tax-free bonds—the Treasury lost $10.08 million of taxes on the one hand but gained $10.8 million of taxes on the other resulting in a net gain to the Treasury of $720,000. One cannot help but contrast this minimal amount in tax revenues with the $383,600,000 expenditure by EDA to attract new industry which uses tax dollars rather than the IDA route which generates tax dollars.

Mr. Speaker, I can see no reason why States and their municipalities should be denied the right to attract new business via the industrial revenue bond route when the Federal Government, through its EDA and Appalachian programs, is attempting to do the same. In fact, the IDA bond route is preferable because it is done through private enterprise and does not require a massive bureaucracy to administer it.

Mr. Speaker, I recognize there may have been abuses in this funding technique. However, if we let the Ribicoff amendment stand, we have denied the States the benefit of a hearing. Therefore, it would be my hope from a constitutional standpoint as well as being fair to all concerned, that our conferees support the Curtis amendment and reject the Ribicoff amendment so that the House Ways and Means Committee may give the matter due consideration.

The Greek Premier: A Soldier Who Fought Fascists, Nazis, and Communists

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1968

Mr. DERWINSKI. Mr. Speaker, the Prime Minister of Greece, George Papadopoulos, has been the subject of an intensive barrage of criticism since he and his associates have held the reins of government in their country. Much of this criticism has been unwarranted, while a good deal has stemmed from visible leftist sources.

It is refreshing to note an objective biographic commentary on Prime Minister Papadopoulos in the Friday, January 19, edition of the Canadian Jewish News, a most reputable progressive publication. This item has just come to my attention and I feel its insertion in the Record will help project proper understanding of the background and character of Prime Minister Papadopoulos.

The biography follows:

G. PAPADOPOULOS—THE GREEK PREMIER: A SOLDIER WHO FOUGHT FASCISTS, NAZIS, AND COMMUNISTS

His Excellency George Papadopoulos, present Prime Minister of Greece, is a relatively young man so far as statesmen go. Yet in his forty-nine years he has been active in many areas, military and political. A colonel of the army until he became prime minister, Mr. Papadopoulos is known as a fighter. Twice he was awarded the Gold Medal of Valor and twice the War Cross.

The present Prime Minister of Greece is a man of the anti-German resistance during World War II. He fought the Nazi invaders valiantly as he had the Italian Fascist occupants before them. When the Communists tried to enslave Greece, he again was on the battlefield fighting for the true independence of his country.

Mr. Papadopoulos now has succeeded in stabilizing his free enterprise government which assures not only liberal international trade policies but also absolute religious freedom for all Greeks, Christians, and Jews.

He accomplished, in the words of an international correspondent, "the delicate task of moving the regime through its military phase" into the present political stage.

George Papadopoulos was born in Eleochorion, Achaia, in 1919. In August, 1940, he graduated from the War Academy as Second Lieutenant. Two months later the Greek-Italian war imposed by Mussolini broke out and he found himself in the frontline. He served on the Albanian front through the six-month war as a platoon leader and lieutenant.

When the Germans occupied Greece, he joined the national resistance units in the struggle against the Nazis.

Soon after the deliberation, Papadopoulos was appointed staff officer and subsequently moved into intelligence.

Again when the Communists launched the civil war, Papadopoulos joined the active defence forces serving for nineteen months as commander of an artillery battery.

During this period, fighting against foreign Communist invasion, George Papadopoulos was promoted to Captain; then, in 1949, to Major.

Throughout this period his record was described as "excellent" and more medals were added to the three he had been awarded during the Greek-Italian war. This time he received the Medal for Distinguished Conduct, the Silver Cross of the Royal Order of George I, with swords, and four war crosses. He graduated with top marks from both the artillery school (1945) and the training officers school in the Middle East (1946).

At the end of the war against Communist invasion he was again assigned to the artillery school as instructor. He attended at this time also the school of the army engineers corps, and was awarded another—the tenth—medal, the Gold Cross of the Royal Order of George I, with swords.

During the last five months of 1952 and up to September 1953, he served as artillery unit commander and, subsequently (up to January 2, 1954) he taught at the artillery school, for the last time, as instructor. From June to September 1953, he attended the American Methods Section of the artillery school from which he graduated with top marks.

In 1954 he was awarded the Medal of Military Merit.

From 1955 to 1957, he served at the (A2) Intelligence Bureau of Army General Staff and, for the following two years, as chief of staff of an artillery division. In August 1956 he was promoted to Lt. Colonel. In the period following 1955 he attended the following schools and special military training courses:

(a) 1955—The Higher War School

(b) 1956—The Naval Academy

(c) 1958—The Armed Forces School of Special Weapons

For the following five years (August 1959-July 1964) he was posted to the Central Intelligence Service. In August 1960, he was promoted to Colonel and was awarded the cross of the Commander of the Royal Order of Phoenix.

During the last three years he served in the following posts: From July 1964 to October 1965, commander of the 117 field-artillery unit, from October 1965 to August 1966, in the first army force, from August 1966 to April 21, 1967, when he was appointed Minister to the Prime Minister's Office, he served at the 3rd staff bureau of the Army General Staff.

Greece is a member of Nato and thus an ally of both Canada and the U.S.A.

St. Onge Endorses Teachers in Politics

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1968

Mr. ST. ONGE. Mr. Speaker, I am particularly pleased to note that the period April 5–7 has been designated as "Teachers-in-Politics Weekend." In the past I have strongly advocated a general political awareness on the part of our teachers, as well as their involvement in public affairs. The United States has a duty to provide the best possible education for its young people, and this is an area in which our teachers are uniquely qualified to offer advice and assistance. For far too long those to whom we have given the sacred trust of training the minds of our youth have remained unorganized and silent in the face of school conditions which have demanded change and improvement.

In becoming politically active and astute to questions of national policy our teaching profession will develop as a significant source of new ideas and interpretations concerning the problems facing the State legislatures and Congress. Because of their daily exposure to a cross section of the Nation's youth, extensive academic training, and natural propensity to think in terms of what ought to be, as well as what is, the capabilities of our teachers should be grafted into the political process. They represent a rich fund of intellectual talent which the country can ill afford to ignore, and I believe that the National Education Association's current efforts are an important step in this development.

The political activism of teachers and their full indoctrination into the realities of our political system will also work in other worthwhile ways. Thus, as well as being an infusion of fresh thinking upward into the decisionmaking process, it will have a tremendously enlightening influence downward into the education experience of tomorrow's leaders. It is never too early to start students thinking in terms of what has to be done to improve the quality of life in our Nation, and the means by which its problems may be solved. The creation of an early understanding of, and zeal for national betterment, combined with an appreciation for the workings of our political forces can go far toward the development of an informed and conscientious electorate. It will help insure that those running for public office are responsive to that which is best in the national welfare, and make it increasingly difficult for self-serving partisan interests to find representation.

The participation of the teaching profession in political activity is in effect only an extension of an honored theme which has run through much of the history of Western ideas. It goes back at least to the time of Plato who was a powerful and eloquent advocate in the cause of academicians assuming a role of political leadership. The National Education Association is thus giving present-day form to the age-old Platonic ideal of "philosophers becoming kings." I, therefore, look forward with great optimism to the development of this concept, and unequivocally endorse the full participation of teachers in politics.

Mr. Speaker, I wish to take this opportunity to express my personal appreciation to all our teachers for their dedication and their efforts, sometimes under very difficult circumstances, in imparting education to the youth of our Nation in these trying times.

The Gold Rush and John Kenneth Galbraith

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1968

Mr. PODELL. Mr. Speaker, like millions of Americans, I have followed carefully and studiously the factors and circumstances comprehended in the phrase "the international gold crisis." To most, of us international trade and foreign exchange are entombed in mystery. Some there are who, like Senator EUGENE J. MCCARTHY, boast that they earned an A in economics. Others, like Senator ROBERT F. KENNEDY, boast of their D grade in economics, thereby suggesting that the inability to comprehend the intricacies of this sphere of human thought is a notable achievement, a suggestion I wholeheartedly endorse.

Initially, it had been my understanding that the gold crisis resulted from the closing of the Suez Canal, which produced a monthly drain of £50 million on Britain, which in turn created circumstances compelling Britain to devalue the pound and that such devaluation precipitated the gold rush of 1968. This is indeed a simple and understandable, though perhaps naive, thesis. It suggests the pervasive impact of the domino doctrine on international economics as it is on foreign affairs. I understand now, from more recent discussions of this esoteric discipline, that the reason for the gold rush is the low level of U.S. taxes and the high level of U.S. appropriations.

It is my understanding that in economics, as in icebergs, it is not what's up front that counts, but rather what is underneath, that subsurface, invisible, passionate, seething turbulence that moves mountains and shapes destinies. In order to explore and comprehend this subsurface turbulence, I turned to the studies of John Kenneth Galbraith, whose works are hailed by his publishers as "fresh and lucid" expositories of the subculture of economics. John Kenneth's words are indeed fresh, but not necessarily at all times lucid.

In fact John Kenneth Galbraith's works are as strange a melange as his Scotch Canadian ancestry, a mix which Escoffier would never recommend to a gourmet, though the life and works of John Kenneth bear eloquent testimony to the viability of that concoction.

THE THINKING MAN'S GUIDE TO JOHN KENNETH GALBRAITH

The principles of economics as developed by John Kenneth Galbraith can be simply summed up as follows:

> My name is John Kenneth Galbraith.
> My economics you must take on faith.
> "For prosperity unalloyed,
> We need more unemployed."
> So saith John Kenneth Galbraith.

This apocalyptic vision by Galbraith, initially propounded in the affluent society, ordains "abandonment of our national commitment to full employment," and warns that the achievement of that goal would be "inflationary" and destroy the "social balance" which glorifies private opulence in a nation shamed by public squalor.

However, it was not until publication of the "New Industrial State" that the fully matured Galbraithean eschatology first hit the book stores. In this volume, John Kenneth enunciates the "doctrine of maximization," a human expression pregnant at once with both hope and despair, which ranks as the finest intellectual achievement since publication in 1905 of Einstein's special theory of relativity, and is as equally comprehensible.

JOHN KENNETH GALBRAITH AND THE WORKING GIRL

The heart of the doctrine of maximization is fully set forth in this truncated excerpt:

> The members of the technostructure do not get the profits that they maximize. They must eschew personal profit making. Accordingly, if the traditional commitment to profit maximization is to be held, they must be willing to do for others, specifically for stockholders, what they are forbidden to do for themselves . . . one must imagine that a man of vigorous, lusty, and reassuringly heterosexual inclination eschews the lovely, available and even naked women by whom he is intimately surrounded in order to maximize the opportunities of other men whose existence he knows of only by hearsay. Such are the foundations of the maximization doc-

trine when there is full separation of power from reward.

Thus spoke John Kenneth Galbraith, on page 117 of the "New Industrial State." His very words—tall words indeed, even from a man universally acknowledged to be the tallest man who ever made it as Ambassador to India and the tallest man who never made it as a basketball player.

The striking description of America's powerful men who rule the technostructure, intimately surrounded by lovely, available, and naked ladies prancing about has had a profound impact upon every segment of American social and intellectual life. A wife gazing upon her spent and exhausted husband after a hard day in the technostructure wonders whether her vigorous, lusty, and reassuringly heterosexual spouse may have that day not eschewed but had instead taken unto himself what rightfully belongs to the stockholders.

By the same token, stockholders throughout the land are engaged in riotous protest because they had not in years had their opportunities maximized nor received as stockholders their fringe benefits so glowingly described by John Kenneth Galbraith.

The U.S. Office of Education reports unprecedented demands for admission into schools of business and administration, as youngsters in increasing numbers seek a place in the technostructure. The National Institute for Mental Health insists upon additional millions for research into the psychological, physiological, psychiatric, anthropological, sociological, and anthropomorphic consequences of vigorous, lusty, and reassuringly heterosexual males who eschew and maximize for others, like eunuchs in a seraglio, opportunities with the lovely, available, and even naked ladies who intimately surround them.

An imponderable and intriguing question remains: on the assumption, as Galbraith insists, that the lusty, vigorous, and reassuringly heterosexual do, in fact, eschew, it is possible that the lovely, available, and even naked ladies escheat—that is, revert to the technostructure like unclaimed bank deposits. Not one to turn aside intriguing research nor one to turn down an easy dollar, John Kenneth will explore this question in a forthcoming issue of Playboy magazine, suitably illustrated in color, showing the technostructure in intimate surroundings.

The world will be a poorer place because John Kenneth is prepared to abandon economics for other fields of intellectual pursuit. His first novel, to be published shortly, is scheduled to hold first place for 37 weeks on the New York Times best seller list. Shortly thereafter, he will publish his autobiography, appropriately entitled "The Beautiful American."

As he dabbles in the technostructure, so does John Kenneth dabble in the politicostructure. In that sphere, however, he is presently immobilized, soliloquizing like the princely Hamlet, whether 'tis nobler in the mind to board a wagon that may win or to take up arms in behalf of a cause that may lose; whether to stay with those who are clean for GENE or to switch to those who are throbby for BOBBY.

A reading of John Kenneth Galbraith does indeed clarify the international monetary problem. The issues before Congress, in Galbraithean terms, is whether we are prepared to maximize our taxes and minimize our appropriations.

Growing Support for the Teacher Corps

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1968

Mr. STEIGER of Wisconsin. Mr. Speaker, during the last session of the Congress, I joined with my freshman colleagues and other Republican members in supporting a re-direction of the Teacher Corps and providing the necessary funds for it to continue.

Recent comments on the Teacher Corps, including that of the National Advisory Commission on Civil Disorders, point up the value of this very worthwhile program.

For the information of my colleagues, I include a series of comments on the Teacher Corps:

REPORT OF THE NATIONAL ADVISORY COMMISSION ON CIVIL DISORDERS—PART III

PROVISION OF QUALITY EDUCATION IN GHETTO SCHOOLS—IMPROVING THE QUALITY OF TEACHING IN GHETTO SCHOOLS

The teaching of disadvantaged children requires special skills and capabilities. Teachers possessing these qualifications are in short supply. We need a major national effort to attract to the teaching profession well-qualified and highly motivated young people and to equip them to work effectively with disadvantaged students.

The Teacher Corps program is a sound instrument for such an effort. Established by the Higher Education Act of 1965, it provides training in local colleges or universities for teacher interns—college graduates interested in teaching in poverty areas. Corpsmen are assigned to poverty area schools at the request of a local school system and with approval of the state education agency. They are employed by the school system and work in teams headed by an experienced teacher.

The Teacher Corps has been enthusiastically evaluated by the National Advisory Council on the Evaluation of Disadvantaged Children and the National Education Association in terms of its ability to attract dedicated young people to the teaching profession, train them to work effectively in poverty areas and make a substantial impact on students in these schools.

The impact of this highly promising program has been severely restricted by limited and late funding. As a result, there are now only 1,506 interns and 337 team leaders for the entire nation. The Teacher Corps should be expanded into a major national program. Funding should be provided at a level realistically scaled to the supply of interns and the need for Corpsmen and on a timely basis, so that prospective applicants can plan to enroll.

NATIONWIDE

Resolution by Executive Committee endorsed by the Annual Business Meeting American Association of Colleges for Teacher Education: "The Committee also believes that the Teacher Corps deserves the continuing support of the President, the Congress, and the educational community. The Corps offers a unique opportunity to meet the educational needs of disadvantaged children through the participation of well-qualified young people in an effective training program with direct opportunities to work with these children."

From the Resolution on Education Adopted by the 7th Constitutional Convention AFL–CIO: "The Teacher Corps with its turbulent legislative history has demonstrated that able young Americans will step forward to serve in the nation's poverty schools if they are offered imaginative training and support. The Corps has already made a significant contribution to ghetto school education which has enabled school systems and local universities to provide a practical demonstration of new methods in instruction and teacher training. We in the AFL–CIO hail these efforts. In this connection we urge the expansion of teacher training programs to effectively upgrade the skills of those teachers serving in ghetto school areas."

Charles Cogen, President, American Federation of Teachers: "The American Federation of Teachers reaffirms its long standing support of the Teacher Corps. Now that two years of successful practice in the Teacher Corps has shown that its theory works, we urge that all teachers be given the experience and training that the men and women of the Teacher Corps are now getting. We endorse an extended work-study program in the public schools and the schools of education for *all* teachers, suburban, rural, or inner-city."

Rudolph Sobernheim, Chairman, National Affairs Commission, American Veterans Committee: "There is one aspect of the (Teacher Corps) program which is of special interest to us. The program offers an avenue of socially useful activity to veterans who during their term of service in the Armed Forces have had experience as teachers in vocational as well as perhaps in more academic courses and who have absorbed modern teaching and training techniques. In view of the professed interest of the Armed Forces in helping discharged members of the Armed Forces to find civilian jobs, there is in the Teacher Corps an opportunity which should not be neglected."

Mario Fantini, Program Officer, Public Education Division, The Ford Foundation: "Some people have said that the Teacher Corps really ought to be a new change agent. It is clear what they are saying. I do know that you were given license out of the need, that you have an image that is positive, that you have support, and that you can translate these, if you have the strategy, into a force for fundamental reform. Or you could succumb and become part and parcel of the outdated system and be swallowed by it. I think this is your challenge."

Report of the Task Force on Juvenile Delinquency, President's Commission on Law Enforcement: "Programs such as the Teacher Corps seem useful for bringing new ideas and teaching methods into disadvantaged schools. . . . We recommend that the Teacher Corps be increased to an enrollment of 5,000 to 10,000 annually, and that the emphasis be broadened to include ancillary educational personnel as members of the Teacher Corps teams."

Sterling Tucker, Executive Director, Washington Urban League, Inc.: "Be assured of our interest in this important program and of our determination to seek its enlargement through channels open to us."

Martin Haberman, Director of Teacher Education for Central Atlantic Regional Educational Laboratory, Washington, D.C.: "The analysis that Teacher Corps people must fit in, flee or fight is very germane. I would hope that we would develop a role of teacher, somebody who works only two or three years at most—perhaps for all teachers. So that this idea of fitting in, fleeing or fighting won't be relevant."

Edgar Fuller, Executive Secretary, Council of Chief State School Officers: "We did and will continue to cooperate with programs which show the ability to adapt themselves to a real federal-state-local partnership in education. The Teacher Corps did and we did."

James Farmer, Professor of Social Welfare, Lincoln University, Former Director, CORE: "I insist that we have to know those other factors which make learning difficult and we must innovate. We must change our methods and offer techniques so that the children do learn. This to me is the exciting thing about the Teachers Corps. The interns very often are living in the communities and are given, hopefully, some familiarity with the problems which make learning difficult for the children. And thus they are made aware that the same methods, the same materials which have proved effective with white middle class youngsters will not be adequate for teaching youngsters whose frame of reference and whose whole background is different. Teacher Corps interns will indeed know that maybe the kid in the class who keeps falling asleep is not being insolent. They'll know that he didn't sleep last night because the entire family is crowding into a one room flat in a Harlem. Or maybe the rats were running around that night. Or maybe he cannot concentrate because he did not have breakfast. Perhaps mama did not get home in time to fix his breakfast or, worse, perhaps there was nothing in the refrigerator, if there was a refrigerator."

Thomas Carr, Director, National Advisory Council on Education of Disadvantaged Children:

"The Teacher Corps is a fine means of harnessing the idealism of an unusual group of young people. It can have a strong impact in the community and in the school, too, as soon as the interns begin really to teach! It is certainly not an effective large-scale recruiting device (as has unfortunately been implied), and in many cases additional effort must be made to revise curricula. However, it's quite clear to me that the experiment is paying off, and that it ought to be continued and expanded."

Frederick B. Routh, Executive Director, National Association of Intergroup Relations Officials:

"Both NAIRO and I are heartily in favor of the Teacher Corps and will do what we can to bring to the attention of our members its need for additional funds."

Rev. Msgr. Lawrence J. Corcoran, Secretary, National Conference of Catholic Churches:

"I recognize the value of the Teacher Corps program and am anxious to see it expanded to reach its full potential. We were dismayed to see the attacks to which it was submitted in Congress last year. It will have our support when it again is due for renewed appropriations."

James A. Hamilton, Director, National Council of Churches:

"We are very interested in the Corps and are anxious to support it in every way possible."

Moe Hoffman, Washington Representative, National Jewish Welfare Board: "The National Jewish Welfare Board, by resolution has endorsed the Teacher Corps and we are actively supporting it."

Rudolph T. Danstedt, Director, National Association of Social Workers, Inc.: "We consider this (Teacher Corps) program one of the truly innovative projects that the Congress has initiated."

Braulio Alonso, President, National Education Association: "In the brief period of its existence, the Teacher Corps has already made an impact on American education. The young people involved as interns, with few exceptions, have brought new vitality to the school systems in which they serve. Perhaps more importantly, because of the potentially far-reaching effect on teacher education institutions, the Teacher Corps program has led teacher educators to make their curricula more meaningful, more applicable to the situation that a great number of beginning teachers face in the disadvantaged urban and rural communities.

"We hope the Teacher Corps will be expanded and extended, for the successes thus far prove it to be essential in meeting the challenges of modern America."

Federal Employees Against the War in Vietnam

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1968

Mr. BROWN of California. Mr. Speaker, 1,672 employees of the Federal Government have expressed their criticism of the Vietnam war in a statement which appeared in the Evening Star on Monday, April 1, 1968. In addition to these names, there are 900 more signers who were not included on this list but who will sponsor a similar ad in the future.

Nine Members of Congress, including myself, signed a statement, which appeared in the CONGRESSIONAL RECORD last Monday, defending the right of Government employees to speak out against the war.

I would further like to support the rights of these American citizens to express their opposition to our Nation's policy in Southeast Asia by inserting in today's RECORD the statement and their names:

FEDERAL EMPLOYEES AGAINST THE WAR IN VIETNAM

We are federal employees, opposed to our nation's policy in Southeast Asia, who view with daily, personal anguish the actions taken in Vietnam by the government for which we ourselves work.

From our position we have seen how the purpose and energy of government are drained by preoccupation with the making of war. We have seen how progress in foreign policy has been obstructed. We have seen how massive national resources are absorbed by a disastrous war while critical domestic needs are inadequately met. And seeing this, we fear the political and moral consequences for the future of our country.

All this, together with the tragic and unnecessary suffering of the Vietnamese people, has troubled our conscience and now compels us to speak out to colleagues and fellow citizens.

We call then for the war's end—which we believe is in America's power to bring about. We call upon our Chief Executive to change his policy in Vietnam, to end his reliance on military force, and to seek instead a genuine political settlement to bring peace to Southeast Asia.

Listed below from more than sixty departments, agencies and offices of the Federal Government, are the names of 1672 employees who have signed their agreement with the following statement. Future advertisements will be published to include new signers and the approximately 900 signers who could not be included in this advertisement.

Peter C. Schanck, Michael W. Ambrose, Charles C. Moran, Michaël Tabor, William Christianson, Mary Christianson, Madeleine Golde, Barbara Cristy, David S. Cristy, Richard A. Gladstone, John Twomey, Thomas R. Asher, Judah Leon Rosner, William K. Croll, Dennis M. Skopik, J. Efimenko, Roy M. Waxler, Nancy Strebe, Norman Adams, Kevin Lowther, Dr. Bertrum Donn, Allan C. B. Richardson, Joseph E. Powers, William C. Parke, Carl A. Fenstermaker, Valentin Spiegel, Francisco Ramos, M. Caulfield, John Mangan, Thomas J. Conroy, Linda L. Nord, Barbara Bowman, Brewster B. Perkins, David G. Colwell, Jr., Stephen Guild, Harriet Lee Simon, Shirley A. Schwalm, Paul Connor, Jr., Sherry Hulfish, Dale Kline, Christine Grubbs, Ruth Ann Roland, *——— ———, John Oliver Hand, Joyce A. Ortenburger, Susan Gray, Nancy Tighe, Richard L. Bach, Alan L. Dragoo, Mary C. Dragoo, M. Danos, Harol L. Steinberg, Louis Costrell.

Elmer Eisenhower, John L. Menke, Richard J. Carr, Mason Olcott, Jr., Jean Favors, David R. Seidman, Ruth M. Covell, MD, Thomas G. Fox, Michael Gerhardt, Judith Smedley, Judith Ann Miller, William C. Birdsall, Paul M. Huster, Paul Rapoport, Si T. Kler, Dillon M. Lieber, J. D. Logan, John Fisher, Joyce A. McCracken, Thomas Andretta, Robert L. York, Diane F. Howland, Marcia M. Derfner, Eugene Kinlow, Bernice W. Burns, Phillis McClure, Susan Strauss, Gruendlyn L. Kimbrough, Jacob Schlitt, Robert H. Cohen, Erbin L. Crowell, Jr., Edith J. Bardksale, Mary Ruth Faustich, Michael C. Staren, Debora D. Kramer, Joseph S. Wholey, Jeffrey Weiss, Bayla F. White, Thomas M. Ryan, Donna Levine, Paul Feldstein, Roger Holden, Stephen Bolzin, Charles G. Lubar, Evelynne C. Scott, Howard Silverstone, Rodenic P. Young, Mary N. Loosbrock, Ann Fisher, Carole Williams, Aaron Englisher, Richard Sherman Levine, Frank G. Kerou, Carol B. Kabish.

Larry Cubon, Mary Frances J. Abdalla, Sally E. James, Gail P. Meighan, Armondo B. Rendon, Alison H. Dawson, Barry W. Strejiek, Willine Carr, Marine Desiderio, Jean Gately, Robert Heier, Jean Hale, William Kanter, A. T. Giattina, Daniel Joseph, Norman Knopf, Mortmn Hollander, Stephen R. Felson, Howard J. Kashner, Robert Zener, Patricia S. Baptizte, Jack H. Weiner, Lemnard Henzke Jr., Jerome A. Hochberg, Leslie A. Carothers, Jonathan D. DuBois, Gregory B. Hovendon, Rebecca Schneiderman, Joanthan Rose, Seymour H. Dussman, Marie V. Martin, *——— ———, Joel Davidow, Richard Haddad, Robert B. Hummel, Eugene J. Meigher, Lionel Epstein, Louis M. Kauder, Marion Halley, Marco Sonnenschein, Frank S. Grossi Jr., Edward Lee Rogers, Ann Belanger, Albert Beveridge, Willy Nordwind Jr., Chester C. Davenport, M. Julianne Daggett, Edith L. Butler, Allen D. Wagner, David C. Footman, Nancy R. Berla, Evelyn O. Peel, Roberta Gerard, Howard R. L. Cook, Robert J. Rosenberg, Ralph Martini, Robert J. Taylor, Richard R. Storm, Charlotte W. Lutton, Natalie Wasserman, John J. Mahan, Lee L. Gray, Judith A. Laws, Mary B. Bancroft.

Ruth Galaid, Yvonne K. Brown, Barbara J. Qualters, Carla J. Gebhardt, Beverly Carol Wood, David M. Colt, Martin J. Qualters, Noah Sherman, G. Paul Sylvester, Helen Barney, Robert H. McGee, Edythe Alpert, Harold Kemble Jr., Patricia Hopson, Cynthia Flamer, John L. Martin, Monroe T. Hall, Jean C. Williams, Shelton A. Allen, William T. McCoy, Theresa Ridgeway, Alan W. Brownsword, Patricia B. Young, Charles R. Foster, Oliver Moles Jr., Arthur Alterman, Thomas E. Felt, Carolyn Looman, Larry Hannah, Salvatore

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*Footnote at end of statement.

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Keith H. Payne, David L. Hattrick, Phyllis R. Tyson, Barbara B. Charity, Earnestine Parrish, James E. Brown Jr., E. L. Meenen, Yvonne Gill, Florence J. Gill, Dorothea G. Swanson, Edith Churchill, *——— ———, Helen Garafolo, Linda S. Browne, Patricia A. Stevenson, Daniel F. Roos, Joan Brown, Caroline C. Ramsay, Walter Owen, Denny R. Porter, Jon W. Linfield, Margaret Garrity, Constance B. Newman, Thomas C. Holt, Raymond P. Finney, Melvin Goldstein, Susan Dooley, Diana T. Michaelis, Phyllis Franck, Michael J. Mazer, John A. Briley Jr., Douglas O. Woods, Maria Tsikerdanos, Howard T. Bunce, Barbara Seaton, Frank Rudy, Henry Schoenfeld, William Kopit, Daniel J. Schulder, Charles P. Garafold, Kate Jackson, Hugh G. Duffy, Sandra E. Evans, Barbara Yanow, Kennon L. Hopkins, Peter von Christierson, Stanley P. Wagner, Jr., Gary A. Weissman, Gloria Small, Patricia Delaney, Judy Rager, Bernice C. Rowe, Joyce J. Green, Paulette Hammond, Lucille B. Brady, Wilfred C. Zeland, Marian Warrick, Bertley Robinson, Fred Bresnick, G. S. Loquvam, Gary Brenneman, Carl J. Hosticka, Mary Louise Bernard.

Joanne M. Hedgr, Patricia Vebbard, Kathleen Sullinan, Patricia Matt, Edward N. Judge, Fraser Barron, Paul Scott Logan, Marvin K. Priest, Nordell L. Barber, Marvin A. Nathan, Ralph Matthews, Diane A. Zaritsky, James M. Leyday, Walter Williams, Jamsin A. Griffeth, Nancy Harris, Amy Feldblum, Franzella Carter, Rachel Singer, Henry Holmes, Richard I. Wilson, Barbara Busch, R. R. Holland, Margaret A. McBride, Willie M. Richards, Daniel Benson, Joseph R. Higdon, Richard A. Waller, Mary Marg Addison, William J. Sullivan, Anne Luzzatto, Janet Gutkin, Linda Spigler, Charles Duncan, Edie Fraser, Elliott Borelle, Phillips Ruopp, Judith Hoots, Julia Chang, Kristina Engstrom, Geraldine Bachman, Carol Bodey, Charles P. Gerhardt, Dick A. Parker, Frances T. Smith, Samuel Price, David H. O. Lawson, Disney O. Kastner, Richard A. Eckert, Bruce Birchman, A. Kevin Fahey, Robert S. Young, David S. Dickey, William S. Clarke, Michael M. Coleman, M. E. Beach, Lawrence J. Berkowitz, Allen D. Witz, Patricia G. Page, Evan J. Kemp, Jr., Fred Siesel, Paul S. Fenton, Martin P. Miner, Lewis J. Mendelson, Stanley B. Judd, Gail R. Rosenberg, David H. Smith, Alan Snyder, Nina P. Wheatley, Peggy Lampl, Rollee Lowenstein, Nathan Rosenberg, Morton Miller, Helen Osheroff, Leigh S. Hallingby, Francis M. Green, Lynn W. Dusinberre, E. D. Amen, Richard M. Saul, M. Jean Miller, Hester Lewis, Valerie F. Pinson, Donna Bean, Robert Abramovitz, M.D., Ralph Whittenberg, M.D., *——— ———, Elliot Liebow, Edward Roach, Bertha J. Hall, Kathleen H. Jarvis, Susan J. Boyd, Geoffrey Faux, E. F. Logan, W. B. Cullen, Delores A. Williams, Clara Rubin, Ann C. Macaluso, Thomas B. Allen, Robert W. Lunelli, Edward O'Hara, James D. Smith, Lewis J. Risen, Arlyne Pozner, Donald M. Stocks, Gerson M. Green, Bette S. Mahoney, Thelma D. Jefferies, Juanita S. Redman, Robert L. Emrick, Zuearzier Moken, Christopher H. Clancy, C. D. Butler, Leslie C. Blair, M. L. Siel, Jerry H. Lieb, Grady J. Norris, Stuart M. Nilkin, Robert B. Hocutt, Martha L. Haughey, Betty Overington, Gary J. Greenberg, Harold Himmelman, Diane Wayne, Leonard Riskin, Carol Aranoff.

Morton Sklar, Richard L. Green, Patrick Hardin, Robert A. Murphy, Cassandra M. Flipper, Arthur D. Wolf, Brian Landsberg, Dorothy Landsberg, Mary Ann Beck, Manica Gallagher, Judith A. Byers, Michael Siberg, Jean V. Rosenberg, Sandra K. Newton, George H. Caldwell, Phillip A. Smith, Ruth Simmons, *——— ———, Patrick J. Seehan, Jerry Kearns, George Hobart, Francis Jones, Leroy Bellamy, Irene Cox, Gregory Fischbach, Larry E. Hansen, La Rue C. Hill, Gloria H. Hunter, Deborah Warner, Dan Evans, Dalton F. Johnson, Carl F. Jones, Leonard H. Podell, Judith Ann Spitzer, Stephen J. Weissman, Frances M. Maltese, John William Compton, Walter Pobl, C. Richard Parkins, Helaine A. Todd, Susan Schaefer, Sherry Gendelman, Esq., Michael L. Berde, Esq., Merritt Murry, Eleanor Spector, Judith Ann Barry, Roy B. Morgan, Jr., Marian Mae Mack, Wm. Froelich, Joslyn Williams, Phill L. Gill, Georgia Parkes, Janie Gilchrist, Mary Ellen Bliss, Mary Lyle, Noel R. Gillespie, *——— ———, Robert Cohen, Ellen E. Gilbert, Clyde W. Waite, Wallace W. Sherwood, Barbara Jean Owens, Sandra L. Turner, Samantha Embrey, Frances Mess, Joan Roberts, Mattie V. Dupue, Jacquelyn B. Darden, John M. Roney, Caroline M. Hahn, Karen Nelson, Beth Ann Drake, Margaret L. Hanson, Richard C. Harney, Robert S. Whitcomb, Jean N. Crouse, Mary Jo Mirlenbrink, G. L. Canton, Richard R. Walter, Joel Y. Rutman, M.D., Harris N. Kenner, Dolores S. Kaminski, Peter J. Panagotachos, James H. Burch, LaVerne Cawthorne, Dr. Gerald Ehrenstein, Janis Peskin, Afton Burningham, Joseph Bergen, Richard Villastrigo, Avis G. Carter, Dorothy Banks, Brenda Beall, Shirley White, Mrs. Willie Clarke, Mrs. Ernestine C. James, June A. Silver, L. Battistone, Barbara Harrison, *——— ———, Sterling Brinkley, Len Stern, R. O. Lewis, Claire Rubin, Seymour Rosenthal, Ammi Kohn, Sherry Arnstein, Chester Jones, Michael Shea, Alair Townsend, Rosa Stratton, Ann Franklin, Bennie Lieberman, William McNutt, Heather Wade, Carol DeSilvio, Richard Langendorf, Barbara Sampson, Marlene Zinn, Deborah Warren, Harold Bardonille.

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*——— ——— represent names of people who were prohibited by their agencies from publicizing their names.

A Girl and the Job Corps

HON. MARTHA W. GRIFFITHS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1968

Mrs. GRIFFITHS. Mr. Speaker, at this time, I insert in the RECORD a wonderful letter I received from Marianne Moran, a constituent of mine, who is at the Job Corps Center for Women in Omaha, Nebr. Not too long ago, this young girl came to my office asking for help and training for a job. This same girl, after 14 months in the Job Corps, is now talking about helping herself and being able to help her father at home. Her letter is filled with hope and real concern for the continuance of the Job Corps program in the future for other young men and women. We hear too little about the successes of the Job Corps. Certainly, part of its success can be told in the new dreams of young people like Marianne:

OMAHA, NEBR.,
March 28, 1968.

DEAR MRS. GRIFFITH: It has been a very long time since I have written to you. So now I would like to take time out, and tell you how I am doing in Job Corps.

This month makes 14 months for me here, and have one more month to go. I'm leaving Omaha anytime after the 15th of April, to the YWCA in Colorado, to do my O.J.T., for about six months or so. The city is Denver.

If any girl in Detroit wants to join Job Corps, but is not sure of the place, please tell them for me, that at first it is hard, and you do get homesick, and the work sometimes gets a little hard, but when you're finally done, you will be awarded with some wonderful gifts.

Like first, you will have many friends. Not only the girls, but the staff as well. All the staff loves working with us, and will help any way they can. No wonder what it is. Homework, or home problems.

Your R.A. gives you clothes every season of the year. You get paid every two weeks, which is pretty good, because we get paid for going to classes and doing what we can in J.C.

We get good food. Like at home, we never had meat three times a day. We were lucky to have it once a week. They also send money home to your parents, if they need it. Which my Father does need, and am glad to help him out. Before I went to Job Corps, I could not help him out at all, and now it makes me feel like a different person now that I can.

We do get to go home twice a year, and stay each time for $2\frac{1}{2}$ weeks.

Our rooms are nice, which we keep clean ourselves and you also have a roommate, but she is good to have, when you want someone to talk to.

I hope many girls join Job Corps, and that the Government does not want to get rid of any of the Job Corps because unless you live here, and really join in, you just don't know how it can help each girl. I know there are some girls who do get into bad trouble and make it bad for the rest of us, but there will always be people like that, wherever you go.

So whatever you do, please let there be the Job Corps for both girls and boys. Because we all want to make something of ourselves.

Thank you for reading this letter, and for taking time out. I hope some day I can meet you, and thank you to your face, for getting me into Job Corps.

From your friend,

MARIANNE MORAN.

South African Terrorists: Guilty or Not Guilty?

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1968

Mr. RARICK. Mr. Speaker, the Christian News, in its April 1 edition carried a report by Dr. J. D. Vorster, brother of the South African Prime Minister, in answer to the many wild and extreme charges levied by the uninformed international community against the Christian leaders of Africa—those who are silent on the anti-God tyranny of Communists.

I think many of our colleagues will find this informative service from a Christian publication of interest and include it following my comments:

TERRORISTS: GUILTY OR NOT GUILTY?

(By Dr. J. D. Vorster, Actuary of the Nederduitse Gereformeerde Kerk, brother of the Prime Minister, the Republic of South Africa)

"The recent sentencing of 30 Ovambo tribesmen by a South African court in Pretoria, has cast into bold relieve a social and political system which has agonized the worlds' religious community for decades." This statement of the Religious News Services is completely without perspective or knowledge of the fierce struggle between the forces of Communism and Christianity in the world today. The fact is these people were not arrested or sentenced because they opposed South Africa's social and political system. They were arrested because they entered S.W.A. as trained terrorists trained by Communists and armed with weapons from Russia and China with the sole object to plunder and murder, and to start the revolution which ultimately would end in a communist take over. A brief recital of the facts will prove this.

It is a well-known fact that the Communists are out to add South Africa, which produces 73% of the Free World's gold and possesses untold millions in diamonds and precious stones and metals, to the empire they have built up through treachery and force. With this end in view Communists have, with the backing of leftist forces and apostate churches in the free world, tried to create chaos and revolution in South Africa. By the grace of God and through the determination of a truly Christian nation we were spared the fate of the Congo or Budapest.

Since the Communists have failed to create chaos and civil war inside South Africa, they have concentrated all their resources and their whole apparatus to break South Africa from abroad. Their attack has shifted from the National to the International sphere and concentrated mainly on S.W.A. and the United Nations. And with our backs against the wall we are facing this onslaught.

S.W.A. was chosen for the simple reason that S.W.A., being a mandated territory could be filched from S.A. with some semblance that it is not aggression. But make no mistake, one of the most scandalous acts of aggression is prepared in the name of peace and freedom and the Communists are behind it. Let me prove this by referring to: the activities in S.W.A., the African States and the United Nations.

Two organizations were formed in S.W.A. to lead the battle against S.A.: South West African People's Organization (S.W.A.P.O.) and the South West African National Union (S.W.A.N.U.).

Now according to Toiva Hermann Ja-Toivo, one of the founders of S.W.A.P.O. and a leader in Ovamboland, S.W.A.P.O. is a Communist Organization founded in Cape Town in 1957–1958 by himself as Communist and others with the help and advice of leading Communists as Prof. Jack Symons Bunting, Carneson, Turok, Sacks and others. In its constitution it makes provision for "Co-operation to fullest extent with all national liberatory movements in Africa and all progressive forces throughout the world." The phraseology identifies the progressive forces. Furthermore in 1963 Solomon Mifima, S.W.A.P.O. representative in Kairo, Algeria, etc. visited Peking and there attacked the United Nations as a debating club and an instrument of U.S.A. Imperialism. In 1964 the secretary-general of S.W.A.P.O., Jacob Kuhangua, was delegated to attend the 26th Anniversary of the Cuban Independence in Havana and he returned with the promise of unlimited mili-training facilities from Fidel Castro. Again in 1966 four members of S.W.A.P.O. attended the Tri-Continental Conference in Cuba. Since 1960 Sam Njuoma, President of S.W.A.P.O. visited Moscow, Peking and other Iron Curtain countries. Furthermore, S.W.A.P.O. saboteurs, who were caught in S.W.A. had pistols, machine guns and hand-grenades of Russian and Chinese make on them.

The record of S.W.A.N.U. is even worse. The President Kozonguize admitted that he is a communist. In 1960 he visited Peking and there attacked the Western Nations. He also visited Moscow. During 1961–1962 S.W.A.N.U. representatives Veii and Moses Katjivongua received training as journalists in East Germany and attended the Communist International Journalist Organization in Tseggoslowakya. In 1963 they attended the "Chinese Committee for Afro-Asian Solidarity" and the Chinese African Peoples Friendship Association in Peking and had discussions with Mao Tse Tung. In 1963 the leader of S.W.A.N.U. visited Peking and returned with promises of help in the form of money, supplies and military training. And when China exploded her first atomic bomb the representative of S.W.A.N.U. in Cairo congratulated China on the 11th of May, 1966 in the following words: "It is a great contribution to the fight of all freedom fighters against imperialism and world peace. The successful explosion encourages us in our fight against imperialism. It deals a telling blow at United States imperialism and its collaborators who are trying to maintain their nuclear monopoly. We feel that since U.S. imperialism is using nuclear blackmail against the world's people, the Chinese people are justified to develop nuclear weapons to defend the security of China, the liberation movements and world peace. At a time when U.S. imperialism is using its counter revolutionary dual tactics of advocating the prevention of nuclear weapons since the tripartite nuclear treaty, it is a revolutionary act for Chinese people to develop nuclear weapons."

One must admit that is as bad a Communist record as any, and yet the picture is even redder than that. You remember that Michael Scott, the self-nominated champion of S.W.A. according to his auto-biography not only "acted as a Communist agent, remitting reports and transmitting funds," but was a card carrying communist who "kept in touch with the underground" when he was a Minister of the Gospel in Calcutta. Since 1960 between 900–1000 non-whites left S.W.A. illegally under the pretext of further study although most of them only had an elementary education. Of these just over a hundred really enrolled at some college, 27 in U.S.A., 28 in Zambia, 8 in East Germany, 5 in Russia, etc. We do know however that between 250–300 after completing military courses in Russia, China, Egypt, Ethiopia, Ghana and Algeria, have returned to Tanzania where they are waiting in transit camps to go to S.W.A. Forty-four have already entered S.W.A. where most of them were arrested. The balance of the more than 900 are still receiving training as terrorists in the above mentioned countries except Ghana, where after the fall of Nkrumah the training camp was closed. According to sworn affidavits obtained from these arrested terrorists they had instructions to murder all police officers, and leading business-men, burn down all police stations, power stations and big business houses, attack out-lying farmhouses, destroy bridges, radio stations, etc. These directions had to be carried out under the over all supervision of the Commander in Chief.

South Africa who has successfully thwarted the Communist plans in the country expected the next assault from outside. The Government was fully aware of the plans of the communist conspiracy and the forces they are mobilizing against South Africa. We knew exactly where they trained their shock troops, what route they will follow and where they will strike. These terrorists were therefore met and dealt with before they could create chaos. Those who were not killed in pitched battle were arrested.

Those who were arrested were brought to trial. They were not liquidated as the Communists usually do, but they were given a fair trial in an open court and tried by a Judge who is completely independent and not merely a mouth piece of the Government.

At this trial indisputable evidence was produced that the accused were trained in Communist training centres, armed with modern weapons from Russia and Red China and were under orders to murder and plunder, to create chaos and revolution. In one of their camps even a copy of Mao's military writings was found. From documents found on them there was not the slightest doubt that they acted under command and that the communist conspirators were the prime movers in this scheme to attack South Africa from the outside.

Before passing sentence the judge summed up the evidence in the following words: "In my view it has been proved that the accused, because of the level of their civilization became the misguided dupes of Communist indoctrination. Had it not been for the active financial and practical assistance which the accused received from the Governments of Moscow, Peking and other countries, they would never have found themselves in their present predicament. I also think that had it not been for the loud-mouthed moral support and incitement by representatives of foreign countries and the persons who published S.W.A.P.O. news letters, who have absolutely no respect for the truth, the accused would never have embarked on their futile and ill-conceived exploits." In conclusion he said: "Our finding is that the State has succeeded in proving beyond any doubt that the S.W.A.P.O. movement resoled to the planning of a violent uprising in the territory of SWA with the object of overthrowing the authority of the Republic in that territory, and in furthering this aim resorted to persons being trained in communist political thinking and in the art of violent terrorism."

The facts are there for every truth loving person to evaluate. We know that we are not fighting back nationalism but red communism. We also pray that the eyes of the free world should be opened to see before it is too late how diabolical Communism is after our heritage. We beg the Western powers not to allow communism to achieve the easy victory it has won in Europe, China and Cuba. And may I suggest that all, who are condemning S.A. and Rhodesia for punishing criminals interest themselves in the terrible fate of the thousands who are suffering in Communist concentration camps and dungeons.

SOUTH AFRICA AND LUTHERAN TERRORISTS

While officials of the World Council of Churches and the Lutheran World Federation remain silent about the mass murders committed by the Communists, they continue to condemn the governments of South Africa, Rhodesia, and more recently Greece.

Last November the Lutheran Council in the U.S.A. reported that the Lutheran World Federation had allocated $7,500 to aid the defense of 36 Ovambo tribesmen in South-West Africa who had been charged with treason by the Republic of South Africa. Later other liberal religious bodies came to the support of these tribesmen. LCUSA reported that they had been charged with murder, armed robbery, arson, possession of firearms, firing on the police and violently resisting arrest. Most of the tribesmen claimed to be Lutheran.

Several weeks ago these Lutheran laymen were sentenced to terms ranging from five years to life. Officials of the LWF and WCC called the sentences a "flagrant violation of human rights." (See story on p. 1). The UN General Assembly passed, by a vote of 110 to 2, a resolution terming the trial of the South-West Africans a "flagrant violation of their rights."

Since it appeared to us that some of the news releases we received concerning the trial of the Ovambo tribesmen did not present the entire story, we asked Rev. J. D. Vorster, Th. D., of Cape Town, South Africa to comment on the trial. Dr. Vorster is the brother of Prime Minister B. J. Vorster. He is a pominent official in the Nederduitse Gereformeerde Kerk in Suid-Africa, the largest church body in that country. We have spoken with Dr Vorster and can testify that he is a conservative Reformed theologian who accepts the inspiration of Holy Scripture and rejects the destructive theories of Biblical criticism. We were surprised to discover that he was familiar with our book Baal or God.

Together with Dr. Vorster's article we are publishing two letters which appeared late last month in the Toowoomba Chronicle of Toowoomba, Queensland, Australia. Gough Whitlam, a signer of one of the letters, is the leader of the Australian Labour Party. Rev. Kurt Marquart, the author of the letter pointing out the inconsistency of the liberal clergymen who are constantly condemning South Africa, is one of our contributors. Pastor Marquart was in South Africa a few months ago.

Liberal clergymen should listen to what Dr. Alfred Rehwinkel, a former professor at Concordia Seminary, said about South Africa after he returned from a trip to Africa. The prominent author stated: "South Africa is progressive, prosperous, and fabulously rich in natural resources and in many respects is very much like our own country. I was impressed by the efficiency, vision, courage, and honesty of the government. They think on a big scale. I got the impression that the leaders are sincere Christians and God-fearing men.

"These friendly and honest people are a sturdy race, a mixture of the descendants of the early Dutch, Germans, and British settlers. They reminded me of our own people a generation ago. Nowhere have I ever found such warmhearted hospitality as here.

"I have traveled widely in all parts of South Africa, meeting many people from all stations of life. I have had unusual opportunity to study the race problem in this country and the apartheid policy which has received so much unfavorable publicity.

"I will have a great deal to say on this subject when I return home. And I feel that our church should have a closer relation with our Lutheran brethren of this great country" (Lutheran Witness Reporter, November 14, 1965).

Dr. Rehwinkel was one of the first leaders in the Lutheran Church who worked for equal rights for Negroes. He was one of the founders of the Lutheran Human Relations Association. Dr. Rehwinkel should not be accused of racism when he defends South Africa. Those who are familar with the facts recognize that liberal clergymen have not been telling the truth about South Africa.

The fact that the Lutheran World Federation and the World Council of Churches supported terrorists trained by Communists is just one more reason why Christians should sever all ties from these organizations.

SOME POINTED QUESTIONS ABOUT HUMAN RIGHTS

SIR: Yesterday's appeal, in your "Letters" column, on behalf of the South Africa Defence and Aid Fund, raises a number of questions. Perhaps one of the fund's supporters would care to answer them.

If March 21 has been set by the United Nations as the "International Day for the Elimination of Racial Discrimination," what day, if any has been set by that body as the "International Day for the Elimination of Communist Tyranny?"

If no such day exists, must we not conclude that in the view of the U.N., little South Africa is a greater threat to "human rights" than the Communist slave empire? By its singling out of South Africa and its silence about Communism, is not the U.N. implying perfect harmony between its "Human Rights Year" and Communism?

BLOODBATH

Whatever may be the truth about the 1960 Sharpeville "massacre," in which 69 persons died, is it not really quite cynical to treat this, in effect, as worse than, say, the bloody suppression of the Hungarian people by Soviet troops only four years earlier? Hundreds of thousands perished there!

If the U.N. is really concerned about "human rights," why has it not to this day dared to receive and consider its own committee's report on the Hungarian bloodbath? And what about the millions of people actually slain under Communism?

If we must fuss about the claim that in South Africa, "non-whites are denied elementary political, social, and economic rights," do we not have a corresponding duty to point out that under Communism not only non-whites, but absolutely everybody except the party bosses is denied these rights, and much more brutally? Or what does the right to vote mean when only one party is allowed?

(Incidentally, while in Johannesburg last year, I was shown, not by a government agent, but by a churchman, the homes of a number of native millionaires in a native township. These successes were possible largely because the tougher white competition was kept out by law. That is the other side of "apartheid"!)

Furthermore, why ignore the known fact that in civilized countries like South Africa and Rhodesia, the native populations enjoy a far higher standard of living than in the native-misruled countries, and that Africans are in fact fleeing to the Rhodesian and South African "police-states" from elsewhere, in search of a better way of life?

HATRED, MURDER

Where in Africa, outside of Rhodesia and South Africa, is there any semblance of real parliamentary democracy? What are Togo, Ghana, Nigeria, Congo, Zambia, Tanzania, and the other victims of "one-man-one-vote-once," but wretched police-states? And are not the widespread tribal hatreds and massacres far worse than mere "discrimination"?

Finally, is it not true that the South Africa Defence and Aid Fund has assisted such "victims of apartheid" as Communist-linked terrorists convicted of attempting to overthrow the government by force?

In short, while as Christians we accept all Christians as brothers and all men as neighbours, many of us are sick and tired of the hypocrisy of straining out South African gnats, while swallowing the camels of Communist and African tribal atrocities. Magnifying little injustices while in effect minimising big ones, is itself unjust. And the frequent injections of unctuous moralisings and "Christian" rhetoric make it all the worse.

THE REVEREND K. MARQUART,
Toowoomba.

Baltimore's Downtown Urban Renewal: A Reality, Not Just a Dream

HON. SAMUEL N. FRIEDEL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1968

Mr. FRIEDEL. Mr. Speaker, inasmuch as all the Members of Congress are vitally interested in urban renewal, I should like to invite the attention of my colleagues to the success attained in Baltimore—the largest city south of the Mason and Dixon's line.

Baltimore—the old and gracious city, world famous for its great port and eternally enshrined in the history of our Nation, was 10 years ago overrun by deterioration at its very center in the downtown area.

A dedicated and civic-minded group of Baltimoreans were determined to change and renew the heart of their city with new life, new achievement, and new beauty. This dream became a reality which can serve as a model for other cities to emulate. Mr. Jay Jefferson Miller was the first president of the committee for downtown and he played a leading role in furthering the creation and acceptance of the master plan for downtown Baltimore.

In an article which appeared in the Evening Sun of Baltimore on March 27, 1968, Mr. Miller retells the true story of the achievements of new horizons for one of America's major cities. It is because of the interest of the Congress for the people of our land who inhabit our great cities that I insert this article in the pages of the CONGRESSIONAL RECORD as evidence of what can and was done.

The article follows:

IT WASN'T JUST A DREAM

(By Jay Jefferson Miller)

At 9 o'clock in the morning of March 27, 1958, a small group of business men, city officials and city planners filed in the City Hall office of Mayor Thomas D'Alesandro, Jr. They weren't gamblers. They were men frightened by what was happening to their city, and they came to tell the Mayor the bold, even dramatic, plan they had conceived to save it.

Things looked ominous. Retail sales had started to decline in 1949. The assessed value of the very core of Baltimore's central business district had dropped each year during the 1950's. Large retail outlets in the suburbs were curtailing sales in the central city. Manufacturing and wholesaling facilities were moving away from obsolescence and traffic congestion. The metamorphosis was not rapid at first, but by 1957 the shift from office buildings, centers of cultural activities and even downtown residential areas was gathering speed.

The business men and planners came to the conclusion that there wasn't time for master-planning. The patient, in the form

South African Terrorists: Guilty or Not Guilty?

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OF LOUISIANA

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Mr. RARICK. Mr. Speaker, the Christian News, in its April 1 edition carried a report by Dr. J. D. Vorster, brother of the South African Prime Minister, in answer to the many wild and extreme charges levied by the uninformed international community against the Christian leaders of Africa—those who are silent on the anti-God tyranny of Communists.

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S.W.A. was chosen for the simple reason that S.W.A., being a mandated territory could be filched from S.A. with some semblance that it is not aggression. But make no mistake, one of the most scandalous acts of aggression is prepared in the name of peace and freedom and the Communists are behind it. Let me prove this by referring to: the activities in S.W.A., the African States and the United Nations.

Two organizations were formed in S.W.A. to lead the battle against S.A.: South West African People's Organization (S.W.A.P.O.) and the South West African National Union (S.W.A.N.U.).

Now according to Toiva Hermann Ja-Toivo, one of the founders of S.W.A.P.O. and a leader in Ovamboland, S.W.A.P.O. is a Communist Organization founded in Cape Town in 1957–1958 by himself as Communist and others with the help and advice of leading Communists as Prof. Jack Symons Bunting, Carneson, Turok, Sacks and others. In its constitution it makes provision for "Co-operation to fullest extent with all national liberatory movements in Africa and all progressive forces throughout the world." The phraseology identifies the progressive forces. Furthermore in 1963 Solomon Mifima, S.W.A.P.O. representative in Kairo, Algeria, etc. visited Peking and there attacked the United Nations as a debating club and an instrument of U.S.A. Imperialism. In 1964 the secretary-general of S.W.A.P.O., Jacob Kuhangua, was delegated to attend the 26th Anniversary of the Cuban Independence in Havana and he returned with the promise of unlimited militraining facilities from Fidel Castro. Again in 1966 four members of S.W.A.P.O. attended the Tri-Continental Conference in Cuba. Since 1960 Sam Njuoma, President of S.W.A.P.O. visited Moscow, Peking and other Iron Curtain countries. Furthermore, S.W.A.P.O. saboteurs, who were caught in S.W.A. had pistols, machine guns and hand-grenades of Russian and Chinese make on them.

The record of S.W.A.N.U. is even worse. The President Kozonguize admitted that he is a communist. In 1960 he visited Peking and there attacked the Western Nations. He also visited Moscow. During 1961–1962 S.W.A.N.U. representatives Veii and Moses Katjivongua received training as journalists in East Germany and attended the Communist International Journalist Organization in Tseggoslowakya. In 1963 they attended the "Chinese Committee for Afro-Asian Solidarity" and the Chinese African Peoples Friendship Association in Peking and had discussions with Mao Tse Tung. In 1963 the leader of S.W.A.N.U. visited Peking and returned with promises of help in the form of money, supplies and military training. And when China exploded her first atomic bomb the representative of S.W.A.N.U. in Cairo congratulated China on the 11th of May, 1966 in the following words: "It is a great contribution to the fight of all freedom fighters against imperialism and world peace. The successful explosion encourages us in our fight against imperialism. It deals a telling blow at United States imperialism and its collaborators who are trying to maintain their nuclear monopoly. We feel that since U.S. imperialism is using nuclear blackmail against the world's people, the Chinese people are justified to develop nuclear weapons to defend the security of China, the liberation movements and world peace. At a time when U.S. imperialism is using its counter revolutionary dual tactics of advocating the prevention of nuclear weapons since the tripartite nuclear treaty, it is a revolutionary act for Chinese people to develop nuclear weapons."

One must admit that is as bad a Communist record as any, and yet the picture is even redder than that. You remember that Michael Scott, the self-nominated champion of S.W.A. according to his auto-biography not only "acted as a Communist agent, remitting reports and transmitting funds," but was a card carrying communist who "kept in touch with the underground" when he was a Minister of the Gospel in Calcutta. Since 1960 between 900–1000 non-whites left S.W.A. illegally under the pretext of further study although most of them only had an elementary education. Of these just over a hundred really enrolled at some college, 27 in U.S.A., 28 in Zambia, 8 in East Germany, 5 in Russia, etc. We do know however that between 250–300 after completing military courses in Russia, China, Egypt, Ethiopia, Ghana and Algeria, have returned to Tanzania where they are waiting in transit camps to go to S.W.A. Forty-four have already entered S.W.A. where most of them were arrested. The balance of the more than 900 are still receiving training as terrorists in the above mentioned countries except Ghana, where after the fall of Nkrumah the training camp was closed. According to sworn affidavits obtained from these arrested terrorists they had instructions to murder all police officers, and leading business-men, burn down all police stations, power stations and big business houses, attack out-lying farmhouses, destroy bridges, radio stations, etc. These directions had to be carried out under the over all supervision of the Commander in Chief.

South Africa who has successfully thwarted the Communist plans in the country expected the next assault from outside. The Government was fully aware of the plans of the communist conspiracy and the forces they are mobilizing against South Africa. We knew exactly where they trained their shock troops, what route they will follow and where they will strike. These terrorists were therefore met and dealt with before they could create chaos. Those who were not killed in pitched battle were arrested.

Those who were arrested were brought to trial. They were not liquidated as the Communists usually do, but they were given a fair trial in an open court and tried by a Judge who is completely independent and not merely a mouth piece of the Government.

At this trial indisputable evidence was produced that the accused were trained in Communist training centres, armed with modern weapons from Russia and Red China and were under orders to murder and plunder, to create chaos and revolution. In one of their camps even a copy of Mao's military writings was found. From documents found on them there was not the slightest doubt that they acted under command and that the communist conspirators were the prime movers in this scheme to attack South Africa from the outside.

Before passing sentence the judge summed up the evidence in the following words: "In my view it has been proved that the accused, because of the level of their civilization became the misguided dupes of Communist indoctrination. Had it not been for the active financial and practical assistance which the accused received from the Governments of Moscow, Peking and other countries, they would never have found themselves in their present predicament. I also think that had it not been for the loud-mouthed moral support and incitement by representatives of foreign countries and the persons who published S.W.A.P.O. news letters, who have absolutely no respect for the truth, the accused would never have embarked on their futile and ill-conceived exploits." In conclusion he said: "Our finding is that the State has succeeded in proving beyond any doubt that the S.W.A.P.O. movement resoled to the planning of a violent uprising in the territory of SWA with the object of overthrowing the authority of the Republic in that territory, and in furthering this aim resorted to persons being trained in communist political thinking and in the art of violent terrorism."

The facts are there for every truth loving person to evaluate. We know that we are not fighting back nationalism but red communism. We also pray that the eyes of the free world should be opened to see before it is too late how diabolical Communism is after our heritage. We beg the Western powers not to allow communism to achieve the easy victory it has won in Europe, China and Cuba. And may I suggest that all, who are condemning S.A. and Rhodesia for punishing criminals interest themselves in the terrible fate of the thousands who are suffering in Communist concentration camps and dungeons.

SOUTH AFRICA AND LUTHERAN TERRORISTS

While officials of the World Council of Churches and the Lutheran World Federation remain silent about the mass murders committed by the Communists, they continue to condemn the governments of South Africa, Rhodesia, and more recently Greece.

Last November the Lutheran Council in the U.S.A. reported that the Lutheran World Federation had allocated $7,500 to aid the defense of 36 Ovambo tribesmen in South-West Africa who had been charged with treason by the Republic of South Africa. Later other liberal religious bodies came to the support of these tribesmen. LCUSA reported that they had been charged with murder, armed robbery, arson, possession of firearms, firing on the police and violently resisting arrest. Most of the tribesmen claimed to be Lutheran.

Several weeks ago these Lutheran laymen were sentenced to terms ranging from five years to life. Officials of the LWF and WCC called the sentences a "flagrant violation of human rights." (See story on p. 1). The UN General Assembly passed, by a vote of 110 to 2, a resolution terming the trial of the South-West Africans a "flagrant violation of their rights."

Since it appeared to us that some of the news releases we received concerning the trial of the Ovambo tribesmen did not present the entire story, we asked Rev. J. D. Vorster, Th. D., of Cape Town, South Africa to comment on the trial. Dr. Vorster is the brother of Prime Minister B. J. Vorster. He is a pominent official in the Nederduitse Gereformeerde Kerk in Suid-Africa, the largest church body in that country. We have spoken with Dr Vorster and can testify that he is a conservative Reformed theologian who accepts the inspiration of Holy Scripture and rejects the destructive theories of Biblical criticism. We were surprised to discover that he was familiar with our book Baal or God.

Together with Dr. Vorster's article we are publishing two letters which appeared late last month in the Toowoomba Chronicle of Toowoomba, Queensland, Australia. Gough Whitlam, a signer of one of the letters, is the leader of the Australian Labour Party. Rev. Kurt Marquart, the author of the letter pointing out the inconsistency of the liberal clergymen who are constantly condemning South Africa, is one of our contributors. Pastor Marquart was in South Africa a few months ago.

Liberal clergymen should listen to what Dr. Alfred Rehwinkel, a former professor at Concordia Seminary, said about South Africa after he returned from a trip to Africa. The prominent author stated: "South Africa is progressive, prosperous, and fabulously rich in natural resources and in many respects is very much like our own country. I was impressed by the efficiency, vision, courage, and honesty of the government. They think on a big scale. I got the impression that the leaders are sincere Christians and God-fearing men.

"These friendly and honest people are a sturdy race, a mixture of the descendants of the early Dutch, Germans, and British settlers. They reminded me of our own people a generation ago. Nowhere have I ever found such warmhearted hospitality as here.

"I have traveled widely in all parts of South Africa, meeting many people from all stations of life. I have had unusual opportunity to study the race problem in this country and the apartheid policy which has received so much unfavorable publicity.

"I will have a great deal to say on this subject when I return home. And I feel that our church should have a closer relation with our Lutheran brethren of this great country" (Lutheran Witness Reporter, November 14, 1965).

Dr. Rehwinkel was one of the first leaders in the Lutheran Church who worked for equal rights for Negroes. He was one of the founders of the Lutheran Human Relations Association. Dr. Rehwinkel should not be accused of racism when he defends South Africa. Those who are familar with the facts recognize that liberal clergymen have not been telling the truth about South Africa.

The fact that the Lutheran World Federation and the World Council of Churches supported terrorists trained by Communists is just one more reason why Christians should sever all ties from these organizations.

SOME POINTED QUESTIONS ABOUT HUMAN RIGHTS

SIR: Yesterday's appeal, in your "Letters" column, on behalf of the South Africa Defence and Aid Fund, raises a number of questions. Perhaps one of the fund's supporters would care to answer them.

If March 21 has been set by the United Nations as the "International Day for the Elimination of Racial Discrimination," what day, if any has been set by that body as the "International Day for the Elimination of Communist Tyranny?"

If no such day exists, must we not conclude that in the view of the U.N., little South Africa is a greater threat to "human rights" than the Communist slave empire? By its singling out of South Africa and its silence about Communism, is not the U.N. implying perfect harmony between its "Human Rights Year" and Communism?

BLOODBATH

Whatever may be the truth about the 1960 Sharpeville "massacre," in which 69 persons died, is it not really quite cynical to treat this, in effect, as worse than, say, the bloody suppression of the Hungarian people by Soviet troops only four years earlier? Hundreds of thousands perished there!

If the U.N. is really concerned about "human rights," why has it not to this day dared to receive and consider its own committee's report on the Hungarian bloodbath? And what about the millions of people actually slain under Communism?

If we must fuss about the claim that in South Africa, "non-whites are denied elementary political, social, and economic rights," do we not have a corresponding duty to point out that under Communism not only non-whites, but absolutely everybody except the party bosses is denied these rights, and much more brutally? Or what does the right to vote mean when only one party is allowed?

(Incidentally, while in Johannesburg last year, I was shown, not by a government agent, but by a churchman, the homes of a number of native millionaires in a native township. These successes were possible largely because the tougher white competition was kept out by law. That is the other side of "apartheid"!)

Furthermore, why ignore the known fact that in civilized countries like South Africa and Rhodesia, the native populations enjoy a far higher standard of living than in the native-misruled countries, and that Africans are in fact fleeing to the Rhodesian and South African "police-states" from elsewhere, in search of a better way of life?

HATRED, MURDER

Where in Africa, outside of Rhodesia and South Africa, is there any semblance of real parliamentary democracy? What are Togo, Ghana, Nigeria, Congo, Zambia, Tanzania, and the other victims of "one-man-one-vote-once," but wretched police-states? And are not the widespread tribal hatreds and massacres far worse than mere "discrimination"?

Finally, is it not true that the South Africa Defence and Aid Fund has assisted such "victims of apartheid" as Communist-linked terrorists convicted of attempting to overthrow the government by force?

In short, while as Christians we accept all Christians as brothers and all men as neighbours, many of us are sick and tired of the hypocrisy of straining out South African gnats, while swallowing the camels of Communist and African tribal atrocities.

Magnifying little injustices while in effect minimising big ones, is itself unjust. And the frequent injections of unctuous moralisings and "Christian" rhetoric make it all the worse.

THE REVEREND K. MARQUART,
Toowoomba.

Baltimore's Downtown Urban Renewal: A Reality, Not Just a Dream

HON. SAMUEL N. FRIEDEL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1968

Mr. FRIEDEL. Mr. Speaker, inasmuch as all the Members of Congress are vitally interested in urban renewal, I should like to invite the attention of my colleagues to the success attained in Baltimore—the largest city south of the Mason and Dixon's line.

Baltimore—the old and gracious city, world famous for its great port and eternally enshrined in the history of our Nation, was 10 years ago overrun by deterioration at its very center in the downtown area.

A dedicated and civic-minded group of Baltimoreans were determined to change and renew the heart of their city with new life, new achievement, and new beauty. This dream became a reality which can serve as a model for other cities to emulate. Mr. Jay Jefferson Miller was the first president of the committee for downtown and he played a leading role in furthering the creation and acceptance of the master plan for downtown Baltimore.

In an article which appeared in the Evening Sun of Baltimore on March 27, 1968, Mr. Miller retells the true story of the achievements of new horizons for one of America's major cities. It is because of the interest of the Congress for the people of our land who inhabit our great cities that I insert this article in the pages of the CONGRESSIONAL RECORD as evidence of what can and was done.

The article follows:

IT WASN'T JUST A DREAM

(By Jay Jefferson Miller)

At 9 o'clock in the morning of March 27, 1958, a small group of business men, city officials and city planners filed in the City Hall office of Mayor Thomas D'Alesandro, Jr. They weren't gamblers. They were men frightened by what was happening to their city, and they came to tell the Mayor the bold, even dramatic, plan they had conceived to save it.

Things looked ominous. Retail sales had started to decline in 1949. The assessed value of the very core of Baltimore's central business district had dropped each year during the 1950's. Large retail outlets in the suburbs were curtailing sales in the central city. Manufacturing and wholesaling facilities were moving away from obsolescence and traffic congestion. The metamorphosis was not rapid at first, but by 1957 the shift from office buildings, centers of cultural activities and even downtown residential areas was gathering speed.

The business men and planners came to the conclusion that there wasn't time for master-planning. The patient, in the form of the central business district, could die on the operating table before the operation was well under way. In what proved a key decision, those responsible for the master plan study put aside long-range planning. They turned their efforts instead to producing a plan for a single project—something that could be done now with the tools at hand. The group which filed into Mayor D'Alesandro's office ten years ago today brought the design of such a project. Charles Center, as we now know it, it was unveiled that morning.

The unveiling generated enthusiasm in the press, in the business community and in the Mayor's official family. Naturally some citizens felt it was a beautiful plan that would never see the light of day. There were doubters, but they were in the minority. The Mayor's first official act was to turn the Charles Center concept over to the Baltimore Urban Renewal and Housing Agency for a feasibility study. At the same time, he requested other city department heads to study the plan and report back to him with their findings.

The studies proved positive. That October Mr. D'Alesandro requested Governor McKeldin to call a special session of the Maryland Legislature to authorize a bond issue to implement the plan, which could then be presented to the voters in November for approval. It was a hurry-up call, but the Legislature approved. So did the voters, and the first major objective was accomplished.

On June 1, 1959, the Charles Center Project office was officially opened, and the machinery was set up for the acquisition, relocation, disposition and architectural review processes. Another element entered the Charles Center program in 1959. The Federal Housing Act was amended to allow Federal funds to become available for carrying out nonresidential renewal. City officials were happy to have Federal participation under two conditions: first, that the architectural concept of Charles Center would not be interfered with; second, that there would not be any serious delay in carrying out these plans.

Happily, the Federal housing administrator agreed to both conditions with the result that Federal funds will account for approximately $22,000,000 of Charles Center's public costs, and the city will expend about $10,000,000. The tax return to Baltimore when Charles Center is completed will exceed the former income from the area by about $2,000,000 a year—and this does not include tax returns from the handsome structures that have appeared on the perimeter of Charles Center.

One decade in the almost 250 years of Baltimore history does not seem a very long time. But consider the impact of those ten years on the financial and architectural history of the city.

Proof of the almost immediate success of Charles Center is furnished by the sudden improvement of the areas surrounding it, also by the new drive by the same business men who walked into the Mayor's office ten years ago to bring forth still a larger plan, that for the Inner Harbor. Altogether in Charles Center, two apartment towers, six office buildings, a theater, a new hotel, and three parks with ample public parking under them have now been completed or are in the process of being completed. Three more areas which will be devoted to office buildings are being sought by interested developers; construction could be started on two of these late in 1968 or early in 1969. The possibility looks favorable for the Statler Hilton to begin its second tower in 1969.

After-dark activity is being restored to Baltimore's downtown. When Charles Center's new lighting system is fully completed, Baltimore will be able to boast what may not be the biggest center city in the land, but what surely will rank as the most attractive.

Naval Supply Depot Marks Quarter of a Century

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1968

Mr. EILBERG. Mr. Speaker, 25 years ago, when I was a young naval officer, I shared with my fellow officers the chagrin and annoyance of the multiplicate paperwork which is part of the naval—and military—way of life.

It was not until years later when I realized where all this paper was coming from—the Naval Supply Depot, which is located within my own congressional district. I also came to realize that the depot shipped not only forms, but the vital supplies which made our naval forces successful and victorious.

The Naval Supply Depot is now marking its 25th anniversary of service to the Nation and its naval forces, having grown in scope, stature, and efficiency. Today, it is one of our outstanding establishments. Today, under the command of Capt. E. F. Anderson, Jr., it is carrying on an enviable record.

On this occasion, I would like to pay tribute to Captain Anderson, his predecessors, the naval personnel and the civilian force who served in the past quarter century and who are serving today.

The depot was commissioned on July 17, 1943, as the Naval Aviation Supply Depot, and throughout World War II and the Korean conflict served with honor, efficiency, and effectiveness, receiving, storing, and shipping aeronautical material to all parts of the world. Its record included 99 percent of all required items delivered on schedule.

The depot evolved through the years from a Naval Aviation Supply Depot to its present multipurpose activity. The impact of the depot through its five major functions is felt in many ways, in all parts of the world by many people and organizations.

As inventory manager of Navy forms and publications, the depot manages 198,300 items—172,300 publications; 11,000 blank forms—in supplying the Navy Establishment throughout the world.

During fiscal year 1968, $11 million of naval stock funds were expended for procurement of forms stock and an outstanding 95.9-percent effectiveness rating was maintained in the processing of an average of 200,000 demand requests per month throughout the supply system.

As Department of Defense Center for Department of Defense Specifications and Standards, the depot supplies the entire Department of Defense and industrial community with specifications and standards necessary to their computations of "bids" on Department of Defense contracts. A 98.5-percent effectiveness rating is currently being maintained in the processing of 2,500 customer requests for 13,000 line items per day. Sixty thousand stock items are managed and cataloged with an average of 75 new items received per day.

As initial distribution center, the depot maintains 5,400 mailing address lists from which 4,000 distributions are made each month to 1,010,000 addresses. Material distributed includes periodicals—Naval Reservists, JAG Journal, Newsletter, Defense Industry Bulletin, et cetera—specifications and standards, Navy publications and naval recruiting aids.

As stock point, the depot receives, stores and issues Navy publications, 164,457 items; medals and awards, 51 items; Department of Defense instructions, 1,600 items; laminated placards, 879 items; specifications and standards, 60,000 items. Line items issued average 538,680 per month with a 95.5-percent effectiveness rating.

As property/facilities manager of the depot complex consisting of 61 buildings spread over 136 acres, it provides maintenance, facilities, and support services to six tenant activities—Naval Aviation Supply Office; Defense Industrial Supply Center; Naval Air Technical Services Facility; Navy Publications and Printing Service Office; Navy Regional Finance Center and Naval Oceanographic Distribution Office—and their combined personnel staffs totaling 6,700 civilians and 170 military.

Major buildings include six office buildings, two cafeterias, 16 married officer's quarters, public works building, powerhouse, transportation building, and six warehouses.

The warehouses range in size from 115 feet by 600 feet to 225 feet by 1,000 feet. Land, buildings, and equipment have a current replacement value of over $80 million.

Approximately 50 percent of the Depot's resources are devoted to support services provided for the tenant activities. These services include:

Communications Division: NTX Branch, 85,000 messages per month. PBX Branch, 3,000 telephones in operation; $86,000 monthly telephone costs.

Consolidated Industrial Relations Department: Employment Division, 864 personnel actions per month. Wage and Classification Division, 2,180 new positions/amendments fiscal year 1967, 6,737 positions reviewed fiscal year 1967; Training Division, 143,500 manhours of training fiscal year 1967; Employee Services Division, 3,255 suggestions/awards processed fiscal year 1967.

Public works: $2,433,000 expended annually to maintain depot facilities.

Fiscal: $3,700,000 average monthly payroll.

Medical Department: 1,000 average monthly outpatient visits.

Military personnel: 1,000 average monthly travel orders prepared.

Administrative purchases: 500 average monthly.

Administrative mail handled: 170,000 pieces average monthly.

Aggressive management and the foresight to implement continually modern processing methods/equipments has enabled the depot to stay abreast of an ever increasing workload without a compensating increase in personnel.

As an example, in 1959, the depot maintained less than 100 distribution mailing lists on addressograph equipment; currently over 5,400 lists are maintained on computer tape.

A conveyor system was installed which speeded up deliveries to its customers.

The conveyor system moves the customer requests automatically to the bin location of the requested material; warehousemen fill the orders and the material is then conveyed to the packers and then to a branch of the U.S. Post Office located in the same building.

To provide maximum responsiveness to private industry requirements, new and revised releases of specifications and standards are available to industry on a subscription basis with automatic mailing upon payment of small fees. Also individual requests are accepted in any media—telephone, telegraph, mail, or bearer.

This service also includes a recording device that accepts telephone orders after working hours 7 days a week. To insure the utmost in service and guidance to private industry, an inquiry/complaint desk has been established to resolve problems regarding the specifications and standards program.

With innovations such as these, the depot has been able to maintain a high level of efficiency and responsiveness in meeting the requests of those it serves.

The Naval Supply Depot employs approximately 1,025 civilian and 18 military personnel, with an annual payroll in excess of $7,400,000.

The men and women of the depot are an integral part of community life, having homes in all parts of Philadelphia and outlying areas.

The stability of Naval Supply Depot personnel is indicated by the large number of employees who have long periods of faithful Government service. Naval Supply Depot personnel are vitally interested in and support the many civic projects originated in their respective communities.

You will find them active in charity drives, blood donor programs, scouting, and veterans activities as well as educational and religious organizations.

For 23 years, the depot has hosted a Christmas party for more than 7,000 underprivileged children from the Philadelphia community.

An outstanding record in the U.S. savings bond program has earned the right to fly the Minute-Man flag at the depot for 10 consecutive years.

The executive program for the employment of the underprivileged youth of Philadelphia has been supported wholeheartedly by the depot; last year—1967—more than 300 such young adults were trained and employed by the depot.

Working together and pulling together constitute the prime reasons why the folks at NSD are doing the best job possible in serving the Navy and their Nation in an important area of defense.

The Private Sector: A Partner in Job Training

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1968

Mr. MOORHEAD. Mr. Speaker, a recent article in the New York Times highlights the formation of a national advisory council to the Opportunities Industrialization Center. This is a blue-ribbon group of the Nation's business leaders who have joined in the national effort to train the hard-core unemployed for productive work.

Based on the concept of self-help, the OIC's were begun in 1964 by the Reverend Leon Sullivan in Philadelphia, Pa. I am proud that Pittsburgh's OIC program—designed not only to give job skills but also hope, confidence, and a new way of looking at life—is in its second year.

I include at this point in the Record the Times article, which I commend to the attention of my colleagues:

BUSINESS LEADERS HELP JOB CENTER—GROUP IS FORMED TO ADVISE PHILADELPHIA PROGRAM

Philadelphia, March 30.—A group of business and industrial leaders have joined the Rev. Leon Sullivan in his nationwide campaign to train hard-core unemployed for productive jobs.

The leaders, who came here from all over the country, organized themselves Thursday into a national advisory council to the Opportunities Industrialization Center, which Mr. Sullivan, a Negro, founded here in 1964. Gerald Phillippe, board chairman of the General Electric Company of New York, was named chairman of the council.

Mr. Sullivan founded the center in an abandoned police station at 19th and Oxford Streets, in the heart of the North Philadelphia Negro slum. Almost single-handedly, he marshaled civic and governmental support for his project.

He obtained donations for money and machinery, set up shop and began a training program that in time grew to national prominence.

Nearly penniless when he started, Mr. Sullivan today has a $3.8-million-a-year budget for his undertaking. About 80 per cent of the money comes from the Government and the rest from private sources.

IDEA CAUGHT ON

The idea caught on in other parts of the nation. Today there are branches in 65 cities throughout the country. Their goal is to train 100,000 people in the next 16 months.

Thomas B. McCabe, chairman of the board of the Scott Paper Company, spearheaded the move to organize the advisory council. At the suggestion of Mr. Sullivan, he started making telephone calls several months ago to some of the nation's top business and industrial executives.

"I did not get a single refusal." Mr. McCabe said. "Many of these men had met Mr. Sullivan in their own cities—New York, Chicago, Minneapolis—and were impressed with him.

"They think he is doing something far more important and constructive than the Government. He teaches people skills and imparts a pride of citizenship and self-reliance, which no public institution can do."

The council members first met here with Mr. Sullivan at his headquarters on North Broad Street. Then he guided them through his training center on Oxford Street. He said it cost less than $1,000 to train one unskilled worker for a job, contrasted with $3,000 it costs the Federal Government for the same kind of training.

Mr. Sullivan reported that 80 per cent of the trainees remained in the project to finish their training.

MEMBERS OF COUNCIL

In addition to Mr. McCabe advisory council consists of the following members:

John Haas, executive vice president of Rohm & Haas, Philadelphia.

C. Paul Austin, president of the Coca Cola Company of Atlanta.

George Champion, chairman of the board of the Chase Manhattan Bank, New York City.

Walker Cisler, chairman of the board of the Detroit Edison Company.

John T. Dorrance, chairman of the board of the Campbell Soup Company, Camden, N.J.

Ben S. Gilmer, president of the American Telephone and Telegraph Company, New York.

Ralph Lazarus, chairman of the board of the Federated Stores of America, New York.

Henry Parks, board chairman of the Parks Sausage Company, Baltimore.

Charles McCormick, board chairman of McCormick & Company, Baltimore.

Robert F. Oelman, board chairman of the National Cash Register Company, Dayton, Ohio.

Frederick Potts, board chairman of the Philadelphia National Bank.

Gen. E. W. Rawlings, chairman of the board of General Mills, Inc., Minneapolis.

Charles A. Seigfried, president of the Metropolitan Life Insurance Company, New York.

Jay L. Taylor, chairman of the board of the Baker-Taylor Drilling Company, Amarillo, Tex.

Commission on Federal Budget Priorities and Expenditure Policy

HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1968

Mr. CURTIS. Mr. Speaker, one of the recommendations made by the minority members of the Joint Economic Committee in the committee's recent annual report was to establish a Federal Commission on Expenditure Policy to begin the urgent task of making recommendations on budget priorities and restoring expenditure discipline to public spending.

Legislation to implement this proposal was introduced in the Senate in the form of an amendment to the excise tax bill. Unfortunately the amendment was narrowly defeated last Friday. The amendment was sponsored by Senator Javits and cosponsored by the other minority Senate members of the Joint Economic Committee—Senator Miller, Senator Jordan of Idaho, and Senator Percy.

Today, on behalf of myself and Representatives Widnall, Rumsfeld, and Brock, I introduce legislation identical to the Senate amendment to establish a Commission on Federal Budget Priorities and Expenditure Policy. Reform of the Federal budget involves more than cuts in any 1 year. Emergency budget reductions, although vitally necessary at this time, would not necessarily provide an optimum allocation of public expenditures. It is equally necessary to look beyond current budgetary problems to the future dimensions and shape of Federal spending.

Creation of a commission such as this bill would establish would help to achieve precisely these purposes. In 1963 and 1964, the minority members of the Joint Economic Committee made the same proposal, only to have it rejected at that time by the administration. We feel that today the need is greater than ever before, and we hope that all those who are interested in budget reform and the establishment of budget priorities will support this bill.

Under the bill, a 16-member nonpartisan commission would be established that would be composed of private citizens from business, labor, education, or the professions, representatives of the executive branch, and Members of Congress equally from both parties. The Commission, assisted by a professional staff, would conduct studies and periodically make public its recommendation in the following areas:

First, establishing spending priorities among Federal programs, including the identification of those programs which need greatest immediate emphasis and those which can be deferred in a time of expected deficits, in order to serve as a guide to the administration in making expenditures and in drawing up future budgets; second, appraising Federal activities in order to identify those programs which tend to retard economic growth and for which expenditures should be reduced or eliminated; third, improving the Federal budgeting and appropriations process in order to increase the effective control of expenditures; fourth, examining the responsibilities and functions which are now assumed by the Federal Goverment, but which could be performed better and with superior effectiveness by the private economy; fifth, reviewing Federal responsibility and functions in order to determine which could be better performed at the State and local levels; and sixth, improving Government organization and procedures in order to increase efficiency and promote savings, including a review of the recommendations of the Hoover Commission in order to determine how well those already implemented have achieved their purposes in practice and whether those not yet implemented should be given further consideration.

The recommendations of an objective and nonpartisan Commission of the kind described should command widespread support among the public and within the Congress. Its proposals would offer a sound basis upon which to begin the reform of Federal expenditure policy.

Under unanimous consent I include a copy of the bill in the RECORD at this point:

H.R. 16459

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Establishment of a Commission on Federal Budget Priorities and Expenditure Policy

(a) Recognizing the profound influence which the composition and level of Federal expenditures and their relationship to revenues have on the Nation's general welfare, domestic tranquility, economic growth and stability, it is hereby declared to be the intent of Congress to initiate a far-reaching objective and nonpartisan review of Federal budget priorities and expenditure policy. In the carrying out of such review, and in the formulation of recommendations with respect thereto, particular consideration shall be given to the following—

(1) establishing spending priorities among Federal programs, including the identification of those programs which need greatest immediate emphasis and those which can be deferred in a time of expected deficits, in order to serve as a guide to the administration in making expenditures and in drawing up future budgets;

(2) appraising Federal activities in order to identify those programs which tend to retard economic growth and for which expenditures should be reduced or eliminated;

(3) improving the Federal budgeting and appropriations process in order to increase the effective control of expenditures;

(4) examining the responsibilities and functions which are now assumed by the Federal Government, but which could be performed better and with superior effectiveness by the private economy;

(5) reviewing Federal responsibility and functions in order to determine which could be better performed at the State and local levels; and

(6) improving Government organization and procedures in order to increase efficiency and promote savings, including a review of the recommendations of the Hoover Commission in order to determine how well those already implemented have achieved their purposes in practice and whether those not yet implemented should be given further consideration.

Establishment of the Commission on Federal Expenditure Policy

(b) (A) In order to carry out the purposes set forth in the first section of this Act, there is hereby established a commission to be known as the Commission on Federal Budget Priorities and Expenditure Policy (referred to hereinafter as the "Commission.")

(B) The Commission shall be composed of sixteen members as follows:

(1) Four appointed by the President of the United States, two from the executive branch of the Government, including the Director of the Bureau of the Budget, and two from private life who have distinguished careers in labor, the professions, industry, local and State government, or higher education;

(2) Six members of the Senate appointed by the President of the Senate; and

(3) Six members of the House of Representatives appointed by the Speaker of the House of Representatives.

(C) Of each class of two members referred to in subsection (B), not more than one member shall be from any one political party.

(D) Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

(E) Service of an individual as a member of the Commission or employment of an individual by the Commission as an attorney or expert in any business or professional field, on a part-time or full-time basis, with or without compensation, shall not be considered as service or employment bringing such individual within the provisions of sections 281, 283, 284, 434, or 1914 of title 18 of the United States Code.

(F) The Commission shall elect a Chairman and a Vice Chairman from among its members.

(G) Nine members of the Commission shall constitute a quorum.

Advisory Panel to the Commission

(c) The Commission may establish an Advisory Panel which shall consist of persons of exceptional competence and experience in appropriate fields, including social welfare, economics, and political science. Such Advisory Panel members shall be drawn equally from the Government, private industry, and nonprofit educational institutions, and shall be persons available to act as consultants for the Commission.

Staff of the Commission

(d) (A) The Commission may appoint and fix the compensation of such personnel as it deems advisable in accordance with the provisions of the civil service laws and the Classification Act of 1949.

(B) The Commission may procure without regard to the civil service laws and the classification laws, temporary and intermittent services (including those of members of the Advisory Panel) to the same extent as authorized for the departments by section 15 of the Act of August 2, 1946 (60 Stat. 810; 5 U.S.C. 55a), but at rates not to exceed $75 per diem for individuals.

Duties of the Commission

(e) (A) The Commission shall make a comprehensive and impartial study and investigation of the programs and policies of the Federal Government with a view to carrying out the purposes set forth in the first section of this Act.

(B) During the course of its study and investigation the Commission may submit to the President and the Congress such reports as the Commission may consider advisable. The Commission shall submit to the President, and the Congress an interim report with respect to its findings, conclusions and recommendations pursuant to section (a) (1) no later than January 1, 1969, and a final report no later than January 1, 1970.

Powers of the Commission

(f) (A) (1) The Commissioner or, on the authorization of the Commission, any subcommittee thereof, may, for the purpose of carrying out its functions and duties, hold such hearings and sit and act at such times and places, administer such oaths, and require, by subpena or otherwise, the attendance and testimony of such witnesses, and the production of such books, records, correspondence, memorandums, papers, and documents as the Commission or such subcommittee may deem advisable. Subpenas may be issued under the signature of the Chairman or Vice Chairman, or any duly designated member, and may be served by any person designated by the Chairman, the Vice Chairman, or such member.

(2) In case of contumacy or refusal to obey a subpena issued under paragraph (1) of this subsection, any district court of the United States or the United States court of any possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which the inquiry is being carried on or within the jurisdiction of which the person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the Attorney General of the United States shall have jurisdiction to issue to such person an order requiring such person to appear before the Commission or a subcommittee thereof, there to produce evidence if so ordered, or there to give testimony touching the matter under inquiry; and any failure to obey such order of the court may be punished by the court as a contempt thereof.

(B) Each department, agency, and instrumentality of the executive branch of the Government, including independent agencies, is authorized and directed to furnish to the Commission, upon request made by the Chairman or Vice Chairman, such information as the Commission deems necessary to carry out its functions under this Act.

Compensation of Commission Members

(g) (A) Members of the Commission who are Members of Congress or officers of the executive branch of the Federal Government shall serve without compensation in addition to that received in their regular public employment, but shall be allowed necessary travel expenses (or, in the alternative, a per diem in lieu of subsistence and mileage not to exceed the rates prescribed in the Travel Expense Act of 1949, as amended), without regard to the Travel Expense Act of 1949, as amended (5 U.S.C. 835–842), the Standardized Government Travel Regulations, or section 10 of the Act of March 3, 1933 (5 U.S.C. 73b), and other necessary expenses incurred by them in the performance of duties vested in the Commission.

(B) Members of the Commission, other than those to whom subsection (a) is applicable, shall receive compensation at the rate of $75 per day for each day they are engaged in the performance of their duties as members of the Commission and shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties as members of the Commission, as provided for in subsection (a) of this section.

Expenses of the Commission

(h) There are hereby authorized to be appropriated to the Commission, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this Act.

Expiration of the Commission

(i) The Commission shall cease to exist — days after the submission of its final report."

Hail Oshkosh Titans

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1968

Mr. STEIGER of Wisconsin. Mr. Speaker, all Oshkosh and Sixth District residents are extremely proud of the Wisconsin State University-Oshkosh basketball team.

That team captured the State university conference championship and went on to the NAIA tournament in Kansas City as an underdog among 32 teams. After defeating the No. 1 ranked team in the national tournament, Oshkosh returned home with third-place honors and a host of trophies. For the information of my colleagues and in salute to these fine athletes, I include as part of my remarks several newspaper articles, as follows:

[From the Oshkosh (Wis.) Daily Northwestern, Mar. 19]

ALL HAIL THE CHAMPIONS

Congratulations are in order for two outstandingly fine teams which demonstrated championship caliber basketball throughout the season and concluded with honors which won them wide acclaim.

The Titans of Wisconsin State University-Oshkosh didn't quite go all the way to the title in the National Association of Intercollegiate Athletics tournament at Kansas City, Mo., but they breezed to a third place finish by defeating Westminster of New Wilmington, Pa., which team had knocked out Oshkosh from further competition in the opening round of the meet a year ago.

The Shipbuilders of Lincoln High School, Manitowoc, did go all the way in the tournament of the Wisconsin Interscholastic Athletic Association and won the state prep championship in Saturday's game against Beloit at Madison.

Coaches and players of both teams have exemplified good sportsmanship throughout the season as well as proving their superiority on the court.

The Manitowoc record may appear better statistically since Coach Ed Fleener's Shipbuilders were unbeaten in 26 consecutive games, including a 16–0 record in the Fox River Valley Conference.

Coach Bob White's Titans won the Wisconsin State University Conference championship with only three losses in league play and went on to earn the right to compete in last week's NAIA which was won by Central State of Wilberforce, Ohio, when it edged Fairmont, W. Va., State, the team that barely defeated Oshkosh in the semi-finals. Oshkosh's 102 to 68 victory for third place was a great comeback and somewhat of a revenge.

This year's Titans included some former Manitowoc High players who were stalwarts of the team along with Oshkosh products and cagers of other cities as well. The new "crop" of prep cagers will be welcomed at WSU-Oshkosh for future years—the champions and the also-rans. Winning is, of course, an object of the competition, but "how you play the game" is of even greater significance.

In the future there will be new players, new teams, new striving for championships, but in the final analysis the greatest victory will be that which participation affords, the challenges it offers, and the opportunities to match skills, determination and courage with others while improving one's own to the best degree possible.

NEARLY 2,000 HONOR TITANS AT PEP RALLY

Oshkosh State University's Titan basketball team returned to the scene of many triumphs—Albee Hall—on Monday afternoon, as approximately 2,000 Oshkosh State students welcomed the team back home at a pep rally after a highly-successful trip to the National Association of Intercollegiate Athletics tournament at Kansas City, Mo., last week.

A heavy underdog in this years' NAIA 32-team national event, Oshkosh confounded the experts by bouncing number-one seeded Guilford College of Greensboro, N.C., 80–78, last Tuesday in the tourney's opening-round. The Titans eventually advanced to third place in the meet.

Following the opening victory, Oshkosh went on to displace Eastern Montana, 82–75, and Drury, (Mo.), 57–55, before falling on Friday night before eventual tourney runnerup Fairmont (W. Va.), 76–74, in the last five seconds of play.

Saturday night's 102–68 belting of Westminster (Pa.), established Coach Bob White's Titans as the third-best team in the 31-year-old tournament.

White admitted Monday that he thought it would be "a quick tournament for the Titans" because of the drawing of top-seeded Guilford.

"But the kids were real confident that they could beat them and make up for last year," he said. The last year that White referred to was an 82–64 opening-round defeat at the hands of Westminster.

Oshkosh had made three previous trips to the NAIA before this year, but had never won a national game. But the Titans made up for the past, gaining the highest team finish for a team from Wisconsin since 1949, when Beloit College also took a third place.

At the 1:30 p.m. rally, OSU Athletic Director Eric Kitzman accepted the Wisconsin State University Conference championship trophy (the Titans' second in a row), in addition to two NAIA team trophies—the third-place trophy and team sportsmanship trophy.

During the course of the one-hour rally, the personable White—smiling throughout—introduced each of his players and had special words to say about the seniors on his team.

The Titans had arrived back in Oshkosh Sunday afternoon at Winnebago County Airport to the cheers of some 1,500 fans.

TITANS WERE A RECORDBREAKING TEAM

(By Herb Willis)

Records are made to be broken and that is just what happened during the season just concluded by the Wisconsin State University-Oshkosh Titans.

Oshkosh rolled to its second straight Wisconsin State University Conference championship and picked up the National Association of Intercollegiate Athletics District 14 title before traveling to Kansas City and coming home with third place in the NAIA's tournament.

Those were only a few of the team accomplishments. The Titans had broken the victory marks for one season after the first triumph over Lakeland and there have been five more since. Oshkosh finished the season with a 23–6 record. Last season's 17–6 mark was the previous high.

Coach Bob White's Titans set a new single season mark for total points scored, 2,620, an average of 90.4 per game. The Eric Kitzman-coached Titans of 1959–60 had set the old standard of 2,019, or 87.7 for 23 games.

White's edition of 1967–68 also set a new team rebound mark of 1,399. The old record was 1,339 set by the 64–65 Titans.

An important mark for the Titans was set at the NAIA tournament as the Titans rolled up a 4–1 record. The best previous mark for a conference team was two victories by Superior. The only Wisconsin team with more victories at the national tournament is Beloit of the Midwest Conference. Beloit has a 10–4 record over four tournaments and once Beloit took home the third place trophy.

Oshkosh now has a 4–4 record in the KC tournament and has played more games than any other conference school. Eau Claire has a 1–6 record, and has appeared in one more tournament, five.

Ron Hayek wrote his name into the record book three times. Hayek, in the final game at Kansas City, became the top scorer in one season. By scoring 29 points against Westminster, Hayek totaled 630 points for the season. The old mark was set by Ron Dibelius in the 1959–60 season of 612 points.

Only three Titans have scored more than 500 points. Austin scored 540 points in 1962–63 and Dibelius and Hayek are the only players to have scored more than 600 points in Titan annals for one season.

Hayek also broke the individual field goal mark for one season. He connected for 268 field goals to break the record set by Dibelius, 212. With Hayek leading the charge, the team field goal record was upped to 1,056 from 741 last season.

The terrific Titan duo of Hayek and Lallensack edged into the all-time career records by joining the 1,000-point club. Hayek is third with 1,222 and Lallensack is fourth with 1,176. Dean Austin still leads the all-time list with 1,398 points.

Previous records have indicated Austin's record at 1,420, but The Paper's investigation into Titan records discovered "Deano's" total is 1,398 against collegiate competition. Austin added 22 points against the amateur Allen-Bradley team of Milwaukee. Only collegiate totals are considered for the record book.

Doug Carriveau scored 1,108 points in his four-year Titan career in the early 1960's and Doug Ritchey was the first Titan to reach 1,000 points in the late 1940's with 1,029.

Lallensack rewrote the rebound record for a single season and, most likely, for a career, but rebound records are incomplete for Austin's first year at Oshkosh. Lallensack's single season total is now 421. Austin held the old mark of 357 retrieves, set in the '62–63 season.

White's Titans also set a one-game scoring mark that may never be broken. Oshkosh whipped Whitewater at Whitewater, 133–100. The game seemed to wear on and on and, when the official timepiece was checked with stopwatches the night of the game, the official clock was slow. But later, officials checked the clock and were satisfied that it was not slow and the Titan record stood, a new conference mark for one team and for two teams, 233.

Oshkosh chalked up nine straight victories at home this year, then wore home white uniforms for the second and third victories at Kansas City before losing Friday night. Oshkosh has new black and gold traveling uniforms that were used for the first time against St. Norbert. The Titans won that one and then beat Lakeland in the first game of the district playoffs and upset number one-seeded Guilford in the NAIA meet to close unbeaten in the new blacks.

Albee Hall records suffered changes this season as the Titans streaked by Lakeland in the double overtime, 124–113 in the second playoff game. The 124 points scored is the highest for any team at Albee and the 113 points for the Muskies is the highest number of points ever scored against the Titans at home or away.

The 237 points scored by the Titans and Lakeland set two team game totals for Oshkosh, at home and away.

In all, it was a great assault on the record book by a team that will long be remembered.

For three of the Oshkosh players it means the end of careers. Ron Hayek, John Lallensack and Tom Witasek have played their final game for the Titans. The past three years have been greater because of them. Many teams in the past have had one or two great players, but this year, with Witasek adding 433 to Hayek's record setting 630 and Lallensack's 444, this team had three. Each of the three spent three or fewer seasons with the Titans. Lallensack played three complete seasons, Hayek and Witasek 2½.

Even with the departure of the three, opposing coaches and some at the NAIA tournament didn't feel very sorry for Coach White. The three seniors are great players, but the consensus of opinion is that there are the makings of other greats on the Titan squad.

Mike Malone won the "hustle" award at Kansas City and played fine ball and now that the stars have departed there is room at the top for new blood and Malone could develop into an excellent scorer. He scored 259 points this year.

Bill Schwartz has come along in the late stages this season to be what White termed, "The most improved player on the team."

Bruce Miller should find a spot for himself next season. This season he scored 234 points playing in relief of Schwartz. Dale Race at 6–8 has had some fine games this season and White commented at the pep rally Monday that, "He shut off one of the tournament's (NAIA) top scorers. He has come on strong this year and will be given a shot at the open guard position next year."

Newsmen, after watching Schwartz play in the NAIA, couldn't believe he had scored only 316 points. The general comment was, "He should be a great one next season."

Rick Rehm and Gary Van Cuyk have seen limited action, but in his limited action, Rehm scored 106 points. Van Cuyk is a southpaw and is counted on next year along with Rehm to make the Titan attack formidable again. White said at the rally that "Van Cuyk could become an outstanding corner man for us."

Ken Ver Gowe, a 6-5 freshman from Cedar Grove nicknamed "Cedar" by assistant coach Russ Tiedemann, was brought along slowly, but as the Titans swung into their last western swing around the conference Ver Gowe was ready and from that time on played a great relief role for the Titans. The quiet, but unassuming "Cedar" played well in appearances in Kansas City and White said Monday, "He probably would have been a starter on any other team and we hope he'll make another trip or two to Kansas City."

There are many stories that remain to be written about this year's Titan team, but this story about the records it set probably best relates why and how it accomplished what it did.

Athletic Director Eric Kitzman, former Titan coach and a coach who took Menasha to the Wisconsin high school state championship commented, "It's the greatest team I've seen. They came through more often in the clutch that most."

Kitzman should know, he took his '59–'60 team to the NAIA meet in Kansas City.

For most, WSU–O President Roger E. Guiles expressed the feeling for the team best when he said Monday at the pep rally, "We were more proud of you (White) and your team than we could ever say, but after all, we can say that we know you all personally."

SENATE—*Thursday, April 4, 1968*

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O merciful God, whose law is truth and whose statutes stand forever, we beseech Thee to grant unto us, who seek Thy face, the benediction which a sense of Thy presence lends to each new day. Unite our hearts and minds to bear the burdens that are laid upon us.

In these days of tension and crisis, as we gird the might of the Nation, and that of our allies, to defend threatened liberties, may we take care to strengthen the spiritual foundations of our democracy. Open our eyes to see a glory in our common life with all its sordid failures, and in the aspirations of men for better things and for a fairer world—which, at last, must burn away every barrier to human brotherhood as Thy kingdom comes and Thy will is done in all the earth.

We ask it in the Redeemer's name. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, April 3, 1968, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on Agriculture and Forestry and the Committee on the Judiciary be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider nominations on the Executive Calendar.

The PRESIDENT pro tempore. Without objection, it is so ordered.

POST OFFICE DEPARTMENT

The bill clerk read the nomination of John H. Johnson, of Illinois, to be a member of the Advisory Board for the Post Office Department.

The PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

POSTMASTERS

The bill clerk proceeded to read sundry nominations of postmasters.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. CANNON, from the Committee on Armed Services:

J. William Doolittle, of Illinois, to be an Assistant Secretary of the Air Force.

By Mr. STENNIS, from the Committee on Armed Services:

William K. Brehm, of Michigan, to be an Assistant Secretary of the Army.

By Mr. PEARSON, from the Committee on Armed Services:

Randolph S. Driver, of Pennsylvania, to be an Assistant Secretary of the Navy.

By Mr. BYRD of Virginia, from the Committee on Armed Services:

Barry James Shillito, of Ohio, to be an Assistant Secretary of the Navy.

Mrs. SMITH. Mr. President, from the Committee on Armed Services, I report favorably the nominations of five general officers of the Army to be placed on the retired list, and two Army National Guard officers for promotion as Reserve commissioned officers in the grade of major general.

I ask that these names be placed on the Executive Calendar.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The nominations are as follows:

Brig. Gen. Joseph Mark Ambrose, and Brig. Gen. LaVern Erick Weber, Army National Guard of the U.S. officers, for promotion as Reserve commissioned officers of the Army;

Gen. Dwight Edward Beach, Army of the United States (major general, U.S. Army) to be placed on the retired list, in the grade of general; and

Lt. Gens. William White Dick, Jr., Army

of the United States (major general, U.S. Army), Robert Hacket, Army of the United States (major general, U.S. Army), Lawrence Joseph Lincoln, Army of the United States (major general, U.S. Army), and Edgar Collins Doleman, Army of the United States (major general, U.S. Army), to be placed on the retired list, in the grade of lieutenant generals.

By Mr. **FULBRIGHT**, from the Committee on Foreign Relations, without reservations:

Executive L, 90th Congress, first session, Protocol of amendment to the Charter of the Organization of American States (Exec. Rept. No 1).

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

CONTROL OF THE ALEWIFE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1054, S. 2123.

The PRESIDENT pro tempore. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 2123) to provide for the control of the alewife and other fish and aquatic animals in the waters of the Great Lakes which affect adversely the ecological balance of the Great Lakes.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce with amendments on page 2, line 2, after the word "pseudoharvengus", insert "smelts"; at the beginning of line 9, insert "smelts"; at the beginning of line 14, insert "smelts"; in line 16, after the word "alewife," insert "smelts"; in line 17, after the word "stocking," strike out "and"; in line 18, after the word "alewife," insert "smelts,"; in line 19, after the word "animals," insert "and the removal of dead alewives from water and beach areas;"; and on page 3, line 7, after the word "alewife," insert "smelts"; so as to make the bill read:

S. 2123

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, because of the fact that the ecological balance of the Great Lakes has been disrupted, the Secretary of the Interior is authorized, for purposes of conserving and protecting the fish resources, combating water pollution, and promoting and safeguarding water-based recreation for present and future generations, in the waters of the Great Lakes, to cooperate with, and provide assistance to, the States in controlling the alewife (known biologically as "alosa pseudoharvengus"), smelts, and other fish or aquatic animals which affect adversely the ecological balance of the Great Lakes.

SEC. 2. In carrying out the purposes of this Act, the Secretary of the Interior, in cooperation with the States, is authorized (1) to conduct, directly or by contract, such studies, research, and investigations, as he deems desirable, to determine the abundance and distribution of the alewife, smelts, and other fish or aquatic animals which affect adversely the ecological balance of the Great Lakes and their effects on other fish or aquatic animals, pollution, and water-based recreation within the Great Lakes; (2) to conduct, directly or by contract, studies of control measures of the alewife, smelts and other such fish and animals; (3) to establish and carry out, based on studies made pursuant to this Act, programs relating to controlling the alewife, smelts, and other such fish and animals, stocking, the development of industrial or other commercial uses of the alewife, smelts and other such fish and animals, and the removal of dead alewives from water and beach areas; and (4) to take such other actions as he deems desirable in carrying out the purposes of this Act. The costs of any study, research, investigation, program, or other action conducted or carried out in accordance with the provisions of this Act shall be borne equally by the Federal Government and by the States, acting jointly or severally.

SEC. 3. The Congress hereby consents to any compact or agreement between any two or more States entered into for the purpose of carrying out a program of research, study, investigation, or other action relating to the control of the alewife, smelts and other fish and aquatic animals which affect adversely the ecological balance of the Great Lakes. The right to alter, amend, or repeal this section or the consent granted herein is expressly reserved.

SEC. 4. Nothing in this Act shall be construed to alter, amend, repeal, modify, or diminish the present general authority of the Secretary of the Interior to conduct studies, research, and investigations related to the mission of the Department of the Interior.

SEC. 5. There is authorized to be appropriated not to exceed $5,000,000 for the Federal share of the costs involved in connection with any study, research, investigation, program, or action conducted or carried out in accordance with this Act.

The amendments were agreed to.

Mr. GRIFFIN. Mr. President, at one time Benjamin Franklin wryly observed:

> Fish and visitors smell in three days.

When visitors smell, we are likely to grin and bear it; after all, tourism is the second most important industry in my State. But the smell of decaying fish we cannot stand.

Mr. President, I doubt that very many people other than marine biologists were ever aware of the existence of alewives until a few years ago. Now, I doubt that there is a single summer visitor or year-round resident in the Great Lakes region who is not familiar with the sight—and the smell—of this tiny fish which has thrown nature's scales so far out of balance.

In the summer of 1967, the alewife problem really came to a head. Southern Lake Michigan was hit by the worst alewife die-off in history. Millions upon millions of dead fish were washed ashore, to decompose and rot on the beaches.

In Chicago, residents watched while more than 500 truckloads of dead alewives were hauled from the city's beaches.

The impact on the tourist and resort industries was very serious; there was an estimated $55 million loss in tourist revenues to Michigan alone.

S. 2123 was introduced on July 17, 1967, by Senator NELSON, of Wisconsin; it was cosponsored by 10 other Great Lakes Senators, including Senator HART and myself.

The bill seeks a long-range solution to the alewife menace in the Great Lakes. It would authorize the Secretary of the Interior to assist States in the effort to control the alewife.

Significantly, the legislation would give recognition to existing State programs aimed at control of the alewife.

Some of these programs seek to turn the alewife into a commercial resource.

Others, such as the Michigan program, aim at effective control by stocking the lakes with predatory game fish, such as salmon and trout. Such a program would not only control the alewife, but would also provide a significant boost to sport and commercial fishing in the Great Lakes. It could add millions of dollars to the economy of the Great Lakes region.

However, in order to step up planting rates in the lakes, there is a need for hatcheries capable of producing some 30 million yearling trout and salmon. A lack of funds is the major problem hindering full-scale implementation of this significant program.

While the proposed legislation is aimed at finding long-term solutions for the alewife problem, we cannot overlook the immediate practical problem which confronted Great Lakes States last summer: how to clean up and dispose of millions of dead alewives when they wash up on the beaches.

As reported by the Committee on Commerce, S. 2123 includes an amendment inserted at my suggestion, which would specifically permit funds authorized by the legislation to be used in programs to remove dead alewives from beach and water areas.

The Michigan Department of Conservation has estimated that the cost of removing alewives from Michigan beaches in 1968 will run more than $800,000.

Mr. President, all indications point to an alewife die-off this summer as great as last summer's disaster. A broad, effective attack upon the alewife menace is urgently required, and S. 2123, if enacted, can be an essential part of such a program.

I, therefore, wish to reiterate my support for the pending bill and to urge its passage by the Senate.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1072), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to seek return of the ecological balance of marine life in the Great Lakes, and to authorize the Secretary of the Interior to cooperate with, and provide assistance to, the States in conducting research toward control of those species which presently adversely affect that balance.

In carrying out the purposes of the act, the Secretary of the Interior is authorized to conduct or contract studies to determine abundance and distribution of species which presently adversely affect the Great Lakes ecological imbalance. Further, the Secretary is authorized to study control programs and also to carry them out as dictated by the research results.

against St. Norbert. The Titans won that one and then beat Lakeland in the first game of the district playoffs and upset number one-seeded Guilford in the NAIA meet to close unbeaten in the new blacks.

Albee Hall records suffered changes this season as the Titans streaked by Lakeland in the double overtime, 124–113 in the second playoff game. The 124 points scored is the highest for any team at Albee and the 113 points for the Muskies is the highest number of points ever scored against the Titans at home or away.

The 237 points scored by the Titans and Lakeland set two team game totals for Oshkosh, at home and away.

In all, it was a great assault on the record book by a team that will long be remembered.

For three of the Oshkosh players it means the end of careers. Ron Hayek, John Lallensack and Tom Witasek have played their final game for the Titans. The past three years have been greater because of them. Many teams in the past have had one or two great players, but this year, with Witasek adding 433 to Hayek's record setting 630 and Lallensack's 444, this team had three. Each of the three spent three or fewer seasons with the Titans. Lallensack played three complete seasons, Hayek and Witasek 2½.

Even with the departure of the three, opposing coaches and some at the NAIA tournament didn't feel very sorry for Coach White. The three seniors are great players, but the consensus of opinion is that there are the makings of other greats on the Titan squad.

Mike Malone won the "hustle" award at Kansas City and played fine ball and now that the stars have departed there is room at the top for new blood and Malone could develop into an excellent scorer. He scored 259 points this year.

Bill Schwartz has come along in the late stages this season to be what White termed, "The most improved player on the team."

Bruce Miller should find a spot for himself next season. This season he scored 234 points playing in relief of Schwartz. Dale Race at 6–8 has had some fine games this season and White commented at the pep rally Monday that, "He shut off one of the tournament's (NAIA) top scorers. He has come on strong this year and will be given a shot at the open guard position next year."

Newsmen, after watching Schwartz play in the NAIA, couldn't believe he had scored only 316 points. The general comment was, "He should be a great one next season."

Rick Rehm and Gary Van Cuyk have seen limited action, but in his limited action, Rehm scored 106 points. Van Cuyk is a southpaw and is counted on next year along with Rehm to make the Titan attack formidable again. White said at the rally that "Van Cuyk could become an outstanding corner man for us."

Ken Ver Gowe, a 6-5 freshman from Cedar Grove nicknamed "Cedar" by assistant coach Russ Tiedemann, was brought along slowly, but as the Titans swung into their last western swing around the conference Ver Gowe was ready and from that time on played a great relief role for the Titans. The quiet, but unassuming "Cedar" played well in appearances in Kansas City and White said Monday, "He probably would have been a starter on any other team and we hope he'll make another trip or two to Kansas City."

There are many stories that remain to be written about this year's Titan team, but this story about the records it set probably best relates why and how it accomplished what it did.

Athletic Director Eric Kitzman, former Titan coach and a coach who took Menasha to the Wisconsin high school state championship commented, "It's the greatest team I've seen. They came through more often in the clutch that most."

Kitzman should know, he took his '59–'60 team to the NAIA meet in Kansas City.

For most, WSU–O President Roger E. Guiles expressed the feeling for the team best when he said Monday at the pep rally, "We were more proud of you (White) and your team than we could ever say, but after all, we can say that we know you all personally."

SENATE—*Thursday, April 4, 1968*

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O merciful God, whose law is truth and whose statutes stand forever, we beseech Thee to grant unto us, who seek Thy face, the benediction which a sense of Thy presence lends to each new day. Unite our hearts and minds to bear the burdens that are laid upon us.

In these days of tension and crisis, as we gird the might of the Nation, and that of our allies, to defend threatened liberties, may we take care to strengthen the spiritual foundations of our democracy. Open our eyes to see a glory in our common life with all its sordid failures, and in the aspirations of men for better things and for a fairer world—which, at last, must burn away every barrier to human brotherhood as Thy kingdom comes and Thy will is done in all the earth.

We ask it in the Redeemer's name. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, April 3, 1968, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on Agriculture and Forestry and the Committee on the Judiciary be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider nominations on the Executive Calendar.

The PRESIDENT pro tempore. Without objection, it is so ordered.

POST OFFICE DEPARTMENT

The bill clerk read the nomination of John H. Johnson, of Illinois, to be a member of the Advisory Board for the Post Office Department.

The PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

POSTMASTERS

The bill clerk proceeded to read sundry nominations of postmasters.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. CANNON, from the Committee on Armed Services:

J. William Doolittle, of Illinois, to be an Assistant Secretary of the Air Force.

By Mr. STENNIS, from the Committee on Armed Services:

William K. Brehm, of Michigan, to be an Assistant Secretary of the Army.

By Mr. PEARSON, from the Committee on Armed Services:

Randolph S. Driver, of Pennsylvania, to be an Assistant Secretary of the Navy.

By Mr. BYRD of Virginia, from the Committee on Armed Services:

Barry James Shillito, of Ohio, to be an Assistant Secretary of the Navy.

Mrs. SMITH. Mr. President, from the Committee on Armed Services, I report favorably the nominations of five general officers of the Army to be placed on the retired list, and two Army National Guard officers for promotion as Reserve commissioned officers in the grade of major general.

I ask that these names be placed on the Executive Calendar.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The nominations are as follows:

Brig. Gen. Joseph Mark Ambrose, and Brig. Gen. LaVern Erick Weber, Army National Guard of the U.S. officers, for promotion as Reserve commissioned officers of the Army;

Gen. Dwight Edward Beach, Army of the United States (major general, U.S. Army) to be placed on the retired list, in the grade of general; and

Lt. Gens. William White Dick, Jr., Army

of the United States (major general, U.S. Army), Robert Hacket, Army of the United States (major general, U.S. Army), Lawrence Joseph Lincoln, Army of the United States (major general, U.S. Army), and Edgar Collins Doleman, Army of the United States (major general, U.S. Army), to be placed on the retired list, in the grade of lieutenant generals.

By Mr. FULBRIGHT, from the Committee on Foreign Relations, without reservations:

Executive L, 90th Congress, first session, Protocol of amendment to the Charter of the Organization of American States (Exec. Rept. No 1).

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

CONTROL OF THE ALEWIFE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1054, S. 2123.

The PRESIDENT pro tempore. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 2123) to provide for the control of the alewife and other fish and aquatic animals in the waters of the Great Lakes which affect adversely the ecological balance of the Great Lakes.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce with amendments on page 2, line 2, after the word "pseudoharvengus", insert "smelts"; at the beginning of line 9, insert "smelts"; at the beginning of line 14, insert "smelts"; in line 16, after the word "alewife," insert "smelts"; in line 17, after the word "stocking," strike out "and"; in line 18, after the word "alewife," insert "smelts,"; in line 19, after the word "animals," insert "and the removal of dead alewives from water and beach areas;"; and on page 3, line 7, after the word "alewife," insert "smelts"; so as to make the bill read:

S. 2123

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, because of the fact that the ecological balance of the Great Lakes has been disrupted, the Secretary of the Interior is authorized, for purposes of conserving and protecting the fish resources, combating water pollution, and promoting and safeguarding water-based recreation for present and future generations, in the waters of the Great Lakes, to cooperate with, and provide assistance to, the States in controlling the alewife (known biologically as "alosa pseudoharvengus"), smelts, and other fish or aquatic animals which affect adversely the ecological balance of the Great Lakes.

SEC. 2. In carrying out the purposes of this Act, the Secretary of the Interior, in cooperation with the States, is authorized (1) to conduct, directly or by contract, such studies, research, and investigations, as he deems desirable, to determine the abundance and distribution of the alewife, smelts, and other fish or aquatic animals which affect adversely the ecological balance of the Great Lakes and their effects on other fish or aquatic animals, pollution, and water-based recreation within the Great Lakes; (2) to conduct, directly or by contract, studies of control measures of the alewife, smelts and other such fish and animals; (3) to establish and carry out, based on studies made pursuant to this Act, programs relating to controlling the alewife, smelts, and other such fish and animals, stocking, the development of industrial or other commercial uses of the alewife, smelts and other such fish and animals, and the removal of dead alewives from water and beach areas; and (4) to take such other actions as he deems desirable in carrying out the purposes of this Act. The costs of any study, research, investigation, program, or other action conducted or carried out in accordance with the provisions of this Act shall be borne equally by the Federal Government and by the States, acting jointly or severally.

SEC. 3. The Congress hereby consents to any compact or agreement between any two or more States entered into for the purpose of carrying out a program of research, study, investigation, or other action relating to the control of the alewife, smelts and other fish and aquatic animals which affect adversely the ecological balance of the Great Lakes. The right to alter, amend, or repeal this section or the consent granted herein is expressly reserved.

SEC. 4. Nothing in this Act shall be construed to alter, amend, repeal, modify, or diminish the present general authority of the Secretary of the Interior to conduct studies, research, and investigations related to the mission of the Department of the Interior.

SEC. 5. There is authorized to be appropriated not to exceed $5,000,000 for the Federal share of the costs involved in connection with any study, research, investigation, program, or action conducted or carried out in accordance with this Act.

The amendments were agreed to.

Mr. GRIFFIN. Mr. President, at one time Benjamin Franklin wryly observed:

> Fish and visitors smell in three days.

When visitors smell, we are likely to grin and bear it; after all, tourism is the second most important industry in my State. But the smell of decaying fish we cannot stand.

Mr. President, I doubt that very many people other than marine biologists were ever aware of the existence of alewives until a few years ago. Now, I doubt that there is a single summer visitor or year-round resident in the Great Lakes region who is not familiar with the sight—and the smell—of this tiny fish which has thrown nature's scales so far out of balance.

In the summer of 1967, the alewife problem really came to a head. Southern Lake Michigan was hit by the worst alewife die-off in history. Millions upon millions of dead fish were washed ashore, to decompose and rot on the beaches.

In Chicago, residents watched while more than 500 truckloads of dead alewives were hauled from the city's beaches.

The impact on the tourist and resort industries was very serious; there was an estimated $55 million loss in tourist revenues to Michigan alone.

S. 2123 was introduced on July 17, 1967, by Senator NELSON, of Wisconsin; it was cosponsored by 10 other Great Lakes Senators, including Senator HART and myself.

The bill seeks a long-range solution to the alewife menace in the Great Lakes. It would authorize the Secretary of the Interior to assist States in the effort to control the alewife.

Significantly, the legislation would give recognition to existing State programs aimed at control of the alewife.

Some of these programs seek to turn the alewife into a commercial resource.

Others, such as the Michigan program, aim at effective control by stocking the lakes with predatory game fish, such as salmon and trout. Such a program would not only control the alewife, but would also provide a significant boost to sport and commercial fishing in the Great Lakes. It could add millions of dollars to the economy of the Great Lakes region.

However, in order to step up planting rates in the lakes, there is a need for hatcheries capable of producing some 30 million yearling trout and salmon. A lack of funds is the major problem hindering full-scale implementation of this significant program.

While the proposed legislation is aimed at finding long-term solutions for the alewife problem, we cannot overlook the immediate practical problem which confronted Great Lakes States last summer: how to clean up and dispose of millions of dead alewives when they wash up on the beaches.

As reported by the Committee on Commerce, S. 2123 includes an amendment inserted at my suggestion, which would specifically permit funds authorized by the legislation to be used in programs to remove dead alewives from beach and water areas.

The Michigan Department of Conservation has estimated that the cost of removing alewives from Michigan beaches in 1968 will run more than $800,000.

Mr. President, all indications point to an alewife die-off this summer as great as last summer's disaster. A broad, effective attack upon the alewife menace is urgently required, and S. 2123, if enacted, can be an essential part of such a program.

I, therefore, wish to reiterate my support for the pending bill and to urge its passage by the Senate.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1072), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to seek return of the ecological balance of marine life in the Great Lakes, and to authorize the Secretary of the Interior to cooperate with, and provide assistance to, the States in conducting research toward control of those species which presently adversely affect that balance.

In carrying out the purposes of the act, the Secretary of the Interior is authorized to conduct or contract studies to determine abundance and distribution of species which presently adversely affect the Great Lakes ecological imbalance. Further, the Secretary is authorized to study control programs and also to carry them out as dictated by the research results.

All costs authorized by this act shall be borne equally by the Federal Government and by the States, acting jointly or severally.

Consent for State's compact or agreement to assist in achieving the purposes of the act is granted by the Congress. The act does not alter or diminish the present authority of the Secretary of the Interior to carry on the mission of the Department of the Interior.

An appropriation of not more than $5 million for the Federal share of the costs involved is authorized.

BACKGROUND AND NEED

The alewife problem in the Great Lakes, and more specifically in Lake Michigan, has assumed considerable magnitude. A major portion of the fish population in Lake Michigan, according to biological estimates, consists of alewives.

As a result of the tremendous die off which occurred in the summer of 1967, local, State, and National attention has been focused on the matter.

The Merchant Marine and Fisheries Subcommittee of the Senate Committee on Commerce held field hearings at Muskegon, Mich., and East Chicago, Ind., in early August 1967, at which time a considerable record of witness testimony was made attesting to the great economic loss caused by these die-offs.

The tourist and recreational industry has suffered from reservation cancellation, as well as the expense of attempting to clean up the beaches and adjacent water areas.

Representatives of communities bordering Lake Michigan testified regarding the stench from these dead fish on the beach, noting that many homes in the vicinity were vacated during the summer season. Great Lakes industries, particularly representatives from steel mills, told the subcommittee of the extreme expense they incurred in keeping water intakes clear of dead fish in an effort to avoid a complete shutdown.

The Secretary of the Interior announced in December of last year that the severe situation of 1967 could recur in the spring and summer of 1968. Preliminary estimates at the Ann Arbor, Mich., Laboratory indicate that the number of young this year is as large as the early apparent peak in 1964 which produced most of the fish in the massive 1967 die-off. Great Lakes alewives became particularly susceptible to die-off when 3 or 4 years old.

It appears quite evident from testimony presented that the alewife die-offs will continue in Lake Michigan, as they have for many years in Lakes Ontario and Huron, as long as alewife remains the dominant species.

The committee has also been made aware of a considerable problem with dead smelt on the beaches of Lake Erie, which threatens the tourist industry in the same general manner as evident on Lake Michigan.

The title was amended, so as to read: "A bill to provide for the control of the alewife, smelts and other fish and aquatic life in the waters of the Great Lakes which affect adversely the fish resources and ecological balance of the Great Lakes."

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BYRD of Virginia in the chair). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE MEMPHIS RIOT AND THE PROPOSED MARCH ON WASHINGTON

Mr. BYRD of West Virginia. Mr. President, last Friday, March 29, in remarks on this floor relative to the plans of Rev. Martin Luther King, Jr., to bring hordes of agitated poor people to the Nation's Capital later this month in a program of harassment aimed at the Congress of the United States, I urged that the Federal Government seek a court order to restrain this man from going through with any such futile but provocative performance.

I advocated injunctive action because of the rioting which occurred in Memphis, Tenn., and which was directly precipitated by Martin Luther King's ill-timed action in leading a march of striking garbage workers in a demonstration there. One person was killed, many were injured, and untold property damage was done as a result of the incitement produced by King's words and movements.

I do not believe that Congress, or any of the agencies of the Federal Government, or the government of the city of Washington, or the residents of the District of Columbia wish to see a repetition of the Memphis rioting and destruction here. I believe that it can happen, however, if King is permitted to go through with his dangerous plans.

The city officials of the city of Memphis apparently agree with this belief, insofar as their own city is concerned, for they have now gone into the Federal District Court in Memphis and secured a restraining order, enjoining King and his associates from the further marching and demonstrating which King had planned to undertake there.

I applaud this action, and I reiterate my belief that similar action should be taken by the Justice Department.

King, who believes in obeying only those laws which he finds convenient to obey, has said characteristically, however, that he will not obey the court order in Memphis, and that the additional demonstration which he has planned will be undertaken on next Monday. If he goes ahead with his plans, of course, he will place himself in open defiance of law and order.

Mr. President, today's New York Times, contains a United Press International story from Memphis giving details of the court action and King's announced plans to defy it.

I read an extract from the article, and I quote Dr. King:

> "We are not going to be stopped by Mace (chemical spray) or injunctions or any other method that the city plans to use," Dr. King said.
>
> Dr. King said the injunction, or temporary restraining order, was a basic "denial of First Amendment privileges."

I ask unanimous consent that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

COURT BARS MARCH IN MEMPHIS; DR. KING GOES AHEAD WITH PLAN

MEMPHIS, April 3.—A Federal judge issued an order today barring the Rev. Dr. Martin Luther King Jr., from leading a 6,000-man march in Memphis next Monday, but the civil rights leader promptly announced that he would ignore the order.

"We are not going to be stopped by Mace [chemical spray] or injunctions or any other method that the city plans to use," Dr. King said.

Dr. King said the injunction, or temporary restraining order, was a "basic denial of First Amendent privileges."

City officials sought the injunction in view of the violence that flared last Thursday when Dr. King led an earlier march. One person was killed, 62 were injured and 276 arrested in the aftermath of that demonstration.

National labor leaders and hundreds of other outsiders were expected to join the march on Monday.

In issuing his temporary restraining order, United States District Court Judge Bailey Brown barred Dr. King, his aides, and "all nonresidents acting in concert" with them from "organizing or engaging in a massive parade or march in the city of Memphis."

Dr. King said that his aides in the Southern Christian Leadership Conference had met the local militant youths he blames for Thursday's violence.

"We feel we have this under check," he said. "Those who got out of hand the other day have now been talked with sufficiently to guarantee that nothing will take place in terms of violence."

Following the city's third day without major violent incidents, more than 4,000 National Guardsmen were sent home today with the understanding that they could be recalled on 24-hours notice.

The marches are in support of the city's 1,300 striking sanitation workers, who are seeking pay raises and an end to alleged discrimination.

The forthcoming demonstration was originally scheduled for Friday, but it was switched to Monday to allow labor forces and other civil rights leaders to join in.

In New York, Bayard Rustin, leader of the 1964 march on Washington, and Victor Gotbaum, an official of the American Federation of State, County and Municipal Employes, said more than 6,000 persons from throughout the nation were expected to converge on Memphis and march from the Clayborn Temple African Methodist Episcopal church to city hall at noon Monday.

Their comments came before the injunction was issued.

Mr. Gotbaum said he expected more than 1,000 persons from New York, and that others would come from every major city in the United States.

"We are confident that this march will be massive and nonviolent and completely successful," he said.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the Speaker had affixed his signature to the enrolled bill (H.R. 13042) to amend the act of June 20, 1906, and the District of Columbia election law to provide for the election of members of the Board of Education of the District of Columbia.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMATHERS:

S. 3280. A bill for the relief of Dr. Jose M. Leon; to the Committee on the Judiciary.

By Mr. CARLSON:

S. 3281. A bill to amend subchapter III of chapter 83 of title 5, United States Code, relating to civil service retirement; to the Committee on Post Office and Civil Service.

By Mr. HART:

S. 3282. A bill for the relief of Lun-Han Tang and his wife, Yi-Hsien Tang; to the Committee on the Judiciary.

By Mr. ELLENDER (by request):

S. 3283. A bill to authorize the Secretary of Agriculture to cooperate with the several Governments of Central America in the prevention, control, and eradication of foot-and-mouth disease or rinderpest; to the Committee on Agriculture and Forestry.

By Mr. METCALF (for himself and Mr. MANSFIELD):

S. 3284. A bill to authorize the Secretary of the Interior to construct the West Bench unit of the Missouri River Basin project, Montana, in accordance with the Federal reclamation laws, and to provide for the modification of the excess land provision of the Federal reclamation law as it applies to irrigable lands of the West Bench unit and in the drainage area above Canyon Ferry Dam, Mont.; to the Committee on Interior and Insular Affairs.

By Mr. SMATHERS:

S. 3285. A bill for the relief of Mr. Fausto Soler-Amor; to the Committee on the Judiciary.

By Mr. RIBICOFF:

S. 3286. A bill for the relief of Miss Marie Arcache and Miss Verdun Arcache; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS OF BILLS

Mr. BIBLE. Mr. President, I ask unanimous consent that, at its next printing, the name of the senior Senator from New Hampshire [Mr. COTTON] be added as a cosponsor of my bill (S. 2951) to determine the authority of the States to control and manage fish and wildlife within their territorial boundaries.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Mississippi [Mr. EASTLAND] be added as a cosponsor of the bill (S. 3088) to provide certain essential technical and marketing assistance to the U.S. fishing industry.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Georgia [Mr. TALMADGE] I ask unanimous consent that the Senator from Michigan [Mr. HART] be added as a cosponsor of the bill (S. 3268) the Honey Promotion and Research Act of 1968.

The PRESIDING OFFICER. Without objection, it is so ordered.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, April 4, 1968, he presented to the President of the United States the following enrolled bills:

S. 109. An act to prohibit unfair trade practices affecting producers of agricultural products, and for other purposes;

S. 172. An act for the relief of Mrs. Daisy G. Merritt; and

S. 1580. An act for the relief of John W. Rogers.

CHINA: RETROSPECT AND PROSPECT

Mr. METCALF. Mr. President, the University of Montana Foundation recently established the Maureen and Mike Mansfield endowment, in honor of the majority leader, who is still on leave from his teaching duties at the university in Missoula, and Mrs. Mansfield. The purpose of the Mansfield endowment is to establish educational projects and a continuing series of lectures in international relations, in recognition of my distinguished colleague's notable and continuing work in the field. The endowment is funded by contributions from the University of Montana Foundation, individuals, organizations, and corporations. The lectures will bring eminent foreign relations authorities to the university for public lectures, student seminars, and discussions, and will provide youngsters with close association with international leaders. The lectures will be published.

The endowment appropriately invited Senator MANSFIELD to deliver the first lecture. He delivered it on Friday, March 29.

Senator MANSFIELD's lecture is a searching, far-ranging commentary on our China policy. As we here well know, this is an area of special competence for Senator MANSFIELD. He served in the Far East in his military career, taught Far Eastern history at the university and, during more than a quarter of a century in Congress, has represented Presidents and Congress in factfinding trips to the Far East.

Senator MANSFIELD suggests, in his lecture, that a fresh look be taken at United States-China policy. A reading of his incisive address is the most appropriate way for each of us to begin our own reevaluation of that policy. I would hope that thousands of Americans across the country, especially students, also have the opportunity to benefit from a historic statement by a leading scholar whose words are heeded and respected throughout the world.

Mr. President, I ask unanimous consent that Senator MANSFIELD's lecture be printed in the RECORD.

There being no objection, the lecture was ordered to be printed in the RECORD, as follows:

CHINA: RETROSPECT AND PROSPECT

(Lecture by Senator MIKE MANSFIELD, sponsored by the Maureen and Mike Mansfield Endowment (the University of Montana Foundation), at the University of Montana, Missoula, Mont., March 29, 1968)

Viet Nam is heavy on the heart of the nation. The Vietnamese war is a tragedy. It is a tragedy in the American lives which it claims. It is a tragedy in the death and devastation which, in the name of salvation, it has spread throughout Viet Nam.

My views on United States policy respecting Viet Nam are no secret. I have stated them, restated them, and elaborated them many times. I have cautioned against an ever-deepening military involvement in that conflict. I am opposed to any increase in it today. I believe that the way out of a barbarous situation is not to go further into it.

The first step towards peace, in my judgment, is to concentrate and consolidate the U.S. military effort and to escalate the peace-effort, looking towards the negotiation of an honorable end of the conflict.

That, in brief, is the way I feel about Viet Nam. That is the way I have felt about it for a long time. The President knows it. The Senate knows it. Montana knows it.

What I have to say to you, today, touches only indirectly on Viet Nam. My remarks are intended to go beyond Viet Nam to what may well be the roots of the war. In this first lecture of the series on international affairs, I wish to address your attention to what is the great void in the foreign relations of this nation—to the question of China.

As a nation, we have lived through a generation in only heresay association with a third of the entire human race. At the inception of this void, we were engaged in a costly and indecisive conflict in Korea—on China's northeast frontier. Two decades later, we are engaged once again in a costly and indecisive conflict, this time on China's southeast frontier. These two great military involvements on the Chinese periphery are not unrelated to the absence of relevant contact between China and the United States.

Sooner or later a tenuous truce may be achieved in Viet Nam even as a truce was achieved in Korea. In my judgment, however, there will be no durable peace in Korea, Viet Nam, or anywhere else in Asia unless there is a candid confrontation with the problems of the Sino-U.S. relationship.

China needs peace if the potentials of its culture are to be realized. This nation needs peace for the same reason. In this day and age, the world needs peace for civilized survival. You young people have the greatest stake in peace. For that reason, I ask you to look beyond Viet Nam, behind Korea, to what may well be the core of the failure of peace in Asia—to the U.S.-Chinese estrangement of two decades.

In 1784, Robert Morris, a signer of the Declaration of Independence, sent the first American clipper ship to trade with China. The year that President George Washington took the oath of office, 1789, fourteen American ships were riding at anchor in the Pearl River off Canton in South China.

There are no American ships in Chinese ports today. There have not been for almost twenty years. In twenty years, hardly an American doctor, scientist, businessman, journalist, student, or even a tourist has set foot in China.

Across the Pacific Ocean, we and the Chinese glare at one another, uncomprehendingly, apprehensively, and suspiciously. In the United States, there is fear of the sudden march of Chinese armies into Southeast Asia. In China, there is fear of a tighter American encirclement and American nuclear attack.

We see millions of Chinese soldiers poised on China's frontiers. We see leaders who threaten in a most violent way. We see an internal Chinese turmoil to confirm our fears of irrationality and recklessness. Finally, we see a growing nuclear power, with the looming spectre of a full-fledged Chinese intercontinental ballistic missile force.

On the other hand, the Chinese see themselves surrounded by massive American military power. They see U.S. naval, ground, and air bases scattered through Japan, Korea, Taiwan, Okinawa, Guam, the Philippines, and Thailand. They see over half a million American troops in neighboring Viet Nam and hundreds of thousands more nearby. They see tremendous nuclear capability with missiles zeroed in on Chinese cities.

They see the United States as "occupying" the Chinese island of Taiwan and supporting a Chinese government whose declared aim is the recapture of the mainland. And they see, too, what they describe as a growing collusion between the United States and the Soviet Union, a country which they believe infringes China's borders, threatens to corrupt the Chinese revolution and exercises an unwelcome influence throughout Asia.

We and the Chinese have not always looked at one another with such baleful mistrust. The American images of China have fluctuated and shifted in an almost cyclical way. There has been the image of the China of wisdom, intelligence, industry, piety, stoicism, and strength. This is the China of Marco Polo, Pearl Buck, Charlie Chan, and heroic resistance to the Japanese during World War II.

On the other hand, there has been the image of the China of cruelty, barbarism, violence, and faceless hordes. This is the China of drum-head trials, summary executions, Fu Manchu, and the Boxer Rebellion—the China that is summed up in the phrase "yellow peril."

Throughout our history, these two images have alternated, with first one predominant and then the other. In the eighteenth century, we looked up to China as an ancient civilization—superior in many aspects of technology, culture, and social order and surrounded by an air of splendid mystery. Respect turned to contempt, however, with China's quick defeat by the British in the Opium War of 1840. There followed acts of humiliation of China such as participation in extra-territorial treaty rights and the Chinese Exclusion Act of 1882.

Attitudes shifted again in the early twentieth century to one of benevolence largely in consequence of the influence of missionaries. There were more missionaries in China from the United States than from any other country. More American missionaries served in China than anywhere else in the world. The Chinese became, for this nation, a guided, guarded, and adored people.

Chinese resistance to the Japanese invasion in 1937 produced another shift from benevolence to admiration. At the end of the Second World War, admiration was displaced by disappointment and frustration, as the wartime truce between Nationalist and Communist forces collapsed in cataclysmic internal strife. This nation became profoundly disenchanted with China, a disenchantment which was replaced abruptly in 1949 by hostility.

The hostility was largely a reaction, of course, to the coming to power of a Communist regime on the Chinese mainland. We did not interpret this event as a consequence of the massive difficulties and the vast inner weaknesses of a war-torn China. Rather, we saw it almost as an affront to this nation. We saw it as a treacherous extension of the Soviet steam-roller policies which had reduced Eastern and Central Europe to subservience at the end of World War II.

Then, in 1948, came a Communist coup in Czechoslovakia and the Soviet attempt to blockade Berlin. The triumph of a Communist government in China followed immediately after these events in Europe. The nation was shaken to its fingertips.

Still, the press of events continued relentlessly. In June 1950, the North Koreans launched a sudden attack on South Korea. The Chinese forces intervened in the war in November of that year. The United States was brought into a major military confrontation in which, for the first time, the Chinese were enemies and not allies.

After these events, the assumptions of American policy towards China were revised. An effort was made to meet both the concern and outrage respecting China which existed in this nation and the revolutionary militancy of the new Chinese regime in Asia. Policy was cast anew on the premise that the government on the Chinese mainland was an aggressor which, subject to directions from Moscow, would use force to impose international Communism on Asia. Conversely, it was assumed that if the endorsement of the free nations were withheld, this regime which was said to be "alien" to the Chinese people—some sort of overgrown puppet of Moscow—would wither and eventually collapse.

On this basis, recognition was not extended to Peking. The official view was that the National Government, which had retreated to the island of Taiwan, continued to speak for all of China. We cut off all trade with the mainland and did what could be done to encourage other countries to follow suit. In a similar fashion, we led a diplomatic campaign year after year against the seating of the Chinese People's Republic in the United Nations. We drew an arc of military alliances on the seaward side of China and undergirded them with the deployment of massive American military power in bases throughout the Western Pacific.

Much has happened to call into question the assumptions in which these policies towards China have been rooted. In the first place, the People's Republic has shown itself to be neither a part of a Communist monolith nor a carbon copy of Soviet Russia. The fact is that, of the numerous divisions which have arisen within the Communist world, the differences between Moscow and Peking have been the most significant. They so remain today although the more rasping edges of the conflict appear somewhat tempered by the war in Viet Nam.

At the same time, the government on the mainland has not only survived, it has provided China with a functioning leadership. Under its direction, Chinese society has achieved a degree of economic and scientific progress, apparently sufficient for survival of an enormous and growing population and sophisticated enough to produce thermonuclear explosions.

In the last two years, the so-called Cultural Revolution in China has rekindled what has been a periodic expectation that the Peking government is on the verge of collapse and the way is open for a military return to the mainland of the National Government on Taiwan. There seems to be little doubt that the turmoil in China has caused serious disruptions. What appears in conflict in the cultural revolution, however, is not the Peking structure as such but the adequacy of its ideological content. That would be a far cry from the kind of popular revulsion which might be expected to open the doors to a new regime.

In any event, the worst of the upheavals within China appear to have ended months ago, without any irreparable break in the continuity of the government or the operations of the economy. It is the height of folly to envision, in the present situation, an occasion for the overthrow of the Peking government by external military pressures. Indeed, what would be better calculated to end, overnight, the remaining ferment on the mainland than a plausible threat to the security of China or an actual attack on Chinese territory?

If the People's Republic, then, is here to stay, what of the other assumption on which this nation's policy respecting China has long been based? What of the assumption that the Chinese government is an expanding and aggressive force? That it is restrained from sweeping through Asia because we have elected to meet its challenge along the 17th Parallel which divides the Northern and Southern parts of Viet Nam?

In recent years, the present Chinese government has not shown any great eagerness to use force to spread its ideology elsewhere in Asia although Chinese armies have been employed in assertion of the traditional borders of China. To be sure, China has given enthusiastic encouragement and has promised to support wars of national liberation. However, China has not participated directly in these wars and support, when it has been forthcoming, has been limited and circumspect.

In Viet Nam, for example, there is certainly Chinese encouragement and aid for the North Vietnamese and the Viet Cong. Chinese involvement, however, has been far more peripheral than our own. The enemy soldiers with whom we are compelled to grapple are all Vietnamese and, in fact, mostly South Vietnamese. At every stage of the war, the assistance we have provided to South Viet Nam has far exceeded the aid from China and from all outside sources to the Viet Cong and North Viet Nam—both in terms of men and materiel. There is Chinese equipment in South Viet Nam but there are no Chinese battalions. Even in North Viet Nam, Chinese manpower is reported to amount, at most, to one-tenth of our forces in Viet Nam, and the great bulk of these Chinese are labor troops, some involved in air-defense but most of them engaged in repairing bomb damage to roads, railroads, bridges, and the like.

Chinese actions in Tibet, and along the Himalayan frontier of India, are often cited as evidence of militant Chinese Communist aggression. The fact is, however, that Tibet has been regarded, for many decades, as falling within China's over-all boundaries. Not only the Peking government but also the Chinese National Government on Taiwan insists that Tibet belongs to China. India also acknowledges such to be the case. Indeed, American policy has never recognized Tibet as other than Chinese territory.

In the case of the border war with India in 1962, the Chinese Communists occupied territories which, again, not only they, but also the Chinese Nationalists, consider to be Chinese. It is not precisely characteristic of a militant expansionism, moreover, for a government to withdraw its military forces from a territory which they have invested. Yet, the Peking government did so from parts of India which were occupied in 1962 as well as from North Korea.

As for indirect aggression through economic means, China has been able to exert only a limited influence, either through aid or trade. In Africa and, indeed, in Southeast Asia, where attempts have been made to use trade and aid for political ends, the results have not been conspicuously successful. The fact is that most of China's trade today rests on a commercial-economic base. It is carried on largely with the non-Communist countries, including, may I add, many of our closest allies.

In short, to speak of China, today, as aggressively expansionist is to respond to Chinese words rather than Chinese actions. That is not to say that China will not pose all manner of threats tomorrow. If there are not enough nightmares already, consider the prospects when China's nuclear capabilities will have been extensively developed, along with a full-fledged intercontinental ballistic missile force.

Of course, there is an immense potential danger in China; but there is also an immense potential danger in every other powerful nation in a world which has not yet learned how to maintain civilized survival in a nuclear age except on the razor's edge. Insofar as China is concerned, the fundamental question for us is not whether it is a danger, real or potential. The fundamental question is whether our present policies act to alleviate or to exacerbate the danger. Do we forestall the danger by jousting with the shadows and suspicions of the past? Do we help by a continuance in policies which do little if anything to lift the heavy curtain of mutual ignorance and hostility?

Like it or not, the present Chinese government is here to stay. Like it or not, China is a major power in Asia and is on the way to becoming a nuclear power. Is it, therefore, in this nation's interest and in the interest of world peace to put aside, once and for all, what have been the persistent but futile attempts to isolate China? Is it, therefore, in this nation's interest and in the interest of world peace to try conscientiously and consistently to do whatever we can do—and, admittedly, it is not much—to reshape the relationship with the Chinese along more constructive and stable lines? In short, is it propitious for this nation to try to do what, in fact, the policies of most of the other Western democracies have already long since done regarding their Chinese relationships?

I must say that the deepening of the conflict in Viet Nam makes more difficult adjustments in policies respecting China. Indeed, the present course of events in Viet Nam almost insures that there shall be no changes. It is not easy to contemplate an alleviation with any nation which cheers on those who are engaged in inflicting casualties on Americans. Yet, it may well be that this alleviation is an essential aspect of ending the war and, hence, American casualties. That consideration, alone, it seems to me, makes desirable initiatives towards China at this time.

There are several obvious areas in which these intiatives would have relevance. Discriminatory restriction on travel to China, for example, is certainly one of these areas. The Chinese may or may not admit Americans to their country, as they choose. But it is difficult to understand why our own government should in any way, shape, or form seek to stand in the way of the attempts of American citizens to breech the great wall of estrangement between the two nations. It is, indeed, ironic that during the past three years there have been more visits of Americans to North Viet Nam, a nation with which we are at war, than to China in the past thirteen years.

On the question of travel, it should be recalled that the Chinese were the first to suggest in 1956 that American journalists visit China. The suggestion was summarily rejected by the then Secretary of State. When, later, it was decided to accept the suggestion, the Chinese had changed their minds. Since that time, this nation has been more inclined to ease the travel barriers, on the basis of official agreement for exchanges of persons, but the Chinese have shown no disposition to enter into agreements, or for that matter, to admit Americans on any basis.

In any event, it seems to me that it is in the positive interest of this nation to encourage Americans, if they can gain entry, to travel to China. May I add, I refer not merely to the travel of selected journalists, doctors, and other specialists, as is now the policy, but to the travel of any responsible American. In the same fashion, it seems to me most appropriate to admit Chinese travelers to the United States under the same conditions that pertain to visitors from other Communist countries.

Trade is another area in which long-standing policies respecting China are open to serious question. Technically, this country still maintains an embargo on all trade with China. The basis for this policy is compliance with a voluntary resolution of the United Nations which was adopted at our behest at the time of the Korean conflict. It is doubtful that the resolution ever carried much weight among the trading nations of the world. In any case, it has long since been forgotten. Today, the principal nations in the China trade in rough order of importance are the United Kingdom, Japan, the Soviet Union, West Germany, Australia, Canada, Italy, and France. Of all the great maritime nations, the United States alone clings to a total trade embargo with China. Moreover, we are also the only nation in the world which makes an effort to enforce what can best be described as a kind of secondary boycott of re-exported Chinese products.

These policies have had little visible economic impact, but they have had the most serious political repercussions. It is conceivable that, to the Chinese, the policies are something of an irritant. To friendly nations, however, they have been a source of constant friction. Most serious, their continuance over the years has injected unnecessary venom into the atmosphere of U.S.-Chinese relations.

Nor can it be said that the situation in Viet Nam has compelled the pursuit of the embargo and boycott. The fact is that these restrictions were in place before most Americans ever heard of Viet Nam, and, certainly, long before Americans became involved in the war. If the Vietnamese conflict is now seen as justification for leaving these policies undisturbed, what is to be said of the existing attitude toward trade with other Communist countries?

The fact is that the European Communists are providing North Viet Nam and the Viet Cong with sophisticated military equipment which, from all reports, exceeds in value the assistance which comes from China. On what basis, then, is it meaningful to permit and even to encourage non-strategic trade with the European Communist countries while holding to a closed-door policy on trade with China? What constructive purpose is served by the distinction? Any rationalization of relations with China, it seems to me, will require an adjustment of this dual approach. We need to move in the direction of equal treatment of all Communist nations in trade matters, whatever that treatment may be.

In any event, problems of travel and trade are secondary obstacles in the development of a more stable relationship between China and the United States. There are other far more significant difficulties. I refer, principally, to the question of Taiwan and to the war in Viet Nam.

There is no doubt that the Chinese government seeks in Viet Nam a government which is friendly, if not subservient. Peking has not concealed, moreover, its desire for the withdrawal of American military power from Southeast Asia. It does not follow, however, that the price of peace in Southeast Asia is either Chinese domination or U.S. military intervention. That is a black and white oversimplification of a gray situation. The fact is that neither Burma on China's border nor Cambodia have been "enslaved" by China, despite an association of many years, despite periodic difficulties with the great state to the north and despite an absence of U.S. support, aid, or protection. These two nations have managed to survive in a state of detachment from the power rivalries of the region. Furthermore, China is a signatory to the settlement which emerged from the Geneva Conferences of 1954 and 1962 and which contain at least a hope for a middle way to peace in Indo-China. So far as I am aware, the Chinese have not been found in direct or unilateral violation of these agreements. It is not impossible that a similar settlement, with Chinese participation, might be reached in Viet Nam.

Indeed, it is to be devoutly hoped that there can be a solution along these lines. Unless it is found, there is a very real danger—as the Korean experience shows—that the prolongation of war on China's frontiers may well bring about another U.S.-Chinese armed confrontation.

Perhaps the most important element in the rebuilding of stable relations with China is to be found in a solution of the problem of Taiwan. It may help to come to grips with this issue, if it is understood at the outset that the island of Taiwan is Chinese. That is the position of the National Government of the Republic of China. That is the position of the People's Republic of China. For a quarter of a century, this common Chinese position has been reinforced by the policies and actions of the United States government.

Since that is the case, I do not believe that a solution to the Taiwan question is facilitated by its statement in terms of a two-China policy, as has been suggested in some quarters in recent years. The fact is that there is one China which happens to have been divided into two parts by events which occurred a long time ago. Key factors in the maintenance of peace between the separate segments have been the interposition of U.S. military power in the Taiwan straits, and the strengthening of the National Government of China by massive injections of economic and military aid.

This course was followed by the United States for many reasons, not the least of which was that it made possible a refuge for dedicated allies and associates in the war against Japan. Most of all, however, it was followed because to have permitted the closing of the breech by a military clash of the two opposing Chinese forces would have meant a massive bloodbath and, in the end, the rekindling of another great war in Asia.

However, the situation has changed in the Western Pacific. Taiwan is no longer abjectly dependent for its survival on the United States. Some of the passions of the deep Chinese political division have cooled with the passing of time. Another generation has appeared and new Chinese societies, in effect, have grown up on both sides of the Taiwan straits.

Is there not, then, some better way to confront this problem than threat-and-counter-threat between island Chinese and mainland Chinese? Is there not some better way to live with this situation than by the armed truce which depends, in the last analysis, on the continued presence of the U.S. 7th Fleet in the Taiwan Straits?

The questions cannot be answered until all involved are prepared to take a fresh look at the situation. It seems to me that it might be helpful if there could be, among the Chinese themselves, an examination of the possibilities of improving the climate. As I have already indicated, the proper framework for any such consideration would be an acceptance of the contention of both Chinese groups—that there is only one China and Taiwan is a part of it. In that context, the questions at issue have to do with the dichotomous situation as between mainland and island governments and the possibility of bringing about constructive changes therein by peaceful means.

There is no cause to be sanguine about the prospects of an approach of this kind. One can only hope that time may have helped to ripen the circumstances for settlement. It is apparent, for example, that the concept which held the Chinese government on Taiwan to be the sole hope of China's redemption has grown less relevant with the years. For Taiwan, therefore, to remain isolated from the mainland is to court the risk that the island will be left once again, as it has been on other occasions, in the backwash of Chinese history.

The removal of the wedge of separation, moreover, would also seem to accord with the interests of the mainland Chinese government. It does have a legitimate concern in the reassertion of the historic connection of Taiwan and China. It does have a concern in ending the hostile division which has been costly and disruptive both within China and in China's international relationships.

From the point of view of the United States, too, there is an interest in seeking a less tenuous situation. Progress in settling the Taiwan question could contribute to a general relaxation of tensions in the Western Pacific and, conceivably, even to resolution of the conflict in Viet Nam. Certainly, it would make possible a reduction in the enormous and costly overall defense burdens which were assumed in Asian waters after World War II and which, two decades later, still rest on the shoulders of this nation.

To sum up, then, it seems to me that the basic adjustment which is needed in policies respecting China is to make crystal clear that this government does not anticipate, much less does it seek, the overthrow of the government of the Chinese mainland. In addition, there is a need to end the discrimination which consigns China to an inferior status as among the Communist countries in this nation's policies respecting travel and trade. Finally, it ought to be made unequivocal that we are prepared at all times to meet with Chinese representatives—formally or informally—in order to consider differences between China and the United States over Viet Nam or any other question of common concern.

Adjustments of this kind in the policies of the nation, it seems to me, require above all else a fresh perspective. We need to see the situation in Asia as it is today, not as it appeared twenty years ago in the Himalayan upheaval of the Chinese revolution. We need to see the situation not through the fog of an old and stagnant hostility but in the light of the enduring interests of the United States in the Western Pacific.

In this context we will better be able to find appropriate responses at appropriate times to the specific problems of the Sino-U.S. relationship, whether they have to do with U.N. representation or diplomatic recognition or the offshore islands or whatever. Without prior adjustment in perspective, however, to seek to deal definitively with these questions would be, to say the least, an exercise in futility.

I should emphasize before concluding that it is unlikely that there will be any eager Chinese responses to initiatives on our part. Nevertheless, I see nothing to be lost for this nation in trying to move along the lines which have been suggested. Chinese intransigence is no license for American intransigence. Our stake in the situation in the Western Pacific is too large for that sort of infantile indulgence.

I see great relevance in thinking deeply of the issues which divide China and the United States to see if they can be recast in new and uncluttered molds. There is every reason, especially for young people, to examine most closely the premises of policy regarding China which were enshrined almost two decades ago. The fact is that the breakdown in Chinese-U.S. relations was one of the great failures of my generation and it is highly doubtful that its full repair shall be seen in my lifetime. The problem, therefore, will fall largely to you. It is not a particularly happy inheritance, but there is reason to hope that it may fare better in your hands.

Unlike my generation, you know more about Asia. You have a greater awareness of its importance to this nation and to the world. In 1942, four months *after* Pearl Harbor, for example, an opinion poll found that sixty percent of a national sample of Americans still could not locate either China or India on an outline map of the world. Certainly that would not be the case today. Furthermore, you have not had the experience of national trauma in moving abruptly from an era marked by an almost fawning benevolence toward China to one of thorough disenchantment. You were spared the fierce hostilities which rent this nation internally, as a sense of warmth, sympathy, and security regarding China gave way to feelings of revulsion, hatred, and insecurity.

Your Chinese counterparts, the young people of today's China—they are called the "Heirs of the Revolution"—have a similar gap to bridge as they look across the Pacific. Your generation in China, too, has been contained and isolated, and its view of the United States has been colored with the hates of another time. It has had no contact with you or, indeed, with much of the world outside China.

On the other hand, those young people have grown up under easier conditions than the older generation of Chinese who lived their youth in years of continuous war and revolution. It may be that they can face you and the rest of the world with greater equanimity and assurance than has been the case at any time in modern Chinese history.

I urge you to think for yourselves about China. I urge you to approach, with a new objectivity, that vast nation, with its great population of industrious and intelligent people. Bear in mind that the peace of Asia and the world will depend on China as much as it does on this nation, the Soviet Union, or any other, not because China is Communist but because China is China—among the largest countries in the world and the most populous.

Mao Tse-Tung remarked in an interview several years ago that "future events would be decided by future generations." Insofar as his words involve the relationship of this nation and China, whether they prove to be a prophecy of doom or a forecast of a happier future will depend not so much on us, the "Old China Hands" of yesterday, but on you, the "New American Hands" of tomorrow.

COMPREHENSIVE REVIEW OF FEDERAL ROLE IN ATOMIC POWER PROGRAM IS ADVOCATED BY SENATOR RANDOLPH

Mr. RANDOLPH. Mr. President, on February 28, the distinguished Senator from Kentucky [Mr. MORTON] submitted a resolution to establish a select commission to undertake a comprehensive review of the Federal Government's part in the atomic energy electric power program.

Enough time has passed for Senators to at least begin to formulate their position on what to do about this resolution. For my part, I am ready to vote approval. I believe the evidence is incontrovertible that such a review as proposed by the resolution is needed and that appointment of a commission to undertake the review—including representatives of conservationists, power producers, consumers, and Members of the House and Senate—should be made without delay following approval of the resolution.

The nuclear power development program is a matter of vital concern to all of us. It is, after all, a creature of the Congress, having been organized with passage of the Atomic Energy Act of 1945. Changing conditions in world and national nuclear development warrant action by Congress to set up a review of the approach used since 1945 and to develop rational approaches for the future.

Granted that our Government had a particular interest in encouraging nuclear power development a score of years ago, does that interest or that responsibility still hold today? For safety measures and licensing of applicants to operate nuclear powerplants, the answer undoubtedly would be "Yes," but as to promotion and development of the nuclear power industry, in which our Government has been and still is engaged, serious questions can be raised. There are many opinions on this subject, and from many distinguished men. Why not listen to what these authorities have to say, compile their opinions, make a decision on how we should proceed in the future, and then follow that course. A comprehensive review should be helpful.

The review can consider that many problems in the field of nuclear power development—with emphasis on the economics of it and on safety. With regard to safety, Senator MORTON aptly pointed out the dangers that may face our Nation and the world for generations to come in the accumulation of radioactive, poisonous nuclear wastes that must accompany expanded operation of nuclear plants. I do not question the concern and care exercised by the Atomic Energy Commission in licensing these plants. I am sure the Commission members and staff are as careful as any of us would be in checking all possible recognizable hazards and in establishing rules and regulations to limit the danger and the possibility of leakage of these poisonous substances as much as is humanly possible.

But so serious as so awesome is the prospect of seepage of nuclear wastes into the outside world from their places of storage that one wonders whether we in this Congress—or in past Congresses that enacted nuclear power development legislation, or in Congresses yet to come—possess the right to gamble with the Nation's and the world's future and safety by continuing a program in which such dangers seem inherent.

But Congress undertook that responsibility years ago, when much less was known about the atom and its peacetime dangers. It is time to consider and decide what shall be done next.

It may be that nuclear power production potentially is the world's greatest industrial blessing—in efficiency, in avoidance of air pollution, and eventually in greatly reducing the cost of producing electricity for our mushrooming power needs. But much of this has yet to be proven and demonstrated.

In the past 2 years, however, orders for nuclear powerplants have risen sharply in number. Can it be that the utilities placing these plants on order for construction some time in the next several years are going too fast? Are they relying too much on Federal Government subsidized development and promotion that has painted a bright future for nuclear powerplants but has not yet completely demonstrated their utility, safety, and economy?

Even should nuclear power production prove an overwhelming success industrially and economically, there remains the question of the possible escape of radioactive poisons that are difficult to dispose of, and therefore must be stored underground with utmost caution for centuries to come.

Here I would like to cite the service performed by W. A. Boyle, president of the United Mine Workers of America, in calling attention to the shortcomings and potential hazards of nuclear powerplants. Mr. Boyle may be accused of having "an ax to grind" against nuclear power, inasmuch as the atom projected into the future, seems to be becoming a rival to coal in the production of electricity. But Mr. Boyle and his associates have studied the field of atomic energy with diligence and concern, as his speeches and articles demonstrate. And, far from being just a carping critic of the atom, he has substantial factual data and qualifications as a basis for expressing his concern.

But in addition to Mr. Boyle, there are other critics of the nuclear energy development programs. They, too, warn of the hazards that appear to be growing with the expansion of the use of nuclear power and of ways in which many people may be endangered. They pose the question of whether we are going too far too fast. They question the wisdom of proceeding at a pace beyond that called for by power needs when other fuels for meeting those needs—such as abundant coal—are available.

The economic impact of a healthy coal industry is manifestly clear. Wages paid in the production and transportation of coal in West Virginia in 1966, for instance, amount to more than $334 million. Another $298 million were spent that year to maintain operations, and a sum of almost $43 million were paid in taxes, other than Federal corporate taxes. Thus, for the year 1966 alone, the production and transportation of coal contributed a total of more than $675 million to the economy of West Virginia, statewide and locally. Employment was provided for nearly 50,000 men. Reserves of coal in West Virginia and the other coal-producing States are large enough, according to official Government estimates, to last for 1,500 years at present rates of usage.

In view of the role played by coal in our economy and in view of its vast reserves—compared to the small stock of uranium for nuclear plants—I sometimes wonder why we in Congress have not studied more carefully the nuclear power development program. But this still can be done comprehensively by a special commission, as Senator MORTON proposes.

Mr. President, let us consider the views of a few of the men, in addition to UMWA President Boyle, who have spoken and warned of what we may be facing as a consequence of nuclear power production.

Edward Teller, in a paper presented to the northeast New York section of the American Nuclear Society, raised some vital questions about breeder reactors. These are the type which, it is hoped, some day will produce nuclear fuel over and above that consumed, a process known as breeding.

For the fast breeder to work in its steady-state breeding condition, says Dr. Teller, there probably will be needed a half-ton of plutonium. In order for the process to work in a sufficiently large power-producing unit more than a ton of plutonium would be required, said Dr. Teller, and he added:

> I don't like the hazard involved.

He also said:

> I suggested that nuclear reactors are a blessing because they are clean. They are clean as long as they function as planned, but if they malfunction in a massive manner, which can happen in principle, they can release enough fission products to kill a tremendous number of people.

I mention briefly, inasmuch as Senator MORTON has discussed him in more detail, another expert source in this field—Dr. E. F. Schumacher, who drew new attention to his thoughts in the Des Voeux Memorial Lecture at Blackpool, England, last October. Although an economist, Dr. Schumacher spoke against deciding to build nuclear power stations on an economic basis alone. The attention of the layman, he said, has been captured by the atom bomb, although there is a chance it never may be used again. But, said Dr. Schumacher:

> The danger to humanity by the so-called peaceful uses of atomic energy is hardly ever mentioned.

Of all the changes "introduced by man into the household of nature," said Dr. Schumacher, large-scale nuclear fission is undoubtedly the most dangerous and profound. As a result, he said:

> Ionizing radiation has become the most serious agent of pollution of the environment and the greatest threat to man's survival on earth.

Dr. George L. Weil, now a consultant to industry in the nuclear field, has experience dating back to 1942 when he was on Dr. Enrico Fermi's team of scientists which achieved the first sustained nuclear chain reaction at the University of Chicago. In an address before the National Parks Association at the Smithsonian Institution in Washington last May, Dr. Weil warned that inevitably, as the nuclear industry grows, there will be more and more potentially lethal radioactive wastes to store and more and more chance of an accident. And he questioned whether one can equate with some possible economic advantage in the future the risk to which the public is exposed in the accumulation of radioactive wastes from nuclear plants.

But in addition to pointing to possible hazards posed to all of us and to future generations by mounting atomic wastes, Dr. Weil offers the thought that perhaps the Atomic Energy Commission has lost its usefulness as a promoter of commercial nuclear energy. It is time, Dr. Weil says, for the AEC to bow out of the commercial reactor business—in some phases of which private industry is advancing faster, and with its own funds, than is the Government with public funds. And it is time too, he said, for Congress to reevaluate the AEC's objectives and programs and the Government's role in the entire energy spectrum.

Here, Dr. Weil spoke, not for himself above, but for many others among us who believe that a new congressional look at the Government-subsidized and costly nuclear power development program is indicated. We do not set ourselves up as authorities in the field—but we do place ourselves in the role of questioners. Where is there a better place to initiate our questions than in Congress where the whole program began and where approximately $2 billion have been appropriated to promote nuclear energy development?

Our questions, naturally, revolve around the problems of cost of the program, particularly in these times of national budgetary difficulties; also, around the problem of atomic waste disposal, and other issues. What are some of these other issues or problems? Thermal pollution, for one. The Senate Public Works Committee already is concerned with this phase, and a subcommittee has begun an investigation. Place a new nuclear powerplant along a river or other body of water and what happens? Hot water released by the plant, after having been utilized in the plant's production scheme, so heats the river that the whole cycle of marine life can be upset.

This could possibly destroy whatever commercial fishing industry exists in the area, and certainly would damage potability and ruin sport fishing as well. As one Interior Department expert has put it:

> Damage is done to the whole delicately balanced ecology—of which the aquatic life is an important segment and a part of the food chain for man himself.

A rule of thumb in the nuclear industry is that two-thirds of all the heat generated by a nuclear reactor is lost to cooling water.

A report on a study by the Federal Water Pollution Control Administration stated that nuclear powerplants waste 2.5 units of heat energy for each equivalent unit of useful energy output. The study report, which was concerned with water pollution problems of Lake Michigan, was used early this year as the basis for discussion at a conference in Chicago called by the Department of the Interior and involving representatives of the Federal Government and four Midwestern States. Needless to say, attention of the conference was drawn to the threat of thermal pollution, or overheating of lake water, posed by the proposed construction of five more nuclear-fueled powerplants along the shores of Lake Michigan.

Another problem in nuclear energy development that must be considered is the scarcity of uranium, the fuel for nuclear fission processes. If the number of nuclear plants is to continue to expand as indicated by current planning, where is all the uranium fuel to come from? True, a boom in uranium prospecting has occurred in the Western United States. Claims numbering in the thousands have been staked in Wyoming, New Mexico, Utah, and Colorado. But can even this intensive drive for new sources of uranium ore meet the demand expected from fuel-hungry nuclear plants of the future? In addition, uranium producers are complaining about an $8 per pound ceiling placed by the AEC on enriched uranium. Thus, if uranium producers do not find it profitable to operate under such conditions, the stock of uranium is not likely to grow, no matter what the uranium prospectors find in their probings in the West. If a higher price is required to stimulate production of uranium, then the whole range of economics of the situation will be affected and nuclear power will be more costly to produce.

But, price ceiling difficulties notwithstanding, it appears that merely finding a sufficient amount of uranium for future needs is not very hopeful. Bearing this out are figures presented by the Canadian Nuclear Association at the recent annual conference of the Atomic Industrial Forum in Chicago. These figures showed that from the year 1973 onward the annual consumption of uranium throughout the non-Communist world will exceed production and, by 1980, there will be a foreseeable shortage of some 100,000 tons a year.

Suggestions have been made that there be importation of uranium to meet nuclear power needs for fuel. This appears unwise in view of the current balance-of-payments deficit. As a nation, we are in need of an inflow, rather than an outflow, of dollars. Since we already are importing foreign residual fuel oil at the rate of more than $600 million a year, importation of uranium could only add more to the unfavorable balance of payments.

The nuclear energy industry's longer range answer to the uranium shortage would be proliferation of breeder reactors—that is, the type of reactor which produces fuel on its own, and beyond its own needs. But how far away is this development? And can we be certain that it ever will be developed at all? The Westinghouse Corp. has announced that it hopes to have a practical fast breeder nuclear reactor ready for commercial operation in the early 1980's. That is still some time off. But it is, by the way, several years ahead of the target date of our Government's multimillion-dollar research and development program in this same field.

Meanwhile, the AEC is concerned with indications that the "breeder" of the future, if it ever is developed, may be much less efficient than previously envisioned. British scientists recently came up with some new theories of reactor physics which, if correct, indicate the breeder will have a much longer "doubling time" than is the AEC target. Doubling time is the time it will take a breeder reactor to produce as much plutonium for further nuclear power production as it consumes of its original fuel, uranium. Unless the breeder achieves a doubling time of less than 10 to 15 years it cannot do very much to alleviate the growing need for discovery of increasing amounts of uranium. The AEC says it will take 2 or 3 years of evaluation to determine whether the new figures produced by the British are correct. If the figures are correct, it would appear certain that utilities will be relying heavily on coal-burning powerplants a hundred years from now.

Concerning the Westinghouse effort in the breeder reactor field and the company's announcement that it hopes to have a breeder ready for commercial operation in the early 1980's, it would seem that a new Government approach is imperative. If the Westinghouse plans really are on the road to success in an independently developed program, the Government should step out of the nuclear development field altogether and leave the responsibility for further development to private industry, operating on its own funds rather than large Government subsidies. Again, we are not suggesting that the Federal Government abandon safety regulation or licensing of nuclear plant operations. But appropriation of hundreds of millions of dollars for direct development and promotion of the nuclear power industry is another matter.

This is one of the many questions that should be given full consideration if there is to be a special commission to review the Government's part in the entire atomic energy development program. Mr. President, it is timely for us to establish such a group. To delay a comprehensive review will merely permit the situation to worsen and our doubts to deepen concerning the fullest future safety and the best economic well-being of our citizens.

THE COURSE OUR COUNTRY IS TAKING

Mr. LAUSCHE. Mr. President, I recently received a magazine clipping in my mail that raises provocative questions about the direction our country is taking. I request unanimous consent that this article be inserted in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WE SEEM TO BE TURNING OUR BACKS ON EVERYTHING THAT MADE AMERICA GREAT

We pamper criminals and hamper police, when the police are all that save us from anarchy.

We spend billions to pay people not to work—when we need the workers, and haven't got the billions.

Devoted men in uniform spend their lives, underpaid and in jeopardy, fighting to keep our nation safe. Then, for political advantage, we sweep aside their gravest advice.

Companies which provide millions of the best-paying jobs in the world were built out of profits made by ambitious men who plowed those profits back, to make more. Now Government and unions call such men selfish, and tax and destroy the profits vital to tomorrow's jobs.

We spend billions to get to the moon, for some ridiculous "prestige", instead of using those billions to reduce our debt and make us safe and solvent again.

For voters at home we placate our enemies abroad and attack our friends (and *how* we need those friends!).

We concentrate more and more power in a central government (too often of little people) and so weaken the local governments—which are the very essence of democracy and freedom.

We spend billions for foreign aid and let prosperous foreigners who owe us billions spend *our* money to deprive us of *our* dangerously-needed gold.

Common sense used to be the outstanding trait of Americans. In Heaven's name, *what has happened to it?*

WARNER & SWASEY.

CLEVELAND.

THE POSSIBILITY OF A U.S. BASE BEING ESTABLISHED IN THE MEDITERRANEAN

Mr. PELL. Mr. President, I am concerned at what seems to be a developing climate of opinion sympathetic to a more formal involvement of the United States in the Mediterranean as a response to the spate of news stories that have discussed the expanding Soviet naval fleet and its alleged need for a Mediterranean base—specifically one in Algeria at Mers-el-Kebir, Mr. President, I believe there are two reasons why the Soviets would not seek to establish a base in the Mediterranean.

First of all, they have tried, so far as I can tell, to stay clear of being dependent on bases in the Mediterranean. This is also our own naval practice so that, in the event that we have to utilize our naval power, we will not be subject to any third country's good will or permission.

I have noticed, too, that although the Soviets have been in the area since World War II, they have only attempted once to set up a single base. That was at Albania, which they left in 1961.

There is a second reason, however, for the Soviets not to wish to have a base in the Mediterranean. That is, that it would directly undercut their propaganda concerning U.S. colonial bases overseas. We have a number of installations in the Mediterranean; and one which might be vulnerable is Wheelus Air Force Base in Libya. As we know, Libya is directly adjacent to Algeria and is currently subject to considerable pressure from Algeria, Egypt, and Syria. Thus, if the Soviets were in turn to utilize Mers-el-Kebir in Algeria, not only would their propaganda against foreign colonial bases be eroded, but the Libyan Government would be given a specific reason, which they could use to demonstrate to their own people, why Wheelus should be kept in their country; namely, to serve as a counterpressure against the increased Algerian strength represented by the Soviet naval base.

Consequently, it would seem, Mr. President, that, despite the speculation in the newspapers for the time being, the Soviets neither need nor desire to set up a formal base. This, of course, would not preclude them from using foreign facilities for refueling or for purposes of showing their flag—as we, ourselves, do.

Accordingly, I would hope that no one will utilize the current speculation with regard to the Soviet thrust into the Western Mediterranean as a rationale for the United States to set up bases in that area in an effort to beat the Soviets there. Moreover, I would hope that we would be cautious about letting such speculation be utilized as a further reason for the United States to increase its foreign aid or any other type of commitment there. We at this time are greatly extended all over the world and should be reluctant to take on any other commitments, except in a time of extreme national emergency.

LIMITATIONS OF THE SDR PLAN

Mr. BREWSTER. Mr. President, no one has been more adamant than I in support of the International Monetary Fund plan, approved last weekend, to create a new international monetary asset, special drawing rights.

I believe that it should be understood widely, however, that SDR are not a panacea for all of our international monetary problems. The creation of "paper gold" should be viewed as merely an interim step in the demonetization of gold, a move which temporarily calmed troubled waters, but which does nothing to counteract the deeply rooted difficulties emanating from a system of fixed exchange rates.

An editorial published in the Washington Post this morning pointed out that if we are to keep the fixed exchange rate system, there must be some "mechanism to accommodate large swings, swings toward both surplus and deficits, in the U.S. balance of payments." No such accommodating mechanism exists now, and none will be supplied by SDR. In the face of this situation, as the excellent Post editorial says, there should be no illusions about the limited scope of paper gold. There should also be no illusions about the desperate need to subject our adherence to monetary gold and the system of fixed exchange rates to the most detailed and objective scrutiny.

Mr. President, I ask unanimous consent that the editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

The SDR Plan

The plan to create Special Drawing Rights on the International Monetary Fund—"paper gold"—that was approved last weekend by nine of the ten negotiating countries may at some time in the future contribute to the orderly functioning of the international monetary system. But save for the body blow to confidence that would have resulted from a failure to reach an agreement at Stockholm, the SDR scheme does little to resolve the immediate problem which centers about confidence in the role of the dollar as the world's most widely used international currency. Indeed, in the light of history, the earlier decision of seven countries to move toward the demonetization of gold may prove more important than the agreement on SDR.

International financial institutions are not immutable, and the system of fixed exchange rates which centers about the dollar as a key currency is hardly an exception. It grew out of exigencies of war and may ultimately be replaced. But if it is to be reserved—and with the exception of France other countries appear committed to its preservation—there must be a viable mechanism to accommodate large swings toward both surpluses and deficits, in the U.S. balance of payments.

The absence of such an accommodating mechanism resulted in the decline of dollar confidence and the scramble for gold. And unfortunately, the void is not likely to be filled by SDRs. At this moment arrangements are in force under which the Federal Reserve can borrow nearly $9.36 billion from foreign central banks in the event that other currencies are needed to maintain fixed dollar exchange rates. Even on the optimistic assumption that the European surplus countries would permit SDRs to be created at the rate of $2 billion a year, the effective U.S. share would be $350 million per year accumulating to $1.75 billion by the fifth year, a fraction of what is now made available through central bank credit arrangements.

Moreover, in winning approval for the SDR plan, the United States made concessions that will severely limit access to conventional IMF credits, drawing rights in excess of a country's gold subscription that could overshadow the SDRs in quantitative importance. Under the new rules, an 85 per cent weighted vote will be required for access to credits as well as for raising the IMF country quotas. The new majority rules give the Common Market countries a veto if they vote together; and if they behave in the future as they have in the past, it will be difficult to expand the IMF facilities in line with the growth of world trade.

The SDR agreement is not likely to be activated before the end of 1969 and it is possible that events may by then nullify the objections raised here. A sharp and disruptive swing toward a U.S. payments surplus may cause the creditor countries to view monetary policy in a different light. Congress, in the interim, has little choice but to approve the SDR scheme. Under the straightened circumstances, it was probably the best agreement that could be negotiated. But there should be no illusions about its limited scope.

PRESIDENT JOHNSON'S HEROIC ACT FOR PEACE

Mr. McINTYRE. Mr. President, we are now a small, but perhaps significant, step closer to peace in Vietnam. I want to reiterate my conviction that President Johnson's heroic and selfless decision last Sunday will earn him the deepest respect of the American people.

As columnist Roscoe Drummond noted in a recent column: Lyndon Johnson has answered the question raised by John F. Kennedy in a way it has never been answered before.

> Ask not what your country can do for you—ask instead what you can do for your country.

Lyndon Johnson has answered that question in the cause of peace.

As Mr. Drummond said:

> LBJ has done his part—to the brim and overflowing. . . . He has put the cause of peace above the cause of Lyndon Johnson.

We must all hope and pray that the President and his advisers will find a way now to keep the momentum for peace going. We must support these efforts and join with the President in the prayerful hope that Hanoi will take the next, necessary step to get negotiations started.

The position of the President and of the Government is abundantly clear. We want peace with honor in Vietnam. And we shall make every human effort to attain this precious goal.

I ask unanimous consent that Mr. Drummond's provocative article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington Post, Apr. 3, 1968]

J. F. K.'s Inaugural Question Answered in Cause of Peace

(By Roscoe Drummond)

It was John F. Kennedy who asked the question which Lyndon B. Johnson has now answered as it has never been answered before.

On the day he became President, John Kennedy enjoined us to: "Ask not what your country can do for you—ask what you can do for your country."

It is a stirring, galvanic example Mr. Johnson has given by putting national unity ahead of his ambition to be vindicated at the polls and by removing partisan liabilities from his pursuit of an honorable peace in Vietnam.

But it is also a demanding example. What will be the answer of other political leaders, Democratic and Republican? What will they "do for their country?" How will they match the President's lead to restore "the unity of our people" at a time when peace in Vietnam may be within reach?

LBJ has done his part—to the brim and overflowing.

He has unilaterally deescalated the war by stopping the bombardment north of the DMZ and has thus said to his Vietnam critics: "We'll try it your way."

He has removed himself as the focus and magnet of divisive factions and forces in the Nation is an act of political selflessness unexceeded in American political history.

But Mr. Johnson's bold and cleansing act needs more than admiring endorsements and polite appreciation.

I do not suggest that anyone else get out of the presidential race; we've had enough of that, too much, perhaps. The question now is whether Senators McCarthy and Kennedy, Vice President Humphrey, Richard Nixon, and possibly newcomers will conduct their political campaigns in a manner to help unify the Nation so that Mr. Johnson's riskful initiative to get Hanoi to talk peace will have the best chance of success.

As long as the American people comprise a "house divided against itself" over the conduct of the war and the search for peace in Vietnam, Hanoi has had every reason to believe that the war was going to be won for them in the United States. It has had good reason to reject negotiation as long as the American people showed mounting evidence of division.

But now that Mr. Johnson has moved to de-escalate the war, the one most needed ingredient to strength the President's peace initiative is visible evidence by his critics—which Hanoi cannot mistake—that the President is speaking for a united and steadfast people.

Obviously this does not mean that the past critics of President Johnson—McCarthy, Kennedy, Nixon, Romney, Fulbright, Morse, or anyone else—should pretend that they are admirers of the President.

But if they are half as selfless as Mr. Johnson has proved to be, they will now help reunify the Nation so that North Vietnam will know beyond any doubt that the American peace initiative is an act of strength, not of weakness, and that to reject it will be imprudent in the extreme.

The first response from Kennedy, McCarthy, and others is most encouraging. They appreciate the magnamity and momentousness of Mr. Johnson's action and they undoubtedly sense that the great majority of Americans do not want anyone's political ambitions to mar it.

Hanoi may still reject it. Hanoi may still believe that conquest of South Vietnam on the battlefield is attainable and that it can continue to rely on disunity within the United States so that it won't have to negotiate.

We are now at the point where the political opponents of the President can contribute immeasurably to the success of his peace initiative. And the President is asking and will be getting no political advantage for himself. That is the vital asset of having removed himself from presidential politics. He has put the cause of peace above the cause of Lyndon Johnson.

THE SMITHSONIAN'S RITE OF SPRING ACTIVITY

Mr. PELL. Mr. President, museums ideally serve not as mere depositories for the relics of civilization, but as active institutions that reach out to enrich the lives of people. An excellent example of this kind of activity was the Rite of Spring, sponsored this past weekend on the Mall, in Washington, by the Smithsonian Institution.

As chairman of the Senate Subcommittee on the Smithsonian, I commend the Institution and its able Secretary, Mr. S. Dillon Ripley, for this imaginative use of the Smithsonian's resources. The Washington Post, in an April 3 editorial, described the Rite of Spring as a "glorious success."

Mr. President, I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

RITE OF SPRING

There may have been more delightful places for parents and their children last weekend than on the Mall, but surely there were not many of them. With a merry-go-round to ride on, a puppet show to watch, a dinosaur to slide on, a big balloon to go up in the air under, and thousands of little balloons to hold tight to, children of all ages romped in the sun and lounged on the grass.

It was just one more indication that the Smithsonian Institution has dropped that old, red brick image it once had and is playing a significant role in making the city vibrant as well as monumental. With the aid of the National Park Service, the Smithsonian's Rite of Spring was a glorious success. The Mall was alive and exciting and provided, for one brief moment, a sense of joy and serenity in a city and a world torn by strife and dissension.

UNITED COUNCIL OF WISCONSIN STATE UNIVERSITY STUDENT GOVERNMENT'S RESOLUTION ON DRAFT POLICY

Mr. NELSON. Mr. President, students in Wisconsin have expressed concern over the administration of the Selective Service Act. They are particularly interested in the Hershey memorandum which recommends the reclassification of students who participate in certain illegal activities. Accordingly, at the recent United Council of Wisconsin State University Student Government's meeting, a seminar was held to discuss the various student positions on this important issue.

The student representatives at this meeting passed a resolution worthy of the Senate's attention. I ask unanimous consent that the resolution, General Hershey's memorandum, and the letter to me be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

WISCONSIN STATE UNIVERSITY,
Superior, Wis., March 18, 1968.

Senator GAYLORD NELSON,
Senate Office Building,
Washington, D.C.

DEAR SIR: At the recent United Council of Wisconsin State University Student Governments meeting, the seminar on the "Hershey Memorandum" passed the enclosed resolution. I have also enclosed a copy of the minutes to give you an idea of how the course of discussion led up to the resolution.

It is hoped that the recommendations in this resolution will be considered as seriously as General Hershey's recommended policy concerning the reclassification of students who participate in illegal activities.

If you have any further questions concerning the resolution or the seminar, please feel free to contact me.

Respectfully,

GLENN A. BRAZELTON.

HERSHEY'S DRAFT MEMORANDUM

The seminar was called to order at 3:25 by Mr. Glenn Brazelton of WSU–Superior and began with a general statement by each school stating its general attitude toward Director Hershey's draft memo. The seminar arrived at several points with a discussion following and leading to another point of interest. In the approximate order of their discussion, the following points or questions were raised.

1. Quickly to surface was the question: Is a deferment a right or a privilege?

In 1967, Congress deemed a deferment to be not only a privilege but to be in the national interest for a student to finish his education. Now, the Hershey memo supplants the previous Congressional decision considering it a privilege only to be retained if the student lives up to his part of the bargain. He must study and not demonstrate. Implied is that good students do not dissent nor demonstrate.

2. Growing from this discussion was a question about the term, National Interest. What exactly is in the National Interest? Oshkosh stated that an academic deferment is in the national interest more so than being in the armed services. There was general agreement with this opinion. Peaceful dissension was also considered to be in the national interest. Mentioned were two peaceful demonstrations at River Falls and Platteville upon appearance of Dow Chemical recruiters. On the other hand, violent dissension, such as that which appeared at the Madison campus, was generally considered not to be in the National Interest, but the seminar voiced disapproval to the policy of retracting deferments from students involved in unorderly demonstrations. This led to the lengthy discussion of the following point.

3. Should the draft be used by the local board as a punishment for demonstrators?

The results of an informal poll of everyone present showed that the majority agreed that duty in the armed services is, though should not be used, as a punishment. This not only introduces into the service those who are against the system, but also attaches to it the title of punishment for lawbreakers.

Also during the discussion of punishment, two other issues were covered. One, that this form of punishment is a socially discriminating kind. The reclassification to 1A is a punishment unique to men between the ages of 18 and 24. Dr. Spock, for example, and persons of 1Y standing certainly do not receive the punishment of being reclassified 1A. The other issue was that demonstrators are punished twice. Once by the court and then again by Mr. Hershey. It was also noted that we can be punished three times through additional action under the present Student Conduct Code. During this discussion of punishment, the major objection to the Hershey memo was voiced. It follows in point 4.

4. Why should the question of guilt and settlement of punishment be put in the hands of the local board?

In this area, most agreed with River Falls that there is too much power given to the local boards where all evidence may not be available and an objective opinion is almost impossible. The seminar group agreed with Superior and Stevens Point that questions of guilt and punishment should be left to the courts. However, there was some dissent from Stout and Platteville representatives because the memo quite clearly stated that obstruction to selective service is a basis for reclassification and the student knows this in advance.

The chair now channeled discussion to answering the question, what can we do? First stated was the action taken by the Stevens Point Student Senate. A bill was passed which disapproved of the draft system, prohibited military recruitment, and made provision for letters stating such be sent to Director Hershey and President Johnson. Later, after a student vote, a similar bill was passed, but deleted the prohibition of military recruiters on campus. Oshkosh stated that the following four points at least should be included in any resolution passed by this seminar:

1. The replacement as a judge the local board by a court of law.

2. A provision that students do not receive the special punishment of reclassification.

3. A demand for uniformity in reclassification, whereby criminal acts as well as demonstrating receive just punishment.

4. A definition of what is illegal and could be a basis for reclassification.

Since time was growing short, it was decided to meet informally to decide measures to be included in any resolution so the next meeting would be facilitated.

A motion to adjourn by Tom Culbert was approved and the chairman adjourned the meeting at 4:45.

A RESOLUTION

Whereas General Hershey has seen fit to recommend that students who participate in illegal demonstrations be reclassified, and

Whereas we feel that the threat of reclassifications is being used in a punitive manner by the Selective Service System, and

Whereas we feel that any body being reclassified under the terms of this memorandum is being punished without due process, and

Whereas it is the duty of the courts, and only the courts, to determine the legality of an individual's activities.

Therefore be it resolved that the United Council of Wisconsin State University Student Governments go on record as strongly opposing the "Hershey Memorandum", and

Be it further resolved that the United Council of Wisconsin State University Student Governments urge that the Selective Service System reevaluate its present recommended policy as stipulated in the "Hershey Memorandum" of October 26, 1967.

DICKEY-LINCOLN POWER PROJECT—RESOLUTION OF PROVIDENCE, R.I., CITY COUNCIL

Mr. PELL. Mr. President, I invite the attention of the Senate to Resolution No. 140 of the Providence City Council, dated March 25, 1968, memorializing the Rhode Island congressional delegation to support the so-called Dickey-Lincoln power project in the State of Maine.

This imaginative project means a great deal to the citizens of my State, which has for so long been at a disadvantage when it comes to the high cost of electric power. I do hope that this expression of concern and support by the Providence City Council will not go unheeded.

I ask unanimous consent that the resolution be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION OF THE CITY COUNCIL 140

(Approved Mar. 25, 1968)

Whereas, it is the contention of proponents of the "Dickey-Lincoln Public Power Project", proposed to be located in the State of Maine, that New Englanders are charged and are paying up to one third more in the rate for electrical power than consumers in other sections of the Nation, and in fear of competition, utility companies in New England, are blocking the proposed project, to the apparent detriment of the consumers in the New England area, and

Whereas, the New England Labor Council, representing more than 850,000 members, is campaigning for congressional approval of federal funds for this project,

Now therefore be it resolved, that the Members of Congress from the State of Rhode Island are hereby memorialized to

endorse and support the campaign for federal funds for the "Dickey-Lincoln Public Power Project", which is proposed to be located in the State of Maine, and will be of benefit to all other New England State consumers, and

Be it further resolved, that upon the adoption and approval of this Resolution, the City Clerk is directed to transmit to each Member of Congress from the State of Rhode Island a duly certified copy.

Attest:

VINCENT VESPIA,
City Clerk.

ESTABLISHMENT OF SAUGUS IRON WORKS AS NATIONAL HISTORIC SITE

Mr. KENNEDY of Massachusetts. Mr. President, the extended and often complicated debate on the tax bill last week unfortunately overshadowed an important piece of legislation which I am pleased to note passed the Senate by a unanimous vote.

I refer to the final passage of a bill which establishes the Saugus Iron Works as a National Historic Site in my State of Massachusetts, a bill which now awaits the President's signature.

The Saugus Iron Works are located about 10 miles north of Boston along the Saugus River. They are largely a reconstruction, on the original foundations, of the first integrated iron works to operate in the United States. The works were in actual operation from 1648 to 1670 and produced the first metal implements for use by the early colonists.

The original Saugus Iron Works, as reconstructed today, consisted of a blast furnace, forge, a rolling and slitting mill, and other equipment which was operated by water power. The six water wheels which furnished the necessary power are still in place and in operating condition.

In addition to the works themselves, the ironmaster's house—an interesting example of early 17th century American architecture—is still standing and open to public inspection. The site also has a temporary museum which now can be expanded.

Mr. President, I was proud to sponsor legislation on the Saugus Iron Works in this session of Congress. For several years I have worked with my colleagues in the House and with civic-minded individuals who were deeply concerned that the Saugus Iron Works should be preserved for this and future generations to visit.

I would like to single out especially the contribution that has been made by Mr. J. Sanger Attwill, president of the First Iron Works Association, Inc., who has devoted so much time to improvement and development of the Saugus Iron Works and who was so helpful in the successful effort to establish it as a national site.

Through the years, all members of the First Iron Works Association have invested time and capital to maintain the works, and without their interest, the site which we recognize today would not have been preserved.

Representatives of the American Iron & Steel Institute were also extremely helpful, and I might point out that restoration and reconstruction of the Saugus Iron Works was accomplished originally through contributions of close to $1.5 million by the American Iron & Steel Institute.

I also want to mention that the citizens of the town of Saugus realized the need to maintain the iron works and passed a resolution supporting our Federal legislation at a town meeting 1 year ago.

Mr. President, the United States has a rich cultural and social heritage which we should vigorously preserve. For understanding of our past heritage makes us more interesting and productive citizens today and in the future.

The Saugus Iron Works represent a page out of the economic and social history of our Nation. They are the first integrated iron works in this country and were in operation way back in the middle 1600's.

The community of Saugus and other civic leaders have long realized the uniqueness of these works. I am delighted that the Congress of the United States also recognizes their historic importance.

It is appropriate indeed that the Saugus Iron Works should be established as a National Historic Site. And let me add that I certainly would urge my colleagues in the Senate and in the House of Representatives, along with other visitors who might be in Massachusetts, to stop off for a fascinating visit to this new National Historic Site.

NOMINATION OF ROBERT E. BENOIT TO BE POSTMASTER OF EAST GREENWICH, R.I.

Mr. PELL. Mr. President, I wish to urge Senators to support the confirmation of the nomination of Mr. Robert E. Benoit to be postmaster of East Greenwich, R.I.

I have known Mr. Benoit for many years and regard him as a good friend. Bob Benoit has been very active in civic affairs in the community and is highly respected throughout the State. He is presently the acting postmaster and has served in this position with integrity and propriety.

I can personally vouch for him. I know that his appointment as postmaster would be a credit to our postal system.

S. 3234 NEEDED TO STOP SLUMLORD'S ABUSE

Mr. PROXMIRE. Mr. President, I promised on Tuesday that I would comment on some of the specific abuses uncovered by Chris Lecos and Richard C. Vonier, of the Milwaukee Journal, which would be alleviated by the passage of S. 3234. But before doing so, I think I should make it absolutely clear that the vast majority of landlords in Milwaukee are not what we would consider slumlords. They do care for their property, and they do try to keep it in good repair. We must also understand that many of the problems faced in maintaining low rental property are caused by tenants.

However, in spite of all that, there are still far too many "landlords—men and women, whites and Negroes—who buy property cheap and milk it for its rents and income tax deductions while neglecting as many needed repairs as possible." The city of Milwaukee is cracking down on slumlords by intensifying the housing code enforcements of the health and building departments and the courts are cooperating by levying heavier fines against housing code violators, but the slumlords continue to hide large profits from taxation under the umbrella of the depreciation deduction allowed landlords under the Internal Revenue Code. S. 3234 would allow landlords who maintained their property to retain this tax advantage but would prevent slumlords, who did not spend the money necessary to maintain their property, from getting a tax benefit.

Lecos and Vonier found that—

> The heart of the inner core where housing conditions and slums are worst, has the highest concentration of absentee owners [which] has contributed to the areas deterioration because the absentee owner is frequently less inclined than a man in his own home to give property careful maintenance.

Although many of the landlords tried to keep their properties in good repair, many of the landlords, the slumlords, took many months to correct defects after they had been cited by the health or building departments. They took this time despite the fact that the law provides only 30 days in which to make the necessary repairs. They could do this because overworked inspectors could not make the necessary checks and the overcrowded court dockets prevented quick judicial action.

Most of the money being made from the slum properties studied by the Milwaukee Journal went into the pockets of a few large property owners. These men are so widely known that officials of the city health and building inspection departments who are responsible for enforcing the Milwaukee housing and building codes refer to them by their first name. These large, absentee owners are precisely the ones who benefit most from the depreciation deduction provided by the Internal Revenue Code. By various means they are able to hide large profits from taxation. They are also the ones with the knowledge and money to hire lawyers so that they can delay court action as long as possible and can present as strong a case as they possibly can so that when they are finally convicted, they will receive a minimal fine. But these are also precisely the persons who would be most likely to make necessary repairs if they were threatened with the loss of the depreciation deduction.

The passage of S. 3234 will hit at the persons who make the most money from slum properties, benefit the most from the depreciation deduction and who are most capable of making the necessary repairs. No longer would they be able to laugh at housing and building code enforcement efforts while walking to the bank with their large profits. Let us act now, before it is too late.

A MALAYSIAN VIEW OF VIETNAM

Mr. McGEE. Mr. President, in the wake of the reports about possible peace talks, or, to be more precise, talks about having peace negotiations, it is important that we keep our perspective on the Vietnam issue and remember that an end to hostilities alone will not suffice as an answer.

With peace must come assurances that the North Vietnamese and their Vietcong allies will stop doing what they are doing—trying to take control of the South. The importance of this is pointed up by the recent comments of Prime Minister Tunku Abul Rahman, of Malaysia, who told visiting newsmen recently that a North Vietnamese takeover would spell doom for Southeast Asia.

I ask unanimous consent to have printed in the RECORD an editorial published in the Washington Post, commenting about the Malaysian view of the war in Vietnam.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Apr. 3, 1968]

A MALAYSIAN VIEW

A cry of anguish from Malaysia surely will jolt thoughtful Americans who have a parochial and insular preoccupation with South Vietnam as a situation apart from the rest of that region of the world.

Prime Minister Tunku Abdul Rahman last week told visiting Australian and New Zealand journalists that a North Vietnamese takeover would spell doom for Southeast Asia. He said: "If the Americans for some reason decided to give up this war in Vietnam and the North decided to take over the South, then it will be the end of us all."

Not many in the United States are talking about just "giving up" in South Vietnam and fewer are advocating openly a Communist North Vietnam takeover. But whether the Premier's fears are justified or not, they make it clear that we are dealing with a crisis that will affect and influence the fate of most of the countries of Southeast Asia, and perhaps of all South Asia.

The Premier, in case of American withdrawal, foresees trouble in Malaysia and in Thailand. And he grimly conceives of the war as arraying the Soviet Union and China against the United States and the West. This may be putting the Vietnam crisis in its most apocalyptic frame, but it is a Southeast Asian view that cannot be lightly dismissed.

Neither can anyone lightly dismiss the Premier's thoughtful conclusion that a Communist-non Communist South Vietnam government will not work. He has had as much experience with Asian communism as any statesman in the region and his credentials as an interpreter of both Asian communism and the reactions of Asians to it are pretty good.

If South Vietnam does indeed have the larger significance that the Tunku gives it, two broad conclusions logically derive from his views. One is that the resistance to a North Vietnamese takeover deserves a lot more support from the rest of South Asia than it has had. The second is that the ultimate solution probably lies outside the immediate theater of conflict in Vietnam in a broader world-wide or regional Asian accommodation.

BERSERK GUNMAN KILLS SIX

Mr. DODD. Mr. President, not every man who has crossed the border of sanity into the blind madness that ends in mass killings has his deeds so widely told that the public actually knows he took his gun, shot to death a half dozen imagined enemies, and wounded a couple or three more.

Only mass killers in the league of Charles Joseph Whitman of the Austin Tower, or Howard Unruh of Camden, N.J., infamy really command enough attention to fan public interest into doing something about madmen, known criminals, juveniles, narcotic addicts, and others having unlimited access to an unlimited arsenal.

And that still small flame of legitimate interest in public safety, that wholesome demand for sane firearms laws is quickly immersed, and quieted by a flood of criticism unleashed by sportsmen groups, trade associations, and others beholden to private firearms interests.

There was a mass killing in Ironwood, Mich., on March 17, according to a story on page 15 of a local paper, the Washington Post, on March 18, 1968.

This is a story of six persons who were shot to death and three others who were critically wounded by a "frenzied man" who roamed this Upper Peninsula community with a high powered rifle before being subdued by a patron of the town tavern.

Mr. President, my colleagues may want to hear about this type of "berserk" and wanton killing with a high powered rifle as they consider the forthcoming amendments to the Federal firearms laws.

I ask unanimous consent that the article be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Mar. 18, 1968]

WOODSMAN IN MICHIGAN GOES BERSERK, KILLS SIX

IRONWOOD, MICH.—Six persons were shot to death and three others critically wounded by a "frenzied man" who roamed this Upper Peninsula community with a high-powered rifle before being subdued by a patron of the town tavern.

The shootings occurred Saturday night within a two-hour span at two residences and the tavern in nearby Ironwood Township.

Eric Pearson, 56-year-old janitor at a nearby ski lodge, was arrested and charged with the slayings.

Gogebic County Sheriff Chester J. Prebish said Pearson had been drinking heavily and was incoherent when captured at the tavern, where one man was slain and one woman wounded.

The tavern was the last stop on the rampage. The slayer first visited a modern, one-story home about a mile from the tavern. There, four persons, including a mother and her daughter, were killed in the living room.

A 12-year-old girl, trying to hide in her bedroom closet, was wounded when a bullet was fired through a door. A trail of blood was left throughout the home.

The killer then went to another home, killing one man and wounding the man's wife. The next stop was the tavern, Hautala's Bar. "He just walked in the door and started shooting. He didn't say a word," said one customer who declined to be identified.

He said another bar patron, John Niemi, picked up a beer bottle and hit Pearson on the head. Pearson crumpled to the floor and the sheriff's office was called.

Pearson was charged with "being responsible for the deaths of these people," reported Gogebic County Prosecutor Jerome C. Nadolney.

Sheriff's deputies were investigating reports that Pearson had been dating one of the slain women. A widower who stands 6 foot 1 and weighs about 200 pounds, Pearson lived in a cabin on the rugged shores of Lake Superior.

The four died at the home of Vienna L. Gustafson, 41. They included Mrs. Gustafson, her mother, Sally Johnson, 61; Katherine Rigoni, 59, of Ironwood, and Daniel E. Weiss, 67, of Lansing. Mrs. Gustafson's 12-year-old daughter, Robin, was critically wounded.

The gunman then went to the home of Raymond Hautala, where Hautala was slain and his wife, Lempi, 61, was wounded. Hautala owned a gas station across from the tavern, the gunman's next stop, and was the brother-in-law of the tavern's owner.

At the tavern, Rudolph Maurin, 56, of Ironwood, was slain and Mrs. Axel Puisto, 47, of Ironwood, was wounded critically.

THE EXCISE TAX BILL

Mr. TOWER. Mr. President, I would like to have the opportunity to clarify my position in support of the tax proposal that passed the Senate on April 2, 1968.

Basically, this bill provides for a 10-percent surtax, a sizable reduction in Federal expenditures, and a continuation of the present Federal excise tax rates. It also calls for corporations to speed up the installment payments on their estimated income taxes. This latter provision will place corporations on a pay-as-you-go system which will be more in line with the present procedure individuals are required to follow whereby they must pay estimated taxes as they earn their income.

The most important aspect of the bill is that the Senate has called for massive reductions in the expenditures scheduled to be spent by the Federal Government during the 1969 fiscal year.

Our present Federal financial dilemma requires that we do all that we possibly can at this time to put our financial house in order. Latest estimates on the Federal budget indicate that we will have a mammoth deficit of perhaps $19.8 billion during this current fiscal year 1968—the largest we have had since the years of World War II. During the fiscal year 1969, it is expected to decline to $10 billion, but only assuming that the President's tax recommendations embodied in this bill, plus the 10-percent tax surcharge, are adopted this year.

This legislation deferring these scheduled Federal excise tax reductions and accelerating corporation income tax payments hopefully will not exert too great a hardship on the persons and business firms which are affected by it. At the same time, it will save our Government an estimated $1.1 billion in revenues durin 1968 and possibly $3.1 billion in the fiscal year 1969.

I realize that much more is needed to close this huge gap between Federal income and outgo, but this bill does at least represent a step in the right direction of bringing the Federal budget more into balance.

Much as we all deplore the imposition of higher taxes, I believe that the 10-percent tax surcharge must also be temporarily imposed if we are to return to a course of fiscal responsibility.

Even enactment of these tax provisions will not be enough. No, in addition to these tax measures, there must also be a determined effort to pare down all

Federal spending programs which are not absolutely essential for our national security and defense. Our servicemen are giving their very lives to keep our commitments in Vietnam. We here at home must also be willing to face up to our responsibilities and to seek by every means possible to eliminate wasteful and low-priority domestic expenditure programs. The profligate spending policies which have been pursued for years are responsible for the present financial crisis which faces us. Such spending policies must end.

With our public debt soaring to greater heights every day, it is only fair that we meet our own obligations rather than burdening our children and our grandchildren with any further addition to our huge public debt. As of March 22, 1968, our gross public debt had climbed to $351.2 billion. Some idea of the magnitude of this amount may be derived from the fact that this was more than the Federal Government spent for all purposes during the first 154 years of its existence—from 1789 to 1943. And the interest charges which must be paid each year on this debt are enormous, amounting to an estimated $13.5 billion during this current fiscal year 1968. Interest payments represent the third largest category of spending in our Federal budget. Only our national defense and health, labor, and welfare programs will cost more in 1968 than will the interest we pay on this debt.

Therefore, it is imperative that we take whatever action necessary to avoid any further addition to this public debt.

Failure to do this is to court disaster. Already we are harassed by a mounting spiral of inflation which threatens to undermine the stability and strength of the U.S. dollar. Such inflationary pressures can only be dampened by temporary tax increases and reduced Federal spending. And inflation falls with particular severity upon low-income individuals and the aged living on fixed incomes who find that their dollars buy less and less of the necessities of life.

A continued policy of deficit financing of the present magnitude will compel the Federal Government to increase its borrowing to pay its obligations. This will generate an increased demand for credit, which added to the credit which is already sought by individuals, businessmen, and State and local governments will simply send interest rates climbing further. If we do not act quickly, home buyers and small proprietors will soon be squeezed out of the credit market.

Action is also needed now to prevent any further deterioration in our balance-of-payments situation. Otherwise, rising prices will make imports from abroad increasingly attractive, and at the same time our exports will tend to fall off as our own domestic goods become more expensive, making them less competitive in world markets.

Already our trade surplus—which is the main plus element in our balance of payments—is declining rapidly. Some attribute much of the recent sharp decline to the action taken by the British last November in devaluating the pound sterling. Responsible fiscal action by our Government will help to reverse this decline in our trade surplus. We will thereby be able to compete more effectively in the world market, and our Nation can continue its efforts to help other small nations struggling to remain free.

Following the British devaluation of the pound, wild speculation took place in the gold markets, and as a result our gold reserves have been dropping sharply. The international banking community, and indeed, the entire world are looking to us to take action which will restore confidence in the dollar and in the international monetary system.

For the above-mentioned reasons, I supported the recently passed tax bill. But I believe we must go beyond this measure and adopt those tax and expenditure policies which will enable us to live within our means. Such action will demonstrate to the world that we too are willing to tighten our belts and make whatever sacrifices may be necessary to bring greater stability to our national economy and to the international monetary system.

AP'S JEAN HELLER DOES PUBLIC GREAT SERVICE WITH ARCHITECT STORY

Mr. PROXMIRE. Mr. President, a few days ago I read into the Record a story published in the New York Times which detailed how one firm of architects—DeWitt, Poor & Shelton—has a virtual monopoly on Capitol Hill work. The story, which was written by Miss Jean Heller of the Associated Press Washington bureau, reported that eight out of nine contracts for construction on Capitol Hill have gone to members of this firm.

Miss Heller's story disclosed that the Assistant Architect of the Capitol, Mario Campioli—one of the men who advises Congress on new building on the Hill—worked for two of the seven partners of DeWitt, Poor & Shelton before resigning to take his present job.

When I placed Miss Heller's article in the Record on March 20, I neglected to mention her name and to commend her for the intensive research which brought this story to light. She has performed an important public service. As a member of the Subcommittee on Legislative Appropriations of the Committee on Appropriations, which appropriates funds for Capitol construction, I plan to explore carefully the disclosures she has made.

Miss Heller is a member of the new Washington task force of the Associated Press, which was organized just a year ago and is headed by Ray Stephens. The task force, made up of 10 able AP reporters, was organized, in Mr. Stephens' words, "to dig for information hidden beneath the surface of government, or obscured in the rush to cover the flood of news from around the world."

I invite the attention of other Senators to the article published in Editor & Publisher for March 30, 1968, about this remarkable new AP team, and I ask unanimous consent that it be printed in the Record:

There being no objection, the article was ordered to be printed in the Record, as follows:

[From Editor & Publisher, Mar. 30, 1968]

AP Team of 10 Taps a Rich Vein of News

Washington.—Ten Associated Press reporters are now assigned to its "Washington Task Force." This was organized a year ago "to dig for information hidden beneath the surface of government—or obscured in the rush to cover the flood of news from around the world," according to Ray Stephens, editor of the team.

Great care is taken to keep the operation as flexible as possible so that team members are able to cover spot news, Stephens said. There's one standing order: "If you're not writing, get out of the office, and don't come back empty-handed."

Stephens credits the team with these recent stories:

Political favoritism in the granting of Small Business Administration disaster loans to flood victims in Alaska.

One firm of architects had a virtual monopoly, eight of nine major contracts, in Capitol Hill's construction boom.

A secret report from the chief of a U.S. government mission concluding that there are not enough honest Vietnamese officials to ever clean up that country's graft-ridden government.

DOLLAR DRAIN

How the U.S. government, struggling to overcome a balance of payments deficit, contributes $600 million a year to its own dollar drain by paying port charges on free food shipped abroad.

How the Internal Revenue Service, sometimes through its own inefficiency, permits some taxpayers to negotiate reductions in tax liabilities.

A detailed report of the outlines of the Riot Commission's recommendations days before they were officially released.

Members of the AP Washington team are: Donald M. Rothberg, Jean Heller, Gaylord Shaw, Harry Kelly, Frank Carey, Joseph E. Mohbat, Harry F. Rosenthal, Dick Barnes, Austin Scott and Garven Hudgins.

Carey is a science writer and Hudgins specializes in education. None of the other eight has a specific area of responsibility, Stephens said, although assignments are made with individual interests and knowledge in mind.

For example, Scott, who has covered 11 major riots, keeps in constant touch with civil rights developments, Shaw watches the military establishment, and Barnes watches the economy.

Rothberg came up with the team's most recent special report, telling about the $2 million bonus in crop subsidies paid to five companies that control cane sugar production in Hawaii.

AN INDIAN'S ATTITUDE TOWARD EDUCATION

Mr. FANNIN. Mr. President, last week it was my privilege to conduct field trips to various Indian reservations in Arizona in behalf of the Indian Education Subcommittee. I regret very much that the schedule for these trips had already been postponed and rescheduled several times and came during a very busy time in the Senate. However, facts and testimony were elicited which will prove most helpful as we seek the answers toward improving Indian education.

One of these field trips was to the large Papago Reservation west of Tucson, Ariz., where, in moving terms, a young Papago girl, a student attending the Indian Oasis High School near Sells, Ariz., by the name of Marion Antone, stated her deep feelings about the education of her people. Her testimony is the most succinct and lifting expression of the Indian's attitude about education I have ever heard. I was so moved by her speech that I invited her to present this testimony before the subcommittee's formal hearing in Flagstaff, Ariz., on March 30, 1968. When she ended her statement, the audience gave her a thunderous standing ovation.

Mr. President, I ask unanimous consent that her statement be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

> Members of the Senate committee, honored guests, parents, and fellow students, I have been asked to come before you this day to represent high school boys and girls on this reservation. I am supposed to be able to tell you what we the Papago boys and girls of the high school age want for educational opportunities.
>
> Realizing that I cannot possibly speak the minds of all my fellow students I will attempt to tell you how I feel and I am sure that most other Papago boys and girls must feel.
>
> First of all I want to make it extremely clear that we do not like our present position of poverty and ignorance caused by the lack of educational opportunities. We do not want charity—we do want—opportunity. We want the opportunity to help ourselves. We want the opportunity for good education and we can help ourselves.
>
> To me education means more than a diploma. Many of our people have had diplomas from high school. Many of these same people were not educated.
>
> During the entire history of our Papago people, less than 10 people have graduated from college, so I am told by Mr. Ray Narcho.
>
> Gentlemen, does this tell you anything? Some people have said that the Papago people are dumb, some people said that the Papago people don't care, I care. I am not dumb and I don't believe that any other boys and girls on this reservation are anymore dumb or care any less than children anywhere.
>
> What is this education about which I speak?—I do know that it has something to do with knowledge. We need knowledge. We need knowledge about ourselves, about our country and about how to do things like all other Americans.
>
> Education cannot be bought with money—education cannot be bought with dedication. It can be bought by all of the things I just mentioned.
>
> Money has been too often used as a measurement of educational opportunity—not far from this spot you can see a new school building being built. As you travel over this reservation you can see many other school buildings—the old saying, "a house doesn't make a home" applies here—buildings do not make schools.
>
> It is true that we need these buildings but we also need more dedicated teachers who believe in us. We need leaders who seek our opinions. We need leaders who respect us.
>
> We do appreciate what others have tried to do especially on the national level. But we cannot tell other people what is best for them anymore than they can tell us what is best for us.
>
> I am sorry that I cannot tell you just what our schools should be like. I do not have the experience. I do know that all of us want an opportunity to become whatever we desire—limited only by our abilities.
>
> Give us these opportunities and we will give you in return—responsible, productive American citizens instead of wards of the United States Government.

MORE MEMBERS OF THE HOUSE URGE SENATE TO RATIFY HUMAN RIGHTS CONVENTIONS

Mr. PROXMIRE. Mr. President, on January 15, 1968, Representative Herbert Tenzer, of New York, submitted House Resolution 1020 which "makes it the sense of the House of Representatives that the United States should ratify the convention on the prevention and punishment of the crime of genocide; the convention concerning the abolition of forced labor; the convention on the political rights of women; and the convention concerning freedom of association and protection of the rights to organize.

I once again congratulate the distinguished gentleman from New York [Mr. Tenzer] for his initiative and assistance in the continuing fight to win Senate ratification of these human rights conventions.

Representative Tenzer has been joined in his efforts by many of his colleagues who have either cosponsored his resolution or introduced substantially similar resolutions.

I wish to list these distinguished Members of the House and to congratulate them for their significant contribution to the fight for human rights:

Mr. Halpern, Mr. Gilbert, Mr. St. Onge, Mrs. Green of Oregon, Mr. Matsunaga, Mr. Rees, Mr. Ottinger, Mr. Walker, Mr. Scheuer, Mr. Brown of California, Mr. Button, Mr. Ryan, Mr. Eilberg, Mr. Farbstein, Mr. Long of Maryland, Mr. Rodino, Mr. Bingham, Mr. Gude, Mr. Brasco, Mr. Conyers, and Mr. Fulton of Pennsylvania.

I thank these 22 Members of the House for their deep commitment to the cause of human rights and once again urge the Senate to act on these conventions.

PRESIDENT JOHNSON REPORTS PROGRESS IN ATTACK ON APPALACHIAN PROBLEMS—EMPHASIZES EXECUTIVE ORDER TO UNIFY FEDERAL EFFORT TO HELP REGIONS

Mr. RANDOLPH. Mr. President, President Johnson has transmitted to Congress a report published in the Record of April 2, 1968, which underscores and explains the progress being made in helping the Appalachian region and its people in the purposeful objective of seeking and achieving economic parity with the prosperous Nation of which it is really an important part. Appalachia, we should note, is a region with an 18 million population.

The second annual report of the Appalachian Regional Commission, and the President's letter of transmittal to the Congress emphasize the challenge for further action to meet the requirements and to advance the cause of the region. A careful reading of the Appalachian report will provide a better understanding of the program being developed through a uniquely viable partnership among Federal, State and local governments.

This creative partnership recognizes, as the Commission report phrases it, "that need does not respect State lines, and poverty does not stop at the boundaries which separate communities."

The key to ultimate success of the program which was evolved through long and careful studies under executive branch auspices, and equally careful legislative hearings and deliberations, will be found in assisting the 11 States—or portions of them—of the Appalachian region to attract and hold more private enterprise than has heretofore been attracted. Industry and expanded commerce are the real keys to jobs, payrolls, and self-respect for many workers of Appalachia who are underexposed to such opportunities and the better life which these opportunities afford.

Although full achievement of our goal is still being sought, there is a partial realization in Appalachia and other underdeveloped and equally definable regions. The past 2 years have been marked by a significantly important and productive beginning. There have been mistakes, but they have been the products of human frailties; there has been progress, the product of human perseverance, diligence, and desire to achieve.

In and for Appalachia, programs have been developed to improve health care, to upgrade education—particularly, vocational education—to restore land productivity, and to make our region more accessible to the affluent country all around it. But there must be more effort expended on, more financing applied to, and more dedication of purpose ascribed to the developmental highway aspects of the Appalachian and other regional programs. These are not "the roads up isolated hollows in mountain country," as too many inadequately informed persons seem to identify them. Rather, they are the highways of moderate design—not at Interstate Highway System standards, however—which provide new or better links for underdeveloped corridors within the region to connect with the main stream of commerce and industry. These highways, within Appalachia especially, must be developed at a more accelerated rate. It places a large financial burden on States to provide matching funds, but the States and their people must respond if their desires for a better transportation network are not to be sidetracked. We face this decision in West Virginia and I have confidence that the people's answer will be affirmative and forthright to a bond issue to be on the ballot on election day in November.

The importance of the highway phase of the Appalachian regional development program is clearly delineated in the commission report. And, as the President wrote in his transmittal letter to Congress, through these corridor developments "we are providing access to opportunity."

Moreover, President Johnson, calls attention to an Executive order he signed on December 28, 1967, which he said "will increase the strength and efficiency of our partnership for economic regional development." He pointed out that under the order, "the Secretary of Commerce will provide effective liaison between the Federal Government and our six regional commissions," including Appalachia.

"Our work," the President declared, "has just begun."

But, Mr. President, our faith in these programs has been justified by the renewed hope—and new opportunity—provided our people. We must not slacken our efforts.

CONCLUSION OF MORNING BUSINESS

Mr. MANSFIELD. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

LIMITATIONS ON VEHICLE WEIGHT AND WIDTH ON THE INTERSTATE SYSTEM

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1005, S. 2658.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. Calendar No. 1005, S. 2658, a bill to amend section 127 of title 23 of the United States Code relating to vehicle weight and width limitations on the Interstate System, in order to make certain increases in certain limitations.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Public Works, with amendments, on page 2, line 8, after the word "pounds" insert "including tolerances"; in line 10, after the word "of" strike out "thirty-six" and insert "thirty-four"; in the same line, after the word "pounds" insert "including tolerances"; in line 13, after the word "weight" insert "including tolerances on a group of two or more consecutive axles"; after line 15 strike out:

$$``W=500\left(\frac{LN}{N-1}+12N+40\right)",$$

and in lieu thereof, insert:

$$``W=500\left(\frac{LN}{N-1}+12N+36\right)",$$

In line 18, after the word "weight" strike out "of the vehicle plus load, L= overall wheelbase or the distance in feet between the centers of the first and last axles in the vehicle or vehicle combination," and insert "on any group of two or more consecutive axles to the nearest 500 pounds. L=distance in feet between the extreme of any group of two or more consecutive axles," and in line 24, after the word "axles" insert "in the group under consideration"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, effective for fiscal years beginning after June 30, 1967, section 127 of title 23 of the United States Code is amended to read as follows:

"§ 127. Vehicle weight and width limitations—Interstate System

"No funds authorized to be appropriated for any fiscal year under section 108(b) of the Federal-Aid Highway Act of 1956 shall be apportioned to any State within the boundaries of which the Interstate System may lawfully be used by vehicles or combinations thereof with weight in excess of twenty thousand pounds including tolerances carried on any one axle, or with a tandem-axle weight in excess of thirty-four thousand pounds including tolerances, or with a width in excess of one hundred and two inches plus additional width necessary for safety devices and tire bulge due to loads, or with an overall gross weight including tolerances on a group of two or more consecutive axles in excess of that produced by application of the following formula:

$$W=500\left(\frac{LN}{N-1}+12N+36\right)$$

where W=overall gross weight on any group of two or more consecutive axles to the nearest 500 pounds, L=distance in feet between the extreme of any group of two or more consecutive axles, and N=number of axles in the group under consideration; or the corresponding maximum weights or maximum widths permitted for vehicles using the public highways of such State under laws or regulations established by appropriate State authority in effect on January 1, 1968, whichever is greater. Any amount which is withheld from apportionment to any State pursuant to the foregoing provisions shall lapse. This section shall not be construed to deny apportionment to any State allowing the operation within such State of any vehicles or combinations thereof that could be lawfully operated within such State on January 1, 1968."

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, for the information of the Senate, and with the indulgence of the distinguished Senator from Arizona [Mr. FANNIN], I wish to state that after the Senator from Arizona finishes his speech within the time limitation of 20 minutes, and after the Senator from Indiana [Mr. HARTKE] finishes his speech within the time limitation of 2 hours, the Senate will take up the pending business.

I thank the Senator from Arizona.

The PRESIDING OFFICER. Under the order previously entered, the Chair recognizes the Senator from Arizona.

SUMMARY OF COPPER STRIKE

Mr. FANNIN. Mr. President, the nationwide strike of the copper industry is over. One major company, Phelps-Dodge, is back in production and tentative settlements for most operations of the other three majors, Anaconda, American Smelting & Refining, and Kennecott are in the process of union ratification. It is inevitable that as new struggles develop in the labor-management arena, much of the story of the copper strike will be forgotten. It is a matter of great concern to me, however, as it should be to all who are worried about the increasingly chaotic state of labor-management relations in this country, that the lessons of this bitter dispute not be forgotten.

The two lessons of the copper strike are; first, that increasingly union leaders are seeking inordinate amounts of economic power; second, that existing statutes designed to halt national emergency work stoppages and avoid the crisis bargaining situations are ineffective.

The $8\frac{1}{2}$-month-long copper strike was accurately described by the New York Times as "an economic holy war; a more fundamental test of strength between big labor and big business than any postwar industrial conflict." The basic issue in the copper strike was not primarily the dollar and cents issue of wages and benefits. These settlements represent only a marginal improvement over the terms the workers could have obtained had they engaged in local bargaining to begin with.

From the strikers point of view, the settlements certainly do not justify the tremendous economic losses suffered in $8\frac{1}{2}$ months of being out of a job.

No, the purpose of the strike was not to obtain better economic conditions. The objective of the strike was, put simply, to impose industrywide bargaining on an industry which had traditionally bargained on the basis of local units.

Leaders of the powerful United Steelworkers of America directed the strike. They sought the objective through two techniques, both of questionable legality.

First, the 26 unions, representing copper workers, led by the Steelworkers Union, used the tactic of coalition bargaining. They formed a composite bargaining committee and insisted that the company deal with this group. To briefly reiterate what I have told the Senate in the past, coalition bargaining involves a combination of unions representing all the employees in a given company. They insist on negotiating jointly with the employer, and agree to refuse to settle for employees represented by one union until settlements have been reached covering all.

This approach was designed by Walter Reuther and his Industrial Union Department of the AFL-CIO as a means of strengthening the leverage of the labor movement. Coalition bargaining amounts to creation of a labor trust and needs to be dealt with in the same manner in which our laws forbid creation of industrial trusts.

Coalition bargaining is designed to strengthen and extend the power of union leaders over management. In addition since it centralizes authority at the top, it destroys the autonomy of local unions and the desires and rights of individual union members become increasingly submerged. Moreover, this process is of highly questionable legality since it attempts to unilaterally alter bargaining units established by agreement between the employer, the employees and the union, and certified by the National Labor Relations Board. Once employees choose their representative, that representative only should have the right and duty to represent the employees.

The second prong of the union thrust was the insistence on three preconditions for negotiations with the copper producers—that all contracts for all workers have substantially identical economic terms; that all contracts within a company expire on the same date; and that no settlements involving any operation within a company would be approved until settlements covering all operations had been achieved. The obvious aim of these preconditions was to achieve companywide settlements irrespective of the competitive positions of the numerous operations involved, including copper mining and smelting, copper refining, lead and zinc mining, and fabrication of wire, cable and brass.

Of particular importance to the union coalition was common expiration dates on all contracts. That would give the unions the power to shut down all operations of a given company simultaneously. If common expiration dates were achieved, not only within a company but within all major companies, that power would be expanded to cover the entire industry.

The insistence on these conditions by the union coalition also seems clearly to be illegal. By insisting on subjects outside the range of ordinary collective bargaining, the union coalition was refusing to bargain in good faith with the producers as is required by the Taft-Hartley Act. The illegality of the actions of the union coalition in this regard were subsequently recognized by the General Counsel of the NLRB. More about that later.

Mr. President, I started into this issue back in August of 1967 after it became apparent that the copper strike, going on since July 15, would seriously endanger the economy of several Western States, as well as ruin many mining families and communities.

I made speeches, introduced legislation, called the attention of the Senate and the administration repeatedly to the developing crisis in copper.

It soon became apparent first, that negotiations were deadlocked over the unions' companywide demands and that this work stoppage would have an immense impact on the national economy. Copper imports began to rise sharply to meet the needs of the country for the metal, including defense needs. The growth in imports increased an already serious adverse balance of payments.

It is now clear that the strike was tragedy for the copperworkers, since only a very few can ever recover their losses. Under the circumstances, those of us in Congress representing the affected areas urged the administration to invoke the emergency strike provisions of the Taft-Hartley Act. We were joined in this plea by most major newspapers, including such liberal publications as the Washington Post and the New York Times.

National concern over the economic effects of this strike has proven well justified. The U.S. News & World Report says that more than 50,000 copperworkers lost over $215 million in wages, the Federal tax loss was in excess of $100 million, and the balance-of-payments deficit increased by $375 million. The average individual copperworker lost approximately $4,500 in wages. It will take 9 years or more for him to recoup that loss.

The administration steadfastly refused through all this to seek a Taft-Hartley injunction. They claimed no national emergency existed. Instead, the administration sought to end the strike through an extralegal measure, the appointment of a factfinding board. This move created still more delay and further hardship.

The so-called Taylor Panel sought to compromise the differences between the producers and the union coalition. Its recommendations went far toward meeting the demands of the union coalition.

There was general astonishment, therefore, when the unions rejected this prolabor panel's report. Again, it appeared that the only solution was the invocation of the emergency provisions of Taft-Hartley. But, again, the administration refused to take the obvious step, since the strike leaders opposed Taft-Hartley. Hence, the last act was the protracted negotiations in Washington under White House auspices which yielded the present settlements.

From the beginning, the administration assisted the union leaders all that it could. In October 1967, the Kennecott Corp. charged that the attempt by strike leaders to force coalition bargaining constituted an unfair labor practice. Nothing happened for quite awhile, in sharp contrast to the action by the NLRB in 1966 when the Board moved swiftly to help the unions involved in an attempt to compel General Electric and the Union Carbide Co. to bargain companywide.

Finally, in February 1968, after the unions had almost contemptuously rejected the recommendations of the Taylor Panel, the General Counsel of the NLRB issued a complaint in the Kennecott case charging the unions with failure to bargain in good faith. Immediately, the President intervened. He summoned the parties to Washington for forced White House bargaining sessions which finally resulted in present agreements.

Several times these White House sponsored talks stalled. Cabinet-level officers proposed settlements to the companies that broke the administration's now forgotten wage guidelines to smithereens. By its very intrusion into the copper situation, outside the law, the White House gave one side, the union leaders, the industrywide bargaining framework they were seeking; and they must also share in the responsibility for managing the whole copper crisis in such a way that it will result in higher prices for copper products to every American consumer, and fewer jobs in the copper industry here at home.

I have little doubt that the wage and fringe benefit settlements very close to those finally agreed upon could have been reached without a strike, or with a relatively short walkout. The union leaders in my opinion, wanted this strike for reasons which had nothing to do with the welfare of the copper workers or the copper industry.

The leaders of the strike betrayed the copper workers, although I do not charge they did so intentionally. Yet, there are only about 40,000 copper workers in the Steelworkers Union, which has a membership of 1.1 million. The majority of union members are aluminum workers and steel workers, and ironically enough, both steel and aluminum are among copper's principal competitors. The officials of the Steelworkers Union have the satisfaction of knowing that even if the strike injured the entire copper industry, it helped the aluminum and steel industries.

The leaders of organized labor suffered a setback in their grab for more power. I hope that their ambition is thus satisfied for now. But I fear the leaders of organized labor view their setback as only temporary. Coalition bargaining will probably be tried again and again until Government shows a will to be fair to all parties, union, management, and workers.

The Chairman of the President's Council of Economic Advisers, Arthur M. Okun, issued on March 28 a statement sharply criticizing the settlements in copper. He said the unions received higher wages than the public interest justified. Specifically, he said that Phelps-Dodge, which raised copper prices 4 cents a pound in comparison with the prestrike prices, had gone "far beyond the added costs of the wage increases."

Without criticizing Mr. Okun personally, for I realize his unenviable position, this administration statement demonstrates castiron nerve. On the one hand, the Johnson administration did everything it could to help the unions get an inflationary settlement. On the other, it solemnly deplores that settlement and the resulting prices increases in copper.

One thing is certain. The union bosses in this country are contemptuous of the pleas by administration leaders for restraint in wage settlements. We are soon to be faced with aluminum and steel wage negotiations, both handled by the Steelworkers Union, and there is little question that the results of those negotiations will be another dose of inflation.

The lesson in Britain, where wages outran productivity, seems to have been lost on these power mad union aristocrats. Our fiscal situation is bad and will get worse as wage settlements continue to outrun productivity. Yet, our labor barons cling to an outmoded concept of class warfare. Eventually they will bring upon us inflation which will trigger a great depression; or an aroused public will turn upon them and strip away this excess of power.

A government impotent in the face of any segment of our population is a pitiful sight. Perhaps, the administration will learn something from the disastrous copper strike. Perhaps, there will be another look at the provisions of our basic labor legislation and a steadfast and concerted attempt to remedy the serious imbalance.

In this connection, I would like to call the attention of the Senate to the hearings now being conducted by Senator ERVIN, of North Carolina, chairman of the Subcommittee on Separation of Powers.

The bias of the National Labor Relations Board and the extremes flouting the intent of Congress is a governmental disgrace. I ask unanimous consent that my testimony before that subcommittee setting forth particulars of this continuing problem be printed at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. FANNIN. Mr. President, in my statement, I call attention to the way in which the NLRB has administered the law outside the intent of Congress. The EEOC, a relatively new agency created by the Civil Rights Act of 1964, is seeking additional powers this year; but has already compiled a record that is mainly significant by its intention to create law and policy in an area which Congress has clearly reserved for itself.

I am hopeful, Mr. President, that the mood of the Nation will be expressed in such a manner that we may effect the needed reforms in the presently existing body of law. It is obvious that an administration with its political fortunes cast in the lap of labor cannot insist on a fair application of the law. Until Congress is able to pass new legislation spelling out its intent so clearly that even the Supreme Court's law clerks can understand, I fear that we may continue to suffer, as a nation, from the indignities thrust upon us by ambitious, power-hungry officials who would waste the national good to accomplish their own petty purposes.

EXHIBIT 1

STATEMENT OF SENATOR PAUL FANNIN, BEFORE THE SUBCOMMITTEE ON SEPARATION OF POWERS OF THE COMMITTEE ON THE JUDICIARY, APRIL 1, 1968

Mr. Chairman and members of the Subcommittee, I want to state that I am honored to have been invited to testify before the Subcommittee. The task of determining how Congress can improve its oversight of administrative agencies is a most difficult and challenging one and the Committee should be commended for undertaking this most needed assignment. The choice of the National Labor Relations Board as the first agency to study is a natural one. This is an agency which in my opinion has consistently and improperly formulated policy on its own rather than follow the policies laid down by Congress. The history of the Board is one of disregard of Congressional intent, usurpation of Congressional prerogatives and failure to administer its prescribed duties in an impartial manner.

Mr. Chairman, the survival of free collective bargaining is the hope of all responsible citizens. Congress in enacting the Norris LaGuardia, Wagner, Taft-Hartley and Landrum Griffin Acts intended to promote collective bargaining. But in passing these statutes, Congress recognized that collective bargaining can function in the national interest only when labor and management have substantial equality in bargaining powers. This was the clear intent of the Congress in enacting these laws—to provide a statutory framework within which labor and management could meet on equal footing. The Board was established to carry out this national labor policy under the law.

I submit that the Board has not followed this policy but has administered the law as if its prime function were to promote unions and unionism even at the expense of employees' rights. This basic misconception by the Board of its function is at the root of the problem. It accounts in large measure for the endless body of decisions in which the Board has circumvented the statutory will of Congress. While the Board's decisions may be appealed to the United States Courts of Appeal, experience has shown that the courts usually defer to the agency's so-called "expertise." Thus, in most cases, the Board, as the finder of facts, is upheld by the courts.

These decisions cover many areas of the labor laws. Let me cite a few examples:

1. The Board has liberalized picketing restrictions so as to permit picketing at the premises of a neutral employer under certain circumstances.

2. It has legalized picketing of a neutral secondary employer with signs asking the public not to buy goods made by the primary employer against whom the union may have a grievance.

3. The Board now permits a union which has lost a representation election to charge an employer with refusing to bargain.

4. The Board requires an employer to bargain with a union before deciding whether to close an unprofitable department. This is but one example of the impairment of management's prerogatives.

5. Congress has outlawed hot-cargo contracts. But the Board has circumvented this by permitting work-standard clauses under which unions may forbid employers to do business with others whose work standards are not up to theirs.

6. The Board has imposed restrictions on free speech thus denying employees the right to hear both sides in an election.

7. An employer who moved his business from New York to Miami was required by the Board to bargain at the new location with the union he had in New York even though the union was unable to show that the Miami employees wanted a union.

8. And a very important case, of course, involves the famous Philadelphia Pre-Cut Door decision to the effect that members of the carpenters union on a building job may refuse to install prefabricated materials. The Landrum Griffin Act outlawed contracts which required an employer to cease handling products of any other employer. Predictably the Board ruled that the law does not mean what it says. What this means is that in building a house, the Union is given the power to arbitrarily and artificially create work for its members at the expense of other union members and to deny the owner of the house the benefits of modern technology and mass production. The Supreme Court upheld this decision of the Board by a 5–4 decision. Can it be said that Congress intended any such absurd result as this? If ever there was an example of defying Congress' will, this is it.

The logical extension of this ruling, and it has already been fastened upon by unions in some parts of the country, is that the decision applies to all kinds of prefab components. If this interpretation prevails, it is obvious that a severe brake could be imposed upon our economy. If Congress does not specifically prohibit such boycotts, unions will have the power to keep new products and techniques from being used to lower construction costs and prices.

Consider Habitat '67, the prefabricated village which was on display at EXPO 67 in Canada. It seems to me that such a project is the answer to providing better dwellings, environments, schools, cities and transportation for all people at low cost. We have industrialized and mechanized many of our industries but have not done enough in the building and construction industry. I think we must adopt the manufacturing methods of automobiles, aircraft and appliances to the building industry. This can never be done in the United States, however, if labor unions are permitted to veto new methods. If the Board is unwilling to enforce the law as written, the Congress must make its intent even more clear.

Mr. Chairman, I find particularly disturbing the Board's decisions denying employees the right to be free from union pressures. Thus a recent 5-4 decision of the Supreme Court (Allis-Chalmers Mfg. Co.) upheld a Board decision that fines imposed by a union on its members of crossing a picket line were proper and did not amount to restraint and coercion within the meaning of the Act. The dissenting opinion pointed out that the majority of the Court had ignored "the literal language—in order to give unions a power which the court but not Congress thinks they need." This is a prime example of the flouting of Congressional intent by the Board and the Court. It is insulting to the Congress to assume that it would condone a policy of permitting unions to fine employees for exercising the very rights which Congress gave them.

In other recent decisions along the same line, the Board has freed the Union from liability in cases where the Union has fined employees for exceeding Union prescribed production quotas, for filing a decertification petition with the Board and for filing requests to withdraw authority from the Union to execute union-shop agreements.

Mr. Chairman, I have long been concerned about this and in January 1967, introduced legislation to correct this situation. The bill (S. 19) would amend the National Labor Relations Act so as to prohibit the levying by labor organizations of fines against employees for exercising their rights under the Act. Unfortunately, this bill, as in the case of any other proposed legislation which in any way is restrictive of labor unions' prerogatives, has only the remotest chance of ever seeing the light of day. The bill is still pending before the Senate Labor Committee and there is no indication that it will ever be considered.

Another important area where the labor policy established by Congress has not been followed involves elections in representation cases. Perhaps this is the most important area of all. The Board has a tendency to find a union majority by reliance upon union authorization cards rather than by an election. Experience has shown that these cards are unreliable and often secured from employees by misrepresentation and pressure. Nevertheless, the Board too often persists in using this method of determining "proof" of majority and, as a consequence thereof, many times has ended up requiring employers to bargain with unions which may not even actually represent the employees. It is interesting to me that the Board's practice of using cards instead of election procedures has been criticized by a number of federal courts.

Mr. Chairman, I am sure that other witnesses will testify fully on this subject and will point out other cases and problems that have arisen as a result of the Board's practices. Let me just say that in my opinion the Taft-Hartley Act attempted to make it clear that card checks were not to be used as a substitute for the election procedures. The Board disregarded this intent and instead undertook to carve out exceptions where cards would be permitted.

Mr. Chairman, on March 19, you inserted in the Record an editorial from the Wall Street Journal entitled "Like the Old Shell Game." This editorial points up the strange results the Board reaches when attempting to circumvent Congressional policy and applying its own interpretations. I would like this editorial to also be made a part of this record.

Mr. Chairman, on January 11, 1967, I introduced a bill (S. 22) which would amend the National Labor Relations Act so as to require a Board-conducted election in every case. Thus, the bill would prevent voluntary recognition of a union by an employer. There may be other ways of amending the Act to curtail the use of cards but this is one effective way to assure that the workers will be able to cast his ballot secretly for or against union representation. The Board cannot misconstrue this. In any event, the problem demands an early solution. But, as in the case of S. 19 which I mentioned above, there is little or no chance that the Senate Labor Committee, before which it is pending, will look into this matter.

Mr. Chairman, as I indicated previously, I intended to touch only briefly on a few areas and leave to the experts the more detailed comments. I would, however, like to mention the Board's role in the copper strike. This strike has been going on for some eight months.

One of the issues was that of company or industrywide bargaining. The unions insisted upon bargaining on this basis but the companies were equally determined that the problems of workers scattered throughout the country and engaged in a wide variety of jobs could be better handled by local bargaining. In my opinion industrywide or coalition bargaining is illegal. During the course of my investigation into this strike, I ascertained that one of the copper companies (Kennecott) had filed a charge alleging that industrywide bargaining was violative of the Taft-Hartley Act. The charge was filed on October 18, 1967. Ordinarily a charge is disposed of within two months after filing, but in this case some four months had elapsed and the General Counsel of the Board still had the matter "under study." Following the prodding by Senator Mansfield and me, the General Counsel finally decided on February 29th to issue a complaint charging the unions with failure to bargain in good faith. Again ordinarily in such a case, particularly one involving a serious and lengthy strike, the Board would have acted within hours to obtain a temporary restraining order under Sec. 10(j) of the Act. In this case over a week elapsed before the petition for such an order was filed and the date for the hearings was set for April 2nd. I am at a loss to explain this foot dragging on the part of the Board except on the basis that it knew that its decision would have to be detrimental to the union's position and that the longer the decision could be stalled, the better for the union's interest.

I mentioned this particular case because it seems to me that Congress never intended to give the Board the authority to delay decisions in a manner such as this. I submit that where possible the Board is inclined to delay decisions where it feels that it will be compelled to rule against the unions. In this connection, my attention has been called to another long-delayed case—Pittsburgh Plate Glass Co., 8-CA-4202. In this case, the trial examiner rendered his decision in April of last year. The Board has still not decided this case although almost a year has elapsed. The issue is whether pension benefits are bargainable with respect to retirees who are no longer employed by the employer.

Mr. Chairman, I have attempted to show in a very brief way that the National Labor Relations Board has not been following the labor policy laid down by Congress. I feel that legislation is needed to correct this. I am constrained to say, however, that given the present makeup of the Senate Labor Committee there is little likelihood that remedial legislation of the type needed will be favorably considered by that body.

Mr. Chairman, this concludes what I have to say about the National Labor Relations Board. I would, however, like to mention briefly that there is another agency which to an even greater extent creates its own policy and violates the intent of Congress. This is the Equal Employment Opportunity Commission. You may recall, Mr. Chairman, that we had exchange of correspondence last year concerning the Commission. You were kind enough to indicate that you might include this agency on your agenda at some future date.

Mr. Chairman, with your permission I would like to give you a few illustrations of what the Commission has done under title VII of the Civil Rights Act of 1964.

Mr. Chairman, it is my view that the Equal Employment Opportunity Commission is openly promoting labor unrest and racial turmoil in the name of fighting discrimination. This agency with powerful help from the Defense Department, the Justice Department and the Office of Contract Compliance is illegally forcing companies into hiring minority groups and advancing them whether they are qualified or not. Its actions are governed not by what Congress has established as policy but by its own concept of what should be the law. In the words of one of the Commissioners,

"The Equal Employment Opportunity Commission has taken its interpretation of title VII a step further than other agencies have taken their statutes. * * * The underlying rational for this position has been that Congress with its elaborate exploration of the economic plight of the minority worker sought to establish a comprehensive instrument with which to adjust the needless employment hardships resulting from the arbitrary operation of personnel practices, as well as purposeful discrimination. This approach would seem to disregard intent, then, as crucial to the finding of an unlawful employment practice. * * * The result may be discrimination despite the fact that the same set of facts could be applied to a white person and not get the same results."

In furtherance of this policy and guided by the above interpretation, the Equal Employment Opportunity Commission has taken the position that employment or ability tests are unlawful unless "culturally validated." This despite Sec. 703(h) of the Civil Rights Act which states specifically that an employer may act upon the result of any "professionally developed ability test" and despite the clear legislative history.

The Commission has also knocked out long-established seniority systems. The theory is that such systems discriminate against minority groups. As in the case of testing, Sec. 703(h) states,

"It shall not be an unlawful employment practice for an employer to apply different standards or compensation or different terms, conditions or privileges of employment pursuant to a bona fide *seniority* or merit system . . . provided that such differences are not the result of *intention to discriminate* because of race, color, etc."

Despite this language and the clear legislative intent appearing in the debates, the Commission decided that "intention to discriminate" was not important. What was important was the result.

Despite a provision in the Act against using ratios or racial balance, the Commission does, in fact, use such ratios as one of its preliminary tests to determine whether there has been a violation. I recently learned of a new tactic used by the Equal Employment Opportunity Commission which greatly distresses me. I received a copy of a letter sent to an employer by the Chairman of the Commission, Clifford Alexander, Jr., accusing the employer of committing unfair employment practices. The basis of this charge was the statistical disparity between the minority makeup in the employer's work force compared to the same minority composition in the community's population. I believe that the Commission has deliberately ignored the intent of Congress as expressed in Sec. 703(j) of the 1964 Civil Rights Act, as well as in the legislative history. Various legislators had expressed the fear that precisely this statistical kind of approach would be used, so the above-mentioned section was included.

Here is another example. Notwithstanding a provision in the Act against giving racial preference, the Commission has forced employers to give preference to Negro employees.

Mr. Chairman, consider also this. Recently the Commission published guidelines on a pension and retirement plan which stated that "A difference in optional or compulsory retirement ages based on sex violates title VII." The effect of this is to disrupt long-established pension and retirement practices without there being an opportunity for persons to be heard. But most important from the standpoint of this Committee, this ruling violates the clear intent of the Congress as expressed in the legislative history.

When the Civil Rights Bill was taken up, Senator Randolph asked specifically:

"Am I correct if I ask the Senator from Minnesota (then Senator Humphrey) that similar differences of treatment in industrial benefit plans including early retirement options for women may continue in operation under this bill if it becomes law."

Mr. Humphrey replied, "Yes. That point was made unmistakably clear earlier today by the adoption of the Bennett amendment so there can be do doubt about it." Later Senator Humphrey wrote to a representative of the Bell System as follows:

"I want to emphasize the fact that in my opinion it would be a gross distortion of the provisions of title VII to apply this language in a manner which impaired existing pension, retirement or benefit programs."

These are just a few examples of how the Equal Employment Opportunity Commission deliberately ignores the intent of Congress.

Mr. Chairman, this matter of oversight is a very difficult one to solve and legislation to clarify the intent of Congress is, of course, an absolute necessity in many cases. In my opinion, however, such legislative action by Congress is piecemeal and tends to be a reaction to individual infractions. I would therefore suggest that consideration be given to the establishment of a full Senate Oversight Committee with appropriate subcommittees (possibly patterned after the Appropriations Committee) to look into all independent agencies. Such a Committee would avoid competing with the legislative programs of our established Committees and be far enough removed from them to give full rein and an objective viewpoint to its members. Moreover, such an arrangement would permit a comprehensive look at the agencies in relation to each other and avoid overlapping of functions and duplication of effort.

Mr. Chairman, this concludes my testimony and I want to thank you for the opportunity to testify. The Committee has done a real service in its inquiry.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. HARTKE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

The PRESIDING OFFICER. Pursuant to the previous order, the Chair recognizes the Senator from Indiana [Mr. HARTKE] for a period of time not exceeding 2 hours.

THE TARIFF COMMISSION REPORT SAYS GENEVA ANTIDUMPING CODE CONFLICTS WITH U.S. LAW

Mr. HARTKE. Mr. President, I want to speak today on the Tariff Commission report on Senate Concurrent Resolution 38. That Tariff Commission report is being made public today.

Mr. President, I have contended for months that the so-called International Antidumping Code negotiated at Geneva during the Kennedy round, and signed by the United States on June 30, 1967, is in direct violation of existing U.S. statutes, particularly the U.S. Antidumping Act of 1921, and that it could not be implemented or applied in this country unless and until Congress specifically authorized it by law. The Senate Finance Committee and the full Senate had already approved Senate Concurrent Resolution 100 of the 89th Congress advising that in the opinion of the Senate the Trade Expansion Act of 1962 did not authorize negotiations with respect to dumping and that our negotiators should confine their activities to those matters with respect to which advance authority had been delegated to them. Notwithstanding this expression of senatorial dissatisfaction at the direction the Geneva talks were taking, our trade negotiators took it unto themselves to enter into an agreement on dumping which not only exceeded the authority granted the President by the Trade Expansion Act, but which also violates existing U.S. law.

I have urged the President to submit the International Antidumping Code to the Senate for its advice and consent in accordance with article II, section 2, of the Constitution of the United States; and I have introduced legislation in several Congresses to bring the 1921 Antidumping Act up to date and to make it more responsive to the needs of our time.

More recently I have introduced a resolution—Senate Concurrent Resolution 38—to establish a consensus in Congress that the International Antidumping Code should become effective in the United States only at the time specified in implementing legislation to be enacted by Congress.

In accordance with its usual practice, the Committee on Finance, to which Senate Concurrent Resolution 38 was referred, requested the views of the U.S. Tariff Commission as to its provision.

I am happy to say that the Tariff Commission has now submitted its report on Senate Concurrent Resolution 38 to the Senate Finance Committee. It completely upholds my view that the International Antidumping Code is inconsistent with U.S. law. The Tariff Commission report is an excellent point-by-point analysis of how and where the Code negotiated at Geneva is in conflict with U.S. law. In my opinion, it is one of the best legal papers that body has produced in a long time. In virtually every respect the points I made to the Senate on August 2 and September 27, 1967, are reiterated by the Tariff Commission.

After showing the clear inconsistency between the negotiated Geneva Code and U.S. law, the Commission report stated:

> It is well settled that the Constitution does not vest in the President plenary power to alter domestic law. The Code, no matter what are the obligations undertaken by the United States thereunder internationally, cannot, standing alone without legislative implementation, alter the provisions of the Antidumping Act or of other United States statutes.

In other words, the Geneva code cannot be implemented without having first been approved and ratified by the Congress of the United States. To do so would constitute a unilateral amendment of U.S. law by the executive branch. To do so would upset the role of Congress in the lawmaking process.

It is frankly shocking to me that our trade negotiators would disregard constitutional procedures by signing the International Antidumping Code "definitely and without reservation." In most other countries—including Belgium, Denmark, Finland, France, Germany, Italy, Japan, Luxembourg, the Netherlands, Sweden, and Switzerland—the code is subject to ratification by their respective parliaments. It is shocking to me because the Senate told the negotiators in advance not to enter into that agreement where authority had not been delegated to them.

This may sound like a small issue when weighed against today's problems of war and peace, with peace feelers from Hanoi, and the possibility of conferences soon to begin in Moscow. But this is quite an important constitutional issue. We are in a period of searching reassessment of this country's future, and more specifically of the relationship between the legislative and the executive branches of the Government in the conduct of foreign policy. The ability of the executive branch of Government to unilaterally alter U.S. law was never provided in the Constitution.

The Senate has had to deal with this issue on two occasions in recent days during the excise bill debate. One dealt with whether or not there should be a continuation of an interpretation by the Internal Revenue Service concerning the tax-exempt status of industrial bonds. The question there was whether or not the U.S. Treasury should, by its own unilateral determination, change an existing legislative determination.

The second question we passed upon concerned the status of advertisements in certain publications of tax-exempt organizations such as the Boy Scouts, the Girl Scouts, the National Geographic Society, and others.

We have also another situation which has not been referred to, as far as I know, on the floor of the Senate, other than by the statement in the letter read by the Senator from Florida [Mr. SMATHERS], which the Secretary of the Treasury directed the Senator to read to the Senate, stating that the Treasury intends to collect excise taxes even after those tax laws expire. I do not know whether that interpretation will be challenged or not, but the fact of the matter is that the excise taxes on automobiles and on telephones have expired. It is true that the Senate has passed a bill to extend those provisions, or really to reenact them, effective as of April 1; but as of this moment, any collection of such taxes is being made under an order of the U.S. Treasury, by specific direction of the Secretary of the Treasury, in spite of expiration of the law of the United States authorizing their collection. I think this demonstrates how far we have come—now we have arrived at the place where taxes are being collected by executive fiat.

If the Congress in its wisdom passes laws for the common good, those laws must be administered by the executive branch in accordance with the language of the statute and congressional intent. If the executive branch disagrees with a law that is on the books, it has two choices: First, it can either forget its disagreement and administer the law according to the congressional intent; or, second, it can ask that the law be amended or abolished. But it cannot seek to change a U.S. law by executive agreement. That is not what the Founding Fathers of the Constitution intended or provided.

I want to describe for the Senate some of the areas where the Tariff Commission found an inconsistency between the Geneva code and the U.S. law.

From this point on in my remarks, I shall refer to the code which was adopted at Geneva as "the code," and shall probably refer to the antidumping code adopted in 1949, with its amendments, as "the law" or "the statute."

First, with respect to injury, the Tariff Commission advises that under the U.S. law it has not weighed the injury caused by imports against other injuries an industry might be suffering.

The injury test it has applied has been whether the imports at less than fair value were causing, or were likely to cause, material injury—that is, any injury which is more than de minimis. The Geneva code concept of injury, on the other hand, is found to be susceptible of two separate meanings. After describing them, the Tariff Commission report concludes:

> The Antidumping Act is less restrictive than the Code under the first interpretation and more restrictive than the Code under the second.

In other words, whichever way it is interpreted it differs with the interpretation of the U.S. law which historically has been applied since 1921.

Further with respect to injury the Tariff Commission reports that:

> The Code concept of considering all factors having a bearing on the state of an industry in determining whether "dumped" imports are causing injury is different from the Commission's usual interpretation of the Antidumping Act.

The difference is that the U.S. law contains no words of limitation as to the degree of injury to be considered—it has been interpreted so that any injury more than de minimis is material injury. The Geneva code enumerates factors to be considered and then recites that "No one or several of these factors can necessarily give decisive guidance."

The thrust of this, as I see it, is that after the Tariff Commission has studied all these enumerated factors it is not to be guided by them. The Geneva code repeals the flexibility Congress has given the Tariff Commission to determine for itself how it goes about making its determination of injury in a dumping situation. That involves an implied amendment of U.S. law which the executive branch has no authority to invoke by fiat.

Moving on to the scope of an industry for purposes of applying the injury tests in the U.S. law and the Geneva code, the Tariff Commission reports:

> The Code does not parallel U.S. precedent as to what constitutes the industry, or industries, to be considered under the Antidumping Act. For example, it only allows consideration of the effect of imports on one industry—that which produces a product identical to the "dumped imports, or failing such production, that which produces another product which, although not alike in all respects, has characteristics closely resembling those of the product under consideration." Under the Antidumping Act, the Commission has considered whether "an industry" is being injured. There is no qualification as to the kind of industry nor the number of industries that might be affected by the imports under consideration.

Applying the code to actual dumping cases it has decided in the past the Tariff Commission concludes:

> The conditions under which a regional industry concept may be employed in an injury determination under the Code are so narrowly defined that four out of five affirmative determinations by the Tariff Commission might not have been made had the Code been in effect when the determinations were made. Moreover, the four findings of dumping are currently in effect and, if continued beyond June 30, 1968, would appear to be inconsistent with the Code.

I think it is important for the people of the United States to grasp the significance of that conclusion. What we are talking about here is not just a theoretical matter of constitutional interpretation. We are not involved here in legal semantics or legal approaches to the constitutional question of separation of power.

If that were all that was involved, I might enjoy it as a former editor of a law journal, and write a note or have a law journal article published upon the legality of certain actions with respect to the conflict between the administrative or executive branch of the Government as compared with the legislative side.

I might also be concerned with the matter because I have heretofore introduced a bill to establish for the Congress of the United States its own congressional counsel. Such an office would provide for interpretation of the intent of Congress and would strengthen the separation of powers. Under that bill the Attorney General of the United States, whose office is a part of the executive branch of the Government, would no longer be involved in the interpretation of congressional legislative intent, thus preventing interpretations contrary to those intended by Congress. Or, I might discuss this conflict in relation to the fact that the Senate of the United States has established a separate senatorial subcommittee, the Separation of Powers Subcommittee of the Judiciary Committee, headed by a distinguished legal authority, the Senator from North Carolina [Mr. ERVIN], which is currently considering matters involving the separation of legislative from executive powers.

What I am talking about, however, is really more fundamental and important, and will be even more important this year. I am talking about the jobs of working people in America. I am talking about the industries and businesses of America in a highly competitive world.

I am talking about the fact that one of the principal exports of the United States to foreign countries, if the administration's interpretation is permitted to go into effect on July 1, 1968, will be our jobs. We will be exporting to foreign countries the working opportunities of American labor. We will be giving to foreigners the paychecks of American laborers, and we will have more unemployed people looking for other jobs in our country. Their former jobs will not be available to our people if the code goes into effect.

I think it is important for those foreigners who are so insistent that the United States join them in the international code to realize the significance of action taken recently by the Senate, and in an overwhelming manner, in the field of textiles. The bill introduced by the Senator from South Carolina [Mr. HOLLINGS], and many others, concerning textiles was passed by the Senate as an amendment to the recent tax bill.

I am saying that we must grasp the significance of this situation. The Tariff Commission is telling us in terms certain that four out of five dumping cases handled under present law—cases involving both predatory pricing and harm to U.S. businesses, cases which would have cost American jobs and driven American industries out of business—that these cases of dumping or unfair and discriminatory trade practices, must be closed out if we follow the Geneva code.

In other words, if the code stays in effect, in four out of five cases processed under existing law by the Tariff Commission, acting in conjunction with the Treasury of the United States, would have to be set aside.

That means that the United States of America would be exposing American industry to the same—or worse—price discrimination from which they had been temporarily relieved by the antidumping act.

This would be the effect if the Congress allows the executive branch to usurp its authority and unilaterally change the law.

Involved here are practices by which industry is prohibited, by various acts adopted in about 1914 to 1918, from participating in so-called unfair trade practices. The acts provide that unfair trade practices should not be permitted.

We have, for example, in the steel industry an overproduction of steel in the entire world. Every person one wants to talk to in the foreign markets—and I have talked to practically all major steel producers in Europe—will say that they have an excessive production of steel. They want to keep the steel plants working. They do not want to shut them down.

They price their steel at substantially less than they are asking in the domestic markets and dump the steel in the great American market at prices that cause great harm to American industry.

That has been true with respect to the electrical manufacturing industry, and with respect to practically all of the manufactured goods being produced in most of the industrial nations of the world today.

These products are being brought into our country at prices substantially less than the selling price in the countries in which the products are manufactured.

Under international agreements, this is called dumping. This is the practice which the Antidumping Act of 1921 prohibits. This is the law which the code intends to eliminate.

Dealing further with the code's definition of industry, the Tariff Commission in this excellent report advises the committee and Congress:

> The Code treats with a regional industry as being almost wholly contained within a "competitive market area," a circumstance which in the Commission's experience rarely exists. If the cited cases are any indicia, four out of five cases do not appear to fit the Code standard of regional "industry." Moreover, the Code would require that all or almost all of the producers within the subject market area be injured before there could be an affirmative determination of injury under its provisions. The Commission has never limited its affirmative determinations of injury to those cases where "all or almost all of the producers" were injured.

The consequences of this are simply appalling. They were never contemplated by the U.S. law. The Geneva code directs this Nation, the United States, contrary to its own laws, to deny relief from discriminatory price policies until an entire American industry—whether it be oil, chemicals, textiles, or what have you—is on the brink of collapse. We are directed by the Geneva code to watch American firms one by one succumb to underhanded and unfair foreign discrimination. And that underhanded and unfair foreign discrimination would be shielded by a cloak of immunity under the Geneva code.

Even when many firms are prostrate we could not help them without violating according to this code, an "international agreement."

On virtually every page of its report the Tariff Commission finds still more questionable areas in the Geneva code. On the simple question of who can initiate a dumping investigation, for example, the two documents are found to differ, and the stricter test—which makes it harder for U.S. industry suffering from unfair import competition to get a dumping issue started—is in the Geneva code.

This coupled with the questions it raises as to the legality of the requirement that Treasury investigations of price discrimination and Tariff Commission investigations of injury must be done simultaneously—which, incidentally, is something the U.S. law has never contemplated—prompted the Tariff Commission to conclude that—

> The Code * * * seems to be designed to discourage the initiation of investigations by an agency and would supplant the statutory procedures with a complaint procedure.

And that, Mr. President, is precisely why I have objected to the high-handed attitudes our trade negotiators assumed in bulling through the Geneva code.

The objectives of these trade negotiators, these Americans—this is remarkable—is to make it tough on suffering U.S. industries, and to ease the way for more and more price discrimination by foreign exporters. Here, the conflict between the U.S. law and the Geneva code becomes sharpest. It relieves foreigners of the dumping duties they must bear under present U.S. law, and makes it far harder in the future to get relief where predatory price policies of foreigners are sucking the lifeblood out of U.S. industries.

I recall the words of the distinguished chairman of the Committee on Finance, the Senator from Louisiana [Mr. LONG], when he opened the committee hearings on the matter of import quotas. Senator LONG stated with respect to international commitments, under the trade program, that:

> We here in Congress have another commitment—a commitment to our own people.

In my opinion, we should live up to that commitment so far as this Geneva code is concerned.

Turning back to the Tariff Commission report, the Tariff Commission points out that whereas the code and "a recently established practice of the Treasury Department" permits a case to be closed without assessing a dumping duty where the exporter agrees to cease exporting at the offending price, none of this country's unfair trade practices provide a mechanism for a violator to avoid the remedial or penal actions by his agreements to conform to the law after he is caught.

In other words, what we are dealing with here is the remarkable fact that unfair trade practices are only to be halted, not punished, by the code. I know that some people are going to comment, and especially those who are in the kept press of some foreign nations, that my comments are a reflection of the nationalistic tendencies of the U.S. Congress, that this is further evidence of protectionist activities by the United States. This is not so. I am not dealing with protection at all.

What I am talking about is unfair discriminatory trade practices. What I am talking about is dumping. What I am talking about is the equivalent of violating law. What I am talking about is very close to actions for which people in the United States could be sent to jail, and for which they could receive penal sanction.

But what is provided for here is that if a violator is caught, he will no longer under U.S. dumping laws have to pay the penalty, he will not face remedial action, and he will no longer have to make up the difference between the fair and the unfair prices under our laws which provide that the injured be made whole.

The committee is advised that under the present Treasury practice—which I condemn—the average importer can sell his goods at discriminatory prices in the United States for approximately 2 years with impunity.

If that situation were to result from action by people in the United States instead of in Geneva, there would be loud cries of anguish that these practices should be stopped and that remedial action should be instituted immediately.

On the matter of dumping duties, the Geneva code provides that the assessment of such duties is not mandatory but permissive. On the other hand, the U.S. law makes assessment of dumping duties mandatory.

The provisions of the U.S. law authorizing the withholding of appraisement reports where the Secretary of the Treasury has reason to believe or suspect that foreign products are being dumped into this country would be overruled by the Geneva code provision. This provision prohibits any interim safeguards which would offset suspected dumping margins until the contracting country has made a preliminary decision that there are sales at less than fair value and that it has adequate evidence of injury.

The Tariff Commission in its report advises that:

> Inasmuch as the Act vests with the tariff Commission sole authority to make determinations of injury and as this authority does not include the making of tentative or interim determinations of injury, the conditions of the Code with respect to provisional or interim measures could not be fulfilled under the Act until a finding of dumping had been made. Thus, it would appear that the fulfillment of the conditions for provisional measures under the Code would preclude the taking of any provisional or interim measures by the United States under the Act."

There are other instances where the Tariff Commission finds inconsistencies between the Geneva code and our U.S. law, but let me move on to a more important matter.

I refer to the role of the Tariff Commission in operating under the Geneva code. The Tariff Commission report generally ignores this important question.

Commissioner Clubb, however, has courageously faced up to it. He states that, in his opinion, "it seems clear that if the code does not receive legislative approval, the Commission must continue to apply the provisions of the act alone."

I applaud his conclusion and I agree with it. I also agree with his observation that the Tariff Commission is not part of the executive branch and that, therefore, an executive agreement is not binding on it.

It is unfortunate that the Chairman of the Tariff Commission, Mr. Stanley Metzger, with whom I have previously discussed this Geneva code, felt obliged not to go along with the majority views of the Commission.

But to say that I am surprised would be an understatement, because I recall the insistence which was placed upon me to go through rather rapidly with a perfunctory examination of Mr. Metzger when he appeared before the Committee on Finance upon his nomination. However, I asked him a series of questions concerning the International Antidumping Code and its relationship with the U.S. law. His responses evaded the real issue.

This man had written books about, and was considered to be an authority on, international trade. He was being recommended, and his nomination had been submitted for appointment to the Commission as its chairman. He was supposed to be one of the leading authorities in this field and most knowledgeable.

I asked him about the international code, and he said he did not know anything about it; he had not kept up with it—this although he wanted to continue to write books and to receive the money from them after he had been appointed to the Commission. Then, reluctantly, he agreed to give up his fees, but he wanted to continue to expound his views upon matters of international trade.

When I asked him questions about the Geneva code, his responses evaded the real issues. His minority views to the Commission's report still evade the real issues.

Now we have a situation which has developed. We now see the appointment coming to the Tariff Commission of one Bernard Norwood.

Where does he come from? I do not know this man. I have not had an opportunity to talk with him. I suspect we will have the opportunity to examine his views in detail. This nomination is startling to a few of us who see here an effort to the camel's nose under the tent, so to speak. Since September of 1963, although he is still serving in the State Department, he has been serving as chairman of the trade staff committee of the office of Mr. Roth, the President's Special Representative for Trade Relations. He was Ambassador Roth's top aide throughout the Geneva discussion which brought about these detrimental changes in the antidumping code, in this conflict with the legislative branch, changes which are in direct opposition to the actions and requests of the Senate.

I suppose we could use the Vice President's phrase in regard to another matter. It is sort of like putting the fox in to take care of the henhouse.

Mr. President, let us return to the views of the chairman in his minority report.

He does advise us of his "understanding that the executive branch has been and is of the view that the provisions of the code and the act are not inconsistent with, and in conflict with, each other." That is something I have suspected since the Geneva code was negotiated—his understanding helps confirm my suspicion.

One observation he makes which may be worthy of some study is why the former Chairman of the Tariff Commission expressed the view, during the course of negotiations of the Geneva code, that it and the U.S. law were not inconsistent. What prompted him to make this statement? What were the circumstances? Did his expression of his own view on a matter that was not yet final have an influence on the course of negotiations? If it did we should know about it.

Mr. President, the Treasury Department has proposed a series of amendments to its regulations to bring U.S. customs practices into line with the International Antidumping Code's provisions. Among other things, the Treasury's proposed regulations would require dumping complaints to provide evidence of injury to the Department. The law and the intent of Congress on this issue are extremely clear. The Treasury's role in antidumping cases is limited to one of determining whether or not the imported goods has been sold "at less than fair value". That is their job and that is all they can do.

The Tariff Commission alone is vested with the authority of determining whether such sales have resulted in injury. Under the proposed regulations, the Treasury would be getting into a judgment of whether injury had occurred before investigating whether there had been less than fair value sales. This conflicts with the established roles of the Treasury and the Tariff Commission. It also conflicts with the U.S. law.

The Treasury also has proposed giving itself the power to revoke its own findings, despite the fact that the Tariff Commission has already begun an investigation of injury. If Treasury is permitted to revoke a pricing determination after the Tariff Commission has started to investigate the injury question, then the whole Tariff Commission role in dumping matters is emasculated. And that, too, is contrary to the U.S. law.

Mr. President, the Treasury has proceeded with these proposed regulations under the assumption, I suppose, that there is consistency between the Geneva code and the U.S. law, an assumption which to all who care to read it, is clearly refuted by the Tariff Commission report. It is unfortunate—and I would say very unfortunate—that a staff assistant of the heavily burdened Secretary of the Treasury, who, in my opinion, is doing his level best to stem the gold flow problem, would take it upon himself to propose regulations for the Customs Bureau which would make the U.S. market a welcome mat for the dumping of imported goods, and more fundamentally, do violence to congressional prerogatives by emasculating a U.S. law.

In the light of the Tariff Commission's findings, I would urge the Treasury to withdraw its proposed regulations and return to a procedure which is consistent with the law of the land.

I urge the Committee on Finance to take up Senate Concurrent Resolution 38 so the matter of congressional relations with the executive branch can be cleaned up. If Congress wants to ratify the Geneva code and enact the necessary implementing legislation, that is its prerogative. If it decides to do so, let it act knowing what it is doing to American industry and American workers. For one, this Senator does not believe Congress wants to subscribe to the kind of philosophy the Geneva code enunciates—a philosophy of favoritism to foreigners who practice predatory price policies with respect to their exports to this country. I believe most of my colleagues will agree with me.

Mr. President, we have a rather unusual situation here in which I suppose we are going to find custom officials in a very difficult position. On the one hand they are going to have to try to follow the law which the Tariff Commission has said is in direct contradiction to the code adopted at Geneva. On the other hand, these employees of the Treasury Department are going to be asked to follow contradictory instructions and regulations of their superiors in the Treasury Department. In this anomalous position they will have to say, "We are going to follow regulations which the Tariff Commission as the instrument of Congress said is in direct contradiction to the law."

I would imagine that on next July 1, if this procedure is not rectified, we will have a real field day for lawyers. I imagine we will see a situation in which lawyers will be having so much business in this field that some may have difficulty keeping up with their regular activities.

In addition, I think we will see a situation in which individual employees of the Government are going to find themselves hard pressed to determine what they should do.

Mr. President, I wish to repeat that in international trade, this practice which is called "dumping" works as follows: One country allows a form of subsidy to its export products to protect its domestic employment within its borders, at the expense of industry and labor in another country to which the products are sent.

As a member of the Committee on Commerce and the Committee on Finance, in which we are charged with the responsibility for oversight in tariff affairs, I think the interpretation given by the administration ignores the separation of powers supposedly guaranteed by the Constitution.

As I have said before, this is a matter of great concern to me. But I think it will be a matter of greater concern to industry and employees as we move along. It is somewhat like a time bomb that is ticking away and getting ready to hit us.

I think there is no other interpretation the Tariff Commission could have given consistent with our Constitution and our laws. The Geneva code cannot properly be placed in international usage on July 1 without first having been approved and ratified by Congress. To do otherwise would constitute unilateral amendment of a U.S. law by the executive branch. To do so would upset the role of Congress in the lawmaking process.

Some 80 nations are according treaty status to the code. Parliamentary approval is required in those nations. The United States has chosen, however, to treat this matter as an executive agreement. Since the Tariff Commission agrees that the code can only become effective after passage of implementing legislation, it is my position that this situation places our customs officials in a difficult position.

I think the 40 Senators who are cosponsors of my bill, S. 1726, to liberalize antidumping statutes, will be especially interested, since the new international code is more restrictive than U.S. law. In my opinion, fully as concerned should be all Senators by such continued erosion of the duties of Congress by the executive branch.

Our trade negotiators at Geneva took it upon themselves to act in a fashion which was absolutely shocking. I am hopeful that this matter can be cleared up, but I would say that the apparent intention of the administration, as indicated by its action in continuing taxes without authority of law, demonstrates quite conclusively that they have little regard for Congress.

The Deputy Secretary of State indicated in his testimony before the Committee on Foreign Relations that he considered the constitutional power to declare war no longer had any effect and was out of date. I would imagine that if this provision of the law is not corrected, we can see the step finally taken where executive fiat will be taken in every field across the board.

I, for one, do not intend to remain silent while this action takes place. I am hopeful that the Finance Committee will be able to hold hearings on this matter and that Congress will have an opportunity to act upon it before June 30.

Whether or not action is not taken in this case, I am relatively certain that action in other fields will be taken to make clear to the administration that Congress will not act as a mere rubber stamp, standing idly by while the authority it has been granted to meet its responsibilities under the Constitution is eroded away.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

LIMITATIONS ON VEHICLE WEIGHT AND WIDTH ON THE INTERSTATE SYSTEM

The Senate resumed the consideration of the bill (S. 2658) to amend section 127 of title 23 of the United States Code relating to vehicle weight and width limitations on the Interstate System, in order to make certain increases in such limitations.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that during the consideration of S. 2658, Mr. Martin Baker, of the staff of the Committee on Public Works, be permitted to be present in the Senate Chamber.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair, with the understanding that the recess shall not extend beyond 2:30 p.m. today.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Thereupon (at 1 o'clock and 46 minutes p.m.) the Senate took a recess subject to the call of the Chair.

The Senate reassembled at 2:02 p.m., when called to order by the Presiding Officer (Mr. BYRD of West Virginia in the chair).

THE DOLEFUL DOLLAR

Mr. MILLER. Mr. President, in yesterday's Wall Street Journal appeared an excellent article, entitled "Doleful Dollar: Austerity Versus Collapse," by the distinguished analyst, Alfred L. Malabee, Jr. The article is most timely in view of the recent crisis of the dollar and the fact that this crisis will recur if the administration and those in control of Congress fail to take appropriate action to cut domestic spending deeply and enact a substantial tax increase.

I ask unanimous consent that Mr. Malabee's article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DOLEFUL DOLLAR: AUSTERITY VERSUS COLLAPSE

(By Alfred L. Malabee, Jr.)

Last week's agreement in Stockholm on a plan to supplement international monetary reserves with new "Special Drawing Rights" has understandably heartened many observers in the U.S. and elsewhere who had feared that the international monetary system was on the brink of collapse.

It seems well to bear in mind, however, that continuing monetary cooperation of the sort exhibited in Stockholm depends considerably on the success of U.S. efforts to solve its balance-of-payments problems. Thus, there remain difficult questions that must be faced this troubled spring. Some seem obvious!

Does Congress, in an election year, possess the fortitude to boost taxes? Will President Johnson, knowing the dangers of another long, hot summer in the cities, lop billions from domestic spending programs? Does the Federal Reserve Board have the gumption to keep money tight and interest rates high?

The choice, or so it appears, is simple:

Tighten the belt, remove the midriff flab. Or, in the end, suffer the collapse of the U.S. dollar and the international monetary system that has so carefully been built around it.

But there are other questions as well this spring, and these suggest that the choice may not be quite so clear cut. For example:

If the dollar and the international monetary system are to be saved from collapse, just how tightly must the belt be hitched?

Precise estimates obviously are difficult to make. Vietnam, of course, remains the great imponderable. But, if the Asian war continues at approximately the present intensity and nothing similar erupts elsewhere, the facts suggest that the economic belt would need to be hitched very tightly indeed, if the dollar-saving effort is to be effective.

The key to effective action, most analysts agree, lies in greatly slowing or stopping price inflation in the U.S., largely on the ground that such inflation erodes the competitive strength of the dollar in world markets and, ultimately, the country's international balance of payments.

REQUIRED JOBLESS BOOST

Accordingly, it is perplexing to note that one typical study finds that, even with a tax boost on the order of what President Johnson has requested, a considerable increase in unemployment would be "required" if inflation is to be slowed at all in the months ahead. The study, for instance, estimates that if the country's jobless rate were to rise to 4.7% (about a full point higher than in recent months), prices generally would still continue to climb at approximately the current rate of nearly 4% annually.

A typical reaction to such estimates is provided by Peter B. Kenen, chairman of the department of economics at Columbia University. "If you want an 8% unemployment rate, you might get stable prices this year," Mr. Kenen says. Since he doubts that such unemployment would be tolerated, especially in an election year and with the prospect of another "long hot summer" looming just ahead, the economist also doubts that price inflation will be brought to anything faintly resembling a halt in coming months.

Indeed, as far as the tax-boost part of any deflationary program is concerned, many analysts believe that an increase would only exacerbate the present price inflation. This view is based on the conviction that the present inflation derives largely from the push of costs, rather than the pull of demand: To the extent that higher taxes would increase costs, they would also push up prices, it is argued.

Many economists also express concern about the possible impact of stern fiscal and monetary action on the financial positions of debt-burdened American families. They note that the average American household now spends some 22% of its after-tax income for interest charges and repayments on mortgages and other loans; this compares with only 11% as recently as 1949. So long as family incomes continue to rise appreciably, most analysts foresee no great danger in the greatly increased burden of debt. But most analysts also agree that, if incomes were to stop climbing, the debt burden could begin to cause serious trouble.

For the present, to be sure, incomes in the U.S. continue to climb. At more than $2,800 after taxes, average per-capita earnings have risen roughly 50% since the current economic expansion began in early 1961. But the long climb could indeed end, say some analysts. If decisive steps are taken to strengthen the dollar. Indeed, some economists contend that, to be effective, any dollar-saving steps would have to be sufficiently harsh, at the least, to keep earnings of corporations as well as families approximately flat.

Such conjecture, quite reasonably, prompts another question. What happens, then, if the whole, much-debated, much-publicized belt-tightening program proves too painful and is simply abandoned?

There are always wage-price controls, of course. But the general presumption is that such a drastic step would be taken only with extreme reluctance, probably in the event of sharply intensified military action in Vietnam, or a new war elsewhere.

Otherwise, there is wide agreement that an abandonment of austerity measures would bring finally the collapse of the present international monetary system; the country's balance-of-payments deficit would go on and the U.S. gold stock would dwindle toward zero.

The monetary system, to explain, has been built around America's unique pledge to buy and sell gold at $35 an ounce in transactions with other governments (with the recently added proviso that the foreign governments don't turn around and resell the gold profitably to private buyers).

Other countries, in turn, set the values of their own currencies in terms of dollars. The point of the whole exercise is to inject stability into international monetary arrangements; without such stability, it is argued, the day-to-day uncertainty of not knowing how much such-and-such a currency might be worth tomorrow would cause international business dealings to dry up.

If the U.S., however, should run out of gold to sell, the pledge obviously would become worthless and the present stability among currencies could rapidly disappear.

But in such a situation, would international business really dry up? In the U.S., would the level of economic activity decline more sharply than would be the case if stringent dollar-saving measures were applied instead?

The standard view, which certainly many noted economists as well as Government officials hold, is yes, a breakdown of the monetary system would be a far worse fate for all concerned than simply a dose of U.S. deflation to save the dollar.

PRECOLLAPSE CONTRACTIONS

But there are other opinions that seem worth noting. One minority view draws heavily from the experience of the 1930s. In country after country, proponents of this view contend, economic recovery began soon after a particular country's currency collapsed; indeed, this view holds that economic contraction usually occurred during the pre-collapse period, when ill-fated efforts to save the value of the pound or the franc or whatever were still underway.

The British experience is often cited. The pound sterling, in effect, collapsed in September 1931, when Britain, after heavy gold losses, stopped selling gold for pounds at a prescribed price. In the quarter before the devaluation of the pound, the British index of industrial production stood at only 80% of the 1924 average, after a long decline from the 1929 high of 113%. No sooner did the pound fall, however, than the index (which is based on physical volume and thus is not distorted by inflation) began to rise. By the end of 1931, it stood at 88%; it reached the 90% mark in the first quarter of 1932, 103% by early 1934, and 127% three years later.

The French example shows striking similarities to the British experience. France's currency was among the last to fall in the 1930s, finally succumbing to devaluation near the end of 1936. By no coincidence, say some economists. France's economy was also among the last to turn up in the 1930s. Indeed, the records show that French industrial production did not begin to turn clearly upward until as late as 1938. In 1936, when the franc collapsed, French output stood at 93% of the 1913 average.

Other key yardsticks display a similar pattern. On the employment front, for example, the percentage of the British labor force with jobs fell steadily through 1930 and most of 1931, then briefly leveled off, and by late 1932 began to climb. In France, the comparable upturn in employment did not begin until 1937. In the U.S., where currency collapse came in early 1933, similar patterns of production and employment can be traced.

A detailed study of the monetary situation in the 1930s was conducted two dozen years ago by the late Ragnar Nurkse, an economist working for the old League of Nations. In a volume entitled "International Currency Experience—Lessons of the Inter-War Period," Mr. Nurkse drew some intriguing conclusions. In country after country, he wrote, "devaluation was followed by a domestic expansion of investment and national income." Moreover, he found that this domestic improvement tended "to stimulate foreign trade all around."

STURDY RELATIONSHIPS

In addition, Mr. Nurkse found that after the dust of all the devaluations had settled, the relationships between the major currencies were not very different from before. This is illustrated in the table below, which shows the exchange values of particular currencies in relation to the dollar. The 1930 relationships are used as the base of 100.

	1930	*1932*	*1934*	*1936*
Britain	100	67	102	101
France	100	100	168	119
Italy	100	100	162	100
Canada	100	87	101	100

What did the currency chaos of the 1930s prove, if in the end the major currencies settled back into approximately the same old relationships? Mr. Nurkse had an answer. "In default of simultaneous anti-depression measures," he concluded, "successive devaluations leading to monetary expansion were the only practical alternative, if exchange control was to be avoided."

The economic scene today, of course, is in many ways vastly different from that of the 1930s. Most of the major economies have been expanding briskly for a long time. There is no talk of any need for "anti-depression measures." Instead, much of the discussion centers on the need for slowing U.S. economic activity to save the dollar.

Perhaps this slowing can be accomplished with sufficient finesse to avoid any serious contraction of general business. Perhaps Vietnam will cool off and make the task easier. Perhaps such major countries as West Germany and France will pursue relatively inflationary policies in coming months; this would greatly facilitate any U.S. efforts.

But if none of these other things happen, and if U.S. officials find the unpleasantness of applying economic stringency too great, it is perhaps encouraging to recall that the currency collapses in the 1930s often coincided with the advent of economic improvement.

THE PROBLEMS OF OEO

Mr. MILLER. Mr. President, no agency of the Federal Government has been more beset by controversy than the Office of Economic Opportunity.

Every Member of Congress recognizes the need to pass legislation which will, in fact, help those in the poverty sector to move out of it and into the condition of opportunity. However, the method to achieve this objective is one that needs most careful analysis and scrupulous administration. Unfortunately, the OEO has not, overall, lived up to the high expectations and hopes of many of our people because of the failures of Congress and the administration to avoid the philosophy that the mere spending of money is the answer to a problem.

There are some praiseworthy programs under OEO, and there are some that have had chronic difficulty. Perhaps the worst feature of OEO is that an excessive amount of the money which should be going to the poor has been going for high administrative salaries. For example the Director and two of his top aides receive more compensation than General Westmoreland.

An excellent article published in yesterday's Wall Street Journal, written by Jonathan Spivak, outlines some of the defects in OEO and intimates that an increasingly restive Congress may transfer its functions to the regular agencies of Government. I ask unanimous consent that this article, entitled "Poverty Agency Periled by Bureaucratic Rivals, Budget, Political Woes," be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FAST-FADING OEO: POVERTY AGENCY PERILED BY BUREAUCRATIC RIVALS, BUDGET, POLITICAL WOES—BASIC LAW EXPIRES IN 1969—DEPARTURES OF PRESIDENT, SHRIVER ADD TO TROUBLES—PARCELING OUT THE PROGRAMS

(By Jonathan Spivak)

WASHINGTON.—Before many more months, the Administration's war on poverty may suffer its biggest casualty yet—none other than the Office of Economic Opportunity, the headquarters that commands the combat.

The retirement of President Johnson is raising new doubts about the agency's ability to survive; it was Mr. Johnson who fathered the agency and its antipoverty campaign in 1964. A Republican successor would almost inevitably want to kill off this Democratic creation for political reasons alone. A Democratic successor, even if it's Vice President Humphrey, would probably prefer to launch a new and different antipoverty endeavor to replace the present controversial setup.

In the meantime, the departure of Sargent Shriver, the agency's flamboyant first chief, could weaken it further by prompting other antipoverty warriors to follow him out.

Even under the Johnson regime, the once vigorous OEO is showing signs of decline. Some of its key programs have begun to shrink, and the agency is short of funds to launch new initiatives. Many of its most able men have departed; among the latest is Frederick Hayes, who has been named New York City budget director. Bureaucratic snarls bedevil those who remain .

Even so, the OEO will persist in some form on the Washington scene at least until after the November elections. Furthermore, its new acting director. Bertrand Harding, who's likely to get full command, might manage to quell the controversies afflicting the antipoverty program. He hopes to win a new long-range role for the OEO.

LAW EXPIRES NEXT YEAR

But assuming there's no unexpected outpouring of liberal sentiment in the elections, the agency's dismemberment appears inevitable when the basic antipoverty law expires next year. The initiative could come from either Congress or the White House, depending on the election results. The OEO can count on only a handful of totally loyal legislators in the present Congress, and newcomers elected in November will have no special ties with it. Already the Johnson regime, tired of complaints, appears willing to abandon the agency to its enemies.

Even the most dedicated antipoverty warriors are not optimistic. "It looks like the last of the ninth," concedes one of the agency's original braintrusters. Asserts an Administration official: "It's in transition to being phased out."

The main reasons given for dismantling the OEO will be efficiency and economy. Its programs would presumably be parceled out to other agencies and departments; many would be merged with other programs, and some would probably vanish altogether sooner or later.

The Health, Education and Welfare Department stands to be a big beneficiary, absorbing Head Start preschool training and some community action endeavors. Legal services for the poor could be given to the Justice Department and Indian uplift efforts to the Interior Department.

AN IMPLACABLE FOE

Significant steps toward carving up the OEO may begin this spring. Democratic Rep. Edith Green of Oregon, an implacable foe of the agency, is determined to end the independent existence of the Job Corps and Upward Bound programs. (The Job Corps furnishes vocational training to unemployed 16- to 21-year-olds; Upward Bound gives extra education aid to impoverished college-bound high school students.) The influential Congresswoman will propose transferring these endeavors to the Office of Education for merger into other ventures.

She declares: "I don't think any agency of Government has less support in Congress (than the OEO). . . . Evidence is mounting that so many of the OEO dollars are eaten up by administrative costs."

The Administration itself may shift two other OEO programs, birth-control assistance and operation of community health centers for the poor, to the HEW Department as part of a reorganization of Federal health activities. HEW officials have long coveted these programs.

AROUSING ANTAGONISM

While diminishing the OEO's domain may help to eliminate duplication and enhance efficiency, the fact is that it has become a political hot potato. By espousing the causes of migrant workers, jobless Negroes and welfare recipients, the agency consistently creates controversy on Capitol Hill. By dabbling directly in local affairs, it offends the governors. By encouraging political activism among the poor, it stirs ire at city hall.

The OEO's militant advocacy of racial equality has embittered Southerners. Its intrusions into jurisdictions of old-line Federal agencies have aroused hostility. Its failure to unify antipoverty endeavors has disappointed many of its original supporters.

Thus, Mr. Shriver's switch from the antipoverty command to the U.S. embassy in Paris makes sense—for him. He can claim credit for championing the OEO through its bitter 1967 survival struggle and avoid the ultimate blame for the agency's demise.

Whatever the agency's fate, OEO defenders claim its achievements will endure. In many rural Southern counties, they say, it has been the only Federal agency willing to help Negroes organize for self-help. In Northern urban ghettos, the agency established the first network of comprehensive health centers and persuaded medical-school men to serve the poor. Mr. Shriver's effective merchandising of Head Start is making preschool education a pervasive part of public school systems.

OEO's friends also list these achivements: Its legal programs have won significant court decisions against welfare and housing restrictions affecting the poor. Other innovations have galvanized more lethargic agencies, such as the Bureau of Indians Affairs, to respond with reforms of their own. OEO experimentation led to the decentralization of various Federal welfare, employment and health activities into convenient neighborhood service centers.

Looking ahead, OEO partisans insist that even in skeleton form the agency could continue to play a significant antipoverty role. Rather than operate programs, it would become a "think tank," evaluating the efforts of other agencies and departments, counseling the President on strategy and testing fresh approaches with a limited budget.

"If OEO is going to maintain any degree of innovation, advocacy of the poor and quality control, it will not do so by constantly building and holding on to programs," insists Richard Boone, executive director of the Citizens Crusade Against Poverty, sponsored by the United Auto Workers.

"As far as I'm concerned, the direction of the agency is to move as rapidly as feasible out of a largely operational role into much more of a staff oversight function," says acting OEO Director Harding.

AN UNTENABLE SITUATION

But whether the OEO would in fact be able to assume such new duties is debatable. Without new programs and a constituency of its own, the agency would be increasingly prey to Government economizers and ideological enemies. Other agencies would not welcome its appraisal of their activities. White House support would have to be unwavering for the agency to function under such conditions.

For now, the antipoverty program has trouble enough. Budget reductions for the fiscal year ending June 30 are hitting local community action agencies, such as New York City's. The OEO is requiring a cutback of as much as 25% in their planned endeavors. One result will be the discharge of thousands of antipoverty workers in slum neighborhoods. Seventeen of 124 Job Corps training centers have been closed, and further shutdowns may be in the offing.

The OEO's outlook for the next fiscal year is no more promising. Congressional economizers are demanding deep cuts in domestic welfare spending, and Mr. Johnson himself may propose further antipoverty curtailments to ease passage of his tax increase bill.

Because of the agency's falling fortunes, attracting able personnel is difficult. "People aren't willing to come here because the feeling is there is nothing to do; the principal job of the agency is in creating miniscule improvements in what's been done, rather than massive new thrusts," declares one official.

COMMUNICATIONS BREAKDOWN

Increasingly, the OEO is enmeshed in a web of bureaucratic regulations. Plans for feeding the hungry become immoblized in lengthy staff conferences and interagency disputes. Congressional inquiries go ignored for days, adding to the hostility on Capitol Hill. Communication between Washington headquarters and the semi-autonomous regional directors is sporadic, making uniform direction of national programs difficult.

Some key antipoverty efforts have already been weaned away by old-line agencies. The OEO's $760 million-a-year manpower training programs are delegated to the Labor Department for day-to-day administration, and the antipoverty agency has been unable to make its manpower counsels count with the department. When disagreements arise, Labor Secretary Willard Wirtz usually wins; he has White House backing.

Furthermore, the Housing and Urban Development Department's fast-growing city development agencies will probably supplant or absorb the OEO's community action agencies in many places. The newer outfits have been organized to sponsor the Model Cities program, which aims at uplifting ghetto areas in which the OEO units are now toiling.

IOWAN WINS ANNUAL SAFETY WRITING COMPETITION

Mr. MILLER. Mr. President, the first place winner in the editorial category of the American Trucking Association's annual safety writing competition for 1967 is John McCormally, editor of the Burlington-Hawkeye, Burlington, Iowa.

I ask unanimous consent that Mr. McCormally's winning editorial, for which he received the award "for distinguished public service," be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

MEMO FROM MAC

(By John McCormally)

"We commend to you, oh Lord, the soul of your servant Douglas . . ."

Father Arthur Perry, the husky, red-haired ex-football player looked strangely incongruous in the sombre black cope with its green piping, as he met the casket at the church door and intoned the first prayers.

Outside, the brilliant Valentine's Day sun danced on the melting snow atop Division Street's hill.

Father Perry, principal at Notre Dame High, was digressing from his task of teaching his students, to bury one.

But still, he was teaching. And the lesson learned this morning, by the remaining 395 students of Notre Dame, kneeling silent and sober in the pews at St. John's, was one they would not quickly forget.

Their classmate, Douglas X. Schroder, son of Mr. and Mrs. Erwin Schroder, had died early Saturday when the car he was driving collided with another on US 61 north of Burlington. He was only 16.

Burt Prugh, who quietly shoehorned the late-comers into the pews, guessed that, counting those standing, and in the choir loft, there were nearly 600 in the church, "the most I've ever seen here for a funeral."

All Doug's fellow students were there, the girls on one side of the center aisle, the boys on the other; and the nuns from the faculty, and Doug's family's friends, and four other priests in the sanctuary with Father Perry.

The metallic coffin, looking painfully small, stood on the rubber-tired carriage before the altar, flanked by tall candles. The morning sun, through the stained glass windows, cast purple shafts across the tile floor, and gave the casket a pink tinge.

"We come here today, to bury a friend," Father Perry said. He had read from St. John's gospel, "I am the resurrection and the life . . ."

He reminded the students of the Ash Wednesday liturgy—only last week—"remember man, you are but dust . . ."

"Ash Wednesday was to remind us of death," he said, "but death wasn't very close last week. For youth, death is the last thing you think about."

Not sermonizing, but as a patient teacher, he recalled for the students, the Biblical description of death as "a thief in the night."

"That is the way he took Doug," he said.

"He was a member of our family at Notre Dame," Father Perry said, "we feel the way the Lord felt over the death of Lazarus. But He gave us a promise then that we must remember—that this is not the end for Doug; it is the beginning—of eternal life with God. All of his problems and sufferings are over."

He urged them to be prepared for "the thief in the night," and said that the way to do this is to love, to remember that "as long as you do it to the least of these, my brethren, you do it unto me . . ."

After the Consecration, all the sad, young voices sent the Lord's Prayer echoing off the high, vaulted ceiling.

And, at Communion, the entire student body went forward to the railing, each to make his private farewell. Some uncomfortably neat in their best suits, others in mackinaws and sweaters and basketball jackets. Most with their hair especially well combed.

Only one or two of the girls had hats. Some wore scarves, or mantillas, but most, it seemed, had only hastily hairpinned handkerchiefs or chapel veils on their heads.

While their principal circled the casket, swinging incense, chanting the ancient rites, they all recited the Lord's Prayer once more.

Then Burt Prugh walked alone, with echoing steps, down the long aisle, and removed the candles from around the casket. The young pallbearers turned it carefully, and rolled it toward the back of the church. "As we come closer to the grave today," Father Perry had said, "we must realize that each day, each of us moves closer to the grave."

A parent, standing at the rear of the church looking at his son, and his son's friends, so uncharacteristically sad and silent, could only breathe, in sympathy for Doug's family: "There, but for the Grace of God . . .", and could only hope that this would be a lecture, better than any he could give, about the dangers of driving.

Outside, as the casket slid smoothly into the black hearse, the flag in front of the school whipped audibly in the wind; the sun sparkled, down at the bottom of Division, on the river ice, and the bell in the high tower tolled mournfully.

The students poured down the concrete steps and rushed back to their classes, with the final petition of the funeral mass still in their ears:

"May he rest in peace."

RECESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair, with the understanding that the recess not extend beyond 2:30 p.m. today.

The PRESIDING OFFICER (Mr. BAKER in the chair). Is there objection? The Chair hears none, and it is so ordered.

Thereupon (at 2 o'clock and 5 minutes p.m.) the Senate took a recess subject to the call of the Chair.

The Senate reassembled at 2 o'clock and 27 minutes p.m., when called to order by the Presiding Officer (Mr. BYRD of West Virginia in the chair).

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD the schedule for tomorrow and next week.

There being no objection, the schedule was ordered to be printed in the RECORD, as follows:

Date	Calendar No.	Bill No.	Bill description
Friday	1056	S. 3262	AEC authorization.
Do		H.R. 15399	Supplemental appropriations conference report.
Monday	1006	S. 2884	Amendments to Federal Voting Assistance Act.
Do	910	S. 1418	Amend passport laws.
Tuesday	1049	H.R. 15398	National School Lunch Act amendments.
Tuesday–Wednesday	1052	S. 1401	Land and water conservation fund.
Thursday		H.R. 15224	Coast Guard authorization (if reported).

Mr. MANSFIELD. With reference to the schedule, and for the information of the Senate, it is hoped that we will be able to finish the pending business this afternoon, at the conclusion of which consideration, there being no further business before the Senate, we will adjourn shortly thereafter.

On tomorrow, the Senate will proceed to the consideration of Calendar No. 1056, S. 3262, the AEC authorization bill.

On tomorrow, also, it is anticipated that we will consider H.R. 15399, the supplemental appropriations bill conference report. It is quite possible that there will be votes on that conference report.

On Monday next, it is anticipated that we will take up Calendar No. 1006, S. 2884, amendments to the Federal Voting Assistance Act.

Then, on the same day, Calendar No. 910, S. 1418, a bill to amend the passport laws.

On Tuesday next, we anticipate taking up Calendar No. 1049, H.R. 15398, the

National School Lunch Act amendments. On Tuesday or Wednesday, we plan to take up Calendar No. 1052, S. 1401, the land and water conservation fund.

It is also anticipated that sometime next week, we will take up H.R. 15224, if reported, which is the Coast Guard authorization bill.

It is also anticipated that minor bills which will be reported during the interim will be called up as occasion necessitates.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MANSFIELD in the chair). Without objection, it is so ordered.

RECOGNITION OF SENATOR YOUNG OF OHIO TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that on tomorrow, following the completion of routine morning business, the distinguished junior Senator from Ohio [Mr. YOUNG] be recognized for not to exceed 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

LIMITATIONS ON VEHICLE WEIGHT AND WIDTH ON THE INTERSTATE SYSTEM

The Senate resumed the consideration of the bill (S. 2658) to amend section 127 of title 23 of the United States Code relating to vehicle weight and width limitations on the Interstate System, in order to make certain increases in such limitations.

Mr. RANDOLPH. Mr. President, the Committee on Public Works, after extensive consideration of the issues involved in the proposed increases which would be authorized in motor vehicle weights and dimensions, has reported S. 2658, a bill which most closely strikes a balance between efficient, economic, and productive use of our highway system and the protection of the pavement, subsurface, and structures on that highway system.

Mr. President, I wish to cooperate at this point with my distinguished colleague from Nevada, the senior citizen. [Laughter.]

Mr. President, last year, in dedicating a post office in West Virginia, the chairman, in presenting me, wanted to do well by me. Senator BYRD and I do not think of being the senior or junior Senator from West Virginia. We were both elected in 1958, but I was to fill an unexpired term, and so I took office 2 days after the election. Senator BYRD came in January. But this man, in wishing to make reference to me as the senior Senator from West Virginia, rolled out his sentences and said, "I now present the senior citizen from West Virginia."

Mr. BYRD of West Virginia. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield to my seasoned colleague.

Mr. BYRD of West Virginia. May I say that my colleague is not a senior citizen, but he is an outstanding citizen. He is also the senior Senator from West Virginia and he fills the job well.

Mr. RANDOLPH. I appreciate the opportunity, my colleague knows, to join with him in working for West Virginians, and particularly in attempting to work on matters of national and international interest and concern.

I do now yield to the senior Senator from Nevada, who is a cosponsor of S. 2658. He has a commitment, and I would like to accommodate him without going further at this time in my statement.

Mr. BIBLE. Mr. President, I thank the distinguished senior Senator from West Virginia. I ask unanimous consent that my statement be incorporated at the conclusion of such remarks as the chairman of the Public Works Committee may make in connection with this bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

(Senator BIBLE's address is printed at the conclusion of the address of Senator RANDOLPH.)

Mr. RANDOLPH. Mr. President, the legislation before the Senate relates only—and I emphasize "only"—to the National System of Interstate and Defense Highways, otherwise known as the Interstate System. The bill, if enacted, will not in and of itself result in any larger or heavier vehicles operating on that system. It is a permissive bill. It merely permits any State which so desires to allow the operation of vehicles on the Interstate System within the borders of that State up to the maximum limits esablished by this legislation.

The Federal-Aid Highway Act of 1956 authorized maximum permissible truck sizes and weights for use on the Interstate System to protect the safety of the traveling public and the Federal investment in that system. Until that time, the matter of vehicle weights and dimensions was exclusively a concern of the States. The maximums adopted in the 1956 act were those which the State highway departments, operating through their national organization, the American Association of State Highway Officials, had agreed on as best meeting the need to protect the facilities which were being constructed. The Congress, in order to more fully inform itself of the maximum desirable dimensions and weights which should be permitted, directed the Secretary of Commerce to expedite a series of tests which were to be conducted in Ottawa, Ill., by the Highway Research Board for that very important purpose. In August 1964, a report was filed pursuant to that request. The report, House Document No. 354, 88th Congress, second session, made certain recommendations based on 6 years of extensive testing.

S. 2658, which was introduced by the very able Senator from Washington [Mr. MAGNUSON], the chairman of the Committee on Commerce, as reported adopts the major part of those recommendations. Cosponsoring the bill with Senator MAGNUSON are 21 other Members of this body, most of them from States which need such changes as are proposed in the bill.

The provisions of section 127, title 23, United States Code, Highways, which governs maximum permissible limits provides for a single axle weight of 18,000 pounds; a tandem axle weight of 32,000 pounds, an overall gross weight of 73,280 pounds, and a width of 96 inches; or the corresponding weights and dimensions permitted under State law or regulation in effect on July 1, 1956, whichever is greater. At present, as a result of the application of that last clause, the so-called grandfather clause, 26 States allow more than 18,000 pounds for a single axle, and 15 of those States allow 20,000 pounds or more. Twenty-four States allow more than 32,000 pounds for tandem axles, and eight of them allow 36,000 pounds or more. Three States permit widths of 102 inches or more.

I call the attention of Senators to the fact that State limits are presented in tables on pages 8 and 9 of the report of the Committee on Public Works, which I filed on March 27.

We include, of course, the tolerances. I comment upon that because they are important. S. 2658 would set 20,000 pounds, including tolerances, for single axles and 34,000 pounds, including tolerances, for tandem axles as the maximum allowable axle weight, and 102 inches as the maximum allowable width. I think it is important at this point to stress that nothing in the legislation either requires or suggests that any State change its presently existing law. The legislation is not designed as a recommendation for State action. It is, in essence, the enunciation of the width and weights which use our Interstate System, as constructed, can most reasonably accommodate while at the same time facilitating the transportation of passengers and freight in this country.

Many Senators who are especially interested in this proposal are cosponsors of the bill. They believe that with respect to gross weight, the bill now pending will significantly improve the situation which has existed since July 1, 1956. Under the standards established 12 years ago, the use of a stated maximum gross weight of 73,280 pounds was authorized.

Under Senator MAGNUSON's bill, joined in by the Senator from Oregon [Mr. MORSE] and the Senator from Utah [Mr. MOSS], we would substitute a formula which is described in the committee report in some detail and which I will not recite. This formula, pursuant to which maximum vehicle weight would be determined better controls the stress which will be transmitted primarily to bridge structures through any two or more consecutive axles. This is a much better control than that established by the 1956 act since it directly relates length of vehicle and the number of axles to overall gross weight. While State implementation of the legislation could result in longer and heavier vehicles than may now operate, such vehicles by reason of the application of the formula would do less damage to our highway system than the short-wheel-based vehicles currently operated under the 73,280 pound limit.

The subcommittee received testimony

from interested witnesses representing the various State and Federal agencies involved as well as from the users of our highway system, both commercial and private, passenger and truck, together with others whose concern with the legislation merited our attention. Four days of public hearings on the bill itself were followed by 3 days of most informative hearings on bridge design, construction, and maintenance. As the result of these hearings, the committee was fully apprised of all of the issues involved in this legislation—highway safety, economic impact, highway design standards—all were fully discussed. As a result of the testimony and of the communications which were presented to us, the committee unanimously reported this bill as best meeting the long-term needs of the Nation for efficient highway transportation and long life of the facilities which are constructed pursuant to Federal-aid highway legislation.

It is quite clear from the record that the States individually bear a great responsibility under this legislation. This bill is in keeping wth the 52-year history of the Federal-State partnership in highway development. Through this bill, we determine what is needed to best protect the Federal investment. It will be the responsibility of each State which may consider a change in its motor vehicle size and weight laws to determine for itself—based on the needs of its own economy, the capacity of its own road systems to accommodate such changes and the costs that may be entailed in such increases—whether the size and weight of vehicles which may operate within its borders should be changed.

The States will have to assume the responsibility for properly administering and enforcing the standards which they adopt. As a result of our committee hearings, we know that the older road systems and especially the older structures, the bridges, in those systems will not and cannot support repeated use by vehicles which would be permitted under provisions of S. 2658.

We know also that most commercial trucks do not operate at these high weight levels. Lodometer studies in the various States indicate that more than 75 percent of our trucks operate at substantially less than maximum loads, but as I have said, it will remain to each State to make the determination for itself.

The testimony before our committee also shows that the increase here being considered has no particular safety involvement. While the administration recommended certain controls concerning horsepower, linkage and braking power to insure safe operation, the committee upon examination of existing Federal law on the subject is firmly convinced that the authority requested now resides with the Department of Transportation and should be implemented without regard to what happens to this legislation. Likewise, the committee did not adopt the Department of Transportation recommendation that the maximum weights apply to all of the Federal aid systems. The reason we did not was that we in no way wanted to give the impression that such weights and widths could or should be used on all segments of the other Federal aid systems.

In all other respects, this legislation conforms to the recommendations of the Department of Transportation and is supported by the American Association of State Highway Officials.

There is, of course, a certain regional aspect to the legislation which we are considering. Testimony and communications were received from a number of Western States supporting S. 2658, which was introduced by Senator MAGNUSON and 21 Senators from the Western United States. The relation between the pending legislation and the economic needs of that region of the country was well established in the committee testimony. By the same token, communications and testimony on behalf of other equally important regions opposed the legislation. It is the committee's belief that by reason of the permissive nature of the legislation, the States of each region can respond to their own needs without any adverse impact on States in other regions. For while we may talk in terms of national uniformity, highway transportation is still limited in large part to short-distance movements, regionally oriented.

The Committee on Public Works recommends the enactment of S. 2658, as amended, in the interest of promoting the most productive, economic and efficient use of our highway system by passenger and freight carriers. The committee believes that the benefits to be derived from the increased sizes and weights of motor vehicles which would be permitted by the legislation would offset the increased maintenance and construction costs for our highway system. This legislation will establish the proper maximum dimensions and weights for the long-term use of the Interstate System. The committee further believes that highway safety will not be jeopardized as a result of the proposed maximum allowable sizes and weights. It further emphasizes that the ultimate decisions related to vehicle dimensions and weights will be made by the States individually after consideration by the State legislatures of all the relevant factors. Since the legislation establishes a maximum level of use consistent with protection of the Federal investment in the National System of Interstate and Defense Highways, and no changes can be made in existing highway operations without the affirmative action of the States, the committee recommends the adoption of S. 2658 as amended.

Mr. BIBLE. Mr. President, as the Senator has indicated, I am a cosponsor of this bill, along with a number of other colleagues. It is a bill in which I have been interested for some period of years. It seems to me that action on the bill which is before us today is long overdue. The outmoded vehicle weight and dimension limitations were, in effect, frozen by Federal legislation in 1956. I know this measure will be amply discussed by the Senator from West Virginia. It is very fully documented in the fine report that accompanies the bill and which is on the desk of each Senator.

The Committee on Public Works, reporting the bill, certainly stressed the need for improvements in the particular area of weight and dimension limitations on the Interstate System. I wish to reiterate my support for the legislation. The amendments which have been worked out make the legislation that much better. I can certainly urge a favorable vote on the basis of the excellent committee report.

This legislation will benefit many Western States, including my own State of Nevada, because they have, as a group, been hardest hit by the 1956 "freeze." For example, single-axle limitations in Nevada now prevent trucks from hauling more than 18,000 pounds of freight. Limits in other States exceed this by 10,000 pounds. Nevada has been chained to weight and dimension standards established more than 20 years ago for vehicle and highway conditions that have undergone a complete change. In many instances, these limitations are about as up to date as horses and buggies.

The committee emphasized in its report, and I wish to emphasize now, that the initiative and the authority to control vehicle weights and dimensions remain with the individual States. This legislation merely lifts the 1956 embargo and establishes more effective and modern maximums. The States may or may not act within them. I am sure Nevada will quickly elect to take advantage of this permissive legislation, as will most other States. The Nevada Highway Department, I am advised, is ready, willing and able to move forward with revisions as soon as the authority is available.

I also wish to call attention to the committee's finding that these changes in vehicle limitations will not adversely affect highway safety. And the benefits from these new limitations, the committee feels, will more than repay the slight increase in highway maintenance costs resulting from greater weights.

As I stated upon introduction of this measure last session, the Nevada Motor Transport Association and individual trucking, mining, and ranching interests have discussed this problem with me many times over. With little exception, these groups which have such a vital interest in highway transport enthusiastically support this legislation.

I join with my cosponsors and with the chairman of the Committee on Public Works in urging prompt and favorable action by the Senate.

Mr. RANDOLPH. Mr. President, the Senator from Nevada has indicated the need for legislation, and has made particular emphasis to his own State and other Western States.

Mr. MOSS. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield to the Senator from Utah.

Mr. MOSS. I congratulate the Senator from West Virginia, the chairman of the Committee on Public Works, on the fine job he has done in guiding this legislation to the point where it is today, on the floor of the Senate and under consideration.

I am pleased to note that the senior Senator from Washington, the chairman of the Committee on Commerce and the principal sponsor of this legislation, is present today.

This matter is indeed of greatest importance, particularly to the Western States, one of which I am privileged, in part, to represent. It has been of great concern to us for a long time. As the chairman of the Committee on Public Works has pointed out, we have been under a freeze, now, since 1956. As road systems have changed, as construction methods have improved, as vehicles have changed and improved, we have not been able to keep up with any of those improvements so far as transporting goods over our highways is concerned.

Out in the West, particularly in my State, there are large areas that are not served by railroads. And as we get into extractive industries such as mining of phosphate and other minerals, it is necessary to transport those minerals over the highways in order to get them to the place where they can be fabricated or to get them to rail terminals where they can be placed in rail cars.

This was particularly true in my State at a place called Vernal in the Uinta Basin. The only way to bring the phosphate out of there was by truck. When we were confronted with the situation caused by the limitations established on the Federal highways and were not able to transport the minerals, we received some temporary exemptions. However, always hanging over us was the cloud of the freeze that had been placed on in 1956.

The pending bill, therefore, will apply new and modern standards, and they will certainly be standards that are within the structural limits of the highways and bridges that will be traversed. There will not be damage done to the highways or bridges. Yet, it will enable us to use the Federal highway system to transport our phospate and other heavy materials over the highways.

We urge that the Senate approve the pending bill and send it on its way so that we can have these changes enacted into law.

The Governor of my State, the director of the State highways, and the Motor Transport Association—in fact, it seems to me that all of the people of my State—are unanimous in their support of the bill. They ask for the kind of improvement in the standards that are set forth in the pending measure to enable us to upgrade and modernize and move along in the use of our transport facilities.

I say again that I appreciate the very fine and diligent work that has been done by the Committee on Public Works and its chairman in bringing the pending measure to the point of passage today.

Mr. RANDOLPH. Mr. President, the remarks of the distinguished Senator from Utah indicate the interest, support, and the knowledge of the people within his State, and particularly of the Senator who has just spoken, concerning the urgency which brings the pending bill to the floor. We hope that it will very soon be passed.

I think, very frankly, that when we consider the 4 days of hearings held on S. 2658, and the 3 additional days of hearings supplementary to those hearings, when we were considering matters of bridge design, operation, and maintenance in this country, we realize that the pending legislation offers much better control than that established by the more restrictive but less realistic prior legislation, as the Senator from Utah has pointed out. It directly relates the length of the vehicle and the number of axles to the permissible overall gross weight. While State implementation of the legislation would result in longer and heavier vehicles than are now being operated, such vehicles by reason of the application of this formula will actually do less damage, as the Senator from Washington [Mr. Magnuson] knows, to our system of highways than the short wheelbased vehicles now operating under the limit of 72,280 pounds.

Mr. President, I yield now to my colleague, the distinguished senior Senator from Oregon.

Mr. MORSE. Mr. President, I commend the Senator from West Virginia [Mr. Randolph], chairman of the Committee on Public Works, the Senator from Washington [Mr. Magnuson], chairman of the Committee on Commerce, for the work that they have done on behalf of this measure, and the other members of the Committee on Public Works for bringing the pending bill to the prompt, and I hope, favorable action of the Senate this afternoon.

I was very pleased to be one of the cosponsors of the pending bill. The Record is clear that I have worked very closely while the pending bill has been under consideration with groups in my State that recognize the importance of the pending measure to my State.

I particularly want to pay my thanks to Robert R. Kneipe, managing director of Oregon Trucking Associations, Inc., who has worked very closely with the trucking industry of my State. I also pay my thanks to the leaders of the worker organizations and businessmen and chamber of commerce groups in my State who are enthusiastically behind the pending measure.

Truck transportation is more important to commerce and industry and to daily life, too, in our part of the country than most anywhere else in the country. We rely on it to carry goods to and from rail points that do not service many communities. In fact, the trucks service more communities than do the railroads in our Nation. That is a very important point that is not recognized by many Americans.

The higher size and weight limitations carried in the pending bill for trucks will make possible considerable economy in a great deal of the industry in the Pacific Northwest. It will also make possible highway transportation service to communities where it is not now feasible.

The Public Works Committee has gone into the question that many taxpaying citizens who use the highways and pay into the highway trust fund are bound to ask, and it is: "Will not the bigger and heavier trucks be hard on the highways?"

The answer is that in our best judgment with improved construction techniques, the highways can easily accommodate the increased size and weight limitations.

That is the testimony of the engineers, and it is a question of fact. I do not know of any supporter of the pending measure who wants to see expensive highways torn up by trucks too heavy to be supported. And they will not be as a result of the pending measure. I am satisfied that the Public Works Committee has determined that this will not be the case.

I congratulate the Senator from West Virginia for his objectivity in meeting in the hearings this very question, because I want to lay to rest any false charge that may be made that the pending measure will in any way be detrimental to the highways.

So, we should not underuse our highways, either. If they can accommodate bigger trucks, that will mean better service and more service to a great many communities in the country, and especially in the Northwest. And the eastern seaboard and the Midwest has a great economic interest in the pending bill because it will then be possible for them to get the goods shipped in from the West to the Middle West and the East at quite a saving, if they can be shipped more economically in the truck sizes that are made possible by the pending bill.

I again express my appreciation to the Senator from West Virginia, and to the Senator from Washington, and the others for the great help they have been to us in getting the pending bill to the floor of the Senate this afternoon.

Mr. RANDOLPH. Mr. President, I am grateful for the knowledge which the distinguished senior Senator from Oregon brings to a discussion of the pending measure.

I stress that our Subcommittee on Roads received testimony from witnesses who came from the Western States such as Oregon. We also had the advantage of the expertise of those who appeared before us from the Federal agencies involved.

I want the Record to indicate that the private users of the highway system will have an opportunity to receive benefit from this measure, as will those who represent both the commercial and the truck interests, and others who have had their limits restricted to the older standards but who need to break out of the limits fastened on them in 1956. We have expanded, as the Senator from Oregon has said, in our highway distribution system the movement of products of the farm and factory, and the movement of people on our highway system.

I have indicated that these hearings were informative, not only the 4 days on this measure but also the 3 days on bridge design, construction, and maintenance, because we felt that, in a sense, one complemented the other.

There was no effort to rush this matter. We went over it very carefully. We went into all the issues involved—the impact of the vehicles on highway structures as well as the matter of highway safety and questions of highway and bridge design standards. All these matters were examined very thoroughly by the subcommittee and the full committee.

After all the testimony and communications were read very carefully, and after the subcommittee and then the full committee went into these issues, the measure was reported to the Senate by a unanimous vote of the members of our committee.

Some matters will be further discussed this afternoon, I understand, by some members of the committee who, although they are in favor of this bill, wish to contribute to the record by further attention to certain factors in which they have a special interest.

So we believe that the long-term needs of Oregon, of Washington, of Utah—of the Nation, will be served by the continuance and a proper expansion of the efficient use of our highway system, and the long life of the facilities. We do not attempt in any way to shorten the life of the facilities. We do know that these programs must be consistent and that they must be realistic in light of all the needs and uses of our Federal highway program.

It is necessary also that the record indicate clearly that the States individually bear a major responsibility for rejecting or accepting the maximum permissible limits under this bill, and that is as it should be. This bill is in keeping with the 52-year history, I say to my colleagues, of the cooperation and the partnership of the States and the Federal Government.

In this bill we determine what is needed to best protect the Federal investment. It will be the responsibility of each State which may consider a change in its motor vehicle size and weight laws, to determine for itself, based on the needs of the economy as it expands in that area, the capacity of its own road system to accommodate these permissible limits, and the costs that would be entailed if the increases are applied.

I also indicate that the States continue to assume the responsibility for the proper and effective administration and enforcement of the standards which they, the States, set.

As a result of our subcommittee hearings and the markups in the full committee, we know that the older road systems and especially the older structures—that is, the bridges—will not and cannot support the repeated use by vehicles which would be permitted under S. 2658. We also know that most commercial vehicles do not operate at these high weight levels. It is important that we note this as we make this record. The studies that have been conducted in many States indicate that more than 75 percent of the trucks operating do so at substantially less than the maximum allowable weight levels.

The administration recommended certain controls regarding horsepower, linkage, and braking power to insure safe operation. Upon examination of the existing Federal law by members of the committee, we are firmly convinced that the authority requested now resides with the Department of Transportation, and it should be implemented irrespective of this legislation. We must never allow safety to be relegated to a secondary position.

The committee did not adopt the Department of Transportation recommendation that these maximum weights apply to all the Federal aid systems. The reason why we did not do so was that we in no way wanted to give the impression, by reporting this bill, that such weights and widths could or should be on all segments of the Federal aid systems of the United States.

But in all other respects the proposed legislation conforms to the recommendation of the Department of Transportation and is supported by the State highway departments through the American Association of State Highway Officials.

I point out that there is a regional need for the proposed legislation. We previously have had this type of legislation, regional in nature. We have helped the Far West with respect to reclamation programs. In the Appalachian States, we have brought special economic development legislation to the Senate which we believed would be of value. Now we are considering permissive legislation which would allow certain States particularly in the western region, to better meet their economic needs by a fuller utilization of existing truck technology.

Mr. HANSEN. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield.

Mr. HANSEN. Mr. President, I compliment the distinguished and very able chairman of the committee on the leadership he has exhibited with respect to this pressing problem that faces the entire country. I wish to emphasize that the proposed legislation would take no authority away from the States. I know that the distinguished Senator from West Virginia has pointed out that fact very ably, but it is a point that deserves reemphasis, because the States still would have the final authority to set standards and limits.

The problem in the past, as I understand it, has been that a State, despite its willingness to increase limits—both axle and total weight limits—has been circumscribed by Federal legislation beyond which the States could not go insofar as the Interstate System was concerned.

In my State of Wyoming we are particularly dependent upon the trucking industry. I say that despite the fact that we have several very excellent railroad systems which go through Wyoming. However, by the nature of our topography, by the nature of the geographical distribution of our population and our industries, and by the nature of the extracting resources development we have going on in Wyoming, it is necessary that a great deal of our natural resources must be transported by truck. It is here that we have a very real concern in Wyoming because in order to make a sawmill operation successful we now bring timber from the forests in tree length. The history of a great many sawmill operations in Wyoming has been one of losing out and going broke.

When that happens great injury is done to a whole community, for not only do we lose people from the payrolls, and not only do we have unemployment come about as businesses fold, but we also have repercussions felt by a large number of other business establishments in the community. This sort of thing spells trouble for any community where it occurs. I believe the legislation now before the Senate will be helpful in coming to grips with a reasonable solution to this problem.

Not only are we dependent in many communities upon the timber industry but we also have great activity in the development of oil throughout Wyoming, both natural gas and petroleum. Here again, we are faced in increasing measures with the problem of transporting drilling equipment from one place to another. This is big business for Wyoming; it is our No. 1 income producer. It means the high standard of living our workers enjoy in Wyoming. It means steady employment. Anytime we burden this industry with unnecessary restriction of weight and axle limitations we make it more difficult for this industry to thrive and prosper.

Therefore, I speak with very real concern on behalf of my State for legislation that I think will go far. We will be better able to serve and keep people in jobs 12 months of the year, and we will be better able to guarantee communities in Wyoming that are affected that they can count on steady, continuing employment and payrolls, with all that that means.

Mr. President, it is in that context that I thank the Senator for his leadership and his expertise in bringing to the Senate this afternoon this important piece of legislation.

Mr. President, I ask unanimous consent to have printed in the RECORD a telegram from the Wyoming Trucking Association that states their position very clearly.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

WYOMING TRUCKING ASSOCIATION,
Casper, Wyo., March 28, 1968.

Hon. CLIFFORD P. HANSEN,
Senate Office Building,
Washington, D.C.:

We are advised that S. 2658 may be on Senate floor Tuesday, April 2, we respectfully request your presence and support as you know this legislation is vital to Wyoming and the west. Subcommittee and committee change numerical factor and formula from 40 to 36 and changing wheelbase definition from overall wheel base as originally introduced to internal groups of axles will materially reduce gross load for many Wyoming carriers. Oilfield equipment must be short. We needed that overall wheel base. Bill as reported out by Senate Public Works Committee will still benefit many western carriers.

We are personally gratified to you for your dedication to this legislation. We have saved news stories from all Wyoming newspapers covering your statements in support of S. 2658. Thank you.

L. E. MEREDITH,
Managing Director.

Mr. RANDOLPH. I thank the Senator from Wyoming.

The Senator has spoken about problems in his State that we carefully considered in the subcommittee and in the committee. We believe that each State and each region will be able to respond to its own needs. It is important that that can be done without injury to other States or other regions of this country.

Of course, we talk naturally in terms of national uniformity, but highway transportation is limited in large parts of this country to short distance movements and it is usually regionally oriented.

I yield to the Senator from Kentucky.

(At this point, Mr. BREWSTER assumed the chair.)

Mr. COOPER. I thank the Senator from West Virginia. I had intended to speak for a longer time than I shall take, but I must leave for my State of Kentucky. I am sure the fact that I shall speak briefly will not be disagreeable to anyone. I will ask that the statement I had prepared be included in the RECORD.

I supported in committee S. 2658 as amended; I support it today and I shall vote for the bill.

I recognize the necessity of providing better transportation to many States of our country, and particularly those States in the West, large parts of which are far from rail lines. Efficient transportation is a necessity for growth and development, which all of us on the committee recognize. In addition, we know there must be productive and economic use of our system of highways.

The hearings held by the committee developed the need to increase somewhat the maximum weights trucks are permitted to carry, and to increase their permitted width so that trucks might better carry the new types of containers which have been developed in that industry.

For example, I was interested in reading just this week that because of problems developing with respect to the Panama Canal, primarily the limited tonnage that can be carried through the canal at this time, a system to be used by both the railroads and the trucking industry will be developed in order to have speedy transportation of freight between the coasts.

Mr. President, I think this bill is desirable. I think it necessary also, however, to direct the attention of the country, the trucking industry, and particularly our States, to the fact that there are certain problems inherent in this bill—problems the States will have to face. I shall mention briefly three of them.

First, heavier axle loads on the highways will add to their cost, not only in designing new construction to a higher standard, but also and especially in the maintenance and reconstruction of existing highways, which must be continued in service for many years. If higher design and maintenance is not accomplished, the price to be paid will be in shortened life of highways and highways in less serviceable condition. From the testimony received, as I recall, the lessened life of these older roads could reach a figure from 20 percent to 35 or 40 percent.

The second problem is that while this bill is directed to maximum loads which the States may permit on the Interstate System, as a practical matter it affects the other road systems as well, because the trucks, with few exceptions, must travel on the other roads. There may be instances where there are loading stations adjacent to the Interstate System. However, we know it is impractical to think that these heavier trucks will just travel on the Interstate System. That raises the problem of maintenance and reconstruction of all roads in the country.

The third serious consideration that has been raised is about bridge safety. There are over 500,000 bridges in our country today. With the exception of the bridges on the interstate highways and newer bridges on the regular Federal-aid system, practically none were designed to carry even the existing volumes and weights of traffic, and certainly not these increased load limits. That will mean that these bridges must be very carefully inspected and maintained, and that new bridges must be built to higher standards at additional cost. All these factors must be considered.

I want to make the point that much of the cost of new construction—and all of the cost of additional maintenance required on the existing road systems with their bridges—will be borne by the State.

The information given me by the Bureau of Public Roads is that $1.8 billion could be assigned as the pavement design cost of increasing truck axle load limits as provided by the bill. Of course, we do not know the period of increased maintenance costs and the timing of new construction. But we do know that there is already an additional $1 billion in the cost of the Interstate System in order to accommodate heavier traffic volumes and loads.

I make these points because I believe it important that State legislatures and Governors—when they make their decisions, if they do, to permit increased weight limits—take into consideration the fact that they will be required to reconstruct old roads and bridges and, in the future, will have to provide for higher standards of construction and maintenance.

I do not say that there is anything wrong in that, because progress is inevitable. Progress is right; we must move forward. But the additional cost must be borne in mind.

Another point is the question of safety on the highways. I am very glad that 2 years ago the distinguished Senator from West Virginia, the chairman of the committee, and I, introduced a bill which became the Highway Safety Act of 1966. It did not receive as much attention as the safety bill dealing with the construction of automobiles. That was a very important bill, of course, and I believe that our distinguished colleague from Washington, Mr. MAGNUSON, who is here, did great work upon that bill in his committee. But the highway safety bill that was introduced by the two of us, which was considered by the Public Work Committee and passed by the Senate, and then by the House and enacted into law, is a measure which will provide greater safety upon the highways because it requires the States to take action in a large number of fields, including safer highway design, driver training, and automobile inspection—everything to do with the actual operation of a motor vehicle on the highways and the ability of the driver himself.

The bill now before the Senate could have an effect on highway safety unless it is accompanied by higher standards of design and better road maintenance.

In making these comments, I am aware of the interest of our Western States, and in fact of all our States, in more productive use of highways, a more efficient trucking system, and a better system of transportation throughout the country. We took that into consideration.

The Senator from Tennessee [Mr. BAKER] has been particularly interested in the problem of the increased maximum width of motor vehicles. We live in a countryside, in the eastern part of Kentucky and Tennessee, not unlike that in many other States, which has narrow roads that make it difficult at times for vehicles to pass each other. Increased width could create a difficult safety problem on narrow roads. I would hope that before this bill is taken up by the House, the Department of Transportation will carefully consider the question of safety on the many narrow roads in the country, and whether the increased width—proposed for more efficient use of buses and trucks, and to better accommodate the human beings and freight they carry—is absolutely required.

Finally, I want to pay my usual tribute—and it is usual because we have this very pleasant habit and experience of working together on the Public Works Committee—to our chairman the distinguished Senator from West Virginia [Mr. RANDOLPH], to my colleagues on the minority side and on the majority side as well, and to the capable staff which has produced for interpretation of S. 2658 the very fine commission report before the Senate.

Mr. President, while I have commented on the main points in my statement, I ask unanimous consent that it be printed in full in the RECORD.

There being no objection, the statement and summary were ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR JOHN SHERMAN COOPER ON S. 2658, VEHICLE WEIGHTS AND DIMENSIONS

Mr. President, the bill S. 2658 is an important bill, affecting as it does not only the productive and economical use of the Federal-aid highway systems of the United States, but also the serviceability and life of our highways and the margin of safety on existing bridges.

I supported the bill in Committee, and support the passage of the bill, because I believe the modifications made by the Committee have greatly reduced the most serious questions of cost and bridge safety presented by the original bill; because the bill no longer exceeds the maximums recommended by the Department of Transportation and the American Association of State Highway Officials; and because the Committee report does direct attention to the responsibility of the States, whenever they consider legislation to increase load limits to the maximums authorized by this bill, to consider road maintenance as well as new construction costs, and to take into account any reduction in the life of existing roads and lower margin of safety on bridges.

My purpose in speaking today is to call attention to three facts:

First, that heavier axle loads on the highways adds to their cost—not only in designing new construction to a higher standard, but especially in the maintenance and reconstruction of older highways which must be continued in service for many years. If higher design and increased maintenance is not accomplished, of course this price is paid instead in the shortened life of highways and in their less serviceable condition.

Second, while this bill is directed to maximum loads which the States may permit on the Interstate system, as a practical matter it affects the other road systems as well, because the trucks must travel over other roads.

Third, serious questions have been raised about bridge safety, not only with respect to carrying heavier gross loads, and the hazard of wider trucks impacting on key structural members, but also respecting the accumulation of fatigue which may now be present in these older bridges and their ability to continue to carry present loads and traffic volumes.

The bill as reported would permit the States to increase the load limits of vehicles permitted on the Interstate system from 18,000 to 20,000 pounds for single axles, from 32,000 to 34,000 pounds for tandem axles, from 73,280 pounds gross weight to a gross weight determined by a formula taking into account the number and spacing of axles, and to increase the permissible width of vehicles from 96 to 102 inches.

These changes are significant, and are of interest not only to the trucking industry, which desires to make more efficient use of the larger trucks, and to operators of buses who also desire the additional width, but also to State Highway Departments which have the responsibility of keeping the major highway systems in service—and of course to the traveling public.

II

While the changes made by this bill may not appear large to those who have not studied the subject, they are indeed significant with respect to their impact on roads. To give an example, tests conducted in cooperation with the Bureau of Public Roads at the direction of the Congress, show that the impact of a 20,000 pound single axle is 51% greater than an 18,000 pound axle, the present maximum. And a 22,000 pound axle, as allowed in States permitted to retain higher limits under the "grandfather clause" which is continued by this bill, would have 118% greater impact—more than double the stress imposed by an 18,000 pound axle. These percentages refer to damage or loss of pavement life which result from the heavier axles, compared to passage over the road of the present maximum axle weights.

There are many ways to evaluate the results of the Illinois road tests, which were the basis of the report to the Congress by the Secretary of Commerce in 1964, printed as House Document No. 354. For example, table 31 on page 122 of that report indicates that the average remaining life of primary roads surveyed by the States would be decreased from 7.4 years to 6.2 years by increased axle load limits only slightly greater than those in this bill. Testimony received by the Committee from the association of State highway officials stated that the increase from 18,000 to 20,000 pound axle loads can result in a loss of remaining road life of from 35 to 40%.

The Director of the Bureau of Roads, Mr. Francis C. Turner, referred to the heavier design now being applied to Interstate highways, in order to accommodate increased traffic and the larger number of heavier trucks operating under the present maximum load limits—and which accounts for over $1 billion ($1,045 million) of the $9 billion increase in the cost of the Interstate system, as submitted to the Congress by the Secretary of Transportation in January. As I understand, that increased cost is occasioned by a larger volume of heavy traffic than formerly anticipated; it does not reflect the shorter life of portions of the Interstate system built to somewhat lower standards several years ago; nor does it necessarily reflect the heavier load limits which would be authorized by this bill. And while it is an increased cost for the Interstate system alone, it does provide an example of the cost of providing heavier roadway bases, surface and shoulder areas to accommodate an increasing volume of heavy traffic.

In response to my request to the Bureau of Public Roads for an estimate of the cost of the bill as introduced, and as reported by the Committee, I was provided an analysis which indicates that the cost which could be assigned to the Interstate, primary and secondary systems, using the limits contained in the bill as introduced, would amount to more than $3.7 billion—and that the cost of providing for the weight limits in the bill as reported would be more than $1.8 billion. I acknowledge that this estimate is based on a number of assumptions—primarily of providing a thicker pavement surface whenever these roads are eventually rebuilt. They may not be rebuilt, but could instead be allowed to deteriorate more rapidly. But I believe these figures give an indication of the values involved, and they do take into account traffic calculations based on estimates of average daily traffic and typical mixtures of traffic.

An appraisal can also be made by comparing the roadway surface and bridge maintenance costs of States now permitting single axle loads of 20,000 and 22,000 pounds, compared to road maintenance costs for States at the 18,000 pound limit. An estimate supplied at my request by the Bureau of Roads, based on 1966 expenditure by the States for the principal highway network, indicates that the additional maintenance cost for the heavier limits could exceed $300 million annually. Of course there may be other reasons why the States now permitting heavier loads have higher maintenance costs, and admittedly this is not a detailed analysis. But it does reflect actual expenditures where heavier loads are now permitted, and so provides a rough guide to the kind of increased maintenance costs for which States must plan if they decided to adopt higher load limits.

During the course of its hearings and consideration of the bill, the Committee came to fuller recognition of the consequences of raising the maximum load limits. For example, I call attention to the judgment, cited in the Committee report at the top of page 2, that the Committee bill is "*not* intended as a Federal determination that such weights should be permitted" by the States "nor does it imply that roads *other* than those on the Interstate system are capable of carrying such loads." The Committee report emphasizes that the responsibility for establishing size and weight limits remains with the States, stating on page 4:

"The most difficult problem inherent in consideration of S. 2658 concerned the impact of increased weights and widths on the existing road systems and structures. The testimony presented to the committee made it quite clear that the Interstate sytsem is designed and built to accommodate vehicles with weights and dimensions recommended in the bill as reported by the committee. This is not the case with many of our existing primary and secondary roads. It will, therefore, be the responsibility of each of the States to determine the acceptability of the maximums permitted by S. 2658, as amended, and if acceptable how they will be implemented."

Further, at the bottom of page 4:

"Each State will have to examine the needs of its own economy, the capacity of its existing road system, and the costs of maintenance which will be entailed, in making the decisions relating to any increase of the size and weights of vehicles which may operate within its borders." Immediately following the hearings on this bill, the Roads Subcommittee conducted hearings on the subject of bridge safety. The Committee report states on page 5:

"As a result of those additional hearings we have serious questions concerning the capability of many of the older noninterstate structures to support vehicles of the dimensions and weights presently permitted to operate under existing State legislation."

The summary of Committee Views, on page 17, again emphasizes the judgment of the Committee that while the increased weights are appropriate for the Interstate system, the States must consider the impact on other road systems within the State of whatever limits they set.

I have called attention to the question of road wear, and of the shortened road life which comes with increased traffic volumes and weights, first, because the maintenance of the Federal-aid Interstate, primary and secondary systems is a State responsibility. The burden of maintenance—as distinguished from construction costs—is borne wholly by the States.

The second principal point to be understood is that while the Federal maximum is directed to the use which the States may permit of the Interstate system, these heavier trucks ordinarily are not and cannot be restricted to the Interstate system and similar high-design type roads. They must travel on the primary system, and often the secondary system, before entering and after leaving Interstate roads. While a State may set lower limits for other roads, dual standards, to be effective, require a comprehensive and difficult system of enforcement. As a practical matter, the limits set by the State for use of the Interstate system within its borders becomes a standard also for many of its other roads. And of course each State receives appeals not to fence out commerce, or to become an island, but to adopt uniform standards in line with those permitted by the Federal Government and neighboring States.

III

The bill as introduced would have permitted heavier tandem axle weights and larger gross weights than the bill now before the Senate. These weights were in excess of the maximums recommended by the Department of Transportation, those supported by the 1964 report from the Secretary of Commerce, and greater than the maximums which the American Association of State Highway Officials said could be condoned. They encroached severely on the margin of safety for most bridges, except those on the Interstate system, and testimony received by the Committee during the bridge safety hearings raised grave doubts as to whether these heavier weights would not in fact endanger many existing bridges.

Bridge design, capacity and life, is a complex and separate subject, but both the Department of Transportation and the State Highway officials indicated that the increase provided by the bill as reported is well within the capacity of Interstate system bridges, and while it would increase stresses, can probably be sustained without danger on the bulk of other structures. It is clear, however, that all older bridges in the country must be examined and inspected, that many should be posted, and others replaced. This examination is under way, and the Committee is pursuing its interest in improved bridge safety and maintenance.

In the Subcommittee on Roads, I moved to substitute for the bill as introduced the maximum weights recommended by the Department of Transportation and by the State highway departments. While my motion did not succeed at the time. I am very glad that, following the bridge safety hearings and additional testimony from the Bureau of Roads and Mr. Lowell Bridwell, the Federal Highway Administrator, S. 2658 was amended in accord with my proposal.

I have not spoken of the advantages and benefits to be derived from increased truck and bus size and weights—which are well presented in the hearings through the testimony of the American Trucking Association, the National Association of Motor Bus Owners, and a number of Senators from Western

States, among others. I must say that their testimony was persuasive, and I have no doubt that a somewhat heavier design of highways to carry these larger vehicles without shortening road life can bring efficiencies and economies in shipping which may amount to many times the modest cost of the new construction.

Rather, it has been my purpose to call attention to the other effects which must be considered by State highway departments and legislatures—principally the impact of this heavier traffic on existing road systems which have not been built to the high standards of the Interstate System, which in many cases are deteriorating more rapidly than expected because they are now carrying greater volumes and heavier trucks than planned, and the consequences in shortened road life and greatly increased maintenance costs. The States have proposed a national road program to follow the Interstate program, involving the reconstruction of the primary and urban systems—for I think it generally conceded that these systems have fallen behind while attention has been concentrated on the Interstate System. Yet, the Interstate System is delayed by at least three years, and it will be that much longer before attention can be turned to the large effort needed on the other systems. So that is another reason for the States to exercise caution in quickly extending the weight maximums to roads other than Interstate.

Mr. President, this rather complex matter, involving questions of policy and the proper distribution of costs and benefits, as well as many technical and engineering considerations, is the subject of the thorough and comprehensive report to which I have referred, which was ordered by the Congress and is entitled "Maximum Desirable Dimensions and Weights of Vehicles Operated on the Federal-Aid Systems", available as House Document No. 354 of the 88th Congress. I commend it to anyone interested in reviewing this subject, and ask that the brief summary and recommendations made by the 1964 report, which remains the basis for the recommendations of the Department of Transportation and the State highway officials, be included in the RECORD.

I do wish to take this opportunity to commend the Chairman of our Committee, Senator Randolph, for the thorough consideration given to this bill, for the recognition that he assured and that was given to the problems involved, and for the responsible language of the Committee report in calling the attention of the States to the issues they must consider. He is a leader in maintaining the progress of our great public works programs.

I consider this bill, as amended, a step in that progress toward the construction of a highway system which will provide more efficient commerce and productive use, and I have been glad to make what I hope is a contribution to its development.

[Excerpt from the report of the U.S. Department of Commerce, August 1964; H. Doc. No. 354]

MAXIMUM DESIRABLE DIMENSIONS AND WEIGHTS OF VEHICLES OPERATED ON THE FEDERAL-AID SYSTEM

SUMMARY AND RECOMMENDATIONS

From the technical point of view the effects of the weight and dimensions of a vehicle differ. Weight primarily affects the serviceability and life of the pavement and structures through the stresses it places upon them. Overstressing decreases the serviceability and hastens the reconstruction or replacement of highway facilities. Greater axle weight requires greater pavement thickness and stronger bridges. Gross weight can be a critical factor for bridges carrying vehicle combinations having short wheelbases. On the other hand, increased lengths make possible greater gross weights. Vehicle size affects the operations of highway traffic including the general behavior of vehicles in the traffic stream. Greater width requires wider pavement and bridges and greater length and height of vehicles requires increased dimensions of highway geometric patterns and clearances. In the absence of minimum performance requirements, weight can also affect highway capacity; that is, a slowly moving vehicle affects adversely the speed of others and hence the capacity of the roadway. But basically axle weight affects the serviceability of a highway and vehicle size affects its capacity.

In setting dimensions and weight standards a mediation of various values in conflict is necessary. Any standard proposed must provide for maximum safety of operations. Beyond this overriding need, balances must be achieved within major areas of consideration. There must be a balance between the benefits inherent in increasing standards, and the costs of providing for them; between larger vehicle dimensions and the welfare of other users of the highway. The use of public funds by Federal, State, county, and urban governments to provide highway facilities and administration implies that many sectors of the public interest beside commercial transportation are involved in determinations of vehicle standards. There must be a clear showing that increases in vehicle sizes and weights are in the public interest. Highway vehicle standards must also be weighed in the balance with other modes of transportation to permit highway transport to make its optimum contribution in meeting the needs of the Nation's commerce. Such tests will provide for the most effective use of our transportation resources.

Examination of the benefit-cost equations where available for the various alternates can assist in determining some of these balancing points in the evaluation of standards; quantified benefits can be offset against comparable costs. Not least among the considerations is the ability or willingness of beneficiaries to pay the increased costs they occasion.

Structures comprising our present highways were designed for and are maintained at a level of serviceability to accommodate specific vehicle dimensions and axle weights for a preselected period of time. Most structures built over the past decade for the primary highway systems are intended to accommodate greater vehicle standards and provide better serviceability than those built in the decade following World War II. The initially selected period of service life of highway structures is also the basis for the programing of funds which the public makes available whether obtained from bond issues, user charges, dedicated tax revenues, or other sources. Increases in vehicle standards which occasion greater capacity or strengthening of highway structures, or accelerated deterioration of their serviceability, cannot be justified unless corresponding increases are provided in the revenues required to meet the costs of highway widening, resurfacing, reconstruction, and maintenance which they entail.

Balance is also desirable in the application of vehicle standards both as to their scope and timing. Through annual model changes automotive vehicles can be transformed from one to another dimension and weight standard very quickly. The upgrading of an entire highway system cannot be so easily provided. Prior to their construction, highway structures must be designed to meet capacity and strength requirement anticipated over their lifetime. Any abrupt change in vehicle standards could possibly bring about wasteful obsolescence of technically and economically sound structures and weaken the public's continuing high investment in highway systems. Further, while in the interests of uniformity it is desirable to have only one vehicle standard for all highway systems, it is not possible at this time as a practical economic, technical, or legislative matter. On the other hand, neither is it feasible to establish Federal vehicle standards for certain highways unless as a minimum they comprise a very considerable mileage of connected routes forming an interstate system.

The resources of technical research available for this report have been considerable; nevertheless, the field is so complex and the variables so many that each conclusion is subject to important qualifications. Furthermore the interrelationship between each conclusion requires further exploration to provide overall solutions for a highway system. The conclusions available from present research cannot justify greater standards than those proposed in this report; a more comprehensive program of research and investigation must proceed to enable future standards to be related specifically to technical criteria, and applicable to additional components of the Federal-aid highway systems.

Recommendations for the standards of vehicles utilizing the Federal-aid highway systems follow. They provide for progressive implementation of increased vehicle standards over the next 3 years. They are, therefore, predicated on the continued financial support by all participating governments of presently approved program levels for the construction, reconstruction, maintenance, and operation of these systems:

1. With regard to the Federal-aid primary and secondary systems and their respective urban extensions, there is need for additional important information regarding the serviceability and capacity of critical structures comprising each component of these systems, and the makeup of the actual dimensions and weights of vehicles using each. It is not feasible to recommend any Federal standards for vehicles using these primary and secondary systems until the required information is obtained and analyzed.

2. Section 127 of title 23, United States Code, specifies the maximum axle weights, gross weight, and width of vehicles which the States shall permit to use the Interstate System. The following recommendations apply to the basic weights and widths specified in existing law:

a. That the existing maximum overall vehicle width of 96 inches shall be retained through June 30, 1967.

b. That the existing maximum single-axle weight of 18,000 pounds and tandem-axle weight of 32,000 pounds shall be retained through June 30, 1967.

c. That the existing maximum gross weight of 73,280 pounds shall be amended by providing that for a period, beginning 6 months following the enactment of such an amendment to and through June 30, 1967, the maximum overall gross weight of a vehicle shall be that given in bridge table A on the following page for the respective number of axles of the vehicle and the distance between the extreme axles of the group measured longitudinally to the nearest foot. The following general formula is the basis for preparing bridge table A:

$$W=500\ (LN/N-1+12N+32)$$

where W=maximum weight in pounds carried on any group of two or more axles.

L=distance in feet between the extremes of any group of two or more consecutive axles.

N=number of axles in the group under consideration.

3. It is recommended that section 127 of title 23, United States Code, be further amended to provide that there be added to the present provisions the following seven additional limitations on the dimensions of vehicles using the Interstate System, to be effective 6 months after the enactment of such amendment:

a. Maximum length of single-unit truck, 40 feet.

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e. Maximum overall length of truck-tractor and semitrailer, 55 feet.

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4. That in the interests of safety and the efficient utilization of highways by all types of vehicles, performance standards be added to the dimension and weight standards prescribed in section 127 of title 23, United States Code, for vehicles operating on the Interstate System. Further that these Federal performance standards shall be those prescribed by the Secretary of Commerce and published in the Federal Register, and shall take effect on such date as the Secretary of Commerce shall determine, but in no case less than 1 year or more than 3 years after section 127 has been amended to provide therefor. These performance standards provided for by the amendment of section 127 shall be:

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6. That the Secretary of Commerce shall, in consultation with the Governors of the States, develop a feasible program for the establishment of maximum vehicle standards which are inclusive of all enforcement, weighing scale or other tolerances.

Mr. RANDOLPH. The Senator from Kentucky's speech has given further emphasis to certain points and added to the legislative record. The Senator from Kentucky has discussed these matters in relationship to his own State. His State has a type of terrain which is shared by other States in Appalachia.

When we speak of the costs that will be added, it is worth noting that only 12 years ago we estimated that the interstate highway and defense system would cost $26 billion. Today, we estimate the final costs of completion of that system as being in the magnitude of $55 billion. Those are the costs that come with an expanding economy, a mobile nation, and the movement of people and of products.

I commend the Senator from Kentucky again for his close attention to the details of this legislation. I think that the increase in the cost of maintenance was given perhaps as thorough consideration in our subcommittee as any other matter.

The exact cost of the increase, we do not know. It will vary from State to State. The costs will be borne by the States, not by any other jurisdiction. Thus, the States will be able to establish their own increases in truck user taxes to compensate, as the Senator from Kentucky knows, for the increase in the maintenance costs.

Now, Mr. President, I know that the Senator from Kansas [Mr. PEARSON] has an interest in this legislation and I am glad to yield to him at this point.

Mr. PEARSON. I thank the Senator from West Virginia. I want to say to him that I think the measure will be well received in Kansas. I intend to support it.

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Mr. RANDOLPH. Yes; since 1956, and on a State basis, prior to that time, with some States having, then as now, higher limits.

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Mr. RANDOLPH. The ones that exist today have been in effect since 1956.

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> The testimony presented to the committee made it quite clear that the Interstate System is designed and built to accommodate vehicles with weights and dimensions recommended in the bill . . .

Really, the essence of what I was asking the Senator was this, and I think he made some reference to it in his prepared remarks. What are the changed conditions from 1956 to today in 1968 which justify the committee's recommending, and I am sure the bill will be passed, these new weights and widths?

Mr. RANDOLPH. The needs of an expanding economy; and the technological developments which have taken place.

We know that in a State like Alaska, for instance, there is practically no rail transportation.

The basic standards adopted by the Congress were those which had been adopted by the American Association of State Highway Officials. They had been adopted, it is important to point out, in 1944 and 1946. That was almost a quarter of a century ago. The fact of change is a very real fact. Our transportation system then was not geared to the needs of our present economy, to the increased mobility of our people and products, to reliance upon roads, and to a lesser reliance on rails.

Mr. PEARSON. Do I understand there will be a permissive increase in the gross weights as reflected in the formula? I notice that the gross weight limit was 73,280 pounds. Many States adhere to that limit. Will there be an increase in the gross weight under the bill?

Mr. RANDOLPH. In each of the categories that we mentioned here, the legislation is permissive in nature. It would be within the jurisdiction of the State as to whether, after checking into its needs, those increases would be allowed.

Mr. PEARSON. I thank the Senator.

Let me ask one other question. Do I understand that the States which have laws that permit greater weight or greater width—I think the Senator referred to 20—would all come under the grandfather clause in this bill?

Mr. RANDOLPH. They would all come under the grandfather clause.

Mr. PEARSON. With respect to those States with greater weight and width limitation or allowance, has any study been made to indicate that the cost of maintenance in those States is any greater than in the other States?

Mr. RANDOLPH. I indicated, in response to the Senator from Kentucky [Mr. COOPER], that we do not know. We are not able to say precisely. Those costs would be borne, of course, by the States.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield.

Mr. COOPER. Is the Senator from Kansas asking whether the experience of those States which have had higher weight limits has been one which calls for larger expenditures for construction and maintenance of their roads?

Mr. PEARSON. Yes; that is precisely my question.

Mr. COOPER. As I recall, that question was not specifically raised during the hearings. But the evidence which resulted from the Illinois road tests, and that presented by the Department of Transportation and the State highway departments, was that increasing weight limits would call for increased cost of highway construction, road maintenance, and reconstruction of bridges. It would certainly imply that in those States which now have heavier weight limits, more money has been required to be spent.

Mr. PEARSON. I understand from the Senator's comments that there would be an estimated increased cost of $1.8 billion. I would hope, as the report indicated, that the appropriate committee or agency, or this Congress——

Mr. RANDOLPH. Mr. President, if the Senator will yield, I did not want to go into that, but that was not the testimony before the committee. The Senator from Kentucky [Mr. COOPER] has given that figure, but I do not recall that there was any testimony of that kind. I only want the RECORD to be clear on that point.

States, among others. I must say that their testimony was persuasive, and I have no doubt that a somewhat heavier design of highways to carry these larger vehicles without shortening road life can bring efficiencies and economies in shipping which may amount to many times the modest cost of the new construction.

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Mr. RANDOLPH. They would all come under the grandfather clause.

Mr. PEARSON. With respect to those States with greater weight and width limitation or allowance, has any study been made to indicate that the cost of maintenance in those States is any greater than in the other States?

Mr. RANDOLPH. I indicated, in response to the Senator from Kentucky [Mr. COOPER], that we do not know. We are not able to say precisely. Those costs would be borne, of course, by the States.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield.

Mr. COOPER. Is the Senator from Kansas asking whether the experience of those States which have had higher weight limits has been one which calls for larger expenditures for construction and maintenance of their roads?

Mr. PEARSON. Yes; that is precisely my question.

Mr. COOPER. As I recall, that question was not specifically raised during the hearings. But the evidence which resulted from the Illinois road tests, and that presented by the Department of Transportation and the State highway departments, was that increasing weight limits would call for increased cost of highway construction, road maintenance, and reconstruction of bridges. It would certainly imply that in those States which now have heavier weight limits, more money has been required to be spent.

Mr. PEARSON. I understand from the Senator's comments that there would be an estimated increased cost of $1.8 billion. I would hope, as the report indicated, that the appropriate committee or agency, or this Congress——

Mr. RANDOLPH. Mr. President, if the Senator will yield, I did not want to go into that, but that was not the testimony before the committee. The Senator from Kentucky [Mr. COOPER] has given that figure, but I do not recall that there was any testimony of that kind. I only want the RECORD to be clear on that point.

Mr. COOPER. I addressed some questions to Mr. Lowell K. Bridwell, of the Department of Transportation, and to Mr. Frank Turner of the Bureau of Roads, as to the effect of these heavier loads on highways, both with respect to the deterioration of highways and the necessary cost of construction and maintenance. There is no question it will cost more to build, maintain, and reconstruct these roads. The exact sums are fairly indefinite, but there is evidence in the 1964 report, for example, that the higher load limits would increase resurfacing costs in some States by 50 percent or more. There is increased maintenance cost, and there is shorter road life.

Mr. RANDOLPH. We do know that the maintenance costs are the costs of the States, not of the Federal Government, and it is a permissive statute that we are writing here. So the States would have to make the determination of the costs to be borne by them.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield.

Mr. MAGNUSON. I think the answer to the question of the Senator from Kansas is that if the States wanted to pass a law, within the States, and add to the limits under this formula, which is an increase of from 18,000 to 20,000 pounds per single axle and from 32,000 to 34,000 pounds per tandem axle, I do not suppose the States would enact that kind of law unless they felt they could make the changes to which the Senator from Kentucky has referred. They do not have to do this.

I think my own State now allows the limit we are talking about. I do not know if the State would make any changes. Perhaps the State would not want to do it. It might just want to keep the present limits, or, when it studies the costs, increase the weights and widths to some extent, or it may say, "It is going to cost too much for what it is worth and we will not do it."

Mr. PEARSON. I take it a penalty would be imposed upon them; is that not correct?

Mr. MAGNUSON. They would have to also, when they make that determination, as I understand the law—what does it do? It takes a certain amount on the Interstate System away from them; but the Federal share is 90 percent, anyway.

Mr. PEARSON. I understand.

Mr. MAGNUSON. So they are not dealing in any great sums, if they wish to do it.

I think one of the great merits of the bill is that we leave it up to the States to make this determination.

For years, in our committee, I will say to the Senator from Kansas, we faced this problem: Fifteen years ago, or 18 years ago, we actually had, in the then 48 States, 44 different types of regulations. We had meetings of the State officials, which I think led to the 1956 proposal on getting together.

Perhaps a State—for example, my State—would say, "Idaho has one rule, Oregon has another, and Montana another; and therefore, to facilitate interstate commerce of the trucks, we had better decide to get uniform."

But I believe the uniformity will be pretty much on a regional basis, and not all across the country.

Mr. PEARSON. Yes.

Mr. MAGNUSON. I think our friends from Tennessee might think twice, because of the topography, the mountains, and the narrow roads, before they would do it. In time, we know all the States will have to do it. I do not know whether that will be next year, or the year after, but in time, perhaps 10 years from now, they will find it necessary to keep pace.

I think that is one of the good things the committee did in this bill. I do not know what my State legislature will do in this case, when they look at the cost.

Mr. RANDOLPH. The figures for the State of Washington are 18,000 per single axle and 32,000 pounds per tandem axle.

Mr. MAGNUSON. Whether they would want to go higher or not I do not know. They may not want to. They may wish to leave it as it is.

It is a problem, I think, of regions, areas, and States, but we do hope that, as we move along, meeting these costs as the economy expands, we can achieve more and more uniformity.

Mr. PEARSON. One final question. I notice that the bill was originally introduced with a tandem weight limit of 36,000 pounds, and that figure was amended down to 34,000 pounds. Will the chairman explain what the thinking of the committee was on that matter?

Mr. RANDOLPH. Mr. President, we went into it very carefully, as the Senator from Tennessee, who will speak in a moment, knows. The Department of Transportation and the Association of State Highway Officials recommended 34,000 pounds, and when we revised the gross weight formula, 36,000 pounds per tandem axle was no longer feasible.

Mr. MAGNUSON. Mr. President, will the Senator from Tennessee yield me 1 more minute?

Mr. BAKER. I yield.

Mr. MAGNUSON. My name has been mentioned many times as the author of the bill, together with the other 21 Senators.

Actually, this was not my idea at all, nor was it that of the other 21 Senators. It was the result of long years of study and conference by all of the public officials concerned, that I know of, in 11 Western States, from the Governors on down, who must be anticipating we are going to have to meet this problem because of the expanding economy.

I have always considered that our Government is representative of the people, and reflects what their thoughts are. I think this is a good example of pure, literal representation. I had no idea about the complexities of this matter, but the highway officials and the chairmen of the high committees of the State legislatures, after all the time they had spent in studying and looking at this thing, came in and said "We hope you people will introduce this bill for us, and see if you can achieve what the bill is intended to do."

So it is a representative bill, expressing the viewpoint of the people who, I think, have the most expertise in this whole, complex problem of our road system.

Mr. PEARSON. Mr. President, I thank the Senator from West Virginia.

Mr. RANDOLPH. Mr. President, I want the RECORD to be very clear that the bill, as introduced, encountered the opposition of the administration with regard to the 36,000-pound figure. That is at least partially why the figure was reduced to 34,000.

I yield to the Senator from Tennessee.

Mr. BAKER. Mr. President, I thank the chairman for yielding so that, as a member of the committee and of the subcommittee, I might express my thoughts and my views on the matter now pending before the Senate.

To begin with, I pay special tribute to the chairman for the effective and thorough manner in which he conducted the hearings and the general business and affairs of the committee in trying to reach a judgment and arrive at a proposal which seemed to meet the objections some of us raised, and to meet the objections of others throughout the United States who sought to expand the permissible limits on width and weight.

I believe the chairman has done a very creditable job in trying to bring us all together on a very complex issue, so that we were able to report favorably a bill for presentation to the Senate.

I also pay my respects to the ranking Republican member of the committee, the Senator from Kentucky [Mr. COOPER]; and at this time I associate myself with the remarks just made by the Senator from Kentucky on this matter.

I say frankly, Mr. President, that I have had misgivings about some of the possible implications of this bill since it was first taken up by the Committee on Public Works this year. I feel that I should not keep those misgivings undisclosed. My concern about the bill, however, has been mitigated somewhat in the course of the hearings over a period of time, and I will state now, as I have told our chairman previously, that by reason of his efforts to accommodate divergent viewpoints, by reason of the spirit of compromise that has gone into the preparation of the bill in its final form, and the substantial elimination of most of the points about which I was most vitally concerned, I intend to support the bill.

However, I do now wish to elaborate on some of the matters that still give me pause and concern, because I hope that by doing so we might avoid some of the pitfalls that I believe are potentially inherent in the legislation we are about to consider.

My concern about the bill centered around its impact on road systems other than the Interstate System. While it is entirely true that the bill applies only to the Interstate System—which gives me great comfort, and permits me to support the measure as I now do—and while it is also true that each State still has full authority within the new limits which we deal with in this bill, to act as it pleases, I have joined with others in questioning the effect of this measure on other Federal-aid highways and on roads built entirely with local funds, notwithstanding the fact that the thrust and the impact of this measure are limited directly to the Interstate Highway System; because, as the able and distinguished Senator from Kentucky [Mr. Cooper] has pointed out, once the limits are permitted to be changed at the discretion of the legislature of each State, as a practical matter, it becomes almost impossible to effectively proscribe the use of the equipment thus permitted on roads other than the Interstate System. Vehicular traffic on the interstate highways must almost invariably make use of other noninterstate roads at some time during the cycle of loading and delivery.

I state frankly and candidly that I think this is probably more of a problem now, at our present state of completion of the Interstate Highway System, than it will be in years to come. However, I admonish my colleagues to think and act fully, because notwithstanding the fact that we limit these changes in weights, widths, and lengths to their effect on the Interstate Highway System, they will in all likelihood have some tangential effect on the use and utilization of systems other than the Interstate System.

In the hearings I questioned seriously, in the first place, the capacity of noninterstate systems to bear the burden of the greater weights. In spite of the best efforts of local jurisdictions to enforce local restrictions, it seems clear that once larger and heavier vehicles are introduced into any of the Nation's roadways, all roads must be considered. While no one could assert with certainty that a given number of roads or bridges might not be able to handle the new loads, I was concerned that there was disagreement among experts and a lack of comprehensive data on which to base a judgement in this field relating to safety.

However, the inclusion of weight tolerances in the committee version of the bill as it is now reported, mollified much of my concern in this regard, for I now believe that in many States the new weight limits will, in fact, represent little or no change.

As an example of the disposition of this problem, for which once again I have an accolade to our distinguished chairman for bringing about compromise, I point out that the single axle weight limitation of 18,000 pounds under the existing law may in many States be increased by a tolerance of 10 percent, which in effect permits a gross weight of 19,800 pounds.

Under the pending bill, there is a 20,000 pound permissible single axle maximum including tolerances. So there would be only an effective increase of 200 pounds in the range of the single axle applicability. With the inclusion of the 10-percent tolerance, I feel that in this category, at least, we have no substantial change and no substantial problem.

I further feel that the explicitly cautionary language of the report will strengthen the position of many States who do not wish at the present time to raise their limits, because of their unique circumstances, such as in the mountainous eastern parts of Tennessee and Kentucky. And I think that the chairman and the others who have spoken on this matter here recognized and provided that the very essence of the proposal is for maximum flexibility to accommodate the unique requirements of one State or another, depending on unique local situations as they relate to the type of construction, the terrain, the cost of construction, and the use and utilization of trucks within the boundaries of those States.

I also had misgivings at the outset about increasing the allowable width from 96 inches to 102 inches. Again, I was not concerned about the Interstate System, because lane-widths on these new superhighways are more than adequate for the proposed new widths. But many, many roads in this country have 10-foot lanes and 9-foot lanes. Some have even less. I do not look favorably at the prospect of passing an 8½-foot truck on an undivided two-lane highway made up of 9-foot lanes, at night, on a graded slope in the Appalachian Mountains from which I come. It is also true that many bridges that are quite narrow remain on our State and county roads. And such remaining bridges are, in many cases, long spans over deep and treacherous rivers and divides. The long spans are replaced last because they are the most costly. The committee received testimony to the effect that if a moving vehicle struck one of any number of critical structural members of a bridge, the entire bridge could be made to collapse.

If we are to increase widths by 6 inches, it is imperative that these vehicles be kept off of roads and bridges where they represent an altogether unnecessary aggravation of already dangerous conditions existing so often and so frequently on the Federal-aid systems and the local highway systems.

It is because I have been assured that such restrictions can be made effective that my concern about the change is no longer as great as it once was.

Mr. President, I must say in all candor that the bill as it is now written is a great improvement over what it might have been. Because of the accommodation of the chairman of the committeee and members of the committee in their efforts to reach a satisfactory compromise on permissible maximum weight for single-axle and tandem-axle equipment, because of a willingness to deal effectively in a spirit of compromise with a modification of the formula dealing with the maximum total gross weight, because of a general willingness to see that the pending bill is, in fact, effectively limited to the Interstate Highway System, because we have maximum opportunity for the legislatures of each of the 50 States to work their independent will on the basis of their independent, separate, and unique requirements within the boundaries of their States, and notwithstanding the fact that I still have grave questions about the desirability of increasing the widths of vehicular traffic from 96 to 102 inches. I no longer will oppose the pending bill simply because of my objections to the width portion of it.

I close by saying that because I believe that greater weights will result in increased maintenance and upgrading costs to the various States, as described at some length by the Senator from Kansas [Mr. Pearson], the chairman of the committee, the Senator from Washington [Mr. Magnuson], and others, I hope that we will bear these increased costs in mind—and they will be substantial in amount—as we reach the formulation of the so-called post-1972 highway program.

I think it will be virtually incumbent upon the Federal Government to participate substantially in the upgrading of the ABC System.

Mr. President, I intend to support the bill. I felt it my responsibility to spell out my reservations and outline some of the good spirit and cooperation and compromise shown by the chairman and ranking member of the committee during the course of these hearings.

Mr. RANDOLPH. Mr. President, the remarks of the able Senator from Tennessee are characteristic of the knowledge with which he approaches the subject matter of legislation, not only in this instance, but also with respect to other matters before the Public Works Committee of the Senate.

I say, and not by way of mere pleasantry, that the Senator from Tennessee is an astute attorney. He probes into these problems. And during the several days when we had the matter under active hearings and consideration in executive sessions, the points he has so effectively delineated here this afternoon were matters of concern not only to him but also to other members of the committee.

The costs certainly are not only considerable; they are almost staggering, as we think in terms of the continued construction of our highway system. We must think in terms of cost and of the changed conditions in our economy. I know that the Senator from Tennessee is aware of that fact.

Some of these costs could be decreased perhaps by dispersing our population. I should like to see our population dispersed rather than concentrated as it now is.

So as we think of these problems of the congested cities, we say we would like to see the situation in reverse—these people moving to the rural sections in the Senator's State and in mine, where, rather than tramping the pavement, they will be walking on the soil once again. Yet, 500,000 to 600,000 persons are moving every year from rural America to the congested metropolitan areas of this country.

These are the problems we are attempting to cover, not only as we construct roads for the movement of traffic but also to insure the safety of persons who use these arteries of commerce and of traffic.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield.

Mr. MAGNUSON. I know that a thorough discussion has taken place this afternoon, but one item has not been mentioned about which I believe the Record should be clear.

The farm groups of the country are deeply interested in this bill and have endorsed it highly, for the simple reason that the movement of produce of the farm to feed the great urban populations of the country relies almost solely on trucks in given areas. There are refrigerator cars, but more and more the cities are dependent upon the daily supply of produce, and the farmers are very interested in this bill.

I should like the RECORD to show that the farm organizations and in my State the timber people—the people who are involved in commerce in the area, but particularly the farm organizations—gave some of the finest testimony as to why this bill should be enacted.

Mr. RANDOLPH. The Senator from Washington is correct.

Mr. MAGNUSON. Mr. President, I wish to extend my tribute to the distinguished Senator from Virginia, as has been done by many other Senators, for the fine work he and the staff of the committee have done with respect to this bill. It is a complex bill, and it has required much expert testimony. The list of witnesses indicates that almost all the available experts on this matter have testified, and they have testified in favor of the bill.

Mr. RANDOLPH. There were varying versions—for example, the bill introduced by the Senator from Washington, cosponsored by 21 Senators; the so-called administration approach; the approach of the American Association of State Highway Officials. But, in pulling them all together, the composite we are now considering is really the bill of the Senator from Washington, which was given the utmost attention by the members of the subcommittee and of the committee during the hearings of 4 days, supplemented by an additional 3 days of hearings on the design, maintenance, and inspection of highway bridges.

We have brought to the Senate what we believe to be a bill with changes which are reasonable and realistic.

Mr. President, before this measure is brought to a vote, I wish to take the opportunity to extend my gratitude to the distinguished senior Senator from Kentucky and ranking minority member of the Public Works Committee [Mr. COOPER] for his diligent and cooperative efforts with respect to this legislation. I extend my appreciation also to the other members of the committee who gave their time and attention to this measure, and particularly to the junior Senator from Tennessee [Mr. BAKER] whose work on the Committee on Public Works is always marked by high intelligence and understanding of the issues before us.

Though not a large piece of legislation, in terms of its bulk, the measure which we have been considering involves complex and technical issues. The committee has been greatly assisted in dealing with this legislation by the able professional assistance of staff members, Barry Meyer, committee counsel, Baily Guard, assistant chief clerk for the minority, and Martin Baker, legal assistant.

The PRESIDING OFFICER (Mr. CLARK in the chair). The clerk will state the first committee amendment.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KUCHEL. Mr. President, I am most pleased to join a group of my colleagues, led by the Senator from Washington [Mr. MAGNUSON] and the Senator from West Virginia [Mr. RANDOLPH], my friend of years, to speak in support of the proposed legislation.

I am most pleased that this proposal, of which I am a cosponsor, has been reported favorably from the Committee on Public Works and is now before the Senate. I had the honor of appearing before that committee to present my views on why the passage of this legislation is so important to California and the Nation. I am sure that the Senate will also recognize the importance of providing an effective and efficient use of America's total transportation resources.

This proposal is of particular importance in the Western part of America. The growth of my State and others in the West is still booming. Population and industrial forecasts demonstrate this to be the case. We are far from reaching our full development and the great potential so generously endowed upon us by the nature of the West.

In my own State of California, we have over 20 million highly mobile people concentrated in a few widely separate centers spread out over our 158,700 square miles. This dispersion requires a massive highway and transportation network. Growth in motor vehicle transportation and in the highway system during the last decade alone has been phenomenal. There are some 155,000 miles of roads in the State with some 12 million registered California vehicles. We are currently in the process of constructing a 12,000-mile network of improved freeways to be completed by 1980 at a cost of over $12 billion.

In order to meet the responsibilities of this growth, it is imperative that, while we encourage the optimum use of all available forms of transportation, we give attention to fostering the most efficient use of our highway systems. We have an obligation to enhance the opportunities for highway transportation and to remove all unreasonable and unnecessary impediments and restrictions.

Today, for the first time in our history, there are roads whose capacities are not fully available because of outdated regulations and restrictions. The rate of economic development in our Western States is being stagnated by unreasonable deterrents to a full and reasonable use of our highway investments. This bill recognizes that the presence, in Federal law, of motor vehicle size and weight limitations are no longer in line with the design capabilities of today's modern highways. The time is long overdue for a change in the Federal law to permit the States, in turn, to adapt their size and weight laws to the capabilities of today's modern highways.

The recommended changes in this bill are of vital economic importance to the transportation of our western products. Agriculture, livestock, ore, lumber and petroleum must move upon our highways. Any factors influencing the cost of such highway transportation are of the utmost importance to the well-being of these basic industries. If sizes and weights are increased, it becomes obvious that more freight can be carried at a lower unit cost. Equally important, any economies resulting from greater weights are certain to be reflected in better prices for both the consumer and the producer.

It is regrettable that action has been delayed for so long by the Congress in updating these restrictive regulations. During the last 12 years, numerous Western interests have expressed deep concern over the need for change and improvement. Indeed, the Western Conference of the Council of State Governments has adopted resolutions urging congressional action in 1962, 1963, 1964, and 1965.

America's highways are not just an investment of Government, they are an investment of the people and all those dependent upon a full utilization of highway resources. That investment will be best served by standards permitting the most effective and efficient use of the Nation's total transportation resources. I believe S. 2658 will achieve that end. I am hopeful that the Senate and the Congress will adopt this important legislation.

Mr. TYDINGS. Mr. President, it is my intention to vote in favor of the pending bill, S. 2658. I wish to make clear, however, my reservations with regard to the possible effects of authorizing 102-inch-wide vehicles at this time, and the increased responsibilities for road and bridge repair and upgrading that passage of this legislation places upon the Congress and the States.

Experts agree that lanes at least 12 feet wide are necessary safely to accommodate vehicles that are 102 inches wide and wider if one includes such protruding safety devices as rear view mirrors. Some 88 percent of the total road mileage in this country is two-lane, and 66 percent of the two-lane roads on State primary systems are less than 24 feet wide. Nearly all State secondary roads are narrower than 24 feet. The American Automobile Association makes an important point, it seems to me, when it reminds us that despite the glamour of interstate highways, the bulk of our travel is now and for many years will continue to be, over two-lane roads.

It must also be clearly recognized that the increased weights and sizes authorized in this bill will, to a significant extent, increase and speed up the wear and tear on all of our roads, highways, and bridges—interstate and noninterstate alike. Although this bill applies only to sizes and weights of vehicles operating on the Interstate Highway System, nearly all interstate highway traffic also travels on State roads and highways before reaching its final destination. It is impossible to keep interstate highway traffic confined to the Interstate Highway System, just as it is impossible to enforce two sets of size-weight standards—one for traffic operating on the Interstate System and another for traffic on State roads and highways. As a result, the standards for the Interstate System become in effect the standards for all roads and highways.

In view of these facts, I am persuaded to support this legislation only having received the following assurances from the Department of Transportation:

First. That movement by the largest vehicles permitted under this legislation on two-lane roads narrower than 24 feet where they might pose serious safety hazards for passenger automobiles will be minimal, since these vehicles will be used mostly for regular "runs" between major terminals.

Second. That the larger sizes and greater weights of vehicles authorized by this legislation will serve as a stimulus to the States to upgrade their roads and highways, and that considerable benefits will accrue to the trucking industry in terms of greater operating efficiency.

I urge that the Congress, in approving this legislation which has, I might add, been accorded full and careful consideration by the Subcommittee on Roads, clearly recognize that more funds will now be needed for repair of the Interstate Highway System and for the repair and upgrading of State primary and secondary road systems. This legislation, therefore, increases the responsibility of the Congress to assist the States to upgrade their roads and bridges to handle these larger vehicles safely and efficiently.

Mr. SPONG. Mr. President, I opposed this bill as it was introduced because I felt certain of its weight provisions were unduly liberal and would produce serious and costly damage to many miles of existing highway surface and structure. This opinion was based on the impracticality of attempting to restrict trucks to the Interstate Highway System.

I refer specifically to a provision in the original bill which would have permitted the States to increase the weight ceiling for tandem axles from 32,000 pounds to 36,000 pounds. I felt this was excessive.

During the deliberations of the Public Works Committee, however, this ceiling was reduced to 34,000 pounds. In addition, the bill was amended to provide that the single axle limit of 20,000 pounds and the tandem axle limit of 34,000 pounds must include any weight tolerances. Several States, including my own State of Virginia, presently allow tolerances in excess of their statutory limits.

With these changes, I supported the bill in committee, and it is my intention to support it here on the floor. As it now stands, this legislation substantially conforms to the recommendations of the Federal Bureau of Public Roads and the American Association of State Highway Officials.

The distinguished chairman of the Public Works Committee, the senior Senator from West Virginia, has worked diligently to resolve the differences of opinion within the committee on this problem, and I am grateful to him for his consideration of my views.

I would emphasize that the power to decide whether these new limits shall go into effect remains where it should—in the legislatures of the individual States. It is up to them to determine whether their roads are capable of carrying these loads.

Mr. RANDOLPH. Mr. President, I ask unanimous consent that the committee amendments be considered en bloc.

The PRESIDING OFFICER (Mr. CLARK in the chair). Without objection, the amendments are considered and agreed to en bloc.

The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

So the bill (S. 2658) was passed.

Mr. RANDOLPH. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. BAKER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RIOT THREAT AND KING'S PROPOSED MARCH ON WASHINGTON

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD a column entitled "Riot Threat Requires Calling Off King's March," written by Crosby S. Noyes, and which was published in the Washington Evening Star of today.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

RIOT THREAT REQUIRES CALLING OFF KING'S MARCH

(By Crosby S. Noyes)

Martin Luther King's march on Washington this month is shaping up as the first big test on an election issue which may be at least as decisive as Vietnam.

The question before the house, and before the voting electorate, is not complex. It is whether the major cities of this country are to be subjected to organized, planned and predictable violence this summer or whether firm and effective action is to be taken to prevent what is preventable.

For there is no point in blinding ourselves to the obvious: Martin Luther King's plans for massive demonstrations and civil disobedience in Washington will create conditions that could lead to a tragic riot. And there are people quite as determined and skillful as King is, who intend to exploit these conditions to produce a violent result.

So what happens here will be the result of organization and planning, and it is predictable. The fact that two different agents are involved—the fact that King himself disavows any intention of producing a riot—is quite beside the point. The real questions are whether King has a right to put his followers in a position where many of them are likely to be hurt and whether our cities are obliged by law to expose themselves and their citizens to great danger.

King and his colleagues assert this right. His people in Washington say there can be no question of calling off the planned demonstrations at this point. According to the Rev. Walter E. Fauntroy, "It is absolutely inconceivable that we should stop now. The issues," says Fauntroy, "are far too important.

It is fair to ask what these issues are that justify putting thousands of people and a city in danger. It is fair to ask whether the leaders of this demonstration are not perfectly aware that their announced objectives—including poverty relief programs running into tens of billions of dollars—will not be forthcoming this spring. And that their effort to pressure the Congress makes it less likely, instead of more likely, that sweeping new programs will be proposed.

If King and his people know these things, it is not the conscience of the nation that is being mobilized, but the forces of reaction and despair. It is fair to ask how the poor and deprived people of this country can profit from tactics which at best outrage the concept of orderly government of a great majority of the total society. And if these tactics should end in tragedy, it is fair to ask whether the cause of social justice and civil rights will not be the first and most important victim.

King is prepared to take this risk. His own position as a leader of civil rights movement is gravely threatened. He believes, perhaps sincerely, that if he does not succeed in reasserting effective control of the movement, more extreme leaders will take over. If nothing is done to raise hope in the ghettos of the country, he predicts that in any case violence is inevitable.

Perhaps so. Yet the lesson of Memphis was that the transition from a peaceful and lawful demonstration to a violent and lawless one can be brought about with terrifying rapidity by a very small number of reckless individuals. The organization of the demonstration itself provides no real defense. King says he will try harder in Washington to keep things under control. And no doubt those who have chosen the path of violence will try harder too.

In this situation, what is the obligation of the city and the government? So far, the authorities in Washington have been trying to cooperate with King and his organization. President Johnson says he knows of no law by which people can be prevented from exercising their lawful rights.

Yet surely there is no law either which says that a city must submit to the deliberate creating of a situation of such high disaster potential and take no action until all hell breaks loose. It is not repression but simple prudence to prevent conditions which could well lead to the most severe and forceful repression at a later stage.

For what happened in Memphis simply must not be permitted to happen in Washington. If the demonstrations which King is planning do not represent a clear and present danger to the residents of the city, then there is no such thing. If he cannot guarantee the maintenance of law and order—and he obviously cannot—then others must assume the responsibility instead.

Inevitably, in the Nation's Capital, this responsibility will be laid ultimately on the doorstep of the administration and the Congress. The best, perhaps the only, way of discharging it is to call off the demonstration before it starts.

LEGISLATIVE PROGRAM

Mr. BYRD of West Virginia. Mr. President, I wish to remind the Senate of the words of our distinguished majority leader earlier today when he said that tomorrow the Senate would proceed to consider Calendar No. 1056, S. 3262, the Atomic Energy Commission authorization bill. I also remind the Senate that the distinguished majority leader expressed the hope that tomorrow we would also consider H.R. 15399, the conference report on supplemental appropriations.

The PRESIDING OFFICER. For the information of the Senator from West Virginia, rollcall votes would be indicated.

Mr. BYRD of West Virginia. The majority leader indicated there would be votes tomorrow. I thought the Senate should be put on notice.

ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the order previously entered, that the Senate stand in adjournment until 12 o'clock meridian on Friday.

The motion was agreed to; and (at 4 o'clock and 15 minutes p.m.) the Senate adjourned until Friday, April 5, 1968, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate April 4, 1968:

Post Office Department

John H. Johnson, of Illinois, to be a member of the Advisory Board for the Post Office Department.

Postmasters

ALABAMA

Horace H. Nation, Jr., Acmar.
Della Mae Warren, Bear Creek.
Robert L. Fortson, Shorterville.
Charlie F. Moore, Sterrett.
Shelton C. Alexander, Theodore.
Robert L. Ingram, Thomasville.
James B. Hill, Woodville.

ARIZONA

Verna M. Spurlock, Navajo.
Jo Ann P. Gardenhire, Silver Bell.
Benjamin A. Munoz, Solomon.

ARKANSAS

Jesse Doyne, Jr., Genevia.
Hoyt L. Willmuth, Swifton.

CALIFORNIA

Dale H. Hawkes, Alta Loma.
Laeta C. Fortney, Biggs.
Lawrence H. Putman, Burlingame.
Jack W. Anderson, Fort Dick.
Grace E. McIntire, Herlong.
Joseph F. Aubin, Kernville.
Robert J. Nicklas, Paso Robles.
Elizabeth M. Turner, Wildomar.

COLORADO

Clifford Wilkening, Crawford.
Ernest C. Rieder, Johnstown.
Barbara M. Spencer, Ouray.
Shirley C. Sorensen, Romeo.

CONNECTICUT

William L. Keller, Bridgeport.
Joseph G. Vallo, Canton.
Ralph G. Gidlund, Canton Center.
Edward T. Hanley, Naugatuck.
Anthony S. Facas, New London.
Alfred C. Dion, Putnam.
Francis A. Barrea, Windham.

FLORIDA

Cecil W. Roseke, Boca Raton.
Astrid O. Mascoe, Bokeelia.
Richard P. Briggs, Bradenton.
Harry E. Cathell, Elfers.
James J. Waller, Jr. Immokalee.
Leo A. Acree, Kissimmee.
Clarence A. Siniard, Summerfield.

GEORGIA

Hazel T. Bradley, Adairsville.
Henry H. Johnson, Alma.
William D. House, Americus.
Ira M. Maples, Cohutta.
Sara R. Grider, Harlem.
Martha H. Cauthen, Meansville.

IDAHO

Ned F. Gibler, Kooskia.
Charles L. Fitzsimons, New Plymouth.
Lyman W. Merril, Weston.

ILLINOIS

Hazel N. Prince, Broughton.

INDIANA

Robert L. Funcheon, Lafayette.
Anna P. Beeson, Losantville.
V. Thomas Fettig, Seymour.

IOWA

Robert R. Larson, Dows.
Lynn F. Gowdy, Melbourne.
Harold E. Engel, Ocheyedan.
Maurice L. Clark, Panora.

KANSAS

Ellsworth V. Bryan, Jr., Cimarron.
Wilmer G. Boothe, Hillsboro.
Harold W. Tacha, Jennings.

KENTUCKY

John R. Anderson, Carlisle.
Anna L. Justice, Mouthcard.

LOUISIANA

Jimmie L. Massey, Ethel.
William W. Pares, Jr., Gretna.
William I. Strecker, Slidell.

MAINE

Kenneth P. Ridlon, Steep Falls.

MARYLAND

Una F. Harner, Boyds.
Francis E. Bost, Lanham.
Warren S. Thompson, Jr., Loveville.
Edna V. Sinclair, Oxford.

MASSACHUSETTS

Chester A. Pinkos, Belchertown.
Harold T. McDermott, Dennis Port.
Dorothea A. Miller, Glendale.
John C. Hancock, Lincoln.
James B. Hamilton, Pittsfield.
John H. Pink, Randolph.
Jean A. Collins, Sagamore Beach.
William J. Healey, South Yarmouth.
George Aguiar, Swansea.

MICHIGAN

Timothy M. Sheridan, Fairgrove.
Eldon Dale Maatman, Hamilton.
Carol J. Hadley, Shaftsburg.

MINNESOTA

Richard D. Finn, Dexter.
Elsie M. Sorensen, Freeborn.
Dean N. Haycraft, Lewisville.
Basil D. Walker, Moorhead.
Peter Marinoff, Pengilly.

MISSISSIPPI

C. Preston Holmes, Mound Bayou.

MISSOURI

Rex L. Luallin, Conway.
Willard L. Libla, Greenville.
J. Wallace Calton, Grovespring.
Maurine Simmons, Malta Bend.
Ernest Wing, Sunrise Beach.

MONTANA

Kenneth E. Lizotte, Bonner.

NEBRASKA

John F. Ahlers, Belgrade.
Verna E. Habel, Eagle.
Arnold F. Rogert, Herman.
David V. Fuchs, Humphrey.
Alvin J. Goochey, Johnstown.
A. Keefe Crowley, Lexington.
Kenneth W. Rees, Liberty.
Ivan J. Andersen, Marquette.
Harry O. Schaffert, Maywood.
Raleigh R. Robertson, Morse Bluff.

NEW HAMPSHIRE

Elizabeth T. Peterson, Canterbury.
Muriel E. Barraclough, North Sutton.
John F. Waterhouse, Raymond.

NEW JERSEY

Ida B. McMahon, Atco.
Robert T. Logan, Boonton.
Leonard J. Conway, Freehold.
Robert J. Bell, Hamburg.

NEW MEXICO

Ernest S. Castillo, Belen.

NEW YORK

Milton J. Layne, Accord.
Adolph C. Bassanello, Akron.
Edgar J. Yelle, Au Sable Forks.
George R. Sloane, Bainbridge.
Kathryn B. Talbot, Chaumont.
Richard W. Dennelly, Great Neck.
William Rosenberger, Hortonville.
John M. Herrington, Johnsonville.
Josephine E. Van Valkenburg, Lexington.
Leo J. Moran, Oakdale.
Frank V. Farsetta, Pearl River.
Florence E. Green, Piffard.
Margaret E. Doherty, Rocky Point.
Mason A. Gossoo, Shandaken.
Dorothy G. Irwin, Somers.
Sarah J. Keene, South Colton.
Stanley Darszewski, Springville.
Margaret A. Kinney, Sylvan Beach.
Joseph D. Bergen, Valley Stream.
Walter J. Krein, West Camp.

NORTH CAROLINA

John E. Morton, Altamahaw.
Richard H. Kissell, Jr., Biscoe.
William R. Todd, Jr., Castle Hayne.
Harold B. Humphrey, Farmville.
Joseph A. Allen, Gastonia.
Michael C. Whalen, Icard.
Joseph H. Coe, Pilot Mountain.
John D. Erwin, Pineville.
Janice B. Hobbs, Tyner.
Dwight M. Tallent, Vale.
Juanita J. Hicks, Vilas.

NORTH DAKOTA

Ernest S. Johnson, Hankinson.
Marlowe I. Berg, Hope.
Donald L. Hertz, Mandan.

OHIO

Kenneth E. Darling, Attica.
Paul R. Behun, Campbell.
Grant J. Cook, Celina.
Reynold J. Sentieri, Galion.
Thomas J. Willis, Hamden.
Joseph D. Conner, Jewett.
William R. Matthews, Negley.
Alfred F. Heidemann, Nevada.
Karl R. Maul, New Washington.
William E. Lehart, Tipp City.

OKLAHOMA

Glen W. Jones, Bixby.
Raymond D. Gilbert, Eufaula.

OREGON

Leslie E. Packard, Albany.
David C. Fuiten, Forest Grove.
Irma M. Johnson, Moro.
Lamarr L. Zuver, Winston.

PENNSYLVANIA

Irene M. Del Vecchio, Canonsburg.
George R. Brindle, Chambersburg.
John W. Erb, Cheltenham.
Earl L. Neff, East Prospect.
Alfonzo Fanella, Indiana.
Joseph M. Patrick, Mount Pleasant.
William J. Palkovits, Northampton.
Clara M. Fehlman, Pittsfield.
Peter J. McCloskey, Pottsville.
S. Jay Martin, Ronks.
Francis T. Mielke, Trevorton.
Wynfield F. Pritchard, Windgap.
Edwin G. Young, Wyncote.

PUERTO RICO

Pedro N. Peterson-Matta, Dorado.
Candido F. Molinari, Quebradillas.
Trinidad T. Melendez, Santa Isabel.
Frank O. Auger, Vega Alta.

RHODE ISLAND

Robert E. Benoit, East Greenwich.

SOUTH CAROLINA

James Woodrow Wilson, Aiken.
Richard L. Copeland, Anderson.
Ryan J. Baker, Cades.
Sumter M. Carter, Fort Lawn.
Dallas L. Nelson, Jonesville.
Herbert V. K. Stackley, Kingstree.
Paul P. Robinson, Lancaster.
Milton E. Murphy, Sr., Ridgeway.
Cooley B. King, Williamston.

SOUTH DAKOTA

George E. May, Aberdeen.
Donald W. Elliott, Columbia.
John F. Ripple, Lesterville.

TENNESSEE

Arzo Hale, Caryville.
James M. Russell, Collierville.
John A. Dudney, Kingsport.
Clara P. Martin, Sardis.
Albert L. Roggli, Winchester.

TEXAS

Edmond F. Croix, Alvin.
Lucille H. Sanders, Buffalo.
A. Lucille Evans, Driscoll.
J. D. Thomas, Jr., Georgetown.
Wilmer W. Hewitt, Richmond.
Thornton D. Campbell, Ringgold.
Beverly W. Allen, Smithville.
Douglass E. Lindsey, Wills Point.

UTAH

John A. Schiefer, Springdale.

VERMONT

Florinda T. Letourneau, East Barre.
Helen M. Russell, Franklin.
Eugene E. Martin, Jr., Pittsfield.
Raymond F. Cousino, Shoreham.

VIRGINIA

Marion H. Meador, Jr., Cumberland.
Ernest W. McKay, Hampden Sydney.
James E. Grove, New Hope.
Robert K. Minnick, Timberville.

WASHINGTON

Alice L. Marll, Albion.
Dewey L. Hunter, Bridgeport.
Walter S. Watkins, Issaquah.
James E. Patton, Lebam.
Nettie H. Brown, Trout Lake.

WEST VIRGINIA

Robert E. Johnston, Smithfield.
John R. Harmon, Terra Alta.
Alfred L. Sidaway, Jr., Wiley Ford.

WISCONSIN

Lee A. Anderson, Campbellsport.
Eileen T. Williams, Eldorado.
Carol M. Hudson, Green Valley.
Raymond L. Neisius, Iron Ridge.
Lyle J. Pickel, Kieler.
Arthur C. Howell, Palmyra.
Robert W. Walton, Platteville.
Bradford S. Croeker, South Milwaukee.
Earl E. Ackley, Trego.

HOUSE OF REPRESENTATIVES—*Thursday, April 4, 1968*

The House met at 11 o'clock a.m.

Rt. Rev. Protopresbyter Nikolaj Lapitzki, Whiteruthenian (Byelorussian) Greek-Orthodox Church of St. Euphrosynia, South River, N.J., offered the following prayer:

In the name of the Father, and of the Son, and of the Holy Spirit.

O Eternal God, and our Father, the source of all life and light, on this day commemorating the proclamation of independence of 50th anniversary of Byelorussia, we humbly bow our heads and pray the Byelorussia and all other captive nations may soon receive a new birth of freedom.

O Generous God, the source of kindness, bless and instruct the leaders and legislators of United States of America, so that they would arrive at the decisions which would lead to peace and freedom of all mankind.

O Merciful God, source of love, send Your blessing on all people of our glorious country, United States of America, save them from discord, giving them the spirit of love, wisdom, and true brotherhood. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11816) entitled "An act to provide certain benefits for law enforcement officers not employed by the United States who are killed or injured while apprehending violators of Federal law."

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 2269. An act to amend the act of August 27, 1954, relative to the unlawful seizure of fishing vessels of the United States by foreign countries;

S. 2409. An act for the relief of the estate of Josiah K. Lilly; and

S. 2986. An act to extend Public Law 480, 83d Congress, for 3 years, and for other purposes.

THE LATE HONORABLE HOMER ANGELL

Mrs. GREEN of Oregon. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentlewoman from Oregon?

There was no objection.

Mrs. GREEN of Oregon. Mr. Speaker, I am sure that Members of this House who served at any time during the years from 1949 to 1954 well remember Homer Angell. I am also sure that those who knew him, will share my sorrow and the mourning sorrow in the State of Oregon that this most distinguished citizen is gone from our midst. Congressman Angell, who preceded me as the Representative of the Third Congressional District of Oregon, came as close as anyone can, to earning, as a description, his given name. He was, in the finest sense of the word, a humanitarian: one who loved his fellow man and who devoted his considerable talents to their welfare. His heart was open and generous; his intelligence both keen and discriminating; and his judgments were always fair and often were courageous. Because the example of service he gave to his constituents was so notable, I felt particularly honored to be chosen as his successor. In those early days when I began a new career, he was to me invariably kind, cooperative, and helpful. I deeply appreciated his aid and advice, and I will always remember this truly remarkable man with great fondness and respect.

Congressman Angell's life and actions represent the finest in the American tradition. With permission, Mr. Speaker, I include in the RECORD an account of his background and exceptional accomplishments:

[From the Portland Oregonian, Apr. 1, 1968]

Homer D. Angell, 93, former congressman from Oregon's Third District, died Sunday at 5 a.m. at his home, 2931 SE Hawthorne Blvd., after a long illness.

Funeral is pending under arrangements by Edward Holman and Son Funeral Home.

Born on a farm near The Dalles, the son of parents who came to Oregon by ox-drawn wagons in 1852, Mr. Angell rose from humble origins to become one of Oregon's most noted lawmakers.

He was elected to the Oregon House of Representatives in 1929 and served three terms. He was a state senator for part of one term before winning election in 1938 to the U.S. Congress from Oregon's Third District, which at that time included all of Portland.

In his race for Congress in 1938, Angell, who described himself as a "liberal Republican," unseated Democratic Rep. Mrs. Nan Wood Honeyman. Then he was reelected every term for 16 years until 1954 when Gov. Tom McCall, then a radio news reporter, beat him in the primary. McCall lost to Mrs. Edith Green in the general election.

VIEWS PROGRESSIVE

It was his progressive views that enabled him to be victorious as a Republican running in a district that had a majority of Democratic voters.

He backed various parts of the Roosevelt administration's New Deal from time to time, and was an advocate of the "Townsend Plan" to attract interest for better pensions and retirement program.

He supported labor legislation and favored a federal high dam at Hells Canyon and other federal hydroelectric developments for the region.

While opposing the methods of the late Sen. Joe McCarthy, he favored the investigation of communism by both the Senate and House committees to oust "Communists" and "subversives" from public positions.

At the age of 13, a blast of buckshot from an old muzzle-loader cut off Angell's right hand. He ran to the farmhouse where a sister plunged the stump into a sack of flour. The stump was held there through the night and into the second day to coagulate the blood until a physician arrived to close the wound.

Soon after the hand healed, his father, Thomas Angell, died. This left his mother, Susan Pinney Yoemans Angell, with seven children.

Angell once said that riding over the prairie during his youth, he learned early to love animals, work hard, respect human rights, and live thriftily.

In Congress, Angell became chairman of the Rivers and Harbors Committee of the House. This became a subcommittee of the Public Works Committee after reorganization.

He worked for civil rights legislation, equal rights for women and other humanitarian laws.

In the first year after winning election to the Oregon House, Angell astonished older members by becoming vice chairman of the Ways and Means Committee. In the second session he was chairman.

"In committee work and on the legislative floor, there was no disputing Angell's influence," said The Oregon Voter.

Educated in The Dallas public schools and the Wasco Independent Academy in The Dalles, he later played football and earned a B.A. degree at University of Oregon, and M.A. and L.L.B. at Columbia University, New York.

He was admitted to law practice in New York, Oregon, and all federal courts, including the U.S. Supreme Court. He had a lucrative law practice in Portland.

Mr. Angell was a member of Central Bible Church, and was a member of the board of Waverly Baby Home for more than 30 years, retiring as the home's president emeritus at the end of 1963. He was also a member of the board of Oregon Humane Society retiring from its presidency in 1964, and of Oregon Historical Society. He was an organizer of Boy Scouts of America in Portland and was on the executive board when he died.

He was a past president of Oregon Apartment House Association and a member of its board of managers. He was past grand master of the Odd Fellows Lodge of Oregon.

Survivors include the wife, Margaret, Portland; and several nieces and nephews. His first wife, Mayme, died in 1951.

Mr. GERALD R. FORD. Mr. Speaker, will the gentlewoman yield?

Mrs. GREEN of Oregon. I yield to the distinguished minority leader.

Mr. GERALD R. FORD. Mr. Speaker, the passing of Homer Angell, to all of us who knew him, is a sad occasion. When I came to the House a little more than 19 years ago, I had the good fortune of being assigned to the committee on which Homer Angell served, a committee where he was a rather senior ranking Member on our side of the aisle. He was kindly. He was intensely interested in helping new or younger Members. He was wise in his judgment. He was a gentleman of the highest integrity.

We on our side of the aisle of the House of Representatives all regretted his leaving. We knew that he had made a great contribution during his service, not only in this body, but in his prior service in the State of Oregon. I know I speak for all of us on our side of the aisle when I say it is a sad occasion to know the passing of our former colleague, Homer Angell.

Mr. ARENDS. Mr. Speaker, it was my privilege to be a Member of this House during the period that Homer Angell, of Oregon, served here. I am truly saddened to learn of his passing. As I have many times said, one of the great rewards of being a Member of Congress is the friendships you make. And during the 14 years that Homer served here I can proudly say we developed a friendship that I shall always cherish.

Homer Angell made a constructive contribution to the work of Congress. He was a member of the Committee on Public Works. As a member of that committee he was able to give special attention to legislation in which his people of Oregon were greatly interested.

He was a good Republican, a great American, and a distinguished legislator. He was my friend and colleague. I shall never forget him, nor will any of us who were privileged to know him.

Mr. DELLENBACK. Mr. Speaker, will the gentlewoman yield?

Mrs. GREEN of Oregon. I yield to the gentleman from Oregon.

Mr. DELLENBACK. Mr. Speaker, it was my personal opportunity to know Mr. Angell, principally by reputation, in my State of Oregon. I had met him only briefly, but I had no personal contact with him in his service here in the House of Representatives. Like many citizens of my State, however, I am aware of his long service. I know how highly he was esteemed in my State. I know from talking to some Members who have served in the Congress through the years and during the time Mr. Angell was here, that he was indeed the kind of man, the gentlewoman from Oregon [Mrs. GREEN] has stated. He was a man careful in his approach to legislation. He made a significant contribution to the State of Oregon, and to the U.S. House of Representatives.

Certainly his death was a loss to the State of Oregon. The capacity and accomplishments of the present, very able present occupant of the congressional seat which was occupied by Mr. Angell were foreshadowed by the similar characteristics of Homer Angell.

It is a truly sorrowful occasion for Oregon to have one of its leading sons gone. I join in sympathy and condolences to his family.

Mr. WYATT. Mr. Speaker, Homer Angell served the State of Oregon and his country with real distinction. He was privileged to be a Member of Congress during years which were of very great importance in our country's history. It is most fitting and proper that we pause here today in memory of his dedication to our country and to Oregon, and that we pay tribute to a great American.

PERMISSION FOR COMMITTEE ON DISTRICT OF COLUMBIA TO FILE REPORT ON H.R. 16409

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on the District of Columbia may have until midnight tonight to file a report on the bill, H.R. 16409, the District of Columbia Teachers' Salary Act Amendments of 1968.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

LEGISLATIVE PROGRAM

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, I take this time for the purpose of asking the distinguished majority leader any guidelines or guidance he can give us concerning the program for today and the situation about next week.

Mr. ALBERT. Mr. Speaker, if the gentleman will yield, the program for today is as previously announced and modified.

The gentleman will recall that we took off the NASA authorization bill and put on the AEC bill, and there is a bill which the gentleman from Colorado [Mr. ASPINALL] will seek to call up under a unanimous-consent request.

We will proceed with consideration of the tax bill, and we also have for consideration the conference report on the urgent supplemental appropriation for 1968. We do not know whether that will be the second order of business, or the AEC bill.

PERMISSION TO CALL UP H.R. 16409, DISTRICT OF COLUMBIA TEACHERS' SALARY ACT, ON TUESDAY, APRIL 9, 1968

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that it may be in order on Tuesday next to call up under the general rules of the House the bill (H.R. 16409) to amend the District of Columbia Teachers' Salary Act of 1955 to provide salary increases for teachers and school officers in the District of Columbia public schools, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

HUBERT HORATIO HUMPHREY

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOLIFIELD. Mr. Speaker, the name of Horatio first became famous as a synonym for courage when a brave Roman soldier singlehandedly held off the Etruscan invaders at the Sublician Bridge over the Tiber River. Legend has it that this event occurred in 508 B.C.; and that fighting against tremendous odds, Horatio held back the attackers until his comrades could flee to safety. He sacrificed his life and his name achieved immortality.

As a teenage lad in the Ozark Mountains of Arkansas the name of another Horatio became an inspiration to me. It was Horatio Alger. He was the author of the famous Alger stories which stirred the hopes and ambition of countless thousands of boys in the first two or three decades of the 20th century. These books were part of the fabric of every young American's dream of that time.

Their titles told the story—"Sink or Swim," "Strive and Succeed," and "Bound To Rise"—were typical.

The motif was always the same—a poor boy could succeed if he was honest and industrious. Sounds trite, yes, a bit corny or "square" as our young sophisticates in the affluent society of today would say. Of course they forget that what they have was built by men who symbolized the Horatio Alger ethic in many ways.

Yet Horatio Alger's stories had more effect on the character of young boys than all the tomes of Shakespeare or the weighty volumes in the Harvard and Yale libraries.

I like the name Horatio. It has an historic significance to me. It rings of bravery against great odds. It has an honest sound of perseverance and achievement.

I would like to have a President of the United States wear that name.

I would not object to its being a middle name, as in—HUBERT HORATIO HUMPHREY.

GOVERNOR REAGAN'S ATTITUDE TOWARD PEACE IN VIETNAM

Mr. VAN DEERLIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. VAN DEERLIN. Mr. Speaker, I rise more in sadness than in anger to deplore the attitude of our California Governor, Mr. Reagan, toward current peace efforts. Mr. Reagan seems reluctant to approve any peace contacts until and unless North Vietnam has been obliterated. In this I feel he represents a minority of opinion in California, as elsewhere. Our Governor further refuses to believe President Johnson's assertion that he will not accept renomination. It should be called to Mr. Reagan's attention that some men in public life mean exactly what they say; that ambition can indeed be subordinated to great causes; that winning world peace may loom larger than winning an election.

Mr. Speaker, I would hope in his further utterances that Mr. Reagan will accept the President's disclaimer of candidacy in the same charity shown by Wisconsin voters toward Mr. Reagan's own similar disclaimers on Tuesday of this week.

Republicans there appeared to agree that Mr. Reagan is not to be regarded seriously as a candidate for President.

Thank you, Mr. Speaker.

PERSONAL EXPLANATION

Mr. DEVINE. Mr. Speaker, on rollcall No. 85 yesterday I am recorded as not voting. That is correct. I was called from the floor at 4 o'clock for a previous commitment. Had I been present, I would have voted "yea." I would like to have the RECORD so reflect.

TAX ON TRANSPORTATION BY AIR; CUSTOMS RULES FOR TOURIST EXEMPTIONS, ETC.

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1123 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1123

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 16241) to extend the tax on the transportation of persons by air and to reduce the personal exemption from duty in the case of returning residents, and all points of order against said bill are hereby waived. After general debate, which shall be confined to the bill and shall continue not to exceed three hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be considered as having been read for amendment. No amendment shall be in order to said bill except amendments offered by direction of the Committee on Ways and Means, and said amendments shall be in order, any rule of the House to the contrary notwithstanding. Amendments offered by direction of the Committee on Ways and Means may be offered to any section of the bill at the conclusion of the general debate, but said amendments shall not be subject to amendment. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from Missouri is recognized for 1 hour.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from California [Mr. SMITH] and, pending that, I yield myself such time as I may consume.

Mr. Speaker, this is the usual resolution dealing with a tax bill except for the fact that it was necessary to waive points of order because the committee failed to comply with the Ramseyer rule because, had it complied with the Ramseyer rule, it would have added several hundred pages to the report.

The rule provides for 3 hours of general debate, makes in order only committee amendments, and that, of course, is a closed rule.

I know of no objection to the rule.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BOLLING. I will be delighted to yield to the gentleman from Iowa.

Mr. GROSS. I thank the gentleman for yielding.

Is the gentleman saying that the Committee on Rules now is the vehicle by which failure of committee to perform its duty is excused and apologized for, or what is he saying?

Mr. BOLLING. The gentleman has no apologies to offer, and is not in position to speak for the intent of the Committee on Rules. The gentleman's own intent is quite clear—he believes it is useless to print a report that contains 200 or 300 pages dealing with relatively simple amendments to a large code. And the gentleman considered that he had the rare privilege of casting what he considered a legitimate vote for economy when he voted to waive points of order on this particular matter.

Mr. GROSS. That is all very fine. Would the gentleman take the same attitude on any other bill that comes in?

Mr. BOLLING. No. The gentleman would say to the gentleman from Iowa he would examine each situation on its merits, and on the merits of this situation he felt it wise to waive points of order. He might well feel otherwise on any other piece of legislation.

Mr. GROSS. That is what I thought the answer would be: that we pick and choose around here.

Mr. BOLLING. Yes, sir; we certainly do.

Mr. GROSS. I thank the gentleman for yielding.

Mr. BOLLING. Mr. Speaker, there being no particular objection that I am aware of, I will reserve the balance of my time.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I concur in the statements made by the distinguished gentleman from Missouri [Mr. BOLLING], in explanation of the rule.

So far as the bill is concerned, my understanding of the purpose of the bill is to extend the tax on air transportation, and to reduce the exemptions from customs duties of items mailed or brought back to the United States by tourists.

The bill is part of the effort to alleviate our balance-of-payments problem. It does not include all the recommendations made by the President on January 1; the travel tax and limitations on foreign investments are not included.

The bill puts a 5-percent tax on all air travel purchased in the United States not already so taxed. Types of travel newly taxed include wholly foreign travel, international travel beginning or ending in the United States, the domestic part of an international flight, and travel between the continental United States and Alaska and Hawaii.

On customs duties and the tourist exemptions the bill makes the following major changes in current law: first the personal exemption for returning tourists is reduced from $500 to $100 permanently and between enactment and October 16, 1969 this figure is temporarily reduced to $10. Those traveling to U.S. insular possessions will have a $100 exemption until October 16, 1969, when it will be increased to $200. Second, the rate of duty on items brought back by tourists is to be 10 percent of the fair retail value where the wholesale value does not exceed $500. This replaces the duties which apply to individual items. Third, the present mailed-gift exemption, now $10 is to be reduced to $1. Fourth, the rate of duty on noncommercial imports is to be a flat 10 percent of fair retail value where the wholesale value of the shipment does not exceed $250.

The committee estimates that enactment of this legislation will improve our balance-of-payments situation by $140,000,000 a year. It should raise about $95 million in revenue.

Other parts of the President's January 1 program have been deferred by the committee. These include the controls on direct investment overseas and a tax on foreign travel by U.S. tourists.

There are no minority views.

Mr. Speaker, I urge the adoption of the rule.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I yield to the gentleman.

Mr. GROSS. Can the gentleman recall a tax bill coming before the House in recent years that contained 50 words—or 50,000 words—that did not come in under a closed rule, regardless of whether it conformed to the Ramseyer rule or not?

Mr. SMITH of California. I do not recall of any such bill. In the opinion of the Committee on Rules we thought that points of order should be waived and that the rule should be a closed rule.

Mr. GROSS. The fact of the matter is that there are always closed rules on tax bills; is that not correct?

Mr. SMITH of California. Most always—yes.

Mr. GROSS. And, of course, there is no such prohibition or inhibition in the other body—they can operate any way they see fit whether it is with respect to the Constitution or the rules or anything else.

Mr. SMITH of California. Mr. Speaker, I have no further requests for time.

Mr. BOLLING. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. MILLS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 16241) to extend the tax on the transportation of persons by air and to reduce the personal exemption from duty in the case of returning residents.

The motion was agreed to.

IN COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 16241, with Mr. Evans of Colorado in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Arkansas [Mr. Mills] will be recognized for 1½ hours and the gentleman from Wisconsin [Mr. Byrnes] will be recognized for 1½ hours.

The Chair recognizes the gentleman from Arkansas [Mr. Mills].

Mr. MILLS. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, let me say at the outset it is the hope of both the ranking Republican member of the committee and myself that we will not consume anything like all of the time that the Committee on Rules has generously provided us for general debate.

Mr. Chairman, this bill, H.R. 16241, extends the existing 5-percent tax on air fares to international flights and reduces the value of foreign goods returning tourists may bring into the United States free of duty. Recommendations in the bill are based on proposals presented by the administration. They form a part of the comprehensive program announced by the President on the first of January that is designed to reduce the balance-of-payments deficit of the United States to a manageable level.

THE BALANCE OF PAYMENTS

We are all aware that balance-of-payments deficits have plagued us since the early 1950's. As a result of actions taken both by Congress and the Executive, the size of these deficits was reduced from the peak levels of 1959–60 to the modest levels of 1965 and 1966. Reduced, that is, from $3.9 billion a year to $1.4 billion. There was, however, an alarming deterioration in the situation in 1967. During the first three quarters of the year the deficit was $2.3 billion on an annual rate basis and showed a tendency to creep upward. Developments associated with the devaluation of the British pound and other factors led to a sharp increase in the size of the deficit in the 4th quarter, so that the deficit for the entire year jumped to $3.6 billion.

We cannot maintain the value of the dollar in international transactions unless we can reduce the balance-of-payments deficit at least to its 1965–66 level. The measures taken by the President will contribute materially to this objective. It is estimated that the controls imposed on direct investments overseas and the program to limit loans to foreigners will reduce the deficit by a total of $1.5 billion. An additional $500 million improvement is expected to result from the reduction in the number of U.S. personnel stationed abroad and from other steps to cut Government overseas spending. Efforts to increase exports will also make a contribution.

The one remaining area in which there is a substantial outflow of dollars, and one in which an important contribution to equilibrium can be made, is foreign travel by U.S. residents. Americans have been exercising their freedom to travel outside the country to an ever-increasing extent. Last year American travelers spent almost $4 billion on trips overseas and for fares on foreign ships and planes. Five years ago they spent only $2.5 billion. While expenditures by foreign tourists traveling in the United States have also increased, on a dollar basis they have not kept pace and the net deficit attributable to travel increased to $2.1 billion last year from $1.5 or $1.6 billion which prevailed in the preceding 5 years. The administration, therefore, recommended actions to reduce the deficit attributable to travel expenditures.

The provisions of this bill were presented in a three-part proposal designed to encourage Americans to reduce expenditures for travel outside the Western Hemisphere. The third part of the package was a proposal for an expenditure tax based on the amount of expenditures made on trips outside this hemisphere.

THE EXPENDITURE TAX

The committee held hearings on the administration's proposals and discussed the expenditure tax and the provisions in this bill at length in executive session. The committee concluded that it would be desirable to delay final action on the expenditure tax proposal. At the same time, the committee agreed that the proposals in this bill should receive prompt action by Congress so that they may become effective in time to have an impact this year. Therefore, the committee separated the three proposals and reported the two contained in this bill while deferring action on the expenditure tax proposal.

The decision to defer final action on the expenditure tax was based on a number of considerations. In the first place, the balance-of-payments situation should be further clarified before such a step is taken. We know that several of the factors responsible for the sharp deterioration in the balance of payments in the fourth quarter of 1967 are not apt to recur in 1968. One such factor is the devaluation of the pound, which was accompanied by the sale of $520 million of U.S. securities held by the Government and private citizens of the United Kingdom. Moreover, imports of copper and steel were unusually great because of a strike in the first case and the threat of a strike in the second. Finally, short-term investments abroad by U.S. corporations were unusually high. Because of these temporary factors, it is difficult to project 1968 trends on the basis of 1967 results. We do not want to impose a new tax on American travelers before we know for certain that it is essential.

Moreover, the committee has concluded that it would be appropriate to consider an expenditure tax in conjunction with recommendations which may be made on border tax adjustments. We have asked the administration to report back to us as soon as possible. As you know, the rules of the General Agreement on Tariffs and Trade permit countries to rebate indirect taxes imposed on items that are exported and to impose the equivalent of these same indirect taxes on items that are imported. Due to its system of taxes the United States does not make border tax adjustments in the same manner that the countries of Western Europe do. This matter was mentioned in the President's balance-of-payments message. It is felt that the desirability of imposing border tax adjustments should be thoroughly considered.

Finally, we believe that Americans will heed the request of the President and will postpone trips to Europe in favor of trips within the Western Hemisphere. This will improve the balance of payments. The situation will also be improved if more foreigners make trips to the United States. In this regard, the policy recently announced by the Air Transport Association—reducing fares for foreigners—is of particular importance. We would like to gain a better idea of the impact these programs will have on the balance of payments before acting on the travel tax.

THE NEED FOR PROMPT ACTION ON THIS BILL

While the committee believes it is appropriate to delay action on the expenditure tax, there is good reason to take prompt action to approve the other proposals. At the present time, a traveler who flies from one point within the United States to another point in the United States must pay a tax of 5 percent on his trip. On the other hand, if the traveler flies to Europe, he pays no tax at all. Not only is this discriminatory, but it also is at complete variance with efforts to encourage Americans to "see America first." This bill eliminates this disparity by extending the existing tax on tickets for domestic air travel to international flights.

Let me emphasize, however, that although the balance of payments primarily dictates the need for prompt action to extend the coverage of this tax, there are compelling reasons for enacting it apart from the balance of payments. Airline passengers enjoy the protection provided by air navigation facilities and by air traffic control procedures provided by the U.S. Government. This is true on international trips which originate or terminate in this country as well as on domestic trips. Extension of the tax will insure that airline passengers headed overseas pay at least a part of the cost of the airway facilities furnished for their convenience and safety, just as domestic air travelers do.

The reduction in the duty-free allowance for tourists returning from travel in foreign countries should also be enacted promptly in the interests of the balance of payments. The peak European travel season is rapidly approaching. If we delay action on this proposal, not all the travelers returning from such trips will be affected by it. Some may even increase their purchases to take advantage of the delay.

As in the case of the tax on air fares, the adjustment in the duty-free allowance is not proposed solely for balance-of-payments purposes. Your committee has long been aware that the duty-free allowance granted by this country to its returning residents is considerably higher than those granted by European countries to their residents. Presently, such allowances in Europe average $10 to $15. Reducing the duty-free allowance for returning American tourists to $10 will, therefore, aline our practice with theirs. The committee is also aware, however, that Europeans are seeking an agreement under which their allowances would be raised to $50. In accord with that action, the bill provides that the $10 limitation will be temporary and will revert to a permanent level of $50 per person.

TAX ON AIR PASSENGER TRANSPORTATION

The provisions of this bill can be described briefly. The 5-percent tax on domestic air passenger transportation will be extended to cover transportation purchased in the United States for all air travel inside and outside the United States. The action brings international travel under the tax. It also covers trips within the United States which are portions of an overseas trip, and the now-exempt portions of trips to Alaska and Hawaii.

As under present law, the tax will apply to air passenger transportation that begins and ends in the United States even though it is purchased outside of the United States. This provision minimizes opportunities for evasion of the tax in situations where transportation normally would be purchased in the United States. The bill extends this rule to a similar situation which arises from the application of the tax to international travel. Under the bill, passenger tickets purchased anywhere which involve transportation by air that originates in the United States will be taxed.

The nature of the air passenger fare schedules will inhibit other forms of evasion by making them too expensive. A U.S. resident will lose the savings on a round-trip ticket if he pays only for the portion of a trip which starts in the United States and purchases the return ticket abroad; the benefit of the round-trip discount is greater than the saving of the 5-percent tax on a one-way ticket. Similarly, it is cheaper to fly directly from a U.S. city to foreign cities even after paying the 5-percent tax than it is to fly to a Mexican or Canadian city—paying the 5-percent tax on that trip—before purchasing a tax-free transatlantic round trip.

In connection with the extension of the tax, existing exemptions for employees of governments and of nonprofit educational institutions are terminated because these individuals are responsible for use of the airways in the same way as other travelers. Furthermore, the tax is not great enough to provide a hardship. The exemptions for commutation travel, and for members of the Armed Forces when the fare is less than 2.5 cents a mile, are terminated because they have little, if any, application.

The tax on international air travel will become effective on the 10th day on or after the date of enactment.

There are two final observations I want to make in connection with the air ticket tax matter. First, one adverse factor in our balance-of-payments picture with European countries is the greater use of foreign-flag airlines by American citizens in the North Atlantic than the use of American-flag carriers. A little more cooperation on the part of American travelers in using our own airlines would help this situation a great deal. For example, I am advised by the airline industry that if Americans would use U.S.-flag airlines when traveling to Europe just to the same extent that foreigners use the foreign-flag airlines, our balance of payments would be improved by $150 million. This is the information which has been given to me on this matter.

Second, in the course of our consideration of this matter it was brought to our attention that a study is now being made by the International Civil Aviation Organization of the international airways system, including the costs of existing and proposed facilities and methods of financing international airways. The results of that study are not yet available, but I have requested the Honorable Alan S. Boyd, Secretary of Transportation, to give us the results of the study as soon as it is available.

TARIFF EXEMPTION FOR RETURNING RESIDENTS

Under present law, residents returning to the United States may bring with them as much as $100 of articles purchased overseas free of existing tariff duties. If the resident is returning, directly or indirectly, from a visit to the U.S. possessions of the Virgin Islands, American Samoa, or Guam, he may bring with him $200 worth of articles of which not more than $100 may have been acquired elsewhere.

Under this bill, the tariff exemption is temporarily reduced to $10 for all returning residents, except residents returning from the Virgin Islands, Guam, American Samoa, Canada, or Mexico who may bring back $100 worth of articles. Even these travelers may bring in only $10 worth of duty-free goods purchased in other countries than those just named.

These provisions will apply to articles and persons who arrive in the United States on or after the 10th day after the date of enactment. The provisions will remain in effect until October 16, 1969. On that date, new permanent exemptions will go into effect. Returning residents will be allowed to bring with them $50 worth of articles. Residents returning from a contiguous country, that is, Canada or Mexico, will be permitted to bring in $100 worth of articles but not more than $50 of such articles may be obtained elsewhere. The limit for residents returning from the U.S. Virgin Islands, American Samoa, or Guam will revert to $200 of articles, but if the residents stop in any other country, the general limitations of $100 for Canada and Mexico and $50 for other countries will continue to apply as part of the $200 exemption.

The bill also provides that all dutiable articles valued in excess of the exemption will be subject to a duty of 10 percent on the fair retail value up to an aggregate value of $500. If the dutiable articles brought in by a returning traveler are valued at more than $500, they will be liable for duty under the provisions of the tariff schedule. This provision is subject to the identical effective date that applies to the duty exemptions.

OTHER CUSTOMS CHANGES

The administration plans to use its administrative authority to reduce the exemption for gifts arriving by mail from foreign countries from $10 to $1. In conjunction with this, to simplify customs administration, this bill imposes a general duty of $1 if the retail value of dutiable mail shipments are valued at more than $1 but less than $10.

In a further effort to simplify administration, noncommercial imports worth $250 or less which do not accompany a person and which ordinarily are subject to a duty will be taxed at a rate of 10 percent of the retail value. Existing tariff duties will apply to packages worth more than $250.

The effective date for these provisions also applies to articles arriving in the United States on the 10th day after enactment.

CONCLUSION

The proposals contained in this bill will contribute to an improvement in the balance of payments if they are adopted promptly. At the same time, however, they are proposed as permanent changes in the law because they are desirable on their own merits.

We are urging this action not necessarily because we have the balance-of-payments problem, though it was presented to us by the administration and the Treasury perhaps because we do have a balance-of-payments problem. This will—and how they reach these figures I do not know—tend to reduce the approximate $2 billion deficit in our tourism by $140 million. As I say, how they reach

Mr. Speaker, I urge the adoption of the rule.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I yield to the gentleman.

Mr. GROSS. Can the gentleman recall a tax bill coming before the House in recent years that contained 50 words—or 50,000 words—that did not come in under a closed rule, regardless of whether it conformed to the Ramseyer rule or not?

Mr. SMITH of California. I do not recall of any such bill. In the opinion of the Committee on Rules we thought that points of order should be waived and that the rule should be a closed rule.

Mr. GROSS. The fact of the matter is that there are always closed rules on tax bills; is that not correct?

Mr. SMITH of California. Most always—yes.

Mr. GROSS. And, of course, there is no such prohibition or inhibition in the other body—they can operate any way they see fit whether it is with respect to the Constitution or the rules or anything else.

Mr. SMITH of California. Mr. Speaker, I have no further requests for time.

Mr. BOLLING. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. MILLS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 16241) to extend the tax on the transportation of persons by air and to reduce the personal exemption from duty in the case of returning residents.

The motion was agreed to.

IN COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 16241, with Mr. EVANS of Colorado in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Arkansas [Mr. MILLS] will be recognized for 1½ hours and the gentleman from Wisconsin [Mr. BYRNES] will be recognized for 1½ hours.

The Chair recognizes the gentleman from Arkansas [Mr. MILLS].

Mr. MILLS. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, let me say at the outset it is the hope of both the ranking Republican member of the committee and myself that we will not consume anything like all of the time that the Committee on Rules has generously provided us for general debate.

Mr. Chairman, this bill, H.R. 16241, extends the existing 5-percent tax on air fares to international flights and reduces the value of foreign goods returning tourists may bring into the United States free of duty. Recommendations in the bill are based on proposals presented by the administration. They form a part of the comprehensive program announced by the President on the first of January that is designed to reduce the balance-of-payments deficit of the United States to a manageable level.

THE BALANCE OF PAYMENTS

We are all aware that balance-of-payments deficits have plagued us since the early 1950's. As a result of actions taken both by Congress and the Executive, the size of these deficits was reduced from the peak levels of 1959–60 to the modest levels of 1965 and 1966. Reduced, that is, from $3.9 billion a year to $1.4 billion. There was, however, an alarming deterioration in the situation in 1967. During the first three quarters of the year the deficit was $2.3 billion on an annual rate basis and showed a tendency to creep upward. Developments associated with the devaluation of the British pound and other factors led to a sharp increase in the size of the deficit in the 4th quarter, so that the deficit for the entire year jumped to $3.6 billion.

We cannot maintain the value of the dollar in international transactions unless we can reduce the balance-of-payments deficit at least to its 1965–66 level. The measures taken by the President will contribute materially to this objective. It is estimated that the controls imposed on direct investments overseas and the program to limit loans to foreigners will reduce the deficit by a total of $1.5 billion. An additional $500 million improvement is expected to result from the reduction in the number of U.S. personnel stationed abroad and from other steps to cut Government overseas spending. Efforts to increase exports will also make a contribution.

The one remaining area in which there is a substantial outflow of dollars, and one in which an important contribution to equilibrium can be made, is foreign travel by U.S. residents. Americans have been exercising their freedom to travel outside the country to an ever-increasing extent. Last year American travelers spent almost $4 billion on trips overseas and for fares on foreign ships and planes. Five years ago they spent only $2.5 billion. While expenditures by foreign tourists traveling in the United States have also increased, on a dollar basis they have not kept pace and the net deficit attributable to travel increased to $2.1 billion last year from $1.5 or $1.6 billion which prevailed in the preceding 5 years. The administration, therefore, recommended actions to reduce the deficit attributable to travel expenditures.

The provisions of this bill were presented in a three-part proposal designed to encourage Americans to reduce expenditures for travel outside the Western Hemisphere. The third part of the package was a proposal for an expenditure tax based on the amount of expenditures made on trips outside this hemisphere.

THE EXPENDITURE TAX

The committee held hearings on the administration's proposals and discussed the expenditure tax and the provisions in this bill at length in executive session. The committee concluded that it would be desirable to delay final action on the expenditure tax proposal. At the same time, the committee agreed that the proposals in this bill should receive prompt action by Congress so that they may become effective in time to have an impact this year. Therefore, the committee separated the three proposals and reported the two contained in this bill while deferring action on the expenditure tax proposal.

The decision to defer final action on the expenditure tax was based on a number of considerations. In the first place, the balance-of-payments situation should be further clarified before such a step is taken. We know that several of the factors responsible for the sharp deterioration in the balance of payments in the fourth quarter of 1967 are not apt to recur in 1968. One such factor is the devaluation of the pound, which was accompanied by the sale of $520 million of U.S. securities held by the Government and private citizens of the United Kingdom. Moreover, imports of copper and steel were unusually great because of a strike in the first case and the threat of a strike in the second. Finally, short-term investments abroad by U.S. corporations were unusually high. Because of these temporary factors, it is difficult to project 1968 trends on the basis of 1967 results. We do not want to impose a new tax on American travelers before we know for certain that it is essential.

Moreover, the committee has concluded that it would be appropriate to consider an expenditure tax in conjunction with recommendations which may be made on border tax adjustments. We have asked the administration to report back to us as soon as possible. As you know, the rules of the General Agreement on Tariffs and Trade permit countries to rebate indirect taxes imposed on items that are exported and to impose the equivalent of these same indirect taxes on items that are imported. Due to its system of taxes the United States does not make border tax adjustments in the same manner that the countries of Western Europe do. This matter was mentioned in the President's balance-of-payments message. It is felt that the desirability of imposing border tax adjustments should be thoroughly considered.

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TARIFF EXEMPTION FOR RETURNING RESIDENTS

Under present law, residents returning to the United States may bring with them as much as $100 of articles purchased overseas free of existing tariff duties. If the resident is returning, directly or indirectly, from a visit to the U.S. possessions of the Virgin Islands, American Samoa, or Guam, he may bring with him $200 worth of articles of which not more than $100 may have been acquired elsewhere.

Under this bill, the tariff exemption is temporarily reduced to $10 for all returning residents, except residents returning from the Virgin Islands, Guam, American Samoa, Canada, or Mexico who may bring back $100 worth of articles. Even these travelers may bring in only $10 worth of duty-free goods purchased in other countries than those just named.

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The bill also provides that all dutiable articles valued in excess of the exemption will be subject to a duty of 10 percent on the fair retail value up to an aggregate value of $500. If the dutiable articles brought in by a returning traveler are valued at more than $500, they will be liable for duty under the provisions of the tariff schedule. This provision is subject to the identical effective date that applies to the duty exemptions.

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The administration plans to use its administrative authority to reduce the exemption for gifts arriving by mail from foreign countries from $10 to $1. In conjunction with this, to simplify customs administration, this bill imposes a general duty of $1 if the retail value of dutiable mail shipments are valued at more than $1 but less than $10.

In a further effort to simplify administration, noncommercial imports worth $250 or less which do not accompany a person and which ordinarily are subject to a duty will be taxed at a rate of 10 percent of the retail value. Existing tariff duties will apply to packages worth more than $250.

The effective date for these provisions also applies to articles arriving in the United States on the 10th day after enactment.

CONCLUSION

The proposals contained in this bill will contribute to an improvement in the balance of payments if they are adopted promptly. At the same time, however, they are proposed as permanent changes in the law because they are desirable on their own merits.

We are urging this action not necessarily because we have the balance-of-payments problem, though it was presented to us by the administration and the Treasury perhaps because we do have a balance-of-payments problem. This will—and how they reach these figures I do not know—tend to reduce the approximate $2 billion deficit in our tourism by $140 million. As I say, how they reach those conclusions I do not know. But in part they are the conclusions of the Customs Service; in part they are the conclusions of the American air carriers which carry passengers from here to Europe.

On the other hand, it will provide some additional revenue to the general fund in the Treasury.

The committee, I think, looks upon this primarily as the elimination of a present discrimination in favor of an American seeing Europe rather than seeing his own country, and it is in the interest of developing a degree of equity in the customs law that the committee presents this bill to the Members, rather than on the basis of any major contribution that it might make to the imbalance in the balance of payments.

The committee will continue to study the administration's proposed tax on expenditures made abroad by U.S. travelers. The committee hopes, however, that voluntary restraint by travelers will make the imposition of a temporary tax unnecessary. The extent to which would-be travelers reduce their expenditures abroad may be an important factor in the final decision.

I am not presenting this bill, as I said, as being a monumental proposition. I think we have a monumental proposition perhaps in conference now, but unless there are some questions, I will conclude my remarks. I urge the enactment of H.R. 16241.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Chairman, the President recommended an exception for the Western Hemisphere, did he not, or to the countries of the Western Hemisphere.

Mr. MILLS. Not with respect to the tax on airlines, as I recall. I may have forgotten, but I think he recommended that across the board.

Mr. GROSS. Across the board with respect to both airlines and steamships?

Mr. MILLS. No; the ticket tax on water transportation proposed by the administration would have covered water transportation to a destination outside the Western Hemisphere. We did not include the tax on steamships, however. I am glad the gentleman brought that up, because that is somewhat equated with the expenditures that an airline passenger might make while he is abroad—staying at hotels and buying his meals. All of those things are involved in the ship fare. If we go to Europe and spend 4 or 5 days on the ship, we are not just paying for transportation, but we are paying for lodging, and we might be paying for meals and entertainment. In that way a part of the ship fare is more like the hotel expenditures of an airline passenger.

Mr. GROSS. This bill the gentleman is referring to would provide a 5-percent tax on air tickets to other nations of the Western Hemisphere?

Mr. MILLS. Anywhere.

Mr. GROSS. What about the package deals sold by the airlines? Would this be 5 percent on the package deals including hotel accommodations and meals?

Mr. MILLS. Yes, it would.

Mr. GROSS. But steamship lines are exempt?

Mr. MILLS. No; I meant to say that the tax would apply to just that part which is attributable to the transportation insofar as the packaged air trips are concerned.

Mr. GROSS. The 5 percent is applicable only to that?

Mr. MILLS. That is right. So it is equal in that respect. We held back on the application of the tax to the ship fare until we could make some final conclusions in the committee on the matter of the so-called tax on the expenditures which are incurred while abroad over and above the travel.

Mr. HERLONG. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Florida.

Mr. HERLONG. Mr. Chairman, as a matter of fact, the bill reported by the Committee on Ways and Means did not include a tax on steamship travel at all, did it?

Mr. MILLS. It did not.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Chairman, it is my understanding the Civil Aeronautics Board has under consideration a 50-percent cut in rates for foreigners coming to this country, for tourists coming to this country. Was this taken into consideration in any way?

Mr. MILLS. Oh, yes. Our own American airlines have been working on this. Some international organizations of airlines have been working to accomplish this in the hope they can encourage more and more people in Europe to come to the United States for vacation purposes.

Mr. GROSS. Let me ask the gentleman this: If the airlines can stand a 50-percent cut to foreigners, why not a cut to Americans to see America?

Mr. MILLS. In all probability that will be raised by someone, but it is not within our jurisdiction.

Mr GROSS. I am raising it right now. Is this a subsidy of foreigners?

Mr. MILLS. No.

Mr. GROSS. How can the airlines possibly cut their rates 50 percent to the foreigners without somebody having to take up the slack, if their rates today are valid and based on valid costs?

Mr. MILLS. I am not certain I can answer the gentleman's question, but the American airlines and all of the airlines are very interested in doing this.

Let us take a case. Let us assume that an airline leaves New York with a full complement of passengers. Let us assume it lands in France, and on its return trip it has only about 10 passengers from France coming to the United States. If the airline could, by reducing the rate, increase that number to 30 or 35 coming into the United States, the airline undoubtedly would make more money on the return trip than it would under the present rate applicable to only 10 people.

I understand that is the theory. Whether it works or not I do not know.

Mr. GROSS. I am talking about the domestic rate.

Mr. MILLS. I understand. I would like to make the point with the gentleman that the Civil Aeronautics Board, the agency of Government which has regulatory authority does not come within the jurisdiction of the Ways and Means Committee. I have not made a study of the matter to see whether domestic rates could or should be reduced.

Mr. GROSS. I do not know how the gentleman feels, but I would hate to wake up and find out that the taxpayers, by one device or another, are subsidizing the airlines in their cut rates to foreigners to tour this country.

Mr. MILLS. I can assure the gentleman there is no intention to do that.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Missouri.

Mr. HALL. I wonder if the gentleman would discuss the effect this might have on students under the American Field Service being transported back and forth this summer, and also any discrimination we may have by virtue of two of our States not being attached to the mainland, namely Alaska and Hawaii?

Mr. MILLS. Actually, this tax will apply to virtually all tickets bought in the United States, and when one leaves the United States to go outside the continental United States. If one travels to Alaska, a portion of the ticket will be subject to tax. The same will be true going to Honolulu.

Under this the entire amount would be subject to a 5-percent tax. It would apply, with a few exceptions, across the board, and those exceptions retained have been in the domestic application of the tax and are carried forward to the people who go abroad.

There are no exceptions in this for students or for teachers, as such.

Mr. HALL. Would the 5-percent tax on a trip to Honolulu apply to our own Representatives from Hawaii?

Mr. MILLS. Yes.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Iowa.

Mr. GROSS. Would this apply to air transportation for junketing Members of Congress?

Mr. MILLS. Yes. We had no request that they be eliminated from it.

Mr. GROSS. I suppose the Government would pay this, would it not?

Mr. MILLS. I do not know.

Mr. GROSS. How would this be handled as to a military transport?

Mr. MILLS. The gentleman is talking to one who has had very little experience in these matters.

Mr. GROSS. I realize that.

Mr. MILLS. I have not looked into it.

Mr. GROSS. I commend the gentleman for that.

Mr. MILLS. Mr. Chairman, I urge adoption of the bill.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield myself such time as I may consume.

First I wish to join in the chairman's statement. The administration's proposal included a recommendation with respect to the extension of the 5-percent tax on air travel overseas and reduction of the amount that one returning tourist or traveler could bring in duty free, together with certain other recommendations, as part of a program to reduce the deficit in balance of payments. The bill that we now present is probably not even a drop in the bucket so far as our balance-of-payments problem.

It probably does have a psychological effect in that it expresses our feeling that people should, if they can, postpone any trips they plan to Europe until a more propitious time when the balance-of-payments situation is not in such dire straits. However, any effect is more psychological than real.

The chairman of the committee has explained what the bill would do. It is not necessary to repeat that explanation. As far as the general feeling of the committee was concerned, these changes are desirable changes under any circumstances.

There was one recommendation that was before the committee involving considerable controversy; namely, a tax on expenditures made overseas. Just so that the Members may know, I would like to repeat that the committee in acting on this legislation did not include anything in the nature of an expenditure tax in the bill. Its only effect on expenditures relates to what you can bring in duty free. It does not limit what you can bring in, but it does limit what you can bring in duty free. For all intents and purposes it eliminates the practice people have had in the past of sending almost unlimited—I guess really unlimited—$10 gift packages duty free to this country from abroad. That is the gist of the bill. So we really have only these factors left in it.

Mr. Chairman, I think the bill should be reported.

I have no further requests for time.

Mr. **BURKE** of Massachusetts. Mr. Chairman, I rise at this time to oppose the travel tax proposal. This measure will do more harm than good and will not accomplish the purposes for which it was intended. I am particularly concerned about the adverse effect it will have on the smaller nations of Europe who are friendly to us. The temporary reduction of duty-free goods from the sum of $100 to $10 is too severe a cut. The Scandinavian countries, Israel, Ireland, and Greece will suffer from this loss of revenue. The Virgin Islands will lose $20 million in revenue as the result of this legislation. The Virgin Islands use this income to build schools, hospitals, housing, and roads. Portugal, Spain, will suffer adversely under this bill.

It is my opinion that this bill can be characterized as swatting mosquitoes on the front porch while tigers are clawing at the back door. The travel industry in our country will be injured, and has already suffered great injury by the thousands of cancellations that have resulted from the proposal of this travel tax.

There are many, many areas that should be looked into before we enact this bill. This bill hits the traveler in the low-income or middle-income bracket. It has very little effect on the so-called jet set who make many trips abroad every year and who spend lavishly in the lush playgrounds of Europe.

Mr. **BROYHILL** of Virginia. Mr. Chairman, I join my chairman and the other members of the Ways and Means Committee in supporting this bill. In doing so, however, I am under no illusions. This bill will have a minimal effect on our balance of payments. It is symptomatic of the patchwork measures which have been suggested by the administration for the past several years. Temporary measures—palliatives—are offered instead of facing up to the basic problem in our balance of payments.

As the committee report shows, there is nothing "temporary" about the deficit in our balance of payments. For the past 10 years that deficit has ranged from more than $1.3 billion to almost $4 billion each year. For almost as many years, we have been enacting "temporary" legislation—all of which is still on the books—to meet this problem.

The reason we have annual deficits in our balance of payments is perfectly clear. Commercial transactions—the exchange of goods and services, including foreign travel—and private investment do not produce a sufficiently large surplus to cover Government outlays—foreign aid—the cost of U.S. troops stationed abroad—and the cost incurred in Japan and the Far East in the Vietnam war. Because of these Government outlays, the United States as a nation has been spending more abroad than we produce through the sale of goods and services and from earnings on foreign investments. It is Government spending that has created the problem and if we are ever going to solve the problem, it is Government spending that must be cut back.

Rather than face up to this fact, the administration has attempted to curtail private investment abroad and to cut back dollars spent by Americans traveling abroad. While there might be some short-term gain resulting from these actions, for the long term—not only are these measures wholly inadequate—they produce a negative result.

Accordingly I support the bill not as a solution—or even a partial measure to improve our balance of payments—but because I see no reason for not taxing commercial air travel which begins from or terminates in the United States. The flight from London or Paris to Kennedy International Airport—or to the Dulles International Airport—requires the same services—utilizes the same controlled approaches—the same runways—and all the other facilities utilized by domestic flights. There was never any valid reason for exempting flights abroad while imposing a ticket tax on domestic air travel.

As a matter of fact, I think that we should go one step further. I would like to see us do away with the ticket tax altogether. Instead, we should impose a tax on the fuel used by both domestic and foreign carriers. This would greatly simplify tax collection procedures and would save the air traveler from the nuisance of the ticket tax. In my opinion, the only logical way to finance the facilities and services which are required of government by commercial air carriers—and by general aviation as well—is through a fuel tax. I hope that the committee will find time to take up the administration's recommendations and substitute such a tax for the existing 5-percent ticket tax.

I am particularly pleased with that part of the bill that reduces the exemption for goods brought back by the returning traveler. Our local merchants have a plentiful stock of goods—both foreign and domestic. They are in business in the United States and pay taxes both to the Federal Government and to the States and local governments where they do business.

To the extent American tourists overseas do bring back goods to the United States—under the exemption from duty and excise taxes—that much trade is lost to the local merchant. Why should we give a tax break—an exemption from duty—to some foreign storekeeper at the expense of our local merchants? In my opinion, this exemption discriminates not only against the local merchant—but against those consumers—yes, those voters—who may not have the money or the inclination to do their Christmas shopping abroad.

I strongly favor the action taken in this bill in cutting back the duty-free exemption. In fact I do not know why we should continue an exemption of $100 for the Virgin Islands and other territories. With the exception of American liquor—which is sold free of excise tax—the merchants in the Virgin Islands do not carry American-made goods. They purport to offer "bargains" at the expense of the Federal Treasury and to the detriment of the small businessman at home who must compete for the customer's dollar.

In short, the bill is a good bill. It may not have any effect on the balance of payments, but it should be enacted anyway. That is why I wholeheartedly support the bill.

Mr. **BYRNES** of Wisconsin. Mr. Chairman, I yield back the balance of my time.

Mr. **MILLS**. I yield back the balance of my time.

The **CHAIRMAN**. Under the rule, the bill is considered as having been read for amendment.

The bill is as follows:

H.R. 16241

A bill to extend the tax on the transportation of persons by air and to reduce the personal exemption from duty in the case of returning residents

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—AMENDMENT OF INTERNAL REVENUE CODE

SEC. 101. TAX ON TRANSPORTATION OF PERSONS.

(a) TAX ON TRANSPORTATION OF PERSONS.—Subchapter C of chapter 33 of the Internal Revenue Code of 1954 (relating to tax on transportation of persons by air) is amended to read as follows:

"SUBCHAPTER C—TRANSPORTATION OF PERSONS BY AIR

"Sec. 4261. Imposition of tax on transportation of persons by air.

"Sec. 4262. Exemptions.
"Sec. 4263. Special rules.

"Sec. 4261. Imposition of Tax on Transportation of Persons by Air.

"(a) Amounts Paid Within the United States.—There is hereby imposed upon the amount paid within the United States for transportation of any person by air, within or without the United States, a tax equal to 5 percent of the amount so paid.

"(b) Amounts Paid Outside the United States.—There is hereby imposed upon the amount paid outside the United States for transportation of any person by air, but only if such transportation—

"(1) begins and ends in the United States, or

"(2) is provided pursuant to a ticket or order under which the first transportation by air begins in the United States,

a tax equal to 5 percent of the amount so paid. In the case of any transportation by air which is interrupted by a scheduled stopover in the United States of 6 hours or more, paragraph (1) shall be applied separately to the portion of such transportation before the interruption and to the portion of such transportation after the interruption.

"(c) Seats, Berths, Etc.—There is hereby imposed upon the amount paid for seating or sleeping accommodations in connection with transportation with respect to which a tax is imposed by subsection (a) or (b), a tax equivalent to 5 percent of the amount so paid.

"(d) By Whom Paid.—Except as provided in section 4263, the taxes imposed by this section shall be paid by the person making the payment subject to the tax.

"(e) United States Defined.—For purposes of this section, the term 'United States' means the States, the District of Columbia, the Commonwealth of Puerto Rico, and the possessions of the United States.

"Sec. 4262. Exemptions.

"(a) Certain Organizations.—The tax imposed by section 4261 shall not apply to the payment for transportation or facilities furnished to an international organization, or any corporation created by Act of Congress to act in matters of relief under the treaty of Geneva of August 22, 1864.

"(b) Small Aircraft on Nonestablished Lines.—The tax imposed by section 4261 shall not apply to transportation, beginning and ending within the United States (within the meaning of section 4261(e)), by aircraft having—

"(1) a gross takeoff weight (as determined under regulations prescribed by the Secretary or his delegate) of less than 12,500 pounds, and

"(2) a passenger seating capacity of less than 10 adult passengers, including the pilot, except when such aircraft is operated on an established line.

"Sec. 4263. Special Rules.

"(a) Payments Made Outside the United States for Prepaid Orders.—If the payment upon which tax is imposed by section 4261 is made outside the United States for a prepaid order, exchange order, or similar order, the person furnishing the initial transportation pursuant to such order shall collect the amount of the tax.

"(b) Tax Deducted Upon Refunds.—Every person who refunds any amount with respect to a ticket or order which was purchased without payment of tax imposed by section 4261 shall deduct from the amount refundable, to the extent available, any tax due under section 4261 and shall report to the Secretary or his delegate the amount of any such tax remaining uncollected.

"(c) Payment of Tax.—Where any tax imposed by section 4261 is not paid at the time payment for transportation is made, then, under regulations prescribed by the Secretary or his delegate, to the extent that such tax is not collected under any other provision of this subchapter—

"(1) such tax shall be paid by the person paying for the transportation or by the person using the transportation;

"(2) such tax shall be paid within such time as the Secretary or his delegate shall prescribe by regulations after whichever of the following first occurs:

"(A) the rights to the transportation expire; or

"(B) the time when the transportation becomes subject to tax; and

"(3) payment of such tax shall be made to the Secretary or his delegate, to the person to whom the payment for transportation was made, or to any person furnishing any portion of such transportation.

"(d) Application of Tax.—The tax imposed by section 4261 shall apply to any amount paid within the United States for transportation of any person by air unless the taxpayer establishes, pursuant to regulations prescribed by the Secretary or his delegate, at the time of payment for the transportation, that the transportation is not transportation in respect of which tax is imposed by section 4261."

(b) Termination of Exemptions.—Sections 4292 (relating to State and local governmental exemptions) and 4294 (relating to exemption for nonprofit educational organizations) of the Internal Revenue Code of 1954 are each amended by striking out "or 4261". Section 4293 (relating to exemptions for United States and possessions) of such Code is amended by striking out "subchapters B and C" and inserting in lieu thereof "subchapter B".

(c) Conforming Amendment.—Section 4291 of such Code is amended by striking out "4264(a)," and inserting in lieu thereof "4263(a),".

(d) Effective Date.—The amendments made by this section shall apply with respect to amounts paid on or after the 10th day after the date of the enactment of this Act for transportation beginning on or after such 10th day.

TITLE II—AMENDMENT OF TARIFF SCHEDULES

Sec. 201. Reduction of Personal Exemption of Certain Returning Residents.

(a) Reduction.—The article description for item 813.31 of the Tariff Schedules of the United States (19 U.S.C. 1202) is amended—

(1) by striking out "Articles not over $100 (or $200 in the case of persons arriving directly or indirectly from American Samoa, Guam, or the Virgin Islands of the United States, not more than $100 of which shall have been acquired elsewhere than in such insular possessions)", and

(2) by inserting in lieu thereof "Articles not over $10 (or $100 in the case of persons arriving directly from a contiguous country or directly or indirectly from American Samoa, Guam, or the Virgin Islands of the United States, not more than $10 of which shall have been acquired elsewhere than in a contiguous country or in such insular possessions)".

(b) $50 Personal Exemption ($200 Personal Exemption in Case of Insular Possessions) After October 15, 1969.—Effective with respect to persons arriving in the United States after October 15, 1969, the article description for such item 831.31, as amended by subsection (a), is amended—

(1) by striking out the matter inserted by subsection (a)(2), and

(2) by inserting in lieu thereof "Articles not over $50 (or $100 in the case of persons arriving directly from a contiguous country, or $200 in the case of persons arriving directly or indirectly from American Samoa, Guam, or the Virgin Islands of the United States, not more than $100 of which shall have been acquired in a contiguous country, except that not more than $50 of such $100 or $200 shall have been acquired elsewhere than in a contiguous country)".

Sec. 202. Articles Imported for Noncommercial Use.

(a) Rate of Duty.—Part 6 of schedule 8 of the Tariff Schedules of the United States (19 U.S.C. 1202) is amended by inserting before item 870.10 the following:

"

SUBPART A.—NONCOMMERCIAL IMPORTATIONS

Subpart A headnote:
1. For the purposes of this subpart—
(a) The rates of duty for articles provided for in this subpart shall be assessed in lieu of any other rates of duty except free rates of duty on such articles.
(b) Any article dutiable under item 869.05 shall be exempt from the payment of any internal-revenue tax imposed upon or by reason of importation.

	Articles not intended for sale or other commercial use:		
869.00	If accompanying a person arriving in the United States and valued in the aggregate (exclusive of duty-free articles) not over $500	10% of fair retail value	10% of fair retail value
869.05	If imported in the mails in any package containing articles valued in the aggregate (exclusive of duty-free articles) not over $10 fair retail value	$1 per package	$1 per package
869.10	Other articles in any shipment (whether imported in the mails or otherwise but not accompanying a person arriving in the United States) containing articles valued in the aggregate (exclusive of duty-free articles) not over $250	10% of fair retail value	10% of fair retail value

SUBPART B.—OTHER PROVISIONS

"

(b) Conforming Amendment.—The headnote for schedule 8 of the Tariff Schedules of the United States is amended by inserting "(other than of subpart A of part 6)" after "schedule" the first place it appears therein.

Sec. 203. Effective Date.

The amendments made by sections 201(a) and 202 shall apply with respect to persons and articles arriving in the United States on or after the 10th day after the date of the enactment of this Act.

The CHAIRMAN. Under the rule, no amendments are in order to the bill except those offered by the direction of the Committee on Ways and Means. Are there any such amendments?

AMENDMENT OFFERED BY MR. MILLS

Mr. MILLS. Mr. Chairman, I do offer an amendment that is clerical in nature, to correct a printing error in the bill as reported.

The Clerk read as follows:

Amendment offered by Mr. Mills: On page 7, line 12, strike out "831.31" and insert "813.31."

The amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. Evans of Colorado, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 16241) to extend the tax on the transportation of persons by air and to reduce the personal exemption from duty in the case of returning residents, pursuant to House Resolution 1123, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken, and the Speaker announced that the ayes appeared to have it.

Mr. HALL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 279, nays 102, not voting 52, as follows:

[Roll No. 86]

YEAS—279

Abbitt
Abernethy
Adair
Adams
Addabbo
Albert
Anderson, Ill.
Andrews, Ala.
Andrews, N Dak.
Annunzio
Arends
Aspinall
Ayres
Barrett
Bates
Battin
Belcher
Bennett
Berry
Betts
Bingham
Blanton
Boggs
Boland
Bolling
Bolton
Bow
Brasco
Bray
Brinkley
Brock
Broomfield
Brown, Ohio
Broyhill, N.C.
Burleson
Burton, Calif.
Bush
Byrne, Pa.
Byrnes, Wis.
Cabell
Casey
Cederberg
Chamberlain
Cleveland
Cohelan
Collier
Colmer
Conable
Conte
Corbett
Corman
Cramer
Culver
Curtis
Daddario
Daniels
Davis, Ga.
Davis, Wis.
de la Garza
Delaney
Dellenback
Denney
Derwinski
Diggs
Dingell
Dole
Donohue
Dorn
Dow
Downing
Dwyer
Edmondson
Edwards, Ala.
Edwards, La.
Eilberg
Erlenborn
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Farbstein
Fascell
Feighan
Findley
Fino
Fisher
Flood
Flynt
Foley
Ford, Gerald R.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Tenn.
Fuqua
Galifianakis
Gardner
Garmatz
Gathings
Gettys
Giaimo
Gibbons
Gilbert
Gonzalez
Goodell
Gray
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Hagan
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Wash.
Harvey
Hathaway
Hawkins
Hébert
Heckler, Mass.
Henderson
Herlong
Holifield
Hosmer
Howard
Hull
Hungate
Hutchinson
Ichord
Irwin
Jarman
Joelson
Johnson, Calif.
Jonas
Jones, Ala.
Jones, N.C.
Karsten
Karth
Kazen
Kee
Keith
Kelly
Kirwan
Kleppe
Kluczynski
Kornegay
Kupferman
Kyros
Laird
Landrum
Langen
Latta
Lennon
Lipscomb
Lloyd
Long, Md.
McCarthy
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
McMillan
Machen
Madden
Mahon
Mailliard
Marsh
Martin
Mathias, Calif.
May
Mayne
Meeds
Miller, Calif.
Mills
Mink
Mize
Monagan
Montgomery
Moorhead
Morgan
Morris, N. Mex.
Morse, Mass.
Murphy, Ill.
Natcher
Nedzi
Nelsen
Nix
O'Hara, Mich.
O'Konski
Olsen
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Passman
Patten
Perkins
Philbin
Pickle
Pike
Pirnie
Podell
Poff
Price, Ill.
Price, Tex.
Pryor
Pucinski
Rees
Reifel
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rivers
Roberts
Robison
Rodino
Rogers, Fla.
Ronan
Rooney, N.Y.
Rosenthal
Rostenkowski
Roush
Roybal
Ruppe
St Germain
St. Onge
Scheuer
Schneebeli
Scott
Shipley
Shriver
Sikes
Skubitz
Slack
Smith, Iowa
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Stanton
Steed
Steiger, Wis.
Stephens
Stratton
Stuckey
Sullivan
Talcott
Taylor
Tenzer
Thompson, Ga.
Thomson, Wis.
Tuck
Udall
Ullman
Utt
Vanik
Vigorito
Waggonner
Waldie
Wampler
Watts
White
Whitener
Whitten
Widnall
Wiggins
Williams, Pa.
Willis
Wolff
Wright
Wyatt
Yates
Young
Zwach

NAYS—102

Ashbrook
Baring
Bevill
Biester
Blackburn
Brotzman
Brown, Calif.
Brown, Mich.
Buchanan
Burke, Fla.
Burke, Mass.
Burton, Utah
Button
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cowger
Cunningham
Devine
Dickinson
Dulski
Duncan
Eshleman
Fulton, Pa.
Goodling
Gross
Grover
Gubser
Gude
Haley
Hall
Harrison
Harsha
Hays
Hechler, W. Va.
Helstoski
Hicks
Horton
Jacobs
Johnson, Pa.
Kastenmeier
King, N.Y.
Kuykendall
Kyl
Leggett
Lukens
McClory
McCloskey
Macdonald, Mass.
MacGregor
Mathias, Md.
Meskill
Michel
Miller, Ohio
Minish
Minshall
Moore
Morton
Mosher
Moss
Myers
Nichols
O'Hara, Ill.
Pelly
Pettis
Pollock
Pool
Quillen
Railsback
Randall
Rarick
Reid, Ill.
Reinecke
Riegle
Rogers, Colo.
Rooney, Pa.
Roudebush
Ryan
Sandman
Saylor
Scherle
Schweiker
Schwengel
Smith, Calif.
Staggers
Steiger, Ariz.
Taft
Teague, Calif.
Tiernan
Van Deerlin
Walker
Watkins
Watson
Whalen
Whalley
Wilson, Bob
Wilson, Charles H.
Wydler
Wylie
Wyman
Zion

NOT VOTING—52

Anderson, Tenn.
Ashley
Ashmore
Bell
Blatnik
Brademas
Brooks
Broyhill, Va.
Cahill
Carey
Carter
Celler
Conyers
Dawson
Dent
Dowdy
Eckhardt
Edwards, Calif.
Esch
Ford, William D.
Gallagher
Gurney
Halleck
Hansen, Idaho
Hardy
Holland
Hunt
Jones, Mo.
King, Calif.
Long, La.
Matsunaga
Murphy, N.Y.
Patman
Pepper
Poage
Purcell
Quie
Reid, N.Y.
Resnick
Roth
Rumsfeld
Satterfield
Schadeberg
Selden
Sisk
Stubblefield
Teague, Tex.
Thompson, N.J.
Tunney
Vander Jagt
Winn
Zablocki

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Halleck for, with Mr. Esch against.
Mr. Gurney for, with Mr. Cahill against.
Mr. Holland for, with Mr. Hunt against.

Until further notice:

Mr. Brooks with Mr. Bell.
Mr. Brademas with Mr. Carter.
Mr. Anderson of Tennessee with Mr. Broyhill of Virginia.
Mr. Edwards of California with Mr. Hansen of Idaho.
Mr. Dent with Mr. Winn.
Mr. King of California with Mr. Celler.
Mr. Ashmore with Mr. Schadeberg.
Mr. Blatnik with Mr. Rumsfeld.
Mr. Long of Louisiana with Mr. Quie.
Mr. Murphy of New York with Mr. Roth.
Mr. Matsunaga with Mr. Vander Jagt.
Mr. Resnick with Mr. Hardy.
Mr. William D. Ford with Mr. Patman.
Mr. Teague of Texas with Mr. Reid of New York.
Mr. Tunney with Mr. Carey.
Mr. Zablocki with Mr. Conyers.
Mr. Gallagher with Mr. Dawson.
Mr. Satterfield with Mr. Selden.
Mr. Sisk with Mr. Ashley.
Mr. Stubblefield with Mr. Purcell.
Mr. Thompson of New Jersey with Mr. Dowdy.
Mr. Eckhardt with Mr. Pepper.

Mr. HELSTOSKI changed his vote from "yea" to "nay."

Mr. EVINS of Tennessee changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MILLS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

AUTHORIZING APPROPRIATIONS FOR THE ATOMIC ENERGY COMMISSION FOR FISCAL YEAR 1969

Mr. YOUNG. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 1124 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1124

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 16324) to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Joint Committee on Atomic Energy, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from Texas [Mr. YOUNG] is recognized for 1 hour.

Mr. YOUNG. Mr. Speaker, I yield 30 minutes to the distinguished gentleman from Illinois [Mr. ANDERSON], pending which I yield myself such time as I may consume.

Mr. Speaker, this resolution, House Resolution 1124, makes in order consideration of the bill, H.R. 16324, which is the Atomic Energy authorization bill of this session of the Congress.

Mr. Speaker, the resolution provides for 2 hours of general debate. It is an open rule and thus the bill is open to amendment.

Mr. Speaker, the Joint Committee on Atomic Energy in its authorization bill this year has done a remarkable job in that it has reduced the amount of the request of the Atomic Energy Commission, but in addition to that it has reduced the authorization below what was actually expended the last year. This is particularly remarkable in my judgment, Mr. Speaker, in that this authorization is reduced in spite of the fact that there have been in excess of $300 million additional military requirements that have been included in the authorization.

Mr. ANDERSON of Illinois. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, as the gentleman from Texas has said, this is an open rule providing for 2 hours of general debate on an act which would authorize funds for the Atomic Energy Commission for the fiscal year 1969.

Like the distinguished gentleman from Texas, I have the privilege of serving not only on the Committee on Rules which heard the request or the application for the rule, but also I have the privilege of serving on the legislative committee in connection with this bill, the Joint Committee on Atomic Energy.

Since I shall not ask for time under general debate I would therefore request the indulgence of the House to say just a word or two about the bill and pay tribute to the distinguished vice chairman of the Joint Committee, the gentleman from California [Mr. HOLIFIELD], and our ranking member, the gentleman from California [Mr. HOSMER], because they have carried a great share of the load in fashioning this bill and bringing it before the House today.

Mr. Speaker, I concur absolutely in everything that the gentleman from Texas has said, that they and other members of the commtitee have worked diligently in bringing in a bill that is approximately 10 percent below the requested authorization by the AEC despite the necessity of increasing the portions of the bill that deal with the military applications of atomic energy, and this is almost about 60 percent of the total authorization. So this I think shows that they have to cut—and cut deeply in some other areas under the jurisdiction of the AEC.

I do want to call particular attention to one item in the bill, and that is the accelerator project at Weston, because we of the great State of Illinois are very happy that our State was selected as the site for this outstanding scientific project in the field of high energy physics.

The Commission had originally asked for the total authorization, the total remaining authorization, some $7,300,000 having been asked for and appropriated last year. They were asking for the remaining authorization of $242,667,000. The committee in its wisdom has elected to authorize $25 million which, we are informed, is the capability that the Laboratory has to carry out construction and other planning and necessary work during the coming fiscal year. I add that merely to indicate that the reduced authorization, that is, reduced over the original request by the Commission, does not indicate any lack of support within the Joint Committee for the accelerator project. It does not indicate any diminution of our regard for the project our confidence in the people who are leading that project, people like the very able Dr. Robert Wilson, the Director of the Laboratory. But it does recognize the necessity for authorizing and appropriating only those amounts that are strictly necessary and that can efficiently be expended during the coming fiscal year.

I think this is an excellent bill, Mr. Speaker, and I can, therefore, without reservation, recommend to the House not only the granting of the rule but thereafter favorable action on the bill itself.

I have no further requests for time.

Mr. YOUNG. Mr. Speaker, I have no further requests for time. I do want to join my colleague, the gentleman from Illinois [Mr. ANDERSON] in commendation of the very fine leadership of the gentleman from California [Mr. HOLIFIELD] and the gentleman from California [Mr. HOSMER] as well as the staff, in bringing to the floor today this fine piece of legislation.

Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. HOLIFIELD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 16324) to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from California.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House of the State of the Union for the consideration of the bill (H.R. 16324), with Mr. BURKE of Massachusetts in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from California [Mr. HOLIFIELD] will be recognized for 1 hour and the gentleman from California [Mr. HOSMER] will be recognized for 1 hour.

The Chair recognizes the gentleman from California [Mr. HOLIFIELD].

Mr. HOLIFIELD. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, the bill that we have before us today is the result of a long and earnest attempt to adjust downward the amount requested by the Atomic Energy Commission—and approved in the President's budget—to fit its budget and its authorization into the prevailing tight budget situation.

The purpose, of course, is to authorize appropriations for the Atomic Energy Commission for the fiscal year 1969. As Members know, the leadership has asked all affected committees of Congress to act as expeditiously as possible this year in preparing authorization and appropriation legislation for early floor consideration. The Joint Committee has made every effort to comply with that request. The committee's authorization hearings began in public session on January 30, 1968, the day following the submission of the President's budget and the receipt of the draft of the bill from the Atomic Energy Commission; that is, their bill.

Incidentally, the bill we have before us is a clean bill. We considered their bill, but we made so many reductions in the bill that we decided a clean bill would be easier to understand.

During the 4 weeks that followed of public and executive hearings, military and civilian witnesses appeared. As a result of this expeditious, but nevertheless intensive, review, this year's AEC authorization bill was reported by the committee a month or more ahead of the normal schedule.

Despite the speed with which the committee acted, I can assure the Members the AEC's request for authorization of appropriations has been subjected to the closest committee examination.

The Chief Executive has recently asked Congress to work its will in controlling expenditures, and this we have done. I do not exaggerate when I say we approached this year's budget process with a very real sense of urgency. The Nation's critical budget situation compelled us to take an unusually hard look at the Commission's request. I sincerely believe the Commission authorization request presented this January was a fairly austere one, particularly in the nonmilitary areas—and I am convinced that, after significant reductions by the committee, the recommended authorization in the bill before the House is indeed an austere one.

This bill would authorize appropriations to AEC in a total amount of $2,618,301,000 for operating expenses and plant and capital equipment for fiscal year 1969, including certain changes in prior years' authorizations. This amount is about $293 million less—and I want every Member present to hear this—this bill is about $293 million less than the AEC's Budget Bureau-approved authorization request to Congress. The amount that the Bureau of the Budget approved has been cut by $293 million. It is more than $15 million less than the AEC's fiscal year 1968 authorization.

As a result of these reductions, the AEC's authorization request has absorbed more than a 10-percent across-the-board reduction. The following is remarkable. The reductions in the nonmilitary categories of the AEC's budget average about 23 percent. In other words, almost a quarter of the nonmilitary section of the budget has been cut. I think this is an important statement.

As a result of this cutback, the committee is able to report out a bill that is less than the fiscal year 1968 authorization, despite an increase of more than $300 million in the weapons program. I want Members to listen to this: The military part of this budget, which comprises more than half of it, was increased $300 million. That brought the total budget up to $2.9 billion. So, to get down to last year's $2.6 billion authorization, we had to absorb the $300 million military expenditures. The only place to absorb that was in the nonmilitary areas.

We cut out a lot of good projects, a lot of good research and development, a lot of ongoing things, and we put some things on the shelf for future consideration. But we did get down below last year's authorization for appropriations. This significant increase in weapons expenditures stems in largest part from the executive decision of September 18, 1967, to deploy an antiballistic-missile system—ABM—and an intensification of AEC effort on the Poseidon submarine-launched intercontinental ballistic missile system warhead. Expressed in another fashion, the Joint Committee's recommendations provide for decreases in nonmilitary programs of sufficient magnitude to absorb completely the increases necessitated in the interest of national defense.

In general, the recommended authorization includes three broad categories. The first relates primarily to the military applications of atomic energy, and includes the nuclear weapons, naval propulsion, raw materials, security investigations, and special nuclear materials programs. Approximately 67 percent, or two-thirds, of the recommended budget is attributable to these programs.

A second broad category of the budget, physical research, comprises nearly 13 percent of the recommended authorization. The AEC's physical research program is but a portion of our Nation's overall research effort. It covers a wide field of research, ranging from physics and chemistry to metallurgy and materials to controlled thermonuclear fusion.

The bulk of the remainder of the recommended budget may be classified under the general heading of civilian applications of atomic energy.

Section 101(a) of H.R. 16324 would authorize appropriations of $2,174,550,000 for operating expenses of the AEC. On page 3 of the report before you, you will find a breakdown of the Joint Committee's recommended authorization for the AEC's major programs and subprograms. A more detailed discussion of each committee action will be found in the section of the report entitled "Committee Comments" beginning at page 7.

If any Members have questions about any specific committee action, either the gentleman from California [Mr. HOSMER] or I will be happy to answer them.

The full amounts requested by the AEC in the military applications area have been approved by the committee. In fact in one such area—naval propulsion reactors—the committee has recommended an increase of $8.5 million to permit work to proceed on the design and development of a new and improved nuclear propulsion plant for attack submarines.

The committee considers this matter to be of utmost importance, since testimony taken in executive session indicates that the Nation's superiority in this vital field of nuclear submarines is being threatened at this time. We cannot go into great detail on this, because of the classified nature of it, but take the word of the 18 members of this committee that what I have just said is important and that we are meeting the problem in a way which every Member of this House would want us to meet it, if he wanted to see or had available to him the classified information which causes us to make this relatively small increase of $8.5 million.

Mr. SAYLOR. Mr. Chairman, will the gentleman yield at that point.

Mr. HOLIFIELD. I yield to the gentleman from Pennsylvania.

Mr. SAYLOR. I wish to say to the distinguished gentleman from California that this is one place I believe the Atomic Energy Commission has taken a tremendous step forward. I want to personally commend the chairman and all the members of the Joint Committee on Atomic Energy for this action.

Mr. HOLIFIELD. I thank the gentleman for his comment.

With respect to programs that involve civilian applications of atomic energy, the committee has cut the AEC's request for operating funds substantially. This category of the budget includes such programs as reactor development, which involves development of nuclear reactors to meet a wide range of requirements, including those in space and those for meeting the Nation's long-term needs for central station power.

It also includes the Plowshare program. We have had some very important tests recently in Nevada which indicate to us the feasibility of building a new canal with peaceful nuclear explosives when the appropriate time comes.

We had a series of tests in Nevada and with remarkable results. I do not mean by that that we are now ready to dig the canal. I do not want you to think that. But we have made some of the basic tests which point to the possibility of doing this under certain conditions at a cost much less than it could be done with conventional earthmoving equipment.

Mr. GROSS. Mr. Chairman, will the gentleman yield to me?

Mr. HOLIFIELD. Yes. I am happy to.

Mr. GROSS. I assume it is impossible because of security for you fully to describe the tests, but were those tests of the kind that would demonstrate completely the practicality of digging a canal in this manner? How can you have underground explosions that open the earth's surface without radiating radioactive material?

Mr. HOLIFIELD. The theory involved, I will say to the gentleman, is that you place an atomic device below the surface of the ground and explode it. This creates a great chamber and the earth falls into that chamber. We did this in a series of tests. It looks just as though you had gone in and done an excavation job which would have taken millions of dollars and many months, possibly, of work with earthmoving machinery.

Mr. GROSS. Then, it is possible so to control it that there is no fallout. Is that what the gentleman is saying?

Mr. HOLIFIELD. This test was along the line of finding out if we could do that. Under the treaty we have we cannot allow even a harmless amount of material to go across an international boundary. I will say this to the gentleman: The test was successful under the soil conditions and under the location conditions of the test. However, I would not tell the gentleman that every one of the problems has been solved, because different soil conditions might react differently. We have to have additional tests. Also, we have to be aware of the fact that if we are holding these tests in a different kind of earth, we might get a different result. Therefore we are going to need to make some additional tests. We need to make some improvements on the nuclear device, also, because these are relatively primitive devices compared to what we think we will need. We will get a much better controlled device, a more sophisticated device, we believe, with a few more tests. I will say it offers great promise.

Mr. GROSS. I appreciate the gentleman's statement. I ask this question: It is prohibited under the Nuclear Test Ban Treaty from exploding a device that would send out a measurable amount of radioactive material into the atmosphere of another country?

Mr. HOLIFIELD. Actually our prohibition stems back to the fact that we did stop all testing in the atmosphere, in outer space, and underwater. We are still allowed to detonate these devices underground, but we are under obligations, as are the other nations signatory to the treaty. This was done on the basis of the contamination of the earth's atmosphere which gradually seemed to be getting to the point where it might in the future become dangerous because of the cumulative amount of contamination.

Mr. GROSS. Is it expected that it will be possible to dig a canal in such fashion that it would not be necessary to get an exception from the Nuclear Test Ban Treaty?

Mr. HOLIFIELD. We cannot say we can do that at this time with the kind of devices we have at this time. That is the type of information we are attempting to develop through these experimental tests.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HOLIFIELD. Mr. Chairman, I yield myself 5 additional minutes.

Other civilian uses are the isotopes development program, which involves such matters as the use of radioisotopes for combating environmental pollution, the radiation preservation of foods, the development of an implantable isotope heat engine for powering a heart pump, and for many other purposes.

We have a program going on using radiation for the preservation of food, and we have made some great progress in that. It may mean that the time will come when perishable articles can be shipped in proper containers without refrigeration. We are already doing this in the field of bacon, and certain other foods, and this has been approved by the

Food and Drug Administration as being not harmful to the individuals who use them.

We have a certain amount of community support in Oak Ridge and Richland, Wash., and Los Alamos, N. Mex., where we have community services related to our laboratories.

Authorization of appropriations in the amount of $604 million was requested by the Commission for operating costs for these programs. The Joint Committee has recommended authorization of $588,396,000 of this amount. Approximately $348 million of this amount is for the reactor development program. Only a portion of this, less than half, is for the civilian power reactor development. Emphasis in this program continues to be on the development of the breeder reactors.

As you know, the breeder reactor is the one which holds the promise of providing this Nation and the world with virtually a limitless supply of energy. If our long-term energy needs are to be provided, it is absolutely essential that breeder reactors be developed.

I want to say right now this will not displace coal, oil, or gas. We are going to need all of the energy that this Nation can obtain. We must, therefore, develop new sources of energy supply. The population of this country is supposed to go up from 200 million to 376 million in the next 32 years, that is, by the year 2000. And when you consider almost a doubling of our population and the amount of energy that we will need, the amount of food that we will need, the amount of water that we will need, it staggers the imagination. Certainly we cannot overlook this tremendously promising source of clean energy.

Another segment of these operating expenses will be devoted to the physical research program. A significant portion of the cost under this heading is for the high-energy physics research program, for which the Atomic Energy Commission is, in effect, the executive agent on behalf of the entire Federal establishment for the conduct of this national program.

I want to make it clear that we are here taking on the burden of the entire Nation for this effort, which strictly speaking is not an atomic energy application, but which is an extensive part of our civilian nuclear research program. However, it is vitally important to every scientist in the United States and in the world, because this is exploration into as yet unknown areas related to the composition of matter. This is comparable to what was done before we learned to split the atom and make the tremendous strides in industrial and other pertinent applications that we are making now.

SECTION ANALYSIS

Section 101(b) of the bill would authorize appropriations of $74,011,000 for new construction projects, and $175,040,000 for capital equipment not related to construction. The recommended new construction projects are listed in the bill before you. On page 48 of the report you will find a list of all the new construction projects requested by the Commission and the committee's action on each, together with the committee's comments on the more significant items involved. Again, I will be happy to respond to any specific questions on the "Plant and capital equipment" budget you may have.

Sections 102, 103, 104, and 105 of the bill are virtually identical to sections incorporated in previous authorization bills and relate to such matters as cost limitations on the initiation of construction projects. I am prepared to discuss these sections in greater detail if you so desire.

Section 106 of the bill would amend previous AEC Authorization Acts to increase three project authorizations. Perhaps the most significant of these is the recommended amendment to Public Law 90–56, the AEC's fiscal year 1968 authorization legislation, to increase the amount previously authorized for project 68–2–a, new weapons production capabilities, various locations, from $100.5 million to $285 million. The increase in project authorization relates primarily to warhead production for the ABM system. The eight States in which construction work under this authorization will take place are listed on page 52 of the report.

Section 107 of the bill would rescind authorization for a project which the committee believes to be no longer justified on the basis of current national priorities, except for funds heretofore obligated and such additional funds as may be necessary to close out the project. I believe the committee's action on this particular matter is highly illustrative of the economy mood which prevailed on the Joint Committee, Mr. Chairman. By our recommended action in rescinding authorization for a project approved by Congress in fiscal 1965, savings of not less than $18,000,000 will be achieved. Accordingly, the Commission's fiscal 1969 budget has been reduced by this amount. These savings are exclusive of additional costs for associated research and development and capital equipment not related to construction which otherwise would have been incurred in connection with this project. This estimate of savings also does not reflect the fact that the actual cost of the project has risen by an estimated $10,000,000.

That concludes my presentation of the highlights of the bill, Mr. Chairman. In closing let me say that I firmly believe this is a prudent authorization, one which anticipates more output per dollar than probably any AEC authorization bill that has been reported out by the Joint Committee in recent years. I should also point out that H.R. 16324 was reported by the Joint Committee without any dissent among the house members of the committee. I therefore urge its enactment in its present form.

Mr. HALL. Mr. Chairman, will the gentleman yield for a question?

Mr. HOLIFIELD. I will be happy to yield.

Mr. HALL. I appreciate the gentleman yielding.

I noticed under the cooperative power reactor demonstration program, the AEC request on page 22, there is, of course, the laboratory at the Fort St. Vrain project, and then, second, the Bolsa Island nuclear power and desalting plant.

We have previously discussed on this floor, and had much to say about the Bolsa Island desalting project. I know the background.

We also understand that in a bill that is to come before us this same p.m., S. 2912, there is a request authorizing appropriations in just half of the amount ($3 million), for the Bolsa Island desalting project.

Would the gentleman comment on that? Are we getting the cart before the horse?—that is, authorizing prior to appropriations—or is it a matter of adjustment? Should this not be authorized before we appropriate for it in equal amounts?

Mr. HOLIFIELD. I would say that the desalting process is being paid for in largest part by private industry. I would say around $600 million is being put into this project by private industry or private enterprise.

The Atomic Energy Commission's part of this is very small. It is about $15 million. There is more involved in the Department of the Interior, which is participating through the Office of Saline Water.

Mr. HOSMER. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from California.

Mr. HOSMER. I assure the gentleman from Missouri that there is no money in this bill for the construction of the Bolsa Island project.

The U.S. Government is participating through both the Interior Department and the AEC. But that was authorized last year and in 1966. The contractual provisions between the Government and the parties, on the Bolsa project, provide that the Government puts in no more money, even though the costs have escalated. The ceiling amount that the Department of the Interior and the AEC can put in is specifically limited by law. Thus, the taxpayers of the Nation are fully protected.

Mr. HOLIFIELD. Our original AEC authorization was in 1966 and the Interior Department authorization was last year, I will say, and the gentleman from California [Mr. HOSMER] is correct. This is an explanation of the status of the project at this time. The contract has been signed. They are working out some of the managerial details. The free enterprise people that are involved have been experiencing remarkably high escalation in costs due to increasing labor and material costs and yet they are apparently still indicating an intention to go through with it.

Mr. HALL. Do I understand that there are some geologic defects also being considered?

Mr. HOLIFIELD. No, that is not what is holding it up. It is the management details which are holding us up—not that. The results of the earth borings have proved to be generally satisfactory. It is believed by the experts that any geological considerations involved can be accommodated in the design of the plant.

Mr. HALL. At least the gentleman can assure us that there is no duplication or overlapping between the Department of the Interior, the AEC, and private industry?

Mr. HOLIFIELD. There is not.

Mr. HALL. And we have already

funded it and there will be no additional taxpayers' money used in this?

Mr. HOLIFIELD. That is according to the contract—there is no further obligation.

Mr. HALL. I appreciate the gentleman's statement.

Mr. HOLIFIELD. Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. The gentleman from California has consumed 23 minutes.

Mr. HOSMER. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. SAYLOR].

Mr. GUDE. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman.

Mr. GUDE. Mr. Chairman, regardless of the technical and scientific nature of the operations of an organization such as the Atomic Energy Commission, we still must have day-to-day economy and efficiency in Government. Although all Government agencies are being asked to cut all wasteful spending and operate at peak efficiency during this time of fiscal crisis in our country, the AEC, in reference to their main headquarters, appears to be completely oblivious to their own lacks in this area.

Specifically, I am referring to the lease operation by AEC in Bethesda, Md., in my own Eighth Congressional District. The AEC is leasing space in Bethesda and having additional lease space constructed, although they have ample land, purchased with taxpayers' money, to expand their headquarters at Germantown. Not only have they created problems in dollar economy by operating in several different locations, with resultant duplication of maintenance, guard, and equipment costs; but the loss in efficiency, as personnel have to move between several locations for meetings and conferences, is tremendous. It has been stated by AEC officials themselves, that consolidation of the AEC offices in one location would produce a minimum identifiable savings amounting to $300,000 annually. This would be accomplished by the elimination of extra guards, telephonic communications, and other administrative services. Based also on information supplied by Commission officials, leasing costs the taxpayers at least $200,000 more than constructing additional facilities at Germantown.

Of further and extremely vital concern to us is the problem of lack of security due to necessary transmittal of materials and papers among the several locations. The movement of highly sensitive documents between buildings invites security irregularities and risks, no matter how carefully the prescribed procedures may be followed. This security problem does nothing but aggravate all the usual disadvantages found in physically separated office quarters.

For the foregoing reasons I feel that we in the Congress have a definite responsibility to take a very close look at the Atomic Energy Commission's expensive decentralizing activities from its permanent headquarters home in Germantown.

Mr. SAYLOR. Mr. Chairman, it is rather unusual to have a person who is not a member of the Joint Committee on Atomic Energy being asked to speak first in behalf of those on the minority side.

I want to say to my colleagues on the Joint Committee on Atomic Energy today of all days they need have no fear. For the first time in a good many years I want to say some kind things about the Joint Committee on Atomic Energy. While I notified several members of the Joint Committee that I expected to say some nice things, one of them looked at me and said, "Always beware of Greeks bearing gifts." I just want to say to my friend that, as near as I am able to determine, there is no Greek blood in me at all.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from Iowa.

Mr. GROSS. Is there a project in the gentleman's district in Pennsylvania, by any chance; or a prospect of one.

Mr. SAYLOR. No, I would just like to say to my colleague there is absolutely no project in my district nor a prospect of one that has changed my viewpoint. The reason I rise to say some nice things about the Joint Committee on Atomic Energy is because, while I have not had an opportunity to completely evaluate their entire report, I am intrigued by certain of the things which appear in this report. Specifically it verifies what some of us have been trying to say to the Joint Committee on Atomic Energy for quite some period of time.

If you will turn to pages 17 and 18 of the report, you will note that the Joint Committee on Atomic Energy says that the utility industry has committed large portions of our future power needs to atomic plants. But then they go on to say—"which involves many new and major technological developments."

I commend the Joint Committee for warning the utility industry of the difficulties with these plants as must be anticipated with any new technology.

I also notice on pages 19 and 20 of the report that the Joint Committee expresses concern involving the fast breeder reactors, stating:

> Not all the facts are yet in concerning physics data and materials performance data which can vitally affect the critical performance parameters of the fast breeder reactors.

I am delighted to hear this because just a few days ago one of the leading utilities of this country published in the newspapers back in Pennsylvania that next year they were going to build a brand new utility plant or begin the construction of a brand new plant with a fast breeder reactor. If the people who are advising that utility will just pay attention to this report, they will suddenly realize it is not going to be next year but maybe a good many years further down the road before anybody is ready to start to put to practical use a fast breeder reactor.

I believe the Joint Committee deserves commendation for the indications in this report that the committee has at long last begun to look at the overall energy needs for the Nation in their entirety, rather than confining itself to the one-sided dedication to the position of atomic power. I say this, Mr. Chairman, because the Joint Committee does recognize in its report that the Department of Health, Education, and Welfare has stimulated "unduly precipitate"—page 49—action in the effort to reduce air pollution, and that "Federal, State, and municipal agencies may react with an excess of zeal to current pressures for clean air and impose corrective measures on fossil-fueled plants that are unrealistic or prohibitively expensive under the present state of technology"—page 18.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from California.

Mr. HOLIFIELD. Had the gentleman read last year's report—and I have the report here before me—he would find that this committee has proceeded cautiously and has recommended caution at every phase, because we feel that that is our obligation to the people of the United States.

I read from last year's report:

> This rather striking increase in orders for nuclear central station generating capacity has had a major and sudden impact on all aspects of power plant technology, including design, fabrication, construction, and operation. Problems are already materializing in the form of delays in completion of some nuclear power plants. The continued rapid pace of nuclear power plant procurements, coupled with the extrapolation to much larger-sized plants, causes the committee to re-emphasize to the industry the comment included in last year's report on the AEC Authorization Bill.

That was 2 years back. We go ahead and say:

> While the foregoing examples are primarily concerned with experimental facilities, the problems being experienced in many cases involve components and systems quite similar to those required in commercial reactors. These developments indicate a critical need for improvement at all stages in reactor design and construction if high quality is to be assured.

We have not looked at just one side of it. We have looked at it coldbloodedly. Everywhere we have found a reason for criticizing, we have criticized, and we intend to continue to do this, because this is a new developing industry and a new developing science. Our concern is that it be done in an orderly way. We have never painted the bright picture. We have painted it the other way. We have bent over backward, in other words, to be conservative in this field.

Mr. SAYLOR. Mr. Chairman, I thank the chairman. I have read last year's report, but it does not set forth anything like the warnings in the report before us today.

I also commend the committee, because while I have not had a chance to read in detail the entire report—I just got it this morning—I notice on page 49 that the Joint Atomic Energy Committee is going to retain at the Argonne National Laboratory in Illinois the coal-fired facilities that are there—and that, of course, to a man who comes from a coal district, is something that makes me very happy. Then, at the Brookhaven National Laboratory, we are also going to do the same thing. I notice there is criticism—I think very justly—of some of the standards which have been set up by certain of the other Federal agencies. I read from a portion of the report:

> The committee believes that the AEC position is reasonable, and raises a significant question concerning the propriety of using the "Standard Metropolitan Statistical Areas" as a basis for establishing applicability of the anti-pollution regulations. The committee therefore recommends (1) that the proposed project for replacement of the heating plant at Brookhaven National Laboratory not be authorized, and (2) that action be taken by the executive to reevaluate the propriety of using "Standard Metropolitan Statistical Areas" in connection with anti-pollution activities.

These are statements which appear in this report.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. HOLIFIELD. Mr. Chairman, I yield the gentleman 1 additional minute. Will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from California.

Mr. HOLIFIELD. Mr. Chairman, the point of the gentleman's recommendation is that in one instance, one of these plants is 70 miles away from a metropolitan district, and the other plant is 30 miles away. Therefore, we question the applicability of statistics which are referred to in the metropolitan district, when these plants are that far away.

Also, we are fully mindful of the fact that these plants were good plants and were furnishing electricity at normal cost, and steam heat in one instance, and we felt with the stringency in the budget, this was an unwarranted recommendation and therefore we did excise this amount. It was about a $1.3 million saving.

Mr. SAYLOR. I thank the gentleman for that savings—both money and coal-fired facilities.

Mr. Chairman, I wish to incorporate at this point in my remarks the portion of the report by the Joint Committee on Atomic Energy as to the committee's recommendations:

COMMITTEE COMMENTS

INTRODUCTION

Pursuant to section 261 of the Atomic Energy Act of 1954, as amended, the committee has reviewed the authorization for all appropriations to the AEC, including both construction and operating funds, for fiscal year 1969.

The committee's recommendations follow:

I. WEAPONS

A. AEC request

The AEC requested $840,790,000 in weapons program operating funds for fiscal year 1969. This represents an increase of $118,340,000 above the fiscal year 1968 level. Of the amount requested, $270,690,000 is for production and surveillance of nuclear weapons; $250,000,000 is for research and development on nuclear weapons; $314,600,000 is for testing of atomic weapons; and $5,500,000 is for special test detection activities.

The new obligational authority requested for plant and capital equipment for fiscal year 1969 is $294,670,000. This is an increase of approximately $114 million over the fiscal year 1968 request. Of the amount requested for fiscal year 1969, $215,400,000 is for construction projects and $79,270,000 is for capital equipment not related to construction.

The increase in weapons program operating costs for fiscal year 1969 relates primarily to intensified AEC effort on both the ABM (antiballistic missile) system and the Poseidon program. The significant increase in fiscal year 1969 plant and capital equipment obligations stems in predominant part from the decision to deploy an ABM system.

B. Committee action

The committee strongly recommends that Congress authorize the full amounts requested for the nuclear weapons program—$840,790,000 for operating funds and $294,670,000 for plant and capital equipment obligations. The rapid increase in numbers of Soviet strategic missiles and the Red Chinese development of thermonuclear weapons have made it particularly important that our strategic posture be upgraded. In this connection the Joint Committee welcomed and vigorously supports the executive branch decision of September 18, 1967, to proceed with deployment of an ABM system. Due to the national importance of such a system and the large sums of money involved, the committee has arranged to obtain the assistance of the General Accounting Office, the auditing arm of the Congress, in maintaining a continuing surveillance of the actions being taken in connection with the ABM development and deployment program.

It is the committee's hope that the Commission, within the funding levels called for in its budget submission and without detracting from its priority objectives, will be able to conduct R&D on warheads for some of the more novel weapons systems concepts deserving of further study.

It will be recalled that when the Limited Nuclear Test Ban Treaty was before the Senate for its advice and consent to ratification more than 4 years ago four safeguards were spelled out as being necessary if the treaty were not to operate against this country's national security interests.[1] These safeguards were designed among other things to insure that our Defense Establishment would be ready to resume atmospheric testing in a timely fashion should it be deemed essential to our national security or should the treaty be abrogated by others. Formal assurance of their implementation was secured from the then incumbent President and, later, from his successor.

The committee has maintained close and continuing surveillance of this program. As the fifth anniversary of the signing of the treaty approaches, the committee can report that the program in this regard has been satisfactory. Significant advances in U.S. weapons technology have occurred despite the increased complexities associated with conducting weapons development activities underground. The three AEC weapons laboratories—Los Alamos, Lawrence Radiation Laboratory at Livermore, Calif., and Sandia—continue to be viable, progressive institutions with highly capable technical personnel. The AEC, in collaboration with these laboratories, has developed a good capability to support a wide range of full-scale underground experiments. An intensive program to improve our capability to detect treaty violations and to maintain our knowledge of foreign nuclear activity is continuing. The executive branch, acting through the AEC and the Department of Defense, has to date satisfactorily carried out the Presidential assurances, and is to be commended for our present readiness posture. Congress, meanwhile, has been unstinting in underwriting the added costs brought on by the treaty. Indeed, on two recent occasions moneys were added to the executive budget to insure that sufficient funds were available for these purposes. On its part, the Joint Committee will continue its close supervision of the program to see that the passage of time is not accompanied by any lessening of the vigor with which the four safeguards are pursued.

II. RAW MATERIALS

A. AEC request

The AEC requested $112,470,000 in operating costs for the raw materials program for fiscal year 1969, a decrease of $15,263,000 from estimated fiscal year 1968 costs. Almost all of these costs—about 99 percent—are for the purchase of uranium concentrates and the operation of associated facilities and activities. Under long-term contracts executed in prior years, primarily in support of the AEC's military programs, the Commission will continue to procure uranium through December 31, 1970, but at reduced levels and (effective January 1, 1969) at reduced prices. Procurement during fiscal year 1969 is projected at approximately 8,000 tons U_3O_8, all to be acquired from domestic sources. This rate, representing the lowest level of procurement since fiscal year 1955, is expected to remain constant through the remainder of the procurement program.

The Commission has also requested authorization of $630,000 for plant and capital equipment for the raw materials program. Among the larger items of laboratory and electronic equipment to be procured and installed with these costs is a computer for the AEC's Grand Junction, Colo. office, the center of the Commission's uranium procurement and resource evaluation activities.

B. Committee action

The committee recommends authorization of the entire amounts requested by the Commission for fiscal year 1969 raw materials program costs, both operating and plant and capital equipment.

1. *General.*—The pace of orders by electric utilities for nuclear powerplants continued its sharp upward climb in 1967. For the third consecutive year the number of orders placed exceeded previous records. In 1967, 30 large nuclear powerplants with a total capacity of over 24,000 megawatts were ordered, about 50 percent more than in 1966. This brought the total of nuclear-powered generating capacity operating, under construction, or on order to nearly 50,000 megawatts.

In view of the rapid rate of sales of nuclear power reactors in the United States the AEC in May of 1967 again revised upward its projection of domestic nuclear capacity installed through 1980. The current estimate ranges from 120,000 to 170,000 megawatts. A corresponding revision was made in the AEC's projections of cumulative requirements for uranium to fuel nuclear powerplants through 1980. Taking the midpoint of the 120,000–170,000 projected range for purposes of calculation, the AEC currently estimates that cumulative domestic uranium requirements through 1980 will total about 250,000 tons of U_3O_8.

These figures indicate that the private uranium industry, which has the primary responsibility for meeting commercial demands for uranium, faces a formidable task. Whereas in the peak year of 1960 the domestic mining industry produced approximately 17,700 tons of U_3O_8, according to AEC projections annual requirements for U_3O_8 by 1980 will approach 40,000 tons. Preliminary evidence indicates the industry is responding to the challenge. Drilling by the uranium industry, a principal indicator of the extent of private activity, in 1967 reached 10.7 million feet—2½ times the footage drilled in 1966. The past peak effort, reached in 1957 at the zenith of the large uranium exploration effort of the mid-1950's, was 9.2 million feet. Also in 1967, new reserve additions exceeded mine production for the first time since 1959. Thus, while it is too early to determine what degree of success the mining industry will enjoy as a result of these exploration efforts, it is apparent that the sharply increased rate of exploration and development in 1967 represents a significant turning point for the industry.

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[1] (*a*) The conduct of comprehensive, aggressive, and continuing underground nuclear test programs designed to add to our knowledge and improve our weapons in all areas of significance to our military posture for the future.

(*b*) The maintenance of modern nuclear laboratory facilities and programs in theoretical and exploratory nuclear technology which will attract, retain, and insure the continued application of our human scientific resources to these programs on which continued progress in nuclear technology depends.

(*c*) The maintenance of the facilities and resources necessary to institute promptly nuclear tests in the atmosphere should they be deemed essential to our national security or should the treaty or any of its terms be abrogated by the Soviet Union.

(*d*) The improvements of our capability within feasible and practical limits, to monitor the terms of the treaty, to detect violations, and to maintain our knowledge of Sino-Soviet nuclear activity, capabilities and achievements.

In addition to providing the AEC with information on drilling, the private mining industry has been cooperating with the AEC by disclosing to it, on a company-confidential basis, the results of individual mining companies' exploration efforts. This cooperation is to be commended and encouraged. The committee trusts this same high degree of cooperation will continue beyond the expiration date of the Government's uranium procurement contracts. This information can be published by the Commission in a manner that will not be detrimental to the commercial interests of the organizations furnishing such data. By the same token there is a necessity for the consumers of uranium to keep the AEC and the producers aware of their plans. In view of the long leadtime involved in finding and bringing new deposits into production and in providing for new mining and milling facilities, uranium producers need to know well in advance what the utility industry's requirements will be. By compiling data obtained from private industry the AEC will be in a position to evaluate and disseminate information on the current and long-range uranium supply-and-demand situation. Knowledge of the quantities of uranium available, the recovery cost thereof, and the demand therefore is also important to the Commission from the standpoint of sound planning in connection with this country's program for developing the more advanced reactors.

Another role, relatively small though it may be, which the committee believes the Commission can and should continue to play involves research in support of uranium resource investigation and evaluation. This R & D program is designed to develop scientific data which would enhance the effectiveness of exploration in known uranium-bearing districts and, more importantly, assist in evaluating the favorability of entirely new environments which cannot be evaluated with present knowledge. None of the work proposed to be carried out involves exploration or other activity traditionally performed by the mining and milling industry itself, nor does it appear to be duplicative of any work being conducted by other Federal agencies. Continuation and modest expansion (from the present level of $355,000 to $600,000) of the AEC program therefore seems prudent, particularly in view of the rapid expansion of the nuclear power industry and consequent projected demands for uranium. As the committee has said before, the future of the AEC's research program should be closely linked to the success of private exploration efforts. If private industry's efforts are as successful as hoped, further governmental expenditures of this kind will become unnecessary.

2. *Uranium supply policy.*—In order to remove a number of uncertainties surrounding its future uranium supply and related policies the Commission in late 1967 published for public comment a proposed statement intended to reaffirm in some respects and clarify in others the AEC's policies concerning uranium supply, related research and development, and compilation, evaluation and dissemination of information on uranium resources. The Commission will consider comments received from interested members of the public before taking final action on the policy statement. The committee has followed this matter closely and will continue to do so, particularly with respect to certain questions identified in or in connection with the statement.

One area deserving especially close attention involves the AEC's plans for determining when the restriction on toll enrichment of foreign uranium for domestic use may be lifted. AEC testimony during the committee's authorization hearings indicated the present outlook tends to support removal of the restriction by mid-1973 or earlier. The committee believes there is mounting evidence that suggests the possible removal of the constraint at an earlier date, possibly on a graduated schedule. On another matter, concerning the Commission's previously announced policy of continuing, at least through June 30, 1973, to base the natural uranium feed component in enriched uranium, sold or leased by the Commission at $8 per pound of N_3O_8, AEC testimony elicited at the committee's hearings indicated the Commission would wish to reconsider its position if inflationary forces should make the $8 figure unrealistic.

3. *Uranium mill tailings.*—A matter related to the AEC's raw materials programs—namely, the disposition of mill tailings—also deserves comment. By way of introduction it should be explained that in the production of uranium concentrate from ores the small weight percent of uranium in these ores means that solid waste, known as tailings, accumulate at the mills in almost as great a quantity as the ore processed (averaging over 90 percent). The projected total of uranium mill tailings by the close of 1970 is about 90 million tons. This includes production for the private nuclear power industry as well as for the AEC.

In the leaching of the uranium, all daughter products of the uranium decay series are left untouched in the tailings. The radionuclide of greatest concern is radium–226; the radium content of the 90 million tons of tailings is about 58,000 curies. By comparison, the content of the U.S. supply of sealed radium sources is estimated to be somewhat less than 1,000 curies.

As a result of necessary grinding and crushing operations the tailings are of a fine particle size. They are delivered to the pile as a liquid slurry. As the liquid drains or evaporates, the solid residues form a sandpile. The fine particles are easily dispersed by wind. As a source of annoying dust, the uranium mill tailings are similar to some other kinds of tailings. They constitute less than 1 percent of all mill tailings in the Western States. Moreover, unlike the mill wastes from some other fuels which in certain parts of the country have been accumulated in enormous waste banks the size of small mountains, they are not a potential hazard from the standpoint of burning, occasional explosions, or massive sliding. The committee understands that control of these wastes is considered primarily a matter of State, not Federal, concern.

The basic AEC position on uranium mill tailings piles is found in the "Joint Federal Agency Position" signed in December 1966—by representatives of the AEC, the Department of the Interior, and the Department of Health, Education, and Welfare. The basics of this position are: (*a*) Inactive tailings piles should be structurally stabilized and contained to prevent water and wind erosion; (*b*) compliance by millowners with approved plans for stabilization should be recognized as constituting fulfillment of millowner responsibility; (*c*) obtaining and enforcement of stabilization should rest initially with the States concerned; and (*d*) active tailings piles should be managed so as to minimize wind and water erosion during use. It should be noted that the States traditionally have regulated the use and possession of radium, whereas the AEC does not consider it has such authority under the Atomic Energy Act.

Radon, a radioactive decay product of radium, is a gas and may therefore escape from tailings, even to some extent after they have been covered with earth. The AEC and the Public Health Service, with the cooperation of the State health authorities of Utah and Colorado and of the mills concerned, are engaged in a 1-year program to evaluate the public health aspects of radon at and near tailings piles. The program is concentrated on the uncovered, active piles at Grand Junction, Colo., and Salt Lake City, Utah; the uncovered, inactive pile at Durango, Colo.; and the covered pile at Monticello, Utah.

The remaining aspect of potential radiation hazard significance is water contamination. In the early 1960's, a cooperative Government-industry program brought about improved diking construction and maintenance practices to prevent gross erosion of tailings and tailings pond slimes into surface streams. Since that time, the Colorado River Radium Monitoring Network of the Federal Water Pollution Control Administration has shown these measures to be satisfactory. The AEC position is that there is no current water pollution hazard that can be attributed to the piles. This position would be further strengthened as a result of present programs of stabilization.

The cooperation shown by the industry in the stabilization effort to date indicates that future problems can be handled successfully and within the general framework of the "Joint Federal Agency Position." Nevertheless, this matter deserves careful and continuing scrutiny to insure that what is not now a hazard to health and safety does not become one.

While recognizing that this is primarily a matter of State concern, the committee plans to continue to follow developments in this connection carefully. The committee particularly looks forward to receiving a report on the combined AEC–PHS study now underway. If at some point it becomes apparent to Federal agencies that additional legislative authority is required in respect to control of uranium mill tailings, the committee expects that an appropriate request therefor will be forthcoming to the Congress.

III. SPECIAL NUCLEAR MATERIALS

A. AEC request

The AEC requested $334,303,000 in operating expenses for the special nuclear materials program for fiscal year 1969, a decrease of about $6.4 million from the estimated fiscal year 1968 level. This decrease is primarily due to a previously scheduled reduction in gaseous diffusion plant power and the shutdown in February 1968 of two additional production reactors. In addition, the AEC requested new obligational authority of $34,900,000 for plant and capital equipment. Of this amount, $16,950,000 is for construction and $17,950,000 is for capital equipment not related to construction.

Included in the Commission's fiscal year 1969 operating budget is a request for $3,450,000 to cover procurement of reactor products from power reactor operators. Fiscal year 1968 expenditures in this regard are estimated at $553,000. The AEC is committed until December 31, 1970 to purchase plutonium at $10 per gram when offered by domestic reactor operators. Also included in the operating budget is $2,470,000 for safeguards and materials management, an increase of $830,000 (or about 50 percent) over fiscal year 1968.

The vast bulk of the Commission's expenses under the special nuclear materials program arise from operation of a large complex of facilities for the production of special nuclear materials required for use in weapons manufacture (by far the largest user), research and development, and peaceful applications of atomic energy. Where the services of these facilities are made available to the civilian nuclear power industry, it is on the basis of recovery of Government costs.

B. Committee action

The committee recommends authorization of $334,303,000, the full amount requested, for operating expenses of the special nuclear materials program.

Despite the closing down of an additional production reactor at Richland (leaving a total of four production reactors in operation there, with five shut down) and another at Savannah River (leaving three such reactors in operation there, with two shut down), the Commission has assured the committee that the production system will be able to meet the special nuclear materials requirements projected for the Poseidon and the ABM (Sentinel) systems. Nevertheless, a word of caution seems appropriate. Since leadtimes for production of special nuclear materials are generally greater than those for the production of nuclear weapons, the committee believes cutbacks in production of these materials should not be too closely gaged to current weapons production rates or to conservative estimates of requirements for peaceful application. Ample quantities of special nuclear materials should be maintained in stock to provide for contingencies—both for the weapons program and for peaceful uses. The Joint Committee will be observing closely the Commission's performance in meeting requirements for special nuclear materials.

The committee is pleased to note the increase provided in the "safeguards and materials management" catgory of the budget. The objective of the safeguards program is to prevent diversion of special nuclear material from peaceful programs, both domestic and international, to unauthorized applications. The increased funds being devoted to the program in fiscal year 1969 will be used in the development of instrumentation, verification techniques and other scientific methods useful in achieving an effective safeguards program. While the safeguards program in its international aspects has received considerable attention for a number of years, only in very recent years has the domestic program received the attention due it. The safeguards program in both of its aspects is one that the committee supports and considers particularly important.

The committee recommends approval of $30,900,000 for plant and capital equipment for this program in fiscal year 1969. This amount is $4 million less than requested. The difference results from nonapproval at this time of project 69–1–c (Equipment test facility, Oak Ridge, Tenn.) for the reasons given in section XVIII, page 50.

IV. NAVAL PROPULSION REACTORS

A. AEC request

The AEC requested $115,300,000 for operating costs for the development of nuclear propulsion plants for naval surface warships and submarines. This represents an increase of $8,600,000 over the estimated operating costs of this program for fiscal year 1968. The proposed program continues emphasis on research and development to provide advanced naval reactor cores of higher energy density and longer life with the ultimate objective of developing cores that will last the lifetime of a ship. During fiscal year 1969, a high level of effort will continue on development of a very high-powered, longer fuel life reactor for application to two reactor, nuclear-powered attack aircraft carriers and on an advanced destroyer-type reactor core for present and improved destroyer plants.

B. Committee action

The committee recommends authorization of $123,800,000 for operating costs for this program, an increase of $8,500,000 over the amount requested by AEC. The authorization of the additional funds is recommended in order to enable the Commission to proceed with the design and development of a new nuclear propulsion plant for the "attack submarine reactor project."

The committee in hearings last year and earlier this year reviewed the status of the naval nuclear reactor program. On the basis of this review, the committee concluded that, considered in its entirety, the program has been an outstanding success. However, two aspects of the naval nuclear reactor program are of deep concern to the committee.

First, the committee continues to be distressed by the pace at which the Department of Defense is utilizing the Nation's nuclear propulsion plant technology for building nuclear-powered surface warships. The evidence is in. It clearly demonstrates that the Defense Department has failed to take anywhere near optimum advantage of the tremendous potential of this revolutionary development in naval warfare. The Defense Department's reluctant, half-hearted, and piecemeal approach to a nuclear navy has forced the Congress in the past 2 fiscal years to add three nuclear-propelled surface ships to the Department's authorization legislation. Now, after an 18-month delay, work has finally been started on one such ship. It is hoped that appropriate action by the concerned committees of Congress during this session will succeed in overcoming this procrastination and spur more rapid action toward the construction of a first line nuclear surface warship fleet.

The Joint Committee's concern is not confined to our surface fleet. The committee is also disturbed that the Department of Defense has not proceeded with the engineering development of higher-performance nuclear attack submarines. In view of the rapidly expanding and improving Soviet nuclear submarine capability, the committee considers most questionable the Defense Department plan to limit future construction to only four more nuclear submarines (two for fiscal year 1969 and two for fiscal year 1970) and then to terminate the nuclear submarine building program. As noted above, the committee recommends the addition of $8,500,000 to AEC's request to expedite work on the new design nuclear propulsion plant for the attack submarine, the details of which are set forth in a classified letter to the Joint Committee dated March 29, 1968, from Admiral Rickover. The committee considers this matter to be of utmost importance, since testimony taken in executive session indicates that the Nation's superiority in the vital field of nuclear submarines is being threatened.

In the committee's opinion, the current situation is not unlike that which prevailed in the early 1950's when, in the face of the Defense Department's unwillingness to provide adequate support to a nuclear submarine research program, the Congress intervened and authorized the necessary facilities and funds for this purpose. Subsequently when the Navy refused to seek the funds necessary to build a nuclear submarine, Congress stepped in again and voted funds for the nuclear powerplants for the first two nuclear submarines, the *Nautilus* and the *Seawolf*. Because of the Navy's reluctance, the money was appropriated to the AEC where it was used to build the powerplants that were then turned over to the Navy Department. The nuclear submarine fleet that evolved from these measures today forms the backbone of our national defense.

Present events seem to be corroborating the time-honored dictum that history repeats itself. Again, the Congress finds itself in the position of having to prod the Department of Defense to take actions, the need for which is manifest.

The additional authority recommended by the committee for design and development of an advanced nuclear propulsion plant for a new class of higher-performance attack submarines will provide the initial funding necessary for the research, development, design, fabrication and testing of the nuclear propulsion plant components, a full scale propulsion plant mockup and the necessary plant systems design and arrangements work to insure suitability for shipboard installation. It is estimated that nuclear propulsion system components for this application will cost about $26.5 million over a 3 to 4 year period, and it is the committee's intent that this work proceed as rapidly as possible.

For fiscal year 1969 $8.5 million is authorized to proceed with this program. The $8.5 million of the $26.5 million is estimated to be expended in fiscal year 1969, and, additionally commitments will be incurred in fiscal year 1969 which would represent allowable costs in fiscal year 1970 if the project were discontinued in the unlikely event that future funding for this project were not available. Accordingly, the committee is authorizing $8.5 million for appropriation in fiscal year 1969, and is further authorizing commitments in fiscal year 1969 that may constitute costs reimbursable in fiscal year 1970 should the project be discontinued, the latter costs to be defrayed from any appropriation available or made available to the Commission for operating expenses. The committee notes that the foregoing authorizations are in addition to the research and development support for this project provided under the overall naval propulsion reactors program.

In this connection, the committee is pleased to note that, subsequent to submission of its budget, the Commission reprogramed $3,000,000 of fiscal year 1968 funds to initiate work on this plant. The Department of Defense has indicated that it intends to approve the Navy's request to reprogram $4,000,000 of fiscal year 1968 funds for this program.

In summary, the committee considers this project to be of supreme importance; without it this Nation's continued superiority in the field of nuclear submarines cannot be assured.

V. SECURITY INVESTIGATIONS PROGRAM

A. AEC request

The AEC requested $6,588,000 for fiscal year 1969 for operating expenses for the security investigations program, a decrease of $207,000 from the estimated fiscal year 1968 costs. This program covers the cost of security investigations of individuals requiring security clearances or access authorization under the provisions of the Atomic Energy Act of 1954. Funds under this program are used to investigate candidates for employment with both the AEC and its contractors, and also for the selective reinvestigation of previously cleared personnel.

B. Committee action

The committee recommends approval of the amount requested by the AEC for this program.

VI. REACTOR DEVELOPMENT

Introduction

The AEC requested an authorization of $4,364,062,000 (see table) for operating expenses for the conduct of its reactor development program, exclusive of naval propulsion reactors, in fiscal year 1969. In addition the AEC requested new obligational authority of $60,275,000 for plant and capital equipment, comprised of $14,725,000 for five new construction projects, $11,400,000 for general plant projects and $34,250,000 for capital equipment not related to construction.

The reactor development program includes all work related to the development of power reactors to meet a wide range of requirements, including those in space, and the development of nuclear powerplants to meet long-term needs for central station power and other applications.

The following table summarizes the AEC's requested operating expenses authorization and the Joint Committee's recommendations:

[In thousands of dollars]

Program	AEC authorization request	Committee action	Change
Civilian power reactors	132,000	130,650	−1,350
Cooperative power			
Euratom			
Merchant ship reactors	100	100	
Space propulsion systems	72,000	69,000	−3,000
Space electric power development	52,650	47,650	−5,000
Terrestrial electric power development	6,830	6,830	
General reactor technology	50,000	48,000	−2,000
Advanced systems research and development	7,980	6,980	−1,000
Nuclear safety	40,400	37,000	−3,400
Operational services	2,102	2,102	
Total, reactor development	364,062	348,312	−15,750

The net decrease recommended by the committee in the authorization requested by the Atomic Energy Commission for reactor development operating costs for fiscal year 1969 is $15,750,000.

With respect to plant and capital equipment, the committee recommends authorization of $59,850,000, or $525,000 less than the amount requested by the AEC. The reduction represents the recommended deletion of a project for the conversion of a heating plant at Argonne National Laboratory from coal to natural gas. A detailed discussion of the reasons for the recommended deletion of this project is contained in section XVIII of this report entitled "Plant and Capital Equipment.

The committee's comments and recommendations on each subprogram under reactor development follow:

(1) Civilian power reactors

A. AEC Request

The AEC requested authorization of $132,000,000 for operating expenses for civilian power reactors in fiscal year 1969, an increase of $13,525,000—or about 11 percent—over the estimated costs for fiscal year 1968.

B. Committee Action

The committee recommends authorization of $130,650,000 for this program, $1,350,000 less than the Commission has requested. The net decrease results from a recommended increase of $1,100,000 in the "other fast breeder systems" category of the breeder reactors program, and recommended reductions of $450,000 and $2,000,000 respectively, in the heavy water reactor and the light water breeder reactor programs.

1. *General.*—The rapid growth which characterized the civilian nuclear power industry in 1965 and 1966 continued without abatement in 1967. In fact, as noted, the number of nuclear powerplants and the total nuclear-powered generating capacity contracted for in 1967 by the Nation's utilities far surpassed the impressive total for the preceding year. During the last 3 years, the nuclear share of the total generating capacity ordered has risen from approximately 17 percent (4,700 megawatts) in 1965, to about 38 percent (16,500 megawatts) in 1966, and to about 44 percent (24,000 megawatts) in 1967. These figures do not take into account additional reactors that have been announced but for which orders have not yet been placed. Thus, while at present only about 1 percent of the Nation's existing generating capacity is based on nuclear energy (as of December 31, 1967, operational nuclear generating capacity totaled about 2,500 megawatts, including the 800 megawatts dual-purpose Hanford plutonium production reactor), the rate of nuclear plant orders in recent years signifies an ever-increasing dependence on the atom for the generation of electrical power for the coming years.

The committee feels compelled to repeat a word of caution concerning this sudden reliance on nuclear energy for the generation of electrical power. This dependence, which becomes a reality starting in 1971, when about 50 percent of the new additions scheduled for that year will be nuclear, involves many new and major technological developments in the fields of design, fabrication, construction, and operation. Encountering difficulties in any of these areas cannot be discounted—indeed, as with any new technology, they must be anticipated. Particular vigilance must be exercised by all concerned to anticipate and minimize such problems to the greatest degree possible. The committee again urges designers, manufacturers, and utilities to devote the closest attention to all of these factors.

Problems, some unforeseen, have already come to the attention of the committee. For the most part, they have been controllable and have not resulted in serious interference with the Nation's energy supply. It has been reassuring to note that cautious surveillance has brought these problem areas to light at a stage early enough to permit competent authority to solve them fairly expeditiously. However, our concern is accented because of the major dependence being placed on this revolutionary new technology during the next few years. Contrary to attitudes that appear to exist in certain parts of the utility industry, nuclear power does involve significant changes in nearly all aspects of power generation, running the gamut from plant design to operation. While the major responsibility for making this new energy source a success resides with the plant and equipment designers and manufacturers, the committee feels that the role which the electric utilities must perform has not been sufficiently emphasized. No useful purpose would be served by reanalyzing the basis of the bandwagon rush for nuclear orders, the adequacy and logic of the evaluations upon which some of these decisions were made, or the seller's art employed by some to propel this drive. Nor would it serve any worthwhile purpose to note that this development is due at least in part to industry's fear, not entirely unjustified it seems, that Federal, State, and municipal agencies with air pollution control responsibilities may react with an excess of zeal to current pressures for clean air and impose corrective measures on fossil-fueled plants that are unrealistic or prohibitively expensive under the present state of technology.

Suffice it to say that utilities have in fact made major commitments which will have to be faced in the realistic light of the additional challenges they have assumed in entering the nuclear age. It is not enough to repose unfettered faith in the manufacturers that all will be well. The utilities must acquire and maintain technical organizations which are sound in all aspects of nuclear power generation, from design through operation, if significant delays in plant availability are to be avoided and if performance and safety requirements are to be met.

The electric utility industry's reputation for acting responsibly is not undeserved. However, there appears to be a portion of the industry which lacks a full appreciation of the job confronting the utilities at this time, particularly with regard to in-house technical competence. It is to the later that this cautionary note is addressed.

The committee in its report on last year's AEC authorization bill urged the Commission to exercise leadership by working closely with the utilities and others to assure sufficient attention is given to problem areas in the civilian nuclear power field. The increased efforts of the Commission in this area in the past year, particularly in areas of training and upgrading of quality, are noted with satisfaction. The committee also wants to reemphasize its desire that the nuclear in general support a more vigorous program in these areas.

2. *R. & D. in support of commercially available reactors.*—During the past few years the committee has expressed its views concerning the phasing out of further Government support of research and development on features of reactors which are now being sold commercially. The committee believes the Commission is to be commended for its efforts in this regard. Any work remaining in this category is primarily within the obligations already incurred under the joint U.S.-Euratom R&D programs, which is planned to be brought to conclusion in the fiscal year 1969–70 period. The committee reiterates its belief that the Atomic Energy Commission should continue to phase out any remaining work that may be directly related to the operation or improved economics of commercially available reactors. This should be accomplished in such a manner that the nuclear industry and the electric utilities are fully aware of what is being done and what remains to be done, so that they can take over and carry out whatever additional work is required.

With respect to one important area of endeavor, namely, research and development work on plutonium fuel for recycling in commercial reactors, the committee believes industry is not assuming its responsibility as rapidly as it should. The committee believes more substantive effort should be started and carried through by the industry in this field. The use of plutonium in power reactors is a very important factor from the standpoint of this Nation's overall energy resources and, more specifically, is of no little significance to the operating economics of reactors being purchased on the commercial market today.

Generally speaking, Commission withdrawal has been at a pace adequate to permit an orderly transfer of these responsibilities to private industry. In fact, the Commission should be cautioned that withdrawal should not be accomplished in such a fashion as to jeopardize special experiments in one-of-a-kind Commission facilities prior to the attainment of useful results. (See in this connection the discussion concerning the plutonium recycle test reactor (PRTR) program).

The committee commends the Commission for its efforts to date to terminate projects which have not shown sufficient promise compared to other reactor systems. The committee strongly urges continued studies and efforts to eliminate less desirable projects in order that financial resources can be concentrated on priority goals in the reactor field.

3. *High gain breeder reactors.*—As the Commission's highest priority civilian nuclear reactor program, the liquid metal fast breeder reactor (LMFBR) program is rapidly becoming a model for coordinated, long-range planning. The Commission is to be commended for its efforts to obtain the maximum industrial contribution toward solving the technical problems and in broadening the base of industrial capability in both technical and management aspects. While the committee recognizes the merits of "singleness of purpose" in achieving a singular objective of great potential value to the country, it is inclined to reflect the note of caution emanating from certain quarters regarding the need to avoid "putting all the eggs in the sodium cooled breeder basket." The Commission is in fact putting some effort into alternate concepts. The question from the committee's viewpoint is whether enough of a serious investigation is being made in the alternate coolant area to know where those concepts truly stand. There is some additional concern directly involving the fast breeder re-

actors, in that not all the facts are yet in concerning physics data and materials performance data which can vitally affect the critical performance parameters of the fast breeder reactors. An increased level of interest in the alternates in certain foreign countries is also noted.

It is the committee's belief that the Commission-sponsored effort in "other fast breeder reactor systems" (which basically involves a system utilizing steam or gas as alternate coolants to sodium) is insufficient to provide the kind of information necessary to learn the relative merits of these concepts in a reasonable period of time. A $3 million level for fiscal year 1969 is recommended as a more reasonable apportionment of effort than is provided for by the $1,900,000 proposed by the Commission. Such an increase for fiscal year 1969 is all the more appropriate in that it provides a better transition to the significantly higher levels of funding which the Commission has indicated for subsequent years in its 5-year plan for this program.

4. *Advanced converter and low gain breeder reactors.*—Primary emphasis in this program continues to be on the light water breeder reactor (LWBR) and high-temperature gas-cooled reactor (HTGR), with a backup option in the heavy water moderated reactors.

In order to protect the option in the future to exploit heavy water moderated reactors for power production and for the extremely large size dual purpose and desalting applications, the Commission accomplished several consolidating actions during fiscal year 1968. A heavy water program office was established at Pacific Northwest Laboratory to conduct the program planning and R. & D. activities and integrate the activities involving other countries, foremost the cooperative program with Canada. All work with organic reactor concepts was terminated in fiscal year 1968, including the operation of the Piqua power demonstration reactor project. Although the committee concurs in the base program approach to protect the cited option, it feels that the relative priority of this program does not warrant the proposed funding level. It is, therefore, recommended that the "heavy water reactor general" category be reduced from $2,000,000 to $1,550,000. In the matter of information exchange, positive steps should be taken to assure that the information obtained from the Euratom program efforts represents a proper quid pro quo.

Although the HTGR base technology program appears to be reasonably well balanced, the relative priority of the concept does not in our opinion justify the proposed decrease in funding from $6,700,000 in fiscal year 1968 to $6,000,000 in fiscal year 1969. In the words of the Commision, "The HTGR program is the only advanced converter program with a high thermal cycle efficiency and capability for utilizing modern steam conditions and thereby extending fuel resources by more efficient plant performance." The committee continues to take notice of the progress on this concept, with special interest in the potential of the prestressed concrete reactor vessel technology, and the hope for success in thorium utilization. However, in view of imminent decisions relating to construction of the Fort St. Vrain reactor project, the committee withholds recommendation to increase the level of effort in the HTGR base program. Suffice it to say that, if an affirmative decision to proceed with the Fort St. Vrain reactor is reached, then a more vigorous level of support for the base program should be forthcoming. At the same time, the committee notes that the actual expenditures in this program for fiscal year 1967 and the estimated expenditures in fiscal year 1968 fall considerably short of the amounts authorized and appropriated. The committee is concerned that the AEC is not attaining the level of effort specified in its budget submissions, since these budgets were authorized on the premise that the requested amounts of funds were required to achieve definite program objectives.

The committee has recommended a reduction of $2,000,000 in the $15,500,000 requested by the Commission for development work on the light water breeder reactor demonstration core. This reduction is recommended at this time only because of the extreme pressures on funds. In recommending this reduction, the committee is fully cognizant of its potentially serious effect on the light water breeder reactor program. The committee is also cognizant of the critical schedule for development and fabrication of the light water breeder reactor core, which is planned to be installed and tested in the presently operating Shippingport reactor. Based on the present Shippingport operating plan, the Commission has indicated that the breeder core must be completed by fiscal year 1973.

The committee continues to endorse proceeding with the light water breeder reactor demonstration. This development program is aimed at the use of thorium-uranium-233 fuel in a reactor concept commonly known as the seed-blanket reactor concept. According to testimony before the committee, a successful demonstration of breeding in the Shippingport reactor would demonstrate the technology which would allow building new light water breeder reactors and, in addition, the possible conversion of present and future pressurized water reactors to breeders. This would make available for power production about 50 percent of the energy of the Nation's thorium resources, a potential source of energy many times greater than known fossil fuel reserves. This would also represent a tremendous increase in resource utilization compared to the 1- to 2-percent utilization of present types of light water reactors. An additional consideration is that since the light water breeder concept is based on the demonstrated technology of pressurized light water reactors, it does not have many of the technical problems that must be solved in other reactor concepts aimed at a greater utilization of the potential energy in nuclear fuels.

5. *Plutonium recycle.*—The committee agrees with the importance of plutonium recycle as indicated in Commission testimony, and notes with interest the potential that exists for conserving fuel resources by using plutonium recycle with the present generation of light water reactors. The committee feels that the Commission should focus its attention and resources, in addition to completing development of the basic technology (e.g., the plutonium utilization program, including the Plutonium Recycle Test Reactor), on those measures that will aid and accelerate the transition from laboratory know-how into demonstrated industrial capability for plutonium recycle. Although the committee continues to believe the major role in this area should be assumed by private industry, the Commission should not withdraw so rapidly as to make bridging the gap between laboratory and commercial utilization more difficult or more costly in the long run. In particular the committee is concerned that proper utilization be made of the unique investment in professional staff and facilities involved in the PRTR. Experiments with fuel assemblies which have been fabricated and partially irradiated should be completed so that useful data is obtained. In this connection it is noted that the level of support proposed by the Commission for PRTR in fiscal year 1969—$4,000,000—is somewhat lower than the level deemed necessary to obtain the optimum return from this program. The committee recommends that an intensive effort be undertaken by the Commission to obtain additional cooperation support for the PRTR program from the industrial organizations most vitally involved in plutonium recycle. In this way the level of support for fiscal year 1969, and the level in subsequent years, can be such as to enable a proper completion of the work now underway in the PRTR. Thus, the effort in fuel irradiations, physics analyses and other related studies in the PRTR program can become fully realized and made available to industry. In addition, the Commission should make an effort to provide materials and assistance, as appropriate, to industrial R. & D. groups, so long as it contributes to work which is of general benefit to reactor technology as opposed to benefit to a specific reactor project.

6. *BONUS project.*—Major technical difficulties have been encountered under the BONUS (boiling water nuclear superheat) project, a cooperative reactor project with the Puerto Rico Water Resources Board. The Commission is presently considering whether phase out of this project is desirable prior to the contract termination date of July 1971, and, if so, the method and timing of accomplishment. In light of the demonstrated marginal potential of nuclear superheat the committee recommends that the potential gains from modification of the reactor and placing it back in operation be critically reviewed to determine if this effort is worthwhile. It is noted that an increase in operating funds for fiscal year 1969 was requested in order to permit evaluation of alternatives and to plan for possible decommissioning.

(2) *Cooperative power reactor demonstration program*

A. AEC Request

The AEC has not requested any additional authorization in fiscal year 1969 for the cooperative power reactor demonstration program. However, the proposed operating budget for the program is $27,658,000, approximately the same as that for fiscal year 1968. The bulk of these costs are for the Fort St. Vrain reactor project ($13 million) and the Bolsa Island Nuclear Power and Desalting Plant project ($6 million).

Virtually all of the fiscal year 1969 operating costs will be funded from prior year appropriations. The committee notes that the Commission anticipates $7 million in termination costs for the city of Piqua reactor, to be funded from unobligated carryover from previous years.

1. *Fort St. Vrain project.*—At this writing the Fort St. Vrain reactor project, a cooperative arrangement among the AEC, the Public Service Co. of Colorado, and (by assignment from the General Dynamics Corp.) Gulf General Atomic, Inc., to design and build a demonstration high-temperature gas-cooled reactor near Denver, Colo., is entering a critical stage. The parties have until April 17, 1968, to complete their evaluation of operation of the Peach Bottom reactor (which serves a technical base for the demonstration plant) and other relevant technical information available, and to make a decision on entering the construction phase of the project. A positive determination must be made that proceeding with the Colorado project will be technically and economically warranted. This involves, among other things, a finding as to whether the plant can reasonably be expected to be placed in operation not later than March 31, 1972. If an affirmative finding is not made, then, in the absence of compelling reasons to the contrary, the project wil not go forward.

Peach Bottom, which began a 9-month period of power operation on June 3, 1967, has continued to operate since that date. Over 4,000 log hours at power have been accumulated to date. Operating experience is being evaluated as a technical base for proceeding with the Fort St. Vrain reactor.

An application for a construction permit for the Fort St. Vrain reactor plant is now pending before and under active consideration by the AEC regulatory branch. The question of separate secondary containment is one of the primary issues involved in the review.

2. *Bolsa Island Nuclear Power and De-*

salting Plant.—Several important developments occurred in the progress of the Bolsa Island Nuclear Power and Desalting Plant in 1967, but there were also delays which have significantly affected the project. As a result of these delays and significant escalation of costs and changes in design criteria from those on which the original estimate was based, the actual plant costs are expected to be considerably higher than the original estimates.

A memorandum of understanding between the Government and the Metropolitan Water District of Southern California setting forth the broad basis for definitive agreements by the project participants was entered into on August 19, 1966. Thereafter, on October 13, 1966, the Commission received its statutory authorization to enter into the cooperative arrangement with the Metropolitan Water District and the other project participants. The Department of the Interior's legislative authority followed on May 19, 1967. Negotiations by the parties resulted in the execution of definitive agreements on November 20, 1967. The architect-engineer organizations to coordinate the respective efforts of the water company and the electrical utilities, and to design the island site and perform related work, were selected in 1967. Additionally, the utilities involved have placed orders for the main turbine-generator units and have solicited and received bids for the nuclear steam supply system. They have also filed applications with the AEC for construction permits for the nuclear facilities and have submitted a Preliminary Safety Analysis Report to the Commission in this connection. Also in 1967, a report on the seismological-geological factors pertaining to the proposed Bolsa Island site was submitted to the Secretary of the Interior by a special committee appointed by him to review the site from this standpoint. Thus, a firm basis was provided in 1967 for proceeding with the actual design and construction of the project.

Despite these important events, the plant schedule now appears to have slipped at least a year; completion is now called for in 1974 rather than 1973. After a 5-month evaluation of bids from three reactor vendors the participating electric utilities for varying reasons have been unable to agree upon a single reactor type. These evaluations are continuing, and it is hoped differences can be resolved in the near future.

The committee understands that the first volume of the Preliminary Safety Analysis Report on the project's nuclear facilities submitted to the Commission on August 31, 1967, did not take into account the possibility of differential surface displacement from earthquake activity occurring at the site during the project's lifetime. The above-referenced seismological-geological report recently submitted to the Secretary of the Interior stated that "* * * in order to meet in its strictest sense the requirement that there be reasonable assurance of no undue risk, we feel that the possibility of a differential displacement of 5 to 10 inches in any direction must be considered in the design of the reactor and its appurtenances." Studies have been initiated to determine adequate design measures to accommodate such a surface displacement criterion. It would appear likely, therefore, that increased project costs and schedule delays may be anticipated. Any such design would, of course, be subject to approval by appropriate regulatory authorities during their overall safety review of the applications to construct these nuclear facilities.

The seriousness of these delays is quite obvious. As construction costs continue to escalate the range between the earlier estimated costs of the desalted water and the more recent estimates of such costs continues to expand. Accordingly, the committee will continue to monitor developments in this project with interest and concern, and expects the Commission to keep it fully and currently informed of any significant developments that may arise in this connection.

As soon as the last of the basic preliminary decisions to be made in connection with this project (such as selection of a single reactor type) are completed, the committee believes the several agencies and the private and public utilities involved should give serious consideration to appointing a single project administrator. Committee-type management on a project of this type has certain disadvantages as compared to management by a single manager charged with the day-to-day responsibility of seeing that the overall policies and direction decided upon by the project participants are executed. As the project enters into its next phase the lack of an administrator with such centralized authority could be a major shortcoming. Appointing a general manager for the project and the vesting in him of substantial managerial authority would therefore appear to be a very desirable consideration.

3. *Miscellaneous.*—Elsewhere in the cooperative reactor program there are two items of interest. The committee notes with interest and satisfaction that major fuel tests are now being conducted in commercial reactors (such as Big Rock Point). This should help immeasurably to acquire information of value in the design of, and the further improvement of the economics of, the coming generation of large water reactor plants. It is also noted that several reactors have either terminated operation or are approaching expiration of their scheduled operating periods (Hallam, Piqua, Elk River). Moreover, the Commission is now considering phasing out the BONUS project (the latter not strictly considered a cooperative power demonstration reactor) prior to the contract termination date of July 1971. This provides an excellent opportunity for the Commission to cooperate with the electric utilities in obtaining vital data for the future guidance of private industry in the decommissioning of commercial reactors.

(3) *Euratom*

A. AEC Request

Under the terms of an agreement for cooperation arranged pursuant to the Euratom Cooperation Act of 1958 (Public Law 85–846), the United States and the European Atomic Energy Community have been cooperating in a 10-year joint research and development program. The program, being conducted both in the United States and Europe, is aimed primarily at improving performance and lowering fuel cycle costs of the general type of reactor (light water cooled and moderated) constructed under the joint reactor program, namely, SENN in Italy, KRB in West Germany, and SENA in France. The R. & D. program is to be essentially completed in fiscal year 1969, although some work may tail off into fiscal year 1970.

Through fiscal year 1966 a cumulative total of $28.1 million was authorized for U.S. participation in the research program. No increased authorization has been requested by the Commission since then, consistent with the increased commercialization of the reactor technology involved. All moneys contributed by the United States are spent within this country. Euratom's contribution, which matches this country's, is spent within the community. The work being carried out in the second half of the 10-year R. & D. program includes investigation of plutonium recycling in water reactors, development and demonstration of improved fuel cladding materials, studies on heat transfer and fluid flow, and examination of nuclear safety, waste disposal and chemical reprocessing matters.

B. Committee Action

AEC's anticipated costs of $2.5 million during fiscal year 1969 for the joint R. & D. program with Euratom will be funded from prior year appropriations; thus there is no requirement for additional authorization in this fiscal year. These costs will bring U.S. participation to the authorized level of approximately $28 million.

Legislation recommended by the Joint Committee and approved by Congress in late 1967 as Public Law 90–190 increased (from 500 to 1,500 kilograms) the quantity of plutonium that may be transferred to Euratom from this country. All of the work expected to be performed with the requested material will be covered by information exchange arrangements under which the United States is due to receive information derived from the use of the material. The committee's favorable action on the executive branch's request for this increase in the ceiling on plutonium was based on the understanding that adequate and mutually agreeable safeguards procedures would be worked out by the AEC and Euratom for the protection of this material from loss or diversion during fuel fabrication in Euratom plants. Plans for fulfilling this requirement are now under discussion between Euratom and AEC, and are being closely followed by the committee.

Earlier, Euratom decided that, due to the greater vulnerability of chemical reprocessing facilities from the standpoint of loss or diversion of special nuclear materials, it should maintain continuous safeguards inspection at the Eurochemic reprocessing facility (in Mol, Belgium) while U.S.-furnished nuclear materials are being reprocessed there. All special nuclear materials furnished to Euratom from the United States for peaceful purposes are subject to the safeguards provisions of the agreements for cooperation between the United States and the community, although these materials are not in all cases subject to continuous inspection by resident inspectors.

(4) *Merchant ship reactors*

A. AEC Request

The AEC has requested $100,000 in fiscal year 1969 for operating costs for the merchant ship reactors program. Estimated costs for fiscal year 1968 are also $100,000. The stated goal of this program is the development of nuclear reactor systems for commercial maritime use, which, with other improved and related non-nuclear ship system innovations, could improve the competitive posture of the U.S. merchant marine.

B. Committee Action

The committee recommends approval of the $100.000 requested. While the committee recognizes that only a minimum level of effort is possible with this amount of funds, it also recognizes that work in earnest cannot be initiated pending the long-awaited definition of a national policy on nuclear powered merchant ships.

(5) *Space propulsion systems*

A. AEC Request

The AEC has requested $72,000,000 for fiscal year 1969 operating costs for the space propulsion systems (Project ROVER) program. This is $1,500,000 more than the estimated costs for fiscal year 1968, and $6,591,794 less than actual costs in fiscal year 1967. Of the total, $39,000,000 is for development of the NERVA I rocket engine technology and the definition and design of the NERVA I reactor subsystem; $23,000,000 is for advanced reactor technology; and $10,000,000 is for operations at the Nuclear Rocket Development Station (NRDS), Nevada.

B. Committee Action

The committee recommends approval of $69,000,000 of the amount requested. The cut of $3,000,000 is recommended reluctantly and only as a result of extreme budgetary pressure. The decrease should be applied in those areas calculated to have the least affect on the current program schedule.

In last year's authorization report, when the executive branch wanted to stop further work on NERVA I and initiate a new NERVA

II program, the committee recommended that further intensive analysis should be initiated immediately to verify the true growth potential of the NERVA I nuclear rocket engine, with particular emphasis on clarifying the question of versatility of such an uprated engine in terms of meeting earlier unmanned mission requirements as well as possible subsequent manned missions. The committee notes that in complying with that recommendation, the Commission has reached a decision to initiate the development of an approximately 1,500 megawatts (MW), 75,000 pound thrust engine, NERVA I, for use in a variety of space missions. The reevaluation of NERVA I revealed that application of this system is equal or superior to the NERVA-II (the 200,000 pound thrust engine, the development of which the Commission proposed in the fiscal year 1968 budget) in missions of interest with the exception of the difficult manned mission to Mars.

The latter mission, however, is not an authorized objective at this time. It should be noted that even as to this mission, NERVA I still has the capability, but with some weight penalties when compared with the larger engine. The savings achieved by the decision to forgo development of NERVA-II and to concentrate on uprating NERVA-I are on the order of half a billion dollars.

The progress in this technology program has been steady and very impressive. In the most recent of a long series of successful reactor and engine tests, the NRX-A6 reactor was run on December 15, 1967 at full power (1100 megawatts, 3500° F. exhaust) for 60 minutes. This duration signifies a tremendous step forward, and is representative of a reactor capability to achieve the kinds of missions now being planned. The NRX-A6 test, as in the previous reactor tests, was operated at fuel temperatures equivalent to 800 seconds of specific impulse (440 seconds is characteristic of advanced chemical rockets).

The committee is disturbed by the recent signs indicating that support for this program may be faltering, and that development of the NERVA nuclear rocket engine may be curtailed. They are the more surprising in view of the rapid technological advances being made in the program. Lack of support for the NERVA engine in fiscal year 1969 could seriously impair this country's ability to make use of the tremendous technical capability developed in this program over the past 12 years. Worse yet, without the development of a nuclear rocket engine, it is not possible to project a viable space program based on a significant step-wise advancement in propulsion capability. Deferral is not possible without incurring certain irreversible penalties which will be very costly to this Nation in the long run. The flight engine program is a logical continuation of an existing capability, not a build-up of a new one. Moreover, the recommended pace has been determined in the light of current budgetary pressures. Only because of intense competition for funds, largely to meet commitments in the defense area, has the committee seen fit to recommend a cut of $3 million in this year's program.

In the post-Apollo period, requirements for payload and velocity increments will be much higher than those with which we are now dealing. In this connection, there are many ways to cite the superiority of the NERVA I engine. For the moon mission it represents a 65-percent greater payload capacity, a capability which would permit direct landing at any point on the moon. In deep space it provides not only extra payload capacity, but increased reliability and maneuverability, higher power for measurements and communications, and flexibility in trading payload for shortened mission times. There are also attractive applications in connection with earth-orbiting missions.

In view of the progress to date and the importance of the nuclear rocket to our future space program, the committee believes the program is deserving of continued vigorous support, and that the present schedule should be maintained. Scheduled for fiscal year 1969 is a Phoebus 2-A test (5,000 megawatt, large reactor initially picked to mate with the large NERVA-II engine). This test, for which the hardware was in existence when the decision to go to NERVA I was made, will be useful as a test of fuel with a very high power density. Also scheduled for fiscal year 1969 are tests of two engines, XE-1 and XE-2. Their purpose is to obtain additional operating data of a nuclear rocket engine as a system, under startup, steady state, and transient conditions and at partial and full power. These engines will contain the 1,100 megawatt NERVA type reactor, similar to NRX-A6.

The bulk of the engine technology effort, then, is expected to be completed in fiscal year 1969. Development will be continued in fiscal year 1969 on a flight type engine, thrust level of 75,000 pounds, and a reactor power of about 1400 megawatts. The goal is 825 seconds of specific impulse and a 4,000° F. temperature, entailing a propellant flow of about 90 pounds per second.

Work on improved fuels will be continued in a reactor test bed called Peewee. It represents about one quarter of a NERVA I type reactor core, and hence minimizes fuel and testing costs.

The committee will be following with great interest this program's progress in fiscal year 1969, including the post mortem examination of NRX-A6. In noting the projected date of 1976 for availability of NERVA I for flight test, the committee would expect the Commission's fiscal year 1970 budget proposal to contain details of the actual steps to be taken toward the flight test program. It is recommended that the program for fiscal year 1970 be separated into two parts, the first to be directed toward an unmanned flight program making use of the NERVA I reactor, the second devoted to a continuing technology effort to upgrade the NERVA I reactor for longer range application in association with the manned planetary missions. This approach is certainly supported by the impressive success of the NERVA I reactor, and by the recent studies which show the utility of the NERVA I reactor for achieving a spectrum of useful space missions. In establishing a program plan which is divided into flight test and advanced technology segments, every possible reduction in expenditures should be invoked in the interest of economy.

The committee notes with interest the range of applicability cited by the Commission for electric propulsion. The useful functions attributed to even small electric propulsion engines (of a few electrical watts) would seem to indicate early and widespread application. Large amounts have been funded for suitable power sources for electric propulsion. To date, however, the committee has not received a quantitative assessment of any class of actual requirements. It would be helpful to receive in the fiscal year 1970 Commission budget proposal a documented statement of such a requirement, along with a provision for an organizational entity which would provide for liaison with the using agencies at the technical competence level as well as at the policy or administrative level.

(6) *Space electric power development*

A. AEC Request

The AEC requested $52,650,000 for fiscal year 1969 operating costs for the space electric power development program, $2,890,000 less than the estimated costs for fiscal year 1968 and $16,312,214 less than actual costs in fiscal year 1967. The reduction from fiscal year 1968 results primarily from certain space power generator developments which are to be largely completed in fiscal year 1968; the significantly greater reduction from fiscal year 1967 results largely from short-term development projects which reached large cost peaks in that year. The fiscal year 1969 request includes: radioisotope power development, $18,750,000; reactor power development, $14,700,000; power conversion development, $4,900,000; space nuclear safety, $4,200,000; and isotope fuel development and heat source fabrication, $10,100,000.

B. Committee Action

The committee recommends authorization of $47,650,000 for this program, a decrease of $5 million from the amount requested. The committee recommends several adjustments in the project budget levels within the overall program. Thus, the following decreases are recommended; $2 million for the 250-watt generator project, $500,000 for the NAVSAT generator, $500,000 for the large heat source generator and $2,500,000 for the advanced reactor technology liquid metal cooled reactor at LRL. On the other hand, an increase of $500,000 is recommended for the zirconium hydride reactor technology program in connection with the thermoelectric conversion application. With respect to all other projects under the space electric power program the committee recommends authorization of the amount requested by the AEC.

The committee is concerned over the trend in funding of the space reactor technology effort, which over the past 6 years has decreased from about $30 million to about $15 million. The situation contrasts sharply with the enthusiasm which exists in most quarters, and which this committee shares, over the technical promise and progress to date within the nuclear space electric power area. Although the overall budgetary climate necessitates a decrease in the space electric power budget level for this year, the committee anticipates more vigorous Commission support of this program in the coming years.

Upon close inspection, there appears to be a rather severe imbalance between radioisotope power development and reactor power development in this year's AEC budget. It is appreciated that many of the isotope developments are destined for nearer term applications than those of the reactor power developments. However, in general the development leadtime for the reactor concepts is much longer. Recent statements from potential users of reactor power in space indicate there is no time to lose in pursuing those developments.

The committee notes that the 250-watt generator development was postponed in fiscal year 1968 in order to assign funding to other higher priority radioisotope generator programs. The committee feels a further postponement is warranted in this project. In addition, it is felt that the rate of development of the lightweight low power generator project for space navigational (NAVSAT) and communications systems applications, as well as of the large heat source generator project, can each be reduced by $500,000 without seriously affecting the accomplishment of stated objectives.

Committee review of program details for the liquid metal cooled reactor project at LRL indicates that the $2,500,000 level proposed by the Commission for fiscal year 1969 will not support a viable program. The committee notes that this technology program was so conceived that it would not be necessary at this time to define the particular conversion system to be used with the reactor energy source. As such, this program would leave open a number of possible conversion system options (Rankine, Brayton, and out-of-core thermionics) which would make it potentially an attractive competitor of—as well as complementary to—the incore thermionic reactor concept for secondary power and unmanned and manned electric propulsion applications. However, the committee believes the program, to be viable, would need support at a minimum level of $4,500,000 during fiscal year 1969. Inasmuch as the Commission is unable to support this program at that level, the committee has no choice but to recommend termination of this program as soon as possible. Some termination costs, however, may be incurred in FY 1969 and these can be met with funds otherwise available.

The progress which has been made in the reactor thermionics program also warrants a more vigorous approach than is warranted by the present budgetary situation. Additional funds would permit a better pacing of some of the essential research in key technology areas, and in the early demonstration of the long-life fuel elements. The committee believes that the fiscal year 1970 Commission budget proposal for this program should provide not only a statement of a specific reactor experiment objective, but a definite development sequence which permits specifying the exact year in which the experiment is to be performed and the sequence of developments leading to the experiment. In accomplishing such a program definition, careful attention should be given to the merits of a step-wise approach in which a low-power reactor using downrated technology is tested prior to a test in which long-life prototype-like fuel elements would be used.

The committee notes with satisfaction the effort to upgrade the zirconium hydride reactor performance and life capability from 10,000 to 20,000 hours. In last year's authorization report the committee recommended that effort be initiated in fiscal year 1968 to couple this reactor concept with thermoelectric conversion. It is gratifying to note that not only has such effort been initiated, but potential users in NASA are anxious to have such a power package available for missions in the early to mid-1970's. Apparently some doubt exists, within current funding levels, whether readiness by that date can be assured. With that in mind the committee recommends that $500,000 be added to this program for fiscal year 1969 and further recommends that the Commission budget proposal for fiscal year 1970 contain adequate provision to assure that user requirements and schedules for utilizing this system will be met.

In connection with the committee's comments in last year's report regarding technical direction of the radioisotope generator development program, significant improvement has been noted during the past year. This is true in relation to the management of the program, as well as in the decision to concentrate on a variety of concepts each designed in modular form in order to suit as many needs as possible with a limited number of concepts, thereby minimizing total development costs.

With regard to the interagency organizational structure for directing complementary program efforts within NASA and AEC, the committee is aware of increased efforts during the past year to enhance coordination. Such activities should continue to receive major effort.

The committee notes an atmosphere of increasing enthusiasm emanating from the potential users of nuclear power in space. This is particularly true of NASA, and to a considerable extent of the Department of Defense. In recognition of the limitations of batteries, solar cells, and fuel cells, potential users are hoping for the early availability of radioisotope power supplies, and of the zirconium hydride reactor with thermoelectric conversion. These could fill anticipated needs in the early to middle 1970's. Beyond that (that is, 8 to 10 years from now), NASA groups have indicated a need for a power source of 100 kilowatt-electric. Mission planners have pointed out that initiation of a power source development should not await the detailed requirements of a specific mission, since the power source development leadtimes are longer than the mission definition leadtimes. This implies that a realistic estimate of power requirements which will exist at a given time should provide the basis for the development program to meet that requirement. Further, experience shows that power estimates made several years before project completion have been consistently low (by factors of 5 to 20 or more). There is ample justification, therefore, for concentrating greater effort on the reactor power sources which are the only solution to the increasing power needs in space. The committee hopes the Commission and the nuclear industry will do everything within their means to enhance communications with the using agencies, in order to define and support the kind of programs necessary to meet the important needs in this area.

(7) *Terrestrial electric power development*

A. AEC Request

The AEC requested $6,830,000 for operating costs in fiscal year 1969 for terrestrial electric power development.

B. Committee Action

The committee continues to follow with interest the progress in this interesting category of military, oceanographic, and commercial applications. The committee realizes that there are areas of overlap between terrestrial and space technologies. However, one area which comes to the committee's attention as a potential application first in the terrestrial realm is the work with the organic rankine cycle, presently being conducted under the Space Nuclear Systems Division, Space Electric Power program. Similarly, the zirconium hydride reactor has interesting potential terrestrial applications. The Commission should follow developments in these areas closely, to assure that an early application in the terrestrial realm is not overlooked, and if such application does materialize, to assure also that the appropriate AEC division is charged with responsibility for following through the further development.

(8) *General reactor technology*

A. AEC Request

The AEC requested $50 million for operating expenses for the general reactor technology program for fiscal year 1969, an increase of $1 million over the estimate for fiscal year 1968.

B. Committee Action

The committee recommends a decrease in this program of $2 million in order to maintain the level of support for several higher priority reactor development projects discussed elsewhere in this report. It is noted with satisfaction that the Commission continues to hold this level-of-effort program to the goal of strengthening its highest priority reactor development objectives by providing the basic technology for all areas of the Commission's reactor development program. Earlier in the year the committee expressed its concern as to whether an entity such as the general reactor technology group, as an organizational part of RDT, could provide adequate technical support to another division, such as SNS. Although the Commission assures the committee that this is currently the best mechanism in view of heavily overlapping technologies, close attention should continue to be paid to the question of whether the current organizational structure and budget procedure adequately meets the needs of the Space Nuclear Systems Division.

(9) *Advanced systems research and development*

A. AEC Request

The Commission requested $7,980,000 in operating costs for advanced systems research and development, of which $1 million is for research and development related to the Argonne Advanced Research Reactor.

B. Committee Action

The committee recommends authorization of $6,980,000 for this program. The $1 million decrease results from the committee's recommendation that the previously enacted authorization for the Argonne Advanced Research Reacter project be rescinded.

(10) *Nuclear safety*

A. AEC Request

The AEC requested authorization of $40,400,000 for operating costs for fiscal year 1969 for the conduct of its research and development program on nuclear safety. This represents an increase of $7,095,000, about 21 percent, over estimated fiscal year 1968 costs, and an increase of $11,768,558, about 41 percent, over actual fiscal year 1967 costs.

The Commission's efforts in this program involve operations of safety test facilities and investigations of safety problems which are of general applicability to research, test, and power reactors and related nuclear facilities and the performance of tests to establish the safety of specific reactor systems, or to establish the validity of safety criteria used in reactor design, construction, and operation. The technical advancements attained under this program also contribute to the solution of problems associated with siting reactors and related facilities.

B. Committee Action

The committee recommends a reduction of $3,400,000 in the authorization requested by the AEC for operating costs for this program. This reduction is to be applied against the program generally, based on the judgment of the Commission.

The recommended authorization of $37 million still represents an increase of $3,695,000, about 10 percent, over estimated fiscal year 1968 costs, and an increase of $8,368,558, about 30 percent, over actual fiscal year 1967 costs.

The committee's recommendation is based in substantial part on a history of relatively large disparities between the amounts authorized and appropriated for this program and the amounts actually expended. During fiscal years 1965 through 1968, authorizations totaling $146,415,000 were requested by the Commission for nuclear safety, including aerospace safety. Pursuant to these requests a total of $141,530,000 was appropriated. Actual expenditures during the period are estimated at $129,440,000. Thus, a total of $12,090,000 or about 8.5. percent of the amount appropriated was not used for the intended purpose. Of this $12,090,000, $3,534,000 was transferred to other programs, $3,295,000 was cut or deferred as part of the Government-wide expenditure reduction effort in fiscal year 1968, and $5,261,000 was used to reduce subsequent years' appropriation requests rather than for safety work.

The committee believes that an adequate nuclear safety program is essential to progress in the atomic energy field. In the opinion of the committee, the amount recommended herein—representing a not insignificant increase over the level of prior expenditures—is adequate to fulfill AEC's responsibilities. The committee's action is not, nor should it be construed to be, a penalty for AEC's failure to use all funds authorized for this purpose; on the contrary, the achievement of possible savings is to be encouraged. Rather, this action reflects the committee's belief that significant cost underruns over a prolonged period are indicative of persistent overestimates of budget needs. In this connection, the committee will monitor with interest the use of funds provided by this authorization.

(11) *Operational services*

A. AEC Request

The Commission has requested $2,102,000 for operational services for fiscal year 1969, a reduction of $898,000 from the estimated costs for fiscal year 1968 of $3 million. This program includes the gross cost of the operation of the AEC-owned materials testing reactors and the irradiation services furnished by an AEC contractor. The costs of these services are, in turn, charged to the users of the services, and, therefore, only any undistributed net costs are shown under this activity. The other costs are included in the requests of the user programs.

The estimated gross operating costs for the MTR, ETR, and ATR, the three AEC materials testing reactors in Idaho, and for certain AEC-sponsored radiation experiments in the GETR, a privately owned reactor, total $28,284,000 in fiscal year 1969. Of this amount, $27,134,000 has been assigned to the using activities. The remainder or undistributed cost of $1,150,000 includes $1,050,000 of operating costs for the MTR which the AEC has indicated cannot be equitably distributed to users because of the diminishing experimental load on MTR; and $100,000 for certain studies on ETR, the utilization of which is increasing to accommodate the shift of experiments from MTR.

Other costs included under this program are standby costs of $200,000 for services associated with Commission-owned reactor facilities which have been shut down but not dismantled, and costs of $752,000 for transportation and security shipments of irradiated materials and for certain other operational services.

B. Committee Action

The committee recommends authorization of the $2,102,000 requested by AEC for the operational services program.

The committee notes that the ATR is expected to achieve full-scale operation in the fourth quarter of fiscal year 1968, and that those experiments to be shifted to either ETR or ATR will be withdrawn from MTR by the end of fiscal year 1969 or early fiscal year 1970. At that time, it should be possible to distribute all of the costs of these reactor services to the AEC users, with a corresponding decrease in this program.

VII. BIOLOGY AND MEDICINE PROGRAM

A. AEC request

The AEC's fiscal year 1969 request for $92,051,000 for operating funds for the biology and medicine program represents an increase of $3,601,000—about 4 percent—over estimated expenditures for fiscal year 1968, and $6,303,558—or about 7 percent—over actual costs for fiscal year 1967. The Commission is also requesting authorization for construction funds totaling $950,000, and for capital equipment not related to construction amounting to $5 million.

The proposed program permits modest increases in molecular and cellular level studies and environmental radiation studies, and slight increases in radiation genetics, instrumentation, and cancer research. All other areas stay at virtually the same level as fiscal year 1968.

B. Committee action

The committee recommends authorization of $89,500,000 for operating funds, and the full amounts requested for construction and capital equipment.

Although the general charter of the Commission's Biology and Medicine Division contains objectives of great importance to the general welfare, the committee is concerned about the continuing increases in the funds allotted to this program each fiscal year. In the current budgetary climate, $89,500,000 should provide a level of effort which will permit achieving the most urgent and promising research efforts. Recognizing that the program has grown over the past decade, in keeping with the growing number of practical applications of nuclear energy, it is nevertheless imperative that an increasing effort be devoted to selecting those programs which offer the greatest promise and which represent the highest caliber of research and which are most directly in support of the AEC mission.

The committee notes with satisfaction the special emphasis which has been given to resolving the problems associated with the radiation exposure of uranium miners. The Commission estimates the cost of work to be performed during fiscal 1969 which bears on this subject to be over $6 million. It is hoped that this highly mission-oriented effort will not only produce the desired results, but will serve as a stimulus to the other executive agencies involved in this problem. At the time of preparation of this authorization, the committee was disturbed by reports that the Public Health Service and the U.S. Bureau of Mines were having difficulty meeting the objectives established in the interdepartmental R. & D. program plan formulated in the fall and winter of calendar 1967. The committee expects that the AEC will continue to demonstrate strong leadership in this area.

The committee wishes to express its feeling regarding the importance of the work being conducted by the Atomic Bomb Casualty Commission (ABCC). The ABCC effort is a continuing one to study the long-term effects of the thermal radiation, ionizing radiation and blast on the survivors of Nagasaki and Hiroshima. In view of the personnel cutbacks effected recently as a result of Presidential orders to reduce overseas Government personnel, the committee is concerned that this important work may be slighted. The Commission is requested to examine this matter closely, especially to make certain that neither the size of the groups undergoing various types of examinations nor the quality of effort involved in generating the data is reduced to the point where the quality of the scientific results is jeopardized.

In a similar vein, the committee anxiously awaits the recommendation of the Commission regarding either the formation of or the designation of an organization or center to handle the long-term epidemiological aspects of the radium exposure cases and similar human cases involving significant internal radiation exposures. This is a highly mission-oriented objective which should provide information of great value to coming generations, particularly for estimating the hazards to uranium miners as well as the long-term hazards from peaceful uses of atomic energy, and for establishing more accurate protective radiation guides for the future. The radium exposure cases date back 40 or 50 years ago to uninformed and careless use of radium both industrially and for external and internal therapy.

The committee notes with satisfaction the pioneering basic research which the AEC has accomplished in cell transplantation studies, which has now led to identification of the types of cells that are immunologically active as well as the relationship of their numbers and functions to immune-response capabilities throughout the life span of the mammal. As a result of such studies, radiation and chemicals are now standard measures used in suppressing the immune-response system of individuals who are to receive transplanted organs such as kidneys, hearts, or livers. Thus, the success to date in heart transplants owes a great deal to AEC sponsored research.

VIII. TRAINING, EDUCATION, AND INFORMATION

A. AEC request

The AEC authorization request for training, education, and information for fiscal year 1969 is $17,009,000 for operating expenses and $820,000 for plant and capital equipment obligations. The stated objective of the training, education, and information (T.E. & I.) program is to broaden the base of nuclear knowledge and technology at home and abroad.

B. Committee action

The AEC has requested an increase of $150,000 in the training and education portion of this program, for which estimated costs of $9,500,000 will be incurred in fiscal year 1968. In a year where strong emphasis has been placed on reducing the budget, it is recommended that the increase be denied.

The committee notes that the estimated costs of the subprogram for training assistance to States and local governments in radiation control are projected to decrease $5,000 in fiscal year 1969, from $165,000 to $160,000.

Under the heading of technical information services, AEC has requested an increase of $442,000 over estimated fiscal year 1968 costs of $6,352,000 "to enable the AEC to carry out its responsibilities for the effective dissemination of scientific and technical information * * *. The committee notes that a major portion of the requested increase is for information services and material. In this connection, it is further noted that publications and microfilms of AEC reports are distributed to libraries throughout the United States and overseas, including libraries in Poland and Yugoslavia. The Joint Committee believes the program of sending technical information abroad should be reviewed in light of the growing competitive market for reactor services and equipment. Particular attention should be given to differentiating between information of general scientific interest and information which gives assistance to foreign industrial groups in competition with U.S. industry. As a minimum, considering our Nation's increased concern regarding gold outflow, the committee believes a review should be made of the desirability of imposing a reasonable charge for highly technical materials sent overseas.

In the present stringent budget estimate, it is recommended that the $437,000 request for an increase in technical information be denied.

In summary, the committee recommends that the AEC be authorized $16,422,000 for operating costs of this program, a reduction of $587,000 from the amount requested, and an amount equal to estimated fiscal year 1968 expenditures.

Regarding plant and capital equipment, the committee recommends authorization of the $820,000 requested.

IX. ISOTOPES DEVELOPMENT PROGRAM

A. AEC request

The AEC's budget request for the isotopes development program for fiscal year 1969 is $7,185,000 in operating funds, a decrease of $190,000 from estimated fiscal year 1968 costs. In addition, the AEC requested authorization of $1 million for capital equipment obligations.

B. Committee action

The committee recommends authorization of $7,985,000 in operating funds and $1 million for capital equipment for this program. The increase of $800,000 in operating funds is to provide for the initiation of the second phase effort toward the development of an implantable radioisotope heat engine for powering a heart pump.

The committee is convinced that the budget for the isotopes development program is an austere one in which initiation of all but the most urgent and promising research efforts has been deferred. The committee would consider recommending additional funds were it not for the difficult budget situation this fiscal year. However, next year and after, the committee anticipates augmentation of some of the important efforts in this program.

While all elements of this program are viewed with interest, the committee continues to maintain a special interest in the circulatory support applications area. In fiscal year 1968, the AEC awarded four contracts for conceptual radioisotope heart assist engine studies. The four studies have been completed, and the prospect for developing a radioisotope engine within current state of the art appears to be good. Meanwhile, the National Heart Institute (NHI) has decided that a stepwise approach is called for. The NHI would develop an intermediate nonnuclear device first, with an electrical supply external to the body. The committee **feels a** parallel effort on a nuclear powered device is warranted in this extremely important undertaking. Last year's authorization report cited the tremendous number (700,000) of American fatalities per year due to heart disease. It is estimated that approximately 100,000 of these could be helped if circulatory support systems were available.

Consequently, the committee recommends that a parallel effort be instituted, consisting of an 18-month program to design, fabricate, and test model engines to establish the performance capability of at least two of the concepts studied in the first phase of the program. Therefore, the committee recommends an increased authorization of $800,000 to initiate model engine evaluations. In selecting the contractors for this work, the Commission may wish to give appropriate consideration to those industrial organizations which express an interest in broadening the base or quickening the pace of the program by participating in its funding. It is of interest to note that a follow-on phase III demonstration of a prototype engine is estimated to cost $3 million and take 3 years to accomplish.

Another area of vital importance is in radioisotope applications development as applied to improved techniques for measuring and combating environmental pollution. The Commission's budget request this year indicates increased emphasis in this area, a development noted approvingly by the committee. The committee looks forward to additional activities to complement the current work in air and water pollution studies and will follow with great interest such current efforts as the radiation studies related to stack sulfur emissions, measurement of solids in streams, and treatment of polluted waste streams.

The AEC plan for the radiation preservation of foods program (published in October 1967) is a commendable step forward, and hopefully should lead to a more vigorous approach to the practical commercialization of low-dose radiation food processing. The committee recognizes that, at this point in time, one of the greatest difficulties in the food irradiation program is the time and effort involved in the Food and Drug Administration petition process. The committee urges the Commission to cooperate fully with the FDA to provide the necessary information to assure the early granting of the petitions.

X. CIVILIAN APPLICATIONS OF NUCLEAR EXPLOSIVES (PLOWSHARE)

A. AEC request

The AEC requested authorization of $14,500,000 for Plowshare program operating costs for fiscal year 1969. This is a decrease of $3,465,000 from the estimated level of funding for Plowshare in fiscal year 1968. Of the amount requested, $7 million is planned for excavation experiments (including $3,700,000 for Project Schooner, a long-delayed excavation experiment), and $1,500,000 will be devoted to underground engineering experiments (including $100,000 for post-shot work on Project Gasbuggy, a natural gas stimulation experiment successfully detonated on December 10, 1967).

The Commission has also requested $500,000 for capital equipment obligations for fiscal year 1969 under this program.

B. Committee action

The Committee is pleased to note progress made in fiscal year 1968 in the Plowshare program, particularly the execution of Project Gasbuggy and, after extended delay, of the Cabriolet and Buggy 1 cratering experiments. The lack of progress in these areas was such at this time last year that the committee felt compelled to point up certain apparent inconsistencies between the words and deeds of the executive branch. On the one hand, the executive branch was making certain commitments at Geneva concerning the availability to other countries of Plowshare services, and earlier, in connection with consideration of the limited nuclear test ban treaty, had given assurances to the Congress that Plowshare cratering experiments could be performed notwithstanding existence of the treaty; on the other hand, scheduled experiments necessary to the development of this technology were not being performed, apparently out of an excessively strict interpretation of the test ban treaty. The experiments performed in recent months provide hard evidence that the United States is progressing in development of the underlying technology necessary to fulfill the President's offer, made in early 1967 to the 18-Nation Disarmament Committee considering the nonproliferation treaty, to make available to other countries nuclear explosion services for peaceful purposes on a nondiscriminatory basis under appropriate international arrangements. It is the committee's hope that a vigorous program of Plowshare experiments will provide the technological base for responding to any requests pursuant to the President's offer, and thus contribute substantially to effectuation of an international agreement on the nonproliferation of nuclear weapons. Equally important, progress in developing this technology holds important implications for private industry in the United States, where there is widespread interest in such Plowshare applications as copper and natural gas recovery and storage and in-place oil shale retorting.

The committee recommends authorization of $17 million for Plowshare operating costs for fiscal year 1969. This is an increase of $2,500,000 over the amount requested by the Commission. Data furnished to the committee at its request indicates that as a result of the executive budget review process the amount requested for this program was cut by nearly one-half before submission to Congress. The committee notes in this connection that this sharp cutback was effected prior to the recent successful cratering experiments and the successful initial phase of the gas stimulation experiment. The committee believes a $17 million level of effort in fiscal year 1969 will permit a more viable program than would be the case under the Executive's proposed funding level. But for the critical budgetary climate that now exists, moreover, the committee would be sorely tempted to recommend a larger increase in the program.

Despite this minimum level of effort, the committee is convinced that further meaningful contributions will be forthcoming from this program in fiscal year 1969. In view of the success of the recent excavation experiments, and in view also of the need to meet time schedules of the Atlantic-Pacific Interoceanic Canal Study Commission, this increased sum should be used for an additional excavation experiment. The committee waits with hopeful anticipation the complete results of Project Gasbuggy, expected within a year. Hopefully, the ultimate success of that experiment would lay a foundation of confidence for further experiments in the area of underground engineering experiments such as Dragontrail and Rulison (gas reservoir stimulation), Bronco (in situ oil shale retorting), Sloop (in situ ore leaching), and Ketch (terminal gas storage).

The Committee recommends authorization of the full $500,000 requested for capital equipment obligations.

XI. COMMUNITY

A. AEC request

The AEC request for operating costs for the community program for fiscal year 1969 is $6,942,000, an increase of $171,000 over estimated fiscal 1968 costs. Due to the enactment of Public Law 90–190 (approved December 14, 1967), as recommended by the Joint Committee, the AEC this year is required to obtain prior authorization of all appropriations for the community program, including appropriations for further assistance payments under the Atomic Energy Community Act of 1955, as amended. Prior to the recent amendment to the latter act, the Commission was not required to obtain annual authorizations of appropriations for the community assistance payments portion of the communities budget because previous and continuing authorization therefor was contained in that act.

Proposed assistance payments in fiscal year 1969 to the communities of Los Alamos, N. Mex., Oak Ridge, Tenn., and Richland, Wash., total $5,855,000. The remaining community program costs ($1,087,000) are for AEC expenses in connection with certain municipal functions such as fire protection for which the AEC continues to have responsibility at Los Alamos, and real estate operations associated with the disposal of apartments and certain other AEC properties remaining there. Estimated revenues ($513,000) from these latter operations are reflected in the "Revenues applied" category of the budget (section XV).

The AEC is also requesting authorization of $3,000 in capital equipment obligations for the community program in fiscal year 1969.

B. Committee action

The transition from Government ownership and operation of the Los Alamos community to private and municipal ownership and operation is rapidly drawing to a close. With the exception of apartments, some commercial properties, and the community fire department, essentially all AEC facilities and properties due for disposal have been transferred. The Commission is now in the process of implementing recent legislation (Public Law 90–190) which revises the system of priorities applicable to the sale of apartment houses. It is now estimated that most apartment houses will be sold in fiscal year 1969 with the remainder being disposed of in fiscal year 1970. Sale of the commercial properties is expected to be nearly complete by the end of fiscal year 1969. As to community fire service, the AEC plans to continue to provide fire protection through a combined technical and community firefighting force pending further review of the arrangement. The committee expects the AEC to continue its close consultation with the committee as its plans in this connection progress.

The committee recommends a reduction of $150,000 in fiscal year 1969 operating costs for the community program. In the committee's view the reduced amount should be adequate to carry out this program. It is believed a portion of the reduction can be absorbed in the "Assistance payments to municipalities" category of the Los Alamos budget, under which the AEC projected fiscal year 1969 costs of $1,236,000, up nearly 20 percent from estimated fiscal yeajr 1968 costs for this purpose. The committee recommends approval of the full amount requested for capital equipment.

XII. PROGRAM DIRECTION AND ADMINISTRATION

A. AEC request

The AEC request for operating funds for program direction and administration for fiscal year 1969 is $102,885,000. This represents an increase of $7,572,000, or about 8 percent, over the program's estimated costs for fiscal year 1968. In addition, the AEC requested new obligational authority of $2,052,000 for plant and capital for this program.

The funds requested for the program cover the salaries, travel, and other costs associated with direction and administration of AEC's operations and the performance of the Commission's regulatory functions.

B. Committee action

The committee recommends authorization of $102,385,000 for program direction and administration, a reduction of $500,000 from the amount requested. The Commission is free to exercise its discretion in determining where to apply this reduction. The committee suggests that the travel category, which is projected to increase from $3,245,295 to $4,054,000 (about 25 percent) between fiscal year 1967 and fiscal year 1969, be reviewed as a possible area for reduction.

The Commission request includes a proposed increase of 140 positions during the coming fiscal year, based on a desired employment level of 5,952 as of June 30, 1969. The projected level at June 30, 1968, is 5,812. Of these new positions more than half are needed for the regulatory program, which is experiencing a significant increase in workload as a result of the growing utilization of nuclear energy for power generation. Part of the increase is related to the increased level of activity in the weapons program.

In view of the extensive program which the Commission manages and the need to insure effective Government direction to and control over the industrial contractors carrying out the program, the committee interposes no objection to the AEC request for an increase of 140 positions, and specifically requests that positions in programs concerned with licensing and regulation, reactor research, and the ABM system be filled on a priority basis. At the same time, the committee cautions the AEC that it expects the Commission to continue and, where possible, to strengthen its internal reviews of personnel needs with the objective of reducing the number of positions where this is shown to be appropriate. There is no need for this committee to restate the concern which the Congress has expressed on many occasions about the overall growth of Federal employment.

XIII. PHYSICAL RESEARCH PROGRAM

A. Introduction

Research and development costs represent a very significant part of the Federal budget. It is from this research, however, that future developments of technologies essential to our national security and general welfare will be derived. Since the resources in money and scientific manpower that are expended on research are significant, it is imperative that these resources be managed efficiently. The physical research program of the Atomic Energy Commission is a large and growing effort. The program covers a wide field of research, ranging from physics and chemistry to metallurgy and materials to controlled thermonuclear fusion. It is important that it be recognized that this program is but a portion of our Nation's overall research effort. It is a program which often has no apparent immediate payoff, and its practical results usually cannot be predicted in advance. The committee believes that this important program should continue to be funded and managed by the Atomic Energy Commission; however, the committee also believes that henceforth the Commission in connection with its annual budget submissions should examine the feasibility of providing collateral information on the cost of other federally supported high energy physics research, so that the Congress can place the Commission's requests in perspective with all other such research programs.

B. AEC request

The Commission has requested $280,000,000 for the physical research program's operating costs for fiscal year 1969. A table showing the Commission's request for each subprogram within the physical research program, and the committee's recommendations thereon, is presented below under the heading "Committee action." AEC's request is $15,000,000, or about 5.7 percent, above estimated fiscal year 1968 costs. A large part of the increase—$7 million—is for the high energy physics subprogram, and is related to the need to effectively utilize existing accelerator research facilities.

The AEC also requested $249,692,000 of new authorization for construction projects for the physical research program, and $30,850,000 for capital equipment not related to construction. This year, the AEC is requesting the balance of the authorization for the 200 Bev National Accelerator Laboratory—$242,667,000. Last year, the Congress authorized $7,333,000 for this project. (Additional information concerning the 200 Bev project is set forth in section XVIII.

C. Committee action

The AEC's request and the committee's recommended action on. each of the various categories of operating expenses within the physical research program in fiscal year 1969 are tabulated:

[In thousands of dollars]

Subprogram	Estimated costs, fiscal 1968	AEC request, fiscal 1969	Committee recommendation
High-energy physics	113,400	120,400	119,400
Medium-energy physics	11,100	11,600	11,600
Low-energy physics	28,820	30,100	30,100
Mathematics and computer research	5,720	5,900	5,900
Chemistry research	54,000	56,300	55,000
Metallurgy and materials research	27,060	28,300	28,000
Controlled thermonuclear research	24,900	27,400	27,000
Total	265,000	280,000	277,000

The committee considers the AEC's physical research program for fiscal 1969 an austere one. Nevertheless, the budgetary situation is such that the committee feels compelled to cut back on the Commission's funding requests in several areas of endeavor. The committee therefore recommends that the Commission's request of $280,000,000 be reduced by $3,000,000, the reduction to be applied as shown in the table set forth above. Thus, the total amount recommended for authorization for physical research operating expenses is $277,000,000.

The committee also recommends a net reduction in the plant and capital equipment program of $219,466,000. Of this reduction $800,000 relates to a project for conversion of the steam plant at Brookhaven National Laboratory, New York, to natural gas which the committee believes can be deferred, $1,000,000 relates to capital equipment, and $217,667,000 relates to the 200 Bev accelerator. With respect to the latter, in view of the current budget situation the committee is only recommending authorization of the $25,000,000 needed for the project in fiscal year 1969. (Additional information concerning the 200 Bev project is set forth in section XVIII. As also discussed in the cited section, the committee is recommending inclusion of a nominal amount in the budget for architect-engineering work on the omnitron accelerator.

Following are discussions of the individual research programs.

(1) *High energy physics.*—The Atomic Energy Commission supports more than 90 percent of the total U.S. effort in high energy physics. The committee fully recognizes the national aspects and the importance of this program, and agrees that the AEC is well suited—indeed, from all the evidence it seems admirably suited—to support this basic research program for the United States. As the de facto executive agent on behalf of the Federal establishment for the conduct of this program the Commission has displayed considerable ingenuity and managerial skill. However, the committee wishes to emphasize that this program is not related solely to the mission of the AEC, and that the Commission in fact is bearing the lion's share of the cost for a program that might otherwise be carried on in bits and pieces by various Federal agencies. With that clearly in mind, the committee, in view of the current budget situation, recommends authorization of $119,400,000 requested for operating funds for high energy physics for fiscal year 1969.

Included in the Commission's request is $24,050,000 for operation of the Stanford Linear Accelerator Center. With the increase in funding of $2,950,000 over the fiscal year 1968 level, it is anticipated that the accelerator can achieve an operating schedule of an average of about 13 shifts per week during fiscal year 1969. The committee considers that facilities such as the SLAC with a high initial investment should be operated on an optimum schedule. It notes that to achieve this level of operation, it will be necessary to limit the extent of utilization of the facility's major particle detection systems and to limit also activities associated with the design and development of devices.

The funds requested for operation of the Princeton-Pennsylvania accelerator ($8,150,000), the alternating gradient synchrotron ($20,375,000), and the zero gradient synchrotron ($17,275,000), represent modest increases which, in light of cost escalation factors, permit continued operation at about fiscal year 1968 levels, with emphasis on newly developed research capabilities. Funds requested for the Bevatron would permit exactly the same level of funding as fiscal year 1968 ($14,750,000).

The Cambridge electron accelerator group has launched an imaginative and highly regarded experimental program to store and clash contrarotating beams of electrons and positrons in the accelerator itself. This is currently the only U.S. effort in the promising colliding beams field, which is burgeoning in Europe and the U.S.S.R. This concept, which originated in the United States, is a highly promising one which the committee believes should be pursued at a much greater level of effort. Unfortunately, the critical budgetary situation at present simply does not permit any higher level of funding than that requested by the Commission, which, under the circumstances, seems to represent a reasonable level of effort.

The electron ring accelerator (ERA) concept is another new development which will be closely watched by the Joint Committee. This concept, if it proves practical, might have beneficial application to the omnitron and, eventually perhaps, to the 600–1,000 Bev accelerator.

It is hoped that by this technique acceleration of protons and heavier charged particles to high energies can be achieved with machines smaller than currently required. The Commission during fiscal year 1969 plans to conduct experiments on this concept. Because of the optimism surrounding this concept and its economic implications, the committee believes the delay involved in authorizing only a token amount for architect-engineering work on the omnitron accelerator at this time is not significant. As more is learned about the concept its applicability to the omnitron accelerator, both as to technology and timing, will become clear. Funding for experimental work on the electron ring accelerator concept is included under advanced accelerator research and development.

(2) *Medium energy physics.*—Fiscal year 1968 witnesed the groundbreaking for the Los Alamos Scientific Laboratory Meson Physics Facility (LAMPF) whose construction was authorized last year. The net increase of $500,000 in the medium energy physics program is largely attributable to inclusion of $600,000 for research and development related to construction of LAMPF. There are other program increases of $45,000 at Brookhaven National Laboratory and $300,000 at MIT. The above increases, totaling $945,000, were offset by reductions in other subprograms totaling $445,000.

(3) *Low energy physics.*—This activity includes nuclear physics research in the energy range below 50 Mev, research on stable and

heavy nuclides, and research in atomic and classical physics. Low level research tools for this program include research reactors, as well as low energy accelerators. The increase of $1,280,000, about 4 percent, is related largely to the availability of new resarch tools at the national laboratories and at various universities. The committee recommends authorization of the full amount of $30,100,000 requested for operating funds for this program in fiscal year 1969.

(4) *Mathematics and computer research.*—The atomic energy program requires increasing amounts of computer effort. The need arises not only in connection with scientific and theoretical work, but in the production and manufacturing areas as well. High quality computers are required in a number of AEC programs, most especially the weapons program. Continuing research is required for improvements in computer systems and more effective computer utilization. The committee recommends approval of the full amount ($5,900,000) requested for these purposes.

(5) *Chemistry research.*—The AEC requested $56,300,000 for this program in fiscal year 1969, an increase of $2,300,000 over fiscal year 1968. The committee recommends a funding level of $55,000,000.

Although the committee recognizes the importance of the work performed in this program, it believes that fiscal responsibility dictates a need for the $1,300,000 reduction. The committee notes that this program seems to be growing at a rapid rate, rising from actual expenditures in fiscal years 1966 and 1967 of $49,578,745 and $52,658,949, respectively, to estimated expenditures in fiscal year 1968 of $54,000,000 and proposed expenditures of $56,300,000 in fiscal year 1969.

(6) *Metallurgy and materials.*—The metallurgy and materials program is responsible for the support of basic research on the structural properties and behavior of materials. Its objective is to achieve continual advancement of the state of knowledge and understanding in materials sciences necessary to the advancement of weapons and reactor technology. As noted above, the committee has approved the amount of $28 million for this program's operating expenses for fiscal year 1969, a reduction of $300,000 from the AEC's request.

(7) *Controlled thermonuclear research (CTR).*—The Commission requested authorization of $27,400,000 for fiscal year 1969 operating expenses for this program, an increase of $2,500,000 above the estimated level of funding in fiscal year 1968. The largest part of the increase, $1,970,000, is related to major device fabrication and research operation of confinement systems. While the committee fully endorses increased levels of support for the CTR program, it agrees that the present austere budgetary climate does not at this time permit adherence to a more rapid rate of program growth than the 10 percent increase reflected in the Commission's budget request. Indeed, the committee has found it necessary to reduce somewhat the Commission's request for this program, and recommends authorization of a flat $27,000,000—$400,000 less than requested.

XIV. COST OF WORK FOR OTHERS

A. AEC request

The AEC requested $14,533,000 for operating costs under the program "Cost of work for others" for fiscal year 1969, an increase of $3,314,000 over FY 1968. The projected increase is principally related to increased sales of heavy water and a resultant increase in the costs associated with producing these materials.

Under this program, the Commission budgets for certain costs incurred in the manufacture of materials which the AEC sells to eligible purchasers, and in rendering laboratory, research, and other services to industrial and research organizations, pursuant to authority contained in the Atomic Energy Act of 1954, as amended. The Commission undertakes this work only when it finds that private facilities or laboratories are inadequate to the purpose.

B. Committee action

As noted in the discussion below concerning the revenues applied program (sec. XV), AEC's initial revenue estimate has been revised to recognize the income that will be obtained from sales of heavy water that were not reflected in the original budget submission. There is a concomitant need to provide for the added costs associated with these sales.

The committee therefore recommends an increase of $14,505,000 for this program which would bring the total recommended authorization to $29,038,000.

In recommending this amount, the committee notes and endorses the Commission's general policy of full cost recovery in connection with work performed for others. Related reimbursements estimated at $43,057,000 for fiscal year 1969, which offset the full cost of this program including budget costs, are included in the "Revenues applied" program.

XV. REVENUES APPLIED

A. AEC request

In calculating its net authorization request, the AEC estimated that revenues received during fiscal year 1969 would amount to $99,116,000. This program includes income from sale and lease of products, materials, and services to eligible purchasers, and revenue from community operations, hospitals, schools, and courses. Some of the related costs are included under the "Cost of work for others" program (sec. XIV); other related costs are included elsewhere in the AEC's overall budget.

The fiscal year 1969 revenues estimated by the AEC represent an increase of $32,652,000 over estimated revenues to be received in fiscal year 1968. A large part of the estimated increase is attributable to inclusion of $27,000,000 which the AEC expects to derive from provision of uranium enrichment services to foreign and domestic customers starting January 1, 1969.

B. Committee action

The AEC has advised the committee that subsequent to preparation of the budget request, the Commission completed negotiations with Atomic Energy of Canada, Limited (AECL) for the provision of 700 tons of heavy water to AECL—500 tons to be sold outright and 200 tons to be leased for a period of up to 5 years. As a result of this transaction, the AEC's anticipated revenues in fiscal year 1969 have increased by $23,692,000, to $122,808,000. The added costs associated with the sale are reflected in the program "Cost of work for others."

The revised amount of revenues estimated by the Commission for fiscal year 1969 appears reasonable, and the Committee recommends that this amount be applied against the total obligations for Commission programs in determining the net amount of authorization approved for "Operating expenses."

XVI. CHANGES IN SELECTED RESOURCES

A. AEC request

The budget structure for "Operating expenses" reflects estimate of the total costs to be incurred for each of the major functional programs of the AEC in fiscal year 1969. In order to arrive at the new obligational authority to be approved by Congress, consideration must first be given to the amount of these costs that (1) will be covered with assets or funds available from prior appropriations, and (2) will be covered with funds appropriated for fiscal year 1969. Consideration must also be given to the amount of funds that, although required for obligation in fiscal year 1969, will be used to cover future years' costs. This adjustment between estimated operating costs to be incurred and obligational authority requested is accomplished by a net increase or decrease in the amount requested for the program "Change in selected resources."

These resources, called selected resources, consist of inventories, collateral funds and other deposits and goods and services on order. The category "Goods and services on order" includes the cost of materials and services to be delivered after the close of the budget year and the prefinancing of certain contractors' costs beyond the end of the budget year to insure continuity of operations.

As noted above, the budget category "Changes in selected resources" represents the net change during the fiscal year in AEC's total selected resources available for future application. The balance of selected resources at the end of fiscal year 1969 is estimated to be $55,679,000 more than the balance at the end of fiscal year 1968. The increase of $55,679,000 consists of a net increase of $460,000 in inventory levels and a net increase of $55,219,000 in the level of "Goods and services on order." The latter increase is primarily related to increases in program costs levels which are partially offset by the use of resources without replenishment for the cooperative power reactor demonstration program.

B. Committee action

As noted in the discussion above concerning the revenues applied program, the AEC's initial revenue estimate has been revised to recognize the income from a sale of heavy water that was not reflected in the original budget submission. The sales transaction also affects this program since the inventory of heavy water will be commensurately reduced. Consequently, instead of the net increase of $460,000 in inventory levels, indicated above, the revised estimate is that there will be a net decrease of $14,045,000 in these inventories. As a result of this change, in conjunction with other changes made to reflect revised prefinancing requirements for those programs for which the committee has recommended increases or decreases in AEC's requested levels of efforts, the committee recommends a net decrease in this program of $20,625,000.

XVII. UNOBLIGATED BALANCE OF PRIOR YEAR FUNDS

A. AEC request

At the time of submission of its fiscal year 1969 budget, the AEC estimated that the unobligated balance of operating funds appropriated in prior years, and available to reduce the amount of operating expense appropriations requested for fiscal year 1969, would amount to $69,739,000. Unearmarked unobligated fund balances estimated to be available at the start of each fiscal year are applied by the Commission to the obligational authority requested for that year in order to arrive at the amount of the new authorization and appropriations requested.

B. Committee action

On March 14, 1968, the AEC advised the committee that an updated estimate of operating program obligations to be incurred through June 30, 1968, indicated that the unobligated balance of funds from prior year appropriations available to reduce the fiscal year 1969 new appropriation request will total about $79,739,000. Accordingly, the committee has increased by $10,000,000 the $69,739,000 balance in unobligated operating funds estimated to be available at the start of fiscal year 1969. This increase, together with other changes recommended by the committee, brings the fiscal year 1969 "Operating expenses" authorization recommended by the committee to $2,174,550,000.

XVIII. PLANT AND CAPITAL EQUIPMENT

A. AEC request

The Commission requested new obligational authority of $685,742,000 for plant and capital equipment in fiscal 1969, including $42,325,000 for 17 new construction projects, $37,010,000 for general plant projects, $430,367,000 for increases in 3 projects previously authorized for lesser amounts, and $176,040,000 for capital equipment not related to construction. The following table shows the various projects for which authorization is requested, and the committee's recommendations on these requests.

PLANT AND CAPITAL EQUIPMENT

[In thousands of dollars]

Project	AEC request	Committee recommendation	Change
New construction projects:			
Special nuclear materials:			
69-1-a, powder metallurgy facility, Savannah River, S.C	700	700	
69-1-b, waste storage tanks, Savannah River, S.C	3,500	3,500	
69-1-c, equipment test facility, Oak Ridge, Tenn	4,000		−4,000
69-2-a, calcined solids storage facility additions, National Reactor Testing Station, Idaho	2,100	2,100	
Weapons:			
69-3-a, rehabilitation of plutonium processing site, Los Alamos Scientific Laboratory, New Mexico	3,500	3,500	
69-3-b, weapons production, development, and test installations	10,000	10,000	
Reactor development:			
69-4-a, hot fuel examination facility, National Reactor Testing Station, Idaho	10,200	10,200	
69-4-b, modifications to EBR-II and related facilities, National Reactor Testing Station, Idaho	2,000	2,000	
69-4-c, research and development test plants, project Rover, Los Alamos Scientific Laboratory, New Mexico, and Nevada Test Site, Nev	1,000	1,000	
69-4-d, modifications to reactors	1,000	1,000	
69-5-a, conversion of heating plant to natural gas, Argonne National Laboratory, Illinois	525		−525
Physical research:			
69-5-f, omnitron accelerator, Lawrence Radiation Laboratory, Berkeley, Calif. (A/E only)		1	+1
69-6-a, accelerator and reactor additions and modifications, Brookhaven National Laboratory, New York	600	600	
69-6-b, accelerator improvements, zero gradient synchrotron, Argonne National Laboratory, Illinois	875	875	
69-6-c, accelerator improvements, Lawrence Radiation Laboratory, Berkeley, Calif	750	750	
69-6-d, accelerator improvements, Cambridge and Princeton accelerators	145	145	
69-6-e, accelerator improvements, Stanford Linear Accelerator Center, California	630	630	
69-7-a, conversion of steam plant to natural gas, Brookhaven National Laboratory, New York	800		−800
General plant projects	37,010	37,010	
Total new construction projects	79,335	74,011	−5,324
Capital equipment not related to construction	176,040	175,040	−1,000
Increases in prior year project authorizations:			
Project 66-2-d, environmental test facility, Lawrence Radiation Laboratory, Livermore, Calif. (from $2,300,000 to $5,500,000)	3,200	3,200	
Project 68-2-a, new weapons production capabilities, various locations (from $100,500,000 to $285,000,000)	184,500	184,500	
Project 68-4-l, 200-Bev accelerator, Du Page and Kane Counties, Ill. (from $7,333,000 to $250,000,000)	242,667	25,000	−217,667
Total, increases in prior year project authorizations	430,367	212,700	−217,667
Decreases in prior year project authorization: Project 65-5-a, Argonne advanced research reactor, Argonne National Laboratory, Illinois (from $25,000,000 to $7,700,000)		−18,000	−18,000
Total, plant and capital equipment authorization	685,742	443,751	−241,991

Note: Project numbers used in this table correspond to those which appear in the Commission's proposed fiscal year 1969 authorization bill (S. 2880; H.R. 14905). Due to unfavorable Joint Committee action on some of these projects and the consequent revisions made in the AEC's proposed authorization bill, the above designations do not in all instances correspond to those which appear in the bill reported herewith.

B. Committee action

As shown in the above table, the committee is recommending that three proposed construction projects totaling $5,325,000 not be authorized at this time, and that the requested authorization for capital equipment not related to construction be cut by $1,000,000. In addition, the committee is recommending rescission of the authority previously granted by the Congress for construction of the Argonne Advanced Research Reactor, estimated at the time of authorization to cost $25,000,000. The committee's comments on these and other matters considered of especial significance follow:

(1) *Project 69-5-a, conversion of heating plant to natural gas, Argonne National Laboratory, Ill.*—This project and a similar project at the Brookhaven National Laboratory, discussed below, were initiated to modify the steam plants at the two installations in order to comply with the sulfur dioxide emission standards promulgated by the Department of Health, Education, and Welfare. These standards were issued in connection with a program for the prevention, control and abatement of air and water pollution by Federal activities in the Chicago, New York and Philadelphia Standard Metropolitan Statistical Areas. The Argonne National Laboratory is located approximately 30 miles from the city of Chicago.

The committee recognizes the singular importance of the Nation's antipollution efforts. It believes, however, that the planned pace of accomplishment as it pertains to these two AEC installations is unduly precipitate. Thus, the committee notes that extensive research is being conducted with the objective of developing filtering systems that could, for example, allow Argonne National Laboratory to continue to use coal and still comply with the new regulations. Evidence available to the committee indicates that use of a filtering system in lieu of plant replacement could reduce annual operating costs at Argonne by as much as $250,000 annually. The committee has been advised that development of such filtering systems may require 2 or 3 more years. Because of the indicated economies to be achieved with such systems, the committee believes that it would be desirable to defer the replacement of the existing plant at Argonne. As an interim measure, the committee suggests that the AEC could use coal with a lower sulfur content that, although more expensive in the short run, would facilitate attainment of the long-run economies discussed above.

(2) *Project 69-7-a, conversion of steam plant to natural gas, Brookhaven National Laboratory.*—With respect to the Brookhaven National Laboratory, the committee is of the opinion that the applicability of the air pollution regulations to this installation reflects a deficiency in the criteria governing the areas affected by the regulations. As noted above, the anti-pollution program initially covers Federal activities in the Chicago, New York and Philadelphia "Standard Metropolitan Statistical Areas." These "Statistical Areas" were established for economics statistics-keeping purposes, not for pollution control purposes. As a result, use of the areas to identify intallations that must comply with air pollution regulations can result in the inclusion of installations that may not contribute materially to pollution in the three metropolitan areas.

For example, Brookhaven National Laboratory is located 70 miles from New York City in a non-industrial area of relatively low population. The committee notes that the AEC has advised the Secretary of the Department of Health, Education, and Welfare that it does not believe the stack emissions at Brookhaven contribute to pollution in New York City. The committee believes that the AEC position is reasonable, and raises a significant question concerning the propriety of using the "Standard Metropolitan Statistical Areas" as a basis for establishing applicability of the anti-pollution regulations. The committee therefore recommends (1) that the proposed project for replacement of the heating plant at Brookhaven National Laboratory not be authorized, and (2) that action be taken by the executive to reevaluate the propriety of using "Standard Metropolitan Statistical Areas" in connection with anti-pollution activities.

(3) *Project 69-1-c, equipment test facility, Oak Ridge, Tenn.*—The committee recommends that this $4 million project not be authorized at this time.

This facility is to consist of a 16,000-square-foot addition to an existing building at the Oak Ridge Gaseous Diffusion Plant, which would provide space, power supplies, instrumentation, and prototype equipment for testing the performance of new types of production equipment in order to more accurately forecast the operating life of the equipment and thus determine the economics of using similar equipment in a production process. This work would have specific application to the anticipated need for additional U-235 gaseous diffusion capacity before about 1980 to meet the forecast requirements for enriched uranium for power reactors.

In view of the current budget situation, the committee recommends that this project be deferred. Because of the long leadtimes involved the committee believes that this delay will not hinder timely achievement of project objectives.

(4) *Project 68-4-f, 200 Bev accelerator, Du Page and Kane Counties near Chicago, Ill.*—In regard to the 200 Bev accelerator facility proposed for Weston, Ill., the committee recommends additional authorization in the amount of $25 million for fiscal year 1969. An appropriation in this amount would provide for continuation of design and engineering services, procurement of various technical components of the accelerator, site preparation, utility installation, and initiation of construction on conventional facilities as well as the accelerator itself. The committee believes that orderly progress can be made on the project and would expect work to proceed in expectation of full project authorization for fiscal year 1970. Initial funds for the project in the amount of $7,333,000 were authorized and appropriated in the Commission's fiscal year 1968 budget.

In its report on the AEC's fiscal year 1968 authorization legislation the committee considered and accepted the recommendations of its Subcommittee on Research, Development, and Radiation concerning the scope and management of this project. In summary, those recommendations were:

(*a*) That an accelerator with a design intensity of 3×10^{13} protons per pulse be constructed.

(*b*) That provision be made in the initial design of this machine for experimental areas consistent with the national scope and purpose of this facility.

(*c*) That the AEC give careful study to the possibility of constructing the accelerator in such a way as to permit a possible later increase in the accelerator's energy to 300 Bev or somewhat higher.

(*d*) That the AEC assure itself, first, that the organizations selected for the architect-engineering and construction management of this facility are reliable and experienced, and second, that major design changes and procurements affecting the machine be made only with AEC approval.

In connection with this latter recommendation, the committee urged the Commission to give careful consideration to whether its responsibilities would most appropriately be exercised through direct contracting for architect-engineering and construction management of these facilities, or by having such services performed under subcontract to Universities Research Association, Inc. The committee stated that the Commission might wish to retain continuing flexibility with respect to whether such services shall be performed under direct contract or subcontract.

The committee is pleased to report that the AEC has been responsive to its recommendations. In particular, the committee is gratified that the accelerator design will conform to the criteria set forth in the above recommendations. The committee is very favorably impressed by the progress to date on this project by Dr. Robert Wilson, Director, National Accelerator Laboratory, and his colleagues. The committee commends them and wishes them continued success. The committee notes that AEC is requesting an appropriation of $25 million for the project for fiscal year 1969. The committee believes that these funds are necessary in order to assure that the talent that has been recruited for this project will not be dissipated.

The Joint Committee has reviewed the proposed assignment of prime contract responsibility to the University Research Association for the design and construction of the project. Although the record shows that those projects under direct contractual arrangements between the AEC and the construction contractors have been the most successful, the committee was assured that AEC has retained and will exercise adequate controls under the prime contract with URA to insure economy and efficiency. Diligent management supervision will be required to insure that this procedure works efficiently in practice. The committee plans to pay close and continuing attention to this matter as the project progresses. The committee is encouraged by the fact that the Stanford Linear Accelerator project, costing $114 million, was successfully constructed under a prime contract with Stanford University. This arrangement proved highly successful, in that the project was completed on schedule and within costs.

In recommending this authorization, the committee wishes to reaffirm its conviction that this facility is of the utmost importance to the Nation's scientific effort. That such machines are needed for a viable high energy physics program is beyond dispute, as evidenced by the achievements of experimenters utilizing the Alternating Gradient Synchrotron at Brookhaven National Laboratory, which at 33 Bev was formerly the highest energy accelerator in the world, surpassing to a slight extent the energy level of its sister machine at CERN. It is no longer the largest because the Soviets have completed construction of, and successfully tested, a 70 Bev accelerator. The committee submits that this Nation's world leadership in high energy physics—gained through the pioneering efforts of Ernest O. Lawrence at the University of California, and by the outstanding work subsequently done by Americans throughout the country—should be maintained. It should be maintained not merely for the purpose of being "first" in this particular area of science, but in recognition of the fact that high-energy physics is at the frontier of physical science today; and that talented scientists developed and trained in this important field are contributing to other disciplines as well.

(5) *Project 68–2–a, new weapons production capabilities, various locations.*—The Commission requested an amendment to Public Law 90–56, the AEC's fiscal year 1968 authorization legislation, to increase the amount previously authorized for project 68–2–a, new weapons production capabilities, various locations, from $100,500,000 to $285 million.

The $100,500,000 for the construction of new weapons production capabilities requested last year related primarily to warhead production for Poseidon. The increase requested for fiscal year 1969 relates primarily to warhead production for the ABM program as a consequence of the Executive decision on September 18, 1967, to proceed with deployment of a "thin" ABM system.

The summary of cost estimate by plant set forth below is based on current AEC workload projections and may change when final weapons designs are established and workload assignments determined.

Summary of cost estimate by plant

[In thousands of dollars]

Bendix Corp., Missouri	24,950
Burlington, Iowa	5,500
Mound Laboratories, Ohio	6,830
Oak Ridge, Tennessee	177,900
Pantex, Texas	5,420
Pinellas, Florida	4,820
Rocky Flats, Colorado	55,650
Savannah River, South Carolina	3,930
Total	285,000

The committee recommends the amendment to Public Law 90–56 as requested, in order to authorize the additional required funds.

(6) *Project 65–5-a, Argonne advanced research reactor, Argonne National Laboratory, Ill.*—Mindful of the current austere budget climate, the committee, on the basis of a careful review and evaluation, recommends that Public Law 88–332, passed in 1964, be amended to rescind the authorization for construction of the Argonne advanced research reactor, except for funds heretofore obligated and for necessary costs to close out the project, which, in combination, are expected to total about $7 million.

This project's costs, initially estimated at $25 million, are currently estimated at about $35 million. Accordingly, the savings in project construction costs effected by the committee's action will actually be about $28 million (arrived at by deducting the $7 million noted above for funds already obligated and for close-out costs, from the current estimated project cost of $35 million). These calculated savings do not include other savings resulting from the curtailment of related research and development and for procurement of capital equipment not related to construction. There would also have been substantial additional expenditures for operating and experimental costs after completion of the project. Site excavation and construction work started last year were temporarily postponed in November 1967 in the administration's freeze on funds for nonvital work.

To the extent the Commission has entered into procurement commitments under this project authorization it would be the committee's hope that such components can be productively used in connection with other Commission activities.

The committee recognizes the desirability and potential utility of this basic research device directly at the Laboratory site. On the other hand, considered in the context of today's national priorities, the committee believes it will be necessary for the excellent staff at the Argonne National Laboratory to have access to reactors at other locations that could enable them to perform a large part of the work. The existence of other similar facilities was an important consideration in arriving at this decision. In this regard, the committee strongly urges greater cooperative effort in the utilization of existing radiation sources which will further assist scientists at the Argonne Laboratory to carry out vital research projects requiring high flux in radiation sources.

(7) *Project 69–5–f, omnitron accelerator, Lawrence Radiation Laboratory, Berkeley, Calif.* (*AE only*).—In its report on the AEC's fiscal year 1968 authorization bill the committee deferred without prejudice action on a request for authorization of $4,000,000 (architect-engineering only) for the omnitron accelerator. In doing so the committee recommended that the accelerator be subjected to an evaluative review process of the same type that has characterized most other large accelerator projects in recent years. This review has been completed. However, the AEC's proposal for initial moneys for this machine was not approved during the executive budget review process and thus was not submitted to the Congress. The committee is aware, however, that $400,000 in construction planning and design moneys is available to the Commission for the omnitron machine, and that $600,000 in chemistry research funds in this year's budget is earmarked for research on the machine. The committee is favorably disposed to this accelerator, but in view of the austere budget and the fact that the electron ring accelerator (ERA) concept, if it proves feasible, might have application to this project, the committee is approving only a token amount ($1,000) for A–E work on the omnitron in fiscal year 1969.

(8) *Capital equipment not related to construction.*—The recommended decrease of $1 million in equipment for the physical research program is made in recognition of the tight fiscal situation.

(9) *General.*—With respect to AEC's overall administration of its construction program, the committee commends the Commission on the expeditious actions taken on the matters discussed in the Comptroller General's report, "Review of Selected Construction Projects, Atomic Energy Commission" (B–159687, February 19, 1968). This report was the result of a review that was undertaken by the General Accounting Office at the request of the Joint Committee. The request was motivated by the committee's concern over the time and cost overruns that had been experienced on certain AEC construction projects.

The committee notes with approval that the AEC independently sought and beginning with the fiscal year 1964 budget has utilized funds for advanced construction planning and design in order to improve the quality of the time and cost estimates included in the data supplied Congress in justification of proposed projects. This action, in conjunction with the Commission's actions on the Comptroller General's recommendations concerning (1) provisions of information to Congress concerning the estimated costs of project-related research and development, and (2) more precise definition of changes in scope, represent significant improvements in the administration and control of AEC's construction program.

Mr. Chairman, it is my firm conviction that the United States will have to rely primarily on the coal industry for the major source of electrical power for the foreseeable future. If I am correct in this conviction, a greater share of our research resources should be devoted to improving the technology of mining, transporting, and burning coal. We must not permit unduly precipitous action dealing with sulfur content of fuels to disrupt the supplies of electricity which are vital to our economy.

Mr. Chairman, the National Coal Association has just issued a special report which points out newly discovered difficulties in development of a breeder—difficulties which the association believes make it certain that "coal—not atomic energy—is the energy of the future." I believe that this report of NCA deserves careful study by all Members of Congress, and for that reason I insert the report in the Record at this point:

Report of National Coal Association

WHAT IS A "BREEDER"?

The atomic power reactors currently being built are "light water reactors." They can use less than one per cent of the *potential* energy in natural uranium. When the scientists say that a small piece of uranium can develop the power to send a mission to the moon, they are talking about the potential, not the presently usable, energy in uranium.

Natural uranium contains less than one per cent fissionable material—U-235. The rest is U-238, which won't "burn" (i.e., its atoms won't fission). Some day the scientists hope to build a "breeder" reactor, which will convert a substantial part of the U-238 into plutonium, which will "burn." If and when it is possible to do this, every two or three years about 10 per cent of the U-238 will be converted into plutonium, recovered, and reused. In this way, over a long period of years, it will be possible to use about 60 per cent of the potential energy of natural uranium. This would be a great gain because it would multiply the energy available from uranium about 60 times.

WHY DOES ATOMIC POWER NEED THE BREEDER?

Although the initial cost of uranium—per energy unit—is much less than the initial cost of coal, there are many other expenses involved in producing electricity from uranium. The total cost of power from coal is made up of the cost of coal at the mine mouth, the cost of hauling coal to the powerplant, the cost of handling coal at the powerplant, and the cost of the coal-burning plant itself. The total cost of power from uranium is made up of the initial cost of uranium, the cost of converting it into a gas for the enrichment plants, the cost of enriching, the cost of placing the fuel into stainless steel rods (there are more than a hundred miles of steel rods in a large reactor), the cost of recovering unused fuel after the steel rods are taken from the powerplant, and the cost of the reactor.

Because of all these additional costs in the uranium fuel cycle, coal delivered at about 26 cents per million B.t.u. is competitive today with uranium costing slightly less than $8 per pound. The competitive break-even point has gone up in the last year or so, largely because the manufacturers of reactors are no longer willing to sell them at "loss leader" prices, and a nuclear powerplant costs at least $25 per kilowatt more than a coal plant. This is important, because it gives coal an edge of about 5 cents per million B.t.u. to start with. Even if there are drastic reductions in the other parts of the uranium fuel cycle, it is inconceivable that utilities in the United States can ever use (in light water reactors) uranium costing $30 a pound. (In other parts of the world coal costs two or three times as much as it does in the United States, and utilities in Europe and Japan may be able to use $30 per pound uranium in competition with high-cost coal.) As a rough rule of thumb, $1 per ton increase in the delivered cost of coal will permit a competitive increase of about $5 per pound in the cost of yellowcake, so a utility in Europe paying about $8 a ton more for coal than a U.S. customer could pay as much as $40 a pound more for uranium.

If we have to use our uranium in nonbreeders, we really don't have very much of it. Nonbreeders produce plutonium as a byproduct. Plutonium will "burn" if we learn how to recycle it—that is, if we learn how to use it to replace some of the U-235. We don't know. But the amount of plutonium produced in a nonbreeder is very small—much less than the amount of "burnable" uranium consumed in the operation:

In 1966 the AEC publicly agreed with NCA's computation that, even with recycling the plutonium produced, one ton of yellowcake (uranium concentrates) can produce (in light water reactors) about the same amount of electricity as that which can be produced from 16,246 tons of coal. Since then, the AEC has lowered the waste of fissile (burnable) material by reducing the fissile content of uranium lost in the enrichment "tails," with the result that the coal equivalent of yellowcake should be increased about 10 per cent. At the present time, therefore, one ton of yellowcake used in light water reactors, if the plutonium is recycled, can substitute in the electric power industry for about 17,830 tons of coal. Of course, we haven't learned how to recycle plutonium yet, but atomic power advocates are accustomed to ignoring problems which have not yet been solved.

Only a very limited reserve of uranium has been discovered. In the United States, less than 200,000 tons of yellowcake are "reasonably assured" in the cost range of up to $10 per pound, even if we include some 50,000 tons which it may be possible to recover as a by-product from phosphate deposits. Even if the price is increased to $15 per pound, the AEC thinks we can increase to only about 350,000 tons the total "reasonably assured" reserves and to only about 525,000 tons the "estimated additional" reserves, for a total of 875,000 tons if we can find it.

In light water reactors, even with recycling plutonium, the 200,000 tons of "reasonably assured" reserves at $10 per pound would be equivalent to about 3½ billions tons of coal, or about one-half of 1 per cent of recoverable U.S. coal reserves. Even if we find the entire 875,000 tons with AEC thinks might be available at prices up to $15 a pound, this is equivalent to 15.6 billion tons of coal, or less than 2 per cent of our coal reserves.

Stating it another way, with the 200,000 tons of "reasonably assured" uranium at $10 per pound, we could furnish the lifetime fuel for reactors with a capacity of 40,000 megawatts nuclear—substantially less than the amount already on order. Even if we find the entire 875,000 tons which are included in the estimates of uranium available at prices up to $15 per pound, we would have enough uranium to furnish the lifetime fuel for only 175,000 megawatts. And we can't count on the rest of the world for uranium—foreign countries are just as short of it as we are in relation to projected needs. Besides, as already mentioned, the rest of the world can outbid us for uranium in a "sellers' market" because they have to pay so much more for coal.

All this shows why the AEC said, in its 1962 Report to the President, that if the atomic program could not produce a breeder "the contribution to our total energy reserves would scarcely be worth the developmental cost." *In short, without the breeder, atomic power is doomed to be little more than a passing curiosity in the march of time.*

WHAT IS A "HIGH GAIN" BREEDER AND WHY MUST ATOMIC POWER HAVE ONE?

There has been some confusion caused by the terms "thermal breeder" and "fast breeder." Those aren't the important terms. The important question is whether we can develop '"high gain" breeders or whether we will have to settle for "low gain" breeders.

If someday a breeder is built, it will be either "high gain" or "low gain" depending on the length of its "doubling time." The doubling time is the period which it will take for the breeder to convert into plutonium enough U-238 to start another breeder of the same size. For example, if the breeder annually produces excess plutonium equal to about 7 per cent of its fuel inventory, it will have about a 10-year doubling time (assuming that each year the excess plutonium is put into another breeder—somewhat like compound interest).

When anybody dreams up a breeder with a doubling time of 10 years or less, it is called a "high gain" breeder. In the United States, the need for electricity has been doubling every 10 years. Thus, if a breeder could be developed with a 10-year doubling time, it could merely hold its own. To increase the percentage of power produced by breeders, large quantities of newly-mined uranium would be needed to furnish the U-235 to start additional breeders.

If the breeder has a doubling time longer than 10 years, the need for newly-mined uranimum will never cease. Only if the breeder has a doubling time of less than 10 years can it ever "catch up," and the catching up will take about 50 years, even with an 8-year doubler (and if) the breeder becomes practical. With the new handicaps to a short doubling time, recently discovered and discussed below, it seems obvious that for atomic power to grow at the rate now forecast by AEC we must keep finding new supplies of uranium during the lifetime of anyone now living.

A LONG "DOUBLING TIME" WILL MAKE THE BREEDER UNECONOMIC UNTIL LOW-COST COAL HAS BEEN EXHAUSTED

The breeder, when and if it becomes possible to build one, will have severe economic handicaps. For one, the capital cost of the plant will be much higher because it will require exotic (and as yet unknown) metals, and because it will need extra equipment to cope wtih the severe safety problems inherent in using highly enriched atomic fuel (fuel that is 15 to 20 per cent of a bomb, compared to the present 3 per cent for nonbreeders). Probably the capital cost of the breeder will be from $60 to $75 per kilowatt higher than a coal-burning plant, giving coal a head start of 12 to 15 cents per million Btu. In addition, the breeder will incur heavy cost penalties because fuel preparation will have to be handled entirely by remote control, probably making the fuel preparation alone equivalent to about 8 to 10 cents per million Btu in terms of competitive coal. To overcome these handicaps, the breeder will have to have an extremely low fuel cost—it will have to produce a great deal of excess plutonium if it is to be economically competitive with low-cost coal. Thus, the doubling time becomes very important to the economics of the breeder. It figures this way:

Even at today's low prices for reactor fuel ($8 a pound for yellowcake and $10 a gram for plutonium), a 1,000 megawatt breeder—if it ever is possible to build one—would require a fuel inventory costing about $50 million, not even counting the cost of fuel preparation. If the breeder had a doubling time of 10 years, it would produce surplus fuel for sale at the rate of about 7 per cent per year. Since investor-owned utilities figure their inventory carrying charge is about 10 per cent, the fuel inventory could incur a deficit of 3 per cent annually, or about $1.5 million. If we compute the equivalent cost of coal, this is a component of 2.3 cents per million Btu. There will be other cost penalties for the breeder, such as reprocessing of fuel (about one cent per million Btu in terms of coal) and differences in insurance and other operating costs (about two cents per million Btu). Thus, it is conceivable that a breeder with a doubling time of 10 years could compete with coal somewhere in the range of 25 to 30 cents per million Btu, if low-cost uranium were available. But that's about the longest doubling time that would do the trick. Latest available figures—for 1966—show coal cost utilities 24.7 cents per million Btu, on a national average.

If the breeder takes 20 years to double, the amount of excess plutonium available will be only about 3½ per cent per year. This, subtracted from the 10 per cent inventory carrying charge, will leave a 6½ per cent deficit, or three and one-quarter million dollars each year (about five cents per million Btu for coal). If yellowcake becomes $32 a pound (as eventually it must, if the breeder is long delayed and if construction of nonbreeders continues), a 1,000 megawatt breeder with a doubling time of 20 years would have an inventory-minus-sales deficit of $13 million a year. This would impose an inventory penalty of about 20 cents per million Btu (in terms of coal), making the 20-year breeder competitive with coal delivered for about 43 to 48 cents per million Btu! That may do in Europe or in Japan, but it would be a terrible blow to our economy if utilities in the United States had to produce such high-cost power.

WHAT HAPPENS TO METALS UNDER "HIGH FAST NEUTRON FLUENCE"?

For some time it has been known that radiation in light water reactors, which use "slow" neutrons (that is, portions of the split atom which are greatly slowed down by collision with hydrogen atoms in the water in the reactor core), does odd things to steel. AEC says, "A principal effect of neutron irradiation at water reactor temperatures is to reduce the ability of A302-B, the principal pressure vessel steel in general commercial use, to resist the growth of moving cracks. That is, a crack once initiated in the brittle temperature region will propagate in a more catastrophic manner in an irradiated vessel than in an unirradiated vessel."

It has recently been discovered that irradiation at "high fast neutron fluence" causes mysterious and devastating damage to the stainless steel rods which will hold the fuel in a fast breeder. In the middle of 1967, evidence came to light indicating that exposure to "fast" neutron fluences, at the energy and heat levels which will prevail in a fast breeder, causes defects which were totally unexpected and which are not yet understood. The stainless steel "cladding" (the fuel rods) swells about 7 per cent, forms "voids" for some unknown reason, and loses all ductility—that is, it becomes brittle as glass.

On December 13, 1967, Floyd L. Culler, Jr., Assistant Director of Oak Ridge National Laboratory, wrote to Dr. George M. Kavanagh, Assistant General Manager for Reactors, AEC, "The mechanism by which these voids form is not known."

Mr. Culler continued, "In addition to the serious effects of the voids on the properties of the steels, the volume increase itself is a problem. For example, the current FFTF [The Fast Flux Test Facility, now being designed for the purpose of testing materials to be used in building a breeder] fuel design cannot tolerate more than a 3% diameter increase because of flow channel problems. Thus, the design may have to be compromised to account for the volume change.

"We believe that this is a very serious problem for the fast reactors. It will be necessary for the materials people to learn enough about the mechanism by which the voids form and some of their characteristics to allow an assessment of its meaning to fast reactors and whether metallurgical 'cures' are possible.

"Further, our concern is that the facilities to allow experimental investigations of this problem are very limited and very slow in attaining the high neutron exposures necessary to produce these effects." [In his letter, Mr. Culler presented some statistics to show that it would take at least four years, with available test facilities, to subject metals to a "minimum" exposure required to investigate properly the full effects of this new problem.]

Mr. Culler went on to set forth his "opinions," as follows:

"The effect of these few data on the design and performance of fast reactor fuels and on certain components in the fast reactor core structure is difficult to assess. Our staff is not sufficiently familiar with the structural design and fuel design to predict what changes will be required by these data, but some changes for fast reactors almost certainly will be required . . .

"I hope that this information is clear enough to explain our concern about the radiation damage sensitivity of stainless steels when exposed to fast neutrons, and that it defines in an understandable way the overlapping mechanisms which seem to work to the disadvantage of nickel-based alloys for fast reactor use. The fact that the first stainless specimens that have been irradiated to fluences of about 10% of planned fuel clad exposure levels have turned up a completely new damage phenomenon *must also give us pause. It is not possible that there are new effects to be observed at high doses as yet unattained?"* (emphasis added)

Thus it is clear that all the confident talk we have heard about the high-gain breeder has been based on hopes rather than knowledge. The scientists are still dealing with the unknown, when they talk about the breeder. Even if they find some day that "metallurgical 'cures' are possible," they have another recently-discovered, and very serious, problem to cope with—the value of "alpha."

THE RATE OF WASTE OF NEUTRONS IN A BREEDER WILL BE MUCH WORSE THAN PREVIOUSLY ANTICIPATED, AND WILL LENGTHEN THE DOUBLING TIME

Scientists use the term "alpha" to describe "the ratio of the capture cross section to the fission cross section," and the AEC says that breeder reactors will be possible only if the average value of alpha is "considerably less than 1." It is important that very few neutrons (certain particles of split atoms) be wasted, because the neutrons are the "bullets" which convert nonburnable U-238 into burnable plutonium. The greater the waste of neutrons in a breeder, the longer the doubling time.

Until recently, it was believed that the value of alpha in the breeder would be very low. However, British scientists have discovered what they believe is a serious error in previous calculations on this subject, and the AEC says it will be several years before the British calculations (and the possible means of alleviating the damage) can be checked out.

Speaking at a meeting sponsored by the International Atomic Energy Agency in Germany in late October and early November 1967, three British scientists (Schomberg, Sowerby and Evans) presented startling new computations and measurements, admittedly somewhat incomplete, which caused them to conclude that the capture cross section was about twice as high as previously believed—in other words, "alpha" is about twice as bad as previously expected. The British calculations caused such a commotion that a panel discussion was held during the meeting. All the scientists involved agreed that the matter was extremely serious; that more definitive measurements of "alpha" must be accomplished to determine how to proceed with development of a breeder. The scientist representing Germany felt that the probable alpha value is considerably higher than previously indicated, but that in view of the large error limits of the experimental data it is premature to recommend a new "best value" of alpha. The scientist representing the Soviet Union indicated that if the new calculations are correct, the doubling time of breeders would be increased, and steam-cooled breeders would be affected most of all. A Swiss scientist felt it will be necessary to "move toward systems with harder neutron spectra in order to retain breeding performance," and that it will "be necessary to minimize the parasitic loss of neutrons by capture in structural materials in order to compensate, *as far as possible,* for the additional loss of neutrons by capture in Pu-239." (emphasis added) A French scientist agreed that the higher "alpha" rate would be most detrimental to steam-cooled breeders, and also pointed out that it would make the "Doppler coefficient" (a phenomenon contributing to safety in the breeder) of plutonium less positive.

In February 1968, a representative of AEC testified before the Joint Committee on Atomic Energy that it will take "several years" to conduct more definitive measurements of alpha. The AEC has established a committee (including both government and industry scientists) to study the situation and evaluate the consequences. It now seems generally agreed that the new calculations, if proven correct, will eliminate some breeder concepts and will lengthen the doubling time of others, but that in some manner it may be possible to "design around" the problem in order to alleviate it. In itself, the alpha problem apparently does not kill the possibility of a high-gain breeder, but at this time, it is accepted as a serious obstacle to attaining a short doubling time. To a layman, it seems that the alpha problem is deadly for certain breeder concepts, and the only way to get around it is to move to the concepts where the "cladding" problem is the worst.

Together, these two new developments illustrate vividly that the attempt to develop a high-gain breeder is still a venture into the unknown. It will be many, many years before the technological problems of a breeder are solved. It may *never* be possible to develop a breeder with a really short doubling time. "It may be for years and it may be forever."

Even with all the government funds available to develop a breeder, there is a great likelihood that the breeder will never be able to produce power as cheaply as low-cost coal.

The breeder may some day be able to compete in high-cost coal countries, but this is small comfort to American utilities. Utilities might ordinarily feel that cost of uranium over the lifetime of the plants they order would be kept down because when it got too high other utilities would stop building atomic power plants. But they cannot rely on this safety value, for uranium costs are only a fraction of the total atomic fuel cost; countries with very high coal costs can afford to continue building atomic plants and increasing the demand for uranium long after coal's "ceiling" on uranium price in America has been pierced.

THE NATION'S R. & D. EFFORTS SHOULD EMPHASIZE COAL—THE FUEL OF THE FUTURE

For the past five years, the glamour of atomic energy has mesmerized those charged with responsibility for the Nation's energy policy. The AEC has had available a budget of about $2½ billion a year. With the prestige accompanying such a budget (and aided by the mystery of the subject plus the impressive array of scientific talent cornered by AEC), the Commission has conducted an efficient campaign to convince the press, the man in the street, the college professor, and most Members of Congress that atomic power would shortly open to all of us the gates to the Garden of Eden. That Garden would be heated by atomic power in winter. It will eliminate crime in the streets because people would stay in their atomic power air-conditioned homes in summer. The Garden would be watered with fresh water extracted from the ocean by atomic power. It would be kept clear of air pollution and trash by atomic power. We would be fed by agro-industrial complexes using fertilizer produced by atomic power. In short, all possible material desires would be satisfied by the grace of the Great God Fission.

The time has come to put an end to this charade. If the AEC can overcome the truly severe handicaps recently discovered, atomic power may in the distant future be able to serve mankind by supplementing the fossil fuels in furnishing the tremendous quantities of energy which will be needed. Atomic power will never be able to furnish power cheap enough to make startling alterations in our way of life. At best, it may be able to help coal to hold the line on increasing energy costs.

It is time to quit hornswoggling people into accepting huge government subsidies to produce water so expensive that nobody wants it. This has already happened to the Metropolitan Water District of Southern California, which buys water at 12 or 13 cents per thousand gallons and was talked into participating in a dual-purpose atomic plant in Los Angeles on the grounds that the water would cost "only" 22 cents. It now finds the estimates have been increased to 35 to 37 cents per thousand gallons. If the propaganda machine of the AEC keeps grinding it out, the same thing may happen to the Arab nations and to Israel. Even the Eastern Seaboard has been fed the pap of "making the desert bloom."

It is time to stop treating the dreams of the distant future as already-accomplished facts. It is time to face the realities of the long, tough job ahead in meeting the fantastic energy needs of the future.

We do not suggest that the Government should stop its research program to develop a breeder. Hopefully, mankind will some day need a breeder. We say "hopefully," because civilization will have to survive quite a long time before we run out of low-cost coal, and we won't need high-cost power from a breeder until we exhaust our low-cost coal. If civilization does survive indefinitely, a breeder (even a low-gain breeder) some day will be a necessity, unless some alternate source of power is developed in the meantime.

We do believe, however, that the AEC is doing our Nation a disservice by persuading Congress to channel too large a share of our research effort into areas where it is least needed (that is, furnishing a different, but not a better or cheaper, fuel for electric power plants).

As James R. Garvey, President of Bituminous Coal Research, pointed out to the House Committee on Appropriations on March 26, 1968:

"Compared to nuclear fuel research (for civilian, not military use), those funds appropriated for other energy fuel research have been meager—actually less than 10 per cent of the total . . . The coal reserves of the United States so overshadow the reserves of our other fuel resources that the accuracy of the estimates is not critical. It appears that the probable minimum coal resources at 830 billion tons is more than twice the probable minimum recoverable reserves of all other fuels combined . . . the evidence available does justify a careful examination of the research policies of our government insofar as over-emphasis of the research effort on one fuel form is concerned, with almost complete disregard for the others. To put it in very simple language, it appears to me that 'we may be backing the wrong horse.'"

With the impressive scientific talent and the tremendous financial resources available to the AEC, much could be accomplished. For the good of the Nation, this scientific talent and these financial resources should be channeled where they can do the most good for the people (after all, the people are footing the bill). We have far more energy in coal reserves than we have in economically useful uranium. There are on the drawing boards some exciting prospects for increasing the efficiency of mining coal, transporting coal, converting coal to other forms of fuel, and burning coal by new methods which will capture sulfur needed to produce fertilizer to feed the world's exploding population. These opportunities for the public good are being bypassed today for the will-o-the-wisp of the dream of the Garden of Eden—cheap power from atomic energy. Two or three years ago many people thought coal was a thing of the past. The time has come for all concerned—coal producers, equipment manufacturers, the railroads, the utilities, and the Government—to get down to business and see what can be done with coal, the fuel of the future.

Mr. Chairman, I take this time—and I appreciate the time having been given to me by representatives of this committee—to call these matters to the attention not only of the committee, but to the public as well.

There is a matter which I hope AEC and the Joint Committee will give some further attention to, and that is the matter of heat pollution which is occurring in a number of our rivers and bodies of water close to atomic plants. This heat pollution is one of the real dangers in changing the ecology and plant and fish life in some of our rivers and some of our lakes. It is a matter which might vitally affect mankind's ability to remain on this planet.

For the first time I want publicly to commend the Joint Committee on Atomic Energy. While they have taken the first step in the right direction they have a long way to go until they are foresighted enough to urge the adoption of House Joint Resolution 599 calling for a review and reevaluation of the existing civilian nuclear program of the United States.

Mr. HOLIFIELD. Mr. Chairman, I yield 3 minutes to the gentleman from Colorado [Mr. ASPINALL].

Mr. ASPINALL. Mr. Chairman, I shall speak on only two matters. One has to do with the raw materials section of the authorization bill, and the other is a statement on radiation exposure of uranium miners and the attention we are giving to this problem.

Mr. Chairman, I listened to the summary of H.R. 16324 given by the distinguished vice chairman of the Joint Committee and want to commend him on his presentation. I would also like to endorse what he has said about the bill and urge my colleagues to support it. While I have the floor, I would like to add a few words about the AEC's raw materials program.

The AEC requested authorization of $112,470,000 in operating costs for the raw materials program for fiscal year 1969. The committee has recommended approval of the full amount requested. Almost all of these costs—about 99 percent—are for the purchase of uranium concentrates and the operation of associated activites and facilities. Under long-term contracts executed in prior years, primarily in support of the AEC's military programs, the Commission will continue to procure uranium through December 31, 1970, but at reduced levels and—effective January 1, 1969—at reduced prices. The rate of procurement in fiscal 1969 represents the lowest level since fiscal year 1955 and is expected to remain constant through the remainder of the procurement program.

Most of you are aware, I am sure, of the sharply increasing growth of nuclear power in this country and the consequent need for uranium for civilian purposes.

The AEC currently estimates that cumulative domestic uranium requirements through 1980 will total about 250,000 tons of U_3O_8. These figures indicate that the private uranium industry, which has the primary responsibility for meeting commercial demands for uranium, faces a formidable task. Whereas in the peak year of 1960 the domestic mining industry produced 17,700 tons of U_3O_8, according to AEC projections annual requirements for U_3O_8 by 1980 will approach 40,000 tons.

Preliminary evidence indicates the industry is responding to the challenge. Drilling by the uranium industry, a principal indicator of the extent of private activity, in 1967 reached 10.7 million feet—two and one-half times the footage drilled in 1966. The past peak effort, reached in 1957 at the zenith of the large uranium exploration effort of the mid-1950's, was 9.2 million feet. Also in 1967, new reserve additions exceeded mine production for the first time since 1959. Thus, while it is too early to determine what degree of success the mining industry will enjoy as a result of these exploration efforts, it is apparent that the sharply increased rate of exploration and development in 1967 represents a significant turning point for the industry.

It would thus appear that the domestic uranium mining and milling industry, which earlier was thought to be destined for several very lean years between the end of the Government's procurement programs and the startup of a fledgling nuclear power industry, may achieve viability at a date somewhat earlier than anticipated. The Joint Committee will continue to follow future developments in this regard very closely.

The CHAIRMAN. The time of the gentleman from Colorado has expired.

Mr. HOLIFIELD. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. ASPINALL. Mr. Chairman, we have had many problems relative to this question of radiation exposure. We are endeavoring to handle this so that those miners who have been affected and the families of those miners who have died because of diseases incurred from radiation present in the mines, will be treated equitably by our Government.

We have run into some trouble, so far as the relationship of the State compensation funds is concerned. It is difficult for us to say at this time just what will be the outcome, but nevertheless the Federal Government did ask for the production of uranium and it is admitted generally that there was dangerous exposures in the beginning. We have lessened that danger. Industry itself has accepted a responsibility for lessening a great deal of the exposure that was formerly present. Many of the States now have laws protecting the miners.

We will endeavor to see to it that the working level will be a safe level for anyone who is hereafter engaged in the vocation of uranium mining.

Mr. Chairman, during the period from early May to early August of 1967 the Joint Committee's Subcommittee on Research, Development, and Radiation held extensive hearings on the subject of radon exposure of uranium miners. These hearings were an extension of the committee's continuing interest in all aspects of the effects of radiation on man. The tenor of these hearings was definitely influenced by the prior inability of the Federal Radiation Council—FRC—to meet agreement on a proper Federal standard for controlling the radiation exposure of underground uranium miners. The day following the first hearing on May 4, the Secretary of Labor, in view of the FRC stalemate, issued a directive instituting a standard which became the subject of extensive analysis and discussion throughout the hearings. However, information brought to light during the hearings resulted in the FRC finally reaching agreement, in late July on a standard which subsequently was approved by the President and embodied as the interim standard in the Department of Labor directive.

In addition to the overall enlightenment on all facets of the matter, the hearings generated an awareness and a heightened sense of responsibility within the uranium mining industry, as well as the affected government agencies, both Federal and State, for resolving the several problems brought to light during the hearings. During the past year good progress has been made in further reducing concentrations of radon and its daughter products in the mines. The mining companies are accepting the responsibility to improve conditions in their mines, and considerable funds have been spent to establish better ventilation systems and to carry out research programs. The States, although some lack a sufficient number of inspectors, have adopted stricter standards and enforcement actions. As a result, enough improvement has been shown so that legal enforcement action has not been necessary.

Since the hearings began in May of 1967 there has been a great deal of constructive activity on many fronts. In the course of the JCAE hearings, an interagency committee was formed to draw up a coordinated action program designed to promote rapid progress in improved environmental control in underground uranium mines. Unfortunately, there are indications that because of fiscal restraints, some parts of the R. & D. programs for fiscal years 1968 and 1969 will be somewhat curtailed, particularly those being supported by the Public Health Service and the Bureau of Mines. The AEC is taking the lead in this area—over $6 million of R. & D. on the biology and medicine portion of their program is contributing directly to the solution of the problem. The FRC also has an intensive review of progress underway, and this summer will take another close look at the adequacy of the current standard.

Not all the progress has been in the scientific and engineering areas. In the matter of miner compensation several bills have been introduced to assure that miners who suffer death or disability from lung cancer caused by exposure to ionizing radiation while working in a uranium mine are compensated for their injuries. One such bill, H.R. 16302, was introduced very recently by several members of the Joint Committee and others and is now under active consideration by the House Select Subcommittee on Labor. It would appear, therefore, that remedial legislation may be ready for congressional consideration before the close of this session.

Mr. HOSMER. Mr. Chairman, I yield 1 minute to the gentleman from Tennessee [Mr. DUNCAN].

Mr. DUNCAN. Mr. Chairman, I rise in support of H.R. 16324.

I should like to commend the committee for bringing the bill to the House with a very modest but adequate authorization request for fiscal year 1969.

Mr. HOSMER. Mr. Chairman, I join with my colleagues today in our compliments to the vice chairman of the Joint Committee on Atomic Energy, the gentleman from California [Mr. HOLIFIELD]. I think it is little realized that this is the 22d time he has had to deal with annual expenditures of the Atomic Energy Commission. The gentleman from California [Mr. HOLIFIELD] in 1946 helped to write the first atomic energy law and helped to establish the Atomic Energy Commission. He has been on the job guiding its philosophy and minimizing its expenditures for that long period of time. It is indeed fortunate that the Nation possesses in his capacity a man so experienced and so able. I am delighted to be able today to join in the commendations that he has had and that are so well deserved.

This bill which is brought before you is lean and hard. It is cut down skillfully. It has increased the necessary military expenditures required by the defense of the Nation. It has imposed upon the nonmilitary side a cut amounting to, as has been stated, 23 percent. In this authorization bill roughly two-thirds of all of the money goes for military matters and only one-third for the civilian program. Of course, that does not and should not be interpreted as indicating that the civilian side of the atom and its peaceful applications are not always uppermost in the mind of the Congress and of this Nation, for if indeed this miraculous discovery of the energy of the atom has any meaning at all in the long run, it will be for its peaceful application for the benefit of all mankind.

In the face of a cut such as this on the civilian side and with the necessity, of course, of depending upon the scientific community of the country to make their contributions and to forward the progress of the peaceful application of the atom, how do you keep their morale from declining; how do you keep them from becoming discouraged and getting the feeling that their efforts are not worth the candle? Well, this committee has brought this bill before you and has made every effort—and I think it is a successful effort—to assure the scientific community that it is only sharing in a general necessity for cutbacks in Federal expenditures due to the fact that we are carrying on a long and costly war.

As a matter of fact, Mr. Chairman, in this bill there has been added a project which was not recommended by the Bureau of the Budget. The authorization is in here for a scientific tool known as the omnitron. This is one of the most exciting scientific concepts for the exploration of the inner secrets of the atom and its peaceful applications that has come down the pike in a long time. Ultimately this project could cost as high as $26 million. However, during this conceptual and early design stage a new idea for making this kind of a particle accelerator has been developed which is known as the electron ring accelerator principle. If indeed it proves applicable to the omnitron, then and in that event its installation will cost not $26 million but possibly only half of that amount.

This is the kind of device that excites the mind not only of the physicist, not only of the nuclear chemist, but it has application to medicine and biology, and your committee placed that in the bill, authorizing the architect-engineering only in the amount of $1,000—that is right, $1,000 only.

Now, most of these authorizations for installations are in terms of the millions. We well realize that it cannot be built for $1,000. But by this action it is established as a priority for the time when this Government has the money, and, in the meantime, the ideas are consolidated in engineering drawings so that we can go ahead later without delay. And that is an example of the manner in which this bill assures the scientific community that the United States still has a high regard for the contributions its scientists make to the Nation's advancement.

Now, this may be a historic bill for many of you who vote on it. You will recall that in days past Congress took the hand when decisions had to be made—for instance, in connection with whether to go ahead with the hydrogen bomb or not. That was a historic decision. It was made at the behest and strongest possible urgings of the Congress of the United States, acting through the Joint Committee on Atomic Energy.

Here in this bill you find another significant addition by the Joint Committee on Atomic Energy. I refer to the increase of $8.5 million which is going into the naval reactor program. We cannot talk about that except in parables, or at least in ambiguous semantics. We can say that it is going for an advanced reactor for an advanced submarine, or a high-performance reactor for a high-performance submarine. Or, to put it another way, we are building an advanced high-performance reactor for an advanced high-performance submarine. It all adds up to the fact that this Nation intends to keep competitive underneath the seas as well as above the seas, and in outer space as well.

The committee has recommended authorization of $123,800,000 for the development of naval reactors. As indicated, this represents an increase of $8,500,000 over the amount the AEC requested. The committee strongly recommends the additional funds in order to proceed with the design and development of an advanced nuclear propulsion plant for a new class of attack submarines.

The committee went into the question of the adequacy of our nuclear submarine program in depth in March of 1967 and again in February 1968. The unclassified portion of our hearing record entitled "Naval Nuclear Propulsion Program, 1967–68" was published late in February. It was pointed out in the foreword to that print that the Joint Committee is greatly disturbed by the apparent lack of attention of the Department of Defense to moving forward aggressively with the development of improved types of nuclear attack submarines. Further, in view of the rapidly expanding and improving Soviet nuclear submarine capability, the committee said it considers most questionable the Defense Department plan to limit future construction to only four more nuclear submarines—two for fiscal year 1969 and two for fiscal year 1970—and then to terminate the nuclear submarine building program.

The committee found that immediate action was needed to rectify the unsatisfactory condition which has developed. The bill before you today proposes such action.

The $8.5 million added to the AEC's request is specifically designated for the purpose of expediting work on the advanced design nuclear propulsion plant for a new class of attack submarines. It should be clearly understood that the additional authority the committee is recommending provides, in addition to the design and development of the nuclear propulsion plant, the authority to start the fabrication and test of long leadtime propulsion plant components. We must proceed as fast as possible with the construction of improved nuclear submarines. The committee believes that if we delay, the United States may find itself unable to counter the rapidly increasing Soviet submarine threat.

On another matter, the bill provides a total of $1,135,460,000 for research on, and the development, production, testing and surveillance of, nuclear weapons. This authorization exceeds the present fiscal year's effort in this regard by more than $232,000,000. As the distinguished vice chairman pointed out, the increase is due primarily to our added commitments in the weapons program for the antiballistic-missile system and the Poseidon program.

In addition to these priority objectives, the weapons program proposed by the committee covers research and development on advanced nuclear warheads and weapons systems concepts for the longer range future. Our Nation must continually strive to maintain leadership in the nuclear weapons field. Our national security is dependent on the maintenance of this leadership. The committee's recommendations on this authorization were made in recognition of this fact.

I therefore urge the passage of this bill.

Before closing, however, I would want to refer to the remark that the gentleman from Pennsylvania made here in the well about thermal pollution—or heat pollution, as he called it—as a disadvantage of nuclear electric powerplants.

Now, I want to assure you that this term "thermal pollution" applies to electric powerplants, whether they are fired by atoms, fired by coal, fired by gas, or, if there are any left that still burn wood, we have a thermal pollution problem also. It is a problem because you have to create heat in order to make steam, and then you have to cool down the steam and, whether the steam is made by atoms or gas or coal, that cooldown operates to increase the thermal content of whatever coolant you use. And most of these plants, conventional and nuclear, are located by the sides of bays, rivers, and even the ocean, and the heat is dissipated into heat sinks of that nature.

In many cases, however, the term "pollution" is a poor one, and is in fact a misleading one. In many cases a better term than "thermal pollution" would be "thermal enrichment," because the heated water in irrigation areas assists the growing process. And for instance, in areas that are likely to produce oysters and some other sea products, it enhances the delicacy and the quantity of the product that is being farmed. So I would only warn that we not talk about thermal pollution without at the same time thinking in terms of thermal enrichment.

Mr. McCULLOCH. Mr. Chairman, I join my colleagues of the Joint Committee on Atomic Energy in the support of the fiscal year 1969 authorization bill for the Atomic Energy Commission. The committee has worked hard to bring out a bill authorizing the minimum amount possible to carry out the critical programs in the atomic energy field. I believe we were eminently successful. We are proposing a bill which is over 10 percent less on an overall basis than the one submitted by the administration. This was done in face of the fact that the atomic energy program must support in fiscal year 1969 a budget for critical weapons programs which is $300 million greater than last year. This increased amount was accommodated by reducing other than military applications by about 23 percent and still keeping the overall authorization less than the last fiscal year's authorization.

I strongly commend this bill to my colleagues.

Mr. ANDERSON of Illinois. Mr. Chairman, I wish to say a few words about the scientific contributions which the 200-billion-electron-volt accelerator will make in the area of high energy physics.

High energy physics—and this is the subject matter for which the 200-billion-electron-volt accelerator has been designed—has contributed not only new knowledge in physics, it has contributed also to better international understanding. We are faced today with the fact that the Soviets are now operating the highest energy proton accelerator in the world at Serpukhov near Moscow. This accelerator is more than twice as large in energy as the largest existing U.S. accelerator, the 33-billion-electron-volt accelerator in operation at the Brookhaven National Laboratory on Long Island.

Even if construction is started on the 200-Bev machine in fiscal year 1969, it will be at least 1972 before we can begin operations with it. In my opinion, then, there is great urgency from the scientific standpoint—not to mention the national prestige standpoint—for the United States to start construction of the accelerator.

Further, we now have a very able and enthusiastic team of scientists gathered by Dr. Robert Wilson, Director of the National Accelerator Laboratory. I believe a delay in authorizing a continuation of the work on this accelerator would have a disastrous effect upon the scientists who have accepted invitations to work on the machine. I strongly doubt they could be gathered together again to pick up the pieces if the work were interrupted now. These scientists have completed the design of a machine which now is expected to not only cost less than the machine proposed last year, but more than fulfills the recommendations of the Subcommittee on Research, Development, and Radiation of the Joint Committee on Atomic Energy.

As you may recall, the recommendations of the subcommittee were these: First, that an accelerator with a design intensity of $3x10^{13}$ protons per pulse be constructed; second, that provisions be made in the initial design of this machine for experimental areas consistent with the national scope and purpose of this facility; third, that the AEC give careful study to the possibility of constructing the accelerator in such a way as to permit a possible later increase in the accelerator's energy to 30-billion-electron-volt or somewhat higher; and fourth, that the AEC assure itself, first, that the organizations selected for the architect-engineering and construction management of this facility are reliable and experienced, and second, that major design changes and procurements affecting the machine be made only with AEC approval.

I believe these scientists are to be commended for the outstanding job they have done to date on this national undertaking. I also believe, Mr. Chairman, that they are due a vote of confidence by Congress' action in approving authorization of an additional $25 million for work on the project in fiscal 1969.

While I have the floor, Mr. Chairman, I would also like to address myself to one of the Commission's most important programs. I refer to the fast breeder reactor program.

In its testimony before the Joint Committee the AEC has pointed out that the selection of a fast breeder reactor concept for development implies a cooperative decision on the part of Government, industry, and the utilities to invest resources valued in the hundreds of millions of dollars. Such an investment points up the necessity to base the choice on the best available facts and then to avoid dilution of resources as far as possible by eliminating effort on those concepts which for one reason or another are found to be inferior. It should be noted that the large investment involved here is in fact dwarfed by the enormity of the eventual return to the country in terms of economies to be reaped from the proper selection of a reactor concept or balance of concepts which eventually are to supply the Nation's rapidly growing needs for electric power. The fundamental fact motivating the breeder reactor program is the eventual supply of our Nation's energy needs, since present energy sources are exhaustible.

The sodium cooled fast breeder reactor has been established as the priority reactor for development by the AEC, and many foreign governmental counterparts, on the basis of potential economy, reactor manufacturers' interest, and technological experience gained in the United States and abroad. This priority was determined after an assessment was made of the status of various breeder concepts and of the overall liquid metal fast breeder reactor program and each of its program elements.

The choice of the sodium cooled fast breeder is based on potential economics, industrial and worldwide interest, technological experience, and its capability to conserve uranium resources. The economic factor must eventually be overriding because an economic advantage is an absolute requirement for utility and industrial acceptance.

The potential fuel cycle cost advantages of the liquid metal fast breeder reactor are such that the availability of an unlimited supply of low-cost uranium would not alter the worldwide decision to proceed with its development. The discovery of an unlimited supply of low-cost uranium should not upset a reactor economy based solely on the high-gain breeder.

The AEC position on the relative importance of the economics of a given concept as compared with the desirability of conserving resources was stated in the 1962 report to the President on civilian nuclear power and reiterated in the 1967 supplement:

> Thus, the proper role of Government is to take the lead in developing and demonstrating the technology in such ways that natural economic forces will promote industrial applications and lead to a self-sustaining and growing nuclear power industry; the program should be guided in such directions that those economic forces will work towards ends in the public interest, including the long-range conservation of both our fossil and our nuclear fuel resources.

A look at the current AEC budget reveals some $675 million, or about 25 percent, of the total budget is for civilian applications—nonweapons, nonphysical research: $157 million of that—about 23 percent—is directed to central station power involving development of advanced converter and breeder reactors designed to conserve the Nation's nuclear energy resources. Approximately $98 million, or about 62 percent, of the central station power program budget is devoted to the high gain breeder. The total development cost of the high gain breeder may approach $1 billion. But the fact to remember is that potential economies in the range of tenths of a mill per kilowatt-hour mean potential units of billions of dollars in effective savings to the taxpayer when one reckons on the basis of current projections of electric power needs in the 1980 time period and beyond.

As the Commission's highest priority civilian nuclear reactor program, the liquid metal fast breeder reactor—LMFBR—program is rapidly becoming a model for coordinated, long-range planning. The Commission is to be commended for its efforts to obtain the maximum industrial contribution toward solving the technical problems and in broadening the base of industrial capability in both technical and management aspects. Most important, however, is the increasing realization that this program represents the only salvation of our energy-oriented society. While we have great hopes for the ultimate feasibility of controlled fusion as an energy source, for the foreseeable future the only answer is the breeder reactor.

In closing, Mr. Chairman, I wish to reiterate my belief that H.R. 16324 should be enacted as reported by the Joint Committee.

Mr. HOSMER. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. FINDLEY].

Mr. FINDLEY. Mr. Chairman, I appreciate very much this opportunity, because the Joint Committee on Atomic Energy undoubtedly has had access to testimony which does not come to the attention of every Member. And there have been several developments of recent date which raise in my mind the possibility that our Nation might have embarked upon some new nuclear strategic concepts. And it might be if that has happened that it will be in the public interest for it to be known by this body and by the public generally.

One thing that has happened, and of course this body is well aware of it, was the extension of the Arms Control Disarmament Agency authority, the Agency which is now pressing for completion of a draft Treaty on Nonproliferation of Nuclear Weapons.

During the consideration of that bill I heard assurances that the treaty contemplated by this Agency would not impose any obligations upon the United States to defend signatory nonnuclear nations from nuclear attack. Yet the President on a relatively recent date gave public assurances that nonnuclear nations that did sign the treaty could be assured of our strong support.

I am wondering if that has been provided for by the language on page 7 of the committee report which provides roughly $1 billion for nuclear weapons. Are any of these weapons contemplated as needed in order to provide nuclear guarantees required in the draft treaty now under consideration?

Mr. HOSMER. Mr. Chairman, will the gentleman yield?

Mr. FINDLEY. I yield to the gentleman.

Mr. HOSMER. I can say to the gentleman that they are not. There has been nothing done in this bill in contemplation of the so-called guarantees. Because in the first place you do not have any treaty yet.

In the second place, nobody is able to spell out what the so-called guarantees are or what they would be.

The moneys in the bill are strictly for the purpose of ongoing improvement of our nuclear weapons arsenal, that is required by the changing times and the addition of new technological developments; and for work on the nuclear warheads for the ABM system and the Poseidon missile system.

Mr. FINDLEY. Am I correct in assuming that so far as the Joint Committee is concerned our Government does not contemplate undertaking any added responsibilities as to nuclear weapons as a result of consultation on the draft treaty?

Mr. HOSMER. I cannot answer the gentleman's question because it just has not come up. We have not been asked to contemplate that topic. We have not initiated any discussion on it because it has not yet been sufficiently an issue in order to justify that consideration.

Mr. FINDLEY. I appreciate the gentleman's statement.

Mr. HOSMER. But I would imagine that if such a treaty is signed and there are commitments made in addition to those already existing in this area, and these commitments are in excess of our general capabilities to carry them out—at least, in terms of being called upon all at one time—and I am not referring to nuclear weapons at all in this case—the committee would, of course, have to take the subject up and try to provide some program, or state that it was impossible to do so.

Mr. FINDLEY. Also with reference to the anti-ballistic-missile systems, can anyone shed any light on whether this concept has been altered in any material respect since the departure of Secretary of Defense McNamara? I understand that his interpretation of it was a thin system slanted toward China. Is that still the concept that is under consideration in this development?

Mr. HOSMER. Mr. Chairman, will the gentleman yield?

Mr. FINDLEY. I yield to the gentleman.

Mr. HOSMER. The Joint Committee on Atomic Energy by law is required to be kept fully and currently informed of all pertinent developments in this field by the Atomic Energy Commission and by the Department of Defense. I can say to the gentleman that we have not heard from them about any changes in the concept—whether thin, thick, or otherwise.

I would rather gather that we would be unlikely to hear it from the Atomic Energy Commission first, because it would be a function of the Defense Department. They decide upon particular weapons in the nuclear category, and then they place a requirement on the AEC to produce the warhead for whatever weapon they decide to produce and in the numbers they need.

Mr. FINDLEY. The former Secretary of Defense sometimes referred to the "overkill theory," the idea being that all you need is enough weapons to be left over after the initial strike to get back at the enemy and inflict unacceptable damage to him. Is that still retained as a controlling theory of our nuclear policy, if the gentleman knows?

Mr. HOSMER. It is my impression that there are some convolutions going on with respect to national strategic policy within the Pentagon. But whatever has resulted has not yet become clear and evident. I think the gentleman realizes in terms of overkill in World War II we obviously had many more torpedoes than actually sunk enemy ships. But if cost effectiveness would have allowed but one torpedo to sink a ship, obviously with your misses and with your inability to find some of these ships, except targets of opportunity, you probably would not have won the war. So in essence the effect of the overkill is a "one torpedo-one ship" sort of doctrine, upon which most people who study military affairs very closely would have no reliance whatsoever.

Mr. FINDLEY. So the question should be directed perhaps to the new Secretary.

Mr. HOSMER. Perhaps your question should be directed more to the World Bank than to us.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HOSMER. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. ERLENBORN].

Mr. ERLENBORN. Mr. Chairman, I thank the gentleman for yielding. I have asked for this time to direct a question to the gentleman from California, if I could have his attention for a moment. Part of this authorization provides for $25 million of authorization for the construction of a 200-billion-electron-volt accelerator in Weston, Ill. My understanding is that this $25 million authorization is all that was expected or would be expected to be expended in the coming year for the proposed construction at Weston, Ill., and this does not represent any lessening of effort there, but that construction of this project will go ahead as programed and expected. Is that correct?

Mr. HOSMER. Mr. Chairman, will the gentleman yield?

Mr. ERLENBORN. I am happy to yield to the gentleman from California.

Mr. HOSMER. The gentleman is precisely correct. The project is going ahead at the fastest possible pace it can. The amount of money authorized in this bill is the maximum amount that could be utilized this year on the project.

Let me say to the gentleman—and I think it should be spelled out on the record—that the 200-billion-electron-volt accelerator to be located at Weston, Ill., is under the direction of Dr. Robert Wilson, a very keen and able man, experienced in the construction of accelerators. In the year that he has been on the job, all designs have been so improved that today, for the same price, this accelerator will accomplish many more scientific tests and achievements than originally planned.

Mr. ERLENBORN. I understand that even the power of the accelerator can possibly be increased without any additional cost. Is that correct?

Mr. HOSMER. We could not increase the power without additional cost. But, without additional cost, we are building features into the accelerator which would permit later increase of power at a reasonable cost with a reasonable downtime for the accelerator.

Mr. ERLENBORN. I thank the gentleman very much for yielding.

Mr. HOLIFIELD. Mr. Chairman, I yield to the gentleman from Illinois [Mr. PRICE] such time as he may consume.

Mr. PRICE of Illinois. Mr. Chairman, with regard to the 200-billion-electron-volt accelerator facility proposed for Weston, Ill., the committee recommended additional authorization in the amount of $25 million for fiscal year 1969. In view of the current budget situation the committee has approved authorization of only that amount needed for the project in the coming fiscal year. You will recall that initial funds for the project in the amount of $7,333,000 were authorized and appropriated in the Commission's fiscal year 1968 budget.

An appropriation in the amount of $25 million would provide for continuation of design and engineering services, procurement of various technical components of the accelerator, site preparation, utility installation, and initiation of construction on conventional facilites as well as the accelerator itself. The committee believes that orderly progress can be made on the project with this funding level, and further believes that this amount of money is necessary in fiscal 1969 in order to insure that the scientific talent which has been recruited for this project will not be dissipated. We would expect work to proceed in expectation of full project authorization, circumstances permitting, in fiscal year 1970.

In recommending this authorization the committee has reaffirmed its conviction that this facility is of the utmost importance to the Nation's scientific effort. That such machines are needed for a viable high energy physics program is beyond dispute, as evidenced by the achievements of experimenters utilizing the alternating gradient synchrotron at Brookhaven National Laboratory, which at 33 billion electron volts was formerly the highest energy accelerator in the world, surpassing to a slight extent the energy level of its sister machine at Cern. It is no longer the largest because the Soviets have completed construction of, and successfully tested, a 70-billion-electron-volt accelerator.

I submit, Mr. Chairman, that this Nation's world leadership in high-energy physics—gained through the pioneering efforts of Ernest O. Lawrence at the University of California, and by the outstanding work subsequently done by Americans throughout the country—should be maintained. It should be maintained not merely for the purpose of being "first" in this particular area of science, but in recognition of the fact that high-energy physics is at the frontier of physical science today; and that talented scientists developed and trained in this important field are contributing to other disciplines as well.

Mr. HOSMER. Mr. Chairman, I yield 4 minutes to the gentleman from Ohio [Mr. MILLER].

Mr. MILLER of Ohio. Mr. Chairman, I thank the gentleman.

I notice, on page 45 of the report, that for fiscal year 1969, the revenues estimated by AEC represent an increase of $32,652,000 over estimated revenues to be received in fiscal year 1968. The report says:

> A large part of the estimated increase is attributable to inclusion of $27 million which the AEC expects to derive from provision of uranium enrichment services to foreign and domestic customers starting January 1, 1969.

My question is—since we continue in the next paragraph to tell that part of this increase would be because of an agreement with Canada to furnish 700 tons of heavy water—are there other foreign countries that also will be receiving some uranium enrichment services from this country?

Mr. HOSMER. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Ohio. I yield to the gentleman from California.

Mr. HOSMER. Mr. Chairman, yes; there are a number of countries in Europe, on this side of the Iron Curtain, and Japan. The enriched uranium that is subject to this kind of transfer is only slightly enriched, and it is used in nuclear power facilities and other such peaceful applications.

The United States has had a historic policy of providing such material under safeguards, so they are not just turned over to some other country and then forgotten. There has to be an agreement that the materials are constantly checked and inspected, so that there is not the possibility of their going astray.

Why should we have a policy like that? This separation of the U^{235} isotope, or enrichment of uranium, is a process that requires tremendous capital investment, and once we have a plant that can do the job we can make this uranium for peaceful purposes, but we can also enrich it all the way and get bomb ingredients. So we have felt it was better to supply the legitimate markets for this material ourselves, rather than have a demand for it which might be met by some other countries who might not care as much as to who gets the enriched uranium or about what they do with it afterwards, as we do. In other words, this is the effort, in essence, to prevent proliferation of atomic weapons.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Ohio. I yield to the gentleman from California.

Mr. HOLIFIELD. Mr. Chairman, I can assure the gentleman that we are not selling this material at a loss. In all instances, we recover full cost and, in some instances, because of the full operation of the production plant anyway, it becomes a matter of profit to us. It contributes to the inflow of dollars to the United States and helps in the matter of balance of payments. This is a matter of good commercial business.

Mr. MILLER of Ohio. Mr. Chairman, I understand there would be 700 tons of heavy water to be shipped, with 500 tons to be sold outright and 200 tons to be leased for a period of up to 5 years.

Mr. HOLIFIELD. Mr. Chairman, if the gentleman will look at the top of page 46 in the report, he will see that it represents an increase of $23,692,000 over anticipated revenues, to a total of $122,808,000. All of this is a matter of a long-term agreement that we have had with Canada, and we have a research program going on in conjunction with Canada in which, by furnishing this material to them, we do get the results of scientific discoveries.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. HOSMER. Mr. Chairman, I yield the gentleman 2 additional minutes, and ask the gentleman to yield to me.

Mr. MILLER of Ohio. I yield to the gentleman from California.

Mr. HOSMER. I might add that the Joint Committee on Atomic Energy has always been forceful in pressing a view that there be sales of this material rather than leases, wherever possible and practical, because that brings in cash from overseas and gives credit to the U.S. Treasury.

Mr. MILLER of Ohio. I thank the gentleman.

With respect to the 200 tons, I am wondering about the cost of producing that 200 tons of heavy water. Is that covered in the bill we have before us today? If so, would there be some plan to collect for the heavy water, at least at some future date—perhaps after the 5-year period?

Mr. HOSMER. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Ohio. I yield to the gentleman from California.

Mr. HOSMER. The cost of producing this is an operational expense of the AEC. The best we can get on the accounting, because some of the equipment is old and the values are somewhat arbitrary, is that it cost us $14 million to produce this item for which we are to receive $23 million.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Ohio. I yield to the gentleman from California.

Mr. HOLIFIELD. May I further supplement that by saying that when we lease the material to Canada we get in return a rental commensurate with the value of the material. We also get the material back after they are through using it. It is still good—it still can be used. Otherwise it can be sold at that time to some other purchaser in the free world, if there is one willing to pay for it.

As I said before, we also get the additional information back, as a part of the contract, from whatever scientific research and development accomplishments accrue. They are bound to give that to us. It is a very fine arrangement.

Mr. MILLER of Ohio. I thank the gentleman.

Mr. PRICE of Illinois. Mr. Chairman, the bill which is before you today includes funding of a research and development program which has been a model of success—the naval nuclear propulsion development program. This program has developed nuclear propulsion engines which can drive any of our firstline naval surface warships or submarines. In addition, these nuclear plants have opened up a new era of reliability, dependability, and safety in propulsion. Our Nation's security is at the present moment dependent in a major degree upon the success of the naval nuclear reactor program.

Although Admiral Rickover and his people have been outstandingly successful in the development of naval nuclear propulsion plants and, although their work holds promise for the further advancement of such plants, the application of the technology which has been developed leaves much to be desired.

Last year and this year the committee held extensive hearings in executive session on our naval nuclear propulsion program. The portion of the record of these hearings which could be published was released on February 26, 1968, under the title, "Naval Nuclear Propulsion Program, 1967–68." These hearings, as is summarized in the foreword of the hearing record, brought out two serious problems. One was the need for the development of an improved type of nuclear submarine. The second concerned the need for nuclear propulsion in the Navy's new guided-missile escorts for our naval striking forces.

Members of the committee have, throughout the years, sailed in both nuclear submarines and surface warships to obtain firsthand information on their performance. The Joint Committee has long recognized, as have the Armed Services and Appropriations Committees of both Houses, the significant advantages that nuclear power provides for warships. Unfortunately, the Department of Defense has been slow in recognizing and applying this revolutionary new force for the propulsion of warships.

Present Department of Defense plans do not provide for nuclear-powered escorts for all of the aircraft carriers which are planned. Under current plans, the DOD will not complete its first nuclear escort for the second nuclear carrier, *Nimitz*, until 1 to 2 years after the expected 1972 delivery of the *Nimitz*. The incomparable performance of the *Enterprise* with its nuclear escorts, the *Long Beach*, the *Bainbridge*, and the *Truxtun*, is being ignored in planning our future strike forces. Steps should be taken immediately to assure that all of our new aircraft strike forces are provided with nuclear escort ships.

A glimmer of hope for the future was generated by the recent decision of the Department of Defense to add the construction of one nuclear escort to the program proposed by the Secretary of Defense. The Congress should continue as it has in the past to take action necessary to assure that all new guided-missile escorts for our naval striking forces are nuclear powered.

The other disturbing problem which the committee found in its review of its naval nuclear propulsion program concerns nuclear submarines. Although much of the testimony taken on this matter had to be deleted from the public record for national security reasons, the committee did, in the foreword of the hearing record, lay out clearly what our concern is. Specifically, the committee was most disturbed to find an apparent lack of intention by the Department of Defense to develop new types of attack submarines. The committee found that the Soviets were rapidly expanding and improving their nuclear submarine capability. On the other hand, our Defense Department announced plans to limit future construction to only four more nuclear submarines—two in fiscal year 1969 and two in fiscal year 1970. The present plans of the Defense Department are to terminate the submarine building program at that time. The committee believes that unless immediate and major improvements are made in the submarines we are building, the United States may find itself unable to counter the growing Soviet submarine threat. In recognition of this fact, the committee has added $8.5 million to the bill before you to start the design and building of an advanced nuclear propulsion plant for a higher performance submarine. It is estimated that nuclear propulsion system components for this application will cost about $26.5 million over a 3- to 4-year period, and it is the committee's intent that this work proceed as rapidly as possible.

I am pleased to note that subsequent to the submission of the Atomic Energy Commission's budget to the Congress, the Commission, recognizing the unsatisfactory situation which is developing, reprogramed $3 million of present, fiscal year funds to initiate work on the advanced nuclear propulsion plant. Although the committee became aware of the Navy's recent request to reprogram $4 million of fiscal 1968 funds in its own program to get started on the advanced plant, it appears that the Defense Department is still vacillating over whether to approve this reprograming action.

The committee, as indicated in its report, considers this advanced submarine project to be of supreme importance. The Nation's continued superiority in the field of nuclear submarines simply cannot be assured unless this new program proceeds immediately. We cannot delay any longer in initiating work on a new class of higher performance submarines. The argument that in a few years we will have a basis for the choice of even more advanced technologies is not, in the committee's opinion, a valid reason for deferring this work. On the contrary, the committee received classified information from Admiral Rickover which gives us confidence that we can proceed immediately with development and construction of a higher performance nuclear propulsion plant for a new class of advanced submarines. This is what the bill before you proposes, and what I hope the Congress will support.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SEC. 101. There is hereby authorized to be appropriated to the Atomic Energy Commission in accordance with the provisions of section 261 of the Atomic Energy Act of 1954, as amended:

(a) For "Operating expenses", $2,174,550,000, not to exceed $119,400,000 in operating costs for the High Energy Physics program category.

(b) For "Plant and capital equipment", including construction, acquisition, or modification of facilities, including land acquisition; and acquisition and fabrication of capital equipment not related to construction, a sum of dollars equal to the total of the following:

(1) SPECIAL NUCLEAR MATERIALS.—

Project 69–1–a, powder metallurgy facility, Savannah River, South Carolina, $700,000.

Project 69–1–b, waste storage tanks, Savannah River, South Carolina, $3,500,000.

(2) SPECIAL NUCLEAR MATERIALS.—

Project 69–2–a, calcined solids storage facility additions, National Reactor Testing Station, Idaho, $2,100,000.

(3) ATOMIC WEAPONS.—

Project 69–3–a, rehabilitation of plutonium processing site, Los Alamos Scientific Laboratory, New Mexico, $3,500,000.

Project 69–3–b, weapons production, development, and test installations, $10,000,000.

(4) REACTOR DEVELOPMENT.—

Project 69–4–a, hot fuel examination facility, National Reactor Testing Station, Idaho, $10,200,000.

Project 69–4–b, modifications to EBR–II and related facilities, National Reactor Testing Station, Idaho, $2,000,000.

Project 69–4–c, research and development test plants, Project Rover, Los Alamos Scientific Laboratory, New Mexico, and Nevada Test Site, Nevada, $1,000,000.

Project 69–4–d, modifications to reactors, $1,000,000.

(5) PHYSICAL RESEARCH.—

Project 69–5–a, accelerator and reactor additions and modifications, Brookhaven National Laboratory, New York, $600,000.

Project 69–5–b, accelerator improvements, zero gradient synchrotron, Argonne National Laboratory, Illinois, $875,000.

Project 69–5–c, accelerator improvements, Lawrence Radiation Laboratory, Berkeley, California, $750,000.

Project 69–5–d, accelerator improvements, Cambridge and Princeton accelerators, $145,000.

Project 69–5–e, accelerator improvements, Stanford Linear Accelerator Center, California, $630,000.

Project 69–5–f, omnitron accelerator, Lawrence Radiation Laboratory, Berkeley, California (AE only), $1,000.

(6) GENERAL PLANT PROJECTS.—$37,010,000.

(7) CAPITAL EQUIPMENT.—Acquisition and fabrication of capital equipment not related to construction, $175,040,000.

SEC. 102. LIMITATIONS.—(a) The Commission is authorized to start any project set forth in subsections 101(b) (1), (3), (4), and (5) only if the currently estimated cost of that project does not exceed by more than 25 per centum the estimated cost set forth for that project.

(b) The Commission is authorized to start any project set forth in subsection 101(b)(2) only if the currently estimated cost of that project does not exceed by more than 10 per centum the estimated cost set forth for that project.

(c) The Commission is authorized to start a project under subsection 101(b)(6) only if it is in accordance with the following:

(1) The maximum currently estimated cost of any project shall be $500,000 and the maximum currently estimated cost of any building included in such project shall be $100,000, provided that the building cost limitation may be exceeded if the Commission determines that it is necessary in the interest of efficiency and economy.

(2) The total cost of all projects undertaken under subsection 101(b)(6) shall not exceed the estimated cost set forth in that subsection by more than 10 per centum.

SEC. 103. The Commission is authorized to perform construction design services for any Commission construction project whenever (1) such construction project has been included in a proposed authorization bill transmitted to the Congress by the Commission and (2) the Commission determines that the project is of such urgency that construction of the project should be initiated promptly upon enactment of legislation appropriating funds for its construction.

SEC. 104. When so specified in an appropriation Act, transfers of amounts between "Operating expenses" and "Plant and capital equipment" may be made as provided in such appropriation Act.

SEC. 105. COOPERATIVE POWER REACTOR DEMONSTRATION PROGRAM.—Section 111 of Public Law 85–162, as amended, is further amended by striking out the date "June 30, 1968" in clause (3) of subsection (a) and inserting in lieu thereof the date "June 30, 1969".

SEC. 106. AMENDMENT OF PRIOR YEAR ACTS.—(a) Section 101(b) of Public Law 90–56 is amended by (1) striking from subsection (2) thereof the figure "$100,500,000" for project 68–2–a, new weapons production capabilities, various locations, and substituting therefor the figure $285,000,000"; and (2) striking from subsection (4) thereof the figure "$7,333,000" for project 68–4–f, 200 Bev accelerator, Du Page and Kane Counties near Chicago, Illinois, and substituting therefor the figure "$32,333,000".

(b) Section 101 of Public Law 89–32, as amended, is further amended by (1) striking therefrom the figure "$2,655,621,000" and substituting therefor the figure "$2,658,821,000"; (2) striking from subsection (b) thereof the figure "$394,845,000" and substituting therefor the figure "$398,045,000"; and (3) striking from subsection (b)(2) thereof the figure "$2,300,000" for project 66–2–d, environmental test facility, Lawrence Radiation Laboratory, Livermore, California, and substituting therefor the figure "$5,500,000".

SEC. 107. RESCISSION.—Public Law 88–332, as amended, is further amended by rescinding therefrom authorization for a project, except for funds heretofore obligated and such additional funds as may be necessary to close out the project, as follows:

Project 65–5–a, Argonne advanced research reactor, Argonne National Laboratory, Illinois, $25,000,000.

Mr. HOLIFIELD (during the reading). Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the RECORD, and open to amendment at any point.

The **CHAIRMAN**. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOLIFIELD. Mr. Chairman, the committee has no amendments.

Mr. GROSS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I take this time to ask the gentleman from California a question or two.

What is the presumed cut in this bill compared to last year's expenditure for the same general purposes?

Mr. HOLIFIELD. This is $15 million less than last year's authorization, I say to the gentleman, but it is more than $200 million less than what the Bureau of the Budget approved for the Atomic Energy Commission for this year.

Mr. GROSS. I do not care about the budget figure. I am talking about expenditures for the same general purposes by comparison with last year's authorization bill.

Mr. HOLIFIELD. If the gentleman is asking about authorizations——

Mr. GROSS. I misspoke myself. I am talking about appropriations, moneys appropriated for expenditure in this fiscal year.

Mr. HOLIFIELD. We are not aware of what the appropriation bill will be this year.

Mr. GROSS. No, but I should like a comparison of this authorization with last year's appropriations.

Mr. HOLIFIELD. We will get that figure for the gentleman.

Mr. GROSS. I would appreciate having it.

In the meantime, I am interested in the lease arrangement with Canada, about which a colloquy has just taken place. What sort of a lease is that? Are Canadians, in turn, supplying the British?

Mr. HOLIFIELD. No. They have a reactor which they built at their own expense. They use heavy water as a moderator. We can make heavy water in this country much cheaper than they can.

Mr. GROSS. Is the gentleman speaking of Canada, or of Britain?

Mr. HOLIFIELD. I am speaking of Canada. As I understood it, that was the gentleman's question.

Mr. GROSS. Yes.

Mr. HOLIFIELD. We can furnish them heavy water and sell heavy water to them much cheaper than they can produce it, because they do not have the facilities that we have. We sell some to them and, as I said, it is done on a commercial basis, which is probably better. Where we lease it to them, we get a rental on it which is commensurate with its market value. When the lease is finished they return the heavy water to us on demand which is loaned to them. At that point, of course, we get it all back.

Mr. GROSS. To show you my ignorance of what constitutes heavy water, is there any deterioration of heavy water in 5 years? What do we get back? Is the water what we sent them?

Mr. HOLIFIELD. Yes. What we sent. If for any reason there is a loss in the amount that we lease to them, they have to pay for it on terms just as though they had bought it. If we need it for national defense purposes, it is recallable at any time.

Mr. GROSS. Now, with respect to the presumed savings as compared to last year's expenditures.

Mr. HOLIFIELD. That is an appropriation matter. I would not have the figures at my fingertips. We have no control over that, as the gentleman knows, either for next year or for this year. What the Committee on Appropriations does is their function.

Mr. GROSS. Of course, you are interested in it and the other Members of the House are interested in it, and certainly I am interested as to what was appropriated last year for spending purposes as compared with what is here proposed for fiscal year 1968. I am not interested in the budget figure but in a comparison of what is actually being spent for the same general purposes this year.

Mr. HOLIFIELD. It is scattered through the book. They have made changes. We are gathering it for you. We will furnish it for the gentleman and place it at this point in the RECORD.

Mr. HOSMER. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I am glad to yield to the gentleman.

Mr. HOSMER. I have the figure on the appropriations. It was $2,509,133,000.

Mr. GROSS. Then aside from the $200 million which probably ought to be financed by the Department of Defense, you do not have very much of a saving in this bill, do you?

Mr. HOSMER. Certainly you do, because it is not a question of what ought to be financed by the Department of Defense. The fact is that presently the AEC under the law has to finance it. The defense side has gone way up, and we have compensated for it by cutting the civilian side quite severely. So your rounded off total appropriation figure for last year is totally meaningless for any comparison purposes.

Mr. GROSS. But the $200 million is to provide some kind of a device or devices in the field of missiles; is it not?

Mr. HOSMER. And other items that would be of significance to the military.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I am glad to yield to the gentleman.

Mr. HOLIFIELD. The statement the gentleman made is not relevant because the authorizations we make this year will not be so spent in the fiscal year. It will apply to projects which will go on for maybe another 12 months, but the authorization has to be made although the Committee on Appropriations does not give the full amount. So the two figures are not related.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

(By unanimous consent, Mr. GROSS was allowed to proceed for 1 additional minute.)

Mr. HOLIFIELD. If the gentleman will yield further, on the new production facilities, for instance, I have the figures here. For fiscal year 1968 they were $100.5 million. But that was authorized for that year. For fiscal year 1969—and this is in the weapons field—we jumped to $285 million. But that is for the construction of facilities which cannot possibly be finished this year. Therefore, the Committee on Appropriations will not give that amount of money to the Atomic Energy Commission but only give them the amount they need for this fiscal year. That is the duty and the responsibility of the Committee on Appropriations, and we cannot affect it.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BURKE of Massachusetts, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 16324), to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes, pursuant to House Resolution 1124, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken, and the Speaker announced that the ayes appeared to have it.

Mr. PRICE of Illinois. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 381, nays 14, not voting 38, as follows:

[Roll No. 87]

YEAS—381

Abbitt
Abernethy
Adair
Adams
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Arends
Ashbrook
Ashley
Aspinall
Ayres
Baring
Barrett
Bates
Battin
Belcher
Bennett
Berry
Betts
Bevill
Biester
Bingham
Blackburn
Blanton
Blatnik
Boggs
Boland
Bolling
Bow
Brademas
Brasco
Bray
Brinkley
Brock
Broomfield
Brotzman
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson
Burton, Calif.
Burton, Utah
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Casey
Cederberg
Chamberlain
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Cohelan
Collier
Colmer
Conable
Conte
Corbett
Corman
Cowger
Cramer
Cunningham
Curtis
Daddario
Daniels
Davis, Ga.
Davis, Wis.
de la Garza
Delaney
Dellenback
Denney
Derwinski
Devine
Dickinson
Diggs
Dingell
Dole
Donohue
Dorn
Dow
Downing
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, La.
Eilberg
Erlenborn
Eshleman
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Farbstein
Fascell
Feighan
Findley
Fino
Fisher
Flynt
Foley
Ford, Gerald R.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Gardner
Garmatz
Gathings
Gettys
Giaimo
Gibbons
Gilbert
Gonzalez
Goodell
Goodling
Gray
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Grover
Gubser
Gude
Hagan
Haley
Halleck
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Wash.
Hardy
Harrison
Harsha
Harvey
Hathaway
Hawkins
Hébert
Hechler, W. Va.
Heckler, Mass.
Helstoski
Henderson
Herlong
Hicks
Holifield
Horton
Hosmer
Howard
Hull
Hungate
Hunt
Hutchinson
Ichord
Irwin
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Karsten
Karth
Kastenmeier
Kazen
Kee
Keith
Kelly
King, N.Y.
Kirwan
Kleppe
Kluczynski
Kornegay
Kupferman
Kuykendall
Kyl
Kyros
Laird
Landrum
Langen
Latta
Leggett
Lennon
Lipscomb
Lloyd
Long, La.
Long, Md.
Lukens
McCarthy
McClory
McCloskey
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
McMillan
MacGregor
Machen
Madden
Mahon
Mailliard
Marsh
Martin
Mathias, Calif.
May
Mayne
Meeds
Meskill
Michel
Miller, Calif.
Miller, Ohic
Mills
Minish
Mink
Minshall
Mize
Monagan
Montgomery
Moore
Moorhead
Morris, N. Mex.
Morse, Mass.
Morton
Mosher
Moss
Murphy, Ill.
Myers
Natcher
Nedzi
Nelsen
Nichols
Nix
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Passman
Patten
Pelly
Pepper
Pettis
Philbin
Pickle
Pike
Pirnie
Podell
Poff
Pollock
Price, Ill.
Price, Tex.
Pryor
Pucinski
Purcell
Quillen
Railsback
Randall
Rarick
Rees
Reid, Ill.
Reifel
Reinecke
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riegle
Rivers
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roudebush
Roush
Roybal
Ruppe
Ryan
St Germain
St. Onge
Sandman
Satterfield
Scherle
Scheuer
Schneebeli
Schweiker
Schwengel
Scott
Shipley
Shriver
Sikes
Skubitz
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stratton
Stubblefield
Stuckey
Sullivan
Taft
Talcott
Taylor
Teague, Calif.
Tenzer
Thompson, Ga.
Thomson, Wis.
Tiernan
Tuck
Udall
Ullman
Utt
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waggonner
Waldie
Walker
Watkins
Watson
Watts
Whalen
White
Whitener
Whitten
Widnall
Wiggins
Williams, Pa.
Willis
Wilson, Bob
Wilson, Charles H.
Winn
Wolff
Wyatt
Wydler
Wylie
Wyman
Yates
Young
Zablocki
Zion
Zwach

NAYS—14

Clark
Flood
Gross
Hall
Hays
Macdonald, Mass.
Mathias, Md.
Morgan
Perkins
Saylor
Slack
Staggers
Wampler
Whalley

NOT VOTING—38

Ashmore
Bell
Bolton
Brooks
Broyhill, Va.
Carey
Carter
Celler
Conyers
Culver
Dawson
Dent
Dowdy
Edwards, Calif.
Esch
Ford, William D.
Gurney
Hansen, Idaho
Holland
Jones, Mo.
King, Calif.
Matsunaga
Murphy, N.Y.
Patman
Poage
Pool
Quie
Reid, N.Y.
Resnick
Roth
Rumsfeld
Schadeberg
Selden
Sisk
Teague, Tex.
Thompson, N.J.
Tunney
Wright

So the bill was passed.

The Clerk announced the following pairs:

Mr. Celler with Mr. Reid of New York.

Mr. Dent with Mr. Schadeberg.

Mr. King of California with Mr. Gurney.

Mr. Sisk with Mr. Bell.

Mr. William D. Ford with Mr. Broyhill of Virginia.

Mr. Ashmore with Mr. Carter.

Mr. Teague of Texas with Mr. Quie.

Mr. Culver with Mrs. Bolton.

Mr. Wright with Mr. Rumsfeld.

Mr. Brooks with Mr. Esch.

Mr. Patman with Mr. Roth.

Mr. Selden with Mr. Hansen of Idaho.

Mr. Dowdy with Mr Carey.

Mr. Thompson of New Jersey with Mr. Dawson.

Mr. Holland with Mr. Conyers.

Mr. Edwards of California with Mr. Murphy of New York.

Mr. Matsunaga with Mr. Pool.

Mr. Resnick with Mr. Tunney.

Mr. FLOOD changed his vote from "yea" to "nay."

Mr. DULSKI changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks in the RECORD on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

PERSONAL EXPLANATION

Mr. SATTERFIELD. Mr. Speaker, I would like the RECORD to show that when the vote was taken on rollcall No. 86 this afternoon I was unavoidably detained in my office on official duties. I arrived on the floor after the rollcall was completed.

Had I been here I would have voted "yea."

URGENT SUPPLEMENTAL APPROPRIATIONS, 1968—CONFERENCE REPORT

Mr. MAHON. Mr. Speaker, I call up the conference report on the bill (H.R. 15399) making urgent supplemental appropriations for the fiscal year ending June 30, 1968, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 1279)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 15399) "making urgent supplemental appropriations for the fiscal year ending June 30, 1968, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 2, 3, 4, and 7.

That the House recede from its disagreement to the amendments of the Senate numbered 5 and 8; and agree to the same.

The committee of conference report in disagreement amendment numbered 6.

GEORGE MAHON,
MICHAEL J. KIRWAN,
JAMIE L. WHITTEN,
WILLIAM H. NATCHER,
DANIEL J. FLOOD,
FRANK T. BOW (except as to amendment No. 6),
CHARLES R. JONAS,
MELVIN R. LAIRD,
Managers on the Part of the House.

LISTER HILL,
CARL HAYDEN,
RICHARD B. RUSSELL,
ALLEN J. ELLENDER,
SPESSARD L. HOLLAND,
ROBERT C. BYRD,
KARL E. MUNDT,
MILTON R. YOUNG,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 15399) making supplemental appropriations for the fiscal year ending June 30, 1968, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

CHAPTER I

Department of Agriculture

Amendments Nos. 1 and 2: Delete the Senate proposal to appropriate $25,000,000 for Farmers Home Administration, direct loan account. While the conferees have eliminated this item from the Bill, they recommend that the Bureau of the Budget release $25,000,000 from the reserve fund of $300,000,000 established by section 203(a) of Public Law 90-218.

Amendment No. 3: Deletes the Senate proposal to appropriate $500,000 to the Forest Service for forest protection and utilization. The Department of Agriculture is directed to transfer not to exceed $500,000 of the unobligated balance remaining in the insect and disease control activity to the activity—national forest protection and management for rehabilitation of range improvements damaged by heavy winter storms in Arizona.

Department of Labor

Amendment No. 4: Deletes the Senate proposal to appropriate $75,000,000 for manpower development and training activities. Both amendments Nos. 4 and 7 have been deleted without prejudice. The Office of Economic Opportunity has sufficient funds on hand to do whatever planning that may be desirable in connection with these programs.

Amendment No. 5: Appropriates $28,000,000 for unemployment compensation for Federal employees and ex-servicemen as proposed by the Senate instead of $28,800,000 as proposed by the House.

Department of Health, Education, and Welfare

Amendment No. 6: Relates to school assistance in federally affected areas, and is reported in technical disagreement. The managers on the part of the House will offer a motion to concur with an amendment to provide $20,810,000, which sum will permit payment of 98 percent of entitlements under section 3(a) of Public Law 874, as amended.

Executive Office of the President

Amendment No. 7: Deletes the Senate proposal to appropriate $25,000,000 for the Office of Economic Opportunity, Headstart program. (See explanation under amendment No. 4.)

CHAPTER II

Claims and judgments

Amendment No. 8: Inserts language, as proposed by the Senate, to provide for use of postal funds to pay certain claims.

GEORGE MAHON,
MICHAEL J. KIRWAN,
JAMIE L. WHITTEN,
WILLIAM H. NATCHER,
DANIEL J. FLOOD,
FRANK T. BOW (except as to amendment No. 6),
CHARLES R. JONAS,
MELVIN R. LAIRD,
Managers on the Part of the House.

The SPEAKER. The gentleman from Texas is recognized.

Mr. MAHON. Mr. Speaker, this is the conference report on the first appropriation bill of the year, the urgent supplemental appropriation bill. The funds included in this bill total $1,213,980,863. These funds generally provide for mandatory programs which must be financed under the law, such as public assistance, any unemployment compensation for Federal employees and ex-servicemen, and claims and judgments.

This is a bare-bones urgent supplemental appropriation bill.

When the bill went to the other body, $215 million was added for certain programs. In the conference these additional funds were eliminated, except that it was provided that certain funds for impacted areas should be drawn from appropriated funds reserved under Public Law 90-218.

Generally speaking, I would say that this bill is nearly unanimous from the standpoint of the managers on the part of the House. There was one exception in the signatories on the conference report with respect to one of the amendments.

I would like to insert at this point a tabulation showing a résumé of conference action on the various items in the bill:

COMPARATIVE SUMMARY OF NEW BUDGET OBLIGATIONAL AUTHORITY IN THE CONFERENCE BILL—URGENT SUPPLEMENTAL APPROPRIATION BILL, 1968 (H.R. 15399)

Request document	Department or activity	Request	House bill	Senate bill	Conference bill	Conference bill compared with—		
						Request	House bill	Senate bill
	TITLE I							
	Department of Agriculture:							
	Farmers Home Administration: Direct loan account			($25,000,000)				(−$25,000,000)
	Forest Service: Forest protection and utilization, Forest land management			500,000				−500,000
	Department of Labor:							
	Manpower Administration: Manpower development and training activities			75,000,000				−75,000,000
254	Bureau of Employment Security: Unemployment compensation for Federal employees and ex-servicemen	$28,800,000	$28,800,000	28,000,000	$28,000,000	−$800,000	−$800,000	
	Department of Health, Education, and Welfare:							
	Office of Education: school assistance in federally affected areas			90,965,000				−90,965,000
	Transfer				(20,810,000)	(+20,810,000)	(+20,810,000)	(+20,810,000)
254	Welfare Administration: Grants to States for public assistance	1,135,000,000	1,135,000,000	1,135,000,000	1,135,000,000			
254	Vocational Rehabilitation Administration: Grants for rehabilitation and services	1,240,000				−1,240,000		
	Transfer	(600,000)	(1,900,000)	(1,900,000)	(1,900,000)	(+1,240,000)		
	Office of Economic Opportunity: Headstart program			25,000,000				−25,000,000
	Subtotal, title I	1,165,040,000	1,163,800,000	1,354,465,000	1,163,000,000	−2,040,000	−800,000	−191,465,000

COMPARATIVE SUMMARY OF NEW BUDGET OBLIGATIONAL AUTHORITY IN THE CONFERENCE BILL—URGENT SUPPLEMENTAL APPROPRIATION BILL, 1968 (H.R. 15399)—Con.

Request document	Department or activity	Request	House bill	Senate bill	Conference bill	Conference bill compared with—		
						Request	House bill	Senate bill
	TITLE II							
254 258	Claims and judgments	$50,980,863	$50,980,863	$50,980,863	$50,980,863			
	Total, new budget obligational authority	1,216,020,863	1,214,780,863	1,405,445,863	1,213,980,863	−$2,040,000	−$800,000	−$191,465,000

I would hope that we might approve this conference report.

The result of the continuing work of the Committee on Appropriations of course will come later. The hearings are proceeding rather well and we should be able to get appropriation bills before the Congress in due time.

Mr. CAHILL. Mr. Speaker, will the gentleman yield for a question?

Mr. MAHON. I yield to the gentleman.

Mr. CAHILL. I am very concerned as I am sure a great many other Members are on the failure to provide funds for school construction in federally impacted areas and the failure to provide adequate funds for operation and maintenance in federally impacted areas.

It seems to me at least that when the Federal Government places an unusual burden on these school districts it must provide for the military personnel and this is the very last place that the President should recommend a cutback.

I wonder just what the chairman could tell us about that. Why have these funds been deleted and what hope is there for the school districts in this country that have to provide for the Federal employee and his children's education?

Several of the school districts in the congressional district that I represent have been deprived of funds, in one area, amounting to half a million dollars, which of course is going to now be assessed against the individual property owners in that community.

I would appreciate very much some enlightenment from the gentleman from Texas as far as that important item is concerned.

Mr. MAHON. As far as the construction portion of the program for school in impacted areas is concerned, that will be a matter for discussion when the regular bill for health, education, and welfare is before the House.

Last year the budget requested of the Congress an appropriation in excess of $400 million for impacted areas—one part of which was for construction—and the Congress appropriated the entire amount requested in the budget. In the economy provision made by the Congress last December the Executive was directed to make reductions in order to limit Government spending generally. A 5-percent reduction was made in the operations and maintenance part of the impacted area program, bringing the entitlements down from the previously enacted 86 percent to 81 percent.

The action on this bill means that the impacted areas where the families live and work on Government property will receive about 98 percent of the entitlement. This was the compromise worked out in conference.

All other schools will receive 81 percent of their entitlement.

As you know this program has been controversial for some time, and this was the best we were able to do.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. First I would like to observe that the local community will only take up the slack if they vote to do so, in most instances, at least in Ohio, and the additional billing will have to be submitted to the local residents in a community to pick up the difference in the money that the impacted school districts will not be getting to the extent of 19 or 20 percent as the gentleman pointed out.

I would also like to observe, as I understand it the reduction which the Department of Health, Education, and Welfare made in the impacted school district funds was a discretionary reduction on the part of the Department and not a directed reduction from this Congress. The direction of the Congress was only a reduction in the total appropriation of the Department of Health, Education, and Welfare, and it was the Department which chose to cut the impacted school districts by the percentage by which they were cut; is that not correct?

Mr. MAHON. Does the gentleman from Wisconsin [Mr. LAIRD] want to comment on that question?

Mr. LAIRD. I think it should be pointed out that last year, before the start of the school year, all schools in impacted areas were on notice that there would not be sufficient funds for 100 percent of entitlement. The budget for 1968, as submitted by the President, provided for 86 percent of entitlement under this program. Every school district was put on notice at the time the budget was submitted that there would be but 86 percent of entitlement paid in fiscal year 1968. That appropriation was enacted exactly as requested.

I would like to further point out that the action of the Congress, in passing House Joint Resolution 888, provided that there would be a 10-percent reduction in the budget requests for activities of the Department of Health, Education, and Welfare. It should be pointed out also that in administering this 10-percent reduction, the Department of Health, Education, and Welfare chose not to take the 10-percent cut on the aid to impacted areas. Instead, the program took a 5-percent cut, bringing down all categories from 86 percent, as passed by the Congress, to 81 percent of entitlement. All categories in this program were funded at 81 percent of entitlement at that point.

In House Joint Resolution 888 discretionary authority of $300 million was included to provide a cushion in those areas where the executive chose not to make the reduction. House Joint Resolution 888 provided discretionary leeway totaling $300 million. The executive has chosen to use only $31 million of the $300 million available in the fund. I repeat for emphasis, this is a discretionary fund and could have been used to bring up the payments to the 86-percent entitlement originally enacted.

There has been severe criticism of this program over the years generally directed at categories other than section 3(a). This particular section deals with people who live on Federal property that cannot be placed on the tax roll of the local school district.

I have long felt, and members of the Appropriations Committee have felt that where the local school district could not levy any property tax that a 100-percent entitlement should be paid to those districts. The report that we brought back to you here today assures not 86 percent of entitlement that was in the original budget, but assures about 98 percent of entitlement for these category A pupils. These are the severe hardship cases, people who are living on Indian reservations or military reservations, where their homes cannot be taxed.

A dentist living out here in Montgomery County, in Fairfax County, or in the surrounding area of Washington, D.C., pays property taxes, school taxes, even though he might be practicing here in the District of Columbia. His school district receives no benefit under the impacted areas program because his children are attending school there. His neighbor might be a Federal employee who is employed here in the Capitol. His neighbor also pays a full school tax on his residence. Yet the neighbor's children are counted under the impacted school aid formula. It was thought by our committee that there was a severe hardship being worked on those people that were living on property and in homes that could not be taxed. These were the school districts that should not be made to pay this load.

Mr. CAHILL. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from New Jersey.

Mr. CAHILL. I would like to pose this question: I think the gentleman will concede that where there is a buildup in military personnel, such as has taken place in the last couple of years, particularly at a military installation like Fort Dix, N.J., and like McGuire Air Force Base, both of which are right in the identical geographical area, that there is a demand on the part of school districts to construct new schools in order to take care of the children of the personnel that are transferred, regardless of where they live.

Mr. LAIRD. May I say to the gentleman from New Jersey, there is no construction money involved here.

Mr. CAHILL. That is my concern.

Mr. LAIRD. The construction account was not before the conference committee. It has not been before the Congress in connection with this bill. The construction funds will be before the Congress in the regular HEW appropriation bill, which we are working on in the committee at the present time. But there is no construction money involved in this conference report.

Mr. CAHILL. I realize that, but was there not an appropriation of approximately $52 million for construction, and were not the school districts led to believe they were going to get a percentage of Federal money?

Mr. LAIRD. Yes, that is true.

Mr. CAHILL. On that basis, did they not go out and commit themselves to a school construction program, and are they not now told there is no money?

Mr. LAIRD. I do not believe they are told there is not as much money as they expected. They are being told there is a freeze on much construction at the present time, and the funds which we in the Congress have appropriated for construction will not nearly all be used in fiscal year 1968. Construction money has been frozen not only in this area, but throughout the HEW budget and in many other areas. This was one of the places the President chose to cut back on expenditures under the terms of House Joint Resolution 888, or Public Law 218 of the first session of the 90th Congress. But let me repeat this bill does not deal with construction money.

Mr. CAHILL. Is the gentleman then representing these two districts I have in mind—one of which has been told $800,000 is being deferred and the other that $694,000 is being deferred—can anticipate they will get this money from another budget?

Mr. LAIRD. They will get the money from another budget if the executive branch releases the funds. I would just like to say to the gentleman, considerable construction money throughout Government is frozen at the present time.

In answer to the specific question that the gentleman from New Jersey raises, I will be glad to check into those two cases.

Mr. CAHILL. What the gentleman is saying, in effect, is, then, whether these school districts or any other school districts in like condition will have the money will depend on what the President determines?

Mr. LAIRD. The gentleman is absolutely correct on what happens in the executive branch concerning the release of money. That decision will have to be made there as to whether those funds will be released.

I would like to assure the gentleman from New Jersey again there is no construction money involved in this conference report. We are not talking about an item in disagreement between the House and the Senate.

Mr. CAHILL. Mr. Speaker, as indicated in my previous discussion of this conference report on the urgent supplemental appropriations bill, thousands of our Nation's school districts have been called upon to meet the challenge of providing education to children in areas that are critically impacted by Federal activities. Recognizing that local school boards cannot meet this challenge unaided, the Congress has enacted legislation which promises Federal assistance for the urgently needed construction of schools and expanded educational facilities.

During recent years, tremendous expansion of Federal programs has created unprecedented demands for such assistance. In 1967 alone, the Department of Health, Education, and Welfare received applications for over $87 million in Federal assistance under the Public Law 81–815 school construction program. Despite the fact that Congress has appropriated $53 million for this program during fiscal year 1967 and an additional $22.9 million for fiscal year 1968, the Department of Health, Education, and Welfare has announced that there will be no money available for a substantial majority of the applications which have been and will be filed by public school districts.

Evidently, the executive branch has seized upon Public Law 90–218, which directs that governmental expenditures be reduced by 10 percent, to order this drastic cutback in vital educational programs.

In many instances, the final approval grants to school districts in federally impacted areas have been canceled or deferred. In my own district, deferral of approved applications for school construction funds has threatened to create crisis conditions.

On February 28, 1968, the Willingboro Township Board of Education received notification that its approval for Federal assistance in the amount of $800,000 would be deferred. Similarly, the Pemberton Township Board of Education also received notice that Federal funds in the amount of $495,000 would be deferred. Both of these school districts had had their applications finally approved on August 31, 1967.

While I recognize the present need to establish governmental spending priorities, I cannot believe that the education of our Nation's children must be relegated to a secondary position. In my judgment, the solution to the problems of our ghettos and slums, our soaring crime rates, and our lack of job opportunities must ultimately be found in this Nation's schools. I am thus convinced that the action of the President and the Department of Health, Education, and Welfare which effectively halts the school construction programs of federally impacted school districts is, at best, shortsighted and ill advised.

I also oppose the reduction in the Senate approved action by the conferees and intend to vote against it if the opportunity is presented in the House.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. Mr. Speaker, with all due respect I think the gentleman goes from the sublime to the ridiculous in talking about students living on bases or on Federal property on the one hand, which is well covered under this legislation, and then talking about, on the other hand, Montgomery County where the average income is in excess of $11,000. It seems to me there are a lot of inbetween areas which are located close to military installations, where because of the kinds of transient personnel who live there, either military or civilian, who work just a few years at one base and then move onto another, the property values are necessarily low, because they live in trailers or apartment houses or low expense dwellings. These school districts are adversely affected by this cutback to the extent of 80 percent.

Am I correct in concluding there is a conflict here between the attitude of the Department of Health, Education, and Welfare, with reference to impact funds in such areas, and the attitude of the Department of Defense, which may not be too enthusiastic about the fact that the children of military personnel are going to have a second quality education as a result of the school districts being adversely affected?

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. MAHON. Mr. Speaker, I yield to the gentleman from Wisconsin.

Mr. LAIRD. Mr. Speaker, I would just like to say to my friend from Ohio that I realize Montgomery County is not the average case.

Mr. BROWN of Ohio. It certainly is not average.

Mr. LAIRD. I should like to say we could use many other counties in which the Federal impact is involved.

I notice there is always a greater impact in closing military installations than in opening them. I have found a great desire on the part of many people to attract Federal installations to their areas, and a great cry on the part of many Congressmen to keep Federal installations there.

In this conference report the intent is to take care of the hardship cases. And we are going above the recommendations of the executive branch in order to take care of those extreme hardship cases where there is no property tax base for that local school district to use.

That local school district was never intended to have more than 86 percent entitlement in fiscal year 1968. That amount was requested and appropriated. The 5-percent reduction under House Joint Resolution 888 brought that down to 81 percent of entitlement. Every school district with a Federal impact will have at least that 81 percent.

Those which have no property tax base on which to levy will have 98 percent. I believe this is an acceptable compromise.

I cannot assure the gentleman from Ohio that the executive branch will release these funds, but I hope they will give consideration to these extreme hardship cases where property has been taken away from the school district.

Mr. DON H. CLAUSEN. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from California.

Mr. DON H. CLAUSEN. I thank the gentleman for yielding.

I want to express my appreciation to

all the conferees for giving consideration to some of these very serious problems of the hardship cases, as the Members have described them.

I wonder if the chairman could give me a response to another question. In the bay area of California we have Travis Air Force Base, Mare Island Shipyard, and Hamilton Air Force Base, all of which have an increasing amount of traffic associated with the Vietnam problem. I wonder if any consideration was given to this and if the chairman could give me a description of the approach of the conferees to this?

Mr. MAHON. The agreement in the conference provides 98 percent entitlement in the cases where the families of the schoolchildren live on Federal property. If they do not live on Federal property, under the present situation they would get 81 percent of entitlement.

Let us take the base, as an example, at Wright-Patterson in Ohio, where the Government spends many millions of dollars a year. The people like to have that base there. There is a vast payroll, probably in excess of $250 million. If the people living there on private and taxable property want that, it would seem it would not be asking them too much to help support the children who live there, as is done with respect to other children of families who work in private enterprise.

Mr. DON H. CLAUSEN. If I understand the chairman's comments, he felt the conferees actually improved over the administration position in those hardship cases by some 12 percent, from 86 to 98 percent; is that true?

Mr. MAHON. The gentleman is correct.

Mr. DON H. CLAUSEN. Another thing I am concerned about is whether the committee got anything in the way of a specific position from the administration, as to whether they would uphold the entitlement as established in the appropriation bill now before the House.

Mr. MAHON. We do not know what the administration may do with respect to expenditure of funds. We are not able to answer that question.

Mr. DON H. CLAUSEN. There was not any line of communication with the administration?

Mr. MAHON. Not at all.

Mr. ROONEY of New York. Mr. Speaker, will the distinguished gentleman from Texas yield?

Mr. MAHON. I yield to the gentleman from New York.

Mr. ROONEY of New York. Mr. Speaker, I should like to make an observation.

As a member of the House Committee on Appropriations, I was not a member of the House-Senate conference on this supplemental appropriation bill, H.R. 15399. If I had been, I would not have signed the pending conference report.

I deplore the action of the conferees with regard to amendments Nos. 4 and 7 which, it seems to me, may prove to be very important in the coming summer months in cities such as the one I represent.

Mr. JOELSON. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from New Jersey.

Mr. JOELSON. I would like to support the position of the gentleman from New York [Mr. ROONEY]. I am aware of the need for economy, but I believe that economizing on something like this is like economizing on the expenditures of a fire department when a city is going up in flames. We have to have a healthy sense of propriety. I notice something in the report to the effect that there is money available for summer programs. I think we should get some statement on it as to just where that money is and how much it is.

Mr. MAHON. I would say that the Congress provided about $100 million more for the poverty program, including summer programs, for the current fiscal year than it did in the previous year. I would also point out that on January 1, the OEO had on hand $1.1 billion unobligated and $1.9 billion unexpended. So it seems to me within the framework of the funds which were provided by the Congress last year, the more urgent cases could be met.

Mr. FISHER. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Texas.

Mr. FISHER. Mr. Speaker, I refer again to amendment No. 6, relating to the funds for the so-called impacted areas. As I understand it, under the authorization of the Congress for aid for impacted areas, if the total amount of the authorization were provided, it would amount to about $90 million, which is the amount inserted in the other body. Is that correct?

Mr. MAHON. That is correct.

Mr. FISHER. I am informed by the schools that are very directed and very seriously affected in my area that regardless of some of these allegations, somebody notified them they were not going to get the full amount. I understand they do that from year to year, but this is a matter which is still undetermined until the money is finally provided. Many of the schools have made up their budgets on the assumption that the total amount or nearly the total amount would be paid. Now in the middle of the school year to find that the rules have been changed in the middle of the game, so to speak, or at least they feel that way about it, puts them in a very difficult position, because many of them find that they cannot levy taxes or start collecting them tomorrow and, in fact, they have to be planned a year or two in advance in making up their budgets. Those that cannot participate under the terms of the compromise referred to, which is contained in the report, find that they are faced with an extreme hardship in finding funds to make up for the loss that will be suffered because the Congress has not provided the funds that were authorized by the Congress.

I certainly share the view that this thing may need a reassessment and a reexamination. Perhaps the yardstick on entitlement should be changed to take care of the situation referred to here by those supporting the conference report, but it should be done by the authorizing committee. When the program is extended this year, then the districts that are entitled to help and which have been getting help through the years and which are very dependent upon it in their programs and budgets will know in advance precisely what they can depend upon. Otherwise I feel a lot of schools have a perfect reason to complain that they have not been treated fairly by the Congress.

Mr. MAHON. The gentleman has made a very forceful statement.

Last year the President submitted a budget requesting 86-percent entitlement. That was about 16 months ago. That was the budget request, and we had knowledge of it.

Congress then provided the total amount which was requested for these programs, and the schools knew long before they opened their doors that neither the budget nor the appropriation bill passed by this House would provide for 100 percent of entitlement. What we are doing now, in areas where the people live on the base, is giving them 98 percent of entitlement, which goes above what school districts had a right to expect under the action taken last year by the Congress, and the amount requested in the President's budget for 1968 which was submitted to Congress in January 1967.

Mrs. GREEN of Oregon. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentlewoman from Oregon.

Mrs. GREEN of Oregon. I thank the chairman for yielding.

Mr. Speaker, I just want to say that it causes me a great deal of concern to see the amendments numbered 4, 6, and 7, because they would exercise economy by cutting the funds for manpower training, and cutting the funds for schools.

In my opinion this is pennywise and pound foolish. I do not see how any Member of this Congress can look to the months ahead with any comfort. Cutting programs that would keep youngsters in school, cutting programs that would give some kind of training for the people who are now standing around on the street corners, out of school and out of work, and cutting funds for the Headstart program and the preschool program, seems to me to be the height of folly.

If we continue to do this, I would suggest that next October we may look back to the decision we have taken today, and that we will take in the regular bill, and we will consider it one of the tragedies of the moment. If we are not willing to put in hundreds of millions of dollars in such programs which are so necessary for this Nation at this time, then I suggest we may pay out the same amount of money in cleaning up the debris, and in restoring cities that have been destroyed.

So I would hope that this Congress would be willing to face reality, and to make the kind of investment in the American people that the times demand.

Mr. JONAS. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from North Carolina.

Mr. JONAS. Mr. Speaker, in response

to the comments of the gentlewoman from Oregon, I believe it should be pointed out that we are not dealing here with a regular appropriation bill. We took care of these things in bills enacted last year. We are here dealing with an urgent supplemental appropriation bill sent up by the President, and he did not ask funds for these programs. He asked for $1 billion odd for additional money for public assistance. We did not have a budget estimate to consider in the House on the items to which the gentlewoman refers.

Further, it is not right to refer to these as "cuts," we are merely not going along with some add-ons that the Senate made to the President's request.

Mr. ST GERMAIN. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Rhode Island.

Mr. ST GERMAIN. Mr. Speaker, I should like to associate myself with the remarks of the gentleman from New York [Mr. ROONEY] and the gentlewoman from Oregon [Mrs. GREEN]. I certainly agree that this is the time that we should expend additional funds in areas where they are necessary so as to avoid greater expenditures and suffering in the future.

People who heard on the air about this in my home State of Rhode Island, that they would not receive these additional fundings, called me. I received phone calls this afternoon expressing their displeasure and disappointment.

I do hope—as does the gentleman from New York—to have an opportunity to cast a record vote on this particular conference report, and have an opportunity to express my opposition in the record.

We must live up to our commitments to impacted school areas, of which there are many in my district.

We must not and cannot afford to be pennywise and pound foolish on the Headstart program which has proven so effective.

Factly it is of utmost importance that we adequately fund manpower development and training activities.

These are not areas in which we can afford to economize.

I thank the chairman for yielding.

Mr. SCOTT. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Virginia.

Mr. SCOTT. The comment that was made previously about the restoration of the 98 percent of entitlement for those already on the bases, certainly I would concur with this, but Mr. Speaker, I have received a large number of letters from school superintendents within my own district, many of whom are covered by the impacted areas bill, in such counties as Prince William, where the population has grown since the last census from 50,000 to 100,000 people.

These people pay taxes but they have not been there long enough to pay very many taxes and the Federal employees moving into this area are imposing a burden upon the people of Prince William's County and a large number of other counties in the fast growing areas.

I believe, Mr. Speaker, that they are entitled to the same type of treatment as those living on base.

Would the gentleman care to comment on that?

Mr. MAHON. I think we pretty well have commented on that. Where there are great pressures for getting Federal projects and Federal moneys, when they get them, they ought to be willing to show their appreciation by providing some schooling—adequate schooling for people who live on private property where taxes are paid.

There is a great hue and cry for Government projects. They get the Government to come in with Government projects in those areas and then rush in to get additional aid to those areas, which is not given to the ordinary area.

It seems to me it is a matter that raises some question.

Mr. GUDE. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman.

Mr. GUDE. I feel it is unfortunate that the administration failed to recommend that this program be budgeted to the full 100 percent.

Having a large military establishment in my district at Fort George E. Meade in Anne Arundel County I can appreciate the impact of this failure to fund this thing to the full extent of the school systems.

I also have other Federal installations in my district. These Federal installations do not generate taxes like the Bethlehem Steel Co. in Baltimore County which gives a sizable amount of tax money to the local school districts.

Mr. MILLER of California. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from California.

Mr. MILLER of California. I want to point out that I do not accept the argument that the children of people who live on a military base are any different from the children of people who live off the base.

What we are doing is that we are denying to the children of defense workers, very important people, a good education. And the fact that you say the presence of a defense installation enriches an area and that it should be taxed, does does not always hold true.

Perhaps the biggest naval air station in the country—Naval Air Station Alameda—is in my district. But the city of Alameda is on an island. None of the money spent there, except money by some of the people who live in Alameda, reflects itself in the economy of Alameda. It goes to San Francisco or Oakland or to other places.

So this argument does not hold. But if we are going to play cat and mouse with this law perhaps it should be reexamined and the law should be repealed so as not to mislead people, good conscientious school administrators to believe they are going to get the money and then deny them the money at a time when they cannot possibly replenish the sums that are necessary to carry on the kind of education—of a high character you and I know is one of the most important facets of our democratic way of life.

Mr. TALCOTT. Mr. Speaker, it is now obvious that the Public Law 874 needs extensive revision. The original intent of the Congress to assist school districts which were overburdened with federally connected schoolchildren was sound and a proper Federal responsibility and a legitimate use of Federal funds which contributed to the important national goal of improving education.

However, there are now far too many abuses. Federally connected students are now so loosely defined that many who have little relationship to a temporary burden upon schools are included. The allocations for these unintended and undeserving districts deprive school districts which were intended to be benefited by framers of this program.

The school districts located near military bases are prejudiced by allocations to school districts where there is no real "impact" intended by this legislation.

The authorizing legislation must be modified to provide more equity among the deserving school districts.

Mr. Speaker, as a member of the Appropriations Committee and having some knowledge of the very critical condition of the fiscal and monetary crisis in our country, I can sympathize with the managers of this urgent supplemental bill today.

It should be pointed out in fairness to school districts, including their taxpayers, teachers and students, as well as in fairness to the military personnel and their student children that this reduction may hurt those who need the help most.

The Federal impact aid program for schools is an ongoing program, not a new program. It is one thing to cut ongoing programs upon which schools have come to rely and quite another thing to not initiate new programs.

Also most military bases are now being expanded. The pressures on schools near military bases are accelerating, not decreasing, at this time. More families are accompanying their servicemen. These children are entitled to the best education possible. They need even more help because military children who are required to move from one school to another have special needs for superior schools.

Education of children is one of the most important factors relating to the morale and retention of military personnel in the service of their country. This burden of education for children of military personnel who temporarily accompany their fathers in the service of their country cannot be borne entirely by the local school districts. This "impacted school aid program" is a worthy Federal program.

The proposal to limit a portion of the Federal subsidy to schools located on base or serving federally connected students who live on base is too restrictive. This proposal may hurt the districts which need help the most. This proposal may hurt the districts who also suffer most from the impact. This proposal may hurt the districts where the build-up of the Federal impact is greatest.

Where the student must live off base the fault may be with the military and the Congress for not supplying adequate on base housing. We should help the students and the school districts where the military families must of necessity live off base.

I have advocated a continuance of the federally impacted school aid program. I still do.

Mr. VAN DEERLIN. Mr. Speaker, Congress today is belatedly meeting its obligations to our jobless ex-servicemen and Federal workers.

I refer, of course, to the $28 million item for unemployment compensation in the urgent supplemental appropriations bill which was held up for a critical period by a House-Senate conference committee.

While the committee deliberated, some 70,000 veterans, 12,000 of them in California, were denied the unemployment compensation to which they are legally entitled.

My field office in San Diego received more than 50 calls from veterans whose compensation was abruptly cut off on March 15 because of the failure of Congress to take more timely action.

Many of these men were desperate; they lacked the funds to pay the rent and properly feed their families. And many, I might add, are recent returnees from Vietnam, who most certainly deserve better treatment from a Nation they have served so honorably.

With enactment of this legislation, the problem will be resolved—for the time being. The veterans will get their checks, with payments retroactive to March 15. But what guarantee do we have that the same dilemma will not confront us at some future date, as the number of Vietnam returnees continues to increase?

I believe the long-range answer may be found in legislation such as was offered last week by our distinguished colleague, the gentleman from California, ED ROYBAL. Congressman ROYBAL's bill, H.R. 16184, would give the Labor Department permanent authority to use all available funds to pay jobless claims whenever a shortage developed.

At present, the Department can allocate benefits only from funds specifically appropriated by Congress for this purpose.

We obviously need some sort of statutory mechanism for assuring that the cruel and sudden interruption of these benefits will never recur.

Mr. GONZALEZ. Mr. Speaker, for several weeks now I have been importuning the chairman of the House committee, my distinguished colleague from Texas, and his fellow members on the conference committee.

I have been pleading, urging, and begging these gentlemen to allow us in Congress to keep the pledges made to our school administrators last year and upon which pledges they have relied to budget for their schools.

Again I plead for a full restoration of entitlements to our schoolchildren.

Our honor and pledged word demands we keep faith.

Mr. PIRNIE. Mr. Speaker, I am greatly disturbed to learn that the conference committee did not include the $91 million required to fund fully the Public Law 874 entitlement for impacted area school aid. This result will cause severe problems for school districts which have relied upon our commitment to provide the funds necessary to continue the level of educational support now received.

Under the original fiscal year 1968 appropriation for impacted area districts, the schools would have received 80 percent of full entitlement. With the passage of Public Law 90–218, the so-called economy resolution, another $20 million was slashed from this vital program by the Department of Health, Education, and Welfare. I wish to point out that this action was not mandated; the resolution for economy that we approved only required a reduction in the Department's overall budget, it did not specify which programs had to be cut. Unfortunately, the administration elected not to make reductions in spending for less urgent programs, as we had envisioned but chose instead to significantly reduce the commitment for the vital impacted aid plan.

I have maintained a continuing dialog with the superintendent of schools for Rome, N.Y., in my congressional district, because I know how important this matter is to him and the community in view of the fact that Griffiss Air Force Base, a sizable and important military installation, is located in Rome. Several thousand students from the "Griffiss family" are enrolled in Rome's schools and quite naturally, the impacted aid received from the Federal Government is an essential portion of the overall budget.

The shame of the matter, as I view it, is the lateness of our action on this appropriation. I am not for a minute suggesting that the present Public Law 874 program is sacred and should be left unchanged for all time. It deserves serious study. However, we should not make a drastic change in the program now, in the midst of a school year, since local officials are operating on budgets which had to be approved several months ago based on the assumption that the Federal Government would continue with the program at least at its existing level.

I cannot overemphasize my strong feeling that the Federal Government must give local school officials leadtime to plan their programs. We should not put them in the position they now find themselves in; that is, not knowing how much assistance they will be receiving from Washington until midway in the school year. We should be indicating to them now what they may expect to receive two or three years hence so that they can plan accordingly.

Unless a restoration of these funds is made in the near future, important education programs will have to be eliminated or greatly reduced. This cannot be accepted without a fight.

There are few, if any, Federal expenditures on the domestic scene that should receive a higher priority than those for education. Congress has long recognized this, knowing full well that money spent for education today will doubtless pay major dividends for us all tomorrow. In short, education is one of our best investments for the country's future.

Now, in a moment of shortsightedness, we are wavering in our commitment. This must not be permitted to happen and I shall press to shore up our investment by urging the House Appropriations Committee to take the necessary action to fund fully this year's impacted area school aid program. I urge my colleagues to join me in this effort.

Mr. HAWKINS. Mr. Speaker, I am shocked to find that the conference committee has rejected our reasonable requests for funds for the Headstart preschool program and money for summer jobs for our youth in the supplemental appropriations bill.

These deep cuts in vital domestic programs essential in providing the necessities of decent living and opportunities for the disadvantaged are incredible in a humane society.

There is no excuse for such cuts in an economy such as ours which has experienced 7 years of unprecedented prosperity—a booming economy in which most Americans are better off than ever, after taxes are paid.

These cuts support the claims of such militants as Rap Brown and others who have said the people cannot expect the Congress to be responsive to human needs. These cuts will materially make more necessary the demonstrations of Rev. Martin Luther King. And these cuts will weaken the constructive efforts of responsible Negro leaders who advocate peaceful and nonviolent use of the democratic processes for the achievement of sound social change.

If trouble comes this year, and we pray it does not, do not blame it on rabblerousers and desperados but on the "issues" which these irresponsible cuts in vital programs produce. If the Congress shirks its responsibilities then the Congress must face up to its blame for riots, disorders, and racism.

Mr. TEAGUE of California. Mr. Speaker, I support full entitlement for the impacted area program and announce now that I am perfectly willing to and, as a matter of fact, shall vote for a 10-percent increase in the Federal income tax. We must be fiscally responsible enough to pay for this additional $70,000,000 to fulfill what I consider to be a Federal responsibility.

Mr. HARSHA. Mr. Speaker, I am deeply concerned about the conferees action in dealing with federally impacted area appropriations. As I understand it, the conferees on the House side have refused to accept the $90 million, plus, that the Senate approved for federally assisted schools, and that the House will offer, at the appropriate time, a motion to amend the bill and provide $20.8 million and further restrict the use of this fund to section 3(a) of Public Law 874. Now this means that unless the children live on the particular Federal installation involved, which gives the school district the entitlement to participate in this fund, that the school will have to be satisfied with not the 86 percent of entitlement the administration indicated they would receive at the first of the year but only 81 percent of the entitlement.

While I am certainly happy to see that the entitlements under section 3(a) will be more fully met, I regret the conferees did not see fit to appropriate the full entitlement for all sections of Public Law 874. The great difficulty with this is that the school administrators must plan their budget in advance and they must anticipate entitlement and participation in this Federal program. Having to plan their budgets in advance they must have some degree of certainty as to where the funds will come from. To cut them off in the middle or at the end of the school year and not provide the anticipated entitlement is to wreak havoc with the school budget and the school administrator's program. This continual playing of the "cat and mouse" game is totally unwarranted and unfair to school districts depending upon these funds.

Now I understand there is some criticism of the methods of arriving at the entitlement. Irrespective of whether or not that criticism is justified, if there is to be any change in the formula or the methods used to derive at entitlement, that should be done by proper legislation with adequate notice to the schools that there will be a different method of selecting those entitled so that the schools may not be left out on a limb as to what funds they may expect. Certainly in this day and age when the great need and emphasis is being placed upon adequate school facilities and adequate school programs to cut back the most successful school aid program that we have ever had, the only school aid program where there is little or no Federal intervention and where the funds may be used for general purposes and operating purposes, seems to be ill advised. On the other hand, we spend billions of dollars on so-called poverty programs and they are not nearly as effective as our local school systems in eradicating poverty and eliminating illiteracy. As I understand the parliamentary procedure, if this motion is voted down then a second motion will be offered which will restore the full $90 million, as approved by the Senate and also eliminate the restriction that these funds shall be permitted only under section 3(a). For that reason I shall vote against the committee motion, Mr. Speaker, and I urge my colleagues to vote against the committee motion and then to vote for the second motion which will give full entitlement to all phases of Public Law 874. Thus we will keep faith with our schools and our school administrators who have been anticipating and basing their budgets in many cases upon these funds and I think my record is perfectly clear on support of Public Law 874 over the years. I certainly do not feel that a vote against the committee motion or rather to vote it down is to be construed under any sense of the word as a vote against Public Law 874 because I certainly do not intend it that way and I very strongly support Public Law 874 but I think it is regrettable and most unfortunate that the committee did not see fit to appropriate the full amount because it is urgently needed. There are certainly many, many other areas in which we can economize and cut back our spending, in areas that are much more appropriate than in the area of education.

Mr. BROWN of Ohio. Mr. Speaker, I should like to associate myself with the views expressed a little earlier in the course of this discussion by my colleague from Illinois [Mr. COLLIER].

As he said, impact legislation must be corrected so that wealthy systems which have received a very low percentage of increase in federally connected students will not receive money from this program at the expense of smaller systems with a lower tax base behind each student and with a high percentage of federally connected students, and a percentage which is growing at a significant rate.

The "bad example" of Montgomery County, Md., one of the wealthiest counties in the Nation—in per capita income—has been cited as a reason for including in the legislation today only those schools covered under the provisions of 3–A. I agree that Montgomery County, Md., is a pretty bad example of a school district which can qualify under Public Law 874 because so many of its residents work for the Federal Government in the city of Washington and elsewhere. For that reason, of course, it has a high percentage of federally connected students.

But, let me tell you about a school district in Montgomery County, Ohio, which is next door to Wright-Patterson Air Force Base. The Mad River Township School District in Montgomery County, Ohio, is an area where a high percentage of the students are federally connected. It is a district with a low property evaluation behind each student. A relatively small percentage of the federally connected students which Mad River Township counts for impact funds are 3–A students who live in Page Manor, a Federal public housing project. The bulk of the federally connected students in Mad River Township are the children of Air Force personnel or civilians employed at the base who are living off base in privately owned housing. Many of their parents are transient and can look forward to only a brief assignment at Wright-Patterson. As a result, their investment in housing is modest by comparison to those who can look forward to residing in a location permanently. Many of these people live in trailer homes or apartments or modest dwellings of a similar nature which do not contribute heavily to the tax duplicate as would the homes of less transient people. There is little major industry in this area around the base and limited commercial development because of zoning restrictions associated with the existence of the base.

Mad River Township School District in Montgomery County, Ohio, for calendar 1968, will have a budget of $3,833,610 of which approximately $695,000—or 18 percent—would be its entitlement under Public Law 874. To receive only 80 percent of the Federal amount would result in a reduction in income of $139,000. In order to replace this loss this year, the district will be required to put on the ballot a 3.3 mills operating levy in addition to whatever other levy it may be planning at present for the ballot this fall.

The other choice for the school district, of course, is to increase its class sizes in order to reduce staff. It may also be forced to curtail specialized programs. One of these programs is a unique one in the neighborhood of Air Force installations, a program for neurologically handicapped children. Through the CHAP program—children having a potential—Mad River School District has become well known throughout the Air Force for accommodating Air Force personnel who have children appropriate to CHAP's training.

One of the problems presented by a reduction in impact funds for schools around military installations is pointed up by this example. To go to the constituents of the school district and ask them to vote a 3.3 mills operating levy to support a specialized program of particular benefit to Air Force personnel may be politically unrealistic. If the specialized program is abandoned, Air Force personnel may stand to suffer more greatly than the school district generally. Is it proper for the Congress to require this sacrifice by Air Force personnel any more than it is proper for us to ask the constituency around the Air Force base to carry an extra load in local taxes because of the desirability of the program?

Fortunately, Mad River Township School District in Montgomery County, Ohio, with a relatively low tax base behind each pupil and 18 percent of its funds coming through Public Law 874, does have some 3–A type federally connected students. To the extent that it does, it will benefit from the $20 million which the committee has seen fit to include in this conference report. However, to the extent that its federally connected pupils do not qualify under 3–A, it will receive only 80 percent of the entitlement which Congress promised it under the Public Law 874 program.

Two of the school districts nearby provide similar but different examples. In one of them, Fairborn School District, the failure to appropriate the full entitlement under Public Law 874 could cost the district $100,000, which amounts to 7 mills on its tax duplicate. Fortunately, most of Wright-Patterson Air Force Base is within the Fairborn School District and all of the students living on the base are 3–A students so some portion of the $100,000 will be recovered because of the action of the conferees in supplying $20 million instead of the $91 million.

In Beavercreek School District, however, we have a completely different example because none of the federally connected students in the Beavercreek District live on Federal property. But 25 percent of all of the Beavercreek students are federally connected and so Beavercreek must get by with only 80 percent of its full entitlement.

These three school districts, Mad River, Fairborn, and Beavercreek, are all affected by the increase in personnel at Wright-Patterson Air Force Base as a result of the war in Vietnam. They are all areas of relatively low tax base behind each pupil. The fact that Wright-Patterson Air Force Base generally employs young people means that the number of school-age children per home is unusually high. And all of this means that the tax rate in these three school districts must be especially high in order to keep the schools near the base comparable to schools in "more settled" areas nearby.

None of us wishes to penalize the children of Air Force personnel or civil service workers because of the service or employment of their parents, but we may be doing just that if the Department of Health, Education, and Welfare has its way by phasing out the impact formula program in preference to the more politically oriented grant-in-aid program. And that would seem to be the administration's objective.

Because Fairborn and Mad River Township will benefit from the action taken by the conferees, I must support the conference report. To do otherwise would be too risky with regard to the $20 million which the conferees included for 3-A-type students of Public Law 874.

As I understand the parliamentary situation, a motion to defeat the previous question on amendment 6 would automatically eliminate the $20,810,000 which the conferees have included for 3-A pupils. It would then become necessary for this House to approve $91 million—or some such figure—in order to get any additional money at all. If no money were restored, the $20,810,000 would not be available. I must say frankly to my colleagues that I would rather have half a loaf—$20,810,000, for 3-A pupils—than nothing. Should the $20,810,000 for 3-A pupils be removed from the conference report by defeat of the previous question, I shall, of course, vote to restore such funds as can be restored.

I must also advise the House that I agree with the distinguished chairman of the Appropriations Committee and others in this Chamber who have pointed out the desperate fiscal situation in which our Nation finds itself because we have overpromised and overspent on less worthy programs than Public Law 874. Because of this, I feel it is extremely vital that those of us who are interested in the school districts which are truly impacted as a result of Federal action must take a hand in rewriting and improving Public Law 874 to eliminate districts where Federal funds are not justified by severe need as a result of Federal impact. We must do this so that we can fully fund those districts where the Federal impact is clear and severe. To fully fund districts with 3-A students to the extent that they have such students recognizes this priority of legitimacy with regard to Federal impact school districts. It is a first step in curing the problem of good legislation gone sour.

Mr. LEGGETT. Mr. Speaker, first, I would like to commend the House Appropriations Committee for providing the $20 million in the pending bill restoring the $416 million budget amount for Public Law 874 during the current fiscal year 1968. Unfortunately, as facts have unfolded during the year, however, this amount, while programed at 86 percent of entitlement, is inadequate. I want to fully support the motion of the gentleman from New York [Mr. Dow] in urging the defeat of this conference amendment No. 6, and I hope, thereafter, that this House would recede and concur in the Senate amendment to Public Law 874 funding which would restore $91 million and 100 percent funding of the program.

Unfortunately, since the original budget of $416 million was submitted, the House in Public Law 89-750 voted to expand the coverage of the impact aid program to certain big cities and junior college districts to an authorization requirement of about $461 million. In addition, it is my information that calculations were made last year on the assumption that one-half national per pupil costs might escalate from $238 to $245 and the Office of Education is now estimating those costs at $256 per pupil. To fully fund the current authorization would require, therefore $485 to $500 million.

The effect of the enactment of Public Law 90-218 at the close of the last calendar year, to impose a spending limitation of $136 million has resulted in reduction of the House-passed appropriation bill for this program of $416 million, the budget amount, to $395 million.

The Senate recently passed the Fulbright amendment, which would have restored $91 million to this program for a substantial 100-percent funding. The House conference committee supported the restoration of but $20 million and then limited the restoration to category A, federally housed children. We are now in the position that if the conference position is maintained by this House, category A children would be funded at 98 percent and category B children would be funded somewhere between 79 and 81½ percent.

It is estimated that the program for fiscal year 1969 will cost $550 million and if again we merely appropriate the budget amount of $395 million the net result is a 72-percent recovery of entitlement by districts. I would hope that this House will now go on record in support of education in defense impact areas. It will do us very little good to save the dollar and our economy at the expense of our children's education.

We are now 10 months into the school year and I submit it would be grossly unfair to withhold appropriations from school districts that were led to believe last summer that they were entitled to a greater and more equitable share of this Nation's wealth.

Mr. SPRINGER. Mr. Speaker, since 1950 areas contiguous to military installations have received impacted aid for children of military personnel who are thrown into the public school system.

A military installation is in the nature of a Federal business implanted in the community. If it were a private business, it would pay taxes for the upkeep of the schools and the education of the children whose parents work for private industry. In this instance, the Federal Government does not pay taxes for military installations. As a result, all communities around a military installation lack any taxable base for securing moneys to pay the cost of educating children of military personnel.

In almost every community, two-thirds of all taxes from the gross taxable income go for education. It is only just that the Federal Government pay for the children of military personnel who are so thrown onto the community. Certainly, the community should not be expected to pick up the full bill for these children without some income from the Federal Government therefor.

For this reason, I do support the Senate version of this measure. The House should recede and adopt the Senate version of the conference report for the full $90 million.

Many of these communities affected are in the midst of the fiscal year. They should not now be handicapped by a sudden withdrawal of funds which they in good faith felt were coming to them when the school year started.

The Federal Government in this instance ought to be a good neighbor. The local communities in this instance are not demanding something unfairly but only that which the Federal Government ought to provide. It would appear to me that this is only fair and just.

Mr. BARRETT. Mr. Speaker, I rise in opposition to amendments No. 4, No. 6, and No. 7 of the conference report on H.R. 15399.

Amendment No. 4 proposes to delete $75 million for manpower development and training activities. These funds are vitally needed for our summer training programs—for the coming summer in the ghetto areas of our Nation. The funds would not only increase the effectiveness of our neighborhood youth corp activities, which have been so successful, but would extend their efforts to the hardest of the hard-core areas so as to assist the poorest of the poor.

Let us not deceive ourselves in this drive for economy. If we are to take appreciable steps to prevent a hot summer we must provide the means to take young adults off of the streets, where their idleness can lead to trouble and put their energies into useful channels. We must take the necessary action to strengthen ourselves internally and this requires the training of the hard-core poorest of the poor.

Amendments No. 6 and No. 7 deal with the education of our youth, which as I have continuously said are this Nation's most valuable and vital asset.

Amendment No. 6 would reduce Federal aid to schools in the federally impacted areas and would be a step backward in our efforts to provide the necessities in these areas. We can ill afford to disrupt the efforts and planning of our school boards to properly provide for the education of our youth on the basis of so-called economy.

Amendment No. 7 would deliver a crippling blow to the Headstart program so vitally needed for the very young in our impoverished areas. We all know the importance of this program for the general welfare and future of our Nation. Let us not steal from our future generations for the sake of economy.

Mr. BOLAND. Mr. Speaker, I strenuously protest three of the amendments proposed in the conference report on the urgent supplemental appropriations bill.

One of these amendments, No. 6, would slash more than $70 million from the $90 million in supplemental appropriations that the Senate has recommended for assistance to schools in federally impacted areas. This amendment, if adopted, would cripple the educational programs of thousands of schools throughout the United States. Assuming that the Senate has recommended for commitment to them, schools educating the children of Federal employees and military personnel have already drafted budgets that hinge on the availability of funds under Public Law 874. The sweeping cut in these funds proposed by amendment No. 6 threatens to cause administrative chaos in these schools, making it necessary for them to rework budgets and educational programs. The proposed cut, even more significantly, would weaken this Nation's educational system in an era that demands the best system possible. The cut would be tantamount to taking a $1 oar away from a boatsman struggling to row $50 worth of cargo across a river. "Sorry," we would have to say to him, "but we have to do this in the interests of economy." The rationale behind amendment No. 6 is just as ludicrous, jeopardizing an educational system of inestimable value merely to save an amount of money that is trivial in comparison.

Allow me to cite the example of Chicopee, Mass., a community in my congressional district that helps educate children from nearby Westover Air Force Base. Chicopee would lose about $220,000 in Federal funds under the cut proposed by amendment No. 6, a loss that would significantly inhibit this community's ability to carry out the educational programs it plans. Other communities in this region would be similarly hurt—communities such as Springfield, West Springfield, Ludlow, Wilbraham, the Hampden-Wilbraham School District, Granby, South Hadley, and Belchertown.

These communities and thousands of other communities throughout the Nation are clearly entitled to the funds authorized by Public Law 874. The conference report we are considering today, however, appears to ignore this strikingly obvious fact. In enacting Public Law 874 the Congress recognized its responsibility to assist schools in federally impacted areas. It recognized that military personnel, for example, contribute little to the tax base of a community because they are in most cases transients living in apartments or in military installations. This country's military operations, expanding month by month, are now placing more and more children of armed services personnel in public schools. Yet these schools receive no comparable increase in local revenue. We must honor our commitment to provide the financial assistance these schools need.

I strongly urge my colleagues to vote against the motion to concur with amendment No. 6, then to vote for a motion to authorize the full $91 million appropriation recommended by the Senate.

Two other amendments I protest, Nos. 4 and 7, would delete Senate proposals to appropriate $25 million for the Headstart program administered by the OEO and $75 million for the summer job program administered by the same office. These amendments, I feel, are further examples of the most arrant brand of false economy. Designed to help the underprivileged rise up out of poverty, Headstart and the summer job program are attacking the root causes of this Nation's urban ills. They are helping to eliminate the conditions that breed unemployment, crime, racial strife and all the other symptoms of what is conventionally termed the "urban crisis." It is wholly preposterous to make major cuts in the budgets supporting these two programs and to call these cuts "economy measures." How much, I ask, would this country save if Headstart and the summer job program prevented only one city riot? How much would it save if, say, 10,000 slum children grew up to be productive citizens? The benefits of the two programs that amendments Nos. 4 and 7 propose to financially emasculate far outweigh the dubious benefits of false economy.

I would like to strongly support amendment No. 5 of this conference report, the amendment calling for a $28.8 million appropriation for unemployment compensation to Federal employees and former servicemen.

Many Federal employees and former servicemen have not received their unemployment compensation checks for some time because of a steep decline in the funds supporting this program. Former employees of the Springfield Armory in Springfield, Mass., for example, have received no unemployment compensation for several weeks. I am delighted that the conference report proposes the full $28.8 million appropriation that the Senate has recommended for the unemployment compensation program.

Mr. RYAN. Mr. Speaker, the Office of Economic Opportunity fiscal year 1968 appropriation was $207 million below the authorization. This cut has had a disastrous effect upon programs which had engendered hope in the deprived urban and rural areas of our Nation. I have introduced H.R. 16180 to provide a supplemental appropriation of $207 million, which would increase the appropriation to $1.980 billion, the full authorization. Although my specific proposal is not before us today, we do have the opportunity to increase the appropriation by $100 million, for which the Senate amendments provide—$75 million for manpower development and training activities in the Department of Labor and $25 million for the Office of Economic Opportunity Headstart program.

It is distressing that the conference report in amendment No. 4 deletes the $75 million and in amendment No. 7 deletes the $25 million. If the conference report is not agreed to, then the Senate amendments will be before us. Therefore, I oppose the conference report and support the Senate amendments.

It is heartless to shortchange children who have benefited from Headstart. In Mississippi some 8,000 needy children now enrolled in Headstart centers will have to be dismissed because of the reduction in funds.

The $25 million supplemental appropriation for Headstart could be used to restore the cuts and bring Headstart and Followthrough programs back up to the fiscal year 1967 level. Is this unwarranted? I hardly think so, especially in view of the almost universal acclaim which has greeted the program.

Mr. Speaker, the antipoverty program has been a casualty of the Vietnam war which should not be used as an excuse to gut essential domestic programs. If this Congress is to face the urban crisis, then it must embark on a broad program of social reconstruction. Instead, by denying a relatively small amount of money for preschool education for children and the training of youths, it only contributes to the deepening of the crisis.

Mr. VANIK. Mr. Speaker, I regret very much that the managers on the part of the House decided to delete the Senate proposal to appropriate $75 million for manpower development and training services. The summer program is one of the most meaningful activities of the Government. The benefits far outweigh the costs since this program can go a long way to insure the summer involvement of our young people and provide them with a training opportunity which may be invaluable throughout their lives.

I also regret that the managers on the part of the House determined to delete the Senate proposal to appropriate $25 million for the Headstart program under the Office of Economic Opportunity. The need for the Headstart program is firmly established as an essential part of every community program.

In my judgment, there is no real need for further testimony concerning the need for these two programs. The appropriation of these funds at this time would permit proper planning to begin so that the end result might be more meaningful and provide a more efficient utilization of the appropriated funds.

While I am assured that the Appropriations Committee will look with compassion on these needs, I regret that action will be delayed until a later date.

GENERAL LEAVE TO EXTEND REMARKS

Mr. MAHON. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks at this point in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. RANDALL. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Missouri.

Mr. RANDALL. Mr. Speaker, I simply want to associate myself with the remarks of the gentleman from California about this class of students who may not live on base.

The point was made that if we are not going ahead with this, and the authorizing committee should take some steps to let these school administrators know a year or 2 years in advance, let us repeal the whole thing. They have been led to believe that they could rely on these funds.

But may I ask one question. The so-called Fulbright amendment on the other side—that was 86 percent—and you have raised it to 98 percent; is that right?

Mr. MAHON. Last year the Congress provided, as a result of agreeing with the budget request, for 86 percent of entitlement to all schools.

Mr. RANDALL. And that is on base?

Mr. MAHON. That was on base, off base—for all schools—86 percent—that come under the purview of the law.

The action of the conferees is to raise this action of last year to 98 percent for people who live on base.

Mr. RANDALL. And as to category B—those off base— is that raised from 81 to 86 percent—or does it remain the same?

Mr. MAHON. It remains the same. Of course, the executive branch could elect to withdraw funds from the $300 million fund which was provided last year, to raise these payments up to the higher level of 86 percent, but that has not yet taken place.

Mrs. MINK. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentlewoman from Hawaii.

Mrs. MINK. I should like to ask the chairman a question. We have heard Members on both sides in support of the conference report state that with reference to category A children, these are the children living on bases where they could expect to receive 98 percent of their entitlement. Is it not true that with reference to category A children the entitlement is already only 50 percent of the average school costs of the child in in the district, so that what you are saying is that you are generously going to accord to the category A children really only 98 percent of the 50 percent of the school cost, so the school districts already have to absorb 50 percent of the cost of education of these children who live on base? Is that not so?

Mr. MAHON. I am merely saying that under the law passed by Congress, the action of the conferees would give 98 percent of the entitlement under the law for section 3(a) cases.

Mrs. MINK. Is not the law specific with reference to what that entitlement is, and it is only 50 percent of the average per pupil school cost in that district? This is a particular hardship in my State. I have made a thorough study of it. So whereas you would be cutting back on the category B children by your 14-percent cut, where we have depended upon the sums that we would be entitled to receive under category B to educate our category A children, this is where the hardship is, and I submit that this House should record itself very strenuously in opposition to this amendment.

Mr. MAHON. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin [Mr. LAIRD].

Mr. LAIRD. Mr. Speaker, this supplemental conference report which we have before us now is indeed very urgent. The money is needed now to pay veterans' unemployment benefits, medicaid, the various welfare program payments; such as aid to dependent children, and aid to the totally and permanently disabled. There are eight States, today, that are not making payments to Vietnam veterans who are unemployed. Next week there will be about 20 States that will not be making unemployment compensation payments to Vietnam veterans and to ex-Federal employees who cannot find employment.

The gentlewoman from Oregon raised the point regarding the Headstart and the Neighborhood Youth Corps program. This House of Representatives, in passing the poverty appropriation, appropriated every penny requested by the Office of Economic Opportunity for these two programs.

In addition, the President is now reviewing the Riot Commission report, and in his budget he set aside $550 million to cover supplemental budget requests not specifically set forth in the budget but which he considered important because of later developments. When these are sent to us, they will be considered by the Appropriations Committee promptly.

This urgent supplemental appropriation bill should not be bogged down with a lot of amendments on programs that will delay the payments so far as medicaid is concerned, so far as aid to dependent children is concerned, and as far as unemployment compensation payments are concerned. Action should be taken on this report now, and these summer programs and Headstart will be considered at the time the request of the President comes before the Congress. As of today, that request has not been submitted by the President of the United States. But everyone who is acquainted with the President's January budget knows that $550 million was set aside for supplemental requests he could not foresee when the budget was prepared. We will consider those requests for summer programs when he submits them but it should not be in this urgent supplemental appropriation bill. It should come here under a request submitted by the President of the United States and by the Office of Economic Opportunity and by the Labor Department. The Senate amendments are based on no justification from the executive branch, and there was not a single administration witness that came up and asked for a single dollar of these funds added by the other body.

These matters should be considered with justifications, with administration requests, and their testimony as to need. Sargent Shriver has not asked for a penny to be added to this bill, and neither has the new Acting Administrator of OEO, Mr. Harding. They have not asked the Congress, or our committee.

We had planned to go into hearings on their request for 1969 this afternoon at 2 o'clock, but have had to postpone the hearing to start tomorrow morning. We are going into all these matters during the several days of hearings with them.

We did not turn down any of these funds with any prejudice. We turned them down because we had no justification, no testimony, not even an administration request. It seems to me this is the time for us to face up to how the Congress acts and reacts as far as these matters are concerned.

I would like to point out to the Members of this House at this time that the impacted aid is not in the conference report, so, when Members vote on the conference report, they should be aware of the fact that the impacted aid is not a matter that is covered in the conference report. It is outside the conference report in connection with an amendment in disagreement. The only things covered in the conference report are the mandatory increases required under law.

This is truly an urgent supplemental appropriation bill. It should be passed this week. We cannot delay this bill as far as welfare payments are concerned, and, as far as unemployment compensation is concerned or we will be putting thousands of people in a really distressed position. I would like to stress the importance of this. I can assure the Members of the House on both sides of the aisle that these requests, when made by the Office of Economic Opportunity and the Department of Labor, will be very carefully and promptly considered.

Mr. MAHON. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey [Mr. JOELSON].

Mr. JOELSON. Mr. Speaker, I listened with interest to the statement of the gentleman from Wisconsin. I think it is constructive.

What I am interested in is that there be funds available this summer, and, on the assurance of the gentleman there will be hearings and deliberations and consideration, I am much heartened. When I am asked—as I am daily by my districts—I am going to tell them to go ahead and plan for the summer now, and I am going to express hope that there will be funds available.

Mr. LAIRD. Mr. Speaker, I thank the gentleman for his support.

Mr. MAHON. Mr. Speaker, I yield to the gentleman from Maryland [Mr. MACHEN].

Mr. MACHEN. Mr. Speaker, I thank the gentleman for yielding.

I am quite disturbed with the amendment No. 6. As was indicated by a number of the speakers, education should have the highest priority, except for Vietnam, over almost anything else we do.

Here in the shadow of the Nation's Capitol, someone once said our annual budget which goes to operation of our schools, must provide for the 13,000 net increase we have from year to year in school children. We ought to construct in excess of 400 school classrooms a year, and we have been doing that for 5 years. We feel to cut this out in the middle of the stream, without full debate, and with authority under the appropriation bills last year to be fully funded on the impacted aid, it was only as the result of later action, and it was not pinpointed, that there was a reduction to 86 percent. Am I correct?

Mr. MAHON. Mr. Speaker, the 1968 budget requested 86 percent of entitlement, and the Congress provided 86 percent of entitlement. Last year we passed House Joint Resolution 888, which gave the Executive discretion in making reductions. A decision was made by the executive branch to apply some of the reduction to impacted aid, and it resulted in reducing it from 86 percent of entitlement to 81 percent.

Mr. MACHEN. Did the House not vote specifically on the question of impact aid authorization, and overwhelmingly reject the committee report, with instructions to have the impact aid fully funded?

Mr. MAHON. There was an authorization for full funding.

Mr. MACHEN. Yes.

Mr. MAHON. But there was not an appropriation for full funding.

If we should fully fund all of the authorization on the books at this time, it would require billions of additional dollars in many programs. I do not believe it is valid to contend that everything should be funded to the full authorization.

Mr. MACHEN. In connection with the specific item, when the authorization came up the committee recommendation was rejected by the House, under the authorization bill, which to me meant a mandate that we wanted not only the authorization but also the appropriation for the impact aid program. This was specifically decided as one issue, as I recall. Is that not correct?

Mr. MAHON. I believe it is not correct. An authorization is one thing; an appropriation is another thing. The House decided on 86 percent of entitlement, and this was agreed to in the appropriation legislation.

Mr. SCHEUER. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from New York.

Mr. SCHEUER. My distinguished colleague from Wisconsin [Mr. LAIRD] mentioned a moment ago on these amendments, particularly No. 4 and No. 7, there had been no administration witnesses and no testimony at all on the need for these manpower and Headstart programs. I wonder if the gentleman from Wisconsin would not concede that the eloquent testimony of the President's Commission on Civil Disorders provides compelling testimony as to the desperate need to radically enlarge and enhance the resources we are putting into all of the aid programs for our underprivileged population.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Wisconsin.

Mr. LAIRD. Evidently the gentleman from New York was not present when I discussed the Riot Commission report and the request that will be forthcoming to the Appropriations Committee as a result of that report. That had not been submitted as of 2 o'clock this afternoon. We anticipate those requests will be made and will be transmitted to the Congress, but as of this afternoon at 2 o'clock they are not before the Congress for action.

Mr. DOW. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from New York.

Mr. DOW. Mr. Speaker, as a Representative of the district which contains the growing Military Academy at West Point I should like to say that following the vote on the motion, after the conference report, to concur with an amendment to provide $20,810,000, in the event that motion is defeated I intend then to offer a motion that the House recede from its disagreement with Senate amendment No. 6 and concur therein. That amendment calls for a full 100-percent entitlement, and would involve $90 million rather than $20,810,000 coming forth from the conference.

Mr. COLLIER. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Illinois.

Mr. COLLIER. I believe the colloquy this afternoon with regard to amendment 6 clearly points out the need for an agonizing reappraisal of the standards and formulas for the federally affected areas. It seems to me that in the light of the more dire need for funds in some areas there are some abuses, when we consider the original intent and purpose of the existing act.

Instead of clamoring for funds here, I believe there should be an honest reappraisal of the situation.

For example, in my own district we have a naval ordnance plant, where the employees have been there 20 or 25 years. They own their own homes. They are as much, if not more, a part of the permanent taxpaying structure in the district as anyone working in another industry.

We have people who have owned their own homes and who have worked at the Chicago post office for years who are counted in the formula. Admittedly, there is a need in this area, but I think this is the time to make some limitations and determinations so that this legislation will be directed to the target it was originally intended for and not become a means by which those that do not deserve the funds, if we are following the intent and purpose of the legislation, continue to receive them.

Mr. MAHON. Mr. Speaker, I yield to the gentleman from Michigan [Mr. O'HARA].

Mr. O'HARA of Michigan. Mr. Speaker, in response to some questions about the conference committee's action on amendments Nos. 4 and 7, the gentleman from Wisconsin drew our attention to the language in the statement on the part of the managers having to do with amendment No. 4, explaining that these deletions were made without prejudice. Then he indicated that there would be very shortly hearings on funds for summer programs. Can the chairman give us any indication on that?

Mr. MAHON. I think I can. The hearings are in progress in the Committee on Appropriations in regard to various programs of the Department of Health, Education, and Welfare, the Office of Economic Opportunity, and so forth. I do not know whether any additional funds will be requested for summer programs or not. These requests have not been presented to the committee. We did provide more money this year than we did last year for OEO and the budget for fiscal year 1969 will soon be before the House. So there is no attempt here to commit the Congress to any additional funds for the OEO program.

Mr. O'HARA of Michigan. The gentleman from Wisconsin said something about $550 million.

Mr. MAHON. I yield to the gentleman from Wisconsin.

Mr. LAIRD. Mr. Speaker, in the budget document that was submitted by the President to the Congress in January, there is a contingency fund which covers later transmissions to the Congress for supplemental appropriations. This contingency fund would cover the recommendations that the President will be making on the basis of his Riot Commission's report. We have not had the transmission, however, as of today, but this is the type of request the contingency fund, which I referred to earlier, is to cover.

Mr. O'HARA of Michigan. If the gentleman will let me ask a question at that point. I, as other speakers, the gentleman from New York and others, believe the funding of these summer programs is an urgent matter. I am trying to ascertain as to whether or not it is possible and the committee can give us assurance that consideration will be given promptly to this problem before we vote on the conference report now before us.

Mr. MAHON. Attention will be given to all requests made for funds for fiscal years 1968 and 1969. We are ready at any time to hear testimony in regard to the requirements. We cannot say in advance what the requests will be, because they are not before us, and we cannot say what the Congress may wish to do about these matters, but certainly I think everyone has an open mind with respect to what should be done about various Government programs.

I am one of those who voted for the OEO program to have more funds in fiscal year 1968 than it had in fiscal year 1967, as did the majority of the Members of the House. There is no way for us to foresee just what may develop at this time. This is an urgent supplemental appropriation bill. Servicemen returning from the war need to receive the funds to be made available by this bill. It should be made available to them. This is not a general supplemental bill. We will have a general suppemental bill at a later date, but this is an urgent supplemental. We have already had difficulty in getting together with the other body on this matter, and we need to pass this measure today. I hope it can be enacted into law as rapidly as possible.

Now, Mr. Speaker, I would like to say that I took note of the suggestion that we have an agonizing reappraisal of the impacted area program.

President Eisenhower tried to get it. President Kennedy tried to get it, and President Johnson has sought to get more realism into this program of the impacted areas.

But with respect to agonizing reappraisals, I would like to just point out that this country is facing a very serious financial crisis. It is estimated at this time that the budget deficit for fiscal year 1968 will be $24 billion. It is estimated that the deficit for fiscal year 1969, which will soon be upon us, unless there is a tax bill, will be $27 billion. The dollar has lost much of its appeal overseas, and is at a discount in certain areas of the world. We are facing a crisis such as has not been faced in many years. This is a matter of preserving the stability and economy of our country. It is not possible to finance all programs that people may support.

I would say that we are entitled to appropriate for all programs for which we are willing to vote the taxes to raise the revenue to support. We are lacking $24 billion in raising the revenue this year necessary to meet requirements, and it is now beginning to look as if we will lack $27 billion in paying the bills and raising the money to support programs for next year.

We should not, in this measure today, appropriate money which we do not have. It seems to me very clear indeed that the time has come for us when—if we do not have the money and we do not have the revenue—we will have to consider suspending or postponing certain programs until the revenues are available. We are faced with a tremendous crisis, and we need to measure up to the requirements.

Mr. MOSS. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from California.

Mr. MOSS. Mr. Speaker, I do not believe we can overlook the fact that, in relation to Public Law 874, the Federal Government is in the role of an industrial employer in most instances, and if it in fact was a private industrial employer, it would be contributing to the tax base upon which the school systems depend, but that is not the case. School superintendents and school administrators in many areas of this country are faced with an almost insurmountable burden in meeting the demands for the funding of facilities to provide the educational opportunities for these youngsters.

Whatever agonizing reappraisal might be in order, it should not be done here in the middle of the fiscal year for a school system, leaving them bereft of any opportunity to meet their needs. Having depended upon the good faith and on the word of this Congress, I believe they are entitled to have this done.

Mr. MAHON. Mr. Speaker, I decline to yield further.

I ask that this urgent supplemental appropriation bill be approved in order that these urgent requirements may be met. I would hope that the House will vote in support of the conference report.

Mr. BOW. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BOW. Mr. Speaker, I hope no one will overlook the fact that by its action today with respect to school impact aid, the House is breaching the economy line which was established last December after 7 weeks of conferences with the other body.

The House is now agreeing to restore $20,810,000 of school impact aid which was reserved from obligation by the provisions of House Joint Resolution 888 which became Public Law 90–218. When the Health, Education, and Welfare appropriation bill finally cleared Congress last year, it contained impact school aid appropriations totaling $416.2 million which represented 86 percent of entitlement under basic legislation. After the provisions of House Joint Resolution 888 were applied to this program, along with its application to hundreds of other expenditure items, there was still $395,390,000 available, or 81 percent of entitlement.

Now, Mr. Speaker, the House is agreeing to release the $20,810,000 from the reservation made by House Joint Resolution 888. This hole in the economy dike may very well be the forerunner of a washout when the floodtide of other demands for releases from the reservations of House Joint Resolution 888 are received from the administration or are added by the big spenders here in Congress.

The legislative intent of the amendment releasing these funds from the reservation provided by House Joint Resolution 888 is to provide 98 percent of entitlement for Indian children who reside on reservations and other Federal lands and for other children whose parents both work on and live on Federal property. As desirable as it may be to provide full entitlement for those children whose parents live on property without a tax base, this economy breaking action by the conferees and the House is not the proper way in which to deal with the problem. What needs to be done, is for the Congress to rewrite the basic legislation so that only these truly impacted school districts will be assisted.

For several years, I have been pointing out to this House that there is no justification whatsoever for impact aid to be given to school districts such as those in the metropolitan area of Washington which have more than adequate tax bases to provide for the needs of their schoolchildren. The time is long overdue when this scandalously generous program should be reviewed and cut down to size. It is pretty flimsy justification for such aid when the children of an airline pilot are considered to constitute Federal impact just because the operations office of an airline is on the federally owned National Airport and that is where daddy takes off and lands.

The conferees also suggested in the report a release of $25 million of Farmers Home Administration's direct loan account from the provisions of House Joint Resolution 888 but in that instance it was agreed that the $25 million release would come from the $300 million contingency fund which House Joint Resolution 888 made available to the President for hardship situations which might have been overlooked by Congress when it enacted the joint resolution last year.

Just the day before yesterday, Mr. Speaker, the Senate approved in H.R. 15414 an expenditure ceiling for fiscal 1969 which will reduce proposed spending by $6 billion next year. Last year, the other body was adamantly opposed to the Bow expenditure limitation which would have cut $5 billion from spending in this fiscal year and we compromised on a 2- to 10-percent cut in personnel and other controllable obligations, respectively. Now that the other body endorses the principle of a spending limitation, this House certainly should not be taking the leadership to destroy the economy principle which we established after so many long weeks and months of arduous labor.

Mr. MAHON. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

AMENDMENT IN DISAGREEMENT

The SPEAKER. The Clerk will report the amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 6, on page 3, line 3, insert:

"OFFICE OF EDUCATION

"SCHOOL ASSISTANCE IN FEDERALLY AFFECTED AREAS

"For an additional amount for payments to local educational agencies for the maintenance and operation of schools as authorized by title I of the Act of September 30, 1950 (Public Law 874—Eighty-first Congress), as amended, $90,965,000."

MOTION OFFERED BY MR. MAHON

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 6 and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment, insert the following:

"OFFICE OF EDUCATION

"SCHOOL ASSISTANCE IN FEDERALLY AFFECTED AREAS

"For an additional amount for payments to local educational agencies for the maintenance and operation of schools as authorized by title I of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), as amended, $20,810,000, to be derived from the amount reserved under the appropriation granted under this head pursuant to title II of the Act of December 18, 1967 (Public Law 90–218): *Provided*, That none of these funds may be used for any purpose other than for payments under the authority of section 3(a) of said Act of September 30, 1950, as amended."

Mr. MAHON. Mr. Speaker, this is an amendment that has been thoroughly discussed.

The SPEAKER. The question is on the motion offered by the gentleman from Texas [Mr. MAHON].

The question was taken, and the Speaker announced that the ayes appeared to have it.

Mr. DOW. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 200, nays 189, not voting 44, as follows:

[Roll No. 88]

YEAS—200

Abbitt
Abernethy
Adair
Addabbo
Albert
Andrews, Ala.
Andrews, N. Dak.
Arends
Ashbrook
Ashley
Ayres
Bates
Bennett
Berry
Betts
Bevill
Blackburn
Blanton
Boggs
Bolling
Bolton
Bow
Brademas
Bray
Brock
Broomfield
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Buchanan
Burke, Fla.
Burton, Utah
Bush
Button
Byrnes, Wis.
Cabell
Casey
Cederberg
Chamberlain
Clancy
Clawson, Del
Cleveland
Collier
Colmer

Conable
Conte
Corbett
Cowger
Cramer
Curtis
Daddario
Davis, Ga.
Davis, Wis.
de la Garza
Delaney
Denney
Derwinski
Devine
Dickinson
Dole
Dwyer
Edwards, Ala.
Eilberg
Erlenborn
Eshleman
Evins, Tenn.
Fascell
Feighan
Findley
Fino
Flood
Flynt
Ford, Gerald R.
Fountain
Frelinghuysen
Fulton, Tenn.
Fuqua
Galifianakis
Gardner
Gathings
Giaimo
Goodell
Goodling
Griffin
Gross
Grover
Haley
Hall
Halleck
Hammerschmidt
Harrison
Harvey
Hays
Hébert
Heckler, Mass.
Horton
Hull
Hungate
Hunt
Joelson
Johnson, Pa.
Jonas
Kee
King, N.Y.
Kirwan
Kleppe
Kupferman
Kuykendall
Kyl
Laird
Landrum
Langen
Latta
Lipscomb
Lloyd
Long, Md.
Lukens
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McMillan
MacGregor
Mahon
Marsh
Martin
Meskill
Michel
Mills
Mize
Monagan
Moorhead
Morris, N. Mex.
Mosher
Myers
Nelsen
O'Konski
O'Neal, Ga.
Passman
Patten
Pollock
Pool
Price, Tex.
Pryor
Rarick
Reid, Ill.
Reifel
Reuss
Rhodes, Ariz.
Riegle
Roberts
Robison
Rogers, Fla.
Rooney, N.Y.
Rooney, Pa.
Roudebush
Sandman
Satterfield
Saylor
Scherle
Schneebeli
Schwengel
Shipley
Shriver
Sikes
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Snyder
Stafford
Stanton
Steiger, Ariz.
Steiger, Wis.
Stuckey
Taylor
Thomson, Wis.
Tuck
Utt
Vander Jagt
Vanik
Vigorito
Watkins
Whalley
Whitener
Whitten
Widnall
Wiggins
Williams, Pa.
Willis
Wilson, Bob
Winn
Wyatt
Wylie
Wyman
Zablocki
Zion
Zwach

NAYS—189

Adams
Anderson, Ill.
Anderson, Tenn.
Annunzio
Aspinall
Baring
Barrett
Battin
Belcher
Biester
Bingham
Blatnik
Boland
Brasco
Brinkley
Brotzman
Brown, Calif.
Burke, Mass.
Burleson
Burton, Calif.
Byrne, Pa.
Cahill
Clark
Clausen, Don H.
Cohelan
Corman
Cunningham
Daniels
Dellenback
Diggs
Dingell
Donohue
Dorn
Dow
Downing
Dulski
Duncan
Eckhardt
Edmondson
Evans, Colo.
Everett
Fallon
Farbstein
Fisher
Foley
Ford, William D.
Fraser
Friedel
Fulton, Pa.
Gallagher
Garmatz
Gettys
Gibbons
Gilbert
Gonzalez
Gray
Green, Oreg.
Green, Pa.
Griffiths
Gubser
Gude
Halpern
Hamilton
Hanley
Hanna
Hansen, Wash.
Hardy
Harsha
Hathaway
Hawkins
Hechler, W. Va.
Helstoski
Henderson
Hicks
Holifield
Hosmer
Howard
Hutchinson
Ichord
Irwin
Jacobs
Jarman
Johnson, Calif.
Jones, Ala.
Jones, N.C.
Karsten
Karth
Kastenmeier
Kazen
Keith
Kelly
Kluczynski
Kyros
Leggett
Lennon
Long, La.
McCarthy
McClory
McCloskey
McFall
Macdonald, Mass.
Machen
Madden
Mailliard
Mathias, Calif.
Mathias, Md.
May
Mayne
Meeds
Miller, Calif.
Miller, Ohio
Minish
Mink
Minshall
Montgomery
Moore
Morgan
Morton
Moss
Murphy, Ill.
Natcher
Nedzi
Nichols
Nix
O'Hara, Ill.
O'Hara, Mich.
Olsen
O'Neill, Mass.
Ottinger
Pelly
Pepper
Perkins
Pettis
Philbin
Pickle
Pike
Pirnie
Poff
Price, Ill.
Pucinski
Purcell
Quillen
Railsback
Randall
Rees
Reinecke
Rhodes, Pa.
Rivers
Rogers, Colo.
Ronan
Rosenthal
Rostenkowski
Roush
Roybal
Ryan
St Germain
St. Onge
Scheuer
Schweiker
Scott
Smith, Okla.
Springer
Staggers
Steed
Stephens
Stratton
Stubblefield
Sullivan
Taft
Talcott
Teague, Calif.
Thompson, Ga.
Thompson, N.J.
Tiernan
Udall
Ullman
Van Deerlin
Waggonner
Waldie
Walker
Wampler
Watson
Watts
Whalen
White
Wilson, Charles H.
Wolff
Yates
Young

NOT VOTING—44

Ashmore
Bell
Brooks
Broyhill, Va.
Carey
Carter
Celler
Conyers
Culver
Dawson
Dent
Dowdy
Edwards, Calif.
Edwards, La.
Esch
Gurney
Hagan
Hansen, Idaho
Herlong
Holland
Jones, Mo.
King, Calif.
Kornegay
Matsunaga
Morse, Mass.
Murphy, N.Y.
Patman
Poage
Podell
Quie
Reid, N.Y.
Resnick
Rodino
Roth
Rumsfeld
Ruppe
Schadeberg
Selden
Sisk
Teague, Tex.
Tenzer
Tunney
Wright
Wydler

So the motion was agreed to.

The Clerk announced the following pairs:

Mr. Brooks with Mr. Ruppe.

Mr. Celler with Mr. Reid of New York.

Mr. Culver with Mr. Esch.

Mr. King of California with Mr. Rumsfeld.

Mr. Murphy of New York with Mr. Morse of Massachusetts.

Mr. Teague of Texas with Mr. Carter.

Mr. Herlong with Mr. Broyhill of Virginia.

Mr. Rodino with Mr. Roth.

Mr. Matsunaga with Mr. Quie.

Mr. Tunney with Mr. Bell.

Mr. Patman with Mr. Schadeberg.

Mr. Edwards of California with Mr. Conyers.

Mr. Dent with Mr. Wydler.

Mr. Dawson with Mr. Resnick.

Mr. Dowdy with Mr. Hagan.

Mr. Edwards of Louisiana with Mr. Kornegay.

Mr. Podell with Mr. Sisk.

Mr. Wright with Mr. Tenzer.

Mr. Selden with Mr. Gurney.

Mr. Ashmore with Mr. Hansen of Idaho.

Mrs. MAY changed her vote from "yea" to "nay."

Mr. GARMATZ changed his vote from "yea" to "nay."

Mr. FRIEDEL changed his vote from "yea" to "nay."

Mr. GUDE changed his vote from "yea" to "nay."

Mr. BIESTER changed his vote from "yea" to "nay."

Mr. MAYNE changed his vote from "yea" to "nay."

Mr. HUTCHINSON changed his vote from "yea" to "nay."

Mr. ASHBROOK changed his vote from "nay" to "yea."

Mrs. HECKLER of Massachusetts changed her vote from "nay" to "yea."

Mr. HAMMERSCHMIDT changed his vote from "nay" to "yea."

Mr. GIAIMO changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider the votes by which action was taken on the conference report and on the motion was laid on the table.

AUTHORIZING APPROPRIATIONS FOR THE SALINE WATER CONVERSION PROGRAM FOR FISCAL YEAR 1969

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from further consideration of the bill (S. 2912), to authorize appropriations for the saline water conversion program for fiscal year 1969, and for other purposes, with amendments, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the bill, as follows:

S. 2912

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8 of the Saline Water Conversion Act (66 Stat. 328), as amended (42 U.S.C. 154 et seq.) is further amended by changing the beginning of section 8 through to the first proviso to read as follows:

"SEC. 8. There are authorized to be appropriated such sums, to remain available until expended, as may be specified in annual appropriation authorization acts (a) to carry out the provisions of this Act during the fiscal years 1962 to 1972, inclusive; (b) to finance, for not more than two years beyond the end of said period, such grants, contracts, cooperative agreements, and studies as may theretofore have been undertaken pursuant to this act; and (c) to finance, for not more than three years beyond the end of said period, such activities as are required to correlate, coordinate, and round out the results of studies and research undertaken pursuant to this Act:".

SEC. 2. There is authorized to be appropriated to carry out the provisions of the Saline Water Conversion Act (66 Stat. 328), as amended (42 U.S.C. 1951 et seq.), during fiscal year 1969 the sum of $27,358,000 as follows.

(a) Research and development operating expenses, not more than $19,075,200;

(b) Design, construction, acquisition, modification, operation, and maintenance of saline water conversion test beds and test facilities, not more than $4,772,000;

(c) Design, construction, acquisition, modification, operation, and maintenance of saline water conversion modules, not more than $1,350,000; and

(d) Administration and coordination, not more than $2,161,000: *Provided*, That expenditures and obligations under any of these items except the last may be increased by not more than ten per centum if such increase is accompanied by an equal decrease in expenditures and obligations under one or more of the other items, including the last.

SEC. 3. In addition to the sums authorized to be appropriated by this Act, the Secretary may utilize any funds previously appropriated for this program which are not obligated on June 30, 1968, subject to the dollar limitations applicable to the fiscal year 1968 program.

With the following committee amendments:

On page 1, line 4, strike out "(42 U.S.C. 151 et seq.)" and insert (42 U.S.C. 1951 et seq.)".

On page 1, lines 5 and 6, strike out "by changing the beginning of section 8 through to the first proviso".

On page 2, line 7, strike out "Act:"." and insert: "Act. Effective July 1, 1968, no new commitments shall be made under authority of this Act for cooperation with public or private agencies in foreign countries which require the expenditure of funds appropriated pursuant to this Act, but funds so appropriated shall be available to carry out commitments made before said date.".

On page 2, line 11, strike out "$27,358,000" and insert "$24,556,000".

On page 2, line 13, strike out "$19,075,000;" and insert "$17,274,000;".

On page 2, line 14, strike out "modification" and insert "modification,".

On page 2, line 16, strike out "4,772,000;" and insert "$4,292,000;".

On page 2, line 19, strike out "$1,350,000;" and insert "$1,175,000;".

On page 2, line 21, strike out "$2,161,000:" and insert "$1,815,000:".

The committee amendments were agreed to.

Mr. ASPINALL. Mr. Speaker, the urgency attached to this legislation is the fact that it authorizes appropriations for a program included in the fiscal year 1969 Interior Department Appropriations Act, and it is my understanding that the Appropriations Committee expects to report that legislation to the floor in the very near future. The program to which I am referring is the fiscal year 1969 program of the Office of Saline Water in the Department of the Interior. In addition to authorizing the fiscal year 1969 appropriations for this program S. 2912 makes certain changes in the basic Saline Water Conversion Act.

Mr. Speaker, it was 3 years ago that the Congress approved legislation requiring year-by-year authorizations of the program of the Office of Saline Water. This is the second annual appropriation authorization act. Saline water research is a program where it is quite uncertain from one year to the next what direction the research effort is to take. The research and development work for various desalting processes may undergo major changes from year to year and even the program goals are subject to redirection. Thus, prosecution of the program involves important policy decisions which can only be made as the program goes forward. The Congress has a direct responsibility in connection with these decisions, and the committee felt that our oversight responsibility could only be met if the program was authorized year by year.

Mr. Speaker, the committee has amended S. 2912 to place a ceiling of $24,556,000 upon appropriations for the saline water conversion program for fiscal year 1969. This is about $2.8 million less than the amount requested in the President's budget or a reduction of a little over 10 percent.

The committee considers that this reduction in the funds requested is justified in view of the critical fiscal situation facing this Nation at the present time. We do not believe the program will be hurt.

In addition to reduction in the amount requested for research and development work, the committee has amended the basic Saline Water Conversion Act to restrict the foreign activities of the Office of Saline Water. Effective on July 1 of this year, no new commitments can be made with public or private agencies in foreign countries for participation in specific project planning or construction. The Office of Saline Water would still retain authority to inspect desalting projects in foreign countries, exchange technical information, and attend international meetings relating to saline water conversion, and this authority will permit the United States to keep fully abreast of the progress made in this field.

The committee feels that this research program should not be allowed to become involved in foreign aid and foreign policy of the United States.

Mr. Speaker, this is an important national program which needs to be continued until such time as private industry can gradually take over.

I urge the approval of this legislation in order that there may be no delay in the important research activities that are underway.

Mr. SAYLOR. Mr. Speaker, I rise in support of S. 2912, a bill to authorize appropriations for the saline water conversion program for fiscal year 1969, and for other purposes.

The purpose of the saline water conversion program established by the act of July 3, 1952, is to develop practicable economic means of producing fresh water from saline and brackish waters suitable for municipal, industrial, agricultural and other beneficial consumptive uses. This program was established as part of our national effort to find the means of meeting the future water needs of this Nation. Since its inception, the program of the saline water conversion program has been slow and minimal. The most remarkable achievement of this program has been its impetus to the growth and development of a desalting industry in the private sector of our economy. However, the need for a Federal program continues until such time as the private desalting industry is capable of producing low-cost water without passing on to the consumer the full burden of the additional costs of basic and applied research.

S. 2912, continues this Federal program and authorizes the appropriation of $24,556,000 for the overall program in fiscal year 1969. This amount represents $2,802,000 less than the amount requested by the administration.

S. 2912, as amended by the committee, substitutes a new section 8 in the basic Saline Water Conversion Act. The new language of section 8 continues the present program through 1972, and eliminates the overall ceiling on appropriations which makes it necessary to amend section 8 of the basic act every year. In lieu of this language, the committee has provided that authorization of this program shall be specified by annual appropriation authorizations.

The most significant committee amendment to S. 2912 repeals the independent foreign aid program of the Office of Saline Water of the Department of the Interior, by deleting the present authority to "cooperate with and enter into contracts or agreements with public or private agencies in foreign countries." These foreign activities of the Office of Saline Water have been the subject of legislation which I have introduced calling for the repeal of such authority. I am pleased to see the committee delete such authority in this legislation.

Section 2 of this legislation authorizes the amounts to be appropriated in specific categories for the fiscal year 1969 program. The committee reduced the amounts requested by the administration in each category in order to maintain the activities of the Office of Saline Water program at present levels.

Section 3 of S. 2912, merely authorizes the Secretary of the Interior to utilize those funds previously appropriated but not obligated in fiscal 1968, subject to the limitations imposed in the 1968 program.

Mr. Speaker, I wish to compliment my colleagues on the Committe on Interior and Insular Affairs for the manner in which this legislation has been amended and reported to the House. This kind of committee action will do much to restore fiscal sanity to fiscal crisis facing our Nation today.

Mr. Speaker, I urge the passage of S. 2912.

Mr. JOHNSON of California. Mr. Speaker, the distinguished chairman of the full committee has stated briefly the urgency for this legislation and the committee's action in recommending it to the House. My Subcommittee on Irrigation and Reclamation spent 3 days in taking testimony from administration officials on this legislation and studying the research program involved.

The saline water research program is an important part of our national research effort to assure an adequate water supply to meet this Nation's ever-growing needs. I do not believe that the changes we have made in the legislation will hurt the program. These changes are intended to keep the Office of Saline Water from getting too involved in foreign policy and to cut back some of the less important work while permitting all promising research to proceed "full steam ahead."

We have simplified the form of the legislation so that the basic Saline Water Conversion Act will not have to be amended each year. The annual authorization acts can be confined to the annual program and the authorization of appropriations.

The ceiling of $24,556,000 for the fiscal year 1969 program does not include $3 million in the President's budget for Federal participation in the large dual-purpose plant for seawater conversion and nuclear power generation which is being planned by the Metropolitan Water District of California is association with a group of public and private electric utilities. The authorizing act for Federal participation in that plant authorizes the necessary appropriations.

The reduction of $2,802,000 is made up of reductions of $1,801,000 in category, one, research and development operating expenses; $480,000 in category, two, test beds and test facilities; $175,000 in category, three, modules; and $346,000 in category, four, administration.

The basic premise behind these cuts is the critical fiscal situation facing this Nation at the present time and the committee's belief that this is no time for the Office of Saline Water to be expanding its operations and research activities.

The amount included under any of the four categories in the act except "administration" may be increased by up to 10 percent if such increase is accompanied by an equal decrease in one or more of the other categories.

In addition to the funds authorized to be appropriated in section 2 of S. 2912, the Secretary may also utilize any funds previously appropriated but not obligated during the present fiscal year. However, these carryover funds are subject to the dollar limitations applicable to the fiscal year 1968 program. In other words, they can only be used for the purposes for which they were appropriated.

Mr. Speaker, there was no opposition in the committee to the approval of this legislation, as amended. I urge its approval by the House.

Mr. HOSMER. Mr. Speaker, I rise in support of this measure handling authorization of funds currently needed by the Office of Saline Water.

Since OSW and the Atomic Energy Commission are partners with other public and private interests in the construction of the proposed Bolsa Chica Island Nuclear Power and Desalting Plant, I thought this might be a good time to report on that project. It has some critical hurdles during the next 90 days which I will explain. They were brought about largely by a most recent estimate that the project's entire costs will run some $768 million. Initial planning of the project was based on a $444 million cost estimate of several years ago. Escalation of cost was assumed, but not to the degree of the present estimate. In any case, however, the U.S. contribution is fixed and does not escalate. But the escalation has caused the other parties involved to rework their estimates and financing plans rather rapidly for it is considered that the next 90 days is critical in getting the project underway. If the project is not actually launched by that time, existing contractual arrangements might permit one or more parties to withdraw.

The following are what the partners should be accomplishing within this time period:

The Metropolitan Water District of Southern California, responsible for the desalting plant and construction of the island seaward from Huntington Beach, needs to reaffirm its commitment to the project by approving means by which it can finance its planned construction program, and by a resolution of its board of directors making a positive declaration of its intent to proceed with the project as it is currently set forth in the contracts; that is, a 150-million-gallon-per-day capacity desalting plant constructed in two phases, MWD having the option to build the second phase or not. MWD also should authorize its general manager to execute the necessary contracts.

In addition to these acts the MWD should select a vendor and award a contract for the back pressure turbine generator it will require. It also should initiate engineering activities on the design of the island and causeway.

The Southern California Edison Co., and the San Diego Gas & Electric Co., who will install one of the nuclear reactors and power-generating complexes at the site, should issue a letter of intent for their nuclear steam supply system. They also should develop agreement with the city of Los Angeles Department of Water and Power, who will install the other nuclear reactor and power-generating complex, on the division of powerplant engineering and construction responsibilities in order that project procedures, division of responsibilities, and organizational structure can be clearly established. Their third task is to award a contract for required architect-engineer services to complete the organization structure of the project and their fourth task is to initiate the activities necessary for the preparation of the remainder of the preliminary safety analysis report required to meet AEC licensing and regulation requirements.

For its part the city's department of water and power will need to issue a letter of intent to procure a nuclear steam supply system of the same type as that procured by the other two electric utilities. It also will need to come to agreement with them on common engineering and a division of responsibilities.

The last remaining partner in the venture, the U.S. Government, will need to make arrangements to acquire Treasury scrap material from the mints for desalting plant tubing and, of course, make the necessary appropriations of money for its assistance to the project. OSW funds of $2 million are in the supplemental budget for fiscal year 1968 and $3 million for fiscal year 1969 are in OSW's basic program request.

All of this is a very large order and it will take the time and attention of officials at the very top of the MWD, DWP, Edison, and San Diego in order that it be accomplished on schedule. In setting up their project management it goes without saying that a tremendously effective organization made by very hard driving personnel will be required.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. POOL. Mr. Speaker, unfortunately, I was not able to be on the floor for the vote on H.R. 16324, the Atomic Energy Commission authorization legislation. Had I been present, I would have voted in favor of the bill.

LEGISLATIVE PROGRAM FOR WEEK OF APRIL 8, 1968

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, I take this time for the purpose of asking the distinguished majority leader the program for the remainder of this week and for next week.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, in response to the inquiry of the distinguished minority leader, we have finished the legislative business for this week and will ask to go over until Monday upon announcement of the program.

The program for next week is as follows:

There is no legislative business on Monday.

On Tuesday, we will have the Treasury Department-Post Office Department appropriations bill for fiscal year 1969; and

H.R. 16409, a District bill, to amend the District of Columbia Teachers' Salary Act, which will come up, on unanimous consent previously obtained, under the general rules of the House.

For Wednesday and the balance of the week, the program is:

H.R. 2516, to provide penalties for interference with civil rights, which is subject to action of the Committee on Rules;

H.R. 15189, maritime authorization, with an open rule and 2 hours of debate;

House Concurrent Resolution 705, to assist veterans in obtaining suitable employment, with an open rule and 1 hour of debate; and

H.R. 13738, travel expenses of Government employees, with an open rule and 2 hours of debate.

This is made, of course, subject to the usual reservations that conference reports may be brought up at any time, and any further program may be brought up later.

Mr. Speaker, will the gentleman yield further?

Mr. GERALD R. FORD. I yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, with reference to the Civil Rights Act, after consultation with the distinguished minority leader, and other Members on the minority side, I think Members should be advised that we all feel this matter should be brought to the floor and disposed of before we begin our Easter recess.

ADJOURNMENT TO MONDAY, APRIL 8, 1968

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

DISPENSING WITH BUSINESS IN ORDER UNDER THE CALENDAR WEDNESDAY RULE ON WEDNESDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

AUTHORIZING THE CLERK TO RECEIVE MESSAGES FROM THE SENATE AND AUTHORIZING THE SPEAKER TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS DULY PASSED BY THE TWO HOUSES AND TRULY ENROLLED

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that notwithstanding the adjournment of the House until Monday next, the Clerk be authorized to receive messages from the Senate and that the Speaker be authorized to sign any enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

The **SPEAKER**. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

COMBAT PAY FOR CREW OF U.S.S. "PUEBLO"

Mr. MATHIAS of Maryland. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. MATHIAS of Maryland. Mr. Speaker, I am disappointed to discover that despite the administration's claims that everything is being done for the crew of the captured U.S.S. *Pueblo*, the Department of Defense has failed to grant these men combat pay.

I have today written to the Secretary of Defense, Mr. Clifford noting that, of course, the critical challenge is to secure the safe return of these men. But I find no excuse for not executing the necessary papers to authorize the hostile fire pay for the men who have served on the *Pueblo* and who are now in a North Korean prison.

On January 26 the President called—I am sure we all agree with him—the seizure of the *Pueblo* a wanton and aggressive act of the North Korean regime. The Secretary of State said the incident was in the category of actions to be considered as an act of war. Surely, the *Pueblo's* crew members have been in as much imminent danger since January 22 as if war had been formally declared. I think it is only just to authorize combat pay for the entire duration of the crew's imprisonment. This is commensurate to what was done for American forces involved in the Dominican Republic in 1965 and to those who were casualties in the attack on the U.S. ship *Liberty* last year.

I hope that the crew of the *Pueblo* receive combat pay including the two Maryland men who were on board, Charles Sterling, of District Heights, and Michael T. Barrett, of Clinton. I hope the House will support this request to the Secretary of Defense to grant combat pay.

The letter to Mr. Clifford is as follows:

THURSDAY, APRIL 4.

Hon. CLARK M. CLIFFORD,
Secretary of Defense, Department of Defense, Washington, D.C.

DEAR MR. SECRETARY: The officers and men of the USS Pueblo have been in North Korean hands for over two months, and the Administration has declared many times that everything possible is being done to help these men and to secure their release. I was therefore disappointed to discover that the Department of Defense has not even granted the crew combat pay.

I am sure this is an oversight, but find it an incomprehensible one. As the President stated on January 26, the seizure of the Pueblo was "another wanton and aggressive act" by the same North Korean regime which has recently provoked many violent incidents in the Korean theater, with increasing American casualties. As Secretary Rusk declared on January 24, the capture of the Pueblo was "in the category of actions to be considered as an act of war." Surely the Pueblo's crew has been in as much imminent danger since January 22 as if war had been formally declared.

Authorizing hostile fire pay for these men for the entire period of their captivity is only just. It seems especially urgent since I understand that combat benefits were awarded to the American forces involved in the Dominican Republic in 1965, and to those who were casualties in the attack on the USS Liberty last summer.

The critical challenge, of course, is securing the safe return of these men. Certainly a degree of prudence and caution is essential in this potentially explosive situation. There is no excuse, however, for not signing the necessary papers to authorize hostile fire pay for these men. By so doing, you would be granting them the same benefits awarded as a matter of course to our forces in other front-line areas. You would also, in a relatively modest way, be underlining the seriousness of this situation and re-emphasizing our commitment to help these Americans.

Very sincerely,
CHARLES McC. MATHIAS, Jr.

CONGRESSMAN MICHEL CALLS UPON REV. MARTIN LUTHER KING TO EMULATE THE PRESIDENT'S EXAMPLE

Mr. MICHEL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MICHEL. Mr. Speaker, President Johnson has removed himself from the 1968 presidential race to avoid being a possible cause for the divisiveness which has been tearing the country apart. I call upon the Reverend Martin Luther King to emulate the President's example and remove himself from his divisive role as head of a movement which is negating progress in the field of civil rights.

Eminent Negro spokesmen in the past few days have called upon Dr. King to cancel his plan to paralyze and disrupt the Nation's Capital later this month. The Negro community in Chicago has made it clear that they are not pleased or satisfied with the type of leadership offered by Dr. King, and no doubt thousands of other Negro citizens around the country are concerned and apprehensive over the activities of Dr. King in recent years.

It must be crystal clear to any intelligent observer that the projected disruption of Washington being planned by Dr. King and his followers will do nothing toward improving understanding between the races, and as Mr. Roy Wilkins has said, there is real danger of trouble from the King demonstration. The probability of incidents involving violence is too great for there to be anything but apprehension over the results.

Solid progress is being made in the field of civil rights, but it can all be set back considerably by unwise and precipitous actions such as the proposed march and construction of a shantytown.

Force will not accomplish an objective which in the final analysis must be achieved by understanding and goodwill.

If Dr. King is sincerely interested in advancing the cause of racial peace and harmony—if he is sincerely interested in the well-being of Negroes all over the country—indeed, if he is sincerely interested in the United States of America, then I urge him to deescalate the militancy and disruption which may very likely backfire and cause the loss of valuable ground which has been gained. His return to private life would be a healing and constructive act to advance the cause to which he has dedicated himself, and also will help preserve national unity.

CX MISSION SUPPORT CONTRACT WITH BRITISH FIRMS SHOULD BE CANCELED AND REDIRECTED TO WINNING U.S. COMPETITOR

Mr. SHRIVER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. SHRIVER. Mr. Speaker, today I call again upon our Government to cancel its decison to award an initial $5.75 million contract to a British firm for 11 mission support aircraft. It is my understanding this contract includes an option clause for another 160 aircraft. In view of our serious balance-of-payments problem, this contract, and this type aircraft in particular, should be redirected for manufacture by the winning American competitor.

At the time of the announcement of this decision on December 22, 1967, by the Secretary of the Air Force, I called for a thorough and extensive reanalysis of such an award to the British Handley-Page Co. Under the provisions of the Buy American Act which normally applies to procurements of this type, the British company could not qualify as a bidder.

However, in a letter from the Under Secretary of the Air Force, dated January 9, 1968, I was informed that the British firm was permitted to compete for the CX mission support aircraft as a result of arrangements between the United States and the United Kingdom consummated in April 1965:

> Whereby the United Kingdom would purchase substantial quantities of F-111 aircraft and associated logistics support, and, on its part, the United States agreed to help offset the adverse impact on British balance of payments by seeking out appropriate items of defense hardware and permitting British firms to compete for their procurement on an equal basis with American firms.

On January 16, 1968, Prime Minister Wilson announced cancellation of the British F-111 procurement from the

United States. In view of this decision by the British Government I called upon the President, the Department of Defense, and Department of Air Force to give prompt and favorable consideration towards redirecting the CX mission support contract to the winning U.S. competitor, Beech Aircraft Corp.

Department of Defense officials notified me in early February that the military departments and the Defense Supply Agency have been directed to refrain, until otherwise directed, from taking any new actions under the procurement procedures established by the F-111 arrangement. Our Government is still reviewing the question of its response to the British cancellation of the F-111K order.

Today we are going to consider imposing a travel tax on our own citizens in an effort to improve the U.S. balance-of-payments problem. Procurement of mission support aircraft here in the United States would also have favorable impact upon the balance of payments, and create employment for an estimated 3,500 Americans.

Mr. Speaker, there are other impelling reasons for procurement of mission support aircraft from American aviation sources. These planes are used primarily in support of U.S. ambassadors, embassy and consular personnel throughout the world. Use of foreign aircraft in conduct of U.S. Government business overseas severely damages our image and prestige abroad as well as damaging the potential commercial sales abroad by American aviation manufacturers. This would then result in a loss of U.S. export sales because of the damaging impact of our Government's endorsement of a foreign aircraft.

For example, Beech Aircraft Corp., the U.S. competitor for the CX mission support aircraft, currently exports over $30 million of their aircraft annually throughout the free world. It is conservatively estimated that at least half of this annual export volume will be lost to foreign sources if the mission support award is made to the British. This situation would further aggravate our Government's current balance-of-payments problem.

In view of the continuing review of this matter within the U.S. Government and because the House soon will debate a measure dealing with our balance-of-payments situation, I take this opportunity to call this contract decision to the attention of the Members of the House and to again urge that the CX mission support contract with the British firm be canceled and redirected to the winning U.S. competitor.

AWARD OF CONTRACTS TO FOREIGN COMPANIES

Mr. BROTZMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. BROTZMAN. Mr. Speaker, I support the views of the distinguished gentleman from Kansas [Mr. SHRIVER]. It occurs to me that if the Federal Government is to expect the American public to make sacrifices for the sake of restoring a positive balance of payments, then the Department of Defense would be acting with utter cynicism in allowing the contract for the CX mission support aircraft to go to a foreign firm at this time.

There may have been some validity to this decision when it was half of a reciprocal agreement under which the British Government would buy F-111 aircraft. But now that the reciprocity no longer exists the Department of Defense position seems untenable.

There is considerable evidence that DOD will receive a better quality aircraft by awarding this contract to the firm which won the U.S. competition, and I think that this consideration alone would have been reason to cast doubt on the original decision to set aside the "Buy American Act."

U.S. GOVERNMENT ACTIVELY ENGAGED IN SUBSIDIZING ITS OWN DISRUPTION AND DESTRUCTION

Mr. BROCK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. BROCK. Mr. Speaker, as unbelievable as it may sound, the Government of the United States is actively engaged in the subsidization of its own disruption and destruction.

Last week, the city of Memphis in my own State of Tennessee was convulsed by a major riot. Human life was lost, property was destroyed, and only the prompt action of local law enforcement officers prevented whole city blocks from being put to the torch.

This tragic outburst bears an especially ominous warning. In just a few weeks, the same man who led the "peaceful," "nonviolent" demonstration which turned Memphis into a bloody battlefield will be leading another "peaceful," "nonviolent" protest march right here in the Capital City of the United States.

Dr. Martin Luther King, Jr., and his Southern Christian Leadership Conference lieutenants are at this moment engaged in the business of attracting and training thousands of recruits for their so-called poor people's march on Washington. Their goal, according to the New York Times of March 20, is to "plague the Congress and the President until they do something." In other words, they intend to engage in a primitive, intimidating kind of pressure lobbying for the passage of their legislative program.

What form will this take? What means will be used? Dr. King has threatened to "fill up the jails of Washington" and shut down the city. The Reverend Ralph D. Abernathy, vice president and treasurer of the Southern Christian Leadership Conference, put it even more bluntly:

> We're going up there to talk to L. B. J., and if L. B. J. don't do something about what we tell him, we're going to put him down and get us another one that will.

Andrew Young, another of King's top aides, has threatened that:

> It may be necessary to create such disruption and disturbance in the system that it will have to reform itself or destroy us.

Let us, Mr. Speaker, be realistic. These are not words of a very "nonviolent" nature. Far from it. They are the words of ruthless political agitators who are willing to destroy anything or anybody in order to achieve their ends.

Mr. Speaker, I happen to believe, as I am sure the majority of my colleagues do, that ours is a government whose policies are to be chosen in the ways the law provides. Nowhere do I find it written that Congress or the President must subject themselves to the will of shouting mobs.

Least of all do I believe that such tactics should be encouraged by Government subsidization of revolutionary organizations like Dr. King's so-called Southern Christian Leadership Conference and Southern Christian Leadership Foundation. But, it is a hard fact that both the SCLC and the SCLF are going along their "nonviolent" way with the special blessings of the Internal Revenue Service.

Every citizen of this country should know that his Government is subsidizing its own disruption and destruction by granting a "tax exempt" status to these most active partisan political pressure groups.

According to Mr. A. L. O'Connell, Chief of the Internal Revenue Service's Technical Service Branch, to whom I was referred by IRS Commissioner Sheldon Cohen, the SCLC and the SCLF have been held to be tax exempt respectively as "a civic organization—operated exclusively for the promotion of social welfare," and as "a charitable and educational organization" under sections 501(c)(4) and 501(c)(3) of the Internal Revenue Code.

Just how blatantly ridiculous can you get? These very same sections of the code specifically exclude from tax-exempt status any "action organization" a "substantial part" of whose "activities is attempting to influence legislation by propaganda or otherwise."

In this case, the "otherwise" just might include—as it did in Memphis—murder, arson, and mayhem.

The intent and purpose of these regulations are crystal clear, and, indeed, Commissioner Cohen has had little difficulty understanding them in the past, since he has not hesitated to remove the exempt status of certain organizations whose views this administration does not share.

I cite, for example, the case of the Sierra Club, a conservationist society whose tax-exempt status was revoked after it placed ads in the New York Times urging opposition to an administration-sponsored program of dam construction on the Colorado River. Another organization—the Christian Anti-Communist Crusade—suffered the same fate after the IRS found "the advocacy of a political viewpoint" in some of its publications. In particular, the IRS objected to the Christian Crusade's expressions regarding "the Federal income tax, foreign aid, the Supreme Court, and the operation of Government corporations."

But the words of Dr. King himself provide the most damning evidence in this matter. In a letter circulated to raise funds for the Southern Christian Leadership Foundation, help was asked for "the total effort for political reform" being undertaken by the Southern Christian Leadership Conference. Ironically, the same letter informed potential donors that contributions to the foundation were tax deductible.

I can think of no more obvious and irrefutable proof of the political nature of Dr. King's organizations than the statements of Dr. King and his lieutenants, some of which I have just quoted.

I can think of few great travesties of justice than the moral and legal "double standard" which has allowed this band of political extremists to be rewarded for their misconduct by tax exempt status.

I take the floor today so that these facts will reach the American people, many of whom are unaware of this strange case of the Federal Government giving special aid and comfort to the very people who are out to disrupt and destroy it.

And I take this opportunity to call on Commissioner Cohen and his superiors to see that justice is done and the law enforced fairly and equitably, without preferred treatment being given to any special interest group.

SENEGAL NATIONAL DAY

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, today the Republic of Senegal celebrates the eighth anniversary of its emergence into independence within the Mali Federation which briefly linked Senegal and the former French Sudan, later to be called the Mali Republic. Although the Federation did not last, it reflected independent Africa's search for unity.

This search continues. The President of Senegal, His Excellency Leopold Sedar Senghor was yesterday and remains today a pathfinder on the road to unity, a tireless searcher for the way to fruitful cooperation between the sovereign states of Africa. Recently overwhelmingly reelected to a third term as President, his search enjoys support far beyond his country's borders and tangible progress may be in sight.

Acting jointly with his like-minded peers and neighbors, the Presidents of Mali, Guinea, and Mauritania, President Senghor announced on March 24 in Labe, Guinea, the creation of a subregional organization within which these states—all riparians of the Senegal River—plan to cooperate in their development.

President Senghor looks forward to the day when this organization may become the core of a much larger West African economic entity comprising both the English- and the French-speaking countries of the area.

These significant developments amply demonstrate the statesmanship of Senegal's President who began militating against the balkanization of Africa while that continent was still under European domination. Today his labor and his vision for regional cooperation appear more than ever to point the way to free Africa's future.

Senegal's eighth birthday is thus an anniversary of emancipation and of cooperation—the ever unfinished tasks of all human societies. We in this country salute the Senegalese people and their leaders on this occasion and wish them success in the creative and promising undertakings in which they are engaged. I extend my very sincere personal greetings to Senegal's citizens and her able leader through Senegal's Ambassador to the United States, His Excellency Dr. Ousmane Diop.

POLITICAL APPOINTMENT OF POSTMASTERS AND RURAL CARRIERS

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. BYRNES of Wisconsin. Mr. Speaker, my guess is there is scarcely a Member of Congress who does not know that the political appointment of postmasters and rural carriers is wrong. It is simply not rational to appoint administrative officers and postal workers on the basis of what political party they belong to.

It is bad for the Post Office Department. It is bad for the Members who must make the recommendations and incur the displeasure of the unsuccessful candidates. It is even bad, in my opinion, for the political organizations who are supposed to benefit most.

The time was never riper to get rid of this antiquated and harmful system. We can now do so in complete fairness to all Members and to both political parties.

The Republican Party had 8 years of making these appointments from 1952 to 1960. The Democratic Party is now completing 8 years of performing the same thankless task. If we act now to put such appointments on a nonpartisan basis the beginning of next year, we are completely fair to both parties.

I am, accordingly, introducing legislation to end such political appointments with an effective date of January 20, 1969, coinciding with the beginning of the term of the next President.

My bill would impose strict criminal penalties on persons who use, or attempt to use, political influence in connection with appointments and promotions in the postal service.

My bill also provides that qualified and experienced postal workers be given first chance for promotion to fill postmaster and rural carrier vacancies.

The present system is demoralizing to career postal employees. I believe postal efficiency and service will improve when supervisory and other positions are filled, as they should be, on the basis of merit and experience rather than political patronage. Under my bill, if a qualified career postal employee is not available to fill such a vacancy, then an open competitive examination by the Civil Service Commission will be given.

I urge the Congress to act on this legislation during this session.

LET'S COORDINATE OUR LAW ENFORCEMENT EFFORTS

Mr. MONAGAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MONAGAN. Mr. Speaker, the maintenance of public order and the inculcation of respect for law are among our most important domestic needs today.

It is intolerable that law-abiding citizens should not be able to venture from their homes in the ordinary occupations of life without danger of attack, and that doors which once were freely open must be locked against transgressors. This is a condition which no responsible government can allow to continue. Surely freedom from danger of this sort must be guaranteed for every citizen.

Perhaps the greatest obstacle to effective nationwide law enforcement is the lack of coordination between local, State, and national police agencies. Each of these units is carrying on its program—in what is probably a laudable way—and yet there is no procedure whereby the one can know what the other is doing; where there is duplication or where there is a need to assist.

With these facts in mind, I have today introduced a bill that creates a House committee to study the resources available to each level of government in combating crime, the efforts presently being made by each, the duplication of effort that may exist, the additional assistance that may be needed, and the type of criminal activity that should be the particular concern of each level of government.

There is a need for such a top level study but there is also a need for prompt top level action. The House should initiate and pursue the study and promptly make the appropriate recommendations.

It is a sad commentary on the effectiveness of our public administration that in most cities the individual's freedom of movement has been restricted through the growing threat of bodily attack which I have described. Increasingly, throughout the Nation, our public agencies appear unable to discharge their responsibility to protect citizens from criminal activity. Meanwhile, abuse is heaped upon the police and their attempts to do their job are rewarded too often with charges of brutality and misconduct—and occasionally with physical violence.

A very important aspect of this problem is the attitude of our courts, which seem unduly eager to give priority to the legal rights of the accused, while minimizing the rights of the law-abiding citizen and of the public at large.

Justice Black, unfortunately only as a dissenter in a recent Supreme Court case, said in this connection:

> The importance of bringing guilty criminals to book is a far more crucial consideration than the desirability of giving defendants every possible assistance in their attempts to invoke an evidentiary rule which itself can result in the exclusion of highly relevant evidence.

Certainly, the legal rights of all accused and suspected persons must be safeguarded. That goes without saying. But in the process, respect for law must not be diluted. Again to quote Justice Black, the Nation cannot "permit lawless people to play ducks and drakes with the basic principles of the administration of criminal law."

While not ignoring the fundamental causes of crime, or reacting irrationally to its increase, we must confront this problem head on. Acts of crime in the street represent nothing less than a guerrilla attack upon society, and violence by criminals who in too many instances escape apprehension must not be permitted to continue.

At this point the choice of means to check and correct this national scandal is ours, although there may not be complete agreement as to what these means should be. If we do not act promptly to control criminal activity, the long-suffering public might be tempted to abandon our cherished constitutional protection on the ground that it unduly serves wrongdoers. Freedom would thus be lost in a drive for safety and this eventuality must be avoided. We cannot place our faith and our future in the hands of vigilantes whose misguided efforts to take protective and enforcement measures upon themselves could be fatal to our legal system.

There is, therefore, an overwhelming need for coordinating the activities of the local, State, and Federal Governments in order to mount the most effective attack upon crime. We have done this in other fields such as flood control, water pollution control, transportation, education, and highways, all of which have brought about improved conditions and have at the same time preserved local authority and responsibility.

Mr. Speaker, it is most important that the problems of cooperation and coordination at all levels be better understood if the most effective use of present and projected resources is to be made. Success in anticrime efforts is imperative at all levels of government, and with all police agencies working effectively and in harmony, if dire consequences are to be prevented. I hope that my resolution will be given prompt and favorable consideration.

WGN–TV TO HAVE ITS 20TH

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PUCINSKI. Mr. Speaker, WGN–TV—one of the Nation's most highly respected television broadcasting facilities in the country—will observe its 20th anniversary tomorrow.

I should like to include in the RECORD today an excellent column by the television editor of the Chicago Tribune, in which he describes the history of WGN–TV.

Tomorrow's observance will be shared by all the people of Chicago who have learned to respect WGN–TV and its entire staff as one of the most influential and responsible institutions in the Midwest.

Congratulations are in order to Mr. Ward L. Quall, president of the WGN Continental Broadcasting Co. for the outstanding leadership he has brought to WGN–TV and to its sister radio station, WGN.

Ward Quall has given the entire television industry a new dimension of high standards for programing and news coverage.

I am sure all of my colleagues in the Midwest whose constituents list WGN–TV as one of the truly great institutions of our country will join me today in wishing this inspiring organization a happy birthday and expressing a reverent hope that the high standards of broadcasting it has brought to the Midwest will continue to be its hallmark.

We are proud, in the Midwest, to claim WGN–TV as one of our most impressive assets.

Mr. Clay Gowran's column follows:

WGN–TV TO HAVE ITS 20TH ANNIVERSARY TOMORROW—BEGAN WHEN ONLY 1,600 SETS HERE

(By Clay Gowran)

It's anniversary time out at the big Broadcast Center on the northwest side which is the home of WGN–TV, channel 9. For it was just 20 years ago tomorrow night—at 7:45 p.m. on April 5, 1948, to be precise—that WGN television made its formal bow on the Chicago air.

The premiere effort was a two-hour live program divided among speech-making, presentation of dignitaries on hand for this electronically historic occasion, and entertainment.

Gov. Dwight Green was there, and Sen. C. Wayland (Curly) Brooks and Mayor Martin H. Kennelly of Chicago. Dick (Two-Ton) Baker entertained, and Tito Guizar, the troubador, warbled. There was a puppet show, and 7-year-old Ann Murray, a Chicago youngster, took a bow as "the Spirit of WGN–TV," and promised to grow and grow—she'd be a big girl now.

That first program of channel 9, a Tribune company subsidiary, was staged in a studio adjoining Tribune Tower on Michigan avenue, and relayed by a mobile truck called "The Blue Goose" to a master control room and antenna atop the old Daily News building (now Riverside Plaza).

From there, it was beamed (45 miles was considered ultimate range) to the estimated 16,000 television sets in the Chicago area that night—the largest of them 10-inchers. Today, good reception of channel 9's signal 90 miles out is not unusual, and there are more than 2½-million sets in the station's coverage area—probably none of them a 10-incher.

"Actually, WGN–TV had run a test telecast that preceding March 6, of Jack Brickhouse covering the Golden Gloves boxing tournament at the Chicago stadium," said James Hanlon, veteran public relations manager of the WGN Continental Broadcasting company. "But that April 5 was the real thing, because the next day we went on the air with a regular schedule."

Even tho it was only two decades ago, the contents of that first "regular schedule" look pre-historic, so rapidly has television changed.

On April 6, 1948, channel 9 opened its first "full" day at 2 p.m. with a 30-minute newsreel, followed by a homemakers' program from a Loop department store. After that came test patterns from 3 to 5 p.m.—that's it, just test patterns—followed by Two-Ton Baker and the Art Nelson puppets in "Wonder House." For an hour from 7:30, the channel was occupied by a "Sportsman's Corner," weather news, and the "WGN Scrap Book." At 8:30 p.m. WGN–TV served up an old movie—the first early version of a late, late show.

Expansion came quickly, tho. The "Chicagoland Newsreel" became a regular and costly feature of the schedule, the first in the city and one of the first filmed newscasts in the nation. That April of 1948, the international Golden Gloves matches were telecast, and the Chicago Cubs games—channel 9 has had them every year since. That first year also brought viewers All-Star football, and many college games.

That old transmitting antenna atop what used to be the Daily News building was long since given up. Today, WGN–TV transmits from a tower on top of the Presidential building, but by early 1969 its signal will be coming from a new installation atop the 100-story John Hancock building.

Ward L. Quaal, president of the WGN Continental Broadcasting company, the Tribune company-owned subsidiary which in turn has all WGN Continental broadcast properties, both precedes and antedates channel 9, it could be said. He began his career on W-G-N radio as an announcer in 1941; he returned to the WGN family as vice president and general manager in 1956.

THE SITUATION IN VIETNAM

Mr. TAYLOR. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. TAYLOR. Mr. Speaker, we all hope that events of the last few days will lead to serious peace talks, which will hasten the end to the war in Vietnam. A "tremendous tiny" step has been taken. Public support for a negotiated settlement is stronger than in the past. The President has freed his own hands by removing himself as a candidate in the coming election. He has endeavored to strengthen his leadership in finding the right solution to this war.

The President, in his recent address, spoke like a patriot and based his decision not to be a candidate on high principles. I accept it that way.

Many candidates have spoken for national unity and peace in an effort to advance their own elections. The President placed national unity and his desire for peace above partisan politics. He elevated the Presidency and the country above his own political ambitions and interests.

The entire Nation should now unite and support the President in his efforts to bring an honorable and just end to this war.

Rev. Calvin Thielman, of Montreat, N.C., has been a close friend of and adviser to President Johnson for many years. I recommend his remarks, as contained in the Asheville Citizen of April 2, 1968, to my colleagues:

"What the President sees is a dangerous and hostile disunity in this country, and since much of it is directed at him personally, he is willing to withdraw himself from the situation to effect a healing," the Presbyterian minister, who has made three trips to Vietnam on behalf of the administration, said of Johnson's move.

"He also has a serious responsibility for everyday affairs in Vietnam, and he consciously wants to put his efforts behind achieving peace out there," Mr. Thielman said.

The Montreat minister, who was appointed about a week and a half ago by Johnson to a 17-member President's Council on Youth Opportunity, campaigned in 1948 for the President when he was running for the Senate from Texas.

"He knows how much time it would take in an election year to be barnstorming the country trying to round up delegates and to get re-elected," Mr. Thielman said of Johnson.

"And the price is simply too much to pay in view of the sacrifice in Vietnam. I think it's a pity myself, because he had a huge capability for achieving great and good things, domestically in America, Mr. Thielman said.

"I knew how hurt he was. I saw the tears in his eyes," the minister said, referring to the President's appearance when he made the announcement on a nationwide television hookup.

Mr. Thielman said he "got on his knees and prayed" for the President following the announcement. He said Johnson had tried hard, but that the Eastern Seaboard "Ivy League" press couldn't understand the man from the West.

"He wasn't on their wavelength. If you know him personally, you see a genuine person. He is not a good actor. He is not a good television personality. He's rough, and he's got a lot of goodness in him."

PRESIDENT JOHNSON'S ACTION BRINGS RESULTS

Mr. PRICE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE of Illinois. Mr. Speaker, the reports that Hanoi is willing to discuss "the unconditional cessation of bombing and other acts of war" give rise for hope that the Vietnam conflict may end. While it is obviously too early to detail the particulars of any discussions, or to place any great reliance on the efficacy of such preliminary overtures, it does appear that the prospects for communication between the United States and North Vietnam have improved.

This note of cautious optimism, however, should not overshadow the effects of President Johnson's historic speech Sunday evening on the quest of peace. It is evident that the President's genuine and sincere call for national unity and peace have prompted North Vietnam to respond, although qualified, to his initiative to hold discussions on how the hostilities might end.

I am certain I speak for every one in this Chamber in saying our Nation is indebted to President Johnson for his magnificent act of courage and statesmanship. I fervently hope and pray that these preliminary contacts will lead to productive negotiations and an honorable settlement of the tragic conflict.

PROPOSED ACTION ON CIVIL RIGHTS BILL BEFORE EASTER RECESS

Mr. WAGGONNER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, I take this time to ask the distinguished majority leader if he intended to imply that should the House, in its wisdom or lack of wisdom, fail to send the civil rights bill to conference, we will remain here until we have that bill out of conference and have taken final action?

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. WAGGONNER. I yield to the majority leader.

Mr. ALBERT. I did not mean that. I mean that we hope for the House to take action on the bill before adjourning for an Easter recess.

Mr. WAGGONNER. But the gentleman does not mean conference action, if the bill is sent to conference?

Mr. ALBERT. The gentleman is correct, because we could not anticipate the length of a conference.

Mr. WAGGONNER. I thank the gentleman.

L. B. J.: PATRIOT AND REALIST

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to include an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ROGERS of Colorado. Mr. Speaker, I submit for the RECORD an editorial from the Denver Post entitled "L. B. J.: Patriot and Realist," to which I invite the attention of Members:

L. B. J.: PATRIOT AND REALIST

President Johnson last night gave convincing proof of his devotion to the principal objective of his administration—peace in the world.

He has acted in the best interests both of his country and of himself in announcing his decision not to seek re-election to the presidency.

The President recognized that much of the divisiveness and conflict in the United States over Vietnam was associated with his name. By removing himself from the election campaign, he obviously hoped to reduce the controversy over Vietnam and open the way for a rebirth of national unity. It was an unprecedented gesture of statesmanship.

Instead of being "Johnson's war," the struggle in Vietnam is now more likely to be considered "America's war," and the merits of our Vietnam policy can be discussed without being related to the President's personal popularity.

More important, the efforts Johnson may make for the balance of his term in office either to find a peaceful solution or pursue the war more vigorously can no longer be construed as self-serving tactics to advance his own political ends.

As a non-candidate, President Johnson will be freer to work for peace in Vietnam and for a reconstruction at home of the national unity which the Vietnam war has done so much to impair.

Since Johnson himself will no longer be a major issue in the political primaries this spring, there is reason to hope that the Vietnam war itself will loom less large as an issue and be discussed with less regard for political gain.

As long as Johnson remained the symbol of our Vietnam policy, there was danger that any rebuffs Johnson himself received in the coming primaries would be regarded in Hanoi and elsewhere as rebuffs to the policy itself.

The President was realistic enough to recognize that his prospects in the presidential primaries were uncertain.

The President was wise to couple his announcement that he would not run with another peace proposal. As previous proposals, this one is not likely to be acceptable to the tough and uncompromising government in Hanoi. But it is unalterably clear to his fellow Americans and to the rest of the world that peace is foremost in the mind of the President of the United States.

In withdrawing from the political wars, the President acted as both a patriot and a realist. In his mind and in his heart, he must believe that he is taking the course most likely to unite the nation and bring it peace.

CONFIDENCE IN DOWNTOWN BUSINESS SPARKS PURCHASE OF HESS' IN ALLENTOWN, PA.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. ROONEY] is recognized for 15 minutes.

Mr. ROONEY of Pennsylvania. Mr. Speaker, across our Nation hundreds of cities have been struggling for a decade and more to maintain strong downtown business districts in the face of increasing threats posed by sprawling and convenient suburban shopping centers.

One city which has waged a highly successful fight is Allentown, Pa., where center-city retail stores and shops continue to attract record crowds and register record sales while some of the Nations most modern shopping centers vie for shoppers' dollars on the city's perimeter.

A large share of credit for the public's attraction to downtown Allentown is due to the progressive merchandising practices of the luxuriously furbished Hess's department store which has become well known nationally and internationally.

Last month, Max Hess, the man who propelled Hess's to its position of prominence in the retailing world, sold this enterprise to Philip I. Berman, another dynamic Allentown business leader who long has been engaged in the promotion of downtown Allentown.

Mr. Berman's business acumen, coupled with his deep-rooted interest in the Allentown community and his years of service as a public official and civic leader, insures that the future of Allentown's downtown business area is bright.

Undoubtedly, Mr. Speaker, a number of my colleagues know Mr. Berman through his many-faceted record of service to our Nation. He currently serves as a member of the National Advisory Council to the Small Business Administration and previously served on the SBA's Pennsylvania Advisory Council. Last fall he traveled to Geneva as a State Department advisory member of the U.S. Delegation to the 43d Economic and Social Council. He and his wife, Dr. Muriel M. Berman, are well known in the art world for their keen interest and vast collection of art works. At this time, in cooperation with the State Department, works from the Berman art collection are on display in 50 embassies throughout the world.

Mr. Berman now has assumed the presidency of Hess and the chairmanship of its board of directors. Reasons why his acquisition of this important Allentown business insure the city's downtown a continued bright future are reflected in several articles which appeared recently in Lehigh Valley newspapers. I am pleased to include this in the Record for the information of my colleagues:

[From the Allentown (Pa.) Sunday Call-Chronicle, Mar. 31, 1968]

NEW HESS'S OWNER PLEDGES STORE ROLE IN COMMUNITY

(By Albert Hofammann)

"This is the biggest and best shopping center anywhere—some persons call it Hamilton street but it is a shopping center."

The speaker was Phillip I. Berman in his new Hamilton street office, Hess's department store, which he now heads. He added:

"I feel strongly, too, that Hess's must become increasingly involved in community efforts." He described the Hess coworkers as dedicated persons interested in making their store even greater than it has been. "But more than this, we want to participate in, support, help downtown progress; we want to be part of the living community, join in community activities. This is an obligation we owe not only to our customers but also to our coworkers."

The Allentown businessman bought the store March 21 and as president and board chairman is looking forward not only to progress of the store itself but also to progress in center city Allentown. As chairman of Allentown Redevelopment Authority he adopts a broad view of overall economic welfare and of healthy business climate without hesitation.

"I have been selling downtown Allentown for so many years," he noted, "that I wouldn't have been true to myself if I hadn't been interested in Hess's. I am convinced the future is right here on Hamilton Street."

The new retail executive—and he is the first to admit retailing is a new and fascinating world to him—is convinced the future will be greater than the past, that there is no chance for downtown Allentown to lose its outstanding role in an active, progressive and exciting city. He stresses cooperation, a working concert, among the mayor, city council, agencies like the planning commission, redevelopment authority and housing authority, businessmen, bankers and all citizens.

ON WAY UP

"We have come over many valleys on a graph and are on the upward incline, after all. Hess's fortunately played a role in keeping downtown Allentown a great place to live, to work and to shop. Now we—and I mean 'we,' all of us—must try to make it even more attractive."

Berman suggested every Allentownian take a close look at downtown Allentown—at Hamilton street between City Hall and 17th street alone, for example. Millions have been spent in improving facilities in recent years at such places as First National and the Merchants banks and at stores like Zollinger Harned, H. Leh and Co. and Adams.

Businessmen are continually improving this downtown shopping center for the simple reason that more attractive stores and businesses will attract more persons, Berman pointed out. "Remember, any business which brings persons downtown is helping another business. Hess's, for example, has always brought shoppers downtown but there is more to shopping at Hess's than a visit to the store itself," he said.

SHOPPING IS FUN

"I believe shopping for most families is not just shopping, it's going out. Usually a person 'gets dressed up' to go downtown to shop. Shopping is a serious business, of course, as a buyer wants to spend his hard-earned money to the best advantage. But it is also an experience to enjoy. Thus a shopper visits not only one store or several stores but may also go to one of the banks, have lunch at a downtown restaurant or perhaps even go to a movie.

"What they want is a pleasant environment and probably one to which they are accustomed. I don't think they want an unnatural environment consisting of tunnels, archways, halt of traffic flow or futuristic pushbutton shopping at this moment of time, anyway. Thus all we have to do is make visitors to downtown Allentown want to 'dress up' and spend the whole day in a pleasant environment which provides variety of both profitable and entertaining activity.

"In short, we want to extend a person's interest span in center city."

The central problem Berman sees in continuing to develop downtown Allentown and the role of Hess's in improving Hamilton Street is parking. "We must face up to this," he said.

"The Allentown business community can be thankful to the originators of Park & Shop for their initial vision and particularly for their continued pursuit of their goal, as they have never stopped improving and adjusting. But there may be an impossible point in the parking scene in that we may have enough spaces for parking but how can we get a customer a space at exactly the point at which he wants to stop his car? But then this is an interesting creative challenge and I think challenges are good."

PERSONAL PHILOSOPHY

Berman himself accepted a challenge when he took over Hess's. He believes Hess's belongs to Allentown and is glad it was available for local operation. He also believes basic business principles are self evident, that they are true in any type of business—as in his operation of D. F. Bast Inc., a trucking firm, or Allen Electric Co. The principles are reduced in his thinking to a good basic product plus people.

As for his own working philosophy, it is, first, that he must be expendable. "I like work but I like creative work." Second, he doesn't believe in setting goals for the future for himself. "I find it's better just to let it happen; you shouldn't try to direct the future. Of course, you can't wait behind a closed door; you must be available and alert."

The new Hess's president and board chairman is continuing to be available and alert. He does not intend to divorce himself from some of his unique experiences and activities of the past, particularly on the international scene, and he certainly will continue his interest in art, a collector's passion which he shares with his wife Muriel.

"More persons want more and better things all the time. You can't beat something that's really good but you can always try to make it better," he said.

That's the vision Berman has for Hess's and for downtown Allentown.

[From the Bethlehem (Pa.) Globe-Times, Mar. 16, 1968]

ARTFUL BUSINESSMAN ACQUIRES MASTERPIECE

(By Mary Wagner)

"Why did you buy Hess's?"

The bow-tied man with the shock of blonde hair leaned back in his chair and replied with a laugh: "I have nothing else to do on Saturdays."

Philip I. Berman, already president of 10 corporations, has acquired the biggest and best-known name in retailing in the Lehigh Valley. And with it the biggest challenge in a life filled with challenges.

Almost a total stranger to retailing, Berman will guide a store that grosses more than $40 million and enjoys a national reputation built by the daring of its flamboyant owner, Max Hess.

The acquisition crowns a spectacular climb to prominence in business, the arts, and civic enterprises, considering that it all started on a farm in Geryville, a little crossroads at the Bucks-Lehigh county line.

He was one of seven children of Dora and the late Joseph Berman, and by age 11, young Philip was a partner in the family's farm equipment business.

His father branched out into truck leasing, the company supplying many trucks to breweries following prohibition and to coal haulers during the hard coal boom in the late '30s and early '40s.

Berman headed for Ursinus College and planned a career in law. He switched to business because he says he found it "more intriguing."

His business philosophy is stated simply. He feels one and one can make four, not two. A review of his career strongly suggests the formula works, when accompanied by the Berman push.

He spent three years in the U.S. Marines during World War II as a commissioned warrant officer and then returned to the family businesses, Berman Leasing and Berman Sales.

He struck out on his own in 1961, when the other members of the family-held corporation wanted to go public and offer stock for public sale.

Berman says he acquired D. F. Bast, a steel-hauling trucking firm, because he once told owner Neil Bast to let him know if he ever wanted to sell. That was in 1958.

Four years later, Bast called at 8:30 one morning and said, "I'm ready." Berman had to admit he asked, "Ready for what?"

The ownership of Allen Electric came about in much the same way.

Two young men, now vice presidents Albert Pell and Jack Kushner, individually sought Berman's advice about buying the business. He got them together and they liked each other. Before he knew it, all three made the deal.

Berman says he is offered a business every few weeks. He is now developing his own 55-acre industrial park at the Allen Electric site near the Bath exit of the Thruway.

He has never had a business failure, he says, but the "turning point" in his career came from a near-disaster.

In 1953, he was stuck with 85 trucks which he had agreed to lease to a company. The firm went into a trusteeship and was later sold.

He asked for his rights and was informed he had none.

"I was scared to death," he said. But he got busy.

He went on a selling trip in the Midwest and rented 350 trucks in 10 weeks. In the next one-and-half years, he managed to lease 1,500 vehicles.

His businesses operate efficiently because they are set up to run without him.

"I surround myself with young, capable people and let them do it," he said, "although I am always involved in the policy making."

When asked if he had a financial adviser, Berman said, "Yes, me."

His time is so planned that he has scheduled now what he is to be doing next year. He keeps a day-to-day check sheet, uses the phone incessantly, and writes himself and everyone else memos.

Vacations are never planned too much in advance. He takes time off when he feels he needs it.

An up at 7, home by 6, day is a typical one for him. He goes to bed early if nothing "better to do," he says. He does not work in the evening.

POLITICAL INTEREST

Berman will serve as an alternate delegate to the Democratic National Convention this year. His political registration has been Democratic for the last few years because he found the Republican candidates the "lesser of the persons I equate with."

He tags himself a liberal-oriented independent voter, voting for the man instead of party affiliation.

He expects a lively convention this year, particularly if Sen. Robert Kennedy makes a serious bid for the nomination. He considers McCarthy as "not doing any harm. He is serving as a conscience; unfortunately, they never get anywhere.

BICOUNTY EFFORT

Regarding the future of the Lehigh Valley, Berman, who serves as chairman of the Allentown Redevelopment Authority, says he sees only good things.

He says that the best hope for the Valley is careful planning. "We need more work on a bicounty level," Berman asserts.

"Nationalism" is fading in the Valley, he says. "People are beginning to think of the area in terms of just that, an area."

Bethlehem has made great strides under Payrow, Allentown still has work to do, he feels. He doesn't fear the "megalopolis" concept, because "even the megalopolis is made up of smaller units and the Valley can still maintain its individuality."

WIDELY TRAVELED

The Bermans are seemingly obsessive travelers. He and his wife, Muriel, recently returned from a trip through Spain and London. Berman met his wife in Spain after she went to Israel as a member of the national board of Hadassah.

They have, together and separately, been almost everywhere worth talking about, sometimes on official trips for the United States government and the United Nations.

Berman served as a State Department delegate to the 43rd Economic and Social Council of the United Nations in Geneva last year.

Neither he nor his wife is multilingual. He admits to some knowledge of German. Muriel, he says, is more talented and can get along most everywhere.

SOME 2,000 PAINTINGS

They are the proud possessors of correspondence received from many famous people. Berman keeps all the originals, and is quite proud of letters from a two-year acquaintance with author Somerset Maugham while negotiating to buy some paintings from him.

It is the Berman luck that someday the letters are expected to be more valuable than the paintings.

The Bermans have a collection of more than 2,000 paintings.

Their interest in art began when they built their first house in 1946 and the decorator suggested that they should buy paintings for themselves. A personal touch, he said, was needed.

They have become what Berman calls "chain collectors." Their art is exhibited locally in all of the colleges and universities, many of the business places, and currently five exhibitions are circulating among colleges and museums in the East.

IN WORLD CAPITALS

Their Art in the Embassies program is done through the State Department. Collections of Berman paintings are in 50 embassies throughout the world.

He has favorites in his offices, and many original works brighten the other areas.

He does not place a value on the Berman collection.

"Paintings," he states firmly, "should not be judged by the dollar sign."

"I feel I should identify with my people," he says. If one ignores his background, he becomes just one of the mob, he feels.

Israel is important to the world, he says. The initiative of the people has made it great.

"If only the Vietnamese people had this same initiative and sense of identity, the situation there would be much different," he adds.

Fittingly enough, he met his wife Muriel while traveling. They are the parents of three children, Nancy, 23, assistant producer and programming director of WBGH-TV, Boston Channel 2. She was a Welksley scholar.

Nina, 21, is a junior philosophy major at Connecticut College for Women and Steven, 16, is a junior at William Allen High School. He is interested in the sciences.

The family is obviously a close one and any occasion for a family reunion is agreed to readily. "Whenever the Bermans get together, it's a party," seems to be the rule.

When asked if there was any place in the world he would yet like to go, Berman remarked, "I ought to be at the South Pole right now."

He is a member of the Explorers' Club and a planned trip to the Polar region was cancelled because of the Hess's negotiations.

"NEXT YEAR"

"Maybe next year," he said, looking more than a little wistful.

While they are traveling, Berman writes lengthy personal notes and observations which are later transcribed and copied by his secretary. These are sent to good friends and all of the children to let them know "what's happening."

Regarding his by-now famous bow ties, he says he wears a four-in-hand tie "when I feel particularly daring."

"Wearing a bow tie (not pretied) is kind of like having a dog," Berman states. "You get to meet a lot of people. They always want to straighten it out, it seems."

He's gone "mod" on occasion and has worn a dress turtleneck shirt. He was, incidentally, refused admission, in the lobby at the Ritz in Madrid, while so attired.

To give some idea of the number of bases Berman must touch, he is president of D. F. Bast, Inc.; Allen Electric Co.; Fleet Systems, Inc.; Allen Dodge Corp.; Allen Leasing Corp.; Fleet Operations, Inc.; Fleetways, Inc.; Fleet Power, Inc.; Thruway, Inc., and Huntzinger Printing Corp., a Camden, N.J. firm.

Berman is a member of dozens of organizations from college trusteeships to Boy Scouts.

When asked what his ultimate goal in life was, he replied simply, "Hopefully, that anything I am involved in is a little better for my having been there."

FARBSTEIN FAMILY EMERGENCY SMALL LOAN PROGRAM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. FARBSTEIN] is recognized for 30 minutes.

Mr. FARBSTEIN. Mr. Speaker, in 1966, I sponsored an amendment which was adopted as part of the Economic Opportunity Amendments of that year, establishing a family emergency small loan program. This program is aimed specifically at meeting the immediate and urgent needs of low-income families for small loans not exceeding $300. The results of this program have been gratifying to me personally and I believe the response of loan recipients, in various parts of the Nation, give eloquent testimony to the effectiveness of this program.

Mr. Speaker, I believe the emergency small loan program is one of the best antipoverty programs in the Nation. Recently, I received a letter from Mr. Eugene Schroeder, director of a small rural community action agency in Troy, Ala. In Mr. Schroeder's words, "the emergency loan program has been one of the best things that has happened for the people in the poverty groups in our three-county area, Pike, Bullock, and Coffee Counties."

He continued:

> Loans have been granted to people that would have suffered severely had it not been for the help that they have received from the Emergency Loan. The loans could not be obtained from any other sources.

Mr. Speaker, attached to this letter were a number of case histories of loan recipients in the Troy area. The very salient point is made that often loan recipients, through contact with the loan program find they are eligible for other assistance, either social security, veterans pension, or public welfare. This feedback is often more important than the loan itself.

Mr. Speaker, I insert several of these case histories in the RECORD. I know my colleagues in the House will find their stories both interesting and informative reading:

I

Mrs. Mattie L. Hester, age 63 of Rte. 1 Banks, Alabama came to my office and applied for a loan to get her husband in the hospital for treatment with tears in her eyes. Their total income was $53.00 per month. After investigating, I felt that she and her husband were qualified for Social Security. I called Dr. J. O. Colley and told him I felt sure the Loan Committee would grant Mrs. Hester up to $300.00 loan. Dr. Colley admitted Mr. Hester to the hospital and began treatments. When he was ready to be released from the hospital, his bill was $183.00. The loan was granted and paid to Beard Hospital.

Within a short time, Mrs. Hester heard from the Social Security Administration stating that she would receive around $1,000 in back Social Security payments and about $75.00 per month thereafter. During this waiting period, Mr. Hester had to be returned to the hospital. I was able through the Loan Committee to make another loan to her in the amount of $116.90 which was badly needed. By the time we got the loan processed and Mrs. Hester was ready to sign the note, she made the following statement "I have a check from the Social Security for $900.00 for back benefits and I want to pay what I owe you." She paid the note off in full with only 75¢ interest.

We have many more cases along the same conditions.

II

Mrs. Lorene Allen of Rte. 1, Brundidge, Alabama. Mrs. Allen's husband became mentally ill while working at a saw mill in the state of Georgia. He was admitted to a mental institution in Georgia and having no income at that time, Mrs. Allen and children were forced to move back to Alabama and move in with her father-in-law who did not have room for them, neither was his income sufficient to take care of them.

After two and one half months, they were referred to the Emergency Loan Office. I was advised by the local Veteran Office that Mrs. Allen's husband is a Veteran of World War II and that he was sure that Mrs. Allen would receive help from the Veterans Administration and he did.

She made application for a $200.00 loan. It was granted by the Loan Committee. They were able to move into a home of their own. The daughter found work and they are happy and repaying their loan.

III

Mr. L. C. Flowers of Rte. 6, Troy, Alabama, came into my office on October 23, 1967 and asked for a $25.00 loan. He stated that he had a wife and six children and they were hungry. Upon investigation, I found this to be very true. So having been granted the authority by the Loan Committee to make loans up to $50.00 without them passing on it, I granted the $25.00 loan and Mr. Flowers immediately purchased groceries and I personally drove him home. It was a great satisfaction to me to see the happy expressions on the faces of his wife and children.

Mr. Flowers paid that note on November 17, 1967 and was granted another loan for $50.00. He has made only one payment In January, 1968 his entire family had the flu and he has not been able to make his payments, but came to my office this week and stated he would be in on March 22, 1968 and make a payment.

I have many cases similar to this one.

IV

Mrs. Foy Shipman, P. O. Box 641-Brundidge, Alabama was granted a loan to pay tuition for a mentally retarded son to enter trade school. He has done real well in the trade of Masonry. I had the priviledge to see some of his work at Mrs. Shipman's home. This son could not learn in school but was able to be taught to do things with his hands. Had it not been for this loan, I feel sure he would have been dependent on his parents and finally on Pensions and Security.

V

Mr. William T. Campbell of Rte. 2 Brundidge, Alabama was in training at Page Air Craft, Ft. Rucker, Alabama. He had enough training and was making $64.50 per week. His mother had surgery and he had to spend all his savings to help his father take care of his mother's hospital bill. He and his wife were expecting their baby any time and he had no money to pay the bill. He tried to borrow from the banks with no success. The banks referred him to us and he was granted a loan for $300. This loan kept him from losing his house trailer and automobile, also took care of his wife's medical expenses for having their baby.

He has met every payment on time and his income is $100.00 per week at this time. Had he not received help, his transportation, home and job would have been gone.

VI

Mrs. Bernice Farlow, 601 W. Watts Street, Enterprise, Alabama. Mrs. Farlow's home had no outdoor nor indoor toilet facilities. Her only income for her and her six children was $86.00 from DPW. Pensions and security told her if she could get the toilet facilities, they would incerase her allotment so she would be able to pay for it.

She was granted a loan in the amount of $300.00. The indoor toilet and bath is almost completed. This I feel was a great investment for her and it was a good feeling for me to have been a part in helping this worthy case.

VII

On March 21, 1968, Mrs. Betty Jean Johnson of 122 Williams Street, Troy, Alabama, came into my office and stated she was referred to me by Mrs. Anderson who works with the Pensions and Security office here in Troy, Alabama.

Mrs. Johnson stated her lights and water had been cut off by the City of Troy and she had no money to have them turned back on. She and her four children had no food.

After further investigation, I found out that Mrs. Johnson was only 22 years old and her husband left her in September, 1967 with their three children and expecting another in January, 1968. She received her divorce on December 27, 1967. In her decree the judge granted, he stated that her husband was to pay her $75.00 per month. Mrs. Johnson said he has not paid her anything to this date.

I granted Mrs. Johnson a $25.00 loan to have her lights and water turned on. After turning on lights and water, she had $7.75 to purchase food stamps and get food.

Mrs. Johnson came back to our office today March 22, 1968 and I asked Mrs. Colley, County Director of Rural Resources to see what she could do to help her. After several hours of counseling, she left the office with a job doing maid work and was in much better spirit. Her statement was that she would do any kind of work. The help she received was not much, but it gave her an entirely different world to live in.

VIII

Emergency Loan has been a great help to the people of Coffee County. One family, that has been helped, is the Leon Bess family. Mrs. Bess applied for a loan to take her children to Tuscaloosa to the Alabama Speech Clinic. Her husband had been ill and wasn't able to work for several weeks. Since he was a common laborer, his salary was small and he had gotten behind with all payments and certainly didn't have money for this clinic. The loan was approved and the children received the help they needed.

Following this, the lady began attending our workshops in the Elba office every Wednesday afternoon. We have been able to teach her to do some things for herself and her family. She is learning to sew for her family. This will be a saving and will also give her the pride of accomplishment.

We counsel with Mrs. Bess each week. This counseling has been of great value to her in that it shows her that someone cares about her and her problems, however great or small. We feel we have been and will continue to be of help to her in solving her problems.

HENRY FORD II SPEAKS AND WORKS FOR THE UNEMPLOYED

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. FEIGHAN. Mr. Speaker, on March 22 Mr. Henry Ford II addressed the first annual Federal Awards Banquet in Cleveland. It was my privilege to attend.

Mr. Ford was appointed by President Johnson as chairman of the National Alliance of Business Men to undertake the task to provide summer jobs for disadvantaged youth and training and permanent work for the chronically unemployed. Mr. Ford has provided active leadership which I feel confident will inspire the leaders of industry to participate in this program and achieve the goals which Mr. Ford, as chairman, is striving to attain.

By leave obtained, I am including Mr. Ford's stirring address and commend it to the reading of my colleagues:

I am pleased to join all of you this evening in honoring a group of people who have given their lives to the service of their country. Most of us, I am afraid, do not often think of career government employes in this light. When we hear the words, "government employe," the next words that come to mind are likely to be "bureaucracy" and "taxes" rather than "public service."

The fact is, however, that the career employe is the backbone of government. The men at the top in government service come and go—as they should in a democracy. But this means that we must rely on the career employe to provide continuity and to carry the weight of government services that are essential to all of us.

My work brings me into frequent contact with government people in many countries, and I know of no country where the career services are more competent or more conscientious than in the United States. Yet the competent and conscientious public servant in this country does not enjoy the same high respect and prestige accorded to his counterpart, for example, in Great Britain.

If government agencies in this country are not always as efficient and as progressive as they might be in an ideal world, perhaps one of the main reasons is that the rest of us do not always give the career employe the recognition and the appreciation he deserves.

It gives me great pleasure, therefore, to join with the business and community leaders of Cleveland in paying tribute to this evening's award winners and to the 20,000 other Federal employes in this area. Even if we did not tell them, they would know that through their work they had done good and useful things with their lives, and have done well by themselves, by their families and by their fellow-men.

There is no substitute for the satisfaction that comes with a job well-done. A man cannot respect himself unless he can use his God-given abilities to make a living for his family by doing something of value for other people. A man who cannot respect himself cannot respect others. And a man who respects neither himself nor others represents both a personal tragedy and a potential menace to society.

Fortunately, most of us, whether we work for government or for private business, can take satisfaction in a job well-done. But there are others who never have that opportunity. I shall spend the rest of my time this evening talking about them, and about what we, who are more fortunate, can do—and must do—to help them.

You all know who I mean. The latest figures I have seen, for 1965, show an unemployment rate of about 14 percent for the men living in the Hough area, here in Cleveland. About one-third of the families were headed by women and about half of the families had less than $4,000 a year to live on. The figures may be a little different for the ghettos of other cities, but they tell essentially the same story of idleness, broken families and despair.

The time has come when our nation must give people who have been held back by prejudice and poverty a chance to earn a decent life. It is no longer solely a matter of justice and the principles of democracy. After the tragic events of the past few summers, we must finally recognize that our very national unity and the peace of our cities are at stake.

As you know, the National Advisory Commission on Civil Disorders issued its report three weeks ago. The Commission warned that the conditions of life in the ghetto are dividing America into two separate and hostile nations, and the report told us how much more needs to be done than is being done to head off troubles far worse than any we have yet suffered.

In his manpower message to the Congress

in late January, President Johnson recognized how much more needs to be done to find jobs for the hard-core unemployed, and he called upon business to join with government in a new effort to place disadvantaged people in private employment. The National Alliance of Businessmen was formed in response to that call.

Jobs are not the whole answer to the problems of poverty and racial discord, but they are clearly an essential part of the answer. I accepted the chairmanship of the National Alliance because I believe that an answer must be found—and found quickly—and because business holds the key to the jobs portion of the answer. Helping disadvantaged people out of the ghettoes and into the mainstream of the American economy is a goal that can be accomplished only if business shoulders the heavy end of the load. Government cannot meet the need for jobs by itself, simply because business is where most of the jobs are.

The target assigned to the National Alliance of Businessmen is to place 100,000 people in jobs in private business by July, 1969, and half a million by the summer of 1971. We have also been asked by the President to find meaningful work for 200,000 disadvantaged young people this summer.

The Alliance, in turn, is asking employers to pledge that they will hire specific numbers of people in each of these categories. This afternoon, Jack Tankersley and I met with the members of the Cleveland metropolitan office of the Alliance, and with a cross-section of Cleveland's business leaders, to launch the job pledge campaign in this area. Jack, of course, is the chairman of the Cleveland Alliance. Mayor Stokes, Miss Katherine Peden of the Riot Commission, George Grabner and Tom Boardman were all on the program this afternoon. To those of you in the audience tonight who were also present this afternoon, I apologize for repeating much of what you heard then.

Among other things, I pointed out that what happens here in Cleveland and the other cities of National Alliance Region Five will be crucial to the success of the whole effort to find jobs for the hardcore unemployed. Region Five, which lies between the Great Lakes, the Ohio Valley and the Mississippi, is the industrial heartland of America. It has more jobs than any other region and we are therefore asking employers here to pledge more jobs than any other region. Our goal for the region represents about one-fourth of our national target.

I am, therefore, delighted by the obvious dedication of the people in the Cleveland office of the Alliance, and by the interest shown by Cleveland area employers.

In the past, most of us in business management have probably assumed that the hard-core are unemployed because they are unemployable. Our task now is to prove that *we* were *wrong*, that most of *them have* the potential to become good employes.

Securing job pledges is only the beginning of what we must do. This program will fail unless the people who are hired become permanent, productive members of the labor force. The National Alliance is not a relief program or a make-work program, or a gimmick to cool things for the summer. Our efforts will do harm, not good, if employers hire people, raise their hopes, and then let them slide back into idleness and despair.

We are, therefore, asking employers not only to hire people they would not have hired before, but to see that they get whatever education, training, counseling, understanding and support they need to become good employes. This will mean important changes in how employers run their businesses—in *who* they hire, *how* they hire, and what they do *with* people and *for* people after they are hired. And these changes will have to reach all the way from the chief executive to the lowest level of supervision.

The normal business approach to community problems is to put up the money, as long as someone else is willing to work on the problems. But business can't buy its way out of this particular set of problems. In fact, business is not even being asked to put up the money to pay the extra costs of hiring and rehabilitating the hard-core unemployed. The Federal government is putting up the money, and business is being asked to provide the effort and the imagination.

There is really no precedent for this kind of undertaking. It will not be easy, but we are off to a good start. Companies all over the country have been responding magnificently. In less than two months, we have put together a nationwide network of offices manned by borrowed executives who will be working full-time for the Alliance for at least six months.

The 50 metropolitan chairmen and the members of the Alliance Board have already pledged their companies to provide 27,671 jobs—which represents 9.1 percent of our total goal of 300,000 jobs for the first year, including both the youth and the hard-core targets.

The National Alliance program breaks precedent not only in terms of what it asks businessmen to do, but in another sense as well. I don't know of any other instance in which private business has worked as closely as we are working with Federal, state and local government agencies. As I have mentioned, the Federal government is providing funds to help employers cover the extra costs of turning the hard-core into productive employes. The Federal government, in cooperation with the state employment service offices, has also taken on the responsibility of identifying the people who need training and jobs.

But this division of responsibilities tells only part of the story of how we are working with government. Our national, regional and city offices are manned by people borrowed from both business and government. Career civil servants are working side-by-side with career business executives. From what I have seen so far, I am convinced that one of the valuable byproducts of this program will be the new respect and understanding that civil servants and businessmen gain for each other, and each other's organizations.

At the national level, we have also established good working relationships with such organizations as the Urban Coalition, the Chamber of Commerce, the National Association of Manufacturers, the Advertising Council and the Urban League. Mr. George Meany has promised that we can count on the support of the AFL–CIO. We know that we can also count on Mr. Walter Reuther and the UAW, whose cooperation is so important in cities like Cleveland and Detroit. In fact, I have never before seen such a wide range of organizations and interests united behind a single goal.

This kind of cooperation is absolutely essential to the success of the National Alliance program. And, where it is most needed is at the local level. We are fortunate here in Cleveland to have Mayor Stokes working with us. We are also grateful to Governor Rhodes who has promised to put the full resources of the state government behind us. Jack Tankersley and the Cleveland Alliance staff have no intention of taking over or dictating to any organization, public or private, that is already working toward our basic objectives. But they will welcome all the help they can get.

I especially appreciate the opportunity to speak to you this evening because this audience is a cross-section of the people who get things done in the Cleveland area—people in business, in government, in labor, in education and in every variety of community organization.

In conclusion, I want to ask each of you, and each of your organizations, for all the help you can give. Please don't wait for the Cleveland office of the National Alliance to come to you. I ask you to learn as much as you can about its program. I ask you to think about what you can do to help the Alliance place people in jobs—or what the Alliance can do to help you accomplish the same goal. And then I ask you to come to Jack Tankersley and his associates with your proposals and suggestions. And I specifically include in that invitation the organizations which represent the ghetto community—the people we are trying to help.

None of us can afford to stand aside from this effort. The people of the ghetto are looking for a sign that the rest of the country really cares about their problems and needs, and for reasons why they should have hope for the future. We must not and cannot let them down.

WATER DESALINATION

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, for years I have been trying to get my colleagues to take a long, hard look at the propaganda agency which we have set up, paid for and fostered to sell the public and the Members of Congress on the wonderful things that will happen if we continue to pour billions of dollars into the Atomic Energy Commission. A recent development in the field of desalting water illustrates the absolute necessity for taking such a look at this costly bureaucratic creature. To understand the full significance, it is necessary to trace a bit of history of desalting.

A few years ago the hucksters of atomic power seized upon the idea of huge dual-purpose atomic plants, providing tremendous quantities of power and desalted water. The plants had to be huge, because there was no possible way of even claiming that atomic power could be cheap in small plants. President Johnson apparently was convinced by the propaganda, because on January 25, 1965, he stated:

> I look forward with great pleasure to the day when this great energy resource (nuclear power) can be fully applied to desalting the sea, to making our deserts bloom again by assuring us the additional fresh water needed of our growing population and for our expanding industries.

Mr. Speaker, the cost of water for irrigation must be very low. Even if heat were free, we could not possibly desalt the sea for this purpose until that distant day in the future when we have exhausted all other possible alternatives. Yet we find the President deluded by governmental propaganda into making such a fantastic statement.

Carrying on this pie-in-the-sky idea, the atomongers found themselves faced with a serious problem. Through the Office of Saline Water, the Government paid for a study of the need for desalting plants in the United States. The study, by Black and Veatch, showed that large desalting plants would not be economically feasible to produce water in the United States. The study showed, in fact, that the largest desalting plant that might be useful would be one producing less than 5 million gallons per day for a city in Texas. This put a horrible crimp in the plans for building giant nuclear desalting plants, so it was decided—by Office of Saline Water—not to publish this report. After some intense correspondence between Steve Dunn, president of the National Coal Association, and Frank DiLuzio, then director of OSW—correspondence which was widely circulated among Members of Congress—OSW released an edited version of the report, just about a year after it was finished.

Did this stop the atom choristers? No, indeed. They went right ahead putting pressure on people in California to accept Government subsidy for a huge dual-purpose plant. Oh, they did cut down the size—from 150 million gallons to 50 million gallons. They pretended, however, that it was a 150-million-gallon plant on the premise of an "option" to metropolitan water district to enlarge the 50-million-gallon desalting plant at some later time if it chose to do so.

On August 10, 1966, the Atomic Energy Commission issued a press release announcing agreement between the Metropolitan Water District of Southern California, the Department of the Interior, the Atomic Energy Commission, and electric utilities in California to go ahead with the construction of a giant dual-purpose desalting plant. The AEC stated in the press release that the Federal Government would provide financial assistance, but it did not mention how much—over $70 million. The AEC said:

> The average water cost of the product water at the desalting plant is 21.9 cents per thousand gallons and the cost of water delivered would be 27 cents per thousand gallons.

Next, in September of 1966, the AEC and OSW asked the Joint Committee on Atomic Energy to supply AEC's portion of the funds. There was practically no opposition. The National Coal Association did present a witness who pointed out:

> You are jeopardizing progress in desalting by allocating to this plant, which is of a size that will not be useful for many years in the future, too much money and effort, at the expense of the smaller plants which will be needed in the near future.

At any rate, congressional approval for AEC's portion of the subsidy was quickly forthcoming.

Also in September 1966, AEC and OSW went before the Senate Committee on Interior and Insular Affairs and asked for OSW's share of the subsidy. This time, the National Coal Association witnesses spoke more bluntly. They told the committee that the cost estimates were unrealistic and that "it isn't merely money and uranium that is being wasted here. It is also time, attention and talent which is badly needed in other areas. Money allocates resources, and we believe the allocation of this amount of resources to the obtaining of high-cost water from desalting will be injurious to the programs that should be given higher priority in the water field."

In short, they told the committee that this plant was being proposed as "a premature attempt to give a semblance of reality to the optimistic predictions about what will happen in the distant future." Nevertheless, the project received speedy approval on the Senate side.

Early in 1967 we held hearings on this proposal in the House Committee on Interior and Insular Affairs, of which I have the honor to be a member. This time, even coal industry representatives did not bother to oppose the proposal, and I for one do not blame them for getting tired of hitting their heads against brick walls. Nevertheless, some of us on the committee asked some very searching questions trying to find out how much this water would really cost and whether it was worthwhile to put so much Government money into it. We were told by AEC and by OSW that the water would be produced for 22 cents and that it was essential to go forward with this plant. I did not believe, Mr. Speaker, that the information was entirely factual, and I refused to vote for this project. Nevertheless, the atomic propaganda machine convinced a majority of our committee that we had to go along or we would be holding up progress.

One year later—1 year, mind you—what are we told? We are told that the picture has changed. The costs have escalated, due to "inflation." How much inflation have we had in 1 year, Mr. Speaker? We are now told that water from this plant would cost about 35 to 37 cents per thousand gallons—not the 22 cents which they told us a year ago.

Does anybody want 50 million gallons of water per day at a cost of 35 cents per thousand gallons? Nobody in the United States wants it. The Metropolitan Water District of Southern California has the right to back out of this project. I understand that the new cost estimates are to be available early in April. I shall be amazed, Mr. Speaker, if MWD does not back out of this project—unless Uncle Sugar puts up some more money to take care of the additional cost.

In any case, the AEC should under no circumstances proceed with its costly contrivance. For the information of my colleagues, I include in the RECORD at the conclusion of my remarks an article from the Los Angeles Time of March 13, 1968, relative to the proposed southern California nuclear plant whose estimated costs have already blown high as a mushroom cloud. The sharp difference in figures would indicate that AEC is either less than honest or less than capable.

If, as implied, inflation is responsible for the disparity between estimates presented Congress a year ago and today's projections, you may be sure that current prices of consumer commodities, high as they are, would be far beyond reach. At the rate of increase shown in the article, it would be impossible to get a $2,200 Plymouth Fury off the lot for less than $3,700, a $160 spin dryer would go for $270, and 29-cent apples would cost 49 cents a pound.

I should also like to insert in the RECORD a news story from the Pittsburgh Press of March 25 announcing a water desalination process developed by the Aluminum Co. of America. Whether or not the new method proves to be as economical as predicted, its potential should be carefully considered before the Federal Government puts additional funds into exorbitantly expensive atomic plants of like purpose.

Members of Congress should also keep in mind that the Alcoa system has the added advantage of converting salty or brackish water into fresh water without creating thermal pollution of streams or imperiling communities with deadly radioactive contamination.

The articles follow:

DESALINATION DEVELOPMENT CUTS COST: COMMERCIAL USE OF NEW ALCOA METHOD FORECAST

Alcoa today announced a breakthrough development in water desalination methods which may find world-wide application because of its greatly lower cost.

The new all-aluminum system makes possible, for the first time, the utilization of widely available waste industrial heat to convert salty, brackish or alkali waters into water of ultra-purity.

John D. Harper, president of Aluminum Co. of America, said the innovation, which will soon be employed in a commercial water reclamation plant, is internationally significant because it promises to:

Produce fresh water at approximately a third to half the cost of any other large-scale method now in use.

Operate at vastly lower costs than other water desalination systems due to its all-aluminum construction and simple design concept. Other existing systems are comparatively complex and utilize relatively expensive stainless steel, cupro-nickel or titanium components.

Perform at temperatures far below the 250 degrees Fahrenheit of conventional water reclamation systems, thus greatly lowering functional and maintenance expense.

Assist in eliminating thermal pollution of water, a growing contamination problem in the vicinity of electrical generating and processing industries whose waste hot water (although chemically clean) upsets the natural balance of streams, lakes and ocean baysides into which it is discharged.

Open a major new market for aluminum fabricated products.

COST RISE MAY CUT BACK OR END BOLSA ATOMIC DESALTING PLANT: CONSTRUCTION ESTIMATES FOR WATER AND POWER UNITS REACH $750 MILLION COMPARED TO ORIGINAL $444 MILLION

(By Ray Hebert)

Drastic cost increases may force abandonment or the scaling down of plans for Southern California's nuclear desalting and power plant.

New construction cost estimates of $750 million—up from an original $444 million—were disclosed Tuesday as the Metropolitan Water District and Southland utilities moved for reevaluations of the massive project's economic feasibility.

The Bolsa Island Nuclear Power and Desalting Plant would be built on a 40-acre artificial island one-half mile off Huntington Beach in Orange County.

When completed, it would be the largest desalination plant in the world, providing enough purified sea water for a city the size of San Francisco, it would provide electricity for a city of nearly 2 million.

TROUBLE APPEARED EARLY

With work originally scheduled to start on the island next fall, it became evident many months ago that the facility was headed for serious financial problems.

Labor and materials costs have risen sharply, according to water and power officials.

But the steepest rise appeared in the nuclear steam supply system when bids for the project's two reactors were received last July.

The original $444 million cost was based on a 1965 report for the proposed 150 million gallon-a-day, 1.8 million kilowatt plant.

Although Metropolitan and the three Southern California utilities which will share the power output appeared eager Tuesday to proceed with the project, it was clear the additional costs each would have to bear will be a determining factor.

FEDERAL SUPPORT

The project has won financial support from the federal government with Congress earmarking $72 million through the Office of Saline Water and the Atomic Energy Commission.

The desalination plant is intended not only to provide an assured supply of water for Southern California cities, but the federal government also viewed it as a way to find an economic breakthrough in the cost of desalted water for urban areas.

The federal government's appropriation is "locked in" and water officials said there was no possibility of it being increased.

Thus, it appeared the entire burden of building the plant as originally planned, if that is the decision, would fall on Metropolitan and its utility partners—Southern California Edison Co., the Los Angeles Department of Water and Power and the San Diego Gas and Electric Co.

Although contracts for the plant's construction have been signed, they contain provisions for extensions.

On Tuesday, Metropolitan's board of directors voted for an extension to June 30 to allow completion of economic studies.

At the same time, the board ordered a study of the possibility of scaling down the plant to 50 million gallons a day—one-third the originally planned output. Such a plant, however, could contain power facilities required by the utilities.

Henry J. Mills, Metropolitan's general manager, called this a "bare bones" plant, but said it would still provide necessary data on the economics of large-scale desalting units.

A Department of Water and Power spokesman said the Los Angeles utility, which has not yet entered the nuclear-produced power field, feels the power end of the project "could stand on its own legs" even with increased costs.

An Edison spokesman said the private utility would make a final decision on economic feasibility after all cost figures are updated.

TO PREVENT VESSELS BUILT OR REBUILT OUTSIDE THE UNITED STATES OR DOCUMENTED UNDER FOREIGN REGISTRY FROM CARRYING CARGOES RESTRICTED TO VESSELS OF THE UNITED STATES

Mr. REINECKE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. REINECKE. Mr. Speaker, there has been a growing awareness in this body of the critical plight of the U.S. merchant marine, an awareness in no small part due to the tight shipping situation created by the war in Vietnam. Fortunately, the Congress has not been content to let this situation drift but has been considering various measures to rectify it promptly and effectively. One aspect which needs greater emphasis in this picture is the importance of American shipbuilding capacity. Too many of American ships have been built or rebuilt outside the United States. I am, therefore, introducing a bill to curtail this practice, which is a blow to our American shipbuilders. Section 2631 of title 10 of the United States Code, passed on August 10, 1956 (70A Stat. 146) would limit sea transportation of supplies bought for the American Armed Forces to American and American-owned vessels, unless the freight rates charged for such transportation is excessive or otherwise unreasonable. My bill would in effect limit such transportation to American built or rebuilt ships by adding the following two sentences:

> "The term 'vessels of the United States or belonging to the United States' as used herein shall not be deemed to include any vessel which, subsequent to September 22, 1965, shall have been either (a) built outside the United States, (b) rebuilt outside the United States, or (c) documented under any foreign registry until such vessel shall have been documented under the laws of the United States for a period of three years. The terms 'built outside the United States' and 'rebuilt outside the United States' as used herein shall include the construction or alteration abroad of any major components of the hull or superstructure of the vessel."

I hope this bill will receive prompt and favorable consideration.

TEACHERS-IN-POLITICS WEEKEND

Mr. BEVILL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BEVILL. Mr. Speaker, for many years it has been a fairly widely accepted fact that teachers do not take an enthusiastic role in politics. The National Education Association is currently taking steps to remove this image. The weekend of April 5, 1968, has been designated by NEA as Teacher-In-Politics Weekend. Its purpose is to encourage full teacher participation in politics.

I congratulate the National Education Association on initiating this most worthwhile project. I am sure this effort will contribute to a greater understanding, a greater interest, a greater participation in government affairs by our teachers.

Today, a full, comprehensive account of each day's events is at the fingertip of every citizen. Today, more than ever before, it is easier to gain access to truthful, meaningful information about the people who are running our government. It is very important that every special group take full advantage of this communication privilege and participate actively in our day-to-day government operations. This way, and only this way, can their views be effectively reflected in our laws.

Teachers, more than anyone else, bear the responsibility of guiding and training our future leaders. The quality of our leadership, in large measure, is reflected in this early training.

Teacher participation in politics can only benefit our society. Full and free discussion of current issues and candidates can only strengthen our democratic form of government.

The National Education Association is to be heartily commended for its efforts in encouraging greater political activity among its members.

TEXT OF THE PROPOSED GREEK CONSTITUTION

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PUCINSKI. Mr. Speaker, there has been, and will continue to be, considerable discussion in our own country about the proposed Greek Constitution.

It occurs to me that students of Greek affairs ought to have made available to them the text of the draft Constitution which will be submitted to the Greek people and so I am taking this opportunity today to insert in the RECORD the entire text.

In my judgment, it is significant that the present administration of Greece which has been criticized in so many quarters is keeping its pledge to propose to the people of Greece a constitution which will restore parliamentary government to that country.

I have said on many occasions here on this floor that the attacks on the present regime have been ill founded and ill advised.

There is no question in my mind that the United States must do everything humanly possible to help restore democratic rule to Greece, whom we consider one of our more important and loyal allies. It is within this context that I would hope those who have been criticizing the Greek Government would now join in an intelligent review of the proposed Constitution draft and point out which of these provisions are subject to revision.

I believe the present regime in Greece is making an honest and sincere effort to restore constitutional government to that country. Those of us who firmly believe in human dignity are well advised to help the present Greek regime put its house in order rather than follow the advice of those who try to create turmoil and civil war in Greece.

In reading the proposed constitutional draft, it is my judgment that the present regime in Greece should be given an opportunity to fulfill its pledge to have this Constitution approved by the people and then hold free elections to establish a truly representative government in Greece.

Those who advise continued turmoil in Greece would only weaken that country and subject it to ever-growing Communist pressures. In my judgment, the way to restore democracy to Greece is to work with the present regime and help it implement the various reforms which will stabilize this nation and help Greece resist the constant pressures from Communist conspirators.

The draft Constitution translated into the English language follows:

Government Issues Text of Draft Constitution

CONSTITUTION OF GREECE IN THE NAME OF THE HOLY, CONSUBSTANTIAL AND INDIVISIBLE TRINITY: PREAMBLE

The Greek people, faithful to the principles of Greek Christian civilization and to its liberal democratic traditions, and imbued (emforoumenos) with the desire to insure its unity as a Nation (ethnous) and State (Kratous), in order to strengthen its admiration of liberty, equality and justice, in order to contribute to the social progress and world peace as an equal member of the International Community, hereby approves the referendum held (day, month, year) the following Constitution.

RELIGION

Article 1

The established religion in Greece is that of the Eastern Orthodox Church of Christ. Proselytism and every other interference with the established religion is prohibited.

The Orthodox Church of Greece acknowledging as its head our Lord Jesus Christ, is indissolubly united in doctrine with the Great Church of Christ in Constantinople and every other Church of the same doctrine, following steadily as they do, the hold apostolic synodical canons and holy traditions. It is autocephalous and exercises its sovereign rights independently of any other Church. It is administrated by a Holy Synod of Bishops.

The ecclesiastical status existing in the New Provinces, Crete and the Dodecanese is not opposed to the regulation of the previous paragraph.

The text of the Holy Bible is maintained unalterable. Its rendering into a different linguistic form, without a previous approval by the Autocephalous Church of Greece and of the Great Church of Christ in Constantinople is absolutely prohibited.

Any draft law or proposal dealing with organization and administration of the Church of Greece, can not be represented before Parliament for discussion before the Permanent Holy Synod expresses its views on it. These views will have to be submitted within ten days at the expiration of which the draft or the proposal will come before the House.

Article 2

The freedom of religious conscience is inviolable.

Any religion of a professed doctrine is free and its worship takes place unhindered, and under the protection of the law.

The priests of all known religions are subject to the same State-supervision as those of the established religion in Greece. The free exercise of religious duties shall not be permitted to offend public order or good morals.

Nobody shall by reason of his religious convictions, be exempt from his duties to the State or refuse to comply with the laws of the country. No oath shall be administered except by law which at the same time stipulates its form and wording.

INDIVIDUAL RIGHTS AND DUTIES

Article 3

The Greeks are equal before the law and are entitled to the same treatment under the same circumstances, in general.

Are considered as Greek citizens, those who acquired or will acquire the qualifications of the citizen as provided for by the law.

Titles of nobility or distinction are neither conferred nor recognised on Greek citizens.

The Greek citizens contribute, without exception, to public charges in accordance of their means.

Only Greek citizens can qualify for public appointments, except for cases provided for by special laws.

Every Greek able to carry arms has to contribute in the defense of the Country as provided for by the law.

Article 4

All those within the territorial boundaries of the Greek State enjoy full protection of their life and liberty, irrespective of nationality, creed or language. Exceptions are allowed in such cases as provided for by the International Law.

Article 5

Personal liberty is inviolable. Nobody can be prosecuted, arrested, imprisoned or otherwise confined, except when and as the law provides for.

Article 6

Unless one is caught red-handed, nobody can be arrested or imprisoned without a judicial warrant stating the reasons of the arrest; this warrant must be served at the moment of the arrest or the imprisonment pending trial.

Anybody caught red-handed or arrested on the basis of a warrant of arrest is to be brought without delay before the competent interrogating magistrate, within twenty four hours from the moment of his arrest, at the latest. If such arrest took place outside the area of interrogating magistrate's seat, within the time absolutely necessary for his conveyance before the magistrate.

Within a maximum of three days the interrogating magistrate must either release the person arrested or issue a warrant for his imprisonment. This deadline can be extended up to five days at the request of the arrested person or in a case of "force majeurs", to be certified immediately by a decision of the competent Judicial Council.

Should both these time limits expire without any action being taken, the jailer or any other civil or military officer, responsible for the detention of the arrested person, must release him forthwith. Transgressors of the above provisions will be punished for illegal confinement and will be obliged to make good any loss sustained by the injured party and in addition, pay him an idemnity as the law provides.

The maximum term of imprisonment pending trial, according to the law cannot exceed one year for crimes and six months for minor offenses. These time limits can be further extended by decision of the competent Judicial Council by another half, in quite exceptional cases.

The law determines the conditions under which the competent civil court can decide that an indemnity be paid to an unjustly imprisoned or sentenced person.

Article 7

Crime does not exist nor can punishment be meted out in the case of no law being in force previous to the action. No severer punishment can be imposed after the action has taken place.

Tortures and general confiscation are prohibited. No civil death can be pronounced.

Death penalty for political crimes (offenses), except compound ones, is abolished.

Article 8

Nobody shall be withdrawn without his consent from (the jurisdiction of) the judge assigned to him, by law. The establishment of judicial committees and extraordinary courts under any name is prohibited.

Article 9

Everybody's house is inviolable. No house search can take place except when and as the law provides for.

Offenders against these provisions shall be punished for abuse of authority and will be obliged to indemnify fully the injured party and in addition pay him an indemnity as the law provides for.

Article 10

The secrecy of letters and of correspondence by any other medium whatsoever is inviolable. The law provides for such cases and assumptions the judicial authorities are not bound to respect this secrecy.

FREEDOM OF PRESS

Article 11

Anybody can express orally, in writing, in the press or otherwise, his views, while abiding by the laws of the State.

The press is free and exercises a social mission, that entails obligations.

Censorship and every other preventive measure is forbidden. The confiscation of newspapers or other type of publications either before or after publication is also forbidden.

Confiscation is permitted, as an exception, by order of the District Attorney after publication when it (a) insults the Christian religion, (b) insults the person of the King, the King's parents, the Queen, the crown prince, their children and wives, (c) insults the honor and reputation of individuals holding public office or having held public office, (d) publishes things which, according to the law, are of such a nature, that it (1) reveals movements of the armed forces of military significance or defences of the nation, (2) is obviously mutinous or has as its intention the overthrow or the existing political system or the existing social system or is against the national integrity or constitutes incitement to commit an act of treason, (3) is aimed at spreading ideas, principles or ideology of political parties which have been outlawed and (e) is indecent publication obviously insulting to public opinion, as prescribed by the law covering these cases.

In all of the above instances the District Attorney is obliged within twenty-four hours from the time of confiscation to submit the case to the Court Council and this council within twenty-four hours to pass judgment on the case either for or against the confiscation, otherwise the confiscation is lifted automatically. Legal steps against the decision of the Court Council is allowed either against the order of the District Attorney or the publisher of the confiscated material.

The court on a second violation and conviction of any type of press offense, under which the confiscation is allowed, orders the permanent or temporary suspension of the publication or in serious cases (offenses) the permanent or temporary suspension of the right of the convicted person to pursue the occupation of journalist. The suspension period commences right after the conviction has been determined to be beyond appeal.

The usage by anyone of the title of a newspaper which has been suspended is forbidden for the prescribed period of suspension. Violations by the press are brought to trial forthwith without peliminary examination, as the law dictates. The violation by the District Attorney of this clause constitutes a serious disciplinary violation.

The publisher of a newspaper or any other publication and the author of a reprehensible article concerning (referring) the private life, regardless of the penalty prescibed by the penal code are responsible for the restoration of the victim's reputation and his compensation financially as the law dictates.

A law dictates the method by which the press corrects inaccurate publications.

The ownership and publication of newspapers and other publications is restricted to Greek citizens only who have not lost their political rights, as the law dictates. Any publications in violation of this clause is immediately confiscated and suspended and the publisher is punished by either a temporary or permanent suspension of his right to pursue the profession of journalist. The law dictates the prerequisites and qualification necessary for the pursuit of the occupation of journalist.

It is allowed for laws to be passed wherein measures can be taken for the curtailment and prevention of publications which may be considered harmful to youth.

The protective directives for the press of this article do not apply to movies, public entertainments, photography, radio, T.V., and other similar means of broadcasting speech or performance. A law will describe a compulsory control of the means of the press in general. This law is being published.

Article 12

The Greeks have the right to congregate peacefully and unarmed as the law provides. The police can stand by in public gatherings, such gatherings must be reported to the police eight hours in advance. Gatherings in the open may be forbidden to take place if they present a risk for the public security.

Gatherings of persons to impose ideas designed to overthrow the form of government, or the present social regime, detaching part of the country, or projecting principles, programs or views of political parties, are hereby outlawed.

Article 13

The Greeks have the right to enter parnerships providing that they observe the laws of the land which however can never confer this right to any pre-existing permission of the administrative authority.

The union of persons whose aim or activity is directed against the national integrity, the principles of the regime, social regime, the nation's security, and the political and individual freedoms of the citizens, is forbidden and may be dissolved by court order.

Associations which violate the laws and/or its own constitution, will be dissolved by court order. Pending the final court order of dissolution, the functioning of a cooperative or a union may be suspended temporarily on orders of the responsible public prosecutor. The right of association of civil employees and employees of organization of local administration, or persons of State legal entities may by law be circumscribed. It is forbidden to civil servants and employees of local administration organizations or persons of public legal entities to establish associations with political aims or to participate in politics.

The right to strike is regulated by the ruling set forth by the law on the subject. A strike for political or other reasons foreign to the material or moral interests of the worker is forbidden.

A strike of any type by the personnel of the civil services, organizations of local administration, or other public legal entities and public utilities is forbidden.

Article 14

Each and/or all together, providing that the State laws are in accord, have the right to report (appeal) in writing to the authorities which (the authorities) are obliged in accordance with the law for a speedy action and a written answer to the request.

Prosecution of the accused for violations reported can be applied only after final decision has been reached on the basis of the report (appeal).

EDUCATION

Article 15

The education is under the high supervision of the State and it is being offered on State's expense.

In all schools of medium and elementary education as well as highest schools the teaching is designed for the moral and spiritual training and the development of the national consicence of the youth on the basis of the ideological sources of the Greco-Christian civilization.

The elementary education is obligatory for all and is being offered by the State free.

The law fixes the years of obligatory education to be no less than six.

The highest educational institutions are State Legal Entities and are functioning under the supervision and financial support of the State.

The professors of such institutions are civil servants. The authorities of these institutions are elected by the regular (permanent) professors of the institutions, while the professor's benches are founded, modified, abolished, and/or fulfilled to the agreeable opinion of the school. The agreeable opinion of the school is also necessary for the curriculum and examinations. The State supports needy students of the middle and higher education level who are judged, according to the law, as able and worthy to continue their education.

It is allowed, pending a permit by the authorities, to citizens whose political rights have not been revoked, to found schools of elementary and middle education, which are to function on the basis of the Constitution and the laws of the land.

Article 16

The official language of the State is that in which the Constitution and the Greek legislation is composed. Any effort for falsification (alteration) of it is forbidden.

Article 17

No one may be deprived from his property, movable and immovable, except when this is done for the public interest in which case it must be so proved in accordance with the law, and in all cases a full compensation is paid.

When disputed the legal element of support for public interest it can be taken to court for clarification on individual cases. The compensation is always set by the civil courts.

In cases of emergency the owner may be temporarily summoned to court and he may be forced to accept, to the judgment of the court, an allocation of a proportional guarantee pending the final settlement, in accordance with the law. Prior to the final or temporary set payment of compensation, the taking over of the expropriation is not allowed, all the rights of ownership are maintained by the owner.

General restrictions on property can be enforced in accordance with the law and as long as these restrictions are for the public interest.

The ownership and appropriations (disposition) of mines, archaeological treasures, and mineral waters are regulated by special laws. The ownership and appropriations (dispositions) of hatchery exploitation and management of sea-lakes and large lakes is regulated by law.

Special laws regulate requisitions for the needs of the armed forces in case of war or mobilization, or to solve an immediate public emergency which endangers public security or health. Any other (additional) deprivation of the free use and profit of ownership mentioned in the paragraph above can (only) be imposed by law.

Law rules the obliged and the procedure for the payment to the owner for the use of his property.

The above deprivation ends as soon as the reasons for the requisition vanish.

In cases it (requisition) is not withdrawn the Constitutional Court will decide upon petition of the interested party.

Article 18

The alteration of the contents or conditions of a will or donation, insofar as its provisions in favor of the State or for the public benefit are concerned, is prohibited.

By exception, it shall be permitted by law to make a·bequest or donation available for another similar purpose when it becomes absolutely impossible to carry out the will of the donor or testator.

Article 19

Copyright and inventor's rights are recognized and protected according to the laws of the state.

Article 20

Work, both intellectual and manual, is under the protection of the State interested for the moral and material progress of all working people.

Limitations of freedom of work in general are permissible only for reasons of public or social interest, as provided by the law.

Special laws govern requisition of personal services in case of war or mobilization or in view of an immediate social necessity capable of endangering public order or health. Old age, incapacity for work and social health are objects of special concern of the state.

A law governs conditions and prerequisites of social insurance, but participation in more than one insurance organization and in more than one aid fund can never become compulsory.

Article 21

Agrarian and urban associations are under the protection of the state which cares systematically for their development.

A law may make compulsory participation of persons in associations aiming at carrying out works of public utility or of public interest.

FOREIGN CAPITAL

Article 22

Legislative decree No. 2687 of the year 1953, issued in application of article 112 of the Constitution of January 1st, 1952, "concerning investment and protection of foreign capital," as authentically interpreted by legislative decree No. 2928 of the year 1954 and paragraph 3 of article 5 of legislative decree No. 4256 of the year 1962, maintains its formal force. A new law may modify the above legislative decree only in order to afford greater protection to the foreign capital in question.

Article 23

The exercise of individual rights and liberties by any person is allowed within the limits which insure for the other citizens enjoyment of the same rights and liberties.

Abusive use of individual rights with the aim of overthrowing the principles of the political and social regime or in a manner endangerng national integrity or the security of the State is forbidden.

In case of abusive exercise of individual rights, the Constitutional Tribunal, in addition to other sanctions provided by the law, may suspend corresponding individual rights permanently or for a limited time.

Article 24

In case of (a) war, (b) mobilization owing to external dangers, (c) serious disturbances or manifest threat against public order and security of the country from internal dangers, the King, upon proposal of the government, may suspend by Royal Decree all over the country or in part of it, the force of articles 6, 8 par. B, 9, 10, 11, 12, 13, 103 and 104 of the Constitution or of some of them implement "emergency laws", and appoint special tribunals. This law may not be modified during its implementation. The Royal Decree of the preceding paragraph and the measures taken in applying it, are announced in Parliament during its first meeting after publication. In case however of serious disturbance of manifest threat against public order and security of the country from internal dangers, the government proposing its publication should have the agreement of the Constitutional Tribunal which should decide within twenty-four hours from being asked. If the opinion of the Constitutional Tribunal is not asked or is asked, but is not in agreement with the proposed measures, the Royal Decree may be published, but Parliament, specially convened for this purpose within twenty days of publication, even if it has been dissolved may decide to waive it by absolute majority of the total number of its members.

The force of the above Royal Decree in case of war is not extended beyond its end and in every other case it is waived with full rights three months after its publication except if it is prolonged meanwhile by a new Royal Decree. In this case the conditions of the preceding paragraph should be observed.

THE REGIME

Article 25

The regime of Greece shall be that of a Constitutional Liberal Monarchy.

All powers are derived from the nation and shall be exercised in the way determined by the Constitution.

Article 26

The legislative power shall be exercised by the King and Parliament.

The executive power shall be vested in the King and exercised by the responsible Ministers appointed by the King.

Judicial power is exercised by the courts.

REGARDING THE KING

Article 27

The King is the highest authority of the Nation, the symbol of national unity, and the guarantor of the integrity and independence of the Nation, of the observance of the Constitution and of the respect of international obligations.

The King before assuming his throne gives the following oath:

"I swear in the name of the Holy and Consubstantial and Indivisible Trinity to protect the prevailing religion of the Greeks, to guard the constitution and the laws of the Greek nation and to preserve and to defend the integrity and national independence of the Greek State."

Article 28

The person of the King is irresponsible and inviolate; the Ministers are responsible. A decree of the King written or oral does not discharge the ministers from their responsibilities. Not one act of the King is in force or is executed unless there is countersignature of the appropriate minister, which for his signature he becomes responsible.

In the event of a complete change in the Ministerial Council, the decree retiring it (the Council) and the appointment of the new (Council) is signed by the President of the retired (Council) or by the new Ministerial Council after its oath-taking.

Article 29

The King appoints and dismisses the Prime Minister and with his proposal the members of the government.

Article 30

The King represents internationally the Nation, declares war with the proposal of the Ministerial Council, concludes for all international treaties or pacts, except for those for which by law the competence has been relegated to other organs.

The treaties of peace and alliances are communicated to the Parliament, so long as the security and the interests of the country allow of this.

Treaties or trade agreements or other substantive concessions which must, according to the constitution require enactment of a law, or similar agreements which burden individual Greeks, do not have force without suitable law enactment.

Secret articles of treaties can in no case be in conflict with the non-secret parts of treaties.

No annexations, concessions, or exchanges of territory can be made without the appropriate law.

Foreign armed forces are not allowed to remain in the territory nor to pass through it unlawfully.

Article 31

International treaties or agreements ratified by law according to the constitutional process cannot, from the time they enter into force, be abolished, modified, or delayed through a new law.

ARMED FORCES

Article 32

The King commands the armed forces and according to law bestows commissions on its personnel.

Only when and as the law orders can the personnel of the armed forces be deprived of rank, honors, and pensions.

Appointment to the positions of Chief of the General Staff of the Armed Forces of the country and Chief of Security Forces takes place through royal decree, promulgated according to the recommendations of the National Defense High Council, assembled as the law directs, and counter-signed by the competent Minister.

Article 33

The King validates, promulgates, and publishes the laws voted by Parliament.

A law not published within three months of its passing is regarded as not valid.

Article 34

The King promulgates the necessary order for execution of the law, but it is not ever possible to delay or make exceptions to its execution.

Through law it is possible to prepare authorization for the executive authority for the regulation of foreseen topics related directly to it. However, in order to supplement the orders of law in the bounds and framework prescribed for them, as well as concerning topics the regulation of which is reserved to the law by the Constitution, the authorization can only be prepared by publication of a Royal Decree.

During the period between two parliamentary sessions the King may, on advice of the Ministerial Council, publish legal decrees for the regulation of especially urgent problems, in agreement with the opinion of the Constitutional Court. These will be introduced within a month of the convocation of the new Parliament, in the presence of the government. If it is not introduced within this time-limit or is not validated by the Parliament during its first sessions after elections, its validity is lost from then on.

Article 35

The King convokes Parliament regularly once a year and irregularly whenver it is judged proper, proclaiming personally or through the Prime Minister the opening and closing of each parliamentary session.

Article 36

The King has the right once only to suspend the work of a parliamentary session or to delay the opening, or the suspension of its continuance.

The suspension of its work cannot last more than thirty days nor can suspension be repeated during the parliamentary session without the consent of the Parliament.

Article 37

The King has the right to dissolve Parliament, but the decree dissolving it, countersigned by the Ministerial Council, must deal with its re-convocation either by elections within forty-five days, or by convocation of a new parliament within forty-five days after the day of the election.

Article 38

The King has the right to remit, alter, or reduce punishment of persons charged by the court, according to the opinion of the majority of the functioning court assembled, as well as to proclaim amnesty, on the advice of the Ministerial Council, only for political crimes.

The King has the right to bestow grace to ministers convicted according to article 88 only with the agreement of Parliament.

Article 39

The King has the right to award the decorations approved by law, according to the pertinent laws.

PALACE COUNCIL

Article 40

The King may in special circumstances convoke the Palace Council composed of the Prime Minister, the leaders of the parliamentary parties, and the continuing parliamentary Prime Minister.

Article 41

The provision for the King and the Crown Prince are directed according to law.

Article 42

The King is considered to be of age as soon as he has completed his eighteenth year.

The swearing-in of the King takes place in the presence of Parliament, the Ministerial Council, and the Holy Synod. In the lack of an existing Parliament the King takes the oath in the presence of the Ministerial Council, the Holy Synod, the deputies present in the capital, and the higher officials, and retakes the oath in the presence of Parliament during its first subsequent session.

Article 43

The King does not have other powers beyond those directly granted by the Constitution and the special laws referring to them.

ABOUT THE CROWN PRINCE AND THE REGENT

Article 44

The Greek Palace and its parliamentary rights are successive and reach to the legitimate and genuine heirs of the King according to the order of first interest, preferred to the male heirs and in the lack of them to the heirs of King George the First in the proper order.

Article 45

Where an Heir does not exist in accordance with article 44, the King appoints one with the assent of Parliament convened for this purpose and an open vote by two thirds of the total number of deputies.

Article 46

The King and the Heir to the Greek Throne are required to profess the religion of the Eastern Orthodox Christian Church.

The Heir becomes of age as soon as he completes his eighteenth year of age.

Article 47

The Crown of Greece and of any other state whatsoever can never be united in the same person.

Article 48

In case of the death of the King while the Heir is of age but absent, the royal power is exercised by the Ministerial Council until his arrival and swearing-in.

In case of the death of the King while the Heir is under age, the widowed Queen exercises the royal power until his coming of age. In case she remarries, Parliament is convened, even if it has finished its term or been dissolved, at the latest ten days after the death of the King or the ceremony of the new marriage, and in open balloting elects by a majority of all the deputies a Greek citizen of orthodox eastern dogma as Regent, and until his swearing-in the Royal power is exercised by the Ministerial Council under its own responsibility.

Provisions of the above paragraph are also applied in case of the resignation of the King

A special law regulates the Regency.

Article 49

In case of the death of the King while the Heir is under age, his guardian is the person designated in the deceased King's will, and if not thus designated, is the surviving Queen who is the Heir's mother, so long as she remains a widow. If a guardian is not designated in the will and if the Queen does not survive or remain in widowhood, Parliament is convened, even if it has finished its term or been dissolved, and in open balloting elects a guardian by a majority of all the deputies. Whether designated in the will of the King or elected by Parliament, the guardian must be a Greek citizen of the orthodox eastern dogma.

Article 50

In case he is absent from the State, the King can designate the Heir as Regent by an Executive Order issued on the proposal of the Ministerial Council, or if the Heir does not exist or is under age or is absent from the State, he can designate the Queen, and if she does not exist or is absent from the State, he can entrust the exercise of royal power to the Ministerial Council.

Article 51

In the event the throne is vacated, Parliament, even if its term is expired or has been dissolved, temporarily elects by open majority vote of the total number of Deputies, as Regent a Greek citizen of the eastern Orthodox doctrine, until whose swearing in, the Royal Authority is exercised by the Council of Ministers. In this event, within a period of two months at the latest, the citizens, according to the law, elect representatives, in number equal to the deputies, who convening together with Parliament elect the King by open two thirds majority vote of the entire convention.

Article 52

If the King because of illness judges the Regency as necessary, he designates by Decree, put forth by the Council of Ministers, the Successor as Regent, and in the event of his non-existence or minority, the Queen and in the event of her non-existence the Council of Ministers.

If the King is unable to rule, Parliament even if its term has expired or has been dissolved, is convened by the Council of Ministers, to recognize by two thirds majority vote of those voting, the need of a regency, which is exercised by the Successor and in his non-existence or minority, the Queen. And in the absence of the Queen, the Council of Ministers convenes the Parliament, which through open majority vote of all the deputies designates as Regent a Greek citizen of the eastern Orthodox doctrine and if need be a guardian for the King.

REGARDING THE PARLIAMENT

Article 53

The Parliament is composed of deputies elected in accordance with the law by direct, universal, secret ballot by those citizens having this right.

Parliamentary elections are ordered and carried out simultaneously throughout the State.

The law can make the exercise of the electoral right obligatory.

Article 54

The number of deputies from each electoral district is designatd in a regulatory order in proportion to its legal population as that has been determined in the latest census and on the basis of an electoral measure standard throughout the State. But the total number of deputies can never be less than one hundred and fifty or more than two hundred.

The electoral system and the electoral districts are determined by a law voted by a plenary session of Parliament.

The election of a portion of Parliament, not less than one fifth of the total number of deputies, is carried out at the same time throughout the State on the basis of a special list of candidates from each party, drawn up and published at least eight days before the elections, in proportion to the electoral strength of each party throughout the State and in the order in which they are listed, as the law sets forth more specifically. The law also establishes the manner, time limits and procedure for proclaiming the winners of the candidates described in this paragraph.

The number of deputies elected by the electoral districts is determined by subtracting from the total number of deputies those elected in accord with the above paragraph.

POLITICAL PARTIES

Article 55

Political parties are founded freely by Greek citizens having the right to vote, so long as their action contributes to the expression of the popular will and the advancement of the national interest.

The organization, program and action of the parties are governed by democratic principles. The law designates the manner for announcing the founding of parties.

Political parties whose members have aims or action opposed to the manifest or indirect fundamental principles of the form of government or tending towards the overthrow of the existing social system or endangering the territorial integrity of the country or its public security, are outlawed and dissolved by decision of the Constitutional Court in accordance with the law and at the same time providing for the consequences of the dissolution.

Article 56

The parliamentary deputies represent the nation and not only the electoral district from which they are elected.

Article 57

The parliamentary deputies are elected for four consecutive years, beginning from the day of the general elections. According to royal decree, the general parliamentary elections will be held within forty-five days following the expiration of the parliamentary period. The new parliament must be convened to hold a regular session within forty-five days after elections have been conducted. If a parliamentary seat is vacated during the last year of the parliamentary period, it is filled through a by-election as prescribed by law, provided that the number of vacancies does not extend one-fifth of the total number of deputies. In the event of war the parliamentary period is extended for the duration of the war. If parliament has been dissolved, elections are suspended until the ending of the war.

DEPUTY'S QUALIFICATIONS

Article 58

In order for one to be elected a deputy he must be a Greek citizen and must have completed his 25th year. During the day of the elections he must be eligible by law to vote and must be registered in the electoral lists. One cannot be named a candidate nor be elected a deputy IF (a) he does not possess Greek nationality by birth except in cases of territorial annexation; (b) the naturalized Greek male citizen or the female who acquired Greek citizenship through marriage have not been citizens for a total of ten years; (c) he has not fulfilled his military obligations or has not been legally released from same; (d) he has voluntarily obtained the citizenship of another state and five years have not elapsed prior to his denouncing same; (e) through an irrevocable sentence, he has been deprived of his political rights for a period of time which is twice as much as that prescribed by the sentencing decision depriving him of his political rights, even though he may be reinstated or has been given a reprieve with or without the lifting of the consequences; (f) he has been finally sentenced for active participation in a party, organization, or union whose aims are the promotion and publication of ideals tending to overthrow the existing state or social system or the detachment of part of the territorial area of the country.

A deputy deprived of one of the above qualifications or falling under one of the above negative categories automatically forfeits his parliamentary post. Any doubts arising (from the above) will be decided by the Constitutional Court.

Article 59

Paid civil servants, career officers of the armed forces, of the security forces, and of the coast guard corps, mayors and presidents of communities, notary publics, guardians or mortgages and property transfers, employees of organizations of local municipalities or other legal entities or public or municipal businesses, directors and presidents of administrative councils of all the above, cannot be elected deputies nor be nominated as candidates unless they resign their positions prior to being nominated candidates. The resignation will be submitted in writing. The return of such resignees to any service or position whatsoever prior to the lapse of one year is forbidden after the elections. Judiciary officers and career officers who have resigned in order to be nominated as candidates cannot return to the judiciary corps, the armed forces or the corps from which they resigned.

According to paragraph I, candidates who are not eligible for election and who have resigned their positions or their ranks in order that they may submit their candidacy as deputies, cannot be named as candidates nor can they be elected in the electoral district in which the headquarters of their service is established if they have served over six months during the last two years prior to elections, unless such headquarters is located in the district in which they are permitted to exercise their voting rights. Civilian and military employees in general who have undertaken obligations to remain in their service for a specific period of time cannot be named as candidates nor elected deputies for the duration of their obligation. The circumstances described in paragraph 1 which concern candidates who are not eligible for election do not apply to deputies elected in accordance with paragraph 3 of Article 54 with the exception of judiciary officers and career officers of the armed forces. Those who have been thus elected cannot continue to assume the duties of the positions they held while they maintain their deputy rank.

Article 60

The duties of the deputy are not compatible with the duties of a director or other representative, administrative or paid legal counsel and employees of commercial companies or enterprises enjoying special privileges or regular state subsidy based on special legislature. Those falling under any of the above categories must state their choice between the deputy position and the above position within eight days after their election has been made final. In the event they fail to submit their statement within the specified time limit they automatically forfeit the right to become deputies. The law can determine the incompatibility of the deputy's position in connection with other positions held. Deputies automatically forfeit their deputy rank if they accept duties or responsibilities which have been defined by law as incompatible with the deputy's rank or position mentioned in the present or former Article.

Lawyers who have been elected deputies cannot practice law, except before the Constitutional Court, the state council and supreme court. Deputies cannot rent farm land belonging to the state or engage in undertakings in supplying the state organizations or local municipalities or other legal entities or public or municipal enterprises or contract for public works or rentals of public or municipal taxes or tolls or accept concessions on public land. Any infraction of the above regulations will cause forfeiture of the deputy's rank and cancellation of the contract. Such contracts are void when consummated by commercial companies and enterprises in which the deputy is a director, legal counselor, or a member of a limited liability or extended liability corporation. The Constitutional Court, as prescribed by law, decides on the restrictions involving incompatibility and decides on the forfeiture of the ranks of deputy.

Article 61

It is the prerogative of the deputy to resign his parliamentary post. It is effective as soon as the required written statement is submitted to the president of the parliament and it is irrevocable.

Article 62

The investigation of the validity of the parliamentary elections is assigned to the Constitutional Court.

Article 63

The Deputies before undertaking their duties in the Parliament and in a public session, take the following oath:

"I swear in the name of the Holy, Consubstantial and Indivisible Trinity to be faithful to the Country and to the Constitutional King, to obey the Constitution and the laws of the State and to conscientiously carry out my duties."

Deputies of other religions, instead of swearing in the name of the Holy Trinity, they are sworn in according to the rituals of their own religion.

DEPUTY'S IMMUNITY

Article 64

No Deputy can be prosecuted or investigated in any manner, because of the opinion or vote rendered by him during the performance of his duties as a member of the Parliament.

There is the exception that a Deputy is responsible and is prosecuted according to the law for insulting and slandering, regardless if it is a simple or malicious against a person or an authority. In these cases, no permission of the body (Parliament) is required, in order for him to be prosecuted.

The persons who publishes or in any way propagates the contents of reports, questions or interpellations which take place during discussions in front of the Parliament, is responsible for violations stated therein.

Article 65

No Deputy can be prosecuted, arrested or imprisoned during the Parliamentary session without the permission of the Body. No permission is required for crimes and offenses (that the guilty party was apprehended doing) in the act, as well as, for insulting and slandering. The permission of the Parliament is considered as having been granted, if the Body does not issue a decision within forty-five (45) days at the latest, from the day that the District Attorney (Public Prosecutor's) request was transmitted to the President of the Parliament.

A personal detention (arrest) against a Deputy for debts to the State, organizations of local self-government or other legal entities of public law, is not carried out during the duration of the parliamentary session and for a period of four weeks after the session ends.

Article 66

The Parliament through a Regulation (Statute) which is voted according to Article 77, Para. 1 and which is published in the Government Gazette on the order of its President, defines the manner in which it carries out (fulfills) its duties, as well as, everything else concerning its personnel.

The voted Statute is placed, before it is published, under the consideration of the Constitutional Court, in order that the latter can check the constitutionality of its stipulations (provisions).

The Statute of the Parliament ensures the normal and unhindered functioning of it and defines the appropriate measures for it.

The Parliament elects from its members the President and the other members of the Presidium, according to the stipulations of the Statute.

The President is elected at the beginning of every session and for the entire duration of it.

The President takes care for the maintenance of order in the Parliament. He has the authority to impose the penalty on misconducting Deputies or recalling them to order and of recording this in the minutes, after three (3) such recalls within the same session of provisionally expelling the Deputy for at least five (5) meetings and a suspending the relevant remuneration.

The acts of the President which concern the hiring and in general the service status of the personnel of the Parliament are subject to an appeal or petition of cancellation in front of State Council.

Article 67

The Deputies are entitled to a suitable remuneration from the public treasury, which is defined by a law voted by all the members of the Parliament. No exemption discharge, allowance, privilege or allocation of any other nature is allowed to be granted to the Deputies.

In case that a Deputy is absent for more than five (5) meetings per month, without the permission of the Parliament, during a normal or special session, one-thirtieth of his monthly remuneration is compulsatorily withheld for every absence of his.

The President of the Parliament receives for presentation expenses the amount of half of the deputies' remuneration, in addition to this remuneration.

Article 68

The Parliament convenes by right on the 15th of the month of September of every year in regular session for its annual work, unless if the King has called the body in session for the same work earlier and in accordance to Article 35.

The duration of the regular session can be of less than three (3) months, in which time the interval (time) of the suspension according to Article 36 is not included. The regular session is obligatorily extended until the voting of the budget.

The Parliament carries out its legislative work in the presence of all its members and in two parts.

These parts (sections) are formed in relation to the strength of the parties. Each section comprises of two-fifths (2/5) of the total number of deputies and according to the stipulations of the Statute of the Parliament.

It is, also, in accordance to the Statutes of the Parliament that the distribution of the competency of the sections in every Minister is defined.

During the period that the Parliament is on holiday, a part of it is (remains) in operation and which adheres to the regulations about the other sections contained herein.

The stipulations (provisions) of the Constitution in regard to the Parliament, unless it is not defined otherwise, are valid for both the entire body and for its functioning in sections.

Article 69

The following subjects are discussed and voted when the entire body of the Deputies is present in Parliament: drafts and proposals of laws about the Royal House, the regulation of the practicing of the Regency, the election of deputies and the definition of the incompatibility of their duties to other work, the electoral system and the electoral districts, the abuse of personal rights, the dissolution of parties, the organizing and functioning of the Constitutional Court, the ratification of international treaties and pacts, the annexation, cession or exchange of territory, the sojourn of foreign troops in the country or crossing of the country by them, the penal responsibility of the Ministers, the state of siege, the ratification of judicial and administrative codes, the modification and completion of these, the subjects contained in Article 112 of the present, the imposition of taxes and in general of public burdens, the budget and the detailed accounting of the state as well as, the drafts and proposals of law which are submitted to it by the Government or the sections of the Parliament, after a decision has been taken for doing this by the absolute majority of their members.

The Parliament votes in full session its own Regulation and that of the sections.

All other drafts or proposals of laws are submitted to the sections, are discussed and voted by them according to the details defined in the Regulation.

Every section decides about its own competency. Every possible expression of doubt about it (competency) is submitted to the plenum of the Parliament, following a decision of the section which is taken after an absolute majority of the total of its members. The decision of the plenum binds the sections.

The plenum of the Parliament is in a position after a decision taken by the absolute majority of the entire number of all deputies, to demand that a draft or proposal of law which has been standing in front of a section, is brought for discussion in front if it and a decision to be taken by it.

Article 70

The plenum of the Parliament convenes in open (public) sessions in the Parliament Building but can also convene in a closed meeting on the request of ten (10) of its members, if this is decided by the majority in a secret meeting and afterwards it decides if, on the same subject, the discussion should be repeated in a public meeting.

The Ministers and Vice-Ministers have free entrance in the meetings of the Parliament and whenever they ask, the floor is given to them.

The Parliament and the parliamentary committees can demand that the concerned Minister and Vice-Ministers on subjects discussed by them, be present during the discussions.

Article 72

The plenum of the Parliament cannot proceed to a discussion without at least one-fifth (1/5) of the total number of deputies being present and it cannot reach any decisions without the absolute majority of the present members who, however, under no circumstances can be less than the one-fifth (1/5) of the total number of the deputies.

No section of the Parliament can carry out a discussion without being present at least the one-fourth (1/4) of the total of its members nor can it reach any decision without the absolute majority of the present who, however, can never be less than the one-fourth of the total number of its members.

In all cases of having as a decision a draw, the proposal is rejected.

The voting on the total of drafts and proposals of laws, in both plenum and the sanctions, is always by name.

Article 73

No one can present himself without being invited in front of the Parliament for the purpose of reporting something verbally or for presenting something in writing. Reports, however, can be presented through a Deputy or can be delivered at the Office.

The Parliament has the right to forward to the Ministers the reports addressed to it and the latter are obliged to provide clarifications whenever they are asked to do so.

Article 74

The Parliament forms in the beginning of every session committees consisting of members of it, in relation to the strength of the parties, for the elaboration and study of drafts and of laws which are submitted to the plenum.

The Parliament forms from its own members and in relation to the strength of the parties Investigation Committees. The creation of these committees is obligatory if requested by the two-fifths (2/5) of the total members of the Parliament. The functioning of these committees is regulated by Law.

The creation of committees of investigation for matters concerning the foreign policy or the defense of the country is prohibited.

Article 75

The right of (submitting) proposals of laws belongs to the Parliament and to the King, who exercises this through the Ministers.

Article 76

Every draft and every proposal of a law is obligatorily accompanied by a report offering explanations and by a report of a legal-technical elaboration of them by a committee, as is more specifically defined by law.

Every draft and every proposal of law of the competency of the plenum of the Parliament, is forwarded to a parliamentary committee and when the later has submitted its report or in the event that the time-limit (for it) has expired, is entered for discussion after a verbal introduction of the competent Minister or of the spokesman of the committee, if this was not done when the draft or proposal was deposited.

Every draft and every proposal of law of the competency of a section, is entered for discussion after a verbal in front of it introduction of the competent Minister or by the spokesman assigned by the President of the Parliament of the proposing deputy.

Drafts of law which aim in the modification of laws about retirement-pay or the granting of retirement-pay or the recognition of a service which gives this right, are submitted only by the Minister of Finance after an expression of opinion by the Council of Controllers. In the case of the retirement-pay which will burden the budget of organizations of the local self-government or other legal entities of public law, by the competent Minister and by the Minister of Finance. Such drafts of laws that deal with retirement-pay must be specific and it is not permitted that stipulations about retirement-pay be included in laws, intended for the regulation of other subjects.

Every draft and every proposal of law, which entails an additional cost to the budget of it is submitted by the Ministers and is not accompanied by a report of the General Accounting of the State which defines the expense, is not entered for discussion. If it is submitted by the Parliament, before any discussion takes place, it is forwarded to the General Accounting of the State, which is obliged to submit a relevant report within fifteen (15) days. If this time expires without such a report having been submitted, then the draft of law is entered for discussion without the report.

The same applies and for the amendments, if this is requested by the competent Ministers. In this case the General Accounting of the State is obliged to submit their report to the Parliament within three (3) days. If this report is not submitted within the mentioned time-limit, the discussion proceeds without the report.

No draft of law or amendment or addition which will be at the expense of the Public, of the organizations of local self-government or other legal entities of public law is brought into discussion if it emanates from the Parliament.

A draft of law entails an expense or the decrease of the revenues of the budget does not enter the stage of discussion, if it is not accompanied by a report on how this (expense) shall be covered, signed by the competent Minister and by the Minister of Finance.

A draft of law through which local or special taxes are imposd of any kind of taxation is imposed in favour of organizations or of legal entities of public law should be counter-signed by the Minister of Finance.

A draft or a prepared law, designed to modify provisions of a previous law does not enter the stage of discussion if the reasoning report is not submitted in its entirety to reflect the provisions for modifications. The text of the draft or proposition, of law, or to an amendment can enter the stage of discussion if not directly connnected with the main contents of the draft or to the proposition.

The observation in paragraphs 4, 7, and 10 regarding formulation is checked by the courts which in turn are obliged not to apply a law which while was voted upon the above (rules of formulation) were not observed.

Article 77

Every draft of law is discussed and voted upon once in principle, by article and in its entirety.

By exception, drafts and propositions of laws are discussed and voted upon by the Parliament twice during two different sessions to take place at least two days apart from each other, in principal and by article during the first session, and by article and its entirety during the second session. If this is so requested by the one-third of the deputies at the opening of the discussions in Parliament.

In accordance to Article 76 paragraph I Amendments submitted are referred to the committee for juridicial review. If during the discussion the amendment is accepted the voting on its entirety is postponed for five days from the (day of the distribution of the amended draft).

Changes proposed by deputies will not be introduced for discussion without the government's approval if they are not submitted before the parliamentary committee's report written or, if it is a case of a draft bill or proposed law being discussed by a section, within eight days following the announcement of submission of the draft bill or proposed law.

Provision of a law which has nothing to do with the main contents of the law is invalid. A law containing provisions unrelated to each other is invalid in its entirety.

Judicial or administrative codes drawn up by special committees formed by special laws can be passed by a separate law validating such codes in their entirety.

The same procedure can be used to codify existing provisions simply by classifying them or to revalidate in their entirety laws which have been abolished, with the exception of tax laws.

Article 78

A draft bill or proposed law rejected by the other side of the legislative authority cannot be reintroduced during the same parliamentary session or submitted to the section functioning when a parliament is not in session.

Article 79

No tax can be imposed or collected without a law.

The object being taxed, the tax rate, the procedure of certifying and collecting taxes, tax exemptions, the granting of pensions cannot be objects of legislative authority.

No tax or any other financial levy can be imposed by a retroactive law.

As an exception, any import or export duties or consumer's tax imposed or increased can be collected from the day the draft bill is submitted to Parliament on the express condition that the law be published at the latest within 10 days after the close of the parliamentary session.

THE BUDGET

Article 80

During its regular annual session parliament votes on the national budget of income and expenditures for the following year and decides on the annual report submitted. All national income and expenditures must be noted in the budget and the annual report. Budgets and annual reports of legal entities of public law are announced in parliament as provided by law.

The budget is submitted to parliament one month before the beginning of the fiscal year. After it is examined by special committee of deputies, as designated by parliamentary regulations, it is voted on for each ministry at a time.

If the budget is not passed in time, temporary administration of the nation's income and expenditures is permitted under the conditions designated by law.

If the budget or special law referred to the preceding paragraph are not passed because of the termination of the parliamentary session, a royal decree issued on proposal of the Ministerial Council extends the validity of the budget of the previous fiscal year for four months.

The annual report and the national general balance-sheet must be submitted to parliament at the latest within a year of the end of the fiscal year. They are examined by a special committee of deputies and are voted by parliament in accordance with its regulations.

Article 81

No salary, pension, subsidy or compensation is included in the national budget or granted without a special law.

Article 82

A law sets forth regulations covering the minting and issuing of currency.

Article 83

The authentic interpretation of unclear laws belongs to the legislative authority.

Courts can conduct investigations if it is a question of issuing an interpretive law at the same time.

The not really interpretive law is in force as a new law.

Interpretive and retroactive laws do not apply to legal relations or to those where a difference has already been introduced to court prior to their publication.

THE GOVERNMENT

Article 84

The government is comprised of the Ministerial Council, composed of the ministers under the chairmanship of the Prime Minister.

Those comprising the government are collectively responsible for its general policy and each of them is specifically responsible for acts or omissions under his jurisdiction.

The Prime Minister assures the unity of the government and directs its activities to carry out its policy. He is responsible to parliament and the King for carrying out his mission.

The Prime Minister supervises the application of laws by government services and those of public interest in general and their functioning to the interest of the nation and its citizens.

A royal decree issued on proposal of the Prime Minister appoint one or more vice presidents on the Ministerial Council with or without portfolio.

When there is no vice president, the Prime Minister can designate, whenever necessary, one of the ministers to act for him temporarily.

The number of vice presidents and ministers cannot be more than 20.

A special law can provide regulations covering the position of under-secretaries, who can also be members of the Milnisterial Council.

Article 85

No member of the Royal Family can be appointed minister.

The provisions of Article 60 also apply to members of the government.

Article 86

In most exceptional circumstances the King can convene the Ministerial Council.

Article 87

The government must have the confidence of parliament. Within 15 days after the Prime Minister is sworn in, a vote of confidence must be requested. This can also be done at any other time.

If parliament is not in session, when a government is formed, it must be convened within 15 days to express its opinion to the government.

Parliament can withdraw its confidence in the government or one of its members by decision of an absolute majority of all its members. A proposal of lack of confidence cannot be submitted until one year after the rejection of a similar proposal by parliament or after its approval of a proposal of confidence posed by the government. Such a proposal must be signed by at least one-sixth of the total number of deputies and must clearly define the questions to be discussed in connection with the proposal.

As an exception, a proposal of lack of confidence can be submitted in less than a year if it is signed by half minus one of the total number of deputies.

The discussion of a vote of confidence or lack of confidence begins two days after the relative proposal is submitted unless the government requests the immediate start of discussions.

They can last no longer than three days or, if it is a question of the government's program announcements, five days.

The vote of confidence or lack thereof takes place when the discussion is terminated. It can be postponed for 48 hours if the government so requests.

A vote of confidence is not accepted unless approved by the absolute majority of deputies present. The latter, however, cannot be less than two-fifths of the total number of deputies. A vote of lack of confidence is not accepted unless approved by the absolute majority of the total number of deputies.

Minister and under-secretaries of State who are deputies vote in the voting on the above proposals.

Article 88

Parliament has the right to condemn members of the government in accordance with the laws in their responsibilities to a court for this purpose, which is presided over by the president of the Supreme Court. The Court is composed of 12 judges chosen by lot by the president of parliament in a public session from among all Supreme Court members, judges of courts of appeal and presidents of such courts appointed before charges are made in accordance with the special regulations provided by law.

Prosecution, interrogation or preliminary interrogation of a member of the government is not permitted before parliament so decides. By interrogation is also meant any administrative examination. If during the course of an administrative examination evidence arises which establishes the blame of the government member, those conducting the examination interrupt it immediately and transmit the evidence to parliament via the prosecuting attorney.

An indemnity suit against a government member is acceptable before he is accused by parliament. An exonerating decision by the special court for the blame of ministers is not final for civil courts.

THE JUDICIAL POWER

Article 89

Justice is administered by courts composed of regular judges.

In exercising their duties, judges are subject only to the Constitution and laws.

No question can be posed or any discussion held or statement made in parliament when a trial pending before a court.

Article 90

Regular judges of all categories, prosecuting attorneys and assistant prosecuting attorneys are appointed by the King in accordance with the law. Special laws designate their qualifications, rank and salary and their conditions.

The salaries of regular judges, prosecuting attorneys and assistant prosecuting attorneys must correspond to their functions.

The special laws rejudges, prosecuting attorneys and assistant prosecuting attorneys cannot be applied to other.categories of public functionaries and their ranks and salaries cannot be made the same or correspond to the ranks and salaries of judges, prosecuting attorneys and assistant prosecuting attorneys.

Article 91

Members of the Constitutional Court, state councillors, supreme court judges, members of the court checking on the administration of public funds (Elengtikon Synedrion), court-of-appeal judges, substitute members of the State Council (Symvoulion Epikrateias) and Elengtikon Synedrion, judges of courts of the first instance, and regular judges of regular administrative courts are life-time positions. Prosecuting attorneys and assistant prosecuting attorneys, the general counsel of the Elengtikon Synedrion the counsels and assistant counsels of administrative courts, those who present cases to the State Council, justifies of the peace, police court judges, employees of the secretariat of all courts and prosecuting attorneys' offices, notaries publics and registrars of mortgages and transcripts are permanent positions as long as the relative services and positions exist. Life-time and permanent judges and other judiciary employees can be dismissed from their positions only following a judicial decision because of a penal conviction, breach of discipline, illness or mental disability, which are confirmed by the method designated by law and by maintaining the provisions of Articles 106 and 107.

Retirement is compulsory for members of the Constitutional Court at 75 years of age. Seventy is the retirement age for State Council members, Supreme Courts members, members of the Elengtikon Synedrion, presidents and prosecuting attorneys of courts of appeal, presidents of second-degree administrative courts, general counsel of the Elengtikon Synedrion and counsels of administrative courts.

Sixty-five is the retirement age for all other regular judges, prosecuting attorneys and assistant counsels of administrative courts. Retirement is compulsory for notaries public and unsalaried registrars of mortgages and transcripts at 75.

Article 92

Members of the Constitutional Court are appointed according to the provisions made by law, by royal decree issued on proposal to the Ministerial Council with the assenting opinion of the plenum of the Constitutional Court.

The number of the Constitutional Court is set at 11 and can be increased up to double that number by Royal Decree issued on proposal of the Ministerial Council with the assenting opinion of the plenum of the Constitutional Court.

A law sets forth provisions of auxiliary judiciary personnel of the Constitutional Court.

Article 93

Members and substitute members of the State Council are appointed or promoted according to provisions made by law, by royal decree issued on proposal of the Minister of Justice with the assenting opinion of the plenum of this court.

Members and assistant members of the Elengtikon Synedrion are appointed or promoted according to provisions made by law, by Royal Decree issued on proposal of the Minister of Finance with the asseting opinion of the plenum of this court.

Article 94

Promotions to the positions of presidents of the Constitutional Court are made from among members of this court by royal decree issued on proposal of the Ministerial Council with the assenting opinion of the plenum of the Constitutional Court.

Promotions to the positions of President and Vice-Presidents of the State Council, the Supreme Court and the Controling Council (Elengtikon Synedrion), as well as that of the Supreme Court Prosecutor will be effected from among the members of the court to which the promotion pertains, by Royal Decree issued at the recommendation of the Ministerial Council, in agreement with a decision of a council under the chairmanship of the Minister of Justice, and composed of the President of the State Council, the President and the Prosecutor of the Supreme Court, the President of the Controlling Council, the President of the State Legal Council, one professor from the Law School of Athens University, specified by the School, and one attorney specified by the governing council of the Lawyers' Association of Athens.

The procedure for the application of the regulations contained in the preceding paragraphs is stated by law.

Promotions, assignments, transfers and detachments of the judges of the regular administrative and of the regular civil and criminal courts, as well as those of prosecutors and assistant prosecutors are effected by Royal Decree, issued upon the recommendation of the Minister of Justice, in conjunction with a prior decision of a Supreme Council of Judges. In accordance with the specifications of the law, this council is composed either in its entirety or in part, when it pertains to judges of the regular administrative courts, of members of the State Council; and when it pertains to judges of regular civil and criminal courts, as well as prosecutors and assistant prosecutors, of members of the Supreme Court. If the Minister of Justice disagrees with the decision of the Supreme Council of Judges, then only within a time limit of fifteen days from the day he is notified of the decision, he may refer it to the full membership of the court, the members of which constitute the section. The Minister is bound by the decisions of the full membership of the court, as well as by those of the sections with which he did not disagree.

The decisions made in accordance with this article, as well as the administrative actions necessary to carry out the decisions, are not subject to challenge before the State Council.

Article 95

Regular judges are forbidden to accept any other salaried position, with the exception of that of member of the Athens Academy and professor of law at a university or other school of equivalent rank, of performing any occupation whatever or participating in governing councils of local self-governing organizations or other legal personages of public law, public firm, or commercial firm.

Article 96

Disciplinary power over the members of the Constitutional Court, the State Council, the Supreme Court and the Controlling Council, is exercised, in accordance with the law, by a council composed of two members from each of these courts, under the chairmanship—in cases concerning members of the Constitutional Court of the President of the State Council, and in cases concerning members of the State Council, the Supreme Court and the Controlling Council, of the President of the Constitutional Court. The members of the Council are chosen by drawing from which are excluded the members of the court on the activities of which in its entirety or of some of its members, the Council is called upon to pass judgment. The disciplinary action is brought up by the Minister of Justice.

The disciplinary power over the remaining regular judges, public prosecutors and assistant prosecutors, is exercised by councils composed of regular judges in accordance with the law. Disciplinary action is brought before these councils by the Minister of Justice.

The decisions issued in accordance with this article are not subject to challenge in the State Council.

Article 97

The qualifications of the employees of the Secretariat of all courts and district attorney's offices are set by law. The transfer, detachment and promotion of these employees is effected following prior well-documented decision of the decision of the Legal Councils, composed of regular judges, and disciplinary power is exercised over them by the regular judges, prosecutors and deputy prosecutors or by court councils composed of these, in accordance with the law.

THE CONSTITUTIONAL COURT

Article 98

The Constitutional Court decides on:

a. The constitutionality of the law, legislative order or portion thereof, in the event that contradictory decisions on these are issued by the State Council, the Supreme Court or the Controlling Council, on the basis of a request from the Minister of Justice or anyone else having a lawful interest.

b. On the constitutionality of the law, legislative order or portion thereof, whenever the following are affected:

1. collective or occupational interests, at the request of the organization which legally represents them;
2. the organization of functioning of the Autonomous Orthodox Church of Greece, at the request of the Holy Synod.
3. the organization or functioning of organizations of local administration, at the request of their representatives, and
4. the organization or functioning of higher educational institutions, at the request of their legal representatives.

c. On the elimination of clashes between civil and criminal courts on the one hand, and on the other hand of administrative courts and any other court or administrative authority as specified by the court.

d. On lawsuits of miscarriage of justice brought against counsellors or of the Controlling Council, judges of Court of Appeals, judges of the Court of First Instance, prosecutors and assistant prosecutors, judges of regular administrative courts as well as justices of the peace and magistrates, as specified by the law, without however requiring a permit for such lawsuits. A lawsuit for miscarriage of justice may not be brought against members of the Constitutional Court under any provision.

e. On appeals against legislative or administrative actions in preparing for or in conducting parliamentary elections, as well as appeals on the legality of the elections of deputies, whether they pertain to electoral deviations in carrying out the election or to lack of qualifications.

f. On any other case which falls under its jurisdiction in accordance with this Constitution.

The decisions of the Constitutional Court are irrevocable. They are published in the Government Gazette by order of the President of the Court. From the date of their publication they constitute res judicatum.

If by decision of the Constitutional Court a law or legislative order is found to be unconstitutional, then it is not in effect as of its publication.

STATE COUNCIL

Article 99

The following fall within the jurisdiction of the State Council:

a. The working out of regulative orders.

b. The cancellation of actions of the administrative authorities for overstepping their authority or violating a law, specifically as specified by law, and following a request (for such action).

c. The rescission, following a request, of the irrevocable decisions, of administrative courts, for violation of the law.

d. Any other administrative cases, which is specified by the Constitution or by law.

The law can specify other reasons for cancellation and rescission.

The regulations of articles 106 and 107 are not utilized in the case under a.

The conformation of the authority to the cancelling decisions of the Council of State constitutes an obligation for the Executive stemming from the present Constitution.

Article 100

To the jurisdiction of the Audit Board is granted:

a) the opinion from law about pensions, awarding pensions or recognition for services, for the contribution of pension fees according to Article 76, Paragraph 4.

b) the exhibition to Parliament of the financial report and general balance sheet of the State.

c) the control of State expenditures, of organizations of local self government and other public servants as the law limits.

d) the control of renderings of public accountings.

e) the adjudication of questionable matters in the renderings of public accountings.

f) Appeals against the listed acts of ministers, other organs of administration, organizations, of local self government and other public servants.

g) the adjudication of cases referring to the responsibility of public servants for deliberate fraud or negligence which brings damage to the State.

h) the adjudication of various matters arising from the awarding of pensions.

i) all other administrative cases which are defined by the law.

The provisions of Articles 106 and 107 are not applicable to those cases coming under letters a, b, c, d.

Decisions of the Audit Board regarding the reckoning of accountings and the awarding of pensions are not subject to the control of the Council of State.

Article 101

The regular administrative courts are empowered by special law to adjudicate all administrative differences or certain categories of these.

To the regular administrative courts jurisdiction is given by law in all administrative differences, and all other administrative cases.

Administrative differences in the regular administrative courts not coming under any particular law are adjudicated by law in the regular civil courts with the exception of those which by provision of the Constitution come under special laws in special administrative courts as is demanded in Articles 106 and 107.

In the regular tax courts established by law 3845 of 1958 it is possible to submit to adjudication other categories of administrative differences.

Article 102

To the regular civil and criminal courts belong jurisdiction over difference of civil law and criminal cases and all other cases falling under civil law.

POLITICAL CRIMES

Article 103

Felonies and political crimes are judged by mixed jury courts and regular judges and juries, the latter (the juries) must constitute the majority, formed as the law dictates. Felonies, coming under the provisions of the present resolutions and special laws in the competence of the Court of Appeals, continue to be judged by those as long as the law does not place them within the competence of mixed jury courts.

Wrongful acts of the press are judged by the regular criminal courts as the law dictates.

Articles 104

Special laws to allow deviation from the provisions of article 89, paragraph 1 can be proclaimed:

a) it is not possible to army courts martial, navy courts martial and air force courts martial unless they are to be tried for punishable acts against the security of the armed forces.

b) Special juvenile Courts;

Due to special laws remanding minors to the courts it is possible that in these cases the provisions of article 89, paragraph 1, and articles 106 and 107 will not be applicable.

Article 105

By law it is possible to entrust to persons exercising police functions or power the imposition of fines, always determined by the law, in cases of in flagrante misdemeanors, which are confirmed by the person exercising his duties. The wrongdoer is punished by this punishment under the terms of his acceptance of said punishment and his immediate payment of the prescribed sum. If anyone questions his guilt for any reason the case is then referred to the appropriate criminal court.

By law it is possible to entrust to the authority of the Market Police the adjudication of market misdemeanors and personal demands stemming from these. The decisions of these authorities are subject to appeal, having restraining force before judicial authorities.

Article 106

The proceedings of the courts are public. By exception, the court owes by its decisions, and in accordance with the law, to order the proceedings in total or in part to be held in camera if the transaction of the proceedings with public discussion is injurious to good morals or public order or if there exist special reasons to protect the family or private lives of individuals or occupational secrets.

Article 107

All decisions must be especially documented and announced in public session. Judicial decisions are rendered in the name of the King.

Article 108

The courts are obliged not to infringe upon the Constitution or to be unobjective towards the contents of a provision of the laws, legislative orders and regulatory acts.

Article 109

The parties before the court are equal and have the same rights and obligations. It is not permitted that a person be injured in court by changing his rights.

Article 110

An individual has the right to demand the legal protection of the court and to demand to have the opportunity to develop his views concerning his rights and interests and to be listened to by the court.

Article 111

The number of judges who constitute each court must always be an odd number.

ADMINISTRATION OF THE STATE

Article 112

The administrative organization of the State is based on decentralization and local self-government.

The State is divided into districts, within which the citizens administer local affairs, as specified by law.

The Municipalities and the Communities comprise the first echelon of local self-government bodies, which must be of at least two ranks, irrespective of the liaisons between Municipalities, Communities or Municipalities and Communities.

The right to decide in the above bodies on matters of local self-government is invested—in the case of local self-government bodies of the first rank—in executive instruments produced by universal vote; in the case of second-rank bodies, in executive instruments formed partly by appointment and partly by election, as specified by law.

In deviation from the provisions of the preceding paragraph, the law regulates the manner in which the executive instruments of the liaisons between Municipalities, Communities, or Municipalities and Communities, shall attain to office.

The local self-government bodies may issue regulatory provisions, within the limits defined by law, of such provisions depends upon the approval of the supervising authority.

The sole and executive purpose of all local self-government bodies is to promote local interests and to satisfy the general needs of the inhabitants of their own district; the involvement of these bodies in matters outside the scope of the above purpose is prohibited, as specifically stipulated by law.

The State exercises only supervision over the local self-government bodies, of such nature as not to obstruct their initiative. The law defines the manner and the particulars of application of this provision.

The State ensures the availability of the funds required by the local self-government bodies for the fulfilment of their function in accordance with the Constitution.

The councils of the local self-government bodies may be disbanded, or members declared out of office, by decision of the Constitutional Court following recourse thereto on the part of the supervising authority, for cause of activity directed against: the national integrity, the reigning principles of government, the social system, the security of the State, and the civil and individual rights of the citizens.

THE ATHOS MOUNT

Article 113

The Athos Peninsula extending beyond Megali Vigla and constituting the district of Aghion Oros shall, in accordance with its ancient privileged status, be a self-governing part of the Greek State whose sovereignty thereover shall remain unaffected. Spiritually Aghion Oros will come under the direct jurisdiction of the Oecumenical Patriarchate. All persons residing thereon shall acquire Greek nationality upon admission as novices or monks without any further formality.

Aghion Oros shall, in accordance with its regime, be governed by its twenty holy monasteries, among which the entire Athos Peninsula is divided, and its territory shall be exempted from expropriation. The administration shall be exercised by community. No change whatsoever shall be permitted in the administrative system or the number of monasteries of Aghion Oros, nor in their hierarchy and their position in regard to their dependencies; and the dwelling thereon of heterodox or schismatic persons shall be prohibited.

The determination in detail of the Aghion Oros regimes and the manner of operation thereof shall be effected by the Charter of Aghion Oros, which, with the co-operation of the representative of the State, shall be drawn up and voted by the twenty monasteries and ratified by the Oecumenical Patriarchate and the Parliament of the Hellenes.

The correct observance of the Aghion Oros regimes shall, in the spiritual field, be under the supreme supervision of the Oecumenical Patriarchate, and in the administrative field under the supervision of the State which shall also be exclusively responsible for safeguarding public order and security.

The above-mentioned powers of the State shall be exercised through a Governor whose rights and duties, as well as the judicial power exercised by the monastic authorities and the holy community, and lastly the customs and tax privileges of Aghion Oros, shall be determined by law.

Article 114

The civil servant shall be loyal and devoted to the Country and the national ideals; he shall execute the will of the State and serve the people.

Ideologies aiming at the overthrow or undermining of the existing governmental or social system, or connected with the principles and programs or social system, or connected with the principles and programs of outlawed political parties, are in absolute opposition to the nature and office of the civil servant.

The law regulates the manner in which the provisions of the preceding paragraphs shall be applied.

Final dismissal of a civil servant owing to default of the above prerequisites is effected following a court decision as defined by the law.

The provisions of this Article are effective for all civil servants, civilian, military and employees of the Parliament, and for the employees of local self-government bodies or other legal entities of public and municipal enterprise.

Article 115

The qualifications for public civilian administrative employees as all local government organizations or of public law entities are defined by law.

Those civil servants occupying organic positions are permanent so long as the necessary services and positions exist, with the following exceptions (a) retirement due to age, (b) separation as a result of a court order. Civil servants are not transferred without special justified opinion, nor demoted, nor released without special decision by councils constituted by law and composed at least two thirds by public servants.

The provisions of the previous paragraph apply also to (a) employees of Parliament, governed otherwise by its own regulations, and (b) employees of organizations of local government who occupy organic positions, except for community employees to whom, however, the law can extend the provisions regarding permanency.

The employees mentioned in the first paragraphs of this article retire from service, those of grade 4 or higher at age 65 and those exempted by special law or for special reasons. University professors and professors of equivalent highest institutions, as well as advisors of the Supreme Council of Public Servants and State Legal Advisors, retire at age 70, while the assessors of the Supreme Council of Civil Services and of the State Legal Council retire at age 65.

No draft law regarding the organization of public services and in general the situation of civilian administrative employees, employees of local government or of other public law entities is introduced to Parliament for discussion unless accompanied by an opinion by the Supreme Council of Civil Services. A concurring opinion of the same Council is needed for the issuance of legislative or regulative decrees or actions on these issues, on pain of their invalidation.

The law may exclude from the qualifications and permanency those directly appointed as Ambassadors or Ministers plenipotentiary or high diplomatic employees, the general secretaries, the monarchs, the Governor of Aghios Oros, the representative to the Holy Synod of the Orthodox Church of Greece, the employees of the office of the Prime Minister and of the private offices of Ministers and Undersecretaries of State, and of the office of the President of Parliament.

Article 116

No one can be appointed as a civil servant if no position exists.

The hiring of extra employees under any circumstances is allowed only by special law issued with the concurring opinion of the Supreme Council of Civil Services, stating the extra or urgent need and the duration of the employment.

No one may be appointed to more than one salaried public position or local government organizational position or public law entity position. As an exception it is possible through a special law to allow in special instances the appointment to a second position also, but in full observance of the provisions in the following paragraph.

The payment of salary or other emoluments to salaried employees in general paid from government funds or funds of public law entities or private corporations having contractual bonds with the government or enjoying privileges granted by the government because of services they offer internally, cannot exceed in monthly total the regular monthly salary of their organic position. The non-compliance with this prohibition, investigated and verified by the courts, results in the permanent separation of the guilty party.

What is decreed by Article 60 regarding the incompatibility of the members of parliament also applies to the salaried public servants.

When public servants and employees of municipality and community establishments as well as legal persons of public law are to be brought before court, prior approval of the administrative authority is not necessary.

Article 117

The following fall primarily under the jurisdiction of the Supreme Council of the Public Servants:

(a) The supervision of the implementation of the Code regarding the status of the civilian public administrative employees as well as the legal persons of public law.

(b) Duties specified in Articles 115 and 116 of the present constitution.

(c) Decisions on appeals against disciplinary penalties less than dismissal or degradation. Article 115 paragraph 4, provides for the qualifications and conditions for the appointment and termination of members of the Supreme Council of Public Services.

Everything referring to the organization and functioning of (this council) is arranged by law.

Article 118

Principally the following fall under the State Legal Council:

(a) Guiding the activities of the administration through its (State Legal Council) recommendations.

(b) Defending the State interests before the courts.

(c) Recognition of demands from the State and settlement of differences on these (demands) except for taxation (differences).

Promotions to the position of president and vice president of the State. Legal Council are carried out through Royal Decree issued following a justified decision of the Council of Ministers.

The provision of Article 95 of the present constitution also applies to the members of the State Legal Council.

TRANSITIONAL PROVISIONS

Article 119

Within five months from the time the present constitution is put in force a law will determine regarding the formation of the Constitutional Court as well as its functions.

As original members of the Constitutional Court will be appointed, two of the members of the Council of State, two of the members of the Supreme Court, two of the regular professors of the Law Schools of the University and five distinguished jurists who are at least 45 years of age. By Royal Decree issued upon proposal of the Council of Ministers and as determined by the law and the concurrence of opinion of the Council of State for the (two members) of the Council of

State, of the plenum of the members of the Supreme Court for the (two) members of the Supreme Court, the society of regular professors of the Law School of Athens University for one of the (two) regular professors and that of the Law School of the University of Thessaloniki for the other member. For the remaining five members, the joint opinion of the plenum of the State Council and Supreme Court following a joint meeting.

Article 120

They who until the present constitution is put in force are obliged to be insured under more than two insurance funds may continue, in deviation to the provisions of Article 20 of the present constitution, to maintain the existing insurances. However, they can ask to quit any insurance fund over two as is determined by the law.

Article 121

Laws which to date have been enacted in accordance to Article 104 of the 1952 Constitution are considered as not opposed to the present constitution and remain in force.

In deviation to Article 17 of the present constitution allowed are, the legal settlement and dissolution of still existing tenancies of fields and quitrents, the purchase of planted land of high ownership, the abolishment and settlement of original substantial relations, measures to avoid the division and/or to facilitate the reformation of overly divided small land property.

Article 122

All laws and decrees which are opposed to the present constitution are abolished.

Decree 16/29 April 1952 remains in force. Constitutional Deeds enacted with it and opposed to the present Constitution will continue in force until they are abolished by law. They can also be amended by law.

Articles 1 and 3 under constituent A of the Constitutional Act of 1967 "regarding the exercising of the Constitutional and Legislative authority and amendment of the constitution" as well as any other decrees of the same or similar contents with other Constitutional acts are abolished.

From the time the present constitution is put in force and until the convocation of Parliament, the King enacts, with the proposal of the Council of Ministers, legislative decrees.

Laws which are necessary for the implementation of the articles of the present constitution are enacted, until the convocation of Parliament, according to the previous paragraph, and are perfected by the plenum of the State Council.

EFFECT AND REVISION OF CONSTITUTION

Article 123

The provisions of the present constitution which deal with the form of government as a Kingdom of Liberal Democracy are never revised and neither are any of the other related basic provisions.

The revision of the irrelevant basic provisions is permitted whenever Parliament, by unanimous vote, of all its members, asks for it by special act which will specifically define the provisions which are being revised and voted for twice with the two votings being at least one month apart.

The revision having been decided by the Parliament, the next Parliament during its first meeting decides on the revised provisions by absolutely unanimous vote of all its members.

As an exception, the first Parliament after the present Constitution is put into effect may proceed to revise the non-basic provisions of the Constitution by its decision, approved by two votings taking place at least one month apart and by a majority of two thirds of its total members.

Every revision of non basic provisions of the Constitution is announced and published in the Government Gazette in ten days from its enactment by Parliament and is put into effect by its special Decree.

Article 124

The present Constitution is put into effect after a period of * * * from the approving plebiscite by the people. During this period the King proceeds to announce and publish the Constitution with the signature of the Ministerial Council to the Government Gazette.

Article 125

The observation of the present Constitution is devoted to the patriotism of the Greeks.

VOCATIONAL EDUCATION—KEY TO EMPLOYMENT

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PUCINSKI. Mr. Speaker, yesterday it was my privilege, along with some 40 other Members of the House on both sides of the aisle, to introduce legislation which would provide a sweeping overhaul of the vocational education programs throughout the country.

The legislation which I introduced along with the gentleman from Washington, Congressman LLOYD MEEDS, would provide approximately $500 million more in fiscal 1968 in Federal aid to the various States to develop and implement effective State plans which would assure every American youngster graduating from high school a marketable skill.

If ever one needed further proof for the merits of this legislation and the need to improve vocational education in America, we need only look at the excellent article which appeared in this mornings Washington Post and was written by Mr. Paul W. Valentine.

I call my colleagues attention particularly to the table which accompanies this very worthwhile article.

This table clearly shows the fantastic proliferation of various agencies and programs to deal with the rehabilitation of the unemployed and make them employable.

In introducing my legislation, I stated that the cost of rehabilitating a high school dropout and training him for gainful employment is fantastically high. But more important, the value of these programs is being questioned in ever-increasing circles.

I firmly believe that we could eliminate a vast amount of these questionable job training programs in future years by providing meaningful vocational education while the youngster is still in school. More important, the work-study programs which we provide in our legislation, in my honest judgment, would reduce very substantially the rate of dropouts and would encourage youngsters to remain in school to complete their career training program.

It should be a source of deep concern to all of us, as Mr. Valentine points out in his article, that even if all the job development programs were operating at maximum in Washington, D.C., they would still place only about 7,000 persons a year when figures indicate there are anywhere from 75,000 to 140,000 unemployed living in Washington alone.

I hope that my colleagues will look at this table carefully and then join us in in sponsoring H.R. 16460.

Mr. Valentine's excellent article and the very carefully prepared table of existing programs in the Washington, D.C., area follow:

BURGEONING TRAINING CENTERS BARELY DENT JOBLESSNESS

(By Paul W. Valentine)

Despite its array of job-development programs, Washington is only scraping the surface of its unemployed and under-employed population.

At best, the programs penetrate about 10 per cent of the ghetto ranks, says Frank H. Hollis, the United Planning Organization's director of manpower. Few other officials disagree with him.

"If all the job development programs were operating at maximum in this city," Hollis says, "they still would place only about 7,000 persons a year.

"There are anywhere from 75,000 to 140,000 unemployed people here, depending on who you listen to and what your definition of unemployment is.

"That means that at least 68,000 people are never reached by the programs—just never reached."

While a "sub-employed" population, estimated by the U.S. Employment Service to be 113,180 in four major slum areas, founders at the brink of financial disaster, private industries in the cities are screaming for both skilled and semi-skilled workers.

An immense gap lies between jobs and manpower. The city's job development programs only begin to close the gap.

Even when jobs are created and training is provided, there is no guarantee that those placed in employment will be permanently and meaningfully retained.

The dropout rate in training programs is prodigious. Many trainees abandon courses when domestic and social complications disrupt their lives. Some can't take the discipline of daily class attendance.

If a trainee completes a course and gets a job, problems still arise.

"Most dismissals are not for lack of training," says Elwood Jackson, registrar for the Opportunities Industrialization Center a relatively successful training project financed by the Government. "Guys are fired for lack of discipline, punctuality and not having a constructive employe-employer attitude."

The Center is now laying greater stress on employment orientation, on helping the long-term unemployed adjust to the rigors of regular work. A few other training projects in the city are making similar attempts.

Job placement is still stymied by racial discrimination. Radio and TV repair shops, for example, are reluctant to hire qualified Negroes and have them go into the homes of white customers.

Many trade unions have traditionally excluded or limited Negro membership.

Jackson recalls one union which, in an apparent gesture of cooperation, offered to accept OIC-trained Negroes who were older than 18 and had a high school education.

"At first, we thought that was a nice idea," he said. "But when we started looking around, we couldn't find any Negroes over 18 with a high school education. You know why? They're all in college or Vietnam . . . I think that union knew it, too."

The picture of employment in Washington is one of opposing or, at best, uncoordinated forces. Unions are leary of both management and Negro-oriented training programs.

Business is timid about placing Negroes in sensitive positions. The Negro unemployed don't know where to go for training, or are skeptical, or frightened, or both. Training programs are not tailored to any comprehensive job-availability survey.

Nowhere in this city is there one central office that maintains a definite compendium of available job-training and development programs.

Each agency—OIC, USES, UPO, the Labor Department, the Office of Economic Opportunity, the D.C. Welfare Department—keeps its own statistics, which may or may not relate to others or use the same definitions for such crucial terms as "unemployed," "orientation" or "remediation." Some agencies keep few statistics at all, especially in following-up on trainees they have placed in jobs. The success or failure of individual programs is hard to determine.

Because there is no central coordinating point in the job-development picture, there is no way of knowing where the gaps, overlaps, duplications and other inefficiencies are occurring.

Officials suspect that gaps and duplications exist, but because of the confusion of interweaving, multi-purpose programs, it is difficult to spot the trouble.

The recently formed Washington Metropolitan Area Jobs Council hopes to become a central clearing house for job information and to publish a comprehensive list of job development programs in the area. The list, when completed, will have to be updated continually as specific Federal programs begin, end or are renewed.

With that basic information, say Council Executive Director David Freeman, it is hoped that an area-wide analysis and coordination of development programs can be provided.

Similarly, the District government hopes to exert influence on program coordination through its new manpower administrator, Horace R. Holmes.

To cap job improvement efforts, the presidentially created National Alliance of Businessmen has set a quota of 4600 summer jobs and 2000 permanent jobs for the hard-core unemployed by September. Private businessmen are encouraged to pledge job openings for the unemployed.

JOB PROGRAMS—WHAT THEY DO, WHO RUNS THEM

Institutional training	Administration	Financing	Enrollment	Target population	Type of training	Address and telephone
1 Manpower Development and Training Act (MDTA).	U.S. Employment Service (USES).	Labor Department	300, current	General unemployed	Clerk-typing, stenographer, cooking, keypunch operator, practical nursing, medical laboratory assistant, service and maintenance work.	555 Pennsylvania Ave. NW. (393–6151).
2. Opportunities Industrialization Center (OIC).	OIC	Labor, HEW, OEO, private.	375, current	18–60, earning less than $1,500 per year plus $500 for each dependent.	Clerical and sales, automotive trades, industrial trades, offset duplicating, radio and TV repair, etc.	1711 14th St. NW. (265–2626).
3. Work and Training Opportunity Center (WTOC).	District of Columbia Welfare Department.	HEW, District of Columbia Welfare Department.	220, current	Unemployed heads of households.	Clerical, shorthand, business math, machine trades, benchwork, structural work, processing occupations.	921 Pennsylvania Ave. SE. (544–8600).
4. Building Service Employes International Union (BSEIU).	Central Labor Council.	Labor, HEW	50, current	Janitorial workers seeking upgrading.	General janitorial, custodial, maintenance, and service work.	1126 16th St. NW. (659–8044).
5. Concentrated employment program (CEP)—special impact.	CEP	Labor	65 per cycle	Hard-core unemployed in Cardozo-south, and Anacostia-Congress Heights.	Prevocational training in employment attitudes, shop exposure, etc.	2013 14th St. NW. (659–1100).
6. Department of Vocational Rehabilitation (DVR).	DVR	District of Columbia Government, HEW.	823, current	All categories of the handicapped.	Clerk-typing, auto mechanic, woodworking, nursery school attendant, barbering, keypunch operator, computer programing, TV repair, shoe repair, cashier, cooking, etc.	1331 H St. NW. (629–4255).
7. Vocational education (VE)	District of Columbia Department of Education.	District of Columbia Government.	2,377, current	General adult	Carpentry, ironwork, electrical work, masonry, cosmetology, drafting, drycleaning, photography, welding, watch repair, TV repair, nursing.	4121 13th St. NW. (629–7331).
8. Concentrated employment program (CEP)—basic education.	CEP	Labor	150 per cycle	Hard-core unemployed in Cardozo-south, and Anacostia-Congress Heights.	Employment orientation, basic reading, basic math, etc.	1100 Vermont Ave. NW. (659–1100).

On-the-job training	Administration	Financing	Trainees	Target population	Type of training	Address and phone
1. District of Columbia Apprenticeship Council (DCAC).	DCAC	District of Columbia Government labor.	529 in 10 projects, 1st 6 months of fiscal year 1968.	Persons seeking apprenticeable trades.	Most apprenticeable trades	1145 19th St. NW. (629–2842).
2. Urban League (UL)	UL	Labor	300 to 400 per year	General unemployed	General skilled and semiskilled jobs.	626 3d St. NW. (737–8600).
3. Concentrated employment program (CEP)—On-the-job training.	CEP	do.	350 for fiscal year 1968.	Hard-core disadvantaged over 18 in Cardozo South and Anacostia-Congress Heights.	Apprenticeable and nonapprenticeable jobs.	1816 12th St. NW. (462–3375).
4. Concentrated employment program (CEP)–New Careers.	CEP	do.	255 for fiscal year 1968	Hard-core disadvantaged in Cardozo South and Anacostia-Congress Heights.	Work in human service agencies, such as Welfare Department, Redevelopment Land Agency (RLA), etc.	1000 U St. NW. (265–2818) 1331 Savannah St. SE. (561–6400)
5. Project Build	Central Labor Council.	do.	80 trainees per 6 months (now recruiting 1st cycle).	Youths interested in apprenticeable trades.	Building construction trades, plumbing, electrical, carpentry, bricklaying, paperhanging, sheet metal work.	1126 16th St. NW. (659–8044).

Placement programs	Administration	Financing	Placements	Target population	Type of work	Address and phone
1. Concentrated employment program (CEP)—Jobs now.	CEP	Labor	1,600 for fiscal year 1968.	Underemployed in Cardozo-South and Anacostia-Congress Heights.	Direct placement in semiskilled Government and private industry jobs.	1000 U St. NW. (265–2818), 1331 Savannah St. SE. (561–6400).
2. Concentrated employment program (CEP)—Federal employment.	CEP	do.	450 for fiscal year 1968	do.	Skilled and semiskilled jobs in government.	Do.
3. Neighborhood Youth Corps (NYC).	United Planning Organization (UPO).	do.	3,400 current	High school and dropouts	Filing and clerical, messenger service, landscaping.	1406 M St. NW. (659–1100).
4. Offender rehabilitation project (ORP).	ORP	OEO	125 jobs and 50 training placements since June 1, 1967.	Persons on bond pending prosecution.	General skilled and semiskilled work.	711 14th St. NW. (737–4337).
5. Veterans affairs program (VAP).	UL	UL	80 since Oct. 1, 1967	Returning Negro veterans	do.	626 3d St. NW. (737–8600).
6. Neighborhood center	Central Labor Council, USES.	Central Labor Council, USES.		General unemployed	do.	1148 7th St. NW. (483–2273).
7. Pride	Pride, Inc	Labor	1,050 current	Teenagers	Cleanup and rat eradication	1536 U St. NW. (483–1900).
8. Fairmicco	Fairchild-Hiller Corp., MICCO.	Government contracts.	200 maximum (now recruiting).	General unemployed	Manufacture of wooden loading platforms for Department of Defense.	59 M St. NE. (347–6113).
9. Part-time jobs	Board of Trade	Board of Trade		Needy students at Eastern, Dunbar, and Roosevelt High Schools.	Semiskilled jobs with area private employers.	1616 K St. NW. (ST 3–3535).

JOB PROGRAMS—WHAT THEY DO, WHO RUNS THEM—Continued

Special training, counseling, placement, and on-the-job training programs	Administration	Financing	Enrollees	Target population	Type of training	Address and phone
1. MA-1	Institute of Computer Tech.	Labor	360 trainees in 18-month period.	"Hardest of hard core"	No specific training. Emphasis on employment orientation and remedial training in reading, writing, math, etc., followed by job and OJT placement.	2600 Virginia Ave. NW. (337-7200).
2. Job Opportunity Week	Board of Trade	Board of Trade	3,500 interviewees	Area employers interview high schoolers not going to college (May 20-24 this year).	None	1616 K St. NW. (ST 3-3535).
3. Prep clubs	do	do		Lectures, tours, etc., on work world, conduct at Anacostia, Eastern, Bell Vocational, McKinley Tech.	do	Do.
4. Job opportunities in business (JOBS).	Board of Trade, Northern Systems Co.	Labor	1,400 in 2-year period	Hard-core unemployables	4 months institutional training, 8 months. OJT in culinary, automechanical and building trades. (To open in next few weeks.)	Do.

Supportive programs	Administration	Financing	Function	Address and phone
1. Small Business Administration (SBA).	SBA	SBA	Issued 50 loans, averaging $12,000 each, between Jan. 1, 1967 and Feb. 29, 1968, to open new businesses or revive old ones. Created 50 jobs with maximum of 247 expected.	1321 H St. NW. (382-3525).
2. Concentrated employment program (CEP)—Health service.	CEP	Labor	Provide limited medical and dental care for CEP enrollers	1000 U St. NW. (265-2818), 1331 Savannah St. SE (561-6400).
3. Concentrated employment program (CEP)—Day care.	CEP	do	Provide day child care for women so they can participate in CEP programs	Do.
4. Concentrated employment program (CEP)—Transportation supportive service.	CEP	do	Provide information and money for CEP enrollees to get to job sites	Do.
5. National Business League project (NBL).	Sterling Institute	NBL	Negro businessmen undergo short, intensive courses in how to tap business and organizational talents of ghetto dwellers.	2650 Virginia Ave. NW. (333-2010).
6. Coordinated 2-way express transit service for center city and suburban employees.	Council of Governments (COG), Transit Commission (WMATC), UPO, USES.	HUD (approval pending).	Operation of public transportation to take ghetto workers to suburban worksites and return to town with suburban commuters. (HUD approval of proposal expected this spring.)	1250 Connecticut Ave. NW. (223-6800).
7. Merit Employment Training Committee.	Board of Trade	Commerce	Aims at getting commitments from private businesses to hire disadvantaged persons and help coordinate job-retention and employer-education programs.	1616 K St. NW. (ST 3-3535).

UNITED STATES SHOULD RESUME SHIPMENT OF ARMS TO ISRAEL WITHOUT DELAY

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PUCINSKI. Mr. Speaker, the situation in the Middle East continues more precarious today than ever before.

The United States can no longer delay recognizing the fact that our best friend in the Middle East, the State of Israel, is now in greater peril than ever before in its short-lived history.

It is now a matter of record that the Soviet Union has replaced all of the military equipment that the Arab States lost during last year's spectacular 6-day war.

Israel has won a great victory, but that victory is now endangered by the continued shipment of arms to the Arab States by the Soviet Union.

It is my firm belief, Mr. Speaker, that the United States should resume the shipment of whatever arms Israel requests without a single days delay.

It will serve no purpose for us to argue that by sending American arms to Israel somehow we are going to escalate the arms race in the Middle East. The Soviet Union has already done this and for the United States to fail to recognize this or try to sweep it under the rug is an invitation to disaster in the Middle East.

There is no question that Israel today stands as our most gallant and reliable ally in the Middle East. It is not fair to expect tiny Isreal to carry the full burden of securing freedom in the Middle East without giving that nation the military aid she needs.

Israel today is the key to protecting our own interests in the Mediterranean.

Let there be no doubt that the growing influence of the Soviet Union in the Mediterranean spells deep and serious trouble for the United States in the near future. The movement of the Soviet fleet for the first time into the waters of the Mediterranean creates a danger for the United States unprecedented in that sector of the world.

Nor can we be blind to the growing influence of the Soviet Union on the Continent of Africa.

It has been properly stated that he who controls Africa controls the world.

I say, Mr. Speaker, the United States can no longer try to work both sides of the street in the Middle East.

The United States must take a firm position that the survival of Israel lies in the interest of the United States and the rest of the free world, for Israel today stands as a bastion against Soviet expansion not only in the Middle East, but all of Africa and the Mediterranean.

In my judgment, it is naive and totally unrealistic for our State Department to argue that we must provide arms both to Israel and Jordan in order to maintain some degree of balance in the Middle East.

I believe the United States should cease sending arms to Jordan and make it explicitly clear to the world that we stand foursquare on the side of Israel in the Middle East, including the supplying of all the arms Israel needs to protect her own and our interests.

There is no question that the Arab States are preparing a new offensive against the State of Israel.

It occurs to me that as we try to find peace in Vietnam, we cannot be blinded by the fact that unless Israel is capable of showing the Arab States that she is capable of resisting any further aggression by the Arabs against Israel, the seeds of new conflict shall continue to be sowed in the Middle East by the Soviets.

We know, Mr. Speaker, that our own huge American defense buildup has proven an effective deterrent against war with the big powers. If we argue successfully in this country that the maintenance of a huge defense establishment is the best deterrent against war, then certainly we have a right to apply this same logic to Israel and help rearm Israel to the point where none of her neighbors will be foolish enough to again engage in the kind of aggression they started last June.

I firmly believe that sending enough arms to Israel is the best way the United States can assure peace in the Middle East and it is for this reason that I urge the State Department and Defense Department to give the Israelis whatever arms they need forthwith.

I also renew my suggestion that the United States consider proposing membership for Israel in the North Atlantic Treaty Organization.

The growing Soviet influence in the Mediteranean and the Middle East certainly justifies the admission of Israel into NATO and the giving of Israel the full support of the NATO nations in securing her sovereignty in the Middle East.

We now have three Mediterranean nations in NATO: Greece, Turkey, and Italy.

It is not unreasonable to suggest that Israel become the fourth Mediterranean nation to be included in NATO, and that the force of the NATO defense community be extended to the Middle East for, surely, you cannot protect Europe from Soviet aggression if the Soviet Union becomes the dominant force in the Middle East.

Tiny and heroic Israel today stands as the key to peace, not only in the Middle East, but in Africa, the Mediterranean, and, yes, Europe itself.

I think the time is long past due when responsible world leaders give more than only lipservice to the plight of Israel.

The survival of Israel as a free state is not a sentimental mission for the Jewish people alone. The survival of a free and sovereign Israel lies as much in the interest of the United States and her defenses as any other singular commitment that we have in the world today.

At this juncture in world history I cannot think of a single problem that deserves the attention of the American people more than to secure the survival of a stronger and more viable Israel, capable of playing a key role in protecting her own and our American interests in that sector of the world.

I hope there will be no further delay by the United States in restoring to Israel the tools she needs to protect her independence.

TEACHERS IN POLITICS

Mr. PRICE of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE of Illinois. Mr. Speaker, tomorrow, Friday, April 5 marks the beginning of the National Education Association's Teachers-in-Politics Weekend, which will be observed in every State in the Union and highlighted by a banquet in Washington tomorrow evening, featuring an address by Dr. T. M. Stinnett, assistant executive secretary emeritus of NEA professional development and welfare activities and longtime advocate of the teachers-in-politics philosophy.

This expression of teacher involvement in politics further crystallizes the growing phenomenon of participatory democracy in this country. That this is occurring with such a well-informed group as teachers further indicates that active political participation is perceived even more so than in the past as a worthy endeavor. No longer is the sophomoric view of politics manifest in this country; rather political action is considered essential for obtaining desirable social goals.

As one who is a practitioner in the political profession, I say welcome aboard to such a distinguished group. The infusion of such a talented group is a welcome addition to the profession. As one whose "continued support" for "education legislation" has been recognized by the NEA and who is proud that his record "demonstrates a dedication to improving the quality of American education," I am pleased to associate myself with the teachers-in-politics movement.

I view this recognition by the teachers of the value the political process holds as a compliment to those of us who work daily in the political area for the betterment of American education. Needless to say we appreciate their interest.

OIL POLLUTION IN NAVIGABLE WATERS

Mr. KEITH. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. KEITH. Mr. Speaker, last January I filed legislation on behalf of myself and 15 of my colleagues, which we hoped would initiate new Government action against the growing menace of oil pollution in the navigable waters of the United States. This bill, H.R. 14852, was prompted by a series of incidents along the east coast, which have either caused or threatened major oil pollution damage to coastal communities and resources. Our program would have given the Coast Guard new authority for the prompt handling of oil spills from tankers.

Prior to filing my bill, Mr. Speaker, I had called upon the administration many times for action to meet this increasingly dangerous problem. Action was promised, but none was forthcoming. Then, early last month, the United States had its first taste of a major oil pollution disaster, for which we were almost totally unprepared. An oil tanker, carrying 5.7 million gallons of Venezuelan crude, split in half in San Juan Harbor, and blackened several miles of Puerto Rico's finest resort beaches.

With this incident still in the headlines the administration finally acted. A bill was sent to the Public Works Committee which would clarify the Interior Department's responsibilities in handling oil spills and would stiffen the penalties against polluters. The Public Works Committee has announced its intention to hold hearings on the legislation as soon as possible.

Because I feel that an enforceable antipollution law is urgently necessary, Mr. Speaker, I am supporting this new administration bill and am filing an amended version today. My version includes some of the strong points of my earlier legislation, and I hope that these can be incorporated into the committee bill.

My bill will broaden the area of jurisdiction to include parts of the high seas, since a tanker spill in these waters would pose just as great a threat to our shores, and could be devastating in its effects on fisheries resources. In addition, it would bring into effect immediately new Government machinery and a definite plan of action to cope with pollution incidents. I will ask to appear before the Public Works Committee to present my case for these constructive changes.

Even at this late date, Mr. Speaker, I welcome the administration's action on this serious problem. Until we have enacted a truly effective program, every coastal community in the Nation will remain dangerously vulnerable to disastrous pollution damage.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MATSUNAGA (at the request of Mrs. MINK), for the remainder of this week, on account of illness.

Mr. QUIE (at the request of Mr. GERALD R. FORD), for an indefinite period, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. BYRNE of Pennsylvania, for 60 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. RANDALL, for 10 minutes, today; and to revise and extend his remarks and include extraneous matter.

The following Members (at the request of Mr. MONTGOMERY) to revise and extend their remarks and include extraneous matter:

Mr. ROONEY of Pennsylvania, for 15 minutes, today.

Mr. FARBSTEIN, for 30 minutes, today.

Mr. CORMAN, for 1 hour, on April 8, 1968.

EXTENSIONS OF REMARKS

By unanimous consent, permission to extend remarks was granted to:

Mr. ARENDS during the eulogies on Homer Angell.

Mr. WYATT during the eulogies on Homer Angell.

Mr. CORBETT.

Mr. ULLMAN to extend his remarks during eulogies to the late Honorable Homer Angell.

Mr. HOLIFIELD and to include extraneous matter.

Mr. O'HARA of Illinois in five instances.

Mr. BROTZMAN following Mr. SHRIVER.

Mr. MILLS to revise and extend his remarks during general debate on H.R. 16241, and to include extraneous material.

Mr. SAYLOR to revise and extend his remarks and include extraneous material on H.R. 16324.

Mr. MAHON to revise and extend his remarks made on supplemental conference report and to include extraneous matter.

Mr. SAYLOR (at the request of Mr. ASPINALL) on S. 2912.

Mr. JOHNSON of California (at the request of Mr. ASPINALL) on S. 2912.

Mr. HOSMER (at the request of Mr. ASPINALL) on S. 2912.

Mr. MADDEN and to include extraneous matter.

The following Members (at the request of Mr. BIESTER) and to include extraneous matter:

Mr. ERLENBORN in two instances.

Mr. WHALEN.

Mr. REINECKE in two instances.

Mr. HUTCHINSON.

Mr. MORSE of Massachusetts in two instances.

Mr. UTT in two instances.
Mr. GUDE.
Mr. HOSMER in two instances.
Mr. MATHIAS of Maryland in two instances.
Mr. STEIGER of Wisconsin.
Mr. WYMAN.
Mr. BELCHER.
Mr. SCHERLE in two instances.
Mr. ADAIR in two instances.
Mr. ZWACH.
Mr. CLEVELAND.
Mr. ASHBROOK.
Mr. SCHWENGEL.
Mr. CURTIS.
Mr. BYRNES of Wisconsin.
Mr. SMITH of Oklahoma.
Mr. SNYDER in two instances.
Mr. DOLE in two instances.
Mr. SCOTT.
Mr. BROCK.
Mr. VANDER JAGT.
Mr. MIZE.
Mr. RAILSBACK.
Mr. KUYKENDALL.

The following Members (at the request of Mr. MONTGOMERY) and to include extraneous matter:

Mr. LONG of Maryland in two instances.
Mr. BINGHAM.
Mr. GIBBONS.
Mr. BOLLING.
Mr. MATSUNAGA in two instances.
Mr. NIX in two instances.
Mr. ROSTENKOWSKI.
Mr. ROGERS of Colorado.
Mr. HERLONG.
Mr. FOUNTAIN in two instances.
Mr. BYRNE of Pennsylvania.
Mr. PODELL in two instances.
Mr. MARSH.
Mr. RARICK in five instances.
Mr. GONZALEZ in three instances.
Mr. CORMAN.
Mr. HANLEY in two instances.
Mr. FLOOD in three instances.
Mr. EILBERG in two instances.
Mr. HUNGATE in two instances.
Mr. POLANCO-ABREU.
Mr. BOLAND.
Mr. OTTINGER.
Mr. FOLEY.
Mr. LEGGETT.
Mr. VIGORITO.
Mr. HAGAN in six instances.
Mr. JACOBS.
Mr. KYROS.
Mr. FULTON of Tennessee.
Mr. FRIEDEL.
Mrs. GRIFFITHS.
Mr. CONYERS in two instances.
Mr. MONTGOMERY in two instances.
Mr. OLSEN.
Mr. WHITE.
Mr. RYAN in three instances.
Mr. PEPPER in two instances.
Mr. PIKE.
Mr. ADAMS.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 2409. An act for the relief of the estate of Josiah K. Lilly; to the Committee on the Judiciary.

S. 2986. An act to extend Public Law 480, 83d Congress, for 3 years, and for other purposes; to the Committee on Agriculture.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 13042. An act to amend the act of June 20, 1906, and the District of Columbia election law to provide for the election of members of the Board of Education of the District of Columbia.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 7325. An act to authorize the Secretary of the Interior to exchange certain Federal lands for certain lands owned by Mr. Robert S. Latham, Albany, Oreg.;

H.R. 10599. An act relating to the Tiwa Indians of Texas; and

H.R. 11254. An act for the relief of Jack L. Good.

ADJOURNMENT

Mr. MONTGOMERY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 20 minutes p.m.), under its previous order, the House adjourned until Monday, April 8, 1968, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

1722. Under clause 2 of rule XXIV, a letter from the Comptroller General of the United States, transmitting a report of need for revision in policy regarding assessment of late charges on delinquent loan repayments, Veterans' Administration was taken from the Speaker's table and referred to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. McCLORY: Committee of the Judiciary. H.R. 15951. A bill to provide for uniform annual observances of certain legal public holidays on Mondays, and for other purposes (Rept. No. 1280). Referred to the House Calendar.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 15986. A bill to amend the Communications Act of 1934 by extending the authorization of appropriations for the Corporation for Public Broadcasting (Rept. No. 1281). Referred to the Committee of the Whole House on the State of the Union.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. House Joint Resolution 958. Joint resolution to authorize the Secretary of Transportation to conduct a comprehensive study and investigation of the existing compensation system for motor vehicle accident losses, and for other purposes; with amendment (Rept. No. 1282). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Government Operations. H.R. 15688. A bill to extend the executive reorganization provisions of title 5, United States Code, for an additional 4 years; with amendment (Rept. No. 1283). Referred to the Committee of the Whole House on the State of the Union.

Under clause 2 of rule XIII, pursuant to the order of the House of April 3, 1968, the following bill was reported on April 4, 1968:

Mr. STEED: Committee on Appropriations. H.R. 16489. A bill making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1969, and for other purposes (Rept. No. 1284). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BOLAND:

H.R. 16472. A bill to change the name of Westville Reservoir, Mass., to Lake Sheard; to the Committee on Public Works.

By Mr. BYRNES of Wisconsin:

H.R. 16473. A bill to prohibit political influence in the appointments of postmasters and rural carriers, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. FOUNTAIN:

H.R. 16474. A bill to amend the Internal Revenue Code of 1954 to deny deduction for rent, taxes, or interest incurred for the use or occupancy of an industrial plant financed by tax-exempt obligations; to the Committee on Ways and Means.

By Mr. HARVEY:

H.R. 16475. A bill to provide for orderly trade in iron ore, iron and steel mill products; to the Committee on Ways and Means.

By Mr. MATHIAS of Maryland:

H.R. 16476. A bill to provide a comprehensive national manpower policy, to improve the Manpower Development and Training Act of 1962, to authorize a community service employment program, and for other purposes; to the Committee on Ways and Means.

By Mr. MINISH:

H.R. 16477. A bill to increase funds authorized for existing programs to build low- and moderate-income housing and for other purposes; to the Committee on Banking and Currency.

H.R. 16478. A bill to provide for orderly trade in footwear; to the Committee on Ways and Means.

By Mr. REINECKE:

H.R. 16479. A bill to prevent vessels built or rebuilt outside the United States or documented under foreign registry from carrying cargoes restricted to vessels of the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. VANDER JAGT:

H.R. 16480. A bill to provide for Federal assistance in the planning and installation of works and measures for the control and prevention of damages resulting from erosion of the roadbeds and rights-of-way of existing State, county, and other rural roads and highways, from erosion of the banks of rivers and streams, and for other purposes; to the Committee on Public Works.

By Mr. WILLIAMS of Pennsylvania:

H.R. 16481. A bill to amend the Internal Revenue Code of 1954 to provide that any unmarried person who maintains his or her own home shall be entitled to be taxed at the rate provided for the head of a household; to the Committee on Ways and Means.

By Mr. HALPERN:

H.R. 16482. A bill to amend the Export

Control Act of 1949; to the Committee on Banking and Currency.

By Mr. KYROS:

H.R. 16483. A bill to provide for payment of postage at local zone rates on certain parcels mailed by or for delivery to members of the U.S. Armed Forces in combat zones; to the Committee on Post Office and Civil Service.

By Mr. MOSS:

H.R. 16484. A bill to amend the Interstate Commerce Act and the Federal Aviation Act of 1958 in order to exempt certain wages and salary of employees from withholding for tax purposes under the laws of States or subdivisions thereof other than the State or subdivision of the employee's residence; to the Committee on Interstate and Foreign Commerce.

By Mr. PODELL:

H.R. 16485. A bill to provide certain benefits for certain employees in the postal field service who are required in the interest of the Government to transfer to new duty stations; to the Committee on Post Office and Civil Service.

By Mr. RIEGLE:

H.R. 16486. A bill to provide for a national cemetery at Fort Custer, Mich.; to the Committee on Veterans' Affairs.

By Mr. WHALLEY:

H.R. 16487. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I; to the Committee on Veterans' Affairs.

By Mr. WYDLER:

H.R. 16488. A bill to designate Columbus Day, the 12th day of October in each year, a legal holiday; to the Committee on the Judiciary.

By Mr. STEED:

H.R. 16489. A bill making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1969, and for other purposes.

By Mr. FOUNTAIN:

H.J. Res. 1220. Joint resolution proposing an amendment to the Constitution relating to the terms of office of judges of the Supreme Court of the United States and inferior courts; to the Committee on the Judiciary.

By Mr. LEGGETT:

H.J. Res. 1221. Joint resolution authorizing the President to proclaim August 11, 1968, as Family Reunion Day; to the Committee on the Judiciary.

By Mr. KUPFERMAN:

H.J. Res. 1222. Joint resolution to provide for the issuance of a commemorative postage stamp in honor of the centennial in 1969 of the American Museum of Natural History; to the Committee on Post Office and Civil Service.

By Mr. MONAGAN:

H. Res. 1128. Resolution to establish the select committee on coordinated crime control; to the Committee on Rules

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ABERNETHY:

H.R. 16490. A bill for the relief of Anthony Glorioso; to the Committee on the Judiciary.

By Mr. BARRETT:

H.R. 16491. A bill for the relief of Maria Cristina Squidino; to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 16492. A bill for the relief of Filippo Cerrito; to the Committee on the Judiciary.

H.R. 16493. A bill for the relief of Romona Bienvenida de Azcona Valerio; to the Committee on the Judiciary.

By Mr. CASEY:

H.R. 16494. A bill for the relief of Fahim Nimri; to the Committee on the Judiciary.

By Mr. DADDARIO:

H.R. 16495. A bill for the relief of Mrs. Marietta Scata; to the Committee on the Judiciary.

By Mr. DANIELS:

H.R. 16496. A bill for the relief of Enrico Calio; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 16497. A bill for the relief of Salvatore Cusumano; to the Committee on the Judiciary.

H.R. 16498. A bill for the relief of Sister Angelina Landolfi; to the Committee on the Judiciary.

By Mr. LEGGETT:

H.R. 16499. A bill for the relief of Angelo Panari; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 16500. A bill for the relief of Vittorio and Giovanna Pizzo; to the Committee on the Judiciary.

By Mr. PODELL:

H.R. 16501. A bill for the relief of Michele Basciano; to the Committee on the Judiciary.

H.R. 16502. A bill for the relief of Vito Claravino; to the Committee on the Judiciary.

H.R. 16503. A bill for the relief of Rosalia Palacano Di Pietro; to the Committee on the Judiciary.

By Mr. QUILLEN:

H.R. 16504. A bill for the relief of Dr. Carlos R. Castello; to the Committee on the Judiciary.

By Mr. ST GERMAIN:

H.R. 16505. A bill for the relief of Lubella Maria Mendes Moniz; to the Committee on the Judiciary.

By Mr. WALKER:

H.R. 16506. A bill for the relief of Arun Kumar Pattni; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII.

279. The SPEAKER presented a petition of Giovanni Buonmattino, S. Elia (Palermo), Italy, relative to his immigration status, which was referred to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

President Johnson's Historic Message

HON. RICHARD WHITE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. WHITE. Mr. Speaker, President Johnson's historic message on Sunday evening has had a dramatic and powerful effect on the American people, which is reflected in the free American press.

In my district, as throughout the Nation, newspapers editors and radio and television broadcasters began taking a more careful look--not so much at the President as at the Nation and at our individual selves.

This approach is reflected in the words of Editor Robert W. "Pete" Lee, in his "Editor's Corner" of the El Paso Herald-Post on Tuesday evening. In Mr. Lee's words:

> This is the greatest service the President could have rendered—to compel this nation to take a fresh look at itself. It has been blinded by a passionate petulance, a querulous discord, a preoccupation with individual likes and dislikes, rather than the overall good of the nation.
>
> The President's action—

The Herald-Post editor states—

> was a noble gesture, and one hopes the nation will respond as nobly. But whether it does or not, suddenly Lyndon Johnson seems an infinitely bigger man.

I join such editorial writers in commending the President's dedication to the public good, and under unanimous consent I insert in the RECORD the Editor's Corner of the El Paso Herald-Post of April 2, 1968:

> EDITOR'S CORNER
>
> (By R. W. Lee)
>
> Rarely in memory has the nation seemed so bewildered as in the wake of President Lyndon Johnson's announcement that he will neither seek nor accept the Democratic Party's nomination for another term in office.
>
> You could sense this in the immediate inarticulateness of the television people who had been all primed to discuss something entirely different when the President had finished speaking Sunday night. They didn't know what to say. Neither did their guest "experts." Neither did the public.
>
> It was a time for everyone to take a new look at his hand—the experts, the politicians, the voters who must select President Johnson's successor.
>
> And this is the greatest service the President could have rendered—to compel this nation to take a fresh look at itself. It has been blinded by a passionate petulance, a querulous discord, a preoccupation with individual likes and dislikes, rather than the overall good of the nation.
>
> People have been looking at the presidential campaigns with an eye to guessing who could beat Lyndon Johnson, or who would be easiest for him to whip.
>
> Now they must think of the race in terms of which man is best fitted to become President of the United States. Which is what they should have been doing all along.
>
> As I listened to the earlier parts of the President's speech Sunday night I could not help but speculate on how the anti-Johnson forces would receive it.
>
> The announcement of a bombing halt, very likely, would be called a political move to cut the ground out from under Sen. Eugene McCarthy and Robert Kennedy. The decision to raise the level of forces in Vietnam by a very modest amount, rather than the larger number that had been predicted, would be termed political also—an effort on the part of the President to minimize the impact on his own political fortunes. The renewed plea for a surtax on income tax, and the appeal for national unity would be dismissed as more of the same. It would all be construed as an effort to sway the Wisconsin primary vote this week.
>
> Then—with no change in inflection, nor any hint of emotion—came the President's announcement that he was not a candidate for reelection.
>
> In that instant the President became something other than a politician seeking to assure his own future. He became what he probably has been all along—a man carrying the world's heaviest load, desperately desiring peace with honor, deeply concerned with

the divisive forces at work within the nation, and a man willing to sacrifice himself for the benefit of the country.

Now you can scoff and say he backed out because he knew he'd lose either the nomination or the election. But the fact is that the nomination was not yet beyond his grasp, and he still had the option to make further gestures toward peace, such as the bombing pause, and thus shore up his sagging popularity in the months between now and the election.

So the President's decision not to run became a sacrificial gesture: one which focuses the eyes of the voters on the issues of the times and on the abilities of the candidates to meet them, rather than on a personal antipathy or affection for the man now in office.

Not only did the President open the way for a clear choice between other candidates—including, perhaps, some not yet in the race—but he removed himself as a figure of controversy and national discord. It was a noble gesture, and one hopes the nation will respond as nobly.

But whether it does or not, suddenly Lyndon Johnson seems an infinitely bigger man.

Teachers-in-Politics Weekend

HON. BIRCH E. BAYH

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Thursday, April 4, 1968

Mr. BAYH. Mr. President, tomorrow marks the opening of a most noteworthy and exciting weekend for the teachers of the country. Thousands of teachers, from all levels of their profession, will be meeting at sites across the country to participate in the brandnew "Teachers-in-Politics Weekend" sponsored by the National Education Association and its constituent State associations.

Mr. President, it is a real pleasure to extend my personal best wishes to the NEA and its members for every success in this highly worthwhile venture. Our teachers have long constituted the sleeping giant of American politics. Their efforts to assert themselves in active political roles too often have met with criticism and stubborn resistance.

However, under the leadership of its active citizenship committee, NEA has sounded what could be a loud, loud clock, awakening powerful forces to a bright new day for schools and children. The avowed aim of this project is "to focus the attention, nationwide, of teachers, parents, politicians, everybody" upon the teacher as a potential and worthy political force. I most heartily applaud these efforts.

Therefore, Mr. President, I urge all Americans to take a special note of this upcoming weekend of TIP activities and to support the following New Year's resolution of the NEA Citizenship Committee which I ask unanimous consent to have printed in the Extensions of Remarks.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

OUR RESOLUTION

To make it a new year in which teachers make a new pledge to democracy; in which teachers assume cheerfully the duties that are a part of citizenship; in which, in city, state, and nation, teachers lead free men to govern themselves with courage and vision.

THE CITIZENSHIP COMMITTEE
NATIONAL EDUCATION ASSOCIATION.

One Calm, Responsible Voice

HON. OTIS G. PIKE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. PIKE. Mr. Speaker, for 8 long years I have avoided the politically tempting ploy of placing editorials from the newspapers in my own district in the RECORD. At this point I can delay no longer; not because it is politically tempting, but because it is the only honest thing to do. For a long, long time Lyndon B. Johnson has been the target of jokes, invective, and abuse which in less free societies would have landed the perpetrators in jail. During that period he has done his very best to preserve the freedom of such people.

Happily, other voices have been raised, and throughout this entire period one calm responsible voice has continued to speak calmly and responsibly about the world in which we live, the nature of the struggle in which we are engaged, and the long-term effects of that struggle.

This week it printed a valedictory to Lyndon B. Johnson which deserves note in the CONGRESSIONAL RECORD. The paper is Newsday, the editorial is as follows:

HIS FINEST HOUR

"I shall not seek, and I will not accept, the nomination of my party for another term as your President."—Lyndon B. Johnson.

In what was clearly his finest but most painful hour, Lyndon B. Johnson last night did what he believed to be right for his country; he removed the controversial issue of his own personality from the debate on Vietnam and from the political conflict of 1968.

"In these times as in times before," he said, "it is true that a house divided against itself by the spirit of faction, or party, of region, or religion, of race, is a house that cannot stand. There is division in the American house tonight . . ."

So he withdrew—to make possible a genuine national debate not about Lyndon Johnson but about the questions of war and peace which the nation must decide without rancor and personal vilification; to make possible the realization in Hanoi that his country's offer to negotiate honorably is some thing more than a ploy by a politically ambitious President; to increase the possibilities for the kind of national reconciliation to which his political and personal impulses have always run.

It was the most unselfish decision he ever made. Unquestionably it was the hardest. Lyndon Johnson was born with a talent for power, and in the presidency he found the place of power; a man like that does not easily walk away from a place like that. But he also has a feeling for his office that led him once to say: "The people of this country did not elect me to this office to preside over its erosion, and I intend to turn this office with all its power intact to the next man who sits in this chair." Ironically, he decided finally that the best way to fulfill that pledge is to refuse to involve the office in an inevitably bitter campaign for his own re-election.

We believe time will give President Johnson his full due as a man who used his powers wisely, and in the best interests of his country. The furor of his opponents to the contrary, he has already earned a significant place in our history. The paradoxes of the man have obscured his courage, but the courage is there.

A Southerner, he fought for the Negro. A man of wealth, he set out to abolish poverty. A graduate of a small teachers' college in central Texas, he envisioned a society in which no child would be denied education for lack of money. A populist, he asked business to help rebuild our cities. An advocate of strong Federal authority, he wanted programs that would unlock local energy.

His most controversial decision—to send American troops to fight in Vietnam—was his most courageous decision. That policy will be debated for years to come. The President put his own political future in jeopardy—but stuck to his course at great political cost—for the sake of his belief that he is doing the right thing. His announcement last night only raises again the question: What if he is right? What if a non-Communist South Vietnam is, as he has said it is, vital to American interests and even to American security? The President could have stopped the war at any time; he could have halted the bombing, accepted negotiations which would have led to heavy Communist participation in the government of South Vietnam and to the return home of American troops. But he did not because he believed he should not.

By staying with policies he felt were right and necessary, the President has demonstrated the courage and strength that led Newsday to support him in 1964. It was a decision we have not regretted. Lyndon Johnson has been an extraordinary President in an extraordinary era.

Reform of Public Housing Program

HON. JOSEPH D. TYDINGS

OF MARYLAND

IN THE SENATE OF THE UNITED STATES

Thursday, April 4, 1968

Mr. TYDINGS. Mr. President, in the first session of the 90th Congress, I introduced S. 2343 to reform our Nation's public housing program. The bill was prepared after extensive visits which my staff and I made to public housing in Baltimore. Particularly during last summer, I spoke with a large number of public housing residents and with city officials and managers of public housing in Baltimore. From these meetings, I learned first hand about the problems of public housing projects—from the point of view both of their residents and managers—and I determined that specific steps could be taken to meet these problems. In addition, I consulted with representatives of the National Association of Housing and Redevelopment Officials and the National Association for Community Development to gain a national perspective on these problems.

On August 24, 1967, I introduced the bill which was the result of these many consultations. Then in February 1968, the President's housing message was sent to Congress, and I was delighted to see that the message adopted a number of the proposals which my bill embodied with regard to the public housing program.

A few weeks ago, hearings were held by the Housing Subcommittee of the Senate Banking and Currency Committee, and on March 20 I appeared before that subcommittee to point out the urgent need for reform of our public housing program. I was pleased at the clear willingness of the members of the subcommittee to come to grips with this problem, and I am hopeful that the 1968 housing bill which the committee finally reports will contain provisions which will mark a significant turning point in the history of our national public housing program.

I invite the attention of Senators to the specific proposals which I made in S. 2343 for public housing reform, and I ask unanimous consent that a section-by-section summary of the bill and the text of my testimony before the Housing Subcommittee on the bill be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

SECTION-BY-SECTION SUMMARY OF S. 2343

SECTION 1. TENANT PURCHASE OF PUBLIC HOUSING UNITS

1. Any public housing units (whether detached, semi-detached or under an arrangement established by the local public housing agency such as condominium ownership) may be purchased from the agency by a tenant upon payment of (a) cost of services provided for the unit by the agency, (b) local taxes or, payments made by the agency in lieu of local taxes, and (c) principal and interest payments sufficient to amortize the purchase price over a forty-year term.

2. As under present law, unit purchase price is determined by, at the time of purchase, either the unamortized debt on the unit or its market value, whichever is greater. Three years' prior rent paid by the purchaser, minus certain expenses borne by the agency, may be credited toward the purchase price.

3. To ensure that tenants who reach maximum occupancy income limits will be able to afford purchase of their units, and to safeguard purchasers whose incomes fluctuate, the section provides that principal payments may be reduced so that total monthly housing payments will not exceed 20% of the purchaser's income.

4. If a purchaser defaults, or for the period in which principal payment requirements are reduced as explained in (3) above, the federal annual contribution to the local public housing agency will be increased so that it can meet its principal and interest obligations on the unit. This federal guarantee will fully protect public housing bondholders.

5. When the purchaser fails to carry out his contract, or when he moves from the dwelling, the local agency has a six month option to repurchase the unit by repaying the purchaser his aggregate principal payments plus the value of improvements he has added to the unit.

6. To ensure that the sale of a public housing unit does not diminish the available supply of low-income housing, the section provides that the Department of Housing and Urban Development shall give priority to a local housing authority request for an additional unit.

(NOTE.—Under present law, only "detached or semi-detached" public housing units can be sold to tenants, and the inflexible purchase payment schedule places ownership beyond the means of those with incomes at the present maximum occupancy limits.)

SECTION 2. REHABILITATION AND MODERNIZATION OF PUBLIC HOUSING PROJECTS

To provide funds needed for rehabilitation and modernization of public housing projects, an annual Federal payment of $5 million rising to $25 million by 1972 is authorized. Based on this guaranteed Federal payment, local housing agencies will be able to borrow approximately $300 million from private lenders. It is estimated that this amount will be sufficient for the urgent physical needs of existing public housing projects. The section requires that the local agency consult with public housing residents in identifying rehabilitation and modernization needs.

SECTION 3. RESIDENT COUNCILS AND SOCIAL SERVICES

1. The right of public housing residents is established to organize resident councils so that their views regarding any aspect of project management can be fully and freely expressed. Local public housing agencies are instructed to encourage and support operation of such councils.

2. Local housing agencies are mandated to make available, within or adjacent to, housing projects, a broad range of social services, including such services as family counselling, health care, employment counselling and training, etc. Such services shall be made available in coordination with appropriate municipal, state and federal agencies.

3. To assist in the provision of social services, an authorization of $10 million is made for fiscal year 1968, increasing by $10 million increments to $50 million in fiscal year 1972.

SECTION 4. SURPLUS FEDERAL PROPERTY FOR LOW AND MODERATE INCOME HOUSING

The Secretary of Housing and Urban Development is authorized to sell surplus federal lands at 50% of market value to local agencies for the provision of low and/or moderate income housing. Under present law, surplus federal land can be sold at less than full market value for such uses as recreation, education or hospital facilities.

STATEMENT OF SENATOR JOSEPH D. TYDINGS BEFORE THE HOUSING SUBCOMMITTEE OF THE SENATE BANKING AND CURRENCY COMMITTEE REGARDING S. 2343—REFORM OF PUBLIC HOUSING PROGRAM—MARCH 20, 1968

I am pleased to have this opportunity to appear before the Housing Subcommittee of the Banking and Currency Committee. There are few problems which are more central to the domestic well-being of our country than the problem of providing decent housing for all Americans. Inadequacy of housing—overcrowding, unsanitary conditions, shocking abuse of low-income tenants by unscrupulous landlords—was identified by the President's Advisory Commission on Civil Disorders as one of the three most intense grievances felt by slum residents of cities where riots have occurred. We have an obligation to ourselves, as well as to the people now trapped in ghettos of substandard housing, to remedy these conditions.

Until recently our only attack on the problem was the construction of public housing for low-income families. It is now clear that in many important respects our public housing program has failed. Its original sponsors saw this program as the great hope for eliminating the underlying social problems of slum life. It has not achieved this goal—but worse than that, it has often compounded our problems.

In too many cities, housing units which were, in the first place, cheaply and inadequately built, have been allowed to deteriorate shamefully. In too many cities, petty bureaucrats wield arbitrary power over all aspects of the lives of public housing tenants, treating them not as citizens, but as supplicants for royal favor. In too many cities, tenants regard public housing projects as the "end of the line". Such projects become collections of society's failures and the breeding ground for crime and despair. The tenants feel no stake in the projects and no responsibility—but only resentment—toward them.

These problems must be solved. We cannot turn our backs on public housing. At the present time, more than 650,000 public housing units exist across the country. Between 1964 and 1966, 425,000 households—1.5 million individuals—were admitted to public housing projects. Even if we decided to rely exclusively on new programs—such as private home ownership, or rent supplements or non-profit-sponsored housing—for future low-income housing, we cannot afford to ignore the problems we have created through our existing public housing program.

In fact, in his 1968 Housing Message, the President made clear that he wanted to expand the public housing program, by increasing public housing construction funds by $100 million annually this year, rising to $200 million annually by 1971. The President's request makes it all the more urgent that this committee come to grips with the underlying problems of public housing.

In August of last year, I introduced legislation, with the cosponsorship of Senator Mondale, which is designed to attack these underlying problems. This bill, S. 2343, has five basic purposes: (1) It would make it possible for public housing tenants to purchase their units, if they so chose, rather than being evicted when their income rises above present fixed limits; (2) It would earmark funds for rehabilitation and modernization of public housing; (3) It would give formal recognition to the basic principle of citizen participation in public housing projects by guaranteeing tenants' rights to form resident councils; (4) It would provide funds for public housing authorities to provide social services, particularly where other community agencies cannot meet public housing residents' needs for such services; and (5) It would make available Federal surplus lands, at half market value, for construction of low- and moderate-income housing.

In preparing this legislation, I drew most heavily on the excellent programs of the Baltimore Urban Renewal and Housing Agency, and I learned of the problems and aspirations of residents of public housing from a number of visits in Baltimore housing projects during the last year.

Since Senator Mondale and I introduced this bill, I have been pleased to see that a number of actions have been taken—both by this Committee and by the Executive Branch—to move toward the solutions which the bill advocates. But, in a number of instances, these actions have not gone far enough, and I believe the need for additional legislative action remains. Let me discuss these proposals in some detail.

First, section 1 of S. 2343 would provide for substantial revision of the present law, to expand the number of public housing tenants who could become owners of their housing units, instead of being evicted when their income exceeds present limits. I believe that this eviction rule is one of the fundamental shortcomings of the public housing program. Because of this rule, the public housing program has over time excluded those who achieve some measure of economic and social success and retained only the "social failures." Public housing projects, because of this rule, become in effect collections of the listless and the hopeless—because those with any ambition are pushed out when their ambition brings financial rewards. Instead of rewarding these indications of social success, and holding out these tenants as examples and leaders for others, in fact the eviction rule penalizes these tenants. Often they are unable to afford decent housing on the private market even though their earnings exceed public housing maximums. Thus, the penalties of "success" are plain to everyone in public housing. Economic and social failure becomes the desirable goal.

This vicious circle can be broken by giving tenants the option of remaining in public housing units, when their incomes exceed present maximum levels. And by making it possible for tenants to become owners of their units, I believe we accomplish an added goal—giving to public housing residents the sense of individual responsibility and pride which homeownership confers.

Under present law, local housing agencies are permitted only to sell detached or semi-detached public housing units. S. 2700, which has been reported to the Senate by this Committee, would broaden this category of purchasable units to those which are "sufficiently separable from other property retained by the public housing agency to make it suitable" for individual ownership. I believe that even this more liberal standard is unnecessarily restrictive. This would appear, in particular, to rule out the possibility that condominium arrangements can be used to foster individual ownership in multi-story public housing units. But, in my view, of all public housing, high-rise dwellings most need the added social vitality which individual ownership of units could bring.

Condominium arrangements have proven both workable and attractive in private multi-unit housing, and I see no reason that a local public housing agency should be forbidden from using this valuable technique as a means of encouraging ownership, and resulting economic mixtures, in all of its housing units. I should note that the Department of Housing and Urban Development, in its report on S. 2343, has taken the view that this proposal would be workable and useful by making it "absolutely clear that units may be sold on a condominium or cooperative basis."

This authorization is not in itself sufficient however, to ensure that ownership of public housing units will be a real possibility for all, or even most, public housing tenants whose income reaches present maximums. Under present law, the price required for purchase of a unit is beyond the means of most families even with maximum public housing occupancy incomes. Special provision must be made to assist low-income families in becoming owners of their public housing units. The proposed homeownership assistance title in S. 2700 specifies that families in public housing would be eligible for the special low interest loans provided by that title. But this title applies to all low-income families, not only those in public housing. Because the funding for these low interest loans will be limited, I am afraid that public housing tenants will tend to be ignored. In any event, private ownership in public housing projects is, I believe, so important that it should not be required to compete for priority with financing of purchases on the private market by low-income families. I urge the Committee to provide an independent means of assisting public housing tenants in purchasing their units, beyond the home ownership assistance funds provided by S. 2700.

The legislation Senator Mondale and I introduced would achieve this purpose, by providing that annual contribution funds would be available to local authorities to make up the difference between principal payments necessary to satisfy outstanding bonds on the individual unit and 20% of the purchaser's income. The precise details of the operation of the proposal in S. 2343 are set out in an appendix to this statement.

It may well be that further refinements of the details of this proposal are necessary. But I believe the principle here is essential. Unless separate sources of funds are identified to assist public housing tenants in the purchase of their units, then purchase will be an impossibility for most families. And the basic purpose of the proposal—to remove the harsh, and self-defeating rule that increased earnings must drive a family out of public housing—will be lost. I would suggest that if the Committee does not feel that separate financing of public housing purchases is possible, then it should favorably consider permitting public housing tenants to remain in their units by either purchasing or paying an equitable portion of their income for rent, regardless of the size of their income.

Second, S. 2343 proposes earmarking of $5 million each year for the next five years in annual contributions for the sole purpose of rehabilitating and modernizing existing public housing units. This allocation would mean that $300 million would be immediately available for these purposes. In many parts of the country, public housing projects have deteriorated so badly that they are coming to resemble the slums which they replaced. Many units were built during the Second World War when materials were scarce. Other units were built without adequate attention to the needs which they must satisfy. It was originally envisioned that public housing projects would themselves accumulate reserves from which repairs and modernization would be financed. But financial pressures on public housing have been so great that this has not proven possible. Unless we take affirmative action, the Federal Government, in its public housing projects, will become the largest of the slum landlords.

Four months after Senator Mondale and I introduced this bill, the Department of Housing and Urban Development announced that it was allocating $10 million in annual contributions for modernization purposes. This means that approximately $125 million would be made available. But, as the Department itself indicated in making the announcement, "this sum will fall far short of meeting all the requests that local authorities could justifiably submit for modernization funds." In fact, in its presentation before a subcommittee of the House Appropriations Committee last year, HUD estimated that its public housing modernization needs, based on 1965 figures, were $250 million.

While I welcome the recent action by HUD to allocate annual contribution funds for modernization purposes, that allocation is too small to meet pressing needs. And, in view of the fact that new budget stringencies will apparently now be adopted, I believe there is danger that even this $10 billion allocation may shrink away. I strongly believe that rehabilitation and modernization must be guaranteed priority. The Executive Branch is subject to the temptation to build more and more units—so that the statistics look impressive—while ignoring the condition of existing units. The consequence of such a policy would be disastrous: more and more units which are less and less fit to live in. I believe this Committee should take steps to ensure that this does not happen—by earmarking annual contribution funds for rehabilitation and modernization purposes.

Third, I believe that, in order to provide a needed sense of community and of involvement in public housing, the rights of residents to form councils with power to review and discuss all aspects of life in public housing projects with management must be guaranteed. I am pleased that in its report on S. 2343, the Department of H.U.D. has endorsed this proposal. Although present H.U.D. regulations do acknowledge the legitimate role of resident councils in public housing projects, I believe statutory recognition of this role is important to give impetus to local housing authorities in giving full adherence to the spirit of this principle.

Fourth, S. 2343 proposes authorization of funds for the provision of social services in public housing projects. The original public housing program was unfortunately conceived essentially in physical terms. If the physical environment is clean and secure—so the thinking went—then social problems will correct themselves. Unfortunately, we have learned that this limited view is unworkable. But we have tried to remedy this shortcoming in our original conceptions by establishing agencies separate from public housing authorities to provide social services. What in fact is needed is a two-pronged approach. Specialized social agencies must be supported. But public housing agencies must also be given the means to assist tenants in dealing with their social problems.

In my experience with the Baltimore public housing agency, I have found that often that agency clearly sees the social needs of its tenants but cannot find other local, state, or Federal agencies willing or able to serve those needs. Without funds of its own to provide social services—where those services are simply not available from other community agencies—the Baltimore public housing agency is attempting to meet the needs of its tenants with "one hand tied behind its back."

I am pleased that in his 1968 Housing Message, the President requested an annual authorization of $20 million for provision of tenant services. This is an important step forward toward the goal which S. 2343 set out. This sum is, however, hardly adequate to establish a worthwhile program in most public housing projects. If this $20 million were allocated equally across the country, it would provide a total annual budget of only some $30,000 for each 1000-unit project.

Based on estimates prepared by the National Association of Housing and Redevelopment officials, I believe that a budget of at least $70,000 annually is required for each 1000-unit project, so that sufficient staff can be hired to be fully alert and responsive to a wide range of tenant needs. Accordingly, I would propose increasing the annual authorization from $20 million in the next fiscal year to $50 million by fiscal year 1971.

Fifth, S. 2343 proposes making Federal surplus land available to localities at half market price for use in providing low- and moderate-income housing. Following introduction of this bill, the President appointed a Cabinet-level Task Force on Federal Land for Critical Urban Needs. The purpose of this Task Force was to undertake a comprehensive inventory of Federal lands throughout the United States, and to develop programs for using such lands to meet housing and other critical urban needs in the localities. This Task Force has already announced plans for such use of Federal surplus land in Washington, D.C., in San Antonio, and in Atlanta. I am delighted at this Executive Branch response, and I believe that, in view of the positive action which now appears to be under way, the Committee might defer action on this final proposal until the Task Force determines the precise needs for legislative action.

APPENDIX: FINANCING TENANT PURCHASE OF PUBLIC HOUSING UNITS UNDER S. 2343

Tenants at maximum income limits cannot easily afford to purchase units on terms which can presently be offered. A family with two children, having an annual income of $4,800 is, based on national averages, at present maximum income level for public housing occupancy. This family should be required to spend no more than 20 percent of its income on housing costs. Although the desirable percentage figure may be higher for those with larger income, it is generally accepted that the 20 percent figure is most appropriate for the relatively lower income families. Thus a family earning $4,800 should spend no more than $80 a month on housing. But, using national average figures for public housing projects, I estimate that total monthly payments—including services, local taxes, interest and principal—would under present law range from $94.57, for a unit valued at $13,250, to $104.80, for a unit valued at $15,890. In highest priced urban areas, such as New York, maximum income level increases to $6,000, allowing a $100 per month housing cost. But housing costs there are also increased. Thus I estimate that total monthly payments for a housing unit purchaser in New York would range from $115.40, for a unit valued at $14,900, to $124.75 for a unit valued at $17,360.

Thus, if private ownership of public housing units is to be a viable alternative to eviction of over-income tenants, some flexibility for purchase price payments must be provided. I believe such flexibility is both possible and desirable. S. 2342 provides that monthly principal payments may be reduced, and the presently required 40-year amortization period may be correspondingly extended, so that total monthly payments will not exceed 20 percent of the purchaser's income. Reduction of principal payments would be sufficient to bring total payments within proper income range.

Although principal payments may be reduced, the public agency is, of course, still obligated to repay at the previously agreed rate those who hold outstanding bonds on the project which includes the purchased unit. To insure that bondholders will be fully protected, and that the public agency will be able to meet its repayment obligation, S. 2343 provides that the Federal annual contribution shall be maintained "at an amount equal to the debt service on interest and principal payable by the public housing agency, and not paid to the agency by a purchase" of the particular dwelling unit. Even with reduced principal payments, the public housing purchaser would still be paying more toward the full costs of his unit than he pays as a tenant. Presently the Federal annual contribution bears almost the entire amortization cost—both principal and interest—of each public housing unit. Rental receipts usually account only for operating expenses.

This flexibility regarding principal payments not only permits above-income tenants to become purchasers. It also protects purchasers against the problems of fluctuating incomes. One grave problem which disables many low-income families from becoming homeowners is uncertainty of income and proneness to temporary unemployment. The possibility that principal payments can be reduced when family income suddenly drops, is an invaluable and necessary protection.

While reduction of principal payments gives significant protection, the legislation is so devised that the reduction does not give an undue windfall to the purchaser. Under present law, if a purchaser wishes to move from his unit or if he defaults on his contract, the public housing agency has an option to repurchase the unit by paying the aggregate principal payments made by the purchaser. This legislation would basically continue this provision, so that a purchaser who was making reduced principal payments would obtain no more than he had paid.

Under present law, and under S. 2343, this repayment of principal payments is a significant boon to the public housing purchaser. In effect, by changing from a tenant status to a purchaser's status, the public housing resident immediately comes into one substantial benefit of ownership: he begins to accumulate an equity in his dwelling, which he can later redeem for himself or his children. This equity savings account can be of significant assistance to fostering a sense of economic security, and continued upward social mobility, for public housing residents who had previously paid only rent and retained nothing from their payments. Indeed, the usefulness of this equity savings feature of public housing ownership should be emphasized by public housing agencies in encouraging tenants to become owners, to carry out the intent of this legislation. It is, of course, not necessary for a tenant to have actually reached maximum income limits to become a purchaser, either under present law or under this proposed legislation. The tenant need only have sufficient income to afford to become a purchaser, and this should be an active possibility for many tenants under the flexible payment formula provided by this proposed legislation.

One other aspect of this legislation gives useful and necessary financial flexibility to local agencies in devising workable purchase arrangements. The agency can enter a purchase agreement with a tenant without at the same time necessarily conveying legal title to the tenant. The advantage of postponed conveyance of title is that the agency can retain its partial exemption from local taxes, and the monthly housing cost to the purchaser is reduced accordingly. Title can be conveyed when it is evident that the purchaser can afford to bear full local tax payments.

In a number of ways, the transition from public housing tenant to public housing owner is thus assisted by this proposed legislation. Another provision, regarding services furnished for the purchased unit by the local agency, is also designed to ease and encourage transition from tenancy to ownership. The legislation provides that the agency may charge the purchaser for the cost of services provided to him, but the agency is instructed to "encourage the purchaser to assume all responsibilities of ownership," including provision of services required for his dwelling unit. Thus, for example, if repairs are needed, and the purchaser wishes to furnish these repairs himself, he is entitled as a homeowner to do so. The legislation also provides that the agency may prescribe minimum standards for dwelling units to protect the interests of other directly affected units.

Unfortunately, the pressing need for low-income housing continues unabated, and our national supply remains inadequate to the need. For the social health of public housing projects, we must not allow them to become shelters for failures. But neither can we follow policies which exclude those with the lowest incomes from public housing. Their need is too great, and the alternatives for them are too bleak. The two policies—retaining the successful and maintaining accessibility for the very poor—must go hand in hand. Accordingly, the legislation provides that the Department of Housing and Urban Development shall give priority to requests from local agencies to replace units which are sold under this proposed program, and thus insures that units which are sold will be readily replaced by additional units which can be made available for new low-income tenants.

I Fear for Our Constitutional System

HON. JAMES B. UTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. UTT. Mr. Speaker, Supreme Court Justice Hugo L. Black's fears for the rights of our people as a result of action of the Supreme Court cannot be brushed aside as the rantings of "an ultraconservative nut." The April 1, 1968, issue of U.S. News & World Report quotes Justice Black's remarks in lectures at Columbia University Law School, and they should be heeded by his colleagues on the Court.

The article follows:

I FEAR FOR OUR CONSTITUTIONAL SYSTEM

(By Justice Hugo L. Black)

Justice Hugo L. Black, speaking from the lecture platform instead of the U.S. Supreme Court bench, has given in detail his views on the Constitution—and the role of judges in interpreting it.

In a series of lectures that could go down as landmarks in constitutional philosophy, the Justice has detailed his concern over the growing trend of the Supreme Court to "adapt the Constitution to new times."

Justice Black has been considered a powerful voice of "liberalism" on the Court for more than a quarter of a century. It was his view of the Constitution—often stated in concert with Justice William O. Douglas—that played a large part in shaping the law of the land in such vital fields as racial desegregation, federal and State relationships, free speech, freedom of religion and political equality.

In recent years, some observers of the Court have contended that Justice Black is leaning more toward the "conservative" side of constitutional thinking in criminal and protest cases.

In the Carpentier Lectures at Columbia University Law School, delivered March 20, 21, and 23, Justice Black spoke out on that subject and others of legal interest. From the lectures—

"I strongly believe that . . . the basic purpose and plan of the Constitution is that the Federal Government should have no powers except those that are expressly or impliedly granted, and that no department of Government—executive, legislative or judicial—has authority to add to or take from the powers granted it or the powers denied it by the Constitution. . .

"It is language and history that are the crucial factors which influence me in interpreting the Constitution—not reasonableness or desirability as determined by Justices of the Supreme Court."

* * * * *

"I can find in the Constitution no language which either specifically or implicitly grants to all individuals a constitutional 'right of privacy.' . . . But, even though I like my privacy as well as the next person, I am nevertheless compelled to admit that the States have a right to invade it unless prohibited by some specific constitutional provision."

* * * * *

"I am well aware of the criticisms leveled against me that I try to follow the literal meanings of words and look too much to the history of the Constitution and the debates surrounding its adoption and the adoption of the Fourteenth Amendment. And I realize that, in following this procedure in many recent cases, I have reached results which many people believe to be undesired. This has caused a new criticism to spring up that I have now changed my views.

"But I assure you that, in attempting to follow as best I can the Constitution as it appears to me to be written, and in attempting in all cases to resist reaching a result simply because I think it is desirable, I have been following a view of our Government held by me at least as long as I have been a lawyer.

"This view is based on my belief that the Founders wrote into our Constitution their unending fear of granting too much power to judges . . . But there is a tendency now among some to look to the judiciary to make all the major policy decisions of our society under the guise of determining constitutionality."

* * * * *

"I would much prefer to put my faith in the people and their elected representatives to choose the proper policies for our Government to follow, leaving to the courts questions of constitutional interpretation and enforcement."

* * * * *

"Power corrupts, and unrestricted power will tempt Supreme Court Justices just as history tells us it has tempted other judges. For, unfortunately, judges have not been immune to the seductive influences of power, and, given absolute or near-absolute power, judges may exercise it to bring about changes that are inimical to freedom and good government."

* * * * *

"For the reasons that I have been discussing, I strongly believe that the public welfare demands that constitutional cases must be decided according to the terms of our Constitution itself and not according to the judges' views of fairness, reasonableness or justice."

* * * * *

"The courts are given power to interpret the Constitution and laws, which means to explain and expound, not to alter, amend or remake. Judges take an oath to support the Constitution as it is, not as they think it should be. I cannot subscribe to the doctrine that, consistent with that oath, a judge can arrogate to himself a power to 'adapt the Constitution to new times.'

"But adherence to the Constitution as written does not mean we are controlled by the dead. It means we are controlled by the Constitution, truly a living document. For it contains within itself a lasting recognition that it should be changed to meet new demands, new conditions, new times.

"It provides the means to achieve these changes through the amendment process in Article V."

* * * * *

"I do not believe that the First Amendment grants a constitutional right to engage in the conduct of picketing or demonstrating, whether on publicly-owned streets or on privately-owned property.

"The Constitution certainly does not require people on the streets, in their homes or anywhere else to listen against their will to speakers they do not want to hear. Marching back and forth, though utilized to communicate ideas, is not speech and therefore is not protected by the First Amendment."

* * * * *

"I deeply fear for our constitutional system of government when life-appointed judges can strike down a law passed by Congress or a State legislature with no more justification than that the judges believe the law is 'unreasonable.' "

Judge Ellenbogen's Remarks on Organ Transplants

HON. JOSEPH S. CLARK

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Thursday, April 4, 1968

Mr. CLARK. Mr. President, medical knowledge has advanced at lightning speed in the area of organ transplantation. But research into the social and legal consequences of this scientific boon has not kept pace. For this reason I have joined several Members of the Senate in cosponsoring Senate Joint Resolution 145, a joint resolution to establish a National Commission on Health Science and Society.

A distinguished Pittsburgh jurist, Hon. Henry Ellenbogen, of the court of common pleas, has just delivered a speech on the subject to the joint meeting of the Medical-Legal Society of Japan and the Pittsburgh Institute of Legal Medicine, now convened in Tokyo. I feel certain that the text will be of much interest to Members of Congress. I therefore ask unanimous consent that the address be printed in the Extensions of Remarks.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

MEDICAL MIRACLES NEED THE HELP OF THE LAW

(By Hon. Henry Ellenbogen, president judge of the court of common pleas, Allegheny County, Pittsburgh, Pa.)

(NOTE.—An address prepared for delivery at a joint meeting of the Medical-Legal Society of Japan and The Pittsburgh Institute of Legal Medicine in the Keidanren Hall, Tokyo, Japan, at 11:30 a.m. Tuesday, April 2, 1968. President Judge Ellenbogen cites the need for legal safeguards in the rapidly expanding field of transplant surgery, and proposes the establishment of a unique system of central Donors' Consent Banks to be operated in conjunction with multiple Body Parts Banks in every metropolitan center.)

Through all ages and in every clime, man has looked to the stars and hoped for immortality.

Egyptian pharaohs as early as 4000 B.C. dreamed of immortality and hoped to achieve it with hieroglyphic appeals to their gods. Carved on the walls of their tombs we find this exhortation from the Book of the Dead: "Let Life Rise Out of Death". The wealth of the pharaohs, however, could not buy the priceless opportunity given many dying men today to extend their years through the gift of a new heart, a new kidney, or new blood.

The New Testament (I Corinthians, xv, 26) says the "last enemy to be destroyed is death". Modern scientific achievements give us hope that man may some day defeat that "last enemy". While applauding today's medical miracles, we who are concerned with the law would be remiss in our duties to society if we failed to point out that much of today's most promising achievements are occurring in an area where the legal guidelines are at best faint and indistinct.

The Hippocratic Oath—that a physician do everything in his power to save life, to restore health and to alleviate suffering—may be the surgeon's guiding star, but it is not adequate to enable him to find his way through the legal maze he has created by his own ingenuity.

THE GIFT OF LIFE ITSELF, A SURGICAL PEAK

The ultimate surgical procedure—the transplantation of a human heart—may prolong a useful life for months, or even years. But this breakthrough, a surgical achievement without parallel in all the annals of mankind, poses vastly important, difficult and serious medical, legal and moral questions that demand immediate answers.

Let us turn back the clock to December 3, 1967, and examine some of these questions which Dr. Christiaan Neethling Barnard answered so dramatically in his successful transplantation of a young woman's heart to replace that of a dying man in the Groote Schuur Hospital in Capetown, South Africa.

Dr. Barnard knew that Louis Washkansky had at best only a few months to live. His heart could not get enough blood through his closed and clogged coronary arteries. Since he knew he was dying, Washkansky eagerly agreed to the drastic surgery that would literally take away his heart.

The donor of a healthy heart, Denise Ann Darvall, 25, critically injured when struck by a speeding car, was barely alive when brought to the Groote Schuur Hospital. Her head and brain were almost completely destroyed. Because of this condition, her father signed the consent agreement for the transplant attempt. Dr. Barnard and his surgical team now had the opportunity they had so long awaited.

The fact that Louis Washkansky later succumbed does not detract from their accomplishment or their place in history for the first successful transplantation of a human heart. Double pneumonia took Mr. Washkansky's life 18 days after the historic operation, but there was no failure in the strong and steady beat of Denise Darvall's transplanted heart!

The eyes of the world are currently again focussed on Dr. Barnard. A Capetown dentist, Dr. Philip Blaiberg, now apparently gaining in health and again enjoying the comforts of his own home, was able to leave the Groote Schuur Hospital 74 days after Dr. Barnard had planted another man's heart in his breast.

SUCCESS RAISES PROBLEMS

Such dramatic progress, which is inspiring other surgical teams in other parts of the world to duplicate such operations, demands that our legal and medical leaders find some new answers to problems society never had to face before.

Of paramount importance is agreement on when exactly does death occur? Only rarely is this determination of judicial concern. The law's involvement with such questions is generally months or even years after life is extinct by any definition.

Doctors say there are two deaths: A clinical death when spontaneous respiration has ceased and the heart no longer beats; a biological death when the tissues no longer respond to stimulators, respirators, and other resuscitative devices.

The attending doctor must determine when clinical death occurs. Vital organs, if they are to be of any value as transplants, must be removed as soon after clinical death as possible . . . or as near biological death as possible.

DOCTORS' DECISIONS MAY LEAD TO LITIGATION

A wrong decision at this critical point may lay the doctor open to public criticism, censure by his colleagues, possible prosecution, the label of killer or euthanasist, and legal action by the patient's next of kin.

World Health Organization regulations define death as the permanent disappearance of life without the chance of resuscitation. But our doctors must be given legal criteria to utilize in making such decisions.

Black's Law Dictionary defines death as "the cessation of life; the ceasing to exist; defined by physicians as the total stoppage of the circulation of the blood, and a cessation of the animal and vital functions consequent thereon, such as respiration, pulsation, etc."

LEGAL GUIDELINES ARE INADEQUATE

Some legal authorities simply say that a patient is dead when the doctor says he is dead. Some of our state laws prescribe tests to determine whether death has occurred, but many still lack any legally defined criteria.

The fact remains that doctors have frequently revived some patients whose hearts and respiration have ceased. Other hearts, aided by machines, have been kept pumping for extended periods after recovery from brain damage is impossible.

Dr. Barnard told a nation-wide TV audience in the United States in January that he could have restarted donor Denise Darvall's heart, but that it would soon have stopped again because her brain was dead.

Under South African law, according to Dr. Barnard, a patient is dead when he has no reflexes, is no longer breathing, and his heart has stopped. Dr. Barnard said that his hospital team faithfully applied these criteria in the case of Denise Darvall. (Time, Jan. 5, 1968).

HYPOXIC ORGANS ARE VALUELESS

Every day we read of surgical teams or first-aid squads resuscitating persons whose hearts have stopped. Since lack of oxygen causes deterioration or damage, a surgeon wants a donor's heart as fresh as possible for transplant—that is, within minutes of death. Other vital organs such as the kidneys and liver must not become hypoxic and hence useless by remaining in the body too long after death.

In many parts of the world doctors are certainly treading on shaky legal ground by any unilateral attempt to define death as cessation of brain activity. Since medical progress has outpaced the law in the field of medical transplants and the use of human organs and tissues, it is of the utmost importance that our lawmakers agree on a new and more precise definition of death and when it occurs.

Physicians, motivated by the highest ideals of service to mankind, must be protected by the law. The ground rules for transplantations must be established. At the same time we must not deny the basic rights of humanity to the dying.

TIME IS VITAL FOR SUCCESS

A surgeon who tackles the transplanting of a human heart has at best only 30 minutes to take the first vital step—removal of the heart from the donor's body. There is no time for consultations or debate over whether the heart donor is legally dead.

The odds are already tremendously against the success of such an operation. The surgical team must not only be trained and alert, but it must await the simultaneous arrival of two patients with compatible blood types.

The problem is further complicated in that one of these patients must be doomed to die of some disease that has not involved his heart. The second must be doomed to die of incurable and irreversible heart disease.

The moral and ethical questions raised by heart transplants are many and varied. Since ancient times the poet has ascribed mankind's noblest qualities and emotions to the heart. Today's science-orientated society is more inclined to consider the heart nothing more than a muscular pump without soul or personality.

VATICAN APPROVES HEART TRANSPLANTS

The Vatican newspaper, L'Osservatore Romano, supported this view with the observation that "the heart is a physiological organ and its function is purely mechanical". (Time Dec. 15, 1967). Furthermore, Pope Paul VI personally told Dr. Barnard: "I bless your achievement, and I invite you to proceed along the same road, doing good, as you have up to now." (Time, Feb. 9, 1968).

Although the heart may be only a pump, it is more essential to life in the immediate temporal sense than any other organ, even the brain. To transplant a new heart in the chest of a dying man is the gift of life itself. This ethical and moral problem confronts the surgeon whenever he selects a person to be given a new chance at life.

This is no easy decision, for specialists estimate that 500,000 adults in the United States are dying each year of coronary disease. In addition, 6,000 to 7,000 children are dying of incurable heart defects. (Time, Jan. 5, 1968).

WHO GETS THE CHANCE FOR A NEW LIFE?

With no prospect of more than a few thousand hearts becoming available, how do you select those who will get a new heart?

Most physicians say they would select the person most urgently in need of a new heart, whose physical condition offered the best chance for a successful transplantation, and who would be most useful to society should his life-span be extended.

Life is certainly not assured the proposed recipient. His heart must be cut out, which is tantamount to killing him. Consider, too, that while his life is ebbing away he still must be strong enough to endure the most drastic surgery yet devised by man. The surgical team, trying its best to give him a chance for a new and healthy life, will in effect have killed him if the transplant fails.

BURDEN OF DECISION NOT FOR OPERATING TEAM

The decisions concerning the donor and donee should be left to an independent group of medical experts none of whom are directly engaged in the transplant procedure. As disinterested judges, these doctors would examine the prospective heart donor and prospective recipient, taking this heavy burden of decision completely away from the operating team.

Surgeons now predict that sucessful lung transplants are a distinct possibility. A patient at the University of Mississippi Medical Center lived for 18 days after such an operation.

In other transplants, surgeons have been more successful. More than 1,200 kidney transplants have been reported since 1954, with 600 of them in the United States. So far about half of these patients have lived at least two years after the operation.

No one knows precisely how many persons die in the United States each year who might be saved by kidney transplants. Medical authorities estimates range all the way from 6,000 to 20,000. A more definite estimate is that no more than 450 patients received kidney transplants. A major factor here is that the donor and the donee have to be in the same hospital because it is impossible to keep a kidney more than four hours after it is removed from the donor.

DEAF PEOPLE MADE TO HEAR IN ISRAEL

In this fast-moving age of medical miracles, four Israeli doctors on March 21, 1968, announced another milestone in surgical progress—they said they had succeeded in making deaf people hear again by transplanting eardrums from dead bodies into their middle ears. They reported three such successful operations, the first being a transplant from the body of a 73-year-old man.

Such medical progress is indeed most promising but we must not overlook the fact that work in the field of organ transplants will be retarded until there is a satisfactory legal clarification of many matters. The rights of the donors, both live and cadaver, and those of the potential recipients, must be spelled out in detail. A widespread educational campaign is also necessary to encourage more people to give their bodies and their organs for the benefit of mankind. It is obvious that we no longer can afford the luxury of condemning to the grace vital organs which can preserve another person's life through a transplant operation.

NEW LAWS NEEDED TO PROTECT DOCTORS

I must point out that if state legislators do not adopt such ground rules and the increase in transplant operations continues at the present pace, there will be a proliferation of damage actions and claims of malpractice against physicians.

Most states prohibit under statutory or common law any act that deprives a person of a part of his body without his specific consent, unless the procedure is necessary for preserving his life or health.

Man's proprietary right to his body has been raised to an almost sacred level, with the result that any unauthorized touching of the body of another is an actionable wrong. Our laws in this regard require that a hospital or surgeon must obtain the informed consent of the patient or his legal guardian before any medical or surgical procedure can be performed. Any unauthorized extension of the procedure by the hospital's agents or the surgeon will subject both to an action for damages for the unauthorized act.

USE OF CADAVER PARTS POSES LEGAL PROBLEM

The law, both case and statutory, appears clearly established in the area of consent. I would say that a doctor who obtains the informed consent of the patient or his guardian to transplant the kidney from another person is protected from legal liability to the recipient.

Complex legal problems arise, however, from the continuing search to obtain donors of healthy kidneys to replace malfunctioning kidneys. The shortage of kidney donors has forced surgeons to develop techniques and procedures for transplanting kidneys from dead or cadaver donors. While this source of body organs is most desirable, it does force the doctors involved to consider the possible legal involvements that might arise from the use of any part of the body of the deceased donor.

A total of 40 states have passed laws that allow any individual to will his body or eyes to medical science. Other states still follow common law rules which do not recognize the dead human body as property which can be disposed of as merchandise. ("Cadaver nullius in bonis," no one can have a right of property in a corpse.)

Under common and statutory law, the surviving spouse or next of kin has a right to possession of a body for the purpose of burying it.[1] It must not be mutilated in any way between the time of death and the time it is turned over to the proper person for burial. This means that it is impossible for a man to dispose of his body after his death in any manner which will violate the right of his spouse or next of kin to bury the body. The American Medical Association's Law Division recommends that an executed document such as a will is necesary for the testamentary disposition of the body.

LAWS NEEDED TO CARRY OUT DONORS' WISHES

What we actually need is a model law that would give any person or his kin the right to donate his body or any organs for medical use. It would protect doctors from lawsuits and other legal pressures. This law should even go so far as to permit qualified coroners performing necessary autopsies to remove organs needed for medical purposes but not for the autopsy. The law should also include an escape clause to permit a person to change his mind and revoke such a decision before death.

I might point out that the General Assembly of Pennsylvania enacted the "Eye Bank or Body Part Bank Law" which states:

"Whenever any person shall, in a will or other written instrument, direct that any part of his remains be given for the use of any non-profit eye bank or body part bank, the person or persons otherwise entitled to control the disposition of the remains of such decedent shall faithfully and promptly carry out the directions of the decedent, and, if such instructions are contained in a will, they shall be immediately carried out, regardless of the validity of the will in other respects or of the fact that the will may not be offered for or admitted to probate until a later date." (Act 1959, Nov. 30, P.L. 1617, Sec. 1; 35 P.S. Sec. 5001).

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[1] Pettigrew vs. Pettigrew, 207 Pa. Supreme Court 313 (1904). Leschey vs. Leschey, 374 Pa. Supreme Court 350 (1953).

This Act recognizes the fact that prompt action must be taken to preserve body parts for any future use.

LAW MUST GROW WITH PROGRESS

Without going further into the fascinating field of transplant surgery or organ transplants, I want to urge you today to lend every effort to see that the law keeps pace with medical progress.

Justice Benjamin N. Cardozo recognized that the law must meet changing conditions in other fields when he said: "Existing rules and principles can give us our present location, our bearings, our latitude and longitude. The inn that shelters for the night is not the journey's end. The law, like the traveler, must be ready for the morrow. It must have the principle of growth." (Cardozo, Growth of the Law 20 (1924)).

To be "ready for the morrow" I urge prompt action by the legal and medical professions in evolving a practicable and workable procedure for transplant surgery within the framework of the law. As a first step, I propose that a blue-ribbon committee of our most knowledgeable legal and medical leaders be named by the bar associations and the medical societies in every metropolitan community.

This committee would draft new laws permitting persons so desiring to contribute their bodies after death to a central human organ, parts and tissue bank for the use of suffering humanity.

DEPOSIT OF CONSENT DECLARATIONS ENCOURAGED

Of utmost importance is a provision in the law to provide for the immediate use after clinical death and before biological death of the donor's body and vital organs. It is not practical to do this through a will. Several days ordinarily transpire after death before the executors read the will and move to carry out its provisions. In our society it is considered almost obscene to probe the contents of a will before the funeral.

I propose that we solve his problem by providing for some form of consent—a binding written declaration. This consent declaration would become effective upon clinical death. It would deny the next of kin any opportunity to circumvent the express wishes of the donor concerning the disposition of his body.

The voluntary consent of the prospective donor must be properly obtained after he is carefully advised of all of the ramifications of the proposal. It is highly important that this written consent document be deposited where it is readily available to all the hospitals, medical institutions and qualified physicians in a particular community. I recommend this be done by establishing and operating a Donors' Consent Bank. This would be a central agency where documents of consent for the use of bodies or any parts of the body would be filed immediately upon execution and would be readily available to the entire medical community.

COMPUTERS TO SPEED TRANSPLANTS

Since time is of the essence, I suggest the use of a computer system where the names of donors, the parts of the body donated, and other pertinent information could be retrieved in a matter of milliseconds.

With the death of a prospective donor imminent, a surgeon awaiting the opportunity to use a strong, healthy heart, a kidney, etc., could dial a certain designated telephone number and get the information immediately. Various fail-safe provisions should be utilized to avoid any possibility of error. Since a man's Social Security number is his alone from the cradle to the grave, perhaps this number should be used for positive identification. The Internal Revenue Service finds it a fail-safe means of identifying taxpayers.

As part of the operation of the Consent Banks, I strongly urge discretion in any publicity involving transplant operations. The donor and his family might well be proud of his contribution to the bank, but any announcement should originate with them. Publicity regarding the donee, especially in any heart transplant, is another matter. Few would argue that it is wrong to announce that a dying man has been given a new heart, but it is debatable whether we should identify the donor. The bereaved family might be greatly disturbed by such identification. Such publicity also might discourage many prospective donors from signing consent agreements. Anonymity also would protect the surgeon from possible censure about the decisions he must make in such operations.

STATE AND FEDERAL AID PROPOSED

Because of their importance and the problems involved, both the Donors' Consent Banks and the Body Parts Banks should be centrally established and operated. Laws should lay down uniform standards and practices. Federal and State financial help should be made available in a matter so vital to the public health and welfare.

Establishing and operating such banks would accelerate the work of many medical centers in the field of transplantation. Already we are accustomed to hear of surgical successes in transplanting the spleen, the pancreas and the duodenum. Blood transfusions, bone marrow implants, bone and skin grafts—which are all transplants—are accepted as routine. So are grafts of the corneas of the eyes and the dura, the envelope enclosing the brain. With science progressing at such a rate as it is now, perhaps some day heart transplants will be viewed as more or less routine surgery.

A bill now in the United States Senate's Committee on Labor and Public Welfare proposes creating a National Commission of Transplantation and Artificial Organs. This is an attempt on a national level to solve some of the problems that I have outlined today. What I am suggesting is a grass-roots approach, spearheaded by a task force of doctors and lawyers who can quickly marshal and utilize all the resources of our great professional organizations in a practicable and workable manner that will be beneficial immediately.

The sooner we safeguard the surgeon with proper laws and proceed with the establishment of central Donors' Consent Banks and multiple Body Parts Banks, the sooner mankind will benefit from today's medical miracles. The law must keep pace with modern science. That is our challenge. That should be our goal.

The eminent Chinese philosopher Chuangtzu in 400 B.C. aptly summed up the crux of today's promise when he said:

"Life follows upon death. Death is the beginning of life. Who knows when the end is reached?"

Income Tax Backers

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. RARICK. Mr. Speaker, a telegram received by every Member of the House shows who is interested in raising the income taxes.

If taxes are raised, corporations need merely increase the price of their product to pass any tax increase on to the people—when prices are raised, labor and salaried people will be the only ones to pay the tax increase. That is, until they again strike or make new demands. The same old show all over again.

Only the retired, the pensioners and poor have no lobbyist to overcome the price rise.

I include the telegram following my comments:

WASHINGTON, D.C.

Hon. JOHN R. RARICK,
Washington, D.C.:

The economic health of the United States and the entire free world is dependent on our Government's ability to demonstrate its determination to manage responsibly its fiscal and monetary affairs. Despite the cooperation which this country has received from other leading monetary nations, it is clear that long-term confidence in the dollar requires immediate efforts to reduce our budget and balance of payments deficits. America's future prosperity and its prestige hang in the balance.

As you know, the Senate has accepted a bi-partisan amendment to H.R. 15414, which, among other things, provides for a 10 per cent surcharge on personal and corporate income taxes, coupled with a $6 billion reduction in Federal spending. Such a tax increase coupled with reduction of Federal expenditures has been recommended to the Ways and Means Committee by 494 business and financial leaders, including the undersigned.

We hope you will urge the House conferees to accept that portion of the Senate amendment involving the surcharge and spending reductions or alternatively to report out a measure with a comparable degree of fiscal restraint. We also hope you will actively support and vote for such a measure when it reaches the floor of the House.

Harold Boeschenstein, Chairman, Owens-Corning Fiberglas Corp.; Paul C. Cabot, Chairman, State Street Investment Corp.; Hon. Douglas Dillon, Former Secretary of the Treasury; Henry Ford II, Chairman, Ford Motor Co.; Thomas S. Gates, Jr., Chairman Morgan Guaranty Trust Co. of New York; Ralph Lazarus, President, Federated Department Stores, Inc.; W. B. Murphy, President, Campbell Soup Co.; Charles F. Myers, Jr., President, Burlington Industries, Inc.; Albert L. Nickerson, Chairman, Mobil Oil Corp.; Rudolph A. Peterson, President, Bank of America; David Rockefeller, President, the Chase Manhattan Bank; Stuart T. Saunders, Chairman, the Penn-Central Co.; Sidney J. Weinberg, Partner, Goldman Sachs and Co.

Teachers-in-Politics Program

Hon. EVERETT McKINLEY DIRKSEN

OF ILLINOIS

IN THE SENATE OF THE UNITED STATES

Thursday, April 4, 1968

Mr. DIRKSEN. Mr. President, Teachers-in-Politics Weekend begins April 5, under the sponsorship of the National Education Association and its constituent State associations. The purpose is to promote full teacher participation in politics to achieve in an orderly fashion the educational benefits teachers desire for children and to encourage teachers to assume their proper role in the political life of our Nation.

In recognition of the national need for teacher participation in the affairs of

Government—practical as well as academic—I ask unanimous consent that my comments, entitled "Congratulations Upon the Teachers-in-Politics Program," be printed in the RECORD.

There being no objection, the comments were ordered to be printed in the RECORD, as follows:

Congratulations Upon the Teachers-in-Politics Program

Teacher time is consumed chiefly in concentration upon a curriculum counted upon to conduct the child toward a creditable career. Certainly this is the great goal and should be given precedence over other activities and interests.

Too often our political philosophies and party principles remain in a remote region of the educational environment of the teacher. However, I invite you to carefully consider the greatest impact upon your economic, social, and professional life—it is political.

The political philosophies and principles of the Party in power will determine significantly whether your future economic, social and professional life will be afforded the desired environmental atmosphere for your individual growth—personal and professional. ...

Since politics is the art of arranging the affairs of people through Government, it should be a matter of professional pride to have the best teacher talent available to teach and practice these principles. A primary principle of pedagogy is that we learn by doing. Unlike Minerva born of the brow of Jupiter full-grown and fully armed, teachers must develop their trade and techniques tediously.

The apprenticeship is participation in the practical politics of the precinct. Your professional position should not prevent your personal participation which will produce a greater understanding and a deeper appreciation of our political history and heritage.

The National Education Association and its constituent state associations are to be commended for their promotion of political participation by their professional people through the designation of a Teachers-In-Politics Weekend for April 5, 1968. Teachers-In-Politics means Teachers-Advance-Profession, "T-I-P for T-A-P." Let the links of learning supplant the ties of tradition.

Sincerely,

EVERETT MCKINLEY DIRKSEN.

Rural-Urban Crisis

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. ZWACH. Mr. Speaker, this week I received a statement regarding the rural-urban crisis as developed and approved by the directors of two of the fine rural electric and telephone cooperatives in the Sixth District of Minnesota. This statement is highly recommended for reading and studying by my colleagues as it presents the actual on-the-scene report of the deepening shadows of financial death to rural America. In this tragic report, one can easily see the need and urgency for passage of a Countryside Development Commission bill, such as is proposed in H.R. 16098 in order to save and assist the millions of human resources in our small cities and villages and farms.

I also point out that the study on farm family income was based on the 1960 price situation. A great change for the worse has developed since then as farm parity was then at 80 percent—the highest figure farmers have had in the past 7 years. Today, the farm parity level is at 74 percent, so that if the study could be made on 1967 prices I am sure that we would find a dramatic increase in the percentage of farm families having less than $3,000 income.

The statement referred to follows:

Rural-Urban Crises

(Prepared by the board of directors and management of Agralite Cooperative of Benson, Minn., and Federated Telephone Cooperative of Chokio, Minn.)

This statement is prepared and presented by reason of sincere, deep concern for the future of rural United States and its people. The drafters of this statement are a part of rural America. They, therefore, speak from personal experience and observation of their rural neighbors. They are leaders in their communities' business and civic affairs. Their voice should be heard! We hope this statement may be a call to action!—action to save rural America, and in so doing, help alleviate some of our pressing urban problems.

This statement is addressed particularly to the problems of rural America—the people, farmers and village dwellers alike, who are depressed and despair over their economic and social problems. Following is what we see happening in our rural area today.

The average age of the farm operators in our area is about 58 years. Farm income has been so low that today's farmers are discouraging their sons from becoming farmers. In most cases the father's income has been too low to permit him to assist a son in getting started farming. As a result, the youth of our community are being forced to seek employment in the large cities. As stated, in many cases this is not out of desire to move to large cities, but by reason of economic necessity. Once the youth leave the farm for the city, it is very probable he will not return.

The depressed farm economy has had long range injurious affects upon the farmer's retirement income. His social security benefit has been computed upon the average of his farm income since the year 1955, with the exception of his one poorest year. He has been placed at a disadvantage in that these years have been the years of low income for him. Therefore, we find many of the retired farmers and their wives having to seek employment to supplement the social security benefits. Of course, low farm income not only affects the income of those who have retired, but will affect the social security benefit of those to retire in the future. In many cases we find the social security benefit of the farmer having to be supplemented by public welfare funds.

As our farmers reach retirement age, we find no one taking their place. The farm is vacated and is usually sold to a neighbor who is expanding his farm operation or to an investor. Since 1952, Agralite Cooperative, an electric cooperative serving three and one half counties in West Central Minnesota, has retired 430 electric services to farms that have been vacated. At the present time it has 263 idle services at farm locations that are vacant and will in time be retired.

Federated Telephone Cooperative, serving a part of West Central Minnesota, is experiencing the same condition. It has 128 idle farm services and 37 idle services in six small villages. In addition to these idle services, the cooperative has retired 96 services in the area it serves.

It appears that the farm exodus is growing in proportions. One of our local auctioneers will have conducted 65 farm auctions by April 11th of this year. Attached is a partial list of the 110 farm auctions held in our area since the first part of January, 1968, to April 1st.

A survey of family income in several West Central Minnesota counties for the year 1960 was recently published by the Office of Economic Opportunity. These figures showed the following percent of families having incomes below $3,000:

	Percent
Douglas County	41.6
Stevens County	37.3
Grant County	42.0
Big Stone County	47.4
Traverse County	42.4
Swift County	40.1
Pope County	40.6
Kandiyohi County	32.7
Lac Qui Parley County	48.4

We are aware that these figures can vary from year to year. However, it would be our judgment that a larger percentage of families in these counties now have incomes at less than $3,000.

It is apparent from information set forth above that the farm economy in West Central Minnesota is in dire financial circumstances. We know that this is not caused by marginal farm land. West Central Minnesota has some of the most productive soil in the nation. Existing land prices are evidence of this fact.

The American farmer is the most productive in the world. He has provided the American people with a bounteous diet. For this he has received little reward and has been compelled to take the short end of our economy. The American farmer has subsidized the other booming segments of the nation's economy.

The low economic status of our farmer has not only affected he and his family, but has had serious economic and social repercussions on the small villages and cities in rural America. It is estimated that for each ten farm families that leave our area, we lose one business place in the city or village that serves that area. One needs only to drive through the small towns of rural America to see the result. The largest town served by Federated Telephone Cooperative had a 1960 population of approximately 500. Since 1950, this town has seen 22 business places close their doors. Not only have we seen the small village lose business places, but they have lost vital services. One small village of approximately 700 population in our area has, for many years, supported two doctors and a dentist. Now the village has no doctor or dentist, and no prospects of securing such service. With the loss of the doctor, the local pharmacist was compelled to sell out. A large proportion of the citizens now inhabiting the small towns of our area are retired and need these services close at hand.

The loss of business places necessarily results in loss of tax valuation. Villages find it more and more difficult to provide the community services to which their citizens are entitled. These communities have been unable to support their own schools and have been compelled to consolidate and transport their students to the larger school districts. About the only business places left in the smaller villages are a grocery store, cooperative elevator, small oil stations, liquor store, post office, coffee shop, and in a few cases, a small bank.

What we are concerned about is not statistics, but people. The American rural people have the same wants and needs as any other citizen of these United States. They have contributed much to this land of the free. It has been the reservoir from which American industry has drawn its labor.

We must continue to rely upon American agriculture to produce a surplus to feed other parts of the world. We are convinced the family farm can best satisfy such needs. We are concerned that American agriculture not become controlled by large corporations. However, American agriculture must be given a fairer share of our economy if the family farm is to be preserved.

We fully realize the complexity of the "Farm Problem." However, we believe that following are some of the measures that must be taken to preserve to the rural community its fair share of our economic wealth:

A. That Federal and State governments adopt programs that will assist rural people in achieving a parity of opportunity and living.

B. The enactment of an Agriculture Bargaining Act that would provide for farmer representation in determining what he shall receive for his commodities.

C. Greatly expand programs such as REA, FHA, RAD and related conservation and development agencies so that rural America is able to secure adequate financing to develop to its greatest potential.

We urge that existing R.C. & D. projects like the West Central Minnesota Resource Conservation and Development Project be expanded to include more counties. This R.C. & D. project has helped improve economic conditions in our area. We are especially interested in this type of local, state and federal cooperation.

D. Encouarge the planning and development of experimental cities in the rural areas where we have open spaces and clean air. This may require that several different sized cities be built, depending upon the area to be served. Why not build new cities instead of adding to the large metropolitan messes we already have?

We are completely satisfied that the REA program has had an important part in the development of rural America, and can continue to greatly assist in its future development. However, the telephone and electric cooperatives must have adequate capital to do this, and at interest rates that permit the program to meet future needs. A healthy rural economy is necessary for the preservation of our electric and telephone cooperatives. Likewise, prospering electric and telephone cooperatives are necessary to a prospering farm economy. We urgently request the enactment of necessary legislation to insure adequate capital to the REA program. We believe the supplemental telephone financing bill now before the House Rules Committee should be enacted. The rural electric cooperatives have been trying to secure enactment of supplemental financing for several years, and proposals will be submitted by the National Rural Electric Cooperatives Association to the Congress.

We urge prompt action on this important legislation! The electric and telephone cooperatives must be able to plan for many years in advance. This cannot be done unless it knows where its capital is to come from.

The electric and telephone cooperatives are not the only organizations concerned about the present state of our rural economic conditions. This economic plight has affected our rural churches and schools as well as business. The churches of our area are becoming so concerned that a large interdenominational meeting is now being planned in this area for the sole purpose of considering this problem and what might be done to cure the economic plight of rural America.

We are fully aware our nation has numerous urban problems that are equally as important. Rural America must cooperate with urban America to solve both urban and rural problems. However, improving the economic status of the rural community will help alleviate many of our urban problems.

We believe the matters we have outlined in this presentation require the prompt attention of Federal, State and local governments and their agencies. We request that you and others take appropriate action to help. Rural people cannot do it alone.

Signed by the officers and directors of Agralite Cooperative, Benson, Minnesota and Federated Telephone Cooperative, Chokio, Minnesota.

Telford Olson, Willard Anderson, Peter Erdahl, Spurgeon Jorgenson, Leo Kavanagh, Anton Hauge, Kenton Brown, Raymond Busse, Roy W. Holmquist, Donald Rolland, F. W. Holzheimer, Ervin Schuerman, Fred Fisher, John Busse, William C. Reu, Fred Bakeberg, Harvey Larson.

Teachers in Politics

HON. CHESTER L. MIZE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. MIZE. Mr. Speaker, I want to join with my colleagues in recognizing the implementation of the nationwide "Teachers-in-Politics Weekend" which is being held from one end of the country to the other this weekend, April 5–7. The teachers in my home State of Kansas are participating. They started getting ready in January for the six regional political clinics which will be held on Saturday.

I commend the leadership of the Kansas State Teachers Association for setting up these clinics and for making it possible for Kansas teachers to share in this activity. It is through this type of educational approach that our teachers can fulfill their responsibilities in the development of good government. They teach it in their classrooms; they expect the lessons to carry over into the life of the community. No other group can have such a salutary influence in the making of good citizens. No other group is better informed and in a better position to provide the example which is so often needed to encourage citizen participation in the affairs of the government.

Just the presence of teachers in politics helps us combat the erroneous stigma that political activity is "dirty" and therefore to be left to others. We welcome them; we need their judgment, their talent; their pragmatic idealism. And we are sure that politics can be as rewarding as it is demanding.

Our whole political system is better because the teachers take a more active part. They find, I am sure, that participation is a reciprocal experience. It returns as many dividends as it requires work, leadership, and dedication. I can see this teachers-in-politics weekend as the start of a wholesome adventure in learning and doing for those to whom learning and doing are the essence of a man's experience on earth. This is a worthwhile venture which requires the support and encouragement of all of us in Congress. I wholeheartedly subscribe to the enlistment of more and more teachers in politics.

Crisis in the Cities: A Balanced Appraisal

HON. WILLIAM PROXMIRE

OF WISCONSIN

IN THE SENATE OF THE UNITED STATES

Thursday, April 4, 1968

Mr. PROXMIRE. Mr. President, I commend to the attention of other Senators a perceptive and balanced editorial, published recently in the Sheboygan Press, about the task that confronts Congress this year in meeting the crisis in our cities.

As the editorial points out:

> Whatever tools are finally decided on, there can be no doubt as to two points: The task ahead is one of the heaviest ever to confront this nation, and there is great urgency about getting on with it.

I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Sheboygan (Wis.) Press, Mar. 16, 1968]

A BIG URGENT JOB

Some of the measures Mr. Johnson proposes as an onslaught against what he calls the "crisis in the cities" would be an extension of existing programs. Some aspects of his proposals break new ground. There seems to be little that could fairly be rejected as not germane to the problems involved. While objections to this or that idea may be raised, on the whole the President's message has given us a sound start on a battle plan for attack in a pressing area of concern.

The plight of the cities is, indeed, second only to the Vietnamese War as the most serious immediate problem confronting the United States. It is so because the difficulties are severe, because they are closely tied in with such related concerns as poverty and racial tensions, and because a steadily rising percentage of our population now lives in urban centers.

It follows that a very large proportion of Americans will be directly affected by whatever action is taken—or not taken. Suburbanites are not as secure against the spread of urban problems as some of them appear to believe. Even people who live in small towns and rural areas have an important stake in the matter.

Nothing above should be construed as suggesting that Congress ought to rubber-stamp the administration's proposals. If only because any program undertaken to alleviate urban conditions will entail an enormous outlay, every aspect of the blueprint must be scrutinized with care and measured against the test of maximum effectiveness in meeting the most serious needs first.

Certainly the need for better housing qualifies. The President accepts that by giving primacy to the goal of 26 million new housing units for families of low and moderate income over the next decade. It is in this area, too, that private enterprise is most importantly challenged to put its shoulder to the wheel and offered inducements for doing so.

The administration plan has many facets. In addition to the construction of housing, authorizations are proposed to reclaim blighted neighborhoods under the model cities program, to advance urban renewal, to improve mass transit systems as a means of easing traffic congestion, to finance "renewed emphasis on the most critical needs of the poor," and so on.

These are the tools suggested for the job. Congress may reject or modify some, it may propose others it considers better. Whatever tools are finally decided on, there can be no doubt as to two points: The task ahead is one of the heaviest ever to confront this nation, and there is great urgency about getting on with it.

Political Froth at Panama Obscures Basic Issues

HON. DANIEL J. FLOOD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. FLOOD. Mr. Speaker, as a longtime student of interoceanic canal problems, I read with amazement the story on "Panama Turmoil," by James C. Tanner, in the April 4, 1968, issue of the Wall Street Journal. To say the least, for one who has been a long-time reader and admirer of that well-known paper, the article was most disappointing.

The author seems to have been overwhelmed by isthmian political froth and to have neglected the key issues involved in the canal question. Furthermore, the article illustrates the danger of writing about the interoceanic canal problem without preliminary preparation and study of authoritative information.

For those seeking more complete background, I would invite attention to the address of Senator Strom Thurmond on "S. 3108—Introduction of Panama Canal Modernization Act of 1968," in the Record of March 6, 1968, on pages 5550–5552; also to two statements of mine on "Panama Canal Modernization," in the Record of March 6, 1968, on pages 5599–5602, and on "Peril at Panama," in the Record of March 28, 1968, on page 8065.

In order that the Congress may have the full text of the indicated Wall Street Journal newsstory, I quote it as part of my remarks:

[From the Wall Street Journal, Apr. 4, 1968]

Panama's Turmoil Deals Blow to U.S. Interests in the Caribbean Area: Anger Over Proposed Canal Treaties Is a Key Cause; Alliance Aims Frustrated—Oligarchy Versus the Middle Class

(By James C. Tanner)

Panama City.—This tiny nation's current predicament—two men claiming the office of president—has comic opera overtones. But in the long run Panama's muddled affairs aren't likely to prove very funny for the U.S.

The turmoil could mean that millions of dollars poured in here by Washington in recent years in the hope of creating a stable government may have gone for naught. It almost certainly means a setback for the whole Alliance for Progress effort to bring economic and social progress in Latin America, an undertaking that has already met with more than its share of setbacks.

Most important, the political unrest poses a serious threat to painstaking efforts under way since 1964 to insure stability for the Panama Canal Zone, as well as to plans aimed at supplementing the canal with another Atlantic-Pacific link by the time the old one is too congested to handle all the traffic.

The political conflict here is still far from resolved. Marco Robles, the president whose four-year term expires next October, was impeached on March 24 by the national assembly on charges that he violated a constitutional curb on presidential participation in partisan politics. Sugar baron Max Delvalle, Panama's first vice president, was picked by the assembly to succeed Mr. Robles.

COURT RULING EXPECTED

But Mr. Robles refused to quit. The dispute, which has seen the pro-Robles national guard putting down opposing demonstrators, has been submitted to the supreme court here, and a ruling could come any time. However, many observers believe it will take more than a court decision to break the stalemate. The assembly contends that the court justices are pro-Robles and have no jurisdiction in the case.

The U.S. officials maintain it is strictly neutral in the dispute, but there can be little doubt that Washington's sympathies lie with Mr. Robles. He has pushed tax reforms that are a key part of the Alliance for Progress program. He also has sought to calm the violent outbursts of nationalistic feelings stirred in the past by the U.S. role as the sole authority over the 10-mile wide Canal Zone. That power was obtained by the U.S. under a 1903 treaty and supposedly was to endure forever.

Following the Canal Zone rioting of 1964 that left 21 Panamanians and four U.S. soldiers dead, a special commission of Americans was set up by President Johnson. It negotiated three new treaties with Panama. However, none has been ratified by either country. Among other things, the treaties would have reestablished Panama's sovereignty over the Canal Zone, provided for joint defense of the zone and outlined plans for construction of a new sea-level canal, perhaps in Panama.

But the national assembly, Panama's unicameral legislature, denounced the treaties. The Panamanian press also attacked them, complaining that they were negotiated in secrecy and didn't go far enough in reducing the U.S. presence in Panama. The treaties also drew opposition from scores of U.S. Congressmen who griped that the U.S. was "giving away" vital U.S. military assets.

FORMER AMBASSADOR COMPLAINS

The outcome of the present political crisis is anybody's guess, but it clearly jeopardizes Panama's chances of being selected as the site of the new canal. A former Panamanian ambassador to the U.S. complains: "President Johnson has said the factor of political stability would be considered in locating a sea-level canal, and feuding politicians are frittering away the possibility of having a new canal in this country."

Even if Mr. Robles manages to complete his term in office, by law he can't succeed himself. And none of the present candidates for the presidency shows any inclination to press for ratification of the treaties previously negotiated. In the U.S., Robert G. Storey, vice chairman of the five-man Atlantic-Pacific Interoceanic Canal Study Commission, which is charged with recommending a new canal site, says the group hasn't yet ruled out any of the four possible locations for a more modern, wider canal. Two of the sites under consideration are outside Panama. One would be along the Nicaragua-Costa Rica border and the other would go through Colombia.

Much of this country's economy is still based on the existing canal. In addition to the $1.9 million annual royalty paid to Panama by the U.S., purchases, payrolls and other benefits of the canal contribute $150 million a year to the economy. And if this country isn't selected as the site of any new canal, it would stand to lose the economic benefits a new canal would bring.

TOURISM DROPS

But more than the new canal is threatened by Panama's current turmoil. Tourism, an important source of revenue, is slackening. Construction, which was formerly expanding briskly, has almost halted. Business in general is down sharply, except at supermarkets where nervous Panamanians are stocking up on groceries in fear of further mob violence as a result of the political feuding.

Some observers here believe the U.S. might be reluctant to pump more funds into an unstable Panama. Local critics of Mr. Robles charge that part of the estimated $65 million sent to Panama by the U.S. during the last four years has gone into the training and financing of the national guard, the force that is keeping Mr. Robles in the presidential palace.

Mr. Robles' tax reforms hit the rich hardest, and they have angered many of this country's ruling elite. This oligarchy of a dozen wealthy families, some of whom originally backed Mr. Robles, has traditionally controlled Panama's politics. But now it is deeply divided between the impeached regime and its opponents.

The chief architect of the tax overhaul has been finance minister David Samudio, a 58-year-old engineer who is Mr. Robles' choice to succeed him in the May 15 presidential election. It was Mr. Robles' open promotion of Mr. Samudio that allegedly violated the constitution and formed the basis for impeachment.

Mr. Samudio's opponent is Dr. Arnulfo Arias, 66, a Harvard-educated medical doctor, millionaire coffee farmer and powerful right-wing figure in Panama politics since 1932. He was twice elected president and twice ousted, once on a charge of sympathizing with Nazis and later after he abolished the national assembly and begun jailing political figures, including Mr. Samudio.

Dr. Arias was once scorned by the rich for his erratic ways, but now many feel he has mellowed and have thrown their support to him. It's no secret that Dr. Arias, coming out of 17 years of political retirement, engineered the impeachment of Mr. Robles. According to his supporters, Dr. Arias felt that the only way he could get fair treatment at the polls in May was to get Mr. Robles out of office.

Backers of Mr. Robles and Mr. Samudio see things differently. Fernando Eleta, Mr. Robles' foreign minister and his chief negotiator for the canal treaties, says: "In Samudio lies the emerging power of the middle class. In Arias, it is the utilization of a popular figure by the financial interests which have always dominated us."

Interviewed behind locked doors in the shabby building housing his campaign headquarters, Mr. Samudio agrees: "The political parties supporting Arias are headed by a powerful group of families who want to maintain the status quo of poverty in Panama while they keep filling their pockets, and they don't like the idea of paying taxes."

The disenchantment of the oligarchy and the treaty foes with Mr. Robles became clear last year. Four parties bolted from the coalition that had helped elect him in 1964. This reduced the number of pro-Robles deputies in the 42-man national assembly to 12. On the impeachment vote, 30 deputies voted against Mr. Robles, 11 for him and one abstained.

Mr. Samudio is generally regarded as a technically minded, pragmatic man who seems the most likely candidate to gather the broad support of Panama's poor. During his term as finance minister under Mr. Robles, Panama has prospered as a banking and distribution center. The government's budget during the past four years has climbed to $130 million a year from $64 million, and the country's gross national product in 1967 rose 9.5% to $764 million. But even though Mr. Samudio is Mr. Robles' choice for the presidency, his election would do little to solve the canal treaty problem. Mr. Samudio rejects the terms of the already negotiated treaties, adding, however, that they might serve as a starting point for new negotiations.

The election is generally rated a toss-up, although most politicans pick Dr. Arias as the likely winner. But Mr. Samudio has been drawing sizable crowds at his political rallies. A third presidential candidate, Dr. Gonzales Revilla, a neurosurgeon, represents the Christian Democrats, but that party has seldom mustered more than a handful of votes in a national election.

War and Peace in the Middle East

HON. JOSEPH S. CLARK

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Thursday, April 4, 1968

Mr. CLARK. Mr. President, a full 10 months have gone by since the 6-day war between Israel and the Arab countries took place, and still there is no real peace in the Middle East. The reactionary Arab leaders stridently call for the annihilation of the Jewish State and the arms buildup continues at an alarming rate.

Scarcely a day of these last 10 months has passed without some incident along the borders of Israel. Trigger-happy infiltrators and terrorists commit wanton acts of murder and sabotage daily. Inevitably the Israeli side responds and inevitably people on both sides are wounded or killed. Infiltrators from the Jordan side have wreaked so much damage to lives and property that Israel has been forced to retaliate by striking at the terrorist bases in Jordan.

On the Egyptian front shots are frequently exchanged across the Suez Canal, which remains closed to all shipping because the Egyptians refuse to recognize Israel's right to use this international waterway. The Arab leaders are united on one question: all refuse to enter into peace negotiations with Israel.

While this uneasy truce is costing the Arabs dearly, it also exacts a staggering toll from Israel. A constant military alert must be maintained, and thousands of young men and women must be mobilized in Israel's armed forces.

The American-Israel Public Affairs Committee recently adopted a statement of policy at its annual policy conference in Washington. I subscribe to the views contained in the statement and respectfully call them to the attention of Members of Congress for consideration. I ask unanimous consent that the text be printed in the Extensions of Remarks.

There being no objection, the text was ordered to be printed in the RECORD, as follows:

TEXT OF STATEMENT OF POLICY ADOPTED BY THE AMERICAN ISRAEL PUBLIC AFFAIRS COMMITTEE ON MARCH 10, 1968

We meet at a time of significant change in the Near East: when there is renewed hope for peace; when there is danger of renewed war.

We are hopeful that the conflict of 1967 may lead to peace in 1968.

The first condition of peace is the willingness of Arab leaders to recognize that Israel exists. We hope that all nations will encourage Arab leaders to abandon past enmities and to take steps leading to peace. Conflict is costly and futile. Economic, technical and cultural cooperation will benefit all the peoples of the region.

We support the position that direct negotiation between Israel and the Arab states is the most effective method to obtain a just and durable peace. As President Johnson declared on June 19, 1967:

"Clearly the parties to the conflict must be the parties to the peace. Sooner or later, it is they who must make a settlement in the area."

We commend the Administration for resisting Soviet-Arab pressures to force Israel's withdrawal from occupied territories in advance of a peace settlement and we appreciate the Congressional reinforcement of this position.

We are alarmed by Soviet policy in the Near East.

The Soviet Union supported Arab aggression and equipped the Arab states for it. It blocked peace moves before June 5. Since then it has labored to rescue the Arab states from the consequences of military defeat by attempting to pressure Israel into diplomatic surrender. It has rehabilitated Arab arsenals with sophisticated planes, tanks, ships and missiles, in dangerous escalation. The Soviet air force and navy have taken up menacing positions in the Mediterranean and Red Seas in increasing numbers.

We call on our Government to provide Israel with the planes and other military equipment she must have to deter her neighbors from new aggression. The need for action is accentuated by the change in the policy of some governments which no longer sell planes to Israel but are prepared to send weapons to Israel's enemies. There must be no doubt about U.S. readiness to stand by Israel and to act accordingly. Such a course will serve the interests of the United States and the cause of peace.

BOUNDARIES

Boundaries between Israel and her Arab neighbors should be defined by the states directly concerned, in order to guarantee the right of all to live in peace, free from threats or acts of force. Until such boundaries are established, as part of an overall peace agreement, Israel cannot be expected to retreat from existing positions. There can be no return to artificial frontiers which contribute to instability and tempt war.

JERUSALEM

The people of Israel have been reunited with their ancient capital.

For twenty years the international community tolerated Jordan's misrule of the Holy City. In violation of her agreement, Jordan refused free access to Jews and Israel Arabs to their institutions and Holy Places, and permitted the desecration and destruction of synagogues and Jewish cemeteries.

We are confident that Israel is governing and will continue to govern Jerusalem in the interest of all its residents and that she will respect, preserve and grant access to the shrines of all faiths.

REFUGEES

An early Arab-Israel peace will help speed solution of the refugee problem perpetuated over the years by the illusion that Israel would be destroyed. There is now hope that the Arab states will adopt a more realistic policy and will cooperate in measures looking toward refugee employment, absorption and resettlement. But it is obvious that little can be done without political agreements.

Pending a settlement, our Government should reconsider its attitude toward the United Nations Relief and Works Agency (UNRWA). While that Agency has ministered to the relief and rehabilitation of refugees, to their health and education, it has deferred to the political attitudes of the Arab states. It has failed to purge the ration rolls of the names of those who are no longer entitled to relief because of death, employment or enlistment in paramilitary units organized for war against Israel. It has not implemented any broad program to put refugees to work.

The international community should not countenance a system whereby host governments are permitted to avoid responsibility for the care and education of substantial segments of their population. We recommend that U.S. funds now contributed to UNRWA be used for constructive projects to stimulate economic and social absorption of the refugee population.

We believe that most of the Arab refugees must be resettled in Arab countries where there is room and opportunity for them. We also believe that other nations which need manpower should welcome immigration of the refugees in an effort to speed their rehabilitation and resettlement.

Emigration of the surviving remnants of Jewish populations of Arab lands was accelerated this summer as governments and mobs subjected them to brutal treatment. The Jews who remain in these countries today are subject to cruel disabilities and some are still imprisoned, as in Egypt.

More than one-half million Jews who lived in Arab countries have fled since 1948 and the great majority have been resettled in Israel. Many suffered expropriation of their properties at the hands of Arab governments, without compensation. Any program for compensation to Arab refugees should be equitably balanced by compensation by the Arab governments to their former Jewish citizens.

INTERNATIONAL WATERWAYS

Egypt's refusal to permit Israel shipping through the Suez Canal and the Straits of Tiran is a violation of international law and is a major factor contributing to war in the Near East. Our Government has always supported freedom of passage through international waterways for the ships of all nations. There can be no compromise on this issue.

ECONOMIC ASSISTANCE

We favor economic aid to nations in the Near East which use our assistance to stimulate economic development and the raising of living standards. But we believe that aid should be withheld from those who use it to subsidize preparations to wage aggressive war. In this crucial period, when negotiations are indispensable to peace, we urge our Government to withhold aid from those nations which refuse to negotiate a settlement. Nor should aid be extended to countries which have broken off relations with the United States.

Aid should include the development of water resources. We commend the Administration's sponsorship in 1964 of the plan to establish a nuclear desalting plant in Israel and the subsequent study by a joint U.S.-Israel board. We believe that such a plant would stimulate agricultural and economic development in Israel and could aid refugee resettlement in Gaza and the Sinai peninsula.

We welcome the wide bipartisan Congressional support for the development of nuclear desalting.

An adequate desalting plant is economically feasible only if grants and low-cost funds are made available. We urge the Administration and Congress to consider appropriate measures to advance this project.

ARAB BOYCOTT

We call for a review by the Administration and Congress to strengthen existing legislation and administrative measures to curb the efforts of the Arab League to boycott American businessmen who enter into commercial relations with Israel.

SUMMARY

We urge our Government:

To insist that the Arab governments negotiate a peace settlement with Israel.

To provide arms to Israel to offset those which the Arab states are acquiring to attack her.

To provide economic aid to Israel to facilitate her water desalting program.

To continue aid to Arab countries which

will be used to raise living standards and to withhold aid used to finance aggression.

To promote the resettlement of Arab refugees in lands where there is room and opportunity for them, and to adopt measures for the orderly liquidation of UNRWA.

To resist Arab boycott practices.

Israel celebrates her 20th birthday this year. We record our satisfaction with the continuing friendship between the United States and Israel.

Over the years, the United States and Israel—the governments and the peoples—have shared common aspirations for peace and the preservation of freedom. On this anniversary year, we trust that our Government will persist in the search for a peaceful settlement in the Near East and that other governments will cooperate in the attainment of this paramount goal.

The Writing on the Wall

HON. PAGE BELCHER

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. BELCHER. Mr. Speaker, I would like to include in the RECORD a broadcast of the network program "Hour of Decision" by Billy Graham, a broadcast which he made entitled "The Writing on the Wall," on February 11, 1968:

THE WRITING ON THE WALL

(By Billy Graham)

The sanitation problem of New York City this weekend as the result of a garbage collectors' strike is only a symptom of the troubles that continue to pile up for the United States. The American people yearn for calm and a chance to be optimistic. All that the people get is one terrifying jolt after another. Tiny North Vietnam has the powerful military machine of the United States almost stopped in its tracks. Now tiny North Korea has humiliated the United States. Russia, sensing American weakness, now is moving with speed and power into the Middle East and the Mediterranean, threatening to outflank Europe from the South.

U. S. News & World Report said last week, "Big defeats appear to be talking shape despite optimistic talk." Nations that were once American allies, such as France, are no longer allies; and Great Britain is now at its weakest level since the Middle Ages. As one newspaper reported this past week, "America is getting lonelier and lonelier in a hostile world."

Six centuries before Christ the greatest nation in the world at that time was Babylon. Its great king, Nebuchadnezzar, had taken the nation to heights of oriental power and splendor never before known in world history. After Nebuchadnezzar died, his grandson, Belshazzar, came to the throne. The Baylonian Empire was at the height of its power. Its capital was so wealthy that it was called the Golden City. Behind tremendous fortifications its citizens believed that it would last a thousand years. They basked in a sense of security unknown by any other nation in history. They felt so secure and were so wealthy that they began to indulge in every kind of sordid passion.

One night Belshazzar the king was having a feast for a thousand of his lords and ladies. Every sensual sin was being committed that night in Babylon. At the height of the banquet an armless hand appeared on the wall writing in letters of fire, "God hath numbered thy kingdom, and finished it. . . . Thou art weighed in the balances, and art found wanting" (Daniel 5: 26, 27). That night Belshazzar the king was slain. Babylon was destroyed, never to rise again. From that moment on Darius the Mede began a new empire.

The Bible teaches that Babylon need not have fallen. Nebuchadnezzar, the grandfather of Belshazzar, had been warned by the prophet Daniel, ". . . break off thy sins by righteousness, and thine iniquities by showing mercy to the poor; if it may be a lengthening of thy tranquillity" (Daniel 4: 27). Nebuchadnezzar had had sense enough to heed that warning, but his grandson forgot it. Belshazzar the king had thrown off all moral restraint. He had laughed at the moral law of God. The Bible says that "God is not mocked: for whatsoever a man soweth (or a nation soweth), that shall he also reap" (Galatians 6: 7). That night Belshazzar the king reaped a terrible harvest of blood and destruction in Babylon.

This sequence of events, this decline from power, is traceable throughout almost every nation and empire of history. This was the course not only of Babylon but of Medo-Persia, Greece, and Rome. It was the course of the German Empire, and now before our very eyes it has become the course of the British Empire. Tragically, the same sequence of events is beginning to happen in the United States. The Bible teaches that invisibly but surely a nation's sins are recorded. They pile up on the balances of heaven until finally the scales tilt and God's patience runs out. Then appears the writing on the wall, followed soon by judgment.

Today the United States and Western Europe are on a pleasure-mad spree. This is true in Latin America. It's true in the Far East and many parts of the world. Almost everyone senses that time is short. Millions are saying, "Let us drink and be merry, for tomorrow we may die in a hydrogen bomb blast." Never has there been so much prosperity as there is today, but never have protecting walls of defense also been so high. Stone walls and bronze gates have become nuclear bombs and rockets. But as in every ancient empire, behind the great deterrent character disintegrates and lawlessness becomes worse from year to year. At this tragic hour when the nation's security is being threatened, millions are more concerned with bigger incomes, bigger television screens, and bigger cars. They are more concerned with the latest movie and a current television program than they are with the moral and spiritual foundations upon which this nation was built.

The latest FBI statistics indicate that crime is rising at such an alarming rate that it has become anarchy in some places. This crime is not limited to the hardened criminals, but involves millions of Americans who would be outraged if you would call them a criminal. An insurance adjuster was quoted in the press recently as saying, "I hate to say this, but 90 percent of the people we deal with have no morals at all." Every day newspapers are filled with stories of savage, brutal attacks on innocent people. Bank robberies now occur with such frequency that they have become an item of secondary interest, appearing on the back pages of the newspapers. Just in the small part of the country I live in, within a few miles of my home three major bank robberies have occurred in the last week.

In addition, magazines and newspapers are filled with stories about the latest fashions, that are going to be more revealing this coming year than ever before. The movie advertising page in the average newspaper is a commentary on the morals of our time. Our civilization has become so preoccupied with sex that it now oozes from all pores of American life. We are completely surrounded by the rising tide of sex which is flooding every compartment of our culture and every section of our social life.

What we see happening to America is exactly the same thing that destroyed the ancient empires of the past. Our peril is not only because of the corrupting effects of evil and the weakness accruing from the gradual disappearance of moral purpose but even more—because of the record of all this decadence and failure piling up fast in the balances of heaven and in the record books of God. Our sins are being written daily in God's books. If history has one lesson above all others for this country and the world today, it is that when a nation turns from God and embarks on moral evil, that nation is soon doomed. "God is not mocked: for whatsoever a (nation) soweth, that shall (it) also reap."

All down through the centuries empires, nations, and cities have been weighed in God's balances and found wanting. They have seen the writing on the wall and learned too late of approaching doom.

To ancient Nineveh, the rich, arrogant, corrupt capital of Assyria, God sent this warning, "Woe to the bloody city, all full of lies. . . . I am against you. . . . I will . . . treat you with contempt, and make you a gazingstock. And all who look on you will shrink from you and say, Wasted is Nineveh; who will bemoan her? (Nahum 3:1, 5–7, RSV).

The people of Judah were God's chosen people. He loved them more than any nation in the world. But when they broke His laws and committed sins of sensuality and lawlessness, God raised up the prophet Jeremiah and he brought a very dramatic message. To use an illustration he held up a bottle made out of clay and broke it and said, "Thus saith the Lord of hosts; Even so will I break this people and this city, as one breaketh a potter's vessel, that cannot be made whole again" (Jeremiah 19:11).

Jesus, addressing the people of Jerusalem years later, with tears in His voice foretold the doom of the city which had lost its way and sinned away its day of grace. He said "O Jerusalem, Jerusalem, thou that killest the prophets, and stonest them which are sent unto thee, how often would I have gathered thy children together, even as a hen gathereth her chickens under her wings, and ye would not! Behold, your house is left unto you desolate" (Matthew 23: 37, 38). Within a short time after the death of Christ Roman armies destroyed the city, leaving not "one stone upon another" just as Jesus had predicted (Luke 19- 44).

Today similar words of warning are echoing from coast to coast, from the Canadian border to the Mexican border, upon the walls of Congress, and upon the walls of the White House itself. A hand from heaven is writing the awesome, fateful words, "Weighed in the balances, and found wanting."

Tragic events to burst upon the world will not be merely the result of foolish planning; they will be the judgment of Almighty God. They will have a moral aspect and bear the hallmark of divine judgment. Involved will not only be man's material possessions and way of life but also his eternal destiny. There will not only be a confrontation between the United States and her enemies but there will be a confrontation with the One whose laws we have broken, whose love we have spurned, and whose honor we have trampled in the dust. The message for America, Canada, Australia, and the world today is this, "Prepare to meet thy God" (Amos 4: 12).

Christians are going to need all the courage that they possess to resist evil with holy boldness. They are going to need tremendous courage to stand for moral right even though the stars should fall.

Last week six American missionaries were tortured and killed in Vietnam. When their hour of trial came, they did not flinch. They stood in the midst of suffering, persecution, and death and gave their witness for Jesus Christ. The moment they left their cruel tormentors they entered into the presence of Christ, just as the first martyr of the Church, Stephen, did many centuries ago. A crown of glory will be awaiting them in heaven.

For you who are listening to my voice who have never made your commitment to Jesus Christ, there is still time for you to repent and to turn to God. You can have your sins forgiven. There is a refuge to which you can flee. The refuge is the Cross of Christ where He died for our sins. You can repent of your sins. You can receive Christ today and put your confidence and your trust in Him.

Shall we pray. . . .

A Patriotic Appeal to Young People

Hon. EVERETT McKINLEY DIRKSEN

OF ILLINOIS

IN THE SENATE OF THE UNITED STATES

Thursday, April 4, 1968

Mr. DIRKSEN. Mr. President, I ask unanimous consent to have printed in the Record an article entitled "I Care," written by Mel Wolff, and published in the Chicago Sun-Times of March 8, 1968. It is a patriotic appeal to our young people, and I feel that it should have widespread publicity.

There being no objection, the article was ordered to be printed in the Record, as follows:

I Care

My name is Mel Wolff.

I'm an American.

I care that I'm an American and I care about my country. That is why I get angry when I hear people gloomily prophesizing that we're headed straight for hell, every time we suffer some adversity.

Adversity isn't new to us. All through our history we've been confronted with wars and riots—we've been so poor that we could hardly scare up the price of a phone call. But we've always bounced back—and moved forward *together*.

So what's happening to us today? Granted, our problems may be different . . . but certainly they aren't bigger than those we've overcome in the past. Why, then, are there so many of us around who feel so overpowered . . . or who just don't seem to give a damn!

Do we have less guts than in 1776? 1918? 1929? Are we weaker than we were when we stood up at Corregidor and Pork Chop Hill? I think not.

Perhaps we have temporarily forgotten our American Heritage . . . forgotten how we licked the British—at Yorktown, persevered and triumphed at Belleau Wood, Anzio and Iwo—forgotten how we worked our way out of the Depression to become the greatest Industrial nation in the world.

Perhaps if we are reminded of all our nation has stood for—and through—there would be more of an "I Care" spirit in America today.

Since this is our Sesquicentennial year in Illinois, there is no more appropriate time to start remembering our American heritage than right now. This is why I am sponsoring "Picture Your American Heritage" Art Contest.

Any Youngster in Grammar School or High School Can Enter and be Eligible to Win a $50.00 Savings Bond.

So come on, kids! If you like to draw . . . if you're proud of your country . . . then enter this exciting contest.

Just see your school principal for complete contest details.

Mel Wolff,
Gage Chrysler-Plymouth.

Crisis in Credibility

HON. ROBERT DOLE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. DOLE. Mr. Speaker, it has long been an American principle that the public has a right to know what is going on in its government—except in those instances where national security is clearly involved. No national administration, until recently, has made violation of this all-important principle almost standard operating procedure. However, in the last seven and a half years, public skepticism and outright disbelief in our government have reached disturbing proportions because two succeeding administrations have used practically every imaginable stratagem and tactic to deceive the public and the press about its activities and policies.

This disturbing story has now been carefully documented in a candid new book, "Crisis in Credibility," written by Bruce Ladd, who serves as special assistant to Congressman Don Rumsfeld, of Illinois.

Ladd asserts in his book:

> The current crisis in credibility is attributed to three basic factors: (1) The government's unwarranted and unjustified concern with secrecy; its refusal to reveal information which is properly in the public domain. (2) Lying by government officials. (3) The government's adeptness at devising new ways to mislead the public and the press through manipulation of information or news management.

In a review of "Crisis in Credibility," the Republican Congressional Newsletter calls the book "long-overdue." I could not agree more and it is my prediction that "Crisis in Credibility" will receive many more "well-done's" like that of the Newsletter, whose review I hereby insert in the Record:

[From the Republican Congressional Newsletter, Mar. 11, 1968]

Book Catalogs Administration Stretching of Credibility Gap

Crisis in Credibility (New American Library, N.Y., 247 pp., $5.50) is a long-overdue book. It points an accusing and well-documented finger at an administration more dedicated than any other to deception of the American public.

"The current crisis in credibility," says the book's author, Bruce Ladd, "is attributed to three basic factors: 1) The government's unwarranted and unjustified concern with secrecy; its refusal to reveal information which is properly in the public domain. 2) Lying by government officials. 3) The government's adeptness at devising new ways to mislead the public and the press through manipulation of information or news management."

There you have the book's thesis: the story of how the U.S. government lies to the U.S. public and, thereby, to the rest of the world. Although author Ladd, who is special assistant to GOP Rep. Donald Rumsfeld of Illinois, concedes that reluctance to reveal the whole truth is nothing really new in Washington, his reporting shows clearly enough that news distortion came to full flower under the Kennedy and Johnson Administrations. Their predecessors, even including Franklin D. Roosevelt, were stumbling amateurs in comparison. Never, for example, has America been so thoroughly, so systematically, so deliberately mislead about a major war as about Vietnam, says the author. As documented by Ladd, the Johnson Administration has consistently and repeatedly misled Americans about our commitments in Southeast Asia, the extent of our activities there, about peace negotiations, about military victories and defeat, and about casualties.

Ladd also outlines steps which he suggests can be taken toward more truth in government. A first step was the successful 10-year battle for the Freedom of Information law. But basically, he says, the problem lies with an over-powerful Executive Branch and a weakened and disorganized Congress.—Edwin D. Neff.

Advance Acquisition of Land Program

HON. JOSEPH D. TYDINGS

OF MARYLAND

IN THE SENATE OF THE UNITED STATES

Thursday, April 4, 1968

Mr. TYDINGS. Mr. President, in the first session of this Congress, I introduced a bill, S. 2466, to revise substantially the conditions governing Federal assistance for the acquisition of land in advance of actual use. As a result of conversations with county officials in my State, particularly with officials of Prince Georges County, Md., I learned that the present conditions for this Federal assistance were so restrictive that almost no useful proposals could qualify.

Long-range planning for land use is necessary for sensible and economical State and local action. But unless these governmental bodies are able to purchase land in advance of actual use, where long-range plans indicate that the land will be used in the future, then land prices will skyrocket in anticipation of public purchase, and ultimately the State and local taxpayer will suffer.

As a general matter, I strongly believe that local and State government must be strengthened in every way possible so that they can have the resources and the energy to govern effectively. Providing adequate assistance for public land acquisition can contribute substantially to local and State programs and I was therefore most concerned to learn from Maryland county officials that the Federal program, as enacted in the 1965 House act, was not functioning properly. To respond to these problems, I introduced S. 2466 on September 26, 1967.

In February 1968, the President sent his housing message to Congress, and I was pleased to see that all of the proposals for improving the advance acquisition of land program which I put forward in S. 2466 were contained in the message.

A few weeks ago, the Subcommittee on Housing of the Committee on Banking and Currency held hearings on these proposals. On March 20, I testified at the hearings and was delighted at the subcommittee's receptivity to these suggestions. I am optimistic that Congress will act at this session to remedy the shortcomings of the present advance acquisition of land program and will make it a truly useful tool for the assistance of State and local governments.

I invite the attention of Senators to the specific provisions of S. 2466 and, accordingly, ask unanimous consent that the text of my testimony before the subcommittee on that bill be printed in the RECORD.

There being no objection, the testimony was ordered to be printed in the RECORD, as follows:

TESTIMONY OF SENATOR JOSEPH D. TYDINGS BEFORE THE HOUSING SUBCOMMITTEE OF THE SENATE BANKING AND CURRENCY COMMITTEE, REGARDING S. 2466—ADVANCE ACQUISITION OF LAND PROGRAM—MARCH 20, 1968

In September of last year, I introduced a bill, S. 2466, to substantially revise the conditions under which grants could be given to local governments for acquisition of land in advance of actual use. That bill is also pending before this Committee. Discussions with officials of Prince Georges County, Maryland—and, in particular, with Mr. Frank Lastner, Community Development Coordinator for the County—revealed to me that the present requirements for obtaining such grants, under section 704 of the Housing Act of 1965, were impossibly restrictive.

I then investigated this question and found that the problems which Maryland County officials were having with this program were duplicated throughout the country. In 1965, Congress appropriated $5 million for advance land acquisition grants, to be available until expended. But, as of last September, only two grants had been made under the program totaling less than $200,000. Since the need for advance land acquisition is so compelling—and the tax savings from such acquisition are so great—it was obvious that there was something drastically wrong with the program.

S. 2466 would correct these program deficiencies by revising the unrealistic and rigidly limiting standards in the present law, briefly, in the following ways:

(1) Present law requires that land is eligible for assistance only if it will be used for construction of public works or facilities within five years of acquisition. This time limit is unrealistically short. I would revise this, simply to specify that land must be used within a reasonable period of time from its acquisition.

In addition, the use limitation excludes land acquired for open space. I would revise the "public works or facilities" requirement to permit land acquisition for any public purpose.

(2) Under present law, receipt of assistance for advance land acquisition bars any future Federal assistance for the use of the land. For example, land purchased for future hospital construction cannot be the subject of both section 704 and Hill-Burton hospital construction assistance. As a result, localities are forced to delay land purchase until they are prepared actually to construct the hospital, at which time they qualify for full Hill-Burton funding. But since land prices will have risen because of the purchase delay, the total cost to the Federal government is greater than if section 704 funds had been available for the advance acquisition of the land. I would remove this restriction.

(3) Under present law, only "local public bodies or agencies" are eligible for advance land acquisition assistance. But state governments have an equally important role in comprehensive development planning, and they should also be eligible for assistance for advance acquisition of land for state purposes. Indeed, states can often purchase land on a considerably larger scale than local governments, and thus the program can be significantly boosted by permitting state participation.

(4) Under present law, Federal assistance is available only for payment of five years' interest charges on loans made to finance the purchase of land. But if the funds for land purchase are raised by means other than loans—for example, from general revenues or from earmarked taxes—then no Federal assistance whatsoever is available under this program. I believe that this discrimination in favor of land purchased through loans is irrational and undesirable. There are many reasons why a community may prefer to purchase land through revenue sources other than loans—the amount of debt already outstanding may be quite high, or the local procedures for authorization of new debt may be quite cumbersome.

I might note, as one example, that Montgomery County, Maryland, has an excellent and far-sighted program of advance acquisition of school sites and maintains a revolving fund from school tax revenues for such purchases. I believe that if a community decides it wishes to purchase land in advance of actual usage, and it does not wish to borrow for such purchase, then that decision should not cost the community loss of Federal assistance under this program. Accordingly, S. 2466 proposes that Federal assistance should be available for interest charges or their equivalent, if no such charges are actually incurred through borrowing.

(5) Finally, technical changes in section 704 must be made to permit governmental bodies which divert assisted land from public uses to substitute other equivalent land in its place, rather than simply being required to pay back the assistance grant to the Federal government. This change would permit participation in this program by some local governments which otherwise are legally barred from participation.

I believe that, with the enactment of these changes, the advance acquisition of land program will become workable and useful. I urge the Committee to give favorable consideration to S. 2466.

I am pleased to note, incidentally, that S. 2466 has been accepted in virtually identical terms by the President in his 1968 Housing proposals, now also pending before this Committee. The advance acquisition of land proposal appears as section 603 of S. 3029, the bill before this Committee which embodies the President's general program proposals.

Statesmanship Versus Politics

HON. W. E. (BILL) BROCK

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. BROCK. Mr. Speaker, the March 27 issue of the Chattanooga Times carried a most interesting syndicated column by William S. White. Mr. White compared the behavior of two well-known public officials, both occupying high office in the State of New York. Judging from Mr. White's column, this is the only similarity they share. I include this article on the striking difference between politics and statesmanship in the Extensions of Remarks:

ROCKEFELLER HEALS, KENNEDY DIVIDES

WASHINGTON.—Nelson Rockefeller's effective withdrawal from the Republican Presidential race is an act of high responsibility casting into sharp relief the savage national divisiveness with which another New Yorker, Sen. Robert Kennedy, is opening his own campaign.

Nelson Rockefeller is ordinarily no eloquent man; but his valedictory here will live in the memories of those Americans in both parties who will not allow personal or partisan malice to obscure the towering and ultimate reality that some things are more important even than the Presidential ambitions of any man. Hear him, then, in his farewell to his own ambitions:

"As a nation we are passing through a time of crisis and confusion probably without parallel in our history. Under the siege of a grim host of problems—from the tragic war in Asia to the shocking decay of our cities—we have become a people distracted and divided. And at precisely this time, the Democratic Party itself—while in control of both the executive and legislative branches—threatens to be torn asunder.

"How should a responsible Republican act in a period of such crisis? I cannot believe that the Republican retort to the Democratic scene should be: Any din you can raise we can raise higher. I honor the right of open dissent and the rigor of honest debate as vital marks of democratic life. I have been known to take pride in combat for political principles. But I do not believe that the way to compose perilous national division is to create more partisan division."

This powerful elegy could have been directed line for line at Sen. Robert F. Kennedy. For Kennedy's rump Presidential campaign is operating wholly outside the tradition of responsible politics. It is directed not only to a restoration of the Kennedy dynasty, which is fair enough, but to the personal as well as political destruction of an American President who faithfully served Kennedy's own brother, and it openly risks the destruction of Kennedy's own party if Kennedy is not to be allowed to have his way.

Robert Kennedy permits Sen. Eugene McCarthy to walk alone over the minefields of the New Hampshire primary in a fair and responsible challenge to President Johnson. Having repeatedly denied ambitions of his own, Kennedy then moves in upon McCarthy almost before the last votes are counted, with the explanation that he is only trying to help his rival.

From this episode he goes forward to speeches waving the bloody shirt in which the anguish in Vietnam is exploited with unexampled recklessness. His attacks are not simply upon the policies of the Johnson administration—and these, too, again are fair game—but upon the very person of the President.

And now this very center and symbol of an incomparably harsh divisiveness proclaims that not he but rather the President is dividing this nation. He implies, this man who repeatedly egged on the beatnik left, that it is the President who is to blame for student draft resistance and even drug addiction.

He implies, this man whose close associations with Negro extremists are so long obvious, that it is the President who is to blame for racial disorder in American cities.

How far, indeed, is the distance separating Sen. Robert Francis Kennedy of New York from Gov. Nelson Aldrich Rockefeller of New York!

Five Minutes to Manhood

HON. BIRCH E. BAYH

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Thursday, April 4, 1968

Mr. BAYH. Mr. President, I am proud to announce that a young Hoosier, Tommy J. Boisseau, of Jeffersonville, Ind., has just been awarded first prize in the writing contest for high school juniors and seniors conducted by Guideposts, the inspirational monthly magazine, which is edited by Norman Vincent and Ruth Stafford Peale. For his efforts, Tommy will receive a $2,000 scholarship, which he will be able to use to attend college after he graduates from Jeffersonville High School.

This is the fourth annual contest which Guideposts has sponsored in order to provide a forum in which young people could share their personal religious experiences as well as have an opportunity to compete for scholarships. Nine other winners were awarded prizes ranging from $1,000 to $100, for a total of $3,000 additional.

In a dramatic, poignant style, Tommy Boisseau's essay describes how one young man was able to gain hope and courage from an otherwise tragic personal situation. His story reveals the misunderstandings and disappointments which are so often the heritage of a broken home, yet at the same time demonstrates how a shattering experience may serve to confirm and strengthen our respect and devotion for our loved ones.

Mr. President, I ask unanimous consent to have printed in the Extensions of Remarks the inspiring article written by Tommy Boisseau and a report by Guideposts roving editor, Van Varner, on a visit he made last December to Tommy and his family in Jeffersonville.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FIVE MINUTES TO MANHOOD

(By Tommy J. Boisseau)

I never did like rain. Dark clouds, wet feet and steamed up windows always sent me into fits of self-pity and built up resentment against life in general. I remember how my younger brother, Bill, and I used to come in from school soaking wet, knowing that it would be at least another two hours before Mother would be in from work.

We were only in grade school but even then I knew that if she and Dad would have lived together we could have known what it was like to come home to a brightly lit house filled with the odor of something good cooking in the kitchen, and maybe somebody laughing once in a while. Somehow I resented her for my father's not being there. The more I thought of it, the more I was convinced she should have overlooked what faults he may have had. After all, he made good money. He taught us to hunt and fish and he could really barbecue!

By the time I reached the age of 13, I truly believed that the earth was formed by the junction of two planets crashing into each other accidentally and that, for the most part, people on earth hated one another. I believed this in spite of the fact that I attended church regularly—though not with much faith, I admit. I guess I was on the way to becoming an agnostic.

Fall came early in 1963. It was September 29th and a cold rain had fallen all day. I was in my usual bleak mood. The house felt cool and, as always, Bill and I were involved in TV, waiting as patiently as possible for Mother to get home and fix supper. After three years we were used to being alone.

Suddenly the telephone rang. As soon as Bill answered it, I know something terrible had happened. It was a hospital across the river in Louisville, Kentucky, calling to tell us that our father was in critical condition. He had just been admitted after the car he was riding in had crashed into a tree. Four persons in the car were dead on arrival and he and another were not expected to live.

I knew that when Mother came in she would say, "Why should I care what's happened to him now?"

The car door slammed shut, and Mom came in. Her hair was wet. Her hands shook when I told her about the accident. To my complete astonishment she just said, "Get your coats on, we're going over to the hospital."

Once there, she calmly made arrangements at her own expense, to have Dad moved to another hospital where she felt he would receive better care. She stayed there three days until he was out of danger.

Soon he began to show improvement and each day he grew stronger. Whenever Bill and I went to see him we couldn't help noticing that he had new pajamas, shaving equipment, magazines and plenty of cigarettes. One day our TV set was gone. I knew without asking where it was. Sure enough, when Bill and I went over to the hospital there it was. I was selfish enough to wish that he didn't have it, but knew better than to say so. Every day I wondered, "Why is Mother doing this?" Bill and I secretly decided that she must have really been to blame for all the trouble in the first place. Otherwise, why this?

We knew Dad would have no place to go for recovery after hospitalization. Finally, after six weeks he was discharged.

When I came in from school Friday, I heard the TV playing and there was Dad, all propped up in my bed, wanting to know what time supper would be ready. For another six long weeks he was waited on. Not once did Mom mention the past or question him about his present way of life, but when the doctor discharged him, she quietly packed his bag and told him that was all she could do.

He left and I don't remember hearing a word of thanks. I stood there watching him go down the road and I grew up in five minutes. I realized why Mother had taken care of him. I realized that everyone who expects to live a Christian life must do certain things, even things that are difficult, and that faith in God will give us the strength that is needed for them. I knew at that moment that I could face the world and its people with a different attitude and without the mixed-up hate and resentment that had always burned within me. It was a strange feeling and a strange way to appreciate the faith which I had always had without knowing it existed within me.

Bill and I are in high school now and pretty well grown-up. We have our share of battles and are both far from being angels, but ever since the days following that crash which snuffed out five lives, I can look at the rain and think of the rainbow. I'm sorry for the people who died, and for my father, but through them I was given a special day to learn what faith really means.

REPORT ON TOMMY BOISSEAU

(By Van Varner)

Ferne Boisseau waited until Christmas morning to tell her son he was being considered for a top scholarship prize in Guideposts Youth Contest. Tommy's reaction to the news was one of disbelief.

"You gotta be kidding, Mom," he said, shaking his head until the idea penetrated.

In a way there was good reason for this Hoosier high school senior's disbelief. The judges had singled out his story from many hundreds sent in by teenagers the country over—and Tommy was a boy whom nobody had ever singled out before. Some of his teachers describe him as elusive, "hard to get next to."

I met Tommy at his home shortly after Christmas when he came to the door in tee shirt, the inevitable blue jeans—and bare feet. By nature quiet, he has a smile that is slow in coming, but when it arrives it comes over his face with a totally disarming humility.

When Tommy talks about himself, it is a little more in terms of his defeats than of his victories. "I tried to become an altar boy when I was in the sixth grade, but I couldn't learn the ceremonies," he told me. Or he mentions having played offensive left tackle for the Jeffersonville Red Devils, "but last fall I had to have an operation on my right foot and couldn't play ball."

Tommy didn't hide the trouble he'd been in the previous year when he and six other boys cut school and went down to the Falls on the Ohio River. It was between-semester's time and they were supposed to be in study hall that afternoon. Instead they were sitting around a fire they had built when a policeman came along and hauled them in for truancy. The escapade was not taken lightly by anyone. Eventually it helped Tommy come to his own conclusion that "when you break the law, you know, you are hurting yourself."

Tommy has proudly participated in the "Key Club" for three years. The club plans and carries out charitable activities. He is also a member of the Explorer's Club which meets every Wednesday evening. This is something he gets excited about, especially the camping trips the club has taken to Blue River and Kentucky Lake.

At home, both he and his brother, Bill, clean the house, make the beds and do their own ironing and sewing. They have learned how to cook for themselves so that dinner is often taken care of by the time their mother comes home from her work as an agent for The Combined Insurance Company. It was through a Guideposts subscription given to employees by this company that Tommy read about the contest.

Tommy wants to be an accountant. With the scholarship, college can now be a reality and he has a hopeful eye on either Northwood Institute in West Baden, Indiana, or Western Kentucky State College in Bowling Green. All in all, everything is looking up for a quiet boy who very quietly entered a national contest with a story about the meaning of religious faith in his life. To this reporter Tommy is like thousands of unheralded young people in this nation who have more to say, more to feel, more to give than they themselves realize.

Teachers-in-Politics Weekend

HON. M. G. (GENE) SNYDER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. SNYDER. Mr. Speaker, I take this opportunity to commend the National Education Association for promoting participation of teachers in politics. This weekend approximately 1,100 Kentucky teachers will attend 11 regional clinics, held together with a common agenda. Their purposes are first, to lift the understanding of teachers about the need for teacher involvement in politics, and to inspire them to be involved, and second, to attract the attention of the public to the new program of political awareness on the part of the teachers. As society becomes more complex and the scope of governmental concern more encompassing, the life of each individual citizen is increasingly affected by politics and government. More than ever before, there is a need for political awareness and activity on the part of all of our citizens. Greater participation of teachers in politics would, I believe, help to meet this need. Needless to say, partisan politics should not be brought into the classroom.

Educators are a major influence in shaping the character of our youth. Much of the future generation's orientation and attitudes result from their training in the schools. In the classroom, our children become acquainted with the functions of government on all levels, local, State, and Federal. It is in the classroom that the young learn the essentials of citizenship and the importance of being responsible, informed voters. A deficiency in this area of education, often, cannot be compensated later in life, because it so strongly affects an individual's concern for and interest in government. A lifelong understanding and interest in politics and government often results from this early training.

Teachers, who are uninformed of governmental activities and politically aloof, are therefore a threat to the perpetuation of our Republic. Responsible citizenship among our educators is a necessity, if they are to impart the same to their students. The practical education that a "teacher in politics" would acquire and pass on to the student body would inure to the benefit of our society now and in the future. It is, therefore, essential that this group, upon whom we have placed so much responsibility, be politically aware and informed. I commend the National Education Association for the inauguration of this program.

Arab Leaders Encourage Terrorism Against Israel

HON. JOSEPH S. CLARK

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Thursday, April 4, 1968

Mr. CLARK. Mr. President, the repeated flareups of violence in the Middle East once again raises the question of whether the United States has been fulfilling its commitments and pledges to the one democratic nation in that area of the world.

The continuing series of atrocious terrorist attacks by Arab guerrilla groups takes on more urgent meaning when we realize that in the 9 months since the 6-day war last June, peace has not been declared; there are no negotiations worthy of the name; and the megalomaniac Gamel Nasser has refused to rescind his publicly stated intention of destroying Israel and driving the Israelis into the sea.

The Philadelphia Daily News, commenting on the unfair U.N. condemnation of Israel's self-defense, published this editorial on March 26:

> The United Nations' condemnation of Israel for last week's attack on Jordan amounts to a charge that Israel over-reacted to acts of terrorism within areas now under its military occupation.
>
> The condemnation is a slap at Israel despite the successful effort by American U.N. Ambassador Arthur Goldberg to include a provision deploring "all violent incidents and other violations of the cease-fire."
>
> This provision is obviously aimed at the Arab terrorists. But Arab leaders do not hold themselves responsible for the acts of the terrorists in occupied territory and consequently view that provision as meaningless.
>
> Israel can argue that its invasion of Jordanian territory was aimed only at wiping out the headquarters of the terrorists, but the terrorist leaders are already back at the old stand arguing that if given a free hand they could wipe out Israel in three years.
>
> Arab leaders will insist that they cannot be held responsible for the activities of the terrorists, but they must share in the responsibility for such actions when so many of them have not yet repudiated the concept that Israel must some day be destroyed.
>
> Until that basic policy remains unchanged there can be little hope for peace on any Israeli border.

The Philadelphia Inquirer, in a carefully reasoned editorial on March 23, points out:

> The State Department's statement urging Israel to pull its forces out of Jordanian terriorty and calling for restoration of the shattered cease-fire agreement overlooks the fact that the Arabs have never honored the cease-fire from the moment it was adopted by both sides following the Arab defeat last June.

The Inquirer editorial continues:

> The Arabs no doubt would like the Israelis to sit still and do nothing while the terrorists employ the cease-fire as a screen for unilateral warfare.

Mr. President, because this Philadelphia Inquirer editorial emphasizes a number of truths that badly need reemphasizing, I believe it would be of considerable interest to Members of Congress, so I ask consent that it be printed at this point in the Extensions of Remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ISRAEL REPLY TO TERRORISM

It is distressing to find the U.S. State Department so readily joining France, the Soviet Union and the various Arab states in the chorus of condemnation against the Israeli reprisal raid on guerrilla strong-points in Jordan.

In deploring Israel's military actions against Jordan and charging that they are damaging to hopes for a Middle East settlement, the State Department, through its spokesman Robert J. McCloskey, has completely ignored the long-standing Arab aggression which provoked the Israeli strike.

McCloskey has come to be regarded by some as the spokesman for the pro-Arab bloc in the State Department, as he never appears to open his mouth about Arab aggression, but only concerns himself with Israeli reaction to such aggression.

The Department's statement urging Israel to pull its forces out of Jordanian territory, and calling for restoration of the shattered cease-fire agreement, overlooks the fact that the Arabs have never honored the cease-fire from the moment it was adopted by both sides following the Arab defeat last June.

It is well known, to the State Department as well as to anyone else who is interested, that terrorists based on Jordanian territory have repeatedly crossed the cease-fire line to commit acts of sabotage, destruction and murder. There has hardly been a night when infiltrators have not slipped across the Jordan River to plant land-mines in West Bank areas, causing many fatalities. A mine planted by Arabs near Eilath earlier this week wrecked a school bus, killing two children and injuring others. Guerrilla warfare has been incessant, much of it carried on by uniformed members of a Syrian terrorist organization working out of East Bank bases.

The Arabs no doubt would like the Israelis to sit still and do nothing while the terrorists employ the cease-fire as a screen for unilateral warfare. Thursday's air and ground strike by Israeli military forces showed that the limit of patience had been reached. If the cease-fire is to work, it has to work on both sides of the line. Seeing that it does work in that manner is a task the Security Council should set itself to, instead of engaging in its familiar and meaningless ritual of one-sided condemnation.

Mr. CLARK. Mr. President, I ask unanimous consent to have printed in the Extensions of Remarks a brief report by Premier Levi Eshkol to the Knesset dealing with the 37 acts of sabotage and terrorism committed by the guerrilla gangs since February 15. This terrorism, as the Prime Minister points out, has already taken the lives of six civilians and soldiers and wounded 44 civilians and soldiers.

I also ask unanimous consent that Prime Minister Eshkol's statement be followed by a compilation made by the Israel Government of the cease-fire violations that have caused 226 Israeli casualties in 3 months.

I believe, and I feel that the overwhelming majority of Americans believe, that there can be no peace in the Middle East until the Arab cease-fire violations are halted, until the United Arab Republic agrees to come to an armistice table and negotiate in good faith, and until the Arab world and its leaders repudiate Nasser's obsession with crushing Israel's fledgling democracy and driving its citizens into the sea. I am convinced that the United States will not and cannot ever permit that to happen.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

REPORT BY PRIME MINISTER LEVI ESHKOL ON GUERRILLA TERRORISM AGAINST ISRAEL

In recent months terrorist and sabotage activities originating from across the River Jordan have spread. Terrorist gangs were concentrated in this area, from where they crossed into Israel. Lately, the terrorist organizations have established open bases near the cease-fire line, which served them as training bases from which they crossed the border to carry out murder, mining and sabotage acts.

TERRORIST BASES WELL KNOWN TO JORDANIAN AUTHORITIES

From 15 February until last night, these gangs carried out 37 acts of sabotage, in which six civilians and soldiers were killed and 44 civilians and soldiers wounded. On 18 March 1968, a bus full of schoolchildren, who were on a spring excursion, hit a mine placed near Be'Er Ora. The accompanying doctor and another man were killed and 28 schoolchildren wounded.

The Jordanian Government has not acted to stem the terror acts, which clearly contradict her international obligations to observe the clease-fire, in spite of her repeated public declarations to abstain from such acts. The terrorist bases are well-known to the Jordanian Government, members of these gangs appear openly wearing their uniforms and bearing arms in towns and villages, and even invited representatives of the foreign press in order to demonstrate to them their training and activities, and to boast of their murderous designs.

NEW WAVE OF TERROR PLANNED

According to highly authoritative information, which has been thoroughly examined, a new wave of terror was about to take place which would have led to a highly dangerous aggravation of the Security situation. Since the political contacts and efforts did not bring about the cessation of the murders, we had no other choice but to act in self-defense to avert these dangers.

The Government of Israel has instructed the Israel Defense Forces to act against terrorist concentrations near the border.

This morning, at 0545 our forces began operations in two sectors—in the Karameh Sector, north-east of the Allenby Bridge, the center of terrorist gangs which operated along the Jordan River, and in the Dead Sea Plain, south-east of Sodom.

In the Karameh Sector, our forces wiped out the terrorist nest, destroyed their bases and killed tens of armed terrorists. South of the Dead Sea, our forces occupied the police stations Dachal, Sissi and Mafi, which gave shelter and fire cover to saboteurs. The police stations and other terrorist bases in the area were destroyed. About 20 saboteurs who tried to resist our forces were killed.

ORDER TO AVOID HARM TO CIVILIANS CARRIED OUT TO THE LETTER

Soldiers of the Israel Defense Forces were given strict orders not to harm civilians, women and children. These orders were carried out to the letter. Upon the completion of the mopping up operations, all our forces will return to their bases today as planned.

In the course of the operation about ten of our soldiers were killed and about fifty wounded. All the wounded were evacuated and those requiring medical care transferred to hospitals. Our hearts go to their beloved ones. We wish the wounded a speedy recovery.

JORDAN CANNOT FREELY CARRY OUT AGGRESSIVE ACTS CONTRARY TO CEASE-FIRE OBLIGATIONS

Israel has respected and will continue to abide by the cease-fire agreement. We demand that Jordan will do the same. The cease-fire obliges not only the abstention from any military activities by regular armies, but also the prevention of any acts of aggression and terrorism on the part of any factor present within the territory of those states who have agreed to the cease-fire.

Jordan cannot expect that, on her part, she will be free to carry out aggressive acts against Israel, of her own choice, while Israel will not be entitled to enforce her right of self-defense. As long as Jordan will maintain the cease-fire, the border will remain quiet on both sides. If Jordan violates her obligations, the Government of Israel will fulfill its duty to defend the lives of its citizens, their security and well-being.

Israel Suffers 226 Casualties During the Past 3 Months

1. A school bus on an excursion in the Negev was blown up by a mine near Beer Ora, north of Eilat, on 18th March. A boy and a physician accompanying the party were killed and 28 pupils and teachers were wounded, eight of them seriously.

2. This act of aggression climaxes a series of violations of the cease-fire and a campaign of terror emanating from Jordan in recent weeks, which were brought to the attention of the U.N. in two letters on 18th March, from the Permanent Representative of Israel to the U.N., to the Secretary-General of the U.N. and the President of the Security Council.

3. Since 1 January 1968, a total of 226 persons, including 168 Jews and 58 Arabs have been killed or injured by terrorists inside Israel or in territories under Israel administration. During that period 90 terrorists have been killed in ambushes and clashes and some 1,000 have been captured.

4. The organized acts of murder, terrorism and sabotage against the Israel Defense Forces and the civilian population, perpetrated by armed groups infiltrating across the cease-fire line, constitute warlike acts in flagrant violation of the cease-fire. The Government from whose territory these acts are carried out—in this case the Government of Jordan—must accept full responsibility for them.

5. From all the evidence and information available to the Government of Israel it is clear that the Government of Jordan is taking no effective step to curb these activities. On the contrary the training, organization and despatch of these raids are openly carried out on Jordan territory. Moreover, Jordanian and Iraqi army units and positions in the vicinity of the cease-fire line increasingly assist the raids and provide covering fire for them.

6. The Government of Israel has informed the United Nations that it cannot sufficiently stress the gravity of the situation that is being created, and the heavy strain it is imposing on the structure of the cease-fire. The Government of Israel must maintain its right and duty to take all necessary measures for the security of the territory and population under its jurisdiction.

7. Since 15 February 1968, at least 36 attacks and acts of sabotage were carried out from Jordan territory against Israel.

8. In a letter to the Secretary-General of the United Nations on 18 March, the Permanent Representative of Israel to the U.N. enumerated the following continuous and serious violations of the cease-fire by Jordan which had occurred this month:

(a) On 4 March 1968, an Israeli civilian vehicle was ambushed and attacked by marauders from Jordan north of Kibbutz Hammadiya 3 kilometres west of the Jordan River An Israeli civilian was seriously wounded.

(b) On 5 March Jordanian positions opened fire on an Israeli patrol north of the Umm-Shurt Bridge in the Jordan Valley. Two hours later and again that night mortar and artillery fire was opened by Jordanian positions in the same area.

(c) On 7 March infiltrators from Jordan ambushed and shot at an Israeli army vehicle south of Lake Tiberias. Two Israeli girl soldiers and two soldiers were wounded. Fire was returned and as the marauders retreated, nearby Jordanian positions opened fire.

(d) During the night of 8–9 March bands of infiltrators from Jordan attempted to carry out acts of sabotage in the Beith Shean Valley and attacks on Kibbutz Tirat Zvi. They were repelled by Israeli forces. Jordanian positions opened mortar and machine gun fire to cover the retreat of the marauders. Two Israeli soldiers were wounded.

(e) On 10 March, four soldiers were killed when an Israeli military jeep was blown up by a mine laid on a track near Eilat.

(f) On 11 March a band of five infiltrators from Jordan clashed with an Israeli patrol north of the Al-Mandasa Bridge in the Jordan Valley. One Israeli soldier was wounded in a two-hour exchange of fire as Jordanian artillery positions gave covering fire to the withdrawing gang.

(g) On 12 March, Jordanian positions opened fire across the Jordan River on Israeli forces at widely-separated points along the Jordan Valley.

(h) On 14 March, an Israeli civilian was killed in the Beith Shean Valley when his vehicle hit an anti-vehicle mine. Tracks of three persons led across the Jordan River.

(i) On 15 March an Israeli soldier was wounded when a military vehicle was blown up by a mine north of the Al-Mandasa Bridge. Another mine found nearby was cleared.

(j) On 15 March a tourist vehicle ran over a mine laid on the road near Beer Ora north of Eilat (the scene of the school bus incident on 18 March). Three persons were wounded, two of them seriously.

(k) On 15 March an Israeli soldier was wounded when his patrol encountered a group of saboteurs which had crossed the Jordan River north of the Damya Bridge.

(l) On 17 March, two Israeli soldiers were fatally wounded by fire from Jordanian positions covering the retreat across the river of a group of marauders, following a clash with an Israeli patrol in the Beith Shean Valley.

A New Dimension for Business

HON. EDWARD HUTCHINSON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. HUTCHINSON. Mr. Speaker, when problems arise in society, when social ills appear, people are prone to seek solutions through Government programs. It is becoming more evident every day that Government programs, certainly Government programs alone, are not the answer. It is therefore encouraging to note an increasing concern for these things in the nongovernmental sector of society.

Some of America's business leaders foresee a new responsibility for business in society, grappling with social ills. Among that group of business leaders is Elisha Gray II, chairman of the board of Whirlpool Corp., headquartered in Benton Harbor, Mich. On March 27, 1968, Mr. Gray addressed the Rotary Club in Seattle, Wash., on "A New Dimension for Business." His thesis is that business has got to get involved in the social problems of today; that business has the capability to get things done; business enjoys a degree of flexibility and independence that permits it to change policy and practices rapidly to adjust to new circumstances; business has most of the jobs available and the ability to create new jobs and train people to fill them; business has the manpower and management skills to develop workable programs, and the money and facilities to implement them.

At this point, Mr. Speaker, I insert the text of Mr. Gray's address, believing Members will find his views on a new dimension for business most interesting:

I am here to discuss with you what I consider to be the most serious and threatening problem to face our country since the Civil War . . . the problem of our racial minorities. In the course of my comments, I will of necessity, dwell briefly on facts already familiar to you, and on events and circumstances about which you have done perhaps more than any other large city in America. But I shall get on as quickly as possible to the core of my message, which is simply this:

As much as has already been done . . . as much as American business as a whole has accomplished, we have only scratched the surface of what must be done . . . and quickly . . . if we are to stave off national calamity. This is a national problem . . . and my remarks will deal with it as such.

Parts of what I have to say will be more applicable to Seattle than others . . . and I ask you to evaluate my comments accordingly. However, the challenge implicit in the message is in no way diminished.

One doesn't have to go back very far in history . . . only 40 years or so . . . to recall an era when the business world, for all practical purposes, had but one dimension As recently as that, one could honestly say of business that it was solely and completely occupied *with business*; its full energies were devoted to the pursuit of better production, greater profits and expansion . . . the physical and financial aspects of commerce. Little or no heed was paid to human needs . . . either in terms of working or living conditions.

The spirit of "laissez-faire" reigned supreme! From its beginnings in America, right up to the year of the Great Depression, the "business of business *was* business" . . . an amazingly simple and uncluttered situation in light of what we have today.

Labor had not yet developed its muscle, and the philosophy of government showed only a few relatively minor signs of becoming what it is today.

Then, in 1929 came the depression . . . and with it, the dynamic surge in union growth and government expansion that marked the beginning of the multidimensional world of business that exists today.

The labor movement, with notable assistance from the Federal Government, has during the past 40 years achieved a degree of power and influence in business and national affairs undreamed of, I suspect, by its ardent champions at the turn of the century.

(I'd be willing to wager there are a number of you here who can still remember with an empty feeling the first time one of your employees came into your office with a perfect stranger at his side and announced that they were there to bargain for all of the employees on wages and working conditions.)

And the list of government controls wtih which we have to contend nowadays would take a week to read: Securities Exchange Act, the Clayton Act, Robinson-Patman, Social Security, National Labor Relations Act . . . Unemployment Compensation . . . and on and on.

To these mandatory government complexities, most of us have added pensions, supplementary unemployment benefits, arbitration of grievances and the like.

In that same period of time, Federal Income Taxes have grown from a minor corporate expense to about half of annual profits for most companies.

In spite of all this, business today functions effectively, efficiently and profitably . . . all within the borders of its now three-dimensional world . . . business-government-labor . . . a world beset with all sorts of complexities requiring an army of specialists just to keep abreast of and in tune with all its requirements. Quite an impressive testimonial to the basic soundness of our "capitalistic" system.

And now, to this already complex and confusing world of business, I believe we must add still another dimension . . . the responsibilities of business in society. This is what I mean when I speak of "A New Dimension for Business."

Business has got to become involved in the social problems of our day . . and must do it right now.

Consider if you will . . . we live in a nation where 85 percent of our people truly lead the "good life" . . . with plenty to eat, a decent home, and reasonably good prospects of achieving the goals they set for themselves.

We must now direct our attention to the other 15 percent . . . a minority within our land of plenty that can no longer be ignored, living under conditions which can no longer be tolerated. A minority that has become aware of what it's missing and is willing to risk anything to get its rightful share. They've proved this by nearly burning down several of our greatest cities in the past three summers . . . and I don't need to tell you that summer will come again.

What has happened is that the migration from the rural areas where mechanization of agriculture has obsoleted millions of farm jobs has brought 75 percent of the colored and the poor whites of this country into the cities. It happened almost while we weren't looking. And now we wake up to the fact that this many people simply will not continue to exist in confined areas without a fair opportunity to earn a share of the good life that this country has in such abundance.

No need to paint a verbal picture of the shameful slums in our cities into which nearly 15 million of our 21½ million Negro citizens are crowded . . . one need only pick up a current issue of LIFE or NEWSWEEK, or the daily newspaper to see all he wants to see . . . and more.

And I'm not here to argue the moral issues involved . . . or to quote statistics on crime rates, below-poverty level incomes and the like. That these exist is an all too well-established, well-documented fact. As has all too often been the case in the past, we have stood idly by, watching the problem grow, hoping against hope that it would go away, knowing all the while that it would not . . . that one day we would have to face up to it.

The facts speak for themselves . . . to date the traditional agencies within our society specifically established to fight our social ills . . . whether of federal, state or local origin, whether secular or religious in nature . . . have been unable to effectively halt the spread of this disease, much less cure it. And please don't interpret this as criticism of the many fine efforts that have and are being made; it is simply acknowledgment of the monumental size of the task before us . . . *so large that only a national effort involving every one of us has any chance of completing it.*

We all know there is no single answer. There are no printed guidebooks to racial tranquility, no magic formula. But there is a force within our society that has the power . . . the influence . . . and the resources needed to turn the tide in our fight against minority problems. To date, however, its massive power has not been brought to bear on the problems of the underprivileged . . . and yet no single element within our nation has more to gain by solving them, or more to lose by letting them go unsolved. It is the most powerful single force in our nation, the very foundation of our economy . . . it is business.

It is my firm conviction that the business community must enter the social arena prepared to do battle with every resource at its disposal . . . and that it should waste no more time doing so.

Certainly there are moral reasons aplenty for advocating the involvement of business in the social problems of our day. But that gets us into the area of conflicting attitudes and personal prejudices . . . and I want to steer clear of that. I am not a moralist or a "do-gooder."

Instead, for the moment, let's look at it purely from the practical, realistic point of view. Finding solutions to the social ills that beset our cities and our millions of disadvantaged citizens is vital to our very existence . . . to our survival as independent businessmen.

It's not difficult to justify such a statement; look at it in terms of your community . . . you have your money and your time invested here. You depend on your community for qualified, trained personnel . . . and as you grow, it becomes more and more necessary to induce talented people from other parts of the country to move to your community to satisfy requirements for specific skills. And nowadays, it takes a lot more than money to get good people to pull up their roots and move. It's just plain impractical and dangerous to sit back and watch your community deteriorate and become unfit to work and live in.

Now let me explain why I believe that business has got to lead the way in the fight against the social blight that exists to one degree or another in every part of our country . . . and is most noticeable and virulent in our cities.

Consider the fact that business has most of the jobs available under its jurisdiction . . . and the ability to create new jobs and to train people to fill them.

Business enjoys a degree of flexibility and independence that permits it to change policy and practices rapidly to adjust to new circumstances as they arise. It has command if you please.

Business has the manpower and the management skills to develop workable programs for solving the various problems that exist . . . and the money and facilities to implement corrective programs if it decides to.

Business is in a position to function at the local level where, in the final analysis, the job has got to be done. Everything needed to get the job started is instantly available . . . with a minimum of red tape and delay.

Business can muster more sheer power for action than all the rest of the elements in the community combined. Call it power . . . call it influence . . . call it clout . . . call it anything you want! It's the ability to get things done . . . and that's what's needed.

Most of us businessmen, and you can include me until recently, haven't wanted to throw our weight around. We haven't felt it the province of business to become involved in social problems. But this attitude must change . . . for I now believe that business . . . and only business . . . has the strength, the incentive and the resources to lead our nation to a final solution of the problems that plague our society.

Working on the premise that no single cause created the social conditions we are faced with, and that therefore, no single change is going to correct them, what are the primary trouble spots where corrective action must be taken?

There are several fronts that must be attacked simultaneously. I list five of them in no particular order of importance, for they all bear directly on the problem.

The first two are inseparable. They are education and jobs. If a young man can't get a job after finishing high school, why bother to finish? On the other hand, if he doesn't finish high school, he can't qualify for a job. We've got to approach this dilemma in its entirety, and realize, as we work for its solution, that it may take a generation to achieve real progress.

It isn't just a matter of equal educational opportunities for we know that all children are not equal when they enter school . . . no matter what their color. Some are prepared, some are not. We've got to find a way to be sure that *all* youngsters going into their first year of school at age five or six are prepared for the learning experience . . . and we know that most kids from slum area homes are not.

But we put them into school anyway, and they're behind the day they start. In my opinion, we've got to expose these preschoolers to the learning opportunities they seldom get at home before they enter formal schooling, so they won't have to play catch-up for their entire school life.

That's what creates a dropout. The youngster really quit the race in grammar school but was promoted on seniority alone until he is old enough to quit.

Now after all the debating is over, a fellow has got to have a job. He needs the income, the status, the dignity, the stability a job gives him. "There is nothing like a job" to get a man on his feet. He needs a hand—not a handout.

Of course, all the education in the world is of no use if there are not jobs available . . . or if the only jobs available to you are of the menial sort. Why bother to get education if you're bound to be limited to being a janitor or a common laborer in spite of your ability. And all too often, that's what happens to the American Negro. It's up to us to provide them with job opportunities with futures, jobs that offer the chance for advancement.

It's impossible to overstress the need for more jobs for the "hardcore unemployed" of our country. As you know, the extreme urgency of the situation has manifested itself in the form of several programs of a national scope sponsored jointly by the federal government, labor unions and private business. Notable among these are "Plans for

Progress," "The Urban Coalition," and most recently, "The National Business Alliance." The latter is, I think, of special interest to you since its Seattle office is just now being opened.

I've, discussed the first two of my five problem areas . . . jobs and education. A third where business must provide leadership and impetus is that of adequate housing. There are just too many areas with deplorable housing in our wealthy nation. Admittedly, this is a massive and most complex problem . . . but there are some important steps that can be taken right away.

First, we must sponsor sound, practical and fair housing codes backed with ordinances and strong enforcement. Good codes and enforcement are inseparable . . . but you'd be surprised how seldom you'll find them together.

Second, we've got to take the profit out of slums and sub-standard housing for the unscrupulous landlord. We're fighting this problem tooth-and-nail back home right now . . . and the identities of some of our "unscrupulous landlords" have truly jolted me.

We've got to generate some real long-range planning. When you take a home now housing three families and limit it to just one, you've got to have some place for the other two to go.

I hesitate to include this next point in my remarks because of its emotional aspects . . . but it's an issue that must be faced sooner or later: Every citizen must be free to buy a home wherever he wishes, if he can meet the financial requirements and will keep it up, regardless of his race, color or creed . . . and business must stand behind this basic right.

How can we justify anything else? On the one hand, we piously say the solution to this total problem is for the Negro to upgrade himself and earn an equal place in society . . . we are anxious to have the educated Negro . . . the professional man, the educator if you please, come to our city. And when he comes, can he have a home in similar circumstances to his peers (than whom he may well be more talented and better educated)? No. He moves in with his wife's mother.

Fourth, we've got to overhaul our backfiring welfare system; remove the incentives for malingering, eliminate waste, provide some sort of standardization . . . and most important of all, we must learn to dispense necessary welfare in a manner that allows the recipient to maintain his pride and dignity, and encourages him to return to society as a useful member.

(Our present system has a way of completely destroying individual initiative, making a person useless to himself and to society. This has got to be changed!)

Fifth, law enforcement, as it relates to racial problems, leaves a lot to be desired in most cities. We *must* have even handed enforcement of the law. It must be strong and quick-acting. Police officers must be trained and equipped to handle riots and potential riot situations, and they must understand the psychology that motivates these outbreaks of violence. Above all else, law enforcement *must be fair*.

In many cases, we have reacted slowly . . . timidly; then when things have gotten completely out of control, we pull out all the stops and, in a word, "over-react." This is the result of poor planning, poor training and poor leadership.

I've tried to give you an idea of what I think has to be done . . . and why I am so convinced that business can, indeed must lead the way.

Now, let me try to answer a question that nearly always comes up when I speak on this subject. Generally, it goes something like this: How do *you* justify to your stockholders the expenditures made on programs such as you've described?

First, let me make it clear that I consider these expenditures to be investments . . . investments in the future of our company. Every successful manufacturer sets aside a certain portion of his income for research and development . . . it's a necessary cost of doing business . . . an investment in the future. For without a continuing program of research and development, the manufacturer soon finds his products outdated and unwanted . . . and he's out of business.

The same reason applies to the investment of a portion of your income and management energy, in updating the social fabric of our cities. This, too, is an investment in the future.

Now how large are these expenditures likely to be? It's important to put the actual amount of money required into proper perspective. At Whirlpool, we've found that it's possible to do quite a lot with a very small amount of money. Far less, of course, than we spend on our retirement program . . . or our medical or life insurance programs . . . or capital investments . . . all of which (and these are but a few) are readily accepted as "costs of doing business" and many of which were considered to be "too costly," "impractical" and "unnecessary" not too many years ago.

Consider this mathematical exercise. In 1966, the 700 largest industrials, merchandising firms, utilities, transportation companies and commercial banks in the U.S. had before tax incomes of about 60 billion dollars, 3 billion of which could, theoretically, have been put to work solving the very problems we're discussing here, at a net cost to those companies of 1.5 billion and that's only 700 corporations. Total industrial profits are much more of course. So instead of earning 60 they earn 58.5 billion. Just think of the job that could be done with that kind of money at the local level . . . controlled by professional managers . . . free of the dilution of government. It really staggers the imagination.

Mind you I'm not suggesting we take over the government function of raising funds, through general taxation, for necessary social needs. I'm talking about seed money applied expertly right at the center of any particular problem, be it special job training, pilot programs of neighborhood rehabilitation, or many others that may have a special leverage effect for each local circumstance.

It is my contention that active involvement by business in the social problems of our day requires not one whit of altruism. We can forget that aspect of it if you would feel more comfortable, and put it on a straight, hardheaded business approach. Our very future depends how quickly and effectively we deal with the human and physical deterioration going on within our society.

I would further suggest that we really don't have any choice in the matter . . . for history has shown that when we don't step up to our obligations voluntarily, we have them forced upon us in no uncertain terms . . . by government . . . labor . . . even nature.

Opportunity often comes cloaked in strange garb . . . and I see in this situation a truly historic opportunity for business. By acting now, while there is still time, and by doing so voluntarily and agressively, we can—

Deal effectively with the problem in an efficient, businesslike manner.

Place ourselves in the somewhat unfamiliar but pleasant position of working *with* our government . . . rather than for it.

Put a new shine, a new luster, on the somewhat tarnished public image of American business (the likes of which has never been seen before).

Now at the outset of these remarks I said that I was speaking of a national problem, and had no thought of implying that these broad social matters constitute a problem here in Seattle. But Edmund Burke once said, "All that is required for the triumph of tyranny is for good men to do nothing."

Every news media is bringing into your homes everyday the agonizing problems that beset cities less fortunate than you, all across the nation. I only suggest that you be thoughtful and with the same foresight that produced Forward Thrust plan for the future social stability of this great city on a realistic basis.

I thank you for listening to me today, and I will close by asking a small favor: Give these ideas a chance to season, and then ask yourself these questions: If not us . . . Who? If not now . . . When?

Teachers in Politics

HON. GALE W. McGEE

OF WYOMING

IN THE SENATE OF THE UNITED STATES

Thursday, April 4, 1968

Mr. McGEE. Mr. President, I ask to have included in the RECORD's Extensions of Remarks my comments to the Indiana Education Association about the National Education Association's "Teachers in Politics"—TIP—program. The National Education Association is to be complimented on its continuing efforts to involve American teachers in American politics. The thrust of my remarks to the Indiana Education Association on April 6 seeks to underscore the NEA's very proper effort.

There being no objection, the comments were ordered to be printed in the RECORD, as follows:

COMMENTS OF SENATOR GALE MCGEE ON THE NATIONAL EDUCATION ASSOCIATION'S TEACHERS IN POLITICS (TIP)

It is a source of pride for me to comment on the National Education's "Teachers in Politics" weekend on April 5 through April 7. But more importantly there is no more important profession that should be in politics than teachers. I quite recognize that you may have heard such statements about yourselves to the point where it is old stuff to you. Nevertheless, it is a truism, and I say it to you not because it is a truism, but because later on in my comments I am going to charge you with the awesome responsibility of enlarging and executing that importance.

Of course, I cannot forbear assigning such high status to your activities because I was once a member of your profession. Indeed, the longer I am a Senator, the more I become convinced that Senators, whether we wish to or not, function as much as teachers as we do legislators. The point is that politics, legislation, government is in the last analysis a way of translating what we know into action. It is precisely such translation which lies at the very heart of education's *real* function.

Much of what I have to say may at first glance be a statement of what you already know. Perhaps, however, the remedy to some of the problems to which I shall point may have a certain freshness.

Furthermore, what you already know bears repeating. You already know the incredible ferment that is occurring in our 1968 world. You already know that our domestic scene in the United States is also in ferment. Many among you spent the past summer going to school. You know the ferment in the behavioral sciences, physical sciences, the humanities, and the colleges of education. Since the day after Labor Day, you are all too aware of the ferment in your classes, if ferment is the word in this case. You know, too, of the increasing determination of American teachers to better the American scene by enhancing economic, social, political, and educational opportunities. You are all too aware of the shameful status that is your reward for such a magnificent contribution.

The thrust of my effort here is not meant as a dreary recitation of the compelling condition in which we find ourselves, but instead as an attempt to point out what teachers must do to realize the magnificent challenge which now confronts us.

Let me just briefly refresh your memory about all this ferment. The headlines remind us, painfully at times, of the growing aspirations of people all over the world. The difficulties in Africa, South America, and Asia confront us day after day. Our reaction is more than a nodding recognition. Our reaction is and should be that we are determined to do something through the political process.

Domestically, our problems are of such a grave mien that we are now going to have to think seriously in terms of a major restructuring of our society. Those problems are:

(1) The urban crisis.
(2) The civil rights crisis.
(3) The crisis in education.
(4) The profound impact of technology.
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The list can go on and on.

At the university teachers know better than I the changes that have occurred among the disciplines since the advent of Sputnik. The changes in insight and strategy among the physical sciences are almost too numerous to mention.

The changes in the social sciences, while perhaps not as dramatic as the physical sciences, are just as far-reaching. The increased necessity, not to mention status, of anthropology, sociology, economics, psychology, political science, and even the study of history has undergone fantastic change. In the humanities, suffice it to say that even aesthetic criticism rages in the grip of controversy.

The colleges of education, as teachers well know, have not been immune to the ferment about which I have been talking. The myriad schemes, devices, strategies, and curriculum changes which have been presented to you to handle the information explosion are almost endless, and indeed confusing. The new programs in the teaching of math, physics, chemistry, and biology need no elaboration from me.

Project Social Studies at the University of Minnesota, the Anthro Curriculum Study Project, the Sociological Resources for Secondary Schools Project at Chicago, Service Center for Teachers of the American Historical Association, core curriculum, modular scheduling, team teaching, are among the many devices designed to translate what has been happening in our universities to the public schools.

All this is not to mention the increased emphasis in the colleges of education on guidance and the role of modern technology, i.e. the cathode ray tube, computer application, systems analysis, microfilm, audio-visual, etc. as learning aids.

Along with what now appears to be an almost unbearable ferment in our world, in our nation, and in our universities, is the long list of problems which teachers confront every day in their classrooms.

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This crude and bare-bones assessment of the environment which teachers confront every day is not meant to persuade you of the impossibility of our urgent task. Instead I hope to persuade you that the job is not so much impossible as it is imperative and one of the most exciting challenges that competent and turned-on people can undertake.

For it is only by knowing the dimensions of the task that we can begin the process of coming to grips. The process of coming to grips with public problems has been open to us for nearly 200 years. That process is the political process. Albeit, the techniques for problem-solving open to the man in the street through the Constitution and our American heritage have not always been open to public school teachers. There has been, and still is to an unhappy extent, the point of view that school teachers must concern themselves with the three R's and avoid the recourse of democratic procedures to which other citizens are entitled.

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Aside from the momentous task of training yourselves toward increasing awareness, understanding and resolution of the ferment mentioned previously; aside from having to string together and make sense out of the disparate elements of that awareness; aside from the difficult task of testing the substance and strategy of the many curriculum changes; aside from having to grapple with the persistent anti-learning attitudes of your students; aside from having to defend your insights and surmount the opposition to your efforts by the critics, particularly the right wing; aside from all of these staggering efforts—somehow you must translate them into an effective program of action.

Such a program involves the transition from a political spectator to a political activist. It goes without saying that your right to participate fully in political activity is a well-established one. However, the emphasis is not now so much about rights as it is about the more difficult proposition of responsibility. By responsible, I mean the full and accepted awareness of the necessity for determined effort to make your goals work.

This means more than the passing of resolutions at teachers' conventions or the seemingly radical posture of writing a letter to the editor and signing your name to it. It means that those among you who are disposed to do so must run for public office not as a protest, but as a tough-minded effort to solve problems. It means that you must do the organizing necessary among yourselves, in your neighborhoods and communities to give authority to your exemplary position. It is not enough any more to complain or to seek inspiration at a meeting of teachers. It means that teachers must substitute door-knocking and head-knocking for the luxury of waiting for the Board of Education to do something.

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Freedom of Information Cleanup Hitters With Good Followthrough

HON. JOHN N. ERLENBORN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. ERLENBORN. Mr. Speaker, my colleague, Representative DONALD RUMSFELD, was a leader in the effort to get a Freedom of Information Act passed by Congress. Since its passage, he has been diligent in his efforts to make sure that the law is fair, and that it is useful to the people of the United States.

His current estimate of the use of freedom of information is contained in an article which appeared in the ASNE Bulletin for February. It is the official publication of the American Society of Newspaper Editors.

The article follows:

FREEDOM OF INFORMATION CLEANUP HITTERS WITH GOOD FOLLOWTHROUGH

(By DONALD RUMSFELD)

When the new Federal Public Records Law (5 U.S.C. 552) became effective on July 4, 1967, some Freedom of Information advocates hailed it as the long-sought panacea for bureaucratic secrecy. Others condemned it as nothing more than "an open invitation to withhold legitimate information from the American people."

It is my view that experience with the new law will demonstrate that while it is certainly not an immediate cure-all, it is nevertheless far from a wholly meaningless instrument. The answer will prove to be somewhere in between the extremes.

The "Freedom of Information Act" was the result of a 12-year effort on the part of the press, the Bar and the Congress to begin to deal with decades of unwarranted secrecy in the Executive Branch of the Federal Government. Certainly, no single piece of legislation can be expected to erase instantly years and years of administrative habit. Those who framed the law did not envision it as an overnight answer for a problem as complicated and as diverse as that of a secretive bureaucracy.

Events since the law's inception have shown that, far from being useless, it has already had a salutary effect on the Executive Branch. Most federal officials have recognized and accepted the inevitability of conforming to the law, and nearly all federal agencies and departments have rewritten their information regulations in keeping with the law's goal of disclosure.

It is important to understand then that the FoI law was drawn up by two Congressional committees after some 200 hearings and investigations and after publication of 17 volumes of hearing transcripts and 14 volumes of reports.

It is the product of the collective judgments of many experts—editorial, legal, academic and political. It is a product of the deliberative process of our system of government, which, while not perfect, is the most nearly perfect system of government yet devised by man.

Thus, while the law is not perfect, it represents a most important step in the direction of the public's right to know about its government, and it is a foundation upon which further progress can be based.

The FoI law amends Section 3 of the Administrative Procedures Act of 1946. Section 3 had been used for years by the Executive Branch as authority for withholding various types of information including that which might prove to be embarrassing or harmful politically. This section included such "useful" phrases as "requiring secrecy *in the public interest,*" "except those required *for good cause* to be held confidential" and "persons *properly and directly* concerned." The new law closed these loopholes.

Another significant accomplishment of the new law is its provision for a judicial remedy if a Government agency or employe refuses access to records not excepted by statute. Under this provision, upon complaint, the United States District Court is empowered to enjoin the agency from withholding the records and order it to produce "any records improperly withheld from the complainant." The burden for proving that records can legally be kept secret is on the agency.

Theodore Sky, a Washington lawyer who heads a special public information subcommittee of the American Bar Association, commented recently: "The new mood this law creates may well be the most important result." Philip Elman, a member of the Federal Trade Commission, has said the most significant thing about the law is that it legislates a basic change in Government policy and establishes a new policy reflecting dissatisfaction with the status quo. One thing, Elman noted, is clear: When in doubt, Government officials should disclose.

Whether or not the law will work as its advocates hope will depend not merely upon court enforcement and intelligent administration by the Executive Branch of the Federal Government, but, even more important, on the degree of followthrough that the nation's news media is willing to provide. To date, the press role in assuring proper implementation of the law has been spotty.

While newspaper editors, publishers and broadcasters whose testimony helped Congress pass the law might not be expected to rush to court to enforce the people's right to know, they can be expected to push the Government agencies as hard as possible. Yet, thus far, very few of the appeals against administrative secrecy have been filed by the press.

The files of the House Subcommittee on Foreign Operations and Government Information (Moss Subcommittee) show that only 26 per cent of the government information problems handled by the Subcommittee in the six-month period since the law has been in effect were brought to its attention by newspapers, magazines or broadcasters. Lawyers, businessmen and other citizens with a special interest in particular government records accounted for 64 per cent of the Subcommittee's information work. Members of Congress accounted for the other 10 per cent.

The same pattern is apparent in appeals filed directly with Federal agencies.

A spot check of major agencies by the Washington office of the University of Missouri Freedom of Information Center indicates that fewer than 25 per cent of the appeals against initial refusals of public records were filed by the press. And the FoI Center reports that the major enforcement provision of the new law is used even less by the press. Of a dozen court cases filed in the last six months, not a single one was based on press attempts to enforce the people's right to know.

Do these figures indict the press for failure to carry out a responsibility as champion of the democratic right of access to government information, or do they merely prove what some editors and Washington correspondents have been arguing for many years—that the competent reporter backed up by a responsible newspaper can dig out the facts of government without help from congressional committees, new laws or the FoI unit of a journalism society?

The failure of the press to use fully the new FoI law and the appeal procedures resulting from it focuses on a "yes" answer to both questions. The press needs little help in ferreting out facts which secrecy-minded bureaucrats want to hide. If a government document is not put on the public record, the substance of the document can almost always be uncovered by the inquiring reporter.

But, and much more important, it should be remembered that the FoI law is not a law to provide easier access by the press to government information. The law is based on the public's, not the press', right to know. The press serves as a channel for transmission of government information. If the press is to be fully effective in its transmission, it must do more than use the routine techniques for digging out the truth about government plans and policies.

Under the pressure of deadlines, overworked reporters attempt to dig out the news of the moment. It seems that too few are permitted the time to dig deeper for the government records which may make a good story better or which may make a future story. This situation partly explains the failure of the general press to use the FoI law as a weapon to guard the public's right to know. But it does not justify that failure.

As a case in point, a number of reporters in Washington, D.C., had been aware for some time that the Agency for International Development (AID) was refusing to make available upon request details of millions of dollars of contracts it had entered into around the world. This matter came to my attention in late October, 1967, and, seeing no press challenges to the withholding, I presented the facts of the case in a speech on November 3 before the Chicago Chapter of the Federal Bar Association. Press coverage of the speech was slight.

Then, in late December, after we pursued this matter with AID, the agency agreed to adopt a policy of disclosure.

However, to my knowledge, the story of AID's reversal of its position in favor of disclosure was carried only by the Chicago Daily News Wire Service and one or two other newspapers.

The point is that the press did not in this instance recognize the opportunity to urge this major governmental agency to stop withholding information involving the expenditure of millions of taxpayers' dollars. Further, the press did not treat either the story that the withholding was taking place or the story that AID had properly reversed its previous policy of withholding.

This is but one isolated example. Unfortunately, there are others occurring every day both in and out of Washington, D.C.

How many editors and publishers are sufficiently familiar with the details of the FoI law?

How many editors have embarked on a program of informing their reporters on the uses of the law as a tool in gaining access to information?

How many reporters have had the time to study and consider the uses of the law?

How many newspapers and radio and television stations have developed plans to challenge the unwarranted withholding of information by Government agencies?

The answers to these questions would seem to provide evidence that the press has not yet begun fulfilling its responsibility to guarantee that the law is made to work.

When the FoI crusade began in the early 1950's, there were a dozen or so editors and publishers who devoted a great deal of time and energy to attempts to reduce secrecy in government. They were joined by Harold L. Cross and Jacob Scher, both eminent lawyers and both devout believers in the FoI cause.

Today most of these early FoI crusaders are no longer active in the profession. There have been too few to take their places. The need is there.

The stake of the press in the FoI movement is greater than ever before. If the FoI law is not made to work effectively, it will wither and die and further legislative remedies may expire with it.

In short, the press has a job facing it. It is the job of making a success of one of the most important laws to be passed by the Congress in the past 20 years.

As Thomas Paine said: "Those who expect to reap the blessings of freedom must, like men, undergo the fatigue of supporting it."

Business and the Community

HON. J. CALEB BOGGS

OF DELAWARE

IN THE SENATE OF THE UNITED STATES

Thursday, April 4, 1968

Mr. BOGGS. Mr. President, the president of the Du Pont Co., Charles B. McCoy, today told a Delaware Conference on Business and Industry that businessmen must greatly increase their efforts—by deeds as well as words—to help solve urban and community problems.

He told an audience of Government representatives, business and civic leaders that:

> In the Wilmington area, as in larger and smaller cities throughout the United States, there's evidence on all sides of an urban and social crisis.

Mr. McCoy asked:

> Is business a part of the urban problem or part of the solution? There can be only one answer: We must be part of the solution, not by words alone, but by deeds . . . We have been trying to help and I believe we must greatly increase our efforts.
>
> Businessmen can no more turn their backs on urban and community problems, in areas where they have the ability to make a contribution, than they can ignore production or sales problems.

In his speech Mr. McCoy also makes the point that a business corporation's first obligation is to fulfill its role as a producer and seller of goods. Unless it does this successfully, he said, it will have "no jobs to offer, no payroll to put into the community, no ability to pay taxes to support public services, no way of surviving."

The Du Pont Co. has long had a reputation as an innovator in the chemical field. It has a deserved reputation as a fine employer. I think that the comments ers to better the American scene by enhancing economic, social, political, and educational opportunities. You are all too aware of the shameful status that is your reward for such a magnificent contribution.

The thrust of my effort here is not meant as a dreary recitation of the compelling condition in which we find ourselves, but instead as an attempt to point out what teachers must do to realize the magnificent challenge which now confronts us.

Let me just briefly refresh your memory about all this ferment. The headlines remind us, painfully at times, of the growing aspirations of people all over the world. The difficulties in Africa, South America, and Asia confront us day after day. Our reaction is more than a nodding recognition. Our reaction is and should be that we are determined to do something through the political process.

Domestically, our problems are of such a grave mien that we are now going to have to think seriously in terms of a major restructuring of our society. Those problems are:

(1) The urban crisis.

(2) The civil rights crisis.

(3) The crisis in education.

(4) The profound impact of technology.

(5) Pollution.

(6) Water resources.

The list can go on and on.

At the university teachers know better than I the changes that have occurred among the disciplines since the advent of Sputnik. The changes in insight and strategy among the physical sciences are almost too numerous to mention.

The changes in the social sciences, while perhaps not as dramatic as the physical sciences, are just as far-reaching. The increased necessity, not to mention status, of anthropology, sociology, economics, psychology, political science, and even the study of history has undergone fantastic change. In the humanities, suffice it to say that even aesthetic criticism rages in the grip of controversy.

The colleges of education, as teachers well know, have not been immune to the ferment about which I have been talking. The myriad schemes, devices, strategies, and curriculum changes which have been presented to you to handle the information explosion are almost endless, and indeed confusing. The new programs in the teaching of math, physics, chemistry, and biology need no elaboration from me.

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Along with what now appears to be an almost unbearable ferment in our world, in our nation, and in our universities, is the long list of problems which teachers confront every day in their classrooms.

(1) Too many kids.

(2) Too much paperwork.

(3) Discipline.

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(5) Extra-curricular assignments, meetings (hall duty, lunchroom duty, playground duty, PTA meetings, to name only a few).

(6) The amazing persistence of the "school marm" syndrome which results in the low status too often assigned to teachers.

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This crude and bare-bones assessment of the environment which teachers confront every day is not meant to persuade you of the impossibility of our urgent task. Instead I hope to persuade you that the job is not so much impossible as it is imperative and one of the most exciting challenges that competent and turned-on people can undertake.

For it is only by knowing the dimensions of the task that we can begin the process of coming to grips. The process of coming to grips with public problems has been open to us for nearly 200 years. That process is the political process. Albeit, the techniques for problem-solving open to the man in the street through the Constitution and our American heritage have not always been open to public school teachers. There has been, and still is to an unhappy extent, the point of view that school teachers must concern themselves with the three R's and avoid the recourse of democratic procedures to which other citizens are entitled.

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It is the product of the collective judgments of many experts—editorial, legal, academic and political. It is a product of the deliberative process of our system of government, which, while not perfect, is the most nearly perfect system of government yet devised by man.

Thus, while the law is not perfect, it represents a most important step in the direction of the public's right to know about its government, and it is a foundation upon which further progress can be based.

The FoI law amends Section 3 of the Administrative Procedures Act of 1946. Section 3 had been used for years by the Executive Branch as authority for withholding various types of information including that which might prove to be embarrassing or harmful politically. This section included such "useful" phrases as "requiring secrecy *in the public interest*," "except those required *for good cause* to be held confidential" and "persons *properly and directly* concerned." The new law closed these loopholes.

Another significant accomplishment of the new law is its provision for a judicial remedy if a Government agency or employe refuses access to records not excepted by statute. Under this provision, upon complaint, the United States District Court is empowered to enjoin the agency from withholding the records and order it to produce "any records improperly withheld from the complainant." The burden for proving that records can legally be kept secret is on the agency.

Theodore Sky, a Washington lawyer who heads a special public information subcommittee of the American Bar Association, commented recently: "The new mood this law creates may well be the most important result." Philip Elman, a member of the Federal Trade Commission, has said the most significant thing about the law is that it legislates a basic change in Government policy and establishes a new policy reflecting dissatisfaction with the status quo. One thing, Elman noted, is clear: When in doubt, Government officials should disclose.

Whether or not the law will work as its advocates hope will depend not merely upon court enforcement and intelligent administration by the Executive Branch of the Federal Government, but, even more important, on the degree of followthrough that the nation's news media is willing to provide. To date, the press role in assuring proper implementation of the law has been spotty.

While newspaper editors, publishers and broadcasters whose testimony helped Congress pass the law might not be expected to rush to court to enforce the people's right to know, they can be expected to push the Government agencies as hard as possible. Yet, thus far, very few of the appeals against administrative secrecy have been filed by the press.

The files of the House Subcommittee on Foreign Operations and Government Information (Moss Subcommittee) show that only 26 per cent of the government information problems handled by the Subcommittee in the six-month period since the law has been in effect were brought to its attention by newspapers, magazines or broadcasters. Lawyers, businessmen and other citizens with a special interest in particular government records accounted for 64 per cent of the Subcommittee's information work. Members of Congress accounted for the other 10 per cent.

The same pattern is apparent in appeals filed directly with Federal agencies.

A spot check of major agencies by the Washington office of the University of Missouri Freedom of Information Center indicates that fewer than 25 per cent of the appeals against initial refusals of public records were filed by the press. And the FoI Center reports that the major enforcement provision of the new law is used even less by the press. Of a dozen court cases filed in the last six months, not a single one was based on press attempts to enforce the people's right to know.

Do these figures indict the press for failure to carry out a responsibility as champion of the democratic right of access to government information, or do they merely prove what some editors and Washington correspondents have been arguing for many years—that the competent reporter backed up by a responsible newspaper can dig out the facts of government without help from congressional committees, new laws or the FoI unit of a journalism society?

The failure of the press to use fully the new FoI law and the appeal procedures resulting from it focuses on a "yes" answer to both questions. The press needs little help in ferreting out facts which secrecy-minded bureaucrats want to hide. If a government document is not put on the public record, the substance of the document can almost always be uncovered by the inquiring reporter.

But, and much more important, it should be remembered that the FoI law is not a law to provide easier access by the press to government information. The law is based on the public's, not the press', right to know. The press serves as a channel for transmission of government information. If the press is to be fully effective in its transmission, it must do more than use the routine techniques for digging out the truth about government plans and policies.

Under the pressure of deadlines, overworked reporters attempt to dig out the news of the moment. It seems that too few are permitted the time to dig deeper for the government records which may make a good story better or which may make a future story. This situation partly explains the failure of the general press to use the FoI law as a weapon to guard the public's right to know. But it does not justify that failure.

As a case in point, a number of reporters in Washington, D.C., had been aware for some time that the Agency for International Development (AID) was refusing to make available upon request details of millions of dollars of contracts it had entered into around the world. This matter came to my attention in late October, 1967, and, seeing no press challenges to the withholding, I presented the facts of the case in a speech on November 3 before the Chicago Chapter of the Federal Bar Association. Press coverage of the speech was slight.

Then, in late December, after we pursued this matter with AID, the agency agreed to adopt a policy of disclosure.

However, to my knowledge, the story of AID's reversal of its position in favor of disclosure was carried only by the Chicago Daily News Wire Service and one or two other newspapers.

The point is that the press did not in this instance recognize the opportunity to urge this major governmental agency to stop withholding information involving the expenditure of millions of taxpayers' dollars. Further, the press did not treat either the story that the withholding was taking place or the story that AID had properly reversed its previous policy of withholding.

This is but one isolated example. Unfortunately, there are others occurring every day both in and out of Washington, D.C.

How many editors and publishers are sufficiently familiar with the details of the FoI law?

How many editors have embarked on a program of informing their reporters on the uses of the law as a tool in gaining access to information?

How many reporters have had the time to study and consider the uses of the law?

How many newspapers and radio and television stations have developed plans to challenge the unwarranted withholding of information by Government agencies?

The answers to these questions would seem to provide evidence that the press has not yet begun fulfilling its responsibility to guarantee that the law is made to work.

When the FoI crusade began in the early 1950's, there were a dozen or so editors and publishers who devoted a great deal of time and energy to attempts to reduce secrecy in government. They were joined by Harold L. Cross and Jacob Scher, both eminent lawyers and both devout believers in the FoI cause.

Today most of these early FoI crusaders are no longer active in the profession. There have been too few to take their places. The need is there.

The stake of the press in the FoI movement is greater than ever before. If the FoI law is not made to work effectively, it will wither and die and further legislative remedies may expire with it.

In short, the press has a job facing it. It is the job of making a success of one of the most important laws to be passed by the Congress in the past 20 years.

As Thomas Paine said: "Those who expect to reap the blessings of freedom must, like men, undergo the fatigue of supporting it."

Business and the Community

HON. J. CALEB BOGGS

OF DELAWARE

IN THE SENATE OF THE UNITED STATES

Thursday, April 4, 1968

Mr. BOGGS. Mr. President, the president of the Du Pont Co., Charles B. McCoy, today told a Delaware Conference on Business and Industry that businessmen must greatly increase their efforts—by deeds as well as words—to help solve urban and community problems.

He told an audience of Government representatives, business and civic leaders that:

> In the Wilmington area, as in larger and smaller cities throughout the United States, there's evidence on all sides of an urban and social crisis.

Mr. McCoy asked:

> Is business a part of the urban problem or part of the solution? There can be only one answer: We must be part of the solution, not by words alone, but by deeds . . . We have been trying to help and I believe we must greatly increase our efforts.
>
> Businessmen can no more turn their backs on urban and community problems, in areas where they have the ability to make a contribution, than they can ignore production or sales problems.

In his speech Mr. McCoy also makes the point that a business corporation's first obligation is to fulfill its role as a producer and seller of goods. Unless it does this successfully, he said, it will have "no jobs to offer, no payroll to put into the community, no ability to pay taxes to support public services, no way of surviving."

The Du Pont Co. has long had a reputation as an innovator in the chemical field. It has a deserved reputation as a fine employer. I think that the comments by Mr. McCoy make a valuable contribution to the dialog now going on throughout the country on the problems of our urban areas. I hope that the following text of his address, "Business and the Community," receives the wide attention it warrants, and ask unanimous consent that it be included in the Extensions of Remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

BUSINESS AND THE COMMUNITY

(An address by Charles B. McCoy, president, E. I. du Pont de Nemours & Co., Inc., before the Governor's Conference on Business and Industry, Wilmington, Del., April 4, 1968)

I am glad you asked me to join in this conference on business and industry, and would like to thank Governor Charles L. Terry for the invitation to address your luncheon. As representatives of government, business, the legal profession, and the press, we have many interests and responsibilities in common. Each of us surely has a stake in the future of Delaware; and the more carefully we anticipate our problems and opportunities, through meetings such as this one, the more promising that future is likely to be.

Unless national and international factors upset the forecasts, we have every reason to be optimistic about Delaware's economic outlook. With our higher than average educational level, favorable geographic location, high per capita income, and diversity of small and large business organizations, we have a lot going for us. As but one example, Governor Terry recently reported that personal income in Delaware, for the first three months of 1968, was expected to reach a $2 billion annual rate. Put on a per capita basis, this places Delaware well above the national average, and it reflects a healthy pattern of growth. Figures like this speak well for the future, both for Delaware and for the surrounding counties of neighboring states.

But all of this is familiar to you, and instead of concentrating on this I would like to talk a few minutes about a related subject, one that could be—and I believe will be—of vital importance to us and our future. That subject is the role of business in the community, and the stake that business has in the solution of community problems. I want to present a few points for your consideration, in the hope that this will lead to more community action, and provide a better understanding of how we in Du Pont view the corporate position.

Community problems are severe and urgent. In the Wilmington area, as in larger and smaller cities throughout the United States, there is evidence on all sides of an urban and social crisis. Too many of our communities have suffered too long from decay and neglect. Here as almost everywhere else, local government is overwhelmed by rising costs and a long list of problems ranging from crime to traffic congestion. Schools and colleges are pleading for help and need it. Pollution control and abatement remain high on the community priority list. Ghettos still exist. All Americans do not as yet have an equal opportunity to gain an education, to find jobs, and to live in simple human dignity.

We are not merely facing a period of social change; we are in the midst of that change right now. Its effects will be felt as much by business and industry as by any other type of organization in society. They will be felt as much by Delaware as by any other state in the nation.

There is a new sense of immediacy about urban problems. More than ever before, the subject is drawing attention and action from leaders in government, in education, in private foundations and civic groups, in labor organizations, and in churches. None of these groups can do the job alone—each of them has a role to play.

Let me promptly add business to this list. We too are involved. Along with other organizations, we are being asked for a straight answer to blunt questions:

What are we doing about community problems?

What are we prepared to do?

Just where does business fit in?

The question can be put another way. I am sure many of you have seen those little signs that people put on their desks. One of them says:

"Are you helping with the solution . . . or are you part of the problem?

That's what society is asking us right now: Is business part of the urban problem, or part of the solution?

ONLY ONE ANSWER

There can be only one answer: We must be part of the solution, not by words alone, but by deeds. We helped build the cities of America, Wilmington included. Most of the people who live and work in or near these cities are employed in commerce and manufacturing. The companies that employ them have a great deal to gain by the improvement of urban life, and a great deal to lose if community problems go unsolved. Our economic structure is a reflection of the nation's social and political convictions, not vice versa. Society cannot do without business, but neither can business survive and prosper unless its people are sensitive to the needs of society. We have been trying to help, and I believe we must greatly increase our efforts.

How do we do it? Where do we go next? To get at those questions, let me back up and put my views in context. Any measure of a business organization's role in society should first lay its yardstick along an economic base line. A business is basically a producer and seller of goods or services. Unless we do that well, and with a profit, there can be no further contribution to the community of any kind. We have a unique and important role to play, not only in creating jobs but in creating and developing new products and materials of widespread use to society. No other type of institution can do this as well, and the business organization can do it only if it remains profitable.

Unless a business remains strong in its basic economic role, it has no jobs to offer, no payroll to put into the community, no ability to pay taxes to support public services, and no way of surviving. This is true for Du Pont in Wilmington. It is true at all the other locations (in 36 other states) where we have plants, laboratories, or offices. It is true for all our customers and competitors and suppliers.

This fundamental is usually taken for granted, but it is worth restating, and a few figures relating to Du Pont in northern Delaware will help document it. Our employment in New Castle County is about 20,000. If you add the Du Pont plant at Seaford and the nearby plants in New Jersey, the total number of Du Pont jobs in this region reaches 34,000, or about one-third of all our employment in the United States.

The wages and salaries we paid in this area last year totaled about $340 million, and our plants bought materials and services from hundreds of other business organizations located here, in amounts totaling about $40 million.

Wilmington is our home area, and our economic commitment is larger here than in other locations. However, the same pattern applies in other parts of the country where we have major installations. Our payrolls and purchases total tens of millions of dollars in Virginia and West Virginia, in Texas, in Tennessee, and in the Carolinas.

DU PONT RECORD NO ACCIDENT

It is no accident that a company such as Du Pont continues to provide jobs and income year after year. It is no accident that our employment record, by and large, has been one of stability and growth. No doubt we have done some things wrong. Our record is not spotless, and we acknowledge some areas for improvement; but I hope you will regard the record, as it stands, as evidence of our continuing commitment to the communities of which we are a part.

We have made a major effort to train and retrain employees, and to provide safe and decent working conditions. We have invested new money and new technology to keep our facilities productive. When you drive by the Seaford plant, for example, you see an exterior that looks much the same as it did years ago. However, that plant has been completely rebuilt inside in the past 10 years, and that is why it is still competitive.

Other Du Pont facilities also have been expanded or modernized. The Edge Moor plant north of Wilmington produces 10 times as much today as it did when it opened in 1935. There are 500 more jobs at that plant now than there were at the start, and the plant has run more than three decades without a major layoff.

The Chambers Works, across Delaware River, has just turned 50 years of age. In all that time, there has hardly been a year when construction and modernization were not under way. You know the old saying about New York City—"It will be a great town if they ever get it built"—well, the same applies to Chambers Works.

The Experimental Station is still being expanded. So is our Chestnut Run sales service facility. A new site is being opened up at Glasgow. We have under consideration, as you may know, the possibility of putting up a new office building in center-city Wilmington.

Examples like these emphasize my basic point: A company's economic contribution to the community reflects its business success. You cannot have one without the other.

Let us not take refuge behind a barricade of statistics and case histories, though. Community problems remain. What of them?

Here, we get into a matter of definitions. Some urban problems are clearly the business of business, and demand our direct involvement. Pollution control is a case in point. In this region as elsewhere, our plants are trying to reduce their air- and water-borne wastes. New equipment has been installed; more equipment is being evaluated or designed or built. At every Du Pont location in this area, with no exceptions, action programs are under way as part of our companywide effort to eliminate pollution.

The problem is not yet completely solved, and there is no way to solve it overnight. It is not merely a matter of money, but one of circumstance too. When we built the Edge Moor plant, as an example, we deliberately chose a site outside the city limits, well away from population centers. The land around us was mostly pasture. Now, the area is densely populated, and any pollution is a matter of visible concern to thousands of neighbors. It concerns us too, and we have taken major steps to reduce pollution at that plant, to avoid giving offense to our neighbors.

The problem of industrial plants in heavily urbanized areas is one that we share with many other companies. It is costly and complex to solve. In the Lower Delaware Valley, we have invested or authorized more than $22 million in facilities to reduce air-borne, water-borne, and solid wastes.

POLLUTION EVERYONE'S PROBLEM

Pollution is everybody's problem, not industry's alone. On a national basis—and I understood the figures are about the same for the Delaware River Basin—it is known that about one-third of air-borne wastes are from manufacturing units. The other two-thirds comes from electric utilities, cars and trucks, municipal incinerators and dumps, and other sources. If we shut down all the manufacturing plants, the major segment of the air pollution problem would still be with us. If we shut down all the municipal services and utilities, there would be no such thing as urban life.

The answer of course is not to shut them down, but to reduce pollution to acceptable levels through a cooperative approach involving all groups that can be helpful. This is being done, and we are part of the effort. In addition to the work done on pollution problems at Du Pont plants, we work closely on the solution of common problems with other companies, with the Delaware River Basin Commission, and with units of local, state, and federal government.

We are not losing the race in the Delaware River Basin. Conditions here are improving, and to the extent that one company has anything to say about the future, we intend to see that conditions keep on improving.

Let me mention some other problems in which industry has an equally vital interest The quality of education, the opportunity of people to develop and use their talents without restriction because of race or creed, the renewal or reconstruction of urban centers—all of these directly concern people in business. There is no debate on the fact that we are citizens first, and business employees second. As citizens, we must be involved.

Obviously, no business can operate successfully, over a long period of time, in a crumbling social structure, or in a society that is hostile to enterprise. Any executive who has had to face a problem like pollution control knows full well that changing public attitudes can directly affect his business. The same is true in recruiting, in marketing, and in other areas of business interest. Increasingly, it is becoming part of management's job to be informed on public affairs, and to be sensitive to noneconomic forces.

But there is a difference to be noted. Pollution control, employment stability, training programs for industrial jobs—these are areas where we have specific skills to offer. We cannot claim equal competence on more general questions concerning schools and colleges, or on the solution of the problems of the ghetto, or on the problems of downtown transportation and highway building. On segments of these problems, indeed, we would hesitate to claim any credentials at all, over and above those of any other individual citizen.

Yet the challenge and the needs are there, and we must try to respond. As I see it, we can do so in two ways. First, we can encourage the employees of business organizations to become more involved, as individuals, in the solution of community problems. Second, where there are reasonable ways for us to mesh corporate resources with the needs of society, we can offer corporate help.

It would be hard to overstate the importance of the contribution of private citizens. Our policy in Du Pont is to encourage employees to be active in their communities. We cannot require that they do so, for that would be an invasion of their rights as private citizens. Nor would we try to tell them how they can best help. They are the best judges of that.

ABOUT 1,000 IN GOVERNMENT POSTS

Several years ago, just to see how many employees took our words to heart, we made a survey and learned that about 1,000 of our people held appointive or elective posts in government. We did not ask how many more were active in civic or charitable organizations, but there is no doubt that thousands more are involved in this way.

At the corporate level, Du Pont has long contributed funds to higher education. That program, now 50 years old, is more extensive today than ever, and includes several colleges and universities in this area.

More recently, we have made modest grants to help improve the quality of teaching at the secondary level. Still more recently, and in the Wilmington area in particular, we helped launch an Upward Bound program, to give a hand to young men and women who have the potential for college, but who were unlikely to make it because they had not had the advantages they needed. Most of the youngsters in that program are Negroes.

People in the ghetto need jobs. Here too, we are trying to help. Du Pont is an equal opportunity employer, but the fact that the door is open does not help much if a man lacks the basic skills he needs to qualify for work. As one effort to do something about this, Du Pont and other companies supplied funds to open the Opportunities Industrialization Center here in Wilmington, and the state is now providing additional funds. The purpose of OIC is to help people help themselves, through training and guidance, so they can qualify for jobs with a future.

The OIC, which started in Philadelphia, now extends to 65 cities. We are hoping that the program will reach into many other communities where Du Pont has facilities, and provide a pattern for community action there.

Better housing, as well as more and better jobs, is a problem for our urban area. It is important to the community as a whole, and to us as employers, for the people we want to attract to our companies need and should have decent places to live. As many of you know, some months ago Du Pont joined with a number of other companies in Wilmington to support legislation for open housing. I restate that support now, for I believe that suitable legislation would help speed up the process of urban improvement.

It is not enough, though, to approach the broad problems of the city and suburbs through legislation alone. A coordinated, cooperative effort, drawing upon the resources of many agencies and groups, is also needed. Such an approach is now being developed in many cities through the Urban Coalition, the National Alliance of Businessmen, and other organizations. We in Du Pont are following these programs closely, and working with other groups in Delaware, to determine our most effective course of action.

GREATER WILMINGTON DEVELOPMENT COUNCIL

The Greater Wilmington Development Council, which is trying to take a long look ahead, and to supplement the work done by many public and private agencies interested in the community's future, has our enthusiastic support. For this program and for others in Wilmington and elsewhere, corporate support has not only taken the form of money; it also has involved the participation of some of our people, who have assisted on a released-time basis.

We make no special claim to put ourselves alongside the angels. To the extent that our employees are contributing their own time to the community, the credit belongs to them as individuals.

Can we do more? No doubt we can. Personally, I would be delighted if there were a sharp rise in the number of corporate employees in the midst of community affairs. As for the business organization itself, I can assure you that we are willing to consider any programs or proposals with any group or organization that is earnestly and honestly trying to build a better community.

We must be realistic. Like any type of organization, business faces some limits. We have no right and no desire to impose our will on the community. We want to help, but not to control, and we cannot do everything at once.

John Gardner, who recently left his Cabinet post and now heads the Urban Coalition, has said that "we have to face the fact of limitless aspirations and limited funds." He was speaking of the federal government, but what he said applies even more pointedly to state and local government, especially in states such as Delaware, with a very modest population base. It applies as well to the business organization, whose resources are but a fraction of what government has at its disposal.

All of us have to live with priorities. It is an unpleasant responsibility, for so much needs doing, and we wish we could do it all at once. But we cannot. To back one proposal means rejecting another. For every program that is launched, we can point to another need left unfilled.

But this in no way reduces our responsibilities, as representatives of business or as private citizens. Businessmen in this country have earned something of a reputation as doers, as men of action, as believers in change and progress. I think that reputation is deserved, and I think it applies here. We can no more turn our backs on urban and community problems, in areas where we have the ability to make a contribution, than we can ignore production or sales problems. This is true for businessmen in the nation as a whole. It is true for Delaware. If there is to be healthy economic growth, if we are to attract the kinds of companies that can contribute to this growth, we will have to be as alert to social needs as we are to business opportunities.

The skill and imagination with which we meld personal and corporate citizenship, the foresight with which we discharge our community duties, the sensitivity of business managers to the changes taking place in America today, will bear importantly on the future prospects for business organizations, and help determine the kind of society in which businessmen, along with everybody else, will live and work.

The Technology Gap Is Really a Creativity Gap

HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. CURTIS. Mr. Speaker, the March 16, 1968, issue of the Economist contains a most sensible article entitled "The Technological Gap," on the issue of the so-called technology gap between the United States and the rest of the world.

What the article points out is that the gap is not so much that of technology, as it is of the entire educational system. Europe actually produces a higher proportion of scientists than does the United States. But Americans are better educated generally and the proportion of American workers that have had some sort of higher education is greater than in Europe or Japan. In addition, the educational systems of Europe discourage inquiry and innovation and prevent bright students from pursuing independent research. The archaic European university systems have led to increasing student unrest in recent years, including the student riot in Rome a few weeks ago.

The article also talks about the types of research projects the United States concentrates on as compared to Europe, and concludes that the United States gets a much higher payoff by concentrating huge sums on relatively few big projects. In Europe the same sums are often spread among many small research efforts.

However, the article misses the most fundamental difference between the United States and Europe that can explain the gap in scientific advance. The United States uses the marketplace, the private enterprise system, as a scientific laboratory to test our economic ideas. The whole American economic system encourages innovation. New management ideas, different types of investment can be tried out. U.S. patent law protects inventors and encourages people to be creative. The American system even protects the "right to fail" and does not insist on keeping an unproductive Government research project going ad infinitum.

One of the best examples of the American encouragement of innovation is to be found in the U.S. Constitution with respect to patents. The Constitution reads:

> The Congress shall have Power to promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries.

What better way to promote creativity?

For the good points that this article brings up, I commend it to your attention, as follows:

THE TECHNOLOGICAL GAP

Does it really matter if there is a gap between the technical performance of the United States and the rest of the world? In a mildly resentful sort of way, governments observe their plants full of American computers their airports occupied by American aircraft, their armed forces using American weapons and their children cured by American drugs, and think that it probably does, without knowing quite what to do about it. It is not even clear what brings the gaps about, whether it is lack of money on the eastern side of the Atlantic, lack of scientists or merely lack of initiative. The meeting of science ministers of the member countries of the Organisation for Economic Cooperation and Development that took place in Paris this week was the first serious attempt to find out what the technological gap is all about and to treat it, for once, not as a nasty American plot, but as the major economic phenomenon of this generation.

The message of the working papers that had been prepared for the meeting is that much of what has been said about the technological gap in the past is codswallop. And it follows that many of the steps that have therefore been taken in Europe to counter it are codswallop too. Or if you like to put it more elegantly, a waste of national resources. Only a small part of the evidence accumulated by the secretariat of the OECD to back its case has been made public; it is astringent enough in tone to suggest that some blue pencil is likely to be used on the more detailed documents before they see light of day too. This would be a cause for regret; the sources used by the OECD are crude, but they are better than nothing, and nothing is, at the moment, all we have.

It looks on the face of it as if the non-American world lags seriously behind the United States in all the major technological innovations of the past fifteen years, although it holds its own quite well in any of the major science-based industries that were founded earlier, in the 1920s and 1930s. And it seems the gap would be even wider and more obvious but for the phenomenal rate at which American companies have been investing abroad, mainly in Europe, in the past decade. These companies brought their technology along with their dollars. Far from killing native industries, it looks as if they have merely moved into a void that the Europeans were unwilling, unable or too plumb lazy to fill. And all one can ask repeatedly is why, why, why?

THE CAUSE

It is beginning to look as if the answer has little apparent connection with science or scientists. If the OECD analysis is correct, European governments—and particularly the British government—should drop their present preoccupation with training more and more scientists, engineers, technologists and assorted boffinery and look instead at the rest of the educational system; that is, the non-scientific sphere. Because the really striking difference between the United States and the rest of the world is that more people are better educated on their side of the Atlantic than on ours. Americans stay at school longer, and the proportion of the American working population that has had some sort of higher education is several times greater than in Europe or Japan. This produces a management and a labour force that is more receptive to new ideas, and quicker to grasp their possibilities. When Americans say repeatedly that what is wrong with the rest of the world is not a technological gap but a management gap, it begins to look as if they know what they are saying, because the American manager is not, in the main, scientifically educated.

If it's scientists you're counting, Europe produces a higher proportion of them than the United States does. Britain, in particular, is turning out scientists and engineers faster than it has jobs for them—which is the underlying reason for the brain drain. And why aren't there the jobs? Because innovation requires a high rate of investment, plus a willingness to take risks, and the two can flourish only in a climate of rapid economic growth which has been conspicuously absent in Britain in recent years.

This is a contentious argument to put forward at a time when most European governments are trying to persuade more and more children to take up science, frequently against their inclination. Can the babes really have sounder economic sense than their sires? And it is a particularly awkward one for any British government to accept which has just postponed the raising of the school-leaving age. The OECD argument that Europe has a far higher proportion of trained researchers than the United States so flatly contradicts everything that has been believed up till now that it will not go unchallenged; the secretariat merely says that previous head-counts have ignored all those European training centres that turn out scientists and engineers of university standard but are not themselves universities. Count them in, and it begins to look as if it is the Americans who should start worrying about how many of their children are taking up science.

THE EFFECTS

If you ask a blunt question whether the lag in technology compared with the United States has done the rest of the world too much harm, then the answer must be; no, it has not. Anyway, not yet. It has not hampered either economic growth or exports. The only casualty so far has been national pride, as countries make up for lost ground either by using licences from the United States, or opening their doors to American investment. This way even Italy and Japan, which do very little research and employ few scientists, have established science-based industries that compete vigorously with the Americans for a share of the export market. The speed with which American-based technology has spread round the world is one of the phenomena of the last decade; it is often faster than the rate at which it has progressed inside the United States. This, again, bears out the American argument that there are vast technical waste-lands in American industry too. The technological gap between different parts of the United States is far wider in some places than the one between the United States and Europe.

But the growth of the American-dominated, science-based industries is of very recent origin. The fact that western Europe's record is good in the established industries such as chemicals, engineering, metallurgy, rubber, textiles and electricity generation, is significant here. The American-dominated industries based largely on electronics and solid-state physics are in some cases only five years old, and rarely more than ten. Their share in world production is small but rising fast. When they begin to catch up with, and eventually overtake, the old-established basic industries where Europe still holds its ground, the prospect of western economies increasingly dominated by, and dependent upon, American technology ceases to be a French bogey-man and becomes a matter of concern to everyone.

Possibly there is no harm in it, but it is a subject about which it now behooves governments to have policies. Japan has done more to prepare for this future than most. The deliberate skill with which Japan has built up a small range of science-based industries able now to challenge the Americans on their own ground should be a lesson to the Europeans. From small beginnings, and imported American know-how, the Japanese have built up an electronics industry that dominates the world markets for transistorised consumer goods. In the meantime, they also build up their own research teams and these are now designing electronic apparatus that is in many respects ahead of American. And if Japan can do it, so can Europe.

THE RESEARCH BILL

The way that the Americans spend their research budget does more to explain the technological gap than the amount that they actually spend. In real terms, the United States invests two dollars in science to every one spent in Europe. But one of those two dollars goes on defense and space research, only 20 cents of which has any use for industry. So the gap in spending on research of industrial value is not as wide as it looks at first count.

The difference is that in the United States, the money is concentrated in huge sums on relatively few, big projects. In Europe, the same effort is fragmented among a microcosm of small research teams. This suggests there must be a good deal of duplication. More serious, much of the research is probably being carried out on too small a scale to be of any use to anyone. OECD put it seriously to the science ministers that "there are certain minimum threshold levels below which innovative efforts are likely to be largely unproductive." It would be hard to state the European dilemma more bluntly.

There is a danger, in any inquiry like this, of coming to believe that everything the Americans do must be right, and whatever the Europeans do is bound to be wrong. But there is some evidence from the European side to bear out the argument about size. Take Britain's atomic energy programme: a classic instance of big-scale research and American-scale spending. The country got what it paid for, which is cheap atomic power. It also got something more, a possibly commanding lead in the next generation of nuclear power stations. The large-scale use of fast breeder reactor stations is now expected, by the Americans themselves, to take place in Britain ten years sooner than it will in the United States. The OECD doesn't really give Britain credit for this, but it does point out that the physics research centre at Cern, so expensive that it is financed internationally, is "the only Euro pean research institute capable of matching the work of its American counterpart."

What are we to conclude from this? That Europe might as usefully pour down the drain much of the extra money it has been allocating to science in the past decade? This could be the reason why, as Britain's senior scientific advisers once gloomily remarked, the increased spending on science by successive British governments was having no measurable effect at all on the national product. British science spending is not as high a proportion yet of the national product as American spending, it is running at just under 2½ per cent of gnp against just under 3½ per cent in the United States. But it is still so much higher than that of any other industrial country except Holland (2 per cent) that it should, had the money been properly appropriated, by now have begun to show dividends.

Doubts about the value of much of the research done in Europe applies even more strongly to the less developed OECD member countries, many of whose scientists are beavering away on projects wildly irrelevant to those countries' real needs. But they should not be criticized for it too harshly, simply because their laboratories, like their airlines, are as much training grounds for managers and administrators as they are sources of invention or revenue. It is the industrial nations of OECD, spending between one and two per cent of their gnp on research, that have to stop and think what they are doing.

It adds up to a strong case for rationalising research across Europe, cutting out everything that is below the threshold size, cooperating internationally to handle big projects beyond the reach of individual governments. But how, pray, is that going to be done? The OECD itself refers sadly to "the seemingly inevitable competition between national and international projects." It is all very well to counsel perfection, but governments are run by human beings.

The problem tends to reduce itself to deciding which industries will repay heavy research backing, given the present fragmented state of Europe.

DOES PURE SCIENCE MATTER?

The science-based industries are loosely defined as the ones where research forms a significant proportion of total costs, and they are usually defined as aviation, electronics, scientific instruments, electrical machinery, chemicals, drugs and oil. They tend to be industries dominated by big companies, capable of handling huge research programmes of the order of $100 million a year upwards. Nearly two-thirds of all the industrial research done in the United States comes into this category, and one of the features of much American research is that it is carried out by very large enterprises, but paid for to a very large extent by the government. The United States administration foots a higher proportion of the research bill for American science than does any other western government.

One of the weaknesses of European research could be that so much more of it is done in government research establishments without direct knowledge of the needs of industry. Could another be the fact that very few European companies compare in scale with American ones? With one breath, the OECD seems to think that it is, but almost at the same time it has to admit that some of the most successful science-based American companies are very small, and that they have frequently been founded by a group of scientists, or two confident friends cutting loose from their university laboratories and striking out for the commercial shore—successfully. Size of business is not a prerequisite for innovation; there are times when the administrative cumbersomeness of a big enterprise can be a positive handicap. And although it often helps, size of market is not a decisive factor either. American companies accustomed to the leeway of a big home market have set up subsidiaries in Europe that have been equally successful working within narrow national boundaries. But what is noticeable about the fastest-growing of the science-based industries is how closely their growth is tied to the progress of fundamental research.

It may be the European educational system, but it is quite extraordinarily difficult to break down the conviction on this side of the Atlantic that pure science and fundamental research are things that can by definition have no conceivable bearing on daily life. In Britain, the split between pure and applied science has been carried to such limits that the two are administered by separate government departments. Long-term research projects find it difficult to get government approval, and in some cases are axed, because they offer no prospect of being immediately "useful."

There could be no greater nonsense. Much of the growth of electronics in as short a space as the past five years has been built on the results of fundamental research that were seized as the ink dried on the scientific papers. Computer technology has now reached an intellectual road-block that cannot be shifted until fundamental work is completed on three or four related branches of science. And the companies that have progressed fastest in those industries tend to be the ones that actually do some basic research themselves. Hence the commercial strength of those small American companies founded by university scientists. In four years, 21 companies employing 3,000 people and doing $76 million of business, were set up in the Boston area around the Massachusetts Institute of Technology, many of them by MIT graduates.

THE NEW BABEL

Certainly, a link exists between fundamental research in the universities and the speedy progress of some of the newest science-based industries in the United States. Certainly, European governments have been wrong to ignore it (not all European companies do: Ferranti, for example, keeps in close contact with university research on low temperature physics because of its possible use in computer engineering). But as the results of university research are published and available to all, this alone does not explain why the United States leads where Europe lags and Japan imitates. Why, when so much new technology is on the public record, is it not taken up more quickly?

One important reason is that there is just too much information to take in. The western world is probably now spending $1,000 million a year merely on filing and indexing scientific information from 30,000 major journals, whose number is increasing by 1,500 annually. Much of what they contain is a load of old junk, and a self-denying ordinance on the part of scientific publishers to stop proliferating titles might do more to get technology moving than any other single measure. A stage has been reached when it is often quicker and cheaper to repeat an experiment than to search the literature to find who has done it before. And a second stage is approaching when, as more of this information gets put on computer, it will become inaccessible to any scientist who hasn't the right key. Perhaps this does not sound very serious, but it could in practice mean that, instead of information passing as it does now freely across national frontiers, it could become locked in separate national computer repositories.

Most of the issues put to the science ministers involved long-term national science policies, but this particular one called for joint, and quick, action to see that, within OECD at least, national libraries, when they moved over to computer systems, did at least move to mutually compatable ones. One of the new Babels is the proliferation of languages that the different computers speak, each one designed—although they would rather die than admit it—to reinforce the monopoly of the manufacturer in his own particular market. One of the most tantalising projects dangled by OECD before the assembled science ministers was that a combined scientific attack on basic computer theory might lick this computer language barrier, and, if it did, it would crack wide open American International Business Machines' 80 per cent monopoly of the computer market.

CLOSING THE GAP

This sums up what the technological gap is all about. A company can lose its technical lead, as IBM has certainly done, but can have built up in the meantime such a commercial start that its position is difficult to challenge.

Boeing is another enterprise to have reached the same pre-eminence where the company can make mistakes, fall down on its specifications and fall behind on deliveries—all of which both Boeing and IBM have done recently—without damaging customers' confidence in either company. Unfair, but that's the way the science-based industries go.

No amount of pumping money into native computer or aircraft companies is going to do more than nibble a litle off the edges of either company's world-wide business. The only thing that would is likely to be the kind of breakthrough hinted at by the OECD, a Trojan horse attack that could, by opening up new fields of computer theory, undermine existing computer practice. If countries want to close the technological gap, that is how they will have to do it.

But the cure opens up a whole host of new complaints. How does one guess in advance what fields of research are ripe for a breakthrough, given that there is enough money being spent in Europe on science now to provide the funds for major research projects, and more than enough scientists to carry out the work? Rudimentary efforts are in fact being made to devise systems of technological forecasting on the lines of business forecasting, but it is doubtful whether results are at the moment any better than intelligent guesswork. OECD has suggested areas where successful research might make the world a better place to live in, such as environmental studies (air and water pollution, noise, etc.), the technology of the sea and of cities. These are all safely non-controversial subjects on which governments might be wiling to co-operate without feeling they were placing any of their industries at risk. But they are not, with respect, the sort of projects that will avoid repeating the sad tale of that key electronic device, the tunnel diode, which was invented in Japan, but exploited by the Americans and has been the biggest single element in their present electronic supremacy.

TO THE BLACKBOARD

The arguments all lead back to the same starting point, that technological innovation requires a certain state of mind and the Americans have it because they employ better-educated managers. Not quite the answer one expected, but it leads on logically to explain why the Japanese, who also have a high proportion of graduates in their working population, have been the fastest innovators outside the United States. It also explains why Europe lags technically behind the United States although most of the western European economies have had several years of the sort of fast economic growth that encourages investment, and why Britain lags although it has the highest output of scientifically-trained men.

The picture could be even worse than it looks, since the European civil service still draws like a magnet more than its fair share of university graduates. And because the university system, not in Britain but in most continental countries, is coming under fierce attack for the stultifying influence of archaic professors who cling to their professorial chairs, and blight the prospects and the spirits of the young men working under them. Some of the student riots are nothing less than a revolt against their generally malign influence; it is difficult for a British- or American-educated outsider to appreciate the strength of feeling against this old man's illiberalism—and slightly shocking.

The technological gap is not merely a western preoccupation. The Soviet Union is seriously worried about it and has come to much the same conclusion, namely that the barrier to innovation is not at the scientific, but at the management, level. Here the Russians have a special difficulty; innovation involves risk, and how do you provide, in a Soviet economy, the incentive needed to get management into a risk-taking frame of mind? The OECD has been conducting a survey of Russian science policy, and the Russians have confessed themselves so bewildered that they are seriously considering whether they might not have to re-cast their entire economic system, re-introducing bonuses for managers and other Soviet-type equivalents of the profit motive and the stock options with which American companies reward their executives.

None of this can have given the science ministers much comfort. If they wanted a clear-cut policy to mull over they didn't get it. What they got instead was a series of home truths that throw doubt on the correctness of their educational policy, question the value of their science spending, and take away the last comforting thought that European countries can never hope to match American technical performance, simply because they haven't got the home market. It will be instructive to see how the British Government, for one, reacts. Britain stands head and shoulders above all the other non-American economies in the scale of its science spending and its output of trained researchers. This has been the result of deliberate Government policy endorsed, only two weeks ago, by yet another report recommending the encouragement of more and more children to take up science. If they do, the OECD thinks they will very probably join the end of the 6,200 queue of technicians leaving this country every year. Both the Minister of Education (representing science) and the Minister of Technology where represented at the meeting appointees of a Prime Minister who took office pledged to introduce into Britain a white-hot technological revolution. One wonders now if he knew what he was taking on.

Wanted: Safe Streets—Needed: A Federal Gun Control Law

HON. JOSEPH S. CLARK

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Thursday, April 4, 1968

Mr. CLARK. Mr. President, from time to time I receive communications from hunters and sportsmen in my home State of Pennsylvania expressing concern about President Johnson's proposed Federal gun control law, S. 1, of which I am a cosponsor.

Frequently the writers of these letters make the charge that the bill would result in severe infringements on the sportsman's traditional rights to gun ownership. This is simply not true.

There is absolutely nothing in the bill proposed by President Johnson, which I support, which would prevent Pennsylvania's hunters and sportsmen from acquiring and using firearms for lawful and appropriate purposes, just as they always have in the past. What the bill does is to provide:

First. For a prohibition on the interstate mail-order sale of handguns, rifles, and shotguns to individuals.

Second. For a prohibition on the over-the-counter sale of handguns to nonresidents of a given State.

Third. For the identification and determination of the age of all purchasers of firearms from federally licensed dealers. In the case of handguns the age requirement is 21 years of age, and in the case of rifles and shotguns, 18 years of age.

Fourth. For the licensing of all dealers, importers, and manufacturers of firearms.

Fifth. For a prohibition on the importation of all military surplus handguns and for the regulation of all other imported firearms.

Sixth. For the stringent control over such destructive devices as antitank guns, bazookas, and mortars.

This is a reasonable, moderate and modest measure. It will not prevent any hunter and sportsman from buying a gun, using it for a lawful purpose, or carrying it from State to State. It will not require him to register his gun, nor infringe his right to keep it anywhere he wants, or to sell it.

What it will do is give our hard-pressed police some badly needed assistance in maintaining law and order. Everyone is concerned with the problem of crime in the streets. Here is a chance to do something about it.

Frank L. Rizzo, Philadelphia's police commissioner, is a man whose reputation as a tough warrior in the fight against crime has spread throughout the Nation. Frank Rizzo is 100 percent behind the Federal gun control bill which I am cosponsoring. Not long ago, Commissioner Rizzo sent me a letter, in which he said:

> I wish to commend you for your foresight and initiative in sponsoring this present bill to control the sale of guns at the Federal level. You are certainly doing a service to the law abiding citizens of our nation by your support of this legislation and you are giving the police forces of our country a great aid and assistance in the suppression of violent crimes.

Commissioner Rizzo is not alone in his support for the President's gun control bill. The International Association of Chiefs of Police, an organization which speaks with great authority on the matter of controlling crime, has flatly stated that any measure weaker than the President's bill is unacceptable.

There is a strong consensus among police officials that the Hruska bill, which has been supported by the National Rifle Association, is simply not strong enough to do the job. Unlike President Johnson's bill, the Hruska bill, first, contains no prohibitions against the interstate mail order sale of firearms, and merely requires a sworn but not notarized statement in order to purchase a handgun through the mails; second, contains no prohibitions against over-the-counter sale of handguns to nonresidents, requiring only a sworn statement; third, does not cover imports at all; and fourth, contains no age requirement for purchasers of rifles and shotguns.

I am confident that when the facts are known, Pennsylvania's hunters and sportsmen will take their stand with Police Commissioner Rizzo and the International Association of Chiefs of Police behind President Johnson's Federal gun control bill. As a cosponsor and a longtime supporter of this bill, I hope they will join with us in pressing to enact this key element in the war against crime.

Mr. President, I ask unanimous consent to have printed in the Extensions of Remarks the text of Commissioner Rizzo's letter to me, my response, and a memorandum entitled, "Firearms Regulations and Crimes Involving Firearms in Philadelphia," sent to me by Commissioner Rizzo.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

POLICE COMMISSIONER,
Philadelphia, Pa., March 15, 1968.

Hon. JOSEPH S. CLARK,
U.S. Senate, Washington, D.C.

DEAR SENATOR CLARK: I am well aware of the importance of controlling crime in our nation and one important assist that can be given to all law enforcement officers is a federal gun law similar to Philadelphia's gun control ordinance.

This ordinance has been of considerable aid to us in keeping guns out of the hands of undesirables. Almost 300 persons have been denied the ownership of guns through the provisions of this act. Without this law, we would have no way to deny these guns to unqualified persons. However, the Philadelphia Ordinance does not apply outside the city limits, so that an unqualified applicant or a criminal can obtain a gun by going across the city or state line to purchase such a weapon. This is where the need for federal legislation is greatest Federal legislation controlling the sale of guns would cut off the illicit supply and hamper the actions of those criminals with illegal intentions.

Mayor Tate has led the way in this field with his unqualified support of our local gun control ordinance.

I wish to commend you for your foresight and initiative in sponsoring this present bill to control the sale of guns at the Federal level. You are certainly doing a service to the law abiding citizens of our nation by your support of this legislation and you are giving the police forces of our country great aid and assistance in the suppression of violent crimes.

I have attached information relative to our city ordinance and other statistical material which may be of value to you in support of this proposal.

Sincerely,

FRANK L. RIZZO,
Commissioner.

MARCH 21, 1968.

Mr. FRANK L. RIZZO,
Police Commissioner,
Philadelphia, Pa.

DEAR FRANK: May thanks for your splendid letter of March 15, 1968, letting me know of your enthusiastic support for the Administration's gun control bill.

I can assure you that your advocacy of this vital legislation will be a tremendous help in rallying support for it among the public and in the Congress.

Sincerely,

JOSEPH S. CLARK.

FIREARMS REGULATIONS AND CRIMES INVOLVING FIREARMS IN PHILADELPHIA

On March 15, 1965, through the efforts of Mayor James H. J. Tate Bill 560-A, known as the Philadelphia Firearms Ordinance, was signed into law. This Ordinance became effective on April 15, 1965. Philadelphia's Firearms Ordinance makes it mandatory for any person purchasing a firearm (rifle, pistol, revolver, gun or shotgun) in Philadelphia or outside the City, which is brought into the City, to first obtain a license to purchase. This purchase license can be disapproved for the following reasons:

a. Under eighteen (18) years of age.

b. A person convicted of either a crime of violence, any violation of the Uniform Firearms Act, or Carrying a Concealed Deadly Weapon.

c. A person convicted of selling, using or possessing narcotics.

d. A habitual drunkard.

Following are the firearms purchasing statistics from April 15, 1965 to December 31, 1967:

	Applications	Disapprovals
Apr 15 to Dec. 31, 1965	2,285	77
Jan. 1 to Dec 31, 1966	3,592	114
Jan. 1 to Dec. 31, 1967	4,175	108
Total	10,052	299

The following are the reasons for disapproving firearms purchase licenses from April 15, 1965 to December 31, 1967:

Homicide	5
Robbery	27
Burglary	55
Assault with intent to kill	16
Rape	11
Aggravated assault and battery	47
Violation uniform firearms act	42
Carrying concealed deadly weapon	27
Narcotics	5
Mental patient	8
Habitual drunkard	3
Wanted person	1
Stolen firearm	1
Alien	2
Falsified application	47
Could not sign application	2
Total	299

In the early summer of 1967, Mayor James H. J. Tate and Police Commissioner Frank L. Rizzo saw a need for further control of firearms in Philadelphia and had the following Ordinances introduced in City Council; they became effective on August 17, 1967.

City Ordinance 9–606—Ammunition: An Ordinance relating to the regulation of ammunition, to require those in the business of selling ammunition to provide for its safe storage.

a. During business hours no ammunition may be displayed on any open counter or in any other place readily accessible to the public.

b. During non-business hours ammunition may not be displayed in windows.

c. A storage space, steel vault or steel safe, approved by the Police and Fire Departments of a sufficient size to hold all the ammunition held for sale in any place in which ammunition is sold shall be provided for use during business and non-business hours whenever ammunition is unattended.

d. No person shall sell any ammunition which can be used in firearms unless the purchaser supplies satisfactory written identification and registers his name and address.

City Ordinance 9–607—Storage of Firearms: An Ordinance relating to security measures in the sale and storage of firearms by those engaged in the business of selling firearms.

a. During the hours that they are not regularly open for business, dealers shall store all firearms in accordance with the following requirements:

1. No firearms shall be displayed in windows.

2. All firearms must be placed in an approved secure storeroom.

City Ordinance 10–818—Firearms in Public Places: An Ordinance relating to safety in connection with individual conduct and activity by prohibiting the carrying of firearms upon the public streets, under certain terms and conditions.

a. Definition: Firearms means any revolver, pistol, gun, shotgun or other weapon capable of propelling a projectile by means of an explosive material or charge.

b. Prohibited Conduct: No person shall carry a firearm upon the public streets or upon any public property at any time unless that person is

1. Licensed by the Commonwealth of Pensylvania to carry a firearm or license to hunt.

2. Actively engaged in the defense of his life or property from imminent peril or threat; or Police Officer or members of the State or Federal Militia on active duty.

In 1967, information was received by the Philadelphia Police Department that one hundred twenty (120) residents of Philadelphia had purchased firearms outside the Commonwealth of Pennsylvania. Investigation revealed that six (6) of these persons had criminal records that prohibited them from ownership of any firearms; these weapons were confiscated. Since there is no existing requirement that compels out of state distributors to inform local Police Departments of impending sales and delivery of firearms, our information in this area is far from complete.

The following are some case histories involving firearms wherein the source of purchase was unknown or out of state:

1. On Wednesday, December 28, 1966, three (3) men entered a branch office of the Provident National Bank in South Philadelphia and attempted a holdup. These men were met by two (2) Policemen of the Police Stake Out Squad. In the ensuing gun fight, one (1) holdup man was killed and the other two (2) were seriously wounded, these two subsequently died.

The three holdup men were all armed and the origin of these firearms has never been determined. The first holdup man had a total of fourteen (14) arrests with five (5) convictions for Burglary and one (1) for Aggravated Assault and Battery. The second hold up man had a total of nine (9) arrests with four (4) convictions for Robbery and one (1) for Burglary. The third had a total of four (4) arrests with four (4) convictions for Robbery.

All three (3) men were residents of Philadelphia and under our existing laws could not legally purchase any firearms in this City.

2. In April of 1967, we received information that a resident of Philadelphia had purchased a .22 caliber revolver in Norfolk, Virginia. Our investigation revealed that this purchaser, being short of money, had sold the revolver to an acquaintance. The second purchaser and the revolver have never been located.

3. Also in April of 1967, we received information of the purchase of a .25 caliber revolver in Oak Hill, Virginia, by a resident of this City. Our investigation revealed the firearm was purchased in October 1966, brought to Philadelphia and given to a second party who has since died.

In February 1967, a grandson of the second recipient had taken the firearm and in showing it to some friends shot an eight (8) year old and a nine (9) year old boy. A record check on the grandson revealed that he had been convicted of Burglary and could not own or possess a firearm in Philadelphia. This firearm was confiscated and the grandson arrested.

4. In September 1967, a resident of Philadelphia purchased a .22 caliber revolver in Tulsa, Oklahoma. We received information of this purchase in October and our investigation revealed the purchaser had been arrested in Philadelphia and extradited to Cleveland, Ohio, to stand trial for Murder. This firearm has never been located.

5. On December 2, 1967 at 3:00 A.M., two (2) men from Fort Gibson, Oklahoma, forced their way into an apartment in Philadelphia and forced the male occupant at gun point out of the apartment and into a 1959 Pontiac sedan. A third man was driving the vehicle. The abducted man was put into the front seat between the driver and one of the abductors who was armed with a revolver. The third man got into the rear of the vehicle, armed with a shotgun. While they were driving around the city, the abducted man struggled with the armed abductor in the front of the vehicle, took the revolver from him and shot the man in the rear of the car. The man who had lost his revolver reached into the rear seat for the shotgun and he too was shot. There was then a struggle with the driver who was knocked out of the car into the street. One man was killed and one other was paralyzed for life.

The source of the firearms used in this abduction and killing has never been determined.

In 1966 and 1967, a total of 4,363 crimes were committed with a firearm in Philadelphia. The following table represents a statistical analysis in each category.

	1966	1967
Homicide	69	79
Robbery	566	660
Assault with intent to kill	256	255
Aggravated assault and battery	183	129
Aggravated assault and battery on a police officer	2	3
Violation of Uniform Firearms Act	1,056	787
Other firearms violations	198	120
Total	2,330	2,033

In 1966, nineteen (19) juveniles under age eighteen (18) were arrested for Homicide involving a firearm, and in 1967 there were twenty (20) arrests in this category.

In 1966, a total of fifty six (56) firearms were confiscated from persons under eighteen (18) years of age by the Gang Control Unit of the Juvenile Aid Division. In this same year there were ninety six (96) gang clashes, twenty seven (27) of which involved firearms. Twenty seven (27) juveniles were arrested in this year for Violation of the Uniform Firearms Act by the Gang Control Unit. In 1967, a total of seventy nine (79) firearms were confiscated and fifty eight (58) juveniles were arrested for Firearms Violations by the Gang Control Unit. In this same year there were eighty three (83) gang clashes with thirty two (32) of these involving firearms.

Opponents of firearms control regulations repeatedly state that these controls discourage residents from obtaining hunting licenses. A survey of the years 1963 to 1966 revealed there was no appreciable increase or decrease in hunting licenses issued in the City and County of Philadelphia. The below listed totals do not show the total number of hunting licenses issued to Philadelphia residents because a citizen of this Commonwealth may obtain his hunting license in any County.

1963	21,597
1964	22,602
1965	21,759
1966	22,294

COUNCIL OF THE CITY OF PHILADELPHIA, OFFICE OF THE CHIEF CLERK, CITY HALL, PHILADELPHIA

Certification: This is to certify that the following is a true and correct copy of the original Ordinance adopted by the Council of the City of Philadelphia and approved by the Mayor on March 15, 1965.

NATHAN WOLFMAN,
Chief Clerk of the Council.

BILL No. 560–A

[Explanation: *Italics* indicate new matter added to existing ordinance.]

An ordinance amending chapter 10–800 of the Philadelphia Code, relating to safety in individual conduct and activity, by adding a new section regulating the acquisition or transfer of firearms, under certain terms and conditions, and providing penalties for violations

The Council of the City of Philadelphia hereby ordains:

SECTION 1. Chapter 10–800 of the Philadelphia Code, relating to safety in individual conduct and activity, is amended, by adding a new section, as follows:

§ 10–814 Acquisition or Transfer of Firearms

(1) Definition.

(a) Firearm. Any rifle, pistol, revolver, gun or shotgun.

(b) Departmental. Department of Licenses and Inspections.

(2) Prohibited Conduct. No person shall acquire or transfer any firearms in the City, and no person shall acquire a firearm outside of the City, which is brought into the City, unless application has been made to, and license obtained from, the Department.

(3) Application. The applicant for a license shall pay a fee of one (1) dollar, for each transaction of acquisition or transfer regardless of the number of firearms transferred or acquired at that time, and supply the following information on forms provided by the Department:

(a) the name, and any other names by which applicant has been known;

(b) the home address, and any other addresses at which applicant resided within five (5) years immediately prior to application;

(c) the present business or occupation, and any business or occupation, in which applicant has engaged for five (5) years immediately prior to the application;

(d) the date and place of birth if applicant;

(e) the caliber, length or barrel, make, model and, if known, manufacturer's number of the firearm;

(f) a statement by applicant indicating the date, place, nature and disposition of any criminal proceedings brought against the applicant for any offense other than traffic violations;

(g) name, address and occupation, of the person from whom the firearm is to be acquired or transferred; and

(h) a copy of applicant's fingerprints and his photograph.

(4) License.

(a) No license shall be issued unless the Police Department, after due investigation, approves the application. The Police Department shall not approve the application if it finds that applicant is either:

(.1) under eighteen (18) years of age;

(.2) a person convicted of either a crime of violence, any violation of the Uniform Firearms Act or carrying a concealed deadly weapon;

(.3) a person convicted of selling, using or possessing narcotics; or

(.4) an habitual drunkard.

(b) A license shall be issued or refused within thirty (30) days after the filing of an application.

(c) The license shall bear applicant's name, age place of residence, and a full description of the firearm; and shall also have affixed thereto applicant's photograph, signature, and a copy of his fingerprints.

(d) All persons licensed hereunder carrying a firearm on or about their persons shall carry the license for that firearm on their person as provided herein with the exception of:

(.1) Employees of common carriers, banks or business firms whose duties require them both to protect moneys, valuables or other property in the discharge of such duties, and to carry firearms owned and supplied by their employers, but such employees shall carry a copy of said license; and

(.2) persons less than eighteen (18) years of age accompanied by the parent or guardian licensed to acquire or transfer that firearm.

(e) The Department shall revoke the license of any person who, subsequent to obtaining a license, has either:

(.1) been convicted of a crime of violence, a violation of the Uniform Firearms Act or carrying a concealed deadly weapon;

(.2) been convicted of selling, using or possessing narcotics; or

(.3) become an habitual drunkard.

(5) Duty of Transferor or Vendor.

(a) No transferor or vendor shall give, transfer, sell or deliver possession of any firearm to any person unless the transferee or vendee supplies to the transferor or vendor the required license for the scrutiny of the vendor or transferor.

(b) If no manufacturer's number of the firearm appears on the license, the transferor or vendor shall insert said number in the designated space, and shall forthwith notify the Police Department of the sale or transfer of the particular firearm and advise the Police Department of the manufacturer's number of said firearm which was inserted on the license.

(6) Exclusions. No license shall be required under this section:

(a) by any governmental agency which owns or acquires firearms; or

(b) for transfer of firearms between a manufacturer and a duly licensed dealer, or between one licensed dealer and another dealer, in their usual course of business; or

(c) for licensed pawnbrokers, accepting a firearm as security or pledge for a loan, until the pawnbroker makes a sale or transfer of the firearm pledged to a person other than the owner, at which time a license shall be obtained for the sale or transfer, as provided herein.

(7) Penalty. The penalty for violation of this section shall be a fine of not more than three hundred (300.00) dollars, or imprisonment of not more than ninety (90) days, or both.

SECTION 2. This ordinance will take effect thirty (30) days after enactment.

Another Achievement for Mississippi

Hon. G. V. (SONNY) MONTGOMERY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. MONTGOMERY. Mr. Speaker, another first has been added to those already achieved by Mississippians or the State of Mississippi. Combat target teams of the 321st Strategic Missile Wing are required to certify before Col. Gerald G. Fall, Jr., 321st SMW commander. This program marks the first such certification of maintenance crews in the Strategic Air Command and parallels the requirements for missile and aircraft crews assigned to tactical units.

The first crew to be certified by Colonel Fall is composed of 1st Lt. Marvin R. Melton, Yazoo City, Miss.; T. Sgt. Richard Q. Lieu, and Sgt. Thomas E. Ellis, of the quality control section.

Team members must be proficient and fully knowledgeable of the duties and responsibilities of their jobs and know all other subjects related to their assignments. Before being evaluated by the wing commander each team must be evaluated in their own sections and have completed their general military testing. The quality control and evaluation section introduces the team to the commander and presents the team's record of testing, evaluation, and audit record on their alinement work. Upon completion of the certification by the commander, the team is presented unit special orders, certifying them as a combat target team.

Old Fort No. 4 Still Stands

HON. THOMAS J. McINTYRE

OF NEW HAMPSHIRE

IN THE SENATE OF THE UNITED STATES

Thursday, April 4, 1968

Mr. McINTYRE. Mr. President, Americans are and always will be eternally grateful for those who have fought for our freedom. Whether the fight is in Vietnam in 1968, or in Charlestown, N.H., in 1747, we hold in respect and gratitude those men who have resisted tyranny and aggression for the sake of liberty.

These thoughts come to mind as the New Hampshire Federation of Women's Clubs is raising funds to restore the site of Old Fort No. 4 in Charlestown, N.H. There on a site which would play a later role during the American Revolution some 30 years later, Capt. Phineas Stevens of New Hampshire led a heroic defense of the Connecticut River Valley against a French and Iroquois Indian attack.

Mr. President, a summary of this story and its message for today is well presented in an editorial titled "Courage Never Goes Out of Style," appearing in the March 25 edition of the Manchester, N.H., Union Leader. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

COURAGE NEVER GOES OUT OF STYLE

On a grey day late in March of the year 1747, 30 men (fewer in number than one of the city buses will hold) trudged up the frozen Connecticut River to occupy Fort No. 4 at a place now called Charlestown.

These were no ordinary farmers or tradesmen but tough scouts under the command of Captain Phineas Stevens. Their mission: protect the villages along the lower Connecticut from the advancing French and their Iroquois Indian allies.

Early on the morning of April 7 the guard took the unusually restless dogs outside the fort to reconnoiter. A fusillade of shots met him as he opened the gate. The battle that was to make southern New England secure for all time from a northern invasion of the French and Indians had begun.

For three days, Captain Stevens and his men withstood the musket fire, flaming arrows and a hay filled cart set burning against the barrier. No sleep, no food, and 700 of the bloodthirsty enemy beyond the wall ready to attack in force at any moment.

Imagine yourself one of that "bus load" of citizens defending behind the log stockade. Without having been in such a place as Khe Sanh where our men now defend freedom in Vietnam, it is hard to imagine the courage and stamina required.

But courage and stamina are qualities

which often determine the odds, as they did at Fort No. 4. On April 10 the French commander, under a flag of truce, suggested hopefully that the defenders might give up.

Captain Stevens' answer was one word: "Never."

Tired, cold, hungry, and afraid the ice on the Connecticut would melt, destroying their clear highway north, the French and their bloodthirsty allies departed for Canada, never to return.

For another 30 years the fort was to serve America. It was here, for example, that John Stark mustered his forces in 1777 before the battle of Bennington.

Today, a monument to the fortitude of our forebears, rises again. The fund-raising drive to complete the reconstruction is under the chairmanship of the indefatigable Mrs. Guy E. Speare. She undertook the assignment at the age of 91 and has traveled thousands of miles in behalf of this latest of her many projects.

On April 6, the eve of the French and Indian attack 221 years ago, the club women of New Hampshire will begin their "Tag Days" to raise the funds necessary to complete the rebuilding of old Fort No. 4.

All citizens of New Hampshire should be willing to help.

It is one more way of saying that for courage, for blood shed and battles won for freedom in this or any age, Americans remember and are grateful.

Soviet Jewry

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. FRASER. Mr. Speaker, the following resolution on Soviet Jewry, which I commend to every Member, was adopted recently by the Minneapolis Central Labor Union's Human Rights Committee:

> In this 50th anniversary year of the Soviet Revolution, we appeal to Soviet leaders to act upon the promises of national self-determination and religious freedom for all groups, promulgated 50 years ago by Lenin in the Declaration of Rights to the Peoples of Russia and embodied in Soviet law and formal policy statements.
>
> We are painfully made aware through recent news reports of the fact that there is a return to pre-war Polish anti-Semitism, which must be eradicated. If not, anti-Jewish manifestations in Poland, including economic reprisals against fathers whose sons were allegedly involved in the student unrest, can only be interpreted as a sign that those few Jews who survived the Nazi persecutions will find themselves once again the victims of new Nazi-like outrages.
>
> The continuing systematic strangulation of Jewish religious, cultural, and communal life in the Soviet Union should be halted. Maintenance of synagogues, training of rabbis, Jewish education, and family reunion with relatives in other countries should no longer be impeded by the Soviet government.
>
> The Soviet regime has shown sensitivity to the growing condemnation by the world outside its borders of its special discrimination against Soviet Jews. We urge that these protests be intensified locally by our communities.
>
> We further urge the United States Government seek to alleviate the plight of the Jews in the USSR and its satellite countries in the following manner: When measures come before Congress involving East-West trade or similar appropriate bills that amendments be offered specifying that the countries with which we trade must display concern for American opinion in Soviet policies affecting the Jews and other groups persecuted in these countries. In view of the fact that our federal laws now require that all our business concerns trading with the government treat employees on a non-discriminatory basis it is only fair that a similar demand be made of those countries with which we are engaged in commerce. Anti-Jewish policies could be ameliorated if the Kremlin comes to realize that such bias simply is bad business in terms of world trade and commerce.

The Great Surrender of 1968

HON. JAMES B. UTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. UTT. Mr. Speaker, President Johnson's announcement, taking himself out of the campaign for reelection, was a bomb that can only be measured in megatons. The explosion overshadows the true import of his 40-minute address to the Nation.

President Johnson has been a target of vicious attacks and criticism by members of his own party, much of which went beyond the prescribed limits of constructive criticism. It is difficult to blame anybody for backing away from the awesome burden of the Presidency in these troubled times, but, having once accepted it and "put his hand to the plow," he should not have turned back, submitting to pressure and leaving Congress like a ship without a rudder. The power of a lameduck President diminishes rapidly, leaving a confused leadership in the party, as well as in the Congress.

Just a few weeks ago, the President, in a fighting speech, said:

> Let no American mistake the enemy's major offensive now. It is aimed squarely at the citizens of America.

No truer statement has ever been spoken, and this offensive by the enemy has just been won, by surrender. This offensive has been directed by the highest echelon of international communism, directed from Moscow and Peking, aided and abetted by opportunist politicians with their campus brigades and draft-card burners. President Johnson yielded to the demands of this noisy crowd and "caved in."

There was dancing in the streets of Hanoi over the President's shift in policy. One of the finest results of the President's announcement was to leave BOBBY KENNEDY and GENE MCCARTHY speechless for at least 15 minutes, but they were both quick to recover and to resume their divisive demands to stop the war, but offering no alternatives.

Hanoi accepted the President's offer to discuss the termination of hostilities. Why they accepted this offer so quickly, after having rejected all other offers in the past, generates some suspicion. There are two possible reasons. One is that the enemy is following the procedure of military tactics laid down by the Communists to the effect that, prior to launching a massive offensive, one should deceive his opponent by gestures of peace. The second reason would be because they have misjudged the President's address and believe that the American people are so sick of war that they have mandated the President to accept peace at any price, and that Hanoi feels that our country would be negotiating from a posture of weakness rather than strength. Either reason bodes no good for America.

The first telegram I received on Monday morning following the President's address was from a mother in my district, as follows:

> We who have relatives and friends fighting in Vietnam will never forgive the politicians for not letting the military win this war. We are sick at heart to think more will be killed because of the stupid political expediency of this administration. God help our fighting men, for this administration will not.

I think the President failed bitterly by not informing the American people of the goal and purpose of this war; and, consequently, individuals and groups, and great segments of the public, worked up an emotional momentum against the war in Vietnam. This is our fourth major war in this century. The First World War was fought to stop the aggression of Imperial Germany. The Second was to stop the aggression of Imperial Japan. The Korean war was to stop the aggression of North Korea against South Korea, and the Vietnam war was to show, not only to North Vietnam, but to the world, that aggression would not pay off. If we negotiate now and surrender, and accept the Vietcong into the household of nations, it will be a signal to the world that aggression is a profitable pastime, and may be engaged in with impunity and immunity, until the entire world is absorbed by the international Communist conspiracy.

Let us not forget that after the armistice negotiations were started with North Korea, from July 13, 1951, to July 27, 1953, we had 12,700 additional military personnel killed and 49,501 wounded. This must not be permitted to happen under any cease-fire agreement with North Vietnam.

I want to quote a statement which should well be our motto today. It was written by John Stuart Mill in the 1800's. He said:

> War is an ugly thing, but not the ugliest of things. The decayed and degraded state of moral and patriotic feeling which thinks nothing is worse than a war, is worse. A man who has nothing which he cares about more than his personal safety is a miserable creature who has no chance of being free unless made and kept so by the exertions of better men than himself.

The "Pueblo": How Long, Mr. President?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. SCHERLE. Mr. Speaker, this is the 73d day the U.S.S. *Pueblo* and her crew have been in North Korean hands.

Report to the People of the Third District of Pennsylvania on the First Session of the 90th Congress

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HON. JAMES A. BYRNE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. BYRNE of Pennsylvania. Mr. Speaker, I would like to take this opportunity to report to the people of the Third District of Pennsylvania on my stewardship during the first session of the 90th Congress and the first 3 months of the second session.

The record of the 90th Congress is encouraging. Over 40 major administration proposals were approved.

When Congress convened last January, there were 47 fewer Democrats in the House of Representatives than were in the 89th Congress. This group had a 75 percent favorable voting record on administration proposals. In view of this significant loss in support it is understandable that we were not able to accomplish every objective.

Certainly, during 1967 the Congress demonstrated that the American people can meet their commitments both at home and abroad. We adequately provided for our national defense and also made considerable progress in solving the many domestic problems which beset our country.

For my part, I was kept exceedingly busy by the increasingly heavy volume of my legislative duties, particularly in connection with the work emanating from the Armed Services Committee. As a senior member of this important committee I took a vigorous role in considering problems relating to our country's common defense—Vietnam, in particular; Selective Service matters; scientific research and development of weapons in support of the Armed Forces; pay, promotion, retirement, and other benefits and privileges of members of the Armed Forces; and administration of ammunition depots, forts, arsenals, Army, Navy, and Air Force reservations and establishments.

In this latter category, I worked unceasingly in behalf of the Philadelphia Navy Yard, the Defense Supply Agency, Frankford Arsenal, and other military installations in Philadelphia, in an effort to secure new work to maintain a high level of employment, which is of vital importance to the city of Philadelphia.

In April 1967 I was also chairman of a Special Subcommittee for the Armed Services Committee which inspected military installations in Southeast Asia, including South Vietnam and Thailand. Our primary purpose was to study military construction with particular emphasis on troop cantonments and troop morale. I made a concerted effort to meet and talk with as many servicemen from Pennsylvania as was humanly possible. I was delighted to talk with many from Philadelphia, including Joseph Horner, Jr., 2034 Blair St.; Col. Ralph Sciolla, 521 West Pike St.; Mike McNally, 2365 E. Huntingdon St.; John Veneziale, 2512 E. Somerset St.; Salvatore F. Bargadoro, 635 Catherine St.; Stanley Teagle, 1704 N. 25th St.; Arnold Stern, 1249 Greely St.; and Joseph Collopy, 1591 E. Hewson St. It pleases me to report that the morale of all of the men was very high. They were doing a splendid job despite the difficult situation.

I also served as chairman of a Special Subcommittee on Dental Care. This subcommittee was activated as a result of the many complaints the Armed Services Committee received from GI's concerning the enormous expenses they were encountering in securing dental care for their dependents from civilian dentists. As a result of this special study, I have introduced a bill which would provide dental care for dependents of active duty military personnel to be provided by civilian dentists, and would cover the full range of dental services.

Concerning my activities as a senior member of the Merchant Marine and Fisheries Committee, my efforts have been specialized in problems concerning the merchant marine and Panama Canal. I have been especially interested in the welfare of the American merchant marine and fought hard to keep it from becoming a part of the new Department of Transportation. I introduced H.R. 388 to create the Federal Maritime Administration, and identical legislation has now passed the House and is awaiting action by the Senate.

The Port of Philadelphia is of vital importance to the economic development of the city. As a member of the Merchant Marine Committee, I am in an excellent position to watch out for any legislation which would adversely affect the port. Conversely, I always put forth a word in favor of legislation which would be beneficial to the port.

So far in the 90th Congress, I have authored and introduced many pieces of meaningful legislation, a number of which directly affect Philadelphia. In the past I introduced legislation which was enacted into law to provide for the incorporation of Old St. Joseph's Church, Old Swede's Church—Gloria Dei, St. George's Church, and other property as part of Independence National Historical Park. To continue the park development plan, I have introduced H.R. 3743, to provide for a parking lot for visitors to the park area; H.R. 3900, for the acquisition of the New Amsterdam Building; and H.R. 6347, for the acquisition of the Irvin Building.

Also, I introduced House Joint Resolution 218, to authorize the President to designate Philadelphia as the site of a world's fair commemorating the 200th anniversary of the signing of the Declaration of Independence.

Other legislation I have introduced which should be helpful to Philadelphia and the country as a whole is as follows:

H.R. 340, to authorize the conduct of certain research and development through the Coast Guard in order to develop an effective electronic guidance system. This would be of great importance to the safety of the Port of Philadelphia.

H.R. 3903, to provide that pensions paid to retired law-enforcement officers shall not be subject to income tax.

H.R. 4103, to control water and air pollution.

H.R. 5131, to eliminate the reduction in disability insurance benefits which is presently required in the case of an individual receiving workmen's compensation benefits.

H.R. 5399, to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon.

H.R. 5591, to extend and improve the Federal-State program of child-welfare services.

H.R. 9033, to reclassify certain positions in the postal field service.

H.R. 9469, to prohibit misuse or exportation of the flag of the United States in certain instances and to prohibit public display of the flag of a foreign government engaging the United States in war or armed conflict.

H.R. 10572, to improve the educational services in public and private nonprofit child day-care centers.

H.R. 12153, to accelerate the construction and rehabilitation of low- and moderate-income housing in the United States in order to fulfill the national goal for a decent home and a suitable living environment for every American family.

H.R. 12280, to guarantee productive employment opportunities for those who are unemployed or underemployed.

H.R. 12558, to equalize the retirement pay of members of the uniformed services of equal rank and years of service.

H.R. 13290, to amend the United States Code, to extend its protection to postmasters, officers, and employees of the field service of the Post Office Department.

H.R. 13940, to amend the Merchant Marine Act to provide a new maritime program.

H.R. 14226, to provide criminal penalties for the introduction, or manufacture for introduction, into interstate commerce of master keys for motor vehicles. This would aid in the decrease of automobile thefts.

H.R. 14944, to provide for issuance of visas to the victims of the recent Sicilian earthquake.

H.R. 11816, to set up a pension fund for the widows and families of police officers killed while seeking to arrest Federal violators. This bill passed the House on March 28 and should be considered by the Senate in the near future.

Following are some of the major legislative accomplishments which have been achieved so far in the 90th Congress:

HEALTH

The Partnership for Health Amendments of 1967 authorizing $589 million for fiscal years 1968–70 for grants to the States for comprehensive health planning and services, including a $40 million authorization intended for rat control projects in fiscal years 1968–69.

The Mental Retardation Amendments of 1967 providing a total of $281.8 million for fiscal years 1968 through 1970 for construction of teaching facilities and community centers; staffing; training teachers of the handicapped; and a new program training teachers in physical education and recreation for the handicapped.

The Air Quality Act of 1967, authorizing $428.3 million for Federal air pollution control for fiscal years 1968–70. The law authorized the Secretary of Health, Education, and Welfare in time of imminent and substantial danger to public health from air pollution to seek court injunctions as might be necessary to protect the public health against the continued emission of such pollutants. It also authorizes the Secretary to designate air quality control regions throughout the country; to provide Federal financing for regional control commissions to be established by State Governors; and empowers him to enforce air quality standards in the control regions, if the regional commissions fail to enforce HEW guidelines for air purity. In addition, it provides controls over fuel additives, and Federal support to State agencies for developing uniform motor vehicle pollution control device inspection and emission testing programs.

SENIOR CITIZENS

The Social Security Act Amendments of 1967 providing for an across-the-board increase of at least 13 percent for all social security beneficiaries with an increase in minimum monthly benefits from $44 to $55. This is the largest increase in social security benefits in 32 years, but I support even more substantial increases so that our retired citizens may be more fully assured of economic security. This measure also raises the earnings limitations for social security beneficiaries from $1,500 to $1,680 a year. It creates a 60-day, lifetime reserve of hospital benefits under medicare, but with the requirement that the patient pay $20 a day toward the cost of this additional hospitalization. It is estimated that increased benefits during the first full year of the new law will total $3.6 billion.

Legislation extending the Older Americans Act of 1965 for 5 years, through fiscal year 1972, and authorizing $43 million for research, demonstration, and training programs.

The Age Discrimination Act of 1967 prohibits employers from engaging in any discriminatory practice in hiring workers between the ages of 40 and 65 because of age. The investigation and enforcement of the provisions of the act are similar to those of the Fair Labor Standards Act.

CONSUMERS

The Federal Meat Inspection Act amendments providing strong Federal standards for inspection of meat and meat products, and authorizing a program of Federal-State cooperation to bring State meat inspection systems to a level comparable to the Federal inspection system.

A measure strengthening the 1953 Flammable Fabrics Act to cover all wearing apparel and interior furnishings made of fabric or related materials. It enables the Government to halt manufacturers' sales of goods not meeting standards set by the Secretary of Commerce, and for the first time, covers interior furnishings to provide protection against dangerous materials in drapes, bedding, blankets, upholstery, and other products.

Legislation establishing a seven-member National Commission on Product Safety. The Commission will identify categories of household products presenting unreasonable hazard to consumers, study the effectiveness of existing State and Federal law in controlling such products, and report its findings and recommendations to Congress.

EDUCATION

The Elementary and Secondary Education Act amendments extending this act an additional 2 years and authorizing larger expenditures than before. In my view, the programs of this act offer the most effective means for overcoming the serious problems facing many of our schools, particularly in urban areas. For this reason, I urged even broader action by the Congress.

The Education Professions Development Act extending title V of the Higher Education Act of 1965, including the Teacher Corps and a teacher fellowship program, and creating four new teacher-training programs effective in fiscal 1969.

Legislation expanding the Vocational Rehabilitation Act and authorizing $500 million for fiscal 1969 and $600 million for fiscal 1970 for grants to States for basic vocational rehabilitation. More than 500,000 persons will be retained under this proposal. In addition, the act authorizes new programs—first, a program of grants for pilot projects to provide vocational rehabilitation for migrant workers; the other, to establish a new national center for deaf-blind youths and adults.

The Public Broadcasting Act of 1967 providing a 3-year extension of the 1960 law authorizing Federal grants of $38 million for construction of educational television broadcasting facilities, and broadening it to include grants for educational radio broadcasting.

Legislation extending for 1 year the period during which the Federal Government can finance the total cost of the interlibrary cooperation programs, State institutional library services, and library services to the physically handicapped. After June 30, 1968, the Federal Government will pay 50 percent of the program costs and State and local governments will be required to pay the remaining 50 percent.

POVERTY

After a long and difficult legislative battle, the Democratic leadership succeeded in gaining approval of the Economic Opportunity Amendments of 1967, the antipoverty program. This legislation continues the economic opportunity program for 2 years through fiscal 1969, and authorizes $1,980 million for fiscal 1968 and $2,181 million for fiscal 1969. It earmarks $25 million for a program to feed the hungry, and authorizes a new program of day-care centers to assist working mothers. It contains a new provision requiring that after February 1, 1969, community action programs shall, except under unusual circumstance, be carried on by local governments.

Authorization of $200 million for fiscal 1968 and $225 million for fiscal 1969 providing for a 2-year extension of the food-stamp program. This program was initially approved on a pilot basis in 1961 and established on a 3-year basis in 1964. It enables low-income families in both the urban slums and depressed rural areas to purchase Government-subsidized stamps which increase their food-buying power at grocery stores, and makes available to them something approaching an adequate diet, with resulting improvements to physical and mental health.

GOVERNMENT EMPLOYEES

The Postal Revenue and Federal Salary Act of 1967 providing a first-step raise of 6 percent for 725,000 postal employees and a 4.5-percent increase for 1.3 million classified workers making various adjustments in postal rates. The act establishes a commission on executive, legislative, and judicial salaries, and makes it illegal for Federal officials to hire relatives. In addition, it provides for a second pay increase of 5 percent in July of 1968 for postal employees, and authorizes the President to give classified employees adjustments in July of 1968 to close one-half of the differences between their salary levels and comparable private enterprise salary levels. It further provides for a final phase adjustment for July of 1969 for all Government employees to bring their salaries up to par with private enterprise salaries.

A military pay bill providing for an increase of 4.5 percent in the regular compensation of servicemen, including basic pay, quarters, and subsistence allowance, and for automatic pay raises in the future that would correspond to salary increases for Federal civilian employees.

VETERANS

The Veterans' Pension and Readjustment Assistance Act of 1967 giving veterans and their dependents a cost-of-living increase in pension payments, providing full wartime rates of compensation for those injured in Vietnam, and pensions for those who became disabled, as well as higher educational allowances for veterans attending college under the cold war GI bill and a number of new training programs under the law.

AID TO CITIES

Legislation providing $10 million for the rent supplement program; $312 million to get the model cities program underway; $750 million for urban renewal; $165 million for water and sewer facilities under the community facility program; $175 million for the urban mass transit program; and continuance of the low-rent public housing program, including senior citizen housing.

SMALL BUSINESS

The Small Business Act amendments increasing the amount of loans, guarantees, and any other obligations or commitments which may be outstanding at any one time from the Small Business Loan and Investment Fund, and giving small business investment companies access to more SBA money, and increasing from 10 to 15 years the maturity for regular business loans made for construction of facilities.

DEFENSE

Legislation providing a $70 billion defense appropriation for fiscal 1968, the largest in our history, to keep our Nation secure at home and abroad.

A measure providing a $12.2 billion supplemental appropriation supporting military operations in Vietnam through the end of fiscal 1967.

Military construction funds legislation appropriating $2.093 billion for construction at military installations and construction and maintenance of military family housing.

The Military Selective Service Act of 1967 extending the military draft 4 years and making its provisions more equitable.

U.S. defense needs, as we all know, are immense and they have been magnified because of the requirements of our forces in Vietnam and elsewhere in Southeast Asia.

The overwhelming majority of the Members of the House, both Democratic and Republican, supported the legislative moves designed to assure our country with an unequaled military defense ability. Such strength is essential if we are to see an early end to the painful and costly conflict in Vietnam and convince the Communists that they cannot successfully commit aggression upon weak and underdeveloped nations.

Peace in Vietnam is the goal of all compassionate persons. I have done everything possible to contribute to the achievement of this goal and I shall continue to follow this course.

We will be confronted by other priority problems during this second session of the 90th Congress, and must act upon vital, unfinished matters, including the proposed tax surcharge and proposals for tax reform, truth-in-lending legislation, and measures to overcome the growing problem of crime.

I want to assure the people of Pennsylvania's Third Congressional District that I shall continue to strive in every possible way to provide effective legislative responses to the pressing problems and needs which confront us.

I hope my constituents will contact me at my Washington, D.C., office at 2412 Rayburn House Office Building, or at the three offices I maintain in Philadelphia at 114 U.S. Customhouse Building, 239 East Girard, and 710 Snyder Avenue, to express their views on matters of interest and concern to them, or to request my assistance on any problem they may have with the Federal Government. Such communications will be given my utmost consideration.

Our Most Important Ingredient

HON. BROCK ADAMS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. ADAMS. Mr. Speaker, the most serious challenge to the American public education system is whether public education as we have come to know it in the United States can survive in the central cities of America. The old-time concepts of teaching to the average and achieving a substantially satisfactory result in homogeneous classes of 30 to 40 children simply will not be successful in our central cities.

It is vital that the teachers of America participate in the political process in order that they may bring to elected officials greater knowledge of the day-to-day problems existing in the classroom and at the same time draw from the political structure greater knowledge as to the strengths and limitations of Government help to education.

The solution to this crisis in American education involves not only the spending of money, but qualitative changes in how this money is applied. The development of new curriculums, improved teaching techniques, and a greater understanding of the actual factors that enter into the learning process in the classroom are some examples of the qualitative changes that are necessary.

I salute the National Education Association for its efforts to improve our educational system through its most important ingredient—the teachers.

Watch Your Money

HON. E. ROSS ADAIR

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. ADAIR. Mr. Speaker, many Americans are deeply concerned about the state of the Nation's monetary system. What with the balance-of-payments problem, the removal of the gold cover, the pressures of inflation and excessive Federal spending while the country is involved in Vietnam, the situation is becoming more distressing each day and the public is expressing its anxiety.

I thought that the editor of the Steuben Republican at Angola, Ind., summed up the matter very clearly in an editorial captioned "Watch Your Money." With this in mind I am inserting the editorial in the RECORD so that it may be brought to the attention of my colleagues and for more widespread dissemination across the country

The editorial follows:

WATCH YOUR MONEY

Have you been wondering why your dollar doesn't seem to go as far as it did a few years ago?

Even though we are aware of the effect of inflation on the price of everything we buy, how many of us realize what the total cost of government is today and how this huge figure affects our lives.

Federal, state and local government spending has reached an estimated $250 billion annually, not counting the billions going for defense. But it's difficult for Mr. and Mrs. Public to conceive of the total dollars they put in these three different government pockets. Uncle Sam's pocket accounts for 33 per cent of public spending, the states account for 24 per cent, and local governmental units 43 per cent—on the average.

However, regardless of what level of government spends the money, the fact remains that it comes first out of your pocket.

More control of government programs and spending is assured when services are handled and financed at state-local levels. Then Mr. and Mrs. Public have a better chance to say something about the relative priority of specific projects. They can keep a better check on spending when it's closer to home.

One way to reduce the total drain is to make each dollar work harder—preventing duplication and waste in programs and personnel—and this can best be done right here where taxpayers can take a good look at what's happening.

A Statement on Violence in the Streets

HON. ROBERT N. C. NIX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. NIX. Mr. Speaker, it is difficult for me to accept the dire predictions from so many doom prophets that this country is incapable of avoiding a coming "long, hot summer" of violence in our major cities.

The doom prophets were able to smugly clap their hands this past Thursday, March 28, when violence and looting erupted in Memphis, Tenn., and say "we told you so." Is it decent to feel pride in the accuracy of a forecast of destruction? Is it constructive to dwell on the potential for riots rather than the possibilities for rehabilitation?

As do the overwhelming majority of Negro citizens in the United States, I strongly deplore the unwarranted violence and looting in Memphis this past week. It was a shameful display of rebellious behavior that seems to be gaining acceptance almost as a way of life, not only among a few misguided brothers in the black community, but among the press, some of our leaders and bleeding-heart social scientists.

The one question which persistently hammers away at the walls of reason in my mind is: What does the violence gain? Material advances? Can we point to new housing? Better schools? More jobs? A greater understanding between the black and white races? More political power?

There can be little question that the violence in many major cities during the past few summers forced an official reassessment at the municipal, State, and Federal levels of ongoing programs designed to relieve poverty and racial discrimination. What is more, in Detroit, over 5,000 jobs were suddenly "found" after that city's holocaust last summer.

But what an extravagant price Detroit Negroes paid for those jobs—hundreds of homes destroyed, lives ruined, people killed, and a devastated community which will take years to rebuild itself and recover its losses. Is the future any brighter today after those riots?

Is collective self-destruction a goal to be sought by Negroes? Is the decimation of black neighborhoods a conscious aim of some of our leaders? Is it not possible to communicate to many of our young black people that violence is only a self-defeating exercise which will eventually swallow them as well as the system they seek to destroy?

Despite my personal and trenchant opposition to violence, I do not merely condemn it as a social process that happens in a vacuum.

Riots and rebellions explode into reality because there is already fertile ground for their cultivation. Black alienation, particularly among our young people, seems to be growing, not lessening.

And no wonder. One out of every three Negro teenagers is unemployed today.

In the most recent Bureau of Labor Statistics report, the jobless rate for all Negroes, ages 16 to 19, is 32.7 percent compared to only 11 percent for whites in the same age bracket.

And what does a young Negro do when he cannot find work?

What does any teenager do when he is forced into a life of idleness?

He seeks the sanctuary of friendship he cannot find in a broken home or a slum existence. He joins a gang and this new organized semifamily relationship of the streets becomes as much a force for evil as it is for good.

This happened in Memphis. According to press reports, the violence in Memphis was touched off by a gang known as the Invaders. A group from this gang led other Negro teenagers into breaking off from Rev. Martin Luther King's march through downtown Memphis and began smashing windows and looting stores.

There was an obvious display of police overreaction, according to many impartial observers, in attacking all of the marchers, rather than limiting police control to the lawbreakers. There is no greater tragedy in law enforcement than to arrest or to injure the innocent in such situations.

But I also am disturbed by the administrative carelessness with which the distinguished Reverend King planned this march. According to one of his aides, Reverend Young, SCLC "just made a mistake in Memphis" by failing to be aware of two facts: First, that there was a significant segment of young black militants in the community; and second, this organized segment was a force with which to be reckoned.

To read a headline in the newspapers, "King Aide Blames 'Hostile' Kids for Rioting in Memphis," is to beg the question about the true nature of violence and the role of nonviolence in an already violent atmosphere.

In fact, the history of the technique of nonviolence in the civil rights movement indicates that many times it has been counterproductive in reaching its goals. It is a wonderful thing when people can assemble peacefully and nonviolently to make their witness in the cause of human togetherness.

But it is catastrophic when this assemblage eventuates into a wild, undisciplined looting spree.

I find no solace in the explanation given by many that the proposed "poor peoples march" will be intended as a nonviolent exercise, but that if violence explodes, then it is the fault of some outsiders or radicals. That is tantamount to telling an innocent man whose leg has been shattered by a stray bullet that it was "an error in judgment." The bullet, no matter who fired it or what the intent of the gunman was, has accomplished the same objective—the possible maiming for life of a human being.

The same can happen during the "poor peoples march" in Washington, D.C. Unexpected developments and unanticipated participants can radically shift this peaceful demonstration into a fury of riots. And I ask, what good is the explanation or alibi that "it was our determination to have a nonviolent march"? Unless any effort can be controlled by those who initiate it, then they must shoulder a share of the blame for the events which flow directly from that effort.

Once again, I wish to reaffirm my deepest opposition to violence—any form of violence under any circumstances, no matter what the provocation—as a solution for the racial ills which continue to plague our Nation. As urgent as is the need for an immediate solution to the manifold problems of racial tensions and racial discrimination, Government failure to resolve these problems immediately does not ipso facto alibi the savagery of violence.

I urge all of those who deeply feel the grievous wrongs of many years to turn toward political activity, community organization, and participation in civic groups as a truly effective means of changing the pattern of American racism.

I urge young people, black and white, not to give up on their elders or lose trust in "anyone over 30." We are still prepared to help, anxious to make a better world and determined to succeed.

If there is to be violence, let us not be the perpetrators. Let us exercise the dignity, the statesmanship, and the rationality of a great race of people who have a rendezvous with destiny. There can be a golden future for young Negroes if they can mobilize themselves into a political force for power and a lasting force for brotherhood.

The Role of the Teacher in Politics

HON. FRANK T. BOW

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. BOW. Mr. Speaker, teachers throughout the United States will be meeting in seminars and forums this week to discuss the role of the teacher in politics—the TIP program of the National Education Association.

I include with my remarks some comments on the program which I have made in a letter to Mr. John Lumley of the NEA:

Congress of the United States,
House of Representatives,
Washington, D.C., April 3, 1968.

Mr. John Lumley,
NEA Assistant Secretary for Federal Relations, National Education Association, Washington, D.C.

Dear Mr. Lumley: Thank you for telling me about Teachers-In-Politics Weekend. I trust it will be a smashing success.

As a matter of fact, I have known many teachers who have been active in politics during my own years in Republican activities and they have made a great contribution.

May I suggest that the motivation for the teacher in politics should be much larger than a desire to enhance the benefits of his own profession or the community's support of educational programs. Activity in politics solely for these purposes would ignore the much larger responsibility that rests upon teachers because they are among the best educated citizens of the country. Teachers can bring to political organizations special expertise about their own profession which will be very useful. But their interest should extend to the whole range of political activity. Their influence and the benefits that will come to education will be much greater if their interest is broad rather than narrow.

Sincerely yours,

Frank T. Bow,
Member of Congress.

The U.S. Panama Canal

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. RARICK. Mr. Speaker, by Monday's vote, 216 to 137, the House refused a two-thirds vote to suspend the rules and pass H.R. 15190 which would have provided additional waste of taxpayers' dollars for a report and additional planning to give away the Panama Canal.

In my remarks of March 21, 1968, page 7338, I inserted in the Record documented facts to support a positive plan for retention of our canal—at a great saving to our taxpayers.

Recent unstable politics in the Canal Zone only prove our retention is in our best national interest.

So that our colleagues may have additional data, I place the editorial from the Chicago Tribune, articles from the Wall Street Journal and Barron's, and correspondence from the Panama Canal Company following my remarks:

[From the Chicago Tribune, Mar. 21, 1968]

May the Dead Treaties Rest in Peace

Panama is suffering from its usual pre-election stomach pains. President Robles, who helped to impeach former President Arias some time ago, has now been impeached by a pro-Arias national assembly for allegedly trying to rig the forthcoming presidential election to prevent the election of Dr. Arias. Mr. Robles, who cannot succeed himself, has picked someone else as his choice and says he is going to ignore the impeachment.

We're not going to try to explain Panamanian politics. We only want to give thanks to our lucky stars [including our correspondent, Chesly Manly] that the proposed revisions of the Panama canal treaty never got beyond the talking stage. Had Mr. Manly not obtained them last year, and had they not been published in the Tribune, they might have been slipped thru the Senate at great cost to the security of the Panama canal.

They would have surrendered United States control of the canal to a joint commission on which we would have had a bare majority of one. This is one of the many objections to the treaties cited by Dean Emeritus Solomon Cady Hollister of the Cornell university college of engineering in an interview with Mr. Manly in last Sunday's Tribune.

Dean Hollister was chairman of a board of consultants which studied the canal several years ago for Congress. He is particularly concerned about the security of the present canal because, as an engineer, he believes the difficulties of building a new sea-level canal are much greater than generally supposed.

Dean Hollister's concern is timely because Dr. Arias, tho a professed friend of the United States, is calling for a renegotiation of the treaties. He is not doing this because he has any specific complaints himself. He is doing it in order to satisfy the demands of nationalist and left-wing politicians whose livelihood depends, and will continue to depend, on making demands and attacks upon the United States. It doesn't really matter how great or small the concessions in the proposed treaties might be. If they had been ratified by the two countries, Mr. Arias would still be calling for their renegotiation—except that the treaties would then serve as the basis for further demands instead of as an initial goal.

As Dean Hollister put it, "Until they get it all, the more you give them the more they want." President Eisenhower thought he had appeased the Panamanian nationalists by ordering Panama's flag to be flown in the Canal Zone—but they didn't stay appeased five minutes.

What this boils down to is that whatever concessions we make will lead only to demands for others. This game is not governed by the rules of logic and equity; it is governed simply by raw politics and demagogery and the Panama Canal would end up as unreliable as Suez. The ostensible purpose of our altruism—stable and friendly government in Panama—will probably remain as elusive as ever. But the concessions we make in the vain hope of attaining that goal will be real, irrevocable, and ultimately disastrous.

[From the Wall Street Journal, Apr. 4, 1968]

LATIN SETBACK: PANAMA'S TURMOIL DEALS BLOW TO U.S. INTERESTS IN THE CARIBBEAN AREA—ANGER OVER PROPOSED CANAL TREATIES IS A KEY CAUSE; ALLIANCE AIMS FRUSTRATED—OLIGARCHY VERSUS THE MIDDLE CLASS

(By James C. Tanner)

PANAMA CITY.—This tiny nation's current predicament—two men claiming the office of president—has comic opera overtones. But in the long run Panama's muddled affairs aren't likely to prove very funny for the U.S.

The turmoil could mean that millions of dollars poured in here by Washington in recent years in the hope of creating a stable government may have gone for naught. It almost certainly means a setback for the whole Alliance for Progress effort to bring economic and social progress in Latin America, an undertaking that has already met with more than its share of setbacks.

Most important, the political unrest poses a serious threat to painstaking efforts under way since 1964 to insure stability for the Panama Canal Zone, as well as to plans aimed at supplementing the canal with another Atlantic-Pacific link by the time the old one is too congested to handle all the traffic.

The political conflict here is still far from resolved. Marco Robels, the president whose four-year term expires next October, was impeached on March 24 by the national assembly on charges that he violated a constitutional curb on presidential participation in partisan politics. Sugar baron Max Delvalle, Panama's first vice president, was picked by the assembly to succeed Mr. Robles.

COURT RULING EXPECTED

But Mr. Robles refused to quit. The dispute, which has seen the pro-Robles national guard putting down opposing demonstrators, has been submitted to the supreme court here, and a ruling could come any time. However, many observers believe it will take more than a court decision to break the stalemate. The assembly contends that the court justices are pro-Robles and have no jurisdiction in the case.

The U.S. officially maintains it is strictly neutral in the dispute, but there can be little doubt that Washington's sympathies lie with Mr. Robles. He has pushed tax reforms that are a key part of the Alliance for Progress program. He also has sought to calm the violent outbursts of nationalistic feelings stirred in the past by the U.S. role as the sole authority over the 10-mile wide Canal Zone. That power was obtained by the U.S. under a 1903 treaty and supposedly was to endure forever.

Following the Canal Zone rioting of 1964 that left 21 Panamanians and four U.S. soldiers dead, a special commission of Americans was set up by President Johnson. It negotiated three new treaties with Panama. However, none has been ratified by either country. Among other things, the treaties would have reestablished Panama's sovereignty over the Canal Zone, provided for joint defense of the zone and outlined plans for construction of a new sea-level canal, perhaps in Panama.

But the national assembly, Panama's unicameral legislature, denounced the treaties. The Panamanian press also attacked them, complaining that they were negotiated in secrecy and didn't go far enough in reducing the U.S. presence in Panama. The treaties also drew opposition from scores of U.S. Congressmen who griped that the U.S. was "giving away" vital U.S. military assets.

FORMER AMBASSADOR COMPLAINS

The outcome of the present political crisis is anybody's guess, but it clearly jeopardizes Panama's chances of being selected as the site of the new canal. A former Panamanian ambassador to the U.S. complains: "President Johnson has said the factor of political stability would be considered in locating a sea-level canal, and feuding politicians are frittering away the possibility of having a new canal in this country."

Even if Mr. Robles manages to complete his term in office, by law he can't succeed himself. And none of the present candidates for the presidency shows any inclination to press for ratification of the treaties previously negotiated. In the U.S. Robert G. Storey, vice chairman of the five-man Atlantic-Pacific Interoceanic Canal Study Commission, which is charged with recommending a new canal site, says the group hasn't yet ruled out any of the four possible locations for a more modern, wider canal. Two of the sites under consideration are outside Panama. One would be along the Nicaragua-Costa Rica border and the other would go through Colombia.

Much of this country's economy is still based on the existing canal. In addition to the $1.9 million annual royalty paid to Panama by the U.S., purchases, payrolls and other benefits of the canal contribute $150 million a year to the economy. And if this country isn't selected as the site of any new canal, it would stand to lose the economic benefits a new canal would bring.

TOURISM DROPS

But more than the new canal is threatened by Panama's current turmoil. Tourism, an important source of revenue, is slackening. Construction, which was formerly expanding briskly, has almost halted. Business in general is down sharply, except at supermarkets where nervous Panamanians are stocking up on groceries in fear of further mob violence as a result of the political feuding.

Some observers here believe the U.S. might be reluctant to pump more funds into an unstable Panama. Local critics of Mr. Robles charge that part of the estimated $65 million sent to Panama by the U.S. during the last four years has gone into the training and financing of the national guard, the force that is keeping Mr. Robles in the presidential palace.

Mr. Robles' tax reforms hit the rich hardest, and they have angered many of this country's ruling elite. This oligarchy of a dozen wealthy families, some of whom originally backed Mr. Robles, has traditionally controlled Panama's politics. But now it is deeply divided between the impeached regime and its opponents.

The chief architect of the tax overhaul has been finance minister David Samudio, a 58-year-old engineer who is Mr. Robles' choice to succeed him in the May 15 presidential election. It was Mr. Robles' open promotion of Mr. Samudio that allegedly violated the constitution and formed the basis for impeachment.

Mr. Samudio's opponent is Dr. Arnulfo Arias, 66, a Harvard-educated medical doctor, millionaire coffee farmer and powerful right-wing figure in Panama politics since 1932. He was twice elected president and twice ousted, once on a charge of sympathizing with Nazis and later after he abolished the national assembly and began jailing political figures, including Mr. Samudio.

Dr. Arias was once scorned by the rich for his erratic ways, but now many feel he has mellowed and have thrown their support to him. It's no secret that Dr. Arias, coming out of 17 years of political retirement, engineered the impeachment of Mr. Robles. According to his supporters, Dr. Arias felt that the only way he could get fair treatment at the polls in May was to get Mr. Robles out of office.

Backers of Mr. Robles and Mr. Samudio see things differently. Fernando Eleta, Mr. Robles' foreign minister and his chief negotiator for the canal treaties, says: "In Samudio lies the emerging power of the middle class. In Arias, it is the utilization of a popular figure by the financial interests which have always dominated us."

Interviewed behind locked doors in the shabby building housing his campaign headquarters, Mr. Samudio agrees: "The political parties supporting Arias are headed by a powerful group of families who want to maintain the status quo of poverty in Panama while they keep filling their pockets, and they don't like the idea of paying taxes."

The disenchantment of the oligarchy and the treaty foes with Mr. Robles became clear last year. Four parties bolted from the coalition that had helped elect him in 1964. This reduced the number of pro-Robles deputies in the 42-man national assembly to 12. On the impeachment vote, 30 deputies voted against Mr. Robles, 11 for him and one abstained.

Mr. Samudio is generally regarded as a technically minded, pragmatic man who seems the most likely candidate to gather the broad support of Panama's poor. During his term as finance minister under Mr. Robles, Panama has prospered as a banking and distribution center. The government's budget during the past four years has climbed to $130 million a year from $64 million, and the country's gross national product in 1967 rose 9.5% to $764 million. But even though Mr. Samudio is Mr. Robles' choice for the presidency, his election would do little to solve the canal treaty problem. Mr. Samudio rejects the terms of the already negotiated treaties, adding, however, that they might serve as a starting point for new negotiations.

The election is generally rated a toss-up, although most politicians pick Dr. Arias as the likely winner. But Mr. Samudio has been drawing sizable crowds at his political rallies. A third presidential candidate, Dr. Gonzales Revilla, a neurosurgeon, represents the Christian Democrats, but that party has seldom mustered more than a handful of votes in a national election.

[From Barron's, Apr. 1, 1968]

STORM OVER PANAMA: THE UNITED STATES SHOULDN'T GIVE AN INCH ON THE CANAL

In a U.S. Presidential election year, honesty and fair play more often than not finish last. Who can forget the fraudulent prestige and missile "gaps," which swayed credulous voters in 1960, or the disgraceful television commercials in 1964 showing the nuclear destruction of young innocents at the hands of a trigger-happy GOP? "Don't go near the kitchen," so outspoken Harry Truman once advised aspiring office-seekers, "if you can't stand the heat." Elsewhere in the world, notably in volatile Latin American republics, politics gets even hotter. Thus, in Panama, which goes to the polls on May 12 to choose a new President, the democratic process lately has taken some violent twists and turns. In particular, the legislature, enraged at what its majority regards as breaches of the Constitution by the outgoing chief executive, Sr. Marco A. Robles, recently voted to remove him from office. In the crisis that ensued, the National Guard was called out, citizens were clubbed or jailed and a few over-zealous opposition leaders, while seeking to form a rump cabinet, wound up with a whiff of tear gas.

Politics in the Panamanian style strikes us as a clear-cut exercise in living dangerously. To make matters worse, the risk these days is limited neither to local politicos nor to their aggressive henchmen. On the contrary, owing to several proposed treaties concerning the Panama Canal, which the Johnson Administration and the Robles regime negotiated last Spring, what goes on down there may directly affect U.S. national security. Drawn up in deep secrecy—whatever became of "open covenants openly arrived at"?—the agreements represent a drastic break with history. In particular, they yield U.S. sovereignty over the Canal Zone, much of which is also to be surrendered physically, and turn authority for its administration and defense over to a cumbersome bi-national body. Instead of remaining in force in perpetuity, the pacts—when and if ratified by two-thirds of the Senate—would expire in a maximum of 40 years. All this country gets in return is the right to build, and eventually cede to Panama, a second canal.

"You drive a hard bargain," muttered Peter Minuit to the Manhattan Indians. So the Panamanians, incumbents and opposition alike, to a man have urged their negotiators to go back for more. Yet the U.S. has palpably conceded far too much. In financial terms, it has agreed to write off the unrecovered cost of the original investment, put at $330 million, and to consider sinking several billions in a new sea-level waterway. Dollars-and-cents aside, the political and strategic losses loom as staggering. Instead of a single military command, capable of reaching swift decisions, a joint U.S.-Panamanian committee would have to agree on measures affecting the Zone's security. Far from enjoying unchallenged possession, the U.S. would remain in the area on sufferance, subject to harassment and ultimately vulnerable to nationalization (no idle threat, as the sorry fate of the Suez Canal suggests). From a symbol of national strength and purpose, the Panama Canal (like the American flag, which would be flown beneath the native colors) thus would become a dangerous sign of U.S. weakness. This country, some critics alleged, has a bad habit of fighting the wrong war at the wrong time in the wrong place. Today in Panama it must not fail to stand its ground.

Firmness, indeed, is long overdue. For nearly a decade, under Republicans and Democrats alike, this country in its relations with Panama has embraced appeasement. The retreat began under President Eisenhower, who, against the express wishes of Congress, authorized the first Panamanian flag to be raised in the Canal Zone. It picked up speed under President Kennedy, who limited to 17 the number of places where the American flag could fly (a move which eventually led to the bloody riots of January 1964, when U.S. students at Balboa High School defied the authorities by hoisting Old Glory) and ordered the Panamanian emblem flown alongside. The three proposed treaties, which the Johnson Administration has gone to great lengths to hide (contents were made public last July only through the journalistic enterprise of The Chicago Tribune) would turn retreat into rout. Specifically, they call for a sharp increase in Canal tolls, all of which would accrue to Panama; bestow huge chunks of the Canal Zone upon the natives; abrogate the Treaty of 1903, which gave the U.S. sovereignty "in perpetuity," for a lease which could expire by 1999; and replace American authority in peace and war with a joint U.S.-Panamanian committee. "We have met the enemy," so the State Department might declaim for the benefit of future patriots, "and we are theirs."

The financial provisions, to begin with, are grotesquely one-sided. Although Panama, under the status quo, had profited handsomely—nearly half its gross national product, a respectable (for the time and place) $540 per capita, stems from the Canal—the U.S. has agreed to give away large and valuable tracts of the Canal Zone, much of which doubtless would go to further enrich a corrupt ruling class. The treaties also would sharply increase tolls, lavishing the proceeds on the Panamanian government, whose take thereby would mount from less than $2 million annually to $20 million and more. Unchanged since 1914, the tolls doubtless should rise; fresh revenues, however, should go to finance badly needed improvements. (Senator Strom Thurmond last month introduced a bill to appropriate $850 million for the purpose.) The so-called sea level canal, which has fired imaginations and is under official study, would cost far more.

Strategic aspects are downright alarming. The cession of sovereignty, for example, involves more than flag-waving; it vitally concerns the Canal's political and military security. For defense of the waterway would be placed in the hands of a joint U.S.-Panamanian committee (nine members, headed by a two-man, bi-national executive), which would have to agree on what to do in case of emergency. As the U.S. military command found out in 1964, when it pleaded in vain with Panama City to call out the National Guard during bloody Communist-inspired riots, "clear and present danger" may prove hard to translate. The political hazards are greater. For Panamanian politicians are notoriously anti-American—one rabble-rouser let his hatred of the gringo push him toward the Nazi camp in World War II. The Government's record of meeting its obligations financial or otherwise, is poor—according to a recent General Accounting Office audit of the books of the Panama Canal Co., the Republic owes the latter $2.6 million, some of which is seven years overdue. Finally, as unrest and violence persisted last week, dispassionate observers might be justified in questioning whether Panama is politically viable at all. Dubious at any time, the treaty concessions today constitute a risk which the U.S. simply dare not take.

On this score the authoritative American Security Council deserves the last word. "U.S. citizens should never forget that the Panama Canal is the geographic center of the Western hemisphere and a crossroads of world trade. The Canal Zone is a control point vital to the barring of a deep Soviet penetration in Latin America. If the U.S. surrenders its sovereignty over the canal, this surely will be a signal to Latin American leftists to begin a general assault on anti-communist governments. . . . Thus, the United States will be slashing its own 'jugular vein' in this hemisphere."

PANAMA CANAL COMPANY,
Balboa Heights, C.Z.,
March 20, 1968.

Hon. EDWARD A. GARMATZ,
Chairman, Committee on Merchant Marine and Fisheries, House of Representatives, Washington, D.C.

DEAR MR. GARMATZ: This is in response to your request for a report on H.R. 13834, a bill providing for major improvements to the Panama Canal.

Section 2(a) of the bill would authorize and direct the Governor of the Canal Zone, under the supervision of the Secretary of the Army, to prosecute the work necessary to increase the capacity of the Panama Canal through the "adaptation" of the Third Locks project set forth in the report of the Governor of the Panama Canal, dated February 24, 1939 (House Document Numbered 210, 76th Congress) and authorized to be undertaken by the Act of August 11, 1939 (53 Stat. 1409).

The plans as set forth in the referenced 1939 report provided for the construction of a set of single-lane locks, with dimensions substantially in excess of the present locks. Much of the excavation required for the project was accomplished between July 1940 and May 1942. Appropriations were authorized for the project in an amount not to exceed $277,000,000. Total expenditures amounted to $76,357,405.

Section 2(a) of the bill would modify the 1939 plans to provide for the elimination of Pedro Miguel Locks, the consolidation of all Pacific locks near Miraflores in new lock structures, the development of a summit-level lake anchorage at the Pacific end of the Canal, and the raising of the summit water level to approximately 92 feet. Section 2(a) would also increase the width dimensions of the third locks from an estimated 135 feet, as provided in the 1939 report, to 140 feet. Sections 3 and 4 provide for the establishment of a board of experts, to be known as the Panama Canal Advisory and Inspection Board, which would be authorized and directed to study and review all plans and designs for the various projects required to be undertaken under section 2(a).

Without undertaking at this time evaluation of the provisions of H.R. 13834, it may be noted in passing that the dimensions of the locks specified in the bill are smaller than those previously recommended by your committee (H. Rept. No. 1960, 86th Cong.) and that probably legislation of this type should not include such engineering details. It would also be appropriate to provide for construction by the Panama Canal Company rather than the Canal Zone Government.

More fundamentally, however, it appears that consideration of H.R. 13834 at this time would be premature and undesirable. In recent months negotiations have been underway between the United States and the Republic of Panama, one objective of which has been to secure an agreement permitting the construction of a sea-level canal through lands under the jurisdiction of the Republic of Panama. Concurrently, pursuant to the Act of September 22, 1964 (78 Stat. 990), the Atlantic-Pacific Interoceanic Canal Study Commission has been engaged in a study to determine the feasibility of and the most suitable site for construction of a sea-level canal, the best means of constructing such a canal, and the estimated cost thereof. The report of the Commission is now required to be submitted to the Congress not later than December 30, 1969.

The Panama Canal Company is also currently engaged in a new study to determine the capacity of the present canal with an evaluation of various projects required to achieve maximum capacity.

Should diplomatic efforts and the findings of the Commission result in a decision to undertake construction of a sea-level waterway within the reasonably near future, it would seem that expenditures for major improvements to the present lock canal of the magnitude which would be authorized by H.R. 13834 would not be justified.

If, on the other hand, it should develop that construction of a sea-level canal is not feasible, or that its completion could not be expected within the foreseeable future, I would favor consideration of legislation authorizing a Canal improvement program of the nature contemplated by H.R. 13834. At the present time, however, it is recommended that consideration of such legislation be deferred.

The Bureau of the Budget advises that it has no objection to the submission of this report to your committee.

Sincerely yours,

W. P. LEBER,
President.

Teachers in Politics

HON. GUY VANDER JAGT

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. VANDER JAGT. Mr. Speaker, the National Education Association and its constituent State associations have designated Teachers-in-Politics Weekend starting April 5, 1968.

I endorse the theory that teachers should participate in the democratic process by participating in politics.

In assuming their proper role in the political life of our Nation, the teachers of America make a valuable contribution to the efforts aimed at strengthening our Government.

The "Ungrateful" Athletes

HON. L. H. FOUNTAIN

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. FOUNTAIN. Mr. Speaker, the list of athletes who have decided they either cannot or will not play on the U.S. teams in this year's Olympics seems to be growing.

The name of the latest individual to join this group is not as important as their attitude. These young men, most of whom received free college educations, have been, for the most part, either deferred from the draft or exempt altogether because of some physical reason.

There are thousands of young American men who have not been given a college education and who risk their lives daily, sometimes many times daily, in Vietnam. These young men are making it possible for the "busy" athletes to go to college and develop their athletic skills at the same time.

But our soldiers nevertheless are doing their job without complaining or making excuses. It must be a matter of national shame for them to see the attitude displayed by the athletes who can think only of themselves.

A column in the Orlando, Fla., Sentinel recently discussed this problem so lucidly that I insert it in the RECORD at this point so that all my colleagues may have an opportunity to read it:

BUT IS HE REALLY WORTH SO MUCH?

(By Jim MacDonald)

Elvin Hayes is the latest to thumb his nose at Uncle Sam.

"No thanks, but thanks a lot."

Those weren't his exact words but the meaning was the same Monday as the University of Houston basketball star said he would not participate for his country in the upcoming Olympic Games.

He is not the first.

Westley Unseld of Louisville, Lew Alcindor of UCLA and a few other basketball players had announced earlier they also would bypass the Olympics.

Frankly, I expected it.

It has become almost a way of life—sock it to 'em baby, after me you come first.

Patriotism?

That went out with the Fourth of July picnics in 1932.

Here's a kid, Elvin Hayes, who came out of a small town in Louisiana. Because he was a good basketball player, he was awarded a four-year college education—free.

Where else could it happen but in the United States?

Now he has an opportunity to represent the U.S. in an athletic contest against countries from around the world.

"I have to work on my game to make a pro team," says Hayes. "I have to look out for myself and my family."

Beautiful.

Somehow I've always had the feeling that one of the best ways we can look out for our families is by first looking out for our country.

Elvin Hayes is fortunate he is living in the United States. Here he is allowed to say no when given the chance to play for his country.

There are places in the world where he would be told that he's going to play. To refuse would be tantamount to suicide.

It is obvious that a U.S. Olympic basketball team without Hayes and the others on it is not going to be our best.

And the way things have been going in recent years, we are going to need our best, even in basketball, a game the United States has always dominated.

What's the difference, so we look lousy in the eyes of the rest of the world? Does it really matter?

I think it does. In fact, I know it does.

I don't like Elvin Hayes, or Westley Unseld, or Lew Alcindor, or anybody else turning his back on his country.

There are young Americans dying every hour in Vietnam who I am certain would rather be representing their country on a basketball floor instead of a battlefield.

They are not allowed to say:

"I have to look out for myself and my family."

Hayes said his decision not to play in the Olympics had nothing to do with a racial issue.

What difference does that make?

He either thinks enough of this country to play for it, or he doesn't.

Come to think of it, the National Basketball Association and the American Basketball Association should exert all of the pressure at their command to make certain future draft choices participate in the Olympics.

As far as I'm concerned, I wouldn't pay a cent to watch Hayes or any of these other selfish young men play basketball.

There comes a time when you have to stand up and be counted.

Hayes and his friends can not be counted—they are big zeroes.

Undramatic Soil Conservation Should Not Be a War Casualty

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. LEGGETT. Mr. Speaker, I want to express my concern over the proposed budget for the Soil Conservation Service. This budget, if allowed to stand, will cut deeply into a program that is vital to protecting the potential of land and water resources and increasing economic opportunity in rural areas.

I believe that, if we make any changes in this program, we should strengthen it, not undermine it.

We all know the tremendous demands being placed on our natural resources. We know that the future will bring even greater demands on forest, agricultural and nonagricultural lands, and water supply. Development of land for farming, for roads, recreation and parks, for housing and industrial complexes, and for entirely new communities will continue. The shift from agricultural to nonagricultural uses has already stepped up in California, as in the whole Nation. The land-use decisions that are directly ahead of us, if not soundly based, can do irreversible damage.

In my congressional district in California, the need for the services of the Soil Conservation Service are increasing. Most kinds of help from the Soil Conservation Service are not available elsewhere—for their technicians are specially trained, with a background of years of experience.

Last year my constituents called on SCS technical people to help them on more than 9,000 soil and water related problems. Nearly 200 people have become conservation district cooperators just this past year. That means that nearly 3,000 of my constituents look to the SCS for help through their local conservation districts. I understand that nationally, this figure is more than 2 million now, and the number is growing each year. These are people who are concerned about our resources and the welfare of their communities.

The people I represent are—through their conservation districts—actively working on small watershed projects under Public Law 83-566. At present we have seven projects, ranging in progress from preliminary planning to construction nearing completion.

Conservation work is supported widely because its results affect everyone; also because it is an investment, the value of which multiplies year by year. I am proud that for the last 5 years, contributions by the State of California have been the highest in the country for this work. Throughout the country, I understand, non-Federal financial help has taken an upward trend.

Flood prevention, sediment reduction, erosion control, land-use planning, and development of water for recreation and agricultural, domestic, and industrial use cannot be postponed if we intend to have a sound national resource policy. In view of the broad aspects and the proven values of the soil and water conservation program administered by the Soil Conservation Service, I recommend that the committee restore the SCS appropriation to at least the fiscal year 1967 operating level.

Teachers-in-Politics Weekend

REMARKS

OF

HON. ROBERT DOLE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. DOLE. Mr. Speaker, I congratulate the effort made by the National Education Association to increase the nonpartisan, political awareness of its membership. Certainly teachers have a profound effect on the political attitudes of their students—thus, each teacher has a great responsibility to devote himself to the task of his own political enlightenment.

It is in the interest of the Nation for teachers to be politically informed. I urge each teacher to carefully study the pros and cons of the issues, to avoid rubber-stamp approval or disapproval of any proposal or legislation. Just as there is often difference of opinion among farmers, doctors, and lawyers, so also will there continue to be differences among teachers on political matters.

Democracy is served when members of organizations and interest groups study issues through group facilities, but democracy suffers when an organization demands unanimity from its membership. Individual objectivity is essential. Teachers, perhaps more than the members of any other group, must be alert to remember this lesson of our history.

Therefore, I today congratulate the NEA for designating this weekend "Teachers-in-Politics Weekend," and commend its effort to create among our teachers an even higher interest in our Nation's political life.

One Man Speaks for the Achiever

HON. L. H. FOUNTAIN

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. FOUNTAIN. Mr. Speaker, I recently have had come to my attention a statement on our contemporary society that is so well expressed, so pertinent to today's problems, and so concise in its terms that I want to insert it in the RECORD so all my colleagues may read it.

The author is Dr. Miller Upton, president of Beloit College. It was published in the March issue of Social Service Outlook, a magazine of the New York State Department of Social Services.

I do not know Dr. Upton but after reading his statement, I wish I did.

The article follows:

IF THIS BE HERESY

(By Miller Upton)

I have just reached the end of my tolerance for the way our society at the present time seems to have sympathetic concern only for the misfit, the pervert, the drug addict, the drifter, the ne'er-do-well, the maladjusted, the chronic criminal, the underachiever, the loser—in general, the underdog. It seems to me we have lost touch with reality and become warped in our attachments, if not in fact psychotic.

In short, I feel it is time for someone like me to stand up and say, "I'm for the upperdog!" I'm for the achiever—the one who sets out to do something and does it; the one who recognizes the problems and opportunities at hand and endeavors to deal with them; the one who is successful at his immediate task because he is not worrying about someone else's failings; the one who doesn't consider it "square" to be constantly looking for more to do, who isn't always rationalizing why he shouldn't be doing what he is doing; the one, in short, who carries the work of his part of the world squarely on his shoulders. Not the wealthy, necessarily, not the ones in authority, necessarily, not the gifted, necessarily—just the doer, the achiever—regardless of his status, his opulence, his native endowment.

We are not born equal; we are born unequal. And the talented are no more responsible for their talents than the underprivileged for their plight. The measure of each should be by what he does with his inherited position. No one should be damned by the environmental condition of his life—whether it be privileged or underprivileged.

It is a dying fashion to pay respect to those who achieve—who really "have it"—to use the vernacular. This is the day when the fashion is to be for the underdog. The attitude is being developed that if you really want people to care for you (and who doesn't?), don't be successful, be a misfit, a loser, a victim of one's environment.

I'm not entirely sure of the reason for what appears to me to be a general social psychological abberation, but I suspect it springs from a massive social guilt. Each of us individually is so aware of our personal limitations that we have developed a form of masochistic reaction to problems of the day. Instead of attempting to deal with the problems in a forthright way, we berate ourselves, we martyr ourselves, we pillory ourselves. Or if the problems seem too much for us to handle, we mitigate our sense of guilt by heaping all blame on convenient scapegoats or by concerning ourselves with the problems of others at a conveniently remote distance.

Let me illustrate my point by specific reference. I have become increasingly bored and resentful of the ridicule and snide references made of the WASPS (the white, Anglo-Saxon, Protestant suburbanites). I wouldn't feel the point so strongly were the criticisms leveled by those outside of the circle. Such could be looked upon as healthy social criticism and competition. But when it mainly comes from those who are part of the circle—WASPS stinging themselves—it assumes the nature of sick self-immolation.

Our society's treatment of the Negro over the years is deplorable. In fact, that's too mild a term for it. The word "sinful" in its full theological sense is more accurate. But this fact does not justify us in our sense of guilt condemning a particular segment of society which in many ways constitutes the backbone of American social existence. If damning by association is wrong, as I would maintain strongly it is, then how horribly wrong it is to level our guns of hostility, envy, and ridicule in this fashion on the successful white man who more often than not struggled financially to get a college education, who more often than not works at his job more than 60 hours a week, who buys a comfortable home in the suburbs with the welfare of his family in mind, who is active in his church and community affairs, who gives his time to service on boards of education and social welfare agencies, and in some cases is shortening his life span through overwork and anxiety resulting from the basic social responsibilities he must carry.

These are among the chief doers and achievers of today. And where would our society be without them? For one thing, we could not afford to have a major portion of the population going to school for 12 to 20 years. Nor would we enjoy the leisure time, recreational activities, and cultural advantages which are a direct product of our material welfare. However there would be one byproduct advantage: We would have to be so concerned individually with eking out our own meager existence that there would be no time to be wasted on such irrelevant and dishonest name-calling and buckpassing.

Or, just as we point an accusing finger at those who succeed within our economic system, so we accuse the system itself of faults which are not of its creation. In short, we tend to blame the economic system for the faults of individuals who operate within it. It is important to recognize that the quality of any society is directly related to the quality of the individuals who make it up. Therefore, let us stop referring naively to creating a "great" society. It is enough at this stage of our development to aspire to create a decent society. And to do so our first task is to help each individual be decent unto himself and in his relationship with other individuals. A decent society cannot be created out of a vacuum and imposed. It can only evolve out of the lives of constituent members. In this regard, our economic system has become the scapegoat for the failures of our educational, religious, and family institutions to develop decent and responsible individuals.

Whenever one blames another or group of individuals for one or more of the ills of mankind—beware! He is expressing personal hostility and offering no solution. There is no single scapegoat for the world's ills, unless it be our own personal limitations as finite beings.

TODAY'S MORALISM

Also, the Puritan ethic and religious morality in general have come in for some heavy-handed humor and disdain. I can support that criticism which focuses on arbitrary value judgments. But we seem to be in the process of developing a much more perverse kind of moralism—a moralism which says that since love is the one absolute virtue of man, the one way we will solve the problems of poverty, crime, racial discrimination, and the like is by forcing everyone to love everybody else—we must love the white man because he is white, or the black man because he is black, or the poor because he is poor, or the enemy because he is the enemy, or the perverse because he is perverse, or the afflicted because he is afflicted! Rather than because he is a human being, any human being who just happens to be white or black; poor or rich; enemy or friend.

This is a hideous abuse of the notion of love that avoids the hard fact that love is a uniquely personal experience. If it is idle to attempt to legislate individual morality, it is even more idle, and even arrogant, to attempt to force individual love. There can be no love unless it is genuine and authentic. To love, or go through the pretense of loving, without truly feeling that way is one of the lowest forms of hypocrisy. It is dishonesty at its worst. And the fruits of such dishonesty, as with all forms of dishonesty, is distrust, degradation, chaos. We should respect all people so much that we would not dare demean one by pretending to love him when we don't.

Here is the evil I see about us so much at the present time: Love is expressed in a masochistic way—as a duty to be performed rather than a blessing to be received. The notion is current that to love is to sacrifice, that the Good Samaritan was good because he put himself out. We should sacrifice ourselves for the poor because we feel sorry for them, we should sacrifice ourselves for the dispossessed because we feel sorry for them, we should sacrifice ourselves for the retarded because we feel sorry for them, and so forth.

What a tragic confusion of motives! This is not love; this is a sick desire to be loved. It is a perverse and futile attempt to escape the pain of guilt. If you would put my claim to a test, just make a date sometime with a woman who doesn't go out very often and then tell her you did it because you felt sorry for her.

We need to start being honest with ourselves in more ways than one. It is too bad that we have failed to heed the charge that Polonius made to his son: "This above all, to thine own self be true." For were we to do so we would have to admit honestly and joyously that love in its very essence is selfish. Were it not so, there would be none—not real love, only a martyred imitation.

Our loving should not be restricted to the poor and dispossessed but should be offered to all. It is in the act of loving that we are redeemed—not in loving the poor alone. And it is in the personal redemption of each individual that the hope of the world exists, not in the changing of the other person.

To love is to give. But it is in giving that the giver receives his reward—his sense of belonging, of being accepted, of being needed. To give because you think you are expected to or because you hope for something in return is not true giving—it is hope for receiving, and therefore frustrating.

THE POOR—IN SPIRIT

The only people I feel sorry for are those who feel sorry for themselves. And this state of mind has nothing to do with wealth or poverty, intelligence or ignorance, prestige or ignominy. I am impressed with the large number of well-to-do people who commit suicide each year, probably a higher proportion than among any other group. This act to me is the ultimate evidence of poverty of spirit, and this is the basic poverty we should be concerned about. In the final analysis our compassion should be expressed for people—whether they be white, black or yellow; rich, poor or middle class; genius, average or moron—any who suffer a poverty of spirit.

And to be authentic, this compassion must spring from real contact with a situation which our love can affect and not with a figment of our imagination. How dare we be so insolent as to speak of creating a great society when we aren't even capable individually of creating a healthy home environment?

The hardest task in the world is to love the person at hand—your roommate, your brother or sister, your wife or husband, your parent, the man across the counter, or the desk. It is so much easier to love in your imagination the Saigon waif than it is actually to pick up in your arms and hold firmly and lovingly the emaciated, sore-covered body of the unwanted child that can be found in any American city or town.

THE WAY TO PROBLEM-SOLVING

This kind of ersatz compassion is not humanitarianism; it is escapism. It is the mental process by which we try to kid ourselves into thinking we are better than we really are. It is the psychological process by which man hides from the realities of the here and now by caressing his ego through *imagined* concern for the there and later. It takes no personal courage or sacrifice to bleed and die in one's mind for the remote victim of oppression, poverty or disease. But it requires supreme courage and compassion and understanding—true love—to turn to your neighbor, extend your hand, look him in the eye and tell him why you like him or don't, as the case may be.

We have serious problems and issues facing our society at the present time. Let there be no doubt about it. But they can be solved over time if we will attack them directly and honestly; that is, if we will be willing to pay the price in time and persistent personal effort. They will never be subject to instant solution—to wishing it so. Nor will they be solved by blaming others for their existence, or by making certain segments of society the scapegoat for the general ills of society. Nor will they be solved by running away from them by concerning ourselves with remote situations rather than those at hand. Nor will they be solved by application of the perverse notion that to love means only to sacrifice one's self.

The one most certain point is that they will be solved by doers, not people with good intentions but individuals with good deeds. Not those who talk a good game but those who play a good game—the achievers. We will never create a good society, much less a great one, until individual excellence and achievement are not only respected but encouraged. That is why I'm for the upperdog—the achiever—the succeeder: I'm for building an ever better society and this will only be done by those who take seriously their responsibility for achievement, for making the most of their native ability, for getting done the job at hand.

Teachers in Politics

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. SCHWENGEL. Mr. Speaker, on the weekend of April 5 the National Education Association will observe "Teachers-in-Politics Weekend."

I applaud this program aimed at achieving full teacher participation in politics.

A statewide clinic will be held in Des Moines this weekend. In addition, nine 1-day regional clinics will be held around the State in September.

One reason I am happy to see teachers getting involved in politics is that this participation will lead to a better understanding of our political processes and a deeper appreciation of civic responsibilities. For some time I have felt that our schools have not sufficiently stressed the need to prepare young people to meet the responsibilities of citizenship.

If teachers themselves get involved, it should be easier to transmit to their students the kind of characteristics needed to maintain a responsible constituency in this Nation.

An Interesting Discussion of the Proposed Constitution for Greece

HON. PETER N. KYROS

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. KYROS. Mr. Speaker, last Tuesday several of my colleagues had the opportunity to listen to Prof. D. George Kousoulas' report on his recent visit to Athens, Greece. A native of Greece and an American citizen since 1958, Professor Kousoulas is a recognized authority on Greek political affairs. Since last summer he has been advising the Greek Government on the revision of the Constitution. Three weeks ago he was again invited to Athens where he had the opportunity to discuss, in addition to constitutional matters, the prospects of democratic rule in Greece with key figures in the present Greek Government. He was able to review the situation with political leaders outside the government, in Greece and abroad.

Professor Kousoulas is chairman of the department of government at Howard University and the author of several books and numerous articles on Greek and Eastern European affairs. He is also a guest professorial lecturer on Soviet affairs at the National War College. His most recent book is "On Government: A Comparative Introduction."

I believe that Professor Kousoulas' remarks concerning the development in the nation of Greece are most helpful to all of us in understanding a complex situation. Surely, all of us are looking forward to the return of full democratic government in that nation which has been a steadfast ally of the United States.

Accordingly, I am pleased to insert in the RECORD, for the benefit of my colleagues, the following remarks of Prof. D. George Kousoulas:

REMARKS OF PROF. D. GEORGE KOUSOULAS

The question is often raised whether the democratic processes had broken down in Greece prior to the April 21, 1967 coup to an extent which justified the action taken by the military. My personal view is that the democratic processes had been seriously disrupted by a series of ill-considered actions during the previous two years. The blame for these actions cannot be placed exclusively on any one individual or political camp. Prior to the military coup, the more vociferous elements in both major political camps were openly speaking in terms of extra-political, unconstitutional, even violent solutions of the political impasse. Almost no one viewed the elections scheduled for May 28, 1967 as the one democratic procedure which could resolve the dispute.

But my personal view is unimportant. What matters most is that today—and at the same time of the military coup—a vast majority of Greeks from all political camps agreed tacitly or otherwise that the political leadership had ceased to function and that the likelihood of violent strife was more than mere academic speculation.

But so much for the past. What is of far greater importance now is the future. How can we assure that democratic rule will soon be reestablished in Greece?

There are two possibilities, I think. One is through "resistance", through a more or less violent opposition to the present government, possibly leading to another civil war. The other is through a constant and persistent effort, step by step, leading to a restoration of democratic rule in the foreseeable future—without the risk of violence and bloodshed.

I feel that the first method is too risky. In addition it has presently little hope of achieving any results for the simple reason that the overwhelming majority, almost the totality of the Greek people do not want another civil war. They realize full well that civil war can only bring about the destruction of what has been so painfully created in the last few years; but civil war cannot guarantee the establishment of a truly democratic system.

The second method of step by step transition to a democratic system appears to me far more promising and for that reason it merits further exploration.

The question is: What are the prospects for applying the second method successfully, and bringing back to Greece a democratic form of government:

Let us look at the record up to this point.

Three weeks after the April 21 coup, the military government announced the appointment of a Constitutional Commission of Jurists with the task of drafting a revised Constitution. It must be noted that long before the military coup there had been widespread agreement in Greece that the 1952 Constitution was in need of extensive revision.

The Commission was given six months to prepare its draft. The draft was delivered on schedule—in spite of the King's abortive coup on December 13. On March 15, 1968 the Greek Prime Minister presented to the public the draft of the Commission and invited all interested persons inside and outside Greece to present their comments and offer suggestions and ideas. This open discussion is to continue till the end of May whereupon a smaller committee will prepare the final draft. By the end of June this draft will be submitted to the public for further public scrutiny and discussion during the months of July and August. Then on September 1, the final draft will be submitted to the electorate for approval or rejection in a referendum.

The Greek press has already published articles and letters criticizing the draft of the Commission and offering suggestions. Much of the criticism deals with certain features of the draft which are considered to be undemocratic and anachronistic. More significant, I think, is the fact that the Greek Prime Minister himself presented publicly the basic principles which in the opinion of the government should underlie the new Constitution. These principles are:

(a) To secure fully the personal rights and prescribe clearly the responsibilities of the citizens, guided by the Charter of Human Rights and by the need to secure the social and economic rights of the citizen in a modern and progressive society.

(b) To prevent the rise of doubts and conflicts on the constitutionality of actions by one branch of government toward another.

(c) To rule out the imposition of tyranny on the people by any of the constitutional factors. The only source of power is the people.

(d) To protect democracy from its enemies.

(e) To discourage the fragmentation of the political forces.

(f) To reduce, as much as possible, the exchange of favors between the voters and the representatives and between the representatives and the executive.

(g) To secure governmental stability.

(h) To speed up the legislative process and the administrative operations.

(i) To safeguard the democratic character of the political organizations. Democracy will not be served by personalista-type party organizations.

(j) To secure a healthy and safe public life.

Of course the problem is how to translate these general principles into specific constitutional provisions. Some of these principles are already reflected on the draft of the Commission. More, I am sure, will find expression in the final draft.

So far the government has lived up to the timetable. The process of constitutional revision which started with the Constitutional Commission is now being carried forward to its logical conclusion. It is my understanding that parliamentary elections will follow soon after the promulgation of the new Constitution. This will be provided, I think, by one of its transitional clauses.

This is the record.

What then should be our attitude, our policy?

One alternative, of course, is total indifference. But considering the strategic importance of Greece—more so now with the Soviet fleet plowing the waters of the Eastern Mediterranean—no serious person would find much merit in it.

There are two other major alternatives:

We may assume an uncompromising, critical, even hostile attitude and side with the opponents of the regime.

Or . . . we may take notice of what has already been done, acknowledge the announced timetable, and encourage the government in Athens to take further steps in the proper direction at an accelerating rate.

I feel that the second policy is more promising and more realistic, and has more chances of bringing democracy to Greece sooner.

From my personal talks with the Prime Minister and with other key members of the government, I gathered the distinct impression that they are genuinely interested in giving the country a truly democratic and modern Constitution.

There is no question that several steps will have to be taken in the very near future to improve further the psychological and real climate necessary for a smooth transition to a democratic system. But in my judgment, a positive action on the part of our government will find ready response in Athens. For obvious reasons, the resumption of military aid can serve both our defense requirements and our interest in speeding up the return of democracy to Greece.

Teachers-in-Politics Weekend

HON. ROBERT J. CORBETT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. CORBETT. Mr. Speaker, beginning tomorrow and concluding Sunday, thousands of teachers across the country will be meeting and engage in various activities to celebrate Teachers-in-Politics Weekend. These political clinics, inspired by the National Education Association and its constituent State associations, merit our enthusiastic understanding, support, and encouragement.

As a former high school instructor I particularly commend these activities. Educators are not only a major occupational group in sheer numbers, but they have a profound influence in molding our youth and shaping our future.

For all too long teachers have felt they should remain aloof from partisan politics, but happily over the past decade their attitudes on this question, according to polls, have reversed.

They should plunge into politics, not in their classrooms or as a special interest group, but as individuals in their own communities. Everyone carries a part of society on his shoulders, and he cannot long shove his part of the load off to others. Everyone in his own interest must take an active part in our political life.

In addition to their own interests, teachers have the responsibility for developing student understanding and concern for the preservation and operation of our Federal system. How better can teachers equip themselves for this responsibility than through direct participation in political activity?

I extend my warmest wishes for a successful series of seminars and training sessions for this coming Teachers-in-Politics Weekend.

Teachers-in-Politics Weekend

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. HUNGATE. Mr. Speaker, our Nation's teachers are recognizing that they have an obligation to be well informed and active political citizens. Theirs is more than a personal responsibility; they are charged with educating the young people who will be our future leaders. As our teachers become more familiar with local, State, and Federal political procedures they will be even better able to impart to their students an interest in and a knowledge of the workings of their Government.

The educators are expressing their own interest by participating in a nationwide Teachers-in-Politics Weekend on April 5 to 7, under the sponsorship of the National Education Association. Missouri teachers will focus on their role in elections and in the enactment of legislation with the State legislators conducting a political clinic at the centrally located city of Columbia.

It is particularly important—in this election year—for the teachers to seek an effective means of participating in one of the vital processes of democracy. We should commend them for taking such an interest and urge them to become actively involved in politics.

Results From Questionnaire

HON. SAM GIBBONS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. GIBBONS. Mr. Speaker, sometime ago I sent a questionnaire to my constituents. The results have now been tabulated and so that other Members may have access to the information I have gathered, I am placing in the CONGRESSIONAL RECORD, at this point, a copy of the newsletter I am now having printed for distribution to my constituents.

The newsletter follows:

RESULTS FROM QUESTIONNAIRE

APRIL 1968.

DEAR FRIEND: While I continue to receive responses to the questionnaire sent to you earlier this year, I thought you would be interested in the results which have been compiled. It is certainly encouraging to note the strong interest shown in the questionnaire. In addition to the cards, I have received several hundred letters. I want to thank everyone who took the time to answer the questionnaire, and especially those who wrote well-thought-out letters on their views. All of these help give me greater understanding of some of the problems we face. Here are the results from the questionnaire:

The first question dealt with the proposed 10 percent surcharge on income tax. 37.5 percent favored an additional tax coupled with spending cuts while slightly over 55 percent were opposed to it.

Question two pertained to our policy in Vietnam. Over 60 percent preferred to continue our policy of fighting while seeking a peaceful settlement. About 10 percent were undecided on this issue while 30 percent were opposed to this policy.

Question three dealt with the risk of escalating to a possible nuclear phase. Over 48 percent were undecided. 34 percent favored escalation despite heavy risks. It should be pointed out that most of the answers concerning the war in Vietnam were received prior to the recent communist offensive. However, a tabulation of later returns showed no appreciable change in sentiment.

A heavy majority (73 percent) favored imposing restrictions of non-essential foreign travel until our balance of payment position improves.

The most one-sided opinion in the entire questionnaire was expressed in the question concerning collection of our war debt and the action of President DeGaulle. On this question, over 90 percent showed their dissatisfaction with DeGaulle's attitude.

The sentiment for a federal anti-riot bill was substantial with 76 percent in favor, and I am glad to report that such a law is near enactment.

Over 78 percent of the responses favored the establishment of a special judicial system to deal with labor-management disputes that become hopelessly deadlocked and result in work stoppages which seriously affect the public interest.

Slightly over 65 percent favored a tax credit plan to allow parents a credit when supporting a student in college.

Only on two questions were there many undecided votes. Both involved the war in Vietnam. On separating the responses received from Hillsborough County and from the new Polk County precincts added to our District, I found that the views were closely parallel.

Polling your views is an important means of communication, and I certainly plan to send out another questionnaire in the next few months which will cover several additional topics.

ACTIVITIES IN CONGRESS INCREASING

During the last few weeks the pace in Congress has been quickening. The schedule of Committee hearings has been heavy since the beginning of the year. Many important votes have been taken and several others are scheduled in the next few weeks. Some of the bills I have supported or will support in the 90th Congress, include placing a temporary 5 percent tax on Foreign travel, decreasing the amount of foreign goods which may be brought into the United States duty free, increasing the VA home loan guarantee from $7,500 to $12,500, establishing a code of ethics for members of Congress and employees, anti-riot and safe street bills, air and water pollution control, vocational education and college loans. I have been studying our economic problems very carefully and I plan to support cuts wherever possible in the Budget.

I do not plan to support the Senate-passed open housing bill or the proposed 10 percent surcharge on income tax. Your views on these issues or any other matter before the Congress are welcome.

SIXTH CONGRESSIONAL DISTRICT ENLARGED

Earlier this year the Courts approved several changes in the Congressional Districts of Florida. The Sixth District, our District, has been enlarged to include nine precincts in Western Polk County. The boundary goes to the west city limits of Lakeland and also extends several miles both north and south of Lakeland. Approximately 25,000 people reside in the new area and I am certainly pleased to have them as a part of the District.

Sincerely,

SAM.

Mrs. Shirley W. Weaver and Mrs. Leona J. Vogt

HON. TOM RAILSBACK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. RAILSBACK. Mr. Speaker, recently two women postmasters from my congressional district were fatally injured in an automobile accident. They were Mrs. Shirley J. Weaver, postmaster of Carbon Cliff, Ill., and Mrs. Leona J. Vogt, postmaster of Hillsdale, Ill.

These ladies will be greatly missed, not only by their family and friends, but also by their communities, to which they devoted much time and effort discharging their civic responsibilities.

MRS. SHIRLEY WEAVER

The former Shirley Jean Walsh was born in Davenport, Iowa, and was married to Richard G. Weaver on June 12, 1942, in Canton, Mo. On May 21, 1965, Mrs. Weaver's nomination as Carbon Cliff, Ill., postmaster was confirmed by President Johnson. Previously, she had been a dietary worker at East Moline, Ill., State Hospital.

She is survived by her husband; a son, Richard Lee, serving at Danang Air Base, Vietnam; three daughters, Mrs. Donald Taylor, of Moline, Ill., and Lois Ann and Vicki Jo, both at home; a grandson; and a brother, Edward Walsh, of Los Angeles, Calif.

MRS. LEONA J. VOGT

The former Leona Mae Ogden was born October 14, 1918, in Iowa. She was graduate of Hillsdale, Ill., High School and was married to Lawrence Vogt on August 14, 1939.

They had resided in Illinois and on December 3, 1965, she was appointed acting postmaster of the Hillsdale Post Office and full-time postmaster on June 23, 1967. She was a member of the Church of the Brethren at Mount Morris.

She is survived by her husband; a son, Dean; a daughter, Kay; her mother, Mrs. Iva Ogden, of Elgin, Ill.; and two brothers, Wilbur, of Aurora, Ill., and David, of Omaha, Nebr.

I join with the rest of the 19th District of Illinois in expressing my deepest condolences to their families, relatives, and friends.

Frank Ikard Addresses Bartlesville Celebration

HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. EDMONDSON. Mr. Speaker, last week the city of Bartlesville, Okla., celebrated the 50th anniversary of the U.S. Bureau of Mines Petroleum Research Center, at Bartlesville.

The principal speaker at this event was Mr. Frank N. Ikard, president of the American Petroleum Institute. In his talk, Mr. Ikard paid tribute to the great work which has been done in 50 years at the Petroleum Research Center. In doing so, he also gave a splendid summary of one of the greatest technological stories of all time—the development of the petroleum industry in the United States.

Mr. Ikard points out that the achievements in petroleum development are directly traced to a government-industry partnership in research which has reaped great benefits for both government and industry. Mr. Speaker, I include Mr. Ikard's speech in the RECORD:

A PARTNERSHIP FOR PROGRESS

This is an auspicious occasion—for Bartlesville . . . for its enterprising Chamber of Commerce . . . for the Bureau of Mines and the United States Department of Interior . . . for anyone concerned with the conservation of resources. I feel greatly honored to represent the petroleum industry as part of this fiftieth anniversary celebration—another high-water mark among achievements recorded by the Bartlesville Petroleum Research Center.

This occasion is important in its own right, but it also serves to remind us of the responsibilities a dynamic society places on all people engaged in research and development. Invention and innovation have long been essential features of American life. Visitors to our shores more than 100 years ago observed that Americans eagerly look for the immediate and practical results of the sciences. Technological change *is* a firm part of our American tradition; it is also a principal part of our hopes for the future.

Today's innovators everywhere—in our universities, in government, in industry—are seeking to solve the problems of mankind that are most crucial: problems ranging from feeding the world's teeming population to exploring the ocean depths and outer space.

They comprise what might be called the "innovation industry," which is already one of the largest in our economy and one that continues to grow at a tremendous pace. A thought that is expressed in one of our recent films never ceases to amaze me: of all the scientists and engineers that have ever lived, nine out of ten are living and working today.

Expenditures for research and development—public and private—now total $26 billion annually. That figure is more than double the entire federal budget of 1918—the year when the Bartlesville Research Center was founded.

Looking toward the future, this innovation industry must be prepared for even greater growth in the decades to come, for innovation, by its very nature, continually opens up new areas for exploration and inquiry. Every discovery brings with it new problems, along with new opportunities.

By the end of this decade, government and industry outlays for research and development will be up substantially over the current level. No one can accurately forecast the impact that this effort will have on our industries, on government, on our economy—and indeed, on our everyday lives.

But I would like to offer a personal observation, based on the increasing level of research activity and the increasing results of that activity. I believe that historians will remember this era not for its wars and sophisticated machines of war, but for its scientific achievements to improve the life of man on our planet. I believe this era will be remembered not for its violence and chaos, but rather for its orderly attack on the ancient problem of understanding and controlling our environment.

The Petroleum Research Center is an integral part of the total research effort, for it operates at the heart of matters of utmost importance to all of us—the preservation of our resources and, in turn, the quality of our lives.

For an appreciation of that importance, we need only turn to some of our more imaginative science fiction writers. A favorite theme is the plight of the inhabitants of a planet whose natural resources has been completely exhausted. Trapped in a vast wasteland, they must wait helplessly for extinction—or wage war on some other planet still rich in resources.

The prospect of Americans facing such a choice seems far-fetched, but only because of our confidence in the scientific community. We are confident that our innovators will see to it that we never have to face the options offered by science fiction. Every day, every project at the Petroleum Research Center moves further into the future the time when the depletion of petroleum, our principal energy source, will be a cause for concern.

But this was certainly not the case when the Bartlesville Petroleum Research Center was founded. In the wake of World War I, there was widespread alarm about our petroleum resources. The use of oil in this country was increasing rapidly. The United States Navy decided to switch completely from coal to oil. The automobile, as anyone could see, was growing in popularity—and would be consuming ever larger quantities of the nation's petroleum supply.

In 1920, the U.S. Geological Survey pointed with alarm at rapidly rising oil consumption and forecast that the nation's petroleum supply would be exhausted by 1938. But there was some consolation in the report; not much, but some. The rest of the world, according to the Survey, had more oil than we did, and would not run out until 1970.

While Americans were contemplating this dark outlook, others found a glimmer of opportunity in our wastefulness. A British industrialist caused a sensation by predicting an economic crisis growing out of America's so-called waste of natural resources. He said, and I quote:

"American demand for metals, cotton and oil is so insatiable that a world-wide shortage in these commodities is inevitable. You can hardly name one of the big staples of industry which the Americans are not literally devouring . . . As for oil, America has already reached the importing stage . . . Our business as Britons is to sit tight on what we have and exploit all the oil, cotton and metal possibilities in the non-American world. *We* shall be able to supply America." End of quote.

In retrospect, such predictions seem a little absurd. But we should remember that they were based on the best information available at the time. Moreover, at least a few of the predictions might have come true if we had not undertaken vigorous conservation and research efforts, and if government policies had not served to encourage exploration and drilling activities.

Our technologists did more than simply avoid the predicted depletion of our petroleum resources. They advanced our knowledge to the point where anyone today would hesitate to predict a specific year when the U.S. might run out of oil—despite our ever-increasing demands for it. The British industrialist has forecast that Britain would supply America with oil; but precisely the opposite has happened. In last year's Middle East crisis, it was the United States that furnished oil supplies to Britain—and to other parts of Western Europe. A half century after the dire predictions, the domestic oil industry can still fulfill the greatest part of our own burgeoning requirements—and help out our friends abroad when the situation demands.

What brought about the difference between the gloomy outlook of the early 1920's and the quiet confidence of today? Many factors, of course, contributed to the turnabout. But I am convinced that of them all, the key factor has been the nature of relationships between government and the industry in conservation matters.

To the casual reader of newspaper headlines it may seem as if business-government relationships are invariably stormy and disruptive. But I suggest that so far as conservation research and innovation are concerned, most of the significant progress has been made—steadily and quietly—in the laboratories of government, industry and our universities. Relationships here have ranged from partnership to competition, and both have served the nation well.

These are times when we hear a great deal about the need for close cooperation between industry and government—a partnership concept that draws together the strength of private industry and the strengths of governmn at all levels. Certainly the partnership approach in conservation matters has been of great value. But I believe the element of competition that exists between business and government can also be of value, when both are legitimately concerned. Many times the efforts of one will evoke greater effort and accomplishment from the other.

In the early 1920's for example, much was known about conservation by individual petroleum companies, but the application of this knowledge was far from universal. Also, few companies had developed the techniques of attacking problems through scientific teamwork, and the degree to which they could share their knowledge was unclear.

The founding of the Bartlesville Petroleum Research Center—then known as the Petroleum Experiment Station—gave needed direction to conservation research. And although a few saw in it potential competition for the industry, the station's activities spurred the efforts of oilmen to find more uses for a barrel of oil and to recover more barrels to meet these uses.

Today's larger petroleum companies are highly research-oriented, of course; but what may be even more significant in terms of creative competition between business and government, oil companies now finance 84 per cent of their research activities, as compared to 45 per cent for industry generally. With the growth of company outlays for research, the Bartlesville Center has been able to provide more services for the smaller operators in the oil business who do not have petroleum engineers or extensive research facilities.

Creative competition between industry and government is serving the nation well in many areas of conservation today—especially in the so-called public interest areas. Many industries, including petroleum, have recognized wider responsibilities in such matters as urban renewal, air and water conservation, employment and beautification. Industry is well aware that such problems must be solved; and if private enterprise finds itself unequal to the task, government has no choice but to fill the vacuum. So the extent that industry is becoming involved in such social matters, we may call it a response to potential competition from government.

But even while there is an element of competition in such efforts, there is close cooperation as well. So when we talk of business-government relationships, we must recognize that they come in several shapes and sizes, and that no matter what the form, these relationships seek to serve a common client—the public.

Over the decades, service rendered to the oil conservation cause at the Bartlesville Research Center has won worldwide recognition. The achievements here in reservoir engineering, stimulation of production, analysis of petroleum, studies of oil uses, and safety and pollution problems—these accomplishments have had practical application everywhere that petroleum is produced.

In the brochure published in connection with this anniversary, some fifty individual achievements have been listed. In compiling this roster, the Center makes no claims for sole responsibility for these achievements, and points out that the Bureau's efforts have been directed toward working partnerships with industry, universities, professional and trade associations, and other government agencies. This is generous acknowledgment of the contributions of others; nevertheless, the fact is that the focus of these projects was here, in Bartlesville. Not in New York, or Chicago, or Houston, or Tulsa, but here in Bartlesville.

The cooperation between the Center and the American Petroleum Institute through the years has epitomized the partnership between the Center and other organizations. I'd like to take this opportunity to mention two projects sponsored by the API that are being conducted here.

The first of these had its beginnings with an API project that started forty years ago—Project 6, as it was called. Its purpose was to isolate and identify some of the thousands of hydrocarbons locked in a single drop of petroleum. The identification of hydrocarbons over the period speeded up the development of a host of products common today—from improved gasoline to new miracle fibers.

But when Project 6 ended last summer, it gave birth to another one—called Project 60. The new project continues the exploration into the mysteries of petroleum, but it concentrates on the heavier fractions of oil and is not limited to hydrocarbons alone. A substantial part of API Project 60 is being carried on here, at the Bartlesville Research Center. We are confident that the further investigation of the elements of petroleum will lead to the development of many new and useful products in the future.

Another API project of current interest being conducted here involves the study of automotive emissions, using motor fuels of varying compositions. The project is being conducted over a three-year period, at an estimated cost of $480,000. The tests should tell us much about the quantity, composition and smog-forming potential of motor vehicle exhaust emissions. It is our hope that this cooperative effort with the Center will make a significant contribution to cleaner air.

These projects are only two of the hundreds of research endeavors through the years that have involved close relationships between the oil industry, universities, private research laboratories and government facilities.

The proof of their effectiveness was highlighted just a few months ago in a massive study of the National Petroleum Council. The NPC's 340-page report points conclusively to the fact that advances in petroleum technology since World War II have saved the public billions of dollars and—perhaps even more important—have added billions of barrels of oil to the nation's reserves.

Technological advances since World War II, according to the study, have cut the cost of a barrel of oil by as much as $1. Refinery operating costs have been reduced by 12 per cent, and drilling costs have been reduced by $7 per foot. Tanker costs have been cut, and savings of as much as 50 per cent may be attained as even larger vessels are put into service.

To the consumer, all this means that oil prices have been held in line to a remarkable degree, in the face of rising costs. Crude oil prices, for example, have declined an average of six per cent in the past decade, while the cost of oil field machinery has risen 10 per cent and wages for oil and gas field workers have climbed 34 per cent.

Advancing technology has also helped improve the efficiency of oil recovery at a steady pace. Since 1945, the recovery rate has improved by about one half of one per cent each year—for an over-all improvement of at least 10 per cent since World War II. This increase in recovery efficiency is equivalent to about 35 billion barrels of additional recoverable oil—about as much as our current proved reserves.

We can justifiably take some pride in these achievements. But if they seem to show how far we have come, they also make us realize how far we have to go.

The NPC report warns that the nation's needs for oil are increasing so rapidly that exploratory efforts must be stepped up by 25 per cent, if the current reserves to production ratio is to be preserved. And so—the report concludes—the petroleum industry must intensify application of current and developing technology—as well as accelerate the utilization of new technology, in order to supply requirements for crude oil through the 1970's.

There are two strong reasons, I believe, for some optimism about our ability to reach these goals.

The first is the flexibility of our organizations, both public and private, that enables them to adapt quickly to changing conditions. The transfer of technologies from one field to another has placed a premium on our ability to share knowledge, and to be open to new approaches. Atomic energy, for example, already has many applications in the petroleum industry. Just last Fall, Project Gasbuggy demonstrated the possibilities of recovering natural gas through a controlled atomic explosion.

It is already evident that space technology will ultimately play a role in recovering oil from under the seas. And the recovery of petroleum from shale, tar sands and coal holds great promise for the future. In the meantime, of course, advances in other fields will place new demands on our scientists to develop new kinds of lubricants, plastics and other materials.

The flexibility of our institutions permits the easy interchange of ideas and people. I believe that this interchange and mobility are essential if our private and government organizations are to retain their vitality.

Over the fifty year history of the Research Center, scientific and technical people have gone on from Bartlesville to industry, to universities and to other organizations within the government. At the same time, many industry people have moved to serve government and our universities. The benefits of such horizontal movement among organizations are always considerable, but for scientific and technical organizations they are enormous. For without this interchange, our scientific organizations would become warehouses of sterile ideas.

The flexibility of our institutions is one reason for optimism about the future. Another reason is the caliber of the people engaged in this scientific work. Our organizations, in the last analysis, are only as good as the men and women who carry out their missions. The petroleum conservation record that has been attained here during five decades is a tribute to the dedication of many creative people. But innovation is not their only work. For once they have solved a problem, they must then contend with the natural reluctance of others to make a change.

This brings me to the challenge facing those of us in the non-scientific community. We, too, have responsibilities. We must do much more, in the years ahead, than merely offer support and encouragement to the scientists. What we must do is make better judgments about the use—or misuse—of scientific and technological advances. Discovery and innovation, by their very nature, are unsettling; and the full impact of the innovation industry has yet to be felt. Not a small part of our responsibility as citizens, and as leaders in government and industry, will be to make sure that the scientific revolution steers a constructive course.

This is as important in matters of resource conservation as it is in larger questions of war and peace. For unless we can learn to control our achievements, we will have lost the chance to control the quality of our lives. This is the challenge that faces the non-scientific community. I hope we are equal to it.

Thank you.

Teachers-in-Politics Weekend

HON. JOHN W. BYRNES

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. BYRNES of Wisconsin. Mr. Speaker, I have sent the following letter to the National Education Association concerning their "Teachers-in-Politics Weekend" which begins April 5, 1968:

Mr. JOHN M. LUMLEY,
Assistant Secretary for Federal Relations National Education Association, Washington, D.C.

DEAR MR. LUMLEY: Thank you for your letter of March 22, 1968, inviting my comments on the Teachers-in-Politics Weekend sponsored by the National Education Association.

Every citizen should participate in the nation's political life. To the extent that they do not, our form of government is weakened. I know every teacher will recognize that he cannot escape this basic responsibility of good citizenship. To be truly effective, he will also want to recognize that his first obligation as a participant in politics will be to the common good rather than to the special welfare or special interest of any group, including his own profession.

Sincerely yours,

JOHN W. BYRNES.

Eugene E. Wilson: Trilogy on the Evolution of Air-Space Power

HON. DANIEL J. FLOOD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. FLOOD. Mr. Speaker, too often in the history of epochal developments those who make some of the greatest contributions toward them do not write the story of their achievements. A notable exception is that of Eugene E. Wilson, of Hartford, Conn., distinguished former naval officer, engineer, and industrialist, whose lifespan has covered the air-space age.

In a notable, recently published trilogy, he tells the story that could be done only by a key participant and observer. It is fortunate, indeed, that Commander Wilson's trilogy was reviewed in the December 1967, issue of the Explorers Journal, the official journal of the Explorers Club of New York, by one of keen perception and deep historical insight—Capt. Miles P. DuVal, Jr.

I note with special interest that Captain DuVal, as a young officer on our Navy's first great aircraft carrier, the U.S.S. *Sarotoga*, was a witness of much of what Commander Wilson describes as regards the foundation of present-day naval airpower.

In order that Commander Wilson's trilogy may be better known to the Nation at large as well as agencies of government, I quote the indicated review as part of my remarks:

[From the Explorers Journal, New York, N.Y., Dec. 1967]

EUGENE E. WILSON: TRILOGY ON THE EVOLUTION OF AIR-SPACE POWER

Those who make history often fail to write the story of important developments in which they were leading participants. In this trilogy, Commander Wilson, whose life has covered the air-space age, and who was closely connected with aviation from 1924 to 1949 in responsible capacities, writes with the insight and authority of the professional in the fields to which he has devoted a life time of study and observation.

In *Slipstream*, which is largely autobiographical, one of its most moving parts is the story of the development of airpower in the U.S. Fleet, 1927–29, of which, as a young officer on the *Saratoga*, I was a witness. Reading his descriptions was like reliving those eventful years, which, in the perspective now possible, provided the foundation for victory in World War II in the Pacific.

In *Wings of Dawn*, Commander Wilson traces the evolution of United States air and space doctrine, attempts to demolish the assumption that Western civilization is doomed, emphasizes the Constitution of the United States, and hails its Preamble as stating our national purpose. One of its most moving features is his story of the helicopter as developed by Igor Sikorsky.

In *Kitty Hawk To Sputnik To Polaris*, Commander Wilson describes some of the efforts to bring air and nuclear power under control, to meet current threats to Constitutional liberty, and to provide a basis for the correct part of scientific research and technological development in the defense of Western Civilization.

Throughout this trilogy Commander Wilson gives generous tribute to those who, in significant degree, contributed, among them Dr. Charles E. Lucke, his former professor; Rear Admirals William A. Moffet and Joseph M. Reeves; Admiral William V. Pratt and C. W. Nimitz; and Secretary of the Navy James Forrestal

Regardless of whether one concurs with all of his conclusions, the bringing together in proper perspective of facts of crucial importance as regards the evolution of air and space power which otherwise could be lost or distorted, is a major contribution to history, as well as fascinating reading for explorers, scientists, engineers, and historians.

The Late Stanley B. Tankel—Urban Expert

HON. THEODORE R. KUPFERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. KUPFERMAN. Mr. Speaker, Stanley B. Tankel, my constituent and friend, expert in city planning and urban problems, has passed on.

An active official of the Regional Plan Association and author of leading works in his chosen field, his standing in this area of supervening importance in today's technology was exemplary.

For many reasons, Stanley Tankel will be missed by all those interested in their community and the metropolis.

To give some measure of the man, there follows the New York Times obituary of Monday, April 1:

STANLEY B. TANKEL OF REGIONAL PLAN: DIRECTOR, VICE CHAIRMAN OF LANDMARKS PANEL, DIES

Stanley B. Tankel, planning director of the Regional Plan Association and a widely consulted expert on urban problems, died early yesterday of a heart attack in his town house at 37 Bank Street in Greenwich Village. He was 45 years old.

The ruddy and mustachioed Mr. Tankel played a variety of roles in trying to keep the city livable and attractive.

In addition to his work at the influential, nonprofit Regional Plan Association, he was vice chairman of the city's Landmarks Preservation Commission, adjunct associate professor at Columbia University's School of Architecture, a member of the executive board of the Open Space Action Committee and a member of the editorial board of the Journal of the American Institute of Planners.

Before joining the association in 1955, he was a designer and builder of homes on Long Island and a planner with the Ministry of Town and Country Planning for New Towns in England. He was also with the Westchester County Planning Department.

HELPED ADD PARK LAND

"The Race for Open Space," a highly praised report that grew out of the association's Park, Recreation and Open Space Project that Mr. Tankel headed from 1958 to 1960, was credited with having influenced the passage of Federal and state open space legislation. It gave the metropolitan area such park space as Breezy Point, Queens, and the Fire Island Natural Seashore.

Another influential report prepared under his direction was "Spread City," in 1962. The 48-page study warned against the trend toward expanding urban areas that would "give most of us neither the benefits of the city nor the pleasures of the countryside."

Mr. Tankel's urban philosphy—"he was one of the few city planners who really loved cities," McKim Norton, president of the Regional Plan Association, said—rejected the idea of "self-contained" cities where the entire labor force would live and work.

Instead, he advocated subcenters of "single-purpose" or diverse activity, what he called a "network of hearts and arteries" that "will give more people more choice of things to do by more modes of transportation at less cost to the public and the individual."

He praised the Swedish practice of building these subcenters along lines radiating outward from a central city. And he damned the British who he said, "seem to build out of a resentment of the metropolis . . . inspired by the hope that if you somehow surrounded the beast it would stop growing."

"MAN GOING DOWN DRAIN"

Mr. Tankel retained his faith in the city, refusing to be intimidated by his organization's projections of a population growth in the New York area from the present 19 million to 30 million by the year 2000.

"If the city is going down the drain," he said last May, "as many critics have said, then man is going down the drain. There is no alternative. Man wants to be where the action is."

Mr. Tankel, who was born in Mount Vernon, N.Y., studied architecture at Yale and received bachelor's and master's degrees in city planning at Harvard. As a Fulbright scholar, he studied city planning in France in 1952. He became planning director of the Regional Plan Association in 1960.

Governor Rockefeller, in a statement issued through a spokesman, said:

"One of the great talents is now lost to our region, but the work he devoted his life to will continue to guide and inspire those of us in public life who through the years have sought his counsel."

Mr. Tankel is survived by his widow, the former Claire Dritz, and two children, Joanna and Joshua.

A funeral service will be held tomorrow at 11 A.M. at Judson Memorial Church, 55 Washington Square South.

Teachers in Politics

HON. JAMES V. SMITH

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. SMITH of Oklahoma. Mr. Speaker, April 5–7 marks a new wave of awareness of citizenship which is sweeping the Nation. It is "Teachers-in-Politics Weekend."

All over the country teachers will be meeting to discuss their role as participating citizens in the local, State, and National issues which involve the classroom, the pupil, and education.

There was a time when a teacher was supposed to confine her thoughts, her comments, and her activities to the schoolroom. But time has shown this is neither enough nor fair.

Events reach into the schools. Action taken by city councils; county, district, and State officials, and here in the Congress of the United States is reflected in the physical equipment of the school, the teacher-pupil ratio, the textbooks they do or do not get.

Now the National Education Association Citizenship Committee is promoting this program of political awareness and involvement on the part of the teachers.

I commend the committee for this effort to inspire teachers to become involved in politics. I commend the teachers of the Nation—probably the most unsung heroes of our time—for claiming their rightful place as citizens both inside and outside the classroom.

The youth of the Nation will be the ultimate beneficiaries.

USDA Book on Puerto Rican Trees Now Available in Spanish Edition

HON. SANTIAGO POLANCO-ABREU

RESIDENT COMMISSIONER FROM PUERTO RICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. POLANCO-ABREU. Mr. Speaker, the Spanish edition of a Forest Service, U.S. Department of Agriculture, book on common trees of Puerto Rico and the Virgin Islands has recently been published by the University of Puerto Rico.

This is the first such Forest Service volume, dealing with identification of trees of the area, to be published in Spanish.

The book describes in nontechnical terms some 250 native and United States and British introduced tree species of Puerto Rico and the Virgin Islands, including for each species such distinguishing characteristics as size, appearance, leaves, flowers, fruit, wood, uses, and distribution. There are many large, clear drawings for identification.

Since most of the trees described in the book are widely distributed, this reference is useful over large areas in tropical America. Listed and indexed are Spanish common names used in Puerto Rico, English names used in the Virgin Islands, scientific names and common names from other countries and languages. Foresters will find here the descriptions of many common tropical American timbers.

Translated from the USDA Agriculture Handbook "Common Trees of Puerto Rico and the Virgin Islands"—Agriculture Handbook No. 249, with 548 pages with illustrations, 1964; price $4.25—the new edition makes this reference available to Spanish readers. It also includes 48 water color paintings of flowering trees—by Frances W. Horne—which are not in the English edition.

"Common Trees of Puerto Rico and the Virgin Islands" was written by three Forest Service scientists. All have careers of more than 30 years with the Forest Service. They are:

Dr. Elbert L. Little, Jr., has been the dentrologist of forest botanist of the Forest Service in Washington, D.C., since 1942, and has devoted 6 years to research and university teaching in tropical America.

Dr. Frank H. Wadsworth has, since 1955, been director of the Institute of Tropical Forestry, Rio Piedras, Puerto Rico, where he has been located since 1942.

José Marrero, Puerto Rican forester, now retired, prepared the Spanish translation. His specialties in tropical forestry include introduction of foreign trees, nursery practice and reforestation.

I wish to commend the Forest Service and all of those who contributed to this outstanding publication.

Statement of George Meany, President of the AFL–CIO

HON. CHET HOLIFIELD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. HOLIFIELD. Mr. Speaker under unanimous consent I extend my remarks in the RECORD and include therewith a statement by president George Meany of the AFL–CIO.

This statement expressed Mr. Meany's regret that President Johnson had decided not to be a nominee for reelection. He also expressed his appreciation for the remarkable humane record of the Johnson administration.

He also strongly urged the Vice President of the United States to become a candidate for the Presidency. I, too, would strongly urge the same action.

The statement follows:

STATEMENT BY AFL-CIO PRESIDENT GEORGE MEANY

We deeply regret the decision of President Johnson not to seek re-nomination. We have long supported the President; we have hailed the splendid legislative record of his Administration; we have respected and admired his steadfastness and courage in the defense of freedom and in the search for an honorable, durable basis for world peace and order.

Now the President has decided not to seek re-election in order that no one misread or misunderstand his actions in the pursuit of peace in the world and progress at home.

We had looked forward to the opportunity to support his candidacy as President of the United States.

We are convinced the American people would have supported him, despite the unfair, unremitting, unconscionable personal attacks upon him. No man—and certainly no President—should have been subjected to such a torrent of abuse from the press and from other politicans—including some in his own party upon whom he was entitled to rely for support, but who instead have cultivated and exploited division and disunity for their personal political advantage.

But the President has made his decision, as courageous and selfless as any in the nation's political history. America therefore must and will accept it.

The President has taken himself out of the race. But the vital programs and policies needed to keep America moving forward at home, while fulfilling its responsibilities abroad, cannot and must not be taken out of the race.

The people of this country, of all ages, races and walks of life must have a genuine choice and a real opportunity to support those programs and objectives in the months ahead, leading up to the final choice of the next President of the United States. The American people must not be left with a choice only among candidates who themselves have symbolized the discord and disunity the President's action sought to eliminate.

To insure that the issues will be fairly stated and the record adequately presented, defended and advocated there must be a presidential candidate as dedicated as the President himself to progress at home and freedom in the world but who likewise places the welfare of the whole nation first and foremost.

We, therefore, strongly urge that Vice President Hubert Humphrey declare himself now as a candidate for the presidency. In no other way can the American public be assured of an effective spokesman and advocate for the programs needed to continue the social and economic progress of the past eight years and to unite the American people behind the defense of freedom and democracy in the world.

Thomas L. Cummings, Sr.

HON. RICHARD FULTON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. FULTON of Tennessee. Mr. Speaker, my home district of Nashville-Davidson County has lost one of its major civic and political architects.

Mr. Thomas L. Cummings, who ably served his city as mayor for 13 years, died on March 29, 1968, after an extended illness at the age of 76.

From a distinguished law career, Mr. Cummings served as a State senator in the Tennessee Legislature, as a member of the Davidson County Quarterly Court, and was first elected mayor of the city of Nashville in 1938.

In the years that followed, Mayor Cummings was a chief architect during a major transition period for his city. During his terms of office, the Tennessee Valley Authority came into being, airport facilities in Nashville were expanded, federally backed public housing became a reality, planning began for redevelopment, with Federal aid, of projects which were to change drastically the face of Nashville, and we saw the beginnings of Federal-State-county cooperation in creating a better life for our people.

Mr. Cummings was vitally interested in the young people of his city, and was in office during a major city school building program and was active in the organization of Youth, Inc., a pioneer project in helping young people help themselves.

Tribute was paid to Mr. Cummings in editorials in the Nashville Banner and the Nashville Tennessean, and under unanimous consent, I include these articles in the RECORD:

THOMAS L. CUMMINGS, SR.

Nashville's acquaintance with Thomas L. Cummings Sr. antedated his 13-year tenure as Mayor, and extended beyond it—the total span of a career at law, or in public office—embracing more than a half-century.

He was a political power in the long interval of activity in that realm, with a background of service in the Tennessee General Assembly—three times elected as Davidson County Senator; and was a member of the Quarterly Court, representing the First (Nashville) District when chosen in a special election to round out the term of the late Mayor Hilary E. Howse.

A graduate of the Vanderbilt University School of Law in 1915, he was a highly successful criminal lawyer, respected by colleagues in his chosen profession.

A man of strong convictions, he adhered to them with courage; a quality recognized by political supporters and opponents alike. Those who disagreed with him at times, as did this newspaper, discounted not at all his dedication to any course espoused—neither asking nor giving quarter in political combat.

Widely known, and possessed of a broad circle of lasting friendship, news of his death brings regret to the city in which he was a prominent public figure for so many years.

MR. CUMMINGS: A GOOD MAYOR AND WARM PERSON

Mr. Thomas L. Cummings, one of this city's most colorful and popular mayors, died at his home here yesterday morning at the age of 76.

Mr. Cummings had been a part of the political life of this community since he was elected to the state Senate in 1926. He left public office after a 55-vote defeat by Mr. Ben West in the 1951 mayor's race, but his interest in political affairs had remained keen until his recent illness.

Mr. Cummings came to Nashville from his boyhood home in Warren County to attend law school at Vanderbilt University, and after his graduation he stayed on here to build a successful legal practice.

As a lawyer he was noted for his great sympathy for humanity's outcasts. He often represented destitute clients without fees, for in those days there was no such thing as a public defender or public-supported legal aid.

This characteristic helped to propel Mr. Cummings into political prominence, and it is one which he did not abandon upon achieving political success. As lawyer and as mayor, he retained the personal touch—always ready to help a luckless family out of its troubles or to help a family of possums out of the middle of a busy street.

With his election as mayor in 1938, Mr. Cummings assumed the task of leading the old city of Nashville through the war years and the period of rebuilding immediately after the war.

As war mayor, he led scrap metal drives and share-the-ride campaigns. As post-war mayor, he initiated programs which have been largely responsible for the makeup of the city today.

Mr. Cummings entered office just as federal support programs for local projects were getting underway in substantial lots, and the mayor used these programs to great advantage in building the new Nashville of the '50s and '60s.

Many of the institutions and public installations which are proud landmarks of the city today were started or provided for through the effort and foresight of Mayor Cummings. These include Capitol Hill redevelopment, the Municipal Auditorium, the expanded Municipal Airport, Victory Memorial Bridge, and the public housing and urban renewal projects.

The old city school system was also vastly improved through the mayor's great interest in quality education.

Mayor Cummings was a close personal friend of Mr. Silliman Evans Sr., the late publisher of this newspaper, and the two of them enjoyed many campaigns and experiences together.

Mr. Cummings was a good mayor and a warm human being. He will be missed, but he leaves behind many memories of a lovable personality.

Joint Select Committee on the 50th Anniversary of Armistice Day

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. NELSEN. Mr. Speaker, the gentleman from Virginia [Mr. MARSH] has introduced a House concurrent resolution to establish the Joint Select Committee on Observance of Armistice Day.

The committee would be composed of Members of the Congress and would make recommendations to the Congress on appropriate ceremonies and activities to be undertaken to recognize the 50th anniversary of the end of World War I, November 28, 1968.

It is an honorable proposal and I hope the Committee on Rules will soon report the resolution to the full House for action.

The American Legion organization has taken an interest in this proposal, and I would like at this time to insert a letter I have recently received from Commander H. T Colbjornsen, of the Minnesota American Legion, endorsing House Concurrent Resolution 674:

THE AMERICAN LEGION,
St. Paul, Minn.

Hon. ANCHER NELSEN,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN NELSEN: It has come to my attention that a concurrent resolution has been introduced in the House that there be established a joint select committee to make plans for the appropriate observance on November 11, 1968, of the 50th Anniversary of the date of the signing of the Armistice ending World War I, November 11, 1918.

On behalf of the members of The American Legion of the State of Minnesota, let it be known that we support a resolution and celebration of the type suggested in the concurrent resolution.

Your assistance and support of this resolution will be greatly appreciated.

Respectfully yours,
H. T. COLBJORNSEN,
Department Commander.

Teachers-in-Politics Weekend

HON. CHARLES W. WHALEN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. WHALEN. Mr. Speaker, the Citizenship Committee of the National Education Association is encouraging State educational associations to participate in a Teachers-in-Politics Weekend which will begin tomorrow, April 5.

In my opinion, a discussion of the teachers' role in politics is particularly apropos now since all levels of government are involved, as never before, in the educational process. Actually, the teachers already are active in politics. The expanding role of education in our highly technological society has necessitated the allocation of large sums for facilities and programs. These needs have been augmented by the exodus to the suburbs, which required the creation of new school systems and concurrently compelled the revitalization of our urban institutions.

In order to meet these demands, school districts frequently petition communities for budget increases through the passage of bond issues or tax overrides. In many instances, our teachers have been the most effective spokesmen for these funds. They also have acted as spokesmen, through their professional organizations, for the education programs proposed and implemented at the State and Federal levels and for the funds required to carry out these programs.

In addition, teachers, as members of the profession that is most concerned with total human development, should be aware of and interested in the total community development which, in turn, is the foundation of our Nation's growth. Therefore, I welcome their participation in the political world.

Mr. Speaker, I am indeed pleased to note that approximately 1,000 Ohio educators have been attending clinics throughout the State leading up to the Teachers-in-Politics Weekend. As a former economics professor at the University of Dayton, who served simultaneously in the Ohio Legislature, I can personally attest to the compatibility of the teachers' involvement in politics. Thus, I hope that the subject of teachers-in-politics will be a continuing one.

Freedom: My Heritage, My Responsibility

HON. G. ELLIOTT HAGAN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. HAGAN. Mr. Speaker, I would like to call to the attention of my colleagues a letter written by Sp4c. Joseph R. Robichaud, of headquarters company, USAG battalion at Fort Stewart, Ga. Specialist Robichaud, of Fitchburg, Mass., is not yet a citizen of the United States but is becoming one. He wrote the letter while serving this Nation in Vietnam.

This outstanding letter brought Specialist Robichaud an award from the Freedoms Foundation, Valley Forge, Pa. The letter follows:

FREEDOM: MY HERITAGE, MY RESPONSIBILITY

(By Sp4c. J. R. Robichaud)

America, a nation of unity, liberty, and prosperity. A country where a man can be born free and earn his way to wealth. A nation where even the slightest minority can attest his views to the public. America, a tower of strength only because a group of colonists were willing to fight and die for their beliefs. Fight they did, and their victory passed on to us our American Heritage. The famous words, "Give me liberty or give me death," "No taxation without representation," and many more, have echoed through the decades and stand as a sound basis to our democratic way of life; to a heritage which our generation holds the responsibility of preserving.

Again, the sounds spoken by our forefathers are heard, but this time on foreign soil. Vietnam, war-torn yet not disabled. A country fighting for a way of life such as the one we treasure. Courageous and strong to the threat of domination. A page of America in the early stages of her history.

America, one nation under God. One nation ready to stand for the rights and liberties of all countries; to spread goodwill and humane treatment to the less fortunate; to send her Armed Forces on foreign soil thus assuring life and liberty for all.

America, from a belief to a heritage. America, a responsibility we shall uphold and pass on to other generations. America, our country, our belief, and our heritage.

Rhodesian Whites Feel They've Won

HON. A. S. HERLONG, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. HERLONG. Mr. Speaker, the Government of Rhodesia has declared its independence from Great Britain; and, having done so, the British Government has instituted an economic boycott against her. The United States declared its independence from Great Britain almost 200 years ago; but, ignoring that fact, the United States, by Executive order, has joined Great Britain in that economic boycott.

Under unanimous consent I insert in the RECORD at this point an article on Rhodesia written by Alfred Friendly, Jr., printed in the New York Times, March 22, 1968:

RHODESIAN WHITES FEEL THEY'VE WON

(By Alfred Friendly, Jr.)

SALISBURY, RHODESIA, March 20.—Rhodesia is a going concern. It has won its rebellion against Britain, and in the most vital economic sectors it has beaten the effort to impose sanctions on its imports and exports.

Since November 11, 1965, when it declared its independence of Britain, Rhodesia has lost as much as two-thirds of its volume of $126-million in tobacco exports, but it has managed to evade restrictions on oil imports and is believed to have more than a year's supply in storage.

The sanctions were imposed by the United Nations in an effort to force Rhodesia's white Government to comply with Britain's insistence that independence be accompanied by legal safeguards for the rights of the blacks and for eventual majority rule.

Although tobacco accounted for a third of Rhodesia's export before independence, economic sanctions, Prime Minister Ian D. Smith said in a New Year's message, have been "a damp squib."

Economic statistics are treated as Rhodesia's most important secrets but enough information leaks out, despite ubiquitous posters that warn, "Guard Against Gossip," to suggest that he is correct.

ANTICOMMUNISM STRESSED

Rhodesia views itself, according to one Cabinet minister, as "the linchpin on which the tide of communism will be turned," but on March 8, Salisbury's only daily paper, The Rhodesia Herald, displayed a photograph of an Italian ore freighter carrying 18,000 tons of Rhodesian chrome from Lourenco Marques in Mozambique to Odessa.

"Despite United Nations sanctions," the caption said, "there is still a fairly regular flow of Rhodesian ore to foreign buyers."

In the mining town of Shabani, some 270 miles south of the capital, tens of thousands of tons of asbestos of a grade that can be processed only in England are said to be in storage.

New nickel mining concerns are starting up, a fertilizer plant is being built and, in showrooms that still advertise themselves as outlets for the British Motors Corporation, Japanese Datsun and Toyota cars are on display.

Noting that hopes of a negotiated settlement with Britain seem more and more vain, the Prime Minister concluded his New Year's broadcast by saying:

"I believe we have no option but to continue the good fight. After all, especially when we are winning, and while we know we are striving to maintain those things which to us are the most important in life, we should welcome the challenge."

LITTLE SACRIFICE INVOLVED

So far, the challenge has involved little conspicuous sacrifice by the 25,000 whites who live in a country-club existence among some 4.3 million blacks in Rhodesia's dramatically beautiful 150,000 square miles.

It is more difficult these days to get chlorine tablets for the swimming pools that shimmer behind the flowering hedges, among the camellias, zinnias and rose bushes of Salisbury's affluent white suburbs. But show windows along the wide downtown streets of Salisbury are full of goods.

In the Manufacturers Exhibition center, devoted to Rhodesian-made products, one display shows an impressive assortment of heavy chains.

For the whites, aside from farmers suffering through their second severe drought in three years, the only general pinch is an inflationary one. With more money to spend than products to buy, they have seen railroad fares rise 10 per cent, dentist fees go up 15 to 20 per cent and deposits in the post office savings bank during the last fiscal year rise by $7.5-million.

POPULATION GROWTH A FACTOR

For the blacks the outlook is substantially bleaker. In an expanding economy there might be room for their population to grow at its present rate of 5.5 per cent a year.

The economy, however, has inevitably contracted, not to a hardship level as yet, but to a point where the services that Rhodesia with considerable justice, prides itself on giving the blacks can no longer meet the demand.

According to official figures, 8,102 black families, with an average of 4.5 children, were waiting for housing in Salisbury's neat clean and somehow sterile African areas in mid-1967.

Municipal authorities say they are building dwelling units as fast as is finnacially possible, but Salisbury's Director of African Administration concludes a report on the situation by saying, "It will take years before any material impression is made."

Education is also lagging despite an official contention that a new policy of "dynamic expansion" begun in 1966 will meet rising demand.

The expansion is to be achieved by cutting primary education from eight to seven years but giving it to all children by 1969. Of the top 50 per cent of primary school graduates, a third are supposed to get four more years of liberal arts schooling while the rest take a two-year vocational course.

OUTLAY OF FUNDS LIMITED

There is some question how these goals can be achieved when the outlay for African education is limited to 2 per cent of Rhodesia's gross national product and annual increases are limited to 4 per cent. In 1966, one analyst pointed out, white enrollment rose by 1,023 and expenses increased by over a million dollars. Black enrollment in the same year rose by 21,000, but outlays went up by only $896,000.

In a criticism of the policy, Salisbury's Director of African Administration warned that there would be "chaos" if the Ministry of Education failed to clarify the position of the 50 per cent whose schooling will now automatically end after seven years.

"To have thousands of additional school leavers thrown onto the labor market a year younger than hitherto, must create a very dangerous and explosive situation," his report said.

The educational policy, critics say, goes hand in hand with the Government's unspoken intention of restricting the number of blacks able to vote on the "A" Roll, who elect 50 of the 65 Members of Parliament.

The qualifications for this list require an annual income of $924 and four years of secondary education. The average black's annual income in 1966 was $369, about a tenth the white average.

CONSTITUTION BEING DRAFTED

A new constitution being drawn up in secret may formally sever Rhodesia's ties to the British crown and create a theoretically expanded role for tribal chiefs in Rhodesian political life.

As rulers of some 2.3 million rural blacks who occupy roughly half of Rhodesia's land area, the chiefs were condemned in 1953 by the then Chief Native Commissioner as a group among whom "so many are beer-ridden, old, blind, opposed to all new ideas, senile, swayed by an entourage of hangers-on, lethargic and chronic invalids that they are of little use administratively."

Fifteen years later the chiefs are being hailed as the spark plugs of a policy of "community development" that will supposedly see the backward rural areas building their own schools, improving their agricultural practices and generally, by making life more attractive, decreasing the flow of blacks into the cities.

Just to make sure, however, that the chiefs do not turn on the Government, which pays their stipends and provides them, in some cases, with bodyguards, legislation has been introduced that will enable officials to depose any tribal authority in the interests of "peace and good order."

Meanwhile, however, the chief and his counselors, who serve at Government's pleasure, control all land under their jurisdiction and can deny its use to any member of the tribe who shows himself a trouble-maker.

Unchallenged by any dissent on the left, more and more nearly secure in its international position, amused rather than distressed by attacks from the right, the Rhodesian Government, the ruling Rhodesian front and the majority of whites in the country feel confident of their eventual success.

Mr. Speaker, it can be seen in reading this article that Rhodesia has beaten the effort to impose sanctions upon its imports and exports. It is unfortunate, however, that it has lost as much as two-thirds of its volume of $126 million in tobacco exports. An American tobacco company, through its subsidiary, has been the largest tobacco producing company in Rhodesia. The Executive order forbids this American company to continue its operations.

The article says that, although Rhodesia is "the linchpin on which the tide of communism will be turned," that 18,000 tons of Rhodesian chrome was sold to Odessa. Well, that is easily explained. Before we joined Great Britain in its boycott of Rhodesia, the United States was the principal purchaser of Rhodesian chrome. Our boycott forced Rhodesia to look elsewhere for a customer of chrome. It also forced the United States to purchase its chrome from Russia. Russia took advantage of the situation by raising the price of chrome; and this increased price was one of the reasons why the price of steel has gone up.

The article also points out that the economy has contracted to a point where the services that Rhodesia with considerable justice, prides itself on giving the blacks can no longer meet the demand. The sanctions have hurt the blacks more than they have helped them.

Rhodesia has embarked upon a community development that will supposedly see the backward rural areas building their own schools, improving their agricultural practices and generally, by making life more attractive, decrease the flow of blacks into the cities.

Rhodesia is an anti-Communist peaceful country that is slowly but surely solving its problems. Would that we were as certain of solving our problems. Let us withdraw our sanctions and help rather than hinder the Rhodesian Government whose crime has been that it has sought to emulate the United States by declaring its independence from Great Britain.

Americans Speak Out for the President

HON. MARTHA W. GRIFFITHS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mrs. GRIFFITHS. Mr. Speaker, recently, I mailed a questionnaire to every home in my district. A good many people have responded with letters. I would like now to spread upon the RECORD some of the letters and comments I have received, to show to the world and the President that the average American, unlike the other body of Congress, understands what the President has done for them.

The letters follow:

APRIL 1, 1968.

DEAR MARTHA GRIFFITHS: May I add that I personally think Our President Johnson is the greatest & wisest President. When he got nominated & took an oath that he would protect Our Country against all enemies. He is doing just that, regardless of what hardships he has to contend with.

In future generations he will be considered one of the greatest President's in history even greater than Washington & Lincoln. Regardless of what has been said against him & what enemies he had to deal with not once has he lost his dignity.

——— ———.

MARCH 31, 1968.

DEAR MRS. GRIFFITHS: I do love President Johnson. He is a wonderful President. We cannot all agree to everything. But if I vote again, I shall vote for him. Because I do know how hard this is on him. But he is honest with with his decision and loyal to his country and convictions. These are only some reasons why I think much of him.

——— ———.

APRIL 2, 1968.

DEAR MADAM: We made out the questionnaire before our President made the announcement on T.V. that he would not be available again. How the man ever stood all the abuse heaped upon him we cannot imagine. We want no part of the 2 candidates who have been quite guilty of some of it.

——— ———.

MRS. GRIFFITHS:

"Did we give him a lift
He's a brother of man,
Bearing about all the burdens he can
Or did we just push him down with his load."

——— ———.

APRIL 1, 1968.

DEAR CONGRESSWOMAN MRS. GRIFFITHS: Enclosed I have made out the Questionnaire and have tried to commit the answers that would go along with President L. B. Johnson's record. We hope he will run on the Democratic ticket and be elected for another term. We know what he has done for the poor people and those of us on social security and the veterans of previous wars and those of the Vietnam. He has our prayers for his being a great asset to our country.

Yours truly,

——— ———.

DEAR CONGRESSWOMAN: We feel very strongly on the coming nominations for president this year. We cannot condone all the undermining that has been going on ever since our president took office. We may not always agree with all of his decisions. I can't think of any president where all the people agreed with all of his decisions, but we believe President Johnson is on the right track and with the help and support of his fellow man, we think he would be able to accomplish much more for his country. There isn't any place in this government for a person of vengeance or a person who would play on the unrest of people to further his own political ambitions. I think it's time the Democratic Party stop and think just who is for the people in this country and who is just for himself.

——— ———.

NAREB Deserves Defeat

HON. BYRON G. ROGERS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. ROGERS of Colorado. Mr. Speaker, an editorial appeared in the Denver Post on March 29, 1968, which I know will be of great interest to all Members of Congress. The editorial is as follows:

NAREB DESERVES DEFEAT

Columnist Drew Pearson on this page Wednesday reported the frantic efforts of the National Association of Real Estate Boards (NAREB) to scuttle the Senate-passed civil rights bill—with its fair housing provisions—in the House.

Nothing, but nothing, would do this country more good than for NAREB to get licked to a fare-thee-well on this bill. And we trust every Colorado congressman will join in helping to trounce the NAREB effort.

We say this knowing full well it will cause some pain to the members of the Denver and Colorado boards which are in turn members of the National Association. But there is a sharp distinction to be made in all fairness between the Denver and Colorado groups and NAREB's national leadership. That is simply that the Denver and Colorado groups are and have been, in the main, responsible and reasonably progressive.

No one who knows the facts can say that for NAREB's national leadership. There are two major reasons.

First, it is an historical fact that the segregated housing system sponsored and maintained for decades by NAREB created in our cities the vast Negro ghettos which have become so immeasurably costly in hatred, strife and money.

NAREB did this by adopting in 1924, as part of its national code of ethics, a section which said that "a Realtor should never be instrumental in introducing into a neighborhood a character of property or occupancy, members of any race or nationality, or any individuals whose presence will clearly be detrimental to property values in that neighborhood."

Thus, from 1924 until 1950, when this language was changed to remove the reference to occupancy, race and nationality, it was unethical—and cause for expulsion from the association—for any Realtor to sell a home to a Negro outside of designated Negro neighborhoods. This simple, nongovernmental, nonlegal action truly changed the housing patterns of this whole nation.

But, secondly, what amazes us is that NAREB leaders still so stoutly refuse to face up to the mess this policy has made in our cities and do something about it.

For instance, we could understand their opposition to the pending national fair housing bill if NAREB were energetically trying to stop ghetto growth by the same organized, nongovernmental action that created the ghettos in the first place. But this NAREB is not doing.

Its stated policy position now is one of mere neutrality: its members shall not be held responsible for the racial or ethnic makeup of any neighborhood.

And when, at a recent national directors' meeting, a resolution was proposed to commend local boards in states such as Colorado for their initiative in trying to make fair housing work, the resolution was quietly ditched.

Frankly, we feel sure that if NAREB were to put as much energy and dedication into a responsible campaign for fair housing as it once did for housing segregation, there would be no need for a national law.

But since NAREB will neither do the job itself nor quit fighting a law that would make it possible for others to do the job, its wishes simply do not deserve to be heeded by responsible people in or out of Congress.

It will, in fact, be a real service to this nation if Congress passes the fair housing bill and hands the leadership of NAREB a stinging rebuff.

Teachers as Good Citizens

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. JACOBS. Mr. Speaker, the citizenship committee of the National Education Association has adopted a resolution which I believe deserves the attention of every Member of the House.

The committee resolved "to make it a new year in which teachers make a new pledge to democracy; in which teachers assume cheerfully the duties that are a part of citizenship; in which, in city, State, and Nation, teachers lead free men to govern themselves with courage and vision."

As a result of this resolution, the NEA is sponsoring a Teachers-in-Politics Weekend, April 5 to 7. I believe the observance is worthy of encouragement and support.

Not so many years ago, a teacher in the Indianapolis public schools was faced with an ultimatum: Either resign her position as precinct committeeman of her political party or face dismissal as a teacher.

She declined to resign her political post, declaring that she regarded political participation as an act of good citizenship which did not adversely affect her performance in the classroom. The school board made good its threat and fired her.

Her dismissal created a furor which subsequently resulted in passage by the Indiana General Assembly of a law guaranteeing teachers the right to participate in politics.

I approved of that action by the State legislature then, just as I approve now the continuing effort of teachers to broaden their participation and voice in the affairs of government.

Postmaster General O'Brien's Address to Mailers

HON. ARNOLD OLSEN

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. OLSEN. Mr. Speaker, on Tuesday, April 2, 1968, the Postmaster General addressed the fifth annual postal parley of the Direct Mail Advertising Association, Inc. I think his comments will be of great value to my fellow colleagues in the House and I insert Postmaster General O'Brien's address in the RECORD, as follows:

ADDRESS BY POSTMASTER GENERAL LAWRENCE F. O'BRIEN, AT THE FIFTH ANNUAL POSTAL PARLEY OF THE DIRECT MAIL ADVERTISING ASSOCIATION, INC., WASHINGTON, D.C., APRIL 2, 1968

I am delighted to be here today—particularly since this is our first meeting in which you didn't feel that I had a rate increase either up my sleeve or in my hand.

Of course, for those who are sharp-eyed, these increases sometimes throw a long shadow. For example, I remember back in January 1966, when I dedicated the six-cent Franklin Delano Roosevelt stamp. A fellow came up to me and said, "What can you possible do with a six-cent stamp?" Well, now he knows.

You might be interested in knowing that I am not now contemplating issuing a seven cent stamp featuring Woodrow Wilson or Grover Cleveland.

During the time since our last meeting, we have gotten to know each other a lot better—certainly I have been fully exposed to the views of the direct mailing industry on matters of rates and costs, in the hearings, in meetings with members and officers of the Direct Mail Advertising Association, and during the highly productive sessions of our National Postal Forum.

I would like today to talk about some of the trends and problems that will affect the Postal Service and, hence, your industry, in the year to come.

Certainly one of the trends that will affect all of us during the coming year is the squeeze on the Nation's resources, a squeeze that has prompted the President to take, and to ask for, certain actions designed to maintain the fiscal soundness of this government.

Achievement of fiscal soundness, President Johnson recently told the National Alliance of Businessmen, requires that the government tighten its belt, requires that we adopt a program of austerity, requires that we take measures such as a temporary surtax.

While this call for national austerity will affect every government agency, I think there can be no better reflection of the President's understanding of the post office to our economy and our society than the fact that he has proposed the best post office budget in our history. The President is keenly aware that the Post Office Department is quite literally in a race with the clock. There is supposed to be a saying in the research development area in the Pentagon that, "If it works, it's obsolete." Well, our problem is somewhat different. We are working as hard as we can to keep from being run over by galloping obsolescence—obsolescence that takes the form of archaic facilities, outmoded ways of processing our product, anachronisms and kinks in our organization.

That is why the President approved our budget presentations that called for a greatly accelerated modernization effort, and for service improvement through airlift of first-class mail.

This emphasis on improving postal technology and modernizing our physical plant and equipment includes a 55.5 per cent increase in funds for research and engineering; a 76.5 per cent boost in spending on construction of new post offices; and a 15.4 per cent hike in plant and equipment expenditures. Altogether the budget includes a total of $376 million in modernization funds, compared with the estimated $289 million in modernization outlays in the current fiscal year, an increase of 30 per cent.

Of the total for modernization, $88 million is in the Postal Public Building appropriation—the new account created last year and the one we view as basic to our plans for an effective building program.

Now, in view of the austerity climate, I know we have to be realistic about the rough sledding this budget will be accorded on Capitol Hill. The budget request will be trimmed—but I think it important to know that both the President and the Congress realize the urgency and magnitude of our needs. The cuts that face us will be made in a climate of the greatest possible awareness of the fact that effective postal service feeds the economy and hence produces income.

During the recent skirmish over the rate increase, I noticed a defensive note occasionally creep into some of the material emanating from the Direct Mail industry.

I suppose that's somewhat natural. Perhaps your reaction might have been somewhat like that of an aide to General Custer. "Wow!! Look at all those Indians," the aide said, while pulling an arrow from his hat. The General's reaction was immediate: "That's the trouble with you, Captain, always on the defensive."

But you know, there's a lot going for you, and a number of ways that direct mail advertisers can take the offensive—without being offensive.

One of the most interesting and thoughtful speakers in America today is my Cabinet colleague, Secretary of Agriculture Orville Freeman. Secretary Freeman has been speaking recently about a subject that has interest, great interest, to all of us concerned with urban problems, and a subject that has interest to those involved in the direct mail business.

One of our most critical problems consists of the decay of our urban centers. In the Middle Ages there was a saying—"City air makes men free." Now it makes them cough.

A great deal of our national energy is being devoted to urban problems.

But Secretary Freeman has pointed out that at least part of the solution may be found outside the cities.

Our urban problems of air pollution, of water pollution, of traffic strangulation, of noise, of violence, of crime in the streets, of rising welfare roles and declining tax roles, of the need for better schools, of the thousand and one problems that make the job of a big city mayor a kind of inferno, can to a great degree be solved by making areas outside our cities more attractive.

America's cities have acted for generations like sponges, they have taken millions upon millions from overseas, the homeless, tired, tempest tossed; they have absorbed refugees from war and from Communism; they have sought to find jobs for the millions of internal immigrants, who moved, often reluctantly, from the farms as they were displaced by changing farm technology.

This great human wave has dashed itself against our urban centers and combined with the normal population growth in the cities themselves, to place new and heavy burdens on community facilities.

These facilities staggered under the pressure. The hospitals, the schools, the libraries, the mass transportation, the very streets became full, flowed over, with the endless, pushing, teeming, growing masses of people.

Growing masses of people—but why are they growing?

They are growing because, in many cases, rural communities offer no opportunities.

Where such opportunities exist, individuals do not have any compulsion to move to cities.

And here is where the direct mail industry can make a contribution. Here is where your place in the national scene is a highly positive one. For direct mail contact, business carried on through the mail makes it possible for thousands of small businesses to thrive in rural areas. The postal service offers a highway by which rural and small town businesses can reach the heart of urban population centers, a highway by which business activity is carried on and created, a highway through which jobs are provided, a highway by which areas outside cities can maintain business contact with those who live in cities.

This is a positive contribution to our economy. A great contribution. And I think you should be proud of the part you are playing.

So there is no need to feel like one of Custer's troops.

There is yet another area where defensiveness and inaction are self-defeating.

I refer to the study by the Commission on Postal Organization due to be presented to the President in a few days.

As you know, this Commission was the result of a recommendation I made a year ago that the Post Office be removed from the Cabinet and recast as a government corporation.

The Commission has made the most intensive examination of the postal service ever undertaken.

I do not know what the findings of the Commission are.

I do not know if I will endorse those findings when they are reported.

Nor, of course, do I know whether the President will endorse them.

But, no matter what those findings are, I will agree, and I think you will agree, that there is need for change, for reform, of the postal system.

And this is precisely the point at which I think a positive, a nondefensive attitude on the part of the direct mail industry is of great importance.

If even a portion of the enormous amount of time and energy you and your associates expend on postal rate bills every few years could be channeled during the "off years" to creating a climate of support for, and interest in reform of the postal system, you would have made the greatest possible contribution both to yourselves and to the country.

Businessmen who have a direct interest in mail service, whose very livelihoods depend on effective, efficient, and economical mail service, must play a key role in developing grass roots support for needed change. For if you don't do it, who will? Who else can?

As Robert Frost once said, "Provide. Provide—or someone else will provide for you."

So, this is an area where initiative is not only important, but is directly to your interest. Given the kind of political system we have developed, Congress is responsive to the will of the people. And Congress will respond to the need for reform of the Post Office Department if those who use the mail make their views known.

My friends, during the National Postal Forum we saw as never before your desire for change, and the need for change.

The Commission Report will recommend methods to meet those needs.

But reports, proposals, recommendations, ideas, brilliant and well founded though they may be, will be no more than paper without expression of broad popular support.

You in this industry have a choice. You can continue to expend most of your energies fighting postal rate increases; or you can begin to work for changes that may well make postal rate increases unnecessary, or less frequent, or more in accord with your own views.

I know what I would do. But I wonder what you—who are the acknowledged masters of persuasion—will do. We'll be waiting to hear from you.

President Johnson's Peace Plan

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. PODELL. Mr. Speaker, the Kings Courier, one of the most important weekly newspapers in our country, will this week publish a column I wrote on President Johnson's plan for peace in Vietnam, which I am happy to call to the attention of my colleagues. The column follows:

PRESIDENT JOHNSON'S PEACE PLAN

The announcement Sunday night by Lyndon Baines Johnson that he had ordered an immediate halt of air and naval bombardment of North Vietnam, coupled with an invitation to Ho Chi Minh to join in efforts to resolve Southeast Asian problems by negotiation, offers the brightest avenues for a peaceful settlement of the war in Vietnam.

The President's declaration of the bombing halt at least temporarily shifts the burden for creating a viable peace in Vietnam upon United Nations Secretary U Thant, the Vatican, the Kremlin, No. 10 Downing Street and other prime ministeries of the world, who have repeatedly asserted that the bombing of North Vietnam was the only obstacle on the road to the negotiating table.

The good faith and sincerity of the President in seeking a negotiated end to the Vietnam holocaust is underlined by four circumstances. First is the President's declaration of a willingness on the part of the United States to further de-escalate its military involvement and effort in Vietnam as Hanoi demonstrated a like willingness to restrain its own military effort.

Secondly is the designation of our former Governor, Averill Harriman as the President's personal representative to get negotiations under way. In three decades of work in international diplomacy, Ambassador Harriman has demonstrated his superior prowess as a creative and persuasive diplomat.

Thirdly, the commitment by the President that American resources would be made available for development of the Mekong Delta and other Vietnamese resources to raise the living standards of the Vietnamese people and to promote their economic development, gives rise to the hopes that Vietnam can be established as a viable state, after two decades of incessant warfare.

Finally, the declaration by the President that he would not seek or accept re-nomination for the Presidency removes any possible reservations that the President's pronouncement is either related to or inspired by political needs.

Those who witnessed the telecast Sunday night no doubt observed the ravages upon the President of the responsibilities for guiding the Nation through these troubled times. When I called upon the President, early in March, after my arrival in Washington, as your Representative in Congress, the burdens of office were sharply etched in the President's face, particularly when our conversation turned to Vietnam.

With ineffable grace, the President renounced further political ambition in the interests of national unity and international peace. I know that all of us look forward to the day when we no longer deploy our manpower, resources and wealth to the war in Vietnam, but employ them for the enrichment of the lives of all American people and of people throughout the world. I know that all of us are joined in prayer for the success of the President's effort to secure a foundation for peace in Vietnam as we are united in our hopes, that, after his long period of faithful service to the American people, the years ahead will deal kindly and well with President Johnson and his family.

The Snowmobile: A Tool of Modern Law Enforcement

HON. JAMES M. HANLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. HANLEY. Mr. Speaker, earlier this week, I received a letter from the Honorable J. Edgar Hoover, Director of the Federal Bureau of Investigation, in which he brought my attention to an article appearing in the current issue of the FBI law enforcement bulletin, entitled, "The Snowmobile: A Tool of Modern Law Enforcement."

In an era when we are seeking the best methods for proper law enforcement, sometimes we tend to overlook the obvious tools at our command. I am particularly pleased to share this article with my colleagues, because its coauthor happens to be a close friend of mine, Deputy Sheriff M. A. Euston, of the Onondaga County, N.Y., Sheriff's Department. Deputy Sheriff Euston has consistently distinguished himself since joining the department. The type of foresight and creativity expressed in the FBI article is typical of his ingenuity. Sheriff Euston exemplifies the caliber of personnel associated with the Onondaga County Sheriff's Office under the highly competent administration of a lifetime professional law enforcement officer, Sheriff Patrick Corbett. I commend the article to the attention of my colleagues:

THE SNOWMOBILE: A TOOL OF MODERN LAW ENFORCEMENT

(By Maurice F. Dean, sheriff of Schuyler County, Watkins Glen, N.Y., and M. A. Euston, deputy sheriff of Onondaga County, Syracuse, N.Y.)

Snowmobiles have become a vital part of the growing number of modern tools being used by law enforcement agencies within heavy snow areas in the United States and Canada, as well as in snow belts throughout the world. Already snowmobiles have proved their effectiveness for rescue work, patrolling, and general police work in urban, suburban, and rural areas.

Major uses for snowmobiles by police agencies are fourfold: (1) to rescue citizens from their homes during or after snow emergencies; (2) to transport food, fuel, and medical supplies or doctors to isolated homes; (3) to search for lost persons and to check stalled cars and buses for stranded travelers; and (4) to investigate snowmobile accidents or plane crashes which occur in dense forest areas inaccessible to other vehicles.

To some police administrators and sheriffs, using snowmobiles is completely new. In reality, the snowmobile industry on a large, marketable scale is an infant. In the winter of 1964–65, an estimated 40,000 snowmobiles were sold. This figure soared to 70,000 units the following season and then hit sales of 120,000 units in 1966–67. The snowmobile sport is becoming as popular in areas of heavy snowfall as motorboating is in other places, with approximately 150,000 sold last winter in the United States and Canada.

Today the snowmobile business is valued at $150 million for the machines themselves and $20 million for the accessories and cold weather clothing. Snowmobiling is fast becoming one of North America's most popular winter sports. The great appeal of snowmobiles for the public is based on the concept that the entire family can take part in the new winter recreation. Presently there are 40 manufacturers of snowmobiles, with a grand total of about 350,000 machines in operation.

POLICE USE

Where the public has tested the snowmobile—and it has withstood the harsh treatment of teenagers and entire families—the product has graduated to use by law enforcement. The newer models are much more quiet than their predecessors because manufacturers have produced engines with dual muffler systems which account for 50 percent less noise. Newer models also have special baffling and enclosed engine compartments and are more adaptable for police operations.

Many law enforcement agencies in snow belt areas are now setting aside money for the versatile snowmobile. Prices range from about $600 to $1,700 each, with an average price of $1,000. Sheriff's departments thoughout New York State and elsewhere, in addition to State and local police departments, find that the most functional snowmobile is one with a capacity for two to three men and a minimum of 16 horsepower. The more horsepower snowmobiles have, the better they are able to carry police officers and rescue equipment into rough mountainous terrain and areas impassable by other means of transportation. Most snowmobiles are driven by a two-cylinder, two-cycle gasoline engine. They have been rated at speeds up to 60 miles per hour, with the average speed for medium horsepower units about 45 miles per hour. The driving power to propel them over the snow is derived by traction from a flexible rubber or nylon tread with some steel or aluminum cleats which grab on icy surfaces.

The treads of a snowmobile can be compared to tracks on a tank or tractor. They work in a similar fashion, but the snowmobile only has one tread, usually about 17 inches in width. Some more expensive models have wider treads measuring up to 28 inches in width.

The forerunner of the snowmobile was developed in 1927 and was merely a motorized toboggan. In 1928 a French Canadian named Joseph Armond Bombardier of Valcourt, Quebec, built a snowmobile from a Model "T" Ford. The vehicle resembled a half-track and maneuvered well in heavy snow, where other vehicles could not travel. One of the first users of the snow machine in the United States was a Lenox, Mass., resident who bought one to travel around Berkshire County in 1929.

An estimated 95 percent of the snowmobiles sold are for recreational purposes. The remainder are used by policemen, forest rangers, telephone linemen, commercial trappers, and rescue squads.

BLIZZARD OPERATIONS

During the "blizzard of '66" two seasons ago, the northeastern part of the United States was paralyzed. The central New York area received a total of 42.3 inches of snow, the greatest amount of snow since 1902 according to U.S. Weather Bureau statistics. Snowmobiles proved the most effective method of transportation for police and rescue crews during this time.

In Schuyler County, N.Y., located at the southern end of Seneca Lake in central New York State, the blizzard trapped many residents and stalled transportation. A call was received at the sheriff's department during the height of the storm from a woman who lived in a remote part of the county. She had previously broken her hip and was able to walk only with the assistance of a metal walker. She had run out of fuel oil, and an oil truck was stuck about a mile and a half from her home. Her furnace fire had gone out, and, in a moment of panic, the elderly woman had blown all the fuses in the house by plugging in an electric heater. She was without heat or lights. Using a snowmobile, deputies went to help her with fuses and another heater. The snowmobile made accessibility to the house easy, and the deputies blocked off all rooms in the house except one. Electricity and heat from the portable heater kept the woman safe for the remainder of the storm.

The "blizzard of '66" proved the usefulness of snowmobiles for emergency maternity calls. Using the snow machine, Deputy Sheriff Alfred A. Antonello, of Onondaga County in Syracuse, N.Y., was able to reach the home of a couple in Baldwinsville, N.Y., a suburb of Syracuse, in time to deliver a baby boy.

Taking food, medical supplies, and doctors to snowed-in citizens is easy with the use of snowmobiles. Engineers at the WTEN–TV translator station on top of Massachusetts's highest mountain, Mt. Greylock, in the western part of the State were trapped in their building. A telephone call to the Pittsfield barracks of the Massachusetts State Police sent a snowcat to their rescue with food and equipment. For almost 4 months of the year, Mt. Greylock roads are impassible by vehicles except snowmobiles or persons on snowshoes.

A speedy rescue in mountainous terrain can be accomplished more efficiently and with less manpower by officers using snowmobiles than by men on snowshoes. Several police agencies in the Nation have rescued entire families stranded in their homes during snow emergencies by using snowmobiles equipped with sleds or toboggans.

The checking and posting of summer cottages or camps in resort areas are facilitated by the snowmobile. Time and manpower are saved, and more territory can be covered by the individual police snowmobile than by any other means.

GROWING SPORT

The function of investigating accidents involving civilian snowmobiles has increased greatly as the sport of snowmobiling mushrooms into one of the most popular winter activities. The technical advances by the snowmobile industry have brought about a new interest for the sportsman. Metropolitan areas such as New York City and Milwaukee, Wis., have noted a growing problem with the number of snowmobile-congested parks. In 1965 the County Park Commission in Milwaukee opened three parks and land along the Root River Parkway to snowmobiles. An enthusiastic snowmobile organizer was a county executive in Milwaukee who led a crowd of hundreds of snowmobile operators on a "Trek with the County Exec." The program has been so successful that park officials have begun to rent snowmobiles for $2.50 a half hour. The machines have been loaned to the county by a local company.

ACCIDENT INVESTIGATIONS

In snow belt areas where snowmobiles are popular, accidents occur frequently when safety rules are disregarded. Sheriff's departments and police agencies are beginning to investigate large numbers of accidents involving snowmobiles and cars, snowmobiles and other snowmobiles, not to mention collisions between snowmobiles and trees, stumps, or rocks. Some of these accidents involve serious personal injury to the sporting novice. In order to get to some accidents—the majority of which occur in deep woods—the law enforcement officer must use a snowmobile to arrive quickly and safely. Larger and more powerful snowmobiles are being used successfully for this police work.

Most police agencies using snowmobiles mark them in the same manner as patrol cars with reflective seals or the lettering "Police" or "Sheriff's Patrol." Proper marking is essential in patrol functions and in enforcing local ordinances. The officer operating the snowmobile must be wearing a uniform with proper emblems and a badge to differentiate him from the sporting snowmobile operator. Winter hats or insulated motorcycle helmets, such as those used by patrol or motorcycle squads, should be worn for both safety and protection from the natural elements. Some city, State, and sheriff's departments have equipped their snowmobiles with a revolving emergency light on an adjustable stanchion which can be raised or kept stationary like the lights on motorcycles.

Communication with police headquarters or the command post for search activities can be accomplished through a portable walkie-talkie strapped to the driver. Most portable, battery-operated radio units on the police band have a range up to 20 miles and are a necessity on patrol or on searches for lost children or plane crashes.

On December 14, 1967, Trooper William G. Doyle, 28, of the New York State Police was shot and killed in the Oswego County community of Parish. State, county, and local law enforcement officials began a massive police dragnet for two men in a stolen car which the trooper had been chasing before he was killed. Three days later a 1965 Dodge Dart coupe bearing Michigan plates was located by troopers on snowmobiles which had been loaned to them by local residents. The car had been driven off the road and under some trees. It had not been spotted from the air by helicopter or plane or from the road by cruisers. This car is now being used as one of the important pieces of evidence in the case against a man charged with the crime. The man's companion, an escapee from a State mental hospital near Utica, N.Y., was allegedly shot by his accomplice.

EMERGENCY CASES

Airplane crashes in snow-laden mountains can be reached quickly by snowmobile, when other means are not available. Several lives have been saved by the quick rescue efforts of police, forest rangers, or rescue squads. The bodies of the injured and those fatally injured can be brought out by the use of the powerful snowmobiles which have a pulling power of up to 1,500 pounds. In some cases the quick arrival of doctors and medical supplies at plane crash sites may mean many lives saved.

In 1965 a fireman from Utica, N.Y., had been clearing snow from hydrants when a citizen stopped him and told him that a local radio station had appealed for help in taking a woman to a hospital for emergency treatment. The fireman transported the woman on a toboggan behind his snowmobile all the way from her farm to the hospital without further injury.

Facilities for caring for heart attack patients are usually available in city and suburban areas, but the problem is compounded when the attack happens in the backwoods of any State. One such incident occurred at St. Regis Falls, N.Y., located near the Canadian border. Two hunters had gone into the woods, and one had suffered a fatal heart attack. Trooper William Thompson of the Malone Substation of the New York State Police located the deceased man's body and brought it out on a snowmobile.

The Federal Government has seen the need for expanded areas which snowmobile sportsmen can use. One such location, a 13.000 acre area, was opened this year by the U.S. Forest Service near Ithaca, N.Y.

Some police officers saw their first snowmobile on the highway when a Blaine, Minn., man, James Langley, and a companion, Clark Dahlin, of Cambridge, Minn., traveled 4,018 miles across North America from Vancouver, British Columbia, to South Portland, Maine, in 24 days. According to their records, they were stopped by police 14 times during their trip, or on the average of once every 287 miles. The two men were loaned two 15-horsepower snowmobiles by a national manufacturer and were allowed to make several alterations so that the snowmobiles could qualify as motor vehicles under State laws. They added another headlight, two taillights, windshield wipers, a dual brake system, turn signals, and seat belts. After the vehicles passed inspection, they added license plates.

The travelers found that some States prohibit civilians from running snowmobiles on public highways. One such State is Montana, where legislation was signed into law in 1966.

Some civil defense groups have scored a first in rescue operations by forming 100-man snowmobile teams. Only those members of the civil defense police divisions who complete a 20-hour course in first aid, map and compass reading, handling of casualties, and cold weather survival are allowed to join the groups. They hold periodic emergency exercises in rural areas on weekends in coordination with helicopter and ground teams. All the snowmobiles in these groups are owned by the individuals, who donate their time and services to civil defense.

One of the best ways to see the snowmobile in hard, speedy conditions is to visit a snowmobile rally. More than a hundred are held in North America each winter, with the majority of them taking place in Wisconsin, New York, Minnesota, and Michigan.

Police agencies interested in buying one or more snowmobiles can see them at outlets such as department stores, garden centers, local snowmobile dealers, appliance stores, marine and boating centers, and ski equipment stores. Some city police who have already begun the use of snowmobiles on snow and car-clogged streets are now expanding their fleets.

Some local dealers may wish to donate snowmobiles to the police department for sales promotion purposes, similar to the arrangements auto dealers have with high schools for driver education programs.

Whether your department purchases one or a fleet, or depends on snowmobiles loaned by citizens or individual police officers, the law enforcement function of the department will be strengthened. The use of snowmobiles can bring about greater police service in times of snow storms, emergencies, or routine patrol work. All the improvements offered the modern police agency for fast tracking of burglars, robbery suspects, or even lost children in snowy conditions can be augmented and more effectively brought about by the snowmobile—a tool of modern law enforcement.

Paul Andrew Jensen

HON. G. ELLIOTT HAGAN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. HAGAN. Mr. Speaker, on February 16, 1st Lt. Paul Andrew Jensen, 23, of Savannah, Ga., was killed in action in Quang Tri, South Vietnam. He was a helicopter pilot in the U.S. Marine Corps.

When I learned the sad news I wrote to Lieutenant Jenson's parents, Mr. and Mrs. Stuart Garfield Jensen, expressing my deep regret on their tragic loss.

I have received a letter from Mr. and Mrs. Jensen that, I believe, represents the emotions of American families who must bear the burden of grief over the loss of a loved one in that embattled land.

After reading this letter, it is abundantly clear that we owe an immeasurable debt of gratitude to Americans like the Jensens, who, with their sons and husbands, made the supreme sacrifice in the defense of our Nation.

The letter follows:

Mr. G. ELLIOTT HAGAN,
Congress of the United States,
House of Representatives,
Washington, D.C.

DEAR SIR: Words are not adequate to express our thanks to you for the kind letter of sympathy you sent to us after the death of our son, Paul, in Vietnam.

Mingled with our very deep and ever-present grief is an abundance of pride. Paul lived a very full, active, and worthwhile life in his short 23 years and was loved by all who knew him. And he died *honorably* while trying to save the lives of his comrades. How can we help but be proud? We know he would want us to be.

We pray constantly that God will guide the President and all the people's representatives in Washington, that peace may be achieved and that our men in Vietnam may come home soon and safely. But God must be *asked* for help and I often wonder how many of our leaders really and sincerely do that, and feel their own inadequacy in making great decisions.

Our grateful thanks for your letter and your sympathy.

Sincerely,

RUTH and STUART JENSEN.

Teachers in Politics

HON. RICHARD BOLLING

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. BOLLING. Mr. Speaker, today begins a Teachers-in-Politics Weekend, sponsored by the National Education Association and its State affiliates. I fully approve of the NEA's position that teacher participation in politics will help to achieve our educational goals in an orderly fashion.

Teachers are citizens, too. You have much to contribute. Your voices should be raised. Without teachers' commitment and support, the best legislated school-aid programs, the most lavish Presidential budget, and the most high-minded principle are stymied. There is every reason teachers should be closely consulted on the way schools are run—just as nurses should be in respect to hospitals. Fortunately, the view is dissolving that teachers should be denied political action in support of their own well-being or the well-being of the schools they serve. Otherwise, teachers become second-class professionals and this leads toward second-class services. The teacher, like the doctor, knows where the blame should be levied. A doctor does not blame his patient when a particular treatment fails. If one drug is unsuccessful, he tries another or operates or undertakes whatever treatment is necessary. So the teacher, more than anyone, is aware of the many tools to help each student overcome his or her particular difficulties. The teacher has been highly honored down through history. We should encourage and respect that tradition.

Members Should Read Congressman Ben Reifel's Statement on Civil Rights

HON. RAY J. MADDEN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. MADDEN. Mr. Speaker, the following statement of Congressman BEN REIFEL, of South Dakota, is the most comprehensive and factual review of the pending civil rights legislation on much-needed legislation for the American Indian which I have heard during our hearings.

Congressman REIFEL supports House Resolution 1100 to bring the House-Senate civil rights legislation before the House of Representatives and give the Members an opportunity to vote up or down the civil rights legislation of 1968.

Further hearings, or changes, major or minor, will involve delays, postponements, fillibusters, and kill a long-delayed civil rights bill in the 90th session of Congress.

The statement referred to follows:

STATEMENT OF CONGRESSMAN BEN REIFEL, BEFORE THE HOUSE COMMITTEE ON RULES, ON H.R. 2516

Mr. Chairman, I want to express my appreciation to you and to the members of this committee for giving me the opportunity to testify today with respect to this very important legislation This bill, which was passed by the Senate on March 11, 1968, contains several amendments to the original bill passed by the House of Representatives last August.

The Senate-passed bill contains a provision substantially equivalent to the House bill for the protection of persons who are exercising their federal civil rights, or who are urging or aiding others in their exercise of those rights. This provision is an essential piece of legislation if the commitment of the Congress and the people of this country to equal opportunity for all our citizens is to be more than words on paper.

In addition, the bill contains a very significant provision implementing a federal fair housing policy. This portion of the bill may well be the most important single legislative enactment of the Ninetieth Congress. It is comparable to the fair housing bill which was passed by the House in 1966. Twenty-three states, the District of Columbia, and some 108 cities and counties all across America have enacted fair housing legislation. It is time the federal government acted in this very critical field.

Other amendments contained in the Senate-passed bill include an anti-riot amendment, substantially comparable to the bill passed by the House last summer. In addition, the bill includes a section on civil disorders, which, although not similar to legislation previously passed by the House, is of limited effect.

The other significant amendment in the Senate bill is the material contained in Titles II–VII, relating to the rights of American Indians. These titles are identical to the provisions of S. 1843, which also passed the Senate last December, and which is now before the House Interior and Insular Affairs Committee. I want to address my remarks today primarily to these provisions.

I do so because I am particularly interested in these matters both because so many of the tribes, with whom I have worked over a period of twenty years in the Bureau of Indian Affairs, will be affected by these provisions, and also because I am myself a fully enrolled member of the Rosebud Sioux tribe of South Dakota. I was born and raised on the reservation, and know from long personal experience what the effects of these titles would be on our Indian citizens. I think it is in this area that I might best contribute to the work of this committee and its deliberations regarding the entire bill.

I might state at the outset that I sympathize with the position of my distinguished colleague from Colorado, the Chairman of the House Interior and Insular Affairs Committee, Mr. Aspinall. Through the years he has been a wise and great friend of American Indians, and has greatly influenced the course of continuing relations between the Indian tribes and the federal government. Under almost any other set of circumstances, I would support his position that these titles should be given separate consideration through the normal processes of his committee. However, for three reasons I think that this committee nevertheless should submit the entire bill for a vote of the membership on concurrence with the Senate version without amendment.

First, I think we are presented with an opportunity, which may not arise again, to enact into law two extremely important provisions—the open housing bill and the civil rights protection bill. If this action is not taken soon by this body, and the bill is sent to conference for amendment, it may be many weeks before we can vote on a conference version of the bill, after which it will have to be returned to the Senate where I am very much afraid that those Senators who have so consistently opposed both of these provisions would make passage of the revised version virtually impossible. The politics of a presidential election year, and the emotions of the summer, may well conspire to block the bill.

Secondly, even though the titles affecting Indians have not gone through all of the usual hearing processes of this chamber, the legislation in fact has been the subject of extensive hearings over a five-year period before the Senate Subcommittee on Constitutional Rights. During 1961–1965 the Senate Subcommittee held three sets of hearings in Washington, D.C., as well as field hearings in the States of Arizona, California, Colorado, New Mexico, Washington and North and South Dakota. At the last of the Washington hearings, I believe the Subcommittee received the testimony and statements of some 79 witnesses, including representatives from 36 tribes located in 14 States and including, in particular, a spokesman for the only Indian group which is seeking further hearings before this body. Equally significant, following such hearings the Indian titles were greatly revised to meet all the more important objections and suggestions then raised by the executive departments, tribal leaders and their attorneys, and the proposals as so amended and now a part of H.R. 2516 have been strongly endorsed by the very same groups. In other words, we have here a case where the hearing process in a larger sense already has been thorough and effective.

Lastly, still bearing in mind my sympathy for the jurisdictional position of Chairman Aspinall, I nonetheless must conclude that the Indian titles deal with such fundamental rights and are so extremely welcome amendments to existing law affecting Indians that further delays cannot be justified. In my mind, myself an Indian, I consider these provisions to be among the most important and among the best provisions of the entire bill. It would be one thing if your committee was asked to by-pass the normal hearing process of this chamber in order to pass bad legislation. But it is an entirely different thing when we are given an opportunity not only to enact much needed civil rights laws, but in addition to enact a bill which will grant to American Indians many of the rights presently denied them.

Titles II–VII are designed to accomplish two major purposes: *First*, to create a Bill of Rights for the protection of Indians tried by tribal courts, and to improve the quality of justice administered by tribal courts; and *second*, to provide for the assumption of civil and criminal jurisdiction by states over Indian country within their borders only with the consent of the tribes affected.

Taking up the second point first, this committee should know that virtually every Indian tribe which has commented on this legislation is 100% in favor of the provisions in this bill which would change the present jurisdictional allocation as provided in P.L. 280, passed by the 83rd Congress. As you know, P.L. 280 granted to six states immediate and comprehensive jurisdiction over almost all Indian country within their borders, with respect to both civil and criminal matters. These states were Alaska, California, Minnesota, Nebraska, Oregon and Wisconsin. In addition, P.L. 280 provided that thereafter any state, acting without any consultation whatsoever with the tribes to be affected, could assume such jurisdiction at any time. Five states have done this since 1953. These were Florida, Idaho, Montana, Nevada, and Washington. Three of these states did so without consultation, and indeed over the objection of many of the affected tribes.

In my own state of South Dakota, we experienced a major battle over this arbitrary power given to state governments. In 1963 the legislature of South Dakota enacted a bill which would have assumed total jurisdiction over all the Indian country within that state pursuant to P.L. 280. This bill was bitterly opposed by virtually every tribe in the state, who united with one another in a well organized campaign to repeal the legislation through the referendum process. I am proud to have played a substantial role in that effort, and I am pleased to report that in the November 3, 1964 election, that law was defeated by a vote of 4–1.

Mr. Chairman, I know of no Indian tribe in this country which does not support the amendment to P.L. 280 that would be accomplished by enactment of Title IV of the Senate-passed bill. Not only would this provision assure the tribes of a voice in the determination of whether they would be regulated by state law or federal law, but also, as provided in the bill, any movement towards increased state juridiction will be done in an orderly and gradual fashion. Many states are well prepared to handle some aspects of this responsibility, but unwilling or unable to handle all responsibilities properly. Under the provisions of P.L. 280, our experience of the last fifteen years has shown instances where states failed to give adequate protection to members of tribes because the states are unwilling to commit the resources necessary to properly enforce their laws. For example, at the present time, many of the Quinault Indians in the State of Washington are sharply critical of local authorities there for this reason. One of the attractive features of the proposed Title IV is that those states which previously acquired jurisdiction which they are not able to handle properly may now retrocede that jurisdiction back to the federal government.

Moreover, in states where some tribes are more suited for state regulation than others, this bill will permit the state to assume jurisdiction of some Indian territory without having to assume jurisdiction of all Indian territory. Similarly, if a state is particularly well-equipped in a particular field, such as mental health or facilities for juvenile delinquency, the state could assume jurisdiction in these areas without having to assume jurisdiction for all fields.

Finally, in the area of state assumption of jurisdiction over civil relations, I would like to point to the provisions of Section 402 (c) which require that any tribal ordinance or custom which has been adopted by an Indian community would continue in full force and effect to the extent it was not inconsistent with the applicable civil law of the state. One of the major themes of the legislation is to encourage movement of Indian tribes and members of tribes into the main stream of American life, without unnecessarily disrupting the values, traditions, and customs of these people. That principle is behind the provision of Section 402(c).

The second most important aspect of this legislation is the provision in Title II of a Bill of Rights for Indians. Having been born and reared on the reservation, where I made my home with my family until I was 19 years of age, I am painfully aware of the limitation of the tribal system of maintaining law and order.

I well remember when a younger brother of mine was arrested by the Indian police for allegedly taking part in a brawl in my home community. The arrest occurred the day after the alleged brawl, but there was no warrant issued for the arrest. There was no written charge ever given my brother. He was held in jail for several days without any kind of hearing, and without being advised by family or counsel. Through a friend I obtained an appointment with the reservation superintendent, a federal official, not a tribal official. The situation was explained to him whereupon this official caused my brother to be released.

In 1932 I received an appointment with the Bureau of Indian Affairs to work on the Pine Ridge Indian Reservation and continued to observe the inadequacies of the reservation law and order programs. The Congress passed in 1934 what is now known as the Indian Reorganization Act. In 1935 I was appointed a Field Agent to assist tribes in Nebraska, Minnesota, North Dakota, Montana, South Dakota and Iowa to consider the Reorganization Act and its provisions and to explain to them what was contained in it. I helped set up elections either to reject or accept the act as applicable to each of them. Where the tribes agreed to have the provisions of the act apply to them, I then worked with the leaders to develop and adopt constitutions and by-laws for limited self-government. Following the adoption of the constitutions and by-laws, I then worked with their leaders to adopt ordinances establishing tribal courts.

One of the weaknesses, however, in the establishment of these courts was that there was no way under the law and the recognition of sovereignty of tribes as "individual nations" to prevent the tribal courts from existing as courts of last resort. Most of the tribal leaders recognized this weakness, but since the federal government's jurisdiction extended only to certain major crimes—the states had no jurisdiction at all in most instances—the tribal courts became the only method of maintaining some semblance of law and order or having none at all.

As a consequence, since these law-and-order codes empower the tribal government to exercise jurisdiction over certain defined, enumerated offenses and these apply to all members of the tribes, I or any other person as a member of such a tribe can be illegally arrested, tried in the tribal court, found guilty, fined a maximum of $500 or imprisoned up to not more than one year, or both—with no right of appeal or review.

Although an Indian who appears before a

State court or a Federal Court is given the full rights of the Constitution, when that same Indian appears before Indian tribunals he has no assurance of receiving those protections. Although many Indian tribunals are extremely fair in their processes, and have enjoyed considerable success in orderly enforcement of their laws, there have been serious instances of denial of rights which all Americans have always considered fundamental. And under present law, as I understand it, when such a denial occurs there is no power in any Federal Court to review the matter and set things right.

I am particularly anxious to see enacted the provisions authorizing the writ of habeas corpus against imprisonments pursuant to tribal order. Although some Federal courts have now held that they have the power to issue such a writ, the grounds for issuance of that writ are extremely limited in nature and not clearly defined. With the enactment of this bill those grounds would be clearly set forth in language very comparable to the Bill of Rights to the United States Constitution, and when those rights have been violated the accused will now have access to a Federal court to determine the facts of the case and get appropriate redress.

The bill not only establishes a number of fundamental rights for the protection of Indians, but requires the Secretary of the Interior to draft a model code for Indian courts and offenses to be recommended to the Congress. It is to early for me to comment on what such a code might or should contain, but I certainly think it is a healthy step for attention to be paid to this critical area. In particular, I welcome the provision in Title III for the establishment by the Secretary of Interior of proper qualifications for the office of Judge of the Court of Indian Offenses, and to establish educational classes for the training of judges.

Mr. Chairman, to my knowledge virtually every Indian tribe in this country, with one exception, supports the provisions of the Indian Bill of Rights. The one exception involves some of the Pueblo Indians in New Mexico who recently became concerned that such a Bill of Rights might alter their traditional organization. I do not know personally all the causes for concern by these people. However, I would point out that they object only to Titles II and III and that they strongly support all of the other provisions of the legislation, including particularly the amendment to P.L. 280. This makes sense, since the very existence of P.L. 280 represents a far greater threat of interference with their tribal traditions than anything that might be contained in Titles II and III of this bill.

It is difficult for me to understand why the Pueblo Indians would object to Title III, which provides for preparation by the Secretary of Interior of a model code to govern the administration of justice by courts of Indian offenses on Indian reservations. Title III applies only to so-called "Courts of Indian Offenses"—of which the Bureau of Indian Affairs tells me there are about five in the country—and thus has no application to any of the nineteen Pueblos of New Mexico, which have their own tribal courts. The basis for the objection raised to Title III, therefore, seems to lack any merit.

With respect to Title II, the legislation guarantees individual Indians in relation to their tribal governments those fundamental rights, such as freedom of speech and the press or freedom from unreasonable searches and seizures, which are essential to the maintenance of a free and democratic society. It is difficult to see how such a provision would interfere with legitimate tribal interests. The bill is drafted in many instances with the view to permitting the greatest lee-way for traditional systems of Indian tribes that is consistent with fairness. For example, there is not included in this Bill of Rights any prohibition on the establishment of religion, such as that contained in the First Amendment to the Constitution of the United States. This omission was deliberate, and was designed to recognize the legitimate interests of tribes like the Pueblo in maintaining a religiously-oriented government.

The Pueblo Indians constitute a very small percentage of all Indians in this country, Mr. Chairman, and they object to only a small part of the pending legislation. We should not risk loss of these vital provisions for all the other Indians of the country, nor risk loss of the important provisions regarding fair housing and protection of persons asserting their federal civil rights, solely to accomodate the interests of this one group. If they require special treatment, then that should be handled through special legislation based on full investigation of the circumstances.

The remaining titles of this portion of the bill, Titles V, VI, and VII are essentially technical in nature. To my knowledge none of the tribes objects to any of these titles, and I think on the whole they would be useful provisions.

In concluding, Mr. Chairman, I would like to emphasize again that I urge this Committee to report favorably on House Resolution 1100 which would permit the House to vote to concur with the Senate-passed bill. I do so not only because I think the housing and protection titles of this bill are critically important throughout the country today, but also because I affirmatively support the provisions of the bill as they affect Indian tribes. I join with President Johnson who, in his message to the Congress on March 6, 1968, entitled "The Forgotten American," strongly endorsed both the Indian Bill of Rights and the requirement of tribal consent to state assumptions of jurisdiction.

In this connection, I also would like to remind the Committee of President Eisenhower's concern back on August 15, 1953, in regard to provisions of Public Law 280, and I quote:

"Although I have grave doubts as to the wisdom of certain provisions contained in H.R. 1063 [P.L. 280], I have today signed it because its basic purpose represents still another step in creating complete political equality to all Indians in our Nation."

" * * * * *

"My objection to the bill arises because of the inclusion in it sections 6 and 7. These Sections permit other states to impose on Indian tribes within their borders, the criminal and civil jurisdiction of the state, removing the Indians from Federal jurisdiction, and, in some instances, effective self-government. The failure to include in these provisions a requirement of full consultation in order to ascertain the wishes and the desires of the Indians and of final Federal approval, was unfortunate. I recommend, therefore, that at the earliest possible time in the next session of the Congress, the Act be amended to require such consultation with the tribes prior to the enactment of legislation subjecting them to state jurisdiction, as well as approval by the Federal government before such legislation becomes effective."

And as I have stated, almost without exception, Indians throughout the country support this important legislation.

I thank you for the opportunity to appear here today.

Teachers in Politics: One Way of Attacking School Problems

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. BOLAND. Mr. Speaker, last September some 250 representatives of teachers across the country met to plan a "Teachers-in-Politics Weekend" which will commence on Friday, April 5, 1968. One purpose of this weekend, sponsored by the National Education Association, is to inform the public of a renewed interest and a more overt stance by teachers on political issues.

Mr. Speaker, I wish to commend such activity as a good and positive step, because I feel teachers should become more openly involved in the total life of their communities. Their services as productive citizens are much needed in the public forum. Teachers are generally well educated and accustomed to the capacity of leadership, which well suits them for involvement in the public activities of a democracy. And, it seems to me, broadened social participation would aid teachers in their jobs in the classroom, which makes greater teacher involvement in public affairs a mutual gain to schools as well as to communities.

Mr. Speaker, our present domestic problems in this country—such concerns as race, poverty, unemployment, and the decay of our cities—are very intimately bound to our educational system. The recent Report of the National Commission on Civil Disorders makes clear where education has failed and what it can do to redress many grievances in these areas. Last fall, investigations into summer civil disturbances found our schools put "on the spot" by offenders and those offended alike. The schools were the original—and have remained the primary—target of the campaign of Negroes for civil rights.

It is really not surprising that the educational system might draw fire in a social crisis situation, if we accept the premise upon which this country was founded, that an educated populace is the only sure basis for a free and democratic governmental system. We in Massachusetts are extremely proud of our part in certifying the belief and dependence of the new American Nation on education. For it was in our State in 1642 that the first law was passed requiring parents to provide education for their children. And in 1647 a second law was promulgated requiring towns of sufficient size to establish schools and pay teachers.

One of our chief current problems with our educational system seems to center on the question of effective control and operation of schools. There is charge and countercharge—communities claim the schools do not adequately account to citizens for their activities; and schools return that communities are apathetic and unresponsive to local educational needs.

It seems to me some good public relations work is clearly indicated. And that is where I can imagine no more natural and suitable liaison between parents and communities and school boards and administrators, than the more than 2 million teachers who currently staff this Nation's elementary and secondary schools. As citizens and educators, teachers, in a sense, are participants in both worlds—school and community. It is therefore reasonable to expect they might be able to bridge the communications gap that is currently present between so many communities and their schools. It seems to me we can expect teachers to make a much better job of school public relations, if they are vitally involved and concerned as citizens themselves, and not isolated in the role of educational professionals only. They are likely to do a much more effective job against a background of personal social interest and concern.

One excellent way to get teachers involved, to get them conscious of and concerned about community needs and the relation of schools to those needs, is through politics. More and more teachers and other citizens are realizing this and liberalizing their attitudes toward the activities they consider appropriate for teachers. Over a period between 1956 and 1964, teachers more than doubled in the percentage of their number who approved teacher activity in political elections. Such people as President Johnson and the chairman of the Democratic National Committee, John M. Bailey, have recently encouraged teachers to participate in partisan political activity.

Mr. Speaker, I heartily support the Teachers-in-Politics Weekend because it represents an orderly and responsible effort by teachers in professional association to prepare themselves for greater participation in democracy. This weekend represents a kind of giant in-service program which the NEA is backing to suggest to teachers appropriate activities for them in the political arena.

In Massachusetts, for example, all State legislators and the presidents of all local NEA groups are invited to attend a workshop scheduled in Boston this weekend. Lt. Gov. Francis W. Sargent will keynote the events which will include an expected audience of 500 in panel discussions on various topics related to the main theme of the weekend. At the local level, in Massachusetts and across the Nation, NEA affiliates have been requested to plan appropriate activities.

Mr. Speaker, it is this kind of concerted effort on the part of our teachers themselves, to act responsibly and with increasing effectiveness for better schools and for better communities, that is the hallmark of a great and vital people. I salute this undertaking and look forward to many positive results from its occurrence.

Bill Scott Reports

HON. WILLIAM LLOYD SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. SCOTT. Mr. Speaker, my office endeavors to report on congressional activities to the people of the Eighth District of Virginia, and I am inserting a copy of this month's report in the RECORD for the information of the House.

YOUR CONGRESSMAN BILL SCOTT REPORTS

WASHINGTON COUNTRY PARKWAY

For a number of years consideration has been given to the Washington Country Scenic Parkway, connecting historic areas of Virginia and extending into our District through Mt. Vernon to a point near Fredericksburg through the Northern Neck and continuing to Yorktown. It would connect George Washington Memorial Parkway at Mt. Vernon with the Colonial Parkway at Yorktown. Citizens in the Northern Neck have been concerned about the 1000-foot average width of the parkway. Those in the Fredericksburg area have desired a spur to come into the city, and others have been concerned with the possible loss of water frontage. Therefore, I introduced a bill last Tuesday identical with those already before the House except that it reduces the average width of the section between Mt. Vernon and Yorktown from 1000 feet to 500 feet, provides a spur from the main section into the City of Fredericksburg, provides that the Department of the Interior shall have no authority to acquire any right of way bordering on either the Potomac or Rappahannock River, and that additional spurs to areas of scenic, historic or regional interests may be obtained.

POST OFFICE

Some months ago, city officials and representatives of the Chamber of Commerce conferred with me regarding a new postal facility for the Fredericksburg area. Since that time, they have furnished detailed information regarding the age of the present building, the volume of mail, and the need for a larger and more modern post office. This information was furnished the Post Office Department and the Post Office and Civil Service Committee of the House. Several Members of the Subcommittee on Postal Facilities will go to Fredericksburg with me on the morning of April 9 to inspect the post office and ascertain the need for a new facility. Certainly I appreciate the bipartisan cooperation of this committee and hope that this will lay the foundation for an adequate postal facility in the future.

TRANSPORTATION

The commuter continues to be concerned about congested traffic and parking. A few weeks ago the Washington area Congressmen joined the Chairman of the House Subcommittee on Roads in introducing a bill, H.R. 16000, authorizing and directing the construction of an interstate highway system within the District of Columbia including the Three Sisters Bridge. I testified this week before the Subcommittee in support of the bill. It seems reasonable to have a coordinated system of transportation within the Washington area, but present plans do not contemplate the completion of rapid transit until 1980. Therefore, it is essential that present road plans for the entire Metropolitan Washington area be completed as soon as possible to reduce the bumper-to-bumper traffic during rush hours. The alternative would be to move more shopping facilities and government buildings to the suburbs, but this would have an adverse effect on the national capital.

CHILDREN'S TALK

A group of 5th graders came by the office a few days ago on a visit to the Capitol, and as we walked along together some of the boys were talking about demonstrating for larger desks and longer recesses. These were only children, but their conversation seems to emphasize the trend in our country to believe that disorderly conduct will result in benefits, and we must find a way to reverse this trend.

HOBSON

Civil disorders concern us all. Yet a civilian government employee, Julius Hobson, has indicated that unless favorable consideration is given to his petition for more favorable treatment of Negroes in government, he will consider civil disobedience tactics in government buildings. While it seems reasonable that all government employees be afforded equal opportunity and treatment, I see no basis for the disruption of the orderly conduct of the affairs of government by an employee thereof. This concern was shared with the Department of Health, Education, and Welfare, the Civil Service Commission and the Department of Justice. In replying, HEW advised, "Mr. Hobson's activities as a Federal employee are under continuing review. You may be assured that, should Mr. Hobson violate, by any specific action, any applicable rules or regulations governing employee conduct, appropriate action will be taken." The Civil Service Commission indicated that while disciplinary action was primarily the responsibility of HEW, it shared whatever information it received with that agency and that its review of the present allegations had not been completed.

CRIME AND DISORDERS

In response to a recent request for suggestions from law enforcement officials, a sheriff stated he believed a prerequisite for service on the Supreme Court should be prior judicial service. A circuit court judge wrote that the Constitution should be amended so that all confessions would be admissible in evidence if voluntarily made. A Commonwealth Attorney stated that additional Federal help was not needed. He believes that present law enforcement trouble is the result of excessive rather than lack of intervention by the Federal courts. A second judge spoke of the unjustified extension of the writ of habeas corpus and the present unlimited use of this writ. Another Commonwealth Attorney stated that the general public tends to oversimplify the problem of law enforcement. In his opinion, the ultimate solution to the crime problem rests with the people themselves.

I have introduced a bill to provide that the full test of admissibility of a confession should be its voluntary character, and that the determination of whether a confession is voluntary shall rest exclusively with the trial court. A similar measure provides for a constitutional amendment to accomplish the same purpose. The reason for the two bills is that if the Supreme Court should determine that the first one is contrary to the Constitution, as it might, the second would make the necessary amendment to overcome the Court's objection. It seems reasonable for state and local governments to deal with crime and law enforcement except in those instances where organized crime extends beyond state borders and where persons travel in interstate commerce for criminal purposes.

ADDITIONAL BILLS INTRODUCED

In view of the expressed desire of people of our Distrct, I have introduced a bill in the House identical with the Dirksen Prayer Amendment. This proposal would amend the Constitution to permit nondenominational prayer in any public bulding.

Another bill, H.R. 15605, was introduced to increase personal income tax exemptions from $600 to $1,000. While this bill has no chance of passage this year because of the large Federal deficit, when we get our fiscal house in order and eliminate unnecessary spending in both the domestic and international fields, it may well be adopted.

At the request of a number of residents of the Dahlgren Naval Weapons Laboratory, a bill was introduced to recede sufficient jurisdiction over the base to the State of Virginia to enable the residents of the base to vote.

HOW LAWS ARE MADE

You may be interested in the enclosed pamphlet on the legislative process or may want to pass it along to a student.

VETERANS

The Compensation and Pension Subcommittee of the House Committee on Veterans' Affairs has just completed public hearings on approximately 40 bills that would increase the monthly rates of compensation payable to service connected disabled veterans. Most members of the Committee seem to believe that an increase in these payments is long overdue. It now appears that a bill will be reported that provides a one hundred dollar increase for totally disabled veterans and a cost-of-living increase in the neighborhood of 3 percent for those with lesser disabilities. Inasmuch as veterans who are suffering from war wounds are deserving of the highest priority consideration, I would anticipate that a bill on this subject will be favorably acted upon in the near future.

PUBLICATIONS AVAILABLE

Some of the Agriculture bulletins available for distribution are listed below, and if you would like to receive any of them, please let me know by name and number.

AB 223 Grass makes its own food for growth, forage, good land use, soil conservation.

G 51 Better Lawns.

L 346 Grass . . . the rancher's crop.

PA 396 Make your farm pond safe, prevent drownings.

PA 517 Rural fire defense—you can survive.

PA 578 Your family survival plan.

PA 589 Safe use of pesticides—in the home—in the garden.

G 89 Selecting fertilizers for lawns and gardens.

G 77 Family food stockpile for survival.

AH 38 First Aid for flooded homes and farms.

L 454 Making household fabrics flame resistant.

F 2101 Watch your step—avoid farm accidents.

M 946 5-bedroom farmhouse with basement, Plan No. 7153.

M 949 Fallout shelter in a farm potato storage—Plan No. 5951.

L 307 How much fertilizer shall I use?

F 2124 Lining soils—an aid to better farming.

SOMETHING TO PONDER

The only thing necessary for the triumph of evil is for good men to do nothing.—(Edmund Burke).

Maryland Men Killed in Vietnam

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. LONG of Maryland. Mr. Speaker, Pfc. George A. Owens and Pfc. Thomas Y. Reynolds, two fine young men from Maryland, were killed recently in Vietnam. I wish to commend their bravery and honor their memories by including the following article in the RECORD:

An 18-year-old former student at Patterson Park High School was killed in action in Vietnam, the Defense Department announced yesterday.

Pfc. George A. Owens, son of Mr. and Mrs. Walter J. Owens, of 2102 Cambridge street, enlisted in the Army when he was 17, "because he wanted to serve his country," his mother said yesterday.

Her son was killed on March 29 in Saigon by an enemy mortar attack, Mrs. Owens said.

Private Owens played basketball while he was at Patterson. He left school to join the service, his mother said.

He had served in the 1st Infantry Division, and had been stationed in Vietnam since December.

The Defense Department also announced that the son of a Capital Heights (Md.) man had been killed in action in Vietnam.

ANOTHER NAMED

Pfc. Thomas Y. Reynolds, who had been living in Hudson, N.Y., had spent one summer with his father, Lewis H. Reynolds, in his Prince Georges county home, a neighbor said yesterday.

The neighbor said the family had gone to New York, where the young soldier was being buried.

Teachers in Politics

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. STEIGER of Wisconsin. Mr. Speaker, for many of our Nation's teachers this weekend has special meaning. April 5 to 7 has been designated as "Teachers-in-Politics Weekend" by the National Education Association.

This event has significance and should not pass unnoticed. The strength of our Republic rests on the participation of all our citizens in the political process. We all enjoy the rights guaranteed by our Constitution including the right to participate in our free election process. The right to participate brings with it, however, a duty or obligation which I believe is essential to the proper functioning of our country.

The men and women who serve as the professionals in providing education to our most important resource—our young people—have, it seems to me, a special responsibility. For too long there has been a reluctance on the part of many educators to become too actively involved in the political process. Those who did were threatened by parochialism or fear of other citizens.

We must not fear the effect teachers may have on our children by their direct participation in the processes of self-government. The involvement of all citizens—doctors, lawyers, accountants, and dentists—as well as others who are by training professionals is essential.

Our Nation's teachers have a high stake in the future of our country. They are closer than any other professional group in our Nation to our young people and can have a profound effect on their thinking. It is far better to have that effect come as a result of direct participation in politics than from a subtle, hidden promulgation of party principles. A changed opinion is better than no opinion at all and how much better to work in politics so that the opinions formed are based on knowledge and judgment.

Education is becoming the largest domestic item in our Federal budget. Last year we spent $12 billion on Federal education aid and that amount will increase.

For that reason, if for no other, each of our teachers has a direct interest in the conduct of the national Government. They have special knowledge of how that money is spent and what the effect is on the education of our young people. This direct knowledge along with their relationship with what is becoming the largest voting group in America—young people—make it imperative that teachers assume a greater role in American political action based on expertise and rational judgment.

I commend the National Education Association for their leadership in this work this weekend.

Doubts About Greek Constitution

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. FRASER. Mr. Speaker, a March 29 editorial in the Washington Post raised several serious questions about the draft of a new constitution for Greece, describing it as "an inadequate document which, if put into effect unchanged, would allow a military dictatorship so minded to stay in power virtually forever." With the constitution's present shortcomings, the editorial continued, "then this is not a constitution, it is a charade." It is clear, as the editorial pointed out, that extensive revision of the draft is needed if the document is to protect, not infringe upon, the basic liberties of the Greek people. The editorial follows:

THE GREEK CONSTITUTION

The draft of a new constitution which the Greek junta submitted for debate to the Greek people is an inadequate document which, if put into effect unchanged, would allow a military dictatorship so minded to stay in power virtually forever. When individual rights can be suspended for unspecified "internal dangers"; when the press can be silenced when it "insults the honor" of public officials; when meetings can be banned "if they present a risk for the public security"; if "political" strikes are illegal; if parties can be outlawed for "aims or action opposed to the manifest or indirect fundamental principles" of the state; then this is not a constitution, it is a charade.

Surely the draft constitution requires extensive revision. Foreigners will pay particular attention to the articles touching on basic liberties. Greek democrats likely will extend their concern to the articles governing the relationship of the monarchy, government and legislature. For the aim of a new constitution should be not only to enlarge the realm of freedom but to establish a mechanism of responsible representative government equal to contemporary demands.

This aim cannot be fulfilled unless the Athens regime publishes the contributions to the "full and free public debate" which Premier Papadopoulos offered in releasing the new draft. The refusal of former Premiers Papandreou and Canellopoulous to deem this offer worthy of serious consideration does not bode well. Moreover, it is anomalous, if not grotesque, that the press should be unleashed only for constitutional discussion; the freeze just ordered on news about Senator Kennedy, for instance, is a crude and offensive play for the favor of President Johnson.

It is perfectly clear that a constitution is no better than those who rule in its name. Only if there is a general respect for the principles it endorses, can it help a nation express its will. On the record so far, there is little reason to believe that the leadership in Athens harbors any serious intent to step out of power soon. On the contrary, its repeated vague mystical pronouncements about purifying Greece have seemed calculated to justify prolonged rule.

There are now hints that the colonels, or the more enlightened ones, perhaps partly out of a previously lacking appreciation of the burdens of power, may be taking another view. It should not be deemed inconceivable that some of them wonder whether they could not trust their nation, fairly launched with a new constitution, to find its own way. The junta should move promptly to show these hints have substance. It could do so by more actively encouraging real discussion of the constitutional draft, and by setting a date for elections under a completed document.

Performance on these lines would justify the United States in restoring, perhaps by stages, that part of its military aid which was halted last year. The purpose of the cutoff was to push the junta to restore constitutional rule. As it makes real progress toward that goal, the United States should concretely signify its approval.

The President

HON. ROBERT N. C. NIX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. NIX. Mr. Speaker, I would like to call my colleagues' attention to a column by the nationally syndicated columnist, Roscoe Drummond, which appeared in the Philadelphia Inquirer on Wednesday, April 3 and headlined: "L. B. J. Clears the Way for Unifying Nation."

It is a carefully reasoned analysis of President Johnson's startling, and may I add, most unfortunate decision, not to run for reelection.

It seems to me that the American public, by virtue of the thoughts expressed in Mr. Drummond's article, should realize once again the greatness of our beloved President.

We have heard considerable talk in the last several months about a so-called credibility gap. Many have discussed this self-perpetuating myth as if it were some authentic doctrine preordained for posterity.

But as is true with the pronouncements and actions of any great man, there are those who would read into his intent some nefarious and underlying motives which are nonexistent, yet reside only in the eye of the beholder.

I think there is not a single American in the United States today who would now doubt or question the unrelenting desire of President Johnson for peace. I think there is not a single citizen of any region, any political party, or any race who would now fail to believe what President Johnson says, he means and intends to do, not for himself or personal ambition, but for this country and its national welfare.

Because of his constancy in the search for world peace, all Americans should insist—nay, demand, that President Johnson seek reelection to lead this Nation to even greater heights of human achievement and social progress. The latter have been the twin hallmarks of an already distinguished Presidency.

I believe our President earnestly sought to remove himself from political contention as the most sincere move he could make to undergird his purpose. For a man to give up his political career and the highest office in our Nation to better achieve peace is the most patriotic sacrifice he can make.

And, indeed, he has not asked what his country can do for him, but rather has answered, by his action, what he can do for his country.

Mr. Drummond has expressed concisely what all of us are thinking today. I do hope my colleagues will read his column as a tribute by an outstandng columnist to an outstanding President and encourage President Johnson to seek reelection. The country wants him. The world needs him:

L. B. J. CLEARS THE WAY FOR UNIFYING NATION

WASHINGTON.—It was John F. Kennedy who asked the question which Lyndon B. Johnson has now answered as it has never been answered before. On the day he became President, JFK enjoined us to: "Ask not what your country can do for you—ask what you can do for your country."

It is a stirring, galvanic example Mr. Johnson has given by putting national unity ahead of his ambition to be vindicated at the polls and by removing partisan liabilities from his pursuit of an honorable peace in Vietnam.

But it is also a demanding example. What will be the answer of other political leaders, Democratic and Republican? What will they "do for their country," how will they match the President's lead to restore "the unity of our people" at a time when peace in Vietnam may be within reach?

LBJ has done his part—to the brim and overflowing.

He has partially de-escalated the war by limiting the bombardment north of the DMZ and has thus said to his Vietnam critics: We'll try it your way.

He has removed himself as the focus and magnet of divisive factions and forces in the Nation in an act of political selflessness unexceeded in American political history.

But Mr. Johnson's bold and cleansing act needs more than admiring indorsements and polite appreciation. I do not suggest that anyone else get out of the Presidential race; we've had enough of that, too much, perhaps.

The question now is whether Sens. Eugene McCarthy and Robert Kennedy, Vice President Hubert Humphrey, Richard Nixon and possibly newcomers will conduct their political campaigns in a manner to help unify the Nation so that Mr. Johnson's riskful initiative to get Hanoi to talk peace will have the best chance of success.

As long as the American people comprise a "house divided against itself" over the conduct of the war and the search for peace in Vietnam, Hanoi has had every reason to believe that the war was going to be won for them in the United States. It has had good reason to reject negotiations as long as the American people showed mounting evidence of division.

But now that Mr. Johnson has moved to de-escalate the war, the one most needed ingredient to strengthen the President's peace initiative is visible evidence by his critics—which Hanoi cannot mistake—that the President is speaking for a united and steadfast people.

Obviously this does not mean that the past critics of President Johnson—McCarthy, Kennedy, Nixon, George Romney, J. William Fulbright, Wayne Morse or anyone else—should pretend that they are admirers of the President.

But if they are half as selfless as Mr. Johnson has proved to be, they will now help reunify the Nation so that North Vietnam will know beyond any doubt that the American peace initiative is an act of strength, not of weakness, and that to reject it will be imprudent in the extreme.

The first response from Kennedy, McCarthy and others is most encouraging. They appreciate the magnanimity and momentousness of Mr. Johnson's action and they undoubtedly sense that the great majority of Americans does not want anyone's political ambitions to mar it.

Hanoi may still reject it. Hanoi may still believe that the conquest of South Vietnam on the battlefield is attainable and that it can continue to rely on disunity with the U.S. so that it won't have to negotiate.

We are now at the point where the political opponents of the President can contribute immeasurably to the success of his peace initiative. And the President is asking and will be getting no political advantage for himself. That is the vital advantage of having removed himself from Presidential politics. He has put the cause of peace above the cause of Lyndon Johnson.

Operation of Agricultural Commodity Programs

HON. DANIEL D. ROSTENKOWSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. ROSTENKOWSKI. Mr. Speaker, I wish to call to the attention of the Members of the House to the fact that the Secretary of Agriculture, the Honorable Orville L. Freeman delivered an address Wednesday, March 20, to the Executives Club of Chicago, Ill.

Secretary Freeman explained the operation of agricultural commodity programs as they are functioning under the Food and Agriculture Act of 1965 and recommended that they be continued.

The Secretary also told the members of the Executives Club of the status of American agriculture today and set forth in some detail the activities of the Department of Agriculture.

Under unanimous consent, I include the Secretary's comments at this point in the RECORD:

ADDRESS BY SECRETARY OF AGRICULTURE ORVILLE L. FREEMAN BEFORE THE EXECUTIVES CLUB OF CHICAGO, MARCH 20, CHICAGO, ILL.

I come here today grateful for the opportunity to talk to you seriously and at length about American agriculture, our family farm system and the Federal farm commodity programs.

Farm programs are at a critical juncture. Hearings have begun in Congress. Basic programs are up for extension or they soon will lapse.

They are being aired in the atmosphere of heavy budget pressure, of the gold crisis, of the tremendous needs in our cities—needs underlined by the report of the Riot Commission.

Farm programs are high on many a list of budget cuts. A prominent senator from the most urban area in the Nation introduced a bill last week to destroy the grain programs. If he succeeds other commodity programs will soon fall. There are 21 bills in the Congress to do the same, most sponsored by traditional opponents.

A magazine of 26 million circulation publishes an article of half-truths and distortion—a literary lynching party that American agriculture can do without, despite what Abraham Lincoln once wryly described as the honor of such an affair.

It is clear that a time of decision is near for farm programs. I welcome that as we move into this Presidential year.

If I have any complaint as Secretary of Agriculture, it has been the difficulty of communicating, of telling people what farm programs are all about. Most of them either take agriculture for granted, or they have a closed mind, regarding the programs as patch work—patch on patch—an exercise in futility. And I must say that seems especially true, by and large, of businessmen.

So I welcome this opportunity in this fine forum, with an outstanding reputation for fair and open-mindedness, to examine with you the question: American Agriculture—What Next?

The best way to do that is to speak directly to the questions that I get most. Then I will try to answer any other questions you might have.

The most frequent question I hear goes like this: "Why have farm programs that pay farmers not to produce?"

A quick, pointed answer in a dozen words is this: Because for the forseeable future productive capacity will substantially exceed effective demand. Permit me to amplify this.

First let me make it crystal clear that these are not welfare programs for charity cases. This is a *commercial* program. Its purpose is to make it possible for some two million farmers, most of them family farmers, to apply to their operation the same businesslike practices of balancing supplies with available markets that have proven so successful in industry.

Its objective is to enable these farmers, who have the greatest production capacity in the world, to work together voluntarily to manage their inventories and adjust their output to effective demand lest they smother in their own abundance.

We do this by, in effect, asking them in the national interest to rent out of production the portion of their land needed to adjust national supply to expected demand. They are offered a fair rental price, based on production potential, discounted for operating costs.

As individuals—as 2 million separate food and fiber factories—they have no way of affecting national production, no way of anticipating national production, except in the case of a few specialty crops in which commoditywide organization is possible.

Now there isn't a man in this room who would run his business without trying to tailor his output to fit his market. But over two million farmers, producing independently and without knowledge of what total output is likely to be, find this impossible.

Unless he has some mechanism by which he can adjust his production in unison with others, each farmer is flying blind and all too often the result is collision in the marketplace and disaster.

Why shouldn't farmers have a chance to be just as good businessmen as those in other lines of business?

This is what the wheat, cotton, feed grain and other programs are for: To provide a basis by which farmers can work together voluntarily to use their skills to the fullest and yet hold production in line with demand, while continuing to supply this Nation with the abundance to which it has become accustomed and which it needs to remain strong.

I stress again that these are not programs to combat rural poverty on marginal farms. We have special approaches for that. The farm programs *do* affect the price of every bushel of grain sold by a marginal farmer exactly as they affect the grain sold by the commercial farmer, but their purpose is not to redistribute income. It is to adjust production to demand, giving farmers some voice in the market, and to give them—through price supports—some surety of income.

For agriculture today, more than ever, requires stable prices; the farmer more than ever must be able to make his plans with some reasonable income assurance because he must spend more than ever—for machines, fuel, fertilizer—in order to farm efficiently, which he must do to stay in business.

Let me move now to question number 2: "How do the programs work?"

The planning is very similar to all industrial production planning—it is significant, I think, that the percentage of production we are holding in reserve in agriculture under the programs is almost the same as in industry as a whole, about 10 to 12 percent.

The Department of Agriculture gathers the most complete information available on potential domestic and export demand for the forthcoming marketing year.

It takes into account stocks on hand—what you call in business your inventory position. With these factors, we calculate the acreage needed to provide the required output.

Then, in the national interest, we rent out of production enough land to keep demand and supply in working equilibrium.

Now I will be the first to acknowledge that you can't fine tune all those projections and estimates. You just can't accurately forecast what the weather, for example, will be in the coming growing season here in the United States, let alone around the world. And we have to make projections about the crops of some of our export competitors as well as in the importing countries as much as 18 months ahead.

I sometimes feel, in this situation, like the astronaut-physicist who was seen boarding the capsule for his first space shot with a rabbit's foot in his hand.

"You don't believe in that sort of stuff, do you?" said a friend.

"No, I don't," was the reply. "But the guy who gave it to me said it works whether you believe in it or not."

But the hazards of projecting are no reason for throwing up your hands and doing nothing. When a large corporation projects demand too high, it simply adds to its inventory, and then cuts back output to get inventory in line again.

That's what happened in agriculture last year. We got a little too much production, largely as a result of unexpectedly good weather around the world, and, as you know, the market reacted sharply.

When this occurred, those farmers who were participating in the farm program could get a government loan to hold their excess grain in inventory over to this year.

On the production end, we in the Department of Agriculture acted to cut back wheat and feed grain acreage this year by encouraging farmers to take more acreage out of the production on these crops.

There is nothing compulsory about these programs. If a farmer doesn't want to participate, he can farm completely as he wishes.

But farmers are using them. Last year's signup was 1.3 million farms, representing 60 percent of the feed grain crop, and 800,000 farms, representing 85 percent of the wheat.

The programs I have described so far—the commodity programs—are the basic effort, but even when they are administered skillfully supply and demand may still get out of balance—witness what happened last year. So we combine other approaches, other tools to make it possible to adjust to unexpected forces. These tools serve a number of purposes besides price stabilization.

For example, our domestic food distribution programs not only improve the diets of millions of needy families and school children, but they also permit us to help shore up meat and produce prices, which we do by buying this food when the market is weak as a result of overproduction.

And the Food for Freedom program not only makes a major contribution to security and peace by providing food to millions around the world—buying them time until they can improve their own agriculture—but it also gives us a means to help work off our surplus production when our forecasts go awry.

The Cropland Adjustment and Agricultural Conservation programs permit us to put land not needed for production into long-term conserving uses, adding sorely needed green space and outdoor places to play for the increasing millions who seek temporary respite from the concrete and asphalt of the cities.

These programs—commodity, foreign aid, domestic food, conservation—complement each other. None of them can be fully effective in isolation, but they are extremely effective when used together.

Both Food for Freedom and our domestic food distribution programs supplement the commercial demand for food registered through established market channels.

Skillfully used, this supplemental buying power helps stabilize prices.

The Food and Agriculture Act makes possible a working balance between supply and all demand for several major products. It is designed to keep farm prices at as high a level as is consistent with remaining competitive in world markets, and—by means of direct payments—to strengthen farm income.

Together, these programs permit us to set up a workable national food budget to produce what we need in the right amounts at the right time for the right purposes—subject, of course, to the vagaries of natural forces with which agriculture always must live.

Well, you might say, the theory is fine, but do these programs actually work? That is my third question.

Let's look at the record of American agriculture:

America's families are getting more of the most nourishing food in the world and for less in terms of paycheck proportions (under 18 percent) than ever before—almost 25 percent less than back in the good old days of the '20s.

We are competitive in world trade because of the commodity programs—right now we export the harvest of more than 71 million acres of American farm land, a tremendous boon to our trade position and a vital factor the past two years in the balance of payments—holding back the critical outflow of dollars. Exports for dollars have climbed 60 percent, over $2 billion since 1960.

The balance of agricultural trade comprises more than 50 percent of this Nation's total favorable balance of trade.

What we call Section 32 permits the Secretary of Agriculture to move food—over a billion dollars worth this year—to needy people all over the United States.

Food for Freedom, geared since 1966 specifically to self-help commitments by recipient nations, not only has provided an overseas outlet for farm production, and fed millions of hungry people; it is also dramatically turning the economies of some of these nations from aid to trade, among the most recent are Israel, Taiwan and South Korea.

The inventories of commodities owned by the government have dropped from a surplus of more than $6 billion in 1960 to a necessary reserve of less than $1 billion in 1968.

Last year's net farm income, even though it was down from 1966, was $14.5 billion, 24 percent higher than in 1960, and net income per farm was 55 percent higher than in 1960. Despite this progress per capita farm income is still only 60 percent of non-farm income.

Cash corn in Chicago last week was 12 cents higher than at the harvest low last fall. The futures market for corn today, compared with that of last fall, shows a farmer now can anticipate his 1968 corn crop next fall will sell well above last fall's No. 2 yellow corn. Why? Because more farmers have held their corn under government loan and because the trade expects a smalled output this year as a result of a good signup in the feed grain program.

Clearly on the record American agriculture is getting excellent results.

The fourth question: "How long will we need farm programs?

The President's Advisory Commission on Food and Fiber—a distinguished group of businessmen, educators, agriculturists—concluded that some sort of farm programs will be needed for as long as this country's agriculture has the capacity to produce more than effective demand can absorb.

And they took into consideration in that projection the population explosion, concluding that foreign demand will not take up the slack of our overproduction potential in the foreseeable future.

Unlimited demand in the Less Developed Countries is a mirage. Our latest long-range study of the world food situation through 1980 indicates a continuing world capacity to produce more grain than *effective* world demand can absorb at stable prices.

Strong competition in commercial markets will continue and so will the potential for overproduction, for a long time to come. That means we will need some kind of commodity programs for the foreseeable future.

Another question I am frequently asked is: What would happen without farm programs?

A study by Iowa State University for the President's Food and Fiber Commission showed that, under these conditions and without farm programs, farm prices would drop sharply—and stay down.

And if the farmer is put through a prolonged wringer, the whole economy will be adversely affected. The old familiar statement of yesteryear that depressions are farm fed and farm let still rings true.

No one will question the importance of a healthy agriculture to the business world. Agriculture spends more than $34 billion a year with you and other businessmen for goods and services to produce its crops and livestock.

It buys as finished products every year 5 million tons of steel and enough rubber to put tires on nearly six million automobiles.

It uses more petroleum than any other single industry.

No one can be certain what might happen, but if farm programs go down the drain our family farm system of agriculture will be seriously threatened.

You can be sure that continuing low farm prices will drive out thousands, perhaps hundreds of thousands of farmers, and it won't necessarily be the inefficient farmer who gives up. Rather, it will be those who have the least economic power to hang on. Financial strength and holding power will carry the day.

The result could well be the survival of a relative handful—corporate farms with such monopoly power over the Nation's food supply their regulation by the government as a utility will be necessary.

So on the record it is clear that agriculture *is* a vital segment of our economy, but the final question is: Is it worth the effort? Are we spending too much? Are farm programs unreasonably costly?

First, what do they actually cost? There is much confusion on this and a tendency to charge to commodity programs *all* the programs of the USDA.

The Committee on Agriculture of the United States House of Representatives made an analysis of the estimated 1968 Federal farm budget.

The committee found that three fifths—$3.8 billion—of the $6.7 billion budgeted for Agriculture was for services that are of primary—and in most cases immediate—benefit to the general public. The U.S. Forest Service that manages 186 million acres of forest and wilderness is one example.

The remaining $2.9 billion of the estimated 1968 budget was for acreage adjustment, price support and related programs in which farmers are the primary beneficiaries.

This is a stabilization cost of under 6 percent for an industry of almost $50 billion annual sales.

That is in my judgment a reasonable tax investment for an industry that is feeding more Americans at less relative cost to them than ever before; one that is feeding millions of the world's hungry, is a bulwark of our foreign trade and a mainstay of our domestic economy.

So far our family farm system has survived, unorganized, in an economic jungle. It has hung on by its fingernails through wild price swings not experienced by the rest of the economy.

It has earned the chance for stability that others enjoy.

I think that with the New Era Programs of the early sixties, climaxed by the Food and Agriculture Act of 1965 we are on the road to providing that stability, to achieving the prosperous, stable agriculture that is basic to our domestic well-being and to our international position.

For the first time, after years of fencing with the issue, of patching up, of short term efforts, we have a farm program that faces the facts of life.

Certainly it is new, and we are working to improve it as we see the need, but I am convinced that we now have the basic machinery to produce the food needed for our foreign policy and humanitarian commitments, to assure abundance at home, to make the best use of the land of America, and to stabilize farm income at a level commensurate with that of business and industry all at a reasonable cost.

This program is under attack. The challenge is for the critics to offer something better.

American Veterans of World War II

HON. FRANK T. BOW

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. BOW. Mr. Speaker, the legislative program of AMVETS for this session of Congress was presented to the House Committee on Veterans' Affairs this morning by the national commander of AMVETS, Mr. Anthony J. Caserta, who is, I am proud to say, a constituent of mine from Alliance, Ohio.

Anthony J. Caserta, of Alliance, Ohio, was elected the 23d national commander of the AMVETS—American Veterans of World War II—at the organization's national convention held in Hollywood, Fla., August 20 through August 27.

Caserta, an Alliance, Ohio, businessman, has been active in AMVETS since the organization was founded following World War II. A veteran of 5 years' service in intelligence in the Army and Air Force in World War II, he is a life member of AMVETS and was the first commander of Alliance Post No. 4.

For the past several years he has served AMVETS as the president of the AMVET National Service Foundation which administers all charitable activities of the organization.

The AMVET national convention in 1965 voted him the Ray Sawyer "AMVET Man of the Year Award," the highest honor the organization can bestow on a member.

In Alliance, Ohio, he has been active in the business community for many years. He is the president of the Caserta Construction Co.; Caserta Supply Co.; Caserta Development Co.; Nan-Fran Development Co.; Caserta Properties Co., and Alliance Data Center.

The Casertas are the parents of two children, Nancy and Frank.

I am confident that all of us in this body and all Americans can concur in Mr. Caserta's opening remarks to the committee. He said:

> We are here not only to witness but to participate in "Democracy in Action". We feel that our legislative recommendations will, if enacted, be another step toward our mutual goal of having the Nation meet its obligations to our millions of veterans.
>
> The contribution of the individual veteran to the building of this Nation during its first two centuries makes clear how important the role of the veteran continues to be in the future existence and growth of our society.
>
> Military service in the Armed Forces of our Nation constitutes the basis for a reciprocal obligation on the part of this Nation to provide reasonable assistance to veterans in accordance with and recognition of the greater sacrifices experienced by them.
>
> In his message of January 30, 1968, President Johnson voiced his thoughts on these commitments when he said:
>
> America holds some of its greatest honors for the men who have stood in its defense, and kept alive its freedoms.
>
> It shows its gratitude not only in memorials which grace city parks across the land—but more meaningfully in the programs which—"care for him—and for his widow and his orphan."
>
> In formulating our legislative program, we have not deviated from our policy that our primary objective as a major veterans organization is to do our share to help perfect a sound, realistic, and enduring structure of veterans benefits that will enable our veterans not only to live with dignity, but also to contribute the maximum of their abilities to the progress and economic growth of the Nation.
>
> AMVETS is cognizant of the fact that our country has, and apparently must continue, as long as there is war—Hot or Cold—to bear part of the economic and military burden of protecting the freedoms of the free world. AMVETS wholeheartedly supported and continue to share the feelings expressed by you, Mr. Chairman, in your letter of October 23, 1967 to the National Commanders in which you said "Our country is in a horrible and dirty war in Viet Nam. The American fighting men there deserve the full support of the American people. They are not receiving it."
>
> Because of this tremendous cost, we realize that there is a limit to the funds that are presently available for veterans' benefits, and that the big problem that faced the Veterans Advisory Commission in its recommendations, your Committee in its thinking and the United States Congress in its actions is how best to do the most good with the monies available.
>
> Recognizing this problem, AMVETS feels that prime consideration must be given to the problems of immediate need, but that secondary consideration should be focused toward improving the present benefits system in conjunction with establishing overall long-range goals for all veteran programs.

Mr. Caserta then elaborated upon the recommendations of AMVETS regarding compensation, pensions, national cemeteries, education and training, health services, insurance and housing. His statement contains sound and worthwhile recommendations which will be very helpful to the committee and to the

Members of the House in the consideration of veterans' legislation.

Inasmuch as I was required to attend a meeting of the entire Appropriations Committee to consider the final report on the Treasury-Post Office appropriation bill, involving expenditures of $8 billion, I was not able to present Mr. Caserta to the Veterans' Affairs Committee as planned. Our colleague from Akron, Ohio, BILL AYRES, who has served on the committee for many years, substituted for me.

Anthony J. Caserta has brought great honor to the 16th Congressional District of Ohio and we are proud of his achievement and of the recognition he has won in the nationwide activities of our veterans.

Snyder Questionnaire

HON. M. G. (GENE) SNYDER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. SNYDER. Mr. Speaker, I recently mailed a questionnaire to my constituents in the Fourth District of Kentucky. Based on a return of approximately 10 percent—with a few still coming in—I wanted my colleagues to know the reaction of the people I represent to the issues presented.

In all fairness to the administration, let me make it clear that this tabulation is based upon returns received prior to the events of the last few days in regard to Southeast Asia.

1. What would you do about the war in Vietnam?

	Percent
Continue our present course of limited warfare without victory as a goal	0.2
Mount a strategically sound effort for military victory, as recommended by most military experts	69.8
Return to key positions, stop bombing and try to negotiate a settlement	10.0
Withdraw as soon as possible?	16.4
No reply	3.6

2. To offset the Federal budget deficit, do you favor:

	Percent
The President's proposal of a 10 percent surcharge on income tax	8.8
Reduction in war expenditures	17.8
Cut back in domestic programs	68.0
No reply	5.4

3. Do you believe that big city racial riots can best be prevented by:

	Percent
Additional welfare programs	1.0
More vigorous police action	65.8
Both	14.2
Neither	15.3
No reply	3.8

4. Do you believe that the War on Poverty is worth the cost?

	Percent
Yes	11.4
No	85.0
No reply	3.6

5. Would you favor providing tax credits for part of the expenses in hiring and training unskilled workers?

	Percent
Yes	63.2
No	31.8
No reply	5.0

6. Do you favor the creation of an all volunteer army to replace the current Selective Service System?

	Percent
Yes	29.0
No	66.4
No reply	4.6

7. Do you favor expanding trade with the Soviet Union and other Communist bloc countries?

	Percent
Yes	22.2
No	73.8
No reply	4.0

8. Should Congress appropriate money for rent subsidies?

	Percent
Yes	4.0
No	90.6
No reply	5.4

9. Should Congress appropriate money for more public housing?

	Percent
Yes	20.4
No	73.2
No reply	6.4

10. Would you favor Supreme Court Justices service being approved by the voters every 4 years?

	Percent
Yes	82.6
No	14.2
No reply	3.2

11. Did the President handle the *Pueblo* incident properly?

	Percent
Yes	19.4
No	65.6
No reply	15.0

"Thoughts of an Indolent Old Guy"

HON. JAMES M. HANLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. HANLEY. Mr. Speaker, though it is agreed that these are troubled times for America and a degree of dissent prevails with respect to our national objectives, I find that the vast majority of American people support the efforts and policy of our National Government in its desire to perpetuate the American way of life as it has historically been known. Unfortunately, however, the majority are not at all as publicly expressive or vociferous as those who choose to dissent.

Today's mail brought a poem authored by a constituent of mine whom I have the pleasure of knowing personally, a man who has served meritoriously in our Armed Forces during previous international crises. He is Mr. William F. Holloran, a resident of Syracuse, N.Y., and I would like to share his poem with my colleagues:

THOUGHTS OF AN INDOLENT OLD GUY

When a rumor is circulated that the ship has sprung a leak,
Some timid souls jump overboard.
When the small leak is repaired and the ship sails majestically on its way,
Some passengers and a few of the crew are missing.
The reason for Hitlerism and communism,
A small vociferous minority is allowed to take over by an overwhelming silent majority.
So let us wake up.

Ode to Queens

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. ROSENTHAL. Mr. Speaker, it is unfortunately true that those of us who live in New York City, but not in Manhattan, have felt somewhat neglected by those who write about New York. Too many outsiders who fall in love with New York, as they justly should, seem to feel that New York is Manhattan and Manhattan is New York. To this, residents of Queens can rightly reply that there is more to New York than is dreamed of in the geography of such observers.

As a public service for all of my Manhattan-minded friends, I would like to insert in the RECORD the following advertisement that appeared in the March 22, 1968, issue of the New York Times:

WHEN A MANHATTAN BOY MOVES TO QUEENS, HE THINKS HE'S IN THE COUNTRY

Queens *was* country before the Queensboro Bridge opened in 1909. Then the city slickers moved in.

If you ask a resident of Queens where he lives, he will never answer "Queens". Rather he will tell you that he lives in Flushing or Astoria or Bayside. The reason is not lack of pride in the borough but a continuing strong community feeling.

Although Queens is the fastest growing of the boroughs (number two in population), much of it still has a pleasantly rural outlook. Trees and grass are obsessions. A Queensman tends his patch of fescue with the passion and devotion of a London hairdresser coifing a duchess.

The name Queens, incidentally, honored Catherine of Braganza who was the Queen Consort of Charles II. Outside of Queens County she is remembered only because she was once accused of trying to poison the King. (He defended her on the grounds that she was a lousy cook maybe, but not a poisoner.)

The original Queens included what is now Nassau County as well. In 1898 when the county joined New York City, most of Hempstead, North Hempstead and Oyster Bay took a walk. They're still out there somewhere.

Queens is usually considered a bedroom community but this is just a racy canard. In truth Queensfolk are industrious as all get-out. They manufacture upward of $2 billion worth of goods every year. In Long Island City alone, there are some 1500 factories making an astonishing assortment of things running from spaghetti to pianos.

Queens has a monopoly on airports. You can't fly out of New York City without going to Queens. Between La Guardia and Kennedy, more than two million people land and take off every month.

Ozone Park is a mecca for those who believe that one horse can outrun another. There, you'll find Aqueduct, the last racetrack left within the city limits of New York.

Flushing has a deal of goodies for the sportsmen in the form of Shea Stadium, home of the Mets, who have more adulation than skill, and the Jets who have a modicum of both.

In parks, Queens is surpassingly rich. They have almost as many as the other four boroughs combined. In one of them resides the Museum of Science and Industry. An adjoining Space park features full-sized rockets and other astrogadgetry.

In fact Queens has almost everything but a zoo. However, it more than makes up for that lack with the Jamaica Bay Bird Sanctuary. This is easily the largest haunt of coot and tern ever to be found within a city.

But the main thing about Queens people is their state of mind. They tend to be euphoric. Where else can you live in a high rise apartment in one of the world's largest cities and still think of yourself as a gentleman farmer?

New York is New York. Is there anywhere else?

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Teachers-in-Politics Weekend

HON. E. ROSS ADAIR

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. ADAIR. Mr. Speaker, April 5 will begin what the National Education Association and its constituent State associations have designated Teachers-in-Politics Weekend. It is their belief that full teacher participation in politics will achieve in an orderly fashion the educational benefits teachers desire for children, and also will improve the political climate of the community, the State, and our Nation. This view is certainly in accord with my own, since my own background includes a period of teaching.

In Indiana the main meeting is to be held in Indianapolis on April 6. Some 500 teachers belonging to the Indiana State Teachers Association are expected for that meeting and additional meetings are to be held in other areas of the State. The format of the meetings is to be a political day or a clinic in political work.

It is my hope that this is just the beginning and that this weekend of teachers learning about politics will result in greater participation in politics by our teachers, better candidates for political office and above all teachers and students who are both knowledgeable and eager to take up the burden of keeping our great Nation's democracy free and strong.

National Education Association's Teachers-in-Politics Weekend

HON. JOSEPH P. VIGORITO

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. VIGORITO. Mr. Speaker, I can think of nothing more worthwhile than full participation by all the Nation's educators in the National Education Association's Teachers-in-Politics Weekend, starting tomorrow, April 5.

I think I can speak of the value of teacher involvement in our democratic political process from personal experience. I have been intimately associated with both and can speak of the many benefits that will accrue to a teacher who takes an active interest in political affairs.

Before my election to Congress in November 1964, I had served for 15 years as a professor of economics at the Behrend Campus of the Pennsylvania State University. My years as a college professor were rich and rewarding. The feeling of accomplishment, of being able to work with the young men and women who participated in my classes and seminars, was one which I shall treasure the remainder of my life.

No one in this modern society can isolate himself from the events around him. This is especially true of those in the teaching profession. Teachers cannot impart to their students the broad, full view of life if they do not involve themselves in the world. One cannot teach the best of the past and the present without being aware of the equal value and importance of both.

When I came to Congress my background in education served me in good stead. It has given a balance, a background and a base on which to make valued judgments on the varied many important items of legislation which come before the House of Representatives. In one way or another, every bill will affect someone somewhere in this country. No measure can be taken lightly.

The lesson to be learned is obvious. No teacher can take politics lightly since in some way it will touch his or her life. And more important, the life of every student with whom they come in contact.

It is my hope that every member of the National Education Association will participate in Teachers-in-Politics Weekend. It can only work to the benefit of everyone involved by improving the political climate of individual communities, the States, and the Nation.

"Wanted: People To Quench Our Growing Thirst"—Address by Commissioner L. J. Andolsek, U.S. Civil Service Commission

HON. JOHN A. BLATNIK

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. BLATNIK. Mr. Speaker, Americans historically have taken justifiable pride in creating a government of laws, not of men—and while it is true that this is the special genius of the American form of government, we all too often overlook the fact that we rely upon men to administer the law.

I was most impressed, therefore, with U.S. Civil Service Commissioner L. J. Andolsek's very thought-provoking speech before the Federal Water Quality Association recently, in which he gave special emphasis to the critical importance of selecting America's most gifted and capable men and women to administer the laws and programs of our Federal Government.

The U.S. Civil Service Commission has the unique responsibility, as Commissioner Andolsek so aptly put it, "to seek for the U.S. Government the services of the best people it can get and to place them at work to help solve the great problems that confront our people." I was especially pleased that Commissioner Andolsek took this opportunity to underscore the role of the Civil Service Commission in choosing the right men and women for the right job in the Federal water pollution control program.

For, though we have committed ourselves in terms of funds, programs, and national determination to clean up our lakes and streams, we must staff both our Federal and State water pollution programs with "the best people we can get" or the best water pollution control laws in our history will founder and fail to achieve their objective.

In view of the hearings to be held in the near future in our House Public Works Committee on the Federal water pollution control program, I felt it particularly appropriate to call the attention of my colleagues to Commissioner Andolsek's timely message:

WANTED: PEOPLE TO QUENCH OUR GROWING THIRST

(By Commissioner L. J. Andolsek, U.S. Civil Service Commission, Federal Water Quality Association Luncheon, Washington, D.C., February 28, 1968)

I am indeed honored to be with you people today and to participate in the happiness of your awards ceremony.

My congratulations to Francis Middleton and George Burke for a job well done and recognition well deserved.

I suppose some of you may wonder why I, a Civil Service Commissioner, am standing here before you. There are several reasons.

It was my good fortune to be associated with Congressman John Blatnik during that formative period over ten years ago when the Public Works Committees in the Congress were designing and enacting the first permanent water pollution control legislation. Since that time we have made giant strides as we race against time to clean the Nation's waters of damaging pollution. While much has been done, much more remains to be done. And John Blatnik, Senator Muskie, Members of the Congress, the President, and the people in the executive branch of Government continue to seek improved ways to meet the growing needs of this great Nation.

Tuesday of last week was an historic point in the fight against water pollution. At that time, Secretary Udall gave the oath of office to Joe Moore, Jr., the fourth chief of the Federal Water Pollution Control Program since it was first established in 1948. Yet, to me, this swearing-in ceremony had a deeper symbolic meaning. Let me explain.

As you might expect, we in the Civil Service Commission are concerned primarily with people. While our daily tasks deal with technical details such as classification standards, recruitment, promotion, and career development, the fundamental task of the Commission is to seek for the United States Government the services of the best people it can get and to place them at work to help solve the great problems that confront our people. In carrying out this responsibility, the one over-riding characteristic of the task is change; change of people; changing types of persons; changes in demands placed upon them by changing problems.

So when we see new dynamic leaders selected by the President to meet the new challenges, the Commission senses the deep obligation that the Nation owes to those who have gone before and on whose shoulders we now stand to reach where we are, as well as the obligations that will be assumed by future leaders as they come on the scene.

We have built well upon the dedication of Carl Schwob, the first chief of the modern Federal water pollution control effort; on the administrative skills of Gordon McCallum, the second chief; and the political alertness of Jim Quigley, the third of this group. The new Commissioner, Joe Moore, whom I recently met, comes with a fine record of public service and is prepared to carry out and continue the fine record of achievement that has taken place so far in the national pollution control effort.

Joe Moore has a tremendous task before him—but it's not his job alone. Every American has a role to play in our war on pollution.

We learned in the grammar grades that seven-tenths of the earth's surface is covered by water—most of which is too salty for man to use. And, as we here know today—much of what is left isn't too salty—it's simply too dirty.

That leaves a pitifully small amount of clean water to supply the 20 billion gallons of fresh water that we use every day in the United States.

It is a sad commentary on modern civilization that great cities like New York and our own Washington, D.C., could have seasonal water shortages when large rivers run by their doorsteps, carrying billions of gallons of polluted and contaminated water out to sea.

It reminds me of a conversation I had with my daughter. We were discussing the spawning habits of the salmon. We marveled at the way the fish spends most of its life in the ocean, and how it migrates inland to fresh water for spawning. Many of us have seen how it fights its way upstream, struggling hard against the current, leaping over rocks and waterfalls, letting nothing stop its forward progress.

I pointed out to my daughter that the Columbia River salmon has been traced inland as far as 2,000 miles upstream—and I raised the question "was such a trip necessary?"

With a twinkle in her eye, she replied: "Maybe he has to swim all the way up to the source of the river to get a clean drink of water."

I'm no expert on rivers, but I have learned that the farther away from the source you get, the more pollution you find. And, though my daughter had a good thought, I didn't point out that the salmon was looking for sex—not clean water. And certainly, we need enough of both.

But how much is enough?

I have some official Government figures that some of you may not have seen.

Did you know that each additional person adds a yearly drain of 600,000 gallons of fresh water to our national needs?

And did you know that the U.S. averages 1 birth every 7½ seconds, 1 death every 17½ seconds, 1 immigrant coming in every 1½ minutes, 1 emigrant leaving every 23 minutes—for a net gain of 1 person every 12 seconds?

When you consider that our country grows by 1 person every 12 seconds—and that one person will need 600,000 gallons of fresh water each year—then you and I can well understand why public and private scientists and planners are exploring every possible way to assure an abundance of fresh, safe water for all Americans.

They are exploring better conservation methods, elimination of pollution, improved filtration and purification, increased stream runoff, in forested areas, better ways to impound water and reduce evaporation loss, ways to increase rainfall, desalting of large amounts of ocean water to make it suitable for human use.

With a Nation getting thirstier every day, our planners cannot afford to miss any possible bet. We are beginning to wake up to the hard fact that it will take the best of public and private conservation efforts to make *people*, you and I, our *brightest promise*—not our *biggest problem*. Our level of living must not go down as our numbers go up.

In his Conservation Message of February 1965, President Johnson said:

"The modern technology, which has added much to our lives can also have a darker side. Its uncontrolled waste products are menacing the world we live in, our enjoyment and our health. The air we breathe, our water, our soil and wildlife, are being blighted by the poisons and chemicals which are the byproducts of technology and industry. The skeletons of discarded cars litter the countryside. The same society which receives the rewards of technology, must, as a cooperating whole, take responsibility for control."

We here today do not kid ourselves. We know that a complex social problem such as pollution control, involving science and technology, economics and politics, and the social demands of a large and diversified Nation, requires for its solution the best team of people that can be gathered. This kind of a team will reflect age and experience; youth and experimentation; engineering leadership and scientific research; public awareness and administrative and governmental knowledge.

In my opinion the 2,000 people now employed by the Federal Water Pollution Control Administration make up this kind of skilled teams. These dedicated people are, in fact, the Nation's defense against pollution and are in the front lines of the attack to overcome it. It is not unusual to measure the concern of Government in terms of dollars or the number of laboratories. For us in the Commission, we know that the ultimate measure is the character and skills of the persons in whose hands rests the responsibility to guard the Nation against dangers to its health and damage to its economy that stem from uncontrolled pollution.

We believe it is important that every member of the water pollution control team understands and appreciates the responsibility he carries as a public servant in this important work. This is why we felt it was important to be present at these award ceremonies today in order to lend our own congratulations to those who have been honored as well as to the team they represent.

The President, as Chief Executive, has provided the dynamic leadership that only his high office can provide in getting ideas, laws, money, and men together to meet the Nation's needs. But he appreciates that his ideas, his programs, his dreams, can only be carried out by people like yourselves. He indicated his personal concern for your responsibilities when he spoke in May 1966 to a Department of the Interior gathering at the time the Water Pollution Control Program was transferred to that Department.

As a result of this transfer, the President noted, the Department had a new opportunity and a much greater responsibility. He said:

"I hope you are excited by that prospect, because your President is, your Congress is, and your Secretary is. And I believe that he will give every ounce of his great energy and imagination to helping you meet this challenge.

"But it is you who must meet it and it is you who will surmount it. It is your energy, your imagination, and your minute-by-minute enthusiasm that will really decide whether we master change or whether we are mastered by it.

"The tides of change are running deep and swift this morning. There are questions which you must help to answer. Must our progress engulf us? Shall we choke on our own success? Does our society need to tolerate filthy rivers, poisoned air, strangled cities, and tangled roads? Too few parks? Too few beaches? Too little wildlife? Too much ugliness and too little beauty?

"Well, I think there is only one answer. No. No, we must not. No. No, we will not."

Today, we are pleased to restate our thanks to the devoted men and women who are carrying out the charge placed on them by the President.

Today the Civil Service Commission salutes the engineers, scientists, administrators, secretaries, and all who work to carry out the Nation's programs to control water pollution as well as those engaged in the conservation of our land and water resources—the Corps of Engineers, the Bureau of Reclamation, the Public Health Service, the Soil Conservation Service, the Forest Service, TVA, the Water Resources Council, and the many other teams who are helping to maintain and regain the beauty of the Nation and who are contributing to the improvement of the quality of life for the American people.

And, in saluting these valued members of the team, we know that your numbers are not enough. Many many more of you will be needed.

The increasing needs for trained personnel in water pollution control range over a wide category of professional skills and disciplines. Along with the sanitary engineer, who is most closely identified with this field, employment opportunities await chemical and mechanical engineers, aquatic biologists, marine biologist, oceanographers, microbiologists, chemists, economists, and public administrators. A total of 36,000 additional employment opportunities in these categories are expected to be created in the period from now until 1972. At present, State and local agencies employ approximately 3,600 such professional category personnel. Reasonable estimates dictate that by 1972, about 9,000 should be employed. This means that an additional 5,400 trained scientists, engineers, and related professional personnel will be needed in the next four years by State and local agencies.

In this same four-year period, an increase of 33,500 technician employment opportunities will materialize. These workers are needed to provide laboratory assistance, to repair equipment, to perform computer programming and data analysis, and to collect and prepare samples for laboratory examination. State and local agencies will need 3,900 more by 1972. Industry will need 4,300 more. Consulting firms impose the greatest demand, projecting their needs at 15,000 additional technicians over and above the 6,000 they presently employ.

Sewage treatment plant operators are another vital needs category. The number of operators now employed by local agencies must increase by 50 percent in the next four years, from 20,000 today to 30,000 by 1972. A spectacular percentage increase is needed to man and operate industrial waste treatment plants, from the present 3,500 employed to 12,000 in 1972, a rise of 243 percent. Employment opportunities are in the making for a total of 18,500 sewage treatment plant operators.

In all of these categories, professional, technician, and sewage treatment plant operators, the job seeker will have a competitive advantage on his side. The well-trained and skilled worker will be eagerly sought by State and local agencies, by industry, and by consulting firms.

Now we come to the matter of arithmetic. Where are we going to get all these trained people?

It's the same problem we face in the civil service in trying to fill jobs in the scarce skills categories. Although we haven't solved the problem once and for all, we have made some headway by working with colleges, universities, and technical schools to get them to tailor curricula to projected employment needs, publicizing the fact that such skills are now needed and that the need will increase in the future, restructuring professional jobs to select out the work that can be done by technicians (this gives the professional more time to devote to truly professional tasks), developing more in-house, inter-agency, and out-service training programs, setting higher starting salaries in the shortage category occupations, developing work-study programs to develop student skills along needed lines, seeking special incentives for shortage category recruiting, such as payment of moving costs to first post of duty.

These are but a few of the ways we go about recruiting for scarce skills. I think all of them could be well utilized in staffing water pollution control programs. Also, I hope that you will come up with something more imaginative and more fruitful on your own.

There is now before the Congress a legislative proposal that would lend great assistance to States and local jurisdictions in staffing their programs.

The Civil Service Commission, in behalf of the Administration, has sponsored an intergovernmental Manpower Act, S. 699.

The Senate has passed a modified version of the bill, and hearings are now being held in the House by a subcommitee of the Education and Labor Committee.

The bill provides for interchange of personnel between Federal, State, and local governments. Also, it provides a grants-in-aid training program to be administered by the Civil Service Commission. Under this program, the Commission would assist State and local jurisdictions in training to meet their own staffing needs.

If and when S. 699 becomes law, we in the Civil Service Commission will be in a better position to be a constructive member of the water pollution control team.

I look forward to such an eventuality and pledge you our fullest support—now and in the future.

Again, my congratulations to the award winners.

It has been a pleasure meeting with you. (Lifts glass of water)

And now, to you and the many fine members of your team, I salute you with a precious commodity I hope no American will ever take for granted. (Takes a sip)

Thank you very much.

Tax Exemption: The Good Scout Amendment

HON. MORRIS K. UDALL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. UDALL. Mr. Speaker, a few months ago this House was successful in passage of postal rate provisions requiring publications of nonprofit organizations to pay a substantially higher rate of postage on the income-producing advertising portion of their publications than on the nonadvertising portion. But even with that increase these postage rates are still not as high as the rates of postage required on the advertising portion of regular publications published for a profit.

Now comes an attempt by the other body to exempt the income nonprofit organizations receive from commercial business enterprises, such as commercial advertising in their publications. The inequity of such exemption is obvious, particularly when such advertising competes with organizations that must pay a tax on the same commercial enterprise and when Congress has justifiably already granted substantial subsidies to nonprofit organizations in the form of postal rates.

This inequitable exemption from tax contained in the Murphy-Hartke amendment to the Tax Adjustment Act of 1968 has the effect of overcoming the Internal Revenue Service order of April 14, 1957, which relates to the tax on profits from advertising in publications of certain nonprofit tax-exempt organizations.

The House-Senate conference committee is meeting to iron out differences on the tax legislation and it is my hope the House conferees will insist on deletion of this amendment from the Tax Adjustment Act of 1968.

The following editorial comment in the Washington Post puts this amendment in the proper perspective and I commend the "Good Scouts" column to my colleagues:

GOOD SCOUTS

The members of the Senate surely will be regarded by the United States Chamber of Commerce, the American Medical Association and sundry other publishers, as a bunch of good scouts if Congress keeps in the tax bill the so-called Boy Scout amendment adopted last Wednesday.

The Senate amendment that will earn the legislators their "good scout" badge is one that will overrule an Internal Revenue Service decision that the publishing operations of many associations and societies are "unrelated income" and therefore subject to taxation, just as the publishing operations of private companies or persons are. These activities yield something more than $100 million to such groups—all tax free until the IRS ruling last year. (Some estimate the total as high as $285 million).

Not much was said in the debate about the millions of dollars of income the United States Chamber of Commerce derives from its publishing enterprise that would be exempted from taxation. But there was a lot said on the floor about the $397,179 income of Boys Life that would be taxed. So the Senators, weeping for the poor Boy Scouts, opened wide the door to another sweeping tax exemption that will save some mighty big publishers thousands of dollars for every dollar saved for the Scouts.

Perhaps the Boy Scouts ought to be given some special exemption. If so, let this be done, expressly. It certainly is outrageous to let the necessities of the Scouts be used to shelter the profits of the great trade and professional journals. It is especially outrageous to see this tax grab made in behalf of the United States Chamber of Commerce which ought to be the first to defend the uniform taxation of competing publications, and the first to oppose the use of political power to overturn tax decisions. If the IRS tax ruling does not conform to the law, it ought to be attacked in the courts. It is outrageous to have the Senate, by amendments that have never been before the Finance Committee, overrule the Internal Revenue Service and confer millions of dollars in tax exemptions upon several hundred publications.

Tribute to Mrs. Hazel G. McNamara, Principal, Westbrook Elementary School

HON. GILBERT GUDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. GUDE. Mr. Speaker, the citizens of Montgomery County are fortunate indeed to have a school system which compares favorably with any in the United States. One reason for this is the caliber of administrative and teaching personnel at all school levels. Typifying this high-quality professional is a lady who will retire shortly.

Mrs. Hazel G. McNamara will retire as principal of the Westbrook Elementary School at the end of the current school year. Mrs. McNamara has been principal at Westbrook since it opened in 1940 and in the early years also taught the sixth grade.

Hers has been a lengthy and outstanding career as friend and counselor to thousands of children in their important first years of education.

To observe her retirement a dinner is being planned for May 18, 1968, which will be attended by former students, parents, and friends.

We salute Mrs. McNamara for her dedicated efforts in the field of elementary education and wish her many pleasant years of well-earned retirement.

Politically Active Teachers, Better Teachers

HON. ED REINECKE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. REINECKE. Mr. Speaker, our democratic form of government and a vigorous two-party system can be sustained only if our people exercise their rights and fulfill their duties as citizens. Therefore, I wish to commend the National Education Association for its sponsorship of a nationwide Teachers-in-Politics Weekend. The NEA has long been actively representing the needs and interests of the elementary and secondary schools, personnel, and children. It investigates educational needs, offers legislative programs, and rallies public support for crucial legislative proposals. It also offers members of the teaching profession a vehicle through which they, collectively, can be a dynamic force in shaping public education policy.

The National Education Association, however, does not condone the attitude that membership in the association in any way relieves persons from their responsibilities as individual citizens. And through the Teachers-in-Politics Weekend the Citizenship Committee of the NEA is attempting to encourage greater teacher involvement in the political life of the country. In California, six sectional clinics are being held prior to this weekend, and, during the weekend, local section and chapter meetings will be held.

It would be tragically inconsistent if the dedicated people to whom we entrust the education of our children did not allow their enthusiasm to extend beyond the classroom. Certainly they should play an active part in the formation not only of public education policy but also in all the other areas which affect their lives. They can do this only if they inform themselves on local and national issues and candidates and of course if they exercise their right to vote.

I do not know whence came the feeling that it is not proper for the teachers of the young to participate in partisan politics. The inference of such an attitude is that by so doing a teacher would somehow contaminate himself and would necessarily bring politics into the classroom. This is a ridiculous and unfair assumption. A former president of the California State Board of Education once said that "The purpose of education in our country is a very practical one. It is to make self-government work . . ." And it is true that so often we do think of education in terms of preparing good future adult citizens. But it is also true that to be a good example to his students and to foster a recognition of citizenship responsibilities in them he must himself be aware, informed, and be an active participant in civic affairs. It seems to me that such participation would broaden his own perspective and make him a better teacher.

Our teachers are also in a perfect position to assess the educational needs of our schools and to judge how effectively local, State, and Federal tax money is being spent on education. And in a professional capacity they speak through the voice of their education association. As individuals they have the right and duty to work for programs and candidates they support and to influence community opinion. They might even choose to run for public office themselves. Working with and for children is immensely rewarding. And I think that teachers would derive a great deal of personal satisfaction from working for public programs which directly or indirectly involve the welfare of our young people. And it seems to me that teachers have certain valuable insights which they can bring to the discussions of community problems. Conversely, a teacher who is informed, thinking, and articulate about public problems is bound to be more dynamic and effective in the classroom.

I sincerely hope that Teachers-In-Politics Weekend will inspire more members of the teaching profession to greater involvement in political affairs, and will bring public attention to the responsibilities which we all have as citizens in a free country. When individuals relinquish their rights, when they fail to perform their duties, they invite the intrusion of the Federal Government. When they are apathetic they allow the Government to dictate answers and to regulate their lives. Nonparticipating citizens pose a real threat to our democratic way of life. There are too many critical problems facing us for the solutions to be chosen by a few. Both in and outside of the classroom teachers are in a unique postion to help model tomorrow's society. Henry Adams once said that "A teacher affects eternity; he can never tell where his influence stops." Therefore, teachers, through their own political activities and their ability to stimulate student interest in political affairs regardless of party can be a dynamic force in the development of responsible citizens. I want to thank the NEA for this contribution to better government and responsible citizenship. I hope that it will generate overwhelming teacher response.

Lt. Frank Deusebio, U.S. Army, Killed in Vietnam

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. OTTINGER. Mr. Speaker, it is my sad duty to report that Lt. Frank Deusebio, U.S. Army, of Briarcliff Manor, N.Y., has become my 50th constituent to have lost his life in Vietnam.

I wish to commend the courage of this young man, and to honor his memory by inserting herewith, for inclusion in the Record, the following article:

[From the Citizen Register, Ossining, N.Y.]

Lieutenant Deusebio Killed at 22 in Vietnam

Army Lt. Frank Deusebio, son of Mr. and Mrs. Frank Deusebio of 2 Union Road, Briarcliff Manor, died in Vietnam March 18.

He was injured on March 12 at Long Bien while with his tank division, his family was informed, and died from his injuries six days later. He went to Vietnam Aug. 19, after having graduated from Fordham University and being commissioned upon completion of ROTC courses. He would have been 23 years old in April.

Surviving are his mother and father, owners of the Villa Pietro Restaurant in Briarcliff Manor, and his brother Nelson, and his wife of two years, Adrianne.

The family does not yet know when his body will be brought back to the United States.

Examples of Marihuana and Crime

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. WYMAN. Mr. Speaker, on Thursday, February 29, 1968, Commissioner Henry L. Giordano, of the Bureau of Narcotics, U.S. Treasury Department, in testimony before the Appropriations Subcommittee, gave graphic examples of crime and violence in the United States associated with the use of marihuana. I believe this testimony and particularly these examples are of value in considering whether or not to lessen or remove existing criminal penalties for use, possession and sale of this drug. It seems to me that there is compelling reason not to remove these penalties.

In addition to the examples which I am inserting in the Record with these remarks, testimony of Commissioner Giordano and others, was convincing of the demonstrable connection between the use of marihuana and other drugs, some even more serious in their adverse effect on human conduct. It is established fact that one leads to another, and that the use of such drugs presents a hazard to innocent people as well as to the lives of users.

Much of the war against such use must be fought in the educational field. Young people who might be persuaded to try marihuana for "kicks" ought to realize where the road may lead for them: to damaged lives, misery, and possible jail from criminal conduct.

Mr. Speaker, I hope that everyone will read the following examples and take the warning to heart. In particular I hope that parents who are faced with the sometimes difficult task of explaining to their youngsters why marihuana is "bad," will find these examples to be useful in this educational war against the spreading threat of drugs in this country.

The material referred to follows:

Examples of Crime and Violence Associated With the Use of Marihuana

(Compiled from recent reports received by the Bureau of Narcotics, February 29, 1968)

Seattle, Wash., July 8, 1967.—At a fair grounds a man accidentally bumped into another, spilling coffee on him. The individual who was bumped began swearing and took a log chain with which he proceeded to beat the startled victim. When arrested for assault, officers found the suspect to be in possession of and under the influence of marihuana.

Honolulu, Hawaii, September 2, 1966.—The combination of two marihuana cigarettes and some wine made a sailor "high" and "homesick". Attempting to force his way into a United Air Lines jet loading for Los Angeles, he drew a stiletto-type knife, held five passengers at bay and then struggled with the airport police. He was finally subdued by the officers.

Kansas City, Mo., December 24, 1967.—A 20-year old man and a juvenile worked totogether in an armed robbery of a local tavern. When arrested, both suspects stated they never would have committed the crime except that they had been smoking marihuana.

Asbury Park, N.J., May, 1965.—Two men boxed playfully together in the street. One participant was knocked to the ground. He came to his feet with a knife in his hand. His opponent started to retreat. The angered man chased and caught his companion. He slashed the frightened man's throat and, in a frenzied state, repeatedly stabbed the helpless man. The murderer then calmly folded his knife and walked away. He is still a fugitive. Just prior to the incident, the two men had smoked marihuana together.

Garden City East, N.Y., February 5, 1967—An 18-year old youth was arrested at the scene of a burglary. He later admitted smoking a marihuana cigarette immediately before the crime was committed.

Camp Lejeune, N.C., October 2, 1967—A young Marine attempted suicide by swallowing open safety pins. He admitted using marihuana and LSD before the incident.

Detroit, Mich., November 8, 1967—A 19-year old man was arrested for murdering his 3-month old daughter. His wife told homicide detectives her husband was a constant marihuana user and had been under its influence when he beat their infant daughter to death with his hands.

Ann Arbor, Mich., August 20, 1967.—A hitchhiker jumped in front of an oncoming car in an attempt to commit suicide. He was later arrested and admitted he had been under the influence of marihuana at the time of this suicide attempt.

Kalamazoo, Mich., November, 1965.—Three men robbed and murdered a co-worker. All defendants, by their own admission, were under the influence of marihuana at the time the murder occurred.

Saginaw, Mich., January-February 1967.—Two men robbed two elderly women at gunpoint. On February 2, 1967, one of these men and another companion forced their way into the home of a doctor. The suspects sexually assaulted the physician's 65-year old wife, then bludgeoned the doctor and his wife to death with a hammer. They shot both dead bodies several times and left them lying in the house. The original two criminals were arrested. One admitted using marihuana to get up his nerve before both of the above crimes, the other admitted using marihuana just before the armed robbery.

Covington, Ohio, May 1, 1967.—An Armed bandit robbed a pharmacy of its narcotic drug stock. Without further reason he killed the pharmacist and clerk. The murderer was known to always fortify himself with marihuana prior to committing a robbery.

San Antonio, Tex., November 13, 1966.—After smoking marihuana for several hours, two defendants decided to settle an argument with a mutual acquaintance. They pistol whipped, beat, stabbed, and finally shot and killed the other man. Police later learned the two murderers smoke marihuana until they became "vicious" then immediately went to "beat" the victim.

Los Angeles, Calif., March 19, 1967.—An individual was arrested for beating and seriously injuring his mother. Officers found a partially smoked marihuana cigarette in the suspect's car.

San Jose, Calif., 1967.—During an armed robbery two teenagers, ages 15 and 17, shot and killed the owner of a beverage shop. After they were arrested, the two juveniles admitted they used marihuana before committing the robbery.

Colorado Springs, Colo., August 19, 1967.—Three youths attended a marihuana party. After the party they went to a local cemetery, dug up the body of a 90-year old woman and attempted to cut off the head. Unable to carry out their morbid task, they discarded the body, which authorities found later.

Nephi, Utah, December 16, 1967.—A man under the influence of marihuana attempted to murder his common-law wife, by cutting out her heart with a piece of broken mirror. He stabbed her several times in the back and then cut his own abdomen with the makeshift weapon, causing his intestines to protrude. Authorities indicated the suspect continued to act in a "frenzied manner" even after he was handcuffed and in a critical condition from his self-inflicted wounds.

Los Angeles, Calif., 1966.—While on patrol, radio car officers spotted a vehicle which fit the description of one used in a robbery a short time before. Officers stopped the vehicle and, upon interrogation, the driver admitted he had been involved in the robbery. A search of the vehicle disclosed a partially burnt cigarette on the floor board. Under the seat officers found a large bag of marihuana. The suspect stated he was a marihuana smoker and had smoked two marihuana cigarettes that day.

Kansas City, Mo., December 8, 1966.—Three persons were arrested for burglary. One suspect later confessed that he had smoked marihuana just before the crime and he believed the marihuana had caused him to commit the crime.

Franklin Square, N.Y., February 17, 1967.—A teenage youth became wild and unruly in a local restaurant and assaulted one of the customers. Arresting officers found the suspect in possession of marihuana which he had admitted smoking prior to the incident.

Saginaw, Mich., March 16, 1966.—A man entered the home of his estranged wife, who was in the process of obtaining a divorce. He raped her three times in front of their young child. As he left the house he said he would return, again rape his wife, and kill the entire family. He returned about one hour later, began shouting obscenities as he attempted to force his way into the house. He was shot and killed by his wife who later was found not guilty in a court of law. The man was a chronic user of marihuana and witnesses stated he had been smoking the day of his death.

Los Angeles, Calif., 1966.—Officers responding to a radio call learned a suspect had been earlier ejected from a bar for causing a disturbance. Fifteen minutes later the suspect returned and fired several gun shots from the street outside the bar. He then fired at the patrons of the bar as they quickly emerged into the street. His shots struck one of the patrons in the leg. Numerous shotguns, rifles, and pistols were found in the suspect's home when arrested. A large quantity of marihuana was also found in a closet. The suspect admitted he had smoked marihuana that day, as well as on numerous other occasions.

Los Angeles, Calif., 1966.—Local police received a call regarding a family dispute. The officers were met by the suspect's wife who stated that she and her husband had argued and she threatened to leave with the children. The suspect became violent and struck her several times in the face. When she fell down, he kicked her in the ribs. The suspect dragged his victim to a staircase and pushed her down. Officers could smell the odor of marihuana emitting from the room where the suspect had locked himself. After the suspect was arrested, a quantity of cigarette paper and a pipe filled with marihuana were found in his bedroom.

Detroit, Mich., January 15, 1968.—Seven men were charged with the rape of a 19-year-old girl after an all night drinking and marihuana party. When police raided the home where the party had been held, they found a number of marihuana cigarettes as well as a jar of marihuana.

Ann Arbor, Mich., August 27, 1967.—A 19-year old habitual marihuana user was arrested for kidnapping and murder. He admitted he had used marihuana just prior to the incident. He also confessed to several unsolved breaking and entering cases, and vicious assaults all committed while under the influence of marihuana.

Los Angeles, Calif., 1966—A victim reported to the police that she had been kipnapped and robbed during the early morning hours. She stated that the abductor had held a knife at her throat and forced her into his car. The suspect then removed $30 from the victim's purse and forced her out of the car. The arresting officers located the suspect's apartment and, at the time of the arrest, officers found a partially smoked marihuana cigarette in an ashtray and a large bag of marihuana in a closet.

Ann Arbor, Mich., October 29, 1967.—A man pulled into a drive-in parking lot and, without provocation, shot and seriously wounded four patrons. The suspect was under the influence of marihuana at the time of this shooting and has a long record of habitual marihuana use.

Austin, Tex., December 13, 1966.—A neighbor noticed two men enter an unoccupied house and begin to take out the furniture. She approached the men and asked their purpose. They assaulted her, fracturing her jaw, and pulled a pistol threatening to kill her. When arrested, the two admitted being "high" on marihuana.

Los Angeles, Calif., 1966.—Officers observed a suspect driving a stolen vehicle. When they pulled alongside and identified themselves by showing their badges, the driver increased his speed and forced the police vehicle into the curb. The officers continued their pursuit and the subject vehicle narrowly missed oncoming traffic. On several occasions during the pursuit, the offender attempted to force the police vehicle off the roadway. He was eventually stopped when officers shot out his rear tires. When the police searched the suspect's home they found several marihuana cigarettes. The suspect's wife stated her husband had smoked a marihuana cigarette before leaving the house.

Roosevelt, N.Y., March 9, 1966.—While smoking marihuana at home a man became violent. He brutally assaulted his wife and terrorized his two children, continuing to smoke marihuana throughout the incident.

Los Angeles, Calif., 1966.—Officers responding to a radio call were met by a man and a woman, each claiming they were victims of an assault by the other. Both parties showed evidence of injury. The female suspect stated that they had smoked two or three marihuana cigarettes. Then she said, "He looked at me with a weird look in his eyes and called me a profanity. I picked up the ice pick and hit him with it. I am high now." It was noted that the man had been stabbed three times. A search of the house disclosed marihuana debris in several ashtrays.

Los Angeles, Calif., 1966.—While on patrol, officers observed a vehicle traveling in excess of 110 mph. Due to heavy traffic, officers were unable to overtake the vehicle and had a roadblock set up. When the vehicle was finally stopped, three suspects emerged from the vehicle and the heavy odor of marihuana was apparent. A marihuana cigarette was found smoldering in the ashtray along with two other marihuana cigarettes. Several others were found throughout the car.

Washington, D.C., July 19, 1967.—The defendant "picked up" a woman from her place of employment and drove her to his apartment where she watched him roll and smoke three or four marihuana cigarettes. While in the room the woman was forced, at the point of a gun, to submit to sexual acts with the defendant.

Los Angeles, Calif., January 1965.—Three subjects crashed a party and threatened the party-goers with tire irons and a baseball bat. Several persons were struck with these weapons. Subjects were arrested and about one ounce of marihuana was found in their vehicle along with two marihuana cigarettes.

Saginaw, Mich., September 1964.—A panderer became angry with one of his prostitutes. An argument followed and he severely burned her with a hot electric iron on both upper legs and the lower abdomen. During the trial he confessed he had smoked two marihuana cigarettes just prior to the argument.

Los Angeles, Calif., March 12, 1967.—Three young men were arrested for a charge of rape. They had used a shotgun to force their victim to submit. A search of the room in which the attack occurred uncovered a quantity of marihuana and dangerous drugs.

Hempstead, N.Y., November 14, 1967.—An undercover police officer was in a car with two men in their early twenties for the alleged purpose of buying a gun. The suspects were "high" on marihuana. One pulled a knife on the officer, forcing him to leave the automobile. Both then chased him through a residential area, where he was caught, disarmed, and assaulted. Attempting to kill the officer, one defendant pointed the gun at his head and pulled the trigger. Fortunately, the gun was only a starter's pistol. Both subjects were later arrested.

Annapolis, Md., June 12, 1967.—A 19-year old college student from California fell or jumped from a third story window shortly after using marihuana and tranquilizers.

Los Angeles, Calif., September 3, 1966.—Three young men entered the home of a female acquaintance and began smoking marihuana. When she objected, the men attacked and beat her. They were apprehended as they fled the residence.

Peto, Mexico, February 5, 1967.—A farmer at Peto, State of Yucatan, Mexico suddenly became deranged and began brandishing a machete. He decapitated his father who had been sleeping in a hammock, cut off his mother's hands, and seriously wounded his brother who tried to calm the raving man. The farmer was under the influence of marihuana when he committed the atrocities.

Oklahoma City, Okla., September 13, 1967.—An armed man entered and robbed a finance company of $687. The suspect later admitted he had used marihuana frequently for approximately eight years, because "it's a stimulant to the mind". He stated he had smoked marihuana shortly before he committed the robbery.

Camden, N.J., January 1968.—Three men heldup a toy store in Camden. All three suspects left the store, got into their car and smoked marihuana. They then returned to the store and killed the store attendant with a revolver.

Elgin, Ill., February 18, 1965.—During an attempted robbery, two men attacked their victim with a baseball bat, striking him at least ten times on the head. Later, when the suspects were arrested, one stated they both had smoked marihuana just before attacking their victim.

Atlanta, Ga., December 1967.—Two marihuana users argued over one man's wife. One was shot through the neck and killed with a .22 caliber pistol. The murderer was allegedly under the influence of marihuana at the time of the shooting.

Canton, Ohio, December 18, 1963.—Canton police arrested six male subjects involved in armed robberies of private homes and 30 breaking and enterings of business places. Investigation showed that three of the culprits used marihuana before committing these crimes.

Saginaw, Mich., June 6, 1967.—Two Saginaw patrolmen stopped at a local restaurant to obtain food. One officer entered the restaurant while his partner waited in their scout car. A man followed the policeman into the restaurant and, without provocation or comment, shot the officer three times in the back killing him on the spot. The defendant was killed by the officer's partner in an ensuing gun battle. A companion of the murderer stated that he and the dead defendant had parked across the street from the restaurant and smoked a number of marihuana cigarettes. When the police car pulled up in front of the restaurant, the murderer announced he was going to kill one of the officers for kicks.

Kalamazoo, Mich., November 15, 1967.—A Kalamazoo physician hired a neighborhood girl to care for his children while he and his wife were out for the evening. The girl invited almost 50 teenagers to the doctor's home for a drinking and marihuana party. The doctor's home was completely destroyed and a number of valuable articles were stolen.

Teachers in Politics

HON. JAMES C. CORMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. CORMAN. Mr. Speaker, I would like to bring to the attention of my colleagues in the House the National Education Association's teachers-in-politics program to be held this weekend—April 5–7—here in the Nation's Capital.

I applaud this first nationwide effort to make the country's 2 million teachers a dynamic force in the political arena. This weekend's TIP conference, in which teachers from all 50 States are participating, will demonstrate that teachers are willing to take part in the democratic process as well as talk about it.

Today's teacher is no longer content to take a passive role in the determination of educational policy—and rightly so, for he cannot afford to. Many of the objectives which the teaching profession has set for the improvement of education can be achieved only with the active support of its members in influencing public decision. Therefore, the willingness of the teacher to assert himself fully as a citizen, including active political participation, is vital to the pursuit of high quality in education.

But the active participation of teachers in partisan politics is not only valuable as a means of eliciting public support for educational policy, it is valuable—indeed, necessary, if teachers are to fulfill the proper expectation of their students that they be enlightened individuals.

Whether indirectly, by example, or directly, the teacher plays an important role in shaping the lives of youth—their attitudes, their values, their awareness of the world around them. Teachers who are informed about the political dynamics of our world and who involve themselves in the democratic processes are likely to awaken the passive pupil to the viability of government and to convince the young cynic of the value of citizen participation in the running of our Nation.

I commend the National Education Association for encouraging vigorous political activity for its members and I wish them a fruitful weekend of "politicking."

You've Got a Right—Part 5

HON. CHARLES McC. MATHIAS, JR.

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. MATHIAS of Maryland. Mr. Speaker, I would like to continue the series, "You've Got a Right," by including in the Record today the script of the fifth program, on freedom of the press, which was produced by Group W and presented by WJZ–TV in Baltimore on February 22.

The script follows:

[Group W—Westinghouse Broadcasting Co.]

You've Got a Right

The First Amendment (Freedom of the Press)

(Written and Produced by Robert Lewis Shayon; directed by Henry Behar)

Cast of characters

Director (Hamilton): Bramwell Fletcher.

Actor 1 (Judge Justice Brennan, Judge Jones): John McGovern.

Actor 2 (Zenger, Foreman (Sullivan trial)): Richard Kilbride.

Actor 3 (Embry Milton, Foreman (Zenger trial)): Addison Powell.

Actor 4 (Sullivan, Bradley Blackstone): Conrad Bain.

Actor 5 (Twyn, Chief Justice Delancey): Robert Hewitt.

Actor 6 (Alabama Supreme Court Judge Holt): Conrad Jameson.

Actor 7 (Ad Writer): Fred Pinkard.

Actor 8 (Mrs. Zenger, Lady Ad-Writer): Nancy Franklin.

Prologue

The Colonial Courtroom. Judge. Counsel's bench. Hamilton, a man in his eighties, in Colonial costume, stands at the Jury bar. Zenger is seen.

Hamilton (Director). This is not the cause of John Peter Zenger, a poor printer . . . nor of New York alone, which you are now trying. No! By an impartial and uncorrupt verdict, you will lay a noble foundation for securing to ourselves . . . our posterity . . . and our neighbors that to which nature and the laws of man have given us a right: the liberty . . . both of exposing and opposing arbitrary power by speaking and writing the truth!

Judge (Actor 1). Has the Jury reached——?

Director. Hold it. Wait for Hamilton (He walks) to walk slowly back to the counsel's bench. He's an old man—almost 80, you know.

Judge (Actor 1). Has the jury reached——?

Director. Good. That's the way we'll do it. (Rises and takes off wig) Skip the charge for now. Cast, relax a minute. (To Camera) Hello. We're a repertory company. Nine actors rehearsing freedom—more specifically, the "Bill of Rights," the first ten Amendments to the Constitution. We're working on the First which, among other provisions, guarantees that "Congress shall make no law . . . abridging the freedom of speech . . . or of the press." We suggest our settings, play many roles, and occasionally wear costumes—we're always arguing about the issues. I'm the Director—but as you saw a moment ago, in the scene from the celebrated John Peter Zenger case—I also play the role of Andrew Hamilton—Andrew, not Alexander—a famous Philadelphia Lawyer in the American Colonies before the revolution. (Holds up the wig) By this sign ye shall know me. (To Cast) Places for the next scene. Costumes if you have them.

Cartridge. Group W, Westinghouse Broadcasting Company, in association with the New York University School of Law presents, "You've Got a Right", a series of programs dedicated to the proposition that "a frequent recurrence to fundamental principles is absolutely necessary to secure the blessings of liberty." This is a program about the *First Amendment*. In a moment, Act One.

Act I

Director. Andrew Hamilton, addressing the jury in the John Peter Zenger case, declared that free men have a right to expose arbitrary power by speaking and writing the truth. Have you got that right today? The answer is given in Sullivan v. New York Times—Supreme Court case, which began with this ad which appeared in the New York Times, March 29, 1960. "Heed Their Rising Voices." This ad was financed by the Committee to Defend Martin Luther King and the Struggle for Freedom in the South. (To Actor 7 and Actress 8) Nancy, you and Fred play the roles of members of that committee.

(Actor 7 and Actress 8 to ad)

Now, as members of the committee that wrote this ad, what did you charge in it?

Lady Ad-Writer (Actress 8). We charged in this ad that Negro students engaged in non-violent demonstrations in Alabama were met with an "unprecedented wave of terror."

Man Ad-Writer (Actor 7). In the third paragraph we wrote: "In Montgomery, Alabama after students sang 'My Country 'Tis of Thee' on the State Capitol steps, their leaders were expelled from school, and truckloads of police armed with shotguns and tear-gas ringed the Alabama State College Campus. When the entire student body protested to state authorities by refusing to re-register, their dining hall was padlocked in an attempt to starve them into submission."

Lady Ad-Writer (Actress 8). Sixth paragraph: "Again and again the Southern violators have answered Dr. King's peaceful protests with intimidation and violence. They have bombed his home almost killing his wife and child. They have assaulted his person. They have arrested him seven times . . . for speeding, loitering and similar offenses. And now they have charged him with perjury . . . a felony under which they could imprison him for ten years."

Director. Good. As a result of this ad, The New York Times became the defendant in this case. The plaintiff, Sullivan, is one of three Commissioners of Public Affairs of Montgomery, Alabama. (To Actor 4) Conrad, you'll play Sullivan. The Times is represented by a lawyer named Eric Embry. (To Actor 3) That's you, Addison.

Actor 3. According to Embry, nothing in this ad libeled Mr. Sullivan. But beyond that he claims that the Alabama law under which Sullivan is suing the Times—is unconstitutional. It violates the free press guarantee of the First Amendment.

Director. Correct. Now that we know the background of Sullivan vs. New York Times, let's act out the trial in the Alabama courtroom.

Actor 6. (Interrupts) Just a minute. You said that Sullivan is suing the Times under the Alabama law of libel. Sullivan alleges that what the ad said was "False and malicious." Is that the legal definition of libel?

Director. Good question. First, ignore the word "malicious". It goes back to Old English origins—and it is put into the declaration by the plaintiff, as a matter of form, but it means nothing at all.

Actor 7. So much for malice.

Director. What we're really dealing with here is a written defamation of a person's character which may produce injury to his reputation among right-thinking people. The Judge determines whether or not a man's character is defamed. When the defamation . . . .

Actor 1. (Interrupts) Whoa. Back up a minute. Just how does the Judge determine defamation?

Director. On the face of it. In the context of the Times. In 1900, for example, if you falsely called a man a "communist"—it wouldn't be defamatory. Today it would be.

Actor 6. I see. In Sullivan's case—he was accused of police brutality.

Director. Right. In the Civil Rights context, that's defamation.

Actor 7. If the Judge makes the determination, what does the Jury do?

Director. The damages need not be proven to the jury—they are automatically assumed. All the Jury does is decide the amount of damages.

Actor 6. The questions are: one, is it a defamation . . . two, is it true or false.

Director. Right. Now, on the bench in the Alabama court, is Judge Walter B. Jones (To Actor 1) John, you're Jones. And for the New York Times—Attorney Eric Embry . . . on the stand. Commissioner Sullivan. Play it.

Embry (Actor 3). Mr. Sullivan, you say you felt hurt, and that you were damaged by this ad that appeared in the New York Times on March 29th and you felt like you had been greatly injured by that.

Sullivan (Actor 4). I did, sir.

Embry (Actor 3). By all 35 copies that came into Montgomery County . . . you heard the evidence about how many of those newspapers come into this country, didn't you?

Sullivan (Actor 4). I don't recall.

Embry (Actor 3). Did anybody ever come up to you and tell you that they had read this advertisement of the New York Times in the newspaper?

Actor 2. (Interrupts) Can we hold for a minute?

Director. What's the problem?

Actor 2. I've read the ad "Heed Their Rising Voices" from top to bottom. Sullivan isn't mentioned once. No names are mentioned. How can Sullivan sue for libel . . . claim that his reputation has been injured—when his name doesn't appear in the ad?

Actor 4. Well anytime they mention "the police" in the ad, they're mentioning Sullivan.

Actor 2. Why? He's not the only officer on the Montgomery Police Force.

Actor 4. But he's the officer in charge. (He takes newspaper) When the ad says: the police ringed the campus . . . padlocked the dining hall . . . starved the students into submission . . . arrested Dr. King seven times . . . isn't it aimed directly at Sullivan who gave the orders for those actions?

Actor 2. If I read the ad when it was printed, I don't think I'd have made that connection. (Grins) But then maybe I'm not a right-thinking person.

Actor 1. I tend to go along with Conrad. (Actor 4) To me, everytime the ad mentions the police, they're mentioning Sullivan because he supervises the police. But what about the truth of the statements in the ad. Are they accurate?

Director. The Times acknowledges that some of the statements are not accurate. They do say, however, that the ad is "substantially" correct.

Actor 1. What are the inaccuracies?

Director. Well, the ad says the students sang, "My Country 'Tis of Thee." They didn't. They sang, "The Star-Spangled Banner."

Actor 4. Go on.

Director. The ad says the student leaders were expelled from school. They weren't. It says the police armed with shotguns and tear-gas ringed the Alabama State College Campus. They didn't. It says the dining-hall was padlocked. It wasn't. It says Dr. King was arrested seven times. It was only four.

Actor 3. Big deal. Nit-picking.

Actor 1. How can you say that? A fact is either true or false. All the Times had to do was check the statements in the ad with their own news files, and they would have known they were false.

Actor 7. But this wasn't a news article . . . it was a paid ad.

Actor 1. That doesn't make any difference. The Times is responsible for everything it prints.

Actor 2. But it's ridiculous . . . if a newspaper has to check out every item it prints . . . news, advertising, everything . . . nothing would ever get printed.

Actor 4. No, wait a minute. Let's be fair. When right-thinking people read that ad, and believed reasonably that Sullivan did the things it said he did—would you or would you not say that his reputation was injured?

Actress 8. When you get down to essentials, the whole thing may be a deliberate attempt by some Southern politicians to intimidate civil rights groups and newspapers through the threat of libel action. They're using the law as a cudgel!

Director. The testimony is all in. Play Judge Jones' charge to the jury.

Actor 1. Where's the jury?

Director. Over there.

Judge Jones (Actor 1). (To Jury) I charge you that the statements in the advertisement are libelous per se, and thus not privileged. The law implies legal injury from the bare fact of publication itself. General damages need not be alleged or proved . . . both are assumed.

Actor 7. I don't get it. Judge Jones is telling the Jury that it must find the Times guilty.

Director. That's right. Under Alabama law, he has no choice. His charge to the jury is legally correct.

Actor 7. But why?

Director. In libel—which is written defamation—damages are automatic. They are "assumed"—as the Judge said.

Actor 3. But this is ridiculous. Nobody in his right mind could say that the ad really hurt Sullivan. It's a clear case of the state of Alabama stepping on freedom of the press to defend its sectional interests.

Actor 4. Not at all. A state acting legally to protect the reputation of a citizen.

Director. That's the problem. When does freedom step over the bounds of propriety and become libel? England—in the 17th and 18th centuries, had some very interesting answers to that question. Places for the next scene—and we'll play them.

Cartridge. In a moment Act II of "You've Got a Right." The First Amendment, Sullivan vs. the New York Times.

Act II

(Tableau: Blackstone, Milton, Twyn and Holt.)

Director. In the 17th and 18th centuries in England, Chief Justice Holt was a famous English Judge, John Milton was a poet and a very great one. John Twyn was just an ordinary printer, and Sir William Blackstone was the most distinguished of all British Jurists.

Blackstone (Actor 4). Every free man has the undoubted right to lay what sentiments he pleases before the public; to forbid this is to destroy the freedom of the press; but if he publishes what is improper, mischievous, or illegal, he must face the consequences.

Twyn (Actor 5). (Jumps up in jail) A splendid statement! Every man free to print his sentiments, provided only . . . that they are not improper . . . mischievous . . . or illegal! My name is John Twyn. I was imprisoned because I printed a small little pamphlet . . . three pages, no more. And all I said was that King Charles I . . . sovereign though he be . . . is accountable for his acts to the people! Improper? I don't think so . . . (He points) But they do! Mischievous? I don't think so . . . (He points) But they do.

Judge (Actor 1). John Twyn . . . stand before the bar of justice! (Twyn leaves cell) Being guilty of an atrocious, false and seditious libel against our most gracious majesty, King Charles I, hear now the sentence of this court. You shall be led back from whence you came, and from thence to be drawn upon a hurdle to the place of execution; and there you shall be hanged by the neck, and being alive, shall be cut down, your head to be cut off, your body to be divided into four quarters. And the Lord have mercy upon your soul.

Director. And the Lord have mercy upon your soul. And now—John Milton. The year 1641, during the reign of King Charles I.

Milton (Actor 3). Give me liberty to know, to utter, to argue freely according to my conscience, above all liberties.

Director. The same John Milton—in 1649. Charles I has been beheaded by Oliver Cromwell, and the new ruler has made Milton an Official Licensor of Publications.

Milton (Actor 3). Those which otherwise come forth, if they be found mischievous and libelous, the fire and the executioner will be the timeliest and the most effectual remedy that man's prevention can use.

Holt (Actor 6). If people should not be called to account for possessing the people with an ill opinion of government, no government can subsist.

Milton (Actor 3). Chief Justice Holt.

Holt (Actor 6). *Truth is no defense of libel.* It does, in fact, worsen the crime. For the truer it is, the more likely it is to exacerbate the scandal and cause a breach of Peace!

Actor 4. (Interrupts) I object!

Director. To what?

Actor 4. In those days you didn't have the right to criticize a public official even if you told the truth about him. But in the Sullivan case you've got that right as long as what you say is true. What Sullivan argues is that they told lies about him.

Actor 3. They weren't lies. They were errors in unessential details.

Director. Lies—or errors? The Alabama jury in the Sullivan vs. New York Times case had its own answer to that question. (To Actor 1) John, are you ready with the verdict? (They nod) O. K. Let's have it.

Judge Jones (Actor 1). Gentlemen of the jury, have you reached your verdict?

Foreman (Actor 2). We have, your Honor.

Judge (Actor 1). What is your verdict?

Foreman (Actor 2). We find for the plaintiff . . . and we assess the damages at half a million dollars.

Director. The Times appeals the case to the *Supreme Court* of Alabama.

Supreme Court Judge (Actor 6). Judgment affirmed.

Director. The Times requests that verdict be set aside pending appeal to the United States Supreme Court.

Supreme Court Judge (Actor 6). Defendant will be required to post bond double the verdict. One million dollars.

Actor 2. One million dollars! The Times showed that the ad was substantially correct. Truth is a defense against libel, isn't it?

Director. Yes it is, but the defendant, the Times, couldn't prove the whole ad was true therefore the plaintiff, Sullivan, was victorious in Alabama. Nevertheless truth still is a defense against libel. This principle was first established in the American Colonies in the year 1735. That was the year that a very pretty young woman, Mrs. John Peter Zenger, came to Philadelphia lawyer, Andrew Hamilton.

Mrs. Zenger (Actor 8). Please, please don't say no, Mr. Hamilton. I understand your reasons. If this were an ordinary case, wouldn't ask you to do it. But it is not an ordinary case. (Holds a packet of papers.) There's no one else. The Governor has disbarred John's attorneys. You stand high in the opinion of the people. You must take this case. You believe in the truth he printed in his newspaper. The truth that the Governor is corrupt, an evil parasite. And now my husband is being punished. (Hamilton has appeared, Mrs. Zenger is addressing him)

Hamilton (Director). I am an old man, my dear lady, almost eighty. I am retired from the practice of law. I cannot travel all the way to New York to take up the case of a little German printer.

Mrs. Zenger (Actor 8). It is not the case of a little German printer, Mr. Hamilton, but the cause of every free man in America. Will you desert them because a few bones creak and a few muscles groan? You are young enough.

Hamilton. (Director). True. I am not yet eighty. I see you have brought the papers. Suppose we go into the house and look them over.

Cartridge. In a moment Act Three of "You've Got a Right". The First Amendment, Sullivan vs. The New York Times.

Act III

(The Courtroom. Chief Justice Delancey (Actor 5) is seated on the bench. Below him is Attorney General Bradley (Actor 4). At a table in front, Hamilton is seated with John and Anna Zenger. Delancey taps his gavel.)

Delancey (Actor 5). Mr. Attorney-General, you may proceed. (Bradley rises, bows to bench)

Bradley (Actor 4). Gentleman of the Jury, it shall be the intention of the Crown to prove that the defendant Zenger did willfully and maliciously print a false, scandalous and sedmitious libel . . .

Hamilton (Director). (His hand on Zenger's shoulder) May it please your Honor, I will save Mr. Attorney-General the trouble . . . for I do confess for my client, John Peter Zenger, that he both printed and published the statements set forth in the charges! (Zenger stiffens)

Bradley (Actor 4). (All smiles) Well, now . . . as Mr. Hamilton has confessed the printing of these libels . . . I think there is nothing to do further but for Your Honor to instruct the jury to find a verdict for the Crown.

Hamilton (Director). Not so, Your Honor. (To Bradley) You will have something more to do before you make my client a libeller . . . for the words printed themselves must be libelous . . . that is, false, scandalous and seditious . . . or else, most assuredly, we are not guilty

Bradley (Actor 4). Nothing is plainer than the words are scandalous and tend to sedition.

Hamilton (Director). Ah, Mr. Attorney-General uses the words "scandalous and seditious". But whether from design or not I cannot say . . . he omits the word "false".

Bradley (Actor 4). A libel is a libel, notwithstanding it is true!

Hamilton (Director). I will agree that everything Mr. Zenger printed about His Excellency is scandalous, seditious and a libel . . . providing only that Mr. Attorney-General proves them false.

Bradley (Actor 4). Your Honor, this violates all precedent. If the Crown must prove the statements false, then we cannot possibly proceed.

Hamilton (Director). I can understand that Mr. Attorney-General is reluctant to prove the charges false . . . therefore, Your Honor, we will take upon ourselves the task of proving them true!

Delancey (Actor 5). No, no, no. You cannot be permitted to give the truth of a libel in evidence. A libel is not to be justified . . . for it is nevertheless a libel that it is true!

Hamilton (Director). But, your Honor . . .

Delancey (Actor 5). You are *not* permitted to argue against the opinion of the Court.

Hamilton (Director). (To Jury) Gentlemen of the Jury . . . it is to you we must now appeal . . . for witness, we are denied the liberty of proving the truth of the facts deemed libelous. By an impartial and uncorrupt verdict, you will lay a noble foundation for securing to ourselves . . . our posterity . . . and our neighbors . . . that to which nature and the laws of men have given us a right: the liberty . . . both of exposing and opposing arbitrary power by speaking and writing the truth. (He walks slowly to Counsel's bench and sits down wearily)

Delancey (Actor 5). Has the Jury reached a verdict?

Foreman (Actor 3). We have, Your Honor.

Delancey (Actor 5). How do you find?

Foreman (Actor 3). We find John Peter Zenger not guilty. (Director takes off Hamilton wig and addresses Camera)

Director. Good, you waited for your cue! In 1735, that verdict established a free press. In 1791, the First Amendment guaranteed it. On March 9, 1964, the Supreme Court was ready with its decision in Sullivan vs. New York Times. The *modern* issue: Must every printed charge against a public official be incontrovertably *true*—or does the free press have the right to be wrong? Justice Brennan delivered the opinion.

Brennan (Actor 1). The constitutional guarantees of the 1st and 14th Amendments prohibit a public official from recovering damages for a defamatory falsehood relating to his official conduct unless he proves that the statement was made with *actual malice*. As for the Times, we conclude that the facts do not support a finding of actual malice. The judgment of the Supreme Court is reversed.

Actor 4. Talk about reversals? That decision not only reverses the Supreme Court of Alabama in the Sullivan case—it reverses the whole concept of libel. Isn't that right?

Director. That's right, it does.

Actor 5. Suddenly, the Supreme Court makes "malice" the key to libel. Whatever happened to the necessity for truth as a defense. Isn't that important anymore?

Director. Yes, it is important. Here, I've got the precise wording . . . You can successfully defend yourself against a charge of libel by proving that what you have written is true. That's truth as a defense. But now, you can also successfully defend yourself even if what you printed is false, provided your intentions were not malicious. That's what's new. You couldn't do that before.

Actor 4. But to prove malice. What is malice—what do you have to prove?

Director. Well, there are three degrees of malice. First—evil intent; second—knowing something you print is false; and third—reckless disregard of its truth or falsity.

Actor 5. The court has shifted the burden of proof from the man who aims the libel to the man who gets hit by it.

Actor 4. From now on, any man that values his reputation is going to think twice before running for public office.

Actor 2. (To Actor 4) Be reasonable, Conrad. A free press has to have breathing space. People are bound to make errors in the heat of public debate.

Actor 3. And when they're wrong they have to be protected.

Actress 8. If you don't follow that principle, you violate the whole concept of a free press. The right to be wrong. Absolutely.

Cartridge. In a moment, the debate continues, in the Epilogue for "You've Got a Right"—the free press under the First Amendment.

EPILOGUE

Actor 4. (Reasonably) Look, nobody is arguing that freedom of the press should be abolished. It's just a question of degree. It seems to me the Sullivan decision goes too far, that's all.

Actor 1. But Conrad, the Supreme Court

was unanimous in its decision. How often is the Court unanimous?

Actor 5. But already a New York court has extended the right of the press to attack celebrities—anybody in the public eye—without having to be truthful—is that fair?

Actress 8. There's still malice—that's protection.

Actor 4. But in concurring opinions, Justices Black and Douglas would even remove the restriction of actual malice. And Justice Goldberg's opinion agreed that the right to criticize should be unconditional.

Actor 7. Exactly. What the scenes didn't show was there were four individual defendants in Sullivan as well as the New York Times. The case stands for the right of an individual. You've got a right as well as the press to criticize the government. (They argue)

Director. And so it goes. Nine actors rehearsing freedom. "Liberty," said a famous judge, "Lies in the hearts of men and women. When it dies there no law can save it."

More Action, Less Talk

HON. JAMES H. (JIMMY) QUILLEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. QUILLEN. Mr. Speaker, it may be that the winter months have lulled us into complacency and we have forgotten the crime and violence which swept across our country last summer. While it may not be as explosive and as well publicized, however, the unfortunate fact remains that crime knows no season and is a daily threat to our wellbeing.

As the following editorial from the Johnson City, Tenn., Press-Chronicle points out, the rising crime rate is still of utmost concern to Americans, and the time has come for more action and less talk.

I call this editorial to the attention of my colleagues and the readers of the Record:

More Action, Less Talk

According to the Gallup Poll, crime is the No. 1 home-front concern of Americans now.

And no wonder! Crime is on the increase everywhere. As a growth industry, it has few equals.

Many are saying that crime, especially crime in the streets, will be a major issue in the presidential election.

We suppose so. But it is going to be difficult to separate the sheep from the goats, because everybody—Democrats, Republicans, independents, mugwumps and, we suppose, even communists—is going to be against crime. It is certain that nobody will come out in favor of it.

In one of his races for governor of Ohio, Mike DiSalle was asked if he thought corruption would be an issue. DiSalle answered, "I suppose so, but I don't know who is going to take the affirmative."

It's that way with crime.

But the American people are looking for answers. They are weary of endless talk. They want action to bring crime under control. They are likely to support the party which seems to have a program to go with its oratory. They are likely to support the candidates who seems able to match words with deeds.

And the people will be increasingly impatient, we believe, with coddling of criminals, whether by courts or legislatures. The pendulum has swung about as far as it can in favor of law violators; now it is going to swing back.

Sparks From a Pastor's Anvil

HON. HAROLD R. COLLIER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. COLLIER. Mr. Speaker, under leave to extend my remarks in the Record, I include some remarks regarding the activities of the church in government affairs by Roy Patterson, pastor of the South Park Church of Park Ridge, Ill. His column, which appears regularly in the Park Ridge Advocate, is entitled "Sparks From a Pastor's Anvil."

The column follows:

Sparks From a Pastor's Anvil

(By Roy Patterson, South Park Church)

"Why don't you ministers quit trying to run the government from your pulpits and go back to preaching the Bible?"

This irate question was written in a "Letter To The Editor" column in one of our metropolitan newspapers. The writer went on to express some other deep seated hostilities toward pastors and churches.

Maybe our disgruntled friend has a good point, for it does seem that the pronouncements today emanating from many ecclesiastical headquarters are on every subject under the sun except the Word of God. One religious body recently issued a set of resolutions dealing with the problems of Viet Nam, labor, integration and automation, but nothing dealing with the problem of sin and guilt, or the need for personal repentance and faith.

I often wonder about Jesus. He certainly missed the boat in his day, for think of all the evils of his first-century world that he failed to deal with. Instead of organizing marches on Rome to protest slavery, or carrying signs denouncing the unfair tax structure, or preaching sermons about the discriminating working conditions, he went about all Palestine "doing good." He healed the sick, comforted the sorrowing, labored with the oppressed, and preached that men should turn in faith to God. He dealt with causes, not symptoms.

Somehow there is something a little insincere about a pastor living in his lovely suburban home, getting all heated up in his air-conditioned pulpit about poverty. And it seems a little ridiculous for those trained in theology to be issuing all-knowing pronouncements on political science. No wonder the man on the street is getting a little irate!

This does not mean that the Christian Church should not concern itself with its contemporary world. We are not advocating a return to the monastic, "other worldy" trend of the Middle Ages. But neither do we want to see a return to the "Church-State" society, where the church becomes a politico-religious dictatorship.

Walter Judd, a former missionary turned Congressman, put it very well when he spoke to a Chicago Seminary recently. He said, "I am against political action by the Christian Church or its agencies, but I am for political action by Christian persons. The proper role of the Church is not to try to change government by lobbying in Washington, rather its real work is to change men and women in order that they, individually and as groups, may change society and governments."

History has pretty well proved that when the church's political voice began to be heard, its prophets developed spiritual laryngitis. Maybe a return to the Biblical themes dealing with the changed heart and the transformed life might help the church regain its lost audience.

Occupational Safety and Health Act of 1968

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. COHELAN. Mr. Speaker, nearly 4 million Americans build our skyscrapers, roads, airports, and bridges. They make the highest hourly wages in the land. They also have the most dangerous jobs.

In 1966, 2,800 construction workers were killed on the job, and 240,000 suffered disabling injuries. This is an increase of 100 deaths and 15,000 injuries over 1965.

A recent article in the Pomona, Calif., Progress-Bulletin dramatizes the dangers of the construction business. Since the recent start of a county courthouse project, one workman has been killed on the site by a falling concrete slab; another fell inside the building and was rescued by the fire department; and, the third victim was seriously injured when he and a 12-ton window frame fell three stories into the street.

This project is yet to be finished. What safeguards are offered the remaining workers on this job—and the thousands of others like it across the country?

Present efforts in the occupational safety and health field are haphazard and incomplete. Safety standards and the enforcement of safety codes fluctuate from State to State—even from jobsite to jobsite.

The proposed Occupational Safety and Health Act of 1968 would establish national safety and health standards—and enforce them. I urge that we give the fullest attention to this bill and, as a reminder of the need for action, enter this article from the Progress-Bulletin in the Record.

Courthouse Worker Hurt in Three-Story Fall

A construction worker fell three stories with a 12-ton window frame he was attempting to install in the county courthouse being built at 6th and Main streets Wednesday.

The victim, Gerald Wayne Evans, 30, 434 N. Bedford St., La Habra, suffered fractures of his arms and legs. His condition today was described as fair at Pomona Valley Community Hospital.

A witness to the fall was crane operator Dale L. Edwards, 38, of Lakewood. He told police his crane had lifted the concrete window frame into position on the third floor and Evans was attempting to fit it. Suddenly, Edwards said, some panels gave way and Evans and the frame fell. The distance was about 50 feet.

One workman was killed at the site recently when a concrete slab fell on him from a truck. Another was hurt when he fell inside the building and had to be removed with the fire department's aerial ladder.

One workman was injured nearby in a fall at the site of the new city hall project.

They're Still Breathing

HON. THOMAS S. FOLEY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. FOLEY. Mr. Speaker, I should like to insert in the RECORD an important article by Mr. Ralph Nader entitled "They're Still Breathing," which appeared in the February 3, 1968 issue of the New Republic.

This article raises serious questions about the health of our coal miners and whether the U.S. Bureau of Mines is taking sufficient action to safeguard these miners from coal pneumoconiosis—the depositing of coal dust in the lungs.

I brought Mr. Nader's article to the attention of the Secretary of the Interior on February 1, and I should also like to insert in the RECORD a copy of the Secretary's reply of March 6.

Finally, and most important, I should like to insert in the RECORD a copy of Mr. Nader's letter of March 23, to the Secretary in which the former requests "a list of all meetings with the BCOA—Bituminous Coal Operators' Association—and the Bureau of Mines on coal mine safety matters during the past year, together with the dates of meetings, personnel in attendance and any informal or formal written understandings between the Bureau of Mines and the BCOA. Specifically, I request that this list cover such meetings and their minutes or other recorded description from January 1, 1967 to the present. The least that can be expected of an entrenched preferential access to the councils of government by special interest groups is that the process be made partly visible."

I have been advised that the Secretary of the Interior has ordered a thorough review of this whole matter of protecting our Nation's miners from the ravages of coal pneumoconiosis, and I look forward to learning shortly of the administrative and legislative recommendations he will make in this regard.

The material referred to, follows:

THEY'RE STILL BREATHING

It starts with breathlessness and ends with death. Along the way, the victim can experience bronchitis, emphysema, an enlarged heart and progressive massive fibrosis leading to severe respiratory disability. The disease is coal pneumoconiosis. In 1963, a U.S. Public Health Service study concluded that, at the very least, about one of every 10 active, bituminous coal miners and one in five inactive miners have it.

Five years ago was a little late in discovering this widespread prevalence of the disease. Coal miners have been depleting themselves for an energy-hungry society for over a century. However, even more unsettling has been the inaction during the years after the PHS study.

Far more attention and expense is being devoted to the aesthetic costs of strip coal mining than to preventing the human wreckage which continues to stumble out of the mines after years of working in quietly miserable conditions. These are the coal mines which are bringing their owners record profits. This is the industry which is subject to coal mine safety laws that have been deprived of both their nourishment and inspiration by inert administrators who are surrounded by indifference.

Reports on coal mine safety emanating from the Department of Interior have never fully reflected the health hazards endemic to this occupation. Recommendations for action, particularly those not dealing with mine operating safety, have been cut out of final revisions so as not to discomfort coal operators. Both the operators and officials of the United Mine Workers are more concerned about the problems of competing energy sources and anti-air pollution drives than the slow death in the mines. UMW hospitals are available for the sick worker but the UMW seems far less interested in the toxic environment of the mines.

If the dimensions of this occupational hazard are not revealed by the Interior Department, which is responsible for coal mine safety, then most certainly the resources to develop methods of disease recognition and treatment, engineering techniques for dust control and safer working standards, will not be forthcoming. And, despite the very vague rhetoric, they have not been forthcoming.

In 1952, there were 335,217 coal miners employed. A little over a decade later, the number of miners dropped to 128,698. These figures give some indication of the number of inactive and active miners exposed to coal dust. Coal is far from a dying industry, however. Its star has been rising since 1961, and now coal accounts for about 27 percent of US energy output, with a dollar value at the mines exceeding $2.3-billion. The larger coal companies are so profitable that they have become prime acquisition targets of oil, copper and other industrial giants. But growing concentration, efficiency and profit have not brought a more healthful mine environment. On the contrary, government specialists believe that mechanization may have increased the miner's exposure to coal dust.

Workman's compensation costs run $27 million annually in Pennsylvania alone—a state which accounts for just 20 percent of total coal mining employment. Yet when Congress finally appropriated $100,000 in 1963 for a PHS study of the incidence of coal workers' pneumoconiosis, the European Coal and Steel Community was spending $9 million annually researching this disease from coal mine to laboratory. Environmental controls in the mines, such as water spraying for dust suppression during blasting and on automatic equipment, have resulted from the findings.

The PHS study concluded that death rates for coal miners were twice that of the general working male population, while death rates for diseases of the respiratory system were about five times that for the general working male population. British soft coal miners were reported to have a considerably longer life expectancy than American coal miners.

The Public Health Service, which has contracted for a number of small studies on coal workers' pneumoconiosis in recent years, is preparing a major report on health hazards of coal mining. Its contents will certainly provide a basis for serious concern. But like the rasping voice of the wasting coal miner, the report alone will be unlikely to move the U.S. Bureau of Mines, the coal industry or even the United Mine Workers toward sustained action. Like the recent hearings on radiation exposure in the uranium mines, that is dooming large numbers of these workers to early death from lung cancer, a congressional inquiry is necessary to supply the necessary metabolism for dealing with the insidious ravages of coal dust. A Congress, which has displayed such staunch efforts to preserve tax depletion allowances for companies engaged in extractive industries, should have little difficulty persuading itself of the need for preventive measures to diminish the bodily depletion of their employees.

RALPH NADER.

U.S. DEPARTMENT OF THE INTERIOR,
Washington, D.C., March 6, 1968.

HON. THOMAS S. FOLEY,
House of Representatives,
Washington, D.C.

DEAR MR. FOLEY: Thank you for your letter of February 1 with which you sent us for comment a copy of an article by Mr. Ralph Nader on coal miners' pneumoconiosis. We are pleased that Mr. Nader puts the spotlight on this threat to the lives of coal miners—a concern that we have shared in this Department.

The Bureau of Mines, while it has no authority to establish or enforce health standards, is authorized by law to investigate and disseminate information having to do with health and safety in coal mines. The Bureau does have authority to close a mine that presents an explosive or other serious accident hazard. Under these authorities, the Bureau has searched for and pushed for the adoption of more and more effective methods of reducing dust in coal mines. The Bureau developed the technique of adding inert materials to coal dust to prevent dust explosions. This procedure is now a requirement under the Federal Coal Mine Safety Act, and is enforced by the Bureau to the fullest extent of its authority.

Prior to 1937, the Bureau undertook extensive research and experimentation in controlling dust for hygienic reasons. This required the development of metering devices, the investigation of the effects of various levels of exposure, and further work in techniques of ventilation and dust control.

In 1937, to avoid duplication and to utilize the facilities of each agency more efficiently, the Bureau of Mines and the Public Health Service agreed to a division of responsibilities. The Public Health Service agreed to conduct medical and epidemiological work in connection with the extractive industries while the Bureau of Mines would be responsible for environmental research, measurements and control, and engineering work in connection with health problems.

This agreement with minor modifications is still in effect. A small group representing the two organizations provides coordination of effort.

The study to which Mr. Nader refers was begun in 1963 by the Public Health Service with the cognizance of this group. It covered Appalachian coal miners only. The Bureau of Mines simultaneously undertook a new coal mine environmental survey to be coordinated with the medical findings. The conclusions of the medical study for the most part became available to the Bureau of Mines in mid 1965, and have now been publicized. The Bureau's work is still in progress. Five experimental surveys have been run to select instruments, refine techniques, and train crews. The first of the newly trained crews will start work in a mine this month.

A number of complex problems must be solved if meaningful results are to be derived from these surveys. Previous methods of measuring air borne dust in coal mines have not been adequate. Significant amounts of dust are not respirable and should be excluded from measurements related to health hazards and this problem is complicated by the difficulty of determining the physiological effects of size range and composition of dust particles. Also, it is necessary to measure the dust in the breathing zone of the miner—it is not enough merely to sample the dust generally. The problem is further complicated by the fact that newer mining machines operating at high speeds produce greater quantities of very fine dust. This fine dust is more difficult to control, frequently it presents a greater fire and explosive hazard and presents a health hazard. We are hopeful that our surveys, together with the studies of the Public Health Service, will enable us to determine what are necessary and desirable hygienic standards of dustiness for coal miners, develop accurate devices and techniques for measuring respirable dust, and discover more effective dust control procedures.

While the Bureau of Mines has had no authority to establish or enforce dustiness limits for health reasons, in the course of its safety work it has made numerous surveys of coal miners and made recommendations to operators concerning dust control. The Bureau has published numerous articles on the hygienic aspects of mineral dusts.

It is apparently in connection with these recommendations to operators that Mr. Nader suggests the Bureau has pulled the teeth in final revisions. We are unable to identify any report from which factual data or opinion based on fact has been removed by the Bureau so as not to discomfort the mine operator. We would be most eager to search further if we had some additional information on this point.

Mr. Nader also comments that British coal miners have a longer life expectancy than American coal miners. In order to make a reliable comparison between the prevalence of pneumoconiosis in the United States with that of the British Isles, it would be necessary to obtain the basic epidemiologic data now held by the Public Health Service, to extend it beyond the Appalachian Region to the entire United States, to expand the data collection method to include former nonunion miners, and to recalculate the data on the same basis as it is used in the British Isles. It is our understanding that in the diagnosis by X-ray of coal miners' pneumoconiosis in the United States, the Public Health Service acknowledges that there are some doubtful cases whereas, in the United Kingdom doubtful X-ray findings are assumed to be positive cases.

Another important variance is that the British lump together in their statistics, presently employed and former coal miners. The United States practice is to consider them separately. Generally, the information from Great Britain seems to indicate a higher prevalence rate than in the United States, but our best estimate is that if the two countries were compared on an equivalent basis, the rates would be closely alike. The British have reported significant differences in the prevalence rate of coal miners' pneumoconiosis in miners working in different coal fields. The highest rate is reported for the highest rank coals (by the British system of ranking) which are found in Wales. Because of the probable greater mobility of U.S. coal miners, it may be difficult to derive comparable information here from the American ranking system. Unfortunately, we do not have sufficient information regarding death rates from this disease in the two countries to make a meaningful comparison. Records are, again, confused by difference in terminology. In the United States, death rates are frequently expressed in relation to all lung diseases without regard to cause. The British focus more sharply on the specific.

Should you be interested in greater detail, we have a bibliography of reports on the dust problem going back more than 30 years. Some of these reports are the result of cooperative work with well known medical and health foundations.

Sincerely yours,

STEWART L. UDALL,
Secretary of the Interior.

MARCH 23, 1968.

Hon. STEWART L. UDALL,
Secretary of the Interior,
Washington, D.C.

DEAR SECRETARY UDALL: I am writing in the hope that you will bring your immediate personal attention to bear upon the tragic plight of coal miners resulting from unsafe coal mine practices. The Bureau of Mines in your Department has, under the Federal Coal Mine Safety Act of 1952, the responsibility for promoting coal mine safety and informing Congress of the need for additional legislation. As the second most hazardous occupational category in terms of disabling injuries and the first in terms of pneumoconiosis, coal mining presents a challenge to the Bureau of Mines that is readily apparent, except apparently to the Bureau of Mines.

A look at the record will etch a few outlines of the Bureau's regulatory and promotional failure in furthering the safety of the coal miner's working environment.

It is now established that roughly 20% of all active coal miners have coal pneumoconiosis (the deposition of coal dust in the lungs). This is the disease that starts with breathlessness and ends with death. Along the way, the victim can experience bronchitis, emphysema, an enlarged heart and progressive massive fibrosis leading to severe respiratory disability. Industrial hygienists estimate that 100,000 active and inactive coal miners have coal pneumoconiosis. This is the disease whose existence was denied for decades by coal mine operators until government sponsored research documented its connection with coal dust so overwhelmingly by the late Fifties (also research done in Europe) that even the coal operators conceded this truth. This is the disease that cruelly depletes the coal miner as he works for an industry which receives a depletion tax allowance from the government but contributes little to preventive dust control in its mines.

The state of Pennsylvania this year will pay out about $50 million in workman's compensation benefits to its afflicted miners, yet the federal government and the states are not spending a million dollars toward actual prevention of this insidious and lethal devastation of human beings. While the European Coal and Steel Community was spending $9 million annually researching this disease from coal mine to laboratory, the Bureau of Mines has not yet urged the promulgation of coal dust control standards. Thousands of collapsing lungs deserve attention just as much as a few collapsed mines. What other occupation in this country leaves one-fourth of its workers debilitated from a work-related disease?

2. In the Federal Coal Mine Safety Act, there are very substantial deficiencies which the Bureau of Mines continues to treat with indifference. Consider for one the matter of adequate sanctions, without which law enforcement is mostly a mirage. Under Title I, whereby the Bureau is given the functions of determining the causes of accidents and occupational diseases in coal mines so as to try and diminish them, there are no enforcement powers and any compliance with the recommendations of federal inspectors is purely voluntary. Under Title 2, dealing with major disasters in mines, compliance is mandatory but the penalties are both trivial and have never been used. No penalty has been assessed in the whole 15 year history of the Act. The need for properly applied meaningful sanctions becomes clear from the Bureau's annual report to Congress. Year after year the same pattern of widespread violations emerges. In 1965, for example, Title I underground mines totalling 7,327 were inspected and revealed 154,985 violations with an average of 21.2 violations per mine and only 3 mines entirely free of violations. Some 2,457 Title II mines were inspected with 31,264 violations observed, an average of 12.7 per mine and only 16 mines free of violations.

3. More recent evidence as to the Bureau's conception of its safety mission comes from last year's special report to Congress to determine the sufficiency of the Federal Coal Mine Safety Act. Congress had requested this report in Section 6 of the 1965 amendements to the Act. The Bureau, through your office, submitted to Congress 20 proposals for possible changes in the Act to strengthen its provisions. (No coal dust recommendation was made, however). Left alone, your Department would not have urged enactment of any of these proposals—incredulous as it may seem to the uninitiated outsider. Pressure from other Administration sources led to Interior recommending action on (1) extending the mandatory roof support requirements to include the working faces of the mines; (2) requiring some means of directing the ventilating current from the last cross-cut to the working face where gas is most frequently liberated and where ignitions occur with alarming frequency; (3) requiring that each mechanized section of a grassy mine be ventilated by a separate split of intake air, and (4) requiring that idle or abandoned sections be inspected for gas and other hazards before men enter or work therein.

The energy with which Interior pushed these proposals can be measured in part by the fact that no hearings were held. This year, another report to Congress is imminent and the likelihood of a greater sense of urgency being displayed by the Bureau is not great.

4. The fundamental explanation for the Bureau's lassitude toward the demands of mine health and safety conditions is that it is the captive of the coal mine operators which include large steel companies who own mines. The Bureau follows the undesirable practice of holding regular private meetings with the Bituminous Coal Operators' Association (BCOA) and the United Mine Workers (UMW) and accepting the recommendations which they agree upon to transmit to Congress.

The UMW leadership has shown a consistent bias in favor of the coal operators' viewpoints toward preventive safety policy which has produced an enduring indifference towards preventive safety and health measures for their own membership and especially towards coal miners that do not happen to be unionized. Alas for the brotherhood of workers. Its rhetoric aside, the UMW leadership has been persuaded by coal management into choosing the alleged health of the industry over the health of its workers. The specious choice of jobs over more safety is drummed into UMW officers by management and the choice has been to ignore needed safety improvements and especially preventive dust control. The UMW Journal devotes endless space to the threat of other energy sources to coal and virtually nothing to the crucial matter of coal dust hazards. The Union has built hospitals to receive the human debris from the mines but very little to push for preventive dust control and needed but neglected safety practices whose furtherance the rank and file entrust to their leaders.

Because the meetings between the BCOA and the Bureau of Mines are obviously determinative or highly persuasive of what the Bureau decides to do or not to do, I request a list of all meetings with the BCOA and the Bureau on coal mine safety matters during the past year, together with dates of meetings, personnel in attendance and any informal or formal written understandings between the Bureau of Mines and the BCOA. Specifically, I request that this list cover such meetings and their minutes or other recorded description from January 1, 1967, to the present. The least that can be expected of an entrenched preferential access to the councils of government by special interest groups is that the process be made partly visible.

The time is long overdue for some vigorous feeling and action for the health and safety of our nation's coal miners. Thirty years ago, a federal-state sponsored national conference on silicosis came up with recommendations for preventive action which have been largely ignored to this day for coal mines—ignored by both the states and Bureau of Mines. Although more knowledge is always desirable, there is much life-saving and life-extending knowledge and hardware that is not being applied.

What is needed at the outset is for national concern to be drawn to what undeniably amounts to a national tragedy. In recent years, I have seen repeatedly pictures in the newspaper showing you hiking, canoeing, planting trees and flowers for beautification, and other activities undertaken to focus on the needs of conservation and beauty in our natural environment. I do not think it would be remote from this order of priorities to visit the coal mine regions and focus attention upon one of the most contaminated man-made environments that ever existed in this nation. Recently, one industrial hygienist was moved to deliver an open letter to the "Women of Pennsylvania." By way of comparison with the air pollution in that state, he said:

"How would you like to inhale ten times, or twenty times or even a hundred times as much contamination in the air? How would you like to cough black sputum every day? How would you like to quake with a high fever caused by fumes so thick you can't see twenty feet away? . . . You are told that air pollution *may* cause asthma, *may* cause emphysema, *may* cause lung cancer and *may* irritate your respiratory tract! Some of your husbands work in atmospheres loaded with contamination that *will* cause asthma, that *will* cause lung cancer, that *does* cause respiratory difficulty and *does* cause death." (emphasis his)

I would be interested in learning if your future plans include visiting these coal mines and the hospitals containing the injured and diseased coal miners.

In case the lines of communication from the Bureau of Mines to your office are not candid and adequate, I would be pleased to elaborate on some of the points made herein. There are some employees there who are sincere and eager to see that something is done but it is doubtful whether they will either feel free or be able to make their views known.

Attached is a letter which I have written to Senator Ralph Yarborough of the Senate Committee on Labor and Public Welfare requesting that he hold hearings on the little known realities of contemporary coal mining and the need to make existing safety law more stringent. The Senator's Subcommittee has jurisdiction over matters of occupational safety and can make a most significant contribution. Action this year is more timely than ever with the President's message on occupational health and safety. Let us end the cruel depletion of human beings in the coal mines and promptly apply the long known techniques to bring this humane quest into reality.

I look forward to your response and interest.

Sincerely yours,

RALPH NADER.

MARCH 23, 1968.

Hon. RALPH YARBOROUGH,
U.S. Senate,
Washington, D.C.

DEAR SENATOR YARBOROUGH: I am enclosing a copy of a letter to Secretary Stewart Udall giving some major reasons why I think a Congressional inquiry into the problem of coal miner pneumoconiosis, unsafe coal mine practices and the performance of the Bureau of Mines therein is needed this year.

Your concern for coal mine safety is a matter of record and admiration. I strongly hope that your Subcommittee will see fit to hold hearings on coal mine safety along with the general hearings scheduled on the occupational safety legislation which unfortunately does *not* provide for strengthening the coal mine safety law.

Please be assured of my fullest cooperation pursuant to your Subcommittee's decision to conduct such an inquiry.

Sincerely yours,

RALPH NADER.

The False Face of UNCTAD

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. RARICK. Mr. Speaker, a pamphlet on "The Kennedy Round" by Mrs. Mary M. Davison contains interesting background material which may provoke a second look at the foreign aid, destruction of protective tariffs, controlled production, and the balance of exchange problem. Are we really building a world feudal system?

I include Mrs. Davison's article to be reproduced as part of my remarks.

THE KENNEDY ROUND: THE FALSE FACE OF UNCTAD

(By Mary M. Davison)

This pamphlet is designed for the information and guidance of American businessmen and industrialists undergoing a first experience with the World Government complex under the aegis of the "Kennedy Round." The title is a misnomer—Kennedy had absolutely nothing to do with it. Up until the time the decision was made in the General Assembly of the United Nations to launch the world wide control of trade, the operation was known as UNCTAD. The geneology of the World Government scheme is: Council on Foreign Relations; United Nations; Gatt (General Agreement on Trade and Tariffs); UNCTAD (United Nations Conference on Trade and Development); Kennedy Round.

Unfortunately, the American businessman or industrialist (below the billionaire cartelist level) had no acquaintance with, or knowledge of, the progenitors of the "Kennedy Round," hence was entirely unprepared to protect himself against its planned raids on his property. The "Kennedy Round" which will go into effect on January 1, 1968, is Round One. Others will follow until protective tariffs have been abolished entirely and the American producer—capital and labor alike—will be at the mercy of power-mad men in highest places who are determined to rule the world, to put the whole world into production for their own profit and to destroy that which they cannot control.

The reaction of the normal businessman and industrialist to this sort of declaration is not only disbelief but one of contempt and disgust. This is crazy. Yet the destruction of American agriculture under the various farm programs marked the beginning of the cartelist scheme for world-wide control. The government of the United States became a voluntary partner in the scheme when the United States became a Member State in the United Nations and accepted United Nations discipline.

Leaders in the business world can be expected to realize that when a contract is entered into conferring certain power upon one of the parties, it is to be expected that such party will use that power. The Government of the United States has conferred upon the United Nations unlimited power under the provisions of many of the Articles in the contract, the Charter of the United Nations. Consider, most carefully the implications of Articles 25 and 24:

"Member nations (US-ed) agree to accept and carry out the decisions of the Security Council in accordance with the present charter." (Art. 25)

We "agree that in carrying out its duties under this responsibility the Security Council acts in our behalf." (Art. 24)

The above quotation is all there is to Article 25. The last six words mean nothing—they only serve to blunt the effect of the earlier statement. There are no reservations. We have agreed that we will accept and carry out the decisions of the Security Council, no matter what those decisions may be. In 1950, the General Assembly of the United Nations, where there is no veto, adopted a resolution conferring upon itself the unlimited powers of the Security Council. Now, the Article (25) should read: Member nations agree to accept and carry out the decisions of the Security Council and the General Assembly. That is the power we conferred upon the United Nations and that is the power they are using today. It has taken many years of careful planning and cautious gradualism to bring the UN program for world government to the point where they will openly control world trade, launch the vast industrialization program now ready to go in Africa and Asia, re-distribute the wealth of the world and, as repeatedly proclaimed by UNCTAD in a pamphlet of that name, arrange a "distribution of labor." (UNCTAD—price 50 cents, UN Book Store, UN Plaza, New York).

While America has been enjoying the benefits of good business, high wages and the luxuries of the "affluent society," and supporting cold and hot wars and insurrection, the UN has been steadily capitalizing on the unlimited powers of the UN contract. In order that you may understand that this is so, we will quote from a little UN pamphlet, "What the United Nations is Doing," published in 1952, setting forth a program which has been followed consistently for fifteen years, and financed with thousands of millions of our tax dollars. Practically all of our foreign aid money, originally deposited in the World Banks and checked out by the various agencies of the United Nations has gone into preparing the continents of Africa and Asia for industrialization. "What the United Nations is Doing":

"Under the Commission (ECAFE—Economic Commission for Asia and the Far Easted) are the committees on industry and trade and on inland transport, which, in turn, divide into subcommittees on iron, steel; electric power; railways; highways and inland waterways . . .

"As these projects are getting under way, one of Asia's underlying difficulties is becoming only too apparent: the lack of trained personnel. Indeed, if Asia is to exploit its resources to the full and substantially raise its standard of living, it must have many more engineers and technicians of all kinds; many more agriculturists, trained administrative staffs, etc."

This program has gone full steam ahead for fifteen years with U.S. tax monies building roads, railroads, dams, power plants, pipe lines, paper mills, factories, steel mills (the best in the world) and many other projects of world industrial empire. All firmly in control of the cartelist elite of New York who control and manage the World Banks which are loaning this money to heads of state in Africa and Asia who never will be able to repay the loans.

This is the background of the Council on Foreign Relations, UN, GATT, UNCTAD "Kennedy Round" family. This is the world government scheme which forced the former Colonial Powers out of their Asian and African colonies, bribing them to go along, with our Marshall Plan and Foreign Aid money. This operation has been the most fantastic accomplishment in history even though it still has some distance to go.

The principal impediments to completion has been the failure of the exploiters to get physical possession of our armed forces guaranteed them under the Charter of the UN and Public Law 87-297. This failure has been a strain on the economc structure now reflected in the devaluation of many of the world's currencies. In the hope that our business leaders may prove competent to save the dollars, and prevent total destruction of the country, this pamphlet is offered for consideration.

KENNEDY ROUND: THE FALSE FACE OF UNCTAD

The non-cartelist American businessman who condoned Government control of the American farmer, and the enforced policy of paying the farmer not to raise farm animals and products, is now facing the same fate. He finds himself opposed by the same wealthy businessmen and bankers who pushed the farmer to the wall.

Before the so-called Kennedy Round enters into force, the non-cartelist businessman and manufacturer feels the first impact of the flood of foreign goods which will inundate the United States during the first Kennedy Round which goes into operation January 1, 1968. Others will follow and, as the non-cartelist is driven out of business by these foreign imports, the Government has already set up a Federal Agency to loan him money to establish another business in another line. Although the Government paid the sturdy farmer not to produce, the less sturdy businessman and manufacturer will receive a loan to pacify him.

At the moment the Free Enterpriser is too concerned with the immediate threat to his livelihood to analyze the situation in which he finds himself. He is not capable of asking himself just WHY the Big Boys of Wall Street and Park Avenue favor reduction of tariffs. Would not such reduction encourage greater imports of such items as steel, automobiles, appliances, bicycles, sewing machines, etc., which have been threatening the American market for several years? Of course they would. WHY then, do the tycoons of industry invite such competition?

In order to get to the root of this problem it is necessary to identify the source of the Kennedy Round. The first recognizable progenitor was GATT, General Agreement on Tariffs and Trade. The President's Report to the Congress on U.S. Partition in the U.N. for 1961 identifies GATT:

"The General Agreement on Tariffs and Trade (GATT), negotiated in 1947 under the aegis of the United Nations, is a multilateral trade agreement containing schedules of tariff concessions and general provisions designed to foster expansion of trade on a multilateral, *nondiscriminatory* basis. GATT is not an organ of the United Nations (although its firstborn, UNCTAD, is-ed) but its work is coordinated with that of the United Nations . . . Trade activities of the GATT Contracting Parties (including the United States-ed) and the United Nations generally complement rather than duplicate each other. . . .

The Contracting Parties regard GATT's periodic business sessions as the best place in which to consider many current trade problems because of the contractual obligations and common aims binding its participants . . ."

The United States as a "Contracting Party" has accepted a binding obligation to accept and carry out the decisions of the majority on this forum and to advance the "common aims binding its participants." The "common aims?" Control of trade, world-wide, as a necessary objective in government of the world by the United Nations.

A further quotation from the President's Report to the Congress indicates a gradual approach to the great objective:

"A highlight of GATT activity in 1961 was the convening of the Ministerial Meeting to review the GATT Program for the Expansion of International Trade—a major endeavor of the Contracting Parties since 1958—and to chart a course for future progress in the 3 fields covered by the program: tariff reduction, agricultural trade, and the export trade of the less developed countries . . .

"In view of general concern that exports earnings of the less developed countries are not keeping pace with the growth of their foreign exchange requirements . . . the Ministers adopted a U.S. sponsored Declaration on Promotion of the Trade of Less Developed Countries . . . The Ministers further agreed that their governments (not including the U.S.-ed) should observe these principles as fully as possible, with the aim of reducing obstacles to the trade of the less developed countries in the near future.

"Moreover, in response to an appeal from the less developed countries for some concrete assurance that early progress will be made, the Ministers asked the Contracting Parties to draw up specific programs of action for the reduction of trade barriers . . . Some Ministers expressed the hope that early action could be taken by the Contracting Parties concerned to enable Japan to participate fully in GATT and agreed that such action would greatly add to the effectiveness of GATT."

American Textile interests, owners and employees alike, please take note. The United Nations, we have been taught, has been given a *mandate* by the Member States to maintain "international peace and security" world-wide. But the Contracting Parties to U.N. did not specify how it was to be done. "We" just gave them a blank check. Consequently, the UN has taken the position that there are too many "have nots" in the world and not enough "haves," therefore under their mandate they are obliged to rebuild the world; to redistribute the wealth of the world, pouring it all into the hands of the international cartelists to handle; and to redistribute the world's populations as their skills and energies are needed for "Redevelopment." Sound crazy? Well, let us see:

When the American farmer was being straight-jacketed, the government paid him to cut down on his acreage. With the use of fertilizer and more efficient methods he grew more on the few acres than he had previously grown on many. Then, the Government began buying up his surplus; granting permits to more and more farmers to participate in the insane program—to buy and/or rent storage space in warehouses, storage bins, ship hulls—anything that would store grain, until our "surplus" was mountainous.

At some point along this glory road we began giving away and otherwise disposing of grain—in millions of tons while still paying rent and storage for grain never accounted for. The policy, that the United States was to feed the world as commanded by the United Nations Food and Agriculture Organization, was gradually going into effect. Now, "underdeveloped" nations are being put into industrial production.

We must admit their cheap labor products into this country in competition with our own products; we must send them free food in order that they might sustain high production rates; and, under recent rulings of UNCTAD, we must stay out of markets where the underdeveloped ones can provide the goods; and, through various "compensatory financing" schemes WE will subsidize these people if they fail to make a profit. In the elaborate understatement of the internationalists, as reported in the 1964 President's Report to the Congress:

"Price instability and the more or less static demand that characterized commodity trade have been major factors in contributing to the relatively slow growth in the export earnings of the underdeveloped countries.

"The Developing countries sought recommendations by the Conference (UNCTAD-ed) that would stimulate action on three main fronts: (a) better access to markets in the developed countries (U.S.-ed) through reduction in barriers to trade and consumption, (b) intensified efforts to stabilize and improve the conditions, in particular, commodity markets through international commodity arrangements (i.e. commodity agreements, study groups and other consultative arrangements), and (c) enlarged facilities for compensatory financing (subsidy) to offset losses in export earnings in developing countries which cannot be prevented by other measures. They also laid great stress on diversification of their trade in the field of manufactures and semi-manufactures as the long term answer to their trade problems.

"The United States was able to agree broadly that action on these various fronts was desirable, although it did not support in detail all the demands of the developing countries.

"The United States also confirmed a willingness to consider the need for commodity arrangements on a case by case basis, its desire that the International Monetary Fund's (UN-ed) new compensatory financing facility for short term fluctuations in the developing countries' export earnings to be used in a liberal and practical manner, and its readiness to join in considering what supplementary measures may be needed to offset long term declines in export earnings which cannot be dealt with by the IMF facility. . . .

"The UNCTAD recommendations on compensatory financing and supplementary financing aimed at (a) possibly strengthening the existing IMF facility (with more American producers' money-ed) for offsetting short term losses in export earnings of developing countries and (b) possibly supplementing this facility with new procedures to deal with long term losses in export earnings arising from factors beyond a country's control, where these threaten to disrupt development programs."

This pamphlet is designed primarily to inform and stimulate active interest on the part of the small and medium-sized businesses and industries in the American production field. The whole free enterprise structure is now in danger of collapse due to long term contracts entered into by the American delegates to the various United Nations organizations. And Congress can do nothing about it unless the affected business community becomes fully informed and pledges immediate support to a confused and intimidated Congress.

Two hundred years ago a man named Weishaupt proclaimed that in order for a small group of men to take over the world, three things were necessary: to destroy Church and State (State at that time being monarchy) and control communications among the people. You know what has happened to Church and State—now you need to know what happened to communications.

The Council on Foreign Relations is following the Weishaupt Program. Their members control, for example, the following means of communication and many others:

New York Times, Sulzberger; Herald Tribune, Whitney & Reid; Denver Post, Palmer Hoyt; Louisville Times, Briney-Isaacs; Newsweek, Graham; Look and Others, Gardner Cowles; National Geographic, Lawrence Rockefeller; Time and Life, Henry Luce; Boston Herald, Leonard Wheildon; Detroit Free Press, John S. Knight; St. Louis Post-Dispatch, Graham; Curtis Publishing Co., McNeil and others; Reporter, Max Escoli; Simon Schuster, Barnes; and heads of National, American and Columbia Broadcasting Companies.

Then there is the mysterious Mr. Newhouse, who for several years has been buying up independent newspapers from coast to coast. Where he is getting the money, or credit, has been the mystery. Control of communications has indeed made possible the rapid expansion of world government, using the United Nations and its myriad agencies as a front.

The United Nations Charter, which on the face of it is a constitution for a new government—was adopted by the United States Senate whose members did not see a draft of the alleged Charter—as a treaty. This is the most binding form of international agreement and the United States was committed to some absolutely incredible positions under its provisions. As a business man, please consider Article 25:

"Member Nations (including the United States-ed) agree to accept and carry out the decisions of the Security Council in accordance with the present charter."

That is absolutely all there is to Article 25. We have agreed without reservation to accept and carry out the decisions of this United Nations agency, regardless of what those decisions may be. Later the General Assembly of the United Nations met and conferred upon themselves the unlimited power of the Security Council, so now Article 25 should read:

"Member nations agree to accept and carry out the decisions of the Security Council and the General Assembly. Period.

Fantastic? Crazy? Well, UNCTAD, a General Assembly agency of the United Nations has decided that the United States will eliminate all trade barriers; not all at once, of course, the so-called Kennedy Round (Kennedy had nothing to do with it) which becomes effective January 1, 1968, is the first stage leading toward total elimination of the protective tariff. UNCTAD has decided further that American producers will move out of a market—even the domestic market—where the developing countries are able to meet the need, to so regulate their own trade practices as to give the developing countries a fair chance for the markets, to make available to the developing countries such patents as they may need and, when all this fails to provide the underdeveloped ones with a fair profit, to subsidize them by arranging "compensatory financing." Remember the American farmers. They at least receive cash for pulling out of the market; the businessman and industrialist must be pacified, but with a loan to establish him in another business which, in time, may well be another impediment to the progress of the underdeveloped countries and their exports.

The "decisions" of the United Nations agencies are expressed in "Resolutions." These are handed down to heads of State who are required to put them into effect within their borders. In the United States the resolutions are put into effect through (a) Executixe Order, (b) Supreme Court Decision, or (c) arm-twisted Congressional action. The latter was the method of implementing the so-called Kennedy Round.

The Resolution process is expressed eloquently by Mr. Roberto Ago, HEAD of the International Law Commission, created by the General Assembly in 1947 to write a new law for the world. Mr. Ago is also a past President of the World Federation of United Nations Organizations. He is a REAL authority on the purposes, principles and operations of the United Nations and its agencies. In addressing the 20th anniversary conference of the UN at San Francisco, in 1965, he said: (gloatingly)

"Membership in the various organizations (of the UN-ed) inevitably tend to restrict the freedom of the States (the U.S. is a "STATE" in the UN-ed) for the organizations are continually taking action in fields where only a short time ago each State exercised unchallenged authority . . .

"The activities of these organizations usually take care one of two forms. The first method by which an international organization penetrates into the domestic life of a sovereign State is through the channel of the law. It does so by legally binding all its members to take within their own borders steps agreed upon by the majority (in the General Assembly-ed).

As you can see, when the "steps" are agreed to by a majority (2/3) of the members, expressed through a resolution of the General Assembly the resolution becomes legally binding on the Member State and must be put into effect within its borders. *This is a treaty commitment.*

Examples of this are numerous—there being more than three thousand such Resolutions now in effect. One is that of the Korean War. The Security Council adopted a Resolution to go to war in Korea and called upon the United States to provide the armed forces, supervision and financing, although it was a UN war and a UN army. At the end of the war the General Assembly decided to maintain an army of occupation guarding a boundary line, and having called upon the United States to provide the armed forces to guard the line, there was no alternative for us except to provide the 50,000 American men required for the operation and to keep them in Korea for nearly fifteen years and pay them from the Treasury.

In 1966, the Security Council, by Resolution, decided that an embargo should be instituted against Rhodesia and called upon all Member Nations to embargo certain specified products to Rhodesia in a plainly stated determination to bring down the government of Rhodesia. Again, the United States was obliged by treaty commitment under Articles 41 and 25 of the Charter to comply with this resolution.

In 1963, the General Assembly adopted a sweeping resolution directing Member States to commence immediately to enforce total racial integration in the fields of: civil rights; access to citizenship; education; employment; religion; occupation and housing. The Government has taken prompt and effective steps to meet this obligation. In the same resolution the Government was directed to "revise governmental and other policies and to rescind laws" which were in conflict with this Resolution (Gen. Assembly Res. No. 1904).

In Article Eight of this Resolution: "All effective steps shall be taken immediately in the fields of teaching . . . and education" to begin the propagation of the purposes and principles of the United Nations—the Universal Declaration of Human Rights. In order to do this the United States Government must see that certain text books in American History, civics, etc. be eliminated because their teaching is in conflict with the designated documents of the United Nations.

The re-apportionment decision of the Supreme Court was based on a series of General Assembly Resolutions: Nos. 1747, 1760, 1779 and others directing that governments be based on the "principle of one-man, one-vote, in conformity with the Charter of the United Nations."

The above are just a few examples of the binding effect of a United Nations agency Resolution on the Government of the United States. In order that the business community be prepared for a bleak future, a look into General Assembly Resolutions of the 19th Session is in order. These are incorporated into G. A. document No. 15 (A/55815), 1 December 1964 to 1 September 1965.

A few excerpts from the index might suffice for introduction:

"32. Report of the United Nations Conference on Trade and Development.

"33. Accelerated flow of capital and technical assistance to the developing countries.

"34. Establishment of a U.N. capital development fund.

"35. Activities in the field of industrial development.

"36. The role of the United Nations in training national technical personnel for the accelerated industrialization of the developing countries.

"37. The role of patents in the transfer of technology to developing countries.

"38. Conversion to peaceful needs the resources released by disarmament."

The last item indicates that the decision has already been made that following the disarmament of the United States in conformity with the UN Charter and Public Law 87–297, the money saved on armaments must be turned over to the United Nations for development of the underdeveloped countries. There will be no tax reduction for us; in fact, the UN has decided to double its activities and to attempt to levy direct taxes.

General Assembly Resolution No. 1995, adopted December 30, 1964, contains some ominous threats to the free enterprise system. It sets up "the principal functions of the Conference (UNCTAD-ed)" which shall be (a) To promote international trade, especially with a view to accelerating economic development, particularly trade between countries at different stages of development, between developing countries and between countries with different systems of economical and social organization (bridge building-ed) . . . (b) to formulate principles and policies on international trade . . . (c) to make proposals for putting the said principles and policies into effect and to take such other steps . . . as may be relevant to this end, (e) to initiate action . . . in cooperation with the competent organs of the United Nations for the negotiation and adoption of multilateral legal instruments in the field of trade . . ."

If it has not been your understanding that the United Nations should control trade, world-wide, the many tons of GATT and UNCTAD materials in the United Nations book-stores should give a researcher a clear picture of the real "purposes and principles" of the United Nations.

Under G.A. Resolution 1995, a Trade and Development Board was established to "take appropriate action . . . for the implementation of the recommendations, declarations, resolutions, and other decisions of the Conference" (UNCTAD). This board will act as a "conciliation" service between Member Nations of the UN for settlement of disputes in the field of Trade and Development. The vote will be on a regional basis heavily loaded in favor of the developing nations. Decisions of this Board are final—and the process of conciliation is automatic—in other words, compulsory.

"Appropriate for conciliation shall be the proposals of a specific nature for action substantially affecting the financial or economic interests of the particular countries in the following fields:

Economic plans or programs for economic or social readjustments.

Trade, monetary or tariff policies, or balance of payments. Policies of economic assistance or transfer of resources.

Levels of employment, income, revenue or investment. Rights or obligations under international agreements or treaties."

The deliberately confusing language and the masterly under-statement employed in all United Nations communications has aided them immeasurably to conceal their objectives and operations. Consequently, even when their activities have been published in the news media their significance escapes public understanding completely. It is only when a substantial number of an affected group, currently the non-cartelist businessman and industrialist, is suddenly confronted with the threat to his vital interests that enough awareness is generated to stimulate resistance—and by that time the damage is done. At this time Congress has ratified the so-called Kennedy Round and, while there is a very strong will on the part of Congress to repeal it, you find the full pressure of the cartelist industrialists of steel, rails, banks, motors, appliances, airlines, press, radio, and TV—all vociferously protesting any increase in the protective tariff. The cartelist is fighting the independent businessman and industrialist. That alone will serve as a severe handicap to the independents in their efforts to secure legislation for their own survival.

First it was the farmer, now it is the businessman, next it will be labor. Not that labor will not be seriously affected by the elimination of protective tariffs. It will be. But, in order to obtain full productivity and profitable industrialization in the underdeveloped countries, skilled and intelligent labor and management must be imported into the developing countries. Under UN resolutions in the International Labor Organization, the ILO, has authority to move labor anywhere in the world. In UNCTAD, a little UN publication, they refer several times to the necessity of "an international division of labour."

If the past performances of the UN agencies have been fantastic, the current scheme to obtain labor for the developing countries is weird. In May, 1966, the President appointed a Committee of "distinguished citizens," including the Dr. Coffin, Yale University chaplain who has been busy during the summer inciting riots, demonstrations and draft-card burning—to prepare a plan for a new draft law.

The distinguished committee knew what the President had in mind as some of his closest advisers had been calling for a draft of all people between the ages of 18 and 26. When the draft plan was finished it was named "Profile in National Service," and, sure enough, it recommended the drafting of everybody—girls and boys alike, the brain and the dunce, all for National Service. All have "potential."

Most have already been computerized through the questionnaires they had been filling out in the public schools; the government knows in advance where they will serve. Service in non-military "tasks" will be for three years and in the military service, for two years. Young mothers and fathers under the age of 26 are not exempt. Among the "tasks" listed in the report are: technical assistant overseas; medical assistant overseas; agricultural assistant overseas; teaching overseas; teaching assistant U.S.A.; "guinea pig" in medical research; registering Negroes in Alabama.

It is likely that the "guinea pig" in medical research is the club to be held over the heads of those who resist service in their delegated "tasks." At any rate, the tone of the whole report reveals a cold-blooded and contemptuous disregard for the young men and women they would induct into "National Service." The President received and approved the report and encouraged the Committee to continue their interest and support for the project.

Members of the Committee, heavily financed by funds from at least four of the large, tax-exempt Foundations, have opened an elaborate headquarters in Washington, D.C. and are now issuing a Newsletter soliciting young women and girls as recruits in an army for "National Service." They are recruiting a volunteer army as plans go forward to draft a vast labor force to get the industrialization of the underdeveloped countries under way.

The Board of Directors of the internationalist cartelists who will exploit these regions are already serving by appointment of the President. Included in their ranks are David Rockefeller, Watson of IBM and Sol Linowitz of Xerox in the Executive Service Corps for Africa and a group headed by Eugene Black, Vice President of Rockefeller's Chase National Bank comprising the Asian Executive Service Corps.

Further light of the purposes and principles of these exploiters was shed in a speech by Jacob Javits on the floor of the United States Senate as he boasted of the establishment of a world development corporation, Resources and Development Corp., headed by David Lilienthal of TVA and Atomic Energy fame with two other un-named officers and Lazard Freres & Company. This outfit is preparing to "develop" all Southeast Asia; it has numerous governmental contracts all over the world; it has made money in every year of its existence, and it is generously supported by our tax money through the Agency for International Development.

The world-wide development schemes of the international cartelists financed by our tax money, and borrowed money on which we will pay interest for many years to come, cannot fail to wreck the economy, not only of the United States but that of our "beneficiaries" as well. Money which the industrial worker should have been saving for himself and his family, has been drained away through taxes which have gone to build a world empire for a group of power-mad cartelists who are determined to rule the world—and put the whole world at their mercy for their exploitation.

They have subdued the American farmer; by the same methods they stand on the brink of subduing the American businessman and industrialist. Now, they are prepared to draft the youth of America into involuntary servitude in the jungles of Asia and Africa. The Resolutions of the United Nations agencies call for the total elimination of protective tariffs, and the division of markets now served by American producers among the subsidized underdeveloped countries of the earth for the profit of the international cartelists.

Ninety of the one hundred members of the U.S. Senate have now sponsored or cosponsored repeal bills to restore the tariffs, and the wealthiest men in America, and the Government they control, are doing everything possible to prevent it. The President is bound by "solemn treaty commitment" to carry out the resolutions of UNCTAD—to eliminate tariffs. Congress can be made to hear their constituents, especially the business leaders of their districts who have supplied the campaign funds. Congress can also be induced to hear the protests of the parents of the youth now being solicited for "service overseas." To defeat the diabolical schemes of the cartelists, Congress will need tremendous grass-roots support. The People will need sufficient information to make intelligent demands for protective action.

If the sleeping giants of the American free enterprise system can be induced to direct their talents now, to learn what has happened to their country while they were permitting themselves to be distracted by the artificially created profits of a debt and disaster economy (war), the nation can once again know the priceless comfort of real peace and security.

We were on the right track for one hundred and fifty years. We need not permit a forty-year derailment to wreck us forever. The powerhouses of New York and Washington should have run their course. An informed and outraged people, properly led, must, in self defense, rise up and challenge them. We outnumber them a thousand to one. Most of the State governments are still solvent and must be called upon to prepare to take any action necessary to prevent further encroachment by the internationalists and their agencies upon the property of the People.

If the accumulated earnings of millions of hard-working Americans are to be preserved for those who rightfully inherit them, then we must be put to the test as to whether we deserve to continue in possession. The need for survival depends now on hard information, organization, and leadership. The alternative is an abundance of skilled industrial labor and management for the underdeveloped countries. We still have a choice.

Carver Alumnus Dies in War

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. LONG of Maryland. Mr. Speaker, Sp4c. George L. Myers, a fine young man from Maryland, was killed recently in Vietnam. I wish to commend his courage and honor his memory by including the following article in the RECORD:

CARVER ALUMNUS DIES IN WAR

A 20-year-old graduate of Carver High School was killed in action in South Vietnam on April 1, the Defense Department announced yesterday.

Spec. 4 George L. Myers, son of Mrs. Angeline Pittman, of 26 South Ellamont Street, was drafted into the Army shortly after his graduation in 1966, his mother said yesterday.

He was a member of the 11th Airborne Cavalry and had been in Vietnam since last June.

He had no hobbies, Mrs. Pittman said, but "he liked music very much."

He planned to enroll at Howard University after his discharge.

The Baltimore native was due to be discharged June 6, his mother said.

In addition to his mother, he is survived by his stepfather, Wilbur Pittman, and his grandmother, Mrs. Gladys Banks, both of Baltimore.

Politically Active Teachers: A Dynamic Force

HON. SAMUEL N. FRIEDEL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. FRIEDEL. Mr. Speaker, a long time ago the Greek philosopher Diogenes wisely said:

> The foundation of every state is the education of its youth.

What greater or better gift can we offer our Nation than to educate our young people. The art of teaching is related to the character of society in which the teacher functions for the teacher is a prototype of the culture of the people.

The National Education Association—which was founded more than 100 years ago, during 1857—has over 813,000 members. This fine, influential organization, composed of civic-minded teachers and educators and its State associations, have designated April 5 as Teachers-in-Politics Weekend, and I commend them for this.

Politics is in reality government in action, and the term political behavior comprehends those actions and interactions of men and groups which are involved in the process of governing. One of the best ways educators can influence their respective party's action is to be among those people who make the decisions. If teachers remain aloof as nonvoting or nonparticipating citizens, they fail to be full citizens in the true meaning of the word.

By teachers' involvement in politics and giving the public the benefit of their special knowledge and dedication, coupled with their idealism, they become a truly dynamic force for good in local, State, and National Governments. Also, by such activity, educators furnish a very good example for others to follow. It is a fact that one example is more valuable than 20 precepts.

Education is an investment in people and teaching is more than mere classroom instruction or lecturing. The example teachers set by being politically active is also educational.

We in the Congress should offer our congratulations to the National Education Association—the NEA—for focusing the attention of its large membership on the Teachers-in-Politics Weekend and for its efforts to encourage full participation of educators in civic affairs through political activity. For this we are all most grateful because the public at large will be the beneficiary in the end.

Saturday Evening Post Article on Byberry

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1968

Mr. EILBERG. Mr. Speaker, there is no city or State in our Union which is not faced with the serious situation of mental illness and it is a situation which intensifies daily. Perhaps mental illness has been with us all the time, but only in recent times have we recognized it for what it is—an illness which can be treated and sometimes cured.

Mental illness is a problem with which I have concerned myself during my entire public life and in the past 18 months I have had the pleasure of working with a man who is bringing about a renaissance in the treatment of mental illness in my city of Philadelphia and at the Philadelphia State Hospital—known locally as Byberry—within my congressional district.

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Spiritual leader of the moderates is ascetic Cesar Chavez, a Gandhiesque figure who last week ended a 25-day fast in support of the two-and-a-half-year-old strike by Mexican American farmworkers against California grapegrowers. As cheering, chanting strikers gathered around him at his home base of Delano, Calif., Chavez (with no less a strike sympathizer than Robert F. Kennedy at his side) told them the real reason for the fast was to renew their faith in nonviolence. "The justice of our cause is our weapon," he pleaded.

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Chavez had good reason to be concerned. Increasingly, frustrated Mexican Americans have been rallying to the banner of fiery spellbinder Reies López Tijerina, 41, brown power's middle-aged equivalent of Stokely Carmichael. The hawk-faced Tijerina holds an electric appeal for young, vocal elements who have jammed into the urban-poverty pockets of the Southwest (where 87 per cent of the nation's 5 million Mexican Americans live). Last June, Tijerina—he prefers to be called Rey Tigre, for "King Tiger"—achieved legendary hero status as the accused leader of a "liberation" raid that freed eleven of his followers in a shoot-out at a New Mexico courthouse (NEWSWEEK, June 19, 1967).

While he awaits trial on assault charges, Tijerina has been haranguing fledgling brown-power groups and white college students on the "crimes" of the U.S. Government, matching Carmichael and H. Rap Brown word for word in firebreathing anti-white rhetoric. "If the Anglo is frightened it is because his historical crimes are catching up with him," Tijerina shouts from the platform, behind a screen of "Brown Beret" bodyguards, largely a group of Mexican American college students who affect a Che Guevara style of dress.

The most dramatic demonstration of the new brown power came in a recent series of walkouts by thousands of Mexican American public-school students in East Los Angeles. Wearing buttons labeled "Chicano Power—Viva la Raza" (Mexican Power—Hail the Race), the students presented officials with a 40-point list of grievances against school conditions. The demonstrations began peacefully but after some rock and bottle throwing a dozen youths were arrested. Recently, uneasy police padlocked the Piranya, a favorite Brown Beret hangout, and began an intensive patrol of the district, four cops to each car. The angry reaction of one Brown Beret leader stirred warnings of yet another racial crisis for America:

"The students today have the guts our parents didn't . . . The Mexican American has just discovered how the democratic process works, after years of watching on the sidelines."

SENATE—*Friday, April 5, 1968*

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father God, in the holy pilgrimage of these sacred weeks we would join devout multitudes treading the way of sorrow, as we lift our eyes to a green hill outside a city wall and to a lone cross against the sky, a cross so old and yet so new.

As crusaders in the holy cause of human freedom may we conquer by that sign which forever is the inspiring symbol of joy through sorrow, strength out of weakness, triumph out of failure, song through sacrifice, gain through loss, and life through death.

Father of all men—

"We stand atremble and afraid
On the small world that we have made.
Afraid lest all our poor control
Shall turn and rend us to the soul.
Afraid lest we should be denied
The price we hold our ragged pride,
But in the end we pass all by
For a lone cross against the sky."

In the shadow of that cross, give us grace to live and by that sign to conquer. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, April 4, 1968, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had passed the bill (S. 2912) to authorize appropriations for the saline water conversion program for fiscal year 1969, and ample teachers set by being politically active is also educational.

We in the Congress should offer our congratulations to the National Education Association—the NEA—for focusing the attention of its large membership on the Teachers-in-Politics Weekend and for its efforts to encourage full participation of educators in civic affairs through political activity. For this we are all most grateful because the public at large will be the beneficiary in the end.

Saturday Evening Post Article on Byberry

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Chavez had good reason to be concerned. Increasingly, frustrated Mexican Americans have been rallying to the banner of fiery spellbinder Reies López Tijerina, 41, brown power's middle-aged equivalent of Stokely Carmichael. The hawk-faced Tijerina holds an electric appeal for young, vocal elements who have jammed into the urban-poverty pockets of the Southwest (where 87 per cent of the nation's 5 million Mexican Americans live). Last June, Tijerina—he prefers to be called Rey Tigre, for "King Tiger"—achieved legendary hero status as the accused leader of a "liberation" raid that freed eleven of his followers in a shoot-out at a New Mexico courthouse (NEWSWEEK, June 19, 1967).

While he awaits trial on assault charges, Tijerina has been haranguing fledgling brown-power groups and white college students on the "crimes" of the U.S. Government, matching Carmichael and H. Rap Brown word for word in firebreathing anti-white rhetoric. "If the Anglo is frightened it is because his historical crimes are catching up with him," Tijerina shouts from the platform, behind a screen of "Brown Beret" bodyguards, largely a group of Mexican American college students who affect a Che Guevara style of dress.

The most dramatic demonstration of the new brown power came in a recent series of walkouts by thousands of Mexican American public-school students in East Los Angeles. Wearing buttons labeled "Chicano Power—Viva la Raza" (Mexican Power—Hail the Race), the students presented officials with a 40-point list of grievances against school conditions. The demonstrations began peacefully but after some rock and bottle throwing a dozen youths were arrested. Recently, uneasy police padlocked the Piranya, a favorite Brown Beret hangout, and began an intensive patrol of the district, four cops to each car. The angry reaction of one Brown Beret leader stirred warnings of yet another racial crisis for America:

"The students today have the guts our parents didn't . . . The Mexican American has just discovered how the democratic process works, after years of watching on the sidelines."

SENATE—*Friday, April 5, 1968*

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father God, in the holy pilgrimage of these sacred weeks we would join devout multitudes treading the way of sorrow, as we lift our eyes to a green hill outside a city wall and to a lone cross against the sky, a cross so old and yet so new.

As crusaders in the holy cause of human freedom may we conquer by that sign which forever is the inspiring symbol of joy through sorrow, strength out of weakness, triumph out of failure, song through sacrifice, gain through loss, and life through death.

Father of all men—

"We stand atremble and afraid
On the small world that we have made.
Afraid lest all our poor control
Shall turn and rend us to the soul.
Afraid lest we should be denied
The price we hold our ragged pride,
But in the end we pass all by
For a lone cross against the sky."

In the shadow of that cross, give us grace to live and by that sign to conquer. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, April 4, 1968, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had passed the bill (S. 2912) to authorize appropriations for the saline water conversion program for fiscal year 1969, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 15399) making supplemental appropriations for the fiscal year ending June 30, 1968, and for other purposes; and that the House receded from its disagreement to the amendment of the Senate numbered 6 to the bill and concurred therein, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had passed a bill (H.R. 16324) to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes, in which it requested the concurrence of the Senate.

HOUSE BILL PLACED ON CALENDAR

The bill (H.R. 16324) to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes, was read twice by its title and placed on the calendar.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The **PRESIDENT** pro tempore. Without objection, it is so ordered.

THE DEATH OF DR. MARTIN LUTHER KING

Mr. **MANSFIELD**. Mr. President, within a space of less than 5 years, a short time historically, John F. Kennedy and Dr. Martin Luther King have been assassinated. They were both American tragedies, senseless, vicious, and devoid of meaning.

In this troubled and violent period of our history, I hope and pray that all of our people will realize their responsibilities and work together to put into effect the rights guaranteed to all our citizens under the Constitution.

Only in this way can we overcome the inequities and the injustices which have marked too many of our people for too many centuries.

All of us, in a sense, are on trial. Dr. King was a man of moderation and hope. He was assassinated by an individual in a nation in which fear and violence are becoming more the norm rather than the rarity; a nation in which all too often events are decided by the gun and the mob.

This is a time for understanding, not violence; a time to pray and a time to hope; a time for awareness and reassessment; a time to weep but not to despair; a time to look at ourselves and not to turn away; a time to re-read the Declaration of Independence; a time to put into effect that which the founders of this country said and meant, to wit:

> We hold these truths to be self-evident; that all men are created equal; that they are endowed by their creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness; that to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed.

It is a time for stability and maturity and understanding among all our people.

It is a time which will test us all, and in testing us, will test this country.

We are one nation. We are one people. Let us act accordingly.

Mr. **BROOKE**. Mr. President, there are moments in the life of a nation when grief and outrage strike its people dumb, when words will not come because no words can express the agony in the Nation's soul.

Such a moment came on November 22, 1963; such a moment has come again on April 4, 1968. The murder of Martin Luther King, like the murder of John Fitzgerald Kennedy, tears from us a noble and irreplaceable leader. No nation can sustain such a loss without feeling abrupt shock and lasting pain.

All of us may ask what fool or villain, what manner of man could possibly have committed such an act of savagery. What mind could have overflowed with such hatred that it was moved to destroy such a man of peace?

No answer to these questions will suffice. The assassin must be brought to justice. But, Mr. President, punishment of the criminal will not soothe our conscience or dispel our sorrow. For the death of Martin Luther King leaves our Nation inconsolable.

We cannot assuage the loss of Martin Luther King. We can only redeem it by nourishing the spirit with which he imbued millions of Americans, both black and white. That spirit is one of conciliation and good will, of brotherly love and mutual respect, of fervent dedication to the nonviolent struggle for equal justice.

The mood of America today is necessarily confused and troubled. From it we must extract a new sense of direction and determination. If we are to be true apostles of this godly man, if we are to avoid the perils of division and civil strife, we must keep faith with the vision of Martin Luther King. We must not allow that vision to be shrouded in the bitterness and bigotry which moved the assassin.

This is a time for all Americans to look inward and to measure themselves. With whom will we stand: The man who fired the gun, or the man who fell before it? The honest rage of this day must not be spent in outbursts of the violence spawned by the murderer. The pain felt by Americans of all races over this terrible event will purify our Nation only if it generates a sober and profound commitment to relieve the injustice which Martin Luther King so valiantly opposed.

The ancient words of another land are a fitting proclamation for us: "The king is dead, long live the king." The king who lives and who must be followed is the man of peace, the spokesman of nonviolence, the preacher of tolerance, the advocate of human progress through love and cooperation. This is the spirit we must preserve, the legacy we must cherish.

Raucus voices now announce the death of nonviolence in America. It is up to us to prove them wrong. Bitter men declare their contempt for the doctrine of a man struck down by one ignorant of that doctrine. It is up to us to demonstrate the lasting strength and decisive value of what the victim proclaimed, not to mimic the viciousness and futility of what the villain did.

Nonviolence is not dead and we must not allow it to perish.

As Dr. King's life and works so vividly show, it is a powerful and vibrant force for good. It has brought this Nation far, though not yet far enough. It has added new dimensions to social justice in this land, though other dimensions remain neglected. It will carry us forward to that promised land which Martin Luther King glimpsed, and which he wished us all to share.

His sacrifice in the service of this great ideal calls us to accept the burden he has now laid down. As Americans we can receive no greater gift; as Americans we can pursue no higher goal.

Mr. **SYMINGTON**. Mr. President, along with millions of Americans, I am saddened that a brave and dedicated citizen of this country was shot down last night by a cowardly assassin.

Dr. Martin Luther King, prophet of nonviolence, worked night and day to achieve equality of opportunity for all people, the very core of both the American system and the American dream.

Dr. King lived and died for his conviction that no citizen of his country should be a second-class citizen because of the color of his skin.

Let each of us search our hearts and minds as to the wisdom and the justice of his stand; because the decisions we thereupon make could well determine the future security and well-being of the United States.

AN EXTRA MEASURE OF DUTY

Mr. **KUCHEL**. Mr. President, the heart of America is heavy and our people are filled with a sense of shame and indignation. The bullet fired by a violent, monstrous bigot has stilled the peaceful voice of nonviolence in America. That terrible criminal act—God forbid—could reap a frightful whirlwind. It may be that that is precisely what the bigot hoped for and planned.

There is an extra measure of duty to his country falling on every citizen today. Each of us across the land, the governing and the governed, the black and the white, the rich and the poor, must exercise his best leadership with the best that he has in him in renewing America's quest for justice, in an atmosphere of peace, and for individual dignity for every citizen.

The death of Martin Luther King, Jr., leader of the movement of nonviolence, must not be followed by any eruption of terror or of lawlessness.

Mr. President, bigotry is on the march in America. Bigotry must be stopped. Extremism could destroy this country.

Extremism is not indigenous to any race. Extremism cut down the life of a peace-loving American last night. Let the law take its course. May justice be swift and sure. May the American people exalt our free society—and respect it—even as a depraved few seek to undermine and destroy it.

Mr. YOUNG of Ohio. Mr. President, the Reverend Martin Luther King, Jr., was one of the very great men of our generation. He was a man of God. He was dedicated to the cause of complete civil liberties and civil rights for all Americans. He was dedicated to the idea of accomplishing this by nonviolence, by his eloquence and irrefutable logic. The assassination in Memphis, Tenn., and the assassination of President Kennedy in Dallas, Tex., have been the cruelest blows to the American people since the assassination of Abraham Lincoln. I fear the dread portent of the hour. I am fearful that violence is the curse of the land. We must not permit that.

It is ironic that the two greatest apostles of nonviolence since the birth of our Saviour nearly 2,000 years ago were Mahatma Gandhi and Dr. Martin Luther King, Jr., and both suffered violent deaths at the hands of assassins. However, an assassin's bullet can never destroy the legacy of hope and freedom and peace that both of these great human beings bequeathed to men of all colors and creeds.

Those who are responsible for this violent deed have murdered an unoffending, God-fearing and innocent man of great good will. They have also killed something in the spirit and heart of America. Let us hope that out of this wanton and senseless act all Americans—Negro and white alike—will dedicate themselves anew to the ideals for which Martin Luther King lived and for which he died. We must go forward with a greater sense of urgency to make a reality of his dream of racial equality and social justice and strive to complete the great work in which he was engaged at the time of his death—the elimination of poverty from our Nation.

In his dream for a world filled with love, hope, and security he felt keenly the desperate yearning for peace of all people. His death will be mourned by hundreds of millions of men and women far from our Nation's shores as well as here at home. Good people of every shade of color and every creed know that they have lost a dear friend.

Dr. Martin Luther King, Jr., is gone and his voice is stilled. However, his noble spirit will not die.

Mr. President, the death of Martin Luther King was a loss to our Nation and to mankind. He also was a husband and a father. To Mrs. Martin Luther King and to their children I join with all Americans in extending our deepest and heartfelt sympathy.

Mr. BAKER. Mr. President, I join Senators today in an expression of compassion for the widow and children of Martin Luther King. While nothing can relieve the grief that they will bear, we all hope that somehow their grief will be lessened by the resolve of our Nation to persevere in the ways of peace.

There is a grim irony and poignance in the fact that he died by the very violence that he saw threatening his country. We know from his last words and actions that he saw even his own crusade for equality among Americans menaced by the violence he deplored. For he deplored violence of every kind—violence abroad, violence at home, violence by whites, violence by blacks. At the moment of his death he was deeply troubled that his own long and arduous work might be subverted by persons and purposes and methods entirely foreign to what he sought to accomplish: the peaceful, lawful, orderly absorption of every American into the fullness of our national life.

As men and women, our reaction to the isolated deed of perverted violence must be one of sorrow for his family. As Americans, it must be one of renewed resolve that our vigorous national efforts toward full equality of opportunity and citizenship will be carried on within the flexible but peaceful framework of justice and legal order.

Mr. PROXMIRE. Mr. President, too many say that the Negro has lost a great leader in the murder of Martin Luther King. The fact is, America has lost a great leader.

Martin Luther King was a very great American. He was a man of peace who preached racial harmony with more eloquence than anyone else.

But, in the irony of his violent death, too few are likely to note that the measure of his greatness was not—I repeat, not—his gentleness and love of peace, but his dedication to a continuous protest to achieve the pride of full American citizenship for the American Negro.

If we are honest, we will recognize that in his life King's protest was not popular in white America, or in this body, or in Congress. By his own measure, he had failed to achieve his goal.

But now, by his tragic, martyred death, let us pray that King's dream, that great dream—as he touchingly expressed it at the Lincoln Memorial in the summer of 1963, which none of us can ever forget—will become understood and supported by white Americans, including those of us who serve in Congress, so that we can swiftly bring full American citizenship to the American Negro.

Mr. McINTYRE. Mr. President, the words were spoken by a man from another country, over 300 years ago. John Donne's thoughts then are true today.

> No Man is an Island, entire of itself; every man is a piece of the Continent, a part of the maine; if a Clod be washed away by the Sea, Europe is the less, as well as if a Promentory were, as well as if a Manor of thy friends or of thine own were; any man's death diminishes me, because I am involved in Mankind; And therefore never send to know for whom the bell tolls; it tolls for thee.

Last night, in Memphis, the bell tolled for all Americans and for all men everywhere who believe in human justice, dignity, and brotherhood.

The Reverend Dr. Martin Luther King, was, in truth, involved in all mankind. His deep faith in the rest of us, in our capacity ultimately to do what was right, sustained him in his crusade for rights for all men. He had a dream that all men could live as brothers, and that dream, so eloquently expressed, gave our dreams and our consciences a direction for action.

He had a deeper faith, a more genuine faith in America than did most Americans. We who are left, diminished by his death, have the obligation to justify that faith.

Mr. CHURCH. Mr. President, this country is not divided between black men and white men. This country is divided between good men and bad.

Last night, a good man, who was black, was foully murdered by a bad man, believed to be white.

From this martyrdom, good men, black and white together, must pledge themselves anew to the Christian principles for which Martin Luther King gave his life.

Otherwise, the bad men, whatever their color, will prevail and we shall come to catastrophe—all to be plunged into a bloodbath of hate.

Mr. CLARK. Mr. President, Martin Luther King is dead, a victim of man's persistent inhumanity to man. With his tragic passing, so sorrowfully reminiscent of the death of President Kennedy, we have lost the sanest and most persuasive voice for moderation and nonviolence this Nation ever had. Although Dr. King is dead, we must all pray that moderation and nonviolence have not died with him.

We in this Chamber can help to make that so, but we must act now—swiftly—to build for him a lasting monument of law.

Justice and equality of opportunity were always his goals. We in the Congress must now demonstrate our rededication to those same goals, not only out of a sense of compassion for his loss, but also because honor and duty require it.

Let the House pass the open housing bill. Let us pass the emergency job bill. Let us provide the funds to carry on the war on poverty. Let us pass the equal employment opportunity bill. Let us appropriate whatever is needed to bring meaningful educational opportunity to the deprived children of the slums.

Let us not cut back on Headstart programs. Let us now, for God's sake, before we are visited by national tragedy again, pass the Federal Gun Control bill.

In this way, we in Congress can build a living memorial to one of the greatest Americans of our generation.

Mr. JAVITS. Mr. President, I speak today, as others have spoken, with a heart full of grief and tragedy.

A great man and an apostle of peace has been taken from us.

This terrible tragedy has removed one of the greatest and most inspiring leaders this century has produced.

In addition to the great shock and deep feeling I have—which I know all share for Mrs. King and her children—it is also a dangerous and delicate hour in our national life. The wrong lessons can be read from this terrible event, as well as the right ones. The tendency will be to read the wrong ones first, that violence, which this terrible act demonstrates, will tend to be repaid with violence with awful consequences to follow. We have already seen some riots in New York and in other cities throughout the country.

Our leadership should be directed toward the dignity, respect, and honor which this tragedy requires. That means the continuance of peace, the use of the processes of law to their utmost to find the miscreants, and the hope of binding up the wounds by the deep sorrow we manifest and by the affirmative actions which are looked for—and which Martin Luther King looked for—as the basis for the justice which he sought and for which he gave his life.

It requires—and I am delighted that the Senator from Pennsylvania [Mr. CLARK] has said it—the passage by the House of the Senate civil rights bill with relation to segregation in housing and the very kinds of crimes which are involved here which we would seek to punish effectively under Federal law.

Mr. President, Martin Luther King was a very great man. He would have been the first, if he could speak to us today, to counsel this kind of a living memorial.

The historic words "we shall overcome" are words of light, words of continuity, and words of optimism. That is the spirit of Martin Luther King.

There is much work for us to do. The civil rights bill now in the other body is one unfinished task. We will shortly be debating the supplemental appropriations bill, either today, or Monday or Tuesday next, which contains another kind of cause to which Martin Luther King was deeply dedicated.

There are other memorials which will keep his memory alive. There are schools, there are bridges, there are airports, and there are many other things in our Nation which should be used to remind our children that there was a Dr. Martin Luther King and how he served and how he loved his country.

What all of us should have in our minds and hearts in that he was for justice for men of all races, not just Negroes. For this he gave his life.

His life of nonviolence will overcome, provided we take the appropriate lessons from his life and tragic death, as I have tried to outline, under the grief of the moment, as some of those to which we have to repair today.

So let us not just speak words of memorial and pass the issue, but let us be deeply impressed by Dr. Martin Luther King's death as by his life, with the determination that we have it within our power to bring about a realization of the things for which he gave his life. Our greatest tribute to his memory will be to make them come true.

Mr. SPONG. Mr. President, the murder of Dr. Martin Luther King, Jr., last night was a senseless act which does immeasurable harm to the cause of improved race relations. I wish to convey my sympathy to his family, and to express the hope that all people will remain calm in the face of his tragic death.

Dr. King led a cause which is controversial, but we must recognize that history clearly demonstrates that an idea or a purpose cannot be dampened by the murder of its leaders. It disturbs me that in our civilized Nation this lesson has not been learned.

We must work with renewed dedication to resolve the problems of lawlessness and crime, and to end the divisiveness and polarization which threaten the American dream of peace and tranquility, and opportunity for all.

Mr. BYRD of Virginia. Mr. President, I deeply deplore the assassination of Dr. King. I regard this criminal act—this senseless act—as a tragedy for all Americans. The problems of our Nation cannot be solved by violence.

Mr. HART. Mr. President, many of us will rise today in an effort to express shock, sorrow, horror, and shame, and then find—as I do—that the English language, or at least my command of it, is inadequate.

These emotions are hard to express—you just say the words.

But how do you express the depth of that sorrow, the extent of that horror, the degree of that shock?

You can only hope that maybe it is not necessary, that others can sense your feelings because they share them, sharing perhaps also the inability to express them properly.

I have the feeling, for example, that my feelings about Martin Luther King's death will be readily understood by the wire service reporter—ordinarily an unemotional, tough-minded lady—who burst into unashamed tears during a discussion of the subject in the Senate coffeeshop this morning.

I am tempted to make the point that whites and Negroes alike share a common pool of sorrow this morning—but that would be a superfluous remark to those many whites who, at bus stops this morning, murmured their grief to Negro strangers.

And yet we cannot make it overabundantly clear to everyone in this Nation that grief for this great man, this almost biblical figure, is universal among all its citizens.

To this end, certainly the Federal flags should fly at half-mast.

To this end, every citizen should feel no hesitation in expressing feelings of hurt and shock to neighbors, coworkers, and friends.

To this end, I would be hopeful that such a common grief might be expressed in an early memorial service, perhaps one on the steps of the Lincoln Memorial, that could recapture that moving moment of brotherhood that characterized the civil rights march of 1963 when Martin Luther King spoke of his dream for America.

At this moment, the Nation is unified by its grief.

Before his death, Dr. King wrote an article that appears in Look magazine this week.

In it, he wrote:

> All of us are on trial in this troubled hour, but time still permits us to meet the future with a clear conscience.

Dr. King's life was dedicated to such a future. We must all pray that his death will strengthen—not diminish—the Nation's drive to achieve it.

But, most of all—and I speak now to white Americans—we had better recognize that expressions of sympathy gratefully received are meaningless unless they are coupled with action, action on the fronts that have been identified for years. And that is Congress' responsibility, among many others', in this country.

Mr. PELL. Mr. President, the assassination of Dr. Martin Luther King is a tragedy and one that makes me ashamed that a fellow man has done such an awful deed.

This murder is a double tragedy in that the apostle of nonviolence, Dr. King, was killed by violence which can produce even more hate and violence. He was truly a martyr to the cause of eradicating racial hatred, the most irrational hatred there is.

I would very much hope that we might accord Dr. King the honor of lying in state in the rotunda of the Capitol, and urge that thought upon my colleagues in the Congress. I also urge that the Nation honor the memory of this most distinguished citizen by observing an official period of mourning and that our National flag be lowered across the land out of respect for his martyrdom.

Such a step would indicate that we of the white so-called establishment grieve over this murder as much as do any of our fellow citizens.

I know how deeply I grieve over this senseless murder, and I extend all my sympathy and sorrow to Mrs. King and the whole of Dr. King's family.

Mr. MONDALE. Mr. President, more than any other man in this Nation's history Martin Luther King brought the Negro to America's conscience. He became the visible of the invisible men. It took a man of unquestioned courage and conviction, a man of irreproachable character, a man of unmatched eloquence, a man of God to first confront us with the racism and repression in our own country.

Martin Luther King led his people to new self-respect. Like Moses, he was a man with a vision of the promised land. Moses at the close of his life stood on a mountaintop and looked upon the better land he had envisioned. To Moses, scripture says, the Lord spoke, saying:

> I have let you see it with your own eyes, but you shall not go over there.

Alluding to these words two nights ago in Memphis, King spoke:

> It doesn't matter with me because I've been to the mountain top . . . I may not get there with you, but I want you to know tonight that we as a people will get to the promised land.

Martin Luther King died in his fight to make men free. The foremost proponent of a nonviolent confrontation between the races is dead. His generosity to the white man, his belief in the basic good will of all men, and his dramatic, nonviolent action enabled him to speak to both races. His death, strangely, vindicates the black nationalists. Now we are confronted with increasing militancy, with lessening tolerance.

This day of mourning for him brings to a climax history's sweep through a decade—from early years of hope for an integrated America to this year of self-consuming rage. In 1963 Martin Luther King spoke for the country from the Lincoln Memorial: "I have a dream," a dream of racial brotherhood, of a nation where Americans are judged not "by the color of their skin but by the content of their character." Last month the dream seemed farther from reality than ever when the Riot Commission warned, "Our Nation is moving toward two societies, one black, one white—separate and unequal."

King himself, speaking here in Washington on Sunday, and despairing the response of white Americans and of Congress to programs for the poor, warned:

> We cannot afford to remain asleep. There are two challenges to America. The challenges are racism and poverty.

We can pray today that the death of the nonviolent leader will not bring violence to life. In the days ahead we must act to fulfill King's dream.

A sick white American yesterday conceded and admitted the argument of the black militants—the argument that white America is basically dishonest and indecent. It is up to the Congress today to lend powerful support to the argument of black moderates by immediately passing the 1968 civil rights bill, and by moving quickly to provide employment and housing opportunities for all blacks and whites. Last night on nationwide television, Whitney Young told the Nation that moderate black leadership has suffered by this deed a grave setback—and that the response today cannot come from black moderates. It must come from white America—and the representatives of white America in the Congress.

It may, indeed, be too late for white America—too late to peacefully and calmly repair the hideous destruction to man and spirit wrought by a hundred years of slavery and discrimination. But that should no longer be our guiding principle.

We can only move now by doing what is right.

Even talk and speeches of regret—however genuine—are insufficient. We need to keep faith with our black brothers in the same way that Martin Luther King kept constant faith with white America. In the midst of the most outrageous violence and brutality, Martin Luther King constantly reminded his followers that there were masses of decent white people who would rise up to give blacks their rights and equality.

He gave to white America a presumption of innocence and good faith. But the burden has now shifted—on our heads is a terrible presumption of guilt and inhumanity, which we can erase only by deeds, not words. By legislation, not speeches. And by programs, not talk of calm and good will.

Mr. MORSE. Mr. President, last night Martin Luther King was assassinated by a bullet of racial bigotry and intolerance. When he fell, a great Christian fell and a great American died. Martin Luther King lived the teachings of Christ, and taught the teachings of Christ; and history will record that he made a great contribution to the destiny of our country in a time of great crisis.

In 1964, he was awarded the Nobel Peace Prize for his work in civil rights, and for his dedication to bringing peace between and among the races in our country; but Martin Luther King has also been a great leader in the peace movement in our country in respect to the need for great changes in American foreign policy, to the end that that policy would be a more effective instrumentality for producing peace around the world rather than war.

At the time of the great march on Washington, I was one of four Senators who sat throughout the ceremony at Lincoln's monument. In fact, the four of us literally sat at the feet of Martin Luther King, for we sat on the step of the monument just below the podium from which he made that great speech that will go down in the history of American rhetoric as one of the great orations of our times.

In the course of that speech, he uttered the following paragraphs, which I wish to quote today because I know of no greater tribute that could be paid to this great American than the inspiration of his own words, when he said:

> I say to you today, my friends, even though we face the difficulties of today and tomorrow, I still have a dream. It is a dream deeply rooted in the American dream. I have a dream that one day this nation will rise up and live out the true meaning of its creed: "We hold these truths to be self-evident that all men are created equal."
>
> I have a dream that one day on the red hills of Georgia the sons of former slaves and the sons of former slaveowners will be able to sit down together at the table of brotherhood.
>
> I have a dream that one day even the State of Mississippi, a state sweltering with the heat of injustice, sweltering with the heat of oppression, will be transformed into an oasis of freedom and justice. I have a dream that my four little children will one day live in a nation where they will not be judged by the color of their skin but by the content of their character. I have a dream today.
>
> I have a dream that one day down in Alabama with its vicious racists, with its Governor having his lips dripping with the words of interposition and nullification—one day right there in Alabama, little black boys and black girls will be able to join hands with little white boys and white girls as sisters and brothers.
>
> I have a dream today.
>
> I have a dream that one day every valley shall be exalted, every hill and mountain shall be made low, the rough places will be made plain and the crooked places will be made straight, and the glory of the Lord shall be revealed, and all flesh shall see it together.
>
> This is our hope. This is the faith that I go back to the South with. With this faith we will be able to hew out of the mountain of despair a stone of hope. With this faith we will be able to transform the jangling discords of our nation into a beautiful symphony of brotherhood. With this faith we will be able to work together, to pray together, to struggle together, to go to jail together, to stand up for freedom together, knowing that we will be free one day.

He left us the heritage of that dream. He left us the responsibility, as free men and women across this country, to see to it that the realization for which he prayed, worked, and fought shall become the policy of the Republic. That, I think, is the essence of the dream that he left with us to carry forward into reality.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that I may be permitted to proceed for not to exceed 15 minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I rise today to express a great sorrow at what happened yesterday in Memphis. It need not have happened, and it should not have happened. For to take the life of a human being, except in self-defense or in the defense of others, is an awful thing to comprehend. Life comes to man, not of himself, and once it is taken away it cannot be returned again. Yet, since Cain slew his brother Abel, man has continued to violate God's law and take that which he cannot restore. Daily, everywhere, throughout the land, men die at the hands of other men. Here in the Capital of the Nation, women are made widows, and children are made orphans, because human life is taken by the gunman or the knife wielder. And only when the victim is an individual of rank, or station, or title, or broad reputation, does the Nation mourn. Yet, one life is just as precious as is any other, and death's sorrow is just as real to the loved ones of the policeman or the fireman or the young secretary whose life has been cruelly and brutally snatched away as it is to the home of the famous or the home of the great.

The Commandment says, "Thou shalt not kill," but man defies and violates God's law daily throughout the land, and man violated God's law yesterday in Memphis.

If we would only learn to cherish and live according to God's commandments and the laws of the land, ours would be a better country and a greater country and many a home would be spared of grief.

Mr. President, I was not an admirer of Dr. Martin Luther King, but I regret, as much as any Senator regrets, the tragedy that befell him, and I feel sorrow for his family. I was shocked but I was not surprised at what happened, because of the tension that existed in Memphis. Now it has happened, and it is a tragic thing. I fear that bad matters may only be made worse, that old hatreds may be rekindled, new hatreds may be born, more blood may be spilled, and more lives may be taken.

Why, Mr. President, cannot our people revere and respect and obey the laws of the country which gave most of us birth and which we all should love?

There is a lesson to be drawn from what happened in Memphis and from what has been happening with increasing intensity throughout the Nation in recent years. That is, that mass protests, mass demonstrations, and mass marches and the like—whether labeled nonviolent or otherwise—can only serve to encourage unrest and disorder, and to provoke violence and bloodshed.

And, in the end, those who advocate such methods often become, themselves, the victims of the forces they themselves have set in motion.

This, in a manner, is what happened to Dr. King. He usually spoke of nonviolence. Yet, violence all too often attended his actions. And, at the last, he himself met a violent end.

There are those who will believe that his death in Memphis was for a just cause. Yet, even in fighting for a just cause, one must pursue his course with reason, with due regard for the public welfare and good order, and with due respect for the law.

Dr. King must have known that, rioting having erupted from last week's attempted march in Memphis, there was, in its wake, such an atmosphere of tension as to make his presence in that city dangerous to himself and to others, at least for the time being. He must have known that the situation was volatile, and that passions had become greatly inflamed.

Yet, I regret he persisted in his course, continued to exhort his following to renew the march next week, and told the cheering audiences that a Federal court injunction would be ignored. "We're not going to let any injunction turn us around," he said, according to press reports.

Mr. President, no man can determine for himself whether or not a court injunction is legal or illegal, constitutional or unconstitutional. To do so would be to take the law unto one's own hands.

Justice Frankfurter said:

> If one man can be allowed to determine for himself what is law, every man can. That means, first, chaos, then tyranny.

Mr. President, one cannot preach nonviolence and, at the same time, advocate defiance of the law, whether it be a court order, a municipal ordinance, or a State or Federal statute. For to defy the law is to invite violence, especially in a tense atmosphere involving many hundreds or thousands of people. To invite violence is to endanger one's own life. And one cannot live dangerously always.

Paul said, in his Epistle to the Romans:

> Let every soul be subject unto the higher powers.

He said, in his Epistle to Titus:

> Put them in mind to be subject to principalities and powers, to obey magistrates, to be ready to every good work.

And he said, in his second Epistle to the Thessalonians:

> Now, we command you, brethren, in the name of our Lord Jesus Christ, that ye withdraw yourselves from every brother that walketh disorderly.

Thus, we are exhorted to obey the law and to respect authority, Mr. President, and those who refuse to do this cause serious risks to themselves and to others.

The words of Proverbs are as true today as they were in the day of King Solomon, who is thought to have written them:

> Whoso keepeth the law is a wise son; but he that is a companion of riotous men shameth his father.

Dr. King's profession was that of a minister. But no man is required to be a member of the clergy to be able to read and to understand these simple passages from the scriptures, and all men would profit from obedience thereto.

This is an hour of great emotion throughout the land, Mr. President, and it is an hour of shame and remorse and sorrow.

But it should also be a time for sober reflection by all citizens.

And out of this moment should come a spirit of rededication to the principles of equal justice for every man, whatever his race, and a reawakening of respect for law and order on the part of every man, whatever his race.

Neither men nor mobs can continue to create disorder and disregard the laws and disrupt the orderly functioning of government at any level, without shaking the very foundations of our society, tearing our country asunder, and destroying themselves in the end.

We must, if we are to avoid disaster, strive to live in peace, work together in harmony, seek redress for our grievances through established legal processes, and strive always for the preservation of good order.

This, I hope, will be the lesson we will all draw from the tragic events of recent days in Memphis.

Mr. President, this, as I have said, is a time of deep emotion. We may have on our hands a highly flammable situation in which passions will determine events of the day. What I am saying is difficult to say at a time like this, it may be misinterpreted by some, and it may not be considered entirely in keeping with the views being expressed by many, but I feel constrained to make this call to reason—in the hope that the reactions of all our people may be influenced by careful thought of what is needed to steer the Nation through this confused and troubled period.

Mr. HARRIS. Mr. President, George Bernard Shaw wrote:

> Some men see things as they are and ask why. I see things that have never been and ask why not.

Dr. Martin Luther King, Jr., was a man who asked why not. His assassination is a sad, sad, sorrowful thing, but not only for his family. It is, Mr. President, a great American tragedy.

It is tragically ironic that a man who dedicated his life to the concept of nonviolence should himself be stricken down by violence.

Mr. President, Dr. King adhered faithfully all his life to the concept of nonviolence, and if his life and death are to have their greatest meaning, all Americans, black and white, must now renew their dedication to that principle.

He also stood for an equally great concept, the concept of hope. Throughout all his life, Dr. King, by his words and his acts, exemplified an abiding hope and confidence in the American system, a deep and abiding hope and confidence in the reservoir of goodness which has always existed in this country. He never faltered in his belief that justice would triumph for all people and that America would soon commence to live up to its highest ideals.

Mr. President, at a time such as this, each of us in America must pause and take a hard and painful look at ourselves and resolve to remove from our lives, and from the life of our Nation, the ugliness which makes one man less than another.

As we view the surging events of our turbulent generation, we must almost want to cry out with Hamlet:

> The time is out of joint: O cursed spite,
> That ever I was born to set it right!

But we, Mr. President, who serve in this Chamber, were born to set it right. The way is clear. And set it right we must.

Mr. SCOTT. Mr. President, the great poet Goethe once said:

> Nothing is more terrible than ignorance in action.

The senseless and cowardly assassination of Dr. Martin Luther King, Jr., has robbed America of a brave and dedicated citizen.

The causes of freedom, individual dignity, human compassion, and decency have suffered immeasurably.

As a demonstration of the profound grief which is felt throughout this country today, I urge the President of the United States to officially proclaim a week of national mourning.

I also implore my colleagues in the House of Representatives to approve the civil rights protection bill, which was passed overwhelmingly by the Senate last month.

Martin Luther King will remain an inspiration for all Americans. His beliefs and convictions will triumph over the warped thinking of bigots and racists, and those few who are infected by their venom.

I pray that the shock of this tragic event will bring all Americans closer together, rather than destroying all reason.

All men of good will must now join, without hesitation, in fighting the battle which Dr. King fought so unselfishly for us. His vision of nonviolence and justice must not be allowed to fade.

Mr. McGEE. Mr. President, our land has been visited once again by the senseless violence of an assassin. All men of good will, I know, are shocked and saddened by the murder of Dr. Martin Luther King, the apostle of nonviolence and world-recognized advocate of peace. He has died a violent death.

Mr. President, at a time such as this, recriminations are easy. Violence so easily begets violence. Vengeance is a natural instinct. Recrimination, violence, and vengeance, however, were not the ways of the Rev. Martin Luther King. In this sad hour, Mr. President, we must hope and pray that this gospel of peace and nonviolence will prevail in the face of the tragedy which has taken his life. Martin Luther King had a dream. It was about the brotherhood of man, but more specifically about the brotherhood of all Americans. It cannot be achieved by violence on either side of the so-called color line, but only by a determination to live up to our beliefs and be truly men of good will. The achievement of that dream is the only fitting memorial to the leader of men who was struck down so cowardly and so senselessly in Memphis last night. I join my colleagues in expressing a sense of deep regret and grief to Dr. King's widow and family, to his colleagues in the Southern Christian Leadership Conference, and to the millions of Americans of all races who mourn his death.

Mr. TALMADGE. Mr. President, the assassination of Dr. Martin Luther King, Jr., was a despicable and cowardly act. I extend my deepest sympathy to the members of his family.

Crime and mob violence and the fear of crime and mob violence has been the most serious domestic problem in our Nation for several years. If our country is to remain strong and free with liberty and justice for all, crime and mob violence and insane acts such as the one last night must cease.

Unless reasonable men, of both races and all political persuasions, prevail in these trying times, I fear for the future safety of this great Nation. I pray that reason will prevail so that all our people can work together for solutions to our common problems.

Mr. FONG. Mr. President, the assassination of the Rev. Dr. Martin Luther King, Jr., is a great national tragedy. America has lost one of her greatest civil rights leaders and our Negro citizens a real champion.

Dr. King held steadfastly to the belief that gains in human rights could be achieved without violence. He preached nonviolence vigorously and with great conviction.

He was a leading major force in the drive to improve the lot of the Negro in education, housing, fair employment, voting rights, and equal access to public facilities and accommodations.

Now we must be more determined than ever to eliminate the blight of racial discrimination from all aspects of American life and redouble our efforts to achieve the goal of full equality and freedom for all Americans.

Mr. TYDINGS. Mr. President, last night, for the second time in 5 years, a giant among us was cut down by a lunatic's bullet. Dr. Martin Luther King, man of God, man of peace, man of enormous courage and leadership, is dead. Let us pray for his soul and for the spirit of justice and nonviolence through which he accomplished so much.

This is no time for more violence or more hate. The world has grown much too small for injustice, much too small for hate.

We may never be able to eliminate the kind of madness which struck down Dr. King, but we have no excuse for hatred or callousness to the condition of our fellow man. Congress has it in its power to act against the ignorance, poverty, ill-housing, and bad health which afflicts many of our citizens in all parts of this Nation. Congress must act.

In a few years of his life, Dr. King achieved far more through nonviolence than all hate's black apostles could dream of or hate's white apostles could stop.

Dr. King's militant appeal to reason, love, and justice produced the Civil Rights Act, the Voting Rights Act, and scores of breakthroughs for justice and decency in cities and States across the Nation. May his death not be in vain. Let every American renounce hate and violence and rededicate himself to justice and decency for every citizen.

Mr. President, I ask that the editorials appearing in today's Baltimore Sun, Washington Post, and New York Times commemorating Dr. King's life and achievements be printed at this point in the Record.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Baltimore (Md.) Sun, Apr. 5, 1968]

MARTIN LUTHER KING

The killing of Martin Luther King is a national tragedy, the consequences of which are not readily foreseeable. His was the voice of inspiration for millions of American Negroes. His was the marching figure of undaunted insistence on individual rights and respect. From the 1955 days of the Montgomery (Ala.) bus boycott, his was the stride toward freedom that remained unbroken and drew an impressive following while others faltered or flamed out and went off in diverse directions.

White resentment of Dr. King and at times overt hostility accompanied his every move. Even those in full sympathy with what he was trying to do had occasion to question his tactics. But now that he lies dead there must come the overwhelming realization that there was none other of his stature, that here was a man committed to a Gandhian principle of non-violent, passive resistance who again and again demonstrated that social changes could be brought about through peaceful means. His voice is needed today, and it will be needed tomorrow, but it has been brutally stilled.

The nation can only wonder anxiously what voices will take Dr. King's place. If his truths march on as he would have wanted them to, the voices will be those of moderation and they will be answered in kind at each point of resistance against which he struggled.

[From the Washington (D.C.) Post, Apr. 5, 1968]

A CRUEL AND WANTON ACT

Martin Luther King is the victim of a cruel and wanton act that will be deplored from one end of this country to the other. There is about this assault upon the great Negro leader the same kind of wanton senselessness that overtook the man whose tactics he emulated—Mahatma Gandhi. Men of good will, noble purpose and pacific impulses enjoy no immunity from violence, no matter how they shun it in their personal conduct.

Those who are responsible for this vile deed have killed an unoffending, God-fearing and innocent man of great goodwill; they have also killed something in the spirit and heart of the American people where lived the bright hope for reconciliation between the races.

That hope will be resurrected, because it cannot be utterly extinguished even by so wanton and dastardly a deed. It is possible to kill men like Martin Luther King, but the ideas for which they stand are not mortal or destructible. Americans of Negro and white descent alike, of all races and of all creeds, will gather around the principles that he espoused and carry his message to the multitudes.

The dream of which he spoke so eloquently at the Lincoln Memorial in 1963 must seem tonight, to many of his sorrowing countrymen and embittered fellow citizens, farther than ever from fulfillment. But that shining vision and bright hope will yet prevail. It must be our resolve to go forward with a greater sense of urgency to make a reality of his dream of racial equality and social justice.

[From the New York Times, Apr. 5, 1968]

"THE NEED OF ALL HUMANITY"

The assassin's bullet that extinguished the life of Dr. King has struck deep into the fabric of this country and has torn into the fiber of every American of every race, color and creed. Each one of us has died a little with the death of Martin Luther King, who recently wrote:

"Nonviolence, the answer to the Negro's need, may become the answer to the most desperate need of all humanity."

Dr. King's murder is a national disaster, depriving Negroes and whites alike of a leader of integrity, vision and restraint. The calamity of his loss will require a maximum of self-control and steadiness of nerve on the part of all the American people.

The cause for which Dr. King died will find renewed strength and purpose in the inspiration of his memory, and it will surely triumph, for the cause is just.

Mr. MAGNUSON. Mr. President, a great American has fallen. The loss is not that of race or sect, but of the Nation.

Who among us will ever forget that powerful day in August when hundreds of thousands of Americans converged on the Lincoln Memorial in peace, to be profoundly moved by Martin Luther King's vision of the American dream.

It was his dream "that my four little children will one day live in a nation where they will not be judged by the color of their skin but by the content of their character." With moral force, not armed force, he made a nation face its conscience.

We must draw strength and moral commitment from his life.

We must build toward his dream for our country or face the nightmare of society at war with itself.

It is fitting that we remember Dr. Martin Luther King as he stood before the great statute of Lincoln, for he came among us to redeem Lincoln's own pledge to his people; he fell as Lincoln fell and he becomes, as Lincoln became, an inspiration for the world.

Mr. CASE. Mr. President, it was a tragic and senseless murder. Dr. King personified the conviction that nonviolence could bring effective redress of ancient wrongs and present grievances. It is a bitter thing for all Americans that his dream of America should be shattered by a coward's bullet.

Mr. HATFIELD. Mr. President, Martin Luther King was an eloquent advocate of nonviolence in a world often torn apart by violence and ill will. In his own way he sought to bring peace and brotherhood to a world beset by war and racial conflict. He saw clearly that the violence abroad was in fact closely linked to the violence which we suffer at home. He was among those who spoke up and declared that we as a nation must face up to the facts of life and that we cannot continue to pour billions of dollars into the machinery of war abroad while cutting down the budget for the machinery of projects of peace at home. The issue he joined was this: Just where do our priorities lie? Is it more important to kill Vietcong in South Vietnam or to save the embittered poor in our own country? Is it more important to bomb Vietnam's cities into rubble or to reconstruct our own? Is it more important to involve ourselves in a revolutionary war in Vietnam or to prevent a revolutionary war at home?

There is a time to mourn but there is also a time to build. Our thoughts are with the dead, but our actions must be with the living to meet their needs and to fulfill the legacy of Martin Luther King.

Mr. MONRONEY. Mr. President, I want to join my colleagues in paying tribute to a great moderate leader who advanced the causes of equality and justice for all men. It is a tremendous tragedy that such a man should die in a country where he fought so valiantly to preserve order and equal rights for all Americans.

I think the brutal, senseless, cowardly killing of the Reverend Dr. Martin Luther King, Jr., illustrates the danger of extremism, in whatever form, or wherever found, to the American ideal that Dr. King sought to advance. Death of leaders is not progress, nor is it a halt to the steady spread of the great truths they teach and proclaim. Most of us learned this on the death of our beloved President, John F. Kennedy.

May the death of Dr. King serve as a reminder that there is much work to be done to achieve the free society of all men.

HATE REAPS ANOTHER VICTIM

Mr. BARTLETT. Mr. President, victim of an assassin's bullet, Dr. Martin Luther King lies dead today. Victim of the racial strife which has permeated this country for many scores of years, a great man is mourned today. Victim of the violence which taints the spirit of this country, one more voice of reason has been silenced forever.

I sat in shocked disbelief, Mr. President, when news of Dr. King's death reached me last evening. Yet now I realize that there should have been no shock; I should not have been incredulous. Only one hate-filled man is required to snuff out the life of a dozen or more good men. And not just Memphis, but New York, San Francisco, Detroit, Newark, Selma, Little Rock, Baltimore, Washington, and cities stretched across the length and breadth of this land of ours, are filled with countless numbers of hate-filled people. They hate Catholics and Jews; Negroes and Indians; the Italian immigrant and the Irish. They hate the French and the Communists. They hate and hate and hate. The objects of their hatred are legion; their victims, often unknown except on such dramatic occasions as this. No, Mr. President, I should not have been surprised. Enough hatemongers roam this land to strike down a Martin Luther King or any other real or imagined object of their hate. But this realization does not diminish the overpowering sadness, my deep distress, the terrible grief I share with Dr. King's family and friends. Their loss is the Nation's loss, and a grievous loss it is.

Let us pray that Dr. King's death will bring the beginning of the fulfillment of the dream of which he spoke so eloquently that bright August day in 1963. Let us hope that this generation of Americans begins now to realize that hatred begets hatred, that violence breeds violence, that intolerance, injustice, inequality, and all the other evils which plague our society do it almost irreparable harm.

Let us pray, Mr. President, that Dr. King's children and the children of oppressed people through this land shall be able to live in an America which has attained the ideal toward which it has striven for 200 years. The question is not Negro rights, Indian rights, or minority rights of any kind. The question is: Are we ever going to grant to all Americans those inalienable rights for which so much blood has already been shed in this country? For that cause, Dr. King has now become victim to this national bloodletting. How many more victims there will be before it ends, I dare not think.

Mrs. King and her family have lost a good husband and father. The Negro people have lost one of the greatest leaders of our time. This Nation mourns an outstanding American whose life was an example to us all. May we emulate that example.

ACT TO REPLACE SLUMS AS TRIBUTE TO MARTIN LUTHER KING

Mr. PROXMIRE. Mr. President, I join with all my colleagues in expressing my most profound sorrow over the events which transpired last night. Dr. King was a great man and will be sorely missed. However, life goes on and the greatest memorial we can contribute to his memory is to continue to work toward the complete equality of white and Negro through nonviolent means.

One of the ways in which we can act, and act now, is to make sure that the slum dwellers, many of whom are Negro, have fit places to live.

The passage of my bill, S. 3234, should dramatically increase the number of repairs slumlords would make on their properties, while dramatically decreasing the time it takes these slumlords to make these repairs required by law.

As I pointed out on Wednesday and Thursday, many of the slum properties are owned by a few large slumlords who make immense profits on the properties because of the many tax advantages afforded landlords under the Internal Revenue Code. The largest tax advantage is the depreciation deduction which shelters from taxation large portions of the income these slumlords receive. If slumlords were threatened with the loss of this deduction if they failed to maintain their properties in the minimal fashion required by law, they would surely make the required repairs within the time allowed by law. No longer would they be able to hide behind crowded court dockets and be willing to risk the light fines imposed by most courts for violating the housing codes. The penalty for violating housing codes would be drastically increased. This would affect primarily the slumlords, not the majority of landlords who are careful to maintain their property in good repair.

Another great benefit from the passage of S. 3234 would be that it could be effective now without the expenditure of vast sums of money we cannot afford to spend.

We must act now. The terrible tragedy that occurred last night should be a lesson to us all. The senseless rioting that occurred last night, right here in our Nation's Capital, indicates the deep undercurrent of resentment festering within ghetto dwellers because of their living conditions. Let us act now to alleviate some of the problems facing them and help carry out Dr. King's movement toward equality in a nonviolent fashion.

Mr. KENNEDY of Massachusetts. Mr. President, I am stunned by the brutal assassination of Dr. Martin Luther King. That such a sick and wanton killing can occur in a civilized society fills me with sorrow, and anger, and shame.

Dr. King's death is a tragic loss for his family, for his people, for the Nation, and for the world.

To Mrs. King and her grief-stricken family, I extend my condolences and prayers. To the Negro people whom he led with understanding and effectiveness, I offer my heartfelt sympathies for the loss of a great leader. And to citizens everywhere I express my hope that reason and compassion will prevail in a time of anguish and despair.

The death of Dr. King will affect the lives of every one of us. To the downtrodden, the poor, the victims of discrimination, the loss is especially grievous. For Dr. King represented hope and courage and the vision of a new America brightened by the reconciliation of black and white, rich and poor.

This vision cannot die with one man. What he has set in motion is far greater than a single bullet, a single wanton act, a single blemish on the march toward human equality.

The Birmingham boycott. The march on Washington, Selma, and Montgomery. These are more than names and events. They are symbols which have altered the course of history, touched a nation's conscience, and pointed a path to a stronger future compatible with historic ideals of American society.

Dr. Martin Luther King is dead. Let us make a declaration that his cause and unswerving dedication to nonviolence did not cease with yesterday's events. Let all Americans, white and black, resolve together the differences that regrettably have kept us apart.

Let this Congress fulfill its obligations to rectify the inequities and the wrongs that still persist through this land.

Let America's tribute to him be the realization in our lifetime of the dream of brotherhood. Let the memory of his martyrdom be the renewed dedication to his philosophy of nonviolence as the instrument of constructive change. And let history record that his entire life and death, his sufferings and unshakeable belief in this Nation and its people, shall not be for naught. No greater tribute can stand for any man.

Mr. DODD. Mr. President, I was

shocked and saddened by the senseless killing in Memphis last night of Dr. Martin Luther King. And I am sure that this was the reaction of every American citizen worthy of the name.

Like all crusaders, Dr. King had his critics. But not even his critics can deny that he made a truly outstanding contribution to the cause of civil rights and that, to the bitter end, in the face of many threats of violence, he remained as unyielding as Ghandi in his commitment to nonviolence.

No one who lived through the great march on Washington in 1963 will ever be able to forget Dr. King's impassioned vision of a greater and better America—of an America governed by social justice and brotherhood and racial harmony.

I can think of no more effective way of honoring the memory of Dr. Martin Luther King than redoubling our efforts to achieve the ideal America for which he was so eloquently a spokesman.

Dr. King's untimely death was a warning that our society cannot afford the luxury of bigotry and race hatred.

His death imposes on each one of us the moral duty to seek to overcome that which is intolerant in us; to resist the prejudices from which even good men frequently suffer; and to take those positive measures which must be taken to eliminate the serious vestiges of inequality and social injustice inherited from a tragic historic past.

One other lesson emerges from the tragedy of Dr. King's assassination.

For years now I have been fighting for a gun bill that would impose at least a modest measure of control over the sale of firearms by prohibiting the interstate mail-order sale of firearms. This measure has, regrettably, been resisted by a powerful combination in the Senate, which has been supported and encouraged by formidable lobbying interests.

President Kennedy was killed with a weapon purchased through the mails by Lee Harvey Oswald, under an assumed name.

Dr. King has now been killed with a rifle whose owner has not yet been identified.

How many more good men will have to die before public indignation compels Congress to enact the very modest gun control measure which has been pending before it for years?

How much longer will America remain the only civilized country in the world that does not have such controls?

My 5-year struggle to have my gun bill enacted into law is now in its climatic stages.

Yesterday at an executive session of the Judiciary Committee at which the administration's safe streets crime bill was being debated and voted upon, I offered my administration-backed gun bill as an amendment. After some discussion, it was rejected by a vote of 9 to 4.

Then in an effort to get the best possible gun bill reported to the Senate floor, I modified the bill so as to give any State the privilege of exempting its citizens from the long-arm provisions of the bill. The committee still rejected the bill; this time by a vote of 8 to 5.

In a final effort to get action, I presented a modified bill that did not apply to long arms. Even with this modification we were only able to achieve a tie vote of 6 to 6.

The four absent Senators are now being polled to determine their position on the gun bill, as amended.

I am hopeful that the final vote will be favorable and that it will thus pave the way for the entire Senate to have an opportunity to work its will on this gun bill.

THE DEATH OF A DREAM

Mr. PEARSON. Mr. President, today is a sad day for all America and the world. A man who believed in peace and the brotherhood of man was brutally slain in Memphis last night because he dared to carry his views where they were unpopular.

Dr. Martin Luther King, Jr., was a passionate apostle of the nonviolent method of carrying forward the civil rights movement for Negro equality. In the end, it was this passion which destroyed him—and perhaps with him the hope for a peaceful integration of the Negro into the mainstream of American life. Unafraid of danger, welcoming challenge, always convinced of the ultimate decency of white America, Martin Luther King, Jr., lived and died with the courage of his convictions. Had he believed less intensely in his cause or had he been more of a careful politician, perhaps he would not have taken the chances he did.

Mr. President, it is too early to accurately access the place of Dr. King in American history. That he pressed insistently for what he felt was right is far beyond question. What we must wonder now is what effect will this death have on the Negroes who shared his faith that white America is basically decent and only needed to be shown where injustice existed in order to respond. I fear that much of this faith has been shattered and that our country is facing increasing bitterness and divisiveness—an ironic legacy for a man who scorned those who preached separation.

Mr. President, the belief in us, in the ultimate justice of our democracy and in the American dream that Martin Luther King, Jr., so often and eloquently expressed must not be allowed to perish with him. Moderation must prevail and we in the Senate bear a special responsibility to insure that it does.

SHOWDOWN FOR NONVIOLENCE

Mr. HARTKE. Mr. President, I believe that it is appropriate to place into the RECORD the article by Dr. Martin Luther King, Jr., which appears in the April 16 issue of Look magazine. I ask unanimous consent to insert the article in today's RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SHOWDOWN FOR NONVIOLENCE

(By Dr. Martin Luther King, Jr.)

The policy of the Federal Government is to play Russian roulette with riots; it is prepared to gamble with another summer of disaster. Despite two consecutive summers of violence, not a single basic cause of riots has been corrected. All of the misery that stoked the flames of rage and rebellion remains undiminished. With unemployment, intolerable housing and discriminatory education a scourge in Negro ghettos, Congress and the Administration still tinker with trivial, half-hearted measures.

Yet only a few years ago, there was discernible, if limited, progress through non-violence. Each year, a wholesome vibrant Negro self-confidence was taking shape. The fact is inescapable that the tactic of non-violence, which had then dominated the thinking of the civil-rights movement, has in the last two years not been playing its transforming role. Non-violence was a creative doctrine in the South because it checkmated the rabid segregationists who were thirsting for an opportunity to physically crush Negroes. Non-violent direct action enabled the Negro to take to the streets in active protest, but it muzzled the guns of the oppressor because even he could not shoot down in daylight unarmed men, women and children. This is the reason there was less loss of life in ten years of Southern protest than in ten days of Northern riots.

Today, the Northern cities have taken on the conditions we faced in the South. Police, national guard and other armed bodies are feverishly preparing for repression. They can be curbed not by unorganized resort to force by desperate Negroes but only by a massive wave of militant non-violence. Non-violence was never more relevant as an effective tactic than today for the North. It also may be the instrument of our national salvation.

I agree with the President's National Advisory Commission on Civil Disorders that our nation is splitting into two hostile societies and that the chief destructive cutting edge is white racism. We need, above all, effective means to force Congress to act resolutely—but means that do not involve the use of violence. For us in the Southern Christian Leadership Conference, violence is not only morally repugnant, it is pragmatically barren. We feel there is an alternative both to violence and to useless timid supplications for justice. We cannot condone either riots or the equivalent evil of passivity. And we know that non-violent militant action in Selma and Birmingham awakened the conscience of white America and brought a moribund, insensitive Congress to life.

The time has come for a return to mass non-violent protest. Accordingly, we are planning a series of such demonstrations this spring and summer, to begin in Washington, D.C. They will have Negro and white participation, and they will seek to benefit the poor of both races.

We will call on the Government to adopt the measures recommended by its own commission. To avoid, in the Commission's words, the tragedy of "continued polarization of the American community and ultimately the destruction of basic democratic values," we must have "national action—compassionate, massive and sustained, backed by the resources of the most powerful and the richest nation on earth."

The demonstrations we have planned are of deep concern to me, and I want to spell out at length what we will do, try to do, and believe in. My staff and I have worked three months on the planning. We believe that if this campaign succeeds, non-violence will once again be the dominant instrument for social change—and jobs and income will be put in the hands of the tormented poor. If it fails, non-violence will be discredited, and the country may be plunged into holocaust—a tragedy deepened by the awareness that it was avoidable.

We are taking action after sober reflection. We have learned from bitter experience that our Government does not correct a race problem until it is confronted directly and dramatically. We also know, as official Washington may not, that the flash point of Negro rage is close at hand.

Our Washington demonstration will resemble Birmingham and Selma in duration. It will be more than a one-day protest—it can persist for two or three months. In the earlier Alabama actions, we set no time limits. We simply said we were going to struggle there until we got a response from the nation on the issues involved. We are saying the same thing about Washington. This will be an attempt to bring a kind of Selma-like movement, Birmingham-like movement, into being, substantially around the economic issues. Just as we dealt with the social problem of segregation through massive demonstrations, we are now trying to deal with the economic problems—the right to live, to have a job and income—through massive protest. It will be a Selma-like movement on economic issues.

We remember that when we began direct action in Birmingham and Selma, there was a thunderous chorus that sought to discourage us. Yet today, our achievements in these cities and the reforms that radiated from them are hailed with pride by all.

We've selected 15 areas—ten cities and five rural districts—from which we have recruited our initial cadre. We will have 200 poor people from each area. That would be about 3,000 to get the protests going and set the pattern. They are important, particularly in terms of maintaining non-violence. They are being trained in this discipline now.

In areas where we are recruiting, we are also stimulating activities in conjunction with the Washington protest. We are planning to have some of these people march to Washington. We may have half the group from Mississippi, for example, go to Washington and begin the protest there, while the other half begins walking. They would flow across the South, joining the Alabama group, the Georgia group, right on up through South and North Carolina and Virginia. We hope that the sound and sight of a growing mass of poor people walking slowly toward Washington will have a positive, dramatic effect on Congress.

Once demonstrations start, we feel, there will be spontaneous supporting activity taking place across the country. This has usually happened in campaigns like this, and I think it will again. I think people will start moving. The reasons we didn't choose California and other areas out West are distance and the problem of transporting marchers that far. But part of our strategy is to have spontaneous demonstrations take place on the West Coast.

A nationwide non-violent movement is very important. We know from past experience that Congress and the President won't do anything until you develop a movement around which people of goodwill can find a way to put pressure on them, because it really means breaking that coalition in Congress. It's still a coalition-dominated, rural-dominated, basically Southern Congress. There are Southerners there with committee chairmanships, and they are going to stand in the way of progress as long as they can. They get enough right-wing Midwestern or Northern Republicans to go along with them.

This really means making the movement powerful enough, dramatic enough, morally appealing enough, so that people of goodwill, the churches, labor, liberals, intellectuals, students, poor people themselves begin to put pressure on congressmen to the point that they can no longer elude our demands.

Our idea is to dramatize the whole economic problem of the poor. We feel there's a great deal that we need to do to appeal to Congress itself. The early demonstrations will be more geared toward educational purposes—to educate the nation on the nature of the problem and the crucial aspects of it, the tragic conditions that we confront in the ghettos.

After that, if we haven't gotten a response from Congress, we will branch out. And we are honest enough to feel that we aren't going to get any instantaneous results from Congress, knowing its recalcitrant nature on this issue, and knowing that so many resources and energies are being used in Vietnam rather than on the domestic situation. So we don't have any illusions about moving Congress in two or three weeks. But we do feel that, by starting in Washington, centering on Congress and departments of the Government, we will be able to do a real educational job.

We call our demonstration a campaign for jobs and income because we feel that the economic question is the most crucial that black people, and poor people generally, are confronting. There is a literal depression in the Negro community. When you have mass unemployment in the Negro community, it's called a social problem; when you have mass unemployment in the white community, it's called a depression. The fact is, there is a major depression in the Negro community. The unemployment rate is extremely high, and among Negro youth, it goes up as high as 40 percent in some cities.

We need an Economic Bill of Rights. This would guarantee a job to all people who want to work and are able to work. It would also guarantee an income for all who are not able to work. Some people are too young, some are too old, some are physically disabled, and yet in order to live, they need income. It would mean creating certain public-service jobs, but that could be done in a few weeks. A program that would really deal with jobs could minimize—I don't say stop—the number of riots that could take place this summer.

Our whole campaign, therefore, will center on the job question, with other demands, like housing, that are closely tied to it. We feel that much more building of housing for low-income people should be done. On the educational front, the ghetto schools are in bad shape in terms of quality, and we feel that a program should be developed to spend a least a thousand dollars per pupil. Often, they are so far behind that they need more and special attention, the best quality education that can be given.

These problems, of course, are overshadowed by the Vietnam war. We'll focus on the domestic problems, but it's inevitable that we've got to bring out the question of the tragic mix-up in priorities. We are spending all of this money for death and destruction, and not nearly enough money for life and constructive development. It's inevitable that the question of the war will come up in this campaign. We hear all this talk about our ability to afford guns and butter, but we have come to see that this is a myth of war, when the guns of war become a national obsession, social needs inevitably suffer. And we hope that as a result of our trying to dramatize this and getting thousands and thousands of people moving around this issue, that our Government will be forced to reevaluate its policy abroad in order to deal with the domestic situation.

The American people are more sensitive than Congress. A Louis Harris poll has revealed that 56 percent of the people feel that some kind of program should come into being to provide jobs to all who want to work. We had the WPA when the nation was on the verge of bankruptcy; we should be able to do something when we're sick with wealth. That poll also showed that 57 percent of the people felt the slums should be eradicated and the communities rebuilt by those who live in them, which would be a massive job program.

We need to put pressure on Congress to get things done. We will do this with First Amendment activity. If Congress is unresponsive, we'll have to escalate in order to keep the issue alive and before it. This action may take on disruptive dimensions, but not violent in the sense of destroying life or property: it will be militant non-violence.

We really feel that riots tend to intensify the fears of the white majority while relieving its guilt, and so open the door to greater repression. We've seen no changes in Watts, no structural changes have taken place as the result of riots. We are trying to find an alternative that will force people to confront issues without destroying life or property. We plan to build a shantytown in Washington, patterned after the bonus marches of the thirties, to dramatize how many people have to live in slums in our nation. But essentially, this will be just like our other nonviolent demonstrations. We are not going to tolerate violence. And we are making it very clear that the demonstrators who are not prepared to be nonviolent should not participate in this. For the past six weeks, we've had workshops on non-violence with the people who will be going to Washington. They will continue through the spring. These people will form a core of the demonstration and will later be the marshals in the protests. They will be participating themselves in the early stages, but after two or three weeks, when we will begin to call larger numbers in, they will be the marshals. the ones who will control and discipline all of the demonstrations.

We plan to have a march for those who can spend only a day or two in Washington, and that will be toward the culminating point of the campaign. I hope this will be a time when white people will rejoin the ranks of the movement.

Demonstrations have served as unifying forces in the movement; they have brought blacks and whites together in very practical situations, where philosophically they may have been arguing about Black Power. It's a strange thing how demonstrations tend to solve problems. The other thing is that it's little known that crime rates go down in almost every community where you have demonstrations. In Montgomery, Ala., when we had a bus boycott, the crime rate in the Negro community went down 65 percent for a whole year. Anytime we've had demonstrations in a community, people have found a way to slough off their self-hatred, and they have had a channel to express their longings and a way to fight non-violently—to get at the power structure, to know you're doing something, so you don't have to be violent to do it.

We need this movement. We need it to bring about a new kind of togetherness between blacks and whites. We need it to bring allies together and to bring the coalition of conscience together.

A good number of white people have given up on integration too. There are a lot of "White Power" advocates, and I find that people do tend to despair and engage in debates when nothing is going on. But when action is taking place, when there are demonstrations, they have a quality about them that leads to a unity you don't achieve at other times.

I think we have come to the point where there is no longer a choice now between nonviolence and riots. It must be militant, massive non-violence, or riots. The discontent is so deep, the anger so ingrained, the despair, the restlessness so wide, that something has to be brought into being to serve as a channel through which these deep emotional feelings, these deep angry feelings, can be funneled. There has to be an outlet, and I see this campaign as a way to transmute the inchoate rage of the ghetto into a constructive and creative channel. It becomes an outlet for anger.

Even if I didn't deal with the moral dimensions and question of violence versus non-violence, from a practical point of view, I don't see riots working. But I am convinced that if rioting continues, it will strengthen the right wing of the country, and we'll end up with a kind of right-wing take-over in the cities and a Fascist development, which will be terribly injurious to the whole nation. I don't think America can stand another summer of Detroit-like riots without a development that could destroy the soul of the nation, and even the democratic possibilities of the nation.

I'm committed to non-violence absolutely. I'm just not going to kill anybody, whether it's in Vietnam or here. I'm not going to burn down any building. If non-violent protest fails this summer, I will continue to preach it and teach it, and we at the Southern Christian Leadership Conference will still do this. I plan to stand by non-violence because I have found it to be a philosophy of life that regulates not only my dealings in the struggle for racial justice but also my dealings with people, with my own self. I will still be faithful to non-violence.

But I'm frank enough to admit that if our non-violent campaign doesn't generate some progress, people are just going to engage in more violent activity, and the discussion of guerrilla warfare will be more extensive.

In any event, we will not have been the ones who will have failed. We will place the problems of the poor at the seat of government of the wealthiest nation in the history of mankind. If that power refuses to acknowledge its debt to the poor, it will have failed to live up to its promise to insure "life, liberty and the pursuit of happiness" to its citizens.

If this society fails, I fear that we will learn very shortly that racism is a sickness unto death.

We welcome help from all civil-rights organizations. There must be a diversified approach to the problem, and I think both the NAACP and the Urban League play a significant role. I also feel that CORE and SNCC have played very significant roles. I think SNCC's recent conclusions are unfortunate. We have not given up on integration. We still believe in black and white together. Some of the Black Power groups have temporarily given up on integration. We have not. So maybe we are the bridge, in the middle, reaching across and connecting both sides.

The fact is, we have not had any insurrection in the United States because an insurrection is planned, organized, violent rebellion. What we have had is a kind of spontaneous explosion of anger. The fact is, people who riot don't want to riot. A study was made recently by some professors at Wayne State University. They interviewed several hundred people who participated in the riot last summer in Detroit, and a majority of these people said they felt that my approach to the problem—non-violence—was the best and most effective.

I don't believe there has been a massive turn to violence. Even the riots have had an element of non-violence to persons. But for a rare exception, they haven't killed any white people, and Negroes could, if they wished, kill by the hundreds. That would be insurrection. But the amazing thing is that the Negro has vented his anger on property, not persons, even in the emotional turbulence of riots.

But I'm convinced that if something isn't done to deal with the very harsh and real economic problems of the ghetto, the talk of guerrilla warfare is going to become much more real. The nation has not yet recognized the seriousness of it. Congress hasn't been willing to do anything about it, and this is what we're trying to face this spring. As committed as I am to non-violence, I have to face this fact: if we do not get a positive response in Washington, many more Negroes will begin to think and act in violent terms.

I hope, instead, that what comes out of these non-violent demonstrations will be an Economic Bill of Rights for the Disadvantaged, requiring about ten or twelve billion dollars. I hope that a specific number of jobs is set forth, that a program will emerge to abolish unemployment, and that there will be another program to supplement the income of those whose earnings are below the poverty level. These would be measures of success in our campaign.

It may well be that all we'll get out of Washington is to keep Congress from getting worse. The problem is to stop it from moving backward. We started out with a poverty bill at 2.4 billion dollars, and now it's back to 1.8 billion. We have a welfare program that's dehumanizing, and then Congress adds a Social Security amendment that will bar literally thousands of children from any welfare. Model cities started out; it's been cut back. Rent subsidy, an excellent program for the poor, cut down to nothing. It may be that because of these demonstrations, we will at least be able to hold on to some of the things we have.

There is an Old Testament prophecy of the "sins of the Fathers being visited upon the third and fourth generations." Nothing could be more applicable to our situation. America is reaping the harvest of hate and shame planted through generations of educational denial, political dis-franchisement and economic exploition of its black population. Now, almost a century removed from slavery, we find the heritage of oppression and racism erupting in our cities, with volcanic lava of bitterness and frustration pouring down our avenues.

Black Americans have been patient people, and perhaps they could continue patient with but a modicum of hope; but everywhere, "time is winding up," in the words of one of our spirituals, "corruption in the land, people take your stand; time is winding up." In spite of years of national progress, the plight of the poor is worsening. Jobs are on the decline as a result of technological change, schools North and South are proving themselves more and more inadequate to the task of providing adequate education and thereby entrance into the mainstream of the society. Medical care is virtually out of reach of millions of black and white poor. They are aware of the great advances of medical science—heart transplants, miracle drugs—but their children still die of preventable diseases, and even suffer brain damage due to protein deficiency.

In Mississippi, children are actually starving, while large landowners have placed their land in the soil bank and receive millions of dollars annually not to plant food and cotton. No provision is made for the life and survival of the hundreds of thousands of sharecroppers who now have no work and no food. Driven off the land, they are forced into tent cities and ghettos of the North, for our Congress is determined not to stifle the initiative of the poor (though they clamor for jobs) through welfare handouts. Handouts to the rich are given more sophisticated nomenclature such as parity, subsidies and incentives to industry.

White America has allowed itself to be indifferent to race prejudice and economic denial. It has treated them as superficial blemishes, but now awakes to the horrifying reality of a potentially fatal disease. The urban outbreaks are "a fire bell in the night," clamorously warning that the seams of our entire social order are weakening under strains of neglect.

The American people are infected with racism—that is the peril. Paradoxically, they are also infected with democratic ideals—that is the hope. While doing wrong, they have the potential to do right. But they do not have a millennium to make changes. Nor have they a choice of continuing in the old way. The future they are asked to inaugurate is not so unpalatable that it justifies the evils that beset the nation. To end poverty, to extirpate prejudice, to free a tormented conscience, to make a tomorrow of justice, fair play and creativity—all are worthy of the American ideal.

We have, through massive non-violent action, an opportunity to avoid a national disaster and create a new spirit of class and racial harmony. We can write another luminous moral chapter in American history. All of us are on trial in this troubled hour, but time still permits us to meet the future with a clear conscience.

Mr. MANSFIELD. Mr. President, on behalf of the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN], and myself, I send to the desk a resolution and ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER (Mr. HARRIS in the chair). Is there objection?

There being no objection, the resolution (S. Res. 275) was read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate of the United States has heard with profound sorrow of the tragic death of the Rev. Dr. Martin Luther King Jr., a dedicated and courageous leader in the interests of the individual rights and the equality of man; and be it further

Resolved, That the Senate condemns this vicious and senseless act which ended his life and records its respect and appreciation for the immense service and sacrifice of this dedicated American, whose timeless memorial will be the tradition of non-violence in the struggle for social progress and human dignity; and be it further

Resolved, That the Senate extends to his wife and members of his family its deepest sympathy in their hour of personal grief; and be it further

Resolved, That the Secretary communicate these resolutions to the family of the deceased.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BARTLETT, from the Committee on Commerce, without amendment:

S. 3102. A bill to postpone for 2 years the date on which passenger vessels operating solely on the inland rivers and waterways must comply with certain safety standards (Rept. No. 1080);

H.R. 9473. An act to provide provisions of the Shipping Act, 1916, to authorize the Federal Maritime Commission to permit a common carrier by water in foreign commerce or conference of such carriers to refund a portion of the freight charges (Rept. No. 1078); and

H.R. 14401. An act to grant the masters of certain U.S. vessels a lien on those vessels for their wages (Rept. No. 1079).

By Mr. BARTLETT, from the Committee on Commerce, with amendments:

H.R. 12639. An act to remove certain limitations on ocean cruises (Rept. No. 1081).

By Mr. SPONG, from the Committee on the District of Columbia, without amendment:

H.R. 12019. An act to exempt from taxation certain property of the B'nai B'rith Henry Monsky Foundation in the District of Columbia (Rept. No. 1082).

By Mr. SPONG, from the Committee on the District of Columbia, with amendments:

H.R. 15131. An act to amend the District of Columbia Police and Firemen's Salary Act of 1958 to increase salaries, and for other purposes (Rept. No. 1083).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HOLLAND:

S. 3287. A bill to provide for orderly trade in fresh fruits and vegetables, and for other purposes; to the Committee on Finance; and

S. 3288. A bill for the relief of Dr. Saturnino E. Martinez; to the Committee on the Judiciary.

ORDER FOR ADJOURNMENT UNTIL 10 A.M. MONDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 10 a.m. Monday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

WE MUST DO SOMETHING ABOUT THE DRAFT

Mr. YOUNG of Ohio. Mr. President, the administration of our Selective Service System under General Hershey is a repugnant mess. It could be considered a wart on the face of our civilization or a stone under the instep of progress in the United States. Apart from his maladministration of the system and General Hershey's attempts to use the draft to suppress freedom of speech, the law itself has many defects. We in Congress should review it very thoroughly, and before next June 30 enact into law a greatly improved Selective Service Act. It is bad enough to go about conscripting youngsters into our Armed Forces. It is absolutely and totally unfair, arbitrary, and capricious to continue the present system without adopting guidelines to achieve decency and fairness in operation of draft boards throughout the country.

Any law that compels some young men to sacrifice their freedom and even their lives in the Armed Forces of our country while others remain free to pursue normal lives is inherently unfair. Unfortunately, in this grim period of international anarchy and throughout our involvement in a miserable civil war in Vietnam, whether the fighting should end this year or continue into future years, it will continue to be necessary for our Nation to maintain an army composed in large part of draftees. However, there is no excuse for any selective service law that contains as many inequities as the one under which young Americans are now being called to military duty.

Reform of the draft is long overdue. Little by little we tinker with the system, but the fact is that it requires a complete overhaul. The system was, after all, designed for massive conscription to secure an army of some millions to fight in World War II. It functioned remarkably well. However, the draft has since been used either for maintaining a large peacetime army or for limited or fluctuating manpower needs and in doing so it has created confusion and injustices.

Last year a national advisory commission examined the Selective Service System and proposed sweeping reforms to make the draft more responsive both to national needs and personal rights. Unfortunately, the Congress chose to ignore most of these recommendations, and instead enacted shortsighted patchwork legislation.

The operation of the present selective service law has been unfair and discriminatory in many respects. For example, too much discretion for granting deferments or exemptions has been in the hands of local selective service boards. There are no mandatory national criteria for deferments. This results in thousands of varying standards of deferment, with some boards granting exemptions while a neighboring draft board in the same State, and frequently in the same city, makes an opposite ruling in an identical case and lists a registrant as available to be called into service immediately. Since available pools of eligible draftees differ from one draft board jurisdiction to another, consideration given to the problems of individual potential draftees differs from one draft board to the next.

Also, deferments too frequently favor those who can afford to attend college and those whose educations qualify them to enter critical occupations, so-called. The fact is, that young men from families with financial resources are in a better position to secure deferment by going to college or by marrying young and having children.

The proposal introduced by the distinguished senior Senator from Massachusetts [Mr. KENNEDY] for instituting a random selection by lottery, the induction of the youngest first, administrative reorganization of the Selective Service System, mandatory national standards for classification, and elimination of occupational deferments except where the President may determine them justified in the national interest, should very definitely receive priority for consideration by the Congress this year.

Young men should be inducted at the age of 18 or 19 instead of the present system of starting at age 26 and working backward. In each of the next several years, nearly 2 million young men will reach the age of 19. In 1970 that number will probably exceed 2 million. Of this number, three of 10 will probably be disqualified for physical or mental reasons or deferred for reasons of hardship or general unfitness. Under the random system of selection each year the required number of inductees would be selected by a lottery method from the pool of qualified 19-year-olds. Those not selected would know that they did not face induction in the future except in event of a national emergency and then could plan years ahead much better.

This system would remove the uncertainty from the lives of young men who today are unable to plan their futures because of the many years in which they are subject to induction. Those selected by the lottery method but who wish to attend college would be permitted to postpone their military service until after graduation in time of peace, but such deferments would be denied or suspended in time of war when casualties reach a given point to insure that all young men serve as equals in wartime.

It is certain that drafting for active duty in our Armed Forces of young men who have attained their 18th birthday or who are 19 years of age would have many advantages from every standpoint. First and foremost from a standpoint of national defense, youngsters 18 and 19 who have acquired a high school education make the best and most fearless fighting men. They are intelligent, readily trained, and respond in combat more vigorously, more fearlessly, and have greater capability than soldiers who are considerably older.

Furthermore, following their tours of duty and honorable discharges from our Armed Forces to the Active Reserve in civilian life they would no longer have the specter of being drafted hanging over them and possibly disrupting their family life. Comparatively few young men of 18 and 19 are married. There is no problem of dependents. If they are sent overseas for a tour of duty of 12 months or even 18 months in some foreign land our taxpayers do not bear the added burden they would have and do have when young men of 24, 25, and 26, many of them married and some with children, are drafted into our Armed Forces.

Intelligence is a requirement in modern warfare and national mandatory guidelines regarding deferment of illiterate and ignorant young men should be established, and those standards should be maintained everywhere. Without a doubt the local draft board that first exempted Cassius Clay because of his lack of intelligence took the correct action in rendering that decision. They were weak and wrong in giving in to public clamor. The net result was that lawyers who misrepresented Clay profited. Except for the fact that Cassius Clay could have rendered service were he enrolled in the USO for boxing exhibitions at our military bases overseas and in this country the same as Joe Louis in World War II, this uneducated and illiterate athlete would probably have been useless as a fighting man in combat.

Very definitely, I also advocate that the period of service under the Selective Service System should be for 18 months and not 2 years. It is noteworthy that of our allies, Great Britain and Canada have no draft laws, no conscription whatsoever. New Zealand provides conscription for a period of 12 months only. Belgium conscripts for 12 to 15 months only; Italy 15 months only. France conscripts her young men for 16 months; West Germany for 18 months; and the Netherlands provides conscription for a period of 18 months. In South Vietnam the Saigon military junta has not drafted young men of 18 and 19. There has been no general mobilization. Those older men who have been ordered into service have been able to buy exemption from the draft upon payment of from $685 to $800, dependent upon the greed of the provincial leaders.

In an effort to eliminate one of the present system's most blatant inequities regarding the drafting of graduate students, the administration has only created fresh injustices. It has raised grave difficulties for the Nation's colleges and universities and probably for the armed services as well. Some educators estimate that graduate classes may be cut in half next year in many institutions of higher learning. Government officials have set the figure closer to 30 percent, but if enrollment is cut even by a third, all universities will have to drastically curtail their graduate programs and in some cases eliminate them. It is quite likely that the Army will have a much larger proportion of college graduates than it actually has any use for.

Mr. President, were the lottery system in effect, young men would be able to plan for their futures including postgraduate work. It would provide a much more orderly method of conscription and at the same time permit the Nation to maintain a proper level of educational quality. While I believe that there is definitely a need for action to prevent graduate schools from becoming mere havens for those seeking to evade induction, a more reasonable process should have been developed for dividing the wheat from the chaff, the serious students from draft evaders.

Mr. President, I am hopeful that in time we shall end military conscription and establish a professional volunteer army. Certainly, more serious consideration should be given to studying the possibility of doing so as soon as possible.

Until then the Nation must require that young men serve in our Armed Forces, particularly at a time when our administration leaders in Washington adopt a policy that we have a mandate from Almighty God to police the entire world, and to prescribe for far away nations that they must not have a nationalist Communist government but they may have rule by a militarist regime or have a Fascist government. Nevertheless, in this land of equals, men must be selected to serve by an equitable system. No draft law will please everybody, but it is surely high time that we design a system designed to meet the realities of 1968 and not a world war that ended in 1945.

A JOINT ECONOMIC COMMITTEE FOR STATE LEGISLATURES

Mr. TYDINGS. Mr. President, from time to time I have expressed concern regarding the very great need for State governments, and especially the State legislatures, to modernize their operations and begin to face up to the burgeoning responsibilities of the States if our federal system is to be preserved.

It is always heartening to report encouraging developments in this field. The Citizens Conference on State Legislatures, under the leadership of former Postmaster General Edward Day; former Kansas Governor John Anderson; and the executive director, Larry Margolis, is beginning to make its efforts felt in various States over the country. The Council of State Governments is beginning to urge upon its constituents the necessity of intensive attention to urban affairs. The Advisory Commission on Intergovernmental Relations, in its recurring reports, points out various areas of needed improvement in Federal-State-local relations.

One of the principal areas of State inactivity has been in the field of long-range economic analysis and planning. In one of the first such steps taken anywhere, Jesse M. Unruh, the distinguished speaker of the California Assembly, with bipartisan assistance, has introduced legislation calling for the establishment in the legislature in that State of a joint economic committee. The bill states the following as its basic purpose:

> The Legislature finds and declares that the maintenance of the policy of the State of California for full employment, maximum economic productivity and continued economic growth requires that the Legislature have available accurate and independent resources for the collection and analysis of economic information and forecasts. The Legislature further finds that provision of such economic studies and forecasts can best be achieved through the establishment of a joint legislative committee, adequately staffed with economists and other professional personnel, rather than through continued sole reliance upon the executive agencies of state government for such economic information and advice, and to that end this chapter is enacted.

I hope that the legislation in California is successful and I hope that other States take note of this additional major step down the road toward responsive and responsible government on the part of the legislature of our largest State.

It has been my pleasure to have been able to discuss State governmental problems with Speaker Unruh on many occasions. He is, as every practicing student of political science knows, a giant among legislative leaders and a principal architect and advocate of State legislative reform. This new proposal for a joint economic committee is typical of the vision and leadership Jesse Unruh has demonstrated in State governmental reform. I commend it to advocates of State legislative improvement throughout the Nation.

I ask that the text of assembly bill No. 265 and introductory remarks by Speaker Unruh be inserted at this point in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

Statement of Assembly Speaker Jesse M. Unruh Concerning Assembly Bill No. 265, Creating the Joint Economic Committee

For a number of years, during both Democratic and Republican administrations, I have been extremely concerned over the effects on the Legislature's decision-making capabilities of the way in which the Department of Finance operates and is used by the executive. For some time legislators of both parties have expressed concern over the failure of this important agency to formulate valid revenue and expenditure estimates. I am sure you recall my objections to this failure during Governor Brown's Administration. I have seen little improvement during the present Administration.

Let me give you a few examples of the difficulties which we in the Legislative have in dealing with, or trusting, the Department of Finance exclusively for fiscal data. In 1965 the Petris-Unruh tax reform bill was pending before the Assembly. On the morning of the day that bill was scheduled to be heard in the Ways and Means Committee, the then-Director of Finance—by sleight of hand, or other unknown means—came up with a sudden General Fund surplus of more than $100 million which he claimed obviated the necessity for our tax reform measure. It was clear to most of us in the Legislature at that time that this new revenue "find" was designed to kill off the support which AB 2270 had generated among members of both parties.

Again, last fall, in a five-month period we saw a vaunted $210 million deficit in our Medi-Cal program evaporate inexplicably and turn into a $31 million surplus. I am sure we were all chagrined to find that we had spent the final two weeks of our four week special session talking about a program which, at that time, the Administration knew full well was fiscally sound.

Finally, several months ago the present Director of Finance called a news conference to announce that the Governor's Budget would show a $194 million surplus; in the next breath he "warned" that this was only a "paper surplus", none of which could be spent. His explanation was so clear that after 45 minutes of it, when he asked the assembled newsmen if they had any questions, the room—according to one newspaper report I saw—"erupted in laughter".

I think I need not describe more of these instances. Whatever our partisan political affiliation, we are all familiar with them.

I believe that the fiscal affairs of California are too important to be left to political manipulation by the executive branch of government. Assemblyman Veneman's Revenue and Taxation Committee took the first step toward making revenue estimating non-partisan when it insisted on an amendment in last year's tax bill requiring the Controller to audit the cash-flow information presented in the executive budget. I believe this bill is the next logical step.

Assembly Bill 265 creates a new and influential joint committee of the Legislature, called the "Joint Economic Committee". It transfers to that body all duties, functions, and staff presently under control of the Joint Legislative Budget Committee. It adds, however, numerous other important duties which are not exercised by any legislative agency.

The bill constitutes the Joint Economic Committee with the leadership of both parties in both Houses of the Legislature. It is a ten-man committee, the Assembly contingent to be composed of the Speaker, the Minority Leader, the chairmen of the Ways and Means and the Revenue and Taxation committees, and one additional member appointed by the Speaker. Under the present organization of this House, this would lead to a politically balanced Assembly contingent. The Senate half of the committee would be composed of the President pro Tempore, the Minority Leader, the chairmen of the Finance and the Revenue and Taxation committees, and one appointment by the Senate Rules Committee.

This would be a powerful committee, capable of exerting considerable legislative influence over expenditure and revenue policies. I think everyone will concede that as effective as Alan Post's office now is—and I have always been one of the Legislative Analyst's strong defenders—the Joint Budget Committee has not been active as a committee recently.

We propose to transfer the Legislative Analyst's present duties of line-item, and program-by-program budget review to the Joint Economic Committee. I think we all agree that in this field Mr. Post and his staff have done an outstanding job. Further, the functions of that office of providing confidential fiscal information to Members of the Legislature on request, and of analyzing appropriation bills would remain unchanged.

However, this bill creates new duties within that office, duties which have never been performed and which I believe are most important to the Legislature. A principal new duty is for the committee and its staff to analyze the annual economic report of the Governor, required by law to be rendered by him to the Legislature, and to hold hearings and make a report on it. This is identical to present legislation which created the Joint Economic Committee of the U.S. Congress in 1946. It has proven most successful at the federal level in allowing Congress to gain a broad overview of the economic outlook of the country. We need to do the same thing in California. Only by knowing what the economic indicators are—what are expenditure policies of governments at local and federal levels—can we intelligently make long-term, valid expenditure and taxation decisions in the Legislature. The Governor's annual economic report now gathers dust on our shelves; I doubt if many of us have ever looked at it. This new committee duty will provide legislative scrutiny of that important report.

Other duties of the new committee and its staff include:

1. Monitoring federal fiscal policies which may have an effect upon California's economy, and the Legislature's fiscal decisions;

2. The preparation of economic forecasts, and a comparison of these independently prepared data with similar data developed by the Governor's Department of Finance;

3. Inclusion in the annual budget analysis of an evaluation by the committee staff of the accuracy of Department of Finance revenue and expenditure estimates;

4. Other vital duties of long-range expenditure projections, the development of priorities among state programs competing for funds, continuing studies of performance and program budgeting, to include cost-effectiveness studies of state programs and agencies, and a number of other specialized studies.

Let me make it very clear that in offering this legislation I do not want in any way to be interpreted as being critical of the present Legislative Analyst or his staff. I believe Mr. Post has done an excellent job. But I believe that as a responsible legislative body—and an independent one—we must do more.

Mr. Post has worked with my staff in developing AB 265 and his assistance has been invaluable. We have also consulted with other Assembly committee staff, with noted economists at our universities and out-of-state, and with the staff of the Joint Economic Committee of Congress. We have their overwhelming approval of the concept of this bill.

This is not a Democratic or a Republican bill, as the coauthors on AB 265 demonstrate. Rather, it is a measure which seeks to maintain and strengthen the independence of the Legislature to make informed policy decisions in the fiscal area. With a state budget of five and one-half billion dollars a year, we simply cannot afford—the taxpayers cannot afford—to limp along on partial information any longer. I believe this legislation will go a long way toward a responsible solution of this problem.

Assembly Bill No. 265

An act to amend Section 15901 of, to add Chapter 6 (commencing with Section 10650) to Part 2, Division 2, Title 2 of, and to repeal Article 7 (commencing with Section 9140), Chapter 1, Part 1, Division 2, Title 2 of the Government Code, relating to aides to the Legislature

The people of the State of California do enact as follows:

SECTION 1. Article 7 (commencing with Section 9140), Chapter 1, Part 1, Division 2, Title 2 of the Government Code is repealed.

SEC. 2. Chapter 6 (commencing with Section 10650) is added to Part 2, Division 2, Title 2 of the Government Code, to read:

"CHAPTER 6. JOINT ECONOMIC COMMITTEE

"10650. The Legislature finds and declares that the maintenance of the policy of the State of California for full employment, maximum economic productivity and continued economic growth requires that the Legislature have available accurate and independent resources for the collection and analysis of economic information and forecasts. The Legislature further finds that provision of such economic studies and forecasts can best be achieved through the establishment of a joint legislative committee, adequately staffed with economists and other professional personnel, rather than through continued sole reliance upon the executive agencies of state government for such economic information and advice, and to that end this chapter is enacted.

"10651. There is hereby created a permanent joint committee of the Legislature, to be known as the Joint Economic Committee. The committee shall be composed of ten members, five of whom shall be Members of the Assembly and five of whom shall be Members of the Senate. The Assembly members shall consist of the following: the Speaker of the Assembly, the Chairman of the Assembly Committee on Ways and Means, the Chairman of the Assembly Committee on Revenue and Taxation, the Minority Leader of the Assembly, and one Member of the Assembly appointed by the Speaker. The Senate members shall consist of the following: the President pro Tempore of the Senate, the Chairman of the Senate Committee on Finance, the Chairman of the Senate Committee on Revenue and Taxation, the Minority Leader of the Senate, and one Member of the Senate appointed by the Senate Committee on Rules. The chairman of the committee shall be elected biennially from among the membership of the committee by a majority vote of each house's delegation on the committee.

"10652. The Joint Economic Committee shall, on the effective date of this chapter succeed to all powers, duties, and functions of the Joint Legislative Budget Committee.

"10653. The Joint Economic Committee shall by a majority vote of its members from each house, appoint an executive director and fix his compensation. The executive director shall, on the effective date of this chapter, succeed to all powers, duties, and functions of the Legislative Analyst.

"10654. The executive director shall, subject to approval by the committee, appoint technical and clerical staff necessary to assist him in the performance of his duties. At least two members of the staff thus appointed shall be professional economists, experienced in economic forecasting.

"10655. The Joint Economic Committee shall have the following general duties and responsibilities:

"(a) The committee shall analyze the annual economic report of the Governor, employing public hearings and staff analysis, and shall submit a report on the economic report as provided in Section 15901. The committee shall include in its report any recommendations for legislative action at both the state and federal levels which it may deem necessary for the continued economic health of the state.

"(b) The committee shall monitor federal legislation and federal executive decisions which may have an effect upon the state's economy, and its growth and development. The committee may arrange for representation by the California Legislature before federal agencies and the Congress, where it deems appropriate.

"(c) The committee shall prepare economic forecasts and related data, and shall compare such data with similar information prepared by executive agencies of state government and contained in the Governor's Budget and economic report. The committee's annual analysis of the Governor's Budget shall contain an evaluation by the executive director and his staff of the accuracy and adequacy of the revenue estimates and forecasts of state economic activity and other pertinent information contained in the Governor's Budget.

"(d) The committee shall ascertain facts and make recommendations to the Legislature and to the houses thereof concerning the state budget, the revenues and expenditures of the state, the organization and functions of the state, its departments, subdivisions, and such other matters as may be provided for in the Joint Rules of the Senate and Assembly.

"(e) The committee shall study and periodically report on the subjects of long-range expenditure and revenue planning and policies.

"(f) The committee shall present appropriate economic and budgetary data on the various state programs, such that the Legislature may develop priorities among programs competing for state funds.

"(g) The committee shall conduct continuing studies of program and performance budgeting systems, and shall undertake periodically to evaluate the cost-effectiveness of state programs and agencies.

"(h) The committee may undertake other special studies, including but not limited to:

"(1) Studies of state debt management

"(2) Studies of state-federal-local fiscal relations

"(3) Studies of state economic growth, where it can be influenced by the decisions of state government

"(4) Studies of the efficiency of state government operations within the several agencies.

"(i) The committee shall, in its deliberations and investigations, give particular attention to the impact of scientific and technological advances upon the conduct of state programs and upon the state's economy.

"10656. The Joint Economic Committee shall have the power to appoint subcommittees from among its membership to be composed equally of members from each house of the Legislature; to conduct hearings within the state on problems within its jurisdiction; to issue subpoenas where necessary to compel the attendance of witnesses; and to compel the cooperation of state executive agencies in conducting its business.

"10657. The committee has a continuing existence and may meet, act, and conduct its business at any place within this state, during sessions of the Legislature or any recess thereof, and in the interim period between sessions.

"10658. The provisions of the Joint Rules of the Senate and Assembly relating to investigating committees shall apply to the committee and it shall have such powers, duties, and responsibilities as the Joint Rules of the Senate and Assembly shall from time to time prescribe, and all the powers conferred on committees under Section 11, Article IV, of the Constitution."

SEC. 3. Section 15901 of the Government Code is amended to read:

15901. (a) The Governor, utilizing his staff and the resources of state agencies responsible to him in preparation thereof, shall transmit to the Legislature not later than the 30th calendar day of each regular session an economic report setting forth:

(1) The rates and levels of employment, production, income and purchasing power obtaining in the state and needed to carry out the policy of full employment;

(2) Current and foreseeable trends in the levels of employment, production, income, and purchasing power;

(3) A review of the economic program of the state and its political subdivisions, as affected by economic decisions and policies of the federal government, and a review of economic conditions affecting employment in the state or any considerable portion thereof during the preceding year and of

their effect upon employment, production, income, and purchasing power;

(4) A program for carrying out the policy of full employment, together with such recommendations for legislation as he may deem necessary or desirable;

(5) A statement of economic forecasting data designed to indicate future state revenue needs, assuming existing expenditure levels of state government, and a similar statement, assuming any proposed increases in expenditures recommended by him;

(b) The Governor may transmit from time to time to the Legislature reports supplementary to the economic report, each of which shall include supplementary or revised recommendations as he may deem necessary or desirable to achieve the policy of full employment.

(c) Upon receipt of the annual economic report of the Governor, the Joint Economic Committee shall conduct public hearings on the substance of the report, and no later than 15 days after receipt of the Governor's report the Joint Economic Committee shall issue a report on the economic report of the Governor. Such report shall include recommendations concerning the accuracy of the economic information contained in the Governor's report, together with any recommendations concerning the Governor's report which the committee may wish to make.

ATOMIC ENERGY COMMISSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1056, S. 3262. I do this so that the bill will become the pending business.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 3262) to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill.

SUPPORT FOR SENATE RATIFICATION OF THE HUMAN RIGHTS CONVENTIONS IS VERY IMPRESSIVE

Mr. PROXMIRE. Mr. President, the support for ratification of the human rights conventions is indeed plentiful. The basic principles behind our Declaration of Independence and Constitution are the same as those which inspired men of our time to draft the human rights treaties. Our entire American legal tradition seeks to protect the rights of the individual and to shield him from the arbitrary action of government. That is precisely the objective of these treaties.

These human rights treaties are backed by such respected American organizations as: The National Catholic Conference for Interracial Justice, the National Conference of Christians and Jews, the National Board of the YWCA, the NAACP, the American Baptist Convention, the American Jewish Congress, the American Jewish Committee, and the United Church of Christ.

Such distinguished Americans as John Kennedy, Lyndon Johnson, Dean Rusk, Arthur Goldberg, and Willard Wirtz have given their strong support to the ratification of these treaties.

I urge the Members of the Senate to add their "aye" to the American chorus of support for these treaties and ratify the Conventions on Genocide, Forced Labor, Freedom of Association, and Political Rights of Women.

THE AMERICAN AIM IN VIETNAM

Mr. McGEE. Mr. President, the American aim in Vietnam, as we approach, apparently, the first tentative talks with North Vietnam regarding terms for an eventual solution to the war in Indochina, remain unchanged. The war will end, and Americans will leave when North Vietnam and its Vietcong allies stop invading, stop infiltrating, and stop trying to subvert by force of arms the government of the south.

If the war can be ended on these terms, then the American sacrifices will have been worthwhile.

Today Columnist Joseph Alsop, in what is an open letter to our chief negotiator, W. Averell Harriman, sets forth the situation very clearly as we enter this new phase, resulting from President Johnson's statesmanlike removal of the war from political considerations. His act has freed his hands and, as Mr. Alsop points out, it has freed the hands of our negotiators. But it has not changed our purpose. I ask unanimous consent that Mr. Alsop's column be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NOTE TO "CROCODILE" HARRIMAN: "TELL HANOI TAKE IT OR LEAVE IT"

(By Joseph Alsop)

HUE-PHUBAI, SOUTH VIETNAM.—In the wholly new circumstances created by President Johnson's memorable and superb act of self-abnegation, a short memorandum for his chief peace negotiator, W. Averell Harriman, may perhaps be in order. It follows:

"DEAR GOVERNOR: In the first month of the golden Kennedy years, I had to tell one of the impatient new young men, who did not remember the heroic past, that you were a bit like an old crocodile. I explained that you were quiescent-looking, even somnolent-seeming until the dictates of common sense or the great interests of the United States were attacked—whereupon the great jaws opened, and another fool found that he was figuratively missing a leg.

"MacBundy liked and popularized the nickname, and I am afraid it stuck. And if Hanoi responds to the President's invitation to send someone to talk peace with you, the remarkable qualities of 'The Old Crocodile' will be more than ever needed.

"It should not be necessary to remind you of what you once said President Kennedy told you concerning Laos—that any kind of patch-up there would do for the time being, since Vietnam was the main theater, and the future of Laos and of all of Asia would be settled by the outcome of the struggle in Vietnam. That outcome cannot be another patch-up, however, unless you wish the sacrifices of hundreds of thousands of young Americans to turn to dust and ashes in your hands. There is no question, either, of 'winning' or 'losing' in Vietnam. We have never sought anything definable as 'victory' over the North Vietnamese. We have not desired their subjugation, nor sought to change their ruthless and dogmatic government, nor planned to invade their territory.

"We have merely sought to halt their invasion of their neighbor to the South, as they wholly falsely promised to halt their invasion of Laos in the agreement that they signed with you.

"In this respect, the magnificient patriotism and disinterestedness the President has displayed give you wonderful freedom of maneuver. You do not need to worry about your chief's electoral prospects (and I had just heard from home that you had decided to stick with him despite your attachment to Sen. Kennedy).

"You do not need to accept false negotiating currency, because it can be made to look like the real thing at the convention or for a while thereafter. You do not need to heed the councils of the defeat-at-any-price crowd, who will urge you to believe in promises that will never be kept. Above all, you do not need to tolerate the endlessly reiterated North Vietnamese program of fighting while negotiating.

"If we accept fighting while negotiating, it will be ten times, a hundred times worse than it was in Korea, and there we suffered more than 90,000 casualties after the talks began. But there, at least, we did not lose the war, whereas here, acceptance of anything of that sort will lead to sure defeat, because of this war's infinitely more complex and inter-penetrating pattern, which lends itself so perfectly to Communist treachery.

"The issue here is crystal clear. If the North Vietnamese go home, bag and baggage, and if they cease to support domestic subversion in South Vietnam our sacrifices will turn out to be worthwhile. They can take home with them those of the VC who have stained their hands with murder—and they are many—and any others who may wish to go. The people of South Vietnam will then be quite capable of settling their own affairs, and since they are a brave and intelligent people, with an immensely rich country, they should have a wonderfully prosperous future.

"In weighing this issue, there are two things to bear in mind: First, sickness in our country in which it is thought wonderfully laughable to deny that American forces in the field have suffered heavy defeat. In certain circles, in Washington and New York particularly, the notion of American success is thought downright ludicrous. One may be certain that this singular view is not shared by average Americans.

"Please bear in mind that if Hanoi had believed its men could win the prior war of attrition, then the war of attrition would have continued. And if any American general tried anything like the Tet offensive investing comparable resources, suffering comparable losses and failing to attain all his stated objectives—he would not just be relieved. He would be lynched.

"Second, please bear in mind that almost all Washington discussion of the northern bombing is both illogical and ill-informed. The plain facts are that Hanoi's greatest deficiency is manpower, and the bombing has been tying up something like 800,000 men in the tasks of air defense, transport and general repair. The great danger is that Hanoi will take advantage of a bombing pause to pour much of this huge and last-remaining manpower pool into the southern war.

"Before the President acted, the war was already at its climax. His self-abnegation has untied your hands, and above all, it has untied his hands. Speaking for him, therefore, you can say, 'Take it or leave it' with high confidence. And if they do not take it, we can go in to win. Good luck from an old friend."

SUPPORT OF S. 3218, EXPORT-IMPORT BANK LIBERALIZATION

Mr. MAGNUSON. Mr. President, I am strongly in favor of S. 3218. Most of the members of the Committee on Banking and Currency will recall that in January 1965, I introduced S. 558, the proposed Export Expansion Act. Title II of that bill proposed to amend the Export-Import Bank Act of 1945 to enlarge the statement of purpose in the Export-Import Bank Act of 1945 and to create a special fund for the financing of exports "where such financing is not otherwise available and where such exports are in the national interest." The pending S. 3218 is very similar in purpose and in general substance to my bill of 3 years ago, and I think that the arguments advanced then in favor of such a financing facility apply even more emphatically today.

Hearings were held on S. 558 on March 17, 18, and 19, 1965. The testimony of numerous witnesses from the business and banking communities was overwhelmingly in favor of this proposal. The interested agencies of the executive branch provided written comments which, although recognizing the pressures of fast-growing foreign trade competition on U.S. exporters and the need for maximum flexibility in our own export financing facilities, indicated some reservations about enactment of the bill at that time. Administration officials generally stated that, in view of the Bank's intention to liberalize its existing facilities and practices and also in view of improved consultative arrangements between the interested agencies, it did not appear to be necessary to make the changes proposed in title II of the bill at that time.

In February 1966, the proposal for the national interest fund, as contemplated by S. 558, received strong endorsement from both the National Export Expansion Council and the NEEC Action Committee on Export Financing. As the committee knows, the NEEC is a blue ribbon group of American businessmen and bankers established by the Department of Commerce to provide advice on behalf of the American business community with respect to export expansion programs. The report of the NEEC Action Committee recommended creation within Eximbank through appropriate legislation of a special fund of at least $500 million for export credit guarantees to U.S. exporters and their commercial bankers to facilitate the financing of U.S. goods and services "under unusual situations." The recommendation stated that this special fund would be "as contemplated by the proposed Magnuson-Adams Export Expansion Act of 1965" and "would parallel the 'national interest' funds operated by the British and Canadian governments." Circumstances and categories of transactions where the special fund might be employed are listed: First, sales to countries phasing out of AID concessional terms; second, meeting foreign competition; and third, market penetration. The NEEC itself has held two subsequent discussions on the recommendations of the action committee—in March 1967 and February of this year—and it strongly reaffirmed its support of these recommendations. At the NEEC meeting of February 2, 1968, the plans of the executive branch, as outlined in President Johnson's January 1 balance-of-payments message, were presented briefly to the NEEC which indicated its full support for the administration's proposal.

The urgency and emphasis now placed by the administration on export expansion exports are the largest single component of our balance of payments; the experience and evidence compiled in recent years as to the keenness of competition in the international trade field, including competition as to credit terms; and the advice of eminent businessmen and Government officials, all make it clear to me, and I hope to Senators, that the proposal for a national interest fund, advanced in our bill of 1965, rested upon a solid justification which has been more than fully substantiated by subsequent events.

I believe there is little doubt that the Eximbank has operated with effectiveness within its legislative charter. However, more flexibility is clearly needed to win more export sales for the United States. In my judgment, S. 3218, as drafted, is quite adequate to provide this type of flexibility and additional competitiveness to the U.S. export financing system. I therefore urge your favorable action on this bill.

I would like to add one final word of advice as to the administration of the proposed special account. The new account must result in genuinely additional exports for the United States. We must recognize the possibility that certain transactions presented to the Eximbank might simply be shifted to the new account which, in the absence of this new facility, Eximbank might have financed in any case from its regular resources. Such shifting and substitution must be avoided, if the special account is to fulfill its purpose of truly additional exports. The Export Expansion Advisory Committee, under the chairmanship of the Secretary of Commerce, should therefore be alert to this possibility in considering applications for financing from the special account. Turndowns of applications by Eximbank prior to Bank Board review should also be referred to the Advisory Committee with a specific explanation of the reasons for the turndown. In appropriate instances, the Advisory Committee might return a transaction to the Eximbank for further consideration under its regular account. A procedure along these lines would, I believe, go far in assuring that the use of the new account would result in genuinely additional exports for the United States which will be to our balance-of-payments and commercial benefit.

In summary, I feel today, as I did 3 years ago, that this type of financing for American exports is an important means of improving our balance of payments, and I urge favorable consideration of S. 3218 by the Senate Committee on Banking and Currency.

DEPRIVATION AND PERSONALITY: A NEW CHALLENGE TO HUMAN RESOURCES DEVELOPMENT

Mr. HARRIS. Mr. President, the Subcommittee on Government Research, of which I am chairman, will hold hearings on "Deprivation and Personality: A New Challenge to Human Resources Development." More than 20 experts in social work, educators, and Government officials will testify during the 6 days of hearings to begin next Monday, April 8.

The subcommittee will solicit from the witnesses, who represent a diversity of knowledge and experience, their insights on the nature of the psychological and sociological aspects of human resources development. We are particularly interested in these questions as they relate to the hard core unemployed. It is increasingly apparent that we need to offer more than just job skills to the unemployed and underemployed. Many individuals and families, deprived of opportunity, have lost hope and faith in themselves.

The President's Commission on Civil Disorders, on which I was proud to serve, released its report in March, accurately portraying the divisions and deep wounds which exist in our society. The Commission made many concrete recommendations for action to heal these wounds.

It also gave special emphasis to motivating the hard core unemployed. The report said:

> A sure method for motivating the hard core unemployed has not yet been devised. One fact, however, is already clear from the experience of the Job Corps, Neighborhood Youth Corps, and Manpower Development and Training projects: the previously hard-core unemployed trainee or employee must believe that he is not being trained for or offered a "dead end" job.

Our hearings will try to clarify some of the complexities surrounding this problem by pursuing a three-pronged inquiry. First, what approaches or strategies are being or can be employed to help motivate people to improve their socioeconomic status? Second, what programs have been and can be designed to implement these approaches? Third, what research projects—such as motivational, crosscultural, and longitudinal studies—are being or can be conducted to deepen our insights and expand our knowledge of the impact of deprivation and disadvantage on personality?

Many other questions emanate from the three dimensions of our hearings and will be explored. We do not necessarily expect to come up with definitive answers, but rather to focus attention on the problems, on the efforts now being made and innovative approaches needed. We hope the printed hearings will assemble in one place for the first time a useful handbook on the philosophy and methodology which can most effectively help people of deprived or disadvantaged background gain the motivation and self-confidence necessary for taking advantage of opportunity.

EQUAL TIME

Mr. PEARSON. Mr. President, the political consequences of President Johnson's announcement that he would not seek another term are enormous. One of the most obvious is the effect his statement will have upon the growing clamor for national television debates between the leading contenders for the Presidency.

Nearly a year ago, I introduced a bill in the Senate (S. 1859) which would repeal the equal time doctrine with regard to candidates for President and Vice President. The principal argument brought forth against its passage at that time was the fact that it would put enormous pressure on an incumbent President to publicly debate the wisdom of his policies with his chief opponent. Many felt then and still believe today that such a confrontation might lead to an outburst by the incumbent in the heat of debate that could jeopardize our national interests and perhaps even our national security.

Mr. President, I have never found that argument very persuasive. The tempo of a presidential campaign sorely tries the mettle of every man who competes and the ultimate victor is usually a man exceedingly well qualified to discuss the issues of the day without losing his self-control. In any event, Sunday's announcement has removed this roadblock. All the positive arguments for passage of S. 1859 still remain.

For example, the cost of political campaigns has soared in recent years, with a large part of the increase attributable to a growing reliance on television as the most effective method of mass communication. In 1966, candidates of all parties spent a total of $32 million for spot announcements and political programs. This represents a 60-percent increase over the total spent in 1962, the last preceding non-presidential year, and almost equals the $34.6 million spent in 1964 for presidential and non-presidential campaigns combined. Of this latter total, $12.8 million, or approximately 37 percent was spent by presidential and vice-presidential candidates alone.

Mr. President, many prominent officials in the broadcasting industry have indicated that they would be willing to make free debating time available to candidates, particularly during presidential campaigns, but are currently deterred from doing so by section 315 of the Federal Communications Act of 1934 which requires them to give an equal amount of free time to all legally qualified candidates.

The problem facing public-spirited broadcasters is not a hypothetical one. In 1964, for example, there were roughly eight presidential candidates on the ballot in at least one State. If free time had then been given to the two major contenders, the broadcasters would have been forced to give an equal amount of time to all the other candidates in the field, whether or not they were serious. As a result overall campaign costs were greater and the public was denied the benefit of a face-to-face confrontation.

Mr. President, as we all remember, in 1960 the equal time provision of the law was suspended and resulted in the famous Kennedy-Nixon debates. It has estimated that approximately 115 million people saw or heard those 4 hour-long encounters, which, had the candidates been required to purchase that broadcast time, would have raised campaign expenses by roughly 2 million. If similar debates were to be staged today at commercial rates, the cost would be even greater.

But monetary savings alone are not sufficient reason to repeal the equal time provision, though certainly if we are to meet our responsibility to encourage all men of ability and not merely men of means to participate in public affairs more must be done to reduce the enormous costs involved. The primary purpose for repealing the equal time requirement is to encourage a thorough discussion of the issues by the two leading contenders for the highest office in the land. The American people deserve the opportunity to not only hear these men express their views, but also to study them as individuals grappling with weighty problems under pressure, for after all, this is what the victor will be doing daily once he assumes office. Such meetings can restore a healthy and necessary element in the style and public value of presidential campaigns.

Thus, there are a number of reasons why the equal time provision should be permanently repealed. And, because of present conditions, this is a particularly appropriate time to act. If we continue to delay, we will once again be faced with a presidential election involving an incumbent, and it is highly unlikely that the party in power, be it Republican or Democratic, will encourage the passage of legislation designed to reduce their political advantage by exposing the officeholder to a grueling face-to-face confrontation with his principal rival—despite the fact that such an encounter is in the interest of an enlightened citizenry.

Mr. President, last year this body unanimously passed the Election Reform Act of 1967. This was indeed a significant step toward improving the character and quality of the American democratic process. But we can and should do more.

Current law stifles, not stimulates, public debate. It encourages a growth, not a reduction in campaign spending. It must be reformed. Let us act, therefore, to repeal, not merely suspend, the equal time provision—at least with regard to presidential and vice presidential candidates—and boldly put public before party interests.

LOSS PAYMENTS ON DROUGHT DAMAGE

Mr. **MONRONEY**. Mr. President, nearly half of our Oklahoma farmers who carry Federal crop insurance have received loss payments on drought damage to their 1967 crops. Some 2,750 of the 5,500 insured crops were damaged enough to qualify for loss payments totaling nearly $3 million, making it the second highest total of loss payments to be paid in Oklahoma in the last 20 years.

I call this to your attention because I think it illustrates aptly how well this program of the Federal Crop Insurance Corporation, U.S. Department of Agriculture, is functioning and because I know that in Oklahoma, in many cases, the payments these farmers are receiving are the deciding factor in making it possible for them to continue farming instead of perhaps being forced out of business, deeply in debt.

It happens that in Oklahoma, farmers insured with Federal crop insurance have received about $1.21 in loss payments over the 20-year period for every $1 of premium they have paid in. That is bound to be true in some States, just as some years are "loss years" for FCIC and some are not. The important thing is that for the 39 States in which one-third of a million farmers now carry $750 million in FCIC protection, the 20-year loss payout has averaged nationally about 95 cents for every premium dollar the farmers paid—which is how Congress asked that the program be operated when it was first established.

In good years, insured farmers have not only the peace of mind which comes with knowing they can be in business the following year, come what may, but they also have valuable additional bank credit which they are using more and more for expansion or operating loans. In disaster years, of course, the loss payments they receive are more times than not a godsend and a lifesaver.

In Oklahoma, Federal crop insurance is offered in 38 counties on one or more of five separate crops. All 38 have wheat protection available; eight of the 38 offer cotton insurance; 18 offer grain sorghum insurance; two offer peanut insurance, and two offer soybean protection. Two of the 38 counties offer protection on four of these five crops, six counties on three crops, 12 counties on two of the crops, and in 18 counties only wheat protection is available.

More than $2,750,000 of the $3 million in loss payments paid for the 1967 crop year was paid to 2,445 wheat farmers—331 other losses which were paid on the other four crops total $115,000.

In 7 of the last 20 years, FCIC's loss payout in Oklahoma has exceeded the premiums farmers paid for those years.

It is gratifying to see such a voluntary program, paying its losses out of premium income, be so well accepted that it has more than doubled in scope nationally in the last 6 years. I think Congress can be proud it established Federal crop insurance to fill a long-felt need. And I know that the Department of Agriculture is pleased at how well it has been operating in recent years—filling a need which keeps increasing as farming becomes more expensive, and as the financial risks in farming grow.

CONCLUSION OF MORNING BUSINESS

The **PRESIDING OFFICER**. Is there further morning business? If not, morning business is concluded.

ADJOURNMENT TO MONDAY AT 10 A.M.

Mr. **MANSFIELD**. Mr. President, there being no further business to come before the Senate, I move, in accordance with the order previously entered, that the Senate stand in adjournment until 10 o'clock a.m. on Monday next.

The motion was agreed to; and (at 1 o'clock and 10 minutes p.m.) the Senate adjourned until Monday, April 8, 1968, at 10 a.m.

EXTENSIONS OF REMARKS

The American Dental Association Pays Tribute to Senator Lister Hill

HON. GAYLORD NELSON

OF WISCONSIN

IN THE SENATE OF THE UNITED STATES

Friday, April 5, 1968

Mr. NELSON. Mr. President, the distinguished senior Senator from Alabama [Mr. HILL] has compiled an unparalleled record of public service, both as a Representative and as a Senator.

Since his arrival in Washington in 1923 as a freshman Representative in the 68th Congress, LISTER HILL has made giant strides in improving the lives of all Americans.

For the past 45 years he has dedicated himself to promoting the welfare of our Nation. Few men in our long history have so willingly given of themselves as has Senator HILL.

In the House, he fought for Government operation of Muscle Shoals and helped finally to make this the core of the great Tennessee Valley Authority development. In the Senate, he was the principal advocate of an ever-widening program of Government medical research. He was the coauthor of the law that provides Federal funds for construction of hospitals. His record of accomplishments goes on and on, and will be indelibly printed in the annals of American history.

In the April issue of the Journal of the American Dental Association, a fine tribute is paid to Senator HILL. I ask unanimous consent that this impressive article be printed in the RECORD.

There being no objection, the tribute was ordered to be printed in the RECORD, as follows:

HON. LISTER HILL: LEADING STATESMAN FOR HEALTH AFFAIRS

(NOTE.—The American Dental Association pays tribute to its distinguished Honorary Member—the gentleman from Alabama—who during his 45 years in the U.S. Congress established an unprecedented record in the furthering of the Nation's health.)

"We stand today at the threshold of a Golden Age of Medicine." The words are those of Lister Hill. They are appropriate words for him to speak since he is eminently one of the men who has led us to that threshold. No man has done more than he to shape the health future of America, to give it promise and hope. He has done it with unfaltering vision, courtly eloquence, tireless leadership. Writing of him, William S. White, the noted newsman, said: "Countless millions owe their lives to Lister Hill. He has done more for the public health than any American in history."

Born in Montgomery, Alabama on December 29, 1894, Lister Hill's identification with the nation's health was a family heritage. His father, the late Dr. L. L. Hill, was one of the South's foremost physicians.

On August 14, 1923, Lister Hill was first elected to national office, taking a seat in the House of Representatives in the 68th Congress. It was the era of normalcy; Calvin Coolidge was President of the United States, and it would be eight years before the title, "The National Institute of Health," would come into being.

In 1938, Representative Hill became Senator Hill. His steady, lifelong concern for the health of the nation intensified during the early years in the Senate even as he carried out a full range of Senatorial duties, including the post of majority whip during the 77th, 78th, and 79th Congresses.

The list of health measures that Lister Hill has guided through the legislative process is of astounding length. His contributions have ranged across the entire spectrum of effort in the health field, encompassing facilities and services, research, education and training, and preventive services.

Of all the measures for which he is responsible, the one with perhaps the broadest impact is the Hill-Burton Act, which has helped provide 353,000 beds in hospitals and nursing homes and 2,400 other health facilities.

Other vital contributions have been in research. Senator Hill's efforts in this area began as early as 1928 when, in the House, he led the struggle for the Gorgas Memorial Institute of Tropical and Preventive Medicine, designed to conduct and encourage research in preventing and treating tropical disease.

It was Lister Hill who sponsored the measure, in 1948, to establish the National Institutes of Health as the research arm of the United States Public Health Service. Additional legislation through the years has made it possible for that agency to grow in specialized areas to keep pace with the fruits of research. Senator Hill's unfaltering interest has focused not only on the total program of the Institutes but on each of the specialized areas. It was at the recommendation of his Appropriations Subcommittee, for example, that Congress provided funds for an independently housed National Institute of Dental Research.

The Research Facilities Construction Act of 1956 is another major achievement sponsored by Senator Hill as is the establishment of the modern National Library of Medicine.

Such achievements go toward providing the tools that a highly trained professional team must have. A need that is perhaps even more basic is to assure a continuing supply of such professional workers. Here too Lister Hill has led, with credit for the Omnibus Health Act of 1956, The Health Professions Educational Assistance Act of 1963, The Nurse Training Act of 1964 and the Allied Health Professions Personnel Training Act of 1966.

In the area of public health, the impetus to construction of public health centers under the Hill-Burton program has been a major factor in modernizing public health and health education. As of June 1, 1966, more than 1,240 health centers and laboratories had been or were being built under the auspices of the Hill-Burton program. Senator Hill is also an achitect of the Comprehensive Health Planning and Public Health Service Amendments of 1966.

At the same time as these general efforts have been made, Lister Hill has pursued a compassionate interest in the handicapped, the mentally ill and the mentally retarded. The Hill-Harris Act of 1963, authorizing financial assistance for the construction of a comprehensive network of facilities for the mentally retarded and mentally ill, is precedent-setting legislation. He is the author as well, of the most comprehensive rehabilitation legislation Congress has enacted. The Hill-Burton provision for construction of rehabilitation facilities has provided a focal point for community efforts in rehabilitation.

Senator Hill has led in enactment of legislation relating to training of teachers of the deaf and providing braille textbooks and other educational material for blind schoolchildren. It was his efforts that led to establishment of the National Technical Institute for the Deaf.

It has been frequently noted that Lister Hill is in a strategic position to further America's health programs since he is Chairman of the Committee of Labor and Public Welfare and Chairman of the Appropriations Subcommittee concerned with health expenditures. Though there is some pragmatic truth in that, it is a little like saying that the sun begins to shine when the earth is warm. If America enjoys today the exultation of standing "at the threshold of a Golden Age of Medicine," it is not so much because those Chairmanships were held by Lister Hill as it is that those Chairmanships, at this crucial point in our history, were invested with purpose and meaning by a man who understood clearly that this nation's potential is equal to its needs, the Honorable Lister Hill of Alabama.

The American Teacher in Politics

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Friday, April 5, 1968

Mr. MATSUNAGA. Mr. Speaker, beginning today the National Education Association and its constituent State associations will observe what has been designated as Teachers-in-Politics Weekend. I join my colleagues in saluting the teachers of America in their continuing efforts to play a role of ever-increasing importance in the affairs of the community, the State, and the Nation.

It was but a few years ago in Hawaii, as it still is in many of the States of the Union today, that teachers could not engage in partisan politics. A restrictive statute, dubbed the "little Hatch Act," effectively kept Hawaiian teachers and other territorial and county government employees away from politics. As a Member of the House of Representatives, Territory of Hawaii, I was one of the proponents who were successful in repealing our "little Hatch Act" and bringing political freedom to the teachers in Hawaii. Repeal of this law has made it possible for our teachers to engage in political activity after school hours and to enjoy all the rights and privileges of citizenship.

I strongly urge other States which have laws denying political freedom to their teachers to follow Hawaii's example.

Too often, the word "politics" has a negative connotation. As John F. Kennedy once said:

> It is disheartening for me, and I think alarming for our republic to realize how poorly the political profession is regarded in America. Mothers may still want their favorite sons to grow up to be President, but according to a famous Gallup Poll some years ago, they did not want them to become politicians in the process.

I see the role of the teacher in politics as a positive and constructive one.

There are several spheres of political activity in which the teacher can participate effectively. Active membership in a professional organization such as the National Education Association which is sponsoring Teachers-In-Politics Weekend this coming April 5 through 7, can enlarge the base of the individual's political influence. Teacher organizations not only work to improve the status of the profession and the quality of the system as a whole, but they also seek to provide the individual teacher with information on the newest methods and materials and to give her the support of colleagues throughout the country. A good example of the activities of such organizations are the teacher clinics which are being sponsored by the Hawaii State classroom teachers this weekend. These clinics will examine and discuss the role of the teacher as a good citizen.

Individual participation in community and national affairs is another area in which the teacher can be effective. Nine out of 10 teachers voted in the national election in 1964, as compared to seven out of 10 people in the general voting population. It was estimated that by 1967, almost 50,000 teachers had been candidates for public office. These figures show a national trend among educators toward a more active involvement in politics which I hope will continue to grow, and which I know the Teachers-In-Politics Weekend will provide significant impetus.

Teachers in Politics

HON. FRANK CARLSON

OF KANSAS

IN THE SENATE OF THE UNITED STATES

Friday, April 5, 1968

Mr. CARLSON. Mr. President, today, the National Education Association and its constituent State associations have launched a most worthwhile program called Teachers in Politics.

I think the purpose of this program can be summed up best by the following resolution concerning teacher activity during 1968.

> This should be a year in which teachers make a new pledge to democracy, in which teachers assume cheerfully the duties that are a part of citizenship and in which city, state and nation will benefit from teachers leading free men to govern themselves with courage and vision.

Mr. President, in my home State of Kansas, the Kansas State Teachers Association is sponsoring six required political clinics tomorrow throughout the State to encourage teacher participation in political affairs and to motivate teachers to interest their students in politics.

In essence, this program allows our teachers to do their homework before exercising their rights as American citizens. These clinics are not concerned with partisan politics but with the creation of a more responsible citizenry and a better government.

I wish to go on record as commending the National Education Association and the Kansas State teachers organization for this worthwhile and needed program.

Teachers in Politics—Positive Action for Democracy

HON. THOMAS G. MORRIS

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Friday, April 5, 1968

Mr. MORRIS of New Mexico. Mr. Speaker, since the first schools were established in New England during the 1600's, the American schoolteacher has been responsible for the guidance and development of the youth of our Nation. Through the patience and understanding of many millions of dedicated men and women, generations of children have learned the skills and values so essential to the continued vitality of our country. A wise man once noted that:

> The most potent of all indirect influences in the development of our citizenry is the influence of a good teacher.

Today's teacher faces a greater challenge than any of his predecessors, for the choices which confront us in contemporary life are some of the most difficult ever thrust upon a democracy. Our response to these choices may well decide the future course of our own, and the world's history. Thus, the necessity of a responsible, well-informed citizenry is a crucial one, and one which is being met by the day-to-day efforts of teachers in classrooms in every part of the country.

The scope of the need is so great, however, that in many cases outside help has been necessary to enable schools and teachers to meet it effectively. Congress has recognized this crucial need and has provided Federal funds to assist in this undertaking. Believing that people are our most precious national asset, we have chosen to direct our money and our energies toward a productive investment in the best education possible for the youth of our Nation.

The success of our endeavor will determine our future greatness and, in large measure, it will depend on our teachers. How well they impart the values and ideals of a democracy to impressionable children will be the deciding factor in whether our legacy will be a viable political instrument, responsive to the needs and desires of a people or a system of hardened and unmanageable rules, suited only to perpetuate the vested interests of a status quo.

In view of these considerations, it is with a great deal of pleasure that I salute the teachers of this country who, from Friday, April 5, to Sunday, April 7, are observing Teachers-in-Politics Weekend. Their recognition of, and participation in, the political process as the most effective means of attaining the goals which we desire for our children and ourselves is gratifying to me, both as a politician and as a parent. Not only do teachers constitute one of our most well-informed sources about the educational requirements of youth, but their active participation in the political life of our Nation will serve as an exemplary model to today's children of the importance of the political process in a democracy. And it is today's children who will be tomorrow's leaders.

"Teachers in Politics" weekend will help to bring public recognition of the fact that teachers, as a group, are becoming more and more politically aware and more and more politically active. Opinion polls run by the National Education Association indicate that teachers themselves have undergone a rapid change of opinion as to their participation in politics. In 1956, only 33 percent thought teachers should be active in politics; in 1964, 67 percent were in favor of an active role. In the November 1964, national elections, nine out of 10 teachers went to the polls as compared to seven out of 10 persons of the general population of voting age. The potential value of active, informed teacher participation in politics is heightened by the fact that this is an election year.

Observances scheduled for the weekend include a variety of activities at the State and local level. Political clinics are being organized in many States to observe the weekend. In New Mexico, a statewide meeting is planned for April 6 in Albuquerque, with participation by the present gubernatorial candidates and a discussion by the State precinct chairman.

I heartily endorse the concept of active, intelligent participation in politics for every American. And I am tremendously proud of the fine effort being launched by teachers throughout the land to make it not the exception, but the rule, for responsible citizens to exercise their freedom of choice not only at the polls, but in the precincts. We can justifiably say that it is a positive response to the challenge of a democratic society that will benefit not only the Nation, but each of our children as well as the teachers who inspire them.

Senator Prouty Lauds Teachers-in-Politics Weekend

HON. WINSTON L. PROUTY

OF VERMONT

IN THE SENATE OF THE UNITED STATES

Friday, April 5, 1968

Mr. PROUTY. Mr. President, this weekend the National Education Association in conjunction with its State affiliates will be conducting a nationwide campaign to enlist teacher participation in political matters.

Teachers-in-Politics Weekend is an excellent idea and it shows great promise for the promotion of active participation and will serve to emphasize the important role teachers must continue to play in the political decisionmaking processes.

As the ranking Republican on the Senate Education Subcommittee it has been indeed a great privilege and honor for me to have been directly associated with the National and State associations in helping to make the 1960's the educational decade of this country. Their help in identifying the educational issues of importance to us on the subcommittee was, in my judgment, the primary reason we were able to enlist such unprecedented attention and support to the task of strengthening and improving education in the United States.

Finally, I wish to express my personal appreciation to the teachers of the Nation for their dedication in discharging their responsibility to equip our children in meeting the challenges of tomorrow.

Discrimination in Employment

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, April 5, 1968

Mr. RYAN. Mr. Speaker, on February 29 in a speech on the floor of the House I outlined the failure of the Federal Government to implement existing powers to curb discrimination in employment. I pointed out that section 101 and section 103(a) of the Model Cities Act require, as a condition of assistance, that model cities funds be used to open up jobs for residents of the target area.

Herbert Hill, national labor director of the NAACP, in a speech in New Orleans on March 30, raised very disturbing questions about the proposed administration of these requirements. The intent of the act is clear. I call upon the responsible administration officials to follow it.

I include at this point excerpts from the address by Herbert Hill, national labor director of the NAACP, and a news story from the Washington Post of Friday, March 29, entitled "NAACP Charges Deal Robs Negroes of Jobs":

EXCERPTS FROM STATEMENT BY HERBERT HILL, NATIONAL LABOR DIRECTOR, NAACP, DELIVERED AT NAACP SOUTHERN REGIONAL CONFERENCE, ROOSEVELT HOTEL, NEW ORLEANS, LA., MARCH 30

The Demonstration Cities and Metropolitan Development Act of 1966 (public law 89-754) known as the Model Cities Program contains the following provisions:

Section 101 of Title I of the Act states that "The Purposes of This Title are . . . to expand housing, job and income opportunities."

Section 103(a) states that "a comprehensive city demonstration program is eligible for assistance . . . only if the program is of sufficient magnitude . . . to make marked progress in reducing social and educational disadvantages, ill health, underemployment, and enforced idleness . . . to serve the poor and disadvantaged in the area."

Section 103 also requires "maximum opportunities for employing residents of the area in all phases of the program and enlarged opportunities for work and training."

It is clear that the purpose of the Model Cities Act is not simply to construct buildings, but also to provide gainful employment for unemployed or underemployed ghetto residents.

We believe that the unemployed residents of the areas affected by the Model Cities Act have priority rights to the jobs created by the expenditure of public funds in the Model Cities Program. This includes new construction as well as rehabilitation work. The wording of the Act is very specific on this point as it requires *"Maximum opportunities for employing residents of the areas in all phases of the program and enlarged opportunities for work and training."* The Act also states that local residents must be given "priority for jobs created by the expenditure of program funds."

At the present time confidential negotiations are taking place involving the building and construction trades unions of the AFL-CIO, the National Association of Home Builders, the Associated General Contractors, together with other major contractor groups and representatives of United States Government agencies. The National Association for the Advancement of Colored People is in possession of a "Fifth Draft" copy of a proposed "Memorandum of Agreement on Rehabilitation Work" dated March 1, 1968, and designated "For Discussion Purposes Only." If this document becomes the basis for a national agreement between the building trades unions and the contractor associations with the approval and participation of the Federal Government, then unemployed Negro workers living in the ghetto who are intended to be major beneficiaries of the Model Cities Act will be robbed, as they have been so many times in the past, of a full share of the new employment opportunities in publicly financed construction.

An analysis of the "Fifth Draft" of the "Memorandum of Agreement on Rehabilitation Work" dated March 1, 1968, reveals that:

1. The pact would assure the discriminatory building trades unions of rigid control of all rehabilitation work opportunities in the Model Cities Program. These are the same unions that historically and at present continue to exclude Negroes from membership and therefore deny Negro workers employment opportunities in this expanding sector of the national economy.

The Department of Justice has recently initiated litigation in Federal courts against major AFL-CIO construction unions in several cities because of discriminatory racial practices and it would be the height of folly and inconsistency for other agencies of the federal government to further extend the illegal power of discriminatory union job control to the Model Cities Program. All available data reveals that at best there has been a minimal strategic accommodation by the unions to the requirements of civil rights laws and federal executive orders. The abundant evidence makes it very clear that the nationwide pattern of Negro exclusion from the building trades craft unions remains intact. The proposed agreement would for all practical purposes extend the traditional racial employment pattern into the Model Cities Program while fostering the illusion of concessions to the manpower requirements of the act.

2. The proposed agreement creates a new, separate labor classification, that of "Trainee" and this is divided into two groups: "Advanced Trainee" and "Regular Trainee." The Agreement does not require the unions to admit "trainees" to membership. It permits the discriminatory unions to determine who is an "advanced trainee" and who is a "regular trainee" without establishing objective criteria for these classifications. There is no indication in the agreement as to who will determine when a "regular" trainee qualifies for the status of "advanced" trainee.

3. The proposed agreement provides that "trainees" will not receive the fringe benefits given to union members but that "an explicit allowance shall be made in lieu of fringe benefits." The question must be asked, why should "trainees" who will be permitted to work at the discretion of a labor union not be entitled to at least health and welfare insurance coverage and to the same vacation pay as is available to union members. Since it may be anticipated that most of the "trainees" will be residents of ghetto areas, this is clearly a discriminatory practice which results from the denial of union membership.

4. The proposed agreement states that ratios shall be established between the number of "trainees" and "advanced trainees" in relationship to journeymen, but there is no indication that the present highly restrictive ratios established by the craft unions will be changed. On a national basis, the construction unions have imposed a ratio of one apprentice to every eight journeymen. This means that, at best, an extremely small number of apprentices and an even smaller number of "trainees" will be admitted into the industry as a result of the proposed agreement, which only covers rehabilitation work. Even these very limited "concessions", however, will not apply to new construction. It is necessary to note that rehabilitation work represents a very small fraction of all employment in building and construction.

5. The many thousands of Negro contractors throughout the country who are forced to operate on a non-union basis will be prevented from even bidding for contracts and sub-contracts on Model Cities projects. The Negro owned companies are not members of the contractors associations that are parties to the proposed agreement with the building trades unions. Negro contractors employ many Negro journeymen and apprentices who are denied union membership because of their race and they will be prevented from working on Model Cities rehabilitation and construction work. This is a direct consequence of the exclusive hiring hall arrangements between the craft unions and the construction companies.

6. The proposed agreement provides that "trainees" who will be local residents could receive even lower rates than those indicated by giving them guaranteed work weeks but there is no similar provision that white union members, if they receive guaranteed work weeks, would also have to take wage cuts. This can only be regarded as an example of racial discrimination.

7. The proposed agreement exempts from its coverage ". . . new construction of public buildings, industrial plants, highways, transportation facilities, other apartments and the like." Furthermore it only applies ". . . to new construction of low cost housing up to four stories involving financial support of governments in the same or adjacent blocks with rehabilitation projects within the scope of this agreement."

This means that ghetto residents will be excluded from job opportunities in all of the large-scale lucrative new construction which is to be a major part of every Model Cities Program. This is clearly contrary to the intent of the Model Cities Act and indicates the extremely limited nature of the alleged "concessions" made by the building trades craft unions in regard to the legal requirements of the Model Cities Act.

8. Any ghetto resident who desires to make a formal complaint about the administration of the proposed agreement would be required to present his grievances before the very same parties to the contract who are administering the agreement and who will therefore be responsible for the alleged discriminatory practices. The National Labor Relations Board has determined in several cases involving hiring hall procedures that aggrieved individuals can not be forced to seek redress of their grievances before the parties to the hiring hall arrangement. Does this not make the proposed Model Cities Labor agreement grievance procedure also illegal?

9. The proposed agreement explicitly and implicitly in a variety of terms and conditions permits the labor unions to establish union membership as a condition of employment on new construction and permits the unions to determine standards of employment for those admitted as "trainees" in re-

habilitation work under the Model Cities Program. This is clearly a violation of the law.

The National Labor Relations Board in two significant decisions: Nabokowski and Company and Sheet Metal Workers International Association, AFL–CIO, Local number 65, Cleveland (1964), and Astrove Plumbing and Heating Corp. and Local Union number 2 of the United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry, AFL–CIO, New York City (1965), held that union membership may not be a condition of employment and that a union can not determine standards for employment. The Board's decisions in the Nabokowski and Astrove cases makes it absolutely clear that the hiring of a job seeker may not be dependent upon union evaluation of an applicant's competence. Under the National Labor Relations Act only the employer may legally determine a prospective employee's competence.

10. It should be noted that there is nothing in the proposed agreement that requires compliance with the entire body of federal, state and municipal, anti-discrimination laws and Title 29, part 30 of the Department of Labor, Bureau of Apprenticeship Training regulations which requires non-discrimination in the operation of B.A.T. registered apprenticeship training programs.

Significantly there is no mention in the proposed agreement of the Civil Rights assurances contained in the Model Cities Act. Under the provisions of Title I of the Demonstration Cities and Metropolitan Development Act of 1966, all construction and rehabilitation programs and all other services carried out by cities, states, counties, or other jurisdictions under the provisions of the Act, must be operated in compliance with the requirements of Titles VI and VII of the Civil Rights Act of 1964 and Federal Executive Order 11246.

It is evident that the proposed agreement, by virtue of the facts disclosed above, constitutes a direct negation of the concept of equal employment opportunity under the law and the specific requirements of the Model Cities Act. The experience of Negro workers throughout the country for more than four decades has made it absolutely clear that progress in eliminating the broad pattern of racial discrimination within the construction industry can not be made within the existing framework of union controlled "lily white" hiring halls and the illegal closed shop.

Significantly the Model Cities Act goes beyond the passive concept of "equality of opportunity" and requires as a matter of stated public policy "priority" in jobs for unemployed ghetto residents. This point is clearly stated in the Act but the proposed agreement will impose exclusive union hiring halls and illegal closed shops in this sector of public construction which will make meaningless the job priority provisions of the Model Cities Act.

Representatives of the U.S. Department of Labor and of the Department of Housing and Urban Development have a clear obligation to prevent the adoption of the proposed agreement. Obviously as a practical matter the agreement cannot be made operative without the approval and participation of government agencies involved in the administration of the Model Cities Program.

The National Association for the Advancement of Colored People calls upon the responsible Federal officials to publicly reject the proposed agreement and to indicate that the pending agreement or any similar agreement is unacceptable to the United States Government. Failure to do so can only be understood as a further act of administrative nullification of civil rights laws and executive orders by agencies of the federal government who will be spending vast public funds to subsidize racial discrimination.

If this is to be the case then the NAACP will instruct its local branches and state organizations to initiate litigation in the courts to prevent the Federal Government from subsidizing illegal discriminatory employment practices in public construction projects.

Given the growing racial crisis of America's urban centers, and the recent report of the National Advisory Commission on Civil Disorders, which concluded that "the pervasive effect" of unemployment and underemployment, "is inextricably linked to the problem of civil disorders," the complicity of government agencies in these matters is nothing short of criminal. High public officials who fail to enforce the law in protecting the rights of Negro citizens are as guilty of breaking "law and order" as those who throw Molotov cocktails on city streets.

[From the Washington (D.C.) Post, Mar. 29, 1968]

NAACP CHARGES DEAL ROBS NEGROES OF JOBS

(By George Lardner Jr.)

The NAACP accused the Johnson Administration yesterday of promoting a still secret agreement that would "rob" Negroes of jobs under the Model Cities program.

Herbert Hill, the NAACP's national labor director, said the agreement, still in the final stages of drafting, would turn "rigid control" of hiring over to old-line construction unions with a long history of racial discrimination.

Hill said there was a strong feeling in the Negro protest movement that this is part of the "quid pro quo" between President Johnson and the AFL–CIO, which is working for his re-election.

He called on the Administration to repudiate the plan. Unless the issue is resolved in favor of a "full and fair" share of jobs for Negroes, Hill said, the NAACP will seek court injunctions to block Federal construction funds from going to designated model cities across the country.

On paper, Hill said, the agreement is between the AFL–CIO Building Trades Department and major contractor groups such as the Associated General Contractors and the National Association of Home Builders.

But he said "they couldn't have gone this far without the approval and participation" of Administration officials.

"The complicity of Government agencies in these matters is nothing short of criminal," Hill asserted. "High public officials who fail to enforce the law in protecting the rights of Negro citizens are as guilty of breaking 'law and order' as those who throw Molotov cocktails on city streets."

Under the Model Cities act, slum dwellers are supposed to be given "priority" and "maximum opportunities" for jobs "in all phases of the program" to rebuild their neighborhoods.

The NAACP, Hill said, had obtained a copy of a "fifth draft"—dated March 1—of a proposed national Memorandum of Agreement between the unions and the contractors.

It calls for hiring of slum residents only on residential rehabilitation work and construction of new housing "up to four stories" stemming from rehabilitation projects.

The draft agreement states that it "shall not apply to new construction of public buildings, industrial plants, highways, transportation facilities, other apartments and the like."

Officials from the Departments of Labor and of Housing and Urban Development have been dickering with building trades unionists for months over the "maximum opportunties" clause. The White House is also said to have been keeping a lookout on developments.

However, the Administration was silent yesterday. Hill issued the charges in advance of a speech he will make in New Orleans Saturday and, as a spokesman for HUD put it, "until we get our hands on (the text), we can't make a comment."

Hill said inquiries he made at HUD confirmed that rehabilitation projects will account for only "a tiny fraction" of the jobs that the Model Cities program will create.

Ghetto residents, he said, "will be excluded from job opportunities in all of the largescale lucrative new construction . . . "

The draft agreement, Hill complained, also fails to require the unions to admit "trainees" from the slums to membership, gives trainees an "allowance" instead of fringe benefits such as health and welfare coverage, and fails to state what the ratio of jobs for slum dwellers is to be.

The agreement also permits "guaranteed work weeks" for trainees instead of regular wage rates or overtime pay.

Thousands of Negro contractors who are now "forced to operate on a non-union basis," Hill also charged, could be prevented from bidding on Model Cities projects since they are not members of the contractors associations that would be parties to the agreement. Consequently, he added, non-union Negro journeymen and apprentices would also be left out in the cold.

A final page of the draft memorandum—entitled "Items for Discussion and Resolution with Federal Government"—suggests that Negro "subcontractors" might be brought into the program "to insure that large scale rehabilitation operations are possible in some key cities."

Under the draft agreement, complaints by ghetto residents about the working of the program would have to be submitted to the local unions and contractors working under supplemental agreements.

Hill suggested that this in itself makes the plan illegal. The National Labor Relations Board, he said, has ruled several times that grievances involving "lily white" hiring halls cannot be automatically shunted off to those who set up and use the hiring halls.

Teachers-in-Politics Weekend

HON. EDWARD W. BROOKE

OF MASSACHUSETTS

IN THE SENATE OF THE UNITED STATES

Friday, April 5, 1968

Mr. BROOKE. Mr. President, today marks the beginning of what the National Education Association and its constituent State associations have designated as Teachers-in-Politics Weekend. Workshops and other activities are taking place in every State in observance of the Teachers-in-Politics Weekend. As a result, teachers are being exposed to the legislative process and the political arena. The importance of efforts such as this cannot be emphasized enough because they strive to correct an imbalance that exists in many educational institutions between theory, on the one hand, and the practical effects on the other.

The importance of education is fundamental and speaks for itself. It is the vehicle by which free men can travel on the road of advancement to their respective fields of fulfillment. Recent years have brought an even greater awareness of its potential as a vital tool in our efforts to combat the complex and varied problems that confront this Nation.

Unfortunately, much remains to be done before we can realize this potential.

School dropout rates continue to be seriously high. The projections for the 1965–75 period estimate that 2 million pupils may never enter high school and at least another 7 million may not receive diplomas. In light of our increasingly technological world, this figure represents a darkening prospect.

The need for imaginative programs has thus become apparent. Enriched programs are essential to keep students' interests and to plant within them the seeds of desire for a good education that will hopefully ripen into full awareness of the complexities of their existence. This can only come about if the teachers—the guiding influence of the students—have achieved for themselves the awareness necessary to plant the seeds. Their influence cannot be underestimated. The Massachusetts Teachers Association alone boasts a membership in excess of 16,000. To be effective, these teachers must be constantly exposed to the pragmatic aspects of their fields. This exposure can only result in the making of schooling a more meaningful and rewarding experience.

Teachers-in-Politics Weekend is an effort that will result in richer programs in our schools. It will work toward giving the maximum opportunity for all citizens to develop to the fullest their talents, skills, and potential so that they may share in the rewards of our prosperity and freedom.

Teachers-in-Politics Weekend

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 5, 1968

Mr. EILBERG. Mr. Speaker, often the question is asked: Who should participate in politics? Is politics a tight little political club, with a small selective membership list? Or is it an all-encompassing movement, shouting: Come on in, the water is fine.

On April 5, the National Education Association and its constituent State associations will begin a Teachers-in-Politics Weekend, seeking to stimulate and encourage the participation of our pedagogues in the broad spectrum of politics.

Three cheers, say I. And—it is about time, I add.

I would support strenuously any group seeking greater participation on the political scene—but I can think of no group more needed and better suited than teachers.

Mr. Speaker, I love politics. I have spent most of my adult life in politics, as have most of my colleagues. I think teachers as a group have something real and beneficial to offer in this field.

While as individuals teachers are not new to politics—in fact, some of our committeemen and committeewomen are teachers—as a group, they have not carried their full weight of responsibility.

I say this because as teachers of our children, they owe a responsibility above and beyond the ordinary mortal. Indeed, if they do not show the way, in involvement in politics, to our youth, who shall?

No one has the right to object to the rules of the game if they refuse to play. Only by their participation can they change those things with which they disagree and bring into our life those things they want but which are lacking presently.

Teachers in Politics, As They Should Be

HON. E. L. BARTLETT

OF ALASKA

IN THE SENATE OF THE UNITED STATES

Friday, April 5, 1968

Mr. BARTLETT. Mr. President, the last 20 years have brought a vastly increased awareness of the need for, and the benefits of, the best possible educational system. Our society, which has become so dependent upon complex scientific and technologic devices, obviously has a great need for highly trained people to use those devices. A world ever teetering on the brink of disaster as increasing numbers of nations come into possession of the awesome weapons of destruction, needs politicians and diplomats of the highest possible caliber, so skilled in the arts of politics and diplomacy that wars can be reduced to the negotiation table.

Much more than ever before, we live in an age when brains means much more than brawn, when education can mean the difference between survival and destruction, when the intellectual plays an important and vital role in the daily lives of all of us. Education and its agents, teachers, are becoming more and more the sine qua non of our society. We have been slow in our response, however, remaining reticent to give full recognition to the vital role teachers play.

Efforts to reverse the traditional subservience of teachers in the economic structure of our society and to provide teachers with salaries and other benefits commensurate with the tremendous responsibilities they must shoulder are still relatively new. In most communities they still face an uphill battle. Attempts to reverse stereotyped views about the role of teachers in our society have met with too little success. Much too frequently we still tend to think of the teacher as a mousey little lady, so completely dedicated to her profession that she is willing to endure any privation and suffer the derision of a society with which she has ceased to maintain any active contact.

The modern teacher, politically alert, intensely interested in her community and the world, aware of the false image of her and her profession and determined to change it, and often a mother or father and one of the family breadwinners, is probably in no way different from her counterpart of yesteryear. They do differ, however, in that, for the first time, teachers have begun to feel that there is something they can do to improve their lot.

Teachers have come to realize that there is no reason why they should be expected to be more dedicated, more long-suffering than others, or should accept life in a society only too anxious to receive their services but reticent to pay for them. They have come to realize also that they can do much to induce their communities to improve educational programs, to impress upon their fellow citizens the importance of education, well-qualified teachers, adequate educational facilities, and greater public respect for education and its institutions. The key, they have discovered, is active involvement in politics at all levels. It is the key to better lives for themselves. It is the key to better education for the community. It is the key to a better community.

The Teachers-in-Politics Weekend, to be conducted throughout the Nation this coming weekend, will focus national attention upon the political coming of age of our teachers. It sounds a clarion announcement that teachers too are citizens entitled to all the rights and privileges of citizenship, rights, and privileges which heretofore have been effectively denied them not through any malicious intent but through simple thoughtlessness.

Death of a Great American

HON. HERBERT TENZER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, April 5, 1968

Mr. TENZER. Mr. Speaker, the cruel and senseless assassination of Dr. Martin Luther King has shocked the conscience of America.

A great American who lived by the philosophy of nonviolence, Dr. King brought hope and leadership to the civil rights movement in this Nation. Now he has been struck down by violence—by the assassin's bullet.

It is an incident which will be recorded in history as an act which brought shame to the United States and only the conscience of a great nation can broaden that account in history to include the story of an incident which marked a turning point in man's relationship to his fellow man.

The conscience of the United States—not a white conscience or a black conscience—but an American conscience must now be heard throughout this land. It is very easy for leaders of our Government and for the man in the street to express grief, shock, and sympathy for the family of Dr. Martin Luther King in the wake of this act of murder and bigotry.

The test will not come in our words but in our deeds. The test is not the reaction of the Negro people—it is the reaction of America and Americans.

The test is not who will be the next Negro leader. The test will be who joins in assuming American leadership.

The movement which Dr. King founded and guided will continue and will grow. The test will be the direction which that movement takes, and the leadership which is given in directing that movement.

The American people—united and true to the principles upon which this Nation was founded—can give new strength to the dream of Dr. Martin Luther King—the American dream.

If we fail to respond—or if we respond without unity, but rather in divisiveness—then freedom and equality will be achieved through another path—a path which Dr. King avoided all his life—a path repugnant to Dr. King and repugnant to the philosophy of nonviolence.

The choice is ours—every American's—and we must decide together. It should be an easy decision to make, but the test is whether we make that decision united and firm in the commitment which must be assumed and kept.

Dr. King's brutal slaying has presented this test to the conscience of America and a great nation will see to it that he did not die in vain.

Teachers in Politics

HON. CARL T. CURTIS

OF NEBRASKA

IN THE SENATE OF THE UNITED STATES

Friday, April 5, 1968

Mr. CURTIS. Mr. President, it is my understanding that early in April the National Education Association and its constituent State associations will observe Teachers-in-Politics Weekend. Anytime that any number of individuals accentuate their activity in politics, I wish to laud them for doing so.

Politics is not a bad word. Politics is the program whereby the job of self-government is carried out. The privileges and opportunities of citizenship also carry grave responsibilities. In our Republic there is no all-wise earthly dictator who will make wise decisions for our country. If the people fail in the job of self-government, self-government fails. A wise man has said that all that is necessary for wrong to rule the day is for good people to do nothing.

It would be my hope that the teachers of America would become active in politics not as a group but as individuals. No individual citizen should permit his thinking on vital public questions to be predetermined by a group or group leaders. The individual citizen should be alert. He should read. He should attend political meetings. He should visit the police department and learn about their problems. If the police permit, he should spend a few nights riding in a police car as they answer the calls. He should go to party caucuses and conventions. The individual citizen should become informed. The individual citizen should put the general good of the country ahead of the special concern of his occupational group, his ethnic group, or his geographical group.

Teachers as individuals can accomplish much for our country by becoming informed about the Nation's foreign problems, military problems, law-and-order problems, agriculture problems, labor problems, as well as educational problems. Their highest accomplishment will be reached by their intelligent and dedicated performance as a citizen interested in the general welfare.

America cannot endure when the voices of such intelligent and dedicated individuals whose first allegiance is to the general good, is lost in the clamor and noise of the organized groups determined to place their own economic interest first in their participation in politics.

Community Leadership Conference on the Security of the Citizen

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, April 5, 1968

Mr. BINGHAM. Mr. Speaker, on February 22 I had the pleasure of sponsoring my third annual community leadership conference for the residents of my district. The theme of the conference at the Heights Campus of New York University was "The Security of the Citizen." We were honored to have the distinguished chairman of the House Judiciary Committee, the gentleman from New York [Mr. CELLER], as our principal speaker.

Outstanding members of the bench and bar, government officials, and representatives of the academic community formed five panels to discuss crime prevention, the police, the courts, narcotics, and general problems of security in our community.

Obviously, no single conclusion emerged from all of this. The array of crimes that plague our society like so many diseases can no more be lumped together for diagnosis than can heartburn and heart attacks, the common cold and schizophrenia. But many individual points were made by conference participants that I am sure will be of interest to my colleagues and other readers of the CONGRESSIONAL RECORD.

For this reason, I have had a report prepared summarizing the plenary and panel sessions. I have already entered the keynote address by the gentleman from New York [Mr. CELLER] in the RECORD, and, with permission, I insert the report on the remainder of the conference herewith:

OPENING PLENARY SESSION

Dean John W. Knedler Jr. of NYU's Heights Campus greeted the more than 750 conference participants.

Congressman Bingham expressed his thanks to Dean Knedler and the officers and staff of NYU for their hospitality and cooperation in making the conference possible, to co-chairmen Murray Gordon and Colonel Joseph Murtha, and to his congressional staff, the hosts and hostesses and the scores of organizations represented in one way or another at the conference (see attached list).

He explained that the meeting was called because the residents of the community are, to an unprecedented degree, concerned for their personal safety on the streets, in hallways and even in their homes. In many areas, they are afraid to go out at night.

Mr. Bingham continued: "There are those who try to belittle the problem, to claim that much of it is psychological. Obviously, they have not been in touch with the people of this community. Not long ago at a meeting on Southern Boulevard to which I invited constituents living in the area to hear a report on the 90th Congress—more than half of those present said they personally had been mugged, some of them more than once.

"The title of this conference has two aspects: the citizen has a right to be secure from unlawful arrest or search and from police harassment or brutality; but the citizen also has a right to protection from physical injury. Unfortunately, there is a tendency in some quarters to focus on one aspect and neglect the other.

"There is wide agreement that the root of most violent crimes lies in social degradation, poverty and discrimination, and that the disease, with all of its malignant symptoms, can be wiped out only through the elimination of those conditions. We are only beginning to realize how much we must do in such fields as housing, education, employment and family life.

"But while we seek to uncover and destroy the virus itself, we cannot ignore the symptoms. As President Johnson said in a recent message to Congress, we must continue to attack the root causes of crime, but 'crime will not wait while we pull it up by the roots.'

"The American people will not wait either. We must take immediate steps to protect today's potential victims and restore the security of the citizen. This job is not one simply for the police, the courts and the correctional institutions. In the short run, as well as in the long run, it requires the support and participation of schools, businesses, social agencies, private groups and individual citizens. All of you recognize this truth, or you would not be here today."

Mr. Bingham then introduced Congressman Celler, whose speech on "The Federal Role in the Security of the Citizen" was included in The Congressional Record of February 26.

The first plenary session also included a panel discussion on "Crime Prevention—Basic Strategy" by Dr. Daniel P. Moynihan, director of the Harvard-MIT Center on Urban Studies; Dr. Kenneth B. Clark of the City College of New York, a member of the New York State Board of Regents; and Arnold Sagalyn, associate director for public safety of the President's Commission on Riots.

Dr. Clark recalled that when President Johnson delivered his State of the Union address, Congress applauded most enthusiastically when the President mentioned the problem of "crime in the streets." He said that, in that message, the President devoted 450 words to proposals for dealing with crime and 45 words to civil rights programs and problems.

The principal big-city victims of crime are now and have always been the defenseless residents of low-income areas, Dr. Clark said. Speaking from the perspective of the Negro, and as a person who is trying not to lose faith and hope in the belief that America still has its essential moral and ethical sensitivity, he said, the most obvious new development is that we, as a nation, have become much more alarmed as the percentage of our city population with visibly different skin color increases.

Society has achieved its goal of affluence for the minority groups who came to the cities before the influx of Negroes and Puerto Ricans, and the children of these groups are no longer poor. They are now members of the alarmed and disturbed white middle-class which is so concerned that crime must be controlled. When they refer to the security of the citizen, they are referring to themselves.

These fears of the middle-class and affluent are justified, Dr. Clark said. They reflect the reality of anger among the poor. The basic problem of our society—one which will not get enthusiastic applause—is the crime that our country, in spite of all its affluence, can doom 20 per cent of society to all of the conditions which lead to crime. The crimes we are concerned with today are due to the conditions of a deeper disease which we probably will not even discuss here, he said.

Mr. Sagalyn commented that the prevention of crime was regarded at one time as a primary objective of the policeman. More than a century ago, it was the policeman's duty to keep his area free of crime. But today, few police departments seem to consider crime prevention either their function or their responsibility. They pay it lip service, while they regard law enforcement as their principal duty. Their men are deployed not to prevent crime but to apprehend those who have already committed crimes. In many departments, the men are rated on the basis of the number of arrests made.

We need only look at the rapidly increasing crime rate to recognize that this approach has been a failure, Mr. Sagalyn said. We are losing the battle. Most communities have less than 100 policemen, and only 19 cities have more than 1,000 policemen. This is a real handicap, but adding a lot more men to police forces is not only very expensive; it is unlikely to have much impact if police continue to approach the problem as they have in the past.

Our efforts must be directed instead to realistic programs which will prevent crime. In every crime two factors are involved: motive and opportunity. Clearly, we cannot do very much to change human behavior. We can, however, greatly minimize the opportunities to commit crime and thereby prevent many crimes by controlling the physical environment in which they occur. Many crimes are situational offenses, i.e., the opportunity presented to a person happening on the scene is so inviting that he cannot resist the opportunity. And thus a crime is committed which would otherwise not have occurred.

Among the steps which Mr. Sagalyn recommended are environmental and physical controls which will make it very difficult to steal a car, to commit a crime on the streets, or in elevators, stair wells, parks and parking lots—where so many of the serious crimes that endanger people occur. These controls also create such a high risk of being spotted, identified and apprehended that the would-be violator is deterred. In this connection we must give attention to the planning, design and construction of buildings, streets, parks and other public places to eliminate or minimize crime-inducing factors now present.

Dr. Moynihan said there is little we know about crime except that it is largely a phenomenon of a lower class, a group of people raised in turbulence. Historically, wherever such people have appeared, there has been crime. He also said it is young males, between their early teens and early 20s, who are involved in most crime. Thus there is a criminally disposed group, and one reason for the fact that there is more crime today is the existence of more young people of lower classes. There is no question that we have learned to associate crime with race as well—in New York City, with Negro and Puerto Rican youths. What is to be done?

We do not have much evidence on how to bring about changes. There have been many efforts, but no conclusive results. There are a number of specific problems in the United States which suggest that dealing with crime will be especially difficult for us.

For one thing, in this country there is a very high level of distaste for the police, especially among liberals. A second problem is that we have a prison system which is backward and barbaric. Dr. Moynihan said he does not know of a more neglected institution in this country. Our judicial system is also in serious trouble, he added. It is tied up with accident and traffic cases, and in some places civil court cases have had to be suspended entirely in order to permit the system to catch up with the criminal case load.

Other nations like ours have resolved similar difficulties in the past. London, Copenhagen and Paris had the same problems, but they dealt with them successfully by working to eliminate bad housing. In our country, however, we have not learned to deal with the conditions of crime. We must become aware of these conditions of life in the urban setting because the level of violence in our society is rising. Those who are too negligent to notice the lower classes as children will be fully aware of them as men. At least in part, this is a matter of social misinformation much deeper than we have ever experienced before.

The American people, the speaker warned in concluding, may be in grave danger of losing their social stability.

Conference participants then divided into four groups to attend the other panel sessions.

PANEL ON THE POLICE

The question posed for discussion by this panel was, "Are the police unduly hampered?" Conference co-chairman Murray Gordon was the moderator. Panelists were Judge Sidney Asch of the Civil Court of New York City; Patrick V. Murphy, director of public safety for the District of Columbia; and Lee Loughrey, chairman of the division of law and police science at John Jay College of Criminal Justice.

Judge Asch said the police are not so hampered that they cannot achieve reasonable objectives. But he said that if the rules of evidence developed by the courts are unintelligible to the police or not possible to carry out, they cannot protect the citizen from police abuses and should be modified. The effect of recent U.S. Supreme Court decisions on the apprehension and conviction of criminals has been minimal, and reducing crime has little to do with relaxing or tightening rules of evidence.

The policeman is the most visible symbol of authority in our society. As a result, he bears the brunt of complaints that are due to frustration caused by a general evaporation of authority in almost every aspect of community life. But there is little the policeman can do about these basic frustrations. At a time when specialization is needed, the policeman comes out of the tradition of the generalist. We give him a whole range of tasks—to rescue cats, deliver babies, deal with sex mores, pass judgment on complex constitutional issues as well as dealing with emergencies requiring force—but we do not insure that he is equipped with the training, experience and flexibility to do all of this.

What's more, Judge Asch continued, when compared with other professionals, the policeman is less educated and less familiar with the poor and members of minority groups. Frequently he does not have the support of the community where he works, and this alienation tends to inculcate a feeling of "them against me."

For any meaningful resolution of our problems, we must change the values of everyone in our society, not just blame the policeman. In the short run, moreover, it is necessary to recognize that the police cannot do everything. Many of the functions they are now called upon to do, such as school discipline, illness on the streets, licensing, social work and routine clerical tasks, should be turned over to the appropriate specialists such as doctors, social workers and psychiatrists.

The functions that are reasonably left to the police can be dealt with more effectively only if the police receive better pay and training. In addition, police departments should be organized on separate "tracks" so that personnel who are specialists can get into specialist ratings without going through the slow, tortuous process of advancement from foot patrolman.

Mr. Murphy remarked that both affluence and poverty in our society underlie crime. In our increasingly affluent country, the increase in crime has been against property, not against the person.

Most policemen use their great power with discretion, he said. But this power is sometimes misused, which may account for the Supreme Court decisions restricting police practices. Police do not have enough prestige or community support, nor do they show the professional development of other parts of the criminal justice system. For example, there are 40,000 police departments in the country—uncoordinated and having little communication with one another, even within a single state.

Thus there is a need for higher standards, professional training and education of policemen at all levels.

The D.C. public safety director also explained a new plan which the District Police Department is using to promote innovations and evaluation of new techniques. Each precinct, he said, makes monthly reports on crime figures, while smaller units within the precincts (seven or eight block areas) make similar reports on a weekly basis.

Mr. Loughrey said that fear for their own security had brought the participants to the conference. He complained that the courts have forgotten the victims of crime. To punish the policeman for brutality or other abuses, the criminal is set free to resume his illegal activities. The rulings of the U.S. Supreme Court appear to indicate that the justices feel a person who confesses to a crime must have been coerced by police violence.

The speaker was also critical of the demands on a policeman's time such as filling out detailed reports. Excessive paperwork and administrative detail may leave too little time for crime prevention and detection, he said.

Question period

Question. What is your opinion of the Patrolman's Benevolent Association request for 5,000 additional patrolmen?

Answer. Mr. Loughrey said additional men are needed to take the place of those on sick leave and court leave and to compensate for the shorter (40-hour) week.

Question. Why won't the public get involved in preventing crimes?

Answer. Mr Loughrey said the public must be educated about how they can help their law enforcement officials.

PANEL ON THE COURTS

Members of this panel, which discussed the question of whether the courts are too lenient, were Justice Arthur Markewich of the New York State Supreme Court; Russell Oswald, chairman of the New York State Parole Commission, and Burton Roberts, chief assistant district attorney for the Bronx. Judge J. Howard Rossbach of the New York City Criminal Court served as moderator.

Mr. Roberts said the crime increase is not just cold statistics but hard facts. There was a 25 per cent increase in indictments in Bronx County from 1966 to 1967. Since it is not possible for the courts to keep pace with this caseload, they often resort to reduced charges and sentences Because the courts do not have adequate manpower or facilities, they have, of necessity, been lenient in cases where leniency was not merited. The blame should be placed not on the courts but on the failure of the State legislature to increase the number of judges available to try cases.

The speaker was also critical of the correctional system. There has been very little research done on crime, including what causes it in a psychological or behavioral sense and how we can prevent it. Fifteen to 25 per cent of those accused of crimes are psychopaths, but there is little or no research in this area. We have not provided psychiatric correctional facilities to deal with these individuals.

The purpose of criminal justice is not revenge. It is to deter others from committing crimes and to rehabilitate those who have committed crimes. The new penal law in New York State provides a rational system of sentencing, with punishments geared not only to fit the crime but more importantly to fit the individual. There is greater flexibility in parole board operations as well as in sentencing.

But more money is still needed in the correctional system. For example, the prisoners at Rikers Island have a fourth or fifth grade reading level. They need more educational facilities. They should not be allowed to languish away.

Prison will not solve the problem of crime. There is no easy solution, and we must search for an answer with light rather than with heat. Above all, we must reach into our pockets and provide the necessary funds, Mr. Roberts said, in order to enable our courts and correctional institutions to do the job.

Mr. Oswald said that in trying to determine whether we are too soft with criminals, it is necessary first to say who is the "we" in our question. Does the "we" refer to those who have in no way contributed to the phenomenon of criminality? Does it exclude the advertising man more interested in selling his product than in the truth, the newspaperman more concerned about sensation than the effect of his stories, the movie and TV producers specializing in stimulating criminal tendencies, the parents and schools which have neglected to instill proper attitudes and concepts in children?

Actually, we all share some degree of responsibility, and the problem of improving our youthful and adult criminals is also the problem of improving ourselves, Mr. Oswald remarked.

He said punishment, as distinguished from revenge, is a rational rather than an emotional activity. It is aimed at achieving a certain end, and any evaluation of its softness or harshness must be based on how well it achieves this end. But the question of "ends" is a very complex one. One broad school of thought maintains that punishment acts as a deterrent, while another school claims that its real goal is to prevent the repetition of crime by the individual who has already committed a crime. The idea that the more atrocious the punishment, the more deterrent its effect, has not worked in practice. People become used to things, even to executions, and they cease to deter. It is not the severity of the punishment but the certainty of it that is important, and this is based on community attitudes and the efficiency of the police and the courts.

Mr. Oswald also said that we have come to expect increased crime in a period of affluence, when expectations are large and frustration and anger are natural reactions for those who are left behind.

Justice Markewich answered the question of whether the courts are too lenient with a "no." Sentencing is not usually automatic for a particular crime, but is tailored to the individual, which is why you need a judge rather than a clerk. It is necessary to purge society of those people who are incapable of living in society, who make serious nuisances of themselves or who constitute dangers to everyone else. Severity of punishment in the form of long prison terms is sometimes necessary when it is for the public good. The judge is the instrument of society.

But rehabilitation must be chosen whenever a judge has the choice. Here, the problem is one of finding the suitable agency or means for rehabilitation. There must also be people available to look after and guide criminals who are placed on probation instead of being sent to prison.

Rehabilitation cannot make up for a lack of proper parental teaching, but the job of protecting the community must be given to corrections, parole and probation officers when the parents fail. When probation also fails, the judge has the problem of what to do with a violator. Usually, he must send him to jail, giving up hope of rehabilitation.

The justice said he believes in short sentences coupled with long periods of supervision under parole. The probability of punishment, he said, is not a real deterrent against crime; the criminal does not consider this because he does not believe he is going to be caught.

PANEL ON NARCOTICS

The panel on narcotics, with State Senator Abraham Bernstein as moderator, discussed whether addicts can be controlled. Members were George M. Belk, district supervisor for the federal Bureau of Narcotics; Laurence Pierce, chairman of the New York State Narcotics Commission; and Dr. V. P. Dole, originator of the Methadone Program, senior physician to the hospital of Rockefeller University.

Mr. Belk remarked that it is common for a society, when it determines that a practice is undermining the health of its citizens, to call on the law as an ally of medicine. Narcotic drug addiction is a sociological and medical problem. It is also a legal problem. Arguments about whether addicts are basically sick people or criminals serve no useful purpose and obstruct progress.

There is still a need to educate more doctors to assume leadership in bringing addicts through the long, difficult process of treatment and cure. But the growing interest of the medical profession in exploring medical solutions to addiction is heartening. At the same time, the federal government has a new law—the Narcotic Addict Rehabilitation Act of 1966—which affords more opportunities for the treatment of addicts and assistance for the states in their efforts. For example, certain addicts charged under federal law may be permitted to elect commitment to the Surgeon General for treatment in lieu of prosecution, and certain addicts who have been convicted of federal crimes may be sentenced to commitment for treatment for an indefinite period (not to exceed 10 years).

The act also separates marijuana offenders from narcotics violators by making persons convicted of marijuana violations and serving mandatory sentences eligible for parole.

It may not be in the nature of social problems that there will ever be an absolute answer to the addiction problem. Controls alone are not enough. Many other steps have not been taken that could help prevent the continuance of a bad situation. Governments have not done enough to prevent addiction by alleviating the degradation of poverty, the decay of our cities, the disgrace of discrimination and the despair of illiteracy. And they have not taken adequate measures to treat and rehabilitate narcotic addicts properly. But I am encouraged that a great deal is now being done, Mr. Belk added.

Mr. Pierce said that narcotics addicts are responsible for much of the crime which occurs in New York City, especially crimes against property. The implication is that if we can control the addict, the crime rate should decline commensurately. This conclusion raises questions about reported rates of "cure" for narcotic addiction and about relapse rates. Studies suggest that control of addiction is possible, but the degree varies greatly. It is important to pursue the possibility of "abstinence," but consideration should also be given to other approaches such as control through the supervised administering of drug substances.

New York State has embarked upon a massive attack on addiction on four fronts: prevention through education, treatment and rehabilitation, research and evaluation and law enforcement. The state Narcotic Commission has the responsibility for the first three of these programs. The commission's policy is that there is not likely ever to be a single method of treating and rehabilitating all addicts. Thus, it is seeking to develop a variety of approaches. Altogether, the various programs which it operates provide treatment and rehabilitation services for more than 5,000 addicts, mainly from New York City.

The principal new contribution of the state commission is the development of a substantial aftercare program. This enables the commission to continue its program of rehabilitation after the addict has progressed sufficiently to be returned to his community. He is provided with the kind of support and assistance which may enable him to resist the temptation to resume drug use, Mr. Pierce said.

Dr. Dole described the Methadone Treatment Program of supervised, controlled administration of the synthetic drug methadone to addicts who are unable to abstain completely from drug use. At the present time, he said, 650 former hardcore criminal heroin addicts are in treatment. Before they joined the program, these individuals cost society $25,000 to $50,000 per year per person, not including the social costs of destroyed families, abandoned children and wasted talents. Many of them now are decent citizens.

Weekly chemical tests are used to make sure patients do not relapse to narcotics use. In addition, systematic reports on behavior, health and employment of all patients are obtained at weekly intervals from counsellors and physicians. The records of these tests show that methadone treatment has stopped the ex-addicts' heroin seeking and has greatly reduced criminal behavior.

But it is no panacea for addiction. The patients must want treatment. There are no residence facilities, and the people treated must be able to live in the community as ordinary citizens during treatment. For some addicts, this is too much to demand. But 89 per cent of the addicts who started treatment on methadone have remained in the program without the aid of prolonged psychiatric treatment. Some of the other 11 per cent undoubtedly would have been better off with institutional care.

Crime has been reduced significantly among the participants. During an experience of four years, there have been three convictions for felonies, 35 for misdemeanors and five for lesser offenses. On the basis of their prior records, these same individuals would have been expected to have at least 400 convictions.

But there are not enough facilities to treat every addict who applies, and 500 addicts already accepted for the program are still on the streets, living by crime, for want of treatment facilities. If substantial progress is to be made, Dr. Dole said, we must also find ways to bring more doctors into the field of treating narcotics addicts.

Question Period

Question (by Senator Bernstein). Would you discuss the increasing use of marijuana in colleges and high schools and the movement to legalize its use on the grounds that it is no worse than alcohol or smoking?

Answer. Mr. Pierce said one should not introduce any drug into the system without knowing its consequences upon the mind and body. There isn't much solace in relating the problem to alcohol. There are 600,000 alcoholics in New York City and six or seven million in the United States. We don't know how many marijuana users become addicts, but it is certain that those who do suffer the same kind of consequences as alcoholics.

Question. Why wait until narcotics users become mainliners before treating them? Most heroin users graduate from a lesser narcotic, do they not?

Answer. Mr. Pierce agreed and said the

state commission has responsibilities for research and prevention as well as treatment of addicts. He and Mr. Belk cited various programs, including information and education in the schools, sponsored or supported by the state and federal governments. In its 20 months of existence, the commission has distributed 150,000 pieces of literature about the drug problem and has completed two films, one for high school youngsters. The federal Narcotics Bureau has a speakers' bureau to address young people, PTAs and other groups. The bureau also has films available for young audiences.

Question. Is there anything churches and community organizations can do to help with this problem?

Answer. Mr. Pierce said both city and state are prepared to cooperate with these groups. There are many things groups can do in terms of public education.

Question (by Senator Bernstein). It has been said that methadone, a synthetic drug, is addictive in and of itself. Is that so?

Answer. Dr. Dole said methadone, properly used, produces a blockade that make opiates ineffective for the user. Patients get no narcotic effect or euphoria. They cannot be distinguished from normal people and do not have the symptoms of addicts.

Question. Are you advocating a witch hunt for people who use drugs or are you willing to treat them as sick people?

Answer. Treat them as sick people, Senator Bernstein said. I advocate confinement, psychotherapy, group therapy, educational programs and rehabilitation of all types so they can readjust to their community when they are released from the rehabilitation center.

Question. How long is it necessary to test marijuana in order to find out whether it is harmless? The U.S. Army has been testing it since 1910 and has found it no more harmful than alcohol.

Answer. Senator Bernstein said all medical indications are that marijuana does create psychological changes and may lead to emotional dependency. Based upon this evidence, you cannot conclude it is harmless, and until it is proven harmless I will oppose any legalization of it.

Question (by Dr. Dole). What am I to do about the addicts desperately wanting to get into our methadone program? Shall I tell them it will not be available for two years, or can I get more facilities?

Answer. Mr. Belk said he is not too sure he would like to see another 500 methadone addicts. "Besides, it is my opinion—and the position of the U.S. government—that methadone is a research program and has still to prove itself before it can be expanded."

PANEL ON GENERAL PROBLEMS OF SECURITY

This open discussion session was chaired by State Senator Harrison J. Goldin and Edmond Rovner, administrative assistant to Congressman Bingham.

Question. What kind of federal programs are being set up to halt violence in the ghetto?

Answer. Mr. Rovner said a great deal is being done, for example the summer job programs, but much of the responsibility must rest with local governments.

Question. What is being done to help police forces deter crime?

Answer. Mr. Rovner mentioned, as a short-range program, the President's proposed Safe Streets and Crime Control Bill, which would provide federal assistance for state and local police forces, and, as a long-range federal effort to deal with crime, the whole spectrum of antipoverty programs.

Question. If crime has economic roots, what economic programs have actually been established?

Answer. Mr. Rovner listed the Office of Economic Opportunity, job training, public and publicly assisted housing and job creation as some examples of federal programs.

Statement. Senator Goldin discussed a new state law which requires landlords to provide a functioning bell-and-buzzer system if 50 per cent of their tenants request it. He said this could help in reducing burglaries, assaults and other crimes.

Statement. The breakdown in law and order is not difficult to understand; Congress has not even passed legislation covering its own ethics.

Question. Is there really a link between crime and poverty?

Answer. Mr. Rovner said the President's Crime Commission studies conclude that crime in the streets and poverty are linked.

Statement. The problem is that there is not enough police protection. More respect for the police is needed. Something must be done to end the animosity between white policemen and Negro citizens.

Statement. A state of war now exists between Negroes and whites in America. There are tremendous pressures.

Statement. Spokesmen for the Congress of Senior Citizens praised Mr. Bingham's efforts in Congress on behalf of senior citizens. They said 28 per cent of the poor in New York are elderly persons. These people are poor but law-abiding.

Statement. A spokesman for the Junior Chamber of Commerce supported responsible gun control legislation.

Statement. A spokesman for the Bronx Draft Information and Counseling Service said the war in Vietnam is draining America's resources. It is urgent to resolve this conflict in order to be able to resolve our domestic problems.

Statement. The New York State Human Rights Law contains unintentional discrimination and should be rewritten to eliminate this shortcoming.

CONCLUDING PLENARY SESSION

The principal speaker at the final plenary session of the conference was Bronx Borough President Herman Badillo.

Mr. Badillo said the rate of crime in the Bronx is about average for New York City, but crime is much more prevalent in slum areas of the South Bronx than in the upper income Riverdale section. Not only do most of the victims of crime live in poor neighborhoods; these people feel the need for increased police protection most strongly. They are not at all apathetic about the crime problem.

In the South Bronx, he said, there is inadequate police protection because policemen are afraid. They are no different from the rest of us; they don't want to risk their lives when the odds are heavily against them. We can't blame them for this feeling. The one-man patrol car just doesn't conform to reality, especially in slum neighborhoods. It is necessary to push for additional manpower in these areas so the police can patrol in groups of at least two men.

The reality of life in the slums during the summer, the borough president said, is comparable to being on the beach on a hot day with no water and with all of your clothes on. It is impossible to sleep in unbearably hot apartments, and residents have nothing to do except sit on their front stoops drinking beer well into the night. There is nothing criminal about this, but it results in situations which lead to incidents which may lead in turn to riots.

What can be done? It is worse than useless to talk about tearing down the slums when there is not one cent in the city or state budgets to build low-cost housing. The only available money comes from the federal government, and New York City is limited to 7,500 units a year, compared to the present waiting list of 135,000 families. The situation with respect to job training and special educational programs is much the same. Talk about grand schemes for action in these fields only arouses unrealistic expectations when there are no funds.

Mr. Badillo appealed to his listeners to work actively to secure financial support for housing, job training and education instead of just talking about what should be done. Beyond that, he said, let us work on the limited things we can do with existing resources, such as simply clearing the garbage from our streets a block at a time.

There are many other small things that each of us can do. When we are working in these ways, then we can begin to answer the arguments of the black and white separatists. Then we can begin to forge a new civil rights coalition.

Congressman Bingham closed the conference by summarizing some of the many viewpoints which were expressed at the various sessions. In spite of many disagreements, he said, there were also certain themes that emerged: that the problems of dealing with crime are exceedingly complex and there are no "gimmicks" or simple solutions; that the struggle against crime must proceed on many levels at once, including basic social and economic problems, racial prejudice and the immediate tasks of providing greater security in the community; that in all of these activities there is a need for additional funds, more trained personnel and better understanding and cooperation between the police and other government agencies on the one hand and private organizations and citizens on the other.

To achieve a greater degree of safety for our citizens, he said, the pressing needs are for more manpower, increased training and education, better pay and improved equipment and facilities for police, courts and correctional systems. Surely, responsible citizens (no matter what their political views) can agree with police officials on the importance of moving decisively to meet some of these requirements for more effective law enforcement.

For Americans who consider themselves "liberals," the Congressman said, the need for action is especially great. He continued:

"At a time of rising public concern, the issue of crime in the streets could become a major weapon in a serious bid for power by elements of the far right—replacing such traditional rightwing battle cries as 'communist subversion.' To date, the liberal community has left this field almost entirely to the conservatives.

"State and local communities, which have always had the primary responsibility for enforcement and corrections—and rightly so—should provide most of the financial support for improved police, judicial and correctional services. It is obvious, however, that the task requires substantially greater resources than state and municipal budgets can provide. Assistance from the federal government will be required on a scale far greater than has been envisaged so far."

Mr. Bingham said the President has taken a long step in the right direction with his Safe Streets and Crime Control Bill, introduced in Congress last year. He urged the citizens organizations represented at the conference to make their voices heard in favor of this bill, the proposed Firearms Control Bill and other legislation discussed by Congressman Celler. He also asked them to work for the additional funds for police work which Borough President Badillo so eloquently advocated.

Participating in the conference were officers, representatives and members of many institutions, organizations, and community groups, including the following:

American Jewish Congress: Bronx General Division; Bronx Women's Division; West Bronx Chapter.

American Legion, John Fraser Bryan and McNally Posts.

American Veterans Committee.

Ancient Order of Hibernians.

Arthur Murphy Tenants Association.
Association for Help of Retarded Children.
Association of Community Organizations.
Association of Jewish Court Attachés.
Bainbridge Neighborhood Association.
Bedford Park Civic Association.
Beth Abraham Hospital.
Benjamin Franklin Reform Democratic Club.
Better Organization in Mid-Bronx B'nai B'rith: Bernard Mogilesky Lodge; Inwood Chapter; Riverdale Chapter; Skyview Lodge.
Board of Education.
Board of Higher Education.
Bronx Boys Club.
Bronx Community College.
Bronx Consultation Center.
Bronx County Bar Association.
Bronx House.
Bronx Grand Jurors Association.
Bronx High School of Science.
Bronx Juvenile Court.
Bronx Pelham Reform Democratic Club.
Bronx Post Office.
Bronx Protestant Council.
Bronx Therapeutic Council.
Bronx Young Democrats.
Bronxwood Advisory Council.
Catholic Inter-racial Council.
Catholic War Veterans.
Chester Civic Improvement Association.
Christ Episcopal Church.
Christopher Columbus High School.
Church of the Mediator High School.
Church of the Holy Spirit.
Church of the Visitation Mother's Club.
Civic Center of Israel.
Civic Improvement Association of Northeast Bronx.
Columbus Evander Youth and Adult Center.
Columbus Esca Alliance.
Community Planning Board No. 5.
Creston Avenue Baptist Church.
Decatur Democratic Club.
Democratic Organization of Latin American Countries.
Dodge Vocational High School.
East Tremont Child Care Center.
East Tremont Neighborhood Association.
Evander Childs High School.
Franklin D. Roosevelt Independent Democratic Club.
Fordham Civic Association.
Fordham Heights Community Organization.
Fordham Lutheran Church.
Fordham University.
Frances Schervier Home.
Free Sons of Israel.
Fort Tryon Jewish Center.
Girl Scouts of America.
Good Shepherd Parish.
Hadassah: Balfour, Brandeis, Pelham Parkway, Tel Aviv Groups.
Holy Spirit School.
Horace Mann High School.
Hunter College.
Immaculate Conception Church.
Inwood-Marble Hill New Frontier Democrats, Inc.
Jewish Center of Williamsbridge.
John F. Kennedy Independent Democratic Club.
Junior High Schools Nos. 44, 45, 79, 135, 141, 143.
Kingsbridge Heights Jewish Center.
Knights of Columbus.
Knights of Pythias.
Knolls Community Council.
League of Women Voters.
Little League Baseball Inc., District 23.
Local School Boards Nos. 10, 11.
Marble Hill Tenants Association.
Manhattan College.
MARK: Committee for Civil Rights.
Messiah Lutheran Church.
Monterey Community Association.
Mosholu Civic Association.
Mosholu Montefiore Community Center.
Mount Saint Ursula High School.
Narcotics Institute Program, Haryou ACT, Inc.
National Council of Churches.
National Council of Jewish Women.
National Association of Retired Civil Employees.
National Association of Social Workers.
New York City Department of Social Services.
New York City Police Department: 7th Division; 34th, 46th, 48th, 50th precincts.
New York City Speech Correction Teachers Association.
New York State Narcotic Addiction Control Commission.
Northeast Independent Democratic Club.
ORT.
Our Lady of Mercy Convent.
Our Lady of Refuge—Holy Name Society.
Our Saviour Lutheran Church.
Parkside Day Center.
Pelham Parkway Jewish Center.
34th Precinct Community Council.
46th Precinct Community Council.
52nd Precinct Community Council.
Presidents Council: School Districts 6 and 10.
Port Authority Police Benevolent Association, Inc.
Public Schools Nos. 7X, 24, 26, 41, 46, 57, 67X, 78, 91, 97, 122, 189.
Riverdale Council on Youth.
Riverdale Country School.
Riverdale Merchants Association.
Riverdale Neighborhood House.
Riverdale-Yonkers Society for Ethical Culture.
Sacred Heart of Mary Academy.
Jacob H. Schiff Center.
St. Edmund's Church, Men's Guild.
St. Elizabeth Church, Holy Name Society.
St. Francis of Assisi.
St. Gabriel School.
St. Mary's Church, Holy Name Society.
St. Margaret Mary School.
St. Nicholas of Tolentine.
St. Philip Neri School.
St. Simon Stock Church.
St. Stephen's Methodist Church.
Tremont Methodist Church.
Theodore Roosevelt High School.
University Heights Community Association.
University Heights Presbyterian Church.
Victory Day Care Center.
Walton High School.
Washington Avenue Neighborhood Association.
West Bronx Council.
William Hodson Community Center.
Workmen's Circle, Branch 1082.
Yeshiva University.
Young Israel of Kingsbridge.
Young Republican Club.
Zionist Organization of America.

Teachers-in-Politics Weekend

HON. EDMUND S. MUSKIE

OF MAINE

IN THE SENATE OF THE UNITED STATES

Friday, April 5, 1968

Mr. MUSKIE. Mr. President, I was pleased to learn that the National Education Association has designated the weekend of April 5 to 7 as Teachers-in-Politics Weekend. This weekend, which will be observed throughout the country, is designed to focus the attention of teachers, parents, and politicians on the importance of recognizing that educational policy decisions are political decisions and that educators must take an active role in helping shape those decisions.

I am happy that the Maine Teachers Association will participate in Teachers-in-Politics Weekend. Never before has our Nation required a higher degree of citizen participation in politics—at the local, State, and National levels. Each individual should feel he has a definite role in shaping local institutions and local policy. Teachers-in-Politics Weekend will help in shaping local policy. By encouraging teachers to take an active interest in politics the National Education Association is performing a valuable public service.

The Federal Highway Beautification Act of 1965—A Fraud

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, April 5, 1968

Mr. PELLY. Mr. Speaker, the Washington State Roadside Council has been one of the most active groups in the country working for scenic highways, parks, bicycle and hiking trails, billboard control, and underground wiring.

In this connection, the roadside council had a deep interest in the Federal Highway Beautification Act of 1965. The council predicted when the act was passed that it would be a disaster, and would actually retard highway beautification, and now, in its newsletter No. 13, it points out that this is just the case. I believe Members of Congress and other readers of the CONGRESSIONAL RECORD will find these comments of interest.

The full text of the article follows:

THE FEDERAL HIGHWAY BEAUTIFICATION ACT OF 1965 IS A FRAUD

The Federal Highway Beautification Act of 1965 in so far as it applies to billboard control is a fraud because of the circumstances of its passage, because of its language which actually calls for the *promotion* of billboards, because it encourages billboard alleys at the entrances to the cities and towns on the major highways, because it upsets the existing sign control programs in the states, because the Act makes it virtually impossible for the states to have a better law, and because it does violence to the public's expectations. Also, the other parts of the federal law which apply to screening of junkyards and roadside improvement have major defects and crippling loopholes.

The Washington Post said in an editorial on May 10, 1967:

"The Highway Beautification Act, as it applies to outdoor advertising, has turned out to be one of the most disappointing statutes Congress ever enacted. It was known at the time the bill was enacted in 1965 that it contained some striking defects. Now some of the legislators who are most interested in protecting highways from unsightly distractions are saying that the law is worse than no law at all. In some states it will actually create billboard advertising where none existed before."

This is strong language but the record backs it up.

Three years ago President Johnson sent a special message to Congress on Natural Beauty. Some of the proposals, like the ones to combat pollution of various sorts, had been around for years, and some were new. The remarkable feature of the President's program was its "packaging." Take difficult problems like water pollution, air pollution, billboards, junkyards, mining scars and honky-tonk seashores and put them all together, and say that the issue is beauty, and who can come out for making the country uglier?

To give the beautification program a proper launching, President Johnson in May 1965, sponsored a special White House conference. Several people from the Roadside Council were among the 800 delegates to the conference. The White House Conference on Natural Beauty was no bed of roses—it turned out to be a shambles. Many went away angry. There was widespread disappointment that the conference talked about how nice it would be to have posies by the roadside, and pretty buildings instead of ugly buildings, but avoided such harder questions as to how to keep highway departments and the Bureau of Public Roads from paving their way through parks.

The conference started out with no more eager participants than the representatives of the garden clubs and the citizens' roadside councils throughout the country, who had for years been waging lonely battles against billboard interests and highway departments, and who now found that their cause was all the rage. They did not claim to have invented beauty, but they did feel that they had earned a leadership role. As they soon learned, this was not to be. The conference staff had apparently decided in advance what the results of the two day conference were going to be. The staff had prepared draft copies of the reports, which, based on what transpired subseqeuntly, the conferees were expected to rubber stamp.

The roadside beauty panel received a draft proposal of their report, drawn up in advance by the conference staff. The panelists were appalled to find that the prospective report contained "goodies" that the billboard interests had been trying to peddle to state legislatures for years without success.

It has come out that an employee of the Department of Commerce, who was one of the Conference staff members associated with drafting the roadside panel report, had been negotiating for two years with billboard operators to draft legislation which the billboard interests would support (Washington Post, March 28, 1965). That staff member, Lowell K. Bridwell, is now the Federal Highway Administrator.

The effect of one provision of the report would be the exemption from billboard regulation of the roadsides along the entrances and through the downtown areas of the cities and towns on the nation's principal highways. These areas are the "front doors" and "portals" of the nation and areas where billboards naturally collect and which caused the demand for billboard legislation to start with. As the national headquarters of the American Automobile Association has pointed out:

"Control of roadside advertising in the areas of interchanges in municipal and metropolitan areas is vitally important to the effectiveness of official routing and traffic control signs—more imperative probably, than in rural areas. Traffic flow and safety is jeopardized when motorists must cope with uncontrolled competition of commercial advertising and official signs near interchanges on high speed expressways."

After a heated debate among the panelists, in which the delegates on the floor also participated, the panel report was revised to state that the majority of the panelists felt that the entire length of the new Interstate freeways and the primary road systems should be protected from the indiscriminate placement of billboards. The single vote against the panel position was by a billboard company representative from Waco, Texas, who stated from the speakers platform that this was "not far from the Pedernales River."

Later that *afternoon* when the conferees were gathered in the East Room of the White House to witness the final presentation of the several panel reports to the President, the delegates were again appalled to hear the original staff-prepared roadside report, not their own hard line, being read to the President (Washington Post, May 27, 1965).

The last straw came when the President announced, to the delegates, that a news release had already been made that *morning* revealing his highway beauty bill—a bill which contained the original language favored by the billboard interests. Concluding that the "jig was up", the roadside beauty lovers shrugged their shoulders, put on their hats and went home (Washington Post, May 27, 1965). Not a few were outraged to realize that their presence at the Conference on Natural Beauty was mere window dressing for a program which had been decided upon prior to the conference. From that time on they would have nothing to do with the Administration bill.

The final blow was to come when Congress further weakened the legislation by:

(1) Including in the beautification act the stated objective of promotion of outdoor advertising.

(2) Requiring the states to pay for any billboards made illegal by state legislation, with the federal government picking up the tab for 75 percent of the costs.

Observers were charmed to notice that billboard company lobbyists and others allied with them were working closely with the Administration representatives to get the law passed.

For decades state and local governments have regulated billboards under their zoning laws and the courts have backed them up. Firmly established by legal decisions handed down in many states are the principles that:

(1) Outdoor advertising is essentially a use of the public highways, rather than a bona fide use of the land.

(2) When a reasonable period for amortization has been completed, non-conforming billboards may be classed as a public nuisance and may be required to be removed under the state's zoning powers.

Enactment of good sign ordinances is certain to be retarded. Pressures are intense on law-makers at all levels, and whenever an effective sign ordinance is enacted, it is only after a long, hard struggle—nearly always by a close vote. Add an indeterminate public expense to buy billboards, on top of the other arguments employed by the foes of billboard control, and the scales will swing heavily against ordinances requiring removal of non-conforming signs. It may be a thing of the past.

Further, we and many other people object to ransoming back the scenery that belongs to the public by right. It seems elementary that the public that built the roads has the right to view the scenery that those roads open up. The most charitable thing that can be said for the congressional action was that the subject was complex and they did not know what they were doing.

Four of the seven Washington State congressmen voted against the federal Highway Beautification Act of 1965, as did all of Oregon's congressmen, even though the White House pulled out all stops to pass the new legislation. Here are excerpts from statements of the four Washington State congressmen who opposed the new federal law:

"The Federal Billboard Act might disrupt our excellent Washington State Act which is a better law than the one Congress passed. This bill did not provide sufficient safeguards for states such as ours which have pioneered in this field. It also opens a Pandora's box of litigation." (Representative Brock Adams, Seventh District.)

"Attempts were made by delegation members from Washington and Hawaii to clarify the legislative history during debate with the aim of protecting more stringent billboard restrictions imposed by many states. It was my judgment that the bill was hastily drawn and considered, that its cost will be vastly more than anticipated, and that, in many respects, it will constitute a regressive influence." (Representative Thomas S. Foley, Fifth District.)

". . . On an issue of vital importance to the State of Washington, the opportunity to present the facts and explain an amendment was almost nil. Instead, there was an arbitrary steam roller type of operation in action under orders from the White House which swept aside all attempts to improve or alter the bill . . . Now it seems this new Federal law will create serious constitutional problems for the State and disrupt our program that has proven so effective." (Representative Thomas M. Pelly, First District.)

"The bill was replete with unworkable, unwise, and unfair provisions. Many state governments, including our State of Washington, complained it would thwart already comprehensive state beautification laws by unjustly imposing financial penalties and legal difficulties impossible to overcome. Governor Evans of our State, after receiving advice from the State Attorney General's Office and the State Highway Department, warned that the bill directly conflicts with Washington zoning laws and would open a "Pandora's box" of litigation and require unwarranted public expenditures. The Governor pointed out that the proposed Federal exemption of highway signs in commercial and industrial areas is directly counter to the protection against such signs presently written into Washington State law. 'If this bill passes and supersedes our State law it would be a step backwards,' the Governor cautioned, and added, 'The State of Washington neither needs nor wants this type of legislation.'" (Representative Catherine May, Fourth District.)

Two and one-half years have now passed since Congress passed the Highway Beautification Act of 1965. Even so, only ten states have signed agreements with the Secretary of Transportation to regulate billboards pursuant to the federal law. Forty states, Washington State included, continue to ignore the federal law even though the law provided for a noncompliance penalty of ten percent of the federal-aid highway funds beginning January 1, 1968. However, with this evidence of lack of support for the federal law, the Secretary of Transportation has announced that he is holding the penalty provisions in abeyance.

On March 20, 1967, Rep. John C. Kluczynski, Chairman, and Rep. William C. Cramer, ranking minority member, of the Subcommittee on Roads of the congressional House Public Works Committee, stated in a news release:

"It is unfortunate, but in our opinion true, that the Act is not susceptible of successful administration, and we believe that if we are to preserve the highway beautification program in which we are all vitally interested, we should recognize that fact and revise the Act so that it will be successful."

Congress has failed for over a year to appropriate money to keep the federal Act alive. While the law is technically on the books, it is moribund and of little positive value. Senators Magnuson and Jackson and Reps. Pelly and Adams have all introduced bills in Congress to drastically overhaul the Highway Beautification Act of 1965. So far the Administration has opposed any change.

There is general depression in the Bureau of Public Roads concerning highway beautification. They know that they are saddled with a bad law. They know that resistance to the law is widespread even among conservationists and other people interested in highway beautification. They know more than anyone else that the law is administratively a botch, and they know that Congress is not likely to vote funds to keep the Act alive unless prodded to do so by the billboard interests.

It is revealing that the billboard companies publicly proclaim, by full page advertisements and by Letters to the Editor, their support for the federal law (Seattle PI, June 8, 1965 and December 1, 1967). In their support they stand virtually alone, for we do not know of any national organization, historically associated with beautification, the preservation of natural beauty and the promotion of safe and scenic highway travel, that supports the federal law. That the billboard companies are virtually alone in their support of the federal law is evidence of a law which does little to control billboards.

Congress must be made to realize that the federal Highway Beautification Act of 1965 is a fraud on the public expectations. The federal law must be repealed and the Congress must start all over again to prepare proper legislation. As it now stands highway beautification may be retarded for a decade or more. Orderly programs for this purpose cannot flower in the states in the face of the federal law. The Seattle Times said in an editorial on October 6, 1966:

"No law at all would be better than an act which is a mockery of all the noble words that have been uttered in Washington, D.C., about beautifying America's highways."

In the meantime the states had better hang onto the billboard control laws that they have, of which the Washington State "Highway Advertising Control Act of 1961" is the best in the land.

Teachers-in-Politics

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, April 5, 1968

Mr. LONG of Maryland. Mr. Speaker, as a former professor, I wish to congratulate the National Education Association for sponsoring a Teachers-in-Politics Weekend beginning April 5, and to endorse the NEA's efforts to increase teacher participation in politics.

In a democracy, every informed citizen should play an active role in the political process. The increasing influence of every level of government on our daily lives makes citizen participation ever more essential in order to exercise effective popular control over a government sometimes insensitive to the people's needs. NEA encouragement of political activity by teachers—whose jobs involve them intimately in society's problems—is to be welcomed.

Moreover, because of the Federal Government's massive entry into aid to education in recent years, teachers have a duty to use their hard-won knowledge of education's strengths and weaknesses to work for continuing improvement in education policy.

Finally, greater teacher involvement in politics would certainly yield results beneficial to our youngsters. With so many students already deeply involved in politics, the wisdom and maturity of politically experienced teachers would, I believe, do much to steer student idealism into constructive, rather than destructive, channels.

I invite more teachers to run for public office, and I look forward to meeting more of my former colleagues in the halls of Congress in the not too distant future.

More Teachers Should Take Active Roles in Politics

HON. JOHN E. MOSS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 5, 1968

Mr. MOSS. Mr. Speaker, this weekend has been designated by the National Education Association as Teachers-In-Politics Weekend.

Not only do I approve of teachers participating in politics, I strongly urge more teachers to take active roles and give constructive leadership in the political life of our Nation.

Teachers are equipped to give guidance to the community and they have a responsibility to generate and instill in our students an interest in our Government.

Great men in government, like President Lyndon Johnson and Senator EUGENE MCCARTHY, are former teachers—as was former President Woodrow Wilson.

In my district, State Senator Albert Rodda is a product of of the educational community. He has proven himself many times to be a great asset to the California State Legislautre.

In Sacramento's Third Congressional District, I am always ready to assist teachers at all levels of education to promote better government through educational-political involvement.

A Tragic Action

HON. JOHN E. MOSS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 5, 1968

Mr. MOSS. Mr. Speaker, the assassination of Dr. Martin Luther King, Jr., takes from our Nation much of its pride and much of its integrity. Our image is tarnished for all to see. That the tragic action stems from a tradition of violence and prejudice—and history of man's inhumanity to man—is beyond question.

This Nation can ill afford the loss of its leaders possessing true greatness. Let us hope for all that another with the vision—the calm courage of Dr. King—emerges to lead the cause to which he gave his all.

Much progress has been made toward understanding and equality—much more must be made—with an ever-increasing sense of urgency and an understanding that human hopes and aspirations, legitimate in their objectives, cannot be held on leash. Dr. King preached nonviolence. Let us hope his dreams can be achieved by his methods. Failure would be a national tragedy, fully integrated in its destructive force.

The "Pueblo"—How Long, Mr. President?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 5, 1968

Mr. SCHERLE. Mr. Speaker, this is the 74th day the U.S.S. *Pueblo* and her crew have been in North Korean hands.

HOUSE OF REPRESENTATIVES—*Monday, April 8, 1968*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Yea, though I walk through the valley of the shadow of death, I will fear no evil: for Thou art with me.—Psalm 23: 4.

Almighty God, Father of all men, stunned by the suddenness of tragedy and shocked by the fury of violence, we turn to Thee for help in this hour of our national need. May the spirit of wisdom guide us, the grace of understanding lead us, and the love of compassion direct us that we may find our way to the promised land of freedom for all, justice for all, peace for all, and finding the way give us courage to walk in it.

We pray that the comfort of Thy spirit may abide in the hearts of those who walk through the valley of the shadow of death. May Thy presence make them strong, give them courage, and hold them steadfast to good will even in the midst of ill will.

"Cure Thy children's warring madness,
Bend our pride to Thy control;
Shame our wanton, selfish gladness,
Rich in things and poor in soul,
Grant us wisdom, grant us courage
That we fail not man nor Thee."

Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, April 4, 1968, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 5799. An act to amend the District of Columbia Uniform Gifts to Minors Act to provide that gifts to minors made under such act may be deposited in savings and loan associations and related institutions, and for other purposes; and

H.R. 16324. An act to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 2123. An act to provide for the control of the alewife, smelts and other fish and aquatic life in the waters of the Great Lakes which affect adversely the fish resources and ecological balance of the Great Lakes; and

S. 2658. An act to amend section 127 of title 23 of the United States Code relating to vehicle weight and width limitations on the Interstate System, in order to make certain increases in such limitations.

AMERICA HAS LOST ANOTHER BATTLE IN THE WAR AGAINST HATE

Mr. JACOBS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. JACOBS. Mr. Speaker, America has lost another battle in the war against hate.

Who killed this man of peace assassinated reason at a time when America needs reason more than anything else.

This fantastic act of hate has torn at the longing hope of all men of good will—black and white alike—who simply want to live together in peace as good neighbors.

The real minority in this country are those blacks and whites of hate and violence who do not want the rest of us to learn to live together in brotherhood.

Yet one with a bullet or one with a torch can, for a moment, defy a majority. And it is the duty of the true majority of blacks and whites to provide protection against those brutes of violence and the biracial voices of venom which inspire them.

Anyone who thinks that Martin Luther King lived and died only for blacks just does not understand the white man's stake in the peaceful revolution for civil rights.

Like Gandhi and Kennedy, Martin Luther King now belongs to the ages.

THE TRAGEDY AND THE CHALLENGE

Mr. ASHLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHLEY. Mr. Speaker, the assassin's bullet has struck again, as it has so often in our tormented land, this time claiming the life of a distinguished man whose dedication to the cause of human dignity won him esteem in every corner of the world.

So now we are without this gentle man who sought only to bring about, through peaceful means, a more fair and full life for his people and all people.

Our Nation grieves, not only for Dr. King, but for itself. And well it might. For the violence which he rejected and which took his life is abroad in every part of our land. It is a violence born of hatred and contempt for human kind and human aspiration; it strikes against men of high and low station and against innocent women and children.

It is this senseless animosity, this irrational hatred that tears at the very fabrics of our national life. Few are without blame. For if we do not share the hatred, and most of us do not, we accept it in our midst. We abhor the violence but we tolerate the animosity which feeds upon itself until the seeds of violence are sown.

Nor can we escape responsibility by trying to equate the character of this violence with the violence of the arson and pillage of last summer and recent days. This lawless destruction has its own identity, its own ingredients: bitterness, frustration, revenge, humiliation, hopelessness. It has resulted in contempt of property rights, yes, but it is not the product of contempt for human kind or human aspiration, at least not yet.

And herein lies the hope and the challenge which may well determine the fate of our Nation.

The task is twofold. We must have the courage to admit that Negro Americans have been deliberately and systematically denied the social justice and economic opportunity we proclaim as the birthright of all citizens of the United States, and we must act immediately—in this Congress—to bring about equality in education, housing, and job opportunities, and real improvement in the catalog of ills that oppresses the poor and racially disinherited in this land.

Even more difficult, perhaps, we must have the conscience and the heart to put aside suspicion and hostility, the insidious precursors of tragic violence, and make common cause—white and black together—toward that fellowship of man for which the human soul has yearned so long.

A MEDAL IN HONOR OF MARTIN LUTHER KING, JR.

Mr. MOORHEAD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to include a speech by Dr. Martin Luther King at the Lincoln Memorial in 1963.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MOORHEAD. Mr. Speaker, not since November 22, 1963, has our Nation been so shocked by a senseless, a mindless, an insane assassination. Dr. Martin Luther King, Jr., symbol of peace and nonviolence and equality and brotherhood among men, has been taken from us by violence.

I first met Dr. King and heard his eloquence at a Freedom Now rally at Forbes Field in Pittsburgh. In later years and on many occasions I worked with him and the Southern Christian Leadership Conference on civil rights legislation. He became my friend.

I have often marveled at his eloquence, but particularly in August of 1963 at the Lincoln Memorial here in Washington. The march on Washington for jobs and freedom will live long in the memory of those who participated in it and those who saw so much of it on television. It was, perhaps, the single greatest demonstration of unity for justice that this Nation has seen.

Unquestionably the outstanding event that day was Dr. King's speech, "I Have a Dream." The text of that stirring and prophetic speech follows:

I HAVE A DREAM

(By Martin Luther King, Jr.)

I am happy to join with you today in what will go down in history as the greatest demonstration for freedom in the history of our nation.

Five score years ago, a great American, in whose symbolic shadow we stand today, signed the Emancipation Proclamation. This momentous decree came as the great beacon light of hope for millions of Negro slaves who had been seared in the flames of withering injustice. It came as the joyous daybreak to end the long night of their captivity.

But one hundred years later the Negro still is not free. One hundred years later, the life of the Negro is still badly crippled by the manacles of segregation and the chains of discrimination. One hundred years later, the Negro lives on a lonely island of poverty in the midst of a vast ocean of material prosperity. One hundred years later, the Negro is still languished in the corners of American society and finds himself an exile in his own land. So we have come here today to dramatize the shameful condition.

In a sense we've come to our Nation's Capital to cash a check. When the architects of our republic wrote the mignificent words of the Constitution and the Declaration of Independence, they were signing a promissory note to which every American was to fall heir. This note was a promise that all men, yes, black men as well as white men, should be guaranteed the unalienable rights of life, liberty and the pursuit of happiness.

It is obvious today that America has defaulted on this promissory note insofar as her citizens of color are concerned. Instead of honoring this sacred obligation, America has given the Negro people a bad check, a check which has come back marked "Insufficient Funds." But we refuse to believe the bank of justice is bankrupt. We refuse to believe that there are insufficient funds to the great vaults of opportunity of this nation. So we have come to cash this check, a check that will give us upon demand, the riches of freedom and the security of justice. We have also come to this hallowed spot to remind America of the fierce urgency of now.

This is no time to engage in the luxury of cooling off or to take the transquilizing drug of gradualism. Now is the time to make real the promises of democracy. Now is the time to rise from the dark and desolate valley of segregation to the sunlit path of racial justice. Now is the time to lift our nation from the quicksands of racial injustice to the solid rock of brotherhood. Now is the time to make justice a reality for all of God's children.

It would be fatal for the nation to overlook the urgency of the moment. This sweltering summer of the Negro's legitimate discontent will not pass until there is an invigorating autumn of freedom and equality. Nineteen sixty-three is not an end but a beginning. Those who hoped that the Negro needed to blow off steam and will now be content will have a rude awakening if the nation returns to business as usual. There will be neither rest nor tranquility in America until the Negro is guaranteed his citizenship rights. The whirlwinds of revolt will continue to shake the foundations of our nation until the bright day of justice emerges.

But there is something I must say to my people who stand on the warm threshold which leads them to the palace of justice. In the process of gaining our rightful place we must not be guilty of wrongful deeds. Let us not seek to satisfy our thirst for freedom by drinking from the cut of bitterness and hatred. We must forever conduct our struggle on the high plane of dignity and discipline. We must not allow our creative protest to degenerate into physical violence. Again and again we must rise to the majestic heights of meeting physical force with soul force.

The marvelous new militancy which has engulfed the Negro community must not lead us to a distrust of all white people, for many of our white brothers, as evidenced by their presence here today, have come to realize that their destiny is tied up with our destiny. They have come to realize that their freedom is inextricably bound to our freedom. We cannot walk alone.

And as we walk we must make the pledge that we shall always march ahead. We cannot turn back. There are those who are asking the devotees of civil rights: "When will you be satisfied?" We can never be satisfied as long as our bodies, heavy with the fatigue of travel, cannot gain lodging in the motels of the highways and the hotels of the cities. We cannot be satisfied as long as the Negro's basic mobility is from a smaller ghetto to a larger one. We can never be satisfied as long as our children are stipped of their self-hood and robbed of their dignity by signs stating: "For Whites Only." We cannot be satisfied as long as the Negro in Mississippi cannot vote and the Negro in New York believes he has nothing for which to vote. No, no, we are not satisfied and we will not be satisfied until justice rolls down like the water and righteousness like a mightly stream.

I am not unmindful that some of you have come here out of great trials and tribulations, some of you have come fresh from narrow jail cells, some of you have come from areas where your quest for freedom left you battered by the storms of persecution and staggered by the winds of police brutality. You have been the veterans of creative suffering. Continue to work with the faith that unearned suffering is redemptive.

Go back to Mississippi, go back to Alabama, go back to South Carolina, go back to Georgia, go back to Louisiana, go back to the slums and ghettos of our northern cities, knowing that somehow this situation can and will be changed. Let us not wallow in the valley of despiar.

I say to you today, my friends, even though we face the difficulties of today and tomorrow, I still have a dream. It is a dream deeply rooted in the American dream. I have a dream that one day this nation will rise up and live out the true meaning of its creed: "We hold these truths to be self-evident that all men are created equal."

I have a dream that one day on the red hills of Georgia the sons of former slaves and the sons of former slaveowners will be able to sit down together at the table of brotherhood.

I have a dream that one day even the State of Mississippi, a state sweltering with the heat of injustice, sweltering with the heat of oppression, will be transformed into an oasis of freedom and justice. I have a dream that my four little children will one day live in a nation where they will not be judged by the color of their skin but by the content of their character. I have a dream today.

I have a dream that one day down in Alabama with its vicious racists, with its Governor having his lips dripping with the words of interpostion and nullification—one day right there in Alabama, little black boys and black girls will be able to join hands with little white boys and white girls as sisters and brothers.

I have a dream today.

I have a dream that one day every valley shall be exalted, every hill and mountain shall be made low, the rough places will be made plain and the crooked places will be made straight, and the glory of the Lord shall be revealed, and all flesh shall see it together.

This is our hope. This is the faith that I go back to the South with. With this faith we will be able to hew out of the mountain of despair a stone of hope. With this faith we will be able to transform the jangling discords of our nation into a beautiful symphony of brotherhood. With this faith we will be able to work together, to pray together, to struggle together, to go to jail together, to stand up for freedom together, knowing that we will be free one day.

This will be the day when all of God's children will be able to sing with new meaning:

> "My country 'tis of thee,
> Sweet land of liberty,
> Of thee I sing:
> Land where my fathers died,
> Land of the pilgrim's pride,
> From every mountain-side
> Let Freedom ring."

And if America is to be a great nation, this must become true. So, let freedom ring from the prodigious hill tops of New Hampshire. Let freedom ring from the mighty mountains of New York. Let freedom ring from the heightening Alleghenies of Pennsylvania. Let freedom ring from the snowcapped Rockies of Colorado. Let freedom ring from the curvaceous slopes of California. But not only that, let freedom ring from Stone Mountain of Georgia.

Let freedom ring from Lookout Mountain of Tennessee.

Let freedom ring from every hill and molehill of Mississippi. From every mountainside, let freedom ring. And when we allow freedom to ring, when we let it ring from every village, from every hamlet, from every state and every city, we will be able to speed up that day when all of God's children, black men and white men, Jews and Gentiles, Protestants and Catholics, will be able to join hands and sing in the words of the old Negro spiritual: "Free at last! free at last! thank God almighty, we are free a last!"

Martin Luther King had a dream for America and as he said, it was "a dream deeply rooted in the American dream."

America should rededicate itself to Martin Luther King's dream. Violence does damage to that dream. As a symbol of that rededication, I am today introducing a bill which would direct the striking of a medal honoring this great American, Martin Luther King, Jr. and the presentation of this medal to his courageous widow.

The apostle of nonviolence has gone. What must we now do? I submit that this Congress must pass the civil rights bill, with the open housing amendment intact, as a memorial to Dr. Martin Luther King. We must not do this, however, because we have been intimidated, cowed, frightened, or out of expediency. We must do it because it is the right thing to do; we must do it because it is our responsibility to help make Dr. King's dream come true.

In Bob Dylan's words:

How many roads must a man walk down before he's called a man?
How many seas must a white dove sail before he sleeps in the sand?
How many times must the cannon balls fly before they're forever banned?
How many years can a mountain exist before it's washed in the sea?
How many years can some people exist before they're allowed to be free?
How many times can a man turn his head and pretend he just doesn't see?
How many times must a man look up before he can see the sky?
How many ears must one man have before he can hear people cry?
How many deaths will it take 'til he knows that too many people have died?

REASON

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. BRINKLEY. Mr. Speaker, the chaos in our land: where will it end? That is the question on almost every mature American's tongue. What can be done about it? What should be done about it? Of course, there are many deep-seated ills in our society which require patient and unrelenting treatment. A great host of our problems stem from a serious deficit of spiritual and moral values, the lack of parental training and influence, and a permissive and indulgent philosophy which is alien to the American spirit. Those who believe that many of our most pressing problems can be solved by legislation and money hope in vain.

But the immediate crisis calls for decisiveness and action. Wishful thinking and hesitation will solve nothing. In fact these weaknesses have contributed much to the present grave and ugly situation.

If governmental authorities do not consistently act with determination to keep order and respect, this entire country—consisting overwhelmingly of peace-loving, law-abiding citizens, black and white, rich and poor—will be subjected to more acute tension, intensified risks, and terrible harm.

The point has been reached when we must—we must for everyone's sake—meet recklessness with resolve, and lawlessness with authority. We must not avoid this responsibility; we must not abdicate this trust.

A permanent cure for the sickness which infects our Nation should be sought; but if emergency treatment calls for the use of a straitjacket, we must use it. The patient should not be allowed to harm himself and infect others because we are too tenderhearted to restrain, isolate, or treat him.

God give us the wisdom and the will to do our duty.

BE FIRM DURING PERIOD OF HYSTERIA

Mr. TAYLOR. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. TAYLOR. Mr. Speaker, it has been a turbulent weekend of tragedy and madness. I personally saw the results of much of it on Seventh Street in Washington last Saturday. One man stood in front of a small shop which obviously had been broken into, looted, and burned. He must have taken me for a city official because he came to the side of the car and said:

> I put 25 years into that business and worked hard and saved and paid my taxes—now everything I own is gone.

Hundreds of independent merchants, some white, some Negro, have been completely wiped out.

One clear lesson from the explosions in the cities last summer was that in order to suppress a riot, officers must be prepared to move quickly and firmly in the early stages before conditions get out of hand. Why was the Police Department in Washington so unprepared and so understaffed and so slow in getting reinforcements, so that for most of a day the Nation's Capital was in the hands of young hoodlums who burned and looted at will?

It appears that the police made little effort to stop looters or recover merchandise that were being carried out, and permitted felonies of violence to be committed in their presence without so much as firing a warning shot, thereby making a carnival out of the riot and a mockery out of law enforcement.

It is time for Congress to speak out and let Washington authorities know that we demand that the laws be enforced and that the Police Department protect the lives and property of innocent citizens, rather than coddle lawbreakers. There can be no compromise with law and order. The mad assassin of Dr. King must be apprehended and punished severely. Those in Washington who committed crimes of arson, breaking and entry, and grand larceny must be treated in the same manner. We must make certain that Washington is never again caught so unprepared to cope with rioting hoodlums.

Congress cannot turn a deaf ear to the needs of the ghettos, but we must take the profit out of rioting. In my opinion, it is a mistake to pass any social legislation, or to even consider it, unless and until law and order are restored in the cities of America.

In my opinion, it is a mistake to hold a joint session of Congress for the President to recommend such legislation unless and until this senseless rioting and burning and looting are stopped and I will vote against inviting the President to appear before a joint session.

We must let every American citizen know that Congress will not yield to blackmail and that Congress will not be stampeded into passing any legislation which has the earmarks of a payoff to violence.

By our firmness during this period of hysteria we must say to all citizens, white and Negro alike, that they cannot win by resorting to violence and lawlessness, that they must present their demands in a lawful American way.

THOUGHTS OF PARISHIONERS OF ST. BARTHOLOMEW'S CHURCH, BETHESDA, MD., ON DR. KING

Mr. HANLEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HANLEY. Mr. Speaker, the tragic events of the last 4 days leave me with a sense of great agony—agony over the untimely and callous murder of a man who taught love; agony over the riotous plundering and looting which have taken place, ironically enough, in the name of this man who, throughout his life, deplored such activities; agony for the average American who does not understand why this is happening; agony for the businessman who has lost his life's savings to a band of marauders; agony for those who have been left without homes or food by the senseless plundering of the past weekend; agony for those who seem to believe that their frustrations can be overcome by violence.

Mr. Speaker, we have heard eulogies by the score from the high and the mighty of our Nation and abroad for Dr. Martin Luther King, Jr. I would like to share with you some timely thoughts put together by the parishioners of St. Bartholomew's Church in Bethesda. I am proud to say that St. Bartholomew's is my parish away from home. Their thoughts follow:

IN MEMORIAM—DR. MARTIN LUTHER KING, JR., 1929–68

This is My commandment, that you love one another as I have loved you. Greater love than this no one has, that one lay down his life for his friends.—John 15: 12, 13.

Heavenly Father, on the eve of Holy Week when we commemorate the sacrifice of the Innocent One for our redemption, look with mercy upon your people who mourn anew the shedding of innocent blood.

We thank You for Your servant, Martin Luther King, who dedicated his life to Your commandment of true Brotherhood.

May his faith that "We shall overcome" be an inspiration to us to believe more deeply that love of one another in Christ is the only way to bring peace and justice to the world.

Dear God, grant that we may not judge the whole movement for racial justice by the irresponsible acts of lawlessness taking place in many of our cities. Lord, help those taking the path of violence to see the injustice of their ways and the hindrance to understanding and respect among men.

Give us the grace to search our hearts and examine our conscience to determine how we have sinned against Your commandment to love one another.

OUR LITANY OF FORGIVENESS

When we fail to love, Forgive us, O Lord (Response)
When we choose hate over love,
For being too busy to get involved,
For remaining uncommitted,
For forgiving our own wrongs,
For not forgiving those of others,
For keeping silence when we should have spoken,
For what is in our hearts,
For what is not in our hearts,
For those we have excluded,
For failing to welcome a Negro into our neighborhood,
For exploiting those who serve us,
For our lack of concern for the poor,
For our own poverty of spirit,
For seeking only what is good for ourselves,
For our lack of interest in welfare laws,
For denying employment opportunities to our brothers,
For supporting social groups, country clubs and organizations that discriminate, Forgive us, O Lord
For not setting a Christ-like example for our children,
For not recognizing the dignity of all men,
For practicing charity only when it's easy,
For failure to learn more about our brothers,
For generalizing in our judgments against one group of people,
For thinking we are superior,
For thinking we have no problems,
For not using our talents to make a better world,
For rejecting You, O Lord, when we reject our brothers,
Forgive us, O Lord.

Grant to Your servant, Martin Luther King, Jr., Your eternal peace and love. Give to his family the consolation of knowing his work was not in vain. May they be assured of our prayers.

Eternal rest grant to him, O Lord, and let perpetual light shine upon him. May he rest in peace.

REV. MARTIN LUTHER KING, JR.

Mr. PRICE of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE of Illinois. Mr. Speaker, an apostle of nonviolence, Dr. Martin Luther King, is the victim of a wanton act of violence. This cruel twist of irony will not be erased from our Nation's history, nor easily forgotten.

As in the tradition of his mentor, Mahatma Gandhi, who fell victim to the venom and hatred he worked so hard to extinguish, Dr. King has been denied seeing the fruition of his efforts. His personal tragedy is a national loss. We deeply mourn his death.

"I have a dream," he once said. That dream of racial harmony in America has been shattered temporarily by a cowardly assassin's bullet. But the vision of which Dr. King spoke will endure and will one day be fact. His legacy to this Nation will sustain its people in these trying times.

We must heed his plea for nonviolence, as we must follow President Johnson's call for national unity. It speaks ill of this Nation that Dr. King has been slain. But his martyred spirit will prevail.

U.S. COMMERCIAL AIRLIFT POLICY

Mr. PRICE of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE of Illinois. Mr. Speaker, as chairman of the Airlift Subcommittee, House Committee on Armed Services, I was most interested in the recent talk given by the Honorable Robert H. Charles, Assistant Secretary of the Air Force, Installations and Logistics, before the Aero Club of Washington on March 26, 1968. In this speech, Mr. Charles, a highly respected and competent authority in his field, discussed a subject of increasing concern to the airlines of this country.

The problem stated by Mr. Charles, for which an equitable solution has not yet been resolved, is to define our commercial airlift policy with due regard for our increased military airlift capability as the C–5's become available and our airlift demands decrease after the war in Vietnam ends. I am sure my colleagues will find this speech to be a clear enunciation of the issues that face us in the future.

I insert the text of Mr. Charles' speech in the RECORD at this point:

Address by Hon. Robert H. Charles

Today I would like to discuss a matter which will be of increasing concern to many of the airlines of this country—namely, our commercial airlift policy—as we approach the time, not too far hence, when six squadrons of C–5 aircraft have become operational and, hopefully, the war in Southeast Asia is over—to the time when our organic military airlift capacity will be far larger, and our airlift needs, in peacetime, may be considerably smaller, than they are today. I will not attempt to describe that policy, because it has not yet been established. I will, however, review some of the elements which must be considered in its formulation.

To put the matter in perspective, let me go back to the early part of this decade. In 1961, the organic strategic military transport fleet (excluding Tactical Air Command, Reserve and Air National Guard units) consisted of 38 squadrons containing 563 aircraft (C–124, C–133, C–118, C–121, and C–130). Now that all C–141's have been delivered, our organic strategic fleet consists of 27 squadrons containing 424 aircraft (C–141, C–130, C–133, and C–124). In 30 days under wartime conditions, it can move three times more cargo and people than the 1961 fleet. That capability will not increase until late next year, when the first squadron of C–5's is scheduled to become operational. But by March 1972, all 96 C–5's currently programmed will have been delivered, and at that time our strategic organic fleet will consist of 20 squadrons containing 320 aircraft (C–5's and C–141's only), and will have a 30-day wartime capability of 2⅓ times today's fleet. This represents a 7-fold increase since 1961. It is interesting to note that this more-than-doubling of capacity in the next 4 years will be accomplished with 24% fewer aircraft.

Now assume that the war in Vietnam is brought to a close, and no new comparable conflict erupts, at some time between now and March 1972. There will be a falloff in military airlift activity. I do not, of course, predict a precise inversion of the build-up that has occurred as the war has escalated, but a look at the record may be instructive. In FY 1964, the last year before the Tonkin Bay incident, MAC airplanes carried 662 million ton miles of cargo and passengers, and the airlines carried 516 million ton miles at a price of $145 million. In FY 1967, MAC airplanes carried 1,943 million ton miles, and the airlines 2,185 million at a price of $575 million. The total ton miles rose from 1,178 million to 4,128 million.

It is obvious that the possible convergence of these two events—the C–5 and an end to the war—calls for a look at our commercial airlift policy. We should look at it now, when we have the time to do so deliberately, rather than wait for events to impose on us a policy which may be unwise.

Before doing so, however, let us again examine the situation at the beginning of this decade. Then the role of the Military Air Transport Service—appropriately so named for its then function—was essentially the same as the role of the Civil Reserve Air Fleet, whose primary purpose was to augment MATS in the strategic airlift of personnel and materials between established airfields in well-developed areas outside of combat zones. This similarity of function was understandable, for two reasons. First, our national defense strategy was oriented toward general nuclear war—the concept of massive retaliation; there was little expectation of airlifting troops, equipment and supplies for conventional combat. It is significant that except for the C–133, which was designed to airlift missiles to and from SAC missile sites, the MATS fleet included many aircraft which were military versions of commercial aircraft.

This similarity between the roles of MATS and CRAF was of course largely responsible for the controversy which developed in the late 1950's concerning MATS' function. The 1958–59 study entitled "The Role of MATS in Peace and War," and the Presidentially Approved Courses of Action of February 9, 1960, specified, among other things, that MATS be equipped and operated to meet so-called "hard-core" requirements such as carriage of outsize equipment and munitions, and deployment of troops and their support to combat areas. MATS was told to reduce its fixed-route regularly-scheduled airline type operations consistent with the efficient peacetime use, including training, of the MATS airlift capacity.

Today, however, MATS' role is quite different, as appropriately reflected by its change of name to MAC—the Military Airlift Command. It is no longer a transport service; it is a combat force. This change resulted from changes in the two factors which caused the earlier similarity between MATS and CRAF. Our national defense stategy expanded to put more emphasis on limited war; and since the airlift capabilities needed to support limited war are far different from those needed for massive retaliation, revolutionary changes in the size and character of airlift forces were required.

The new strategy meant a new type of airlift operation, i.e., deployment and resupply of large numbers of combat troops and their support, including outsize equipment such as 50-ton main battle tanks, as close as possible to the area of combat. Military versions of commercial aircraft can move people and material between fixed, established and secure airports—the former MATS function—but specialized transports such as the C–5 are needed to carry troops and equipment to short semi-prepared runways in underdeveloped areas, and, if necessary, parachute or otherwise extract their loads without touching down. In sharp contrast to the MATS mission of the 1950's, the MAC mission today covers the entire airlift spectrum—long range, heavy lift and outsize capacity; and airdrop and airland delivery in all weather conditions on short semi-prepared forward area airstrips—and MAC performs that mission in support of combat forces anywhere in the world in emergencies, contingencies and war. This combat support activity is one which the aircraft of the civil carriers are not designed to perform, and much of which, because of its combat nature, the civil carriers should not perform. The parallelism between the military and civil air carriers is no longer a dominant feature of their relationship.

It is easy to be misled by the unusual circumstances of the present war. The buildup of our forces has been gradual enough to avoid the need for a massive, rapid deployment of combat forces by air, and we have enjoyed relatively little ground harassment at major Southeast Asia airfields and total freedom of the air. Both of these circumstances permitted the extensive use of civil carriers into Southeast Asia. We cannot depend on similar conditions in future contingencies. Planning must assume that a future contingency may require an immediate and massive response into a combat environment by the military airlift force alone.

This does not mean that the civil carriers will not continue to play an important role in MAC's future peacetime activities, particularly in the carriage of passengers and mail over established routes. JCS movement capability studies, which examine our ability to deploy and support forces under various conditions, show a continuing need for a capable and responsive CRAF to augment the military airlift capability in emergencies and in war.

Now let me look to the future, and to the role of the civil air carriers at that time.

Our future commercial airlift policy should be concerned, I think, with three major premises. First, in wartime we must get the maximum possible utilization out of our expensive assets, such as the C–5, each one of which, including support equipment and amortization of development expenses, will cost over $25 million. Second, in peacetime these assets must be used productively and economically. Third, in order to assure emergency and wartime airlift augmentation from the airlines by participation in the CRAF program, we must have an active participation by those airlines in our peacetime airlift business.

A number of factors continue, happily, to make possible the realization of this 3-cornered objective, including a reasonable accommodation between the latter two. These factors flow out of the first major premise concerning maximum wartime utilization, which may be as high as 15 hours per day by Air Force standards.

Probably the most sensible and economical way to obtain maximum utilization in wartime is to provide the active duty crews and other resources needed to sustain 10 hours per day with the crews operating under sustained wartime conditions, i.e., 7 days per week, and applying wartime aircrew, maintenance and safety criteria, and to achieve additional flying hours by using Reserve Associate Units which train with and operate aircraft of the active force rather than their own Reserve aircraft.

The Reserve Associate Unit, now being tested, is a natural corollary of the fact that modern aircraft are not only much more costly to acquire, but are even more productive. If a Reserve squadron is converted from flying C–124's, for example, to flying C–141's as an Associate Unit, and adds one hour per day to the C–141 squadron's utilization rate, it will produce almost 50% more airlift than with the C–124's flying 2½ times as many hours.

A second factor pertinent to our three-cornered objective is that the normal peacetime rate will be considerably less than the wartime rate. Simply reverting to a 5-day workweek reduces a 10-hour wartime rate to 5/7ths of 10 or to 7.14 hours per day. The application of normal aircrew, maintenance and safety criteria would further reduce it to about 6¼ hours. This figure, incidentally, is a product of dividing the total hours flown by the number of aircraft designated as "Unit Equipment," excluding, for example, aircraft in depot maintenance. A 6¼-hour utilization rate per "Unit Equipment" aircraft is the same as a 5-hour rate by the airline standard of dividing total hours flown by the total number of aircraft owned. As you all know, 5 hours per day is a very low utilization rate. There is not an airline in this country that would not quickly be in bankruptcy if it flew only 5 hours per day, or about half the average rate of the industry today.

Still another factor is that maintaining military airlift units ready for war or lesser emergencies requires that they be operated in non-emergency periods at a rate which will provide adequate and realistic training and operational experience in all phases of airlift. The aircraft used to accomplish this training generate valuable airlift for the movement of peacetime resupply requirements; and because such training is required whether or not its by-product airlift is used, the cost of using that by-product is nothing. And modernization of the military strategic airlift force progresses, the airlift capability generated as a by-product of training will also increase. It would be improper not to use that airlift. In the interest of economy and common sense, if a required military payload can be transported in an aircraft which is on a training mission, at no additional cost, that payload should not be shipped by civil carrier. I see no justification, particularly in a growth industry like airline transportation, for "make work" programs.

The above has, of course, been known for a long time; but because wishful thinking is one of man's most persistent characteristics, we in the Air Force have continually emphasized and re-emphasized the following principles in discussing the role of the airlines in national defense:

1. CRAF participants must not rely on the revenue from military contracts as the principal means of paying for modern cargo aircraft, because military requirements alone will not support such purchases.

2. The amount of military business each carrier receives will depend on its success in expanding its civil business. Our goal is that military volume will not exceed 40% of a carrier's total volume; it is only the war which has prevented the implementation of this policy. And the policy makes sense. What expansion to meet military wartime needs is there if the bulk of a carrier's capability is already tied up in military work?

3. The Defense Department does not intend to increase the level of contracting with the civil airlines merely because the military organic capability increases.

The fact is that the Defense Department effort in the last 15 years to encourage the development of a modern civil cargo capability has achieved its objective. It has been a major catalyst of the current revolutionary growth in commercial air freight. This rambunctious baby is well out of the toddling pen. And it is now the commercial market which is, and should be, providing the incentive for the civil carriers to procure cargo-capable aircraft.

Now, of course, all of the above does not reflect what may be a very substantial element of military business in the future. Only about 1.5 billion ton miles, or 3% of total military business transported by civil carriers in FY 1967 was by air; 97% was by surface. But each decline in airlift cost brings with it a disproportionately large shift in the number of items which become air rather than surface eligible. This cost/air eligibility pyramid is so shallow that there exists the possibility, if not the probability, that the percentage of Army cargo moving by air in the next 5 years will increase by an order of magnitude; and I mean literally an order of magnitude, namely by ten times.

Thus, there is a tremendous as-yet-untapped potential in the carriage of military, as well as commercial cargo by civil air carriers; and this potential will be exploited in a disproportionately large amount by the extent to which cost per air-ton-mile can be reduced. Cost reduction is the path to this market.

On this subject of cost reduction, our objective must be to reduce the cost to the ultimate user. In this connection, in FY 1960, MAC spent $65 million to move 300 million ton miles of passengers and cargo—an average cost per ton mile actually moved of 21.5 cents. In FY 1967, MAC paid the airlines over $575 million for 2.5 billion 185 million ton nautical miles—at an average cost per ton mile actually moved of 22.9 cents.

I recognize that there are a number of reasons why this average cost in FY 1967 was higher than the average cost in FY 1960. For example, our use of one-way airline cargo capacity is much greater. The fact remains, however, that it was higher; and the significance is that the reduced rates for airlift resulting from the introduction of jet equipment have not as yet been reflected in the prices, per unit delivered, paid by the actual users of DOD airlift—the military department logistics systems. If commercial airlife is going to become increasingly competitive with other transportation modes, the reduced cost of airlift must be passed on to the users of that airlift—the service logisticians. Until we do so, the economic efficiencies of commercial airlift are illusory, not real. When we do so, we can reasonably anticipate substantially greater DOD use of airlift. The need for such action will be intensified as the airlines introduce still larger aircraft, with their correspondingly greater potential for unused capacity. I commend the problem to your careful attention, and to ours.

Let me summarize:

When initially established, the military strategic airlift force was equipped with commercial-type aircraft and was charged basically with a logistics support mission to conventional airfields. CRAF was established to augment this MATS capability. The airlift policy issued by the President in 1960 recognized this relationship and was designed to direct a share of DOD peacetime airlift requirements to civil air carriers commensurate with their share of wartime military airlift responsibilities.

Beginning in 1960, national defense strategy began a shift from almost sole reliance on "massive retaliation" to include a considerably greater limited war capability. The influence of this shift on MAC was revolutionary. Its emerging combat support mission came to include deployment of forces to and resupply of forces in the combat area, and it has been equipped with aircraft specifically designed for that mission. Clearly, the civil fleet is not capable of performing in direct combat support roles, nor can it be expected to acquire that capability.

The military airlift system must be fully trained and prepared for immediate response to military emergency and wartime airlift needs on a sustained basis. However, routine world-wide airlift remains an important MAC mission, and in performing that mission optimum use will be made of commercial airlift in peacetime consistent with the economical use of the capacity generated in exercising and training the military airlift force. Commercial aircraft will also be relied upon to augment military capabilities during emergency and wartime periods to the extent they can be effectively used.

Preference for DOD peacetime business will be given to air carriers who are committed to the CRAF program, who operate modern aircraft adaptable to defense needs, who receive a major portion of their revenues from commercial sources, and who operate most economically and efficiently. Although military requirements for commercial airlift are expected to be less in the post-Vietnam time period than at present, post-Vietnam procurement of commercial airlift can be substantial if economic comparisons shift to favor airlift for substantial volumes of cargo now moving by surface.

The impetus from the Defense Department in the 1950's and 1960's to encourage the development of a modern civil cargo capability is no longer required. The commercial demand for cargo airlift is growing rapidly today and is projected to grow even more rapidly in coming years. The air carriers will have a large fleet of CRAF-suitable modern jet cargo and convertible aircraft to accommodate this growing air cargo market. However, the characteristics being designed into these aircraft to achieve economy and efficiency in commercial use will limit their flexibility and usefulness in support of DOD strategic airlift requirements, but will encourage their use to perform channel services replacing military aircraft withdrawn for operation into the combat area.

Although the military airlift force is the heart of our strategic airlift capability, in closing, I should like to emphasize that we fully recognize the important contribution of civil air carriers to the national defense. We rely not only on their peacetime role but on their reservoir of capacity in emergencies and in war. And there should be enough military peacetime business to justify maintaining that reservoir, particularly as the cost per unit delivered to the user goes down.

Thank you.

DR. MARTIN LUTHER KING

Mr. FRIEDEL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. FRIEDEL. Mr. Speaker, I deplore the tragic, unforgivable assassination of one of the great Americans of our time. Martin Luther King believed in America and its promise. He knew and taught the power of peaceful change. He believed that change would come about through lawful and orderly process. He was taken from us by a violent, sick act. I call on all Americans of every color and creed to unite to prove Martin Luther King's faith was not misplaced.

THE RIOT

Mr. CABELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. CABELL. Mr. Speaker, the real loser in the wave of emotional hysteria that has swept this Nation following the wanton murder of Dr. Martin Luther King, Jr. is the responsible, law-abiding Negro he sought earnestly to reach and to inspire.

His theme was "nonviolence," yet we are today asked to memorialize him not in response to his basic principles but under threat of even more burning, looting, rioting, and sniping.

Caught in the middle are thousands of honorable Negro families who have preached honor, pride, love of our American heritage, deep religious faith, and the responsibilities of citizenship. It is they who feel the deepest sense of loss, for they recognize that everything they have worked for, all of these virtues in which they have put their trust could well go down the drain.

This week in Congress we are being asked once again to take steps toward social justice. Much of this pressure comes from those who sincerely feel a deep sense of personal guilt over the plight of the underprivileged and who suggest as atonement of that sense of guilt, concessions that could destroy all sense of individual responsibility. Along with them are others who could care less about the late Dr. King or his ideals but who are using his murder as they used the cry "justice" to cover their own bestiality and contempt for law and order.

The manner in which we deal with this latter group may well be the difference between a democracy committed to cowardice and a nation of law ruled by brave men.

The group in the middle—the group most affected—is the responsible and law-abiding Negro who is proud of his race and, therefore, reluctant to stand against these militants but who will be inevitably classed with them and who faces the loss of the place he has earned on the side of law and order.

What does he lose? The very principles which mean the most to him: his love of country, his respect for the family as a unit, his willingness to submit to constituted authority and to acknowledge the rights of his fellow man, and his acceptance of the fact that a citizen can only enjoy the benefits of society when he makes a contribution to that society.

Much of this is obvious if we take the time to think it through. But today, in the wake of this senseless and deplorable murder, our decisions are being urged upon hysteria rather than upon normal clear thinking.

I hope that we can give less attentions to the Carmichaels, the Rap Browns, and the McKissicks and give more time and space in our newspapers and our television and radio programs to those who are constructive and most concerned.

I hope that we can correct any injustice to any minority group, but in so doing we must not violate the rights of any other group whether they be of a minority or a majority.

Above all, I hope that we can remain calm and responsive and by so doing rededicate ourselves to the preservation of the principles that have brought us so far in such a short time and which are so endangered in this great country today, to the principles which Martin Luther King himself espoused and for which he died.

Let us prove to all responsible, law-abiding citizens that their's has been and will continue to be the proper course.

ON THE MURDER OF DR. MARTIN LUTHER KING

Mr. ECKHARDT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ECKHARDT. Mr. Speaker, there has not been a time since the assassination of John F. Kennedy when so insignificant an assailant has done so much harm to the cause of humanity. I do not know whether, today, so soon after the tragic event, I can reach my hand across the great chasm of his grave to touch the hand of my black brother in sympathy. So I, a white man, shall talk to white men.

George Bernard Shaw wrote an essay called "Why Not Try Christianity?" Martin Luther King tried Christianity. Do you know, then, what his death means? It means that we must make the awesome effort necessary to make what Martin Luther King tried work. Think of the terrible implications of his death if we do not.

This means that we must write justice in our laws and love in our hearts. And we, being the strong majority, must keep our course toward racial justice, equality, and brotherhood through every violent storm that would blow us on any other course. This is easy to say, but it is not easy to do.

There are men of both races who would use the violence of lawlessness or the violence of law as the stiff bit and spur to force the gait and pace of our society. But a democratic society is an unruly steed. It cannot be so governed.

We must now accept the hard truth of the report of the Commission on Civil Disorders: that we are now paying a heavy debt incurred through many years of white injustice and heedlessness. We must wipe out the causes of riots and do it fast. A first small step should be the passage of the civil rights bill this week—yes with its open housing provision.

And this is only a first step. We must destroy every social and economic handhold by which segregation still clings to our schools and neighborhoods. And we cannot just make "deliberate speed." We must do it now.

THIS IS NO TIME TO CURTAIL POSTAL SERVICE TO THE AMERICAN PUBLIC

Mr. OLSEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The **SPEAKER.** Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. OLSEN. Mr. Speaker, it is my understanding that the Subcommittee on Post Office Appropriations reduced the Department's fiscal 1969 budget by $170 million.

During a meeting of the full committee on April 4, further crippling proposals were offered, including one which would reduce rural delivery service to 5 days a week. I was pleased to note, however, that the committee rejected this drastic proposal and other proposals which would have seriously curtailed essential services to the American public. Although efforts to reduce city and rural delivery to 5 days a week failed in the committee, it is anticipated that similar amendments will be offered from the House floor when the bill is up for consideration.

Today, we have 31,000 rural routes in the Nation, providing complete postal service to more than 36,000,000 people, 6 days each week, or roughly one-fifth of our Nation's population. The daily distance traveled by these dedicated employees is approximately 1.9 million miles.

During the past session of Congress, the Committee on Post Office and Civil Service favorably reported the well-known pay rate bill, now Public Law 90–206. This bill, among other things, provided for a substantial postage rate increase in order to defray the cost of providing essential mail services to the American populace.

It is my feeling that this is no time to tell the American public, including the 36 million patrons of rural free delivery that we are going to eliminate all Saturday deliveries. Contrary to the thinking of some of our Members, all of our people are not enjoying the fruits and benefits of our society. Many of our rural patrons today, even in this affluent society, do not own automobiles, television sets, and so forth, and, consequently, are greatly dependent upon rural delivery for daily newspapers and other news media which is one of the paramount services afforded rural and suburban America 6 days each week.

Mr. Speaker, I trust the Members of the House will carefully weigh any proposals which would curtail postal service to the American public. There is no governmental service that directly touches the lives of so many of our citizens.

POSTMASTER APPOINTMENTS AND POLITICS

Mr. OLSEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The **SPEAKER.** Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. OLSEN. Mr. Speaker, I am today introducing another bill to remove political consideration from the appointment of postmasters. My bill also repeals the requirement that a person, to be eligible for appointment as a postmaster, must have actually resided within the delivery area of a post office for at least 1 year.

On February 5, 1968, I sponsored a bill, H.R. 15090, that proposed to continue the present practice of appointing postmasters by the President, by and with the advice and consent of the Senate, but would have limited the area of selecting potential postmasters to career postal employees whose qualifications were confirmed on the basis of a noncompetitive examination.

During the initial hearings held by our Subcommittee on Postal Operations of the House Post Office and Civil Service Committee, on my bill and the 35 similar bills pending before our subcommittee, it became apparent to me that the appointing authority should rest with the Postmaster General, rather than with the President, subject to confirmation by the Senate. Extensive testimony during these hearings firmly convinced me that there was no way to remove political influence from appointments that are required to be initiated by the President and confirmed by the Senate, particularly when the confirmation by the Senate requires an expression of approval or disapproval by the Senators of the State in which the particular post office is located.

Mr. Speaker, the bill I am introducing today places the appointing authority for postmasters at post offices of the first, second, and third classes with the Postmaster General. It requires that he make his selections from within the postal field service on the basis of noncompetitive examinations, in accordance with the provisions of law governing appointments within the competitive service. If there is no qualified employee serving under a career appointment in the postal field service available or willing to accept an appointment as postmaster, then the position of postmaster is required to be filled as a result of a competitive examination, in accordance with the provisions of law governing appointments in the competitive service.

My bill also requires that the appointee to the position of postmaster shall be given an opportunity to familiarize himself with the key postal functions relating to the receipt, dispatch, distribution, transportation, and delivery of mail.

As a further implementation to assist the Postmaster General in appointing as postmasters the most qualified career postal employees, section 2 of my bill will repeal the provisions of section 3312 of title 39, United States Code, requiring that, in order to be eligible for appointment as postmaster, the person must actually have resided within the delivery of the particular post office, or within the city or town where it is situated, for at least 1 year.

The head of any executive agency, whether it is the Secretary of Commerce, the Secretary of Labor, or the Secretary of Defense, has the authority to select people within the merit system, who are going to be the directors of their major offices. They can move their employees clear across the country or around the world, if they so desire.

I think the Postmaster General ought to have similar authority in choosing the postmasters of the large post offices without the residence restrictions now imposed by law. My bill will accomplish this by repealing the residence requirements for appointments of postmasters in the first-, second-, and third-class post offices.

Mr. Speaker, I am hopeful that my new proposal will be acceptable to the members of the subcommittee.

WE CANNOT SETTLE PROBLEMS WITH A SNIPER'S BULLET

Mr. MEEDS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. MEEDS. Mr. Speaker, when will people learn that you cannot settle problems with a sniper's bullet?

Our Nation, in the last 4 years, has been staggered by a series of senseless, violent, tragic assassinations at great cost to the country.

The weak who feel strong and the cowardly who feel brave embracing a rifle, not only commit murder, but wound the essence of our democracy.

It sickens the heart of any man who loves freedom, who loves this Republic and the respect for the individual upon which it is founded. Men, who seek to preserve their ideas by killing those who oppose them, have no faith in this country, no faith in its laws, and no faith whatever in its people.

Of all the disturbing trends in our society during this deeply troubled time, the most alarming is the drive to violence, preached and practiced by those without the strength and determination to make their point within the framework of our democracy.

If we rely on guns to solve our differences, we must then clearly understand that we will only have peace when only one of us survives.

What many Americans fail to remember is that most progress in the field of civil rights was accomplished by nonviolent means. Violence and irrational confrontation only harm a cause.

In these times we must all move by reasoned judgment.

The American people are noted for rallying to a just cause.

There is no more just cause than equality for all our citizens. Let us all work peacefully, but diligently, for the removal of all discrimination barriers wherever they exist.

THE POLITICAL DROPOUT MUST BE THE CONCERN OF OUR SOCIETY

Mr. MEEDS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. MEEDS. Mr. Speaker, just as the high school dropout is a concern of our society, so must be the political dropout. He is the person who is willing to let others worry about the problems facing our local, State, and National governments—reserving to himself only the privilege of complaining when things go awry. He is the person who feels one vote does not count, one individual's efforts cannot make an impression on the body politic. Basically, he is a person who does not know much about our political parties or about how our various levels of government operate and really does not care. He believes the opportunity for citizens participation is small and that government is a sort of private domain for politicians.

The truth is that today there is a great and growing opportunity for citizen involvement. Both political parties are eager to solicit the interest and help of citizens who share a concern for the future of our Nation.

Certainly good teachers, almost by definition, both know and care about our government.

I do not think that I am really disagreeing with the NEA teacher-in-politics program when I suggest that teachers, as such, have no more reason to be interested in government than any other citizen. In a democracy, every citizen has so much at stake in the proper operation of his government and the political parties that it is not possible to overstate it.

But, teachers do have a unique contribution to make to the governmental process. Certainly one of the fundamental responsibilities of government in our country is to provide for the education of all our children. This is not a simple task and nearly everyone now recognizes there is more to education than teaching reading, writing, and arithmetic. But the more we recognize the complexities of modern education, the more we require the assistance of professionals in the field to guide us in our effort to improve it.

There is no reason that educators should limit themselves to the role of consultants or only witnesses at legislative hearings. Their direct involvement in our political process will help our children and our Nation as a whole.

SALMON CAN MOVE THROUGH LARGE FLOOD PUMPS

Mr. MEEDS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. MEEDS. Mr. Speaker, tests made cooperatively by Federal, State, and local agencies at Snohomish, Wash., have shown that young salmon can move through large flood pumps, which are a necessary part of land and water management in the coastal plains of the Pacific Northwest.

Eighty percent of the salmon fingerlings made the trip through a large flood pump during the tests without injury. Most injuries were of a mechanical type rather than from water turbulence. Smaller fish survived better than larger ones. Each lot of fish tested consisted of 100 coho salmon fingerlings averaging 4¼ inches long.

The results of the tests will help in planning for the safety of fish in future pump installations in this area.

The study was made at the French Creek Pumping Station, part of the French Creek watershed project. Cooperating were the U.S. Department of Agriculture's Soil Conservation Service; the U.S. Department of the Interior's Bureau of Commercial Fisheries and Bureau of Sport Fisheries and Wildlife; Washington State's Department of Fisheries and Department of Game, and the French Creek Flood Control District.

The interagency pooling of experience, finances, equipment, manpower, and fish resources reduced the cost of the study to a fraction of what it would have been for a single agency. I commend these agencies on their cooperation.

ONE ACT OF LAWLESSNESS HAS LED TO MANY ACTS OF LAWLESSNESS

Mr. WHITENER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to

the request of the gentleman from North Carolina?

There was no objection.

Mr. WHITENER. Mr. Speaker, I am sure that every proper thinking American regrets very much the criminal and unfortunate conduct, which has been alluded to by some of my colleagues, which resulted in the death of Martin Luther King.

I am sure that at the same time we must all be equally—if not more—upset at the unlawful response which has been seen in so many places over this country on the part of those who would contend that they support the theory of nonviolence. What happened here in the Nation's Capital is not only a disgrace to those who brought it about, but it is a disgrace to our Nation.

The last report we had indicated that 757 fires had been set by arsonists here in our Nation's Capital. Here in this citadel of freedom, because of this response to an unfortunate incident, it has become necessary to dispatch 13,000 Federal troops.

I say it is time for people to remove themselves from an attitude of emotionalism and undertake to get down to some good, cold, hard thinking. I think it would be particularly unfortunate if Members of this body, under the threat—and, yes, under the emotionalism, if it actually exists, on the part of some of those who expressed it so eloquently—should place upon the books a monument of stupidity in a legislative forum just in order to respond to the maddening crowd. I hope this legislative body will be in keeping with that which the people of this country expect, as we go forward into consideration of our legislative activities in the next few days.

People throughout this country are concerned about lawlessness. No one who is a good American defends the shooting down of another human being. At the same time, those who condemned that act should condemn with equal fervor and the same impartiality the unlawful conduct on the part of others.

I hope reason will hold sway here in the next few weeks in this body rather than passion.

HEMISFAIR 1968

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, I got back from one area of hope and, believe it or not, joy and gaiety. I invite all to come to San Antonio at their early convenience. We had a tremendously successful opening of HemisFair 1968 in San Antonio.

In a world with despair and conflict and trouble, it was most heartening to see all the diverse elements that make up our society in America getting together for a really successful opening of an event that symbolizes hope and cooperation and progress in the aspirations of a new continent.

So, Mr. Speaker, I express the gratitude of San Antonio that the Congress and this House have had faith in supporting this effort which has brought together nations from all over the world, from Latin America, and Canada, to San Antonio for HemisFair 1968. I renew the invitation to each and every one of you to come down to see us before October 6—and even after October 6.

STATEMENT IN OPPOSITION TO H.R. 2516

Mr. SIKES. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, I wish it to be clear and positive that I oppose H.R. 2516, a bill to prescribe penalties for certain acts of violence, intimidation, and for other purposes, in most of its major particulars. I am confident that feeling is shared by the overwhelming majority of the American people. I feel the bill should go to conference, where hopefully, a better product can result. In its present form this bill is just another instance where the Federal Government would take additional jurisdiction over the lives of the people; a case where one more of the shrinking lists of rights guaranteed to the individual by the Constitution would be taken away.

Particularly, in its language relating to open housing would the passage of H.R. 2516 as now written prove to be a grave mistake and one of the worst injustices the House has ever committed. As proposed, its far-reaching provisions would ban alleged discrimination on racial and other grounds in the sale or rental of 75 percent of U.S. housing. It will involve builders, developers, brokers, apartment house owners, makers of real estate loans, and many owners of individual homes. Instead of banning discrimination, the language is in itself discriminatory in that it strips away constitutional rights of a very substantial majority of the people in the management and disposition of their own property.

That is not the whole story. The bill also proposes the surrender of responsibility. Under its terms, the head of a department of Government is granted almost unlimited powers. The Dirksen amendment changes this but little. The grant of power in large measure is still there. Surrender of congressional responsibility stands. The sentiments which will be expressed under the whip of last week's tragic events will cause that power to be enlarged. Remember, Mr. Speaker, that the departments of Government with their great sums of money and the very fine talents at their disposal, use to the utmost every possible interpretation of power that Congress grants to them. Every line, every phrase, every sentence of the bill will be used to the maximum extent possible to further bureaucratic design and intention. The language of the report will be stretched to the breaking point in the application of the law. The administrators will pick up sentences and paragraphs from speeches made on the floor of the House and Senate as a part of the legislative history and use this to enlarge their own powers in carrying out their personal concepts of the bill and their powers thereunder.

This bill strikes down one of the basic rights of every American citizen—the right of ownership over his private property. Rights which heretofore had rested secure in the Constitution would now hang on the sufferance of the Secretary of Housing and Urban Development. Over this would stand the long shadow of the Department of Justice, always quick to intervene to enforce civil rights programs. By this bill the unquestioned right to use, enjoy, and dispose of what one has acquired through his own honest labor is converted into a doubtful privilege dependent upon the favor of Government. Every man's home becomes another prize within the gift of Government which may be bargained away for political advantage. Court suits and enforcement campaigns could be launched like Government poverty programs, where they will do the most political good.

Once the principle of Government control over private homes is established it will grow and expand, consuming whatever rights may remain on its way. The same zealous forces which are behind this bill will be behind its enforcement. There will be a constant pressure to cut down exceptions, tighten up exemptions, and reach out into new areas. Every protest demonstration will call forth a harsh new interpretation of the rules against the homeowner. Every riot will bring about a stringent revision of the regulations. Every close election will be the occasion for extending Government control still further.

In the end, even those whom this special legislation favors, will be among the losers. The homes they may acquire will be no more secure in their hands than they are in the hands of the present owners. The rights of the new owners will be clouded over by the shadow of government. The web of regulations and redtape, the threat of suits and investigations, the uncertainty of right and title, will fall also on the new tenants, and the taxes to sustain this harassment will have to be paid out of their pockets, too.

This bill purports to be based on high principles, but the only principle I can find in it is that the end justifies the means. It purports to give due protection to personal rights over mere property rights. Such a distinction between personal rights and property rights is wholly false and misleading. There is no real distinction between the two. All rights are personal. Property has no rights but people have rights in property and these are as personal as any other right.

Even the 14th amendment upon which this bill is allegedly based puts property on the same plane as life and liberty in the scale of basic rights protected by the Constitution. Thus the conflict is not between personal rights and property rights as has been pretended. The real issue is whether the personal rights of some will be taken away in order to give new personal rights to others. In such a contest, it seems to me that the homeowner has the higher and better claim to protection.

It must be remembered that unlike previous civil rights bills, this bill is not directed against State and local governments which have the resources, limited though they may be in comparison to the Federal Government, to defend themselves. This bill is aimed at individual citizens and their private property. It is not States' rights which are endangered by this bill, but the rights of the people. It is not business or commerce which this bill regulates, but the lives of private citizens. I think this fact has been generally overlooked. This bill has been drawn solely from the point of view of the minority it is supposed to aid. Before it is voted on, it ought to be seriously examined from the point of view of the majority which it grieviously injures. When looked at from this standpoint, I think the unfairness and injustice of the bill will become so glaringly apparent that the House will overwhelmingly vote it down.

I am also seriously concerned about the firearms provisions of the civil disorders title. This language represents a hastily conceived and ill-prepared approach to the problem of overall firearms legislation. The police and enforcement problem involved in strengthening Federal controls in the use of firearms are far too complex for the summary and ambiguous treatment given in H.R. 2516. It is this ambiguous language which gives rise to serious concern about the use to which it could be put if it were to become law. I must consider it a bureaucrat's dream. It can be interpreted in almost any way that an enterprising administrator might deem desirable for his purposes. It could be used for persecution of the innocent just as well as it could for prosecution of the guilty.

Now I think all of us concur with the basic purpose of the amendment. But our fear is that some of the language pertaining to firearms could open a Pandora's box of unintended and serious consequence. We have before us a criminal situation predicated on vague, broad, and elastic terms. Its language poses a threat of prosecution for legitimate activities unfortunately and even unintentionally brought within its scope. Obviously, this could be a mockery of criminal law resulting from a statutory monstrosity.

There are many, many objections to the proposed language. In the discussion in the Senate, it was indicated that the language covers situations in which any kind of disorder is anticipated and includes any dealer who has not assumed due care in selling firearms to persons who incite riots or use firearms in disorders. Obviously, this covers the waterfront.

Under this, I wonder if we are to assume that both the man who purchases a weapon to defend his own household against destruction, looting, rape, or other violence, and the dealer who sells him the gun, could be hauled into court and punished if violence erupted in the neighborhood.

Please consider the danger and impracticability of phrases such as "or having reasons to know or intend" or "in any way or degree." I do not think the House should concur in or support vague and extremely loose wording which could make a completely innocent person criminally liable, with heavy penalties, and that is what could happen in this bill.

There is even a provision against teaching and demonstrating which would make any person who teaches marksmanship or hunter safety liable to prosecution. This could be true in a city like Orlando where good work has been done in an organized way to teach housewives marksmanship for their own protection. The result has been a very great drop in crime, particularly crime against women. Efforts such as these could run counter to the law and the consequences of enforcement could create a field day for the criminal who would not be so restricted.

The language of the present bill is far too dangerous to become law. It should be stricken in its entirety. The question of gun control legislation is proceeding in an orderly manner and this should be allowed to continue. In the meantime, the purposes of the gun control amendment can be properly served by strict enforcement of the present firearms acts, both National and State, and by a more realistic attitude toward crime control and provision at all levels of government.

Please remember that firearms control legislation already has been the subject of intensive consideration in the Congress. A number of bills are pending in both House and Senate. Hearings have been held and subcommittees have favorably reported bills in both branches of the Congress. The language used by the President earlier this year in discussing the subject would indicate that he recognizes that consideration is due for more moderate language than that hitherto proposed by the Department of Justice. Consequently, it would seem that the orderly processes of congressional study on this cannot in any sense be said to have broken down and there is now opportunity to obtain passage of a bill which is broad and complete and which will adequately serve the purposes which are desirable in gun control legislation. Certainly the subject should not be dealt with in a hasty and unintelligible manner.

These are only two of many questionable provisos in the bill.

To me, the most creditable part of the bill is riot control language which was included at the last moment. If enforced, this language will help to prevent a recurrence of last year's violence. Bills containing riot control provisions twice have been passed by the House and generally disregarded in the Senate.

Presumably, there is now sufficient interest in this legislation to help insure without tacking riot control language on to civil rights legislation. And, I do not think a bill which is bad as a whole should ride on the merits of one good section.

The bill will not satisfy the civil rights activists. They can never afford to be satisfied or they will lose their places of prominence in the movement. Its passage will inflict incredibly bad law upon the general public.

I strongly urge that my colleagues join me in voting against this legislation.

THE RIOTS

Mr. SIKES. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, I look around me in the Nation's Capital City with a sad and heavy heart. All of us are shocked by the fury of the violence which engulfed our Nation last week. We deplore murder and destruction at any level.

Yet I see arising from the tragic events of last week not an acceptance of responsibility in government and among the people but a demand for new programs and more benefits. It is time, Mr. Speaker, to say there must be no profit from riots. It is time for our Nation to hear about the acceptance of responsibility. That is what our country needs most. Hundreds of millions of dollars have been poured into programs to improve the lot of the people. The inhabitants of Washington live better than those of any other capital city in the world. They have greater advantages and more opportunities. Yet the headlines were filled last week with occurrences here and elsewhere which repudiate every principle for which America stands. The great efforts and the huge expenditures that have been made have been rewarded by burning and stealing and mob violence. And if it had not been stopped by force, the mob would have burned down the Capital City of the United States and very probably its Capital buildings.

Yes, this is a sad day for all of us but not a day for those of us here in the House to be shocked into a surrender of our responsibilities as legislators. It is a day for the Congress to face up to the truth about what is going on. What happened here would not have been tolerated anywhere else in the world. The rioters were not carrying on the work of Martin Luther King or venerating the principles credited to him. They were out to loot and destroy, and appeals to reason by their President or their leaders had no effect. It was the stern application of force in the face of lawlessness, and nothing else, that was respected. I hope this important lesson is not lost on the Nation today.

FEDERAL EMPLOYEES IN WASHINGTON RIOT?

Mr. DORN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN. Mr. Speaker, I was shocked to learn that the evidence now indicates that some of those participating in the looting, stealing, and destruction of property here in Washington and in cities throughout the Nation are employed by the Federal Government. Some of those participating in the arson and the rioting here are being supported by the taxpayers of the United States.

Anyone employed by the Federal Government who participates in violence is a reflection on the high ideals and dedicated service of the overwhelming majority in Federal service.

Any violation of the law by any person should be dealt with promptly. Law and order are essential to the preservation of democracy. It is inconceivable that anyone employed by the Federal Government should be for violence and opposed to law and order as represented by that Government for whom he works.

Mr. Speaker, I might remind my colleagues that we hear much about the fifth amendment to the Constitution and about those who plead the fifth, but the most important part of that amendment is the guarantee of property rights. If we are not safe in our own homes and in our businesses and if our property cannot be protected, we are in a state of anarchy.

Once rioting starts the only effective force, so far, we have found to effectively deal with violence and rioting is our police, National Guard, and Federal troops. Federal employees should be the very first to cooperate with these forces representing law and order.

Now, Mr. Speaker, the time has arrived when we should begin to consider preventive measures. Today I am introducing a bill which would deal severely with those employed by the Federal Government who participate in arson, robbing, looting, and attacks on law enforcement officers.

An employee of the Federal Government is a representative of our Government and a representative of the U.S. flag. We must protect the high standards and splendid image of those in the Federal service. We cannot permit a few persons to tarnish the superb reputation of our excellent Federal employees.

The bill follows:

H.R. 16512

A bill to amend title 5, United States Code, to impose prohibitions on the employment by the Federal Government or District of Columbia Government of persons convicted of engaging in riots and certain other activities involving violence and civil disorder, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subchapter II of chapter 73 of title 5, United States Code, is amended by adding immediately after section 7311 the following new section:

"§ 7311A. Riots, violence, and civil disorder

"An individual may not accept or hold a position in the Government of the United States or the government of the District of Columbia if convicted in a court of competent jurisdiction of murder, homicide, felonious assault, rioting, inciting to riot, looting, robbery, or arson during a period of emergency declared by competent authority due to civil disorder. An individual so convicted shall not be eligible for appointment to, or reinstatement in, any civilian position in the Government of the United States or the government of the District of Columbia for the period of 3 years immediately following the date of his conviction.".

(b) The heading of subchapter II of chapter 73 of title 5, United States Code, to read as follows:

"SUBCHAPTER II—LOYALTY, SECURITY, STRIKING, AND ACTIVITIES INVOLVING RIOTS, VIOLENCE, AND CIVIL DISORDER"

(c) The table of contents of chapter 73 of title 5, United States Code, is amended by striking out—

"SUBCHAPTER II—LOYALTY, SECURITY, AND STRIKING

"7311. Loyalty and striking.
"7312. Employment and clearance; individuals removed for national security."

and inserting in lieu thereof—

"SUBCHAPTER II—LOYALTY, SECURITY, STRIKING, AND ACTIVITIES INVOLVING RIOTS, VIOLENCE, AND CIVIL DISORDER

"7311. Loyalty and striking.
"7311A. Riots, violence, and civil disorder.
"7312. Employment and clearance; individuals removed for national security.".

SHOULD DOVES IN FEDERAL WORK QUIT?

Mr. DORN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN. Mr. Speaker, we are all aware of the "surrender in Vietnam" petition circulating among Federal employees. The signers of this petition represent only a very small group; however, their action has received much attention in the national press.

David P. Mayer is a dedicated Federal career man. He served in World War II with the Army Air Corps. Following military service, he was with the Civil Service Commission for 3 years. Mr. Mayer began his career with the Veterans' Administration at Wood, Wis., in 1946. He has been a faithful VA employee for some 22 years, and is now a supervisory personnel management specialist with the VA central office here in Washington.

Mr. Mayer's letter to John Cramer renews my faith in the vast majority of our dedicated Federal employees. It is obvious from his remarks that he respects the office of the Presidency of the United States.

Since many of my colleagues may not have seen the article which appeared in the Washington Daily News on Monday, March 25, I would like to bring it to the attention of every Member of the Congress:

SHOULD DOVES IN FEDERAL WORK QUIT?

(By John Cramer)

Here is one man's idea of the case against those Federal employes who have organized that new protest movement against the Vietnam war.

It comes from a Veterans Administration official (voicing his own views, not those of VA) who writes:

"DEAR MR. CRAMER: This needs to be said about Federal employes who protest against the Vietnam war thru an organized effort:

"First, let it be known that every citizen has a right, as an individual, to express his opinions on matters of national policy and legislation.

"Second, let it be understood that the possession of rights carries with it obligations and responsibilities to exercise these rights wisely and judiciously.

"Thus, Federal employes who thru organized effort, whether it be by group demonstration, petition or other action, breach the obligation and responsibility inherent in their rights.

"Organized efforts opposing public policies have sanction when the actions are by groups outside the Federal employment, but when within the Federal employment, the practitioners violate a trust—the trust of the jurisdiction they were hired to serve.

"Federal employes have a responsibility to perform duties which provide public services and products. In the discharge of such duties they have an obligation to support and defend the public policies and objectives of their chief executive, the President of the United States.

"In this context, the principal engagement of Federal employes is to assist the chief executive in accomplishing the intent and purpose of his administration. This is a basic principle in employe and employer relationship, whether it be Government or industry.

"Therefore, accepting this principle, Federal employees who oppose the policies and objectives of their chief executive have a right to resign, and this they should do when they cannot support the responsible head they were hired to serve.

"Let it also be recognized that all Federal agencies, regardless of their operations and missions, are implicated in the Vietnam War, directly or indirectly as part of total government.

"The obligation to support the chief executive extends to all who are in his employ. It, of course, does not extend to the elected officials.

"The Federal employees who through organized action demonstrate opposition to their chief executive, give comfort and incentive to the enemy, and more so than organized efforts outside of Federal employment.

"On the other hand, there is no dispute about the right of Federal employees to engage in organized action on matters directly related to their welfare, status and rights as employees.

"An old axiom summarizes these thoughts: When you work for a man, help him to achieve his objective—when you can't do so, quit!"

DAVID P. MAYER.

NEED FOR PASSAGE OF SENATE VERSION OF CIVIL RIGHTS BILL

Mr. YATES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. YATES. Mr. Speaker, the world mourns the death of the Reverend Martin Luther King. In the words of Abraham Lincoln:

> How weak and fruitless must be any word of mine which shall attempt to beguile us from the grief of a loss so overwhelming.

History will not forget, nor can America's conscience overlook that Martin Luther King lived and died to further America's great ideals. The world will consecrate his memory for his insight, his determination, and his courage in penetrating the fog of ignorance and of bigotry to see the promised land of freedom, equality, and justice in America.

Dr. King was a man of peace. His was a philosophy of nonviolence, and while it is true that violence frequently followed him, he would have been horrified by the rioting and the looting that erupted after he was killed. His would have been the first voice raised against such senseless actions for he knew such violence would hurt rather than help the cause to which he was devoted. In his speech during the march on Washington in 1963, he said:

> But there is something I must say to my people who stand on the warm threshold which leads them to the palace of justice. In the process of gaining our rightful place we must not be guilty of wrongful deeds. Let us not seek to satisfy our thirst for freedom by drinking from the cup of bitterness and hatred. We must forever conduct our struggle on the high plane of dignity and discipline. We must not allow our creative protest to degenerate into physical violence. Again and again we must rise to the majestic heights of meeting physical force with soul force.
>
> The marvelous new militancy which has engulfed the Negro community must not lead us to a distrust of all white people, for many of our white brothers, as evidenced by their presence here today, have come to realize that their destiny is tied up with our destiny. They have come to realize that their freedom is inextricably bound to our freedom. We cannot walk alone.

We cannot walk alone. Yet, it is already apparent from the speeches that have taken place this morning that hard lines are being drawn. Some Members have pointed to the looting and the burning to declare that they will not be intimidated or blackmailed by such actions and that they will vote against the civil rights bill which will be considered this week. All of us oppose the criminal lawlessness that scarred our country during the past few days. It is vicious and destructive. It is the rule of anarchy, rather than the rule of law and order and it cannot be condoned. Nevertheless, it must be apparent that the type of approach advocated by such opponents of the bill plays into the hands of the rebels, the cynics, the rioters, and the looters, for they have been pounding their communities that change will not be made through the lawful processes of government. If the attitude of such Members is to prevail, what shall we tell the law-abiding citizens who have waited so long and so patiently for the changes which they have been led to expect would be made by the Congress—changes which will give them a share in the equal justice which is their American birthright.

Mr. Speaker, we are long past the time for action. This Wednesday the House is scheduled to consider the civil rights bill of 1968. We will have to decide whether to approve the Senate bill or send it to conference. I will vote for the Senate bill.

It will be contended by some that prudence dictates sending the bill to conference so that the House may lend its influence to shaping the bill. I say prudence calls for approving the Senate bill now. We must keep faith with the members of the community who have confidence in government and orderly procedure as being the best expression to reflect needed change. Passage of the bill will sustain that trust. Moreover, it will give the lie to the cynics, to the extremists, to the rioters and the advocates of violence, burning, and destruction. Finally, it will give tangible expression to our support for the ideals of the noble man to whose memory we pay tribute.

Dr. Martin Luther King, Jr. has given the last full measure of his devotion to the people and to the country he loved. He is now a part of history and of eternity, never to be forgotten.

CONGRESS SHOULD LEAD ON A PROGRAM TO LIQUIDATE POVERTY

Mr. HAWKINS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HAWKINS. Mr. Speaker, this has been the saddest week in American race relations since the Civil War.

Dr. Martin Luther King represented the unfolding of a new period in American history which we must understand and learn to accept if we are to survive and continue our leadership role in world affairs.

It is regrettable that the fiendish assassination of Dr. King unleased a reign of terror and violence which we should in no way identify with the life and saintly doctrines of this disciple of the Gandhian philosophy of nonviolence.

Events of the past week have raised many questions. One in particular was often asked as buildings were burned and looting continued as an aftermath of Dr. King's assassination.

Do they not know they hurt their own cause?

Who are they?

They are not the whole of the Negro people but they represent a sizable number of citizens grown weary of patience and promises.

They are part of those this House voted against last week when it rejected the Senate amendments which would have provided more school aid, $25 million for Headstart programs, and $75 million for summer projects.

They are the young people of today and yesterday who were deprived of equal educational opportunities in segregated and inferior schools.

They are the children of garbage collectors and other low-income breadwinners unable to provide necessities of life for their families.

They are the school "pushouts" and job rejectees, the kids who live in crowded slums, and who fail to understand our fancy talk of inflation, the gold crisis, and a balanced budget, for life to them is a constant crisis of economic phenomena and fiscal deficit which they know only as poverty, unemployment, and deadend jobs.

They are the ones the appropriation committees found fancy jargon and superficial excuses to deny their needs while the taxing committees wept tears for those whose income is so substantial and complex they pay law firms to make out their returns.

That, then, is who they are. But what is their cause?

Precisely, therein, that they have a cause which differs from other Americans, lies most of the answer.

Their cause is deeply rooted in three and a half centuries of slavery and exclusion, the destruction of family ties and cultural heritage, a deceptive emancipation and reconstruction in which political and civil rights were virtually destroyed, the "separate but equal" doctrine which created separatism but never equal opportunities, and now a legal equality without enforcement and implementation. Their cause is America's failure to provide equal opportunities and justice to all its citizens.

Solutions to such age-old problems are never simple and cheap. But neither are they so complex and beyond our financial capacity as some would have us believe.

Upon this Congress, and State and local governments, rest the responsibility for that action which alone can convert the wrongs for which Dr. King and hundreds of others have labored in vain. It is the Congress, and not the President, which has failed to act, which has slashed appropriations for vital educational, manpower, housing, and antipoverty programs. It is the Congress, and specifically, this House, for example, which has bottled up in the Rules Committee the Senate-passed civil rights bill which grudgingly grants only a part of the rights already secured for almost all other Americans except the Negro—a bill which could not get passed originally except for an "antiriot" amendment and now can not get passed because those who sponsored this amendment will not vote for the bill.

Basically, the so-called Negro problem is not one which can be separated from the main concerns of the American society. The fate of the Negro is bound with that of every other American to whom economic security and national security are essential.

Just as the search for world peace has been interrupted by the racial disorders of the past few days, so the economic stability of our country is weakened when the garbage collectors in Memphis must strike for decent wages—and when 22 million Americans are cheated out of achieving their potential as good customers, productive employees, and professional technicians.

Economy or Vietnam is not the reason opponents of the administration fight against social legislation. These critics of Great Society programs would oppose domestic spending and liberal legislation under any condition. Thus, these same economy-minded, so-called protectors of the Public Treasury oppose civil rights and fair housing legislation which calls for relatively no spending, merely enforcement of basic constitutional rights.

But it is a mistake to believe freedom can be bought cheaply. A. Philip Randolph, respected Negro leader, has spelled out a "specific and factual course of action" to liquidate poverty in America by 1975.

His "freedom budget" costing several hundred billion dollars over a period of 10 years attacks "all of the major causes of poverty—unemployment and underemployment, substandard pay, inadequate social insurance and welfare payments to those who cannot or should not be employed, bad housing, deficiencies in health services, education and training, and fiscal and monetary policies which tend to redistribute income regressively rather than progressively." This Congress might well turn its attention to adoption of such a budget. And the reasons are not difficult to find.

"The dark ghettos of America are a threat to the stability of our entire society," for as the psychologist, Dr. Kenneth B. Clark, says, "a minority"—alienated doubly by class and by race—"that is sick with despair can poison the wellsprings from which the majority, too, must drink."

The disorders are the product of despair and a sick mind but they also reflect in their cruelest way the frustration and hopelessness of most Negroes who while rejecting violence no longer accommodate to equivocation and procrastination. Essential then to improving race relations and moving forward is encouragement and tangible support to responsible leaders of those Negroes who though dissatisfied with conditions still believe in constructive action and sound change. And there is no better way of accomplishing this than prompt and decisive action in legislative bodies. Congress can and should lead the way.

HISTORY REPEATS ITSELF

Mr. ABERNETHY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. ABERNETHY. Mr. Speaker, I live near the city of Memphis. It is the shopping city and more or less the playground for the people of the tristate area. It is a fine city, inhabited by fine people. While Memphis has its spokesmen in this House, and good spokesmen, I just want to say in behalf of that great city I know so well that its people do not condone what happened in Memphis, or in Washington, or in any other place over the weekend. They regret it as much as anyone. Their hearts are heavy.

The trouble all arose over a simple labor-management problem in Memphis, with the garbage workers on one side and the able Memphis city government on the other. If outside meddlers had stayed away and looked after their own business all of this would have never happened.

Mr. Speaker, I agree with the remarks that have been made by some here about the death of Dr. King. It is very regrettable. But I think it is very unfortunate that more Members of the House—and I have listened rather attentively to all of them this morning—are not also deploring what happened over the country. Millions of dollars' worth of property has been burned, destroyed, and looted. Scores have been slain. Not a word has been uttered about the cruel treatment accorded them. Their lives were just as important to them as was Martin Luther King's to him. Our Nation has been made to look so very, very ugly to all of the world. But no one has mentioned these things, or deplored them.

A man who operates a business in this city called me the other morning. He was very nervous, pleading, and upset. He sounded as though he was in great distress and I am sure he was almost in tears. He said he had a pretty nice store when the area was struck by these so-called frustrated people. He said he had over $100,000 worth of merchandise in his store, and the looters did not leave as much as one little pocket handkerchief. He asked me what I could do to help him. Well, of course, there was nothing that I could do that would bring him immediate relief.

But there are people in the Government that could have helped him—people who go out of their way to ingratiate themselves with those responsible for the looting and rioting. There are others who are responsible for investigating, indicting, and prosecuting those who go about this Nation preaching black power, rebellion, and hate. But no move is made against the militant black power advocates.

I suggested to my distressed friend the names of some of these people of position and influence. I will not repeat them here, but I think you know who they are. They are these experts on and constant advocates of more and more so-called civil rights.

The responsibility lies with the leadership of our two principal political parties. If they do not stop this constant, foolish, and irresponsible bidding for minority votes they will soon destroy what is left of our once great country.

Mr. Speaker, there are hundreds of other people in this city and other cities around the country who are looking to Washington for some genuine help and leadership. They have had enough of the political leadership and political legislation. They are sick of both. We can pass some more civil rights bills, as some have suggested this morning. But that is not what the country wants or needs. Right now they need law enforcement and respect for law more than anything else.

Why we have had a civil rights bill for almost every year since 1957. And the country is in much worse shape than it was before either was passed. There is less respect for law and order than ever before. There is more tension between the races than ever before. Oh, yes, we can pass another civil rights bill, and another and another, but such is not going to bring these people—who take charge in the street—to the point of respecting law and order and to the bar of justice where they belong.

I blame the courts very much for this. This thing of the justices authorizing and legalizing marches, which create tensions, is far beyond the free speech amendment to the Constitution. Their decisions are absurd. A Memphis judge had ordered that another King march should not go on after the first had resulted in a riot. I am sure if that march had come off Memphis might have been destroyed. But whether or not, the risk of such was too great. In spite of this "no march" order, Martin Luther King was quoted as saying he would march anyway. This thing of allowing people to take to the streets with a design to stir tensions among our people results in irresponsible conduct—in rioting, looting, wounding, and shooting. Mark you that every nation that has fallen to communism, to dictatorships and to any of the other "isms" that you and I, and the people of our Nation, do not agree with, started with marching and bombing in the streets. Remember that as we move through the next few weeks.

More civil rights bills will get us nowhere. Neither will mass marching in the streets. The rights bills have gained nothing. They have instead developed deeper cleavages between our people. The marches and threats of marches have resulted in innumerable deaths, damages in the multiplied millions of dollars, and an ugliness that leaves the entire world wondering what has happened to the character of these great, or once great, United States of America. And wonder they should.

A CALL FOR STRONG LEADERSHIP

Mr. MACHEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. MACHEN. Mr. Speaker, last Friday morning, after the first night of looting, arson, and violence in Washington, I issued the statement:

> Never has it been more imperative than now for violence to be quashed before it tears apart our nation.

I called on the President to take direct action to restore law and order immediately to save lives and property and to prevent widespread outbreaks of violence and rioting.

This was predicated on his action a week ago involving the Vietnam war. We all remember how the President sacrificed his political future in order to remove the Vietnam war from politics so peace can be achieved. I have long been a supporter of the President's policies in Vietnam and I commend his courage in making a sacrifice on such a high order for peace. Logically it seemed to me, having removed the war from politics and thus free to act unfettered, the President also has the obligation to act in a similar manner to restore law and order to Washington and other American cities.

In a letter to President Johnson Friday afternoon I called on him to exert the strongest leadership now in this time of national peril. I said:

> I believe that in such an effort we must purge the extremists from both sides of this internal conflict in order to restore sanity and

sense to our society. I believe that the majority of American Negroes and whites will support the strongest exertion of leadership on your part to stem the tide of lawlessness we now see before us.

My statement of Friday, April 5, 1968, follows:

THE MACHEN REPORT

(By Congressman HERVEY G. MACHEN, of the Fifth District of Maryland)

The assassination of Dr. Martin Luther King, Jr. and the widespread rioting that followed forbodes a summer of violence, disunity and conflict that will be a national tragedy on a scale far greater than Dr. King's or President Kennedy's deplorable deaths.

Senator Church of Idaho said succinctly: "We are steeped in violence. It is the curse of the land."

Will public officials at all levels of government have the strength to hold our nation together this summer? Will the vacuum created by Dr. King's assassination be filled by non-violent Negro leadership or will Black militancy and separatism surface at the top?

Never has it been more imperative than now for violence to be quashed before it tears apart our nation. Never has it been more imperative to stamp out permanently white backlash manifested in assassination and other acts of crime. The lines between black and white war parties must not be permitted to be drawn. Direct confrontation, regardless of which group it comes from, must be avoided to prevent further bloodshed.

The greatly disturbing trend by black and white extremists to militate in violent acts must stop for the safety of the vast majority of persons who want progressive solutions to racial and social problems, not regressive conflict and killing.

At the writing of this column, our President was attempting to achieve a moratorium on the conflict in Vietnam. I feel that it is appropriate to consider a similar action in this country at this point. The President should consider involving himself in serious discussions with all parties as a prelude to a nationwide effort for a summer of peace and not violence and anarchy. I feel that the potential for a summer of violence is so great that the President must take personal initiative in preventing such a disaster. Free now from politics, he can involve himself in unrelenting efforts for peace at home as much as peace overseas.

National initiative can provide, initially, a breathing spell for the public to comprehend what has occurred recently and all its implications. I feel that a period of restraint must be imposed on the public to prevent further violence. In this regard I believe it would be appropriate for Dr. King's successors to reconsider the proposed march in Washington this month, that it be withheld until such time as we know that a peaceful demonstration can be peaceful in all respects and on all sides.

Events of such international and national magnitude have been occurring so quickly and frequently during the past week that it is difficult to keep pace. We have seen the President sacrifice his political future in order to achieve peace in Vietnam. To achieve peace at home we must have the same high order of national leadership and concentration of effort because it will be fruitless to sacrifice a large portion of our national resources to bring democracy to Southeast Asia when our nation is threatened by growing anarchy. Our strength to meet our commitments in the world rests upon our strength to meet our commitments at home. We cannot have one without the other, and I believe that we must have both.

Thus, Mr. Speaker, the first priority for this Nation is law and order. The extremists can challenge violently our society's laws and its law enforcement in the guise of civil rights, but they will be repelled and even repressed, if necessary, because no man is above our laws. And when our laws are challenged by rioting, looting, arson and violence, our society must marshall its forces and move immediately—not just quickly—to contain the challenge, to prevent its spreading, to arrest the violators and prosecute them to the fullest extent of the laws that we in Congress have given society to enforce. We must not shirk this duty.

It is my belief that the outbreak of looting and arson in Washington last weekend was not contained in time, that the administration did not move fast enough to bring in troops to meet the outbreak head on and to quash it. Thus, law and order was not restored as soon as it could have been restored and we have all seen the results on television and in the newspapers. In this regard our Government failed to meet its highest priorities. It is not a matter of the Congress enacting more and more civil rights legislation. If we enacted the pending civil rights bill tonight, do you think that would stop the violence now raging in our cities? I do not think so.

Mr. Speaker, one of the most respected newspaper columnists in our country, Mr. James Reston, of the New York Times, in yesterday's Times wrote a column that was entitled, "Washington: The Strangled Cry." I urge my colleagues to read this column and I insert it in the RECORD at this point:

WASHINGTON: THE STRANGLED CRY

(By James Reston)

WASHINGTON, April 6.—The nation is appalled by the murder of Martin Luther King, but it is not appalled by the conditions of his people. It grieves for the man, but not for his cause. This is the curse and tragedy of America.

At least the extremists have kept their promises. The white racists said they would kill King, and the black racists said they would burn us to the ground. And we will not hear again that strangled cry or the rolling Biblical cadences of that magnificent voice; and the smoke is drifting this weekend through the cherry blossoms by the Jefferson Memorial, and the rest of us have not kept our promises to the Negro people.

THE REAL CRIME

This is the real crime of which the assassination of Dr. King is but a hideous symbol. It will not be redeemed by the capture of the murderer. It can only be redeemed by the transformation of the lives of the Negro people, and even now America has not faced up to the cost of this historic debt.

When President Johnson's riot commission surveyed the results of the twenty major outbreaks of racial violence recently, it reached the conclusion that, despite all the turmoil and the efforts of many concerned citizens and officials, the main reaction in the ghettos of Los Angeles, Detroit, Cleveland, New York and the other trouble spots was that "nothing much changed—one way or the other."

THE BALANCED COSTS

When Gunnar Myrdal, the Swedish social philosopher who has followed the Negro problem in America for forty years, came back here recently, he felt that a great deal had changed for the better, but concluded that we had greatly underestimated the scope of the Negro problem. It would take a revolution in white attitudes, and twenty years, and "trillions of dollars" to deal with it, he felt, and the cost of not dealing with it would in the long run be much more.

The revolution in the white attitudes is probably the main thing. Neither the Congress nor the Court will solve it. President Johnson may appeal to the conscience of the nation and get another civil rights bill passed, and that may help some, but it is not the answer.

For the problem is not that the Congress is unrepresentative of the American people on the question of jobs and open housing for Negroes, but that it is representative. It may even be ahead of the people. Even if the war in Vietnam ended this month, the chances of getting Congress in its present mood to transfer the war appropriations to the ghettos would be extremely remote, and the reasons are fairly clear.

Despite the progress of the last decade in Negro education, jobs and housing, the evidence is that a majority of the people are opposed to open housing and many other Negro demands for an equal and integrated society; and while Negro violence may produce concessions, it is rapidly reaching the point where it will produce fear and counterviolence that could reverse the trend toward a more compassionate society.

One of the many tragedies of Dr. King's death is that it has silenced the most eloquent Negro voice for nonviolent protest and tipped the balance toward the black nationalists who call for war and guns. Here the need is for the transformation of the attitudes of the young Negro militants and their hoodlum gangs. For there is a violent strain in the American people, and if the black arsonists carry the torch from the ghettos to the white communities, it will take more than troops to quell the bloody reaction.

At this critical point, therefore, the leaders of every community—all of them, black and white, labor and management, educational and religious—will have to mobilize to deal with their local situation, whatever it is. The revolution will not be contained by Federal or state officials and appropriations alone, or even by local mayors, and fortunately we now have the beginnings of a structure for doing just this through the Urban Coalition led by John Gardiner, the former Secretary of Health, Education and Welfare.

FURTHER POLARIZATION

For this is not a problem of government alone, but of American attitudes and assumptions. There was an outcry from some quarters when the President's riot commission suggested that we were moving toward two separate nations, one white and the other black. But the fact is that for most white and black people in the North, this is already a fact, and violence on both sides will merely hasten the process.

The evidence is plain before our eyes. For violence, while it can destroy indifference, which is the curse of the moderate middle class, cannot choose. It destroys good as well as evil. Brute coercion and savage intolerance of the Negro must be destroyed, but they cannot be burned away by raging demons intoxicated with illusion.

A NEW PHOENIX TO BE BORN FROM THE FLAMES OF DISORDER

Mr. MATHIAS of Maryland. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. MATHIAS of Maryland. Mr. Speaker, the ancient pagans believed that the phoenix rose from the heart of a fire. An essential article of this faith, however, was that in order for a phoenix to be born from the flames, there must be a phoenix committed to the flames.

During Friday and Saturday nights I spent a number of hours in the riot areas close to the fires burning in the heart of Washington. I believe that it is our job to work for the emergence of a new phoenix from the flames—a new spirit of confidence, compassion, and conviction. But while we work for this new phoenix, I want to bear witness to the old one that I saw in the very heart of the flames—a spirit of courage and determination and loyalty and compassion and pity.

I want to express my gratitude and my respect for the firemen whom I saw repeatedly risk their lives to save other men; for the police, whom I saw act with bravery and restraint in the capture of desperate and violent armed men; for the troops whom I saw operating an efficient and highly professional command post in the litter and chaos of a looted store; for the churchmen and the citizens whom I saw helping in a hundred ways in streets, police stations, and hospitals; for the meek, whom I saw standing by in silent acceptance, clutching the salvage of their meager possessions as their world went up in smoke.

But most of all, Mr. Speaker, I am grateful to the great mass and majority of our people who stood fast in a moment of fear and passion, for all who were calm and loyal and cooperative in the face of a common danger, and for all those whose spirit endured in the flames and whose spirit will be reborn in a new city and a new nation.

A POLICY OF NONVIOLENCE, BUT YET ONE OF ACTION NEEDED

Mr. McCLORY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. McCLORY. Mr. Speaker, I join with my colleagues in the House and people throughout the Nation who today are mourning the assassination—the cruel death inflicted on Dr. Martin Luther King, Jr.

Mr. Speaker, we realize that Dr. Martin Luther King, Jr., was the champion of nonviolence in the civil rights movement in this Nation, and we respect that policy.

I believe we should recall, in addition, that he was an activist. While he advocated nonviolence, at the same time he worked diligently for rapid progress in securing civil rights.

I have received letters—as I am sure others have—suggesting that we should pass the 1968 civil rights bill as a memorial to Dr. Martin Luther King, Jr. Others have suggested that we should defeat the civil rights bill in retribution to those who have resorted to violence following the death of Dr. King.

I believe it is incumbent upon us to reject both of these suggestions and to follow a policy of reason and logic, and in the exercise of our clear legislative prerogatives.

It is both tragic and ironic that during the hours when we mourned the passing of the champion of nonviolence that so much violence should have occurred

It should be added, however, that most of those who have been guilty of the looting and the violence are not the responsible citizens of the community. With very few exceptions, the Nation's Negro citizens, as well as the whites, deplore these actions.

If we would dedicate a true memorial today to the late Dr. Martin Luther King, Jr., it would be to adopt and advocate a policy of nonviolence, but nevertheless one of action in the securing of equal rights for all citizens, regardless of their race or color.

DISTRICT OF COLUMBIA TEACHERS' PAY BILL

Mr. HORTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Speaker, if nothing else, the events of this past weekend in the Nation's Capital have pointed up the need to instill more learning more respect for society and more discipline in innercity youngsters. I think this need is relevant to the need in Washington for a more flexible and more responsive educational system at the classroom level.

Tomorrow, the House will consider the District of Columbia teacher's salary bill, H.R. 16409. I will offer an amendment to this measure which would remove the current 5 percent maximum ratio of teacher aides to teachers, and would remove the present requirement that such aides possess a minimum education of at least 60 semester hours of college work. This amendment would bring the House version of the bill into line with the Senate-passed teacher salary bill.

My amendment has strong support of Commissioner Washington, the City Council, the District of Columbia Board of Education, the District of Columbia Education Association, and the District of Columbia Teachers Union.

Teachers of the District of Columbia public schools cannot meet all of the attention, discipline, and special needs with which the innercity child enters the classroom. Experience has shown that teacher aides alleviate some of these problems. In fact, the recently completed comprehensive study of the Washington, D.C., public schools, the Passow report, notes that where they have been utilized, the teacher aides have proven indispensable.

The teacher aide in the District of Columbia public schools serves a vital function. He supervises children in the classroom. He accepts responsibility for control of children on the playground and in the lunchroom. He is responsible for safe conduct on bus trips. He saves the college educated instructional staff from doing numerous nonprofessional energy-draining routine clerical chores such as keeping of health records, residence forms, library file cards, rollbooks, cumulative records. He collects money for insurance, and for trips. Using ditto and office machinery he duplicates materials for teachers and for the other professional staff. He secures needed supplies and materials in preparation for class, and operates the audiovisual equipment that makes possible team teaching with modern instructional methods. He assists in the recreational program and works with individual children or small groups. In essence, the teacher aide makes it possible for the District of Columbia teacher to concentrate on teaching.

It has been found that to be effective, the teacher aide does not need 60 hours of college—as is now required in the District of Columbia—but adequate training, a sense of responsibility and discipline, coupled with understanding of how to meet the needs of innercity children. In the past, we of the Congress have limited the numbers of teacher aides that may be employed in the District of Columbia school system. This was incredibly shortsighted. We limited the number of teacher aides to 5 percent of the teaching staff and we have said that teacher aides must have 60 credit hours of college.

The present inordinately high education requirements for teacher's aides ties the hands of this valuable program in the District's schools. According to the National Education Association, fully two-thirds of all the school systems using teacher aides require no more than a high school education, and 38 percent require only an elementary school education. We must remember that these are not professional educators, but paraprofessionals who perform strictly nonteaching duties.

Neither limitation is warranted; indeed, it is self-defeating. The numbers that can be employed under these restrictions are too few to make a dent in the problems confronting the schools of the innercity. Three hundred seventy-three teacher aides currently have to be spread among 7,471 teachers. This is simply not enough. Therefore, I urge your support of my amendment which would remove the present ratio limit and unrealistically high educational requirement from present law.

THE LATE DR. MARTIN LUTHER KING, JR.

Mr. REID of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REID of New York. Mr. Speaker, the assassination of Dr. Martin Luther King is a tragedy for America and for the world.

His voice is stilled, but not silenced. Death will not defeat him, nor conquer his ideals. Who can forget the witness and testament of this great churchman? Who can forget the eloquence of his voice in Montgomery, in Birmingham, in Selma, in Washington, D.C., in Chicago and in Memphis, saying "We shall overcome" or "I have a dream" or "If a man has nothing worth dying for then he is not fit to live." Indeed, it is not the length but the quality of this Christian martyr's life that should be remembered; how well he lived his life is stated in his own words:

> Say that I was a drum major for justice. Say that I was a drum major for peace. I was a drum major for righteousness.

He had a great vision, an America where all men are brothers, a world without violence or war.

His deep belief in nonviolence and his timeless words "We shall overcome" can best be honored by the House of Representatives this week through the passage of the civil rights bill and by the prompt enactment of major legislation and appropriations to implement the recommendations of the Riot Commission Report.

What we need above all, I think, in the United States, is a new national commitment to action, a new spirit. Dr. King once said of our own sick society:

> America, you've strayed away. You've trampled over 19 million of your brethren. All men are created equal. Not some men. All men. America, rise up and come home.

I believe if we would truly honor Dr. King, we will see, in Mrs. Martin Luther King's words, "that my husband's work will be carried forward." We will see to it that his ideas of equality for all men in freedom will become a reality so that America can save its own soul and move forward with the spirit that has characterized our country but not always our actions since the days of the Revolution.

Lest we forget, Martin Luther King, in his moving letter written from the Birmingham jail on April 16, 1963, said:

> Injustice anywhere is a threat to justice everywhere. We are caught in an inescapable network of mutuality tied in a single garment of destiny. Whatever affects one directly affects all indirectly.

I am sure that Members of Congress, and indeed all Americans, extend their deepest sympathy to Mrs. King and their children—Yolanda, Martin III, Dexter, and Bernice—and wish Godspeed to the Reverend Ralph Abernathy and the Reverend Andrew Young in carrying forward his great work, not alone for the United States but for all mankind.

LEGISLATIVE PROGRAM

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, I have asked for this time for the purpose of asking the distinguished majority leader the schedule of the remainder of this week.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman.

Mr. ALBERT. Mr. Speaker, in response to the inqury of the distinguished minority leader, the program for the week is exactly as announced last week.

Tomorrow we have the Treasury Department-Post Office Department appropriation bill, and District Day.

On Wednesday and the balance of the week, the following bills are scheduled:

H.R. 2516, to provide penalties for interference with civil rights. Subject to action of Committee on Rules.

Following that:

H.R. 15189, maritime authorization bill;

Then House Concurrent Resolution 705, to assist veterans in obtaining suitable employment, and

H.R. 13738, travel expenses of Government employees.

That is the announcement that we made last week and I repeat at this time there is no change.

I said, Mr. Speaker, with reference to the Civil Rights Act:

> After consulting with the distinguished minority leader and other Members on the minority side, I think Members should be advised that we all feel this matter should be brought to the floor and disposed of before we begin our Easter recess.

That same announcement holds.

HON. HAMILTON FISH, OF NEW YORK, RECEIVES THE FIRST WALTER CAMP FOUNDATION FOOTBALL AWARD

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, a distinguished former colleague from New York, the Honorable Hamilton Fish, recently was the recipient of the first Walter Camp Foundation Football Award. As a former assistant coach at Yale, I am pleased that this award in the name of Yale's greatest football figure was bestowed upon a former Harvard player; this suggests that sportsmanship is by no means dead and that merit is recognized between New Haven and Cambridge. Furthermore, I am glad to commend to the attention of this body and to the Postmaster General the proposal of Colonel Fish for a U.S. stamp honoring Walter Camp and the all-American game of football. Perhaps it is too much to expect such a nonpartisan subject to grace our postage stamps in this election year, but it is an excellent suggestion. I am pleased to append the text of Col. Hamilton Fish's remarks in accepting the Walter Camp Award at Yale last January 20:

> Words fail me to adequately express my gratitude and appreciation at receiving the Walter Camp Foundation's first football award. The presentation of this award to a former Harvard player is an act of the highest sportsmanship on the part of the Committee and I am sure will be welcomed and appreciated by many thousands of Harvard alumni, who not only are fond of the great American game of football, but who will be united in commending the friendly and generous spirit in which this award is presented.
>
> As a long time admirer of Yale's Walter Camp, the instigator, organizer, master mind, and master spirit of the modern American game of football, who should be rightly known in history as Mr. Football, it is an added honor to receive this award from an organization formed in his name and in his honor and a double honor to receive it from Larry Kelley, one of Yale's greatest ends and one of the very few Ivy Leaguers who ever received the Heisman Football Award. I anticipate a great future for the Walter Camp Foundation and predict a constructive destiny for it and its achievements.
>
> I take this occasion to suggest the propriety of having the Walter Camp Foundation, and I will be glad to join with them, to recommend immediately that the United States Government issue a football stamp in his honor. I happen to be an amateur stamp collector and I believe I have the best collection of football stamps from all over the world in existence. There are some 500 stamps and 50 more stadiums; 95% about soccer-football, and the rest about rugby. Isn't it time for our Post Office Department to issue one or more football stamps. We have already issued baseball and track stamps. It is not for me to suggest the design of the stamp or in any way interfere with the efforts of the Hall of Fame to secure a stamp, which I certainly approve of. But, I will be glad to go to Washington with any members of the Walter Camp Foundation and if necessary, show them the foreign football stamps. Whether it should be a photograph of Mr. Camp or a symbolic football stamp in his name, or in the name of the Walter Camp Foundation, is not for me to decide.
>
> I also want to give the Yale friends of football a personal pledge. That I shall endeavor, as a former member of the Football Foundation Court of Honors for five or six years, which chooses the members annually, to have Larry Kelley, one of Yale's most famous ends, in the class with Hinkey, Shevlin and Kilpatrick, selected to the Hall of Fame as a matter of merit and justice. He and the celebrated Frank of Yale, are the only two who have won the Heisman Football Trophy and I am sorry to say that none have won it from Harvard. A man should be chosen mainly on his football record to the Hall of Fame and on that record, no Yale man deserves it more than Larry Kelley, who was running pass patterns successfully long before anyone else.
>
> We learn from football to prepare for the competitive spirit of every walk of life. We learn from football when we are knocked down, to get up and fight all the harder, and that is the road to success.
>
> I am deeply honored and will cherish this award more than any other. But I want to say in conclusion, to the younger generation, that football and football awards are temporary, and the main issue confronting all Americans is the preservation of those ideals and principles which we learned on the playing fields and in the colleges, in order to build a bigger, better, stronger and more prosperous America, and I give you the slogan, For God, For Freedom, and For the United States.

FOR ALL AMERICANS A TIME FOR RESTRAINT

Mr. MORTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. MORTON. Mr. Speaker, the country has been shaken by a terrible assassination. A leader has been killed. Appropriately, the country is in mourning. Inappropriately, the tragedy has spawned a wave of crime, arson, looting, civil disobedience, surpassing in tragic proportions the assassination of Dr. King.

For our Government, the time is for leadership; for all Americans, the time is for restraint; for the Negro, the time is for decision to destroy and rebel or to build and help create an environment in which men can seek to perfect all aspects of societal life.

Government, even with its hundreds of agencies, and money, even with its powerful persuasion, are powerless to do much without a total commitment from the people who seek to rise out of despair into a realm of equality. To participate in success requires a full devotion to it. It cannot be achieved through a double standard, one for the white man and one for the black man. Progress cannot be the reward for a people which has a double standard in its response to crime. Assassination, murder, looting, armed robbery, arson, and all the rest, must receive equal treatment in justice and punishment.

If violence in the streets becomes the preamble to social legislation, we are indeed looking down a long dark tunnel of trouble. If looting becomes an acceptable means of distribution, if arson becomes a step in urban renewal, if civil disobedience becomes a legislative lobby, from our own commonsense viewpoint, we can see an end of freedom as we know it and an end to liberty as we worship it. We can see an end to democracy as we have hoped and prayed for it. Worse than this, we can see an end to the brotherhood of man.

So now, Mr. Speaker, from the wretched work of the assassin's bullet, from the sinister swing of the looter's ax, and from the acrid ashes of the arsonist's torch, let us draw sober experience. Let us see in a new light the necessity to perfect our system of laws. Above all, in this task may we find the strength to reman clearheaded and free from emotional or political influence. Let us lead this Nation toward more universal opportunity and even greater achievement, but most of all toward a deeper understanding by its people of their own responsibilities.

VIOLENCE A KNIFE POISED AT HEART OF UNITED STATES: J. EDGAR HOOVER

Mr. WYATT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous material.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. WYATT. Mr. Speaker, all thoughtful Americans today are deeply concerned over the high incidence of crime, violence, and civil disorders in the United States. The Honorable John Edgar Hoover, Director of the Federal Bureau of Investigation in an excellent article which appeared in the Sunday News, New York, N.Y., on March 24, discusses these serious problems with great penetration and illumination. I commend Mr. Hoover's article to my colleagues and wish to express my own great appreciation and thanks to Mr. Hoover for his tremendous contributions in the fight against crime and for his enlightened efforts to protect our civil rights.

Violence a Knife Poised at Heart of the United States: Hoover

(By J. Edgar Hoover, Director, Federal Bureau of Investigation, U.S. Department of Justice)

Violence and the threat of violence—of many types—plague America today and cause fear, tension and extreme anxiety.

Violent riots have ripped major cities, bringing death, injury and destruction.

Surly and bitter demonstrators have clashed with police officers and, in one instance savagely assaulted the Pentagon.

A vitriolic and inflammatory Black Power demagogue urges Negroes to prepare military forces like the Vietcong.

A New Leftist student leader says: ". . . we need not determine here how to start an American resistance movement, it has already begun."

No wonder citizens are alarmed. No wonder Americans are asking: "Why violence?" "What does it mean?" "What can be done?"

These fears are aggravated by the highest crime rate in our national history (with crime growing more than eight times faster than population. Not only is crime increasing, urban, suburban and rural, but crimes of violence such as murder, forcible rape, robbery and aggravated assault are on a rapid rise, up 49% from 1960 to 1966).

Law enforcement has never been a more dangerous profession (in 1966, 57 police officers were killed in line of duty while assaults increased 13 percent over the previous year).

Never have firearms (of all types, including sub-machine guns and hand grenades) been more readily available.

Firearms are today playing a significant role in criminal violence and community disorder.

Juvenile misbehavior (including youthful gangs) is running at record levels.

Some areas of our cities are virtual jungles. People fear to venture out at night. Citizens are moving to other areas for safety reasons. There's no question but that the fear of violence is today "in the air," affecting the thinking and actions of countless Americans.

What's behind this violence? No easy answers can be given. As we all know, serious problems of poverty, unemployment, discrimination, ill health and poor housing are root causes of violence. Until these social, economic, political and racial problems are eliminated—and individuals can live with dignity—we will see much unrest, anxiety and violence. The best minds of America, both in government and private life, must pool their resources to eradicate these evils.

But also there is in America today a *rising spirit of disrespect for law and order* which bears a direct relationship to the violence we are experiencing.

TRAGIC DOCTRINE

Several factors can be identified in this increasing disrespect for the law. First is the concept of civil disobedience, a diabolical doctrine with tragic consequences for our society. Proponents of this theory assert that civil disobedience is justifiable if the acts are open, not violent, respectful of the rights of others, and have the purpose of focusing attention on significant moral issues of the day.

To some individuals imbued with zeal to correct abuses in society, the appeal of civil disobedience is great. They feel they are only "bending" the law, not breaking it—that their transgressions are only "minor" and "unimportant."

Suppose every individual or group which believed it had a righteous cause did the same! What would happen? Society would break down completely!

What starts out as "peaceful" acts of civil disobedience can quickly burgeon into open violence. Moreover, the concept of civil disobedience is highly contagious. If one group sees another achieving "favorable" results through illegal acts, it is tempted to do the same. Soon, the escalation of illegality leads to ugly incidents. On some occasions unscrupulous manipulators and hoodlums have seized control of these movements.

Another factor arises from what is called the student New Left movement. Actually, the student New Left is difficult to define. Campus-oriented, some of its adherents are beatniks, with sandals, long hair and tattered clothes. A few are hippies immersed in drugs. Others are sincere idealists, though badly misguided.

"We are working to build a guerrilla force in an urban environment," one top New Leftist proclaimed. "We are actively organizing sedition," proclaimed another. The key New Leftist group is the Students for a Democratic Society (SDS) which has chapters on many college campuses.

Student New Leftism bitterly detests American society and its democratic values. The heroes of the New Left are Castro, Mao Tse-tung, Ho Chi Minh and Che Guevara. (One SDS leader said: "Che Guevara was always very close to me because he seemed to manifest in an almost perfect way what we in the SDS consider most important in a man or woman.") The New Left's mood is one of anarchism and nihilism. Its passion is to destroy, mock and defame our way of life.

New Leftists often transform themselves into jeering, frenzied, mobs. Visitors on campus, such as representatives of the military seeking to recruit students, may suddenly find themselves surrounded by a snarling crowd shouting obscenities and threats. They boo and hiss (even attempting to physically injure) ranking government officials who come to the campus to speak—emulating the infamous storm troopers of the Nazis. They believe in freedom of speech only for themselves. They urge civil disobedience, evasion of the draft and contempt for authority.

A motley crowd, yes, but in student New Leftism lies the seeds of incipient totalitarianism which has no respect for law and order.

A third factor is associated with the unfortunate development, very apparent in recent months, of what can be called racial power blocs, symbolized by terms such as "Black Power" or "White Power." When a Negro leader asserts "Go down and shoot somebody. You know who to shoot," he is doing a grave disservice to this country.

MOCKERY OF REASON

When a leader of the Ku Klux Klan, standing before a fiery cross and surrounded by guns and knives talks of "white supremacy," he is inciting violence. Such inflammatory remarks make a mockery of reason, intelligence and the rule of law.

At present, we are witnessing a tragic increase of racial acrimony, name calling and saber rattling. Impressionable young minds are affected by these demagogic outbursts. Honest, sincere efforts by groups and individuals to rectify racial injustice are being undermined. The fraternal cooperation of men and women of good will is hindered and thwarted. Extremists are seeking to gain dominance. This situation is fraught with peril. Fear breeds fear; violence creates counterviolence. Any type of power, black power or white power, exercised outside the scope of the law is a betrayal of our democratic institutions.

A final factor affecting the increase in disrespect for law and order is the growing injection into our society of ideological venom stemming primarily from the Communist Party, U.S.A. (loyal to the Soviet Union) and to its smaller rival, the Progressive Labor Party (PLP), a supporter of Red China.

Not since the depression of the 1930s has the Communist Party found more fertile fields of agitation. No wonder the party is deeply involved, for example, in the New Left student movement, chiefly through its youth front, the W.E.B. DuBois Clubs. Likewise, though being careful not to be overtly involved, the party welcomes the tactics of disruption encouraged by civil disobedience and Black Power.

Why? Because it is sincerely interested in improving our society? No. Rather, the party sees New Leftism, Black Power and civil disobedience as weapons which can be exploited to further a basic aim of Communism, namely the weakening in a democratic society of the citizen's faith in his government, his belief in law and order.

THE HIDDEN PURPOSE

The Communist Party and the Progressive Labor Party are ideologically committed to violence. A PLP leader said: "We will not be fully free until we smash this state completely and totally. We're going to have to kill a lot of these cops, a lot of the judges, and we'll have to go against the Army." No wonder they are gleeful about any individual or group which helps promote, knowingly, or unknowingly, their revolutionary aims.

"If destruction be our lot," said Abraham Lincoln more than 100 years ago, "we must ourselves be its author and finisher. As a nation of freemen, we must live through all time, or die by suicide."

The seeds of violence are abundant in America today. Whether they will bring future riots, bitter confrontations and ugly scars depends on what we as Americans do—now. At heart—despite past violence—America is not a lawless nation.

THE TIME IS NOW

Our history is the story of a people obedient to the law. That's why I believe we can do much to prevent violence, to increase respect for law and order. The time to start is today.

Respect the law. Encourage young people to respect the officer of the law. The officer is your protection. Don't speak to him derisively or condescendingly. Too often the word cop is used by citizens in a contemptuous style.

Support your law enforcement agency. Violence often arises when individuals mistrust the actions of local law enforcement.

A favorite tactic of abuse is to falsely charge the police with "brutality" or misconduct. No law enforcement agency feels itself above legitimate criticism, but wild and reckless charges of abuse only aggravate the situation.

Law enforcement agencies should be free from control by politically inspired civilian review boards and unhindered by plans whereby federal courts would take over departments and supervise their operations. Those who seek such plans desire not better enforcement but to harass, intimidate and destroy the agency's effectiveness.

Better control of firearms is both desirable and necessary. Mail-order firearm purchases should be banned, interstate transportation of firearms controlled and local registration of weapons required and enforced. In last summer's riots snipers became a major law enforcement problem.

Citizens should remember that vigilantism, even though the motives are sincere, is wrong. The handling of violence is a problem for the constituted authorities, not for the individual citizen. Great damage can be done by citizens' trying to organize patrols or attempting to enforce order.

Parents have a primary responsibility. All too often young people become involved in incidents of violence. Parents need to instill in their children respect for the law and law enforcement. They should set good examples themselves of observing the law. They need to know where their children are at night.

Citizens must be willing to fulfill the basic responsibilities of citizenship, such as furnishing pertinent data to officers of the law, serving as witnesses and jurors. Far too many citizens are shirking these duties. They fear personal involvement.

Violence is a major problem facing America—but it is not insurmountable. Here is our hope.

BURIAL OF REVEREND KING

Mr. FINDLEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FINDLEY. Mr. Speaker, today I have sent the following wire to the Secretary of the Army:

Hon. STANLEY R. RESOR,
Secretary of the Army.

DEAR MR. SECRETARY: Although the family may still wish to proceed with burial of the body of the Rev. Dr. Martin Luther King, Jr. as planned in Atlanta, Georgia, I nevertheless request and urge that you issue a directive that will permit burial at Arlington National Cemetery.

Burial with other fallen heroes of so many battles in the cause of justice and freedom would be highly fitting in respect to Rev. King. As Nobel Peace prize winner and as one who did so much to advance the American ideal of equality, permission for burial in this national shrine—whether burial occurs there or not—would be an appropriate, appreciated tribute to the memory of America's most respected, diligent, eloquent and courageous Negro leader.

PAUL FINDLEY,
Member of Congress.

JOINT LETTER ON CIVIL RIGHTS BILL

Mr. FINDLEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FINDLEY. Mr. Speaker, last Thursday morning—several hours before the tragic shooting of the Reverend Martin Luther King, Jr.—20 House Members agreed to the following joint letter to be distributed Monday, April 8, and made available to the press the same day:

Dear Colleague: We believe that the House should adopt the Senate-passed civil rights bill of 1968. On two previous occasions—in 1960 and in 1964—the House, without requesting a Conference, adopted significantly altered versions of House-approved civil rights bills.

We are convinced that this measure—approved in the Senate by 29 Republicans and 42 Democrats—is sound and just legislation. While we recognize that, like most complex bills, this bill is not perfect in every detail, it does seek to protect certain fundamental individual rights and assure equality of opportunity for all of our citizens. It is an affront to human dignity for any American to find that even though his bank balance is ample, his credit rating is good, and the character of his family is above reproach, he still cannot buy or rent better housing because his skin is not white.

Some questions have been raised regarding the various new sections incorporated in the Senate bill.

Title I, the anti-riot section, embraces areas covered in H.R. 421 and H.R. 2516 (protection of civil rights workers). Both bills passed the House in 1967. Republican members of the House Judiciary Committee expressed the view in Committee Reports on both that the two bills actually bear on the same problem, and, therefore, should be combined. The Senate has accepted this approach.

Titles II through VII, deal with the rights of American Indians. Our colleague, Ben Reifel of South Dakota, the only American Indian now serving in Congress, enthusiastically supports this Indian Bill of Rights as being long overdue.

Title X, regulates the use of firearms in connection with civil disorders. Senator Roman Hruska of Nebraska is the author of firearms legislation which has the endorsement of sportsmen's groups throughout the country. He voted for this civil rights bill in the Senate.

The key vote will be on a procedural question that will determine whether or not the House accepts the Senate bill without a Conference. If the bill goes to Conference, the best that can be said is that it faces an uncertain future. Once this bill goes to Conference, it must make its tortuous way through the Senate again *even though no changes in the Senate bill are made by the conferees.* There is grave danger that delay could defeat the bill.

There is no Republican policy position on this bill. It should be noted that Bill McCulloch, the ranking Republican on the Judiciary Committee, intends to vote against sending the Senate bill to Conference. We know that a substantial number of Republicans intend to support that position. At this time, it appears that approximately 200 House members are prepared to vote for the Senate bill. The votes of additional Republicans and Democrats are obviously needed to pass this legislation.

Of course we share reservations of some of our colleagues with respect to the draftsmanship of the Senate bill and the parliamentary procedures being followed. But we also share the conviction that it is urgent for our nation that effective open housing legislation be passed this year. This matter of simple justice has been too long denied. Weighing all these considerations in the balance, we conclude that the civil rights bill should not be exposed to further unnecessary hazards.

We ask your help by voting and urging our colleagues to vote for the Senate bill without sending it to Conference.

Sincerely,

Ben Reifel, Edward G. Biester, Jr., Alexander Pirnie, William O. Cowger, Clark MacGregor, Albert H. Quie, John N. Erlenborn, Charles W. Whalen, Jr., Paul Findley, Peter H. B. Frelinghuysen, Charles E. Goodell, F. Bradford Morse, William A. Steiger, Thomas S. Kleppe, Joseph M. McDade, Robert Taft, Jr., Howard W. Robison, John R. Dellenback, Paul N. McCloskey, Jr., Gilbert Gude.

DEAL WITH NORTH KOREA

Mr. ANDERSON of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ANDERSON of Illinois. Mr. Speaker, I have just received a wire from Roy Annabel, the editorial director of the Tilton Publications, Inc., Rochelle, Ill., who publish two newspapers in my district. The substance of this wire is that he has information that has convinced him that the U.S. Government has made a deal with North Korea, offering to supply farm implements in exchange for the return of the captured U.S. spy ship the *Pueblo*, and its crew. He goes on in his wire to supply me with the following details:

That this transaction explicitly includes 20 trailer mowers purchased from the Avco New Idea Farm Implement Manufacturing Plant in Ohio and a like number of heavy-duty export crates from a lumber company that routinely supplies our forces in Vietnam, and that the shipments went aboard a railroad flatcar in the dead of night under directions of Government officials and arrived in Texas on March 14.

He goes on further to allege that a company spokesman who, for rather obvious reasons prefers to remain unidentified, contends that the implements left Texas for the Orient on March 16 and were a part of a deal for the return of the *Pueblo*, and are now in North Korea. This matter, as I have already indicated, is already in the public domain since it was published in one of these newspapers over the weekend. He has made fruitless attempts up to now to find out from our Department of Defense and from other governmental agencies as to the accuracy of this report. I think it is important that questions of this kind be answered, and I am calling on the State Department, on the Defense Contract Supply Agency and any other interested agency to affirm or to deny the truth of this report that this kind of deal has been made for the return of the *Pueblo*.

SALUTE TO MAYOR WASHINGTON

Mr. CUNNINGHAM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. CUNNINGHAM. Mr. Speaker, I join with all those who mourn the tragic death of the Reverend Dr. Martin Luther King, Jr. Such a senseless act is condemned by all Americans and I join in the eulogies which have been given him.

My purpose in speaking today, however, is to pay my highest respects to Mayor Washington and his associates for their careful planning and their extremely well implemented plans to deal with the small minority who turned to crime and violence during these sad days. The policemen, and firemen, and the military deserve our thanks and gratitude for their exhaustive efforts and their devotion to duty during this crisis.

So, a salute to you, Mr. Mayor, and all your associates for a most commendable job during this difficult period.

IN SUPPORT OF LAW AND ORDERLY GOVERNMENT

Mr. SCOTT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. SCOTT. Mr. Speaker, it is my understanding that we will be hearing some recommendations tomorrow from the President on how to handle the problems in our city. I hope these are not a rehash of past recommendations which have not worked, and may have even contributed to the present disorder.

I see nothing to commend in the leadership which we have in the country today, but I am hopeful that the President will come up with some constructive suggestions.

Over the weekend, I received a pamphlet urging support of law and orderly government. It was prepared before the present disorders began, yet it is well reasoned and, I believe, worthy of consideration by the Members of the House. The pamphlet suggests stressing civil obedience to the law for a change; support for our police and court decisions that punish the criminal. I agree with the thought that a nation cannot survive without punishing those who break the law or endure without enforcing its laws.

The pamphlet is included at this point in the RECORD:

IN SUPPORT OF THE LAW AND AN ORDERLY GOVERNMENT

One of our Congressmen stated that he is bombarded by members of pressure groups who advocate civil disobedience and disruption of orderly government, but he hears very little on the subject of law and order from the law abiding citizens who make up the great majority of our population. Let us correct this. Those who have led disorderly demonstrations in many of our cities are now planning to disrupt our very seat of government.

You and I must notify our Congressmen, The President, and the Mayor of Washington of our concern, and ask that strong measures be taken to see that our Nation's Capital does not suffer the same fate meted out to other American cities in recent summers.

Let us get busy by telephone, telegraph and letter. Use your business and professional as well as your personal stationery.

To reach a Senator or Representative the address is very simply, using zip code 20510 for all Senators and 20515 for all Members of the House of Representatives: For example, Hon. Joel T. Broyhill, M.C., or Hon. William L. Scott, M.C., Washington, D.C. 20515; or Hon. William B. Spong, U.S. Senate, or Hon. Harry Flood Byrd, Jr., U.S. Senate, Washington, D.C., 20510.

(NOTE.—Substitute the names of your Congressman and Senator).

Letters should be personalized; however, here are some paragraphs that may suggest ideas following the opening salutation and prior to the request for appropriate action:

"It is high time that the rights of the law abiding majority be considered and that action be taken against all groups that do not abide by the law. The phrase 'non-violent civil disobedience' is a deceit and a fraud. Disobedience to civil law sets off chain reactions leading to riots, burnings, lootings, and even killing of law enforcement officers who attempt to restore order.

"Now our seat of Government itself is to be invaded by a minority group that has appointed itself to determine what legislation is to be passed. As has been the pattern in the past, there is the threat that if their demands are not met dire consequences will be the result. The elected representatives of all the people must follow orderly process of law and not legislate under threat of violence by a disruptive group that refuses to conform to the democratic process.

"If a group of trouble makers can dictate to Congress under threat of disrupting our Government, then we have indeed fallen into evil days.

"Let us stress Civil Obedience to the law for a change; support our police and demand that court decisions punish the criminal. No nation has ever devised a method of enforcing the law without punishing those who break the law. And no nation can long endure if it does not enforce its laws.

"Let us have appropriations for poverty and every other purpose on the basis of orderly determination of need by proper authority. Let us stop paying on the basis of threat of violence. Those who have made the Blackjack work for them are so drunk with success that they dare to use it against our very seat of Government. Now is the time to call a halt.

"How long are taxes of law abiding citizens to be used for appeasing those who threaten our security if we do not 'pay off'. Appeasement seldom works and it is not working now. As with blackmail, each 'pay off' leads to greater demands.

"The President's Advisory Commission on Civil Disorders rendered a report that goes to some length to make excuses for the riots in our cities, but unfortunately does not place the same emphasis on condemning the riots and those who foment them.

"Under the guise of 'Right of Assembly' minority groups have been permitted to assemble on public streets to block traffic, at entrances to buildings to prevent entrance of others and to disrupt whole communities with total disregard for the rights of others. Soft court decisions have sanctioned many abuses of the rights of the majority which in former years would have been swiftly dealt with.

"The law abiding citizens of the District of Columbia and those who work there must not be interfered with in the process of going to and from work and in the performance of their duties in Federal buildings.

"It appears now that the pattern to be followed in our Nation's Capital is the same as has been followed in other cities that have experienced 'hot summers'. Congress needs to act now to make it clear that those who attempt to cause disruption of our Government will be promptly and firmly dealt with."

LAW SHOULD BE FIRMLY ENFORCED TO PROTECT ALL LIVES AND PROPERTY

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BUCHANAN. Mr. Speaker, the hand that gunned down Martin Luther King served the world Communist cause well, and no other cause I know, bringing grief not only to one man's family and to millions of his followers but also tragedy to our country.

No matter how great the grief of the

Negro community, however, I think it should be emphatically stated that the overwhelming majority in this and other cities did not participate in any act of rioting or lawlessness or looting or burning. The overwhelming majority of the Negro community is no more represented by Stokely Carmichael and company than is the white community represented by the Ku Klux Klan.

Obviously no one can make a city or a country better by tearing it up or by burning it down. We would serve well the Negro community in this and other cities by a firm enforcement of the law, protecting their lives and their property, as I am convinced they would have city officials and Federal officials do.

Only within the framework of law, enforced firmly and without fear or favor, can the rights and liberties of all the people be made secure.

DR. MARTIN LUTHER KING AND THE DREAM OF A BETTER AMERICA

Mr. SCHWEIKER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SCHWEIKER. Mr. Speaker, I wish to join with my colleagues in expressing my personal grief over the tragic assassination of the Reverend Dr. Martin Luther King.

The civil rights movement in the United States has lost its greatest pillar. Dr. King will go down in history as the father of the Negro revolution in America. The entire Nation is mourning a great American leader, one who taught all of us, white and black, the precept of nonviolence in achieving social progress.

This is a time for Americans of all races, religions and creed to pay respect to Dr. King as a man. It is even more important that we pay respect to the legacy of Dr. King's beliefs and leadership. The legacy of Dr. King is the faith that American can improve the lot of all of its citizens and can wipe out injustice wherever it exists. The legacy of Dr. King is the faith that a minority group can use the technique of nonviolence, derived from the teachings of Christ to achieve its aims of equality and justice for all.

Dr. King has fallen in battle, gunned down by an assassin who could not be reached by the lessons of nonviolence Dr. King preached. But this is no time to abandon the struggle to which Dr. King gave his life. It was not just a Negro struggle, but a struggle on the part of all Americans to achieve a better America, a more just America, an America where "equal opportunity" is a fact and not just a slogan.

For this reason, Mr. Speaker, we must all, on the occasion of Dr. King's tragic death, rededicate ourselves to the ideals for which he lived and died. Dr. King "had a dream" of a better America, as he often preached. Dr. King has died, and it is up to us to see that the dream has not died with him.

CONSIDERATION OF THE PROPOSED CIVIL RIGHTS MEASURE SHOULD BE POSTPONED

Mr. WATSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. WATSON. Mr. Speaker, this morning I had the pleasure of testifying before the Rules Committee, at which time I urged them—and I hope some of my colleagues will find it possible to do likewise—to postpone consideration of any civil rights legislation until a calmer atmosphere can prevail, when we can discuss this matter in a calm and deliberate and intelligent fashion.

Second, I want to make this point: I hope we have not lost our sense of balance. Are we not concerned about the loss of lives and injuries to our policemen, firemen, servicemen, and other law-abiding citizens? Are we not concerned over the wanton destruction of property owned by our businessmen? While we lament the tragic assassination of one American, are we not mindful of the other Americans who lost their lives over this weekend? A young man right here in the District of Columbia, who was guilty of nothing more than stopping to get some gasoline, was killed right there. He was not a rioter or looter, but an innocent white man. There will not be any flags lowered in behalf of him and his little family, or other innocent victims who have lost their lives. There will not be a declared day of mourning, but so far as this Congressman is concerned, I extend my heartfelt sympathy to all the families of these innocent victims who have lost their lives over the past weekend.

Mr. WAGGONNER. Mr. Speaker, will the gentleman yield?

Mr. WATSON. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. Mr. Speaker, is the gentleman aware of the fact that the police have made the ridiculous and unbelievable determination that the death of the party to whom the gentleman referred was in no way related to the civil disobedience and assassination of Martin Luther King?

Mr. WATSON. Mr. Speaker, the press reported that he was beaten and stabbed by a group of Negroes during the course of the rioting here. These looters and rioters were not mourning the death of King, but as the Mayor of Washington said as he rode around, these rioters were not in an attitude of mourning, but they were laughing as they were looting and burning down stores.

The only point I want to make is that so far as one Congressman is concerned, I extend my heartfelt sympathy to all the families of those innocent Americans—policemen, firemen, and others—who loved life just as much as anybody, yet they seemed to be overlooked in current lamentations. That is my point.

APPLICANTS FOR PERMITS TO PARADE IN DISTRICT OF COLUMBIA OR ON U.S. PROPERTY SHOULD BE REQUIRED TO POST BOND TO COVER COSTS

Mr. SCHADEBERG. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The **SPEAKER.** Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SCHADEBERG. Mr. Speaker, I am today introducing a companion bill to H.R. 13803, a much needed and sensible proposal now before the Committee on Public Works after its introduction by my friend and colleague, the gentleman from Virginia [Mr. ABBITT].

I hope that this body will take quick and favorable action on this bill in the best interests of all Americans.

The bill follows:

H.R. 13803

A bill to require applicants for permits to parade in the District of Columbia or on property of the United States to post a bond to cover certain costs of such parade

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no officer or employee of the United States or of the District of Columbia shall issue or sign any permit for a parade in the District of Columbia or on property of the United States if such officer or employee determines that such parade may cause property damage or disorder which would constitute a breach of the peace unless the person requesting such permit posts a bond in an amount determined by such officer or employee as will cover the estimated cost of—

(1) damage to property; and

(2) equipment and personnel needed to maintain order, excluding such equipment and personnel as are needed to route traffic and to protect those parading.

SEC. 2. (a) If the conditions of such permit are violated, the issuing officer or employee shall immediately revoke such permit, and the person to whom such permit was issued shall declare such parade at an end and shall actively cooperate in the dispersement of such parade.

(b) Failure by the person to whom such permit is issued to comply with the requirements of subsection (a) shall result in forfeiture of the total amount of the bond.

SEC. 3. The term "parade" includes march, demonstration, or other assemblage.

THE COST OF ERROR

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The **SPEAKER.** Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. EDWARDS of Alabama. Mr. Speaker, the total cost to the American taxpayers of the gigantic TFX airplane mistake may never be fully known. The

TFX, renamed the F–111, has been so costly and so great an error that it is hard to believe.

Late last month, some 6 years after Robert McNamara first planned the project, the first six F–111's went into combat. And within a week, two of them, costing $6 million each, were scrambled wreckage on the ground.

This is the plane McNamara said should be built by a company in President Johnson's home State even though the top military experts all said another company should do the job.

Then the years dragged on as billions of dollars were put into the design and early production and testing. Design changes were made one after another until the weight of the plane became a serious problem.

It was supposed to serve both the Air Force and the Navy. But the Navy version of the plane was so heavy that it could not take off from an aircraft carrier.

Congress began to balk at approving more spending requests on the project 3 years ago. But the Pentagon continuously sought more funds on the assurance that problems could be solved.

Then, just a few days ago, on the same day the first F–111 was lost in Asia, a committee of the other body refused to approve any more money at all for the Navy's plane. The committee said the Navy should go ahead and design an entirely new aircraft system.

The Navy had asked for more than a half billion dollars for the fiscal year alone, just for development of its version of the F–111. This gives a clue as to how much has been squandered on the project over the past several years.

The F–111 plane was supposed to provide the basis for the entire Navy's system of air defense against Soviet aircraft and missiles during the 1970's. The Air Force version was supposed to be just as important to the U.S. military capability.

Mr. Speaker, from the beginning of the TFX controversy the Pentagon gave no attention to the many critics of the programs: critics in Congress, in the press, or elsewhere.

Now today it appears we are seeing the same kind of thing happening with regard to the growing strength of the Russian Navy.

U.S. naval leaders, and many Congressmen, are very concerned. For example, the chief of U.S. naval operations in the European area says Soviet naval advances in the 1960's have been "electrifying."

And yet the Secretary of the Navy, Paul Ignatius, said recently—on the same day the first F–111 crashed in Asia—that Russia does not appear to be trying to gain naval superiority over the United States. He said Russia is only trying to win political and psychological advantages, and he thinks it is unlikely that they are building enough amphibious warfare ability to support military action at a long distance.

He said we are favored by geographical advantages, and by our greater know-how and experience in naval affairs. But this is a highly dangerous viewpoint.

Our policy people have consistently been surprised by Russian military and space accomplishments, from the first orbiting of sputnik in 1957 to the sinking of an Israel destroyer by advanced Russian-built naval missiles in 1967.

We have learned that it is no good to depend on U.S. know-how being superior, or to rely on the Russians to be only interested in political and psychological gains.

The TFX scandal should be seen as a hard lesson—that military planning decisions by civilian policy people, when they are opposed by top military experts, do not always work.

Political and psychological gains are turned into hard military gains. That is what the cold war is all about. And even though some people in Washington seem to think the cold war is over, the Russians and their dependent puppet governments are still very much in the fight.

THE RIOTS

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. EDWARDS of Alabama. Mr. Speaker, as smoke was billowing over Washington as a result of the riots this past weekend, I sat in my office contemplating the future of this great Nation. Troops were on the streets outside my window. A machinegun was set up on the steps of the Capitol and my secretaries had been sent home early because of the possible assault on the Capitol.

What are we coming to? Martin Luther King is dead and whoever shot him must be found and convicted. But in the meantime, a vacuum has been created in the civil rights movement and it looks like Stokely Carmichael is moving into that void. This is not a very encouraging sign. So whatever we thought of Martin Luther King, the assassin's bullet only made matters worse.

In this atmosphere of violence, riots, looting, and burning, charged with emotions, we are being asked to legislate. People are saying that now we must pass the civil rights bill with its open housing provisions, the gun laws, completely rebuild our cities. And we are told that it must be done now—without proper consideration, without amendment, without proper debate. Just pass it and get the riots stopped. But what happens then? Where does it stop? Must we pass a new law everytime there is a riot?

Reasonable men are being stripped of all reason in their zeal to offer a balm in exchange for peace and quiet.

Maybe I am unreasonable, but I am not willing to legislate with a gun at my head; I am not willing to yield to those who would take the law into their own hands; I am not willing to admit that a handful of scum can dictate the policies of this Government and tell the Congress which laws to pass and which laws not to pass. I get my back up when I feel this kind of illegal pressure being applied.

Soon the President will address a joint session of the Congress. Presumably he will ask for billions of dollars "to make everything right." But I think he might start by calling for law and order in the streets of this Nation. Until we have respect for the law, nothing is going to be "right."

What we need now, more than hastily passed, ill conceived legislation, is understanding, reason, responsibility, law enforcement, respect for the law, and above all, prayer.

WE MOURN THE DEATH OF A GREAT AMERICAN, MARTIN LUTHER KING, JR.

Mr. COHELAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. COHELAN. Mr. Speaker, we mourn the needless death of a great American, Dr. Martin Luther King, Jr., and we pray that his death will not be in vain. Others have talked of his deeds and his words. I, instead, would like to talk about his dream.

Genesis states that:

> He (Jacob) dreamed, and behold a ladder set up on the earth, and the top of it reached to heaven; and behold the angels of God ascending and descending on it.

Like Jacob, Dr. Martin Luther King, Jr., had a dream, and the ladder he set upon this earth led to hope, to peace and to dignity for a people and a country he loved; and the realization of this dream for him was to secure the blessing of liberty and equality for ourselves and our posterity which the U.S. Constitution so boldly promised when our Nation was born.

It is a measure of Dr. King's success that this dream, slowly and tremulously, gives promise of becoming a reality.

I leave to others to enumerate Dr. King's successes, his failures, his background and his now stilled promise for the future. Let me note, instead, this great man's dignity and integrity, his steadfast refusal to be drawn into extremes of any kind and his adherence to his principles. For it is far more difficult to move softy, to speak quietly than it is to strike out with quickness and to shout a slogan. Unfortunately, the history of civilization too often shows the latter method being employed.

Walt Whitman wrote:

> In this broad earth of ours,
> Amid the measureless grossness and the slag,
> Enclosed and safe, within its central heart,
> Nestles the seed perfection.

Martin Luther King believed that the seed perfection existed—many of us believe that the seed exists. He believed that the seed contained the germination of a world of equality, a world where men are not judged by their race or their religion, but solely on "the content of their character."

I mourn the passing of this great and good man and I share the sentiments of a constituent who sent me a wire which reads: "I have not been so ashamed of my country since 1963."

DR. MARTIN LUTHER KING, JR.

Mr. WOLFF. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WOLFF. Mr. Speaker, the untimely and violent death of the Reverend Dr. Martin Luther King is a source of great sorrow to me, as I imagine it is to all Americans of good will.

Dr. King was an eloquent and forceful voice for justice in this country. More than a leader of his race, he was a great American working to turn the American dream into reality.

Recognizing that Dr. King's purpose in life was not to serve a special interest or a single group, but rather to serve the America that he loved, the appropriate memorial to this great man will be the establishment of justice and the provision of truly equal opportunity throughout America.

Dr. King worked and died for this goal. In his life he took us closer to its realization. In his death we must not lose sight of the nonviolent means that were his byword. It is an unholy response to his death to permit his enemies—violence, lawlessness, and disrespect for the lives and properties of others—to emerge in the wake of this tragedy.

AND DEATH SHALL HAVE NO DOMINION

Mrs. GREEN of Oregon. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to to the request of the gentlewoman from Oregon?

There was no objection.

Mrs. GREEN of Oregon. Mr. Speaker, over generosity and nobility of spirit, death need have no dominion. Though the assassin has deprived us yet again of one of our finest leaders, we need not permit him the other victory of destroying the significance of a great man's life and message. Martin Luther King's message and actions were positive ones; they spoke of what could be, if we but willed it; they appealed to the very best in the human spirit; and they affirmed life, rather than denied it.

His greatest accomplishment is that he inspired the hope and confidence of the poor and outcast in a better world and a more generous future; he demonstrated for all how the forces of hate and indifference can be blunted by the weapon of love. His greatest tribute to his Government and its people was his unshakable faith that it and we would respond positively to the demonstrable misery of the unfortunate and to the promptings of conscience. In so doing he gave us credit for a deeper devotion to principle and for a greater wisdom than it might always appear we deserve—and yet the choice is still ours to prove that this trust was not misplaced.

The difference between Dr. King and some others who share his pain over the injustices of our society is the difference between light and darkness, between hope and futility. He knew as well as anyone the sicknesses which beset us, and he was as determined as anyone that they should end. But he chose to treat the sickness not kill the patient. He ministered to reconciliation, not division and he chose to talk about the imperishability of the American dream, not the bankruptcy of the American soul. Just as important as the vision he articulated of a future of brotherhood, were the methods he adopted to achieve this goal. He was a man of action, as well as idealism, and did not chose to sit on the sidelines of life waiting for virtue to triumph; rather, he actively fought for his goals, but he did so by employing nonviolent tactics. To the forces of hate, he counterposed the force of love; to the forces of destructive action, he counterposed the force of creative action; to the voices of despair, he sang of hope, and to the merchants of death he offered his body, but never his principle and never his spirit. It was for such men as Martin Luther King that Stephen Spender wrote his great poem: "I Think Continually of Those Who Were Truly Great," which ends with these lines:

The names of those who in their lives fought
for life,
Who wore at their hearts the fire's center.
Born of the sun they traveled a short while
toward the sun,
And left the vivid air signed with their
honor.

DR. MARTIN LUTHER KING, JR.

Mr. BOLAND. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BOLAND. Mr. Speaker, the bullet that snuffed out the life of Dr. Martin Luther King, Jr., has silenced this Nation's most eloquent and persuasive spokesman for civil rights.

Working with black and white people alike, Dr. King did more to advance the cause of civil rights than any other Negro in the history of the United States. His achievements in this cause range all the way from the integration of lunch counters in small southern towns to the razing of slums in giant Northern cities. His profound and abiding faith in the doctrine of nonviolence, a doctrine scorned by others, has dramatized the plight of his race and has led to most of the major breakthroughs in civil rights legislation. His reasoned plea for Government assistance has led to most of the major Federal and State programs now helping Negroes to rise up out of poverty. His selfless dedication to the cause of equal rights, equal justice and equal opportunity has inspired people throughout the United States to seek these goals more vigorously.

Yet what are the achievements of his detractors—the Stokely Carmichaels and H. Rap Browns?

They have succeeded in little more than exacerbating racial tensions, harming the cause for which Dr. King sacrificed his life rather than helping it.

The tumult that erupted in our major cities just after his death is a blot on his memory. The Negroes now roaming our streets in a blind fury, sacking buildings and leaving them in flames, are the very people who hooted at Dr. King and branded him as an Uncle Tom. Their actions are just as mindless and just as reprehensible as the act of the assassin who took Dr. King's life.

Dr. King, if he were alive today, would be repulsed by the smoking ruins left as a memorial to him by the very people he advised against violence.

The Springfield (Mass.) Daily News, the Springfield (Mass.) Union, and the Washington Daily News have published editorials outlining the significance of Dr. King's death and the urban chaos that followed it. With permission I would like to put these editorials in the RECORD at this point:

[From the Springfield (Mass.) Daily News,
Apr. 5, 1968]

DR. KING

Violence, whether it is the work of a lone assassin or a group or an army of men, casts its burden on guilty and innocent alike.

The death by violence of the Rev. Martin Luther King Jr. spreads an ugly scar of guilt across this land—on the warped mind which triggered the fatal shot on millions of decent Americans who were indirect targets of this callous assault on human dignity.

It may be unfair that this is so. But such is the nature of an evil abroad today in America that the bell tolls for all. Each man must, indeed, be his "brother's keeper."

Dr. King actively took this task upon himself. He was one of the prime movers for civil rights and social justice, refusing to seek the shelter of the sidelines.

This conviction led to his return to Memphis where last week rioters gained control of a protest march led by Dr. King. This conviction led also to his death which might, however, have occurred in any other racially divided city.

Dr. King, a Negro who grew up in the South, was naturally dedicated to the cause of freedom for members of his race. He was equally dedicated to freedom for humanity. In this broader context, for example, he was an outspoken critic of the war in Vietnam.

His views were not always popular. Even within the civil rights movement, he became increasingly a target for militants who contended nonviolence no longer brought results. But Dr. King refused to yield to this militant minority, white or black—convinced that the Christian precepts of nonviolence are still applicable today.

Dr. King brought distinction to his race and personal honors for himself, climaxed by the Nobel Peace Prize award in 1964. This, however, is not the real meaning of the powerful voice—often impassioned and often eloquent—which he raised in America.

The tragedy of his death is a personal tragedy. But it is, more than that, a nationwide tragedy that such a thing can happen here in America. The reaction to his death must not stop at shock and sadness. It must be translated into action, beginning in Congress and channeling back to local government. They can provide the legislative and moral weapons to end racial strife.

Those who heard Dr. King's words and recognized his wisdom, those who deplore "man's inhumanity to man" in any form, must now prove that they can act on his message and cast out the evil which imperils and debases this country.

[From the Springfield (Mass.) Union, Apr. 5, 1968]

I HAVE A DREAM

"I have a dream. . . ." The words rolled in sonorous tones from the Lincoln Memorial across a sea of faces, black and white, in the climax of the march on Washington four years ago.

One result of that historic event was Congress' passage of history's greatest single piece of civil-rights legislation. Another was the emergence of the speaker, Dr. Martin Luther King, as the country's most eloquent and effective advocate of racial equality in racial harmony.

Dr. King's cool courage kept the peace many times as his "civil disobedience" piled up results in better treatment for Negroes in facilities ranging from busses to voting booths.

Yet, for all the successes of this persuasive disciple of nonviolence and the respect he won from black and white alike, his tragic death by a depraved violent hand was not unusual evidence that bitter hatred still stalks this troubled land. The era of the torch, the rioter, the looter and the sniper arrived anyway because the response he got was not enough. This led a presidential commission to conclude that integration was in deep danger of total failure.

But that was a warning, not a fact. If Dr. King's murder brings the outpouring of indignation and sympathy it richly deserves, it will prove Negro progress within the American mainstream is still the majority's goal. The best hope is that his rivals, the militant Black Power separatists, will think more highly of his methods now.

But the real message of this Memphis martyrdom is to white America. Everyone who has turned his back on the Negro's plight, or put off doing what he could and should do about it, had an indirect hand in Dr. King's death. For these are the people who can make the dream come true—by changing the tortured lives that Dr. King risked his own life to improve.

[From the Washington Daily News, Apr. 8, 1968]

WHILE WASHINGTON BURNED

If the authorities persist in viewing these riots primarily in terms of black vs. white, this certainly threatens to be another long, hot summer.

Here last week, as in Detroit last year, officialdom hestitated to take charge when a relatively small band of young, black hoodlums sacked and burned large sections of the capital. Troops to reinforce beleagured police were available within a few minutes ride. When they finally arrived the looting was stopped. But the call was delayed for fatal hours while the criminal gangs, believing themselves immune from restraint, spread destruction.

If there was any good reason for this delay, beyond a hand-wringing lack of decision in high places, it must have been fear that this was a general Negro uprising in resentment against the assassination of Dr. Martin Luther King.

Any such idea is a gross libel on predominantly Negro Washington and on Negro citizens generally. It is evidence of a lingering unconscious race prejudice to which even some Negro spokesmen are not immune—an assumption that a black skin somehow sets a person apart as different in kind from his white neighbors.

Mugged, the Negro bleeds. Burned out, he is homeless. While officialdom fiddled, our citizens, white and black alike, were denied the equal protection of the law to which all citizens should feel entitled.

The mobsters couldn't have cared less about Dr. King, alive or dead. They violated every decency for which he stood, seizing upon his death as an excuse to steal and destroy. Those of Dr. King's race who sincerely mourned him weren't out screaming in the streets. They were in church, if they dared to leave their homes.

No one denies gross injustices continue to exist and that Negro slum dwellers are the outstanding victims. But every bit of destruction lessens the resources available for reform by just that much. The millions in property losses in one day in Washington are the equivalent of thousands of school teachers, hundreds of homes.

The prime civil right of any citizen, black or white, is security in his life and property. Until this right can be established, the chance of eradicating the slums is dim.

The only way to stop a riot is by superior force, promptly applied, regardless of the cause for which law breakers feign to be rioting.

This is a hard lesson which, as experience here indicates, is yet to be learned.

WHICH WAY DO THEY GO

Mr. McCARTHY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. McCARTHY. Mr. Speaker, the passing of Martin Luther King under such tragic circumstances raises the question of who is going to fill the vacuum created by his death. As an apostle of nonviolence, he never gave up faith in America. He renounced the extremism of a Stokely Carmichael or a Rap Brown. So we are poised, it seems to me, at this tragic hour at a point of, where is America going to go; where are those who adhered to Martin Luther King and his philosophy going to go? Are they going to go the route that he recommended and which he fought for so zealously against the extremists? Or are they going to follow those like Stokely Carmichael who said that the black people should arm themselves?

It seems to me, Mr. Speaker, that this question is not going to be answered by black men; it is going to be answered by white men, and I think it is going to be answered by the men and women in this Chamber, possibly this week.

LEADERSHIP PROCLAIMS "WE SHALL OVERCOME"

Mr. RARICK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include a newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. RARICK. Mr. Speaker, Nero fiddled while Rome burned. L. B. J. announces "We shall overcome," while the Nation's Capital burns.

What kind of a leader have the American people in the White House?

The Nation's Capital has been burned and sacked; the criminal element given freedom to trample the rights of all law-abiding citizens; and what did the President do? He met with provokers of the revolution and proclaimed again, "We shall overcome." Overcome what?

Does anyone recall the President of the United States taking to television and appealing for law and order—using his entrusted position to calm the passions of primitive peoples and opportunists? Why the 20-hour delay before calling troops into the District?

Do we have a President of all people or a commander in chief of the revolution in the White House?

Mr. Speaker, the text of the Friday, April 5, 1968, address at the White House follows:

"WE SHALL OVERCOME:" JOHNSON

Once again, the heart of America is heavy—the spirit of America weeps—for a tragedy that denies the very meaning of our land.

The life of a man who symbolized the freedom and faith of America has been taken. But it is the fiber and fabric of the republic that is tested.

If we are to have the America we mean to have, all men—of all races, all regions, all religions—must stand their ground to deny violence its victory in this sorrowful time and all times to come.

Last evening, after receiving the terrible news of Dr. King's death, my heart went out to his people—especially to the young Americans who, I know, must wonder if they are to be denied a fullness of life because of the color of their skin. I called leaders of the Negro community and asked them to meet with me today at the White House. We have been meeting together here this morning.

No words of ours—no words of mine—can fill the void of the eloquent voice that has been stilled.

But this I deeply believe.

The dream of Martin Luther King has not died with him.

Men who are white—men who are black—must and will join together now as never in the past to let all the forces of division know that America shall not be ruled by the bullet but only by the ballot of free and just men.

In these years, we have moved toward opening the way of hope and opportunity and justice.

We have rolled away some of the stones—of inaction, of indifference, of injustice.

The work we have begun is not done.

But, together a nation united, a nation caring, a nation concerned—together, we shall overcome.

TEACHERS IN POLITICS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 5 minutes.

Mr. HALPERN. Mr. Speaker, who among us here has not again and again urged our constituents to take a more active interest and play a more active role in the workings of Government? I am pleased to note that schoolteachers across the country are taking us at our word.

Under the guidance of the National Education Association, the past 3 days were devoted to a teachers-in-politics weekend.

There are few groups better informed or more knowledgeable about National, State, and community affairs than our schoolteachers. Those who abstain from participating in partisan politics outside the classroom, in effect have denied the country of their extensive talents.

I wholeheartedly concur with Mary

Brooks, Republican National Committee assistant chairman, who wrote in the January 1968 issue of Teacher-Citizen:

> Government, which is an extension of politics, affects and to some extent regulates our daily lives. All of us are "in politics" whether we want to be or not. A fast changing world situation demands that we take an informed active part in the political ideas that shape it.
>
> Obviously, partisan classroom politics by teachers would be both dangerous and inappropriate. A good, strong country depends upon government determined and balanced by a strong two-party system. The teacher can do much to augment that system by developing student interest in politics.
>
> The encouragement by NEA's Citizenship Committee of teacher participation in the country's political affairs is an important project in the creation of a more responsible citizenry and a better government.

LEST WE FORGET

Mr. RANDALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. RANDALL. Mr. Speaker, because of the stirring events of the past weekend there are some equally important events which we may have lost sight of. Reference was made a few moments ago to the U.S.S. *Pueblo*, which most unfortunately has been all but forgotten.

Equally important and almost unnoticed has been the return of the island of Iwo Jima to the Japanese. Perhaps this was provided for by the 1951 peace treaty. I am asking my staff to research this point. It is very strange and most unusual none of us in the Congress were afforded any opportunity for debate. Perhaps our body under the Constitution has no lawful prerogative to debate the issue. Certainly the other body under the Constitution has the right of advice and consent on treaties, and thereby should have been consulted.

So far as I know, the State Department acted independent of the Congress.

Mr. Speaker, I am sure the hearts of all those veterans of World War II who served in the Pacific Theater of operations were saddened by the news that the Bonin Islands would be returned to Japan. I am persuaded they not only experience a feeling of sadness but a cool anger that these islands, for which we paid so high a price in blood, should now be handed back to Japan.

For the most part, these veterans of the Pacific war are Christians. They have forgiven Japan for the ignomy of Pearl Harbor. Yet none of them will forget the bloody defense of these islands by our Pacific enemy in World War II and the extremely high cost paid in lives of our bravest men.

I rise in protest today against the "business as usual" attitude of the State Department and the unconcern of others in the executive branch who acquiesced so easily and almost without announcement because of what they call pressures from the Japanese.

All of us prefer friendly relations with the Japanese. But some place along the line we are going to have to drive down a stake and say we have gone "this far" and no further irrespective of the maintenance of friendship or good fellowship. I say this because the control of these islands is to be desired above all other considerations. The peace of mind furnished as an outer perimeter of defense by the islands as an outpost for the security of our West is paramount. It far transcends any small dividends from so-called good fellowship.

Now the question arises; what can we do, if anything, to repair this great loss? It seems this whole thing may have been put across under the terms of the 1951 Treaty of San Francisco. It is certain there was little or no discussion or public debate. Perhaps all that is left that can be done will be for the spirit of those brave men who gave their lives there to haunt those who so easily gave up our possession of this most important and valuable piece of real estate for which we paid such a high price, not in dollars and cents, but in lives of our brave fighting men.

It may be we have already lost our former status over Iwo. Yet it may not be too late to negotiate with the Japanese to maintain a lease for a military base of some kind on the island at the very least. We must continue to fight even at this late date for the right to land our planes. We must insist the flag of our great country continues to fly on Mount Suribachi as an eternal memorial to those marines and others who paid the supreme price for Iwo Jima, just as we are reminded every night of that same sacrifice as we look across the Potomac River to the Marine Memorial in Arlington.

Surely a lesson can be gained by this giveaway. The lesson is we must stand firm; must be adamant; must not deal and we must not yield on another piece of real estate equally important and that is the Ryukyu Islands, particularly Okinawa. I was on Okinawa early in January of this year. Our top military men there told us then they were already getting pressures coming from the Japanese to return Okinawa. It was not my lot to be on Iwo Jima during World War II. Yet on June 10, 1945, the day General Buckner was killed, I was on an LST just off Okinawa. I know something of the cost paid in lives for that island. The loss of Iwo must stand as a lesson. Whatever it takes, we must stand fast against giving up Okinawa. We shall not, we cannot, we must not relinquish these islands in the name of good fellowship or whatever other convenient cloak the State Department may want to provide as the excuse.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. RANDALL. I am happy to yield to my colleague from Missouri.

Mr. HALL. Mr. Speaker, I appreciate the gentleman yielding.

I am not sure I agree with him that we have all forgotten about the U.S.S. *Pueblo*, and I know the gentleman spoke that in parentheses, but I certainly want to compliment the gentleman on what he says about the return of the Bonins. I agree with him thoroughly about the now very evident pearl of the orient, the Ryukyus. I have said so in the past.

This is not something that is divisive, or even should be under discussion.

I would also like to point out, and I believe my distinguished colleague from Missouri would agree with me that, gone unheralded in this weekend of trouble, chaos, insurrection, and rioting, has also been the fact that we have liberated the valiant marines at Khesanh. And I believe this should be a red-letter day in the military history of America. I know we are all very thankful that those valiant marines there, some five or six thousand of them, have been relieved by the 1st Airborne Cavalry Division, and all credit to them.

And, as a member of the Committee on Armed Services, along with my colleague from Missouri, I hope everybody else will feel joy at the liberation of this very key point in the defense of the demilitarized zone.

Mr. RANDALL. Mr. Speaker, I am most grateful for the contribution of my colleague from Missouri. I agree with him completely and associate myself with the remarks he made that regardless of the tragic events which have absorbed us here in the last few days we must not lose sight of important world events that are transpiring.

Again, let me repeat, Iwo must be a lesson to us. We cannot, we must not, and we shall not let the same thing happen with Okinawa.

THE LATE DR. MARTIN LUTHER KING

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. FARBSTEIN] is recognized for 20 minutes.

Mr. FARBSTEIN. Mr. Speaker, as an American, I was appalled and shamed by the tragic assassination of Dr. Martin Luther King, Jr. His senseless death is a blight upon the entire Nation.

Dr. King was an apostle of reason, an advocate for humanity. He believed that a person should be judged as an individual, not by color, race, or creed. He led his people forward seeking those human rights so long denied them. He was a man who sought peace and justice through the democratic process. Now, an assassin, who did not hold these values, has struck him down.

Dr. King's death will make it harder to create a just society. His leadership will be sorely missed by all Americans of good will. He sought to break the age-old bonds of racial prejudice that hobble this Nation. He fought to bridge the gap that separates blacks from whites. He loved his people, but even more he loved the democratic process. So let the evil forces that brought about his death, Mr. Speaker, not deceive themselves into thinking that they have slowed or reversed the revolution for human rights in America. Dr. King's murder will be a milestone in an irreversible movement. The killer only made this task more painful for America. I mourn for Dr. King and for our Nation.

Mr. Speaker, I can think of no better way to carry on Dr. King's work, no clearer process for the Congress to follow, than to act and act decisively in passing the Civil Rights Act now pending in the House. I urge my colleagues in the House to support this measure, as I intend to do.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New Jersey [Mr. Rodino] is recognized for 10 minutes.

[Mr. RODINO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. Kornegay (at the request of Mr. Albert), for this week on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Halpern (at the request of Mr. Pettis), for 5 minutes, today; to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. Pryor), to revise and extend their remarks and include extraneous matter:)

Mr. Addabbo, for 20 minutes, today.
Mr. Farbstein, for 20 minutes, today.
Mr. Rodino, for 10 minutes, today.
Mr. Vanik, for 30 minutes, on April 9.

EXTENSIONS OF REMARKS

By unanimous consent, permission to extend remarks was granted to:

Mr. Edmondson in two instances and to include extraneous matter.

Mr. Andrews of Alabama and to include extraneous matter.

Mr. Holifield and to include extraneous matter.

The following Members (at the request of Mr. Pettis) and to include extraneous matter:

Mr. Dickinson.
Mr. Findley.
Mr. Winn.
Mr. Quillen in four instances
Mr. Kleppe.
Mr. Buchanan in two instances.
Mr. Adair.
Mr. Denney in three instances.
Mr. Teague of California.
Mr. Brotzman.
Mr. Scherle.
Mr. Ashbrook.
Mr. Edwards of Alabama.
Mr. Meskill.
Mr. Reifel.

The following Members (at the request of Mr. Pryor) and to include extraneous matter:

Mr. Long of Maryland in three instances.
Mr. Ottinger.
Mr. Resnick.
Mr. Fraser in three instances.
Mr. Charles H. Wilson in two instances.
Mr. William D. Ford.
Mr. Holland.
Mr. Dent in two instances.
Mr. Pepper in two instances.
Mr. Mahon.
Mr. Wolff in two instances.
Mr. Rarick in six instances.
Mr. Podell.
Mr. Gonzalez in three instances.
Mr. Boland in two instances.
Mr. Brown of California in two instances.
Mr. Sikes in six instances.
Mr. Nix.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 2123. An act to provide for the control of the alewife, smelts and other fish and aquatic life in the waters of the Great Lakes which affect adversely the fish resources and ecological balance of the Great Lakes; to the Committee on Merchant Marine and Fisheries.

S. 2658. An act to amend section 127 of title 23 of the United States Code relating to vehicle weight and width limitations on the Interstate System, in order to make certain increases in such limitations; to the Committee on Public Works.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 11816. An act to provide compensation for law enforcement officers not employed by the United States killed or injured while apprehending persons suspected of committing Federal crimes, and for other purposes.

ADJOURNMENT

Mr. PRYOR. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 6 minutes p.m.) the House adjourned until tomorrow, Tuesday, April 9, 1968, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. McMILLAN: Committee on the District of Columbia. H.R. 16409. A bill to amend the District of Columbia Teachers' Salary Act of 1955 to provide salary increases for teachers and school officers in the District of Columbia public schools, and for other purposes (Rept. No. 1285). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BROWN of Ohio (for himself, Mr. Anderson of Illinois, Mr. Ashley, Mr. Feighan, Mr. Lukens, Mr. Miller of Ohio, Mr. Mosher, Mr. Taft, Mr. Tiernan, Mr. Vanik, and Mr. Whalen):

H.R. 16507. A bill to authorize the Secretary of the Interior to establish and operate a National Museum and Repository of Negro History and Culture at or near Wilberforce, Ohio; to the Committee on Education and Labor.

By Mr. BUTTON (for himself, Mr. Grover, Mr. Halpern, and Mr. Harrison):

H.R. 16508. A bill to provide a comprehensive national manpower policy, to improve the Manpower Development and Training Act of 1962, to authorize a community service employment program, and for other purposes; to the Committee on Ways and Means.

By Mr. CELLER:

H.R. 16509. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. CONYERS:

H.R. 16510. A bill to designate the birthday of Martin Luther King, Jr., as a legal public holiday; to the Committee on the Judiciary.

By Mr. DORN:

H.R. 16511. A bill to designate the hospital authorized to be constructed at Fort Jackson, S.C., as the John J. Riley Memorial Hospital; to the Committee on Armed Services.

H.R. 16512. A bill to amend title 5, United States Code, to impose prohibitions on the employment by the Federal Government or District of Columbia Government of persons convicted of engaging in riots and certain other activities involving violence and civil disorder, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. EVANS of Colorado:

H.R. 16513. A bill to provide for the orderly marketing of agricultural commodities by the producers thereof and for other purposes; to the Committee on Agriculture.

By Mr. EVERETT:

H.R. 16514. A bill to amend the Consolidated Farmers Home Administration Act of, 1961, as amended, to provide for loans to public bodies which upon sale by the Farmers Home Administration shall bear taxable interest; to the Committee on Agriculture.

By Mr. FARBSTEIN:

H.R. 16515. A bill to amend the United States Housing Act of 1937 to provide that annual contributions to public housing agencies thereunder may include payment of the cost of services (including social, health, and safety programs) for families in low-rent projects; to the Committee on Banking and Currency.

H.R. 16516. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. HALPERN:

H.R. 16517. A bill to provide security measures for banks and other financial institutions; to the Committee on Banking and Currency.

H.R. 16518. A bill to amend title 18, United States Code, to provide criminal penalties for the manufacture, advertisement for introduction, or introduction into interstate commerce of motor vehicle master keys, and for other purposes; to the Committee on the Judiciary.

H.R. 16519. A bill to authorize the Bureau of Prisons to assist State and local governments in the improvement of their correctional systems; to the Committee on the Judiciary.

By Mr. HATHAWAY:

H.R. 16520. A bill to enable baby chicks, started pullet, laying hen, and table egg producers to consistently provide an adequate supply of these commodities to meet the needs of consumers, to stabilize, maintain, and develop orderly marketing conditions at prices reasonable to the consumers and producers, and to promote and expand the use and consumption of such commodities and products thereof; to the Committee on Agriculture.

H.R. 16521. A bill to provide for the establishment of a Commission on Negro History and Culture; to the Committee on Education and Labor.

By Mr. NEDZI:

H.R. 16522. A bill to establish a commission to investigate the causes and effects of strikes in the newspaper industry and to recommend improved procedures for preventing and settling such strikes; to the Committee on Education and Labor.

By Mr. O'KONSKI:

H.R. 16523. A bill to amend section 303 of the Communications Act of 1934 to require that radios be capable of receiving both AM and FM broadcasts; to the Committee on Interstate and Foreign Commerce.

By Mr. OLSEN:

H.R. 16524. A bill to provide for the appointment of postmasters; to the Committee on Post Office and Civil Service.

By Mr. O'NEILL of Massachusetts (for himself, Mr. MACDONALD of Massachusetts, and Mr. BURKE of Massachusetts):

H.R. 16525. A bill to authorize a project for flood control and related purposes for the lower Charles River, Mass.; to the Committee on Public Works.

By Mr. ROBISON:

H.R. 16526. A bill providing for the designation of the Garibaldi-Meucci Museum, Staten Island, N.Y., as a national historic landmark; to the Committee on Interior and Insular Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

329. By Mr. HALPERN: Memorial of the Legislature of the State of New York, relative to the promotion of the development of the fishing industry and the American fishing fleet to aid in solving the problems of hunger and malnutrition in the world; to the Committee on Merchant Marine and Fisheries.

330. Also, memorial of the Legislature of the State of New York, relative to the declaration of the Garibaldi-Meucci Memorial Museum as a national historical landmark; to the Committee on Interior and Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BURTON of California:

H.R. 16527. A bill for the relief of John Benedict Chiu (also known as Chen-Tien Chiu) and his wife Theresa Chiu (also known as Theresa Hsiao-Wen Chiu); to the Committee on the Judiciary.

H.R. 16528. A bill for the relief of Tony I-Tson Soo and his wife, Adelaide Y. Tsao Soo; to the Committee on the Judiciary.

By Mr. MACDONALD of Massachusetts:

H.R. 16529. A bill for the relief of Agostino D'Ascoli; to the Committee on the Judiciary.

H.R. 16530. A bill for the relief of Francesco Loporto; to the Committee on the Judiciary.

By Mr. ROGERS of Florida:

H.R. 16531. A bill to authorize Thomas W. Shands and Flanders Thompson to bring suit against the United States to determine title to certain lands in Lee County, Fla.; to the Committee on the Judiciary.

By Mr. MOORHEAD:

H.R. 16532. A bill authorizing the President of the United States to present a gold medal to the widow of Martin Luther King, Jr.; to the Committee on Banking and Currency.

By Mr. ASHLEY:

H.R. 16533. A bill authorizing the President of the United States to present a gold medal to the widow of Martin Luther King, Jr.; to the Committee on Banking and Currency.

SENATE—*Monday, April 8, 1968*

The Senate met at 10 o'clock a.m., and was called to order by the President pro tempore.

Rev. Edward B. Lewis, D.D., minister, Capitol Hill Methodist Church, Washington, D.C., offered the following prayer:

Dear Lord and Father of us all, we come to Thee for help and guidance in a tragic hour. We stand in the need of prayer as we recall the tragic events of the past few days.

Our thoughts and prayers are in the interest of the family of the Reverend Martin Luther King, Jr. Be with them in their bereavement. Be near in comfort, especially to Mrs. King and her children.

Our Nation is shocked by the violent death which came to this Christian disciple of the doctrine of nonviolence. We bow in this moment of memorial prayer in recognition of his powerful influence, his needed example, and his effective teaching and preaching which ring in our ears louder after his death.

We pray for strength as we try to repair the physical and spiritual damage that has come to our cities and lives erroneously expressing violence as a memory of his death. Provide through us for the needs and help of the victims of these sad days.

We give Thee thanks for our President, Vice President, the Members of this Senate and other national and local leaders for their untiring efforts and leadership during these critical times. Bless them with inner strength, peace and guidance. Bring peace, O God, to our Nation and our world as we repent of the guilt that is on each of us for the way we have failed each other and Thee in so many ways. Give us light in darkness that the evil of these days will be defeated at the personal altar of sacrifice and dedication of every citizen in our dream of a land of freedom and equal justice. We pray in the Master's name. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Friday, April 5, 1968, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

WAIVER OF CALL OF THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the call of the legislative calendar, under rule VIII, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESSS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1057 as well as the next two bills.

The PRESIDENT pro tempore. Without objection, it is so ordered.

DISTRICT OF COLUMBIA CODE

The Senate proceeded to consider the bill (S. 2015) to amend section 11–1902, District of Columbia Code, relating to the duties of the coroner of the District of Columbia which had been reported from the Committee on the District of Columbia, with an amendment, on page 1, line 9, after the word "nature," insert "and examine and report thereon"; so as to make the bill read:

S. 2015

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 11–1902 of the District of Columbia Code is amended to read as follows:

"§ 11–1902. Inquests; exceptions; jury

"(a) The coroner shall take custody of the body of each person found dead in the District when the manner and cause of death is not already known as accidental or in the course of nature, and examine and report thereon, and, except as provided by subsections (b) and (c), shall hold an inquest concerning the death of such person: *Provided,* That nothing herein contained shall be construed to require the jury of inquest to view, or to be sworn in over, the body of the decedent.

"(b) The coroner may not summon or hold a jury of inquest over the body of a deceased person where it is known that the deceased came to his death by suicide, accident, mischance, or natural causes; except that where it is not known that the deceased came to his death by suicide the coroner may summon a jury.

"(c) The coroner shall not be required to summon or hold a jury of inquest over the body of a deceased person in any case in which a United States commissioner for the District of Columbia or a judge of a court of competent jurisdiction has ordered any person held for action by the grand jury or a court for causing the death of a person, or in which any person has been indicted for causing the death of a person.

"(d) A coroner's jury shall consist of six persons."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1076), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of S. 2015 is to amend the law relating to the duties of the corner of the District of Columbia. The Judiciary Subcommittee held a hearing on S. 2015 on March 8, 1968.

PROVISIONS OF THE BILL

Under present law, the coroner is required to "hold an inquest over the body" of each person found dead in the District when the manner and cause of death is not already known to be accidental or from natural causes. The changes proposed by S. 2015 would dispense with the statutory requirement "to hold an inquest over the body", or swearing over the body, by the jurors. The committee believes that the ceremony of swearing the jurors over the body of a deceased is antiquated and serves no useful purpose. The bill simplifies the procedure to require that the coroner "shall take custody of the body" and hold an inquest in the same cases in which the statute presently requires inquests to be held.

The object of a coroner's inquest is to obtain information as to whether death was caused by some criminal act and to obtain evidence to prevent the escape of the guilty person, as well as to furnish the foundation for a criminal prosecution in case death is shown to be felonious.

On occasion, in some cases involving deaths, the U.S. attorney's office has, prior to action by the coroner, found it necessary to present the cases to the grand jury in order to complete extradition proceedings to the District for persons who fled to other jurisdictions. In other cases, the defendant has, prior to any inquest, been arraigned in the District of Columbia court of general sessions and ordered held for action by the grand jury. In each of these cases, existing law requires that a coroner's inquest be held.

In cases where a U.S. commissioner or a judge has ordered a person held for action of the grand jury, or in a case where the person has been indicted for causing the death, an inquest would serve no useful purpose since the criminal process has been instituted and probable cause to charge homicide has been judicially established. Paragraph (c) of the bill dispenses with the requirement for an inquest in all such cases where probable cause has been established. In this respect, the committee believes the bill dispenses with unnecessary hearings and results in greater efficiency and economy.

AMENDMENT

The committee agreed to amend the bill as suggested by the U.S. attorney for the District of Columbia. This amendment would clarify that the coroner is required to do something beyond merely taking "custody of the body"; it would require him to examine the body and prepare a medical report of his findings. The report of his findings may be extremely valuable in the preparation of homicide cases for trial, especially in those cases where an inquest by a jury has been dispensed with.

CONCLUSION

Your committee recommends approval of S. 2015 as amended by the committee.

POLICE MUTUAL AID

The Senate proceeded to consider the bill (S. 2496) to authorize the Commissioner of the District of Columbia to enter into and renew reciprocal agreements for police mutual aid on behalf of the District of Columbia with the local governments in the Washington metropolitan area was announced as next in order.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on the District of Columbia, with amendments, on page 1, line 6, after the word "governmental" strike out "units" and insert "unit"; on page 2, line 1, after the word "employees," strike out "of the District together with all necessary equipment, in the event of an emergency resulting from the existence of a state of war, internal disorder, or fire, flood, epidemic, or other public disaster" and insert "together with all necessary equipment, in event of war, internal disorder, fire, flood, epidemic, or other public disorder which threatens or has occurred"; and at the top of page 3, insert a new section, as follows:

Sec. 4. The Commissioner of the District of Columbia shall be responsible for directing the activities of all policemen and other officers and agents coming into the District pursuant to any such reciprocal agreement, and the Commissioner is empowered to authorize all policemen and other officers and agents from outside the District to enforce the laws applicable in the District to the same extent as if they were duly authorized officers and members of the Metropolitan Police force of the District of Columbia.

So as to make the bill read:

S. 2496

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioner of the District of Columbia is hereby authorized in his discretion to enter into and to renew reciprocal agreements, for such period as he deems advisable, with any county, municipality, or other governmental unit in the States of Maryland and Virginia, in order to establish and carry into effect a plan to provide mutual aid, through the furnishing of policemen and other agents and together with all necessary equipment, in the event of war, internal disorder, fire, flood, epidemic, or other public disorder which threatens or has occurred.

Sec. 2. The District of Columbia shall not enter into any such agreement unless the agreement provides that each of the parties to such agreement shall (1) waive any and all claims against all the other parties thereto which may arise out of their activities outside their respective jurisdictions under such agreement; (2) indemnify and save harmless the other parties to such agreement from all claims by third parties for property damage or personal injury which may arise out of the activities of the other parties to such agreement outside their respective jurisdictions under such agreement.

Sec. 3. The policemen and other officers, agents, and employee of the District, when acting hereunder or under other lawful authority beyond the territorial limits of the District, shall have all of the pension, relief, disability, workmen's compensation, and other benefits enjoyed by them while performing their respective duties within the District of Columbia.

Sec. 4. The Commissioner of the District of Columbia shall be responsible for directing the activities of all policemen and other officers and agents coming into the District pursuant to any such reciprocal agreement, and the Commissioner is empowered to authorize all policemen and other officers and agents from outside the District to enforce the laws applicable in the District to the same extent as if they were duly authorized officers and members of the Metropolitan Police force of the District of Columbia.

Mr. BREWSTER. Mr. President, I rise to comment briefly on my bill, S. 2496. In recent years, the local jurisdictions which compose the Washington metropolitan area have been confronted with many urban problems that are regional in nature. It was for this reason that the Metropolitan Washington Council of Governments was formed. The Council of Governments is a voluntary association of the area's 15 major local governments.

The Public Safety Policy Committee of the Council of Governments is concerned with the coordination of police, fire, civil defense, traffic safety and codes and regulations related thereto on a regional basis.

On September 29, 1967, the membership of the Public Safety Policy Committee voted unanimously to urge Congress and the State legislature in Maryland and Virginia to adopt enabling legislation which would allow the local governments of our region to enter into police mutual aid agreements.

This type of legislation was first suggested by the Regional Police Chiefs' Committee, which advises the Council of Governments on police matters. The police committee is composed of the chiefs of police from all area local governments in addition to representatives from the FBI, the Secret Service and the Capitol Police, the Park Police, the airport police and the military police.

The Police Chief's committee has expressed concern on many occasions over the fact that while crime and civil disorder often affect more than one jurisdiction in our area, a police officer cannot render emergency assistance beyond the boundaries of his own jurisdiction.

To resolve this difficultly, Mr. President, I introduced S. 2496 to pave the way for an agreement which would eliminate jurisdictional restrictions incumbent upon area law enforcement officers in emergency situations.

S. 2496 authorizes the new Mayor of the District of Columbia to enter into and renew reciprocal agreements for police mutual aid on behalf of the District of Columbia with the other local governments in the Washington metropolitan area.

At his discretion, and for such periods as he deems advisable, the mayor would be permitted to enter into reciprocal agreements with any county, municipality, or other governmental units in the States of Maryland and Virginia for this purpose.

The agreements would allow the District and surrounding jurisdictions to establish and carry into effect a plan to provide mutual aid, through the furnishing of policemen and other agents and employees of the District, together with all necessary equipment in the event of an emergency resulting from the existence of a state of war, internal disorder, or fire, flood, epidemic, or other public disaster.

The legislation would indemnify officers responding to requests for emergency assistance from claims from third parties and would assure that while working outside their own jurisdictions, they would still be covered by all of the pension, relief, disability workmen's compensation and other benefits they enjoy while performing their respective duties within the District of Columbia.

Mr. President, Congress and the State Legislatures of Maryland and Virginia several years ago approved a bill permitting the development of reciprocal agreements for mutual firefighting aid by the local area governments.

Passage of S. 2496 is essential if our local police forces are to meet adequately the growing interjurisdictional challenges to the life and property of our area's citizens. I urge my colleagues in the Senate to follow the lead of the Senate District Committee, and act early and favorably on S. 2496.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1077), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of S. 2496 is to authorize the District of Columbia government to enter into reciprocal agreements with governmental units in Maryland and Virginia to provide police mutual aid when emergencies threaten or occur.

NEED FOR THE LEGISLATION

In recent years, the local jurisdictions which compose the Washington metropolitan area have been confronted with many problems that are regional in nature. Because the metropolitan area comprises parts of two States and the District of Columbia, large numbers of area residents travel back and forth across boundary lines every day, and may be as concerned with, and affected by, what happens in the District of Columbia as they are with events in surrounding communities.

Emergencies such as epidemics, floods, fires, riots, or other internal disorders may affect more than the immediate area of the disaster or may create a sudden temporary need for additional police protection for the people in the affected area. However, police officers cannot now render emergency assistance beyond the boundaries of their own jurisdiction. Your committee believes that the public interest requires that there be some relaxation of the traditional boundary restrictions when actual or impending disaster threatens the public safety anywhere in the area.

BACKGROUND

S. 2496 is patterned after the act approved August 14, 1950 (64 Stat. 441), as amended (78 Stat. 585; D.C. Code, sec. 4–414), entitled "An act to provide for a mutual-aid plan for fire protection by and for the District of Columbia and certain adjacent communities in Maryland and Virginia, and for other purposes."

Congress has also authorized the District of Columbia to enter into interstate civil defense compacts (68 Stat. 59). These compacts are intended to provide mutual aid among the States in meeting an emergency or disaster from enemy attack, including sabotage and subversive acts. Pursuant to that act, the District of Columbia entered into compacts with the States of Virginia and Maryland in June 1954.

Some of the contingencies which S. 2496 is designed to cover fall within the area of the agreements reached pursuant to the civil defense legislation. However, those agreements authorized under that act do not, like those contemplated under the authority of S. 2496, provide for emergencies caused by internal disorder. Moreover, the act authorizes agreements between State governments, including the District of Columbia, whereas the present bill provides for agreements between the District Commissioner and county, municipal and other governmental units of the adjacent States.

The committee has been informed that police mutual aid agreements cutting across State lines already exist in some locations throughout the country. Information received from the International Association of Chiefs of Police indicates that there are arrangements for police mutual aid between Kansas City, Mo., and Kansas City, Kans.; between Rock Island, Ill., and Davenport, Iowa; and between Bristol, Va., and Bristol, Tenn.

The Virginia Legislature approved legislation in its 1968 session that would enable county and municipal governments including those in the northern Virginia portion of the Washington metropolitan area, to enter into police mutual aid agreements with other jurisdictions. The Maryland Legislature considered but did not give final approval to a similar bill in the legislative session recently concluded.

HEARINGS

The Subcommittee on the Judiciary held a hearing on S. 2496 on March 8, 1968. The bill received the support of the Department of Justice, the District of Columbia government, and the Metropolitan Washington Council of Governments.

PROVISIONS OF THE BILL

The first section of the bill authorizes the Commissioner of the District of Columbia at his discretion to enter into reciprocal agreements with county, municipal, or other governmental units in Maryland and Virginia for the purpose of establishing and carrying out plans to provide mutual aid, through the furnishing of policemen and other employees, and necessary equipment, in the event of an emergency resulting from war, internal disorder, fire, flood, epidemic, or other public disaster. The committee amended this section to permit appropriate measures to be taken in anticipation of such emergencies as it would cover. The committee believes that a mutual aid plan for riot control, for example, should go into effect when as assemblage gathers or is expected to gather under circumstances which could foreseeably result in internal disorder.

Section 2 provides that the District enter no agreements unless the parties to the proposed agreement waive claims against all other parties arising from their activities beyond their respective jurisdictions, and indemnify the aiding parties against third-party claims.

Section 3 provides that District employees acting outside the District pursuant to agreements made under the authority of the bill shall have all the benefits they enjoy while performing their duties within the District.

The committee amended the bill to add section 4. This section provides that the Commissioner shall be in command of all policemen and other officers and agents coming into the District pursuant to reciprocal agreements, and that the Commissioner may vest in police officers from outside the District the same power and authority as is exercised by members of the Metropolitan Police force.

AMENDMENTS

Amendments to permit the taking of action in anticipation of emergencies and to empower policemen from outside the District to exercise police authority when called into the District of Columbia have been discussed in the previous paragraphs.

The committee also approved two technical amendments. One is to make clear that the plans to be undertaken by reciprocal agreements will concern policemen and other employees of the various governmental units concerned, as well as of the District of Columbia. The other amendment is a language correction.

CONCLUSION

Your committee believes S. 2496 will help to fill a need for mutual cooperation between local law enforcement agencies for dealing with emergencies in the Washington metropolitan area that might otherwise lead to chaos. The committee recommends the prompt passage of S. 2496.

UNIFORM GIFTS TO MINORS ACT

The bill (H.R. 5799) to amend the District of Columbia Uniform Gifts to Minors Act to provide that gifts to minors made under such act may be deposited in savings and loan associations and related institutions, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1075), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of H.R. 5799 is to amend the District of Columbia Uniform Gifts to Minors Act so as to provide that monetary gifts to minors in the District may be deposited in savings and loan associations, credit unions, and related institutions, as well as in banks.

BACKGROUND

In its present form, the District of Columbia Uniform Gifts to Minors Act (79 Stat. 744; title 21, sec. 3, District of Columbia Code) provides that a gift of money to a minor may be deposited in a bank, for credit to an account in the name of the donor or other adult, or a bank with trust powers, as custodian of that monetary gift for the minor. In that act, the term "bank" is defined as "a person or association of persons carrying on the business of banking, whether incorporated or not, in the District of Columbia." The present law does not include homestead or building associations, building and loan associations, savings and loan associations, or Federal credit unions as eligible depositories of monetary gifts to minors.

The committee is aware of no reason why such financial institutions should not be eligible depositories for such gifts, and believes that for such transactions, these institutions should be placed on a par with banks. One of the purposes of such associations and credit unions is to encourage and promote savings and thrift, and the committee believes it appropriate that they be permitted to accept deposits of such monetary gifts.

H.R. 5799 passed the House of Representatives on June 26, 1967.

PROVISIONS OF THE BILL

H.R. 5799 solves the problem referred to above by substituting the term "financial institution" for the word "bank" throughout the Uniform Gifts to Minors Act.

In addition, "financial institution" is then defined in these amendments to include "any bank, homestead or building association, local savings and loan association, Federal savings and loan association, or Federal credit union, having an office in the District of Columbia." This language is felt by all parties concerned to embody a correct solution to this situation.

HEARING

At a public hearing conducted by the Judiciary Subcommittee on March 8, 1968, testimony favoring the enactment of this proposed legislation was submitted by spokesmen for the District of Columbia Government, the District of Columbia Credit Union League, and the District of Columbia Savings and Loan League, Inc. In addition, your committee was advised that the bill has the endorsement of the Washington Bar Association. No opposition to the passage of the bill was expressed.

CONCLUSION

The committee is advised that the laws governing gifts to minors in at least 40 of the States now permit such monetary gifts to be deposited in trust in other standard financial institutions as well as in banks. In your committee's view, this same latitude of authority, as is provided in H.R. 5799, should be made a part of the District of Columbia Uniform Gifts to Minors Act.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may proceed for 3 additional minutes.

The PRESIDING OFFICER (Mr. GORE in the chair). Without objection, it is so ordered.

A TIME OF CRISIS

Mr. MANSFIELD. Mr. President, we live in the most troublous period in the history of the Republic, and we have perhaps passed through the most significant 7 days of our lives. We must consider, I believe, three major problems at this time, so that we can keep our views in perspective.

The first is the question of urban unrest, which is now so prevalent throughout our land.

I would express the hope that the House very shortly—I recognize the fact that that is its responsibility—would pass the civil rights bill passed by the Senate several weeks ago. I would hope, also, that the Senate, in its appropriate committee, would report the equal opportunities employment bill, which has been under consideration for more than a year.

I am glad to note that the Committee on the Judiciary has reported the safe streets bill, but I understand that because of a time limitation to allow various points of view to be annotated, it will not be and could not be brought up until after the Easter recess.

Mr. President, I recognize that laws and appropriations alone are not the answer in the field of urban unrest. I believe that part of the answer lies in a greater participation on the part of private industry in facing up to this problem which confronts all of us. I feel, also, that a greater degree of responsibility on the part of our citizens is mandatory. I feel, also, that there must be a respect for law and order on the part of all of us, and it is my belief that this is vitally necessary if we are to regain our self-respect.

The second factor of importance is the question of Vietnam. I would hope that, in view of the President's speech on Sunday a week ago, and on the basis of events since then, all of us, regardless of our personal views, would give him our full support in his endeavors to bring about an end to that barbaric conflict.

So far as the holding of the conference which may be in the offing is concerned, it really is immaterial where it will be held; but if I may express a personal wish, it would be my thought that inasmuch as this is an Asian problem, perhaps a good site would be Rangoon, in Burma, or Pnom Penh, in Cambodia.

The third factor is the instability of the dollar—and may I say that we cannot dissociate the urban unrest, Vietnam, or the last mentioned factor. I would hope that the House would pass the Senate-approved bill which imposes a 10-percent surcharge tax on income tax payments, a $10 billion reduction in the budget, and a $6 billion reduction in the field of expenditures; or, if this is not possible in conference, that the House would report a measure with a comparable degree of fiscal restraint.

All three momentous crises must be faced now and action must be taken, even though it will not provide overnight solutions. The measures recommended above will provide only a start, but a good and necessary start.

Mr. President, let all of us forget our own political futures, personal and partisan, and do what must be done for the common good and the survival of the Nation. All else is of little consequence. If the President can make the sacrifice which he has made, I believe Congress can join him in making the necessary sacrifices to see that this Nation is once again put on an even keel.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. KUCHEL. Mr. President, the remarks of the Senator from Montana are reechoed by those of us who sit on this side of the aisle.

This is our country. We can do with it as we wish. We can build it. We can make it a nation where all human beings who call themselves American citizens have an opportunity to make progress.

I earnestly congratulate the leader of the Democratic Party in the Senate for the manner in which he has spoken. Surely, all of us must demonstrate a respect for law and order. With the freedom we have as American citizens goes a greater responsibility to maintain the kind of human system that has been established in our country. Law and order must be respected, and the law must be enforced.

When I left here on Friday afternoon and saw my fellow citizens in battle uniform, ordered to maintain vigilance over this Capitol Building, with machineguns in the hands of some of them, it almost seemed like a nightmare; it almost seemed like some kind of motion picture set.

So it has happened. We need now to begin to assess the damages, and to demonstrate that those who break the law must pay the penalty; but also we need to take the long-range steps that my good friends, the Senator from Montana, has called for this morning. I join him in earnestly hoping that the House of Representatives will approve the civil rights bill, with the fair housing legislation, which we fashioned in this Chamber.

I earnestly hope that representatives of the American people and the American people themselves will demonstrate to the world that we are united behind the President as he now seeks an honorable and decent solution to the war in Vietnam. It matters not to me where the locale of any negotiations which take place might be.

Speaking as a Republican, I earnestly join the leader of the majority party with respect to what he said in connection with the problem of the American dollar. The Senate, thank God, has acted and it has acted in a bipartisan fashion. It has seen the danger and it has taken a forward step. I hope the House of Representatives approves the action of the Senate or, as the Senator said, that it will do the same thing in another legislative vehicle, if that is necessary.

At any rate, I wish to say, "MIKE MANSFIELD, you are a leader in this society, and I am glad to support you."

Mr. MANSFIELD. I thank the Senator.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate go into executive session to consider nominations on the Executive Calendar.

The motion was agreed to, and the Senate proceeded to consider executive business.

DEPARTMENT OF DEFENSE

The legislative clerk proceeded to read sundry nominations in the Department of Defense.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations are considered and confirmed en bloc.

U.S. ARMY

The legislative clerk proceeded to read sundry nominations in the U.S. Army.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDING OFFICER laid before the Senate the following letters, which were referred as indicated:

PROPOSED AMENDMENT OF THE FARM LOAN ACT AND THE FARM CREDIT ACT OF 1933, AS AMENDED

A letter from the Governor, Farm Credit Administration, transmitting a draft of proposed legislation to amend the Federal Farm Loan Act and the Farm Credit Act of 1933, as amended, to improve the capitalization of Federal Intermediate credit banks and production credit associations, and for other purposes (with an accompanying paper); to the Committee on Agriculture and Forestry.

REPORT OF FEDERAL POWER COMMISSION

A letter from the Chairman, Federal Power Commission, transmitting, for the information of the Senate, a report of the Commission on the Pennsylvania-New Jersey-Maryland Interconnection Power interruption of June 5, 1967, dated March 1968 (with an accompanying report); to the Committee on Commerce.

REPORT OF COMMUNICATIONS SATELLITE CORPORATION

A letter from the Chairman of the Board, Communications Satellite Corporation, transmitting, pursuant to law, a report of the Corporation for the calendar year 1967 (with an accompanying report); to the Committee on Commerce.

REPORTS OF THE COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report for the need for revision in policy regarding assessment of late charges on delinquent loan repayments, Veterans' Administration, dated April 3, 1968 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on maintenance of automatic data processing equipment in the Federal Government, dated April 3, 1968 (with an accompanying report); to the Committee on Government Operations.

ANNUAL REPORT, DIVISION OF COAL MINE INSPECTION, BUREAU OF MINES

A letter from the Secretary, Department of the Interior, transmitting, pursuant to law, the annual report of the Division of Coal Mine Inspection, Bureau of Mines, for the calendar year January 1, 1967, through December 31, 1967 (with an accompanying report); to the Committee on Interior and Insular Affairs.

PROPOSED AMENDMENT OF SECTION 313 OF THE ACT APPROVED OCTOBER 27, 1965 (79 STAT. 1073)

A letter from the Secretary, Department of the Army, transmitting a draft of proposed legislation to amend section 313 of the act approved October 27, 1965 (79 Stat. 1073); with an accompanying paper; to the Committee on Public Works.

REPORTS OF ATOMIC ENERGY COMMISSION

A letter from the Chairman, Atomic Energy Commission, transmitting, pursuant to law, two reports on the Commission's work during the past year, entitled "Annual Report to Congress for 1967" and its supplement, "Fundamental Nuclear Energy Research—1967," dated January 1968 (with accompanying reports); to the Joint Committee on Atomic Energy.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDING OFFICER:

Resolutions adopted by the municipal council of the city of Newark, N.J., praying for the enactment of legislation relating to imports on certain goods; to the Committee on Finance.

A resolution adopted by the Latvian Association, of Detroit, Mich., relating to the 50th anniversaries of the independence of the Baltic States of Latvia, Lithuania, and Estonia; to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SCOTT (for Mr. DIRKSEN), from the Committee on the Judiciary, without amendment:

H.R. 7909. An act for the relief of Manufacturers Hanover Trust Co., of New York, N.Y. (Rept. No. 1084).

By Mr. THURMOND, from the Committee on the Judiciary, without amendment:

H.R. 2434. An act for the relief of Nora Austin Hendrickson (Rept. No. 1085).

By Mr. MAGNUSON, from the Committee on Commerce, with amendments:

S.J. Res. 129. Joint resolution to authorize the Secretary of Transportation to conduct a comprehensive study and investigation of the existing compensation system for motor vehicle accident losses, and for other purposes (Rept. No. 1086).

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMATHERS:

S. 3289. A bill for the relief of Dr. Francisco A. Aviles; to the Committee on the Judiciary.

By Mr. NELSON (for himself and Mr. LONG of Louisiana):

S. 3290. A bill to amend the Federal Food, Drug and Cosmetic Act, as amended, to require that the label of drug containers, as dispensed to the patient, bears the established name of the drug dispensed; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. NELSON when he introduced the above bill, which appear under a separate heading.)

By Mr. CLARK:

S. 3291. A bill for the relief of Lieutenant Ching Chiu Liu, his wife, Shu Tze Liu, and their son, Pulvin Liu; to the Committee on the Judiciary.

By Mr. ELLENDER:

S. 3292. A bill to amend the Federal Farm Loan Act and the Farm Credit Act of 1933, as amended, to improve the capitalization of Federal intermediate credit banks and production credit associations, and for other purposes; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. ELLENDER when he introduced the above bill, which appear under a separate heading.)

By Mr. BROOKE:

S.J. Res. 159. Joint resolution designating January 15 of each year as "Martin Luther King Day"; to the Committee on the Judiciary.

(See the remarks of Mr. BROOKE when he introduced the above joint resolution, which appear under a separate heading.)

S. 3290—INTRODUCTION OF A BILL TO COMPEL LABELING OF PRESCRIPTION DRUG CONTAINERS WITH GENERIC NAMES

Mr. NELSON. Mr. President, today I am introducing a bill which would amend the pure food and drug laws, to make mandatory the identification on the label, by their general names, of the contents of each container of drugs sold to the ultimate consumer.

This is the second measure I have introduced to help modernize the Nation's drug laws. The necessity for this change became apparent during hearings I am conducting as chairman of the Monopoly Subcommittee investigating prescription drug prices.

A very distinguished authority and famous medical expert, Dr. Helen Taussig, who discovered that thalidomide caused phocomelia—infants born without fully developed limbs—testified to the importance of generic labeling.

She said on November 28, 1967, before the subcommittee:

> A bottle without a generic name is a dangerous custom since it means that a large amount of unlabeled medicine that has been withdrawn from the market may remain available, but also that, when medicines are taken by mistake, especially by children, the doctor may be at a loss to know what has been taken.
>
> Although common sense calls for a change in this custom, a concerted effort by the medical profession will be necessary to effect such a change.

Dr. Taussig went on to say:

> It is necessary to know the generic name, because if it is produced under 50 different trade names, (it) is very hard to know whether you may not be changing to exactly the very same product you have had before.

She stated that during the thalidomide tragedy 50 to 100 different brands of the drug were on the market and that identification of all of them was impossible. As a matter of fact, Dr. Taussig stated that in Brazil, where a number of deformed children were born, tragic confusion reigned. Drug investigators state that thalidomide was not being sold in the country, when in fact, it was being sold under five different trade names.

Dr. Taussig said that this tragedy could occur again, especially in view of the number of potent drugs which are being developed and sold today.

She told the committee that she felt that "pharmaceutical firms would derive certain benefits in having the generic name on the bottles." She said that it would prevent a less scrupulous company from marketing a product which did not contain the essential ingredient and giving the product such a closely similar name that people believe it is the same product.

She illustrated this with an example of two drugs called Softnon and Softenil. The confusion was compounded since one compound contained thalidomide, but the question remained as to which one.

Authorities in the field also believe that the appearance of the generic name on the label would prevent the less scrupulous company from learning the makeup of a formula, then manufacturing the drug, and selling it under a different name. This also occurred in the case of thalidomide.

Representatives of the Pharmaceutical Manufacturers Association, testifying on November 21, 1967, gave unqualified support to generic labeling.

I asked Mr. Lloyd Cutler, special counsel for the Pharmaceutical Manufacturers Association:

> Senator Nelson. We had testimony yesterday from Dr. Helen Taussig. She testified the same way some other expert witnesses we have had respecting the labeling of bottles that go to the patients from the pharmacist. . . . She testified, as have some other witnesses, that she thought it was very important that the bottle that goes to the patient from the pharmacist have on the label the generic name of the product—excepting, of course, where a doctor has specific reasons for insisting that the generic name not be on the bottle.
>
> Does the Pharmaceutical Manufacturers Association endorse that idea?
>
> Mr. Cutler. That is the recommendation as I understand it of the American Medical Association, and the Pharmaceutical Manufacturers Association supports that proposal. The PMA also thinks that the manufacturing sources should be identified and the brand name when there is one in addition to the generic name.
>
> Senator Nelson. You have no objection to the appearance of the generic name.
>
> Mr. Cutler. No sir.

Dr. Margaret M. McCarron, F.A.C.P., associate clinical professor of medicine, University of Southern California School of Medicine, and assistant medical director and chairman of the therapeutic committee, Los Angeles County General Hospital, Los Angeles, Calif., testified to the need for generic labeling on June 29, 1967.

Page 585 of the hearings record is clear:

> Dr. McCarron. I would like to insert here that we have had problems when our prescriptions were not labeled by generic name. A very good example of this is hydrochlorothiazide, which is a diuretic agent that is in wide use. This drug is made by three drug companies, Hydrodiuril for Merck, Oretic from Abbott, and Esidrix from Ciba.
>
> Because of our system of bidding, and the size of our hospital, we may have three brands of this drug in the hospital at the same time. Patients go to various clinics, and there are several conditions in which the patient would have edema, for which this type of drug would be used. The doctor in the medical clinic would order Esidrix. I am not sure of these colors. I think Esidrix is yellow.
>
> Then the patient would go to another clinic and the doctor there would see a little edema and would give her Oretic or hydrochlorothiazide. The patient might end up with three bottles labeled with different names of drugs that were of different colors. The patient obviously thinks they are three different drugs and takes all of them. We have had patients admitted to the hospital with low potassium levels and with digitalis intoxication and all kinds of things that result from the fact that they have taken an overdose of this medicine—hydrochlorothiazide.
>
> Now, we are trying to obviate this: one, by using generic names and having our pharmacist print the generic name on the label, so that the patient can at least see that, although the tablet colors are different, and the sizes are different, the drug is the same drug.
>
> We have also instituted a computer method, which isn't fully operational at this date. What we would like to do is have a computer record of all the medicine that has been dispensed, and present that to the doctor when the patient comes in to the clinic. The computer record would also include any adverse drug reactions that the patient has had or any known allergies, so that every physician, every time the patient is seen, has a record of the drug therapy, and any complications to it.
>
> Mr. Gordon. Dr. McCarron, you heard Dr. Cluff's statement before, did you not?
>
> Dr. McCarron. Yes.
>
> Mr. Gordon. Now, wouldn't you say that the example you just gave us about Esidrix, hydrocholorthiazide, and the other one, is a good example of how the use of brand names induces overmedication?
>
> Dr. McCarron. Yes.
>
> Mr. Gordon. Thank you.
>
> Dr. McCarron. Well, these errors, and they are errors that shouldn't occur, are errors that do occur in a very large hospital where many doctors are taking care of a patient and a patient goes to various clinics.
>
> We are trying to set up an administrative method to decrease that, but we have an added problem in that the names of the drug are not the same and the colors are not the same, and the patient gets confused. However, the patient could pick up some of these errors himself, if he knew what he was taking.
>
> Senator Nelson. It is also a problem of confusion to the physician?
>
> Dr. McCarron. Yes.
>
> Senator Nelson. Does he necessarily know all of the brand names?
>
> Dr. McCarron. No; and the generic names have helped us tremendously this way.
>
> The conversion to the new system was relatively easy because of the small number of items stocked in the pharmacy and the availability of the drug formulary. A pharmacist without prior training in computer techniques was able to type 500 labels in 1 day after 1 week's experience with the method. If the number of drugs available was not limited, a significant portion of her time would have been spent in nonproductive work inquiring the code name of the drug from the computer, with the hope that the computer had been programed for the item.

A pharmacist from St. Louis, Mo., wrote me recently:

> If I were to introduce legislation requiring prescription labels to cite the name of the drug content, you will be doing more for the pharmacy and the consumer than any single piece of legislation in my memory as a pharmacist.

A letter from a Milwaukee constituent points out the need for this measure:

> I was so happy to see your concern with the drug industry operation. I am particularly interested in drug treatment and knowledge of its consequences from misuse. I realize that in this day of miracle drugs we are all happy for the experiment that might save a dying member of our family but I feel we must watch the everyday use of miracle drugs. My son is allergic and we found thru testing he was allergic to common dust pollens etc. Because of this sensitivity I became concerned with drug sensitivity. He is subject to strep throat so he is given antibiotics often. Our doctor recently was away and I went to family doctor and he prescribed antibiotic Rhondomycin. That night he had terrible hallucinations—no fever. He had lingering ear noise for months. There is no proof this came from drug since he did come down with chicken pox but pediatrician said he would not have given my son that drug since he felt the hospital had not tested it enough under hospital supervision . . . Now, I had forgotten to tell our family doctor about the drug and this year he had throat trouble and as I was filling prescription saw Rhondomycin and I stopped filling same.
>
> My plea is that Wisconsin as in Iowa, California and many other states should have the name of drug on every perscription filled. Has there ever been any legislation in this behalf? . . . I make this plea for allergic mothers who see newspaper articles identifying possible drug reaction complications and not be sure what drug their children are taking. I also make this plea for the elderly who are careless at times with their drug use. My father-in-law changes doctors often and he is diabetic. He often will get new diabetic medication as he complains that the old one isn't working he also gets new deuritics for his heart. As he is older we often check to see what he is taking but he has so many bottles it is difficult to determine if he accidentally is taking two deuritics and two diabetic pills at same time. If the common name was on bottle it would be easier for him and others to identify this and when we read of some new pill that should not be taken with certain deuritics or diabetic pills we can check easily. Let's Lobby for Drug Labeling on all Prescriptions . . . Save lives of the allergic and the elderly . . . .

Mr. President, the requirement of such a simple change in the laws is too elementary to belabor with repeated arguments.

An eminent pediatrician supports the change. The Pharmaceutical Manufacturers Association endorses the change. The American Medical Association supports the idea, as do pharmacists and consumers.

There is a wealth of support for the change.

The Congress should speedily enact this necessary legislation.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3290) to amend the Federal Food, Drug, and Cosmetic Act, as amended, to require that the label of drug containers, as dispensed to the patient, bears the established name of the drug dispensed, introduced by Mr. Nelson (for himself and Mr. Long of Louisiana), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

S. 3292—AMENDMENT OF FEDERAL FARM LOAN ACT AND THE FARM CREDIT ACT OF 1933

Mr. ELLENDER. Mr. President, I send to the desk a bill to amend the Federal Farm Loan Act and the Farm Credit Act of 1933, as amended, to improve the capitalization of Federal intermediate credit banks and production credit associations, and for other purposes, and I ask unanimous consent that there be inserted in the Record at this point a short explanation of the bill, together with a letter from the Farm Credit Administration requesting its introduction and further explaining it.

The PRESIDING OFFICER. The bill

will be received and appropriately referred.

The bill (S. 3292) to amend the Federal Farm Loan Act and the Farm Credit Act of 1933, as amended, to improve the capitalization of Federal intermediate credit banks and production credit associations, and for other purposes, introduced by Mr. Ellender, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry, and the explanation and letter were ordered to be printed in the Record, as follows:

Short Explanation

FEDERAL INTERMEDIATE CREDIT BANK AMENDMENTS

Sec. 1(a) The debt-to-capital ratio of the 12 FICBs, which limits the amount of debentures and similar obligations the FICBs may issue to obtain loan funds, would be increased to 20 to 1 (from 12 to 1).

Sec. 1(b) Each FICB would be permitted to issue participation certificates, in addition to those issued as patronage refunds, for purchase by financing institutions (other than PCAs) that are entitled to receive participation certificates from the bank as patronage refunds.

Sec. 1(c) Amounts in the reserve account of an FICB that are allocated to PCAs may be adjusted to reestablish the amount owned by each association in proportion to its patronage during the immediately preceding three fiscal years, if and when similar adjustment is made with respect to class B stock of the bank owned by PCAs as was authorized in 1965.

PRODUCTION CREDIT ASSOCIATION AMENDMENTS

Sec. 2(a) As may be authorized under FCA rules and regulations, a PCA could be permitted to cancel or retire class B stock, either upon payment of a loan or to apply the proceeds in partial or final payment of a loan, and in other circumstances.

Sec. 2(b) Subject to FCA rules and regulations, a PCA may issue its capital notes for sale to borrowers and others but such notes, together with other liabilities of the association, may not exceed ten times the capital and surplus of the association.

Farm Credit Administration,
Washington, D.C., April 5, 1968.

The Honorable the President of the Senate,
U.S. Senate.

Dear Mr. President: There is transmitted herewith a proposed bill "To amend the Federal Farm Loan Act and the Farm Credit Act of 1933, as amended, to improve the capitalization of Federal intermediate credit banks and production credit associations, and for other purposes." The proposed bill consists of five amendments to existing law, three of which will be discussed later as Federal intermediate credit bank amendments and two as production credit association amendments. The major proposal is to provide that the statutory debt-to-capital limitation on the Federal intermediate credit banks, which determines the amount of debentures they may market to obtain loan funds, shall be 20 to 1 instead of 12 to 1. The present limitation (12 to 1) is unnecessarily conservative and too restrictive if the credit banks are to continue to meet the increasing demands for agricultural financing without calling on the Government for more capital and while returning within a reasonable time the Government capital they now have. There also are amendments which would enlarge the amount of capital for the credit banks obtainable from other sources, i.e., production credit associations and other institutions that are financed by the credit banks. Before describing the proposed amendments in more detail, it may be helpful to have some background information on the banks and associations involved and how they operate.

INFORMATION ON FEDERAL INTERMEDIATE CREDIT BANKS AND PRODUCTION CREDIT ASSOCIATIONS

The Federal intermediate credit banks, one in each of the 12 farm credit districts into which the 50 States and Puerto Rico are divided, were established in 1923. They were organized and operate under title II of the Federal Farm Loan Act as added by the Agricultural Credits Acts of 1923 and since amended. Their primary function is to discount for, or purchase from, production credit associations and other financing institutions, with their indorsement, notes representing loans made by them to farmers and ranchers; and to make loans and advances to such associations and other financing institutions to enable them to make or carry loans for any agricultural purpose. Loans made to farmers or ranchers may be used as collaterial for loans and advances from the credit banks. There now are about 118 other financing institutions, being served by the Federal intermediate credit banks but approximately 95 percent of the discounting and lending by such banks is for production credit associations.

The Federal intermediate credit banks obtain funds for such discounting and lending by selling their consolidated debentures in the public securities market. These debentures, for which loans made to farmers or ranchers are pledged as collateral, are the joint and several obligations of the 12 credit banks and are not obligations of the United States. During the fiscal year ending June 30, 1967, $4.2 billion of such debentures were issued and the total amount outstanding at the end of the year was $3.3 billion.

Throughout the country there are 459 production credit associations, with the number in the 12 farm credit districts varying from 22 to 65. The associations are chartered by the Farm Credit Administration and operate under the provisions of the Farm Credit Act of 1933, as amended. Each association has a prescribed territory, usually ranging from one or more counties up to as much as one State or more, within which it makes loans to farmers and ranchers. Loan maturities usually are not more than a year but loans may be made for terms up to seven years. During fiscal 1967, the volume of this lending, with loan funds furnished by the Federal intermediate credit bank in each of the 12 districts, totaled $5.1 billion. Out of a total membership of 548,279 at the end of that year, there were 322,700 borrowing members of the associations with $3.7 billion of loans outstanding.

Further information about the banks and associations will be given in describing the specific amendments that relate to them.

FEDERAL INTERMEDIATE CREDIT BANK AMENDMENTS

Section 1(a). As noted in the third preceding paragraph, to obtain funds with which to finance production credit associations and other institutions in making loans to farmers and ranchers, the 12 Federal intermediate credit banks sell their consolidated collateral trust debentures in the public securities market. Under existing law (12 U.S.C. 1041 (Supp. II, 1967)), there is a limitation "That the aggregate amount of the outstanding debentures and similar obligations issued by the Federal intermediate credit banks shall not exceed twelve times the surplus and paid-in capital of all such banks." The proposed amendment is to substitute "twenty" for "twelve" in the quoted provision so that the permissible debt-to-capital ratio would be 20 to 1 instead of 12 to 1. The need and justification for this is explained in what now follows.

When the debt-to-capital ratio of the credit banks is close to 12 to 1, and loans and discounts are increasing rapidly, the banks can continue to operate within that ratio only if additional capital is paid in. The ratio as of June 30, 1967, was 11.35 to 1, but this was reduced to 10.78 to 1, after earnings for the year were distributed. Based on the latest estimates available, the ratio will reach the present 12 to 1 legal maximum in May or June 1968.

If more capital must be put into the credit banks in order to permit increased lending under the present 12 to 1 limitation, there now are two general sources for such additional capital. First, out of a revolving fund available for that purpose in the Treasury of the United States, the Governor of the Farm Credit Administration may subscribe to capital stock of the banks in such amount as he determines is needed to meet the credit needs of a bank or banks (12 U.S.C. 1061(a)(1)). Second, each Federal intermediate credit bank, with the approval of the Farm Credit Administration, may also require the production credit associations in its district to purchase capital stock of the bank in order to provide capital to meet the credit needs of the bank (12 U.S.C. 1061(a)(2) (Supp. II, 1967)). It would be contrary to the programs now being developed by the banks for the return of their Government capital within a reasonable time, if more Government capital were put into the banks in order to meet increasing credit needs under the 12 to 1 debt-to-capital limitation. As part of their Government capital retirement programs, the banks do expect to call on the production credit associations to purchase additional capital stock of the banks. However, it is not deemed feasible for the associations to do this in an amount that would both permit the return of Government capital and support increasing credit needs under the 12 to 1 debt-to-capital limitation now applicable. This is why it is proposed that the debt-to-capital limitation be changed to 20 to 1. Such a change is necessary if the Federal intermediate credit banks are to continue to meet the increasing credit needs they are intended to serve, while at the same time returning Government capital, and looking to the associations, within their capacity, to provide additional capital instead of calling for more Government capital. It is not only deemed necessary but is also deemed amply justified by the financial strength of the credit banks, supporting which, as hereafter explained, there is also the financial strength of the associations.

Before a Federal intermediate credit bank could suffer any loss on its financing of the production credit associations in its district, which represents about 95 percent of its financing, it would be necessary that one or more of the associations become insolvent. However, this is well guarded against because the liabilities of each association, including its liability to the credit bank, may not exceed ten times the paid-in and unimpaired capital and surplus of the association (12 U.S.C. 1032). Overall the associations are currently operating within about a 7 to 1 debt-to-capital limitation. Their losses in the 33 years of their existence since 1933 have amounted to only .08 of one percent of the total cash advanced to farmers and ranchers. This has not resulted in any loss to the credit banks, which have sustained no losses on any of their loans or discounts made since 1933, when the associations came into being. Taking into account losses suffered from their organization in 1923, the net losses of the credit banks in 44 years of operation have amounted to approximately $1 for each $9,000 of credit extended.

Today the likelihood of losses by the credit banks on their loans and discounts for the associations is even further reduced. As a protection for their capital and surplus, the associations have accumulated reserves for losses totaling $86.5 million, or 2.4 percent of total loans outstanding on June 30,

1967. Further, the associations in the different districts, within the past few years, have adopted either loss sharing or participation loan agreements, or both, in connection with their loans. While these agreements for the different districts are in varying terms, the general effect is that certain losses by one association are made up by contributions from the other associations. In this manner, the collective financial strength of the associations in a district serves to insulate the credit bank from losses on its loans or discounts for the associations. The debentures issued by the Federal intermediate credit banks, therefore, are not only supported by a like amount of farmers' notes and the financial strength of the banks themselves, but also, to a considerable extent, by the financial strength of the associations. With due recognition of this, there is considered to be ample justification for the proposed amendment so far as concerns the financial stability of the Federal intermediate credit banks and the debentures issued by them.

Section 1(b). Under existing law (12 U.S.C. 1072(b)), participation certificates are issued in payment of patronage refunds to financing institutions other than production credit associations that use the services of the Federal intermediate credit bank. In the case of production credit associations, patronage refunds are paid in capital stock and such associations have in the past been required and may again be required to purchase additional capital stock in the bank. The present amendment is to permit other financing institutions to also purchase participation certificates of the bank in addition to those that they receive as patronage refunds. This would provide the credit banks with an additional source of capital.

Section 1(c). Under a 1965 amendment (12 U.S.C. 1061(a)(2) (Supp. II, 1967)), the relative amounts of class B stock in a Federal intermediate credit bank owned by production credit associations may be adjusted to reestablish the amount of such class B stock owned by each association in proportion to the average indebtedness (loans and discounts) of each association to the bank during the immediately preceding three fiscal years. If and when this is done, the present amendment would authorize amounts in the reserve account that are allocated to production credit associations to be reestablished in substantially the same proportion as the holdings of class B stock.

PRODUCTION CREDIT ASSOCIATION AMENDMENTS

Section 2(a). Each borrower from a production credit association is required to own, at the time the loan is made, class B stock of the association in an amount equal to $5 per $100 or fraction thereof of the amount of the loan (12 U.S.C. 1131g). Class B stock entitles a holder to vote (one vote per holder) and may be purchased only by farmer borrowers from the association and individuals eligible to become borrowers; and within two years after a holder of class B stock has ceased to be a borrower from the association, such class B stock must be exchanged for nonvoting class A stock of the association which may be purchased and held by investors (12 U.S.C. 1131e). The present amendment concerns a provision in the law (12 U.S.C. 1131g) that the class B stock of a production credit association owned by a borrower from the association "shall not be cancelled or retired upon payment of the loan." Immediately after the quoted words would now be added "or otherwise, except as may be authorized under rules and regulations prescribed or approved by the Farm Credit Administration,". This would make it possible to authorize retirement of the stock upon payment of the loan, as may sometimes be in the best interest of both the borrower and the association. The amendment would also permit retirement of the stock for application of the proceeds in partial or final payment of the loan and in other circumstances as authorized under the rules and regulations.

Section 2(b). Production credit associations are specifically authorized to borrow from, and rediscount paper with Federal intermediate credit banks. Except with the approval of the Governor of the Farm Credit Administration (12 U.S.C. 1131h, second sentence), such associations may not borrow from or rediscount paper with any other bank or agency. It has not been considered within their authority to borrow from investors generally as by the sale of capital notes. The proposed amendment would specifically authorize a production credit association to issue its capital notes for sale to borrowers and others. This new authority would be subject to rules and regulations prescribed by the Farm Credit Administration, and the capital notes outstanding at any one time, together with other liabilities of the association, may not exceed ten times the capital and surplus of the association.

* * * * *

In addition to the draft of proposed bill there is enclosed herewith a copy of those sections of the Acts of Congress proposed to be amended on which is indicated the changes that would be made by the proposed bill.

This submission is as directed by the Federal Farm Credit Board and early consideration and enactment of the proposed bill is recommended.

The Bureau of the Budget has advised that there is no objection to the presentation of the proposed bill from the standpoint of the Administration's program.

Very truly yours,

R. B. TOOTELL,
Governor.

ADDITIONAL COSPONSORS OF JOINT RESOLUTIONS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from Maryland [Mr. BREWSTER] and the Senator from Pennsylvania [Mr. CLARK] be added as cosponsors of the joint resolution (S.J. Res. 8) proposing an amendment to the Constitution of the United States, extending the right to vote to citizens 18 years of age or older.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Washington [Mr. MAGNUSON] I ask unanimous consent that, at its next printing, the names of the Senator from New Hampshire [Mr. COTTON], the Senator from Pennsylvania [Mr. SCOTT], and the Senator from Connecticut [Mr. DODD] be added as cosponsors of the joint resolution (S.J. Res. 129) to authorize the Secretary of Transportation to conduct a comprehensive study and investigation of the existing compensation system for motor vehicle accident losses, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FASCIST GREECE

Mr. YOUNG of Ohio. Mr. President, 21 years ago, President Harry S. Truman made the decision to commit our military might and our economic resources to save Greece from the serious threat of a Communist takeover. He asked the Congress to aid Greece to preserve a "way of life based upon the will of the majority and distinguished by free institutions, representative government, free elections, guarantees of individual liberty, freedom of speech and religion and freedom from political oppression." His historic action which came to be known as the Truman doctrine resulted in the defeat of the Communist-led insurrection and the establishment of a democratic government in Greece. Since that time, the United States has paid almost $4 billion of American taxpayers' money for economic and military assistance to Greece to help enable that nation to remain a bastion of freedom and democracy.

Greece is no longer free. On April 21, 1967, a small group of Fascist army officers seized power in Greece, the cradle of democracy, and established a military junta which has ever since ruled by decree. They have destroyed free institutions, abolished representative government, prevented free elections, established control over press and radio, put an end to all guarantees of individual liberty, throttled freedom of speech, imposed a handpicked administration on the Greek Orthodox Church, and begun a reign of terror against political dissenters. Forthwith from that time to this they have imprisoned more than 6,000 men and women without trial.

Unfortunately, the colonels and other officers who perpetrated this have been trained by American military missions and weapons they used were supplied by the United States.

Mr. President, if instead of rightwing generals and colonels, a ragtag group of leftwing extremists and Communists had staked a coup d'etat and established a Communist government, or quasi-Communist government, in Greece, it would be interesting to note whether we would have taken action—military or otherwise—to restore democracy to that land. The fact that we have not done so is remarkable in light of the Truman doctrine which was invoked to justify intervention in the Greek civil war 21 years ago, and which is frequently cited as a justification for our intervention in the civil war in Vietnam.

Unfortunately, our almost total involvement in the civil war in Vietnam which President Johnson has turned into an American air and ground war has obscured the tragic events in Greece. However, the destruction of democratic government in that land by Fascist military officers nearly a year ago should no longer be ignored.

I have continually urged our Government to maintain an arm's-length relationship with the illegal government now ruling in Athens, and in particular to refrain from extending any form of military or economic assistance to it until the ruling junta gives firm guarantees that constitutional government and free and honest elections will be reinstituted and as quickly as possible. In any event, before any aid whatever is forthcoming from us.

We must not permit ourselves to be drawn by degrees into so-called normalized relations with what is plainly an illegitimate regime. Most Greeks still look to the United States as their best hope for a return to freedom. If we are not to disappoint this hope, we must exert our influence to the utmost to restore freedom to Athens, the birthplace and cradle of democracy.

Mr. President, I recently received a very thoughtful letter from Rev. Wilson Ridenour of the Reily Presbyterian Church in Oxford, Ohio. Reverend Ridenour clearly and concisely sets forth the paradox of our total involvement in Vietnam and our total noninvolvement in Greece. I ask unanimous consent to have his letter printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Reily Presbyterian Church,
Oxford, Ohio, April 2, 1968.

Dear Senator Young: Frequently I rejoice at some statement of yours and admire you very much for saying it, and I want you to know it.

The events of the past few days seem to show that you have been right all the time about the war in Vietnam, and that with your opposition to the war you have helped make history.

I am especially grateful for what you said about the military dictatorship in Greece. The administration appeared to be ready to start World War III for the freedom and liberty of the South Vietnamese, but has no trouble getting along with a bunch of Nazis in Greece. Indeed, it is hardly too much to say, if the United States can find a military dictator anywhere in the world, we will make a beloved ally out of him for the defense of the "free world".

Very truly yours,
Wilson Ridenour.

DR. MARTIN LUTHER KING, JR.

Mr. MORSE. Mr. President, many of us are receiving in the mail this morning a message which I have been advised was written by Dr. Martin Luther King during the last week of March. It is a message that symbolically seems to come to us from the coffin this morning. It is a message which at least gives us an insight into the thinking of this great American, now an historic American martyr, concerning the race problem as he saw it at the time he wrote it.

The message is an appeal that Dr. Martin Luther King wrote, for funds to be of assistance to the Southern Christian Leadership Conference in connection with the march planned for Washington, D.C.

It reads as follows:

Dear Friend: Our national government is playing Russian roulette with riots; it gambles with another summer of disaster. Not a single basic social cause of riots has been corrected. Though ample resources are available they are squandered substantially on war. However, the inhumanity and irresponsibility of Congress and the Administration are not a reflection of popular attitudes—legislation to abolish slums and end all unemployment has been endorsed by a wide majority of the American people in reputable polls. Yet, these positive proposals, like the recommendations of the President's Commission will be filed away to gather dust if the people do not generate relentless pressure on Congress.

It was obdurate government callousness to misery that first stoked the flames of rage and frustration. With unemployment a scourge in Negro ghettos, the government still tinkers with trivial half-hearted measures—refuses still to become an "employer of last resort". It asks the business community to solve the problem as though its past failures qualified it for future success. In the halls of Congress Negro lives are too cheap to justify resolute measures; it is easier to speculate in blood and do nothing.

SCLC cannot wait; it cannot watch as the only systematic response to riots are feverish military preparations for repression. It cannot sit in appalled silence and then deplore the holocaust when tragedy strikes.

We cannot condone either violence or the equivalent evil of passivity.

We intend, before the summer comes, to initiate a "last chance" project to arouse the American conscience toward constructive democratic change.

We intend to channelize the smoldering rage of the Negro and white poor in an effective militant movement in Washington and elsewhere. A pilgrimage of the poor will gather in Washington from the slums and the rural starvation regions of the nation. We will go there, we will demand to be heard, and we will stay until America responds. If this means forcible repression of our movement we will confront it, for we have done this before. If this means scorn or ridicule, we will embrace it, for that is what America's poor now receive. If it means jail, we accept it willingly, for the millions of poor already are imprisoned by exploitation and discrimination. We will in this way fashion a confrontation unique in drama but *firm in discipline* to wrest from government fundamental measures to end the long agony of the hard core poor. A prosperous society can afford it; a moral society cannot afford to do without it.

We are taking action after sober reflection. We have learned from bitter experience that our government does not correct a race problem until it is confronted directly and dramatically.

SCLC had to precipitate a Birmingham to open public accommodations; it had to march against brutality in Selma before the constitutional right to vote was buttressed by federal statutes. There was a thunderous chorus that sought to discourage us when we initiated direct action in Birmingham and Selma. Yet, today our accomplishments in these cities, and reforms that radiated from them are hailed with pride in all circles.

The nation has been warned by the President's Commission that our society faces catastrophic division in an approaching doomsday if the country does not act. We have, through this non-violent action, an opportunity to avoid a national disaster and to create a new spirit of harmony.

Please send the maximum contribution in this crisis year that your circumstances permit. While we are engaged in our Washington project we will also be continuing our far-flung work in voter registration, citizenship education and other activities. We can, together, write another luminous moral chapter in American history. All of us are on trial in this troubled hour, but time still permits us to meet the future with a clear conscience. Please mail your check *today* to fill tomorrow with optimism and hope.

With warmest good wishes,
Martin Luther King, Jr.

Mr. President, I think it is particularly fitting that, in these solemn hours as we grieve this fallen American, we take note of the thoughts that he was thinking and the pleas he was making shortly before his death.

On Friday, April 5, 1968, the New York Times printed a remarkable story about statements Rev. Martin Luther King made to some 2,000 supporters at a rally the night before his murder. If language spoken can ever be an indication of a premonition then Martin Luther King's speech at least leaves no room for doubt that he was prepared to meet his God. The New York Times story reports that in the course of his speech he said:

> Like anybody I would like to live a long life and longevity has its place. But I am not concerned about that now. I just want to do God's will.
>
> And He's allowed me to go up to the mountain. And I've looked over, and I have seen the promised land. I may not get there with you, but I want you to know tonight that we as a people will get to the promised land.
>
> So I'm happy tonight. I'm not worried about anything. I'm not fearing any man. Mine eyes have seen the glory of the coming of the Lord.

Mr. President, such a believer in God was Martin Luther King.

Mr. President, his faith, his cause, his teachings, his leadership have not died with his body but will live on through eternity. It is for us the living to right the wrongs he so valiantly sacrificed himself to overcome.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

A TRAGIC AND TRYING PERIOD FOR OUR COUNTRY

Mr. BREWSTER. Mr. President, the events of the past few days have saddened, shocked, distressed, angered, and torn the Nation. This is a tragic and trying period for the United States.

The assassination of Dr. Martin Luther King was a dastardly act that shocked all men of good will. Dr. King was a distinguished American. His cause was honorable and just. He dedicated himself to it with a dignity that won the respect of the Nation. The country will be poorer for the loss it has suffered.

How much poorer we are has already been revealed across the country. The riots, the looting, the arson, the death, and destruction will mark this period as one of the darkest in American history.

There are reasons and causes for what has been happening in the past few days across the country. But they are no excuse for the violence and terror, the death, and destruction. They are no excuse for the breakdown in law and order that is basic to all that the United States stands for and all that Dr. Martin Luther King stood and marched for.

So let us make no bones about it. While we continue to seek and move toward the solutions to the basic problems, we must come to grips immediately with the immediate problems. Law and order, and respect for them, must be restored, promptly and efficiently, in every city in this country. All of the resources of the Government must be applied to regain and keep control.

From my own observations and activities in Washington and throughout Maryland in recent weeks, it is clear to me that several areas require priority attention:

First. A major, all-out campaign against crime must be undertaken. The crime figures in the United States were rising at an alarming rate long before the developments of the past few days.

The tool that will permit government on all levels to launch an anticrime crusade is here in the Congress. It is the Safe Streets and Crime Control Act. It is designed to make the resources of the Federal Government available to local governments across the land in the fight against crime. It would result in more local policemen, better trained and prepared to cope with law and dissorder. The Safe Streets and Crime Control Act must become law this year.

Second. One feature of this legislation is of paramount importance. It involves gun controls. The Safe Streets and Crime Control Act must include strong and effective provisions to prohibit the mail-order sale of all firearms and the over-the counter sale of handguns to the out-of-State resident.

The assassination of Dr. King has brutally dramatized the need for controls on the sale of weapons that lead to violence. It is a cruel irony that just hours before Dr. King was shot, the Senate Judiciary Committee rejected the gun control legislation the country so desperately needs. The committee has now partly reversed its earlier action.

It is my hope that my colleagues in the Senate will give this matter the most careful consideration and realize that now, more than ever before, action is needed.

Effective gun control legislation would not restrict constitutional rights nor apply hardships or difficulties on qualified private citizens who may desire to possess firearms for legitimate and law-abiding reasons.

But it seems clear that the easy availability of firearms to persons who should not have them is a major contributing factor to the crime problem today and to such senseless tragedies as the slaying of Dr. King. Strong and effective gun control legislation is essential.

Third. Another feature of the Safe Streets Act that is of paramount importance is the manner of funding. The legislation should provide for direct funding to local and regional governments. The campaign against crime, to be effective, must be conducted on the local and regional levels. Crime begins as a matter of local concern and it should be attacked as a matter of local responsibility. Funding to the States would delay and reduce the effectiveness of this responsibility.

Fourth. Congress has moved purposefully in the area of civil rights, but the job is not completed. The Senate has passed a strong civil rights bill in this session. It would protect the civil rights of all Americans, and provide penalties for all who interfere with those rights. It would go far toward preventing the kind of outburst we have seen in the past few days. It would assist all decent and responsible citizens and it would crack down on all who act irresponsibly. The House must act promptly to approve the Senate bill.

Fifth. It is imperative that the Government crack down with all the responsible authority at its command against the troublemakers and the rabble rousers who stir the hate and the ferment and the violence. I was shocked, distressed and angered by the total disregard for law and order shown by the looters, arsonists, and rioters in Washington and Baltimore. It is clear from published and broadcast accounts of their activities and statements that Stokely Carmichael and others like him were directly responsible for the violence and disorder in Washington and other cities across the land.

On Saturday, I sent a telegram to Attorney General Ramsey Clark demanding the immediate arrest of Mr. Carmichael on the appropriate charges of inciting to riot. He and other militants who have clearly demonstrated their disrespect for the law should be arrested, prosecuted and punished to the full extent of the law. They must know that law and order still prevail in this country, and that there is no room in Maryland, in this city, anyplace else in the country, for people who act as they do. There is room only for responsibility and respect for the law.

Along the same line, it seems to me that Federal officials may have waited too long before ordering Army troops to duty on Washington's streets and, perhaps, in other cities as well. Delay in coping with disorder is disastrous. There should be no doubt of the Government's responsibility. At the first indications of difficulty, the proper forces of the Government, under the appropriate authority, must move swiftly and smoothly. Again, law and order are the first responsibility.

Sixth. Effective liaison and coordination must be maintained between all units of government, on all levels. Three weeks ago, I met with Mayor Walter Washington and Public Safety Director Patrick Murphy to discuss this situation with regard to the District of Columbia. Our meeting was prompted by concern expressed to me by citizens of suburban Maryland. They wanted to know what the city was preparing to do about Dr. King's planned march on Washington this month. They wanted to know how the suburbs would be affected. Mr. William Greenhalgh, president of the Montgomery County Council, and Mrs. Gladys Spellman, chairman of the Prince Georges County Commissioners, asked me to arrange the meeting with the mayor, and they accompanied me to it. So did Gen. George Gelston, commanding officer of the Maryland National Guard.

It was distressing to learn at that meeting that effective coordination between the city and the local and State governments in Maryland had not been arranged satisfactorily. As a result of our meeting, plans were immediately begun to establish that coordination. That type of action should be one of the first orders of business when a major and controversial activity is planned for a large metropolitan area like this one.

Seventh. With regard to local coordination, there is another piece of legislation pending in Congress this year that must be enacted. It is a bill to provide for mutual police aid agreements between Washington and the surrounding suburban jurisdictions. During the events of the past weekend, the District of Columbia Fire Department was unable to handle all of the blazes that erupted across the city. Fire units from Montgomery and Prince Georges counties, and from suburban Virginia, responded and performed admirably under the most difficult conditions. As the sponsor of the legislation that would permit the same type of mutual aid by law enforcement officers, I strongly urge its enactment.

Eighth. One of the great and lasting tragedies that results from the disastrous events of recent days is the ruin of hundreds of business enterprises. Most of them are small businesses, owned and operated by individuals who depended on them for their livelihoods. Those proprietors are white and Negro. But the color distinction does not matter. The losses they have suffered know no color differences.

The problem is compounded by the difficulties these people have experienced in obtaining adequate insurance coverage for their business establishments. Many of them were grossly underinsured, or not insured at all. Others paid exorbitant premiums. Insurance companies simply refused to provide insurance, or provided it most reluctantly, because these businesses were in poor sections of the cities.

Many of these businessmen will need immediate relief. The Government should move quickly to provide assistance to them through the Small Business Administration or other appropriate agencies, in the form of emergency low-interest loans. The Government has a clear obligation in this area, to help rebuild the shattered economy of the torn urban communities. If legislation is needed, it will have my full support.

As a longer range approach, the Congress should enact pending legislation that would authorize the Government to establish insurance programs for businessmen who can not otherwise obtain adequate coverage because of the crime problems.

Mr. President, these are some of the immediate and pressing problems facing the country. It is imperative that the Congress and the executive branch act promptly on them. Above all, a theme that goes to the very heart of our way of life must be restored. It is the theme of law and order. There can be no substitute for it, and no dilly-dallying about it. Law and order must prevail in this country, and all who act or think to the contrary must be dealt with to the full extent of the law. We can not afford less.

NEW DRAFT POLICIES UNDERSCORE NEED FOR ADMINISTRATIVE AND LEGISLATIVE REVISIONS OF SELECTIVE SERVICE SYSTEM

Mr. PERCY. Mr. President, last year, in extending selective service legislation for another 4 years, the Congress undertook revisions which were intended to remove inequities in its application. However, recent changes in the administration of this act clearly demonstrate that, given the existing legislative framework, the draft system continues to fall far short of this goal.

At the heart of the deficiencies is the method by which those who will be called upon to serve are selected from their fellows. The recent administration change of policy with regards to deferments clearly demonstrates the Congress has as yet failed to supply an appropriate answer to the basic and searching question, "Who serves when not all serve?"

The action of the National Security Council, chaired by President Johnson, in recommending a new policy removing draft deferments for most graduate students and many skilled workers is certain to result in a raid on America's pool of highly trained manpower—a raid with repercussions that will continue to be felt for years to come.

In his telegram to all State directors relaying the advice received from the National Security Council, General Hershey reemphasized that the present and longstanding practice of calling the oldest eligibles first was to remain in effect. It is the combination of these two administrative decisions that has produced a serious situation of yet unknown dimensions which is potentially dangerous to the national interest.

It is clear that steps must be taken to nip the crisis in the bud. The administration has the authority presently available to begin to correct this situation. The administration should act immediately. The opportunity also should be seized to enhance the overall equity of the system.

Focusing on the first part of the decision—the removal of draft deferments for all graduate students except medical and dental students, and deferments based on "essential activities" or "critical occupations"—the preliminary figures are shocking.

Information available indicates that those who will have to leave graduate school, those who would otherwise have gone on to graduate school, and those who are finishing advanced study and likely would have gone into pursuits previously defined as critical, would total around 200,000. Add to this the number of men who were deferred based on occupation and now likely will be dropped from that category, and the total reaches approximately 300,000 young men who are directly affected.

Present estimates are that, for the fiscal year beginning July 1, the requirements for the draft will be in the neighborhood of 300,000 men. With callups done on a regional basis, and with local boards proceeding on the basis of drafting the oldest eligibles first, virtually all of those called to military service this year in many areas will be from the graduate school and skilled critical employment categories. If uniformly implemented, the new policies will have several immediate and unfortunate results.

First, instead of remaining in or moving into positions in industry, research, business and the academic world, a disproportionate number of our highly skilled men will be diverted on a wholesale basis to the military services. Because of the nature of military needs, most of these men will serve in capacities in which the benefit derived from their years of specialized training will be minimal. Trained minds—and skilled people—are a national resource. They are in a very real sense our Nation's most vital resource. The result of inducting these men under the present policy will in many cases be like building an expensive factory and then locking its doors for 2 years. There will be no return on the investment, which we must recognize as both a public as well as a private one. Deterioration will set in because of lack of maintenance, and many parts will be lost.

Second, the effect on the graduate schools throughout the country—if the present indications are correct—will be devastating. Many educators estimate that graduate school enrollment will be cut by 50 percent. The Office of Education—speaking for the administration—says the reduction will be nearer 30 percent. Even using the lower figure, the loss—both immediate and future—is considerable. Graduate schools will have to cut back programs carefully developed over many years; many will have to eliminate whole departments; graduate schools presently in the developmental stage may be forced to dismantle and disband. The overall quality of graduate education may drop as colleges and universities lower their minimum entry requirements to try to keep their graduate schools afloat.

The quality of undergraduate education will suffer as well, due to the loss of a significant portion of graduate students who act as instructors and tutors for undergraduates. And in addition to the immediate disruption of academic organizations these results will have far-reaching consequences in terms of the number and quality of educated men that will be available to the Nation, both in government and the private sector, for years to come.

Third, Defense Department officials have expressed concern about the prospective deluge of primarily college-educated and highly skilled inductees, pointing out that these older men are less trainable in the skills and discipline required of field soldiers than younger age groups.

There is no simple solution to this problem. Nor is there general agreement on the solutions available as was made clear in the debate on the draft law extension last year. The administration's policies recognize that there is an inherent potential injustice in a system wherein higher education or specialized training can be used to delay—or completely avoid—the draft. But corrective action that will result in the disruption and inequity I have described is hardly a good solution.

There are several actions that can be taken by the administration which do not depend on legislation. The President presently has the power to adjust both the order and priority of calls. He can invoke procedures which if followed, can result in greater equity while insuring a much more effective utilization of our national resources.

Beyond the possibilities of administrative action, the need is becoming ever more clear for immediate legislative steps to make the Selective Service System less disruptive to the lives and plans of our youth. The system can be made costly to the national security and welfare, while still assuring that the needs of the military are met. The combination of the suggestions I now present reinforces the need for the Congress to address itself to a comprehensive overhaul of the system by which the requirements for military manpower of our Nation are to be met.

I recommend immediate administrative remedies for the situation created by the new policies, as follows:

First, graduate students who are drafted should be allowed to finish the term or quarter in which they are engaged at the time of their call; workers in critical or special occupations previously deferred should have a grace period within which to complete an orderly transition from their job to the military.

Second. The oldest-first call should be modified to assure the selection of a mix of ages of those inducted, so that no one age group is unduly depleted. This could be done by allocating monthly requirements among broad groups of eligibles in proportion to the number of eligibles in each group.

Third. A first step should be made to delineate a time zone, uniform for all eligibles, during which an eligible is available for call, and following expiration of which he may not be again subject to call unless the pool of manpower in the callup zone has been exhausted. This might be accomplished in the following manner: First, all eligibles must remain in a prime draft-availability zone for the period of 1 year. This should be designated on a fiscal-year basis, to comply more closely with the school year; secondly, the prime zone would be the first fiscal year in which the eligible's 19th birthday occurs. For those who have benefited from a deferment, the prime zone is the first fiscal year following expiration of the deferment, and the status of the eligible would remain the same as it was when the deferment was granted—except for supervening hardship; and, third, by adjusting the rules governing the numbers of eligibles selected from each general age group, the chances of being called in each succeeding year of eligibility could be balanced.

The first step recommended above, for the administration to clarify its policy on drafting graduate students once they have started a term, should be taken immediately. As it stands now, a man no longer eligible for deferment who has not yet been reclassified or received his draft call has no assurance that he will not be drafted before he can finish the term if he tries to get in another semester or quarter. While in some cases he could probably delay induction through appealing his reclassification, this usually proves disruptive to the individual as well as to the system. It places a premium on those who either hire a lawyer or get other outside assistance or counsel. For this reason, draft boards should immediately be instructed to delay induction dates for current enrolled graduate students until the end of their terms.

Two advantages would result from the recommendations relating to selection of eligibles. First, the absolute number of the educated and skilled inducted would be reduced, and the induction of those taken would be spaced over a period of time. The adverse impact on the individuals as a group, the graduate schools, and our economy and society from the wholesale depletion of these age groups would be diminished.

Second, the military services would receive a mix of eligibles from the various age groups, thereby reducing the problems foreseen in training the type of soldier for which there is the greatest need.

Unquestionably, there are potential inequities to be found in these proposals. But I believe they are far less onerous than the adverse consequences that will certainly result from the present policy.

In any case, time is a critical factor if constructive steps are to be taken. In the absence of almost immediate action, callup of these educated and skilled categories will begin under the new policies. Another change in policy—even a corrective one—after callups have begun would work yet other inequities. And the sooner the graduate schools can plan on a less drastic reduction in enrollment, the better they will be able to adjust programs and minimize the adverse effects.

As I indicated earlier, these are only interim proposals. They are intended to reduce the adverse effects of what I feel to be an ill-conceived change in policy. In no way do they mitigate the need for the thorough overhaul of our selective service legislation advocated by me and many of my colleagues in the Senate during the last session of the Congress.

In the legislative area, I recommend that the Congress immediately consider extending authority to the executive to institute a system of random selection of those who must serve, based on uniformly applied national standards. The problems raised by these new regulations make it quite clear that, in a situation wherein not all eligibles are called upon to serve, and wherein selections on the basis of qualifications for military service are inappropriate, the choice of those who will serve already contains a great element of chance, particularly in the absence of uniform national criteria. The random selection mechanism, employed in conjunction with the selection priorities proposed above, would further improve the system, and make it more equitable than it was even prior to the new policy change.

There is no gainsaying that one of the thorniest problems involved in any reconsideration of selective service policy is whether deferments should be given for either graduate or undergraduate study during a period when the United States is involved in a shooting war. I believe there is validity to the contention that selective service policies have given an advantage to the individual from an economic and social background that allows him to continue his studies or enter specialized training. This is an inequity that has become more apparent—and crucial—with our growing involvement in Vietnam and the increased manpower requirements and risks that regrettably go with it. The deferment issue can be—and is—argued with considerable reason on both sides.

On the one hand, there are those who say that the reason many men enter university, go on to graduate schools, or acquire critical skills is specifically to avoid the draft. While this would be true in selected individual cases, I refuse to believe that the best young minds in America have embarked on a wholesale attempt to avoid serving their country. To do so would be a long step toward writing off the future of our society which I—for one—am not ready to take.

On the other side, it can be persuasively argued that the best interests of the country are served by allowing those with the ability to delay military service, even indefinitely, because of the heightened contribution they will make through education and development of their particular abilities. Were ours a society which provided an equal opportunity to all to obtain a higher education, I could more easily subscribe to this latter view.

In the plainest language, I do not believe blanket deferment of men to allow them to study for any significant period of time after completion of secondary school is or can be justified at a time when their less fortunate contemporaries are required to serve their country in combat, at the possible cost of their lives.

It would be obviously contrary to the national interest to precipitously do away with undergraduate deferments, if to do so would wipe out a large portion of a university generation. A step such as that would have an effect equally disastrous as the recent administration measures which I have criticized here. I, therefore, believe that, at the heart of any revision, must be a review of our Selective Service priorities so legislation can be formulated which will be flexible enough to do substantial equity in this era of rapidly changing military manpower requirements. However, any new policy should establish a formula which would make undergraduates available to be included in the mix of those called when exposure of draftees to actual combat exceeds a certain level.

In taking up the question of a broad revision of selective service policies, Congress must direct its attention to the possibility of an eventual all-volunteer Military Establishment. There is no question that this is a controversial concept. I have some reservations about a democracy moving entirely away from the tradition of the citizen-soldier that has historically served our country so well. I do not think we should take any step which would reduce the sensitivity of the American people to the consequences of a decision by their elected Representatives to commit our Nation to war.

I do believe, however, that the voluntary concept, or a variation of it which would make provision for manpower mobilization in a time of national emergency, should be given the fullest consideration.

I intend to press, in this session of Congress, for thorough revision of our Selective Service laws. I am not convinced that these efforts will be successful, even considering the large number of Senators and Representatives who agree with this need. It is difficult enough in any year to get the Congress to act on such a controversial matter, absent a compelling circumstance such as the expiration of the basic law. This reluctance is multiplied in an election year.

But the need is no less compelling, in view of the continuing injustice of the present system. Congress must squarely face the basic question posed by the President's Commission on the Selective Service: "Who serves when not all serve?" This is a question which the Congress cannot continue to avoid or evade when Americans called by their fellow citizens to serve are suffering injury or dying in combat. I urge my colleagues to join in an effort to insure the Congress does not avoid this responsibility.

SECRETARY DEAN RUSK TESTIFIED IN FAVOR OF SENATE RATIFICATION OF GENOCIDE CONVENTION IN 1950

Mr. PROXMIRE. Mr. President, on January 23, 1950, the then Deputy Under Secretary of State Dean Rusk testified in favor of Senate Ratification of the Genocide Convention.

I believe that Secretary Rusk's statement of 18 years ago is equally pertinent and even more persuasive today:

> It is an inescapable fact that other nations of the world expect the United States to assert moral leadership in international affairs. The United States has a record of humanitarian diplomacy, beginning with the early days of the Republic when President John Quincy Adams expressed the public sympathies of the American people with the Greeks in their struggle for independence from Turkish rule. The United States Government has remonstrated more than once with other governments regarding their persecution of the Jews: with Rumania in 1902 and with Tsarist Russia in 1891 and 1904 . . .
>
> It is a familiar role, therefore, for the United States to take the lead in raising moral standards of international society. And prevailing international conditions make it imperative that the United States continue to play this role.

I urge the Senate to heed these timeless words of Secretary Rusk. I urge the Senate to ratify the Conventions of Genocide, Forced Labor, Political Rights of Women, and Freedom of Association.

FARMERS IN THE SQUEEZE

Mr. YOUNG of North Dakota. Mr. President, many articles have appeared in magazines and other publications recently which have often been viciously antifarmer in nature. These reports attempt to give the impression that the American farmer today is financially well off. This all comes at a time when the prices farmers receive for most commodities are lower than they were 20 years ago and when farm debt has risen from about $24 billion in 1960 to $49 billion today.

It was refreshing to read in the April 4 issue of the Washington Evening Star, a column by Sylvia Porter, a noted economist, which accurately and effectively portrays the true economic situation of the farmer today.

Mr. President, this article, "Farmers Again in Squeeze," is one I hope and pray every American would read and I ask unanimous consent that it be placed in the body of the RECORD as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

Farmers Again in Squeeze

(By Sylvia Porter)

At a recent town meeting of a small New England village, residents voted to exempt the village's four dairy farmers from personal property tax on their livestock, although other types of stock in trade are taxable in this village. The reason the farmers got the break, it was explained, was that while the costs of feed grains, farm machinery, fertilizer and farm labor are rising steeply, the farmer is just about alone among businessmen in not being able to raise the prices of the products he sells.

"The exemption will save me $60 a year," commented one young farmer, "hardly enough to make the cost squeeze less painful."

You can multiply this cost-squeeze complaint by the more than 1 million small farmers throughout the United States, who are today threatened with economic extinction, although you probably won't find many examples of special concessions by townsfolk to help their pinched neighbors.

FARMERS GET LESS

Although we, as consumers, are paying 20 percent more for the food we buy than we paid two decades ago, the farmers who produce the food are getting 6 percent less for their efforts. Meanwhile, the costs of supplies and equipment the farmers must buy have leaped 30 percent.

Today, the farmer gets only 5½ cents of your after-tax $1 for his products, one-half of the share he got as recently as 1947.

Last year alone, the U.S. farmer was hit by a $1.5 billion farm-price drop. Today, per capita disposable income for U.S. farmers averages only $1,692, about 60 percent of the income for other Americans.

As a result, the flight from small farms—usually to big, congested cities—has been relentless. Since 1935, the number of U.S. farms has dropped from 6.8 million to under 3.1 million, the lowest number since 1875. In 1967, 600,000 Americans left their farms.

FACTS ARE BRUTAL

These are the brutal facts behind the new round of threats by the National Farmers Organization to withhold key food products to force up prices they receive.

These also are the facts behind a new proposal to establish a National Agricultural Relations Board at the federal level to serve U.S. farmers in the same way the National Labor Relations Board serves other U.S. workers, or to give farmers a new way to unionize on a national scale.

And these are the facts behind the President's call to Congress for more food-price supports, collective bargaining for farmers and the creation of a "National Food Bank" for surpluses which would help support prices to farmers.

The revolution on the farm is speeding up. The end is not foreseeable.

Here are examples of the amounts farmers get for each food $1 you spend:

Farmer's share of $1 spent

Item:	Cents
Corn flakes	7
Sandwich cookies	9
Whole wheat bread	11
Canned corn	12
White bread	15
Frozen peas	15
Fresh spinach	24
Potatoes	25
Sugar	38
Fresh milk	50
Eggs, Grade A large	57
Beef, choice	58

SENATOR ROBERT F. KENNEDY'S STATEMENT REGARDING ANTI-SEMITISM BY POLAND'S COMMUNIST GOVERNMENT

Mr. TYDINGS. Mr. President, I am sure that all Americans have felt great distress about the attacks by the Communist government of Poland on leading public figures of the Jewish faith in that country.

I think the eloquent expression of concern by my distinguished colleague, Senator ROBERT KENNEDY of New York, deserves the attention of the Nation. I therefore ask unanimous consent that it be included at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Statement of Senator Robert F. Kennedy

Over the past weeks, the news from Eastern Europe has told of a new desire for freedom of expression and dissent among the youth of Czechoslovakia and Poland. The new generation wants an end to censorship, a university that is responsive to their needs, and other reforms.

In Czechoslovakia, the government seems to be heeding the new voices. But in Poland, the demand for lives of truth and dignity has been met with the cruel lies of anti-Semitism. The Jewish population there numbers barely 30,000 today—the remnant of a once-flourishing community that was decimated by these same forces of bigotry less than a generation ago. Yet some of the leaders of government try to explain away the expression of new hopes and new dreams with the old myths of a Zionist conspiracy. Old hatreds are enlisted in the regime's effort to preserve its monopoly of power. Government officials and distinguished teachers are dismissed from their posts, and reviled as enemies of the nation.

These policies should be condemned by all who value liberty and oppose the evils of racism and prejudice. Before the passions that have been unleashed lead to catastrophe for the Jews of Poland, free men every where should protest the conduct of the Polish government by every available means. If we remain silent, we betray the cause of freedom in Poland and around the world.

THE WIDE WORLD OF ACOUSTICS

Mr. MAGNUSON. Mr. President, one of the Seattle industries that is making notable contributions to marine science and technology and to naval defenses is Honeywell Inc.'s marine systems center.

A lead article in the March issue of Undersea Technology titled "The Wide World of Acoustics" and written by the able editor of this magazine, Mr. Larry L. Booda, describes this center and many of its programs under the direction of Dr. Theodor F. Hueter, Honeywell ordnance division vice president and manager of the center.

Honeywell is engaged both in Navy research and development programs and in a wide range of marine commercial applications.

The article also quotes Dr. Hueter as identifying six areas that need priority attention in marine technology, as: first, sources of electrical power for buoys, underwater beacons, and work stations using various forms of nuclear or chemical energy; second, materials protection to combat corrosion; third, underwater communications in the form of reliable acoustic links; fourth, precise navigation, localization and station-keeping; fifth, life support systems; and sixth, instrumentation for gathering, storage and selective transmission of data and capable of prolonged unattended operation.

Honeywell's research fleet also is described, and the magazine's cover depicts an acoustic rig on one of these vessels prominently displaying its home base—Seattle.

Mr. President, I ask unanimous consent that the highly informative article "The Wide World of Acoustics" from the March issue of Undersea Technology be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

Profile—Honeywell Marine Systems Center: The Wide World of Acoustics

SEATTLE.—With its piers located a few minutes from salt water, Honeywell's Marine Systems Center here has the advantage of fresh water mooring on Salmon Bay. Within sight are the large and small locks that pass traffic from Puget Sound to Lake Washington via the six mile long ship canal. It may sound like a fish story, but it is true that the locks are opened to allow salmon to pass through the canal.

The center is one of many industrial sites along the canal, which is also home for thousands of private power and sail boats.

With its fleet of research vessels Honeywell is pursuing a broad spectrum of investigations in underwater sound phenomena. In the laboratory computers analyze the data obtained with the aim of helping the Navy in its never ending quest for ways to distinguish submarines from other underwater sound sources.

But the Center isn't limited to this facet of the below surface environment. In a companion plant at West Covina, Cal., the firm is producing a series of realistic simulators, or trainers, for antisubmarine warfare and underwater ordnance.

Nor is it limited to government programs. Acoustic systems have been applied to positioning of offshore drilling rigs and to remote control of valves to prevent blowouts of undersea oil wells. Another commercial application is the Sea Scanar, a target locating device used in commercial fishing, salvage, offshore construction and in oceanographic research.

Dr. Theodor F. Hueter, Honeywell ordnance division vice president and general manager of the Center, believes that the technology of the United States has been unbalanced. "If we were to spend $5 billion on innerspace, there might be some motivation," he told UST.

He noted that the President's Fiscal 1969 budget took cognizance of the need for ocean exploration, food from the sea and deep ocean technology and is supporting the need with an expanding budget for marine science and technology. Dr. Hueter believes that the need for a spectacular to capture the public imagination will be partially fulfilled with the President's proposal for an expedition, and by the Navy's upcoming SeaLab III underwater living experiment.

By being part of a large, diversified corporation, the Center has established a study group to search for in-house capabilities that can be applied to offshore technology. An example is Honeywell's strength in fluidics for controls. This capability has already been applied to some offshore systems. Computers, too, have been integrated in marine systems. The study group itself is making use of a hybrid computer.

As for company interplay, Dr. Hueter states, "Internal communications is a second religion with us."

DATES FROM 1951

In November of 1951 Honeywell acquired Intervox in Seattle, which was placed under the ordnance division. As the Seattle Development Laboratory, the Center performed research for the Navy, including airborne radar. In marine acoustics it was determined that transducers would play a key part in successful development of systems. Accordingly, in 1965, a 47′ catamaran was added to the company fleet to do at-sea testing.

MK. 46 TORPEDO

Work in the large scale Mk. 46 program began with Honeywell as a component supplier to Aerojet-General Corp. Now Honeywell's Ordnance Division in Hopkins, Minn., is an alternate source. It calls on the Seattle and West Covina facilities and the firm's aerospace plants in Minneapolis and St. Petersburg, Fla., for various forebody subsystems. Afterbody components come from TRW and Clevite. Testing of completed torpedoes takes place at Keyport, Wash., a Navy facility located across Puget Sound from here.

The company is also furnishing improved transducers for the in-service Mk. 37 torpedo.

In torpedo and other Navy programs Dr. Hueter has emphasized integrated support of the fleet. Beginning problems with the ASROC ASW weapon, the personnel training problems arising from introduction into the fleet were solved through training devices to help produce men who could operate and maintain the equipment. Help is given during original installation in shipyards and during service life. "We have proved to the Navy that we do care about equipment after delivery to the fleet," he said.

"Simplification of maintenance is another major aim," he said, adding that more documentation is in order and that it should contain information from all sources. Thus by using documentation and simulators, "marriage of man and machine is accomplished," he averred.

Hueter, a pioneering scientist in transducer acoustics was formerly a research associate at the Massachusetts Institute of Technology for six years and was manager of the acoustics department of Raytheon's Submarine Signal Division for three years before joining Honeywell in 1959.

In a speech last year at the Oregon Museum of Science and Industry, he identified six areas that need attention before ocean farming, mining and habitation can begin. They are:

Sources of electrical power for buoys, underwater beacons and work stations using various forms of nuclear or chemical energy.

Materials protection to combat corrosion.

Underwater communications in the form of reliable acoustic links.

Precise navigation, localization and stationkeeping.

Life support systems.

Instrumentation for gathering, storage and selective transmission of data and capable of prolonged unattended operation.

COMMERCIAL PRODUCTS

In a relatively short period the Center has entered a series of products and systems into the commercial market. One of the largest systems is the Acoustic Position Reference Systems (APRS), in one basic version and another modified for search and salvage.

APRS and the Automatic Station Keeping (ASK) system, are an outgrowth of the company's experience in developing the positioning system for the cancelled Mohole drilling project. The main application of APRS and ASK now is in offshore drilling. The first provides highly accurate information on a drilling vessel's location with respect to the wellhead and ASK maintains vessel station automatically through computer-generated signals to thruster motors.

Sea Scanar is a searchlight type sonar system resembling radar. Acoustic bursts set in a narrow beam are received back and converted into a scope trace. This writer witnessed the system in action during a cruise through the canal and Lake Union, which is part of the canal system. The trace showed the bottom from bank to bank. In addition it can detect single objects, a loosely scattered group of objects, a soft or muddy bottom, a hard object on the bottom and navigation channels.

Among other products are: the Precision Profiling Sonar, which is used as a survey tool (trenched pipelines, harbor topography), as a dredging tool and as a salvage tool; High Resolution Re-entry Sonar (wellheads); Wave Height Sensor; Heave Sensor.

HARP

That acronym stands for the company funded Honeywell Acoustic Research Project. The cover photograph shows the tripod-mount 1,600 lb. basic underwater element of the system being lowered from the *MV Response* for testing.

HARP is intended to answer many acoustic questions during a three year project which began in Jan. 1967. The test site, first entered last Nov. 28, is a huge, protected salt water labyrinth off Protection Island in the Strait of Juan de Fuca. The strait connects Puget Sound with the ocean.

The eight foot high unit, emplaced at 325 ft., sends signals to the *RV Neper*. They are analyzed to determine if there are consistent patterns in the sound scattering environment. These patterns would be programmed into future acoustic instruments.

In the absence of the ship the connection with the bottom rig is terminated on a submerged buoy. When the *Neper* returns, it spots the buoy with Sea Scanar.

Basically, the Navy wants to be able to penetrate the scattering layer of the ocean, beneath which submarines formerly were able to hide. The layer is caused by marine organisms, many of which have air bladders that cause distortion.

The tripod bottom units has one transmitter, three receivers and six control channels. It is connected by a multiconductor and a coaxial cable.

The number of channels can be expanded to 45 in the future. During the times the *Neper* is on station making the acoustic tests, standard sea water tests are made such as current, temperature, salinity and dissolved oxygen.

Beginning in December week-long measurements per month have been made in the spot where there is relatively little background noise.

MILITARY

In simulation Honeywell has now built and installed 12 ASW trainers, ranging up to $3 million in price, around the country. Complete crews of ships and aircraft are trained without the expense of going to sea.

The 14A2, an early attack trainer, provides a realistic environment for ships crews. It includes a conning station, plotting board, launcher control station and three color displays. A wide variety of simulations even include retaliation by a submarine. Time can be advanced during long searches, or steaming to an area.

The simulators are made at the West Covina facility. They are made to resemble ship or aircraft installations exactly, even to cables through the deck.

Honeywell has two contracts for furnishing obstacle avoidance sonars for the Deep Submergence Rescue Vehicle (DSRV) of the Navy, and a sonar tracking system to keep the mother ship on the surface in touch with the DSRV. They total $500,000.

TRANSDUCERS

The Center here is committed to the ceramic, or piezoelectric type of sound producers and receivers rather than magnetostrictive.

The frequency range covered by ceramics developed and produced here covers from below 100 Hz to 500 kHz. The ceramics have originated to some extent from research performed at Honeywell's corporate research center at Hopkins, Minn. Studies extend to acoustic properties of inactive materials, such as neoprene and polypropylene.

Much work has been done for the Navy on low frequency sources and the beam bending principle. This type of lead zirconate application can be operated up to 4,000 watts. Below 100 Hz the actual physical movements of the ceramics can be observed with a stroboscopic light.

Honeywell is aiming too at commercial fishing, seeking ways to locate shrimp and to spot fish in midwater areas.

In a related field the company is developing and supplying instrumentation for measurement of quality characteristics in water. Our system was installed in the Delaware River estuary in 1963. It was recently modified so that it could telemeter data back to shore. Other government agencies and industry, such as pulp and paper mills, are using similar systems.

The Honeywell fleet now numbers four research vessels. Most recent is the 81 ft. catamaran, *MV Ocean Twin*, aimed mainly at testing and evaluation of underwater ordnance equipment. In addition to the *Neper* and the *Response*, mentioned earlier, there is the *Impulse*, a 20 ft. by 36 ft barge acquired for developmental acoustic testing.

MARTIN LUTHER KING, JR.

Mr. PERCY. Mr. President, the tragic death of Dr. Martin Luther King, Jr., will sadden men everywhere who cherish brotherhood and deplore violence. For a generation, his voice, perhaps more than any other, has represented the moral conscience of America. Now that voice has been stilled, but the things Dr. King stood for must not die. Let white Americans rededicate themselves to redress the grievances which he cried out against so eloquently for so long. And let all Americans, white and black, rededicate themselves to nonviolence. If the murder of Dr. King merely begets more violence, those who preach it and those who practice it will be callously betraying everything he lived for. Few of us can ever earn a Nobel Peace Prize, but all of us, each in our own lives can do something to advance the cause of peace and brotherhood.

A NATIONAL INSTITUTE OF MEDICINE AND PHARMACOLOGY

Mr. MAGNUSON. Mr. President, at a recent meeting of the Oceanographic Commission of Washington, the commissioners adopted a resolution endorsing S. 2661, a bill I have introduced to establish a National Institute of Medicine and Pharmacology in the National Institutes of Health.

The bill is now pending in the Senate Committee on Labor and Public Welfare.

Mr. John M. Haydon, chairman of the commission, had written me that the resolution was being sent to me as indicative of the great interest that the commission has in marine medicine and its potentials for advancing the health and welfare of our citizens.

The commission includes faculty members of the University of Washington which has earned a wide reputation for its work in many fields of medicine, surgery and pharmacology, and which is admirably equipped to contribute to the development of marine medicine.

I ask unnaimous consent that the resolution of the Oceanographic Commission of the State of Washington, which it adopted on March 29, 1968, be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION OF THE OCEANOGRAPHIC COMMISSION OF WASHINGTON

Whereas, S. 2661 would amend the Public Health Service Act to provide for the establishment of a National Institute of Marine Medicine and Pharmacology in the National Institute of Health; and

Whereas, this Bill would best enhance medical oceanography if the new Institute of Marine Medicine and Pharmacology were to be located where there is a center of recognized combination of scientific attainment in marine science and medicine; and

Whereas, creation of this organization would be a pioneer program in education and would enhance and accelerate the growth of marine medicine research, which could achieve rapid developments in man's capacity to live with and extract from the sea;

Now, therefore be it resolved, that the Oceanographic Commission of Washington unanimously endorses S. 2661, and further requests that it be favorably reported out by the Senate Committee on Labor and Welfare and that the Bill be voted into legislation.

Signed this 29th Day of March 1968.

JOHN M. HAYDON,
Chairman.

AFTER THE LOST WEEKEND

Mr. McINTYRE. Mr. President, in the aftermath of this past weekend, it is essential for all of us to see clearly what happened and to think about it with objectivity. There was disorder and destruction in the streets of American cities. But there was by no means anything resembling a Negro uprising. For every Negro who looted and burned, there were thousands—hundreds of thousands—who acted in a peacful and law-abiding manner. There were thousands who responsibly strove to restore order.

This was evident here in Washington these past few days. Black policemen worked side by side with white, black soldiers protected property and patrolled the streets alongside their white comrades in arms. It was evident in the massive traffic tieup of Friday, white driver and black side by side sharing their impatience and inconvenience. It was evident on the rooftops of integrated high-rise apartments in the Southwest where black tenants and white stood together discussing and deploring the violence.

There was cause for concern in the weekend's occurrences, but there was also reason for confidence. The fabric of Negro patriotism—the essential Negro faith in the institutions of democracy—more than amply demonstrated by the overwhelming majority of Negro citizens. They merit our continued cooperation in undiminished efforts to bring freedom, justice, and true equality to all citizens so that the tragedy of the past weekend will not occur again.

The lead editorial in this morning's New York Times indicates the measure of objectivity that is so important in the furture course of legislative action. I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

AFTER THE LOST WEEKEND

Not since the Civil War has this country experienced an epidemic of domestic violence so widespread as it was this weekend. The looters and arsonists who rampaged through the streets of Washington, Chicago, and other cities disgraced the memory of Dr. Martin Luther King and mocked the principles for which he stood. These criminals burned down their neighbors' homes and ransacked the stores serving the black ghettos, thus victimizing thousands of Negroes who were left homeless or deprived of normal facilities for obtaining food and other necessities.

But it is important for all Americans to understand that it was only an infinitesimal minority of this nation's Negroes who participated in this mindless debauch. For every Stokely Carmichael seeking to fan the flames of destruction, there were hundreds of thousands of Negroes who worked hard and effectively to cool passions and to prevent or to end violence. Grim as was this lost weekend, it would have been unimaginably more dreadful if it had not been for the massive contribution of responsible Negroes—acting in the spirit of Dr. King's life work—to the maintenance of law and order.

The great majority of this country's black people stood aloof from or actively resisted the forces of anarchy that sought to capture the American Negro community these past few days. This is eloquent testimony that, despite past setbacks and disappointments, this majority still believes America's democratic institutions can and will satisfy the justified demands of the Negro people.

In the wake of Dr. King's martyrdom and its painful immediate consequences, the imperative task is to make these hopes reality. The need is for quick passage of legislation which will insure full civil rights, including open housing, for American Negroes. There must also be legislation appropriating the large sums required for a realistic attack on the unemployment, bad housing, semi-literacy and other ills afflicting millions in the ghettos. Congress bears the heaviest share of the responsibility and opportunity, but the legislatures of the states—from New York to California—whose cities are caught in today's great urban crisis must also act rapidly. No one who has lived through the past few days can have any doubts about the alternative if the surviving hope and faith are betrayed once again.

TRIBUTES TO THE PARTICIPANTS ON THE HANDLING OF THE DISTRICT OF COLUMBIA CRISIS

Mr. MORSE. Mr. President, since the death last Thursday night of Dr. Martin Luther King, Jr., the Nation's Capital has experienced very serious property damage and the loss of several lives. Store windows have been broken, stores looted, and many buildings set fire, many of which were completely destroyed.

The full impact of this senseless violence in the Nation's Capital the past 3 days will probably never be fully known. However, before the fires had been extinguished, the looting curtailed, and the snipers guns had been silenced, the government of the District of Columbia began to meet the immediate and urgent needs of individuals victimized by the violence. The full resources of the District of Columbia government have been put to work in assisting individuals and families in serious need of food, shelter, clothing, and medical attention.

The relative calm that now prevails in the violence-scarred Nation's Capital can be partly attributed to the excellent work of the policemen, firemen, and the soldiers. After 3 weary days the death toll of only eight deaths, 986 injuries, 852 fines, and 4,865 arrests is a near miracle in a city of this size involved in serious turmoil and destruction. To a great extent, the Metropolitan Police Department of the District of Columbia is to be praised for contributing to the work of keeping the violence in check by treating human beings with restraint. The policemen worked very wisely to calm citizens and to handle firmly and fairly, yet authoritatively, the rioters in such a way that only eight deaths resulted in 3 days of serious turmoil.

I have heard of no incidents of Metropolitan policemen demonstrating undue force and impatience with rioters and looters and with the citizens of the District of Columbia. The speed in which looters were arrested and brought before the police courts is a shining example of the efforts of the Metropolitan Police Department and the judicial system in the District to deal with such problems.

Also to be praised are the firemen who, at the risk of their lives, went to the troubled areas to fight almost 900 fires during the past 3 days. Such action demonstrated their great concern for the safety and well-being of the people of the District of Columbia. They demonstrated bravery, patience, and devotion to duty, and I am proud of them. These men worked hard not only in fighting fires but also assisting fire victims whenever possible.

The Director of Public Safety, Mr. Patrick V. Murphy, and his associates are to be complimented on the way they coordinated and worked closely with the Mayor's office and the Armed Forces in keeping bloodshed to a minimum and in restoring law and order in the city.

The task of restoring calm to our Nation's Capital is not over. We must now try to care for persons displaced by the violence. Once again, much of this responsibility will fall on Mayor Washington and his associates. I am heartened to learn that over 5,000 volunteers are working with Mayor Washington's office providing food, shelter, and other services for the disaster victims. The wisdom shown by Mayor Washington and his Deputy, Mr. Fletcher, Safety Director Murphy and the police officers and firemen is an example to other metropolitan areas of what can be done under a most trying situation. To the 40 policemen and 18 firemen already injured in the disturbances, I wish them a speedy recovery and return to duty soon. Their dedication and sacrifice to the public safety and welfare makes every citizen their debtor.

The cooperation between the Federal Government and the District of Columbia, as well as the work done by churches, hospitals, and other organizations working so hard through the days and nights to bring peace and calmness to this city will long endure as a shining example that many people practice the spiritual teaching that we are our brother's keeper. I only hope and pray that we can learn from these last several days that rioting and looting is senseless and that when it does occur it must be dealt with firmly in such a way that bloodshed is kept at a minimum. The District of Columbia policemen, firemen, and the Federal troops have given us this example, and I wish publicly today to recognize their outstanding work and their fulfillment far beyond the line of duty of the thrust of public service which they have rendered so patriotically.

Again, I wish to highly commend Mayor Washington, Mr. Fletcher, Mr. Murphy, and Chief Layton for their conduct, guidance, dedication, and very hard work during this period of extreme danger in the Nation's Capital.

CONCLUSION OF MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

AUTHORIZATION FOR ATOMIC ENERGY COMMISSION APPROPRIATIONS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the unfinished business.

The PRESIDING OFFICER. The bill will be stated by title.

The BILL CLERK. A bill (S. 3262) to authorize appropriations to the Atomic Energy Commisison in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from West Virginia?

There being no objection, the Senate resumed the consideration of the bill.

Mr. ANDERSON. Mr. President, I move that the Senate proceed to the consideration of H.R. 16324.

The PRESIDING OFFICER. The bill will be stated by title.

The BILL CLERK. A bill (H.R. 16324) to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from New Mexico.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. ANDERSON. Mr. President, in the absence of Senator PASTORE due to illness I have the privilege of acting as floor manager for H.R. 16324, a bill to authorize appropriations to the Atomic Energy Commission for fiscal 1969. The distinguished chairman of the Joint Committee on Atomic Energy, who has been absent from the Chamber for some weeks now, is expected to return to his seat in the near future. I know that my colleagues will be happy to learn that the senior Senator from the State of Rhode Island is making a remarkable recovery.

Mr. President, the Atomic Energy Commission's authorization request for fiscal year 1969, submitted to Congress on January 29, 1968, called for authorizations of $2,225,600,000 for operating expenses and $685,742,000 for plant and capital equipment, making a total requested authorization of $2,911,342,000.

Due to the rather critical budgetary circumstances we find ourselves in today, the committee reviewed the AEC's request with great care. The result of our efforts is the bill before you. I think it is a sound and prudent one. It would authorize appropriations to the AEC in the total amount of $2,618,301,000 for fiscal 1969, including certain changes in prior years' authorizations. This amount is nearly $300 million less than the AEC's authorization request to Congress. It is also about $15 million less than the AEC's fiscal year 1968 authorization. This significant reduction represents a nearly 11-percent reduction in the AEC's overall budget request. Insofar as the nonmilitary categories of the AEC budget are concerned, these reductions average approximately 23 percent.

The fact that the recommended authorization is less than that of fiscal 1968 takes on added significance when it is noted there is an increase of over $300,000,000 in the AEC's weapons program for fiscal 1969. This increase stems primarily from the president's decision last fall to deploy an ABM system. Also contributing to the increase in weapons expenditures is the recent intensification of AEC effort on the development and production of the warhead for the Poseidon submarine-launched intercontinental ballistic missile. Thus, the committee's recommended reductions in nonmilitary programs have been sufficient to completely absorb the increases necessitated in the military applications without any increase over the current fiscal year's authorization level.

Mr. President, I consider this bill noncontroversial. It is a good bill. It was reported by the Senate Members of the Joint Committee without any dissent. It was passed by the other body on April 4 by a wide margin—381 to 14. Therefore, unless my colleagues have any questions, I shall dispense with further explanation of the bill's provisions.

Section 101(a) of H.R. 16324 would authorize appropriations of $2,174,550,000 for "Operating expenses" of the AEC. On page 3 of the report before you, you will find a breakdown of the Joint Committee's recommended authorization for the AEC's major programs and subprograms. A more detailed discussion of each committee action will be found in the section of the report entitled "Committee Comments" beginning at page 7. If any Members have questions about any specific committee action, I will be happy to attempt to answer them.

Section 101(b) of the bill would authorize $74,011,000 for new construction projects, and $175,040,000 for capital equipment not related to construction. Again, I will be pleased to respond to any specific questions you may have on these items.

Section 102 of the bill would impose certain cost limitations of the initiation of construction projects, similar in most respects to limitations contained in other AEC authorization acts.

Section 103 of the bill would authorize the AEC to perform design work, subject to the availability of appropriations, on construction projects which have been submitted to Congress for authorization. This special authority would allow the AEC to undertake preliminary design work on projects which are of such urgency that actual physical construction must be initiated promptly after appropriations for the projects have been approved.

Section 104 of the bill would allow the AEC to transfer funds between the "Operating expenses" and the "Plant and capital equipment" accounts to the extent permitted by an appropriations act. In the past, the AEC appropriations acts have allowed the AEC to make transfers between these two accounts of up to 5 percent of the appropriations for either account, provided that neither appropriations could be increased by more than 5 percent by such a transfer.

Section 105 of the bill would amend the AEC Authorization Act for fiscal year 1958—Public Law 85-162—by extending for an additional year, until June 30, 1969, the date for approving proposals under the third round of the AEC's cooperative power reactor demonstration program.

Section 106 of the bill would amend previous AEC authorization acts to increase three project authorizations.

Section 107 of the bill would rescind authorization for a project which the committee believes to be no longer justified on the basis of current national priorities, except for funds heretofore obligated and such additional funds as may be necessary to close out the project. In rescinding authorization for this project, which was approved by Congress in fiscal 1965, savings of not less than $18,000,000 will be achieved. These savings are exclusive of additional costs for associated research and development and capital equipment not related to construction which otherwise would have been incurred in connection with this project. This estimate of savings also does not reflect the fact that the actual cost of the project has risen by an estimated $10,000,000.

HEART PUMP

Mr. President, one additional matter, I would like to bring to your attention because although only a small sum of money is involved, the Joint Committee on Atomic Energy considers it of major importance and added $800,000 to the Bill in excess of what was requested by the administration in its request to the Congress. This involves $800,000 to help develop a new type of heart pump to aid those with heart trouble.

More than a third of all deaths in the United States today are due to diseases of the heart and the proportion continues to rise. The subject has become one of particular public interest since Dr. Christian Barnard, of South Africa, performed his historic human heart transplant operations. A National Heart Institute study indicates that of the more than 700,000 lives claimed in a year by the disease, about 100,000 might have been helped if a circulatory support system were available.

The National Heart Institute has embarked on a program to develop assist system devices as well as a totally implantable system to replace the biological heart. The Atomic Energy Commission has been conducting parallel conceptual design studies for powering an implantable heart system with an isotopic energy source. Last year four separate radioisotopic engine concept design studies were conducted each by a different contractor. Each came up with a different concept all of which appear feasible. The basic principle, however, is the same in all. The heat of decay from a radioisotope—plutonium 238—would be used by a suitable converter to provide power for the heart pump.

The executive branch provided no moneys in the fiscal 1969 budget to proceed with development of these concepts. Since the committee's fiscal year 1968 authorization hearings, the National Heart Institute has changed its program objectives. The reason set forth is the need for a stepwise effort in the development of implantable heart assist devices. The National Heart Institute's immediate goal is an intermediate stage device with an external power source for implantation in animals at an early date.

The prospects for developing a radioisotopic heart engine appear excellent. Radioisotopic fuel development efforts indicate that the highly refined grade of plutonium .238 necessary can be produced. And medical opinion is that the radiation dose rate to the patient would be acceptable. The Atomic Energy Commission has a plan whereby an 18-month test program on model engines would be conducted to establish the performance capability of at least two of the concepts studied in the first phase. This program is estimated to cost $800,000. This would be followed later by a third phase to develop and test a prototype engine which it is estimated would take 3 years.

I consider the addition of $800,000 to the AEC authorization by the committee for the second phase of the AEC's parallel development effort to produce a very compact long-lived internal source of power for an implantable heart unit, a prudent and timely step in this very important effort.

I would like also to include in the RECORD a news release on this subject which was dispatched from my office on April 4, 1968.

There being no objection, the news release was ordered to be printed in the RECORD, as follows:

NEWS RELEASE FROM THE OFFICE OF SENATOR CLINTON P. ANDERSON, DEMOCRAT, OF NEW MEXICO, APRIL 4, 1968

Atomic Energy Commission efforts have succeeded in keeping alive a program to develop a nuclear-powered heart, Senator Clinton P. Anderson, D.-N.M., said today.

The AEC authorization bills reported to both the Senate and the House for fiscal year 1969 contain $800,000 to continue work with the National Heart Institute on a radioisotopic heat engine. An AEC request for direct funding of $1 million for the current year was turned down by the Budget Bureau.

The funds will enable contractors to evaluate designs for a protoype engine to power heart devices. The AEC hopes to go ahead with a three-year program costing $4 million.

"There are still technical and engineering problems to be worked out," Anderson said. "However, four conceptual design studies just completed for radioistopic engines confirm the capability of current technology to handle the assignment."

The AEC also conducts a nuclear fuels program to develop a safe radioistope for implantation in the human body. Elemental impurities have been significantly reduced from plutonium-238 through an electrorefining process. Los Alamos Scientific Laboratory prepared the first batch of this electrorefined fuel in August, 1967.

"Radioisotopic power sources appear to be completely implantable and have a relatively long life," Anderson said. "They offer substantial advantages over the non-nuclear circulatory systems for that reason.

He pointed to the nuclear-powered cardiac pacemaker being developed to assist patients suffering from heart block, which lasts ten years in comparison with the battery-operated device requiring a replacement every two years.

"It has been suggested that there is no urgency for funding such a long-term effort," Anderson said. "The death of a half million Americans each year from heart disease is a matter of national concern deserving high priority in the Government's research and development effort."

He added:

"The scarcity of organs already poses major obstacles to widespread heart transplants and the artificial heart will be called upon to answer the need. We need to prepare now."

Mr. ANDERSON. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the committee report (No. 1074), showing a section-by-section analysis of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

SECTION-BY-SECTION ANALYSIS

Section 101 of the bill authorizes appropriations to the Atomic Energy Commission, in accordance with the provisions of section 261 of the Atomic Energy Act of 1954, as amended, for "Operating expenses" and "Plant and capital equipment."

Section 101(a) of the bill deals with the authorization of appropriations for "Operating expenses." The Commission's authorization request under this heading was presented to the committee in terms of costs to be incurred during fiscal year 1969, adjusted in total to the obligations to be incurred during the fiscal year.

The committee is authorized a total of $2,174,550,000 for "Operating expenses," not to exceed $119,400,000 in operating costs for the high energy physics program category. It is the committee's intent that the amount specified for any program or category shall be exceeded only in accordance with specific arrangements which have been developed between the Commission and the committee. These arrangements include provision for periodic reporting to the committee of changes in estimates of authorized programs. These informal procedures, embodied in an exchange of correspondence between the Atomic Energy Commission and the committee, have operated efficiently. It is the committee's belief that legislative measures or other formal devices that would impose legal limitations upon the reprogramming of Commission funds are not necessary at this time. It is the committee's intent that the procedures specified in this exchange of correspondence shall remain in effect during fiscal year 1969.

It is intended that costs incurred pursuant to the authorization contained in this act shall be generally in accordance with the analysis of the proposed bills submitted by the AEC and other background and explanatory materials furnished by the Commission in justification of the AEC's fiscal year 1969 authorization bill.

Plant and capital equipment obligations are provided in three sections of the bill. Under section 101(b), an authorization is provided for new construction projects and capital equipment not related to construction. This authorization, together with the changes in prior year project authorizations provided for in sections 106 and 107, discussed below, comprise the total authorization for plant and capital equipment provided for in this bill. The AEC's request for authorization for these purposes was presented on the basis of new obligational authority required. New construction projects authorized under subsections (1) through (6) of section 101(b) of the bill total $74,011,000.

It is intended that the projects under this authorization be related, as in previous years, to the analysis of the proposed bills submitted by the AEC and other background and explanatory materials furnished by the Commission in justification of the AEC authorization bill. It is not intended to prevent technical and engineering changes which are considered necessary or desirable by the Commission consistent with the scope and purpose of the project concerned.

Pursuant to section 101(b)(7), appropriations are authorized for capital equipment not related to construction in the amount of $175,040,000. This equipment is necessary to replace obsolete or wornout equipment at AEC installations. Additional equipment is required to meet the needs of expanding programs and changing technology. Examples of typical equipment include machine tools, computers, and office equipment. The committee expects to receive a report from the Commission at least semiannually on obligations incurred pursuant to this authorization.

SECTION 102

Section 102 of the bill provides limitations similar to those in prior authorization acts.

Subsection (a) provides that the Commission is authorized to start projects set forth in certain subsections of section 101 only if the current estimated cost of the project does not exceed by more than 25 percent the estimated cost for that project set forth in the bill.

Subsection (b) provides similar limitations for the project in another subsection of section 101, except that the increase may not exceed 10 percent of the estimated cost shown in the bill.

Subsection (c) provides limitations on general plant projects authorized by subsection 101(b)(c), whereby the Commission may start such projects only if the currently estimated cost of such project does not exceed $500,000 and the maximum currently estimated cost of any building included in such project does not exceed $100,000; provided that the building cost limitation may be exceeded if the Commission determines that it is necessary in the interest of efficiency and economy. Additionally, section 102(c) provides that the total cost of all general plant projects shall not exceed the estimated cost set forth in subsection 101(b)(6) by more than 10 percent.

Under arrangements previously agreed to by the Commission and the committee, the Commission shall report to the Joint Committee and the Appropriations Committees after the close of each fiscal year concerning the use of general plant project funds, and such report shall identify each project for which the proposed new authority has been utilized.

SECTION 103

Section 103 of the bill authorizes the Commission to undertake engineering design (titles I and II) on construction projects which have been included in a proposed authorization bill transmitted to the Congress by the Commission. It is understood that this work would be undertaken on projects which the Commission deems are of such urgency that physical construction should be initiated as soon as appropriations for the project have been approved.

SECTION 104

Section 104 of the bill provides authorization for the transfer of amounts between the "Operating expenses" and the "Plant and capital equipment" appropriation as provided in the appropriation acts. The AEC appropriation acts have, in past years, provided that not to exceed 5 percent of the appropriations for "Operating expenses" and "Plant and capital equipment" could be transferred between such appropriations, provided, however, that neither appropriation could be increased by more than 5 percent by any such transfer. It is understood that any such transfer shall be reported promptly to the Joint Committee on Atomic Energy.

SECTION 105

Section 105 of the bill pertains to the cooperative power reactor demonstration program. This section amends the AEC authorization act for fiscal year 1958 (Public Law 85–162) by extending for an additional year, until June 30, 1969, the date for approving proposals under the third round of the cooperative power reactor demonstration program.

SECTION 106

Subsection (a) of section 106 amends section 101 (b) of Public Law 90–56, the AEC's authorization act for fiscal year 1968, by increasing by $184,500,000 the authorization for project 68–2–a, new weapons production capabilities, various locations, and by increasing by $25,000,000 the authorization for project 68–4–f, 200 Bev accelerator.

Subsection (b) of section 106 amends section 101 of Public Law 89–32, the AEC's authorization act for fiscal year 1966, by increasing by $3,200,000 the authorization for project 66–2–d, environmental test facility, Lawrence Radiation Laboratory, Livermore, Calif.

SECTION 107

Section 107 amends the AEC's fiscal year 1965 authorization act (Public Law 88–332) by rescinding authorization for Project 65–5–a, Argone advanced research reactor, Argonne National Laboratory, except for funds heretofore obligated and such additional funds as may be necessary to close out the project. The committee believes that this project is no longer justified on the basis of current national priorities. The savings in project construction obligations effected by this action are estimated to be not less than $18 million. These savings are exclusive of additional costs for associated research and development and capital equipment not related to construction which otherwise would have been incurred in connection with this project, and do not reflect the fact that the estimated cost of the project has risen by $10 million.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. AIKEN. Mr. President, the comments of my distinguished colleague, the senior Senator from New Mexico, effectively conveyed the spirit in which the Joint Committee examined the Atomic Energy Commission's authorization request for fiscal year 1969. "Scrutinize" would perhaps be more descriptive of our approach than "examine." In the jargon of the cost effectiveness people, I might say that this bill anticipates more output per dollar than perhaps any previous AEC authorization.

The most revealing statistic in our report is that the Commission's authorization requests for programs not involving military applications were reduced by 23 percent. As a result of this action, the committee is able to report out a bill that is over $15 million less than the fiscal year 1968 authorization, despite an increase of over $300 million in the weapons program. As Senator ANDERSON noted, the significant increase in the weapons program stems in largest part from the executive decision regarding deployment of an anti-ballistic-missile system and an intensification of effort on the Poseidon missile system.

This year's AEC request was up about $300 million from fiscal 1968 spending levels, largely because of these added expenditures for national security. The committee's recommendations provide for decreases in nonmilitary programs of sufficient magnitude to cover completely this increase, and, in fact, provide for an authorization less than last year's. I believe, Mr. President, that the committee has been responsive to the current need for fiscal austerity.

Mr. President, the depth of our review of the Commission's request is exemplified by the recommended rescission of a prior-year authorization for the Argonne advanced research reactor. This project was authorized in fiscal year 1965 in the amount of $25 million. In the interim, the project completion date has slipped over 3 years, and the estimated cost has increased by $10 million, to $35 million. These facts did not escape our attention.

The committee recognized the desirability and potential utility of this basic research device. On the other hand, considered in the context of today's national priorities and in view of the slippage and estimated cost increase, the committee concluded that the project was no longer justified.

We estimated that the savings in project construction costs effected by the committee's action will be about $28 million. In addition, other savings will result from the curtailment of related research and development and of procurement of certain equipment that would have been needed for the facility.

Mr. President, our report contains other examples of this nature. The bill presented to you today has trimmed the excess that may have been in it, and perhaps even a little flesh and bone too. It is deserving of passage. The bill was reported without dissent by any of the Senate members of the joint committee, and was passed by the other body on Thursday, April 4, by an overwhelming margin.

Mr. TALMADGE. Mr. President, notwithstanding the rule of germaneness, I ask unanimous consent that I may be permitted to speak on another subject for 8 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE PLIGHT OF THE AMERICAN FARMER

Mr. TALMADGE. Mr. President, the well-known and authoritative syndicated columnist, Sylvia Porter, has written an excellent article concerning the plight of the small American farmer. This article was headlined, "Farmers Again in Squeeze."

While I compliment Miss Porter on her penetrating analysis of a most critical problem confronting about 1 million of our farmers, the headline writer would have done better to proclaim "Farmers Still in Squeeze." For farmers have been caught in a price-production cost squeeze for many years now, and it has driven millions of people off the land. Six hundred thousand people left their farms just last year.

Miss Porter gave a grim but nonetheless accurate picture of this situation when she commented that more than 1 million farmers are today threatened with economic extinction.

This is the farmer who feeds 200 million Americans, and about 160 million more across the world—although he is only about 6 percent of our total population.

This is the farmer who can out-produce and do so more efficiently than farmers anywhere in the world.

This is the farmer who has made American food the best buy in the world.

This is the farmer who has helped make our Nation fat and prosperous and secure.

He has provided a bounteous supply of food and fiber for the American consumer, at lower prices in terms of total income than anywhere else.

He has furnished the raw materials for our booming industries.

He is a hard working and dedicated part of this Nation's largest and most important business.

He has also been relegated to a position of second-class citizenship in the American economy. He is denied his fair share of the national income.

This to me is a national disgrace. It demands our attention no less than the critical social and economic problems of our large cities. The declining status of the farm and rural poverty go hand in hand with urban poverty. One very often produces the other.

The President's Advisory Commission on Rural Poverty had this to say in its recent report:

> Rural poverty is so widespread, and so acute, as to be a national disgrace, and its consequences have swept into our cities, violently.

I submit that much of the rural poverty that we have today, and a large part of the poverty that plagues our cities today, can be traced directly to economic pressures that have forced almost 4 million American farms out of business in the past 30 years.

We can go back to just 1950 and see what has been taking place.

Between 1950 and 1967, realized net farm income nationwide increased only 13.3 percent, from $12.8 to $14.5 billion.

During the same period, farm production expenses went up 77.3 percent, from $19.4 to $34.4 billion.

In other words, with only a slight gain in income over a 17-year period, the cost of production almost doubled.

For my State of Georgia during this period, realized net farm income rose 38 percent, from $313.5 to $433 million.

But the cost of production jumped 110 percent, from $359 to $754 million.

More recently, farm prices were down 5 percent last year, while production expenses increased about $1 billion.

The American farmers' total realized net income last year was almost $2 billion less than 1966, down from $16.4 billion to $14.5 billion.

Now we are told that this is about 25 percent higher than it was in 1960, and this is supposed to show that the farmer is moving right along with everyone else in improving his income. This just is not so, for between 1960 and 1967, the cost of production climbed 31.3 percent.

And keep in mind that the taxes payable by farmers are up about 6 percent, farm wages up 8 percent, and interest charges on farm real estate debt up about 12 percent.

This then has been the story. The American farmer has been producing more for the benefit of the consumer and the general well-being of America. In fact, just about everyone benefits except the farmer, because he is having to pay more for what he produces, and yet receive less for his efforts and investment.

He is not getting ahead, or even holding his own. The farmer is being pushed further and further down the American economic ladder.

It is a shame that the farmer can multiply production, increase his efficiency, and feed a good part of the world, and still not be guaranteed a return on his investment.

The United States is presently in the midst of its longest period of prosperity. The farmer is entitled to 100 percent of his share of this prosperity—and not just a fraction of it that has left him lagging far behind other segments of the American economy.

I bring Miss Porter's column to the attention of the Senate and ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Evening Star, Apr. 4, 1968]

FARMERS AGAIN IN SQUEEZE

(By Sylvia Porter)

At a recent town meeting of a small New England village, residents voted to exempt the village's four dairy farmers from personal property tax on their livestock, although other types of stock in trade are taxable in this village. The reason the farmers got the break, it was explained, was that while the costs of feed grains, farm machinery, fertilizer and farm labor are rising steeply, the farmer is just about alone among businessmen in not being able to raise the prices of the products he sells.

"The exemption will save me $60 a year," commented one young farmer, "hardly enough to make the cost squeeze less painful."

You can multiply this cost-squeeze complaint by the more than 1 million small farmers throughout the United States, who are today threatened with economic extinction, although you probably won't find many examples of special concessions by townsfolk to help their pinched neighbors.

FARMERS GET LESS

Although we, as consumers, are paying 20 percent more for the food we buy than we paid two decades ago, the farmers who produce the food are getting 6 percent less for their efforts. Meanwhile, the costs of supplies and equipment the farmers must buy have leaped 30 percent.

Today, the farmer gets only 5½ cents of your after-tax $1 for his products, one-half of the share he got as recently as 1947.

Last year alone, the U.S. farmer was hit by a $1.5 billion farm-price drop. Today, per capita disposable income for U.S. farmers averages only $1,692, about 60 percent of the income for other Americans.

As a result, the flight from small farms—usually to big, congested cities—has been relentless. Since 1935, the number of U.S. farms has dropped from 6.8 million to under 3.1 million, the lowest number since 1875. In 1967, 600,000 Americans left their farms.

FACTS ARE BRUTAL

These are the brutal facts behind the new round of threats by the National Farmers Organization to withhold key food products to force up prices they receive.

These also are the facts behind a new proposal to establish a National Agricultural Relations Board at the federal level to serve U.S. farmers in the same way the National Labor Relations Board serves other U.S. workers, or to give farmers a new way to unionize on a national scale.

And these are the facts behind the President's call to Congress for more food-price supports, collective bargaining for farmers and the creation of a "National Food Bank" for surpluses which would help support prices to farmers.

The revolution on the farm is speeding up. The end is not foreseeable.

Here are examples of the amounts farmers get for each food $1 you spend:

Farmer's share of $1 spent

Item:	Cents
Corn flakes	7
Sandwich cookies	9
Whole wheat bread	11
Canned corn	12
White bread	15
Frozen peas	15
Fresh spinach	24
Potatoes	25
Sugar	38
Fresh milk	50
Eggs, Grade A large	57
Beef choice	58

Mr. HANSEN. Mr. President, will the Senator yield?

Mr. TALMADGE. I yield.

Mr. HANSEN. Mr. President, I compliment the distinguished Senator from Georgia for having brought so graphically to the attention of all of us the seriousness of the rural problem of America.

A number of people have spoken of the great importance of reversing this trend so as to encourage people to stay in the rural sections of the country. We are plagued every day with manifestations of the problems caused by the concentration of people in the cities of America. And I think we will miss half the mark if we fail to appreciate that it is a twofold problem, a two-pronged problem that we are trying to come to grips with.

We must solve the question of what we are going to do about the problem of population congestion in the cities of America. And I think we would miss the mark completely if we only react from this ever growing problem. There is another question going beyond that. It is an important source of the problem, just as the distinguished Senator from Georgia has so pointedly brought to our attention this morning. I refer to the problem of the rural parts of America, the declining payroll, the declining return from farm income, the ever increasing debt that the farmer must carry.

I was talking not more than a week ago with an insurance appraiser. He told me that in his part of the country he was making higher appraisals, which does reflect some increase in real estate values.

The unfortunate thing, as the appraiser has pointed out, was not that the farmers and the ranchers were getting out of debt, but that they were getting more deeply into debt. They have to borrow more money in order to pay off bills that result from increased labor cost, increased taxes, increased gas and oil prices, increased prices of everything else, machinery, and the whole gamut of expenses that are part and parcel of the farming situation.

This has resulted in the farmers having to go even more deeply into debt. They increase their borrowing to meet their month-by-month expenses.

I think that unless we understand that this is a very important part of the problem of the cities and has contributed to the concentration of people in the cities because these people have left rural America, we are not going to solve the problems of the cities, nor of America.

I compliment the distinguished Senator from Georgia for his very able presentation.

Mr. TALMADGE. Mr. President, I thank my friend, the distinguished Senator from Wyoming. I concur with everything he has said. It is true that many of those engaged in agriculture in our country at the present time are living off capital—borrowed capital at that—and not income.

I also share the view of the Senator that the surplus agricultural workers that are going to our congested cities are contributing the most to the problems of America at the present time. They go there with few skills. They have limited education. They have little training. They are ill-adapted for urban life.

Many of those same people are the ones who were engaged within the last few hours in burning and looting in Washington, D.C.

Our country would have been far better off if those people had continued to live in the rural areas in constructive jobs and continued to make contributions to our society.

Mr. HANSEN. Mr. President, will the Senator not agree with me that the people who have fled the rural parts of

America and gone to the cities are as ill-equipped as any people in our cities today to find work and have an opportunity to take care of their families and to discharge the responsibilities that we ought willingly to assume insofar as our families are concerned?

Mr. TALMADGE. I agree completely.

Mr. HANSEN. I do not know how quickly we are going to recognize that the problems of the cities do reflect the deterioration of farm income. However, I think it is inescapable. We must face it, and the sooner we do face it the sooner there will be some reasonable prospect that we can stay this great inflow of people into the cities which magnifies the problems of the cities.

Mr. TALMADGE. The Senator is correct, I thank him for his contribution to the record today in that regard.

Mr. President, I yield the floor.

AUTHORIZATION FOR ATOMIC ENERGY COMMISSION APPROPRIATIONS

The Senate resumed the consideration of the bill (H.R. 16324) to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. ANDERSON. Mr. President, I yield to the Senator from Tennessee.

Mr. BAKER. Mr. President, in connection with the authorization of appropriations for the Atomic Energy Commission for fiscal year 1969, both the occupant of the chair, the distinguished senior Senator from Tennessee [Mr. GORE], and the junior Senator from Tennessee have a most substantial interest in the welfare and the future of these projects, and in the future of atomic energy especially for peaceful purposes, because of the contribution that has been made by the Oak Ridge National Laboratory and its work in connection with it.

I make today, particular reference to experiments being conducted now at Oak Ridge in the field of molten salt reactors leading to the era of molten salt breeder reactors which would bring the opportunity to construct and operate an economic and practical and soon-to-be-available system of breeder reactors for this Nation.

It was my privilege to appear before the Joint Committee on Atomic Energy and to urge that the full amount of budgetary requests for the continuation of the molten salt reactor experiment—MSRE—be funded this fiscal year.

This request was buttressed by the statement by Dr. Alvin Weinberg, Director of the Oak Ridge National Laboratory, that he, for his part, was willing to readjust appropriations within the laboratory itself in order to accommodate the transfer of funds from other projects to this project in order to continue the funding of MSRE at the requested level and at the level recommended by the Atomic Energy Commission.

For my part, I might say that MSRE is one of the truly significant and possibly even spectacular new developments that are in prospect as the next step in this fertile, technological revolution. I feel that in the matter of establishing technical priorities in this Nation, we cannot overlook the fact that energy is a unit and a measure of basic wealth and that the perfecting of a breeder reactor system, as promised by the molten salt concept, so far has been the most practical and the quickest route for the production of vast new quantities of very low cost electrical energy, thus contributing directly to the welfare of America and, indeed, of all the world. For we must bear in mind, as we all do, that in this era of social need, in this era of social demand, in this era of a heightened social conscience, America, the richest nation on earth, is still dirt poor in terms of those things we would like to undertake, those projects we would like to fund, that poverty we would like to totally alleviate, and the pain and disadvantage we would like to totally obliterate. Nuclear energy, especially the concept of breeder reactors, offers a real and a practical hope of great quantum jumps in the amount of available wealth that this Nation and the world have in its continuing fight against the plight of the poor, the needy, and the disadvantaged.

With these things in mind, I urged as strongly as I could the full funding of the molten salt reactor experiment at Oak Ridge. I was careful to point out that this in no sense is a regional concern, that the fact that the experiments are conducted in Oak Ridge simply made them more available for my inspection and possibly increased the depth of my knowledge.

To reinforce my vow of nonregional concern for this project, I expressed to the Joint Committee my willingness to participate fully in the making of spending reductions in corresponding amounts in other nonessential areas. As a member of the Public Works Committee, I expressed a willingness to see these cuts made in Tennessee if necessary. Dr. Weinberg also expressed his willingness to shift funds within the Oak Ridge budget in order to maintain the full requested funding for MSRE.

The Joint Committee, in its good judgment, and in recognition of the enormous problems that confront this Nation today, especially in connection with its fiscal policy, felt that this could not be done in this fiscal year, in the authorization before the Senate at this time, and with that judgment of the joint committee I fully concur. I reluctantly agree that it cannot be done this year, and I thank the Joint Committee for its courtesy in hearing my testimony and my urging that it be conducted in this manner.

I rise now to review the nature of this project, to underscore my feeling of the great importance and significance that it has for the entire country and for the entire world and civilization, and to urge that in funding this project—MSRE—at less than the full request for this fiscal year, we not lose sight of the high priority that a project of this type should have and that we not lose sight of the compelling justification for increasing the funding of this and similar projects in the next ensuing fiscal year.

Mr. President, I ask unanimous consent to have printed at this point in the Record certain testimony that I gave before the Joint Committee in connection with the matter under consideration.

There being no objection, the testimony was ordered to be printed in the Record, as follows:

Remarks by Senator Howard H. Baker, Jr., Before the Joint Committee on Atomic Energy, Tuesday, February 6, 1968

Mr. Chairman and Members of the Committee, I appreciate the opportunity to appear before the Joint Committee on Atomic Energy and to testify on behalf of an increase in the authorization for the molten salt reactor experiment at Oak Ridge. I understand that the Atomic Energy Commission recommended $10 million for MSR in FY 1969, and the President's budget includes $6.7 million.

I am fully, acutely, and keenly aware of the urgent necessity for fiscal restraint, for reductions in the level of federal expenditures, and the deferral of spending in an effort to meet what I conceive to be a near-crisis situation in federal fiscal accounts; however, I am also keenly aware that things important too often give way to those which are merely urgent. And in this vein, I have proposed that a careful re-examination of projects in light of their importance, their promise, their cost, as well as their urgency, must accompany an intelligent rearrangement of the income and expenditures of the government.

I feel that the MSR experiment is of such vital national importance that the Commission's recommendation should be restored in its entirety and that in the exercise of the setting of priorities, a commensurate reduction of expenditures in some other field can and should be undertaken. Mr. Chairman, and Members of the Committee, to underscore my deep conviction in this respect, I am perfectly willing to have any other aspect of the AEC authorization or the Public Works authorization, within or without Tennessee, at Oak Ridge or otherwise, reduced by the sum of $3.3 million, or any combination of such reductions to equal $3.3 million, in order to meet the urgent requirements of the molten salt program.

In support of this proposition, I am told by Dr. Alvin Weinberg, the Director of the Oak Ridge National Laboratory, that he would be agreeable to a rearrangement of the total budget of the Oak Ridge National Laboratory in order to reduce other budget items by a commensurate amount in order to restore the authorization request for MSRE.

On August 29, 1967, on the floor of the Senate I spoke on the importance of the MSR experiment and the spectacular promise of breeders, and the thermo breeder especially, to the long-term prosperity of this country and the entire world. Without repeating at length the points I attempted to make in that speech, I would respectfully urge that the development of economic breeder reactors must be accomplished if nuclear power is to provide the United States with a long-term source of low cost energy. The achievements for the past year offer considerable hope that the molten salt route can lead to early success in the development of economic breeders. During 1967 the MSRE passed well beyond the 6000 equivalent full power hours that AEC testified last year should be attained before its success could be judged. Development of processing methods and core designs that make it feasible to have a high performance MSBR using a single fluid containing both uranium and thorium move the MSRE closer to commercial success.

During the past year unexpected difficulties arose which made the early achievement of economic fast breeders look less likely and the development of economic thermo breeders more likely.

Because molten salt breeder reactors have much lower fissile fuel inventories, they are as effective as fast reactors (which have higher breeding ratio) in conserving our ore resources.

ORNL studies show molten salt breeders to have low fuel cycle costs because no fuel fabrication is required and the fuel inventory cost is low. Black and Veatch, who evaluated MSR's for Northern States Power Company, were quoted by *Nucleonics Week* as concurring in this and as saying that the concept should be given the attention of the utility industry. This is an important point because regardless of other merits, a reactor will not be used by utilities unless its power costs are low.

Thus molten salt reactors look more promising technically relative to fast reactors than they did a year ago, they serve as well as fast breeders in conserving ore, and they are economically very promising. Because of the importance of breeding to the nation, an aggressive program to develop molten salt breeders should be pursued.

How does the budget for Molten Salt Reactor work compare with that for Liquid Metal Fast Breeders?

In 1967 LMFBR costs were $42,592,000 while costs for the Molten Salt Program were only $4,128,000. In 1958 LMFBR funding increased about 55 percent to $66,050,000 while the molten salt increase to $4,200,000 was less than 2 percent. The proposed 69 levels are 82,000,000 for LMFBR and $6,700,000 for MSR. In addition to these operating funds, an increase of $35,000,000 in funding for the Fast Flux Test Facility (FFTF) is being requested in the construction projects portion of the budget (This project was authorized in Fiscal Year 1967 at $87,500,000). Thus a comparison of planned spending in Fiscal Year 1969 would show $117,000,000 for the LMFBR and only $6,700,000 for Molten Salt.

SUMMARY

	1967	1968	1969
LMFBR	$42,596,000	$66,050,000	[1] $119,000,000
Molten salt	4,128,000	4,200,000	6,700,000

[1] Includes $82,000,000 operating, $2,000,000 as EBR-II modifications (69-4-b), and $35,000,000 for FFTF (67-3-a). Comparable capital costs for LMFBR for 1967 and 1968 are not available at this time.

What course of development ought to be pursued for MSBRs?

I respectfully submit that:

1. ORNL's molten salt budget ought to be increased to a level that permits full investigation of all important questions and rapid progress in the development of components and systems needed for breeder reactors.

2. A commitment should be made to construct a Molten Salt Breeder Experiment at the earliest moment the technology and budget considerations permit. Authorization in FY 1970 ought to be planned tentatively and the R & D and reactor design effort carried on at a level which would make this a feasible goal if the work of the next year continues to be promising.

3. The Molten Salt Breeder Experiment probably should be in the range of 200 to 300 Mwe.

4. Industry should be involved in the program as early and as fully as possible.

5. If all goes well, the design of a large reactor should be started before construction of the breeder experiment is completed and this overlapping pattern continued until commercial plants are achieved.

What budget levels would the preceding programs require?

ORNL's budget should be at a minimum of $10 million in Fiscal Year 1969 and ought to be $20 million in FY 1970 and the following years. With a $20 million budget, it will be possible to perform the R & D required for the breeder experiment, construct a non-nuclear mock-up of the essential parts of the reactor, and support some industrial participation. Additional support would be required for very extensive industrial involvement.

The breeder experiment itself would probably cost $60 to $80 million, part of which should be provided by the utility which gets the power.

What comparison can be made of the role of private industry in the Fast Breeder and the Molten Salt Thermal Breeder programs?

Widespread participation by private industry in the Fast Breeder Program, with the exception of the Fermi Reactor, became significant only after a public commitment had been made by the AEC to strongly support the development of the necessary technology. A comparable commitment to the Molten Salt Thermal Breeder must now be made if we are to be sure of private industrial support and participation. Such partnership between industry and government is not only desirable but absolutely essential to the ultimate success of the project; strong action by the government in providing a substantial and firm base upon which to establish and promote such a joint effort at this time is imperative.

In conclusion, I feel that most remarkable progress has been made with the Molten Salt Reactor Experiment. I believe that the molten salt concept is far more than a backup for the LMFBR and that it may be the best and least costly approach to nuclear power for the future. I respectfully urge that the Committee consider the authorization of $10 million, with a commensurate reduction of $3.3 million in other items for Fiscal 1969.

Mr. AIKEN. Mr. President, the Joint Committee on Atomic Energy also is favorably impressed by the work conducted to date at Oak Ridge under the direction of Dr. Alvin Weinberg on the molten salt breeder reactor. The staff members of the Joint Committee have visited the Oak Ridge laboratory to obtain firsthand information and have reported favorably to the committee as to the potential this experimental reactor appears to have. During the Joint Committee hearings to consider the Atomic Energy Commission fiscal year 1969 authorization, on January 31 we heard testimony from Dr. Weinberg concerning this project. Also, the junior Senator from Tennessee was a most understandable witness before the Joint Committee when he testified February 6.

Last year, the molten salt breeder reactor was funded at a level of $4.2 million. This year's level of funding is projected at $6.7 million, an increase of $2.5 million. Now, Dr. Weinberg and those working at the Oak Ridge laboratory on this project would have liked to have had $10 million to work with this coming year. Unfortunately, in view of the tight budget situation they are being held to $6.7 million. As of now, the Joint Committee is recommending a reduction of over 10 percent of the AEC budget. We have cut out $293 million. We did not cut this project. We have gone along with the $2.5 increase of last year.

The Joint Committee will continue to follow this project, and we hope and expect that Dr. Weinberg and his capable staff will continue to make technical advances and that next year, depending upon the budget situation, this project will be funded at a level commensurate with its achievements.

Mr. ANDERSON. I thank the Senator from Vermont and the Senator from Tennessee for their comments. Very fine work has been done with respect to this matter, and I am happy that the Senator from Tennessee has raised the question again.

I have nothing further, Mr. President.

The PRESIDING OFFICER (Mr. JORDAN of Idaho in the chair). The bill is open to amendment.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THURMOND. Mr. President, the Savannah River plant near my hometown of Aiken, S.C., is the largest single investment ever made by the U.S. Government at one time. This important installation deserves the continued support of our Nation. Many peaceful and beneficial uses of atomic energy remain untapped. At the Savannah River plant much has been and can be done to explore further this potential reservoir of progress for mankind.

I should like to review briefly the activities at the Savannah River plant. While the production of materials for nuclear weapons is still the primary function of this facility, more and more time and effort are now being directed to the peaceful uses of atomic energy. The Savannah River laboratory with a talented and well-trained staff of over 850—including 75 Ph. D's—is a center for this effort. This work involves some of the rarest radioisotopes. This is due to the plant's high flux reactors which operate at an intense radiation rate. These reactors are particularly suited to producing the radioisotopes being studied for applications in space, industry, and medicine. Research teams are looking for better ways to prepare and use these isotopes.

These peaceful applications of atomic energy include the following use for the present and future:

First. Commercial power generators in more than 50 U.S. nuclear fueled plants.

Second. Medical uses for treatment of cancer and research in this and other fields of preventive medicine.

Third. Food processing uses are being developed to prolong the shelf life of foods.

Fourth. Industrial radiography has developed uses of X-ray equipment to discover hidden flaws in large metal castings.

Fifth. In providing power for remote places, thermoelectric generators with radioactive isotopes as the heat source are compact and reliable, and emit energy for long periods without maintenance.

Sixth. Beyond these applications, other uses of atomic energy are in the theoretical or early experimental stages.

Mr. President, I am pleased the Joint Committee on Atomic Energy has recommended so early this year, the fiscal year 1969 AEC authorization bill in order

that the work of the Atomic Energy Commission can go forward. This program will enable the work of AEC in developing the various applications of atomic energy to progress and continue to provide our Nation with the knowledge necessary to make the best use of the atom.

Mr. ANDERSON. I thank the distinguished Senator from South Carolina.

Mr. BIBLE. Mr. President, the Joint Committee on Atomic Energy deserves special praise for a difficult job well done on the fiscal 1969 Atomic Energy Commission authorization (H.R. 16324). We are all keenly aware of the budget stringencies that exist and the urgent need to cut spending wherever possible without endangering our national defense and welfare. In my opinion, the Joint Committee performed this task with reason and skill.

I am, of course, particularly interested in AEC programs, for much of the testing is carried out in my own State of Nevada. The Nevada test site ranks as a major Federal activity in southern Nevada, and its function is an essential part of our nuclear energy development program, both in weapons development and in the peaceful application of nuclear power.

From the Nevada test site standpoint, I do not think there can be any argument with the action of the Joint Committee. Reductions will apply there as they will throughout our nuclear program. However, I am pleased the committee was able to slice $293 million from the total authorization request without crippling any one segment of the AEC program. As I see it, the essential programs have been kept intact or given minimum reductions while less essential aspects have been realistically reduced.

I am particularly pleased the committee saw fit to give such a strong endorsement to the space propulsion systems program. The reduction of $3 million in the total $72 million authorization request for this program is a sensible and practical savings that will not permanently impair our project to develop a workable nuclear rocket engine. This action has already been endorsed in the House and I hope it will be here today in the Senate.

More significantly, probably, I hope the endorsement of our NERVA I engine development also extends to the space program authorization. As we witnessed last session, it does not help much to gain full funding for the AEC on this joint project if the National Aeronautics and Space Administration portion is cut back too far. This program must walk on two legs, and I fear the same budget cutters among our colleagues in the other body have been overzealous and will all but amputate the NASA leg if their recommendations are adopted.

Mr. President, my contention is that our great Nation cannot afford to abandon a project so vital to our long-range, overall space program. The nuclear rocket engine is the next logical step forward from the mighty Saturn rocket. Without it we are hobbling our future progress in space. As the Joint Committee stated in its report:

> The Committee is disturbed by the recent signs indicating that support for this program may be faltering and that development of the NERVA nuclear rocket engine may be curtailed. . . . Lack of support for the NERVA engine in fiscal year 1969 could seriously impair this country's ability to make use of the tremendous technical capability developed in this program over the past 12 years. Worse yet, without the development of a nuclear rocket engine, it is not possible to project a viable space program based on a significant time-wise advancement in propulsion capability.

I wish to emphasize the Joint Committee's next statement:

> Deferral is not possible without incurring certain irreversible penalties which will be very costly to this nation in the long run.

The Joint Committee goes on to say it would not have recommended even the slight reduction it did if there had not been such stringent fund limitations.

Mr. President, I urge full Senate endorsement of the committee's recommendations on our nuclear rocket program. And I call upon my colleagues in both Houses of Congress to support NASA funding as well so that this joint project can continue to move forward confidently on two good legs. It is to our Nation's benefit that it does.

Mr. ANDERSON. I thank the distinguished Senator from Nevada.

Mr. PERCY. Mr. President, I rise in support of the pending legislation and I commend the Joint Committee on Atomic Energy for the diligent work they have done on this measure. They have made a very strenuous effort to reduce the amount of this authorization. This is in keeping, I feel, with the very pervasive feeling throughout the Congress that Federal spending must be reduced in view of the present fiscal situation of the Nation.

The reductions accomplished in this authorization should provide an example for other authorizations yet to be considered. Combined in the budget are both military and nonmilitary requirements. Analysis will, I believe, demonstrate that in the course of reducing the total amount of this authorization by 10 percent, and in order to retain the military requirements contained in the bill, 23 percent reduction in nonmilitary items has been accomplished.

I need not recite the number of items—which include very valuable research and development as well as a number of other excellent projects—that have been laid aside and postponed in order to accomplish this reduction. But if we can accomplish in other areas what has been achieved by the Joint Committee in this high priority area of nuclear energy, we will be well on our way to meeting our responsibilities in this Congress in passing legislation appropriate and responsive to the present fiscal situation.

Now, Mr. President, I would like to take a moment to underscore with some particularity one aspect of the bill which has an important relevance to my State of Illinois in view of the foregoing general comments. The budget contains a figure of $25 million for the 200-Bev. accelerator to be constructed at Weston, Ill. The original request for this item was upwards of $242 million, which represented the total remaining authorization for the whole project. It will be recalled that $7.3 million was sought and appropriated last year.

I have had several calls on this reduction from interested persons who feared for the effective continuance of this project. I have received the assurance of the Joint Committee—and the Atomic Energy Commission—that the $25 million contained in this appropriation is the total capability for the project this year. It is all that can be spent constructively on the project in the coming year and all that was contemplated to be spent. I am happy to report that in no case were any of my callers more than satisfied that the project should go forward on this more current basis in the authorization process, in view of the national fiscal situation.

May I take this opportunity to thank the committee for their very commendatory reference in the report to this project. As I pointed out last year, we in Illinois are fully aware of the benefits in having this pioneering and forward looking scientific facility constructed in our State. We are mindful of the responsibilities that go with these benefits. In particular I am happy to say that the great progress our State has recorded in the sensitive area of nondiscriminatory housing—which I reported to the Senate at the time of the initial approval of this project last year—has continued and continued well.

As of the present time, more than 33 communities have enacted for themselves open housing ordinances. I am particularly pleased to note that 21 of the 33 communities that presently have these ordinances enacted them following the passage of the AEC authorization last year. All but one major population center in our State now has taken the action to meet this problem. And the chances for passage of a State fair housing law have greatly increased, if not in the short session this summer, in the next general session of the legislature next year.

Mr. President, I ask unanimous consent that the portion of the committee report relating to the Weston accelerator project be included in the Record following these remarks. I ask also that I may have consent to insert pertinent newspaper articles reporting the continued progress in open housing in Illinois.

There being no objection, the material was ordered to be printed in the Record, as follows:

> (4) *Project 68–4–f, 200 Bev accelerator. Du Page and Kane Counties near Chicago, Ill.*—In regard to the 200 Bev accelerator facility proposed for Weston, Ill., the committee recommends additional authorization in the amount of $25 million for fiscal year 1969. An appropriation in this amount would provide for continuation of design and engineering services, procurement of various technical components of the accelerator, site preparation, utility installation, and initiation of construction on conventional facilities as well as the accelerator itself. The committee believes that orderly progress can be made on the project and would expect work to proceed in expectation of full project authorization for fiscal year 1970. Initial funds for the project in the amount of $7,333,000 were authorized and appropriated in the Commission's fiscal year 1968 budget.
>
> In its report on the AEC's fiscal year 1968

authorization legislation the committee considered and accepted the recommendations of its Subcommittee on Research, Development, and Radiation concerning the scope and management of this project. In summary, those recommendations were:

(*a*) That an accelerator with a design intensity of 3×10 protons per pulse be constructed.

(*b*) That provision be made in the initial design of this machine for experimental areas consistent with the national scope and purpose of this facility.

(*c*) That the AEC give careful study to the possibility of constructing the accelerator in such a way as to permit a possible later increase in the accelerator's energy to 300 Bev or somewhat higher.

(*d*) That the AEC assure itself, first, that the organizations selected for the architect-engineering and construction management of this facility are reliable and experienced and second, that major design changes and procurements affecting the machine be made only with AEC approval.

In connection with this latter recommendation, the committee urged the Commission to give careful consideration to whether its responsibilities would most appropriately be exercised through direct contracting for architect-engineering and construction management of these facilities, or by having such services performed under subcontract to Universities Research Association, Inc. The committee stated that the Commission might wish to retain continuing flexibility with respect to whether such services shall be performed under direct contract or subcontract.

The committee is pleased to report that the AEC has been responsive to its recommendations. In particular, the committee is gratified that the accelerator design will conform to the criteria set forth in the above recommendations. The committee is very favorably impressed by the progress to date on this project by Dr. Robert Wilson, Director, National Accelerator Laboratory, and his colleagues. The committee commends them and wishes them continued success. The committee notes that AEC is requesting an appropriation of $25 million for the project for fiscal year 1969 The committee believes that these funds are necessary in order to assure that the talent that has been recruited for this project will not be dissipated.

The Joint Committee has reviewed the proposed assignment of prime contract responsibility to the University Research Association for the design and construction of the project. Although the record shows that those projects under direct contractual arrangements between the AEC and the construction contractors have been the most successful, the committee was assured that AEC has retained and will exercise adequate controls under the prime contract with URA to insure economy and efficiency. Diligent management supervision will be required to insure that this procedure works efficiently in practice. The committee plans to pay close and continuing attention to this matter as the project progresses. The committee is encouraged by the fact that the Stanford Linear Accelerators project, costing $114 million, was successfully constructed under a prime contract with Stanford University. This arrangement proved highly successful, in that the project was completed on schedule and within costs.

In recommending this authorization, the committee wishes to reaffirm its conviction that this facility is of the utmost importance to the Nation's scientific effort. That such machines are needed for a viable high energy physics program is beyond dispute, as evidenced by the achievements of experimenters utilizing the Alternating Gradient Synchrotron at Brookhaven National Laboratory, which at 33 Bev was formerly the highest energy accelerator in the world, surpassing to a slight extent the energy level of its sister machine at CERN. It is no longer the largest because the Soviets have completed construction of, and successfully tested, a 70 Bev accelerator. The committee submits that this Nation's world leadership in high energy physics—gained through the pioneering efforts of Ernest O. Lawrence at the University of California, and by the outstanding work subsequently done by Americans throughout the country—should be maintained. It should be maintained not merely for the purpose of being "first" in this particular area of science, but in recognition of the fact that high-energy physics is at the frontier of physical science today; and that talented scientists developed and trained in this important field are contributing to other disciplines as well.

[From the Los Angeles Times, Jan. 14, 1968]

CITIES LEAD FAIR HOUSING IN ILLINOIS—CHICAGO SUBURBS PICK UP WHERE LEGISLATURE FAILED

(By D. J. R. Bruckner)

CHICAGO.—In the past 15 months, 19 Illinois cities and towns have passed open housing laws and 11 others, all suburbs of Chicago, are considering such laws.

Almost 60% of the state's population now live in communities covered by open housing laws. Until two years ago, only Chicago, Peoria and East St. Louis had such ordinances.

More significantly, 15 of the cities and towns have passed their legislation since last July, when the Illinois Legislature, caught up in what is considered a "hot" political issue, buried a statewide open housing law.

An officer of a Chicago industrial corporation, reviewing the new city laws on open housing, said "the members of the Legislature may have been completely mistaken on this issue. Town officials are much closer to the people and much more vulnerable in politics; yet these towns are doing the job which the Legislature was too frightened to do, and the people are supporting them."

NUMBER STILL SMALL

But there is no indication the laws have changed patterns of racial segregation, and the number of Negro families moving into formerly all-white neighborhoods still is small.

But debates in most town councils have emphasized the new laws amount to an invitation to Negroes and a warning to real estate operators. In nine of the 15 communities which passed open housing statutes since last summer, councilmen stressed the moral issues involved and the educational aspects of these laws. Many councilmen also have stressed the necessity of dealing with the issue before a Negro ghetto grows up in their communities.

No careful politician in this state would have predicted such a movement even a year ago, and Illinois shares with Texas the distinction of being the nation's only major industrial states whose laws are silent on housing segregation.

There still is political risk involved in backing open housing, of course. In city elections last year a Chicago alderman who had written the city's 1963 open housing law retired from the race for city council, saying the heat in his neighborhood was too great on this issue. In suburban Evanston a council candidate built his entire campaign last year on opposition to open housing and won easily, as did another candidate in suburban Berwyn.

RESISTED PRESSURES

But most politicians say this is a relatively small casualty list in a battle of this dimension. The Legislature, in refusing to pass a law, they point out, resisted the pressures of Gov. Otto Kerner, the mayors of almost every city in the state, every major church organization in the state. Sen. Charles H. Percy (R-Ill.), the state's labor movement, the Chicago Assn. of Commerce and Industry and the Atomic Energy Commission.

Some city leaders said passage of their own laws was directly related to failure of an open housing law in the Legislature. Council members in Rock Island, Moline and Quincy downstate all said the failure of the Legislature to act prompted their cities to go ahead on their own.

In the Chicago suburbs the two major forces in the current open housing fight have been the federal government's decision to build a new 200 billion electron volt nuclear accelerator in Weston, and the extensive educational campaigns of the Leadership Council for Metropolitan Open Housing.

The council was established in August, 1966, at a meeting of the city's political, religious and business leaders with civil rights organizations under Dr. Martin Luther King, who had been leading open housing marches in the city for six weeks.

Included in Leadership Council membership are village presidents or mayors of more than 20 suburbs, and most of these town leaders have been actively campaigning for open housing laws in their communities.

Also, the council, which has the active backing of most major industries in the area, has been working closely with human rights commissions in most of the suburbs. All human rights commissions in the state have called for open housing laws in their own communities during the past 12 months.

Before the Leadership Council was set up, only Maywood among the Chicago suburbs has an open housing law. But, in the past year Weston, Elgin, Wheaton, Joliet, Skokie, Evanston, Highland Park and Arlington Heights have all passed such laws, and a movement is under way in 11 other suburbs for new open housing laws.

Staff members of the Illinois Commission on Human Relations said debate on the ordinances in all the cities has been heated, and in most of them real estate interests and right-wing groups have resisted passage.

DIVISIVE FIGHTS

Leadership Council director Edward Holmgren says, "We are not saying in this office that the opposition is getting any weaker, but the movement seems to be toward success in this endeavor. These fights are still awfully divisive, but each passage makes the next one a little easier for the next community. Maybe morality is getting popular."

The Leadership Council also is getting some active aid from suburban industries which are suffering from a tight labor market. Travel from the huge Negro ghetto in Chicago, or from smaller ghettos in suburban communities, is becoming a serious problem to many industries.

One business firm recently agreed to bring the Leadership Council into an agreement it has with its employes. Under the agreement, the company sells the suburban homes of employes who are transferred. These homes become open to all takers, Negroes included, whether the suburb where they are located has an open housing law or not. The Leadership Council has been actively encouraging Negroes to bid on these houses.

The Weston accelerator project, it was hoped, would create a rash of open housing laws in the area, but so far little has happened. Wheaton, a small city near Weston, passed one of the state's stronger open housing laws last July. Elgin, to the north of the accelerator site, passed a mild one in April and Batavia, adjacent to the site, is now debating a strong open housing law.

LITTLE MOVEMENT

But a heavy campaign led by Gov. Kerner last spring and summer produced very little movement in other nearby communities. Kerner called local officials to three separate conferences to plead for open housing laws but these communities have so far resisted this pressure.

An important effort to break at least one pattern of discrimination in the western suburbs appears in a suit filed in U.S. District Court by the Chicago Conference on Religion and Race against the suburb of Hinsdale and 14 real estate brokers. The village trustees of Hinsdale made an agreement with the brokers under which the real estate agents can only show properties to Negroes if they are instructed to do so in writing by the owners.

The suit argues that many communities silently assume their residents favor discrimination, but Hinsdale has publicly assumed it, and the suit argues this assumption violates the Constitution. The CCRR represents all major Roman Catholic, Protestant and Jewish churches in the city.

The effectiveness of open housing laws is debatable and some are being challenged. Most are so recent that few have been tested, but in some suburbs right-wing groups are actively promoting referendum campaigns to force a showdown on the issue.

REAL ESTATE STAND

The real estate industry is opposed to the laws either openly or covertly in most places in the state. The Chicago real estate industry fought for four years to have the city's open housing law repealed, until the State Supreme Court finally upheld the law last year. And, when Kerner issued an executive order declaring open housing for the state in 1966, real estate brokers sought and obtained injunctions preventing him from enforcing that order.

In 1966, only 179 Negro families moved into all-white suburban communities around Chicago. The 1967 count is not yet in, but it is not expected to be much greater.

However, this is counted progress by civil rights leaders who note that, from 1945 to 1960, only five Negro families had moved into all-white suburbs, and the total for 1945 to 1965 was less than the 179 who moved in 1966. Further, the rights activists say, many of the suburbs into which Negro families have moved in the past two years have no open occupancy statute of any kind. They predict greater movement will be stimulated by the passage of open occupancy laws.

Nonetheless, the Negro ghetto of Chicago contains more than 1 million people now, and it is expanding at a steady rate of between three to five blocks a week in a single continuous pattern which can never be broken by anything less than massive movement. Most local real estate experts believe 4,000 to 6,000 Negro families would have to move into integrated neighborhoods or suburbs each year to stop the spread of the ghetto.

WORKS TWO WAYS

Officials of the Leadership Council, university sociologists and some civil rights leaders, however, caution against measuring the effect of open housing laws by counting the movement of families. There is no direct relation between the laws and the movement, they say, and probably never will be. The laws, they argue, work in two basic ways; they serve as a moral declaration to Negroes and whites alike; and they supply a basic legal structure for integration.

And they have had an unpredictable effect on the politics of the state in this state, the "hottest issue" has not been blanketed by some statewide law which would protect local communities from a bitter internal fight; it is slowly rising out of the communities after the state government had ducked it.

Holmgren says, "We are not ecstatic over what is happening and we go through long periods of disappointment. But these communities are taking on powerful forces and powerful myths and dealing with them through their own small political systems. I think that speaks pretty well for the people, and for the future."

[From the Chicago Daily News, Feb. 21, 1968]

SPECIAL SESSION: UNIT OK'S HOUSING BILL

(By Henry Hanson)

SPRINGFIELD, ILL.—The Republican-controlled Illinois House Public Welfare Committee has voted approval of a new open occupancy bill to be submitted to the Legislature when it reconvenes March 4.

The action occurred last Friday at an unpublicized meeting on the 21st floor of the State of Illinois building, 160 N. LaSalle, Chicago, The Daily News learned.

The committee acted despite a joint declaration four days earlier in Springfield by GOP legislative leaders that the March 4 session would last only one day and no bills would be acted upon.

House Speaker Ralph T. Smith (R-Alton) and Senate GOP leader W. Russell Arrington of Evanston decided then that action on all bills be postponed until the legislature returns to work July 15.

Rep. Horace Gardner (R-Chicago), chairman of the Public Welfare Committee, said the open occupancy bill was approved by a 10-to-2 vote. Gardner is the only Negro in the Legislature to serve as a committee chairman.

Casting the two "no" votes were Republicans Jacob J. Wolf, a Chicago real estate dealer, and Henry J. Klosak, a Cicero lawyer.

Rep. Michael Zlatnik (R-Chicago), committee vice chairman, asked the committee to recommend passage of the bill and said he hoped the entire House would pass it on March 4 and send it to the Senate.

Democratic members of the 18-member committee supported the bill, including minority leader John Touhy (D-Chicago) and minority whip Clyde Choate (D-Anna), who cast proxy votes.

The House Public Welfare Committee has held four meetings on the controversial issue and has been the only legislative committee to function during recesses of the legislature.

The new open occupancy bill would be enforced by both the Illinois attorney general and the Illinois Commission on Human Relations.

It would forbid discrimination in sale or rental of housing and fix a penalty of a $500 fine for violators. The attorney general would be given $15,000 to enforce the law.

Owner-occupied dwellings of six or fewer units would be exempt from the law until June 30, 1970. The exemption would then be reduced to owner-occupied dwellings of four units until June 30, 1972, when the exemption would be reduced to two units.

Also in 1972, the attorney general and the commission would be permitted to file complaints of discrimination. Until then, complaints could only be filed by persons who said they had been discriminated against because of race, color or creed.

Half a dozen open occupancy bills passed the 1967 House, but were killed in the Senate.

Mr. ANDERSON. I thank the distinguished Senator from Illinois.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H.R. 16324) was ordered to a third reading, read the third time, and passed.

Mr. ANDERSON. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. ANDERSON. Mr. President, I ask unanimous consent that S. 3262 be indefinitely postponed.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, with the Senate's passage of the AEC authorization, another outstanding achievement has been added to the already abundant record of the distinguished Senator from New Mexico [Mr. ANDERSON]. Called upon to manage this measure for the able and distinguished chairman of the Joint Committee, the senior Senator from Rhode Island [Mr. PASTORE], who is recuperating from a recent illness, Senator ANDERSON performed the task with great devotion and splendid dedication. Its success was overwhelming.

I also wish to congratulate the senior Senator from Vermont [Mr. AIKEN] for his contribution to the discussion. As the ranking Republican in this body his interest and his participation are always most welcome and most appreciated. Finally, to the other members of the Joint Committee, to other Senators who participated in the discussion, and to the Senate as a whole, I extend my appreciation for the efficiency and the great dispatch which led to the disposition of this highly important measure.

PASSPORT LAWS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 910, S. 1418.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 1418) to make several changes in the passport laws presently in force.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

ORDER FOR ADJOURNMENT UNTIL WEDNESDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in adjournment until 12 o'clock noon on Wednesday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

TAX ADJUSTMENT ACT OF 1968

Mr. WILLIAMS of Delaware. Mr. President, it has been nearly 2 weeks since the Senate approved the bill extending the excise taxes on automobiles and telephones, along with the proposal for curtailment of expenditures and a tax increase. During this period the bill has been delayed in conference because the administration still cannot make up its mind whether it wants this bill as it was passed by the Senate.

Only last week we were told that the administration wants the tax increase but that they are still unalterably opposed to the provisions of the Senate bill which would curtail expenditures. It seems that the administration is afraid to defeat the bill, but at the same time they do not want to accept it.

Mr. President, I have read statements

in newspapers to the effect that it is being suggested that the administration will ask for a simple extension of the excise taxes for a period of 30 or 60 days in order to give them more time to make up their minds.

The bill was introduced on January 31. The administration has had ample time to study the bill. The bill has been passed by the Senate, and it has been in conference for about 10 days. Surely the administration has had ample time to decide whether or not they want the bill.

Mr. President, I want the RECORD to show that I, as one Member of the Senate, am opposed to extending the excise tax for just a 30- or 60-day period. Let us settle this question. I believe the conference should agree to accept the Senate package. If the administration is not going to accept it let them tell the American people that they are unalterably opposed to any reduction in spending and that they only want more taxes in order to pour more money into the spending stream.

I am getting impatient with the hypocrisy of this administration, which goes on television and says it is for the control of expenditures and an increase of taxes but then, in the conference committee we find that they are unalterably opposed to any control over spending. The time has come for the administration and the Congress to put up or shut up. The conference can either accept or reject the Senate proposal, and then the American taxpayers, businessmen and individuals, can make their plans accordingly. They have a right to be told whether spending will be reduced and whether taxes will be increased.

There is no objection to the extension of the excise taxes. We can agree that should be done. But there is no reason for the delay in making the decision. Ten days have passed since the expiration of the law pertaining to the excise taxes on auto and telephone. Yet they are still being collected. This is an indefensible situation. It is one which should not have developed. However, it has developed solely because of the zigzag policy of the administration and its inability to make up its mind. Evidently the administration still cannot make up its mind. I most respectfully suggest that it get down to business. The time has come, as I said before, to put up or shut up, so far as this particular bill is concerned.

The decision should be made and the bill enacted before the Easter recess.

THE TRAGEDY IN THE DISTRICT OF COLUMBIA

Mr. BIBLE. Mr. President, regrettably, the past 3 days of mourning for the late Rev. Dr. Martin Luther King, Jr., have been ones of further tragedy, marked by disorders, looting, fires, and other violence in the District of Columbia.

Calm returned to the city yesterday, and I understand that the situation is believed to be under control.

I have been in continuing touch with events since Friday morning and have been in close touch with Mayor Washington since then. I wish to commend Mayor Washington, Mr. Cyrus Vance, and their staffs for the outstanding job they have done in one of the most difficult times this Capital City has endured in many, many years.

I personally have toured most of the areas involved, and Mr. Owen Malone and other members of my staff have been in almost continuous touch with events as they have occurred.

I extend a special word of thanks and praise for the officers and men of the police and fire departments, as well. I think it is well known to those who have followed events by the various media that they have endured long hours and harassing events, during which they acquitted themselves extremely well. They reacted quickly to widely scattered trouble spots. As of 4 a.m. today, 5,333 arrests had been made. Fifty policemen and 18 firemen suffered injuries. Their work was marked by industry, efficiency, and restraint under terribly difficult conditions.

As I understand, a total of seven deaths have been attributed to the disorder. But for the outstanding job done by the police, there might have been many more.

I hope that those who feel that certain aspects of the problem could have been handled differently will understand and recognize that the trouble came quickly and that efforts to cope with it began immediately. Every resource of the District was brought to bear without delay. It may be, as some think, that different measures, different movements, and different tactics should have been in order. But this was necessarily a matter for the combined District of Columbia, Federal, and military judgment, and that judgment was brought to bear in the light of all the intelligence available.

The first order of business was the restoration of law and order, with a minimum loss of lives. Fortunately, this was accomplished, but the destruction and loss of property and businesses has been senseless and deplorable.

Now the Nation and the District of Columbia face the job of rebuilding and seeing to it that necessary aid is supplied to the unfortunate victims in the heavily damaged neighborhoods, and for the rebuilding and restoration of the heavily damaged business community. I am pleased to say that Mayor Washington has moved promptly in this area. The Committee on the District of Columbia stands ready to help in any way it can if legislation should be necessary. Frankly, at this stage, I do not know whether it is or is not. I think it may be more of a money problem than it is a legislative problem. Whatever is needed, I call upon the appropriate authorities to expedite the work of relieving human suffering and helping place the destroyed businesses back on their feet.

I hope that those who feel that certain aspects of the problem could have been handled differently will understand, as I have just said, that the trouble came upon us very quickly. The job now is to get on with the rebuilding. I want Mayor Washington and the members of his staff, who worked, as he did, 20, 21, and 22 hours a day over the past several days, to know that I stand ready to work with him and with the Government of the District of Columbia in any way that our committee can.

PASSPORT LAWS

The Senate resumed the consideration of the bill (S. 1418) to make several changes in the passport laws presently in force.

Mr. FULBRIGHT. Mr. President, what is the pending business?

The PRESIDING OFFICER (Mr. JORDAN of Idaho in the chair). The pending business is S. 1418, to make several changes in the passport laws presently in force.

Mr. FULBRIGHT. Mr. President, S. 1418 has a threefold purpose:

First. Section 1 provides that a passport shall be valid for 5 years without renewal, unless the Secretary of State limits it to a shorter period. Under existing law, a passport is valid for a period of 3 years and may be renewed for a further period of 2 years.

Second. Section 2 provides for a uniform fee of $2 for the execution of a passport application and a fee of $13 for the issuance of the passport. This total cost of $15 is the same as that for the present 3-year passport renewed for 2 years. Thus, while the total cost to applicants of passports does not go up, the expense of administration should go down. Section 2 also makes a technical change in the categories of persons eligible for nofee passports and provides that they shall be exempt from paying an execution fee when the application is made before a Federal official.

Third. Section 3 eliminates the necessity of successive personal appearances by individuals who have already been issued passports. Present law requires that each time an individual applies for a passport he must personally appear before a person authorized to administer oaths so that he may swear to the statements contained in his application for a passport.

There is nothing in this bill which would in any way change existing authority to withdraw or recall or otherwise invalidate passports heretofore or hereafter issued.

I should add, S. 1418 does not contain any provision which would authorize the Secretary of State to restrict travel of American citizens to certain countries or areas. This subject is dealt with in a separate bill, S. 2766, which is pending before the Committee on Foreign Relations.

In short, all that the bill now before the Senate does, of any significance, is to extend the life of a passport from 5 years with renewal to 5 years without renewal. I hope the Senate will accept the bill without any delay.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. MANSFIELD. If the Senator is agreeable, I should like to suggest, if he has the time, that we call up the treaty having to do with the charter of the Organization of American States, which was reported unanimously by the Committee on Foreign Relations. We could at least lay the predicate today and vote on the treaty on Wednesday.

Mr. FULBRIGHT. Very well.

Mr. CLARK. Mr. President, in connection with the bill now being considered by the Senate which would make several changes in the passport regulations presently in force, I would like to note that when the bill was being considered by the Committee on Foreign Relations, I proposed an amendment which was rejected by the committee. My amendment was designed to make section 212(a)28 of the Immigration and Nationality Act inapplicable to anyone seeking to enter the United States as a nonimmigrant temporarily for business or for pleasure.

Section 212(a)28 provides, among other things, that an alien is ineligible for a visa of any kind if he is an anarchist or a member of the Communist Party of the United States or any other foreign state; if he advocates the doctrines of world communism; or if he is affiliated with any organization required to be registered under the Subversive Activities Control Act of 1950.

At first glance, it might appear that the abrogation of section 212(a)28 of the Immigration and Nationality Act—even for temporary visitors to the United States—would constitute a radical change in the qualitative restrictions which have been in force heretofore. A more thorough examination of the act will prove otherwise. In the first place, any visa applicant who is considered a security risk continues to be ineligible for admission to the United States under sections 212(a) 27 and 29 of the Immigration Nationality Act. Let me stress that—my amendment would continue to keep out all persons classified as security risks. In the second place, section 212(d)3 of the Immigration and Nationality Act provides that an alien, who might otherwise be ineligible for a visa under section 212(a)28, "may, after approval by the Attorney General of a recommendation by the Secretary of State or by the consular officer that the alien be admitted temporarily despite his inadmissibility, be granted such a visa and may be admitted to the United States temporarily as a nonimmigrant in the discretion of the Attorney General." As a matter of practice, such waivers, which are based on the recommendation of the Department of State, are almost always granted automatically. In other words, the present procedure has become anachronism.

Mr. President, the simple purpose of my amendment would have been to eliminate the requirement that a person who is a member of the Communist Party who wished to visit the United States temporarily—and most such visitors are naturally from Communist countries—would go through the cumbersome procedure of obtaining a "waiver of inadmissibility." My amendment would have thus simplified visa procedures rather than alter them substantially. And the simplification of visa procedures would have saved the U.S. Government a considerable amount of money as we now devote a ridiculous number of manhours to processing waivers that are almost always granted.

The Department of State fully supported my amendment. Under Secretary of State Katzenbach's letter to the chairman of the Committee on Foreign Relations to this effect is contained in the committee report on the bill now being considered by the Senate. Furthermore, since this bill was considered by the committee, President Johnson, in a letter to the Congress on February 23, has asked that "unnecessary and cumbersome barriers" inhibiting foreign visitors and businessmen traveling to the United States be eliminated. He proposed that the Secretary of State and the Attorney General be authorized to issue regulations exempting visitors to the United States from visa requirements for all but the most serious grounds of ineligibility.

Mr. President, I have already formally registered my disappointment at the action taken by the Committee on Foreign Relations in rejecting my proposed amendment, in the supplemental views which are included in the committee report and which were also signed by the Senator from Tennessee, Senator GORE and the Senator from Rhode Island, Senator PELL. I wish to register my disappointment again today. At a time when we are trying to improve our balance of payments and strengthen the dollar by encouraging travelers from abroad, and trying to expose as many visitors from abroad as possible to our country and to our way of life, it seems shortsighted, literally to a myopic degree, to refuse to take a step which would have reduced unnecessary Government expenditures in this country, encouraged tourism from abroad and—most importantly—promoted person-to-person contacts with those whom we should be most anxious to see have such contacts—visitors from the Communist countries of Eastern Europe and from the Soviet Union.

Mr. FULBRIGHT. The Senator from Pennsylvania and I discussed his amendment at great length. He did not press it. The committee did not accept it. I understand that Senator CLARK does not insist upon pressing it. I wonder, then, if the Senate may not proceed to vote on the bill.

Mr. COOPER. In essence, it would provide that passports be valid for 5 years instead of 3 years with one 2-year renewal as under existing law. This bill was recommended by the State Department, on the grounds that it would be of benefit to passport holders, and also would save the Department money, and reduce the increasing workload of our consuls and consuls general in connection with renewing passports.

When the Committee on Foreign Relations considered the bill, I was the only member who voted against reporting it. I did so for these reasons:

First, there is now before the Congress a bill, S. 2766, recently recommended by the State Department to provide certain additional controls to the Secretary of State over American citizens traveling abroad to supplement the deficiencies in our present passport laws created by recent court decisions. I believed it would be better to postpone action on this bill until after the bill, S. 2766 has been considered and acted on.

Second, as I have noted the bill makes a passport valid for 5 years without renewal. My belief that the period of issuance should remain at 3 years is based in part upon the misuse of passports by holders violating their terms.

It seems to me under these conditions that the shorter period would afford the State Department greater opportunity for surveillance by requiring persons holding passports to report to the appropriate officials every 3 years.

Another reason for believing that the period of time should remain at 3 years results from personal experiences I had in 1945 when I was serving in the Army of the United States and a member of the occupation forces in Germany. At that time, dozens of people holding American passports would come to headquarters in Munich and on occasion I had to deal with their problems. I found that in some cases their relatives in this country had lost contact with them and had no means of finding out their whereabouts. This would, of course, be normal under wartime conditions. But this problem can occur at this time.

I thought it would be helpful in such cases to the relatives of persons holding U.S. passports who have been out of the United States 2 or 3 years if those passport holders were required to come before the appropriate officials within 3 years, as presently provided by law. Further, under the old law, which has been nullified by the Supreme Court, a naturalized citizen remaining in the country of his birth for longer than 3 years would lose his citizenship and a naturalized citizen remaining in a country not of his birth would lose his citizenship if he remained there for a period of 5 years. The Supreme Court has so ruled. It does not follow that it is a sufficient basis for Congress changing the specific periods of passport validity.

The practical problems which I have noted have made me believe that the 3-year provision is more helpful than a 5-year provision would be. I believe that the shorter period would be of benefit both to the passport holder and to his family and associates in this country. I believe, in view of the legal questions which continually arise concerning estate and property matters, that it would be better for purposes of uniformity and consistency to maintain the provisions of the present law.

I hope that the House will consider these matters carefully and secure more information than we had and will consider the validity of my arguments.

I ask unanimous consent to have inserted in the RECORD at this point a statement providing additional information concerning S. 2766, a bill proposed by the administration, which seeks to deal with the problem of unauthorized travel by American citizens to foreign countries upon which the State Department has placed passport restrictions.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR COOPER

The Senate Foreign Relations Committee is currently holding hearings on S. 2766, a bill to amend Title 18, which would provide the Secretary of State with statutory authority to restrict the travel of U.S. citizens to certain foreign countries or areas upon a determination that the country or area is at war, engaged in insurrection or hostilities, engaged in armed conflict with U.S. forces or because our national interest requires these restrictions. Further, the bill provides specific criminal penalties for violations of these restrictions.

This bill has come to the Foreign Relations Committee with the strong recommendation and support of the State Department.

The need for new legislation is made necessary by recent court decisions. Last year, in U.S. v. Laub the Supreme Court held that there is no statute on the books today specifically making it a criminal offense for a citizen to travel to a country such as Cuba with a passport not specifically validated for that country which the Secretary of State has designated as off limits. Secondly, in Lynd v. Rusk, which was decided only 5 months ago, the Court of Appeals for the District of Columbia has rendered ineffective the administrative controls established by State Department regulations to enforce compliance with the Secretary's area restrictions through procedures of passport denial or revocation. The Court found that the Secretary has authority to control the use of the passport but that Congress had not given him authority to control a person's travel.

It is my view that it would be much better to postpone action on the passport bill before us, S. 1418, until after the bill presently before the Senate Foreign Relations Committee has been fully considered and acted upon by that Committee.

Mr. MANSFIELD. Mr. President, I hope, too, that the desire and the wish of the distinguished Senator from Kentucky, based on his explanation of his present position, which was consistent with his views expressed in the committee, will be considered by the Members of the House when they consider this particular bill.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed the question is on the engrossment and third reading of the bill.

The bill (S. 1418) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1418

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act of July 3, 1926, as amended (22 U.S.C. 217a), is amended to read as follows:

"SEC. 2. The validity of the passport shall be limited to a period of not more than five years. The Secretary of State may limit a passport to a shorter period. A valid passport outstanding as of the effective date of this Act shall be valid for a period of five years from the date of issue except where such passport is or has been limited by the Secretary of State to a shorter period."

SEC. 2. Section 1 of the Act of June 4, 1920, as amended (22 U.S.C. 214), is amended to read as follows:

"There shall be collected and paid into the Treasury of the United States quarterly a fee of $2 for executing each application for a passport and $13 for each passport issued: *Provided,* That nothing herein contained shall be construed to limit the right of the Secretary of State by regulation to authorize State officials to collect and retain the execution fee of $2. No passport fee shall be collected from an officer or employee of the United States proceeding abroad in the discharge of official duties, or from members of his immediate family; from an American seaman who requires a passport in connection with his duties aboard an American flag-vessel; or from a widow, child, parent, brother, or sister of a deceased member of the Armed Forces proceeding abroad to visit the grave of such member. No execution fee shall be collected for an application made before a Federal official by a person excused from payment of the passport fee under this section."

SEC. 3. Section 1 of title IX of the Act of June 15, 1917 (22 U.S.C. 213), is amended to read as follows:

"SECTION 1. Before a passport is issued to any person by or under authority of the United States such person shall subscribe to and submit a written application which shall contain a true recital of each and every matter of fact which may be required by law or by any rules authorized by law to be stated as a prerequisite to the issuance of any such passport. If the applicant has not previously been issued a United States passport, the application shall be duly verified by his oath before a person authorized and empowered by the Secretary of State to administer oaths."

SEC. 4. This Act shall take effect on the thirtieth day following the date of its enactment.

Mr. FULBRIGHT. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. MANSFIELD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

REV. DR. MARTIN LUTHER KING, JR.

Mr. FULBRIGHT. Mr. President, I share the sorrow of all Senators and of the Nation, and express my deep sympathy to Mrs. Martin Luther King, Jr., and her children.

The assassination of Dr. King was a senseless and a tragic event. It is shameful and humiliating that murder, looting, and savage violence of every description have become so prevalent in our country. Respect for law and order has all but disappeared among some citizens in many of our great cities.

Dr. King, in his advocacy of nonviolence, in seeking better social and economic conditions for his people, was an influence for the restoration of respect for law and order. The violence which followed his death is a desecration of his memory.

Dr. King recognized clearly that the tragic war in Vietnam, contributed to the growth and acceptance of violence here at home, and he was a vigorous opponent of the war in Vietnam. For that he also deserves our approval.

Although the prospects are dim, one can only hope that as passions subside, the example of Dr. King will help to restore sanity and humanity to our country.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate go into executive session to consider Calendar No. 1, the protocol of amendment to the Charter of the Organization of American States, which was reported by the Foreign Relations Committee unanimously, and which I think has been cleared all around. The purpose is only to lay before the Senate the background and predicate preparatory to a vote on Wednesday next.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

PROTOCOL OF AMENDMENT TO THE CHARTER OF THE ORGANIZATION OF AMERICAN STATES

The Senate, as in Committee of the Whole, proceeded to consider the following protocol, which was read the second time, as follows:

PROTOCOL OF AMENDMENT TO THE CHARTER OF THE ORGANIZATION OF AMERICAN STATES "PROTOCOL OF BUENOS AIRES"

The Member States of the Organization of American States, represented at the Third Special Inter-American Conference,

CONSIDERING:

That the Charter of the Organization of American States, signed at Bogotá in 1948, set forth the purpose of achieving an order of peace and justice, promoting solidarity among the American States, strengthening their collaboration and defending their sovereignty, their territorial integrity, and their independence;

The Second Special Inter-American Conference, held in Rio de Janeiro in 1965, declared that it was essential to forge a new dynamism for the inter-American system and imperative to modify the working structure of the Organization of American States, as well as to establish in the Charter new objectives and standards for the promotion of the economic, social, and cultural development of the peoples of the Hemisphere, and to speed up the process of economic integration; and

That it is essential to reaffirm the determination of the American States to combine their efforts in a spirit of solidarity in the permanent task of achieving the general conditions of well-being that will ensure a life of dignity and freedom to their peoples,

HAVE AGREED UPON THE FOLLOWING:

PROTOCOL OF AMENDMENT TO THE CHARTER OF THE ORGANIZATION OF AMERICAN STATES

Article I

Part One of the Charter of the Organization of American States shall consist of Chapters I to IX, inclusive, in accordance with Articles II to X of the present Protocol.

Article II

Chapter I entitled "Nature and Purposes" shall consist of the present Articles 1 and 4 without change, except that Article 4 shall be renumbered as Article 2.

Article III

Chapter II entitled "Principles" shall consist of the present Article 5 without change, except that it shall be renumbered as Article 3.

Article IV

A new Chapter III entitled "Members" shall be added and shall consist of Articles 4 to 8, inclusive. The present Articles 2 and 3 shall become Articles 4 and 5, respectively. The new Articles 6, 7, and 8 shall read as follows:

Article 6

Any other independent American State that desires to become a Member of the Organization should so indicate by means of a note addressed to the Secretary General, in which it declares that it is willing to sign and ratify the Charter of the Organization and to accept all the obligations inherent in membership, especially those relating to collective security expressly set forth in Articles 27 and 28 of the Charter.

Article 7

The General Assembly, upon the recommendation of the Permanent Council of the Organization, shall determine whether it is appropriate that the Secretary General be authorized to permit the applicant State to sign the Charter and to accept the deposit of the corresponding instrument of ratification. Both the recommendation of the Permanent Council and the decision of the General Assembly shall require the affirmative vote of two thirds of the Member States.

Article 8

The Permanent Council shall not make any recommendation nor shall the General Assembly take any decision with respect to a request for admission on the part of a political entity whose territory became subject, in whole or in part, prior to December 18, 1964, the date set by the First Special Inter-American Conference, to litigation or claim between an extracontinental country and one or more Member States of the Organization, until the dispute has been ended by some peaceful procedure.

Article V

Chapter III entitled "Fundamental Rights and Duties of States" shall become Chapter IV having the same title and consisting of the present Articles 6 to 19, inclusive, which shall become Articles 9 to 22, respectively; but the reference to "Articles 15 and 17" in the present Article 19, which shall become Article 22, shall be changed to "Articles 18 and 20."

Article VI

Chapter IV entitled "Pacific Settlement of Disputes" shall become Chapter V having the same title and consisting of the present Articles 20 to 23, inclusive, which shall become Articles 23 to 26, respectively.

Article VII

Chapter V entitled "Collective Security" shall become Chapter VI having the same title and consisting of the present Articles 24 and 25, which shall become Articles 27 and 28, respectively.

Article VIII

Chapter VI entitled "Economic Standards" shall be replaced by a Chapter VII having the same title and consisting of Articles 29 to 42, inclusive, which shall read as follows:

Article 29

The Member States, inspired by the principles of inter-American solidarity and cooperation, pledge themselves to a united effort to ensure social justice in the Hemisphere and dynamic and balanced economic development for their peoples, as conditions essential to peace and security.

Article 30

The Member States pledge themselves to mobilize their own national human and material resources through suitable programs, and recognize the importance of operating within an efficient domestic structure, as fundamental conditions for their economic and social progress and for assuring effective inter-American cooperation.

Article 31

To accelerate their economic and social development, in accordance with their own methods and procedures and within the framework of the democratic principles and the institutions of the inter-American system, the Member States agree to dedicate every effort to achieve the following basic goals:

(a) Substantial and self-sustained increase in the per capita national product;

(b) Equitable distribution of national income;

(c) Adequate and equitable systems of taxation;

(d) Modernization of rural life and reforms leading to equitable and efficient land-tenure systems, increased agricultural productivity, expanded use of undeveloped land, diversification of production, and improved processing and marketing systems for agricultural products; and the strengthening and expansion of facilities to attain these ends;

(e) Accelerated and diversified industrialization, especially of capital and intermediate goods;

(f) Stability in the domestic price levels, compatible with sustained economic development and the attainment of social justice;

(g) Fair wages, employment, opportunities, and acceptable working conditions for all;

(h) Rapid eradication of illiteracy and expansion of educational opportunities for all;

(i) Protection of man's potential through the extension and application of modern medical science;

(j) Proper nutrition, especially through the acceleration of national efforts to increase the production and availability of food;

(k) Adequate housing for all sectors of the population;

(l) Urban conditions that offer the opportunity for a healthful, productive, and full life;

(m) Promotion of private initiative and investment in harmony with action in the public sector; and

(n) Expansion and diversification of exports.

Article 32

In order to attain the objectives set forth in this Chapter, the Member States agree to cooperate with one another, in the broadest spirit of inter-American solidarity, as far as their resources may permit and their laws may provide.

Article 33

To attain balanced and sustained development as soon as feasible, the Member States agree that the resources made available from time to time by each, in accordance with the preceding Article, should be provided under flexible conditions and in support of the national and multinational programs and efforts undertaken to meet the needs of the assisted country, giving special attention to the relatively less-developed countries.

They will seek, under similar conditions and for similar purposes, financial and technical cooperation from sources outside the Hemisphere and from international institutions.

Article 34

The Member States should make every effort to avoid policies, actions, or measures that have serious adverse effects on the economic or social development of another Member State.

Article 35

The Member States agree to join together in seeking a solution to urgent or critical problems that may arise whenever the economic development or stability of any Member State is seriously affected by conditions that cannot be remedied through the efforts of that State.

Article 36

The Member States shall extend among themselves the benefits of science and technology by encouraging the exchange and utilization of scientific and technical knowledge in accordance with existing treaties and national laws.

Article 37

The Member States, recognizing the close interdependence between foreign trade and economic and social development, should make individual and united efforts to bring about the following:

(a) Reduction or elimination, by importing countries, of tariff and nontariff barriers that affect the exports of the Members of the Organization, except when such barriers are applied in order to diversify the economic structure, to speed up the development of the less-developed Member States or to intensify their process of economic integration, or when they are related to national security or to the needs for economic balance;

(b) Maintenance of continuity in their economic and social development by means of:

i. Improved conditions for trade in basic commodities through international agreements, where appropriate; orderly marketing procedures that avoid the disruption of markets; and other measures designed to promote the expansion of markets, and to obtain dependable incomes for producers, adequate and dependable supplies for consumers, and stable prices that are both remunerative to producers and fair to consumers;

ii. Improved international financial cooperation and the adoption of other means for lessening the adverse impact of sharp fluctuations in export earnings experienced by the countries exporting basic commodities; and

iii. Diversification of exports and expansion of export opportunities for manufactured and semimanufactured products from the developing countries by promoting and strengthening national and multinational institutions and arrangements established for these purposes.

Article 38

The Member States reaffirm the principle that when the more-developed countries grant concessions in international trade agreements that lower or eliminate tariffs or other barriers to foreign trade so that they benefit the less-developed countries, they should not expect reciprocal concessions from those countries that are incompatible with their economic development, financial, and trade needs.

Article 39

The Member States, in order to accelerate their economic development, regional integration, and the expansion and improvement of the conditions of their commerce, shall promote improvement and coordination of transportation and communication in the developing countries and among the Member States.

Article 40

The Member States recognize that integration of the developing countries of the Hemisphere is one of the objectives of the inter-American system and, therefore, shall orient their efforts and take the necessary measures to accelerate the integration process, with a view to establishing a Latin American common market in the shortest possible time.

Article 41

In order to strengthen and accelerate integration in all its aspects, the Member States agree to give adequate priority to the preparation and carrying out of multinational projects and to their financing, as well as to encourage economic and financial institutions of the inter-American system to continue giving their broadest support to regional integration institutions and programs.

Article 42

The Member States agree that technical and financial cooperation that seeks to promote regional economic integration should be based on the principle of harmonious, balanced, and efficient development, with particular attention to the relatively less-developed countries, so that it may be a decisive factor that will enable them to promote, with their own efforts, the improved development of their infrastructure programs, new lines of production, and export diversification.

Article IX

Chapter VII entitled "Social Standards" shall be replaced by a Chapter VIII having the same title and consisting of Articles 43 and 44, which shall read as follows:

Article 43

The Member States, convinced that man can only achieve the full realization of his aspirations within a just social order, along with economic development and true peace, agree to dedicate every effort to the application of the following principles and mechanisms:

(a) All human beings, without distinction as to race, sex, nationality, creed, or social condition, have a right to material well-being and to their spiritual development, under circumstances of liberty, dignity, equality of opportunity, and economic security;

(b) Work is a right and a social duty, it gives dignity to the one who performs it, and it should be performed under conditions, including a system of fair wages, that ensure life, health, and a decent standard of living for the worker and his family, both during his working years and in his old age, or when any circumstance deprives him of the possibility of working;

(c) Employers and workers, both rural and urban, have the right to associate themselves freely for the defense and promotion of their interests, including the right to collective bargaining and the workers' right to strike, and recognition of the juridical personality of associations and the protection of their freedom and independence, all in accordance with applicable laws;

(d) Fair and efficient systems and procedures for consultation and collaboration among the sectors of production, with due regard for safeguarding the interests of the entire society;

(e) The operation of systems of public administration, banking and credit, enterprise, and distribution and sales, in such a way, in harmony with the private sector, as to meet the requirements and interests of the community;

(f) The incorporation and increasing participation of the marginal sectors of the population, in both rural and urban areas, in the economic, social, civic, cultural, and political life of the nation, in order to achieve the full integration of the national community, acceleration of the process of social mobility, and the consolidation of the democratic system. The encouragement of all efforts of popular promotion and cooperation that have as their purpose the development and progress of the community;

(g) Recognition of the importance of the contribution of organizations such as labor unions, cooperatives, and cultural, professional, business, neighborhood, and community associations to the life of the society and to the development process;

(h) Development of an efficient social security policy; and

(i) Adequate provision for all persons to have due legal aid in order to secure their rights.

Article 44

The Member States recognize that, in order to facilitate the process of Latin American regional integration, it is necessary to harmonize the social legislation of the developing countries, especially in the labor and social security fields, so that the rights of the workers shall be equally protected, and they agree to make the greatest efforts possible to achieve this goal.

Article X

Chapter VIII entitled "Cultural Standards" shall be replaced by a Chapter IX entitled "Educational, Scientific, and Cultural Standards" and consisting of Articles 45 to 50, inclusive, which shall read as follows:

Article 45

The Member States will give primary importance within their development plans to the encouragement of education, science, and culture, oriented toward the over-all improvement of the individual, and as a foundation for democracy, social justice, and progress.

Article 46

The Member States will cooperate with one another to meet their educational needs, to promote scientific research, and to encourage technological progress. They consider themselves individually and jointly bound to preserve and enrich the cultural heritage of the American peoples.

Article 47

The Member States will exert the greatest efforts, in accordance with their constitutional processes, to ensure the effective exercise of the right to education, on the following bases:

(a) Elementary education, compulsory for children of school age, shall also be offered to all others who can benefit from it. When provided by the State it shall be without charge;

(b) Middle-level education shall be extended progressively to as much of the population as possible, with a view to social improvement. It shall be diversified in such a way that it meets the development needs of each country without prejudice to providing a general education; and

(c) Higher education shall be available to all, provided that, in order to maintain its high level, the corresponding regulatory or academic standards are met.

Article 48

The Member States will give special attention to the eradication of illiteracy, will strengthen adult and vocational education systems, and will ensure that the benefits of culture will be available to the entire population. They will promote the use of all information media to fulfill these aims.

Article 49

The Member States will develop science and technology through educational and research institutions and through expanded information programs. They will organize their cooperation in these fields efficiently and will substantially increase exchange of knowledge, in accordance with national objectives and laws and with treaties in force.

Article 50

The Member States, with due respect for the individuality of each of them, agree to promote cultural exchange as an effective means of consolidating inter-American understanding; and they recognize that regional integration programs should be strengthened by close ties in the fields of education, science, and culture.

Article XI

Part Two of the Charter shall consist of Chapters X to XXI, inclusive, in accordance with Articles XII to XVIII of the present Protocol.

Article XII

Chapter IX entitled "The Organs" shall become Chapter X having the same title and consisting of Article 51, which shall read as follows:

Article 51

The Organization of American States accomplishes its purposes by means of:

(a) The General Assembly;

(b) The Meeting of Consultation of Ministers of Foreign Affairs;

(c) The Councils;

(d) The Inter-American Juridical Committee;

(e) The Inter-American Commission on Human Rights;

(f) The General Secretariat;

(g) The Specialized Conferences; and

(h) The Specialized Organizations.

There may be established, in addition to those provided for in the Charter and in accordance with the provisions thereof, such subsidiary organs, agencies, and other entities as are considered necessary.

Article XIII

Chapter X entitled "The Inter-American Conference" shall be replaced by a Chapter XI entitled "The General Assembly" and consisting of Articles 52 to 58, inclusive, which shall read as follows:

Article 52

The General Assembly is the supreme organ of the Organization of American States. It has as its principal powers, in addition to such others as are assigned to it by the Charter, the following:

(a) To decide the general action and policy of the Organization, determine the structure and functions of its organs, and consider any matter relating to friendly relations among the American States;

(b) To establish measures for coordinating the activities of the organs, agencies, and entities of the Organization among themselves and such activities with those of the other institutions of the Inter-American system;

(c) To strengthen and coordinate cooperation with the United Nations and its specialized agencies;

(d) To promote collaboration, especially in the economic, social, and cultural fields, with other international organizations whose purposes are similar to those of the Organization of American States;

(e) To approve the program-budget of the Organization and determine the quotas of the Member States;

(f) To consider the annual and special reports that shall be presented to it by the organs, agencies, and entities of the inter-American system;

(g) To adopt general standards to govern the operations of the General Secretariat; and

(h) To adopt its own rules of procedure and, by a two-thirds vote, its agenda.

The General Assembly shall exercise its powers in accordance with the provisions of the Charter and of other inter-American treaties.

Article 53

The General Assembly shall establish the bases for fixing the quota that each Government is to contribute to the maintenance of the Organization, taking into account the ability to pay of the respective countries and their determination to contribute in an equitable manner. Decisions on budgetary matters require the approval of two-thirds of the Member States.

Article 54

All Member States have the right to be represented in the General Assembly. Each State has the right to one vote.

Article 55

The General Assembly shall convene annually during the period determined by the rules of procedure and at a place selected in accordance with the principle of rotation. At each regular session the date and place of the next regular session shall be determined, in accordance with the rules of procedure.

If for any reason the General Assembly cannot be held at the place chosen, it shall meet at the General Secretariat, unless one of the Member States should make a timely offer of a site in its territory, in which case the Permanent Council of the Organization may agree that the General Assembly will meet in that place.

Article 56

In special circumstances and with the approval of two thirds of the Member States, the Permanent Council shall convoke a special session of the General Assembly.

Article 57

Decisions of the General Assembly shall be adopted by the affirmative vote of an absolute majority of the Member States, except in those cases that require a two-thirds vote as provided in the Charter or as may be provided by the General Assembly in its rules of procedure.

Article 58

There shall be a Preparatory Committee of the General Assembly, composed of representatives of all the Member States, which shall:

(a) Prepare the draft agenda of each session of the General Assembly;

(b) Review the proposed program-budget and the draft resolution on quotas, and present to the General Assembly a report thereon containing the recommendations it considers appropriate; and

(c) Carry out such other functions as the General Assembly may assign to it.

The draft agenda and the report shall, in due course, be transmitted to the Governments of the Member States.

Article XIV

Chapter XI entitled "The Meeting of Consultation of Ministers of Foreign Affairs" shall become Chapter XII having the same title and consisting of the present Articles 39 to 47, inclusive, which shall become Articles 59 to 67, respectively.

The word "program" shall be replaced by the word "agenda" in the present Article 41 that becomes Article 61.

Article XV

Chapter XII entitled "The Council" shall be replaced by Chapters XIII to XVIII, inclusive, as follows: a Chapter XIII entitled "the Councils of the Organization; Common Provisions" and consisting of Articles 68 to 77, inclusive; a Chapter XIV entitled "The Permanent Council of the Organization" and consisting of Articles 78 to 92, inclusive (the present Article 52 shall become Article 81, and the reference therein to "Article 43" shall be amended to read "Article 63"); a Chapter XV entitled "The Inter-American Economic and Social Council" and consisting of Articles 93 to 98, inclusive; a Chapter XVI entitled "The Inter-American Council for Education, Science, and Culture" and consisting of Articles 99 to 104, inclusive; a Chapter XVII entitled "The Inter-American Juridical Committee" and consisting of Articles 105 to 111, inclusive; and a Chapter XVIII entitled "The Inter-American Commission on Human Rights" and consisting of Article 112.

Articles 68 to 80, inclusive, and Articles 82 to 112, inclusive, shall read as follows:

Article 68

The Permanent Council of the Organization, the Inter-American Economic and Social Council, and the Inter-American Council for Education, Science, and Culture are directly responsible to the General Assembly and each has the authority granted to it in the Charter and other inter-American instruments, as well as the functions assigned to it by the General Assembly and the Meeting of Consultation of Ministers of Foreign Affairs.

Article 69

All Member States have the right to be represented on each of the Councils. Each State has the right to one vote.

Article 70

The Councils may, within the limits of the Charter and other inter-American instruments, make recommendations on matters within their authority.

Article 71

The Councils, on matters within their respective competence, may present to the General Assembly studies and proposals, drafts of international instruments, and proposals on the holding of specialized conferences, on the creation, modification, or elimination of specialized organizations and other inter-American agencies, as well as on the coordination of their activities. The Councils may also present studies, proposals, and drafts of international instruments to the Specialized Conferences.

Article 72

Each Council may, in urgent cases, convoke Specialized Conferences on matters within its competence, after consulting with the Member States and without having to resort to the procedure provided for in Article 128.

Article 73

The Councils, to the extent of their ability, and with the cooperation of the General Secretariat, shall render to the Governments such specialized services as the latter may request.

Article 74

Each Council has the authority to require the other Councils, as well as the subsidiary organs and agencies responsible to them, to provide it with information and advisory services on matters within their respective spheres of competence. The Councils may also request the same services from the other agencies of the inter-American system.

Article 75

With the prior approval of the General Assembly, the Councils may establish the subsidiary organs and the agencies that they consider advisable for the better performance of their duties. When the General Assembly is not in session, the aforesaid organs or agencies may be established provisionally by the corresponding Council. In constituting the membership of these bodies, the Councils, insofar as possible, shall follow the criteria of rotation and equitable geographic representation.

Article 76

The Councils may hold meetings in any Member State, when they find it advisable and with the prior consent of the Government concerned.

Article 77

Each Council shall prepare its own statutes and submit them to the General Assembly for approval. It shall approve its own rules of procedure and those of its subsidiary organs, agencies, and committees.

Article 78

The Permanent Council of the Organization is composed of one representative of each Member State, especially appointed by the respective Government, with the rank of ambassador. Each Government may accredit an acting representative, as well as such alternates and advisers as it considers necessary.

Article 79

The office of Chairman of the Permanent Council shall be held by each of the representatives, in turn, following the alphabetic order in Spanish of the names of their respective countries. The office of Vice Chairman shall be filled in the same way, following reverse alphabetic order.

The Chairman and the Vice Chairman shall hold office for a term of not more than six months, which shall be determined by the statutes.

Article 80

Within the limits of the Charter and of inter-American treaties and agreements, the Permanent Council takes cognizance of any matter referred to it by the General Assembly or the Meeting of Consultation of Ministers of Foreign Affairs.

Article 82

The Permanent Council shall keep vigilance over the maintenance of friendly relations among the Member States, and for that purpose shall effectively assist them in the peaceful settlement of their disputes, in accordance with the following provisions:

Article 83

To assist the Permanent Council in the exercise of these powers, an Inter-American Committee on Peaceful Settlement shall be established, which shall function as a subsidiary organ of the Council. The statutes of the Committee shall be prepared by the Council and approved by the General Assembly.

Article 84

The parties to a dispute may resort to the Permanent Council to obtain its good offices. In such a case the Council shall have authority to assist the parties and to recommend the procedures it considers suitable for the peaceful settlement of the dispute.

If the parties so wish, the Chairman of the Council shall refer the dispute directly to the Inter-American Committee on Peaceful Settlement.

Article 85

In the exercise of these powers, the Permanent Council, through the Inter-American Committee on Peaceful Settlement or by any other means, may ascertain the facts in the dispute, and may do so in the territory of any of the parties with the consent of the Government concerned.

Article 86

Any party to a dispute in which none of the peaceful procedures set forth in Article 24 of the Charter is being followed may appeal to the Permanent Council to take cognizance of the dispute.

The Council shall immediately refer the request to the Inter-American Committee on Peaceful Settlement, which shall consider whether or not the matter is within its competence and, if it deems it appropriate, shall offer its good offices to the other party or parties. Once these are accepted, the Inter-American Committee on Peaceful Settlement may assist the parties and recommend the procedures that it considers suitable for the peaceful settlement of the dispute.

In the exercise of these powers, the Committee may carry out an investigation of the facts in the dispute, and may do so in the territory of any of the parties with the consent of the Government concerned.

Article 87

If one of the parties should refuse the offer, the Inter-American Committee on Peaceful Settlement shall limit itself to informing the Permanent Council, without prejudice to its taking steps to restore relations between the parties, if they were interrupted, or to reestablish harmony between them.

Article 88

Once such a report is received, the Permanent Council may make suggestions for bringing the parties together for the purpose of Article 87 and, if it considers it necessary, it may urge the parties to avoid any action that might aggravate the dispute.

If one of the parties should continue to refuse the good offices of the Inter-American Committee on Peaceful Settlement or of the Council, the Council shall limit itself to submitting a report to the General Assembly.

Article 89

The Permanent Council, in the exercise of these functions, shall take its decisions by affirmative vote of two thirds of its members, excluding the parties to the dispute, except for such decisions as the rules of procedure provide shall be adopted by a simple majority.

Article 90

In performing their functions with respect to the peaceful settlement of disputes, the Permanent Council and the Inter-American Committee on Peaceful Settlement shall observe the provisions of the Charter and the principles and standards of international law, as well as take into account the existence of treaties in force between the parties.

Article 91

The Permanent Council shall also:

(a) Carry out those decisions of the General Assembly or of the Meeting of Consultation of Ministers of Foreign Affairs the implementation of which has not been assigned to any other body;

(b) Watch over the observance of the standards governing the operation of the General Secretariat and, when the General Assembly is not in session, adopt provisions of a regulatory nature that enable the General Secretariat to carry out its administrative functions;

(c) Act as the Preparatory Committee of the General Assembly, in accordance with the terms of Article 58 of the Charter, unless the General Assembly should decide otherwise;

(d) Prepare, at the request of the Member States and with the cooperation of the appropriate organs of the Organization, draft agreements to promote and facilitate cooperation between the Organization of American States and the United Nations or between the Organization and other American agencies of recognized international standing. These draft agreements shall be submitted to the General Assembly for approval;

(e) Submit recommendations to the General Assembly with regard to the functioning of the Organization and the coordination of its subsidiary organs, agencies, and committees;

(f) Present to the General Assembly any observations it may have regarding the reports of the Inter-American Juridical Committee and the Inter-American Commission on Human Rights; and

(g) Perform the other functions assigned to it in the Charter.

Article 92

The Permanent Council and the General Secretariat shall have the same seat.

Article 93

The Inter-American Economic and Social Council is composed of one principal representative, of the highest rank, of each Member State, especially appointed by the respective Government.

Article 94

The purpose of the Inter-American Economic and Social Council is to promote cooperation among the American countries in order to attain accelerated economic and social development, in accordance with the standards set forth in Chapters VII and VIII.

Article 95

To achieve its purpose the Inter-American Economic and Social Council shall:

(a) Recommend programs and courses of action and periodically study and evaluate the efforts undertaken by the Member States;

(b) Promote and coordinate all economic and social activities of the Organization;

(c) Coordinate its activities with those of the other Councils of the Organization;

(d) Establish cooperative relations with the corresponding organs of the United Nations and with other national and international agencies, especially with regard to coordination of inter-American technical assistance programs; and

(e) Promote the solution of the cases contemplated in Article 35 of the Charter, establishing the appropriate procedure.

Article 96

The Inter-American Economic and Social Council shall hold at least one meeting each year at the ministerial level. It shall also meet when convoked by the General Assembly, the Meeting of Consultation of Ministers of Foreign Affairs, at its own initiative, or for the cases contemplated in Article 35 of the Charter.

Article 97

The Inter-American Economic and Social Council shall have a Permanent Executive Committee, composed of a Chairman and no less than seven other members, selected by the Council for terms to be established in the statutes of the Council. Each member shall have the right to one vote. The principles of equitable geographic representation and of rotation shall be taken into account, insofar as possible, in the election of members. The Permanent Executive Committee represents all of the Member States of the Organization.

Article 98

The Permanent Executive Committee shall perform the tasks assigned to it by the Inter-American Economic and Social Council, in accordance with the general standards established by the Council.

Article 99

The Inter-American Council for Education, Science, and Culture is composed of one principal representative, of the highest rank, of each Member State, especially appointed by the respective Government.

Article 100

The purpose of the Inter-American Council for Education, Science, and Culture is to promote friendly relations and mutual understanding between the peoples of the Americas through educational, scientific, and cultural cooperation and exchange between Member States, in order to raise the cultural level of the peoples, reaffirm their dignity as individuals, prepare them fully for the tasks of progress, and strengthen the devotion to peace, democracy, and social justice that has characterized their evolution.

Article 101

To accomplish its purpose the Inter-American Council for Education, Science, and Culture shall:

(a) Promote and coordinate the educational, scientific, and cultural activities of the Organization;

(b) Adopt or recommend pertinent measures to give effect to the standards contained in Chapter IX of the Charter;

(c) Support individual or collective efforts of the Member States to improve and extend education at all levels, giving special attention to efforts directed toward community development;

(d) Recommend and encourage the adoption of special educational programs directed toward integrating all sectors of the population into their respective national cultures;

(e) Stimulate and support scientific and technological education and research, especially when these relate to national development plans;

(f) Foster the exchange of professors, research workers, technicians, and students, as well as of study materials; and encourage the conclusion of bilateral or multilateral agreements on the progressive coordination of curricula at all educational levels and on the validity and equivalence of certificates and degrees;

(g) Promote the education of the American peoples with a view to harmonious international relations and a better understanding of the historical and cultural origins of the Americas, in order to stress and preserve their common values and destiny;

(h) Systematically encourage intellectual and artistic creativity, the exchange of cultural works and folklore, as well as the interrelationships of the different cultural regions of the Americas;

(i) Foster cooperation and technical assistance for protecting, preserving, and increasing the cultural heritage of the Hemisphere;

(j) Coordinate its activities with those of the other Councils. In harmony with the Inter-American Economic and Social Council, encourage the interrelationship of programs for promoting education, science, and culture with national development and regional integration programs;

(k) Establish cooperative relations with the corresponding organs of the United Nations and with other national and international bodies;

(l) Strengthen the civic conscience of the American peoples, as one of the bases for the effective exercise of democracy and for the observance of the rights and duties of man;

(m) Recommend appropriate procedures for intensifying integration of the developing countries of the Hemisphere by means of efforts and programs in the fields of education, science, and culture; and

(n) Study and evaluate periodically the efforts made by the Member States in the fields of education, science, and culture.

Article 102

The Inter-American Council for Education, Science, and Culture shall hold at least one meeting each year at the ministerial level. It shall also meet when convoked by the General Assembly, by the Meeting of Consultation of Ministers of Foreign Affairs, or at its own initiative.

Article 103

The Inter-American Council for Education, Science, and Culture shall have a Permanent Executive Committee, composed of a Chairman and no less than seven other members, elected by the Council for terms to be established in the statutes of the Council. Each member shall have the right to one vote. The principles of equitable geographic representation and of rotation shall be taken into account, insofar as possible, in the election of members. The Permanent Executive Committee represents all of the Member States of the Organization.

Article 104

The Permanent Executive Committee shall perform the tasks assigned to it by the Inter-American Council for Education, Science, and Culture, in accordance with the general standards established by the Council.

Article 105

The purpose of the Inter-American Juridical Committee is to serve the Organization as an advisory body on juridical matters; to promote the progressive development and the codification of international law; and to study juridical problems related to the integration of the developing countries of the Hemisphere and, insofar as may appear desirable, the possibility of attaining uniformity in their legislation.

Article 106

The Inter-American Juridical Committee shall undertake the studies and preparatory work assigned to it by the General Assembly, the Meeting of Consultation of Ministers of Foreign Affairs, or the Councils of the Organization. It may also, on its own initiative, undertake such studies and preparatory work as it considers advisable, and suggest the holding of specialized juridical conferences.

Article 107

The Inter-American Juridical Committee shall be composed of eleven jurists, nationals of Member States, elected by the General Assembly for a period of four years from panels of three candidates presented by Member States. In the election, a system shall be used that takes into account partial replacement of membership and, insofar as possible, equitable geographic representation. No two members of the Committee may be nationals of the same State. Vacancies that occur shall be filled in the manner set forth above.

Article 108

The Inter-American Juridical Committee represents all of the Member States of the Organization, and has the broadest possible technical autonomy.

Article 109

The Inter-American Juridical Committee shall establish cooperative relations with universities, institutes, and other teaching centers, as well as with national and international committees and entities devoted to study, research, teaching, or dissemination of information on juridical matters of international interest.

Article 110

The Inter-American Juridical Committee shall draft its statutes, which shall be submitted to the General Assembly for approval.

The Committee shall adopt its own rules of procedure.

Article 111

The seat of the Inter-American Juridical Committee shall be the city of Rio de Janeiro but in special cases the Committee may meet at any other place that may be designated, after consultation with the Member State concerned.

Article 112

There shall be an Inter-American Commission on Human Rights, whose principal function shal be to promote the observance and protection of human rights and to serve as a consultative organ of the Organization in these matters.

An inter-American convention on human rights shall determine the structure, competence, and procedure of this Commission, as well as those of other organs responsible for these matters.

Article XVI

Chapter XIII entitled "The Pan American Union" shall be replaced by a Chapter XIX entitled "The General Secretariat" which shall consist of Articles 113 to 127, inclusive. The present Article 92 shall become Article 127.

Articles 113 to 126, inclusive, shall read as follows:

Article 113

The General Secretariat is the central and permanent organ of the Organization of American States. It shall perform the functions assigned to it in the Charter, in other inter-American treaties and agreements, and by the General Assembly, and shall carry out the duties entrusted to it by the General Assembly, the Meeting of Consultation of Ministers of Foreign Affairs, or the Councils.

Article 114

The Secretary General of the Organization shall be elected by the General Assembly for a five-year term and may not be reelected more than once or succeeded by a person of the same nationality. In the event that the office of Secretary General becomes vacant, the Assistant Secretary General shall assume his duties until the General Assembly shall elect a new Secretary General for a full term.

Article 115

The Secretary General shall direct the General Secretariat be the legal representative thereof, and, notwithstanding the provisions of Article 91.b, be responsible to the General Assembly for the proper fulfillment of the obligations and functions of the General Secretariat.

Article 116

The Secretary General, or his representative, participates with voice but without vote in all meetings of the Organization.

Article 117

The General Secretariat shall promote economic, social, juridical, educational, scientific, and cultural relations among all the Member States of the Organization, in keeping with the actions and policies decided upon by the General Assembly and with the pertinent decisions of the Councils.

Article 118

The General Secretariat shall also perform the following functions:

(a) Transmit *ex officio* to the Member States notice of the convocation of the General Assembly, the Meeting of Consultation of Ministers of Foreign Affairs, the Inter-American Economic and Social Council, the Inter-American Council for Education, Science, and Culture, and the Specialized Conferences;

(b) Advise the other organs, when appropriate, in the preparation of agenda and rules of procedure;

(c) Prepare the proposed program-budget of the Organization on the basis of programs adopted by the Councils, agencies, and entities whose expenses should be included in the program-budget and, after consultation with the Councils or their permanent committees, submit it to the Preparatory Committee of the General Assembly and then to the Assembly itself;

(d) Provide, on a permanent basis, adequate secretariat services for the General Assembly and the other organs, and carry out their directives and assignments. To the extent of its ability, provide services for the other meetings of the Organization;

(e) Serve as custodian of the documents and archives of the Inter-American Conferences, the General Assembly, the Meetings of Consultation of Ministers of Foreign Affairs, the Councils, and the Specialized Conferences;

(f) Serve as depository of inter-American treaties and agreements, as well as of the instruments of ratification thereof;

(g) Submit to the General Assembly at each regular session an annual report on the activities of the Organization and its financial condition; and

(h) Establish relations of cooperation, in accordance with decisions reached by the General Assembly or the Councils, with the Specialized Organizations as well as other national and international organizations.

Article 119

The Secretary General shall:

(a) Establish such offices of the General Secretariat as are necessary to accomplish its purposes; and

(b) Determine the number of officers and employees of the General Secretariat, appoint them, regulate their powers and duties, and fix their remuneration.

The Secretary General shall exercise this authority in accordance with such general standards and budgetary provisions as may be established by the General Assembly.

Article 120

The Assistant Secretary General shall be elected by the General Assembly for a five-year term and may not be reelected more than once or succeeded by a person of the same nationality. In the event that the office of Assistant Secretary General becomes vacant, the Permanent Council shall elect a substitute to hold that office until the General Assembly shall elect a new Assistant Secretary General for a full term.

Article 121

The Assistant Secretary General shall be the Secretary of the Permanent Council. He shall serve as advisory officer to the Secretary General and shall act as his delegate in all matters that the Secretary General may entrust to him. During the temporary absence or disability of the Secretary General the Assistant Secretary General shall perform his functions.

The Secretary General and the Assistant Secretary General shall be of different nationalities.

Article 122

The General Assembly, by a two-thirds vote of the Member States, may remove the Secretary General or the Assistant Secretary General, or both, whenever the proper functioning of the Organization so demands.

Article 123

The Secretary General shall appoint, with the approval of the respective Council, the Executive Secretary for Economic and Social Affairs and the Executive Secretary for Education, Science, and Culture, who shall also be the secretaries of the respective Councils.

Article 124

In the performance of their duties, the Secretary General and the personnel of the Secretariat shall not seek or receive instructions from any Government or from any authority outside the Organization, and shall refrain from any action that may be incompatible with their position as international officers responsible only to the Organization.

Article 125

The Member States pledge themselves to respect the exclusively international character of the responsibilities of the Secretary General and the personnel of the General Secretariat, and not to seek to influence them in the discharge of their duties.

Article 126

In selecting the personnel of the General Secretariat, first consideration shall be given to efficiency, competence, and integrity; but at the same time, in the recruitment of personnel of all ranks, importance shall be given to the necessity of obtaining as wide a geographic representation as possible.

Article XVII

Chapter XIV entitled "The Specialized Conferences," shall be replaced by a Chapter XX having the same title and consisting of Articles 128 and 129, which shall read as follows:

Article 128

The Specialized Conferences are intergovernmental meetings to deal with special technical matters or to develop specific aspects of inter-American cooperation. They shall be held when either the General Assembly or the Meeting of Consultation of Ministers of Foreign Affairs so decides, on its own initiative or at the request of one of the Councils or Specialized Organizations.

Article 129

The agenda and rules of procedure of the Specialized Conferences shall be prepared by the Councils or Specialized Organizations concerned and shall be submitted to the Governments of the Member States for consideration.

Article XVIII

Chapter XV entitled "The Specialized Organizations" shall be replaced by a Chapter XXI having the same title and consisting of Articles 130 to 136, inclusive. The present Articles 95 and 100 shall become Articles 130 and 135, respectively.

Articles 131, 132, 133, 134, and 136 shall read as follows:

Article 131

The General Secretariat shall maintain a register of the organizations that fulfill the conditions set forth in the foregoing Article, as determined by the General Assembly after a report from the Council concerned.

Article 132

The Specialized Organizations shall enjoy the fullest technical autonomy, but they shall take into account the recommendations of the General Assembly and of the Councils, in accordance with the provisions of the Charter.

Article 133

The Specialized Organizations shall transmit to the General Assembly annual reports on the progress of their work and on their annual budgets and expenses.

Article 134

Relations that should exist between the Specialized Organizations and the Organization shall be defined by means of agreements concluded between each organization and the Secretary General, with the authorization of the General Assembly.

Article 136

In determining the location of the Specialized Organizations consideration shall be given to the interest of all of the Member States and to the desirability of selecting the seats of these organizations on the basis of a geographic representation as equitable as possible.

Article XIX

Part Three of the Charter shall consist of Chapters XXII to XXV, inclusive, in accordance with Articles XX to XXIII of the present Protocol.

Article XX

Chapter XVI entitled "The United Nations" shall become Chapter XXII having the same title and consisting of the present Article 102, which shall become Article 137.

Article XXI

Chapter XVII entitled "Miscellaneous Provisions" shall be replaced by Chapter XXIII having the same title and consisting of Articles 138 to 143, inclusive. The present Articles 103 and 106 shall become Articles 139 and 142, respectively.

Articles 138, 140, 141, and 143 shall read as follows:

Article 138

Attendance at meetings of the permanent organs of the Organization of American States or at the conferences and meetings provided for in the Charter, or held under the auspices of the Organization, shall be in accordance with the multilateral character of the aforesaid organs, conferences, and meetings and shall not depend on the bilateral relations between the Government of any Member State and the Government of the host country.

Article 140

The representatives of the Member States on the organs of the Organization, the personnel of their delegations, as well as the Secretary General and the Assistant Secretary General shall enjoy the privileges and immunities corresponding to their positions and necessary for the independent performance of their duties.

Article 141

The juridical status of the Specialized Organizations, and the privileges and immunities that should be granted to them and to their personnel, as well as to the officials of the General Secretariat, shall be determined in a multilateral agreement. The foregoing shall not preclude, when it is considered necessary, the concluding of bilateral agreements.

Article 143

The Organization of American States does not allow any restriction based on race, creed, or sex, with respect to eligibility to participate in the activities of the Organization and to hold positions therein.

Article XXII

Chapter XVIII entitled "Ratification and Entry into Force" shall become Chapter XXIV having the same title and consisting of the present Articles 108 to 112, inclusive, which shall become Articles 144 to 148, respectively; but the reference to "Article 109" in the present Article 111, which shall become Article 147, shall be changed to "Article 145".

Article XXIII

A new Chapter XXV entitled "Transitory Provisions" and consisting of Articles 149 and 150 shall be inserted in the Charter and shall read as follows:

Article 149

The Inter-American Committee on the Alliance for Progress shall act as the permanent executive committee of the Inter-American Economic and Social Council as long as the Alliance is in operation.

Article 150

Until the Inter-American convention on human rights, referred to in Chapter XVIII, enters into force, the present Inter-American Commission on Human Rights shall keep vigilance over the observance of human rights.

Article XXIV

The terms "General Assembly", "Permanent Council of the Organization" or "Permanent Council", and "General Secretariat", shall be substituted, as the case may be, for the terms "Inter-American Conference", "Council of the Organization" or "Council", and "Pan American Union", wherever the latter terms appear in those Articles of the Charter that have not been eliminated or specifically amended by the present Protocol. In the English text of such articles the terms "Hemisphere" and "hemispheric" shall be substituted for "continent" and "continental".

Article XXV

The present Protocol shall remain open for signature by the American States and shall be ratified in accordance with their respective constitutional procedures. The original instrument, the English, French, Portuguese, and Spanish texts of which are equally authentic, shall be deposited with the General Secretariat, which shall transmit certified copies thereof to the Governments for purposes of ratification. The instruments of ratification shall be deposited with the General Secretariat, which shall notify the signatory States of each such deposit.

Article XXVI

The present Protocol shall enter into force among the ratifying States when two thirds of the States signatory to the Charter have deposited their instruments of ratification. It shall enter into force with respect to the remaining States in the order in which they deposit their instruments or ratification.

Article XXVII

The present Protocol shall be registered with the Secretariat of the United Nations through the General Secretariat of the Organization.

IN WITNESS WHEREOF the undersigned Plenipotentiaries, whose full powers have been found to be in good and due form, sign the present Protocol, which shall be known as the "Protocol of Buenos Aires", at city of Buenos Aires, Republic of Argentina, this twenty-seventh day of February of the year one thousand nine hundred sixty-seven.

STATEMENT OF THE DELEGATION OF ECUADOR

The Delegation of Ecuador, drawing its inspiration from the devotion of the people and the Government of Ecuador to peace and law, states for the record that the provisions approved with respect to peaceful settlement of disputes do not carry out the purpose of Resolution XIII of the Second Special Inter-American Conference, and that the Permanent Council has not been given sufficient powers to aid the Member States effectively in the peaceful settlement of their disputes.

The Delegation of Ecuador signs this Protocol of Amendment to the Charter of the Organization of American States in the understanding that none of its provisions in any way limits the right of the Member States to take their disputes, whatever their nature and the subject they deal with, to the Organization, so that it may assist the parties and recommend the suitable procedures for peaceful settlement thereof.

STATEMENT OF THE DELEGATION OF PANAMA

The Delegation of Panama, upon signing the Protocol of Amendment to the Charter of the Organization of American States, states that it does so in the understanding that none of its provisions limits or in any way impedes the right of Panama to bring before the Organization any conflict or dispute that may have arisen with another Member State to which a just solution has not been given within a reasonable period after applying, without positive results, any of the procedures for peaceful settlement set forth in Article 21 of the present Charter.

STATEMENT OF THE DELEGATION OF ARGENTINA

On signing the present Protocol, the Argentine Republic reiterates its firm conviction that the amendments introduced in the Charter of the OAS do not duly cover the requirements of the Organization, inasmuch as its basic instrument should contain, in addition to the organic, economic, social, and cultural standards, the essential provisions that would make the security system of the Hemisphere effective.

For Guatemala:
EMILIO ARENALES CATALÁN
FRANCISCO LINARES ARANDA
ADOLFO MOLINA ORANTES
LUIS CORONADO LIRA
GUSTAVO SANTISO GÁLVEZ
ZELAYA CORONADO
ENRIQUE CLAVERIE

For Peru:
JORGE VÁZQUEZ SALAS
DAVID AGUILAR CORNEJO
G. HOYOS
JAVIER CORREA ELÍAS
EDGARDO LLOSA
JUAN MIGUEL BAKULA PATIÑO
ALVARO REY DE CASTRO
M. F. MAURTUÁ LARA

For Colombia:
GERMÁN ZEA
ALFEREDO VÁZQUEZ CARRIZOSA
HÉCTOR CHARRY SAMPER
JAIME POSADA
DANIEL HENAO HENAO

For Brazil:
JURACY MAGALHÃES
ILMAR PENNA MARINHO
M. A. DE PIMENTEL BRANÃO
ALEXANDRINO PAULA FREITAS SERPA
JOSÉ AUGUSTO DE MACEDO SOARES
C. GARCIA DE SOUZA
WANDERLINO MARIZ DE OLIVEIRA SOBRINHO

For Paraguay:
RAUL SAPENA PASTOR
JUAN PLATE
ANÍBAL MESQUITA VERA
C PAPPALARIO Z
ROQUE J. YÓDICE CODAS
L GONZÁLEZ A

For Nicaragua:
ALFONSO ORTEGA-URBINA
GUILLERMO SEVILLA-SACASA
RICARDO PARRALES S
FRANCISCO GAITÁN C

For El Salvador:
ROBERTO E QUIRÓS
ARMANDO PENA Q.
CAROLOS A. SIRI

For Venezuela:
IGNACIO IRIBARREN BORGES

For Ecuador:
JORGE CARRERA ANDRADE

For the United States of America:
ELLSWORTH BUNKER
EDWIN M. MARTIN
SOL M. LINOWITZ
LINCOLN GORDON

For Honduras:
TIBURCIO CARÍAS C
VIRGILIO R GALVEZ
SANTIAGO FLORES OCHOA

For the Dominican Republic:
E. DEL ROSARIO C.

For Panama:
D. FERNANDO ELETA A.
EDUARDO RITTER A.
J M SÁNCHEZ
R. OZORES

For Bolivia:
ALBERTO CRESPO

For Costa Rica:
FERNANDO LARA

For Uruguay:
LUIS VIDAL ZAGLIO
H GROS ESPIELL
H FERNÁNDEZ ARTUCCIO
AURELIANO AGUIRRE
JORGE ALVAREZ OLLONIEGO
EMILIO W. ORIBE
B. BRUM
ENRIQUE FERRI

For Haiti:
MARCEL ANTOINE
GERARD BOUCHETTE
MARCELINE ANTOINE

For Mexico:
ANTONIO CARRILLO F
RAFAEL DE LA COLINA
FRANCISCO G DE LA VEGA
V SÁNCHEZ GAVITO
ISMAEL MORENO
D L ARRETA MATEOS
J FAESLER
PETRICIOLI

For Chile:
GABRIEL VALDÉS S
For Argentina:
N C MENDEZ
C M GELLY Y OBES
J A MAZZINGHI
P SANTOS MUÑOZ
EDUARDO A ROCA

I hereby certify that the foregoing document is a true and faithful copy of the original of the Protocol of Amendment to the Charter of the Organization of American States "Protocol of Buenos Aires", signed at the Third Special Inter-American Conference, Buenos Aires, Argentina, February 27, 1967, March 30, 1967.

WILLIAM SANDERS,
Assistant Secretary General of the Organization of American States.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FULBRIGHT. Mr. President, has the treaty been laid before the Senate?

The PRESIDING OFFICER. The resolution of ratification has not been laid before the Senate; the treaty is pending.

Mr. FULBRIGHT. It is pending?

The PRESIDING OFFICER. Yes.

Mr. FULBRIGHT. I want to say just a few words in explanation of it.

Mr. President, first, I make a parliamentary inquiry. Would it be in order to vote on the resolution of ratification on Wednesday next?

The PRESIDING OFFICER. Yes, it would be.

Mr. FULBRIGHT. Mr. President, the Committee on Foreign Relations, to which was referred the protocol of amendment to the Charter of the Organization of American States—Executive L, 90th Congress, first session—having considered the same, reports favorably thereon without reservations and recommends that the Senate give its advice and consent to ratification.

1. MAIN PURPOSE

The main purpose of this protocol to the Charter of the Organization of American States is to make substantial revisions in the OAS structure and in the powers of certain OAS organs, all with a view to increasing the capacity of the OAS to function more effectively.

2. BACKGROUND AND SUMMARY

The amendments are the result of a long negotiating process which began with the Second Special Inter-American Conference in Rio de Janeiro in November 1965, and culminated at the Third Special Inter-American Conference in Buenos Aires in February 1967. The amendments were submitted to the Senate by the President June 12, 1967. On February 6, 1968, they were the subject of a public hearing before the Foreign Relations Committee, at which time they were supported, on behalf of the administration, by U.S. Ambassador to the OAS, Sol M. Linowitz. On April 3, the committee considered the matter in executive session and ordered the amendments favorably reported to the Senate.

During the process of negotiation, the Subcommittee on American Republics Affairs held several consultations with officials of the Department of State. The subcommittee was particularly concerned to avoid anything which might appear to be a treaty commitment to a foreign aid program, and members of of the subcommittee participated actively in drafting the provisions on economic and social standards which were finally agreed to with modifications.

Aside from the new economic and social provisions, the amendments upgrade the status of the Inter-American Economic and Social Council and the Inter-American Council for Education, Science, and Culture—corresponding to the present Inter-American Cultural Council.

The powers of the Council of the OAS, which will henceforth be called the Permanent Council of the Organization, are also expanded somewhat. It is made the executive body for any decisions of the General Assembly or of Foreign Ministers meetings not entrusted to other bodies, and its authority is slightly broadened in the field of pacific settlement of disputes.

The Inter-American Conference, which is supposed to meet every 5 years but in fact has not met since 1954, is replaced by a General Assembly which will meet annually.

The term of the Secretary General is reduced from 10 years with no reelection to 5 years with reelection for one term, and the General Secretariat is given more explicit budgetmaking powers.

Finally, the amendments would write into the charter, with only slight changes, the procedure for admitting new members of the OAS as agreed on at the Washington Foreign Ministers Conference in December 1964.

Although these amendments expand considerably the economic and social articles of the OAS Charter, in the judgment of the committee they do not expand U.S. obligations in the economic and social fields. The principal value of the amendments is the more rational organization of the principal organs of the OAS, the provision for regular annual meetings of Foreign Ministers, and the clarification and modest expansion of the authority of the Permanent Council and the Secretary General. These measures should make it easier for the OAS to deal with the problems it faces and is likely to face. For these reasons, the Committee on Foreign Relations recommends that the Senate advise and consent to ratification of the amendments.

The PRESIDING OFFICER. Without objection, the protocol will be considered as having passed through its various parliamentary stages, up to and including the presentation of the resolution of ratification, which will be read.

The assistant legislative clerk read as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Protocol of Amendment to the Charter of the Organization of American States (The "Protocol of Buenos Aires") Signed at the Third Special Inter-American Conference at Buenos Aires of February 27, 1967 (Executive L, 90th Congress, first session).

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the vote on the resolution of ratification on the treaty now pending occur at 1 o'clock on Wednesday afternoon next.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The agreement, subsequently reduced to writing, is as follows:

Ordered, That at 1 o'clock p.m. on Wednesday, April 10, 1968, the Senate proceed to vote on the resolution of ratification to Executive L, 90th Congress, first session, the protocol of amendment to the Charter of the Organization of American States.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate return to legislative session.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

Mr. MANSFIELD: Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF THE VOTING ASSISTANCE ACT OF 1955

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1006, S. 2884.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. Calendar No. 1006, S. 2884, a bill to amend the Federal Voting Assistance Act of 1955 so as to recommend to the several States that its absentee registration and voting procedures be extended to all citizens temporarily residing abroad.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. CANNON. Mr. President, on January 29, 1968, I introduced S. 2884, a bill to amend the Federal Voting Assistance Act of 1955 so as to recommend to the several States that its absentee registration and voting procedures be extended to all citizens temporarily residing abroad.

Since 1955 the Federal Government has recognized the fact that millions of American citizens who are serving their country beyond the continental limits of the United States have been denied the right to vote in general elections simply because they have not been physically present to register to vote or to cast their votes in the same manner as other citizens who, more fortunately, continue to reside in their homes.

In 1955 the Federal Voting Assistance Act was passed for the purpose of giving members of the Armed Forces, their spouses and dependents, and to others accompanying the Armed Forces, the right to register and vote by absentee procedures regardless of where in the world they were temporarily assigned.

Today many thousands of additional American citizens who are neither employed by the United States nor in the service of the Armed Forces are disfranchised because the States have no procedures for registration or voting by citizens who temporarily reside abroad.

This bill—S. 2884—recommends, and I stress the word "recommends," to the States that they adopt legislative or administrative remedies which would give to all American citizens who are temporarily residing abroad and absent from their States of residence the right to register and vote in the same manner as members of the Armed Forces.

No rights of the States would be affected by this bill. States may act favorably or may ignore the recommendation.

The bill is not compulsory. It is merely an earnest recommendation by the Federal Government that absentee civilians be accorded the same privileges as have been given to members of the Armed Forces in all of the States.

Mr. President, the committee had before it for consideration a bill which would have made compulsory what we are seeking to accomplish here on a voluntary basis. The committee has not reported that bill. We have had numerous contacts from both associations and individual persons residing abroad who were interested in having Congress take some affirmative legislative action that would impose a mandatory restriction on the States in this regard; but the subcommittee did not deem such action advisable at the present time.

Moreover, had such legislation been enacted this year, obviously it could not have been passed in sufficient time to provide any meaningful result insofar as the elections coming up this year are concerned, because the States would not have had the opportunity to tailor their own election laws in the meantime.

However, the committee hopes that enactment of S. 2884 would encourage the States to take action to permit voting by the otherwise disfranchised people who are temporarily residing abroad. I point out that since the 1955 Voting Assistance Act was passed, substantially all of the States—I believe all except possibly one—have taken the necessary steps to permit members of the Armed Forces and persons employed by the U.S. Government who are residing away from their homes to register and vote in Federal elections.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. CURTIS. Mr. President, I shall not ask for a rollcall vote.

I am not unaware of the turmoil that has gone on in the Nation's Capital in the last 2 or 3 days. I am aware that important matters demand the attention of individual Senators and the Senate as a whole.

I do not believe we could compel a close examination of this measure today. I do not believe we could, under the existing circumstances, cause the measure to be studied by a majority of the Senators. I have a fear that the measure will pass, and I hope that what I say here will be taken note of by the other body.

The pending legislation is neither necessary nor advisable. It is a bill that proposes to give advice to the States. The Federal Government, in other words, would become a lobbyist and tell the States what they should do about absentee voters. No problem exists in 29 of the 50 States right now. The complaint is made against 21 States.

The pending measure would call upon the Federal Government to recommend to the States that they so change their law that individuals residing abroad can register by mail and vote not only in Federal elections, but also in State and local elections.

I ask how well qualified a voter who lives and has lived on the Riviera for years would be to cast what might be a deciding vote in a district, local, or even school election.

The pending bill goes that far. It is conceivable that someone spending a long time abroad—and that is the only way we can interpret the pending measure even though the word "temporary" is used—would have some information about national elections. It is conceivable that he would have some information about the administration in power and some information from reading foreign newspapers about the issues that have been raised and the candidates who are running for election or reelection. He may have sufficient information to vote for the party of his choice to control Congress. However, the pending bill does not stop there.

The pending bill is not limited to national elections. It has no legal force and effect. It would set up another Federal law. Somebody would have to administer it, or it would be meaningless, and that agency would tell the States, "You ought to change your law so that someone living abroad could register without coming home and could vote not only in broad national elections, but also in State and local elections."

Mr. President, there is in the majority report a statement prepared by the Bipartisan Committee for Absentee Voting. The address listed is 12 Rue de la Paix, Paris, France.

They contend that an estimated 50,000 Americans live in France. That might be true. We are not told what ties they still have with this country.

What is their complaint? Under the heading "State Barriers," they recite:

> The inability of Americans abroad to vote arises from two principal difficulties. Only about half the States have set up systems for permanent or absentee registration. The requirement excludes great numbers of people, because it is the rare American who can afford a special trip home to register.

That clearly implies that we are talking about people who live in Europe for a long time, because if it were the casual traveler or the serviceman who spends 2 years abroad, he would be able to register.

The pending bill, even though it uses the word "temporary," does not define whether temporary residence abroad would be for a longer period of time than a temporary agency in Washington or a temporary building. I do not know because it is not defined. The pending bill is for the benefit of a group of people who stay abroad for long years and complain that they cannot vote in 21 States because they cannot register by mail. The pending bill does not correct that. The pending bill would have the Government advise the States to correct it.

I am glad that it follows that course because the States determine the qualifications of voters.

When our Constitution was written, it provided that electors in Federal elections shall have the same qualifications as electors for the most numerous branch of the State legislature. In other words, whoever could vote for the legislature in a State could vote for a Representative or in presidential elections. A Senator was to be elected by the legislature at that time.

So the whole concept of our federal system has been that the qualifications of voters are determined by States.

Why did we have to amend the Constitution to bring about suffrage for women? Because the Federal Government, in the absence of a constitutional amendment, had no authority to tell a State that it must allow women to vote. It was a needed and desirable change. It was a good thing that it was brought about. But they did it by amending the Constitution.

Following the War Between the States, why was the Constitution changed to read that no person shall be denied the right to vote because of race, color, or previous condition of servitude? It was done because it has been recognized all through the years that the qualifications of voters are to be determined by the States.

With respect to a side issue, not involved at all in this bill, we hear a great deal about lowering the voting age to 18 or 19. There is no need for a Federal law. Some States have already lowered the voting age; some States are thinking about it. In other words, the power, authority, and responsibility to determine who can vote and how is a State matter. We have a bill before us that admittedly is to advise the States how they shall handle their absentee voting.

I made reference to the statement of the bipartisan committee located in Paris. That is not in the report; it is in the hearings. I wish that part to be corrected.

I shall not dwell on this matter, but I wish to point out that the Subcommittee on Privileges and Elections held one brief hearing on S. 2884. At that hearing, only three witnesses were heard. No further subcommittee meetings were conducted, nor was further study inaugurated or carried out.

In short, the Senate is being asked to pass a bill on the basis of the testimony of one Representative, whose State and district will not be affected by this recommendation, and one lobbyist, who represents an organization composed of approximately 500 dues-paying members who reside all over the world. S. 2884 is a recommendation to the 21 States that they adopt a system of absentee registration and absentee voting for the benefit of certain alleged citizens who are temporarily residing anywhere and everywhere in the world. And "temporary" is not defined.

In the statement which this bipartisan committee inserted in the RECORD, these facts are recited: Of those States which provide absentee voting, about half require notarization, and the Embassy is the only place in Paris authorized to perform this function. In the 1964 election, only approximately 1,200 ballots, including those of travelers, were notarized. Estimates range from 15,000 to 50,000 Americans living in France.

So that, despite the lack of statistics, it is clear that only a relative handful of Americans could vote. The situation in other countries was comparable.

Mr. President, we have had some close elections. The election in 1960 was very close. Are we, on the basis of the study given to this bill—three witnesses in a matter of a few minutes—going to give those people the power to determine the outcome of a presidential election? They say 50,000 reside in France. I do not know how many of them are living on the Riviera. I do not know how many of them go over there and work for years and years. But I do know that their complaint is that only a rare one of their number can go home and register.

Mr. President, as I have said, this bill deals with a subject that should be dealt with by the States. On what basis does the Federal Government give advice to the States? Because we have made such a success financially, because the Federal Government has made a success of its national problems, because the Federal Government has made such a success in regulating foreign affairs, we now have nothing to do but to give the States advice on how they should register voters?

Mr. President, I am not unaware that this measure, if forced to a rollcall vote, probably would be passed. I shall not ask for a rollcall vote. I express the hope that before this matter is taken up by the other body, and before it is signed into law, it receive some very thorough study; that before we cause Uncle Sam to be a busybody, advising States on what to do on matters that are virtually State matters, we had better get some facts, we had better find out the length of stay of these people, we had better find out what they know about the qualifications for school board members, what they know about the needs for a school bond issue, or who would be a good mayor or a good city council member.

The very heart of self-government is local government, and in this bill the Federal Government undertakes to advise the States to enlarge the voting of people living abroad, not only for Federal elections—there might be an argument in that respect—but also to advise the States to make it easier and to provide absentee registration so that these people can vote in local matters. I do not believe anyone would argue that a person who lives abroad 10, 15, 20, or 30 years does not have the information to cast an intelligent vote on a local matter. But that is what is being recommended to the States. Frankly, it is said that free advice is not worth any more than it costs. This is giving free advice to the States. The States have not asked for it. Three witnesses spent a little time asking for this bill.

To my mind, it is a mistake. In the light of the momentous problems facing our country, we should not be enacting this bill on this day.

Mr. President, I ask unanimous consent that my individual views, which appear in the report, be printed in full at this point in the RECORD.

There being no objection, the individual views were ordered to be printed in the RECORD, as follows:

INDIVIDUAL VIEWS OF MR. CURTIS

It is with regret that I am unable to concur in the majority report on this legislation for the following reasons, to wit:

The Subcommittee on Privileges and Elections held one very brief hearing on S. 2884. At that one hearing only three witnesses were heard. No further subcommittee meetings were conducted, nor was further study inaugurated or carried out. In short, the Senate is being asked to act on the basis of testimony from one Congressman, whose State and district will not be affected by this recommendation, and one lobbyist representing an organization composed of about 500 dues-paying members who are residing all over the world.

S. 2884 is a recommendation to 21 States that they adopt a system of absentee registration and absentee voting for the benefit of certain alleged State citizens who are temporarily residing anywhere and everywhere in the world. Let it be clear that at no time has any State or State legislature been precluded from adopting legislation to permit and encourage absentee registration and voting, if that State felt such legislation was either necessary or desirable. As a matter of fact, the State of Washington has already enacted such absentee procedures. Additionally, similar bills are under study in six or seven other States. However, according to the testimony, 21 States have turned down the theory of absentee registration, and they should be allowed to do so without the advice and help of this body.

EXCERPTS FROM PAGE 19 OF HEARINGS ON S. 2884

"Senator CURTIS. I have one more question. Have any States turned down the concept of absentee registration?

"Mr. JOHNSON.[1] Twenty-one.

"Senator CURTIS. I mean, have they turned down a recent request?

"Mr. JOHNSON. Yes, sir. I have been in touch with a number of State legislatures. We have had our proposal before the legislature in Texas, but they adjourned without doing anything about it. *I would say that a number of them have turned it down. I think it might be different if the Congress recommended otherwise* (emphasis supplied).

"Senator CURTIS. But your group has made an effort?

Mr. JOHNSON. Yes, sir. But primarily in those States, as I indicated, where personal registration is still required."

Thus, S. 2884 encompasses a theory that belongs entirely in the province of the various States and their duly elected legislatures. I think it neither good practioe nor procedure for the Congress to assume the role of lobbyist in the various statehouses throughout the country on behalf of a special and unique class of American citizen who may or may not be citizens of the State wherein they want to register by an absentee process.

Each State legislature knows the peculiarities of its own citizens, laws, and constitution, and how they would coincide with the concept of absentee registration. The recommendation of S. 2884 would work a definite hardship and expense in at least one State, where a constitutional amendment would be required. If the other States want to adopt or reject the theory of S. 2884, so be it; but such action should be taken without interference and advice from Washington.

Finally, I point out to my colleagues that the recommendations of S. 2884 extend to all elections—Federal, State, and local. While the qualifications of electors is under the Constitution a State matter, there might be some justification for the Federal Government advising the States as to Federal elections, but there is no basis for legislative advice to the States on purely local matters. It is conceivable that an individual who has been out of the country for one, two, or three decades might have some information as to presidential issues and candidates; but he is certainly not qualified to cast what might be the deciding vote in a local school election, or any other local election. We are all aware of the many extremely close elections that can be decided by the mail vote. I have serious misgivings about one of those close elections being decided by the votes of those individuals thousands of miles from the alleged State of their residence, and not subject to the edification of a campaign or the local newspapers, radio, and television reports.

Mr. CANNON. Mr. President, the Senator has made the point that we should not be giving advice to the States. I point out that this proposal simply amends the Federal Voting Assistance Act of 1955, which certainly was advisory to the States. It had no authority other than advisory; it was to try to permit voting by members of the armed services and people who were employed abroad by the Federal Government. That act was passed unanimously by the Senate.

Last year S. 1881 again was passed unanimously by this body. As I recall, that was a unanimous vote. That legislation amended the Federal Voting Assistance Act of 1955. Therefore, the Senate has acted twice and certainly it has acted very clearly in this area.

The States have followed the recommendations, as I indicated earlier. All States except one have complied with the recommendations set forth in the Federal Voting Assistance Act of 1955.

As I stated, I would have preferred S. 1881, which is mandatory and not simply advisory; and, of course, would have related only to elections for President and Vice President of the United States. However, that was not the will of the subcommittee nor of the committee to report that bill favorably this year.

Mr. President, as far as hearings are concerned, we did have brief hearings this year. However, last year, in 1967, we held hearings on this entire problem in connection with S. 1880 and S. 1881, which is the mandatory version.

We also had testimony from a Member of the other body who was interested in a companion bill which he had introduced in the House of Representatives, and on which there have been hearings. That bill has been reported from the committee and, I understand, it is now pending in the other body. A bill substantially identical to that bill is before us today.

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[1] Stuart H. Johnson, Jr., League of Americans Residing Abroad.

Therefore, I submit this is not a new matter, by way of precedent. The legislation would simply amend the Voting Assistance Act of 1955 by striking out two sections and inserting in lieu thereof a new section that would provide:

(3) Citizens of the United States temporarily residing outside the territorial limits of the United States and the District of Columbia and their spouses and dependents when residing with or accompanying them.

Mr. President, the measure simply broadens the definition that was announced by the Senate and the House of Representatives in the Federal Voting Assistance Act of 1955.

I hope the Senate will pass the bill.

The ACTING PRESIDENT pro tempore. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2884

To amend the Federal Voting Assistance Act of 1955 so as to recommend to the several States that its absentee registration and voting procedures be extended to all citizens temporarily residing abroad

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 101 of the Federal Voting Assistance Act of 1955 (5 U.S.C. 2171) is hereby amended by striking out subsections (3) and (4) and inserting in lieu thereof a new subsection (3) as follows:

"(3) Citizens of the United States temporarily residing outside the territorial limits of the United States and the District of Columbia and their spouses and dependents when residing with or accompanying them."

SEC. 2. Section 204(b) of the Act (5 U.S.C. 2184(b)), is hereby amended by striking out subparagraphs (3) c., d., e., and f. and inserting in lieu thereof new subparagraphs (3) c., d., and e. as follows:

"c. A citizen of the United States temporarily residing outside of the territorial limits of the United States and the District of Columbia ☐

"d. A spouse or dependent of a person listed in (a) or (b) above ☐

"e. A spouse or dependent residing with or accompanying a person described in (c) above". ☐

Mr. CANNON. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. BYRD of West Virginia. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

KEEP FEDERAL TROOPS IN WASHINGTON

Mr. BYRD of West Virginia. Mr. President, on Friday afternoon, around 4 o'clock, as best I can recall, I talked with the office of Mr. Mike Manatos and Mr. Joseph A. Califano, Jr., at the White House, and urged that Federal troops be brought into Washington to assist the police in the protection of lives and property. I also called Mayor Washington about the situation as it was developing. He informed me that everything was being done to restore order and bring the situation under control, and that a request was being processed for Federal troops.

At 6:03 p.m., I talked with Mayor Washington. He stated that the situation was "contained with our own forces last night," and that "today there have been a couple of very bad mass meetings on 14th." The Mayor went on to say that "Carmichael made a couple of statements—quite inflammatory—at a press conference." The Mayor said that at about 1:30 or 2 p.m., bands started moving about. The Mayor said he had talked with President Johnson around 11 a.m. The Mayor said that the guard "is in now and on the streets in areas where the looting and burning are going on." He said that regular troops from the 3d Infantry were being deployed in an attempt to restore order. He indicated that about 600 of the National Guard personnel were on the streets at 5 p.m., and that the total number would go up to about 1,200.

I left my office around 6:15 p.m., and drove home, after which I talked with Deputy Mayor Thomas W. Fletcher at 7:30 p.m. Mr. Fletcher informed me that about 1,000 National Guardsmen were in the city, and that about 5,000 Federal troops were being deployed in precincts Nos. 1, 2, 9, 10, 11, and 13. He stated that fire departments in adjoining Maryland and Virginia jurisdictions were responding to calls for help in the District; that at 5:30 p.m. a curfew had been effected, the sale of alcoholic beverages stopped, and the sale of firearms prohibited; and that arrests were already being made under the curfew.

I then talked with Mayor Washington again, and he told me that the Federal troops were being deployed around the White House and the Capitol and were also being moved into the precincts to assist policemen and firemen. I asked Mayor Washington if the Federal troops were just going to be put on display for the purpose of making a "show" of force or whether they were going to be used to help make arrests, stop looting, and restore order. He assured me that they were not just on display and that they were going to be used effectively to restore order.

I again called Mayor Washington around 11:30 p.m. on Friday, but he was in the field. I again called him at 12:50 a.m. Saturday and left word with his office. I do not recall exactly, but I believe I had a subsequent conversation that night with the Mayor or with Deputy Mayor Fletcher. My notes are not complete on this score.

Upon hearing television reports Saturday that the looting was increasing rather than subsiding, I again talked with Mr. Califano at the White House, who stated that as of 11 a.m. Saturday, there was "some increased looting, not too much," and that there was "no real congregations of people" at that point. He said that access to certain troubled areas had been blocked and that the police and National Guardsmen had been told to move "very fast" on looters. He also stated that there were about 7,000 military personnel in the city at that point and that the orders were to "stop looters with the minimum force necessary," and that the most urgent problems had to be dealt with first, such as protecting firemen and other such matters.

About 2:10 p.m., on Saturday, I talked with Mr. Cyrus Vance, special assistant and adviser to the Mayor, about the situation. He said that he had just come from a visit to precincts 1, 2, 3, and 13, and that the second precinct looks troublesome. He indicated that there were some troublesome areas in the third precinct. He said that a lot of hostility was developing and that the curfew would go back on at 4 p.m. I asked him what use was being made of the military personnel, and he stated that they were helping to guard business establishments and pick up looters and work with the police as closely as possible in restoring law and order.

At 2:30 p.m., Mr. Califano called me back to state also that the curfew would be advanced to 4 p.m. He stated that there was an uneasy aspect developing, that there was a kind of intra-anger growing among many of the colored people because some of their own houses were being destroyed by the rioters, and that the burning of stores and other business places would mean a loss of jobs for many Negroes. He pointed out that many Negroes were employed in the very businesses that were going up in flames and that these people were becoming increasingly restive and that there was some fear that this restiveness could develop into some real trouble among the Negroes themselves.

Moreover, he pointed out that many Negro people were becoming increasingly disturbed because their sources of food supply were being destroyed by the looters and arsonists.

At 3 p.m., I talked with Mr. Warren Christopher, Deputy Attorney General of the United States, and urged that firm police action be utilized in dealing with the rioters and looters and that all reasonable force be applied to apprehend and arrest looters and other lawbreakers. I stated that business establishments should have the utmost protection available and that only a firm attitude on the part of the military and the police department, using whatever force was necessary in order to make and maintain arrests, would discourage and convince the rioters that they were pursuing great risks in continuing to loot and destroy.

At 4:30 on Saturday afternoon I drove to Martinsburg, W. Va., for a speaking engagement, and, upon returning to my home at 11:30 that night, I called Chief Layton to say that I would like to visit the areas of the city in which the greatest disturbance had taken place. I assured him that I would not want to create any problem for him in view of the situation, and I told him that I could wait until Sunday or I could go at that time on Saturday night, whichever he thought the better suggestion. He indicated he felt it would be better to go at night, whereupon I departed around midnight and visited the sections of the city where most of the looting and burning had occurred. I was on Seventh Street and 14th Street NW., and H Street NE., as well as in other parts of the city. At that time the curfew was very effective and I saw only an occasional person on the street. In all cases such persons were questioned by the police with whom I was riding or by the military, and in all instances the military personnel were closely guarding stores and intersections and were stopping and checking the few automobiles that came in sight. Fire trucks were at work, and the police and military personnel were doing a very good job in enforcing the curfew. I returned to my home at 3 o'clock Sunday morning.

I again talked with Mayor Washington around 5:30 p.m. on Sunday. He informed me that the curfew which had been put into effect at 4 p.m. would last until 6:30 a.m. on Monday. He also indicated that it was the plan to open the schools on Monday, today, until about 1:30 p.m., and that the curfew was planned to go into effect again this afternoon at 6 o'clock. He indicated the businesses would close at 4 p.m. today, thus allowing a 2-hour period to accommodate buses and also to accommodate Federal and District employees who would be moving out of the District ahead of the curfew. He also stated that Federal and District offices would close at staggered hours so as to avoid traffic congestion as much as possible.

Mayor Washington indicated that things were in "fairly good shape now" and that there had been one fire on 14th Street during Sunday. He said that no new incidents had occurred except of a minor nature. I asked what consideration was being given to the arrest of Stokely Carmichael and he said that "serious considerations are being given by the Justice Department. I am continuing to talk with the Department of Justice regarding Carmichael."

Mr. President, I want the record to show that I was in touch with city and Federal officials numerous times during Friday, Saturday, and Sunday. I want the record to show that I urged early use of Federal troops and National Guardsmen, and that I urged firmness and the application of whatever force was necessary to protect lives and properties, and stop the mass lawlessness to which the city and its citizens were being subjected.

I also want to commend the Metropolitan Police Department and the military personnel who worked far beyond the normal tours of duty in their efforts to restore order, and to commend the firemen of the District of Columbia and those departments in adjoining areas which assisted in bringing under control the scores of fires that erupted during the worst hours of the disturbance.

I wish to express deep appreciation to Mayor Washington, Deputy Mayor Fletcher, the White House personnel, Chief Layton, Mr. Vance, and others, who worked virtually around the clock in the effort to bring a most difficult and volatile situation under control.

Mr. President, what occurred was a deplorable and disgraceful display. I am sure that most citizens, Negro and white, were sickened by it.

I deplore the assassination of Dr. Martin Luther King, Jr., as I said on the floor of the Senate on Friday. The act was one of imbecility. I hope that the assassin will be promptly apprehended, convicted, and dealt with under the law.

However, what happened over the weekend in Washington and in other cities was entirely unjustified and, in my judgment, had no logical connection whatsoever with Dr. King's death. As I viewed the looting and other lawlessness, as shown on television, it was evident that a carnival and festive spirit was prevailing, as children and adults, with their arms filled with loot, with garbage cans filled with loot, with grocery carts filled with loot, passed before television cameras, smiling and waving their hands to the TV viewers.

Men and women carried away refrigerators, living room furniture, bedroom furniture, wearing apparel, whisky, and everything they could get their hands on, in an atmosphere of levity. It was a shameful and disgraceful performance before the Nation and the world, as thousands of people took advantage of the opportunity to go on a rampage.

I again express appreciation to the police, to the firemen, and to the servicemen who worked hard and who are still on duty in the maintenance of law and order. I hope that troublemakers, looters, and other lawbreakers will not be given a mere tap on the wrist and turned loose, but will be dealt with severely.

I also hope that Federal troops will remain in this city indefinitely, because if Washington is to be subjected to a summer campaign of demonstrations, as has long been planned, the presence of Federal troops will be reassuring.

Mr. President, I suggest the absence of a quorum.

The **ACTING PRESIDENT** pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. **BYRD** of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **ACTING PRESIDENT** pro tempore. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the enrolled bill (H.R. 11816) to provide compensation for law enforcement officers not employed by the United States killed or injured while apprehending persons suspected of committing Federal crimes, and for other purposes.

Mr. **BYRD** of West Virginia. Mr. President, I suggest the absence of a quorum.

The **ACTING PRESIDENT** pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. **BYRD** of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **ACTING PRESIDENT** pro tempore. Without objection, it is so ordered.

DEATH OF DR. MARTIN LUTHER KING

Mr. **RIBICOFF**. Mr. President, Dr. Martin Luther King must not have died in vain.

The time has come—if it has ever come—to turn a century of neglect into a time of action.

It will be meaningless to establish a day of prayer—to call for national mourning—if the emotions and deep shock of the American people are not translated into action.

There is a responsibility on the shoulders of every American to answer the question: What can I do?

And nowhere is this responsibility more clear—nowhere is it heavier—than on the shoulders of the Members of Congress.

This is no time to sit tight.

We know what we need to know. We know what we need to do.

We know the statistics—a rollcall of despair.

Four and a half million urban substandard housing units.

One out of four Negro teenage youths unemployed.

Thirty-seven percent of the graduating class of a Washington high school without jobs in the year after graduation.

Millions and millions of dollars of damage as a result of riots, looting, and destruction.

No Member of this Congress needs to look very far in order to find out what he can do.

The answers are available to us, and in all the detail we need in order to implement them.

More than 15 months ago, following extensive hearings on urban problems, I introduced a package of legislation that was based on six main themes. They were:

First, guaranteed job opportunities for all;

Second, providing a decent home in a decent environment that includes personal security and public safety;

Third, offering the maximum encouragement to private investment in rebuilding our cities and the lives of our people;

Fourth, involving the individual in his own destiny and emphasizing neighborhood development;

Fifth, reorganizing our agencies of government so that the new ideas of today will not wither on the bureaucratic vines of yesterday; and

Sixth, developing an educational system that will equip all children with the skills and resources necessary for a modern and growing society.

They are as valid today as they were in January of 1967. Perhaps more so.

Just this spring, the Kerner Commission told us in great detail everything we already knew, because its members knew full well that the answers were before the American people and had been for some several years, if not more.

How long must we wait?

Will the crisis in our cities—the crisis in the race relations—be set aside until every know-nothing, black and white, has had his say?

Are we to prove the apostles of violence correct?

Let us pray that this is not so. Because the violence of the past weekend—and the disorders of last summer—are destructive of more than property. Violence is destructive of the spirit. It hardens the attitudes of men.

Nowhere has it produced lasting and positive results.

Violence does not eliminate the conditions it seeks to destroy. Often it causes them to endure.

Violence does not make life in the slum any less mean or more tolerable, or bring forth responsible leadership.

Violence does not create understanding.

Instead, violence breeds fear. Lawlessness creates a lack of confidence. Disorder pushes into the background those who would build. The glare of flames and the flashing lights of police cruisers illuminate only the wreckers and the wreckage.

The times and events cry out for sanity and for constructive action.

The tragedy of the past few days has been its familiarity.

What happened in Washington, in Chicago, in Baltimore, in Pittsburgh, and elsewhere has happened in many other cities for the past 5 years.

And each year, following the violence, Americans expressed great shock at the suffering and great outrage at the destruction. We have said to ourselves: It will not happen again. But it has. We have told ourselves that the best way to control riots is with quick, effective police action. And certainly there can be no quarrel with that. All of us are grateful, at least, that the loss of life in Washington was much lower than in other cities during similar tragedies.

But our great error has been to see the rioters as representing all black citizens. Our great error has been to try to exact a pledge from vandals and hoodlums before we assist those who are hard-working and decent people.

We must deal with two issues. One is the violence and controlling it when it occurs. The other is the conditions of poverty, of unemployment or jobs that lead nowhere, poor schools, and closed opportunity.

In every riot, there have been two issues. One has been the vicious violence, the rampage, and the looting. The other has been the conditions of the slums and poverty.

We justly condemn the rioting.

But condemning the rioting does not provide jobs for the poor. It does not build housing for the poor. It does not improve our educational system. Condemning rioting and preventing violence with quick, effective police action is only half the job. Now we must get on to the second half of the job, which we have ignored for so many generations.

Mr. President, for me to continue speaking about these problems—for anyone to continue speaking—is meaningless if we do not act to end them. Here in this city, among the institutions of our National Government, we have had far too much talk and far too little action.

We have passed legislation that authorized programs and then have not authorized the money to implement them or have authorized too little money.

We must face the truth. The greatest need is money. Unless we in Congress are willing to make a commitment of the purse as well as the heart—and so far we have done neither—then we cannot expect the actions of local individuals to have much meaning. The people in our cities who are acting, who want to end poverty, who want to assist those we have forgotten and cast off from our nation are in desperate need of a national commitment and a national framework for their action. We must provide this.

We must provide this in the spirit of Martin Luther King, who told us that we do not seek black victories or white victories, but victories of justice. And we must always bear in mind what this great man told us about our responsibility to ourselves, about the consequences of our inactions.

In what was a clear summary of American life in the mid-1960's, Dr. King, in testimony before my Senate subcommittee in December of 1966, told us:

> The new era of abundance finds us not only with proliferating ghettoes, but it finds us enmeshed in confused commitments and tortured values. Our confusion can be illustrated by an unanswered question. Are we more concerned with the size, power and wealth of our society, or with creating a more just society? The failure to pursue justice is not only a moral default. Without it, social tensions will grow and the recurring turbulence in the streets will persist despite disapproval or repressive action. Even more, a withered sense of justice in an expanding society leads to corruption of the lives of all Americans. All too many of those who live in the affluent America ignore those who exist in poor America. In doing so, the affluent Americans will eventually have to face themselves with the question that Eichmann chose to ignore: How responsible am I for the well-being of my fellows? To ignore evil is to become an accomplice to it.

RIOTS, BURNING, AND LOOTING IN THE NATION'S CAPITAL

Mr. THURMOND. Mr. President, this morning I had the opportunity to tour the three worse riot-torn and burned areas of our Nation's Capital. I am convinced more than ever that this wanton destruction represents the deeds of criminals and not the majority of our population in this city.

Unfortunately, the looting and burning was apparently condoned by large numbers of the populace in which it occurred. The stores hardest hit were in the main business sections of areas where minority populations are concentrated, although there was widespread vandalism and some looting in other sections of the capital.

Police authorities who accompanied me on this tour stated that the food and liquor stores were hardest hit, with clothing stores a close second. The looters first robbed the stores of all merchandise, and in many cases destroyed credit records. Then the buildings were set afire in an apparent attempt to camouflage the looting and also to add confusion and havoc, which aided the looters in moving into other areas while police and firemen tried to control the sections which were burning.

The outbreaks began Thursday night, April 4, following the assassination of Martin Luther King, and intensified during daylight hours on Friday, April 5, with the peak coming Friday afternoon and night. Fires and looting continued Saturday, April 6, but the buildup of National Guard and Federal troops on Saturday turned the situation around as Saturday night and Sunday saw only isolated incidents occur. An earlier call of military forces would have greatly reduced the loss of life and property.

Mr. President, I am convinced that this violence was only partially in retaliation over the death of Martin Luther King. His death was merely the catalyst in this destruction. You do not mourn a man's death by taking other lives and destroying the property of people. Those who participated in the looting and burning simply used this assassination in Memphis as an excuse to take the law into their own hands. The attitude of the rioters was not one of mourning, but more like a carnival atmosphere. Women and children participated in the looting, often waving at television cameramen and laughing as they moved about the streets with their arms filled with dry goods and other items.

The death of Martin Luther King and the rioting which has spread to more than 41 cities in the past few days both spring from the same source: The philosophy that one need only obey the laws that please him. Both the act of the assailant, and the actions of the rioters were nurtured in an atmosphere of tension and agitated emotion.

Mr. President, this Nation today has been worked up into a state of revolutionary tension. Officials are vainly striving to label these riots as "civil disturbances." Newspapers appear to be pleased that the damage is allegedly confined to propery. In my judgment, the damage goes far deeper. The damage goes into the very soul of the Nation. Civilization and freedom depend upon the maintenance of law and order. The first sign that such law and order is crumbling is the destruction of property.

For this reason, looting is not the same as mere theft or burglary. In the history of Anglo-Saxon law, looting has been seen as the prelude to arson and the collapse of public safety. Thus, security of property has always been the bulwark of human rights and the safeguard of freedom.

Looting and property destruction also does psychological damage to all citizens, both looters and victims. Both of them loose respect for authority, a loss that will be more evident in the future. The very center of freedom is the free acceptance by all citizens of the restraints of the law upon conscience and action. The person who is scarred by the collapse of authority will have difficulty returning to these inner restraints.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SENATE JOINT RESOLUTION 159—INTRODUCTION OF JOINT RESOLUTION DESIGNATING JANUARY 15 OF EACH YEAR AS MARTIN LUTHER KING DAY

Mr. BROOKE. Mr. President, the renewed outbursts of civil disorder in the cities of America are costly and futile counterpoints to the profound sense of grief which has swept across this Nation since last Thursday. The lasting imprint on this country's conscience and behavior will not be made by the misguided and reckless participants in these disturbances, however vividly we may remember the ugly scenes of these few days. The lasting impressions will be those etched in our memory by the good life and good works of the man whose death last week bound the great majority of Americans together in outrage and mourning.

All over the land people are seeking appropriate ways to express their bereavement at the passing of Martin Luther King, Jr. In these first days of our loss proper tribute has been paid to Dr. King, not in the streets, but in the churches and chapels, the schools and homes of the United States. And I am confident that the greater and lingering tribute will come in further action toward the glorious goals of brotherhood and justice so diligently pursued by Martin Luther King, Jr.

As Americans, individually and collectively, rededicate themselves to these ends, it would be fitting to pay our respects to this noble figure by enduring public commemoration of his life and philosophy.

For this purpose I believe the Congress should declare January 15, the birthday of Martin Luther King, Jr., an annual occasion of recognition for this man and his mission. To accomplish this I am today submitting the following joint resolution:

S.J. RES. 159

Whereas the United States of America is deeply grieved by the vicious and senseless act which ended the life of the Reverend Doctor Martin Luther King, Junior, this country's apostle of nonviolence;

Whereas the United States of America, and its Senators and Representatives in Congress, recognize and appreciate the immense contribution and sacrifice of this dedicated American;

Whereas the American people are determined that the life and works of this great man shall not be obscured by violence and anger, but rather that they shall remain a shining symbol of the Nation's nonviolent struggle for social progress;

Whereas it is incumbent upon us to recognize the violence, hatred, and national division do no honor to the man who has been taken from us;

Whereas mutual respect and a firm commitment to the ideals of nonviolence for which he labored will be the most lasting memorial to the life of the Reverend Doctor Martin Luther King, Junior;

Whereas it is fervently hoped that his death may serve to reconcile those among us who have harbored hatred and resentment for their fellow Americans, to the end that our country may at last realize the ideal of equality set forth in our Constitution: Therefore, it is hereby

Resolved, That, in honor of the Reverend Doctor Martin Luther King, Junior, who was born on January 15, 1929, January 15 of each year is hereby designated as "Martin Luther King Day". The President is authorized and requested to issue a proclamation each year calling upon the people of the United States to commemorate the life and the service to his country and its citizens of the Reverend Doctor Martin Luther King, Junior, and to observe that day with appropriate honors, ceremonies, and prayers.

This proposal is not one I make lightly, but in the earnest conviction that we need to do all that we can to perpetuate the spirit and example of Martin Luther King, Jr. It is already evident that he occupies a unique place in American history. The values he epitomized are the very values which this country needs to sustain it on the march toward a more humane and equitable society.

I make this suggestion fully mindful of the fact that very few Americans have been so honored. No Negro American has yet been added to that small company of distinguished patriots who have received such tribute. At this time, more than any other, this Nation needs to raise up for itself and its posterity the image of reconciliation encompassed in the person of Martin Luther King. Approval of this resolution would be one measure of our commitment to do so.

Honor is not enough, but it is due. Symbols are not the substance of action, but in the long and complex paths of social evolution, symbols are also necessary. Dedication of a day each year to commemorate Martin Luther King, Jr., and his legacy to our Nation would symbolize in fitting manner our reverence for the man and our devotion to his principles.

Mr. COOPER. Mr. President, I hesitate to speak at all following the eloquent statement of the distinguished Senator from Massachusetts.

I merely rise to say that I believe that, better than anyone else, the Senator from Massachusetts clearly states the situation and the problems which face this country today.

I had the opportunity to listen to him yesterday on a television program. And it seemed to me that if our Government and its leaders and the people of our country follow the counsel and advice he gave on yesterday, our country could move from this growing alienation of the two great groups in our country and could move to that of equality which our Constitution promises, and, into a reconciliation of the two great peoples and fellow citizens of our country.

Mr. BROOKE. Mr. President, I thank the distinguished Senator from Kentucky for his very kind and very generous remarks relative to my appearance yesterday on "Face the Nation."

The ACTING PRESIDENT pro tempore. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 159) designating January 15 of each year as "Martin Luther King Day," was received, read twice by its title, and referred to the Committee on the Judiciary.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Geisler, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

ADJOURNMENT UNTIL NOON WEDNESDAY

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move in accordance with the order previously entered, that the Senate stand in adjournment until 12 o'clock meridian on Wednesday next.

The motion was agreed to; and (at 12 o'clock and 54 minutes p.m.) the Senate adjourned until Wednesday, April 10, 1968, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate April 8, 1968:

POSTMASTERS

CALIFORNIA

Walter H. Lieginger, Stockton, Calif., in place of F. J. Booth, retired.

GEORGIA

Charles E. Chandler, Bowman, Ga., in place of G. E. Chandler, retired.

Melvin C. Rogers, Chester, Ga., in place of G. A. Bowen, retired.

James W. Stubbs, Jr., Warner Robins, Ga., in place of H. H. Watson, retired.

ILLINOIS

John F. Braasch, Flossmoor, Ill., in place of G. E. Dean, retired.

Lloyd H. Whitworth, Hamel, Ill., in place of W. W. Steinmann, retired.

John A. D'Andrea, Itasca, Ill., in place of T. W. Harney, transferred.

INDIANA

Dolly M. Hall, Eminence, Ind., in place of I. I. Robinson, deceased.

Max W. Gooch, Harmony, Ind., in place of J. D. Lawson, retired.

Matthew J. Purzycki, Notre Dame, Ind., in place of J. V. Pelchat, resigned.

Lantia V. Lawyer, Oolitic, Ind., in place of I. M. Lawyer, retired.

Edwin R. Bartholomae, Plainfield, Ind., in place of C. A. Etchason, Jr., resigned.

IOWA

Isabelle B. Ramsey, Gruver, Iowa, in place of Elizabeth Dalen, retired.

Robert W. Book, Shenandoah, Iowa, in place of J. I. Haldeman, retired.

KANSAS

Marvin E. Jardon, Baldwin City, Kans., in place of L. N. Williams, deceased.

Delburt J. Hobelman, Fredonia, Kans., in place of E. W. Hull, retired.

Ernest E. Watkins, Ottawa, Kans., in place of T. J. Cummings, Jr., deceased.

Margie A. Hall, White City, Kans., in place of O. T. Kappelmann, retired.

KENTUCKY

Donald V. Overstreet, Parksville, Ky., in place of M. O. Tucker, retired.

MAINE

Conrad W. Babb, East Vassalboro, Maine, in place of N. P. Mason, retired.

T. Nathan Churchill, Washburn, Maine, in place of M. M. Freeman, retired.

Wesley M. Waters, Winslows Mills, Maine, in place of E. E. Cuthbertson, retired.

MICHIGAN

Shurley C. McIntyre, Vassar, Mich., in place of L. B. Akins, retired.

MINNESOTA

Joseph F. Dero, Minneota, Minn., in place of J. J. Jaschke, deceased.

MISSISSIPPI

Leon A. Ferguson, Jr., Arcola, Miss., in place of R. Q. Burney, retired.

Rodney M. Hentz, Courtland, Miss., in place of F. E. Figg, retired.

MISSOURI

J. C. Wagner, Lutesville, Mo., in place of R. I. Caldwell, retired.

Harold J. Maples, Marionville, Mo., in place of C. H. Willard, retired.

NEW JERSEY

Anthony E. Fittipaldi, South Plainfield, N.J., in place of John Kane, transferred.

OHIO

Ronald R. Ruppert, Franklin, Ohio, in place of M. M. Miller, resigned.

OKLAHOMA

M. Fern Copeland, Lone Grove, Okla., in place of T. L. Payne, retired.

PENNSYLVANIA

Leroy D. Larson, Russell, Pa., in place of F. M. Ruland, transferred.

TEXAS

Richard H. Van Court, Christoval, Tex., in place of V. L. Lock, retired.

Herbert L. Clayton, Olney, Tex., in place of F. N. Cook, retired.

VIRGINIA

Eugene O. Phillips, Covington, Va., in place of R. F. Smith, Jr., deceased.

Kathleen B. Branch, Dinwiddie, Va., in place of H. C. Barrow, retired.

Helen N. Merritt, Jetersville, Va., in place of C. S. Farmer, deceased.

WISCONSIN

Alfred H. Habeck, Athens, Wis., in place of E. H. Belz, retired.

WYOMING

Dessie A. Bebout, Shoshoni, Wyo., in place of H. M. Currah, retired.

In the Air Force

The following persons for appointment in the Regular Air Force, in the grades indicated, under the provisions of section 8284, title 10, United States Code, with a view to designation under the provisions of section 8067, title 10, United States Code, to perform the duties indicated, and with dates of rank to be determined by the Secretary of the Air Force:

To be captain, Medical

Kirschner, Leonard J., FV3124178.

To be first lieutenants, Dental

Andres, Carl J., FV3188523.
English, John R., FV3166255.
Schemke, James M.

To be first lieutenant, judge advocate

Vance, Richard R., FR3205413.

The following Air Force officers for appointment in the Regular Air Force, in the grades indicated, under the provisions of section 8284, title 10, United States Code, with dates of rank to be determined by the Secretary of the Air Force:

To be majors

Cline, Gould L., FV717564.
Minish, James A., FV1903233.
Walker, Charles F., FV1908390.

To be first lieutenants

Abbott, John G., Jr., FV3147114.
Abrams, Aubray, I., Jr., FV3110529.
Adams, George F., FV3130287.
Adams, John I., FV3132373.
Adams, John P., FV3135406.
Adams, Nixon A., FV3136461.
Adams, Oscar R., FV3132756.
Adamski, Anthony J., FV3133203.
Ahl, Kenneth L. II, FV3155771.
Ahrens, James A., FV3135124.
Akridge, James A., FV3122331.
Alberchinski, Carl D., FV3138000.
Albright, David S., FV3155461.
Alexander, Kenneth G., FV3131687.
Alexander, Lynn B., FV3136031.
Alexander, Ronald, FV3145636.
Alfonso, Louis A., FV3146186.
Allan, William K., FV3155149.
Allen, Alonzo R. III, FV3144513.
Allen, Donald G., FV3128773.
Allen, Donald J., FV3156728.
Allen, Lytle E. III, FV3132474.
Allen, Raymond L., FV3136711.
Allison, Billy G., FV3136146.
Allan, John M. III, FV3136818.
Alto, David G., FV3129937.
Alvarez, Alberto, FV3119814.
Ammering, Theodore F., FV3146098.
Anderson, Gordon G., FV3136813.
Anderson, James T., FV3129806.
Anderson, Jerris C., FV3156283.
Anderson, John R., FV3122377.
Anderson, John W., FV3136488.
Anderson, Woodrow A., FV3146503.
Andrews, George R., FV3136436.
Arelland, Cayftano A., Jr., FV3136739.
Arendts, David T., FV3137108.
Ariail, Frederick P., FV3119998.
Armour, Leon, FV3133670.
Armour, Paul J., FV3130853.
Armstead, Joseph E., FV3131501.
Armstrong, John F., FV3130425.
Armstrong, Lewis C., FV3129357.
Armstrong, Robert M., FV3128848.
Armstrong, Robert P., FV3131643.
Arnett, Larry W., FV3129436.
Arnold, Charles P., Jr., FV3136892.
Arnold, Lloyd H., FV3146591.
Ashley, Raymond W., FV3147042.
Ashworth, Charles, FV3134443.
Astwood, Edwin V., FV3135355.
Atkins, Gary C., FV3154846.
Atkinson, Robert W., Jr., FV3154945.
Augustine, Charles F., FV3120334.
Austin, Donald D., FV3155275.
Austin, Noel F., FV3129044.
Auvil, Robert F., FV3129106.
Ayotte, Jean G., FV3134444.
Bablo, Charles A., FV3129625.
Bailey, Henry I., FV3128222.
Bair, Thomas F., FV3119978.
Baker, Emmett J., Jr., FV3130504.
Baker, John E., FV3131198.
Baker, Ronald F., FV3130832.
Ballard, Jerry M., FV3081329.
Balstad, Richard W., FV3146359.
Bara, Leonard J., FV3133781.
Barbieri, Richard E., FV3136002.
Barclay, Ralph D., FV3119583.
Bardelmeier, Marshall W., FV3120204.
Bare, Richard J., FV3146045.
Barkin, Richard D., FV3061887.
Barlow, Charles F., FV3099926.
Barnett, Truman L., FV3146966.
Barnhill, Charles C., Jr., FV3130030.
Baron, Bruce, FV3154687.
Barre, Edward I., FV3144926
Barrett, Thomas J., FV3120130.
Barron, Art, FV3132760.
Barron, Barney F., FV3129360.
Bartling, Gary R., FV3131956.
Barto, Emerson S., FV3135113.
Baskett, Richard M., FV3130537.
Bastien, Stanley N., FV3139078.
Bateman, John P., FV3145117.
Bates, Daniel G., FV3144996.
Bauer, John G., Jr., FV3145335.
Bay, Philip E., Jr., FV3131088.
Beakley, John M., FV3132518.
Beaty, James K., Jr., FV3131089.
Beck, Alan W., FV3155793.
Becker, Raymond C., FV3138435.
Beere, Dennis F., FV3119517.
Beere, Henry M., FV3136267.
Beechy, Dean B., FV3131853.
Beets, Byron F., FV3146489.
Belina, John L., FV3137096.
Bell, James E., FV3130221.
Bell, Lawrence L., FV3132748.
Bell, Oral L., FV3131958.
Benecchi, Edward, Jr., FV3145180.
Benfield, Eric B., FV3146658.
Bennett, Jacob M., FV3127892.
Bennett, John D., FV 3132761.
Bentley, John F., FV3122472.
Beringer, William F., FV3135446.
Bernard, Jimmie, W., FV3138997.
Bernth, Terry J., FV3155132.
Berrean, John D., FV3156102.
Berry, William E., FV3119318.
Beson, Gary N., FV3131803.
Best, Robert S., FV3146842.
Betancourt, Ernest R., Jr., FV3137487.
Beverung, William C., Jr., FV3136904.
Bevington, Richard J., FV3135532.
Bickenbach, Jerry B., FV3107791.
Billingsley, John A., FV3120147.
Binkham, Charles D., FV3132378.
Bishop, William M., FV3146404.
Bixby, Frank R., Jr., FV3146884.
Black, Charles F., FV3120442.
Black, Donald G., FV3129173.
Blackburn, Allan W., FV3133079.
Blackwell, Gary L., FV3146610.
Blake, Neil F., FV3131644.
Blake, Ronald H., FV3129577.
Blauth, Robert J., FV3155422.
Blessing, Don H., FV3134013.
Blincow, Bruce R., FV3137903.
Blocker, Gettis A., FV3120000.
Blondet, William F., FV3132036.
Board, Michael E., FV3130707.
Boardman, Edward C., FV3137912.
Boerner, Roger B., FV3146663.
Bomhoff, Herbert M., FV3135459.
Bonney, Kent L., FV3156103.
Borgo, Peter A., FV3133628.
Boros, William G., FV3132286.
Bosse, Frederick C., FV3130404.
Boudreau, Richard L., FV3133629.
Boudreaux, Elie J., III, FV3154549.
Bourgeois, Paul J., FV3129860.
Bourque, George J., II, FV3146335.
Bowen, Albert S., FV3119932.
Bowman, Laddie F., FV3131855.
Bowman, Steven E., FV3130449.
Box, Gene E., FV3132523.
Boyanton, Earl B., Jr., FV3134874.
Boyd, Dene R., FV3129174.
Boyd, Hubert D., FV3065295.
Boylan, Hugh S., Jr., FV3133937.
Boyle, Anthony D., FV3134806.
Boyle, Francis J., FV3135470.
Boyle, Peter J., Jr., FV3137874.
Boynton, Gerald I., FV3129634.
Brace, Donald C., FV3131443.
Bradley, Rayburn F., FV3129619.
Bradley, Wayne D., FV3134014.
Bradshaw, James A., FV3130031.
Brake, Francis B., FV3135015.
Branch, Patrick K., FV3137875.
Branch, Paul R., FV3133958.
Brand, Troy C., FV3119621.
Brandt, Herman P., II, FV3132204.
Brannam, Clarence R., FV3134355.
Braxton, Richard B., Jr., FV3119900.
Breen, Patrick F., FV3132801.
Brenner, Wayne E., FV3137936.
Brethouwer, Richard I., FV3134816.
Brettel, Emile P., III, FV3128063.
Brewer, Larry K., FV3146428.
Brickner, Thomas E., FV3146614.
Bridger, Barry B., FV3131623.
Brisbois, John D., Jr., FV3134841.
Brock, Gerald L., FV3135478.
Brocklehurst, Gordon B., FV3128985.
Brockman, Leslie R., FV3145949.
Broerman, Ramon K., FV3137723.
Bronson, Eugene C., Jr., FV3146453.
Brook, Robert E., FV3137724.
Brooks, James R., FV3154458.
Brooks, John F., FV3135482.
Brooks, Manuel P., FV3128064.
Brooks, Thomas A., FV3134404.
Brown, Ernest H., FV3119815.
Brown, Guy E., II, FV3119622.
Brown, James D., FV3137495.
Brown, Jerald A., FV3156972.
Brown, John O., FV3119548.
Brown, Richard L., FV3144957.
Brown, William E., Jr., FV3137883.
Brownlee, Russell F., FV3130006.

Bruetsch, Edward J., FV3128253.
Bruhl, Glyndon A., FV3130635.
Brumbaugh, Elliott F., Jr., FV3137887.
Bruner, James M., FV3132673.
Brungart, David L., FV3131467.
Brunson, James R., FV3122822.
Bryan, Thomas D., FV3132156.
Buchkowski, George F., FV3154804.
Buchta, Robert M., FV3135487.
Buckles, Glenn A., FV3130824.
Buley, Peter J., FV3146578.
Bumen, Robert I., FV3120373.
Bumgarner, James A., FV3135488.
Buond, William A., FV3129175.
Burbank, Theodore A., FV3156936.
Burger, Norman A., FV3135991.
Burkart, Elmer R., Jr., FV3156875.
Burke, Martin J., FV3144823.
Burnett, Charles Z., FV3132931.
Burnett, Paul T., FV3137497.
Burns, James E., FV3129176.
Burns, John W., Jr., FV3132126.
Burns, Kent B., FV31229445.
Burrowes, John H., FV3155697.
Busby, David N., FV3136777.
Bussing, George F., FV3138902.
Butler, David I., FV3154436.
Button, Edward J., FV3156246.
Byram, James W., FV3132005.
Byrd, Harold C., FV3131625.
Byrne, Robert J., FV3138123.
Byrum, Richard, FV3130516.
Cadman, Robert S., FV3135497.
Cady, John R., FV3135386.
Cagle, Thomas G., FV3199682.
Caldwell, Glenn T., FV3119740.
Calhoun, Joseph D., FV3129863.
Call, Eugene H., FV3131207.
Callanan, Robert A., FV3134803.
Calvert, David D., Jr., FV3157045.
Calvert, Dorral I., FV3147038.
Cambra, Edward R., FV3136800.
Campbell, David R., FV3136200.
Campbell, Louis F., FV3129178.
Campbell, William P., FV3136299.
Canavan, Leo J., Jr., FV3065391.
Canfield, John A., FV3137898.
Cannon, Roy D., FV3147260.
Cantley, Roger P., FV3146500.
Cardiff, Robert I., Jr., FV3129581.
Cardosi, Richard, FV3139022.
Carlson, Edward A., FV3129362.
Carney, Philip J., FV3156247.
Carpinella, Ronald J., FV3147108.
Carr, Thomas C., FV3132289.
Carrigan, Larry F., FV3119604.
Carroll, Oliver R., FV3129111.
Carson, Phillip L., FV3138014.
Carter, Samuel P., Jr., FV3157046.
Carto, Robert M., FV3145907.
Cartwright, Francis E., FV3135509.
Carvey, Edward T., FV3139023.
Carwise, Edward R., FV3145776.
Casada, Jerry J., FV3132749.
Cash, Milton A., FV3137906.
Casleton, Ronald G., FV3120152.
Cassidy, Joseph F., FV3130433.
Castellano, Benedict D., FV3119911.
Caswell, Stephen L., FV3119792.
Cates, Theodore L., FV3138021.
Cavanaugh, Charles M., FV3130058.
Cecrle, William J., FV3135513.
Cempura, Walter R., FV3146100.
Cerchione, Angelo, FV3147220.
Chand, Amer, FV3147093.
Chandler, Gary A., FV3157013.
Chaney, Richard A., FV3137911.
Chapman, James E., FV3154438.
Chappell, Ernest V., FV3134373.
Charbonnier, Robert D., FV3144944.
Chesley, Carl H., FV3131592.
Chiarello, Vincent A., FV3136108.
Childers, Ronald B., FV3145457.
Childs, Thomas D., FV3134194.
Chora, Charles, Jr., FV3145147.
Christensen, Dayton C., FV3154859.
Christian, Frank H., FV3109304.
Christopher, Troy D., FV3130552.
Churchill, Howard A., FV3120643.
Chute, William M., II, FV3129941.
Chwan, Michael D., FV3136152.
Clark, Charles E., FV3145333.
Clark, Dale R., FV3139307.
Clark, Darrell L., FV3155096.
Clark, Dennis W., FV3145467.
Clark, Jack M., Jr., FV3130714.
Clark, Willard C., FV3137729.
Clawson, Lynn, FV3127970.
Clements, George V., FV3139081.
Cleveland, Ronald N., FV3137730.
Clopton, William F., FV3133300.
Cochran, Theodore S., FV3133142.
Cochrane, Thomas D., FV3108068.
Coffin, Charles J., FV3156973.
Coffman, Richard M., FV3129872.
Coil, Johnnie G., FV3135057.
Coker, William E., Jr., FV3147200.
Cole, John R., FV3133137.
Cole, Merle H., FV3155097.
Cole, Thomas R., FV3157109.
Coleman, Charlie J., Jr., FV3135714.
Colletti, Edward H., FV3144857.
Collier, James A., III, FV3131965.
Collins, Gerald M., FV3119935.
Collins, Rodney D., FV3155525.
Condojani, Stanley S., FV3146522.
Conklin, Norris L., FV3135536.
Conlin, Robert D., FV3135537.
Connell, Robert D., FV3144905.
Connelly, Robert N., FV3120208.
Conner, William L., FV3134809.
Connor, Francis J., FV3135773.
Conrad, Edward J., Jr., FV3156491.
Cooley, Gilbert K., FV3130008.
Cooley, James V., FV3146928.
Cooper, Grier H., FV3156113.
Cooper, Leigh J., FV3137939.
Coppage, David J., FV3108155.
Corbett, Richard T., FV3129646.
Cordell, Vance H. Jr., FV3145870.
Cordone, Roy R., FV3110667.
Correll, John T., FV3120865.
Corsi, James A., FV3108424.
Costa, Peter L., FV3119669.
Costello, James R., FV3135888.
Couillard, Bruce A., FV3154906.
Courrier, Ernest A., Jr., FV3135123.
Courser, Robert E., FV3132113.
Cousyn, Jack, Jr., FV3146482.
Couvillon, Nichaf I., FV3154523.
Couzins, Richard D., FV3138660.
Cox, Thomas W., FV3155277.
Coxwell, George F., FV3139177.
Crabtree, Frederick P., FV3129181.
Cramer, Keith L., FV3135930.
Crawford, Donald E., FV3146435.
Crawford, Harold F., FV3134356.
Crawford, Roderick W., FV3132957.
Creed, George J., III, FV3157065.
Crennan, William J., FV3156852.
Crist, William L., FV3155729.
Criswell, Harry I., FV3139082.
Cronin, Joseph G., FV3128781.
Crooch, Dorven K., FV3132114.
Crook, Randall M., FV3134313.
Croom, William D., Jr., FV3155526.
Cross, Edward I., FV3144710.
Crossland, William P., FV3132501.
Crouch, Jackie E., FV3139024.
Crouter, John E., FV3135255.
Croxton, Roy D., Jr., FV3156386.
Cruz, Carlos R., FV3131049.
Cufley, James E., Jr., FV3137946.
Cullinane, Eugene T., FV3119961.
Culver, Kenneth W., FV3128784.
Cummings, Michael L., FV3138548.
Cunningham, David K., FV3147008.
Cunningham, Joseph D., FV3156249.
Curl, Larry W., FV3136211.
Curley, Michael J., FV3156940.
Curoe, Patrick J., FV3146681.
Curtis, John R., FV3133223.
Custin, Gerald F., FV3130102.
Cwiklik, Paul, FV3146705.
Cwynar, Richard W., FV3124932.
Dabney, Richard W., Jr., FV3124064.
Daeuble, Theodore C., FG3130103.
Dague, Jerome H., FV3128857.
Dale, Charles L., FV3134959.
Dalpes, Daniel J., FV3146462.
Daly, Michael J., FV3133614.
Damato, Neil V., FV3108426.
Daniel, Joe F., Jr., FV3137817.
Darby, Charles V., II, FV3134960.
Darcangelo, Robert J., FV3134651.
Daugherty, James R., FV3132541.
Davenport, Calvin J., FV3156532.
Davidson, Roger W., FV3137743.
Davis, Gale C., FV3155681.
Davis, Kenneth C., FV3146029.
Davis, Lawrence, FV3133941.
Davis, Robert F., FV3146608.
Davis, William J., FV3145703.
Davison, Raymond I., FV3137969.
Deady, Edwin H., FV3156659.
Dean, Lawrence F., FV3128070.
Dean, Robert C., FV3146650.
Dean, Wayne S., FV3129182.
Decker, Lambert J., Jr., FV3130835.
Dee, James M., FV3130112.
Dees, David A., FV3137973.
DeFranco, Carl P., FV3133405.
Dehen, James J., FV3145022.
Deimeke, Louis E., FV3146138.
DeLuca, John A., FV3130113.
DeMarsh, Roger L., FV3134467.
DeMartino, Francis A., FV3131513.
Deminico, Joseph J., Jr., FV3129878.
Denney, Jerry D., FV3130116.
Dent, David R., FV3134216.
Deresky, John M., FV3145932.
Dermody, William E., Jr., FV3145206.
Deschenfaux, Richard J., FV3130771.
Dettmann, Alan W., FV3155099.
Dewar, Dudley R., FV3129463.
Dibblee, Robert W., FV3134197.
Dickerson, Marshall I., FV3135384.
Dickson, Allan M., FV3129368.
Dicocco, Robert R., FV3155380.
Didrickson, Donald J., FV73144891.
Dietrichs, William H., Jr., FV3131863.
Digangi, Thomas V., Jr., FV3145030.
Dillenbeck, Richard C., FV3130519.
Dillon, Francis R., FV3119864.
Dillon, Joseph J., FV3146683.
Dills, Jack C., FV3134824.
Dixon, Carroll W., FV3156403.
Dixon, Todd H., FV3146175.
Doane, John W., Jr., FV3139083.
Dobrasz, John, FV3134468.
Dobryflecki, Arthur J., FV3130802.
Dockter, Kenneth B., FV3138142.
Dodd, John R., FV3137985.
Dodge, Thomas F., FV3154754.
Dodson, Philip O., FV3145884.
Doe, Oliver P., Jr., FV3133963.
Dokken, Paul O., FV3129051.
Dole, Jack N., FV3118606.
Dombek, Frank S., FV3155865.
Dorcy, Ronald B., FV3137746.
Dorr, James F., FV3119786.
Dorrell, Archie J., FV3138172.
Dotts, James F., FV3145384.
Doucet, Richard M., FV3139158.
Dougherty, Terry F., FV3131864.
Douglas, Dirk F. V., FV3146624.
Dowdey, John D., Jr., FV3146950.
Dowell, Lester R., FV 3145574.
Downey, Leaford D., FV3137991.
Doxey, John W., FV3156218.
Doyle, Charles P., FV3137992.
Drago, Anthony L., FV3144704.
Drake, James R., FV3133634.
Drew, Louis D., FV3147254.
Dreyling, Robert A., FV3130135.
Drezek, Thomas, Jr., FV3128858.
Dubois, Jules F., FV3144440.
Dubois, Robert C., FV3132331.
Duerksen, Jarol F., FV3134653.
Duffner, Russell A., FV3145752.
Duffy, Brian J., FV3135933.
Dugan, Lawrence M., FV3137996.
Dulong, Ronald D., FV3130083.
Duncan, Donald M., FV3137997.
Duncan, James E., FV3136252.
Duncan, Philip P., FV3156884.
Dunn, Bruce F., FV3135595.
Dunn, William R., FV3129397.
Dupree, Hugh J., FV3139182.
Duran, Frank T., FV3133502.
Dyben, John P., FV3120155.
Eakin, William D., FV3136345.
Earlewine, Robert E., Jr., FV3128085.
Easton, Gary E., FV3135351.
Ebert, William T., FV3147166.

Eddy, Gerald V., FV3119866.
Edlund, Sven W., FV3131470.
Edney, Bobby G., FV3136347.
Edstrom, Vernon C., FV3135601.
Edwards, Lendy G., FV3131689.
Egan, Terence K., FV3133922.
Ekstrand, James P., FV3138005.
Elliott, Larry A., FV3136353.
Ellis, Jeffrey T., FV3135610.
Ellis, Vernon D., FV3119589.
Engelrbecht, Robert A., FV3130406.
English, Geoffrey M., FV3156105.
Enney, Thomas J., Jr., FV3156573.
Erickson, John V., FV3138011.
Ernst, Clifford F., FV3132548.
Ertel, Bernard R., FV3138232.
Essenbreis, Larry D., FV3120212.
Estes, Albert W., Jr., FV3145488.
Evans, Arthur F., FV3135619.
Evans, Charles W., FV3107363.
Evatt, Bobbie B., FV3155905.
Everhart, Richard V., FV3135621.
Ewers, Michael H., FV3146252.
Fahrlender, Theodore T., FV3155883.
Fairbanks, Clyde, Jr., FV3138247.
Falconer, Norman R., FV3134542.
Fantaski, Thomas J., Jr., FV3145850.
Farmer, Larry L., FV3146758.
Farmer, Vernon D., FV3144402.
Fayak, Edward G., FV3136364.
Fee, David T., FV3129470.
Feibelman, Jay F., FV3144820.
Feldman, Michael, FV3130164.
Fellen, Sherwin M., FV3129375.
Feltner, Jerry A., FV3139057.
Fenstad, Harry R., FV3133202.
Ferguson, Dale F., FV3136288.
Fernandez, Alfred P., FV3155344.
Ferony, Louis J., Jr., FV3146689.
Ferrel, Richard I., FV3155486.
Fields, Kenneth C., Jr., FV3147092.
Fike, William A., Jr., FV3129946.
Finley, Howard N., FV3138027.
Fischer, Frederick R., FV3155431.
Fish, Robert W., Jr., FV3135629.
Fisher, Frank J., FV3129377.
Fisher, Tatom A., FV3130060.
Fitzgerald, Clifford P., FV3130804.
Fitzgerald, Dennis C., FV3132936.
Fitzsimons, Alfred M., FV3139028.
Flaherty, Martin J., Jr., FV3135633.
Flake, Mark C., IV, FV3134659.
Flamoe, Larry J., FV3129891.
Flangan, Richard E., FV3136369.
Flannagan, William R., FV3154674.
Fletcher, Robert., FV3145821.
Flood, James L., FV3136375.
Flower, Robert M., FV3135640.
Flowers, Armand H., FV3136377.
Flynn, Dennis R., FV3138035.
Foley, James E., FV3130719.
Fontaine, Richard M., FV3145938.
Ford, Joe P., FV3138290.
Formica, Richard J., Jr., FV3129913.
Forrest, Joe E., Jr., FV3156509.
Foss, Remington C., FV3147134.
Fossmeyer, David A., FV3138040.
Foster, Carl H., Jr., FV3147006.
Foster, James P., FV3131713.
Foster, Robert A., FV3139145.
Foster, Stephan R., FV3139159.
Fournier, George J., FV3138382.
Fowler, Albert F., FV3137750.
Fowler, Gerald J., FV3131403.
Fox, Charles E., Jr., FV3155813.
Fox, Neil R., FV3132418.
Fox, Raymond M., FV3130858.
Fox, Robert D., FV3132696.
Franciani, Alphonse A., FV3145977.
Franklin, Norman I., Jr., FV3132835.
Frederick, Richard A., FV3155814.
Fredette, John E., FV3135651.
Freeman, Merrill W., FV3139058.
Fretitas, John F., FV3145944.
French, Floyd A., Jr., FV3138310.
French, Raymond I., FV3132043.
Frey, Clifford P., FV3133342.
Fridley, James I., FV3145378.
Friel, William J., FV3144474.
Fritz, William D., Jr., FV3131260.
Fuhrman, Ben J., FV3137751.
Fuller, John I., FV3155867.
Fuller, Robert R., FV3130011.
Fulton, Kermit L., FV3129124.
Gagen, James R., FV3135659.
Gallagher, James I., FV3146433.
Galloni, Raymond A., FV3154691.
Gam, Michael P., FV3129379.
Garay, Roger, FV3131518.
Gardner, Thomas M., FV3130188.
Garlow, Robert M., FV3134623.
Garver, Edward G., Jr., FV3131610.
Gateff, Dugan S., FV3131810.
Gateff, Fit D., FV3145200.
Gatewood, Robert M., FV3119837.
Gatwood, Eugene G., FV3145700.
Gehle, Bernard H., FV3120759.
Geiser, Anthony E., FV3128865.
Geldbach, Arthur R., FV3135667.
Genovese, Donald D., FV3135669.
George, John S., Jr., FV3138935.
Gerrick, Stanley J., FV3126376.
Giannantonio, Joseph A., II, FV3132300.
Gibson, William T., FV3146586.
Gilbert, Lowell A., FV3156476.
Gilbert, Paul F., FV3156716.
Gilchrist, Larry K., FV3134742.
Giles, Gerry G., FV3040396.
Giles, Thomas I., FV3131331.
Gillis, Thomas E., FV3122320.
Gillis, Wiley R., FV3135059.
Givens, Donald L., FV3134825.
Glad, Larry C., FV3136405.
Glascock, J. D., FV3133808.
Godlewski, Donald J., FV3154675.
Goering, Robert G., FV3145006.
Goggins, James W., FV3134477.
Gold, Bruce J., FV3130720.
Gold, Harvey D., FV3136376.
Golden, Dennis J., FV3108562.
Goldstein, Charles L., FV3131471.
Goldstein, Michael F., FV3131261.
Golob, Gordon A., FV3132954.
Goodall, Lewis E., FV3129188.
Goode, Charles D., FV3135016.
Goodwin, John E., FV3132333.
Goranowski, Thomas J., FV3120286.
Gordinier, Peter A., FV3156009.
Gordon, Lyal D., FV3135683.
Gould, Elmer R., Jr., FV3129481.
Gould, Yale R., FV3136415.
Goza, Donald E., FV3136416.
Graser, Eugene T., FV3146470.
Graves, Don F., FV3129978.
Graw, Paul H., FV3145345.
Gray, James L., FV3138023.
Green, Galf F., FV3145410.
Green, Roger M., FV3135930.
Greenberg, Samuel L., FV3135687.
Greene, Howard B., FV3120288.
Greene, Raymond F., FV3146530.
Greene, William H., FV3137753.
Greenhalgh, Terry L., FV3132950.
Gregory, Harold D., FV3146409.
Gribbin, Peter W., FV3144955.
Gricius, Leonard P., FV3137755.
Grider, Donald E., FV3139186.
Griffin, Donald E., FV3147192.
Griffin, James R., Jr., FV3131657.
Griffis, Kenneth G., FV3107147.
Grim, Garrett D., FV3145872.
Grimes, Fred N., Jr., FV3119571.
Groll, Ronald, FV3146515.
Gross, Joseph G., FV3139285.
Gross, Leroy P., FV3119906.
Gross, Virginia L., FV3138695.
Grund, Richard L., FV3137756.
Gudvangen, Jerome, FV3144833.
Guenther, Hart J., FV3108255.
Guin, Robert G., FV3145434.
Gulick, John F., FV3137551.
Gullick, Francis M., FV3135348.
Gum, William S., FV3135694.
Gunn, Kenneth M., FV3146437.
Gunning, John R., FV3133038.
Gurd, Leroy B., Jr., FV3120163.
Gutermuth, William E., FV3119983.
Haan, Leslie R., FV3147083.
Habgood, Carol A., FV3137095.
Haddox, Donald L., FV3128565.
Haedrich, Bruce W., FV3156223.
Haff, Richard D., FV3131381.
Haga, John M., FV3135208.
Halber, Alexander J., FV3119838.
Halder, Ronald V., FV3134945.
Hales, Jesman A., FV3155602.
Hall, David L., FV3129672.
Hall, Terrence W., FV3119925.
Hallberg, Fredrick L., FV3138860.
Halligan, Raymond J., FV3088470.
Halt, Charles I., FV3138099.
Halverson, Richard A., FV3133073.
Hamble, Charles L., FV3120292.
Hamby, Frank J., FV3129290.
Hamer, George D., FV3134481.
Hamilton, Riley A., FV3136444.
Hancock, Margie N., FV3129151.
Hanle, Glenn B., FV3130673.
Hanley, Daniel J., FV3137555.
Hannan, Samuel T., Jr., FV3131771.
Hardwick, George M., FV3132504.
Hargett, Erskine W., FV3145742.
Harken, Harold D., Jr., FV3134827.
Harms, Robert W., FV3144666.
Harmuth, Michael W., FV3129381.
Harper, Paige L., Jr., FV3139311.
Harrick, George E., FV3155347.
Harrington, Danforth M., FV3138025.
Harrington, Francis C., Jr., FV3135715.
Harrington, Gerald L., FV3156440.
Harris, Ernest G., FV3145508.
Harris, John M., FV3146129.
Harris, Joseph E., FV3139126.
Harris, Robert W., FV3145628.
Harris, William W., Jr., FV3133028.
Harrof, Jerry N., FV3156762.
Harten, Kenneth D., FV3136457.
Hartman, Curtis N., FV3145641.
Hartsell, Monte W., FV3135726.
Hastings, Allan F., FV3156123.
Hathaway, David J., FV3129193.
Hathaway, Milton R., Jr., FV3135727.
Hauser, Rarchie S., FV3137757.
Hawkes, Richard D., FV3130560.
Hawly, Floyd E., FV3133093.
Haworth, Gerald W., FV3154493.
Hayden, Hubert C., Jr., FV3145458.
Hayden, Laverne C., FV3136462.
Haynes, Ronald D., FV3138384.
Haynie, Donald G., FV3135733.
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Heald, Eugene J., FV3138114.
Healy, Raymond V., FV3119592.
Heaphy, Arthur J., Jr., FV3136466.
Hearn, Robert R., FV3138115.
Heath, Roger L., FV3130013.
Heaton, Larry R., FV3131980.
Hebbard, Stephen L., FV3155413.
Hebert, Thomas A., FV3137560.
Hedges, Ronald E., FV3146043.
Heidinger, Edward F., FV3155377.
Heil, Theodore R., FV3138119.
Heinisch, Harry C., Jr., FV3128320.
Heinrich, Hans C., FV3135739.
Heller, Michael L., FV3137760.
Helmuth, Dwight H., FV3155039.
Helser, Donald E., FV3135227.
Hemminger, David W., FV3129948.
Henderson, Danny I., FV3129921.
Henderson, Larry I., FV3135220.
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Hendrix, Jerry H., FV3134326.
Hendrix, William H., FV3128691.
Henkle, Edward B., FV3129384.
Hensley, Thomas T., FV3145734.
Herbert, Neville C., FV3131038.
Herman, Richard, Jr., FV3128870.
Hernandez, Ramiro V., FV3137106.
Herreto, Donald A., FV3103887.
Herrold, Ned R., FV3131266.
Hewitt, Harry R., FV3135744.
Heximer, Curtis D., FV3146801.
Heyde, Thomas M., FV3130223.
Hibbard, Edward I., FV3135005.
Hickey, Edward C., Jr., FV3136481.
Hicks, David L., FV3156496.
Hiester, David G., FV3136127.
Higgins, John A., FV3131527.
Higgins, John J., FV3116592.
Higgins, Thomas I., III, FV3154903.
Hightower, Larry I., FV3132960.
Hill, Glen H., FV3145373.
Hill, Jerry P., FV3138062.
Hill, John D., FV3061230.
Hills, Jackie F., FV3130261.
Hillyer, Michael W., FV3138132.

Hinckley, Robert R., FV3146679.
Heiner, Horace R., Jr., FV3145254.
Hines, Jerry D., FV3136486.
Hines, Johnny H., FV3136203.
Hirschman, Larry D., FV3131098.
Hite, Homer L., FV3130264.
Hitt, John A., FV3130004.
Hoare, Stephen A., FV3131557.
Hobart, David W., FV3050905.
Hock, Wayne, FV3138400.
Hockert, Charles W., FV3135213.
Hodge, Edward C., Jr., FV3144591.
Hodges, Murry E., Jr., FV3131605.
Hodges, Ronald H., FV3138136.
Hoepner, Richard W., FV3134889.
Hoefler, Harold R., FV3131629.
Hoffman, William C., III, FV3133589.
Hofmann, Lewis A., FV3130161.
Hogan, James R., FV3133100.
Hogan, James F., Jr., FV3144942.
Hogden, Vernon C., FV3120130.
Hoien, John A., FV3135752.
Holbrook, Kent E., FV3120492.
Holin, Lyle M., FV3130982.
Holland, David R., FV3138141.
Holland, Horace R., Jr., FV3132652.
Holmes, Frederick L., FV3129197.
Holmes, James L., Jr., FV3156319.
Holmgren, Darrell C., FV3145218.
Hopkins, Doran L., FV3144795.
Hopkins, Stephen, FV3138144.
Hora, William H., FV3137763.
Horner, John C., FV3147082.
Horoszewski, Roman D., FV3155203.
Hougland, James W., FV3132983.
House, Dayton H., FV3197224.
Houston, Victor L. P., FV3145647.
Howard, James P., FV3134268.
Howells, Harry W., FV3130274.
Hoynacki, Paul V., FV3129949.
Hoynes, Samuel W., FV3129681.
Huber, Arthur S., FV3139313.
Hudelson, Gary L., FV3133926.
Hudlow, Richard T., FV3139127.
Hoffman, Jeryl R., FV3147088.
Huffman, Roy E. II, FV3136515.
Huggins, James W., FV3139189.
Hughey, George L., Jr., FV3136516.
Hugh, Eldon R., FV3131981.
Hulme, John V., FV3119609.
Hultgren, Leland R., FV3134926.
Hults, Gary D., FV3134977.
Hunt, Don J., FV3146802.
Hunt, Paul T., Jr., FV3156899.
Hunter, Terry A., FV3135768.
Hurt, Larry N., FV3131012.
Hutchinson, Thomas F., Jr., FV3119748.
Hutto, William J., FV3130278.
Hutzler, Craig A., FV3130862.
Ickes, Lester B., FV3128013.
Iles, Charles E. III, FV3138165.
Imaye, Stanley M., FV3133910.
Irby, Wendell L., FV3138167.
Irvin, Raymond J., FV3147194.
Irwin, William R., FV3128795.
Iussig, Riccardo J., FV3107955.
Iverson, Ivan M., FV3137856.
Jackson, Edward L., FV3122271.
Jackson, Edward W., Jr., FV3133181.
Jackson, George C., Jr., FV3155569.
Jackson, John E., Jr, FV3138169.
Jackson, Marshall R., FV3138470.
Jacobs, David G., FV3129305.
Jacobs, Martin J., FV3129922.
Jajosky, Charles Jr., FV3131313.
James, John T., FV 3129950.
James, Roy N., FV3155913.
James, Terry L., FV3134934.
James, Thomas W. Jr., FV3130614.
Jaspers, Donald F. L., FV3147124.
Jedlicka, Thomas F., FV3138809.
Jeffers, Michael D., FV3145445.
Jeffery, Kirk W., FV3132789.
Jeffries, Carl R., FV3155869.
Jeffryes, Myron D., FV3146193.
Jenkins, Terence, FV3138175.
Jenkins, William D., FV3156900.
Jenny, Loyd G., FV3133602.
Jessee, Cecil A., FV3136535.
Jeter, James E., FV3156685.
Jewell, Eugene M., FV3138285.
Jimenez, Hugo G., FV3138178.
Johns, William E., FV3135262.
Johnson, Clarence C., Jr., FV3136539.
Johnson, David C., FV3147211.
Johnson, James L. F., FV3134546.
Johnson, John W., FV3132563.
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Johnson, Robert C., FV3137766.
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Jones, Lewis E., FV3146410.
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Jones, Robert I., FV3138187.
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Jones, William E., FV3132564.
Jordan, Douglas I., FV3139005.
Josef, Richard M., FV3136555.
Joslin, Joseph W., FV3156326.
Juday, David C., FV3134118.
Jurco, Joseph M., FV3138493.
Kaffka, Jerry L., FV3156763.
Kagtyama, Kenneth H., FV3128752.
Kahl, David A., FV3135790.
Kalishek, Richard W., FV3134735.
Kammermann, Charles, FV3146979.
Kappmeier, Jay A., FV3156094.
Karnasiewicz, Edward, FV3145898.
Karre, Robert H., FV3136300.
Kasch, Norman W., FV3122851.
Kasznay, Andrew J., Jr., FV3129951.
Kaufman, Brian J., FV3136201.
Kaufman, Carl L., FV3132423.
Keath, Adrin S., FV3154530.
Keeler, Jim L., FV3155743.
Keen, Joel R., Jr., FV3146788.
Keim, Ralph W., FV3122852.
Kelley, Larry J., FV3133506.
Kelley, William A., Jr., FV3147253.
Kellogg, James W., FV3156721.
Kelly, John J., Jr., FV3144981.
Kelly, Robert F., FV3134448.
Kemmerer, Donald R., FV3156120.
Kemp, Truman D., Jr., FV3156327.
Kennedy, George B., FV3135012.
Kennington, Roy G., FV3135803.
Kent, Gary H., FV3121532.
Kent, Robert L., FV3130540.
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Kerr, Harold E., Jr., FV3118572.
Kerr, Ted D., FV3145622.
Kershasky, James M., FV3134892.
Kessler, Thomas M., FV3131065.
Ketter, Lawrence W., FV3119842.
Key, James C., Jr., FV3133783.
Kidwell, Marion F., FV3130308.
Killey, Philip G., Jr., FV3145061.
Kimmell, George S., FV3138525.
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King, Carl L., FV3156744.
King, George S., FV3130615.
King, Howard L., Jr., FV3130315.
Kingman, Richard E., FV3122874.
Kinker, Alan R., FV3155661.
Kintz, Paul A., FV3135179.
Kirby, Larry E., FV3138219.
Kirkby, Joseph T., FV3136584.
Kirkman, Peter C., FV3134225.
Kirkpatrick, Edward E., FV3155045.
Kittrell, James D., Jr., FV3133033.
Kladiva, Kenneth L., FV3144969.
Klaus, James A., FV3138224.
Klein, Herbert, FV3145905.
Klenda, Dean A., FV3130486.
Kline, Richard L., FV3130525.
Kluz, Theodore M., FV3147122.
Knight, John A., FV3145302.
Knight, Ralph E., FV3154696.
Knox, William F., FV3131662.
Knudson, Larry D., FV3129924.
Kobelski, Gerald F., FV3128860.
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Koehler, Mary J., FV3137769.
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Kontny, Rodney A., FV3144645.
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Korejwo, Richard I., FV3129689.
Korpi, Raymond C., FV3132899.
Kosco, Richard J., FV3156253.
Koury, Michael I., FV3136600.
Krapp, Clifford W., FV3130038.
Krause, Jerold C., FV3131151.
Krebs, William E., FV3132984.
Kreslins, Evald, FV3139866.
Kriese, Willis D., FV3146616.
Kroll, Richard S., FV3146676.
Krosnoff, Gregory I., FV3128995.
Kuck, George A., FV3132232.
Kuester, John R., FV3147210.
Kuhn, Frederick G., FV3131269.
Kuhn, Wesley R., FV3138236.
Kurtz, Hugo F., FV3131124.
Kyle, William F., FV3138239.
Labella, Leonard, Jr., FV3144437.
Labo, Jack A., FV3130945.
Labrant, Harlan R., FV3155083.
Labuda, Albert S., FV3120221.
Lagrone, Walter A., FV3139316.
Lamers, Joseph R., FV3119441.
Lamm, Harold S., FV3129502.
Lampley, Hinton, Jr., FV3156952.
Lamson, Raymond C., FV3138244.
Lane, Thomas E., Jr., FV3135041.
Lange, Paul R., FV3136617.
Langer, Rodney F., FV3156591.
Lansell, Robert P., FV3131792.
Lany, Peter R., FV3137586.
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Larkan, James M., III, FV3154496.
Larrick, Donald M., FV3128882.
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Latulipe, William M., FV3130341.
Lauck, Robert F., FV3131066.
Laughlin, Michael H., FV3156063.
Laurits, Juri, FV3130040.
Lavergne, Kenneth D., FV3146060.
Layman, Ronald L., FV3138584.
Leach, Edwin K., FV3147147.
Leach, Howard H., Jr., FV3146730.
Lear, Lawrence F., FV3136623.
Leblanc, Roger E. J., FV3134882.
Lecrone, James L., FV3130344.
Ledbetter, Robert W., FV3136624.
Lee, Joe L., FV3139318.
Lee, Thomas F., FV3135043.
Lefferts, Horace L., Jr., FV3108937.
Leggett, David C., FV3135849.
Leighton, Bernard H., FV3135850.
Leist, William B., FV3128019.
Leonard, Michael G., FV3138431.
Leonard, William C., Jr., FV3132383.
Leroy, Howard L., FV3145968.
Lesko, Kenneth A., FV3129954.
Letsch, Ronald H., FV3146230.
Lewis, Edwin J., FV3147145.
Lewis, William F., FV3135854.
Lhuillier, Joseph A., FG3103850.
Libucha, Edward J., FV3134496.
Liggett, William R., FV3155707.
Like, Lewis W., FV3132745.
Liller, James C., FV3130351.
Lillund, William A., FV3139085.
Linderman, Charles F., FV3138260.
Lindquist, Edward E., FV3134671.
Lindsey, Joe W., FV3116648.
Lingle, George W., Jr., FV3146134.
Linnander, Marshall E., Jr., FV3154912.
Linsea, Jack, FV3154784.
Lipnicky, Ronald J., FV3134497.
Little, Cynthia H., FV3145354.
Llope, Richard G., FV3131561.
Locascio, Joseph A., FV3135336.
Logan, William P., FV3147121.
Long, Gerald D., FV3146018.
Long, Neal A., FV3055389.
Long, Ronald H., FV3155573.
Longson, Weston J., FV3133416.
Lonie, Clayton C., FV3120301.
Lonkevich, George T., FV3137343.
Loo, Gum Y., FV3147056.
Loreck, Robert D., FV3145483.
Loughlin, Paul M., FV3118650.
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Louis, Gerald, FV3155417.
Lovett, Gary A., FV3129986.
Lowe, Donald W., FV3138269.
Lu, Gerald M., FV3146020.
Luby, Paul W., FV3135867.
Lund, Arthur W., FV3122854.
Lung, Phillip F., FV3146592.
Lusey, Michael K., FV3145244.

Luther, Alexander J., FV3136642.
Lyman, James B., FV3106328.
Lynn, Robert R., FV3147063.
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Lyons, Terence, FV3146806.
MacClendon, Travis, Jr., FV3130619.
MacDougall, Thomas R., FV3100144.
MacGinnis, David D., FV3119874.
MacKinen, Marshal A., FV3139319.
MacKlem, Allan W., FV3131184.
MacNaughton, Robert I., FV3131384.
MacNeil, Edwin C., FV3129206.
Madelans, Peter N., FV3134071.
Madigan, Edwin F., FV3156839.
Madigan, Richard F., FV3136648.
Maese, Robert T., FV3128757.
Magnani, David A., FV3135873.
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Mahar, John J., FV3131582.
Mailen, Norman L., FV3129141.
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Mair, Alexander, FV3146088.
Malbasa, Joseph, FV3131838.
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Marett, James R., FV3119780.
Mark, James R., FV3134162.
Markovic, Edward R., FV3136656.
Marschall, Stephen, FV3144676.
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Martin, Roger, FV3138287.
Martin, Russell D., FV3131068.
Martinez, Anthony, III, FV3139010.
Martinich, Raymond J., FV3131171.
Martinson, Lynn F., FV3136666.
Maryak, James E., FV3119856.
Mason, Chester B., FV3137128.
Mason, David J., FV3136309.
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Massucci, Martin J., FV3137129.
Mata, Raymond, FV3137604.
Mathiesen, Alan F., FV3138292.
Mattern, Charles E., FV3139195.
Matthews, Roosevelt, Jr., FV3136669.
Matthys, John E., FV3136670.
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Matula, Raymond E., FV3132573.
Maurfr, Linn D., FV3144673.
May, Douglas L., FV3154929.
May, James N., FV3138509.
May, William L., FV3130463.
Mays, Abraham W., Jr., FV3119965.
McAlhaney, Henry T., FV3144931.
McCann, Dennis D., FV3120176.
McCarthy, Charles I., FV3155355.
McCarthy, James F., FV3132810.
McCarthy, William H., FV3155887.
McCauley, Thomas H., FV3135897.
McClanahan, Nofle A., Jr., FV3132016.
McClelland, Walter C., FV3138265.
McClure, Michael J., FV3137138.
McCollum, Frederick G., Jr., FV3155514.
McComb, David M., Jr., FV3139069.
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McCoy, Billy G., FV3156594.
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McDaniel, William H., FV3138306.
McDorman, James P., FV3135149.
McEnaney, James P., FV3137147.
McGarrity, William E., II, FV3136685.
McGavern, Cecil G., Jr., FV3128956.
McGovern, Michael D., FV3155448.
McGuire, James M., FV3147001.
McIlwain, Bruce D., FV3135096.
McIntosh, Raymond P., FV3135908.
McInturff, Thomas F., FV3146847.
McIntyre, Jack S., FV3135069.
McKay, James D., FV3130871.
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McKinsey, William G., FV3120305.
McKnight, Dan W., FV3129250.
McLaren, Robert D., FV3134530.
McLaughlin, Marvon D., FV3145581.
McLean, Laughlin D., FV3154891.
McMaster, Robert E., FV3136701.
McMullen, James H., FV3139070.
McNair, Billy C., FV3138767.
McNeely, Hugh M., FV3120257.
McNeely, James T., Jr., FV3120048.
McNeil, James L., FV3131018.
McNeill, Larry A., FV315563.
McVey, David T., FV3136706.
McWhirter, Jay M., FV3156049.
McWilliams, Phil S., FV3133144.
Meads, Laster B., FV3136708.
Meche, Norwood J., FV3130677.
Medeiros, Alfred L., FV3119875.
Meeks, Richard S., FV3128983.
Mehlhaff, Thomas H., FV3135923.
Meier, Louis A., FV3132182.
Meiser, Bruce R., FV3137162.
Meiwald, Frederick C., FV3146075.
Melander, Martin G., FV3130018.
Melia, Robert E., FV3144675.
Menfely, Clinton T., FV3155272.
Merdian, Richard S., FV3131071.
Merrick, Joseph F., FV3131172.
Merrill, Kenneth W., FV3156814.
Merritt, Robert K., FV3136715.
Metzger, Charles F., FV3119802.
Meunier, David R., FV3147250.
Meyer, John C., FV3128145.
Meyer, Kenneth V., FV3129703.
Meyer, Louis H., FV3147004.
Meyers, Gerald J., FV3147219.
Meyerson, Steven G., FV3139150.
Michaels, Ronald S., FV3138328.
Michalewich, Melvy, FV3145909.
Michaud, Edward R., FV3154892.
Miconi, William, FV3137167.
Middleton, Larry J., FV3131185.
Mielarecht, Robert D., FV3119896.
Milikin, Richard M., III, FV3156335.
Millard, John C., FV3136718.
Miller, Billy J., FV3134592.
Miller, Carter S., FV3119942.
Miller, Gerald L., FV3120178.
Miller, Henry L., FV3155579.
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Miller, James C., Jr., FV3145272.
Miller, John L., FV3119211.
Miller, Kent, J. S., FV3134557.
Miller, Larry N., FV3135932.
Miller, Lawrence D., FV3156134.
Miller, Maynard M., FV3129209.
Miller, Michael F., FV3146850.
Miller, Paul R., FV3136723.
Miller, Robert J., FV3156336.
Miller, Robert L., FV3135047.
Miller, Stephen R., FV3136311.
Miller, Teddie I., FV3132576.
Miller, William H., FV3146528.
Millikin, Jay P., FV3136727.
Millington, Walter S., FV3155969.
Millis, David C., FV3129211.
Mincey, Willard K., FV3132429.
Miranda, Frederick I., FV3138334.
Mitchell, Edward H., FV3135939.
Mitchell, Lawrence A., FV3137790.
Mize, John D., FV3135940.
Mock, James W., III, FV3146412.
Modic, Richard V., FV3135098.
Moe, Dennis E., FV3144528.
Molina, Francisco D., FV3132313.
Moller, Peter, FV3132941.
Molohosky, Serge P., FV3131926.
Monette, Neal E., FV3132430.
Monroe, Franklin R., FV3145331.
Monroe, Richard E., FV3155317.
Moody, Forrest N., FV3138343.
Moody, Robert A., FV3145113.
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Moore, Charles E., FV3132395.
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Moore, Warren A., FV3109562.
Moorman, Frank T., FV3135943.
Morales, William R., FV3136741.
Morgan, Ivan G., FV3108173.
Morgan, Raymond L., Jr., FV3129907.
Morgan, Stanley R., FV3129405.
Morrell, Billy T., FV3064598.
Morris, David L., FV3133683.
Morris, Frankie E., FV3135303.
Morris, Neal R., FV3136747.
Morris, Richard N., FV3130527.
Morrison, Cameron E., Jr., FV3129407.
Morrison, Kenneth R., FV3137794.
Morrison, Rufus M., FV3138756.
Morrison, William C., FV3146181.
Morrissey, Leonard P., FV3131201.
Morrow, James R., Jr., FV3108478.
Mortenson, Robert F., Jr., FV3134953.
Mortier, Gerald R., FV3138790.
Morton, John T., FV3127930.
Morton, Richard I., FV3134884.
Moss, Charles E., FV3137854.
Moyer, George A., Jr., FV3134502.
Mueller, John C., FV3129077.
Mulder, R. R., FV3132753.
Muller, Michael, FV3139087.
Mullins, Meredith W., FV3144406.
Munger, Herbert F., FV3122856.
Murdock, Ronald D., FV3118675.
Murphy, Francis I., FV3135242.
Murphy, James L., FV3156603.
Murphy, James M., FV3134686.
Murphy, Karl D., FV3137188.
Murphy, William R., FV3131564.
Murray, George F., Jr., FV3129708.
Murray, Roger M., Jr., FV3130073.
Murrian, Richard T., FV3147024.
Myers, Jerry I., FV3138151.
Myers, John P., FV3132262.
Nappi, Ronald, FV3135951.
Nauseff, John M., FV3155503.
Neal, Richard L., FV3134699.
Neid, Edward C., FV3131186.
Neighbors, Gary I., FV3134798.
Nelson, Elvis J., FV3131202.
Nelson, Phillip H., FV3130074.
Nelson, Ronald E., FV3135955.
Nemeth, Joseph S., FV3129258.
Nesmith, Liston R., Jr., FV3145304.
Ness, Buford D., FV3119611.
Ness, Peter, FV3138365.
Neville, Robert R., III, FV3132239.
Newcomb, Wallace G., FV3130931.
Newland, Curtis A., FV3139134.
Newman, Daniel R., FV3129709.
Newman, Hartley S., Jr., FV3134799.
Newman, Samuel C., FV3146858.
Ng, Samuel C. W., FV3144539.
Nicholls, James R., FV3134955.
Nichols, Roy W., Jr., FV3135956.
Nicholson, Robert B., FV3146573.
Nickels, Charl W., Jr., FV3147173.
Niemeyer, Richard I., FV3120213.
Niquette, Thomas H., FV3129262.
Noell, Nelson H., FV3146215.
Nolan, Gerald T., FV3128095.
Nordan, Curtis R., Jr., FV3130019.
Norris, Gordon B., FV3120382.
Nottoli, James V., FV3120355.
Nowak, James E., FV3136773.
Nycz, Joseph H., FV3134767.
Nye, James W., FV3154834.
Nye, Jerrold L., FV3130872.
Oakley, Stephen G., FV3146444.
O'Brien, David D., FV3137798.
O'Brien, Donald R., FV3155606.
Oclair, David F., FV3155168.
O'Donnell, Walter F., FV3138377.
Oflschlager, Donald A., FV3144997.
Offer, Edwin R., FV3135969.
Ogden, Richard W., FW3134421.
Ogrodnick, Thomas M., FV3122194.
Ohnstad, Filis A., FV3129411.
Olander, Nels T., FV3155972.
Oldham, Albert T., FV3133107.
Olson, Orrin J., FV3131732.
Olson, Ralph E. A., FV3138787.
Olson, Richard W., FV3145769.
O'Neil, Burton D., FV3131495.
O'Neill, Philip J., Jr., FV3138382.
Orcutt, James R., FV3134522.
Orlowsky, Rorys, FV3131320.
Ort, Larry M., FV3120307.
Osborn, Terrell J., FV3146964.
Osborne, Robert L., FV3131777.

Osborne, Zackie F., FV3156915.
Osgood, Eric M., FV3146550.
Oss, John P., FV3138789.
Owens, Thomas E., FV3133367.
Pace, Jack L., FV3133838.
Paganoni, John A., FV3145602.
Pankau, Larry J., FV3136316.
Pankhurst, John F., FV3134703.
Papizan, Stanley D., FV3154932.
Parcelewicz, John M., FV3138302.
Parham, Donald M., FV3146022.
Parist, John T., FV3155012.
Parkhurst, Perrin F., FV3131889.
Parlette, David J., FV3129958.
Parrott, Evan H., Jr., FV3144685.
Parsons, Melvin I., FV3133640.
Pasieczny, Reginald E., FV3137232.
Passey, Glenn T., FV3132795.
Pate, Louis M., Jr., FV3139300.
Patterson, William R., FV3144971.
Paul, William S., FV3137235.
Pauley, Jerome S., FV3139152.
Paulson, James R., FV3120116.
Payne, Thomas J., FV3155641.
Peacock, Clay E., Jr., FV3145740.
Pearce, Jerry I., FV3138399.
Pearson, Anthony J., FV3137172.
Pearson, Robert F., FV3135987.
Pease, Ronald K., FV3128714.
Peavler, Louis J., FV31287861.
Peca, Louis J., FV3138401.
Peck, Harry R., FV3119989.
Pederson, Dennis G., FV3154863.
Pefries, Hervey A., FV3134606.
Peloquin, Andrew J., FV3154913.
Pence, Reece C., Jr., FV3136802.
Pendergast, Richard, FV3132277.
Penman, Robert D., FV3128149.
Pennington, Charles D., FV3132780.
Peppier, Robert W., FV3130906.
Perkins, Paul J., FV3145953.
Perkins, Ernest R., FV3119759.
Perkins, Joseph H., FV3137802.
Perkins, Thomas R., FV3146588.
Perrill, Walter A., FV3135994.
Peters, Lawrence W., FV3137243.
Petersen, Loren M., FV3133459.
Peterson, Earle C., FV3122881.
Peterson, William R., FV3147139.
Pettit, Lyle S., Jr., FV3144778.
Pfannkuch, Kurt J., FV3135073.
Pfeiffer, Edward H., Jr., FV3120360.
Pfeil, Kennert A., FV3132684.
Phenicie, Paul O., FV3156096.
Pianalto, Albert G., FV3136814.
Pickell, Charles R., FV3130652.
Pierce, Edward L., FV3130022.
Pierson, Silas J., FV3155473.
Pike, James E., FV3135244.
Pilkington, David L., FV3119692.
Pimentel, Antonio T., FV3134446.
Pinckard, Noel P., FV3132911.
Pino, Cristobal, FV3137253.
Piper, William F., III, FV3138816.
Pitman, Edward S., FV3145900.
Pittman, Nathan S., FV3146952.
Pizzo, Eugene T., Jr., FV3139323.
Pladars, Andris, FV3121568.
Platek, Anthony W., FV3130077.
Plenert, Jerry M., FV3154405.
Plunkett, Wilfred W., FV3138817.
Pocock, Donald L., FV3134049.
Poe, Lewis W., FV2207613.
Poehier, Michael S., FV3129216.
Poelzl, Paul R., FV3155015.
Polansky, Thomas W., FV3137255.
Poling, Howard E., Jr., FV3131796.
Polk, Robert C., FV3119265.
Pollard, Allen C., FV3132862.
Ponte, David, J., FV3136008.
Porft, Yves A., FV3146973.
Porten, Ronald E., FV3131419.
Porter, Samuel E., FV3136821.
Posgate, James C., Jr., FV3145720.
Poteet, Leon J., FV3155582.
Potter, Gerald G., FV3132094.
Potter, Robert K., FV3120353.
Potts, Douglas W., FV3129928.
Potts, William R., III, FV3132912.
Poucher, Frank I, Jr., FV3131156.
Powers, Lehman C., FV3156553.
Praeger, Ralph S., FV3154406.
Presley, Adrian F., FV3138426.
Prifre, Arthur G., Jr., FV3134343.
Primoli, Dennis I., FV3156981.
Pringle, Peter C., FV3131455.
Proctor, Cortez, A., FV3132398.
Procyson, John J., FV3138429.
Proffitt, Thomas O., FV3156725.
Proteau, Robert I., FV3129219.
Pshide, William W., FV3138430.
Pund, Harry C., III, FV3156341.
Purser, Tom V., FV3129811.
Puscher, Edward A., FV3132188.
Pyle, Darrel E., FV3145936.
Quayle, Dean W., FV3156844.
Quigley, William S., Jr., FV3155842.
Quill, Emmet C., FV3145899.
Quillin, Raymond L., FV3128966.
Quin, Ernest J., FV3147059.
Quirk, John T., FV3145189.
Raar, Wayne I., FV3131826.
Rabbitt, James F., FV3131417.
Rackley, Hubert J., FV3136837.
Rader, Robert D., FV3132189.
Rager, Ira S., FV3132021.
Ragni, James E., FV3128264.
Rains, James F., FV3135205.
Raison, William T., FV3135075.
Ramthun, Gary I., FV3139167.
Ramunas, Vilius, FV3122859.
Randall, Michael W., FV3136840.
Randow, Charles I., III, FV3155251.
Rasmussen, Roy H., FV3134609.
Raspet, David, FV3131023.
Ratcliffe, James A., FV3119830.
Rawlins, Jerry C., FV3119969.
Rawson, David P., FV3137809.
Ray, Darel H., FV3145572.
Ray, James F., FV3128120.
Raymond, Donald M., FV3154738.
Raynes, George D., FV3132700.
Rfbello, Ventora, J. Jr., FV3136842.
Reece, James L., FV3133952.
Reece, John M., FV3118989.
Reed, Darrell, D., FV3155644.
Reed, Walter A., Jr., FV3120153.
Reese, Clayton T., Jr., FV3132191.
Reese, Donald F., FV3120220.
Reh, Lawrence, FV3129991.
Reid, Barry L., FV3134566.
Reifel, Gareld L., FV3134131.
Reimann, Rene, Jr., FV3138443.
Reinan, Curtis V., FV3135353.
Renner, Robert L., FV3108074.
Renoue, Ronald R., FV3139088.
Rentz, Levy M., Jr., FV3156343.
Reutershan, Roger C., FV3144993.
Rewis, John J., FV3144544.
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Reyes, Rogelio, Jr., FV3138834.
Reynolds, Donald L., FV3134089.
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Rhodes, Kenneth F., FV3156407.
Rice, Charles I., FV3134242.
Rice, Stanley S., FV3155262.
Richardson, Michael E., FV3131203.
Richman, Robert S., FV3156749.
Richter, Carl J., FV3145011.
Rider, Ray L., FV3132078.
Riedell, Charles A., FV3155585.
Rief, Charles J., Jr., FV3133186.
Riggs, Dan W., FV3136321.
Riney, Robert L., FV3138458.
Rinker, Bruce C., FV3129416.
Rivas, Roman V., FV3128846.
Rivera, Antonio, FV3129525.
Riviezzo, Louis A., FV3135281.
Roach, Dale A., FV3132002.
Roach, Robert R., FV3129265.
Roberts, Charles P., FV3122834.
Roberts, Hulon, T., FV3156734.
Robertson, Orville G., FV3154959.
Robinson, Daniel W., Jr., FV3133930.
Robinson, Gerald D., FV3131746.
Roche, Michael F., Jr., FV3145091.
Rogers, Douglas J., FV3137645.
Rogers, John S., FV3156067.
Rohrer, James A., FV3134620.
Romanat, Arturo M., FV3132314.
Romano, Rudolph T., FV3136046.
Romeo, Pasquale, R. F., Jr., FV3138846.
Rompf, Robert A., FV3130877.
Rooney, Michael J., FV3131638.
Rorabeck, James A., FV3131797.
Roseler, Robert A., FV3134907.
Rosenzweig, Stephen, FV3147276.
Ross, Donald G., FV3131748.
Royer, Robert F., FV3131842.
Rubinstein, Herbert S., FV3136056.
Rudder, Joseph W., FV3138476.
Ruddick, Robert F., FV3120384.
Rupert, Louis C., FV3145731.
Russell, Albert I., FV3135330.
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Russell, Samuel H., FV3135312.
Rutenbeck, Fred O., FV3129932.
Ryan, Donald J., FV3130598.
Rykoskfy, Joseph F., Jr., FV3144481.
Saarela, William A., FV3131828.
Sable, Ronald K., FV3138481.
Saiki, Edwyn M., FV3120097.
Salger, Harvey P., FV3120229.
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Sanders, Charles G., FV3146597.
Sanders, Thomas M., FV 3138485.
Sankey, Richard B., FV3145298.
Sarat, Bartholemew P., FV3134912.
Sarff, Sanford S., FV3144683.
Sarfga, John J., FV3155396.
Scanlon, Paul F., FV3119919.
Scarff, George D., III, FV3129268.
Schaffer, Bruce C., FV3133212.
Schafer, Daniel R., FV3136070.
Schafer, Harold G., FV3134211.
Schaffner, William O., FV3155761.
Scheitle, Joseph K., Jr., FV3136073.
Scheller, Michael J., FV3130969.
Schillen, Nicholas A., Jr., FV3134074.
Schillreff, Harold V., FV3144537.
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Schlatter, John P., FV3144653.
Schlosberg, Joel F., FV3138492.
Schmidt, Allan E., FV3137310.
Schmidt, Joseph F., FV3138494.
Schmoker, George W., FV3129335.
Schneider, Anthony G., FV3133932.
Schneider, Arthur C., FV3139073.
Schofield, Jerry G., FV3137312.
Schaeder, Harold D., FV3119804.
Schoeder, Rudolph J., III, FV3154580.
Schuermann, Max I., FV3129222.
Schumacher, Donald E., FV3138682.
Schuur, David H., FV3155144.
Schwartz, Daniel O., FV3136914.
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Scott, Thomas, FV3138867.
Scovill, Chris, FV3138903.
Seale, Kenneth L., FV3132721.
Seaton, Michael R., FV3135077.
Sebolka, James B. T., FV3128907.
Sechler, Joseph S., FV3107562.
Seeley, Glenn R., FV3129352.
Sehorn, James F., FV3132084.
Sellers, Archie H., Jr., FV3156462.
Sellers, Joe L. Jr., FV3129823.
Sergent, Eugene P., FV3138505.
Sewell, Milton H., FV3136921.
Shaffer, James R., FV3155932.
Shafferman, Edward L., FV3130737.
Sharp, Clifford G., FV3139050.
Shay, Howard W., FV3129535.
Shay, Richard P., FV3136924.
Shea, Robert F., FV3130081.
Shea, William F., FV3128826.
Shaeffer, John W. Jr., FV3146752.
Shearer, Alexander W., FV3137324.
Sheets, Harold T., FV3131733.
Sheffield, John A., FV3129536.
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Sherer, James H., FV3129033.
Shetter, David H., FV3138513.
Shettlemore, Walter F., FV3154906.
Shinpaugh, Robert L., FV3134054.
Shipman, James M., FV3129090.
Shipp, George F., FV3146556.
Shivell, David R., FV3134180.
Shoemake, Ronald A., FV3132917.
Shura, John A., FV3131328

Shurtliff, John D., FV3154604.
Shuster, Jerrold S., FV3146007.
Siburn, George G., FV3155337.
Sickles, Herbert D., FV3129733.
Stemann, John W., FV3109114.
Siltanen, David M., FV3130878.
Silva, Claude A., FV3136930.
Silvernail, Jon J., FV3132966.
Simmons, James A., FV3137335.
Simonetti, Ronald R., FV3131287.
Simpson, John C., FV3131987.
Sims, Hugh D., FV3110063.
Sims, Robert L., FV3130659.
Sinclair, Frank D., FV3138518.
Singer, Stuart P., FV3155419.
Sjordal, Paul F., FV3155655.
Skatberg, Leon S., FV3136104.
Skerry, Hugh F., FV3154700.
Skillman, Sherman L., FV3128106.
Skinner, Thomas R. W., Jr., FV3107336.
Skrobot, John D., FV3133134.
Slater, Albert D., FV3128533.
Slater, Robert A., FV3139014.
Slaughter, John T., Jr., FV3132592.
Sloan, James M., FV3154410.
Sloan, William G., Jr., FV3130679.
Sluis, Norman, Jr., FV3156626.
Smetek, Ronald T., FV3130911.
Smialkf, Walter A., FV3130082.
Smith, David B., FV3133136.
Smith, David H., FV3146524.
Smith, Donald W., FV3129995.
Smith, Floyd R., FV3129035.
Smith, George C., FV3120319.
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Smith, Horace D., FV3132594.
Smith, James A., FV3145465.
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Smith, Jeremy F., FV3132992.
Smith, Jodie R., III, FV3108273.
Smith, Larry R., FV3146759.
Smith, Lester C., FV3130439.
Smith, Marcus C., Jr., FV3130026.
Smith, Marvin W., FV3119949.
Smith, Matthew R., FV3119576.
Smith, Melvin R., FV3154938.
Smth, Paul D., FV3131830.
Smith, Richard C., FV3132586.
Smith, Richard I., FV3136943.
Smith, Roger D., FV3138899.
Smith, Rolf C., Jr., FV3146774.
Smith, Royal C., FV3145650.
Smith, Stanley G., FV3137351.
Smith, Stanley D., FV3156923.
Smith, Steven, FV3131190.
Smith, Turner, Jr., FV3066144.
Smith, William P., Jr., FV3129341.
Smits, Charles A., FV3135314.
Snodgrass, Thomas F., FV3145269.
Snyder, Robert F., Jr., FV3133891.
Sokolik, Gerard, FV3146568.
Sokolowski, Lawrence F., FV3137354.
Solander, Eric M., FV3133422.
Somers, Robert G., Jr., FV3145777.
Sordi, Roy J., FV3119639.
Soroka, Michael, FV3136121.
Soulry, Ralph C., FV3155225.
South, David J., FV3132798.
Souza, George, II, FV3134447.
Speckman, Leo D., FV3144755.
Speer, Bruce P., FV3129094.
Speer, James D., FV3131831.
Sponeybarger, Robert D., FV3135079.
Spor, Stephen T., FV3122837.
Spradlin, Freddie L., FV3156924.
Spring, Wayne K., FV3129910.
Sprotbery, Dale H., FV3102900.
Squazzo, Emil M., FV3144655.
Stackhouse, Asa M., III, FV3129911.
Stacy, Aaron T., FV3131024.
Stames, Thomas T., Jr., FV3129226.
Stanford, Weldon K., FV3129547.
Stanley, Brooke H., FV3132512.
Stanley, Earl A., III, FV3154939.
Stapp, James L., FV3129736.
Stark, Robert D., FV3133171.
Starr, William R., FV3131948.
Stavisky, William, Jr., FV3146336.
St. Clair, Meredith P., FV3132278.
Steele, Michael T., FV3134709.
Steele, Phillip A., FV3130047.
Steigleder, Roy R., FV3138884.
Stephenson, Robert J., FV3137827.
Sternal, Branch K., FV3146994.
Sterud, James A., FV3156487.
Stevens, Joseph E., FV3134847.
Stevenson, Walter H., FV3146660.
Steward, Lenwood, FV3138819.
Steward, Ronnie B., FV3146233.
Stewart, Donald M., FV3130741.
Stewart, James A., FV3129737.
Stewart, Samuel P., FV3133161.
Stewart, Thomas S., FV3120143.
Stewart, William E., FV3119577.
Stichler, Richard D., FV3136138.
Stickell, Rutherford D., Jr., FV3156358.
Stillman, Robert L., FV3134675.
Stoddard, Scott G., FV3133819.
Stogsdill, Kevin G., FV3119661.
Stokes, George B., FV3156631.
Stokes, James L., FV3131025.
Storm, Donald E., FV3132105.
Stoves, Charles G., FV3107153.
Strawn, Dale H., FV3131679.
Street, Ernest G., FV3147046.
Streeter, David W., FV3136328.
Stuhr, David B., FV3132364.
Stumhofer, David G., FV3132307.
Stump, Kenneth R., FV3146063.
Sturm, Robert B., FV3138074.
Suoer, Richard J., FV3155698.
Sullivan, John J., FV3146255.
Sullivan, Thomas J., FV3145787.
Sullivan, Thomas W., FV3134213.
Sully, John A., FV3146540.
Summers, George B., FV3145710.
Summerville, Carson O., Jr., FV3120064.
Sumrell, Howard O., FV3131607.
Sutcliffe, John H., FV3135004.
Suter, Thomas C., FV3134711.
Sutherland, Lewis G., FV3112104.
Swann, Wesley G., FV3138604.
Swanson, George P., FV3107648.
Swartz, J. A., FV3130501.
Sweet, Dwight A., FV3120386.
Sweeting, Gerald W., FV3131845.
Swenlin, Carl E., FV3137828.
Swett, Robert L., FV3146843.
Swift, Norman B., FV3131394.
Sykes, Larry D., FV3134939.
Szachara, Walter S., FV3130050.
Szymczak, Edward J., FV3146232.
Szymkowicz, Phillip A., FV3145914.
Talbot, Donald E., FV3134573.
Tanner, Robert W., FV3156826.
Tapia, Manuel H., FV3119613.
Tarre, Gerald S., FV3131905.
Tatom, John K., FV3147155.
Taylor, John C., FV3156034.
Taylor, Joseph B., FV3131734.
Taylor, William H., FV3137385.
Terapak, Robert M., FV3146846.
Terrill, Leo M., FV3147208.
Terry, Jay W., FV3132603.
Terwilliger, Richard L., FV3135010.
Test, James T., FV3123113.
Thaete, Kenneth D., FV3120122.
Tharrington, John C., FV3132924.
Thieme, Frank E., Jr., FV3119996.
Thomas, Allan R., FV3146834.
Thomas, Jack A., FV3138907.
Thomas, James M., Jr., FV3146967.
Thomas, Jimmie L., FV3134340.
Thomas, John C., FV3155591.
Thomason, Thomas J., FV3132246.
Thompson, David N., FV3138909.
Thompson, Don R., FV3128244.
Thompson, Gary J., FV3156099.
Thompson, Glen M., FV3134935.
Thompson, James R., FV3137390.
Thompson, John M., FV3134091.
Thompson, John W., FV3145437.
Thompson, Max F., Jr., FV3155593.
Thompson, Phillip F., FV3136990.
Thompson, William I., FV3145316.
Thornton, Penrod S., FV3156635.
Thorup, Michael W., FV3131082.
Threet, James C., FV3154941.
Tidwell, Robert I., FV3156705.
Tindell, Bobby P., FV3147160.
Tingley, Lawrence F., FV3138564.
Tirman, Valentin W., Jr., FV3119615.
Tobias, Bruce R., FV3138565.
Todd, George E., FV3136999.
Toliver, Richard, FV3119578.
Tollefsen, Albert F., FV3134061.
Tompkins, Tommy R., FV3130580.
Torikai, Francis T., FV3120100.
Toth, Miron W., FV3146811.
Towner, Dick L., FV3119616.
Townsend, Howard G., Jr., FV3139018.
Tracy, Irving A., FV3138914.
Trawick, Aldolphos, FV3107165.
Traylor, Bobby C., FV3156752.
Tricarico, Vincent, Jr., FV3138844.
Tripp, Leslie G. H., Jr., FV3138915.
Trojanowski, James C., FV3120125.
Troyer, Alan J., FV3134972.
Tucker, Jerry A., FV3133576.
Tucker, John A., FV3137402.
Tucker, Jon L., FV3144532.
Tudor, Billy D., FV3138575.
Tullis, Frank L., FV3138576.
Turner, David C., FV3145767.
Turner, Michael A., FV3136170.
Twaddell, Jerry W., FV3155057.
Twiford, Clement W., FV3132367.
Twombly, James F., FV3145896.
Tyler, Dale G., FV3128723.
Ulitt, Carl E., Jr., FV3139171.
Ulman, Lawrence F., FV3137410.
Unkel, Terrence D., FV3138933.
Urban, John F., FV3131330.
Urbanski, Raymond M., F3136173.
Uren, Nicholas G., FV3145086.
Uthe, Warren A., FV3134687.
Utterback, Ralph M., Jr., FV3155768.
Vancamp, Kenneth J., FV3154819.
Vanhorn, Billy L., FV3137832.
Vanmeter, Richard H., FV3139092.
Vanoverschelde, Eugene L., FV3156489.
Vecchio, Joseph J., FV3138593.
Venable, Grady P., FV3155091.
Vick, David R., FV3137955.
Vickrey, Charles W., FV3135108.
Vida, Joseph T., FV3156370.
Vierno, George P., FV3146574.
Vines, Thomas L., FV3120070.
Viscasillas, Philip A., FV3131439.
Vogel, John M., FV3145864.
Wade, James W., FV3132513.
Wadsworth, Peter, FV3154598.
Wagner, James A., FV3130052.
Wagner, Richard C., FV3156056.
Walker, David D., FV3138602.
Walker, Gary L., FV3130441.
Walker, Hubert C., Jr., FV3145724.
Wall, Jerald C., FV3146606.
Wallace, Paul A., Jr., FV3129163.
Walling, Thomas O., FV3137425.
Walsh, Louis C., FV3132370.
Walters, Roger W., FV3131684.
Waltman, Richard P., FV3315299.
Walton, George T., Jr., FV3136193.
Wandling, Larry W., FV3135110.
Wang, Joseph C. T., FV3132139.
Ward, Jerrold D., FV3135235.
Warddrip, Robert L., FV3147111.
Warf, Christopher G., FV3134727.
Warren, Elton A., Jr., FV3128836.
Warren, John R., FV3130000.
Watson, Michael D., FV3156371.
Watson, William M., FV2211912.
Wayland, Richard D., FV3132125.
Wazney, Edward L., FV3122888.
Wear, Norman G., FV3139304.
Weaver, James S., Jr., FV3156145.
Weaver, Richard M., FV3136197.
Weaver, Robert E., FV3123934.
Webb, Danny A., FV3138613.
Webb, Michael M., FV3135361.
Weber, Joseph F., FV3130914.
Webster, Arthur T., FV3130582.
Weiner, Leonard I., FV3122862.
Weis, Dan J., FV3136200.
Weis, Erhard G., Jr., FV3131698.
Welch, Alfred F., FV3133174.
Wells, Carl H., Jr., FV3129970.
Wells, Elwin, FV3132970.
Wells, Robert S., FV3132682.
Wells, Ronald D., FV3147080.
Wentworth, Dennis G., FV3145105.
Wertz, Daniel L., FV3132876.
West, Hirum F., FV3135143.
Wetzsteon, Sterling, FV3155105.
Wheatley, Richard D., FV3135111.

Wheeler, Richard F., FV3057946
Whelan, Charles K., FV3129159.
Whitaker, Roger S., FV3133133.
White, Benjamin T., FV3129606.
White, Douglas W., FV3138938.
White, Frederick J., FV3129935.
White, Michael F., FV3138939.
White, William C., FV3139172.
Whittlinger, Gary F., FV3144416.
Wiand, Harold F., FV3135109.
Wickham, Donald M., FV3138623.
Wicks, Duane J., FV3146058.
Widdifield, Noel F., FV3120388.
Wiegand, Albert A., FV3138624.
Wieland, Michael H., FV3130087.
Wiggen, Gerald F., FV3138625.
Wigglesworth, George E., Jr., FV3137045.
Wiggs, David L, FV3136332.
Wilder, William M., III, FV3137236.
Wilds, Edward G., FV3156146.
Wiles, Jackie L., FV3132669.
Wiles, James K., FV3156035.
Wiley, Francis T., FV3138998.
Wilhelm, James L., FV3136210.
Wilhelm, John P., FV3127889.
Williams, Charles S., Jr., FV3138947.
Williams, Clarence R., FV3146056.
Williams, David M., FV3134093.
Williams, Douglas L., FV3128119.
Williams, Gary K., FV3146984.
Williams, Hoyle B., Jr., FV3133169.
Williams, Jan K., FV3129843.
Williams, Lonnie, FV3144912.
Williams, Richard F., FV3146700.
Williams, Robert J., FV3145680.
Williams, Walter H., III, FV3137046.
Willman, Gary L., FV3134517.
Willson, Herbert D., FV3122863.
Wilson, Charles R., FV3134974.
Wilson, Dwight F., FV3132993.
Wilson, James M., FV3119682.
Wilson, John A. III, FV3137053.
Wilson, John H., FV3136215.
Wilson, Larry A., FV3129428.
Wilson, Larry D., FV3137054.
Wilson, Marion G., FV3134916.
Wilson, Thomas L., FV3108185.
Wiltrout, Boyce W., FV3146972.
Wiltuck, Robert, FV3137847.
Winburn, Clifford I., FV3137057.
Windey, John L., FV3134435.
Winebarger, Forrest S., FV3137058.
Winland, Gene E., FV3137060.
Winn, Robert C., FV3138635.
Wishart, James P., FV3129750.
Wisler, Richard A., FV3133036.
Wojtusik, Thaddeus, FV3145193.
Wolf, Charles R., FV3129841.
Woodard, Darrell D., FV3138928.
Wouds, Edward, FV3133312.
Wooldridge, Dale A., FV3133155.
Wordell, Lynden F., FV3119886.
Workman, Joseph P., FV3137461.
Worley, Ben J., FV3147246.
Worthy, Howard R., FV3130088.
Wright, Lyle H., FV3131106.
Wrobel, John E., Jr., FV3155028.
Wuest, William A., FV3156264.
Wusk, Larry L., FV3155129.
Wyckoff, Robert A., FV3134518.
Yagodzinski, Francis P., FV3134519.
Yeend, Richard C., Jr., FV3119544.
Yelvington, William M., FV3129040.
York, Wayne P., FV3119997.
Youngblood, Winston R., FV3136231.
Yuss, Frederick I., FV3144439.
Zamora, Alonso G., Jr., FV3146544.
Zarucchi, Leroy D., FV3129566.
Zavatson, James M., FV3146728.
Zepeda, Fernando, FV3137852.
Zern, Richard A., FV3129430.
Zielinski, Edward J., Jr., FV3129633.
Zimmerman, Jon C., FV3120203.
Zimmerman, Robert G., FV3144721.
Zimmerman, Robert K., FV3130749.
Zodin, Ronald R., FV3156529.
Zook, Harold J., FV3132201.
Zuberbuhler, Rudolph U., FV3120127.
Zumwalt, James F., FV3155288.

The following distinguished graduates of the Air Force Officer Training School for appointment in the Regular Air Force in the grade of second lieutenant, under the provisions of section 8284, title 10, United States Code, with dates of rank to be determined by the Secretary of the Air Force:

Barrett, James S., Jr., FV3216057.
Barron, Joseph T., Jr., FV3225125.
Blau, Stuart J., FV3223299.
Blunt, James H., FV3223552.
Brandon, John D., FV3223127.
Brewer, James C., FV3223417.
Buxton, William C., FV3223786.
Castillo, Jose R., FV3223304.
Crawford, David R., FV3223087.
Crews, Donald R., FV3225126.
Davidson, Cullen I. G., FV3223856.
DeLong, Myron J., Jr., FV3223723.
Falk, Frank J., Jr., FV3223629.
Gambardella, Andrew W., Jr., FV3223543.
Glascoe, Gary R., FV3223911.
Hintze, Robert W., FV3223482.
Jaep, William F., Jr., FV3223444.
Johnson, Norman E., FV3223538.
Keible, Edward A., Jr., FV3223622.
Kennedy, Charles D., FV3216074.
Knight, James E., FV3216077.
Lafferty, Alfred L., Jr., FV3223980.
Lewis, Bret B., FV3223804.
Malvestuto, Louis A., FV3216082.
Mandell, Bradford B., FV3216083.
May, John W., FV3216086.
McMacken, Roy W., FV3223848.
Moore, Lester R., FV3223364.
Munger, Steven S., FV3223694.
Pace, Lawrence, FV3223657.
Pearson, Todd W., FV3223939.
Raymond, William C., FV3223194.
Rich, William R., FV3216092.
Robertson, Samuel T., III, FV3223490.
Sasena, William J., FV3223961.
Simpson, Larry A., FV3223129.
Siskind, John P., FV3223159.
Startin, Mavis J., FV3223176.
Stout, Delbert B., FV3223197.
Swifrzbin, Ronald W., FV3223422.
Thompson, Geoffrey R., FV3223403.
Vaughn, Lauren K., FV3216100.
Waybright, Robert C., FV3223744.
Wayman, Robert F., FV3223849.
Wayne, George H., FV3223481.
Wolf, Edward G., FV3216101.

CONFIRMATIONS

Executive nominations confirmed by the Senate April 8, 1968:

DEPARTMENT OF DEFENSE

J. William Doolittle, of Illinois, to be an Assistant Secretary of the Air Force.

William K. Brehm, of Michigan, to be an Assistant Secretary of the Army.

Randolph S. Driver, of Pennsylvania, to be an Assistant Secretary of the Navy.

Barry James Shillito, of Ohio, to be an Assistant Secretary of the Navy.

U.S. ARMY

The following-named officers to be placed on the retired list, in grades indicated, under the provisions of title 10, United States Code section 3962:

TO BE GENERAL

Gen. Dwight Edward Beach, O18747, Army of the United States (major general, U.S. Army).

TO BE LIEUTENANT GENERALS

Lt. Gen. William White Dick, Jr., O18384, Army of the United States (major general, U.S. Army).

Lt. Gen. Robert Hackett, O18380, Army of the United States (major general, U.S. Army).

Lt. Gen. Lawrence Joseph Lincoln, O18968, Army of the United States (major general, U.S. Army).

Lt. Gen. Edgar Collins Doleman, O19131, Army of the United States (major general, U.S. Army).

The Army National Guard of the United States officers named herein for promotion as Reserve commissioned officers of the Army, under provisions of title 10, United States Code, sections 593(a) and 3392:

TO BE MAJOR GENERALS

Brig. Gen. Joseph Mark Ambrose, O460406.
Brig. Gen. LaVern Erick Weber, O963734.

EXTENSIONS OF REMARKS

Arkansas Valley Leaders Hear TVA's Don McBride

HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1968

Mr. EDMONDSON. Mr. Speaker, the people of the Arkansas River Valley stand on the threshold of a great future—a future of industrial development and prosperity which is beginning now and which will accelerate in 1970 when the Arkansas River will be navigable to Catoosa, Okla.

The members of the Arkansas Basin Development Association recently were given a look across that threshold, and what we saw was both challenging and inspiring. We were told of the great future we have in store, and we also were warned of the tremendous job of planning and conservation which we must perform, and perform well, if we are to enjoy the full benefits of the development of this river.

These pictures were brought to us by Mr. Don McBride, a director of the Tennessee Valley Authority, who has studied the progress made by the TVA, and the pitfalls encountered along the way in this Nation's first and highly successful experiment in overall development of a river basin.

Mr. McBride has spent his life in water resource development. As a consultant and adviser to the late Senator Robert S. Kerr, of Oklahoma, he was as responsible as any man for bringing about the development program on the Arkansas River Basin.

Mr. Speaker, I believe Mr. McBride's remarks and observations are a "must" reading for anyone interested in the full development of America's water resources. I include it in the RECORD, as follows:

CONFLICTS IN A DEVELOPED RIVER

(Address by TVA Director Don McBride at the annual meeting of the Arkansas Basin Development Association, Tulsa, Okla., March 15, 1968)

Yesterday 1970 was a long way off; today it is just tomorrow.

The people of the Arkansas Basin are about to be handed a completely new tool to shape the future economic progress of this valley.

A natural river has been changed; what was unpredictable, undependable, and controlled only by the whims of weather is now a harnessed, orderly, obedient servant—if properly utilized.

This new tool has several handles: flood control, navigation, recreation, hydroelectric power, municipal and domestic water supply, water quality control or pollution abatement, fish and wildlife opportunities, and probably many others. Likewise, the shore lands, now protected from flood, will give opportunity for intensified agriculture, development of industrial and port sites, subdivisions for housing and shopping, development of parks and playgrounds and resorts. Don't overlook the possibility of the new town concept.

This tool with many handles we hope will be useful in solving some of our country's most pressing problems. We can assume that industries will seek out this instrument—this river which can perform so many tasks. We can assume that they will create new jobs in new areas, hopefully relieving some of the pressing problems of unemployment and underemployment in the congested cities. Results such as this are now taking place in the Tennessee Valley, ratifying the faith that many of use have placed in the economic validity of public investment in resources development.

The important question is how will all this be managed and by whom? How will the best use of this resource be determined? What sort of development will bring about the greatest benefit to the greatest number of people?

Does the tool that cost almost two billion dollars of federal funds need to be supplemented by a planned program of state, local, and private investments?

Can we plan to use this resource to the fullest degree, or will we use it catch-as-catch-can—letting it grow up like Topsy—in a way that will be costly, wasteful, and destructive of the potential opportunity? Will future generations have to unravel some colossal ball of yarn, snarled by our negligence, and start over at great expense?

I pose these questions because there are conflicts in a developed river. In TVA we have discovered some of these and are now struggling with problems created day by day and year by year as man changes the way he uses his rivers and land. This society of more sophisticated commerce and industry places higher priorities on the protection of our environment and ways must be found to meet that demand.

The physical change brought about by the development of a slack water navigation channel within itself creates new conditions. For example, in a chain of lakes, water released from upper reservoirs into slack water pools behind locks and dams down river does not carry the oxygen of a free-flowing stream, thus does not "purify" itself as readily as a flowing stream.

Another physical change that is taking place on the Arkansas is the accretion of lands caused by stabilized banks of the navigation channel. This land will become shore land usable for many purposes.

Yes, we have created a new river, and over the past 30 years we have struggled and prayed to make this dream a reality. You remember one of Bob Kerr's sayings: "Be careful what you pray for—you may get it."

But we were careful, in our prayers and in our plans. We have visualized tows of barges carrying raw materials to industrial plants along the river, and finished products away to other markets. We have seen in our mind's eye the long line of workers coming and going from these plants. We have visualized the new recreational developments, the busy ports, the prosperous farms, mines, and forests—a new Utopia for business.

It can happen—if we are as wise in planning its use as we have been in promoting its construction.

You are to be congratulated on the great progress that you have made in preparation for the utilization of this new resource tool. The cities certainly are to be commended for voting bonds and the acquisition of sites for ports. The highway program is progressing to serve these ports. Many industries are making elaborate plans for new plants. The Corps of Engineers and the State Park Department have done an outstanding job of developing recreation facilities and planning for expansion to meet the exploding demand. This is commendable, but let's take the long look and see if we can fit the pieces into a pattern of development that will provide the best for now and for the future. This long look will reveal, I am confident, a new course of action.

A multiple-purpose river development stimulates multiple demands for the use of the water and for the use of the shoreline which gives access to the water. Not all of these demands are consistent. Not all of them are compatible. The resolution of these conflicts will require your foresight, strong action, and firm decision. It had best come now, rather than sometime in the future.

I speak from the experience of the Tennessee Valley Authority, the Nation's first demonstration in multiple-purpose river development, which in 1968 is completing its 35th year. It is an experience which can be very valuable to the people and the businesses of the Arkansas Basin.

It may be summed up by saying that abundant resources attract man with his tools and his toys—with his industries and his pleasure boats. In using these resources, however, he can also destroy them. We must be provided from the beginning in conserving them perpetually.

We have seen examples throughout the Nation of resources once thought to be so prevalent that we could never use them up; yet they have been wasted and neglected to the detriment of entire regions. The plow made possible the marvelous harvests of the Great Plains. It also made the prairies vulnerable to wind erosion. The result was devastation and the dust bowl in the dirty thirties.

The forests of the Appalachian region seemed inexhaustible, but they were logged off without replanting. Erosion and fire plagued the mountainsides. The Great Lakes were regarded as an everlasting source of fresh clear water. Their use as a dumping ground for untreated city and industrial wastes now has turned Lake Erie into what some call a cesspool, and Lake Michigan is in danger of becoming a dead lake.

The developed river and its watershed are subject to the same use and abuse. What seems to be plentiful at the moment becomes in a few short years scarce in quantity and deficient in quality—unless we act from the beginning to prevent it.

The lakes provided a much improved source of water for cities, both for household use and for sewage disposal. Recognizing the dangers of pollution, TVA encouraged states to set up pollution control agencies and interstate agreements for pollution abatement. These arrangements succeeded in holding the pollution problem in check for many years.

After World War II, however, a new set of circumstances entered the picture. The great depression was over. Consumer demand, pent up during the war, was making itself felt. Wages and incomes were rising. Construction of the Tennessee waterway, which was speeded up during the war, was completed in 1945. Electrification of the region, which has been retarded by material shortages during the war, went forward rapidly.

One of the first realizations to come from this period was that flood control, heretofore justified on the basis of the damage it prevented, had an additional more positive value. It protected the shoreline sites where industry could build new plants, with easy access to the water. Steadily new industries were seeking these riverbank locations, putting to work the harnessed waters for transportation, for processing water, and for the power they produced.

At the same time, the more affluent society was demanding recreation facilities. TVA had anticipated this value and had earmarked strategic lands for development by the states, counties, and cities for park purposes. But the demand went beyond these plans. Shoreline lands were sought for cabin and camp sites, for resorts and marinas, for club sites and housing subdivisions.

Out of these circumstances arose a conflict of a different sort. Recreation facilities, requiring much less capital than an industrial development, were in a position to preempt the more desirable waterfront sites. This is a critical matter in the Tennessee Valley where much of the shoreline is rugged and rocky; level land near the water, easy to build on, is scarce. Yet industries were badly needed to provide jobs for the unemployed and underemployed. Balanced economic growth required a resolution of this conflict that would permit industries and recreation to move ahead together. But even the recreation development, we found, was not uniformly good. In some instances, fly-by-night developers marked off lakeshore lands into 50-foot lots, scraped out some cheap rutty roads, sold enough properties to make a quick profit, and then left. The result was the makings of lakeside slums economically irretrievable for recreation use.

Out of experience such as this it became apparent to TVA that the most strategic resource resulting from river development is the shoreline itself. Here is an asset made of land and water having a value that far exceeds the sum of the two. It is a scarce resource which will increase in economic importance as the years go by. Created through the expenditure of public funds and designed to serve the public interest, it must be safeguarded by public action.

In this same period, the economic character of the entire Tennessee Valley was undergoing fundamental change. As farms became more efficient with electrification and mechanization, their young people moved to the cities. Industries took root along the waterway and inland from it. From a predominantly rural region, the Tennessee Valley has become largely a manufacturing and commercial region. The heavy migration to other states for job opportunities has been dwindling and has finally stopped. Nowhere in the Valley is there a surplus of trained or skilled labor, although unemployment still exists in unskilled labor categories.

These are the circumstances that have contributed to the Valley's growing urban populations and new pressures upon the resource base. The cities found TVA lakes very convenient sources of municipal water supplies, but some were less than diligent about the sewage they discharged into those same lakes. It took time for a public consciousness to become aroused sufficiently to raise public funds to build treatment facilities to combat the pollution threat. In the meantime, untreated waste was discharged into the lakes in increasing volume, threatening the usefulness of the waters for downstream cities and for recreation purposes.

There are other conflicts I could mention out of TVA's experience. The sum of them all, however, is this one major conflict: to satisfy the needs of the present without sacrificing the opportunities of the future. In its last annual report to the President, the TVA Board stated this problem in full dimension:

"As the nature of the regional economy has changed, the nature of its conservation problems has also changed. The danger to natural resources is due less to neglect and underdevelopment, as in the past, than to the possibility that overuse or improvident use may, in the future, diminish their utility. Consequently, before damage is done, TVA and the people of the region must achieve a public consciousness that they have entered a 'new generation' of potential resource management problems requiring not only vigilance but serious, deliberate counter-attack to hold them in check."

The Tennessee Valley was not the first to experience these conflicts, and the Arkansas Valley will not be the last. We could cite the Merrimack, the Hudson, the Potomac, and many others.

We have raised some basic questions. Now it is time to offer some answers.

The resolution of conflicts in reservoirs and shoreline use lies largely in advance planning. And I realize as I speak that planning is a "bad word" for many of you. It conveys for some the idea of restriction, of limitations on freedom of action. For others it conveys the notion of government interference. It need not and should not mean either of these. As expressed by the TVA Chairman recently in describing such work in the Tennessee Valley, "We must make a distinction between a planned society and a planning society. Here we are talking not about restrictions but about expanding our freedom in the future by the intelligent and democratic use of our freedom today."

Planning is most effective, and is most responsive to local needs, when it is done at the local level. Not only does the choice of functions—that is, the choice of water uses—rest at the local level but here reside the legal instruments required to guide the economic use of shorelines. Here lie the powers of zoning and subdivision regulation. Here lies the basic power to decide where streets shall run, where and to what extent electricity, water and sewage lines will be available. Here lies the power of decision as to where local funds shall be invested and for what purpose.

But a river is not a respecter of local political jurisdictions. State participation in planning is essential, and where more than one state is involved, organizational forms must be found to encompass the concerns of the entire basin and its subregions.

When TVA began building Melton Hill Dam on the Clinch River in eastern Tennessee in 1960, planning started at once. A regional planning commission was formed of elected officials from adjacent counties and cities. The Tennessee State Planning Commission worked closely and indispensably with us. Together we studied the shoreline of the future lake. We earmarked land suitable for barge terminals. Other lands were designated for industry. Still others were considered best for housing, for parks, marinas, and other recreational uses.

The local jurisdictions followed through with the actions necessary to safeguard these lands for the purposes which would provide the greatest economic boost for the area. Oak Ridge and Clinton both created port authorities so they could take full advantage of the new lake's navigable waters. Thus when the dam was finished, these communities had laid firm foundations for building on their newly created assets. We feel that many conflicts have been avoided on Melton Hill by this early action, and many economic opportunities preserved.

Each new reservoir presents its own problems and opportunities but, generally speaking, the preplanning pattern I have just described, with strong local participation, has been followed in other instances.

Now, if we guard the shoreline we must also guard the quality of the water. In recent years, as pollution has come to be recognized as a national problem, stringent standards have been set for our rivers. Wise conservation should include local programs to support this national effort. For example, the strengthening of state pollution control agencies, in terms of their available funds, their staff, and the standards they must enforce, will do much to safeguard the future of our water supplies. Here in the Arkansas River, one of your major tasks must be the desalination of the waters of the Arkansas and its tributaries. The plan has been evolved by the Corps and Public Health Service, but the funds to initiate it may be even more difficult to obtain than were construction funds for the navigation project. But it is a must if you are to realize the full potential of the developed river.

TVA has undertaken a program to supplement our national effort by pinpointing the seriously affected reaches of the Tennessee and intensifying remedial measures. We are preparing a long-range plan to roll back the pollution wave—if we may call it that—so that the region, even as it undergoes further industrialization, will have steadily improving water supplies rather than deterioration such as has occurred elsewhere in the country.

Where TVA owns land with industrial potential, it sells only with the stipulation that careful, adequate precautions will be taken to protect water quality. We are now requiring waste treatment devices on houseboats. We have an extensive research and monitoring program to prevent warm water from our thermal power plants from excessively raising the temperature of our streams and reservoirs.

All that I have related from the experiences of TVA represent matters which you of the Arkansas Basin will confront in some form, sooner or later. Our urbanizing, industrializing society, our mobile, affluent people, are making demands upon our rivers and their shorelines which require continuous counteraction.

The lesson of TVA experience is that the benefits of river development are neither automatic nor everlasting. A controlled river is like the intricate mechanism of an automobile: it must be maintained and managed and fine-tuned. More than that, if this river system is to be put to work without being harmed, its multiple uses must be carefully thought out in advance. So, to preserve these advantages requires a new degree of watchfulness and a large degree of discipline which we can only place upon ourselves. We are faced with uncomfortable decisions or uncomfortable consequences.

The planning process is the vehicle in which we can move best toward our objective. Where it is practical, where it is representative and democratic in operation, planning is the best guarantee of the greatest good to the greatest number.

Samuel J. Lefrak, a builder and businessman, in an enlightened address to students and parents at Amherst College, referred recently to some of these problems in these challenging terms:

"To tackle this great urban problem, there must be an end to haphazard planning, an end to conflict between units of government and between government and business. All must work together, using the best and most enlightened talents to transform chaotic, stifling urban complexes into proud livable cities, worthy of the American dream. No other generation of Americans has ever had so great an opportunity and so great a responsibility."

TVA was built as a demonstration to the Nation. Its experience is an open book. I invite you to come and acquaint yourselves with its story, in detail, for the Arkansas Basin can profit from it.

As I come back "home" today, it has been my desire to place myself in the role of a continuing participant in the building of the Arkansas Basin. One who has shared for so long your plans for the future can never shrug them off. The people of the Arkansas Basin, I am confident, will build in this region an economy that will be in its day a model to the Nation as valid and meaningful to future generations as that of TVA today.

Man has a strong desire to leave behind him some sort of monument or memento that will endure for at least a short time in people's memories. I like the story of Robert Frost, grown old, on one of his last lectures. A great crowd of students gathered after a reception at Ann Arbor to bid him goodbye. Frost walked away to enter a waiting car to take him to the airport. As he reached the car door, he turned back to the crowd and said: "Remember me. Remember me."

Well, I'm not Frost, but I share his very human desire to be remembered by the people with whom I have labored—and whom I love.

"That Our House stand together and the pillars do not fall."—Kipling.

Equalization of Military Retired Pay

HON. JOHN G. TOWER

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Monday, April 8, 1968

Mr. TOWER. Mr. President, I ask unanimous consent to have printed in the RECORD excerpts from the report of the U.S. Veterans Advisory Commission on the Veterans Benefits System. The report was published just recently as a part of our continuing effort as a nation to keep abreast of our obligation to those who have offered their services to keep us strong and free.

The excerpt I wish to draw to the attention of Senators is a part of recommendation No. 74, in which it is noted that the retired soldier deserves to have his rate of retired pay based on current active duty pay rates. This objective is the basis of S. 2170, which I introduced, and of which a number of my fellow Senators are cosponsors.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

RECOMMENDATION NO. 74

The Commission recommends equalization of military retired pay.

BACKGROUND TO RECOMMENDATION

Retired members of the uniformed services have suffered a loss in their earned compensation due to the action of Congress in 1958 of suspending, and later abandoning, the direct relationship between retired pay and current active duty rates. As a result, military retirees of the same rank, who have served exactly the same length of time, enduring equivalent hardships and dangers, now draw eight different rates of pay. The difference is not related to rank or length of service but solely to date of retirement.

The Commission believes that elimination of this growing inequity would do much to reestablish the good faith of the Government in carrying out its moral obligations. This action would also create confidence among current active duty servicemen that their *earned* rights would not also be swept away after completion of their service.

Therefore, the Commission, recommends that a request be made to the Secretary of Defense to initiate and lend his support to a legislative proposal for basing the computation of military retirement pay on current active duty pay rates.

Don Brotzman Reports

HON. DONALD G. BROTZMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1968

Mr. BROTZMAN. Mr. Speaker, I am the author of a newspaper column, "DON BROTZMAN Reports," which appears in several daily and weekly newspapers in Colorado on an occasional basis.

This morning I utilized this medium to express some of my thoughts about the violence which has rocked Washington and other cities in the past 3 days.

Mr. Speaker, I now submit the text of my column for inclusion in the RECORD, as follows:

DON BROTZMAN REPORTS

(By U.S. Representative DON BROTZMAN, Colorado Second District)

WASHINGTON.—On Friday, April 5, I viewed a scene which will be burned into my memory for the rest of my days.

I saw our nation's Capitol silhouetted against the smoke of Washington in flames. I felt a sense of history, for no American—thank God—had seen anything like it since the British sacked Washington during the War of 1812.

My vantage point was the roof of the Longworth House Office Building.

Not 10 feet away was a flag pole, with an American flag posted at half staff as a symbol of mourning for Dr. Martin Luther King.

Here it was, summarized in a single view. The flag at half staff. The nation's Capitol. And the smoke from dozens of buildings being put to the torch.

My first impression was one of anger at the very idea that there were men who would use a tragedy such as Dr. King's assassination to vent their lust for arson and plunder.

My second impression was one of sorrow over the obvious fact that the very people that Dr. King had strived to help—the hardcore poor of the ghetto—were the principal victims of the madness which gripped Washington.

Somewhere on the streets below there was the unmistakable crack of a small-caliber rifle. Two shots. My administrative assistant heard them, too. Who fired, and what was the target, we never learned.

I returned to my office and told my staff to leave the area immediately to be with their families during the crisis, and then I went to my own home in nearby Maryland.

Fortunately, neither myself nor any members of my staff were involved in incidence of violence during the terrible weekend in and around Washington.

When Monday arrived the fires were mostly extinguished. Eight persons were dead. A thousand had been treated for injuries. Arrests totaled 4,000. Block upon block of houses and businesses within sight of the Capitol lay in ruins.

I cannot speak for other members of Congress, but for myself I summarize my feelings as follows:

Washington's violent weekend did not diminish my resolve to place more of the nation's resources into the crusade to make America's dream available, for the first time, to all men and women. The conditions which made Washington and other cities ripe for the demagogues and the vicious must be eliminated.

But taking first things first, some of those resources must now be channeled to direct confrontation of those who fanned the sparks into conflagration last weekend. The law-abiding must be protected from the lawbreakers. Firm enforcement of the law of the land is mandatory, not optional.

This nation began to die the day that some people forgot that the laws must apply equally to all men—that ours is a government of laws, not of men. I think it is also true that our nation will be on the road back to health on the day that the majority in Congress and the Administration decide that social justice is impossible unless civil justice is maintained inviolate.

Pollution and Progress

HON. J. CALEB BOGGS

OF DELAWARE

IN THE SENATE OF THE UNITED STATES

Monday, April 8, 1968

Mr. BOGGS. Mr. President, last week it was my privilege to participate in the 3-day national pollution control exposition and conference held in Houston, Tex., and sponsored by the Houston Junior Chamber of Commerce, the largest jaycee chapter in the world. As a former jaycee myself, I am especially proud of this excellent example of involvement by jaycees in solving problems of their community and Nation.

The conference was an impressive example of how business and government can share information in their joint efforts to control the many forms of pollution which now plague our country.

As a Delawarean, I was particularly impressed with the keynote address delivered Wednesday morning by Dr. Samuel Lenher, vice president and director of E. I. du Pont de Nemours & Co., Wilmington, Del. Dr. Lenher was a member of the task force on environmental health and related problems which produced a report last June spelling out the dangers posed to our environment by pollution and recommending steps to reverse this trend.

In his speech Dr. Lenher made the point that "our Nation's attitude toward pollution has changed from apathy to anxiety."

He said:

> And well it might. Our physical environment, sad to say, is being contaminated faster than nature and man's present efforts can cleanse it. We must reverse this process of deterioration before it is too late. We must cease degrading our environment and start to improve it.

He spelled out the steps which must be taken and emphasized the fact that "never has there been a better opportunity or a clearer obligation" for industry to become involved in government decisionmaking.

Mr. President, Dr. Lenher's timely address is well worth the careful reading of those in government and industry. I ask unanimous consent that the text, along with an editorial from the Wilmington, Del., Morning News of April 5, commenting on Dr. Lenher's speech, be printed in the RECORD.

There being no objection, the address and editorial were ordered to be printed in the RECORD, as follows:

POLLUTION AND PROGRESS

I am happy to be in Houston and to be part of this national conference, the purpose of which is to improve our understanding of environmental problems and ways to control them.

It is apparent that this country is now awake to the environmental hazards resulting in large measure from our affluence and population growth. I often wish that we did not have such frequent and pungent reminders of the problem.

Pollution of our environment finds itself not only in our daily news, but with unfortunate frequency in our eyes, lungs and drinking water. Reports of bad tastes in water, smoky and irritating air, and fish kills in rivers are heard all too often across the country.

Awareness is a necessary prelude to effective action. Certainly we are now very much aware of what ails us, even though we lack magic solutions. Our nation's attitude toward pollution has changed from apathy to anxiety. And well it might. Our physical environment, sad to say, is being contaminated faster than nature and man's present efforts can cleanse it. We must reverse this process of deterioration before it is too late. We must cease degrading our environment and start to improve it.

This three-day conference and exposition is but one reflection of our belated awakening to the results of decades of neglect and indifference. I believe it will give new and needed momentum to the efforts now being mobilized.

THREE MUSTS

In my remarks today, I shall emphasize three principal areas that I believe are at the heart of any concerted, national effort to combat pollution in its many forms.

First, we must set quality standards that realistically take into account our present knowledge and then establish a reasonable timetable for industry, municipalities and others to meet these standards. On this score, we are making headway, but we are also making mistakes.

Second, we must develop a broad, nationwide program of research and development to attack problems that are currently beyond our ability to solve. This research would provide us with information about some of the more subtle biological effects of pollution on air and water, the esthetics of pollution, the discoloration of air and water by minute amounts of materials and the treatment and disposal of solid wastes. Research in these areas must be sharply accelerated.

Third, to solve our environmental problems, we must embark on a new era of cooperation among governmental agencies at all levels, industries large and small and the nation's research institutions. It will take such a consortium of public interest to accomplish our goals. We can no longer afford an uncoordinated approach. We must have a total approach. At long last, we are beginning to take meaningful strides in this direction.

POLLUTION NO RESPECTER OF ISMS

Pollution problems have for some time been front-page news in Houston and in other cities across the nation. Just the other day, along with all the other news that's fit to print, there appeared a story in *The New York Times* reporting that a mood of defeat and despair appears to be emerging among scientists and conservationists in their bitter, decade-long struggle to prevent the world's largest body of fresh water from becoming a cesspool.

The story went on to say that, "Despite pleas by conservationists and assuring promises of purification measures by industrial officials, a flow of yellow and odoriferous waste water is already being dumped into the lake by a huge wood pulp plant, the first of several planned for the area."

The dateline for this story could very well have been any number of cities in the United States. But it is interesting that the dateline was Moscow. The lake in question was not Lake Erie or Lake Michigan but Lake Baikal in Siberia.

This story clearly drove home to me something that we, who are wrestling with pollution problems, understand but sometimes forget: Unlike the old melodrama, environmental pollution provides no single and easily identifiable villain who can be dispatched with a single shot. To be sure, in a few cases, it is possible to identify and censure a particular culprit. And I suspect that Soviet authorities may attempt to do so in this instance. But in its broadest dimensions, we all know that pollution is a by-product of industrial civilization, whether the system be capitalism or communism.

Our task is to ensure that every American can thrive in an attractive and healthy environment. If we are going to get on with this job, we must devote our energies to finding answers, not scapegoats. Because of the urgency of the hour and the scope of the task at hand, it is easy to lose sight of this elemental fact.

NEED FOR CONSTRUCTIVE CRITICISM

I say this because it is only too easy to lose perspective in our efforts to combat air and water pollution and the many other environmental problems. To try to cope with the present situation, scores of anti-pollution measures are being drafted, debated and enacted throughout the land.

In 1967, the states passed 112 laws dealing with air and water pollution, noise abatement, and solid waste disposal—three times the number of such laws passed the previous year. These efforts probably will be stepped up in the years ahead.

Many of us in industry view this sometimes frenetic legislative activity and mixed feelings. We would be shortsighted—and indeed somewhat blind—if we did not readily concede that voluntary action has been inadequate. There is a definite need for technically sound regulations and standards at the local, state, regional and even the federal level. And sound measures merit our full support.

However, we in industry, who have some technical competence and experience in this area, feel we should speak out against unsound proposals. When we do so, I believe we serve the broad public interest, not merely our selfish interests. Our friends in government should not equate constructive criticism with obstructionism.

In case there is any misunderstanding, let me say that this is a time for action, not casual conversation. But let me caution that in our haste to proceed, we not compound our problems with stringent or unworkable laws and regulations which can have an unnecessarily harsh impact on continued industrial growth. Let me repeat, this is a time for action, but there is never a time for panic.

A TOTAL APPROACH

If I can make any contribution to this conference by my remarks this morning, I believe it rests in the area of challenging representatives of government and industry to merge their efforts to an even greater degree than we have been doing. To achieve success, we must travel together down this difficult road of constructive change.

To make headway, we must have full cooperation, not punitive legislation, not overzealous administration and not bitter litigation. And I think we are equal to the task.

I am greatly encouraged by trends of recent months. Despite some difficulties, I detect a new spirit of cooperation between government, research institutions and industry.

It was my privilege to serve on the Task Force on Environmental Health and Related Problems created by former Secretary John W. Gardner of the Department of Health, Education and Welfare. We were charged with recommending to the Secretary goals, priorities and a strategy to cope with environmental threats to man's health and welfare.

In June 1967, we submitted our report entitled "A Strategy for a Liveable Environment." Senator Edmund S. Muskie, Chairman of the Senate Subcommittee on Air and Water Pollution, was both kind and succinct in describing our report. He called it "a bold attempt to lay aside the artificial barriers that tend to limit efforts to deal with environmental health and to seek, as far as is humanly possible, a total approach to the health problems of man in his total environment."

This is probably the best, brief summation of our efforts that I have seen. I am quoting Senator Muskie because we do not have the time to go into detail about our findings and recommendations.

INDUSTRY INVOLVEMENT

As many of you know, our committee recommended 10 action goals as a foundation for the needed effort in facing our environmental challenges. Despite the great costs and manpower-depleting demands brought on by the war in Vietnam, progress is being made in some, if not all, the 10 areas dealt with by our committee.

Following this report, the President of the United States called a meeting of industrial leaders and cabinet officers to consider the program and timing of a new federal air pollution abatement law.

A few days later, cabinet members and their senior officials met with major industry operating vice-presidents to work out a government-industry approach to air quality improvement. These meetings demonstrated the need for government-industry cooperation in solving environmental control problems.

Since last November, under the Air Quality Act of 1967, a concerted effort has been under way to provide the framework for this cooperation effort. The challenge has now been laid squarely before industry and government to make this statute work, and as President Johnson said, "Stop pollution before it chokes our children and strangles our elderly—before it drives us indoors or into the hospital."

To industry, I would urge that careful attention be given to all requests from government officials for manpower assistance at the local or national level. Members of industry will be called upon to serve on study groups and advisory councils which will guide the states in developing air pollution standards.

The question for management is not whether personnel can be spared for this important work, but whether we can afford to decline the offer. Industry has often wished to be involved in government decision-making that affects its operations. Never has there been a better opportunity or a clearer obligation.

A VELVET OR IRON GLOVE?

To those individuals who participate, I would urge most ardently that the tasks they undertake be examined from the broadest point of view. They should keep the needs of the nation, its people and future generations uppermost in mind. And they must key their recommendations to the practicality of timely action.

Industry should, and I believe will, be an active participant in this national effort in much the same way that Du Pont has been a cooperating partner with Texas in this state's battle for clean air and water.

As we travel this road together, a change in attitude may also be required of some people in government. The normal frustrations of government service may well tempt those in authority to react with the strong arm of the law in cases where the velvet glove of persuasion might better serve all of our interests. It is my personal experience that persuasion often works wonders where force or the threat of force fails.

Now let us turn to another area of crucial concern and one where there is real progress. This is the critical problem of our water resources. I know this is of particular interest to the people of the Lone Star State who have an abundance of everything except this precious commodity. I have been reading with interest about your bold programs to solve the Texas water shortage.

WALK BEFORE WE RUN

In this connection, I would like to report that our four plants in Texas are using air for cooling in many applications where water frequently is used. In this way, our engineers tell me, these plants are releasing some 300 million gallons of water per day for other uses.

On the national level, it is encouraging that all of the states have now submitted water standards and programs for implementation as required by the Water Quality Act of 1965. My latest information indicates that the Secretary of the Interior has approved the standards of 30 states.

The state pollution control agencies, with their limited manpower and financial resources, are to be highly complimented for accepting the responsibility thrust upon them and performing a herculean task in the relatively short time available to them.

However, I would be less than candid if I did not mention one issue that has provoked confusion, delay and controversy in establishing water quality standards. This has been the uncertainty as to what constitutes a national water quality goal.

The announced federal policy has been that secondary treatment of municipal wastes and an equivalent degree of treatment for industrial wastes would be required, regardless of local standards and the purposes for which the water is used.

Yet there is nothing to support such an all-encompassing view in either the specific provisions of the Water Quality Act itself or in the expressions of policy by Congress in enacting it.

It seems to me that to insist on tertiary or even secondary treatment of water when there are many places that do not yet have primary treatment is an indication that we need more thought along priority lines. May I respectfully urge that the disadvantages of prolonged negotiation over mandatory secondary treatment requirements be weighed against all advantages of having approved water criteria in all the states. The road ahead is so long that we must walk the first mile before we plan for the last.

MAKE USE OF AVAILABLE TECHNIQUES

On this particular question, I believe federal officials may wish to modify their present position, if federal, state and industry cooperation in implementing water quality standards is to be achieved. The alternative may well be that the national water quality control program could be set back for an indefinite period of time. As a nation, I doubt that we can afford this any more than we can afford unrealistic plans and policies.

Along with many of my colleagues in industry, I am disturbed also by several other proposals which have gained some currency of late. I shall cite just two examples.

In solid waste disposal, I am somewhat dismayed by certain proposals that would in effect outlaw the use of incinerators through the setting of unrealistic performance standards. Surely we do not wish to eliminate one of the few techniques now available to conserve our land-fill areas.

A new and highly effective tool for solid waste disposal is an improved incinerator developed by my company. Using high velocity jets, this incinerator has found wide application in Du Pont and is being adopted by many municipalities and other industries to whom the technology was donated in the public interest. This incinerator—and probably all others—would be banned under a regulation being proposed in at least one state.

I submit that this is something like throwing out the baby with the bath water. By all means, let us search for better methods to fight pollution, but let us not delay action on the basis that the best tools now available are not good enough. Action must be taken on the knowledge and technical capability now available while better answers are being sought.

MANY YEARS OF EFFORT

In the same category, I question some of the proposed restrictions on the combustion of high sulfur fuels. Certainly we must reduce emissions of sulfur dioxide in our most densely populated areas. But is it realistic at present to require the use of low sulfur fuels in rural areas where the air quality already meets long-term goals? In view of an acute shortage of low sulfur fuels, I hardly think so.

Let me say that I fully realize our government officials are wrestling with a tremendously complex problem. I know that they are under great pressure to achieve quick results.

I often marvel at their patience in listening to well-intentioned and, I hope, helpful advice and counsel such as I have just given. But this works two ways, and they have every right to ask: "What are you doing to solve the problems that you help to create?"

This is a fair question. I cannot presume to talk for industry, but I am glad to tell you about how we in Du Pont feel about pollution abatement and what we are doing about the problem.

Our earliest recorded concern goes back to 1903, when a division was set up to study systems for supply of steam and clean water. In 1938, long before the present clamor for action, the company adopted a policy which stated that no plant would be built unless 1) a workable method of waste disposal, meeting or exceeding all statutory requirements, is incorporated in the original construction plans; and 2) there is ample supply of water available for present and future needs.

Although the expenditure of funds is not the only criterion to measure the effectiveness of programs in air and water pollution and solid waste disposal, sizable outlays certainly evidence a deliberate effort to have an effective program.

SOME ADVANCES

During the past year, Du Pont expended about $10 million in facilities for air and water pollution control. Our facilities currently in operation or under construction stood at $118 million at the end of 1967. It is estimated that our current investment will at least double over the next five years.

Here in Texas we have nearly $17 million invested or authorized to be spent on pollution abatement facilities at our plants in Beaumont, Orange, Victoria and in nearby La Porte.

Our manpower effort also is being accelerated. In 1960, the equivalent of 250 employees were working on environmental control. Today, the number has risen to 650 and future increased manpower involvement to operate and plan improved control installations is expected.

Du Pont also is combatting pollution on another front. The company is spending more than $7 million annually on antipollution research projects employing about 180 scientists, engineers and technicians.

Our scientists are searching for better ways to treat and dispose of solid waste, to purify brackish water and to reduce contamination. Already these efforts are yielding significant results, ranging from demisters which prevent escape of some corrosive gases to the atmosphere to "Permasep" permeators, being developed for the desalination of brackish water.

Such efforts to solve our own problems are speeding the development of a growing number of devices and techniques which are being widely adopted by others. A case in point is the incinerator I mentioned a few moments ago.

A 70 PERCENT INCREASE IN 1 YEAR

The company also has developed a new scrubber for removing dusts, mists and vapors from plant stacks. This device is proving many times more efficient than similar types of equipment heretofore available.

We have, in addition, developed a photometric analyzer for the continuous monitoring of plant stack sulfur dioxide. New Jersey has approved this device in lieu of costly, wet chemical tests every hour. Incidentally, the Texas Air Control Board is considering approval of this device. It is more accurate and less time-consuming than existing techniques.

These are just some examples of what privately financed research has accomplished and the list could be expanded. I may add that in the spirit of free enterprise, we hope to recover some of this investment in the form of new commercial products and more efficient processes for pollution abatement.

However, whether costs are recovered or not, our antipollution efforts will continue to grow. Many problems will take a long time to solve. And I would not be so brash as to suggest for one moment that Du Pont has solved all of its pollution control problems. We have not, but we are giving it a mighty effort. In some instances, acceptable pollution abatement is beyond the existing state of the art; in others, so costly as to make processes economically unfeasible.

An industry's pollution control costs move ever upward, the effect will be an upward push on prices and a downward pull on earnings.

Even by Texas standards, the cost figures for pollution abatement are somewhat staggering. Manufacturers spent 70 per cent more on pollution abatement equipment and facilities in 1967 than they did in 1966, according to the most recent figures available. Expenditures by 392 major manufacturing companies (which represent roughly two-fifths of total capital spending by U.S. manufacturers) totaled some $290 million last year, compared with $171 million in 1966.

THE PROMISE OF A REGIONAL APPROACH

To clean the nation's waterways of industrial and municipal wastes and keep them clean in the next five years will cost an estimated $29 billion, according to the Federal Water Pollution Control Administration. The air pollution cleanup will also cost enormous sums. These expenditures will place a major burden on industry, particularly the small manufacturers.

Once goals are established that meet the nation's needs, an intense effort must be made to find the most economical ways to achieve these goals. For let us remember that these soaring pollution abatement costs represent an unproductive, although necessary investment.

One approach that has great potential involves the establishment of regional waste treatment plants in river basin areas that would serve both industry and municipalities. This plan's salient feature is that municipalities and industry would both benefit from the joint venture.

Such jointly financed facilities are the most economical way yet suggested to treat waste in accordance with desirable standards. Only through such cooperative arrangements can we solve this problem while we minimize the cost, whether the cost be reflected in higher taxes, more expensive products, lower earnings or a combination of all three.

In closing, let me say that the task ahead is large, complex, but far from hopeless. Man created environmental contamination and he can also correct it. And we in the chemical industry feel we have a major role to play.

HOPE FOR THE FUTURE

Our scientists and engineers are deeply engaged in the war on hunger and disease. They are searching for answers to the dreary catalogue of ills that beset urban life—from polluted air and water to rat-infested slums. Science and engineering are the key to air and water purification, noise abatement, improved solid waste disposal and rodent control. Research in all these areas must be supported vigorously.

I am confident our technical people will give us the tools and techniques to do the job if we provide them with the means. And I believe that aroused and enlightened public opinion will demand that they receive unstinting support.

Furthermore, I believe that we are now on the right course toward winning the battle for clean air and water. That course, as I have suggested, involves a massive and concerted effort on the part of industry, science and government, working together to develop programs that are technically sound and economically feasible.

We have made a brave start. We must not be discouraged by the detours along the way. We can afford to make some mistakes. But we cannot and, I believe, shall not falter in reaching for our common objectives.

A FIRM LEADS IN THE CLEAN-UP

Last June a memorable report opened this way: "American affluence today contaminates the nation's air, water, and land faster than nature and man's present efforts can cleanse them."

A member of the Task Force on Environmental Health and Related Problems that produced the report was Samuel Lenher, a vice president of the Du Pont Company. This week he still had to tell the National Pollution Control Exposition and Conference in Houston, Texas, that "our physical environment, sad to say, is being contaminated faster than nature and man's present efforts can cleanse it."

After all, less than a year has elapsed since the report's ominous warning.

Yet there has been progress during these months just the same, as Mr. Lenher goes on to describe. He salutes the federal Air Quality Act of 1967 for laying a challenge "squarely before industry and government to make this statute work, and as President Johnson said, 'stop pollution before it chokes our children and strangles our elderly—before it drives us indoors or into the hospital.'"

"The question for management," Mr. Lenher continues, "is not whether personnel can be spared for this important work, but whether we can afford to decline the offer. Industry has often wished to be involved in government decision-making that affects its operations. Never has there been a better opportunity or a clearer obligation."

Besides the 1967 Air Quality Act, there are 112 new state laws around the country dealing with air and water pollution, solid waste disposal, even noise abatement—"three times the number of laws passed the previous year." All this Mr. Lenher finds good. Like a Dutch uncle he tells American industry it will have to do its level best to clean itself up. He calls for government and industry to join hands in broad programs of research and development.

But nothing in the Lenher speech is more eye-catching than his report of his own firm's entry into the field of equipment and techniques for control of air and water pollution. He speaks of the "improved incinerator" for burning up solid wastes—the design for which has been "donated" (his word) for use by any industries and municipalities in the interest of better air for the public to breathe. Meanwhile the company seems ready to join the competition in producing or licensing gear for the big American cleanup ahead. "Our scientists are searching for better ways to treat and dispose of solid waste, to purify brackish water, and to reduce contaminations."

It makes sense that an industrial firm which has led for years in controlling its own noxious effluents should use its experience to get into the commercial field of designing and selling equipment that will help in the tremendous job that has to be done throughout the nation.

Earl Warren's Dream

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1968

Mr. RARICK. Mr. Speaker, Earl Warren's dream has now departed from lofty platitudes and sugar-coated force laws to become a nightmare for all Americans.

Forced equality—court decreed laws favoring communism—minority pressure control—reapportionment—handcuffing of law-enforcement officers and destruction of all States rights has now centralized all power in the hands of a few who do not act and have demonstrated their incapability of action or lack of courage to protect their country and people.

If racism exists—it has been generated by Earl Warren and his runaway court, hellbent on destruction of the separation of power and abolition of all legal protections.

Let no one blame the American people—put the blame where it belongs, with the so-called leaders and their guided concepts.

The flag of these United States should fly at half-mast with 20,000 American boys dead in an undeclared war—our cities ravished by hordes of revolutionaries and sacking our land. Our flag should be at half-mast—in mourning for America.

Has freedom become freedom to destroy freedom?

All about us is Earl Warren's dream come true.

Mr. Speaker, I include several clippings from the Sunday Star here in Washington, D.C., following my remarks:

COST OF THE RIOTING BEYOND CALCULATION

Washington, its normal business pace almost completely disrupted, has suffered the worst financial loss in its history.

As armed troops and police continued to patrol the city, and as burning and looting continued in many sections, usual business functions were brought to a virtual standstill.

City and business leaders struggled to assess the loss yesterday. They weren't getting very far.

Losses probably will run into the tens of millions of dollars.

Only part of this represents the direct damage of fire, breakage and looting. More intangible but nonetheless real are the millions of dollars lost because stores and other business establishments closed down on a normal busy Friday afternoon and Saturday.

Business wasn't the only loser. Once again there are no figures, but it is feared that perhaps hundreds of persons, many of them Negroes, are without jobs because the places where they work will be out of business for a long timé, perhaps permanently. Many other employees are out a day's wages because of yesterday's closings.

"The whole thing is impossible to assess at this time," said William Calomiris, president of the Metropolitan Board of Trade. "We can't play dollar number games at this time. It would be misleading. What we can say is that the real loss is the business that will not come into Washington as a result of the current climate. It's the mending of that climate that's all-important now."

Evidence of his comments were all too clear yesterday.

Because of fear and uncertainty, because of the curfew that yesterday took effect at 4 p.m., people were getting out of town. Others who had planned visits weren't coming.

The scheduled finale of the Cherry Blossom festival had been cancelled, and Austin Kenny, assistant director of the convention and Visitors Bureau, commented:

"This is usually a good time of year for business, and the festival adds about $8 million to business revenue. Much of that is lost this year."

All over the Washington area the "sorry, no vacancy signs" came down as tourists steered clear of the troubled city.

"We've been wiped out," said the manager of a large downtown motel which had been turning down reservations for weeks.

The Washington Hilton reported the cancellation of about 850 reservations for some 1,200 persons after the riots began. The Holiday Inn in the District had about 25 percent of its rooms occupied.

Not only hotels but restaurants and sightseeing services were hard hit.

Many downtown restaurants were closed, although officials of the Restaurant Association of Metropolitan Washington said "we are trying to keep as many restaurants as possible open." The effect of the curfew, however, kept people from traveling to restaurants and places of entertainment.

Completely stunned and trying to keep abreast of events were officials of food and drug chains with stores throughout hard-hit sections of the city.

"It's awful," said an official of Safeway Stores. "It's absolutely impossible to evaluate. We sit and a call says everything's okay at a particular location, and the next 10 minutes we get calls that the store is damaged and closing down. And we have customers calling, wanting to know where they can shop."

That was in late afternoon. Of Safeway's 73 stores in the District, about 40 had closed down because of damage and looting. Some of the stores were in ruins. Lesser losses were reported at Giant and A & P stores.

George B. Burrus, president of Peoples Drug Stores, said 17 of the chain's 50 stores were badly damaged in the disturbances. Except for a few in the northwest section of the city, all the stores will be closed today.

Like many other businessmen, Burrus said that if all goes well most of the rest will reopen tomorrow.

Burrus also echoed widespread comments among business men on the response of the city to the outbreaks. He praised police for "doing the best they can." But he criticized District officials for failing to call in troops earlier.

In the downtown commercial area major damage and loss of goods were restricted to a few stores. The big department stores escaped serious damage, although several large windows were smashed at the Hecht Co.

Nearly all these stores announced plans to reopen tomorrow. Their executives were reluctant to disclose estimates of the business volume lost because of Friday's early closings and yesterday's all-day closing.

Particularly hard hit in the downtown area were the D. J. Kaufman and Bruce Hunt men's wear stores.

Their owners attempting to clean up and assess losses yesterday, expressed deep resentment at the failure of police and soldiers to stop bands of marauders.

"We had no protection," said Oscar I. Dodek, president of Kaufman's and former chairman of the Commissioners Council on Human Relations. His store at 14th and I Streets NW was looted and gutted by fire, with the loss running into several hundred thousand dollars.

LOSS TOPS $25,000

Larry Nathan, head of the Bruce Hunt store, at 1325 F St. NW, believes his loss in merchandise, taken in a succession of lootings, runs more than $25,000.

"We were one of the first downtown stores to hire Negro salesmen," he said. "Our people have been active in civil rights causes. I don't understand and I'm shocked."

It is believed that firms in the downtown area were adequately protected by insurance.

However, up 14th Street and 7th Street and along H Street NE, the ghetto business blocks where store after store was gutted from Thursday night on, it's a different story.

Most owners of these businesses had some kind of insurance, but not enough.

They were underinsured, particularly in protection against loss of stock. And some had fire insurance policies covering only mortgage values.

WHAT HAPPENS NEXT?

Yesterday many of these owners were still trying to figure out what happened to them. Some picked their way through rubble, looking for what they could save. Some stayed home because police warned them to do so They were uncertain as to what happens next.

"I'm not going back," said Abraham Zevin. His father founded the family's hardware store at 1742 7th Street NW 50 years ago. It was looted and burned Friday.

"Frankly I'm frightened," he said. "I have no hatred for the people. But I couldn't stand to go back."

Zevin said that the building and merchandise were insured, but not to the full extent of the loss.

Particularly hard hit were liquor stores throughout large parts of the District.

At 7th and S Streets NW stands the total wreckage of a building that housed not only the Log Cabin Liquor Store but a number of Negro businesses as well.

Irving Abraham, who ran the store, bought the building a year and a half ago. Last August, though he had reported no losses, his insurance was cancelled. He had several new policies cancelled since then.

"I don't know what insurance I have, and what I don't have," he said yesterday. "I try to contact my agent, and everybody else is trying to talk to him."

Abraham estimates his building was worth $85,000, his fixtures, $15,000, and his stock $25,000.

"I don't know whether to go back or not," he said. "I've lost a great deal, and it's not only me. The whole second floor collapsed, and my tenants lost their businesses, too. They're all Negro. There was a doctor who had been in business 45 years, and a barber and a beauty shop. We had gotten along fine."

Within the large irony of widespread pillage in the wake of Dr. Martin Luther King's assassination, many smaller ironies followed.

One concerns Mortimer Lebowitz, former president of the Urban League, presently serving on its board and a leader in employing Negroes. He owns four Morton's stores in the District. One on H Street NE was wiped out, a second on 14th Street NW was substantially damaged and looted, and a third on Pennsylvania Avenue SE was looted.

Lebowitz was fully insured, however, with added protection to pay the salaries of his employees while his stores are out of action. He employs nearly 100 people in each of the two damaged stores, 90 percent of them Negro.

WAS NOT SURPRISED

He was "not in the least surprised" at what happened. "You know who does the hitting. It's not the people concerned about civil rights. It's the kids who want this kind of action."

Lebowitz and many business leaders believe the federal government bears much of the responsibility for seeing that business life is restored to normal in Washington.

"There is a public responsibility here," he said. "I hope the federal government will recognize the fact that our business establishments pay taxes, that they serve the community, that they provide employment to people who need employment."

What the federal reaction will be is uncertain. There has been no move, for instance, to declare Washington a disaster area.

The insurance and refinancing picture is one of confusion.

Insurance companies that have policies on damaged and looted ghetto businesses are expected to stand behind these policies, said Albert F. Jordan, superintendent of the District's department of insurance.

ESCAPE CLAUSES CITED

Many policies have escape clauses. Some pertain to insurrection. In others, while riot damage is covered, vandalism and mischief are not, and much will depend on how claims are judged.

"I don't think the companies will use their escape clauses," Jordan said. But he added that the primary responsibility of the companies was to avoid going bankrupt.

L. Manning Hoffman, president of Firemen's Insurance Co., said yesterday: "I think the insurance companies will be understanding."

From the businessmen to the insurancemen, just about everyone assessing the problem is wondering about the difficulty of getting insurance in the days and weeks ahead for those who want to rebuild. One company yesterday was calling its agents all over town instructing them to write no new business.

Jordan said insurance companies are working to support legislation in Congress to create a reinsurance pool to cover extraordinarily large losses from riots. Congress also will have to pass backup legislation to permit insurance companies to participate in the pool locally.

It would be financed by an extra 2 percent charge for fire insurance premiums. In effect, all persons with fire insurance would be taxed to pay for damage to businesses and homes caused by major big-city disturbances.

The Board of Trade's Calomiris expressed optimism that banks and other financial institutions in Washington will be receptive to expected demands for financing to rebuild and repair business establishments.

Other business spokesmen said the Small Business Administration must play a large part in making loans available for rebuilding and restocking.

NINETEEN DEAD IN RIOTING ACROSS NATION

Fresh waves of looting, arson and sniping hit sections of the United States again yesterday, and across the nation 19 persons were counted dead in violent Negro reaction to the assassination of Dr. Martin Luther King Jr.

Heavy troop reinforcements were sent into Washington in the wake of stepped-up violence.

Five thousand federal troops were sent to beleaguered, riot-ravaged Chicago last night.

Shooting, fires and looting were reported in Baltimore where at least two stores were aflame. Five downtown blocks were sealed off, and Maryland Gov. Spiro T. Agnew declared a state of crisis and ordered the National Guard into the city.

A Negro college area and the Tennessee state Capitol building in Nashville were ringed with National Guardsmen as a precaution against disorders.

National Guardsmen were on duty in five states, from Illinois to Arkansas. They were on standby alert in two others.

Chicago has 10 dead, Washington 4, the Detroit metropolitan area 2, and Minneapolis, Memphis and Tallahassee, Fla., 1 each, UPI reported. Sixteen of the victims were Negroes.

More than 1,000 persons had been injured and at least 4,200 arrested in about 50 cities across the nation.

A determined show of force by Guardsmen and police forces working around the clock restored order to dozens of cities that had been hit by disorders Thursday night and Friday.

In contrast to the rioting in Chicago and Washington, police in Los Angeles reported that "nothing is happening at all" in the Watts area, scene of violent rioting in 1965.

BALTIMORE

BALTIMORE.—Shooting, fires and looting erupted here last night, and Gov. Spiro T. Agnew immediately proclaimed that a state of public crisis existed and ordered National Guard troops into the city.

City police sealed off a five-block-long business section just north of the downtown area, where trouble was first reported.

But numerous incidents, in various areas, were reported within the next hour.

All off-duty policemen were ordered to report for duty, and a curbside command post was set up to handle calls and dispatch officers.

Two stores, one which sells furniture, were reported burned in the original area where merchants sell mostly to Negroes. A newsman on the scene said there was widespread evidence of vandalism, and rocks were being thrown through store windows.

(A spokesman at Johns Hopkins Hospital said the injured were arriving at a rate of one every two or three minutes, United Press International reported. No serious injuries were reported but several policemen were treated at Mercy Hospital for cuts and bruises suffered when they were hit by flying glass, bricks and other objects.

(Three fires were reported along Greenmount Avenue, a street that runs through the heart of one of the city's worst slum areas. Fires were reported in other areas. Looting occurred in the Gay Street area.)

DETROIT

DETROIT.—Calm prevailed in Detroit yesterday under the vigilant watch of policemen and National Guard troops, after hours of sporadic violence following the assassination of King.

Authorities were determined to prevent any repetition of last summer's racial riots in which 43 persons were killed and millions of dollars in damage was inflicted.

Despite the calm, Gov. George Romney and Mayor Jerome P. Cavanagh ordered a state of emergency and an 8 p.m.-to-5 a.m. curfew continued over all of Wayne County (Detroit) and parts of two adjoining counties.

Romney said a decision would be reached tomorrow on whether to extend the curfew and continue the patrols of some 3,000 National Guardsmen backing up the fifth largest city's 4,000-man police force.

Romney ordered mobilization on a standby basis of 9,000 National Guardsmen in Michigan's Lower Peninsula, but reported yesterday all outstate areas were calm. Troops were committed only in Detroit.

Two Negroes were shot to death near looting scenes. Three other persons were wounded by gunfire, at least two of them by police, and three policemen were injured.

More than 100 of those arrested were accused of violating the curfew, and the mayor said that 38 overnight fires were not abnormal.

PITTSBURGH

PITTSBURGH.—Roaming gangs of Negroes stoned cars, set fires and smashed windows in two areas overlooking downtown Pittsburgh yesterday in the second day of vandalism to strike this city since the death of King.

Mayor Joseph M. Barr ordered all bars and liquor stores in the city closed until Wednesday. Gov. Raymond P. Shafer ordered a statewide closing of liquor stores until further notice.

A spokesman for the city's Safety Department said Barr and Safety Director David Craig were meeting to discuss whether to call for outside help.

The action came following a night and day of hit-run vandalism in the Hill district where scores of windows were smashed and 68 persons arrested.

The violence spread to the North Side, also bordering downtown Pittsburgh, yesterday afternoon. Police said a carload of Negroes smashed windows at about a dozen stores in a shopping center, set a fire at a supermarket and then robbed it. Several shots were fired during the robbery but no one was reported injured.

Police reported 19 persons were arrested yesterday, nine charged with violating the Uniform Firearms Act. There were 19 fires yesterday and the safety director's office said arson was suspected in all of them. Damage was minor but firemen reported they were stoned at least twice.

At nearby Aliquippa, Pa., Mayor Clarence D. Neish declared a limited state of emergency and imposed a sunset-to-sunrise curfew for all persons 21 years of age or under.

Shafer said his ban on liquor store sales would remain in effect "until such time as the conditions that brought it about are removed."

NEW YORK

NEW YORK.—New York City kept an uneasy racial calm yesterday, broken only by minor incidents of looting and fighting in Negro areas.

Police, who arrested 109 persons in Manhattan and Brooklyn during Friday night and early yesterday, termed the situation "incomparably better" following earlier outbreaks of Negro violence in which scores were injured after the death of King.

Beefed-up police patrols cruised the streets on Manhattan's East Side, and the Midtown area, and stood guard in Harlem.

NASHVILLE

NASHVILLE, Tennessee.—Some 2,000 National Guardsmen, city police and state troopers moved yesterday to seal off the city's Negro college area where two students were wounded Friday night during violence. Other guardsmen surrounded the State Capitol.

The actions, described as precautionary, came after a stormy protest meeting by Tennessee A&I State University students with a faculty committee during the morning.

A faculty member, declining the use of his name, said the students complained that Guardsmen and police "had torn up two dormitories" in a search after the 4-hour violence Friday night. Officers denied the charges.

Meanwhile, city authorities tightened a curfew on metropolitan Nashville.

The Capitol was ringed by troops, standing at parade rest with bayoneted rifles, shortly before noon.

The guardsmen moved into the Capitol area as 1,000 students massed at A&I for a memorial service for King. The service was solemn and orderly.

ALBANY, GA.

Albany, Ga.—Authorities yesterday ordered bars and liquor stores closed in an effort to avoid any outbreaks of racial violence in this south Georgia city where six years ago King led some of his first mass demonstrations.

Six stores—all but one owned by whites—were set on fire Friday night and Negroes riding in automobiles took pot shots at service stations. Officers also investigated several cases of rock-throwing and isolated cases of looting. Two persons were arrested.

GREENSBORO

Greensboro, N.C.—Greensboro and Raleigh, focal points of racial violence in North Carolina in the wake of the slaying of King, continued under the emergency control of thousands of National Guardsmen yesterday.

At Greensboro, Mayor Carson Bain issued a proclamation clamping an emergency dusk-to-dawn curfew on the city effective at 7 p.m. yesterday. The curfew was intended to shut down all activity during the night.

North Carolina A. & T. University, scene of violence Friday night in which three policemen were wounded by snipers, shut down early for the Easter holidays.

During the day Friday, Raleigh had been the scene of major disturbance, and bayonet-wielding National Guardsmen dispersed with tear gas Negro students who had blocked traffic in a street near Shaw University. That city was quiet yesterday under control of more than 1,000 guardsmen.

PINE BLUFF

Pine Bluff, Ark.—Gov. Winthrop Rockefeller ordered the National Guard into Pine Bluff early yesterday after gunfire broke out between Negroes and state police. Three Negroes were wounded and 354 others arrested.

About 100 local Guardsmen began patroling about 2:30 a.m., some three hours after the shooting subsided. Another 400 were being called in from Sheridan, Prescott and Arkadelphia.

The shooting began about 11:35 p.m. Friday in a Negro area one block south of Main Street in this Arkansas River city of 54,000, which is about 45 miles southeast of Little Rock. It followed four big fires in the western part of the city, at least one of which was attributed to a gasoline bomb.

Mayor Austin Franks invoked a curfew from 7 p.m. until daylight and announced that city and Jefferson County authorities had banned the sale of beer and liquor.

PHILADELPHIA

Philadelphia.—State police and the National Guard remained on standby alert yesterday in the event of racial disturbances in the nation's fourth largest city.

A limited state of emergency was in effect, banning gatherings of 12 or more persons; police were on extended duty tours with days off canceled, and sales of liquor and beer were halted.

Mayor James H. J. Tate issued the emergency proclamation Friday night because "there exists the threat of public disorder in the City of Philadelphia."

Police here and in Chester, Bristol, and West Chester, were kept busy Friday night with minor disturbances including window smashings and minor fires.

Looting, Arson Continue, Some Easing Is Reported: 5 Are Dead, 781 Injured in District

(By Woody West)

Despite the presence of over 11,500 federal troops reinforcing District police, looting and arson continued in the District early today.

However, Mayor Walter E. Washington said at 11 p.m. last night that the situation has taken a turn for the better.

"It is much better than last night. I am happy to say that the streets are calm but it's too early to predict what the rest of the night will bring," he said.

The Mayor, with Cyrus Vance, the President's liaison man, Deputy Mayor Thomas Fletcher and Police Chief John B. Layton emphasized that looting "certainly is not going to be ignored or condoned."

Earlier, the Mayor invoked yesterday's curfew at 4 p.m., an hour and a half earlier than on Friday, the first day it was used.

The curfew was in force until 6:30 this morning.

TOLL OF VIOLENCE

Shortly after the mayor's announcement about 3 p.m., police cruisers with loudspeakers and bullhorns drove through trouble areas warning persons to get off the streets.

By 9 p.m. yesterday, this was the toll of two full days of disorder following the murder of the Rev. Dr. Martin Luther King, Jr., in Memphis Thursday.

1. Five persons dead.
2. 2,899 persons arrested.
3. 781 persons injured; this included 2 soldiers, 17 firemen and 26 policemen.
4. 595 fires.
5. Hundreds of buildings burned to the ground and looted; whole blocks, particularly along 7th and 14th Streets NW, and H Street NE, almost totally destroyed.

There were 2,000 troops in the city by yesterday morning. By mid-afternoon, officials said, 9,500—including soldiers, paratroopers and Marines—had been deployed and another 3,000 were being held in reserve.

CRACKDOWN ON LOOTING

Dressed in battle gear, with helmets and carrying side arms, the troops were quickly posted at intersections in riot areas and along main streets into the city.

Incidents continued at a steady pace into late evening including scattered disorders and some suspected arsons in the suburbs. At 9 p.m., the D.C. Fire Department, which had reported 40 new fires as of 5:30 p.m. yesterday, said it had 17 active blazes and had logged 55 between 5 and 9 p.m. Police and military units were continuing to respond with firefighting equipment for protection.

Two confirmed sniper incidents were disclosed by city officials late yesterday afternoon. Police responded to three other sniper reports during the early evening but none of them was confirmed.

The main Greyhound bus terminal on New York Avenue was evacuated shortly after 8:30 p.m., when a report of a bomb was called in to police. A check of the station turned up a ticking mechanism that was not believed to be an explosive device.

Police were forced to evacuate the 12th Precinct stationhouse at 17th Street and Rhode Island Avenue NE, when a teen-age boy hurled a tear gas projectile at the building.

The cannister exploded on the steps and the gas drifted inside forcing many of the officers out. The boy escaped on foot.

After 6:30 p.m., calls from police units for "transport" for prisoners began to increase in frequency from wide areas of the city as the curfew and looting crackdown became more stringent.

The 7:30 p.m. arrest figure of 2,899 included 867 who were charged with looting and 844 with curfew violation. Of the curfew violators, 170 were arrested between 5:30 and 7:30 p.m., police said. The others were charged with a variety of offenses, primarily disorderly conduct.

THOROUGHFARES BLOCKED

Some entrances to the District from Maryland and Virginia were blocked off by last evening and police were turning back persons who could not prove they were District residents or were on legitimate business.

Meanwhile, suburban supermarkets were crowded throughout the day and many in the stores were Negroes, although the centers are in white residential areas.

Security was particularly tight around the White House and on Capitol Hill.

The mayor, at a late afternoon conference with the Urban Coalition, was quoted as saying a "crackdown" on looters was under way, but that restraint would be used.

Among those who attended the two-hour meeting at the District building were the Rev. E. Franklin Jackson; Carl Moultrie, head of the local branch of the NAACP, and Patrick Cardinal O'Boyle, all of whom commended the city for its tactics.

At the command post at police headquarters, top city and federal officials conferred throughout the day and into the night.

Among those present were Mayor Washington; Cyrus Vance, the President's liaison man; Gen. W. H. Hollis, commanding the regular troops in the District, Public Safety Director Patrick V. Murphy and other top city police officials.

Deputy Mayor Thomas Fletcher came to the command post at 9:45 p.m., after a 2½-hour tour of the city.

"The city is very quiet. Nothing is going on as far as I can see. It is so quiet that it is eerie," he said.

BLAZE AT YWCA

Even as he spoke, however, the police radio continued its heavy traffic and fires continued in several areas, including a major conflagration at the YWCA building at 200 Anacostia Road SE where flames were shooting high into the sky.

The mayor announced that the curfew would continue indefinitely, but he said the time for today's to begin would be decided sometime during the early afternoon.

At 7:30 p.m., a long section of H Street NE from 1st Street east, was closed to all but fire, police and military traffic, with troopers posted at all intersections to enforce the blockade.

At about the same time, 14th Street NW, north of Thomas Circle, also was closed.

A large section of Near Northwest, from 6th to 11th Streets and New York to Florida Avenue NW, sealed off since late yesterday, continued to be blockaded.

Federal troops began to move into the city late Friday after the president approved Mayor Washington's request for help. The mayor said in his request, "I do hereby declare and determine that an emergency situation exists within the District of Columbia. . . ."

PRESIDENT'S ORDER

The President's proclamation and executive order stated, "The Secretary of Defense is authorized and directed to take all appropriate steps to disperse all persons engaged in acts of violence, to restore law and order, and to see that the property, personnel and functions of the federal government . . . are protected against violence or other interferences.

The soldiers began appearing in the street in early evening. Among the first were members of the 6th Armored Cavalry Regiment from Ft. Meade.

After the initial outbreak Thursday night and the violence that continued almost unabated through Friday morning, a slight lull occurred in the dawn hours yesterday. Between 4 and 5 a.m., the police put out only 13 calls, and between 5 and 6 o'clock, only 26.

But then the tempo picked up again and continued throughout the day, the looters apparently hardly daunted by the presence of troops and the steadily increasing rate of arrests.

PUBLIC ACTIVITIES CANCELED

As one index of the destruction, officials of the hard-hit Safeway food chain said they had closed down 40 stores. They were uncertain of how many had been destroyed but at least five were reported burned to the ground.

A military spokesman, at 5:30 p.m. yesterday, gave this breakdown of troops "committed to the situation in the District of Columbia":

3rd Infantry Regiment, Ft. Myer, Va., 700 men; 6th Armored Cavalry, Ft. Meade, Md., 2,200; D.C. National Guard, 1,300 Marine Corps Schools Battalion, Quantico, Va., 700; 91st Engineer Battalion from Ft. Belvoir, Va., 700; 1st Brigade of the 82nd Airborne, Ft. Bragg, N.C., 2,000; 716th Transportation Battalion, Ft. Eustis, Va., 500; 544th Support and Service Battalion, Ft. Lee, Va., 700; 503rd Military Police Battalion, also from Ft. Bragg 500 men.

TWO CASES OF SNIPER FIRE

By late yesterday, the first two confirmed incidents of sniper fire were reported by city officials, although no one was injured.

Upper 14th Street, NW, the area of initial violence, was still the scene of disorder yesterday. A major fire in the 2800 block of 14th drew a crowd of several hundred persons and soldiers had to force the crowd back to permit firemen to get at the blaze. Tear gas was used in this fire and at several areas to disperse crowds and to permit firemen to get at burning buildings.

Lower on 14th Street, nearly every building between Park Road and Clifton showed evidence of either arson or looting or both. Sanitation Department workers were out again yesterday morning trying to clean up the debris and broker glass.

On 7th Street NW, from L to T Streets, destruction was equally bad and several fires were still burning furiously last night.

A reporter who toured the area around the John F. Kennedy playground said the intersections of 7th and O and 7th and P Streets were level. The buildings, including the O Street market, were totally demolished.

Along H Street NE, from 3rd to 15th and Bladensburg Road, the scene was one of desolation, and looters were still active in that area late yesterday. The Sears Roebuck store in the 900 block of Bladensburg was particularly hard-hit by looters.

Liquor stores seemed to be the first target of looters and even protective metal grillwork was ripped away from storefronts by crowds trying to enter.

The outbreaks, however, were not restricted yesterday to the three hardest-hit areas—14th, 7th and H. A drugstore in Anacostia was burned down. Markets and Liquor stores in Far Northeast near the District line were looted, and "sporadic" incidents continued throughout most of the city.

GOLF SHOP BURNED

In nearby areas, the pro golf shop of Arlington's Army-Navy Country Club burned into ruins at 8:30 last night—apparently the work of Molotov cocktail-hurling arsonists.

Arlington fire inspector Philip Purtell said, "I think it was a Molotov cocktail thrown right through the window."

When firemen arrived at the golf shop, located near the edge of the club's grounds at 17th Street, Arlington, adjoining a suburban Negro area, the entire wood frame structure with a glass-front was ablaze.

Though firemen had the blaze under control by 9 p.m., the building was a total ruin. Admiral Edward King, Army-Navy Club board chairman, told reporters that the building was empty for hours before the blaze and that the club had been closed before dusk.

Arlington fire headquarters received several calls for fire-bombings near the predominantly Negro Green Valley section.

The first blaze was in the rear of a group of stores in the 2400 block of Columbia Pike.

At 8:33 p.m., a firebomb was tossed at an apartment house in the 2700 block of South 16th Street. It was quickly extinguished by Arlington firemen.

The Clinton Grove Elementary School, which is in a racially mixed section of Prince Georges County was extensively damaged by fire at about 8:40 p.m. County officials said vandalism had been committed at the school on Temple Hills Road in Clinton and that there were indications the fire had been deliberately set.

Acting on a report that a plane had been shot at, the Federal Aviation Agency yesterday instructed aircraft to avoid flying low over the District as much as possible. Planes approaching and leaving National Airport were directed to stay west of the city, or to maintain an altitude of 5,000 or 6,000 feet while over the District.

A tower official said the shooting report had come from Montgomery County police, who said a small civilian plane with police aboard had been shot at in the vicinity of Kenilworth and Eastern Avenues NE.

The downtown shopping area escaped relatively unscathed ground.

Almost all public activities, including the last two days of the annual Cherry Blossom festival, were canceled.

But curious citizens proved a problem yesterday to police. Some streets were reported nearly bumber-to-bumper as spectators drove slowly through areas hit by fire and looting, sometimes while the looters continued to race along the streets yesterday after being the target of rampaging bands Friday. Hardest hit downtown were the D. J. Kaufman haberdashery at 10th and Pennsylvania, which was sacked repeatedly; the main Hecht Co. store at 7th and F Streets, where numerous plate glass windows were kicked in, stores along G Street from 10th to 14th, and parts of F Street only three blocks from the White House.

In the 1200 block of 6th Street NW, yesterday, as tear gas hung in the air after use by police, two youngsters were seen playing basketball, handkerchiefs tied over their faces.

At the 2nd Precinct, a reporter talked to a man about 20 just arrested on a looting charge.

Reporter: "What are you here for?"

Suspect: "Nothing."

Reporter: "What do you think about all this burning?

Suspect: "We're going to burn down this whole place—it might take years. We'll do it."

Peoples Drug Stores, with 50 in the city, reported that they had been forced to close down 17 of their stores.

The Anacostia area last yesterday revealed few signs of looting, and despite the curfew, considerable traffic moved along main arteries.

About 100 troops were stationed at the large Sears Roebuck store at Alabama and Naylor Roads SE and other soldiers were posted at that shopping area.

Attempts to moderate the looting and convince people to get off the streets have come from a variety of directions—James Brown, one of the top "soul" singers in the country came to Washington from Boston today and went on television and radio.

"COOL IT," MAYFIELD SAYS

In addition to established civic leaders, other local figures seen on the streets included Rufus Mayfield, youthful former chairman of the board of Pride, Inc. Mayfield late yesterday was circulating on 7th Street, a reporter said, urging the younger looters to "cool it," Marion Barry, a Pride leader, also toured 14th Street yesterday, talking to members of the crowd.

The five dead, four of them Negro, were:

Ronald J. Ford, 29, of 803 Allison St. NW, found with two deep slashes, one across his throat and one across his chest. Police said a trail of blood led from a plate glass windown to where the body was found at 6:45 p.m. Friday, beside the Cardozo playground on 11th Street NW.

Thomas Williams, 14, of 4221 Brooks Road NE, who police said was accidentally shot when a crowd rushed a policeman who was apprehending looters in the 3900 block of Minnesota Avenue NE, about 9:15 p.m. Friday.

Ernest McIntyre, 20, of 40 Chesapeake St. SE, shot about 9:30 p.m. Friday, outside a liquor store in the 4000 block of South Capitol Street, police said.

Harold Bentley, 34, of the 4600 block of Hunt Street NE, who died after a brick wall from a burning building in the rear of 513 H St. NE, collapsed on him about 10:35 p.m.

George Fletcher, a 20-year-old white man from Virginia, beaten to death on 14th Street, the first night of the riots.

Letter From Vietnam

HON. CHARLES M. TEAGUE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1968

Mr. TEAGUE of California. Mr. Speaker, I call to the attention of my colleagues the following letter sent to me by Mike Gardner of Santa Maria currently serving in Vietnam with the U.S. Army Special Forces:

FEBRUARY 26, 1968.

DEAR MOTHER AND DAD: It's very hard for me to write. I'm emotional and so disgusted with my own generation in the States that I don't care to see any of them unless they have taken time to fully consider our national plight and realize they are cowards and sell-outs and not what they call "Peace Marchers". I've not been the type to over say "My Country, right or wrong, my country", but recently I've decided that I'll start saying that because we are more right than the other side, which is doing such a magnificent job of subverting our country from within.

I feel very deeply about the loss of my close friends. They are now all dead save two. Jim Vernon was shot down on helicopter recovery and pretty shot up, but he survived. Murray is very scared but still in one piece and will come to work for Delta soon. The rest have been killed. All of them won medals. O'Keefe is the most intelligent person I ever met and came into this organization for idealistic reasons. He was on an A team which wasn't making any contact, so he went to a Mike Force which usually does and kills V.C. He was completely blown away by a direct hit from an 82 Chinese Mortar and it took them a week to change him from M.I.A. to the K.I.A. list.

Teevens won the DSC and has been put in for the medal of honor. He earned both. He had 5 years of college, was a money making professional singer and had things his way. He wanted to do some good, though, and he did—at high cost.

Jim Vernon was a big, wise gentle man who inspired confidence in everyone who dealt with him. He went to a more stringent organization than I'm in (there's only one) and paid the usual price for that honor.

Major Tu died leading his battalion against the North Vietnamese regulars who tried to take over Nha Trang. Their plan was to capture the leg corps headquarters (they did that) then go on to take over the local prison and release the prisoners to fight with them. We stopped them at the prison at a very high cost on both sides. Our Rangers officer's staff is extinct as is a few score of rangers from each company. I cried when Major Tu died, something I haven't done in six years.

I'm bent but knowing how to bend keeps you from breaking and I think the only permanent effect from my little warp will be an intolerance for lazy sign carriers and people who discredit the democratic way of life as we know it. It's so hard for these rascals who are demonstrating to see that they can go any where in the U.S. without telling the police. They can say almost anything they want against any national or regional leader and a hundred other advantages that exist in no other country including South Vietnam. I guess our young people have so much personal freedom they are hanging themselves with it.

I have two major worries right now. (1) Living through this war (2) being able to complete my education and live in our society without going to jail for killing a loudmouthed demonstrator with my bare hands.

I wrote two long letters recently but tore them up because they are just personal and meaningless. Reality is very harsh now, but I don't want to flinch from it because it will take a very realistic thinker to do any good for our society in the years that will come to me.

Please ask my other relatives and friends to forgive me for not writing, but I don't have anything very cheery to say to them right now. This war is getting very serious and everything I do is classified anyway. I've been on two local operations on this little rest break we've had, known as the battle for N'ha Trang and both times had to fight tough North Vietnamese. We're a long way from North Vietnam, too.

Here's a Montagnard skirt from a dusty little village in the Central Highlands and a picture from Nha Trang. Also there is a shirt (blue and gold) for Jeff and (silver and blue) for Mikey.

Every day I learn better how to deal with the situation here. I'm hard and I'll make it so let me tell you about my art work. I took some bacterial stain and mixed it with varnish and alcohol and applied to some nicely grained wood I found here, after sanding it down. I came up with 5 different shades of stain and the grain shows up beautifully. Today I took them over to a nugent painter and he's going to paint a night jump, some vines, a special forces troop and a helicopter gun ship on various boards. Write soon, I have to run (Diarrhea).

Love,
Your son,
MIKE.

Law and Order

HON. JOHN G. TOWER

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Monday, April 8, 1968

Mr. TOWER. Mr. President, I ask unanimous consent that a resolution reaffirming the purposes of the International Order of DeMolay and condemning disrespect for law and order be printed in the RECORD.

Certainly it is important that respect for law and order be maintained. The International Order of DeMolay is to be commended for its timely interest in this matter.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION REAFFIRMING THE PURPOSES OF THE INTERNATIONAL ORDER OF DEMOLAY AND CONDEMNING DISRESPECT FOR LAW AND ORDER

Whereas, one year ago the members of the International Conference of State, Provincial, and Jurisdictional Master Councilors reaffirmed the DeMolay ideals of clean living, clean thinking, and clean speaking, and

Whereas, it is the purpose of the Order of DeMolay to help all young men to live clean, manly, upright, and patriotic lives, and

Whereas, we deplore the situation wherever riotous demonstrations, unlawful protests, or other manifestations of disrespect for law and order have occurred, and

Whereas, while we respect the rights of lawful and intelligent dissent, designed to strengthen the opportunity of all peoples to make their beliefs and opinions known, the continuing spread of disrespect for law and order weakens the moral fiber of our several nations and dissipates the strength of the free world,

So, Therefore Be it Resolved, that this meeting of the International Conference of State, Provincial, and Jurisdictional Master Councilors reaffirms the foregoing, and rededicates ourselves to the DeMolay precepts of loyalty to God, home, and country, subscribed to by free thinking men,

Be It Further Resolved, that a copy of this resolution be presented to the heads of government of our respective countries.

Unanimously adopted in Washington, D.C. on the second day of April, 1968.

Four State GI's Die in Viet Combat

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1968

Mr. LONG of Maryland. Mr. Speaker, S. Sgt. Balfour O. Lytton, Sgt. John H. Barnes, Sp4c. Raymond L. Mason, and Cpl. John T. Summers III, four fine young men from Maryland, were killed recently in Vietnam. I wish to commend their bravery and honor their memories by including the following article in the RECORD.

FOUR STATE GI'S DIE IN VIET COMBAT—LYTTON, BARNES, MASON, AND SUMMERS KILLED IN ACTION

Four more Maryland soldiers, including three Baltimore men, have been killed in action in Vietnam, the Defense Department announced yesterday.

Reported dead were:

S. Sgt. Balfour O. Lytton, Jr., son of Mr. and Mrs. Balfour O. Lytton, of 917 Crawford drive, Rockville, Md.

Sgt. John H. Barnes, husband of Mrs. Bonnie W. Barnes, of 628 Washington avenue, Lansdowne.

Spec. 4 Raymond L. Mason, son of Mr. Walter Mason, Sr., and Mrs. Alice Mason, of Baltimore.

Cpl. John T. Summers, 3d, son of Mr. and Mrs. John T. Summers, Jr., of 1329 Winston avenue.

Sergeant Lytton, 23, who was known as Sonny, was killed March 25 in a fierce firefight near Pleiku.

TRAINED AS MEDIC

He enlisted in the Army in late 1964 and qualified for the Special Forces.

Trained as a medic and a communications specialist, he first went to Vietnam in May, 1966, and served among the Montagnards in the Central Highlands, teaching them English, hygiene and football, as well as military defense. A Montagnard was assigned by the villagers to be his bodyguard and was reportedly given instructions by the villagers to die if need be to protect the American adviser.

During his first tour of duty, Sergeant Lytton was wounded in action and received a Purple Heart.

Sergeant Lytton requested two six-month extensions of his tour of duty in Vietnam, serving on both occasions in the Central Highlands, where he was killed.

PLANNED ON CAREER

Sergeant Lytton hoped to make the Army his career and had expressed a desire to attend officers' candidate school.

A 1963 graduate of Richard Montgomery High School in Rockville, Sergeant Lytton had worked for a year with the Army Map Services before enlisting.

He is survived by his parents.

Sergeant Barnes, 22, a member of the 101st Airborne Division, was wounded in action March 26 near Quong Tri when a mortar shell exploded near him. He died from massive shrapnel wounds the next day.

WOODLAWN GRADUATE

He graduated from Woodlawn High School in 1963 and was a student at Catonsville Community College when he enlisted in the Army in March, 1966.

He qualified as a paratrooper and volunteered for Vietnam duty.

Sergeant Barnes had served in Vietnam since December, 1967. He had been stationed at Ben Cat, Cu Chi, and Quang Tri.

In addition to his wife, he is survived by his mother, Mrs. Louis H. Barnes, a brother, Thomas M. Barnes, of the home address.

Specialist Mason, 20, of 345 East Twenty-second street, died March 21 of wounds he received when a shell exploded on his tent at Khe Sanh.

After graduating from Clifton High School, Specialist Mason enlisted February, 1967, in the Army and qualified as a paratrooper in the 101st Airborne.

He went to Vietnam after last Thanksgiving and had written home telling his family not to worry, that "there was a war to fight, and he had to do his part."

In addition to his parents, he is survived by his grandparents, Mr. and Mrs. Jerry Moody, of Baltimore; five sisters, Barbara Mason, Brenda Mason, and Roberta Mason, of the Twenty-second street address, and Mrs. Diana Graham and Mrs. Corlea Lee, both of Baltimore; and five brothers, Walter Mason, Jr., and Nathaniel Mason, both of Baltimore, and Robert Mason, Roland Mason, and Anthony Mason, of the Twenty-second street address.

Corporal Summers, 18, was killed in action last Thursday, when a land mine exploded.

Born in Danville, Va., Corporal Summers had lived in Baltimore nearly his whole life.

He was a 1967 graduate of City College. He enlisted in the Army in June, 1967.

Corporal Summers had been on duty in Vietnam since December, 1967, with Company B, 2d Battalion, 47th Mechanized Infantry Division.

In addition to his parents, he is survived by two sisters, Mary F. Summers and Sophronia A. Summers, both of the home address.

Outside Agitators

HON. ELMER J. HOLLAND

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1968

Mr. HOLLAND. They come among us, Mr. Speaker, from time to time, to remind us that beneath every human skin, behind every human face, in the depths of each human soul, there stands the image of God.

They come among us, flesh of our flesh and blood of our blood to reassure us that our God did not mean for His children to hate one another. They come to tell us that all men are created equal, that to demean any man because of his race or his belief, or his social standing or his name, is to demean all men, including—especially including ourselves.

They come among us, Mr. Speaker, to plead for decency and sanity and that unspeakable virtue, love. They come among us and they are called Socrates or Jesus or Lincoln or Gandhi or Kennedy or King.

And what do we do, Mr. Speaker? We kill them.

Martin Luther King, 1929–68

HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1968

Mr. CHARLES H. WILSON. Mr. Speaker, April 4 is a date to be written in blood—the Reverend Martin Luther King felled by an assassin's bullet.

As the national spokesman for Negro progress through nonviolent protest, Dr. King was the single most important and influential bridge between the discontented Negro and the white community. His untimely death opens up a chasm of understanding between the races and is, in every sense, a national outrage.

I have long deplored the increasing violence of our turbulent times. Hatred and bitterness seem to permeate American life, and this hostility is nowhere more apparent than in the civil rights movement. For, despite much progress in the civil rights area in recent years, the entrenched militancy of both sides only inflames the conflict. With the Negro asking for individual freedom and the privileges thereof, many whites suppose it follows that they must sacrifice their own rights. Many of the letters my office has received protesting the open housing bill have reflected this irrational point of view, and I am stunned.

President Johnson recently sounded the call for an end to national "divisiveness." The tragedy of Martin Luther King and the ensuing national disorder illustrate just what senseless and brutal forms this "divisiveness" can take. Regardless of who is responsible for the appalling murder of Dr. King, we cannot afford to write it off as an isolated act by a demented individual. Blood is on the hands of many a law-abiding citizen who, while not culpable of overt acts of violence against his fellow man, is nonetheless guilty of contributing to the immoderate climate where such crimes can happen. Supposedly intelligent persons who would never dream of joining or condoning a mob of looters and arsonists are nevertheless unbridled when it comes to making defamatory statements and threatening remarks against national leaders and their policies. Thus bitterness is unleashed in other, more subtle but no less dangerous, ways so that man's inhumanity to man threatens to erode the very foundation of our democratic society.

Martin Luther King, throughout his public career, was fatalistic over the possibility of premature death. But he hoped that someday it would be said, "He died to make men free." Not only Negroes, not only whites—but all men.

National revolution—for what else can we call the widespread desecration of the past few days?—can only be prevented by national resolution. We must resolve that Martin Luther King did not die a prophet without honor in his own country. Violence does him this dishonor.

Questionnaire Results

HON. JACK EDWARDS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1968

Mr. EDWARDS of Alabama. Mr. Speaker, each year I send out a legislative questionnaire to my constituents asking their views on the important issues of the day. I think the composite of over 10,000 replies will be very interesting and I place the results of the questionnaire in the RECORD at this point:

QUESTIONNAIRE RESULTS

1. If we get assurances from North Vietnam that peace talks will start when the bombing stops, would you favor discontinuing the bombing?

	Percent
Yes	48
No	44
Undecided	8

2. Because of the budget deficit the President says we have to raise more taxes and he has proposed a 10% surcharge on your income tax. Would you favor the increase under present conditions?

	Percent
Yes	9
No	89
Undecided	2

3. Without a tax increase, the budget deficit next year will probably be anywhere from $20 to $40 billion. Should the federal government delay or discontinue federal projects such as river and harbor development, federal building construction, improvement of federal parks, etc., in order to cut the deficit?

	Percent
Yes	61
No	33
Undecided	6

4. Assume that the government cuts out of the budget all waste, and unnecessary federal spending at home, but because of the war, a tax increase is still needed to balance the budget. Would you support the tax increase under these conditions?

	Percent
Yes	66
No	29
Undecided	5

5. In your opinion, how necessary is it for the federal government to have a balanced budget?

	Percent
Very necessary	80
Not necessary	9
Don't know	11

6. Is it wise to "ease" our opposition to Russia by entering various treaties such as the one to protect all astronauts, the Consular Treaty, the treaty to ban outer space weapons, the Nuclear Test ban treaty, etc.? Some say that Russia will not live up to a treaty, so why make the effort. Others say we can't quit trying and that we should do all possible to show our good intentions. What do you say? Should we continue to try to cooperate with Russia?

	Percent
Yes	50
No	43
Undecided	7

7. Should we refuse to do any more business with or deliver any more gold to France until she has paid us the $6 or $7 billion debt from World War I and World War II?

	Percent
Yes	85
No	11
Undecided	4

8(A). The Constitution does *not* set the age at which a person may vote. Historically this has been done by the States. Would you favor an amendment to the U.S. Constitution allowing 18 year olds to vote?

	Percent
Yes	45
No	50
Undecided	5

8(B) Would you favor a state law allowing 18 year olds to vote?

	Percent
Yes	50
No	46
Undecided	4

9(A). In view of the recent riots and the rising crime rate, a new push is being made for a federal gun control law. Would you favor such a law?

	Percent
Yes	30
No	65
Undecided	5

9(B). Has your opinion on this subject changed since last year?

	Percent
Yes	6
No	92
Undecided	2

10. Several ways have been suggested to fight the increase in crime in the country; which methods would you favor? The methods were ranked as follows:

1—Stiffer sentences in criminal courts. 2—Strengthen local police force. 3—Let local police handle problems without interference. 4—Limit the authority of the Supreme Court. 5—Give Congress the right to overrule Supreme Court decisions. 6—Better schools. 7—Gun control law. 8—Rebuild slum areas in cities. 9—More FBI agents. 10—More anti-poverty money. 11—National police force. 12—More Federal District attorneys.

Tiwa Indians of Ysleta, Tex.

HON. JOHN G. TOWER

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Monday, April 8, 1968

Mr. TOWER. Mr. President, I am pleased that the Senate has just recently passed H.R. 10599, which would designate the Tiwa Indians of Ysleta, El Pasco County, Tex., as a band of American Indians and to transfer to the State of Texas any responsibility that the United States might have for them. I have long been working to help alleviate the condition in which the Tiwas are existing. During the last session of the Texas Legislature, a measure was passed that would set up a program to help the plight of the Tiwas; however, according to the Texas attorney general, it was first necessary that they be recognized as an official Indian tribe by the U.S. Government.

Now that this act has been accomplished, I am certain that the State government will move with all possible dispatch to solve the many problems that exist. I am proud that my State has taken it upon itself to solve a problem where jurisdiction was vague. It is certainly in the best tradition of local self-government that such action was taken. Texas has long been proud, and rightly so, of its heritage in this area.

Robert E. Hollingsworth

HON. CHET HOLIFIELD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1968

Mr. HOLIFIELD. Mr. Speaker, each year we spend the winter months immersed in committee hearings on various bills, many for the purpose of authorizing appropriations to the various agencies of the Federal Government. In our concern for the detailed examination of the scope and progress of the agency programs, we may often fail to take public note of important milestones both for the programs and the people who have significantly helped accomplish the success of those programs.

On January 2, 1968, the Atomic Energy Commission marked without ceremony the completion of 21 years as the executive agency in charge of the U.S. Government's nuclear energy programs. As an original and continuing member of the Joint Committee on Atomic Energy, and before that on the House Committee on Military Affairs which legislated the Atomic Energy Act of 1946, I participated, as a midwife so to speak, on the occasion when the legal basis for the organization of the Commission was established.

Only Mr. MELVIN PRICE, from Illinois, and myself remain as original House members of the Joint Committee on Atomic Energy. Few people in the Government have that long association with the atomic energy program. We are fortunate, however, that there are people in the executive branch who continue their association with that program and provide the necessary leadership and I want to speak to you today about one of them.

In June 1947 a young man dedicated to Government service began a career with the Atomic Energy Commission as a budget analyst in the Division of Finance. This young man will soon celebrate 21 years of service with the Atomic Energy Commission. His name is Robert E. Hollingsworth.

Mr. Speaker, I am sure you share with me the belief that any stature, maturity or esteem that organizations acquire may all be properly identified with the responsible individuals of the organization who made them possible. The Atomic Energy Commission is no exception.

There are of course the chairman and the other commissioners who have given and continue to give outstanding service in the making of policy for this unique government agency. Of greatest importance, however, is the continuous leadership provided by the career service. My experiences with the Post Office and Civil Service Committee together with my service in the House Government Operations Committee have convinced me of the importance of recruiting good people to the Federal Government service. In this modern age of program planning and cost analysis, where applicable, the need for well-trained and capable people is of even greater importance.

The head of the Atomic Energy Commission's nonregulatory career service, its chief executive officer and administrator is the general manager. It is fortunate for both the agency and the country that an able career servant has worked his way up to the top.

Bob Hollingsworth has been general manager since August 1964, deputy general manager for 4 years before that and assistant general manager prior to that appointment.

It is very important to our country to have young men educate themselves to public service and carry out the purpose of their training over a long period of responsible assignments. In meeting the challenges of modern government in a democratic society more capable young men and more dedication to public service are needed.

Bob Hollingsworth has risen to each challenge every single time and has in turn rewarded his country with very outstanding service. As an inspiration for young people everywhere and as a matter of interest to the House, I include in the RECORD at the end of my remarks a statement relating the story of Bob Hollingsworth's service to the Commission and his country together with a mention of his qualifications and achievements, as follows:

ROBERT E. HOLLINGSWORTH

Robert E. Hollingsworth has been General Manager of the U.S. Atomic Energy Commission since August 11, 1964. He is the chief executive officer of an Agency of the Federal Government which has two broad responsibilities—to make the maximum contribution to the defense and security of the United States, and to develop the many peaceful uses of atomic energy for the benefit of people at home and abroad.

Mr. Hollingsworth, a career Government employee for more than 25 years, is responsible for directing programs entailing the expenditure of about $2.5 billion a year, an operation which includes the supervision of approximately 7,300 employees and the administration of contracts involving more than 120,000 contractor employees. The AEC's operations extend to virtually every state in the Union and its cooperative programs reach nations and organizations on every continent.

AEC PROGRAMS ARE VARIED

The work of the Atomic Energy Commission involves all of the sciences and many industrial, processes and techniques.

This agency has the responsibility for designing, testing, manufacturing and storing all nuclear weapons. It has applied its specialized technology to the creation and maintenance of a nuclear Navy. It also is taking an active role in the work of seeking to restrict further proliferation of nuclear weapons.

The AEC also has a broad program for developing peaceful uses of atomic energy. Included are programs for using nuclear reactors to desalt sea water; for developing nuclear power reactors, with a goal of producing "fast breeder" reactors which produce more fuel material than they consume. Other programs important to the Nation are those to develop nuclear rockets for space missions and the continuing research to increase still further the benefits already being derived from radiation and radioisotopes to fight disease, hunger and poverty. The AEC also conducts a broad program of basic research and administers international cooperation programs.

The Commission carries out its programs through research laboratories and production facilities located throughout the Nation and valued at about $8.3 billion. These facilities, operated under contract for the AEC by industrial and educational organizations, are directly supervised by 13 major field offices and a number of smaller area offices.

All of these activities require constant attention and direction of Mr. Hollingsworth as General Manager.

SOME PERSONAL ACCOMPLISHMENTS

Mr. Hollingsworth has taken a series of steps designed to strengthen the Commission's organization and improve staff efficiency. He has appointed vigorous and imaginative people to key positions, and given them great flexibility in the conduct of their programs, emphasizing results rather than techniques. In addition, Mr. Hollingsworth has changed portions of the agency's organizational structure to adapt staff assignments to shifting program requirements. For example, he undertook extensive reorganization of the reactor development program, which involved a consolidation of space related activities, a strengthening of the engineering capabilities and a clearer realignment of other program functions under a newly created position of Assistant General Manager for Reactors.

Another accomplishment concerns the cut in production of plutonium and enriched uranium, announced by the President in January 1964, following studies of needs for military and peaceful uses. A cutback of this size can seriously affect communities where the materials are produced. However, the Commission was determined to minimize community hardship. It established a new program designed to divide AEC work among a larger number of contractors, and to persuade each new contractor to invest private funds in services and economic activities in the community where he has a contract with the AEC.

The execution of the program under Mr. Hollingsworth's direction has been eminently successful—so much so that economic prospects have improved in the communities concerned. An example is what has happened at the AEC's Hanford Works in Richland, Washington. After announcement of the cutback, a great number of people feared they might lose their jobs. One action by the AEC was to transfer operations from a single operating contractor to six new contractors—an immediate stimulus to diversification of industry in the area. A joint community-AEC effort has drawn $38 million of private investment into the Richland area. The prospect now: More jobs instead of fewer jobs.

This pioneering AEC program has attracted the attention of others who may face similar problems in the future.

Mr. Hollingsworth has energetically pushed AEC's participation in the President's program to reduce the costs of Government. He has established a system of reports and rewards to recognize outstanding achievements. The results have been very significant. During the past several years there have been cost reductions in AEC programs of several hundreds of millions of dollars, and very importantly, these reductions have been accomplished without harm to the effectiveness of the programs.

HIS AEC BACKGROUND

The Division of Production is responsible for the production of special nuclear materials, principally enriched uranium and plutonium, a responsibility which is central to the atomic energy program. During his eight years in that Division, Mr. Hollingsworth received the basic experience and training that have led him to the top executive position in the AEC.

Until 1954, the atomic energy program remained essentially a Government monopoly. The 1954 Act provided for the entrance of private enterprise into the program under Government regulation. The regulatory responsibility was assigned to the Atomic Energy Commission along with the continuing responsibility for pursuing an active and expanding program for developing new application of atomic energy. Mr. Hollingsworth, as Assistant General Manager and later Deputy General Manager, went through the mass of arguments, proposals, viewpoints and suggestions which poured into the Commission. He concentrated on basic issues and focused his attention on significant elements requiring supervision. Throughout this trying period, he proved to be a constant source of knowledge and wise counsel and his mature judgment was invaluable in the formulation of policy and the making of management decisions.

During his three years (1956–1959) as Assistant General Manager for Administration, he was assigned responsibility for assisting the General Manager in the overall management of the Agency with primary emphasis for furnishing day-to-day administrative direction and coordination of all programs and supporting activities of the Commission. In this role, Mr. Hollingsworth was highly effective.

During the years that he served as Deputy General Manager, Mr. Hollingsworth provided vital and stabilizing leadership in the direction of the Commission's diversified operations.

The Commission's programs are planned and administered in accordance with a carefully designed and executed program-budget plan and procedure. Mr. Hollingsworth has given continuing leadership over the years to the Program Budget Review Committee which has brought him into direct involvement with all major programmatic developments.

The AEC's many complex missions are accomplished primarily through contract arrangements. Many of these contractual arrangements are of the cost type, with or without fee, and are carried out in Government-owned facilities. The keystone of AEC operations has been the development of its contract management policy principles designed to obtain the maximum results in the public interest. Mr. Hollingsworth has been the chief architect over the years in the development of AEC contractual policy.

It is important to note the contract authority which has been delegated to Mr. Hollingsworth by the Commission. He is authorized to enter into individual contracts involving commitments by the Government of up to $10 million.

HIS QUALIFICATIONS FOR GENERAL MANAGER

Mr. Hollingsworth's excellent record over the years, in administrative and executive positions in the Nation's atomic energy programs, laid the background for his ultimate selection as General Manager.

He received his A.B. degree in Government at Columbia University in 1939, then spent two and one-half years in graduate study at Columbia in Public Law and Public Administration. He entered Federal service in 1941 as a Budget Analyst in the Department of Agriculture. He served in the U.S. Army from 1942 to 1946, attaining the rank of Lieutenant Colonel.

He began his career with the Atomic Energy Commission almost 20 years ago as a Budget Analyst in the Division of Finance, shortly after the newly created civilian agency was activated on January 1, 1947, to replace the Manhattan Engineer District, U.S. Army Corps of Engineers.

From the beginning of his association with the AEC, Mr. Hollingsworth has endeavored to familiarize himself with all details important to operation of the agency. He moved to the Division of Production in 1948 as Chief of the Budget and Reports Branch, and he has held increasingly important executive assignments ever since. He was Assistant Division Director in 1956 when he was appointed Assistant General Manager for Administration. Three years later he was named Deputy General Manager. He served almost five years in this position until his appointment as General Manager.

HIS PERSONAL QUALIFICATIONS

Robert E. Hollingsworth is a quiet man but he speaks forcefully and clearly without wasting words. He has an incisive mind and a saving sense of humor, along with a breadth of discernment which enables him to anticipate situations and attitudes. A natural leader, he picks his officials with care, encourages them to seek new solutions and gives them authority to act. He encourages initiative; he is easy to approach; and he understands the problems of his staff. He reaches decisions quickly, makes them known clearly, and thus finds time to deal with the multiplicity of problems demanding his attention.

His academic background, coupled with his broad experience and extensive reading, has given him a rich understanding of public administration. He has the loyalty and devotion of his staff, a fact which has done much to further the Nation's atomic energy programs.

Teachers in Politics

HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1968

Mr. CHARLES H. WILSON. Mr. Speaker, last Friday, April 5, marked the beginning of "Teachers-in-Politics Weekend." This program was sponsored by the National and State National Education Association chapters to encourage and educate teachers in effective and intelligent participation in our national life.

As Gen. Omar Bradley, retired, has said:

> The teacher is the real soldier of democracy. Others can defend it, but only he can make it work.

Yes, the democratic system is only a hollow phrase unless it is backed up by an informed, discriminating electorate.

During the last few months, I have received nearly a thousand letters from students in my district, ranging from grade schoolers requesting U.S. Capitol flags to college students concerned about the war in Vietnam. In these times when so many of our young people seem to deny their civic responsibilities through a philosophy of noninvolvement, it is heartening to hear from students who are eager to participate in their government. But to their teachers must return much of the credit.

Many schoolteachers and administrators are active in my political organization in Los Angeles. They have proved of inestimable value in both keeping me informed of local issues—such as the disruption of classroom instruction by excessive jet aircraft noise—and in educating my constituents in the political process. Yet, since National and State politics are an extremely fluid process, it is imperative that teachers, like students, keep up with current events.

The National Education Association deserves commendation for its leadership in this area. By promoting and arranging this farsighted "Teachers-in-Politics Weekend"—which includes, incidentally, six sectional clinics in my home State of California—this fine organization is again proving itself a dynamic force in education today.

We Must Preserve Law and Order

HON. GEORGE H. MAHON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1968

Mr. MAHON. Mr. Speaker, at this time of lawlessness and confusion, the advice of Director J. Edgar Hoover, of the Federal Bureau of Investigation, is worthy of special note.

It is submitted for printing in the RECORD.

Our country cannot progress if we are unable to preserve law and order.

The material referred to follows:

MESSAGE FROM THE DIRECTOR TO ALL LAW ENFORCEMENT OFFICIALS

In a riot there are no victors. The losers include everybody—the rioters, the victims, law enforcement, the community, the State, and the Nation.

Causes of riots can be counted by the score. A study of the overall problem indicates, however, that the widespread violence in our country to some degree is a direct outgrowth of the civil disobedience movement. In recent years, some leaders of dubious stature have made a grandiose gesture of willfully violating laws they deem to be unjust. For the most part, these individuals, although admittedly guilty of breaking the law, have gone unpunished. Young thugs and misguided teenagers, seeing others defy authority and the courts with impunity, have been led to believe that any crime under a banner of complaints is justified. Consequently, they ignore the law and roam through their communities creating violence and terror. Certainly, those who espouse the theory of civil disobedience and authorities who free guilty violators must share a portion of the blame and responsibility for the turmoil in our streets. It should be abundantly clear that the doctrine of civil disobedience is a doctrine of self-destruction.

Stern, decisive action is needed when a street disturbance begins. Justice is not served when a growing horde of vandals and looters is appeased and their pillage overlooked lest "a show of force might provoke them to greater violence." Quiescence does not satisfy rioters. Procrastination or uncertainty on the part of authorities denotes weakness or concession to a mob. Thus, the offenders are encouraged, and their violence gains momentum.

A judicial self-appraisal by the news media of their riot coverage might also be in order. Some media have already taken action in this regard. There can be no quarrel with the all important role of keeping the public informed as quickly and as completely as possible. No one rightfully expects riots to be played down or salient facts withheld.

On the other hand, militant agitators, hate mongers, and publicity-seeking rabble rousers who incite riots have no fear of overexposure. They know that television, radio, and front-page news stories are the best and quickest means of getting their views before the public. Thus, they seek attention from the news media. In riot reporting, objectivity and balance, always key factors of responsible journalism, help expose distortion and reduce the special treatment of those who advocate violence. Strict adherence to high journalistic principles is a valuable public service in matters affecting public safety.

Many proposals have been advanced to help eliminate the causes of riots. Just as there is no single cause, there is no single remedy. I do know, however, that the answer will not be found in sociological remedies alone. If our system of law is to survive, then the law must be enforced. Those who break the law, acting alone or in concert, must be detected and arrested, promptly prosecuted, and given proper, substantial punishment. In halting riots and removing crime from our Nation's streets, this should be the first order of business.

JOHN EDGAR HOOVER, *Director*.

OCTOBER 1, 1967.

Spiraling Tax Take

HON. E. ROSS ADAIR

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1968

Mr. ADAIR. Mr. Speaker, with the deadline fast approaching for the payment of Federal income taxes, I thought that the editorial which appeared in the Columbia City, Ind., Post and Commercial Mail was most timely.

It points out the present heavy burden of taxation being shouldered by the American taxpayers. Then it goes a step further and calls attention to the serious fiscal condition of the Nation. This is a dark picture. However, because of the clarity with which the editorial speaks out on this situation, I thought it should be brought to the attention of my colleagues and the readers of the CONGRESSIONAL RECORD.

The question of taxation is plaguing all of us. With the steady rise in taxes at the local, county, State, and Federal level, it is obvious that we shall reach the point eventually—unless there is a reversal of our tax policies—where the taxpayer will be unable to absorb this responsibility.

The editorial follows:

SPIRALING TAX TAKE

Even without an income tax surcharge, Americans will be paying more in taxes this year than they did last year.

According to Tax Foundation estimates, the total federal, state and local government tax take will be $217 billion in fiscal year 1968 (July 1, 1967 to June 30, 1968). This would be an increase of $10 billion over fiscal 1967.

Federal tax collections are expected to rise to $148 billion in 1968 from $143 billion in 1967. State and local collections will climb from $64 billion to $69 billion.

It all figures out to about $3,550 in taxes for each American family in 1968—up $134 from the previous year and nearly double the amount 10 years ago.

Economic growth of the country explains the rise in federal income. The federal tax rate has remained unchanged since it was cut in that long-ago, halcyon year of 1964. It is on the state level that taxes have both increased in rate and multiplied in scope.

Seven new state income and retail sales taxes, plus 49 increases in existing sales, income, gasoline, cigarette and selected excise taxes were enacted by the several states last year. Thirty states now levy both general sales and income taxes.

On the local level, property taxes supply seven-eighths of county, city and village income.

The Reverend Dr. Martin Luther King, Jr.

HON. ROBERT N. C. NIX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1968

Mr. NIX. Mr. Speaker, 4 days have passed since the profoundly tragic assassination of the Reverend Dr. Martin Luther King, Jr., and the numbing grief still clings to many of us like a cold sweat. The horrified disbelief has not yet diminished. And the tears in our hearts overflow with a bewildering shame.

So many have added their voices of tribute in honor of a memory that can never dim. What is said now is only for a record to be read one day as one more meager contribution to the millions of words that enshrine his greatness.

Dr. King succeeded in doing more than any one man since W. E. B. DuBois to shock the moral consciousness of America out of its complacency about the black man's deprived manhood. Whereas Dr. DuBois used the tools of impassioned scholarship and naked logic, Dr. King summoned the awesome majesty of Christian principles to his side and his utensils were an eloquence of voice and word rarely heard in this land.

For the first time since the days of Lincoln, America was forced to examine its national guilt, its betrayal of Christian teachings, and its violations of the democratic ethic. The immorality of a way of life that imposed a second-class citizenship on an entire race of people was exposed forcefully by the power of Dr. King's leadership.

Ever since our Founding Fathers added their names to that first document of emancipation, the Declaration of Independence, we have called ourselves a nation of Christians. But who amongst us has had the courage to follow that noble injunction that "whosoever shall smite thee on thy right cheek, turn to him the other also."

Rev. Martin Luther King, Jr., did.

And he held out his hand to all men, black and white, to walk with him in man's procession toward his godself. He could still call upon black men to "love your enemies" and "bless them that curse you." And for white men, who despitefully used him and persecuted him, he prayed for them and did good to them.

This was the ultimate gift of love which one man can give his brother. And Dr. King gave it tenderly and without reservation.

From the heartsore bitterness the assassin's bullet burned in the souls of black men and women that terrible night in Memphis, there has been a massive escalation of violence that, in turn, has done violence to his memory. Unlike many of us who would condemn such barbarism, Reverend King would be the first to seek forgiveness for those who would stain his legacy of love.

So, we must be mindful of the glorious days when the warmth of his words and the steel of his courage forged a lasting link between black and white in the chain of humanity.

Vengeance is not what we seek. Any group can sink to the depths of savage retribution.

What we seek is equality.

What we seek is justice.

What we seek is respect and an acceptance of our membership in the family of man, not as part-time servants, but as full-time shareholders.

These are the essential concepts of what the Reverend Dr. Martin Luther King, Jr., marched, prayed, and died for. And if we here in this Congress of the United States believe we have any responsibility to this Nation to make this magnificent man's life meaningful, then it is the Congress which must bring to our democracy the same quality of excellence Dr. King brought to his own life's work.

Mr. Speaker, unless we move forthrightly on a constructive legislative program, then all of what any of us say in tribute becomes empty rhetoric echoing in the canyons of hypocrisy.

My southern colleagues come to mind as I think of how deeply Reverend King's peaceful martyrdom has touched all of us. The words of that stirring hymn, symbol of this Nation's first war of brother against brother, were the first I recalled after hearing the news of Dr. King's death:

> As He died to make men holy, let us die to make men free.

Dr. King's dream is that we instead live to make men free and in so doing, make certain that His truth will go marching on.

A Challenge to Teachers

HON. JOHN BUCHANAN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1968

Mr. BUCHANAN. Mr. Speaker, as reasonable and respected leaders in their community, teachers have both the opportunity and the responsibility to exercise constructive leadership in politics and government.

In a nation like ours, which has a wonderful heritage of government of the people, by the people, and for the people, the quality of government and the wisdom of decisions made by government leaders depend directly on how many citizens and which citizens participate in politics. If the right kind of people stay out of politics, they leave a clear field for the wrong kind.

Only where citizens, and particularly those in a position of leadership like teachers, actively work for right leadership, responsible decisions on the issues and proper priorities in public policy can government be at its best in our country.

I challenge the teachers of Alabama to be part of the reason our children's needs are met in education and our State's best interest promoted through their constructive participation in the political life of Alabama.

Commissioning of Battleship "New Jersey"

HON. GEORGE W. ANDREWS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1968

Mr. ANDREWS of Alabama. Mr. Speaker, on April 6, it was my pleasure to attend the commissioning of the U.S.S. *New Jersey* at Philadelphia. It was one of the most impressive ceremonies that I have ever had the pleasure of attending and a day which will live long in the memory of those who were present. It was a great day for the U.S. Navy.

The principal speaker was Hon. Paul Ignatius, Secretary of the Navy. Mr. Ignatius has been with the Defense Department for many years, and it has been my privilege to see him frequently on his appearances before the Defense Subcommittee of the Appropriations Committee. I have served on the Navy Subcommittee for 23 years and can say categorically that Mr. Ignatius is the most knowledgeable, dedicated and hard working Navy Secretary who has appeared before the Committee during that time. Mr. Ignatius made a most timely speech at the commissioning ceremonies and I highly recommend that each Member of the Congress read his speech. The commissioning occasion, the ship, the Secretary's speech and the ceremony were most impressive.

The speech follows:

REMARKS BY HON. PAUL R. IGNATIUS, SECRETARY OF THE NAVY, AT THE COMMISSIONING OF THE BATTLESHIP "NEW JERSEY," PHILADELPHIA NAVAL BASE, PHILADELPHIA, PA., APRIL 6, 1968

Admiral Moorer, Admiral Speck, Captain Snyder, Officers and men of this great ship, distinguished guests, ladies and gentlemen:

On this day fifty-one years ago, April the sixth, 1917, the United States brought an end to a century of isolation from foreign affairs, and went to war against Germany.

President Woodrow Wilson, in his address asking the Congress to bring the nation into the great struggle of the first World War, said: ". . . we shall fight for the things which we have always carried nearest our hearts,—for democracy, for the right of those who submit to authority to have a voice in their own Governments, for the rights and liberties of small nations, for a universal dominion of right by such a concert of free peoples as shall bring peace and safety to all nations and make the world itself at last free."

This nation has followed that course, with honor and devotion, applying the richness of its resources and the creativity of its people, sometimes suffering reverses but always persevering, for half a century.

From the outset, our involvement in world political affairs required the maintenance of a powerful naval force.

Fifty years ago, the battleship—though far less impressive and powerful than the ship we put back into commission today—was the symbol of naval power.

In war, her huge naval rifles could sweep enemy fleets from the seas. In peacetime, the arrival of one of these splendid ships, bristling with guns, in a foreign harbor was a symbol of the strength and majesty of the country under whose flag she sailed, and whose purposes she served.

But in recent years, the battleship disappeared from the navies of the world, overshadowed and outreached by aircraft carriers and their supersonic aircraft. Yet today, looking upon her mighty array of 16-inch and 5-inch guns, we cannot but feel the same awe and respect that the earlier battleships inspired in the hearts of all who saw them.

New Jersey, like the other ships of the Navy, is a symbol of the determination of the United States to uphold the principles on which our democracy is founded and which guide our relationships with the other nations of the world. While the circumstances which face us today are in many respects different from those of a half-century ago, our basic objectives are the same. And the need for patience, determination and courage to ensure the fulfillment of our objectives is the same today as it was when President Wilson emphasized their importance in 1917.

Our country is engaged in a limited war, in Southeast Asia, in support of the "rights and liberties of small nations," as President Wilson said, to live in freedom and independence, unmolested by their neighbors and free of fear of domination or attack by other states. We are there, not to conquer but to protect, not to impose our will but to provide security, so that a government that will be representative of the desire of the people to live in safety, according to their own aspirations, can become strong enough to maintain its continuity in a troubled area of the world.

We have returned this great ship to the fleet to help in this effort. When the effort is completed, the ship will be retired to inactive status, as it was after World War II and again after the Korean conflict. Like our nation's objective in Vietnam, this ship's objective is limited—not to widen the war but to bring it to a successful conclusion, not to deepen our involvement but to make our withdrawal possible. Our aim is peace, our objective is the conference table, not the battlefield; and the events of the past weekend have further demonstrated that this ship, the Navy it joins, and the country it serves have no other purpose in Vietnam.

Many of those who served in this ship in former engagements are here today. They can attest from personal experience to the accuracy and efficiency of our naval gunfire in World War II and in Korea. Naval fire support from our cruisers and destroyers in the South China Sea has played an important part in our effort in Vietnam.

New Jersey is scheduled to join these cruisers and destroyers in September of this year, bringing to bear her nine 16-inch guns and her twenty 5-inchers. She has a smaller crew than she carried in earlier days because her mission is more limited than it used to be. Newer and more sophisticated ships and weapons have replaced her guns as a means of defending the Fleet. But her heavy gunfire support of operations on the land is the most effective and accurate in the United States Navy.

First, her range is greater than that of any other ship—enough to allow her to fire an explosive projectile weighing 2,700 pounds from here to Wilmington, Delaware, about 20 miles away.

Second, her gunfire is more accurate. The effectiveness of 16-inch gunfire on most targets at all ranges is over two times greater than that of 8-inch gunfire. And the destructive power of a 16-inch shell is far greater than an 8-inch shell.

She can provide round-the-clock support for troops ashore under almost any weather conditions; can provide it farther inland than the smaller ships; and can pinpoint difficult targets more accurately.

The response of *New Jersey's* officers and crew and of the Philadelphia Naval Shipyard personnel to the challenge of bringing a 45,000-ton ship from the Reserve fleet to battle-ready status has been superb. We have had many requests from former crew members to serve aboard her again. The morale of the crew is excellent; they are ready and determined to do their job. But, their patience, determination and courage must be matched by our own. For neither this battleship nor all the ships of the United States Fleet, nor all our men in uniform, can succeed without the support and understanding of the American people. Our task in Vietnam is complex and demanding, but we must see it through to a satisfactory conclusion. To do otherwise would increase the dangers we face and lead to instabilities greater than those which our present effort is designed to overcome.

We live in an era of disorder and instability. It did not begin with Vietnam and it will not end when peace comes to that unfortunate land. We have attempted, as a nation, to use our military power wisely, not provocatively but with restraint, in order to provide time and to create opportunities for more stable relationships to emerge. Our record has been consistent, effective, and steadfast. The Marshall Plan, the Truman Doctrine, NATO, Korea, the Berlin crisis in 1961, and the Cuban missile crisis in 1962 are examples that come to mind. Our aims today are not unlike those expressed fifty-one years ago by Woodrow Wilson when he said: "We seek no conquest, no dominion. We seek no indemnities for ourselves, no material compensation for the sacrifices we shall freely make. We are but one of the champions of the right of mankind."

Let us then put this ship into commission once again, hopeful that her journey will be brief, but resolved as a nation that our course, like hers, will be steady and unwavering. We salute her Captain and her crew, wish them Godspeed and smooth sailing, and express our confidence that she will be a worthy champion of her country's cause in the difficult days that lie ahead.

Insurance Program Highlights

HON. JOSEPH Y. RESNICK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1968

Mr. RESNICK. Mr. Speaker, throughout my investigation of the American Farm Bureau Federation, I have made a number of charges concerning the incestuous relationship between the AFBF and its insurance companies. And the Farm Bureau has issued press release after press release denying them.

Now, however, in a newspaper published by and directed toward Farm Bureau members, the AFBF is admitting, to those who belong within its "family circle" that my charges are, in fact, true.

In the March 1968, edition of the South Carolina Farmer Roy Putnam, State manager, admits that what I have been saying all along is true—that the Farm Bureau and its insurance companies are one and the same. I intend to bring this admission to the attention of the Internal Revenue Service which is in the process of conducting a full-scale investigation into the financial activities of the organization.

Mr. Speaker, I respectfully place the pertinent material from Mr. Putnam's editorial in the RECORD at this point. I would make only one correction in his statement—I would substitute the words "Farm Bureau officers" for the words "Farm Bureau members." This would be a more accurate description of the Farm Bureau organization and purpose.

The editorial follows:

INSURANCE PROGRAM HIGHLIGHTS

(By Roy Putnam, State manager)

In my opinion, the proper role or objective of our Insurance Program can be simply stated. This objective has been, is, and shall continue to be for the purpose of helping acquire and maintain Farm Bureau Membership.

This objective has been largely attained in the past and can continue in the future if each of us remembers that our Insurance Companies are owned, operated and controlled by Farm Bureau Members for the benefit of Farm Bureau Members. This basic fact is of utmost importance.

Teachers in Politics

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1968

Mr. DINGELL. Mr. Speaker, it is a long and honorable tradition in this country that persons having similar interests join together to pursue their goals within the political arena. Such organized citizen participation in the political process is a major contributing factor to the success of our form of government.

With these facts in mind, I welcome the members of the National Education Association into the great game of politics.

The NEA's Citizenship Committee has designated this weekend, April 5, 6, and 7, as "Teachers-in-Politics Weekend." During those 3 days, NEA members will be meeting throughout the country to participate in political clinics and workshops aimed at acquainting teachers with the issues and providing them with the knowledge of how best to make their views felt.

Teachers have an extremely important role to play in our society. They are the persons who instruct our youth and thereby determine in large measure the quality of our national life. As guardians of the education of the Nation's youth, teachers have a vital interest in improving the quality of education and in insuring that high quality instruction is available to all American children.

As a Member of the House of Representatives, I have taken an active role in the successful legislative drive to expand the Federal role in education. In these efforts, I have worked closely with teachers in my district, both individually and through their representative organizations.

I look forward to continued close cooperation with teachers in achieving our mutual goal of bringing the best possible educational opportunities to the youth of the country.

River Priorities

HON. ROBERT V. DENNEY

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1968

Mr. DENNEY. Mr. Speaker, as my colleagues know, this Congress has taken the steps necessary to bring vitally needed power to Nebraska. However, Nebraskans also realize the difficult fiscal situation that the country faces and the need to set priorities. This need is set forth in an excellent editorial which appeared in the March 25, 1968, issue of the Omaha World-Herald. The editorial reads as follows:

RIVER PRIORITIES

It was good news that bids have been opened on construction of the first segment of the 345-thousand-volt line that would carry Missouri-River produced power between Nebraska and the Dakotas.

A joint bid of two Nebraska firms was listed as the apparent low one.

Hopefully work will begin this year.

Nebraska and the Midlands badly need the line, perhaps desperately need it until new power plants are built and operating.

The line would run from Fort Thompson, S. D., where it will connect with the big dam power generators and with electrical co-operatives, to Grand Island, where it will connect with the Nebraska Public Power System.

It was recommended by the power systems in the Missouri River Basin after the blackout of July, 1966, which darkened Nebraska, Iowa and parts of the Dakotas and Minnesota.

It was realized that there were not enough lines, nor big enough ones, to bring Bureau of Reclamation power in case of an emergency or in case of breakdown of an existing line when summer load demands were excessive. The Bureau markets the power from the dams operated by the Army Corps of Engineers.

Congress appropriated the money for the line, which is expected to be in operation by the summer of 1970 if all goes well.

The President's budget for the year starting July 1 also asks five million dollars for continued construction on the Missouri River navigation channel.

In the face of channel trouble on the lower river between Kansas City, Mo., and the mouth and a construction slowdown because of lack of funds it appears that the completion date for the nine-foot navigation channel will be delayed until 1975.

The Engineers, who are doing the channel work, could use more money and could work faster if they had the money, but the prospect of austerity budgeting makes more funds unlikely.

The upper river between Kansas City, past Omaha, to Sioux City is in better shape. Engineers say that the controlling navigation depth generally is $8\frac{1}{2}$ feet.

One other piece of cheering news: with record amounts of water stored behind the big dams up-river, extra water can be released this summer and next to help the barge operators float past the construction areas below.

The current drive to cut Federal spending may call for new delays in completing the navigation channel. If so, we hope the cities and states affected will accept the disappointment in good spirit. The war effort and the stability of the dollar must come first.

As for priorities on the river, the new power line is unquestionably a more pressing need than improvement in navigation.

It is essential to keep the lights on and to have power for industry, including that part of industry which produces defense materials. The line to Grand Island should proceed without delay.

The Need To Enact the National Veterans Cemeteries Act

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1968

Mr. PEPPER. Mr. Speaker, you are aware of my long interest in providing full burial rights for all of our veterans. This subject has been of prime concern also, of course, to the House Committee on Veterans' Affairs, which has been holding hearings on legislation to improve and strengthen our veterans' burial system, and carry out the recommendations of the U.S. Veterans' Advisory Commission which issued its worthy report after long study.

During the course of these hearings I prepared testimony which I should like to make part of the RECORD today. It is my belief that no subject today is more in need of our prompt consideration than that which would restore the true and intended significance of the time-honored burial benefit to millions of veterans' families. As a supporter of the President's veterans burial program and the sponsor of legislation to carry out the Veterans' Advisory Commission recommendations in this field, I respectfully submit the text of my prepared testimony:

STATEMENT OF THE HONORABLE CLAUDE PEPPER BEFORE THE HOUSE VETERANS' AFFAIRS COMMITTEE ON NATIONAL VETERANS CEMETERIES ACT, APRIL 1, 1968

Mr. Chairman, I speak in support of legislation to create a unified and all-encompassing Veterans Cemeteries Act. The legislation embodies the proposals set forth in the U.S. Advisory Commission Report on Veterans Benefits which would restore the original and true significance of veterans burial rights.

First of those propositions is that the entire Federal cemetery function, with exception of famous monuments and tombs, be assigned to the Veterans Administration.

Second, that, without delay, the Administrator of Veterans Affairs conduct a study on methods of providing burial grounds for all veterans convenient to their homes;

Third, that the Administrator establish uniform criteria for eligibility for burial in the Federal cemetery system;

Fourth, that Arlington National Cemetery be reopened to all eligible veterans;

Fifth, that the burial allowance for veterans be increased to $400, $100 of which shall be reserved for payment toward a gravesite for those not buried in national cemeteries;

Sixth, that the burial allowance not be denied to any veteran because of the existence of any other burial or death benefit, public or private.

I have framed the legislation so that the first provisions regulate operation and maintenance. Here concerned are such diverse and specific matters as keeping of the register and the placement and position of headstones.

The next part is a unification of the presently disorganized rules governing entitlement to burial. The rules now vary according to the locality and administration of the cemetery. For instance, cemeteries at military installations are generally reserved for soldiers who were on active duty at the installation at the time of death. In accordance with the proposition first stated, that all Federal cemeteries with very few exceptions come under the control of the Veterans Administration, any honorably discharged veteran of the Armed Services would be entitled to burial in such cemetery. Eligibility would also accrue to Reserve or National Guard members, and ROTC members who incur death during training exercises. Spouses and minor children would receive the same entitlement. The Administrator would also provide plots for servicemen missing in action. Entitlement would not devolve on veterans guilty of subversive activities. The rules set forth governing the furnishings of head stones are generally the same. The rest of the subchapter relates to such specific matters as: selection of cemetery superintendents from among disabled veterans; entombment in the Arlington Memorial Amphitheater; acquisition of land, provision of approach roads and prohibition of right-of-ways, and the Veterans Administration's control of cemeteries outside the United States.

The next subchapter provides that the Administrator of Veterans Affairs shall undertake a study for acquisition of new land for cemetery space, especially as regards the needs of metropolitan areas, and that the study shall be submitted to the House Veterans Affairs Committee. Also, the sections of this subchapter increase the $250 maximum burial allowance—which surely we would all agree is unrealistic—to $400. If the deceased veteran is not buried in a National Cemetery, the Administrator would reserve one-fourth of that sum to cover expense of purchase of the burial site. The amount of the veteran's estate, or other means for defraying burial expense will not affect entitlement to the allowance and would not reduce it.

As I explained upon introduction of this legislation, four agencies presently control the cemeteries in which veterans may be interred as a matter of right. I believe that a unified control under only one agency would be most efficient. Logic would require, I submit, that this agency be the one created to administer veterans benefits. Acting upon the proposal of my colleagues and my own, recently we placed the legislative jurisdiction of veterans cemeteries all within the House Veterans Affairs Committee. We should act upon the wisdom of our own example and do the same for actual administration and management of the cemeteries which we have done as regards legislation.

The shortage of space in veterans cemeteries is becoming acute. I do not believe that mere acquisition of new land will solve the problem. Land must be acquired which is convenient to communities in which veterans live. In creating new cemeteries we must certainly take into consideration which localities have the largest veteran population of the entire nation. In the same manner, we should not acquiesce to the restriction of burial in Arlington Cemetery. Everyone who has ever borne arms for defense of America has had until now the right to burial there. Let us restore and preserve that right by acquisition of more land adjacent to Arlington. Also, I propose by this measure not only to increase the burial allowance, but to extend it for the first time to servicemen who fall in battle.

The preamble to the U.S. Veterans Advisory Commission's Report, which as I've said, endorses these proposals, states, in the words of President Johnson: "Our government and our people have no greater obligation than to assure that those who have served their country and the cause of freedom will never be forgotten or neglected." By consideration of the problems here addressed, we would act in accordance with that noble sentiment.

Prince Georges County Memorial for Vietnam Heroes Gains Support

HON. HERVEY G. MACHEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1968

Mr. MACHEN. Mr. Speaker, the Prince Georges County detachment of the Marine Corps League has proposed the establishment of a memorial to those American servicemen who have died fighting for our commitment in Vietnam.

This proposal is gaining widespread support and I have strongly endorsed the idea. I feel that it is extremely worthwhile and long overdue. At this point I insert in the CONGRESSIONAL RECORD a newspaper article from the Prince Georges County News of April 4, 1968, describing the project:

VIETNAM VETERANS MEMORIAL EYED BY PRINCE GEORGES MARINE CORPS DETACHMENT

(By Phyllis O'Neil)

"The need for a permanent memorial to honor our fallen Vietnam veterans from Prince Georges County is long overdue," says James E. Merna, commandant of the Prince Georges County Detachment of the Marine Corps League.

For the past couple months, the detachment has been talking about such a memorial. "The league," explains Merna, "would like to make arrangements for the erection of a perpetual memorial in honor and in tribute to those brave and courageous residents of Prince Georges County who lost their lives in connection with the conflict in Vietnam." The County Commissioners, Merna says, have promised to donate the memorial site.

Marine veteran Merna is the originator of the program "Operation Appreciation," a continuing aid and recreational program for all of the U.S. Marines recuperating at Bethesda Naval Hospital from wounds received in Vietnam; to show these deserving Americans, that they have not been forgotten, and that their great personal sacrifices in defense of freedom are appreciated. Since the birth of this program on May 21, 1966, wounded veterans have benefited from 44 outings.

The current undertaking is going to be called "Operation Remembrance."

In a letter to Prince Georges Commission Chairman Gladys N. Spellman, Merna said that according to information he had requested and received from Rep. Hervey G. Machen, D-Md., the latest records of the Department of Defense through last Dec. 31, shows 38 from Prince Georges County have died in Vietnam. Their average age was 21. These servicemen, from all branches of the military, came from 22 cities and towns in the county, including Berwyn Heights, Bladensburg, Greenbelt, Hyattsville, Lanham and Laurel.

The records of the number killed are sent out quarterly by the Department of Defense. The report for the first quarter of 1968 has not yet been received by Merna, but the number killed in Vietnam from Prince Georges is believed to have reached near 50. Through last December 31, 349 servicemen from the state of Maryland have lost their lives in Vietnam.

The proposed memorial to honor fallen Vietnam veterans, although sponsored by the Marine Corps League Detachment, will be for servicemen from all branches of the military.

Merna pointed out to Mrs. Spellman that while the majority of the 38 county servicemen lost their lives in 1966 and 1967, some were killed in action in Vietnam as far back as 1963 and 1964.

Says Merna, "With the construction of such a memorial, Prince Georges County will be one of the very first locales in the nation to so honor its men of the Armed Forces who died in Vietnam."

With some research, the detachment has discovered, says Merna, that of the few existing memorials in Prince Georges County in honor of U.S. fighting men and defenders, most go back quite a few years, most of them to World War I. Two of the more prominent ones are the Memorial in front of the Courthouse in Upper Marlboro, and the American Legion Peace Cross Memorial in Bladensburg. The former is dedicated to "The sons and daughters of Prince Georges County who served their country in the Great War of 1917–1918" while the latter "to the heroes of Prince Georges County, Md., who lost their lives in the Great War 1917–1918 for the liberty of the world."

Each has inscribed thereon the names of the 49 county residents who lost their lives in World War I.

"Exactly 50 years later," explains the spokesman for the detachment, "with our great nation now involved in another conflict in defense of liberty and freedom, it is indeed both appropriate and essential that the memory of those who lost their lives in this present struggle in Vietnam against aggression be perpetuated." Detachment of the Marine Corps League (a national veterans organization of present, retired and former Marines) intends to undertake this community project leading to the construction of such a permanent memorial. A fund drive will be launched shortly to finance its construction.

The purpose of the letter to the commissioners was to inform them of the detachment's plans and to hopefully obtain the Board of County Commissioners' support and approval for the project. It is hoped that the county might be able to set aside a tract of land for the memorial.

Merna says, "I have been contacted by the commissioners' office with regard to the Detachment's program to erect a perpetual memorial in honor of all the county servicemen killed in Vietnam and the commissioners endorse wholeheartedly this project and have promised to donate the land requested for the memorial. Continues Merna, "The County Commissioners want to feature and publicize our memorial project as the highlight of their annual St. George's day observance at the Upper Marlboro Fairgrounds on Friday evening, April 26."

The proposed memorial will be the first in the State of Maryland and one of two in the nation. The first is a "flower garden type" in Springfield, Ore., to honor our Vietnam war victims.

When told of the Memorial program, Mrs. Joseph R. Smallwood of 4910 Whitfield Chapel Rd., Lanham said, "I think it's wonderful." Mrs. Smallwood lost her 23-year-old son, L. Cpl. James Francis Smallwood in Vietnam. Another son, S. Sgt. John Smallwood, is now serving as a paratrooper with the Army in Vietnam.

The Smallwood family erected a flagpole in its front yard in honor of James, and flies the American flag which was draped over his casket on Memorial Day and other appropriate holidays.

Mrs. Smallwood says, "The men deserve a memorial such as the one proposed by the Marine Corps League."

Dr. King's Spirit Can Be Kept Alive

HON. BEN REIFEL

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1968

Mr. REIFEL. Mr. Speaker, South Dakotans have never been troubled with the type of civil rights agitation and discord that has befallen many States in recent years.

South Dakotans believe that a man should be judged upon his character and integrity rather than on the color of his skin or the church he attends. Were it otherwise, I as a member of a minority group—the American Indian—never would have had the opportunity to serve this body.

Living in such a State, it is difficult for many to comprehend the type of conditions which the Reverend Dr. Martin Luther King was trying to correct. Yet, I believe most South Dakotans held a deep respect for what Dr. King was trying to accomplish and particularly for his insistence upon the principle of nonviolence in moving toward those objectives.

One of the finest newspaper tributes to Dr. King that I have seen came from the contributing editor of the Sioux Falls, S. Dak., Argus-Leader, Mr. Fred C. Christopherson.

The editorial follows:

DR. KING'S SPIRIT CAN BE KEPT ALIVE

While Dr. Martin Luther King was alive, he was an articulate and effective spokesman for the Negro. His memory and the nature of his death can be even more instrumental in promoting the welfare of his race if his followers respect his spirit and his attitude.

But it can be the other way if the occasion of his assassination becomes the spark that ignites riots and destruction. In that case, he will have died in vain.

As the record clearly demonstrates, Dr. King warrants deep and earnest respect for all who subscribe to the principle of human equality without regard to creed, color or race. His efforts in this field were extensive and productive. He was constantly at work doing what he believed should be done. But always he sought to stay within the framework of dignity and non-violence. That is one reason why he accomplished so much and why he was so widely accepted as a constructive leader in a humanitarian endeavor.

He was conscious of the risks involved in what he was doing—fully aware that he might be struck down at any moment by an individual with a warped mind, as was President John F. Kennedy. He realized, too, that there was strong organized opposition in some areas to his programs and that this could result in a violent reaction. Such considerations, however, didn't alter his course. He did what he believed should be done and did it very well.

The finest tribute to his memory will be a continuance of his program in the manner he advanced it. That, one may hope, will be the prevailing response.

Veterans' Administration Hospital Expenditures for World War I Veterans for General Medical and Surgical Conditions, 1919-68

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1968

Mr. TEAGUE of Texas. Mr. Speaker, at my request the Department of Medicine and Surgery of the Veterans' Administration has compiled a very interesting report on the amount of funds expended for World War I veterans who have been hospitalized in general medical and surgical hospitals of the Veterans' Administration or its predecessor agency for the period of 1919 to 1968. I am sure that all individuals who have an interest in the welfare of our veterans will be impressed with the statistics which have been compiled under the able direction of Mr. Bernard Kaufman, Reports and Statistics Staff Director, Department of Medicine and Surgery. Under leave to extend my remarks I include the text of this interesting document:

INTRODUCTION

In 1920, there were 4,566,000 World War I veterans in civil life. Between 1920 and 1962, almost $30 billion[1] was expended on these veterans or their dependents for all types of veterans' benefits. During this period there was an average of 3,830,000 living World War I veterans. When this latter number is applied to the amount expended, it results in an average expenditure per veteran of $7,827.

More than 15 percent ($4.5 billion) of the total expended on World War I veterans during this period was expended for their care in Veterans Administration or U.S. Veterans' Bureau hospitals. This amount excludes the cost of: care in non-VA hospitals; outpatient care; domiciliary care; and new construction, major alterations and non-expendable equipment.

This study deals primarily with the expenditures for the World War I veterans for care in VA and predecessor hospitals for medical and surgical conditions for the period 1919 to 1968.

EXPENDITURE FOR HOSPITAL CARE 1918–68

During the fifty year period 1919–1968 more than $15.9 billion was expended for the hospital care of veterans in Veterans Administration or U.S. Veterans' Bureau hospitals. Of this amount, more than 38 percent or $6.1 billion was expended on the World War I veterans. The table below shows the amount expended on World War I veterans by type of patient.

Total	$6, 134, 694, 000
Medical and Surgical	3, 540, 475, 000
Tuberculosis	565, 260, 000
Psychiatric	2, 028, 959, 000

In any year between 1920 and 1943, almost 9 out of every 10 veterans were veterans of World War I. On February 29, 1968 there were 1,808,000 World War I veterans, or less than 7 percent of the veterans in civil life. Yet, almost 28 percent of the VA hospital net operating costs expected for fiscal year 1968 will be expended for the care of World War I veterans.

GENERAL MEDICAL AND SURGICAL CARE

The table attached shows for World War I veterans hospitalized for general medical and surgical conditions in VA and predecessor hospitals, the net operating costs and cost per patient per year, 1919 through 1968. Cost per patient is shown in terms of actual expenditures and expenditures in terms of the Purchasing Power of the Consumer Dollar[2] in 1967 and in 1919—the year immediately following the cessation of hostilities of World War I.

Data on the number of patients per year were derived from the number of days of care and average length of hospital stay. The quotient is the number of discharges. VA experience in calendar year 1966 showed that there were 1.3 discharges per patient in all but psychiatric bed sections. This statistic was applied to the discharges in each year (1919–1968) to obtain number of different patients.

To obtain the net operating costs, the product of patient days and per diem cost were computed. The number of patient days of care was developed from the number of patients remaining on any given day. This day was usually October 31, November 30 or June 30. When the number remaining on these days was not available another day was used. In most instances the hospital per diem costs were available in the Annual Reports.

LIMITATIONS OF THE DATA

The primary source for the data used to develop the table was the Annual Reports of the Veterans Administration and its predecessor, the U.S. Veterans Bureau and other data collected by the Veterans Administration.

The problem associated with obtaining the historical data necessary to develop cost per patient in this study was formidable. The kinds of data required were not in any consistent or convenient form over the fifty year period studied. Relationships applicable to current data were applied freely to past data. It was assumed that the definitions that apply to current data applied equally to the historical data.

The factor discharges per patient for calendar year 1966 was applied over the entire period. An assumption was made that the differences in the average length of stay by age group since 1952 could apply to the average length of stay in the earlier years. These two factors played an important role in determining the number of different patients.

Cost data appears to be reasonably acceptable. In most instances per diem costs were available by type of hospital or patient. When applied to patient days, a close approximation of net operating cost could be obtained.

A word is required about the conversion of the cost data in terms of the purchasing power of the dollar. The data shown adjusts for inflationary factors. They do not fully reflect for the VA hospital system, costs generated by new advances and improved quality in medicine over the years. A 1922 dollar for example was worth almost twice that of a 1967 dollar. However, the per diem cost in 1967 was more than seven times that in 1922 and, when adjusted for the purchasing power of the dollar in 1922, it was more than 3.5 times the per diem cost.

SUMMARY

In spite of the problems encountered in the collection of the data for this study, the total $6.1 billion reported as expended for VA hospital care of the World War I veteran between 1919 and 1968 is reasonably accurate. Conservatively, an additional $2.7 billion will be spent in the next 30 years based on the expected World War I population through the year 2000 and the incidence and cost of such care expected in 1968.

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[1] Historical Statistics of the United States: Colonial Times to 1957, as Amended. U.S. Department of Commerce, Bureau of Census.

[2] U.S. Department of Labor, BLS, (1957–59=$1.00). Base converted to 1967=$1.00 and 1919=$1.00.

The study concentrated on the expenditures for care of general medical and surgical conditions in VA hospitals only. Expenditures for domiciliary and restoree care, nursing home care, outpatient care, psychiatric and tuberculosis care in VA and non-VA facilities; and expenditures for general medical and surgical care provided in non-VA hospitals were not considered. It may be purposeful to examine these factors involving expenditures made on behalf of the World War I veteran at a later date.

WORLD WAR I VETERANS

AVERAGE ANNUAL COST OF GENERAL MEDICAL AND SURGICAL HOSPITALIZATION, VA HOSPITALS, 1919-68

Year	Number of World War I patients	Net operating cost (in thousands)	Cost per patient		
			Actual	1967 dollars	1919 dollars
1919	6,381	$1,095	$172	$332	$172
1920	32,080	5,496	171	284	147
1921	51,798	8,888	172	322	167
1922	44,626	9,488	213	424	219
1923	32,027	8,359	261	509	264
1924	34,867	8,524	244	476	246
1925	18,701	4,728	253	483	250
1926	20,867	4,535	217	412	213
1927	25,066	4,765	190	365	188
1928	27,266	5,028	184	357	186
1929	30,150	5,666	188	365	190
1930	29,032	6,180	213	426	222
1931	43,203	8,963	207	455	236
1932	53,153	10,816	203	495	258
1933	42,631	7,997	188	485	252
1934	49,559	11,890	240	600	312
1935	66,551	15,212	229	556	289
1936	70,830	15,952	225	542	281
1937	78,742	16,775	213	436	256
1938	89,941	17,717	197	465	240
1939	78,767	17,888	227	547	284
1940	84,530	18,662	221	526	272
1941	87,715	20,576	235	533	275
1942	74,438	19,555	263	539	279
1943	62,416	20,278	325	627	325
1944	60,018	$19,507	$325	$618	$309
1945	72,775	19,218	264	488	253
1946	76,236	24,500	321	549	286
1947	65,175	52,060	799	1,191	615
1948	73,939	51,916	702	969	505
1949	92,634	64,848	700	980	504
1950	94,738	69,590	735	1,014	529
1951	105,695	84,342	798	1,021	527
1952	140,293	131,923	940	1,184	611
1953	146,993	138,507	942	1,168	603
1954	145,305	136,966	943	1,160	594
1955	162,905	149,568	918	1,138	588
1956	168,351	168,090	998	1,218	629
1957	143,266	148,692	1,038	1,235	633
1958	139,470	152,941	1,096	1,260	658
1959	130,319	163,146	1,252	1,427	739
1960	138,543	174,054	1,256	1,419	728
1961	148,653	182,467	1,227	1,374	712
1962	142,117	182,597	1,285	1,414	732
1963	142,174	188,868	1,328	1,448	757
1964	140,063	193,131	1,379	1,476	758
1965	131,699	192,983	1,465	1,553	806
1966	105,607	167,423	1,585	1,617	840
1967	104,568	148,762	1,423	1,423	740
1968	109,141	206,343	1,891	1,891	983

Pfc. Kenneth R. Totten, Jr., USMC, Killed in Vietnam

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1968

Mr. OTTINGER. Mr. Speaker, it is my sad duty to report that Pfc. Kenneth R. Totten, Jr., USMC, of Brewster, N.Y., has become my 51st constituent to have lost his life in Vietnam.

I wish to commend the courage of this young man and to honor his memory by inserting herewith, for inclusion in the RECORD, the following article:

[From Patent Trader, Mt. Kisco, N.Y., Apr. 4, 1968]

MARINE KILLED IN VIETNAM

BREWSTER.—Marine PFC Kenneth R. Totten Jr., 18, of Tilly Foster, Brewster, N.Y., was killed by mortar fire Saturday while in action against hostile forces near Quang Tri Province, just below the demilitarized zone, in Vietnam.

The son of Kenneth Sr. and Mary Smith Totten, PFC Totten is the 10th Putnam County man to be killed while in action with United States forces in South Vietnam.

He enlisted in the Marine Corps on February 14, 1967, from Brewster where he had been a resident for two years.

He was born on November 29, 1949, in Mahopac. He had attended schools in Mahopac, Carmel and Brewster. He was a student at Brewster High School until January, 1967.

Besides his parents, he leaves his paternal grandfather, Frank Totten, of Brewster; his maternal grandparents, Mr. and Mrs. Archie Smith, of Tilly Foster; four sisters, Miss Linda Totten, Miss Rhonda Totten and Miss April Joy Totten, all of Tilly Foster and Mrs. Margaret Kenny, of Carmel.

A date for funeral services, with Rev. H. Pierce Simpson, officiating, will be announced by the Cargain Funeral Home, Carmel, as soon as the body is returned to the United States.

Burial, with full military honors, will be in Raymond Hill Cemetery, Carmel.

August Little Soldier, Chairman, Tribal Business Council, Fort Berthold, N. Dak.

HON. THOMAS S. KLEPPE

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1968

Mr. KLEPPE. Mr. Speaker, on Friday, April 5, the Minot Daily News carried a story from August Little Soldier, chairman of the Tribal Business Council at Fort Berthold, N. Dak. I think the attitude of the three affiliated tribes is very notable and should be brought to the attention of all Members:

NEW TOWN.—Indian people from the Fort Berthold Reservation, who might participate in the planned "poor peoples' march" on Washington, D.C., April 22 will not be representing the people of the Three Affiliated Tribes.

August Little Soldier, chairman of the Tribal Business Council at Fort Berthold, issued a statement to The News depicting the Indian peoples' position only a couple of hours before the leader of the planned march on the nation's capitol, Dr. Martin Luther King, was felled by an assassin's bullet in Memphis, Tenn.

Little Soldier said. "It has been brought to the attention of the Three Affiliated Tribes that a march is scheduled for April 22 in Washington, D.C., relative to the deplorable conditions of the poor people, especially the minority groups.

"We are in sympathy with the poor people and think conditions should be changed. We do not think marching on the City of Washington is the proper procedure. This will no doubt lead to nothing more than mob violence.

"The Fort Berthold Indian people need to show by their own efforts, in proving of themselves and if they do, we are sure ample assistance will be made available.

"Any participants in the march from this reservation will not be representing the Indian people of the Three Affiliated Tribes."

The dead civil rights leader has been planning, what he said would be a "non-violent" demonstration in the nation's capitol, since late last fall.

Dr. Martin Luther King

HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1968

Mr. DENT. Mr. Speaker, what died last Thursday night in Memphis was more than a man, more than a spokesman for a just and urgent cause, more than a great national leader. The molten insanity that killed Martin Luther King exploded also in the conscience of America, shattering forever a portion of that delicate and irreplaceable spirit that distinguishes human society from a den of wolves.

We search for meaning in the meaningless. We seek hope in what seems hopeless. We comfort one another and ourselves with the solemn promise that Dr. King's dream will become our own, and that his legacy of firmness and love in the battle for human equality will be taken up by us all.

Eloquent and stirring words have been heard throughout the Nation since last Thursday's tragedy, and I do not belittle the sincerity or convictions of those who spoke them. But words alone are as ephemeral and meaningless as the wind, and as powerless to work lasting good. Unless we seize what may well be our last opportunity to translate words into constructive action, the consequences of our failure will fall not only upon our heads, but upon the Nation as a whole.

Better Housing Opportunities for All

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1968

Mr. PEPPER. Mr. Speaker, as you know the Housing Subcommittee of the House Banking and Currency Committee, has concluded its hearings on the President's proposals for new housing legislation. I strongly support that program and have cosponsored the bill to carry out his recommendations.

During the hearings I was pleased to offer testimony again before the honorable subcommittee which has done so much to provide better housing opportunities for millions of citizens throughout the land. So that these remarks concerning the housing proposals can be made part of the permanent RECORD, I am offering my testimony for inclusion at this point in the CONGRESSIONAL RECORD:

STATEMENT OF THE HONORABLE CLAUDE PEPPER, BEFORE THE SUBCOMMITTEE ON HOUSING OF THE HOUSE COMMITTEE ON BANKING AND CURRENCY, REGARDING THE HOUSING AND URBAN DEVELOPMENT ACT OF 1968 AND OTHER HOUSING LEGISLATION, APRIL 4, 1968

Mr. Chairman and Members of the Subcommittee:

I am very happy to have this opportunity to appear today to discuss some of the housing measures being considered by this distinguished Subcommittee. Having served here previously, I know what a large volume of legislation and crowded schedule of witnesses you are confronted with during these hearings. I shall, therefore, attempt to keep my remarks as brief and to the point as possible.

I appeared before this Subcommittee last April in support of three bills, H.R. 6028, H.R. 7245, and H.R. 8620, which I had introduced during the last session. These bills are still pending before this committee, and I would like to stress again my belief that they would be very useful pieces of legislation and deserve careful consideration and favorable report by this Subcommittee.

H.R. 6028 is designed to broaden the Open Space Land program to permit assistance for the development of open space land, regardless of the method of acquisition of the land. Under present law, only land acquired specifically under the Open Space Land program is eligible for assistance. This seems unnecessary restriction on the program, and my bill would eliminate it. Section 606 of the Administration's Housing and Urban Development bill is designed to strengthen and improve the Open Space Land program, and my proposed amendment is in the same vein. I feel that this extremely valuable program can be made to provide still greater benefits, especially for urban areas, if the program incorporates the changes proposed by the Administration and by my proposed amendment.

The basic provisions of my second bill, H.R. 7245, have been included in Section 208 of H.R. 14357, presently pending before this Subcommittee. This bill is identical to S. 2700 reported out by the Senate Banking and Currency Committee last session. Section 208 amends the 701 planning program in a number of desirable ways. Among the proposed changes is one that I feel is particularly important—sufficiently so that I introduced legislation to bring it about last session. My bill, H.R. 7245, and Section 208 of H.R. 14357 would add to the preamble of Section 701 of the Housing Act of 1954 a statement making it clear that the intent of Congress is to permit localities to have the option and discretion of utilizing private planning consultants instead of government employed professional staff, where appropriate. Thus, this amendment would make it clear that the use of private planning consultants would not prevent a locality from receiving Federal financial assistance for planning carried out under the 701 program.

My third bill, H.R. 8620, is designed to amend the Housing Act of 1959 to provide more equitable compensation payments to businesses that are forced to relocate because of urban renewal activities. This bill contains three basic provisions to help accomplish this objective: (1) the elimination of the restriction that relocation payments may be made only to businesses earning less than $10,000 per year; (2) an increase in the maximum payable relocation benefits to a more equitable level than at present; and (3) the provision of fair compensation to businesses that are injured by the displacement of their customers by urban renewal. This three-pronged approach should provide a workable means of helping to solve some of the problems of providing just compensation for dislocations resulting from urban renewal activities.

In addition to these specific measures which I have introduced, some of which have been incorporated in more comprehensive bills sponsored by other Members, I also support the objectives of the other provisions of the Administration's Housing and Urban Development bill, H.R. 15624. I have long favored the concept of expanding Federal assistance to promote individual home ownership and I will support whatever programs might be effective in making it possible for our low income families to own their own homes. I am pleased, nevertheless, that the Administration's program recognizes that low income home ownership is no panacea for all of our housing ills. It is necessary that we have substantial programs to provide adequate rental housing in our large urban areas, where high land costs and population densities make single-family housing uneconomic. We cannot expect everyone to fit into the same pattern of housing or the same pattern of living. It is inevitable, it seems to me, that a very large portion of our new Federally-assisted housing construction will continue to be rental dwellings, multi-unit cooperatives and condominiums, and perhaps new forms of housing designed to meet the needs of all income levels in our society.

I wish to commend this subcommittee for its dedicated efforts to deal with our nation's housing problems with vision, imagination and real concern for the better housing of the American people. I believe the measure I have dealt with in this statement will help to continue the progressive efforts of this subcommittee in the housing field.

The "Pueblo": How Long, Mr. President?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1968

Mr. SCHERLE. Mr. Speaker, this is the 77th day the U.S.S. *Pueblo* and her crew have been in North Korean hands.

Lutheran Church in America on Vietnam

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1968

Mr. BROWN of California. Mr. Speaker, long before the recent peace initiatives, many churches and religious communities had called for appropriate action as a step toward bringing the Vietnam tragedy to a conclusion. Among those church bodies was the Lutheran Church in America, which is one of the largest Lutheran communities in the United States. In a resolution on Vietnam, the leaders of the church held it to be "important that every effort be made to bring all parties to the conflict toward a stance of openness and flexibility with a readiness to respond to whatever beginnings of solutions may emerge."

This statement expresses the hope of many Christians at the moment who feel that "the deepening crisis in Vietnam is a cause of grave concern among all men of good will who seek the establishment of peace with justice and freedom."

I wholeheartedly join these and many other voices in our country who hope that the parties to the conflict in Vietnam will be open and flexible "with a readiness to respond to whatever beginnings of solutions may emerge," or have emerged, "toward the establishment of peace with justice and freedom" in Vietnam.

I place the resolution on Vietnam by the Lutheran Church in America, in the RECORD, as follows:

VIETNAM

The deepening crisis in Vietnam is a cause of grave concern among all men of good will who seek the establishment of peace with justice and freedom. Especially troubling are the following aspects of the situation:

1. The rapidly mounting number of dead and wounded on both sides of the conflict;
2. The steady escalation of military commitments in Vietnam and, with it, the increased danger of a full-scale war in Asia;
3. The difficulty in achieving conditions which would make feasible the termination of military action in Vietnam in the near future;
4. The vast destruction of natural and developed resources;
5. The tragic diversion of attention and economic support from the assault upon domestic and world poverty to the growing war effort in Southeast Asia;
6. The turmoil and frustration among the people of South Vietnam in seeking to establish representative self-government.

Christians cannot be content to remain silent in the crisis of conscience that confronts them. They must be true to the conviction which is uniquely their own: that all men, regardless of nationality, politics, or ideology, are equally the object of God's judgment and loving kindness in Jesus Christ.

In facing the present situation in Vietnam, Christians must take cognizance of the fact that simplistic solutions are unrealistic. Attempts to bring easy answers to so complex a set of problems may only complicate them. Neither extended war nor immediate unilateral withdrawal by the United States seems to answer the problem. Continuance of the present limited war seems to be no solution. Consequently, it is important that every effort be made to bring all parties to the conflict toward a stance of openness and flexibility with a readiness to respond to whatever beginninge of solutions may emerge.

In view of the church's universal concern and its awareness that the situation in Vietman defies simplistic solutions, the Lutheran Church in America calls upon its congregations and their members:

1. To engage in intensive study and free discussion of the Vietnam question, bringing to bear Christian insight upon all aspects of this crisis.

2. To pursue such study and discussion while exercising due caution against conclusions which:

a. Assume that ends justify means.

b. Overlook the dangers of the United States acting unilaterally rather than in cooperation with other countries through the effective utilization of international agencies such as the United Nations.

c. Absolutize international conflicts so that one's own position it is seen as totally good, and the enemy's as totally evil.

d. Disregard America's traditional commitments to freedom of expression, and the right of dissent.

e. Ignore or underestimate international communism's declared purposes of aggression, conquest and destruction of freedom.

3. To seek to foster within their communities a climate of political opinion characterized by such openness to new approaches as to foster a corresponding openness on the part of those holding national political office.

4. To stand in compassion and understanding beside those to whom the conduct of national policy is entrusted, to pray for them and to support them, though not uncritically, in their efforts to solve the dilemmas they face.

5. To be especially mindful of the spiritual and moral problems of men called to military service, including those who on grounds of conscience feel that they cannot participate in war.

Finally, the Lutheran Church in America commits itself to:

1. Continued works of mercy, relief, and rehabilitation in Vietnam through Lutheran World Relief; and

2. Joint efforts through the Lutheran World Federation, the National Council of the Churches of Christ in the U.S.A., the World Council of Churches, and particularly with the churches in Asia, in the quest for fuller understanding and possible solutions of the international issues related to Vietnam.

Teachers-in-Politics Weekend

HON. LARRY WINN, JR.

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1968

Mr. WINN. Mr. Speaker, educators throughout the United States are actively engaged in the business of preparing today's youngsters to know the role of an effective citizen in a democratic society. For a teacher to tell youngsters what is essential for citizenship is not enough; he must be a part of the elements of society that make citizenship real, active, and meaningful.

The professional educator in Kansas is rapidly becoming aware of the necessity to be a participant in our political system. Well over 2,000 teachers and administrators are presently active in a political organization known as PACE. The Political Action Committee of Educators has established goals that are designed to improve the level of education, encourage political participation, and to assemble, through research, information that will make the Kansan aware of the need for improvement of the school system of the State.

But involvement in politics with the sole purpose of improving education is not enough. Teachers need to support their political party, campaign for the improvement of governmental effectiveness, and become involved in responsible citizenship.

Partisan classroom politics is not what the teacher should practice. Political participation outside the classroom with genuine practice of the responsible role of citizenship will provide the example that is so important in the education of the youngster for his role in democracy.

The efforts of the National Education Association to establish a Teachers-in-Politics Weekend, April 5 to 7, are to be applauded. Perhaps this recognition of teacher responsibility in the political system will go far to encourage more teachers to become more active citizens.

Citizen Participation in Politics

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1968

Mr. ROGERS of Florida. Mr. Speaker, in order to exercise full citizenship, every individual must be willing to become a politician. Sometimes that word is looked on with scorn or distrust, but the very basis of our system depends on active participation in politics by every citizen.

Today, it is often difficult to choose among the many candidates for different offices. In one county in my own congressional district, there will be eight State representatives, four State senators, 21 judges, two county commissioners, two school board members, three port authority members, two court clerks, a sheriff, tax collector, tax assessor, voting supervisor, State public service commissioner, State attorney, county solicitor, public defender, and of course, the President, U.S. Senator, and U.S. Congressman on the general election ballot. Most of these positions will be contested, so that the voters will be exposed to the various campaigns of some 106 candidates, and even somewhat more in the party primaries. Needless to say, it will be extremely difficult for the individual citizen to make an intelligent choice.

Business and professional, farm, labor, trade, teacher, and other associations can play an important role. These groups have an interest in government, as it affects their particular business, profession, or occupation. It is important that their membership enter into the political process knowledgeable in the ways of politics, and that a number of their members become candidates for public office or work for the election of candidates who think as they do on the issues of the day.

Floridians are daily witnesses to oppression, as hundreds of refugees cross the Florida straits from Castro's Cuba, where free elections and political action are forbidden. Yet, how many Floridians voted in the last election? How many will vote in the primaries and general election this year? Individual and group action can and should be taken to insure full participation by all citizens in the most important part of self-government—the election of qualified candidates to public office.

Senator Percy Speaks Out on the Issues

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1968

Mr. FINDLEY. Mr. Speaker, in the context of the rivalry between the two major parties for command of the most positive and forward-looking solutions to the problems facing our Nation, it is a pleasure to call attention to a contribution of the Republican Party to the Nation's service. Senator CHARLES H. PERCY represents an example of the vitality and fresh thinking of our party as the election year progresses.

An interview with Senator PERCY appears in the April issue of Playboy magazine. This magazine continues a fine public service started with earlier interviews of public figures such as Carl Sandburg, Bishop James Pike, Albert Schweitzer, and Mayor John Lindsay.

The interview was conducted by Allen Otten, political correspondent for the Wall Street Journal and a distinguished member of the Washington press corps. It is very well written and gives very accurate and broad-gage view of a distinguished member of our Illinois delegation.

I include it at this point in the RECORD:

PLAYBOY INTERVIEW WITH CHARLES PERCY: A CANDID CONVERSATION WITH THE NEWSMAKING JUNIOR SENATOR FROM ILLINOIS

(NOTE.—The real-life incarnation of the legendary all-American hero—a poor but honest young man who earns fame and fortune through gumption and stick-to-itiveness—has seldom been more archetypally embodied than in the blue-eyed, clean-jawed person of 48-year-old Charles Harting Percy, the junior Senator from Illinois. From an impoverished boyhood—at one point during the Depression, his family was on relief—he rose before turning 30 to head a major camera company and become a millionaire many times over. In politics, he's zoomed ahead even faster, from fundraising front man in the late Fifties to red-hot Vice-Presidential—or even Presidential—prospect in 1968. Despite his own disclaimers and the fact that he's spent just over a year in his first elective office, politicians, pundits and polsters now uniformly rank Chuck Percy right along with Richard Nixon, George Romney, Nelson Rockefeller and Ronald Reagan in the 1968 sweepstakes. Their reasons are sound: He is abundantly endowed with all the essentials for success in the political big time. These days, for better or for worse, a man's image is powerful political capital; and young, handsome, personable Chuck Percy is every inch the ideal politician—just as his photogenic wife and children look exactly like the proper family. On television, he comes across smoothly; with his deep, resonant voice and pear-shaped articulation, he pours forth thoughtful and polished phrases on almost any topic.

(But Percy is more than mere facade. He reads widely, works diligently from dawn till late at night, thinks fast on his feet and has the business background so highly regarded by much of the American electorate. Liberal Republicans regard him as one of their own; yet conservatives remember that in 1964, unlike many party liberals, he reluctantly but officially backed Barry Goldwater. Thus, any one of the major Presidential contenders, left or right, might well give the nod to Percy as his running mate. And if a convention deadlock for the ticket's top spot should develop, the ensuing search for a mutually acceptable compromise candidate could well add the most successful chapter yet to Chuck Percy's rags-to-riches success story.

(Brought up in northeast Chicago, Percy demonstrated early a singular compulsion to get ahead. At the age of five, he was out selling subscriptions to Country Gentleman and won a plaque for lining up more than any other city salesman in the nation; at eight, he was an area captain, with the largest route in the Chicago region. Then, in rapid succession, Edward Percy lost his job when the bank where he worked as a cashier failed; and he was completely wiped out in the stock market. In order to help the family in its long, difficult struggle to recover, Chuck had to work even harder; he sold still more magazines, marketed the cookies and cakes his mother baked and started a shopping service for women unable to go to the store themselves. Usually busy with several simultaneous jobs throughout high school, by the time he reached college, he had learned the cardinal creed of capitalism: You can make more by using other people's labor and services than by selling your own. At the University of Chicago, where he went on a half scholarship, Percy perfected a cooperative agency that pooled the buying of food, clothes, linen, appliances and the like—at large-volume discounts—for the campus fraternities; by his senior year, his fee for this service was $10,000. He also worked for a group of small colleges seeking potential applicants among area high school graduates; they paid Percy five cents a name for each prospect and ten dollars for each student who actually signed up with one of them. Farming out the work to classmates, he paid them three cents a name and five dollars a sign-up.

(But Percy's big break came when he asked Joseph McNabb, his Christian Science Sunday-school teacher, to hire his in-and-out-of-work father. Head of the small Bell & Howell camera company, McNabb took a liking to the industrious youngster; he found a job for the father and offered another—plus scholarship help— to the son. Percy worked for him during summers and vacations and, after graduation in 1941, was put in charge of a new Bell & Howell division that handled defense contracts. The division expanded rapidly and McNabb saw to it that Percy was on the board of directors by the time he was 23. Kept on as a company officer during his three years in the Navy, he was awarded hefty stock options and was ultimately designated as McNabb's successor. When McNabb died in 1949, Percy became head of the company shortly before his 30th birthday. He did a top-notch job of expanding the company's sales at home and abroad, diversified manufacture into new lines and generally built the corporate image of a responsible, forward-thinking business concern. While most camera manufacturers supported high U.S. tariffs—to keep out German and Japanese competition—Percy preached tariff reductions, arguing that the carrot of U.S. tariff cuts would persuade foreign countries to reduce restrictions on American cameras. (Bell & Howell subsequently acquired sole U.S. distribution rights for Japan's Canon camera company.) His lobbying for this unusual position—along with activity as an Illinois Republican fund raiser—brought him to the attention of President Eisenhower, who decided that Percy should be encouraged in public service and installed him as head of a prestigious Republican Committee on Program and Progress, designed to shape long-range party policy. This position helped push him into the spotlighted job of platform-committee chairman at the 1960 Presidential convention, where he unfortunately got caught in the sharp cross fire between Nixon and Rockefeller forces, found himself in deep water and turned in one of his rare less-than-impressive performances.

(But Percy's taste of political high life had whetted his appetite to run for office—and he typically decided he might as well start at the top. He fixed his sights on the Illinois governorship; but months of arduous campaigning found him running far behind a popular political veteran, then-Illinois Secretary of State Charles Carpentier, for the G.O.P. nomination. Carpentier, however, suddenly suffered a heart attack, pulled out and threw his support to young Percy—who won the nomination and seemed securely aimed toward victory and a brilliant future. But a funny thing happened on his way to Springfield: The National Republican Convention nominated Barry Goldwater for President. Hoping to escape the preconvention infighting between the party's liberal and conservative wings, Percy promised to go along with whatever might be the majority decision of the Illinois delegation. This finally found him uncomfortably and unenthusiastically backing Goldwater in the campaign. Running dismally in Illinois, Goldwater lost by almost 900,000 votes and dragged Percy down with him. Though Goldwater was certainly the crucial factor in Percy's 180,000-vote deficit, the Illinoisan could have done more to help himself; in campaign appearances, he came across stiffly, tried to tightrope walk and often contradicted himself on key issues.

(Only momentarily daunted by the setback, however, Percy soon decided on another bold stroke; rather than wait four more years for another crack at the governorship, he would run for the next major office opening in Illinois—the Senate seat of the respected veteran Democrat, Paul Douglas. Many thought Percy was courting another defeat and, with it, political oblivion; but a warmer and more relaxed Percy waged an intelligent, aggressive campaign. Douglas was hurt by his advanced age, an anti-Democratic white backlash, the Vietnam war, a general Republican tide in the nation—and a second deep personal tragedy for Chuck Percy. His first wife had died only four years after they were married, the victim of an adverse reaction to penicillin after two operations for colitis. Now, in the midst of the Senate campaign, an intruder broke into his suburban-Chicago home and brutally murdered 21-year-old Valerie, one of his twin daughters. The tragedy made more voters view him as a human and sympathetic figure.

(In the Senate, Percy has shown none of the usual freshmen-should-be-seen-but-not-heard reluctance to speak out. He has been sharply critical of U.S. bombing policy and has suggested that the President be required to submit annual reports to Congress outlining the nation's foreign commitments. He sponsored a widely supported bill that would provide funds for slum dwellers to remodel and buy their homes at low down payments and low monthly carrying charges. Ultimately, his persistence forced the Administration to accept a watered-down version of this proposal as part of a housing bill now making its way through Congress. He's also emerged as a leading Senate advocate of more commercial and cultural contracts with Communist nations. Almost immediately upon election, too, he began traveling the speakers' circuit, addressing groups ranging from bank presidents (whom he urged to support his housing plan) to students at Berkeley (where he talked of "changing values" and the need to protect individual privacy). In practically all appearances, he went over predictably big.

(Probably Percy's greatest political handicap is a widely shared feeling among his critics that he's too perfectly drawn, too anxious to please, a little too cute and cautious, a little too ambitious and eager. In December, his eagerness took him to the Vietnam front lines, where he was caught in a mortar attack—and subsequently had to face a domestic barrage of criticism for what many constituents saw, erroneously, as a rash, headline-grabbing act. And about the same time, a brouhaha began to brew over a private fund supplied by friends. Percy quickly explained that for some time, he'd been making up the difference between his Senatorial expenses and his Senatorial salary out of his own pocket and that his benefactors neither expected nor earned any political favors for helping him out. But when his critics continued to express their displeasure over its existence, Percy announced in January that the fund was being dissolved; he returned all the money and asked all the donors to make their names public. Apart from these incidents, Percy's track record to date has been enviable and spotless.

(To keep it that way, Percy organizes his time down to the split second. Perhaps because he travels at almost a dead run to and from the Senate, between committee meetings and between chamber and office, he makes a point of physical fitness; a onetime captain of Chicago's championship water-polo team, he tries to swim daily in the Senate pool. At meetings, he reads and signs correspondence while other people talk, rarely missing anything. Then, from time to time, he puts his letters aside long enough to make his own remarks.

(Percy allocated three large blocks of time for Washington correspondent Alan Otten—capital bureau chief of The Wall Street Journal—to interview him for Playboy in his ground-floor office (once occupied by another ambitious young politicial hopeful, New York's Senator Robert Kennedy) in the New Senate Office Building. One appointment was canceled; Percy had to meet with Treasury Secretary Fowler and Federal Reserve Board Chairman Martin to discuss his housing bill. The second appointment was kept but repeatedly interrupted by dashes to the Senate floor to vote. The final session broke for half an hour while Percy attended a party for Senator Dirksen.

(Each time Percy sat down on the couch in his large corner office to talk to Otten, however, his mind focused completely on the questions, which he answered thoughtfully and fully. Occasionally, his secretary would come in and hand him a written query; he'd shake his head yes or no without even breaking sentence. Only two subjects were put off limits: his preference among the candidates for the Republican Presidential nomination and his chances of winning that nomination himself. That situation, he explained, kept changing so fast that anything he might say for publication could be hopelessly out of date by the time it appeared in print. We began by asking what prompted him to enter such a volatile and uncertain profession.)

PLAYBOY. What made you decide to leave the lucrative and orderly world of business, in which you were obviously very well established, for the unpredictable and not very profitable arena of politics?

PERCY. Well, sometimes I wonder. Some days you have such a series of frustrations—unable to get anything done—that you wonder why you would want to leave a well-ordered, structured life, where you can make a decision and then enforce that decision without the process that we have to go through in government. But it was a gradual weaning away from business that I went through.

When I came back from the War, I started right in on politics with the Republican organization, trying to interest returning veterans in contributing part of their time to politics. From that I went into fund raising, policy writing and platform-committee writing; I backed and supported candidates. But then I had the frustration of seeing the platforms that we wrote not fully enunciated, of backing candidates whose performance was then disappointing, and I realized that the only place I could make a satisfactory contribution, where the factors were more under my control, would be in actually holding public office. I would have no one to blame then but myself if I lost. I had finished 25 years with one company and, having been elected head of that company at an early age, I also felt that it would be fairer to the succeeding management if I let them try their own approach and their own ideas, rather than just hang on until I had my 50-year watch and then retire with a big banquet; I wanted to leave feeling that I still had something to contribute but that I should give the fine men I worked with a chance to proceed on their own.

PLAYBOY. To what extent were you motivated by the feeling that too many people, particularly businessmen, tend to criticize our political system without offering any alternatives or doing something about it themselves?

PERCY. I think there is a great deal of denunciation of bureaucracy and the high cost of government by businessmen but relatively modest involvement on their part—in contrast with the labor leader, who gets right down to the guts of politics. He organizes, he supports, he works at the precinct level and up. The labor leaders know and have learned through the years that they can gain more for labor in the halls of Congress and the state legislative halls than they can on the picket lines.

PLAYBOY. You've finished your first year in elective office. Have you been able to get as much accomplished as you expected?

PERCY. When I came to Washington, I took into consideration the fact that it would be my first time in public office, that I would be a freshman member of the Senate, that I would be a member of the minority party, and I was prepared for the worst. But my Democratic associates have treated me as graciously as my fellow Republicans; and every one of my G.O.P. colleagues in the Senate and 110 members of the House supported the first bill that I put in [the National Home Ownership Opportunities Act—*Ed.*]; I've been told it was the first time in 50 years that a major bill has had the support of every Republican Senator. I was also fortunate, of course, to have as my senior colleague from Illinois Senator Everett Dirksen, who has given me immeasurable help and support in many aspects of my career here. And the committee work that I've done has been equally rewarding. I was assigned to the very committee that I wanted to get on—Banking and Currency—and to its subcommittee on Housing and Urban Affairs, and have been treated extremely fairly by the chairman of that committee, Senator John Sparkman, and by the ranking minority member, Senator Wallace Bennett. So that part of my job has been very satisfying.

PLAYBOY. What about the frustrations you mentioned earlier?

PERCY. Well, the slowness of the legislative process can certainly be frustrating. It's designed to keep any man of evil intent from accomplishing his own designs, but it applies also to men of *good* will, with worthwhile ideas. The resistance to new ideas, ideas that have not been tried and tested, is unbelievable. The forces marshaled to stop the National Home Ownership Opportunities Act, for example, were powerful. There was one day when I was sure the wheels of Government must have stopped, when there were about 30 top officials, from the Housing Department and the Federal Reserve Board and half a dozen other agencies, in one room for the entire day, arguing over just one feature of that bill. When you get to the end of a long legislative session like that and everyone is tired and upset and sometimes angry, everything seems almost to grind to a halt. The system is designed to slow things down and that's just what it does.

PLAYBOY. Any other frustrations?

PERCY. Our staffs are inadequate, too. The staff size for all Senators is geared to some median state. It may be more than adequate for a small state, but it's totally inadequate to deal with the load in a large state like Illinois, one and a half hours away by jet and 60 cents away by phone, where daily papers flood the people with information about issues. And the number of committees you have to serve on here in the Senate is appalling. I have 14 committee and subcommittee assignments. Some of them overlap and you're never able to get your homework done the way you'd like. But despite all these problems and though the work is exhaustively demanding, the challenge and diversity is exhilarating. And you develop a very healthy respect for the quality of the men you work with. I think, even more than I did before, that a United States Senator has the best elective job in the world.

PLAYBOY. Some of the men you work with don't seem to appreciate your eagerness and impatience to get things done. In private conversations, several fellow Republicans have called you too pushy, too much the young man in a hurry. Governor Romney, in fact, was reported to have described you as "an opportunist"; and then when news of this leaked out, he explained that he meant this in a good sense, in the sense of "recognizing the right time to act." But many people feel that the more common and less favorable meaning of the word was intended and is, in fact, completely appropriate. What's your answer?

PERCY. They could well be right. You have a good illustration of my attitude toward my work when I came to the Senate. The tradition is that a new Senator do nothing for the first six months to a year, that he just sit and listen. Under ordinary circumstances, I think this would be a wise thing; but today we're not confronted with ordinary circumstances. We're enmeshed in a tragic war in Vietnam; we've had an eruption in the Middle East; we've had a new crisis in Korea; we've had our cities burning. How can I sit there—one of two Senators from one of our great states—and say to myself, "I'm not going to express opinions; I'm not going to put a bill in; I'm not going to work, because I'm not supposed to." I think a tradition like that makes no sense in today's society, and I'm not going to be so false with myself, my constituents and my colleagues as to sit here and do nothing simply because that's the tradition. It's time to *break* a few of the traditions. When the five or six Senators who are in my class, including Senator Baker, Everett Dirksen's son-in-law, met and had lunch with Senator Dirksen and Senator Mike Mansfield early in our Senate careers, we put this question to them. They said, "Don't ever sit there if you've got something to say and not say it. You have not only a right but an obligation to start to work the day you get here." Well, that's just what we've done.

PLAYBOY. Have your other Senatorial elders taken the same positive attitude toward this disavowal of tradition?

PERCY. Oh, I think they've viewed it in mixed fashion. Though I haven't had any criticism come directly to me, I can well imagine that some does exist. But you can't keep a dynamic institution such as the Congress of the United States exactly the way it was before. The times are simply too critical. There's a lot of work for all of us, and I think every member of the Senate expects us to pick up our share of the load and get about our business.

PLAYBOY. If we might dwell on the subject of opportunism a bit longer: Repeatedly in the late Fifties and the early Sixties, you declared your admiration for Illinois' Senator Paul Douglas as a great political leader and a great humanitarian. And yet you ran against him, beat him, and ended what most people thought was a very noteworthy Senate career. Some critics regarded that as a confirmation of Governor Romney's charge of opportunism. How would you reply?

PERCY. I don't think it was opportunism and I don't think Senator Douglas thought so, either. I called him up during the Christmas holidays in 1965, while he was getting a well-earned rest in Mexico, and I told him I had thought long and hard about this and that 16 party leaders, headed by Senator Dirksen, had asked me to run for the Senate. And I said, "I've decided to go ahead." I expressed my hope for a high-level campaign, based on issues and not on personalities—a hard-fought and clean campaign. He told me, "You have no alternative." He indicated his feeling that the two-party system in Illinois depends upon the G.O.P. putting up the strongest candidate it has. He also expressed the hope that we could have a campaign that would distinguish itself for its high level. I think that we fulfilled that wish to a great extent. Now, I didn't like beating Senator Douglas, because I think he is a fine man and was a fine Senator. But I must say that although I disliked beating him, I'd have like it even less if he had defeated *me*.

PLAYBOY. Well, when you announced your candidacy against Douglas in 1966, you promised you wouldn't make an issue of his advanced age. And yet your campaign posters——

PERCY. I said his age, not his *advanced* age.

PLAYBOY. All right. Yet your campaign posters and literature showed you in an open-necked shirt, looking about 20 years old, above the slogan "A Strong New Voice for Illinois." Wasn't this really making Senator Douglas' age an issue?

PERCY. I don't think so. The slogan "A Strong New Voice for Illinois" meant exactly what it said—a new voice speaking for the state of Illinois; there was no age implication whatsoever intended. And I made a public statement right at the start of the campaign that Senator Douglas later quoted many times, that a man's age in the Senate should not be a determining factor. I said that no man should be qualified simply because he was young or disqualified simply because he wasn't. There was nothing that anyone could specifically point to and say that age had been made a factor in that campaign. Senator Douglas, on the other hand, mentioned it several times; he gave a public statement on the health report that he'd had from his doctor; he was shown and depicted many times swimming. He took every opportunity to demonstrate and prove that he was in good physical condition and alert mentally—all of which I felt was perfectly appropriate for him to do. But one principle in our campaign was that we wouldn't discuss age, and I never did.

PLAYBOY. Whether or not age was an issue in your campaign, your swift rise in politics seems to exemplify a trend toward personable young men in public office. Do you agree with those who feel that these qualities have become essential to political success in the Sixties?

PERCY. As far as youth is concerned, I don't think it's a controlling asset at all. Everett Dirksen is one of the most colorful personalities in public life, one of the most sought-after men by the Washington press and certainly by television. He's a man with many youthful ideas. I've known young people who are old fogies in the way they think, and I've known older men—like Senator Douglas—who have been dynamic and bold in their concepts. But I think Jack Kennedy did do a great deal to advance the cause of young men in politics, just as I hope that I have perhaps given new hope to young men in business that they can be entrusted with the management of a large corporation.

Playboy. Aren't clean-cut, all-American good looks such as yours becoming an equally important political asset in attracting the pivotal bloc of white voters?

Percy. Let's take a few specific personalities: Jack Javits in New York, for instance. I have never known him to claim that his greatest asset was his handsome looks, but he is certainly a tremendously successful politician, and I'm proud to have him as a Republican. On the other hand, of course, you've got John Lindsay, who is the epitome of fine appearance; but his appeal, as I've seen as I have gone around New York, attracts the Negro in Harlem, the Mexican, the Puerto Rican as well as Broadway and Wall Street. As we drove through the streets, people would call out to him. He has associated himself with the hopes and aspirations of the poor rather than just the rich. And I think that Governor Rockefeller in New York has done the same thing, and very, very successfully. He is a dynamic man, with broad voter appeal.

Playboy. On a related theme, many commenators have expressed the view that the political success of such former show-business personalities as Ronald Reagan and George Murphy is attributable almost entirely to their marquee names and attractive TV images. Do you think there's much truth to that?

Percy. Shirley Temple Black is prettier and it didn't work for her. A politician's ability has to be more than skin deep, and I tend to think that television and the press dig rather deeply. A candidate running for public office, where problem solving has to be the primary consideration and responsibility, can cover up with clichés and slogans for just so long, but then he's got to produce. I think that over the long pull, most candidates are going to have to have something more than an image that is appealing and pleasant to the viewer. There isn't any question, though, that television and radio have brought about a change. They require a new asset in a candidate, and it's one of those factors that's now taken into consideration, along with all the other factors. But I hope we'll still be looking for intelligence, perception, depth of reasoning and the ability to recognize problems, conceive alternate solutions and then decide upon and carry out the best solutions. I think in the end that's going to be the only kind of politicians who will really survive—if our society is to survive.

Playboy. Speaking of political survival, a great deal has been written lately about the high cost of serving in public office—particularly in the Congress. Arizona Congressman Morris Udall, in fact, wrote an article on this subject for Playboy last November. Do you feel, as some of your colleagues do, that the mounting burden of expenses for campaigning, Congressional correspondence, official junkets, constituent relations and the like are making it increasingly difficult for men of modest means to enter politics?

Percy. Yes, I do. There are many men for whom this is a far more serious problem than it is for me, but it's becoming increasingly difficult even for men of some means to enter and remain in politics. I'm concerned that personal wealth is rapidly becoming a requirement for office seeking—a requirement never contemplated by the founding fathers. Somehow, we've got to make it possible for the best qualified men and women, rich or poor, to have an equal chance to gain and hold public office.

Playboy. A group of your friends in Illinois recently tried to raise $100,000 to help pay for the extra expenses you incur as a Senator with a large correspondence and much in demand as a speaker around the country. If you're well off personally, why did they think it was necessary?

Percy. They thought it was necessary because the cost of being a Senator from a large state like Illinois far exceeds the allotment provided by the Government. Senate allotments and benefits, so far as office space and staff are concerned, tend to favor Senators from the majority party, from smaller states and those with seniority. I'm from the minority party, from a big state and a freshman. I plowed my entire Senate salary and fees back into office expenses, and during my first 11 months in office, I spent another $40,000 of my own money to do my job the way I thought it should be done—the way I promised during my campaign it would be done. The group of friends you mentioned learned of this, and they felt that public office should not entail such a large financial sacrifice and offered to try to raise some money to help offset part of my expenses.

Playboy. When the fund began to be widely publicized, there was a good deal of speculation that it might be improper, that it might give the contributors some sort of special claim on you. In the wake of this criticism, you asked your friends to call it off. *Was* the fund improper and, if not, why did you change your mind and decide to stop it?

Percy. There was nothing improper about it or I never would have given permission to let them raise the money. Despite the fact that every step was taken to guarantee the full integrity of the fund and its use, there was widespread concern and misunderstanding about it. So I decided that until such time as the Congress has clearly defined a set of rules for activities of this type. I would ask that all the money be returned, and it was.

Playboy. Do you think the Senate should provide larger expense allowances for Senators from big states, or should make it clear that expense funds such as the one your friends were raising are perfectly proper?

Percy. As I just indicated, I would hope that Congress would draw up a set of ground rules for office seekers and officeholders who now operate with inadequate funds and without guidelines.

Playboy. How can other Senators get by without this sort of fund? Isn't much of your extra expense due to the fact that you're being widely discussed as a possible Presidential or Vice-Presidential candidate?

Percy. Let's be realistic. If I wasn't being mentioned that way, the expenses I incur would undoubtedly be somewhat—but not much—lighter. The day I arrived in the Senate, however, bags of mail were piled up outside my door. For months on end, I received 1500 to 2000 letters a day—85 percent from Illinois—plus 200 phone calls a day and 21,000 visitors my first year. Someone had to handle all of this, and I hired the necessary staff to help me do the quality job people had a right to expect of me. The extra cost of research and development expenses for my Home Ownership Opportunities Act amounted to only the cost of six low-cost houses, and yet we ended up with a bill that will help 230,000 families own their own home who could not otherwise. That's a good return on an investment, and I'd do it again.

Playboy. Isn't there the temptation, though, for some members of Congress who find the cost of giving official parties, entertaining constituents, etc., excessively high, to resort to testimonial dinners and other fund-raising functions where the proceeds go to the Congressmen themselves, who might then be unduly obligated?

Percy. Speaking for myself, I've never had to accept a dime that had any string attached. In fact, only once did anyone try to tie a string to a gift; it was a $1,000 contribution to the Republican Party in Illinois when I was finance chairman. I sent it back. As far as other members of Congress go, I don't know what they do. But for the most part, I doubt that you'd find a more honorable group of men and women anywhere in the world than in the United States Senate and the House. But I think a uniform procedure and code of ethics is long overdue, including names of contributors and an audited statement of expenditures. I also favor public disclosure of earned income for legislators and the requirement that a copy of income-tax returns be filed with the Comptroller General of the U.S.

Playboy. You were among the Senators who voted to censure Thomas Dodd for his misuse of campaign funds. Justifiably or not, some critics regarded your subsequent approval of an expense fund for yourself as an example of ethical inconsistency. Do you think that's unfair?

Percy. Yes. There is no parallel at all between the two cases, and I don't see any inconsistency in my position on either. The facts about my expense fund were public knowledge; the money was never intended for personal use and no one has even slightly implied that it ever would have been so used. The only money ever spent for my official additional office expenses was my own. When questions were raised about the propriety of these supplementary monies, however, I asked for all of it to be returned before a penny was spent and requested that the donors make their names public. With respect to the censure of Senator Dodd by the Senate, I'd rather not comment about that. The proceedings and judgment are a matter of public record.

Playboy. Your critics also accuse you of contradicting yourself on a number of other important issues. At one time, for example, you were against fair-employment legislation; now you're for it. You were against open occupancy; now you favor it. You were critical of the Supreme Court's one-man, one-vote ruling; then you supported it. How do you explain these reversals in position?

Percy. I hope I don't have my mind so rigidly set in concrete and my ideas so firmly fixed that I'd refuse to alter a judgment that I had made, after an intensive study of an issue, with new facts, new circumstances, new conditions confronting us. If a person can go through life without making a mistake or having cause to change his mind, I think it's to be admired, but I've never been able to. And when I make a mistake, I want to clearly acknowledge it and announce that I've made a mistake; and if I have to change course, then I do so—without any shame or apologies whatsoever. But the fact that my critics are able to point out only two or three position changes in the course of the 22 years I've been in politics, I think, shows they've had to dig pretty deep to try to come up with some issues.

Let's take each one of those you mentioned. On one-man, one-vote, I think a good case can be made that this is not the only principle of democratic government, and that's the point that I wanted to make originally. We also have a tradition of unrepresentative, nonpopular government—in such institutions as the Electoral College, the Senate of the United States and the Supreme Court. But as I saw the state legislatures change, as I saw each state respond to population changes—with more and more being drawn from the suburbs and the cities, and the rural communities becoming less and less of a dominant factor in the state legislatures—I found those legislatures to be more responsive, creative bodies of government than before. It's for that reason that I became a strong adherent of reapportionment. After I saw 36 states reapportion themselves with far more creative state legislatures than they had before, I became convinced that one-man, one-vote, as it affected state legislatures, was an absolutely proper principle. But that doesn't mean, of course, that I think it should be the principle by which we elect the Senate of the United States; so my initial statement that this is not the only principle of representative government still stands.

As for fair-employment practices, I have always felt that we should have equality of opportunity as a principle of our society, but for a long time I didn't believe it would be necessary as a coercive force in law. I became increasingly disillusioned, however, about the prospects of moving fast enough without it. I recognized that in business we have virtually a monopoly on private employment and that you can't allow a monopoly of that type to discriminate against a person—as it all too often does—simply because of race, color or creed. For that reason, I changed my position as a businessman and I went to the state legislature and fought for a fair-employment-practice law at the state level. I felt it would be better to have the law at the state level, rather than wait for the Federal Government to act. There's no question that these laws have opened doors that never would have been opened otherwise. I had thought we could rely on education and voluntary action, but I was 1000 percent wrong, and I admitted it.

The same process of thought change took place on open housing. I felt initially that this could be done without law, but I became increasingly disillusioned that we would never move fast enough in this field without the moral force of law behind it. So I publicly announced that I had been mistaken before—that the times were changing too rapidly, that we must respond much more quickly to the legitimate needs and aspirations of all our people. Since then, I have fought for open-occupancy legislation.

PLAYBOY. There's no open-occupancy statute in your former home town of Kenilworth. Would you support one?

PERCY. I did.

PLAYBOY. How many Negro families are there now in Kenilworth?

PERCY. We have, I think, 3000 people and we have one Negro family. They moved in four years ago; they've been well received in the community and we've had no problem as a result of it. But I would much prefer to see every village, every city in the state of Illinois, with an ordinance for open occupancy, and I certainly have commended every city recently—Joliet, Elgin, Weston and others—that has come forward with these ordinances. More than half the people in Illinois are now living under such local laws. Progress is being made locally, but it is too slow and too piecemeal. That's why I've been working to pass open-occupancy bills at the state and Federal levels. It will take many years, of course, to bring about freedom of residence in every city and town across the country, even with Federal legislation—just as it has taken years with the various other civil rights laws—but that's no excuse to delay any longer in setting that process into motion.

PLAYBOY. Most of your efforts in the housing area have been directed toward passage of your bill proposing home ownership by lower-income families. This would set up a Government-chartered foundation, backed by Government credit, to provide low-interest loans to unions and other groups that would acquire slum housing, rehabilitate it and sell it to poor families who would pay partly with labor and partly with cash. Even assuming that this would work as well as you think it would, isn't it a rather limited and long-term solution to the problem of urban renewal?

PERCY. Long-term, yes; limited, no. In the past 30 years, America has moved from one third homeowners to two thirds homeowners, but this has happened mainly in areas outside the inner city. In the next decade, we will have to find ways to increase ownership in the city itself, where home ownership is rare and getting rarer, especially in our swelling ghettos. The core cities are soon going to be all black, surrounded by white suburbs, unless we can find a way to make our cities attractive enough to lure white families back in. Just as we have found a way to develop and stabilize the suburbs, we are going to have to find a way to stabilize the cities. This will be an enormous task; but a good beginning, I think, would be to encourage ownership—ownership of business as well as ownership of housing; we've got to help our minority groups become entrepreneurs as well as taxpayers. This is really the foundation of our society—to be somebody, to have something of your own, to make a contribution. Yet millions can't achieve it.

Ownership gives a sense of pride and dignity to people; it helps them integrate into the community. If you're a transient coming into a community with only the thought of getting out of it, you haven't any roots, any stake; you don't care enough. And that feeling of not being wanted or needed is the lack that we find in the city. We have got to find a way to take the rural immigrants from the South and give them the same sort of acclimation to urban living that we gave to the immigrants from Europe when they came and landed at Ellis Island and were brought in by their kinfolk and taken into their community. The Greeks, for instance, went to the Greek Orthodox Church, and they went to the Greek restaurants and were in a community and had folklore enough to cushion them through the adjustment to their new life. There isn't that transition now. We simply assume, as we throw these individuals into urban life, that they are going to adjust somehow. Well, they haven't adjusted. The adjustment is taking place on the street now—and the experience has alienated them, from their roots, from each other and from their new environment.

The whole essence of our homeownership program is to see if we can't democratize the city to the point where you have the same sort of feeling of belonging, the same sense of being an important part of the community in which you live, that middle-income Americans develop in owning their own homes or a condominium or a co-op apartment. They participate; they decide who is going to be living there; they make decisions about their landscaping, their gardening, their improvements, and so forth. I think we have to give the low-income city dweller the same feeling that he has something to say about the immediate environment in which he finds himself. If he has *that* feeling, he will have a feeling of pride and interest in the community—just as in the suburbs when you have your own home, you are immediately interested in the parks, the schools, the village administration, the police department, and the like. You can get Negroes into white communities and whites into Negro communities if everyone is convinced that each fellow will take care of the property, and keep it up, and not throw trash into the yards, and all the rest. We have an area in Chicago where it's about 50 percent Negro and 50 percent white; this neighborhood is stabilized. The one thing they all have in common is their mortgage. And all are concerned with their property and take care of it.

When I went through Bedford-Stuyvesant with John Lindsay, I saw that on blocks that were stable, the homes and businesses that were owned by the people on that block; a block away, where it was unstable, the entire block was transient. There will have to be many, many other changes before we can achieve stability, of course. I'd like to explore, for example, the possibility of Federally subsidized experiments with educational parks in the midst of the cities, model schools that will attract whites as well as Negroes. But we've got to crawl before we can run; before we can undertake such ambitious projects as these, we've got to show that we care enough about those who live in the ghetto to pass such basic legislation as a rat-control bill without bickering over the amount of money necessary to keep their children safe from attack by vermin while they sleep.

PLAYBOY. The rat-control bill calls for a relatively modest $40,000,000 appropriations; but the cost of your home-ownership plan, added to that of all the other urban-renewal and city-beautification bills currently under consideration, would run into billions a year. The Administration claims it's already spending all that can be afforded on such programs without a substantial increase in taxes, as requested by President Johnson. Would you favor raising taxes in order to pay for these projects?

PERCY. Yes, I would—not only to help narrow the gap in our deficit but to symbolize the fact that the Administration has been dead wrong when it has said we can have guns and butter with no sacrifice on anyone's part. Both the war and our urgent domestic programs are going to have to be paid for by the present generation, and one way to do that is within a tax increase. We must also drastically reduce nonessential Federal spending; for instance, I have proposed delaying public-works projects generally, even if they affect Illinois. But I feel also that there are many, many areas of urban redevelopment that private enterprise can be brought into, and I have talked to many labor-union heads and corporation heads about it. I've spent a good deal of time in Chicago, New York, Pittsburgh, Detroit and Los Angeles working on that very thing, seeing how we could interest private enterprise in investing in the cities to a much greater extent than it is right now. If it doesn't invest more in some of these problems today, tomorrow it's not going to have the consumers, the educated employees, the climate for business that we've had in the past.

PLAYBOY. Many urban experts have begun to believe that the basic answer to the ghetto problem is simply to get more income into the hands of ghetto families—with Government-provided jobs or some sort of family allowance, negative income tax or other direct cash payment. Do you think this would be effective?

PERCY. More income alone isn't going to solve anything—we can't just hand people a check and say we've discharged our obligation. I've met and talked with enough slum families to know that a very high proportion of the extra income might go into things that would not exactly be for the enrichment of family life. Much of it would be wasted. A slum family doesn't know how to buy properly at a store. They are frequently overcharged. They don't know how to plan the use of their funds. Just a modest investment in social-welfare work to train people to budget their time, their energy and their funds more intelligently would provide a tremendous return for society.

PLAYBOY. Then you'd put the emphasis on Government services rather than on Government subsidy.

PERCY. Yes, that's right—though it doesn't have to be done only on the Federal level. Again, I think it's an alliance for progress by Federal, state and local government and, to the greatest extent that we can, by private enterprise. In addition to consumer training, of course, we've got to provide incentives for ghetto dwellers to undertake some course of action other than the one they're pursuing. We've got to motivate them to, say, watch television only two hours and go to class three hours, instead of watching TV five hours. In the New Illinois Committee, we pushed adult literacy for minorities, offering the incentives of education and a job. We had no trouble getting classes filled night after night. But it has to be done in a friendly atmosphere. We found it didn't work in a school. That was degrading the adults in the eyes of their children; school was a place where children went, not grownups. So we put the classes in churches; that was fine; that was where adults went anyway. When they finished these courses, we got them jobs. This is the kind of program we've got to undertake on a national scale.

PLAYBOY. Isn't it unrealistic to propose costly new antipoverty projects at a time when many of your Republican colleagues have become so disenchanted with the Administration's War on Poverty that they've suggested abandoning the entire program?

PERCY. I don't think so. But the fact that the director, Sargent Shriver, spends 85 percent of his time in Congressional relations and 15 percent—by his own estimate—helping the poor is certainly symbolic of the fact that Congress is not convinced that this program is well conceived, that the haste with which we went into it was justified and that the promise it offered, which has fallen very short in performance, has been a good thing for the country. I myself feel that, whatever its shortcomings, this kind of effort is badly needed. Though there are many programs that can and must be improved, I think some good has been accomplished. But we must do much more than we have if our cities are to be saved and the promise of a decent life for all our citizens is ever to be fulfilled.

PLAYBOY. Most observers feel that the lack of such legislation and the nonenforcement of civil rights laws now on the books are largely responsible for the riots in many of our big-city ghettos. Do you agree?

PERCY. Yes, I think there's a growing awareness on the part of Negroes and the other minority groups that for all the discussions, all the reports, all the committees, all the laws, all the fine-sounding words, equality of opportunity remains unfulfilled in this country. They went through the period of demonstrations and nothing happened. They paraded for laws and, when they finally got their laws, *still* nothing happened. Year after year, they continue to live in the same despicable conditions. Now, we've had ghettos in American life ever since we've had a country; but in the type of ghetto developed by the immigrants coming in from abroad, they always had the feeling that they were there with a culture, a background, ties that held them to the community. Now we've taken those communities and filled them full of people who don't have the same background, the same cultural ties, the same heritage of family, the same loyalties to one another. Poor whites and Negroes have migrated from the rural South into the alien environment of the urban North in such numbers that society isn't equipped to help them—or those who already live there—adjust to the conditions of their new life. Every night, in their dismal living rooms, they see on installment-plan television sets what the world is like outside the ghetto. Before TV, they really didn't know much about it; but now this world of glamor is poured every night into a tenement slum and all they know is that they can't get their share of what everyone else seems to have *more* than his share of. There isn't any escape from the ghetto—the kind of escape that's been possible for every other immigrant group that's come into the city. They realize that they're locked in—so they want to break out and *grab* what's coming to them. And finally, that's just what many of them do. Their growing frustration has been such that they engage in criminal acts—and that's what they are—that a few years ago they never would have dreamed of committing.

PLAYBOY. What do you think the Federal Government should do to prevent new outbreaks of rioting this summer—and to stop those that do break out?

PERCY. The first thing we have to do is recognize that the frustrations that cause riots don't exist just in the summer; they exist all year long. We've got to find answers to the problem of housing, jobs and education that will last from January first to December 31st; and we've got to start implementing those answers now—on a massive scale. But it's going to take years to undo so many decades of inaction and neglect. For the immediate future, we've got to face the likelihood of more riots—and to equip ourselves to deal with them more effectively than we have. If there's any lesson we learned from last summer's riots in Detroit, it's that the National Guard will have to undergo a great deal more training before we can expect it to cope responsibly with such a disturbance. We've also learned a valuable lesson about riots in general—that a civil disturbance turns into a riot when the looting begins. The moment it becomes apparent that you can go in and grab a television set and a police officer might turn his back and not interfere—as has happened in several cities—that knowledge becomes so widespread so rapidly that the local disorders soon turn into full-scale rioting. We're going to have to have swift, firm and decisive police action with whatever riot-control devices may be necessary to curb these outbreaks in the early stages—with a minimum of bloodshed and property damage—before they escalate out of control. We may find these devices distasteful, but the alternative is anarchy.

Most of our energy, however, must be put into preventing riots rather than quelling them. The hatred and suspicion that exists between the white policeman and the Negro ghetto dweller, for example, which has been the spark that has ignited some of the riots, must somehow be defused.

PLAYBOY. The hostility between white police and ghetto Negroes seems to reflect a larger alienation between white and black throughout the country. Some time ago, a *Chicago Sun-Times* poll of Negro and white racial attitudes concluded that whites were less in favor of integration than they had been a year earlier. According to other polls, whites also feel very strongly that Negroes have to move much more slowly and to "prove" that they are entitled to more. Do you think that this failure to understand the Negro's legitimate needs and aspirations is generally true of white people throughout the country?

PERCY. Yes, I'm afraid I do. And it's not just a problem of general White and Negro attitudes. It's getting more and more difficult for established leaders of the civil rights movement within the white communities to communicate with the new leadership in the Negro community.

PLAYBOY. Why?

PERCY. I guess it's simply the inability of the white person—even a sympathetic civil rights worker—to walk in the shoes of the American Negro. The Negro just can't believe that a white person can ever understand his problems and his handicaps. And when any person feels another person can't understand his problems, it becomes difficult to communicate.

PLAYBOY. What can be done to open the lines of communication?

PERCY. I think it's a two-way street. There has to be a better understanding on the part of the white community that the American Negro is paying a price for centuries of neglect; but this goes hand in hand with an effort to cultivate in the Negro community a better understanding of the responsibilities of citizenship in a free society. It's not a question of just one community solving its problem and then the other community will have its problems automatically solved. Both have to be worked on simultaneously. In the context of dealing specifically with the problem of riots, I think we could take a giant step toward mutual understanding and peaceful coexistence between the races if the militant new Negro leaders would face the fact that they're not going to win freedom now—or ever—with bricks and Molotov cocktails, that the white support they need to win the black revolution can be regained only with nonviolent perseverance. Whites, on the other hand, must be made to understand that it's not "the Negroes" who are wreaking havoc in the streets. Those who foment and participate in riots are a tiny minority of the Negro population. Most Negroes, in fact, fear crime in the streets even more than most whites—and with good reason. More than 80 percent of all crimes are uniracial: that is, perpetrated on Negroes by other Negroes and by whites against other whites. Since the crime rate among Negroes is higher than among whites, this means that the Negro community is suffering more from crime than the white community.

PLAYBOY. As you know, the crime rate among both races has risen markedly, in proportion to population growth, in the past few years, and many law-enforcement officials—Federal and local—blame recent Supreme Court decisions protecting and extending the rights of defendants in criminal cases. Do you agree with that assessment?

PERCY. Yes; I do, to a very large extent—and I think that these decisions have been in force long enough to prove I'm right. In New York City, for instance, the number of murders the police have been able to solve has dropped about five percent since the new regulations went into effect. They're unable to really question adequately someone whom they strongly suspect was deeply involved in a crime. Unquestionably, the new rulings have eliminated certain bad practices that the police themselves engaged in, so that it's not been a totally negative thing; it's brought some improvement. But I think the time has come—without sacrificing sensible safeguards against police malpractice—to move back in the other direction.

PLAYBOY. How far?

PERCY. Far enough to enable law-enforcement agencies to arrest—and, if possible, reverse—the rising spiral of crime. First of all, I think we've got to institute a nationwide program of better police training and education. I think, for instance, that the investigation procedures developed by the FBI are sufficiently superior to those used by many of our state and local agencies that FBI training of state and local officials, and more money put into training, would perhaps help rectify the situation. Secondly, I think we need a program of legislation designed to facilitate the job of responsible but effective law enforcement that the courts, in their zeal for civil liberties, have unintentionally made so difficult. It's for this reason that after a great deal of soul-searching I have cosponsored and put my staff to work with Senator Hruska in developing what I consider to be a sensible wire-tap bill—one permitting the use of wire tapping by law-enforcement officials in the investigation of major crimes but outlawing any kind of wire tapping other than that sanctioned by a Federal court and done under the jurisdiction and authority and regulations of that Federal court. The legal pendulum has swung so far in the direction of individual freedom and liberty that the individual has less freedom or liberty to walk the streets today. Measures like the wire-tap bill will help bring the pendulum back to where we can really operate more effectively against crime. Too much has been done to protect the criminal against society, and not enough to protect society against the criminal.

PLAYBOY. If wire tapping were legalized even with the restrictions you specify, wouldn't there be a danger that the extensive illegal wire tapping now in practice—not only by detective agencies, corporation spies and private citizens but also by many law-enforcement agencies—would continue and perhaps even increase?

PERCY. I think not; because in this bill, we would make it a serious Federal offense to manufacture or transmit any wire-tapping device across state lines to be purchased and used by any individual or company or organization or anyone other than those authorized by a Federal court. We even make it a crime for any local law-enforcement agency to do this without Federal court sanction and supervision. Actually, we stiffen the penalties for private use and make it permissible only under the most stringent types of court control.

PLAYBOY. As documented by Frank Donner in last month's Playboy article *Spies on Campus*, extralegal electronic surveillance has been among the many weapons employed in the mounting campaign of official prosecution and unofficial persecution of those who protest against the Vietnam war. As you know, this trend has been seen by some not only as a concerted attempt to suppress dissent but as an ominous sign of resurgent McCarthyism. Do you think they may be right?

PERCY. We always stand in danger of that, of course, but I doubt if we'll ever get back to the bitterness of the McCarthy period, where you had wholesale resignations from the State Department and other Government offices, and where no one was willing to take a stand on anything that involved any controversy. But I think there has been a good deal of unwarranted condemnation of dissent from the war. And yet, even when the President made his famous "Nervous Nellie" speech, there was enough condemnation of that, too, that the pendulum swung back. And when Robert McNamara went to the campuses to defend the right of dissent in a democratic republic such as ours, I think that helped a great deal; so that I don't see the grave danger that we had during the McCarthy period.

PLAYBOY. Are you concerned about the implications of the Government's indictment of war protesters such as Dr. Spock and William Sloane Coffin for counseling resistance to the draft?

PERCY. I feel that when a charge has been brought, we should leave it to the courts. It's not the American style to try a man ahead of time in the press. Anything officially before a court must be judged in accordance with law, and it is really not proper, particularly for those in the legislative branch, to prejudge a case. Clearly, if the Justice Department believes anyone has broken the law, it has a responsibility to prosecute. Now it's up to the court to decide.

PLAYBOY. Many conservatives have expressed their concern that "Communist influences" are responsible for turning the country's college campuses into hotbeds of protest against the war. Do you share that view?

PERCY. I don't think communism has any more to do with the peace movement than it does with the civil rights movement. It was the young, remember, who were the first to go into the civil rights movement. They were the ones who moved down to Mississippi for voter-registration drives in the summer. They had become disillusioned with the promise of American life for a people for whom they had a deep sense of compassion. They had been struck with the brutality of Little Rock, with the fact that the militia had to be used to protect the safety of a few black children. They saw for the first time—in television films of Southern white police brutalizing helpless women and children—the violence of racial hatred and injustice, and the impact, I think, was very great. Now they have seen what they consider to be the same kind of inhumanity—the mightiest power we can muster raining terror down upon a small nation, forcing a people to submit itself to our will—and they feel ashamed to be associated with it.

PLAYBOY. A number of commentators argue that the Vietnam conflict has somehow polluted the quality of American life today. They report a growing feeling among a large proportion of the public—ranging from uneasiness to the shame you mentioned—that the U.S. shouldn't be involved in the war, and a concomitant decline in national pride. Do you think they're right?

PERCY. I'm afraid I do. You can't have so high a proportion of our young people, so high a proportion of our clergy, so high a proportion of our academic community feel as strongly as it does in condemning what we're doing in Vietnam, and not have an effect on the rest of the country. But this same sense of disenchantment is even more pronounced overseas. No American could travel anywhere in the world today and receive the same feeling from other people that was expressed toward the United States, say, during the time of Eisenhower or Kennedy. In an opinion poll recently taken in western Europe, I think only 2 percent of Western Europeans said that America has achieved greatness under Lyndon Johnson. There is no question that Vietnam is tending to isolate America in terms of world opinion—not only because of our involvement but because we've put our prestige on the line in a conflict that looks increasingly to many people as though it's an unwinnable war. I think the most tragic mistake of this Administration has been its desire to swoop in, take this war over, turn it into an American conflict and promise the American people victory.

PLAYBOY. In order to make the Vietnam conflict less an American venture, you have called for more troops from other countries to fight alongside U.S. troops. But the administration says that it's appealed in vain for such support. How do you propose to persuade sovereign nations to do something that they clearly don't want to do?

PERCY. Well, first of all, I don't think the Administration has tried hard enough. I was disturbed when I heard the statement made by General Taylor and Clark Clifford that they had not asked, on their trip to Southeast Asia last summer, for extra forces and troops from the other Asian countries. It's incredible that this Administration would send two high-level people on a mission and not use it to take a small step toward making this less an American effort and more an Asian effort.

PLAYBOY. What sort of pressures would you propose to put on other Asian countries to get them to join us?

PERCY. I think the President should "reason together" with them. One of the members of the Administration told me, "The reason we can't get them to do it is that politically it's unacceptable back home, back in their home." But I said to him, "When they say that to President Johnson, the President should tell them, 'Our Congress is raising all kinds of hell about it, and so are many others. I said in 1964 and in 1966—and in 1968 they're going to use my words against me—that I was not about to send American boys to do a job that Asian boys should be doing. Time and again, they're going to remind me that I've since sent 478,000 American boys over there. Well, it's time to call a halt; we've gone as far as we're going to. We're not going to send any additional forces. You've got to start sending more of your own boys; we can't fight this war alone.' " I'd say this very strongly to the Japanese, for example. Their constitution keeps them from contributing combat forces, but they have the highest literacy rate in the world; they could help organize schools. They're fine farmers; they could help with the agricultural program. Even General Maxwell Taylor has said that if these problems aren't solved, we can't possibly win the shooting war.

PLAYBOY. Speaking of the shooting war, you have been increasingly critical of U.S. bombing of targets in North Vietnam, but you have also said that you wouldn't halt the bombing without some *quid pro quo* from Hanoi. Yet the Administration says that it has had no indication whatever that Hanoi is willing to give any such *quid pro quo*, and that's why it keeps on bombing. Doesn't your criticism ignore the official facts?

PERCY. What I've said is that we should confine the bombing to supply and infiltration routes. It's been my position—and I've expressed it a hundred times—that the bombing of cities and civilian targets will not weaken the will to resist, which is stated as one of our objectives; it will *strengthen* morale. It will not disunite the country; it will *unite* the country. It will give the North Vietnamese people visible evidence for the belief—however unjustified—that we want to overthrow their government and occupy their country. In any case, with an economy that is only 15 percent dependent upon industry and 85 percent on agriculture, it's impossible for me to conceive that we could destroy their ability to wage war through bombing. The cost-price ratio is so great that I can't see what we're accomplishing by it. So I have long stated that I would limit the bombing to the infiltration and supply routes, and stop bombing population centers, and most certainly stay away from the borders of China. We must stop giving any provocation to China, which for its own reasons may at some point elect to come into this war and need only a provocation such as many of those we have provided in just the recent past.

PLAYBOY. Hanoi indicated in January that it would be willing to undertake negotiations within a few days after the U.S. stops its bombing of the North. As we go to press, the U.S. has not yet responded officially to this offer. If it is accepted, what negotiating terms do you feel would maximize the chances of an armistice?

PERCY. I would agree to negotiate directly with the Viet Cong as well as with the North Vietnamese—which the South Vietnamese have so far refused to consider. Even if the North Vietnamese did sign an armistice with us, the V.C. would carry on anyway, in my judgment; so we've got to deal with them. We've got to offer them assurances not only that they won't be exterminated but that they will have a chance to gain some degree of political support in free elections. You certainly cannot expect them to think that we are making serious negotiating suggestions when we say that six months after you withdraw all of your forces, we will withdraw our forces. It's *their* country, after all. Can you imagine what our reaction would be if Ho Chi Minh said to us, "You draw all your forces out and six months later we will draw ours out"? When we put forward such proposals, is it any wonder that they laugh at us in Hanoi and take it as a further indication of our insincerity? We know from people who have gone in and talked to them that high North Vietnamese officials have said, "How do you expect us to believe the Johnson Administration in its representations to us when most of the people in your own country don't even believe it?"

PLAYBOY. Do you agree with the many correspondents and foreign diplomats who have said that the Administration has rejected peace feelers from Hanoi that might have carried some hope of success?

PERCY. All you can do in a situation like this is to listen to the responsible people who have special knowledge on the subject. In Adlai Stevenson's famous conversation with Eric Sevareid, that belief certainly came through strongly. There was a more recent exchange between the Administration and Harry Ashmore, a vice-president of that wholly disowned subsidiary of the Ford

Foundation [the Center for the Study of Democratic Institutions in Santa Barbara—*Ed.*], that presented the same feeling. Norman Cousins, the distinguished editor of the *Saturday Review*, also holds very strongly to that view and has written long articles about it. But I have no *personal* knowledge of any rejected peace feelers.

Playboy. On your recent fact-finding trip around the world, you certainly acquired firsthand knowledge of the war during your stopover in Vietnam, where you were caught in a Viet Cong mortar attack while inspecting a native village about 70 miles north of Saigon. There have been various versions of just what you were doing there and of what actually took place. Would you care to tell us about it?

Percy. First of all, let me say that this was not an unescorted flight. No one charters a plane in Vietnam and flies all over at will. I had requested to see a refugee camp at Laithieu, a camp set up for displaced Vietnamese whom our military had told to clear out of the area they lived in. I also wanted to see one where the people were refugees as a result of Viet Cong action and particularly interested in Dakson because it had been the scene of a Viet Cong massacre of 255 natives. We took off for Laithieu from Saigon on schedule; and on the way there, I asked the captain of the plane if he could get clearance for us to see Dakson also. He said he'd check while we were inspecting Laithieu; and when we finished there, he told us we had been cleared for Dakson, that we had time to go there and still get back to Saigon for our next appointment.

As far as I knew, Dakson was a secured area. The armed refugee officer with us said he'd taken other groups there. It was broad daylight and there is a huge U.S. military installation just a few kilometers away. We circled the village five or six times and felt quite sure there was no one there. But just the same, when we took the helicopter in, we left Loraine in the helicopter, with the blades going, while five of us went out to see the burned-out areas and some of the bunkers where women and children had been killed.

I was just getting out of one of the bunkers when the first mortar shell hit. I didn't know where the helicopter was, but I started to run toward where I thought it was; apparently I ran in the wrong direction—toward the jungle. Dennis Smith, the refugee official assigned to us, steered me back and we started running and crawling toward where the helicopter had been. It had taken off with my wife as soon as the firing started. Dennis had a M-2 rifle and he passed me a .38-caliber snub-nosed pistol. We took five mortar rounds—though I counted only three, because I was so busy trying to learn how to operate this snub-nosed pistol—and about 15 rounds of ground fire. I don't know whether we were in greater danger from the mortar shells or from me carrying a pistol—or from my garters. I was wearing an old pair of red garters I'd had about 15 years; they were very comfortable. Well, we were running along after the first shell, and when the second came, Dennis Smith yelled, "Flatten," and when we got up then and started running again, the garters came undone and were flapping around. And I said to myself, "You're going to be pretty sorry if you trip over your own garters because you were such a tightwad you wouldn't buy yourself a new pair." So the next time we hit the dust, I ripped them off; for all I know, Ho Chi Minh is wearing them today.

In any case, I never got lower to the ground than I did then. We didn't know where the ground fire was coming from. I didn't realize the accuracy with which they could zero in on us, nor did I realize that we were that visible or that they would really have under observation a village that had been totally wiped out. Anyway, the shooting was over in about five minutes, and then there was deathly silence and we just lay there looking around, trying to figure out where the firing had come from, and waiting.

The helicopter with my wife had gone over to Song Be to alert them; and within 15 or 20 minutes, they had four or five helicopters providing cover for us; and our own helicopter came back and picked us up and left—with us hanging in the open door. It was the most comforting feeling I've ever had, seeing those other whirlybirds hovering around as ours came in.

Playboy. Did you have time to be frightened?

Percy. Oh, sure. There was plenty of time to realize you could get killed. I can assure you I didn't have to do this to get a feel for the war.

Playboy. Congressman Wayne Hays of Ohio charged that the entire incident was staged in order to attract publicity and make you look like a civilian war hero. What was your reaction to that?

Percy. I'd be happy to try to stage one for him sometime, or for anyone else who thinks that. My relationship with Ho Chi Minh just isn't that good.

Playboy. Ho has been president of North Vietnam since 1945. In 1954, President Eisenhower acceded to a request from the Diem regime to assist the South Vietnamese government by sending in a team of military advisors. In retrospect, do you feel that the U.S. was wrong to become involved even to this extent?

Percy. No. I think our first mistake was when Jack Kennedy, after meeting Khrushchev in Vienna, decided to show the Russians that he meant business by gradually escalating our involvement in Vietnam from a few hundred advisors to a military force of more than 15,000 at the time of his death. That took us from a position of being advisors and helpers to the status of semicombatants. I think that was a difference of kind as well as of degree. And the next mistake came when President Johnson sent in a force of 50,000 that soon became a fighting force. I'd be very interested to know whether this decision had the full support of the entire National Security Council. Then we began that intensive bombing of the North after the Gulf of Tonkin incident; I'd like to ge much more certain than I am that the circumstances surrounding the shelling of our two ships were as they were depicted to us; I wonder whether we might not have been wiser to have waited, as the Soviet Union prudently did after we mistakenly bombed *their* ships in Haiphong Harbor, to discuss the circumstances that surrounded that shelling, rather than to have used the incident emotionally to extract from Congress a resolution that was not thoroughly understood, certainly in the implications of unilateral and almost unlimited authority it vested in the President.

Playboy. Are you suggesting that the Tonkin shelling might have been a contrived incident or a pretext to escalate the war?

Percy. No, but I think we reacted much too hastily and rashly in the succeeding months by steadily escalating the war.

Playboy. What do you consider our justification for being in Vietnam at all?

Percy. We've stated so many different purposes and objectives that it's hard to know what our national objective really is. Originally, the Administration argued that our purpose there was to help another people—but now we've moved in and taken over. Then it was to give them the right of self-determination, to ensure them the form of government they wanted—but the arguments outlined recently by Secretary Rusk, and some of the dialog on the Senate floor, indicate that the Administration regards Vietnam as an outpost for the United States in the struggle against China. Maybe it's a combination of all these factors—but it would be nice if some of them coincided.

Playboy. Do you think our present China policy of hard-line exclusion, isolation and nonrecognition is sound?

Percy. As far as exclusion is concerned, I hope that someday China's 800,000,000 people—maybe a billion by then—will be represented in an international organization and will have a voice and will be heard, but not under the conditions they now lay down, such as the expulsion of Nationalist China from the U.N. Even though Taiwan is not a large country, it does have a population much larger than the populations of many member countries in Africa, Asia and the Middle East. Nor can we accede to China's demand that the United States be branded as an aggressor in Korea. Those are conditions that are unacceptable to us. Nor do I really see that we would gain much even by recognition of China; I don't see why we should put an American embassy in Peking for them to use as a target for scorn, why we should put our prestige on the line and have bombs thrown at it and the embassy sacked as the British embassy was. But I think we could take a modest step toward improving relations with China—by removing the breach between us and certain of our allies who now trade with her, by withdrawing from them the implicit threat that they will be considered our enemies as long as they trade with China. We have nothing to gain, and possibly a great deal to lose, by trying to isolate China completely from the rest of the world.

Playboy. Administration spokesmen argue that if we fail to pursue our policy of isolating and containing China, it will export Vietnam-style "people's revolutions" throughout Asia, Africa and Latin America. Do you think the U.S. has the right, even if it has the ability, to police the world as self-appointed protector of the oppressed from Communist subversion

Percy. No I think the line has to be drawn where we see that there is sufficient resolve on the part of the people themselves in any given country to wage an all-out resistance against an aggressor—if it really is an aggressor—and to go only into situations where conditions are stable enough to hold some hope of success, much like the tremendous investment we made in western Europe and its recovery program. We were investing in a known quantity—dealing with people who had a history of stable government, people with a will to work and build themselves back up; that's why our helping hand was sufficient to put them over the top. I think we have to gauge very carefully where an assist from the United States can turn the tide from defeat to victory, and that judgment would be based, in my mind, very much upon the demonstrated ability and desire of the people to help themselves.

If the Communists were to present a real threat in the Philippines, for example, I think we could feel justified in offering our assistance and support; we'd be building on something more solid than we are in Vietnam. The British built on something fairly solid in Malaysia; the Malaysians really tenaciously fought that war with the Communists. I wouldn't be a bit surprised if Thailand would, too, if the threat were to become serious. Years ago, I felt that Thailand would sway whichever way the wind blew, but I've been impressed by its continuing stability and independence. If the Thais can solve their problems with Communist infiltration in northeast Thailand—really go after it aggressively—I think they can ward off trouble with the Chinese. I'm not really convinced, as many people are in this country, that China is in a position to wage a great many massive efforts even in that part of the world. Take Burma, for example. Though it shares a 1200-mile frontier with China, for 17 years the Communist Party has had to remain underground in Burma.

Playboy. Are you as sanguine about the threat of Soviet intervention and subversion in Africa and Latin America?

PERCY. Certainly not sanguine, but the degree of the threat depends on where you're talking about. In Cuba, for example, I think the Russians have had a good object lesson; it's costing them $1,000,000 a day. I think they'd like a way to extract themselves from that situation if they could. And they haven't gotten the return they expected on their investment in the Middle East. They've put two to three billion dollars in there, and I think they're pretty disillusioned about what they've gotten in return. Even with respect to the Aswan Dam, I noticed on the part of the United Arab Republic almost a desire to disassociate itself from the Soviet Union, which leaves the impression that it was almost entirely responsible for the dam's construction. There was a desire to minimize the Soviet role and scoff at it and point out the faults—the lack of spare parts and the broken equipment. So the Russians have run into the same problems with their aid program that we've gotten into with ours.

PLAYBOY. If you feel that Russia and America share some of the same problems, do you agree with those who think that the American and Soviet systems are slowly converging, as the United States becomes progressively more socialistic and the U.S.S.R. more capitalistic?

PERCY. That's a rather oversimplified view, I think, because there is still a vast difference in kind as well as in degree between our two systems. But I was encouraged, when I went through eastern Europe and the Soviet Union in 1966, by the number of questions that came to me about business techniques and management about how the cost system works and how you price your products. They're starting to run their own business more and more in eastern Europe; they're developing more "socialistic incentives." I'm encouraged by that, but it's still a long way from private enterprise. I'm more encouraged by the turnback of small shops and farms in some eastern-European countries to private ownership and management, going away from the collective farms. But I don't think you can really say we're working toward their system and they're working toward ours. We're both simply responding to changing conditions. They're responding because their system doesn't work and it's obvious to them that it doesn't and it's stagnant—but that doesn't mean they're necessarily going to give up and provide freedom of speech and freedom of elections, and so forth. That's a long way off in most of those countries.

PLAYBOY. Do you think the changes in Russia's economic system offer any prospect that it will become less hostile toward the West?

PERCY. What these changes do is shift power gradually; as of now, the political leadership still controls the economy. Just as in this country, we had a quiet revolution when the entrepreneurs and the owners of enterprise—the Mellons and the Morgans—were gradually replaced by professional management. I think the same technological group inside the Communist countries will gradually gain more control over the economy, will realize that the political hacks don't have the comprehension and understanding to run a sophisticated economy. This is really one of the reasons Khrushchev was booted out—and a high-ranking Soviet official told me this himself; he lacked a sophisticated understanding of modern enterprise. He felt you could get people to produce more simply by exhorting them to production.

PLAYBOY. Is there any hope that more economic sophistication in the Soviet Union will make them more sincere believers in peaceful coexistence?

PERCY. Well, as you separate the economy from political control, you begin to put new forces and new pressures to work inside the Soviet Union. They start to divert a percentage of the available raw materials and labor away from space spectaculars and military and anti-ballistic-missile systems toward the production of consumer-type goods. The pressure of the people is already going to work in that direction. I saw Russians stand in Moscow's GUM department store, 15 and 20 deep, waiting to see the display of a wire recorder that was obsolete in this country 20 years ago. I think that kind of pressure, over a period of years, is going to find a responsiveness in the political leadership.

PLAYBOY. Let's discuss the responsiveness of the political leadership in this country. Reflecting the view of those who feel that the Republican Party has lost touch with the people, most public-opinion polls in recent years have shown the G.O.P. becoming a smaller and smaller minority party. Can this trend be reversed?

PERCY. Yes—by making the G.O.P. a more appealing, broadly based party, a party that's attractive for young people because of the excitement of its ideas and its ideals; exciting for ethnic and minority groups because they feel comfortable inside the party; exciting for responsible leadership in the Negro community because they feel that a stronger two-party system will be a way to advance the cause of human rights.

PLAYBOY. That might sound to some like an echo of the Democratic Party program.

PERCY. I think it's the essence of responsibility for a national party to want to become a composite of the ideals and aspirations of the entire country, not just certain economic or social or cultural segments of it.

PLAYBOY. Is there a place for hard-core conservatives in that kind of party?

PERCY. I think there is a place for conservatives in the Republican Party, just as the conservatives of the South have found a place in the Democratic Party.

PLAYBOY. Though your views on law enforcement and fiscal responsibility are decidedly conservative, your position on most public issues—from civil rights to Vietnam—is more liberal than that of many Democrats. Doesn't this place you in conflict with a majority of your own party?

PERCY. I don't think so—not in the deepest sense. I'm a Republican because I believe in the primary thrust and emphasis of our party—which is to strengthen government from the bottom up rather than from the top down. I tend to think that the over-all effort of the Democratic Party has been to place greater faith in Federal Government and centralized authority, and less faith in state and local government.

PLAYBOY. Many moderate and liberal Republicans deplore the fact that you gave your tacit support to the nomination of Barry Goldwater in 1964. How do you reconcile your liberal-leaning philosophy with your failure to oppose him?

PERCY. I made an advance commitment to support whoever might be the nominee favored by a majority of the Illinois delegation. It's as simple as that. If I had it to do over again, I wouldn't have made that commitment. But I did and I felt bound to honor it. I don't think you can begin a public career by breaking a public word that you have given. I supported a man whose integrity and decency I believed in. I didn't agree with many of his views, but at least I knew where he stood. I couldn't vote for a man, Lyndon Johnson, who I felt would say one thing in a campaign and do the opposite after he was elected. That is exactly what happened.

PLAYBOY. Let's ask the question in another form: Do you think the Republican Party should have nominated someone other than Barry Goldwater in 1964?

PERCY. Yes.

PLAYBOY. Would you like to say who?

PERCY. No.

PLAYBOY. Did you vote for Mr. Goldwater?

PERCY. I voted a straight Republican ticket.

PLAYBOY. Rather clearly, Goldwater's poor showing in Illinois helped defeat you in your bid for the governorship. Do you believe that some other Republican Presidential candidate—such as Scranton or Rockefeller—would have helped you win?

PERCY. I lost the governorship because I deserved to lose it. I made certain commitments that I shouldn't have made, and I wasn't as good a candidate as I should have been; I'm rather glad now that I did lose, because I think I learned more in defeat than I would have in victory. And I'm certainly enjoying my work as a Senator.

PLAYBOY. Despite your support for Goldwater and your hard-line views on law and order, you've been the target of a number of highly critical pieces in such conservative journals as the *National Review* and *The New Guard*, a monthly magazine published by the Young Americans for Freedom. How do you account for this conservative hostility?

PERCY. Possibly a lack of understanding on their part of what true conservatism is. Many of them, for instance, are hostile toward me for my espousal of "radical" laws such as state FEPC and open occupancy; but I consider those to be *conservative* measures—measures to conserve American institutions and fulfill the promise of America. I also think it's conservative for us to have enough faith in the free-enterprise system to oppose tariffs imposed abroad on American products or imposed here on products coming in from abroad, and to let the free market run. But that's looked on by some as a liberal interpretation, simply because so many of the economists in this country agree with me on this principle. I also think it's conservative to say we have enough faith in our system that we want to export our ideas, and that the only way to get those ideas across is to be willing to trade in goods. The conservatives—at least those you mentioned—oppose East-West trade because they want to draw the Iron Curtain shut between us and the Communist world and engage in a holy war. But it all boils down to a matter of semantics. Whatever the label—liberal or conservative—none of us is less loyal as an American, though some might cast aspersions in that direction.

PLAYBOY. President Johnson has a reputation as a man who seeks to find a broad consensus of left and right and then shapes his solutions accordingly, rather than one who makes up his own mind and then tries to lead the nation according to the policies he thinks are best. Which do you feel is the proper role for a President?

PERCY. Before he establishes a policy and sets the country on a course, the President has to decide how far ahead of the people he can be. Every President must take into account that he can't get so far ahead that they won't follow him. But the role of any public official is to formulate his own judgment on the major issues and to fight, and fight hard, for the principles for which he stands, even if this sometimes means defeat.

PLAYBOY. There have been almost daily stories for a long time now about the personality of the President: his temper, his love of secrecy, his use of profanity, the way he browbeats his staff and so on. How relevant do you feel his personality is to a judgment of his general performance in office?

PERCY. I think the most important things are his judgment, his capability, his integrity and his qualities of leadership, which must establish a tone and inspire a people. Certainly he's an immensely capable man. He's an exceedingly intelligent man. And he's a hard-working man; no one's ever accused him of being lazy. The problem is that he lacks that intangible ability to inspire people, to give them confidence. The tone of Government has suffered as a result of it and the image of America abroad has suffered, as well as the attitude of the people toward their Government and even toward their country and themselves. Now, this inspirational ability is an important quality in a President. Jack Kennedy had it in his best days, and so did Eisenhower. Even President Truman, who was maligned a great deal, had high moments when he inspired the people with his guts and his determination. But we haven't seen much of that in this President, unfortunately.

PLAYBOY. Whether because of his personality or his policies, or both, Johnson's popularity dropped so drastically a few months ago that some pundits began to speculate that he might decide not to be a candidate for re-election this fall. Though he's since regained a few points in the polls, some still feel that he may not run. On the off-chance that they're right, do you think Hubert Humphrey or Robert Kennedy would be tougher for the Republicans to beat?

PERCY. If the voting level were 18, Bobby Kennedy would be very tough.

PLAYBOY. Only because of his appeal to young people?

PERCY. Not only that, of course—also because of his ability to organize, the experience he's had in running a national campaign, his ability to be concise in his answers to questions, the support he has from an important segment of the academic community and the empathy that would still exist because of the recent tragedy of the death of his brother. There would be many liabilities he'd have to overcome, too, of course.

PLAYBOY. Such as?

PERCY. The greatest is certainly a reputation—perhaps an undeserved reputation, but one he has to live with—for ruthlessness, for using people to serve his purposes. And, of course, he's always being compared with his brother. Maybe some of his liabilities become his very assets. For example, because he is who he is, there is a large group of people who are willing to offer ideas and to help him, and he can sift through them and discard all but the best. He is an extremely good organizer, a man who demands the best performance. So people are going to keep on saying he is ruthless. On balance, though, I would say he is a very formidable factor in American politics, one of the Republican Party is going to have to contend with for quite a number of years. And behind him is Teddy, who possesses many unique qualities of his own. Republicans and the country are not going to be permitted to forget the Kennedy name.

PLAYBOY. Would you say one of Bobby Kennedy's strengths is that he is less closely identified with President Johnson and his policies than Hubert Humphrey would be?

PERCY. It's not clear yet whether Kennedy's disassociation from the President has been identified in the public mind as one of deep conviction or just political expediency. It's not clear, either, whether the presentations that he has made on Vietnam would be acceptable to the general public. But there may be the feeling—and this would also be true if a Republican were elected—that the enemy might be more inclined to negotiate with a new Administration and a new President. Humphrey, able as he is, would offer more of the same; he'd feel honor bound to carry on the same policies as Johnson, because he would owe his allegiance and his nomination to the support Johnson would give him. Bobby Kennedy might offer to the country the hope that a new approach would be taken to solving Vietnam; and for that reason, he would perhaps have an advantage —especially since, by then, an even more compelling desire to end the war would be prevalent throughout the country.

PLAYBOY. If Johnson runs, do you think he can be beaten?

PERCY. Yes, I think he can—if the circumstances in which we find ourselves then are no better than they are now: a continuing Vietnam conflict, a huge deficit, an increase in taxes, lack of national prestige abroad and lack of unity at home. And Johnson's personality is not such as to weld the country together in times of adversity; there is no cause for inspiration, no apparent ability to create a sense of unity or even a feeling of complete confidence and trust.

PLAYBOY. If the President is able to end the war by November—either by winning a military victory or by negotiating a peaceful settlement—do you think the Republicans can still beat him?

PERCY. In either of those events, I would guess that he'd be re-elected—unless the crisis of the cities and the crisis of the economy are so severe that the country is still in turmoil despite our progress in Vietnam. But if the war is still going on, if we have a continuing inconclusive situation—draining not 25 billion dollars but possibly 30 billion dollars a year from us here—if we have a huge deficit, mounting dissension within the country and mounting casualties abroad, I would say he'd have a very difficult time getting re-elected. This is, of course, assuming we offer a progressive alternative program and constructive, credible alternative candidates on the Republican side.

PLAYBOY. If the war is still unsettled in November, do you think the Republicans can win with a candidate such as Governor Reagan or Richard Nixon, both of whom favor a step-up in the bombing?

PERCY. I think the candidate has to present a logical alternative and a course of action that holds promise of being more successful than that of the existing Administration. And I, for one, would not feel that a program of just continuously escalating the military effort holds any promise of bringing about a settlement of this war. I was pleased when Dick Nixon came out against broadening the war and assigned number-one priority to the crisis of our own cities.

PLAYBOY. Despite the public-opinion polls showing Governor Rockefeller running ahead of both Nixon and Reagan, do you think it likely that the Republican convention will nominate him, in view of the deep hostility of so many conservatives in the party toward him for his stand against Goldwater in 1964?

PERCY. I think it depends very much on the mood of the delegates in 1968—whether they will cling to the past and feel that someone should be punished for his conduct of four years ago or whether they will look to the future and decide that their function is to nominate someone who can win. I think we can have the kind of convention that looks toward the future.

PLAYBOY. So you think that Governor Rockefeller is not necessarily ruled out?

PERCY. No, I don't think so at all.

PLAYBOY. How about yourself? In November 1966, right after your election, you said, "I can foresee no circumstances under which I would be expected to do other than be a good United States Senator for the next six years." Do you now foresee any such circumstances?

PERCY. No. I see a sufficient number of candidates in the field who have the capability of being a good candidate and a good president that there would not be any requirement on my part to enter a Presidential campaign.

PLAYBOY. Still, most politicians seem to regard you as a compromise candidate on whom almost everyone in the party could agree if the front-runners fail. Do you think you might come into the Presidential picture that way?

PERCY. I haven't changed my opinion a bit that the best thing I could be doing to fulfill my existing responsibilities is to be a good United States Senator. I am not one to detract from the present by worrying about some future time.

PLAYBOY. When you talk of some future time, are you referring to some time later than 1968?

PERCY. I think the best thing is to live day by day and do well the job you've been given to do. I can't see that the 1968 nomination will go to someone other than a candidate—and I don't intend to be a candidate.

PLAYBOY. Do you agree with the analysis of some commentators that your only real chance for the 1968 Presidential nomination will come if Nixon or Romney knock each other out in the primaries?

PERCY. I don't know about that, but if either man were to go all the way through the primaries and win all of them and were also able to convince the party that, having won the Republican primaries, he also had sufficient appeal to win a general election by attracting the independent and Democratic votes that would be necessary, I think that that candidate will be the nominee. I don't think it's necessarily true that just winning Republican primaries—with the Republican Party being only 26 percent or whatever it is of the total electorate today—guarantees his nomination, let alone the election.

PLAYBOY. Have you considered entering any of the primaries yourself?

PERCY. I have no intention of going into any primaries.

PLAYBOY. Will you sign the affidavit—saying that you are not a Presidential candidate—that's required to take your name off the ballot in Wisconsin, Nebraska and Oregon?

PERCY. If someone put the affidavit in front of me today and said this is the day it has to be signed, I would sign it.

PLAYBOY. This interview will be published in April. Will your answer be the same then?

PERCY. Well, I made one commitment that bound me in the future [his promise to support the candidate favored by a majority of the Illinois delegation in 1964—*Ed.*]. I'm not about to do the same thing again.

PLAYBOY. Without specific regard to 1968 or even 1972—would you like to be President someday?

PERCY. I've heard it said that I've always had a desire to be President, and I've really wondered where that came from. I even heard someone—an anonymous landlady of mine—quoted as saying that I had told her one time that this was my ambition. Well, I can certify that there is no one living or dead who has ever heard me say I wanted to be President of the United States, including any member of my family. I've talked about wanting to be in public life, but even that was only in recent years. Though I've long wanted to go into government, I wasn't sure that it would be the elective route. However, now that I have gone that route—and won—and now that I've begun to be mentioned in some circles as a prospect for national office, I will someday have to give that possibility very sober consideration; for I think it would be irresponsible to simply want to be President of the United States if you didn't have confidence that you could handle the burden of the office. I think you have to develop that sense of confidence as you start working and grappling with the problems of government. I should think that anyone in public life would feel that he might be qualified to solve some of the problems that would be involved in the Presidency—and yet would also feel a profound sense of inadequacy at the enormity of its responsibilities. But I would not know today of any reason that I would shirk those responsibilities if my party and my country should ever ask me to assume higher office. But I do not seek it and I have a sense of immense satisfaction in the work that I'm now doing in the Senate.

PLAYBOY. Could we put that down as a qualified yes?

PERCY. Yes, perhaps that.

PLAYBOY. You've been mentioned as a likely prospect for the Vice-Presidential slot if you don't get the Presidential nomination this year. Would you accept it?

PERCY. I think it would depend to a great extent upon who the Presidential candidate was, and whether I felt that I could perform best for the country and the party as Vice-President or as a Senator.

PLAYBOY. Then you wouldn't foreclose the possibility?

PERCY. No, I wouldn't feel that there'd be any basis by which I had the right now to say it should be accepted or rejected. It would depend entirely upon the circumstances and the conditions.

PLAYBOY. During the primaries in 1960, John Kennedy's Catholicism became a campaign issue when critics expressed their concern that his administrative judgment as President might be prejudiced by his religious persuasion. He said it wouldn't, and it is generally agreed that it wasn't. But if you were to become a nominee for the Presidency, it's likely that the religious issue would be brought up again. Would your commitment as a practicing Christian Scientist influence your attitude toward the allocation of Federal funds for medical research, heart-cancer-stroke centers, Medicare, and the like?

PERCY. Not at all. For 17 years, I've been a trustee of the University of Chicago, which operates one of the greatest medical centers in the country. I've also been a strong advocate of cancer research and heart-disease research. In fact, I support a strong Federal program in these areas, because I think it's much more effective and less expensive to have a central source for much of our research rather than have the 50 states each engage in separate research programs. I've never tried to impose my own religious views upon anyone else. And I've never found the slightest inconsistency in my saying to those who put their total reliance in medicine that they should have the best medical attention, the best medical care, the best doctors they can possibly have.

PLAYBOY. Do you use doctors or medication yourself?

PERCY. I've always gone to a dentist and I have a good eye doctor to whom all the members of the family go regularly. And I have always had physical examinations—for the Navy and for insurance. When I came to the Senate, I went over and met the doctor who is the Senate physician. But I don't take medicines or drugs and have not found it necessary to go to a hospital, though on occasion my wife has. When she broke her ankle, she had it set in the hospital; and when she's had a baby, she's gone to a hospital. But I've never found it necessary to take drugs, and I seem to be surviving in good health.

PLAYBOY. But if you or one of your family became seriously ill, would you consult a doctor?

PERCY. I wouldn't hesitate to, if I weren't able to handle it any other way. But I have never known of a family that faced a critical health crisis, the potential death or loss of a member of the family, that did not resort to prayer as well as to medicine. It's just a matter of to what degree you rely upon prayer—in the first instance or in the last instance. I do it in the first instance.

PLAYBOY. Many Christian Scientists have led local fights against water fluoridation. Do you share their attitude?

PERCY. No, I don't. I feel that the position of the Christian Science Church is wrong in this regard. I don't look on fluoridation as a medical additive; I think it's a mineral additive. I feel that if a community decides—in whatever way it makes its decision, through a city council, through a plebiscite, through the directive of the health authorities—that fluoride should be added to the water, if someone doesn't want to drink the water with the fluoride in it, he can always buy bottled water. But since 99 percent of the people want it and are convinced of its proven beneficial effects, I think they should have it. That's why I've supported fluoridated water through the years, despite the official position of my church.

PLAYBOY. You yourself do not smoke and are reported not to drink anything more than an occasional Dubonnet. Do you serve liquor to your guests or permit them to smoke?

PERCY. Yes, of course. I don't try to impose any of my beliefs upon any of my friends or guests.

PLAYBOY. When you were at Bell & Howell, you reportedly started the morning at home with Bible study. Do you and your family still start your day this way?

PERCY. Yes, we try to. I think you have to take time out for the things you think are important—and not just on Sunday.

PLAYBOY. We realize that this is a painful subject, but has the murder of your daughter Valerie changed the way you and your family live? Do you take any special precautions for their safety?

PERCY. Yes.

PLAYBOY. You've had more than your share of misfortune during your life. Has it made you fatalistic about the future, or have you managed to retain your optimism?

PERCY. No, I'm not fatalistic. I've still got a lot to be thankful for—and a lot worth working for. I don't think my life is really any different from anyone else's life in that sense. Everyone has some success and everyone suffers some setbacks; the peaks and valleys may be deeper as you get into something like politics, but every individual story I've ever known in life has a chapter that has both the good and the bad side to it. Along with everyone else, I've simply had my share of both. Both provide an opportunity and a challenge.

PLAYBOY. You said you feel that there's still a lot worth working for in your lifetime. What do you hope to accomplish?

PERCY. I hope that in the course of my lifetime in politics I can contribute to a restoration of the confidence that the American people have a right to expect in their Government—the Executive branch as well as the Legislative—and the confidence the people of the world have a right to expect in American leadership. All the problems this nation faces—Vietnam, urban renewal, law and order, racial equality, fiscal and monetary responsibility—all are subordinate to the overall question of whether leadership can be restored in America. The nation needs a sense of confidence that we in government have the perception not only to recognize these problems but to shape solutions for them, and the courage to take whatever steps are necessary to bring about these solutions. The only way for a nation to be respected—by itself as well as by the rest of the world—is to be respectable, in thought, action and deed. I hope to contribute to the process of restoring that respectability—and to the revival of America's belief in its own destiny and in itself.

Prince Georges County Firemen and Policemen Owed Debt of Gratitude

HON. HERVEY G. MACHEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1968

Mr. MACHEN. Mr. Speaker, I wish to take this opportunity to commend the volunteer and paid firemen of Prince Georges County for performing above and beyond the call of their duties by helping fight arson and fire in Washington last Friday and Saturday during the height of our crisis.

I have been informed that more than 200 volunteer firemen and others from Prince Georges County assisted the District Fire Department fight a rash of fires under the most deplorable circumstances where bystanders threw rocks, bricks, and bottles in some instances. Certainly these men are the heroes of this conflict and their work should not go unrecognized.

Mr. Speaker, the Prince Georges County Fire Board told me that the following companies had men and equipment in Washington and I would like to mention their names for the public record. They are the Hyattsville, Cottage City, Mount Rainier, Brentwood, Riverdale, Bladensburg, College Park, Berwyn Heights, Tuxedo-Cheverly, Forestville, Clinton, Morningside, West Lanham, Silver Hill, Landover Hills, Beltsville, Allentown Road, Chillum-Adelphi, Greenbelt, Bowie, and Oxon Hill volunteer fire departments. I think that we all owe them a debt of gratitude.

At the same time, I wish to commend the policemen of Prince Georges County who worked long and difficult shifts to prevent the violence and looting from spreading into our county.

All Citizens Must Get Involved

HON. ROBERT V. DENNEY

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1968

Mr. DENNEY. Mr. Speaker, as the pace of modern society quickens so increases the responsibility of citizens to keep informed on the major issues facing our country. One of the best ways to accomplish this is to become actively involved in the political process. In the political arena, group action is more effective than individual action. Therefore, for the individual citizen his most effective vehicle for getting positive results is to join and participate with an organization which has definite goals.

Mr. Speaker, this last weekend was designated by the National Education Association and its constituent State Associations as "Teachers-in-Politics Weekend." It is the NEA belief that through full teacher participation in politics it will allow them to achieve in an orderly fashion the educational benefits that will improve the political climate of communities, States, and our Nation.

Although I am sure teachers would be the first to agree that partisan politics have no place in the classroom, our great Nation needs a strong two-party system to continue to prosper and move forward. The teacher stands in an unique position to develop student interest in politics.

Mr. Speaker, I commend the NEA and its State affiliates for their efforts over this past weekend. By encouraging more people to get involved in the political affairs of our Nation, only one result can occur—better government.

Martin Luther King, Jr.

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1968

Mr. MOORHEAD. Mr. Speaker, not since November 22, 1963, has our Nation been so shocked by a senseless, a mindless, an insane assassination. Dr. Martin Luther King, Jr., symbol of peace and nonviolence, equality and brotherhood among men has been taken from us by violence.

Martin Luther King had a dream for America and as he said, it was "a dream deeply rooted in the American dream."

America should rededicate itself to Martin Luther King's dream. As a symbol of that rededication, I am today introducing a bill which would direct the striking of a medal honoring this great American, Martin Luther King, Jr. and the presentation of this medal to his courageous widow.

I first met Dr. King and heard his eloquence at a Freedom Now rally at Forbes Field in Pittsburgh. In later years and on many occasions I worked with him and the Southern Christian Leadership Conference on civil rights legislation. He became my friend.

I have often marveled at his eloquence but particularly in August of 1963 at the Lincoln Memorial here in Washington. The March on Washington for Jobs and Freedom will live long in the memory of those who participated in it and those who saw so much of it on television. It was, perhaps, the single greatest demonstration of unity for justice that this Nation has seen.

Unquestionably the outstanding event that day was Dr. King's speech, "I Have a Dream." The text of that stirring and prophetic speech follows:

I HAVE A DREAM

(By Martin Luther King, Jr.)

I am happy to join with you today in what will go down in history as the greatest demonstration for freedom in the history of our nation.

Five score years ago, a great American, in whose symbolic shadow we stand today, signed the Emancipation Proclamation. This momentous decree came as the great beacon light of hope for millions of Negro slaves who had been seared in the flames of withering injustice. It came as the joyous daybreak to end the long night of their captivity.

But one hundred years later the Negro still is not free. One hundred years later, the life of the Negro is still badly crippled by the manacles of segregation and the chains of discrimination. One hundred years later, the Negro lives on a lonely island of poverty in the midst of a vast ocean of material prosperity. One hundred years later, the Negro is still languished in the corners of American society and finds himself an exile in his own land. So we have come here today to dramatize the shameful condition.

In a sense we've come to our Nation's Capital to cash a check. When the architects of our republic wrote the magnificent words of the Constitution and the Declaration of Independence, they were signing a promissory note to which every American was to fall heir. This note was a promise that all men, yes, black men as well as white men, should be guaranteed the unalienable rights of life, liberty and the pursuit of happiness.

It is obvious today that America has defaulted on this promissory note insofar as her citizens of color are concerned. Instead of honoring this sacred obligation, America has given the Negro people a bad check, a check which has come back marked "Insufficient Funds." But we refuse to believe the bank of justice is bankrupt. We refuse to believe that there are insufficient funds in the great vaults of opportunity of this nation. So we have come to cash this check, a check that will give us upon demand, the riches of freedom and the security of justice. We have also come to this hallowed spot to remind America of the fierce urgency of now.

This is no time to engage in the luxury of cooling off or to take the tranquilizing drug of gradualism. Now is the time to make real the promises of democracy. Now is the time to rise from the dark and desolate valley of segregation to the sunlit path of racial justice. Now is the time to lift our nation from the quicksands of racial injustice to the solid rock of brotherhood. Now is the time to make justice a reality for all of God's children.

It would be fatal for the nation to overlook the urgency of the moment. This sweltering summer of the Negro's legitimate discontent will not pass until there is an invigorating autumn of freedom and equality. Nineteen sixty-three is not an end but a beginning. Those who hoped that the Negro needed to blow off steam and will now be content will have a rude awakening if the nation returns to business as usual. There will be neither rest nor tranquility in America until the Negro is guaranteed his citizenship rights. The whirlwinds of revolt will continue to shake the foundations of our nation until the bright day of justice emerges.

But there is something I must say to my people who stand on the warm threshold which leads them to the palace of justice. In the process of gaining our rightful place we must not be guilty of wrongful deeds. Let us not seek to satisfy our thirst for freedom by drinking from the cup of bitterness and hatred. We must forever conduct our struggle on the high plane of dignity and discipline. We must not allow our creative protest to degenerate into physical violence. Again and again we must rise to the majestic height of meeting physical force with soul force.

The marvelous new militancy which has engulfed the Negro community must not lead us to a distrust of all white people, for many of our white brothers, as evidenced by their presence here today, have come to realize that their destiny is tied up with our destiny. They have come to realize that their freedom is inextricably bound to our freedom. We cannot walk alone.

And as we walk we must make the pledge that we shall always march ahead. We cannot turn back. There are those who are asking the devotees of civil rights: "When will you be satisfied?" We can never be satisfied as long as our bodies, heavy with the fatigue of travel, cannot gain lodging in the motels of the highways and the hotels of the cities. We cannot be satisfied as long as the Negro's basic mobility is from a smaller ghetto to a larger one. We can never be satisfied as long as our children are stripped of their self-hood and robbed of their dignity by signs stating: "For Whites Only." We cannot be satisfied as long as the Negro in Mississippi cannot vote and the Negro in New York believes he has nothing for which to vote. No, no, we are not satisfied and we will not be satisfied until justice rolls down like the waters and righteousness like a mighty stream.

I am not unmindful that some of you have come here out of great trials and tribulations, some of you have come fresh from narrow jail cells, some of you have come from areas where your quest for freedom left you battered by the storms of persecution and staggered by the winds of police brutality. You have been the veterans of creative suffering. Continue to work with the faith that unearned suffering is redemptive.

Go back to Mississippi, go back to Alabama, go back to South Carolina, go back to Georgia, go back to Louisiana, go back to the slums and ghettos of our northern cities, knowing that somehow this situation can and will be changed. Let us not wallow in the valley of despair.

I say to you today, my friends, even though we face the difficulties of today and tomorrow, I still have a dream. It is a dream deeply rooted in the American dream. I have a dream that one day this nation will rise up and live out the true meaning of its creed: "We hold these truths to be self-evident that all men are created equal."

I have a dream that one day on the red hills of Georgia the sons of former slaves and the sons of former slaveowners will be able to sit down together at the table of brotherhood.

I have a dream that one day even the State of Mississippi, a state sweltering with the heat of injustice, sweltering with the heat of oppression, will be transformed into an oasis of freedom and justice. I have a dream that my four little children will one day live in a nation where they will not be judged by the color of their skin but by the content of their character. I have a dream today.

I have a dream that one day down in Alabama with its vicious racists, with its Governor having his lips dripping with the words of interposition and nullification—one day right there in Alabama, little black boys and black girls will be able to join hands with little white boys and white girls as sisters and brothers.

I have a dream today.

I have a dream that one day every valley shall be exalted, every hill and mountain shall be made low, the rough places will be made plain and the crooked places will be made straight, and the glory of the Lord shall be revealed, and all flesh shall see it together.

This is our hope. This is the faith that I go back to the South with. With this faith we will be able to hew out of the mountain of despair a stone of hope. With this faith we will be able to transform the jangling discords of our nation into a beautiful symphony of brotherhood. With this faith we will be able to work together, to pray together, to struggle together, to go to jail together, to stand up for freedom together, knowing that we will be free one day.

This will be the day when all of God's children will be able to sing with new meaning:

"My country 'tis of thee,
Sweet land of liberty,
Of thee I sing:
Land where my fathers died,
Land of the pilgrims' pride,
From every mountain-side
Let Freedom ring."

And if America is to be a great nation, this must become true. So, let freedom ring from the prodigious hill tops of New Hampshire. Let freedom ring from the mighty mountains of New York. Let freedom ring from the heightening Alleghenies of Pennsylvania. Let freedom ring from the snowcapped Rockies of Colorado. Let freedom ring from the curvaceous slopes of California. But not only that, let freedom ring from Stone Mountain of Georgia.

Let freedom ring from Lookout Mountain of Tennessee.

Let freedom ring from every hill and molehill of Mississippi. From every mountainside, let freedom ring. And when we allow freedom to ring, when we let it ring from every village, from every hamlet, from every state and every city, we will be able to speed up that day when all of God's children, black men and white men, Jews and Gentiles, Protestants and Catholics, will be able to join hands and sing in the words of the old Negro spiritual: "Free at last! free at last! Thank God almighty, we are free at last!"

The apostle of nonviolence has gone. What must we now do? I submit that this Congress must pass the civil rights bill, with the open housing amendment intact, as a memorial to Dr. Martin Luther King. We must not do this, however, because we have been intimidated, cowed, frightened or out of expediency. We must do it because it is the right thing to do; we must do it because it is our responsibility to help make Dr. King's dream come true.

In Bob Dylan's words:

How many roads must a man walk down before he's called a man?
How many seas must a white dove sail before he sleeps in the sand?
How many times must the cannon balls fly before they're forever banned?
How many years can a mountain exist before it's washed in the sea?
How many years can some people exist before they're allowed to be free?
How many times can a man turn his head and pretend he just doesn't see?
How many times must a man look up before he can see the sky?
How many ears must one man have before he can hear people cry?
How many deaths will it take 'til he knows that too many people have died?

Mortar Attack Kills Army Man

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1968

Mr. LONG of Maryland. Mr. Speaker, Capt. Curtis A. Rhodes, a young soldier from Maryland, was killed recently in Vietnam. I wish to commend his bravery and honor his memory by including the following article in the RECORD:

MORTAR ATTACK KILLS ARMY MAN—CAPT. CURTIS RHODES LIVED IN GARRETT COUNTY

Capt. Curtis A. Rhodes, a 26-year-old career Army officer from Swanton, in Garrett County, who volunteered for duty in Vietnam, was killed in a mortar attack Monday in Long Binh, the Defense Department reported yesterday.

His wife, the former Mary Belle Simpson, who lives with their three children in Swanton, said Captain Rhodes had been stationed in Vietnam for 67 days before his death.

Captain Rhodes was killed in an attack early Monday morning on his billet in Long Binh, about 15 miles northeast of Saigon, according to a telegram Mrs. Rhodes received from the Defense Department. He was apparently in bed, perhaps asleep, when the attack occurred at 1:30 A.M., Mrs. Rhodes said.

Born in Swanton, Captain Rhodes met his wife while he was a student in West Virginia. They were married January 25, 1962.

Besides his wife, Captain Rhodes is survived by three sons, Lance E., 5½, Chester A., 4, and John B., 3; his parents, Mr. and Mrs. John C. Rhodes, also of Swanton; a brother, Michael Rhodes, of Mountain Lake Park, Md.; three sisters, Mrs. Orval Teets, of Swanton, Mrs. Charles Hutson, of Federalsburg, Md., Mr. and Mrs. Kenneth Teets, of Norfolk, Va.; and a half-brother, Harry J. Warnick, of Baltimore county.

The Greatness of President Johnson

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1968

Mr. PICKLE. Mr. Speaker—

Lyndon Baines Johnson . . . made one of the great patriotic moves of American history. He sacrificed himself for his nation.

This is the editorial view of the Houston Chronicle. And it is difficult to find fault with this assessment of what must be one of the most courageous acts in the long and honored history of the American Presidency.

As one who has supported many of the President's policies at home and abroad, I believe that President Johnson has always been motivated by one fundamental consideration—the national interest. And I think that those who have doubted this fact, those who accused the administration of dubious partisanship, must now understand that the man in the White House is, in fact, one of the great patriots in American history.

President Johnson's goals today remain unchanged from what they were 4½ years ago when he assumed office. His goals are a strong and united America in a peaceful world.

We can be assured that in the time remaining to him, Lyndon Johnson will do everything in his power to move America ahead toward the realization of these cherished goals.

I insert into the RECORD this timely editorial from the Houston Chronicle:

L. B. J.'S PATRIOTIC SACRIFICE

Lyndon Baines Johnson Sunday night made one of the great patriotic moves of American history.

He sacrificed himself for his nation.

Regardless of what his motives were, he subjugated his own pride and ambition to the welfare of this nation and the world, hopefully to bring peace in Southeast Asia and unity in the United States.

His renunciation of the Democratic nomination for another term as President eliminates the opportunity for his opponents at home and abroad to construe his actions as politicial during the remainder of his term in office.

It lends strong conviction to his bid to Hanoi for peace in Vietnam. He can negotiate for an end to war without there being a suspicion by Hanoi that he was doing it to enhance his reelection chances. His order to stop most of the bombing and de-escalate the war puts his opponents, here and abroad, squarely on the spot. Ho Chi Minh will have difficulty explaining to the world why, if he does not accept the offer to negotiate, that he has declined peace again.

Sens. Eugene McCarthy and Robert F. Kennedy, the presidential aspirants, and Sen. J. William Fulbright, the carping critic, will have to do more now than just oppose Johnson's policies. If they want thinking Americans to pay any attention to them they will have to come up with some answers of their own. It's easy to cirticize, but difficult to construct and commit one-self to specific policies as the President has had to do.

Those who have supported President Johnson's policies in Vietnam, and The Chronicle believes this constitutes a majority of Americans, were pleased that although he sacrificed his own political future to offer to negotiate for peace, he warned Hanoi that the United States "will not accept a fake solution to this long and arduous struggle and call it peace". He added that "if peace does not now come through negotiations, it will come when Hanoi understands that our common resolve is unshakable, and our common strength is invincible". It is this attitude of the President's that The Chronicle has so strongly admired and supported. It is the traditional American attitude; it is the sane course for our own national security.

In making the peace offer, the President omitted our previous requirement that we will not make Hanoi give us assurance in advance that the Communists will not use the de-escalation to build up its own forces. He also pledged that if Hanoi will start moving its forces out of South Vietnam, we will begin to move ours. For those who fear that a negotiated peace now will only end in the Communists taking over South Vietnam, the President built a strong case for the Republic's ability to defend itself. He said South Vietnam has 700,000 men under arms, compared with 600,000 from the United States and other allies, and that another 135,000 are being called up. He said South Vietnam has inducted 48,000 new troops since January, half of them volunteers.

At home, the President threw national politics into chaos. Vice President Hubert Humphrey, with whom the President conferred Sunday morning, is almost certain to seek the nomination. It is generally expected the President will support him.

With Sens. McCarthy and Kennedy already in the race, there are bound to be wide splits in the Democratic party. Other candidates may well come to the fore now that the President has taken himself out of it—and his words sounded very much like he meant them, whether or not there should be moves to draft him.

Those close to the President have known for more than a year that he was weary of the burden and deeply distressed by the war in Vietnam and the disunity at home. They have heard him say that he would like to pass the burden on to fresh shoulders, if he could conscientiously do so with assurance that he was not endangering the nation's welfare. How much the current disunity in the Democratic party affected his immediate decision probably will never be publicly known. The Chronicle does not believe that his stepping out will relieve the disunity in the party; it probably will aggravate it.

The Republican nomination race, which has been virtually conceded to Vice President Richard Nixon, undoubtedly will change complexion. Gov. Nelson Rockefeller no doubt will be urged to reconsider; Gov. Ronald Reagan's supporters will step up their activities; and other hopefuls may emerge.

The biggest impact of the President's decision will be in Texas. Politics in this state, already chaotic, will be pretty wild in the next few weeks. The ramifications are almost impossible to predict at this time.

But one thing is certain—most Texans were proud of their native son Sunday night.

Teachers-in-Politics Weekend

HON. DONALD J. IRWIN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1968

Mr. IRWIN. Mr. Speaker, the National Education Association deserves special commendation for its Teachers-in-Politics Weekend which begins today throughout the country. The Connecticut Education Association plans a statewide meeting tomorrow and the Fairfield County Education Association will also be hosting a clinic for teachers on this subject this weekend.

The political process in this country is one that affects each and every one of us—from the nomination and election of our public officials to their representation of our views in their daily decisions. The active involvement of our teachers in this process is particularly important in view of the great influence they have on our young people, the future political leaders of this country. As our educators well know, example is often the best teacher and the interest and participation of teachers in the governing of the United States can stimulate in our youth, an increasing awareness of their civic responsibilities.

All teachers should be encouraged to exercise their full political rights and it is my hope that this weekend will provide the impetus for enthusiastic and valuable political expression by all our educators.

American Lutheran Church: Equality of Opportunity and Open Housing

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1968

Mr. BROWN of California. Mr. Speaker, the Third General Convention of the American Lutheran Church adopted resolutions on equality of opportunity and open housing as an expression of its conviction and as a stimulus to the thinking and a guide to the actions of pastors, congregations, and individual members of the American Lutheran Church. As citizens of this country, motivated by a commitment to Christian moral principles and political principles of the U.S. Constitution, they express their hope for true justice with these words:

> We desire a land in which Negro and white, Indian and Oriental, Puerto Rican, Latin American, or a person of any other ancestry, may cultivate his abilities, develop his strengths, display his creativity, take pride in his heritage, and win appreciation for his contributions to the common good.

This expression of Christian conscience on the most important domestic moral problem of our society deserves our sincere attention. It is imperative for us as legislators to respond promptly to the moral demands of our society when they reflect nothing more than the Founding Fathers' promise of equal justice for all—a promise which made us great.

Under unanimous consent I place these resolutions in the RECORD at this point:

EQUALITY OF OPPORTUNITY—A CIVIL RIGHT

1. The American Lutheran Church believes firmly that equal opportunity for all is a basic civil right which any government must safeguard. To deny equality of opportunity to any person is to deny the revelation of Scripture, the counsel of reason, and the laws of our nation.

2. The American Lutheran Church therefore reaffirms the convictions it expressed at its 1964 convention, based upon earlier affirmations adopted by it in 1961, and by its predecessor bodies in 1958, principles which are incorporated in its Constitution. "The unique task of the churches," said the 1964 convention, "is to seek to bring the power of the Word, the Sacraments, and the corporate fellowship to bear upon individuals, thereby changing their hearts and lives." It added a conviction we now reaffirm:

"Nevertheless, churches, their members, and their leaders need also to exercise Christian social responsibility. They have the duty to protest against and to act responsibly, beginning in their own communities, to correct those cruelties and injustices which deny basic human freedoms. Christians, both personally and corporately, have the duty to press for and to support measures which insure that all persons, regardless of color, economic position, national origin, or ethnic grouping, have fair and equal access to education, housing, employment, voting, and public accommodations."

3. Both reason and law support these imperatives. By its Constitution the United States—

Guarantees that "the citizens of each state shall be entitled to all privileges and immunities of citizens in the several states";

Assures all persons within its jurisdiction the freedoms and protections of the first ten amendments known as the Bill of Rights;

Confers federal and state citizenship upon all persons born or naturalized in the United States; and

Declares that no state has a right to "abridge the privileges or immunities of citizens of the United States," nor shall any state "deprive any person of life, liberty, or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws."

The American Lutheran Church rejoices that in the providence of God men were moved to write into the law of the land such powerful protections for human freedom and dignity. Our generation must make these civil liberties a living reality experienced equally by each person within the jurisdiction of the United States.

4. As a church concerned for the total well-being of every person, we deplore and condemn the racial hostility and antagonism symbolized in the terms "black power" and "white backlash." Separation, alienation, and rejection along racial lines can become the means by which demonic and alien forces may destroy our nation. We desire a land in which Negro and white, Indian and Oriental, Puerto Rican, Latin American, or person of any other ancestry, may cultivate his abilities, develop his strengths, display his creativity, take pride in his heritage, and win appreciation for his contributions to the common good.

5. We call upon members of The American Lutheran Church to examine honestly and openly before God our attitudes and actions toward our fellowmen of another race. We ask that we examine ourselves as to what we are thinking, saying, and doing to establish the point that all persons are entitled to equal opportunity in the social order. In so far as we as congregations or individual members may be remiss in this obligation, we should seek the Lord's forgiveness.

6. Pastors and congregations need to take vigorous, skillful, and patient measures to build bridges of communication and understanding between alienated segments of our society. We need to heed and act upon cries of distress, evidences of exploitation, discouragement of initiative, and denials of opportunities. Rather than limit our involvement to condemning the demonstrations which bring injustices to public attention we need to ask ourselves why we have been so inattentive to and so tolerant of injustices needing correction. Participating with and within the several power structures of our communities, our pastors, congregations, and members need, in their quest for civic righteousness, to work for a social order in which each person has equality of opportunity to develop his potential and to participate constructively in society.

7. We may differ in our judgments as to which measures or which laws can best guarantee equality of opportunity. Some may argue that conformity cannot be coerced, that it can only be effected by the inner compulsion of the heart. This gives the church two opportunities: (1) through the power of the Holy Spirit to change men's hearts so they will desire to do what is good in the eyes of God, and (2) to win support and respect for laws and ordinances which seek to curb stubborn men as well as others who unthinkably do what is evil. In these times of domestic stress and strain over the civil rights, The American Lutheran Church has no unique wisdom to prescribe the form and content of legislation which may be needed. This remains the task of civil legislators. The church insists, however, that each person is entitled to his birthright of equality of opportunity and equality of protection under the law. No member of The American Lutheran Church, faithful in his commitment to Jesus Christ, can be of an easy conscience before God unless he is actively working to give full effect to this revelation of Scripture, this counsel of reason and these laws of the nation.

OPEN HOUSING

Resolved, That the American Lutheran Church in convention assembled places itself on record as favoring "open housing," the right of each individual to live where his economic means makes it possible for him to live, without any restriction as to race, creed, color, or national origin.

The achievement of this goal is best accomplished when men of good will voluntarily agree to sell or rent their property to any financially qualified purchaser or tenant.

Where voluntary cooperation is resisted. we believe it lies within the province and responsibility of government—municipal, state, and federal to adopt such legislation as will discourage prejudicial practices and insure "open housing."

Teachers in Politics

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1968

Mr. WILLIAM D. FORD. Mr. Speaker, last Friday marked the first day of the National Education Association's Teachers-in-Politics Weekend, a very noteworthy program to encourage teachers to become more active in the political life of their community, State, and Nation.

I heartily approve of this program, and I commend the National Education Association for it. I have long believed that teachers should put their education and their knowledge of human nature to practical use by taking an active part in the American political process.

Educators have been among the leaders of society throughout recorded history. From the ranks of teachers have come such influential men as Socrates, Plato, and Aristotle; St. Augustine and Thomas Acquinas, and in modern times, Horace Mann, John Dewey, and Woodrow Wilson. Our own great president, Lyndon B. Johnson, began his career as a teacher in Texas.

Our Nation cannot help but benefit from an organized and widespread movement to enlist the mind and energies of our teachers into the political activity which is the very essence of grassroots democracy.

Let's Close Ranks on the Home Front

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1968

Mr. DORN. Mr. Speaker, the following article by General Eisenhower appeared in the April issue of Reader's Digest. I commend this very timely and superb article to the attention of my colleagues in the Congress and to every American citizen:

LET'S CLOSE RANKS ON THE HOME FRONT

(By Dwight D. Eisenhower)

In a long life of service to my country, I have never encountered a situation more depressing than the present spectacle of an America deeply divided over a war—a war to which we have committed so much in the treasure, in honor and in the lives of our young men. What has become of our courage? What has become of our loyalty to others? What has become of a noble concept called patriotism, which in former times of crisis has carried us through to victory and peace?

If in the desperate days of World War II we had been torn by this kind of discord, I doubt that we and our allies could have won. Looking back, I think how disheartening it would have been to those of us who commanded forces in the field if we had been called home to make speeches and hold press conferences—to shore up a wavering solidarity on the home front. Nothing of the sort happened then. But it is happening now. And how the enemies of freedom throughout the world—from Hanoi to Moscow—must be rejoicing!

In our war against the Axis powers a quarter of a century ago, we were fighting for the cause of freedom and human dignity, just as we are now. And in the long-range sense, we were also fighting for our own salvation, for a way of life we hold dear, just as we are now. In that war the American people understood this, and it was inspiring to see the single-minded way this country faced up to the job of fighting two first-rate military powers simultaneously.

We had a few slackers and draft dodgers, of course, but they were objects of scorn. We grumbled a bit about rationing and sometimes accused our draft boards of partiality, but these minor irrationalities were mostly a way of letting off steam. Essentially, we were united, and nearly everyone found some way of helping in the war effort. As a nation, we were dedicated to the job of winning completely and swiftly. And we did win—at least a year earlier than the most optimistic military timetables had forecast.

As commander of the Allied armies in Europe, I can testify that this solidarity, this upsurge of patriotism on the home front was a wonderfully encouraging thing. Neither I nor any other military leader had to lie awake nights wondering whether the folks back home would stick with us to the end. It never occurred to us that they might not. We knew that the American spirit had rallied to the cause, and this knowledge buoyed us up immeasurably—all of us, right down to the private in the ranks.

Today the reverse is true. We have "chosen up sides," as youngsters say in lining up their ball teams, and we call ourselves hawks and doves. This terminology in itself is inaccurate and ridiculous. A hawk is a bird of prey, a dove the helpless victim of predators. We are neither. We covet nobody's territory or property, want no dominion over others. On the other hand, we have always shown ourselves capable of self-defense. I trust we always shall.

No one who believes in our democratic processes can object to honorable dissent. This is part of the American credo, part of our birthright. There are those who now sincerely believe that we have no business being in Vietnam. I think they are terribly and dangerously wrong, but they have the right to state their views.

The current raucous confrontation, however, goes far beyond honorable dissent. Public men and private citizens alike take a stance and defend their positions angrily and unreasonably, often substituting emotion for logic and facts.

Not long ago, for example, a young U.S. Senator was quoted as saying that if we are fighting in Vietnam to protect ourselves, then we must concede that we are being selfishly immoral. To me this seems the height of tortured reasoning, if not worse. Certainly, we are fighting to defend ourselves and other free nations against the eventual domination of communism. In my opinion it would be grossly immoral *not* to resist a tyranny whose openly avowed purpose is to subjugate the earth—and particularly the United States of America. The Senator was indulging in sophistry, and I suspect his purpose was political rather than patriotic.

A ludicrous, and dangerous, aspect of this bitter quarrel is the large number of public men who regard themselves as military experts. One large defeatist group proclaims loudly and positively that "we can never win the Vietnam war." Others insist, contrary to the best military judgment and to clear evidence, that our air strikes "do no good" and we must cease all bombing of targets in the North. Still others want our troops to sit down in "defensive enclaves" and drop all offensive action—presumably until a tough enemy gets tired of looking at our military might and goes quietly home.

Instead of giving faith and backing to the men who are responsible for the conduct of the war, these armchair strategists snipe at every aspect of the conflict. Moreover, they never seem to lack a rostrum for their pronouncements. They are quoted endlessly and prominently in the press and on the airwaves, and of course their words give aid and comfort to the enemy and thus prolong the war.

A tactic of some dissenters—and this alarms me more than all the empty shouting—is their resort to force in open defiance of the laws of the land. They try to prevent recruiting officers from doing their job, and sometimes succeed. They try to halt the work of personnel recruiters from industries which manufacture war matériel. They lie down on the pavement in front of draft-induction centers; they jeer at the inductees and try to keep them from answering their call to service.

Some young Americans publicly burn their draft cards and state they will never go to war. The "peaceful" anti-war demonstrations frequently get out of hand and become bloodily violent. Dissenters of this type insist on their own right to free speech, but are unwilling to grant the same right to others. How often lately we have been subjected to the shocking spectacle of some distinguished speaker being smuggled in the back door of a lecture hall to avoid physical harm from the demonstrators out front!

These militant peace-at-any-price groups are a small minority, but all too often they get away with such illegal actions—and also get away with the headlines. There is no reason to tolerate this arrogant flouting of the law. It could be stopped—and should be stopped—at once. Their action is not honorable dissent. It is rebellion, and it verges on treason.

In the midst of this disgraceful public uproar, the dissenters continue to demand that we negotiate. I am a firm believer in constructive negotiation, provided both sides come to the conference table with honest and reasonable intentions. Thus far, North Vietnam has made it emphatically clear that it wants no negotiation—except on terms which would mean our complete capitulation. Listening to all the anti-war sound and fury on our home front, Hanoi obviously prefers to wait it out in the hope that public opinion in the United States will eventually compel our withdrawal. It is probable that the behavior of the dissenters themselves is making honorable negotiation impossible.

Those who oppose the Vietnam war and insist on our unilateral withdrawal have said over and over that the American people have never been given a sound reason for our presence there. If they believe this, it must be because they refuse to read or listen to anything they don't like. There are reasons why it is critically important to fight the communists in Vietnam, and they have been stated often.

The first and most immediate reason—so obvious that it shouldn't have to be explained—is that we are trying to save a brave little country, to which we have given our solemn promise of protection, from being swallowed by the communist tyranny. We want the people of South Vietnam to have their chance to live in freedom and prosperity, and even in the midst of a bitter war we are already doing much to help them build up their economy.

If anyone doubts the determination of the communists to subjugate this small country and take it over by sheer savagery, let him read the accounts of the Vietcong's impersonal butchery of whole villages of innocent people. The communists' tactic of conquest by terror, their callous disregard for human life, their philosophy that the end justifies the means—no matter how barbarous and immoral the means may be—are precisely the same in Vietnam as they have used in gobbling up other countries and other free peoples of the world. Their objectives have not changed or softened over the years. The only language they understand is force, or the threat of force.

There is a larger reason for our military presence in Vietnam—and that is the urgent need to keep all Southeast Asia from falling to the communists. Some of our selfappointed military experts discount the "domino theory"—which, as applied to Southeast Asia, simply means that if we abandon South Vietnam to communism, the other countries of that area will also topple. In my opinion, the domino theory is frighteningly correct. I suggest that the peace-at-any-price advocates who scoff at this threat study the behavior of communism over the past two decades.

Here at home, this is election year, and I hope we do not permit the Vietnam war to become a divisive political issue. It is right and proper to advocate a change of leadership and to discuss the conduct of the war. But it is improper, and I think unpatriotic, to voice dissent in such a way that it encourages our enemies to believe we have lost the capacity to make a national decision and act on it. Meanwhile, I state this unequivocally: *I will not personally support any peace-at-any-price candidate who advocates capitulation and the abandonment of South Vietnam.*

As any citizen does, I deeply regret the necessity of pouring the blood of our young men and our treasure into this faraway war for freedom. But it is a necessity. This is an hour of grave national emergency. It is time that we do more thinking and less shouting; that we put our faith in our democratic processes and cease the dangerous tactic of deciding which laws we will and will not obey.

We should also ponder the previous successes and sacrifices we made in checking the advance of communism: how we helped save Western Europe through the Marshall Plan; how we checked aggression in Korea, on the free Chinese islands of Quemoy and Matsu, in Lebanon and the Dominican Republic. How we saved Formosa, and are successfully helping the South American nations resist the Cuban conspirators. These things we must continue to do, even when we stand alone—even when so-called friendly nations criticize our actions.

Sometimes I find comfort in going back even further in history. At one time during the Civil War, a profound spirit of defeatism developed in the North. A considerable portion of the people, discouraged and fearful, cried: Let the South go its way; we can never win this horrible war. Abraham Lincoln was reviled; draft laws were defied; hundreds were killed in resisting recruiting agents. The pressure on the government to acknowledge defeat was intense.

Lincoln, however, saw two things clearly. He knew that the successful secession of the South would fragment America and deny it its great destiny. And with a clear-sighted evaluation of the manpower and resources of both sides, he also knew that the North could win. He stood steadfast, and before long the courage and common sense of the people revived, the defeatists subsided, and the Union was saved.

It is my hope and belief that history will now repeat itself. I still have abiding faith in the good sense of the great majority of the American people. It is unthinkable that the voices of defeat should triumph in our land.

Riots and the Revolution: A Second Front

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1968

Mr. RARICK. Mr. Speaker, an interesting documentary by Frank Capell predating the battle of the District of Columbia supplies an insight into who and what are behind the inflamed passions, burnings, and anarchy. If there is white racism here it is provoked, manipulated, and created, and whites and the poor blacks involved are but the catalyst stooges.

Like the Vietnam, the "Ameri-Cong" infiltration and battle in the United States is undeclared and the taxpayers are not only losing their sons and their property but are footing the bill for both fronts.

I include the Herald of Freedom for April 5 following my remarks:

REVOLUTION, UNITED STATES OF AMERICA, 1968

We have had the "Warren Commission," the "Crime Commission" and now the "Riot Commission." None has brought forth an honest report, but Americans are asked to accept their "findings" as the truth. These phony commissions serve only to further the objectives of the powers operating behind the scenes in the Black Revolution now approaching its climax. The ultimate objective seems to be the crushing of the honest, law-abiding middle-class (the bourgeoisie in Communist lingo) which is being burdened with taxes (more to come). Their right to own and enjoy private property and to protect it with arms if necessary is constantly under attack.

Coddled are the law-breakers, the rioters and revolutionaries. So-called "Civil Rights" bills are pushed through Congress, taking away the civil rights of a great percentage of the population. The newest one contains a so-called "anti-riot" provision which sounds good but which would actually take away the right to own and maintain firearms. The liberal mentality is shown in all its glory here—stop riots by taking away the guns with which citizens can defend themselves against them. Of course this would get the riots over faster as there would be no opposition—the police wouldn't want to be "brutal" and private citizens would be helpless.

A recent newscast gave the details of an armed hold-up of a storekeeper in which the robbers made off with his money. As they were running out of the store after robbing the man at gunpoint, the storekeeper pulled a gun out of hiding and shot one of the robbers. Guess who was arrested! The storekeeper, of course.

The likes of H. Rap Brown and Stokely Carmichael can roam the countryside at will calling for killing and revolution. Occasionally we read of them being arrested but these things are always taken care of and never seem to interfere with their activities. This can only happen because important people want it to happen. The huge wealthy foundations and the Government itself are financing and encouraging the revolutionary activities which will culminate this coming summer in more terrible riots than ever before. In an editorial by William Loeb, publisher of the Manchester (N.H.) Union Leader, entitled "The Terror Begins," we read:

"The Communists have decided on guerrilla-type warfare right here inside the United States. They are counting on this type of shock treatment to bring the U.S. government and the people of the United States to their knees in surrender, without the need of a nuclear attack. . . .

"Likewise, in the United States we can expect the Communists and their allies, both white as well as black, to perpetrate shocking atrocities. Some of the most prominent people in the nation will be assassinated. Some of the most supposedly secure areas of our nation will be invaded and attacked. All of this will be for the purpose of making the average citizen feel that he and his home are completely insecure and at the mercy of the Communist mobs."

The U.S. Government is helping by financing the mobs, providing lawyers when individual revolutionaries get into trouble with local authorities and disarming Mr. Average Citizen who likes to obey the law. No gun laws will deter criminals to whom the law is unimportant. The so-called War on Poverty has provided the framework through which the financing and protection of revolutionaries takes place. Tax-exempt foundations also help with funds such as a $200,000 grant from the Ford Foundation to Martin Luther King and his Southern Christian Leadership Conference.

King has formed a "working agreement" and cooperative program with Stokely Carmichael. Carmichael, in turn, has formed a coalition of militant black nationalist organizations into what is called the "Black United Front." This "United Front" includes leaders who are members of the Revolutionary Action Movement (RAM). The entire organization of the Student Nonviolent Coordinating Committee (SNICK), headed by H. Rap Brown, will be utilized to promote the coming disorders. Some of the details of the "Black United Front" were outlined in the Communist newspaper, People's World, of February 24, 1968:

"'A strategy for black survival' based on a 'Black United Front' was the line laid down by militant leaders of the recently merged Student Non-violent Coordinating Committee and The Black Panther Party for Self-Defense before a cheering, chanting largely black crowd of 6,000 in the Oakland (Calif.) Auditorium last Saturday (Feb. 17).

"The program outlined by Stokely Carmichael, H. Rap Brown, James Forman, and Bobby Seale . . . calls for:

"International solidarity with the national liberation movements and colored peoples of Asia, Africa, and Latin America.

"Recognition of the white power structure and its racist institutions as the main enemy. . . .

"Armed protection of black communities . . ."

The plan for international solidarity resulted from the Tricontinental Conference held in Havana January 13–15, 1966 at which Communist officials and guerrilla leaders from Africa, Asia and Latin America were gathered to formulate plans to promote guerrilla warfare in the United States and Latin America. This led to a permanent organization which maintains an office in New York City. It is known as the Tricontinental Information Center and is located in the St. James Building, 1133 Broadway, N.Y.C., Telephone: 212: 242–6512.

From July 31 to August 10, 1967 a conference of revolutionaries, Communists and guerrilla leaders was held in Havana by an offshoot of this group, called the "Latin American Solidarity Organization." Stokely Carmichael delivered an address and was given a standing ovation. A resolution of the meeting stated that "Armed struggle is the fundamental path" and that the guerrilla forces were the rightful leaders of the revolutionary war behind which all other forces should unite. This data was outlined in a U.S. Senate report of the Sub-committee on American Republican Affairs, entitled "Insurgency in Latin America" (Jan. 15, 1968).

The average American says, "All this is very interesting, but it can't happen here." Unfortunately it is happening here. The Black Revolutionary Program for the U.S. calls for a United Front of all the militant Negro organizations as well as the so-called moderate and "non-violent" groups such as Martin Luther King's well-financed organization. For the coming summer violence the Negro revolutionaries will be able to utilize the trained personnel of a large number of Negro groups united together. King alone has three thousand trained Negroes who will begin activities in Washington, D.C. April 22, 1968.

The Allen-Scott Report of January 3, 1968 stated that there are "disturbing reports from several police departments that black militants in their cities have drawn up lists of local and federal officials to be executed in 1968." The informative British Intelligence Digest of March 1968 warns that "Arming by black militant groups is steadily increasing." It states:

"Supporting this internal warfare against the American social, political, and economic structure, an all-time high volume of propaganda is pouring into the United States—unchecked by the postal authorities—from Peking, Hong Kong, Tokyo, London, Moscow, East Berlin, Prague, Tirana, Algiers, and elsewhere in an unending stream. Much of it is disseminated among Negroes." . . .

"Black Liberation Committees have been organized by the pro-Peking 'Progressive Labor Party' in Harlem, Cambridge, Philadelphia, Rochester, Washington, D.C., San Francisco, and Los Angeles."

While the Negroes are being excited by this kind of inflammatory propaganda, they have been given the green light for their revolutionary activities by the report of President Johnson's National Advisory Commission on Civil Disorders (Riot Commission). The Shreveport Times of March 5, 1968 states in an editorial entitled "Riot Study May Incite Riots":

"The Johnson (Riot) Commission, when it comes to racism, refers only to 'white racism.' Fundamentally, it seems to contend throughout that blame for everything involved in the 1967 riots rests on the shoulders of whites. The endless incendiary preachments of Rap Brown, Stokely Carmichael—and Martin Luther King in indirect ways—are not given space, much less importance.

"For this reason, the Johnson Commission report is dangerous; perhaps the most dangerous document of its kind ever drawn up. It implies to the Negroes that murder, arson, anarchy, physical attack with guns on law enforcers, and any other kind of violence in 1967 was all right when committed by Negroes; that only whites were wrong.

"It thus can become incitement to carry on in 1968 what took place in 1967, and on a larger scale if so desired by the rioters."

With the climax of the Black Revolution just around the corner, it was no surprise to have Adam Clayton Powell return to the limelight. Clutching a copy of the "Riot Report" he toured the streets of New York City urging the Negroes to revolution. In spite of an outstanding warrant for his arrest Powell was able to return to New York to take his rightful place in the vanguard of revolution through the courtesy of Judge Arthur Markewich also went out of his way to pave the way for Powell's triumphant return to his faithful followers. Some years ago Judge Markewich also went out of his way to castigate the management of the Hotel Commodore when they refused to allow a fund-raising dinner for a Communist-front to be held in the hotel. Judge Markewich was quoted as calling this action "indecent and un-American."

Powell, who said he had returned home to purge Harlem of "Uncle Toms," was quoted as stating that he will call for a world youth revolution when he speaks at England's Oxford University in May. He said the list of "Uncle Toms" in Harlem was so long it would take him all day to name them but that "the soul brothers will take care of them one way or another."

Rev. Martin Luther King was in Harlem at the same time as Powell, installing the Rev. Wyatt T. Walker as pastor of New Canaan Baptist Church, 132 W. 116th St. At the door as King spoke were five helmeted Harlem Mau Maus with their leader Charles Kenyatta carrying a machete with a Bible and a copy of the President's Advisory Commission on Civil Disorders report impaled on it. We would suggest that this be done to all copies of the report.

The Chicago Tribune of March 2, 1968 had this to say about this misleading report:

"The report of the Kerner commission on the 1967 riots is awash with tears for the poor, oppressed rioters. The disorders, said the report, 'were not caused by, nor were they the consequence of, any organized plan or "conspiracy." ' No evidence was found, said the commission, 'that all or any of the disorders or the incidents that led to them were planned or directed by any organization or group, international, national, or local.' "

The Tribune editorial went on to discuss the official "findings" of a New Jersey commission appointed to look into the riots in Newark and Plainfield, N.J. It stated:

"After the Newark riot a commission appointed by the governor of New Jersey found 'no evidence' of conspiracy and said the violence was spontaneous. The police, who were on the firing line during the disorders, disagreed fervently. The New Jersey State Patrolmen's Benevolent Association, which has 16,000 members, set up a bi-racial commission of its own to study the riot, and found much evidence of conspiracy. This evidence was ignored by the governor's commission and by the Kerner commission.

"Before and during the Newark riots sniper classes were conducted in various parts of the city, according to John J. Heffernan, president of the police association. Agitators printed thousands of leaflets giving detailed instructions on how to make a Molotov cocktail, he said. . . .

"Heffernan said the police investigation showed that agitators who had come to Newark before the riot later went on to Plainfield, N.J., and to Detroit after order was restored in Newark."

Dominick A. Spina, Director of the Police Department of Newark had this to say concerning his frustration with the New Jersey Riot Report:

"On a personal request I testified for four days before this so-called august body of reputable and outstanding citizens of New Jersey. I documented every bit of testimony either with a police report, newspaper article, etc. You cannot imagine my consternation, disbelief and dismay when picking up the newspaper and reading the findings of this so-called investigatory committee. Not a word was said about the thousands of leaflets that were handed out indiscriminately by racists and subversives in this city. I gave the commission at least 15 copies of these leaflets to no avail. I also cited the number of speeches made before the Newark Planning Board and the Board of Education containing obscenities, . . . inciting people to shed blood. Not a word was said in this entire report about this situation. They then drew a fine line by innuendo concerning so-called corruption in the Police Department. . . . If you read the report it appeared that the Newark Police started the riot and the corruption was one of the reasons for same.

"I don't know how far we are going in this country and how much we can tolerate, but I have a feeling that a line must be drawn very soon before it is too late . . . ."

Congressman John Ashbrook disagreed with the President's Riot Commission in its "white racism" accusation. He stated on March 4, 1968:

"Presumably, 'white racism' alone drove Jesse Gray, an identified Communist, at a rally prior to the riots in Harlem to call openly for 'guerrilla warfare' to stop 'police brutality.'

"And one might surmise from the Commission's report that for the same reason Bill Epton, the revolutionary, stated 1 hour before the Harlem riots began that: 'We will not be fully free until we smash this state completely and totally.' "

The aforementioned Jesse Gray is supported by the U.S. Government. An article in the N.Y. Times of August 21, 1967 stated:

"Sargent Shriver said today that he had tried, without success, to stop Jesse Gray, the controversial Harlem leader, from getting antipoverty funds. . . .

"He said local officials had refused his request to have Mr. Gray removed as a $50-a-day adviser for a Harlem youth group partially supported by the Federal Office."

That the U.S. Government has been actually aiding the Communist-inspired revolutionaly Negro rioters bent on overthrowing it was established by Barron's Weekly of March 4, 1968 in a searching study on the U.S. Office of Economic Opportunity's Legal Services Program. The article stated:

"In suits financed by the War on Poverty, lawyers for the 'poor' have sought to persuade U.S. district courts in Newark and Philadelphia to appoint federal receivers to run the local police departments as a means of eliminating 'police brutality.'

"The Philadelphia suit also asked the court to nullify state laws against carrying concealed deadly weapons, sedition, riot, conspiracy, loitering and obstructing justice. . . .

"FBI Director J. Edgar Hoover views the legal moves as part of a scheme to undermine and destroy local law enforcement and to substitute a national police force. . . .

"The cases are just two of a good many questionable moves that have been made under the Legal Services Program of the Office of Economic Opportunity. In virtually every riot-torn city, LSP lawyers have devoted an extraordinary amount of time and money to defending alleged rioters. . . .

"LSP personnel also have advocated noncooperation with police, organized rent strikes, defended alleged dope addicts and challenged statutes aimed at discouraging immorality. . . Today some 1,800 lawyers, and numerous assistants, operate out of 850 offices in 48 states. No fees are charged; salaries for all are paid by OEO. It spent $27 million on LSP in fiscal '67 and has budgeted $36 million for it this fiscal year (and $42 million for next year . . . .

"In Indianapolis the local LSP (Indianapolis Legal Services Organization) distributed several thousand cards in the city's low-income neighborhoods giving advice on the art of non-cooperation with the police.

"In California, the LSP, known there as California Rural Legal Assistance, has been helping the leftist United Farm Workers. That's a union headed by Cesar Chavez. . ."

Oliver Lofton is director of the Newark, N.J. LSP and had previously been legal assistant to Nicholas Katzenbach in 1961 and 1962. The Barron's article states:

"In an investigation of the role of the LSP in the Newark riots, the Committee on Law and Poverty of the New Jersey Bar Association found that, 'The entire resources of the Newark LSP and the Public Defender of the state of New Jersey and Mr. Howard H. Kestin, (New Jersey) director of legal services of the OEO, were thereafter marshaled to provide legal services for those persons who had been arrested in the course of the Newark riots. . . ."

Assisting the Government and the tax-exempt foundations in their encouragement of revolution are the collaborating clergy. The National Council of Churches has been active with its Delta Ministry and now we have a new "interfaith coalition" known as "Operation Connection." An article in the Denver National Register of March 24, 1968 states that the organization will make $10 million available over the next eight months to Negro leaders in selected urban centers, presumably not to be used to support violent activities. The announcement of this new project was made by Bishop John E. Hines, presiding Bishop of the Protestant Episcopal Church, and the Rev. Albert Cleage, Jr., pastor of Central Congregational Church, Detroit, who are co-chairmen of the project, along with Rabbi Marc Tanenbaum of the American Jewish Committee and Rabbi Abraham Heschel of the Jewish Theological Seminary who are vice chairmen. Other vice chairmen are Archbishop John F. Dearden of Detroit, Auxiliary Bishop Harold R. Perry of New Orleans, Bishop John J. Wright of Pittsburgh and Bishop George H. Guilfoyle of Camden, N.J.

The most important Negro activist clergymen are Adam Clayton Powell and Martin Luther King with Albert Cleage, Jr. coming up fast. King has reportedly stated that Powell will play an important role in his coming Washington demonstrations. The Allen-Scott Report quotes Powell as stating in a letter, "my return to Washington in April will help rock the entire country." Communist Herbert Aptheker has written a booklet in praise of Martin Luther King which should alert all thinking Americans to King's value to the Communist cause. The booklet states:

"Now that A.J. Muste has died, the Rev. Dr. Martin Luther King, Jr., is outstanding spokesman for classical Christian values in the United States; for several years he has been the pre-eminent leader of the civil rights movement; his decisive contributions to the theory and practice of peace have been recognized with the outstanding award open to man—the Nobel Peace Prize.

"As DeBois picked up the torch from the hands of Douglass, so it seems likely that future historians will conclude that King has carrried forward the torch from DuBois."

Only the gullible and brainwashed will believe the claim that there is "no Communist involvement in the riots." DuBois finally admitted he was a Communist by officially joining the Communist Party in his old age. But he had worked with the Communists for many years while pretending not to be one of them. The Communist influence in the Negro Revolution is hidden but powerful. U.S. Sen. James Eastland has stated:

"The Communists now have substantial footholds in several leftwing organizations in which substantial numbers of Negroes are participating, as well as in various other organizations which are either ostensibly all Negro or ostensibly Negro controlled."

There is danger ahead for America. The coming Negro violence is but one of many knives aimed at her heart. The War in Vietnam is killing off the cream of the young Americans, leaving a void to be filled with the dregs unacceptable for military service or unwilling to serve their country. The financial situation is bad with a depression in the offing which will make the 1930's look like the good old days.

We suggest you support your local police and law enforcement authorities and be prepared to protect your families should it become necessary.

Ed Ball Honored on 80th Birthday

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1968

Mr. SIKES. Mr. Speaker, I have noted with much interest the recognition given to Florida's great industrialist and philanthropist, Edward Ball, on the occasion of his 80th birthday. It is an exciting thing to realize that this leading exponent of private enterprises continues to be hale, hearty, active, and in full possession of his faculties. I have been privileged to enjoy his company in very recent weeks and I can attest to all of this. We in Florida realize his important contributions to our State's development and the value of his counsel to its continued progress. I take pleasure in submitting for reprinting in the RECORD a very fine statement from All Florida weekly magazine, a Sunday supplement which is published as a part of some of the State's leading newspapers. The article is entitled "A Castle for Ed Ball," but what should be understood is that his castle is in the hearts and minds of the people of Florida who honor him for his work. The article follows:

A CASTLE FOR ED BALL

Florida's Ed Ball, who has built the biggest financial and industrial empire in the history of the Sunshine State, turned 80 Thursday, March 21.

This man of millions who has done more for the state than such famed Florida figures as Flagler, Plant, Ford, Edison, and Firestone, also retired early in February—at a dynamic 79.

What will he do, this giant among industrial giants, in retirement? At 80 years of age?

"Have you ever dreamed of sleeping in a castle?" is his question to the questions.

That is one thing Ed Ball will do: sleep in a castle, for as long as it pleases him. Ballynahinch Castle in colorful County Connemara, Ireland, a towering structure overlooking majestic mountains and tranquil lakes in this land of his forefathers, is a Ball-bought mecca for international visitors and sportsmen.

But no matter how often he commutes to the castle in Ireland, Ed Ball will forever be a part of Florida.

Because financier Ball, a soft-talking ex-Virginian who quit school at 13 and at 20 was earning $20,000 a year selling office furniture on the West Coast when a dollar was worth more than today's 46 cents, has another first on the Florida scene too: tight-lipped, he carefully gives away $10,000 a day to charities.

Every penny of the money stays in Florida where in 1966, some 559 schools, churches, hospitals and charitable institutions received a total of $3,720,167—and 20 cents.

But that's not all the story. For in the past three decades, more than $55 million has been donated to needy persons and worthy causes ranging from a ballet in Utah and the whaling museum in New Bedford, Mass., to a statue for Winston Churchill and the American School of Classical Studies in Athens, Greece.

Giving away the money from his Jacksonville headquarters as part of the benevolence of the Alfred du Pont estate, financier Ball has never taken time to mention the almsgiving. In fact, for the first time in 30 years the estate released the list of its charities this year.

Yet, industrialist Ball is an enigma. His name is commonly heard from Miami, the southern terminus of his Florida East Coast Railroad, to the state's northern panhandle, where in an area 40 miles wide and 170 miles long, he has built a million-acre domain. He controls 30 banks with a billion in deposits. And his paper-manufacturing complex extends from Port St. Joe in the panhandle's Big Bend to 19 container plants, including two in Ireland. But in the center of this empire, as chief administrator of the du Pont estate, industrialist Ball, shy of the press, has remained, in spite of close dealing, far from mid-stage. Just as with his business affairs, he has been stony silent concerning the charities.

Actually, the career of Florida's Ed Ball is strange in the annals of American finance. He has devoted a lifetime to build an estate created by the will of another who in his last years was preoccupied with helping crippled, but curable, children and also elders in need of food and shelter.

The will was written by his brother-in-law, Alfred du Pont, who left the Brandywine of the Delaware du Ponts and, after marrying school teacher Jessie Ball following the death of his previous wife, came to Florida to try his hand in banking.

At his death he left an estate valued, after taxes, at $27 million. Assuming control and carefully carrying out the tenets of the will by providing for charities on a dollar shrunk by a 73-cent tax bite, financier Ball has expanded the du Pont empire far beyond any expectations his brother-in-law might have had for it.

The Nemours Foundation to help crippled children was established years ago by the du Pont will in Delaware. The first patient was a girl who could not walk because of deformed legs. After operations, with all costs paid by Nemours, she walked away to have, later, her own healthy family. Thousands of crippled children since have been aided at Nemours as they have been helped in 14 other states.

Why has financier Ball worked to expand an estate whose earnings finally will go completely to charity? He never has said, remaining as silent about motivation as about earnings and donations.

Yet his imprint has been made on the Florida landscape. He has specialized in taking wobbly properties and restoring them to healthy profit-making roles. He began, as a trusted lieutenant of Alfred du Pont, by keeping open family bank doors when the boom of the 'twenties collapsed and caused bank after Florida bank to fold.

The pattern was the same in Northwest Florida where acres had been stripped of virgin pine in lumber operations and then, covered with scrub oak, left useless and frequently unclaimed even for taxes. On these cutover acres, he planted pine to produce paper pulp, and from an economic wilderness built a thriving pine-tree economy providing work for thousands.

In a more recent move, industrialist Ball, after buying stock at six cents on the dollar, took control of the Florida East Coast Railroad, a carrier which had wallowed in bankruptcy for nearly 30 years and which, in mid-Twentieth century, still used Morse dot-and-dash to transmit messages from Jacksonville to Miami. Other railroads considered buying the East Coast but, after studying the property, left the line to banker Ball with the firm conviction that he had made the first big mistake of his career and that the end would be a financial fiasco.

The Florida East Coast weathered the nation's longest of all rail strikes, and the flatlands from Jacksonville to Miami echo yet with purple charge and countercharge, but now, the carrier is rolling freight and doing what other rail managers said could never be done—making a profit.

For all his efforts with the railroad, chairman Ball receives pay of $1 a month, or $12 a year.

Always close-vested in business dealings, financier Ball has followed the same pattern in charity too. Though through the estate he gives away thousands each day, he studies the donations as carefully as corporate earnings, and any cause which receives largess will of a certainty merit help.

All this he does in silence, for by nature he is a close-mouthed man. Giving away $10,000 a day—tightlipped he can afford to be.

The Law

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1968

Mr. RARICK. Mr. Speaker, I have the "Soliloquy of a Great Institution" that I would like to have reproduced in the RECORD.

Some understand, others may be caused to think and reason, but others care not because over the centuries there have always been destroyers of civilization—and no civilization can long endure without respect and compliance with society's greatest institution. The soliloquy follows:

THE SOLILOQUY OF A GREAT INSTITUTION

I was ordained in the beginning as God's protection for His children.

It was the disregard of me that was man's original sin, and brought his first downfall.

I was God's greatest gift to Moses for without me, inscribed on the Tablets of Stone, he could not lead his people.

When the cries of the crowd cast me aside, a Man was crucified; but under my divine decree He lived, and a world was saved.

It was I that Jesus came not to destroy but to fulfill.

In the debacle that was the fall of Rome, I was the sole survivor, and was that nation's one lasting contribution to succeeding civilizations.

I tamed a despot at Runnymede, and was the armor and arsenal of the Barons in winning the Great Charter.

I accompanied the conquering Napoleon through the Alps of Italy, across the rivers of Australia, and the frozen tundras of the North, and when his Empire crumbled, I alone, as the Code Napoleon, was his only prideful prize of war.

In Philadelphia, in 1787, I scaled the final heights and became the defender of freedom from tryanny for every human being subject to my precepts; and made living reality of the rights of man.

I have made of every man's house his castle. I have lent purpose to his life and hope to his future.

Where I am not, the land is as the original chaos; and blood is the price of all things.

Where I am, there is peace and happiness, and little children grow toward the image of their Creator.

I am the Law.

Charles County Group Re-Creates Lewis and Clark Expedition

HON. HERVEY G. MACHEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1968

Mr. MACHEN. Mr. Speaker, the spirit of the frontier and scientific inquiry have combined forces to motivate a group of citizens from the Charles County, Md., Community College to canoe the original Lewis and Clark Expedition route this summer testing navigability and water pollution along the route.

The expedition was described recently in the February 1968 edition of Environmental Science and Technology magazine, and I insert the article, "Along the Lewis and Clark Trail," in the RECORD:

ALONG THE LEWIS AND CLARK TRAIL

In a period of renewed interest in the Lewis and Clark Trail, a crew from Charles County Community College's biology department plans to canoe—and to make pollution measurements—along the length of the explorers' water route from St. Louis to the Oregon coast.

The Lewis and Clark Commission, established in 1965, is making detailed studies of historic sites, campgrounds, and recreation areas along the 4,000 miles of the Lewis and Clark Trail. These efforts are directed mainly at hiker, horseback rider, and auto driver. But, Lewis and Clark moved mostly on water, and that is the route that interests a group at the Charles County Community College, La Plata, Md.

This summer they plan to canoe the original route, from St. Louis to the Oregon coast, determining how much of the route is still navigable. They will also make water analyses along the route, providing a uniform pollution survey to compare with conditions described in the Lewis and Clark journals.

The community college's expedition is related to its program in pollution abatement technology that has been evolving during the past three years. "We feel community colleges have an important role in the educational scheme of things," says Mrs. Belva L. Jensen, head of the CCCC's biology department. "But many schools, we feel, spread themselves too thin. We want to specialize in a few areas, and try to do them particularly well. Pollution abatement technology is one of those areas."

According to Mrs. Jensen, in mid-June four men and two canoes packed with portable sampling equipment, emergency rations, and some camping gear will leave St. Louis and move west toward the coast. Because the 3,000-mile journey must be completed by early September, the canoes will be equipped with 5-hp. motors. Actual traveling time for the original expedition required about 12 months—spanning the time from early spring in 1804 to late summer in 1805.

Every day or so, the canoeists will rendezvous with a large, truck-mounted sports van to replenish supplies and to do complete analytical tests that cannot be done in the canoes. The vehicle will carry additional scientific equipment and also provide living facilities for the support crew. Included in the support crew is a fifth canoeist, to permit rotating canoe crews.

Among the several aims of the expedition is a project to compare the present flora and fauna with descriptions in the Lewis and Clark journals. Making these observations will be the job of the support crew.

HELPING HANDS

When Mrs. Jensen started planning the expedition last fall, the first problem was to assemble the necessary equipment. The college could contribute only salaries for Mrs. Jensen and the other faculty members on the expedition. So she looked to manufacturers and suppliers for help. "The responses we've received have been very gratifying. We have promises of more than $10,000 worth of supplies and equipment, and now lack only a few items, mostly scientific equipment," Mrs. Jensen points out.

The rest of the crew, meanwhile, has been studying the Lewis and Clark journals, as well as topographic maps of the U.S. Army's Corps of Engineers. In addition to the obvious need to know the territory through which they are traveling, the adventurers need to arrange rendezvous points. A major concern has been arranging for the canoeists to meet the support van frequently.

The canoes should make 50-80 miles a day, but bad weather or rough water could cut this figure down. The canoeists decided against attempting a particularly rugged 300 miles in what is often called the Wilderness Area of Montana and Idaho. This portage, as well as shorter ones around some dams, will be managed by the van.

The crew has been hard at work all fall and winter developing its skills at the sampling and analytical procedures. Plans call for about a dozen analyses to be made about every 50 miles. Among the analyses are: pH, temperatures, and nitrate, phosphate, free oxygen, and coliform concentrations. This spring the canoeists, all experienced outdoorsmen, will work on polishing their skills with their new equipment on the nearby Potomac River.

GROWING PLANS

The college's decision to develop a program in pollution abatement technology dates to just about three years ago. A number of students in Mrs. Jensen's biology department were inspectors for the county health department. From their questions on health, sewage, and similar problems, she came to feel there was a great need for ways of providing additional training for these people.

Mrs. Jensen soon found that the Maryland State Department of Health agreed. At that time, in the entire state, there were only three certified sewage plant operators—and 800 positions requiring operators. In 1966 a state law passed requiring that all operators be certified by mid-1968.

Last fall, Charles County Community College offered a one-year course in waste water management to 51 operators. It had to turn many more away. Next fall, it hopes to begin planning to start a two-year pollution abatement technology program leading to an associate-in-arts degree. The college has applied to the Federal Water Pollution Control Administration for a grant under FWPCA's new program on junior college grants. The program is aimed at increasing manpower supplies at the subprofessional level.

The college feels that with its experience it can present a strong curriculum. Other advantages: its new campus is surrounded by waterways. Only a 30-minute drive from Washington, D.C., the college can bring in experts for short courses and seminars. It also plans a cooperative program with the Naval Ordnance Station in nearby Indian Head.

According to Mrs. Jensen, the college would like to use at least part of an FWPCA grant for planning a curriculum. "A good curriculum can't be developed in a professor's spare time—which is how it is frequently done in this kind of situation. If we're to turn out semiprofessionals ready to step in and do a competent job right off, we have to give careful thought to the curriculum," Mrs. Jensen notes.

Next fall is the target date for the college, with its 500 students, to move to its new campus. After spending its first 10 years in an old Nike missile base, the college will occupy three new buildings already under construction on the 173-acre site.

One building still in the planning stage is a $600,000 sewage treatment facility for training and research. The plant will treat the college's sewage, plus a limited amount from nearby residential areas to provide sewage more typical of that found in a community. Although the plant is larger, more sophisticated and, consequently, more expensive than needed to treat the area's sewage, the facility is necessary for an adequate and effective training program.

In the fall of 1969 a $1.3 million building will be ready to house the pollution abatement technology and data processing departments. The pollution abatement facilities will be able to handle about 300 full time students, plus 1000 in continuing education.

Oklahoma Legislature Recognizes Needs of General Aviation

HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1968

Mr. EDMONDSON. Mr. Speaker, the Legislature of the State of Oklahoma has passed a concurrent resolution spelling out very clearly the needs of general aviation. "General aviation" is a term used to designate the people who use airplanes—and our airways—for business and personal reasons, and who are not a part of the great scheduled air services of this country's transportation network.

Mr. Speaker, the Oklahoma State Legislature is concerned about the future of general aviation, and this resolution outlines the very real reasons for their concern. Some of the problems which the legislature outlines are the direct responsibility of a Federal Government.

Under unanimous consent I submit this resolution for inclusion in the CONGRESSIONAL RECORD, as follows:

ENROLLED SENATE CONCURRENT RESOLUTION 56

A concurrent resolution expressing concern with the Interim Report of the United States Senate Aviation Subcommittee; requesting that greater consideration be given to the rights and needs of general aviation; and directing distribution

Whereas, there are 10,000 registered pilots in the State of Oklahoma, and 3,400 aircraft—almost twice the number of airplanes flown by the airlines of this Nation; and

Whereas, these pilots and their aircraft are as much entitled to use of public airports built with public funds as are the airlines of the country; and

Whereas, the airlines consistently schedule their flights at peak hours so that airlanes are dangerously congested, thereby overtaxing the FAA facilities for handling air traffic control; and

Whereas, the airlines are seeking to restrict public use of public airports so as to usurp these facilities for their own use and profit; and

Whereas, the interim report of the United States Senate Subcommittee proposes to levy exorbitant and discriminatory taxes on general aviation aircraft, and use the revenues derived therefrom for building terminal facilities for the airlines; and

Whereas, such terminal facilities should be built by the airlines and the cities or states themselves; and

Whereas, the airlines have caused great anguish to the general public through the use of aircraft making excessive noise; and

Whereas, the interim report proposes to use public funds for research into this problem despite the fact that it should be the responsibility of the manufacturer and the airlines themselves to solve the problem of abating such noise; and

Whereas, the Federal Aviation Administration has already restricted general aviation by elimination of visual flight rules at major public airports; and

Whereas, general aviation appears to be increasingly penalized while the airlines are increasingly subsidized by public funds.

Now, therefore, be it resolved by the Senate of the second session of the thirty-first Oklahoma Legislature, the House of Representatives concurring therein:

Section 1. That the Senate and the House of Representatives of the Second Session of the Thirty-first Oklahoma Legislature do hereby express concern with the interim report of the United States Senate Subcommittee on Aviation; and do hereby respectfully request that in the future greater consideration be given to the rights and needs of general aviation.

Section 2. That a duly authenticated copy of this Resolution be prepared and forwarded to the Honorable Mike Monroney, United States Senator, Washington, D.C.

Adopted by the Senate the 21st day of March, 1968.

FINIS SMITH,
Acting President of the Senate.

Adopted by the House of Representatives the 25th day of March, 1968.

REX PRIVETT,
Speaker of the House of Representatives.

Attest:

BASIL R. WILSON,
Secretary of the Senate.

An Aroused Nation

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1968

Mr. WOLFF. Mr. Speaker, Friday, in the wake of the tragic and violent death of the Rev. Dr. Martin Luther King, the editorial voice of responsible newspapers chorused sincere and deep distress. At the same time, those same editorial voices spoke anew for justice and the realization of Dr. King's noble goals through the use of his nonviolent means.

Under leave to extend my remarks, I wish to include in the RECORD editorials from the Long Island Press and from Newsday. I commend these editorials to my colleagues' attention as outstanding examples of an editorial voice that speaks for the American people in urging an end to violence, injustice and discrimination in our society.

[From the Long Island Press, Apr. 5, 1968]

WE MUST OVERCOME

The killing of the Rev. Dr. Martin Luther King Jr. ranks as one of the most sickening and senseless crimes in our growing history of sickening and senseless violence.

For more than a decade this man of peace led the fight for justice for his people while always—always struggling to contain the violence he knew was building up so explosively in our midst.

But he understood as too few men of our time understand that violence is no answer to that injustice, that all men, regardless of color, must live together on this crowded planet, if not in love, at least with respect for each other's rights as human beings.

He understood so profoundly and tried so desperately to make others understand that there is no sane alternative. But too many blacks and too many whites have stopped listening.

And now he is a victim of that violence he so devoutly and passionately tried to defuse through the democratic outlets that are supposed to be the roots of our national safety and our national pride.

If this man's inspired struggle in which he gave his life is to have any meaning to men of all races, then men of all races must pledge in his memory these three words:

"We shall overcome."

[From Newsday, Apr. 5, 1968]

MARTIN LUTHER KING, JR.

The violence that the Rev. Dr. Martin Luther King Jr. abhorred has claimed him as a victim. An assassin's bullet killed him last night in the prime of his life and at the peak of his career. He was only 39 years old and yet he already had set his people on the path to equality. Acclaimed worldwide for his fight against racial injustice, he was awarded the Nobel Prize for his achievements through nonviolence.

The outpouring of sorrow for the Rev. Dr. King springs from the deepest wells of the nation's spirit. Violence, however familiar it becomes, always will be essentially alien to America. The death of the Rev. Dr. King, like that of John F. Kennedy, will send waves of revulsion across this land and will shock the entire world.

It would be a bitter legacy for the nation if the Rev. Dr. King's death provokes exactly the sort of violence he worked so diligently all his life to prevent. In the face of every provocation, he counseled against violence, just as he inveighed against prejudice. "Nonviolent protest is the most effective weapon of an oppressed people," was his favorite maxim. And he summed up his goal in life by saying, "I will not be satisfied until segregation is dead in America."

The Rev. Dr. King, who pioneered in the civil rights movement, spoke to the conscience of America. Few could help but be moved by his speech at the Lincoln Memorial in 1963 when he told a massive civil rights demonstration: "I have a dream that my four little children will one day live in a nation where they will not be judged by the color of their skin but the content of their character."

To bring his dream to reality, the Rev. Dr. King led boycotts, marches and demonstrations and drove hard for civil rights legislation. He went to jail at least seven times, always in the cheerful uncomplaining spirit of a clergyman who had deep reservoirs of faith to draw upon. In 1963, while the Rev. Dr. King was in a Birmingham, Ala., city jail, a group of white clergymen wrote a letter to him criticizing him for "unwise and untimely" demonstrations. The Rev. Dr. King's reply stands as a classic expression of the sense of the Negro revolt:

"We have waited for more than 340 years for our constitutional and God-given rights," he wrote. "The nations of Asia and Africa are moving with jetlike speed toward the goal of political independence, and we still creep at horse and buggy pace toward the gaining of a cup of coffee at a lunch counter. I guess it is easy for those who have never felt the stinging darts of segregation to say 'wait.'

"But . . . when you suddenly find your tongue twisted and your speech stammering as you seek to explain to your six-year-old daughter why she can't go to the public amusement park that has just been advertised on television, and see tears welling in her eyes when she is told that 'Funtown' is closed to colored children . . . then you will understand why it is difficult to wait." The Rev. Dr. King did not wait, and when he died he was again preparing to lead a protest to dramatize the plight of the poor and to demand jobs and better schools.

He saw the planned Washington march as a test. Writing in the current issue of Look, he declared, "We believe that if this campaign succeeds, nonviolence will once again be the dominant instrument for social change, and jobs and income will be put in the hands of the tormented poor. If it fails nonviolence will be discredited, and the country may be plunged into holocaust . . ."

The Rev. Dr. King spoke to the conscience of America. He disturbed the conscience of the nation. But the nation did not always hear or heed him. Perhaps, in his death, others will achieve the last, great service denied him by life—the reconciliation of the races.

Teachers in Politics

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1968

Mr. ASHBROOK. Mr. Speaker, throughout the Nation many teachers will be observing a Teachers-in-Politics Weekend. I am in full agreement with this program and urge 100-percent participation by our teachers in Ohio and throughout the Nation. In fact, one can hardly be a good and effective teacher if he shirks his duties of citizenship. Politics, like it or not, is one of the prime responsibilities of citizenship.

Many people get scared when the word "politics" is mentioned. This is foolish. Politics is nothing more or less than the American process of decisionmaking. There is a difference between politics and partisanship and while I also advocate that teachers become active in the party of their choice, they cannot possibly avoid politics even if they choose to avoid party politics. Why? Politics, as I have already noted, is self-government and it is their government.

I often use this means of showing the importance of politics. Everyone has ideas. There are ideas in medicine, ideas in teaching, ideas in theology, ideas in business—literally no end to the ideas that are circulated. In one area, however, ideas take on a particular significance. I am speaking of politics. In the field of politics, legislators take ideas and translate them into the law of the land. At that point they have application to everyone—not just people in the field of their endeavor. No other class of people have so much power over our lives as those public servants we call politicians. In the decisions they make, our future is at stake.

Horace Mann and John Dewey had ideas in the field of education. Many of these ideas were decades in coming into fruition. Politicians by a single vote can make the time for their ideas right now. At that point it becomes the law of the land. If it takes billions of dollars to make it work, they have the further power to take from the people that much money and spend it for that purpose. They also have the power to stamp on their product the label "law of the land," and if disobeyed, prosecution may result with possible fine and imprisonment. You can readily see how significant politics is.

Add to this awesome power the scope of authority that politicians have. It is virtually impossible to think of any area on this earth that is not affected by political decisions. Every thing from the draft to education, from the ghetto to the penthouse, from taxes to subsidies, from Appalachia to Nigeria.

Yes, the power over our lives that comes from political decision is tremendous. In our system of self-government, it is a cardinal principle that the citizen must participate. Not in a defensive way—which is often the case—but in an affirmative way. Teachers are better equipped than most citizens to affirmatively participate in politics. I not only urge them to do so but candidly tell them that their own professional self-interest as well as their welfare as a taxpayer and citizen might well depend on the level of their participation. Salaries, accreditation, curriculum, school building programs, sanctions—these are but a few of the matters that will be affected by political decisions made through the political process, both legislatively and administratively. Teachers have more than a small stake in these, and their Teachers-in-Politics Weekend should find them willing, not reluctant, participants.

President Johnson's Announcement

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 1, 1968

Mr. ZABLOCKI. Mr. Speaker, the announcement by President Johnson that he will not seek, nor accept, the Democratic nomination for President was a truly historic event.

His was an act of statesmanship seldom equaled in the history of our Nation, and bears testimony to the stature of the man who has led this Nation for the past 4½ years, Lyndon Baines Johnson.

I, myself, early committed myself to President Johnson's reelection to the Presidency in 1968. To that end, I accepted the chairmanship of the Citizens for Johnson-Humphrey in the Wisconsin primary election.

My decision to do so has been reaffirmed by President Johnson's own statement of withdrawal. America has need of men like this—and I am proud to have cast my support early and energetically to his banner.

Although he has decided not to seek the Presidency, he has won the hearts of millions. I believe that this support and good feeling will help dispel the dissonance which has beset American society in recent months and bring into focus for all to see the tremendous accomplishments of President Johnson's administration.

In that regard, Mr. Speaker, I issued a statement today to the press, in my role as chairman of the Citizens for Johnson-Humphrey organization in Wisconsin. The statement follows:

The day prior to the Wisconsin Presidential Primary, the announcement of decision of the President not to seek the nomination and not to accept it if it were offered came not only as a complete surprise, but indeed as a shock and disappointment.

The President's action dramatically underscores his sincere desire to bring unity to our Nation. His action, however, presents a serious decision for the Wisconsin Voters. The fact is, the President's name is on the ballot. The outcome of the election will be subjected to varied interpretations in the U.S. and abroad. In my opinion, most of the news media, particularly in the international press, will interpret a small vote for the President as a rejection of his policies, domestic and international. This would be tragic. I therefore ask the people of Wisconsin to cast an overwhelming vote of confidence in the President.

I want to commend the President for taking this courageous step and for putting the unity of the people ahead of his personal and political interests. This action clearly demonstrates his sincerity in trying to obtain a just and lasting peace.

Long-Term Arrangement on Cotton Textiles

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1968

Mr. DORN. Mr. Speaker, it was contemplated at one time that the Long-Term Arrangement on Cotton Textiles would be an effective method for restraining the tremendous flood of cotton textile imports entering the United States. It held out the hope that the United States and the trading nations of the world could develop orderly international commerce which would not disrupt our domestic textile industry.

The LTA has had some restraining effect on what some importing might have done had it not existed, but the agreement has fallen far short of what was expected. It has fallen short because it has not been effectively administered. While it was originally contemplated that imports would increase at a rate of about 5 percent per year, the increase has been more than double that. In actual volumes, imports of cotton textiles have grown under the LTA from 720 million square yards to 1.5 billion square yards.

Mr. Herman Ruhm, Jr., president of Greenwood Mills, discussed the long-term arrangement recently in a speech before the textile section of the New York Board of Trade. He pointed out how our State Department has failed to protect the hundreds of thousands of people employed by the textile industry in this country.

Those in the Congress who believe, as I do, that the long-term arrangement has not measured up to expectations will find Mr. Ruhm's speech of interest and, under unanimous consent, I place it at this point in the RECORD:

What's wrong with the Long-Term Arrangement?

There are so many things wrong with the Long-Term Arrangement that I do not know where to begin. Wherever I start I am sure that someone will say, "Yes, but where it really is a sieve. . . ." and go off in some other direction.

The Long-Term Arrangement preamble states that its purpose is to promote trade between nations in cloth and apparel.

This is a statement that rolls off the well-oiled tongue of the State Department with sanctimonious impressiveness. The American manufacturer does a slow burn in awkward silence. He knows that there is a virtual embargo against US-made textiles in 52 nations of the world. He hopes no one is listening, for fear the preamble might be believed.

There is no consumer market in the world the equal of the American. The smart importer with cash in the bank, a knowledge of what Americans are buying, a knowledge of how to exploit the so-called "undeveloped countries," can plunder the American market in a way to make a pirate blush.

So—a pirate gets going in a particular class of goods, be it ginghams or blouses or something in any of the 64 categories of LTA. First he finds, for example, that the cloth for butcher aprons can be made in Korea and sold in the United States at cents below the American market because of cruelly-paid labor, cheaper cotton, new plants built with American give-away money, and the chance for terrific profit on reinvesting the American dollar for something like fertilizer badly needed by Korea. In short, the American importer has a field day.

The American manufacturers of enameling duck—the trade name for standard butcher's apron cloth—begin to scream their heads off. In due course the Interagency Textile Administrative Committee that manage the LTA are impressed, and the State Department is asked to negotiate a "bi-lateral" with Korea for a restraint level (or a quota, if you dare use the word) for enameling duck from Korea. Such a procedure takes a minimum of several months, sometimes two years. The level is usually set at the highest rate for a few months, extended to a yearly level. Never is a country rolled back. By the time the restraint is arrived at and in working order, that country has an irrevocable license to plunder a fair-sized percent of the American consumption.

This, however, is only the beginning. Our pirate (the importer) moves down to, say, Hong Kong and repeats on a larger scale. By the time the rate of plunder from Hong Kong is leveled, another big slice of the American market has been donated in perpetuity to another foreign country. Lovely country, Hong Kong. A second, a third, and a whole bevy of pirates join the game.

Then a new level of pirating—the real McCoy this time—realizes that the juiciest way to plunder the American market is to make the cloth into garments right there in the undeveloped country. The resulting prices from the 18¢ per hour wage and most modern machinery makes the American consumer bug-eyed and the American manufacturer cross-eyed.

Now the original pirate importers, already assuming a role of dignified, respectable, vested interests, are joined and to some degree shoved aside by the large American chains and retailers joining the picnic right at the source. Jackals at a feast.

By this time ITAC (the Interagency Committee) and the State Department have "bilateraled" a very sizable percentage of the American market away. There is no end to it, however, as our enterprising pirates continue to bring in new countries, even new hemispheres, each of which must have its quota—or diplomacy, sir, will be sullied.

Each restraint level has its automatic 5% annual built-in growth factor. The restraint levels of Japan and Hong Kong are each right at the 400-million-yard equivalent of yarn, cloth, and apparel. Together these two countries alone have more than 5% of the American cotton goods market, and with other overseas sources added in, the foreigners are supplying 10% of the U.S. cotton goods market. Fantastic. The level increasing at 5% annually means that the present high level of imports will double in 14 years, two months, two weeks, and one day. This is a minimum figure, because there are always diplomatic accidents in the popular categories. The Japanese really excel in these always-favorable-to-Japan "mistakes." They "didn't use the same conversion factor as the United States Custom House." They "had no idea canvas uppers were textiles." And so on. So our liberal (with someone else's money) State Department magnanimously forgives the sin, terms it a "one shot," and we roll not so merrily along with a new, larger base to which the 5% growth factor is applied.

Then, to compound the felony, the size of the American all-cotton cloth and garment market begins to shrink rapidly in relation to the total represented by all fibers. This, of course, is due to the dynamic growth of the polyester-blend fabrics. Does the 5% growth factor for all-cotton go into reverse? Oh, no! It is irrevocable—it marches forward no matter what happens to the American market. Even if the restraint levels had not been subject to a growth factor, they would have automatically represented a larger share of the cotton goods market as it gave ground to polyester blends. What raise would you have in mind for a salesman who negotiated this deal for your company?

Did I hear you ask the amount of the restraint level for blends and other fibers such as wools? I regret—I deeply regret to inform you that there are none. Cloth and garments made of blends or wool are wide open. Lord knows we tried to get them under the LTA at its birth. We have never stopped contending that they are substitutes for all cotton, and so should come under the LTA. But with our own, our very own State Department saying that such is not the case, one cannot be too surprised that the governments of the undeveloped countries feel the same way. The EEC countries all have bilaterals with Japan. These people know what they are doing. Their agreements cover cotton, synthetics, and wool. Their salesmen do indeed deserve a raise.

As Senator Talmadge says, it's like damming half the creek. If it is right to dam cotton goods, why is it wrong to dam blends and wools! Alice in Wonderland made more sense.

I suppose some need for support might arise that would make the administration want to extend LTA to all fibers as a trade. If the restraint levels were not lower than the flood levels of today, it would not be much of a trade for us.

So now—let's step off and look at our picture as dispassionately as we can.

Do we indeed have any right, divine or otherwise, to protection from this flood of foreign goods? Do the two million Americans and their families working in the apparel and textile industries, and the $20 billion of American money invested in its plant and equipment, have any case to ask for consideration? I am not enough of a student of philosophy, social justice, or what-have-you to answer this question *per se*. Perhaps any industry that cannot pay the $1.60 an hour minimum U.S. Government-decreed wages, live with the 40-hour U.S. Government-decreed week, or pay the higher-than-world price for Government regulated cotton would better liquidate its people and plants and steal into the night. As I say, I cannot myself answer this *per se*, but I do have the normal feelings of a human being. I did see America restore the bombed-out Japanese textile industry; U.S. textile industry taxes helped to do it. I did see us adopt the Marshall Plan for the benefit of Europe. U.S. textile taxes were used in this, too.

I see enormous Federal welfare contributions. I see pleas for appropriations for the war on poverty in the very Piedmont areas where the only sizable employers of labor are the apparel and textile plants of the region. No other industry employs as many of the so-called hard-core unemployed as does the textile and apparel industry. And no other industry can begin to offer the job potential, given a healthy and expanding future.

If the two million people and the $20 billion of investments were asking for a handout of money, I don't think we would deserve one. After all, we are a part of the American free-enterprise system. But we are not asking for a handout of money that would further unbalance the budget. We are simply asking for reasonable controls that will enable us to live and prosper under the civilized wage, hour, and raw material restrictions, imposed by our Government, when we are in competition with cruelly exploited labor and the Government subsidies of the undeveloped countries.

I therefore conclude that it is neither unfair nor selfish to ask for conservation in the form of quotas.

Let me take a minute to refer to a remedy frequently proposed by the *New York Times* and the *Wall Street Journal*, and recently espoused publicly by Under Secretary of State Katzenbach. The *Daily News Record* quoted him as telling us to "conduct a more aggressive export policy." I presume he means to make up our losses to imports with exports.

That statement puts him in the same knowledgeable boat as the head of the American delegation negotiating the Japanese bilateral at the Kennedy Round who let the Japs slip in an innocuous-looking minority wool/synthetic blend for the full Kennedy round 50% reduction, that happened to represent practically the entire tropical suiting business left in America. I asked him if he knew he was giving away a large block of American business when he did it. "Certainly not," he replied.

Mr. Katzenbach talks more like a graduate of Harvard Law School than of Harvard Business School. As far as the State Department is concerned, it has not even taken out first citizenship papers when it comes to helping the American apparel and textile industries export their products.

It is a lot of trouble to look up the non-tariff barriers as well as impossible tariff barriers such as the 300% *ad valorem* that Mexico imposes on synthetic cloth. Very recently the State Department made a partial discovery of how the chips were stacked against American textiles and apparel in twelve countries. The Deputy Assistant Secretary of Commerce made mention of ten in his speech to the Apparel Research Foundation. And again in his speech on Feb. 7th to AATT he went up to eleven countries. He found Japan had the same global quotas the Mills Bill calls for. He also came to the conclusion that the non-tariff barriers of the world forced more goods to seek the American market. We take half of Japan's apparel exports, half of Korea's, 60% of Taiwan's, a third of Hong Kong's.

I do not know whether these recent incidents are indicative of action to come or not, but they are the first even meager crumbs of awareness I've seen. We can hope it will lead to their adopting the tough trade policy all countries use against us. In the Kennedy Round they should have made it a condition of trade that all nations match our textile duty schedules and freedom of quantitative restrictions before offering to lower textile tariffs still further to accommodate Mr. Katzenbach and IBM.

I am not a student of the economics of world trade, but I do not see how lowering our tariffs to Hong Kong or even buying Hong Kong textiles helps IBM.

There has never been any interest on the part of the State Department in helping the American textile and apparel industry to lower trade barriers against us. It is interesting to speculate why this is so. To begin with, it is hard to find a business man in the State Department. The people there simply do not have any feel for business. The reason could be as simple as, "Let's promote Martin St. Martin because he gets along terribly well with the Japanese (or with the English or with the Brazilians)." How did he acquire these good relations with the foreign country? He must have done favors for them, and run errands for them. To the limit of his authority he must have acted as their agent. He got a raise in salary, not because he favored Americans, but because he favored the foreign country. It must be the way to promotion and pay in the State Department. There is nothing seditious about this. I am sure the top secretaries believe they can communicate better and get along better doing it this way. It is just tough on the American work force, dependent families, communities, and plant investments to be the victims of alleged American diplomacy! Oh yes, we get a chance to testify before the GATT trading gets under way. The panel seldom listens, but there is a transcript of the testimony. You hope they read it. However, when the negotiations start, all is secrecy. They don't even admit that they are negotiating on textiles. We have to hear it from some chance foreign manufacturer whom we know and who may be on his country's negotiating team against us. No wonder we take a beating. No wonder we give away in one ignorant bob of the head the remaining tropical suiting business we have. No wonder our counterparts in Japanese industry think we are nuts.

I suppose if asked why they won't let a business man on the negotiating team, the State Department would go off into a sanctimonious dissertation on the possible conflict of interest—the Sherman Act, the Clayton Act, the chance of collusion between Government and individual company. This is pure poppycock on the face of it, when you consider that it is the American textile industry versus the Japanese or Hong Kong textile industry. There are no known regulations against it, but it is just never done.

In addition to the artificial barriers which Mr. K. could try to help us lower, we have a modernly equipped competitor with 18c per hour wages. A large American shirt manufacturer just purchased a quantity of shirts in Hong Kong for less than half what they would have cost him to make at his American factories. I just do not see the possibility of our replacing the imports with exports.

Let's get back to the problem of damming the flowing tide. The Mills Bill in the House when last heard from had 197 signatures. The Hollings Bill in the Senate had 68 signatures plus the support of others who do not make a practice of signing. Both bills set quotas by categories in a completely orderly way. There is nothing evil about a quota. It is not the complete barrier with which we are faced around the world. It shares our wealth.

In total we have given 10 percent of our textile and apparel business to the rest of the world—a great deal more in many specific items. It will be 15 percent before you can say "Jack Robinson." The largest retail chain predicts that a third of the garments they will sell in 1968 will come from overseas. Many of the 64 categories have run well over the 10 percent mark, but there is no category so small that 10 percent of its American market would not make a bonanza for the pirate-managed foreigners to shoot at.

In the January 9 *Daily News Record*, Under Secretary of State Rostow was quoted, "The President feels passionately that the question should not be resolved this way. The President has made it abundantly clear how he feels about quota restrictions, and there has been no change in his attitude."

The finality of that statement is mighty discouraging. On previous occasions—original LTA, two-price cotton—the President has shown fighting interest in and compassion for the two million people in the textile and apparel industries. Mr. Rostow's statement indicates a complete flip-flop in attitude by the President. It is very hard for me to believe that the President has forsaken so many friends so absolutely. The President is first and foremost a patriotic humanitarian, and secondarily he is not the type to ignore the vote represented by two million people and their families.

In his famous speech of Oct. 26, 1964, in Macon, Georgia, the President said, and I quote: "When this administration took office it recognized the importance of the textile industry and the special nature of its problems. . . . We worked hand in hand with the Congress to develop a 7-point program for textiles. . . . We must now focus on the remaining weak spots and implement the rest of the program . . . in the best interest of all America. I intend to pursue it to a successful conclusion." We have never heard the President himself contradict his 1964 statement.

We are asking for a fair share of the American market of which we are a part and which we have helped build. A quota is a fair share, according to Webster's dictionary. If we limited each of the 64 categories to 10% of the American market, I don't think even Betty Furness could object. She is reported to have said that if the quota laws are enacted, $3½ billion of imports now coming in would not come in. How wonderful if she were right! Americans might live, and the gold deficit be reversed. However, she probably doesn't realize that textiles and apparel are now at the $1½ billion level, and even the quota laws won't roll them back.

She's worried about the consumer not getting the benefit of the low foreign prices. The competition for the 10% quota on a first come, first served basis would make for the lowest prices ever for the pirate agents or the American chains and retailers.

Our customs service is the one really efficient arm of Government I've seen function. There is no doubt in my mind of their ability to administer the 10% first come, first served by category via the airplane ticket reservation system.

In future GATT negotiating, we would have the medium in which to trade that other nations are most accustomed to; namely, artificial barriers. Quota percentages are a universally understood coin of the realm for international bartering.

We have our heads in the sand using tariffs. As such, they mean little or nothing in the field of low wages and government subsidies. The recent proposals to tax imports by a small percentage means no more to Hong Kong than a small bounty to export means to us.

Tariffs are a time-honored means of raising revenue. A 10% tax on the $1½ billion of textile and apparel imports would produce $150 million of revenue, with no deterrents to imports. However, I am not arguing for this proposition; I am addressing myself solely to imports. Balancing the budget is another subject. The same applies to the loss of dollars or gold or whatever it is that seems to be worrying Mr. Johnson into asking us not to travel abroad. The difference between the value of our imports and the value of our exports in fiber, yarn, cloth, and apparel is $900 million. This gap figure is beginning to increase with the speed of light. You would think that this side benefit from the quota bills would have some appeal to the administration when it is wearing its concern-for-the-dollar hat. Perhaps pride goeth before a fall!

We've got to work hard to get these pending textile import control bills passed and laid on the President's desk for signature, or we ourselves may well pass to the nether-nether land. If the bills fail to pass, we face attrition in many directions. Will the large garment manufacturers take it lying down, or will they move offshore in order to keep serving our own American market? Already the Mexican side of the border is beginning to look like Miracle Mile. The wetbacks that were shut out of gathering U.S. crops are busy making clothes at Mexican wetback wages. Several of the larger cutters have settled plants abroad to capture foreign markets. They can easily turn this production toward the United States. Many others are contracting experimentally with foreign factories in Hong Kong, Taiwan, and elsewhere to experiment with the "made in Hong Kong" notation on the label of the national brand itself.

Personally I think they are wasting their time with this experiment. The administration has so undercut the "Buy American" psychology that it presently simply does not exist. The public ignores it, and so the stores ignore it. This is the compelling factor that will cause those, financially able, to move offshore. Their unions may raise hell—strike their American plants, picket the stores selling the goods, maybe refuse to truck the stuff—but the offshore movement will continue until the great American consumer market begins to shrivel because everyone has left. The employees of IBM are not sufficiently numerous to hold the buying power on a rising level. England is back to "Buy British," but they were a long time getting there and may be way too late.

Now what's going to happen to the cloth mills? Can they get the cloth business of their former customers who have moved offshore? They will be up against non-tariff barriers, distance, and price. My guess is that the handicaps will be too great.

However, gentlemen, I predict we will pass the Mills-Hollings Bills. The stakes are high. We are a football team named Desire. The team that won't be beaten cannot be beaten. Our two million people and their families, our $20 billion of investments are not going to give up our livelihood and 150 years of American tradition just because Katzenbach, Rostow, and Betty Furness want it that way.

African Unity

HON. BARRATT O'HARA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1968

Mr. O'HARA of Illinois. Mr. Speaker, as chairman of the African Subcommittee of the Committee on Foreign Affairs, I have noted with pleasure the increasing evidence of a universal desire among the developing nations of Africa to attain a high level of African unity.

Regardless of geographic separation, of language barriers, and of political and philosophical differences, the African nations have so much in common, and their joint contrbution to the world of tomorrow can be so enlarged by unity, that it is encouraging to all the well-wishers of Africa that more and more the Africans are placing the emphasis on those matters on which they agree and less attention to the matters in which they are in disagreement.

By unanimous consent I am extending my remarks to include the following article from the March 1968 number of Réalités Ivoiriennes, the official publication of the Ivory Coast:

After the official visit of Congo Kinshasa's President Mobutu, who stated "you are much more revolutionary than the Congo", Ivory Coast received President Massemba-Débat of Congo Brazzaville, and President Nyerere of Tanzania. Such visits are evidence of the keen desire to work together, in spite of the differences between the socialist attitudes of the visitors and the pragmatic approach of the President of Ivory Coast.

This will to stand together was expressed several times in speeches by both Presidents Massemba-Débat and Nyerere, and President Houphouët-Boigny.

Welcoming the President of Congo-Brazzaville on his arrival in Abidjan on February 5, President Houphouët-Boigny went straight to the point by speaking of "the growing feeling in Africa that an end is coming to the period when young African countries too often indulged in the bitter delights of ideological confrontation and that the page is being turned and a new exciting chapter is to begin. The new period is concerned with satisfying the deep-rooted aspirations of African peoples who are sated with ideas, dreams and words, and are now asking more than ever for true peace, liberty and dignity, well-being and progress, in some concrete, tangible form for everyone. Personal contacts will count for a lot in the writing of this new chapter.

"Of course, it would be vain and foolish to attempt to disguise the fact that our countries frequently differ in the methods they use in the attitudes they adopt, in their approach and choice in organizing their relations. But countries are often like men: each one works towards happiness in his own way, depending largely on time and circumstances, and this every politician must realize.

"Can and must that African unity, which we all so heartily desire, be reduced to a simple question of fusion? Surely it must be obvious how much richness of diversity Africa would lose if suddenly she became one and uniform, when what she has to say can be said just as well by a chorus of several voices".

The tone was set, and in his reply, President Massemba-Débat eagerly took up the theme of African solidarity. Here are the main points from his speech:

"Dear Mr. President, to me Ivory Coast is essentially the noble meeting-place where the struggling Africa of yesterday came together and marched courageously toward freedom under the banner of the RDA of which you were the uncontested head. One cannot think back to those days without remembering the brutal repressions which so nearly cost you your life.

"I can see that stubborn, untiring leader that you were in the past—the past counts for much, and the present must not dim, still less efface it—and the subtle strategist that you are today in the battle against under-development, with the fiery energy of your youth now replaced by a rare intelligence and great wisdom which alone can produce confirmed maturity, a healthy outlook, and a perfect mastery of self.

"Your ideas based on dialogue, understanding, justice and peace, which you so eloquently defend, have been heeded by my people who have adopted them as their political theme.

"We must follow the ways of our elders, and see that the spirit of brotherhood impregnated our discussions for Africa".

The visit of Tanzania's President Nyerere was an important occasion for Ivory Coast's African policy. It was in fact the first time that the head of an English-speaking African country had paid an official visit to Ivory Coast. In the words of President Houphouët-Boigny:

"This event is highly symbolic to us, for it has occurred at a time when Africa is more than ever feeling the need to unite, and realizing the existence of certain factors which can already contribute to understanding, cooperation and unity".

The same idea was expressed by President Nyerere during his visit to Bouaké on February 25 when, in reply to the welcoming speech of the mayor of Ivory Coast's second town, he stated how much all Africans had in common, and how necessary it was for all Africans, from both East and West, whether English or French-speaking, to get together and know one another.

"I am very surprised and disappointed to know that I am the first head of an English-speaking African country to visit Ivory Coast . . . None of us is doing enough to become acquainted and to make a concrete effort toward that unity to which we all aspire".

At a reception he gave for President and Mrs. Houphouët-Boigny, on the eve of his departure for Monrovia, Mr. Nyerere described the lesson he had learned from his stay in our country. Guarding against making too long a speech "a pupil asks questions and listens; he does not take the place of the person from whom he has come to learn" he made clear that his attitude toward relations between African countries was similar to President Houphouët-Boigny's:

"The fact that we are tackling problems of development in different ways does not alter our basic unity. Nor does it prevent our various nations from working together to a common end. We are all separate, sovereign states, but we can and must work together.

". . . Our different philosophies can only enable us to help one another, and will do nothing to affect our African sense of brotherhood.

"It is no use waiting for our differences in approach and political beliefs to disappear before we start thinking about working for African unity. Unity can be achieved in diversity".

Education in a Bombshell

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1968

Mr. RARICK. Mr. Speaker, the advance publicity for an educational rally was fliers in the shape of a bomb and on a background of red flame the question, "Is Washington burning?"

When known revolutionaries can be given permits to use playgrounds for their seditious riot training schools, the people in Washington, D.C., should not be surprised at fire, death, and pestilence in the District.

But the trouble with our liberal friends is that facts and the truth only confuse them. They are not flexible in their goals nor in their thinking.

Tell the man responsible—Earl Warren. He would find no trouble manipulating the law to forbid prayer or evangelical gospel preaching on the playgrounds.

I insert in the RECORD the release from the April 5 Evening Star, of Washington, D.C.:

PERMIT FOR RIGHTS RALLY IN GEORGETOWN GRANTED

An application to hold a civil rights rally at a Georgetown playground raised concerns that went all the way up to the mayor before the permit finally was granted, it was revealed yesterday.

The Washington Ad Hoc Committee on Urban Problems was granted permission by the Recreation Board Wednesday to use the playground at 34th Street and Volta Place NW, for an "educational rally" April 13.

The group had applied for a permit March 26, but officials held up the permit because of the speakers listed to appear and because of flyers the group planned to use for publicity.

MILITANTS TO SPEAK

Scheduled to speak are militant Negro comedian Dick Gregory; the Rev. James Groppi, a militant Milwaukee priest, the Rev. Malcolm Boyd a controversial Episcopal priest; Tom Hayden, a founder of Students for a Democratic Society, and Arthur Waskow, of the Institute for Policy Studies.

The publicity flyer is in the shape of a bomb with the names of places where riots have appeared written on it, including Detroit, Watts and Memphis. On a background of red flames is the question "Is Washington Burning?"

Recreation Supt. Joseph Cole took the matter to Mayor Walter E. Washington, who reportedly expressed concern. And councilwoman Mrs. Polly Shackleton questioned holding the rally in Georgetown.

But the applicants said they wanted to establish a dialogue with the affluent citizens of the area.

SET TO FIGHT DENIAL

And they contacted the National Capital Area American Civil Liberties Union to fight the issue in case of denial. The group also received permission from the National Park Service to hold the rally at another site.

The Recreation Board, in a special meeting Wednesday voted to grant the permit, with members William Waters abstaining after expressing reservations about the action.

One official said the whole matter had been handled "very poorly." He said that according to department policy the permit had to be granted.

He said the policy is to permit use of recreation facilities by all citizen groups. A provision prohibits permits to anyone inciting riots or not acting for the general welfare. But the spokesman said such a denial would be difficult to defend in court.

Progress Report, Second Session, 90th Congress

HON. ROBERT V. DENNEY

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1968

Mr. DENNEY. Mr. Speaker, I will soon send to the constituents of Nebraska's First Congressional District my third progress report of the second session of the 90th Congress. For the information of my colleagues, I submit that report for the RECORD:

DEAR FRIEND: It seems increasingly clear that the farm and rural vote can make a critical difference in this election year. Some people forget that there are at least 40 districts in rural America where the farm vote may determine the majority in the House of Representatives.

I encourage this segment of America to use not only its voting strength but to acquire and use its potential bargaining power in the market place. Unless it does and unless the federal government allows farmers to enter as full partners of the free markets, young men such as the Future Farmers of America I recently addressed in Nebraska City will not remain on the farm. I told them I believe in less dependence on begging and more power in bargaining; in leadership from ourselves and respect from others.

It was with great pleasure that I accepted an FFA plaque as an honorary chapter farmer.

DEADLINES IN SIGHT

A reminder of the new voter registration law affecting many First District citizens: New registration is required in Burt, Butler, Cedar, Colfax, Cuming, Dakota, Dixon, Fillmore, Jefferson, Johnson, Knox, Nemaha, Otoe, Pawnee, Pierce, Polk, Richardson, Saline, Saunders, Seward, Stanton, Thayer, Thurston, Wayne and York counties.

Primary election registration deadline, May 3.

Primary election, May 14.

General election registration deadline, Oct. 25.

General election, Nov. 5.

NEBRASKANS ON CAPITOL HILL

Recently William Galbraith of Beemer was in Washington to present the American Legion legislative program for the coming year. It was my privilege to introduce the National Commander to the House Veterans Affairs Committee.

Of interest to all veterans is the House-approved legislation to increase the government guarantee behind veterans' home loans from $7,500 to $12,500 and to remove the six per cent interest ceiling in an effort to make more private money available for such mortgages. I was strongly behind this measure.

Later, I introduced Warren Fairchild, executive secretary of the Nebraska State Soil and Water Conservation Commission, to the House Appropriations Subcommittee on Agriculture. Mr. Fairchild and other Nebraska witnesses testified in opposition to a cutback of funding for soil and water conservation programs, and I, too, am opposed to these cutbacks.

The Nebraska 4–H sponsored two groups to Washington within the last few weeks and both of them met with the Nebraska Congressional delegation.

Senator Carl Curtis and I are pictured on the right with participants in the 4–H Leaders Forum.

The second program was a 4–H Leadership Short Course.

HUMAN RENEWAL FUND

I support the basic concept of the Republican-announced Human Renewal Fund whereby $6.5 billion in Federal expenditures would be cutback and $2.5 billion of the savings used in such programs as rural revitalization, vocational and technical education and crime prevention and control.

Specifically, I support budget deferrals in non-military research, highway beautification, supersonic transport, government public relations, moderate to high income apartment construction, defense supported arms sales abroad, the civilian space program, National Science Foundation, the Appalachia program and the President's contingency reserve fund.

I agree that we should not increase foreign aid, that we can have a partial cutback of military personnel in Europe, leaving an ample force to maintain treaty commitments, and that we should freeze the number of civilian government employees at its present level.

While we are spending $30 billion a year in Vietnam, low-priority programs must be deferred. Then we can responsibly plow back a portion of the savings into urgent human needs such as the rural development, voc-tech education and crime prevention I already mentioned.

RECENT BILL INTRODUCTIONS

Since my last Progress Report, I have introduced a bill to extend the life of radio and television licenses from the present three years to five years. A five-year license period would benefit the broadcasters who spend hundreds of hours making out the lengthy application and would reduce the administrative overhead of the Federal Communications Commission. With less paper work to face, the FCC also might find more time to concentrate its attention on the minority that are known mis-users of their licensed trust. I am confident this will help the nearly 20 television and radio stations in the First Congressional District. They are responsible broadcasters and deserve to have this maturity recognized and their application work load reduced.

I've also co-sponsored a bill to establish a Countryside Development Study Commission. We need more facts on the ironic situation we see of crowded cities and un-used rural resources.

HOUSE OF REPRESENTATIVES—*Tuesday, April 9, 1968*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

The Lord is my strength and my shield; my heart trusteth in Him and I am helped.—Psalm 28: 7.

Eternal Father of our spirits, whose still small voice calls us to turn away from the foolish and feverish ways of a wayward and a worried world, help us to draw near to Thee in all humility of mind and with all reverence of heart. With the power of Thy spirit alive within us may we face the duties of this day with clear minds and clean hearts, without pretense and prejudice, in the assurance that the best service we can render our country in these trying times is based on understanding, truth, and love.

Standing in the tradition of our Nation with our faith in freedom for all, may we become united in purpose and strong in spirit as we face this day when plots are made to destroy our birthright by a revolt against the laws of our land and by a rebellion against the kingly virtue of nonviolence.

May we lay aside partisan allegiances that with a deeper loyalty to our country, a broader love for our fellow man, and a greater faith in Thee we may go forth to battle for the good of all Thy children.

In the name of Him who made goodness His aim in life we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 1418. An act to make several changes in the passport laws presently in force;

S. 2015. An act to amend section 11–1902, District of Columbia Code, relating to the duties of the coroner of the District of Columbia;

S. 2496. An act to authorize the Commissioner of the District of Columbia to enter into and renew reciprocal agreements for police mutual aid on behalf of the District of Columbia with the local governments in the Washington metropolitan area; and

S. 2884. An act to amend the Federal Voting Assistance Act of 1955 so as to recommend to the several States that its absentee registration and voting procedures be extended to all citizens temporarily residing abroad.

CONGRESS IS NOT STAMPEDED ON CIVIL RIGHTS BILL

Mr. OLSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. OLSEN. Mr. Speaker, there is, of course, mourning on the lips of everyone for the loss of a very wonderful Christian person, Dr. Martin Luther King. More than 2 weeks ago I was certain the House of Representatives would approve the civil rights legislation which we are considering tomorrow. I am equally sure today that it will be approved and I do not think the success of this legislation should be credited to the shameless and senseless act of an assassin.

The civil rights bill has already been passed by the Senate and it had been scheduled for floor action this week and before the assassination of Dr. Martin Luther King.

Martin Luther King was a truly great and outstanding Christian American. His life helped to inspire this country and helped to inspire this Congress toward moving this bill. He deserves much of the credit for the impetus which had developed behind this bill, but I think it is important to emphasize to all Americans and to the President of this country that the great contribution Dr. King made to passage of this legislation resulted from the work of his life; it did not result from his tragic death. That tremendous loss is not causing a stampede in the House. That is why I take the floor at this time.

The plan for floor action is exactly the same as it was 2 weeks ago. The legislative machinery was ready then and House consideration was scheduled for this week at that time.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. OLSEN. I yield to our distinguished majority leader, the gentleman from Oklahoma.

Mr. ALBERT. What the gentleman is saying is true. This bill was programed before any of the incidents of the weekend took place.

The program is being followed precisely, as far as we have jurisdiction over it, as previously announced.

Mr. OLSEN. In that regard, I have been planning my visit to Montana during the Easter vacation. I called the majority leader's office more than 2 weeks ago about those plans and the question of scheduling the civil rights bill had been decided that long ago.

The Speaker of the House, JOHN W. McCORMACK, advised me some time ago that he was assured of the votes necessary for House passage. This is not a stampede that is going to be taking place tomorrow. Tomorrow is simply a conclusion—and I think a very successful conclusion—to the American process of democracy. I am hopeful all Americans will remember this legislation as a tribute to Dr. King's productive and Christian life, not to his untimely and tragic death.

EMOTION PACKED LEGISLATION SHOULD BE DELAYED

Mr. O'NEAL of Georgia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. O'NEAL of Georgia. Mr. Speaker, the good citizens of America who believe in law and order as opposed to mob rule sincerely abhor the violence which has engulfed much of our Nation.

Dissents, no matter how valid, cannot be settled by murder, burning, and pillage. Such conduct is expected only of wild beasts and paranoid creatures completely devoid of conscience. Unfortunately, it has erupted from activistic jungle urgings.

The present climate of great grief, unbridled irresponsibility and disgust with such irresponsibility is too charged with emotion for the production of well reasoned, well debated legislation. Measures passed at such time would be tainted with their own legislative history and fail to do credit to the deliberative body that produces it.

We must have law and order first and calm consideration afterwards.

Mr. Speaker, the peaceful, law-abiding, reasonable, responsible people of this Nation are getting angry, too, and are becoming disgusted, alarmed, and impatient because of the pressures being built up to influence the votes of their Representatives.

All emotion packed legislation should be delayed for the voice of reason to be heard.

RIOTING AND LOOTING MUST BE STOPPED

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. **GIBBONS**. Mr. Speaker, the rioting and looting that have taken place the past few days is a national disgrace. This unlawful activity must be stopped. Most Americans are deeply disturbed by the breakdown in law and order. The small minority of rioters, looters, and arsonists must be made to realize that no minority in a free society will ever dictate to the majority. The laws of our land must be upheld. Our society is based on law and order, and when this breaks down our Nation begins to fall apart at its seams.

I personally abhor acts of violence as do most Americans, and I am today urging National, State, and local law-enforcement officers to do everything in their power to immediately put down riotous acts before they have an opportunity to spread. They must also insure that violators are punished promptly and adequately. Certainly, this includes the murderer of Dr. Martin Luther King, Jr.

I have said on many occasions that there is no excuse for rioting and there is certainly none for looting. These senseless, criminal acts infringe upon the rights of the rest of us.

TRIBUTE TO A GREAT MAN

Mr. **NIX**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER**. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. **NIX**. Mr. Speaker, this is a rare occasion for me. I just came from my office listening to the funeral orations to a great man. I would hope that I never again hear recriminations and incriminations. I would hope that the people of America and the Members of this House only remember that this man who is being interred today advocated nonviolence in this country. I would hope that the Members of this House direct their attention to binding the wounds of this country that we all love.

I have no intention of saying who is wrong or who is right. We know that. Our objective should be in righting whatever wrong there is and working for the preservation of the United States of America. I would ask all of my colleagues to direct their attentions and their energies to that noble purpose.

Mr. Speaker, I would say this: I do know that never in the history of America has the conscience of this country been so aroused to its plight. I do not care how it came about. It is not our concern to know or to consider how it came about, but it is our concern to correct whatever is wrong.

My plea to the Members is to join with me in looking to the future, and in directing our efforts in the effort to correct whatever is wrong in this country.

LYNDON'S LICENSING OF LOOTERS

Mr. **ASHBROOK**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. **ASHBROOK**. Mr. Speaker, as a witness to the pillaging of the Nation's Capital last weekend, I know I express the shock and indignation of most thinking Americans to this wanton criminal conduct. The actions of the President and Attorney General amount to little more than coddling of a criminal element.

Attorney General Clark gave credence to what many of us had feared; that is, that this administration has little or no concern for property rights. Asked whether the Nation is unwilling to accept unlimited property damage because we do not want to inflict any deaths upon the looters and rioters, Clark replied:

> That is not the issue. I don't think we suffered unlimited property damage here.

He is right to some extent. Portions of Washington still stand but with no thanks to him and his appeasing and coddling practices.

Looters should be dealt with summarily. The Johnson and Clark handling of the Washington riots indicate that discontented Negroes now have a license to ransack and loot everywhere. Black militants can now act without fear of retribution. When the President comes before this body and feigns an interest in law and order he should not be taken seriously by any law-abiding American who is now insecure in his person and property.

TRIBUTE TO DR. KING

Mr. **VANIK**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. **VANIK**. Mr. Speaker, today, the thoughts of a saddened Nation are turned to Atlanta, Ga., where the body of the Reverend Dr. Martin Luther King is being interred. However, the cause of human betterment for which he gave his life must go forward.

This tragedy stirs the conscience of all Americans to make right the wrongs which he so vigorously protested. Dr. King did not plead for charity—he asked for the justice of compassionate laws to serve all people in all times.

The Congress of the United States can pay tribute to this good man of peace by carrying out his testament. We can start by enacting laws which will protect the civil liberties of our people and to make opportunity more equal.

These statutes of equality will constitute the finest tribute we can give to the memory of this great American.

POST OFFICE DEPARTMENT APPROPRIATION BILL

Mr. **CUNNINGHAM**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. **CUNNINGHAM**. Mr. Speaker, since a large number of Members are here at this moment, I think it is appropriate for me to comment at this time on the bill that will shortly be before the House, the Post Office and Treasury Department appropriation bill.

I happen to be the ranking minority member of the Committee on Postal Operations. I know of the many problems which face the Post Office Department. There are some things that I do not wholeheartedly support in their policies, but I do know that the Post Office Department is one of the key agencies affecting every single American in this country.

The Committee on Appropriations has cut this budget approximately $170 million below what was recommended by the Budget Bureau. I think this cut is deep enough and perhaps too deep. My purpose in speaking at this moment has to do with rumors that I hear that an effort will be made to chop another big hunk out of this Post Office Department appropriations bill.

I can say to everyone if this appropriation is reduced any further, the postal service throughout the country is going to suffer and there is going to be a curtailment of service. You can imagine the outcry you will hear from your constituents if further service is curtailed because of the rumor that I hear that an attempt will be made to further reduce their appropriation.

I would say there is not any agency of the Government that reaches the people on a personal basis as does the postal service. It would be most ironical and most distressing to the people if a further cut were to be made and service would be curtailed in view of the recent increase in postal rates.

PENALTY FOR GOVERNMENT WORKERS INVOLVED IN RIOTS

Mr. **GROSS**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. **GROSS**. Mr. Speaker, like many Americans I was shocked to discover that a number of Federal employees were found to be engaged in unlawful activities in the District of Columbia in connection with the recent riots.

The Washintgon Post front-page story on Monday, April 8, stated:

> A large number work for the Federal Government, and many have some college education.

I think most citizens will agree with me when I say that Federal employees are supposed to be law-abiding and responsible citizens, and certainly if they engage in activities related to civil disorders and riots in any community they are not entitled to the privilege of working for the Federal Government.

Therefore, today I have introduced legislation which provides for the immediate removal of any Federal employee who is convicted of engaging in an unlawful act in connection with any local community disorder. Further, my bill provides that such person shall not be reemployed with the Federal Government for a period of 5 years.

Also, my bill provides that any other person who is convicted of performing an unlawful act in connection with a community civil disorder shall not be eligible for Government employment for a period of 5 years following a decision of the highest court of competent jurisdiction considering his case.

I hope that Federal employees in other parts of the United States are not engaging in these civil disorders which have been reported in great abundance throughout our Nation. But if they are, my bill would apply to them as well as to those Federal employees in the District of Columbia.

THE LEGISLATIVE PROGRAM—ANNOUNCEMENT OF CONSIDERATION TOMORROW OF HOUSE JOINT RESOLUTION 1223 TO EXTEND EXCISE TAXES

Mr. MILLS. Mr. Speaker, I ask unanimous consent that tomorrow, at the opening of the session, or at any other time, that it be in order for the House to consider House Joint Resolution 1223. The purpose of the resolution, if I may advise the House, is to continue temporarily the excise taxes which the House passed in H.R. 15414 some days ago on automobiles—the manufacturer's excise—and on telephone service. As Members know, that bill, H.R. 15414 is still in conference. We are not going to be able to conclude the conference with the conferees on the part of the Senate before the House's scheduled adjournment for the Easter period. This House Joint Resolution 1223 would only extend those excise taxes for the month of April, so that the effective date for a drop, unless something further is done, would be at midnight on April 30 next.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. BYRNES of Wisconsin. Mr. Speaker, reserving the right to object—and I do so only so that we can have a discussion on this matter and so everyone will undestand what the situation is—I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, my question is this, What will be the procedure for consideration tomorrow under the unanimous-consent request?

Mr. MILLS. Under the unanimous-consent agreement the joint resolution will be called up by me when the Speaker recognizes me for that purpose tomorrow for purposes of consideration.

Mr. GROSS. Mr. Speaker, will the gentleman yield further?

Mr. BYRNES of Wisconsin. I yield to the gentleman from Iowa.

Mr. GROSS. What would be the time consideration? How would time for debate be divided on such a request?

Mr. MILLS. We could agree to that now, if any time for debate is required. I had hoped that there would be no requirement for debate of the joint resolution in view of the fact that it is a simple and easily understood resolution, merely extending until midnight April 30, 1968, the excise tax rates the House had already voted to extend in H.R. 15414, which is still in conference.

Mr. BYRNES of Wisconsin. And which the Senate has voted to extend.

Mr. MILLS. That is right.

Mr. BYRNES of Wisconsin. The problem is with respect to the other aspects in conference. To give us the opportunity to work our will on these other matters, the gentleman proposes we take care of this item—which is rather serious in terms of a sales tax—that the present law says expired on the 1st of April. This proposal extends the tax for 30 days.

The real issue is to avoid the legal problems that could occur as a result of this situation.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. HALL. Mr. Speaker, I reserve the right to object.

Mr. Speaker, may I ask the distinguished gentleman from Arkansas, the chairman of the Committee on Ways and Means, what has happened in the interim, since legal collection of excise expired last March 31, midnight, on the collection of these taxes?

Mr. MILLS. The collections have been going forward as though we had completed action on the bill. If I thought that we would not run into any difficulty by allowing this matter to go beyond the Easter period, I would not be asking the House to pass this House joint resolution. I think, though, that we should obviate any possibility of any loss of revenue in this particular area as a result of our inability to conclude the conference and pass the conference report based upon the initial proposal. I do not know that we would, but there is a possibility, and certainly under these circumstances all of us recognize we need such revenue as existing law would provide.

Mr. HALL. Mr. Speaker, if I understand the gentleman correctly, this is to make legal that which has been continued by direction?

Mr. MILLS. That is correct. In the bill that is in conference, H.R. 15414, the extension of these excises is not in issue. It is other matters which are in issue.

Mr. HALL. Inasmuch as it has passed both bodies of the Congress, but the signed enactment is being held up in conference?

Mr. MILLS. The gentleman is eminently correct. Both bodies have acted favorably on the excise rate extension.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, we are now apparently forfeiting the right to ask any questions.

Mr. MILLS. No. I will be glad to take 5 minutes, or any other length of time, striking out the last word, to answer any question.

Mr. GROSS. I thought the gentleman expected to call it up and pass it without any discussion at all.

Mr. MILLS. No. I said I hoped to. It is easily understood.

Mr. HALL. This will be the first order of business?

The SPEAKER. The Chair will consider that and recognize the gentleman at the appropriate time.

Mr. HALL. As I understood the unanimous-consent request, Mr. Speaker, that was specifically so stated.

Mr. MILLS. I added to that, or at any other time tomorrow.

Mr. HALL. If and when recognized by the Speaker?

Mr. MILLS. That is correct.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

CALL OF THE HOUSE

Mr. MONTGOMERY. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 89]

Adams
Ashley
Ashmore
Bingham
Boland
Burton, Calif.
Button
Carey
Carter
Cohelan
Conyers
Corman
Daddario
Dellenback
Dent
Diggs
Dow
Dwyer
Edwards, Calif.
Esch
Farbstein
Findley
Fino
Fraser
Gardner
Gilbert
Gurney
Hagan
Halpern
Hanna
Hansen, Wash.
Harvey
Heckler, Mass.
Herlong
Holifield
Hull
Irwin
Jacobs
Jones, Mo.
Kastenmeier
Kazen
King, Calif.
King, N.Y.
Kirwan
Kluczynski
Landrum
Leggett
MacGregor
Mink
Moore
Moorhead
Morse, Mass.
O'Hara, Ill.
Ottinger
Poage
Rees
Reid, N.Y.
Resnick
Reuss
Riegle
Rosenthal
Rostenkowski
Roth
Roybal
Ruppe
Ryan
Scheuer
Schweiker
Schwengel
Selden
Steiger, Wis.
Stubblefield
Taft
Teague, Tex.
Tenzer
Thompson, Ga.
Thompson, N.J.
Tuck
Tunney
Whalen
Wolff
Yates

The SPEAKER. On this rollcall 351 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

EULOGY TO DR. MARTIN LUTHER KING, JR.

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. MATSUNAGA. Mr. Speaker, more than 300 years ago, the English poet and clergyman, John Donne, spoke these words—

> No man is an Island, entire of itself; every man is a piece of the Continent, a part of the maine; if a Clod be washed away by the Sea, Europe is the less, as well as if a Promontory were, as well as if a Manor of thy friends or of thine own were; any man's death diminishes me, because I am involved in Mankind; And therefore never send to know for whom the bell tolls; it tolls for thee.

The bell tolls, indeed, for all mankind as Dr. Martin Luther King, Jr., is buried in his final resting place in Atlanta today.

Sad as we are over the brutal assassination of this good and righteous man, let us be heartened in the realization that though he died young, Dr. King accomplished a lifetime of humanitarian endeavor.

In pursuing the creed of nonviolence to achieve man's goal of equality, justice, and understanding, he often spoke for all mankind. He uttered these words from the Lincoln Memorial in 1963:

> I say to you today, my friends, even though we face the difficulties of today and tomorrow, I still have a dream. It is a dream deeply rooted in the American dream.

His dream of racial brotherhood was of a Nation where Americans are judged not "by the color of their skin but by the content of their character."

In accepting the Nobel Prize for Peace in 1964, Dr. King said:

> I accept this award in behalf of a civil rights movement which is moving with determination and a majestic scorn for risk and danger to establish a reign of freedom and a rule of justice.

Dr. King has left with us his dream to achieve a better America for all Americans, and to bring love and understanding among the peoples of all nations. It is a dream that we ought to help fulfill even without his presence and guiding hand.

To Mrs. King and their children, I extend deepest sympathy in the loss of a devoted husband and father. The Nation and the entire world have also suffered a great loss in the tragic passing of this gentle apostle of freedom and brotherhood.

TREASURY, POST OFFICE, AND EXECUTIVE OFFICE APPROPRIATION BILL, 1969

Mr. STEED. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill—H.R. 16489—making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1969, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate continue not to exceed 4 hours, the time to be equally divided and controlled by the gentleman from Massachusetts [Mr. CONTE] and myself.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from Oklahoma.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 16489, with Mr. BLATNIK in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the unanimous-consent agreement, the gentleman from Oklahoma [Mr. STEED] will be recognized for 2 hours, and the gentleman from Massachusetts [Mr. CONTE] will be recognized for 2 hours.

The Chair recognizes the gentleman from Oklahoma.

Mr. STEED. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, we are very pleased to be able to bring this, the first general appropriations bill of the session, to the House today for consideration. At the outset I want to say that having this bill here today has been made possible only because of the fact that the chairman has had the finest cooperation and assistance from the other members of the subcommittee and the staff and the agency people.

We put in a lot of overtime, and we are pleased we can be here this early in the session with this first appropriation bill.

The Treasury, Post Office, and Executive Office appropriation bill is one which deals with agencies probably best known to the Members of Congress generally. These are the agencies which have the longest history in our Government, and it could truly be said that they represent the very heart and core of our Federal Government. They deal not only with the enormous agency of the Post Office Department but also with the Treasury Department agencies, which have responsibility for collecting the moneys that come into the Federal Treasury and for handling of the great Federal debt and all of the trust funds of the Government.

We have brought in what I believe is the tightest appropriation bill for these agencies the Congress has considered in the 20 years I have been a Member. We have made a total cut of 2.2 percent. While that may not be large in terms of percentages, when it is applied to these agencies it represents a very, very heavy impact on their requests for funds.

These agencies give services to the American people which are not under their control in terms of the volume and workload they are called on to perform.

The bill we have here today recommends that appropriations for fiscal year 1969 total $8,155,624,000, which is a reduction of $181,735,000 below the budget estimates.

There is a gross increase, considering the supplementals for this current fiscal year, of $609,983,000. The supplemental estimates for fiscal year 1968 amount to approximately $222,680,000, either pending or proposed for later transmission to the Congress. Approval of these supplemental estimates would reduce the amount for 1969 recommended in this bill, compared to 1968, from the $609,983,000 as shown in the table on page 2 to $387,303,000.

Mr. Chairman, this point I want to stress, because I believe it more clearly than anything else indicates just how tough we have been in making the budget recommendations contained in the bill.

The mandatory increases brought on by workload increase and pay raise increases enacted by Congress would impose $459,892,000 additional costs on these agencies in 1969 over 1968. In the ordinary year these types of mandatory increases are more or less automatically allowed, but this year we have allowed only a total net increase of $387,303,000, taking into account that we assume these supplementals will have to be allowed, since they all deal with the automatic pay raise which was voted by Congress.

When this has been done, the bill we have here today will, in effect, require these agencies to do, on the same unit cost basis, during the next fiscal year the job at a total cost of $72,589,000 less than the present rate of accomplishment. I believe that when we can show a $72,589,000 reduction under the automatic increases, we have demonstrated that this truly is a very, very tight bill. We have made some substantial cuts, but we have not, I think, made any cut that will impair service.

After the decision on the cuts had been arrived at, all of these items were gone over carefully with the people in the departments. We were assured that while they are going to be under rather heavy restrictions in many ways, still they can live with this budget and, if the House approves it, they will not go to the Senate and ask for any of the cuts to be reinstituted which we have made.

If this happens, this will also be the first time since I have had anything to do with this bill that we have had a situation like that. The important thing is that I think I can assure the House without any reservation that any additional cuts made in this bill can only be made if you are willing to curtail the services that these agencies are mandated to perform. We have tried to make all of the savings that can be made without the committee assuming the right to compel these agencies to curtail services imposed on them by the Congress. I want the Members to be very clear in the fact that today, if opportunities to vote for economy amendments are offered, that you do so with the full knowledge that you are accomplishing that economy only through the fact that there is going to be a reduction in service tied in with it.

There is one other point connected with this bill that I want to stress. This is while the total amount provided for is $8,155 million, it only affects the budget that we are all concerned with to the extent of about $1.7 billion due to the fact that $6.377 billion in estimated postal receipts will automatically go to help to pay the operation of the Post Office Department. That means that we are nearer to a pay-as-you-go basis in postal service this year than we have been in many, many years. The total postal budget that we have allowed is $7.127 billion. When you take the $6.377 billion in postal receipts away from that, you have left $750 million in new obligational authority that will have to be funded out of the Federal Treasury; $634 million of this amount is called public services. They were not ever intended to be paid for from the postage collected by the Post Office Department. These services have been imposed on the Post Office Department and are supposed to be funded by all of the American people. So when you take the public service costs from the amount that the postage does not cover, you have left $116 million, actually, for postal service not involved in the public services and not paid for by postage.

The operations of the Post Office Department, which are the collection, sorting, and distribution of mail—and that is where the action is—will cost $6.377 billion this year. That means there will be after the postage has been applied to this operation $657 million in receipts to be applied to other postal costs. That brings us back down to this $116 million figure. When you stop to consider in addition to operations you have some $200 million for plant and equipment, almost $700 million for transportation costs, which are beyond the control of the Department, and you have all of the administrative costs, research and development, supplies, and all of these items you fund, I think when you get all of this whole thing down to where there is only a gap of $116 million between the money we are collecting and the total operational cost of the Department, we can see that we have brought the Post Office Department into a closer balance than we have had in a great many years. Certainly at a time when we have such stringent budget problems as exist this year, this impact on the actual Federal Treasury is one, I think, we can all be pleased about.

When one thinks about the Post Office Department and the increase in its costs, and its need for manpower, there are two things I believe we must keep in mind: The increased workload imposed upon this Department comes from two major sources, one is in the increase in volume of the mail—the estimated increase in mail volume in the next fiscal year is set at about 3 billion pieces. If this increase occurs, the Post Office Department is going to be required to distribute 85 billion pieces of mail during the next year, which of course is an alltime high. This not only imposes a very heavy burden on the Department to cope with this extra amount of mail, but it is also tied to another type of impact, that of costs that keep going on apace; that is, the number of stops or addresses that they have to deliver mail. The increase in stops in the last fiscal year alone is estimated at 1.4 million.

Now, since we can distribute the mail to the homes of the people and the stores and places of business only by the use of manpower, and since the average number of drops that one man can cover in a day is about 400, you can see that when they have this large growth in 1 year in the number of addresses to which mail has to be delivered, that they are going to have to add on a lot of additional people. The estimated increase for the coming year is that it will require at least 7,000 additional carriers alone just to cover the new homes, offices, and places of business that will grow up in this country.

These two items, the total number of places to deliver mail to, and the total amount of mail to be delivered, make a double impact on the increased cost of the Post Office Department. Of course, they have other things that increase their costs, supplies keep going up and all that sort of thing, but the other real major increase in the total dollars they are involved with is in the form of the pay raises ordered by the Congress for their employees. Since they employ about 780,000 people, and since about 90 percent of their entire budget goes for wages and benefits and related costs, any percent of wage increase at all makes a heavier impact on the money that the Post Office Department needs than most other agencies of the Government.

Of course, all of the Members are aware of the fact that these extra hundreds of millions of dollars have been added on to their budget this year, because of pay raises.

The Post Office Department has been delivering mail to 67 million addresses. For 200 million people that means that we are at an all-time high in the total number of places to deliver mail to, and in the percentage of places relating to the total population. These all add up to a lot of extra costs for the Department.

I stress these two things because these are matters beyond the control of the Department, and for them and for us to be able to hold this increase for next year to the point we have means that we have accomplished it only by requiring the most stringent of impacts on their budget requests that it is possible to make.

I honestly do not believe that any more cutting can be done on the Post Office Department unless you are willing to give up the services that they are now performing.

I, for one, am not in favor of reducing the services of the Department, especially right now, so soon after we just got through raising the postage rates, which became effective earlier this year. I do not believe the American people would be very happy if the extra costs now imposed on them were followed so soon by a reduction of services that they have had, lo these many years.

As a matter of fact, during all the years that I have been on this subcommittee the stress has been to try to make the postal service more efficient and a more serviceable organization rather than to curtail its activities. I think that is what most of the Members of the House believe in.

In the budget request this year, there was a request for 26,600 additional jobs. We have allowed funds here to cover 22,400 of those jobs. While this is a large number taken by itself, percentagewise compared to the people employed in this bill, it is not so large.

Some 20,000 of these positions are set aside for the operations activities of the Post Office Department. That is the manpower they need to handle this extra mail and to cover the thousands of new homes and offices that are going up in the country. That is less than they actually needed but we think it is about the minimum number of jobs they need to keep giving the people service.

We have allowed 1,600 additional jobs in the Internal Revenue Service—way below what they asked for—and probably too low in the sense that to refuse to give this agency the manpower it has to have to collect the taxes of the country means, more likely than not, you are going to lose more taxes that are uncollected than you are going to save in funds that are denied for manpower.

I want to call the attention of the House to one or two other items in the bill. After the House voted the other day to approve the Reorganization Act which transfers the Bureau of Narcotics from the Department of the Treasury to the Department of Justice, we approved a supplemental budget request for the Bureau of $1,300,000 in excess of their original budget request to us. We did this because we assume that the action of the House meant it was approving this new plan for the Bureau of Narcotics to operate and, therefore, they would need these additional funds. Personally, I opposed that, but, since it is the will of the House, we have gone along with it.

The other important thing that I want to call to your attention is that a new agency is included in this bill. It is the Commission on Obscenity and Pornography.

In the first place, the new Chairman wanted more money than the budget request and he called our attention to the fact that the limited life of this Commission would not give sufficient time for the Commission to finish its work because it was so late in getting it organized and started. Also, he wanted a rather sizable amount of money to be used to make contracts with universities and other research groups to help them in their study. All of the members of the Commission are not appointed yet.

They are operating with contingency funds, but a supplemental of $150,000 is to be proposed for the rest of this fiscal year. After considering this, the committee realized that they were going to have to get legislation to extend their life and they need to have a full commission and some staff to develop the program that they want.

We denied $418,000 of their budget request and allowed them $225,000, which I think is enough to get them in business and to carry them to a point next year where they can come to us with a program, and how long a life they need and how much research and other types of activities that they want.

This will also allow them to have a full commission and a staff of about 10.

So, as we always have, on these new agencies, this business of trying to get organized and get started and to arrive at some set budget, we thought that this was about the fairest and most reasonable way that we could approach that problem this year.

So that is a new function and a new activity, and I wanted to call the Committee's attention to it. There again the committee is trying to yield to the will of the House and to make it possible for this organization to begin its work and to carry out the mission that the House gave it.

I am glad to yield to the gentleman from Iowa.

Mr. GROSS. I thank the gentleman for yielding. How much did the gentleman say the increased appropriation to the Bureau of Narcotics would be?

Mr. STEED. Let me answer the gentleman in this way: When we got the original budget figure that we had before us, before we were able to get to the Bureau of Narcotics a supplemental request based upon this reorganization plan came to us which increased the original amount by $1,300,000. After the House voted to approve the reorganization plan, we allowed this additional amount, in addition to their original budget request.

Mr. GROSS. An increase of $1,300,000?

Mr. STEED. That is correct.

Mr. GROSS. Why the increase? I thought the transfer was to promote economy and efficiency.

Mr. STEED. Transfer of this agency over into the Department of Justice involves getting them into some activities that they have not been engaged in. I think it is a mistake to have done it, but since the House said to do it, we bowed to their will and we have allowed the funds they are going to have if they are going over to the Department of Justice and take on the new functions that I understand they are supposed to have over there.

Of course, we do not handle the budget for the Department of Justice, and I am not in a position to give the gentleman any details as to what the new functions over there, involving the Bureau of Narcotics as well as some other agencies that will be set up, will be. So I wanted the House to know that even though I personally was opposed to all of this transfer, we felt we had to acquiesce in the allowing of the funds if this new agency is going to be placed in that Department.

Mr. GROSS. Let me say that I did not vote for the transfer of the Bureau of Narcotics into the Justice Department. Therefore, I am particularly curious to know why this increase when we were told that the transfer was designed to promote efficiency and economy.

Mr. STEED. The information we have is that the new Bureau of Narcotics will take on some additional duties they have not heretofore had. If they are going to do so, they will have to have more money than they had in their original budget.

Mr. GROSS. Would the gentleman think that there would be a saving, then, in some other areas where those duties had been previously performed that the Narcotics Bureau is now going to undertake?

Mr. STEED. I do not know whether the Bureau's functions will replace some function performed someplace else or will be some new thing that will be done that had not been done before. The Bureau of Narcotics has always insisted that it remain a small, very tightly operated agency, and they have a very tight budget. They always have had. I think for the money spent their record shows that the American people have had returned to them more dividends for the $8 million it cost to operate that Bureau all over the world to avoid the evil of narcotics than we have received from any other Federal dollar that we have spent.

The reason I opposed the transfer is that I am afraid this high record of efficiency they have been giving the American people all these years may be impaired.

Mr. GROSS. If the gentleman will bear with me for one further observation, I find it most interesting that in the short time that has elapsed since this transfer was made, the Bureau of Narcotics into the Justice Department, the increased cost is already $1,300,000. This ought to make those who supported that measure authorizing the transfer feel proud of their part in the so-called economy program, if any, in the Federal Government and the austerity that is allegedly being called for by the President.

Mr. STEED. The gentleman may be correct. The fact of the matter is that since the budget came out before the reorganization became effective, it fell to the lot of my subcommittee to handle their budget again this year, since previously we had handled it. I understand that now this will be the last time this item will appear in this appropriation bill, since henceforth it will become a part of the appropriation for the Department of Justice. There are many other agencies involved in this transfer that we have never had any jurisdiction over.

The only little part of it that ever came to our attention was this one bureau.

Mr. Chairman, I reserve the balance of my time.

Mr. DAVIS of Wisconsin. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. Evidently a quorum is not present.

The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 90]

Adams
Ashmore
Bingham
Boland
Bolton
Burton, Calif.
Button
Carey
Carter
Cederberg
Cohelan
Conyers
Corman
Daddario
Dellenback
Dent
Diggs
Dow
Edwards, Calif.
Esch
Farbstein
Findley
Fino
Fraser
Gardner
Gilbert
Gurney
Hagan
Halpern
Hanna
Harvey
Heckler, Mass.
Herlong
Hicks
Holifield
Holland
Hull
Irwin
Jacobs
Jones, Mo.
Kastenmeier
Kazen
King, Calif.
King, N.Y.
Kirwan
Kluczynski
Landrum
Leggett
MacGregor
Mailliard
Mink
Moore
Moorhead
Morse, Mass.
O'Hara, Ill.
Ottinger
Poage
Quie
Rees
Reid, N.Y.
Resnick
Reuss
Riegle
Rosenthal
Rostenkowski
Roth
Roybal
Rupe
Ryan
Scheuer
Schwengel
Selden
Steiger, Wis.
Stubblefield
Taft
Teague, Tex.
Tenzer
Thompson, Ga.
Thompson, N.J.
Tuck
Tunney
Whalen
Wolff
Yates

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BLATNIK, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 16489, and finding itself without a quorum, he had directed the roll to be called, when 344 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. CONTE].

Mr. CONTE. Mr. Chairman, before I speak on the appropriation itself, I wish to clear the air of some misconception and some propaganda that I am sure all Members of the House received this morning from Federation News, April 5, 1968. In that it is stated the Appropriations Committee defeated amendments offered in committee, in executive session, to eliminate 2,000 post offices, to cut mail delivery to 5 days a week, to cut rural delivery to 3 days a week, and to cut parcel post delivery to 5 days a week.

Mr. Chairman, this is not so. Never was such an amendment as these offered in subcommittee or in the full committee.

There was some discussion in committee, but no amendment was offered, there is a possibility here on the floor of someone offering an amendment to cut out Saturday delivery of mail, to cut parcel post delivery down to 5 days a week, and to cut parcel post delivery out on Saturday. There was some discussion, but no amendments were offered either in the subcommittee or in the full committee.

I am sorry this happened, and I do not blame the Federation. Most likely it was someone on our committee or on the full committee who passed out this erroneous information.

Mr. OLSEN. Mr. Chairman, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from Montana.

Mr. OLSEN. Mr. Chairman, would the gentleman have any comment to make on the subject of rural mail delivery?

Mr. CONTE. Mr. Chairman, I just mentioned it. I said there have been no amendments offered, either in subcommittee or full committee, on any of these subjects. There is a possibility that someone may offer such amendments on the floor here today, but time only will tell what will be done on this. However, no amendment was ever offered in the subcommittee or full committee on it.

Mr. OLSEN. Mr. Chairman, I thank the gentleman.

Mr. CONTE. Mr. Chairman, I would like to take this opportunity as the ranking minority member of the Treasury-Post Office Subcommittee to add my thoughts on this appropriation bill to the views just expressed by our chairman, the gentleman from Oklahoma.

We find ourselves in troubled times these days, as troubled as any I can remember. In our darkest days during World War II, when we stood as a nation attacked from without, we were a nation united within.

Today, we find ourselves involved in a tragic and most difficult war abroad and deeply divided over that war. We find, more significantly, a division among our people related to the race question which threatens to split our country apart.

We find our financial situation in an incredibly precarious state of affairs, despite the fact that economic conditions throughout the country for most of our citizens give the appearance of good times.

This Nation has always been its strongest during times of greatest crisis. I see no reason to believe that the same will not hold true today.

However, I do believe that it is absolutely critical to the well-being of this Nation and its citizens, for every man and woman to realize that more is required of them.

We are in need today of total effort, total effort on the part of all of us to meet the great challenges of our times. This requires sacrifices and it requires strength and it requires courage.

It requires more of us as a nation than we have been willing to give, and it requires it from us now, today; not in the future, not in the near future—but today.

All of the subcommittees of the Appropriations Committee, and all of the Members of this body are faced this year with exceedingly difficult appropriation tasks. The intensity and complexity of the problems that we as a nation are facing, the great demand on our available resources, and the present critical financial posture all combine to present us with most difficult decisions concerning fiscal 1969 expenditures.

Mr. MINSHALL. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. Evidently a quorum is not present. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 91]

Adams
Ashmore
Bingham
Boland
Burton, Calif.
Button
Carey
Carter
Cohelan
Conyers
Corman
Daddario
Dellenback
Dent
Diggs
Dow
Edwards, Calif.
Esch
Farbstein
Findley
Fino
Fraser
Gardner
Gilbert
Gurney
Hagan
Halpern
Hanna
Harvey
Heckler, Mass.
Herlong
Holifield
Holland
Hull
Irwin
Jacobs
Jones, Mo.
Kastenmeier
Kazen
King, Calif.
King, N.Y.
Kirwan
Kluczynski
Landrum
Leggett
McClure
MacGregor
Miller, Calif.
Mink
Moore
Moorhead
Morse, Mass.
O'Hara, Ill.
Ottinger
Poage
Rees
Reid, N.Y.
Resnick
Reuss
Riegle
Rosenthal
Rostenkowski
Roth
Roybal
Ruppe
Ryan
Scheuer
Schwengel
Selden
Steiger, Wis.
Stubblefield
Taft
Teague, Tex.
Tenzer
Thompson, Ga.
Thompson, N.J.
Tuck
Tunney
Vander Jagt
Whalen
Wolff

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BLATNIK, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 16489, and finding itself without a quorum, he had directed the roll to be called, when 354 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. CONTE].

Mr. CONTE. Mr. Chairman, before I proceed with the remarks on the appropriation bill, I certainly appreciate my colleagues on this side of the aisle calling all the quorum calls to get an audience out to hear me, but I would not feel it an affront if they would not call any more quorum calls, so we can get on with the debate and get through with the work of the House.

Mr. Chairman, I would like to commend this subcommittee for their industrious performance and for the diligent and conscientious approach which they have taken in formulating the recommendations presented today.

Budget requests for fiscal year 1969 by the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies totaled $8,337,359,000.

We have recommended cutting these requests by $181,735,000, some $70,000,000 more in cuts than our fiscal 1968 recommendations, and some $145,000,000 more than our fiscal 1967 recommendations.

Our recommendation to lower Post Office requests by $170,710,000 is the largest Post Office reduction recommended in the last 20 years.

Assuming all estimated fiscal 1968 supplemental requests are enacted, the amount of increase recommended in this bill over 1968 is some $387,303,000.

This increase would be a smaller amount as pointed out in our report, than the aggregate amount of workload increases and other mandatory requirements imposed upon the agencies involved such as pay raise costs, postal increases and other factors over which essentially no control can be exercised administratively.

Our increases in expenditures have never been considered to involve particularly controversial determinations. They repeatedly have been the direct result of mandatory increases and huge workload increases which despite substantial increased productivity has necessitated larger budgetary costs.

The areas covered by these appropriations are of great importance to this country. It has been estimated that 80 percent of the Treasury Department appropriations, this year recommended at $1,006,650,000, are for the function of revenue collections. Treasury's collections furthermore are estimated to account for about 94 percent of total Federal revenues projected for 1969.

The importance here of effective and efficient operations is of direct relation to the size of the revenues which this country will collect in fiscal 1969. If ever there was an area where the old proverb "penny wise and pound foolish" had potential application it is within the realm of this appropriation.

The major amount appropriated under this bill deals with the Post Office where the level of mail delivered for fiscal 1969 is estimated to be at the astounding level of over 85 billion pieces. The increases provided here are accounted for in the most part by mandatory increases such as pay raise costs, increased mail volume, and programs authorized by Congress which are not subject to Post Office discretion.

Some 26,000 total new jobs were requested in this bill for fiscal 1969. Our committee has recommended increases of some 22,400 positions, the major portion of which is accounted for by 20,000 positions for Post Office operations. This postal operations increase is directly related to the increase in workload estimated for fiscal 1969.

Some 1,600 additional positions have been recommended for IRS to meet the needs created by the substantially increasing number of income tax returns projected for 1969 as well as additional reporting complexities.

The Treasury Department contains some of the most outstanding examples to be found in the Government of the effective use of mechanization to increase productivity. This subcommittee has consistently given strong backing to what it considered to be the absolute necessity for adoption of mechanization processes.

In the Bureau of Accounts during fiscal 1951 the average production per employee in their major area of responsibility, central disbursement operations, was 60,000 units per man. In fiscal 1966 it was 343,000 units per man, while for fiscal 1969 it will be, according to estimates, 403,000 units per man. In fiscal 1967, the average operating unit cost was 2.78 cents, an alltime low as of that time. For fiscal 1969 it is projected at 2.64 cents.

A 4-percent increase of 17 million items is projected in central disbursing activity for fiscal 1969, yet this increased workload will be handled without increase in manpower.

The Bureau of Public Debt has consistently been able to reduce staffing needs while facing increasing workloads.

The Bureau expects to handle in fiscal 1969 a 43.5 percent larger workload than it handled for 1957 with 35-percent less man years. If productivity had not increased from the 1957 level, it would be requesting for fiscal 1969, 2,372 more man-years than it is now requesting at an added cost of some $16 million, in terms of 1969 pay rates.

For fiscal 1969, the Bureau estimates a 6½-percent increase in workload while at the same time it is requesting only a 2⅔-percent increase in program costs.

More than two-thirds of the funds requested for the Office of the Treasurer, will be used in paying and reconciling 588 million checks drawn on the Treasurer and in handling the hundreds of thousands of claims arising due to loss, theft, and forging of Government checks. The workload in these areas is completely governed by the number of checks issued under programs administered by other Government agencies.

Employee production in check operations has increased each year since 1956 and according to estimates this will be true in fiscal 1968 and fiscal 1969.

While checks processed since 1956 have gone from some 350,000,000 a year to well over 550,000,000 a year estimated for fiscal 1969, the number of employees during that period has gone from nearly 700 in 1956 to less than 600 estimated for fiscal 1969.

The Bureau of Printing and Engraving has also consistently demonstrated increased productivity. The Bureau's dry-print currency printing method on 32 subject plates has been responsible for substantial improvements in productivity.

The actual unit cost rate of $8.14 per thousand notes for fiscal 1967 is $1.78 less than the unit cost rate in 1951 despite large price increases for labor and materials during that time.

The Bureau accomplished a notable feat earlier this year in its second major area—the production of postage stamps. In response to the great need for new postage stamps created by the postal rate increases, the Bureau in around-the-clock operations delivered 7 billion 200 million stamps during the month of January. This amount was one-fourth of the total number of stamps originally budgeted for fiscal 1968.

The Internal Revenue Service is the key to the collection of U.S. Government revenues. Gross Federal tax receipts in fiscal 1967 were $148.4 billion, an increase of $19.5 billion over fiscal 1966 or a rise of over 15 percent. The total amount collected and the percentage increase were the largest in our history. Over 105 million returns were filed in 1967, 1.4 million more than in 1966.

The successful operation of IRS is critical to the Government maximizing its revenue collections. There are no agencies in the Federal Government that can compare with IRS and with the Customs Bureau as agencies where the amount of Federal revenues received is so directly the result of the amounts expended.

It is for this reason that I have opposed any blanket reductions being applied to IRS. The results of Public Law 90–218 being applicable to IRS clearly demonstrate, I believe, the inappropriateness of such action. There were so-called savings of $15 million, as a result of these economy reductions, while the costs to the Government in revenue collections were estimated at more than $50 million and probably closer to $100 million.

It has been estimated, furthermore, that possible revenue losses in fiscal 1969 could reach some $256 million if the $22 million increase requested for compliance was fully denied.

Involved here, however, is not just the question of the loss of millions of dollars in direct revenues. The indirect effect on voluntary reporting which may occur from lack of adequate supervaillance efforts is potentially enormous.

A dropoff in compliance of a single percentage point would reduce tax receipts by $1.7 billion, according to estimates.

Our subcommittee, I believe, has by its recommendation, recognized the importance of providing a meaningful compliance program.

The Bureau of Customs continues to be faced with increasingly overburdening workloads. In 1967 more than 202 million persons entered the United States. This figure is expected to reach 213 million in 1968 and 223 million in 1969.

Aircraft passenger increases have been averaging some 20 percent a year and in 1968 are expected to exceed this amount. This problem is of particular concern with the development of large capacity passenger aircraft and the overwhelming pressures that it will place on our present system.

The Bureau of Customs collected a record $2.7 billion in duties and taxes last year and this is expected to reach $3.2 billion in fiscal 1969. The application of Public Law 90–218 to this agency was equally nonproductive and self-defeating in my opinion. There will be an estimated $20 million loss in revenues in fiscal 1968 as a result of the $2 million savings through economy reductions.

Of particular interest was the results of a custom study made during fiscal 1968 in which 100 percent of the mail arriving at New York and San Francisco on 1 day was examined. The results were almost unbelievable.

More than 63,000 packages were examined. Of this amount, more than 13,000 packages were found to involve one or more violations of U.S. law. This amounts to some 21 percent of the packages examined that day as compared to the 3-percent average of violations found under the normal spot checking procedures used.

More than 1,200 of the packages contained stolen Government property including 90 weapons such as live grenades, Thompson submachineguns, grease guns, and handguns. More than 6,000 violations of food and drug, meat, and plant quarantine laws were found.

For every $1 spent in mail examination, some $10 in revenue is brought in. The additional $419,000 requested for mail examination thus would bring in over $4 million in increased revenues.

Commercial importations increased some 7 percent last year. Customs averages some $50 in collections for each dollar expended in this area. Applying this to the fiscal 1969 request of an additional $2.8 million for commercial importations, we would wind up with over $100 million in additional revenue from this increase.

Narcotics seizures continued to significantly rise. Fiscal 1967 saw nearly 4½ times as much heroin seized as fiscal 1966. The first 6 months of fiscal 1968 saw twice as much heroin seized as in 1967.

Marihuana seizures have gone from less than 1 ton in fiscal 1963 to more than 5 tons in fiscal 1966, 13 tons in fiscal 1967 and nearly 18 tons from July to December 1967.

Last year I informed the Members of this body that the increases recommended for Customs for fiscal 1968 did not even begin to cover the budget increases that would be needed in future years because of the extraordinary growth in traffic which we will experience. I give this same warning today regarding fiscal 1969 recommendations and would point out that steps must be taken soon to prepare for the great workload increases which we have in store.

The need for coordination among all of the various agencies which presently process incoming passengers and cargo is one critical area and hopefully studies being conducted in this area will soon produce some positive steps to be taken.

The amount recommended for the Bureau of the Mint is approximately the same level of funding as in 1968. The proposed production program for fiscal 1969 called for the minting of some 5,752,000,000 coins, some 75 percent of which would be pennies. Our subcommittee recommended a $500,000 reduction in this coinage program. Testimony has indicated that substantial coin inventories are now being built up at Treasury and in Federal Reserve banks.

The continuing use of our limited supplies of silver in the production of silver half dollars has been a matter of concern. The half dollar is a noncirculating coin which does not serve its utilitarian function as a medium of exchange. Silver is vitally needed for industrial purposes and yet we have continued to place more silver in these coins than we have been mining in this country. Our committee has expressed its strong belief that the coinage of 50-cent pieces for fiscal 1969 should be no more than 100 million pieces or 15 million ounces of silver.

This is the last year in which the budget for the Bureau of Narcotics will be found in this bill. The Bureau, a part of the Treasury for some 37 years, is to be transferred under an executive reorganization to the Department of Justice and merged with HEW's Bureau of Drug Abuse Control.

The Bureau of Narcotics is an excellent agency with an outstanding record of achievement. It has seized, for example, over $615,000,000 worth of narcotics in international cases alone over the past 5 years.

I opposed this merger because I believe its potential losses outweighed its potential gains. Specifically, the Bureau's main function is in intercepting narcotics at the source level. In carrying out this principal responsibility, the Bureau has maintained a close liaison and operating relationship with its sister agency, the Customs Bureau.

The excellent coordination which presently exists and which is important to narcotics operations could be severely hampered by moving this agency to Justice and this was the basis for my objections.

I would note, however, that the substantial increase in size of the Bureau under its new status will be extremely beneficial in the crucially important fight to control our ever-increasing narcotics problem.

The Secret Service has one of the most important and one of the most difficult jobs in the country to perform in safeguarding the President and the Vice President of the United States. We have recommended for fiscal 1969 an increase of some $2,250,000 over the proposed levels of spending here in 1968. Although some reductions were made in fiscal 1969 requests, we have emphasized that these reductions should not be imposed in areas of critical operation.

The committee has shared in the past the Service's concern about the lack of adequate training facilities for its personnel. We are, therefore, pleased to be able to recommend the independent $1,000,000 request for the construction of Secret Service training facilities. This will be used to construct an outdoor training range for the Secret Service and other Treasury law-enforcement agencies.

Before moving to a discussion of the Post Office Department, I would like to point out to the Members that during last fiscal year, the Treasury Department saved $145 million from its cost reduction program exceeding its previous record by $100 million. This is an outstanding accomplishment and certainly deserves our recognition and congratulations.

The Post Office Department, as I mentioned earlier, projects mail volume for fiscal 1969 at some 85.2 billion pieces, which represents an increase of 3 billion pieces on top of a 3-billion-piece increase for fiscal 1968.

More than 75 percent of the Post Office Department's total expenditures in fiscal 1969 will be for labor costs and the 1969 budget includes $329 million to pay the cost of higher salaries approved by Congress effective October 1, 1967.

After adjusting for potential supplementals which will apply to fiscal 1969, the estimated postal deficit for that period is $1,104 million, of which $651 million is considered public services loss and $363 million is the net deficit for ratemaking purposes.

Expenditures attributed to public service loss have reached this figure starting from $37,400,000 in 1960. Our committee has expressed concern about these costs reflecting accurately the cost of public services and has requested the Post Office to study the problem and recommend remedial legislation for any appropriate changes.

The higher postal rates approved by Congress last year will bring in $874 million in fiscal 1969.

Postmaster General O'Brien has testified that the downward spiral of productivity is being stopped. Specifically, he pointed out that the Post Office is budgeting a 1.2-percent increase in productivity in the clerk account at a savings of some $26.7 million and a 1.7-percent increase in productivity in the carrier account at a savings of $27 million.

Nevertheless, the postal situation remains extremely difficult, and I would like to quote from the testimony of the Postmaster General this year:

> Time is running out on the U.S. postal service. Our greatest danger is that we will be overrun by obsolescence—by archaic facilities, by outmoded ways of processing our product, by anachronisms in our organization that can no longer meet the challenges, that can no longer meet the needs of our economy and our society.

The President's Commission on Postal Organization is presently reviewing the entire postal system and is to report to the President this month.

Whatever their recommendations, and whatever changes may be made, a—if not the—key to overcome our very difficult postal problems is the Department's Office of Research Development and Engineering.

This office, under the outstanding leadership of Dr. Leo Packer, has requested $36,800,000 for fiscal 1969, representing a 55-percent increase over fiscal 1968. We have recommended $34 million, and it is imperative in my opinion that this amount be fully made available.

The importance of these operations can neither be understated nor underestimated in terms of whether we will win the Department's "race with catastrophe" as described last year by Postmaster General O'Brien.

Testimony this year has indicated that the post office is in the process of adopting a systems approach in the application of modern technology to the postal service.

The successful development of a truly operational optical character reader presently being undertaken holds in store tremendous potential for postal operational improvements.

Dr. Packer has stressed the extreme importance of the present Post Office program to expand inhouse research and development capability.

The largest single item by far in the bill pending today is the appropriation for Post Office operations. Our committee has recommended here an appropriation of $5,720 million, a reduction of $63,989,000 below the budget request, and an increase of $228 million over the 1968 level after allowing for a $185 million supplemental.

Our committee feels that, based on past experience, the estimated mail volume increase of 3.8 percent may not be quite as high as predicted and has therefore refused some 2,077 of the 22,077 new positions requested for operations.

I personally believe that further savings can be made here and intend to offer an amendment later on to further reduce the number of new jobs to be allowed.

It is of interest to note that approximately 52 percent of all mail volume originates in 75 of our largest post offices. The 1,164 work measurement post offices, furthermore, process 92 percent of all mail leaving only 8 percent of the mail for processing at the remaining 31,642 post offices.

The problem of high personnel turnover at the Post Office is a very difficult one to solve. We have asked the Post Office to study this situation and report to Congress any recommendations which may alleviate this costly situation.

Our committee's assumption that mail volume may be lower in fiscal 1969 affects the transportation appropriation which, like the operations account, is directly related to the volume of mail which the Post Office must handle.

In addition, we were advised at our hearings that a proposed transportation supplemental of $17,521,000 for fiscal 1968 would not be necessary and that the savings would also accrue in fiscal 1969.

These factors, plus a $4.5 million reduction in transportation costs to result from certain airline rate reductions has led our committee to recommend a reduction of $29.5 million from transportation's requests for fiscal 1969.

The single biggest change in transportation has been the interconnecting of more than 500 cities in a nationwide airlift network for the movement of first-class letter mail. Our committee was informed at the hearings that we are very close to a full airlift of all first-class mail.

The appropriations for building and occupancy and supplies and services are for the most part, either direct fixed obligations or else absolutely necessary as support and housekeeping items. Accordingly, there is not much room for expenditure postponements and deferments.

The areas of plant and equipment and postal public buildings however are two areas where such deferments and postponements can take place in postal appropriations.

Our committee, realizing the importance of these appropriations to modernizing the Post Office, has nevertheless, recommended cutting $38,252,000 from postal public building holding them to last year's level and cutting $25 million from plant and equipment, bringing them to $5 million above last year's level.

In doing so we have given priority here to the important need in these critical times for reduction of Government expenditures in all areas where such steps can be feasibly taken.

I personally believe that further reductions can also be made here specifically with respect to the vehicle program, and I intend to introduce an amendment on this later.

Last year at this time, I stated my view that it would be very helpful in improving postal operations to take the appointment of local postmasters out of politics and make the job one to be earned by merit. My feelings remain the same concerning this matter on which I have introduced legislation along with many of my colleagues.

Hearings recently have been held on this legislation and I certainly hope that this body sees fit to enact as soon as possible this valuable and necessary reform.

I would like to take this opportunity, before concluding, to point out a problem facing the Tax Court which is within our committee jurisdiction and which is of particular concern to me.

This court has again been faced with a postponement of the construction of a Tax Court Building. The 1969 budget contains no construction item for this building.

The Tax Court is the only Federal court in Washington not provided with suitable permanent quarters.

This problem is especially significant because of the fact that the court is presently located in the Internal Revenue Building while the Commissioner of Internal Revenue is a party to every single case in the court.

This is certainly an inappropriate situation at best and the American Bar Association has urged and requested that Congress provide suitable permanent housing for the court which would separate it from the Internal Revenue Service.

I believe that it is very important even with our present financial difficulties that steps be taken for the construction of this building as soon as possible.

Mr. CHAMBERLAIN. Mr. Chairman, will the gentleman yield?

Mr. CONTE. I am glad to yield to the gentleman from Michigan.

Mr. CHAMBERLAIN. The gentleman will recall that during consideration of this legislation last year, I raised the question of the utilization of foreign-made vehicles by the Post Office Department. This was because I had had a communication from the Post Office Department indicating that they were leasing some 1,160 foreign-made vehicles to deliver the U.S. mail. In the report last year the gentleman will recall that the committee had language stating that—

> The committee specifically desires that none of the funds made available by this Act shall be made available for the purchase, lease, or rental of foreign-made vehicles for Post Office purposes.

I would say to the gentleman that I have examined the report this year and I find that there is no language addressed to this problem. I would like to ask the gentleman if he could advise us as to whether or not the practice of leasing vehicles is still being continued by the Post Office Department.

Mr. CONTE. I can answer with regard to the purchase of vehicles because I recall asking that question during the hearings. In answer to the question—there are no foreign vehicles being purchased by the Post Office Department.

Mr. CHAMBERLAIN. I noticed that in the hearings, and that was why I was directing my question to the leasing of vehicles.

Mr. CONTE. I have no knowledge of any.

Mr. WILLIAM D. FORD. Mr. Chairman, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from Michigan.

Mr. WILLIAM D. FORD. As a Member coming from a district that depends almost entirely on the good economic health of the American automobile industry, I can assure the gentleman that, as a member of the Post Office and Civil Service Committee, I have taken every opportunity to check into the policies they are following. I am satisfied that conditions that existed in 1966, when this question first came to our attention, have now been corrected and that the policies being followed are eminently fair to our American auto worker.

Mr. CHAMBERLAIN. May I say I am grateful, indeed, for that information, and I thank the gentleman from Massachusetts for yielding.

Mr. CONTE. I thank the gentleman from Michigan. I know that in the past he has persisted in his presentations to the Appropriations Committee in doing everything possible to prevent this from happening.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. CONTE. I am glad to yield to the gentleman from Iowa.

Mr. GROSS. What contribution has the Administrative Conference of the United States made to the cause of good or bad government, or anything else? What contribution has it made, or is it anticipated it is going to make?

Mr. CONTE. Are you directing your question to the new Commission which has recently been established?

Mr. GROSS. The one that was set up in 1964, and apparently is now getting underway with a fast takeoff.

Mr. CONTE. As you know, if you read the committee hearings, up to this point, they had not appointed someone to run this agency and the money had been cut out by this committee in previous years. In answer to the gentleman's question, in all frankness, I would say at this point that they have made no contribution because they have not organized or gotten started as yet.

Mr. GROSS. But they have a staff of 11 people, 3 of whom are supergrades, as I understand it. Out of the 11 employees, six received $16,000 and up to $30,000. This I say is a pretty fast takeoff. It must be all chiefs and practically no Indians.

Mr. CONTE. The gentleman will see further in the hearings where I questioned them about these supergrade employees. They are also planning to make all kinds of contracts with outside consultants to do some of their work. I said, "You aren't going to have your cake and eat it, too. You are either coming in and do the work yourself or have outside agencies do it. I do not see why you need all the supergrades if you are going to have outside agencies do the work."

Mr. GROSS. I noticed that the gentleman had something to say on that score, but I am afraid the gentleman did not lay down the law hard enough to this outfit, and I doubt very much this is going to stop them from going out and hiring consultants, despite the fact that they have this highly paid in-house staff to do the work.

Mr. CONTE. Certainly we did not put a limitation on it. I can assure the gentleman, on my part, as an individual, I will watch this with a jaundiced eye next year, and if they come in here with a large tab for the consultants, they will do it without my vote. Furthermore we did cut them this year.

Mr. GROSS. I am afraid the camel has his nose in the tent already, and it may well be a little too late next year.

Mr. Chairman, I thank the gentleman.

Mr. PIRNIE. Mr. Chairman, I wish to commend the committee for including in this measure funds for the important work of the Commission on Obscenity and Pornography which was established by approval of Public Law 90-100 last session. This Commission is charged with studying the cause and effect relationship of postal traffic in pornography and anti-social behavior and must report its findings and recommendations to the President and the Congress by January 31, 1970.

Thousands of American parents have been waging a losing battle against unsolicited, obscene material due to the permissive decisions of the Supreme Court in this area. Within the past few months, I have been contacted by understandably irate constituents whose children had received unsolicited mailings from the same company. While the Post Office Department officials expressed willingness to cooperate, their scope of action is strictly limited.

However, I am hopeful that as a result of the work of the Commission receiving funds under this legislation, meaningful guidelines will be established to prevent the future intrusion upon the decency of our citizens by selfish commercial interests.

In addition, under the provisions of Public Law 90-206 which we approved overwhelmingly last October, citizens may prohibit mailers from sending obscene material to their homes. Subsequent to April 14 when the law becomes effective, any individual may submit the advertising matter received with a statement that he considers it erotically arousing or sexually provocative and further advising he would like to have the mailer stopped from making further mailing to him. The Postmaster General would then issue a prohibiting order to the company involved.

I believe this remedy coupled with new, effective guidelines which should emanate from the Commission can provide a significant beachhead against the rising tide of filth literature which presently flows unhindered through our mails. I wholeheartedly support this goal and will continue to work for its accomplishment.

Mrs. REID of Illinois. Mr. Chairman, let me first say that I consider it a privilege to work with our distinguished chairman, the gentleman from Oklahoma [Mr. STEED], my ranking minority member, the gentleman from Massachusetts [Mr. CONTE], the other members of the subcommittee and our very capable staff, in preparing this bill for the consideration of the House. All members of the subcommittee have worked diligently to bring this first of the regular appropriation bills to the House before the Easter recess.

Since others on the committee have already outlined the major provisions of this legislation in detail, I merely wish to add some of my thoughts on the bill. The activities encompassed in this measure deal with some of the most sensitive of all Government activities. The Post Office Department is of course a service organization which today touches the lives of almost every American and every business enterprise in the country. Without this service, our economy could not operate—and I think all of us appreciate the dedicated efforts of our postal employees.

Those who work in the Treasury Department likewise perform an essential service. Indeed, this year the Treasury will collect over $146 billion in taxes and tariffs of various forms. One of its agencies—the Internal Revenue Service, which is familiar to almost everyone—will process about 109 million income tax returns. The Bureau of Engraving and Printing will produce some 30 billion postage stamps for the Nation's mail service, in addition to millions of pieces of Government securities, savings bonds, and new currency. The Bureau of the Mint will produce close to 6 billion new coins.

The Bureau of Narcotics deals with illicit drug traffic and, as Commissioner Giordano testified before our committee, we are experiencing a very serious rise in narcotic and marihuana problems. What is particularly disturbing is the fact that a high percentage of marihuana users now are under the age of 25, with almost 40 percent under 21. In my judgment, the additional $2,305,000 the committee has allocated for this Bureau is more than justified.

The Secret Service guards the President and Vice President and their families, another indispensable service; and in the light of recent developments, certainly the additional $2,250,000 for this purpose is understandable.

Then, too, the office of the Treasurer

now issues over 600 million checks to Americans each year, and the Bureau of the Public Debt must manage financing for the $349 billion our Government owes today.

When we consider the tremendous operation of the Treasury Department, therefore, it is surprising that its annual operating budget is one of the smallest by modern standards. As the various Treasury officials appeared before us, I was immensely impressed by their ability to handle heavy workloads with good management techniques. In my judgment, they set a good example for others throughout the Government to follow.

As the committee's report points out, there are certain continuing activities of the Government which are funded by permanent law but are no less important. One of these items is the interest on the national debt—and you will note on page 22 of the committee's report that once again this item has substantially increased by an additional $850 million this year, to an estimated new high of $15.2 billion. It seems to me, therefore, that as we proceed to consider the remaining appropriation bills this year—keeping in mind the continuing demands of the war in Vietnam and the critical situation here at home—we have an even greater obligation to inspect each budget request carefully. We have tried to do this in this instance, and I think the fact that we have been able to reduce the budget request by $181,735,000 without seriously curtailing essential services is significant.

Admittedly, the task of setting priorities is a difficult one at best. However, this year in particular we know we must set spending priorities—and it is our responsibility as Members of Congress to review these priorities in the light of the overall budget.

Mr. STEED. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. ROONEY] in the hope he may clear up this matter.

Mr. ROONEY of New York. Mr. Chairman, I should like to address myself to the distinguished chairman of this Subcommittee on Appropriations, particularly with regard to certain language on page 7 of this 27-page committee report on this pending bill.

Consideration of this bill was had before the full Committee on Appropriations on Thursday morning last. At that time each Member did have a copy of this report. However, there was no mention whatever made in the explanation of the bill by any member of the subcommittee on either side with respect to the following language, which is contained at the end of the third paragraph on page 7, following the chart with respect to salaries and expenses for the Bureau of Customs:

> Furthermore, the Committee feels that the Bureau of Customs is not now organized or staffed to cope with this tremendous increase. Along this line the Committee urges the acceleration of the study to provide some single agency coordination for processing incoming passengers and cargo through Customs, Immigration and Naturalization Service, Public Health Service, and Agriculture. The Committee feels that the Bureau of Customs could provide highly desirable overall coordination of these essential services.

Did the distinguished gentleman's subcommittee—I should like to ask the distinguished gentleman from Oklahoma [Mr. STEED]—intend that the Bureau of Customs take over supervision from the Immigration and Naturalization Service, the Public Health Service, and the Department of Agriculture insofar as admitting passengers and cargo to this country is concerned?

Mr. STEED. Mr. Chairman, I may say to the gentleman, as the gentleman knows, there are about 14 agencies of the Government which deal with incoming passengers and cargo as they enter the country, and as far as I know they have always been able to work very effectively together.

Customs already has complete responsibility for performing the primary screening inspections for the following agencies in an acceptable manner, and it would not be in the public interest to disturb many of these effective working relationships:

Office of Munitions Control—State;
Neutrality laws—State;
Food and Drug Administration—Agriculture;
Office of Domestic Gold and Silver Operations—Treasury;
Office of Foreign Assets Control—Treasury;
Bureau of Narcotics—Treasury;
Atomic Energy Commission;
Bureau of the Census—Commerce;
Bureau of Commercial Fisheries—Commerce;
Export Control—Commerce;
U.S. Coast Guard—Transportation;
Fish and Wildlife Service—Interior;
Sport Fisheries and Wildlife—Interior; and
Security Operations—CIA, State.

The committee has no intent of going into the matter of one agency taking over any of the prerogatives or duties of any other agency in connection with these passengers and cargo. Our hope is that the Bureau of Customs, along with the others, will continue to be able to work together in performing the duties assigned to them, so that the traveling public will have the benefit of the very best service possible. Our only concern was one of coordination of a number of activities in order to give the public the very best service possible.

Mr. ROONEY of New York. Mr. Chairman, of course we are all interested in that result. There are a great many members of the full Committee on Appropriations, whose report this is alleged to be, who had no knowledge of the insertion of this language therein, and many members of the committee thought that the Immigration and Naturalization Service of the Department of Justice could provide highly desirable overall coordination of the essential services which deal with the admission of passengers and cargo to this country.

Mr. STEED. Mr. Chairman, as the gentleman knows, to really make any serious changes in these areas would require legislation which would be beyond the prerogative of this committee in any event.

Mr. BOW. Mr. Chairman, will the gentleman from Oklahoma yield?

Mr. STEED. I yield to the gentleman from Ohio.

Mr. BOW. Mr. Chairman, I agree completely with with the gentleman from New York. I had no knowledge of this language in the report until it was printed, and I agree with him that the Immigration and Naturalization Service has done a magnificent job along this line of trying to expedite people into the country, and has also cooperated with Customs and Public Health in their services. I would hope no effort would be made to disturb that situation.

Mr. STEED. Mr. Chairman, I thank the gentleman.

Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. ADDABBO].

Mr. ADDABBO. Mr. Chairman, I rise in support of H.R. 16489.

I take this opportunity first to congratulate the chairman of the subcommittee, the gentleman from Oklahoma [Mr. STEED] and the gentleman from Connecticut [Mr. CONTE] for their wonderful work in bringing before this Committee of the Whole today this bill, cut to what I believe is the barest necessities.

We are again taking up the appropriation bill here involving billions of dollars, but I believe the key word this afternoon is "service." This appropriation covers to the great extent appropriations for men and women giving service to the people of this Nation. The people of this Nation pay for it through postage, income tax, incoming duty.

Any cuts made today would be cutting services.

We passed in the last Congress a postal rate increase. If we should cut the bill in any way today we would be telling the people of America, "Thank you for giving us this increase, but in addition to the increase we are now going to take away services."

The men of the Treasury Department, Customs, Narcotics, and the Post Office actually are our Government's closest contacts with the people of this Nation. I commend them for an outstanding job—working under the most severe conditions. If we do not give them the proper means and the proper salaries to work in their jobs then the people of this great country will not be receiving the best of services to which they are entitled.

Therefore, today I say this is the most we can cut. These Departments have absorbed as much of the salary increases and as much of the cuts as possible. Today, if we cut this bill further, we are saying to Mr. and Mrs. America, "Thank you for your dollars, but we are taking away part of what you are paying for."

Mr. CONTE. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. ROBISON].

Mr. ROBISON. Mr. Chairman, I am going to devote my preliminary remarks to the background against which this bill comes before us and then, as I now do, ask unanimous consent to revise and extend my remarks with respect to certain items or features in the bill in which I have a particular interest.

The **CHAIRMAN.** Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROBISON. Mr. Chairman, as we meet to consider this, the first of the annual 1969 appropriation bills, we do so under some of the most unusual and difficult circumstances imaginable, for we meet not only in the midst of what is undoubtedly the most serious fiscal and monetary crisis this Nation has faced since 1931, but also at a moment of heightened racial crisis and of certain budgetary and procedural uncertainties of a kind seldom if ever previously experienced by a Congress.

Touching upon those uncertainties first, they have centered around the fact that the other body did adopt, as we all remember, a rather surprising "package" combining the President's surtax proposal with an expenditure limitation, of the sort long recommended by the ranking minority member of our committee, the distinguished gentleman from Ohio [Mr. Bow].

As we now know, of course, this "package" is not going to survive the current conference—or presumably will not—and what may come of it now I do not know, and I believe it would be unwise to speculate about it too much one way or the other. But still it is obvious, I believe, that the President, even before he cast off his political garments, as he did a week ago, was having some serious second thoughts about the budget he sent us in January. When we received that budget the President said in his budget message, and I now quote:

> The budget I send you today reflects a series of difficult choices. . . . Faced with a costly war abroad and urgent requirements at home, we have had to set priorities . . . (for) we cannot do everything we would wish to do.

These words—though I recognize they are taken somewhat out of context—represented a rather sharp departure from the prior Presidential attitude, as exemplified by this key passage from his 1966 budget message, and again I quote:

> We are a rich nation and can afford to make progress at home while meeting (our) obligations abroad.

Did they, however, represent as well a complete break with the former guns and butter philosophy—as it is generally known—which, in my judgment lies at the heart of our current fiscal and monetary crisis?

As to this, on January 30 of this year, the Washington Post—a paper not generally known as a critic of the current administration—had this to say, editorially:

> Taken alone, the abandonment of the Great Society slogan and the statement about the need to set priorities, would imply austerity. . . . But the figures simply do not support that impression.

Apparently, the President has by now come to the same conclusion for, in his speech at Minneapolis, a couple of weeks ago, he was calling upon all Americans to join him in—and again I quote—"a program of national austerity to insure that our economy will prosper and that our fiscal situation will be sound."

In that same speech, to the National Farmers Union, Mr. Johnson said:

> If I can get the help of Congress—and it is their will—we shall make reductions in that budget.

And his reference was, apparently, to that same budget he sent us in late January, the first installment of which—insofar as the budgetary process is concerned—is now before you.

And now, finally, we come down to Mr. Johnson's historic speech of a week ago Sunday night, when he said, among so many other things:

> One thing is unmistakably clear: Our deficit must be reduced. Failure to act could bring on conditions that would strike hardest at those people we are striving to help.
>
> The times call for prudence in this land of plenty. I believe we have the character to provide it, and I plead with Congress to act promptly to serve the national interest, and all the people.

Now, Mr. Chairman, those were strong words—and good words—and I have repeated them here largely for the benefit of those Members on my right from so many of whom, last week, we heard appropriate words of praise for the apparent sacrifice the President was making in order to better serve the Nation.

Many of you then pledged him your full loyalty and support during the remaining difficult days of his term—and now, today, you have an opportunity to begin to redeem that pledge.

The concern that our President now exemplifies springs out of such facts as these:

For 31 out of the past 37 years, the Federal Government has experienced a budgetary deficit. As a result of these persistent deficits, the national debt now stands at somewhere around $350 billion, and interest on that debt—as provided for in the bill now before you—will cost us $15.2 billion during fiscal 1969, an all-time high, and a burden that consumes 10 cents, now, out of each general-fund tax dollar taken in by the Treasury.

Strongly related to those persistent deficits—especially those of recent years—is the fact that our rate of inflation is now far in excess of that long-term upward creep in the cost of living which we were experiencing at the tolerable level of about 1.6 percent per annum from 1948 to 1965. For, in both 1966 and 1967 the Consumer Price Index was advancing at an annual rate in excess of 3 percent and, since the last half of 1967, has been advancing at about an annual rate of 4 percent per annum.

This inflationary spiral must, somehow, be checked for it, in turn, bears a strong relation to the fact that our actual trade surplus is close to zero which—coming on top of the fact that, internationally speaking, we have had an unfavorable balance-of-payments situation in 17 out of the last 18 years—explains why those beside De Gaulle who hold our dollars abroad now prefer our gold.

And, with our gold reserve now standing at its lowest point since 1936, it is no wonder that we teeter on the brink of devaluation, that the dollar-based international monetary system has been brought close to breakdown, and that many of our friends abroad—as well as those not so friendly—have been forced to reevaluate their own monetary policies on the hunch that, mighty though our economic strength may be, we are indeed an "Achilles" and that internal indiscipline is our "heel."

In any event, we now come to the bill before us—and to a moment of decision.

At the time of the markup of our bill, I asked our chairman, the gentleman from Oklahoma [Mr. Steed], and the chairman of the full committee, the gentleman from Texas [Mr. Mahon], if—under the existing circumstances—it might not be better for us to delay our bill for a time to see what might happen to the surtax and expenditure-limitation "package," and also to see if the administration might not now be sending us up a modified budget, indicating the areas for reductions from the January figures in order to put before us a truly "austere" budget, which adjective the dictionary defines as meaning "rigorous, stern, severe, or strict."

It was, however, their joint opinion that we should proceed as usual, as best we could—so, here we are.

Was it an "austere" portion of the budget that we were asked to consider?

In my opinion it was not—even though the various witnesses we heard from all told us their requests had been pared to the bone and said they considered their requests as reflecting a "tight" or "lean" budget.

And, in my further opinion, even with the recommended reductions we have made in the bill as now reported—which reductions are the result of our unanimous agreement—this is still not an "austere" bill, and further reductions can be made in it, as the President apparently wants us to do, if we are but willing to make them.

The question is, Where can those cuts be made?

In my judgment, we must direct our attention to the operational request of the Post Office Department, and thus to the area of postal service, to find an area where further meaningful cuts can be made.

At this point, a recapitulation of some recent history might be useful.

Most of you will remember that, last fall, when the so-called Bow amendment achieved some temporary success, that our chairman [Mr. Mahon], argued that it would be more in keeping with the congressional responsibility over the budgetary process if, instead of adopting a simple expenditure-limitation resolution, we first tried to agree among ourselves upon the specific areas where spending could be cut down or deferred.

Accordingly, he directed those several appropriation subcommittees who had finished their work—and ours was one of these—to hold further hearings, and to go over the result of their labors to see where cuts might be made, with the thought in mind that we might eventually come in before you with something in the nature of a budgetary-recision resolution.

Our subcommitte held 2 days, I believe, of such hearings and witnesses came before us from the Post Office Department telling us that cuts of the magnitude we were looking for could only be made through actual curtailments in postal service. Unhappily, they gave us a list of such possible cutbacks in service, with the amounts that could thus be saved, though they recommended no such cutbacks and were even most reluctant to give us any idea concerning the priorities between the items suggested insofar as public inconvenience and disruption of the orderly handling of the mail otherwise might be concerned.

Nothing eventually came of these hearings, as you know, largely because of the eventual passage of Public Law 90–218, last fall's so-called Economy Act.

But they did serve a useful purpose in our case, at least, for on October 5 of last year—the day after our hearings—the Post Office Department did take immediate action, on its own, in the words of the Deputy Postmaster General, "to reduce expenditures and to husband funds." The tightening-up process that ensued, as we were subsequently told, involved such actions as arranging for the presort of all classes of mail, for the recapturing of positions saved by the introduction of new equipment, the judicious use of overtime, and the avoidance of premium pay.

And the result was a $49.2 million saving in operational costs for the current fiscal year—a most commendable result, even though one might well ask why such an effort had not been made before.

Incidentally, the Post Office Department was exempted from the provisions of Public Law 90–218, for what that might be worth—on the theory that its operations were not "controllable", apparently, or at best "relatively uncontrollable."

In any event, the Department is showing that same $49.2 million as a "savings" that has been carried forward into its 1969 budget—and I have deliberately put quotation marks around that word "savings" because, though I do commend the Department for its efforts here, they seem to be considering the results of their efforts as the same kind of "savings" that the former Secretary of Defense, Mr. McNamara, so often talked about.

But, the point is this was probably a one-shot effort—at least, we were told by the Department that it could not again be repeated and, considering the reductions we have already agreed upon in this bill for their operations, this is probably the case.

Therefore if any further significant cut can be made in this bill we must, I believe, look again at that area of postal service.

Now, none of us are happy in suggesting such a difficult and politically risky course for you to consider.

And none of us who may feel obligated to do so would yield to anyone here in our desire to give the American people the most efficient and most comprehensive mail service possible.

However, these are not normal times—and we can no longer afford to act as if they were. The events of this past weekend adequately demonstrated that fact if nothing had before—and they cast long shadows now before them.

Therefore, I have evaluated the priorities among the several curtailments in service that might be made, as best I could from the standpoint of public inconvenience and disruption of the orderly handling of the mail otherwise, and am prepared to offer—or support—amendments to eliminate, for the time being—and I would like to stress the temporary nature of the holding action I feel needs to be made—the Saturday delivery of mail in residential areas, at a saving of $96.4 million, the elimination of 1 day's delivery of rural mail service, at a saving of $16.2 million, and going back to 5-day-a-week parcel post delivery service, at a saving of $8.5 million.

The total saving that could be thus made, in fiscal 1969, would be $121.2 million, and it would be a direct and immediate saving or reduction in expenditures, eliminating pay for less-essental service—and services that are frequently now being provided at premium pay since the Post Office Department, like the rest of the Federal Establishment, operates largely on a 5-day, 40-hour week basis.

There is precedent for what we suggest, in that in 1950, at another time of budgetary stress, the second delivery in residential areas was eliminating, as some of you may remember. There was, of course, a hue and a cry over that for a time from the public, but the roof did not fall in and we do not believe it will this time.

To the contrary, we believe that the American citizen, by and large, will understand the urgent need behind this kind of belt-tightening—understanding that these, as I have said, are not normal times and that all of us must share in some small way in the ultimate sacrifice that has been made, now, by some 20,000 American families as a result of the war in Vietnam, and share perhaps, too, in some larger way in the measures necessary to restore peace to our cities.

I can already hear what some of you may be preparing to say in response to my suggestion—which is: Is not that Vietnam war soon, now, to be over?

Well, I pray with you that this will be the case, but I also believe that we cannot continue to go along as we have in the past on the assumption that all our troubles are merely passing ones, and that if we wait until tomorrow they will all be gone, for it is exactly that kind of wishful thinking that has gotten us into the mess in which we now find ourselves.

One final thing: This is, as I have said, the first of the annual 1969 appropriation bills. It is the first opportunity we have to get our noses bloodied—and the action we take on this bill will undoubtedly set the pattern for much that is too follow.

The moment to stand up and be counted—as the President suggests—has arrived.

Will you stand with me?

Now, Mr. Chairman, permit me to run through some other matters pertaining to our bill that are of concern or of special interest to me.

The first of these relates to the new, so-called postal public buildings program. This is a program that has been growing "like Topsy" since its inception in December of 1966.

To understand what is happening, it is important to have this background: In recent times, as we all know, most postal facilities—with the exception of those larger Federal buildings built by the General Services Administration, and a portion of the space in which is devoted to postal use—have been built by private enterprise under a lease arrangement with the Post Office Department.

This latter arrangement has served us well in that it has permitted us to replace obsolete postal facilities in many, many communities—and to have new post offices in many newer communities—that could not possibly have been reached yet if we had been required to appropriate the funds to construct them in the regular fashion.

Of course, as a result of going this route, the postal rent account has increased substantially over the years—standing at over $156 million for fiscal 1969, to cover some 26,000 active leases, both large and small, to which account about 1,000 new leases are being added a year.

The Bureau of the Budget, the General Accounting Office, and the Post Office Department itself, have been studying this problem for some time and the conclusion has now been reached that the larger postal facilities can be constructed as Federal buildings—meaning with Federal funds—more economically than under a lease arrangement.

Interestingly enough—though there are sometimes other factors—the major reason why this is so is because the Department has to pay local taxes on leased facilities whereas it does not pay any such taxes, of course, on buildings it owns outright.

Well, this makes some sense to me, and I can see why the Department ought, under appropriate congressional controls, to have the flexibility necessary to permit it to procure the buildings it needs under both such approaches. However, it also seems to me the Department is showing altogether too much eagerness—especially in a time calling for budgetary restraint—about expanding this new program.

The Department, last year, asked for $55.8 million for these purposes and, after some hesitation, we finally recommended $45 million which was the figure adopted by the House only to have it increased, in conference, to $50 million.

In last year's subcommittee report, if you care to refer to it, we said:

> The committee feels that this would be a desirable program if pursued within reasonable bounds.

However, as this year's report will show you the Department is now asking for $88.2 million, in addition to which it unveiled for us a 5-year plan for building postal public buildings under which Congress, next year, would be asked to provide nearly $450 million, which was such a substantial increase that I felt obligated to ask the departmental witnesses if they were assuming—as have other administration optimists in recent years—that the war in Vietnam would be over and done with before the end of fiscal 1969. Perhaps it will—and we all pray this will be so—but I believe we have to continue to operate on the assumption that it may not and on the further assumption that, even if it did, we would have continuing obligations toward the reconstruction of South Vietnam that we may be required to consider a year from now.

In any event, our subcommittee has reduced this request to $50 million—the same as for the current year—and, much to my personal pleasure, has inserted language in the report requesting the Department to indicate priorities for us, from now on, on a building project by building project basis, which is something it declined to do this year despite my urging that this was something we ought to have.

For instance, although it received less for the current year than it had requested, the Department went ahead, presumably at a reduced level, on all authorized projects, trying as it said to "get them all moving." Now, I can recognize the Department's desire to move ahead on all fronts toward a modernized postal plant as fast as possible but—when we are in a fiscal crisis such as we are—this is the equivalent of a military strategy of trying, with too few troops, to capture every hill in sight just because they are "there."

There are two other points about this program that also deserve notice on your part.

As to the first, purely by coincidence—or so it would seem—after leaving out the new postal public buildings planned for several larger cities where there is, presently, "mixed" congressional representation, of the remaining 17 currently receiving consideration only two are located in congressional districts now represented, here, by a Republican, while 15 are in districts having a Democrat as its Congressman.

I would not like to think that the Department would play politics with such a program—or in any other fashion—so I was glad to have Mr. O'Marra, head of the Bureau of Facilities, tell me he had not even been aware of that kind of geopolitical breakdown with respect to the location of the planned, new facilities until I had called it to his attention, and I believe him.

For my last point, I have to go back to that statement I made, a few minutes ago, about why the Department has decided it is more economical, now, to build its major facilities with Federal moneys, rather than through the lease program; and the major reason behind this was, if you will recall, that it thus can avoid paying local taxes.

I had a colloquy about this with the very able head of the Department's Bureau of Finance and Administration, Ralph W. Nicholson—and this appears on page 603 of part 2 of the hearings, if you are interested—over the social and political questions involved in shifting from a lease program to a Federal building program just to save paying local taxes, and overdoing so at a time when, as we all know, there is a short-fall in local municipal revenues to meet local problems and provide local governmental services, leaving a void that the Federal Government has partly tried to fill by a wide-ranging variety of categorical grant-in-aid programs of one kind or another.

There is, of course, no easy answer to this overall problem; but I do believe that Congress, and the Public Works Committee, along with our subcommittee, should keep an eye on this program to assure that it does stay within reasonable and practical bounds. This would particularly be the case, it would seem to me, when other Federal departments are thinking about going in new budgetary directions for maintaining progress under certain existing Federal programs because, apparently, they feel we simply do not now have enough funds to do so directly. One example of this would be the Department of the Interior and its water-pollution program where, in order to sustain a massive attack on the sources of pollution, the Department is asking for new legislative authority to commit the Federal Government to the future payment of principal and interest on local municipal bond issues made to finance waste-treatment works, thus holding the cash demand on the Treasury at a minimum for the time being.

I do not think it speaks of wise or sound fiscal planning to have one branch of the Government retrench in this fashion, while another—the Post Office Department, in this instance—makes plans to greatly expand its construction plans with directly appropriated moneys.

Be that as it may, I would like, at this time, to commend the Post Office Department for the successful effort it has been making toward the hiring of employees from so-called minority groups—the Negro, the Spanish-speaking American, American Indians, and so forth. It is impressive to note that the number of Negroes, for instance, in the postal service has now reached a total of over 132,000—and that this is an increase of over 40,000, or over 43 percent, since June of 1965. In percentage totals, this also means that Negroes now make up 18.9 percent of all postal employment, a percentage substantially over the ratio of Negroes in our overall population.

Finally, I am also glad to note that the subcommittee has indicated, in our report, our concern with the interest the Department seemed to be showing in invading the existing private-enterprise stamp-vending machine business with counter-type vending machines of its own. There is ample room for such machines in post office lobbies and the like, and while one can understand the Department's desire to sell stamps at their face value to anyone who wants to buy them, there is no reason why those familiar stamp-vending machines one sees on drugstore counters, in bus terminals and the like, need to be consumed in an eagerness to carry that desire too far.

Permit me to close, Mr. Chairman, on the same note on which I began these remarks, by drawing your attention back again to our fiscal problem and its relation to the kind of inflation we are already experiencing here in America—inflation of the type that Arthur Okun, Chairman of the President's Council of Economic Advisers, recently called "Public Enemy No. 1."

One does not need to be reminded of the fact that this "enemy" strikes the hardest at the poor in this land—and at the aged—and particularly at those forgotten Americans, the middle-class, middle-income American who bears the brunt thereof, along with ever higher taxes—school, local, and State—as well as now, perhaps, Federal income taxes.

It is this last-mentioned type of citizen who, loyally and patriotically, signs up for those bond-a-month plans that are promoted by the U.S. Savings Bonds Division of the Treasury, for which operation funds are provided under this bill.

As of the end of January, this year, there were some $50 billion worth of such bonds outstanding—bonds generally of small denominations, held by small investors, by people who want to put something aside for that proverbial "rainy day" which, now, may not be so far off as it usually seems, and people who do not dare take chances on a risky stock market where inflationary trends do continue to reward their more affluent and aggressive neighbors.

These—for such persons—have been good investments, these bonds. If such people did not continue to buy them I do not know how we would handle our national indebtedness. But, unless inflation can, itself, be checked more and more of them may begin to decide that they are not, after all, such good investments.

This is because, during last year, the dollar lost almost 4 cents in purchasing power. And this, in turn, means that the $50 billion-plus investment these good citizens had made in their Government's own securities dropped about $2 billion in value—before, that is, they received their guaranteed return on their investment—in just 1 year.

And this, Mr. Chairman, states the case for fiscal responsibility, now, better than in any other way I could think of to summarize it.

Mr. STEED. Mr. Chairman, I yield 10 minutes to the gentleman from Louisiana [Mr. PASSMAN].

Mr. PASSMAN. Mr. Chairman, it has been my privilege to serve on this subcommittee for 20 years. I think I know something about this legislation. I would be remiss in my duty as a Member of the Congress if I did not say forthrightly that in my considered judgment this is the tightest bill that has ever been reported out by the Treasury and the Post Office Subcommittee.

Without a doubt this subcommittee is chaired by the most astute, able, and detail-minded Member of this body. I have never known of a man who could master as many facts and statistics as the chairman of this subcommittee. I do not think there is any question about this bill or about its many titles that you could ask this man that he could not come up with an answer.

I think we should approach this matter realistically. I am known as a cutter. I believe that I have voted against as many authorizations, if not more, than any other Member of this body and that stands for 22 years.

I have voted against many appropriation bills, but this bill is a service bill. This is a bill that raises revenue to run this country. I am convinced—and certainly the statistics over a period of many years support me in my position—that for each dollar you cut the Bureau of Customs, we will lose about $8.

The statistics are equally as good and factual that each dollar you cut the Bureau of Internal Revenue, our Government will lose at least $10 in collections.

Any person who has studied the record is bound to recognize that without a doubt the most efficient business in America is that of the Post Office Department. If I recall the statistics correctly, in 1944 in America we had some 10,300 trains moving the mail and there were 45 billion pieces of mail.

In 1968 and in fiscal year 1969 we will be moving 85 billion pieces of mail, actually with only about 800 trains. So it is necessary for the Post Office Department to seek out other modes of transportation. Certainly this bill can be cut, but if you reduce the amount of money provided in this bill, you are going to have to reduce services. I am not going to support any amendment to cut one dime out of this bill unless it is specifically indicated where it would apply. I reserved on two amendments which were discussed in the subcommittee and in the full committee, and may I preface this next statement by saying that in my district of 10,700 square miles there are 124 post offices, 32 of them enjoying residential mail delivery. I will support an amendment which would eliminate residential mail deliveries on Saturday and take my chance with my constituents. I do so in the interest of economy I shall likewise support a single amendment, not one cluttered up with a lot of unenforceable and unwise recommendations, but I will support a specific amendment which would eliminate Saturday rural service. I think that those services are desirable, but in this time of dire need, this time when we are confronted with a $26 billion deficit, we must find some places to cut. Those are two services that could be dispensed with without doing great damage.

But that does not mean that I am not supporting this great chairman in what I believe to be the tightest bill that has been reported out by a subcommittee chairman during the 20 years that I have served on this committee.

Mr. Chairman, I wish that the membership, if they have not already done so, would take the time to familiarize themselves with the Bureau of Internal Revenue and the Bureau of Customs so that we will make sure that these two agencies that we look to to raise money are not further reduced, and to give thought as to the specific type of services that they are willing to dispense with before making cuts in this bill which would surely be reinstated later and, in all probability, sustained in conference.

Mr. CONTE. Mr. Chairman, I yield 15 minutes to the gentleman from Ohio [Mr. Bow].

Mr. BOW. Mr. Chairman, this is the first of some 14 regular appropriation bills which Congress is called upon to enact to continue operation of the Federal Government during fiscal year 1969. What we do here today will have a direct impact on our actions with respect to other appropriation bills that will follow in the days and weeks ahead. In the light of that impact, portending either restraint and sanity or irresponsibility and insanity, I think we should take a moment to review the perspective of our overall fiscal situation.

We are faced with a $25 billion budget deficit in the current fiscal year.

We can look forward to a deficit of $25 billion or more in 1969 if we do not alter the fiscal course this Government is now on.

The dollar is under attack all over the world and more than half of our gold supply is now in the hands of other nations.

Just a week ago last Sunday, the President, informed the Nation that the cost of the unpopular war in Vietnam had gone up an additional $2.5 billion this year.

Even worse is the fact that although the ink was then hardly dry on his budget for 1969, he said that Vietnam would cost $2.6 billion more in 1969 than had been estimated in the January budget.

Jobs are going begging all across the land and yet we have riots in the streets, said to be caused by poverty and frustration.

Inflation is gnawing away at the income of all Americans and that covert and insidious tax continues to hurt most those persons least able to pay—the poor and those on relatively fixed incomes.

And although the administration has requested a 10-percent surcharge on the tax liabilities of individuals and corporations to fight inflation, to restore confidence in the dollar, and to finance the war in Vietnam, it still insists upon its spend-and-spend, business-as-usual policy here at home.

If the United States is long to continue to be the land of the free and the home of the brave, the administration and this Congress soon had better give some leadership to the causes of fiscal frugality and responsibility and of law and order. Time is running out on the opportunity we have to avert worldwide financial catastrophe and anarchy in the cities of America.

The bill before us proposes the appropriation of $8,155,624,000 for the operation of the Departments of the Treasury and Post Office, the Executive Office of the President, and certain independent agencies. These same agencies received $7,545,641,000 for their operations in the current year; thus, this bill gives them $610 million more spending authority in 1969 than they have in the current year.

These agencies have requested new obligational authority of $8,337,359,000, which the committee has reduced by $181,735,000. Of course, that approximate $182 million cut is a savings from the amount requested, but I wonder if it would startle anyone here to learn that the $182 million cut made by the committee will mandatorily reduce the agencies' planned expenditures in 1969 in only three instances which add to a meager total of $350,000. The items making up the total expenditure reduction of $350,000 are:

First, $100,000 for air conditioning at the Bureau of Engraving and Printing;

Second, $115,000 for the Administrative Conference; and

Third, $135,000 for the Commission on Obscenity and Pornography.

The chairman of the subcommittee, the distinguished gentleman from Oklahoma [Mr. STEED], and possibly other members of the subcommittee, will argue that 91 percent, or about $170 million of the $182 million cut, will accrue in 1969 because these agencies spend that percentage amount of their appropriations in the first year. Despite that conclusion, it is still true that except for $350,000 the committee has recommended sufficient funds to permit the agencies, if they desire to do so, to spend at the precise level planned in the budget and still have $564 million to be carried over into fiscal 1970.

I have in my hand a table which I shall ask when we are back in the House to have inserted at this point in the RECORD. The table follows:

	Fiscal 1969 appropriations		Proposed expenditures in 1969 out of funds now being appropriated	1969 expenditure reductions effected by the Appropriations Committee	1969 appropriations in excess of planned spending out of 1969 funds
	Requested	Allowed by the Appropriations Committee			
Treasury Department:					
Office of the Secretary, salaries and expenses	$7,780,000	$7,688,000	$7,099,000		$589,000
Bureau of Accounts, salaries and expenses	42,999,000	42,999,000	34,800,000		8,199,000
Government losses in shipment	500,000	400,000	248,000		152,000
Bureau of Customs	98,215,000	97,700,000	91,631,000		6,069,000
Bureau of Engraving and Printing: Air conditioning the Bureau buildings	500,000	400,000	500,000	−$100,000	
Bureau of the Mint, salaries and expenses	15,020,000	14,200,000	13,533,000		667,000
Bureau of Narcotics	7,685,000	8,985,000	7,285,000		400,000
Budget amendment, H. Doc. 259	1,300,000		1,240,000		60,000
Bureau of the Public Debt	56,987,000	56,900,000	52,100,000		4,800,000
Internal Revenue Service:					
Salaries and expenses	21,967,000	21,700,000	21,180,000		520,000
Revenue accounting and processing	188,563,000	187,000,000	178,016,000		8,984,000
Compliance	547,551,000	541,500,000	511,735,000		29,765,000
Total, Internal Revenue Service	758,081,000	750,200,000	710,931,000		39,269,000
Treasurer of the United States	6,878,000	6,878,000	6,480,000		398,000
Secret Service:					
Salaries and expenses	19,871,000	19,300,000	18,606,000		694,000
Training facility	1,000,000	1,000,000	800,000		200,000
Total, Treasury Department	1,016,816,000	1,006,650,000	945,253,000	−100,000	61,497,000

	Fiscal 1969 appropriations		Proposed expenditures in 1969 out of funds now being appropriated	1969 expenditure reductions effected by the Appropriations Committee	1969 appropriations in excess of planned spending out of 1969 funds
	Requested	Allowed by the Appropriations Committee			
Post Office Department:					
Administration and regional operation	$123,802,000	$119,000,000	$118,781,000		$219,000
Research development and engineering	36,386,000	34,000,000	17,129,000		16,871,000
Operations	5,783,989,000	5,720,000,000	5,504,006,000		215,994,000
Transportation	713,500,000	684,000,000	640,500,000		43,500,000
Building occupancy	216,000,000	210,000,000	171,835,000		38,165,000
Building supplies and services	110,781,000	110,000,000	79,691,000		30,309,000
Plant and equipment	225,000,000	200,000,000	60,359,000		139,641,000
Postal public buildings	88,252,000	50,000,000	33,242,000		16,758,000
Total, Post Office Department	7,297,710,000	7,127,000,000	6,625,543,000		501,457,000
Executive Office of the President:					
Compensation of the President	150,000	150,000	150,000		
White House Office, salaries and expenses	3,229,000	3,229,000	3,036,000		193,000
Special projects	1,500,000	1,500,000	1,469,000		31,000
Operating expenses, Executive Mansion	823,000	823,000	809,000		14,000
Bureau of the Budget	10,310,000	10,000,000	9,620,000		380,000
Council of Economic Advisers	886,000	880,000	842,000		38,000
National Security Council	664,000	664,000	556,000		108,000
Emergency fund	1,000,000	1,000,000	1,000,000		
Management improvement	350,000	350,000	350,000		
Total, Executive Office of the President	18,912,000	18,596,000	17,832,000		764,000
Independent agencies:					
Administrative conference	250,000	125,000	240,000	−$115,000	
Advisory Commission of Intergovernmental Relations	551,000	551,000	484,000		67,000
Commission on Obscenity and Pornography	643,000	225,000	360,000	−135,000	
Tax Court	2,477,000	2,477,000	2,356,000		121,000
Total, independent agencies	3,921,000	3,378,000	3,440,000	−250,000	188,000
Total for the bill	8,337,359,000	8,155,624,000	7,592,068,000	−350,000	563,906,000

This table details, agency by agency, the appropriation requests made under this bill, the individual amounts recommended by the committee, the individual agency amounts the President's budget indicated would be spent in 1969 from funds appropriated in the bill, the cuts which I have detailed heretofore, and finally, the individual agency balances of funds in the bill that will be carried over into fiscal 1970. All of these are official figures, and my statement that planned expenditures in fiscal 1969 will not be adversely affected more than $350,000 by the committee's $182 million cut is irrefutable. The $182 million cut will reduce planned spending in fiscal 1970 and subsequent years, but it is the spending in fiscal 1969 that is of paramount importance now.

Surely, Mr. Chairman, at this time when our fiscal situation probably has never been more critical, we could make some greater reductions in actual spending by these agencies than the $350,000 I have detailed.

It was just last week, on April 2, that the Senate approved, in H.R. 15414, an expenditure ceiling for fiscal 1969 which would reduce total proposed Federal spending by $6 billion next year. If the ceiling in that bill, or a similar bill, should be enacted, and I hope it will be, the departments and agencies being appropriated for today will have to share in the $6 billion reduction and share to a far greater extent than $350,000.

This appropriation bill should not have been reported until after the Congress had determined what expenditure ceiling and appropriation cutbacks we are to have this year. That course of action was not followed, and now we must either recommit the bill to the committee or amend it and message it on to the Senate today.

In the light of the existing situation, I am prepared to offer an expenditure limitation amendment which will bring this bill into line with the subsequent actions that Congress probably will take on an overall expenditure ceiling.

The departments and agencies covered by this bill are expected to spend $7,689,380,000 in the current fiscal year. They have detailed to the committee some $185,774,500 of mandatory increases in 1969 which result from the pay increase of last October, the full-year costs of employees on the rolls during only a part of 1968, within-grade salary increases which cannot be absorbed by lapses, increased postage costs occasioned by the postal rate increase of last January, and other uncontrollable increases. When these mandatory increases are added to the expected expenditures in 1968 and adjustment is made for $6,684,000 of savings being affected by the agencies in 1969, we arrive at a figure of $7,868,470,500, which I am prepared to suggest should be the expenditure ceiling for these agencies in 1969.

I have a table detailing the expenditure ceiling which, when we are back in the House, I shall ask to have inserted at this point in the RECORD.

The table follows:

Estimated expenditures in either 1968 or 1969 (whichever is lower)

Title I—Treasury Department:	
Office of the Secretary, salaries and expenses	$6,908,000
Bureau of Accounts	33,137,000
1969 expenditure from 1968 supplemental	2,279,000
Payment of Government losses in shipment	250,000
Bureau of Customs	90,164,000
Bureau of Engraving and Printing: air conditioning building	500,000
Bureau of the Mint, salaries and expenses	15,890,000
Bureau of Narcotics, salaries and expenses	6,759,000
Bureau of the Public Debt: administering the public debt	52,679,000
Title I—Treasury—Continued	
Internal Revenue Service, salaries and expenses	$19,303,000
Revenue accounting and processing	180,203,000
Compliance	488,031,000
Total, Internal Revenue Service	687,537,000
Office of the Treasurer, salaries and expenses	6,567,000
Secret Service, salaries and expenses	16,985,000
Total	919,655,000
Title II—Post Office Department:	
Administrative and regional operations	107,449,000
Research, development and engineering	21,659,000
Operations	5,488,309,000
Transportation	679,334,000
Building occupancy	185,526,000
Building supplies and services	93,323,000
Plant and equipment	151,054,000
Postal public buildings	16,000,000
Total	6,742,654,000
Title III—Executive Office of the President:	
Compensation of the President	150,000
White House Office, salaries and expenses	2,915,000
Special projects	1,350,000
Operating expenses, Executive Mansion	702,000
Bureau of the Budget	9,352,000
Council of Economic Advisers	861,000
National Security Council	648,000
Emergency fund	1,000,000
Management improvement	400,000
Total	17,378,000

Estimated expenditures in either 1968 or 1969 (whichever is lower)—Continued

Title IV—Independent Agencies:	
Administrative Conference	$50,000
Advisory Commission on Intergovernmental Relations	494,000
Commission on Obscenity and Pornography	130,000
Tax Court	2,335,000
Total	3,009,000
Subtotal	7,682,696,000
Mandatory increases	185,774,500
Total for the bill (gross)	7,868,470,500
Deduct: 1969 postal revenues to be applied against postal operations	6,378,000,000
Total (net)	1,490,470,500

This ceiling would allow for a 2½ percent increase in 1969 spending, which approximates the average increase in productivity generally. Increases in personnel costs, and particularly those in the Post Office Department since 1964 have far outstripped the increases in productivity over the 10-year period from 1954 to 1964. As a matter of fact, if the increases in personnel costs since 1964 had been held to the level of productivity increases, the Post Office would need some 62,000 fewer employees than they have budgeted for fiscal 1969.

If my proposed ceiling should be adopted, it would reduce the overall spending of these agencies by $331,491,500 or 4 percent below the planned level of $8,199,962,000.

The amendment goes to the total bill and not to individual items therein; thus, it gives the President the same flexibility to make necessary adjustments in individual accounts that was granted to him last year in House Joint Resolution 888—Public Law 90-218—and was proposed in the Bow expenditure limitation amendments which this House approved on six occasions last year.

Mr. Chairman, a 4 percent reduction in these agencies' overall planned spending is small enough indeed but this is a difficult bill to cut since it appropriates for those services which collect the taxes and deliver the mail. If it were some other bill that we had under consideration, I would suggest that the proposed cut would be substantially larger than 4 percent.

If other economy amendments should be adopted, and I have heard some discussed, the $331 million savings that accrues under my amendment would, of course, be reduced to the extent that other economy amendments affect actual spending in 1969.

The time is long since past, Mr. Chairman, for us to put our fiscal house in order. The time remaining in which we can do so is short; therefore let us today tighten our fiscal belts and make a start toward that end. We can do so and still provide for all of the essential services performed by these agencies.

Mr. STEED. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. Dulski].

Mr. DULSKI. Mr. Chairman, I thank the gentleman from Oklahoma for yielding me this time.

Mr. Chairman, the Post Office Department's appropriation for fiscal 1969, as recommended by the Committee on Appropriations, provides a total of $7.1 billion.

This represents a cutback of 18.6 percent, by the committee, in new obligational authority requested in President Johnson's budget message to Congress.

A cutback of this magnitude by the committee represents a record reduction. Yet, it is made without requiring any significant curtailment of postal services.

If any substantial reduction in postal service would result, I could not agree with this budget recommendation by the committee.

As chairman of the Committee on Post Office and Civil Service, I am acutely aware of the demands upon our postal system today and the difficulty which the Department is experiencing in trying to cope with the never-ending avalanche of mail.

Hardly a day goes by that I do not have a complaint about some phase of the postal service. It is difficult to explain to the individual involved why his letter was delayed en route. It should not have been delayed, of course. Understandably, perhaps, he could care less about the fact that millions of other pieces of mail are being delivered on time every day.

The Department is trying hard to eliminate delays in the mail and to otherwise improve the service. Our committee is giving the Department full cooperation in this effort.

I understand that amendments will be offered here today to further cut the postal budget. Any further cut would require reductions in service.

Just last December, the Congress approved increases in mail rates of all classes. The first-class mail rate was increased 20 percent.

Now there are suggestions that Saturday deliveries of residential mail be eliminated. What a whopping load of mail that would give the carriers on Mondays. Do you believe American citizens would accept a weekly lapse in mail deliveries from Friday to Monday? Except in an emergency, I doubt that they would.

Another suggestion is to reduce rural deliveries to five days a week. True, that might save some mileage costs, but it would not save a nickel on the major item of pay for carriers. Rural carriers are paid on an annual basis and receive the same amount whether they work 5 days or 6.

Mr. Chairman, the Committee on Appropriations has recommended a reasonable budget for the Post Office Department for fiscal 1969. I urge my colleagues to support it without change so that the Department can continue in the job of delivering the mail and improving the service in every way possible.

Mr. STEED. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, since the gentleman from Ohio [Mr. Bow] gave the committee some figures in support of a motion which he intends to make, I have some figures bearing on that same point that I think the Committee ought to have for its consideration before it acts on this proposal.

The gentleman from Ohio is talking about the amount of money proposed to be expended during the fiscal year 1969 based on the original budget request which came to the committee.

That original request was $8,337,359,000, of which $7,592,068,000 would be expended during the fiscal year.

Based on those figures, the committee would have done what he said, but due to the interest and the importance of this, I have had made by the staff and the departments a new consideration of this point based on the bill after the committee had acted.

The committee made a total cut of $181,735,000, bringing the bill to a total of $8,155,624,000. This brings a revised estimate of expenditures for the upcoming fiscal year of $7,461,423,000, which happens to be $132,206,000 under what the original proposal was, and which is a savings on the expenditures in the upcoming fiscal year by action of this committee.

Under this expenditure proposal, as based on what the committee has presented here today, of that $694,201,000, of that $8,155,000 will not be expended during the current fiscal year. So this means that a major portion of the $181 million we have cut will be a real expenditure savings during the upcoming fiscal year, this savings being $132,206,000. And I say this is a substantial contribution this subcommittee has made to the impact in the expenditure budget. And before this Committee is led down the primrose path of false economy, or a penny-wise, pound-foolish policy again by the gentleman from Ohio, as his amendment last year did to this year's budget, I believe this Committee should give this some serious consideration.

Mr. CONTE. Mr. Chairman, I yield 5 minutes to my friend and colleague from North Carolina [Mr. Jonas].

(By unanimous consent, Mr. Jonas was allowed to speak out of order.)

AID TO VETERANS A PRETENSION

Mr. JONAS. Mr. Chairman, I was interested in the colloquy between the distinguished gentleman from Massachusetts [Mr. Conte] and the Assistant Postmaster General, Mr. McMillan, beginning on page 291 of the hearings, and I would invite the attention of the Members of the Committee to what was said there.

I have in my hand a very elaborate brochure prepared by the Veterans' Administration, containing the substance of the President's message to the Congress on January 30, 1968, entitled "Our Pride and Our Strength."

In that message the President related all of the debts and obligations we owe to our veterans for the services they have rendered to the United States in the wars of our history, and outlined the many benefits that have been provided veterans. These things are reincorporated in the brochure entitled "Our Pride and Our Strength."

But I would like to relate an incident which has occurred in my State which makes a mockery of the pious pronouncements about veterans' rights and our Nation's obligations to them.

Let me tell the Members what happened down in North Carolina recently. On September 13, 1967, following a vote of the people, three adjacent, incorporated cities in North Carolina—Leaksville, Spray, and Draper—were consolidated under the name of Eden.

Mr. N. D. Shively had been appointed acting postmaster of the Spray Post Office back in 1953 and was later appointed postmaster in 1955.

Spray was a first-class office. Mr. Shively is a five-point veteran.

Mr. N. D. Redman, Jr. had been appointed postmaster of the Leaksville Post Office in 1955. Leaksville was a first-class post office.

Mr. Redman is a disabled veteran of World War II with 10 points to his credit.

Mr. G. C. Stegall had been appointed postmaster of the Draper Post Office in 1961. Draper was a second-class office. Mr. Stegall is not a veteran.

In order to eliminate the postmasters of Spray and Leaksville, both of whom are not only veterans—with Mr. Redman being a 10-point veteran which means he is a disabled veteran—but senior in point of service to Mr. Stegall, and for the purpose of transferring the nonveteran from the second-class office at Draper to the position of postmaster of the new office at Eden, N.C., the first-class offices at Leaksville and Spray were consolidated with Draper effective January 12, 1968.

The very next day, the nonveteran who was postmaster at Draper, was designated as postmaster of Eden and transferred to the post office quarters at Leaksville, which had been occupied by Mr. Redman, Jr., as postmaster of that office.

The former postmaster of Leaksville, Mr. Redman, Jr., who not only is a 10-point veteran but senior in service to Mr. Stegall, was given 5 days to accept appointment as assistant postmaster at Eden.

Mr. N. D. Shively, who in addition to being a five-point veteran was also senior in service to Mr. Stegall, was given 5 days to indicate acceptance of the position of superintendent of mail at Eden.

On the face of it, these actions seem arbitrary and capricious. Many responsible people of the community feel that it was a neat trick by the Post Office Department to demote two senior postmasters of first-class offices, both of whom are veterans and one of whom is a disabled veteran with 10 points credit, and to favor the nonveteran postmaster who was junior in service to the two demoted postmasters.

If a department of the U.S. Government is permitted to get by with this sort of treatment to veterans, and disabled veterans, it makes a mockery of the pious pronouncements about veterans' rights and our country's obligations to them.

Mr. CONTE. Mr. Chairman, will the gentleman yield?

Mr. JONAS. I am glad to yield to the gentleman.

Mr. CONTE. I want to join with the gentleman from North Carolina. I know he has presented his case well and accurately. This is exactly what did happen. I am familiar with the area. I know the post office in that particular area very well and I am very familiar with the problem.

I think it is a mockery to the veterans of the United States when you think of what they did here. It is not only a mockery to the veterans but a mockery to the postal service, to take a man out of a second-class post office and put him in charge of three post offices, where the other two post offices were first-class post offices. Yes, it is a mockery to the people of North Carolina.

Mr. JONAS. Yes, it is a disservice to the patrons of the post office and makes a mockery of the pious pronouncements about the obligations we owe to the veterans of the country.

I think the Committee on Veterans' Affairs—the legislative committee—and the Civil Service Commission should go into this matter. As a matter of fact, I understand the two demoted postmasters have filed notices of appeal to the Civil Service Commission. I certainly hope the Commission will correct what seems to be a very unfair and unreasonable action on the part of the Post Office Department.

Mr. CONTE. I agree with the gentleman and I do hope that the Civil Service Commission will overturn that action.

Mr. OLSEN. Mr. Chairman, will the gentleman yield?

Mr. JONAS. I yield to the gentleman.

Mr. OLSEN. I wonder if you would not agree that it would be a very good idea to eliminate the residence qualification for postmasters as well as eliminating political qualifications and that we take out of the law the requirement for the Senate to approve the appointment of postmasters and that we take out of the law any recommendation of individuals by the Congress for postmasters as well as taking out the residence requirement so that people within the Post Office Department could rise to positions of leadership in the Department without political influence and without regard to residence.

Mr. JONAS. I do not know about residence. I have not given any consideration to the subject of residence. My first reaction would be to believe that a postmaster should come from the area which is being served. But I would agree 100 percent with what the gentleman has said about taking the postal service out of politics. I hope I am never again called upon to recommend one person for postmaster when there are several acceptable candidates. I would like to see the entire operation removed from politics. I I do not think I would favor converting the postal service into a corporation. There are some obvious problems involved there.

But my idea would be to give the Postmaster General a long term in office, similar to that, perhaps, of the Comptroller General, a 15-year term, not permit him to succeed himself, and tell him to operate the postal service as efficiently, economically and in as businesslike a manner as possible.

Mr. OLSEN. The point I have in mind is that the residence requirement is not imposed upon any other utility. If a person goes to work in another utility of this country—as, for example, a lowly electrician in the American Telephone & Telegraph Co.—he could aspire to the highest job and he would not be confined to the residence that he is a patron of. I think that practice would be well to establish in the Post Office Department. I thought perhaps you might agree to that.

Mr. JONAS. I have not considered the question of residence. But I will be glad to consider it after your committee has conducted hearings and makes a recommendation.

Mr. OLSEN. Do you not think it is difficult for the Post Office Department that they cannot take the finest out of the lowest office and graduate them perhaps to the postmastership of the biggest city in the country?

Mr. JONAS. I would say in this particular instance, on the face of it, the postmaster at Leaksville should have been named postmaster of Eden; he was senior to the one who was promoted; he was a 10-point veteran; and he had been operating a first-class office. His office was transferred to the other place for 1 day and then transferred back in order to demote him. It is that kind of unfair discrimination that I am talking about here today.

Mr. OLSEN. I find myself in agree- to go a little further. I want to say that ment with the gentleman. I would like the residence requirement is the wrong thing. Inside the postal service, on the merit system, people should be able to aspire to the highest office because of merit.

Mr. JONAS. I agree with that.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. JONAS. I yield to the gentleman from Iowa.

Mr. GROSS. I think the gentleman from North Carolina would agree that in North Carolina, as in Iowa—I do not know about Montana—but in North Carolina, as well as Iowa, competent people can be found within the jurisdiction of the post office, people who can well serve the needs of the postal service, and certainly they can be found within the counties of North Carolina and Iowa. Again, I say, I do not know about Montana.

We are not yet ready for New York to ship us their unwanted manpower to man the post offices in the State of Iowa. I am absolutely unwilling to go outside county lines in recruiting employees for local post offices.

Mr. JONAS. In this particular instance, both men were in the same postal area of the man that was promoted over them. My objection is they were both senior to him, they both had good records, and they were both veterans.

Mr. CONTE. Mr. Chairman, I yield myself 3 minutes.

The CHAIRMAN. The gentleman from Massachusetts is recognized for 3 minutes.

Mr. CONTE. So the record will be absolutely clear, regardless of how we feel about how postmasters should be appointed; in this particular case, we have to work within the framework of the present law and the present rules and regulations, and a shell game was played in this instance by the Post Office Department in order to get this nonveteran postmaster of the second-class post office to head up the new first-class post office in Eden over the two veterans, one a 10-point veteran, the other a 5-point veteran, both postmasters of first-class post offices.

Mr. JONAS. And both of them, according to my information, had excellent records as postmasters.

Mr. CONTE. Mr. McMillan said in the hearing they all had good records. They are all good postmasters.

Mr. FLYNT. Mr. Chairman, as much as I favor Government economy, I cannot agree with suggestions that Saturday mail delivery be eliminated in the interest of cutting the postal budget. Saturday delivery is important to many individuals and many businesses.

In many American households both the husband and wife work. No one is home during the week. But someone is home on Saturday and that is the only day when mail which must be personally accepted by the addressee can be delivered.

Ending Saturday service will not reduce the amount of mail that must be delivered. All mail ultimately must be delivered. If there is no Saturday delivery mail will have to be stored over the weekend in already overcrowded post offices.

Checks, valuable papers, and periodicals will be delayed in delivery until Monday.

Halting Saturday delivery will substantially increase the Post Office workload for Monday. This will slow service on Monday possibly even Tuesday and the added Monday volume could very easily require overtime. Slow service and overtime certainly would not contribute to postal efficiency and economy.

The Appropriations Committee did an excellent job in pruning the postal budget without eliminating essential services. It reported a tight budget to the floor—a budget that recognizes the need for austerity to get the Nation's economic house in order. I support the Appropriations Committee's report and urge its adoption.

Mr. HORTON. Mr. Chairman, I feel compelled to rise and speak out against this hasty move to eliminate Saturday mail deliveries. In my mind, this is false economy. Worse than that, this is a most unfair approach to trimming the Federal budget.

Last year, during consideration of the postal rate bill, there was much discussion of the fact that mailers of first-class mail paid their own way, and in fact, carried part of the postal-rate burden of other lower classes of mail. Some Members pointed out at that time, that the service which first-class mailers were paying for was not as good as that which the Post Office Department had provided in past years for lower rates.

Now, in the wake of substantial rate increases for all mailers, but especially for first-class mailers, it is proposed that we cut back mail deliveries to 5 days a week. This is simply unjust. In effect, it is Government-imposed inflation if we take this step. After raising first-class rates from 5 to 6 cents, we are asked to cut back mail deliveries from six to five per week, so that 120 percent of last year's postal rates will buy only 83 percent of last year's postal service. The cost-benefit factor for the first-class mailer would look dismal, indeed, if we ushered out the Saturday deliveries in the interests of economy—we would be imposing 37-percent inflation on the mailer in the interest of economy.

Another serious aspect of this proposed cutback is its devasting effect on the members of the postal field service. Through the years, the volume and value of material Americans send through the mails grows and grows. Through thick and thin, and by that I mean, throughout both lean and plentiful Federal budgets and postal pay raises, the career postal employees of this Nation have carried successfully this terrific burden. But, it seems to me, that these same postal employees are the last to be considered when decisions are made on Federal action affecting them. For years, they were without any semblance of true salary comparability with private employees, and this worthy goal, while it is much closer, has still to be achieved fully. Postal employees work under work rules, overtime provisions and working conditions which compare unfavorably with employees with similar skills working in private industry. Further, the grievance procedure through which a Postal Field Service employee can obtain a fair solution to a work-related problem is antiquated—so antiquated that often letter carriers and clerks must work through a Member of Congress to get action.

Now, to compound the low priority we have allotted to postal workers, and hand in hand with the inflation we would impose on mailers, we seek to cut by nearly one-sixth, the duties of many of these workers, and thus the need for keeping over 13,000 of them on postal payrolls. The result of cutting out Saturday deliveries would be for heavier mail deliveries during the 5-day week, less service for mailers and mail recipients, and hardship on the postal work force.

Mr. Chairman, I implore my colleagues to reject this false economy, and to consider the very real priorities that would be compromised by an elimination of Saturday mail deliveries.

Mr. STEED. Mr. Chairman, in view of the fact that there seems to be some differences of opinion concerning the amendment offered by the gentleman from Ohio [Mr. Bow] and accepted by the committee to the bill (H.R. 16489) which was passed by the House on Tuesday, April 9, 1968, I think it would be well to set the record straight.

The expenditure limitation originally contemplated by the gentleman from Ohio [Mr. Bow] was $7,868,470,500. I informed the gentleman that the departments concerned had advised the committee that their expenditure estimates from funds appropriated by the bill (H.R. 16489) would be $7,461,423,000 in fiscal year 1969. The gentleman then revised his figure and adopted the committee figure as shown in column 5 of the following table:

TREASURY, POST OFFICE, AND EXECUTIVE OFFICE APPROPRIATION BILL, 1969

[In thousands]

Agency (1)	Budget estimates, fiscal year 1969 (2)	Recommended in bill (3)	Bill compared with budget estimates, fiscal year 1969 (4)	Revised 1969 expenditure level (estimated) (5)	Estimated expenditure reduction [1] (6)	Estimated expenditures which will be expended in future years (7)
Treasury Department	[2] $1,016,816	$1,006,650	−$10,166	$936,071	−$9,182	$70,579
Post Office Department	7,297,710	7,127,000	−170,710	6,503,378	−122,165	623,622
Executive Office of the President	18,912	18,596	−316	18,596	−316	
Independent agencies	3,921	3,378	−543	3,378	−543	
Total	[2] 8,337,359	8,155,624	−181,735	7,461,423	−132,206	694,201

[1] This column compares with col. 4.

[2] Includes budget amendment of $1,300,000 for Bureau of Narcotics (H. Doc. 259).

Note: Since this bill does not propose to establish any expenditure limitations and deals only with obligational authority, the expenditure figures shown above are set forth only for informational purposes as provided by the major agencies involved.

This expenditure estimate of $7,461,423,000 did not, and, of course, could not be interpreted to go beyond the scope of the bill under consideration to restrict expenditure of funds from previous years appropriations to liquidate legal and legitimate obligations previously entered into by the Government. Such an amendment would clearly have been subject to a point of order.

As a matter of fact, under such a strained interpretation, payments of interest on the public debt amounting to $15.2 billion in fiscal year. 1969 would have been repudiated. That debt, of course, is guaranteed by the Constitution itself. Naturally, the Committee could not have accepted such an amendment under any other interpretation than that it applied only to funds covered by the bill. It was with that clear understanding that the amendment was accepted.

I am certain that neither the gentleman from Ohio [Mr. Bow] nor any other responsible person would advocate the repudiation of the interest on the public debt or any other legal and legitimate obligation which has been entered into by our Government.

Mr. Chairman, I have no further requests for time.

Mr. CONTE. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

BUREAU OF THE PUBLIC DEBT

ADMINISTERING THE PUBLIC DEBT

For necessary expenses connected with any public-debt issues of the United States, including uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902), and services as authorized by 5 U.S.C. 3109, $56,900,000.

Mr. GROSS. Mr. Chairman, I move to strike the necessary number of words.

Mr. Chairman, I rise to ask about the appropriation for administration of the Bureau of the Public Debt of almost $57 million. What kind of increase is that over last year, and why is this increasing all the time? Is it because of the size of the debt, or what is the story?

Mr. STEED. Mr. Chairman, the gentleman is correct. As the gentleman well knows, the public debt keeps going up each year. The activities involving the Bureau increase along with it.

Mr. GROSS. Is it simply because the debt goes up?

Mr. STEED. The workload the Bureau handles keeps going up because of the number of instruments they have to handle to refund the debt, and so on, and there is workload involving cancellation of bonds that people cash in. All these things cost money, and they just have this volume of new items they have to handle.

Mr. GROSS. Have they bought no automated equipment in the Treasury Department?

Mr. STEED. They have automated equipment. In this one little part of Treasury, with the bookkeeping that is involved, and this is the largest part of it, if they did not have automated equipment they estimate they would have to have 18,000 more employees than they have now.

Mr. GROSS. In the Bureau of Public Debt?

Mr. STEED. This Bureau with the Bureau of Accounts, where all these things are handled. This year the improvement in their use of electronic equipment has resulted, in this particular agency, in a cut of staff by 22. They propose to have 22 fewer people in 1969 than this year.

Mr. GROSS. Can the gentleman say how much the administrative costs of the Bureau of Public Debt has gone up since President Johnson took over the reins of management? How many millions of dollars has it gone up just to administer the debt?

Mr. STEED. It was $55 million last year. It was down around $48 or $49 million in 1962. It was as low as $45 million in 1959.

Mr. GROSS. So just to administer the public Federal debt, it is now costing the taxpayers $57 million, and that is an increase of $8 to $10 million since President Johnson took over the reins of office in 1963.

Mr. STEED. That takes account of obvious increases represented by a variety of pay increases and some other costs have gone up, but there has been a very substantial increase in the volume of instruments they have to deal with to handle the larger debt.

Mr. GROSS. I guess there is not very much we can do about it except to try to find somebody, next November, who will help put the brakes on some of this spending.

I see the distinguished chairman of the Ways and Means Committee on the House floor, and I do not want to involve him in this colloquy, but I am sure he has a deep interest in the rocketing Federal debt.

The ranking minority member of the Appropriations Committee said a few moments ago that we were looking at a $25 billion deficit for this year alone.

I do not know whether we will be confronted this year with a tax increase for the purpose of providing more money for President Johnson to spend on every Tom, Dick, and Harry who comes down the pike or runs down a back alley, some with Molotov cocktails in their hands. I do not know how much more we have to spend this year, or how much more we will be asked to increase taxes to take care of these individuals and the depredations they carry out. It will be interesting to see.

Mr. STEED. Mr. Chairman, if the gentleman will yield further, he might be interested in knowing that in 1953 this Bureau handled 178.3 million instruments. In 1967 this had gone up to 239.2 million instruments. Since they have no control over the volume of their workload, about all they can do is try to improve productivity and efficiency. I believe the record they have made would please the gentleman from Iowa very much, if he has time to study it.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

The Clerk will read.

The Clerk read as follows:

OPERATIONS

For expenses necessary for postal operations, including uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902) and services as authorized by title 5, United States Code, section 3109; for repair of vehicles owned by, or under control of, units of the National Guard and departments and agencies of the Federal Government where repairs are made necessary because of utilization of such vehicles in the postal service; and for other activities conducted by the Post Office Department pursuant to law: $5,720,000,000: *Provided*, That functions financed by the appropriations available to the Post Office Department for the current fiscal year and the amounts appropriated therefor, may be transferred, with the approval of the Bureau of the Budget, between such appropriations to the extent necessary to improve administration and operations: *Provided further*, That Federal Reserve banks and branches may be reimbursed for expenditures as fiscal agents of the United States on account of Post Office Department operations.

AMENDMENT OFFERED BY MR. ROBISON

Mr. ROBISON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROBISON: On page 9, line 5, strike out "$5,720,000,000: *Provided*," and insert the following: "$5,598,800,000: *Provided*, That none of the funds contained in this bill shall be available for expenses of delivery of mail on Saturdays in residential areas; for expenses of rural delivery of mail in excess of five days per week; nor for expenses of delivery of parcel post in excess of five days per week: *Provided further*,".

Mr. ROBISON. Mr. Chairman, I offer this amendment with no sense of pleasure, but I do so because I believe this is a reasonable and practical and necessary step for us to take at this time in order to somewhat relieve the budgetary pressures we are all facing.

The amendment is a simple one. It would reduce the total appropriation under this bill for postal operations by $121.2 million. That amount is arrived at by eliminating for the time being, during fiscal year 1969 at least, Saturday deliveries of mail in residential areas, for a total net budgetary saving of $96.4 million; by eliminating 1 day's delivery of rural mail, at a savings of $16.3 million; and, finally, by reducing the delivery of parcel post back to 5 days a week, at a savings of $8.5 million; for the total of $121.2 million.

Now, Mr. Chairman, cutting back to a 5-day delivery of mail in residential and rural areas will be of some inconvenience, of course, and if we decide to do it some of our constituents are bound to be annoyed with us—maybe even our wives will, for I have had some trouble with my own wife about this proposition.

As she said to me over the breakfast table this morning, "But, I like to get mail on Saturday."

And, of course she does, although some Saturdays there are only bills and no letters in what the mailman brings around to our house, and, of course, everyone likes to get mail on Saturday, but is it essential in a time of financial and budgetary crisis such as this that the mailman comes to our homes 6 days a week?

All of us got, in the morning's mail here on Capitol Hill, I am assuming, this letter from Thomas P. Costin, Jr., of Lynn, Mass., the president of the National Association of Postmasters—a very fine group, representing a fine body of public servants.

And Mr. Costin tells us in this letter that a reduction of rural and city parcel post service and the consolidation of some 2,000 post offices would—and now I quote—"in effect create havoc that would destroy a vital and necessary service to the American people."

Come, now, Mr. Costin.

In the first place, I do not know where he got the idea that some one of us was going to offer an amendment that would have the effect of consolidating 2,000 post offices. As far as I know, this step has not been contemplated by any of us. Furthermore, the Post Office Department, on its own, has already been closing about 1,000 post offices—usually by the consolidation route—each year in the interest of a more efficient and economical operation and, though there are often complaints from local citizens about this happening in their communities, it has neither "created havoc" nor "destroyed" the postal service yet.

As for a reduction in parcel post delivery service—back to a 5-day week in this instance—this would not create havoc, either, since it was only a few short months ago that the Department restored 6-day a week parcel post delivery service to most communities, for prior to that we did not have it, and we got along pretty well without it.

Then you will note, if you have read Mr. Costin's letter, that he tells us his organization—and again I quote—"with members in every congressional district of the United States, would be opposed to any such amendments," which is understandable and something we fully expected. And maybe you have heard from your postal unions, as well—and one of their leaders did personally call upon me this morning, a fine man from a fine union and we had a good discussion of this this—but just let me read you now this last line from Mr. Costin's letter. He says:

> These are not the times for crisis.

Well, perhaps not, but just what does he think—or any of you think—we are facing here right now?

Mr. OLSEN. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred Members are present, a quorum.

The gentleman from New York [Mr. ROBISON].

Mr. ROBISON. Mr. Chairman, indeed, we have so many crises of one kind or another that it is getting difficult just to separate them, let alone trying to assess their comparative urgencies.

But the overriding crisis we face is a budgetary crisis, a crisis of such dimension that it forecloses all hopes for maintaining a business-as-usual governmental operation in many areas of lesser importance.

And whenever the President does finally decide to come up here and speak to us and the Nation about the racial and urban crisis that was so dramatically played out before our eyes here this past weekend, he will undoubtedly be asking for more funds, not only for such existing programs as he may have to try to deal with this problem, but for money as well for new and, perhaps, "massive" programs of the nature many people are now saying will be necessary.

Well, that money will have to come from somewhere and sometime we have to try to make a beginning at finding out where we can get some of it.

Several weeks ago, I joined with seven other Members from my side of the aisle in urging specific budgetary cuts to the tune of $6.5 billion of which amount if we achieved it, we felt we could responsibly "plow back" some $2.5 billion to meet what we called "urgent human needs."

We did this because we believed that the administration was refusing to exercise the political integrity necessary now to establish what we called positive national spending priorities—and that it was necessary for someone to try to fill that vacuum of leadership responsibility.

One of my friends on the majority side of this aisle scoffed, then, at our motives, saying he was wary of "Greeks bearing gifts," or something of that sort.

Well, to him and to all of you over there now contemplating that great question about how in the world we are going to finance new and better programs against poverty, and new and better programs designed to create badly needed jobs or to build decent housing, argue as you will with us later on about the nature of those programs or how much to spend on them, but help us now to help you begin to find the money needed to finance them.

Mr. STEED. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I believe the Members ought to know exactly what they are voting for if they adopt this amendment. This will cut the operations budget of the Post Office Department $121.2 million. It will take out 13,712 employees.

Here is what I believe the Committee ought to keep in mind: You will be cutting this budget and cutting service on rural and city and parcel post delivery that the patrons already pay for. Nothing in the postal budget that is beyond the responsibility of the person who buys postage will be affected by this amendment. There are $634 million worth of free services that the Congress requests the Post Office Department to perform, but that is not affected here. You are taking away from the user of the mails what he is already paying for. As a matter of fact, he not only pays for all the costs of 6 days of collecting and delivering the mail, but he also pays all but $116 million of the total cost for new buildings, expansion of buildings, remodeling of buildings, lease of buildings, all the supplies and material and research and development, and on the administration.

So I believe that to have raised the rates to the consumer and to have him now in a position where in the area of operations he actually pays more than it costs to give him 6 days' service for his mail, to cut that back is probably something that I just do not believe the public is going to approve of or appreciate in terms of the service rendered, or in the terms of the personnel affected as to the carriers where they now need 7,270 new carriers for the increased volume, and increased number of addresses, to just keep giving the same level of service to the American people during the coming year.

If this amendment is adopted they will have to let go 13,712 carriers. That means they will not have the 7,270 new carriers, and will have to give up 6,442 of those they already have on the payroll.

This amendment will not save anything insofar as the rural routes are concerned, because for the service there we pay them on a yearly basis plus mileage.

Further, in terms of parcel post service, just this very year we had to make an adjustment in the parcel post, and we only have the 6-day parcel post service in those routes where there is a definite need for it, and where that need has been demonstrated. They have already cut out all those routes for parcel post where no need was demonstrated. So we now only have partial 6-day parcel post service today, and I believe in those areas where we have it it has been demonstrated there is a real need for it.

So, Mr. Chairman, I hope the committee will defeat this amendment because I do not believe that giving up this kind of service at a time when the patrons are actually paying every dollar of its cost is a good thing for this Congress to do, and I therefore recommend strongly against it.

Mr. PASSMAN. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, in my considered judgment this particular amendment will indicate whether or not we are serious about wanting to make reductions in expenditures. This is the only type of amendment whereby reductions in expenditures can be made, because it is specifically pinpointed.

With the kind of amendment that says we will cut 2 or 4 or 5 percent, in all probability you will wind up spending more money.

I mentioned earlier that in my considered judgment this was a very tight bill. You cannot make reductions without reducing services. Now if you are sincere about wanting to bring unnecessary expenditures under control, this is the place to indicate how strong you are for economy.

Saturday is no longer a workday in America—we go visiting or we go fishing or hunting or we go on an outing—and we could dispense with residential mail deliveries on Saturday. There would be no great harm done.

We can likewise in my candid opinion dispense with rural mail delivery on Saturday without doing any great harm.

All of these things are desirable, but if we were to confiscate all the wealth in America, we would still not have sufficient funds to do all the things that are labeled desirable.

If we are confronted with a $25 billion deficit, we must start cutting where it hurts. There are over 10,000 square miles in my district. There are 32 post offices that have city delivery. There are over 120 post offices. I am willing to take my chances with my constituents.

You cannot have your cake and eat it too. We must start pinpointing where service cuts are going to be made and get away from all this foolishness of across-the-board percentage cuts because they never stand up in the other body and they do not stand up in conference.

I hate to take a different position from my very able committee chairman, the gentleman from Oklahoma, but I am worried about the financial plight of America. I think we are going to have to make reductions rather than trying to applying across-the-board cuts.

Mr. Chairman, at the expense of being repetitious, earlier today I mentioned that with reference to the Custom Service, every time you cut them a dollar you lost $8 in revenue. The Bureau of Internal Revenue's revised statistics say that when you cut them $1 you now lose $10. I used the figure $4, but the correct figure, as they give it, is $10.

Mr. Chairman, these are revenue-producing agencies and I do not believe you can cut them.

But this is one place that you can save approximately $120 million and you are not going to do any great harm. Furthermore, at some subsequent date when the war is over and we bring matters under control, then you can reinstate these services.

Mr. LONG of Maryland. Mr. Chairman, will the gentleman yield?

Mr. PASSMAN. I yield to the gentleman.

Mr. LONG of Maryland. The gentleman says that Saturday is no longer a working day. But is it not true that there are a great many residential people who do have businesses which they operate from their own homes and for whom Saturday, therefore, is a business day?

Mr. PASSMAN. I refer to residential people, and I am sure that in most neighborhoods where you have 400 residenes, you will find two or three little local grocery stores who could just as well get their bills on Monday.

Mr. LONG of Maryland. Would this not be hurting the small businessman who has to work 6 days a week in order to make a living?

Mr. PASSMAN. Certainly, it will hurt that businessman, and if he feels he is going to be hurt, then let me go down to the post office and rent a box.

If you are going to start arguing against cuts of this type where it is absolutely pinpointed and where you can make reductions without doing any harm, I do not see why we just do not give up and go out on a vacation. We either mean what we say or we do not mean what we say. So far as I am concerned, when these recommendations are pinpointed where you know you are going to make reductions, I am going to reserve the right to oppose them or to support them during this entire year.

I am going to say this in conclusion. I am not too sure that we are serious about making cuts. Headlines are one thing but pinpointing cuts where they will be effective is something else. I am not going to support any amendment that says we will cut 2 percent or 4 percent knowing that we are going to have to move 3 billion additional pieces of mail this year and finance 1,400,000 additional mail stops. You are going to have to cut services. You are going to have to cut expenditures, and I will stand up here to vote to reduce these services that can be dispensed with until our financial house is in better order.

Mr. CUNNINGHAM. Mr. Chairman, I move to strike out the last word, and rise in opposition to the amendment.

Mr. Chairman, earlier today in addressing the House under the 1-minute rule, I stated that I expected that this amendment would be offered.

In my remarks at that time I said that this would be a tragic error because the committee has already cut out $170 million from the Post Office Department budget request, and with this further proposed reduction it is going to mean a severe curtailment of postal services.

The postal services during the 12 years I have been here have been curtailed more than it had been prior to that time. We just cannot curtail it any further. I think every Member in this body has heard complaints about the curtailment that has taken place. Now we have a proposal to curtail it further, and this on top of the recent rate increase. I just do not think any Member will want to bear the burden of trying to explain a further curtailment in service on top of that sizeable rate increase.

I am the ranking Republican member of the Committee on Postal Operations. We spend 12 months a year on this business. The Appropriations Committee spends about 3 months on not only Post Office but also the Treasury. I think those of us who spend 12 months each year on Post Office affairs alone ought to know something about what we are talking about. I say to you, the members of this Committee, that it would be a tragic error, in my opinion, to make the proposed drastic reduction over and above what the committee has already proposed in their report.

My economy record in this House is second to none. The postal service is a personal service. The people pay for it. It is something they depend on. It is a major part of our whole economic way of life and the whole economic flow of goods and merchandise depends upon good postal service. The amendment would have a tragic effect upon the economy of this country. I plead with the members of this Committee to reject this amendment. I wish I could have the time to go into some of the other things in the Treasury Department end of the bill where some real and substantial savings could be made.

Mr. POOL. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Texas is recognized for 5 minutes.

Mr. POOL. Mr. Chairman, I offered an amendment to the pay raise and postal rate increase bill that was before the House to not raise the first-class mail rate from 5 to 6 cents. The House saw fit to reject the amendment and raised the rate to 6 cents, even though first-class mail was then paying over 100 percent of its cost.

The American people will not appreciate our raising their rates on first-class mail—and you had already raised parcel post rates and other rates had been raised—and then come along we curtail their service. You talk about Congressmen getting some mail on this question. You have not seen anything if you do this. You go ahead and vote this amendment if you want to, but I am telling you now that the American people do not mind paying for postal service, but they are going to demand that they get the service. If you cut this appropriation out, you are materially cutting their service.

Mr. DANIELS. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from New Jersey is recognized for 5 minutes.

Mr. DANIELS. Mr. Chairman, I feel it would be a serious mistake to cut back postal service in the name of economy. I believe it would be false economy at its worst. As the previous speaker has stated I do not believe that the American public would stand for this cut, particularly after last year's increase in the postal rates.

I might point out to my colleagues in the House that during the Eisenhower administration the Postmaster General tried to close down the post offices of the country on Saturdays. He actually did so for one Saturday, and the public expressed its indignation. The outcry was so loud and so great that funds had to be appropriated to permit the post offices to remain open.

If the American people would not stand for this kind of service curtailment 11 years ago, what makes anyone in this House think that they will stand for it today?

It is true that we do have a national crisis, but our citizens are entiled to that for which they pay. I think, Mr. Chairman, the proposed curtailment would be not only unwise but also monstrously unfair to the patrons and users of the mail.

As the chairman of the subcommittee pointed out, the revenues which the Post Office Department collects cover all the expenses for the collection and distribution of mail. The real deficiency in the Post Office lies in the $630 million loss it sustains in the performance of nonpostal functions and public services.

The cost of these activities should be met out of public taxation, not out of postal revenues. This was the whole purpose behind the Kelly Act of 1930, the Postal Policy Act of 1958, and the Postal Policy Act of 1962, which provided for the segregation of nonpostal or public service expenditures from the actual costs of operating the postal service.

If this proposal for drastic curtailments of the service were to gain acceptance, we would be taking away from the public money that it spends for postal service and using that money to cover costs which should, by law, be met through public taxation.

Mr. Chairman, I rise in opposition to this amendment. I ask my colleagues to vote in opposition to it.

Mr. JOELSON. Mr. Chairman, will the gentleman yield?

Mr. DANIELS. I yield to the gentleman from New Jersey.

Mr. JOELSON. Mr. Chairman, I rise merely to express my agreement. I think passing this amendment would be adding insult to injury. In order to obtain pay increases for postal employees I found it necessary to vote for the injury in the form of the postal rate increase. I am not going to compound it by insulting the postal patrons and by saying, now that they are paying more, they must get less service.

Mr. Chairman, I hope this amendment is decisively defeated.

SUBSTITUTE AMENDMENT OFFERED BY MR. CONTE

Mr. CONTE. Mr. Chairman, I offer a substitute amendment.

The Clerk read as follows:

> Amendment offered by Mr. CONTE as a substitute for the amendment offered by Mr. ROBISON: On page 9, line 5, strike "$5,720,000,000" and insert "$5,690,000,000."

Mr. CONTE. Mr. Chairman, I would like to offer this as a package amendment, but the other amendment would not be in order at this time. With the substitute, and the other amendment which will be on page 10, there will be a total cut of $50 million, but it will mean no loss in employment, no cut in personnel. The Post Office Department had asked for 22,077 new jobs. The committee gave them 20,000. This would cut it down to 16,200 new jobs, therefore saving $30 million in that account.

Then, on page 10, there is an account for vehicles, $34,245,000 for replacement of 12,481 vehicles. We do not touch this at all.

There is another program—and I want to call the attention of the legislative committee to this—covering $29,665,000 for additional vehicles for this loop program. I imagine Members have heard about this back home from the employees, who do not want the loop program. I advocate cutting $20 million from the new vehicles, giving them $9,675,000 for new vehicles. We give them everything on replacement. This is merely on new vehicles.

Mr. Chairman, we have heard the chairman of the full committee speak to us about the financial crisis of this country. We were told by members of the leadership, who had gone to the White House I believe last Tuesday, about the financial crisis this country faces. We heard about the integrity of the dollar.

We heard from one of the financial leaders of this country last week, who told us we were on the threshold of devaluating the American dollar between 10 percent and 15 percent. We were told by this individual, who just came back from Stockholm, that we were on the verge of having European countries refuse to accept the American dollar, and that the the only thing tourists would get for the American dollar in Europe would be what the black market would bring.

The chairman of the full committee made a very passionate plea that we have to cut down on appropriations.

This country cannot afford, and the American dollar cannot afford, a $20 billion-plus deficit back to back for 2 years.

Therefore, where do we go? I wish I could go along with the gentleman from New York, but I cannot. I do not know what the consequences would be, by cutting out Saturday delivery of mail. I have heard all kinds of stories—that the mail will back up, that the mail will back up for Monday, and the consequences will be very severe.

I wish I had more time to look into this and to have the committee and the counsel for the committee look into this, and to study what the consequences would be throughout the country.

I believe that with these amendments I propose—to cut $30 million in some additional new jobs, involving only 3,800 out of the 20,000 they asked for, and cutting out $20 million in this new vehicle program—this would make a cut of $50 million, plus the $180 million the committee cut, for an overall cut of $230 million.

As I debated on the floor of the House today, this is a tight budget. I do not believe it could take any more than this. I therefore oppose the amendment offered by the gentleman from New York. I hope my substitute amendment will be adopted, along with the amendment I will offer in the near future.

Mr. STEED. Mr. Chairman, I rise in opposition to the amendment.

All of these amendments to cut are very attractive in this year of economy, but I must inform the committee that here again, if this amendment is adopted, the Members have to be prepared to be responsible for cutting postal services.

The committee has already cut $63 million out of operations. This would make a total cut of $93 million. I remind the committee that almost all of the money in this "Operations" account goes for labor.

I do not believe the Department can continue to extend routes to new homes and continue to cover the volume, estimated at an additional 3 billion pieces, if they have to take a cut like this.

The worst thing about this amendment is that this would force the Postmaster General to cut back services. He could select where he would cut back. No one here today can tell us what that selection might be.

I remember a time a few years ago, when we had Mr. Summerfield as Postmaster General, when we denied him some $35 million, and after he used his judgment as to where to cut, the Congress could not get with it fast enough to put the money back. I suspect we might have a situation like that here.

If the committee wants to approve economy at the expense of service, then Members can vote for this amendment. I just did not want any Member to have any doubt about what he was inviting if this amendment is adopted.

Mr. CONTE. Mr. Chairman, will the gentleman yield?

Mr. STEED. I yield to the gentleman from Massachusetts.

Mr. CONTE. There is no doubt about my amendment on vehicles. That is an additional new program which the Post Office Department is instituting. It is all a part of the record, if anyone wants to dig it out. I would give them every cent they want for replacement of vehicles.

Mr. STEED. I would prefer to go into that item when we get to it.

Mr. CONTE. On the other item, I beg to disagree with the gentleman from Oklahoma. If we are in this kind of economic crisis in this country, then we all have to tighten up our belts.

The main volume in our offices has increased, but we have not hired extra secretaries.

I believe the postal employees of this country are willing to roll up their sleeves and to do their bit a little, to increase their productivity in order to keep going, rather than to cut out Saturday deliveries and the other things under the other amendments offered here today.

Mr. STEED. I can only say the gentleman is going to force the reduction of the new people they need. I do not believe they can continue to give service at this level if they experience the mail volume increases we believe are coming, if this is forced on them.

Mr. PASSMAN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. PASSMAN. We have an amendment and a substitute. If the substitute is voted down, then we will have a vote on the amendment where it indicates specific cuts and places. Is that correct?

The CHAIRMAN. The gentleman is correct.

Mr. BYRNES of Wisconsin. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I want to congratulate the gentleman from New York who offered this amendment and the gentleman from Louisiana [Mr. PASSMAN]. They presented the issue directly to us, and it is about time that we recognize and face up to the problem that confronts us as we deal with the fiscal affairs of this Nation. The suggestion is made, "Why, you do not dare to cut, because if you make cuts, you are going to reduce some services."

Let me suggest to you that if we are not going to cut back services, then all of the talk about reducing expenditures goes for naught. We might just as well forget about putting ceilings on expenditures or cutting back on appropriations unless we are going to acknowledge that some services are going to be cut back as a result.

Now the argument is made that the American people are not going to appreciate the cutback of services. Let me suggest that we had better ask ourselves whether the American people are going to appreciate what can happen if we do not do something about the fiscal mess we are in. One of the things I cannot understand as I sit here on the floor this afternoon is where are the administration's spokesmen. They have been telling me and have been telling the members of the Committee on Appropriations and have been telling the members of the Committee on Ways and Means and have been telling many, many Members of Congress of the dire consequences of the fiscal crisis we face. They should be in here trying to save this $100 million even though it means a cutback in services. Mr. Chairman, why can we not cut back a service that simply means the delivery of residential mail on Saturdays? If we cannot do that; if that sacrifice is too great; if the people are unwilling to make this small sacrifice, when compared with the sacrifices that are entailed in the war in Vietnam and with the sacrifices that are going to result if you do not face up to the fiscal problems facing the Nation, then I do not know where we will begin. If the dollar—and I wish I could use the expression which is in my mind—gets into the kind of trouble we are told it can very well be in, and be in very shortly, then this is little enough sacrifice to make to protect it. I can't believe that it is too much to ask at least during this time of emergency that the Saturday delivery of residential mail be discontinued.

Mr. Chairman, I think that the gentleman from Louisiana put the issue right on the line. If we cannot face up to this issue, then let us just forget about all of the talk about putting ceilings on expenditures, about saving, about cutting back from the budget as presented by the President. If that is the case, we might just as well make up our minds that this dollar that is in trouble at home is going to remain in trouble. The trouble abroad will also remain. This Congress is just not going to be concerned about protecting the dollar. I think the best message that could go out to the American people and to the world would be that this Congress today stood up and said, "We are willing to go on record to cut back a specific service, because we think the situation is that serious, and we are going to cut back on other services that are not essential during this period of emergency."

Mr. Chairman, I yield back the balance of my time.

Mr. OLSEN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I believe this is the time for the Congress to face up to what has been not only a tremendous responsibility, but which in this case is an obligation to the people of the country.

It is not a year yet, it is not even half a year yet that has expired since we raised the rates on post office delivery service. We raised the postal rates, saying that they were going to pay 100 percent of their way for better service and as a matter of fact these amendments would tell us that we should cut back on service. Yes indeed, every speaker on the left-hand side of the aisle here has said that we should cut back on the service of the people who are paying more than all of their way. They were paying more than their way when we raised the postal rates, and now they are paying 125 percent of their own way, and now the Republicans are going to cut back on service. That is the point exactly.

Oh, Mr. Chairman, there is one exception on the left-hand side of the aisle that agrees with me. But the point of the fact is that we had told the American people we were going to raise the rates and that we were going to improve their service.

Mr. Chairman, I believe not only must we support the chairman of the subcommittee entirely in his recommendations here, but we must reject any cut in service, manpower, or vehicles, because as the chairman of the subcommittee would recommend, we have to face the necessary expansion in the number of units of mail, and we have to have the personnel and vehicles to carry this increase.

It is not just a case of cutting back in the lush growth areas where there would be an increase in the number of households, and where we would cause unemployment, because we would not be serving the houses necessary to be served, but let us take the static areas, let us take the areas that are not growing, the unemployment would be greater.

If you cut back on the vehicles, and if you cut back on the Saturday service, you are going to cut back on the employees, and you are going to cause unemployment.

Mr. Chairman, I would ask the chairman of the subcommittee, the gentleman from Oklahoma [Mr. STEED], if he would respond to the question on how much unemployment would be caused in the static areas if we cut back on Saturday deliveries?

Mr. STEED. Will the gentleman yield?

Mr. OLSEN. I yield to the gentleman from Oklahoma.

Mr. STEED. In reply to the inquiry of the gentleman, I would say on the original amount that it would be a cut to the tune of some 13,712 carriers, and that in the case of some 6,442 of these they would be people who are already on the payroll.

Mr. OLSEN. I thank the chairman of the subcommittee.

So, Mr. Chairman, we are not only talking about cutting back in service to the people, but we are talking about cutting back in employment, we are talking about cutting employment, we are talking about cutting service in an area where people are paying their own way.

We are not talking about foreign aid now. We are not talking about appropriations because, after all, now, the people who are paying these postal rates are also paying taxes for foreign aid, and they are paying for this postal service, and they are paying for taxes on a lot of other kinds of services that are going to be cut back. We are talking here about postal services which is a service that the people pay for over and above their taxes. That is what we are talking about, and I want every Member to know that when they vote on this issue they are voting not just to curtail service for which people pay for in taxes, but if they vote for a curtailment here, they are voting for a curtailment in service for which people are not only paying taxes, but are paying over and above their taxes, and on which they are paying more than their own way.

I do not think there is any inclination on the part of the public to pay more in postage for less service. But that will be the result if there are further reductions in the postal budget.

One of the announced aims of the postal rate increase approved by the Congress last year was to make it possible to improve postal service. The public and the business community accepted the increase on that basis.

The amount of money that can be saved by eliminating Saturday mail delivery or otherwise reducing the level of postal services would be more than offset by the adverse impact such a curtailment would have on businesses which depend on the mail. About 80 percent of all mail is business mail—and the postal service is the Nation's primary artery of commerce.

We must demand that the Post Office operate on as tight a budget as possible. But there should be no elimination of postal services that the public and the business community want and need.

Mr. CUNNINGHAM. Mr. Chairman, would the gentleman yield?

Mr. OLSEN. I yield to the gentleman from Nebraska.

Mr. CUNNINGHAM. I thank the gentleman for yielding.

Mr. Chairman, I just want to make this observation: I do not think this is a bellwether appropriation bill, so far as what we are going to do in appropriations from here on out, but I would call the attention of the Committee to the fact that at least two of the prominent proponents of this cut in postal service are the biggest boosters of foreign aid—there is where you can make some cuts, and there is where you are talking about some real big money.

Mr. OLSEN. Mr. Chairman, I yield to the gentleman from Texas [Mr. POOL].

Mr. POOL. The gentleman from Wisconsin made a statement a while ago, and I hope he did not intend to tell this House that postal expenditures provided for by higher rates paid by the public had anything to do with the budgetary problems facing us.

Mr. OLSEN. Mr. Chairman, I yield to the gentleman from New Jersey [Mr. DANIELS].

Mr. DANIELS. I want to compliment the gentleman in the well for the position he takes on this amendment.

I regret that the previous speaker failed to yield to me because I wanted to ask him a question with reference to a bill which I introduced last year pertaining to a review of our tax laws. I think it is about time that the Committee on Ways and Means gave consideration and proper attention to a review and a revision of our tax laws, doing away with such things as the oil- and mineral-depletion allowance which gives the oil companies of this country a great bonanza of 27½-percent depletion allowance.

Mr. MAHON. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, before discussing the pending amendment, let me express a word of deep appreciation for the outstanding work which the gentleman from Oklahoma [Mr. STEED] has performed as chairman of the subcommittee handling the pending legislation.

The gentleman from Oklahoma did everything in his power to present to the House the most acceptable bill possible without interferring with what he considered to be essential postal service. As chairman of the subcommittee, he had to preside over the so-called markup and resolve differences where possible among the various members and work out compromises in an effort to get a bill which he thought was in the best interest of all concerned.

Mr. STEED has labored through the years and successfully in the direction of good government. He has sought to eliminate waste and promote efficiency and he has done a good job. His position on the pending amendment is understandable and I must say these words of commendation in behalf of this distinguished legislator.

Mr. Chairman, this matter of reducing Saturday deliveries was discussed in the Committee on Appropriations. It was decided, and I think properly so, that the issue should best be fought out on the floor of the House.

No one wants to reduce the postal service, but we are confronted with a very difficult national fiscal situation. The postal deficit is now estimated to be nearly $1 billion and when the new pay raise goes into effect on July 1 it will be more than $1 billion for 1969.

The question is, Are we willing to do some sacrificing ourselves in reducing some mail service on Saturday to achieve savings? Are we willing at this time of fiscal stringency and war to dispense with certain Saturday mail service?

In the money markets of the world, the dollar is in trouble. It is said that we do not have the courage or the capability to restrain ourselves and to bring spending somewhat in line with income. But I think we do have the capability to do something about this problem. I am willing to take the criticism which we will receive. I am willing to take the criticism for saving $120 million at a time when our servicemen are risking their lives every day.

If the economic structure of this country fails, it is going to hurt all of our people—the poor and the rich alike. This is a year of decision. If we go forward with another year of a deficit in excess of $20 billion in addition to the estimated deficit for fiscal 1968, we are going to be in serious trouble.

So I just feel that I cannot remain silent when I am now dealing with the Secretary of the Treasury and the Director of the Bureau of the Budget and other officials in an effort to find ways to reduce budgeted expenditures for 1969 in the range of $4 to $6 billion and appropriations in the range of up to $14 billion. Of course, I do not know what final figures may be agreed upon. It is not clear just what the figures should be. I do not know whether we have the fortitude or the courage or the foresight to do what must be done in the way of showing our respect for the dollar at home in order that it may regain full respect abroad.

But we find it very difficult to make reductions in this bill—very difficult indeed. We made about $180 million in reductions; a relatively small sum compared to the billions in savings that we may eventually try to achieve during this session of the Congress.

If our people realize that the Post Office Department may go in the red by about $1 billion and if they feel it will strengthen our country to save $120 million I believe many will be willing to bear the burden of some reduction in service.

Therefore I am going to vote for the original amendment to reduce the Saturday mail deliveries, and I think that is the action which should be taken. There would be some reduction in personnel, a slight reduction in Federal employees, but I would hope this could be achieved in most cases by not filling vacancies which occur.

The great goal of preserving and protecting the economy of the United States and promoting the best interest of all our people is the basis upon which I support the amendment. With a meaningful reduction in spending and a tax increase we will be in a vastly better position as a nation and this would be in the best interest of all employees of the Government and citizens generally.

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from Massachusetts [Mr. CONTE] for the amendment offered by the gentleman from New York [Mr. ROBISON].

The question was taken; and on a division (demanded by Mr. CONTE) there were—ayes 10, noes 107.

So the substitute amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. ROBISON].

The question was taken, and the Chairman announced that the noes appeared to have it.

Mr. GERALD R. FORD. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. ROBISON and Mr. STEED

The Committee divided, and the tellers reported that there were—ayes 33, noes 94.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

PLANT AND EQUIPMENT

For expenses necessary for modernization and acquisition of equipment and facilities for postal purposes, including not to exceed $2,000,000 for increases in prior year orders placed with other Government agencies in addition to current increases in prior year orders or contracts made as a result of changes in plans, $200,000,000; *Provided*, That the funds herein appropriated shall be available for repair, alteration, and improvement of the mail equipment shops at Washington, District of Columbia, the Post Office Garage, Philadelphia, Pennsylvania, the Post Office and Vehicle Maintenance Facility, Flint, Michigan, and for payment to the General Services Administration for the repair, alteration, preservation, renovation, improvement, and equipment of federally owned property used for postal purposes, including improved lighting, color, and ventilation for the specialized conditions in space occupied for postal purposes.

AMENDMENT OFFERED BY MR. CONTE

Mr. CONTE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CONTE: On page 10, line 13, strike the sum named and insert "$180,000,000."

Mr. CONTE. Mr. Chairman, I am certainly not going to take the time of the Committee. I explained the amendment earlier.

There is $34,245,000 for the replacement vehicles. We are not touching that at all by the amendment.

There is another item of $29,665,000 for 11,405 additional vehicles. I am asking the House to go along with a cut of $20 million in this item, to give the Department $9,665,000 for any new routes they may have, and to hold off this new so-called loop program.

What they are going to do is practically give every mailman an automobile, which he does not want. In my own town of Pittsfield, I am told, they are trying to give the mailmen something like 33 new automobiles to deliver the mail. The mailmen do not want them.

I do not feel that at this time we should be spending this $20 million of the taxpayers' money.

A lot has been said about rate increases. Everyone who has mentioned a rate increase has failed to tell the House of Representatives that the postal budget is out of whack a billion dollars, and the people who are picking up the tab for that $1 billion are the taxpayers of the United States.

I hope the Committee will go along with this amendment.

Mr. STEED. Mr. Chairman, I rise in opposition to the amendment.

This amendment applies to a program of plant and equipment which includes a large number of items. The committee has already cut this about $29 million. If another $20 million is cut, it will mean they will be operating at a level considerably less in 1969 than this year.

When it comes to this vehicle business, they must have replacements for 12,400 vehicles this year, if we maintain a rule we have had about trying to keep vehicles on hand that can be use economically.

Most of these replacements are in the city delivery routes, or to get rid of these three-wheeled mailsters we have had, which have proved unsatisfactory.

When it comes to the new vehicles on city routes, I believe there is something the Committee ought to know. A person can take two of these four-wheeled vehicles and cover three routes plus one parcel post route. By consolidating through this system of motorizing routes in suburban areas and other places that lend themselves to this sort of thing one cannot only give better service to the patron but also actually save $2.13 a day per vehicle in the doing of it. This is one way to improve the efficiency of delivering mail, especially in the suburban areas. It is money well spent and well invested, and this more than pays for itself.

They will not be able to motorize that part of their route system this year that will lend itself to this kind of economic treatment.

I want to assure everybody that this will not cost anyone his job.

The other items needed under this heading are so vital that if there is any difficulty in obtaining the vehicles or if there is any slowdown on that, it will be harmful, because the money is badly needed for equipment and other facilities that the Department needs, a lot of which we are denying them here just because of the tight budget situation. We thought this was a place where we could wait a little while until the budget situation improved a little bit. I do not know how you can accept a cut of this sort and still be in the position of giving the Department an efficient program.

Mr. Chairman, I recommend the defeat of this amendment. I believe the $25 million cut we have already made in this item is about all they can take and still have a program that will be in good balance and with good economy. Therefore, I hope the Committee will reject the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. CONTE].

The question was taken; and on a division (demanded by Mr. CONTE) there were—ayes 64, noes 86.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE V—GENERAL PROVISIONS

SEC. 501. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

AMENDMENT OFFERED BY MR. BOW

Mr. BOW. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BOW: On page 16 following line 10, insert a new section as follows:

"SEC. 502. Money appropriated in this Act shall be available for expenditure in the fiscal year ending June 30, 1969, only to the extent that expenditure thereof shall not result in the aggregate expenditure of Federal funds by all agencies provided for herein beyond $7,461,423,000 including the expenditure of postal receipts."

The CHAIRMAN. The gentleman from Ohio, [Mr. Bow] is recognized for 5 minutes in support of his amendment.

Mr. STEED. Mr. Chairman, will the gentleman yield?

Mr BOW. I yield to the distinguished chairman of the subcommittee.

Mr. STEED. Mr. Chairman, I thank the gentleman for yielding.

Since the amount contained in the proposed amendment is identical with the figures that we have been given by the departments as to what they would expect to spend during the coming year, I have no objection to the amendment subject to a reservation that if later information makes it necessary I would have some opportunity in conference to give it another look.

As of this moment, this is in line with what we were advised they will be doing. Therefore I have no objection to the amendment.

Mr. BOW. I will say to the distinguished gentleman—and I will give the Members an opportunity to vote in just a moment—I believe we want to save. The original limitation was higher than this. The gentleman from Oklahoma has provided us with a revised statement from the agencies, and his revised statement estimates spending at $7,461,000,000. That is the amount of the limitation. This simply takes them at their word. It is a reduction, or a savings. This new ceiling is a reduction of about $738,539,000. I believe that is a pretty good savings in that limitation. I am delighted that the gentleman has been able to convince the people downtown that they have got to cut this down, and I insist upon the ceiling, and I appreciate the gentleman accepting the amendment.

Mr. ROONEY of New York. Mr. Chairman, would my good and distinguished friend from Ohio yield?

Mr. BOW. I would never refuse to yield to my distinguished friend from New York.

Mr. ROONEY of New York. I thank my distinguished friend for yielding to me.

I would like to say to the distinguished gentleman that over the many years, he and I have heard that word "savings." It is a favorite word, as the gentleman knows, with the bureaucrats in the executive branch of the Government. But when the gentleman uses that very word here, as he has, every Member must well know that it is not a savings to the taxpayer at all, because no money reverts to the Treasury.

I would ask the gentleman: Is that correct?

Mr. BOW. Let me say to the gentleman from New York that it may not revert to the Treasury, but it does not come out of the Treasury. In other words, the appropriation here recommended in the bill is for $8,155,000,000. It is the old story of a penny saved is a penny earned, and we are keeping it in the bank.

Now, if you take it out of the bank and spend it, then it is gone. If you do not do that, then it is savings.

Now, they save it in just the same way in Brooklyn as they do in Canton, Ohio.

I have learned a lot of this information from my distinguished chairman, with whom I served for some 18 years, and I believe we can call it a savings, or keeping the money in the bank for a rainy day. But more properly I believe we should say we are doing something to preserve the integrity of the American dollar.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. Bow].

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk concluded the reading of the bill.

Mr. STEED. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. Blatnik, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 16489), making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1969, and for other purposes, had directed him to report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill, as amended, do pass.

Mr. STEED. Mr. Speaker, I move the previous question on the bill and the amendment thereto to final passage.

The previous question was ordered.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. ROBISON. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. ROBISON. Yes, Mr. Speaker, in its present form, I am opposed to the bill.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

> Mr. Robison moves to recommit the bill H.R. 16489 to the Committee on Appropriations with instructions to report the bill back forthwith with the following amendment: On page 9, line 5, strike out "$5,720,000,000: *Provided,*" and insert the following: "$5.598,800,000: *Provided,* That none of the funds contained in this bill shall be available for expenses of delivery of mail on Saturdays in residential areas; for expenses of rural delivery of mail in excess of five days per week; nor for expenses of delivery of parcel post in excess of five days per week: *Provided, further,*".

The SPEAKER. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 102, nays 250, not voting 81, as follows:

[Roll No. 92]

YEAS—102

Andrews, Ala.
Arends
Ashbrook
Ashley
Ayres
Bates
Battin
Bennett
Berry
Betts
Bolling
Bow
Bray
Brock
Broomfield
Brotzman
Brown, Ohio
Burke, Fla.
Burleson
Bush
Byrnes, Wis.
Cederberg
Chamberlain
Clancy
Clawson, Del
Collier
Colmer
Conable
Cowger
Cramer
Curtis
Davis, Wis.
Devine
Dickinson
Dole
Erlenborn
Eshleman
Ford, Gerald R.
Frelinghuysen
Gathings
Goodell
Goodling
Gross
Hall
Halleck
Hammerschmidt
Harsha
Hosmer
Hutchinson
Jonas
Keith
Laird
Langen
Latta
Lipscomb
Lukens
McClory
McCloskey
McClure
McEwen
Mahon
Mailliard
Martin
May
Mayne
Michel
Miller, Ohio
Mills
Mize
Morris, N. Mex.
Morton
Mosher
Nelsen
Passman
Pelly
Pickle
Pollock
Pryor
Quie
Reid, Ill.
Reifel
Rhodes, Ariz.
Robison
Rumsfeld
Sandman
Schneebeli
Scott
Shriver
Skubitz
Smith, Calif.
Smith, N.Y.
Snyder
Springer
Stanton
Steiger, Ariz.
Talcott
Teague, Calif.
Thomson, Wis.
Utt
Wiggins
Wilson, Bob
Wyatt

NAYS—250

Abbitt
Abernethy
Adair
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, N. Dak.
Annunzio
Aspinall
Baring
Barrett
Belcher
Bell
Bevill
Biester
Blackburn
Blanton
Blatnik
Boggs
Bolton
Brademas
Brasco
Brinkley
Brooks
Brown, Calif.
Brown, Mich.
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Mass.
Burton, Utah
Button
Byrne, Pa.
Cabell
Cahill
Casey
Celler
Clark
Clausen, Don H.
Cleveland
Conte
Corbett
Culver
Cunningham
Daniels
Davis, Ga.
Dawson
de la Garza
Delaney
Denney
Derwinski
Dingell
Donohue
Dorn
Dowdy
Downing
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, La.
Eilberg
Evans, Colo.
Everett
Evins, Tenn.
Fascell
Feighan
Fisher
Flood
Flynt
Foley
Ford, William D.
Fountain
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Garmatz
Gettys
Giaimo
Gibbons
Gonzalez
Gray
Green, Pa.
Griffin
Griffiths
Grover
Gubser
Gude
Haley
Hamilton
Hanley
Hansen, Idaho
Hansen, Wash.
Hardy
Harrison
Hathaway
Hawkins
Hays
Hébert
Hechler, W. Va.
Helstoski
Henderson
Hicks
Horton
Howard
Hungate
Hunt
Ichord
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jones, Ala.
Jones, N.C.
Karth
Kelly
Kleppe
Kluczynski
Kornegay
Kupferman
Kuykendall
Kyl
Kyros
Lennon
Lloyd
Long, La.
Long, Md.
McCarthy
McCulloch
McDade
McDonald, Mich.
McFall
McMillan
Macdonald, Mass.
Machen
Madden
Marsh
Mathias, Calif.
Mathias, Md.
Matsunaga
Meeds
Meskill
Miller, Calif.
Minish
Minshall
Monagan
Montgomery
Morgan
Moss
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher

Nedzi
Nichols
Nix
O'Hara, Mich.
O'Konski
Olsen
O'Neal, Ga.
O'Neill, Mass.
Patman
Patten
Pepper
Perkins
Pettis
Philbin
Pike
Pirnie
Podell
Poff
Pool
Price, Ill.
Price, Tex.
Pucinski
Purcell
Quillen
Railsback
Randall
Rarick
Reinecke
Rhodes, Pa.
Rivers
Roberts
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Roudebush
Roush
St Germain
St. Onge
Satterfield
Saylor
Schadeberg
Scherle
Shipley
Sikes
Sisk
Slack
Smith, Iowa
Smith, Okla.
Stafford
Staggers
Steed
Stephens
Stratton
Stuckey
Sullivan
Taylor
Tiernan
Tuck
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waggonner
Waldie
Walker
Wampler
Watkins
Watson
Watts
Whalley
White
Whitener
Whitten
Widnall
Williams, Pa.
Willis
Wilson, Charles H.
Winn
Wright
Wydler
Wylie
Wyman
Young
Zablocki
Zion
Zwach

NOT VOTING—81

Adams
Ashmore
Bingham
Boland
Burton, Calif.
Carey
Carter
Cohelan
Conyers
Corman
Daddario
Dellenback
Dent
Diggs
Dow
Edwards, Calif.
Esch
Fallon
Farbstein
Findley
Fino
Fraser
Gardner
Gilbert
Green, Oreg.
Gurney
Hagan
Halpern
Hanna
Harvey
Heckler, Mass.
Herlong
Holifield
Holland
Hull
Irwin
Jacobs
Jones, Mo.
Karsten
Kastenmeier
Kazen
Kee
King, Calif.
King, N.Y
Kirwan
Landrum
Leggett
MacGregor
Mink
Moore
Moorhead
Morse, Mass.
O'Hara, Ill.
Ottinger
Poage
Rees
Reid, N.Y.
Resnick
Reuss
Riegle
Rosenthal
Rostenkowski
Roth
Roybal
Ruppe
Ryan
Scheuer
Schweiker
Schwengel
Selden
Steiger, Wis.
Stubblefield
Taft
Teague, Tex.
Tenzer
Thompson, Ga.
Thompson, N.J.
Tunney
Whalen
Wolff
Yates

So the motion to recommit was rejected.

The Clerk announced the following pairs:

Mr. Dent with Mr. Whalen.
Mr. Kirwan with Mr. Reid of New York.
Mr. Fallon with Mr. Morse.
Mr. King of California with Mr. Moore.
Mr. Hull with Mrs. Heckler of Massachusetts.
Mr. Tenzer with Mr. Findley.
Mr. Wolff with Mr. Harvey.
Mr. Gilbert with Mr. Fino.
Mr. Holifield with Mr. Halpern.
Mr. Stubblefield with Mr. Taft.
Mr. Rostenkowski with Mr. Roth.
Mr. Ashmore with Mr. MacGregor.
Mr. Roybal with Mr. Steiger of Wisconsin.
Mr. Carey with Mr. Carter.
Mr. Bingham with Mr. Dellenback.
Mr. Burton of California with Mr. Schwengel.
Mr. Teague of Texas with Mr. King of New York.
Mr. Boland with Mr. Gurney.
Mr. Leggett with Mr. Schweiker.
Mr. Farbstein with Mr. Riegle.
Mr. Yates with Mr. Thompson of Georgia.
Mr. Adams with Mr. Ruppe.
Mr. Moorhead with Mr. Esch.
Mr. Selden with Mr. Gardner.
Mr. Thompson of New Jersey with Mr. Tunney.
Mr. Irwin with Mr. Diggs.
Mr. Daddario with Mr. Cohelan.
Mr. Corman with Mr. Conyers.
Mr. Mink with Mr. O'Hara of Illinois.
Mr. Ottinger with Mr. Fraser.
Mrs. Green of Oregon with Mr. Hanna.
Mr. Herlong with Mr. Ryan.
Mr. Reuss with Mr. Resnick.
Mr. Rosenthal with Mr. Edwards of California.
Mr. Scheuer with Mr. Kee.
Mr. Karsten with Mr. Kastenmeier.
Mr. Landrum with Mr. Kazen.
Mr. Jacobs with Mr. Dow.
Mr. Hagan with Mr. Rees.

Mr. ASHLEY changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

Mr. GERALD R. FORD. Mr. Speaker, on that, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 342, nays 10, not voting 81, as follows:

[Roll No. 93]

YEAS—342

Abbitt
Abernethy
Adair
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Arends
Ashley
Aspinall
Ayres
Baring
Barrett
Bates
Battin
Belcher
Bell
Berry
Betts
Bevill
Biester
Blackburn
Blanton
Blatnik
Boggs
Bolling
Bolton
Bow
Brademas
Brasco
Bray
Brinkley
Brock
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson
Burton, Utah
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Casey
Cederberg
Celler
Chamberlain
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Colmer
Conable
Conte
Corbett
Corman
Cowger
Cramer
Culver
Cunningham
Daniels
Davis, Ga.
Dawson
de la Garza
Delaney
Denney
Devine
Dickinson
Dingell
Dole
Donohue
Dorn
Dowdy
Downing
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, La.
Eilberg
Erlenborn
Eshleman
Evans, Colo.
Everett
Evins, Tenn.
Fascell
Feighan
Fisher
Flood
Flynt
Foley
Ford, Gerald R.
Ford, William D.
Fountain
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Garmatz
Gathings
Gettys
Giaimo
Gibbons
Gonzalez
Goodling
Gray
Green, Pa.
Griffin
Griffiths
Grover
Gubser
Gude
Haley
Halleck
Hamilton
Hammerschmidt
Hanley
Hansen, Idaho
Hansen, Wash.
Hardy
Harrison
Harsha
Hathaway
Hawkins
Hays
Hébert
Hechler, W. Va.
Helstoski
Henderson
Hicks
Horton
Hosmer
Howard
Hungate
Hunt
Hutchinson
Ichord
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jones, Ala.
Jones, N.C.
Karth
Keith
Kelly
Kleppe
Kluczynski
Kornegay
Kupferman
Kuykendall
Kyl
Kyros
Laird
Langen
Latta
Lennon
Lipscomb
Lloyd
Long, La.
Long, Md.
McCarthy
McClory
McCloskey
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
McMillan
Macdonald, Mass.
Machen
Madden
Mahon
Mailliard
Marsh
Martin
Mathias, Calif.
Mathias, Md.
Matsunaga
May
Mayne
Meeds
Meskill
Michel
Miller, Calif.
Miller, Ohio
Mills
Minish
Minshall
Mize
Monagan
Montgomery
Morgan
Morris, N. Mex.
Morton
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nedzi
Nelsen
Nichols
Nix
O'Hara, Mich.
O'Konski
Olsen
O'Neal, Ga.
O'Neill, Mass.
Passman
Patman
Patten
Pelly
Pepper
Perkins
Pettis
Philbin
Pickle
Pike
Pirnie
Podell
Poff
Pollock
Pool
Price, Ill.
Price, Tex.
Pryor
Pucinski
Purcell
Quie
Quillen
Railsback
Randall
Rarick
Reid, Ill.
Reifel
Reinecke
Rhodes, Ariz.
Rhodes, Pa.
Rivers
Roberts
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Roudebush
Roush
Rumsfeld
St Germain
St. Onge
Sandman
Satterfield
Saylor
Schadeberg
Scherle
Schneebeli
Scott
Shipley
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Stephens
Stratton
Stuckey
Sullivan
Talcott
Taylor
Teague, Calif.
Thomson, Wis.
Tiernan
Tuck
Udall
Ullman
Utt
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waggonner
Waldie
Walker
Wampler
Watkins
Watson
Watts
Whalley
White
Whitener
Whitten
Widnall
Wiggins
Williams, Pa.
Willis
Wilson, Bob
Wilson, Charles H.
Winn
Wright
Wyatt
Wydler
Wylie
Wyman
Young
Zablocki
Zion
Zwach

NAYS—10

Ashbrook
Bennett
Curtis
Davis, Wis.
Derwinski
Goodell
Gross
Hall
Lukens
Robison

NOT VOTING—81

Adams
Ashmore
Bingham
Boland
Burton, Calif.
Carey
Carter
Cohelan
Conyers
Daddario
Dellenback
Dent
Diggs
Dow
Edwards, Calif.
Esch
Fallon
Farbstein
Findley
Fino
Fraser
Gardner
Gilbert
Green, Oreg.
Gurney
Hagan
Halpern
Hanna
Harvey
Heckler, Mass.
Herlong
Holifield
Holland
Hull
Irwin
Jacobs
Jonas
Jones, Mo.
Karsten
Kastenmeier
Kazen
Kee
King, Calif.
King, N.Y.
Kirwan
Landrum
Leggett
MacGregor
Mink
Moore
Moorhead
Morse, Mass.
O'Hara, Ill.
Ottinger
Poage
Rees
Reid, N.Y.
Resnick
Reuss
Riegle
Rosenthal
Rostenkowski
Roth
Roybal
Ruppe
Ryan
Scheuer
Schweiker
Schwengel
Selden
Steiger, Wis.
Stubblefield
Taft
Teague, Tex.
Tenzer
Thompson, Ga.
Thompson, N.J.
Tunney
Whalen
Wolff
Yates

So the bill was passed.

The Clerk announced the following pairs:

Mr. Dent with Mr. Whalen.
Mr. Kirwan with Mr. Reid of New York.
Mr. Fallon with Mr. Morse.
Mr. King of California with Mr. Moore.
Mr. Hull with Mrs. Heckler of Massachusetts.
Mr. Jonas with Mr. O'Hara of Illinois.
Mr. Tenzer with Mr. Findley.
Mr. Wolff with Mr. Harvey.
Mr. Gilbert with Mr. Fino.
Mr. Holifield with Mr. Halpern.
Mr. Stubblefield with Mr. Taft.
Mr. Rostenkowski with Mr. Roth.
Mr. Ashmore with Mr. MacGregor.
Mr. Roybal with Mr. Steiger of Wisconsin.
Mr. Carey with Mr. Carter.
Mr. Bingham with Mr. Dellenback.
Mr. Burton of California with Mr. Schwengel.

Mr. Teague of Texas with Mr. King of New York.
Mr. Boland with Mr. Gurney.
Mr. Leggett with Mr. Schweiker.
Mr. Farbstein with Mr. Riegle.
Mr. Yates with Mr. Thompson of Georgia.
Mr. Adams with Mr. Ruppe.
Mr. Moorhead with Mr. Esch.
Mr. Selden with Mr. Gardner.
Mr. Thompson of New Jersey with Mr. Tunney.
Mr. Irwin with Mr. Diggs.
Mr. Daddario with Mr. Cohelan.
Mrs. Mink with Mr. Conyers.
Mr. Ottinger with Mr. Fraser.
Mrs. Green of Oregon with Mr. Hanna.
Mr. Herlong with Mr. Ryan.
Mr. Reuss with Mr. Resnick.
Mr. Rosenthal with Mr. Edwards of California.
Mr. Scheuer with Mr. Kee.
Mr. Karsten with Mr. Kastenmeier.
Mr. Landrum with Mr. Kazen.
Mr. Jacobs with Mr. Dow.
Mr. Hagan with Mr. Rees.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. STEED. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

The **SPEAKER.** Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PROVIDING FOR AGREEING TO SENATE AMENDMENT TO H.R. 2516

Mr. MADDEN, from the Committee on Rules, reported the following privileged resolution (H. Res. 1100, Rept. No. 1289), which was referred to the House Calendar and ordered to be printed:

H. Res. 1100

> *Resolved,* That, immediately upon the adoption of this resolution, the bill (H.R. 2516) to prescribe penalties for certain acts of violence or intimidation, and for other purposes, with the Senate amendment thereto, be, and the same hereby is, taken from the Speaker's table, to the end that the Senate amendment be, and the same is hereby, agreed to.

REQUEST TO PRESIDENT TO PREVENT RECURRENCE OF RECENT LAWLESSNESS AND RIOTS

Mr. BEVILL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BEVILL. Mr. Speaker, as a concerned citizen and as a concerned Member of this Congress, I deplore the events that have occurred here in the Nation's Capital and in other cities in this country during the past 4 days. I have just urged and respectfully requested the President, in his statement to the Nation of the measures that he will no doubt take to prevent a recurrence of the recent lawlessness and riots to include in substance the following:

> As the President of the United States, it is my duty and responsibility to enforce the laws of this land. And it is the most fundamental law of this land that the Government provide for the protection of the individual and of his property.
>
> As of now, I am ordering the Attorney General of the United States, every Federal agency, and every Federal law enforcement officer in this Nation to enforce the laws of this land without regard to race, creed, or color.
>
> I am urging every court and every law enforcement officer in this Nation to arrest and jail every individual regardless of race, creed, or color, who commits a crime of violence, including looting, shooting, arson and the inciting of riots.
>
> I urge all Federal courts to act promptly upon all petitions by the Justice Department or any party of interest seeking injunctions and restraining orders prohibiting the mobilization of the large numbers of persons for street marches, which in the considered judgment of the court may reasonably be expected to result in disorders, violence, and endangering the people and their property.
>
> I urge the Supreme Court of the United States to become cognizant of the rapid increase of crime and lawlessness in this country and to faithfully follow the true meaning of the Constitution as actually written, and to refrain from altering, amending, and remaking the United States Constitution which is not within their constitutional authority.

I am hopeful that the President will act favorably on these recommendations and that each Member of Congress will support this request.

I am also disturbed about the reports that many Members of Congress are changing their position on the proposed and so-called civil rights legislation, including the open housing amendment adopted by the Senate. I am fearful that the House is going to act on some of these measures with too much haste and without proper consideration being given to such far-reaching legislation that is obviously not to the best interests of the citizens of this country, and I am urging each Member of Congress to refrain from acting too hastily.

TRIBUTE TO DR. MARTIN LUTHER KING

Mr. ANNUNZIO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, the wanton, brutal, and senseless assassination of Dr. Martin Luther King, Jr., is another dark page in the history of America. These meaningless slayings in our free society must be brought to a halt.

Every American, regardless of race, color, or creed has the right to protest, has the right to petition his Government, has the right to equal justice under the law, and the right to be heard when an injustice is being perpetrated against him.

Our Founding Fathers were aware of the need for these inalienable rights and incorporated them in our Bill of Rights in order that our Government should remain free and strong for posterity. We no longer can tolerate mob rule—we no longer can tolerate rule by the gun. We want a government based on law and the orderly process of the ballot box. Either we wholeheartedly believe in and stand behind these fundamental principles, or our Government is doomed to failure.

I represent the Seventh Congressional District of Illinois which is an integrated district where people of all nationalities, all races, all colors, and all religions reside, and I have an understanding of the problems that confront all of them.

Is it asking too much to give men the right to live in decent housing? Is it asking too much to provide a decent education for his children? Is it asking too much from the greatest democracy on earth that human rights be respected before property rights?

I share the grief and shock felt in the hearts of millions of Americans across the Nation over the brutal slaying of Dr. King. This great tragedy denies the very principles which our Founding Fathers espoused in establishing our democratic form of government.

Dr. King's brilliant elocution, his international renown, his great courage on the firing line of civil rights have established him as a powerful force for sanity in race relations. He was universally hailed by almost all men and he had become for a broad mass of Americans the symbol of hope for reconciliation.

Dr. King had become the bridge of communication between whites and blacks alike in the United States, and his tragic assassination has struck grief, shock, numbness, and above all, a great sense of emptiness into the hearts of all of us. Together we mourn the passing of a great man whose life, though short, for he died at 39, has changed for the better the face of our social structure in the United States. Our country is a far different and better place today than when Martin Luther King first began his crusade for equality a little more than a decade ago in Montgomery, Ala. His death shall lead perhaps to even greater change. I am confident that we shall yet win the battle he courageously began for equal rights and equal economic opportunity.

It is expected that the civil rights bill will reach this Chamber for action on Wednesday. This bill would strike down racial barriers in housing. It would provide Federal protection for Negroes and civil rights workers, and it would make countless other improvements in our civil rights laws. By insuring the prompt passage of this landmark legislation, we keep faith with Dr. King's dream of unity, nonviolence, and social justice.

President Johnson has urged this Nation to "move with urgency, resolve, and new energy." Our opportunity to do so will come tomorrow, and I hope my colleagues will vote unanimously for the civil rights bill. Dr. King's death must be the unifying force we need as a Nation, and the best tribute that can be paid to him is for all of us to exert every possible effort toward wiping out discrimination, inequality, and the ravages of poverty.

By international consensus, Nobel Prize winner Martin Luther King was a symbol of racial peace in the world and his passing is a great loss not only to all Americans but to a world that had come to love, honor, and respect him.

On behalf of the residents of the Seventh Congressional District, I express my heartfelt condolences to his widow and to his family. I know that we shall always remember his courageous fight and the great cause for which he has given his life.

Under unanimous consent I insert into the RECORD the following editorials about Dr. King from the Washington Post and the Chicago Sun-Times:

[From the Chicago Sun-Times, Apr. 6, 1968]

HE SAW THE PROMISED LAND

In his last and eerily premonitory speech, Dr. Martin Luther King Jr. envisioned a promised land of equality and social justice for all American Negroes. But, he said, "I may not get there with you." He talked of threats from "some of our sick white brothers." Within 24 hours the premonition came true; he was dead, the victim of a white assassin.

There is in this last sermon a message for all Americans and particularly those of both races who reject his credo that Christian brotherhood can and must be achieved in peace.

The promised land he saw cannot be reached by his people through violence. Nor can violence such as that which struck him down Thursday night prevent America's Negro citizens from inevitably reaching the promised land he now will never see.

More violence has followed the wanton act of violence that has put the entire world in mourning for this man who believed deeply that his dream of equality could never be achieved through violence. Stokely Carmichael has urged bloodshed in the streets in retaliation for the assassination of Dr. King. This is the road away from Dr. King, away from his promised land. He will have died in vain if sanity does not prevail in our cities.

A warning against violence has come from the man who has stepped into Dr. King's post as head of the Southern Christian Leadership Conference. The Rev. Ralph Abernathy was with Dr. King when the assassin struck. Dr. Abernathy cradled the fallen leader's bloodied head in his lap.

"While he lived," said the new leader, "he taught us we should not let violence turn us around. . . . We (have) determined to continue down that road . . . in support of the dream he left with us."

Later he told a crowd at the Memphis airport, gathered around a plane in which Mrs. King sat, "Let us not do anything at this time to discredit Dr. King."

President Johnson spoke for all reasonable men when he called on people of all races "to stand their ground to deny violence its victory."

The killer of Dr. King must be found quickly and brought to justice. But neither the ends of justice nor the great goals of Dr. King are served if the hate and sickness the killer personifies rage across America.

Let all Americans work toward that promised land that Dr. King saw so clearly. Let his death bring that land closer—and not its destruction.

[From the Washington Post, Apr. 6, 1968]

MARTIN LUTHER KING, JR.

To each generation of mankind is given one or two rare spirits, touched by some divinity, who see visions and dream dreams. Committed to something outside themselves and beyond the orbit of ordinary lives, they serve their fellow-men as the movers and leaders of social change. Dr. Martin Luther King Jr. was one of these, a man whose extraordinary gifts were committed to humanity. Perhaps his tragic death was the means requisite to make real the purpose of his life.

An apostle of nonviolence, Dr. King was, nevertheless, a militant activist. He thought of nonviolence not as mere abstention from strife but as a vital mode of action. "We need an alternative to riots and to timid supplication," he once said. "Nonviolence is our most potent weapon." There was something at once mystical and pragmatic about his conception of nonviolence. In that great and moving letter he wrote from the Birmingham jail, Dr. King said: "Just as Socrates felt that it was necessary to create a tension in the mind so that individuals could rise from the bondage of myths and half-truths to the unfettered realm of creative analysis and objective appraisal, we must see the need of having nonviolent gadflies to create the kind of tension in society that will help men rise from the dark depths of prejudice and racism to the majestic heights of understanding and brotherhood."

He was a pacific man but an impatient one; and his impatience was the mark of his humanity. He burned with indignation at the indignities and humiliations and injustices that were the common lot of Negroes in the South and at the frustrations and inequalities and poverty that were their portion in the North. And he knew that "we have not made a single gain in civil rights without determined legal and nonviolent pressure. History is the long and tragic story of the fact that privileged groups seldom give up their privileges voluntarily . . . We know through painful experience that freedom is never voluntarily given by the oppressor; it must be demanded by the oppressed."

And he added to this a bitter, painful truth—a truth no less opposite today than when he uttered it five years ago: "For years now I have heard the word 'Wait!' It rings in the ear of every Negro with a piercing familiarity. This 'wait' has almost always meant 'never.' "

Yet, somehow, impatience and indignation were married in this man to gentleness and compassion. Hate was altogether alien to him. The dream he dreamed embraced his white as well as his black brothers. For he recognized that "the Negro needs the white man to free him from his fears. The white man needs the Negro to free him from his guilt. A doctrine of black supremacy is as evil as a doctrine of white supremacy."

His dream, so stirringly recited at the Lincoln Memorial at the time of the great March on Washington of 1963, was the oldest and noblest of man's dreams—the dream of universal brotherhood among the children of God. "I refuse," he said then, "to accept the idea that man is mere flotsam and jetsam in the river of life which surrounds him. I refuse to accept the view that mankind is so tragically bound to the starless midnight of racism and war that the bright daybreak of peace and brotherhood can never become a reality."

So he has been struck down by the very bigotry he sought to exorcise—and before the dream could become a reality. If the dream embraced both white and black, the grief and bereavement are shared by them as well. It is meet that there should be mourning in the land. The flags belong at half-staff for the loss of a great American. The schools ought to be closed on the day of his funeral in remembrance of one who so loved little children that he gave his life to set them free.

But the joining of hands in sharing sorrow must be more than ceremonial, more than momentary. The only true tribute to Martin Luther King, lover of life and lover of mankind, is a renewed dedication to his dream. He belongs now to all of us. The rich legacy he leaves can be enjoyed only as it is shared by all men alike. The legacy lies in his faith that "unconditional love will have the final word in reality."

The only way we can really achieve freedom is to somehow conquer the fear of death. For if a man has not discovered something that he will die for, he isn't fit to live.

Deep down in our non-violent creed is the conviction that there are some things so dear, some things so precious, some things so eternally true, that they are worth dying for.

And if a man happens to be 36 years old, as I happen to be, and some great truth stands before the door of his life, some great opportunity to stand up for that which is right and that which is just, and he refuses to stand up because he wants to live a little longer and he is afraid his home will get bombed, or he is afraid that he will lose his job, or he is afraid that he will get shot . . . he may go on and live until he's 80, and the cessation of breathing in his life is merely the belated announcement of an earlier death of the spirit.

Man dies when he refuses to stand up for that which is right. A man dies when he refuses to take a stand for that which is true. So we are going to stand up right here . . . letting the world know we are determined to be free." (Dr. Martin Luther King Jr., in a 1965 speech.)

INFLAMATORY SPEECHES, THE SUPREME COURT, AND RIOTS

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WHITTEN. Mr. Speaker, the shooting of a human being with malice aforethought is murder in the first degree. The killing of Dr. King in Memphis by a sniper is murder of the worst kind and is deeply regretted by all right-thinking people of all races. I know it is a source of sorrow to the people of that city.

Certainly I hope, as all Members do, that the person guilty of such act is captured, convicted, and properly sentenced.

However, Mr. Speaker, the taking of a human life can never be a just cause for the destructive forces we have seen sweep the country. It is simply the excuse. Who would have believed that this Nation would come to such a place that large sections of our cities would be destroyed by thieves and looters, business houses burned, homes destroyed, lives taken all across the land. Who would have thought that American soldiers of all races would be sent into an area where there were hoodlums and outlaws and snipers, almost without number, to attempt to prevent not only theft and arson but murder without ammunition in their guns and, to cap the climax, have a special representative of the executive department go on television to advise these snipers that they were dealing with troops with no loads in their rifles and with leather covers on their bayonets?

Mr. Speaker, this type of thing has gone on far too long for us not to try to seek out the causes and attempt to correct them.

Having been a district attorney in an area where the races were perhaps evenly balanced, I can say to the Members that I discharged my responsibility without fear or favor, and I believe earned the respect and friendship of all our people.

Mr. Speaker, as we try to determine how this terrible situation came about we cannot overlook the leaders in the executive department, and elsewhere who have made speeches agreeing that they did not blame people for taking the law into their hands when they believed they were not being treated right and where they felt they did not enjoy what to them seemed to be a fair share of the Nation's wealth.

We cannot avoid looking at the Supreme Court of the United States and its decisions. Those national figures whose intemperate and inflammatory speeches have done more than anything else to create the atmosphere which has led to murder and death many times over led by or at least supported by the Supreme Court, which by coddling law violators, have led them on.

I have read many articles and many explanations, have read many reports and heard many speeches in all of which it seemed to me the authors and the spokesmen were trying their best to point the finger of blame some place other than where the cause lies; and that cause lies with these public officials and others and the Supreme Court which, in turn, has subordinated the rights of the public, of the community to privileges which it granted to the individual.

The Supreme Court, which is mentioned last in the Constitution, without a dollar to pay itself or an individual to enforce its decrees, in recent years has put court-created privileges of the law violator ahead of rights of the community in at least 35 different instances.

It is sad, Mr. Speaker, to think of those who have suffered most from this crowd which has been burning and destroying property, looting and doing injury to law-abiding citizens of all races. Homes have been destroyed, business houses burned. Many people could not buy milk and food and are now left homeless and jobless.

Most Americans are good citizens, but this Supreme Court has repeatedly acted to release—on technicalities—agitators, rapists, murderers, and revolutionists upon innocent members of the general public. Society itself cannot long last unless the Supreme Court changes its views.

How can the members of the Court and those in the executive department who have condoned if not encouraged these actions, who have created an atmosphere of hate where none existed before which has led to this tragic era, avoid their responsibility for it and for the near anarchy which seems to face us?

We must stop the Supreme Court from its actions of setting itself up as a "supreme department," and hold those making inflamatory speeches accountable for their actions. A country may be saved and once again the indivdual who destroys, who robs, who kills, will be held accountable for violating the rules of society—the laws so necessary for the general welfare. Once again the rights of society will prevail and the Supreme Court will again be forced back to its constitutional power, that of a court as the Founding Fathers intended it, and not a five-man dictatorship as the Congress and the President have let it become.

To this end I have introduced House Resolution 904, providing for a standing Committee on the Constitution. If we can get hearings on that resolution, all we need do to indict the actions of the Court before the people of this Nation is to read the dissenting opinions of individual judges of the Supreme Court as to their colleagues.

I hope that you and other Members of the Congress, and other interested citizens will do what you can to urge the support of a Standing Committee in the House of Representatives on the Constitution. As I have said many times such a committee may help us to again become a nation where the rights of the general public are paramount; a nation where the person who works and saves to accumulate property will be protected in the enjoyment of the fruits of his labor; a nation whose Constitution once again guarantees to our people freedom of religion—not freedom from religion—as it was intended by our forefathers.

DESTRUCTION OF PRIVATE PROPERTY MUST STOP

Mr. JONES of North Carolina. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. JONES of North Carolina. Mr. Speaker, I personally deplore the assassination of Dr. Martin Luther King, for it was a tragic, useless act and most regrettable. But equally deplorable, and as far as the future of this Nation is concerned, even more serious, is the action of those who choose to flaunt the laws on the statute books of this Nation and the individual States. By no stretch of the imagination can the rioting and the destruction of American citizen's personal property be construed as a civil rights act. A more adequate description would be a criminal rights act. Over a year ago, in an address before the State convention of a fine organization known as the North Carolina Negro Police Association, I made the statement that "there is no greater civil right than that of the protection of one's property and life." I have just returned from the First District of North Carolina, which I have the honor of representing in the Congress at this time, and I am convinced that there are no finer people, of both races, and they are bewildered, confused, and angry. The news media, mainly television, has constantly shown acts of violence, the destroying of one's business, and has tragically shown the officers of the law standing helplessly by with orders not to interfere. They are rightfully asking, why, what has happened? What can we do to protect our property, and yes, our life savings?

Lest this be construed as a race issue, let me point out that in many instances in the larger cities, it is the law-abiding Negro citizen who becomes a victim of these hoodlums who practice robbery and arson for the mere thrill of the matter. It is wishful thinking to believe that mass appropriations will remedy this situation, this complete disintegration of law and order. It is folly to think that it will get better, for the events of the past 24 months prove that we are finding an alarming increase in these so-called incidents. Where nonviolence is practiced, I think it is incumbent on those charged with enforcement of our criminal laws to also practice nonviolence. But on the other hand, if our law-abiding citizens are to have any degree of protection and security then it is equally important that where violence is practiced then our law-enforcement agencies should be granted the same opportunity. In times of floods, hurricanes, and other local and national disasters, we declare martial law, and those who do not respect the rights and property of others are notified and can expect to be dealt with severely, even to the point of death.

Mr. Speaker, I therefore urge from the Chief Executive to all levels of government, both State and local, that we untie the hands of those we have employed to do a job, and permit them to function effectively for the sake of protecting the life and property of the law-abiding citizen. To those of you who continue to insist on a "Great Society," it is an inescapable truth that at the same time we must work toward the perfection of a "decent society," and an utter disregard for the criminal laws and the rights of others certainly is detrimental to both objectives. To this date we have lost some 23,000 men in Vietnam. Hopefully, before not too long, we will be able to remove most of our fighting men from those foreign shores. It is deeply disturbing to think that they might well return to this Nation after fighting for the security and orderly processes of a foreign nation and find here in the United States a criminally sick dominated society. It is my hope that the American people and this Congress itself will realize that the hour is late and that we must take corrective measures, however strong and harsh they might be.

CRIMINAL RIOTERS SHOULD BE PROSECUTED

Mr. NICHOLS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. NICHOLS. Mr. Speaker, until now, I have refrained from making any statement concerning the assassination of Martin Luther King and the events which followed. Too often, statements made during the height of emotion are later regretted. However, I feel that some of my thoughts should be made public.

Surely none of us would condone the action of the cowardly killer who took the life of Martin Luther King. This senseless and tragic act has only compounded the already tense situation which exists in our country. Hopefully, this assassin will soon be apprehended and brought to the bar of justice.

Martin Luther King was the leader of many of our Nation's people. As such, he commanded the admiration of those who followed him. He was also respected by many who took no active part in his campaign, but who believed in his methods and his goals.

With Martin Luther King gone, a new leader will eventually come to the forefront. It is quite possible, even probable, that this leader will be an advocate of violence. Already in the wings are such men as Stokely Carmichael who make no secret of their violent attitudes.

Mr. Speaker, I would address myself also to the riots which followed the death of Martin Luther King. Not in my wildest imagination can I relate the looting, burning, and rioting with the death of this man, for surely the people who took part in these acts of violence were not following their professed leader, who preached nonviolent policies.

My heart was indeed saddened last Friday as I looked across the Capitol complex and saw the smoke and fires set by those who have no love for their country, and as I watched the Federal troops setting up machineguns here on the steps of the U.S. Capitol, I was troubled and disturbed and asked myself repeatedly, what are we coming to in this great land of ours?

Only in the South, where Martin Luther King was the most active, did the demonstrations which followed his death remain peaceful and this is certainly commendable on the part of his followers in Birmingham and Montgomery and Atlanta and other southern cities.

Mr. Speaker, no one gains from riots—the losers include everyone—those who loot and burn and riot; the law: enforcement officers and firemen, who risk their lives; the victims, both black and white, whose businesses and homes have been burned out and looted; the community loses; the State and the Nation loses.

Stern decisive action in dealing with those who have been caught and charged with arson and looting is in order. Justice is not served nor future riots deterred if the judges, who preside over the courts in these cases, fail to assess those who perpetrate these acts to the full extent of the law. In my judgment, maximum fines and maximum jail sentences must be handed down if we are to, in any way, slow down the terror of civil disobedience, and those who would release these thugs, militant agitators, hate mongers, and rabble rousers without punishment, must share a large portion of the blame for turmoil in our city streets.

It is time for our Nation to stand up to those who would destroy and burn and to deal severely with those who participate in these crimes. I call on the courts of this Capital City for the prompt prosecution of these criminals in meting out proper, full, and substantial punishment in an effort to halt these civil insurrections and to deter those who would contemplate further disgraceful riots in the weeks and months ahead. This, Mr. Speaker, should now be the first order of business.

HOPE FOR THE FUTURE

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PUCINSKI. Mr. Speaker, last week my colleague on the Committee on Education and Labor, Congressman MEEDS, and I introduced identical legislation to revamp our vocational education system. My bill is known as H.R. 16460, and Congressman MEED's bill is known as H.R. 16461.

This legislation would call for a huge overhaul of our educational system, and provide career training for the young people of our country. It would assure that every young American graduate from high school with a marketable skill.

In the wake of what has happened all over this country in the past few days, I might say the introduction of this legislation was somewhat prophetic for, indeed, I believe when we look at the ruins in America and learn what the causes were that let it happen over the past weekend, I believe that we can attribute a great deal of this to the complete breakdown of the American educational system.

An editorial in this morning's Chicago Tribune points that out very appropriately when it says that in the Tribune's judgment, improvements of the elementary and high schools in the cities should have top priority.

The Chicago Tribune also makes reference to a report filed by the Republican committee on the plight of the American schools.

Mr. Speaker, I am going to put this editorial in the RECORD today because I will welcome all the help that I can get from both sides of the aisle to get at this problem and get at it effectively.

The Chicago Tribune points out that the report of the Republican committee states that in the 15 largest cities of our country 60 percent of the 10th grade pupils from poverty neighborhoods drop out before finishing high school. Unemployment and delinquency rates among these dropouts are high. Many of them were participants in the recent rioting.

I have been pointing this tragic fact out to my colleagues for some time and I welcome support from the Republicans to help resolve what I have said is the Nation's foremost problem.

So I say to my colleagues, Mr. Speaker, that I hope we can all get behind this legislation and make a constructive contribution toward helping solve these problems.

Mr. Speaker, the editorial I have been referring to is as follows:

HOPE OF THE FUTURE

The latest wave of rioting in American cities will renew the pressures for big federal and state spending programs to help the Negroes. Some of the proposals will be worthy, some will have dubious value, and some will be pipe dreams. At any rate, some will be more deserving than others, and therefore should have first call on the available funds.

In our judgment, improvement of the elementary and high schools in the cities should have top priority. We agree in general with a report just made public by the Republican party's coordinating committee which outlined the problem and proposed remedies.

In the nation's 15 largest cities, the committee said, 60 per cent of the 10th grade pupils from poverty neighborhoods drop out before finishing high school. Unemployment and delinquency rates among these dropouts are high. Many of them were participants in the recent riots.

In addition to the dropouts, however, there are many possessors of high school diplomas who are so badly educated that they are unqualified for most jobs in today's labor market. The "hard core" unemployed, whom business men are now trying to train, are the products of a deficient educational system.

The Republican coordinating committee recommended that a "vast commitment of educational resources—funds, facilities, personnel, and leadership—must be summoned at all levels of government" to overcome the educational "deficit" in the cities.

Here in Illinois the legislature in recent years has gone hog wild in its appropriations for higher educational institutions. Politicians from each section of the state vied with each other to get bigger and better universities and junior colleges. There was no corresponding pressure to provide adequate funds for the city schools, which have been engulfed by the children of impoverished migrants from the southern states and Puerto Rico.

A recent series of articles by Casey Banas, the Tribune's education editor, showed vividly that Chicago needs many new schools to relieve crowding and to replace buildings 50 or more years old. Better teachers are needed in the schools serving low income families. More special classes are needed for disturbed children and trouble makers.

The Republican coordinating committee was right in saying that personnel and leadership are required, as well as additional funds. For example, the teachers union should be forced to end its knuckleheaded opposition to any changes in the teacher transfer system that would permit assignment of more skilled teachers to schools in the slums. Teachers assigned there have difficult jobs and should receive higher pay. Until they do, the pupils in slum schools probably will continue to be taught by inexperienced substitutes, and sometimes by 8th graders.

Greater efforts also ought to be made to employ team teaching in such schools. A team teaching plan has been developed for Chicago district 8 [the west side riot area], but funds have been lacking to put it into effect.

Large sums are being spent on welfare programs, prison systems, and insurance on buildings burned and looted by rioters. Some of this money could be saved if more money were spent on education.

It is worth noting that schools on the west side, close to the recent scenes of violence, were almost untouched by the rioters. Perhaps they had sense enough to realize that the schools are the hope of their children's future.

PROPOSED NATIONAL MUSEUM AND REPOSITORY OF NEGRO HISTORY AND CULTURE

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, yesterday I introduced a bill to establish a National Museum and Repository of Negro History and Culture at Wilberforce, Ohio. I was joined by a number of my colleagues from both sides of the aisle who shared my belief that there is a particular need at this point in our Nation's history for such a museum expressing a positive purpose.

In view of the unfortunate events of the past week, our Nation needs the reconciliation between the races which can be fostered by the museum I have proposed. Certainly, our unique American culture is a living, vital thing which changes with every passing year. Many racial and ethnic backgrounds have contributed to that culture. Among these contributions, the Negro ranks high in what he has given to our society in arts and entertainment, science and letters, religion, politics, and many other areas.

There should be a place where all Americans can go and see graphically demonstrated the nature of these contributions. There should be a place where Negro Americans can share the pride of their participation in American life and our mutual, if sometimes difficult, struggle to accomplish the goals of the American dream.

My bill authorizes the Secretary of the Interior to establish the museum and to acquire the required land and buildings through funds to be made available by the Federal Government, as well as from gifts and donations. The Secretary is authorized to consult and cooperate with the officials of Wilberforce and Central State Universities located at Wilberforce and with appropriate historical societies and other interested persons concerning the development and operation of this museum.

The Wilberforce area is designated as the location of the museum because it is the location of the first institution of higher learning for Negroes in the United States, because it is on the mainline of the underground railroad which operated to assist slaves seeking freedom in the North, and because it was a center of the abolition movement.

I commend the legislation to the attention of my colleagues and urge their sponsorship and support of this bill, H.R. 16507.

PROSECUTING CARMICHAEL

Mr. GUDE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous material.

The **SPEAKER.** Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. GUDE. Mr. Speaker, the vital necessity for prompt application of firm force to meet lawlessness has been demonstrated over the past few days in our own Washington metropolitan area.

Fortunately, there is ample law to prosecute those looters and arsonists and other lawbreakers among the more than 5,000 who have been arrested in the disorders that have occurred in our city.

I am advised that judges are meting out proper and appropriate punishment to the wrongdoers—and I heartily concur.

In the same area of judicial activity, those who use any vehicle to foment discord and violence must be dealt with by the Federal authorities with promptness and firmness.

To this end, I would like to bring the attention of the House to an editorial from yesterday's Evening Star.

PROSECUTING CARMICHAEL

Now that the looting and the burning have subsided, the question of whether to prosecute Stokely Carmichael under the anti-riot provisions of the District's new crime law is believed to be receiving high-level attention.

Carmichael is reported to have told a street crowd on Thursday night: "Go home and get you a gun and then come back because I got me a gun." There apparently is only one witness who might be relied upon to testify to this remark. On Friday morning, however, Carmichael said much the same thing at a press conference. Among his several inflammatory statements during the conference was this: The killing of Dr. King "made it a lot easier for a lot of Negroes—they know it's time to get guns now."

Carmichael, we suppose, would contend that his remarks stop short of a specific incitement to riot. But it seems to us that there is enough evidence to justify a prosecution. If he should be brought to trial and acquitted, then the need for a broader anti-riot law will at least have been established.

CIVIL RIGHTS LEGISLATION

Mr. RAILSBACK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. RAILSBACK. Mr. Speaker, while a member of the Illinois General Assembly I always supported civil rights legislation.

I am very much concerned however, about one particular provision under title 803, the open occupancy section of the bill. It seems to me section 803(b)(1) has the effect of unwisely discriminating against real estate brokers, agents, salesmen, or their representatives. It encourages people to avoid using the services of these persons in the event they are apprehensive about being brought under the provisions of this title. If this is not corrected it could have, and probably would have, the effect of causing people to quit using the services of the professional realtor.

I am attaching a copy of an editorial which appeared in the Chicago Daily News under date of Wednesday, March 13, 1968, which is directed to this very point. I might add that the Chicago Daily News has always, in my memory, favored civil rights legislation as well as open occupancy legislation.

I realize that if the bill is sent to conference this provision could be corrected. In the event that it is not sent to conference it should still be corrected by the introduction of legislation designed to do away with this discriminatory feature. I intend to introduce such legislation if the bill is not sent to conference. The editorial follows:

FLAW IN THE HOUSING BILL

The civil rights bill passed by the Senate after agonizing weeks of debate is one of those compromises that is wholly satisfactory to very few people. But if it falls short of triumph for liberals and conservatives alike, it nevertheless marks another faltering step toward the equality of opportunity that remains this nation's goal.

The feature of the bill that stalled the Senate for weeks was its fair-housing provision. *For the first time, this bill would involve the federal government in the sale or rental of individual homes,* and lower racial barriers in 80 per cent of the nation's dwellings.

The compromise hammered out on the floor of the Senate contains an escape clause that may prove bigger than the lawmakers intended. *And it deals unfairly, in our opinion, with the real estate agents by putting them in a position of policing fair housing.*

The bill provides that an individual who owns up to three homes is exempt from restrictions—in other words he may discriminate—in renting or selling his property *provided he does not use the services of a real estate agent.* Predictably, this would have a double effect. *It forces the real estate agent to evaluate the intentions of the owner who seeks help in finding a renter or a buyer. And it shuts him out of transactions that are legitimate for an owner acting alone, with a consequent loss of business and fees.*

Given the politics of the situation, it is perhaps understandable that the Senate had to leave a loophole or see the whole effort to move toward fair housing go down the drain. But if the homeowner is given a license to discriminate, and made to bear the onus for that action, *the law should require no more of the agent than that he make a conscientious effort to bring buyer and seller together, regardless of race, creed or color.*

NEIGHBORHOOD ACTION CRUSADE

Mr. BUSH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BUSH. Mr. Speaker, the violence, the emotion, and the lack of regard for property displayed by a very small minority of our people in the last few days has left us all in a somewhat shocked condition. We all talk a great deal about law and order, but there can be no law and order unless we, as responsible citizens and property owners, want it and are willing to enforce it. There are not enough police in this country to stand guard over every grocery store, liquor store, or clothing store in the country and they are not meant to do so.

There are those of us who would say that the police, in Washington for example, did not do enough to protect the property owner from looting and from the burning of homes—we all watched the television stories showing young men, women, and children looting and a lone police officer watching it happen.

I believe I speak for the people of my congressional district when I favor strong, prompt, and forceful law enforcement. Riots can not be permitted to blossom. But in addition to strong, immediate law enforcement, I also advocate involvement. It is important that those citizens who have a stake in the community, especially those in the so-called ghetto areas who could be burned out by riot situations be active and constructively channeled toward community action.

This is why I am so enthusiastic about concepts like the Neighborhood Action Crusade. The Neighborhood Action Crusade is a program designed to enlist voluntary help in the poverty areas where riots are liable to break out. These volunteers could become a stabilizing influence to defuse the tensions that can lead to rioting.

Local neighborhood leaders, working within their own areas, can provide continuing communication and positive direction in this crusade to assure peace in America's cities. In many instances, this should be done on a block-by-block basis. Volunteers would serve in their neighborhoods. This idea recalls the air raid warden program in England during World War II. Here volunteers asked what they could do for their country and took admittedly hazardous duty without pay to help weather a crisis.

Let us get the people of the block involved in what is going on in the block—let us develop constructive leadership in the block. This is the only long-range answer—but it will only work if it is voluntary—it cannot be legislated.

What, then, can we as Members of Congress do? Are we helpless in riot situations. No, we are not. We can use the leadership of our office to encourage the development of ideas like the Neighborhood Action Crusade in our home districts and we can encourage the President to endorse this concept—to use the persuasive powers of his office to encourage the cities of this country to put programs like this into effect.

We can rebuild stores, homes, and anything else that gets burned, but we cannot guarantee they will not be burned and looted 2 years from now. The only way to get this kind of guarantee is for each of us personally to do our best to see that his kind of leadership and interest is developed at the block level.

INEFFECTIVE LEADERSHIP INVESTIGATION

Mr. RARICK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. RARICK. Mr. Speaker, the American people are rightfully concerned about the failure to provide effective law and order for our people, and to prevent looting and destruction of our cities.

The many citizens of the United States are fully aware that our peace officers and the Federal troops have all but been rendered ineffective because of orders from someone which, in effect, utilized the forces of law and order to protect the looters and rioters from an angry citizenry. In many cases, police and soldiers have even been photographed standing idly by while private property is being carried out of stores and shops. Why? Have our lawmen and Federal troops been curtailed in effectiveness to where they constitute but a mental deterrent against violence and looting?

Hundreds of thousands of Americans want to know why some 20 hours elapsed in our Nation's Capital before the Federal troops were called to offer at most an image of concern over the wholesale burning and looting.

The Alice-in-Wonderland myth that violence might have occurred had action been taken to interfere with the looters just cannot be accepted as an excuse or justification for delay and inaction.

Mr. Speaker, I feel strongly that this House owes a duty to every American citizen to ascertain why, in the Federal District of Columbia, the headquarters of the Government of all our people, the President did not act immediately and effectively to protect life and property. For this reason, I am introducing today a resolution calling for a special investigation of this matter by a select committee to be composed of members of both parties appointed by the Speaker.

Commonsense dictates that such committee summon and interview Cyrus Vance, personal representative to the President; Walter Washington, District Commissioner; and Patrick Murphy, Commissioner of District Police, all appointees of the President.

This is our Nation's Capital, the nerve center of the American people—the symbol of free men throughout a troubled world. To have Washington, D.C., trampled and destroyed is a disgusting insult to every loyal American who demands to know "why" and for what reason.

DESTRUCTION AS A RESULT OF THE RECENT RIOTS AND TRIBUTE TO THE FORCES MAINTAINING ORDER

Mr. RIVERS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. RIVERS. Mr. Speaker, I thought the House would be interested in knowing that during the last 2 mornings I have been visiting the devastation here in the Capital accompanied by the Vice Chief of Staff of the Army. I saw the most terrible sights I have seen since I visited the burned out cities of World War II.

For those who have not seen the destruction, it reminds me of incendiary bomb damage. Here there is desolation and destruction brought about by a group of men—and I asked this question specifically—averaging between the ages of 25 and 35, who are the leaders. These are hardened criminal types who, in the opinion of those who know, are closely associated with one Stokely Carmichael, and his inflammatory remarks at Howard University and elsewhere in the District of Columbia.

I also visited elements of the 82d Airborne Division, as well as the District of Columbia National Guard and Air National Guard units this morning. I started my tour by car and finished the tour in a helicopter. We can be proud of our servicemen—white and colored. We can also be proud of the policemen assigned to this arduous task, who endured insufferable insults, as well as our firemen.

At the same time, we should all be mortified by the looters and the rioters who, in many areas before the troops arrived, flaunted their crimes in the faces of our policemen.

Mr. Speaker, Washington, D.C., is a hideous reminder of the most monumental ingratitude that ever befell a minority group of people. It sickens the sensibilities of the leaders—and they are colored—of this community. Those with whom I talked are ashamed of that small minority of a minority group who put into effect their contingency plans of destruction. These plans were already made, and they picked these contingency plans off the shelf to wreak havoc in Washington and other cities.

This was no accident, Mr. Speaker. This is a disgrace. This is a tragedy. They should not be rewarded. There can be no justification for what these people have done to the capital of the world, the model city for Negro opportunity.

A BIT MORE JUSTICE

Mr. ST GERMAIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. ST GERMAIN. Mr. Speaker, Secretray of Housing and Urban Development Robert C. Weaver has issued a directive to local urban renewal agencies that is a major accomplishment in protecting the rights of property owners in urban renewal areas. Under this new order, local agencies must make a first offer of a fair market price for property to be taken in the urban renewal project. In the past, these agencies frequently have offered a lower price, assuming the owner would negotiate, and leaving the agency some bargaining room. The trouble is that many poorer people, unaware of legal remedies available to them, accepted the first low bid.

The Providence Journal, in an editorial praising HUD's action, said:

> It could be argued that the federal government is obligated to buy at the lowest possible price when spending taxpayer's money, and this goal undoubtedly has been a factor. It is argued far more reasonably, however, that when an owner is forced by law to sell his property, he is entitled to receive a fair price without filing suit in court.

Mr. Speaker, the entire editorial is worth reading and I include it at this point in the RECORD:

A BIT MORE JUSTICE

A new directive issued by the U.S. Department of Housing and Urban Development may strike many people as a technical readjustment of little note. Certainly, it ranks as only a footnote to the nation's mammoth problems of urban renewal. Call it, if you will, a bit more justice for the disadvantaged.

It has been standard procedure in many urban renewal agencies around the country when taking land by eminent domain to offer owners less than fair market price. This policy, said a HUD official, gave an agency "a little bargaining position" should the need for negotiations arise.

It could be argued that the federal government is obligated to buy at the lowest possible price when spending taxpayers' money, and this goal undoubtedly has been a factor. It is argued far more reasonably, however, that when an owner is forced by law to sell his property, he is entitled to receive a fair price without filing suit in court.

Secretary Robert C. Weaver of HUD has ordered local agencies to revise their practices in accord with this policy. He has said the initial offer must be at fair market value, and since HUD holds powerful purse strings, the order is likely to be obeyed.

Those wronged by previous practices have not been persons familiar with the law and their rights, aware that an unsatisfactory offer could be taken to court for possible upward adjustment. HUD concedes that many poor people, lacking in sophistication, simply accepted the initial offer and received less than their property was worth on the market.

HUD has introduced a commendable change. Unfortunately it has taken a year to alter machinery putting it into effect. It will not affect much urban renewal already in hand in this country. But it will correct a wrong, undergird the standards of fairness in acquiring property, and tend to strengthen a program that frequently has been the target of critics who all too often had sound reason to complain.

AMERICA, THE VIOLENT

Mr. BURKE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BURKE of Massachusetts. Mr. Speaker, I wish to bring to the attention of the Members of the House the following editorial which appeared in the Quincy, Mass., Patriot Ledger on Saturday, April 6, 1968. I feel that it is a very timely statement and that it brings out some points which deserve to be raised. It follows:

AMERICA, THE VIOLENT

The murder of the Rev. Martin Luther King Jr. has shocked and saddened Americans, and aroused fears of further violence.

Decent Americans by now should have had enough of the sickness in our society upon which violence feeds. It is outrageous that the United States should be torn by lawlessness, racial strife and senseless violence. Dr. King's assassination should touch off a wave of mass indignation against the violent behavior which threatens to destroy our nation.

H. Rap Brown was not far wrong when he said not too long ago, "Violence is as American as cherry pie." All nations have had their fanatics and homicidal psycopaths. But violence in the United States is not confined to an aberrant few. It is very much a part of our culture.

More than any other nation, we have made national heros out of our brawling forebears, the two-fisted, gun-totin' frontiersman and even the most notorious criminals. From the gunslinging tales of the Old West to the present cult of "Bonnie and Clyde" we have idolized the aggressive, anti-social individualist taking the law into his own hands.

Violence permeates our television programming, our popular music, the stage and our literature. To bring our sons up the right way we buy them toy weapons. In our mass culture, we seem to have a morbid fascination with violence, and those who produce it are only meeting the popular demand.

The argument that violence on the stage or on television provides a healthy outlet for aggressive emotions fed by an intensely competitive society hardly meets the test of reality.

Crimes of violence are at an all-time high; our cities have been wracked with rioting and nearly daily protests of one kind or another; we dare not send too many military forces abroad because they may be needed to keep order in urban areas this summer; the President has labeled his anti-crime legislation the "Safe Streets Act;" hoodlums in the Boston area have murdered each other with impunity.

No, the violence we have glorified in our mass culture is far from a cardboard bogeyman that serves as a peaceful substitute for the real thing. And nothing demonstrates the degree to which hatred can erupt into appalling acts of violence better than the series of political assassinations that have shocked America in the past five years.

Assassins have murdered some of our greatest and some of our most disreputable leaders: President Kennedy, Dr. King, Medgar Evers, Malcolm X, George Lincoln Rockwell. Those who may feel the apostles of hate merely got what they deserved should realize that the act is the same whether a Rockwell or a King is the victim.

We do not know the answer to this problem. Legislation can help maintain order, but laws cannot wipe out hatred or animal impulse, nor can they create brotherhood where there is no real commitment to it. But we do know this: a civilization that exalts violence as a kind of perverse virtue and regularly practices it on the streets badly needs a remedy—and fast, before our society degenerates into total anarchy.

ROGERS AMENDMENT TO FOREIGN AID BILL SAVES $452 MILLION

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, 7 years ago I offered an amendment to the Foreign Assistance Act which was adopted and has been in effect since. The amendment directs the State Department to reduce and eventually terminate bilateral grants and gifts to foreign countries receiving U.S. aid.

I am pleased to report that the intent of that amendment is being carried out and has resulted in a savings of $452 million.

Mr. Alex Dickie, of the Agency for International Development, has informed me that since the amendment was adopted, 34 countries have been completely phased out of the program, a reduction from the original list of 41, leaving seven on the list. Originally there were also 77 countries participating in technical assistance programs. This number has been reduced to 53, a reduction of 24 countries.

It is my hope that the State Department will continue to carry out the intent of my amendment and to strictly administer it until the program eventually is completely phased out.

At this time I insert in the RECORD the letter from Mr. Dickie:

DEPARTMENT OF STATE, AGENCY FOR INTERNATIONAL DEVELOPMENT,
Washington, D.C., March 28, 1968.

Hon. PAUL G. ROGERS,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN ROGERS: Thank you for your inquiry regarding compliance with the Rogers Amendment to the Foreign Assistance Act of 1961 (Section 634(e)).

With reference to supporting-type assistance, the total request made by the Executive Branch has declined from $1,047 million in FY 1959 to $595 million in Fiscal Year 1969—a reduction of $452 million. As the figures on an attached chart show, this reduction would have been considerably larger were it not for the necessity of funding increased activities in Vietnam. Use of Supporting Assistance for countries other than Vietnam has declined significantly. For example, in FY 1961 these programs totalled $653 million, and in FY 1969 the amount proposed is $115 million. The number of countries receiving such assistance has been reduced from 41 in FY 1959 to only 7 proposed for FY 1969—an overall reduction of 34 countries.

With reference to technical cooperation-type assistance, the total reduction in the appropriation request from FY 1962 to FY 1969 is $35 million. The reduction in the number of countries has been 24—from 77 in FY 1962 to 53 proposed for FY 1969 (excluding 13 countries eligible only for small self-help funds ranging from $50,000 to $200,000).

I hope this information will be helpful to you, and if we can be of further assistance, please call upon me.

Sincerely yours,

ALEX DICKIE,
Director, Congressional Liaison.

SUPPORTING-TYPE ASSISTANCE APPROPRIATION REQUESTS SINCE APPLICATION OF THE ROGERS AMENDMENT (SEC. 634(e))

[Dollar amounts in millions]

Fiscal year	Appropriation request	Of which Vietnam program	Number of countries for which assistance programed
1959	$1,047		41
1960	1,106		42
1961	992	$117	34
1962	610	86	42
1963	481	116	22
1964	435	119	19
1965	405	201	14
1966	684	475	13
1967	747	550	14
1968 (estimated)	720	550	9
1969 (proposed)	595	480	7
Total reduction in request, 1959-69	[1] 452		
Reduction in number of countries, 1959-69			34

[1] The figures show that the recent increase in supporting assistance funds results from the expansion of activities in Vietnam. Use of supporting assistance for countries other than Vietnam fell from $653,000,000 in fiscal year 1961 to $115,000,000 proposed for fiscal year 1969.

TECHNICAL COOPERATION-TYPE ASSISTANCE APPROPRIATION REQUESTS SINCE APPLICATION OF THE ROGERS AMENDMENT (SEC. 634(E))

[Dollar amounts in millions]

Fiscal year	Appropriation request	Of which Alliance for Progress	Number of countries for which assistance programed
1962	$380		77
1963	435	$100	80
1964	357	100	79
1965	310	85	69
1966	295	85	67
1967	319	88	[1] 66
1968 (estimated)	353	110	[1] 62
1969 (proposed)	345	110	[1] 53
Total reduction in request; 1962-69	35		
Reduction in number of countries, 1962-69			24

[1] Excludes countries eligible only for self-help funds ranging from $50,000 to $200,000.

TEACHERS-IN-POLITICS WEEKEND

Mrs. May. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Mrs. MAY. Mr. Speaker, I am one who believes that teachers play an important and legitimate part in introducing youngsters to the fundamentals of our system for governing ourselves. It came as particularly welcome news to me, therefore, that the National Education Association and its constituent state associations set aside this April 5–7 weekend as Teachers-in-Politics Weekend to encourage full teacher participation in politics to achieve in an orderly fashion the educational benefits teachers desire for children and to improve the political climate of community, State, and Nation.

As a former high school teacher, I have long encouraged teachers to make the very maximum contribution in fostering citizenship among youth. The observance of Teachers-in-Politics Weekend is a healthy indication that teachers are occupied with what that role should be.

It would seem to me that the educator's responsibility extends beyond the recitation of historical and political fact. As a person of great importance in his community, it is imperative that he be actively engaged in the political process. It would be incongruous and self-defeating to promote citizenship and political involvement among one's students and then to remain aloof from such activity.

The teacher exercises significant influence upon those he instructs. The child looks up to him. In view of such influence, what effect does a teacher's noninvolvement with, or indifference or hostility toward, the political have upon his students? If the teacher says, "I cannot be bothered," then why should the student believe that he must be? I can think of no more compelling reason for political involvement by the teacher.

For the teacher of history and government, the matter of fostering citizenship is of particular concern. In the course of doing so it would be highly remiss of him to engage in party propagandizing in the classroom. He would be derelict in his duty as a teacher to promote one party while demeaning others. That does not mean that he must avoid all references to his party affiliation, nor that he must restrain from the expression of political opinion. To do either would only bewilder the child and frustrate the teacher.

It does mean, I think, that he must not force his particular opinions and preferences upon his students. It does mean that he should promote the widest range of political expression in his class while demonstrating great tolerance for that expression. It does mean that he should emphasize the value of political activity and the need for it if democracy is going to work.

Bernard Shaw once said that democracy is a device that insures we shall be governed no better than we deserve. In his incisive fashion Mr. Shaw well stated the end result of democratic government. The quality of that result rests with the nature and extent of public involvement in politics.

By inculcating in his students a keen appreciation for our form of government, by instilling in them a desire to engage in political activity, and by setting examples of positive citizenship themselves, teachers can and will make a significant contribution toward the goal of good government.

VILLAINOUS MURDER AND THE NEED FOR ACTION WITH REASON

Mr. BENNETT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. BENNETT. Mr. Speaker, the villainous murder of Dr. Martin Luther King calls for prompt action in the capture and punishment of the felon. It also calls for action with reason. As Dr. King said in Washington in August of 1963:

> Let us not wallow in the valley of despair.

He also said:

> Let us not seek to satisfy our thirst for freedom by drinking from the cup of bitterness and hatred.

His life is accepted by millions here and abroad as a symbol of nonviolent effort for reform, certainly a noble symbol. In that speech Dr. King also expressed the hope that all Americans "will not be judged by the color of their skin but by the content of their character." All Americans, white and black, can well endorse this principle as in the true aspirations of our country.

The Supreme Court many years ago said there are reasonable legal limits even to the exercise of free speech and cited as an example the evil deed of shouting "fire" when there was none, in a crowded theater.

Two things need to be done if we are to find an answer in reason for the problems of racial unrest in our country. One is to enforce the law. I refer not only to the looting, murder and arson in our big cities under the guise of racial strife, but also to the provocation of such by those who assert that if they seek reforms it is proper to bend or break the law to call attention to needed reform or to frighten the Government into complying with what they feel is a proper objective. Such anarchy can lead to the death of democracy in our beloved Nation. It has done so before in history. J. Edgar Hoover in an article in the March 24 edition of the Sunday New York News, said:

> Several factors can be identified in this increasing disrespect for the law. First is the concept of civil disobedience, a diabolical doctrine with tragic consequences for our society. Proponents of this theory assert that civil disobedience is justifiable if the acts are open, not violent, respectful of the rights of others, and have the purpose of focusing attention on significant moral issues of the day.
>
> To some individuals imbued with zeal to correct abuses in society, the appeal of civil disobedience is great. They feel they are only "bending" the law, not breaking it—that their transgressions are only "minor" and "unimportant."
>
> Suppose every individual or group which believed it had a righteous cause did the same! What would happen? Society would break down completely.

Besides returning to law and order and its rigid enforcement, we need to go forward with legislation and programs which will realistically and with reason meet the challenge and opportunity to create equal opportunities for all Americans. Instead Congress has legislated racially and areawise, and has created false and unattainable hopes. Congress has by this course increased tensions and frustrations rather than eliminating them.

In a democracy based on reason there should be equality of opportunity for all to enjoy freedom in employment, freedom of association, freedom to own and control property and a host of other freedoms. I see no reason to destroy these freedoms in order to find the answers to problems which beset us today. An example in my mail today is a letter from a constituent who tells me that since she does not live in a specially designated poverty area, her retarded child cannot get the benefits of the schooling he needs and which is furnished to others who live in the designated geographical boundaries. There would be nothing wrong in Federal assistance being limited to certain income brackets but there is certainly something wrong in depriving one citizen of benefits simply because of an arbitrary geographical boundary.

I employ Negroes in my office staff, appoint Negro pages, and nominate Negroes to the academies. As far as I know I make no discrimination for or against Negroes. This is as it should be. They are considered on their individual merits and we should stop enacting laws which are designed for one race, as this tends to divide us rather than to unify our country. The dangers inherent in our present course were pointed out by the recent report on civil disorders, although I must add that I disagree with some of the conclusions of that report, particularly their point of view that white people are so culpable as they outline. Actually legislation from Congress, representing many more whites than blacks, has spent billions of dollars and forced many social changes designed primarily to help the Negro. The result has been more strife on a racial basis, not less. One aspect of the report I think was highly praiseworthy. This is the part dealing with a new concept of free enterprise-Government cooperation for the production of jobs for the hard-core unemployed, regardless of race. My bill, H.R. 15870, was the first bill introduced in Congress to carry out this recommendation; and I believe that it offers more chance for good action with reason than any other measure before us today.

Finally, we must be practical in any laws we enact. What is most needed today is understanding and affection for our fellow man. Anarchy among us cannot aid that objective. Laws of nature cannot be changed by human laws. Laws not first written in the souls of men, like tracings by fingertips in wet beach sands, dissolve by the force of the superior laws of nature.

U.S. PAVILION AT SAN ANTONIO'S HEMISFAIR '68

Mr. ROONEY of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROONEY of New York. Mr. Speaker, I was appalled last night when reading the Washington Evening Star of Monday, April 8, to find the following article entitled "Shocks Many—Displeases Lady Bird" written by Isabelle Shelton, Star staffwriter. From this article it would appear that our First Lady, Mrs. Lyndon B. Johnson, visited the U.S. pavilion at San Antonio's HemisFair '68 and found there was being shown a 23-minute film about which, she is alleged to have said, "showed all of the minuses, but none of the plusses of American life today." It is alleged that this film features choked highways, nauseatingly polluted rivers, frightful slums, both black and white, and equally depressing rural poverty scenes. One last riot scene looked all too much like those that flared in several cities across America the last few days.

Mr. Speaker, the Congress of the United States under the Supplemental Appropriation Act of 1967, known as Public Law 89–697, appropriated $6,750,000 for a proper and substantial U.S. exhibit. This is not the first time that the area in the Department of Commerce, which handles this sort of thing, has gone off base, but I am confident that the new Secretary of Commerce, the Honorable C. R. Smith, will soon shake up the area.

The article that I referred to follows:

[From the Washington (D.C.) Evening Star, Apr. 8, 1968]

SHOCKS MANY—DISPLEASES LADY BIRD

(By Isabelle Shelton)

SAN ANTONIO.—Mrs. Lyndon Johnson ruffled some feathers in the U.S. Commerce department over the weekend by taking exception to the film "U.S." which is the pride of the official United States pavilion at San Antonio's Hemisfair '68.

The First Lady, who viewed the film after officially opening both the fair and the U.S. pavilion Saturday, told reporters she found the presentation "Very strong and artistic," but lacking in balance, because it left out "The element of hope."

The 23-minute film—A somewhat stark presentation of the nation's unsolved problems, including racial prejudice—"Showed all of the minuses, but none of the plusses" of American life today, said Mrs. Johnson.

"We haven't solved all our problems, but we are awake and busy," she commented.

SPOKESMEN REPLY

Spokesmen for the pavilion—a project of the Commerce department's exposition staff—replied tactfully yesterday that they thought the First Lady had missed the point the film seeks to convey.

The rest of exhibits in the U.S. Pavilion tell the "affirmative" story of U.S. progress, the spokesmen said.

The film, employing magnificent camera technique, and projected almost overpowering 37 x 14 foot curved screen, concentrates on the seamier side of the life in the U.S.A.

Startling and arresting film footage of unspoiled forests and mountains—what the narrator calls the "Virgin wilderness . . . waiting, be wakened by western man"—the film then switches to the worst aspects of America today.

AMERICA TODAY

There are choked highways, nauseatingly polluted rivers, frightful slums, both black and white, and equally depressing rural poverty scenes. One race riot scene looked all too much like those that flared in several cities across America the last few days.

One particularly memorable sequence shows a well-dressed, attractive Negro family of four moving into a house in a pleasant-looking obviously white neighborhood.

The film does not show any violence being committed by the white families toward their new neighbors, but it portrays their hostility with chilling effect by simply recording the expression on their faces as the realization dawns on them that they now for the first time will have Negro neighbors.

Commerce department officials at the U.S. Pavilion say the film was deliberately designed to have just the kind of "sock in the eye effect" it apparently had on Mrs. Johnson.

"She doesn't need to be hit over the head with our unsolved problems; we know she and her husband are working every day to solve them," said the spokesman.

"But millions of Americans do need such a jab," he said.

The time is past when this nation should just brag over and over about what it has achieved. We do have great problems left—and they can only be solved when Americans face up to them, and insist that the government do something about them.

MOVE TO ACTION

"We want the four million or so Americans who will see this film to go away saying and feeling, "Let's quit passing the buck to Washington to solve these problems. It's our country and we've got to solve them."

Most of the 38 European journalists for whom Mrs. Johnson is conducting a five-day tour of Texas said they found the film very impressive, but a few of them also thought the message was almost too strong.

ROUGH ON AMERICANS

"I admire you for it, but my God you Americans are rough on yourselves" said one British editor.

"I hope you don't plan to send that film overseas, especially to developing nations where the people are unsophisticated about the U.S.," said another. Most people in Europe would probably recognize that you are just showing one side of America, not all of it. But unsophisticated people in Asia and Africa would think this is America.

Pavilion officials say there are absolutely no plans to show the film abroad—that it is intended to "wake up" Hemisfair-goers, the great majority of whom they expect to be citizens of the U.S.

The film—which pavilion officials admit they knew "would cause controversy"—was produced by Francis Thompson, who won an academy award in 1966 for the best documentary short subject. The winning film was "To Be Alive," one of the most popular attractions at New York's World's Fair, where it was a part of the Johnson's Wax exhibit.

Pavilion officials added an ironic footnote above the film, the sequence showing the Negro family moving to a white neighborhood was genuine, they said, to the extent that it was a genuine white neighborhood (in San Francisco), and the white persons who are shown reacting actually did live there.

REAL SITUATION

Only the Negro family members were hired actors. A white friend of producer Thompson agreed to lend his house for the purpose, and his white neighbors really did think a Negro family was moving into their midst. (The film crew later obtained their agreement to have their faces shown.)

What the film does not show, "Because we thought it too strong," pavilion spokesmen added, was the aftermath the next morning, when the house was plastered with paint and rotten tomatoes."

The final irony, it was added, was the fate of cameraman Hugh O'Connor, to whom the film is dedicated at the beginning.

After O'Connor finished the San Francisco sequence he went to Appalachia to film some of the poverty shots, where he "Was murdered by a marksman who didn't think his poverty should be shown."

The trial of the man charged with the killing is still pending.

DR. MARTIN LUTHER KING, JR.

Mr. DULSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DULSKI. Mr. Speaker, a leader of his people has fallen. Words are inadequate to express the grief of each of us at the assassination of Dr. Martin Luther King.

President Johnson has spoken on behalf of our Nation. Many others, too, have spoken out publicly on this tragedy of our times. Some have elected to express their dismay and sadness privately, often in silent prayer at home or at church.

The common council of my home city of Buffalo, N.Y., is not meeting in regular session this week. But Councilman Horace C. Johnson of the Masten district has filed a formal adjournment resolution to be used at the meeting on April 16.

Following is the text of the resolution which Mr. Johnson has adapted from the prayer of St. Joseph:

The Lord made Martin an instrument of his peace.
Where there was hatred, he sowed love.
Where there was injury, pardon.
Where there was doubt, faith.

Where there was despair, hope.
Where there was darkness, light.
Where there was sadness, joy.
He did not so much seek to be consoled as to console.
To be understood as to understand.
To be loved as to love.
For it was in Martin's giving that he received.
It was in his pardoning that he was pardoned.
And, it was in his dying that he was born to eternal life.

Be it therefore resolved: That when this Council adjourn today, that it adjourn in loving memory of a great man, a loyal American and a true and faithful child of God—Martin Luther King.

SLAYING OF DR. KING

Mr. KEITH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. KEITH. Mr. Speaker the senseless slaying of Dr. Martin Luther King has deprived America of one of its great leaders. Dr. King preached a philosophy of nonviolence. While it is true that violence often followed this man of peace, he would have been horrified and dismayed by the rioting and looting that broke out upon the news of his assassination. He would have been the first to point out that such violence hurts rather than helps the cause to which he was so devote. Dr. King taught us all, white and black, the precept of nonviolence in achieving social progress.

We should not tolerate nor condone the criminal lawlessness which is scarring our Nation. It is vicious, destructive, and totally alien to the great traditions of this country and to the teaching of the man in whose name it is being done. There may be reasons for the looting and rioting—but there can be no excuse or justification for them.

On the other hand, Mr. Speaker, there should be no further delay in the passage of legislation designed to achieve social progress through the lawful processes of government. Martin Luther King believed in America and its promise. He knew and taught the power of peaceful change. Prompt passage of this civil rights legislation is another step in realizing Dr. King's "dream" that no one be judged by the color of his skin. Therefore, Mr. Speaker, I intend to vote for House approval of the Senate bill as it stands, despite my belief that it could be improved in a House-Senate conference.

My record of support for civil rights legislation dates back to my days in the Massachusetts State Senate. There, I chaired the committee that was largely responsible for making Massachusetts open-housing law one of the best and most comprehensive in the country. During my 10 years in this Chamber, I have voted for every civil rights bill to come before us. My vote for the civil rights bill of 1968 will be a continuation of that record.

Mr. Speaker, the four major daily newspapers serving my congressional district have all carried excellent analyses of the race crisis confronting our country. Because this press points out both the futility of violence and the need for prompt action to guarantee equal rights to all, I include these editorials in the CONGRESSIONAL RECORD at this point:

[From the Quincy (Mass.) Patriot Ledger, Mar. 13, 1968]

FAIR HOUSING

The U.S. Senate has acted responsibly in passing a civil rights bill containing important provisions to end discrimination in the sale or rental of about 80 percent of the nation's housing.

While Congress enacted a number of needed civil rights measures in the early 1960s, it has previously shied from a strong federal fair housing law. A hard battle was fought in 1966, but fair housing legislation was shredded by a number of House amendments, and the sham bill that emerged fortunately was killed by the Senate.

The present measure attracted sufficient senatorial support to shut off a filibuster on the fourth cloture attempt this year. It is probably the strongest that could be approved by the Senate at this time. The rights bill contains not only fair housing provisions, but a number of other measures.

They include penalties of up to 10 years in prison and a $10,000 fine for persons convicted of intimidating or injuring civil rights workers and Negroes in housing, schooling, jury duty, public facilities, voting or registering to vote; so-called "anti-riot" measures, making it a federal crime to travel from one state to another with the intent to incite a riot, or to make, transport or demonstrate the use of firearms or explosives meant for use in a riot, and the extension of broad rights to American Indians in their dealings with tribal governments, the courts and state, local and federal governments.

But the key provision outlaws housing discrimination. The measure would eliminate racial barriers in housing by three stages:

Housing built with federal assistance, including insured mortgage loans under VA and FHA programs, would be covered upon enactment.

Effective Dec. 31, 1968, all dwellings would be covered except owner-occupied dwellings of four or less units.

Effective Dec. 31, 1969, discrimination would be outlawed for all owner-occupied housing except those sold without the services of real estate brokers or agents, providing the owner did not use discriminatory advertising.

The Department of Housing and Urban Development would be authorized to attempt conciliation when problems of alleged discrimination arise. If that fails, civil suits could be brought by individuals or the attorney general. When fully in operation, the proposed law would cover about 52.6 million of the nation's 65 million housing units, whereas the 1966 House bill would have excluded nearly 37 million housing units, 61.5 per cent of the total then.

Fittingly, the civil rights bill was approved by a strong bipartisan majority vote of 42 Democrats and 29 Republicans for, 17 Democrats and three Republicans opposed. Now, the House should follow the example of the Senate and approve this important bill.

[From the New Bedford (Mass.) Standard-Times, Apr. 5, 1968]

DEATH OF A MAN OF PEACE

The death by violence of Dr. Martin Luther King, leading exponent of nonviolence, is far more than a shocking tragedy of international proportion.

It is, first of all, a bludgeon-like warning to Americans that in less than five years assassins have slain not only a President and a Nobel Peace Prize winner, but several other civil rights leaders as well—and all this in a nation that once stood as a model of orderly, popular government by due process of law.

It may be argued that one sick man killed Dr. King, and this is undoubtedly so. Yet the assassination occurred against a background of looting, riots, seizure of college buildings by students, defiance of law-enforcement officers, and challenging of the law itself, not only in areas of civil rights, but in many others as well.

The temper of these trying times seems to point increasingly to a belief that litigation is too leisurely; that law need not be obeyed if one disagrees with it, and that violence is an acceptable way to achieve quick action.

Brutality, turmoil in the streets, ugly refusal to listen to or tolerate divergent view, impatience with reason—these are the distressing hallmarks of our chaotic era.

Yet solution to our problem does not lie in any such direction and the vast reasonable majority of Americans, black and white, North and South, rich and poor, must reverse this trend, must repudiate the thoughtless and easy resort to gun and molotov cocktail if we are to progress, rather than regress.

This certainly is what Dr. King would have advised.

The second major concern produced by his death is the vacuum of civil rights leadership.

Should advocates of violence, certainly in the minority, seize this opportunity to redirect the rights movement toward courses aimed at angry confrontation and purposeless destruction, it would heighten racism and thwart much of what has been accomplished.

Dr. King would be the first to repudiate such a shift, especially in his name.

Hosea Williams, one of Dr. King's aides, commenting on the death of this man of peace, said, "Within the framework of nonviolence, we must strive more than ever, we must work harder than ever, to achieve all of his goals."

This is the course we must seek, hoping that most of the Negroes of America will be able to accept Dr. King's death for precisely what it is—a terrible, isolated action reflecting the view of one deranged mind, and not by any means a pattern to which any number of Americans could subscribe.

If good can come out of evil, it may be that we do not have to worry about which Negro will succeed Dr. King as peaceful leader.

For if his death proves to be the fusing force in behalf of civil rights that it ought to be, he may be followed, not only by Negro leaders, but by American leaders, both black and white, who will perpetuate his precepts.

[From the Brockton (Mass.) Enterprise]

DR. MARTIN LUTHER KING

The news from Memphis was like the news from Dallas had been.

A leader of his people had been shot and killed.

Dr. Martin Luther King was the leader of the responsible Negroes of this country. He was the holder of the Nobel Prize for Peace.

Dr. King preached non-violence and the grim irony of his death was it triggered waves of violence throughout the country.

A hymn of hatred in the mourning for a minister of peace.

Dr. King had said, "I have a dream that my four little children will one day live in a nation where they will not be judged by the color of their skin, but by the content of their character."

The assassin's bullet that killed Dr. King could not kill that dream.

Now we must face the challenges of the racial equality with an even greater determination to bring into reality Dr. King's dream that no one be judged by the color of his skin.

[From the Cape Cod (Mass.) Standard-Times, Apr. 5, 1968]

WORDS ARE FUTILE

A sense of deep tragedy again stalked millions of American homes when word of the sniper murder of Dr. Martin Luther King was flashed.

Words seem so futile after a crime which every one but the perpetrator deplores. Handwringing in the wake of the event only whips the emotions to storm pitch but settles nothing and, despite the intensity of grief, never seems to prevent a duplication.

The murder of Dr. King is on a par with the happenings of Dallas, a national calamity to the highest degree. Dr. King had a fine mind, regardless of what one thought about his policies. A Nobel Prize winner and apostle of nonviolence in racial conflict, his was a mind that, at 39, the country can ill afford to lose, a parallel with the late President Kennedy of Hyannis Port.

Happening only months before the promised "long, hot summer" and with a heated presidential campaign in the making, Memphis has suddenly heightened nationwide tension.

The United States faces one of the greatest challenges in its history. The trend that spawns sniping by gunfire must be reversed.

PASS THE CIVIL RIGHTS BILL

Mr. REIFEL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. REIFEL. Mr. Speaker, I urge passage—as quickly as possible—of the pending civil rights bill.

In the past, we have acted to create or to enforce prohibitions against racial discrimination in voting, in public education and other federally assisted programs, in public accommodations, and in employment. There is, however, one major area where Federal antidiscrimination legislation is lacking. I refer to the area of housing.

No one suggests that enactment of a Federal fair housing law will mean prompt elimination of urban ghettos. No single piece of legislation is the solution of such a complex problem. However, a fair housing statute will have great significance, practical as well as symbolic.

The symbolic aspect is that Congress will be demonstrating that it does not accept as tolerable any longer the patterns of racial segregation in housing. We will make clear once again our commitment to equality of opportunity.

The practical aspect is that, as a result of voluntary compliance with and, when necessary, enforcement of the statute, many Americans will for the first time be free from racial and religious discrimination when they seek a place to live. This will benefit Negroes and members of other minority groups. By helping to make real our democratic ideals, it will benefit our entire Nation.

AMERICAN VICTORY AT KHESANH

Mr. DORN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN. Mr. Speaker, the victory at Khesanh is one of the most significant victories in the history of the United States—indeed one of the most significant in the history of the free world. American and allied forces achieved a truly overwhelming victory. This victory was accomplished by a united effort. American forces—composed of marines, Army, and Air Force—performed magnificently. Forty thousand crack professional North Vietnamese troops—invaders and aggressors—were forced to flee the scene of battle. The B-52's played a major role in the victory at Khesanh, pulverizing enemy concentrations and strong points around the Khesanh perimeter. Army artillery outside Khesanh performed superbly. Of course, the splendid defense of the marines at Khesanh is without any superior in the annals of warfare.

Our victory at Khesanh ranks with Gettysburg, Tours, Anzio, and perhaps Waterloo and other great battles in the history of the free world. It is particularly significant victory in the history of free peoples. It is a victory over totalitarianism, aggression, and terror in its most sinister form. The victory at Khesanh is a justification of the military strategy and tactics of Gen. William Childs Westmoreland.

By holding Khesanh, masses of Communist invaders were tied down and prevented from joining in the Tet offensive. The wise decision on the part of the President and General Westmoreland to hold Khesanh denied the Communists shorter supply routes, reinforcements and equipment that they sorely needed for their February offensive thus contributing to the great allied victory over the Communists in that offensive.

May I remind you that the moaners, the groaners, pessimists, doubters, and peace demonstrators, and pacifists recently said that Khesanh would be another Dienbienphu? Where are they today? Where are those in high places here in Washington who recently toured the country predicting disaster and escalation of the war before screaming, yelling exponents of disunity and dissent?

Khesanh is a turning point in the war in South Vietnam. Mr. Speaker, Khesanh is proof that this Nation is no paper tiger and that we can win the type war chosen by the Communist close to his own base. Some in high places said we could not win. General de Gaulle said we could not win. We are winning and Khesanh is the answer to those who would undermine the cause of freedom in Southeast Asia.

APPOINTMENT OF MEMBERS OF NATIONAL VISITORS FACILITIES ADVISORY COMMISSION

The SPEAKER. Pursuant to the provisions of section 202(a), Public Law 90-264, the Chair appoints as members of the National Visitors Facilities Advisory Commission the following members on the part of the House: Mr. GRAY, Mr. JONES of Alabama, Mr. FALLON, Mr. CRAMER, Mr. McEWEN, and Mr. SCHWENGEL.

CONGRESSMAN VANIK REPORTS ON THE 90TH CONGRESS

The SPEAKER pro tempore (Mr. PATTEN). Under a previous order of the House, the gentleman from Ohio [Mr. VANIK] is recognized for 30 minutes.

Mr. VANIK. Mr. Speaker, during recent weeks citizens of America and the world have witnessed a high-speed, computer age movement of significant historical events without precedence in modern times. Within the span of slightly over a single month, Americans witnessed the withdrawal of three major candidates for the Presidency—Gov. George Romney and Gov. Nelson Rockefeller withdrew their bids for the Republican nomination while President Lyndon B. Johnson announced his withdrawal as a Democratic candidate to succeed himself.

Dramatic changes are in the air. The people will no longer tolerate frustrating delays in the solution of public problems at every level of government. A society which bears witness to instant history on the television screen and the radio demands instant action on the problems of the country and the world.

The decision made by President Johnson on March 31 to lead America toward peace in Vietnam at the price of his future tenure was a call on every man's courage to put country above self. The contagion of this kind of integrity in high office could well become the tonic for the development of new goals for Americans at home and abroad. It extends the hopes of the late President John F. Kennedy.

VIETNAM

Of course the most encouraging development centers around our hopes for peace in Southeast Asia. We pray that the President's search for peace will succeed. On March 20, I took the floor in the House of Representatives to urge the cessation of the bombing of North Vietnam as a first step toward the negotiation of the war. I also urged the establishment of defensible enclaves to reduce the combat exposure of American troops and to protect the civilian innocents from the carnage of war. I stated:

> I do not believe that we can immediately leave Vietnam. Our presence may save millions of human beings and leave the destiny of the country in the hands of its people. Our enclaved presence may deter military overthrows of Laos, Cambodia, and Thailand. More importantly, our presence may deter a Chinese aggression into India, which has the potential of developing into a hundred Vietnams.

The full text of my statement is available on request.

WORLD DIPLOMACY

I do not believe that America can retreat from its role in world leadership to a "Fortress America." The demonstrated frailty of the peacekeeping capacity of the United Nations organization must now be our major concern. The troubles and the sickness of any one partner in the community of nations will find its way to our door. The United Nations must be strengthened and this should be the first order of business after Vietnam so that we are not again placed in the present dilemma.

As a matter of national policy, we must reconsider our military commitments around the world and look toward a reduction of the vast numbers of troops presently committed in Europe and elsewhere. The balance-of-payments problem can be very substantially met by more effective use of manpower with modern equipment.

MIDDLE EAST

Last June when the State of Israel made its momentous plea for national integrity, I immediately urged support for the State of Israel—not as a matter of treaty or legal commitment, but as a matter of conscience—our obligation to democracy's showcase in the Middle East. As in Vietnam, the role of the United Nations as a peacekeeping force in the Middle East has been totally inadequate. Last year's short-term military victory affords no real security to Israel. The Soviet rearmament of the Arab world with more modern weapons multiplies the threat of future trouble. On March 27, I protested in Congress against the sale of American weapons to the state of Jordan. It is folly to assume that these weapons will not be used against Israel. It is shameful for America to assume the role of gunmaker to the kings of the Middle East and the dictators of Latin America. I will continue vigorous efforts to oppose such indefensible action by our country.

FISCAL INTEGRITY AND THE SURTAX

In addition to the 20,000 lives and 100,000 casualties, the Vietnam war has served to place our Nation on a collision course with financial disaster. In fiscal 1965, our efforts cost $103 million. In 1966, the expenditure ran to $6 billion. In 1967, the cost of the war ran to $20½ billion. In fiscal 1968 the cost rose to $25 billion. The projection for fiscal 1969 which begins July 1 of 1968 is estimated at $30 billion.

The American economy is not equipped to permit this kind of nonproductive expenditure, three times the present annual expenditure for education and welfare. The total annual cost of the war on poverty is equal to the expenditure involved in 36 days of the war in Vietnam. Recent events in London and Paris reveal that the free world is more concerned with the collapse of our economy than the military outcome in Southeast Asia. While they can isolate themselves from our military involvement, they cannot remain isolated from our financial collapse, which would bring them down with us. In the world of economics, the domino theory works with shocking accuracy and certainty.

As a member of the House Ways and Means Committee, I cannot support a tax increase to expand or escalate the war in South Vietnam. Nor can I support the termination or further cutback of programs designed to meet the urban crisis and the problems of educating and training Americans to achieve self-support. Under these circumstances, the only possible course is a limitation on our Vietnam involvement directed toward settlement. Any other course leads toward the brutal commitment of additional thousands of American lives and the danger of financial collapse—not only for America—but for the free world.

THE URBAN PROBLEM

These times call for prompt action on the unmet needs of America which overwhelm our metropolitan communities. No citizen or community can be disassociated from responsibility. However, civic responsibility is two-fold. Civil disturbances cannot be condoned. However, no community, its citizens, or its legislators should be permitted to overlook the need for compassionate legislation to face up to the problem.

EDUCATION

Excellence in education is a mandatory national goal if we are to meet our basic problems. The tax base of every community, large and small, is hard pressed to meet the skyrocketing demands of modern educational needs. New burdens exist which were never contemplated before. Existing local resources will have to be supplemented for facilities, curriculum development, textbook purchases and teacher training if all children are to obtain a competitive education.

Since 1962, under the leadership of Presidents Kennedy and Johnson we have developed an educational program which begins to meet these massive problems. The school systems of Cleveland, Parma, East Cleveland, and Euclid among others have begun to take advantage of Federal programs in educational excellence. It is my intention to see that the schools of our metropolitan area utilize their fair share of these resources.

In the field of higher education, some private colleges in the Cleveland area are already receiving over 60 percent of their operating budgets from Federal programs directed toward quality education. Tuition payments provide less than 15 percent of these costs. In today's competitive market for teaching talent, this Federal support has become critical. Private endowment and tuition can no longer maintain teaching talent of quality. Modern higher education is being sustained on the low-cost interest federally supported student loan programs, scholarship grants and research fellowships which help provide the instructors. My office has available upon request a complete analysis of federally sponsored student loan, grant, and fellowship programs.

AREA DEVELOPMENT AND EMPLOYMENT

The growth of our metropolitan area is not keeping pace with comparable places in America. The need for areawide planning is a factor. A sensible, balanced transportation system is a key factor. The rapid transit extension to the Hopkins Airport—the first connection between mass and air transit—is a beginning. A countywide transit system which I urged over 3 years ago is more necessary. With the continued diffusion of our metropolitan population, we cannot rely entirely on the superhighway approach which consumes vast land area and destroys community life.

Our new port authority must now develop plans for the vast expansion of our port. If the severe competition of neighboring ports is to be met, we must complete plans without delay so that we can proceed for early commitment on Federal allocations and determine the level of State and local commitment required to complete the job.

Industrial development and the jobs which we will need depend upon the success of such planning. In addition, we must cope with competition from abroad, and deal more effectively with competition based solely upon lower labor standards. As an example, I recently pointed out that a Cleveland company lost defense work to Canada based on a lower bid which resulted solely from lower labor standards. It is ridiculous to expect the taxpayers of America to support American defense production in Canada under rules which discriminate against American labor and industry and compound the balance-of-payments problem.

CONGRESSIONAL RESPONSIBILITY

The dimensions of a Congressman's task have multiplied as the needs of our community have grown. It is simply not enough to cosponsor a bill by adding a name to another colleague's effort. Nor does a speech make a law. The representative in Congress must draft legislative goals based upon needs supported by facts. He must prepare testimony on legislative needs and orient national goals to his community. My office has developed annual Federal expenditure studies which detail local involvement or noninvolvement in every existing Federal program. In this way, I am able to go before congressional committees with clearcut examples of how our metropolitan area continues to be shortchanged on distribution of Federal funds. For example, in the fiscal year of 1966, we received from Federal sources only 59.6 cents for every tax dollar paid in Cuyahoga County. This was a reduction of 4 cents over fiscal 1965. We must aggressively pursue our rightful share of Federal tax revenue in the form of job-producing contracts, educational programs and area development. My Federal expenditure studies for this fiscal year are currently being released and are available at your library.

WATER AND AIR POLLUTION

Public indignation over the terrible condition of Lake Erie continues to be met with official apathy. It is the most critical water pollution problem of the world. We may become the largest community of bottled water users in America.

After much struggle and over initial objections of the State government, we brought in a Federal Water Pollution Conference in 1965. This was the first step in getting Federal assistance. Last year, of $8 million in Federal money allocated for water pollution control in Ohio, not one penny was directed toward the fundamental pollution problem of Lake Erie. Ohio received a "block grant" of Federal funds which it proliferated in rural areas while our Lake Erie problem was untouched.

After a long battle, I was finally able to convince the U.S. Corps of Engineers that the dredged material of the Cuyahoga River must not be dumped into Lake Erie to repollute our drinking water. Under the plan we developed, a diked retention area has been constructed but it can receive only 14 percent of the dredged pollutants. We have at least made a beginning. The Federal Government and its agencies must not be allowed to contribute to the pollution problem.

While Federal programs are directed toward the abatement of interstate air pollution, I have long urged that the Federal Government should meet pollution problems on an industry-by-industry basis so that no one industry can unfairly compete through reduced costs based upon the absence of pollution controls.

I am one of the principal proponents of the investment credit to industries committed to effective and approved methods of pollution control. A tax incentive to industry to eliminate pollution will produce more good than billions in direct spending to restore pollution damage.

CONSUMER PROTECTION

Every American is a consumer. Under today's marketing pressures he is defenseless, unless alert or alerted. From time to time, I have considered it my duty to point out specific abuses in packaging, labeling and quality control. With your help, I can continue to respond on specific problems.

COMING TO WASHINGTON?

If you plan to visit Washington, please let my office know several weeks in advance so that we can provide special tours to the White House, the Capitol, the Supreme Court, the State Department and Federal Bureau of Investigation. We will be delighted to see you. Write to me at 2463 Rayburn Building, Washington, D.C. 20515, or telephone my Cleveland office at 522-4252.

PUBLICATIONS

There is a tremendous range of Government publications available on almost any and every subject. Just write your request to my office and we will try to supply suitable publications. Publications in stock include: "Recent Improvements in Your Social Security," "Our Flag," "Our American Government," "How Our Laws Are Made," "Infant Care," "Food for the Family With Young Children," "The Adolescent in Your Family," "Handbook for Recreation," and "Roses for the Home."

CONCLUSION

My capacity to legislate wisely depends very much on the counsel of my constituents. If you have an idea which will make a better law or make the Federal Government work more responsively, please let me know. Some of our best Federal laws have been developed in this way. A major amendment to the medicare law which was before the Ways and Means Committee of which I am a member resulted from a recent visit to my office by a constituent who pointed out a deficiency in the law. This is the essence of democracy.

FUTURE OF RENEGOTIATION BOARD

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. GONZALEZ] is recognized for 10 minutes.

Mr. GONZALEZ. Mr. Speaker, legislation fixing the future of the Renegotiation Board is now being considered by the Ways and Means Committee. While some spokesmen in the committee hearings called for the death of the Board, bills similar to mine would make this watchdog of war profiteering permanent and restore it to Korean war strength.

As the latest extension of the Board expires this June 30, Members of this body will be called upon to vote whether and to what degree the Board shall be extended. Thus, for a comprehensive survey of the issues surrounding the Board, I commend to my colleagues the article by George Lardner, Jr., which appeared in Sunday's Washington Post, and for which I have received permission to include below.

I am not neutral on the Renegotiation Board, as readers of the RECORD know. I presented extensive testimony during the hearings in March in support of my bill to strengthen the Board. Again in that presentation, I referred to indications that war profiteering was rampant. Predictably, the defense industry spokesmen again perpetrated the stuff and nonsense that the Renegotiation Board weakens the industrial base of our military and that the problem with the defense industry is inadequate profits, not excessive profits.

The defense industry spokesmen quoted the "L.M.I. Review" that profits have been down from 1958. While I dispute their interpretations, and although this issue should be important to Congress, the average level of profitmaking on defense contracts is not strictly relevant to renegotiation. For the Board has no quarrel with average profits; it is concerned with excessive profits. The Board speedily gives clearance to most contractors who file with it; it is the very few unscrupulous or negligent contractors who receive determinations of excessive profits.

Therefore, it is more relevant to discuss whether excessive profits have risen in connection with the Vietnam buildup. Here, my colleague the Honorable CHARLES VANIK, of Cleveland, has performed a public service in disclosing that a giant U.S. corporation, judged delinquent by millions twice during the Korean war, has recently been charged with excessive profits again by the Board, this time for $5 million.

And as a rebuttal to those who maintain that the Board is unnecessary because of the Truth-in-Negotiations Act, the gentleman from Ohio [Mr. VANIK], said:

> It should be noted that the claim against the company, which is now before the board, is for profits gained in 1965—three years after the passage of the Truth-in-Negotiation Act.

I believe my colleagues will also be interested in the article concerning Mr. VANIK's statement which appeared in the Cleveland Plain-Dealer.

Also, in what is probably a futile attempt on my part to lay to their deserved rest the contentions of defense industry spokesmen that profits are declining, I am including several other articles by Sanford Watzman of the Cleveland Plain Dealer. One reports on recent U.S. Tax Court decisions upholding the determinations of $1.3 million in excessive profits made by the Board against three companies. Another reports that findings of the Defense Contract Audit Agency that 101 out of 615 contracts in an 18-month survey were overpriced. The third article concerns the Hardy report on truth-in-negotiations, concluding in part that "some contractors successfully avoid disclosure" under this act.

The articles follow:

[From the Washington Post, Apr. 7, 1968]

CONTRACTORS URGE UNITED STATES TO SCRAP WATCHDOG ON PROFITEERING

(By George Lardner, Jr.)

Ever since General George Washington shuddered at the prices he had to pay to win the Revolution, Government contractors have been suspected of padding their profits.

The job of policing profiteering in recent years has fallen largely to the Renegotiation Board, an obscure Federal agency that has had its authority and its manpower cut back steadily since the end of the Korean conflict.

The Board is just beginning to wade into the business side of the war in Vietnam.

But the House Ways and Means Committee is being urged to kill the tiny agency. It will go out of business in July unless it wins a new lease from Congress. Spokesmen for hundreds of contractors have trooped up to Capitol Hill in the past month to insist that the Board be abolished or at least weakened.

Set up in 1951, the Renegotiation Board is an independent agency whose sole job is to recapture excessive profits—defined by the U.S. Tax Court as "more than is reasonable"—on defense, space and other Government contracts such as those awarded by the Federal Aviation Administration.

The contractors' argument against continuing the Board is in its bluntest form, that the $26-billion-a-year war in Vietnam is not producing enough profits for American business.

Continuation of the Renegotiation Board, protests the National Association of Manufacturers, "will weaken progressively the industrial base which supports our military commitments."

"The problem with the defense industry today," asserts Charles W. Stewart, president of the Machinery and Allied Products Institute, "is inadequate profits, not excessive profits."

Yet in recent weeks, a House Armed Services Subcommittee has accused officials who buy equipment for the Armed Forces of lacking even "common sense judgment." Congressional investigators have found scores of contracts where officials failed to demand the required cost or pricing data.

Among cases reported in recent months:

A big Ohio corporation realized a 42 per cent profit on one Defense contract, producing military hardware with Government-owned facilities that it used rent-free.

A leading radar manufacturer pocketed nearly half a million dollars when the Navy allowed itself to be billed for an item that it had already decided it didn't need.

A missile supplier, as Sen. Stephen Young (D-Ohio) put it, "got away with $134,000" by "estimating" a cost of $219,000 for materials it had already bought.

Says Rep. Henry B. Gonzalez (D-Tex.), chief Congressional defender of the Renegotiation Board: "There is abundant evidence tions must be strengthened and this should be the first order of business after Vietnam so that we are not again placed in the present dilemma.

As a matter of national policy, we must reconsider our military commitments around the world and look toward a reduction of the vast numbers of troops presently committed in Europe and elsewhere. The balance-of-payments problem can be very substantially met by more effective use of manpower with modern equipment.

MIDDLE EAST

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AREA DEVELOPMENT AND EMPLOYMENT

The growth of our metropolitan area is not keeping pace with comparable places in America. The need for areawide planning is a factor. A sensible, balanced transportation system is a key factor. The rapid transit extension to the Hopkins Airport—the first connection between mass and air transit—is a beginning. A countywide transit system which I urged over 3 years ago is more necessary. With the continued diffusion of our metropolitan population, we cannot rely entirely on the superhighway approach which consumes vast land area and destroys community life.

Our new port authority must now develop plans for the vast expansion of our port. If the severe competition of neighboring ports is to be met, we must complete plans without delay so that we can proceed for early commitment on Federal allocations and determine the level of State and local commitment required to complete the job.

Industrial development and the jobs which we will need depend upon the success of such planning. In addition, we must cope with competition from abroad, and deal more effectively with competition based solely upon lower labor standards. As an example, I recently pointed out that a Cleveland company lost defense work to Canada based on a lower bid which resulted solely from lower labor standards. It is ridiculous to expect the taxpayers of America to support American defense production in Canada under rules which discriminate against American labor and industry and compound the balance-of-payments problem.

CONGRESSIONAL RESPONSIBILITY

The dimensions of a Congressman's task have multiplied as the needs of our community have grown. It is simply not enough to cosponsor a bill by adding a name to another colleague's effort. Nor does a speech make a law. The representative in Congress must draft legislative goals based upon needs supported by facts. He must prepare testimony on legislative needs and orient national goals to his community. My office has developed annual Federal expenditure studies which detail local involvement or noninvolvement in every existing Federal program. In this way, I am able to go before congressional committees with clearcut examples of how our metropolitan area continues to be shortchanged on distribution of Federal funds. For example, in the fiscal year of 1966, we received from Federal sources only 59.6 cents for every tax dollar paid in Cuyahoga County. This was a reduction of 4 cents over fiscal 1965. We must aggressively pursue our rightful share of Federal tax revenue in the form of job-producing contracts, educational programs and area development. My Federal expenditure studies for this fiscal year are currently being released and are available at your library.

WATER AND AIR POLLUTION

Public indignation over the terrible condition of Lake Erie continues to be met with official apathy. It is the most critical water pollution problem of the world. We may become the largest community of bottled water users in America.

After much struggle and over initial objections of the State government, we brought in a Federal Water Pollution Conference in 1965. This was the first step in getting Federal assistance. Last year, of $8 million in Federal money allocated for water pollution control in Ohio, not one penny was directed toward the fundamental pollution problem of Lake Erie. Ohio received a "block grant" of Federal funds which it proliferated in rural areas while our Lake Erie problem was untouched.

After a long battle, I was finally able to convince the U.S. Corps of Engineers that the dredged material of the Cuyahoga River must not be dumped into Lake Erie to repollute our drinking water. Under the plan we developed, a diked retention area has been constructed but it can receive only 14 percent of the dredged pollutants. We have at least made a beginning. The Federal Government and its agencies must not be allowed to contribute to the pollution problem.

While Federal programs are directed toward the abatement of interstate air pollution, I have long urged that the Federal Government should meet pollution problems on an industry-by-industry basis so that no one industry can unfairly compete through reduced costs based upon the absence of pollution controls.

I am one of the principal proponents of the investment credit to industries committed to effective and approved methods of pollution control. A tax incentive to industry to eliminate pollution will produce more good than billions in direct spending to restore pollution damage.

CONSUMER PROTECTION

Every American is a consumer. Under today's marketing pressures he is defenseless, unless alert or alerted. From time to time, I have considered it my duty to point out specific abuses in packaging, labeling and quality control. With your help, I can continue to respond on specific problems.

COMING TO WASHINGTON?

If you plan to visit Washington, please let my office know several weeks in advance so that we can provide special tours to the White House, the Capitol, the Supreme Court, the State Department and Federal Bureau of Investigation. We will be delighted to see you. Write to me at 2463 Rayburn Building, Washington, D.C. 20515, or telephone my Cleveland office at 522-4252.

PUBLICATIONS

There is a tremendous range of Government publications available on almost any and every subject. Just write your request to my office and we will try to supply suitable publications. Publications in stock include: "Recent Improvements in Your Social Security," "Our Flag," "Our American Government," "How Our Laws Are Made," "Infant Care," "Food for the Family With Young Children," "The Adolescent in Your Family," "Handbook for Recreation," and "Roses for the Home."

CONCLUSION

My capacity to legislate wisely depends very much on the counsel of my constituents. If you have an idea which will make a better law or make the Federal Government work more responsively, please let me know. Some of our best Federal laws have been developed in this way. A major amendment to the medicare law which was before the Ways and Means Committee of which I am a member resulted from a recent visit to my office by a constituent who pointed out a deficiency in the law. This is the essence of democracy.

FUTURE OF RENEGOTIATION BOARD

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. GONZALEZ] is recognized for 10 minutes.

Mr. GONZALEZ. Mr. Speaker, legislation fixing the future of the Renegotiation Board is now being considered by the Ways and Means Committee. While some spokesmen in the committee hearings called for the death of the Board, bills similar to mine would make this watchdog of war profiteering permanent and restore it to Korean war strength.

As the latest extension of the Board expires this June 30, Members of this body will be called upon to vote whether and to what degree the Board shall be extended. Thus, for a comprehensive survey of the issues surrounding the Board, I commend to my colleagues the article by George Lardner, Jr., which appeared in Sunday's Washington Post, and for which I have received permission to include below.

I am not neutral on the Renegotiation Board, as readers of the RECORD know. I presented extensive testimony during the hearings in March in support of my bill to strengthen the Board. Again in that presentation, I referred to indications that war profiteering was rampant. Predictably, the defense industry spokesmen again perpetrated the stuff and nonsense that the Renegotiation Board weakens the industrial base of our military and that the problem with the defense industry is inadequate profits, not excessive profits.

The defense industry spokesmen quoted the "L.M.I. Review" that profits have been down from 1958. While I dispute their interpretations, and although this issue should be important to Congress, the average level of profitmaking on defense contracts is not strictly relevant to renegotiation. For the Board has no quarrel with average profits; it is concerned with excessive profits. The Board speedily gives clearance to most contractors who file with it; it is the very few unscrupulous or negligent contractors who receive determinations of excessive profits.

Therefore, it is more relevant to discuss whether excessive profits have risen in connection with the Vietnam buildup. Here, my colleague the Honorable CHARLES VANIK, of Cleveland, has performed a public service in disclosing that a giant U.S. corporation, judged delinquent by millions twice during the Korean war, has recently been charged with excessive profits again by the Board, this time for $5 million.

And as a rebuttal to those who maintain that the Board is unnecessary because of the Truth-in-Negotiations Act, the gentleman from Ohio [Mr. VANIK], said:

> It should be noted that the claim against the company, which is now before the board, is for profits gained in 1965—three years after the passage of the Truth-in-Negotiation Act.

I believe my colleagues will also be interested in the article concerning Mr. VANIK's statement which appeared in the Cleveland Plain-Dealer.

Also, in what is probably a futile attempt on my part to lay to their deserved rest the contentions of defense industry spokesmen that profits are declining, I am including several other articles by Sanford Watzman of the Cleveland Plain Dealer. One reports on recent U.S. Tax Court decisions upholding the determinations of $1.3 million in excessive profits made by the Board against three companies. Another reports that findings of the Defense Contract Audit Agency that 101 out of 615 contracts in an 18-month survey were overpriced. The third article concerns the Hardy report on truth-in-negotiations, concluding in part that "some contractors successfully avoid disclosure" under this act.

The articles follow:

[From the Washington Post, Apr. 7, 1968]

CONTRACTORS URGE UNITED STATES TO SCRAP WATCHDOG ON PROFITEERING

(By George Lardner, Jr.)

Ever since General George Washington shuddered at the prices he had to pay to win the Revolution, Government contractors have been suspected of padding their profits.

The job of policing profiteering in recent years has fallen largely to the Renegotiation Board, an obscure Federal agency that has had its authority and its manpower cut back steadily since the end of the Korean conflict.

The Board is just beginning to wade into the business side of the war in Vietnam.

But the House Ways and Means Committee is being urged to kill the tiny agency. It will go out of business in July unless it wins a new lease from Congress. Spokesmen for hundreds of contractors have trooped up to Capitol Hill in the past month to insist that the Board be abolished or at least weakened.

Set up in 1951, the Renegotiation Board is an independent agency whose sole job is to recapture excessive profits—defined by the U.S. Tax Court as "more than is reasonable"—on defense, space and other Government contracts such as those awarded by the Federal Aviation Administration.

The contractors' argument against continuing the Board is in its bluntest form, that the $26-billion-a-year war in Vietnam is not producing enough profits for American business.

Continuation of the Renegotiation Board, protests the National Association of Manufacturers, "will weaken progressively the industrial base which supports our military commitments."

"The problem with the defense industry today," asserts Charles W. Stewart, president of the Machinery and Allied Products Institute, "is inadequate profits, not excessive profits."

Yet in recent weeks, a House Armed Services Subcommittee has accused officials who buy equipment for the Armed Forces of lacking even "common sense judgment." Congressional investigators have found scores of contracts where officials failed to demand the required cost or pricing data.

Among cases reported in recent months:

A big Ohio corporation realized a 42 per cent profit on one Defense contract, producing military hardware with Government-owned facilities that it used rent-free.

A leading radar manufacturer pocketed nearly half a million dollars when the Navy allowed itself to be billed for an item that it had already decided it didn't need.

A missile supplier, as Sen. Stephen Young (D–Ohio) put it, "got away with $134,000" by "estimating" a cost of $219,000 for materials it had already bought.

Says Rep. Henry B. Gonzalez (D-Tex.), chief Congressional defender of the Renegotiation Board: "There is abundant evidence of current profiteering on defense contracts." Gonzalez suspects it is rampant.

Corporate profits overall since the 1965 escalation in Vietnam, according to Sen. George S. McGovern (D-S.D.), have "skyrocketed"—from an annual average of $31.7 billion after taxes to $47.3 billion. Sen. Frank Church (D-Idaho) said on one recent contract for M–16 rifles Colt Industries made a profit of 1400 per cent.

Not all corporate profits come from Government contracts by any means, but a sampling of 16 companies whose Government business was routinely reviewed by the Renegotiation Board in a 10-day period this year indicates that these profits, too, are rising handsomely with the spending in Vietnam.

Most of the companies, the Board reported, showed sales-related profits on their renegotiable Government business of more than 13 per cent in fiscal 1967. Six companies were listed with profits over 20 per cent and one firm, the Board reported, realized a profit of more than 32 per cent, compared to slightly under 18 per cent the year before.

The Board's findings are seldom taken to court—the only place where they are made public—and it has uncovered $950 million in excess profits since it was established. Refunds are made voluntarily in 9 out of 10 cases.

The Board doesn't always win every penny it goes after. The Douglas Aircraft Co. appealed a $19.5 million finding against it and eventually won a court-ordered reduction to $18.5 million. But the Boeing Co. took a $9.8 million assessment into the courts—and wound up owing $13 million.

The Renegotiation Board's authority, however, is shot full of loopholes. It was initially given jurisdiction over companies doing more than $250,000 worth of renegotiable business with the Government each year.

This has been raised to $1 million and Congress is being urged to increase the exemption again—to $5 million.

The Board's hands have also been tied on contracts involving a long list of products that are also sold commercially—from trucks to defoliants.

With Defense spending on military procurement now exceeding $125 million a day, the Board is a shadow of what it was in the Korean war. Operating on a slim $2.6 million budget, it has 178 employes, compared to 742 during the Korean crisis.

In its annual report last December, covering fiscal 1967, the Board said it found only $15.9 million in excess profits compared to $24.5 million the year before.

Yet its work is picking up. As the Board has pointed out, there is usually a lag of about two years between the award of a contract and any formal determination of excess profits in a contractor's overall business for a given year.

The Vietnam buildup, which Board officials say began in earnest in fiscal 1966, is reflected in other, more tentative statistics. While most contractors win easy clearance, those singled out by the Board for questioning jumped 43 per cent last year.

Voluntary refunds and price reductions by contractors also went up—from $23.2 million in fiscal 1966 to $30.3 million last year.

Board Chairman Lawrence E. Hartwig counts the Board's deterrent influence against overpricing as even more valuable to the taxpayer than the Board's direct recapture of funds.

Congress is unlikely to scuttle the Board completely. But the Board will be lucky if it can get anything more than the temporary, two-year lease on life that Congress has customarily given it. Gonzalez is pushing for permanent status along with authority to delve into some $7½ billion worth of Government contracts that the Board cannot now touch.

The Board's opponents—ranging from the aircraft and missile industry to contractors who sell canned food to the military—are working hard to keep it from regaining its Korean War vigor.

Its most vocal critics contended that the Board is unnecessary and expensive. They rely heavily on a recent report commissioned by the Defense Department, which suggests that profits from defense contracts have fallen below those from commercial undertakings.

The critics also maintain that the Defense Department can be relied on to police its own contracts under the Truth in Negotiations Act.

Gonzalez and others who have joined him—largely from the Ohio Congressional delegation whose members were alerted by articles in the Cleveland Plain Dealer—reply that the Defense Department study flies in the face of other indicators, including a General Accounting Office report that defense industry profits, especially on negotiated contracts, have been going up.

They also point to Congressional hearings last year which, they claim, showed the Defense Department had failed for years to live up to the requirements of the Truth in Negotiations Act, particularly in ordering audits.

[From the Cleveland Plain Dealer, Apr. 4, 1968]

VANIK SAYS "GIANT" FIRM HIT IN $500 MILLION PROFITEERING

(By Sanford Watzman)

WASHINGTON.—Rep. Charles A. Vanik, D-21, charged yesterday that a "corporate giant" with a record for profiteering in the Korean War has been slapped again with a $5-million claim for the Vietnam War.

The Clevelander disclosed information which had come to him privately on the eve of closed-door hearings by the Ways and Means committee, at which the future of the Renegotiation Board will be considered.

Vanik did not immediately identify the company in his speech on the House floor.

Questioned afterward, he explained, "The law forbids the board from bandying about names or discussing the cases before it. While this law does not muzzle members of Congress, in all fairness I want to give the company an opportunity to give its side.

"I have written to the president of the corporation. After I receive a reply, I will make it public."

Vanik, member of the Ways and Means Committee, has introduced legislation to restore the board to the powers it wielded during the Korean War.

He told the House that "it has come to my attention that a company, which last fiscal year did nearly half-a-billion in dollar business with the government, is being closely examined by the Renegotiation Board and that there is a claim against this company for excess profits of $5 million.

"Some might argue that such incidents happen only once in a great while, but this same company was declared to be making excess profits of $2.25 to $3 million in fiscal year 1951 and $5.5 million in fiscal year 1953.

"The claims of the Renegotiation Board were appealed to the Tax Court by this company, but no action was taken and the appeals were withdrawn in 1959.

"Others have argued that the board is unnecessary because of the Truth-in-Negotiation Act, passed in 1962, which applies to defense contracts.

"But it should be noted that the claim against the company, which is now before the board, is for profits gained in 1965—three years after the passage of the Truth-in-negotiation Act."

Vanik's speech gives the public its first glimpse of a Vietnam war case pending before the board.

The confidentiality of the agency's operation had heretofore handicapped congressmen who put up a fight for the board without being able to cite current examples of why the antiprofiteering watchdog is needed.

Appeals filed in tax court remove the cloak of anonymity from companies taking such action.

[From the Cleveland Plain Dealer, Apr. 3, 1968]

THREE ORDERED TO REPAY $1.3 MILLION PROFITS

(By Sanford Watzman)

WASHINGTON.—The Renegotiation Board has been upheld on three cases of excess profits and a fourth appeal filed at U.S. Tax Court in the last few weeks.

Ordered to repay $1 million to the federal treasury was the Hess Oil & Chemical Corp., formerly the Oliver Corp., a subcontractor on an Air Force procurement.

Tide-Bay, Inc., a piping contractor in Alaska, and Associated Testing Laboratories, Inc., which did missile work, were directed to rebate $150,000 each to the government.

The new appeal, was filed by Transducer Patents Co. of Los Angeles, which the board has dunned for $770,000 for fiscal years 1957 through 1964.

In the first case the Oliver Corp. and a subsidiary received a subcontract to build fuselages for the Boeing Airplane Co., which itself has a record at the board for profiteering.

The board asserted that Oliver overstated its costs by $1 million in 1954, one reason being that it improperly charged off some advertising as an expense. Company profits reviewed by the board that year totaled $50.3 million.

The case of Associated Testing, which did work on the Pershing missile, dated from 1961. It realized a profit that year of $406,795, or 24.3%, the board charged.

Tide-Bay was said to have made a profit of $323,455 in 1954. Its major contracts were for piping and storage of oil at Eielson Air Force Base, Alaska.

Transducer was organized in 1952 to purchase five patents from the Curtiss-Wright Corp. for $135,000. It then licensed these patents to Statham Instruments Inc. and proceeded to collect royalties

It was these payments, amounting to $2.1 million, that were challenged by the board, which asserted that Transducer reported total costs of $231 for the years at issue.

The board said:

"The contractor (Transducer) had no employes, and the relatively small amount of administrative services required for the conduct of his business was performed by (Transducer's) general partner, Louis D. Statham, who was also president, chief executive officer and major stockholder of the related corp (Statham Instruments)."

In its petition, Transducer denied that it made any excess profits, and it disputed some statements made by the board.

[From the Cleveland Plain Dealer, Mar. 5, 1968]

ONE OF SIX DEFENSE CASES ARE CALLED OVERPRICED

(By Sanford Watzman)

PHILADELPHIA.—A survey by the Defense Contract Audit Agency (DCAA) has turned up overpricing in one out of six cases examined.

This was revealed here yesterday by DCAA Director William B. Petty. He spoke at a conference on government contracts, sponsored by the Federal Bar Association.

Petty said he did not have figures with him on the amounts of money involved but he added they ranged from small to substantial.

The sampling study covered 615 Defense Department purchase agreements over an 18-month period, ending last Dec. 31. Of the 615 contracts, 101 were overpriced, he said.

The survey was in line with a systematic program of past award contract audits adopted by DCAA under prodding from the General Accounting Office (GAO).

This program did not at first include, as a rule, the so-called firm fixed price (FFP) contracts, which are the instruments used for most major purchases of weapons and other war material.

But DCAA did amend its program late last year to bring more FFP agreements under its scrutiny.

This followed a series of articles in The Plain Dealer and hearings by the Joint Economic Committee of Congress. The hearings called attention to the loophole in the audit program.

Petty told the conference that the expanded audit program is just now getting underway. Evidently, results from it will not be known for some time.

The Truth in Negotiating Act, on which the audits are based, was criticized by another participant at the conference—John Kooken, counsel for TRW, Inc.

Kooken questioned whether strict purchasing laws like the Truth Act are transforming the defense industry into a "seminationalized" branch of the economy subject to government regulation in the manner of public utilities.

He called attention to a study by the Logistics Management Institute, which held that the defense business of multimillion dollar contractors was not as profitable as the commercial business of the same corporations.

Two other speakers were Navy General Counsel Meritt H. Steger and Deputy Asst. Defense Secretary John M. Malloy.

They told the audience of contractors that the Truth Act is necessary, however burdensome it might seem to businessmen, who complain often about the paperwork involved.

They said any amendments were likely to be in the direction of tightening the law rather than liberalizing it.

[From the Cleveland Plain Dealer, Mar. 8, 1968]

SECOND REPORT WARNS OF LOADED PRICES: PENTAGON SCORED FOR OVERSPENDING

(By Sanford Watzman)

WASHINGTON.—A second congressional group yesterday criticized the Pentagon for weak enforcement of the 1962 Truth in Negotiating Act.

The latest censure came from the special investigations unit of the House Armed Services Committee, of which Rep. Porter Hardy, Jr., D-Va., is chairman.

At the same time it was announced that hearings will open Wednesday on identical bills by Rep. William E. Minshall, R-23, and Sen. William Proxmire, D-Wis., to strengthen the "Truth" Act.

The criticism was basically the same as that leveled at the Defense Department last summer by Sen. Proxmire's Joint Economic Committee.

Both groups claimed that overcharges on defense contracts often went undetected because the Pentagon did not have a comprehensive audit program and did not insist on documentation of contractors' cost estimates.

Hardy's subcommittee based its findings on hearings conducted late last year.

It recommended the Defense Department to strictly enforce a regulation making corporations ineligible for subsequent contracts if they were found guilty of flagrant overpricing.

"The Defense Department's procurement transactions are at a record high—approximately $45 billion a year, which is about 80% of all money spent on government purchases," the report said.

"Many of these transactions involve the procurement of weapons and equipment never manufactured before—exotic, sophisticated and undreamed of a few years ago.

"A central problem confronting government buyers is that they seldom have a very accurate picture of the cost at the outset of such ventures.

"If the price is to be fair and reasonable, all pertinent facts and data must be considered and weighed. In such negotiations, truth is the most important ingredient."

FISCAL RESPONSIBILITY, JUSTICE DEMAND TAX REFORM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 20 minutes.

Mr. HALPERN. Mr. Speaker, we have heard much of late of the need for fiscal responsibility, to reduce the Federal budget deficit, to resolve our domestic economic problems, to strengthen our international financial position. These discussions have centered around the need for reduced Federal expenditures and increased income taxes.

At a time when Americans are being asked to accept the need for fiscal responsibility, which might involve higher taxes as well as reduced Government spending, it is essential to see that any added tax burdens, as well as the existing ones, are distributed fairly. I cannot accept the suggestion that we in any way approximate a truly responsible approach to fiscal affairs so long as our tax system distributes its burdens as inequitably as it currently does.

I am thus introducing my Tax Equity Act of 1968, which contains 10 proposals for tax reform. The measures in this bill would not only bring the Government more than $5 billion of added revenue—revenue which would ease our deficit problem; equally important, these proposals would go far toward more fairly allocating the burden of tax payments among our citizens. We cannot achieve fiscal responsibility by means of any number of spending cuts or tax increases if our basic tax system operates in an irrational and unjust fashion.

One must question the fairness of a tax system which permits some taxpayers in the million-dollar-and-up bracket to pay no income taxes whatever; in which the largest oil companies with total incomes in the billions of dollars pay an average tax of 8 percent, while at the same time individuals earning $5,000 a year may be contributing over 15 percent of their salaries to the Government.

What kind of tax justice do we have when 17 Americans with incomes of $1 million or more can pay not 1 cent in taxes; when a lawyer filing one client's tax return discovered that client had six times as much income as he and paid only one-fifth as much tax; when a real estate corporation with a net cash return of over $5 million not only paid no taxes but legally reported a tax loss of almost $2 million? Such examples reflect the serious inequities in our tax system which must be eliminated.

Existing tax preferences are vigorously defended on a variety of grounds. Presumably, they are needed as an "incentive" to some generally desirable activity, to relieve a "hardship" suffered by some industry or group of individuals, or to relieve an "inequity" arising from some other facet of our legal or economic structure. And, indeed, one cannot say that most preferences or exemptions are totally devoid of justification.

What must not be forgotten, however, is that what constitutes tax relief for some creates additional burdens for the remainder of the taxpaying public. Through our system of tax preferences, we have relieved some citizens from shouldering their proportionate share of our fiscal burdens, at the expense of the majority of the taxpayers. At a time of high Government expenditure, when tax increases are being called for, the injustice of these tax inequities is compounded.

The loss of revenue to the Government through tax loopholes in itself constitutes a type of Federal expenditure. The Government has, in effect, granted subsidies to certain groups by allowing them to refrain from paying some—often large—portion of their taxes. Many of these subsidies, if subjected to the scrutiny given appropriations for regular Government expenditures, would not begin to pass under as acceptable allocations of the taxpayer's money.

Mr. Speaker, on the grounds of equity alone I would feel justified in proposing the tax reform measures contained in the tax equity bill I am introducing today. However, in times such as these, when the American public is being asked to accept a program of fiscal austerity, which could include payment of higher taxes along with a reduction of Federal spending, I feel we have an absolute obligation to insure that in placing tax burdens on our citizens, we place them fairly. Tax reform constitutes an integral and inseparable part of fiscal responsibility.

Mr. Speaker, I should like now to explain briefly the provisions of my bill. Before continuing, however, I should like to acknowledge my debt to some major contributors to the study of tax reform problems, on whose work I have drawn in constructing my bill: our distinguished colleagues, the gentlemen from Wisconsin [Mr. REUSS and Mr. BYRNES], the distinguished Senator from Montana, Mr. METCALF, and that most eminent of economic reformers, Senator Paul Douglas.

TITLE II. CAPITAL GAINS UNTAXED AT DEATH

The capital gains tax regulations would require a man who bought a stock for $100,000 and sold it for $200,000 to pay a tax on his $100,000 capital gain of $25,000. Should the same man die, however, and should the stock be sold for $200,000 by his heir, the heir may have to pay no capital gains tax whatever. This situation, happy for the heir, unfortunate for the U.S. Government and the remainder of its taxpayers, occurs because the heir is allowed to calculate his capital gain or loss not on the original price paid for the asset but on the value of the asset at the time of its transfer to him. Thus, the gain in value from the time of purchase by the decedent to the transfer to the heir, completely escapes capital gains taxation.

Title II of the bill would revise the law so as to subject the accrued gain on assets transferred at death to capital gains taxation. By this revision, the Government could gain about $2.5 billion in added tax revenues.

TITLE III. UNLIMITED CHARITABLE DEDUCTIONS

Charity can, for some people, be a highly profitable enterprise, as in the case of the 13 philanthropists who, because of their charitable donations, enjoyed incomes of $20 million or more over a 3-year period without paying a penny of taxes. The generous treatment of these gentlemen by the Internal Revenue Service resulted from the section of our tax laws which allows a taxpayer an unlimited charitable deduction under certain circumstances, rather than the usual 20- or 30-percent ceiling on these deductions.

This unlimited deduction is offered if a taxpayer's charitable contributions plus his income tax for the taxable year plus 8 of the 10 preceding years exceeded 90 percent of this taxable income. For an individual in the higher income brackets, particularly if he chooses his contributions shrewdly—donating highly appreciated capital assets rather than cash—meeting this requirement is not at all difficult. It is, further, most improbable that such a taxpayer will actually be giving up 90 percent of his total income for charity and taxes, since he is likely to have a large portion of nontaxable income which is not included in the 90 percent calculation. Moreover, many of these "charitable" contributions are to private foundations, the major beneficiaries of which are the donors themselves.

Title III of the bill would eliminate this unlimited charitable deduction, and would thereby bring the Government an additional $50 million in tax revenues.

TITLE IV. STOCK OPTIONS

When the average taxpayer receives a salary increase or a bonus, he pays taxes on this part of his income at the same rate as on his regular income; he may even find himself pushed into a higher tax bracket. Some taxpayers, however, are privileged to pay only the capital gains tax rate on income increases, regardless of their tax bracket, if they are fortunate enough to receive these increases in the form of stock options.

A corporation executive who is rewarded with a stock option is allowed, for a certain period, to purchase the stock of his company at a given price, regardless of how high the market price of the stock may rise during that period. If he exercises the option, buys the stock at the low option price and sells at a much higher current market price, he pays only a capital gains tax, despite the fact that this option is merely another form of bonus or salary increase.

Title IV will require stock option gains to be taxed at regular income tax rates, and should net the Government about $100 million in added tax revenues.

TITLE V. MULTIPLE CORPORATION SURTAX EXEMPTION

Corporations presently pay a 22-percent tax on all taxable income, plus a surtax of 26 percent on all taxable income above $25,000; thus, each company is entitled to a $25,000 surtax exemption. Related corporations subject to less than 80-percent common ownership or control can elect to be taxed as separate corporations, and can thus each separately take advantage of the $25,000 surtax exemption.

Therefore, a corporation can, by electing to operate through a series of subsidiaries rather than through a parent company and branches, obtain any number of surtax exemptions, depending on how many subsidiaries they can, to some degree, justify forming. However, if a corporation is, in fact, a single enterprise, there is no justification for discriminating in favor of the subsidiary structure by offering the separate parts of such an operation multiple surtax exemption advantages.

Title V of the bill would eliminate this tax advantage, and gain for the Government an added $150 million in tax revenues.

TITLE VI. MUNICIPAL INDUSTRIAL DEVELOPMENT BONDS

The head of a corporation who would like to obtain funds for construction of a plant or other industrial facilities as cheaply as possible would be well advised to locate his new plant in one of the many municipalities which are currently issuing annually some $1 billion of industrial revenue bonds.

The ultimate purpose behind the issuance of these bonds is to attract industry to some given area. Because these municipal bonds are tax-free, they will be accepted by the public at relatively low interest rates. With the inexpensive funds a city raises, it can construct industrial plants and offer to lease them cheaply to industry. Thus, the locality has managed to attract industry and the corporation has received a subsidy, in the form of reduced cost on its plant.

The only problem is that, rather than being used to attract new industries to areas of widespread unemployment, these bonds are largely used to attract firms with plentiful resources of their own into areas which would not generally merit Federal subsidies.

Title VI would eliminate the tax exemption provided for these bonds, and would bring the Government an estimated $50 million in additional revenue.

TITLE VIII. PERCENTAGE DEPLETION ON NATURAL RESOURCES

Tax reform discussions are replete with startling examples of the benefits of having an interest in the minerals sector of our economy, particularly the oil industry. There is the individual who, in 1960, enjoyed an income of over $26 million and paid not a penny of Federal income tax that year; and the gentleman who, over 4 years, enjoyed a net income of over $9 million, but paid no taxes in any of those years; and the company which made profits of almost $66 million in a 6-year period, and not only paid no income taxes over that period, but actually received a refund on previously paid taxes; and so on, and on.

The percentage depletion method of calculating investment depreciation in the minerals industry allows investors to continue to claim depreciation allowances long after all initial investment costs have been recovered.

The discriminatory tax treatment in favor of these industries has long since lost any justification it may originally have had, and the optimum solution would be to eliminate completely these percentage depletion allowances in favor of depletion allowances based on actual investment costs in line with the practice in all other industries; however, with a view toward the political feasibility of the reform, and with consideration for the transitional difficulties caused by such a move, I would recommend reduction of all percentage depletion allowances to a maximum of 10 percent, from current rates as high as 27½ percent for oil and gas.

Title VII of the bill contains this proposal, and would increase Government tax revenues by an estimated $1.5 billion.

TITLE VII. GIFT TAXES

The simplest way for a wealthy individual to avoid having a large portion of his wealth absorbed by estate taxes after his death is to give away most of his wealth during his lifetime. With gift tax rates one-fourth lower than estate tax rates, and further, wtih these gift taxes calculated in a manner so as to further reduce their impact, transferring wealth in the form of a gift can leave the recipient or heir with nearly three times as much after taxes as the identical outlay as part of an estate.

Title VIII would eliminate this loophole for estate tax avoidance by establishing the same rate for gift and estate taxes; the savings in Government tax revenue would amount to about $100 million.

TITLE IX. USE OF U.S. GOVERNMENT BONDS TO PAY ESTATE TAXES

Under present law, certain Government bonds can be redeemed at par value to pay an estate tax. Thus, if bonds that have a par value of $100,000 were bought for $80,000, these bonds could be used to pay an estate tax of $100,000 even though their market value might still be $80,000.

Title IX would eliminate this tax windfall enjoyed by certain taxpayers by requiring bonds used for payment of estate taxes to be evaluated at the fair market value; the gain in tax revenues for the Government would be some $50 million.

TITLE X. TAX-LOSS FARMING

Many "gentleman farmers" invest in agricultural enterprises not because of the gains they expect to accumulate but because of the losses they hope to show. A 1965 study shows that 119 individuals with annual incomes over $1 million had farm operations and 87 percent of them reported losses on farm operations.

Such individuals make large farming investments, hoping to show annual losses, against which they can write off nonfarm income, thus obtaining sizable income tax savings. They hope ultimately, by virtue of the improvements they put into their farms, to realize sizable gains upon sale of these properties, with these gains taxed at the capital gains rather than regular income tax rates. Thus, their farm losses enable them to enjoy savings on their considerably higher income tax payments, and on their final profit from sale of the farm, they pay only the lower capital gains taxes.

Title X will prevent this type of farming for tax writeoffs only, by limiting deductions for farming losses to an amount not exceeding the gross income derived from the actual business of farming. This provision can be conservatively estimated to bring the Government an additional $450 million of tax revenues annually.

TITLE XI. ACCELERATED DEPRECIATION ON SPECULATIVE REAL ESTATE

The ability of real estate speculators to take accelerated depreciation deductions on property they have purchased can net them, in the long run, millions of dollars of tax savings. Immediately after purchase, the real estate owner can begin taking very large initial depreciation deductions on his property, which he can use to offset income from other sources, and thus reduce his income tax payments. When, after a few years, he has already written off the largest part of the depreciation under the accelerated schedule, he can then sell the property, for a much higher price than that indicated by the book value after depreciation, and pay taxes on the difference between book value and sale price at capital gains rates.

Title XI would deprive real estate speculators of unwarranted tax deductions and excessive capital gains by eliminating the tax provisions allowing accelerated depreciation deductions on real estate speculation. The gain in Government revenue would be $100 million.

DAYS OF TERROR, NIGHTS OF FIRE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Montana [Mr. BATTIN] is recognized for 20 minutes.

Mr. BATTIN. Mr. Speaker, a shadow of shame darker than the smoke clouds of the past weekend hangs over the Nation's Capitol today. Shame at the wanton burning and violence that erupted last Thursday in the name of civil rights and as a eulogy to Dr. Martin Luther King. What vaunted excuses to use for acts of immoral irresponsibility? The only excuse for the appalling action is that the baser natures of mankind were unleashed and allowed to run wild.

Thursday night, a few hours after the announcement that Dr. King had been murdered by a sniper in Memphis, Tenn., sporadic instances of firebombings and small gangs of roaming terrorists were reported in the upper northwest section of the city. These were scattered and minor incidents, but they caused a sense of urgency in the responsible people of Washington who watched the explosion of Detroit and Newark last year in a detached manner. Washington residents did not expect this senseless violence and the people of the United States did not deserve such action.

Shortly after noon on Friday, the occurrence that all Americans feared came about. Large sections of the city went up in flames. Smoke fell over the city like a shroud, obscuring the Washington Monument. The White House had to be surrounded by Federal troops. Machinegun positions were taken on the grounds of the Capitol Building and the White House. The center of America's democracy was under attack. Was this any kind of memorial to a man who professed nonviolence?

Dr. Martin Luther King's death was as senseless as the burning and destruction in downtown Washington. He was a nonviolent man, but violence followed in his footsteps.

I do not believe that the rioting and burning, looting and murder that followed Dr. King's death can be blamed on this one act. The insurrection that occurred over the past weekend had been brewing for a long time. Any incident—either the unlawful shooting of Dr. King or a policeman's shooting of a fleeing felon—would have set off the fires. The militants of Washington, Detroit, Newark, Los Angeles, and Harlem had already geared their organizations to violence and the destruction was bound to happen sometime this year. The murder of Martin Luther King only gave a unified reason to touch off riots throughout the Nation. Long before Dr. King went to Memphis, a young man named Stokely Carmichael had promised in several Communist countries that he would return to America and unite Negroes to overthrow our Government. Last Thursday Carmichael led the first gangs that went into the city to begin burning.

The Washington Post reported that Thursday night's trouble began when a group at SNCC—Student Nonviolent Coordinating Committee—headquarters decided to close down stores on upper 14th Street in memory of Dr. King. Carmichael led this group down the street in what soon became a riotous trip. True, Carmichael told his followers to exercise restraint. He was quoted as saying "Now is not the time." The next morning, Friday, Carmichael declared at a news conference that white America declared war on black people when Dr. King was killed. Later that day at Howard University, he advised students to arm themselves—"Tonight is our night." Not long after that statement, downtown Washington exploded in flames.

Carmichael flaunted authority during the Washington riot and he defied our laws last year when he traveled to Havana, Hanoi, and other Communist cities, cursing the United States. Before that he had worked behind the scenes appealing to irresponsible Negroes to join his movement which can best be described by his call to arms, "kill whitey." Not "civil rights" or "equality," but "kill whitey."

The press here in Washington has attributed the destruction to a desire to force passage of a new civil rights bill that is now being considered by the House of Representatives. The local papers, radio, and television stations have called this a bitter uprising of a downtrodden people.

Since when do Americans—any Americans—have to burn and rob business places to pass necessary legislation? Was the monumental civil rights bill of 1964 passed because Negroes were burning the heart of the Nation's Capital? I refuse to be intimidated by mobs of people who have no purpose other than complete disruption of our way of life.

The proposed act is not good legislation—the section dealing with open housing raises many constitutional questions that should be reviewed by the House Judiciary Committee. Another section of the bill may conflict with rights that have been granted through treaties. These sections should be reviewed by the House Committee on Interior and Insular Affairs.

That is the way America legislates and the process has worked effectively for almost 200 years. Not always efficiently, but at least effectively. The committee system has proven itself in the severe test of time and should not be upset by the blackmail of deliberate turmoil.

The latest in a series of civil rights legislation will be brought up in the House this week and Representatives are being urged to accept the bill as it is, without amendments and without further debate and consideration. We are warned that more and intensified violence is apt to occur if this bill is not sent on for President Johnson's signature immediately. The President has also promised Negro civil rights leaders that he will send new legislative proposals to Congress as soon as possible with recommendations for immediate passage.

Gentlemen, if we bow to these threats and accept this bill over our reservations, the rioters have been successful; and then if the President proposes, for instance, a guaranteed annual income, we can expect the same violence to force this foolhardy idea across.

Congress has a duty to act responsibly in this matter. We cannot allow this pressure to force our hand because in doing so we would violate the sacred trust that is placed in this honorable body, the duty to protect the civil rights of every American, regardless of his color, race, or creed. The main objection that I have to this legislation is that the provisions presume and concede that these rights are not now inherent in our laws.

Civil rights of all Americans are already guaranteed and further legislation in this direction only holds out a false promise of something that Congress cannot provide. We can reiterate the right of every citizen to own property, but by that reiteration we do not eliminate the most effective segregation and that is economic selection. For all the legislation we might pass, we cannot give every family in these United States enough money to buy any house they want.

When a person moves into a new neighborhood, nothing can force his neighbors to accept him. And that is a more effective form of segregation. Congress cannot strike down economic segregation and riots and looting will never end personal preference segregation.

Whose civil rights were actually involved in the tragic events this weekend? These riots were ignited in the powerful name of civil rights and yet the rioters violated yours and my civil rights and those of our constituents. Congress could not have safely met during the violence-packed weekend and that deprived our people of the rights which our representative government promises. In fact, a curfew was imposed, preventing us from traveling to the Capitol from 4 p.m. to 6:30 a.m.

Our National Capitol was under siege for 3 days and this city, which every American can rightfully claim as his own, was blockaded. My staff, which works entirely for the people of Montana, was ordered to leave the office for self-protection. Tourists from every State in the Union were ordered off the streets early in the afternoon and the streets were not safe during the day. The Cherry Blossom Ball and Parade were canceled in deference to screaming fire engines and jubilant looters and arsonists. Stokely Carmichael was no doubt the happiest person in the city, but thousands of proud Americans were prevented from seeing their city.

The rioters were assured of their civil rights. For most purposes, their civil rights were extended to include the right to steal and destroy property. In the instances when looters were arrested, they were provided free legal counsel. This entire tragedy was allowed to run unchecked. District policemen performed their duties as best they could, but they needed help and it was 5 hours before the President decided the situation was urgent enough to require the presence of Federal troops. By then, the rabble was in control and anarchy reigned in the seat of democracy.

For half a day Friday, all day and night Saturday, and for part of the day Sunday, law and order was circumvented. In this great city which the countries of the world look to for leadership and assistance, good people were not safe to walk the streets. None of the Federal buildings were burned, but I am sure that is only because they were heavily protected by troops. Thank God for that protection, because these buildings hold the treasures of our heritage.

The National Archives holds the original copy of our Constitution, a document that Americans have fought and died to uphold. That priceless symbol of the greatness of our country could have been destroyed—as it was, the meaning and history of those words were suspended for 48 hours.

The Nation's Capital was smothered in turmoil and I am afraid that we will see further rioting here now that the militant leaders have proven their ideas can be successful. I must grant that the law was enforced to a certain degree. After all, 6,124 persons were arrested, but for everyone of these many were not stopped from looting. From photographs on television and in the newspapers. it was obvious that looting took place in plain view of police officers and soldiers, who because of orders from much higher up were unable to act.

According to statistics gathered by the press, these rioters were not oppressed, downtrodden people or individuals who are "beyond hope." A good many of them were Federal employees, some in clerical positions. According to the Washington Post, the typical person arrested in the riot was "about 29, who attended 11 grades of school, has a job paying $85 to $95 a week and has not been in trouble with the law before." Only 10 percent were unemployed and a few had college degrees. The arrest docket included several college students. These were not people who had never found an opportunity to better themselves.

The involvement of these apparently respectable people goes back to another tenet of Martin Luther King's creed: "If you feel a law is unjust, you don't have to obey it." The Nation is now being paid for apathetic acceptance of this theory. In this anarchic position is found the breakdown of law and order, for in our society we must have almost voluntary compliance to the law or at least grudging acceptance of the law until it can be changed through the orderly process of representative legislative action. Until the theory of ignoring legal standards is rejected, we will have violence in our streets.

It has been said many times in the past few days that Martin Luther King "had a dream." Well, I have a dream also and this dream is the dream of many Americans. I have hopes of a new day in the United States that does not require a double standard for the various races of mankind, that does not need special laws for every shade of skin.

That dream will come true when the black, white, yellow, and red people of this country reach a point in their understanding of one another where each is an American. Not an Afro-American, not an Indian American, or an oriental American—just an American dedicated to the freedom of all men and to an orderly society. The society of this dream will not apply or require different standards. It will simply recognize the worth of a man by his accomplishments and ideals.

That dream is not near to being because we must first deal with elements in our society who violate the rights of others while demanding special concessions for themselves. Those elements incited the riots in Washington and 41 other American cities during the past few days. The U.S. Government must deal with these riots to preserve any hope for this dream.

We are a nation of laws and these laws, not men, govern our people. But the leaders of this country must see that our laws are enforced and upheld when they are just laws—amended or repealed, if they prove to be unjust. And the Government has a responsibility to meet unlawful force with whatever force is required to preserve order. The Government cannot look aside on one occasion when the law is being violated and then expect easy enforcement on the next occasion. As a good example, I recall law enforcement during times of natural disaster, such as earthquake or flood. Looters—who are really just human scavengers taking advantage of a tragedy—are shot when they strike out during the panic following acts of God.

Do you know what would happen in Montana if a riot broke out and the good people could see that authorities were unable or unwilling to protect their lives and property? Although the people of Montana are for the most part law-abiding and tolerant, they would use whatever they could put their hands on to restore order.

I know this to be a fact and not just supposition, because several years ago the townspeople of West Yellowstone, Mont., did act on their own to calm a disturbance. Large groups of young people had taken over this resort town and proceeded to build a large fire in the middle of Main Street. Residents of the town waited long enough to see that the problem was becoming worse, and in fact already out of control of the limited police force, and then they took action. These self-sufficient citizens went into Main Street with ax handles and solved the problem. There were no serious injuries when things calmed down, but there were some young people with bruised hind parts and new respect for the town of West Yellowstone.

Now realize, please, that this is not a chapter out of the history of the Old West—this happened 5 short years ago and West Yellowstone has not had a problem with rioters since then.

By giving you this example I am not advocating a return to the vigilante days, but I am trying to show the only alternative to firm action by the government, local or Federal. People will protect their homes and families, if the government fails to do so.

The alternative to controlling these riots through swift and strong government action is to allow the rioters, looters and aronists to have their way. If we have this brutal a riot in April, what will the heat of August bring? If Government continues to fail in safeguarding the rights of all people, we can expect far worse as the summer wears on. These beautiful monuments will be the next target and the Capitol Building and White House will be under attack. The large cities in America will one by one be given over to the rioters and this anarchy which we now permit will spread throughout the country.

Our President and the Congress must take a firm footing and not be pushed into hasty and panicked actions that encourage more violence.

If we yield to a violent, but small segment of society, we have failed the majority of Americans who are now depending on us. Our obligation is clear: Restore order and discourage malcontents.

Fail in that duty and the leaders of our country will allow this violence, which we have now had a small taste of, to become a way of life.

Days of terror and nights of fire will continue to assault America unless our Federal, State, and local governments act now, and act as forcefully as required, to restore the order and dream of a free and stable society.

CONGRESSMAN CHAMBERLAIN ISSUES 1968 FIRST QUARTER REPORT ON FREE WORLD SHIPPING TO NORTH VIETNAM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan [Mr. CHAMBERLAIN] is recognized for 20 minutes.

Mr. CHAMBERLAIN. Mr. Speaker, I share the hope of all Americans that recent deplomatic efforts will ultimately succeed in bringing about a just and lasting peace in Vietnam. It is still too early, however, for much optimism. Meanwhile the war goes on and so we must continue to be concerned about the enemy's sources of supply which contribute to its operation. With the curtailing of bombing attacks on North Vietnam I believe this means the problem of the enemy's seaborne sources of supply can only take on added importance. At such a time as this I believe, therefore, we should be increasing our efforts to stop free world shipping to North Vietnam. Regrettably this does not appear to be the case.

Mr. Speaker, during March, 12 more free world-flag ships arrived in North Vietnam—10 British, one Italian, and one Singapore flag. This brings the total for the first 3 months of 1968 to 30 free world arrivals, a more than 100-percent increase over the 14 arrivals during the first quarter of 1967. Despite these startling facts, I can find no one in the administration who is actively concerned about this seaborne supply to the enemy. At this point in the RECORD I would like to insert a table showing the number of arrivals of free world-flag ships to North Vietnam during the first quarter of 1968:

FREE WORLD SHIP ARRIVALS IN NORTH VIETNAM, 1968

Flag of registry	January	February	March	Total
British	9	7	10	26
Cypriot	1	1		2
Italian			1	1
Singapore			1	1
Total	10	8	12	30

This traffic has continued quite undisturbed since the administration belatedly decided to blacklist these vessels. Careful examination of the most recent list, issued March 20, 1968, by the Maritime Administration, reveals that it is neither complete nor effective in doing anything to stop current traffic.

First of all, the Maritime report, as published in the Federal Register, lists only the names of individual ships and says nothing about the number of times they have been to North Vietnam. It is, therefore, not a reliable indicator of the extent or volume of this trade. Furthermore, it does not even make public the names of all the ships involved.

In the March 20 report the names of only 16 British-flag ships appear, however, the information provided me by the Defense Department shows twice that number. During the period covered by the Maritime report, in fact, I am advised that some 32 different British-flag ships have been to North Vietnamese ports a total of 126 times.

Secondly, the purpose of this list is to deny to the specific ships listed the privilege of carrying U.S. Government-financed cargoes from American ports. There is, however, no prohibition about these same ships coming to U.S. ports to carry on regular non-Government-financed trade nor to prevent their owners from making profits by using other vessels under their control to transport U.S. Government-financed or private cargoes.

To illustrate, it is my understanding, from information supplied me by the Department of Defense and the Maritime Administration, that the owner of a Lebanese-flag vessel, the *Nagos*, which arrived in North Vietnam in December 1967, also owns or controls a Cypriot-flag vessel, the *Pat*, which entered the port of Albany, N.Y., on January 2, 1968.

Similarly, the owner of a Cypriot-flag vessel, which already has been to North Vietnam twice this year, also owns a Liberian-flag ship, the *Mistral 1*, which entered the port of Pensacola, Fla., on July 6, 1967, and loaded cargo destined for England. This same vessel was also reported in San Francisco on October 2, 1967, and in Tampa, Fla., November 4, 1967.

As one who has sponsored legislation—reintroduced January 10, 1967, as H.R. 365—since 1965 to close our ports to all vessels owned or controlled by a shipping interest which engages in trade with North Vietnam, I can only reiterate my great disappointment that the administration has sought to oppose taking more effective action.

During the first quarter of 1968, British-flag vessels continued to top the list, accounting for 26 of the 30 free world-flag arrivals. This fact, however, does not appear to be of any great concern to the State Department. In the course of a standard response to inquiries about this trade, the Department recently stated:

> More than 85% of the calls made (at North Vietnamese ports) in 1967 were by Hong Kong-registered ships flying the British flag but under the effective control of Chinese Communists.

Having said that, the reader is presumably left to conclude that somehow these are not really British ships and therefore nothing can or should be done to remove them from this traffic.

At the outset, I would first point out that this is the very same attitude expressed by the State Department during the past few years. It was only after Congress began to show its concern and voted, over the opposition of the administration, to tighten aid restrictions on countries involved in this trade with the Hanoi regime, that the level of free world traffic began to drop from 401 arrivals in 1964 to 257 in 1965 and to 74 in 1966. The 78 arrivals during 1967 indicates, however, that this downward trend has been reversed, and that additional steps are now required in order to make further reduction in this traffic to the enemy.

Now let us examine the activities of these Hong Kong-based British-flag ships more closely. It is true that in recent months there have been no British-flag vessels registered in England in this trade, and I would commend the British Government for its assistance in this regard. It is also true that the Hong Kong vessels currently trading with North Vietnam are under charter to Communist governments and are presumably carrying, for the most part, Communist goods.

Nonetheless, the Department of Defense has stated in testimony submitted to the Senate Preparedness Subcommittee August 16, 1967, that 10 percent of North Vietnam's total imports continue to come from free world sources while 20 percent of all of North Vietnam's seaborne imports arrive in free world-flag ships. I have also been advised that some, but not all, of the companies owning these vessels are in reality controlled by designated nationals of Red China, and that this is apparently completely in accordance with current British maritime law.

The Department of the Treasury has informed me, however, that several other of these Hong Kong shipping interests appear to be under the ultimate control of a citizen of the Union of South Africa. In any event, the stubborn fact remains that these vessels do fly the British flag and no other.

I am told that up until the Merchant Shipping Act of 1854 British ships could be registered only in England. Under that act, as a student of British maritime law has remarked, the "high privilege" of extending the power to register "British ships" was accorded the colonies. Consequently—

> By the Imperial Act a "British Ship" had the right to fly the British flag indicating its national character. To do so without proper authority incurred the severest penalties, because wherever the ship should be found the union jack was notice to all the world that behind it and supporting it for all lawful purposes was the Power of the British Empire and the might of the British Navy.[1]

To date, I am not aware that anyone challenges the legality of the registration of these Hong Kong ships. If, however, the issue were raised, there is apparently an adequate legal remedy. Under section 69 of the Merchant Shipping Act of 1894, a vessel which improperly takes on the British character is liable to be confiscated by the Crown—

> If a person uses the British flag and assumes the British national character on board a ship owned in whole or in part by any persons not qualified to own a British ship, for the purposes of making the ship appear to be a British ship, the ship shall be subject to forfeiture under this Act. . . .

So I believe it is clear that these Hong Kong vessels are British ships. If the British Government cannot exercise effective control over vessels under its flag then, I respectfully suggest again, as I did last November in an address to our NATO allies at the North Atlantic Assembly meeting in Brussels, that a revision of the British maritime law might well be considered. I would point out that the British Government is a signatory to the Geneva Convention on the High Seas of 1958, wherein article 5, section 1, reads as follows:

> Each State shall fix the conditions for the grant of its nationality to ships, for the registration of ships in its territory, and for the right to fly its flag. Ships have the nationality of the State whose flag they are entitled to fly. There must exist a genuine link between the State and the ship; in particular, the State must effectively exercise its jurisdiction and control in administrative technical and social matters over ships flying its flag.

The British Government maintains that under existing maritime law, and without a declaration of war on North Vietnam, it cannot control the movements of these Hong Kong vessels. Be that as it may, the fact remains that the war goes on and that the Hanoi regime regularly and increasingly depends upon these Hong Kong vessels for at least 20 percent of its total seaborne imports. In addition, while it has been frequently claimed by the State Department that these Hong Kong ships do not carry so-called strategic goods, the Defense Department reports I receive indicate that such items have been repeatedly delivered during the past 12 months and including this past March. As I stated time and time again, it is evident that the war economy of North Vietnam dictates that only high priority supplies be permitted cargo space; and with the hiring of free world vessels the strains and pressures on their transportation facilities available to the North Vietnamese are necessarily eased.

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[1] Quoted by Robert Reinow, *The Test of the Nationality of a Merchant Vessel*, New York: Columbia University Press, 1937, 141.

Another intriguing fact is that these same Hong Kong vessels are barred by the British from trade with Southern Rhodesia. This was clearly brought out during Secretary of State Rusk's testimony before the Senate Foreign Relations Committee on March 11 when he supplied Senator WILLIAMS, of Delaware, the following information:

> British flag-Hong Kong registered ships were, as were all British ships, barred from trade with Southern Rhodesia in implementation of Security Council Resolution No. 232 adopted December 16, 1966 (which imposed selective mandatory sanctions against Southern Rhodesia) and of the Southern Rhodesia Act of 1965, since the British flag-Hong Kong registered ships engaged in trade with North Vietnam are not engaged in trade with Rhodesia, the question of enforcement of the Rhodesia ban against these particular ships has not arisen.

As we all know, the British Government has urged the United Nations to adopt a trade embargo on Southern Rhodesia on the grounds that the present situation there constitutes a threat to international peace and security. To cite a concrete example, among other prohibited Rhodesian trade is that involving automobiles and parts. Yet the British Government has permitted the sale of British cars to North Vietnam. If such trade is reprehensible in the case of Southern Rhodesia how does it suddenly become a matter of no concern in the case of North Vietnam?

Does the British Government seriously suggest that the policies of North Vietname are less a threat to international peace and security? Such a double standard is incredible and intolerable. The administration must do more to impress upon the British Government the deep concern of the American people so that action will be taken to stop this aid and comfort to the enemy.

At this point I insert report No. 19 issued by the Maritime Administration on March 20, 1968:

DEPARTMENT OF COMMERCE, MARITIME ADMINISTRATION, REPORT NO. 19

LIST OF FOREIGN-FLAG VESSELS ARRIVING IN NORTH VIETNAM ON OR AFTER JANUARY 25, 1966

Section 1. The President has approved a policy of denying the carriage of United States Government-financed cargoes shipped from the United States on foreign flag vessels which called at North Vietnam ports on or after January 25, 1966.

The Maritime Administration is making available to the appropriate United States Government Departments the following list of such vessels which arrived in North Vietnam ports on or after January 25, 1966, based on information received through March 18, 1968. This list does not include vessels under the registration of countries, including the Soviet Union and Communist China, which normally do not have vessels calling at United States ports.

Flag of registry, name of ship, and gross tonnage	
Total, all flags, 51 ships	349, 399
Polish (27 ships):	209, 301
Andrzej Strug	6, 919
Beniowski	10, 443
Djakarta	6, 915
Energetyk	10, 876
Florian Ceynowa	6, 784
General Sikorski	6, 785
Hanka Sawicka	6, 944
Hanoi	6, 914
Hugo Kollataj	3, 755
Jan Matejko	6, 748
Janek Krasicki	6, 904
Jozef Conrad	8, 730
Kapitan Kosko	6, 629
Kochanowski	8, 231
Konopnicka	9, 690
Karaszewski	10, 363
Lelewel	7, 817
Marceli Nowotko	6, 660
Marian Buczek	7, 053
Moniuszko	9, 247
Norwid	5, 512
Phenian	6, 923
Przyjazn Narodow	8, 876
Stefan Okrzeja	6, 620
Transportowiec	10, 854
Wieniawski	9, 190
Wladyslaw Broniewski	6, 919
British (15 ships)	84, 452
Ardrossmore	5, 820
Ardrowan	7, 300
Dartford	2, 739
Greenford	2, 964
Isabel Erica	7, 105
Kingford	2, 911
Rochford	3, 324
Rosetta Maud (trip to North Vietnam under ex-name, Ardtara—British)[1]	5, 795
Santa Granda	7, 229
Shienfoon	7, 127
Shirley Christine	6, 724
Shun Tai[2]	7, 085
Taipieng	5, 676
Vercharmian[2]	7, 265
Yungfutary	5, 388
Cypriot (5 ships)	30, 981
Acme	7, 173
Agenor (trips to North Vietnam—Greek)[1]	7, 139
Amon	7, 229
Antonia II	7, 303
Marianthi	2, 137
Italian (1 ship) Agostino Bertani	8, 380
Lebanese (1 ship) Nagos	7, 092
Maltese (1 ship) Amalia	7, 304
Panamanian (1 ship) Salamanca (Trips to North Vietnam under ex-name, Milford—British)[1]	1, 889

[1] Ships appearing on the List which have made no trips to North Vietnam under the present registry.

[2] Added to Report No. 18 appearing in the Federal Register issue of February 21, 1968.

Section 2. In accordance with approved procedures, the vessels listed below which called at North Vietnam on or after January 25, 1966, have reacquired eligibility to carry United States Government-financed cargoes from the United States by virtue of the persons who control the vessels having given satisfactory certification and assurance:

(a) that such vessels will not, thenceforth, be employed in the North Vietnam trade so long as it remains the policy of the United States Government to discourage such trade and;

(b) that no other vessels under their control will thenceforth be employed in the North Vietnam trade, except as provided in paragraph (c) and;

(c) that vessels under their control which are covered by contractual obligations, including charters, entered into prior to Januay 25, 1966, requiring their employment in the North Vietnam trade shall be withdrawn from such trade at the earliest opportunity consistent with such contractual obligations.

Flag of registry:	*Number of ships*
Since last report	None
Previous reports—flag of registry:	
British	1

Section 3. The following number of vessels have been removed from this list since they have been broken up:

Flag of registry:	*Broken up*
British	1
Cypriot	2
Greek	1

By Order of the Acting Maritime Administrator.

Date: March 20, 1968.

JAMES S. DAWSON, Jr.,
Secretary.

NATION MOURNS MARTIN LUTHER KING, JR.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey [Mr. RODINO] is recognized for 10 minutes.

Mr. RODINO. Mr. Speaker, last Thursday evening when the tragic news of Dr. Martin Luther King's murder was announced I stated the following:

> It is a shameful and shocking tragedy—the irony is that this man of peace who preached non-violence should have been snuffed out by the hand of violence. All Americans who decry and reject racism and violence must do more than deplore this cancer which is infecting the bloodstream of America today. We must act to eradicate it!
>
> Americans must show that they care for their brother Americans by working more zealously toward the fulfillment of the dream which Martin Luther King dreamed—an America where all black and white can live together, free of bigotry and inequality in a spirit of brotherhood, where there is true, equal justice amid equality of opportunity. Only by demonstrating this concern and working toward the fulfillment of this dream can we say that he did not die in vain.

Mr. Speaker, my own city of Newark, N.J., where racial tensions erupted last summer in a holocaust of hate, arson, looting, and murder, has awakened to the awful truth that no society can stand the breakdown of law and order and the divisiveness of racial hatred. The rights and the wrongs of any situation pale in the face of assassinations, beatings, and all the ugly forms of violent outbursts. That is why I was proud of Newark this last week when black and white sat down together to a plan a fitting citywide response to Dr. King's death.

On Sunday over 25,000 citizens, black and white, urban and suburban, marched together in a spirit of brotherhood to mourn the murder of a great leader. There is now some hope in Newark because of this unity.

The following article and editorials from the Newark Star-Ledger and Evening News fittingly describe Newark's reaction to the tragic death of Martin Luther King, Jr.:

[From the Newark (N.J.) Evening News, Apr. 8, 1968]

NEWARK WALK: NEGROES, WHITES IN TRIBUTE

(By Douglas Eldridge)

Thousands of Negroes and whites walked side by side through Newark's Central Ward yesterday in an historic demonstration of concern for the ghetto and commitment to the dream of Dr. Martin Luther King.

The huge, peaceful "Walk for Understanding" was the biggest demonstration in recent memory in Newark—and a stirring tribute to the slain champion of nonviolence and brotherhood.

Crowd estimates varied from less than 15,000 to more than 35,000. The most common figure was 25,000.

In a column more than 1½ miles long, the marchers—more than half whites from many suburban communities—walked 10 abreast through slums still scarred from last July's rioting.

DR. KING EULOGIZED

Then they swarmed in front of the Essex County Courthouse to cheer challenges for continued black-white teamwork from two top Negro leaders, and a Catholic priest's eulogy of Dr. King as "a saint in the fullest sense of the term . . . who has shown us the face of God in our time."

The walk, conceived six weeks ago as a demonstration by suburban whites of concern and goodwill for the city, was turned into a memorial to Dr. King after his assassination in Memphis last Thursday.

The orderly outpouring of leaders and ordinary citizens was a sharp contrast to the chaos here last summer, and the violence in many other cities in the wake of Dr. King's assassination.

Favored by crisp spring weather and untroubled by any incidents, the throng set out from High and Mercer streets in a mood both solemn and buoyant. Sorrow for Dr. King and anxiety about racial unrest were offset somewhat by joy at the large turnout, and its spirit of reconciliation.

Mayor Hugh J. Addonizio and Willie Wright, militant president of the United Afro-American Association, walked together behind the 10-foot-wide banner at the head of the procession. The yellow banner, with black and white figures, said "Walk for Understanding—People Care."

A little farther back, two men—one black, one white—held aloft a 2-foot-high photograph of Dr. King, draped in purple. There were no other signs or displays.

Most marchers wore large "I Care" buttons and black armbands, and some carried palms from church services. Most were quiet, but some sang "We Shall Overcome" and freedom songs. A few called to knots of pedestrians and loungers outside taverns to join the procession—and some did. Most spectators watched silenly.

The marchers—young and old, black and white, city and suburban, prominent and obscure—passed two giant public housing projects and the Abyssinian Baptist Church, which was Dr. King's last stop in his March 27 tour of Northern New Jersey.

The procession also passed shattered stores and rotting tenements, as well as the Fourth Precinct, scene of last July's first violence. Capt. Edward Williams, highest ranking Negro in the department, waited outside in uniform—and was applauded and pulled into the head of the procession by the marchers.

The crowd included Essex County's two congressmen and many public officials, clergymen of many faiths, and suburban families who came on more than 40 chartered buses. They marched beside many of Newark's top Negro leaders and hundreds of Negro families in all kinds of attire.

Wright, who originally proposed meeting at Queen of Angels Church, told the crowd outside the courthouse: "You have set a precedent for all other people around this nation to follow."

CAN GET TOGETHER

The outspoken black leader added: "It has been proven in the last few days that black people and white people can get together."

He also asked the crowd whether it agreed with the findings of the President's and Governors' commissions on civil disorders. Many shouted "yes," but a large number yelled "no."

The bearded leader also emphasized, however, that the out-of-towners had caught just a glimpse of conditions in the city, and added: "This is a beginning . . . if you're really concerned, if you really care, this is not a one-day affair." He urged them to return again soon, perhaps for a memorial for the 26 persons who died during last July's riot.

Timothy Still, president of the United Community Corp., told the visitors: "What you have seen today as you walked through the yard cries out for partnership of those of us who believe in the dignity of man."

APPEAL TO WHITES

Still, a veteran Central Ward leader, also urged the whites to support black political leadership, voter registration drives, antipoverty programs and "the development of black community corporations in which the black community can serve the economic needs of its people."

A eulogy of Dr. King by Msgr. Thomas J. Carey of Queen of Angels ended the hour-long program—and drew thunderous applause and shouts of "hallelujah" and "tell it, father"!

Many cried openly as the white priest recalled Dr. King's "I Have a Dream" speech at the 1963 March on Washington, and then declared:

"Maybe God will perform a miracle to help all of us become other Martin Luther Kings . . . only then will all of us be able to say with Martin Luther King:

"FREE AT LAST"

"Free at last . . . free at last . . . thank God almighty, we're all free at last."

The priest also recalled the parable of the rich man who was doomed for ignoring Lazarus, and declared: "If this country does not see its poor, if it lets them remain in poverty and misery, then it will surely go to hell."

The march co-chairman, David Foley of Woodcliff Lake, told the whites in the crowd: "You and I have been silent too long . . . We have let others push other people around too long."

He urged the visitors to promote open housing and aid voter registration drives. At Foley's suggestion whites and Negroes throughout the crowd exchanged handshakes.

"NEW HOPE" SEEN

Afterward, Joe Chaneyfield, a housing project maintenance man who was grand marshal of the march, beamed and said: "I'm overwhelmed!" And Timothy Still said simply: "There's new hope."

Some Negro participants were more cautious, however. "Let's see what meaningful comes out of it," observed Mrs. Johnnie Johnson. And Albert Black, chairman of the Newark Human Rights Commission, commented: "It's magnificent—if something develops from it."

A few Negro leaders refused to join the march. Robert Curvin, director of the Rutgers Community Action Intern program, stood on the sidelines and said he could not walk with politicians "who have been responsible for arresting, harassing, intimidating and providing all kinds of obstruction to people who were trying to do what Martin Luther King did." Curvin, a former chairman of Newark-Essex CORE, added: "It's hypocrisy. I could never march with them."

PICKS UP PARTICIPANTS

The march began at 2:18 p.m. and the first marchers reached the courthouse at 3:05—just 20 minutes after the last marchers had left the starting line. The march picked up participants as it moved along its 2½-mile route, and it was 4:05 before the end of the line finally reached the courthouse.

Marchers coming down Springfield Avenue were able to look across Prince Street and see others still going up W. Kinney Street—nearly 1½ miles farther back along the parade route.

Before stepping off, the marchers were addressed briefly by David Ludlow, an architect from Summit, and Rev. Dennis Westbrooks, director of the church volunteer service in the Scudder Homes. Mr. Westbrooks welcomed the white marchers, but added: "Do not walk for us, or we will lose the use of our own feet."

Then the bell of nearby St. Mary's Catholic Church tolled 39 times—once for each year of Dr. King's life. A banner on St. Mary's tower said: "Not fear but love."

[From the Newark (N.J.) Sunday News, Apr. 7, 1968]

DAY OF MOURNING

Only eight days before he was assassinated, Dr. Martin Luther King, Jr. was in Newark urging that the Negro people's slogan be "build, baby, build" rather than "burn, baby, burn." This was a succinct expression of his nonviolent philosophy and reflected his unswerving faith, as repeated in Newark, that "we do belong and we do count."

Dr. King devoted most of his life to leadership in this effort. He looked to Negroes to win their goals through political power, through influence on their elected representatives in accordance with the democratic system. Though many of his goals remain unfulfilled, he was on the path that offered the soundest prospect of reaching them.

Dr. King's death removed a distinguished leader and an outstanding personality, a man talented in reaching Americans at all levels. Other leaders of ability remain who share much the same view, and a heavy responsibility has now fallen on them.

But the best "succession" is in the men and women who work quietly in the ghettos and elsewhere to bridge the gap between black and white, in the spirit which Dr. King symbolized. It is they who can be especially useful in carrying on Dr. King's counsel:

"Get the weapon of nonviolence, the breastplate of righteousness, the armor of truth, and just keep marching."

Thus, the outbreaks of disorder and looting which have followed his tragic death are an evil memorial to this great man, whose life was dedicated to the obliteration of violence and mob rule. In their way, the burning, pillaging and killing are as senseless as the act of the cowardly assassin who triggered the fatal shot.

Country and Congress cannot leave a solution of racial problems, emergent as it is, to extremists on either side. What progress toward a unified country is made by the rioting in the nation's capital? What is gained when the President is obliged to call out federal troops to restore order? This is not the America of Dr. King's dream, it is the road to hatred and catastrophe. Today is a period of national mourning for Dr. King, so proclaimed by the President of the United States. It would be a day to remember in the years ahead if this Sunday should also mark the end of the racial violence which Dr. King so deeply abhorred.

[From the Sunday Star Ledger, Apr. 6. 1968]

A NATION SHAMED

The killing of Dr. Martin Luther King is the shame of the nation, the shocking symbol of the irrationality and violence that has plunged this country into the abyss of distored human values.

The fact that a man with a sick mind fired the fatal shot does not absolve the rest of the nation from blame, black or white. The slayer is a product of the envenomed atmosphere that spews hatred, distrust, suspicion and hostility.

In the numbing aftermath of this terrible occurrence, the futility of the harsh word, the inflammatory phrase, and the bitter denunciation surfaces with awesome inadequacy.

This is a moment of monumental grief and sorrow, the terrible reprise of the historical injustices, social and economic, that has afflicted the Negroes for more than a century in this country.

The supreme irony of the killing of Dr. King will never be lost, not for a moment. This man was an apostle of peace, the advocate of nonviolence in a movement that has been lately characterized by a militancy that contemptuously brushes aside his philosophy of man's love for man.

This was a man with a lifetime of profound religious commitment who sought to find a solution for his fellow Negro's historical plight in a white-oriented society in an ecclesiastical context. This man should have been the least likely target for an assassin's bullet . . . he was a man of peace, not violence.

In a deep, personal sense the grief of the bereft family of Dr. King becomes the grief of the nation, of all Americans. Condolence and sympathy serve no purpose, however, if the tragic killing of this courageous man is not memorialized in a constructive manner, a universal willingness and dedication to translate the good intentions into deed.

There can be no more fitting legacy than the approval by Congress of the 1968 civil rights bill . . . and legislative controls on the sale of guns. In this context, the nation could help to partially expiate this wanton criminal act that has shamed and degraded a country.

The words that perhaps best exemplify the humane commitment of Dr. King were spoken by him before that great outpouring of humanity, black and white, in the 1963 civil rights march on Washington:

> "I have a dream," Dr. King said on that historic day, "that one day this nation will rise up and live out the true meaning of its creed, 'We hold these truths to be self-evident, that all men are created equal.' "

The fulfillment of this dream is the only epitaph that could bring meaning to the life of Rev. Dr. Martin Luther King, Jr., a man with a vision that all men, black and white, could live in a fraternity of human understanding and compassion.

NOW IS THE TIME

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. GILBERT] is recognized for 15 minutes.

Mr. GILBERT. Mr. Speaker, it has been said that the strength of a building is tested, not during periods of calm, but in time of storm. The same, I suggest, is true for nations.

We are undergoing a time of severe crises. Are we to survive or are our democratic ideals to perish? The answer is clear.

Tragedy has befallen our Nation, but we can and we must renew our strength. This can be done, not by reliance upon repression, but by application of our principles of justice and equality. Those who violate the law must be punished. At the same time, we must lend a helping hand to those persons, black and white, whose lives have been disrupted by the riots. Furthermore, we must continue and intensify the struggle against injustice and poverty. Only in this way can we make clear that our legal system is responsive to the pressing needs of the country.

One specific measure recommended by the President's Commission on Civil Disorders is passage of a Federal fair housing law. Such a measure and other important provisions are contained in the civil rights bill now being considered by the Rules Committee.

I urge the Rules Committee to bring the civil rights bill to the floor prior to the Easter recess. We must act upon and pass that legislation before our recess begins.

OUR GLORY AND OUR SHAME

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. ADDABBO] is recognized for 30 minutes.

Mr. ADDABBO. Mr. Speaker, on Sunday, April 7, 1968, I attended memorial services for the Reverend Dr. Martin Luther King in Rochdale Village, a community within my congressional district. The services were sponsored by the Rochdale Negro Cultural Society under the chairmanship of its president, William Booker. Almost 3,000 men, women, and children of every race, color, and creed attended. There were many eloquent words, prayers, and songs heard in memory of Dr. King, a world figure and spiritual leader. I believe, however, that the greatest testimonial to his teachings is this community of Rochdale itself which, if imitated throughout this country would immediately bring understanding and true fulfillment of the principles of our Constitution, for here at Rochdale within the last several years have come together over 25,000 people from all walks of life, of every race, color, and creed, living together and working together in harmony. This community of Rochdale Village, I believe, would fit into the dream of the Reverend Dr. Martin Luther King.

Mr. Speaker, I believe that no law or laws can ever create or fulfill such a dream: a dream can only be accomplished into reality if put into every day's living of life and the laws are obeyed by all. Money cannot buy this, violence cannot buy this—only true meaningful determined understanding can bring this about. Under leave to extend my remarks, I include an editorial which appeared in the Long Island Sunday Press on April 7, 1968:

OUR GLORY AND OUR SHAME

Twice, in less than five years of our turbulent time, America has lost eloquent leaders of inspired vision to the depravity that threatens to engulf us all.

The murders of President John F. Kennedy and the Rev. Martin Luther King Jr. are wounds that scar the souls of all of us. These murders not only shame us before the world and before ourselves but they obscure the glory that is also America.

Our glory is that we produce men like John Kennedy and Martin King who touched the hearts of men throughout the world as few others have in our time. These were the men who, in a time of cynical hatred, gave young and old the hope that the highest human ideals are ultimately the practical salvation of our diseased civilization. To them, the impossible dream was the only possibility worth surviving for.

Our shame is that we produced not just the madmen who pulled the triggers that killed these great young leaders. Our shame—and our mortal danger—is that there were other Americans, some in silence and others openly, gave their assent to such unspeakable crimes.

The mortal danger is that these apostles of shame and violence will draw America into separate camps pitched at the outer extremes of the human condition. They are poles apart, yet like the frigid poles at the ends of the earth, their terrain is the same. The Kennedy haters came from the far left and the far right, just as the King haters came from the black and the far white.

They deliberately use terror and violence because this breeds fear and kills reason, because this demoralizes the vast middle, the great American melting pot of diverse people. Listen now to Stokely Carmichael. Alive Martin Luther King was to him just an Uncle Tom who preached the square notion that black and white can find salvation only through learning to live together in peaceful respect for each other's humanity. But martyred Martin Luther King is Carmichael's rallying cry to draw Negroes around his pole and force white America to another. And this is the motive of the white extremists who engineered or welcomed the death of Martin Luther King.

This is the way extremists hope to achieve power.

This is what President Johnson meant Friday when he called on the nation—all men and all races—to "stand their ground to deny violence its victory." The violence of the vendetta solves nothing. It simply breeds on itself until it tears apart the fabric of civilized life.

Stokely Carmichael's strident screams for revenge have an understandable appeal to soul wounded Negroes. It sounds so simple—as simple as the bullet in the head of Martin Luther King must have seemed to his white killer. But Martin Luther King's greatness was that with magnificent patience and eloquence he made multitudes understand that black and white can survive only in coming together. If, in losing Dr. King we also lose his message, then our melting-pot America will move inexorably toward some new kind of racist hell.

LAKE KOOCANUSA

Mr. OLSEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. OLSEN. Mr. Speaker, I am introducing legislation today naming the reservoir created by Libby Dam now under construction in northwestern Montana on the Kootenai River.

The name I have proposed is Lake Koocanusa. This name, although it sounds like an Indian name, is in fact a combination of the names: Kootenai, Canada, and USA. Kootenai, of course, is the name of the river; Canada is included because the reservoir extends into the territory of our northern neighbor; and USA indicates that this is a body of water that connects our two great countries.

This name has the support of the residents in the area of the reservoir and I am hopeful that the Canadian Board of

Geographic Names will give its necessary concurrence. I have asked the Department of the Interior to ask for concurrence from the Canadian Government.

Mr. Speaker, it is the hope of all Montanans and especially those in the western district that Americans from all 50 States will in the years to come visit Lake Koocanusa to view the outstanding beauty of the area and to enjoy the many recreational features of the manmade lake.

Libby Dam is a monument to international cooperation, to national progress and to legislative faith in the future of America. Lake Koocanusa will be a proud addition to the lexicon of the great American outdoors.

MOTHER VOICES CONCERN FOR FIGHTING MEN

Mr. BEVILL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BEVILL. Mr. Speaker, I would like to bring to the attention of my colleagues a letter I received from a mother of a soldier serving in Vietnam. Mrs. Thompson's views on this conflict reflect a great deal of thought and consideration. Her views also reflect some of the deep concern that only a mother can experience.

Under unanimous consent I submit Mrs. Thompson's letter and quotes from letters and recordings from her son, Sfc. Myrle M. Thompson. I commend to the attention of every Member of this body these most patriotic, most moving words.

The letter follows:

APRIL 1, 1968.

DEAR CONGRESSMAN BEVILL: First of all, may I say that I do not pretend to know how the war should be run in Vietnam. I'm just an American and a mother with a son in Vietnam, my only son. I would be very happy to see my son brought home to his family, and out of danger, from war, but not at the risk of sacrificing everything that I believe in, the principles of our great country, with freedom and justice for all peoples in all countries. As an American I cannot understand how any one can say they are an American, and still do things or even say them that may jeopardize the lives of our courageous men, regardless if they are relatives of some of them or not. How our great men, learned men and our representatives, can say, "Bring our men home and leave the South Vietnamese to fight for their own country," is beyond my comprehension.

I have no idea if this can accomplish anything or you as our spokesman can help in anyway, but I feel that if the American mothers, fathers and friends of our men in Vietnam would speak out on or ask for publication of some of the mail we receive from Vietnam on how the men there feel about what they are doing and how they believe in it, so that we could be heard, that it would help a great deal. Otherwise, if we just keep quiet and say nothing, we may be helping to jeopardize our sons or help to prolong the time for victory for a worthy people that have had to bear so much without accomplishment of anything except the prolonging of our mens' stay in Vietnam, and many lives lost for no purpose.

My concern for our men there and such things as the television broadcast of the Senate Foreign Relations Committee, and the attitude of Chairman Fulbright, and some of the others, prompted me to write this; also the fact that our President has halted the bombings, as I fear what could or may happen during this pause. I realize the President has so much pressure placed upon him, and we the meek have not protested, so this is a, or rather the only form of protest, that I would recognize, as being in accord with the American principles.

Sincerely,

MRS. L. J. THOMPSON.

QUOTES FROM LETTERS AND RECORDINGS FROM SFC. MYRL M. THOMPSON, 68TH MEDICAL GROUP, VIETNAM

"An American goes wherever his Government tells him to go, at any time or any place, without regard for personal risk or danger. He does the job he is sent to do to the best of his ability."

"Mother, in reference to the Hill, where some of our bombs were dropped from planes by our own men, on our troops, this happens in every way. This is tragic and regrettable, but also unavoidable. The man in the plane has precision instruments, unfortunately the man on the ground does not. It is impossible for him to pinpoint his position or the location of the enemy. Therefore, he cannot be precise in giving his exact position when asking for help from the air. The man in the plane follows the instructions he is given, as to where to drop the bombs. If this happens to me, or I'm wounded, regardless of the severity of that injury, or if I am killed by my own buddies, I will have no regrets, nor would I have it any different if I knew this would happen. It can happen on the ground, at sea or in the air.

"Never in any war have the news reporters been allowed to report a war like they have in this one. They are paid to get the sensational, the headline makers. The war movies of the John Wayne kind makes for interesting viewing, but seldom does this happen in a real war, where all the facts are put together. The everyday happenings of an American sharing any food or razor blades with all his buddies when he receives a package from home, or the cooperation and the helping of the South Vietnamese—this is what makes up the war for us. We, too, would like to be at home with our dear ones, and we would like to hate the people of South Vietnam, but this we can't do. These people are greatly appreciative of every little thing we do for them. They wish to learn that they may become useful and independent citizens. All the men here that I know feel the same—We know why we are here, for we are Americans and it follows that we believe in freedom and justice for all men, of all countries on this earth. We ignore the draft card burners and the marches back home as much as possible and do everything we can to help each other and our allies. It does bother us that so much of the tax paid dollar is having to be used to sponsor some of this and to feed and rebuild cities that have been damaged, that should never have happened in the first place."

"We were aware of the attacks that were to be made during the Tet holidays, and prepared for it in every possible way we could. Unfortunately, neither we or the people of South Vietnam can be sure who is enemy or friend, and some of the Vietnamese that may have known were frightened into not talking or telling, because of the brutal threats to their families."

"I'm sending clippings from the Pacific Stars and Stripes, on some of the better things that occur everyday, that may never make the headlines at home. One is how we worked around the clock to save the life of Sp/4 Michael Donaldson, who was bitten by a banded krait, a deadly snake."

IS INSURRECTION BREWING IN THE UNITED STATES?

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, after touring the areas of devastation here in the Nation's Capital, I believe that serious attention must be devoted to the whys and wherefores of mass disturbances and insurrections in our city streets. This month's issue of Reader's Digest presents an excellent condensation of an article which appeared in U.S. News & World Report of December 1967 by Richard H. Sanger which analyzes many aspects of this timely and important subject.

Richard H. Sanger is a recognized authority on the causes and patterns of political violence. He spent more than a year in Russia, in 1933, and 1934, and attended a series of lectures on how to foment revolution. Returning to the United States, he lectured on the dangers of communism; then, during 25 years in the U.S. Foreign Service, he observed at firsthand insurgencies and revolts in a number of countries. The author of "Insurgent Era," he is a lecturer at various universities, the State Department's Foreign Service Institute and senior defense colleges.

While it is not suggested that the rash of outbreaks during the last few days in various cities was instigated by any one source, the qualified observations of Mr. Sanger emphasize the dangerous use to which mob action can be put by clever and designing forces.

I place the interview, "Is Insurrection Brewing in the United States," in the RECORD at this point:

IS INSURRECTION BREWING IN THE UNITED STATES?—AN EXPERT'S APPRAISAL

(NOTE.—Richard H. Sanger is a recognized authority on the causes and patterns of political violence. He spent more than a year in Russia, in 1933 and 1934, and attended a series of lectures on how to foment revolution. Returnking to the United States, he lectured on the dangers of communism; then, during 25 years in the U.S. Foreign Service, he observed at firsthand insurgencies and revolts in a number of countries. The author of "Insurgent Era," he is a lecturer at various universities, the State Department's Foreign Service Institute and senior defense colleges.)

Q. Mr. Sanger, the way things have been going in this country, could it be that an open insurrection against the government is developing?

A. Yes, it is quite possible. I observed the course of a half dozen insurgencies and revolts overseas—in Algeria, Jordan, Kenya, Cuba, Angola and the Congo—and I'm disturbed to note the similarities to the situation now in this country The evidence is that we are now in a transition: passing from mere nuisance demonstrations over civil rights and Vietnam to something much more violent and dangerous. Perhaps many of us have been living in a fool's paradise, thinking that "it can't happen here." There is growing evidence to the contrary.

Q. You see a clearly discernible pattern?

A. Definitely. Political violence starts with bol of the irrationality and violence that has plunged this country into the abyss of distored human values.

The fact that a man with a sick mind fired the fatal shot does not absolve the rest of the nation from blame, black or white. The slayer is a product of the envenomed atmosphere that spews hatred, distrust, suspicion and hostility.

In the numbing aftermath of this terrible occurrence, the futility of the harsh word, the inflammatory phrase, and the bitter denunciation surfaces with awesome inadequacy.

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This was a man with a lifetime of profound religious commitment who sought to find a solution for his fellow Negro's historical plight in a white-oriented society in an ecclesiastical context. This man should have been the least likely target for an assassin's bullet . . . he was a man of peace, not violence.

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There can be no more fitting legacy than the approval by Congress of the 1968 civil rights bill . . . and legislative controls on the sale of guns. In this context, the nation could help to partially expiate this wanton criminal act that has shamed and degraded a country.

The words that perhaps best exemplify the humane commitment of Dr. King were spoken by him before that great outpouring of humanity, black and white, in the 1963 civil rights march on Washington:

"I have a dream," Dr. King said on that historic day, "that one day this nation will rise up and live out the true meaning of its creed, 'We hold these truths to be self-evident, that all men are created equal.' "

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OUR GLORY AND OUR SHAME

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. ADDABBO] is recognized for 30 minutes.

Mr. ADDABBO. Mr. Speaker, on Sunday, April 7, 1968, I attended memorial services for the Reverend Dr. Martin Luther King in Rochdale Village, a community within my congressional district. The services were sponsored by the Rochdale Negro Cultural Society under the chairmanship of its president, William Booker. Almost 3,000 men, women, and children of every race, color, and creed attended. There were many eloquent words, prayers, and songs heard in memory of Dr. King, a world figure and spiritual leader. I believe, however, that the greatest testimonial to his teachings is this community of Rochdale itself which, if imitated throughout this country would immediately bring understanding and true fulfillment of the principles of our Constitution, for here at Rochdale within the last several years have come together over 25,000 people from all walks of life, of every race, color, and creed, living together and working together in harmony. This community of Rochdale Village, I believe, would fit into the dream of the Reverend Dr. Martin Luther King.

Mr. Speaker, I believe that no law or laws can ever create or fulfill such a dream: a dream can only be accomplished into reality if put into every day's living of life and the laws are obeyed by all. Money cannot buy this, violence cannot buy this—only true meaningful determined understanding can bring this about. Under leave to extend my remarks, I include an editorial which appeared in the Long Island Sunday Press on April 7, 1968:

Our Glory and Our Shame

Twice, in less than five years of our turbulent time, America has lost eloquent leaders of inspired vision to the depravity that threatens to engulf us all.

The murders of President John F. Kennedy and the Rev. Martin Luther King Jr. are wounds that scar the souls of all of us. These murders not only shame us before the world and before ourselves but they obscure the glory that is also América.

Our glory is that we produce men like John Kennedy and Martin King who touched the hearts of men throughout the world as few others have in our time. These were the men who, in a time of cynical hatred, gave young and old the hope that the highest human ideals are ultimately the practical salvation of our diseased civilization. To them, the impossible dream was the only possibility worth surviving for.

Our shame is that we produced not just the madmen who pulled the triggers that killed these great young leaders. Our shame—and our mortal danger—is that there were other Americans, some in silence and others openly, gave their assent to such unspeakable crimes.

The mortal danger is that these apostles of shame and violence will draw America into separate camps pitched at the outer extremes of the human condition. They are poles apart, yet like the frigid poles at the ends of the earth, their terrain is the same. The Kennedy haters came from the far left and the far right, just as the King haters came from the black and the far white.

They deliberately use terror and violence because this breeds fear and kills reason, because this demoralizes the vast middle, the great American melting pot of diverse people. Listen now to Stokely Carmichael. Alive Martin Luther King was to him just an Uncle Tom who preached the square notion that black and white can find salvation only through learning to live together in peaceful respect for each other's humanity. But martyred Martin Luther King is Carmichael's rallying cry to draw Negroes around his pole and force white America to another. And this is the motive of the white extremists who engineered or welcomed the death of Martin Luther King.

This is the way extremists hope to achieve power.

This is what President Johnson meant Friday when he called on the nation—all men and all races—to "stand their ground to deny violence its victory." The violence of the vendetta solves nothing. It simply breeds on itself until it tears apart the fabric of civilized life.

Stokely Carmichael's strident screams for revenge have an understandable appeal to soul wounded Negroes. It sounds so simple—as simple as the bullet in the head of Martin Luther King must have seemed to his white killer. But Martin Luther King's greatness was that with magnificent patience and eloquence he made multitudes understand that black and white can survive only in coming together. If, in losing Dr. King we also lose his message, then our melting-pot America will move inexorably toward some new kind of racist hell.

LAKE KOOCANUSA

Mr. OLSEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. OLSEN. Mr. Speaker, I am introducing legislation today naming the reservoir created by Libby Dam now under construction in northwestern Montana on the Kootenai River.

The name I have proposed is Lake Koocanusa. This name, although it sounds like an Indian name, is in fact a combination of the names: Kootenai, Canada, and USA. Kootenai, of course, is the name of the river; Canada is included because the reservoir extends into the territory of our northern neighbor; and USA indicates that this is a body of water that connects our two great countries.

This name has the support of the residents in the area of the reservoir and I am hopeful that the Canadian Board of

Geographic Names will give its necessary concurrence. I have asked the Department of the Interior to ask for concurrence from the Canadian Government.

Mr. Speaker, it is the hope of all Montanans and especially those in the western district that Americans from all 50 States will in the years to come visit Lake Koocanusa to view the outstanding beauty of the area and to enjoy the many recreational features of the manmade lake.

Libby Dam is a monument to international cooperation, to national progress and to legislative faith in the future of America. Lake Koocanusa will be a proud addition to the lexicon of the great American outdoors.

MOTHER VOICES CONCERN FOR FIGHTING MEN

Mr. BEVILL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BEVILL. Mr. Speaker, I would like to bring to the attention of my colleagues a letter I received from a mother of a soldier serving in Vietnam. Mrs. Thompson's views on this conflict reflect a great deal of thought and consideration. Her views also reflect some of the deep concern that only a mother can experience.

Under unanimous consent I submit Mrs. Thompson's letter and quotes from letters and recordings from her son, Sfc. Myrle M. Thompson. I commend to the attention of every Member of this body these most patriotic, most moving words. The letter follows:

APRIL 1, 1968.

DEAR CONGRESSMAN BEVILL: First of all, may I say that I do not pretend to know how the war should be run in Vietnam. I'm just an American and a mother with a son in Vietnam, my only son. I would be very happy to see my son brought home to his family, and out of danger, from war, but not at the risk of sacrificing everything that I believe in, the principles of our great country, with freedom and justice for all peoples in all countries. As an American I cannot understand how any one can say they are an American, and still do things or even say them that may jeopardize the lives of our courageous men, regardless if they are relatives of some of them or not. How our great men, learned men and our representatives, can say, "Bring our men home and leave the South Vietnamese to fight for their own country," is beyond my comprehension.

I have no idea if this can accomplish anything or you as our spokesman can help in anyway, but I feel that if the American mothers, fathers and friends of our men in Vietnam would speak out on or ask for publication of some of the mail we receive from Vietnam on how the men there feel about what they are doing and how they believe in it, so that we could be heard, that it would help a great deal. Otherwise, if we just keep quiet and say nothing, we may be helping to jeopardize our sons or help to prolong the time for victory for a worthy people that have had to bear so much without accomplishment of anything except the prolonging of our mens' stay in Vietnam, and many lives lost for no purpose.

My concern for our men there and such things as the television broadcast of the Senate Foreign Relations Committee, and the attitude of Chairman Fulbright, and some of the others, prompted me to write this; also the fact that our President has halted the bombings, as I fear what could or may happen during this pause. I realize the President has so much pressure placed upon him, and we the meek have not protested, so this is a, or rather the only form of protest, that I would recognize, as being in accord with the American principles.

Sincerely,

MRS. L. J. THOMPSON.

QUOTES FROM LETTERS AND RECORDINGS FROM SFC. MYRL M. THOMPSON, 68TH MEDICAL GROUP, VIETNAM

"An American goes wherever his Government tells him to go, at any time or any place, without regard for personal risk or danger. He does the job he is sent to do to the best of his ability."

"Mother, in reference to the Hill, where some of our bombs were dropped from planes by our own men, on our troops, this happens in every way. This is tragic and regrettable, but also unavoidable. The man in the plane has precision instruments, unfortunately the man on the ground does not. It is impossible for him to pinpoint his position or the location of the enemy. Therefore, he cannot be precise in giving his exact position when asking for help from the air. The man in the plane follows the instructions he is given, as to where to drop the bombs. If this happens to me, or I'm wounded, regardless of the severity of that injury, or if I am killed by my own buddies, I will have no regrets, nor would I have it any different if I knew this would happen. It can happen on the ground, at sea or in the air.

"Never in any war have the news reporters been allowed to report a war like they have in this one. They are paid to get the sensational, the headline makers. The war movies of the John Wayne kind makes for interesting viewing, but seldom does this happen in a real war, where all the facts are put together. The everyday happenings of an American sharing any food or razor blades with all his buddies when he receives a package from home, or the cooperation and the helping of the South Vietnamese—this is what makes up the war for us. We, too, would like to be at home with our dear ones, and we would like to hate the people of South Vietnam, but this we can't do. These people are greatly appreciative of every little thing we do for them. They wish to learn that they may become useful and independent citizens. All the men here that I know feel the same—We know why we are here, for we are Americans and it follows that we believe in freedom and justice for all men, of all countries on this earth. We ignore the draft card burners and the marches back home as much as possible and do everything we can to help each other and our allies. It does bother us that so much of the tax paid dollar is having to be used to sponsor some of this and to feed and rebuild cities that have been damaged, that should never have happened in the first place."

"We were aware of the attacks that were to be made during the Tet holidays, and prepared for it in every possible way we could. Unfortunately, neither we or the people of South Vietnam can be sure who is enemy or friend, and some of the Vietnamese that may have known were frightened into not talking or telling, because of the brutal threats to their families."

"I'm sending clippings from the Pacific Stars and Stripes, on some of the better things that occur everyday, that may never make the headlines at home. One is how we worked around the clock to save the life of Sp/4 Michael Donaldson, who was bitten by a banded krait, a deadly snake."

IS INSURRECTION BREWING IN THE UNITED STATES?

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, after touring the areas of devastation here in the Nation's Capital, I believe that serious attention must be devoted to the whys and wherefores of mass disturbances and insurrections in our city streets. This month's issue of Reader's Digest presents an excellent condensation of an article which appeared in U.S. News & World Report of December 1967 by Richard H. Sanger which analyzes many aspects of this timely and important subject.

Richard H. Sanger is a recognized authority on the causes and patterns of political violence. He spent more than a year in Russia, in 1933, and 1934, and attended a series of lectures on how to foment revolution. Returning to the United States, he lectured on the dangers of communism; then, during 25 years in the U.S. Foreign Service, he observed at firsthand insurgencies and revolts in a number of countries. The author of "Insurgent Era," he is a lecturer at various universities, the State Department's Foreign Service Institute and senior defense colleges.

While it is not suggested that the rash of outbreaks during the last few days in various cities was instigated by any one source, the qualified observations of Mr. Sanger emphasize the dangerous use to which mob action can be put by clever and designing forces.

I place the interview, "Is Insurrection Brewing in the United States," in the RECORD at this point:

IS INSURRECTION BREWING IN THE UNITED STATES?—AN EXPERT'S APPRAISAL

(NOTE.—Richard H. Sanger is a recognized authority on the causes and patterns of political violence. He spent more than a year in Russia, in 1933 and 1934, and attended a series of lectures on how to foment revolution. Returnking to the United States, he lectured on the dangers of communism; then, during 25 years in the U.S. Foreign Service, he observed at firsthand insurgencies and revolts in a number of countries. The author of "Insurgent Era," he is a lecturer at various universities, the State Department's Foreign Service Institute and senior defense colleges.)

Q. Mr. Sanger, the way things have been going in this country, could it be that an open insurrection against the government is developing?

A. Yes, it is quite possible. I observed the course of a half dozen insurgencies and revolts overseas—in Algeria, Jordan, Kenya, Cuba, Angola and the Congo—and I'm disturbed to note the similarities to the situation now in this country The evidence is that we are now in a transition: passing from mere nuisance demonstrations over civil rights and Vietnam to something much more violent and dangerous. Perhaps many of us have been living in a fool's paradise, thinking that "it can't happen here." There is growing evidence to the contrary.

Q. You see a clearly discernible pattern?

A. Definitely. Political violence starts with a grievance, a frustration to which one or more new factors may be added. Without question, some of the patterns which have led to insurrections elsewhere are being repeated here. Some of the grievances played up in the United States are phony, but there are genuine grievances: for instance, an apparent gap in communications between the ruling group and the discontented.

I notice other ingredients. Leaders, for example, are now rising to mobilize the discontented. Also in the classic pattern are the efforts by the aggrieved to get action first through peaceful delegations, then through quiet demonstrations, and then through nuisance demonstrations—the sit-ins, pray-ins, lie-downs, stall-downs, and so on. These movements escalate rapidly. Extremists in this country will encourage such escalation.

Q. What should we expect, if the pattern runs true to form?

A. I wouldn't be surprised next summer to see a dramatic and perhaps widespread extension of the burning and looting we saw in Detroit and Watts. I think we've about seen the end of what I call "Gandhi's notebook," the kind of non-violent movement which go no further than the nuisance demonstration. Then you start getting a taste of "Stalin's notebook"—something much more explosive and violent.

Dr. Martin Luther King, for example, has announced he will lead a massive demonstration of the nation's "poor and disinherited" in Washington this April.[*] That demonstration could be dynamite. Most of the demonstrators, I expect, would be conscientious and lawabiding. But a small percentage of extremists might try to cut off the lights and water, cripple movement by turning over vehicles on the main arteries and temporarily take over parts of the city. Things like these have been done in parts of Detroit, Watts, Newark and elsewhere.

Consider what happened in Washington last October at the mass anti-war demonstration. Just as the peaceful and legitimate demonstrators reached the Pentagon, stopped and were ready to go home, the extremists took over and forced the issue, purposely producing damage, injuries and arrests.

Q. Where could the escalation go from there?

A. The sequence is this: Peaceful demonstrations lead to nuisance demonstrations, which lead to scattered violence. If that doesn't bring results, the next step usually takes the form of underground activities—material terror, the smashing of windows, the burning of cars. After that comes explosive terror, where picked and trained elements in the mobs begin to use guns and bombs. Personal terror and assassination fit into this stage. Finally, this all builds up of general terror—the sort of violence that was so messy and effective in Algeria—rebels putting bombs in suitcases and leaving them in streetcars and movie theaters, or on airplanes.

Q. Who is exploiting the unrest in this country? Communists?

A. Some are communists, but they are in the minority. We've got several grievances cooking all at once here—the Vietnam war, discrimination and living conditions in the big cities, young people irritated by the normal gap between the generations. Vietnam is being exploited by pacifist elements that don't believe in war at all; by isolationist elements that don't think we should be involved in a war so far from the United States; and then certainly by some radicals and real communists who want to make us drop out of the war.

The overwhelming majority in both the anti-war and the racial movements are sincere Americans. But in both groups there are the two or three percent who are out to weaken America, to tear it apart.

Q. Who controlled that Pentagon demonstration?

A. Of about 50,000 marchers, I would say 40,000 were pacifists and other anti-war people. Then there were about 9500 "hippies," "flower children," "beatniks," etc. And then a small corps—probably 200 in all—were the activists, whom you could spot when they moved in. At times they surrounded their speakers to protect them. At other times they formed cordons or linked arms to clear the way. They were mostly 20 to 35 years old. It was they who were giving the directions, and it was no accident that some $10,000 worth of loudspeaker equipment was there for them to use.

Q. Who were these activists?

A. In general, they were leftists, extremists or actual communists. Legitimate pacifist organizations paid for much of the October show. But a lot of cash for such a peace demonstration reportedly comes from Russia, from China or from North Vietnam, which is most directly concerned. I believe this disturbance was opportunistic, aimed at showing the rest of the world we were falling apart, more than at seizing the Pentagon. The march on the Pentagon, incidentally, revealed how the activists have mastered another of the techniques of insurrection—breaking images.

Q. What do you mean by that?

A. Picturing the police as brutal, soldiers as bloodthirsty louts with bayonets, and the government as heartless seekers after power. This technique of making police look like Cossacks is an old Bolshevik gambit. For instance, the activists are told to go and sit, perhaps to pray, outside a cathedral or on the pavement in front of the Lincoln Memorial or some other shrine, wherever they know the police will have to shove them aside. When the police move in, they go limp and have to be dragged along. And when they are put in the paddy wagon, they struggle and fight for the benefit of the press and the cameramen.

What emerges is a story of an 18-year-old boy or girl struggling and being beaten over the head. If he is injured, that's fine; he must make certain that the press sees how badly he's hurt. The riot leaders often distribute little plastic bags of red liquid which you can burst on your head so "blood" comes dripping down. And they're now beginning to give the girls easily torn paper dresses.

This sort of character assassination—showing that right in the capital of the United States we have military brutality—is a standard technique. It's been used all around the world. It's very effective, particularly with those who do not know the United States. This sort of thing, incidentally, was taught in the school in Russia when I was there in 1934.

Q. Are many college students involved in this sort of violence?

A. Many may turn out for the excitement, but only a very small proportion are involved in the planning and staging of such riots. Yet all you need is the hard core, the commandos at the center, to do the job.

To the communists, a mob is three pieces: First come the minutemen—people you can get into the streets fast. The second element is the street fillers—the large numbers. In themselves, these groups do no more than just mill around. Then come the action groups, who give direction to the mob. They are easy to spot, and once you do, you know you're dealing with professionals.

Q. What can be done to break the pattern of growing insurgency in the United States?

A. Two things. One is to get at the roots of the problem. Where there are genuine racial grievances, go out and correct them. If there is a need for jobs, for better housing and better schools, raise the money and pay the price of removing the grievance. The other half—equally important—is to make certain that law and order are maintained, even if it means taking drastic measures. The faster you stop organized violence in the streets, the better for all concerned. There will be shouts of police brutality—one must expect that. But if you move in fast and do the job properly, the reckless elements will see that their strategy doesn't pay. It's better to shoot one lawbreaker than to have the situation get out of hand, reaching a point where eventually hundreds may be killed. Successful insurgency or revolt is habit-forming. If rioters can get away with it in one place, they will reason that they can get away with it in ten more.

Q. Why hasn't there been a harder crackdown on lawbreakers?

A. Perhaps some of our authorities are losing the courage to stick their necks out. This is in the classic pattern, a sign of social disintegration. The enforcement of discipline by the government requires responsibility—willingness to take the rap. You see the law-enforcers paralyzed through fear of being associated with "police brutality." What we are witnessing in some parts of the United States is the effectiveness of image-breaking, of character assassination by the radical left.

If policemen won't act, if judges won't meet their responsibilities, if politicians are not willing to enact the required laws, you end up with an abdication of the will to govern—and that is one of the most serious aspects of this entire matter.

Q. If chaos comes, is the average American going to stand for what would amount to open insurrection?

A. No, I don't think he will. I think this would generate a violent reaction that might result in extensive use of troops. Of course, the communists would love that. It would be terrific propaganda for them.

Q. Do the extremists believe they can bring off a revolution here, as the Bolsheviks did in Russia?

A. No, the real communists know they cannot take over the United States. Their intention would be to create violence, shut down power plants, tamper with city water supplies, set gasoline stations on fire, block traffic, turn in false fire alarms, bring on general chaos. As they see it: revolution no, insurrection yes.

The communists think insurrection is possible because a number of Negroes in this country are convinced that they cannot change government policy except by violence. They have gone through "Gandhi's notebook" without, they feel, getting notable results. Unless we act and convince them that we mean business, I think the extremists among them are ready to open the pages of "Stalin's notebook."

RULE OF MEN

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. EDWARDS of Alabama. Mr. Speaker, the tragedies of violence in America's cities in recent days show how far we have gone in breaking down respect for the law.

Whether an unthinking man guns down another human being, or whether groups of looters ransack stores and set fires—these are all signs that some Americans feel they need to take the law into their own hands.

Of course, they are badly mistaken, because if any country goes far enough in replacing the rule of law with the rule of men, then comes anarchy, where everybody suffers, or a dictatorship where the freedom we all take for granted is lost.

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[*] See "Martin Luther King's March on Washington," page 65.

But one important part of today's problem is that individuals among us should at least be able to know that the Government itself follows the law.

But they cannot. In recent years the Federal Government has shown a disregard for the law, time and time again. Decisions of top officials have too often ignored and replaced the actual law.

And even if many Americans cannot give you specific examples of how this has happened, they feel it. And with it comes a sense of frustration, helplessness and anger that results in senseless acts.

One of the burning issues which led the American colonies to break with Britain in 1776 was that the king taxed the Americans on decision from London, without the colonies having anything to say about it: taxation without representation.

But is the same thing happening here now?

Existing U.S. law provides that on April 1 this year the Federal excise tax on automobile sales was to be reduced from 7 percent to 2 percent. And the Federal excise tax on telephone service was to be cut from 10 percent to 1 percent.

Congress had legislation pending to extend these rates at the higher levels. But April 1 came and went and the legislation was not presented for enactment. So, by law, the rates should have gone down.

However, the Internal Revenue Service announced that the taxes should continue at the higher rates even without the legislation, in the expectation that Congress would pass the needed legislation and would make it retroactive to April 1.

It may well be that Congress will do just that. But meanwhile American citizens are being taxed not on the basis of law, but rather because of the decision of some unknown Government official within the giant bureaucracy; someone who has taken the law into his own hands.

And the question that must be asked is: Where does this stop? If an official can tax the people in one way, under one pretext, then what is to prevent him from imposing some other tax, on some other pretext?

If this goes far enough, the bureaucrats finally will have full authority to decide what is best for the people. And then it is too late to salvage the idea that people can govern themselves.

In a time of national disunity such as this, all Americans need to stop and think, and to readjust some of the mistaken notions which seem to have filled peoples heads recently.

The laws must be obeyed, and where problems exist we should change the laws, not disregard them. But just as individuals must understand this, so must the Government.

With Washington showing a genuine respect for law, and thus providing the kind of proper leadership the people have a right to expect, then we will see a greater measure of national unity.

Guns and fire do not settle problems. Good will, reliance on law, and constant improvement of democratic processes—these must provide the answers to the legitimate problems of all Americans as we make our country a better place in which to live.

CONEY ISLAND

Mr. MURPHY of New York. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MURPHY of New York. Mr. Speaker, with the possible exception of apple pie and the American flag, there is nothing more American than Coney Island. Is there anyone who has not seen a picture of this famous beach on a hot summer day when there are more people than there is sand? Coney Island has become a symbol of the American way of life. After all, it was in Coney Island just over 100 years ago that the hotdog was invented, and I have never met a man, woman, or child since who has not tasted this culinary delight at least once in their life. Coney Island is more than a beach and a hotdog stand, however, for it offers a wide variety of fun-filled entertainment, ranging from the exciting roller coaster to the 300-foot astro tower, with 485 other rides in between. A recent article in the Long Island Press pays tribute to this great American institution, and I include the text of the article for the benefit of my colleagues:

CONEY ISLAND BRACES FOR 139TH SEASON

Jacqueline Kennedy thinks it's "camp." Governors, mayors and congressmen like it because they have to. Some people say it's tawdry and wouldn't touch it with a 10-foot mustard spreader.

But to 60 million visitors a year, Coney Island is the poor man's Palm Beach, the Brooklyn Riviera, Acapulco at the end of the subway line and the Honolulu of the hot dog lover's world.

The resort, which opens its 139th season on Saturday, had its first tourists in 1606 when Henry Hudson's "Half Moon" landed on its shores. According to tradition, the settlers named the area "Conyne" after the Dutch word for the thousands of rabbits that populated the island. Hudson's landing will be re-enacted this July.

Bounded by the Atlantic Ocean, Coney Island Creek and Sheepshead and Gravesend Bays, where pirate ships once sailed, the resort boasts six miles of beach and a resident population of about 100,000—including gypsies who tell fortunes during the summer season, American Indians and a die-hard colony of midwinter surf bathers.

As it grew from a small settlement to a summer resort for the wealthy to a boardwalk amusement park, Coney Island—just 10 miles from the theaters of Times Square—developed an impressive list of alumni.

Cary Grant once paraded the boardwalk in stilts to advertise thrill rides, Jimmy Durante, Irving Berlin and Sophie Tucker got their starts singing in local bars. Clara Bow once worked at Nathan's famous hot dog stand before going on to fame as the "It Girl" in Hollywood.

It was in Coney Island that the hot dog was invented in 1867. Nathan's, at Surf and Stillwell Avenues, the honky-tonk hub of the island, once catered frankfurters for a party given by Franklin and Eleanor Roosevelt at their Hyde Park home for the king and queen of England. Also it once mailed a salami to former President Eisenhower at his Gettysburg, Pa., farm.

But after visitors get their fill of Coney's lobster rolls, knishes, corn on the cob, jellied apples, clams, cotton candy, root beer and salt water taffy, there's plenty left to do.

The boardwalk boast 485 rides, including the mighty cyclone roller coaster, the 300-foot astro tower and the wonder wheel. The nearby New York Aquarium offers thousands of marine specimens from white whales to snails.

A kaleidoscope of contests is scheduled for 1968—for kiteflyers, fishermen, marble throwers, twin boys with freckles, girls with pigtails, handsome lifeguards, glamorous grandmothers, the "girl most easily watched" by girlwatchers and just plain old beautiful girls.

Fireworks, ice skating at the new city rink, an Easter parade, a patriotic marching band pageant, a mardi gras and a blanket tossing olympics are also planned.

Politicians from Theodore Roosevelt to Sen. Robert Kennedy have historically included a frankfurter-munching jaunt to Coney Island in their campaign itinerary. According to Gov. Rockefeller, "No candidate can ever expect to be elected without a visit to Nathan's when he is campaigning for office in the New York area."

Since 1968 is an election year, office-seekers are expected to turn out by the block, and the cries of hawks and doves may be heard along the boardwalk this summer with the caws of the local sea gulls.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CORMAN, for Tuesday, April 9, on account of official business.

Mr. BURTON of California (at the request of Mr. JOHNSON of California), for Tuesday, April 9, 1968, on account of official business.

Mr. WOLFF (at the request of Mr. JOELSON), for Tuesday, April 9, 1968, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. GONZALEZ, for 10 minutes, today; to revise and extend his remarks and to include extraneous matter.

(The following Members (at the request of Mr. KLEPPE) and to revise and extend their remarks and include extraneous matter:)

Mr. HALPERN, for 20 minutes, today.

Mr. BATTIN, for 20 minutes, today.

Mr. CHAMBERLAIN, for 20 minutes, today.

(The following Members (at the request of Mr. MATSUNAGA) to revise and extend their remarks and include extraneous matter:)

Mr. RODINO, for 10 minutes, today.

Mr. GILBERT, for 15 minutes, today.

Mr. COHELAN, for 5 minutes, today.

Mr. ADDABBO, for 30 minutes, today.

EXTENSIONS OF REMARKS

By unanimous consent, permission to extend remarks was granted to:

Mr. MICHEL and to include extraneous matter.

Mr. PIRNIE to revise and extend his remarks at the conclusion of the remarks of Mr. CONTE.

Mrs. REID of Illinois to follow the remarks of Mr. CONTE.

Mr. STEED to revise and extend his remarks made in Committee and to include extraneous matter.

(The following Members (at the request of Mr. KLEPPE) and to include extraneous matter:)

Mr. DERWINSKI in three instances.
Mr. ZWACH.
Mr. RAILSBACK.
Mr. SHRIVER in two instances.
Mr. CURTIS in five instances.
Mr. BUSH.
Mr. WATSON.
Mr. HOSMER in three instances.
Mr. SCHERLE.
Mr. COWGER.
Mr. BELL.
Mr. ASHBROOK.
Mr. SCHWEIKER.
Mr. FINDLEY in two instances.
Mr. MCCLORY in two instances.
Mr. SNYDER.
Mr. GOODELL in five instances.
Mr. REIFEL.
Mr. PELLY in five instances.
Mr. BATTIN.
Mr. BOB WILSON.
Mr. GUDE.

(The following Members (at the request of Mr. MATSUNAGA) and to include extraneous matter:)

Mr. LONG of Maryland.
Mr. CHARLES H. WILSON.
Mr. HANNA.
Mr. OTTINGER in two instances.
Mr. KASTENMEIER.
Mr. PODELL in three instances.
Mr. BROWN of California in three instances.
Mr. BOLAND.
Mr. FALLON.
Mr. WILLIS.
Mr. DENT in five instances.
Mr. LONG of Louisiana.
Mr. MCCARTHY.
Mrs. KELLY in two instances.
Mr. EVINS of Tennessee in three instances.
Mr. RARICK in three instances.
Mr. VAN DEERLIN in three instances.
Mr. WILLIAM D. FORD.
Mr. NICHOLS in two instances.
Mr. ALBERT.
Mr. COHELAN.
Mr. BROOKS.
Mr. ECKHARDT.
Mr. HOWARD.
Mr. GONZALEZ in four instances.
Mr. CAREY.
Mr. HATHAWAY.
Mr. O'HARA of Michigan.
Mr. HOLLAND.
Mr. VANIK in two instances.
Mr. BRADEMAS in six instances.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1418. An act to make several changes in the passport laws presently in force: to the Committee on Foreign Affairs.

S. 2015. An act to amend section 11–1902, District of Columbia Code, relating to the duties of the Coroner of the District of Columbia; to the Committee on the District of Columbia.

S. 2496. An act to authorize the Commissioner of the District of Columbia to enter into and renew reciprocal agreements for police mutual aid on behalf of the District of Columbia with the local governments in the Washington metropolitan area; to the Committee on the District of Colubia.

S. 2884. An act to amend the Federal Voting Assistance Act of 1955 so as to recommend to the several States that its absentee registration and voting procedures be extended to all citizens temporarily residing abroad; to the Committee on House Administration.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 5799. An act to amend the District of Columbia Uniform Gifts to Minors Act to provide that gifts to minors made under such act may be deposited in savings and loan associations and related institutions, and for other purposes; and

H.R. 16324. An act to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes.

ADJOURNMENT

Mr. MATSUNAGA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 22 minutes p.m.), the House adjourned until tomorrow, Wednesday, April 10, 1968, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1723. A letter from the Chairman, U.S. Atomic Energy Commission, transmitting a draft of proposed legislation to amend the Atomic Energy Act of 1954, as amended, and for other purposes; to the Joint Committee on Atomic Energy.

1724. A letter from the Governor, Farm Credit Administration, transmitting a draft of proposed legislation to amend the Federal Farm Loan Act and the Farm Credit Act of 1933, as amended, to improve the capitalization of Federal intermediate credit banks and production credit associations, and for other purposes; to the Committee on Agriculture.

1725. A letter from the Secretary of the Army, transmitting a copy of the Annual Report of the U.S. Soldiers' Home for Fiscal Year 1967, and a copy of the Report of Annual General Inspection of the Home, 1967, by the Inspector General of the Army, pursuant to 24 U.S.C. 59, 60; to the Committee on Armed Services.

1726. A letter from the Secretary of the Treasury, transmitting a report of audit of the exchange stabilization fund for the fiscal year 1967, pursuant to the Gold Reserve Act of 1934 (31 U.S.C. 822a); to the Committee on Banking and Currency.

1727. A letter from the Assistant Commissioner, District of Columbia, transmitting a draft of proposed legislation to provide that the prosecution of the offenses of disorderly conduct and lewd, indecent, or obscene acts shall be conducted in the name of and for the benefit of the District of Columbia; to the Committee on the District of Columbia.

1728. A letter from the Secretary of the Interior, transmitting the Annual Report of the Division of Coal Mine Inspection, Bureau of Mines, for the calendar year 1967, pursuant to sections 106(a) and 212(c) of the Federal Coal Mine Safety Act, as amended; to the Committee on Education and Labor.

1729. A letter from the Deputy Secretary of Defense, transmitting the Annual Report of the American National Red Cross for the year ending June 30, 1967, together with the combined statement of income and expenditures and the audit report, pursuant to the provisions of the act of January 5, 1905, as amended; to the Committee on Foreign Affairs.

1730. A letter from the Comptroller General of the United States, transmitting a report on savings available by using certified rather than registered mail to transmit confidential material, Department of Defense; to the Committee on Government Operations.

1731. A letter from the Comptroller General of the United States, transmitting a report on the more precise planning initiated in the employee housing construction program of the Bureau of Indian Affairs, Department of the Interior; to the Committee on Government Operations.

1732. A letter from the Assistant to the President, the American Academy of Arts and Letters, transmitting the report of the Academy for the year 1967, pursuant to section 4 of their charter; to the Committee on House Administration.

1733. A letter from the Assistant Secretary, the National Institute of Arts and Letters, transmitting the report of the Institute for the year 1967, pursuant to section 4 of their charter; to the Committee on House Administration.

1734. A letter from the Executive Director, Federal Communications Commission, transmitting a report on backlog of pending applications and hearing cases in the Federal Communications Commission as of February 29, 1968, pursuant to section 5(e) of the Communications Act as amended July 16, 1952, by Public Law 554; to the Committee on Interstate and Foreign Commerce.

1735. A letter from the chairman of the board, Communications Satellite Corp., transmitting the corporation's report for the calendar year 1967, pursuant to the provision of section 404(b) of the Communications Satellite Act of 1962; to the Committee on Interstate and Foreign Commerce.

1736. A letter from the Secretary of the Army, transmitting a draft of proposed legislation to amend section 313 of the act approved October 27, 1965 (79 Stat. 1073); to the Committee on Public Works.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 15271. A bill to authorize the use of funds arising from a judgment in favor of the Spokane Tribe of Indians (Rept. No. 1286). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 3299. A bill to authorize the purchase, sale, and exchange of certain lands on the Spokane Indian Reservation, and for other purposes; with amendment (Rept. No. 1287). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. S. 1119. An act to grant minerals, including oil and gas, on certain lands

in the Crow Indian Reservation, Mont., to certain Indians, and for other purposes; with amendment (Rept. No. 1288). Referred to the Committee of the Whole House on the State of the Union.

Mr. MADDEN: Committee on Rules. House Resolution 1100. Resolution providing for agreeing to the Senate amendment to the bill (H.R. 2516) to prescribe penalties for certain acts of violence or intimidation, and for other purposes (Rept. No. 1289). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BRINKLEY:

H.R. 16534. A bill to authorize the establishment of the Andersonville National Historic Site in the State of Georgia, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BURTON of California:

H.R.16535. A bill to authorize the establishment of the Redwood National Park in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BURLESON:

H.R. 16536. A bill to provide that an individual who participates in a riot or civil disorder, or in any demonstration against activities of the Government of the United States or the government of the District of Columbia, may not accept or hold a position in the Government of the United States or the government of the District of Columbia; to the Committee on Post Office and Civil Service.

By Mr. FULTON of Pennsylvania:

H.R. 16537. A bill to amend the Internal Revenue Code of 1954 to extend the head of household benefits to unremarried widows and widowers, and individuals who have never been married or who have been separated or divorced for 1 year or more, who maintain their own households; to the Committee on Ways and Means.

By Mr. GROSS:

H.R. 16538. A bill to amend title 5, United States Code, to remove persons from Federal employment who engage in unlawful acts connected with civil disorders, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HALPERN:

H.R. 16539. A bill to amend the Federal Trade Commission Act, as amended, by expanding the jurisdiction of the Federal Trade Commission, by providing for temporary restraining orders for certain violations of that act, and by making any violation of that act with intent to defraud or mislead a misdemeanor; to the Committee on Interstate and Foreign Commerce.

H.R. 16540. A bill to amend the Internal Revenue Code of 1954 to raise needed additional revenues by tax reform; to the Committee on Ways and Means.

By Mr. HOSMER:

H.R. 16541. A bill to provide for the disposition of funds appropriated to pay a judgment in favor of the Delaware Nation of Indians in Indian Claims Commission docket No. 337, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. LENNON:

H.R. 16542. A bill to amend title 5, United States Code, to remove persons from Federal employment who engage in unlawful acts connected with civil disorders, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 16543. A bill to amend section 7311 of title 5, United States Code, to provide that a person who is convicted of committing a felony which is directly or indirectly related to any riot or civil disorder shall not accept or hold a position in the Government of the United States or the Government of the District of Columbia; to the Committee on Post Office and Civil Service.

By Mr. LONG of Louisiana:

H.R. 16544. A bill to declare and determine the policy of the Congress with respect to the primary authority of the several States to control, regulate, and manage fish and wildlife within their territorial boundaries, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. LONG of Maryland:

H.R. 16545. A bill to amend the National Housing Act to provide for a national program to improve the availability of necessary insurance protection for residential and business properties against fire, crime, and other perils, through the cooperative efforts of the Federal and State Governments and the private property insurance industry, to authorize Federal reinsurance with appropriate loss sharing by the States against insurance losses resulting from riots and other civil commotion, and for other purposes; to the Committee on Banking and Currency.

By Mr. MATSUNAGA:

H.R. 16546. A bill to amend the Immigration and Nationality Act to facilitate the entry into the United States of children adopted by U.S. citizens; to the Committee on the Judiciary.

By Mr. OLSEN:

H.R. 16547. A bill to designate the Spanish Peaks Wilderness, Gallatin National Forest, in the State of Montana; to the Committee on Interior and Insular Affairs.

H.R. 16548. A bill to designate the lake formed by the waters impounded by the Libby Dam, Mont., as Lake Koocanusa; to the Committee on Public Works.

By Mr. PERKINS:

H.R. 16549. A bill to provide incentives for the establishment of new or expanded job-producing industrial and commercial establishments in rural areas; to the Committee on Ways and Means.

By Mr. PUCINSKI:

H.R. 16550. A bill to establish a Department of Education and Manpower; to the Committee on Government Operations.

By Mr. TALCOTT:

H.R. 16551. A bill to amend the Internal Revenue Code of 1954 to extend the head of household benefits to all unremarried widows and widowers and to all individuals who have attained age 35 and who have never been married or who have been separated or divorced for 1 year or more; to the Committee on Ways and Means.

By Mr. WATTS:

H.R. 16552. A bill to amend the tariff schedules of the United States with respect to the tariff classification of invert or high-test molasses and for other purposes; to the Committee on Ways and Means.

By Mr. WILLIS:

H.R. 16553. A bill to declare and determine the policy of the Congress with respect to the primary authority of the several States to control, regulate, and manage fish and wildlife within their territorial boundaries, to confirm to the several States such primary authority and responsibility with respect to the management, regulation, and control of fish and wildlife on lands owned by the United States, to specify the exceptions thereof, and to provide procedure under which Federal agencies may otherwise regulate the taking of fish and game on such lands; to the Committee on Merchant Marine and Fisheries.

By Mr. ASHBROOK:

H.R. 16554. A bill to amend title 18 of the United States Code to promote civil responsibilities, insure domestic tranquility and foster the general welfare by making unlawful certain acts which foment domestic disorder, and for other purposes; to the Committee on the Judiciary.

By Mr. BROYHILL of Virginia:

H.R. 16555. A bill to amend the Federal employees and retired Federal employees health benefits programs to insure that retired Federal employees do not have to pay twice for benefits which are provided both under such programs and under the health insurance program for the aged under the Social Security Act; to the Committee on Post Office and Civil Service.

By Mr. FARBSTEIN:

H.R. 16556. A bill to amend the Federal employees Health Benefits Act of 1959 to provide that the entire cost of health benefits under such act shall be paid by the Government; to the Committee on Post Office and Civil Service.

By Mr. GUBSER:

H.R. 16557. A bill to amend title 5, United States Code, to permit retired officers of the uniformed services employed in civilian positions under the Federal Government or the government of the District of Columbia to receive the full amounts of their retired or retirement pay in addition to the pay of their civilian positions; to the Committee on Post Office and Civil Service.

By Mr. HAMILTON:

H.R. 16558. A bill to amend title 5, United States Code, to promote the efficient and effective use of the revolving fund of the Civil Service Commission in connection with functions and services of the Commission, to facilitate improvements in program administration and financial management, and for other purposes; to the Committee on Post Office and Civil Service.

Mr. KEITH (for himself Mr. Boland, Mr. Bates, Mr. O'Neill of Massachusetts, Mr. Halpern, Mr. Kupferman, Mr. Dulski, Mr. McClory, and Mr. Blackburn):

H.R. 16559. A bill to amend the Federal Water Pollution Control Act, as amended; to the Committee on Public Works.

By Mr. MAYNE:

H.R. 16560. A bill to develop business and employment opportunities in smaller cities by providing certain preferences for prospective Government contractors in such cities and areas; to the Committee on the Judiciary.

By Mr. TALCOTT:

H.R. 16561. A bill to designate the Ventana Wilderness, Los Padres National Forest, in the State of California; to the Committee on Interior and Insular Affairs.

By Mr. WYATT (for himself, Mr. Dellenback, Mrs. Green of Oregon, Mr. Ullman, Mrs. May, Mr. Schadeberg, and Mr. Lukens):

H.R. 16562. A bill to transfer from the Secretary of Health, Education, and Welfare to the National Academy of Sciences the function of approving new drug applications, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MILLS (for himself and Mr. Byrnes of Wisconsin):

H.J. Res. 1223. Joint resolution to continue for a temporary period the 7-percent excise tax rate on automobiles and the 10-percent excise tax rate on communication services; to the Committee on Ways and Means.

By Mr. RIVERS:

H.J. Res. 1224. Joint resolution to authorize the President to reappoint as Chairman of the Joint Chiefs of Staff, for an additional term of 1 year, the officer serving in that position on April 1, 1968; to the Committee on Armed Services.

By Mr. CURTIS:

H. Con. Res. 758. Concurrent resolution to establish a Joint Congressional Committee on Central City Affairs; to the Committee on Rules.

By Mr. PHILBIN:

H. Con. Res. 759. Concurrent resolution relative to the independence of free peoples of the captive nations; to the Committee on Foreign Affairs.

By Mr. RARICK:

H. Con. Res. 760. Concurrent resolution relative to a flag tribute to American men and women martyred in battle against communism; to the Committee on the Judiciary.

H. Res. 1129. Resolution creating a select committee to conduct an investigation and study of the failure to take certain steps with respect to rioting in the District of Columbia; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 16563. A bill for the relief of Josefa Kucek; to the Committee on the Judiciary.

By Mr. BATES:

H.R. 16564. A bill for the relief of Emmanouel Tsiknopoulos; to the Committee on the Judiciary.

By Mr. BRADEMAS:

H.R. 16565. A bill for the relief of Efstratios A. Marinos; to the Committee on the Judiciary.

By Mr. BROWN of Michigan:

H.R. 16566. A bill for the relief of Dr. Sadananda Goud and his wife, Shobha Kesaree Goud; to the Committee on the Judiciary.

By Mr. BURKE of Massachusetts:

H.R. 16567. A bill for the relief of Patrick Hugh McDonnell; to the Committee on the Judiciary.

By Mr. COWGER:

H.R. 16568. A bill for the relief of Filippa Bellone Termini; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 16569. A bill for the relief of Vincenzo Laezza; to the Committee on the Judiciary.

By Mr. JOELSON:

H.R. 16570. A bill for the relief of Carmelo Andolina; to the Committee on the Judiciary.

H.R. 16571. A bill for the relief of Gabriele D'Antona; to the Committee on the Judiciary.

H.R. 16572. A bill for the relief of Ronald Gordon Bullen; to the Committee on the Judiciary.

By Mr. KUPFERMAN:

H.R. 16573. A bill for the relief of Francesco P. Massafra; to the Committee on the Judiciary.

By Mr. McCORMACK:

H.R. 16574. A bill for the relief of Sister Anna Maria (Deanna Tirelli) and Sister Mary Daniela (Giuseppa Fantucci); to the Committee on the Judiciary.

By Mr. McMILLAN:

H.R. 16575. A bill for the relief of Benjamin Warren Moore; to the Committee on the Judiciary.

By Mr. PODELL:

H.R. 16576. A bill for the relief of Mina Ullman; to the Committee on the Judiciary.

By Mr. ROGERS of Colorado:

H.R. 16577. A bill to provide for the conveyance by the Secretary of the Interior of certain lands and interests in lands in Grand and Clear Creek Counties, Colo., in exchange for certain lands within the national forests of Colorado, and for other purposes; to the Committee on the Interior and Insular Affairs.

H.R. 16578. A bill for the relief of Alkiviadis Peter Bouras; to the Committee on the Judiciary.

By Mr. UTT:

H.R. 16579. A bill for the relief of Harold P. Conroy; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

280. By the SPEAKER: Petition of the City Council of Elizabeth, N.J., relative to pending legislation on allowable truck size and weights on interstate highways; to the Committee on Public Works.

281. Also, petition of Robert D. Hodgdon, Springfield, Mo., relative to the rules of criminal procedure for the U.S. district courts; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Victory at Khesanh

HON. JACK BROOKS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. BROOKS. Mr. Speaker, all of the domestic turmoil and difficulties that our Nation has experienced in the past few days have tended to obscure almost all other events.

One of these, the end of the siege of Khesanh, in ordinary times would have been given banner notice. The fact that it did not does not lessen the great relief that all Americans must experience at the successful end to this small but significant chapter in our history. We also feel a great sense of pride in the performance of those beleaguered young marines who never faltered in their successful defense of this allegedly "indefensible" position.

An editorial in yesterday's Washington Evening Star expresses some worthwhile observations regarding this historic occasion. The text follows:

VICTORY AT KHESANH

The siege of Khe Sanh, begun nearly three months ago, is now at an end. The North Vietnamese encirclers, who once numbered around 20,000, have for some weeks past been carrying out a disengaging maneuver. Only about 7,000 of them are in the area at the moment, and they too appear to be withdrawing as Operation Pegasus—involving large American and allied forces—applies heavy new pressure.

In deciding not to hold their ground and launch an all-out attack on Khe Sanh's 6,000 U.S. Marine and South Vietnamese defenders, Ho Chi Minh and the Communist high command in Hanoi may be offering a token of deescalation in response to the bombing cut ordered by President Johnson. Or maybe they are just redeploying the troops for a large-scale attack at some other point, possibly against the important provincial capital of Quang Tri or maybe even Hue.

Whatever the motivation, one thing is clear enough: The North Vietnamese have abandoned what once seemed their firm intention to overwhelm Khe Sanh and force it into an ignominious surrender, just as with the French at Dienbienphu over a decade ago. Evidently they have decided that the job would have cost them much too much in terms of prestige and lives. And in the end, as our top military commanders have affirmed all along, they probably still could not have taken the place against our tremendous firepower—artillery and air bombardment—and the valor of the defending Marines and South Vietnamese.

All this should give pause to loud and emotional American critics—some of them quite prominent—who have damned the President, General Westmoreland and the Joint Chiefs of Staff for having let our troops be "trapped" in Khe Sanh and dooming them, without hope of escape, to a Dienbienphu fate. Today these Cassandras—who have scoffed at Khe Sanh's continuing importance in terms of blocking significant enemy infiltration routes—should be having second thoughts. Hanoi, it would seem, has let them down.

And this, as far as we are concerned, is all to the good.

Needed Congressional Action on the Report of the National Advisory Commission on Civil Disorders

HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. CURTIS. Mr. Speaker, one of the most important tasks facing the Congress is to meet its responsibilities with respect to the problems in the central city areas of our Nation. We must discharge our responsibility to the public by gathering what information and knowledge exists relating to the problems and to the civil disorders in our central cities and take whatever action if any is necessary after due deliberation and debate.

On March 4, 1968, I took the floor of the House—CONGRESSIONAL RECORD, H1599–H1600—to publicly express my concern over the growing attitude that the Kerner report, an Executive Commission report, is a substitute for congressional study. The work of the National Advisory Commission on Civil Disorders constitutes what might be an excellent beginning for a full-blown congressional examination of our central city problems. But it can only be considered as a beginning, for the Commission's study was a closed-door proceeding. In making its recommendations it seems to have ignored many essential matters and studies necessary for intelligent action, congressional or otherwise.

It is of little or no value to concentrate on areas of failure as the Commission report seems to do without placing them in the context of our successes. Rather than impugn our ideals because of our failure to fulfill them; our ideals should be reemphasized, and our areas of failure contrasted with the areas of success to gain the understanding of how best to move forward in eliminating these shortcomings.

The Commission report notably ignores the studies and efforts that have been undertaken over a period of years, many of which emanate from the Congress and which have met with some successes in meeting our economic and social problems.

I would observe that the Commission's

recommendations are on far too narrow a base as they do not show an understanding of certain basic social and economic movements. The development of the high-rise city in the latter part of the 19th and early part of the 20th century based upon the development of steampower and mass production with limited manpower mobility is historically unique. The high-rise city became passe as electrical power began to displace steampower and the automobile removed the limitation of mobility of the workers. From then on the high-rise central city was doomed. One large U.S. city, Los Angeles, developed after 1920 when these forces had begun to be effective and it never did become high rise. The report fails to relate the problem of the Negro to the age-old problem of the rural and essential agriculturist who moves to the urban area, where a different set of mores and customs exist. Nor does it reflect an understanding of the merits and demerits of the various fiscal tools and tax mechanisms available to provide funds for urban areas, nor does it reflect much study of the various private profit and nonprofit organizations and the various governmental authorities—Federal, State, local, or multistate agencies—most appropriate to deal with social and economic problems. In these areas and others the report is empty.

The Congress through its proliferation of standing committees has done some analytical study in most of these areas—albeit cursory in several—and certainly with little synthesis to correlate the analytical studies and treat the subject comprehensively. This collective resource of information and expertise derived from the analytical process is the basic strength of the Congress and it should not be overlooked in favor of a hastily prepared Executive Commission report which seeks to provide a synthesis without availing itself of the analyses.

I propose that Congress begin immediately to organize itself so that it can effectively pinpoint the problems of the central city, some of which are referred to in the report of the National Advisory Commission, and correct and supplement them so that a truly comprehensive study has been made.

I am introducing today a resolution to establish a Joint Senate-House Committee on Central City Affairs to immediately take up the report of the National Advisory Commission together with its working papers and background material, to hold public hearings on the report, calling before it the members of the Commission and others who helped in its studies as well as knowledgeable people in both government and the private sector—all under cross-examination—and then to report back to the Congress within 6 months recommendations for action. Such a joint committee should be composed of members of the House Education and Labor Committee, the Committee on Agriculture, the Committee on Interstate and Foreign Commerce, the House Ways and Means Committee, the House Banking and Currency Committee, and the Judiciary Committee. This committee must realize that other committees unrepresented on the coordinating committee have aspects of jurisdiction that bear on the total problem: First, Post Office and Civil Service; second, Public Works; third Interior and Insular Affairs; and fourth, Armed Services.

The committee should coordinate the studies already made by the various congressional committees, including those of the Ways and Means Committee in the past few years which became the basis for the comprehensive 1967 amendments to the Social Security Act, and that of the special subcommittee of the Joint Economic Committee set up last year to study the problems of the central city.

THE CHALLENGE TO THE CONGRESS AS AN INSTITUTION

I am much concerned with the problems of our cities, but I am probably more concerned with the danger that this unexamined executive report exemplifies, to the Congress as a decision-making institution. I fear that the current leadership of the Congress fails to see the erosion of congressional influence and effectiveness if decisions involving problems of the magnitude of our urban areas are allowed to be made outside of the Congress through the closed-door process instead of through the open hearing process involving cross-examination and rebuttal testimony. The establishment of a joint congressional committee to take the National Advisory Commission's report as a base for public hearings as the Joint Economic Committee takes the President's annual Economic Report, will put the Congress back in the act.

Congress must act if our society is to retain the mechanism of study and deliberation in which the people can participate, and so make the crucial social and economic judgments to move the society forward.

> Ideally, Congress is a mechanism for gathering together the knowledge and wisdom existing within the society to make judgments to solve the problems facing the society. Assembling the necessary data and background information occurs through three primary processes.
>
> First, the distilled wisdom (i.e., that which has been reduced to books and other units of storage) contained in the Library of Congress is further refined for Members of Congress by the Legislative Reference Service of the Library. Second, the current wisdom of the society is collected through the standing committees of Congress with the help of professional staff employed by the committees. It is in these forums that the knowledge of experts in the executive branch and in the private sector is brought to bear on public problems and national goals. The testimony is received in public hearings with the witnesses under cross-examination and their statements subject to rebuttal. Third, from the letters and conversations of constituents and self-interest groups in the society, Members of Congress gather knowledge of the subject upon which the individual citizens are uniquely expert: how the laws as written and administered affect them.
>
> The deliberative process in Congress also has three essential parts. The committees, each assigned jurisdiction over particular subject-matter areas, study the mass of assembled data and arguments obtained from the sources described above. These data and arguments are then boiled down into written reports, containing majority and minority views, to accompany the legislation for the next stage of deliberation, the floor debate. The floor debate is essentially among the members of the committee responsible for conducting the study and issuing the printed report. The rest of the members sit somewhat as a jury, albeit with the power of interrupting to ask questions and to contribute collateral knowledge and arguments. Finally, a deliberation occurs between "managers" of both houses to strike a common version of the usually divergent versions resulting from the decision-making processes which go on in both houses of Congress. There is a possible further deliberation in the event that the President vetoes the ultimate judgments reached and the Congress decides to override the President's veto.
>
> There is another theory of Congress, a competing theory which is increasingly winning supporters and which has already weakened the Congress as a study and deliberative body. This theory seeks to retain the Congress as a mechanism for recording decisions which have been made previously and elsewhere in the society through different processes. Those presently advancing this radical theory of the Congress think of these decisions as being made in the executive branch of the federal government, but once the Congress is structured as a conduit these decisions could as easily be made in Wall Street, along the Charles River, or wherever the powers within the society may rest. The legislative process under the conduit theory is reduced to a system whereby the decisions, wherever they are made, would be forced through the Congress by whatever methods may be necessary. These methods in practice bypass the techniques of appealing to facts and fair argument. The great fault of the conduit theory for reaching decisions is that it does not permit Congress to avail itself of the greatest amount of knowledge and wisdom within the society. Indeed, the actual decision-making is conducted behind closed doors, frequently in guarded or unkown buildings. The gathering of the data and the deliberations are not made public. Who gives the information, what arguments are advanced, remain secret. Members of Congress as well as the general public are left in the dark and given only the data and arguments which support the judgments made.
>
> I think it is obvious that total implementation of this theory ultimately would destroy the Congress as a study and deliberative body. The Congress under this concept would be basically a super computer machine, a public opinion computer, to record and reflect the pressures which have been built up within the society through propaganda campaigns. Propaganda results when the experts and spokesmen for various points of view do not confront each other in a common forum and are not subjected to cross-examination and rebuttal.

The preceding quotation is from my foreword to the book "We Propose: A Modern Congress," which contains selected proposals by the House Republican task force on congressional reform and minority staffing. This book was published in 1966 in response at that time to the growing concern over the weakening of the Congress. Congressional inaction on the National Advisory Commission's report in 1968 would be a further step toward the "conduit" theory of the Congress. The unfortunate parallel of the Congress in respect to studying and researching the problem in military manpower over the years culminating in the rubberstamp extension of our UMT laws last year is clearly before us. Futhermore, the people are not unobservant of the important fact that Congress has completely defaulted in its responsibility to make meaningful the constitutional power it possesses to declare or not to declare war.

THE PUBLIC AVAILABILITY OF THE COMMISSION'S BACKGROUND AND WORKING PAPERS

I have written to the Chairman of the Commission, Gov. Otto Kerner, requesting that the Congress be provided with the working papers, data, and transcripts of testimony which the Commission's report indicates have been exhaustively collected and indexed. I have received in reply a letter from the Commission's Director of Congressional Relations indicating only that the Commission is now in the process of transmitting its materials to the National Archives and is "considering policies under which such materials will be made public." I hope the Commission and their congressional relations staff will see the futility in the contradictory reasoning which would lock background materials in the National Archives, on the other hand, in a crisis atmosphere, rushing to print a report through a commercial press paperback edition earlier than scheduled. For meaningful implementing legislation to be developed, the greatest amount of information upon which the Commission based their conclusions should be made available.

Come to Your Senses, America

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. McCLORY. Mr. Speaker, my friend and neighbor, William H. Rentschler, has composed a moving and timely essay on the subject of our Nation's tragic internal strife. I bring this powerful article to the earnest attention of my colleagues in this House and to all Americans throughout the Nation:

COME TO YOUR SENSES, AMERICA

(By William H. Rentschler)

Come to your senses, America, before all hope has fled.

There is madness in the air.

This is not the America we have known.

There is today an unprecedented degree of virulence and antagonism whenever men disagree.

A young President is cut down.

His successor, a prisoner of the nation's ugly mood, withdraws.

Cities burn. Hatred flares.

And now a civil rights Titan is slain.

This is madness.

A nation cannot long endure free and sane and productive in such a poisoned atmosphere.

There can be no progress without reason. No great challenges can be met when passion rules the mind. No nation inflamed and divided and turbulent can justify its claim to greatness.

We have known America as a land of warmth and compassion, with gentle, helping hands extended across the street and across the sea. We accept love and charity as commonplace. We know within ourselves, most of us, that this land is not ruled by hate.

Yet suddenly violence and hatred blot out like an evil black cloud all that is good. We are fearful and disbelieving. Can this truly be our beloved land, unscarred, a haven of hope in a torn world, where peace so long had reigned?

Few of us have known fear at home. Now fear, a sense of foreboding, a strange and awful unease, are being woven into the fabric of our lives.

No man of good will can be less than heartsick and troubled, deeply so, as he wonders if evil and hatred and violence are to be his constant companions, if ours is to be a harvest only of bitter fruit.

This cannot be. We must never accept violence of mind and body and spirit as a condition of life in America, for that would unmistakably signal the desolate state of the American ideal.

Each of us in this hour of national trial—and sorrow, too—must bend a little further than ever before, reach out, give and forgive, and discover deep inside an untapped vein of tolerance.

It is very late.

Come to your senses, America!

Are the Strains of the Presidency Too Much?

HON. GEORGE BUSH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. BUSH. Mr. Speaker, one of our national pastimes has become the comparison of how the President looked when he came into office and how he looked when he left it. In view of President Johnson's recent decision not to seek the nomination of his party, I believe the following statement of editorial opinion by Max H. Jacobs, of radio stations KNUZ and KQUE-FM in Houston, Tex., is most timely and worthy of the attention of us all:

A STATEMENT OF EDITORIAL OPINION BROADCAST OVER RADIO STATIONS KNUZ AND KQUE-FM, BY MAX H. JACOBS, CHAIRMAN OF THE BOARD, APRIL 3, 1968

The sudden withdrawal of Lyndon Johnson from the race for president poses a frightening question: Does our democratic system impose burdens upon the president which human flesh and blood simply can not bear?

For many years we have made a national pastime out of what, for lack of a better term, can only be called president-baiting. Not even our greatest presidents have been spared. Washington, Jefferson, Lincoln, Franklin Roosevelt—all of them were rewarded during heart-rending years with vilification and character assassination.

In recent years, Presidents Truman, Kennedy and Eisenhower were subjected to an intensifying chorus of shrill abuse.

During the past two years of President Johnson's administration, it seems to us, the volume and intensity of criticism have risen beyond all reason.

In our land, the right of dissent is, of course, a basic and precious ingredient of freedom, but dissent is one thing, and senseless, violent abuse is quite another.

At best, the presidency is the most terrible job in the world, demanding and exacting in many cases the very life of the person who assumes its responsibilities. Under present conditions, when a president's critics may literally abuse him in the white house—to his face—the strains of the office are multiplied a thousand-fold, and may well become more than the strongest man can bear.

Let us hope President Johnson's sacrificial decision to take himself out of the presidential campaign as a step toward national unity will have a sobering effect on the American people.

If we ignore the plain implications of this startling development, we may find ourselves on the same course that led Germany to Adolf Hitler and France to Charles De Gaulle. The presidency may become a job that only a ruthless dictator, or an egomaniac, would want.

Urban Education: Problems and Priorities

HON. WILLIAM O. COWGER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. COWGER. Mr. Speaker, I would like to commend the Republican coordinating committee for an excellent dissertation on the problems and priorities for urban education. I think my colleagues will find the following statement valuable in assessing the goals of our elementary and secondary education programs in the towns and cities of America I would like to congratulate Congressman ALBERT H. QUIE, chairman of the coordinating committee's study group on urban education. His associates on the study group are listed below:

MEMBERS OF THE REPUBLICAN COORDINATING COMMITTEE'S STUDY GROUP ON URBAN EDUCATION

ALBERT H. QUIE, Chairman, Member of Congress from Minnesota.

Samuel Miller Brownell, Professor of Urban Educational Administration, Yale University and the University of Connecticut.

James T. Guines, administrative assistant to the superintendent of schools, Richmond, Virginia.

David S. Seeley, Director, Mayor's Office of Education Liaison, New York City.

Robert F. Sittig, Professor of Political Science, University of Nebraska.

Harold Spears, Visiting Professor and Educational Consultant, University of Indiana.

ROBERT TAFT, Jr., Member of Congress from Ohio.

Deborah Wolfe, Professor of Education, Queens College, Flushing, New York.

OBSERVERS

Cleo W. Blackburn, Director, Board for Fundamental Education, Indianapolis, Indiana.

Joseph M. Brooks, Executive Secretary, California School Boards Association.

John T. Cicco, Deputy Superintendent, Catholic School Board, Pittsburgh, Pennsylvania.

Lawrence L. Thompson, Secretary to the Study Group.

URBAN EDUCATION: PROBLEMS AND PRIORITIES

". . . I am convinced we are allowing social dynamite to accumulate in our large cities," wrote Dr. James B. Conant in 1961 in his assessment of the quality of education in major urban centers. Events in the past seven years have forcefully demonstrated the accuracy of his judgment, but America has not yet been moved to deal in a determined and resourceful manner with the troubled conditions of urban education.[1] These are the facts:

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[1] This paper addresses primarily the problems of elementary and secondary education in urban areas, and does not include an analysis of the problems pertaining to higher education. Recommendations concerning education in rural areas are contained in "Revitalizing Rural America," issued by the Republican Coordinating Committee in July, 1967.

Children from low-income families in metropolitan areas, especially among minority groups, begin their schooling with a handicap. For example, on standardized achievement tests given to first graders in metropolitan areas, minority group children on the average scored about 15 percent below other children.

Urban school programs do not compensate for this handicap. Based on achievement tests the average minority group child in metropolitan areas is roughly the equivalent of two grades behind the others at grade six; three grades behind at grade nine; and four grades behind at grade twelve.

In our fifteen largest cities roughly 60 percent of the tenth grade students from poverty neighborhoods drop out before finishing high school; unemployment and delinquency rates among these dropouts are many times greater than the national average.

Our big city schools generally spend only about two-thirds as much per pupil as do the schools in adjacent suburbs.

These figures reveal an educational deficit of vast proportions in American cities today, with millions of children tragically ill-equipped to participate meaningfully in modern urban society. The picture contrasts sharply with the traditional American ideal of offering excellence and equality of educational opportunity to all children.

We believe that the challenge of eliminating the educational deficit in the cities must be elevated to a position of high national priority: first, for the welfare of educationally disadvantaged children, whose lives do not attain fulfillment and second, for the welfare of society that needs the undeveloped talent possessed by these children and needs the order and stability which have been jarred by civil disorders. The urban crisis in America will never be resolved until the quality of education for all children, regardless of social or economic background, attains a level commensurate with the demands of life in our complex urban society and offers the opportunity for the fulfillment of the potential abilities of all children.

A REAFFIRMATION OF GOALS

At the outset, we wish to reaffirm our belief in the guiding principles of excellence and equal opportunity in education. In straight-forward terms, an excellent education is one which fully serves the needs of the individual and the needs of society. For the individual this means an education which challenges the individual and fosters the development of a strong self-image, a spirit of independence and motivation, a continuing thirst for learning and re-education, and which prepares him to be an active and productive member of society. Society, in turn, derives its strength from the contributions of its individual members. Excellence in education, therefore, promotes an effective and enduring democracy, a strong and expanding economy, and a stable and progressive social order.

Equality of educational opportunity implies a condition in which: (1) the education program presents no barriers within the school to the full development of the capabilities of the individual students; and (2) education programs effectively compensate for barriers which may exist outside the school. Equal educational opportunity is a key ingredient of individual fulfillment and upward mobility, values which have always occupied a special place in the hierarchy of American beliefs.

Throughout our history, the American people have stressed the importance of education, and have devoted great resources and energy to the education enterprise. But we have never rested on past accomplishments. At a number of points in the development of the nation, our people have effected basic and necessary changes in the educational system in response to new challenges.

The challenge of today and for the 1970's is to raise the quality of education for millions of children in the cities to a new standard of excellence and equal opportunity never before envisioned. By accepting these goals, and with the determined support of the American people through their public and private institutions, we are confident that this challenge can be met.

THE UNIQUE PROBLEMS OF URBAN EDUCATION

There are a number of aspects of the present conditions in the cities which illuminate the unique nature of urban education problems, and establish a framework for making various proposals.

The first is the increasingly high concentration of families from disadvantaged social and economic backgrounds in large portions of the central cities. This increase is attributable to the migrations of these families to the cities, largely from the rural areas, due to economic dislocations in agriculture, and the expected job opportunities, and hoped for social betterment in urban centers. Typically these families lack adequate education and training. Their children grow to school age with poorly developed skills, and without benefit of the cultural and motivating experiences which middle and upper income families often impart to their children. Consequently, large numbers of these children start school with an education handicap that slows their rate of progress, and creates special problems for the school system.

The central portion of many cities is often characterized by high mobility rates, crowded and substandard housing, unemployment, socially disruptive welfare regulations, and by racial tensions. These conditions frequently result in the breakdown of the social structure and intergroup communication. Many times these factors develop homes with children who tend to be uncertain, frustrated, withdrawn, and even hostile as they attempt to deal with the program presented by existing schools. Even stable homes are handicapped in efforts to guide their children. Crowded living conditions and inadequate recreation facilities make it almost impossible for children to overcome such conditions and to develop constructive social and educational attitudes and habits.

This sense of alienation has another dimension. With the high turnover of residency in the inner-city, and with teachers and school staff frequently living elsewhere, teachers and parents find themselves strangers to one another, and school-community relations are strained. Both parents and teachers in turn feel isolated from the highly centralized city-wide education agency, which in most cases determines education policy, and makes detailed decisions on school practices and problems with minimum consultation or participation on the part of either group.

While their problems of education mount, most cities find their capacity to finance needed improvements sorely strained. The departure of industry and middle income families to the suburbs, and their replacement by low income residents, has left the cities with an array of social problems whose costs are rapidly increasing, but without the tax resources to pay for them. For instance, between 1930 and 1960 the average per pupil expenditure for education in fourteen of the nation's largest cities rose by 331 percent, while the per capita value of taxable property rose by an average of only 97 percent, indicating that the tax base of the cities has not kept pace with the demands of education. Also, non-school governmental expenditures tend to account for about 60 percent of property tax receipts in large cities, but take less than 50 percent in small towns and rural communities. The fiscal squeeze on the cities has resulted in an increased need for State and Federal aid, yet even such problems as overcrowding and deteriorating school buildings remain unsolved.

The large city school system is often the center of a hostile public attack, one that it is ill-equipped to withstand due to limited resources. For instance, the neighborhood group that demands the replacement of an antiquated building, destructive to both pupil and teacher morale, leaves little defense for the school authorities who know too well the validity of the proposal.

A final aspect of the urban education problem is that society today, and particularly urban society, places heavier demands on the school system than ever before. The complex, challenging, and turbulent nature of urban society, and indeed of the entire world, requires to an unprecedented degree a citizenry of great ability and character, and one which manifests an understanding awareness of the problems and attitudes of all mankind. Education plays a pivotal role in broadening the horizons of young people, and in preparing them to assume the responsibilities of modern living.

Also, our technological economy, centered in urban areas, has an increasing need for the highly educated and the well trained, and less and less place for the semi-literate, the unskilled, and the dropout. An unemployed person faces greater hardships in urban areas, where living costs are high, and where extended family relationships are lacking to provide temporary shelter to those out of work.

In short, the stakes of success or failure in urban schools today are higher than in times past, and higher than in many rural areas. The schools, therefore, will be required to assume an increased responsibility for matching the attitudes and aptitudes of the urban population to the needs of a dynamic and challenging modern world.

ESTABLISHING PRIORITIES

Efforts to overcome the enormous educational deficit in the cities must proceed within the framework of well-ordered priorities. Too often scarce resources have been spread thinly among a proliferation of programs, with the result that major improvements in any single program are hardly discernible. We believe that an especially high priority should be attached to five major problem areas in urban education, as follows:

1. Early childhood education.
2. Community-school relations.
3. The quality of teaching and administration.
4. Transition from school to the world of work.
5. Inter-cultural education.

1. Early childhood education

Early childhood education programs should, as a matter of priority and urgency, be expanded to include all 5- and 4-year olds, and perhaps 3-year olds, from impoverished neighborhoods who could benefit from this experience. For a child who comes to school lacking the home experiences and reinforcements which make for successful schooling, we believe that it is imperative for the education system to prevent or offset these deficiencies with special programs at the earliest possible age. Compensatory efforts to prepare children to reap the full benefits of regular schooling are central to our concept of equal educational opportunity.

A disadvantaged early childhood has numerous dimensions beyond the inability to score well on standardized achievement tests. Low test scores may be a manifestation, not only of poor language training and learning experiences, but also of health and diet deficiencies, unstable home situations, and other factors. The nature and extent of these problems, which may begin at birth, vary greatly from one child to the next. We believe that the task of preparing these children to be able to utilize opportunities and to function effectively in society must be viewed in the most comprehensive terms to include not only schooling, but also attention and assistance related to these other human needs.

Early childhood education programs, therefore, must have a strong interagency orientation, and must be concerned with the whole child and his environment. This requires a flexible program of cooperation and consultation among teachers, health officers, and social welfare workers with the school providing common facilities and performing a central coordinating function.

2. Community-school relations

One of the more disturbing aspects of urban education today is the prevailing sense of mistrust and alienation among students, teachers, and parents. In part this is caused by differences of background and attitude which even under the very best conditions, would make effective communication difficult. However, we believe that the problem is aggravated by the highly centralized nature and lack of flexibility of most big city school systems, which tends to exclude parents and teachers from the decision process on many problems on which their knowledge and understanding is crucial. This overcentralization minimizes the opportunities for interaction between the school system, the parents, and the community.

The specific solution to this problem should properly vary from city to city according to the needs of the local situation. However, we feel that recent proposals for school decentralization in a number of the larger cities are worthy of serious attention and consideration by others as possible guides for action.

The decentralized, community school concept offers numerous potential benefits. By bringing citizens into the decision-making process at the community level, a cooperative partnership of professional educators and parents could be formed. Such a partnership would be in marked contrast to the lack of understanding and communication now frequently existing between these groups, as a result of the monopoly of detailed decision-making often exercised by the city board of education and by the professionals who staff the central education agency. Also, delegation of many operating responsibilities to the community level would relieve the city-wide superintendent and board members of many time-consuming tasks. This arrangement would permit these leaders to devote needed attention and energy to broad policy formulation, creative planning, and the strengthening of educational standards.

The concepts of increased local community control and responsibility, and the full participation of the individual citizen in decisions affecting his family's welfare, are basic precepts of the Republican Party. Decentralization in many aspects of school operations in urban areas would be the application of these traditional principles to a contemporary problem. By enabling parents and teachers to work together toward a common goal—the welfare and education of the child—decentralization could help build an enduring sense of community now so often missing in the cities today.

3. The quality of teaching and administration

The teacher is a fundamental and crucial link between the education system and the child. A child is under the influence of his teachers for a continuous period of five hours or more per day, 180 days or more per year. This is less than one-third of his waking hours, but it is a longer and more sustained exposure than to almost any other adult influence in his daily environment, including, in many cases, his parents. It is apparent that success or failure of an education system will depend most vitally upon the quality of teaching. Yet in urban areas today, because of numerous difficulties, the quality of teaching and the pupil-teacher relationship frequently do not meet the needs of the disadvantaged child.

One pressing need is to provide teachers and school administrators, many of whom come from middle income and small community origins, with a broader knowledge of the special problems and backgrounds of children who live in congested, lower income sections of large cities. Universities and colleges need to modify and strengthen programs of preparation and retraining for teachers and administrators, by offering a richer mixture of academic courses and field experience covering a broad range of social sciences. Opportunities for full-time graduate study, as well as part-time research and training programs, should encourage teachers and administrators to expand their knowledge and preception of the urban child and of the influences on his growth, development, and learning.

In addition to the study of formal academic subjects, the teacher's awareness of the child's background and culture should be extended through greater direct contact with the community. City school systems have their effectiveness impaired because many teachers live a long distance from their school; thus their contact with pupils outside the class and with parents is minimal. Consideration should be given to special incentives, designed in conjunction with other urban policies, to encourage more teachers to live and participate in the community where they teach. Also, opportunities for wider contact and communication between teachers and the community would be enhanced under the school decentralization concept. Changes of these types are needed to build a strong sense of identity between teacher and child.

Teachers in urban schools today often encounter numerous difficulties, such as overcrowding, heavy teaching loads, disciplinary problems, and inadequate pay which hamper their effectiveness and undermine their morale. Under these conditions, and in the face of competition from suburban schools, it is a major challenge to attract and retain a high quality and experienced teaching staff in central city schools. Far too often it is the young and inexperienced teachers who are given the most difficult assignments.

As a basic principle, we believe that teachers must be accorded the professional status, pay, and perquisites commensurate with the challenge of the assignment and with the benefits which society realizes when this assignment is successfully discharged. In order to attract and retain more intellectually gifted and highly motivated individuals to teach in city schools, benefits will have to approach those offered in other professions.

To relieve the heavy load on the professional teacher, greater use should be made of teaching assistants recruited whenever possible from the immediate community. Personnel of this type could relieve the teacher of the burden of many tasks which are important to the classroom and school operations, but do not require the preparation of a professional teacher. They could also serve as another communication link between teacher and community.

Computerized instruction programs and other electronic teaching devices have the potential to offer the child certain types of learning experiences on an individual basis, while permitting the teacher to devote additional time to those parts of the curriculum that demand the human touch. These new educational tools should be given increased attention.

4. Transition from school to the world of work

High unemployment rates among city youths, which run as high as 25–30 percent for Negro teen-agers, are a stark indication of failure of our society to provide a workable transition between the secondary schools and the job market or education beyond high school. Youth, the community, and the economy all suffer because of this situation, since the unemployed youth are neither in gainful jobs nor continuing their education. Responsibility must be shared jointly by the schools, by business and labor groups, and by the entire community, and new patterns of cooperation and interaction between public and private institutions need to be devised. The goal must be a flexible system of schooling, training, and part-time work experience which each year will enable millions of young people, with varying abilities, inclinations, and talents, to make either an effective transition from full-time schooling to full-time productive employment or help provide the incentive for further schooling.

The schools, for their part, must take immediate steps to reorient existing occupational preparation programs, which are greatly in need of modernization to match the current demands of the job market. According to the latest figures, the number of students in Federally aided vocational education programs engaged in an agricultural or home economics curriculum is more than seven times the number in technical and industrial pursuits. This imbalance must be corrected, and new types of training programs should be introduced to meet the needs of an increasingly technological and service-oriented economy.

Elementary and secondary school students need to have their sights raised in accord with their potential, and to identify themselves with the diverse occupational possibilities open to them and with the preparation programs required. Guidance and counseling programs for students require strengthening for those who are planning to enter the job market directly from school and for those who should be encouraged to continue their schooling. The schools should make greater efforts to avail themselves of the assistance of business, labor, and other occupational groups whose representatives could most accurately help students learn the nature of various jobs, the opportunities for placement, and the requirements for entry and success.

An increasing number of jobs in our economy require training and education beyond that available in most secondary schools, yet do not demand a full college or professional degree. To meet this expanded demand for skilled technicians and semi-professional personnel, and to offer the high school graduate a choice other than ending his formal education or pursuing a four year college program, we urge the expansion and strengthening of two year technical institutes and community college programs located near the students' homes.

For their part, business and labor unions need to recognize the critical need to train and employ youths, and must adjust their hiring and membership practices to accomplish this objective.[2] Company hiring regulations and aptitude tests administered to job applicants often set arbitrarily high education standards for unskilled and clerical positions, thereby automatically excluding many who could perform adequately in these jobs. Restrictions of this type should be reexamined and modified, for business and labor must accept the principle that just as all youth have a place in the school, so at a certain age, all must have a place in the world of work.

Business and industry can play a more active and innovative role in matching their employment requirements to the needs of city youth. A number of companies have set outstanding examples of cooperative action by "adopting" a particular high school in a low-income section of a city, and working closely with school personnel to prepare students for gainful jobs with the firm.

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[2] This recommendation and others related to job opportunities for youth are contained in "Full and Equal Employment Opportunities" issued by the Republican Coordinating Committee in December, 1967.

One of the deficiencies of current efforts is the fragmentation of responsibility and lack of communication among schools, business, labor, and other government agencies in the training and employment of young people. We believe as a general principle that the schools should assume much of the principal coordinating responsibility for placing students who are not college bound in gainful employment.

In order for the schools to fulfill this role, new administrative procedures and machinery and new methods of communication among those involved will be required. This might involve establishing local community employment councils composed of educators, businessmen and labor leaders; allowing the schools to exercise greater influence in the planning and administration of government programs of job training assistance to industry; and developing local data systems that will enable rapid correlation and exchange of information on job training programs, trainees, and employment opportunities.

By pin-pointing to the schools greater responsibility for a successful transition to the world of work, educators would be encouraged to review critically existing program, to attempt to identify potential employment handicaps at the earliest possible age, and to work more closely with business and labor.

5. Intercultural education

We firmly believe in the positive value of inter-cultural and inter-racial educational experiences for all children. Integrated schools expand the knowledge and understanding of the child, increase his awareness of others, and provide lessons of tolerance and fairness that are important assets to the individual and to society. Such experiences help young people understand that those who differ in racial, national, ethnic, religious, and social backgrounds have much in common in abilities, interests, and reactions. Such experiences also help young people to learn to appreciate the value of diversity among peoples. These attitudes help to strengthen the foundation of equal rights, democracy, and international understanding, and to equip young Americans to work effectively with others in a multi-cultural and multi-racial nation and world.

In working toward these goals, a requirement is to provide conditions of living, including high quality city education programs, which will stem the migration of whites to the suburbs and attract suburbanites back to the city. Education policies alone cannot achieve this objective; equally important are policies in regard to housing, urban renewal, employment, and public transportation. However, city schools of exceptionally high quality could be a key factor in stemming the flight to the suburbs and in bringing about greater integration in education.

ADEQUATE SCHOOL BUILDINGS AND EQUIPMENT

The priority needs expressed in the previous section will be impossible to meet without adequate school facilities. The typical school building in central sections of the large cities is seriously overcrowded and physically dilapidated; these conditions are the result of age, neglect, or obsolescence. High population densities often place on the school building a pupil load far beyond the original design capacity; double or even triple sessions are not uncommon in some cities.

Physical surroundings of this type are detrimental to the quality of education, and to the quality of life in the neighborhood. They erode the morale and sap the creativity of both teachers and students, and affect adversely the attitude of the community toward the school. The existence of unsound and unsightly school facilities is tangible testimony to many years of neglect, and to the educational deficit that has accumulated in the large cities.

We recommend that steps be taken to embark on a construction program to provide new and expanded school facilities in the cities, equivalent to the modern and spacious plant frequently found in suburban school districts. Such a program would begin to reverse the spiral of deterioration in city school facilities, would promote a sense of community pride, and would be of lasting benefit to urban education. In view of ever-rising construction costs, these efforts should proceed without delay.

THE ROLES OF FEDERAL, STATE, AND LOCAL GOVERNMENTS

Today all three levels of government in our Federal system share importantly in the responsibility for educating children. In the 1950's and early 1960's the issue was whether the Federal government would become involved to any significant degree in the support of elementary and secondary education. That question has been answered—in the affirmative; Federal support for 1967 was estimated at $2.4 billion. Since this is less than 10 percent of total outlays for elementary and secondary education, and inasmuch as local governments and many States simply do not have adequate revenue sources, we expect that Federal support will grow in the years ahead.

The issue of the 1970's is what the distinctive roles of each level of government should be in the total education enterprise. This question has not yet been answered.

Our views on this issue can be summarized by saying that education is a Federal concern, a State responsibility, and a local function. All three must bear a portion of the cost of developing the total education system. The Federal government with its superior revenue raising powers should provide increased financial support. The main thrust of Federal support should be aimed at raising the overall expenditure for education to adequate levels, and at equalizing the ability of the various States to support education. Federal funds should be channeled to the States in a manner that will encourage greater support efforts on their part.

State government must bear the basic legal responsibility for education, set standards for attendance, teacher certification, curriculum, and per pupil expenditures, and develop comprehensive long-range plans. Local school systems should always perform the functions of instruction, including teacher selection and school administration, and retain the principal responsibilty for program development.

Within this framework we feel that Federal aid programs for elementary and secondary education, which currently number over 30, should be combined into a smaller, more manageable number of grant categories, in order to provide larger amounts of aid to problems of the highest priority.

Federal support should, as a general rule, not only be channeled through the States, but it should be made available in a steady and predictable manner, based on objective formulas, so that States and communities can plan with confidence, and can avoid disruptive starts and stops in vital programs. As a condition of providing support, the Federal government should establish broad planning rquirements for the State departments of education and should set general ground rules for the planning process. For example, the Federal government might require that the planning process provide full opportunity for all interested parties to participate, including officials of non-public and city school systems. Also, the Federal government should encourage the States to extend their efforts to improve education, by giving the greatest flexibility in expenditure of Federal funds to those States which increase most their investment in education.

Local school systems should be responsible for developing specific projects and programs in applying for assistance. They should be permitted maximum discretion and flexibility in the selection and administration of these programs, consistent with State plans and broad Federal policies.

We envision a strengthened role for State departments of education in developing comprehensive State-wide urban education plans, and in administering Federal assistance. Some State education departments have not in the past responded adequately to the needs of urban areas, and may not be fully equipped to handle these increased responsibilities. We view this as a problem to be overcome, but not as a rationale for failing to try to strengthen them. The 50 States should perform an intermediate planning and review function between thousands of local school districts and the Federal government, and should equip themselves to provide leadership and maximum assistance for the solution of metropolitan school problems.

THE ROLE OF NONPUBLIC SCHOOLS

Non-public elementary and secondary schools constitute an important element of the total education system of the nation. Today about one out of seven children attends a non-public school nationwide; however, in many large cities as many as 25 percent or more attend parochial schools. The existence of these schools permits parents to exercise a degree of freedom of choice in the education of their children.

In recent years many non-public schools have encountered serious financial difficulties; per pupil costs have risen sharply and government assistance to non-public school children traditionally has been very limited. Overcrowding in these schools is very common, and in some instances schools have been closed.

The Republican Coordinating Committee previously pointed out in its statement entitled, "The Restoration of Federalism in America," issued in December, 1967, that if financial aid goes only to public institutions, the existing balance could be shifted strongly toward public education. The Committee indicated that this could effectively be remedied in part by the granting of Federal income tax credits for tuition and certain other expenses in education. Financial aid programs such as this must be carefully designed, along with other needed education programs, to include significant assistance to young people from families with the greatest financial need.

In response to the financial difficulties of non-public schools, Federal, and in some cases, State support has been provided for such indirect purposes as pupil transportation, books, school lunches, shared time programs, teacher training, and compensatory education. At the local level, there are many excellent examples in the country of highly successful programs of cooperation between public and non-public school systems which are worthy of attention.

The educational goals of excellence and equality of opportunity in urban schools, to which we subscribe, apply uniformly to all American children regardless of whether they attend public or non-public schools. For this reason Federal government aid to education should be distributed on the basis of fair and equitable treatment of all school children.

We urge the Senate to present plans that would include distribution of such Federal aid to non-public school children, and that provide for the participation of non-public school representatives in the planning process, but where State conditions prevent use of funds for non-public school children there shall be a public agency designated to administer Federal funds.

In making these provisions, it is important that programs devised for non-public school children meet the same minimum standards of quality and non-discrimination required of public schools. Moreover, in recognizing the need for support for non-public school children, we must never lose sight of the goal of maintaining the strongest possible public school system.

CONCLUSION

This paper outlines a set of policies and priorities which we believe must become the basis for a most determined and comprehensive attack on the grave problems of urban education. There is no escaping the fact that to overcome the enormous educational deficit confronting the cities of this nation, an equally vast commitment of educational resources—funds, facilities, personnel, and leadership—must be summoned at all levels of government and in the society as a whole.

Under present economic conditions this will call for a searching re-examination of priorities in the allocation of resources, and an unrelenting effort to increase the efficiency of school operations by means of improved management. One method of accomplishing this objective is through research efforts aimed at finding more effective methods of education, followed by the devotion of adequate resources to demonstrate and encourage the adoption of research findings that will increase educational quality and productivity.

Increased outlays for education should properly be viewed as an investment in the future. Though many of the benefits of education are qualitative and not subject even to rough measurement, the direct economic benefits alone are undoubtedly sufficient to justify the cost. A concentration of expenditures on the upgrading of urban education will result in increased lifetime earnings for individuals, and will reduce the costs of welfare, unemployment, delinquency and crime that bear so heavily on the cities today.

We believe that the pay-off in these terms alone, to say nothing of the advantages of greater individual dignity and fulfillment and social stability, makes a vast commitment to urban education an investment the nation can ill afford *not* to undertake.

Farm Parity Stays Down in March

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. ZWACH. Mr. Speaker, the barometric report on the condition of the farmers' finances as reported this week by the U.S. Department of Agriculture is still issuing disaster warnings. The parity ratio for the month of March was unable to raise above the 74-percent level. This is the same dangerously low point that rural America received as its valentine in February. This is also the very same level as of March 1967.

Again, the culprit according to the Department is the item of ever-increasing farm costs as another alltime high was established for the farm cost index. It now is 350 percent of the 1910–14 average. It is small wonder that farmers are leaving their occupation at the rate of nearly 12 per hour, or 276 per day, over the past 4 years.

The average parity ratio between groups of farm commodities reveals that grain crops which are supported by Federal programs have a parity ratio of 68 percent, livestock is 75 percent, and livestock products are 66 percent. At this point I insert a table to illustrate farm parity in February and March:

FARM PARITY

	February (74 percent)	March (74 percent)
Cotton	45	44
Wheat	55	55
Corn	66	65
Peanuts	74	75
Butterfat	77	77
Milk	85	85
Wool	42	43
Barley	74	72
Flax	73	74
Oats	78	78
Sorghum	72	72
Soybeans	77	76
Beef	78	88
Chickens	68	68
Eggs	60	62
Hogs	77	76
Lamb	82	86
Turkeys	59	57

The National Debt: Looking Ahead

HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. CURTIS. Mr. Speaker, in the March 1968 issue of Tax Review, Prof. C. Lowell Harriss reviews the major issues raised by the rapid growth of Federal debt in a time of unprecedented prosperity.

Growth of Federal debt, he says, will absorb savings which would otherwise go to finance private capital formation—or tempt the Government to undertake inflationary financing. Moreover, borrowing rather than raising taxes to finance spending loosens expenditure discipline.

The size of the Federal debt does present problems when it is considered that over $9 billion a month is required for refundings and over $1 billion a month in taxes is required for interest costs. Government agencies and trust funds and the Federal Reserve have, in effect, acquired approximately 80 percent of the 7-year increase of $52 billion in Federal debt. The Treasury has not been required to market much of the increase in national debt in competition with other borrowers.

Professor Harriss supports the statutory debt ceiling. Although a ceiling will not help in setting priorities, in evaluating the wisdom of alternative expenditure proposals, or in affecting the total, it can compel Congress to look at the Federal financial situation as a whole and can, therefore, result in an improvement in the analysis of Federal finances.

Professor Harriss believes that the interest rate ceiling on long-term debt "does affect the decisions about which portion of the market the Treasury must use and thus influences the maturity structure of the debt. Today, it forces more debt into relatively short-term form. The shorter the debt, the greater its liquidity and 'moneyness.' "

He concludes that there are difficulties in financing budget deficits in non-inflationary ways. The public has to decide whether a lower deficit—more taxes or less in spending—would be better or worse than the difference in interest payments plus going without whatever private investment projects are sacrificed.

I place the March 1968 issue of Tax Review in the Record at this point:

THE NATIONAL DEBT: LOOKING AHEAD

(By C. Lowell Harriss, economic consultant, Tax Foundation, Inc.)

The Federal debt keeps on growing in years of unprecedented prosperity. The budget for 1969 calls for $8 billion more spending than revenue even with a 10 percent addition to our already high income taxes.

Arguments for deficit spending when the economy has much underutilized productive capacity lose force with the approach of full employment. For the near term our condition will be one more nearly of full employment than of substantial unemployment. The growth of Federal debt raises issues of markedly distinguishable types.

1. If taxes do not have to be incurred to finance expenditures, society loses one instrument of control over the "quality" of the expenditure. The public faces less pressure to be sure that benefits of expenditures are worth their cost. The standards set for deciding whether or not to incur an expenditure are likely to be looser, more relaxed, when payment is by borrowing.

2. The dollar cost goes up when interest must be paid. But the obligation to pay interest does not get included in the cost of those Federal projects which are responsible for the borrowing.

3. The borrowing can be inflationary. The Treasury may turn to the banking system. The banks may create credit that would not otherwise come into existence and thereby enlarge the total of medium of exchange ("money" as generally defined). This possibility is real—but not necessary.

How large is "the" Federal debt? The official figure, now about $342 billion, does not include all obligations. The government has committed itself to make payments under leases, as for post offices; it has promises to veterans and to its own employees for pensions; it has guaranteed and insured a vast total of private debt for housing and other purposes; and it stands behind insurance of accounts in banks and savings and loan associations. And so on.

Each of these obligations, however, differs from the public debt in the commonly accepted sense. The contingencies under which some liabilities would require payments from tax receipts are so remote as to call for no concern today; frequently, for example, assets of substantial amount would be available before any call on the Treasury. For Social Security benefits, and for insurance on veterans' lives and bank deposits, the associated inflows of earmarked taxes and insurance premiums seem likely to be adequate. Commitments for leases and veterans' pensions will be met out of tax receipts.

Is $342 billion big for this country? As a weight "bearing down" on us, the debt seems remote from our personal experience and not large. Nor does it seem big if considered as a total amount already so large that expansion would endanger the economy. Yet as an element which financial markets must "accommodate" in amounts averaging over $9 billion a month for refundings—or as a debt whose interest cost requires over $1 billion a month in taxes—the size does present problems.

The following table shows ownership of the debt:

[In billions of dollars]

	Dec. 31, 1960	October 1967
Held by—		
U.S. Government agencies and trust funds	55	76
Federal Reserve banks	27	47
Total	82	123
Held by public:		
Commercial banks	62	64
Mutual savings banks and insurance companies	18	13
Other corporations	19	12
State and local governments	19	25
Individuals	66	73
Foreign and international	13	15
Corporate pension funds, savings and loan associations, dealers and brokers, nonprofit institutions, and othe miscellaneous	11	17
Total publicly held debt	208	219
Total debt	290	342

Government agencies and trust funds and the Federal Reserve have, in effect, acquired approximately 80 percent of the seven-year increase of $52 billion. The Treasury has not been required to market much of the *increase* in national debt in competition with other borrowers.

Federal and Private Debt—In thinking about the Federal debt, one naturally turns to comparison with private debt. To some extent, however, the national debt and its problems differ from those of family or business debts.

1. All debt is two-sided. The debtor sees the obligation from one side; the owner of the bond or mortgage from another. Our personal experience finds us sometimes debtors, sometimes lender—but never on both sides of the same obligation. However, citizens of the country as a whole stand on both sides as regards the Federal debt. We are both the debtors and the owners of the bonds.

2. Private and state-local debt are usually incurred to get something productive—a home, utility equipment, or a business building—from which the borrower expects real benefits that will be greater than the cost of the debt. The things acquired will produce at least enough to cover the interest and eventual repayment of the debt. The Federal government, however, does not rely upon the creativity of capital assets to service its debt. Yet the person who lends to the Treasury must give up alternative uses of dollars: such uses reflect the productivity of capital which is the basis of private borrowing. Federal decisions can ignore productivity in deciding whether to incur a budget deficit. But standards of creativity which govern decisions about assuming private obligations will influence the competition which the Treasury must meet in selling its debt issues.

3. A national government has control of the money-creating mechanism. A rise or reduction of Federal debt can be related to changes in the supply of money. Although the same is true of private debt, private borrowers do not *control* the ability of the banking system to create new demand deposits. Neither private nor governmental borrowing, however, involves any necessary connection between growth of debt and the money supply. A national government has the power to use its control over the monetary system to ease its borrowing. But there is no inevitability of such use—or abuse.

DEBT CEILING SEEN CRUDE BUT USEFUL

Statutory Debt Ceiling—The legal ceiling on the Federal debt was last raised in June 1967 to $358 billion. Actions to lift the ceiling have been required year after year. Obviously, no ceiling has lasted for long. Does any limit, therefore, make sense?

The ceiling is a curious institution, one created by statutory enactment. No figure has had grounding in careful, explicit analysis of economic reality. There has not been any serious professional effort to measure either the total of debt which may "safely" be owed at any time or the amount of change in debt which may wisely be incurred.

Does the limit serve to influence spending decisions significantly? Does the ceiling in fact help in setting priorities, in evaluating the wisdom of alternative expenditure proposals, or in affecting the total? Not observably. Executive budget making for example, goes on without being confined by the debt ceiling. In Congress the appropriations process has no discernible contact with the debt ceiling. And the process of legislating on revenue takes a course in which influence from the debt ceiling has no evident effect.

Therefore, if the debt ceiling has no tie to basic economic limitations, if it has no observable connection with the making of decisions on appropriations and taxes, if each ceiling figure has so little durability, why keep limits at all?

Defenders of the ceiling as an institution point to one merit. Debates on raising the ceiling, or renewing a "temporary" authorization to exceed a "permanent" top, offer the only occasion on which the legislative committees of Congress *must* look at the Federal financial situation *as a whole*.

Existence of the limit can force an occasional broad examination of Federal finances. In contrast, neither the tax nor the appropriations process requires, and neither in practice offers even the occasion for, relating the two kinds of issues in the context of the whole. Hearings before the Joint Economic Committee do provide a forum for broad analysis. But these hearings are not associated with legislation. They do not put the Executive Branch in quite the same position as do the debt hearings. The latter, perhaps illogically and unfairly, but yet effectively, compel the Executive Branch to come before a bipartisan body in the posture of an applicant. One result can be an improvement in the analysis of Federal finances. As an instrument for this purpose the debt limit is a crude device. Yet the objective of looking at the whole of Federal finances appears to me important. The method seems scarcely the best man could devise. But it is better than any replacement on the horizon.

Interest Rate Ceiling—A ceiling of 4¼ percent on interest payable on debt with a maturity over five years was a legacy from World War I. Congress in 1967 met part of a Treasury request for authority to sell notes maturing up to seven years at whatever interest rate the market requires. For longer debt, however, the 4¼ percent limit continues. Imagine trying to finance an industrial enterprise or a public utility or housing with such restriction—no borrowing for more than seven years!

For long the 4¼ percent limit had no operational significance. In the 1920's when interest rates were higher, the Treasury was retiring debt. After that, either the level of interest rates or the structure enabled the Treasury to manage a large and growing debt with little or no interference from the ceiling. But this is not the case today. Nor will it always be the case in the future. Long-term loans of top quality may often command more than 4¼ percent. Why? The productivity of capital—which underlies much of the demand for private borrowing—will often be appreciably higher. And may not inflation reduce willingness to lend for long periods at interest rates acceptable in the past?

Interest rates result from operation of the forces of demand and supply. Part of the demand comes from the national government. The Treasury in managing the outstanding debt must often borrow. Its demands can have significant effects for a time in a part of the market even though its total debt is not growing.

INTEREST RATE LIMIT KEEPS DEBT LIQUID

The government can also be a supplier of funds to the loan market—when a budget surplus enables the Treasury to retire debt. More important on the supply side, however, are the operations of the Federal Reserve. It controls that portion of the increase in total credit which results from expansion of demand deposits. Even this amount, however, is ordinarily only a small part (rarely 10 percent) of the increase in supply of loanable funds.

If market forces lead to interest rates which are above 4¼ percent, what can the Treasury do as it faces the need to refund old debt? It must borrow where it can—on short term—and pay whatever rates the market demands. Today much over 4¼ percent. The legal limit does not determine the interest cost of the debt.

The ceiling does affect the decisions about which portion of the market the Treasury must use and thus influences the maturity structure of the debt. Today, it forces more debt into relatively short-term form. The shorter the debt, the greater its liquidity and "moneyness."

Our Federal debt seems likely to endure for generations. Therefore, a ceiling which prohibits borrowing for 30 or 20 or even 10 years must prevent rational and realistic adjustment to reality. The ceiling now forces issuance of relatively liquid debt forms. To call the interest rate ceiling an "engine of inflation" is to exaggerate, but some such result does occur.

Though not saving interest the ceiling complicates the work of those responsible for management of the debt. And the most skillful management cannot keep the debt from making the economy a little more "inflation prone," if the ceiling continues.

Managing the Debt—Even if the Federal debt were not growing, the borrowing of billions to repay an equal amount of debt falling due will not be a matter of indifference for the economy. Not all holders of old debt accept new Federal debt in return. The Treasury will obtain funds by new borrowing in some sectors of the market and then makes funds available elsewhere to a somewhat different group. The refunding of the debt can change the relation of interest rates and the relative ease or tightness of credit.

Some shift in relations among interest rates, and in availability of credit, may help a little in stimulating a weak sector of the economy or restraining one which is unduly active. The Treasury's refunding actions, however, can have unwelcome effects.

"Modern analysis of public debt . . . places considerable emphasis on the extent to which different debt forms have characteristics of money. Currency is a demand obligation of government in monetary form. Some other obligations of government are almost payable on demands . . . Such debt can serve some of the functions of money or demand deposits; it has a very high degree of 'moneyness' . . . The time to maturity is the main factor distinguishing the degrees of 'moneyness' of government debt. By arranging the maturity, composition of any given total amount of debt, the Treasury can increase or decrease the proportions that come very close to constituting part of the money stock of the country." [1]

Shifting debt into very short-term form is called "monetizing the debt." Each passing day reduces the remaining life of outstanding debt. An obligation due within a few weeks has very different liquidity characteristics from one due in 20 years.

To achieve the best balance of long-, intermediate-, and short-term debt, the Treasury must be able to sell the kinds of issues required. But if new long-term debt cannot in fact be sold, the maturity structure will show the effects, and they will not be healthy.

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[1] W. J. Shultz and C. Lowell Harriss, *American Public Finance*, 8th ed., (Englewood Cliffs, N.J.: Prentice-Hall, Inc., 1965), p. 498.

Must We "Pay Off" the Federal Debt?—Personal debts must eventually be paid off or settled by repudiation and bankruptcy. National governments as debtors, however, have options not open to the individual. Government's immortality makes a difference. Cannot the Federal government stay in debt perpetually?

Each of us, as part of the collectivity, owes part of the national debt. Each of us can get rid of his share easily and automatically—by dying and thus passing it on to surviving citizens. "We" also pass on the bonds, and they become assets of the heirs of present owners. (Individuals, of course, do not all share equally as taxpayers obliged to pay the interest costs and as inheritors of bonds.)

Americans face no compulsion to reduce the Federal debt. To curb inflation, debt reduction might be worth the taxes needed to make it possible. The Treasury's—our—interest bill would go down. Many of us, however, pay much higher interest rates on personal debt than on Federal debt. Would it make sense to force ourselves to save collectively by imposing taxes high enough to bring budget surpluses?

Today's problem is not paying off the national debt in the sense of reducing it. But "paying off" in the sense of the faithful observance of the terms of every security as it falls due is clearly essential. This is the job of debt management.

Noninflationary Financing of a Budget Deficit—Under conditions of essentially full employment, it is possible to finance a budget deficit in ways which will have no inflationary effect. The Treasury borrowing must not lead to the creation of money by the banking system. The government must go to the capital market, getting savings that would otherwise go for such different purposes as financing business expansion or new housing. And the Federal Reserve must not enable banks to create additional credit for borrowers who do not get the savings which the Treasury absorbs.

If the Treasury is to borrow in noninflationary ways, it must pay the necessary interest rates. Those rates may seem high. Moreover, Treasury demand for borrowing will raise interest rates for private borrowers. The question for the public, then, is whether a lower deficit (more taxes or less in spending) would be better or worse than the difference in interest payments plus going without whatever private investment projects sacrificed. To avoid inflation when the budget is in deficit in an economy as fully employed as ours requires hard sacrifices.

The fact that a budget deficit can be financed in ways that are not inflationary provides no basis for concluding that it will be financed in such a way. Political pressures and conditions in the capital markets may reenforce pressures to use what in the short run is an easier method.

Looking into the months, and perhaps years, ahead we see real difficulties in financing budget deficits in noninflationary ways. The job can be done. But the larger the deficit, the greater the strains. Growth of Federal debt will absorb savings which would otherwise go to finance private capital formation—or tempt inflationary finance.

Import of Foreign Textiles

HON. BILL NICHOLS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. NICHOLS. Mr. Speaker, many of us here in the Congress continue to be concerned about the alarming rate at which foreign textiles are being permitted to come into this country and the disruptive effect these imports are having on our domestic textile industry.

In the early part of the 90th Congress, those of us from cotton-producing areas of the Far West, Southwest, the Mississippi Delta, and the Southeast formed a committee to work on this problem. This committee, chaired by the Honorable William Jennings Bryan Dorn, of South Carolina, and the Honorable Phil Landrum, of Georgia, has met repeatedly with industry and producer groups and with officials of the State Department, but this discrimination against the American textile industry continues to expand.

Under the long-term arrangement on cotton textiles, it was originally contemplated that imports would increase only at a rate of about 5 percent a year. However, Mr. Speaker, these increases have far exceeded these guidelines and in actual volume have grown under the so-called long-term arrangement from 720 million square yards to 1½ billion square yards.

In the current issue of the Avondale Sun, the trade publication of Avondale Mills, whose main office is in my home town of Sylacauga, Ala., Mr. Craig Smith, president of Avondale, pointed up very effectively what this free trade policy with foreign countries is doing to the textile industry of this Nation. Under the unanimous-consent rule, I include both of these statements in the Record:

Does President Johnson Want the Textile Industry in This Country?

Money, like water, is fluid. Water runs downhill. Money moves to those businesses and those countries where the return on it is the highest and the risk the least.

We have a minimum wage law in this country which was passed to protect the income of those individuals who are in most need of protection. We then permit the import of textiles, including garments, made by Asian laborers who are paid a very small part of our minimum wage. These imports destroy the jobs of the people the minimum wage law was passed to protect. The chance for other Americans to make a large profit on these cheap-labor imports encourages them either to move their present manufacturing facilities abroad or to make their new investments where their dollars will earn the most.

Within the lifetime of men now living, England shipped hundreds of millions of yards of fabric each year to India and Pakistan. The men and women who worked in the mills of Lancashire were then busy. Today, India and Pakistan are shipping hundreds of millions of yards of fabric to England. Many men and women who looked to the Lancashire industry for their livelihood went on relief. England is now facing a financial crisis. Anyone who says this can't happen here is silly. Many garment plants have already been built by American companies in the low-wage areas of the world. These garment companies were the customers of the American textile industry. When the customers of the textile industry leave America, our industry too must leave or fold.

There are people in high places in Washington who advocate the build-up of the textile and garment industries in the so-called developing countries and the liquidation of those industries here.

Last week, the Senate of the United States passed the Hollings bill as an amendment to the tax bill. This bill would permit the continuation of imports in their present volume but would require the Administration to limit increases in imports to a reasonable figure. We are told that the Hollings amendment may have difficulty in the House of Representatives and that should it pass the House of Representatives, there is danger of a Presidential veto. We are entitled to know whether or not we are wanted as an industry in the United States. We are entitled to a "yes" or "no" answer to this inquiry from the President of our country.

Is This Free Trade?

Pakistan has a government-subsidized textile export program which permits the exporter to collect 50 per cent above his selling price.

Israel has a textile export program under which 25 per cent of the value of the textiles exported may be collected as a subsidy.

India has a textile export subsidy based on a sliding scale. The highest rate is to the United States, where grey goods earn a premium of 8½ per cent. Those who do finishing or manufacture fabric into apparel receive an additional subsidy. India, along with many other countries, has a total embargo on imports of cotton textiles.

The Spinners and Weavers Association of Korea recently ran an ad in the New York Times saying Korea should have a larger part of the American market. They gave as one reason the fact that they bought 387,814 bales of American cotton. We shipped them all but 49,000 of these bales for nonconvertible Korean money, which can be spent only in Korea. They bought only 49,000 bales. For all practical purposes, we gave them the rest.

The four examples I have just mentioned are typical. Foreigners who are screaming for free trade are using free American cotton, subsidizing their exports, paying their people a fraction of our legal minimum wage, and in many cases, by many devious means, making it completely impossible for any American textiles to go on the backs of any of their own ragged people who are being overcharged at home.

My ivory-tower friends argue for free trade. They mean a further opening of the American market, which is already the most open market in the world. They start looking out the window when they are confronted with the facts of life, just a few of which I have enumerated here.

NEA Teachers-in-Politics Weekend

HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. DENT. Mr. Speaker, the days of the one-room schoolhouse have long vanished, as have uninformed, politically apathetic teachers. Today's tutorial image is an impressive one; we see a vast number of educators interested and involved in the management of our Goverment.

This is as it should be, for in order to educate our children thoroughly, we must have teachers knowledgeable in varied aspects of American life. Our children must be made aware of their potential political importance; this can only be accomplished through example.

The teacher has, in recent years, been of unestimatable benefit in the backing of candidates; nothing is more impressive than an educated, concerned teacher thoroughly supporting his or her candidate. The candidate involved, when entrusted with such a dynamic force as the teachers' vote, becomes more resolved to seek measures to insure the stability and security of education in our Nation.

In this regard, I would like to commend the National Education Association for its sponsorship of the Teachers-in-Politics Weekend. Events such as these insure a continuation of the prodigious amount of involvement and support needed and sought after in contemporary America. As a member of the Committee on Education and Labor, and as one who has been active in the advancement of education for many years, I can only commend and support this special weekend and this trend of involvement.

Sgt. Ronald LeBel of Dudley, Mass.

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. BOLAND. Mr. Speaker, U.S. Marine Sgt. Ronald LeBel of Dudley, Mass., in a letter to his mother has expressed his reasons for volunteering to fight in Vietnam.

Sergeant LeBel is risking his life thousands of miles from home because he feels he must help preserve the liberties we enjoy here in the United States.

I know my colleagues join me in commending this young man for his sense of patriotism and in hoping the new bombing pause will lead to a negotiated settlement that will bring him home.

The United States, it is clear, must marshal all its diplomatic skills in an effort to achieve a negotiated settlement. We cannot continue to ask soldiers like Sergeant LeBel to carry out a military "win" policy that has proved fruitless.

The Webster, Mass., Times has published an article about Sergeant LeBel's letter. With permission I put this article in the RECORD at this point:

[From the Webster (Mass.) Times, Apr. 3, 1968]

LETTER TO "MOM": MARINE TELLS WHY HE IS IN VIETNAM

Why does a Marine volunteer for duty in Vietnam?

Sgt. Ronald (Mike) LeBel, a 1965 graduate of St. Louis High School, took a rather touching occasion to express his sentiments—his mother's birthday.

LeBel enlisted in the Marine Corps in November of 1965, completed basic at Camp Lejeune, N.C., and volunteered for duty in Vietnam in October of 1967. He is the son of Mr. and Mrs. Arthur J. LeBel of Carpenter Rd., Dudley.

Following is Mike's birthday letter to his mother:

Dear Mom,

I guess it's a little late, but better late than never. I'd like to wish you a very happy birthday . . . I wanted to send you a nice birthday card but there was none available around here. I hope this letter will mean just as much to you.

I know that you did not like the idea of my volunteering for this duty but I had . . . to satisfy a personal yearning I've had since I joined the Corps. Some of it has got to do with patriotism but deep down it's to protect the loved ones I have at home from ever encountering any type of war like this.

I've seen quite a bit of the ravages of war since I've come here and some of it I'll never forget. . . . These people have been fighting for over 300 years so it will take time to convince them we're here to help. I don't ever want a war like this to break out in the States so here I am doing my small part so the people back home can celebrate their birthdays, go for a Sunday drive, or do just about anything they please . . . I hope that with the grace of God I'll be home to celebrate your birthday next year and the years to come afterwards.

Your loving son,

MIKE.

"Crisis in Credibility"

HON. TOM RAILSBACK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. RAILSBACK. Mr. Speaker, I have had the privilege of knowing for some time the distinguished author of the recently published book, "Crisis in Credibility." Those of us who know Bruce Ladd, know him to be extremely diligent, resourceful, and persevering, as well as very knowledgeable and intelligent.

These attributes show up very clearly in his book, which was reviewed in the February 10, 1968, issue of the Saturday Review. I would like to call to the attention of my colleagues this review and highly recommended "Crisis in Credibility" for good reading.

The book review follows:

JUST UNBELIEVABLE

To a greater or lesser extent, we have always had a "credibility" problem with the Administration on power. George Washington agitated Congress by declining to share with it data on treaty negotiations with Britain. Wilson strove unsuccessfully for censorship in the First World War, and settled for baffling the press with wordage. Of Wilson a British diplomat observed: "When he summons the newspapermen he talks to them at length and in excellent language, but when they leave his presence they say to each other, 'What on earth did he say?' "

Under Franklin Roosevelt the calculated governmental "leak" was perfected. It was Truman who extended the security privileges of Defense and State to all governmental agencies and thereby triggered a secrecy-stamp binge along the Potomac. Eisenhower had the appalling embarrassment of the U–2, Kennedy the Bay of Pigs. But in the catalogue of informational malfeasance that Bruce Ladd has compiled in *Crisis in Credibility* these practitioners are but innocents whose strayings entreat our indulgence; the true monster of misinformation stands among us at this hour. Mr. Ladd races rapidly through the fumbling and almost forgivable attempts of the almost novices among past Chief Executives until he can get to President Johnson. For in the minds of many people, including Ladd, it is Mr. Johnson—whether fairly accused or not—who has written the modern text of the black art of suppressing the truth.

There are three faces to the credibility problem, all of them with Johnsonian features; indefensible secrecy and the unjustifiable withholding of information from the public; unconscionable lying by Government officials; and news manipulation, a blanket term that covers a multitude of devious bureaucratic practices. Ladd credits Kennedy with pioneering the "backgrounder" news conference in which the Government protects itself from possibly adverse public reaction by fuzzing the source. He pictures the Johnson "briefing" of Congressmen and the selective, informal (controllable) press gathering which for a time replaced the proper news conference. He describes the well known Presidential anger over premature disclosures, his possessiveness of public information, his manipulation of budget figures, and his prefiguration of the budget's awesome size in order to create later an artificial picture of fiscal rectitude. Ladd forthrightly calls this simply "duplicity."

The author's examples will be mostly familiar to those practiced in spreading calipers over the credibility gap. He reviews the Dominician crisis of 1965—an episode so distastefully revealing of the kitchen disorder in the Johnsonian household, of the chef dashing indiscriminately from the pot of "protecting American lives" to the kettle of "preventing a Communist takeover." The episode also showed the President, upon sending in the Marines, in one of his most frantic telephonic searches for a Johnsonian consensus.

Skillfully, Ladd sketches the dimensions of the government information problem in that painfully protracted investigation—finally crowned by modest legislative success—of the House Subcommittee on Government Information, headed by Representative John E. Moss of California. It was Moss who hit on one aspect of the problem beyond the reach of calculated villainy: "There is so much information generated in government today that it is difficult for people to get the facts even when they're freely available." But the twisted use to which this is put was pointed out to Ladd by Senator Mark O. Hatfield of Oregon: "Our leaders have taken the position that an issue is far too complicated for the people to understand even if full information is provided."

The most damaging evidence is gathered, as one would imagine, on Vietnam, for it is here, in the justification and explanation of this unwanted and hateful war, that the information policies of the Johnson Administration show up most poorly—the saying of one thing and the doing of another; the fiscal deception; the consistently erroneous predictions of military progress offered by Secretary McNamara; the hiding of one's own losses and the inflation of the enemy's; the protestations of peace and the shunting aside of peace overtures, which go on unchecked despite all our alarm.

Martin Luther King, Jr.

HON. LIONEL VAN DEERLIN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. VAN DEERLIN. Mr. Speaker, a young San Diego girl has captured, in a short but lovely poem, the essential meaning of the life—and death—of Dr. Martin Luther King, Jr.

Liz Clarke's touching poem was brought to my attention by her classmate, Mary Ruth Jarrell, president of the junior class at Our Lady of Peace Academy in San Diego.

Miss Jarrell has asked me to help disseminate the poem, believing it should be "shared by all men, black and white."

I agree, and I also feel that Miss Clarke's untitled eulogy is an especially appropriate tribute to Dr. King on this, the day of his funeral.

The poem follows:

(By Liz Clarke)

It was growing;
It was growing so well,
That someone thought it would overrun his
garden.
So he cut it down.

It was a beautiful ebony flower.
Dark as the night and the ground it came
from.
But he cut it down.

It was so hard for it to survive.
So many hated its dark color.
So many tried to stifle it.
Finally he cut it down.

His garden doesn't need that ebony blossom.
His garden doesn't want that ebony blossom.
His garden is of weeds.
So he cut it down.

But that blossom hasn't died.
It's sprouting again.
Its beautiful ebony blossom has flowered—
again.

The roots are deep and firmly entrenched.
It has the determination and vigor.
It will grow and destroy the weeds by its love.

Water for the West Helps the Nation

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. HOSMER. Mr. Speaker, although the recent events of great national and international importance have, naturally, demanded our constant attention and overshadowed other considerations, problems of regional interest remain undiminished, nevertheless.

One such is the Pacific Southwest water shortage, which affects some 20 million persons who depend on the Colorado River for most of their water supplies. The seven States of the Colorado River Basin—Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming—cover a vast area of about 242.000 square miles, or about one-twelfth of the continental United States landmass.

Hopefully, we will soon have before us legislation designed to alleviate the immediate water supply deficiencies of the seven-State region and to provide a basis for meeting long-range projected needs. I refer to H.R. 3300, the Colorado River Basin project bill. And when this measure is presented here for debate, I earnestly hope my colleagues will be guided by the knowledge that in helping one interdependent region resolve its problems, they are contributing to the economic well-being of this whole Nation.

At this point I wish to insert for the RECORD the texts of endorsements from three influential California organizations: the California State Chamber of Commerce, the California Water Resources Association and the Los Angeles County Board of Supervisors. These represent a representative sampling of the support in California—north and south—for H.R. 3300 as it now stands. The State's two most important agencies dealing directly with water resource affairs, the State department of water resources and the Colorado River Board of California, have previously expressed similar endorsements. The latter agency reaffirmed that position April 3 and that resolution also is included for the RECORD. In the larger context, these sentiments reflect the unified support of this legislation throughout other States of the Colorado River Basin.

The endorsements follow:

[From the Board of Supervisors, County of Los Angeles, Los Angeles, Calif.]

RESOLUTION

Whereas, the Colorado River must be depended upon by 10,000,000 Southern Californians to meet most of their water needs, and

Whereas, most of these Californians live in Los Angeles County, and

Whereas, two bills are now before Congress to develop new projects on the river and to increase the supply of water available, and

Whereas, House Resolution 3300 does provide for our future protection as well as establish other conditions accepted also by the six other States in the Basin as a practical approach to a solution of our common water problems in peace and security, and

Whereas, Senate Bill 1004 denies adequate protection to existing projects such as the aqueduct vital to Los Angeles County residents,

Now, therefore, be it resolved that the Board of Supervisors of Los Angeles County supports House Resolution 3300 and opposes Senate Bill 1004 as it now stands, and

Be it further resolved that this resolution be sent to the County Delegation in Washington, D.C.

[From the California Water Resources Association, Glendale, Calif.]

RESOLUTION IN SUPPORT OF CALIFORNIA-SPONSORED COLORADO RIVER LEGISLATION (H.R. 14834 ET AL)

The California Water Resources Association historically has supported the concept of cooperative development of Western States regional water resources, including Colorado River development programs that contain some of the principal features of H.R. 14834 and other identical bills—although CWRA recommendations were more comprehensive and called for broad studies of all possible sources of water to augment the Colorado River and for construction of new power-producing dams.

To date, the current official position of California is reflected in H.R. 14834 et al, introduced by 35 of the 38 California members of Congress, and represents a number of major concessions by California.

This Association urges the California Congressional delegation to hold the line on three essential features of this legislation:

1. Protection of existing uses for all states, with a minimum of 4.4 million acre feet annually for California.

2. Authorization of studies to augment the Colorado River below Lee Ferry in the amount of not less than 2.5 million acre feet annually.

3. The bulk of any surplus funds that might be available from the Hoover-Davis-Parker dam power revenues—after completion of repayment of those projects—should be earmaked to finance Colorado River augmentation works that would benefit all seven states in the River Basin.

The California Water Resources Association commends the members of the California Delegation who have introduced Colorado River Legislation incorporating California's official position and urges them to present a united front in protecting the features cited above, which are considered essential to the welfare of the entire State of California.

AN ENDORSEMENT FROM THE CALIFORNIA STATE CHAMBER OF COMMERCE, SACRAMENTO, CALIF., MARCH 22, 1968

Our Board of Directors and our Statewide Water Resources Committee hope that the present coordination in our delegation on this most important matter can be maintained as the House Interior and Insular Affairs Committee considers the compromise measure and at such time as a bill reaches the floor.

The State Chamber is particularly concerned that any House measure authorizing a Central Arizona Project include the following features:

A. Protection of existing uses against diversions by new projects on the Colorado River.

B. Investigations of means to augment the Colorado River flow below Lee Ferry.

C. Reservation of the main portion of any surplus power revenue from Hoover, Parker and Davis projects after repayment of capital costs to assist in amortizing future Colorado River augmentation projects.

D. Requirement that the burden of meeting Mexican Water Treaty provisions be a national obligation.

A RESOLUTION FROM THE COLORADO RIVER BOARD OF CALIFORNIA, APRIL 3, 1968

The Colorado River Board of California unanimously supports H.R. 3300, Colorado River Basin Project, as reported by the House Committee on Interior and Insular Affairs on March 26, 1968. The Board strongly urges the affirmative and active support of the bill by all Californians.

H.R. 3300, as approved by the House Committee on Interior and Insular Affairs on March 26, 1968, contains the three major elements essential to California's acceptance:

1. Adequate protection of the rights of existing Colorado River projects.
2. Initiation of steps which will lead to augmentation of the Colorado River.
3. Establishment of a means of financing such augmentation.

With these necessary features in the bill, California can support the other key provisions of H.R. 3300: authorization of the Central Arizona Project; authorization of seven projects in the states of Colorado, New Mexico and Utah; the criteria for operation of Lake Mead and Lake Powell; and payments to the Upper Colorado River Basin Fund.

Moving Tribute to Dr. King by Pittsburgh Youth

HON. RICHARD S. SCHWEIKER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. SCHWEIKER. Mr. Speaker, I call to the attention of my colleagues a moving tribute to Dr. King which was composed by Mr. Melvin Hunter, of 839 Francis Street, Hill District, Pittsburgh.

Mr. Hunter is a postgraduate student in the printing program at Connelley Vocational-Technical High School. The Pittsburgh Press, on April 7, reported that Mr. Hunter, saddened by the assassination of the Reverend Dr. King, turned his hand and mind to poetry for the first time, writing and then setting these verses in type.

Yesterday, I addressed the House memorializing Dr. King. If I had then had available to me the words of Mr. Hunter I would have included them in my remarks at that time for they are an eloquent expression of the grief which we all feel.

Mr. Hunter was quoted in the Pittsburgh Press as saying the words "represent exactly how I feel." Mr. Speaker, the moving words of Melvin Hunter represent exactly how many of us feel about this terrible tragedy.

The tribute follows:

A MAN OF PEACE

There comes a time when everyone's life must cease.
And so it came violently to this man of peace.
He fought for the right and pitied the wrong.
This man was intelligent, proud and strong.

He was Black, honored, courageous and bold,
And left behind a story to be told.
He lived and fought for a purposeful dream.
Which someone else must now pick up and redeem.

So let it be told all over the countryside,
That he helped open the door—not partially, but wide.
Who was this man of liberty?
Dr. Martin Luther King. He fought to be free.

—*Melvin Hunter.*

An Extraordinary Job

HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. CHARLES H. WILSON. Mr. Speaker, there is little, if anything, to rejoice about when considering the wanton destruction which took place in the District of Columbia these last few days. Arson, vandalism, rampant disregard for the law—all of these prompt one to exclaim, "Another Watts. Another Detroit."

Yes; but with a positive difference—the commendable behavior of civil authorities, especially the firemen and policemen, in handling the disturbance. The city of Washington fully mobilized all available resources to bring order out of chaos; and, while it is too early to measure the degree of their success, it is obvious that, in terms of what might have been, the city has done an extraordinary job.

Much has been made in the so-called riot report of the problem of police brutality. The actions of the police of the District of Columbia go far in refuting this charge and in restoring public confidence in our law enforcement system.

Firmness tempered by restraint was the order of the day—a policy valuing human life above property, as it should be. This policy of moderation, worked out by the Justice Department after its study of the civil disorders of 1967, resulted in property damage and fatalities falling far short of the tolls in Watts or Detroit.

Realizing that looters and other lawbreakers are unlikely to turn the other cheek, the police often merely told looters to replace their booty, a method that proved surprisingly effective. Tear gas was the most lethal agent used to control the situation, and in many cases this was used only after police were provoked by verbal abuse and thrown objects.

The District of Columbia police had some unique problems; for, aside from coping with a situation unlike any of recent experience, they were working under the direction of a new city government. At the beginning of the disturbance, they also were required to spread out more than was the case in Newark, Los Angeles, or Detroit.

Arrests have been high—well over 5,000—while fatalities and injuries have been comparatively low. These figures bear out the competence of District of Columbia law enforcement—meting out firm justice while scrupulously avoiding ruthlessness.

Everyone involved in handling the disturbance in our Nation's Capital deserves our respect and appreciation: Mayor Walter Washington, his deputy Thomas Fletcher, Safety Director Patrick Murphy, Chief of Police John Layton, Deputy Secretary of Defense Cyrus Vance. But to the National Guardsmen, the Federal troops, the firemen, and the policemen—those anonymous heroes—must go our very special thanks.

Mobocracy Could Destroy Democracy—Reason, Not Emotion, Must Prevail

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. EVINS of Tennessee. Mr. Speaker, Columnist David Lawrence, in a recent article in U.S. News & World Report, emphasizes that mobocracy can destroy democracy if this type of lawless activity becomes the accepted manner of achieving social change.

Mr. Lawrence describes demonstrations which have resulted in some instances in inflaming passions rather than in cooling tempers and endeavoring to achieve worthwhile goals and objectives in an orderly manner.

Reason, not emotion, must prevail if our country is to survive in its present form.

Because of the interest of the Congress and the American people in this most important subject, I place herewith this column in the RECORD.

The column follows:

[From the U.S. News & World Report, Apr. 15, 1968. Reprinted from the Mar. 22, 1965, issue]

THE POWER OF REASON

(By David Lawrence)

There is a right way and a wrong way to try to achieve reform, whether it be in the realm of government or in the social life of our nation.

We pride ourselves on a belief in democracy—on the exercise of a rule of reason in our national life.

We have rejected mobocracy as the manifestation of anger, of bitterness, and of unwillingness to let the rule of reason and the process of law prevail.

The American people have been witnessing in recent events a failure to rely on the normal functioning of a democracy.

Whatever the provocation, the fact is that passion and threats of physical force have never bred a spirit of confidence in any constitutional system.

Unfortunately, the "demonstrations" have been led by men who should know better. The leaders have included not merely protagonists for meritorious causes, but clergymen who, while preaching nonviolence have closed their eyes to the incitement to violence which results from street "demonstrations" and, in some cases, from defiance of the law itself.

It has been argued that the police in the South are prejudiced. But how can we explain the outbreaks in cities like Chicago and New York, where the officers of the law have been attacked and, indeed, where the cry of police "brutality" has been raised? Yet the handling of disorders and incidents that may lead to violence is the duty of the local police. We cannot delegate it all to a national police force.

Understandably, "demonstrations" get publicity from coast to coast and are designed to mobilize public opinion behind worthy causes. But does this mean that we cannot utilize effectively the public forum, the printed word of the press, and the spoken word of radio and television?

Cannot a righteous cause be successfully or persuasively espoused except by mobs in street "demonstrations" or by fanatics who have carried their campaign of intimidation even to the inside of the White House, only to be dragged out by police and arrested when they ignored requests to leave?

Have we had a dispassionate discussion of the race problem itself? Have we endeavored to make people on both sides of the controversy in other sections of the country, as well as in the South, aware of the complex nature of a social problem of this kind?

Essentially, the prejudices that are expressed on racial issues are not really based upon ethnic differences. They are based on the differences between man and man. Segregation has reflected a custom—a habit of our people—not merely in the South but also in the North. Gradually, the laws have decreed that the principle of segregation is invalid.

But can the principle of integration be applied by law to the satisfaction of all who have felt the sting of discrimination? Isn't there also a problem in human relationships, in educating individuals, and in paving the way for better understanding between all groups in the nation? And can this be accomplished better by mob violence than by the process of reason?

Does anyone who is familiar with life in a Southern community believe that there is hate in the hearts of a preponderant number of the citizens toward any race or population group? Even in the days of rigid segregation, whether in railroad stations or in hotels or in restaurants or in schools, the relations between whites and Negroes were far better in many parts of the South than they have become in recent years in the North.

The key to a solution of the racial problem in community life lies in a better understanding of human nature. Does anyone who has studied this problem in the South or elsewhere think for a moment that white people who have known Negroes over the years and have had personal and business relations with them are bent on inflicting hardships upon them?

One finds that the responsible individual, irrespective of race, who is able to conduct himself or herself honestly and with due regard for the rights of others invariably wins friends who remain true to that friendship, not for just a few years but throughout their lives. Why is it that we cannot widen this relationship to that of a community? Ministers of the gospel might better devote themselves to this task than to participation in street riots.

The race question will never be solved with a policeman's club any more than by "sit-ins" or other incitement to disorder and mob violence.

We are dealing with the facts of life. Some of the "demonstrations" have turned out to be a form of organized tragedy—a way of inflaming rather than cooling passions. If this is continued, the end result can only be a retrogression, an emergence of hate and bitterness on a wide scale, with the ultimate loss of the objective itself.

There is a right way and a wrong way. The rule of reason is the right way. "Demonstration" provocative of violence are the wrong way.

Lyndon B. Johnson, the People's President

HON. CARL ALBERT

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. ALBERT. Mr. Speaker, I know President Johnson is sincere and means what he says about not seeking reelection. I also know that the overwhelming majority of the American people support the President and his programs.

I wish to call to my colleagues' attention an excellent article by Mr. Robert G. Spivack, which perceptively reports on the public's reaction to the President's shocking announcement that he would not seek reelection.

As Mr. Spivack says:

> President Johnson, a proud and strong man, would rather be remembered as the man who brought peace and prevented World War III than as just another seeker of high office, fulfilling personal ambitions.

This, it seems to me, neatly sums up the meaning of the President's momentous decision. As he has done from the moment he took office, Lyndon Johnson has put first the national interest over any personal interest.

This is the mark of a great President. And it is the style and substance of Lyndon Johnson's Presidency.

Under unanimous consent I insert Mr. Spivack's excellent article into the RECORD:

[From the Denver Post, Apr. 4, 1968]

CAN L. B. J. BE DRAFTED?

(By Robert G. Spivack)

WASHINGTON.—Maarten C. Bolle is the Washington correspondent of Het Vrije Volk of The Netherlands and other European newspapers, a perceptive veteran newspaperman, longtime observer of the American scene.

"Is it possible," he asked a group of us at the National Press Club, "that the American people do not realize the qualities of President Johnson because he talks like a Texan, or is not in high society? Would they really trade him in for an unknown model like Kennedy or McCarthy or someone else, who speak such superficialities about international affairs?

"If they let this man get away then I guess I will have to stop trying to interpret American politics for my readers, because I would have to report that they have lost their qualities of common sense and have gone crazy over glitter."

A woman boarding a bus from Virginia, reported a Milwaukee newspaperman, turned to nobody in particular and asked, "Now who will all the critics pick for a whipping boy, without LBJ?"

A Sunoco gasoline station attendant was asked early Monday morning, after the President's Sunday night bombshell, what he thought of it? "I don't know what he said," the attendant answered. When told that LBJ said he would not run the man stared in disbelief—and then burst into tears. "I like Lyndon," he said. "He can't do that. What's going to happen to us old folks." The man was so upset he forgot to charge for the gasoline.

That was the mood in the Capital on Black Monday, April 1—the city was shocked, stunned and saddened. Everywhere one travelled the reaction was the same. "A big man." "A real patriot." "I never knew how dependent we had all become on him," said a young clerk in Garfinckel's department store.

When the shock wore off and people began to discuss other alternatives the discussion always seemed to end with two questions, "Does he mean it?" and "What can we do to make him change his mind?"

Each of us who has been privileged to know Lyndon Johnson probably has his own answers and these are mine:

1. He does mean it. I think he has decided that a chief executive, who is also commander in chief, cannot work on the details for peace in Vietnam—or take the alternate course if Hanoi continues to kill and terrorize the people of South Vietnam—and at the same time devote himself to the details of U.S. precinct policies in an election year.

President Johnson, a proud and strong man, would rather be remembered as the man who brought peace and prevented World War III than as just another seeker of high office, fulfilling personal ambitions. After all he is at the summit; there is no place higher to go.

2. If it's only politicians, or office-holders and office-seekers who ask him to reconsider then I doubt that he can be drafted. But if mothers of boys serving in Vietnam, or the Sunoco gas station attendant, say "Your country needs you" I do not see how he could fail to respond affirmatively, much as he may yearn for the peace and contentment of his ranch back home.

Johnson's affinity is with the workingmen and women of this country, with the poor and the afflicted. He has little in common with the jet set or so-called "high society" or those self-styled intellectuals who are known as the "talking liberals" compared with his cabinet of "working liberals."

They don't like him. He does not like them. Although he has done more in four years to achieve the social goals about which they talk so glibly they have run out on him in a difference over one issue, Vietnam. He has fought their battles at home—and probably abroad—but they turned their backs on him.

If Johnson can be persuaded to change his mind it will have to be a spontaneous ground swell from those we used to call "the common people." If that comes and he is persuaded he can heal the nation's wounds I doubt he would be a draft-dodger. He has a genuine devotion to duty.

Trade Policy Review

HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. DENT. Mr. Speaker, Members of this body have a vital interest in the trade policy of this country. Recently public hearings were opened by the Trade Information Committee of the Office of the President's Special Representative for Trade Negotiations. A number of witnesses have already been heard and over a hundred have asked to testify.

A review of the trade policy of over 30-years standing is far past due. The world has changed greatly since 1934, including the pattern of trade. During the years since that time we have all but discarded the tariff as a means of guarding our industries and labor against the miserable, low wage scales paid in many foreign countries. As a result more and more of our industries are feeling the destructive impact of rising imports.

One of the papers submitted to the Trade Information Committee was from O. R. Strackbein, chairman of the Nationwide Committee on Import-Export Policy.

Mr. Strackbein has been on the scene for many years. Newsweek in its issue of March 30, reporting on the hearing before the Trade Information Committee, said:

> Protectionists were represented by O. R. Strackbein speaking for the Committee on Import-Export Policy, a large grouping of industries worried about foreign competition.

Not long ago the New York Journal of Commerce referred to Mr. Strackbein as the chief architect of protectionist legislation. He has appeared more than once before the House Education and Labor Subcommittee on Labor, of which I have the honor to be chairman, to give voice to the concern of American industry and labor over rising import competition. I have always found his presentations worthy of the most serious attention and study.

I place Mr. Strackbein's paper at this point in the RECORD:

STATEMENT OF O. R. STRACKBEIN, CHAIRMAN, THE NATIONWIDE COMMITTEE ON IMPORT-EXPORT POLICY, BEFORE THE TRADE INFORMATION COMMITTEE, OFFICE OF THE SPECIAL REPRESENTATIVE FOR TRADE NEGOTIATIONS, MARCH 15, 1968

American economic policy is now facing itself coming back. It will not be easy to trace all the outward steps, side tours and excursions taken on the round trip. Only the broader outlines can be traced here.

We start with the home base, which became marked in the post-Civil War years as a unique economic system, gestated on this continent over a period measured in generations.

We made a new departure in this land from much that had gone before in our mother- and fatherlands across the Atlantic. The process marking the departure was not an experiment, economic or political, but more nearly an unconscious development arising from the play of our economic and political philosophy and our harvest of experience on the vast resources that fell to our lot as a people. The result was the outcome also of our character as a people, diverse as this was, as it reacted to the exigencies of the rough frontier and the smell of rich resources; of our governmental vision, our religious discipline and our readiness to toil, to build, and to absorb reverses. Despite the rough usages, the exploitation, greed and lust that are sometimes seized upon as the principal thrust of our character and career across the continent, there was always at work a residual discipline. It brought up the rear and imposed its taming and civilizing influence, even if it was often slow and uncertain and sometimes fiercely resisted.

The economics of it consisted of taming the natural wilds, staking out claims or setting metes and bounds, producing food and fiber, building shelter, multiplying, toiling, expanding and improving.

In time the growth and development, phenomenal as it was under the freedom provided by the new political system, reached proportions that required the shaping of new policies. As problems proliferated under conditions that for us were new, we met them, or essayed to do so, through our own perspective, although we had some learning imported from our European ancestry. One of the first problems or at least one of the foremost was that of curbing combinations of gigantic aggregates of capital, either in production or in service industries (e.g., railroads and banking).

It was largely the reviewers, the sideline appraisers seated principally in our academic chairs, who interpreted developments and raised the storm signals. Their alarms and excursions, given substance by crises, panics and depressions, led to the legislative reform measures that more and more engaged our legislative energies.

MASS PRODUCTION AND MASS CONSUMPTION

Behind the economic developments lay our technological and inventive genius, which derived encouragement from our patent laws and the possibility of enrichment through competent exploitations of inventions. As we moved onto the frontiers of *mass production* our economists perceived the virtues of the market economy—which is to say, the consumers' potential capacity to absorb farm and factory output. It was not immediately clear that a mass production system could endure only under the pull of *mass consumption*; but in time the equation was grasped in its full significance. Rightly or wrongly Henry Ford has been credited with the practical prosecution of the idea by instituting the $5.00-a-day wage. If mass production, generated by technological progress, was not to fall on its face, consumers must be armed with the purchasing power necessary to absorb the increasing output. A penurious wage policy would not answer the purpose.

FAIRNESS OF COMPETITION

Meantime, the reformers had placed the Sherman Anti-Trust Act on the statute books (1890). The economic understanding behind the Act included an appreciation of the nature and behavior of consumer demand. If monopoly were permitted to entrench itself the cost of goods would not be reduced, and consumer dollars would not reach as far as they might. Fair competition would assure lower prices as costs of production were reduced in response to technological progress. More people would be able to purchase more goods. As more goods were produced still lower costs could be realized, and as competition forced prices still lower yet a greater part of the public would become a market for goods; and so on. Finally the true mass market would develop. Therefore monopoly must not be allowed to stifle competition and prevent market expansion.

If Ford had produced only the high-cost prestige automobiles, he might have made a much larger profit per unit, but his unit sales would have remained very limited. He would have realized a lower total profit and the mass of the people would have stayed in their wagons and buggies.

In any event, the mass production-mass consumption equation was soon recognized by a growing number of industries, and it became the characteristic of the American system.

In spite of the reformers and regulators, who succeeded in placing the Clayton Act on the books, no less than the Federal Reserve Act and the Federal Trade Commission Act in the time of Woodrow Wilson, our economy, however, continued to operate on its cyclical system of prosperity, crisis, panic, depression and prosperity. In 1929, stoked by the economic repercussions of World War I, the structure once more collapsed, and before it could be righted the collapse almost took the system to the floor with it.

The very wisdom and soundness of the system came under serious question.

We had come thus far under the impetus of the private enterprise system and the potential vigor that was converted into activity by the incentive for private profit. During the Depression of the Thirties the virtue of this incentive system under which we had gained the industrial leadership of the world came to be viewed with a jaundiced eye. It was interpreted more and more as a system catering to the greed of enterprisers and exploiters. The human suffering occasioned by the veritable massacre of countless private ambitions, an onslaught which in many instances caught careers in mid-air and shot them down, represented a cost in terms of frustration that seemed to many to be a price that was too high to pay.

ADVENT OF THE CONTROLLED ECONOMY THROUGH REGULATION

Under the high emotion of economic frustration the electorate vowed that it must not happen again, and it sustained legislative proposals designed to reform the system; and these were adopted by wide majorities. Thus dawned the day of spreading business regulation and extensive governmental control of economic activities in this country. Laissez faire gasped its last breath. A little later we will come back to this death of cock robin, and who it was that killed him.

To tame the harsh cyclical swings measures relating to farm prices, wages and hours, bank deposits, stock-market operations, unemployment insurance and others were adopted.

REMOVAL OF WAGES FROM COMPETITION

Having grasped the significance of purchasing power to the mass output of goods, efforts were directed toward the bolstering of wages, since in the aggregate these became recognized as the overwhelming source of effective consumer demand. Obligatory collective bargaining was joined with minimum wages as one of the guarantees against shrinkage or attrition of wage-income of the people. One of the prime purposes of the minimum wage policy and of the outlawing of child labor was to remove wage-reduction from the arsenal of producers and manufacturers who might seek to reduce costs of production by cutting wages. Purchasing power must not become a victim of such "unfair" methods of competition, namely wage-cutting and hiring of children. If one employer could reduce wages as a means of reducing costs he would force the hand of those who were not inclined to follow the course. Thus a run against consumer purchasing power might erode the market's underpinning.

Cost-reduction was thus made a function of technological advancement rather than wage-reduction or wage stagnation. It became acceptable to displace workers by machines to achieve lower prices, for in this direction lay economic progress. In time the lower prices would lead to greater consumption and the displaced workers would be rehired and often additional ones put on the payroll. Thus would the economy expand although sometimes several years might be needed.

COST REDUCTION THROUGH TECHNOLOGY

This course represented good economics so long as the goods concerned enjoyed an elastic demand. It was not so sound where the necessities were concerned: in the case of food, for example, because the elasticity of demand is largely limited in that item by the human stomach. Lowering of prices does not sell much more flour or potatoes. In any event, dropping the cost farther and farther excites no growth in demand remotely comparable to the response to sharp cost and price reductions in many nonessential goods.

The notion that cost reduction would necessarily lead to a bonanza in the form of a mass market caused some confusion. It all depends actually on the character of the consumer demand. Automobiles and radio and television sets were a prime example of the elastic market; and efforts to bring costs down to the level of the mass pocketbook were well repaid. On the other hand pins and salt, nails and forks would not sell much more widely if costs were brought down. The necessities are not pursued far beyond the minimum level. It is the nonessentials that open the prospects of great variety and proliferation of demand. It is also the nonessentials that make the market more sensitive to misgivings and uncertainty, such as import competition may arouse in producers, because the consumer can on short notice, and often does, curtail or switch his purchases of items on which the price seems high, or he is under the need to retrench his expenditures. Bargains look especially good.

EMPLOYMENT ACT OF 1946

Not only for social but also economic reasons the Employment Act of 1946 was passed in that year. Full employment at wages from the minimum upward, with the upward range determined by collective bargaining, would provide a lively market for the output of our farms, mines, forests and factories.

CUSHIONS AGAINST DEPRESSION

The outlook was one of widening of prosperity if the various economic elements and factors could be kept in balance. While recessions might occur, the likelihood of a depression of the 1930 model, was remote because of the cushions that had been provided. These took the form of minimum wages (against the collapse of wages), unemployment insurance (against the disappearance of purchasing power), bank deposit insurance (against panicky runs on banks by depositors), farm price supports (against the collapse of farm prices), Federal home financing (against wholesale foreclosures), social security (against old-age pennilessness), etc.

TUNING THE ECONOMY

There seemed to be no reason why the economy could not be "fine-tuned" by the exercise of fiscal and monetary foresight by the government. Taxes, interest rates, money supply and similar instruments were at the service of governmental policy. If a recession loomed, deficit financing together with reduced taxes and lowered interest rates (plentiful money), could be utilized to get the economy "moving" again. If the economy became too active or "overheated" opposite measures could be taken.

Aside from the less inspiring and sometimes shocking aspects of human fallibility, including that of economists and Federal policy-makers, and, further the sometimes intractable recalcitrance of legislators and labor organizations (as witness the spurning of the 3.2% guideline) there always remained a potentially highly disturbing factor. This consisted and consists of the fact that the United States is not a universe in itself. Our unique economic system rubbed elbows and continues to rub elbows with other economies, some of which were and are quite disparate in point of wage base, economic philosophy and development, both in relation to us and among themselves. Commercially we were and are interdependent with them to a degree; politically perhaps more so.

INSULAR ECONOMY IN AN INTERDEPENDENT WORLD

Yet our laws governing minimum wages, maximum hours, farm prices, unemployment compensation, and similar economic and social measures do not extend to other countries. These domestic laws nevertheless exert a far-reaching influence on our economy. More specifically they affect the cost of production and at the same time produce an inflexibility in relation to costs that borders of the "demonstrations" have turned out to be a form of organized tragedy—a way of inflaming rather than cooling passions. If this is continued, the end result can only be a retrogression, an emergence of hate and bitterness on a wide scale, with the ultimate loss of the objective itself.

There is a right way and a wrong way. The rule of reason is the right way. "Demonstration" provocative of violence are the wrong way.

Lyndon B. Johnson, the People's President

HON. CARL ALBERT

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. ALBERT. Mr. Speaker, I know President Johnson is sincere and means what he says about not seeking reelection. I also know that the overwhelming majority of the American people support the President and his programs.

I wish to call to my colleagues' attention an excellent article by Mr. Robert G. Spivack, which perceptively reports on the public's reaction to the President's shocking announcement that he would not seek reelection.

As Mr. Spivack says:

> President Johnson, a proud and strong man, would rather be remembered as the man who brought peace and prevented World War III than as just another seeker of high office, fulfilling personal ambitions.

This, it seems to me, neatly sums up the meaning of the President's momentous decision. As he has done from the moment he took office, Lyndon Johnson has put first the national interest over any personal interest.

This is the mark of a great President. And it is the style and substance of Lyndon Johnson's Presidency.

Under unanimous consent I insert Mr. Spivack's excellent article into the RECORD:

[From the Denver Post, Apr. 4, 1968]

CAN L. B. J. BE DRAFTED?

(By Robert G. Spivack)

WASHINGTON.—Maarten C. Bolle is the Washington correspondent of Het Vrije Volk of The Netherlands and other European newspapers, a perceptive veteran newspaperman, longtime observer of the American scene.

"Is it possible," he asked a group of us at the National Press Club, "that the American people do not realize the qualities of President Johnson because he talks like a Texan, or is not in high society? Would they really trade him in for an unknown model like Kennedy or McCarthy or someone else, who speak such superficialities about international affairs?

"If they let this man get away then I guess I will have to stop trying to interpret American politics for my readers, because I would have to report that they have lost their qualities of common sense and have gone crazy over glitter."

A woman boarding a bus from Virginia, reported a Milwaukee newspaperman, turned to nobody in particular and asked, "Now who will all the critics pick for a whipping boy, without LBJ?"

A Sunoco gasoline station attendant was asked early Monday morning, after the President's Sunday night bombshell, what he thought of it? "I don't know what he said," the attendant answered. When told that LBJ said he would not run the man stared in disbelief—and then burst into tears. "I like Lyndon," he said. "He can't do that. What's going to happen to us old folks." The man was so upset he forgot to charge for the gasoline.

That was the mood in the Capital on Black Monday, April 1—the city was shocked, stunned and saddened. Everywhere one travelled the reaction was the same. "A big man." "A real patriot." "I never knew how dependent we had all become on him," said a young clerk in Garfinckel's department store.

When the shock wore off and people began to discuss other alternatives the discussion always seemed to end with two questions, "Does he mean it?" and "What can we do to make him change his mind?"

Each of us who has been privileged to know Lyndon Johnson probably has his own answers and these are mine:

1. He does mean it. I think he has decided that a chief executive, who is also commander in chief, cannot work on the details for peace in Vietnam—or take the alternate course if Hanoi continues to kill and terrorize the people of South Vietnam—and at the same time devote himself to the details of U.S. precinct policies in an election year.

President Johnson, a proud and strong man, would rather be remembered as the man who brought peace and prevented World War III than as just another seeker of high office, fulfilling personal ambitions. After all he is at the summit; there is no place higher to go.

2. If it's only politicians, or office-holders and office-seekers who ask him to reconsider then I doubt that he can be drafted. But if mothers of boys serving in Vietnam, or the Sunoco gas station attendant, say "Your country needs you" I do not see how he could fail to respond affirmatively, much as he may yearn for the peace and contentment of his ranch back home.

Johnson's affinity is with the workingmen and women of this country, with the poor and the afflicted. He has little in common with the jet set or so-called "high society" or those self-styled intellectuals who are known as the "talking liberals" compared with his cabinet of "working liberals."

They don't like him. He does not like them. Although he has done more in four years to achieve the social goals about which they talk so glibly they have run out on him in a difference over one issue, Vietnam. He has fought their battles at home—and probably abroad—but they turned their backs on him.

If Johnson can be persuaded to change his mind it will have to be a spontaneous ground swell from those we used to call "the common people." If that comes and he is persuaded he can heal the nation's wounds I doubt he would be a draft-dodger. He has a genuine devotion to duty.

Trade Policy Review

HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. DENT. Mr. Speaker, Members of this body have a vital interest in the trade policy of this country. Recently public hearings were opened by the Trade Information Committee of the Office of the President's Special Representative for Trade Negotiations. A number of witnesses have already been heard and over a hundred have asked to testify.

A review of the trade policy of over 30-years standing is far past due. The world has changed greatly since 1934, including the pattern of trade. During the years since that time we have all but discarded the tariff as a means of guarding our industries and labor against the miserable, low wage scales paid in many foreign countries. As a result more and more of our industries are feeling the destructive impact of rising imports.

One of the papers submitted to the Trade Information Committee was from O. R. Strackbein, chairman of the Nationwide Committee on Import-Export Policy.

Mr. Strackbein has been on the scene for many years. Newsweek in its issue of March 30, reporting on the hearing before the Trade Information Committee, said:

> Protectionists were represented by O. R. Strackbein speaking for the Committee on Import-Export Policy, a large grouping of industries worried about foreign competition.

Not long ago the New York Journal of Commerce referred to Mr. Strackbein as the chief architect of protectionist legislation. He has appeared more than once before the House Education and Labor Subcommittee on Labor, of which I have the honor to be chairman, to give voice to the concern of American industry and labor over rising import competition. I have always found his presentations worthy of the most serious attention and study.

I place Mr. Strackbein's paper at this point in the RECORD:

STATEMENT OF O. R. STRACKBEIN, CHAIRMAN, THE NATIONWIDE COMMITTEE ON IMPORT-EXPORT POLICY, BEFORE THE TRADE INFORMATION COMMITTEE, OFFICE OF THE SPECIAL REPRESENTATIVE FOR TRADE NEGOTIATIONS, MARCH 15, 1968

American economic policy is now facing itself coming back. It will not be easy to trace all the outward steps, side tours and excursions taken on the round trip. Only the broader outlines can be traced here.

We start with the home base, which became marked in the post-Civil War years as a unique economic system, gestated on this continent over a period measured in generations.

We made a new departure in this land from much that had gone before in our mother- and fatherlands across the Atlantic. The process marking the departure was not an experiment, economic or political, but more nearly an unconscious development arising from the play of our economic and political philosophy and our harvest of experience on the vast resources that fell to our lot as a people. The result was the outcome also of our character as a people, diverse as this was, as it reacted to the exigencies of the rough frontier and the smell of rich resources; of our governmental vision, our religious discipline and our readiness to toil, to build, and to absorb reverses. Despite the rough usages, the exploitation, greed and lust that are sometimes seized upon as the principal thrust of our character and career across the continent, there was always at work a residual discipline. It brought up the rear and imposed its taming and civilizing influence, even if it was often slow and uncertain and sometimes fiercely resisted.

The economics of it consisted of taming the natural wilds, staking out claims or setting metes and bounds, producing food and fiber, building shelter, multiplying, toiling, expanding and improving.

In time the growth and development, phenomenal as it was under the freedom provided by the new political system, reached proportions that required the shaping of new policies. As problems proliferated under conditions that for us were new, we met them, or essayed to do so, through our own perspective, although we had some learning imported from our European ancestry. One of the first problems or at least one of the foremost was that of curbing combinations of gigantic aggregates of capital, either in production or in service industries (e.g., railroads and banking).

It was largely the reviewers, the sideline appraisers seated principally in our academic chairs, who interpreted developments and raised the storm signals. Their alarms and excursions, given substance by crises, panics and depressions, led to the legislative reform measures that more and more engaged our legislative energies.

MASS PRODUCTION AND MASS CONSUMPTION

Behind the economic developments lay our technological and inventive genius, which derived encouragement from our patent laws and the possibility of enrichment through competent exploitations of inventions. As we moved onto the frontiers of *mass production* our economists perceived the virtues of the market economy—which is to say, the consumers' potential capacity to absorb farm and factory output. It was not immediately clear that a mass production system could endure only under the pull of *mass consumption*; but in time the equation was grasped in its full significance. Rightly or wrongly Henry Ford has been credited with the practical prosecution of the idea by instituting the $5.00-a-day wage. If mass production, generated by technological progress, was not to fall on its face, consumers must be armed with the purchasing power necessary to absorb the increasing output. A penurious wage policy would not answer the purpose.

FAIRNESS OF COMPETITION

Meantime, the reformers had placed the Sherman Anti-Trust Act on the statute books (1890). The economic understanding behind the Act included an appreciation of the nature and behavior of consumer demand. If monopoly were permitted to entrench itself the cost of goods would not be reduced, and consumer dollars would not reach as far as they might. Fair competition would assure lower prices as costs of production were reduced in response to technological progress. More people would be able to purchase more goods. As more goods were produced still lower costs could be realized, and as competition forced prices still lower yet a greater part of the public would become a market for goods; and so on. Finally the true mass market would develop. Therefore monopoly must not be allowed to stifle competition and prevent market expansion.

If Ford had produced only the high-cost prestige automobiles, he might have made a much larger profit per unit, but his unit sales would have remained very limited. He would have realized a lower total profit and the mass of the people would have stayed in their wagons and buggies.

In any event, the mass production-mass consumption equation was soon recognized by a growing number of industries, and it became the characteristic of the American system.

In spite of the reformers and regulators, who succeeded in placing the Clayton Act on the books, no less than the Federal Reserve Act and the Federal Trade Commission Act in the time of Woodrow Wilson, our economy, however, continued to operate on its cyclical system of prosperity, crisis, panic, depression and prosperity. In 1929, stoked by the economic repercussions of World War I, the structure once more collapsed, and before it could be righted the collapse almost took the system to the floor with it.

The very wisdom and soundness of the system came under serious question.

We had come thus far under the impetus of the private enterprise system and the potential vigor that was converted into activity by the incentive for private profit. During the Depression of the Thirties the virtue of this incentive system under which we had gained the industrial leadership of the world came to be viewed with a jaundiced eye. It was interpreted more and more as a system catering to the greed of enterprisers and exploiters. The human suffering occasioned by the veritable massacre of countless private ambitions, an onslaught which in many instances caught careers in mid-air and shot them down, represented a cost in terms of frustration that seemed to many to be a price that was too high to pay.

ADVENT OF THE CONTROLLED ECONOMY THROUGH REGULATION

Under the high emotion of economic frustration the electorate vowed that it must not happen again, and it sustained legislative proposals designed to reform the system; and these were adopted by wide majorities. Thus dawned the day of spreading business regulation and extensive governmental control of economic activities in this country. Laissez faire gasped its last breath. A little later we will come back to this death of cock robin, and who it was that killed him.

To tame the harsh cyclical swings measures relating to farm prices, wages and hours, bank deposits, stock-market operations, unemployment insurance and others were adopted.

REMOVAL OF WAGES FROM COMPETITION

Having grasped the significance of purchasing power to the mass output of goods, efforts were directed toward the bolstering of wages, since in the aggregate these became recognized as the overwhelming source of effective consumer demand. Obligatory collective bargaining was joined with minimum wages as one of the guarantees against shrinkage or attrition of wage-income of the people. One of the prime purposes of the minimum wage policy and of the outlawing of child labor was to remove wage-reduction from the arsenal of producers and manufacturers who might seek to reduce costs of production by cutting wages. Purchasing power must not become a victim of such "unfair" methods of competition, namely wage-cutting and hiring of children. If one employer could reduce wages as a means of reducing costs he would force the hand of those who were not inclined to follow the course. Thus a run against consumer purchasing power might erode the market's underpinning.

Cost-reduction was thus made a function of technological advancement rather than wage-reduction or wage stagnation. It became acceptable to displace workers by machines to achieve lower prices, for in this direction lay economic progress. In time the lower prices would lead to greater consumption and the displaced workers would be rehired and often additional ones put on the payroll. Thus would the economy expand although sometimes several years might be needed.

COST REDUCTION THROUGH TECHNOLOGY

This course represented good economics so long as the goods concerned enjoyed an elastic demand. It was not so sound where the necessities were concerned: in the case of food, for example, because the elasticity of demand is largely limited in that item by the human stomach. Lowering of prices does not sell much more flour or potatoes. In any event, dropping the cost farther and farther excites no growth in demand remotely comparable to the response to sharp cost and price reductions in many nonessential goods.

The notion that cost reduction would necessarily lead to a bonanza in the form of a mass market caused some confusion. It all depends actually on the character of the consumer demand. Automobiles and radio and television sets were a prime example of the elastic market; and efforts to bring costs down to the level of the mass pocketbook were well repaid. On the other hand pins and salt, nails and forks would not sell much more widely if costs were brought down. The necessities are not pursued far beyond the minimum level. It is the nonessentials that open the prospects of great variety and proliferation of demand. It is also the nonessentials that make the market more sensitive to misgivings and uncertainty, such as import competition may arouse in producers, because the consumer can on short notice, and often does, curtail or switch his purchases of items on which the price seems high, or he is under the need to retrench his expenditures. Bargains look especially good.

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Not only for social but also economic reasons the Employment Act of 1946 was passed in that year. Full employment at wages from the minimum upward, with the upward range determined by collective bargaining, would provide a lively market for the output of our farms, mines, forests and factories.

CUSHIONS AGAINST DEPRESSION

The outlook was one of widening of prosperity if the various economic elements and factors could be kept in balance. While recessions might occur, the likelihood of a depression of the 1930 model, was remote because of the cushions that had been provided. These took the form of minimum wages (against the collapse of wages), unemployment insurance (against the disappearance of purchasing power), bank deposit insurance (against panicky runs on banks by depositors), farm price supports (against the collapse of farm prices), Federal home financing (against wholesale foreclosures), social security (against old-age pennilessness), etc.

TUNING THE ECONOMY

There seemed to be no reason why the economy could not be "fine-tuned" by the exercise of fiscal and monetary foresight by the government. Taxes, interest rates, money supply and similar instruments were at the service of governmental policy. If a recession loomed, deficit financing together with reduced taxes and lowered interest rates (plentiful money), could be utilized to get the economy "moving" again. If the economy became too active or "overheated" opposite measures could be taken.

Aside from the less inspiring and sometimes shocking aspects of human fallibility, including that of economists and Federal policy-makers, and, further the sometimes intractable recalcitrance of legislators and labor organizations (as witness the spurning of the 3.2% guideline) there always remained a potentially highly disturbing factor. This consisted and consists of the fact that the United States is not a universe in itself. Our unique economic system rubbed elbows and continues to rub elbows with other economies, some of which were and are quite disparate in point of wage base, economic philosophy and development, both in relation to us and among themselves. Commercially we were and are interdependent with them to a degree; politically perhaps more so.

INSULAR ECONOMY IN AN INTERDEPENDENT WORLD

Yet our laws governing minimum wages, maximum hours, farm prices, unemployment compensation, and similar economic and social measures do not extend to other countries. These domestic laws nevertheless exert a far-reaching influence on our economy. More specifically they affect the cost of production and at the same time produce an inflexibility in relation to costs that borders on rigidity. More and more the effects approach a condition of rising fixed costs.

The most influential of all the cost factors by far is the payroll, and this is composed in great part of wages—salaries currently representing a relatively smaller but growing share. Of all corporate income approximately 80% is paid out in the form of employee compensation in this country. (See Statistical Abstract of the United States for 1967, Table on National Income by Sector, No. 461, p. 324.)

WAGES AS SOURCE OF CONSUMER INCOME

This country jumped ahead in wage levels during the first few post-war years and the lead became so great, compared with pre-war days, that subsequent spurts in wages in other countries made little progress toward closing the wide gap. Such progress as was made was soon erased by the failure of the wage guideposts of 1966 in this country.

Meantime a great leap in technological advancement abroad, with inestimable help from this country, assured a widening competitive margin over us in an increasing number of lines of goods. Recent years brought typewriters, bicycles, standard machine tools, sewing machines, consumer electronic products (radio and TV sets), cotton and woolen textiles, petroleum and a number of other products under severe competitive attack from abroad. Most recently footwear, meat and steel have come under attack.

CHALLENGE FROM ABROAD

Whatever may be said about rising wages as assuring an expanding consumer purchasing power that keeps our factory wheels turning, the fact is that the virtue that resides in this function is under severe challenge from the outside. This challenge is a direct outcome of the foreign aspiration to emulate our economy, particularly the mass-production aspects of it. The Second World War was sufficient to convince foreign skeptics of the great vigor and productivity of our system; and they "bought" it. It is essentially a consumer-pulled system, where the consumer derives his pulling power from employment at good wages. The push comes from producers who, assessing the market, see in it potential profits. They bombard the consumers to open their pocketbooks, but if there is little in the pocketbook or checking account the bombardment fails. It is, of course, employment at good wages that keeps the pocketbook stocked with legal tender. This aspect of our system may dampen the foreign emulation. Labor unions, moreover, do not exert as much bargaining power abroad as they do in this country. Therefore foreign industry may be expected to continue to enjoy their competitive advantage for years to come. The wage gap will not soon be closed.

ASSESSMENT OF COMPETITIVE STANDING OF U.S. INDUSTRY IN THE WORLD

If we seek to assess the competitive capacity of our various industries we must examine the unit costs of domestic and foreign producers. It is a common practice among economists of the classical mould to tax domestic industries with inefficiency if they cannot compete with imports. This indictment is made without presenting a bill of particulars and can issue only from ignorance or disregard of towering facts.

The same economists are quick with the retort that our industry has little of a substantial nature to fear from imports because we have such phenomenal know-how and productive magic. In the next breath, when confronted with undeniable instances of impossible competitive handicaps, they berate the domestic industry for its inefficiency and lack of vigor and progress. How the United States could have achieved its world industrial leadership if our industry were thus inefficient is never explained.

ECHOES OF ADAM SMITH (1775)

The peculiar logic of these economists is attributable to their insistence on reading the economic currents, events and trends of today through the eye-glasses of vintage 1775, that of Adam Smith. They will not accept as a fact the irrefutable fact that our economy is a regulated and controlled economy and that the market forces do not have an opportunity to play the game as prescribed by Adam Smith. This error leads them to some grotesque conclusions. It would be necessary to dismantle our minimum wage laws, obligatory collective bargaining, farm price supports, social security, unemployment compensation, bank deposit insurance, restrictive immigration laws and other controls if the economy were to be shaped by the free market. The trend is, of course, in the exact opposite direction, and usually with the advice and consent of the economists in question.

To assure the continuity of the equation of mass-production sustained by mass consumption we have indeed instituted a whole arsenal of controls and regulations. That is why, contrary to what would be expected by classical economics under a free market regime, wage costs in this country per unit of production may be higher than foreign costs, *and why the differential may last indefinitely*. Competition has been thoroughly hobbled by subsidies, controls, restrictions and imposed burdens that go far to nullify the free market forces. To unhobble the 7% or 8% of our economy that is devoted to foreign commerce by removing or drastically reducing trade restrictions would not free our economy from the effects produced on it within this country by the other 92–93%.

THE CONTROLLED MARKET EXPOSED TO EXTERNAL UNDERMINING FORCES

Our domestic economy, for example, is insulated internally against the effect of wage-cutting, not only by the establishment of minimum wages but by obligatory collective bargaining. This is true even of the part that is devoted to production for export—some 4%—which is, however, not thus insulated against the effect of low-wage competition from the outside. It is, of course, not necessary that foreign wages be *cut* in order to produce the same effect as wage-cuts in this country. Foreign wages are low enough as it is; in combination with productivity advancement in the industrial countries, to permit penetration of our market just as a domestic producer would gain an advantage over his competitors in this country should he engage in wage cuts. This is no longer permitted and lies wholly outside of the bounds of probability but the impact of the low-wage operation from abroad is very much a reality.

The American producer thus finds himself the victim of a double economic standard. He is obliged to sustain consumer purchasing power in this country by standards of wages, working conditions and social security that find their justification, not in the field of competitive considerations, but rather in a social philosophy that asks few questions about equality of burdens imposed by it. The demand put on the producer to employ a full complement of workers at high wages, subject moreover, to tough bargaining by powerful labor organizations, was and is peremptory—even though it was and is clear that the producer's foreign competitors were not and are not subject to the same prescription.

If the burden is too great the producer has one of several options: (1) He may reduce his cost by installing more productive machinery, if it is available and within his financial reach, thus reducing his work force. This course is indeed not only permitted but encouraged, for reasons already given. (2) If the technology is not at hand he may fight a losing battle by accepting a shrinking share of the domestic market and hope to be saved by the expansion of the market through population growth. He will, however, contribute to unemployment by not employing his share of the increasing number of workers. (3) He may transfer some of his production, perhaps the greater part of his expansion-potential, overseas where the payroll burden is not so exacting. This is the course taken by a growing number of industries.

What the producer learned over a period of time was that the cushions designed and shaped to prevent the cyclical economic crashes were not of foam rubber, but of foam gold. In terms of production costs they were very expensive. So was the instrument of obligatory collective bargaining. Nevertheless, the electorate, with memories of 1929 and the Great Depression still fresh in mind and emotion, insisted persistently on a regime that would assure our nation against a recurrence of the experience of those days; and beyond that, a course that would lead to new frontiers and a great society. Then it was surprised and sometimes angered if our producers found import competition intolerable.

FOREIGN TRADE POLICY AT ODDS WITH DOMESTIC POLICY

With an oddity that defies the processes of logic this country adopted a foreign trade policy that flatly contradicted the determined endeavor on the home front, i.e., bringing competition to a basis of "fairness" by removing from it the use of low wages as a lever to gain a competitive advantage. Wage-cutting below a specified minimum was outlawed. Increased importation of goods made abroad by yet cheaper labor was, however, encouraged by tariff reduction, on the grounds, among other things, that our country would benefit from, and our industry needed, the type of competition from abroad that was put beyond the pale at home!

Also, we *imposed* controls and regulated many basic economic activities at home with an ardor equal to that with which we pursued the *removal* of controls and regulation of foreign trade represented by tariffs. In the one instance regulation and controls were embraced as the very instruments of economic salvation; in the other they (tariffs and import quotas, both of which are regulatory instruments) were anathema. We prostrated ourselves before the altar of free-trade, and even now the halo still shines, even if its rays are fast dimming.

It will be noted that despite our conscious concern over it the protection of consumer purchasing power was not total. It was permissible, as already noted, to reduce the payroll by the route of mechanization or automation. Even John L. Lewis, the redoubtable chief of the United Mine Workers, bowed to this thesis. Replacement of men by machines represented enlightened progress. *Wage reduction* as a means of reducing costs was, however, taboo. From 1950 to 1965 two out of three coal miners' jobs were abolished by mammoth coal digging machines as a means of reducing costs sufficiently to withstand competition from domestic and imported oil and natural gas. Employment dropped from 482,000 to 140,000, representing a loss of 342,000 jobs. The reduction in consumer purchasing power was impressive. If in 1966 as many coal miners had been employed as in 1950, the payroll at the 1967 level of wages would have been $2.563 billion more than it was. Appalachia could have used the money.

COAL AND UNEMPLOYMENT

Coal as a fuel survived by becoming competitive with other fuels both at home and abroad; but the cost in employment was staggering. The direct result was the problem of Appalachia, which has called for the expenditure of hundreds of millions of dollars from the Treasury.

It is obvious that if imports press a domestic industry through low prices today the domestic industry is in turn pressed to remain competitive by improving the output per man-hour: not by reducing wages or holding them in status quo. In other words, installation of more productive machinery is called for; and this entails displacement of workers, and the cost in jobs may be very steep, even if not always as numbing as in the case of coal.

We accomplished the same end (cost reduction) in our agriculture on a grand scale. Not only mechanization, but the application of fertilizer, the use of insecticides and weed killers, and the improvement of crop strains have been applauded for the doubling of the output per acre by our agriculture during the past generation.

AGRICULTURAL EMPLOYMENT IN RESPONSE TO TECHNOLOGY

The cost? Farm employment dropped by 5.2 million from 1950 to 1967 or more than 50%. Even at present *minimum* wage levels this reduction represented a payroll shrinkage of $15.6 billion in 1967 over 1950.

The output per man-hour in our agriculture rose from an index of 49.8 in 1947 to 155.6 in 1966, or more than three-fold. (Statistical Abstract of the U.S., 1967, Table 332, p. 236)

Such efficiency (productivity per man-hour) could not be matched elsewhere in the world. *Yet our principal farm products cannot yet compete in foreign markets without a subsidy,* as note wheat and cotton; and our agricultural exports depend heavily on Foreign Aid and Food for Peace shipments. Do these facts throw any light on our competitive position in the world?

COST OF EFFICIENCY IN TERMS OF JOBS

The wholesale eviction of workers, as already noted, was all acceptable as a means of reducing production costs. John L. Lewis was commended for his enlightenment; and the large-scale eviction of men from the farms went unnoticed. When, however, the coal industry including the United Mine Workers sought restrictions on imports of residual fuel oil in order to soften the impact on employment in coal mines they were pilloried as shortsighted and greedy, so abject was our devotion to the mystical blessings of free trade!

Yet, the hard fact is that costs cannot be reduced substantially without displacing workers. It has been estimated that a 10% reduction in the cost of steel-making would entail the displacement of some two hundred thousand workers. We lead the world in steel output per man-year but this lead is not sufficient to offset the cost advantage of our foreign competitors. We need an extra measure of greater efficiency, and this calls for more worker displacement.

The cost of our high productive efficiency has indeed been enormous. The evicted farmers and farm workers have congested our cities and aggravated our urban problems. The nonwhites have crowded into highly populated centers and live in the poverty rows of our ghettos. Appalachia and similar areas have called for federal poverty programs to alleviate the distress. Poverty among rural whites outruns that of our colored population, in point of numbers. The problem therefore is more than one of civil rights.

When, however, our voters leave the polls and become consumers they are prone to disown the products of their legislative children. What has not been properly learned is that what goes by the name of progress, prosperity and social welfare exacts a high cost. As consumers we do not wish to acknowledge our parentage as voters. We wish to eat our cake and yet have it always before us.

As consumers we are enamored of bargains. We wish to buy imported goods at lower prices than our own producers can offer the merchandise. We forget that as voters we saddled our producers with cost-escalating burdens that generated the higher prices. Then we turn around and accuse them of inefficiency, backwardness and sluggishness because they cannot compete!

Voters and consumers are one and the same. They should square away, look at each other, introduce themselves to one another and seek to understand each other.

During the long period of fashioning governmental controls and interferences with economic forces, from 1933 forward, our productivity increased handsomely; but we were faced simultaneously with higher costs (much of the increase, beyond the heavily contributing factors already mentioned, being attributable to war, defense and cold war, no less than foreign aid). We insisted nevertheless on dismantling our tariff, taking down the average rate from slightly over 50% on *dutiable* products to some 11%. In five years it is destined to go to 6% or 7%, under the Kennedy Round. Nearly 40% of our imports are duty free.

Our President is capable of pointing with unstinted pride at the "accomplishment" of the Kennedy Round, even though only one-fifth of it has taken effect. In the years to come the impulsion toward outward movement of our investment capital will grow, but public policy, trapped by the results of past policy heavily supported by the voters, may force a retrenchment, as it has already begun to do.

Today we are faced with a balance of payments crisis. We are meeting our economic system coming back to us, so to speak, armed with distinct competitive advantages picked up abroad, notably low wage costs.

On the broad front of foreign economic policy we are confronted with a phenomenon of public behavior that is not wholly inexplicable but puzzling nevertheless.

As voters the people support programs and policies that may and do produce results that as consumers they deplore. Anthropologists tell us that there was a time when man was unaware of the cause-and-effect relationship between the act of mating and the birth of offspring. Our populace gives evidence that through its electors or voters it sets into motion activities that sometimes produce results that it will not recognize as its own offspring. It will indeed disown some of these results, simply because they are undesirable or disagreeable. The connection between cause and effect is evidently not close enough to be grasped on the run.

While as consumers, to repeat, we are enamored of bargains, none of us offers to work at bargain wages, bargain salaries or for bargain profits. This would not be in keeping with our standard of living—a fact easy to comprehend; but we are glad to buy foreign goods in preference to those domestically produced because the latter carry a higher price tag. We unreflectingly react with hostility toward costs made high by our high wages, salaries and profits and the social and welfare measures that we insist on having (with high defense and cold war costs thrown in).

NEW TRADE POLICY NEEDED

Needed is a trade policy that takes account of the competitive position of our industry in the world. This is very weak, as witness our need to include exports of governmentally financed goods in our export tables in order to show a surplus; and at the same time understate the cost of our imports by recording their foreign value rather than their landed cost. On a private commercial basis we are in a deficit and not a surplus position.

Moreover, imports of manufactured goods, as might be expected, expanded six times as fast as imports of raw materials from 1960–67. The reason is simply that manufactured goods incorporate the maximum of cheap foreign labor and therefore represent the best bargain.

Little wonder that a heavy stream of outlays for foreign plants has developed in recent years. The foreign scene is competitively more attractive than the domestic.

The foregoing facts should be recognized and our foreign trade policy shaped accordingly. We should set aside a fair portion of our market for imports and permit them to share proportionately in the growth of our market. To this end ceilings should be set on imports that have made a serious penetration of our market; and import quotas imposed if the ceilings are breached.

The stimulus to domestic industry that is beset by import competition would in turn stimulate greater expansion and higher employment at home. The benefits of imports could be enjoyed without inviting their despoliation of our market.

Vietnam

HON. JAMES J. HOWARD

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. HOWARD. Mr. Speaker, last month, following months of constant and agonizing appraisal, I made public my feelings over the conflict in Vietnam. I do not believe it is sensible to condemn a policy unless one is willing and able to offer a realistic alternative to the present policy. On the other hand, I do not believe a person should blindly follow a course of action without regard to the consequences, or without listening to those who may feel differently.

Since my statement was completed, President Johnson has made a strong peace move by ordering a reduction in the bombing. It is my sincere wish that this pause will lead to peace talks and that the United States will eventually disengage itself from the conflict in Vietnam.

Under permission granted me, I place my statement in the Record:

VIETNAM

The troubled cloud of insecurity casts its ominous pall over all of America today. From the halls of Congress to Main Street, U.S.A. in factories, restaurants and living rooms, Americans anxiously discuss policies and presidents, commitments and confusions, decisions and dominoes, missiles and mistakes, Vietnam.

What is Vietnam? If we listen to the many spokesmen, Vietnam in 1968 is the focal point in the ultimate struggle of the free world against the Communists. It is the strongest nation on earth at the side of a small valiant country, helping to preserve its territorial integrity and philosophic dignity. It is the place where the future of this planet is being determined.

Or Vietnam is a land that is soaking up racially and culturally integrated blood of the combatants on both sides, where "victory" fades into the haze, militarily, diplomatically and even in the understanding of sensible men. It is 100,000 American casualties and more to come while our young men search for an enemy and sometimes an ally. It is the unification of the Communist world at a cost of no Chinese or Russian men and two billion dollars a year and a division in America with thirty billion dollars a year taken from the taxpayers and America's domestic needs. But whatever it in itself is, hovering in the background is World War III.

A few years ago commitments by several of our Presidents had brought about a few thousand Americans, mostly in an advisory capacity, to South Vietnam and a commitment from South Vietnam that they would do their utmost in participation in this struggle. But we stand now with 500,000 men in South Vietnam and the certainty that more will be needed, although the many hundreds of thousands that have been sent in the past have brought us no closer to victory.

We see ahead in Viet Nam more fighting, more deaths among both military and civilian, greater demands for expenditures and the inevitable result of a much wider war. The demilitarized zone has not been a peaceful buffer. Our bombers come closer to Red China and foreign ships in Haiphong and although the odds may not be in favor of this escalating toward Chinese and Russian intervention, there must be very few who would be willing to gamble on the odds knowing the price the world would pay if we were to lose that "bet."

Many people in Congress feel that this is a time to remain silent or to be so general in one's comments that he cannot be pinned down. And although this may be the best politics, I feel it would not be the best representation for the Third District. In truth during the past few years the United States has enmeshed itself in a snowball starting its journey down a deep hill. The snowball gets larger and moves faster and we must do everything in our power to remove ourselves before the inevitable sudden stop at the bottom of the hill.

Of course the first consideration is that we are in Viet Nam to stop the spread of Communism and to demonstrate that a commitment by our nation is worth something. Although we wish our commitments to stand up, the action we are pursuing in Viet Nam may be in truth helping the Communists more than it is hurting them.

Any change in action I may suggest is made out of dedication to America and what we stand for and in opposition to Communism.

The Viet Nam war as it has been conducted has unified the Communists. It has drained the United States of 500,000 men who are 8,000 miles from home contesting their lives for hills, ridges and rice paddies. It has us consuming huge amounts of supplies and war materials while gaining us essentially nothing and it, in many places in the world, shows us to be Americans fighting orientals, destroying their land, killing and maiming their people. At home it has disturbed our economy, our balance of payments, and many of our domestic programs. We have been unable financially to fully face our problems in cities, highways, preservation of resources, pollution control, education, etc. To our thirty billion a year, the Communists are matching it with two or three. Who is "winning?"

In the beginning we felt that this commitment could be met with a limited amount of manpower and money but each time we escalated, the Communists met our escalation at a fraction of the sacrifice we had to make. And we continually ponder a vital question. Can we save South Viet Nam unless it wants to be saved and will make the sacrifices necessary? Will anything be accomplished if we "win the war for them" and then hand it over to them like a welfare dole? Viet Nam has a history of being marked by periodic warfare North and South. It has known oppression at the hands of many of its neighbors. It has been unsuccessful down the years in developing a strong national government. Much of South Viet Nam has not paid allegiance to Saigon for many years.

In the first three years of fighting out of 600,000 South Viet Nam it is stated that fewer than a half dozen officers of the rank of Major or above has been wounded and none killed, while during the same time the United States lost 109 of our officers of field grade rank or above. There are today perhaps 200,000 draft dodgers in South Viet Nam and many others receive draft deferments for little reason. In the Viet Nam war the odds are against us. A Lieutenant once stated as he viewed a battle in an outlying area where three helicopters were fluttering overhead and shots were ringing out, "Look at this, I have three million dollars of equipment and 12 to 15 highly educated and trained young men. Opposed to them over in that field is one peasant with a $50 gun. If the peasant is lucky, he wins the whole ball game." Or how about these odds—we may gamble a two million dollar airplane, ten thousand dollars worth of bombs and the priceless life of an American pilot against a $25 rope bridge which will be rebuilt tomorrow if we are lucky enough to hit it. These are the odds.

With great dedication, patriotism and love of our country after one hundred billion dollars and one hundred thousand casualties, every American may ask what have we gained for our country, for South Viet Nam, for freedom? Can we change the odds? In thinking, discussing, and many, many times going through agonizing reappraisals, I feel that I can no longer see this war as Guadalcanal, Valley Forge or the Battle of Monmouth. I am earnestly concerned in finding how we can put the Viet Nam war into its proper perspective. At the present time and as far as I can see in the future, we are serving the Communists' interests better than our own.

I often ask the people I represent for their views. I tell them I need those views so that I may properly represent my constituents. I also feel that the people I represent are entitled to know my views and I imagine that the question can very justifiably be raised—"All right, if you think what we are doing—the way we are fighting this war—is not correct, precisely what do you suggest we do? Give us an affirmative course of action." This is a fair question and it deserves an answer.

The change I recommend is made because of opposition to Ho Chi Minh, Communism, whether Chinese or Russian, and out of love and concern for America and all we stand for as a nation. First let me make it very clear what I do *not* favor. I do not believe we should turn our backs on the people of South Viet Nam. I do not believe we should substantially reduce our investment of American men or aid without giving the South Vietnamese every reasonable opportunity and assistance to help them help themselves. I *do* propose that the United States not consider escalation of the war but to, in every way practical, *de-Americanize the war* and help and permit the South Vietnamese do the job that should be done and can only be done by the South Vietnamese themselves. I am proposing that we permit them to do the offensive fighting against the invaders. In doing this we should begin to direct our military men to make plans to replace our frontline soldiers with South Vietnamese, while our men protect that nation in well fortified areas which can be defended most readily and where any assault will force the enemy to fight our kind of war. I would hope that within a reasonable time after we will be able to turn the remainder of this defense operation over to the South Vietnamese and eventually they will be able to do the entire manpower operation with aid and assistance in equipment and supplies, etc. from us. In taking this course we will tell our allies in Saigon that we had promised and committed ourselves to help them build a free non-Communist government and to *aid them* in doing so, *not do it for them.*

We are honoring these commitments at tremendous costs in lives and dollars. We have defeated the North Vietnamese in battle after battle and although we are not leaving just yet, we are cutting back to permit them to do their own fighting. It is really their country and their war, not ours. And although we will continue to provide them with supplies and ammunition, we expect them to eliminate the blackmarketing and stealing that goes on throughout South Viet Nam. The war is mainly a product of Viet Nam, not America. Many of the problems, military and civil, can only be resolved by the Vietnamese.

At the same time we should tell Ho Chi Minh that although we can continue at our present course if we wish, we do not choose to because we will no longer fight his kind of war. He will hereafter be fighting Vietnamese people. If he wishes to fight us, our American forces while they are still in Viet Nam, he will be attacking us where we will have the advantages. And we should also warn Ho Chi Minh that we guarantee him absolutely nothing. While we will confine ourselves principally to certain areas in South Viet Nam, we make no guarantee that we will not advance and thwart his offensive preparations whenever we wish to do so. We should also warn him that American power and influence will remain in the Pacific. We will also state that we feel he now has an obligation to negotiate toward peace.

We should also tell our allies throughout the world that since many of their objections to our policy have now been removed, let us see what they are willing to do to find an avenue of peace in Viet Nam.

To the United Nations and its Secretary, U Thant, we can say that since we are de-escalating and de-Americanizing this war, let him produce on the many claims he has made that if one side de-escalates, he can bring about a de-escalation on the other side.

I hope and believe that this course will help America and the free world and I hope that a change of this kind will command the support of all Americans so that we can once again unite in our effort toward solving the problems within our nation.

I believe that much of the confusion during the past years has been caused by our super Doves' and super Hawks' adherence to a few simple ideas which I do not believe are practical or correct. I believe there are factors that neither side has faced.

As for the Hawks, "An increase in bombing will stop supplies coming from North to South Viet Nam." Before de-escalation of bombing a hundred tons a day were moving into the South. We are now dropping 80,000 tons of bombs a month in North Viet Nam, as much as at the peak of World War II, and instead of 100 tons going to the South, they are sending 300 tons a day and yet some Hawks believe that if we go from 80,000 tons to 100,000 tons a day we will be able to stop the transportation of supplies. I believe this is improbable. Again the Hawks say "Let's pull out the stops—go all the way—even with nuclear weapons." No one can be sure that Russia or China or both may not come into this war next week or next year. I agree that the odds are against their entering the war but if we gamble on this and lose, instead of talking about 500,000 troops and thirty billion dollars a year, we will be talking of *five million troops* and three hundred billion dollars a year and possibly nuclear weapons on Washington and Asbury Park. Who wants to gamble on that?

And from the Doves I have received statements that Ho Chi Minh is anxious to begin sincere talks. I do not believe that Ho Chi Minh is anxious to make the United States look good or to give us an easy way to save face. And again to the Doves I would like to suggest that when people give reasonable dissent, changes can occur in a nation's policy. I would hope that this is the way to change the direction in a democracy but I am certain that violence, disruption of normal operations of the government, profanity and name-calling will contribute nothing to the solution of our problems. I feel that many of the actions of the Doves, whether they be at the Pentagon or the draft board office, have done more to cloud their issues than to have them reasonably considered.

In a sense our actions in Viet Nam have not been unlike the compulsive gambler at the race track who, when he loses his $2 bet, places $4 on the next race. When he doesn't "win," then escalates his bet to $8 and from there to $16 and $32 until he is in the position where what he is losing may be so disastrous and beyond his capabilities to withstand that the odds against any success multiply bet by bet.

I am in favor of building up the free world and I am against Communism and its aggression. I believe that America has a debt to the less able and weaker nations who are trying to emulate us in establishing free countries for themselves. I feel that we must do all in our power that is reasonable to help them in their quest but I do not believe we have been given a Divine commission to enter into and settle every philosophic argument in every corner of the world. We cannot and should not police the world and attempt to correct every wrong.

I am not making a break with any of the leaders or the President of our country. I am aware of the immense burdens and responsibility that our President has and also his dedication to solving them, but I am urging the leaders of our country to consider these proposals and to evaluate them in the light of information they may have which is not available to me and to consider them in any reappraisals or reassessments our nation may make in regard to Viet Nam.

Coaches Never Lose

HON. JAMES F. BATTIN

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. BATTIN. Mr. Speaker, the following poem was used for an advertisement for the Wilson Sporting Goods Co., River Grove, Ill., in a leading magazine recently, and I so enjoyed it I wanted to share it with those who may have missed the article.

COACHES NEVER LOSE

A team can lose.
Any team can lose.
But in a sense a very real sense a coach never loses.
For the job of a coach is over and finished once the starting whistle blows.
He knows he's won or lost before play starts.
For a coach has two tasks.
The minor one is to teach skills: to teach a boy how to run faster, hit harder, block better, kick farther, jump higher.
The second task, the major task, is to make men out of boys.
It's to teach an attitude of mind.
It's to implant character and not simply to impart skills.
It's to teach boys to play fair.
This goes without saying.
It's to teach them to be humble in victory and proud in defeat.
This goes without saying.
But more importantly it's to teach them to live up to their potential no matter what this potential is.
It's to teach them to do their best and never to be satisfied with what they are but to strive to be as good as they can be if they tried harder.
A coach can never make a great player out of a boy who isn't potentially great.
But he can make a great competitor out of any child.
And miraculously he can make a man out of a boy.
For a coach the final score doesn't read so many points for my team, so many points for theirs.
Instead it reads: so many men out of so many boys.
And this is a score that is never published.
And this is the score that he reads to himself and in which he finds his real joy when the last game is over.

Report From Congress

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. HOSMER. Mr. Speaker, the following report is being made by me to my constituents for April:

REPORT FROM CONGRESS

After winter snows, spring in Washington is beautiful. But there's little other good news to report from the Capitol.

During 16 years in Congress, I've never before seen so much nationwide discontent and frustration. People are upset by the crisis over gold, the seemingly endless Vietnam War, the prospect for domestic violence, and the ramifications of each.

I am writing mostly about these things and hoping my later letters can dwell on more pleasant topics.

The Gold Crisis stems from the fact that between 1960 and 1968 your Government spent nearly $57 billion more than it took in and we spent $16 billion more overseas than we got back.

The extra billions staying home pumped more dollars into circulation in relation to things for sale. Consequently prices and wages went up. In simplest terms, it takes almost $6 in 1968 to buy what $5 bought in 1960.

The extra $16 billion going overseas is held by people who also watched each of these dollars shrink by 16%. They've decided dollars aren't a good investment anymore. They are turning them into gold. At Fort Knox gold ingots are going out and paper "outgots" are coming in.

At this writing we have only around $10 billion left in gold. Dollars in overseas hands far exceed this amount. It all means we're *technically* bankrupt.

Temporarily the overseas people are saying: "OK, we'll stop taking your gold so you won't *actually* go bankrupt. But get your fiscal affairs in order and stop shrinking your dollar. Stop spending more than you take in. If you don't we'll cash in for gold and let you sweat it out."

This means balancing the budget by *less* spending and *more* taxes—and spending less overseas, including a cut in the annual tourist dollar exodus.

These are bitter pills. To forestall their need I have for many years voted *against* lots of budget busting domestic and overseas programs. That was unpopular. Now I may risk more criticism by voting *for* such things as a tax boost which 65% opposed in the Poll, but which may have to come anyway. If it does, it will be hurting in my pocketbook, too!

The Vietnam War's crushing costs triggered and intensify the gold crisis. For this reason alone we ought to get the war over fast. More importantly we ought to do it to stop the killing. But stopping it isn't as easy as some glib talkers would have us believe.

Dropping A-bomb on Hanoi might do it. And possibly start another and bigger war at the same time. Just pulling out "as of yesterday" would do it. But taking a "Fortress America" posture could be just as deadly.

Between these two extremes lies a spectrum of alternatives for ending the war. Each has some favorable and some unfavorable consequences. As a nation we should analyze them all, select the best one and get on with it.

Negotiation isn't necessarily a presently available alternative unless we're prepared to offer Ho Chi Minh some or all of what he wants—So. Vietnam.

Pres. Johnson's indefinite bombing pause seems to be a step in that direction. We'll still bomb supply lines near Khe Sanh and the DMZ and in Laos, but it turns the war into an essentially defensive operation.

Thereupon, the scenario might go like this:

Ho catches signal that US is hurting enough to let him have what he wants if he's willing to be a little patient and take it under seemingly face-saving circumstances for us.

Ho indicates agreement by slowing things down and setting the stage for talks.

Negotiations ensue. A So. Vietnamese coalition government including communists, "elections" are specified or some other techniques are adopted creating the illusion that peace has descended without the communists winning.

Stage now is set for more or less rapid withdrawal of US forces.

Ho waits a face-saving period of time thereafter before taking over completely.

Whether the foregoing comes about depends somewhat on Ho's Soviet and Red Chinese partners. They might not let him relieve the US from a costly devisive war under face-saving circumstances. They may insist that he keep the pressure on. Or possibly LBJ cleared it with the Kremlin already.

If Ho doesn't play the carrot and stick game—he rejects the carrot—then LBJ's choices would be: (a) Let North Vietnam have the stick in the form of intense escalation; or, (b) Give up the game, withdraw as the French did and take the consequences.

The Prospect of Domestic Violence during the months ahead is a subject about which the President and others have had something to say.

I'm going to say little about it. Talking it around just encourages people to indulge in it as expected conduct. The Poll indicates most people want law enforcement agencies to handle such things strictly. And most people will back them up when they do so.

The Bolsa Island Nuclear Power & Desalting Plant is hitting some snags. Estimated cost is up from $444 million to $768 million. But chances for going ahead are still good. Fate will be determined in the next 90 days. It depends on some tough decisions by the partners involved (Metro. Water Dist., City of LA and SoCal Edison) and forging a strong management group to ramrod the project.

USS New Jersey, the only battleship in the fleet, has been homeported at Long Beach. Mrs. Hosmer and I attended her impressive re-commissioning ceremony April 6th as guests of the Chief of Naval Operations, Adm. Thomas Moorer, USN. The ship soon will see war duty in the Tonkin Gulf.

Memo to Program Chairmen: I'll be home and open for speaking dates, etc., during the national political conventions—the weeks of Aug. 5th and Aug. 26th. Write me (Rayburn Bldg., Wash., D.C. 20515) if your group is interested.

Job Training Programs Must Be Keyed to Job Availability

HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. CURTIS. Mr. Speaker, an article in the April 4, 1968, issue of the Washington Post describes job-training programs in the District of Columbia. These programs only reach a small percentage of the unemployed in the city—7,000 out of an estimated 75,000 to 140,000. But the most shocking revelation of the article is that the training programs are not directed to providing training for jobs that actually exist. The programs are not tailored to any comprehensive job-availability survey.

There is no central coordination of job training and development programs. Due to this, there is no way of knowing where gaps and inefficiencies in programs exist. In addition, there are few statistics kept at all, particularly in the following up of trainees placed in jobs. As the Post puts it, "the success or failure of individual programs is hard to determine."

The article states that the Washington Metropolitan Area Jobs Council hopes to publish a comprehensive list of job development programs. However, it does not mention what would even be more important—a comprehensive survey of jobs that actually exist and for which job training would be appropriate.

Mr. Speaker, I have long spoken out on the need to direct job-training programs to jobs that actually exist and which need additional manpower. It does no good to provide training which can never be put into use. The dashing of expectations is a most demoralizing experience.

I urge the District of Columbia, and also the Federal Government in its many job-training programs, to be sure that job-training programs be keyed to jobs which need filling.

I commend this article to the attention of the Members of the House:

BURGEONING TRAINING CENTERS BARELY DENT JOBLESSNESS

(By Paul W. Valentine)

Despite its array of job-development programs, Washington is only scraping the surface of its unemployed and under-employed population.

At best, the programs penetrate about 10 per cent of the ghetto ranks, says Frank H. Hollis, the United Planning Organization's director of manpower. Few other officials disagree with him.

"If all the job development programs were operating at maximum in this city," Hollis says, "they still would place only about 7,000 persons a year.

"There are anywhere from 75,000 to 140,000 unemployed people here, depending on who you listen to and what your definition of unemployment is.

"That means that at least 68,000 people are never reached by the programs—just never reached."

While a "sub-employed" population, estimated by the U.S. Employment Service to be 113,180 in four major slum areas, founders at the brink of financial disaster, private industries in the cities are screaming for both skilled and semi-skilled workers.

An immense gap lies between jobs and manpower. The city's job development programs only begin to close the gap.

Even when jobs are created and training is provided, there is no guarantee that those placed in employment will be permanently and meaningfully retained.

The dropout rate in training programs is prodigious. Many trainees abandon courses when domestic and social complications disrupt their lives. Some can't take the discipline of daily class attendance.

If a trainee completes a course and gets a job, problems still arise.

"Most dismissals are not for lack of training," says Elwood Jackson, registrar for the Opportunities Industrialization Center, a relatively successful training project financed by the Government. "Guys are fired for lack of discipline, punctuality and not having a constructive employee-employer attitude."

The Center is now laying greater stress on employment orientation, on helping the long-term unemployed adjust to the rigors of regular work. A few other training projects in the city are making similar attempts.

Job placement is still stymied by racial discrimination. Radio and TV repair shops, for example, are reluctant to hire qualified Negroes and have them go into the homes of white customers.

Many trade unions have traditionally excluded or limited Negro membership.

Jackson recalls one union which, in an apparent gesture of cooperation, offered to accept OIC-trained Negroes who were older than 18 and had a high school education.

"At first, we thought that was a nice idea," he said. "But when we started looking around, we couldn't find any Negroes over 18 with a high school education. You know why? They're all in college or Vietnam . . . I think that union knew it, too."

The picture of employment in Washington is one of opposing or, at best, uncoordinated forces. Unions are leary of both management and Negro-oriented training programs.

Business is timid about placing Negroes in sensitive positions. The Negro unemployed don't know where to go for training, or are skeptical, or frightened, or both. Training programs are not tailored to any comprehensive job-availability survey.

Nowhere in this city is there one central office that maintains a definitive compendium of available job-training and development programs.

Each agency—OIC, USES, UPO, the Labor Department, The Office of Economic Opportunity, the D.C. Welfare Department—keeps its own statistics, which may or may not relate to others or use the same definitions for such crucial terms as "unemployed," "orientation" or "remediation." Some agencies keep few statistics at all, especially in following-up on trainees they have placed in jobs. The success or failure of individual programs is hard to determine.

Because there is no central coordinating point in the job-development picture, there is no way of knowing where the gaps, overlaps, duplications and other inefficiencies are occurring.

Officials suspect that gaps and duplications exist, but because of the confusion of interweaving, multi-purpose programs, it is difficult to spot the trouble.

The recently formed Washington Metropolitan Area Jobs Council hopes to become a central clearing house for job information and to publish a comprehensive list of job development programs in the area. The list, when completed, will have to be updated continually as specific Federal programs begin, end or are renewed.

With that basic information, says Council Executive Director David Freeman, it is hoped that an area-wide analysis and coordination of development programs can be provided.

Similarly, the District government hopes to exert influence on program coordination through its new manpower administrator, Horace R. Holmes.

To cap job improvement efforts, the presidentially created National Alliance of Businessmen has set a quota of 4,600 summer jobs and 2,000 permanent jobs for the hard-core unemployed by September. Private businessmen are encouraged to pledge job openings for the unemployed.

JOB PROGRAMS—WHAT THEY DO, WHO RUNS THEM

Institutional training	Administration	Financing	Enrollment	Target population	Type of training	Address and telephone
1. Manpower Development and Training Act (MDTA).	U.S. Employment Service (USES).	Labor Department	300, current	General unemployed	Clerk-typing, stenographer, cooking, keypunch operator, practical nursing, medical laboratory assistant, service and maintenance work.	555 Pennsylvania Ave. NW. (393-6151).
2. Opportunities Industrialization Center (OIC).	OIC	Labor, HEW, OEO, private.	375, current	18–60, earning less than $1,500 per year plus $500 for each dependent.	Clerical and sales, automotive trades, industrial trades, offset duplicating, radio and TV repair, etc.	1711 14th St. NW. (265-2626).
3. Work and Training Opportunity Center (WTOC).	District of Columbia Welfare Department.	HEW, District of Columbia Welfare Department.	220, current	Unemployed heads of households.	Clerical, shorthand, business math, machine trades, benchwork, structural work, processing occupations.	921 Pennsylvania Ave. SE. (544-8600).
4. Building Service Employes International Union (BSEIU).	Central Labor Council.	Labor, HEW	50, current	Janitorial workers seeking upgrading.	General janitorial, custodial, maintenance, and service work.	1126 16th St. NW. (659-8044).
5. Concentrated employment program (CEP)—special impact.	CEP	Labor	65 per cycle	Hard-core unemployed in Cardozo-south, and Anacostia-Congress Heights.	Prevocational training in employment attitudes, shop exposure, etc.	2013 14th St. NW. (659-1100).
6. Department of Vocational Rehabilitation (DVR).	DVR	District of Columbia Government, HEW.	823, current	All categories of the handicapped.	Clerk-typing, auto mechanic, woodworking, nursery school attendant, barbering, keypunch operator, computer programing, TV repair, shoe repair, cashier, cooking, etc.	1331 H St. NW. (629-4255).
7. Vocational education (VE)	District of Columbia Department of Education.	District of Columbia Government.	2,377, current	General adult	Carpentry, ironwork, electrical work, masonry, cosmetology, drafting, drycleaning, photography, welding, watch repair, TV repair, nursing.	4121 13th St. NW. (629-7331).
8. Concentrated employment program (CEP)—basic education.	CEP	Labor	150 per cycle	Hard-core unemployed in Cardozo-south, and Anacostia-Congress Heights.	Employment orientation, basic reading, basic math, etc.	1100 Vermont Ave. NW. (659-1100).

JOB PROGRAMS—WHAT THEY DO, WHO RUNS THEM—Continued

On-the-job training	Administration	Financing	Trainees	Target population	Type of training	Address and phone
1. District of Columbia Apprenticeship Council (DCAC).	DCAC	District of Columbia Government labor.	529 in 10 projects, 1st 6 months of fiscal year 1968.	Persons seeking apprenticeable trades.	Most apprenticeable trades	1145 19th St. NW. (629-2842.)
2. Urban League (UL)	UL	Labor	300 to 400 per year	General unemployed	General skilled and semiskilled jobs.	626 3d St. NW. (737-8600).
3. Concentrated employment program (CEP)—On-the-job training.	CEP	do	350 for fiscal year 1968	Hard-core disadvantaged over 18 in Cardozo South and Anacostia-Congress Heights.	Apprenticeable and nonapprenticeable jobs.	1816 12th St. NW. (462-3375).
4. Concentrated employment program (CEP)—New Careers.	CEP	do	255 for fiscal year 1968	Hard-core disadvantaged in Cardozo South and Anacostia-Congress Heights.	Work in human service agencies, such as Welfare Department, Redevelopment Land Agency (RLA), etc.	1000 U St. NW. (265-2818) 1331 Savannah St. SE. (561-6400).
5. Project Build	Central Labor Council.	do	80 trainees per 6 months (now recruiting 1st cycle).	Youths interested in apprenticeable trades.	Building construction trades, plumbing, electrical, carpentry, bricklaying, paperhanging, sheet metal work.	1126 16th St. NW. (659-8044).

Placement programs	Administration	Financing	Placements	Target population	Type of work	Address and phone
1. Concentrated employment program (CEP)—Jobs now.	CEP	Labor	1,600 for fiscal year 1968	Underemployed in Cardozo-South and Anacostia-Congress Heights.	Direct placement in semiskilled Government and private industry jobs.	1000 U St. NW. (265-2813), 1331 Savannah St. SE. (561-6400).
2. Concentrated employment Program (CEP)—Federal employment.	CEP	do	450 for fiscal year 1968	do	Skilled and semiskilled jobs in Government.	Do.
3. Neighborhood Youth Corps (NYC).	United Planning Organization (UPO).	do	3,400 current	High school and dropouts	Filing and clerical, messenger service, landscaping.	1406 M St. NW. (659-1100).
4. Offender rehabilitation project (ORP).	ORP	OEO	125 jobs and 50 training placements since June 1, 1967.	Persons on bond pending prosecution.	General skilled and semiskilled work.	711 14th St. NW. (737-4337).
5. Veterans affairs program (VAP).	UL	UL	80 since Oct. 1, 1967	Returning Negro veterans	do	626 3d St. NW. (737-8600).
6. Neighborhood center	Central Labor Council, USES.	Central Labor Council, USES.		General unemployed	do	1148 7th St. NW. (483-2273).
7. Pride	Pride, Inc	Labor	1,050 current	Teenagers	Cleanup and rat eradication	1536 U St. NW. (483-1900).
8. Fairmicco	Fairchild-Hiller Corp., MICCO.	Government contracts.	200 maximum (now recruiting).	General unemployed	Manufacture of wooden loading platforms for Department of Defense.	59 M St. NE. (347 6113).
9. Part-time jobs	Board of Trade	Board of Trade		Needy students at Eastern, Dunbar, and Roosevelt High Schools.	Semiskilled jobs with area private employers.	1616 K St. NW. (ST 3-3535).

Special training, counseling, placement, and on-the-job training programs	Administration	Financing	Enrollees	Target population	Type of training	Address and phone
1. MA-1	Institute of Computer Tech.	Labor	360 trainees in 18-month period.	"Hardest of hard core"	No specific training. Emphasis on employment orientation and remedial training in reading, writing, math, etc., followed by job and OJT placement.	2600 Virginia Ave. NW. (337 7200).
2. Job Opportunity Week	Board of Trade	Board of Trade	3,500 interviewees	Area employers interview high schoolers not going to college (May 20-24 this year).	None	1616 K St. NW. (ST 3-3535).
3. Prep clubs	do	do		Lectures, tours, etc., on work world, conduct at Anacostia, Eastern, Bell Vocational, McKinley Tech.	do	Do.
4. Job opportunities in business (JOBS).	Board of Trade, Northern Systems Co.	Labor	1,400 in 2-year period	Hard-core unemployables	4 months institutional training, 8 months OJT in culinary, automechanical and building trades. (To open in next few weeks.)	Do.

Supportive Programs	Administration	Financing	Function	Address and Phone
1. Small Business Administration (SBA).	SBA	SBA	Issued 50 loans, averaging $12,000 each, between Jan. 1, 1967 and Feb. 29, 1968, to open new businesses or revive old ones. Created 50 jobs with maximum of 247 expected.	1321 H St. NW. (382-3525).
2. Concentrated employment program (CEP)—Health service.	CEP	Labor	Provide limited medical and dental care for CEP enrollers	1000 U St. NW. (265-2818), 1331 Savannah St. SE. (561-6400).
3. Concentrated employment program (CEP)—Day care.	CEP	do	Provide day child care for women so they can participate in CEP programs	Do.
4. Concentrated employment program (CEP)—Transportation supportive service.	CEP	do	Provide information and money for CEP enrollees to get to job sites	Do.
5. National Business League project (NBL).	Sterling Institute	NBL	Negro businessmen undergo short, intensive courses in how to tap business and organizational talents of ghetto dwellers.	2650 Virginia Ave. NW. (333-2010).
6 Coordinated 2-way express transit service for center city and subruban employees.	Council of Governments (COG), Transit Commission (WMATC), UPO, USES.	HUD (approval pending).	Operation of public transportation to take ghetto workers to suburban worksites and return to town with suburban commuters. (HUD approval of proposal expected this spring).	1250 Connecticut Ave. NW. (223-6800).
7. Merit Employment Training Committee.	Board of Trade	Commerce	Aims at getting commitments from private businesses to hire disadvantaged persons and help coordinate job-retention and employer-education programs.	1616 K St. NW. (ST 3-3535).

Baltimore News American and President Johnson's Momentous Decision

HON. GEORGE H. FALLON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. FALLON. Mr. Speaker, William Randolph Hearst, Jr., has stated in the Baltimore News American what has become evident to more and more Americans: President Johnson's dramatic decision not to seek reelection made him a "towering figure whose statesmanship, courage, nobility, and sincerity now are beyond all challenge."

The decision was made to promote national unity in a divided nation and bring peace to a war-torn Asia.

Partisan politics would otherwise have swirled around the Presidency, further dividing an already troubled country. Peace overtures otherwise would have continued to be attacked as politically inspired. Pleas for unity would have been assailed as partisan maneuvering. Thus, the President decided, took politics out of his Presidency.

Now the President's dedicated efforts toward peace are accepted, as they always should have been, as sincere efforts to end a cruel war. Now the President's calls for an end to division are accepted as calls for a national commitment to shared goals of social justice and peace.

The President has raised a standard of self-sacrifice to country which can be a beacon to our people.

Mr. Hearst expresses the sentiments of most Americans in concluding that history will judge Lyndon Johnson as a "great President, a great patriot, and a great human being."

I insert in the RECORD the article in the Baltimore News American by William Randolph Hearst, Jr.:

L. B. J. SHOWS WAY TO STATEMANSHIP

(By William Randolph Hearst, Jr.)

MONTEGO BAY, JAMAICA, April 4.—President Johnson's historic speech and its vast potential effects have had the same electric effect in this sleepy island as in the rest of the world. After the first stunning impact of the news, speculation on what may happen as a result has dominated conversation almost completely.

As one of the editors and publishers attending the hemispheric conference of the Inter-American Press Association, it has been especially interesting to me to note the major reaction of my fellow news executives.

Almost unanimously they express the opinion that Lyndon B. Johnson, by renouncing his claim to another term in the White House, has changed his image overnight.

Overnight, by his magnificant act of self-sacrifice in the cause of his nation's unity and world peace, the President has been transformed into a towering figure whose statesmanship, courage, nobility and sincerity now are beyond all challenge.

The transformation has happened even though the President's purposes may not be achieved by his action. Thus there is still wide division in the United States, both over the war and between the black and white races. And certainly the chance of achieving an early peace in Vietnam still cannot be rated too high.

In any event, once and for all, Mr. Johnson has dramatically closed what his critics refer to as his "credibility gap." For my part—as readers of this column well know—I never believed there was any such gap.

What was called a "credibility gap" resulted simply because the President played his high-stakes games the way they always have been played in Texas—and in Washington. The first rule is never to tip your whole hand, to keep open as many options as possible.

It is the prudent way to operate but unfortunately, as has been seen, it can give rise to unfair charges of deviousness and lack of candor.

There is a deep personal tragedy involved in Mr. Johnson's decision to reject another term in office. It is hard even to imagine the anguish he unquestionably suffered in concluding that all his efforts—as progressive, correct and patriotic as they have been—seemed doomed to hopeless misunderstanding and were a cause of the division he so deplored.

It is appropriate to note that the course which has led the President to end his political career after 37 years of public service is a course set long before he took over the White House in November of 1963.

As a protege of Franklin D. Roosevelt, Mr. Johnson has run up a record of social legislation rivaled only by FDR himself and certainly not exceeded by him. It is one of the ironies of the Johnson career that this fact is not acknowledged or appreciated by many of the critics who urged passage of the social legislation he sponsored.

It seems that any leader cast in the mold of a "common man" automatically is incapable of pleasing our so-called intellectuals.

Mr. Johnson also followed another trail blazed by his New Deal mentor. This was our national policy, in effect ever since World War II, to resist aggression wherever it happens.

It is another irony that this policy is clearly understood by a lot of people when it applies to Europe, but not by the same people when it applies to Asia. Despite all his efforts, the President has been unable to convince these people that there is no difference.

Because of his long-proven convictions, it must be assumed that Mr. Johnson has no thought whatever of abandoning our anti-aggression policy or deserting free people in their battle against would-be tyrants.

Throughout his long career, he has never swerved in following the course he thought best for his country and he followed it to its ultimate, self-sacrificing conclusion in his speech last Sunday night.

Perhaps the biggest political speculation which has followed in the wake of the President's speech involves the course of the war. What will happen if Mr. Johnson somehow is able to produce peace in Vietnam in the next few months?

The conviction here is that if this happens the Democratic convention in Chicago will seek to nominate him for re-election by acclamation. And there is no doubt in my own mind that this would happen.

Whether the President would then accept is another matter. I have grave doubts that he would. The utter sincerity of his decision "not to accept" re-nomination is self-evident in the personal agony which produced that decision.

Beyond that. Mr. Johnson has already had all the trappings of power and in themselves they hold nothing new. He has seen his daughters married while in the White House and now is a grandfather. It would not be human not to look forward to honorable retirement with his charming wife on the Texas ranch he loves so much.

Therefore, even if another term is offered to him under the circumstances cited. I think the President will have had more than enough of that job by the end of this year.

Mr. Johnson's "irrevocable" decision to return to private life means that a tremendous burden will be passed on to some other man next January. That man could be Sen. Robert F. Kennedy, Sen. Eugene McCarthy, or possibly Vice President Hubert Humphrey. It could be Richard Nixon (obviously the No. 1 Republican candidate at this time), or it just might still be Gov. Nelson Rockefeller or some other GOP long shot.

Whoever wins will have to be able to demonstrate to the American people—all of them—that their home front problems are being solved, and simultaneously demonstrate to the world that this nation will never accept a dishonorable peace.

Whoever wins, and whatever happens in the future, it will be impossible to deny the verdict of history—that Lyndon B. Johnson was a great President, a great patriot, and a great human being.

The "Pueblo": How Long, Mr. President?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. SCHERLE. Mr. Speaker, this is the 78th day the U.S.S. *Pueblo* and her crew have been in North Korean hands.

JUSTICE—A Program To Employ Minority Group Members in the Construction Trades

HON. RICHARD D. McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. McCARTHY. Mr. Speaker, progressive labor and industry leaders in Buffalo, combining their efforts with minority group representatives, have devised a new and unique program to recruit and train unemployed and unemployable minority group members as journeymen in the construction trades. The program, JUSTICE—journeymen under specific training in construction employment—implements a policy long espoused by the Federal Government—employment of more minority members in the construction trades.

For the past several weeks. Bob Logan, executive vice president of the Construction Industry Employers Association; Charles Pillard, president of the Buffalo Building and Construction Trades Council; and Dr. Allan Bush, executive director of the Opportunities Development Corp., representing the minority groups, have been consulting with U.S. Labor Department officials on funding for the program. I have received assurances from a Department official that the program will be funded, hopefully by the middle of April. My congratulations to Messrs. Logan and Pillard and Dr. Bush for a job well done.

Additional information about the program is in the following article by Ed Kelly of the Buffalo Courier Express:

LABOR COMMENT: NEW BUFFALO JOB PLAN MEANS WHAT IT SAYS—JUSTICE

(By Ed Kelly)

The made-in-Buffalo plan to recruit and train minority group members as journeymen workers in the construction industry is even more unique than it first appears.

Not only is the venture believed to be the first of its kind in the country, but it also represents—locally, at least—two other "firsts," each a major breakthrough in hidebound policies and traditions which have existed in the industry for decades.

To make possible Project JUSTICE—Journeymen Under Specific Training in Construction Employment—both this area's contractors and building trades unions had to make massive concessions in positions to which they've steadfastly clung.

Specifically, Project JUSTICE—once implemented—will mark the first time that local contractors have employed and paid unqualified workers while the latter are attempting to learn how to perform their jobs.

And Project JUSTICE also will mark the first time that union men in the construction field have agreed to work side by side with non-union men who are receiving all wages, fringe benefits and other protections afforded by the contracts negotiated between the building trades unions and contractors.

To clear the way for a program as ambitious and as pioneering as this, it's obvious that a great many people—within management and labor—had to do a vital job of selling their colleagues on the necessity for and the long-range benefits of such a radically new approach.

Much credit, therefore, belongs to Bob Logan, executive vice president of the Construction Industry Employers Association, and to his opposite number on the union side of the table, Charley Pillard, president of the Building & Construction Trades Council of Buffalo & Vicinity (AFL–CIO).

Too, congratulations must go to Dr. Allan Bush, executive director of the Opportunities Development Corp., a nonprofit educational group made up of representatives of civil rights and community groups, and the Buffalo Area Chamber of Commerce.

His task of explaining the project to, and insuring cooperation among, the great diversity of minority group organizations, was undoubtedly as taxing and often as delicate as the efforts of Logan and Pillard within their own spheres of influence.

The project has a bold, frontal approach. It fractures some old traditions, slashes red tape, goes straight to the heart of things.

For one, it's aimed directly at those who—according to many minority spokesmen—are most in need of assistance and opportunity: Well-motivated men who have head-of-the-family responsibility, little mechanical experience and who are too old to learn a trade through normal apprenticeship-training channels.

For another, JUSTICE challenges the Federal Government to finally implement policies it's been espousing for years in the industry. Washington, pressing for more opportunities for minority members, has been calling for affirmative action programs in the construction industry. This project is such action.

To be successful, however, it needs government funds—the task to which Pillard, Logan, Dr. Bush et al have now committed their persuasive powers.

Project JUSTICE would give potential journeymen-trainees 27 hours of paid orientation training and 54 hours of paid specific craft training, capped by 20 weeks (at about 40 hours a week) on-the-job training at the regular pay rate for journeymen in that craft.

If at the end of the cycle the journeyman-trainee passes a qualification exam, he's admitted to the craft as a full-fledged journeyman. Only then does he join the union which has jurisdiction within his craft.

To make Project JUSTICE work, employers and unions—assisted by the Opportunities Development Corp.—had to do nothing less than substantially amend the status quo.

That they're willing to do so merits a community salute and offers hope that the problem of minority opportunity in construction may be solved more quickly and amicably than anyone dared hope a year ago.

Violence in the Streets Has Nothing To Do With Civil Rights

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. MICHEL. Mr. Speaker, the violence in the streets of cities all over the country has nothing to do with civil rights. Any attempt to so rationalize the outrages we have seen all over the country in the past few days just would not wash, as pointed out by State Senator Charles Chew, a Negro and a member of the Illinois State Legislature, in a story appearing in the April 9 edition of the Chicago Tribune.

I place the article at this point in the RECORD as well as the following: An article by George S. Schuyler, prominent Negro columnist, "A Cool Appraisal of King," which appeared in the April 8 edition of the Chicago American. An editorial from the Chicago Sun-Times, April 8 edition, "Violence Mocks Dr. King," and, finally, a letter to the editor of the Chicago Sun-Times from a Negro citizen of Chicago who presents some food for thought that all of us, black and white, should ponder and then follow by constructive thoughts and actions in our everyday activities:

[From the Chicago Tribune, Apr. 9, 1968]

BE TOUGH ON LOOTERS, NEGRO LEADER URGES

(By Edward Schreiber)

State Sen. Charles Chew (D., Chicago) called yesterday for stepped up police action against looters, whom Chew described as "thieves in hiding" who represent less than one per cent of the Negro community.

"The people who did the looting and are now in hiding are thieves all around and would use any measure in their secret desire, which is to steal," Chew told City hall reporters.

"The police department should be aware that decent citizens, I mean the Negroes in Chicago that have tried to contribute something to the growth of the city would support police action in a 'get tough' policy. This is what is needed. The thugs and looters don't make up one per cent of the Negro people."

AMAZED AT RESTRAINT

Chew said he was astounded when he saw looters carrying out goods from destroyed buildings over the week-end and then saw the restraint by the police in interfering.

He said he could understand that the police department was trying to eliminate the possible spark that might have come from mass arrests, but he said the people who have had businesses in these areas for years shouldn't have them destroyed.

Chew said he believes the mayor and police department were lax in the immediate apprehension of looters.

NEGROES LOSE, HE SAYS

"I would like to see the law enforced at all costs, and I don't care whose toes are stepped on," said Chew. "The only people who lose thru this destruction are the Negro people."

Chew said he made the same statements Sunday in an appearance before the congregation of the Greater St. John Baptist church, 4821 Michigan av., and they were met with approval from the congregation.

[From the Chicago American, Apr. 8, 1968]

A COOL APPRAISAL OF KING

(By George S. Schuyler)

NEW YORK.—The assassination of Dr. Martin Luther King Jr. tragically emphasizes again the fact that "militant nonviolence" always ends violently.

Countless mass demonstrations, which started to advance a good cause, have ended in clashes with police, looting, vandalism, and killing, rather than the good will and understanding intended.

Behaviorists long have known that, the larger the assemblage, the lower the mass intelligence, and the greater likelihood hysteria will result.

It was Dr. King's determination to influence the course of an ordinary labor dispute by his charismatic presence that led him to Memphis, doubtless at the behest of associates there, and exacerbated an already dangerous situation. The recent rioting, vandalism, and casualties were a direct result, and there would probably have been more of the same had he led another demonstration.

Labor disputes should be handled by officials of the AFL–CIO and the employers concerned, and not by demagogic outsiders with appeals to racial passion.

EVEN GANDHI LACKED CONTROL

It is noteworthy that Dr. King's idol, Mahatma Gandhi, who preached nonviolence, on several occasions had to call off his drives and go into seclusion until his millions of adherents had cooled off and cured the wounds received from battling police who were dedicated, there as here, to preserving law and order, and upholding the rights of others not involved in the struggle.

From Dr. King's original effort, the Montgomery improvement association's bus boycott, he contributed little to the solution of the touchy problems of race relations in the United States. If these problems are to be solved, it must be in moderation and through innumerable compromises rather than by the use of abrasive tactics that produce irritation and ill will rather than understanding and cooperation.

Wherever the Negro lives, he prospers only to the extent that he has the good will, tolerance, and acceptance of his white neighbors and fellow-workers. This is necessarily a slow process, when trying to maintain the most delicate balance. It cannot be speeded by razzle-dazzle action which brings reaction. As President Eisenhower said: This is a matter of education.

Because Dr. King believed he was right and had Holy Writ behind him, he persisted, even to the point of irresponsibility.

HIS CHICAGO ACTIVITIES

It merely increased apprehension, exasperation, and frustration in Chicago and environs when Dr. King and his Janizaries boldly marched in, painted "end slums" all over a section of the city, took over one landlord's property for rent collection and renovation without permission, and led parades thru all-white neighborhoods where the marchers only escaped severe casualties because of the vigilance of the much-maligned police.

Because of Dr. King's stubbornness—or, if you prefer, extreme dedication—the Birmingham shambles was unavoidable. Warned by responsible Negro leaders not to visit the city; told that they had the situation in hand as much as it could be, he and his staff went there just the same. This persistence, aided by the atmosphere or mobmindedness among colored and white, led directly to the deplorable events that followed.

Similarly, the troubles in St. Augustine, Fla., were deliberately provoked, and to this day nobody knows what was gained by it. To be sure, there was a vast uproar in the press, radio, and television, there were threats and jailings, but no one in St. Augustine can say today what help it was to race relations—except for more speaking engagements for Dr. King.

There was an increasingly widespread belief among sober-minded Americans that Dr. King was, to say the least, unfortunate or unwise in the choice of his associates and advisers. They were largely of the left-wing variety.

MIXING RIGHTS AND WAR

Added to these were the Vietnik peace forces headed by Dr. Spock and an assortment of Hanoi-lovers who influenced Dr. King to lend his indorsement and influence to elements inimical to the best interests of the United States, and even to allowing Mrs. King to accompany a delegation of women to the Ho Chi Minh capital.

Moderate organizations, such as the National Association for the Advancement of Colored People and the National Urban league warned against tying the civil rights movement to the so-called peace movement, but Dr. King persisted stubbornly, even giving leave to one of his associates, the Rev. James Bevel, to help organize the peacenik demonstrations in New York's Central park and in United Nations plaza, where King spoke and American flags were burned.

In short, as Dr. King's influence waxed, his judgment seems to have waned. No more was said about praying en masse for white folk but there was much talk about civil disobedience and defiance of the powers-that-be.

Dr. King was talented and adroit. He was never at a loss for words and he evidently was dedicated to the cause of improving race relations. It was the methods he used which, considering the high emotionalism which surrounded his goals, were objectionable. There are too many half-witted, criminally inclined people in our population whose expectations have to be kept in check; they provide the fuel for great social conflagrations. This becomes truer every day as our population soars and our society becomes more complex.

WILL THEY USE CAUTION?

What will the followers of Dr. King do now that he has gone? We already have seen what has happened in the wake of news of his assassination, with a spate of vandalistic orgies across the country. Will those subleaders of the departed disciple of Gandhi drop the policies and tactics that gained him world face and chart a new course?

Will they call off the scheduled mass demonstration of 3,000-odd trained "invaders" of Washington, and wait until things cool down? Or will they continue to court disaster? The present temper of the nation suggests need for caution.

The goal of the overwhelming majority of American Negroes is middle-class co-existence. Millions have attained that status, and more are doing so all the time. There is lessening economic discrimination and, everywhere they wish to vote, they are doing so. It will not speed the process to continue tactics of harassment and annoyance, but may well cause retrogression in race relations to the disadvantage of all. Dr. King, tragically, never learned this. His followers had better.

[From the Chicago Sun-Times, Apr. 8, 1968]

Violence Mocks Dr. King

The violence in the streets of Chicago has nothing to do with civil rights. It desecrates the memory of Dr. Martin Luther King Jr., who sought justice through nonviolent means. It worsens the lot of those he sought to lift up and endangers all citizens of the city.

Looting is stealing. Burning is arson. Sniping is done with murderous intent. A thrown rock is meant to injure. Such criminal acts were properly assessed by Lt. Gov. Shapiro as insurrection that required the full resources of the law.

Shapiro is to be commended for his swift action, first in calling up the National Guard, then in requesting the assistance of federal troops, an extreme but necessary measure. Mayor Daley also acted wisely in setting a curfew with stiff penalties, in curtailing liquor sales and in ending the sale of guns. The police and fire departments have done a nasty job with skill and diligence. Criminal force simply must be met with the force of law.

The assassination of Dr. King was itself a vicious, criminal act, but to use that death as an excuse for pillaging is a mockery of what Dr. King taught and prayed for. He sought to serve humanity and heal its sickness, not to rip up and destroy.

In February, he spoke in Atlanta of his thoughts of death and the eulogy he would choose. He said:

"I want you to say that day that I tried to be right. . . . I want you to be able to say that day that I did try to feed the hungry. I want you to be able to say that day that I did try in my life to clothe the naked. . . . And I want you to say that I tried to love and serve humanity."

Dr. King spoke of a humanity both black and white, and he knew there was sickness on both sides that cried for a prescription of nonviolent progress. He certainly would have deplored the fact that hundreds have been left homeless by arsonists' fires and that others have been killed and wounded.

Dr. King sought jobs and homes. In Chicago last year he praised the efforts being made toward fair housing by the Leadership Council for Metropolitan Open Communities, a group set up after his 1966 conference with Mayor Daley. His own Operation Breadbasket, headed by the Rev. Jesse Jackson of Chicago, was a major step toward jobs for his people and toward the economic power he wanted them to have.

Jobs do not rise from the ashes of a charred school. A bullet doesn't build homes. Every scream of agony and every siren is tribute only to the hate-mongers and to those who are directed by neither hate nor love but by criminal selfishness.

Dr. King had visions of equality and progress, and in Chicago those visions are being realized, if slowly and painstakingly. The torn West Side was and is high on the priority list of areas to be helped with housing and employment and recreation.

But those who set neighborhoods aflame created a hell in which they, and the true followers of Dr. King as well, now must live until law and order is restored. The time it takes to wrest sanity from the ashes will be time lost from constructive efforts. The time it takes to heal the divisions caused by violence will postpone by that much and more the work that must be done for Dr. King's people.

And the delay will, in fact, be time stolen from the pursuit of a great man's dreams.

[From the Chicago Sun-Times, Apr. 8, 1968]

Plea for Sanity

I am a Negro, not prominently known as a politician or a high government official. I am just a citizen who has a hell of a stake in this country.

I am moved to write this letter because of the murder of Dr. Martin Luther King, Jr.

Each American everywhere must help in his own small way in this situation. I do not mean police or government officials but we who comprise these United States.

At a time such as this, sanity of all the 200,000,000 Americans must prevail. If all of us—you, me and the other 200,000,000 Americans will just contain one wrong impulse and cast it down the drain, 200,000,000 wrong impulses will never materialize and bring about our country's downfall.

There are injustices. I have faced them and fought them by endeavoring to rise above them and, most importantly, maintaining my dignity of being a man.

I would like to think of us as being optimists, not pessimists. I would like to say our cup is half full, not half empty.

Law and Order First

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. ASHBROOK. Mr. Speaker, the editors of the Chicago Tribune have again felt the need—and I think rightly so—to remind us that "The lesson of all recent riots has been that when public officials and the public at large lean over backward in an attempt to appease the lawbreakers their cities are in deep trouble."

In the editorial, "Law and Order First," the editors advance several points which must be considered and acted upon if we are to deal effectively and efficiently with criminals. It must be understood that, as the Tribune stated:

> We are not dealing with the colored population but with a minority of criminal scum.

It is unfortunate that criminals are people, too, but our concern should primarily be for the maintenance of riot-free streets.

I include the editorial, from the April 7, 1968, edition of the Chicago Tribune, in the Record at this point:

Law and Order First

There is no such thing as temporizing with the lowest elements of criminality which have defaced Chicago and 40 other cities with arson, murder, assault, looting, and sniping. The rioters here have taken advantage of the wave of sentimentality and assumed guilt that has swept the country because a single individual, presumably demented, gunned down the Rev. Martin Luther King.

There is no such thing as collective guilt, either among white people or black people. Those who say that every white person shares the guilt for the crime at Criminals must be punished. Justice demands that none of the guilty escape. At the same time it must be clear that the characteristic of criminals is that they are individuals, not nations or races. They should be punished for what they individually did.

The officials of Chicago are sworn to maintain law and order. To do so, they must employ all necessary force. No one questions the sincerity of Mayor Daley or his deep desire for racial concord in this city. But the mayor conceded yesterday that the city not only underreacted at the outset of the crisis but that it did not move with sufficient speed. He has taken action to correct these deficiencies.

A curfew will be in force. Downstate elements of the national guard have been called. A request for federal troops is under consideration. These steps would have prevented much of the violence.

The lesson of all recent riots has been that when public officials and the public at large lean over backward in an attempt to appease the lawbreakers their cities are in deep trouble. If the response is delayed, haphazard, feeble, and more harmful to the innocent than the guilty, disaster results.

It is silly to seek excuses in the sociological argument that resistance and punishment do not go to "the causes of crime." Attorney General Ramsey Clark, for example, says that "in the long run only the elimination of the [social] causes of crime can make a significant and lasting difference in the incidence of crime." It has been observed that this is equivalent to saying that a fireman should refuse fire-extinguishing equipment on the ground that "in the long run only the elimination of the causes of fire can make a significant and lasting difference in the incidence of fire."

A true analysis of the root cause of riots is that people commit crimes because, given their condition, the desire for the satisfaction felt or sought prevails over the desire to avoid the risk of penalties. The cost of riots to the rioters is more easily and swiftly changed than the conditions producing the inclination to riot.

Permissive attitudes, in Chicago and elsewhere, can only lead to more and worse rioting. If the whole guard is needed, it should be called up at once when trouble breaks out or is threatened. If federal troops are required as reinforcements, they should be requested without delay. A curfew should be enforced the moment the safety of the streets and of property is threatened. People should be kept off the streets.

Gov. Romney of Michigan, Mayor Cavanaugh of Detroit, and President Johnson were all blamed a year ago for being indecisive and slow to apply force in the ferocious Detroit riots. Friday the governor and mayor profited from experience and got police and the guard on the streets early and established order. As Mr. Cavanaugh said, "We think it is better to overreact than underreact." Mayor Tate of Philadelphia felt the same way, and his swift action paid off.

Here in Chicago we are not dealing with the colored population but with a minority of criminal scum. We believe that a huge majority of both white and black is united in concern for civil order. Chicago, with a united front against lawbreakers, can demonstrate that it is one city that will not tolerate the subversion of law and order. We hope Mayor Daley will not fall into the same category as spineless and indecisive mayors who muffed early riot control in such cities as Los Angeles and Newark. Chicago may have to recall O. W. Wilson to restore order.

Criminal Gangs, Immune From Police Action, Rampaged in Capital City

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. EVINS of Tennessee. Mr. Speaker, an editorial in the Washington Daily News following the recent outbreak of violence and lawlessness in the Nation's Capital, declared:

> The only way to stop a riot is by superior force, promptly applied, regardless of the cause for which law breakers feign to be rioting.

This editorial emphasizes that looters and rioters used the tragic assassination of Dr. Martin Luther King as an excuse to vandalize, pilfer, and destroy and burn.

This is an excellent editorial and because of its interest to my colleagues and the American people, I place it herewith in the RECORD:

[From the Washington (D.C.) Daily News, Apr. 8, 1968]

WHILE WASHINGTON BURNED

If the authorities persist in viewing these riots primarily in terms of black vs. white, this certainly threatens to be another long, hot summer.

Here last week, as in Detroit last year, officialdom hesitated to take charge when a relatively small band of young black hoodlums sacked and burned large sections of the capital. Troops to re-enforce beleaguered police were available within a few minutes ride. When they finally arrived the looting was stopped. But the call was delayed for fatal hours while the criminal gangs, believing themselves immune from restraint, spread destruction.

If there was any good reason for this delay, beyond a hand-wringing lack of decision in high places, it must have been fear that this was a general Negro uprising in resentment against the assassination of Dr. Martin Luther King.

Any such idea is a gross libel on predominately Negro Washington and on Negro citizens generally. It is evidence of a lingering, unconscious race prejudice to which even some Negro spokesmen are not immune—an assumption that a black skin somehow sets a person apart as different in kind from his white neighbors.

Mugged, the Negro bleeds. Burned out, he is homeless. While officialdom fiddled, our citizens, white and black alike, were denied the equal protection of the law to which all citizens should feel entitled.

The mobsters couldn't have cared less about Dr. King, alive or dead. They violated every decency for which he stood, seizing upon his death as an excuse to steal and destroy. Those of Dr. King's race who sincerely mourned him weren't out screaming in the streets. They were in church, if they dared to leave their homes.

No one denies gross injustices continue to exist and that Negro slum dwellers are the outstanding victims. But every bit of destruction lessens the resources available for reform by just that much. The millions in property losses in one day in Washington are the equivalent of thousands of school teachers, hundreds of homes.

The prime civil right of any citizen, black or white, is security in his life and property. Until this right can be established, the chance of eradicating the slums is dim.

The only way to stop a riot is by superior force, promptly applied, regardless of the cause for which law breakers feign to be rioting.

This is a hard lesson which, as experience here indicates, is yet to be learned.

Toward a Better Understanding of Urban America

HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. CURTIS. Mr. Speaker, I have introduced, today, a resolution which would establish a Joint Congressional Committee on Central City Affairs for the purpose of synthesizing and recommending action on the various reports and studies which have been made in this area. One of the tasks of such a joint committee would be to receive and report to the Congress on the recommendations of the National Advisory Commission on Civil Disorders released early last month. Equally important would be the joint committee's responsibility to draw together the work which has been done by the Congress through its various committees which preceded the Advisory Commission's study and which to a large extent has been ignored by that executive Commission.

The Subcommittee on Urban Affairs of the Joint Economic Committee conducted a study of urban problems beginning in August of 1967. I had the privilege of preparing a paper for the subcommittee, which I would like to insert in the RECORD at this point:

TOWARD A BETTER UNDERSTANDING OF URBAN AMERICA

(By Representative THOMAS B. CURTIS*)

THE TRENDS

To question and evaluate urban problems and policies, it is first necessary to understand the underlying dynamics of urban development. When we first understand the historical and economic trends of the city, we can then ask the more immediate questions concerning government and particularly Federal Government expenditures on the core region of the large city and on the shape and function of the core region itself.

History shows us that the two economic factors of the industrial power source and the labor supply have molded and directed the growth of the American city. In the late 18th century and in the earliest part of the 19th century water as our major source of industrial power necessitated that the mills locate near waterfalls. In fact the geography of this power source not only limited the areas where industry could locate, but also limited the size of the city since only a few mills in a given area could utilize the falling water. However, mass production had not really come into play to require the concentration of a mass work force in a limited area.

Then came steam and mass production and the growth of the high rise city. Coal, the new source of power, could be transported to centralized industrial areas, and labor aggregated in these industrial centers to be close at hand to meet the needs of mass production. Centralization became paramount and the maximum utilization of urban land was essential for industry. The result was the great architectural movement upward and the growth of the high rise city.

After 1920, however, the high rise city began to die. Electricity and the automobile initiated the decentralization of the city. Electricity was a mobile source of power and the automobile and the highway provided mobility for labor. This new mobility meant that industry no longer had to fight for the precious space in center city, but could instead move out into the surrounding country while electric cables would follow along supplying power for any location desired. And the family through rural electrification, telephones, and highways could do the same in the pursuit of better living. Labor no longer had to live in the immediate area of the industry since the car could take a workman as far away as 40 miles or more a day to his place of work. It is interesting to observe that the only urban giant in this country not characterized by high rise industry is the city of Los Angeles which was largely built up after 1920.

Now automation has caused an even greater dispersions of industry since automated production processes are carried out most efficiently in the sprawling one- and two-story factories, not to mention the amazing developments in new and more flexible forms of transportation and communication. The land needed for the automated complexes and better family living is found in the spacious countryside and not in the cramped confines of center city, and the countryside can accommodate this expansion as technological advancement has continued to diminish the amounts of land needed for agricultural and forestry purposes.

This historical perspective leads to questions which I feel have been too little examined by advocates of maintaining or going backward to the concentrated core of our cities. It seems that the historical trends are in fact going away from the further development of the old high rise core region and that advocates of restoration of the high rise city are working with vested interests and counter to healthy progress. Indeed, one could make the stronger charge that they are the unwitting mouthpieces of those with a vested interest in maintaining the outmoded values of center city property.

Population statistics clarify the trend toward decentralization (see chart I). Between 1950 and 1960, eight of the 10 largest cities in this country lost great numbers of people while the surrounding counties in their metropolitan regions continued to grow at a steady rate. Among the 15 largest cities, population estimates reveal that Chicago, Detroit, Baltimore, Philadelphia, Cleveland, and San Francisco have decreased significantly in population since 1950. During this period, population figures for their metropolitan regions have swelled, indicating the decentralization and dispersion characterizing these urban areas.

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*U.S. Representative from Missouri; U.S. House of Representatives.

CHART I[1]

	1950-60	1960-65 estimate
New York (− + = +):		
Metro	+1,138,690	+653,367
City	−109,970	+211,016
Counties	+1,248,660	+442,351
Chicago (−):		
Metro	+1,043,045	+412,087
City	−70,558	−84,404
Counties	+1,113,603	+496,491
Los Angeles (+):		
Metro	+2,375,085	+33,004
City	+508,657	+317,205
Counties		
Philadelphia (− + = −):		
Metro	+671,849	+324,103
City	−69,093	+44,488
Counties	+1,248,660	+279,615
Detroit (−):		
Metro	+746,163	+209,640
City	−179,524	−30,044
Counties	+925,687	+239,684
Baltimore (−):		
Metro	+321,624	+129,977
City	−10,684	−27,024
Counties	+332,308	+157,001
Houston (+):		
Metro	+436,457	+451,842
City	+342,056	+153,581
Counties		
Cleveland (−):		
Metro	+331,084	+174,405
City	−38,758	−40,805
Counties	+369,842	+215,210
Washington (− + = 0):		
Metro	+537,808	+411,103
City	−38,222	+38,044
Counties	+576,030	+373,059
St. Louis (−):		
Metro	+340,815	+178,897
City	−106,770	−51,026
Counties	+447,585	+229,923
Milwaukee (+):		
Metro	+237,342	+74,710
City	+103,932	+9,684
Counties		
San Francisco (−):		
Metro	+542,592	+151,641
City	−35,041	−116
Counties		
Boston (−):		
Metro	+178,736	
City	−104,247	−52,192
Counties	+282,983	
Dallas (+):		
Metro	+340,100	+205,399
City	+245,222	+130,316
Counties		
New Orleans (+):		
Metro	+183,075	+157,520
City	+57,080	+24,475
Counties		

[1] Col. 1 shows the population increases between 1950 and 1960; col. 2 shows the population increases between 1960 and 1965.

The symbols with each city are described as follows: A "minus" in parentheses indicates a loss in population for both periods, and a "plus" in parentheses indicates a gain in population for both periods; where there are 2 symbols, the 1st refers to the 1st period and the 2d to the 2d period; the symbol to the right of the equality sign indicates either an overall population increase or decline for the entire 15-year period.

Cities are listed in the order of population.

Five of the largest 15 cities—Los Angeles, Houston, Milwaukee, Dallas, and New Orleans—have registered population increases steadily for the past 17 years. The population gains within the boundaries of these cities, however, actually maintain the overall pattern of decentralization. The average density for these five cities (combined) in 1965 is 4,869 people per square mile. Detroit, Chicago, St. Louis, and Boston, each of which has lost over 150,000 people during the last 17 years, in 1950 had an average density (combined) of 15,248 people per square mile. Since these four cities are losing great numbers from within their city boundaries, their densities are now slightly lower.

In other words, cities with the greatest density present a pattern of people moving from within city boundaries into surrounding suburban counties. On the other hand, the cities which are now growing most rapidly at present have a very low density. Of the expanding cities, Los Angeles and Houston are the two largest cities in the United States (i.e., in square miles) and Dallas and New Orleans rank fourth and fifth, respectively. The area covered by these cities (e.g., Los Angeles at 455 square miles) means that these cities can continue to grow for some time without turning into centralized high rise cities.

"Sprawl"—used as a derogatory term—is often ascribed to these expanding cities. A study of the facts, however, reveals that these cities are actually gaining in population because their boundaries are spread out far enough so that these cities can actually encompass the forces of urban dispersion. The advocate of metropolitan consolidation, I might add, should be very pleased with this development.

Many people involved in urban politics and city planning have told me that the solution to major urban problems lies in a recentralization and intensification of people within the boundaries of our cities, especially our older cities. Not only is this contrary to the prevailing historical and economic forces, but this solution also contradicts and frustrates the desires of the majority of our urban citizens—a desire to live in low-density residential neighborhoods.

A brief look at Los Angeles County, in fact, supports my contention that a majority of urban residents choose to live in low-density neighborhoods as opposed to high-density high-rise apartments. Los Angeles County is one of the fastest growing areas in the United States. Statistics published by the Los Angeles County Regional Planning Commission reveal how the people in this growing region have selected their homes. As of January 1, 1960, the commission estimated that 65.05 percent of all dwelling units in the county were single-family units with multiples totaling 25.05 percent and duplexes 9.45 percent. Combining the single-family and duplex figures, we see that 74.50 percent of the dwelling units in Los Angeles County were in low-density neighborhoods. In short, in Los Angeles County, one of the fastest growing areas in the country and our second largest metropolitan region, the single-family residence has been chosen as the basic housing unit and the great majority of dwellings are in low-density areas.

Low density requires urban decentralization and dispersion. In fact, since our most rapidly growing metropolitan regions are decentralized and of low density, I must conclude that our people greatly prefer low-density living and urban decentralization.

At first glance, New York City does appear to contradict the trends which I have been discussing. Although New York City did lose 109,970 people during the 1950's, it became the only old and crowded city in this country to gain population between 1960 and 1965. In fact, the 211,016-person increase in population in the first half of this decade meant that New York City actually had an increase of slightly over 100,000 people between 1950 and 1965.

A closer inspection of the population statistics for each of the five boroughs shows that New York, instead of providing an exception to the trends, actually reinforces them. Manhattan, the most densely populated borough, had a density of 89,096 people per square mile in 1950. In 1960 Manhattan's density fell to 77,195 per square mile and when last recorded in 1965, the density (estimate) was down to 70,955 people per square mile. The actual population loss for Manhattan between 1950 and 1960 was 261,820 and another 137,281 people left Manhattan between 1960 and 1965.

Queens provided the most consistent population increase with a 258,729 rise in the 1950's and an additional 138,422 people through 1965. In density, Queens ranked fourth among the boroughs with a density of 13,724 people per square mile in 1950; in 1965, Queens was still fourth in density with 17,239 people per square mile.

New York City's fifth borough, Staten Island, actually bears a close resemblance to the residential density of Los Angeles County. Staten Island gained 20,436 people in the 1950's. It almost doubled this rate of increase with an additional 38,009 people moving onto Staten Island between 1960 and 1965. Even with this increase, Staten Island still has a density of only 4,333 people per square mile, compared to 4,346 people per square mile in Los Angeles. The opening of the Verrazano-Narrows Bridge is expected to continue the proliferation of low density housing on Staten Island.

A study of employment statistics clarifies the trend of urban dispersion. An analysis of 40 of the largest SMSA's (standard metropolitan statistical areas) in the United States reveals the rise in employment in the suburban rings of these SMSA's.

In 1948 only 36.5 percent of SMSA manufacturing employment was located in the suburban ring. This figure rose to 45.6 percent in 1958, and it is estimated that it now exceeds 50 percent. As of 1963, 31.5 percent of SMSA wholesaling was located in the suburban ring, while only 9.5 percent of SMSA wholesaling was in the ring area in 1948; 47.5 percent of SMSA retailing was in the ring in 1963 as compared to the 25.3 percent retailing figure for the same area in 1948. Finally, the suburban ring percentage of services rose from 17.4 percent in 1948 to 34.2 percent in 1963.

The outward movement of population and employment is statistically obvious and logically irrefutable. No matter what the empirical approach, the same trends result. For example, 37 out of 40 cities have declined in retail jobs between 1958 and 1963, while only 27 out of 40 had declined between 1948 and 1954. Parallel figures for wholesaling showed the decline spreading from 16 to 21 cities, and the parallel figures for services showed employment declines in services expanding from seven cities to 15 cities.

Conducting a study of urban population and employment, Harvard economist, John F. Kain, independently has arrived at the following conclusion which completely concurs with my thesis of urban decentralization:

"First, I know of no good statement of why these trends *should* be reversed. It is not obvious that a reduction in central area employment and population densities is detrimental. The most frequently used argument that it is bad holds that such dispersal jeopardizes the tax base of central cities; while true, there are many more straightforward, and more efficient, ways of solving the admittedly difficult fiscal problems of central cities than by redirecting metropolitan growth. Attempting to reverse a massive, nationwide social and economic movement (i.e., suburbanization) strikes me as the most costly—and least likely to succeed—method of helping pay for needed central city services."[1]

It is my firm belief that instead of bucking the tide, we can harness its force for the betterment and improvement of living conditions in metropolitan America.

The new emphasis on homeownership can, to some degree, be interpreted as a response to the forces of low-density living. For income groups from $3,000 to $6,000 per year, the new homeownership approach would be preferable to high rise rent-subsidized apartments. In fact, homeownership legislation would not only provide more satisfying living conditions for this lower income group in our cities, but preliminary research indicates that homeownership is economically more feasible than many of the current rent subsidy and public aid programs.

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[1] James Q. Wilson, ed., *The Metropolitan Enigma: Inquiries into the Nature and Dimensions of America's "Urban Crises,"* John F. Kain, *The Distribution and Movement of Jobs and Industry* (Washington: Chamber of Commerce of the United States, 1967), p. 26.

HOMEOWNERSHIP

To digress briefly from my analysis of urban trends, I would like to briefly analyze some of the economic and social benefits of the homeownership approach in contrast to the rent subsidy and public aid approach. Studies of programs in Chicago and St. Louis provide much of my comparative material.

According to one of the major Chicago rent management companies, aid recipients account for almost 85 percent of rent delinquencies. In a revealing study of Chicago, David A. Satter observes:

"Those buildings in Lawndale that are unavailable to public aid recipients are in as good condition as they were before Lawndale became a slum. But buildings where even a fraction of the apartments are available to aid recipients are terrible. Apartment buildings that differ in rent from one another by as little as $10 a month show striking differences. The crucial factor seems to be the presence or absence of welfare recipients—people not having paying jobs or having them. Aid recipients make up between 30 and 50 percent of the tenants of buildings that rent for under $105 monthly. The story is always the same. They do not pay their rent and are destructive." [2]

In my own city of St. Louis, a private organization, the Bicentennial Civic Improvement Association of St. Louis, has already successfully initiated a homeownership program, a small scale preview of the National Home Ownership Foundation. The following remark by a staff member of the Bicentennial Improvement Association strikes a most interesting contrast to descripton of the Chicago public aid recipients:

"I can say that our experience as far as the families go has been excellent. There are no school dropouts in our families. They pay property taxes whereas before they received tax benefits and various aid programs. They now have jobs whereas before they did not. The families are living together and maintaining their homes whereas before they did not live together and had no home to maintain." [3]

A report from the Bicentennial Improvement Association further amplifies its record of success:

"Since 1963, over 40 families have been placed in rehabilitated homes within the boundaries noted. These families are paying for the homes with wages earned from jobs in local industry. In the 2 years since the first family was placed, only two payments have been late and none have become delinquent. The same is true for utility bills and other basic costs of running a household." [4]

Successful private homeownership programs are also in operation in Philadelphia and Indianapolis. The final step that remains to be taken rests with the Federal Government. Through Federal legislation removing the impediments it presently ignores in its tax laws, work and welfare programs against homeownership, it would become possible for privately managed and locally controlled homeownership programs to be successfully promulgated throughout the United States.

Possibly in a mild way additional Federal legislation other than just removing serious impediments could provide for the establishment of a nonprofit foundation which would raise private funds through issuance of Government debentures. These funds will be made available for low-interest mortgages to assist low-income families in acquiring equity in their homes. The foundation would operate at very low Government expense and control. Furthermore, its three pillars of emphasizing individual development, maximizing utilization of private resources, and minimizing the role of Government tower above the morass of confusion and inefficiency which characterizes the old generally discredited high rise public housing and the present urban renewal programs and their accompanying antipoverty projects.

In fact "positive" and "negative" are two words which succinctly capture the difference between the homeownership approach and much of the present public aid and rent subsidy approach. The homeownership plan comprises an interrelationship of various incentives. Tied into the plan are job training, job location, and education programs which will increase the possibilities and prospects for enduring homeownership. The homeownership approach also offers such positive incentives as allowing the home buyer to contribute his own labor as equity in his home.

Related welfare and social security legislation can effectively augment the homeownership approach. At the present time the aid to dependent children and the old-age assistance programs appear to be biased against homeownership. Most States do not provide that welfare can be used for capital improvements for substandard housing; and consequently, the ADC and OAA agencies pressure families entering ADC or OAA to relocate out of the home into a rental place.

I believe that relocation into a rental place—and I have personally worked with a case in which this relocation occurred at the death of a father of seven children—constitutes a traumatic experience for the widow and the children. I also oppose this relocation for the sound economic reason that the relocation process is actually more expensive than the capital improvements necessary to eliminate the substandard situation.

I have succeeded in getting into the House social security bill a provision that the Federal Government will match on a 50–50 basis up to $500 payments by States to OAA people for home improvements. This amendment also gives similar aid to the blind and disabled. However, I would like to have this amendment extended to include ADC people, and I want the maximum payment raised to 1,000 on the same 50–50 matching basis. The present homeownership proposal, the National Home Ownership Foundation Act, is often criticized for supposedly covering those earning incomes of $4,000 and over. My amendment, especially the proposed extended version, addresses itself to the homeownership problems of the lower income groups entering welfare programs—groups not fully covered by the NHOF.

By attempting to increase the aid provision in my amendment to $1,000, I am not making an unreasonable grab for more Federal money. Mr. Lacy Smith, the Rehabilitation Coordinator of the Federal Housing Administration, supplied me with the following information. An average of $2,500 to $3,000 is required to bring substandard housing up to code requirements. Section 115 of the Housing Act provides grants up to $1,500 for repairs and capital improvements and, the average grant for substandard housing has ranged round $1,200. Section 312 of the Housing Act provides direct loans for repairs and capital improvements at an interest rate of 3 percent over a 20-year period. This average loan is $3,000. (The $3,000 is sometimes split between a grant and a loan, and such a split is usually on a 50–50 basis.)

By asking for the increase to $1,000, I have arrived at a figure which FHA experience indicates would provide substantial aid toward ADC and OAA substandard housing problems. Furthermore, a person who receives $500 or $1,000 from my amendment plus $1,500 from section 115 of the Housing Act is in a position to provide sound and lasting repairs and improvements for a substandard property. To qualify for aid under section 115, a person must be meeting mortgage and upkeep payments amounting to 25 percent or more of his (or her) monthly income and earning an income of $3,000 a year or less.

Finally, the capital improvement amendment to the social security bill insures a coordinated response to the needs of the ADA and OAA people with housing problems. Whether or not an ADC or OAA person benefits from section 115 of the Housing Act, he is guaranteed immediate aid through my amendment.

To document my contention that certain welfare programs discriminate against homeownership, I had hoped to compare the percentage of homeownership for people before they entered ADC and OAA to their percentage of homeownership after they entered ADC and OAA. Unfortunately, the welfare agencies have not been able to furnish us with the percentage of homeownership for ADC and OAA people before they entered these programs.

By comparing homeownership statistics from the 1960 Census of Housing to the percentage of homeownership of people on ADC and OAA, I have been able to observe the following correlations. In 1960 OAA recipients had an annual income (including assistance) of $968.88, and 48 percent of their housing units were owned or being bought. The national figure for household ownership for people earning annual income of less than $2,000 was 51 percent. This OAA homeownership comparison, in itself, is not statistically that significant. OAA homeownership is only 3 percent lower than the national average for a somewhat comparable income group.

The ADC figures, however, are striking. Including assistance payments, the annual income for ADC recipients is $1,677.36. While 51 percent of all households earning less than $2,000 per year are owned by the occupants, only 21.8 percent (as of November-December 1961) of ADC households are owned or are being bought by a person living in the housing unit.

The ADC percentage of homeownership is 29.2 percent lower than the national percentage of homeownership for the comparable income group. Stating these same statistics differently, one observes that ADC homeownership is approximately two-fifths the national average of homeownership for people earning less than $2,000 a year. ADC recipients, however, are not entitled to homeownership by the social security homeownership amendment, and the statistics indicate that an excellent case can be made for giving them this aid.

In summary, homeownership can serve as a basis for a rehabilitated family. The homeownership program serves to strengthen the family, stimulates economic self-improvement, provides incentives for self-education, and, more important, an atmosphere conducive to educational development for the children in the family. It's his to fix up and gain the fruits of his labor. It's his to keep neat and in repair. Through ownership, the house can truly become a home. With homes, the residents can then grow the roots for building strong and healthy neighborhood communities. Furthermore, it is a form of real savings—something of his to pass on to his children—to the oncoming generation.

Public aid and rent subsidies, on the other hand, do generate some undesirable "negative" forces which discourage self-help and personal improvements. The most objectionable of the negative effects is the public housing provision that when a family's income rises to a minimum figure the family must leave the project. Instead of encouraging personal economic improvement, this provision stifles enterprise and perpetuates low incomes. Furthermore, studies seem to indicate that the income ceiling causes a pessimistic atmosphere of frustration to pervade the downtrodden public housing community composed solely of families with low incomes.

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[2] David A. Satter, "West Side Story: Home Is Where the Welfare Check Comes," *The New Republic* (July 2, 1966), p. 17.

[3] Personal letter from staff member of the Bicentennial Civic Improvement Association during summer of 1967; also refer *Congressional Record;* vol. 113, pt. 8, p. 10382.

[4] Report from *The Bicentennial Civic Improvement Corporation* (August 3, 1966), p. 9.

For greater success in our urban renewal and rehabilitation efforts, we must expand our capacity for putting people on their own economic feet. Initial observations and preliminary investigation indicate that increased homeownership will provide substantial progress in this crucial area of concern.

THREE MYTHS AND THE PROPERTY TAX

Following my initial observations on the direction of the historical trends, I would like to offer for exploration three myths which have been advanced in connection with prevailing ideas of effective methods of development of central cities. These myths have generally been advocated by those proposing to turn over to municipalities either Federal block grants or large amounts of Federal funds. The first myth is that the Federal tax system (essentially income taxes, personal and corporate), a tax on economic activity, has proven to be so efficacious that there is a "dividend" which may be declared. The converse is true. The Federal income tax rates, I would argue, even with the 1964 cuts, are still beyond the point of diminishing returns and are still causing judgments to be reached for tax reasons rather than economic reasons.

In other words, the high rates still impede the full development of the present Federal tax base (economic activity) and also stunt the growth of the ultimate base upon which this base of economic activity itself relies; namely, wealth. The tax take is, therefore, less than it would be if the rates were lower and applied to a larger base. We could today embark upon a 20-year program of reducing Federal income tax rates every 2 years and continue to increase our Federal revenues.

The second myth is that Federal block grants provide swift and flexible remedies to urban problems. The economics of the Federal block grant is unsound for the same reasons that the Federal dividend is untrue and economically unsound. On political grounds, I consider the block grant undesirable since it must invariably involve Federal control—Congressional responsibility to the taxpayers it affects could not allow otherwise. The political pain of imposing taxes must always be tied to the pleasure of spending tax money if expenditure discipline is to be maintained to insure that programs are carefully designed and administered.

The third myth is that the real estate property tax is overburdened. To establish this point, of course, I now must move against innate prejudice while, in discussing the other two points, I had it going with me. No taxpayer thinks any tax or tax system is not an overburden. However, the property tax has certainly responded in a remarkable fashion since World War II in providing the revenues for building and maintaining schools, streets, sewer lines, and disposal plants, and so forth, and rendering expanded services to the community in policing, fire prevention, education, and so forth. But because it has expanded greatly and rapidly does not warrant the conclusion per se that it is overextended. It might warrant the opposite conclusion. One test to reach a proper determination is: Has the wealth which is its base expanded more rapidly than the tax? Have the benefits: cost ratios, proven to be economically sound? Wealth, particularly related to these expenditures, actually has increased more during this postwar period than GNP, economic activity. Another test is found in the fact that the community bond issues for schools, sewers, streets, parks; and other community facilities are consistently voted affirmatively in over 70 percent of the submissions and many of the 20-odd percent bond issues which are rejected are then restructured and resubmitted, at which time they then receive an affirmative vote. The wealth of State and local government, and of the private sector, that is the value of the assets minus the outstanding debt, has increased considerably. Putting it another way, the ratio of debt to wealth of the States and local communities has decreased markedly since World War II in a commendable fashion, albeit debt itself was rising rapidly. It is to be noted that on the contrary the ratio of Federal debt to Federal wealth has had a very disturbing incline and today is a negative ratio and at a very dangerous level. Yet, local and State debt in aggregate, not ratio, because wealth has increased more greatly, have increased more rapidly since World War II than has Federal debt. Nor is it any consolation that Federal debt as a ratio of State and local debt, or of private debt, is less today than it was in 1946: 1946 is the poorest year to pick as a benchmark. We are merely seeing an adjustment back from World War II Federal expansion to what is peacetime and growth normalcy.

Other statistics also belie the unbearable "burden of the property tax." For example, many States, including States with populous metropolitan regions; for example, Pennsylvania, Ohio, Maryland, and Texas, are now paying less in State and local taxes as a percentage of personal income than the national averge for both State and local tax obligation and also State and local property tax obligation. In other words, many local governments could significantly increase their property tax rates—let alone maintain their present rates—without exceeding the national average for State and local taxation as a percentage of personal income.

There is additional evidence attesting to the unrealized potential of the property tax. A conference on urban taxation meeting at Claremont College in the summer of 1965 estimated that the market value of real property in the United States (land and improvements) is approximately $1 trillion. As of 1965, this tax base produced taxes of some $17 billion or only 1.7 percent of the tax base.

Much potential revenue goes unrealized because tax assessors assess vacant land far below its asking price. For example, idle land priced at $20,000 an acre on Long Island is commonly assessed as low as $500 an acre. In fact, idle land across the country is assessed at a lower percentage of its market value than is developed land. The 1962 Census of Governments showed vacant lots assessed an average of 20.5 percent of "true value" whereas the figure for nonfarm homes was 30.6 percent.

The Committee for Economic Development and the Tax Foundation have taken steps in the right direction to uncover the fallacy which I have just discussed. For years I have been trying to point out that here is the Cinderella of taxes dressed in shabby clothes, with smutty face, keeping the household going while her much less beautiful and productive sisters, in glamor clothes go to the ball. If only we could recognize the beauty of Cinderella, wash the smut off her face and hands, and dress her in modest, but up-to-date clothes. Toward this end, it is my hope that this compendium will help to move the dialog forward.

The property tax needs more understanding and certainly a lot of updating if we are to enjoy its maximum advantages. The property tax is dependent upon sound and equitable assessment policies which, in turn, depend upon sound zoning laws and up-to-date building codes equitably enforced. It requires an understanding that idle land—raw land—should be taxed at a somewhat higher rate than improvement on the land, so that there will be an encouragement to put land to its most productive use. The property tax is the one tax of all the taxes available to governments that is antihoarding and hoarding, I submit, is the basic sin to a productive economy.

Not only should urban land be taxed at a somewhat higher value than improvements, but urban land should also be assessed and taxed with major consideration given to the location of the land—its "site value." These tax procedures can readily and effectively be coordinated with zoning laws, local policy, and the work of the city planner.

I also advocate a payment to State and local governments of sums in lieu of real property taxes on Federal property located within a local jurisdiction. This tax reform is only basic equity inasmuch as the Federal agency derives the same benefits as other citizens from schools, streets, sewers, fire and police protection, et cetera and it would, in an immediate and obvious sense, provide additional revenue for the State and local government. This tax change would also serve to impose a greater degree of discipline on the Federal Government in its acquisition and retention of land for Federal purposes because of its conformance with up-to-date cost accounting.

As a related factor, one should also observe that the failures of Federal fiscal policies have led to inflation and subsequent distortion of local assessments based as they are on dollar values covering a score of years. This result of the inept Federal fiscal policies has necessitated politically painful and costly reassessments of all local property at the same time in terms of the then current dollar value.

The property tax adheres to the sound economics of having the "users pay"; the benefit-to-cost ratio, is maximized. Furthermore, the property taxes pay for services, and improvements which actually increase the value of the property. For example, a 4.6-mile section of Toronto's Yonge Street subway which was opened in 1954 caused property values along its route to rise 37 percent between 1954 and 1958 while the rest of the city improved an average of 20 percent.

The irrefutable logic of taxing the value added to raw land is most clearly illustrated by the rise in land value on Staten Island when the Verrazano Narrows Bridge was built. The bridge itself cost the taxpayers $350 million. Owners of idle land then enjoyed a tremendous rise in land prices while at the same time the low assessments on idle land enabled them to carry the smallest proportion of the tax burden. The economic justice of having the benefactors of a service pay for the service was reversed in this case. Those who benefited the most—the owners of vacant land—paid the least.

My hometown, Webster Groves, Mo., also provides an excellent case in point. Good property taxes over a period of years have resulted in an excellent local school system which, in turn, has enhanced and maintained local property values. A house in Webster Groves may sell for as much as $5,000 more than a comparable house in surrounding communities having school systems without the equivalent reputation.

TAX EQUALIZATION

Some critics of State and local taxation notably ignoring the equalization laws within States and sometimes within counties argue that there are great differences between the 50 States and that a Federal mechanism is necessary to equalize between the rich and poor States. Revenue for primary and secondary education often falls prey to this superficial argument. It is said that many of the children who need to be educated are in the poor States which cannot afford to bear the costs of education while the ability to pay taxes lies in the richer States. Well, I have often sought to answer this syllogism. I ask, where are these so-called poor States?

The answer to that question is quite ready, in the South, Arkansas, Alabama, Mississippi, etc. I then ask, but on what basis do you say these are poor States? The answer to this is also quite ready. "Take a look at the per capita income of these States." Indeed, the per capita income in these States is relatively low. But then, I ask the next question, and the answer to this is not quite so ready. But these States do not pay for education out of taxes or income, do they? Don't they pay for education costs and community facilities of all sorts essentially by use of the property tax? If this is so, and it is so, let's take a look at the assessed valuation in these States which allegedly are so poor. Here we have the true answer. There are not really any poor States in the United States. The States so often cited are States where there are poorly developed and enforced property taxes, where there is a considerable amount of absentee ownership, among other things. Where the assessment on real estate hardly match the true value of the land and structure.

For example let's take a close look at Alabama. Although Alabama has a statute which calls for the assessment of property at 60 percent of its fair and reasonable market value in 1964-65, the tax evaluation of property in Alabama averaged no more than 18.6 percent of market value. This figure is significantly lower than the national average of 29 percent. A study by the National Education Association Commission on Professional Rights and Responsibilities further reveals:

"The extension of exemptions to corporate and individual owners of large landholdings and the unrealistic assessment practice of the publicly elected tax assessors have so eroded the property base that in 1965 ad valorem tax proceeds provided only 18 percent of the total tax revenues of the State and local governments in Alabama. No other State derived such a small percentage of its tax revenues from property assessment.[5]

This situation in Alabama and in similar States results in the loss of an overwhelming proportion of potential property tax revenue.

These are the very States, by the way, which are digging themselves further in the hole by waiving property taxes for a period of years to entice businesses to locate in their area—on the assumption, I suppose, that having the payrolls will assist them to have a better tax base than one based upon property wealth. This is surely regressive thinking for the 20th century. This theory can be found entrenched in most of our Latin American neighbors and throughout the world and until the theory is abandoned, I could argue, these societies will not move ahead.

No, there is no need for the Federal Government to get into the business of Federal equalization laws, although there is still plenty of reason for all the States to continually update their State equalization laws for education. And there is much room for counties to pass education equalization laws so that tax revenues can be spread from wealth areas, measured in terms of property wealth to areas of less property wealth. Above all, there is ample room for modernizing our property tax laws and keeping them up to date—which means, among many things, modernizing our zoning laws and keeping them up to date. No community can support schools or community facilities—except the very few unusually wealthy communities—with a property tax based heavily on home assessments. A properly zoned community will derive only 30 percent of its revenues from the property tax on homes, the 70 percent coming from the property tax on commerce, industry, and utilities.

EFFICIENCY

While on this subject of education and taxation, I would also like to mention the often overlooked factor of economic efficiency. The Federal Government not being the sector of government which is charged with spending the education dollar has the difficult and costly job of transferring the tax dollars collected to the local governmental agencies which are charged with the spending of them. As has often been observed, send a tax dollar to Washington, D.C., to be returned to be spent in the community and it comes back bady clipped. We certainly can cut down on the amount the dollar gets clipped when it is sent on its long journey to Washington and thence back to the community, but we must recognize that there will always be considerable cost in undertaking the round trip journey in the first place. And we may well ask, is this trip necessary?

I want tax collection for efficiency's sake to be pretty close to the agency of government that is going to spend the money so that there is a minimum of cost in transferring the money from the agency that collects it to the agency that spends it. Also a closeness between the people who raise the revenue and those who spend it imposes a discipline on the spending agencies since they have a better understanding of the cost of spending.

BUILDING CODES

In addition to proper state and county tax equalization measures, equitably enforced building codes are an imperative if we are to reap the full benefits of the property tax. An editorial in one of my home town newspapers, the *St. Louis Post-Dispatch* on June 16, 1967, presented disturbing examples of selective housing code enforcement. Its disclosures reveal such inequities as the following:

"Sixteen investment companies have been named by representatives from community agencies as the most recalcitrant owners and managers of slum properties. These companies control much of the substandard housing in St. Louis. One company owns an estimated 1,500 units, most of which are in violation of the housing code.

"While the residences of individual owners are inspected and unresolved cases are referred to court, hundreds of dwellings owned by investment companies escape. From January to November 1966 approximately 300 housing cases were referred to the Associate City Counselor for prosecution. Only 10 per cent of these cases involved investment companies.

"A resident owner was fined $500—$450 of which was stayed, while one of the largest investment companies was fined $10 for his failure to abide by city standards on one piece of property. Another was fined $10 for two buildings. Still another was fined $15 for three buildings."[6]

If injustices such as these persist in our cities, many of the beneficial aspects of local tax procedures and zoning regulations will be completely lost.

As far as I am concerned, all the preceding material has pointed in one direction—against the involvement of the Federal Government. Our emphasis should be placed instead on the State and local government. To most effectively cope with the economic and political problems of the metropolitan community, we must concentrate our energy on the development of the economic and political task of the State and local governments.

There is, however, a Federal component to building code enforcement. The Department of Housing and Urban Development at present is authorized $750 million for urban renewal and code enforcement. Of that amount HUD has allocated only $56 million for code enforcement. In fact, a Republican proposal to require 20 percent of renewal funds to go to code enforcement was defeated in 1965.

The code enforcement approach through HUD funds is available when the Federal Government is confronted with a sudden need for rat control and other pest control programs. Merely by increasing the amount of money available for code enforcement (either by raising the present $750 million HUD authorization or by allocating a greater percentage of the present $750 million for code enforcement) the Federal Government can efficiently utilize existing agencies and standards (which are required under every city's "workable program" for urban renewal aid). This approach also has the advantage of including low-interest loans to slum dwellings owners to eliminate health hazards (such as rats) and keep the building in a healthful state. Through this provision "the slumlord" is given a financial interest in maintaining a healthy environment.

THE PROPERTY TAX AND THE TRENDS

There is a crucial and potentially valuable relationship between the property tax and the historical and economic trends of the city. With the end of the old high rise industrial core region much industry relocates in suburbia and provides a great source of revenue for the suburban communities. In fact the tax policies which assess land at a higher rate than improvements and in terms of "site value" complement the effects of decentralization. Industry may assume as much as 75 percent of the tax burden in urban and suburban areas. Crestwood, Mo., in my own district, conforms almost completely to this kind of industrial tax situation.

The property tax becomes most productive when effectively coordinated with policy formulation. For example, Melbourne, Australia, is meeting approximately 60 percent of the cost of a new subway through higher assessment and taxation on the property—business property—which would benefit from the new subway. In Melbourne, local property owners in the area served by the subway are to help pay for the system by annually turning over to the city one-fourth of the increase in assessed valuation during the first 10 years the subway is in operation. Highway and expressway construction, can, in a similar way, utilize the property tax to meet construction costs. Furthermore, this use of the property tax meets the expenses of expanding transportation facilities in the metropolitan area—a direct and efficient response to the decentralization of the city.

I have devoted much time to discussing urban decentralization, but now I must speculate about the shape and function of the core region of our center city. Jobs demanding face-to-face communication most naturally will tend to locate where there is a dense aggregation of people—center city. This can result in a growing and thriving business and commercial community in the region. The core region can serve as a center for sports, culture, and amusements.

Following along in the same vein of thought, I can envision the property tax coordinated with zoning as a vital means of city planning. For example, the central city core region can be designated for commerce, business, amusements, sports, culture, and apartment houses through zoning laws and a high "site" property tax. Tax policy can affect land usage by assigning high assessments for good locations. Also the site tax—or land tax as it is often called—can be used to deter slum formation and land speculation. Finally, zoning regulations might be used to actually help expedite industry's natural trend to decentralize from the center city area to peripheral areas of the city and the surrounding country area.

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[5] *Wilcox County, Alabama: A Study of Social, Economic, and Educational Poverty* (Washington: National Commission on Professional Rights and Responsibilities of the National Education Association of the United States, 1967), p. 72.

[6] "Escaping the Housing Code," *St. Louis Post-Dispatch* (June 16, 1967).

These last comments have emerged from my own personal speculation in light of the data I have observed. As we now move ahead, many of the local programs have to be viewed as experiments. Each city becomes a laboratory for the political scientist and the practicing politician. In fact, this leads us to an area where a Federal agency can be useful. A national bureau for compiling data and providing information on the various "urban experiments" would increase the possibilities of success for programs initiated by local governments.

VARIATIONS, MODIFICATIONS, AND SUPPLEMENTARY FISCAL TOOLS

There are useful variations and modifications of the property tax which I have not discussed. One of the most common is the neighborhood assessment. Levying a neighborhood assessment for the first cost of a new service or facility adheres to the principle of "having the user pay." During my discussion of property tax assessments and city planning, I cited the new subway in Melbourne, Australia, an imaginative application of the neighborhood assessment concept.

A tax device similar to the neighborhood assessment is the land value increment tax. In this case, tax payment is made only when land values actually rise in response to the improvement.

Also the various formulas for emphasizing the "land" portion of the property tax deserve consideration. One plan already having legal status is the so-called Pittsburgh plan which taxes land at twice the rate of improvements. Earlier in this paper, I elaborated on the necessity of assessing land at a higher rate than the improvements. An extreme response to this need is the policy of shifting the entire burden to the site value alone. This procedure has been successfully executed for as many as 70 years in Australia. New Zealand, Denmark, and a number of cities of South Africa have also successfully conducted this tax program. In this country the actual determination of these property tax formulas—with any new emphasis in the direction of land taxation which might occur—should reside with the State and local governments. In the long run, statewide and countrywide coordination is necessary to achieve fair tax equalization.

Some local efforts at metropolitan consolidation and regional fiscal coordination can be viewed as partial remedies for the problems of tax equalization. Before looking at two specific cases, I again want to emphasize my belief that local policies and programs should, whenever possible, be studied as experiments which might provide information for other cities facing similar problems.

In 1949 a city-parish government was instituted in Baton Rouge, Louisiana. Parishes correspond to counties in most States. As a county coordinating body the government has jurisdiction over the following: the construction and repair of streets and highways, the power to zone for the entire area, the power to prohibit the incorporation of additional municipalities; and finally, a countywide property tax.

The major fiscal tool of the Baton Rouge city-parish government is a two-level property tax, with a lower rate applying outside the central city. In 1962, for example, the city property tax rate was $12 per $1,000 assessed valuation compared with $4 per $1,000 assessed valuation elsewhere in the parish. The city-parish council did vote a 1-percent sales tax which applies uniformly through the parish. Essentially, the two-level property tax is of special significance because it does enable the core city to draw revenues from the surrounding suburbs while at the same time this fiscal device is made palatable to the suburbs through the lower assessment on suburban property.

The Metropolitan Toronto Corp. also deserves mention. In total, its function includes provision of water supply, sewage disposal, arterial highways, parks, schools, financing, certain welfare services, coordinated planning, policing, business licensing, and air-pollution control. Although the corporation has no power to tax directly, it does play a major role in the area of tax equalization. To insure uniformity, the corporation assesses all property in the region. The corporation gets its funds through assessments on each municipality—13 independent municipalities including Toronto—based on the ratio their property assessments bear to the area's total.

Some solid progress has been made in the direction of consolidation. Many organizations, such as the Committee for Economic Development have begun to panic over "the balkanization" of our metropolitan regions, but I must reply that their panic is uncalled for. Positive steps have been taken.

A study of the local school districts in the United States reveals that consolidation is making an impressive advance. As of January 1, 1967, there were only 23,461 local districts as compared to 55,000 local school districts in 1956. The 1967 figure represents a 60-percent decline over the preceding decade. To bring the decline into sharper focus, we see that as of January 1, 1967, there were 3,541 fewer local school districts than on January 1, 1966. In fact, over the last two decades there has been a 75-percent decrease in the local school districts. In 1946 there were 101,000; 20 years later there are less than one-fourth as many local school districts.

It also should be noted that in some cases consolidation is advancing with a dramatic suddenness. Kansas, for example, had 1,500 local school districts in 1965. By the end of the following year there were only 349 local school districts in the entire State of Kansas.

The property tax should be the major fiscal tool of the local governments, but here is room for the implementation of other useful fiscal measures. Among the most promising fiscal techniques in terms of revenue potential and also tax equilization are the local payroll tax and the local income tax.

Local income and payroll taxes assume a great measure of desirability, first of all, because they allow a shift in fiscal emphasis from the Federal Government to the local governments. By lessening Federal payroll and income taxes in favor of local payroll and income taxes, we speed our revenue directly from those people paying the taxes to those spending the tax revenues. This shortening of the distance traveled by the revenue dollar will result in a cutting of administrative costs. Secondly, greater local spending of increased local revenues means more of our spending will be subjected to the "discipline of closeness"—the discipline which emerges when people spending the dollars must also directly raise the tax revenue. Toward this end, I would develop the urban payroll and income taxes and provide that the urban income and payroll taxes levied be deductible from Federal tax obligations.

The question of whether to use urban payroll taxes, urban income taxes, or a combination of the two is integrally tied to the issues of tax equalization. The basic relevance of the urban payroll tax and the urban income tax to tax equalization can be elucidated through a translation of these two taxes into the issue of the origin of income versus the residence of the income earner.

A primary motivation lying behind the levy of a city payroll tax is that revenue is drawn from people who work in the city, use many of the city's services, and then flee home to the suburbs—free from the city's tax grasp. Furthermore, these same suburbanites are people who previously had lived in the city and then moved outward. It has largely been the case that the people moving outward have higher incomes than those people left in the city. A payroll tax consequently helps equalize the difference.

There is, however, a problem raised if the suburbs institute an income tax. A suburban income tax would tax the same people who pay the urban payroll tax. Some States remedy this problem by giving precedence to the tax levied by one's place of residence.

I have found two possible formulas for balancing income and payroll taxes. A plan adopted by the State of Michigan enacts a broad-based income tax and gives residents a credit for taxes paid to any other local government. Under this plan wages, salaries, and profits would be allocated to jurisdictions of origin and interest and dividends to jurisdictions of residence. Since business property yields a larger share of total metropolitan tax receipts than does residential property, the Michigan plan probably favors the jurisdiction over origin.

An alternative plan balances origin and residence taxes equally by giving taxpayers in one jurisdiction (i.e., of residence or origin) a 50 percent credit for taxes owed to the other jurisdiction. Finally by manipulating State and local tax formulas such as the ones just discussed, the States and localities of this country can, I believe, continue their progress toward greater tax equalization.

There are ways of conducting State and local income tax programs which minimize administrative costs. By authorizing only municipal taxes that use the State income tax base and were collected by the States for subsequent return to jurisdictions of origin, the local and State governments can greatly lessen administrative costs. Consideration should also be given to having State taxes use the Federal base in an effort to provide additional efficiency.

Another fiscal tool which has served our urban areas quite effectively is the multi-State agency. Article I, section 10, clause 3 of the Constitution explicitly allows States, with the consent of Congress to enter into agreements or compacts with other States. With this congressional authorization, different States containing the same metropolitan region can join together in tackling common regional problems. The Port of New York Authority, for example, represents one such interstate compact.

Interstate cooperation is most common in solving transportation problems; e.g., major bridges and river authorities. Furthermore, this kind of interstate service is able to capture substantial revenues through direct user fees, namely tolls.

Transportation is not the only important area for interstate cooperation. For example, water shortage problems in urban regions also calls for interstate agreements. In response to a critical water problem in the Philadelphia metropolitan region; New York, New Jersey, Pennsylvania, and Delaware have joined in the Delaware River Compact.

In beginning my discussion of the city, I said that it was first necessary to understand the underlying dynamics of urban development. From this orientation, I have guided my analysis by the economic and historical trends of the city. These trends, I strongly believe, should also be acknowledged when delving into the problems of the urban Negro.

THE URBAN NEGRO

In light of economic trends, the Negro problem represents an acute case of immobility. By taking the broad view of the Negro problem, we quite naturally recognize that the racial and social issues deserve consideration but there is also a pressing economic issue which is most deserving of our attention.

The basic problem of Negro immobility can be interpreted in terms of job training and economic skills. This factor of job competence, however, can be further reduced to the dimensions of an urban-rural continuance of backgrounds for the Negroes in our cities.

It is important to realize that the Negro problem today is part of an age-old problem that has little to do with race or color. It has to do with the basic economics involved in any society which is industrializing. An industrializing society has marked migrations of sizable populations from rural living to urban living. The more rapid this movement the more aggravated the problems of social and economic adjustment become. The increased incident of crime among former rural people now living under urban conditions has long been observed. The closer people live with each other, of course, the more their daily actions affect each other. The more contact the more opportunity there is for friction, for more breaches of the codes both social and legal which govern the relationships of people living close to each other. Indeed, the codes of urban living are not only different from the codes of rural living, but perforce they are more comprehensive and complicated and hence lend themselves to more violations.

Part of the problem of adjustment comes from shifting from an economy which has much of barter about it to an economy which is almost entirely a money economy. Where the money economy cuts off in urban areas a State-organized welfare economy takes over in place of an informal community welfare economy.

Part of the problem of adjustment comes from the traditionally lower, as well as different, educational standards and standards of skills in the rural communities from those of the urban communities.

We must not identify these economic and social adjustment problems as racial problems if we are to solve them. The predominance of the Negro in the group shifting from rural to urban living beginning with World War II and continuing up to the present time has tended to confuse the problem. So, too, hasty analysis has led some to identify civil rights problems as racial problems. Again it is the confusion arising from the predominance of the Negro in issues involving civil rights that lies at the root of their obfuscation.

It must be constantly borne in mind that in the past decade—and the decade immediately ahead of us seems to be following the pattern—automation, or rapid technological change, has accelerated its pace and so aggravated the social and economic problems stemming from this massive migration.

In our Federal income tax laws we have always given a deduction for donations to charitable and educational institutions. These new tax theorists say thereby the Government subsidizes these institutions. I say we give the deductions not to subsidize but rather on the theory that we did not wish to tax this area of endeavor. We as a matter of policy prefer to obtain the money to run the Government from other areas of endeavor. This is money being spent for social purposes which if it were not so spent probably would require the Government to spend it directly.

So the tax credit to those who spend money on education, which I advocate, is entirely consistent with American classical tax theory. If the private individuals do not spend the money for education then the people through their government would probably do so as a last resort—although I submit much more inefficiently.

Consistent with the theory of tax neutralism and classical American tax theory, I have introduced in the House, legislation which would give a tax credit for higher education. For elementary and secondary education, the taxpayer would have the option of claiming a $50 tax credit per elementary and secondary school child against his Federal income tax, up to a maximum of $200. This education bill is also desirable because it capitalizes on the advantages and benefits of a sound local property tax.

The tax credit can also be used to combat water and air pollution and to develop job training and retraining. I have also initiated legislation for an incentive tax credit to private business and industry to fight water and air pollution. I have also advocated what is called the Human Investment Act, which provides a tax credit to employers for part of the expenses of providing job training and retraining programs.

In conclusion, I would like to cite the following prediction by Henry Ford: "We shall solve the city problem by leaving the city."[7]

Today, it is our task to recognize the validity of Henry Ford's prediction and use his message as a prescription for our future action.

Our cities are decentralizing and we can only progress by harnessing the forces of dispersion and not by bucking these forces head on. To deal with the problems of an expanding urban America, we must place a new emphasis on local and State government. We also must show a new respect for the potential of an updated property tax; and finally, we must recognize the role of low-density living and increased homeownership in the future of Metropolitan America.

Dr. Eli Ginzberg, professor of economics at Columbia, in a recent article published in the New York Times Magazine of February 9, 1964, puts these problems into a positive context:

"In Chicago, for instance, 80 percent of the Negro families have a higher income than 50 percent of white families. In the West, the nonwhite income distribution is almost the exact counterpart of income distribution among the white population of the South."

The most important area of education and instruction for the urban Negro is that of job training and vocational education. When these people acquire job competence and needed skills they will have greatly enhanced their own opportunities for increased mobility. Furthermore, local services providing listings of job opportunities and coordination between the unemployed and job vacancies should further increase the opportunity for economic and social improvement.

At this point, I must emphasize that racial restrictions on Negro mobility exist in serious measure and, of course, it is important economically, socially, and from a humanitarian standpoint to eliminate this bias and discrimination. What I do want to emphasize, however, is that we must balance the economic and social aspects of the Negro problem and recognize the economic impact of job immobility on the racial problems of discrimination.

REFORM IN FEDERAL TAX LAW

Education, job training and retraining, air pollution and water pollution all pose problems confronted by our urban governments. At present many indirect and inefficient Federal programs address themselves to these problems through block grants and Federal subsidies. Much direct and effective aid, however, can easily be funneled into these problem areas by merely providing tax credits in Federal income taxes.

Let me state the case for this most needed reform in Federal tax law in my own semantics because it is usually presented even by some of its advocates in the semantics of those who oppose it. This reform is in accordance with American classic tax theory; namely, that we do not tax money which is being spent for a social purpose which if it were not so spent we would call upon the government to spend. Putting it another way, we know that when we extract money from the private sector to pay for the expenditures of governmental services we are going to have some impact on the economy. We seek to keep that impact as a minimum. We prefer not to tax industries on the wane, we prefer to tax industries on the rise. We prefer not to tax low income, we prefer to tax high incomes. We prefer to tax wealth, not the process of creating the wealth. We do not tax money spent for desirable social purposes.

This is the tax theory of the tax neutralists. This is the classical tax theory in America. There is a new school of tax writers who are not neutralists. Because the power of taxation to effect economic results and to render economic decisions is so great, and I might add, so subtle these theorists advocate an old system as if it were new, to mulct rather than to tax. They seek to write tax laws to deliberately produce economic decisions—their decisions—to channel expenditures into certain areas supplanting the private decisionmaking process with the political process.

Article by Representative Emanuel Celler on State Taxation of Interstate Commerce

HON. EDWIN E. WILLIS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. WILLIS. Mr. Speaker, as chairman of the Special Subcommittee on State Taxation of Interstate Commerce, I was deeply gratified to receive today a copy of a Law Review article by the learned and distinguished chairman of the Committee on the Judiciary, Representative EMANUEL CELLER. The article which appears in the March 1968 issue of the Fordham Law Review is both scholarly and statesmanlike in analyzing the political and economic ramifications of State taxes imposed on interstate commerce.

Chairman CELLER has indeed made a major contribution to the literature on this important subject. I commend his article to my colleagues and include it as a part of my remarks in the RECORD today.

The article follows:

THE DEVELOPMENT OF A CONGRESSIONAL PROGRAM DEALING WITH STATE TAXATION OF INTERSTATE COMMERCE

(By EMANUEL CELLER*)

I. BACKGROUND

Prominent on the list of great legacies which modern America received from the original framers of the Constitution is the principle of a national common market. It is this principle—the principle of the Commerce Clause—that has bound our states together in the economic union which is so essential to their political union. At the same time, this principle has also played a major role in the phenomenal development of our American economy. Yet, essential as the common market principle has been for both our political and economic development, the very nature of our federal system has precluded us from attaining a completely open market and necessitated that some proper balance be struck between the need for the free movement of goods and persons across state lines and the need of the states for revenue.

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[7] Mitchell Gordon, *Sick Cities* (New York: The Macmillan Company, 1965), p. 13.

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From the enactment of the Constitution until 1959 the entire responsibility for reconciling conflicts between the tax policies of the states and the national interest in the free flow of commerce was shouldered by the courts. Congress itself enacted no statutes to give the courts guidance. As a result, a vast body of decisional law provided the only standards for determining whether any particular state or local levy was violative of the national principle of free trade among the states. However, most of the cases which arose were so diversified and of such peculiarly local significance that they did not generate strong political interest on a national level.

While Congress remained silent, significant trends developed which resulted in a balkanization of the economy. As each state reached farther and farther beyond its own borders to tax more and more companies the burdens on the courts became unmanageable, and it became clear that the judicial branch of the government was inadequate to balance state revenue requirements with the national need for an open market. Indeed, the Supreme Court itself came to recognize its own inadequacy in this area. Thus, in recent years several members of the Court with such diverse philosophies as Justices Jackson,[1] Rutledge,[2] Black,[3] Frankfurter,[4] Douglas,[5] and Clark[6] have all subscribed to this view and have either directly or implicitly called upon Congress to act.

Essentially, the inadequacy of the judicial process to accommodate both the competing demands of the states for revenues and the national need for a free flow of commerce is an inherent one. It arises from the fact that the Court can deal only with individual cases and is substantially handicapped by its inability to explore fully the national impact of a broad conglomeration of levies imposed on interstate companies by all fifty states and literally thousands of local governments. The late Justice Frankfurter has described these built-in limitations of the Court in the following terms:

> "At best, this Court can only act negatively; it can determine whether a specific state tax is imposed in violation of the Commerce Clause. Such decisions must necessarily depend on the application of rough and ready legal concepts. We cannot make a detailed inquiry into the incidence of diverse economic burdens in order to determine the extent to which such burdens conflict with the necessities of national economic life. Neither can we devise appropriate standards for dividing up national revenue on the basis of more or less abstract principles of constitutional law, which cannot be responsive to the subleties of the interrelated economies of Nation and State.
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> "The problem calls for solution by devising a congressional policy. Congress alone can provide for a full and thorough canvassing of the multitudinous and intricate factors which compose the problem of the taxing freedom of the States and the needed limits on such state taxing power.[7]

Faced with its own inherent limitations, the Court generally maintained a permissive attitude toward state levies on interstate commerce[8]—often declining in the absence of federal legislation to invalidate state revenue measures.[9] Encouraged by the Court's permissive posture, the state tax administrators asserted broader and broader jurisdictional claims over interstate commerce, so that by 1959 it was clear that Congress would have to act if the rapidly growing trend toward a balkanized domestic economy were to be reversed. In that year, in two companion cases, *Northwestern States Portland Cement Co.* v. *Minnesota* and *Williams* v. *Stockham Valves & Fittings, Inc.*,[10] the Supreme Court decided that in the absence of federal legislation a company could be required to pay a state income tax, even though it was engaged *exclusively* in interstate commerce in the taxing state. Prior to this decision the view had been widely held by the business community that a company could not be taxed by a state unless it engaged at least to some extent in *intrastate* commerce within the taxing state.[11]

The reaction of the business community to the *Northwestern* decision was extremely sharp. Small and moderate-size businesses in particular became gravely concerned with the prospect of having to comply with diverse, complex and overlapping income tax laws which would be beyond their capacity to handle. Not only was the business community fearful of future liabilities, but it was also confronted with the specter of assessment for countless numbers of back years as well. Having failed to file tax returns in the past in the belief that no liability had existed, generally they could not rely on statutes of limitations to bar assessments. In the *Northwestern* case, for example, the taxpayer was held liable for back taxes covering a period of some sixteen years. Under all of these circumstances, the business community regarded it as imperative for Congress to act.[12]

The reaction by Congress to the *Northwestern* decision was swift. Within weeks after the decision, hearings were held by the Senate Select Committee on Small Business.[13] Meanwhile, both the House Judiciary Committee[14] and the Senate Finance Committee[15] reported out bills designed to provide "stopgap" relief while Congress could develop a more comprehensive program based on more detailed information. The outgrowth of the bills was Public Law 86–272,[16] which became effective in September of 1959.

Public Law 86–272 had a two-fold significance. First, the statute precluded a state or subdivision from imposing an income tax in situations in which the company's only activities in the state were limited to the solicitations of orders by salesmen or the making of sales through independent contractors. Second, both the House and the Senate viewed the statute as a temporary measure designed to prevent a further expansion of the jurisdictional reach of the states, pending the completion of a thorough study of state income taxes—which was considered necessary to achieve a permanent solution.[17]

Although Public Law 86–272 was limited in scope so as to apply only to income taxes, it soon became clear to the Congress that other forms of taxes were likewise having a profound impact on interstate commerce. Several months after the enactment of Public Law 86–272, the Supreme Court held in *Scripto, Inc. v. Carson*[18] that an out-of-state seller could be required to collect a use tax on shipments to in-state purchasers even thought the seller maintained no facilities in the taxing state and its sales were made entirely through independent contractors. This decision raised apprehensions in the business communities similar to those which had been raised by the *Northwestern* decision concerning income taxes. Indeed, the ramifications of *Scripto* are so broad that even those who tend to support the views of the state tax collectors regard it as a "stunning extraterritorial extension of a State's reach."[19]

Following *Scripto*, bills were introduced in both the House and Senate which would have extended the jurisdictional protection of Public Law 86–272 into the sales and use tax area and would also have broadened the Congressional study so as to include sales and use taxes. Deeply concerned with the broad impact of *Scripto*, but reluctant to restrict state taxing powers without a thorough study, the 87th Congress enacted legislation which was limited to broadening the scope of the study called for by Public Law 86–272. However, out of an awareness of the interrelated effects of a variety of taxes, Congress expanded the study to include not only sales and use taxes but "all matters pertaining to the taxation of interstate commerce. . . ."[20]

II. THE CONGRESSIONAL STUDY AND THE DEFECTS IT DISCLOSED IN THE PRESENT SYSTEM

Pursuant to Public Law 86–272, as amended, a comprehensive study was initiated early in 1961 by a Special Subcommittee of the House Judiciary Committee under the chairmanship of Representative Edwin E. Willis of Louisiana. Since Congress had expressed its intention to act only on the basis of clearly documented facts, the primary objective of the study, as stated by Representative Willis, was "to develop a body of factual information, hitherto unavailable, as to the number and characteristics of interstate companies, the pattern of their activities across State lines, the cost of complying with State and local tax laws, the degree to which they were able to comply, and the effect on businesses and State revenues of various possible remedial proposals."[21]

The study conducted by the Special Subcommittee on State Taxation of Interstate Commerce was one of the most exhaustive ever undertaken within the Congress, and occupies a total of four volumes published over a four and one half year period.[22] It has by now become the definitive work in its field and has provided a wealth of reliable data of value not only to the Congress but also to state legislators, lawyers, accountants and students of local and state fiscal problems.

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[1] Northwest Airlines, Inc. v. Minnesota, 322 U.S. 292, 306–07 (1944) (concurring opinion).

[2] International Harvester Co. v. Department of Treasury, 332 U.S. 340, 360 (1944) (concurring opinion; General Trading Co. v. State Tax Comm'n, 322 U.S. 335, 360 (1944) (concurring opinion); McLeod v. J. E. Dilworth Co., 322 U.S. 327, 360 (1944) (dissenting opinion).

[3] McCarroll v. Dixie Greyhound Lines, Inc., 309 U.S. 176, 188–89 (1940) (dissenting opinion); Gwin, White & Prince, Inc. v. Henneford, 305 U.S. 434, 448–55 (1939) (dissenting opinion); J. D. Adams Mfg. Co. v. Storen, 304 U.S. 307, 327 (1938) (dissenting opinion).

[4] Northwestern States Portland Cement Co. v. Minnesota, 358 U.S. 450, 474–77 (1959) (dissenting opinion); Northwest Airlines, Inc. v. Minnesota, 332 U.S. 292, 300 (1944); McCarroll v. Dixie Greyhound Lines, Inc., 309 U.S. 176, at 188–89 (1940) (dissenting opinion).

[5] McCarroll v. Dixie Greyhound Lines, Inc., 309 U.S. 176, 188–89 (1940) (dissenting opinion).

[6] Northwestern States Portland Cement Co. v. Minnesota, 358 U.S. 450, 457–58 (1959).

[7] Id. at 476–77 (dissenting opinion) (footnote omitted).

[8] For discussion of the judicial approach see Federal Limitation on State Taxation of Interstate Business, 75 Harv. L. Rev. 953, 956–72 (1962).

[9] But see National Bellas Hess, Inc. v. Department of Revenue of Illinois, 386 U.S. 753 (1967).

[10] 358 U.S. 450 (1959).

[11] H.R. Rep. No. 1480, 88th Cong., 2d Sess. 7 (1964).

[12] Id.

[13] Hearings on State Taxation of Interstate Commerce Before the Senate Select Committee on Small Business, 86th Cong., 1st Sess. (1959).

[14] H.R.J. Res. No. 936, 86th Cong., 1st Sess. (1959), reporting H.J. Res. 450.

[15] S. Rep. No. 658, 86th Cong., 1st Sess. (1959), reporting S. 2524.

[16] 15 U.S.C. §§ 381–84 (1959).

[17] See H.R.J. Res. 450, 86th Cong., 1st Sess. (1959); CONGRESSIONAL RECORD, volume 105, part 13, page 16354 (remarks of Senator Byrd).

[18] 362 U.S. 207 (1960).

[19] H.R. Rep. No. 69, 90th Cong., 1st Sess. 14 (1967) (separate views of Rep. Edward Hutchinson).

[20] 75 Stat. 41 (1961).

[21] H.R. Rep. No. 69, 90th Cong., 1st Sess. 4 (1967).

Since the study was extremely comprehensive—covering major aspects of the tax structures of all fifty states and several hundred local governments—one cannot summarize it briefly without losing sight of the extraordinary complexity of the current levies on interstate commerce. Yet it is useful for purposes of this analysis to point out that the study revealed at least four major defects in the present system.

First, the study revealed that the system is characterized by widespread non-compliance and non-enforcement—with most companies simply not filing any form of tax return in any state in which they do not actually maintain a place of business.[23] For example, in the income tax area it was found that in 97.5 per cent of the cases in which liability existed in the absence of a place of business, no return was in fact filed.[24] In the sales tax area there was non-compliance in 93.5 per cent of the cases under similar circumstances.[25] At the same time, those companies which do in fact file tax returns were found not to be complying accurately with state and local rules. As a result, it is clear that the system creates gross inequities among similarly situated taxpayers and leaves the tax administrator free to exercise an extremely broad amount of discretion to determine just which taxpayers will be subject to rigorous enforcement. In addition, it is also clear that the business community does not have the capacity to comply without incurring grossly excessive compliance costs.

The second defect documented by the congressional study is the tendency of the present system to result in overtaxation in some cases and undertaxation in other cases.[26] In the income tax area, for example, it is possible for some companies to be taxable on more than 100 percent of their net earnings, while other similarly situated companies pay a tax on substantially less than 100 percent.[27]

A third defect of the current system results from the existence of some provisions in state laws which give to locally based companies benefits which are not made available to competitors who are based outside of the taxing state.[28] In the sales and use tax area, for example, some states discriminate against consumers who trade in automobiles that are purchased outside of the taxing state.[29] Still other states tax products which are produced outside of the state, while granting exemptions for identical products manufactured within the state.[30]

The fourth major defect of the present system is the attitude which it has generated among taxpayers, especially small and moderate-size companies. Faced with rules that are inherently unworkable and cannot possibly be enforced by the state tax administrators on a systematic basis, taxpayers generally have developed a widespread resistance to the assumption of responsibility. Rather than file return under circumstances in which the cost of preparing the return often exceeds the tax, it is understandable that the small company especially will simply disregard state and local requirements. Thus the system itself not only breeds a widespread disrespect for state and local tax laws, it also tends to foster disrespect for laws in general.[31]

III. THE PROPOSED INTERSTATE TAXATION ACT

Based on the study conducted by the Subcommittee, as well as on three months of extensive hearings held subsequent to the completion of the study,[32] the House Judiciary Committee reported out a proposed Interstate Taxation Act in the form of H.R. 16491 on September 7, 1966. Since the 89th Congress adjourned shortly thereafter, consideration by the House was not possible, and the proposal was reintroduced in the 90th Congress in the form of H.R. 2158. On March 7, 1967, the House Judiciary Committee again reported the measure favorably, together with several amendments which reflected a number of suggestions for improvements made largely by State tax administrators.[33] In July of 1967, H.R. 2158 was reported by the Committee on Rules. Although it was not scheduled for debate by the House of Representatives in the first session of the 90th Congress, its sponsors are hopeful that it will be considered during the second session.

The core of H.R. 2158 is found in Title 1 of the bill, which establishes uniform jurisdictional standards for each of the four types of taxes which were included in the congressional study: corporate income taxes, capital stock taxes, sales and use taxes, and gross receipts taxes. Under these standards a company would not be subject to the jurisdiction of any state in which it does not maintain a "business location," which is defined to include: the owning or leasing of real estate, the maintenance of a localized employee, or the regular maintenance of a stock of tangible personal property for sale in the ordinary course of business.

To the basic jurisdictional standard there are two significant exceptions. One exception occurs in the sales and use tax area in the form of a provision which makes an out-of-state seller liable for the collection of a tax if he regularly makes household deliveries in the state. The other exception to the basic "business location" standard occurs in the income and capital stock tax areas, and involves the exclusion from the jurisdictional rule of those corporations which have an annual net income in excess of one million dollars.

Title 2 of H.R. 2158 provides a supplement to the jurisdictional standard in the form of a limit on the percentage of income or capital which can be taxed in those cases in which a company does have a business location in more than one state. Under Title 2, the maximum percentage of income or capital which is taxable is determined by a two-factor formula based on property and wages.

Title 3 of the bill addresses itself to some specific problems in the sales and use tax area. It provides for, *inter alia*, the location of sales for tax purposes, the granting of credits for prior taxes, exemptions for the household goods of persons who establish new residences, the exclusion of interstate freight charges from the measure of the tax, and the relief from collection requirements in the case of sales to persons who are already registered under the sales tax program of the jurisdiction imposing the tax.

Title 4 provides for continued congressional scrutiny of the problems left unresolved by the bill. It affords the states an additional four years to make progress in resolving such problems before congressional committees are called to make specific proposals.

Title 5 contains definitional provisions. In addition, it prohibits states and localities from giving favored tax treatment to local companies or local products under sales and use taxes or gross receipts taxes. It also prohibits the states from charging a taxpayer with the cost of conducting an audit—a practice which is fairly common on the part of states such as Florida, which sends auditors throughout the entire United States and assesses the taxpayer with the travel and living expenses of the roving auditor.[34]

IV. THE JURISDICTIONAL BALANCE STRUCK BY H.R. 2158

Since the jurisdictional provisions in Title 1 provide the basic framework around which the entire proposal is structured, the balance struck by those provisions is of paramount significance to an understanding of the manner in which the bill would reconcile the taxing powers of the states with the national need for a common market.

In this regard it is especially important to keep in mind that the present jurisdictional assertions of the states cannot be complied with by small and moderate-size companies and in fact are beyond the enforcement capabilities of the states themselves. To understand the reason for this, one need scarcely look beyond the data collected by the Subcommittee with respect both to the types of companies engaged in interstate commerce and the numbers of state and local governments which assert jurisdiction over interstate commerce.

At the time the Subcommittee conducted its study, it ascertained that there were, at the very minimum, some 120,000 manufacturing and mercantile companies engaged in interstate commerce in the United States. Today, the number is obviously considerably larger. About half of these companies have fewer than twenty employees, a substantial number have fewer than ten employees, and a significant minority have fewer than five. Yet these companies typically sell their products in many states, and even among those companies which are so small that their annual gross proceeds are less than two hundred thousand dollars, a considerable number sell their products in a truly nationwide market.[35]

By 1965, the number of jurisdictions taxing interstate commerce was already staggering. There were in effect at the state level 38 sets of corporate income tax laws, 38 sales and use tax laws, 37 capital stock laws and 8 gross receipts tax laws of general applicability. In addition, to compound further the chaos and confusion, business taxes are rapidly proliferating on a local level—with sales taxes already imposed by over 2,300 localities, gross receipts taxes by over 1,000 and corporate income taxes by more than 100 local governments.[36]

In formulating jurisdictional standards, one alternative which was considered and rejected by the Judiciary Committee was a plan to give jurisdiction for sales and use tax purposes to each state into which an interstate company shipped its products. However, such a broad jurisdictional reach necessitated a substantial degree of centralized administration. In short, if each state and each locality were to impose it own tax on a nationwide scale, it was clear that the system could only be made to work under a uniform nationwide collection program. As a result, the proponents of the plan recommended that a cooperative system be established under which the states and their subdivisions, as well as the Treasury Department of the Federal Government, would cooperate to provide a single audit for those companies which market their goods in more than one state.[37]

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[22] Special Subcomm. on State Taxation of Interstate Commerce of the House Comm. on the Judiciary, Report on State Taxation of Interstate Commerce, H.R. Rep. No. 1480, 88th Cong., 2d Sess., vols. 1 and 2 (1964); H.R. Rep. No. 565, 89th Cong., 1st Sess., vol. 3 (1965); H.R. Rep. No. 952, 89th Cong., 1st Sess., vol. 4 (1965) (hereinafter referred to as Report).

[23] Report, vol. 4, at 1127.

[24] Report, vol. 1, at 303.

[25] Report, vol. 3, at 729.

[26] Report, vol. 4, at 1127.

[27] Report, vol. 1, at 408–11.

[28] Report, vol. 4, at 1127–28.

[29] Report, vol. 3, at 819–20.

[30] Id. at 820.

[31] Report, vol. 4, at 1128.

[32] Hearings Before the Special Subcomm. on State Taxation of Interstate Commerce of the House Comm. on the Judiciary, 89th Cong., 2d Sess., ser. 14 (1966).

[33] H.R. Rep. No. 69, 90th Cong., 1st Sess. 5 (1967).

[34] Report, vol. 3, at 698–99.

[35] Report, vol. 1, at 90–91.

[36] Report, vol. 4, at 1121.

Were the raising of state revenues the only consideration in the formulation of jurisdictional standards, then the effective enforcement of a broad jurisdictional reach that could be obtained through central administration would obviously be desirable. However, during the course of the lengthy hearings that were held prior to the formulation of H.R. 2158, state officials made it clear that one of their primary considerations was the preservation of the maximum possible amount of state and local autonomy.[38] As a result, the sponsors of H.R. 2158 concentrated their efforts on the formulation of jurisdictional rules which would not require central administration but which would have the least possible effect on state revenues and at the same time protect the small and moderate-size companies from being exposed to insurmountable compliance burdens.[39]

In fashioning jurisdictional standards, the results of the Subcommittee's earlier study provided workable criteria. The Subcommittee had found that, for all practical purposes, compliance and enforcement were both limited to circumstances in which the interstate company actually maintained some form of permanent establishment within the taxing state.[40] The Subcommittee's findings also made it clear that no state would stand to gain or lose a significant percentage of its total revenues if Congress were simply to lay down legal rules which were consistent with the present actual practice.[41] Thus, having rejected the possibility of centralized administration and having found that the states do not have the capacity to tax systematically out-of-state companies which do not have some form of permanent establishment within their borders, the sponsors of H.R. 2158 then sought a practical and workable jurisdictional rule embodying a permanent establishment concept.

Having evaluated a fairly broad series of "permanent establishment" rules, the Special Subcommittee proposed the "business location" definition which is embodied in H.R. 2158. Originally, the term "business location" was defined so as to include either the ownership or leasing of real property, or the maintenance of a local employee who does more than merely solicit orders. Subsequent to the introduction of H.R. 2158, this definition was subject to considerable criticism by state tax administrators who argued that the resulting jurisdictional rule would be too narrow as a result of its failure to give the states jurisdiction over companies which regularly maintain stocks of goods in the state, but which have no other jurisdictional contacts. In response to this criticism, H.R. 2158 was later amended by the Judiciary Committee so as to include the regular maintenance of a stock of goods as a basis for jurisdiction.[42]

Several additional features of the jurisdictional standard in Title 1 were also incorporated as a means of further reconciling the views of the state tax administrators with the need for a free flow of commerce. In this regard, perhaps one of the most controversial features of H.R. 2158 is the exclusion from jurisdictional protection in the income and capital stock tax area of corporations which earn more than one million dollars annually. The basis for such an exclusion was suggested by one of the foremost state tax administrators in the United States, Mr. Fred Cox of the Georgia Department of Revenue. Based on a careful evaluation of both federal and state income tax returns, Mr. Cox concluded that, as a practical matter, there would be no significant loss of revenue so long as the states were left free to impose their current jurisdictional rules and their own types of apportionment formulas on the larger corporations. At the same time, the adoption by Congress of jurisdictional rules and a consistent two-factor formula for the smaller companies would substantially eliminate the compliance problems of the smaller companies and contribute to increased efficiency of state tax administration.[43]

Since Mr. Cox's proposal was consistent with the data and findings of the Subcommittee, it offered the possibility of a highly workable compromise that would be acceptable to the state administrators as well as to the small business community. In addition, Mr. Cox's proposal was also consistent with a widely held view on the part of the state tax administrators that the states themselves ought to be given four more years to resolve the major problems through state legislative action, rather than to be required to conform immediately to federally imposed standards.[44] Thus, by limiting the scope of the income tax and capital stock tax provisions to the smaller corporations, H.R. 2158 was able to afford the states such an opportunity in those areas where significant amounts of revenue were involved.

Still another feature of the jurisdictional standard in Title 1 which is consistent with the views of the state tax administrators is the provision in the sales and use tax area which gives the states jurisdiction over out-of-state sellers who regularly make household deliveries in the state, regardless of whether the seller has a business location in the state. During the course of the various hearings held on interstate taxation problems, state tax administrators generally emphasized the need to protect local retailers from the tax-free competition of out-of-state sellers. In its investigation the Subcommittee had found that this was a matter of considerable significance to retailers who are located close to the borders of a state.[45] Although the United States Supreme Court has generally maintained a permissive attitude toward state taxes, one of the few cases in which the Court struck down a state tax on interstate commerce involved an out-of-state company which regularly delivered goods from Delaware to household consumers in Maryland.[46] As a result of this case, border retailers are currently exposed to a significant amount of tax-free competition.

In its evaluation of this problem the Subcommittee observed that if a seller in this type of a case were required to collect the tax, he would generally not be subject to a multiplicity of laws since the radius of his delivery routes, is, of necessity, limited. As a result, the Subcommittee recommended that the Supreme Court's decision be reversed and the jurisdictional reach of the states be expanded in this area.[47]

In its entirety, Title 1 of H.R. 2158 may thus be viewed as embodying a series of compromises. First, it permits the states to continue to assert taxing jurisdiction on a level that is consistent with the level of actual compliance and enforcement under the present system, while protecting the many small companies engaged in interstate commerce from having to cope with a plethora of taxes imposed by states and localities which are now asserting jurisdiction even though the companies do not maintain an actual place of business within their borders. Second, it obviates the need for centralized administration and for a direct involvement of the federal government in state and local tax matters and thereby strengthens the autonomy of state and local governments, while assuring that the national market will remain accessible to the small business community. Third, in the income and capital stock tax area, it provides immediate relief for those companies which have the most serious compliance problems, while affording the states an opportunity to work out their own solutions to the interstate tax problems of those companies which are a major source of state and local revenues. Fourth, in the sales and use tax area, since the jurisdictional rule coincides with effective limits of the current systems, it permits the states to retain jurisdiction over all but a very few of their presently registered seller-collectors, while extending the jurisdictional reach of the states in the border retailer situation where tax-free competition is currently the most troublesome.

V. SOME POLITICAL RAMIFICATIONS OF THE JURISDICTIONAL BALANCE

It is testimony to the objectivity of H.R. 2158 that it has not raised political issues of a partisan nature on either a national or a regional level. In short, neither a Republican nor a Democratic policy position has emerged. At the same time, neither support nor opposition for the bill is more concentrated in one area of the country than another—or concentrated in accordance with either the size or degree of industrialization of particular states. Instead, H.R. 2158 has received broad general support from the business community as well as from segments of labor, with the major opposition coming from state officials.

The groups which strongly support the establishment by Congress of jurisdictional standards include such diverse organizations as the National Association of Wholesalers, National Association of Manufacturers, the United States Chamber of Commerce, the International Ladies Garment Workers Union, and a large number of associations representing specialized industries, such as the American Association of Nurserymen, the Magazine Publishers Association, the National Food Brokers Association, the Advertising Federation of America, etc. On the other hand, the organizations which oppose the measure include the National Association of Tax Administrators, the Council of State Governments and the National Association of Attorneys General.

The very nature of the types of groups which support and oppose H.R. 2158 makes it clear that the major political issue raised by the measure is whether the imposition by Congress of jurisdictional limitations on state taxing powers is inimical to the political interest of state and local governments. Expressed in other terms, the issue before the Congress is whether the political power which would be denied to the states and their subdivisions by H.R. 2158 is such that it ought properly to be exercised by state and local governments. As a result, careful consideration ought to be given by the Congress to two fundamental aspects of the type of power in dispute.

First, the question arises as to the actual capacity of state and local governments to exercise this power in an equitable manner. Obviously, jurisdictional claims which cannot be equitably and systematically enforced by the states and their subdivisions and which cannot be complied with by the great majority of taxpayers, ought not to be asserted. In this regard, the evidence accumulated by the Congress indicates that the states simply do not have—and without federal assistance are unlikely to acquire—sufficient administrative capacity to eliminate the widespread non-enforcement and non-compliance that currently exists with respect to out-of-state companies which do not maintain business locations within their borders.[48] Thus, in effect, the power denied to a state or local tax collector by H.R. 2158 is not the power to impose an effective tax program which is capable of raising significant amounts of revenue, but is, instead, simply the broad administrative power to select out of a wide range of non-resident businesses only a limited number as targets for enforcement. To deny the tax collector such power—the power to administer an unwieldly and unworkable system—can scarcely be considered to have a deleterious effect on state and local governments.

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[37] Report, vol. 4, at 1181–82.

[38] See Hearings Before the Special Subcomm. on State Taxation of Interstate Commerce of the House Comm. on the Judiciary, 89th Cong., 2d Sess., ser. 14, vol. 1, 76–111 (1966).

[39] CONGRESSIONAL RECORD, volume 112, part 18, page 24744 (remarks of Rep. Edwin E. Willis).

[40] Report, vol. 4, at 1124–25.

[41] Report, vol. 4, at 1209–11.

[42] H.R. Rep. No. 69, 90th Cong., 1st Sess. 2 (1967).

[43] Hearings Before the Special Subcomm. on State Taxation of Interstate Commerce of the House Comm. on the Judiciary, 89th Cong., 2d Sess., ser. 14, vol. 2, 854–56 (1966).

[44] Id. vol. 1, at 82.

[45] Report, vol. 3, at 767–70.

[46] Miller Bros. Co. v. Maryland, 347 U.S. 340 (1954).

[47] Report, vol. 4, at 1180.

Second, even if it were assumed that the states and their subdivisions could acquire the administrative capacity to enforce their present jurisdictional claims equitably and systematically and that the many small companies in interstate commerce could afford to acquire the record-keeping facilities necessary to comply, an even more fundamental political question arises: would it be to the long-range benefit of the states and of the federal government if each state imposed its own tax on a nationwide scale, effectively reaching all of the companies which market goods in the state but do not have a business location there? Admittedly, such a system would have strong political appeal if viewed solely in local terms. As one distinguished writer has observed:

> "Interstate commerce is a rich tax base. It has, moreover, special political fascination. A state or local tax levied upon it falls largely upon people in other states. Here is a legislator's dream: a lush source of tax revenue, the burden of which falls largely on those who cannot vote him out of office. It is the old problem of taxation without representation."[49]

It is indeed this appeal of the present system which accounts to a large extent for the opposition to H.R. 2158 on the part of a number of state and local officials. Obviously, any federal proposal to limit the power of the local tax collector vis-a-vis out-of-state companies would tend to be rejected summarily by governors, state legislators and state tax administrators, who are continuously plagued with the arduous task of extracting revenues from their constituents. Yet the policy of seeking continually to expand each state's jurisdictional reach beyond its own limits of effective enforcement has broad ramifications, not only because of its effect on the national economy but also because it undermines the political vitality of the states themselves. The more each state is successful in shifting its tax burden onto persons who are without political representation in the state government, the more those persons will exert political pressures on the federal government to play a primary role in state and local affairs. Thus, strong as the political appeal of programs to tax out-of-state citizens may be, the results of such programs lead to greater and greater political responsibility for the federal government.

Finally, there is still another aspect of state programs designed to shift tax burdens onto out-of-state companies which is too often ignored by state officials. The development of such a program on the part of one state and its subdivisions obviously acts as a stimulus to other states and subdivisions to develop similar programs. For example, California currently asserts jurisdiction over companies all over the United States, which do not have business locations in California. As part of its program, it currently maintains field offices in other states, including a staff of some 80 full-time auditors in New York City and a similar staff in Chicago. A number of other states have likewise begun to operate out-of-state offices of their own. Under the circumstances, there is certainly implicit in California's policy an open invitation to all of the other states and their subdivisions to assert jurisdiction over California companies which do not have business locations outside of California.

At first blush, one might expect that some sort of "golden rule" of state taxation would emerge from this situation so that each state would voluntarily limit its own jurisdictional assertions as a means of assuring its own local companies continued access to the national market. Yet the very nature of our federal system relieves state officials of political responsibility in this area. On the one hand, if a local businessman feels aggrieved by having to comply with the tax laws of a state in which he has no business location, he rarely calls his grievance to the attention of public officials in his "home state." Instead, he regards his predicament as raising a federal issue and is inclined, therefore, to make his grievance known to his representative in Congress. On the other hand, if the local businessman does call his grievance to the attention of the officials of his "home state," these officials will, in fact, be powerless to act.[50] Thus, if there is to be a "golden rule" for the taxation of interstate commerce, it is unlikely that such a rule will be promulgated by any political body other than the Congress.

VI. SOME OBSERVATIONS ON THE MULTISTATE TAX COMPACT WHICH HAS BEEN SUGGESTED AS AN ALTERNATIVE TO H.R. 2158

As part of their official program of opposition to H.R. 2158, both the National Association of Tax Administrators and the Council of State Governments have taken the position that Congress ought to discontinue further consideration of federal legislation in this area and ought instead to authorize the negotiation of an interstate tax compact. Thirteen states[51] have already enacted such a compact and several bills[52] have been introduced into Congress which would give congressional approval.

The compact provides *inter alia* for: the creation of a multistate tax commission composed of tax officials from each party state, the arbitration of multistate disputes, a three-factor formula for apportioning income which could be elected at the option of the taxpayer, and a system of credits in the sales and use tax area. Although a detailed discussion of similarities and differences between the compact and H.R. 2158 is beyond the scope of this analysis, there are two major features of the compact which are highly significant in the light of the foregoing discussion.

First, the compact does not address itself to the jurisdictional problem. Since it establishes no jurisdictional standards it leaves even the smallest interstate companies vulnerable to the claims not only of many states but of thousands of localities as well. Thus, it would not reaffirm the principle of a common market—as would H.R. 2158—but would instead encourage the states to persist in their efforts to shift tax burdens onto out-of-state businesses.

Second, by granting broad administrative powers to a multistate tax commission, the compact would tend to lessen the direct control of each individual state legislature over its own state's tax policies. At the same time, since the powers which would be granted to the Commission, as well as to individual tax administrators, are largely discretionary, it is unlikely that the compact would bring about an improvement in the attitudes of taxpayers towards the present system. In short, it is largely because the present system is lacking in precise standards and is so heavily dependent on the exercise of administrative discretion that taxpayers have developed a widespread resistance. If businessmen are to be called on to pay taxes in jurisdictions in which they have little or no political representation, a decrease rather than an increase in discretionary administrative powers would appear to be necessary.

VII. SUMMARY AND CONCLUSIONS

During the eight years that have passed since the Supreme Court's decision in the *Northewestern* case it has become abundantly apparent that the present system for taxing interstate commerce works badly both for business and for the states. The study conducted by the Special Subcommittee makes it clear that as the states reach farther and farther to impose smaller and smaller liabilities on more and more out-of-state companies, tax administrators are called on more and more to enforce the unenforceable and businessmen to comply with the impossible. Since the system has grown unworkable, it is essential that a national policy be formulated which will preserve the taxing autonomy of our states and at the same time reaffirm the basic principles of our American common market.

H.R. 2158, which is now pending before the 90th Congress, would limit the jurisdictional reach of the states to the present levels of effective enforcement and compliance, and in so doing would provide a system which is not dependent for its efficacy on centralized administration. Although the measure has widespread support from the private sector of our economy, opposition to the measure on the part of state tax officials is formidable, and the states generally are reluctant to accept any statutory limitations on their jurisdictional reach over out-of-state businesses. As a result, the major political issue raised by H.R. 2158 is whether the establishment of jurisdictional limitations would in fact be inimical to the interests of state and local governments.

Whether the common market principles embodied in H.R. 2158 will eventually prevail depends ultimately, of course, on the collective judgment of the Congress. The facts have been found, the issues framed, and the alternatives in terms of national policy made clear. Reduced to its essence, the question for the Congress now to determine is whether the principles of free trade among the states ought to be compromised so as to permit each state to continue to make broad jurisdictional claims on a nationwide scale.

If the program contained in H.R. 2158 is approved by the Congress, then the present trend toward a balkanized domestic economy will be reversed and the small business community assured continued access to the national market. If on the other hand, H.R. 2158 is rejected, the states will be encouraged to increase their efforts to extract revenues from non-resident businesses. As a result the need to provide relief for small companies plagued by a plethora of compliance problems will continue to grow and correspondingly increase the need for centrally administered programs capable of systematic enforcement. In either event, it is clear that the vexing problem of state taxation of interstate commerce has broad national ramifications and that ultimately a national program must of necessity emerge to remedy the present chaotic and unworkable system.

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[48] See, e.g., Report, vol. 1, at 515–16.

[49] Mendelson, Epilogue to F. Frankfurter, The Commerce Clause 118 (Quadrangle Paperback ed. 1964).

[50] See, e.g., Statement of Willard W. Livingston, Chief Counsel, Alabama Dep't of Revenue, Hearings Before the Special Subcomm. on State Taxation of Interstate Commerce of the House Comm. on the Judiciary, 89th Cong., 2d Sess., ser. 14, 1301–03 (1966).

[51] Alabama, Arkansas, Florida, Idaho, Illinois, Kansas, Missouri, Nebraska, Nevada, New Mexico, Oregon, Texas, and Washington. In addition, the Wyoming Legislature has authorized the Governor to negotiate a compact subject to the subsequent approval of both the Legislature and the United States Congress.

[52] H.R. 9476, H.R. 13682, 90th Cong., 1st Sess. (1967).

After Open Housing What?

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. RARICK. Mr. Speaker, after each leader is made a martyr for political blackmail—the mob enters into a new phase for destruction of individual rights camouflaged as being under the law.

The 1964 Civil Rights Act to grant equal freedom was passed as a tribute to the late John F. Kennedy, the next civil rights action forced through in memoriam of the peculiar shooting of James Meredith, and now Congress is to be asked to take away property rights as a seeming vengeance against all white people for the execution of M. L. King.

Must legislation now be passed only by bullets? Not after serious consideration, but only after a stampede of fright and artificially created emotion.

Twenty thousand American boys have been murdered in Vietnam—are they not martyrs to Communist tyranny? Behind the Iron Curtain thousands of Christian and Jewish leaders are persecuted, some tortured to death—are they not martyrs to their faith? But what action have they demanded? Or have we given? Not even a law to forbid trade with the atheistic barbarian enemy of all free people.

If we in Congress are to give our people something, let us give them leadership—leadership to stand up and let our people alone.

I include "America Blackmailed" from Babson's Washington Forecast Letter following my remarks:

AMERICA BLACKMAILED

HEADLINE 1972

The following news story may hit the headlines some summer day in 1972:

"The President late yesterday afternoon signed into law the so-called Equal Property Act (H.R. 2216), following the capitulation of both House and Senate before the threats of an angry mob of proponents, estimated by District police officials at upwards of 600,000 persons, which had besieged the Capitol for over 3 days, holding Congress virtually hostage . . . pending a vote on the bill.

"As word of the 'surrender' by Congress was passed thru the crowd, its leaders called for a march on the White House. Within twenty minutes, the partisans began gathering before the Executive Mansion and, shortly before 4 p.m., leveled the iron fence and were milling around the lawn of the President's residence and office. The throng became increasingly unruly as no word of presidential action on the legislation was forthcoming from Administration aides, and, at about 4:45 p.m. militant leaders shouted instructions to burn the White House. Within minutes after these orders were issued—and as torches were being carried toward the East Wing of the White House—Presidential Press Secretary Elbert Williams appeared at the main entrance to the Executive Offices and announced that the President had signed the bill into law.

"A tremendous roar of approval arose, and a partisan band struck up the triumphant People's Power theme song, 'March of the Masses.' Following the signing of the bill, the mob separated into apparently planned 'recrimination squads' and systematically sacked, burned, and looted a 12-block area of downtown Washington as District police and a scattering of military units looked on helplessly. Late last night, Metropolitan Police Chief Tweedy estimated total damage at over $300 million.

"The Equal Property Act completely discards the constitutional concept of private property and sets up a system for the transfer of all private property to all Americans on a so-called equal-share basis. Authority to administer the Act is vested in a Commission in which majority control is to be held by representatives of the poor, the underprivileged, the unemployed, and minority groups which have suffered past discrimination.

"Washington officials see little chance of the Act's being overturned by the Supreme Court in view of threats by People's Power leaders to paralyze all major cities in event of an adverse ruling. The high court is expected to be further guided by the fact that overwhelming People's Power forces earlier this month succeeded in dissolving both the Democratic and Republican national conventions . . . leaving the Power candidate, Arthur Danrig, as the only name on the ballot in November's national election."

The road we travel—Sounds preposterous? We'd like to think so.

But . . . as a matter of cold, hard fact, this nation—the land of the free—is moving relentlessly toward such a fate . . . as government by law gradually submits to the blackmailers of America.

Today's blackmailers operate under the phony slogan of the "right to dissent." They have distorted and magnified the constitutional guarantees of freedom of speech and right of peaceable assembly into a license for intimidation, sedition, riot, and anarchy.

Under this false banner, they have blocked the traffic and commerce of American cities, shut down the operation of government offices, destroyed private and public property, disrupted our educational procedures, interfered with our selective service system, obstructed inductions into our armed forces, provided aid and comfort to the enemy, desecrated our country's flag, and vandalized hundreds of communities thruout the nation.

Our government of laws, our government of constitutional processes, has begun to crumble before a tide of lawlessness which has not only been condoned but even encouraged by many government leaders.

Instead of firmly supporting the enforcement of law and order on the local level, federal officials and other national leaders gave aid and encouragement to the law breakers . . . on the basis that civil disobedience is justified when the violators are acting in a "*good*" cause.

BREAK IN THE DIKE

This was the great breakthru in the dike of law and order.

For almost two centuries, we had been taught—and we believed fervently—that the law must be respected, whether we felt it to be a good or a bad law.

All of us know the nagging discomfort of living under laws that are inequitable. In such cases, we may exercise our constitutional rights to bring about a change . . . but we do it by lawful process.

Under provisions of the Constitution, the full power of the United States government should have ben placed squarely behind local authorities in the breaking up of the very first sit-in in America.

True, it was peaceable assembly . . . but it clearly interfered with the rights of others to carry on their normal activities under the protection of the law.

But . . . prominent national politicians, blinded to legal justice by the possibility of making political hay, placed themselves on the side of anarchy.

We all remember the statement of the late Adlai Stevenson . . . that he would consider it an honor to go to jail for such civil disobedience. His remarks were echoed by hundreds of others . . . and mob power in America was born.

AS YE SOW

The Watts riots in California served as Lesson No. 1 in large-scale blackmail. This outbreak of mass crime was not punished. It was rewarded with countless millions of federal dollars poured into the area in hope that the rioters would "cool it."

After that demonstration of largess, can you blame the Negroes of Detroit, Newark, Milwaukee, Chicago, and scores of other American cities for wanting to get in on the action?

The amazing thing is this: Not only have government officials condoned such lawlessness . . . government employes have played a major role in fomenting many of the disorders . . . under the guise of helping the oppressed. Anti-poverty employes in Newark organized and publicized the police-brutality mass rally which led to the catastrophic riot in that city. A Newark anti-poverty official, Willie Wright, urged Negroes to arm themselves against "honkie cops." The agency's accountant, Charles McCray, was arrested for taking part in the shooting during the riot . . . but officials refused even to suspend him from his job.

The situation has been the same in countless communities all over the nation. Sargent Shriver's anti-poverty agency admits that there are convicted criminals on the agency's payroll . . . and that many of them have been given jobs counseling youngsters.

Many of the black-power movement's most militant activists—including riot-inciter H. Rap Brown—have been on the government's payroll . . . often as $50-per-day consultants.

It's widely said that the government is motivated by a desire to placate the troublemakers.

Actually, the reverse situation prevails. The trouble makers are blackmailing our government . . . successfully and repeatedly. They seek money . . . and power. They're getting both.

BLUEPRINT FOR CHAOS

Communists are prominent in nearly all the organizations which are fomenting this anarchy in the U.S. They have been welcomed with open arms into the National Conference For New Politics, a group whose Chicago convention was keynoted by Martin Luther King. One of the leaders of the conference happily commented that Communists would provide leadership for the group.

Bettina Aptheker, an admitted Communist, continues to hold a top position in the peace and draft-resistance movements.

Stokely Carmichael has returned from his Red tour to lead his followers toward "the destruction of the American government."

And dozens of others—with countless citations for Communist connections—hold prominent positions in scores of violent "dissent" organizations in this country.

One of these is the Revolutionary Action Movement which has documented its plans for the revolutionary end of the American way of life. RAM says its followers will "strike by night and spare none" . . . that it will foment "mass riots, blocking of traffic, burning of buildings . . . street fighting."

The planners call for "sabotage in the cities—knocking out electric power first, then transportation—and guerrilla warfare . . ."

The blueprint for chaos goes on and on—in great detail—reminding one of Adolf Hitler's brazen revelations in Mein Kampf.

In this atmosphere in which lawlessness and intimidation are tolerated—even rewarded—it is understandable that the crime rate has soared.

THE HARVEST

The FBI reports that the incidence of major crime in the United States is rising at an annual rate of 16% . . . far above the rate of growth in our population.

If the uptrend which has persisted thru 1967 is projected to include 1968, more than 4⅓ million major crimes will be committed this year. Based on our population of a little over 200 million, this means that you will have one chance in 47 of being murdered, maimed, or robbed in the next 12 months!

More and more, criminals are being coddled by our courts . . . and treated as the unfortunate victims of poor social environment. Punishment is out; gentle rehabilitation is in. Yet, a recent FBI study showed that 57% of offenders released on parole in 1963 were rearrested within 2½ years . . . and that 83% of those acquitted or dismissed in 1963 were rearrested within the same 30-month period!

POLICE HANDCUFFED

The Supreme Court has seriously impaired the efficiency of law enforcement agencies by restrictions on investigative procedures and techniques . . . and has so hogtied the police in searches and interrogations that thousands of hardened criminals are yearly set free to prey again on the public.

The sharp uptrend in acquittals, suspended sentences, and refusals to prosecute—particularly in juvenile and minority-group cases—has influenced police officers in hundreds of communities to blind their eyes to gross law violations. Because of this frustration, police morale today is at an all-time low.

The problem was well summed up by Mr. J. Edgar Hoover, who wrote in the April 1967 issue of the FBI Law Enforcement Bulletin: "Morality, integrity, law and order, and other cherished principles of our great heritage are battling for survival in many communities today. They are under constant attack from degrading and corrupting influences which, if not halted, will sweep away every vestige of decency and order remaining in our society."

WHOM WE INDICT

Whom are we to indict for sparking this chaos in America? Are the prime defendants the Stokely Carmichaels, the H. Rap Browns, the hippies, the draft-card burners, the peaceniks, the juvenile delinquents, the rabble rousers, the Commies who have gained respectability as "honest dissenters"? Certainly, most of these could be brought before the bar of justice to answer charges of law violations . . . and they should be.

However, there is a stronger, truer bill of indictment which may be drawn against those who have invited the bloody blackmail of America by permitting, even encouraging, mounting civil disobedience. We speak of men such as the late Adlai Stevenson, Bobby Kennedy, Nicholas Katzenbach, Earl Warren . . . Senators Ribicoff, Javits, Clark, and Case . . . and yes, even Hubert Humphrey and Lyndon Johnson. These men of power, prestige, and great influence in the political structure of America have permitted the concept of "freedom of speech" to be expanded to include subversion, intimidation, and incitement to riot; they have condoned the distortion of "academic freedom" to encompass the adulteration of young minds with Communist doctrine and the disintegration of a well-disciplined educational system; they have allowed "freedom of assembly" to mushroom into disruption of peaceful activity, mob rule, riot, and insurrection.

Unless those in authority in the United States can be influenced to abandon the suicidal course on which they have embarked—or unless they can be replaced by men who will—we cannot hope to restore in our nation the kind of domestic peace and order which has made our many generations proud to be Americans . . . living in a land of freedom, security, opportunity, and justice under law.

The crisis we now face is the most serious, the most dangerous, in the history of our country. Each of us must diligently employ our influence and our effort—in speech, letters, and at the ballot box—to help set straight the way.

Is the Supreme Court Really Supreme?

HON. SPEEDY O. LONG

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. LONG of Louisiana. Mr. Speaker, an important and thought-provoking article, published by the Reader's Digest in July 1967, has only recently come to my attention, which I believe should be made available to Members of Congress and to the general public. The article, written by Eugene H. Methvin, points out some of the more glaring excesses of the U.S. Supreme Court and calls on the Congress to act to curb the growing power of the Federal courts. A brief survey of the following article, which I submit for the RECORD, will reveal the reason many of us are calling for Congress to define specifically through statute and constitutional amendment the role of the U.S. Supreme Court and the various Federal courts:

IS THE SUPREME COURT REALLY SUPREME?

Recent controversial rulings by the High Bench raise anew the troubling issue: Who is the ultimate arbiter of the Constitution? Our founding fathers provided a foresighted answer.

Fifty-two percent of the American people rate the Supreme Court's performance as "only fair" or "poor," according to a recent Louis Harris opinion poll. "The Justices are stretching the judicial process to try to translate their notion of an ideal society into reality," says Prof. Philip B. Kurland, editor of the University of Chicago Law School's *Supreme Court Review*. From legal scholars to the man in the street, from Congress to the Justices themselves, this most revered of our governmental institutions is today drawing stinging criticism.

Some of the most eloquent protests have come from within the Court itself. In 1962, when the Supreme Court invaded the political thicket of legislative reapportionment, the late Justice Felix Frankfurter denied that the Court had constitutional authority for its move. He accused his colleagues of "a massive repudiation of the experience of our whole past."

In another case last year, Justice Byron R. White charged the Supreme Court with laying down specific rules that have "no significant support" in the history of the Constitution.

Justice John M. Harlan has despairingly proclaimed that recent Court decisions amount "to nothing less than an exercise of the amending power by this Court."

Direction by Decision. Repeatedly in recent years the Court has claimed vast new powers to change by judicial decree the shape of our constitutional system. A narrow majority of "activist" Justices, spearheaded by Chief Justice Earl Warren and Justice William O. Douglas, has increasingly taken away from juries and legislatures—the two authentic voices of the people—crucial decisions affecting the order and direction of American life.

Consider the Court's decisions in three vital areas:

School Prayer. The Court has declared that reading the Bible or saying the Lord's Prayer (or even a non-sectarian prayer) in voluntary classroom religious exercises is unconstitutional. It has relied on the theory that the First Amendment ("Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof") somehow requires the Court to impose a wall of separation between religion and any sort of governmental activity.

This notion is "sheer invention," say many distinguished law scholars, among them Dean Erwin Griswold of Harvard Law School. We have, Griswold says, "a spiritual and cultural tradition of which we ought not to be deprived by judges carrying into effect the logical implications of absolutist notions not expressed in the Constitution, and surely never contemplated by those who put the constitutional provisions into effect."

REAPPORTIONMENT

In one stroke, in June 1964, the Court rendered "unconstitutional" the legislatures of most of the 50 states. The action boldly asserted a judicial power never before claimed. It was based on the 14th Amendment. The dictum that "no state shall deny to any person the equal protection of the laws" means, said Chief Justice Warren, that states cannot adopt "Little Federal" plans, in which one house of the legislature is apportioned like the U.S. Senate, to accommodate other factors (historic, economic or geographic) than population. The states must, instead, elect *both* houses on a "one man, one vote" basis.

Justices Potter Stewart and Tom Clark objected sharply. They called the Court's action "the fabrication of a constitutional mandate," and said, "The Draconian pronouncement finds no support in the words of the Constitution, in any prior decision of this Court, or in the 175-year political history of our Federal Union."

The quarrel arose because many state legislatures had failed to reapportion their districts as people moved from country to city and from city to suburbs. Other states, however, had reapportioned conscientiously—Colorado, for one. In 1962, Coloradans went to the polls to choose between two reapportionment plans, and voted 305,700 to 172,725 in favor of a "Little Federal" plan which gave Colorado's lightly populated western mountains and eastern wheatlands a few more members in the state senate than their population warranted. A majority in every county, including urban Denver, supported this plan.

Justices Clark and Stewart pleaded with the Court to avoid destroying such local initiative and decision. Under the "equal protection" clause, they said, federal courts might properly void any systems which prevent ultimate majority rule. "Beyond this there is nothing in the federal Constitution to prevent a state from choosing any electoral legislative structure it thinks best suited." Colorado simply "sought to provide that no identifiable minority shall be completely silenced or engulfed," an aim that "fully comports with the letter and spirit of our constitutional traditions." The Justices pleaded in vain.

CRIMINAL PROCEDURES

Historically, the administration of criminal justice has been left to the states. The Constitution originally gave the federal government no authority whatever to intervene in ordinary criminal matters. However, the 14th Amendment forbids states to deny a person "due process of law," and the Court has now been using this language as reason to impose a new set of detailed, and controversial, rules of its own making on state law enforcement.

In 1961, for example, five Justices asserted that "due process" requires a state judge to keep physical evidence from the jury if he finds any legal fault with the police search that obtained it. That overruled long-standing Supreme Court decisions and nullified contrary rules in 26 states. Then, in 1964, five Justices prohibited the century-old practice in 15 states of letting the jury decide whether a confession has been coerced. Justice Clark protested: "Dependence on jury trials is the keystone of our system of criminal justice, and I regret that the Court lends its weight to the destruction of this great safeguard to our liberties."

In June 1966, Chief Justice Warren and four fellow Justices imposed on all states a new rule, never before followed in any state: Judges must also keep a confession from the jury unless police can prove beyond doubt that they warned the suspect of his rights, and even furnished him a lawyer throughout interrogation if he wished.

There is mounting evidence that the Court's massive federalization of criminal justice has grievously crippled law enforcement. FBI statistics show that, since the 1961 ruling, the rate at which police are solving reported crimes—a rate which had held steady for years—has dropped by almost ten percent. In New York City, after last year's ruling on interrogations, the proportion of unsolved murders increased by 40 percent. Indeed, the Supreme Court's rulings have compelled the freeing of many apprehended and confessed criminals.

Last September, for example, a woman stood before Brooklyn Judge Michael Kern. She had confessed to taping her four-year-old son's mouth and hands and beating him to death with a broomstick and a rubber hose. Nevertheless, because of the new Supreme Court ruling, her signed confession, the state's only evidence, had to be thrown out.

"Thank you, your honor," the woman said.

"Don't thank me," the judge replied icily. "Thank the United States Supreme Court. You killed the child and you ought to go to jail."

CONFLICTING PHILOSOPHIES

These highly controversial decisions reflect a titanic clash of judicial philosophies in today's Supreme Court. Justices Harlan, White and Stewart are currently the chief representatives of the philosophy of judicial restraint propounded by the great jurist Oliver Wendell Holmes: In a democratic society, judges who never face the discipline of the ballot box must defer to elected legislators in policy choices—and leave it to the voters to discipline the legislators at the polls if the legislators' decisions are bad. A judge should declare a legislative act unconstitutional only when he is certain that reasonable men could not disagree. Otherwise, said Holmes, even though the legislators have decided unwisely, a judge is obligated to say, "Damn 'em, let 'em do it!"

On the other side in today's Court, Chief Justice Warren, Justice Douglas and usually Justice Hugo L. Black represent the activist philosophy, or what is sometimes called "political jurisprudence." This school holds that constitutional claims coming to the Supreme Court involve, primarily, conflicting values and interests. There may be no express law relevant to today's conditions. So, in weighing conflicting interests, the Justices must impose their own "social preferences." This philosophy sees the Justices as the modern interpreters of the values expressed in "our living Constitution."

Last year, for example, the Court outlawed Virginia's poll tax—even though it had unanimously upheld a similar tax 29 years before. Even Justice Black denounced this change by judicial decree as "an attack on the concept of a written constitution which is to survive unless changed through the amendment process."

But do we want the Court to be such a lawgiving body? Carried very far, this philosophy would mean in effect abandoning our written Constitution. The High Bench would become not a court of law but a Grand Policy Council, a "Big Brother Clubs" as one law professor irrevently dubbed the activists.

From the first, men like Thomas Jefferson feared the federal judiciary as a dangerous, fundamentally anti-democratic power. Their fears have proved valid. For half a century (between 1890 and 1937), reactionary "activists" on the Court virtually destroyed the nation's legislative ability to cope with the industrial revolution to regulate wages and working conditions, child labor, utilities, railroads, labor-management wars. They nullified 52 acts of Congress and 228 state laws. Ultimately, in the "limited constitutional revolution" of 1937, President Franklin D. Roosevelt, Congress and public pressure persuaded three activist Justices to retire or switch, thus allowing needed social legislation to stand.

Today, the Court is again exhibiting judicial "activism"—only this time designed to impose radical change instead of a freeze. "When in the name of interpretation, the Court *adds* something to the Constitution that was deliberately excluded from it," warns Justice Harlan, "the Court in reality substitutes its view of what should be so for the amending process."

TO GUARD THE GUARDIANS

Who *is* the ultimate arbiter of our Constitution? *Does* the Constitution limit the Justices as well as the legislators and the President?

The founding fathers, understanding the tendency of all men to grasp ever more power, labored to subject every branch of government to checks and balances. They specifically included the Supreme Court. To the ancient question, "Who will guard these guardians?" they answered emphatically, *"The people—through their elected representatives."* And, historically, we have asserted that authority on many occasions.

For example, one powerful check on the Court is the President's power of appointment. In 1870, President Ulysses S. Grant filled two vacancies. The votes of these new Justices made it possible to reverse a recent crucial decision, which declared that Congress had no power to issue paper money. Last June's crucial five-four decision on criminal confessions could not have been made had not President Johnson's first appointee, Justice Abe Fortas, promptly lined up with the activists. Since Justice Clark, a moderate, has recently retired, and since several Justices are over 65, Presidential appointments may completely reshape the Court in the next few years.

The Constitution also plainly specifies two major ways in which Congress can check the Court:

The 14th Amendment—under which the Supreme Court has dictated state legislative apportionments and criminal procedures—specifically names Congress as the protector of the rights it creates. While Congress cannot reverse a Supreme Court decision in a specific case, it *can* write new remedies which the Court is then obligated to apply in resolving such cases in the future. Last year, for example, Chief Justice Warren specifically acknowledged that Congress may, by simple statute, write rules different from those that the Court handed down for police interrogations.

Article III empowers Congress to make "exceptions and regulations" to the Court's appellate jurisdiction. Thus the Constitution explicitly makes *our elected legislators* the supreme judges—by simple majority vote—of what types of cases the Court may decide. Says Herbert Wechsler, Columbia Law School professor and director of the American Law Institute, "The plan of the Constitution was quite simply that Congress would decide from time to time how far the federal judicial institution should be used. Congress has the power, by enactment of a statute, to strike at what it deems judicial excess."

Thus the judges are *not* the sole arbiters of the Constitution. The framers of the Constitution laid on Congress a duty to define the rights it provided, and to act as a counterweight to the Court.

"BEYOND THE BOUNDS"

Though it has acted at other times—for example, in 1868, when it stripped the Court of power to hear appeals in habeas corpus cases—*Congress has failed so far to rein in the present Court.* In 1964, the House did vote 218–175 to forbid the Court to interfere in state legislative apportionments. This simple majority vote was, under Article III, sufficient. But in the Senate, an attempt was made to seek passage of the measure as a constitutional amendment, and it missed—by seven votes—the required two-thirds majority. An amendment to permit voluntary school prayer also failed by a narrow margin. Both goals might well have been accomplished, by a simple majority vote, under Article III and the 14th Amendment.

Some scholars are convinced that the present Supreme Court would have declared any such effort unconstitutional. Others argue, however, that if the Court had gone to that extreme Congress could then have retaliated by restricting the Court's future jurisdiction in cases of the kind under Article III.

In the absence of such an effort to check the Court, five Supreme Court Justices, in alliance with one-third of either House or Senate, are—by "interpretation"—radically amending our Constitution. Yet amendment is supposed to require a two-thirds vote of Congress and ratification by three-fourths of the state legislatures.

The great liberal Justice Benjamin N. Cardozo wrote: "Judges have, of course, the power, though not the right, to travel beyond the bounds set to judicial innovation by precedent and custom. Nonetheless, by that abuse of power, they violate the law."

The founding fathers named Congress as the referee to guard the bounds beyond which the Justices should not go. The time has come for our elected representatives to blow the whistle.

Congressman Shriver's Eighth Annual Kansas Fourth District Opinion Poll

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. SHRIVER. Mr. Speaker, it has been my practice since coming to Congress to invite citizens of the Fourth Congressional District of Kansas to participate in my annual opinion poll. Once again I am submittting a questionnaire to each householder in my congressional district on some of the major foreign and domestic issues facing the Congress and our Nation.

It is very helpful to me in representing my constituents to have their opinions on these matters. At the same time, I hope these questionnaires stimulate discussions at home regarding legislation before the Congress with the objective of encouraging broader citizen participation in representative government.

Under the leave to extend my remarks in the RECORD, I include the eighth annual Fourth District Opinion Poll which will be mailed soon, under congressional mailing regulations, to each householder in the seven-county district. The questionnaire follows:

CONGRESSMAN SHRIVER'S ANNUAL 4TH DISTRICT OPINION POLL

	Yes	No	No opinion
1. Which 4 of the following would receive your highest priority for spending reductions?			
......Defense ......Foreign aid ......Agriculture ......Public works ......Education ......Health ......Highways ......Poverty program ......Aid to cities ......Beautification ......Supersonic transport ......Space ......Anticrime programs ......Air and water pollution			
2. Do you favor the President's request for a 10-percent surcharge on Federal income taxes?			
3. Should the Nation be working to eliminate a compulsory draft?			
4. Do you favor establishment of a strategic reserve of agricultural commodities by the Government with specific restraints against the arbitrary sale of these stocks into the market?			
5. Congress in 1967 appropriated $1,700,000,000 for the antipoverty program.			
(a) Should the program be expanded?			
(b) Should the program be reduced?			
(c) Should the program be eliminated?			
(d) Should the program be maintained as is?			
6. In order to help resolve problems of hard-core unemployment which do you favor:			
(a) The Human Investment Act providing a tax credit incentive to employers for part of the cost of training workers on the job?			
(b) The President's proposal for the Government to subsidize any added costs of training above those a company would spend on normal employees?			
(c) Federal Government guaranteeing public employment as a last resort for people to find jobs in the private economy?			
7. Do you favor Federal assistance to the States to improve and enlarge State and local police forces as determined by local and State governments?			
8. Do you favor the return of U.S. military forces from Western Europe as a means of improving our balance-of-payments situation?			
9. Vietnam. The major international problem on the minds of Americans at this time is U.S. involvement in Vietnam. Which of the following courses is in line with your present thinking:			
(a) If it would stop the war, we should increase our military effort, including intensified nonnuclear bombing and hot pursuit into Cambodia and other neutral sanctuaries to bring North Vietnam to the conference table			
(b) If it would stop the war, we should help form a coalition government in Saigon that would include the Vietcong?			
(c) If it would stop the war, we should pull our troops out of Vietnam and let the South Vietnamese take care of themselves			
(d) If it would stop the war, we should stop bombing North Vietnam			
(e) Other (your alternative to stop the war):			

Popular Support for Monday Holiday Legislation

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. McCLORY. Mr. Speaker, on March 27 the House Judiciary Committee, on which I have the privilege of serving, took favorable action on H.R. 15951, the Monday holiday bill. The bill reported by the committee calls for the observance of three of our national holidays on Mondays: Washington's Birthday—third Monday in February—Memorial Day—last Monday in May—and Veterans Day—fourth Monday in October. In addition, H.R. 15951 provides for the observance of a new national holiday, Columbus Day, on the second Monday in October.

The public response to the committee's action was immediate, enthusiastic, and most gratifying to the supporters of Monday holiday legislation. I need not recount the many benefits to be derived from scheduling certain of our national holidays on Mondays, nor the overwhelming endorsement which this legislation has received from the many segments of American society. However, I do wish to commend to the attention of the Members the following editorials and news articles attesting to the popularity and significance of the recently reported Monday holiday bill:

[From the Chicago (Ill.) Sun-Times, Mar. 27, 1968]

HOPE FOR MONDAY HOLIDAYS

A uniform-Monday-holiday proposal sponsored by Rep. Robert McClory (R-Ill.) swept through the House Judiciary Committee by a surprisingly heavy 15-to-2 vote. We hope that the House, which has a tradition of granting itself an abundance of three-day weekends, will move McClory's bill along to passage.

The measure would establish Washington's Birthday, Memorial Day and Veterans Day as Monday holidays, and make Columbus Day a new federal holiday which also would fall on Monday. Since Labor Day already is celebrated on Monday, the bill would give Americans five long weekends a year—a pleasant prospect.

Both industry and labor long have backed Monday-holiday legislation—because it would cut down on midweek absenteeism and resultant higher production costs while giving workers a better chance to take advantage of a day off. Holiday proposals have bogged down in the House and Senate, however, because of pressure from patriotic and church groups. McClory's bill surmounts most of the objections by leaving Thanksgiving Day and Independence Day untouched.

Establishment of long weekends may not be the most important issue in the country today, but it is a worthwhile issue. And legislation such as that proposed by McClory has one unique feature—it would please a lot of people without costing anyone a dime.

[From the Wall Street Journal, Mar. 27, 1968]

MONDAY-HOLIDAY BILL TAKES FLIGHT AGAIN AFTER BEING STALLED: HOUSE PANEL VOTES TO OBSERVE FOUR HOLIDAYS ON MONDAY, MAKE COLUMBUS DAY A FEDERAL ONE

WASHINGTON.—Long-stalled legislation to create more Monday holidays has suddenly started moving again in Congress.

The House Judiciary Committee voted 15-to-2 approval of a measure switching three existing Federal holidays to Monday observance, and making Columbus Day a new Federal holiday. The result would be creation of four new official three-day weekends similar to the existing Labor Day weekend ending on the first Monday in September.

The bill, sponsored by Rep. McClory (R., Ill.), sets up this holiday schedule:

—Washington's Birthday would switch from Feb. 22 to the third Monday in February.

—Memorial Day would move from May 30 to the last Monday in May.

—Veterans Day would move from Nov. 11 to the fourth Monday in October.

—Columbus Day would be observed on the second Monday in October instead of the Oct. 12 date already established as a holiday by most states.

Unlike some earlier versions of the Monday holiday bill. Rep. McClory's measure would leave July 4 untouched as Independence Day, and Thanksgiving would continue to fall on the fourth Thursday in November. Patriotic groups have been especially hostile to tampering with the Fourth of July, and some merchants were worried that Monday Thanksgivings would disrupt existing retailing patterns.

Congress has power to establish legal holidays only for the District of Columbia and for Federal employes, but state legislatures traditionally follow the Federal lead. Mr. McClory's bill wouldn't become effective until 1971, to accommodate calendar manufacturers and give state legislatures time to adopt the new Federal schedule.

The idea of more official three-day weekends has been vigorously pushed by such business groups as the U.S. Chamber of Commerce. The chamber contends uniform Monday holidays would cut down absenteeism and stop-start production costs that occur when a holiday falls in the middle of a week. Monday holidays also are backed strongly by travel organizations.

But apathy and some outright resistance has kept Monday-holiday legislation buried in committee in both the House and Senate. To win more support, first Mr. McClory and his allies dropped the earlier goal at naming Washington's birthday President's Day; this mollified some Virginia lawmakers. He also agreed to sweeten the package by including Columbus Day as a Federal holiday, a goal fervently sought for years by Italian-American groups.

While Congress stalled on Monday holidays, some states moved ahead on their own. The Massachusetts legislature recently adopted a bill providing for observance of Washington's Birthday, Patriots Day and Memorial Day on Mondays, and comparable bills are pending in eight other legislatures. This gives backers of Federal legislation the new argument that Congress should take charge, to avoid national confusion.

A Monday holiday bill sponsored by Sen. Smathers (D., Fla.) has languished for months in the Senate Judiciary Committee, despite backing by Minority Leader Dirksen (R., Ill.). The judiciary panel has been tied up with higher-priority civil rights, crime and gun legislation, but Senate sources said the holiday bill seems sure to be approved once it's put to a committee vote.

[From the Chicago (Ill.) Daily News, March 28, 1969]

THREE-DAY HOLIDAY GAIN

The impasse over the creation of more three-day holiday weekends has finally been broken by the House Judiciary Committee. It approved a compromise bill, whose chief sponsor is Rep. ROBERT McCLORY (R.-Ill.), shifting four holidays to Mondays. Affected are Washington's Birthday and Memorial, Columbus and Veterans days.

This is an encouraging start on a worthwhile cause that had all but been given up for lost, and a tribute to McCLORY's persistence. Enough counterpressure was mustered to prevent a shift in the observance of Independence and Thanksgiving days in the compromise version of the original measure.

But a full airing of the issues in House and Senate debate should convince even the traditionalists that no sound historical reason exists for exempting those particular holidays. Their addition to the approved list—

along with the usual Monday observance of Labor Day—would give the nation seven three-day holidays every year (and two more when Christmas and New Year's Day fall on a Friday or Monday).

The vast majority of Americans would welcome it.

[From the Waukegan (Ill.) News-Sun, Apr. 2, 1968]

More 3-Day Weekends in Sight

The prospect for more three-day holiday weekends is beginning to look very good indeed after a proposal sponsored by Rep. Robert McClory, R-Lake Bluff, received a favorable 15-2 vote in the House Judiciary Committee last week.

If the bill moves as well in the House and Senate, the American public will be guaranteed five long weekends each year. The bill will establish Monday observances for Washington's Birthday, Memorial Day and Veterans Day and will make Columbus Day a new national holiday, to be celebrated on Monday. Labor Day is already observed on a Monday, so that brings the total to five three-day weekends for more travel, golf, or doing the work around the house that the wife has been nagging about.

Major support for the proposal is coming from both management and labor—management because the measure would cut down on mid-week absenteeism near the holidays as they now fall, and labor because workers always like longer holidays. We agree with both of them and support McClory's bill.

[From Newsweek, Apr. 8, 1968]

Happy Holiday Bill

A long-pending bill fixing four additional Federal holidays on Monday is now considered certain of Congressional passage this month.

The measure, introduced several years ago by Illinois Rep. Robert McClory, sets Washington's Birthday the third Monday in February; Memorial Day the last Monday in May; Columbus Day the second Monday in October, and Veterans Day the fourth Monday in October.

While the bill would apply to only to the District of Columbia and to Federal employees, it should spur many states to follow suit.

Massachusetts already has passed such a law and similar bills are pending in eight other states.

The idea of four more three-day holiday weekends (Labor Day is now the only one) has been endorsed by the U.S. Chamber of Commerce and other business groups.

They point out that it will not only eliminate costly midweek factory shutdowns, but will aid the resort and travel businesses.

Teachers in Politics

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. SHRIVER. Mr. Speaker, last weekend the National Education Association marked its first teachers-in-politics program across the country. I heartily approve of this program and I commend the National Education Association for its leadership in this most important area of citizenship.

In Kansas, the Kansas State Teachers' Association sponsored six regional political clinics under the leadership of Mr. Jim Yonary, president of the Kansas PACE group.

The many complex problems facing communities, the States and our Nation require the interest and participation of informed citizens. Although I am sure teachers would be the first to agree that partisan politics have no place in the classroom, our great country needs a strong two-party system to continue to prosper and move forward. The teacher stands in a unique position to develop student interest in politics.

At the same time, teachers also are in a position to bring the message of educational needs and requirements to the public through their involvement in the political process.

Mary Brooks, Republican National Committee assistant chairman, has stated:

> The increasing influence of government and politics on all areas of living today makes political participation a necessary fact of life for concerned citizens.

The National Education Association, and its affiliated State organizations, are performing an important public service through this project.

Dr. King and the President's Civil Rights Act of 1968

HON. WILLIAM D. HATHAWAY

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. HATHAWAY. Mr. Speaker, the assassination of the Reverend Dr. Martin Luther King is a profound tragedy for all Americans of good will—for he died a victim of the hatred all good men have fought to erase.

But in the sadness of his death we can create a living memorial to his memory—President Johnson's civil rights bill of 1968 passed by the Senate and now before the House of Representatives. An act which was once vital is now imperative.

The civil rights bill of 1968 presents Congress—and the Nation—the first opportunity to reaffirm the efficacy of our democratic system to Negro Americans—to demonstrate that they need not go outside the system to secure full equality.

We must show now—as never before—that the conscience of our country is aroused to action. If we cannot show we care—we cannot expect Negro Americans to care about the future of their country.

America must not be rent in two—divided by an arbitrary color line into opposing camps. We must now be prepared to prevent injustice from splitting it apart.

If we in Congress can bring the Negro closer to the full citizenship guaranteed by the Constitution; if we in America can assure Negroes that their color can be a badge of pride in America, not a symbol of inferiority; if Americans joined in united purpose can rid the last vestiges of hate and bigotry from our land—then Martin Luther King will not have lived and died in vain.

Martin Luther King has stimulated us to action—and great progress—in the past. Under President Johnson we have banned discrimination in the use of public accommodations, prohibited industry from discriminating in employment on the basis of race, assured nondiscrimination in voting, banned the poll tax, and taken great strides to abolish the last vestiges of segregated schooling.

All of these are symbols of what men can do together—and of what Martin Luther King urged us to do. Let us now—in the lawful and nonviolent way Dr. King would have wanted—build on these monuments to freedom by creating a more just America. The first step is the civil rights bill of 1968.

Let us show the world we are true to our American heritage of brotherhood. Let us prove to ourselves that our promises are not empty rhetoric, but realistic hope for the future.

Let us turn this saddest of moments into the happiness of dreams fulfilled—of black and white together as brothers united for America.

To do less imperils the Nation.

Book Review: On Credibility Gap

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. FINDLEY. Mr. Speaker, one of the most talked-about books in Washington today is "Crisis in Credibility" by Bruce Ladd, the talented young special assistant to our colleague, Don Rumsfeld of Illinois. This book describes accurately the crisis in our Government's public information program. Bruce is to be commended for his diligent and objective research in compiling the material. Many of the examples of managed news he cites are frightful and disturbing.

Publisher's Auxiliary for March 9, 1968, reviewed his book and I include the text of the review by Ted Serrill at this point in my remarks:

Book Review: On Credibility Gap

"Crisis in Credibility," by Bruce Ladd, 274 pages with bibliography and index, $5.50. The New American Library, New York City.

(By Ted Serrill)

It took a six months' leave of absence as press secretary to Cong. Donald Rumsfeld (R-Ill.) to produce this fast-reading documentation of how and when Governmental Washington fails to tell the truth, evades the issue and puts up smoke screens to hide the facts when things are not going just right in the administrative areas.

The publishing company, better known for its pocket books, is an arm of the Los Angeles Times.

It pictures Bruce on the dust jacket as a young, sharp-eyed journalist. After a degree from Northern Illinois a decade ago he served six years as an editor with the Mt. Morris (Ill.) Index and the Paddock Publications and then took a leave to be press secretary to Charles H. Percy, now U.S. Senator.

Since then, he has been a fellow of the American Political Science Assn. in the Nation's Capital and, except for his leave to write his first book, has served Cong. Rumsfeld as a staff aide.

The author, who is personally known to this reviewer through SDX and the Moss Subcommittee, says his book is selling well, but there are few copies available yet around Washington.

His discussion of the President's role in formulating and administering the Government's information policy and the impact of Congressional news management on Government's credibility is well documented.

Among his conclusions:

". . . the ever-growing authority of the executive branch of the Federal government will have to be checked, if the democratic dialogue is to be preserved.

"The news media can also contribute to the demise of the credibility problem if they will be more attentive to their independent watchdog role. . . ."

In the latter respect he calls for more press manpower in Washington, avoidance of not-for-attribution and background-only briefings, avoiding seduction by administration officials, more coverage of the minority party, and being less concerned with the status quo and more concerned with raising hell.

Teachers in Politics: A Responsibility Seriously Taken

HON. HUGH L. CAREY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. CAREY. Mr. Speaker, April 5 to April 7 were the days set aside by the teachers of our Nation for national Teachers-in-Politics Weekend. The sentiment which inspired this observance is a fine one, characteristic of the spirit of public service which motivates our teachers. Their already notable civic contributions at all levels can only be enhanced by active participation in politics.

As a former President, James Madison once noted:

> A well-instructed people alone can be permanently a free people.

Since the earliest days of our Nation, teachers have been instructing generations of young people in the ideas and ideals which have kept our democracy strong. Paramount among these has been active participation in the political process, and the example of teachers' responsible and intelligent participation at the polls and in the precincts must serve as a model to the youth they teach.

With the complex problems facing our cities, our communities, and our country as a whole today, it is incumbent on each and every citizen to take part in the difficult decisions which must be made. Making one's choice through the political process is the most sensible alternative available to us. President Johnson stressed the importance of teacher participation in politics when he said, in a personal message to the teachers of America:

> Give your active participation and leadership to partisan politics—local, state and national. . . . Today the challenges facing our nation call for intelligent, committed, active leadership. That means getting into politics—the area in which so many crucial public decisions are made.

A further indication of the importance of teacher participation in the decision-making process of public affairs is the increasing importance of educational legislation brought before the Congress today. Funds expended are already in the billions and who knows better than our teachers the needs and priorities of the Nation's schools? Many of the decisions which must be made in advancing legislation are highly technical and demand a competence often attained only by experts; the advice and opinions of the teaching profession, obtained through their participation in the political process at all levels, can be invaluable in securing the most beneficial legislation possible.

It is heartening that, to a great extent, teachers are aware of the importance of informed and intelligent participation in political activity. A survey by the National Education Association indicates that 67 percent of all teachers today believe they should participate actively in politics. And, teachers as a group have a better participation record in national elections than does the general voting public. In the November 1964 national elections nine out of 10 teachers went to the polls while only seven out of 10 persons in the general population of voting age did so. The events of Teachers-in-Politics Weekend should encourage even more teachers to be active participants in politics; through political clinics teachers may learn more about the ways open to them for expressing their opinions.

I strongly support such intelligent preparation for taking part in the political process. Our Nation's teachers are setting a precedent which every informed citizen should follow. Through political awareness and responsible action at the polls, teachers can lead the way to a stronger, more responsive government for all.

Capt. Edward A. Boardman Killed in Action

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. LONG of Maryland. Mr. Speaker, Capt. Edward A. Boardman, a fine soldier from Maryland, was killed recently in Vietnam. I wish to commend his bravery and honor his memory by including the following article in the RECORD:

CAPTAIN BOARDMAN KILLED IN ACTION—PASADENA RESIDENT LEAVES WIFE AND SIX CHILDREN

An Army officer from Pasadena, Md., was killed in action in Vietnam April 1, the Department of Defense reported yesterday.

He was identified as Capt. Edward A. Boardman, 44, husband of Mrs. June Cornell Boardman, of 3912 Alberta avenue.

Captain Boardman was killed during an enemy mortar attack on his base at Long Binh, the Department of Defense said in a telegram to Mrs. Boardman. He was the company commander of a company of the 3rd Ordnance Battalion.

A native of Nichols, N.Y., Captain Boardman was educated in the public schools there. He was inducted into the Army soon after completing his schooling and served until he received a discharge in 1945.

He reentered the Army in 1950 and had been on active duty since that time. Before being assigned to Vietnam last October, Captain Boardman was on the staff of the Supreme Headquarters Allied Powers in Europe.

He spent most of his Army career as an enlisted man. He received his officer's commission in September, 1966. Previously held the rank of sergeant major.

In addition to his wife, Captain Boardman is survived by four daughters, Mrs. Louis G. Rimbagh, of Rivera Beach, Md.; Mrs. William T. Bottoms, of Riverdale, Md.; and Miss Andrea Boardman and Miss Carol Boardman, both of the home; two sons, Allen Boardman and James Boardman, both of the home; his mother, Mrs. Clayton Hayden, of Waverly, N.Y.; and a half-brother, Donald Hayden, also of Waverly.

Dr. Martin Luther King, Jr.

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. WILLIAM D. FORD. Mr. Speaker, I join today with my fellow Americans, and with people of good will throughout the world, in mourning the tragic death of the Reverend Dr. Martin Luther King, Jr.

To his family, to his friends and to his associates, I offer my heartfelt sympathy. It is they who bear the brunt of the grief that is shared by so many millions of people.

Columnists and commentators have already pointed out the great irony of his death—that this good and sincere man, who preached love and nonviolence, should be struck down by an act of hatred and violence.

We must go beyond this to appreciate the full tragedy of the assassination. To people of good faith in both races, Dr. King had held out the hope of a peaceful end to the prejudice and intolerance which have shackled this Nation and kept us from achieving the American dream of true freedom for all.

The real tragedy of Dr. King's death will come if Americans of both races use his assassination as an excuse to continue the hatred and violence against which he fought and preached, and because of which he died.

Dr. King would be the first to plead for the better alternative—that his death should hasten the day when all Americans share in the dreams and visions that he saw from the mountain top.

The assassination of Abraham Lincoln brought a reaction of hatred that racked this Nation for a decade, and cursed the already anguished South with the agonizing period known to history as the Reconstruction.

The assassination of John F. Kennedy, by contrast, ushered in an era of hope. The legislation and social progress for which he fought and died became a reality in part because of his death.

This would be a more fitting memorial for Dr. Martin Luther King.

It is not important or significant that the assassin was a white man. This was an accident of fate. It is more significant that he was an evil man, whose mind had been warped by the very hatred that Dr. King sought to eliminate.

There are both white and black Americans who preach violence as the answer to our Nation's problems. In the first angry reaction to Dr. King's death, these people had their way. Death and destruction, grief and ashes, stand today as eloquent testimony to this senseless venting of hate.

A counterreaction to this violence would only pile tragedy upon tragedy.

Dr. King's death will not have been completely in vain if we let this grievous week launch a new day of hope for the United States and for the world.

Let us pray that all Americans, black and white, will recognize the true wisdom and hope of Dr. King's philosophy. Let us strive together that his dreams may be realized, and that hatred based on the color of skin may be erased from our way of life.

How To Be a Good Board Member

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. DERWINSKI. Mr. Speaker, I am very happy and pleased to be advised that Mr. Ian M. MacRitchie, a constituent, has been named secretary of the board of education in Oaklawn, Ill., and presented a paper, "How To Be a Good Board Member," at the convention of the National School Boards Association held a week ago in Detroit.

In view of the major interest that we all have in advancing education in the United States, I am pleased to insert Mr. MacRitchie's remarks in the RECORD where they will hopefully receive thoughtful reviews:

HOW TO BE A GOOD BOARD MEMBER

(Presented at NSBA Convention, Detroit, Mich., March 30, 1968, by Ian M. MacRitchie, secretary, board of education, Oak Lawn, Ill.)

Anyone can be a board member. It takes a little effort to be a good one. What I have to say this morning has been said by many in several ways but like the Ten Commandments, it bears repeating.

The board of education of which you are an active member is an American invention that has its roots in our Colonial heritage. With all members of boards of education throughout this nation, you represent a continuing commitment to local control and decision-making in the education of our youth. Have the vision and courage to discharge your duties and responsibilities so that you may continue to enjoy the privilege of self-determination.

You are now involved in the greatest growth industry of this last half of the 20th century. You are engaged in one of the largest enterprises in your community. You are a critical force in the creation of human and material wealth—through the most dynamic process known to man—the education of our youth.

Remember, however, that you are only one of the members of the board of education, but you are one. Neither dominate nor be dominated. Your vote counts, be it with the majority or against it. You will make your contribution to the future of your community, the state and the nation if you act as an informed, responsible citizen—and you will always have a clear conscience.

Study the issues and inform yourself before making up your mind. Your behavior as a board member will require a high degree of maturity to examine the facts, keeping in focus the objectives for which you were elected—the education of the young people entrusted in your care.

Maintain a good rapport with your administration and staff. A board sometimes prefers to make up its mind with little or no prior consultation with the staff and administration. Such a board may be able to make prompt decisions and thus appear to be efficient. It takes a little more time to give careful consideration to the ideas of those who have a legitimate right to be heard, and this includes the public, but ultimately board decisions are much more likely to be effective.

Make a special effort to understand the fiscal problems of your district. Boards authorize the expenditure of large sums of public monies and board members are accountable for decisions made. Take this role as a board member seriously—very seriously.

The real issues in education that matter are usually not cut and dried, and most positions taken are not clearly right or wrong. Vote with the majority if you believe they are right. However, if it is your considered judgment that you cannot support the others, have the courage to cast a minority vote. A board that sees eye to eye on almost every issue is probably not dealing with very many important educational issues. In situations such as this a one man board could operate equally as well. Do not be a rubber stamp.

You have only one vote, although you may influence others to vote with you or against the issue you favor. Once the majority has spoken, however, you have an obligation to support the majority board position.

In conclusion, I would like to summarize a list of do's and don'ts that will make up a credo that you can live with and which will help make you a better board member. These I have put in the first person because they should be considered in this vein by all school board members—new or experienced. As I recite them, assume that I am speaking as if I were you.

Things I should do as a board member:

1. Remember that outside a regular or adjourned meeting legally constituted I have no legal authority.

2. Familiarize myself with the School Code of my state. The Code establishes the "ground rules" as well as being the law with respect to the public school system.

3. Familiarize myself with the written policy established by the Board of Education providing the "ground rules" of the operation of my district. Board policy sets forth the responsibilities, duties and limitations of all Board members, the admnistration and all employees.

4. Remember that in all instances that I must exercise the trust and responsibilities of a board member that will result in and ensure for the children of my school district the best educational opportunities that the resources of the district can afford.

5. Study the agenda of the meeting and all pertinent data provided with the agenda prior to the meeting, marking any items that I do not fully understand so that they can be cleared up by questions before Board action is taken. (By Board policy in my district, the agenda and related material must be in the hands of each Board member at least 48 hours prior to the meeting.)

6. Support the Board action even though I may have voted against it. I believe that this promotes Board harmony and team work.

7. At all times remember that it is my responsibility to represent the best interests of the total community, not that of a particular segment.

8. Listen to the discussions of the matter at hand and state my views briefly and clearly and when I disagree, do so without being disagreeable or cherishing grudges.

9. Make no promises nor attempt to settle complaints or suggestions made to me by any one but refer such complaints and suggestions through the proper channels.

10. Take part in or attend regional school board conferences and workshops. When the opportunity arises take part in or attend the National School Board Association Convention.

11. Remember that I am attending such meetings for the benefit of my district and report back to my board with as complete a review of the meeting as possible.

12. Recognize that an effective board gives as much attention to the educational program embodied in the school curriculum as it does in the business operation of the district. The sole reason for the business operation, i.e., school sites, school buildings, equipment, maintenance, transportation, and administration is to provide an adequate educational program.

13. Spend time reading books, articles, periodicals, superintendent's reports to provide background for informed discussions at board meetings and in public contacts.

14. I reiterate that the sole purpose of a Board of Education is to provide the facilities and staff for the best education possible for the children.

There are, conversely, things that I as a Board member should not do:

1. Commit myself or my board to any course of action outside of a legally constituted meeting of the Board.

2. Seek to use my position as a Board member as a stepping stone to other public office.

3. Forget, at any time, that I have a moral and ethical responsibility to discharge my functions courageously and impartially in the interest of the greatest good to the greatest number at all times.

4. Never allow pressure groups to influence my thinking and judgment of any issue relative to the operation of my district and the education of the children. In this vein I cite William Shakespeare: "Take each man's censure but reserve thy judgment."

5. Never "play politics" in either the traditional manner or in any petty sense.

6. Overlook, at any time, that although I am a member of a local board I am a State Official and that I have a responsibility to seek improvement of education throughout the state.—In this regard active membership in the State School Board Association is of prime importance.

7. Never make promises as to how I will vote on any matter, properly the prerequisite of the entire board, to the public or to any other Board member.

8. Never attend or attempt to institute meetings in "secret" or "star chamber" meetings which are not official and at which all board members do not have an opportunity to attend.

There are other "dos and don'ts" for Board members many of which, I am sure, you all are aware. These that I have mentioned here will make up a credo that all Board members can follow. I hope that they will be of help to all of you.

President Sets His Own Standard for the Level of Statesmanship

HON. BOB ECKHARDT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. ECKHARDT. Mr. Speaker, a President sets his own standard for the level of statesmanship at which he will operate. Mr. Johnson has set that standard very high indeed.

I take his momentous decision to mean this: The present moment requires a sense of national unity to resolve the great problems of Vietnam, of the citie and of keeping the economy in balance.

To get this unity the President must be above partisan politics or the suspicion of self-seeking, particularly in foreign policy. Here the highest degree of resolve and sincerity must accompany the unilateral deescalation order he announced in his momentous speech if it is to start a series of reciprocal withdrawals which could end the war.

Before the President's historic action it looked like the timing of the election was against us. At very least, there would be a long, bloody interim between now and the election, during which America's direction would be in doubt.

Now the situation has changed. The time for a response from North Vietnam and all Vietnamese is now if peace is sought. And a response came. We have yet to gage its sincerity and importance.

The President's action eliminated a dangerous 6 months of doldrums in the process of seeking peace.

On the domestic front, there must be a massive attack on the ills of the cities. How dramatically this was demonstrated last week. The economy must be bolstered to stem inflation and reduce high interest to keep the dollar strong and stable at home and abroad.

A high level of statesmanship in this situation demands support of the surtax. And such an austere demand for taxes and for the application of our resources to our major ills can only be attained by a unified Democratic Party.

The President obviously thinks—from what he clearly said—that such a unified party cannot be led by an incumbent who is a contender for the presidential nomination.

I think what he is doing is in the highest tradition of the great office of the Presidency.

Equal Opportunity for All Americans

HON. ROBERT W. KASTENMEIER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. KASTENMEIER. Mr. Speaker, time and again we have heard, in this Chamber, complaints from opponents of civil rights legislation that they have been forced to legislate under the duress of domestic violence. No doubt Members of this body will this week again hear those same complaints.

I would remind the Members of the House that we have had ample opportunity to legislate without the pressure of domestic violence in past months. Instead of doing what must be done to end the strife and discord in this country, we repeatedly have tolerated delay and compromise.

Finally, on March 11, the Senate acted on H.R. 2516. Now this legislation awaits action in this House.

We must recognize that the current civil rights bill is only a modest step in the direction of the equal opportunity for which the Nation purports to stand. Before a Negro father can buy that house in the suburbs, he needs more than a fair housing law. He needs a decent job. That means he needs equal job opportunity—equal education; a decent chance to realize the hopes and dreams white America takes for granted.

But H.R. 2516 is a start, and I hope the House recognizes its importance—not only in its substance—but as a signal to the citizens of the Nation that Congress is committed to the dream of equality of opportunity.

Are we going to answer the cry for help that screams for recognition in this Nation—or shall we sit quietly while the remains of the American dream are buried in Atlanta along with the body of Dr. Martin Luther King?

Mr. Speaker, it is a time for action. Action on civil rights, on education, on programs against poverty. America has lost a leader. Let us try to fill the leadership void right here, in the Halls of Congress, by taking the action we all know is necessary for the preservation and advancement of this Nation.

Passover, 1968

HON. EDNA F. KELLY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mrs. KELLY. Mr. Speaker, on the occasion of the 1968 observance of Passover, I extend to my Jewish friends and constituents my sincere best wishes. Passover is truly a time for joy and gladness, when the Jewish people may remind themselves and the world of their historic and successful struggle to preserve their national identity, to uphold the ideal of religious freedom, and to remember that oppression and tyranny cannot forever withstand the opposition of a righteous and determined people.

Passover, of course, is a festival which signifies Jewish identity. It is a festival which acts as a symbol, as it were, of the will of the Jewish people, expressed early in their history, to preserve their religious customs and national integrity although outnumbered and surrounded by hostile adversaries.

Although the Passover is unalterably identified with the exodus, it is not unlikely that this ancient festival has its origins much deeper in history, or prehistory, as the case may be. It is possible that Passover was at first a synthesis of two primeval rites—the springtime festival of a nomadic people who sacrificed a lamb to insure the welfare of their flocks; and a feast of unleavened bread, which was celebrated also in the spring, by a predominately agricultural people. The Hebrews, who had been a nomadic people before they came to Palestine, and who became an agricultural people after they settled in the area, would have found both festivals compatible with their customs and way of life. It is, therefore, possible, that the Passover derives from these ancient rituals, given cultural and historic significance by the important event of the exodus, which assured the preservation of the Jews as a people possessing a unique religion and culture. In "passing over" the bloodstained houses of the Israelites living in Egypt, the Lord's avenging angel assured the survival of a people destined to have incalculable influence over the future history of the world.

Today, in 20th-century America, the Passover is significant not only for Jewish people, but for all Americans—for those who love liberty and the right of self-determination for all men. In an age when all men are demanding, as never before, their right to justice and equality, it is appropriate that we remember the example set 3,000 years ago by a then small and insignificant people—an example unparalleled in the history of the world as a model of courage, sacrifice, and endurance.

During this Passover I offer to everyone participating in its observance my own hopes for the future of the Jewish community and the American Nation. In the hurry and confusion of a restless and anxious world, may the wonder of Passover be never forgotten:

> The Lord is my strength and song, and he is become my salvation: he is my God, and I will prepare him an habitation; my father's God, and I will exalt him. . . . Thou in thy mercy hast led forth the people which thou hast redeemed: thou hast guided them in thy strength unto thy holy habitation.—Exodus, 15: 2, 13.

Senator Kennedy Frightening, Writer Says

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. DERWINSKI. Mr. Speaker, a very observant and keen reporter of the Washington scene is Dumitru Danielopol, columnist of the Copley Press, who possesses a special background in foreign affairs which serves him well in analyzing current developments. Therefore, his commentary on recent current as well as international events, I believe, merit attention, and I insert in the Record an article which appeared in the April 3 edition of the Joliet Herald News, Joliet, Ill., as follows:

SENATOR KENNEDY FRIGHTENING, WRITER SAYS

(By Dumitru Danielopol)

Washington.—Sen. Robert Kennedy's entry into the presidential race is more than welcome.

With Sen. Eugene McCarthy, D-Minn., and former Gov. George Wallace of Alabama competing, his bid assures Democrats of a broad choice of presidential nominees.

For people like me who did not support Mr. Johnson in 1964, this competition is a sort of vindication. Even Democrats now concede they made the wrong choice.

If their campaign is rough, tough and outspoken so much the better. It's time that the American people take a look at four decades of virtually uninterrupted Democratic rule.

Sen. Kennedy says that the President's policies are "catastrophic."

They are.

After four years of fumbling in Vietnam, the President himself realizes he's getting nowhere. He now calls for a total effort and for victory at home and abroad. That's the policy Republicans have been advocating for years.

After years of appeasement of the Reds in Europe with "peaceful engagement," "detente" and economic help there is no real sign the Communists have changed their spots. They are still providing the major help to Hanoi.

For years the Republicans have called for a reduction in the lavish "Great Society" and antipoverty programs, for reductions in the huge budget deficits that imperil our economy and place the dollar in jeopardy.

Now President Johnson advocates restriction on travel, increased taxation and an "austerity" program.

But while Sen. Kennedy adds to the dialogue, there's no indication that he would improve on President Johnson's performance.

Quite the contrary. So far, Kennedy's program is even less acceptable than that of President Johnson in 1964.

It can be spelled out in three words:

"Anarchy, defeatism and appeasement." Coincidentally they are the initials of ADA.

In a country torn by dissent, rebellion and rioting Sen. Kennedy says: "The more riots that come on college campuses, the better world for tomorrow."

If that isn't anarchy, what is? It's a Kennedy style "cultural revolution."

The senator from New York has been a defeatist on Vietnam for years. He joined other liberals like Walter Lippmann, Sen. J. William Fulbright, Prof. George Kennen, etc., to declare that this a war we cannot win.

Consequently, Sen. Kennedy has advocated appeasement. He has called for admission of the Viet Cong in peace negotiations to assure them "a genuine place in the political life of Vietnam."

This implies the ultimate surrender of South Vietnam to the Reds.

Kennedy, of course, denies that we would sell out American interests but he fails to explain how he's going to prevent a Red takeover. Nor does he say how he is going to prevent wars of liberation in Laos, Cambodia, Thailand and other Asian countries?

Republicans warned the American people in 1964.

In a pre-election column in 1964 I said:

"The Democratic platform believes we can appease Communist dictators, we can pamper and feed them and eventually convert them to freedom, that we can coexist, that we can live and let live.

"President Johnson promises more disarmament, more accommodation, more trade and more help to the Communists.

"He frightens me."

Sen. Kennedy frightens me even more today.

Refer "Pueblo" Dispute to International Court of Justice for Adjudication

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. FINDLEY. Mr. Speaker, sometime ago I suggested that the question of whether the *Pueblo* violated North Korean territorial waters be submitted to independent third-party adjudication, preferably the International Court of Justice at the Hague.

It has come to my attention that Mr. William K. Ailshie, a retired former U.S. consul general, has written a letter to the San Diego Union on February 27, 1968, expressing much the same viewpoint and adding some very persuasive arguments of his own. I include his letter in my remarks at this point:

EDITOR, THE UNION: Since our government has made the seizure of the USS Pueblo by North Korea a legal question by stating that the Pueblo was in international waters when seized, I suggest that the case be submitted to the World Court.

I cannot see what we could possibly stand to lose by submitting it to an impartial international court—at least a majority being impartial.

Nothing would raise the prestige of the United States so much as submission of the Pueblo incident to the Permanent Court of International Justice at The Hague, and nothing would lower the prestige of the Communist bloc so much as a refusal to submit this case to the World Court.

As presently constituted the court is made up of 15 judges from 15 different countries elected by the General Assembly and Security Council voting independently.

Even if the court should render a purely political verdict, we have no reason to fear its impartiality or lack of it. There are only two hardcore Communist members at present, Russia and Poland. On our side are the United States, the United Kingdom, Sweden, the Philippines, France, Mexico, Peru, Italy and Japan. Dubious countries are Lebanon, Nigeria, Senegal and Pakistan. All questions are decided by a majority vote. A quorum of nine judges is sufficient to constitute the court.

Every judge is an eminent international lawyer whose professional pride likely would cause him to hesitate to put his name on an opinion which would damage his standing among fellow jurists. The decision of the court would be a precedent and would be binding on the entire international community, including the Communist nations.

We have nothing to lose and much to gain by submitting the Pueblo incident to the World Court at The Hague.

WILLIAM K. AILSHIE,
U.S. Consul General, Retired.
LA JOLLA, CALIF.

A Tribute to Martin Luther King, Jr.

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. PODELL. Mr. Speaker, there is tragic irony in the circumstances that at the very moment when America gloried in its brightest hopes for peace in Vietnam, it was plunged into the depths of despair by alarms of civil disorder.

The insensate violence, arson, and looting, which erupted across the Nation in the wake of the execrable assassination of Dr. Martin Luther King, demonstrate the fragile character of the strands which knit the fabric of a peaceful social order. On the other hand, the death and destruction wrought by wanton riots in our National Capital, in Baltimore, Pittsburgh, Chicago, and in other cities fall far short of justifying descriptions, by many public spokesmen, of America, as a "sick society."

The health of a society cannot be measured by the abberational conduct of those to whom the killing of Dr. King has been an excuse, rather than a cause, for lawlessness. Those who participated in the violence of arson and looting are those who have not been touched by the preaching and teaching of Dr. King. The target areas of these apostles of violence were liquor, clothing, and appliance stores, and the guiding impulse of these looters was burglary of products offered for sale in these establishments, not vengeance for the death of a beloved leader. On the contrary, the toll of death they have caused, the homeless refugees they have created, desecrates the memory of Dr. King and affront his philosophy.

Our social health should, in fact, be measured by the millions of people in America from all walks of life who responded to President Johnson's designation of Sunday as a day of prayer and dedication, by the thousands of black and white people who joined in prayer at the Central Park Mall, by the special services conducted in churches, synagogues, schools, and other institutions throughout the land, by the millions of countless and unsung ways that our people have demonstrated their profound grief and dismay. Indeed, the gentle threnody composed by our flags at half staff waving in the breeze more profoundly expresses the mood of our people than the raucous violence in the streets. In the critical days ahead, America will be guided by the simple message brought to his congregation by Dr. King's father:

> Don't lose your way, and don't ever let it get so dark that you can't see a star.

Ideas that move men and nations have an organic quality that sustains them beyond the span of life of their creator, and Dr. King's ideal for progress through nonviolence will inspire those who survive him. His dream of a society of social justice, a society that knows no bigotry and prejudice, a society that knows no hunger, no poverty, no war, is the essence of the Judea-Christian ideal to which civilization has aspired for 2,000 years.

In the critical days ahead, we shall miss his inspiring leadership. Through the sheer force of his personality and dedication, he bridged the chasm between those who envision America as a united people and those who contend for racial separatism; between those who seek progress toward attainable goals through creative protest and those who proclaim violence, rather than liberty, throughout the land. As a student of the Bible, Dr. King spoke in simple, vivid Biblical imagery and through his words touched the finest instincts of people throughout the world.

Dr. Martin Luther King has now taken his place in the history of our Nation and in the history of civilization. There is perhaps no better way to express our loss than in the gentle, moving words of Shelley's elegy to Keats:

> And thou, sad Hour, selected from all the years to mourn our loss, rouse thy obscure compeers and teach them thine own sorrow; say: "With me died Martin Luther King; till the Future dares forget the Past, his fate and his fame shall be an echo and a light unto eternity."

In Step With Politics—Out of Step With the People

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. RARICK. Mr. Speaker, the Liberty Lobby open letter to Members of the House of Representatives is worthy of consideration by every fair and open-minded colleague.

The letter and research report follow my remarks:

Liberty Lobby,
Tuesday, April 9.

An Open Letter to the Members of the House of Representatives

All men of good will must regret the recent assassination of Martin Luther King, whatever their position on the issues with which he was involved.

If this is true, it is now even more incumbent on the Congress that it refrain from immediate consideration of the Civil Rights Bill now before the Rules Committee. Because, if regret—or any other emotion—dominates the thoughts of House Members, this is no time to make use of the awesome power of authority granted to Representatives by their constituents. This power is intended to be used only when guided by judicious reason . . . not when directed by emotion.

You will recall that the Civil Rights Act of 1964 was passed as "a memorial to John F. Kennedy." The Civil Rights Act of 1965 was passed as a reaction to the death of Viola Liuzzo. There must be a better way to memorialize martyrs than through the passage of laws that affects the lives of 200 million Americans. Laws should not be enacted by bullets.

Further, Members of the House who react emotionally in the context of April, may regret their action in the cool atmosphere of November. Recall always that much can occur—indeed, much is certain to occur—between now and November, that will alter the attitudes of the voters to whom you must answer.

The death of Martin King has no doubt initiated a pang of remorse in the hearts of some of the tens of millions of Americans who hated everything—the hyprocrisy, the demogoguery and the violence—that King represented. But . . . how long will this remorse last? In the heat of summer—in the crackle of gunfire and the crash of broken glass—the problems that King helped to create will remain. Then the remorse will melt away. The passion of regret will be replaced with the passion of anger.

If you question the existence of so-called White Blacklash, I think you will find the enclosed advance copy of the May *Liberty Lowdown* worth reading. More than for anyone else, it was written for you. If democracy in America is going to work, it demands recognition by elected representatives of the true feelings of those who elect him.

Incidentally, if you wish to receive the monthly *Liberty Lowdown*, which is otherwise restricted to our 10,000 Board of Policy members, we will be pleased to respond to your request.

Sincerely,

W. B. Hicks, Jr.,
Executive Secretary.

Liberty Lowdown

PRAGMATIC POLITICS, THE REPUBLICAN PARTY AND THE POLLS

Back in 1964, the Republican Party found itself divided between those who advocated a pragmatic appeal to the "moderate" voters of the Nation, and others who said that the Party should stand for "principle" above politics.

The 1964 election appeared to justify the position of the party "pragmatists." At least, it strengthened the influence of such groups as David Rockefeller's Ripon Society, and it led to the publication of numerous costly research studies such as *Where the Votes Are*, an 84-page statistical polemic issued by the Senate Republican Policy Committee in July of 1966. The theme of *Where the Votes Are*, was typical of nearly all the research of 1965 and '66: The Party must turn leftward in the future, to remain in the mainstream of American politics.

The pragmatic conclusion of this cool, analytical study was couched in the words of Michigan Governor George Romney, already recognized as *the* vote-getter of the Republican Party:

"The Republican Party . . . Must work without respite, (and) dedicate itself with unalloyed devotion to the task of securing equal rights for all Americans."

Thus did the party pragmatists unfurl the banner of Civil Rights as the standard to which victory-seeking Republicans should rally in 1966, 1968 and beyond.

REPUBLICANS A THIRD PARTY?

Hard on the heels of the Senate Policy Committee study, the July 31, 1966 Gallup Poll revealed the alarming fact that for the first time, the number of voters who identified themselves as "Independents" equalled the number who called themselves Republicans. In effect, Republicans were on the verge of becoming the Third Party.

Pragmatic Republican politicians were thus given whatever justification they might require to take action—even radical action—to reshape the image of the Party to make it more appealing to the growing bloc of Independent voters.

Strangely, however, the pragmatists did no such thing. Instead of analyzing the motivations of the Independent voter, and formulating a Republican position that would attract his allegiance to the Republican Party, the researchers and policymakers of the party continued to turn out studies and reports on how the party could improve its appeal to the *Negro* voter, as if the Negro and the Independent were one and the same.

It did not require a Ph. D. to recognize the fallacy of this assumption. The polls as published in the newspapers clearly made the distinction. For one thing, the percentage of non-white voters who claim to be Independent is only about two-thirds as large as the percentage of white voters who so identify themselves. In September of 1967, for example, 31% of all voters said they were Independents; but of non-white voters, only 22% put themselves in this category. Thus, of the 35-million voting-age Independents as of September, 1967, *only 2.5 million—or 7%—are non-whites.*

In addition, were further proof of the fallacy needed, a glance at the findings of the July, 1966 Gallup Poll would have revealed that *"On Civil Rights, Independents are closer to Republicans than Democrats in their view that the Johnson Administration is pushing integration 'too fast.'"* It seems that even a cursory consideration of this statement would have alerted GOP researchers to the fact that the huge Independent vote would hardly respond to an appeal aimed at Negroes.

IDEOLOGIES IN PRAGMATIC CLOTHING

Nevertheless and willy-nilly, the supposedly pragmatic research staffs of the GOP persisted in their leftward drive to line up the Negro vote in 1966. They managed to deceive a majority of House Republicans into voting "pragmatically" for a "Fair Housing" Civil Rights bill in August of that year.

By allowing their emotions to overcome their common sense, these ideologies in pragmatic clothing might have ruined the Republican Party's chances for a comeback in 1966. Instead the GOP was saved from a harsh lesson by two big factors: One was that the Fair Housing bill of 1966 did not pass into law, thus precluding any impetus it might have added to the wave of anti-Civil Rights feeling that was sweeping the Country at the time; and the other factor was the publicity given to Ev Dirksen's opposition to the bill by the Nation's press, such as the *Washington Post* headline of September 9, "Dirksen Turns Back on Civil Rights Movement."

On the very eve of the 1966 elections, the Harris Survey summed up:

"The number of white people who now believe that Negroes have tried to move 'too fast' has risen to 85%, up from 49% a year ago and up from 34% in November 1964.

"White criticism of Negro demonstrations now has mounted to 88%, up from 81% in September (the previous month—ed.).

"By 56–44% the public is critical of the way the Johnson Administration has handled civil rights and racial problems.

"At the same time, by a thumping 69–31% margin, voters now believe the Republican Party would more likely slow down the pace of civil rights."

And—as the 1966 election returns rolled in—the fortunate Republican Party reaped its windfall: a gain of 47 seats in the House of Representatives.

Thanks to the voters' image of the Democratic Party as the champion of Civil Rights, the Democrats bore the brunt of the White Backlash in 1966. This is a conclusion that has been denied by most analysts of the election, but then, most of those analysts are pragmatists of the same ideological stripe as the research specialists who turned out "*Where the Votes Are*," so they can be expected to deny the existence of White Backlash.

The facts seem clear:

(1) Even though no Republican was defeated in the November election who had voted or paired for Fair Housing in August; neither was any defeated who had voted or paired against Fair Housing, with the single exception of Alabama's Glenn Andrews, who succumbed to the vote-pulling power of Lurleen Wallace. This seeming lack of impact on Republicans is the indicator that most analysts point to as proof that White Backlash was not a factor in the election of 1966.

Please remember, however, the October Harris Survey, and the 69% of voters who felt that "the Republican Party would more likely slow down the pace of civil rights." Recall also, Dirksen's September stand against Fair Housing.

(2) Of the 189 Democrats who stood for election in November after voting or pairing for Fair Housing in August, *32—or nearly one out of six*—did not pass muster with the voters. Compare this one-out-of-six casualty ratio with what happened to the Democrats who had voted or paired against Fair Housing. Of these there were 101, up for election in November, only *eight* of whom—less than one out of twelve—were defeated!

It is even more rewarding to note that the eight Democrats who lost after voting against Fair Housing have one very important common characteristic: They were all pro-Johnson liberals. None of them scored over 50% on the Conservative voting record: *Liberty Ledger*. Their average score was less than 30%.

Even more significant, all of the eight except Trimble (Ark.) and Cooley (N.C.) had voted for the Voting Rights Act of 1965, and had already established their images as being pro Civil Rights. For them it was too late to alter that image with a single vote. As for Trimble and Cooley, the only two anti's who suffered defeat in 1966, the aroma of LBJ could not be overcome by their votes against Fair Housing.

But let's be pragmatic. These are the facts, and they boil down to this: Except for Trimble and Cooley, and Glen Andrews of Alabama whose sin was to oppose the party of Lurleen Wallace . . . and none of whom was defeated by a pro-Civil Rights opponent.

NOT ONE OTHER ANTI-CIVIL RIGHTS CONGRESSMAN WAS DEFEATED IN 1966

While on the other side of the coin, thirty-two who had voted or paired in favor of Fair Housing lost their seats. And—if we take into account the pro-Civil Rights positions of the six whose Fair Housing vote was not enough to make up for their previous record of voting against their white constituents—and who lost anyway—the true total of pro-Civil Rights casualties in the 1966 election rises to thirty-eight!

"Pragmatism," like democracy, serves hidden masters. In early 1965, Liberty Lobby prepared its own study of the 1964 election. Called *Looking Forward*, this fact-filled and sensible analysis came up with conclusions completely opposite to those of the liberal "pragmatists." It was clear then, and it is even more clear today, that a pro-civil rights stance by the Republican Party will constitute only the epitaph for its headstone.

The GOP can no longer afford to allow the well-financed theorists of the Left to provide them with policy. Instead, they had better begin looking at the facts and appraising them realistically.

Newsletter

HON. M. G. (GENE) SNYDER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. SNYDER. Mr. Speaker, for the readers of the RECORD, I submit my current newsletter to the people of Kentucky's Fourth District, except material which has already appeared in the RECORD at a previous time. The newsletter follows:

APRIL 1968.

DEAR FRIENDS: Many significant developments have occurred since I last wrote to you. Some of these should help give stability to our country while others may lead to more unrest and strife.

As I draft this portion of this letter, I am on a plane from Washington to Kentucky sitting next to my friend Congressman Lee Hamilton (D-Ind.). We have been discussing recent events—and votes yet to come in The Congress. As he now works on his speech, I felt inclined to put down a few thoughts to you.

Hanoi's response to the President's bombing pause north of the 20th Parallel has created a sense of cautious optimism in Washington. Many Members of Congress—as well as people across the country—are obviously discontent with the gradual escalation policy of the past several years—resulting in a stalemate that was not satisfactory. The President had advice from many quarters calling on him to change course; some wanted all out escalation—(use the atom bomb, if necessary) while others wanted de-escalation. His choice to try for a step by step de-escalation—with each side de-escalating a step at a time was first proposed by Congressman Brad Morse (R. Mass.) about a year ago. He told a group of us at the White House about 6 months ago that he did not then think it would work. Events have obviously changed his mind.

Whether the bombing restraint will lead to meaningful negotiations toward peace remains to be seen—but I am certain that all Americans, whether hawks or doves—whether Democrats or Republicans, are in accord in their hope that an honorable peace can come from these talks.

During the Easter season when the hearts and minds of each of us are directed toward the Prince of Peace—Son of the Architect of the Universe—we should all raise our voices to Him in humble prayer that He will direct those at the negotiating level to say and do those things which will lead to a meaningful peace.

The murder of Rev. King—has been a topic of much discussion across the country. Illegal killing can never be condoned whether the victim be The President of the United States (as we have witnessed), a civil rights leader (as Rev. King) or the innocent victim on a N.W. Washington street stabbed to death by an unruly mob the night of Rev. King's murder.

The maintenance of law and order is primarily the responsibility of law enforcement officers at the local level; City Police, State Police, County Police, sheriffs, firemen, etc.

These men risk their lives daily to preserve law and order. Several have lost their lives in Kentucky in the last year. Everyone of us owe a word of encouragement to these men and as citizens let's shoulder our responsibility in supporting the allocation of an adequate portion of our tax dollar for police and firemen.

The riots in Washington and other major cities are of major concern to us all. We regret the murder of Rev. King. Unfortunately any leader—or prominent person—walks the streets with his life in jeopardy—more jeopardy than the ordinary citizen. Our government, I believe, has been placating and rewarding violence. Many disagree with me on this, I know, but I feel an increase in violence has been nurtured and engendered by legislation and court decisions.

The less fortunate of any race could well be given self help opportunity, but outright gifts to encourage idleness and lawlessness lead to chaos. I believe in charitable legislation along the opportunity line but not to buy the vote of any group—or legislation to destroy the incentive and ingenuity of our people.

I am fearful that I am in the minority here in the firm belief that we should not appease the trouble makers—but should encourage obedience to law and encourage punitive measures for looting and arson as well as murder.

The vast majority of our Negro citizens are acceptable to our society and deserve equal opportunity to achieve greatness in our society, but militants of any color should be dealt with sternly and not appeased.

Copper goes to Communists: In typical Great Society style—amid a copper strike, while U.S. reserves were down to less than one-third of our stockpile needs—the Commerce Department issued a license for shipment of $2,504,500 in copper concentrates to Communist Yugoslavia, Rep. Glenard P. Lipscomb (R., Calif.) said the copper "could end up in equipment sent to North Vietnam by other Communist Nations."

Cost of the war. Based on the estimated cost of $30 Billion per year, the war in Vietnam is presently costing over $3.4 Million per hour.

HOW MUCH DOES IT COST TO REAR A CHILD?

Hey, Uncle, how much does it cost to rear a child?

You allow us taxparents only $600 a year to feed, clothe, house and train a youngster.

Yet, to feed, clothe, house and train a youngster in your Federal government Job Corps you spend $7,000 a year!

Now, which is the correct figure? Either we're allowing you too much or you're not allowing us enough.

You allow taxpaying parents a $600 deduction for the care and feeding of each child. . . .

Yet under the Cuban refugee program you assume minimal upkeep requires $1,200 a year—and if the Cuban boy or girl is attending school—an extra $1,000 a year.

How come you shortchange the homefolks?

In the austere environs of a federal prison, you have discovered that it costs—to maintain one person, with no frills, no luxuries, and no borrowing dad's car—$2,300 per year!

By what rule of thumb do you estimate that mom and dad can do it for one-fourth of the amount?

Under Social Security, you will pay $168 a month to maintain the elderly. What makes you think we can maintain our young'uns on $50 a month?

And Uncle, your VISTA Program (Volunteers in Service to America) spent $3,100,000 this last fiscal year to turn out only 202 trainees.

That indicates that the cost of maintaining and training one youth for one year is more than $15,000.

Then how come we taxpaying parents get an exemption of only $600 to maintain and train one youth for one year?

Or let's see how much you spent upkeeping one youngster in military uniform. House $55.10 a month. Food $30.26 a month. Clothing upkeep $4.20 a month. That comes to $1,074.04 a year.

How in the world do you expect parents to provide all these things, plus clothes, recreation, books, medicine . . . for $600 a year? With your own figures, you admit it can't be done.

It is possible, Uncle, that you expect us parents to manage more efficiently than you, because we usually do.

With all our expenses, we American individuals have more than enough savings to offset our debts, you don't.

With all our prosperity, you, Uncle, are still spending per year 2.9 billion dollars more for relief than during the depths of the depression. So it may be that you are uncommonly extravagant.

But, however, we try to rationalize and explain you and excuse you, it is still a hurtful affront when you allow us hard working, dues-paying homefolks only $600 a year to rear a legitimate child. . . .

While you, under ADC, will pay more than $800 a year to upkeep an illegitimate one.

YOUR TAXES AT WORK

The Government's contempt for the taxpayers money was illustrated by Vice President Hubert Humphrey when he sent a huge Lockheed Jetstar back to Washington, D.C., from Scranton, Pa., just to pick up a tuxedo he forgot. This abuse of taxpayer funds came shortly after the President had given Sen. Vance Hartke (D, Ind.) a free round trip on Air Force One to Evansville, Ind., to get an honorary degree, then back to Washington to make a cocktail party at the White House. The jet set should make taxpayers upset.

The national debt: I receive quite a few inquiries as to who owns the National Debt. As of Dec. 1967 the total debt was $345.2 Billion. Commercial banks hold $63.9 Billion, Federal Reserve Banks hold $49.1 Billion and Government investment accounts hold $76 Billion. Individuals, insurance companies, state and local governments, corporations, etc. hold $156.2 Billion.

The $76 Billion in Government investment accounts is made up of $10.7 Billion for the Unemployment Trust Fund; $22.1 Billion from the Social Security fund; $17.7 Billion for the Civil Service Retirement Fund; $6.9 Billion for V.A. Insurance Funds; $3.6 Billion from Fed. Dep. Ins. Fund. The balance is from other Trust funds and a complete breakdown will be furnished on request.

Teachers and Politics

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. HANNA. Mr. Speaker, I know of no group having a greater capability to shape the American scene than the teacher-citizen. In our contemporary society the educator is not just the purveyor of information. He, through his actions and statements, communicates a viewpoint which students will certainly consider and may well choose to adopt. It is, therefore, imperative that the teacher-citizen understand the operation of our political process. Equally importantly, it will prepare and motivate more educators to assume their proper role in forwarding the legitimate aims of the American education profession.

Freedom Is Not Free

HON. JAMES H. (JIMMY) QUILLEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. QUILLEN. Mr. Speaker, I call the attention of my colleagues and the readers of the RECORD to the following essay written by Sue Cate of Kodak, Tenn., and a student at Sevier County High School.

Sue's essay won first place in the Americanism essay contest sponsored annually by American Legion Auxiliary Unit 104 of Sevierville, Tenn., and it has now been entered in State competition.

My congratulations and best wishes to this most outstanding young lady whose essay speaks eloquently of her devotion to her country.

The essay follows:

FREEDOM IS NOT FREE

(By Sue Cate)

Is freedom really free? Does it come like the air we breathe—without a price tag. No, freedom carries with it the largest price of any other asset known to man.

Ask a young man torn from his family to fight a war what freedom is costing him. He'll tell you of hours of fear, death surrounding him, plus memories of the people at home who need him. Sometimes these men are "lucky." They don't die on the battlefield. Instead they "merely" lose arms, legs, or maybe just their eye sight or ability to walk. Maybe, if a man is really lucky, he won't be physically disabled. Instead, he greets his family with a mind crippled by the agony of war.

What price does the family pay for their freedom? Mothers and wives spend hours worrying about that man in the combat zone. Children ask, "Do I have a daddy?" The sweethearts and close friends of these men pay their price, too. They listen to well-meaning neighbors talk about our "service boys," when we know very well if anyone deserves to be called a man, it's our soldiers fighting a war to keep America free. To them that's the greatest cause anyone needs.

There is in every group one who measures cost primarily in the terms of monetary worth. These members of our citizenry scream about the taxes we must pay. If our egotistic brother in America could hear someone else's voice besides his own, he might hear the voices of our "brothers across the sea" who tell us that all that they have goes to the government. And we complain of the small duty we must pay for the advantages of a free society!

Freedom costs even more. Its price includes love, self-discipline, patriotism, hard work and honesty. These qualities have been present in America since the time of the Revolution. If we let them die out now, our free society is headed for self-destruction. Unless our leaders learn to put "U. S." before "US" they will soon lead us into the flaming pits of dictatorship.

Freedom may cost a man his dream for power, but isn't freedom worth any price?

A Living Memorial to Dr. King

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. OTTINGER. Mr. Speaker, the response of America to the tragic murder of Rev. Dr. Martin Luther King, Jr., must be a commitment to the ideals he stood for and the action he sought.

One of Dr. King's primary efforts was to organize the poor people of America to plead more effectively and in a completely nonviolent way for the equality of opportunity which is fundamental to the American creed. To this end, he was a strong promoter of the National Welfare Rights Organization, ably led by Dr. George A. Wiley of Washington, D.C.

This organization proceeds along the same principles of the Peace Corps—with which I was associated—by involving the deprived constructively in the solution to their own problems.

The National Welfare Rights Organization is establishing an effort to memorialize Dr. King with an expansion of its efforts. It is an activity of which all Members of Congress should know more about and understand. I think it is one of the most constructive and promising efforts being made to help the poor help themselves. I therefore insert herewith, for inclusion in the RECORD, the text of their memorial plea on behalf of Dr. King:

THE NATIONAL WELFARE RIGHTS ORGANIZATION PROPOSALS FOR A LIVING MEMORIAL TO DR. MARTIN LUTHER KING, JR.

Dr. Martin Luther King lived and died in the pursuit of social and economic justice for all. His last months were spent in the development of a Poor People's Campaign to confront the nation with the desperate problems of poor people of all races. Frequently he spoke of a guaranteed annual income as one of our country's more urgent needs. He took special interest in the plight of welfare recipients and had been giving us strong support and assistance in the building of our organization.

Those who truly support the ideals for which Martin Luther King fought and died must face and act upon the underlying problems of poverty and injustices in our society.

The National Welfare Rights Organization presents these proposals which speak to some of our central concerns as poor people, in the hope that serious attention will be given to these basic issues. They are offered as a beginning toward the building of the only fitting memorial to Dr. Martin Luther King—a society with liberty and justice for all.

I. REPEAL OF THE WELFARE SECTIONS OF THE 1967 SOCIAL SECURITY AMENDMENTS (PUBLIC LAW 90–248 "ANTI-WELFARE LAW")

This law is the most regressive and racist piece of social legislation in the history of the country. Directly or indirectly, it affects the majority of residents of the ghettos and barrios of our country.

A. It freezes federal funds for millions of needy children who are desparately poor but presently receiving no public assistance.

B. It forces mothers to leave their children and accept work or training or be cut off welfare and have their children taken away from them.

C. It seriously restricts the program of aid to children of unemployed fathers.

D. It encourages Welfare Departments to further coerce and intimidate poor people.

II. A NATIONAL GUARANTEED MINIMUM INCOME OF $4,000 FOR EVERY AMERICAN FAMILY

Four thousand dollars per year for a family of four (with $500 per person adjustments for more or fewer family members) would be a minimum to raise families out of poverty.

The Guaranteed Minimum Income should also:

A. provide annual cost of living adjustments.

B. be administered by a simple affidavit, similar to the income tax.

C. include a work incentive allowing families to keep all earnings up to 25% of their guaranteed minimum income and some portion of additional earnings.

III. FEDERAL FUNDS FOR IMMEDIATE CREATION OF AT LEAST 3 MILLION JOBS FOR MEN

There is at least a desperate need for jobs in the ghettos for men to permit them to assume normal roles as breadwinners and heads of families.

These job programs should:

A. focus on building critically needed low income housing and community facilities in the ghettos.

B. contribute manpower to extend vital human services such as health care, education and community organization.

C. give first preference to contracts with organizations controlled by poor people.

IV. ESTABLISHMENT OF A MARTIN LUTHER KING MEMORIAL FUND

This fund should come from private government sources to support the self-determined efforts of poor people for community organization and economic development.

A fitting memorial should be at least $100-million. It should come from contributions from individuals, churches, business, unions, foundations, and other organizations.

THE NATIONAL WELFARE RIGHTS ORGANIZATION

The NWRO is a nationwide organization of welfare recipients and other poor people. It is made up of affiliated local welfare rights organizations from coast to coast. At present there are over 100 affiliated local groups in 26 states, and another 100 local groups in various stages of formation and affiliation.

Most NWRO groups are located in the ghettos and barrios of major U.S. cities, but there are also groups located in rural areas of the South, Appalachia, and the Mid-West. NWRO includes substantial numbers of low-income whites, Puerto Ricans, and Mexican Americans, as well as Negroes in its membership.

NWRO's goals are: jobs or income now—decent jobs with adequate pay for those who can work, and adequate income for those who cannot work.

1. Adequate income: A system which guarantees enough money for all Americans to live dignified lives above the level of poverty.

2. Dignity: A system which guarantees recipients the same full freedoms, rights and respect as all American citizens.

3. Justice: A fair and open system which guarantees recipients the full protections of the Constitution.

4. Democracy: A system which guarantees recipients direct participation in the decisions under which they must live.

Chairman: Mrs. Johnnie Tillmon, Los Angeles; executive director: Dr. George A. Wiley; First Vice-Chairman: Mrs. Etta Horn, D.C.; 2nd Vice-Chairman: Mrs. Carmen Olivo, N.Y.C.; 3rd Vice-Chairman: Mrs. Beulah Sanders, N.Y.C.; Treasurer: Mrs. Marian Kidd, Newark, New Jersey; Rec. Sec.: Mrs. Edith Doering, Columbus, Ohio; Corres. Sec.: Mrs. Dorothy DiMascio, Rochester, N.Y.; Financial Sec.: Mrs. Dovie Coleman, Chicago, Illinois; Sargeant-at-Arms: Mrs. Alice Nixon, Pittsburgh, Penn.

Further information can be obtained by contacting: National Welfare Rights Organization Headquarters: Poverty Rights Action Center, 1762 Corcoran St., N.W., Washington, D.C. 20009 (202) 462-8800.

Cinco De Mayo: An Example for the World

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. BROWN of California. Mr. Speaker, the 5th day of May is truly one of the most proud and memorable days in the history of this hemisphere. On this day in 1862 a foreign army was defeated on Mexican soil. The invaders were French troops seeking to pave the way for the liberation and regeneration of Mexico. Their orders were to secure the country and await the arrival and imposition of a monarchial rule under Archduke Maximilian, younger brother of the Hapsburg Emperor of Austria.

The French believed they came as liberators of an oppressed people. Napoleon III of France had been wrongly counseled by Mexican dissidents that a French Army would be welcomed promptly by the people of Mexico. The invaders landed on the Mexican coast at Vera Cruz; meeting little resistance, they proceeded inland toward the capitol at Mexico City.

The self-styled liberators advanced upon Puebla, where, the French commander had been assured, the priests and their parishioners would welcome them with "clouds of incense," and the population would "fling wreaths of flowers about their necks." They were sadly mistaken. Instead, they were met by an army of ex-guerrillas led by amateur generals armed with outdated weapons which the British had captured from the first Napoleon at Waterloo and subsequently sold to the Mexican Government.

The French general, confident of a swift and glorious victory over a "ragtag," undisciplined band, ordered his troops to attack the center of the Mexican fortification—the steep slopes of the Cerro de Guadalupe. He succeeded in adding a new national holiday to the Mexican calendar. On May 5, 1862, the French Army, with the loss of more than a thousand men, was driven back to Orizaba and the coast.

But the French were already too deeply committed to withdraw from Mexico. Napoleon's choice was to escalate, rather than to lose face. He deployed over 30,000 more troops, plus an additional number of cannon, and eventually managed to overwhelm the bankrupt, hard-pressed forces of the Government and impose their rule upon the nation. The Liberal government of Benito Juarez was slowly driven across the border into this country. Guerrilla warfare against the "liberators" never ceased and, in fact, large sections of the country were never fully pacified by the monarchy.

During this tragic period, the United States was deep in the throes of the Civil War, making support of the Mexican Government impossible, even against such a clear transgression of the spirit and letter of the Monroe Doctrine.

The much harassed French and their cohorts were driven out of Mexico in 1867. On June 19 of that year, Emperor Maximilian, a sad and misinformed victim of an unsuccessful attempt to subjugate a proud and brave people, died before a firing squad on the Hill of Bells.

The message which was written into history that day at Puebla is of great significance to all the world. The defenders of Puebla and the people of Mexico stand out as one of the great champions of freedom, self-determination, and independence.

It is a tribute to these people that they were not led astray by those among them who sought to deliver their country unto the hands of a foreign invader. Their perseverance and silence had betrayed a burning ardor in their hearts for freedom and justice. An ardor which was to erupt 43 years later into a demand for fundamental transformation of the Mexican society.

Mr. Speaker, as one scans through the many chapters of Mexican history, he cannot but be instilled with a deep pride and admiration for the great Mexican people and their Republic. They have overcome countless obstacles and continued on to forge a new society for themselves, and the example they hold forth to the world is enviable to all.

We in the Southwestern United States are extremely proud of the many Mexicans who chose to settle in this country. Throughout the Southwest we are continually exposed to the rich Latin culture, architecture, and language. And, may I stress, Mr. Speaker, the legacy that these people brought with them from Mexico—a strong will, determination, and courage which made possible the stand and victory at Puebla on Cinco de Mayo in 1862, has given this society the best that a people can offer.

Memorialization of Vietnam War Dead

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. BOB WILSON. Mr. Speaker, our flag has been flown at half staff since last Friday in recognition by our Government of the death of Dr. Martin Luther King, Jr., an honor seldom given a private citizen. I do not question the President's decision to pay national respect to a man who devoted his life to the cause of equality, although I, personally, did not agree with Dr. King's views on the Vietnam war. All Americans abhor assassination as a ruthless, senseless crime that blights the heritage of our Republic.

I would like to point out that there have been other American deaths in pursuit of the cause of liberty. They have not been so honored. In the course of the war in Vietnam, more than 20,000 Americans, Negroes and whites, have given their lives in the sacred name of freedom. Their sacrifice was every bit as final, as total, and as noble as that of Dr. King. Their lives were laid on the altar of humanity. They died that others might live as free men.

I propose that, in respect for, and in honor of these brave Americans who died 10,000 miles from home, our flags remain at half staff until the Vietnam war is terminated. If the death of one should be so memorialized, it should be fitting and obligatory that the deaths of 20,000 of our servicemen be so revered.

Our flags at half staff would be a constant reminder to us all that courageous men died for liberty. It would remind us that the task remains unfinished—that we must rededicate our national effort to secure a just, honorable, and lasting peace.

I hereby call upon the President to proclaim this act of tribute—to show through our national banner that in the hearts of their countrymen, their great, supreme sacrifice is recognized and commemorated—that they are remembered and cherished and that their selfless deeds have spoken eloquently for them to a grateful and sorrowing Nation.

An Important Week for the Consumer

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. OTTINGER. Mr. Speaker, this week, House and Senate conferees begin meeting to iron out their differences on the truth-in-lending legislation that each House has passed.

There have been few bills in recent years as vital to the interests of the consumer as truth in lending. Consumer credit is a huge part of the American way of life. It is used to finance almost every kind of purchase. Last year, outstanding consumer credit, excluding mortgage credit, totaled more than $95 billion. On this amount more than $13 billion was paid in interest and other credit charges.

While the consumer knows the goods and services he is buying and their price, he rarely is fully aware of either the dollar cost or the annual percentage rate paid for the use of credit. The reason is the array of practices for starting the cost of credit. There are, for instance, addons, discounts, rule of 78's, service charges, finance charges, term price differentials, sales prices versus cash prices, and so forth. Much of this is clearly beyond the comprehension of the consumer.

The fact that the consumer lacks knowledge about the cost of credit is reflected, at least in part, in the rising tide of employee bankruptcies over the last decade. Since 1950, bankruptcy cases filed in U.S. district courts have risen over 500 percent.

Mr. Speaker, most of our colleagues, I am sure, are aware of all of this. Nevertheless, it bears repeating for passage of a strong truth-in-lending bill provides us at long last with the unique opportunity to supply the consumer with the essential information he needs to shop for credit wisely and prudently.

That opportunity must not be lost by passage of a weak truth-in-lending bill. The Senate bill (S. 5), unfortunately is just such a bill. It provides a number of undesirable exemptions. In comparison, with our own bill, the Consumer Protection Act, S. 5 falls far short of protecting the unsuspecting consumer who even tries to look behind the price tag and the promise of easy credit terms.

Let us look for a moment at a couple of the differences between the Senate and House bills.

First, the Senate bill, unlike the House version, exempts "revolving credit." This loophole would allow large department stores, mail-order houses and others who use revolving credit to express credit charges on a monthly rate rather than the annual rate disclosure required for all other credit transactions. This exemption cannot be allowed to stand because it violates the whole principle of truth in lending, which is to provide a means of comparing credit costs on all types of credit purchases.

Second, the Senate bill, unlike the one the House passed, does not require disclosure on a percentage basis—monthly or annually—for many transactions in which the credit charge does not exceed $10. This would allow lenders to get around making disclosure of finance costs by charging $10 or less on a loan and then constantly refinancing the obligation.

Moreover, this kind of exemption would provide the least protection for those consumers who need protection the most. I am referring here, of course, to poor Americans—yes, many of those caught in the center of terrible disorders we have been having—who, as consumers, are known to make small dollars purchases on credit.

These are but two differences between the House and Senate truth-in-lending bills. There are other crippling loopholes in the Senate version relating, for instance, to garnishments, first mortgage transactions, and credit advertising.

Mr. Speaker, in conclusion I want to reiterate my unwavering support for the House bill. It is clearly the only kind of bill that can fully protect the consumer as he must be protected.

Just recently an excellent program appeared on WRC-TV devoted to this important issue of protecting the credit consumer. Produced by the Georgetown University Forum, it was entitled "Truth in Lending: Its Promise and Importance." Participants in the program were: Congresswoman LEONOR K. SULLIVAN, chairman of the House Subcommittee on Consumer Affairs; Treasury Under Secretary Joseph W. Barr and Charles R. McNeill, director of the American Bankers Association's Washington office.

The program did a very effective job of discussing truth in lending in a way that makes sense. For the information of those who missed the program, I would like to insert a transcript of the proceedings into the RECORD at this point:

TRUTH-IN-LENDING: ITS PROMISE AND IMPORTANCE

Moderator: Wallace Fanning, NBC News.

Panel: Hon. Joseph W. Barr, Under Secretary of the Treasury; Hon. Leonor K. Sullivan, U.S. Representative, Missouri; chairman, House Subcommittee on Consumer Affairs; and Mr. Charles R. McNeill, Director, Washington Office, American Bankers Association.

PROCEEDINGS

Mr. FANNING. Welcome to another in our series of Georgetown University Television Forums. I'd like you to meet the members of today's panel.

The Honorable Joseph W. Barr, the Under Secretary of the Treasury; the Honorable Leonor K. Sullivan, U.S. Representative from Missouri, Chairman of the House Subcommittee on Consumer Affairs; and Mr. Charles R. McNeill, Director of the Washington Office of the American Bankers Association.

The question of whether or not there should be Federal legislation in the form of a truth-in-lending bill has been before Congress for eight years. In recent months, both the House of Representatives and the Senate have passed such a bill. The two versions now are being discussed in conference committee representing the two branches.

Consumer credit is a huge fact of American life, and therefore every American might well want to know the latest developments in the congressional efforts to protect the consumers. For that purpose, we have invited a representative of the Executive Branch, a Congresswoman who has fought valiantly for passage of such a bill on the floor of the House, and a representative of the American Bankers Association. They will expound the purpose of the legislation, the problems involved, the needs for and the limitations of, Federal legislation, and the anticipated results when the bill reaches its final form.

Mrs. Sullivan, would you begin the discussion, please?

Representative SULLIVAN. Be happy to, Mr. Fanning.

Basically, the purpose of this legislation is to provide for the customer—the consumer—the facts which he has to have in order to be able to use credit in an informed manner. We require in the bill that in every consumer credit transaction the seller, or the lender, has to tell the buyer, or the borrower, the full amount of all of the extra costs—the full amount of the money that's involved in the transaction, including the principal amount and all of the extra costs added for the purpose of financing the obligation. And these have to be spelled out in understandable terms, and then translated also into an annual percentage rate, so that the customer can compare the credit costs on the rate basis as well as on a dollar-and-cents basis. And in addition to comparing one type of credit offer with another, the consumer can, if he knows the actual percentage rate of a credit charge, compare that rate with the percentage rate of the return on his own money; that is, if he has a savings account or makes an investment, he can compare what he gets when he invests with what he has to pay when he borrows. So I think the annual percentage rate is the heart of this issue—to give the consumer or the customer the proper information in order to "shop for credit" as he shops for merchandise.

Mr. FANNING. Now, Mrs. Sullivan, what you've been talking about, essentially, is the House bill, your bill, is that true?

Representative SULLIVAN. That's right.

Mr. FANNING. Now, how does this differ from the Senate version?

Representative SULLIVAN. Well, there are nine really major differences in the House and Senate bills.

Number one is that all first mortgages covered in the House bill, not the Senate's. Where the Senate has exempted all department and catalog houses from expressing their credit rate on an annual basis for their revolving charge accounts, the House bill has removed that exemption and now these revolving charge accounts must be expressed on a nominal annual percentage rate the same as all other sellers of credit must do. We have also removed the exemption in the Senate bill pertaining to the transactions where the credit charge is $10 or less. These were two very important items that should not be exempted.

We cover in the House bill credit advertising; we cover credit life insurance, as part of the finance charge, which the Senate bill did not. We have a garnishment provision in the bill; we also have a Commission on Consumer Finance, that would last for two years, to oversee and report back to the Congress on any need, or how this legislation is working. And one of the most important things we have, too, is administrative enforcement, so that when someone finds that there's something wrong, they don't have to start suit themselves. They take it to the proper Federal agency right in their area and it's taken from there.

And then the last, is the anti-loan-shark provision that is in the House bill.

Mr. FANNIN. Well, now, those are the things that the House bill has that the Senate bill does not. Does the Senate bill have any features that your bill does not?

Representative SULLIVAN. Yes. The Senate bill requires a percentage rate disclosure, but it leaves a lot of loopholes so that everyone who sells or lends—sells credit—does not have to reveal the same information. In the House bill, we have made it clear-across-the-board, so that everybody who sells an item on credit or makes loans must express the very same kind of percentage rate and dollar amount information.

Mr. FANNIN. Mr. Secretary, how does the administration regard these bills?

Mr. BARR. The administration has been fighting, as I think nearly everyone knows, for approximately eight years to get this legislation enacted. We finally are very close. We're going to have to resolve the differences between the House bill and the Senate bill. It's the position of the administration that the House bill is a much better bill, for the reasons Mrs. Sullivan has given you.

In the first place, the House bill does get to this whole question of advertising. You can hardly pick up a paper, or turn on your television, or turn on your radio, without being assaulted by all sorts of advertising to come and get credit. Unfortunately, a lot of this advertising—I'm not going to say it's misleading—but it's really confusing. The House bill should remove much of this confusion. That's why it has a great advantage over the Senate bill.

As Mrs. Sullivan says, too, the House bill goes across the whole board; it just doesn't take a certain type of lending or credit operation. It includes all types of credit operations. These are the two really significant advantages that I see between the House and Senate bills.

Wally, you know, I'd like to add just a little bit right here, as we start off, on the importance of this legislation.

Consumers in this country have outstanding right now roughly a hundred billion dollars in consumer debt. This is installment debt on cars, and refrigerators; it's debt to stores, it's debt to doctors and service people, and it's debt to banks.

Now, I'm not talking about mortgages, the mortgage credit we owe on our homes, and I'm not talking about what corporations owe or what the government owes. I am referring only to the debt we owe as a people. Now, of this hundred billion outstanding, over seventy-five billion is repaid each year, so you can see that this debt nearly rolls over every year. The seventy-five billion dollars is paid every year by the American people on installment plans. That figures out to one dollar out of every six of the disposable income we have. In other words, for the average American, one dollar out of every six he is earning is being used to pay this credit. So, when you're up in magnitudes of this sort, I think it's crucially important that the American consumer have the information he needs to make an installment decision as to what kind of credit he wants, what the terms are, what it's going to cost him, so he can shop between one seller, one lender and another, and get the best deals available. This is a lot of money, and I just don't think we can brush it off the rug. I think we must make it crystal clear to the consumer what he's getting into. That's the whole purpose of this legislation.

Mr. Fanning. Thank you, sir. Let's get to Mr. McNeill now for the Bankers Association.

Mr. McNeill. Mr. Fanning, we in the American Bankers Association believe that after many years of consideration of this bill, that the bill that is now before the conferees of the Senate and the House, and as it is likely to be enacted, is one that is both workable and practicable. We see some problems in it, and the administrator, the agency of the government charged with formulating regulations, the Federal Reserve Board, is going to have some problems in being certain that their regulation and their rules are simple and understandable and readily usable by all types of lenders and extenders of credit. But we believe this can be done and if it is done in the manner that we anticipate, that the consumer will then be in a position to have a usable comparison of credit costs. This, of course, means that the consumer takes an interest in this comparison. Some people have said that many borrowers, many consumers, are only interested in how many dollars they have to pay each month, and care very little about the percentage rate or the actual cost of credit over the period of a loan. If this is true, the legislation will not be meaningful to those people.

But for those consumers who want to have a basis of comparison, we believe that this legislation, as it is likely to come out of the conference, will be workable and give them the opportunity for a meaningful comparison.

Mr. Fanning. Well, Mr. McNeill, is it your estimate that the legislation will materially reduce the amount of credit buying and selling that there is or do you think rather it will just work toward eliminating abuses of the system?

Mr. McNeill. Mr. Fanning, I doubt if there are abuses of the system. As Under Secretary Barr said, I think the manner in which consumer credit has developed has led to some misunderstandings. I think the legislation will lead to a clarification. I do not believe that this is going to lead to a marked reduction in the amount of consumer credit that is extended. I think it may lead to some reduction during a period of adjustment. For one thing, the consuming public is going to have to realize that the whole idea that six per cent simple interest is the most that should be paid for credit is just not true in terms of small loans, in terms of consumer installment credit, which are most expensive to handle for the lender. Therefore, there is going to have to be a realization that rates, and the rate will be quoted under this bill, and it is not an interest charge, it is a percentage rate expressing the total finance charge; that this finance charge in small loans, in consumer lending, may very well turn out to be 9, 10, 11, 12 per cent, and this is not at all unreasonable.

Mr. Barr. Could I comment on that one point?

I think there are some statistics that I have right here in front of me that would indicate this total of $100 billion is probably not going to shrink. I don't think this legislation will make much difference to the American people except they're going to be able to get better deals.

At the end of 1966, we as a nation owed each other about a trillion, five hundred billion dollars. Now, of this, Federal debt, state and local debts, corporate debts, run six hundred billion. Home mortgages run two hundred sixteen billion, etc. Excluding the $100 billion of consumer debt, all this adds up to a trillion, four hundred and twenty billion, on which there is absolutely no confusion over interest rates. The simple annual interest rate is clear to all. And that total goes up year after year, so I think the full knowledge of what credit really costs is not going to depress the $100 billion consumer debt either. I think we're just going to have a more intelligent American consumer shopping for the credit that he needs.

Representative Sullivan. Mr. Fanning, I want to agree with Secretary Barr, that I don't believe we're going to see any lessening of borrowing or lessening of buying on time. But I think that we will possibly stop some of the misuse of credit that's so prevalent today. And we have found during the hearing——

Mr. Fanning. I think I used the word "abuse."

Representative Sullivan. Well, it's abuse, but it's really misuse, because it isn't only the uneducated that can't figure what they're paying for credit; I know many intelligent people who are buying on credit today, and they say "How on earth do you ever arrive at the cost? We don't know."

But it is misused by the uneducated, because they are—they are given—what you would say, this——

Mr. Fanning. This come-on.

Representative Sullivan. Yes—this come-on, and they're oversold on many items that maybe they want, but sometimes they don't even want it. But it looks like such an easy thing, to sign your name and take the article home and use it, and so when do you pay for it, or can they really pay for this item that was so easy to buy on credit?

Mr. Barr. Lee, tell them the bankruptcy story. You had several hearings about bankruptcy.

Representative Sullivan. Well, the question is asked—you know, people say, "Well, why do you need this legislation? Is there a demand for it?" And there really hasn't been a demand by the people. But we who have studied this for the past eight years have seen things happen that are frightening, the way people misuse this very great thing that we have in this country, and that's credit.

We have found, as we looked into the court cases—we looked into the personal bankruptcy cases—that personal bankruptcies have gone from an average of 10,000 a year in the past ten to twelve years—they've gone up to 208,000 personal bankruptcies in the last fiscal year. Now, this shows that people are overbuying; they're buying beyond their means to pay. I don't think most of them buy with the intention "I don't intend to pay; I'll just get it and use it and let them repossess."

Mr. Fanning. May I ask you several questions in that area?

Number one, is there any possibility that there might be included in your legislation something that could help prevent the courts being used as collection agencies for the sharpies?

Representative Sullivan. This is what we hope it will lead to. This has to be done, I think, by the states, in great part. But the passage of Federal legislation, and Federal recognition of this problem, I think, will stimulate the states to do something about it. Because, as it is today, after a person takes personal bankruptcy, as they may be advised to do by some lawyer or someone, as they go out the court steps there are people waiting for them and telling them "We'll sign you up for more credit immediately," because these creditors know that the wages of these particular persons can be garnished, and they can't take personal bankruptcy for another seven years. So they're credit risks if they have the kind of a garnishment law under which the court can take all the man earns. But they'll sign him up immediately for more credit, immediately after he completes personal bankruptcy.

Mr. Fanning Is there any way of knowing who these people are who are declaring bankruptcy? What group do they come from?

Representative Sullivan. They really come from all groups. But in the cases that I personally have studied in the court records in the District of Columbia, we have seen many of them—the poor, the uneducated—who have been oversold, who have gotten themselves into debt beyond their ability to pay. We have seen many cases, too, where credit was given to some person who has moved in from out of town, or from another state, and as we've searched back into his files after he took bankruptcy in the District, we've found there are amazing cases, and I can just cite one: where a man had come from Buffalo, New York, with $8,000 in debts over his head, and immediately after he got into the District he started to buy from one of the big catalogue houses. The first thing he bought was a gun, a shotgun. The next thing he bought was a hi-fi, and then he bought a second-hand, two-year-old Cadillac convertible.

Well, as we got into it and looked through this case, we called in the gentleman who was representing one of the catalogue houses and said, "Tell me, how do you run a person's credit when they come in to you, brand new, to open an account?" "Oh, we give it a very, very thorough study, and we have use of these credit bureaus that give us fast service, just like this." And he went on to explain a very elaborate system they have for running down a person's credit rating. So then I confronted him with the court record of the man who had just taken personal bankruptcy for another four or five thousand dollars, and I said, "Will you tell me how your company gave this man credit." As I said, the first thing he bought was a shotgun and the second thing he bought was a hi-fi. And he said, "I just don't understand it, Mrs. Sullivan; may I go back and look these up and come back?" And I said "I wish you would; I'd like to have that." Well, he came back with the facts, blushing, and said, "I'm sorry. The man had a job. The man was married. He had just moved into the District from another state. We thought he was a good risk, because he was married and had a job, so we gave him credit without going through all the preliminaries that we're supposed to go through." Now, this is bad.

Mr. Fanning. Mr. McNeill?

Mr. McNeill. Mr. Fanning, I'd like to comment on one thing that Mrs. Sullivan said. I think that we have to be careful in this area of not asking the Federal government to do the whole job. The area of creditors' remedies, of interest rate limitations, of usury provisions, has traditionally been a matter of state law. We have many, many state laws that vary in all parts of the country. We felt originally that it would have been better if the states had done an adequate job in this disclosure area. They didn't do it, and Congress felt impelled to move, and we have a bill that, as I say, I think is workable. But I think we should be careful and not expect the Federal government to take over the job of correcting creditors' remedies, enacting a Federal usury statute and other provisions of this kind.

We're very hopeful that an effort now under way of the Commissioners on Uniform State Laws for a proposed Uniform Consumer Credit Code, greatly inspired and hastened by the work of Mrs. Sullivan and the Congress in the disclosure area, will result in a very great improvement in this general subject of creditors' remedies and lending practices.

Representative **Sullivan**. I'm glad that Mr. McNeill said that because some of the states have come up with some very good laws. One of our witnesses last August was from the State of Massachusetts, where they had passed a very excellent consumer credit law, and it was working beautifully. And it has not stymied the use of credit, but it's made them—made the people—a little more cognizant of what money costs, because I think we've got to impress upon the people that money is not cheap. If they want to use someone else's money to buy the things that they want now, but can't afford to pay for, then they're going to have to know what it will take to pay for it. It's not cheap; but they should know, and they should have a clear knowledge of what it costs to use your money to buy things that they want and can't pay for.

Mr. **Barr**. Wally, let me bring this together just a little bit. What does all this mean to the country? As a nation, one of our greatest strengths since the very earliest days of the Republic has been our willingness to go into debt, as a country, as a state, as individuals, and as businesses. This country literally has been in debt up to its ears from the earliest days of the Republic. I might mention that Alexander Hamilton had to borrow—as I remember, it was $30,000 to pay George Washington his salary and the first salaries of the first Members of Congress. We've used debt intelligently to build a great nation. We've used it intelligently to build our educational system, to build most of the things we have in this country. The crucial thrust of this legislation, as I see it, is that we do make available, to Americans as consumers and borrowers, all the information they need, to use credit intelligently. I've got a lot of faith in the American people; traditionally they've never gotten themselves too deeply into debt. Good times or bad times, if you give them the information, they have essentially very good sense in the management of debt. The only thing we're doing with this legislation is giving them more information so that they can make better choices.

Mr. **Fanning**. Mr. Secretary, is there any figure that can be cited that would serve as a limit or ceiling to which debt might go, the public debt?

Mr. **Barr**. No. People ask me this; I think they probably asked that of Alexander Hamilton. It really gets down to the good, hard sense of the American people, Wally. In this area of consumer credit, especially, the statistical studies that I have seen indicate that—in the majority of families—it's the mother who finally determines just how much debt the family can carry. Believe me, when they get to what she thinks is the limit, she cuts it off and cuts it off fast. Essentially, the American people have good sense, and that's it.

Mr. **Fanning**. This legislation that we're talking about, when and if it becomes law, and in what shape it becomes law, if it's along the present lines, do you think it's enforceable?

Mr. **Barr**. Yes. I don't see any real difficulty, especially in the House version. The Federal Reserve Board, which has had long experience in this area, will draft the necessary regulations; then the Federal agencies will administer the law in the particular segment of the economy that they regulate. I think it will not be difficult to enforce. As a matter of fact, these things are usually self-enforcing. When somebody thinks he's been cheated or he's had a crooked deal, he'll come in and complain. That's one way this will be enforced.

Representative **Sullivan**. And may I say, Mr. Fanning, that—getting back to the limitation on what might be charged—we have not attempted in either the Senate bill or the House bill to put a ceiling on what rate of interest may be charged; no one has attempted to do that. The only thing we've tried to do, as Mr. Barr said, is to give a measuring stick to the individual consumer so that if they don't like the credit terms that John Jones is giving them, they'll go over to Paul Brown and see what he can give them.

As long as they all have to express, and count in, all these additional finance charges and put it all under a nominal annual percentage rate for financing the item, this will give people an intelligent way to go and shop for the product, to shop for the credit as well as to shop for the merchandise.

Mr. **Fanning**. You didn't feel then—there wasn't a consensus, then, that there was any need to put a limit on it?

Representative **Sullivan**. Oh, we talked about it, but——

Mr. **Fanning**. Well, why did you discourage the idea? Can you tell me that?

Representative **Sullivan**. Why did we discourage it? We discouraged it because I don't believe we could put a hard-and-fast Federal usury law in effect. I think each state does have some sort of a usury law that they apply to their own area. But I just don't think it would be advisable to try to meet every posible contingency through a Federal ceiling. It was in the original bill, but we took it out at my suggestion. I put in a proposed limit of 18 per cent a year, because I really wanted to shock the people into letting them know that 18 per cent was not an unusual amount that they paid for credit. Because everyone who has a revolving credit charge today, in any department store or in any catalog house, is paying at least one and a half per cent per month, which is 18 per cent a year, and they don't realize it. This is why we fought so hard to include revolving credit on an annual rate basis, and I credit the American Banking Association for helping us in this. Because if we had let the retail group, the big stores, have the right to quote a monthly rate and everyone else had to quote an annual rate, there would be no basis for comparison. In the Senate bill they are allowed to do that—to use just a monthly rate. In the House bill, they must quote the annual rate on any loan or any item that is sold for credit.

Mr. **McNeill**. We certainly agree that if this bill is to be effective, the basis of comparison has to be the same for all extenders of credit, banks, other lenders and retailers and others.

Mr. **Fanning**. Very briefly—we have less than half a minute—is there anything the public can do at this point? I judge it was not by popular demand that you went ahead with this legislation, because there doesn't seem to be any ground-swell of public opinion, but can the public do anything?

Mr. **Barr**. They don't need to write the House, but I think there are other members of the Senate that should be told what the public feels about truth-in-lending.

Representative **Sullivan**. The people should write to their own Senators, not to any other House Member or Senator, but to their own Senators.

Mr. **Fanning**. Thank you very much for your discussion of "Truth-in-Lending: Its Promise and Importance."

Thanks to the Honorable Joseph W. Barr, the Under Secretary of the Treasury, the Honorable Leonor K. Sullivan, United States Representative from Missouri, Chairman of the House Subcommittee on Consumer Affairs, and to Mr. Charles R. McNeil, Director of the Washington Office of the American Bankers Association.

Join us next week on the Georgetown University Forum when we will discuss "New Towns, New Health Problems."

A Memorial to Martin Luther King, the Civil Rights Act of 1968

HON. ELMER J. HOLLAND

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. HOLLAND. Mr. Speaker, the martyrdom of Martin Luther King has been described as senseless and that word comes close, I suppose, to conveying the grief and horror which so many Americans feel that the loss of this great man. But the word begs the question. When is any brutal death anything but senseless? Is there sense to be found in the killing of any human being? I cannot find any.

But Martin Luther King's death can be as meaningful as was his life, because by his death we are reminded of what his whole life stood for—for the principle that justice can emerge from injustice, and love from hatred. It is not in our hands, Mr. Speaker, to restore Martin Luther King to life, anymore than we could have restored John Kennedy to life in 1963. But it is in our hands to continue the work which he carried on through his last breath—as in 1964 we continued the work of John Kennedy.

The life of Martin Luther King was a successful one. To few Americans has such success been vouchsafed. Almost alone, by the almost unaided moral strength which emanated from this single American, this Nation realized in the 1960's that it had a job to do. That job—which is just begun—involves a wholesale recognition in our hearts but also on our statute books, of the principle that we are one people, and that as long as any American is denied equal justice, all Americans are denied justice.

Many of Martin Luther King's well-wishers have spoken of the work he has done for his people. And, indeed, Mr. Speaker, he worked for his people. But his people are all of us. We, the American people, are Martin Luther King's people.

But some of us are denied the rights that Martin Luther King fought for, lived for, and died for. Some of us, because of distinctions which seek to make a lie of the Declaration of Independence and a farce of the Constitution, are denied the right to buy a home where we want to. Some of us are automatically told, at the day of our birth, that we will get second-class treatment in the job market, that our children will probably be given a second-class education, and that our lives will be drearier, poorer, and shorter because of our selection of parents.

The Civil Rights Act of 1968, which this House will soon have an opportunity to vote for, will not cure all these evils. It will not restore to our fellow Americans all that centuries of history have stolen from them. But it will be another step—another step on a road which is very long, and which we have almost too late begun to travel.

Passage of the Civil Rights Act of 1968 will not atone for Martin Luther King's death. This Congress has not the power to do that. It will not make his loss easier to bear, it will not wipe out the hatred and distrust that separates Americans from Americans. But in restoring to all of the American people some of those simple decencies which many of the American people have had taken from them, it will help, I hope, begin to make this people one again.

Mr. Speaker, this Nation is shattering before our very eyes. Not Martin Luther King alone, but all of us have had a dream. Jefferson, and Lincoln, and Americans, black and white, famous and obscure, have shared that dream. If we insist on acting as though nothing had happened, if we want to continue to pretend to ourselves that granting to all Americans the rights that some Americans now enjoy, is an act of special privilege, we can turn down this opportunity to enact the Civil Rights Act of 1968. We can, in the same act, do our best to divide our country into two hostile, distrustful camps, between whom there can never be more than coldly polite relationships. We can end our dream. If we want to take that path, then it is not Martin Luther King's death, but our lives, which will be senseless.

But we can take the other path. We can vote to accept the Civil Rights Act, as it comes to us from the other body. We can affirm, by our votes, that we are worthy of the man who, last Thursday, gave his life for his people—for all of us, his people.

Vietnam Veteran Sees Action in Hometown: Washington, D.C.

HON. CHARLES E. GOODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. GOODELL. Mr. Speaker, during the past 5 days we have heard and read much about the activity of those who have disturbed the peace of this city and caused great havoc in its streets. We have read much that sought to interpret the meaning of this activity.

It is reassuring, therefore, to read the commonsense comments of a resident of this city who is a veteran of Vietnam. His actions and his words, as reported in the April 8, 1968, edition of the Washington Evening Star, demonstrate that there remain people here who are of good faith and who are willing to work for what they believe is right.

He is Pfc. Theodore Brown, 19 years of age. I commend him. With the hope that my colleagues will share my view, I am pleased to place the article at this point in the RECORD, as follows:

VIET GI SEES ACTION—IN OWN HOMETOWN

(By David Braaten)

A Negro soldier just back from the Vietnam war spent the weekend guarding a liquor store in his Southeast Washington neighborhood from marauding looters because, "This has got to stop—it doesn't make sense."

Pfc Theodore Brown, 19, of the 200 block of I Street, in a public housing project just behind The Evening Star, traded pistol shots Friday night with a man trying to break in and cut his kneecap when he slipped on some broken glass as he ran after the looter.

Brown is home on 30 days' leave from his Okinawa-based quartermaster outfit, which has been shuttling supplies to Vietnam. He will report back to duty in Vietnam at the end of the month.

Friday afternoon, when Brown heard about the looting and arson spreading over the city, he put on his green fatigue uniform and went to No. 5 Precinct to offer his services.

It was there that Mrs. Willie Andrews came seeking help for her husband, an employe of the Corner Store at 3rd Street and Virginia Avenue SE, who was trying to protect the store from looters. Brown volunteered to go.

"I told Bill to board me up inside the store and I'd stay there," Brown said. He had the store owner's pistol at first and later a policeman's shotgun.

Spelled by Andrews and another volunteer, Thomas Peterson, Brown has been at his self-appointed guard post ever since.

His views on the rioters are simple. "When you're wrong, you're wrong. This is their city. They've got to live here. They'll pay for it—they didn't hurt nobody but themselves. This had nothing to do with Martin Luther King. He was for nonviolence, but these people are just taking out a grudge."

A Call to Action on the Civil Rights Bill

HON. LIONEL VAN DEERLIN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. VAN DEERLIN. Mr. Speaker, I hope Dr. Martin Luther King has not died in vain. His life and untimely death should present a challenge to our Nation to build a just society for every man, regardless of race, creed, or color.

His murder forces us to evaluate where we have come as a country, and where we must go. It requires us to look long and hard at ourselves, in the harsh light of reality.

The chains which President Lincoln unshackled more than a century ago have only just recently begun to be discarded.

After decades of indifference, the conscience of the Nation in the last 5 years has finally been aroused. We demonstrated our concern through the Civil Rights Acts of 1964 and 1965, and with the beginning of the war on poverty.

But we are painfully aware of the racial hatred and bigotry that still lurk in our midst. Divisive forces are struggling to tear our society apart.

There is this week a new urgency surrounding a bill, H.R. 2516, which would remove one major badge of discrimination by making housing freely available to every American.

This bill gives us an opportunity to show the black community that our words are not empty promises, but realistic expressions of concern. It will enable us to reinforce the advocates of moderation, who have been dealt such a severe blow by the death of Dr. King. It will present vivid evidence to a watching world that one hate-crazed assassin does not represent the white majority in the United States.

But let there be no misunderstanding. Nothing is possible within the framework of violence, whether generated by blacks or whites. Violence betrays everything for which Dr. King stood, and for which he died. Violence can only destroy; it can never build.

All responsible Americans, black and white, must unite to overcome the fury and bigotry now rampant in our land. Let us start on the long road to national reconciliation by swiftly and decisively enacting H.R. 2516, the Civil Rights Act of 1968.

Right Wing Campaigns Against Fair Housing

HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. O'HARA of Michigan. Mr. Speaker, within the past 24 hours—on the eve of House consideration of H.R. 2516, the civil rights bill—I have learned that the right wing has been conducting at least three campaigns to stimulate anti-fair-housing mail to Members of the House of Representatives.

These campaigns engage in the wildest kind of extremist distortion and misrepresentation. They involve the peddling of hate, fear, racism, and outright lies.

One of the campaigns involves allegations that Members of Congress are being threatened with physical violence and that fair housing proponents plan to burn down the districts of Congressmen who vote against the bill.

This campaign is being conducted by an organization which calls itself the "Emergency Committee of One Million To Save Our Homes." A letter being sent out by this organization is clearly designed to create hysteria. It tells the recipient that his "liberty and property are threatened" by the "socialistic" civil rights bill and that the legislation "represents complete Federal control of your property."

The letter states:

> If this bill passes the House, LBJ's bureaucrats will be swarming over every neighborhood in the United States—setting up Negro-White quotas, forcing homeowners to sell their property, and encouraging vicious gangs of rioters and looters to destroy neighborhoods which dare to resist. A citizen who objects can be put into jail for ten years and fined $10,000.

This letter also charges that—

> The Johnson administration is threatening your Representative with a complete cut-off of Federal contracts in your district if he does not vote "yea."

The letter continues:

> But these threats are nothing compared with the active campaign of intimidation, terror and blackmail being waged by black-power and civil-rights militants who plan to burn down the districts of those voting "nay." Some Members of Congress have even been threatened with physical violence against their persons and families.

The letter urges recipients to send a telegram to their Congressmen urging him to "Vote no on forced housing." It also urges them to get 10 of their friends to do the same.

The Emergency Committee of One Million letter is signed by a Mr. John Acord who has been associated with another rightwing group, the American-Southern Africa Council, a sort of unofficial pro-Rhodesian lobbying organization in Washington.

Another campaign is being conducted by a group that calls itself the "Emergency Committee Against Forced Housing." This group has been sending out a simulated telegram signed by four top officials of other rightwing organizations: Alan MacKay, national chairman of Young Americans for Freedom; James A. Linen IV, a member of the board of the American Conservative Union; David R. Jones, executive director of the Young Americans for Freedom; and Gen. Thomas A. Lane, U.S. Army, retired, chief executive officer of Americans for Constitutional Action. The simulated telegram urges the recipient to write to both his own Congressman and the House Republican leader calling on them to oppose the fair housing provisions of H.R. 2516. The simulated telegram tells the recipient that the proposed legislation will take away a basic civil right and would give the Federal Government the power to force you to sell or rent to anyone it may dictate.

The letters being sent out by the two Emergency Committee operations both give addresses on the fifth floor of an office building at 1629 K Street NW., in Washington, D.C.

The third campaign is being conducted by Liberty Lobby, one of the leading organizations on the extreme right—an organization which has been characterized by its own executive secretary as being "to the right of the John Birch Society."

On March 16 Liberty Lobby sent an Emergency Liberty Letter to some 130,000 of its subscribers urging them to send both a telegram and a followup letter to their Congressmen calling on him to vote against the fair housing bill. The emergency letter also instructs the recipient to call "as many people as you can reach" and "every realtor, and real estate salesman and broker that you know" and urge them to do the same.

The Liberty Lobby letter tells the recipient that the fair housing bill will "destroy your inherent right to choose for yourself the conditions under which you wish to live." The letter preys on the fears of parents, the elderly, and others and talks about "The utter sellout of the Republican Party in the Senate."

Two of these organizations—Liberty Lobby and the Emergency Committee of One Million—also appeal for funds in their anti-fair-housing letters.

At this point, Mr. Speaker, I wish to include in the RECORD copies of the three letters referred to above. Then following these letters, I would like to include a memorandum I have had prepared dealing with many of the scurrilous misrepresentations and falsehoods being circulated about fair housing legislation. This memorandum, entitled "Facts About Fair Housing Myths, Misinformation and Misunderstanding," deals with such items as the forced housing argument used in all three of the rightwing mail campaigns.

The material follows:

EMERGENCY COMMITTEE OF ONE
MILLION TO SAVE OUR HOMES,
Washington, D.C.

DEAR FELLOW AMERICAN: Your liberty and property are threatened by an impending piece of socialistic legislation, the "civil rights bill." It calls for Federal confiscation of a God-given right, the right to dispose of your property as you see fit.

We are writing you today to tell you how you can stop the Congress from giving the Federal bureaucrats control over your home and neighborhood.

Affecting 52.6 million American homes, the bill provides that owners of one-family homes and apartments built with FHA or VA loans, and owners of existing single-family homes, no matter how financed, can no longer choose to whom to sell or rent their property. In addition, owners of apartments and boarding houses, professional builders, developers, real estate agents, banks and savings and loan associations can no longer discriminate in any way.

This so-called "civil rights" or "open housing" bill represents complete Federal control of your property. It has already passed the Senate and must now pass the House of Representatives before LBJ signs it into law.

If this bill passes the House, LBJ's bureaucrats will be swarming over every neighborhood in the United States—setting up Negro-White quotas, forcing homeowners to sell their property, and encouraging vicious gangs of rioters and looters to destroy neighborhoods which dare to resist. A citizen who objects can be put into jail for ten years and fined $10,000.

You must act immediately! Hundreds of LBJ's staff members have descended upon the Capitol Building threatening your Representative with complete cut-off of Federal contracts in your District if he does not vote "Yea." Responding to this pressure, major leaders of industry have praised the bill and applied pressures of their own against our Representatives.

But these threats are nothing compared with the active campaign of intimidation, terror and blackmail being waged by black-power and civil-rights militants who plan to burn down the Districts of those voting "Nay." Some Members of Congress have even been threatened with physical violence against their persons and families.

You must act now! Only you can prevent the destruction of your property and neighborhood. Many Members of the House of Representatives oppose this monstrous piece of legislation, but must rely upon you to demonstrate that they have the wholehearted support of the American people.

The plan is simple . . . can you spare an hour?

Pick up your telephone and send a telegram to your Representative in Washington, demanding that he Vote No on forced housing. Then call ten of your friends and acquaintances and urge them to do the same. If your friends send one telegram each, and then call ten of *their* friends, you will have launched an unbroken chain of telegrams, snowballing into a great protest, one which will halt the Federal removal of your sacred rights. The hour you spend to help launch this protest could be the most valuable hour of your life!

A telegram is a vote!

Twenty million Americans have already voted down Forced Housing in local and state elections throughout the United States. If only a small number of us do the same again the Federal Forced Housing bill will be defeated!

A telegram telling your Representative to Vote No on Forced Housing will cost you only 85¢ from any place in the United States—a small investment to make in America's future.

Register your protest in person.

Can you come to Washington? If you can, it may be the most important trip of your life. If only 10% of the Americans receiving this emergency letter could visit Washington and personally urge their Representatives to Vote No on Forced Housing, the impact would be devastating to the Administration's professional lobbyists and the black power militants now haunting Capitol corridors. If you cannot come, perhaps you know someone who can. Or perhaps you could meet with your neighbors and elect a delegate to represent you with the others sharing in expenses.

Remember, regardless of your ability to come, send that telegram and call your ten friends today!

This Emergency Committee does not have funds. The literature mailed to you was paid for by a loan from another patriotic organization which we must repay. We must reach many more thousands of Americans with this same message before it is too late! Already, thousands of pieces of this literature have been printed, waiting for mailing if we can obtain the necessary postage money. Please send your maximum contribution today: $1,000, $500, $250, $100, $50, $25, $10—whatever you can. We promise to make it the best investment you have ever made in the future of your country, family, home and neighborhood. Regardless of the funds, volunteer members of the Committee are visiting with Members of Congress today urging them to Vote No on forced housing. Please help us back them up!

Very truly yours,

JOHN ACORD,
Chairman.

P.S.—If you are unable to send both a telegram and a contribution, send the telegram!

TELEGRAMS FOR FREEDOM INSTRUCTION SHEET

Here are some simple instructions to make your effort to alert your community to the dangers of forced housing more effective:

1. First, remember to send your own telegram. Do not forget to use Western Union's special Public Opinion Rate, which allows you to wire your Senators and Representatives from any place in the nation for eighty-five cents.

2. Call *at least* ten of your friends and acquaintances, urging that they wire their Representatives in Washington demanding that they vote "no" on forced housing and that they in turn call ten of their own friends and acquaintances urging that they do the same. The object is to maintain an unbroken chain. It is possible that one caller can reach as many as one million people on this vital issue if everyone does his part. The result will be victory over LBJ evil.

3. Keep a list of the persons called. Call again within twenty-four hours to make certain that they have fulfilled their commitment to you. Ask them in turn to call the friends and neighbors they contacted, making certain that the chain is unbroken.

4. Within seventy-two hours, compile a list of all persons who have wired their Representatives as a result of your phone calls and mail it to: The Emergency Committee of One Million, 5015 Davis Building, 1629 K Street, NW., Washington, D.C. 20006.

This will enable us to assess the affectiveness of your efforts in order to make our own on-the-spot efforts more effective.

5. Many individuals will be able to call many more than ten friends and acquaintances. We urge you to call all members of your social clubs, study groups, church, office, union, and fraternal organizations, urging them to join with you in this effort to defeat forced housing.

6. Always remember to urge anyone you speak to and call to come to Washington

and register their protest with their Congressmen in person.

[Simulated telegram]

EMERGENCY COMMITTEE AGAINST
FORCED HOUSING,
Washington, D.C.

DEAR FELLOW AMERICAN: Next week you will have lost your basic civil right to sell or rent your home to whom you please—unless *you* act now, today! Before April 11th, the U.S. House of Representatives will vote on H.R. 2516, a bill which would give the Federal Government the power to force you to sell or rent to anyone it may dictate. This bill has already passed the Senate. Only House action remains before this forced housing bill will become law.

In 1966 a similar forced housing bill was defeated by united opposition from Senate Republicans, but this year their leader, Senator Dirksen, reversed his stand and the bill passed. Now House Republican leader Gerald Ford, who also voted against the 1966 bill, indicates that he may switch sides. Washington observers say only a tremendous outpouring of voter sentiment can stop this destruction of the right of private property. The House vote will be very close.

We urge you to protest your civil right to own and control your property. *Write to your Congressman* and to House Republican leader Ford today (address: U.S. House of Representatives, Washington, D.C. 25015.) Tell them you oppose the so-called "open housing" provision of H.R. 2516, and ask them to vote "No" on title 8 of the bill.

Every American, regardless of race, creed, or color should have the right to do as he pleases with his property. If you value this right, act now to save it. Write your Congressman *today*.

ALAN MACKAY,
National Chairman, Young Americans for Freedom.
JAMES A. LINEN IV,
Board Member, American Conservative Union.
DAVID R. JONES,
Executive Director, Young Americans for Freedom.
Gen. THOMAS A. LANE,
USA (Ret.), Author and Columnist.

[Emergency Liberty Letter No. 21,
Mar. 16, 1968]

FORCED HOUSING CIVIL RIGHTS BILL

As you read this Emergency Liberty Letter, the Congress prepares to destroy your inherent right to choose for yourself the conditions under which you wish to live.

The House of Representatives must now accept or reject the Senate-passed Civil Rights Bill of 1968. There may be several crucial votes over a period of days—even weeks—but the first vote will take place within a day or so.

The Congress is motivated by fear. Fear of political turmoil. Fear of the power of LBJ. Fear of the planned invasion of Washington next month by the fanatic Martin Luther King and his camp-followers. Fears with small foundations, these.

But what of the fear—the very *real* "pit-of-the-stomach" fear—of the worried parent whose small child is long overdue from the neighborhood playground?

What of the fear experienced by the elderly, the weak and the all-alone who do not recognize the shadowy figure (a neighbor?) that stands waiting inside the darkened vestibule or the elevator of the apartment building?

Is fear to become the final pattern of the American way of life?

"*For what we have done, we cannot expect undiluted and prolonged applause.*" (Senator Philip A. Hart of Michigan, following Senate passage of the bill.)

Let there be no question about the matter. The issue before the Congress is not a case of "property rights" weighed against "human rights."

The case is simply one of human rights against special privilege.

Seen in this light, there is no way to compromise—no way to soften the impact of—Forced Housing.

The Republican leadership in the House of Representatives believes that it can make the Civil Rights Bill "acceptable" to American voters by "exempting" certain categories of homeowners from its provisions. But . . . What about the American citizens—the human beings—who must have a place to *live* in peace and safety . . . who will *not* be exempted? There are literally *tens of millions* of people who will find little to applaud in this monstrous legislation!

Perhaps you are not one of these. Perhaps no member of your family is.

Perhaps you do not care . . . now . . . yet.

If you *do* care, you have little time in which to act.

If you *do* act, you can change the course of history.

WHAT CAN YOU DO

1. In fifteen (15) words or less, write a message to your Congressman to express your opposition to the Civil Rights Bill and Forced Housing. Politely make it clear that you want him to vote NO. A space for your message has been provided on the next page.

2. Pick up your telephone and dial Western Union. Tell the operator that you wish to send a public opinion telegram to your Congressman in Washington. Your fifteen words or less (plus one signature) will be charged to your telephone bill at a flat rate of 85¢ from anywhere in the United States.

3. Get out your Christmas card list, club roster or other mailing list of local friends and acquaintances. Call up as many people as you can reach, telling each one what you have done, and urging them to send a telegram also. Remember to explain the special rate on public opinion telegrams.

4. Read to your friends the telegram you have sent, but warn them to use their own words in their telegram, rather than to copy yours. "Form" telegrams have no more effect than "form" letters.

5. Call up every Realtor, and real estate salesman and broker that you know, and point out the features of the Forced Housing Bill that will affect their business (refer to the "Explanation of the Bill"). Urge them to send telegrams, and to call up their friends and other colleagues and customers to get them to send telegrams. Don't forget the special "public opinion" telegram rates!

6. Whenever someone you call agrees to send a telegram, ask them to call others—*their* friends—to ask them to do the same. Set yourself a minimum goal—or quota—of ten or more telegrams, and ask your friends to help you reach your goal. If everyone who receives this Emergency Liberty Letter generates just ten telegrams today—the Congress will receive 1,500,000 (one-and-a-half million) telegrams tomorrow!

7. Tomorrow, check back and ask your friends to read you the telegram *they* sent. (This is a polite way of making sure they sent it.)

8. Use your imagination! You may be able to think of many ways to generate even more telegrams and letters—bringing this issue to the attention of even more voters. Remember—this is election year. It might not hurt gently to remind your Representative of this.

9. Follow up your telegram with a letter. There will probably be at least two decisive votes on this issue. If so, there will be time. If you have written before, write again!

10. Remember—Your influence counts . . . use it!

EXPLANATION OF THE BILL

H.R. 2516 Civil Rights Act of 1968 title VIII

The Forced Housing title forbids selectivity by race in the advertisement, rental or sale of housing—

Immediately, in all dwellings owned or operated by the Federal government, and all dwellings financed with Federal assistance received since November 20, 1962, except single family owner-occupied VA and FHA-financed homes.

After December 31, 1968, in all multi-unit housing and real estate developments with more than three units.

After December 31, 1969, in all housing, public or private, except that

(1) single-family, owner-occupied dwellings are exempted if sold without the aid of a real estate broker, and the property is not advertised in a selective manner;

(2) multi-family dwellings of no more than four units are exempted if the owner occupies one of the units;

(3) owners of up to three single-family houses not occupying any of the properties may sell one house in any 24-month period if no real estate broker or selective advertising is used; and

(4) non-commercial housing used by the members of private clubs and religious organizations would be exempted.

After December 31, 1968, the bill forbids selectivity in the financing of housing by banks, insurance companies and other financial institutions.

Enforcement sections provide extensively for civil suits by individuals, and by the Attorney General against any person or group who in his judgment is engaged in a "pattern of resistance" to the law. Citizens guilty of practicing selectivity by race are subject to fine of $10,000 and imprisonment of 10 years for "interfering" with the "rights" of an individual to "participate" in the benefits granted by law.

WHY AN EMERGENCY LIBERTY LETTER?

The answer is simply this: The Congress has unexpectedly collapsed in utter chaos. Witness the fantastic action of the Senate in the gold issue. With every prediction and warning of Liberty Lobby coming true; as overseas gold demand reached a state of frenzy; as it became obvious that every bar of American gold was being claimed by foreigners; the Senate voted by a *two* vote margin to allow our gold to be drained away.

Liberty Lobby has been fighting the Forced Housing issue since 1964. The issue has been repeatedly defeated overwhelmingly by the people and the Congress. Since the beginning of 1968, the staff of Liberty Lobby has constantly weighed the potential danger of Forced Housing against the obvious dangers of other issues such as gold, and we have never felt justified in spending your hard-earned dollars on an issue which, to all practical purposes was sure to be defeated, anyway.

The utter sellout of the Republican Party in the Senate was not foreseen by anyone, even on Capitol Hill. But it happened, and that is why it is now necessary to come up with Ten Thousand Dollars to do what is necessary, and this battle *will* be won, no matter what the cost, even if we *all* have to forego our pay as a result. But *we will never forget Everett Dirksen!*

There is not enough in the bank account to cover the cost of envelopes for this Emergency Liberty Letter. As a result, there is no handy way of asking you to help meet the cost of the battle. As you can—as you see fit—we earnestly seek your helping hand. The address: Liberty Lobby, 300 Independence Ave., S.E., Washington, D.C. 20003.

P.S.—Telegrams 1st—then contribution. Can we count on you?

FACTS ABOUT FAIR HOUSING MYTHS, MISINFORMATION AND MISUNDERSTANDING

This memorandum deals with some of the main charges and arguments being raised against fair housing legislation such as is contained in H.R. 2516.

Included are sections dealing with the attitude of the real estate industry, the relation of open housing to riots and social unrest, the constitutionality of fair housing legislation, the argument that housing integration causes property values to decline, the concern that fair housing will result in a "black deluge" engulfing the white suburbs, the charge that fair housing is really "forced housing," a comparison of the proposed federal law with the 159 state and local fair housing laws presently in force, the argument that the problem of housing discrimination can and should be handled through state and local rather than by federal law, and some information on the number of Members who represent districts covered by state and local open housing laws.

(NOTE.—The page references throughout this memorandum refer to the Fair Housing hearings before the Senate Banking and Currency Committee's Subcommittee on Housing and Urban Affairs, August 21, 22 and 23, 1967.)

Assertion: The procedure of seeking a direct House vote on the Senate amendments to H.R. 2516, rather than first sending the bill to conference, is unusual and improper.

Answer: The House frequently agrees to Senate amendments to House-passed legislation without sending the legislation to conference. Generally this is done by unanimous consent. However, when unanimous consent cannot be obtained—as in this instance—there is ample precedent for seeking a Rules Committee resolution to give the House an opportunity to vote immediately to either approve or disapprove the bill as amended and passed by the Senate.

In the civil rights area alone, this identical procedure has been used twice in recent years. Both the 1960 and 1964 Civil Rights bills were amended by the Senate and then returned to the House. In both instances backers failed to obtain unanimous consent to vote on the Senate amendments without a conference, in both instances a Rules Committee resolution was obtained bringing the bill directly before the House for an immediate vote, and in both instances the House agreed to accept the Senate amendments. (See *Congressional Record*, April 21, 1960, p. 8497 and July 2, 1964, p. 15869.)

Assertion: Fair housing is too radical to be accepted in most Members' districts.

Answer: Most Members already have fair housing in their districts. In fact, better than two-thirds of the Members of the House represent districts either totally or partly covered by a state or local fair housing law.

255 Members (124-R and 131-D) represent districts which are entirely covered by state fair housing laws. (22 states have fair housing laws.)

130 Members (59-R and 71-D) represent districts which are either totally or partly covered by local fair housing laws. (137 local communities have fair housing laws.)

These 130 Members include 91 Members (41-R and 50-D) from fair-housing states and 39 Members (18-R and 21-D) from non-fair-housing states.

Thus, 294 Members (142-R and 152-D) represent districts in fair-housing states which are entirely covered by state fair housing laws, or districts in non-fair-housing states which are either totally or partly covered by local fair housing laws.

Assertion: The proposed federal fair housing law is extreme in its coverage and enforcement provisions.

Answer: Not true. In fact, many of the 22 states and 137 local fair housing laws presently in force have broader coverage and enforcement provisions than the proposed federal fair housing law.

All of the state laws except Maine have broader administrative enforcement powers than the proposed federal law.

13 state laws have broader coverage than the proposed federal law (Alaska, Colorado, Connecticut, Hawaii, Iowa, Kentucky, Massachusetts, Michigan, Minnesota, New Jersey, New York, Rhode Island, and Vermont).

3 state laws have comparable coverage (Ohio, Pennsylvania, and Wisconsin).

6 state laws have narrower coverage (California, Indiana, Maine, Maryland, New Hampshire, and Oregon).

All 22 state laws and more than two-thirds of the local laws prohibit discrimination by real estate brokers.

16 state laws and two-thirds of the local laws cover discrimination by financial institutions. (This includes 18 local laws with limited coverage, primarily to cases involving discrimination by a real estate agent.)

15 state laws and about two-thirds of the local laws cover discrimination through advertising. (This includes 18 local laws with limited coverage, primarily to cases involving discrimination by a real estate agent.)

13 state laws and two-thirds of the local laws prohibit discrimination in the sale or rental of single-family homes. (This includes 25 local laws with limited coverage, primarily to uses involving a real estate agent.)

Assertion: Housing discrimination can and should be handled through local and state laws, not by national legislation.

Answer: The problem cannot be solved through local and state laws. They are scattered geographically and represent a hodgepodge of good and bad. Some are effective while others contain glaring loopholes and inadequacies. What is needed to end housing discrimination is a universal law with uniform coverage so that there will be a single set of rules everywhere for everyone—buyers, sellers and real estate brokers. As the National Advisory Commission on Civil Disorders noted: "The great bulk of housing produced by the private sector remains unaffected by (state and local) anti-discrimination measures. So long as this continues public and private action at the local level will be inhibited by the argument that local action produces competitive disadvantage."

Some of the realtors who testified at the Senate fair housing hearings last August also commented on the argument that the problem should be handled on the state and local level.

Edward Durchslag of Chicago said: "It is wishful thinking to hope that our national problem will ever be solved in this manner." (Senate hearings, p. 414)

Elliot Couden of Seattle commented: "The problems are on such a large scale, beyond the capabilities of the smaller than state governments and political units to either grasp or cope with, that nothing less than national responsibility and power can break the cycle and avert eventual public tragedy that will make all past uprising pale by comparison." (Senate hearings, p. 400)

Assertion: Enactment of fair housing would not prevent civil disturbances and riots.

Answer: True. But ending racial discrimination in housing through enactment of a Fair House law is a key and indispensable part of any solution of the inter-racial problems of our country. Numerous witnesses at last August's hearings before the Senate Banking and Currency Committee, from civil rights leaders to real estate men, said the insult of housing discrimination contributes to racial unrest and riots. The knowledge that even were he to meet all the criteria of white middle class America—in terms of education, personal habits, a good job—he would still have to live in the ghetto or some other racially segregated neighborhood, creates a sense of rage and frustration in the ghetto resident, according to these witnesses. For example, Algernon D. Black, Senior Leader of the Ethical Culture Society and a member of the Board of Directors of the American Civil Liberties Union commented: "The real evil in the ghetto effects is the rejection and humiliation of human beings . . . This sense of humiliation goes all through the ghetto. It is the primary cause of the frustration and rage in the youth which has acted with such violence in the recent riots. In the ghetto no matter what they do, what they become, they don't get anywhere. They feel they are in a cage. And this is why this bill is of crucial importance now." (Senate hearings, p. 179)

Assertion: The real estate industry is totally opposed to fair housing legislation.

Answer: False. While the leadership of the National Association of Real Estate Boards (NAREB) testified against fair housing (Senate hearings, page 182), the hearings made clear that the old monolithic opposition of the real estate industry to fair housing no longer exists. Many realtors, in fact, would welcome enactment of a law which would eliminate the pressure on them to discriminate. Several responsible, substantial, experienced realtors—representing significant segments of the industry—testified in support of a national fair housing law at the Senate hearings last August. Here are some of their comments:

W. Evans Buchanan, Washington, D.C., former president of the National Association of Home Builders: "The fair housing provisions are needed by the real estate industry as a means of eliminating unsound competitive practices in protecting those who choose to do business on a non-discriminatory basis.

"Participants in FHA and VA programs are now pledged to the policies and practice of non-discrimination under the provisions of the Executive Order 11063. Enactment of this bill will provide the uniform standards of conduct so greatly needed in today's real estate market.

"Many business firms and organizations would long since have discontinued practices of discrimination except for their fear of adverse economic consequences stemming from competitors who choose to capitalize on racial and religious prejudices.

"With a national law commanding the acceptance of all, the entire industry will sell or rent without discrimination and without fear of economic reprisal." (p. 416)

Elliott N. Couden, Seattle, Washington, real estate broker; president of Couden Agency, Inc.; member of the Seattle Real Estate Board, the Washington Association of Realtors and the National Association of Real Estate Boards: "A universal law would remove many of the shackles and impasses we in the real estate business are subjected to . . . Many real estate salesmen and brokers who would voluntarily provide equal service to all clients suffer a reasonably well-grounded apprehension that their efforts will result in intimidation from other realtors and economic attrition from potential clients. This legislation frees all parties from coercion, probably the greatest single element in the minority housing syndrome." (page 403-404)

Fred Kramer, Chicago, Illinois, President of Draper & Kramer, Inc.: real estate and mortgage banking business, which manages some 15,000 residential units: "I think it is to the interest of all of us in the real estate business to be put on an equal basis when it comes to accepting minority groups as buyers, borrowers, or tenants." (p. 398)

Edward Durchslag, Chicago, Illinois, real estate business on city's South side for three decades: "The real state industry, our various communities, as well as the country as a whole would benefit from the enactment of fair housing legislation." (p. 412)

Ken Rothchild, St. Paul, Minnesota—President of H. Val Rothchild, Inc., and President of the Minnesota Mortgage Bankers Association: "Minnesota open housing laws have not hurt the real estate business. It has been good. . . . There was . . . great fear among the real estate people and none of their fears have been justified. . . . Realtors and apartment owners and builders have experienced greater demand for their products. The entire community has benefited from rapidly improving housing and housing conditions and from reduced racial tensions." (p. 415)

Other realtors who testified in support of a national open housing law included: Tighe Woods, Bethesda, Maryland, real estate broker and appraiser (p. 397); Philip M. Klutznick, Chicago, Illinois—Senior Partner, Klutznick, Enterprises; Managing Partner, KLC Venture, Ltd.; President of Old Orchard, Oakbrook, and River Oaks regional shopping centers; and President of Oak Brook Utility Company, all of metropolitan Chicago; Chairman of the Board of the American Bank and Trust Company, of New York City (p. 394).

Assertion: The open housing provisions of H.R. 2516 are unconstitutional.

Answer: The constitutionality of the fair housing provisions of H.R. 2516 is based on the XIV Amendment and the Commerce Clause in the Constitution, and Supreme Court decisions in other civil rights cases. (Heart of Atlanta Motel vs. the United States, and Katzenback vs. McClung) leave little doubt about the constitutionality of fair housing. Further, during the Senate hearings on fair housing last August, a variety of qualified witnesses testified to the constitutionality of such a law. U.S. Attorney General Ramsey Clark said he had "no doubt whatsoever" about the constitutionality of the proposal. (Senate hearings, p. 7) Also testifying to the constitutionality of open housing legislation were the deans of three major law schools--Rev. Robert F. Drinan, S.J., of Boston College Law School; Jefferson B. Fordham of the University of Pennsylvania Law School; and Louis H. Pollak of Yale Law School. (Senate hearings, p. 127)

Finally, the constitutional authority of Congress to enact fair housing legislation was confirmed by a committee consisting of some 30 constitutional experts and legal scholars headed by Mr. Sol Rabkin of the Anti-Defamation League of B'nai B'rith. (Senate hearings, p. 253–254)

Assertion: Integration causes property values to decline.

Answer: This is a myth. Almost every study in this area confirms the fact that property values do not decline when Negroes move into all-white neighborhoods. The practice of blockbusting, in fact, is based on the opposite assumption—that prices will rise. The best known study in this area was an analysis of some 10,000 property transfers in seven cities by Luigi Laurenti in 1960. His data showed that in 85% of the cases studied property values actually increased with the entry of nonwhites into formerly all-white neighborhoods. In only 15% of the cases was there a price decrease. A bibliography of several other studies with similar findings may be found on page 88 of the Senate hearings. Several of the realtors who testified also commented on the property value argument. Here are a few of their comments:

"When minority buyers appear, some people in the immediate vicinity are often impelled into panic selling. Panic selling tends to depress prices, at least for awhile . . . A national law would put an end to panic selling and price dislocation." (Elliott Couden, Seattle, Wash., page 404.)

"The facts show that if and when a drop in values does happen, it is again the result of the 'panic and run' pattern . . . which suddenly expands the supply of overanxious sellers over the normal damands" (Edward Durchslag, Chicago, Ill., page 413.)

"Value is determined by the law of supply and demand. If a lot of similar housing is on the market at the same time and there are no buyers to absorb them, prices will go down. Similarly, if there is a great demand in a neighborhood, because of the popularity of a certain school or some other factor, and there are not many houses being offered for sale, the prices are going to rise, regardless of the color of the neighbor's skin." (Tighe Woods, Bethesda, Md., page 397.)

Assertion: Fair housing will result in white suburbs being innundated by a "black deluge" from big city ghetto areas.

Answer: This is nothing more than a bogeyman raised by fair housing opponents. The fact of the matter is that only a few Negro families—those who have adequate financial resources—will be able to escape the ghetto as a result of fair housing legislation. For most ghetto residents, the impact of fair housing would be symbolic. But it would be an important symbol. It would show that white America is willing to correct such injustices and it would make the level of their income—not the color of their skin—the main factor in determining where they could live.

Assertion: Fair housing violates property rights and is actually "forced housing" because it denies homeowners the right to decide how to dispose of their property by "forcing" them to sell to Negroes.

Answer: The "forced housing" charge is totally inaccurate and unfair. The only "forced housing" in America is in the ghetto where Negro families who have the means to live elsewhere are forced to live because of housing discrimination.

Property rights are not—and never have been—absolute. Real property has always been subject to regulation by the state, and restraints on the disposal of property date back to early English land law. In the case of fair housing, the law would not force homeowners to sell to Negroes or anyone else. It would merely prohibit them from using a real estate agent or some other person to discriminate against prospective buyers on racial grounds. It would make the color of the buyer's money the dominant consideration, not the color of his skin. As Tighe Woods, Bethesda, Md., real estate broker and appraiser, noted in his testimony during the Senate hearings:

"Any experienced real estate broker knows that up until the time the race question entered the picture not one seller in a hundred cared about who was going to buy his house so long as the buyer had the money and met the seller's terms." (Page 397)

As Holy Week Begins

HON. GILBERT GUDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. GUDE. Mr. Speaker, I would like to commend the article appearing in the Washington Daily News on April 8, 1968. Its analysis of the importance of a reorganized District of Columbia government in the context of our present urban crisis is well stated. I hope that my colleagues will take a minute of their time to read this excellent analysis of the situation in Washington, D.C., the handling of the disorders and some thoughts on the future steps that must be taken by all Americans, of all races.

The article follows:

AS HOLY WEEK BEGINS

There were many reasons why the District of Columbia's municipal government should have been reorganized, and why Walter E. Washington should have become its mayor. But when it happened, no one could have foreseen the events of the past few days, and, consequently, no one could have known how much all of us in this city would now have special reason to be grateful for the fact that Walter E. Washington was in charge.

On Saturday, this newspaper wondered why the call for troops to assist the wearied D.C. police department was deferred so long. This delay cannot be laid at Mayor Washington's door. Once the troops arrived, they were used sensibly and with effect. Given those troops, Mayor Washington was able to organize an operation of containment that now apparently has brought the looting and arson to a stop.

At this moment, Washingtonians—and Americans everywhere—must pay tribute to the policemen and firemen, whose efforts, under the most difficult of orders and circumstances, were more than exemplary. They were heroes. Their orders were, no matter what the provocation: Don't shoot! To those who saw some of these provocations, the discipline of the policemen and firemen was almost beyond belief.

These past days here have seen a mere handful of fatalities. It might well have been otherwise. Instead, these days have seen the total or partial destruction of hundreds of businesses and dwellings.

The financial losses, when we know the final reckoning, will be staggering.

But, even now, there are those who would perhaps have had it otherwise. They would, now that the violence is past, rather have seen more deaths and less economic loss.

We hope that those who feel so will reexamine their feelings.

On the other hand, many who took part in the looting thought they did so—if, in fact, they really know why they did it--because of economic deprivation. How, then do they add it all up now, beyond the fact that some of them have ill-begotten clothes and liquor and television set? Does the gutting of stores improve their economic state? Does the disappearance of a place of employment improve their economic state? These people, too, must reexamine their thinking.

And then, there are the many Negroes in this city who have spoken out eloquently against what has happened here. They are not "leaders", nor are they "Uncle Toms." They are hardworking, respectable people, with a true sense of their own dignity. In the final analysis, they are the real losers in all of this. They are the ones who saw, with Dr. Martin Luther King, the light at the end of the tunnel, who saw his dream crystal clear. We hope they will not lose that dream, nor the sight of that light.

Now, in this Holy Week, parts of this city are a repugnant shambles. Other parts of the city greeted this special season in an eerie, unwholesome silence.

It was, in both instances, in both parts of the city, not unlike any morning in London during the great Blitz. The lesson we in Washington can learn from that experience of the people of London, is as simple as it is difficult.

It is just this: Get about the business of going on from here!

The mayor and the voluntary Urban Coalition are embarked upon a program of cleaning up; of feeding the needy; of finding jobs for the people whose places of employment have been burned out; of providing housing for the families that cannot return to gutted dwellings.

To this program, all of us must bend every effort.

Washington has lived thru a Blitz of its own making. It is our duty to make a new start—now for the immediate needs, and, in the days to come, toward the long-term fulfillments that have been put off too long.

What is needed now is nothing short of a massive effort to provide better schools, truly equal employment opportunities, decent housing and an end to unfairness of every sort directed at any citizen. It will require money, in huge amounts, much of which will have to be obtained from Congress, which holds such a grip on our city. But if the community demands it, it will be forthcoming, even from these reluctant men.

But, more than money will be needed. What is truly essential is a solemn commitment by the entire community to abolish, once and for all, every form of discrimination.

Meanwhile, however, the main effort must be, as it was a century ago, and by whatever means, "to bind up the nation's wounds . . ."

Seven Years of Warnings

HON. HAROLD R. COLLIER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. COLLIER. Mr. Speaker, under leave to extend my remarks in the Record, I include a recent editorial from the Chicago Tribune entitled "Seven Years of Warnings":

Seven Years of Warnings

Historians will marvel at the unheeding blindness with which the Kennedy and Johnson administrations plunged for seven years toward monetary chaos, despite a rising crescendo of warnings.

Ever since October, 1960, when the first serious run on gold occurred in London, it became clear that we could not go on as we were going, recklessly spending money at home and abroad, without sooner or later wrecking the dollar. Voices began pleading, tentatively at first, then more, more, and more insistently, for an end to deficits and inflation and a restoration of fiscal sanity. The Tribune was never alone in this, but we were among the earliest to protest.

The international gold pool was established in London in the fall of 1960 to mend the gold leak, and on Jan. 25, 1961, we said: "We can't decree a sound dollar by price-fixing in London, nor can any international organization decree it for us."

By August of 1961, the outflow of gold had resumed, and on Nov. 1 we said: "It may take more than words this time to reassure the foreign bankers. . . . What our foreign creditors are awaiting is some belt tightening by the government, and without it we can expect the outflow of gold to keep rising."

Still nothing was done, and on Nov. 9, 1962, we warned: "The tediously optimistic stream of forecasts and assurances from Chairman Heller of the President's council of economic advisers and Secretaries Dillon and Hodges can only become less and less persuasive until there is more tangible evidence to persuade foreign bankers to keep their dollars, they will keep on buying gold—and the less gold we have to back up our dollars, the harder the job will be."

With Mr. Johnson came new promises of frugality and new programs of spending. In May, 1964, the late Sen. Harry F. Byrd reported "waste and extravagance in virtually every federal program and activity." The French government announced a policy of systematically converting its dollars into gold. "It has served notice," we said on Jan. 7, 1965, "that the spending implicit in the Great Society is incompatible with a sound dollar. Its message is clear enough; the question is whether anybody in Washington is still interested in profiting from it."

Nobody was. On Feb. 23 we asked again: "Is the government going to discipline itself now, while we still have gold and a reasonably sound dollar? Or is it going to wait until we have neither and it has no choice?"

Other countries began to wonder whether they should risk holding on to their accumulating dollars and thus, as a statement from Brussels said, "contribute toward financing the American balance deficit."

But the Great Society sailed blindly ahead. In January, 1966, Mr. Johnson assured us that "we are a rich nation and can afford to make progress at home while meeting obligations abroad." On Feb. 2, we warned that the "policies of the Johnson administration have placed us in a fool's paradise, where the rug can be jerked from under us at any moment." And on July 1: "Foreign bankers look on in disbelief as we build toward collapse, devaluation, and the crash of our currency."

The President began to promise some economies but threw himself into the battle, as we said on Sept. 10, 1966, "with all the enthusiasm of a small boy answering a summons to the principal's office." Sen. Williams of Delaware said at the same time that "we've never had a man in the White House who has spoken better in the interest of economy, and we've never had a man who has done less."

Mr. Johnson's message to Congress in early 1965 brought new spending programs, chiefly against poverty, on top of the rising costs of the war in Viet Nam. By last fall, the gold rush had picked up again and it began to look as if it would take a miracle to save us. "If a genuine effort to balance our foreign and domestic accounts is a miracle," we said last Nov. 25, "then it will have to be one."

Now we are being swept overboard, clinging by a dual price system to the formality of a gold-backed dollar, and we wonder whether even a miracle can save the dollar.

Martin Luther King, Jr., 1929–68

HON. EDNA F. KELLY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mrs. KELLY. Mr. Speaker, it is with a very heavy heart that all Americans watch today while in Atlanta, Ga. the mortal remains of the late Reverend Dr. Martin Luther King, Jr., are being laid to rest.

I was deeply shocked and saddened when I learned of the tragic assassination in Memphis, Tenn., on April 4, 1968 of Dr. Martin Luther King, Jr. My personal sympathy and that of the many thousands of people I have the honor of representing in the U.S. Congress goes out to Mrs. King, their children, and his people. Dr. King was a man of peace whose goal in life was to bring about full equality for all men through nonviolent means. The award of the Nobel Peace Prize to Dr. King in 1964 is the most eloquent testimony of his effective leadership towards the attainment of his goals.

Mr. Speaker, the use of force and violence as a means of expressing dissatisfaction with those things we believe to be wrong in America must come to a halt at once. Looting, arson, sniping, and all forms of violence must be stopped in this country for these senseless acts only do disservice to our country and to the memory of those of our fellow countrymen who have died in pursuit of a better life for all of our citizens and for our country as a whole. Dr. King must not have died in vain.

Let each and every one of us join today in mourning the loss of Dr. King while at the same time let us resolve to continue to strive more fervently for peace and full equality for all our citizens. It is only with God's help and the recognition of the true brotherhood of all men under the same God that the people of the United States will be able to live in peace and harmony and an effective victory over our racial struggles will be accomplished.

May he rest in peace.

The Challenge of the Seas: Congressman Paul Rogers

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. FASCELL. Mr. Speaker, on March 15, Congressman Paul Rogers, of the Ninth District of Florida, addressed the Federal Bar Association's Space Age Law Conference at Cape Kennedy, Fla. This was an excellent speech concerning some of the challenges of oceanography, a field with which we should all be greatly concerned. Congressman Rogers is a member of the House Committee on Oceanography and is an expert. At his suggestion, President James McI. Henderson, of the Federal Bar Association, has established the first National Oceanographic Law Committee under the chairmanship of Ken Burns, assistant to the Chairman of the Federal Maritime Commission, Adm. John Harllee. Congressman Rogers; Adm. John Harllee; Dr. Edward Wenk, Jr., Executive Secretary, the President's National Council on Marine Resources and Engineering Development; and Rear Adm. O. D. Waters, Jr., U.S. Navy, Oceanographer of the Navy, will serve as honorary consultants to this new Federal bar committee.

Because Congressman Rogers is a recognized leader in this field, and because his remarks are timely and thoughtful, I am sure my colleagues will be interested in his remarks, as follows:

Man has long had an adventure with the sea. At first it offered an additional source of food supply. Then a mode of transportation to other places. Finally, as man came to a point in time where he had big ships and navigational gear of sorts, it became a challenge.

This challenge led to the discovery and opening of the New World. Then, little by little, the world as we know it today was uncovered as man ventured farther and farther.

But now, almost 500 years later, we find ourselves again flirting with the seas. We are again about to answer a newer and greater challenge. For now as we continue to go down to the sea in ships, we are embarking on a journey that will take us into the last unexplored frontier on the earth.

I am speaking, of course, not of a journey on the seas, but of a journey into the seas of the world.

There is a point which I should make at the onset about this nation's efforts in the field of marine science and oceanography. Although we are only on the frontier now, and by comparison it will look like the Wright Brothers stage to people only 20 years from now, we are heavily committed.

It would not be fair to leave the impression that marine science and oceanography at this point in time consists of dropping a man in an iron ball into the depths of the ocean, although we do indeed still do this.

We are progressing beyond that stage, or the stage where an old bearded sea captain rows to the middle of the channel to test the temperature.

Business, and I might add big business, has combined with technology to push us past that point.

Oil and mineral exploration and exploitation has accounted for the major investments by private industry in the seas. I would like to mention just a few figures to indicate what lies ahead in our adventure into the seas.

The value of oil and gas extracted off the coast of the United States now runs more than one billion dollars a year and is increasing at the rate of around 20 percent a year.

Total new investment in offshore oil and gas leases has averaged more than $234 million a year since 1960 and in 1967 approached $600 million on federally administered land alone.

Only last month, more than a dozen major oil companies and some independents paid more than $603 million for drilling rights off the coast of California—at one auction.

The economic worth of the petroleum being produced and the money being spent by industry offshore in the Free World is believed to be close to $4.5 billion, more than twice what it was only three years ago.

Within the next 10 years it is expected to triple to about $16 billion.

Another estimate says that within the coming decade, the investment in offshore oil and gas industry will amount to between $25 and $30 billion.

More than 700 companies are listed in one directory as offering products and services in ocean science and technology.

Fortune's annual list of 500 great companies makes note that 98 have roles in ocean engineering.

Gentlemen, Wall Street has put on flippers, goggles and mask and has tested the water. The obvious conclusion is that the dip was bracing.

From all indications, all signs are go.

We have initiated an academic base for producing manpower through the Sea Grant College Program which I introduced in the Congress two years ago. Of the first 6 project grants made this year in this program, two are in Florida—Florida Atlantic University and the University of Miami.

I would expect and hope that a number of our universities in Florida will participate very actively in this program, in order to help produce the necessary manpower for oceanography.

Industry has taken a toehold and with the help of the government has started what I am sure will be called the Ocean Boom in the financial journals in the not-too-distant future.

It is my personal opinion that the Ocean Boom will be as meaningful to the people of this nation as our Space Boom, if indeed not more so.

We are on the verge now.

Our breakthroughs in technology will dictate how far we can go. The input of funds from government and industry will tell us how fast we can go.

Yet the entire spectrum of ocean development—science, technology, business, economics, foreign relations—no matter how fast or profitable, is tied together—the string is law.

The law of the sea must be established in many areas. I would just like to touch on a few to give an idea of the depth of this field.

There are laws of ownership, between individuals and between state and federal government. And then there is the granddaddy of them all, the law of ownership between national states.

There are leasing laws as the sea bottom is developed and used. There are antitrust laws. Public utility laws as water is used for power and desalinization processes, patent laws, mineral laws, safety regulation laws and so on.

Almost to the item, any law which we have studied to this date can be equated to a marine situation. And then there are some more.

Generally speaking, however, we have basic concepts of law to apply to most situations until we reach the limits of the Continental Shelf. Roughly speaking, the Continental Shelf is the edge of the land mass on which nations boarding the oceans sit. It extends from the shore seaward on a gradual slope. When that slope increases to a sharp angle it is termed the Continental Slope and again generally speaking, that is where a nation's right of possession is supposed to end unless a nation has the capability to exploit beyond that point. And the United States has that capability.

This definition is foggy at best and of course is not at all uniform throughout the world, as one nation's continental shelf is wider than another. In fact, at points along the California coast the sharp descent of the continental shelf begins only one mile off shore. The general rule is that the shelf extends to about 200 meters, or about 600 feet.

This definition, even though sketchy, was all good and well when it was adopted in 1958 at the Geneva Convention. Those who sat on that international council could not visualize the rapid progress which was to come, and so the apparently obtrusive appendage of "or beyond that depth" was not a heavy issue. But progress has allowed us to go beyond what was considered reasonable at that time.

Now we are faced with a problem which can be stated simply:

Should the United States take the existing letter of the law, thus allowing this nation to push its boundaries into the seas beyond the Continental Shelf and reap the rewards of this exploration and exploitation; or should this nation join others and turn over the resources of the ocean bottom itself to an international body: i.e., the United Nations.

I have for several years now favored, indeed promoted, the first. For it is my belief that the United States has reached a point in technology where we can take advantage of the resources of the oceans. These resources are bountiful, as the figures I quoted to you earlier on oil and gas expenditures will attest.

In addition to these, there are minerals, metals and food. There, too, are elements which have excited men of medicine, and promise to be useful in formulating cures for many diseases. Life in the sea is no longer just fantasy.

And again, there is another primary reason why I feel we should expand our borders to the fullest—that is the basic issue of national security and defense.

The accepted international law which allows us to expand into the seas is the Geneva Convention of which I spoke earlier. And I would like to quote from the section which is the key to the present international and national debate of ocean rights for all nations.

"Article 1—For the purpose of these articles, the term 'continental shelf' is used as referring (a) to the seabed and subsoil of the submarine areas adjacent to the coast but outside the area of the territorial sea, to a depth of 200 meters, or, beyond that limit, to where the superjacent waters admits of the exploitation of the natural resources of the said areas."

The key phrase "or to where the depth of the superjacent water admits of the exploitation" is the letter of the law to which I have referred.

Simply put, it means we can go as far as our technology will carry us until we reach the halfway point between ourselves and another nation.

However, this clear issue has been blunted by those who wish to spread the wealth of the seas among all nations, with the United Nations acting as the superior state in the matter of leases, rights, and supply quotas.

I must disagree with the policy which the State Department, the Administration and certain members of the Congress seem to be exploring along these lines.

Because I felt the United States should establish national goals and a blueprint which would set out the most desirable way to attain those goals through a list of priorities, I introduced legislation which created a Presidential Commission made up of representatives from industry, government and the scientific community.

It is the purpose of that commission to study the entire field of the development of the seas and to set for the nation goals to be reached in marine science and oceanography and to recommend the best possible course of action to attain these national goals.

I have great faith in the work the commission is doing and am looking forward to the report, which is due at the beginning of the year.

Because of this, I feel it is not in good faith nor the proper time for this government to ask its representative to the United Nations to push for a United Nations study group on oceanography. We should wait and see what our own commission recommends. Only then will we have data which will set out the goal which this nation should pursue.

I do believe that all nations should be given a right to exploit the resources of the deep at present—but only on two counts. One, where those resources are within their sovereign domain, and secondly, where another sovereign nation grants them the rights to exploitation and exploration.

The point is, I do not believe that the United States should waive the benefits of the oceans to an international body.

I do believe that American industry, which has invested billions of dollars in ocean research and development, should have guarantees that when they stake out a plot on the bottom of the ocean, no one from another company or another nation can come along and junk that stake. They should have the guarantee of law.

I do not believe it is in the best interest of the national economy to have an international body setting production quotas for ocean resources.

If for some reason this nation needs more oil than it is producing on the land, our offshore production of the future should not be hampered by quotas set by the United Nations. Our economy could be saddled by the UN.

I do not believe that the United Nations has the expertise to manage the oceans nor the militia to enforce decisions.

I do not think any government unit can properly, and with reason, establish rules, regulations and standards to do tasks that it is incapable of doing itself.

The military is presently programming ocean detection systems for the security of the nation. It would not be to the advantage of the United States to allow such detection systems to be regulated by an international power.

The Malta Plan presented to the United Nations would just about do these things. There are other plans, proposed by members of the Senate, which would accomplish the same thing. I oppose either suggestion which would establish international control of the ocean bottoms and the resources thereof.

I hope you will agree that we did not build this nation by ceding away rights to our natural resources.

I would sum up by saying what I have discussed here today is not a problem of tomorrow or next year or the year following. It is a problem of today.

The Geneva Convention might be reconvened next year. The core of that convention would be the establishment—or reestablishment—of international law concerning the resources of the seabed.

I believe we as a nation should press for the enforcement of the existing law or a clearer definition of present law. Any change in that law which would lessen our existing rights would be catastrophic when considering the potential of the United States in this area.

If the convention is convened next year and our legal minds have not given proper consideration to the problems facing the nation in the area of marine science and oceanography, our journey into the seas will be vitally hampered.

We not only face the possibility of losing an expanded national frontier and the material gains, but the problems of ocean pollution, territorial seas, fishing rights and freedom of passage will receive only half solutions.

I urge that you, as lawyers, give these very pressing and important problems your utmost consideration. The Federal Bar should assert its leadership and help direct the development of the law of the sea.

The consequences are very meaningful, both to the individual and to the nation.

Congressman Machen Opposes Cuts in Impacted Area Funds

HON. HERVEY G. MACHEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. MACHEN. Mr. Speaker, I was greatly disappointed by the action taken by the House last Thursday on amendment VI of the conference committee report on H.R. 15399. I was disappointed that the amount of funds provided for local school districts in federally impacted areas was not increased above only the $20 million provided for in section 3(a) of Public Law 874.

When this matter was debated on the floor, I made it clear that I was opposed to any reduction in the amount of funds provided for our education programs. In fact, I stated that I believed our education expenditures should be maintained and should not be cut because of the tremendous human cost which such action would cause. Only Vietnam expenditures should have as high a priority.

I realize full well that there must be budget reductions made this year if we are ever to put our fiscal house in order. However, I did not support then, nor will I support in the future, budget reductions in our educational programs.

The principle of special financial assistance to federally impacted local school districts has been tested over a period of years. It has been proven most successful in helping meet absolutely vital common school requirements in local areas which otherwise would be handicapped by the existence of a military installation or other Federal facility.

Certainly, I do not support paying money to school districts in excess of their actual needs.

In his 1965 budget message, President Johnson recommended that a thorough study be made of Public Law 874 and 815 programs. I believe that some of the conclusions of that report should be noted here in answer to those who argue that there is no effective means to police this program's operations.

First of all, it was determined that financial burdens are in fact created for local school districts by Federal activities of the types covered by Public Law 874. Second, it was found that it is, in fact, possible to determine the financial burden each school district bears as a result of these activities. Thus, it is possible to determine that a school district is receiving only its fair share of the funds provided under this law. Third, the report stated that the financial burdens created by the establishment of a Federal project are not restricted to their initial impact but present a continuing burden.

In view of these facts, I must admit that I was at a loss to determine why efforts which were made to increase the level of appropriations under Public Law 874 for fiscal year 1968 failed. I believe that there was, and is, a matter of good faith involved. The affected school districts rely on this Federal money to compensate for the extraordinary burdens caused by excessive Federal activity in their areas. They prepare their annual budgets accordingly. I was most disappointed to see the House break its promise to these school districts.

This program of aid for impacted school districts was initiated in 1950 as a response to the excessive costs which are incurred in areas where school rolls have become abnormally high due to military or other Federal concentrations. It brings about an unbearable burden on the local taxing capability. I believed last Thursday, and I still believe, that a way must be found to provide these school districts with 100 percent of their entitlements under the Public Law 874 program and I assure you that I will do everything in my power to bring this to pass as soon as possible.

Dr. Martin Luther King: Beyond Vietnam and Remaining Awake Through a Revolution

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. BROWN of California. Mr. Speaker, on April 4, 1967, exactly 1 year before his tragic death, almost to the hour, Dr. Martin Luther King spoke to a congregation of clergy and laymen concerned about Vietnam at the Riverside Church in New York City. Robert McAfee Brown said of that occasion:

> Martin Luther King has placed the Vietnam war precisely where it belongs—on the conscience of every American. His New York speech of April 4, 1967, marks a national turning point in concern about the war, and expresses the moral outrage of increasing numbers of Americans. No one must be allowed to escape its disturbing challenge.

On March 31, 1968, at the Washington National Cathedral, Dr. King preached his last Sunday sermon, titled "Remaining Awake Through a Great Revolution." In that sermon, he spoke for brotherhood and against racism, poverty, and war which plague all of mankind.

These sermons, in themselves, say much of what needs to be said for this great American. I believe that they deserve being read by every American, and I include these two addresses in today's RECORD in memory of Dr. King, as follows:

BEYOND VIETNAM

(By Dr. Martin Luther King)

"A TIME COMES WHEN SILENCE IS BETRAYAL"

I come to this magnificent house of worship tonight because my conscience leaves me no other choice. I join you in this meeting because I am in deepest agreement with the aims and work of the organization which has brought us together: Clergy and Laymen Concerned About Vietnam. The recent statement of your executive committee are the sentiments of my own heart and I found myself in full accord when I read its opening lines: "A time comes when silence is betrayal." That time has come for us in relation to Vietnam.

The truth of these words is beyond doubt, but the mission to which they call us is a most difficult one. Even when pressed by the demands of inner truth, men do not easily assume the task of opposing their government's policy, especially in time of war. Nor does the human spirit move without great difficulty against all the apathy of conformist thought within one's own bosom and in the surrounding world. Moreover when the issues at hand seem as perplexing as they often do in the case of this dreadful conflict we are always on the verge of being mesmerized by uncertainty; but we must move on.

"A FIRM DISSENT BASED UPON THE MANDATES OF CONSCIENCES"

Some of us who have already begun to break the silence of the night have found that the calling to speak is often a vocation of agony, but we must speak. We must speak with all the humility that is appropriate to our limited vision, but we must speak. And we must rejoice as well for surely this is the first time in our nation's history that a significant number of its religious leaders have chosen to move beyond the prophesying of smooth patriotism to the high grounds of a firm dissent based upon the mandates of conscience and the reading of history. Perhaps a new spirit is rising among us. If it is, let us trace its movements well and pray that our own inner being may be sensitive to its guidance, for we are deeply in need of a new way beyond the darkness that seems so close around us.

Over the past two years, as I have moved to break the betrayal of my own silences and to speak from the burnings of my own heart, as I have called for radical departures from the destruction of Vietnam, many persons have questioned me about the wisdom of my path. At the heart of their concerns this query has often loomed large and loud: Why are you speaking about the war, Dr. King? Why are you joining the voices of dissent? Peace and civil rights don't mix, they say. Aren't you hurting the cause of your people, they ask? And when I hear them, though I often understand the source of their concern, I am nevertheless greatly saddened, for such questions mean that the inquirers have not really known me, my commitment or my calling. Indeed, their questions suggest that they do not know the world in which they live.

"I COME TO MAKE A PASSIONATE PLEA TO MY BELOVED NATION"

In the light of such tragic misunderstanding, I deem it of signal importance to try to state clearly, and I trust concisely, why I believe that the path from Dexter Avenue

Baptist Church—the church in Montgomery, Alabama, where I began my pastorate—leads clearly to this sanctuary tonight.

I come to this platform tonight to make a passionate plea to my beloved nation. This speech is not addressed to Hanoi or to the National Liberation Front. It is not addressed to China or to Russia.

Nor is it an attempt to overlook the ambiguity of the total situation and the need for a collective solution to the tragedy of Vietnam. Neither is it an attempt to make North Vietnam or the National Liberation Front paragons of virtue, nor to overlook the role they can play in a successful resolution of the problem. While they both may have justifiable reason to be suspicious of the good faith of the United States, life and history give eloquent testimony to the fact that conflicts are never resolved without trustful give and take on both sides.

"POVERTY PROGRAM: BROKEN AND EVISCERATED—A SOCIETY GONE MAD ON WAR"

Tonight, however, I wish not to speak with Hanoi and the NLF, but rather to my fellow Americans who, with me, bear the greatest responsibility in ending a conflict that has exacted a heavy price on both continents.

Since I am a preacher by trade, I suppose it is not surprising that I have seven major reasons for bringing Vietnam into the field of my moral vision. There is at the outset a very obvious and almost facile connection between the war in Vietnam and the struggle I, and others, have been waging in America. A few years ago there was a shining moment in that struggle. It seemed as if there was a real promise of hope for the poor—both black and white—through the Poverty Program. There were experiments, hopes, new beginnings. Then came the build-up in Vietnam and I watched the program broken and eviscerated as if it were some idle political plaything of a society gone mad on war, and I knew that America would never invest the necessary funds or energies in rehabilitation of its poor so long as adventures like Vietnam continued to draw men and skills and money like some demonic destructive suction tube. So I was increasingly compelled to see the war as an enemy of the poor and to attack it as such.

Perhaps a more tragic recognition of reality took place when it became clear to me that the war was doing far more than devastating the hopes of the poor at home. It was sending their sons and their brothers and their husbands to fight and to die in extraordinarily high proportions relative to the rest of the population. We were taking the black young men who had been crippled by our society and sending them 8,000 miles away to guarantee liberties in Southeast Asia which they had not found in Southwest Georgia and East Harlem. So we have been repeatedly faced with the cruel irony of watching Negro and white boys on TV screens as they kill and die together for a nation that has been unable to seat them together in the same schools. So we watch them in brutal solidarity burning the huts of a poor village but we realize that they would never live on the same block in Detroit. I could not be silent in the face of such cruel manipulation of the poor.

"GREATEST PURVEYOR OF VIOLENCE TODAY—MY OWN GOVERNMENT"

My third reason moves to an even deeper level of awareness, for it grows out of my experience in the ghettos of the North over the last three years—especially the last three summers. As I have walked among the desperate, rejected and angry young men I have told them that Molotov cocktails and rifles would not solve their problems. I have tried to offer them my deepest compassion while maintaining my conviction that social change comes most meaningfully through non-violent action. But they asked—and rightly so—what about Vietnam? They asked if our own nation wasn't using massive doses of violence to solve its problems, to bring about the changes it wanted. Their questions hit home, and I knew that I could never again raise my voice against the violence of the oppressed in the ghettos without having first spoken clearly to the greatest purveyor of violence in the world today—my own government. For the sake of those boys, for the sake of this government, for the sake of the hundreds of thousands trembling under our violence, I cannot be silent.

For those who ask the question, "Aren't you a Civil Right leader?" and thereby mean to exclude me from the movement for peace, I have this further answer. In 1957 when a group of us formed the Southern Christian Leadership Conference, we chose as our motto: "To save the soul of America." We were convinced that we could not limit our vision to certain rights for black people, but instead affirmed the conviction that America would never be free or saved from itself unless the descendants of its slaves were loosed completely from the shackles they still wear. In a way we were agreeing with Langston Hughes, that black bard of Harlem, who had written earlier:

> "O, yes,
> I say it plain,
> America never was America to me,
> And yet I swear this oath—
> America will be!

"BROTHERHOOD OF MAN TAKES ME BEYOND NATIONAL ALLEGIANCES"

Now, it should be incandescently clear that no one who has any concern for the integrity and life of America today can ignore the present war. If America's soul becomes totally poisoned, part of the autopsy must read Vietnam. It can never be saved so long as it destroys the deepest hopes of men the world over. So it is that those of us who are yet determined that "America will be" are led down the path of protest and dissent, working for the health of our land.

As if the weight of such a commitment to the life and health of America were not enough, another burden of responsibility was placed upon me in 1964; and I cannot forget that the Nobel Prize for Peace was also a commission—a commission to work harder than I had ever worked before for the "brotherhood of man." This is a calling that takes me beyond national allegiances, but even if it were not present I would yet have to live with the meaning of my commitment to the ministry of Jesus Christ. To me the relationship of this ministry to the making of peace is so obvious that I sometimes marvel at those who ask me why I am speaking against the war. Could it be that they do not know that the good news was meant for all men—for communist and capitalist, for their children and ours, for black and for white, for revolutionary and conservative? Have they forgotten that my ministry is in obedience to the one who loved his enemies so fully that he died for them? What then can I say to the Viet Cong or to Castro or to Mao as a faithful minister of this one? Can I threaten them with death or must I not share with them my life?

Finally, as I try to delineate for you and for myself the road that leads from Montgomery to this place I would have offered all that was most valid if I simply said that I must be true to my conviction that I share with all men the calling to be a son of the Living God. Beyond the calling of race or nation or creed is this vocation of sonship and brotherhood, and because I believe that the Father is deeply concerned especially for his suffering and helpless and outcast children, I come tonight to speak for them.

This I believe to be the privilege and the burden of all of us who deem ourselves bound by allegiances and loyalties which are broader and deeper than nationalism and which go beyond our nation's self-defined goals and positions. We are called to speak for the weak, for the voiceless, for victims of our nation and for those it calls enemy, for no document from human hands can make these humans any less our brothers.

And as I ponder the madness of Vietnam and search within myself for ways to understand and respond in compassion my mind goes constantly to the people of that peninsula. I speak now not of the soldiers of each side, not of the junta in Saigon, but simply of the people who have been living under the curse of war for almost three continuous decades now. I think of them too, because it is clear to me that there will be no meaningful solution there until some attempt is made to know them and hear their broken cries.

"THEY MUST SEE AMERICANS AS STRANGE LIBERATORS"

They must see Americans as strange liberators. The Vietnamese people proclaimed their own independence in 1945 after a combined French and Japanese occupation, and before the communist revolution in China. They were led by Ho Chi Minh. Even though they quoted the American Declaration of Independence in their own document of freedom, we refused to recognize them. Instead, we decided to support France in its reconquest of her former colony.

Our government felt then that the Vietnamese people were not "ready" for independence, and we again fell victim to the deadly, Western arrogance that has poisoned the international atmosphere for so long. With that tragic decision we rejected a revolutionary government seeking self-determination, and a government that had been established not by China (for whom the Vietnamese have no great love) but by clearly indigenous forces that included some communists. For the peasants this new government meant real land reform, one of the most important needs in their lives.

For 9 years following 1945 we denied the people of Vietnam the right of independence. For 9 years we vigorously supported the French in their abortive effort to recolonize Vietnam.

Before the end of the war we were meeting 80 per cent of the French war costs. Even before the French were defeated at Dien Bien Phu, they began to despair of the reckless action, but we did not. We encouraged them with our huge financial and military supplies to continue the war even after they had lost the will. Soon we would be paying almost the full costs of this tragic attempt at recolonization.

"AFTER THE FRENCH WERE DEFEATED WE SUPPORTED ONE OF THE MOST VICIOUS MODERN DICTATORS"

After the French were defeated it looked as if independence and land reform would come again through the Geneva agreements. But instead there came the United States, determined that Ho should not unify the temporarily divided nation, and the peasants watched again as we supported one of the most vicious modern dictators—our chosen man, Premier Diem. The peasants watched and cringed as Diem ruthlessly routed out all opposition, supported their extortionist landlords and refused even to discuss reunification with the North. The peasants watched as all this was presided over by U.S. influence and then by increasing numbers of U.S. troops who came to help quell the insurgency that Diem's methods had aroused. When Diem was overthrown they may have been happy, but the long line of military dictatorships seemed to offer no real change—especially in terms of their need for land and peace.

The only change came from America as we increased our troop commitments in support of governments which were singularly corrupt, inept and without popular support. All the while the people read our leaflets and received regular promises of peace and democracy—and land reform. Now they languish under our bombs and consider us—not their fellow Vietamese—the real enemy. They move sadly and apathetically as we herd them off the land of their fathers into concentration camps where minimal social needs are rarely met. They know they must move or be destroyed by our bombs. So they go—primarily women and children and the aged.

"SO FAR WE MAY HAVE KILLED A MILLION—MOSTLY CHILDREN"

They watch as we poison their water, as we kill a million acres of their crops. They must weep as the bulldozers roar through their areas preparing to destroy the precious trees. They wander into the hospitals, with at least 20 casualties from American firepower for one Viet Cong-inflicted injury. So far we may have killed a million of them—mostly children. They wander into the towns and see thousands of the children, homeless, without clothes, running in packs on the streets like animals. They see the children degraded by our soldiers as they beg for food. They see the children selling their sisters to our soldiers, soliciting for their mothers.

What do the peasants think as we ally ourselves with the landlords and as we refuse to put any action into our many words concerning land reform? What do they think as we test out our latest weapons on them, just as the Germans tested out new medicine and new tortures in the concentration camps of Europe? Where are the roots of the independent Vietnam we claim to be building? Is it among these voiceless ones?

"WE HAVE DESTROYED CHERISHED INSTITUTIONS—FAMILY AND VILLAGES"

We have destroyed their two most cherished institutions: the family and the village. We have destroyed their land and their crops. We have cooperated in the crushing of the nation's only non-communist revolutionary political force—the Unified Buddhist Church. We have supported the enemies of the peasants of Saigon. We have corrupted their women and children and killed their men. What liberators!

Now there is little left to build on—save bitterness. Soon the only solid physical foundations remaining will be found at our military bases and in the concrete of the concentration camps we call fortified hamlets. The peasants may well wonder if we plan to build our new Vietnam on such grounds as these? Could we blame them for such thoughts? We must speak for them and raise the questions they cannot raise. These too are our brothers.

Perhaps the more difficult but no less necessary task is to speak for those who have been designated as our enemies. What of the National Liberation Front—that strangely anonymous group we call VC or Communists? What must they think of us in America when they realize that we permitted the repression and cruelty of Diem which helped to bring them into being as a resistance group in the South? What do they think of our condoning the violence which led to their own taking up of arms? How can they believe in our integrity when now we speak of "aggression from the North" as if there were nothing more essential to the war? How can they trust us when now we charge them with violence after the murderous reign of Diem, and charge them with the violence while we pour every new weapon of death into their land? Surely we must understand their feelings even if we do not condone their actions. Surely we must see that the men we supported pressed them to their violence. Surely we must see that our own computerized plans of destruction simply dwarf their greatest act.

"HOW CAN WE SPEAK OF FREE ELECTIONS WHEN THE SAIGON PRESS IS CENSORED AND CONTROLLED"

How do they judge us when our officials know that their membership is less than 25 percent Communist and yet insist on giving them the blanket name? What must they be thinking when they know that we are aware of their control of major sections of Vietnam and yet we appear ready to allow national elections in which this highly organized political parallel government will have no part? They ask how we can speak of free election when the Saigon press is censored and controlled by the military junta. And they are surely right to wonder what kind of new government we plan to help form without them—the only party in real touch with the peasants. They question our political goals and they deny the reality of a peace settlement from which they will be excluded. Their questions are frighteningly relevant. Is our nation planning to build on political myth again and then shore it up with the power of new violence?

Here is the true meaning and value of compassion and non-violence when it helps us to see the enemy's point of view, to hear his questions, to know his assessment of ourselves. For from his view we may indeed see the basic weakness of our own condition, and if we are mature, we may learn and grow and profit from the wisdom of the brothers who are called the opposition.

So, too, with Hanoi. In the North, where our bombs now pommel the land, and our mines endanger the waterways, we are met by a deep but understandable mistrust. To speak for them is to explain this lack of confidence in Western words, and especially their distrust of American intentions now. In Hanoi are the men who led the nation to independence against the Japanese and the French, the men who sought membership in the French commonwealth and were betrayed by the weakness of Paris and the wilfulness of the colonial armies. It was they who led a second struggle against French domination at tremendous costs, and then were persuaded to give up the land they controlled between the 13th and 17th parallel as a temporary measure at Geneva. After 1954 they watched us conspire with Diem to prevent elections which would have surely brought Ho Chi Minh to power over a united Vietnam, and they realized they had been betrayed again.

"AMERICA HAS SPOKEN OF PEACE AS IT DROPS THOUSANDS OF BOMBS ON A POOR WEAK NATION MORE THAN 8,000 MILES AWAY"

When we ask why they do not leap to negotiate these things must be remembered. Also it must be clear that the leaders of Hanoi considered the presence of American troops in support of the Diem regime to have been the initial military breach of the Geneva Agreements concerning foreign troops, and they remind us that they did not begin to send in any large number of supplies or men until American forces had moved into the tens of thousands.

Hanoi remembers how our leaders refused to tell us the truth about the earlier North Vietnamese overtures for peace, how the President claimed that none existed when they had clearly been made. Ho Chi Minh has watched as America has spoken of peace and built up its forces, and now he has surely heard the increasing international rumors of American plans for an invasion of the North. He knows the bombing and shelling and mining we are doing are part of traditional pre-invasion strategy. Perhaps only his sense of humor and of irony can save him when he hears the most powerful nation of the world speaking of aggression as it drops thousands of bombs on a poor weak nation more than 8,000 miles away from its shores.

At this point I should make it clear that while I have tried in these last few minutes to give a voice to the voiceless on Vietnam and to understand the arguments of those who are called enemy, I am as deeply concerned about our own troops there as anything else. For it occurs to me that what we are submitting them to in Vietnam is not simply the brutalizing process that goes on in any war where armies face each other and seek to destroy. We are adding cynicism to the process of death, for they must know after a short period there that none of the things we claim to be fighting for are really involved. Before long they must know that their government has sent them into a struggle among Vietnamese, and the more sophisticated surely realize that we are on the side of the wealthy and the secure while we create a hell for the poor.

Somehow this madness must cease. We must stop now. I speak as a child of God and brother to the suffering poor of Vietnam. I speak for those whose land is being laid waste, whose homes are being destroyed, whose culture is being subverted. I speak for the poor of America who are paying the double price of smashed hopes at home and death and corruption in Vietnam. I speak as a citizen of the world, for the world as it stands aghast at the path we have taken. I speak as an American to the leaders of my own nation. The great initiative in this war is ours. The initiative to stop it must be ours.

"THE AMERICANS ARE FORCING EVEN THEIR FRIENDS INTO BECOMING THEIR ENEMIES"

This is the message of the great Buddhist leaders of Vietnam. Recently one of them wrote these words: "Each day the war goes on the hatred increases in the heart of the Vietnamese and in the hearts of those of humanitarian instinct. The Americans are forcing even their friends into becoming their enemies. It is curious that the Americans, who calculate so carefully on the possibilities of military victory, do not realize that in the process they are incurring deep psychological and political defeat. The image of America will never again be the image of revolution, freedom and democracy, but the image of violence and militarism."

If we continue there will be no doubt in my mind and in the mind of the world that we have no honorable intentions in Vietnam. It will become clear that our minimal expectation is to occupy it as an American colony and men will not refrain from thinking that our maximum hope is to goad China into a war so that we may bomb her nuclear installations. If we do not stop our war against the people of Vietnam immediately the world will be left with no other alternative than to see this as some horribly clumsy and deadly game we have decided to play.

The world now demands a maturity of America that we may not be able to achieve. It demands that we admit that we have been wrong from the beginning of our adventure in Vietnam, that we have been detrimental to the life of the Vietnamese people. The situation is one in which we must be ready to turn sharply from our present ways.

In order to atone for our sins and errors in Vietnam, we should take the initiative in bringing a halt to this tragic war. I would like to suggest five concrete things that our government should do immediately to begin the long and difficult process of extricating ourselves from this nightmarish conflict:

1. End all bombing in North and South Vietnam.
2. Declare a unilateral cease-fire in the hope that such action will create the atmosphere for negotiations.
3. Take immediate steps to prevent other battlegrounds in Southeast Asia by curtailing our military build-up in Thailand and our interference in Laos.
4. Realistically accept the fact that the National Liberation Front has substantial support in South Vietnam and must thereby play a role in any meaningful negotiations and in any future Vietnam government.
5. Set a date that we will remove all foreign troops from Vietnam in accordance with the 1954 Geneva Agreement.

"WE MUST CONTINUE TO RAISE OUR VOICES IF OUR NATION PERSISTS IN VIETNAM"

Part of our ongoing commitment might well express itself in an offer to grant asylum to any Vietnamese who fears for his life under a new regime which included the Liberation Front. Then we must make what reparations we can for the damage we have done. We must provide the medical aid that is badly needed, making it available in this country if necessary.

Meanwhile, we in the church and synagogues have a continuing task while we urge our government to disengage itself from a disgraceful commitment. We must continue to raise our voices and our lives if our nation persists in its perverse ways in Vietnam. We must be prepared to match actions with words by seeking out every creative means of protest possible.

As we counsel young men concerning military service we must clarify for them our nation's role in Vietnam and challenge them with the alternative of conscientious objection. I am pleased to say that this is the path now being chosen by more than seventy students at my own alma mater, Morehouse College, and I recommend it to all who find the American course in Vietnam a dishonorable and unjust one. Moreover, I would encourage all ministers of draft age to give up their ministerial exemptions and seek status as conscientious objectors. These are the times for real choice and not false ones. We are at the moment when our lives must be placed on the line if our nation is to survive its own folly. Every man of humane convictions must decide on the protest that best suits his convictions, but we must all protest.

"THE WAR IN VIETNAM IS BUT A SYMPTOM OF A FAR DEEPER MALADY WITHIN THE AMERICAN SPIRIT"

There is something seductively tempting about stopping there and sending us all off on what in some circles has become a popular crusade against the war in Vietnam. I say we must enter that struggle, but I wish to go on now to say something even more disturbing. The war in Vietnam is but a symptom of a far deeper malady within the American spirit, and if we ignore this sobering reality we will find ourselves organizing clergy-and-laymen-concerned committees for the next generation. They will be concerned about Guatemala and Peru. They will be concerned about Thailand and Cambodia. They will be concerned about Mozanbique and South Africa. We will be marching for these and a dozen other names and attending rallies without end unless there is a significant and profound change in American life and policy. Such thoughts take us beyond Vietnam, but not beyond our calling as sons of the living God.

In 1957 a sensitive American official overseas said that it seemed to him that our nation was on the wrong side of a world revolution. During the past 10 years we have seen emerge a pattern of suppression which now has justified the presence of U.S. military "advisors" in Venezuela. This need to maintain social stability for our investments accounts for the counter-revolutionary action of American forces in Guatemala. It tells why American helicopters are being used against guerrillas in Colombia and why American napalm and green beret forces have already been active against rebels in Peru. It is with such activity in mind that the words of the late John F. Kennedy come back to haunt us. Five years ago he said, "Those who make peaceful revolution impossible will make violent revolution inevitable."

"IF WE ARE TO GET ON THE RIGHT SIDE OF THE WORLD REVOLUTION"

Increasingly, by choice or by accident, this is the role our nation has taken—the role of those who make peaceful revolution impossible by refusing to give up the privileges and the pleasures that come from the immense profits of overseas investment.

I am convinced that if we are to get on the right side of the world revolution, we as a nation must undergo a radical revolution of values. We must rapidly begin the shift from a "thing-oriented" society to a "person-oriented" society. When machines and computers, profit motives and property rights are considered more important than people, the giant triplets of racism, materialism, and militarism are incapable of being conquered.

A true revolution of value will soon cause us to question the fairness and justice of many of our past and present policies. On the one hand we are called to play the Good Samaritan on life's roadside; but that will be only an initial act. One day we must come to see that the whole Jericho Road must be transformed so that men and women will not be constantly beaten and robbed as they make their journey on life's highway. True compassion is more than flinging a coin to a beggar; it is not haphazard and superficial. It comes to see that an edifice which produces beggars needs restructuring. A true revolution of values will soon look uneasily on the glaring contrast of poverty and wealth. With righteous indignation, it will look across the seas and see individual capitalists of the West investing huge sums of money in Asia, Africa and South America, only to take the profits out with no concern for the social betterment of the countries, and say: "This is not just." It will look at our alliance with the landed gentry of Latin America and say: "This is not just." The Western arrogance of feeling that it has everything to teach others and nothing to learn from them is not just. A true revolution of values will lay hands on the world order and say of war: "This way of settling differences is not just." This business of burning human beings with napalm, of filling our nation's homes with orphans and widows, of injecting poisonous drugs of hate into the veins of peoples normally humane, of sending men home from dark and bloody battlefields physically handicapped and psychologically deranged, cannot be reconciled with wisdom, justice, and love. A nation that continues year after year to spend more money on military defense than on programs of social uplift is approaching spiritual death.

"AMERICA CAN WELL LEAD THE WAY IN THIS REVOLUTION OF VALUES"

America, the righest and most powerful nation in the world, can well lead the way in this revolution of values. There is nothing, except a tragic death wish, to prevent us from reordering our priorities, so that the pursuit of peace will take precedence over the pursuit of war. There is nothing to keep us from molding a recalcitrant status quo with bruised hands until we have fashioned it into a brotherhood.

This kind of positive revolution of values is our best defense against communism. War is not the answer. Communism will never be defeated by the use of atomic bombs or nuclear weapons. Let us not join those who shout war and through their misguided passions urge the United States to relinquish its participation in the United Nations. These are days which demand wise restraint and calm reasonableness. We must not call everyone a Communist or an appeaser who advocates the seating of Red China in the United Nations and who recognizes that hate and hysteria are not the final answers to the problem of those turbulent days. We must not engage in a negative anti-communism, but rather in a positive thrust for democracy, realizing that our greatest defense against communism is to take offensive action in behalf of justice. We must with positive action seek to remove those conditions of poverty, insecurity and injustice which are the fertile soil in which the seed of communism grows and develops.

"THE SHIRTLESS AND BAREFOOT PEOPLE ARE RISING UP AS NEVER BEFORE"

These are revolutionary times. All over the globe men are revolting against old systems of exploitation and oppression and out of the bombs of a frail world new systems of justice and equality are being born. The shirtless and barefoot people of the land are rising up as never before. "The people who sat in darkness have seen a great light." We in the West must support these revolutions. It is a sad fact that, because of comfort, complacency, a morbid fear of communism, and our proneness to adjust to injustice, the Western nations that initiated so much of the revolutionary spirit of the modern world have now become the arch anti-revolutionaries. This has driven many to feel that only Marxism has the revolutionary spirit. Therefore, communism is a judgment against our failure to make democracy real and follow through on the revolutions that we initiated. Our only hope today lies in our ability to recapture the revolutionary spirit and go out into a sometimes hostile world declaring eternal hostility to poverty, racism, and militarism. With this powerful commitment we shall boldly challenge the status quo and unjust mores and thereby speed the day when "every valley shall be exalted, and every mountain and hill shall be made low, and the crooked shall be made straight and the rough places plain."

A genuine revolution of values means in the final analysis that our loyalties must become ecumenical rather than sectional. Every nation must now develop an overriding loyalty to mankind as a whole in order to preserve the best in their individual societies.

"LOVE IS SOMEHOW THE KEY THAT UNLOCKS THE DOOR TO ULTIMATE REALITY"

This call for a worldwide fellowship that lifts neighborly concern beyond one's tribe, race, class and nation is in reality a call for an all-embracing and unconditional love for all men. This oft-misunderstood and misinterpreted concept so readily dismissed by the Nietzches of the world as a weak and cowardly force—has now become an absolute necessity for the survival of man. When I speak of love I am not speaking of some sentimental and weak response. I am speaking of that force which all of the great religions have seen as the supreme unifying principle of life. Love is somehow the key that unlocks the door which leads to ultimate reality. This Hindu-Moslem-Christian-Jewish-Buddhist belief about ultimate realty is beautifully summed up in the first epistle of Saint John:

"Let us love one another; for love is God and everyone that loveth is born of God and knoweth God. He that loveth not knoweth not God; for God is love. If we love one another, God dwelleth in us, and his love is perfected in us."

"WE CAN NO LONGER AFFORD TO WORSHIP THE GOD OF HATE"

Let us hope that this spirit will become the order of the day. We can no longer afford to worship the God of Hate or bow before the altar of retaliation. The oceans of history are made turbulent by the ever-rising tides of hate. History is cluttered with the wreckage of nations and individuals that pursued this self-defeating path of hate. As Arnold Toynbee says: "Love is the ultimate force that makes for the saving choice of life and good against the damning choice of death and evil. Therefore the first hope in our inventory must be the hope that love is going to have the last word."

We are now faced with the fact that tomorrow is today. We are confronted with the fierce urgency of now. In this unfolding conundrum of life and history there is such a thing as being too late. Procrastination is still the thief of time. Life often leaves us standing bare, naked and dejected with a lost opportunity. The "tide in the affairs of men" does not remain at the flood; it ebbs. We may cry out desperately for time to pause in her passage, but time is deaf to every plea and rushes on. Over the bleached bones and jumbled residue of numerous civilizations are written the pathetic words: "Too late."

These is an invisible book of life that faithfully records our vigilance or our neglect. "The moving finger writes, and having writ moves on . . ." We still have a choice today: Non-violent co-existence or violent co-annihilation.

We must move past indecision to action. We must find new ways to speak for peace in Vietnam and justice throughout the developing world—a world that borders on our doors. If we do not act we shall surely be dragged down the long, dark and shameful corridors of time reserved for those who possess power without compassion, might without morality, and strength without sight.

"SHALL WE SAY THE ODDS ARE TOO GREAT? TELL THEM THE STRUGGLE IS TOO HARD?"

Now let us begin. Now let us rededicate ourselves to the long and bitter—but beautiful—struggle for a new world. This is the calling of the sons of God, and our brothers wait eagerly for our response. Shall we say the odds are too great? Shall we tell them the struggle is too hard? Will our message be that the forces of American life militate against their arrival as full men, and we send our deepest regrets? Or will there be another message, of longing of hope, of solidarity with their yearnings, of commitment to their cause, whatever the cost? The choice is ours, and though we might prefer it otherwise we must choose in this crucial moment of human history.

Remaining Awake Through a Great Revolution

I need not pause to say how very delighted I am to be here this morning . . . to have the opportunity of standing in this very great and significant pulpit . . . and I do want to express my deep personal appreciation to Dean Sayre and all of the Cathedral clergy for extending the invitation.

It is always a rich and rewarding experience to take a brief break from our day to day demands and the struggle for freedom and human dignity . . . and discuss the issues involved in that struggle with concerned friends of good will all over our nation. And certainly it is always a deep and meaningful experience to be in a worship service. And so for many reasons. I'm happy to be here today.

I would like to use as a subject from which to preach this morning: "Remaining awake through a great revolution". The text for the morning is found in the book of Revelation. There are two passages there, that I would like to quote, in the sixteenth chapter of that book—"Behold I make all things new, former things are passed away".

I am sure that most of you have read that arresting little story from the pen of Washington Irving, entitled "Rip Van Winkle". The one thing that we usually remember about the story is that Rip Van Winkle slept 20 years. But there is another point in that little story that is almost completely overlooked. It was the sign in the end, from which Rip went up in the mountain for his long sleep.

When Rip Van Winkle went up into the mountain, the sign had a picture of King George III of England. When he came down 20 years later the sign had a picture of George Washington, the first President of the United States. When Rip Van Winkle looked up at the picture of George Washington, and looking at the picture he was amazed . . . he was completely lost—he knew not who he was. And this reveals to us that the most striking thing about the story of Rip Van Winkle is not merely that Rip slept 20 years, but that he slept through a revolution. While he was peacefully snoring up in the mountain a revolution was taking place that at points would change the course of history—and Rip knew nothing about it: he was asleep. Yes, he slept through a revolution. And one of the great liabilities of life is that all too many people find themselves living amid a great period of social change and yet they fail to develop the new attitudes, the new mental responses—that the new situation demands. They end up sleeping through a revolution.

There can be no gainsaying of the fact that a great revolution is taking place in the world today. In a sense it is a triple revolution; that is a technological revolution, with the impact of automation and cybernation; then there is a revolution in weaponry, with the emergence of atomic and nuclear weapons of warfare. Then there is a human rights revolution, with the freedom explosion that is taking place all over the world. Yes, we do live in a period where changes are taking place and there is still the voice crying through the vista of time saying, "Behold, I make all things new, former things are passed away".

Now whenever anything new comes into history it brings with it new challenges . . . and new opportunities.

And I would like to deal with the challenges that we face today as a result of this triple revolution, that is taking place in the world today.

First, we are challenged to develop a world perspective. No individual can live alone, no nation can live alone, and anyone who feels that he can live alone is sleeping through a revolution. The world in which we live is geographically one. The challenge that we face today is to make it one in terms of brotherhood.

Now it is true that the geographical oneness of this age has come into being to a large extent through modern man's scientific ingenuity. Modern man through his scientific genius has been able to dwarf distance and place time in chains. And our jet planes have compressed into minutes distances that once took weeks and even months. All of this tells us that our world is a neighborhood.

Through our scientific and technological genius, we have made of this world a neighborhood and yet . . . we have not had the ethical commitment to make of it a brotherhood. But somehow, and in some way, we have got to do this. We must all learn to live together as brothers. Or we will all perish together as fools. We are tied together in the single garment of destiny, caught in an inescapable network of mutuality. And whatever affects one directly affects all indirectly. For some strange reason I can never be what I ought to be until you are what you ought to be. And you can never be what you ought to be until I am what I ought to be. This is the way God's universe is made; this is the way it is structured.

John Donne caught it years ago and placed it in graphic terms—"No man is an island entire of itself. Every man is a piece of the continent—a part of the main". And he goes on toward the end to say, "Any man's death diminishes me because I am involved in mankind. Therefore never send to know for whom the bell tolls; it tolls for thee". We must see this, believe this, and live by it . . . if we are to remain awake through a great revolution.

Secondly, we are challenged to eradicate the last vestiges of racial injustice from our nation. I must say this morning that racial injustice is still the black man's burden and the white man's shame.

It is an unhappy truth that racism is a way of life for the vast majority of white Americans, spoken and unspoken, acknowledged and denied, subtle and sometimes not so subtle—the disease of racism permeates and poisons a whole body politic. And I can see nothing more urgent than for America to work passionately and unrelentingly—to get rid of the disease of racism.

Something positive must be done, everyone must share in the guilt as individuals and as institutions. The government must certainly share the guilt, individuals must share the guilt, even the church must share the guilt.

We must face the sad fact that at 11:00 on Sunday morning when we stand to sing, "In Christ there is no East or West", we stand in the most segregated hour of America.

The hour has come for everybody, for all institutions of the public sector and the private sector to work to get rid of racism. And now if we are to do it we must honestly admit certain things and get rid of certain myths that have constantly been disseminated all over our nation.

One is the myth of time. It is the notion that only time can solve the problem of racial injustice. And there are those who often sincerely say to the Negro and his allies in the white community, "Why don't you slow up? Stop pushing things so fast. Only time can solve the problem. And if you will just be nice and patient and continue to pray, in a hundred or two hundred years the problem will work itself out.

There is an answer to that myth. It is that time is neutral. It can be used either constructively or destructively. And I am sorry to say this morning that I am absolutely convinced that the forces of ill will in our nation, the extreme rightists of our nation—the people on the wrong side—have used time much more effectively than the forces of goodwill. And it may well be that we will have to repent in this generation. Not merely for the vitriolic words and the violent actions of the bad people, but for the appalling silence and indifference of the good people who sit around and say, "Wait on time".

Somewhere we must come to see that human progress never rolls in on the wheels of inevitability. It comes through the tireless efforts and the persistent work of dedicated individuals who are willing to be co-workers with God. And without this hard work, time itself becomes an ally of the primitive forces of social stagnation. So we must help time and realize that the time is always ripe to do right.

Now there is another myth that still gets around; it is a kind of over reliance on the boot-strap philosophy. There are those who still feel that if the Negro is to rise out of poverty, if the Negro is to rise out of slum conditions, if he is to rise out of discrimination and segregation, he must do it all by himself. And so they say the Negro must lift himself by his own boot-straps.

They never stop to realize that no other ethnic group has been a slave on American soil. The people who say this never stop to realize that the nation made the black man's color a stigma; but beyond this they never stop to realize the debt that they owe a people who were kept in slavery 244 years.

In 1863 the Negro was told that he was free as a result of the Emancipation Proclamation being signed by Abraham Lincoln. But he was not given any land to make that freedom meaningful. It was something like keeping a person in prison for a number of years and suddenly discovering that that person is not guilty of the crime for which he was convicted. And you just go up to him and say, "Now you are free", but you don't give him any bus fare to get to town. You don't give him any money to get some clothes to put on his back or to get on his feet again in life.

Every court of jurisprudence would rise up against this, and yet this is the very thing that our nation did to the black man. It simply said, "You're free", and it left him there penniless, illiterate, not knowing what to do. And the irony of it all is that at the same time the nation failed to do anything for the black man—through an act of Congress it was giving away millions of acres of land in the west and the mid-west—which meant that it was willing to undergird its white peasants from Europe with an economic floor.

But not only did it give the land, it built land-grant colleges to teach them how to farm. Not only that, it provided county agents to further their expertise in farming; not only that, as the years unfolded it provided low interest rates so that they could mechanize their farms. And to this day thousands of these very persons are receiving millions of dollars in federal subsidies every year not to farm. And these are so often the very people who tell Negroes that they must lift themselves by their own boot-straps. It's all right to tell a man to lift himself by his own boot-straps, but it is a cruel jest to say to a bootless man that he ought to lift himself by his own boot-straps.

We must come to see that the roots of racism are very deep in our country, and there must be something positive and massive in order to get rid of all the effects of racism and the tragedies of racial injustice.

There is another thing closely related to racism that I would like to mention as another challenge. We are challenged to rid our nation and the world of poverty. Like a monstrous octopus, poverty spreads its nagging, prehensile tentacles into hamlets and villages all over our world. They are ill-housed, they are ill-nourished, they are shabbily clad. I have seen it in Latin America; I have seen it in Africa; I have seen this poverty in Asia.

I remember some years ago Mrs. King and I journeyed to that great country known as India. And I never will forget the experience; it was a marvelous experience to meet and talk with the great leaders of India; to meet and talk with and speak to thousands and thousands of people all over that vast country. These experiences will remain dear to me as long as the cords of memory shall let them.

But I say to you this morning, my friends, there were those depressing moments—how can one avoid being depressed?—when he sees with his own eyes evidences of millions of people going to bed hungry at night. How can one avoid being depressed when he sees with his own eyes God's children sleeping on the sidewalks at night.

In Bombay more than a million people sleep on the sidewalks every night. In Calcutta more than 600,000 sleep on the sidewalks every night. They have no beds to sleep in; they have no houses to go in. How can one avoid being depressed when he discovers that out of India's population of more than 500,000,000 people—some 480,000,000 make an annual income of less than $90.00. And most of them have never seen a doctor or a dentist.

As I noticed these things, something within me cried out, "Can we in America stand idly by and not be concerned?". And an answer came—"Oh, no!". Because the destiny of the United States is tied up with the destiny of India and every other nation. And I started thinking of the fact that we spend in America millions of dollars a day to store surplus food, and I said to myself, "I know where we can store that food free of charge—in the wrinkled stomachs of millions of God's children all over the world who go to bed hungry at night". Maybe we spend far too much of our national budget establishing military bases around the world rather than bases of genuine concern and understanding.

Not only do we see poverty abroad, I would remind you that in our own nation there are about 40,000,000 people who are poverty-stricken. I have seen them here and there. I have seen them in the ghettos of the north; I have seen them in the rural areas of the south; I have seen them in Appalachia. I have just been in the process of touring many areas of our country and I must confess that in some situations I have literally found myself crying.

I was in Marks, Mississippi, the other day, which is in Whitman County, the poorest county in the United States. I tell you I saw hundreds of little black boys and black girls walking the streets with no shoes to wear. I saw their mothers and their fathers trying to carry on a little head-start program, but they had no money. The federal government hadn't funded them but they were trying to carry on. They raised a little money here and there; trying to get a little food to feed the children; trying to teach them a little something.

And I saw mothers and fathers who said to me not only were they unemployed, they didn't get any kind of income—no old age pension, no welfare check, nor anything. I said, "How do you live?" And they say, "Well, we go around—go around to the neighbors and ask them for a little something. When the berry season comes, we pick berries; when the rabbit season comes, we hunt and catch a few rabbits, and that's about it."

And I was in Newark and Harlem just this week. And I walked into the homes of welfare mothers; I saw them in conditions—no, not with wall-to-wall carpet, but wall-to-wall rats and roaches. I stood in an apartment and this welfare mother said to me "The Landlord will not repair this place. I've been here two years and he hasn't made a single repair." She pointed out the walls with all of the ceiling falling through. She showed me the holes where the rats came in. She said night after night we have to stay awake to keep the rats and the roaches from getting to the children. I said, "How much do you pay for this apartment?" She said, "$125.00." I looked and I thought and said to myself, "It isn't worth $60.00.' Poor people are forced to pay more for less. Living in conditions day in and day out where the whole area is constantly drained without being replenished. It becomes a kind of domestic colony. And the tragedy is so often—these 40,000,000 people are invisible because America is so affluent, so rich; because our expressways carry us away from the ghetto, we don't see the poor.

Jesus told a parable one day, and He reminded us that a man went to hell because he didn't see the poor. His name was Dives. He was a rich man. And there was a man by the name of Lazarus who was a poor man, but not only was he poor, he was sick. Sores were all over his body, and he was so weak that he could hardly move. But he managed to get to the gate of Dives every day, wanting just to have the crumbs that would fall from his table. And Dives did nothing about it. And the parable ends saying, "Dives went to hell, and there were a fixed gulf now between Lazarus and Dives.

There is nothing in that parable that said Dives went to hell because he was rich. Jesus never made a universal indictment against all wealth. It is true that one day a rich young ruler came to Him, and He advised him to sell all, but in that instance Jesus was prescribing individual surgery and not setting forth a universal diagnosis. And if you will look at that parable with all of its symbolism, you will remember that a conversation took place between heaven and hell and on the other end of that long-distance call between heaven and hell was Abraham in heaven talking to Dives in hell.

Now Abraham was a very rich man. If you go back to the Old Testament, you see that he was the richest man of his day, so it was not a rich man in hell talking with a poor man in heaven, it was a little millionaire in hell talking with a multi-millionaire in heaven. Dives didn't go to hell because he was rich; Dives didn't realize that his wealth was his opportunity. It was his opportunity to bridge the gulf that separated him from his brother, Lazarus. Dives went to hell because he was passed by Lazarus every day and he never really saw him. He went to hell because he allowed his brother to become invisible. Dives went to hell because he maximized the minimum and minimized the maximum. Indeed, Dives went tó hell because he sought to be a conscientious objector in the war against poverty.

And this can happen to America, the richest nation in the world—and nothing's wrong with that—this is America's opportunity to help bridge the gulf between the haves and the have-nots. The question is whether America will do it. There is nothing new about poverty. What is new is that we now have the techniques and the resources to get rid of poverty. The real question is whether we have the will.

In a few weeks some of us are coming to Washington to see if the will is still alive or if it is alive in this nation. We are coming to Washington in a Poor People's Campaign. Yes, we are going to bring the tired, the poor, the huddled masses. We are going to bring those who have known long years of hurt and neglect. We are going to bring those who have come to feel that life is a long and desolate corridor with no exit signs. We are going to bring children and adults and old people; people who have never seen a doctor or a dentist in their lives.

We are not coming to engage in any histrionic gesture. We are not coming to tear up Washington. We are coming to demand that the government address itself to the problem of poverty. We read one day—We hold these truths to be self-evident, that all men are created equal, that they are endowed by their creator with certain inalienable rights. That among these are Life, Liberty and the Pursuit of Happiness. But if a man doesn't have a job or an income, he has neither life nor liberty nor the possibility for the pursuit of happiness. He merely exists.

We are coming to ask America to be true to the huge promissory note that it signed years ago. And we are coming to engage in dramatic non-violent action, to call attention to the gulf between promise and fulfillment; to make the invisible visible.

Why do we do it this way? We do it this way because it is our experience that the nation doesn't move around questions of genuine equality for the poor and for black people until it is confronted massively, dramatically in terms of direct action.

Great documents are here to tell us something should be done. We met here some years ago in the White House conference on Civil Rights, and we came out with the same recommendations that we will be demanding in our campaign here, but nothing has been done. The President's commission on technology, automation and economic progress recommended these things some time ago. Nothing has been done. Even the urban coalition of mayors of most of the cities of our country and the leading businessmen have said these things should be done. Nothing has been done. The Kerner Commission came out with its report just a few days ago and then made specific recommendations. Nothing has been done.

And I submit that nothing will be done until people of goodwill put their bodies and their souls in motion. And it will be the kind of soul force brought into being as a result of this confrontation that I believe will make the difference. Yes, it will be a Poor Peoples' Campaign. This is the question facing America. Ultimately a great nation is a compassionate nation. America has not met its obligations and its responsibilities to the poor.

One day we will have to stand before the God of history and we will talk in terms of things we've done. Yes, we will be able to say we built gargantuan bridges to span the seas, we built gigantic buildings to kiss the skies. Yes, we made our submarines to penetrate oceanic depths. We brought into being many other things with our scientific and technological power.

It seems that I can hear the God of history saying, "That was not enough! But I I was hungry and ye fed me not. I was naked and ye clothed me not. I was devoid of a decent sanitary house to live in, and ye provided no shelter for me. And consequently, you cannot enter the kingdom of greatness. If ye do it unto the least of these, my brethren, ye do it unto me". That's the question facing America today.

I want to say one other challenge that we face is simply that we must find an alternative to war and bloodshed. Anyone who feels, and there are still a lot of people who feel that way, that war can solve the social problems facing mankind is sleeping through a revolution. President Kennedy said on one occasion, "Mankind must put an end to war or war will put an end to mankind." The world must hear this. I pray God that America will hear this before it is too late because today we're fighting a war.

I am convinced that it is one of the most unjust wars that has ever been fought in the history of the world. Our involvement in the war in Viet Nam has torn up the Geneva Accord. It has strengthened the military-industrial complex; it has strengthened the forces of reaction in our nation; it has put us against the self-determination of a vast majority of the Vietnamese people, and put us in the position of protecting a corrupt regime that is stacked against the poor.

It has played havoc with our domestic destinies. This day we are spending $500,000 to kill every Viet Cong soldier—every time we kill one we spend about $500,000 while we spend only $53.00 a year for every person characterized as poverty-stricken in the so-called Poverty Program; which is not even a good skirmish against poverty.

Not only that, it has put us in a position of appearing to the world as an arrogant nation. And here we are 10,000 miles away from home fighting for the so-called freedom of the Vietnamese people when we have not even put our own house in order. And we force young black men and young white men to fight and kill in brutal solidarity. Yet when they come back home they can't hardly live on the same block together.

The judgment of God is upon us today, and we could go right down the line and see that something must be done . . . and something must be done quickly. We have alienated ourselves from other nations so we end up morally and politically isolated in the world. There is not a single major ally of the United States of America that would dare send a troop to Viet Nam and so the only friends that we have now are a few client-nations like Taiwan, Thailand, South Korea and a few others.

This is where we are. Mankind must put an end to war or war will put an end to mankind, and the best way to start is to put an end to war in Viet Nam because if it continues, we will inevitably come to the point of confronting China which could lead the whole world to nuclear annihilation.

It is no longer a choice, my friends, between violence and non-violence. It is either non-violence or non-existence, and the alternative to disarmament, the alternative to a greater suspension of nuclear tests, the alternative to strengthing the United Nations and thereby disarming the whole world may well be a civilization plunged into the abyss of annihilation, and our earthly habitat would be transformed into an inferno that even the mind of Dante could not imagine.

This is why I felt the need of raising my voice against that war and working wherever I can to arouse the conscience of our nation on it. I remember so well when I first took a stand against the war in Viet Nam, the critics took me on and they had their say in the most negative and sometimes most vicious way.

One day a newsman came to me and said, "Dr. King, don't you think you're going to have to stop, now, opposing the war and move more in line with the administration's policy? As I understand it, it has hurt the budget of your organization and people who once respected you, have lost respect for you. Don't you feel that you've really got to change your position?" I looked at him and I had to say, "Sir, I'm sorry you don't know me. I'm not a consensus leader. I do not determine what is right and wrong by looking at the budget of the Southern Christian Leadership Conference. I've not taken a sort of Gallup poll of the majority opinion. Ultimately a genuine leader is not a searcher for consensus, but a moulder of consensus."

On some positions, cowardice asks the question, is it expedient? And then expedience comes along and asks the question—is it politic?

Vanity asks the question—is it popular? Conscience asks the question—is it right?

There comes a time when one must take the position that it is neither safe nor politic nor popular, but he must do it because conscience tells him it is right. I believe today that there is a need for all people of goodwill to come with a massive act of conscience and say in the words of the old Negro spiritual, "We ain't goin' study war no more". This is the challenge facing modern man.

Let me close by saying that we have difficult days ahead in the struggle for justice and peace, but I will not yield to a politic of despair. I'm going to maintain hope as we come to Washington in this campaign, the cards are stacked against us. This time we will really confront a Goliath. God grant that we will be that David of truth set out against the Goliath of injustice, the Goliath of neglect, the Goliath of refusing to deal with the problems, and go on with the determination to make America the truly great America that it is called to be.

I say to you that our goal is freedom, and I believe we are going to get there because however much she strays away from it, the goal of America is freedom. Abused and scorned though we may be as a people, our destiny is tied up in the destiny of America.

Before the Pilgrim fathers landed at Plymouth, we were here. Before Jefferson etched across the pages of history, the majestic words of the Declaration of Independence, we were here. Before the beautiful words of the Star Spangled Banner were written, we were here.

For more than two centuries our forebearers labored here without wages. They made cotton king, and they built the homes of their masters in the midst of the most humiliating and oppressive conditions. And yet out of a bottomless vitality they continued to grow and develop. If the inexpressable cruelities of slavery couldn't stop us, the opposition that we now face will surely fail.

We're going to win our freedom because both the sacred heritage of our nation and the eternal will of the almighty God are embodied in our echoing demands. And so, however dark it is, however deep the angry feelings are, and however violent explosions are, I can still sing "We Shall Overcome".

We shall overcome because the arc of a moral universe is long, but it bends toward justice. We shall overcome because Carlyle is right—no lie can live forever. We shall overcome because William Cullant Bryant is right—truth crushed to earth will rise again. We shall overcome because James Russell Lowell is right—as we were singing earlier today. "Truth forever on the scaffold, wrong forever on the throne, yet that scaffold sways the future, and behind the demon known, stands a God within the shadow, keeping watch above his own".

With this faith we will be able to hew out of the mountain of despair the stone of hope. With this faith we will be able to transform the jangling discords of our nation into a beautiful symphony of brotherhood.

Thank God for John, who centuries ago out on a lonely, obscure island called Patmos caught vision of a new Jerusalem descending out of heaven from God, who heard a voice saying, "Behold, I make all things new—former things are passed away."

God grant that we will be participants in this newness and this magnificent development. If we will but do it, we will bring about a new day of justice and brotherhood and peace. And that day the morning stars will sing together and the sons of God will shout for joy. God bless you.

Today's Airport: An Investment in the Future

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. FASCELL. Mr. Speaker, the extent of the new airport facilities needed to meet an enormously expanding air travel is impressive. Commenting on a speech by Stuart Tipton, president of the Air Transport Association, the Miami Herald said on March 31 in an editorial titled "Big Business in the Sky," "things look even busier in the years ahead. Airline passenger traffic is expected to triple by 1975."

This means about 330 million passengers in that year.

To meet this surge of traffic, the airlines have embarked on a major reequipment program with more than 740 million aircraft valued at almost $7 billion on order for delivery between now and 1972.

However, air transportation cannot expand unless airports expand with all the elements of aviation. It is estimated that the needed airport expansion and improvement program will cost some $6 billion. While a large part of this money will be generated from airlines, airline passengers and through bond issues underwritten by airline earnings, it is essential that the Federal Government, because of its stake in the air transport system, come up with an overall financial program.

This need for Government actions was clearly defined in the Tipton talk made March 29 in Coral Gables, Fla.

Mr. Speaker, this very interesting and informative analysis of the airport problem is of interest to all my colleagues and I am pleased to call it to their attention, as follows:

TODAY'S AIRPORT: AN INVESTMENT IN THE FUTURE

It is a pleasure to be here with you today. That's a very easy statement for me to make because it's always a pleasure to be in Florida—especially when there's a blustery March back up north.

I've been asked to tell you about the future of air transportation, and about airports, and about Southern Florida. I could sum it up in a few words: they're all booming, and prospects are bright.

But this is a distinguished audience whose knowledge of commerce and finance is impressive. There's little I can tell you about the business cycle and about the marketplace, but I think there are some currents and trends in air transportation which I think you will find of interest.

What I'd like today is to tell you about the role of air transportation in the next ten years, not only in Southern Florida, but throughout the United States.

For the past two days you have been treated to a close look at one of the great aviation and tourist centers of the U.S. Dade

County, and with it, South Florida, has a real success story to tell, and its leaders are understandably proud.

South Florida, served through Miami International Airport, is a leading resort for the U.S. and indeed the western hemisphere. Six and one-half million tourists were attracted last year by the promise of lots of sunshine, a wide range of entertainment and recreation and sumptuous hotels. These tourists spent, during their stay, at least $700 million or $240 per person, staying an average of 11 days. Taken together, the tourist industry makes up the largest single industry in South Florida. Sixty-four cents out of every income dollar comes from it.

What might not be so well known is that Miami is also becoming a business and commercial center. Last year the dollar value of new construction reached $300 million, the best year in post-war history. Non-agricultural employment topped the 400 thousand mark for the first time last December, and thus metropolitan Miami joined the elite "400 Club." It became the twenty-fifth in rank of 150 major labor areas in the U.S. The Dade County Development Department reports that at least nine major national firms are considering expansion into Dade County this year. In addition, at least a half dozen more are expected to set up headquarters for their operations in Latin America.

This growth was founded, in part, on Miami's aviation leadership which you have seen closeup in the last two days. Two of your airports ranked last year in the ten busiest list in the U.S. In fact, Opa Locka is the second busiest airport in the nation.

And although according to the 1965 census figures, metropolitan Miami ranks 27th in terms of population, it ranked 8th in airline passengers emplaned—clearly an air-minded city.

But Miami International does more than just pour in tourists. It and the airlines that serve it employ 70 thousand persons, earning $500 million a year. This makes aviation and its allied industry the largest single employer in Dade County; one out of every five persons is supported by an aviation payroll.

Miami's airport system is certainly the focal point for the economic well-being of South Florida. This could not have been possible without the full cooperation of all elements of the business and aviation communities. The foresight that has marked this partnership has been remarkable and unique. Back in the 1950's, your leaders foresaw the jet age and its tremendous growth in passenger traffic and in 1959 opened a new passenger terminal to handle it. This terminal can readily accommodate twelve million passengers a year and will, therefore, avoid much of the congestion and delay that are increasingly characterizing other airport operations.

And now, even long before Miami should reach saturation point, you are talking about plans for a new airport for the jumbo jets and SST age. We expect that U.S. airline passenger traffic will triple its 1966 traffic of 110 million passengers by 1975. We also know that many airports can barely handle the traffic of 1968 much less that which is to come. The Dade County Port Authority should be congratulated for such farsighted vision. And much of that vision comes from enthusiastic and dynamic leaders such as Alan Stewart who has been a guiding spirit behind aviation in Miami for over twenty years.

Miami has even more to be proud of than its foresighted handling of commercial airline traffic. Another problem that is now plaguing other large airports is that of congestion on the runway. A common sight at many of these airports is large jets carrying as many as 200 to 250 passengers waiting to take off behind a little two-seater. This sight will be even more absurd and frustrating when that jet holds upward of 400 passengers. But Dade County has anticipated this problem and has provided outstanding facilities for private aviation. Opa Locka, as I have mentioned, is the second busiest airport in the U.S. and is only a large cog in a system of reliever airports that take the pressure off of Miami International. Last year you opened new Tamiami Airport and are now in the process of building Opa Locka West. In addition, private aviation interests find these airports safer for their slower aircraft and more convenient because the operations of the airports are geared to them and not the airlines.

The example of the Dade County Airport system is one that all airport systems would be wise to examine carefully. The cost of delays to airlines—which now approach the $50 million-dollar-a-year mark and the milions of dollars of productive time lost by their passengers—is a growing problem throughout the U.S.

You have seen the airport at Miami. It is certainly a very impressive plant. It serves its users well. It is also an enormously successful financial institution. I don't want to take a lot of time telling you how successful it is, as I am sure you will hear it from others, but let me just outline a few basic financial figures about MIA's operations.

The latest available figures show that MIA, on operating income of $9.1 million, earned total net income of $5.6 million in fiscal year 1966. The operating income was derived mainly from airline payments or from airline passenger facilities. The largest item is $5.2 million for rentals, a large per cent of which is airline payments for terminal facilities. Aviation fees totaled $1.0 million. Automobile parking, transportation and concessions earned the airport $2.9 million.

It has been estimated that approximately half of airport income is contributed directly by the airlines.

It's truly remarkable that this viable commercial entity and public utility, which is worth as much as $500 million, has hardly cost the Dade County taxpayers a cent.

An examination of fiscal 1965 data shows that the only source of public funds in the total $138.4 million invested so far in MIA has been $33.2 million in grants by the Federal government. Over 75 per cent of the required investment has been generated either directly from operations of the airport itself or represents indebtedness secured by the profits of airline operation or directly by rentals from the airlines themselves.

There are several ways to measure the economic strength of a commercial enterprise. One of these is return on total investment. The same study shows that in fiscal year 1965, Miami International Airport earned a return of 5.7 per cent on total investment and a return of 13.4 per cent on average equity.

Another significant measure is bond interest coverage or how many times net income before bond interest covers interest to be paid. In fiscal year 1965, this figure was 3.1 times for the airport.

And although Miami is certainly an outstanding airport, it is not unique among the nation's leading airport systems in its attractiveness to investors. The three largest hub airports in the United States, as of December 31, 1966, covered their bond interest in amounts ranging from 1.9 to 4.2.

Looking further at the leading major airports in the U.S., we found that for five big city systems well over 90 percent of the capital investment was secured either by revenues of the airport or were actually earned by airport activities. The funded debt at these airports totaled $649 million of which all but $8 million was in airport revenue bonds.

To demonstrate how important bond issues are to our airport systems, consider the fact that since World War II local bond issues are estimated to have developed 80 percent of all investment in airports. The remainder has been made up of federal and state grants.

Recently, bond issues have become even more important to airport financing programs. The several sizable tax-exempt airport revenue issues have been marketed at coupon rates ranging from 5 percent to 5.7 percent. This compares with 5.5 percent to 6.25 percent paid by communities to attract buyers for tax-exempt industrial revenue bonds. And, of course, this rate is well below the 6.25 percent to 7 percent which will have to be paid, even by top-rated corporations to attract funds with taxable corporate bonds.

I think this testifies eloquently to the integrity of the airport bond today. Today about one-fourth of all airport debt is in the form of general obligation bonds and the remaining 75 percent is taken up by revenue bonds.

I said earlier that I wanted to talk a bit about the air transportation system in the years ahead. Almost any discussion of the future begins and ends at the edge of the airport. Clearly, air transportation cannot expand unless airports expand along with all the elements of aviation.

I don't have to tell you that any kind of expansion carries a price tag. The Secretary of Transportation, Alan Boyd, has said that it will cost about $6 billion to properly expand the nation's airport system. As you know, the Federal government, through the Federal Aid to Airports program, currently appropriates about $75 million a year for certain airport improvements. Even if this program were to continue and to be increased to a $100 million a year level, the total amount would fall far short of the required amount. Airport earnings which at the major traffic centers are quite healthy, cannot provide enough additional funds to meet the requirements.

Some studies we have made of airport financing indicate that perhaps as much as $3 billion for airport expansion purposes through 1975 can be developed with revenue bonds.

But even taken together these sources of funds will fall short of the requirements. Thus it is quite clear that what we face is a capital bulge. A large infusion of capital is necessary right now and for several years to provide the capability for expansion.

This provides, then, a real opportunity for investors. Financial advisors could well sharpen their pencils now and consider ways in which they could get in on the ground floor. There are few investment opportunities with as much solidity as today's modern airport.

Because of the Federal government's considerable stake in the air transport system, it would behoove the government to now assert leadership in developing financing to keep pace with the efforts of private industry and local municipalities. There has been considerable discussion about the form that such a government program might take and I suspect that there will be a lot more discussion before a program is finally agreed upon.

Airline traffic projections lend a sense of urgency to the problem. Miami, even with its built-in expansion capability, faces a tight squeeze in the years ahead. The Federal Aviation Administration has projected an increase of more than five times the number of passengers now enplaned by 1980. Nationwide, the FAA sees an increase in passengers of more than four times today's level by 1980.

The expansion of the nation's aviation system poses a heavy financial burden for the nation's airlines. There never has been a time in airline history when it has been more important for the airlines to maintain an adequate level of earnings. Airline earnings today have many jobs to do. They must underwrite the multi-billion dollar aircraft re-equipment program which they have undertaken.

To meet the surge of traffic, the airlines have embarked on a large re-equipment program. As of the first of the year, more than 740 aircraft have been ordered for delivery between now and 1972. The total value is close to $7 billion. Since the first of the year additional orders have been placed for the present family of jets as well as the jumbo and tri-jet aircraft. To give an idea of the amount of new additional seats the airlines will provide, consider the fact that this year the airlines will take delivery of almost two aircraft every working day. The average cost of these new airplanes is $6.5 million per plane.

We have seen how important revenue bonds are to airport expansion. Airline revenues and, consequently, airline earnings are the strong central core of all airport revenue bonds. So, airline earnings must also support this important aspect of the airport expansion.

The nation's air traffic control system, while safe, is inadequate to do the job of the seventies. It needs expansion. It needs improvements. It must be made more efficient and it must be done at once. This program will cost hundreds of millions of dollars and the airlines will provide a sizeable contribution.

But funds and financing alone will not provide all of the answers to aviation's problems of the seventies. The aviation system is a vital national resource. It must be made as efficient as possible, to serve as many as possible. It is imperative then, that all of the users work together, and with the Federal government, so as to provide the maximum utilization of the airspace, and of the airport network.

That spirit of cooperation is epitomized by the history of aviation in Miami. I have no doubt that the progress made here is in no small part attributable to the fact that all elements of aviation, and the business community, and the local and Federal governments have worked together. Miami, then, provides a pattern for progress which could well serve as a national model.

Dr. King's Death Is Call to Action for America

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. FRASER. Mr. Speaker, the incalculable tragedy of Martin Luther King's assassination was also a call to action for every American. It was a call to action especially for those of us in Congress, because it is we who bear the responsibility for passing laws to remedy the Nation's social and economic ills. That responsibility is now more awesome than ever.

Many of us have been proud of congressional accomplishments in civil and human rights in recent years. The balance sheet reflects a commitment to laws which have built a legal framework for these rights.

But laws alone do not create jobs where none exists.

Laws alone do not improve the understanding and sensitivity of our police forces.

Laws alone do not confer skills on the unskilled.

Laws alone do not instill hope and motivation in personalities that have developed in an environment of hopelessness and apathy.

And laws alone do not automatically confer upon us the perception and understanding so badly needed to interpret our current crisis.

I do not minimize the real progress that has been made in the last 5 years.

But in terms of where we must go, tremendous gaps remain. These gaps have led to today's racial crisis. It is a crisis of substance, but a crisis equally of attitude and spirit.

I urge the people of this country, Mr. Speaker, to take the initiative, to commit themselves to steps that will:

First. Deepen our understanding of this racial crisis.

Second. Develop an ideology that is responsive to the full dimension of the crisis.

Third. Take actions that will lead to sustained initiatives by government.

We have, throughout our land, many thoughtful, perceptive people, both black and white, who can contribute to an improved understanding. We need seminars, institutes, discussion groups and public meetings in order to get this process started.

In the matter of race, a special effort is needed to instill understanding and sharing of common concerns. For in this matter there are barriers to communication and understanding that can grow more serious as events march onward.

Most important, we must act positively to chop out the roots of racial crisis.

We need to create jobs so that everyone who wants to work may work.

We need to strengthen the continuity and diversity of job training and work experience—through adequate, sustained funding.

We need to seek stronger and more adequate housing programs.

We need to strengthen education programs.

We need to study and understand the intangibles that facilitate or obstruct the paths to improved racial understanding.

We need to develop a deeper appreciation of the ways in which racial stresses arise—and then develop planning and action to head them off.

Finally, we need to move toward a sustained series of actions that will make the United States a genuine multiracial society, one that we can hold up to ourselves and to the world with pride.

When I first heard the news of Dr. King's assassination, I reflected on the time when I heard him at his best—during the march on Washington in August 1963. A number of us from Congress went to the Lincoln Memorial and sat on the steps near the podium where Dr. King spoke. We looked out over the grounds below the memorial and around the reflecting pond and saw hundreds of thousands of people who had joined together for the march.

And we listened to the eloquent plea that Martin Luther King made on that historic occasion. The deep, religious quality of what he said moved America and helped move Congress to enact the Civil Rights Act of 1964.

Dr. King told us that day of his dream of liberty, justice, and equality for all. We in Congress, and all Americans, must now dedicate ourselves to making his dream a reality.

Mr. Speaker, no event during my three terms as a Congressman has inspired such a flood of spontaneous mail as has Dr. King's martyrdom. Dozens and dozens of messages have come into my office, as I am sure they have come into the offices of other Members, urging prompt passage of a strong civil rights bill. It is my fervent desire that the House will vote overwhelmingly in favor of the bill this week. Although this bill is only a beginning of the programs Congress should adopt, it is nevertheless an important measure because it represents a key step toward realization of Dr. King's dream.

With the permission of the House, I include some of the moving excerpts from the letters and telegrams I have received:

THE DEEPER MEANING OF THE MURDER IN MEMPHIS

The assassination of Martin Luther King should shock every white person in America into new courses of action. We need to reorder our system of priorities. We cannot continue to spend thirty to fifty billion dollars a year on a war in Asia, and nearly nothing by comparison on the basic solution of the problems of unemployment brought about by mechanization in this country, without destroying ourselves. We must put first things first. It is nonsense to talk about saving democracy abroad while allowing it to be destroyed at home.

The Congress of the United States is in the process of gutting every constructive program at home in order to feed the military machine abroad. The menace to American society today is not the Viet Cong. It is the reactionary coalition in Congress that demands full scale prosecution of a futile and inhuman war while it engineers the destruction of our essential domestic programs. That coalition is apparently willing to see America lose its character as a land of freedom and opportunity in order that it may become the policeman of the world.

The people of America must call a halt to the wastage of our human and material treasure abroad and demand a war on the causes of the rot at home. Responsibility for Martin Luther King's murder must be laid at least in large part at the door of a Congress which has failed to take the leadership in funding an all-out attack on the economic and educational problems of our American society. Another large share of the blame must fall on every American, white and black, but especially upon those of us who are in the white majority, for not having demanded such action from our Congress a long time ago.

MAURICE B. VISSCHER,
Regents' Professor,
University of Minnesota.

CIVIL RIGHTS BILL

We urge you to press for immediate passage of the current civil rights bill as a living memorial to Dr. Martin Luther King and as a pledge of goodwill toward Negroes by the majority of the white community.

In the wake of this ghastly tragedy some very strong bills can be passed. Only in this way can we encourage non-violent protest.

We should use our schools in summer to

coach the underprivileged and offer vocational training. This could be more flexible than the regular school year and these people deserve individual attention. The tenement owners should be brought to accounting and some efforts at pest control and rubbish removal are needed.

Let us spend the $30 billion yearly that has been going to the war in Vietnam on the problems of our cities. Let us confess our guilt in sack cloth and ashes this Holy Week and arise in a resurrection of brotherly love among races and classes.

In light of last night's tragic murder of Dr. King, we feel that surely without some quick action there is no reason for the Afro-American population to have any trust any longer in our white society.

The white man must show that he cares, and passage of this bill is a feeble gesture indeed. Do your best.

I am writing . . . Perhaps not so much for Dr. King's memory but rather for the 16 or 17 black students who were in the class where I, a student, taught last quarter. Maybe then in six years when they hopefully graduate from high school, they will have the same opportunities and freedoms as the other 15 or 16 children.

We cannot sit around while frustration and hatred arise to fever pitch.

We can no longer continue turning around and sticking our heads in the sand. We have to face the reality that our society is and has been falling apart at the seams. If steps are not taken and taken fast we are going to have more and more riots with more and more violence and much as the white man may hate to admit the facts, he deserves every bit of it.

As white homeowners, we have had the experience of being, for all practical purposes, denied the right to sell our home to minority persons by real estate agents who refuse to show property to non-whites. We think nothing is to be gained by sitting on our hands waiting for the real estate industry to change their highly discriminatory policies.

White Americans and the congressmen whom we have selected to represent us must carry the burden and guilt of the heinous, damnable assassination of the Rev. Dr. Martin Luther King, Jr. Why must we continue to perpetuate the causes that lead to such national disasters? How in the name of our Lord can we sit back and do nothing?

As a young American who will be voting for the first time this November and who is finding it very difficult to maintain faith in her nation, I urge you to do everything in your power to ensure the passage of the civil rights bill now before Congress.

Early Action Needed on H.R. 8176 To Enfranchise the Largest Possible Number of Americans Abroad

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. BRADEMAS. Mr. Speaker, on April 6, 1967, I introduced H.R. 8176 to amend the Federal Voting Assistance Act of 1955 so as to recommend—and I stress the word "recommend," Mr. Speaker—to the several States that they extend to their citizens temporarily residing abroad the right to register and vote absentee. The simple, uniform, virtually fraud proof Federal post card application procedure, which has proved highly successful in practice for members of the Armed Forces, the merchant marine, civilians employed abroad by the Federal Government, and their families, would be used for registration and voting.

H.R. 8176 is designed to remedy the virtual disenfranchisement of many of our fellow citizens temporarily residing abroad. Their number has multiplied since 1955, when the Federal Voting Assistance Act was enacted, with the tremendous expansion of American business, cultural and other interests overseas. Estimates of their number now vary between 750,000 and 3 million.

Mr. Speaker, these American citizens are engaged in activities important to our national interests—our foreign commerce, our balance of payments, and, in general, our relations with other peoples. Indeed, they are continuously engaged in interpreting America to the people of the countries where they reside. Consequently, many of these Americans are vitally interested in our politics and policies.

All too often, however, in election years these citizens find themselves "disenfranchised by distance"—especially in those 21 States and the District of Columbia which require registration in person.

H.R. 8176 would remedy this serious oversight in the Federal Voting Assistance Act of 1955.

Mr. Speaker, 11 of my colleagues on both sides of the aisle and from every section of the country have joined in cosponsoring identical bills. The House Elections Subcommittee, under the chairmanship of our distinguished colleague from South Carolina [Mr. ASHMORE], has held a hearing on H.R. 8176, and the Committee on House Administration will be considering the bill this week.

On January 29, 1968, the same bill was introduced in the Senate as S. 2884 by Senator HOWARD W. CANNON of Nevada, chairman of the Senate Subcommittee on Privileges and Elections. Two hearings were held by the Senate Subcommittee on Privileges and Elections, and yesterday the Senate passed the bill.

Assistant Attorney General Fred M. Vinson, Jr., speaking for the administration, referred to H.R. 8176 and the companion bills sponsored by my colleagues and testified that they "deserve favorable consideration." Moreover, the American Civil Liberties Union endorsed H.R. 8176 as "logical, desirable, and completely noncontroversial."

Mr. Speaker, with the 1968 national elections coming on apace, early action on H.R. 8176 is imperative if it is to help enfranchise our fellow citizens abroad. As of February 13, 1968, I am informed that 30 State legislatures were still in session, 25 of them in regular session and five in special session. The sooner we act, the more States will have an opportunity to consider and respond to the recommendation embodied in H.R. 8176.

Mr. Speaker, I earnestly commend H.R. 8176 to my colleagues. I urge its early consideration and enactment so that the States may have the opportunity to enfranchise the greatest possible number of our fellow citizens in accordance with the bill's recommendations in time for the coming national elections. By enacting H.R. 8176 we would go far toward extending to many of our fellow citizens the most basic right in our democracy—the right to vote. We must not tarry longer.

That a number of the States are likely to respond is indicated in an article by Arlen J. Large which appeared on page 1 of the Wall Street Journal on March 20, 1968, entitled "Easing Voting Bars." The article follows:

EASING VOTING BARS: NEW UNITED STATES, STATE LAWS WILL BROADEN ELECTORATE IN NOVEMBER BALLOTING—SOME STATES RELAX RESIDENCE RULES; FEDERAL LEGISLATION ADDS MANY NEGROES TO ROLLS—WHICH PARTY STANDS TO GAIN?

(By Arlen J. Large)

WASHINGTON.—A pauper in Maine. A Maryland teen-ager. A Seattle businessman temporarily living in Paris. A Spanish-speaking Puerto Rican in New York, and an illiterate Negro in Louisiana. A sales vice president transferred to Dallas, and a new arrival in Pennsylvania.

These are some of the people who could be voting in the Presidential election next November, thanks to a widespread relaxation of voting-eligibility requirements since the 1964 Johnson-Goldwater race. The electorate-broadening reforms for the most part have been made by individual states, so the changes aren't uniform. But the activity has been brisk enough to contribute to expectations of a substantially greater turnout of voters than the 70.6 million who voted for President last time.

For this and other reasons, voting expert Richard Scammon expects a record-busting Presidential vote of around 75 million next November. Mr. Scammon, former head of the Census Bureau and now elections research director of the nonprofit Governmental Affairs Institute, sees a probable heavier turnout of both whites and Negroes in the South (due largely to the Federal voting rights law) as the biggest single source of new voters in 1968, other than simple population growth.

In theory, the voting rule changes would seem to promise a net boost for the Democrats in November; the larger groups benefiting tend to vote Democratic. But in actual Election Day practice, voting won't necessarily conform to theory.

THE "TRUE APATHETIC"

Relaxation of voting rules by many states since 1964 will mainly help highly motivated citizens of either party who couldn't hurdle the old legal barriers to the polls. "Your true apathetic isn't going to register and vote no matter how easy the requirements are," says Mr. Scammon.

By far the most common reform since 1964 has been a reduction in residence requirements, and some of these changes may aid the GOP more than the Democrats.

New York formerly required a newcomer to live in the state for one year, in his county for four months and in his precinct for a month before he could qualify for full voting rights. Now the required wait is a flat three months in the state, county and precinct. Wisconsin's former one-year wait has been cut in half; new Pennsylvanians now can vote in all elections after 90 days in the state.

Thirty-three states still require a year's wait before giving a newcomer full voting rights, a rule that in the past has disfranchised millions of voters in the mobile U.S. population. But a growing number of states are making special provision for new arrivals who want to vote for President and Vice President. Those newcomers who take the trouble to apply tend to be in the better-educated, higher-income groups. This means, says Mr. Scammon, that the special new-resident voting laws probably favor the Republicans slightly.

NEW MEXICO, TEXAS ACT

Now, 29 states permit a shorter stay for Presidential voting than for other offices, up from 16 states that had these special rules in 1964. In New Mexico, to cite a recent example of change, the legislature last year decided to waive the one-year residence rule for citizens arriving as little as 30 days before a Presidential election; the newcomers will use special ballots next November that omit non-Presidential contests.

The old laws that penalized voter mobility have been reversed in Texas. While a stay-at-home Texan is out of luck if he missed the Jan. 31 registration deadline, a newcomer from Ohio, say, will be able to sign up to vote for President if he arrives as late as next August.

It's just as well that the states are gradually enfranchising mobile Presidential voters, for Congress isn't likely to do so soon. President Johnson seeks enactment of a national law allowing people who establish new residence anywhere by Sept. 1 to vote for President and Vice President in the following November elections, provided they meet all other state voting requirements.

"I think it's good legislation," says Democratic Sen. Howard Cannon of Nevada, chairman of the Senate elections subcommittee. "But there's no chance of getting it passed this session in time to be in effect for the November election." The reason, in part, is resistance to a Federal law telling the states what to do.

ABSENTEE REGISTRATION

Mr. Cannon is more optimistic about early enactment of a Congressional "recommendation" asking the states to relax rules for absentee registration and voting. Register-by-mail laws are being urged by the League of Americans Residing Abroad, which argues it's impossible for U.S. businessmen overseas to sign up in person in their home towns; though the state of Washington last year approved registration by mail for absentee voters, the league feels the states need a formal prod by Congress.

Backers of a lower voting age also have little hope of early success at the national level. Some 40 Senators are sponsoring various Constitutional amendments to reduce the voting age to something less than 21, but this Senate band is far short of the two-thirds needed.

The youth-at-the polls cause received a sharp setback in 1966, when Michigan voters overwhelmingly rejected a proposal to cut the voting age to 18. Next November proposals for 19-year-old voting will be on the ballot in both Nebraska and North Dakota, and proponents say they detect a change in sentiment as a result of the Vietnam war. "When there's a war on, it gets harder and harder to say a kid is old enough to defend his country in Vietnam but not old enough to vote," says a Nebraskan here.

In Maryland, an estimated 125,000 youngsters will become eligible to vote next November if the existing electorate ratifies the state's new constitution in a special May 14 election; in the package of changes is a cut in the voting age to 19. At this point, chances for ratification are considered good.

Maryland politicians already are shaping strategy to appeal to a younger electorate. A group called "first voters for Brewster" is operating on behalf of incumbent Democratic Sen. Daniel Brewster. After the constitution is ratified, says Chairman Robert Tinder, a 21-year-old University of Maryland student, "we'll be holding campaigns to get the new voters registered." One recent day, Sen. Brewster took 13 of the university's students to lunch at the Capitol, listened to their gripes and then fired off a letter to the school recounting complaints about the food and library facilities.

IGNORING ELECTIONS

Similarly, a youth auxiliary is planned by Sen. Brewster's November opponent, Republican Rep. Charles Mathias. Mr. Mathias is sharpening up his arguments against the existing draft system, and his strategists hope his somewhat dovish stance on the Vietnam war will appeal to the young. Sen. Brewster is an Administration-praising hawk.

If limited experience with youthful voting elsewhere is a guide, most of Maryland's newly enfranchised youngsters won't show up at the polls. Georgia and Kentucky allow voting to start at 18, Alaska at 19 and Hawaii at 20. In 1964, according to a Census Bureau survey, only 39% of eligible voters in the 18-through-20 age bracket actually cast ballots. Nationally, the turnout in 1964 was 63% of the total voting-age population.

Like the young, the poor tend to ignore elections The same Census Bureau survey showed that almost half the eligible voters with family incomes below $2,000 stayed away on Election Day, 1964. This suggests that Maine, by repealing an old law forbidding "paupers" to vote, won't be bringing any new throngs of voters to the polls. A pauper was defined as anyone getting certain types of welfare, not counting such important payments as veterans benefits and old-age assistance. Because of the limited definition of "pauper," says Deputy Secretary of State Stanley Hanson, "only a few people really fell into that category in the first place."

Since the last Presidential election, the biggest single boost to voting has been enactment of the Federal Voting Rights Act of 1965. The law suspended literacy tests and "good character" requirements in areas where low voter turnout indicated Negroes were being kept from the polls. According to Justice Department figures, Negro registration in Alabama, Georgia, Louisiana, Mississippi and South Carolina is 833,000 higher than just before the law was passed. As a by-product, the surge of Negro registrations has inspired more Southern whites to sign up.

AIDING PUERTO RICANS

The Federal Voting Act technically didn't suspend New York State's English literacy test in the same way the tests were knocked out in the South. However, one provision says a literacy test can't block a voter if he has at least a sixth-grade education in a school under the U.S. flag where the language wasn't English. The provision will make new voters out of a considerable number of New Yorkers educated in Puerto Rico.

Though the trend of both Federal and state action in recent years has been to expand the potential electorate, advocates of even bigger turnouts complain a major impediment still remains: The widespread practice of purging a voter from the registration lists if he doesn't vote frequently.

Billie Farnum, the Democratic National Committee's registration chief, estimates there were about 80 million Americans registered to vote in 1964. Now, he says with vexation, the number registered is some 10 million fewer than that because of the purging of people who didn't vote in the 1966 off-year elections; he figures a vigorous registration drive in the months ahead will be needed to make up the lost ground.

Mr. Farnum, a former Michigan Congressman, complains "politics" motivated the Republican legislature in Michigan to adopt the rule that a citizen who doesn't vote at least once every two years must be dropped from the rolls. "They knew a lot of Democrats don't vote in off-year elections," he says.

On the other hand, periodic purging of nonvoters is an important safeguard against stuffing ballot boxes with votes of people who actually have died or moved away. Mr. Scammon, who headed a Presidential study commission on voting in 1963, suggests purging a man only after he has failed to vote once in four years. Election officials would send such a nonvoter a letter saying he was about to be dropped from the rolls and giving him a chance to re-register by mail.

The Single-Emergency Telephone Number

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. BRADEMAS. Mr. Speaker, on March 18, 1968, the Franklin Institute Research Laboratories conducted a 1-day consultation on the single-emergency telephone number in Philadelphia, Pa. The institute, a nonprofit institution performing contract research for government, industry and the public sponsored this 1-day institute to bring together all those groups interested in emergency communications.

Attending the meeting were representatives of health departments, highway safety bureaus, fire departments, police departments, civil defense, telephone companies, public health officials, universities, the Federal Communications Commission, the Department of Justice, and many others involved in protecting the health, the safety, and the security of the American public.

The keynote speaker for that occasion was my colleague from Indiana, Congressman J. EDWARD ROUSH, who has been instrumental in alerting the Nation to the need for and practicality of a single, uniform, nationwide emergency number.

In his speech Congressman ROUSH traced the history of his interest in this subject. I would like to include his address to that group at this time:

SPEECH BY CONGRESSMAN J. EDWARD ROUSH, OF INDIANA, AT THE CONSULTATION ON THE SINGLE-EMERGENCY TELEPHONE NUMBER, SPONSORED BY THE FRANKLIN INSTITUTE RESEARCH LABORATORIES, PHILADELPHIA, PA., MARCH 18, 1968

A telephone number in Jackson, Mississippi, can be dialed free from any of the 93 million telephones in this country to make nationwide hotel and motel reservations.

A single number can be dialed from these same phones to locate, through information, any phone number anywhere in the United States.

We can dial direct, long distance, without the aid of the Operator.

Yet, in times of crisis we are confronted with a confusing multitude of police and fire telephone numbers, in Los Angeles county there are some 50 distinct phone numbers for the police; in St. Louis county about 45 fire numbers.

Yet, throughout the United Kingdom, since 1937, a caller has been able to dial "999" from either a private or public telephone, without any cost on either kind of phone, and on being answered by the exchange Operator, request either "Police," "Fire," or "ambulance." Thus, England enjoys a uniformity unknown in America.

For us Americans, this is an embarrassing bit of information. Granted we are much larger in size than mother England; nevertheless, this is somewhat offset by the fact that we are the leading nation in the world in technological progress. If this progress does not make the American people more secure, have not we failed in some regard?

CRIME PREVENTION AND CONTROL

We must face the fact that we in the United States are using new technological improvements for our convenience, even our luxury, while we are negligent in applying these to crime prevention and control; to fire protection and control; two of the most dreaded killers and terrorists of our society. These are facts well known to most of you here today.

Such negligence is in part explainable in terms of political and geographic complications; to a lack of information and initiative; to cost factors; to technical difficulties. But, generally speaking, we in America accomplish those things we really want to do and even the impossible is supposed to take only a little longer for us.

My own interest in and concern for uniform, emergency telephone communications rests on these principles, convictions, facts, and derives from two related and consistent concerns of mine. I am a member of the Science and Astronautics Committee of the House of Representatives. In that capacity I am frequently exposed to the miracles of science (particularly in the Subcommittees on Advanced Research and Technology and on Science, Research and Development). And I am alerted to the varied ways in which these scientific discoveries can be applied to better the life of man.

As a Congressman I must be concerned with not just the funding of pure science (for which I have profound respect), but also with the manner in which these inventions, these discoveries in the *abstract* may come to contribute to American life in the *concrete*. In a democracy we must be concerned with both; in my position of responsibility and representation I must consider both. Thus, simply, my interest in a uniform emergency telephone number.

COMMUNICATIONS PROBLEM

I can date my initial consideration of this problem rather exactly for you. Late last May as I sat in a Science and Astronautics Committee hearing on a bill to establish a comprehensive Fire Research and Safety program, a bill I had introduced, I was struck by the magnitude of this communications problem in time of emergency. Whom would you call; would you know the number; would you have to run down a list of possible numbers; who would be calm enough to do so?

I decided that the first step was to get a Congressional resolution passed which would encourage such uniformity. So I introduced on May 25, H. Con. Res. 361 which stated: "That it is the sense of Congress that the United States should have one uniform nationwide fire reporting telephone number and one uniform nationwide police reporting telephone number."

Hearings were never held on this bill, so it did not reach the floor of the House. But I contacted all my colleagues in the House of Representatives to enlist their support; many responded favorably.

Then I took on the giant. I began conversations with AT&T; with Indiana Bell. They recapitulated a kind of position paper on this problem. In summary they concluded that dialing "O" for Operator in case of emergency to be the most efficient, universal number because: there is then no doubt about getting the right number (even in cities where police or fire departments have a single number, people often forget the number in a crisis); fright would not scare this out of mind; this is universal; "O" for Operator requires only a single pull of the dial; the digit zero is next to the finger stop where it can be found quickly by anyone, even in the dark, and even on the new touch phones. Moreover, the Telephone Company representatives stressed that they have publicized this dial "O" for sometime. Furthermore, if the caller for any reason loses the ability to talk, or drops the phone, cuts the connection, the Operator is trained to hold that call and trace the caller.

A SINGLE NUMBER

I was impressed with these arguments. I was not convinced that there was nothing better; a single number that would be easily learned, retained, used.

Indiana Bell and the representatives from AT&T promised to re-think the issue. Meanwhile I was comforted by the fact that I had behind me a very reputable authority for the importance of this innovation, namely the President's Crime Commission Report. In the special task force report on Science and Technology the relationship between rapid calls to the police and their capacity to make arrests was noted. Their conclusions closely paralleled my own. Making a controlled study of a particular city they discovered that "on the basis of this data, short response time correlates with ability to make an arrest."[1] The Report recommended:

"Wherever practical a single number should be established, at least within a metropolitan area and preferably over the entire United States, comparable to the telephone company's long-distance information number. This is difficult but feasible with existing telephone switching centers; it appears more practical with the new electronic switching systems being installed by the telephone companies, and should be incorporated."[2]

Meanwhile, I was busy pursuing other lines of attack. I contacted more than 40 police and fire chiefs from coast to coast; as well as Scotland Yard; the Attorney General's office; the FBI. And I got a lot of replies.

I began to get them from civic organizations and private citizens and fire and police chiefs whom I had *not* written, when, in September of last year I published an article in Parade Magazine outlining the problem and my proposed solution. Subsequently, the Catholic Digest, Amvets, the National Observer published articles on what was fast becoming a time-consuming crusade!

For a time there seemed to be a communications problem, or a lack of communications between myself and telephone company officials. We seemed to be talking about different things. When it was made clear that I merely wanted something like the "411" information facility, a single number to be used nationwide, not any kind of a national switching center, resolution of the problem seemed more likely.

EMERGENCY NO. 911

With this bit of history you can better understand my enthusiasm when I was informed the evening before the public announcement of AT&T on January 12, that they would provide "911" as that single, nationwide, emergency number at a cost of some $50,000,000 to themselves. AT&T indicated that they could begin to make this new number available in 1969, with the cooperation technically and financially of cities and communities around the nation.

This was better than I had dared to hope. You can imagine my reaction and the reasons therefor.

On January 15, 1968 I introduced a new resolution, H. Con. Res. 610: this time expressing the sense of Congress that "911" be adopted as our nationwide, uniform, emergency telephone number.

There are two points I would like to make at this juncture. First of all as to the nature of the bill I introduced. It does not in any way bring federal power to bear on imposing any kind of uniformity. It simply puts the Congress on record as supporting the idea of a uniformity in emergency communications which would increase simplicity.

Secondly, there is, as you notice, a difference between the earlier resolution and this one. In the earlier resolution I proposed a single uniform fire reporting number and a single, uniform, police reporting number. However, I always thought that the greater uniformity the better; that our objective is to make the emergency communications number so easy that anyone at any time could immediately resort thereto.

COMMON NATIONWIDE NUMBER

Therefore, when AT&T offered the single number, I was elated. Can you imagine, for a moment, what implementation of this nationwide would mean? What a step this would be in making order out of chaos? I am reminded of one of the letters I received, a comment that was made, that seemed to me to hit the mark. This was in a letter from Frank D. Campbell, Capt., Superintendent of Communications, Indiana Police Department:

"Population explosion, as it is called, provides our communities with thousands of new citizens, each of whom must be taught survival; one phase of survival is learning not only their own phone numbers but their respective police and fire department numbers. If a common number for our country was used then regardless where a child might be the call for assistance could save a life."

On March 1 of this year, I am happy and proud to report to you, my hometown of Huntington, Indiana inaugurated the new "911" with the help of the Indiana Bell system, at an initial cost of a little over $40. Huntington is a town of 18,000 with 6,846 main line phones in the city. Huntington thus became the first city served by the nationwide Bell System to receive the "911" emergency telephone number service.

This is an example of what can be done. Through conversations with the mayor of Huntington, the police and the fire chief, the local telephone company there, this was easily accomplished.

In other places it will cost more and take more time to install "911." However, I am convinced of the importance of this single number and of the need to alert the public to its potentialities. So, I have written each of the governors to bring this matter to their attention and to encourage them to investigate the possibilities in their state, to inspire city and county local officials to do likewise. We are at the "end of the beginning" only.

USE OF 911

I am aware that everyone will not approach the implementation of "911" as enthusiastically, even unreservedly as I. I know that there are those who believe it impossible or at least most difficult to use one single number for both police and fire emergency calls. I hope they are wrong. I am in no position to prove or disprove the matter. What I do recommend is the following: given the "911" offered by AT&T, can we not try it out, test it empirically? Surely we will discover many things in so doing; possibly we will find that we can nationwide use the single number; perhaps not. But we must make some demonstrations of just what effect this new facility will have.

To my mind, considering the safety, security, peace of mind and availability of help thereby—this single number is the best. If this can be disproven, it should be. But we must start somewhere and now.

I am reminded of what the great French Marshal Lyautey once said to his gardener: "Plant a tree tomorrow." And the gardener said, "It won't bear fruit for a hundred years." "In that case," Lyautey said to the gardener, "plant it this afternoon."

That is the way I feel about improved emergency telephone communications for the American public.

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[1] The Institute for Defense Analyses, Task Force Report: *Science and Technology* (Washington, D.C., 1967), p. 9.

[2] *Ibid.*, p. 29.

Support We Need—Sympathy We Can Do Without

HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. RHODES of Arizona. Mr. Speaker, it is with a great deal of pride that I share with my colleagues in the House and Senate a letter from Tom Esslinger, lieutenant, U.S. Marine Corps Reserve. Lieutenant Esslinger is the commanding officer of Mike Company, 3d Battalion, 26th Marines. His present station is Hill 881 South, located near Khesanh in Quang Tri Province, Vietnam. Tom Esslinger was a classmate of my eldest son at Yale University. It is unnecessary for me to express the opinion that this young man is a fine officer, because when you read his letter the conclusion will be as inescapable to you as it is to me. I am sure that every Member of the Congress will wish to join me in sending our thanks and best wishes to Lt. Tom Esslinger and Mike Company. Under leave previously granted, I am pleased to include the following letter from Lieutenant Esslinger in the CONGRESSIONAL RECORD:

THIRD MARINE DIVISION (REIN),
FMF, VIETNAM, HILL 881 SOUTH,
KHESANH COMBAT BASE, QUANG
TRI PROVINCE, RVN,
March 22, 1968.

DEAR CONGRESSMAN RHODES: I have decided to exercise my right to communicate with my man in Washington and although you are not the man I vote for, I decided that yours would be a good ear to bend.—I write concerning an irritation more than a problem. Mike Company, 3d Bn., 26th Marines of which, as you know, I am Commanding Officer, has been located on hill 881 South since 19 January of this year. During the past two months we have been under siege by a sizable NVA force and, of course, this has subjected us to some hardships. There have been days without chow and water, weeks without mail, and months without showers or shaves. None of this has ever reached a really critical stage, and considering the overall circumstances in the Northern Provinces of South Viet-Nam, I am amazed that we have been taken care of as well as we have been. Every bit of supply that reaches this hill comes in by helicopter and each chopper receives small arms, .50 caliber automatic weapons fire, and mortar up to 120 mm. We have lost several choppers during such resupply efforts. Despite this, the situation has steadily improved. It is significant to note that we have never been in a really critical situation ammunition wise. Oh, certainly there have been occasions when our stockpile of one item or another has been lower than we would have liked it to be, but we have never been in a position where a lack of ammunition made our position tactically unsound.

As for comfort items: In early February, our complaint was a shortage of food and water. By late February we had the chow and were lamenting a shortage of mail. Shortly thereafter our supply complaints revolved around a shortage of fresh oranges and most recently the major source of consternation has been the hair clippers that the last chopper brought to us and my small unit leaders have diligently put to use.

So, you are wondering what is the "irritation" of which I spoke. Apparently back in the dark days of February when chow was short, several of the hungrier of the crew on the hill felt desperate enough to seek outside help. Some of them used the time-honored device of writing to their congressmen. Their congressman, responding to a plea from a distraught constituent instituted congressional interest inquirys, the ramifications of which are reaching me at this time. Certainly these pleas and the resulting inquiries can accomplish no good at this end. There is no congressman nor an American citizen who desires to help us here any more than do the fellow Marines who are responsible for our support. Surely no member of Congress can do more to quiet the .50 calibres and 120 mm mortars that make resupply hazardous than can the Marines who constantly prowl the skies in F4B Phantom jets. Therefore, the only good that can come of such letters is the sympathy they cause back home.

My fear is that a wave of such sympathy could, indeed, have an adverse effect on what we're trying to do here. The vast majority of my Marines are far from crybabies. They complain continually—that's the way of the Corps, but rarely do they do so publicly. Most of them are amazingly content here. It is another example of the working of that human quality which is my favorite—the resiliency of the individual. In two months, hill 881 south has gone from surface to subterranean living. Wood from empty ammo crates lines brooches (living quarters). New arrivals bring radios and through sharing of speakers and that most precious of Marine Corps commodities, common wire, we now have music piped into a large number of bunkers, including my command bunker. The Marines continue to maintain a jaunty smiling morale. When a buddy is struck down by a mortar round or a sniper's bullet, they give him aid and chalk up another score which will be settled before this battle is over. The American people may worry about whether Khe Sanh or hill 881S can be held, but we don't worry much about it up here. We dig our fighting trenches deeper, we don't clear escape routes. This is *our* hill. Fellow Marines bought it the hard way, we raised the flag over it, and *we* will take the flag down. Most of us would like to see the NVA try to take it away from us. Our biggest concern is what we will do with all the enemy dead after the smoke clears.

Maybe some of these thoughts are bravado designed to mask that gut-clawing fear which grips each one of us whenever a 120 mortar comes whistling into our area. Certainly all of us would just as soon have this battle, and our chances to be war heroes, in our past. However, until such time as all the enemy have been repulsed, destroyed, or driven to shelters, we shall stay here and aim in on each one who has the audacity to challenge the firepower and courage of the United States Marines.

I am still civilized enough to realize that some of the things I say make strong reading to someone a bit more removed from the fracas than I am. My remarks are not dispassionate, however, because this is not a dispassionate business. Its primary prerequisite is a passion of the highest order, patiotism, and each one of these 19 year old PFC's up here with me has this passion, whether he will admit it or not.

My purpose then is to tell the story in perspective. Support we crave and need, sympathy we can do without. The purpose of this letter is to let *you* know how *I* feel. If you feel that there is some good to be derived through the sharing of these pages with others, you, of course, have my full blessing. My purpose is to provide you with information which you can put to purposes that might aid the country, the Marine Corps, my Marines, or myself.

Please convey my best wishes to the entire Rhodes household and to Jay and Peggy. Thank you for your time and, of course, the best to you and to the party in the coming free-for-all.

Very respectively, semper fidelis,
TOM ESSLINGER,
Lt., USMCR, Commanding Officer, Mike Company, 3d Battalion, 26th Marines.

New Frontiers of Understanding the U.S.S.R.

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. DERWINSKI. Mr. Speaker, there is no greater, general misconception held in our country than that the Soviet Union is "Russia," "a nation," "a country of over 200 million Russians." This grave misconception is almost daily encountered not only in the private realm but also in the highest official circle. Regrettably, many of our misdirected policies toward the U.S.S.R. are based on this misconception and will undoubtedly cost us much in this historic struggle with Soviet Russian imperio-colonialism.

The new book on "The Vulnerable Russians" explodes this basic misconception and illuminates the new frontiers of understanding the U.S.S.R. It also sets forth concrete recommendations for a rapid rectification of the Red empire. Authored by Dr. Lev E. Dobriansky, of Georgetown University, the book is lucidly written, quite revealing in many areas, and well documented throughout. With broad perspective, it shows the blinders of misunderstanding by which our policymakers have approached the Russian problem.

"The Vulnerable Russians" is now available at the Georgetown University Bookstore, White Gravenor, Georgetown University, Washington, D.C. However, some excerpts from the book will give the reader an indication of the novel nature of the work.

The excerpts follow:

THE NEED OF A FREEDOM COMMISSION

Colonel Maillard: "No! the secret victory does not reside in instruments of destruction. It is a power old as the world, yet always young, more redoubtable than arms; apt to give birth to great surprises, because it creates in an hour the most unexpected means of action, the most varied artifices, applying them to circumstances with admirable precision. It is Moral Power resulting from three forces: the Intelligence which conceives; the Will which executes; the Courage which faces death."

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The clear answer to the question is that many, many things can be done to defeat Soviet Russian imperiocolonialism, and through this defeat that of the entire Red Empire, including Red China. Remember, the base of so-called Communist power is the USSR, not Red China nor any of the others in the empire. Some of these things have already been suggested.

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How to cope with the Cold War thrusts and maneuvers of Moscow has been a vexing problem for some time. By no means has the problem, in any real sense, been resolved. In fact, our Government has not faced up squarely to all the demands and issues involved in the problem. No clear-cut decision has been made on how to meet it, and no apparatus or coordinating body exists at present to adequately deal with it. Our dearth of operation can only accommodate a defensive reaction to the successive challenges staged by Moscow, as seen in the Congo, in part in the Dominican Republic, Viet Nam and elsewhere. In each instance some gain of a psycho-political nature accrues to the enemy. This could not be otherwise since our defensive posture can only serve to minimize, not prevent entirely, his inroads into the broad field of operation offered by the simply reacting Free World.

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We have become so obsessed by the fear of "escalations" that Moscow can rightly credit itself with a propaganda job well done. It would do well for many to memorize the Maillard quote above, which may quite appropriately emblazon a United States Freedom Academy.

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Just a few years ago some legislators on the House Appropriations Committee were amazed to receive a State Department request for funds to establish a section for the purpose of studying Communist tactics and techniques As one of them pointed out, he had been under the natural impression all these years that appropriations made along these lines were being continually applied to this primary and necessary end.

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There are numerous reasons accounting for this state of affairs. For one, the nature and scope of cold war activity continue to elude the understanding of many Americans. Some, weak in their understanding of Russia's historical background, view it as part of a "strange new force" that has entered our world—"the strangest and most enigmatic in all history." When, for instance, any Kremlinite makes an actor's plea for "the lessening of international tensions," they find it difficult to understand that this gesture is only another purposeful maneuver in Moscow's cold war operations. The zag—after the zig—is nothing new in Russian (not just in the so-called Soviet) history, and the end has had both political and psychological import. When Moscow or its totalitarian dependents crave for trade with the Free World, it is surely not for our politico-economic interest.

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But many of our leaders, steeped in Western traditions, continue to believe that a high level conference with the Russians is an appropriate occasion for settling differences of view on particular issues. They fool not only themselves but also a sizable portion of our populace. The great proponent of "peaceful coexistence," Nikita Khrushchev, gave expression to the standard Kremlin line when he declared. "We do not negotiate on the basis of the give-and-take principle. We have nothing whatsoever to give—we will not make any concessions because our proposals do not form the basis of a barter deal." In Russian eyes negotiation is itself a cold war instrument, designed for the "soft chance" of gaining an advantage or merely demonstrating "peaceful intentions."

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Differing views as to the administration of a full-fledged cold war undertaking constitute a third reason for the absence of such a program Those having these views are in complete agreement that such a project is a must; but to a greater or lesser extent they do disagree as to its content. For example, this writer sees nothing really new in the cold war techniques and methods of the Soviet Russian colonialists. There has been nothing peculiarly "Communist" about them. Unfortunately, people learn this when their fate is sealed. "We were becoming victims of a deception," writes Juana Castro, "since, in spite of Fidel's public denials of the communist character of the revolution, we could see as the days passed how the country was being delivered to Russian imperialists."

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Many exclamations over the years that something creative and different must be done, have clearly indicated a widespread feeling of dissatisfaction with existing agencies on this score. Senator Henry M. Jackson of Washington has soundly declared that "We have never been in the same league with the Russians in the psychological war of wits and words." The columnist David Lawrence has often made the point expressed in these words: "What a spectacle the Western governments are making of themselves these days as they flounder indecisively in the midst of Soviet threats and ultimatums, seemingly afraid to meet squarely the challenging issues of the hour!" At one time, the then Senator Lyndon Johnson gave eloquent expression to this growing restlessness about our operational inadequacies when he urged a summit meeting of Free World heads of state. Also, at the dedication of the Hoover Presidential Library in 1962, former President Herbert Hoover, in an inspiring address, called for a Council of Free Nations including "only those who are willing to stand up and fight for their freedom."

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THE PROTRACTED STRUGGLE

A paramount means in the march toward the new frontier of understanding and combating the USSR—indeed, in fortifying ourselves to cope with and to win the Cold War—is the Freedom Commission project. In both the 86th and 87th Congresses some realism in the Cold War was manifested in the measure known as the Freedom Commission Bill. This measure was sponsored in the House of Representatives by Congressmen A. Sydney Herlong, Jr. of Florida and Walter Judd of Minnesota. In the Senate its sponsors were Senators Karl E. Mundt of South Dakota and Paul H. Douglas of Illinois. The bill called for the creation of a Freedom Commission, the establishment of a Freedom Academy, and the formation of a Joint Congressional Freedom Committee. The basic idea of a commission was first advanced by the Select House Committee to Investigate Communist Aggression, led by Congressman Charles J. Kersten of Wisconsin.

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The Freedom Commission itself would be an independent agency composed of six members and a chairman. The members and chairman would be appointed by the President with the consent of the Senate. It has been emphasized that one of the prime functions of the Commission would be the establishment and supervision of a Freedom Academy. Training at the Academy would concentrate on knowledge of Soviet Russian political warfare techniques and ways and means of counteracting them. The students at the Academy would be carefully drawn from governmental, private, and foreign areas. Other recommended functions of the Commission include the establishment of an information center to aid organizations and groups in an understanding of Soviet Russian conspiracy and a broad spectrum of psycho-political operations, the conduct of research and surveys, and a host of additional tasks designed to realize the objectives of this national project.

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MEANING OF COLD WAR EDUCATION

In the permanent Cold War this measure of realism has a broader significance than what may appear on the surface. First, it should be recognized that it isn't impossible for this country, and with it the Free World, to suffer disastrous defeat at the hands of the Soviet Russian Empire. The possibility of such defeat is not necessarily grounded in any precondition of a hot global war. As a matter of historical fact, the great advances in the expansion of the Russian Empire, both past and present, have been achieved primarily through systematic subversion, duplicity, and conspiracy rather than by military means.

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Throughout this book one example after another is offered to illustrate this stubborn misunderstanding or, better, protracted lack of understanding with regard to the nature of the main enemy. It is a vertible blind spot, accruing enormously to the advantage of the power center of so-called world Communism. This Western blind spot contributed to the formation of the Soviet Russian Empire in the form of the USSR, following World War I. It preserved this empire in World War II. Read any of the memoirs by World War II leaders on the Western Allied side, and you can begin to understand why this empire expanded, despite its military and political inferiority. Neither Churchill nor Roosevelt nor Eden understood how profoundly weak, politically, Stalin and his gang were. Here is a prime example of Stalin's basic fears: "Stalin: If you say that you might well say tomorrow that you do not recognize the Ukraine as forming part of the U.S.S.R." "Eden: That is a complete misunderstanding of the position. It is only changes from the pre-war frontiers that we do not recognize. The only change in the Ukraine is its occupation by Germany, so of course we accept the Ukraine as being part of the U.S.S.R."

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In this country, curiously enough, with all its rich tradition of freedom, national independence, and principled opposition to colonialism and imperialism, the real chasm that exists between imperialist Russian totalitarianism and freedom-aspiring non-Russian nationalism seems to escape the minds of many, including many on the highest levels of Government.

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To cite another example on a high level of our Government, Professor W. W. Rostow, who was appointed by President Kennedy to the position of chief in the policy planning body of the State Department, personifies this labyrinth well. He evidently still labors under the illusions that "Russian peoples" inhabit the USSR, that the "Soviet Union" is "Russia" and thus "a nation," that economic growth in the USSR is a "Russian" phenomenon, and in another work, mind you, that the national minorities "show little or no aspiration for political independence." If anyone seeks the acme of confusion on this subject, the cited works provide it. We can perhaps afford errors on a university campus, but we certainly can ill-afford them in the State Department. When fundamentals escape us, baseless higher judgments will offer us little escape from tragedy.

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Andrei Sinyavsky, a Russian literary critic under the pen name Abram Tertz, has stated the problem succinctly: "In the name of the Purpose, we turned to the means that our enemies used: we glorified imperial Russia, we wrote lies in *Pravda*, we set a new Tsar on the now empty throne, we introduced officers' epaulettes and tortures." These and other basic issues would have to be sufficiently clarified by the Commission if we are to adopt those approaches to techniques, via understanding, that would incisively penetrate and weaken the present Soviet Russian empire.

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One important result would be a general awareness that both out of ignorance as to the nature of the non-Russian revolution in the crumbling Tsarist Russian Empire and out of half-hearted determination, the United States failed to support the ideas and principles of our own tradition in concrete application to independent Georgia, Armenia, White Ruthenia, Ukraine, Azerbaijan, Turkestan and other non-Russian nations, which had determined themselves at the end of World War I. These nations, as we saw, were soon again individually subverted and subjugated by the imperialist successors to the White Tsar.

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Kosygin furnishes powerful evidence of the fundamental continuity of Soviet Russian imperio-colonialist policy when he declares, "We proceed steadfastly on the road of developing each Soviet people's national culture to the point where the communist ideal, namely the merger of all nations into one (Russian) supernation will become reality." What should have been a second or third-rate power is today, largely on the basis of accumulated captive resources, a contender for the world. More ironical still is the fact that the sole real imperialist power in the world today, has actually stolen the American banner of the idea of national self-determination and freedom and successfully parades it in Asia and Africa. Plainly, then, the Freedom Commission in its positive concern for freedom everywhere would be morally obligated to launch some studies of this long neglected and yet vitally strategic non-Russian area in the Soviet Union.

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Failing establishment of the Commission, one shouldn't be surprised by any future extension of the long list of captive nations. The Red imperio-colonialists maintain some 6,000 schools in political warfare, and some 150,000 professionals in this art are planted about the Free World. Eventual takeover is a full-time job with them. As of now, we have only amateurs to contest them. One major lesson we must learn in all of this is that Soviet Russian imperio-colonialist policy never changes in substance.

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Before we turn to the second major means capable of preparing us for victory in the Cold War, we should recall how strange it was that only in the very recent period the State Department requested funds for the specific purpose of studying "communism." It is doubly strange that after a Gallup poll in 1962 had disclosed wide popular support for the Freedom Commission and Academy, the Department suddenly decided to conduct its own "courses" on communist techniques and strategy, and also set up a hollow decoy in a legislative measure to create a Foreign Service Academy. It appears that some people in the Department fear any popular checks on its known errors, omissions and shortcomings, much of this the result of overburdening routine operations. As we shall see, perhaps the most ridiculous mistake committed by the Secretary of State was in connection with a Special Committee on the Captive Nations, the second of America's indispensable media for victory in the Cold War.

Open Housing: A Fraud in Semantics

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. RARICK. Mr. Speaker, I can sell my home or rent my apartment to anyone I want to—right now.

So can any American. At this time any American can refuse to sell or rent to anyone if he pleases not to.

But should the misnamed Fair Housing Act—Open Housing Act—become law none of us could sell or rent to anyone we desire.

The babbling that without fair housing some, because of the color of their skin, cannot buy or rent is not completely correct because if anyone wants to rent or sell their property to them, they can.

Then it must be concluded that the tear-jerking liberal is not merely interested in helping another secure a home or apartment; he is out to force anyone who does not bow down to his political philosophy to give up his freedom in disposing of property. Passage of the Open Housing Act will not give anything. It will take away.

Nothing but a misuse of words to force another unwanted intrusion on the individual rights of the masses.

Likewise shameful is the use of smears to blame riots on the poor man. To the contrary, reports from the battle of Washington show the majority of the looters seized have jobs—in fact a sizable number are Federal employees.

I ask that two reports from the Evening Star of Washington, D.C., for April 8 follow:

[From the Washington, (D.C.) Evening Star, Apr. 8, 1968]

A Profile: Many Seized in Looting Have Jobs

A random survey of 100 persons charged with looting and other serious crimes during disorders here indicates the typical defendant is male, in his 20's, employed in a low- or medium-income job and without a prior arrest record.

Case records of the D.C. Bail Agency at the Court of General Sessions show 27 of 100 defendants had prior records. Only about half involved serious crimes.

Seventy-eight of the group of 100 studied were men. Of these 23 or over one-fourth, had police records.

Of the group, 10 were teenagers, 37 in their 20's, 20 in their 30's, 7 in their 40's and 2 in their 50's. One was 60 and another 62.

Only five were unemployed. Although the group contained two Howard University students, a computer operator and a gas station manager, the records show that most had low-paying jobs.

There were several warehousemen, printers, a butcher, a dozen construction laborers, two mailmen, a variety of clerks and eight janitors.

Only four of the 22 women studied had prior records. Two were teen-agers, 11 were in their 20's, 2 in their 30's, 6 in their 40's and one was 52.

Half of the women were housewives or unemployed. The group also included four maids, a presser, a seamstress, a Post Office mail handler, a secretary and a clerk at the Bureau of the Census.

Nearly all of the persons in the group face a minimum sentence of two years to a maximum of 15 years if convicted of second-degree burglary, the charge commonly used in looting cases.

[From the Washington (D.C.) Evening Star, Apr. 8, 1968]

ACLU Files Appeal—Lawyers Hit High Riot Bail

(By William Basham)

Some lawyers have expressed indignation over what they regard as a crude suspension of legal safeguards by the District's judges aimed at keeping masses of persons charged in the rioting off the streets.

Negro lawyers were particularly critical of the judge's practices.

The American Civil Liberties Union today asked the U.S. District Court for an injunction to free all persons held in jail more than 24 hours without counsel or arraignment, but was refused. The group was appealing later today.

At issue is the application of the 1966 Bail Reform Act, signed into law to prevent the lengthy detention of individuals who cannot raise money for bail set by the court. The act calls for pretrial release of the accused on personal bond, if justified by consideration of employment, length of residence and family ties.

Under the act, a judge is not specifically empowered to take into consideration whether a suspect might prove to be a "danger to the community" if released. The law tells the judge to decide whether a suspect is likely to flee the District to avoid prosecution.

BOND POLICY SHIFTED

Hundreds of individuals arrested in the rioting began to appear in the Court of General Sessions on Friday morning on charges of second-degree burglarly (looting). The judges there generally began to release on personal bond anyone who could satisfy the act's requirements of community ties.

By Friday afternoon, it was learned, some judges of the U.S. District Court had quietly conferred and agreed that suspects released on their personal word to return to court when summoned possibly would return to riot-struck areas in the meantime and take part in looting. They reached a decision based on what they regarded as a requirement for the safety of the community.

Some judges of the Court of General Sessions privately admitted that word had come down from the District Court to ignore the Bail Reform Act except in rare cases, and to start setting money bonds. By Friday evening, it was apparent that the "danger to the community" consideration was coming into play, and bail averaging about $1,000 was set in the felony cases.

HIT BY NEGRO LAWYERS

Most Negro lawyers, already upset because only the predominantly white D.C. Bar Association had been solicited for help in providing defense attorneys, refused to take part in the proceedings on Friday and Saturday because of the alleged predetermined policy of requiring high money bonds.

By early yesterday, however, the Negro lawyers chose to end their boycott and take cases.

Increase in Pension Enrollment

HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 9, 1968

Mr. CURTIS. Mr. Speaker, the March 1968 edition of Finance Facts, a monthly publication on consumer financial behavior, printed by the National Consumer Finance Association, contained the following article regarding information of immense importance to all concerned with the healthy development of retirement programs in America:

Increase in Pension Enrollment

Number of active and retired workers under private and government pension plans in 1966 (the latest year for which figures are available) jumped more than 1.9 million—by far the biggest increase in over 10 years. Figures do not include Social Security. Private plans of all types accounted for more than 70% of the 1966 gain.

Estimates by the Institute of Life Insurance indicate that about 42 million persons, or about half of the nation's civilian work force, are now enrolled. This would mean the number of persons covered has doubled since the early 1950s.

About one out of every eight covered by private and government plans at the beginning of 1967 was already retired and receiving a pension. Rolls of retired workers have been growing at a faster rate than coverage of active workers.

Mr. Speaker, we must fully recognize that Americans, in contrast to people in other developed countries, have a broadly based tripartite system of retirement. As I pointed out in my supplemental views to the Social Security Amendments of 1967, House Report No. 544, that Government social security is only one of these three parts, and is not, as the Social Security Administration alleges without substantiating data, "the major reliance for almost all beneficiaries."

The primary and historical part of our tripartite retirement system consists of the person's own savings, insurance, annuity, homeownership, and so forth. The third part consists of the funded employment pension plans which meet the standards set by the Congress in the Internal Revenue Code.

Today social security is certainly an important part of the retirement plans of most Americans. But it is only a part, and should never be viewed as replacing funded retirement programs. I am, therefore, very pleased to note in the Finance Facts that funded retirement programs are expanding as they should be to benefit more Americans.

There are three basic reasons why funded retirement programs are better than pay-as-you-go Government retirement programs such as social security. I have set forth these reasons in my concurring views to the 1967 Social Security Amendments previously referred to, and I would like to reaffirm them at this point:

1. Funded retirement programs can pay larger benefits than a pay-as-you-go system, because over 50 percent of the benefits paid out to the retiree come from the earnings on the investment of the fund. Our private pension plans today have over $90 billion in their funds. The annual earnings run over $4.5 billion. These funded plans are being extended to cover more and more people. About 25 million workers are presently covered in a program which was effectively started almost 10 years after social security. It wasn't until last year that the Congress effectively extended the tax treatment for corporate pension plans to self-employed and their employees. In a few years 50 million or 75 percent of the workers should be covered and the funds should be well over $200 million.

The social security system, on the other hand, is a pay-as-you-go system which does not contemplate paying benefits out of the earnings of the trust fund. The social security trusts consist of only $22 billion and is called a contingent fund—to protect the system against unanticipated contingencies such as serious recession. It barely equals the benefits paid out in 1 year, yet it covers over 65 million workers. If the social security system were funded in the same sense that corporate and other private pension plans are required to be funded by your tax and insurance laws, the fund would have to have $350 billion in it.

In other words, instead of increasing the payroll tax by say $200 a year—$100 from the employee and $100 from the employer by increasing the wage base on which the social security tax is paid from $6,800 to $7,800 and increasing the rate of tax, that same $200 a year if paid into a funded pension plan, the benefits could be increased two to three times the increases provided in the social security pay-as-you-go system.

The second reason which requires us to be cautious about increasing the social security system by having it compete for the same funds which finance private retirement plans is the economic limitations of the payroll tax, which is the method of financing not only social security but unemployment insurance and, in reality, workmen's compensation. Many economists have argued that getting the social security tax above 10 percent of payroll endangers the basic system. It is certainly true that all taxes have a point of diminishing returns. Without the increases in this bill, the payroll tax is already scheduled to go up to 11.3 percent of payroll.

The third reason for increasing the retirement benefits for our people through the funded systems rather than through pay-as-you-go systems lies in the need of any society for capital to finance its economic growth and increased standard of living. The Western European countries, particularly the ones that have been acclaimed for paying higher social security benefits than does the U.S. social security system, constantly look with envious eyes to the great U.S. capital market, because they do not have the capital to finance their growth. Americans through their tripartite retirement systems have much greater retirement benefits per person than these same countries because Americans do rely heavily on funded retirement systems in addition to social security. In the process, Americans have created great savings which are available through the savings and loan institutions ($150 billion), through the pension plans ($90 billion), through the insurance companies ($200 billion) and savings in banks ($100 billion) to finance the expansion of industry and their own living standards. If a society does not finance a large part of the retirement of its people through savings, it creates serious difficulties for itself.

So when we cut in on the funded systems by increasing the pay-as-you-go system as is done to some degree in H.R. 12080, we cut back on the amount of benefits that otherwise might be paid to our retirees as well as cut back on the capital that otherwise would be available to finance the Nation's growth which provides the jobs and living standards for our people.

I think it is important that we understand our great society so that in our endeavor to improve and better it, we do not unwittingly damage it.